

ORDINANCE 2023-06

AN ORDINANCE OF POLK CITY, FLORIDA; AMENDING AN APPROVED PLANNED UNIT DEVELOPMENT-X TO MODIFY THE PHASING SCHEDULE CONTAINED IN EXHIBIT "C"; PROVIDING FOR CONFLICTS, CODIFICATION, SEVERABILITY, AND 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 Official Zoning Map of Polk City, the City Commission of Polk City, Florida hereby makes the following findings:

(1) The applicant, Holly Cove, Inc. is the owner of certain property located within the corporate limits of Polk City, Florida, described by the following parcel numbers: PARCEL NUMBERS 25-27-06-000000-021020; 25-27-06-000000-021010; 25-27-06-000000-021030; 25-27-05-000000-043010; AND 25-27-05-000000-043020 (hereafter "Property").

(2) The Property consists of approximately 132.14 acres, and is zoned Planned Unit Development-X in the Green Swamp Area of Critical State Concern by virtue of the adoption of Ordinance 2019-05 ("Original PUD Ordinance), as depicted on the map attached to and incorporated in this Ordinance as Exhibit "A".

(3) The conditions of Ordinance 2019-05, as modified and supplemented by Ordinance 2021-06, remain in effect as indicated in this Ordinance.

(4) This amendment to the Planned Unit Development-X allows for the modification of Exhibit "C" of Ordinance 2021-06.

(5) Pursuant to applicable provisions of the City's Land Development Code, including but not limited to Section 2.04.02.16(V), the Planning Commission has reviewed and recommended for approval subject to conditions said application.

(6) The City Commission of Polk City, Florida, held meetings and hearings regarding the Property, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents.

(7) The City previously adopted Ordinance No. 1098, creating Article 2 of the City's Unified Land Development Code (hereafter "ULDC") so as to create a Planned Unit Development district within its ULDC.

(8) Among its many purposes, the City's PUD District Ordinance is intended to

provide a method for consideration and approval of unique zoning districts for individual Planned Unit Developments, which are not provided for or allowed in other City zoning districts.

(9) The standards and procedures of the PUD district are intended to promote flexibility of design and to permit planned diversification and integration of uses and structures, while at the same time reserving to the City Commission the absolute authority to establish limitations and regulations for the development deemed necessary to protect the public health, safety and welfare.

(10) No development plan shall be approved for a PUD without adequate on-site and offsite public facilities, including but not limited to storm drainage, sanitary sewers, roadway capacity, fire/rescue service, police service, water distribution system and recreation facilities.

(11) In exercise of its authority, the City Commission has determined that in order for the proposed development to be approved, it must be subject to conditions of approval to ensure compliance with the ULDC and the City's Comprehensive Plan.

(12) The PUD Ordinance requires that any proposed PUD must be adopted by Ordinance, shall contain a Conceptual Site Plan demonstrating or requiring compliance with the conditions set forth in the PUD Ordinance, and generally depicting the nature, intensity, and location of various uses.

SECTION 2. APPROVAL OF AMENDMENTS TO PLANNED UNIT DEVELOPMENT - X; CONDITIONS OF APPROVAL. The Official Zoning Map of Polk City is assigned the zoning classification of Planned Unit Development (PUD) -X District to the Property. The City Commission hereby ratifies and confirms all prior thirteen (13) conditions of approval contained in Section 2 of Ordinance No. 2019-5, as well as the conditions imposed by Section 2 of Ordinance No. 2021-06. In addition, the City Commission hereby approves amendments to the approved Planned Unit Development as depicted in Exhibits "B" and "C" attached to and incorporated in this Ordinance subject to the following additional conditions of approval: Exhibit "C" is modified from that exhibit contained in Ordinance No. 2021-06. The developer shall abide by the modified development phasing schedule and plan provided in Exhibit "C" of this Ordinance. Except as expressly amended by this Ordinance, the developer shall abide by all conditions contained in the Original PUD Ordinance 2019-05 and Ordinance 2021-06.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or enforceable, then all remaining provisions and portions of this Ordinance shall remain in full effect.

