

ORDINANCE NO. 24 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2023-29**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 10.76 ACRES SITE FROM RESIDENTIAL SUBURBAN (RSX) TO RESIDENTIAL LOW (RLX), AND THE SUBURBAN DEVELOPMENT AREA (SDA) to URBAN GROWTH AREA (UGA), IN THE SOUTHEAST POLK SELECTED AREA PLAN. THE SUBJECT SITE IS LOCATED EAST OF COUNTY ROAD 17B, WEST AND NORTH OF HUNT BROTHERS ROAD, SOUTH OF STATE ROAD 60, IN SECTION 07, TOWNSHIP 30, 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 163.3187, 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 July 10th, 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 August 6th, 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 +/- 10.76 acres site from Residential Suburban (RSX) to Residential Low (RLX), and the Suburban Development Area (SDA) to Urban Growth Area (UGA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel Identification Number 283007-000000-034010

Legal Description:

The West ½ of the Northeast ¼ of the Southwest ¼ of the Northwest 1/4 , less North 30 feet for road right of way, Section 7, Township 30 South, Range 28 East, Polk County, Florida.

Parcel Identification Number 283007-000000-034040

Legal Description:

The East ½ of the Northeast ¼ of the Southwest ¼ of the Northwest ¼, less North 30 feet for road right of way, Section 7, Township 30 South, Range 28 east, Polk County, Florida.

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 September 7th, 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

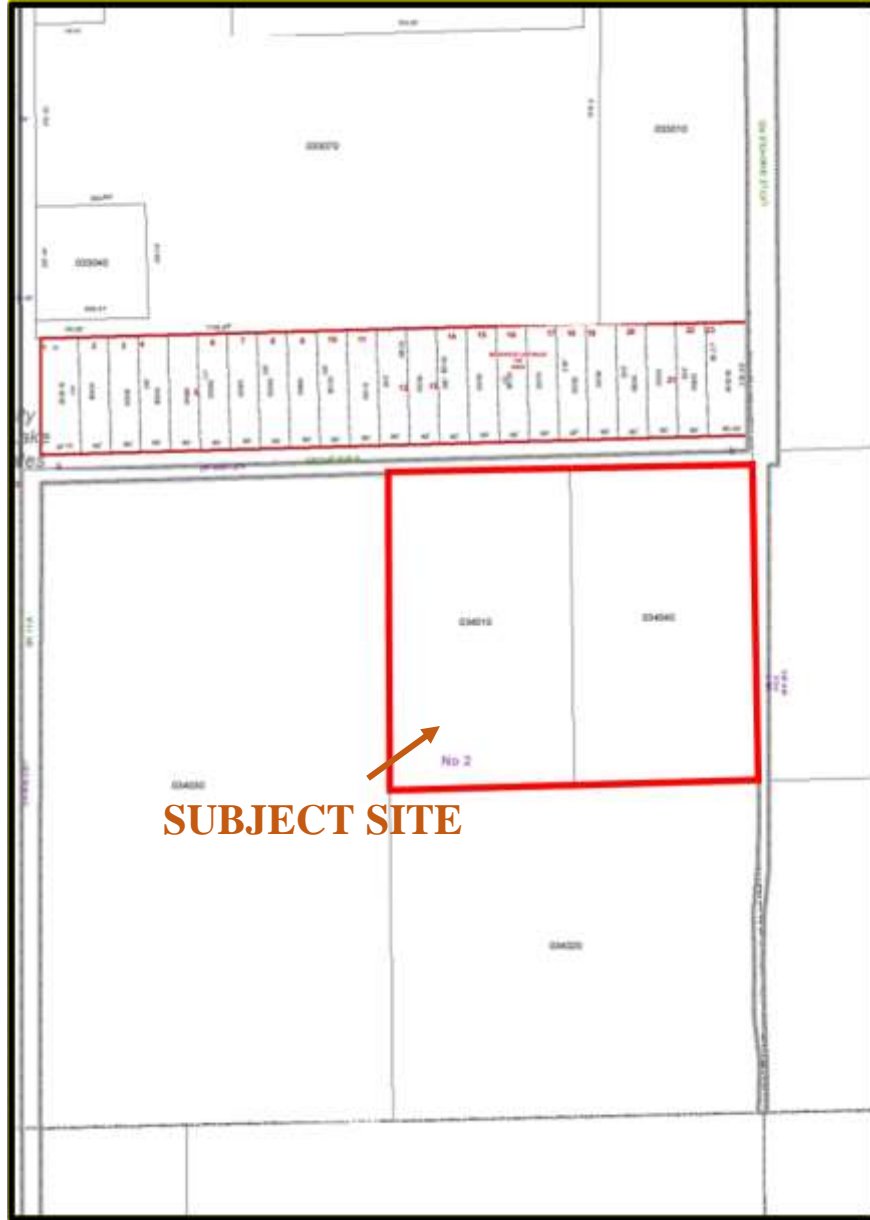
Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

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 6th day of August, 2024.

LDCPAS-2023-29
Development Area: Suburban Development Area and Southeast Polk Selected Area Plan
Location: North and West of Hunt Brothers Road, east of County Road 17B, and south of State Road 60
Section-07 Township-30 Range-28



PARCEL DETAIL
Note: Not to Scale