

ORDINANCE NO: 1321

AN ORDINANCE OF THE CITY OF DAVENPORT, FLORIDA; CHANGING THE ZONING CLASSIFICATION FOR A PARCEL TOTALING 309.95 ACRES OF PROPERTY GENERALLY LOCATED EAST OF HIGHWAY 27 AND NORTH OF HORSESHOE CREEK RD, FROM THE CLASSIFICATION OF COUNTY RESIDENTIAL MEDIUM (RM), EMPLOYMENT CENTER (EC), BUSINESS PARK CENTER 1 (BPC-1), TOURISM COMMERCIAL CENTERS (TCC), INDUSTRIAL (IND), RESIDENTIAL HIGH (RH), RESIDENTIAL LOW (RL) TO CITY PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, empowers the City Commission of the City of Davenport, Florida, to prepare and enforce Land Development Regulations for the implementation of the adopted Comprehensive Plan; and,

WHEREAS, The Planned Unit Development (PUD) zoning as contemplated herein, is consistent with the City of Davenport Comprehensive Plan's land use designation of the Property; and,

WHEREAS, the City of Davenport Planning Commission, sitting as the Local Planning Agency, recommended approval of a change in the zoning classification of the Property and found that the rezoning is consistent with the City's Comprehensive Plan; and,

WHEREAS, the City of Davenport has followed all statutory and Code requirements for noticing and advertising this rezoning Ordinance and public hearings associated with the rezoning; and,

WHEREAS, the City Commission has received public input on the rezoning and a recommendation from staff; and,

WHEREAS, the City Commission of the City of Davenport finds that the applicants have met the criteria for rezoning under the City's land development regulations and that rezoning will not adversely affect the public interest.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF THE CITY OF DAVENPORT, FLORIDA, AS FOLLOWS:

SECTION 1. FINDINGS. The City Commission hereby adopts and incorporates the above stated Recitals as legislative findings that support and form the basis for the adoption of this ordinance.

SECTION 2. REZONING. The Property identified below and by their legal descriptions in Exhibit "A" shall hereafter be classified on the Official Zoning Map as Planned Unit Development (PUD) as graphically depicted and referenced on Exhibit "B" of this Ordinance:

Property Owner of Record:

Standard Sand & Silica CO

Parcel Number:

27-26-25-000000-011000 (portion), 27-26-26-000000-011000 (portion),
27-26-26-000000-012010 (portion), 27-26-23-000000-022000
27-26-24-000000-022000 (portion), 27-26-25-000000-013000 (portion)

Legal Description:

See Exhibit "A"

General Location:

EAST OF HIGHWAY 27 AND NORTH OF HORSESHOE CREEK RD

Approximate Acreage:

309.95 Acres

SECTION 3. SECTION 3. MASTER DEVELOPMENT PLAN. The Master Development Plan (MDP) approved by this Ordinance 1321 is hereby affirmed and shall be applicable to the Property on the effective date of this Ordinance. A copy of the Master Development Plan which includes the Property in its entirety together with conditions of approval is attached hereto as Exhibit "C".

SECTION 4. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 5. CONFLICTS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect if and when the companion Comprehensive Plan Future Land Use Map amendment relative to the subject property (Ordinance No. 1319) becomes effective pursuant to § 163.3184(3)(c)(4), Fla. Stat. If the companion Comprehensive Plan Future Land Use Map amendment does not become effective, then this Ordinance shall become null and void.

INTRODUCED, PASSED AND DULY ADOPTED ON FIRST READING by the City Commission of Davenport, Florida, meeting in Regular Session this 21ST day of October 2024.

CITY OF DAVENPORT, FLORIDA

(SEAL)

By: _____
Brynn Summerlin, Mayor

Attest:

Raquel Castillo, City Clerk

INTRODUCED, PASSED AND ENACTED ON SECOND READING, by the City Commission of the City of Davenport, Florida, meeting in Regular Session, this 16th day of December 2024.

