

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

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2024-41**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 18.53 +/- ACRES FROM BUSINESS PARK CENTER (BPC) TO LEISURE RECREATIONAL (L/R), LOCATED ON THE SOUTH SIDE OF DUNDEE ROAD, WEST OF US 27, NORTH OF OVERLOOK DRIVE, AND EAST OF CARL FLOYD ROAD WEST OF WINTER HAVEN CITY LIMITS, IN SECTION 25, TOWNSHIP 28 AND RANGE 26, 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 April 3, 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 May 21, 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 ID# 262825-589500-001081:

OAK PARK PB 13 PG 15 BLKS A B & C THAT PART LYING IN THE FOLLOWING DESC BEG NE COR OF W1/2 OF SE1/4 OF NE1/4 OF SEC RUN S 450.36 FT W 70 FT S 112 FT N60-21-32W 100 FT W 40 FT S 320 FT W 66.39 FT N 834.60 FT E 263 FT TO POB LESS RD R/W FOR SR 542 & BLKS A B & C LOTS ALL LESS BEG NW COR OF LOT 1 BLK A RUN E 250 FT S 233.12 FT W 197.5 FT NW 77.57 FT TO BEG & LESS THAT PART LYING WITHIN THE E 263 FT OF SUB & INCLUDING THAT PART OF FLA HIGHLANDS CO SUB PB 3 PG 27 LOT 7 LESS E 263 FT & LESS THAT PART OF SAID LOT 7 LYING WITHIN OAK PARK SUB PB 13 PG 15.

Parcel ID# 262825-589500-001091:

OAK PARK PB 13 PG 15 BLKS A & C THAT PART LYING IN THE FOLLOWING DESC BEG 450.36 FT S OF NE COR OF W1/2 OF SE1/4 OF NE1/4 OF SEC RUN W 70 FT S 112 FT N 60 DEG 21 MIN 32 SEC W 100 FT W 40 FT S 320 FT W 66.39 FT S 491.33 FT E 263 FT N 875 FT TO POB.

Parcel ID# 262825-589000-000702:

FLA HIGHLAND CO SUB PB 3 PG 27 LOT 7 BEG 450.36 FT S OF NE COR OF W1/2 OF SE1/4 OF NE1/4 OF SEC RUN W 70 FT S 112 FT N 60 DEG 21 MIN 32 SEC W 100 FT W 40 FT S 320 FT W 66.39 FT S 491.33 FT E 263 FT N 875 FT TO POB LESS THAT PART LYING IN OAK PARK SUB AS RECORDED IN PB 13 PG 15.

Parcel ID# 262825-589000-000703:

FLA HIGHLAND CO SUB PB 3 PG 27 LOT 7 BEG NE COR OF W1/2 OF SE1/4 OF NE1/4 OF SEC RUN S 450.36 FT W 70 FT S 112 FT N 60 DEG 21 MIN 32 SEC W 100 FT W 40 FT S 320 FT W 66.39 FT N 834.60 FT E 263 FT TO POB LESS RD R/W FOR SR 542 & LESS THAT PART LYING IN OAK PARK SUB AS RECORDED IN PB 13 PG 15.

## **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**

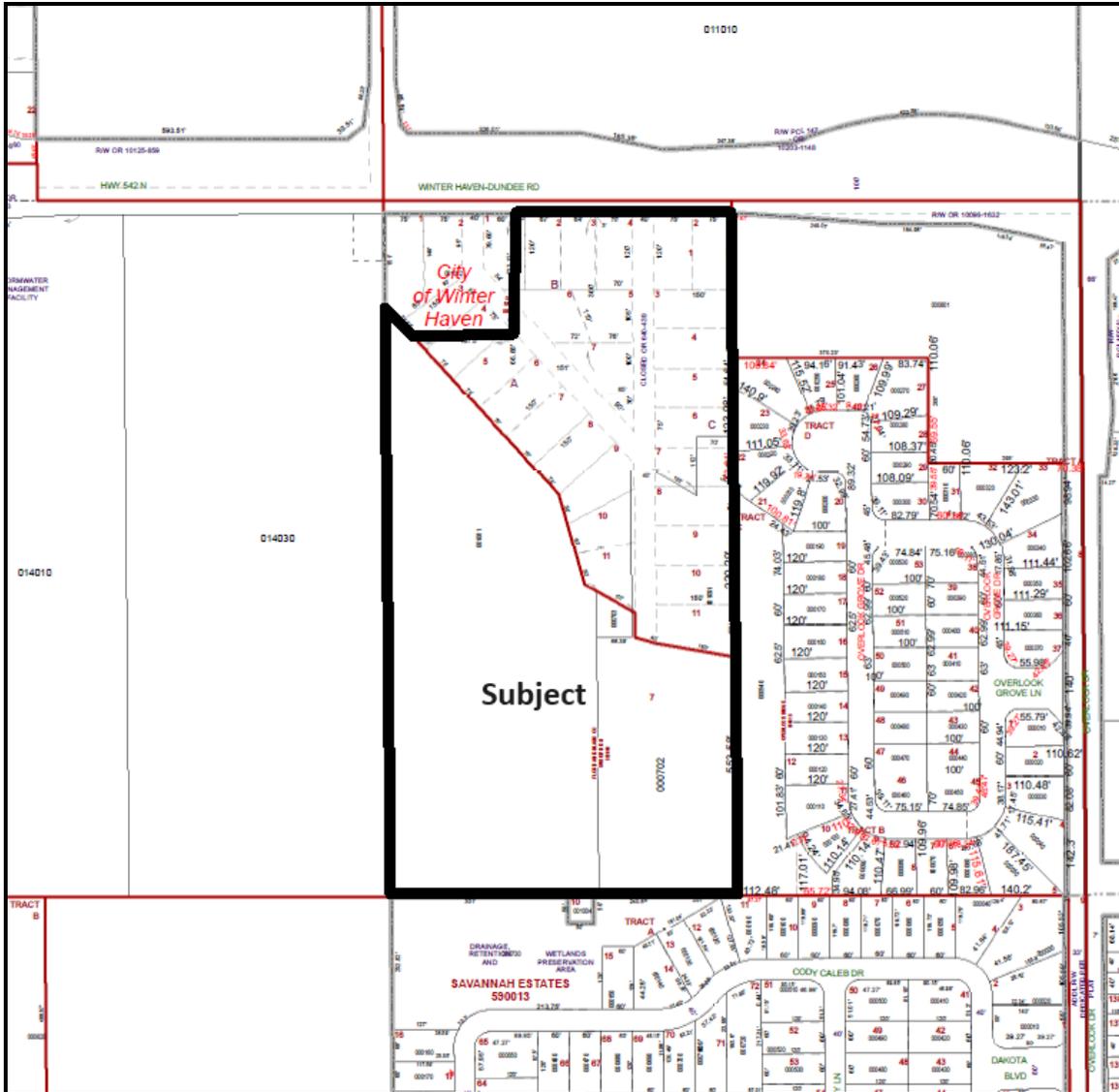
This ordinance shall be effective on June 21, 2024 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in 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 21<sup>st</sup> day of May 2024.

**LDCPAS 2024-1**  
**Development Area:** Urban Growth Area  
**Location:** South side of Dundee Road, west of US 27, north of Overlook Drive, and east of Carl Floyd Road  
**Section-25 Township-28 Range-26**



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