

ORDINANCE D2021-15

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, PROPOSING AMENDMENTS TO THE COMPREHENSIVE PLAN; INCLUDING AN UPDATE TO THE TRANSPORTATION ELEMENT TO PROVIDE A REVISED FUTURE TRANSPORTATION NETWORK MAP AND INCLUSION OF A PROPERTY RIGHTS ELEMENT PURSUANT TO HOUSE BILL 59; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED by the City Commission of the City of Lake Wales, Polk County, Florida:

SECTION 1 Amending the Comprehensive Plan Elements hereby described in **Exhibit A** (which is attached hereto and incorporated herein).

SECTION 2 The applicability and effect of the Lake Wales Comprehensive Plan, as amended, shall be as provided by the Local Government Planning and Land Development Regulation Act, Section 163.3215, Florida Statutes, and this ordinance.

SECTION 3 If any clause, section or provision of this ordinance or any fee imposed pursuant to this ordinance shall be declared unconstitutional or invalid for any reason or cause, the remaining portion of said ordinance or remaining fees shall be in full force and effect and be valid as if such invalid portion thereof had not been incorporated herein.

SECTION 4 Certified copies of the enacting ordinance, the City of Lake Wales Comprehensive Plan and any amendment thereto, and the Lake Wales Code of Ordinances shall be located in the Office of the City Clerk of Lake Wales. The City Clerk shall also make copies available to the public for a reasonable publication charge.

SECTION 5 This amendment shall not become effective until the state land planning agency or the Administrative Commission, respectively, issues a final order determining the amendment is in compliance.

This Ordinance was approved on First Reading after Public Hearing on September 21, 2021, and was adopted on Second Reading after Public Hearing on December 21, 2021.

CERTIFIED AS TO PASSAGE this 21st day of December 2021.

BY: Eugene L. F. [Signature]
Mayor/Commissioner
City of Lake Wales, Polk County, Florida

ATTEST:

City Clerk

Exhibit A

Property Rights Element:

POLICY: Consistent with Section 163.3177(6), Florida Statutes, the City of Lake Wales shall consider the following private property rights in local decision making:

1. _____ The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

2. _____ The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

3. _____ The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

4. _____ The right of a property owner to dispose of his or her property through sale or gift.