CITY OF DAVENPORT, FLORIDA

(SEAL)

By: _____
Brynn Summerlin, Mayor

Attest:

Approved as to form and legality by:

Raquel Castillo, City Clerk

Thomas Cloud, City Attorney

EXHIBIT "A"
POLK COUNTY, FLORIDA
LEGAL DESCRIPTION

**Parcel: 27-26-25-000000-011000 (portion), 27-26-26-000000-011000 (portion),
27-26-26-000000-012010 (portion), 27-26-23-000000-022000,
27-26-24-000000-022000 (portion), 27-26-25-000000-013000 (portion)**

Total 309.95 ac

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTIONS 23, 24, 25, AND 26, TOWNSHIP 26 SOUTH, RANGE 27, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 25; THENCE RUN S00°15'17"E ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 25, A DISTANCE OF 1,574.31 FEET; THENCE DEPARTING SAID EAST LINE RUN N90°00'00"W, A DISTANCE OF 977.97 FEET TO THE POINT OF BEGINNING; THENCE RUN N00°00'00"E, A DISTANCE OF 137.00 FEET; THENCE RUN N06°59'57"E, A DISTANCE OF 172.11 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 223.00 FEET AND A CENTRAL ANGLE OF 24°41'48"; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 96.12 FEET (CHORD BEARING = N05°20'57"W, CHORD = 95.38 FEET); THENCE RUN N17°41'52"W, A DISTANCE OF 226.53 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 737.08 FEET AND A CENTRAL ANGLE OF 41°48'40"; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 537.88 FEET (CHORD BEARING = N38°36'12"W, CHORD = 526.02 FEET); THENCE RUN N30°29'28"E, A DISTANCE OF 226.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 243.00 FEET AND A CENTRAL ANGLE OF 136°33'57"; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 579.20 FEET (CHORD BEARING = N37°47'30"W, CHORD = 451.50 FEET); THENCE RUN S52°43'39"W, A DISTANCE OF 73.42 FEET; THENCE RUN S50°39'33"W, A DISTANCE OF 79.46 FEET; THENCE RUN S55°27'37"W, A DISTANCE OF 54.78 FEET; THENCE RUN S55°11'36"W, A DISTANCE OF 89.19 FEET; THENCE RUN S48°48'48"W, A DISTANCE OF 79.76 FEET; THENCE RUN S81°04'20"W, A DISTANCE OF 68.49 FEET; THENCE RUN S58°51'03"W, A DISTANCE OF 60.77 FEET; THENCE RUN S55°38'17"W, A DISTANCE OF 93.78 FEET; THENCE RUN S45°47'45"W, A DISTANCE OF 77.09 FEET; THENCE RUN S59°34'26"W, A DISTANCE OF 67.37 FEET; THENCE RUN S85°03'20"W, A DISTANCE OF 29.39 FEET; THENCE RUN N50°25'12"W, A DISTANCE OF 53.25 FEET; THENCE RUN N48°43'15"W, A DISTANCE OF 43.19 FEET; THENCE RUN N47°37'16"W, A DISTANCE OF 52.88 FEET; THENCE RUN N33°25'34"W, A DISTANCE OF 43.73 FEET; THENCE RUN N32°10'22"W, A DISTANCE OF 72.31 FEET; THENCE RUN N45°12'48"W, A DISTANCE OF 76.60 FEET; THENCE RUN N36°05'26"W, A DISTANCE OF 83.77 FEET; THENCE RUN N27°42'49"W, A DISTANCE OF 71.72 FEET; THENCE RUN N29°21'59"W, A DISTANCE OF 35.96 FEET; THENCE RUN N53°55'01"W, A DISTANCE OF 50.46 FEET; THENCE RUN N56°09'33"W, A DISTANCE OF 73.20 FEET; THENCE RUN N20°56'39"W, A DISTANCE OF 38.48 FEET; THENCE RUN N09°02'04"E, A DISTANCE OF 34.61 FEET; THENCE RUN