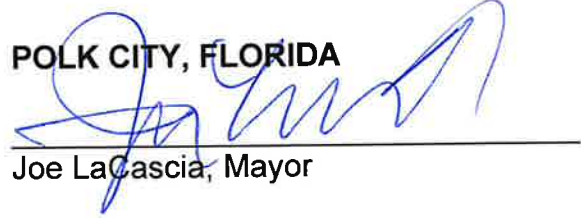
SECTION 4. CODIFICATION. This Ordinance shall be codified and made part of the official Code of Ordinances of Polk City.

SECTION 5. CONFLICTS; RATIFICATION. Except as expressly amended by this Ordinance, Ordinance No. 2019-05 is hereby ratified and confirmed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its passage and approval as a Non-Emergency Ordinance at two regular meetings of the City Commission.

INTRODUCED, PASSED on FIRST READING, this 19th day of September, 2023.

POLK CITY, FLORIDA



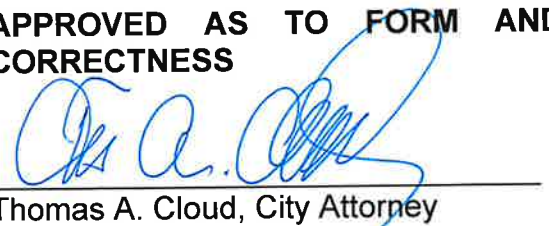
Joe LaCascia, Mayor

ATTEST:



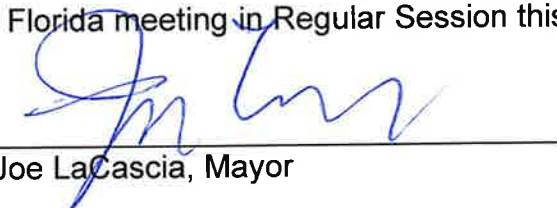
Patricia R. Jackson, City Manager/Clerk

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 19th day of October, 2023.



Joe LaCascia, Mayor

ATTEST:

