

**ORDINANCE NO. 2024 - \_\_\_\_**

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAL-2024-08**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO AMEND POLICY 2.130-E1.1A IN SECTION 2.130-E1 OF THE GRENELEFE UTILITY ENCLAVE AREA (UEA) TO ADD A HISTORIC AREA REFERENCE AND REPLACE UEA IN THE LAST SENTENCE OF THE POLICY. GRENELEFE IS SOUTH OF HWY 544, WEST OF LAKE MARION ROAD, ON BOTH SIDES OF KOKOMO ROAD, NORTH OF LAKE HATCHINEHA ROAD, EAST OF THE CITY OF HAINES CITY, IN SECTIONS 05, 06, 07, 08, AND 18 TOWNSHIP 28, RANGE 28; 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 163.3184, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Large-Scale Comprehensive Plan Amendments; and

**WHEREAS**, Application LDCPAL-2024-08 is an Applicant-initiated request to change Policy 2.130-E1.1A in Section 2.130-E1, Grenelefe Utility Enclave Area of the Comprhenisve Plan to add a historic area reference and replace UEA in the last sentence (the “Amendment”); 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, Amendment on June 6, 2024; and

**WHEREAS**, pursuant to Section 163.3184, FS, the Board of County Commissioners on June 16, 2024, held an initial public hearing and authorized transmittal of the Amendment to the Florida Department of Commerce (Florida Commerce) for written comment, and

**WHEREAS**, **Florida Commerce**, by letter dated **????????, ##, 2024**, transmitted objections, recommendations, and comments on the Amendment; and

**WHEREAS**, pursuant to Section 163.3184, FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the Amendment on August 6, 2024; and

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

**WHEREAS**, the Board of County Commissioners has considered the data and analysis contained within the staff report; and

**WHEREAS**, the Amendment is consistent with Chapter 163, FS, and the Polk County Comprehensive Plan.

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

**SECTION 1: LEGISLATIVE FINDINGS OF FACT**

The findings of fact set forth in the recitals to this Ordinance are true and correct and hereby adopted.

**SECTION 2: COMPREHENSIVE PLAN AMENDMENT**

The Comprehensive Plan of Ordinance No. 92-36, as amended, (the “Polk County Comprehensive Plan”) is hereby amended to change policies in Section 2.130-E1 as displayed in Attachment “A”.

**SECTION 3: 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 4: EFFECTIVE DATE**

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the Department of Economic Opportunity posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

**SECTION 5: 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 6<sup>th</sup> day of August 2024.

*NOTE:* The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

## ATTACHMENT "A"

POLICY 2.130-E1.1A: The Grenelefe UEA is established as designated on the Future Land Use Map Series. Land use categories shall be designated on the Future Land Use Map (FLUM) which is included as part of the Future Land Use Map Series. The Grenelefe UEA includes the historic area of Grenelefe (DRI) as well as the Additional Property as shown in the FLUM. All development within the historic area of the Grenelefe ~~UEA~~ DRI shall be reviewed as part of a Planned Development.