N20°19'41"E, A DISTANCE OF 25.94 FEET; THENCE RUN N04°13'36"E, A DISTANCE OF 23.19 FEET; THENCE RUN N05°27'07"W, A DISTANCE OF 39.12 FEET; THENCE RUN N34°27'41"W, A DISTANCE OF 29.45 FEET; THENCE RUN N42°07'26"W, A DISTANCE OF 43.87 FEET; THENCE RUN N40°26'29"W, A DISTANCE OF 44.70 FEET; THENCE RUN N13°14'08"W, A DISTANCE OF 36.66 FEET; THENCE RUN N08°59'55"E, A DISTANCE OF 30.92 FEET; THENCE RUN N11°11'00"E, A DISTANCE OF 19.87 FEET; THENCE RUN N63°15'06"W, A DISTANCE OF 0.44 FEET; THENCE RUN N77°06'21"W, A DISTANCE OF 51.55 FEET; THENCE RUN N81°27'02"W, A DISTANCE OF 39.80 FEET; THENCE RUN N65°56'49"W, A DISTANCE OF 37.12 FEET; THENCE RUN N66°03'51"W, A DISTANCE OF 50.00 FEET; THENCE RUN N50°28'38"W, A DISTANCE OF 78.57 FEET; THENCE RUN N53°16'37"W, A DISTANCE OF 74.05 FEET; THENCE RUN N39°34'12"W, A DISTANCE OF 68.18 FEET; THENCE RUN N45°23'19"W, A DISTANCE OF 47.46 FEET; THENCE RUN N40°16'10"W, A DISTANCE OF 51.82 FEET; THENCE RUN N49°09'54"W, A DISTANCE OF 39.62 FEET; THENCE RUN N25°06'36"W, A DISTANCE OF 21.84 FEET; THENCE RUN N30°26'27"W, A DISTANCE OF 38.43 FEET; THENCE RUN N42°20'17"W, A DISTANCE OF 65.33 FEET; THENCE RUN N03°54'47"E, A DISTANCE OF 50.91 FEET; THENCE RUN N45°55'55"E, A DISTANCE OF 48.91 FEET; THENCE RUN N62°56'25"E, A DISTANCE OF 42.23 FEET; THENCE RUN N70°00'36"E, A DISTANCE OF 77.94 FEET; THENCE RUN N76°33'21"E, A DISTANCE OF 81.24 FEET; THENCE RUN N75°49'48"E, A DISTANCE OF 74.10 FEET; THENCE RUN N69°44'44"E, A DISTANCE OF 43.05 FEET; THENCE RUN N59°42'58"E, A DISTANCE OF 40.69 FEET; THENCE RUN N53°34'27"E, A DISTANCE OF 13.49 FEET; THENCE RUN N00°24'23"W, A DISTANCE OF 282.30 FEET TO THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 24; THENCE RUN S89°35'09"W ALONG SAID NORTH LINE, A DISTANCE OF 2,520.20 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 23; THENCE RUN S89°37'46"W ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 23, A DISTANCE OF 1,309.78 FEET; THENCE DEPARTING SAID NORTH LINE RUN S00°07'31"W, A DISTANCE OF 2,652.34 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 715.00 FEET AND A CENTRAL ANGLE OF 00°54'55"; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 11.42 FEET (CHORD BEARING = N65°54'49"W, CHORD = 11.42 FEET); THENCE RUN N65°27'21"W, A DISTANCE OF 1,357.17 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF U.S. HIGHWAY 17-92; THENCE RUN S28°24'08"W ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 137.31 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE RUN S65°27'21"E, A DISTANCE OF 1,366.41 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 852.00 FEET AND A CENTRAL ANGLE OF 24°32'39"; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 364.98 FEET (CHORD BEARING = S77°43'40"E, CHORD = 362.19 FEET); THENCE RUN N90°00'00"E, A DISTANCE OF 29.46 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 55°51'18"; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 34.12 FEET (CHORD BEARING = S62°04'21"E, CHORD = 32.78 FEET) TO A POINT OF REVERSE CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 111°42'35"; THENCE EASTERLY ALONG THE ARC, A DISTANCE OF 233.96 FEET, (CHORD BEARING = N90°00'00"E, CHORD = 198.63 FEET) TO A POINT OF REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 55°51'18"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 34.12 FEET, (CHORD BEARING = N62°04'21"E, CHORD = 32.78 FEET); THENCE

