

ORDINANCE NO. 2011-1285

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF THE CITY OF POLK CITY, FLORIDA TO CHANGE THE FUTURE LAND USE DESIGNATION FOR A PORTION (APPROXIMATELY 3.86 ACRES) OF THE PROPERTY LOCATED AT 119 PALMETTO LANE (PARCEL NUMBER 25-26-33-297600-001030) FROM “COMMERCIAL” TO “INDUSTRIAL”; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Part II, *Florida Statutes*, establishes the Community Planning Act (“Act”), which empowers and mandates the City of Polk City, Florida (“City”), 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 the Act, the City has adopted a comprehensive plan (“Comprehensive Plan”); and

WHEREAS, the Act authorizes a local government desiring to revise its comprehensive plan to prepare and adopt comprehensive plan amendments; and

WHEREAS, the City has prepared an amendment to the Future Land Use Map of the Comprehensive Plan to designate certain property within the City with a future land use classification of “Industrial;” and

WHEREAS, after due public notice, the Planning Commission and the City Council held the requisite public hearings pursuant to Sections 163.3174 and 163.3184, *Florida Statutes*, to afford an opportunity for public comments concerning the proposed amendment to the Future Land Use Map as set forth herein and as shown in Exhibit “A”; and

WHEREAS, in exercise of its authority the City Council has determined it necessary to adopt the proposed amendment to the Future Land Use Map contained herein and as shown as Exhibit “A” to 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; and to ensure that the Comprehensive Plan is in full compliance with State law; and

WHEREAS, the City Council finds that the proposed amendment to the Future Land Use Map contained herein furthers the purposes of, and is consistent with, the City’s Comprehensive Plan, and is consistent with and compliant with State law, including, but not limited to, Chapter 163, Part II, *Florida Statutes*.

NOW, THEREFORE BE IT ORDAINED that the City Council of the City of Polk

City, Florida, as follows:

Section 1. The Future Land Use Map of the City's Comprehensive Plan is hereby amended to include the map amendment set forth in Exhibit "A," attached hereto and incorporated herein by reference, which applies the "Industrial" future land use designation to the property as designated on such Exhibit.

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. All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4. An official, true, and correct copy of this Ordinance and the City's Comprehensive Plan, as adopted and amended from time to time, shall be maintained by the City Clerk. The City Clerk shall make copies available to the public for a reasonable publication charge.

Section 5. 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.

INTRODUCED AND PASSED on First Reading the _____ 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

ORDINANCE NO. 2011-1285

EXHIBIT "A"

Future Land Use Map

