

ORDINANCE 2018-07

AN ORDINANCE OF POLK CITY, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN OF POLK CITY, FLORIDA, SPECIFICALLY, CHANGING THE FUTURE LAND USE DESIGNATION OF APPROXIMATELY 17.66 ACRES LOCATED AT 0 VOYLES LOOP, 0 STATE ROAD 33, AND 9835 NORTH STATE ROAD 33 (PARCEL NUMBERS 25-26-31-000000-032140, 25-26-31-000000-032010, 25-26-31-000000-041010) FROM POLK COUNTY RESIDENTIAL SUBURBAN-X TO POLK CITY INSTITUTIONAL-X IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; AND TRANSMITTING SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR FINDING OF COMPLIANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR 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 amending the City's Future Land Use Map, the City Commission of Polk City, Florida, hereby makes the following findings:

(1) Chapter 163, Part II, Florida Statutes, establishes the Community Planning Act ("Act"), which empowers and mandates 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.

(2) Pursuant to the Act, the City has adopted a comprehensive plan ("Comprehensive Plan").

(3) The Act authorizes a local government desiring to revise its comprehensive plan to prepare and adopt comprehensive plan amendments.

(4) 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 "Institutional-X" in the Green Swamp Area of Critical State Concern.

(5) Pursuant to Section 163.3187, Florida Statutes, the City Commission held a meeting and hearing on this Map Amendment, 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) In exercise of its authority the City Commission 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.

(7) The City Commission 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.

SECTION 2. FUTURE LAND USE AMENDMENT. 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 "Institutional-X" Future Land Use designation to the property as designated on such Exhibit.

SECTION 3. 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.

SECTION 4. CONFLICTS. All existing ordinances or parts of existing ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. CODIFICATION. This Ordinance shall be codified in the Code of Ordinances of Polk City, Florida. 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.

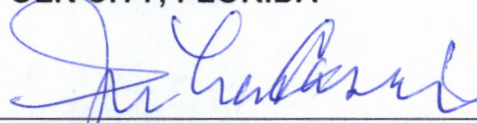
SECTION 6. TRANSMITTAL. Within ten (1) days of final passage and adoption of this Ordinance, Polk City shall forward a copy hereof, and all supporting data and analysis, to the Florida Department of Economic Opportunity and any other agencies or local governments that provided timely comments to the City, as required by Section 163.3184(3)(c)d, Florida Statutes.

SECTION 7. EFFECTIVE DATE. This effective date of the plan amendment adopted by this Ordinance shall be thirty-one (31) days after the Florida Department of Economic Opportunity notifies Polk City that the plan amendment package is complete, or, if the plan amendment is timely challenged, the date on which the Florida Department of Economic Opportunity or the Administration Commission, whichever is applicable, enters a final order finding the amendment to be compliance in accordance with Section 163.3184(3)(c)4, *Florida Statutes*.

PASSED ON FIRST READING this 18th day of June, 2018.

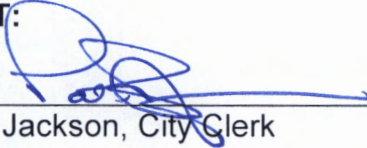
PASSED ON SECOND READING this 15th day of October, 2018.

POLK CITY, FLORIDA



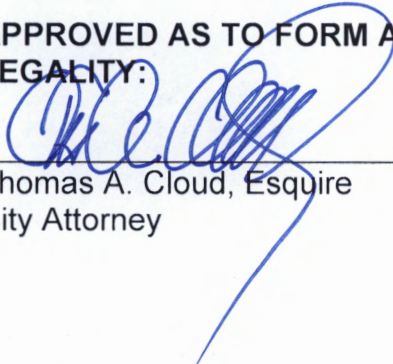
Joseph LaCascia, Mayor

ATTEST:



Patricia Jackson, City Clerk

APPROVED AS TO FORM AND
LEGALITY:



Thomas A. Cloud, Esquire
City Attorney

**ORDINANCE 2018-07
EXHIBIT "A"**

