

## **ORDINANCE NO. 24-\_\_\_\_\_**

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF LDCPAS-2024-17, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP FROM RURAL CLUSTER CENTER (RCC) TO LEISURE/RECREATION (L/R) ON ±5.71 ACRES, LOCATED AT 249 CHURCH AVENUE, SOUTH OF 2<sup>ND</sup> STREET, EAST OF OLD BARTOW ROAD, NORTH OF 4<sup>TH</sup> STREET, WEST OF US 17 IN HOMELAND, SOUTH AND EAST OF BARTOW IN SECTION 04, TOWNSHIP 31, 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 September 4, 2024; 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 October 15, 2024; 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 designation on an ±5.71-acre site from Rural Cluster Center (RCC) to Leisure/Recreation (LR) in the Rural Development Area (RDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

### **Parcel #253104-431500-002004**

Block Two (2), less 144 feet off the West end of said Block 2, of Homeland, Florida according to Plat thereof recorded in Plat Book 1, page 5B, public records of Polk County, Florida; being a part of West Half (W-1/2) of South Half (S-1/2) of the North Half (N-1/2) of the Northeast Quarter (NE-1/4) of Northeast Quarter (NE-1/4) of Section five (5), Township Thirty-one (31) South, Range Twenty-five (25) East.

Block Eight (8), less 105 off the West end of said Block, of Homeland, Florida, according to plat thereof recorded in Plat Book 1, page 5B, public records of Polk County, Florida; being a part of West Half (W-1/2) of North Half (N-1/2) of South Half (S-1/2) of Northeast Quarter (NE-1/4) of Northeast Quarter (NE-1/4) of Section Five (5), Township Thirty-one (31) South, Range Twenty-Five (25) East.

## **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 November 15, 2024 (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 15th day of October 2024.

**LDCPAS 2024-17**  
**Development Area: Rural Development Area**  
**Location:** 249 Church Avenue, south of 2nd Street, east of Old Bartow Road, north of 4th Street, west of US 17 in Homeland, south and east of Bartow in Section 04, Township 31, Range 25.

**PARCEL DETAIL**  
*Note: Not to Scale*

