

ORDINANCE 1268

AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, RESCINDING ORDINANCE 1206 AND ADOPTING REMEDIAL AMENDMENT 10-2R TO THE COMPREHENSIVE PLAN OF THE CITY OF POLK CITY, FLORIDA, SPECIFICALLY INCORPORATING POLICY 6.3 AND POLICY 8.8.3 INTO THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY PROVIDING FOR DEVELOPMENT OF A FUTURE URBAN DEVELOPMENT BOUNDARY AND CREATING SITE SPECIFIC POLICIES FOR PARCEL NUMBERS 242701-000000-012010; 242701-000000-012020; 242701-000000-0021050; 242701-000000-0210600; AND 242701-000000-021070 AND DESIGNATING APPROXIMATELY 98.81 ACRES AS BPC-X, BUSINESS PARK CENTER-X, APPROXIMATELY 26.17 ACRES AS CC-X, CONVENIENCE CENTER-X, AND APPROXIMATELY 8.13 ACRES AS CON-X, CONSERVATION-X; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Polk City City Council passed Ordinance 1206 on March 19, 2008;

WHEREAS, Sections 163.3161 through 163.3215, Florida Statutes, the Local 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, 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 Remedial Comprehensive Plan Amendment **10-2R**; 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 accordance with the procedures required by Section 166.041 (3) (C) 2, Florida Statutes, and other applicable law, the amendment contained within this ordinance was considered by the City Council at a fully advertised public meeting, at which interested parties and citizens had the opportunity to be heard.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF POLK CITY, FLORIDA:

Section 1. The City Council of the City of Polk City, Florida, hereby amends the text of its Comprehensive Plan to specifically incorporate Policy 6.3 and Policy 8.8.3 into the Future Land Use Element of the Comprehensive Plan of the City providing for development of a future urban development boundary and creating site specific policies for parcel numbers 242701-000000-012010; 242701-000000-012020; 242701-000000-0021050; 242701-000000-0210600; and 242701-000000-021070 as detailed in Exhibit A, which is attached and made a part hereof.

Section 2. The City Council of the City of Polk City, Florida, also and hereby amends its Comprehensive Plan in the following specific manner: the Future Land Use Map is amended to change the classification and designate approximately 98.81 acres as BPC-X, Business Park Center-X, approximately 26.17 acres as CC-X, Convenience Center-X, and approximately 8.13 acres as CON-X, Conservation-X as shown in Exhibit B.

Section 3. The City Council of the City of Polk City, Florida, hereby transmits this amendment as a Remedial Amendment of Comprehensive Plan Amendment 10-2R to the Department of Community Affairs for their review and a Finding that it is In Compliance with the Laws of the State of Florida.

Section 4. 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.

Section 5. The effective date of this Comprehensive Plan Amendment shall be the date a final order is issued by the Department of Community Affairs finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S., or the date a final order is issued by the Administration Council finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

Section 6. A certified copy of this enacting ordinance and certified copy of the City of Polk City, Comprehensive Plan shall be located in the Office of the City Clerk of Polk City. The City Clerk shall also make copies available to the public for a reasonable publication charge.

INTRODUCED, PASSED on FIRST READING, this _____ day of _____, 2010.

Joe LaCascia, Mayor

ATTEST:

Approved as to form and correctness

Patricia R. Jackson, City Clerk

Jeff Sullivan, City Attorney

PASSED AND DULY ADOPTED ON SECOND READING, with a quorum present and voting by the City Council of the City of Polk City, Florida meeting in Regular Session this _____ day of _____, 2010.

Joe LaCascia, Mayor

ATTEST:

Patricia R. Jackson, City Clerk

EXHIBIT A

The following policy shall be adopted into the City of Polk City Future Land Use Element:

Policy 6.3: The City of Polk City Comprehensive Plan shall be amended to adopt an Urban Development Boundary and implementing goals, objectives and policies, to delineate the portion of the City appropriate for urbanization and which is supported by a financially feasible infrastructure plan to provide central potable water and central sewer service. This amendment shall be adopted as part of the City's first plan amendment cycle of 2011 or as part of the City's Evaluation and Appraisal Report ("EAR")-based amendments, whichever occurs first.

Policy 8.8.3 Parcel Specific Limitations.

- a. S.R. 33 and Mt. Olive Road, consisting of the following parcel i.d. numbers from the Polk County Property Appraiser:

242701-000000-012010;

242701-000000-012020;

242701-000000-0021050;

