

**ORDINANCE NO. 26 - \_\_\_\_\_**

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAL-2025-2**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN (ORDINANCE 92-36) AS AMENDED; MODIFYING THE FUTURE LAND USE DESIGNATION OF 116.5± ACRES FROM PHOSPHATE MINING (PM) TO AGRICULTURAL/RESIDENTIAL RURAL (A/RR) IN THE RURAL DEVELOPMENT AREA (RDA), LOCATED ON THE NORTH SIDE OF US HIGHWAY 98 (SR 700), EAST OF THE PEACE RIVER, WEST OF POOLE BRANCH ROAD, AND SOUTH OF L LANIER ROAD, EAST OF FORT MEADE CITY LIMITS, IN SECTIONS 25 AND 26, TOWNSHIP 31 AND 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**, Application LDCPAL-2025-2 is a County-initiated application to change the future land designation of 116.5± acres from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) in the Rural Development Area (RDA) (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 July 8, 2026; and

**WHEREAS**, pursuant to Section 163.3184, FS, the Board of County Commissioners on August 18, 2026 held an initial public hearing and authorized transmittal of the Amendment to Florida Commerce (FC) for written comment, and

**WHEREAS, DEO**, by letter dated \_\_\_\_\_ 2026 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 October 6, 2026; 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 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 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 116.5± acres from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on the parcels listed below and graphically depicted on the parcel map in Attachment “A”.

Parcels included (entire or portion of):

PARCELS:

- 25-31-25-000000-032120
- 25-31-25-000000-034010
- 25-31-25-000000-034030
- 25-31-25-000000-034040
- 25-31-25-000000-034050
- 25-31-25-000000-041020

25-31-25-000000-041030  
25-31-25-000000-041040  
25-31-25-000000-043010  
25-31-25-000000-043020  
25-31-25-000000-043030  
25-31-25-000000-043040  
25-31-25-000000-043050  
25-31-25-000000-043060  
25-31-25-000000-043070  
25-31-26-000000-021010  
25-31-26-000000-021040  
25-31-26-000000-021050  
25-31-26-000000-021070  
25-31-26-000000-021130

Legally described as:

25-31-25-000000-032120  
S1/4 OF SE1/4 OF NW1/4

25-31-25-000000-034010  
S1/2 OF SW1/4 OF SW1/4 OF NW1/4

25-31-25-000000-034030  
SE1/4 OF SW1/4 OF NW1/4 LESS N 300 FT OF E 310 FT

25-31-25-000000-034040  
N1/2 OF SW1/4 OF SW1/4 OF NW1/4

25-31-25-000000-034050  
NW1/4 OF SW1/4 OF NW1/4

25-31-25-000000-041020  
W1/4 OF NE1/4 OF SW1/4 & E1/2 OF NW1/4 OF SW1/4 LESS W 215.75 FT OF S 420  
FT OF E1/2 OF NW1/4 OF SW1/4 & LESS RD R/W

25-31-25-000000-041030  
E1/2 OF W1/2 OF NE1/4 OF SW1/4 LESS S 25 FT FOR US 98 RD R/W & LESS E 140  
FT OF N 705 FT THEREOF

25-31-25-000000-041040  
E 140 FT OF N 705 FT OF E1/2 OF W1/2 OF NE1/4 OF SW1/4

25-31-25-000000-043010  
E1/2 OF W1/2 OF NE1/4 OF SW1/4 LESS S 25 FT FOR US 98 RD R/W & LESS E 140  
FT OF N 705 FT THEREOF

25-31-25-000000-043020

E 166.875 FT OF W 363.75 FT OF NW1/4 OF SW1/4 LESS N 15 FT & LESS BEG SW COR OF NW1/4 OF SW1/4 RUN E 296.875 FT N 150 FT W 23.5 FT TO POB N 01 DEG 41 MIN 17 SEC E 25.7 FT W 77.58 FT S 175.72 FT E 71.25 FT N 27.5 FT N 01 DEG 19 MIN 09 SEC E 42.38 FT N 01 DEG 57 MIN 49 SEC E 78.93 FT N 01 DEG 41 MIN 17 SEC E 1.3 FT TO POB & LESS RD R/W