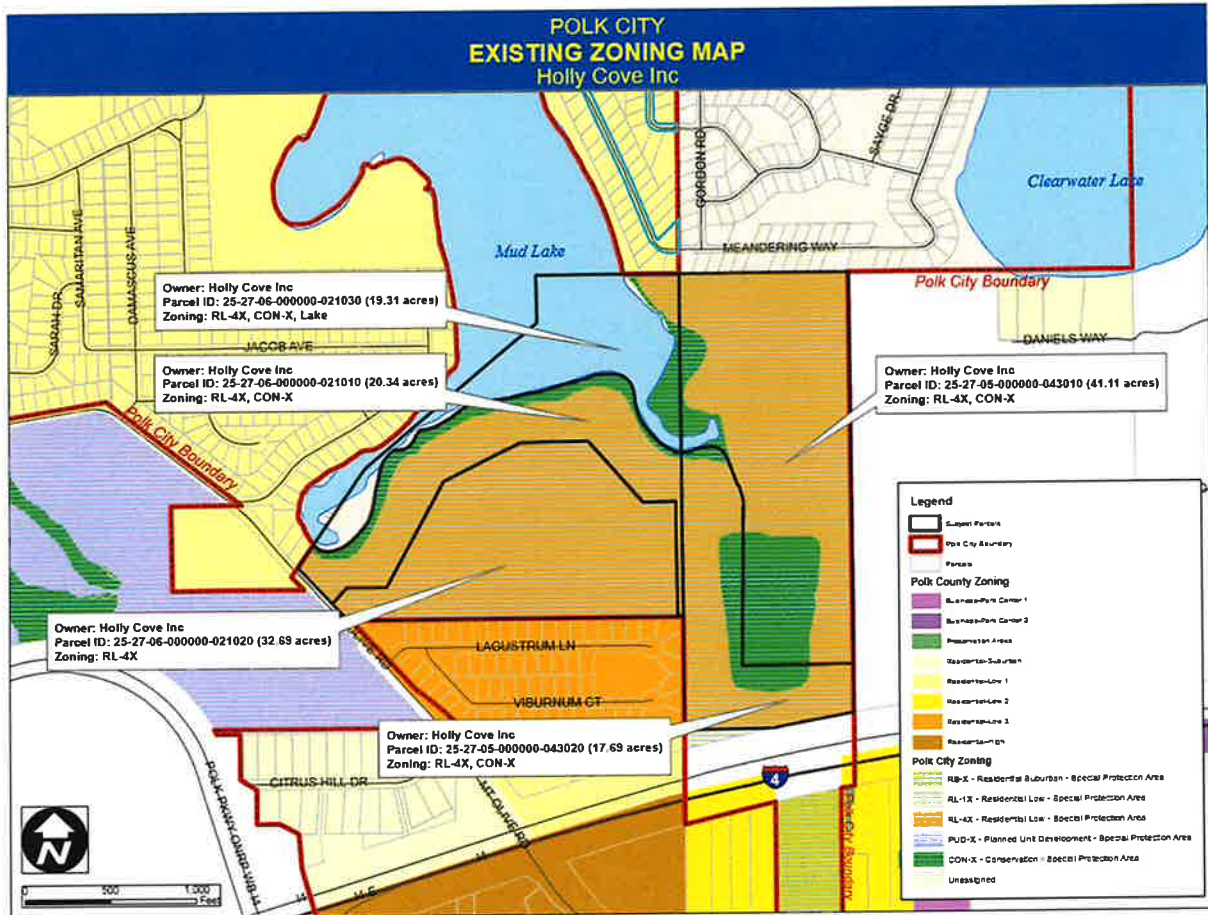


Patricia R. Jackson, City Manager/Clerk

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EXHIBIT "A"

