

ORDINANCE 2020-01

AN ORDINANCE OF POLK CITY, FLORIDA; AMENDING THE POLK CITY CODE OF ORDINANCES AND THE UNIFIED LAND DEVELOPMENT CODE OF POLK CITY, FLORIDA; AMENDING AND UPDATING ARTICLE 3, DEVELOPMENT DESIGN AND IMPROVEMENT STANDARDS, SECTION 3.07.00, COMPATIBILITY, LANDSCAPING AND BUFFERING STANDARDS; AND AMENDING ARTICLE 9, DEFINITIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. COMMISSION FINDINGS. In adopting this Ordinance and modifying the Polk City Code and the therein-incorporated 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) The City Commission recognizes the need for updated regulations to address compatibility, landscaping, and buffering standards within Polk City.

(3) Pursuant to Section 166.041(c)2, Florida Statutes, the Planning Commission and the City Commission have held meetings and hearings to amend the Unified Land Development Code as presented in the attached exhibit, such exhibit attached as Exhibit "A" and made a part hereof.

(4) The meetings were advertised and held with due public notice, to obtain public comment; and having considered written and oral comments received during public hearings, find the changes necessary and appropriate to the needs of the City.

SECTION 2. LAND DEVELOPMENT CODE AMENDMENT. Article 3 – Development Design and Improvement Standards and Article 9 – Definitions are hereby amended to include the text set forth in Exhibit "A", which is attached hereto and included herein by reference, which amends Section 3.07.00, Compatibility, Landscaping and Buffering.

SECTION 3. CODIFICATION OF ORDINANCE. This Ordinance shall be codified in the Code of Ordinances of Polk City, Florida, and incorporated into the Unified Land Development Code which is a part thereof. 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.

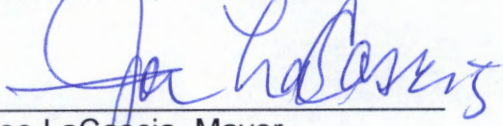
SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. CONFLICTING ORDINANCES AND RESOLUTIONS. All existing ordinances and resolutions of Polk City in conflict with this ordinance are repealed to the extent necessary to give this Ordinance full force and effect.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage.

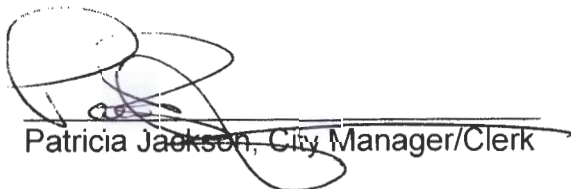
INTRODUCED AND PASSED on FIRST READING, this 17th day of February, 2020.

POLK CITY, FLORIDA




Joe LaCascia, Mayor

ATTEST:



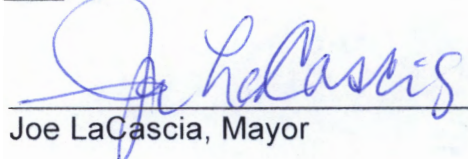
Patricia Jackson, City Manager/Clerk

APPROVED AS TO FORM AND CORRECTNESS



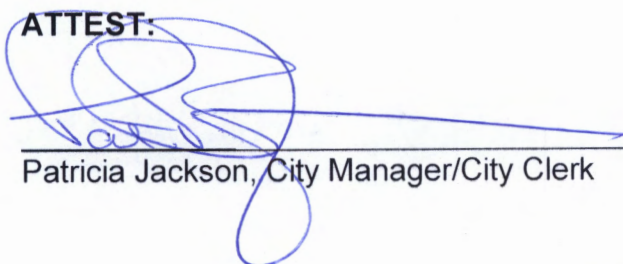
Thomas A. Cloud, City Attorney

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 16th day of March, 2020.



Joe LaCascia, Mayor

ATTEST:



Patricia Jackson, City Manager/City Clerk