

ORDINANCE NO. 25 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-26**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 33 ACRES FROM AGRICULTURAL/RESIDENTIAL RURAL (A/RR) TO LEISURE/RECREATION (L/R), IN THE RURAL DEVELOPMENT AREA (RDA) AND A TEXT AMENDMENT TO APPENDIX 2.135, PARCEL SPECIFIC FUTURE LAND USE TO ADD DEVELOPMENT CONDITIONS . THE SUBJECT SITE IS LOCATED SOUTH OF STATE ROAD 540 (CYPRESS GARDENS BOULEVARD), EAST OF COUNTY ROAD 540A, WEST OF US HIGHWAY 27, NORTH OF THOMPSON NURSERY ROAD, AND SURROUNDED BYT THE CITY LIMITS OF WINTER HAVEN, IN SECTION 17, TOWNSHIP 29, RANGE 24, 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 November 5TH, 2025; 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 December 16th, 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 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 designation on a +/- 33 acres site from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R), in the Rural Development Area (RDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcels #272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080

BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 29 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN THENCE ALONG THE NORTH LINE THEREOF, N88°52'02"E A DISTANCE OF 1329.80 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4, S00°26'35"E A DISTANCE OF 1331.65 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4, S89°06'13"W A DISTANCE OF 450.01 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY WARRANTY DEED IN OFFICIAL RECORD BOOK 4432, PAGE 2060, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; RUN THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING THREE COURSES: (1) N00°26'35"W A DISTANCE OF 377.01 FEET; (2) THENCE S89°06'13"W A DISTANCE OF 251.69 FEET; (3) S00°31 '50"E A DISTANCE OF 377.01 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4; RUN THENCE ALONG SAID SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1 / 4, S89°06' 13"W A DISTANCE 226.58 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY QUIT CLAIM DEED IN OFFICIAL RECORD BOOK 3993,PAGE 2014 PUBLIC RECORDS OF POLK COUNTY, FLORIDA. RUN THENCE ALONG THE EAST BOUNDARY THEREOF, N00°31 '50"W A DISTANCE OF 272.01 FEET; THENCE S89°06'13"W A DISTANCE OF 19.00 FEET; THENCE N00°31 '50"W A DISTANCE OF 105.00 FEET; THENCE S89°06'13"W A DISTANCE OF 103.00 FEET; TO THE BOUNDARY OF SAID PARCEL DESCRIBED BY QUIT CLAIM DEED; RUN THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO COURES: (1)

N00°31 '50"W A DISTANCE OF 251.51 FEET; (2) S89°06'13"W A DISTANCE OF 278.01 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4; RUN THENCE ALONG SAID WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, N00°31'50"W A DISTANCE OF 697.64 FEET TO THE POINT OF BEGINNING.

SECTION 3: COMPREHENSIVE PLAN TEXT AMENDMENT

The text of Ordinance No. 92-36, as amended (the “Polk County Comprehensive Plan”), is hereby amended by changing Appendix 2.135 as shown in Attachment “B” of this Ordinance. Text to be added to the is underlined.

SECTION 4: 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 5: EFFECTIVE DATE

This ordinance shall be effective on January 17th, 2026 (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 6: 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 December 16th, 2025.

