

**ORDINANCE NO. 1273**

**AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE OF THE CITY OF POLK CITY, FLORIDA; SPECIFICALLY, TO CHANGE THE TEXT OF ARTICLE 2, SECTION 2.04.01 – TABLE 4; ARTICLE 2, SECTION 2.04.01 – TABLE 5; AND ARTICLE 2, SECTION 2.04.02.06, TO ALLOW FOR MOBILE HOMES IN THE R-4 (MIXED RESIDENTIAL USE) ZONING DISTRICT; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREIN; AND PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**AMENDMENT  
TO THE  
UNIFIED LAND DEVELOPMENT CODE**

**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 Council of the City of Polk City has determined it necessary and desirable to amend the regulations to allow for mobile homes in the R-4 (Mixed Use Residential Use) Zoning District; and

**WHEREAS**, pursuant to Section 166.041(c)2, Florida Statutes, the Planning Commission and the City Council 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 THE CITY OF POLK CITY, FLORIDA** that the **Unified Land Development Code of the City 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 \_\_\_\_day of \_\_\_\_\_, 2011.

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

**ATTEST:**

**Approved as to form and correctness**

\_\_\_\_\_  
**Patricia R. Jackson, City Clerk**

\_\_\_\_\_  
**Thomas A. Cloud, 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 \_\_\_\_\_, 2011.

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

**ATTEST:**

\_\_\_\_\_  
**Patricia R. Jackson, City Clerk**

**EXHIBIT "A"**  
**AMENDMENT TO**  
**ARTICLE 2, SECTION 2.04.01 – TABLE 4;**  
**ARTICLE 2, SECTION 2.04.01 – TABLE 5;**  
**ARTICLE 2, SECTION 2.04.02.06**  
**OF THE**  
**UNIFIED LAND DEVELOPMENT CODE**  
**ALLOWING FOR MOBILE HOMES IN THE R-4 ZONING DISTRICT**

Text that is underlined is text to be added.

**2.04.00 Establishment of Districts**

In order to classify, regulate, and restrict the uses of land, water, buildings, and structures; to regulate and restrict the height and bulk of buildings; to regulate the area of yards, courts, and other open spaces between buildings; and to regulate the intensity of land use, all the area of the City of Polk City is classified into one of the following districts:

Table 1 - Zoning Districts

Map Designation	Zoning District Name
AG1	Agriculture
AG2	Single Family Residential Plus Horses
R1	Single Family Residential
R2	Single Family Residential
R3	Single Family and Duplex Residential
R4	Mixed Residential Use
R5	Multi Family Residential
MH	Mobile Home Park
C1	Residential, Business and Professional District
C2	General Commercial
M1	Light Industrial
M2	Heavy Industrial
PB	Public Buildings and Grounds
PR	Public Recreation
CON	Conservation

**2.04.01 Zoning District Summary Tables**

The tables on the following pages present, in a quick-reference form, information regarding permitted and special exception land uses, and development standards for all zoning districts. These tables must be read in conjunction with the regulations for specific zoning districts in Section 2.04.02. Similar uses are permitted; and the zoning district in which they are permitted is to be determined by the Development Director. The key to the table is as follows:

- P = Permitted Use
- D = Site Development Plan required, use is permitted upon approval of Site Development Plan
- S = Special Exception Use, Planning Commission action required
- C = Conditional Use, Planning Commission **and** City Council action required

**Table 2 - Table of Uses for Each Zoning District**

Category/Use	AG1	AG2	R1	R2	R3	R4	R5	MH	C1	C2	M1	M2	PB	PR	CN
--------------	-----	-----	----	----	----	----	----	----	----	----	----	----	----	----	----

**Single Family Residential**

Caretaker's cottage	D								D	D	D	D	D	D	D
Manufactured or Mobile Home Park								D							
RV park								D						D	
RV Home Community							P								
Single family, std. construction	P	P	P	P	P	P	P	D							
Single family, modular	P	P	P	P	P	P	P	D							
Single family mobile home (manufactured home) Individually sited						P		D							

Table 3 - Table of Development Standards

	Max. Density (units/ac)	Min. Lot Size (sq.ft.)	Min. Lot Width (feet)	Min. s.f. of dwelling unit	Setbacks (feet)			Max. Lot Covg. (%)	Max. Bldg. Height (feet)
					Front	Rear	Sides		
AG-1	1/10 acres	10 acres	250 width 400 depth		40	50	30	5%	45 (3 stories)
AG-2	1/1 acre	1 acre	150		30	20	15	30%	40
R-1	2.5	15,000	100	1,200	30	20	15	45%	40
R-2	3.67	10,000	75	1,000	30	20	10	45 %	40
R-3	4.65 8.7	7,500 SF 8,000 Duplex	75 80	950 750/unit	30 30	20 20	10 10	45%	40
R-4:									
SF Mobile Home	5.8	6,000 6,000	60 50	950 750	30 30	20 20	10 10	45% 45%	50** 40
Duplex	8.7	8,000	80	750/unit	30	20	10		
MF 3+	10	13,000	100	450/unit	30	20	20		
R-5:									
SF	10	6,500	65	950	20	10	7.5	55%	40
MF 3+ units	10	13,000	100	450/unit	30	20	20	45%	50**
MH:									
MH Park	10	4,000 single wide	40	14 x 60	20	20	7.5	45%	40
MH Park	10	5,500 dbl wide	55	28 x 60					
RV Park	10	3,000 for MH	30	N/A					
RV Camp	10	2,500 pull-thru RV	25	N/A					
RV Camp	10	3,000 Park Model RV	30	500 sf					
C-1**	**	**	50	**	20	20	10	50%	50
C-2	**	NA	50	NA	0**	0**	0**(1)	55%	50
M-1	NA	NA	70	NA	25	20	10	35%	50
M-2	NA	NA	70	NA	25	20	10	40%	50
PB	NA	NA	50	NA	25	20	10	50%	50
PR	1/20 acres	NA	0	NA	25	20	10	5%	40
CN	NA	NA	0	NA	25	20	10	1%	40

\* Lot size shall be unrestricted, however, there must be 500 s.f. of open space per residential unit for recreation and parking and 200 s.f. of open space for every 100 s.f. or fraction thereof of space provided for commercial use.

\*\* For residential development, the standards for R-4 district apply.

(1) a. At the end of blocks there shall be a ten (10) foot exterior setback required. b. Zero (0) foot setbacks are permitted for fireproof construction of walls, otherwise the interior setback shall be five (5) feet.

**2.04.02 Establishment of Zoning Districts**

The following zoning designations are hereby established within the City of Polk City:

**2.04.02.06 R-4 Mixed Residential Use**

- (A) *FLUM Designation:* Medium Density Residential Classification
- (B) *Purpose:* To establish areas within the City of Polk City that allows for a combination of all residential uses, including single family homes, **mobile homes**, duplexes, apartments, townhouses and condominiums.
- (C) *Permitted Principal Uses & Structures:* Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01, Table 4 . Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.
- (D) *Accessory Uses:* Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05 contains detailed guidance and regulations for permitted accessory uses.
- (E) *Special Exception Uses:* Uses permitted as Special Exceptions in this district are detailed in the Table of Land Uses in Section 2.04.01, Table 4. Such uses are designated by the letter "S". Special Exception uses require the submission of an application and approval by the Board of Adjustment prior to application for a Development Permit. Review of an application for approval of a Special Exception is governed by Article 7.
- (F) *Development Standards:* Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01, Table 5. Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height.
- (G) *Other Requirements:* none.