

ORDINANCE NO. 24 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2024-11**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 40.59± ACRES FROM PHOSPHATE MINING (PM) TO AGRICULTURAL/RESIDENTIAL RURAL (A/RR). THE SUBJECT SITE IS LOCATED ON THE SOUTH SIDE OF US HIGHWAY 98 E, WEST OF POOL BRANCH ROAD, NORTH OF DISHONG ROAD, EAST OF EDGEWOOD DRIVE, AND EAST OF THE CITY OF FORT MEADE, IN SECTION 25, 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 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 25-31-25-000000-024040

W 1700 FT OF N 1090 FT OF S1/4 OF SEC LESS RD R/W FOR HWY 98 &
THAT PT OF RELINQUISHED R/W PCL AS DESC IN OR 12738-271
LYING WITHIN W 1700 FT OF N 1090 FT OF S1/4

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 15, 2024.

LDCPAS22024-11
Development Area: Rural Development Area
Location: South side of US Highway 98 E, and east of the City of Fort Meade
Section-25 Township-31 Range-25

PARCEL DETAIL

Note: Not to Scale