25-31-25-000000-043030

W 196.875 FT OF NW1/4 OF SW1/4 LESS W 33 FT & LESS N 15 FT & LESS R/W FOR US HWY 98

25-31-25-000000-043040

W 33 FT OF NW1/4 OF SW1/4

25-31-25-000000-043050

W 215.75 FT OF S 420 FT OF E1/2 OF NW1/4 OF SW1/4 LESS W 125 FT OF S 400 FT THEREOF & LESS R/W

25-31-25-000000-043060

W 125 FT OF S 400 FT OF E1/2 OF NW1/4 OF SW1/4

25-31-25-000000-043070

S 150 FT OF W 100 FT OF E 166.875 FT OF W 363.75 FT OF NW1/4 OF SW1/4 LESS COMM AT SW COR OF NW1/4 OF SW1/4 RUN E 296.875 FT TO POB RUN N 150 FT W 23.5 FT S 01 DEG 41 MIN 17 SEC W 1.3 FT S 01 DEG 57 MIN 49 SEC W 78.93 FT S 01 DEG 19 MIN 09 SEC W 42.38 FT S 27.5 FT E 28.75 FT TO POB & BEG AT SW COR OF NW1/4 OF SW1/4 RUN E 296.875 FT N 150 FT W 23.5 FT TO POB RUN W 76.5 FT N 25.72 FT E 77.58 FT S 01 DEG 41 MIN 17 SEC W 25.7 FT TO POB LESS R/W FOR US HWY 98

25-31-26-000000-021010

BEG 30 FT N OF SE COR OF NE1/4 OF SE1/4 RUN NLY 1285.77 FT WLY 406.87 FT SLY 645.24 FT ELY 306.92 FT SLY 640.25 FT ELY 100 FT M/L TO POB

25-31-26-000000-021040

COMM SW COR NE1/4 OF SE1/4 RUN E 697.11 FT N 88.26 FT TO NLY R/W US 98 FOR POB S 76 DEG 49 MIN 54 SEC E ALONG R/W 87.3 FT N 947.63 FT N 49 DEG 12 MIN 51 SEC W 231.13 FT W 111.27 FT S 17 DEG 43 MIN 12 SEC E 311.43 FT S 350 FT W 52 FT S 200 FT E 158.5 FT S 232.32 FT TO POB LESS THE FOLLOWING THE S 327.32 FT OF ABOVE DESC PARCEL LESS THE E 17.3 FT THEREOF & LESS PEACE RIVER

25-31-26-000000-021050

BEG 100 FT W & 30 FT N OF SE COR OF NE1/4 OF SE1/4 RUN N 640.25 FT W 306.92 FT S 630.91 FT S 84 DEG 02 MIN 24 SEC E 98.76 FT ELY 208.71 FT TO POB

25-31-26-000000-021070

THAT PART OF FOLL DESC LYING S OF PEACE RIVER COMM SW COR OF NE1/4 OF SE1/4 RUN E 697.11 FT N 88.26 FT TO N R/W LINE US HWY 98 S 76

DEG 49 MIN 54 SEC E ALONG SAID R/W 87.3 FT TO POB CONT S 76 DEG 49 MIN 54 SEC E 128.37 FT N 1276.38 FT W 411.27 FT S 150 FT E 111.27 FT S 49 DEG 12 MIN 51 SEC E 231.13 FT S 947.63 FT TO POB

25-31-26-000000-021130

S 327.32 FT OF FOLL DESC PARCEL LESS THE E 17.3 FT THEREOF COMM AT SW COR OF NE1/4 OF SE1/4 RUN E 697.11 FT N 88.26 FT TO NLY R/W US 98 FOR POB S 76 DEG 49 MIN 54 SEC E ALONG R/W 87.3 FT N 947.63 FT N 49 DEG 12 MIN 51 SEC W 231.13 FT W 111.27 FT S 17 DEG 43 MIN 12 SEC E 311.43 FT S 350 FT W 52 FT S 200 FT E 158.5 FT S 232.32 FT TO POB

### **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**

This ordinance shall be effective 31 days after Florida Commerce notifies the County that the plan amendment package is complete. If timely challenged, this amendment becomes 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 October, 2026.

**LDCPAL-2026-2**

**Land Use:** PM to A/RR (116.5 ± acres)

**Location:** The site is located on the north side of US Highway 98 (SR 700), east of the Peace River, west of Poole Branch Road, and south of L Lanier Road, east of Fort Meade city limits.

**Sections-25 and 26 Township-31 Range-25**

