

ORDINANCE NO. 25 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF LDCPAL 2024-17; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 158± ACRES FROM AGRICULTURAL/RESIDENTIAL-RURAL (A/RR) TO RESIDENTIAL-LOW (RL) AND FROM RURAL DEVELOPMENT AREA (RDA) TO URBAN GROWTH AREA (UGA). THE SUBJECT SITE IS LOCATED SOUTH OF THORNHILL ROAD, EAST OF LAKE HANCOCK, AND NORTH OF THE CITY OF BARTOW, IN SECTIONS 3 & 10, TOWNSHIP 29, 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 163.3184, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Large-Scale Comprehensive Plan Amendments; and

WHEREAS, LDCPAL 2024-17 is an applicant-initiated amendment to change 158± Acres from Agricultural/Residential-Rural (A/RR) to Residential-Low (RL), and from Rural Development Area (RDA) To Urban Growth Area (UGA) (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, on the Amendment on March 5, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on May 6, 2025, held an initial public hearing and authorized transmittal of the Amendment to the Department of Commerce for written comment, and

WHEREAS, FLORIDA COMMERCE, by letter dated June 12, 2025, 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 July 15, 2025; and

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

WHEREAS, the Board of County Commissioners has considered the data and analysis contained with 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 MAP 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 District for parcels 25-29-03-000000-022120, and 25-29-10-000000-011010 as legally described below and graphically depicted as referenced in Attachment “A” of this ordinance, for 158 ± acres from Agricultural/Residential-Rural (A/RR) to Residential-Low (RL), and from Rural Development Area (RDA) to Urban Growth Area (UGA), legally described as:

PARCEL IDENTIFICATION NO. 25-29-03-000000-022120

BEG SW COR OF SE1/4 OF SW1/4 RUN N00-03-20W 1311.76 FT S89-47-57E 830.97 FT N00-07-29W 1712.10 FT TO S R/W OF THORNHILL RD S49-39-22E 112.32 FT S45-38-50E 200.09 FT S47-39-08E 200 FT S47-56-19E 200.01 FT S47-39-14E 198.78 FT S48-07-51E 16.31 FT S55-43-59E 400 FT S56-01-10E 185.72 FT S00-18-25E 1162.10 FT S58-17-57E 1415.14 FT RUN S00-18-25E TO S LINE SEC W TO POB LESS MAINT R/W & LESS THAT PART LYING WITHIN FOLL DESC: RD R/W PCL 137 FP ID 440897-2 FOR SR 570B AS DESC IN OR 12226 PG 1869.

PARCEL IDENTIFICATION NO. 25-29-10-000000-011010

BEG NW COR OF SEC RUN S 2652.47 FT E 2660.98 FT S 1251.95 FT N 40 DEG 16 MIN 59 SEC E 2719.58 FT N 494.52 FT E 100 FT N TO N-LINE OF SEC W TO POB LESS THAT PART LYING WITHIN SWFWMD PCL 20- 503-123-P LAKE HANCOCK OUTFALL AS DESC IN STIPULATED AMENDED ORDER OF TAKING CASE#2010-CA-009204 REC IN OR 8487-2191 & LESS THAT PART LYING WITHIN FOLL DESC: RD R/W PCL 137 FP ID 440897-2 FOR SR 570B AS DESC IN OR 12226 PG 1869

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 Florida Department of Commerce 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 15th day of July 2025.

ATTACHMENT “A”

LDCPAL 2024-17

Development Area: Rural Development Area (RDA) to Urban Growth Area (UGA)

Location: South of Thornhill Road, East of Lake Hancock, and North of the City of Bartow.

Sections 3 & 10, Township 29, Range 25

