

MEMORANDUM

March 10, 2015

TO: Honorable Mayor and City Commissioners

VIA: Kenneth Fields, City Manager

FROM: Margaret Swanson, Director of Planning and Development
Kathy Bangle, Assistant Director of Planning and Development

RE: Ordinance D2015-02 – 2nd Reading and public hearing - Small Scale CPA and Zoning - Sunshine Agriculture, Inc. Property – NE corner of US27 and Hunt Bros. Road

SYNOPSIS: Sunshine Agriculture, Inc. is requesting amendments to the Future Land Use Map (FLUM) and Zoning Map designations for property in the City, located on the northeast corner of US 27 and Hunt Brothers Road.

RECOMMENDATION

Ordinance D2015-02 was approved after first reading on March 3, 2015. A public hearing is required with the second reading of the ordinance. Public notice requirements have been met.

At their February 24, 2015 meeting, the Planning Board voted to recommend the amendments to the FLUM and Zoning Map designations as set forth in Ordinance D2015-02 and shown on Attachment A.

BACKGROUND

The property is located on the northeast corner of US 27 and Hunt Brothers Road. A ten (10) acre parcel is being sold to LOVE'S Travel Stop for the development of a truck stop. The land use and zoning designation lines do not currently align with the property to be sold. This is the result of the configuration established through the master plan for the now defunct Mayfair development.

It is the desire of the property owner to swap designations on two equal 2-acre portions of property to align the land use and zoning designations with the parcel boundaries.

As illustrated in "Attachment A" the parcels involved in the amendment are triangular in shape and approximately 2 acres a piece in size. The parcel located to the north of the parcel to be sold and designated BPC/C-3 will be re-designated MDR/R-1A to match the remainder of the parcel identified as PID# 27-30-14-000000-031000. The other is a portion of the property to be sold and located directly east of the existing land use and zoning designation line. This portion will be re-designated from MDR/R-1A to BPC/C-3.

This is a Small Scale Amendment as total acreage included in the re-designation is less than 10 acres. This type of amendment is adopted by the city without review by the state according to the 2011 amendments to Ch. 163 of FL statutes.

ATTACHMENTS

Ordinance D2015-02, Attachment A

ORDINANCE D2015-02

(CPA/Zoning – 4 acres – East of US Highway 27 and North of Hunt Brothers Road)

AN ORDINANCE OF THE CITY OF LAKE WALES, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND THE ZONING MAP TO CHANGE LAND USE DESIGNATIONS ON APPROXIMATELY 4 ACRES OF LAND IN TWO PARCELS LOCATED EAST OF US HIGHWAY 27 AND NORTH OF HUNT BROTHERS ROAD, ONE PARCEL FROM MEDIUM DENSITY RESIDENTIAL MDR/R-1A TO BUSINESS PARK CENTER BPC/C-3 AND THE OTHER FROM BUSINESS PARK CENTER BPC/C-3 TO MEDIUM DENSITY RESIDENTIAL MDR/R1-A; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1 The Future Land Use Map (FLUM) of the Comprehensive Plan and the Zoning Map are hereby amended to change the land use designations on approximately 4 acres of property, owned by Sunshine Agriculture, Inc. and located in the City of Lake Wales.

The property and land use designations are shown on “Attachment A,” hereby made part of this ordinance.

SECTION 2 A portion of parcel, PID # 27-30-14-000000-031000 will be amended from City of Lake Wales Future Land Use Map designation BPC Business Park Center and Zoning Map designation C-3 Highway commercial to City of Lake Wales Future Land Use Map designation MDR Medium Density Residential and Zoning Map designation R-1A Single-family Residential.

A portion of parcel, PID # 27-30-14-000000-032010 will be amended from City of Lake Wales Future Land Use Map designation MDR Medium Density Residential and Zoning Map designation R-1A Single-family Residential to City of Lake Wales Future Land Use Map designation BPC Business Park Center and Zoning Map designation C-3 Highway Commercial.

SECTION 3 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, Florida Statutes and this ordinance.

SECTION 4 If any clause, section or provision of this ordinance or any fee imposed pursuant to the 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 5 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 6 This amendment shall not become effective until 31 days after adoption. If challenged within 30 days after adoption, this amendment shall not become effective until the state land planning agency or the Administration Commission issues a final order determining the amendment is in compliance.

CERTIFIED AS TO PASSAGE this _____ day of _____, 2015.

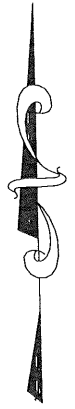
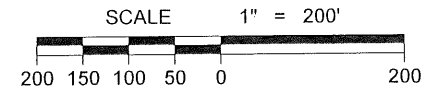
Mayor/Commissioner
City of Lake Wales, Polk County, Florida

ATTEST:

City Clerk

ORDINANCE D2015-02

ATTACHMENT A



POLK COUNTY PARCEL NUMBER
27-30-14-000000-031000
SUNSHINE AGRICULTURE INCORPORATED
Not To Scale

ZONE R-1A - RESIDENTIAL
FUTURE LAND USE MDR
MEDIUM DENSITY RESIDENTIAL

A PORTION OF
POLK COUNTY PARCEL NUMBER
27-30-14-000000-031000
SUNSHINE AGRICULTURE INCORPORATED

Current BPC/C-3
Proposed MDR/R-1A

ZONE C-3 - HIGHWAY COMMERCIAL
FUTURE LAND USE BPC-BUISNESS PARK CENTER

Current MDR/R-1A
Proposed BPC/C-3

BORROW PIT / POND

EXISTING ZONING LINE +/-

TOP OF BANK

A PORTION OF
POLK COUNTY PARCEL NUMBER
27-30-14-000000-032010
SUNSHINE AGRICULTURE
INCORPORATED

PROPOSED
REZONING LIMIT

BPC/BP

STATE ROAD 25 / U.S. HIGHWAY 27

State Road No. S-17-B / Hunt Brothers Road

BPC/C-3

POLK LAND SURVEYING, INC.

Florida Licensed Business Number 7930

116 East Stuart Avenue
Lake Wales, Fl. 33853
Phone: (863) 632-4424
Fax: 1-888-650-0789
polkls@ymail.com