

ORDINANCE D2020-04

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, ADOPTING AMENDMENTS TO THE COMPREHENSIVE PLAN; INCLUDING MAJOR CHANGES IN THE GOALS, OBJECTIVES, AND POLICIES; UPDATING FLORIDA STATUTE AND FLORIDA ADMINISTRATIVE CODE REFERENCES; EXTENDING THE PLANNING HORIZON TO 2040; UPDATING ALL ELEMENTS INCLUDED IN THE COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Lake Wales has adopted a Comprehensive Plan known as the City of Lake Wales 2015 Comprehensive Plan, adopted in 2000, as subsequently amended; and

WHEREAS, Section 163.3191, Florida Statutes (F.S.), directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules and submit an Evaluation and Appraisal Report (EAR); and

WHEREAS, pursuant to Chapter 163, Part II, F.S.; Section 2(b), Article VII of the State Constitution; and Chapter 166, Part I, Municipal Home Rule Powers Act, the City Commission desires to adopt the proposed comprehensive plan EAR-based amendments and authorize the transmittal to the Department of Economic Opportunity (DEO) and other agencies as required by State law; and

WHEREAS, the City of Lake Wales Planning and Zoning Board having been duly designated as the Local Planning Agency pursuant to Section 163.3174 et seq., F.S., held an advertised public hearing pursuant to Section 163.3164(40) & Section 163.3174(4)(a), F.S. (2018), on Tuesday, September 29, 2020 on the proposed EAR-based amendments and following that public hearing voted and recommended that the City Commission approve the aforesaid EAR-based amendments to the City's Comprehensive Plan; and

WHEREAS, the City Commission reviewed the proposed EAR-based amendments, held an advertised public hearing, and provided for comments and public participation in the process in accordance with the requirements of state law and the procedures adopted for public participation in the planning process, and authorized transmittal of the EAR-based amendments to the DEO and review agencies for the purpose of review in accordance with Florida law; and

WHEREAS, the City of Lake Wales desires to hereby formally adopt this amendment to the City's Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Lake Wales, Florida:

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

SECTION 2. Notice of this proposed change to the City of Lake Wales Comprehensive Plan shall be published in the manner prescribed by Section 163.3184, F.S.

SECTION 3. As a condition precedent to the adoption of this ordinance amending the City's Comprehensive Plan, the City Commission shall hold at least one advertised public hearing on the proposed comprehensive plan or plan amendment pursuant to F.S. Section 163.3184, for the purpose of transmitting the amendment to the Florida Department of Economic Opportunity.

SECTION 4. All ordinances and resolutions, or parts thereof that are in conflict with this ordinance, are hereby superseded by this ordinance to the extent of such conflict.

SECTION 5. This ordinance shall become effective upon its final adoption and as provided by general law.

SECTION 6. If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative, or void, such holding shall not affect the remaining portions of this ordinance. If this ordinance or any provisions thereof shall be held to be inapplicable to any person, property, or circumstance, such holding shall not affect its applicability to any person, property, or circumstance.

This Ordinance was approved on First Reading after Public Hearing on October 6, 2020, and was adopted on Second Reading after Public Hearing on March 2, 2021.

CERTIFIED AS TO PASSAGE this 3rd day of March 2021.

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

ATTEST:

City Clerk