

ORDINANCE 2019-07

AN ORDINANCE OF POLK CITY, FLORIDA, AMENDING THE POLK CITY LAND DEVELOPMENT CODE; AMENDING ARTICLE 2, REGULATIONS FOR SPECIFIC DISTRICTS, INCLUDING ADDING A NEW ZONING DISTRICT AS SECTION 2.04.02.17 MU MIXED USE DISTRICT; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING 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 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) Pursuant to state law, the City adopted a unified land development code ("Land Development Code").

(3) The City has prepared a text amendment to Article 2 – Regulations for Specific Districts to Table 3 – Zoning Districts Name and Section 2.04.02.17 adding the new Mixed Use Zoning District.

(4) The City Commission of Polk City has determined it necessary and desirable to amend the regulations to allow for the new Mixed Use Zoning District.

(5) Pursuant to Section 163.041(c)2, Florida Statutes, the Planning Commission and the City Commission have held duly advertised and noticed public meetings and hearings to obtain public comment for the purpose of amending the Unified Land Development Code as presented in the exhibit attached to and incorporated in this Ordinance as Exhibit "A".

(6) Having considered written and oral comments received during public hearings, the City Commission find the changes necessary and appropriate to the needs of the City.

(7) The City Commission finds that the proposed text amendment to the Land Development Code is in the best interests of the health, safety, and welfare of the general public and the City's residents, further the purposes of, and is consistent with the City's Land Development Code, and is consistent with and compliant with State law, including, but not limited to Chapter 163, Part II, Florida Statutes.

SECTION 2. LAND DEVELOPMENT CODE AMENDMENT. Article 2 – Regulations for Specific Districts is hereby amended to include the text set forth in Exhibit "A", which is attached hereto and included herein by reference, which amends Table 3 and creates a new Section 2.04.02.17 MU Mixed Use Zoning District.

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. 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 will make copies available to the public for a reasonable publication charge.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be effective 10 days after passage upon Second Reading.

INTRODUCED, PASSED on FIRST READING, this 19th day of August, 2019.



ATTEST:

Patricia R. Jackson, City Manager/Clerk

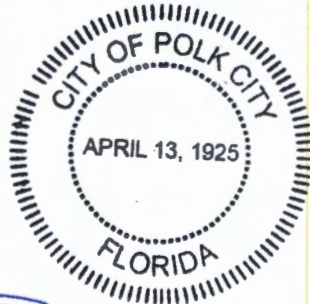
POLK CITY, FLORIDA

Joe LaCascia, Mayor

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 21st day of October, 2019.



ATTEST:

Patricia R. Jackson, City Manager/Clerk

Joe LaCascia, Mayor

POLK CITY ORDINANCE 2019-07

EXHIBIT "A"

AMENDMENTS TO

ARTICLE 2 - REGULATIONS FOR SPECIFIC DISTRICTS

The proposed amendments to the Comprehensive Plan are provided below. Text that is underlined is text to be added and text that is shown as ~~strikeout~~ is to be removed. Text that is highlighted has been added to address comments from the Florida Department of Economic Opportunity.

**Table 3 –
Zoning Districts Map
Designation**

AG1
AG2
R1
R2
R3
R4
R5
MH
C1
C2
M1
M2
PB
PR
CON
PD
MU

Zoning District Name

Agriculture
Single Family Residential Plus Horses
Single Family Residential
Single Family Residential
Single Family and Duplex Residential
Mixed Residential Use
Multi Family Residential
Mobile Home Park
Residential, Business and Professional District
General Commercial
Light Industrial
Heavy Industrial
Public Buildings and Grounds
Public Recreation
Conservation
Planned Unit Development
Mixed Use

2.04.02 Establishment of Zoning Districts

The following zoning designations are hereby established within the City of Polk City:

2.04.02 Establishment of Zoning Districts

The following zoning designations are hereby established within the City of Polk City:

2.04.02.17 MU Mixed Use District

(A) FLUM Designation:

Mixed Use

(B) Purpose:

To designate areas within Polk City in which proposed development encompasses a mix of residential and non-residential uses (commercial, office, light industrial, institutional, and civic uses) are planned. Such development shall be served by central water and wastewater services. A balanced mix of residential and non-residential uses including residences, shops, work places, parks, and other urban uses shall allow for internal capture of daily trips as well as interconnectivity for vehicle and pedestrian access. The City's residential and non-residential zoning districts provide the allowable uses and density and dimensional standards.

(C) Permitted Principal Uses & Structures:

The City's residential and non-residential zoning districts provide the list of permitted uses in this district. Uses permitted in this district are detailed in the Table of Land Uses in Section 2.04.01, Table 4 in the residential and commercial zoning districts. Permitted uses are designated by the letter "P". Uses designated by the letter "D" are also permitted, but require the submission and approval of a Site Development Plan prior to application for a Development Permit. Review of an application for approval of a Site Development Plan is governed by Article 7.

(D) Accessory Uses:

Accessory uses and structures customarily incidental and subordinate to permitted principal uses and structures; provided, however, that no accessory structures shall be located on property other than that on which the principal structure is located. Section 2.05 contains detailed guidance and regulations for permitted accessory uses.

(E) Development Standards: Development standards for uses in this district are detailed in the Table of Development Standards in Section 2.04.01, Table 5. Specifically, standards are established for Maximum Density; Minimum Lot Size; Minimum Lot Width; Minimum Lot Depth; Minimum Floor Area; Floor Area Ratio (as applicable); Setbacks; Maximum Lot Coverage; and Maximum Building Height. The City's residential and non-residential zoning districts provide the allowable uses and density and dimensional standards.

(F) Other Requirements: none.