

ORDINANCE NO. 25 - ____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAS-2025-14**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 26.21+/- ACRES FROM BUSINESS PARK CENTER (BPC) TO INDUSTRIAL (IND) IN THE RURAL DEVELOPMENT AREA (RDA). THE SITE IS LOCATED SOUTH OF COZART ROAD, EAST OF HIGHWAY 37 SOUTH, SOUTH OF THE CITY OF MULBERRY, EAST AND WEST OF THE CSX RAILROAD, IN SECTION 13, TOWNSHIP 30, RANGE 23; 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 August 6, 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 September 16, 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 26.21+/- acre site from Business-Park Center (BPC) to Industrial (IND) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 233013-000000-043030

THAT PART OF THE WEST 3/4 OF SECTION 13, TOWNSHIP 30 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, LYING EAST OF SEABOARD COASTLINE RAILROAD MAIN LINE BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 13 AND RUN THENCE N88°44'47"W A DISTANCE OF 1324.25 FEET ALONG THE NORTH BOUNDARY OF SECTION 13 TO THE NORTH 1/4 CORNER OF SECTION 13; THENCE N88°45'20"W A DISTANCE OF 1401.10 FEET ALONG THE NORTH BOUNDARY OF SAID SECTION 13; THENCE S01°02'23"E A DISTANCE OF 928.93 FEET ALONG THE WEST RIGHT-OF-WAY OF CSX RAILROAD SPUR LINE; THENCE N88°57'37"E A DISTANCE OF 20.00 FEET; THENCE S01°02'23"E A DISTANCE OF 1566.45 FEET ALONG CSX SPUR LINE; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 178.81 FEET, WITH A RADIUS OF 49804.07 FEET, WITH A CHORD BEARING OF S00°56'13"E, WITH A CHORD LENGTH OF 178.81 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY OF THE CSX SPUR LINE ALONG SAID CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 900.37 FEET, WITH A RADIUS OF 49804.07 FEET, WITH A CHORD BEARING OF S00°18'58"E, WITH A CHORD LENGTH OF 900.36 FEET, THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY OF CSX SPUR LINE WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 401.13 FEET, WITH A RADIUS OF 20938.72 FEET, WITH A CHORD BEARING OF S00°25'37"E, WITH A CHORD LENGTH OF 401.13 FEET; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY OF THE CSX SPUR LINE S00°58'33"E A DISTANCE OF 42.57 FEET; THENCE N89°05'05"W A DISTANCE OF 11.48 FEET; THENCE CONTINUE ALONG SAID CSX RAILROAD SPUR LINE S00°01'01"W A DISTANCE OF 1343.81 FEET; THENCE N88°57'44"W A DISTANCE OF 777.30 FEET ALONG THE SOUTH BOUNDARY OF SAID SECTION 13 TO THE EAST RIGHT-OF-WAY OF THE CSX MAIN LINE; THENCE CONTINUE ALONG SAID EAST RIGHT-OF-WAY OF THE CSX RAILROAD MAIN LINE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 103.02 FEET, WITH A RADIUS OF 1507.58 FEET, WITH A CHORD BEARING OF 04°28'13"W, WITH A CHORD LENGTH OF 103.00

FEET; THENCE CONTINUE ALONG SAID EAST RIGHT-OF-WAY OF THE CSX RAILROAD MAIN LINE N02°30'46"W A DISTANCE OF 2585.84 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY, RUN S89°12'27"E A DISTANCE OF 901.86 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PART DESCRIBED IN CORRECTIVE WARRANTY DEED RECORDED IN O.R. BOOK 13105, PAGE 1617, PUBLIC RECORDS OF 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 August 15, 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 16th day of September 2025.