RUN N90°00'00"E, A DISTANCE OF 1,129.49 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 55°51'18"; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 34.12 FEET (CHORD BEARING = S62°04'21"E, CHORD = 32.78 FEET) TO A POINT OF REVERSE CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 111°42'35"; THENCE EASTERLY ALONG THE ARC, A DISTANCE OF 233.96 FEET, (CHORD BEARING = N90°00'00"E, CHORD = 198.63 FEET) TO A POINT OF REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 55°51'18"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 34.12 FEET, (CHORD BEARING = N62°04'21"E, CHORD = 32.78 FEET); THENCE RUN N90°00'00"E, A DISTANCE OF 2,156.69 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 55°51'18"; THENCE RUN SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 34.12 FEET (CHORD BEARING = S62°04'21"E, CHORD = 32.78 FEET) TO A POINT OF REVERSE CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF 111°42'35"; THENCE EASTERLY ALONG THE ARC, A DISTANCE OF 233.96 FEET, (CHORD BEARING = N90°00'00"E, CHORD = 198.63 FEET) TO A POINT OF REVERSE CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 35.00 FEET AND A CENTRAL ANGLE OF 55°51'18"; THENCE NORTHEASTERLY ALONG THE ARC, A DISTANCE OF 34.12 FEET, (CHORD BEARING = N62°04'21"E, CHORD = 32.78 FEET); THENCE RUN N90°00'00"E, A DISTANCE OF 1,274.34 FEET TO THE POINT OF BEGINNING.