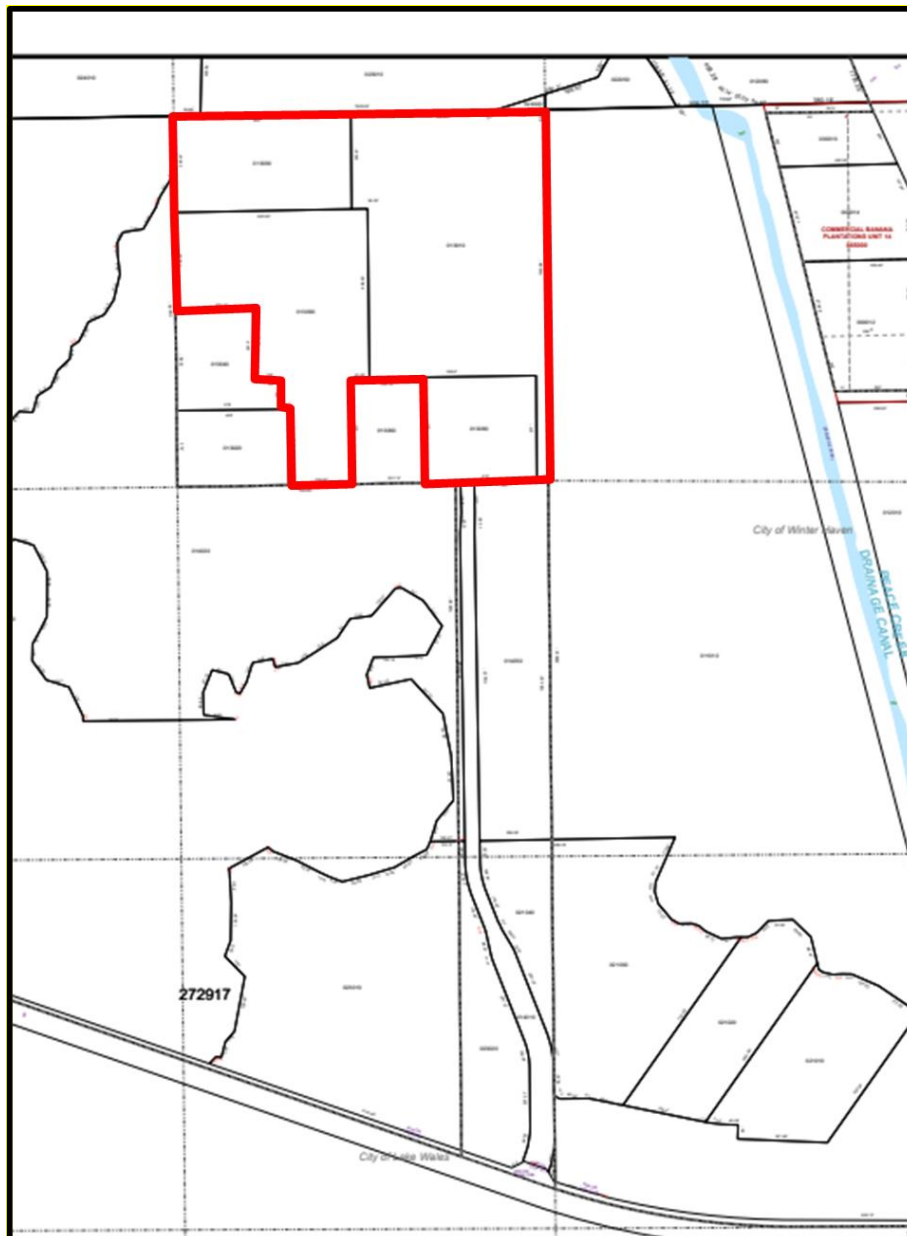
ATTACHMENT "A"

LDCPAS-2025-26

Development Area: Rural Development Area (RDA)

Location: South of State Road 540, east of County Road 540A, west of US Highway 27, north of Thompson Nursery Road, and surrounded by the city limits of Winter Haven.

Section-17 Township-29 Range-24



PARCEL DETAIL

Note: Not to Scale

Attachment "B"

SECTION 2.135-W – Development Guidelines for Parcel Numbers 272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080

Objective 2.135-W: Through the adoption of LDCPAS-2025-26, this section of the plan enables this specific property to be developed with Leisure/Recreation (L/R) land use in a limited fashion as established in the Polk County Land Development Code through LDCT-2025-18. This agreement fulfills the objectives of the applicant and the County.

- **Policy 2.135-W1: DESIGNATION AND MAPPING – Land use for this parcel shall be designated and mapped on the Future Land Use Map Series as Leisure/Recreation (L/R).**
- **Policy 2.135-W2: LOCATION CRITERIA – The section applies to the property legally described as:**

Parcels #272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080

BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 29 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN THENCE ALONG THE NORTH LINE THEREOF, N88°52'02"E A DISTANCE OF 1329.80 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4, S00°26'35"E A DISTANCE OF 1331.65 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4, S89°06'13"W A DISTANCE OF 450.01 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY WARRANTY DEED IN OFFICIAL RECORD BOOK 4432, PAGE 2060, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; RUN THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING THREE COURSES: (1) N00°26'35"W A DISTANCE OF 377.01 FEET; (2) THENCE S89°06'13"W A DISTANCE OF 251.69 FEET; (3) S00°31 '50"E A DISTANCE OF 377.01 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4; RUN THENCE ALONG SAID SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1 / 4, S89°06' 13"W A DISTANCE 226.58 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY QUIT CLAIM DEED IN OFFICIAL RECORD BOOK 3993,PAGE 2014 PUBLIC RECORDS OF POLK COUNTY, FLORIDA. RUN THENCE ALONG THE EAST BOUNDARY THEREOF, N00°31 '50"W A DISTANCE OF 272.01 FEET; THENCE

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