

ORDINANCE NO. 22 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2022-44**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 3.31 +/- ACRES FROM INSTITUTIONAL (INST) TO RESIDENTIAL LOW (RL) IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA). THE SUBJECT SITE IS LOCATED WEST OF OLD HIGHWAY 37 SOUTH OF DOSSEY ROAD W, NORTH OF PARKER ROAD, EAST OF CHARLES LANE ESTATES, SOUTH OF THE CITY OF LAKELAND, FLORIDA, IN SECTION 11, TOWNSHIP 29, 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 February 1, 2023; 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 21, 2023; 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 District of parcels 232911-000000-022010, 232911-139762-000090, and 232911-139762-000110 as legally described below and graphically depicted as referenced in Attachment “A” of this ordinance, from Residential Low (RL) to Institutional (INST) in the Transit Supportive Development Area (TSDA), legally described as:

PARCEL ONE: 232911-000000-022010

Begin 40 feet West of the Northeast corner of the SE ¼ of the SE ¼ of Section 11, Township 29 South, Range 23 East, of Polk County, Florida, run thence West 628 feet, thence South 476 feet, thence East 208 feet, thence South 4 feet, thence East 210 feet, thence North 70 feet, thence East 40 feet, thence North 75 feet, thence East 170 feet, thence North 335 feet to the point of beginning, LESS AND EXCEPT road right-of-way and LESS AND EXCEPT WINDERWOOD, as recorded in Plat Book 76, Page 6, Public Records of Polk County, Florida.

PARCEL TWO: 232911-139762-000090

Lot 9, Windermood, according to the map or plat thereof as recorded in Plat Book 76, Page 6, Public Records of Polk County, Florida.

PARCEL THREE: 232911-139762-000110

Tract A WINDERWOOD according to the map or plot thereof as recorded in Plat Book 76. Page 6. 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 April 21, 2023 (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:

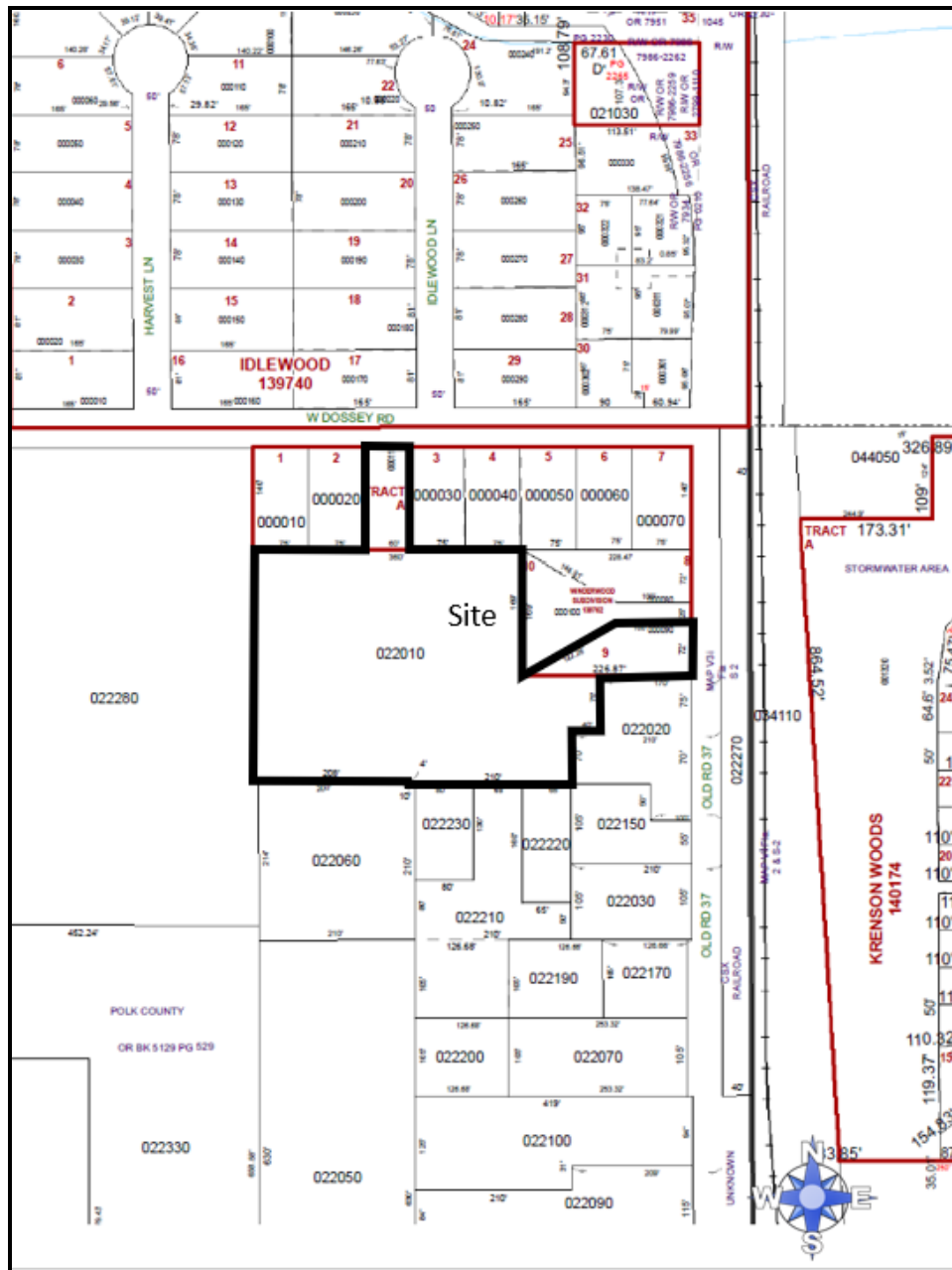
The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the Secretary of State, upon adoption by the Board of County Commissioners of Polk County, Florida.

ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 21st day of March 2023.

LDCPAS 2022-44

Development Area: Transit Supportive Development Area (TSDA)

Location: West of Old Highway 37 south of Dossey Road W, north of Parker Road, east of Charles Lane Estates, south of the City of Lakeland, Florida
Section 11, Township 29, Range 23



PARCEL DETAIL

Note: Not to Scale