

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY COMMISSION OF POLK CITY, FLORIDA; AMENDING ARTICLE 3 – DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS, SECTION 3.09.01.02 “RECREATIONAL VEHICLE PARKS” OF THE UNIFORM LAND DEVELOPMENT CODE; CHANGING THE BUFFERING REQUIREMENT FROM A MASONRY WALL TO A SOLID FENCE; REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; PROVIDING A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

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

SECTION 1. FINDINGS AND INTENT. In adopting this Ordinance and modifying the Polk City Code and the therein-incorporated Unified Land Development Code, the City Commission of Polk City, Florida, hereby makes the following findings:

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

(2) The Act authorizes a local government desiring to revise its Unified Land Development code to prepare and adopt amendments.

(3) The City has prepared a text amendment to the Polk City Land Development Code to amend the development standards to remove the list of permitted uses from Planned Unit Developments to allow greater innovation in design.

(4) Although exempt under the statute, the City has nevertheless in its sole discretion performed a business impact estimate pursuant to § 166.041(4)(c), and determined that adoption of this ordinance:

- (a) serves a public purpose by serving the public health, safety, morals, and welfare of the City,
- (b) has no direct negative economic impact on private, for-profit businesses in the city,
- (c) will not result in direct compliance costs by businesses,
- (d) does not impose any new charge or fee on businesses for which businesses will be financially responsible,
- (e) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City.

(5) Pursuant to Section 163.3187, Florida Statutes, the City Commission held a meeting and hearing on this Unified Land Development Code change, 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.

(6) 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.

SECTION 2. AMENDMENT TO ARTICLE 3, DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS. Article 3, Section 3.09.01.02 Recreation Vehicle (RV) Parks is hereby amended to read as follows:

Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed.

Section 3.09.01.02 Recreation Vehicle (RV) Parks

It is the purpose of these standards to provide minimum development guidelines for an RV park designed only to accommodate the recreation vehicle. For the purposes of this ordinance, a recreation vehicle park is defined as a development in which recreation vehicles and/or "park model" mobile homes are permanently sited and occupied year round. An RV campground, on the other hand, is a development for overnight or limited vacation-season type. These provisions are intended to protect established or permitted uses in the vicinity of such a park, and to protect and promote the orderly growth and development of the City of Polk City.

(A) *General Requirements.* RV parks shall be a permitted use in PR district, and may be permitted in R-MHA and R-MHB districts **with a Site Development Plan**. Development standards provided in this Section shall supersede those of the underlying zoning district. RV Campgrounds are a Special Exception use (see Article 3, Section 3.09.00, "Devel. Standards for Uses Permitted by Special Exception, 3.09.02").

Duration of Stay in an RV Park. Vehicle sites are intended for year round occupancy.

(B) *Environmental Requirements*

(1) General. Condition of soil, groundwater level, drainage, and topography shall not create hazards to the property or to the health and safety of the occupants.

(2) Soil and Ground Cover Requirements. Exposed ground surfaces in all parts of every vehicle site area or other vehicle parking area shall be paved, or covered with stone screening, or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

(3) Drainage Requirements. Surface drainage plans for the entire tract

shall be reviewed by appropriate City staff, who shall determine whether the proposed plan is compatible with the surrounding existing drainage pattern and any relevant drainage plan of the City, prior to issuance of Site Development Plan approval and building permits. No permit shall be issued in such instance where the Building Official finds the plan to be incompatible with surrounding areas.

Table 1 - Table of Development Standards for RV Parks

	Max. Density (units/acre)	Minimum Tract Size/Lot Size	Minimum Tract/Lot Width (feet)	Setbacks (feet)		
				Front	Rear	Sides
Per Tract	15	7.5 acres	150 x 200	25	25	25
Per Unit		1500 s.f.	30 x 50	7.5	7.5	7.5

(C) *Tract Requirements.* The tract requirements are listed in the Table of Development Standards, above, with additional requirements as follows:

- (1) The tract shall have at least 75 feet of frontage on a Principal or Minor Arterial roadway, as designated on the Future Traffic Circulation Map of the City of Polk City Comprehensive Plan.
- (2) The minimum width of the tract shall be 150 feet at the front building setback line.
- (3) Where any property line of a RV Park abuts land either zoned for residential use or occupied by a residential use permitted by this Code, there shall be provided and maintained along, or within ten feet of, said property line a solid ~~face masonry wall~~ fence meeting acceptable design and compatibility for the area, with a finish of stucco or other texture, no less than six feet in height, which shall be in addition to the buffer yard required by Section 3.07.00.
- (4) Where an RV Park abuts an agricultural use, the tract setbacks shall be 50 feet on the front, sides and rear.

SECTION 3. BUSINESS IMPACT ESTIMATE. Pursuant to Section 166.041(4), Florida Statutes, the City is required to prepare a business impact estimate for certain proposed ordinances. This proposed ordinance amends the City's Unified Land Development Code as to certain performance criteria. Such an minor amendment to the

City's Unified Land Development Code (1) serves a public purpose by serving the public health, safety, morals, and welfare of the City, (2) has no direct negative economic impact on private, for-profit businesses in the city as it will be applied to all similarly situated applicants, (3) will not result in direct compliance costs by businesses, (4) does not impose any new charge or fee on businesses for which businesses will be financially responsible, and (5) does not create any additional municipal regulatory cost which is not recovered appropriately and lawfully by the City. Thus, it is estimated that neither residents nor any business will incur additional costs. The City does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected. The Business Impact Estimate form for this ordinance is on file with the City Clerk.

SECTION 4. CODIFICATION OF ORDINANCE. This Ordinance shall be codified in the Code of Ordinances of Polk City, Florida, and incorporated into the Unified Land Development Code which is a part thereof. A certified copy of this enacting ordinance 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.

SECTION 5. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 6. CONFLICTING ORDINANCES AND RESOLUTIONS. All existing ordinances and resolutions of Polk City in conflict with this ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage.

INTRODUCED AND PASSED on FIRST READING, this 18th day of February, 2025.

POLK CITY, FLORIDA



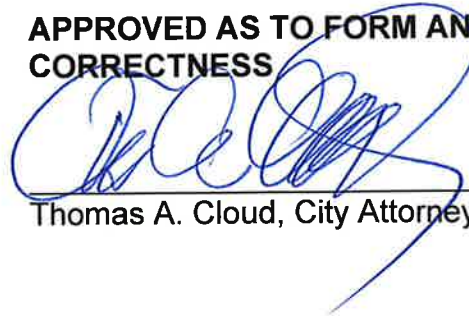
Joe LaCascia, Mayor

ATTEST:



Patricia Jackson, City Manager/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 Polk City, Florida meeting in Regular Session this
18th day of March, 2025.



Joe LaCascia, Mayor

ATTEST:



Patricia Jackson, City Manager/City Clerk