

ORDINANCE 1244

AN ORDINANCE OF THE CITY OF POLK CITY, FLORIDA, AMENDING THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN, SAID AMENDMENT BEING KNOWN AS "AMENDMENT # 1244 SPECIFICALLY AMENDING THE ADOPTED CAPITAL IMPROVEMENTS ELEMENT AND UPDATING THE 5-YEAR CAPITAL IMPROVEMENTS PLAN; 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 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 County; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, the City Council and the Planning and Zoning Board of Polk City held meetings and hearings on Amendment #08-02-CIE, 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 Polk City City Council has determined it necessary to adopt this Amendment # 08-02-CIE to the Comprehensive Plan, which 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 City of Polk City;

NOW, THEREFORE BE IT ORDAINED that the City Council amends its Comprehensive Plan in the following specific manner: the Capital Improvements Element is amended, including the annual update of the 5-Year Capital Improvements Plan (CIP); and which is attached as Exhibit "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.

Effective Date: The effective date of this 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 Commission finding the amendment to be in compliance in accordance with Chapter 163.3184, F.S.

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 City 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 ____ day of _____, 2008.

City of Polk City

Donald L. Penton, Sr., Mayor

Attest:

Pam Peterson, InterimCity Clerk

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

City of Polk City

Donald L. Penton, Sr., Mayor

Attest with Seal:

Pam Peterson, InterimCity Clerk

Approved as to Correctness and Form:

Jeff Sullivan, City Attorney

EXHIBIT "A"

**AMENDED
CAPITAL IMPROVEMENTS ELEMENT**