

**ORDINANCE 2016-02**

**AN ORDINANCE OF POLK CITY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE OF POLK CITY, FLORIDA, BY AMENDING ARTICLE 2, SECTION 2.04.01, TABLE 4 – TABLE OF USES FOR THE C-2 GENERAL COMMERCIAL ZONING DISTRICT TO PERMIT EXISTING SINGLE FAMILY HOMES, INCLUDING STANDARD CONSTRUCTION, MODULAR HOMES, AND MOBILE HOMES AS PERMITTED USES, THEREBY ALLOWING SUCH STRUCTURES TO BE RECONSTRUCTED/REPLACED IF THEY ARE DESTROYED OR REMOVED; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3167(c), Florida Statutes, empowers the City to adopt land development regulations to guide the growth and development of the City; and

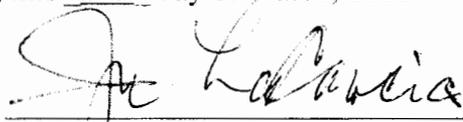
**WHEREAS**, the City Commission of the City of Polk City has determined it necessary and desirable to amend the regulations to allow for Existing Single Family Homes including standard construction, modular homes, and mobile homes in the C-2 General Commercial Zoning District to allow for reconstruction if a home is destroyed or removed; and

**WHEREAS**, pursuant to Section 166.041(c)2, Florida Statutes, the Planning Commission and the City Commission have held meetings and hearings to amend the **Unified Land Development Code as presented in the attached exhibit**, such exhibit attached as Exhibit "A" and made a part hereof; and, the meetings were advertised and held with due public notice, to obtain public comment; and having considered written and oral comments received during public hearings, find the changes necessary and appropriate to the needs of the City.

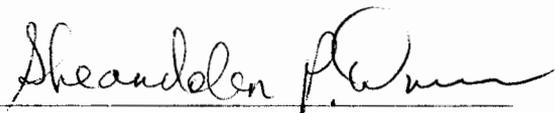
**NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF POLK CITY, FLORIDA** that the **Unified Land Development Code of Polk City** is amended as set forth in Exhibit "A".

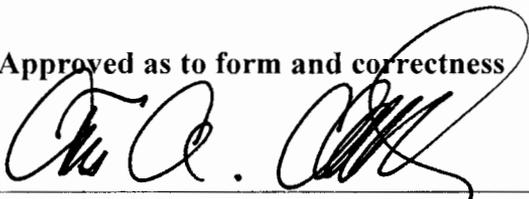
- (a) **Severability:** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.
- (b) **Codification:** This Ordinance shall be codified in the Code of Ordinances of the City of Polk City, Florida.
- (c) **Effective Date:** This Ordinance shall be effective 10 days after passage upon Second Reading.

INTRODUCED, PASSED on FIRST READING, this 21st day of March, 2016.

  
\_\_\_\_\_  
Joe LaCascia, Mayor

ATTEST:

  
\_\_\_\_\_  
Sheandolen P. Dunn, Deputy City Clerk

Approved as to form and correctness  
  
\_\_\_\_\_  
Thomas A. Cloud, City Attorney

PASSED AND DULY ADOPTED ON SECOND READING, with a quorum present and voting by the City Commission of the City of Polk City, Florida meeting in Regular Session this 18th day of April, 2016.

  
\_\_\_\_\_  
Joe LaCascia, Mayor

ATTEST:

  
\_\_\_\_\_  
Sheandolen P. Dunn, Deputy City Clerk

**EXHIBIT "A"**

**AMENDMENTS TO**

**ARTICLE 2 - REGULATIONS FOR SPECIFIC DISTRICTS**

**SECTION 2.04.01 ZONING DISTRICT SUMMARY TABLES**

**TABLE 4  
TABLE OF USES FOR EACH ZONING DISTRICT**

The proposed amendments to the Land Development Code (LDC) are provided below. Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

**2.04.01 Zoning District Summary Tables**

- P = Permitted Use
- D = Site Development Plan required, use is permitted upon approval of a site development plan
- S = Special Exception Use, Board action required
- C = Conditional Use, Board action required, City ~~Council~~ Commission action required

**Table of Uses for Each Zoning District**

Category/Use	AG1	AG2	R1	R2	R3	R4	R5	MH	C1	C2	M1	M2	PB	PR	CN
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**Single Family Residential**

<u>Single Family, Existing</u> <u>(includes standard construction,</u> <u>modular homes, and mobile</u> <u>homes)*</u>										P					
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**\*Allowing for reconstruction/replacement of such structures if destroyed or removed.**