

ORDINANCE NO. 1392-17

AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LAKE ALFRED, FLORIDA; SPECIFICALLY, CHANGING THE ZONING CLASSIFICATION OF APPROXIMATELY 30.6 ACRES OF LAND FROM POLK COUNTY AGRICULTURAL/RURAL RESIDENTIAL (A/RR) TO CITY OF LAKE ALFRED SINGLE-FAMILY DWELLING DISTRICT-CLUSTER (R-1AAA-C) ZONING DISTRICT ON APPROXIMATELY 20.63 ACRES OF LAND AND TO CONSERVATION (CN) ZONING DISTRICT ON APPROXIMATELY 9.98 ACRES OF LAND, LOCATED ON THE EAST SIDE OF CR 557 NEAR THE INTERSECTION OF OLD LAKE ALFRED ROAD, NORTH OF CREEK ROAD IN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN, FURTHER DESCRIBED AS PARCEL: 262720-000000-024010; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Blye B. Pegg Trust (owner) requests a change of zoning on approximately 30.6 acres of land from Polk County Agricultural/Rural Residential (A/RR) on approximately 20.63 acres of land to City of Lake Alfred Single-Family Dwelling District-Cluster (R-1AAA-C) Zoning District and on approximately 9.98 acres of land to Conservation (CN) Zoning District, located on the east side of CR 557 near the intersection of Old Lake Alfred Road, north of Creek Road in the Green Swamp Area of Critical State Concern; and

WHEREAS, the property which is the subject of this Ordinance constitutes less than five percent (5%) of the municipally zoned area of the City; and

WHEREAS, the zoning change requested by the applicant is consistent with the Future Land Use Element of the Lake Alfred Comprehensive Plan; and

WHEREAS, in accordance with the procedures required by Sections 166.041 (3)(c)2, Florida Statutes, and other applicable law, the matters contained within this ordinance were considered by the City's Planning Board, sitting as the Local Planning Agency (LPA) as designated by the City Commission, at a duly advertised public meeting, at which time interested parties and citizens had the opportunity to be heard; and

WHEREAS, the City Commission of the City of Lake Alfred held meetings and hearings regarding the property shown on Exhibit "A" attached hereto and incorporated herein by reference, 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; and

WHEREAS, in exercise of its authority, the City Commission of the City of Lake Alfred has determined it necessary to amend the Official Zoning Map to change the City of Lake Alfred zoning classifications assigned to this property.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF LAKE ALFRED, FLORIDA THAT:

SECTION 1. OFFICIAL ZONING MAP.

The official zoning map of the City of Lake Alfred is hereby amended to add thereto a map amendment, as shown in Exhibit "A" attached hereto and incorporated herein by reference, so as to change the City zoning classifications from Polk County Agricultural/Rural Residential (A/RR) on approximately 30.6 acres of land as follows, to Single Family Dwelling District-Cluster (R-1AAA-C) Zoning District on approximately 20.63 acres and to Conservation (CN) Zoning District on approximately 9.98 acres, located on the east side of CR 557 near the intersection of Old Lake Alfred Road, north of Creek Road in the Green Swamp Area of Critical State Concern, the property which is the subject of this Ordinance is further described as Parcel: 262720-000000-024010.

SECTION 2. CONFLICTS.

All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Unified Land Development Code (ULDC), unless such repeal is explicitly set forth herein.

SECTION 3. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses and phrases be declared unconstitutional.

SECTION 4. CODIFICATION.

It is the intention of the City Commission that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section", or such other appropriate word or phrase in order to accomplish such intentions; and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing a corrected or re-codified copy of same with the City Clerk. This Ordinance shall not be codified, but the City Clerk shall retain this ordinance as a permanent record of action taken by the City Commission of the City of Lake Alfred. The official zoning map of the City of Lake Alfred, Florida shall be updated to reflect the changes set forth herein.

SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect immediately upon passage after second reading/public hearing.

INTRODUCED AND PASSED on first reading at a regular meeting of the Lake Alfred City Commission held this 16th day of October, 2017.

PASSED AND FINALLY ADOPTED on second reading/public hearing at the meeting of the Lake Alfred City Commission assembled on the 20th day of November, 2017.



**CITY OF LAKE ALFRED
CITY COMMISSION**

Charles O. Lake, Mayor

Amée Bailey-Speck, City Clerk

Approved as to form:

Frederick J. Murphy, Jr., City Attorney

Exhibit "A"

Zoning Map

