

ORDINANCE NO. 1239-A

AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING THE FUTURE LAND USE MAP AND THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF POLK CITY, FLORIDA, SAID AMENDMENT BEING KNOWN AS "AMENDMENT #08-01"; SPECIFICALLY, ASSIGNING LAND USE TO THE JOSHUA LAND, LLC AND C.C CALHOUN PROPERTY; TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR A FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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 on **Amendment #08-01**, 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 **Amendment #08-01 to the Comprehensive Plan**, which map is marked as Exhibit "A" and is attached and made a part hereof, to insure 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, the Council of the City of Polk City, Florida, amends its Comprehensive Plan in the following specific manner:

The Future Land Use Map is amended to add 12 recently annexed parcels known as the Joshua Land, LLC and C.C, Calhoun parcels, located on Smith Road in the eastern quadrant of the City, with the following I.D. numbers from the Polk County Property Appraiser:

252628-000000-021010	252628-000000-021020
252633-296500-004010	252633-296500-020010
252633-296500-020020	252633-297500-021002
252633-297500-021004	252633-297500-019004
252633-297500-019001	252633-297500-023004
252633-297500-023003	252633-296500-022010

For a total of 173.69 acres; assigning Residential Medium (RM) and Residential Medium/Wetlands to approximately 128.87 acres with a limited density of 861 residential dwelling units; and assigning Public Uses to 44.82 acres; as shown on Map 1 and attached as Exhibit "A".

WHEREAS, in accordance with the procedures required by Sections 166.041 (3) (c) 2, Florida Statutes, and other applicable law, the regulations contained within this ordinance were considered by the City’s Planning and Zoning Board at a duly advertised public meeting, at which time interested parties and citizens had the opportunity to be heard and such regulations were recommended to the City Council for adoption; and

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

Section 1. The Comprehensive Plan of the City of Polk City is hereby amended to add thereto map amendment, as shown in Exhibit "A", which is attached and made a part hereof.

Section 2. 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 3. This ordinance shall be codified in its entirety in the Code of Ordinances of the City of Polk City, Florida.

Section 4. After passage on first reading, notice of the second reading and public hearing on the ordinance before the City Council shall be published at least five (5) days before the hearing.

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 Future Land Use Map and 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 AND PASSED on First Reading the 19th day of March, 2008.

PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting, by the City Council of Polk City, Florida, this _____day of _____, 2008.

CITY OF POLK CITY

Donald L. Penton, Mayor

Attest with Seal:

Sylvia Sims, City Clerk

Approved as to Form:

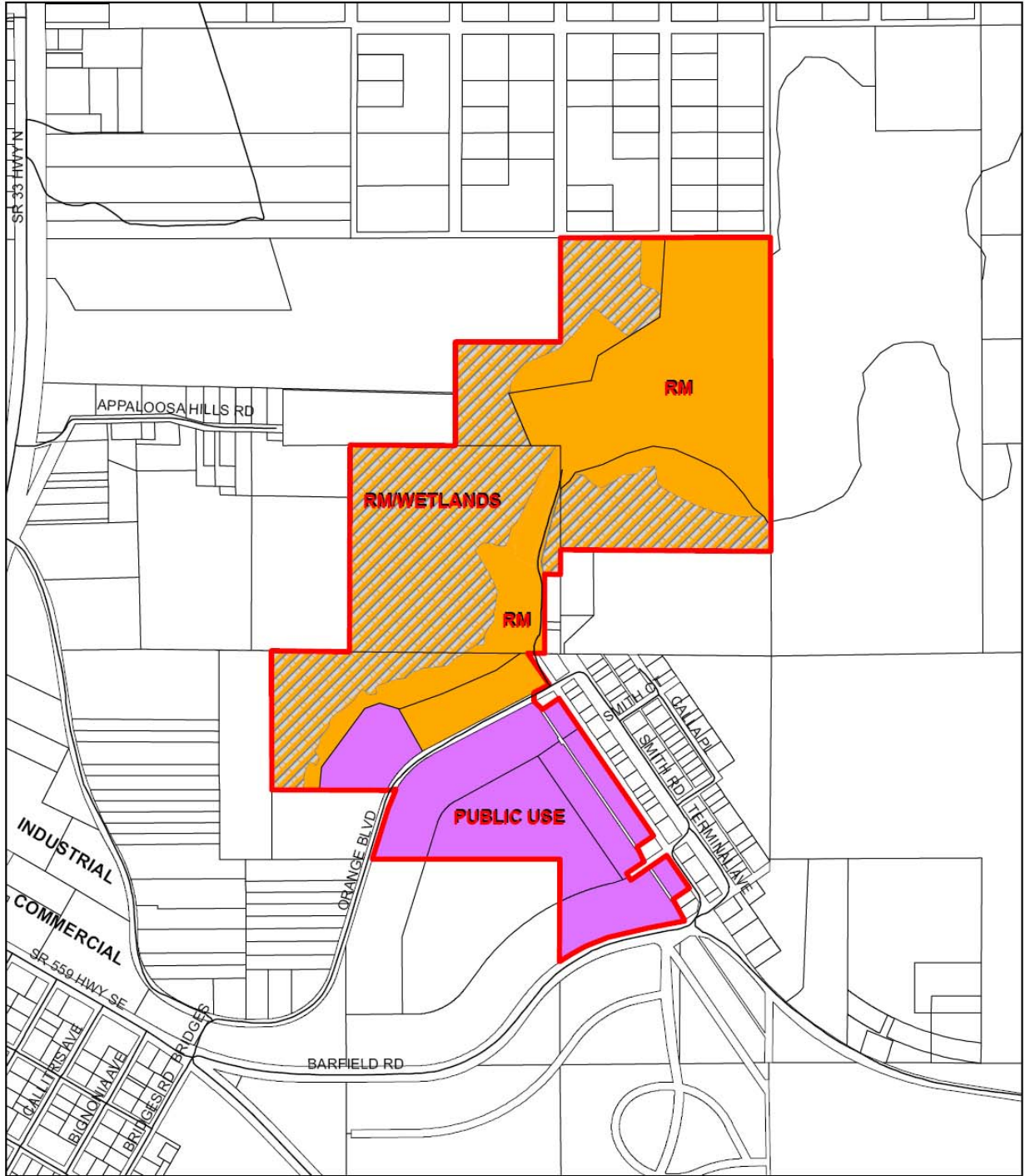
Jeffrey Sullivan, City Attorney

EXHIBIT "A"

FUTURE LAND USE MAP

JOUSHA LAND, LLC AND C.C. CALHOUN

POLK CITY PROPOSED FUTURE LAND USE AMENDMENT (ORDINANCE 1239 EXHIBIT A)



DISCLAIMER:
The information on this map should be considered conceptual and subject to change. This map is not a survey.

Data Sources:
Central Regional Planning Council
Florida Department of Transportation
Polk County Property Appraiser
City of Polk City
Property Owner



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LEGEND	
	FLU Amendment Area
	Residential Medium (63.29 AC)
	RM/WETLANDS(65.58 AC)
	Public Use (44.82 AC)

