

ORDINANCE NO. 26 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2025-24**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE DESIGNATION ON A TOTAL OF 3.87± ACRES, FROM RESIDENTIAL LOW (RL) TO COMMUNITY ACTIVITY CENTER (CAC) AND A TEXT AMENDMENT TO APPENDIX 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS TO REFERENCE THAT THE PARCEL SUBJECT TO THIS CASE HAD DEVELOPMENT CONDITIONS IN APPENDIX E OF THE LAND DEVELOPMENT CODE (LDCT-2026-5). THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF SHIMMERING DRIVE (SHEPHERD ROAD) EAST OF STRICKLAND AVENUE, EAST OF CLARK LAKE AND NORTH OF W. CARTER ROAD, NORTH OF THE CITY OF MULBERRY, IN SECTION 25, TOWNSHIP 29, RANGE 23; 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 June 3, 2026; 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 July 21, 2026; 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 a five (5) acre site from Residential Suburban (RS) to Institutional (INST) in the Suburban Development Area (SDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel 232925-000000-033030

THAT PT OF SECS 23 24 25 & 26 TP 29 RG 23 KNOWN AS LOTS 3 4 & 6
OF UNRE SURVEY DESC AS: COMM SE COR SEC 23 W 220.79 FT TO
WLY R/W SR 37 S ALONG R/W 0.26 FT E 146 FT NELY ALONG
CURVE 67.62 FT S 10.57 FT TO POB NELY ALONG CURVE 19.71 FT
NELY ALONG REV CURVE 78.9 FT E 196.24 FT S 185.37 FT E 125.64
FT S 296.65 FT W 366.91 FT N 141.51 FT W 40 FT N 141.51 FT W 10 FT N
175.75 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 August 21, 2026 (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 21st day of July 2026.

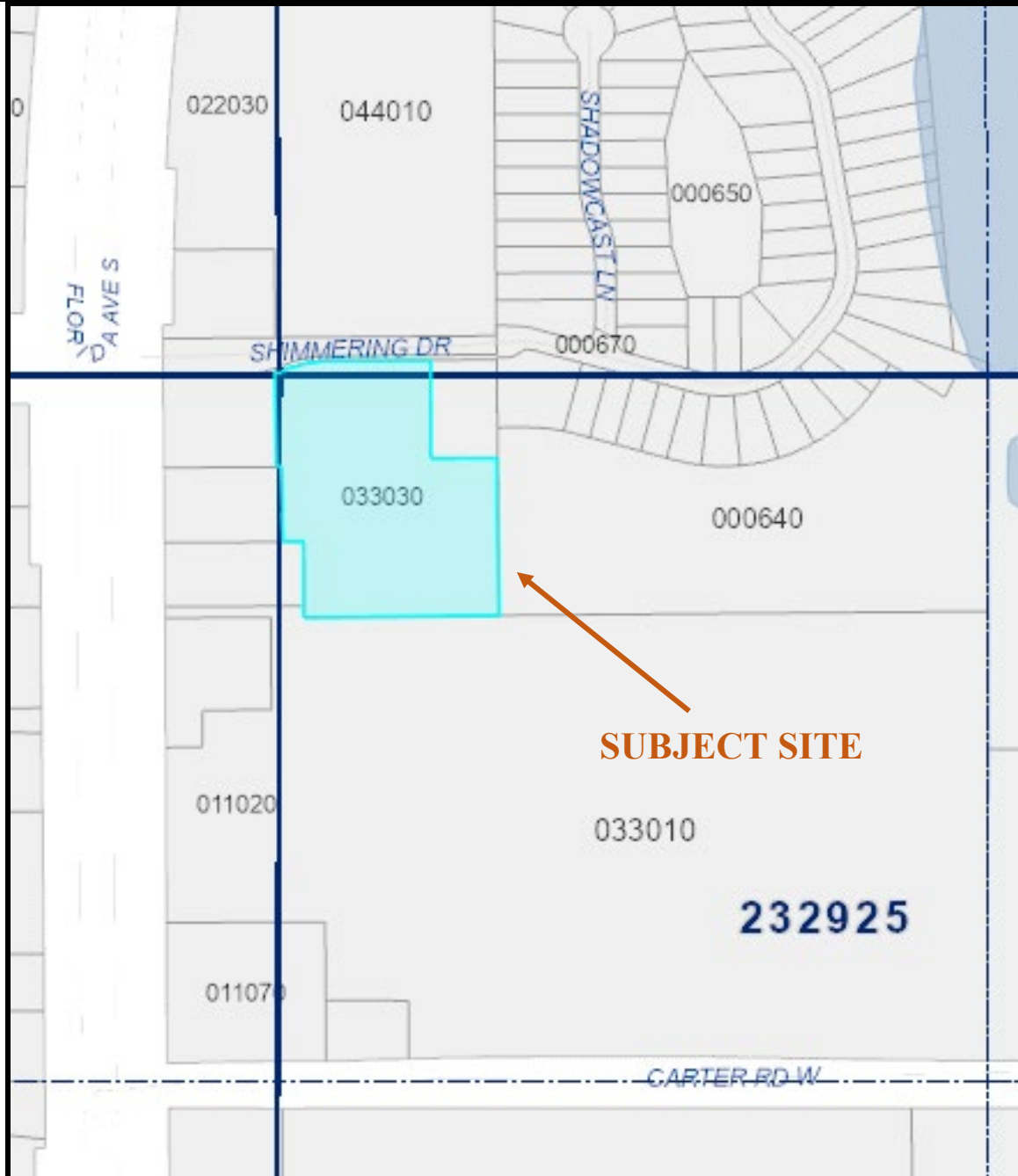
ATTACHMENT "A"

LDCPAS-2025-24

Development Area: Transit Supportive Development Area

Location: South side of Shimmering Drive (Shepherd Road) east of Strickland Avenue,
east of SR 37

Section-25 Township-29 Range-23



PARCEL DETAIL

Note: Not to Scale