

ORDINANCE NO. 24 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2024-25**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 6.5± ACRES FROM AGRICULTURAL/RESIDENTIAL RURAL (A/RR) TO RURAL CLUSTER CENTER (RCC) AND TO MODIFY APPENDIX 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS. THIS CASE IS RELATED TO LDCT-2024-27. THE SUBJECT SITE IS LOCATED ON THE EAST SIDE OF BOY SCOUT ROAD AND NORTH OF STATE ROAD 60 IN SECTION 08, TOWNSHIP 30, RANGE 29; 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 December 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 January 21, 2025; 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 six and one-half (6.5) acre site from Agricultural/Residential-Rural) to Rural Cluster Center (RCC) in the Rural Development Area (RDA) on a portion of the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel 293008-000000-031010 (Portion)

That part of Section 8, Township 30 South, Range 29 East, Polk County, Florida described as follows:

Commence at the NW corner of the SW $\frac{1}{4}$ of said Section 8; thence N 89° 41' 02"E, 40.00 feet to the east right of way line of Boy Scout Road; thence S 00° 16' 46"E along said east right of way line, 861.74 feet to the POINT OF BEGINNING; thence N 89° 43' 14"E, 648.63 feet; thence S 00° 16' 46"E, 495.00 feet to the northerly right of way line of State Road 60 per O.R. Book 2659, Page 115, Public Records of Polk County, Florida; thence along said northerly right of way line the following four calls: 1.) N 80° 54' 08"W, 161.03 feet; 2.) N 9° 05' 52" E, 5.00 feet; 3.) N 80° 54' 08"W, 440.64 feet; 4.) N 59° 17' 22"W, 65.11 feet to the aforesaid east right of way line of Boy Scout Road; thence N 00° 16' 46"W along said east right of way line, 358.51 feet to the POINT OF BEGINNING.

And referencing this amendment in Appendix 2.135 and modifying Section 2.135-T as shown in Attachment “B” of this Ordinance.

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

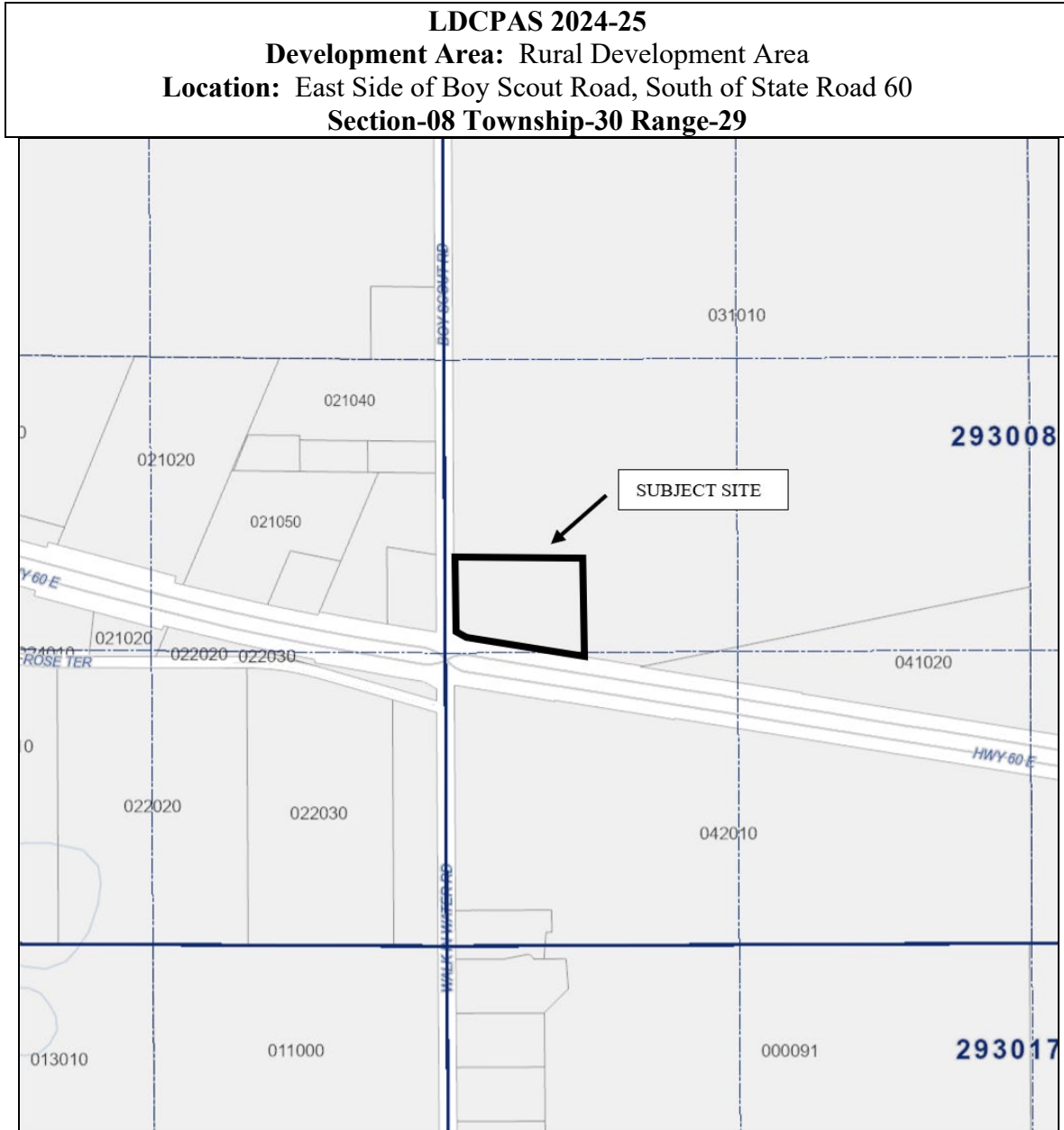
This ordinance shall be effective on February 21, 2025 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Commerce or Administration Commission finding the amendment in compliance 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 21st day of January 2025.

ATTACHMENT "A"



PARCEL DETAIL

Note: Not to Scale

ATTACHMENT “B”

APPENDIX 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS

SECTION 2.135-T – Boy Scout Road Rural Cluster Center (RCC) Activity Center Plan (ACP)

OBJECTIVE 2.135-T: Through the adoption of LDCPAS 2024-25, this section of the plan provides for the establishment of an Activity Center Plan for the area shown, and with conditions adopted into the Land Development Code through LDCT-2024-27.

POLICY 2.135-T1: DEVELOPMENT CRITERIA - Development within this Activity Center Plan shall conform with the requirements adopted for these properties in the Polk County Land Development Code.