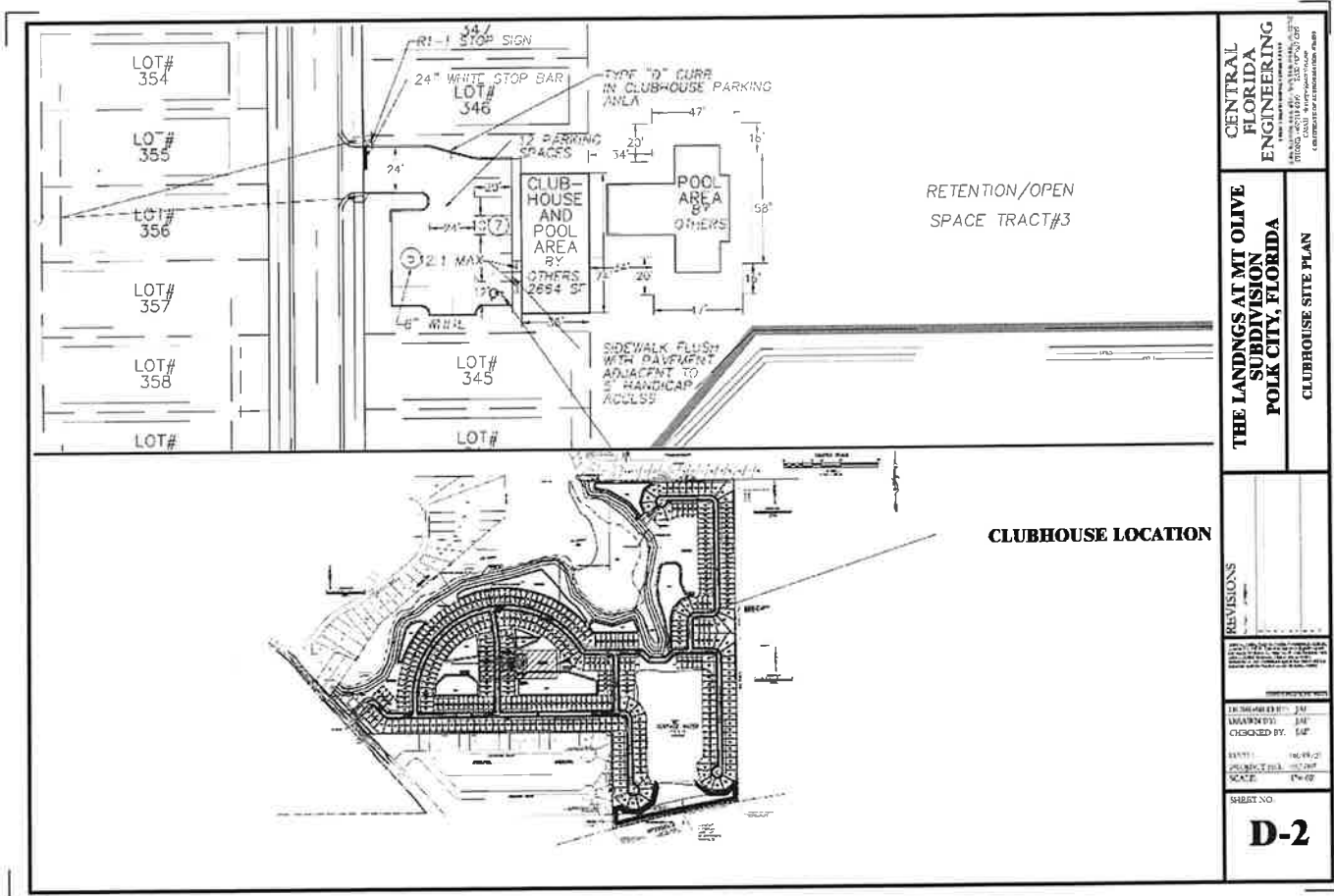
Zoning Map Amendment



ORDINANCE 2021-06

EXHIBIT "B"

2,664 Square Foot Clubhouse and Pool



CENTRAL FLORIDA ENGINEERING
REGISTERED PROFESSIONAL ENGINEERS
 STATE OF FLORIDA LICENSE NO. 12543
 1000 W. UNIVERSITY BLVD., SUITE 200
 ORLANDO, FLORIDA 32801
 TEL: 407.261.1111 FAX: 407.261.1112
 WWW.CENTRALFLORIDAENGINEERING.COM

THE LANDINGS AT MT OLIVE SUBDIVISION POLK CITY, FLORIDA
CLUBHOUSE SITE PLAN

REVISIONS

NO.	DATE	DESCRIPTION

DATE PREPARED: 01/21/21
 DRAWN BY: JAF
 CHECKED BY: JAF
 DATE: 01/21/21
 PROJECT NO.: 21-001
 SCALE: 1/4" = 1'-0"

SHEET NO
D-2

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EXHIBIT "C"

Phasing Schedule & Phasing Plan

Phase	Acres	Lot Numbers	Lot Width	Other Improvements	Open Space	Begin Construction	End Construction
Phase 1 (135 lots)	33.81	1-135	A total of 110 lots that are 40' wide	Clubhouse/ Amenity Area	12.45 acres (36.8%)	Nov. 2023– Jan 2024	Jan 2025 – March 2025
			A total of 25 lots that are 50' wide	Retention Ponds 1, 2, 4, 5, 6, 7			
				Lift Station Tract #1			
				Left Turn Lane on Mt. Olive Rd			
				Right Turn Lane on Mt. Olive Rd			
				Mass Grade entire site-all 3 phases & expand water feature			
Phase 2 (111 Lots)	26.22	136-246	A total of 65 lots that are 40' wide			November 2024 – January 2025	July 2025 – September 2025
			A total of 46 lots that are 50' wide				
Phase 3 (132 Lots)	40.06	247-378	A total of 76 lots that are 40' wide			May – July 2025	February 2026-April 2026
			A total of 56 lots that	Lift Station Tract #2			

