

ORDINANCE NO. 24-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT LDCPAS 2023-28; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP FROM POINCIANA PRE-DEVELOPMENT OF REGIONAL IMPACT (PRE-DRI#1) TO RECREATION OPEN SPACE (ROS) ON ±32 ACRES, LOCATED IN POINCIANA EAST OF LAKE MARION, WEST OF LAKE MARION CREEK DRIVE, SOUTH OF MCMAN ROAD, EAST OF THE CITY OF HAINES CITY IN SECTION 29, TOWNSHIP 27, RANGE 28; 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 February 7th, 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 March 19th, 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 32 +/- acre site from Poinciana Pre-Development of Regional Impact (PRE-DRI#1) to Recreation Open Space (ROS) in the Rural Development Area (RDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel 282729-934280-000005

POINCIANA NEIGHBORHOOD 3 NORTH VILLAGE 7 PB 63 PGS 19-22 TRACT L
TRACT M TRACT N TRACT O & A PORTION OF SAINT CLOUD ROAD LYING
NORTH OF GREENWAY 4 & SOUTH OF GREENWAY 5

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 April 19th, 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 19th day of March 2024.

ATTACHMENT "A"

LDCPAS 2023-28
Development Area: Rural Development Area
Location: East of Lake Marion, West of Lake Marion Creek Drive, South of McMan Road
Section-29 Township-27 Range-28

PARCEL DETAIL

Note: Not to Scale

