

ORDINANCE NO. 24 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2024-21**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 17.75 ACRES SITE FROM RESIDENTIAL SUBURBAN (RS) TO INSTITUTIONAL (INST-1), IN THE SUBURBAN DEVELOPMENT AREA (SDA). THE SUBJECT SITE IS LOCATED SOUTH OF MYSTERY HOUSE ROAD, EAST OF US HIGHWAY 92, WEST OF POWER LINE ROAD, NORTH OF BAKER DAIRY ROAD, AND WEST OF THE CITY OF HAINES CITY, IN SECTION 22, TOWNSHIP 27, RANGE 27, 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 November 6th, 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 December 17th, 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 +/- 17.75 acres site from Residential Suburban (RS) to Institutional (INST-1), in the Suburban Development Area (SDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel Identification Number 272722-757000-010180, 272722-757000-010291, 272722-757000-010293)

Legal Description:

Parcel # 272722-757000-010180

FLA DEVELOPMENT CO SUB PB 3 PG 60 THRU 63 E 168.91 FT OF TRACT 18 & ALL OF 19 & 30 & E 168.91 FT OF TRACT 31 IN NE1/4 & LESS RD R/W & LESS ADDL RD RW FOR BAKER DAIRY RD AS DESC IN OR BK 8628 PG 24

Parcel # 272722-757000-010291

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 LOT 29 IN NE1/4 DESC AS BEG 25 FT E OF SW COR RUN N 426 FT E 306.61 FT N 234.58 FT W 331.42 FT S 661.11 FT E 25 FT TO POB LESS S 20 FT FOR RD R/W BEING LOT BD-1 OF UNREC SURVEY

Parcel # 272722-757000-010293

FLA DEVELOPMENT CO SUB PB 3 PG 60 TO 63 LOT 29 IN NE1/4 DESC AS BEG 50 FT E OF SW COR RUN N 309 FT E 281.94 FT N 117 FT W 306.61 FT S 426 FT E 25 FT TO POB LESS RD R/W BEING LOT BD-2 OF UNREC SURVEY

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 January 18th, 2025 (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 17th day of December, 2024.