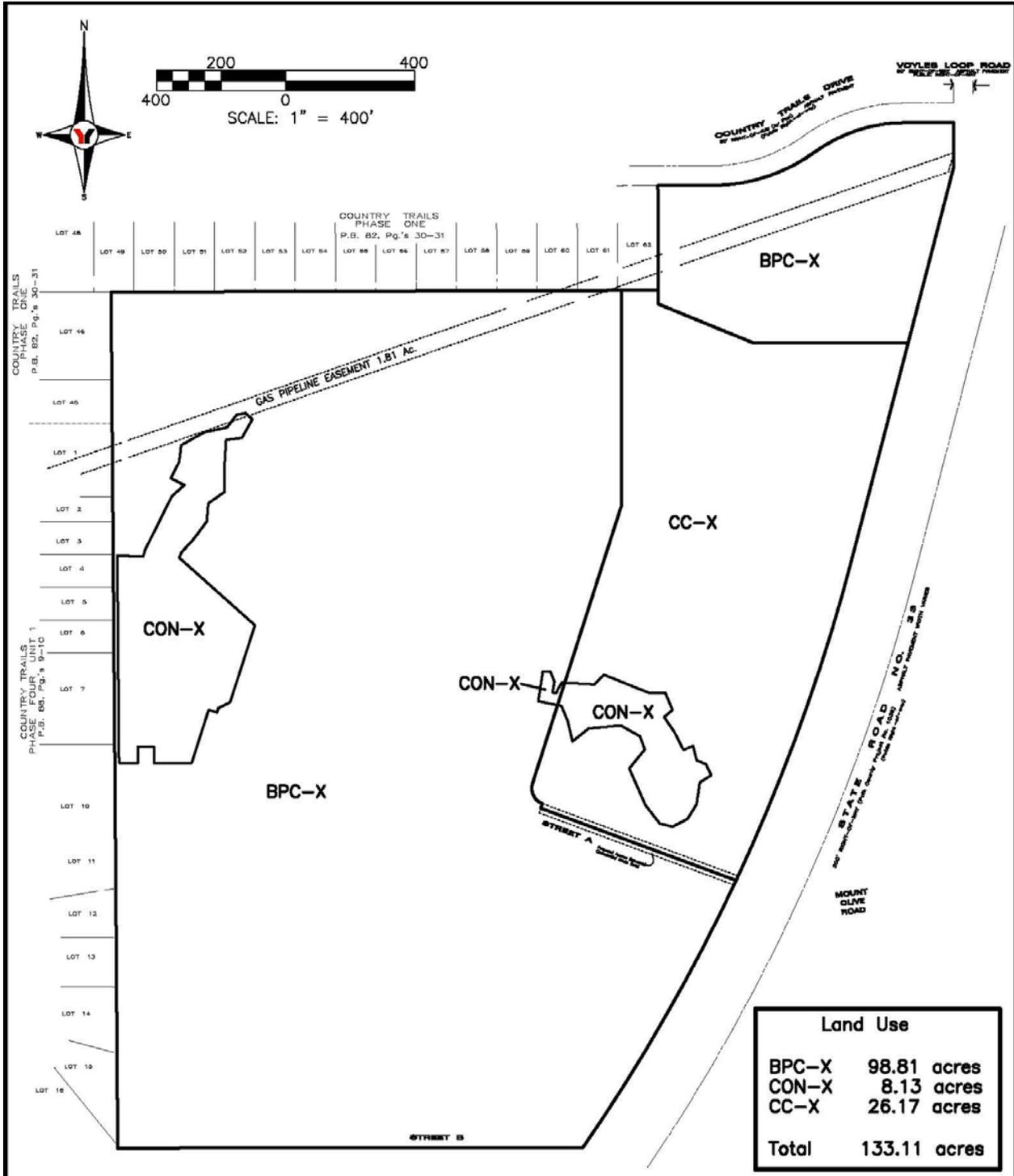
242701-000000-0210600; and

242701-000000-021070

The approximately 98.81 acres designated as BPC-X, Business Park Center-X, shall be limited to no more than 1.5 million square feet of Gross Leasable Area; and

The approximately 26.17 acres of CC-X, Convenience Center-X, may develop up to, but shall not exceed 270,000 square feet of Gross Leasable Area, which may consist of Office, Commercial, or a mix of Office and Commercial uses

EXHIBIT B



Land Use	
BPC-X	98.81 acres
CON-X	8.13 acres
CC-X	26.17 acres
Total	133.11 acres

PREPARED FOR:
Browning Investment
 6100 W. 98th Street, Suite 950
 Indianapolis, IA 46278

**Polk City Business Park
 Proposed Land Use**
 SECTION 00 TOWNSHIP 00 S., RANGE 00 E.

REVISED	BY	DATE	DESCRIPTION

	INITIALS	DATE
CREW CHIEF		
DRAWN	gsn	7/12/10
CHECKED		
FIELD BOOK		
FIELD DATE		

SURVEYOR NAME: PSM LS ####
 DATE: _____



George F. Young, Inc.
 417 COMMERCIAL COURT BUILDING 6, SUITE C VENICE, FLORIDA 34292
 PHONE (941) 488-3838 FAX (941) 488-3866
 BUSINESS ENTITY LB21
 ARCHITECTURE-ENGINEERING-ENVIRONMENTAL-LANDSCAPE-PLANNING-SURVEYING-UTILITIES
 GAINESVILLE-LAKEWOOD RANCH-ORLANDO-PALM BEACH GARDENS-ST. PETERSBURG-TAMPA-VENICE

Since 1919

JOB NO.
10001000TC
 SHEET NO.
1 OF 1

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