

**ORDINANCE NO. 23 - \_\_\_\_**

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2023-19**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 0.52 +/- ACRES FROM RESIDENTIAL MEDIUM (RM) TO COMMERCIAL ENCLAVE (CE) IN THE URBAN GROWTH AREA (UGA), AND THE TRANSIT CORRIDORS AND CENTERS OVERLAY (TCCO) LOCATED ON THE EAST SIDE OF 34TH STREET NW, NORTH SIDE OF AVENUE W NW, WEST OF 31ST ST NW, AND SOUTH OF HAVENDALE BOULEVARD NW EAST OF THE WINTER HAVEN CITY LIMITS, IN SECTION 13, TOWNSHIP 28 AND RANGE 25; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, pursuant to Article VIII, Section I(g) of the Constitution of the State of Florida and the Community Planning Act, Chapter 163, Part II, Florida Statutes (FS), as amended, (the Act) Polk County is authorized and required to adopt a Comprehensive Plan (Plan); and

**WHEREAS**, Section 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; and

**WHEREAS**, pursuant to Section 163.3174, FS, the Local Planning Authority (Planning Commission) conducted a public hearing, with due public notice having been provided, on the proposed Plan revisions on October 4, 2023; and

**WHEREAS**, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on November 21, 2023; and

**WHEREAS**, the Board of County Commissioners, reviewed and considered all comments received during said public hearing, and provided for necessary revisions; and

**NOW THEREFORE, BE IT ORDAINED** by the Polk County Board of County Commissioners:

**SECTION 1: COMPREHENSIVE PLAN AMENDMENT**

The Future Land Use Map of Ordinance No. 92-36, as amended, (the “Polk County Comprehensive Plan”) is hereby amended to reflect a change in the Future Land Use District of parcels 252813-342500-007602 and 252813-342500-007603 as legally described below and graphically depicted as referenced in Attachment “A” of this ordinance, from Residential-Medium (RM) to Commercial Enclave (CE) in the Urban Growth Area (UGA), legally described as:

INWOOD UNIT 4 PB 9 PG 35A 35B LOTS 760 & 761 DESC AS BEG 88.29 FT N OF SW COR OF LOT 762 RUN N 61.71 FT E 150 FT S 47.63 FT W 41.26 FT S 14.32 FT W 108.76 FT TO POB

and

INWOOD UNIT 4 PB 9 PG 35A 35B S13/24 T28 R25 LOTS 760 TO 762 THAT PT DESC AS: BEG SW COR LOT 762 N 88.29 FT E 108.76 FT N 14.32 FT E 41.26 FT S 102.37 FT W 150 FT TO POB

**SECTION 2: SEVERABILITY**

If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction the other provisions shall remain in full force and effect.

**SECTION 3: EFFECTIVE DATE**

This ordinance shall be effective on December 22, 2023 (31 days after adoption) unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued, or commence before it has become effective.

**SECTION 4: FILING WITH THE DEPARTMENT OF STATE:**

The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the Secretary of State, upon adoption by the Board of County Commissioners of Polk County, Florida.

**ADOPTED**, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 21<sup>st</sup> day of November 2023.

**LDCPAS 2023-16**  
**Development Area: Urban Growth Area (UGA)**  
**Location: East side of 34th Steet NW, north side of Avenue W NW, east of 31st St NW,**  
**and south of Havendale Boulevard NW east of the Winter Haven city limits,**  
**Section 13, Township 28, Range 25**



**PARCEL DETAIL**

*Note: Not to Scale*