EXHIBIT "B" Location Map

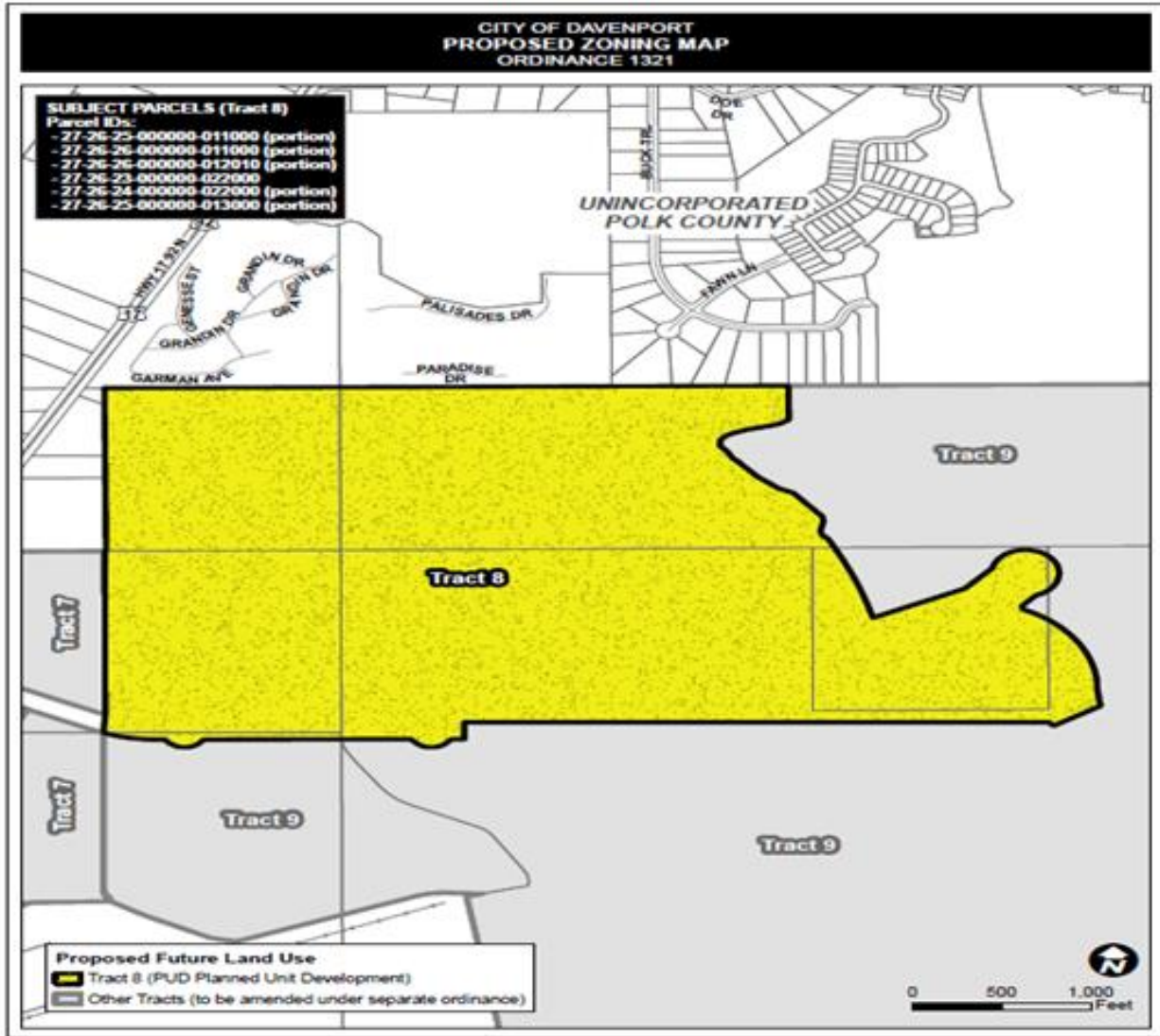


EXHIBIT "C"



SPECIAL CONDITIONS for the following:

1. The R-5 Zoning District Requirements shall apply except for the following:
The minimum side yard setback for this PUD shall be Side Setback 5', Front (House) 25' Front (Multifamily Bldg.) 20', Rear 10', and Corner Lots 10'Side Street setback.
2. Per Article 6.02.00 Internal and external access (B) any residential subdivision of greater than 50 lots shall include a Minimum of two access points.
3. ~~All air conditioning units and other similar equipment are to be located to the rear of the property Per Article 6.02.02.~~
4. Per 6.02.04 Subdivision Landscaping at a minimum, for the front yard of every dwelling shall be equipped with an underground irrigation system for lawn and landscaping (one large tree, plus four small trees or large shrubs and 12 small shrubs in the front).
5. Development of the Properties shall comply with all the PUD requirements from Article 9.05.02 of the procedure for obtaining PUD Zoning Designation, see LDR's Article 9 for further information.

