

ORDINANCE NO. 24 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2024-12**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 49.38 ACRES SITE FROM PHOSPHATE MINING (PM) TO INDUSTRIAL (IND), IN THE RURAL DEVELOPMENT AREA (RDA) AND URBAN GROWTH AREA (UGA). THE SUBJECT SITE IS LOCATED SOUTH AND EAST OF COUNTY ROAD 555, WEST OF NORALYN MINE ROAD, NORTH OF COUNTY ROAD 640, AND WEST OF THE CITY OF BARTOW, IN SECTION 24, TOWNSHIP 30, 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 September 4th, 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 October 15th, 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 +/- 49.38 acres site from Phosphate Mining (PM) to Industrial (IND), in the Rural Development Area (RDA) and Urban Growth Area (UGA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel Identification Number 243024-000000-022010)

Legal Description:

COM AT SE COR OF SEC RUN S89-29-32W ALG S LINE OF SEC 1180.47 FT TO WLY BNDRY OF PCL DESC IN OR 4604 PG 1534 FOR POB CONT S89-29-32W ALG S LINE OF SEC 3162.32 FT TO EXTENSION OF ELY BNDRY OF NORALYN- COMMERCE PARK PB 73 PG 47 N25-10-28E ALG SAID EXTENSION 1.83 FT TO SELY COR OF SAID NORALYN- COMMERCE PARK CONT N25-10-28E ALG ELY BNDRY OF SAID NORALYN-COMMERCE PARK 1400.00 FT TO NE COR THEREOF & SELY COR OF PCL DESC IN OR 6495 PG 1700 N46-51-08E ALG ELY BNDRY OF SAID PCL 159.13 FT TO NELY COR THEREOF & SELY COR OF PCL DESC IN OR 3196 PG 1218 ALG SAID PCL N46-57-36E 327.87 FT ALG SAID PCL N43-02-24W 1249.65 FT TO ELY BNDRY OF CR 555 ALG SAID ELY BNDRY N52-58-28E 413.88 FT CONT NELY SAID ELY BNDRY 620.62 FT ALG CURVE TO THE LEFT CONT ALG SAID ELY BNDRY N23-14-28E 459.66 FT TO W LINE OF E1/4 OF NW1/4 OF SEC & W BNDRY OF PCL DESC IN OR 4604 PG 1408 ALG SAID PCL BNDRY FOLL 5 COURSES: S00-18-03E 1055.19 FT TO NE COR OF NW1/4 OF NE1/4 OF SW1/4 S00-16-46E ALG E LINE OF SAID 1/4-1/4-1/4 658.85 FT TO SE COR OF SAID 1/4-1/4- 1/4 S63-57-26E 735.66 FT TO SE COR OF N1/2 OF SE1/4 OF NE1/4 OF SW1/4 S43-29-42E 963.56 FT TO WLY BNDRY OF PCL DESC IN OR 4604 PG 1534 ALG SAID PCL S00-35-59E 18.76 FT ALG SAID PCL S41-19-54E 1221.20 FT TO POB

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 November 16th, 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.

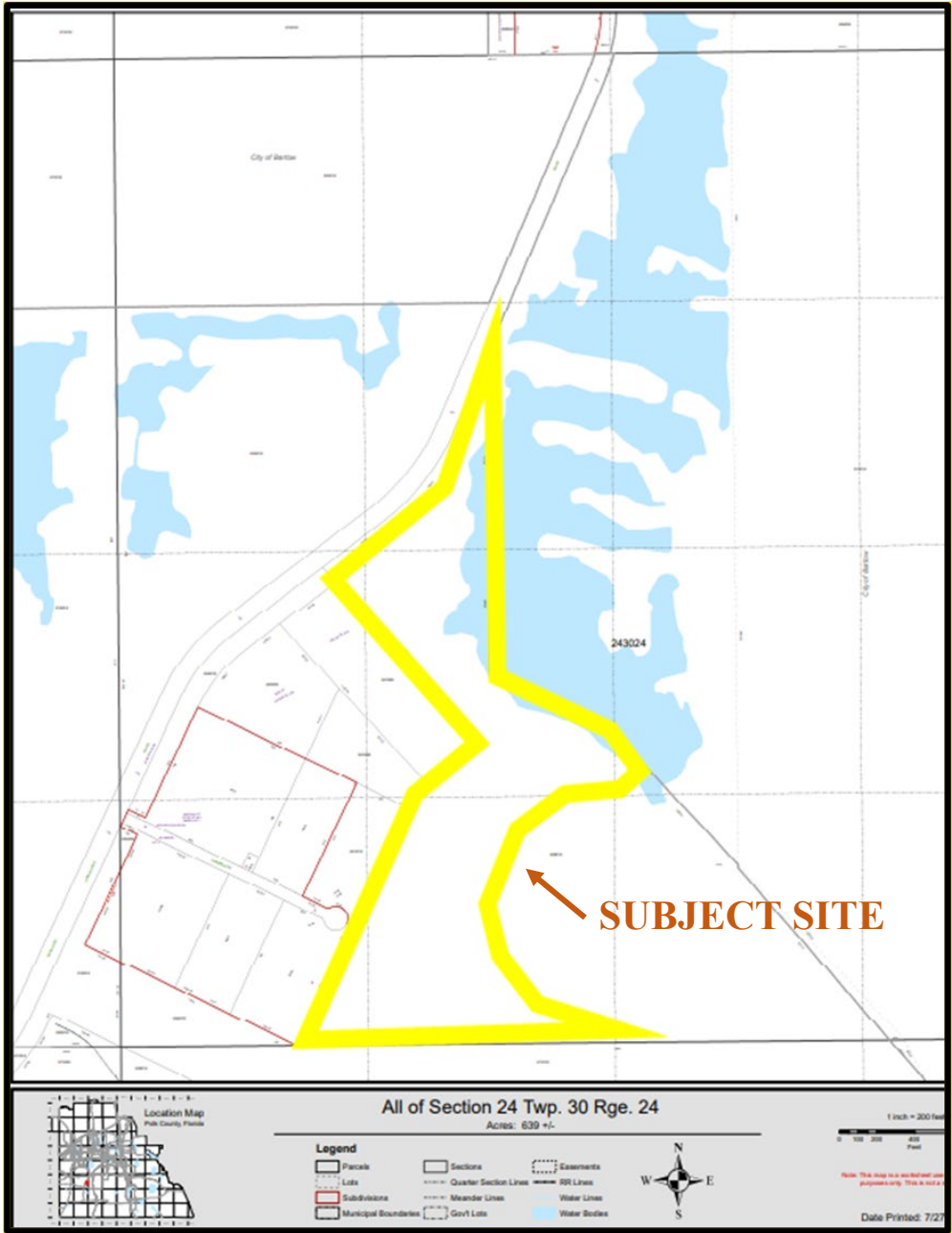
SECTION 4: FILING WITH THE DEPARTMENT OF STATE:

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 15th day of October, 2024.

ATTACHMENT "A"

LDCPAS-2024-12
Development Area: Rural Development Area (RDA), Urban Growth Area (UGA)
Location: South and east of County Road 555, west of Noralyn Mine Road, north of County Road 640, and west of the city of Bartow.
Section-24 Township-30 Range-24



PARCEL DETAIL

Note: Not to Scale