

ORDINANCE NO. 24-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF LDCPAS-2024-14, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP FROM AGRICULTURE / RESIDENTIAL RURAL (A/RR) AND LINEAR COMMERCIAL CORRIDOR (LCC) TO RECREATION OPEN SPACE (ROS) ON ±11.67 ACRES, LOCATED SOUTH OF HWY 60 E, EAST OF FLAMINGO DR E, WEST OF MOOSE LODGE RD, EAST OF THE CITY OF BARTOW IN SECTION 04, TOWNSHIP 30, RANGE 25; 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 4, 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 15, 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 11.67 +/- acre site from Agriculture / Residential Rural (A/RR) and Linear Commercial Corridor (LCC) 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 253004-000000-012140

S1/2 OF NE1/4 LYING S OF SR 60 LESS RR R/W & LESS THAT PART OF S1/2 OF NE1/4 LYING E OF FOLLOWING DESC LINE: COM NE COR OF SEC S 1885.45 FT RUN S 72 DEG 27 MIN W ALONG R/W 1604.4 FT TO POB OF SD LINE S 17 DEG 33 MIN E 773.97 FT TO N R/W SCL RR & TO PT OF TERMINATION OF SD LINE SUBJECT TO CONSERVATION EASEMENT PER OR 5866-1979

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 15th, 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 2024-14
Development Area: Rural Development Area
Location: South of Hwy 60 E, east of Flamingo Dr E, west of Moose Lodge Rd, east of
the City of Bartow
Section 04, Township 30, Range 25

PARCEL DETAIL

Note: Not to Scale