6. Development of the Properties shall comply with Article 9.05.07 Ownership and Maintenance of Common Property see LDR's Article 9 for further information.
7. As a condition of approval, development of the Properties will require that the site plan be unified per Article 9.06.04 Site Plan to be Unified, see LDR's Article 9 for further information.
8. Development of the Properties shall comply with the landscape conditions per Article 5 .07.07 Buffer Yards, [5.07.07.01](#) Buffer Yards Between Proposed and abutting Land Uses and Vacant Property and [5.07.07.02](#) Buffer Yards along rights of way, see LDR's Article 5 for further information
9. Development of the Properties shall comply with the fencing and wall conditions per [5.07.05.09](#) Landscape for Decorative and Masonry Walls, see LDR's Article 5 for further information
10. As a condition of approval of development of the Properties, development of the Properties shall comply with Article 5.03.02 Off street parking, see LDR's Article 5 for further information.
11. As a condition of approval of development of the Properties, solid waste bins shall comply with Article 5.03.08 Design Standards. Layout of townhome shall accommodate discreetly trash waste receptacles for property trash disposal and placement and not interfere with parking or building entry to residence.
12. ~~All development within the Properties shall connect at owner's expense to the City of Davenport Water and Wastewater System and comply with the City's Code of Ordinances, Rate Ordinances, and other Utilities rules, regulations, and policies of the City.~~
13. All development within the Properties shall be consistent with the annexation agreement and connect at owner's expense to the Utilities Services of Polk County.
Polk County Water and Wastewater System shall comply with the Polk County Code of Ordinances, Rate Ordinances, and other Utilities rules, regulations, and policies of the County.
14. As a condition of approval of development of the Properties, surface parking examples for townhomes will be provide by the applicant for the inhabitants of these town homes.
15. As a condition of approval of development of the Properties, Signage examples at the entry of the project along Ernie Caldwell will be provided by the applicant and designed as a Resort Style Design approach in comparison to the Article 7 Signage requirements of the City of Davenport Land Development Regulations.
16. As a condition of approval of development of the Properties, model homes shall be on site as long as the project is in development. This could be no less then 5 years.
17. AC units shall be staggered along the side of the new single family detached homes only if the Fire Chief agrees to this layout approach.
18. The 30% open spaces for this project are a requirement for any PUD Master Plan per the City of Davenport Land Development Regulations Article 3 Section 3.10.03. Any changes require commission approval.



Business Impact Estimate

This form should be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City of Davenport's website by the time notice of the proposed ordinance is published.

AN ORDINANCE OF THE CITY OF DAVENPORT, FLORIDA; CHANGING THE ZONING CLASSIFICATION FOR A PARCEL TOTALING 309.95 ACRES OF PROPERTY GENERALLY LOCATED EAST OF HIGHWAY 27 AND NORTH OF HORSESHOE CREEK RD, FROM THE CLASSIFICATION OF COUNTY RESIDENTIAL MEDIUM (RM), EMPLOYMENT CENTER (EC), BUSINESS PARK CENTER 1 (BPC-1), TOURISM COMMERCIAL CENTERS (TCC), INDUSTRIAL (IND), RESIDENTIAL HIGH (RH), RESIDENTIAL LOW (RL) TO CITY PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR A BUSINESS IMPACT ESTIMATE, SEVERABILITY, CONFLICTS AND AN EFFECTIVE DATE.

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of Davenport is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City of Davenport is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;

¹ See Section 166.041(4)(c), Florida Statutes.

- c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
- d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of Davenport hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare):

This proposed ordinance will provide City services for the applicant and will expand the City boundaries, thus serving the public health safety, morals and welfare.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Davenport, if any:
 - (a) An estimate of direct compliance costs that businesses may reasonably incur;
 - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
 - (c) An estimate of the City of Davenport's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

Annexation does not lessen or remove any private resident or commercial business. Thus, it is estimated that neither residents nor any business will incur additional costs. The city does not seek to impose any additional user or regulatory fees or charges, nor are any direct compliance costs expected.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: *Zero (0)*

4. Additional information the governing body deems useful (if any):

City of Davenport staff solicited comments from businesses and residents in the City of Davenport as to the potential impact of the proposed ordinance by contacting the chamber of commerce, social media posting, direct mail or direct email, posting on City of Davenport's website, public workshop, etc. The proposed ordinance is a generally applicable ordinance that applies to all persons similarly situated (individuals as well as businesses) and, therefore, the proposed ordinance does not affect residents or businesses.