

ORDINANCE NO. 24 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2024-6**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 1.58 ACRES SITE FROM LEISURE/RECREATIONAL (L/R) TO LINEAR COMMERCIAL CORRIDOR (LCC), IN THE URBAN GROWTH AREA (UGA). THE SUBJECT SITE IS LOCATED EAST OF EXPERIMENT STATION ROAD, WEST LAKE LOWERY ROAD, NORTH OF US HIGHWAY 17/92, AND SOUTH OF OLD HAINES CITY/LAKE ALFRED ROAD, IN SECTION 27, TOWNSHIP 27, 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 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 +/- 1.58 acres site from Leisure/Recreational (L/R) to Linear Commercial Corridor (LCC), in the Urban Growth Area (UGA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel Identification Number 262727-490100-000504

Legal Description:

The East 295 FEET OF the West 1020 feet of LOT 5 OF H.S. RIGGINS SUBDIVISION, according to the plat thereof as recorded in PLAT BOOK 3, PAGE 38 OF THE PUBLIC RECORDS OF POLK COUNTY FLORIDA. Lying North of STATE ROAD #600 otherwise referred to as US HIGHWAYS 17 & 92, LESS the right-of-way of Atlantic Coast Railway.

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

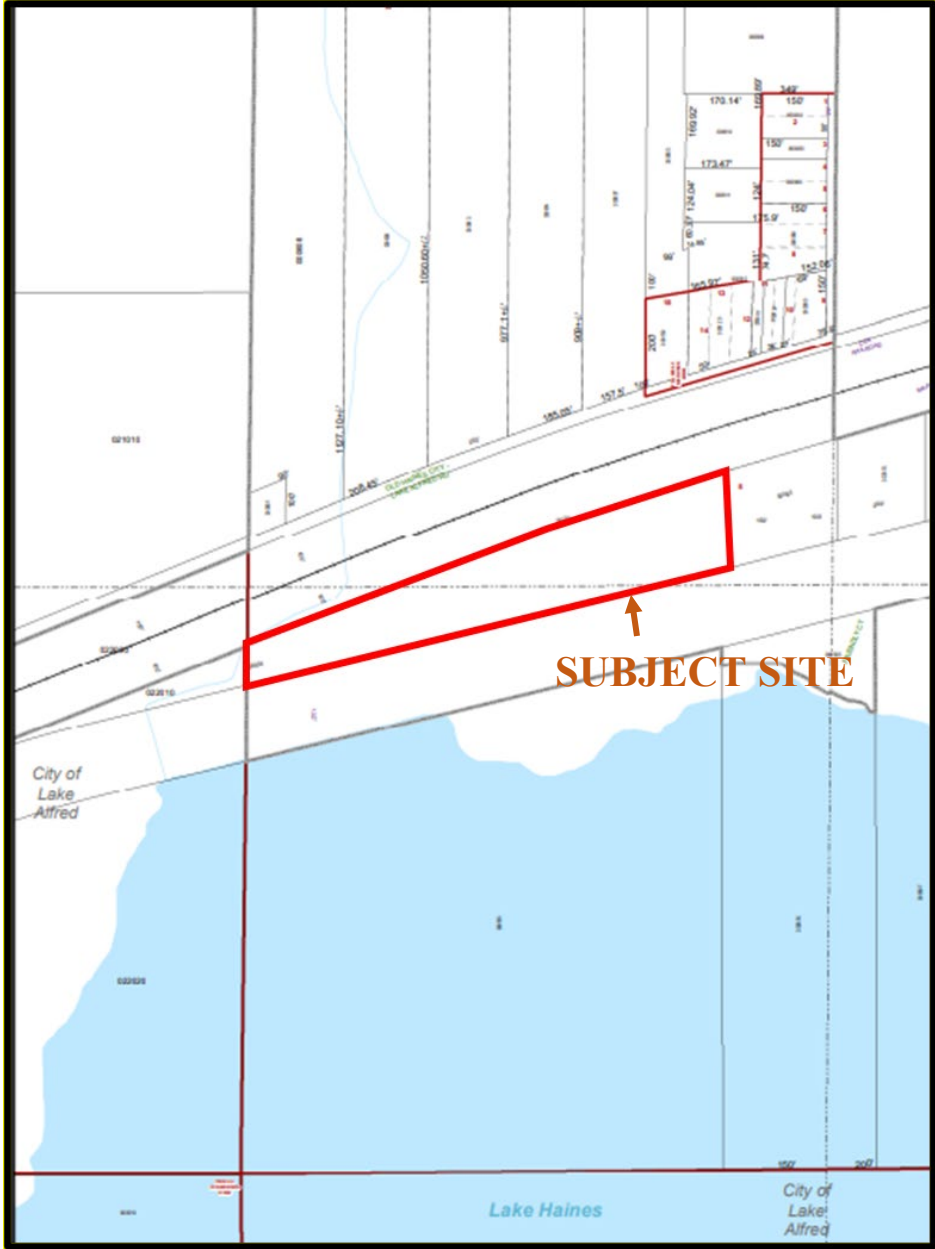
This ordinance shall be effective on November 16th, 2024 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment 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.

LDCPAS-2024-6
Development Area: Urban Growth Area (UGA)
Location: North of US Highway 17/92, West of Lake Lowery Road, east of Experiment Station Road, and south of Old Haines City/Lake Alfred Road
Section-27 Township-27 Range-26



PARCEL DETAIL
Note: Not to Scale