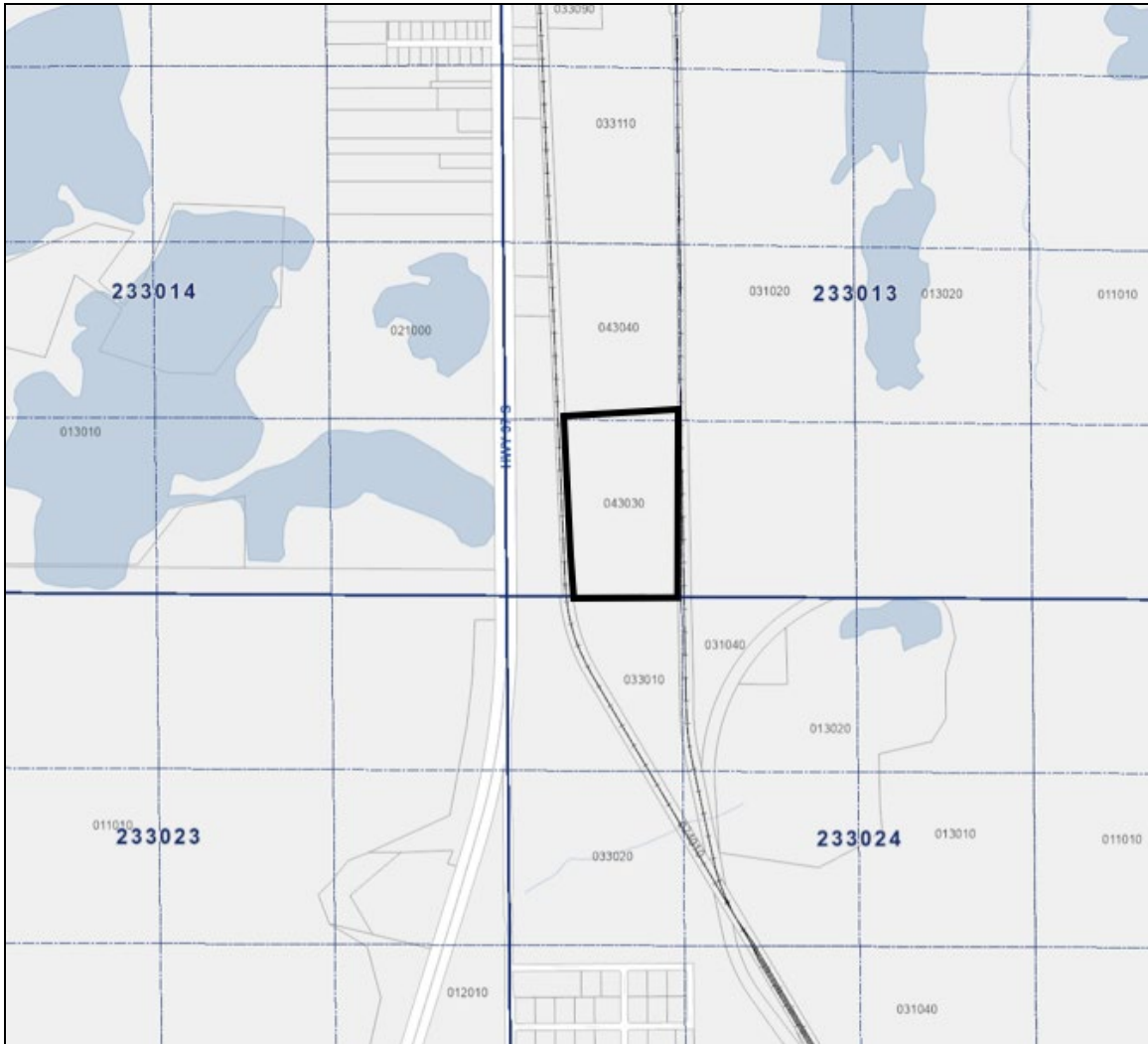
ATTACHMENT "A"

LDCPAS 2025-14

Development Area: From Business Park Center (BPC) to Industrial (IND)

Location: East side of SR 37, south of Cozart Road

Section-13 Township-30 Range-23



PARCEL DETAIL

Note: Not to Scale