

**ORDINANCE 1233**

**AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF POLK CITY, SAID AMENDMENT BEING KNOWN AS: “AMENDMENT 07-33-SS” SPECIFICALLY ASSIGNING A FUTURE LAND USE CLASSIFICATION OF “RESIDENTIAL LOW” TO THE PRESTAGE PROPERTY LOCATED AT 822 COMMONWEALTH AVE; SUCH AMENDMENT COMPLYING WITH THE SMALL SCALE AMENDMENT RULES; AND TO TRANSMIT SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) AS NOTIFICATION OF ADOPTION OF SMALL SCALE AMENDMENT); PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sections 163.3161 through 163.3215, Florida Statutes, the Government Comprehensive Planning and Land Development Regulation Act, empowers and mandates the City of Polk City, Florida to plan for future development and growth and to adopt and amend comprehensive plans, or elements or portions thereof, to guide the future growth and development of the City; and

**WHEREAS**, pursuant to section 163.3184, Florida Statutes, the City Council held meetings and hearings on Map Amendment 07-33-SS with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including support documents; and

**WHEREAS**, in exercise of its authority the City Council has determined it necessary to adopt this Map Amendment 07-33-SS to the Comprehensive Plan, which is marked Exhibit “A” and is attached and made part hereof, to ensure that the plan is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Polk City; and

**WHEREAS**, in exercise of its authority the City Council has determined that it is in the best interest of the City to change the Future Land Use Map for the Comprehensive Plan so that it is accurate and factual.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY THAT:**

**SECTION 1 –FUTURE LAND USE MAP AMENDMENT**

That the City Council of Polk City, Florida hereby adopts Map Amendment 07-33-SS to the Future Land Use Map of the Comprehensive Plan, Adding the parcel know as the Prestage property which was duly annexed in 2007, to the future Land Use

Map and assigning a future land use classification of “Residential Low” to this parcel described in Exhibit “A”. The property is approximately 0.941 acres.

**SECTION 2 – SEVERABILITY**

If any word, sentence, clause, phrase or provision of this ordinance, for any reason is held to be unconstitutional, void, or invalid, the validity of the remainder of the ordinance shall not be affected thereby.

**SECTION 3 –EFFECTIVE DATE**

Small scale amendments shall not become effective until 31 days after the final passage and adoption of this ordinance. If challenged within 30 days after adoption, small scale amendments shall not become effective until the State land planning agency or the Administration Commission, respectively issues a final order determining the adopted small scale amendment is in compliance.

**PASSED** on first reading this the 12th day of September, 2007

**PASSED AND CERTIFIED AS TO PASSAGE** on the second reading this the \_\_\_\_ day of \_\_\_\_\_ 2007.

**City Council of the City of Polk City**

\_\_\_\_\_  
Donald L. Penton, Mayor

**ATTEST**

\_\_\_\_\_  
Sylvia Sims, City Clerk

**APPROVED AS TO CONTENT AND FORM**

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Jeffrey Sullivan, City Attorney

**EXHIBIT “A”**