

ORDINANCE NO. 24 -

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2023-22**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 1.69 +/- ACRES FROM PHOSPHATE MINING & AGRICULTURAL/RESIDENTIAL-RURAL (A/RR) TO RURAL CLUSTER CENTER (RCC) IN THE RURAL DEVELOPMENT AREA (RDA), LOCATED ON THE SOUTH SIDE OF THE US 98 AND BROOKE ROAD INTERSECTION, 2 MILES EAST OF THE CITY OF FORT MEADE IN SECTION 32, TOWNSHIP 31, 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 May 1, 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 District of portions of parcel 263132-000000-031030 and as legally described below and graphically depicted as referenced in Attachment “A” of this ordinance, from Phosphate Mining (PM) and Agricultural/Residential-Rural (A/RR) to Rural Cluster Center (RCC) in the Rural Development Area (RDA), legally described as:

THE NORTH 245.00 FEET OF THE EAST 331.00 FEET OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32, TOWNSHIP 31 SOUTH, RANGE 26 EAST, POLK COUNTY, FLORIDA. SUBJECT TO RIGHT OF WAY FOR U.S. HIGHWAY 98 (STATE ROAD 700).

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 21st day of May, 2024.

ATTACHMENT "A"

LDCPAS 2023-24

Development Area: Rural Development Area (RDA)

Location: Located on the South side of the US 98 and Brooke Road intersection, 2 miles east of the City of Fort Meade 2 miles east of the City of Fort Meade.

Section 32, Township 31, Range 26



PARCEL DETAIL

Note: Not to Scale