

ORDINANCE NO. 25 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT **LDCT-2026-5**, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, TO AMEND APPENDIX E, SECTION E105, PARCEL SPECIFIC COMPREHENSIVE PLAN AMENDMENTS WITH CONDITIONS LIMITING ALLOWABLE USES WITHIN THE CAC, PROVIDING FOR AN ACTIVITY CENTER PLAN FOR AN EXPANSION OF AN ACTIVITY CENTER ON PROPERTY SUBJECT TO LDCPAS-2025-24. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF SHIMMERING DRIVE (SHEPHERD ROAD) EAST OF STRICKLAND AVENUE, EAST OF CLARK LAKE AND NORTH OF W. CARTER ROAD, NORTH OF THE CITY OF MULBERRY, IN SECTION 25, 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 Local Government Comprehensive Plan and Land Development Regulation Act, Chapter 163, Part II, Florida Statutes (FS), as amended, (the Act) Polk County is authorized and required to adopt a Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; and

WHEREAS, Chapter 9, Section 903 of the Land Development Code requires Land Development Code Amendments to be a Level 4 Review; and

WHEREAS, Chapter 9, Section 907 sets forth the purpose and review process for Level 4 Reviews; and

WHEREAS, pursuant to Section 125.67 of the Florida Statutes, every ordinance shall embrace but one subject and matter properly connected therewith; and

WHEREAS, pursuant to Section 163.3164 of the Florida Statutes, the Polk County Planning Commission conducted a public hearing, with due public notice having been provided, on the proposed Land Development Code Amendment June 3 2026; and

WHEREAS, the Board held two public hearings on July 21, 2026 wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public hearings, and provided for necessary revisions, if any

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Polk County, Florida that:

SECTION 1: The Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, shall be amended in the following manner:

**Section E105 Parcel Specific Comprehensive Plan Amendments (CPA)
with Conditions**

**Table E1 Parcel Specific Comprehensive Plan Amendments (CPA) with Conditions
(Insert Row)**

Subsection	CPA Case Number	CPA Approval	Parcel Number(s)
#	<u>CPA LDCPAS-2025-24</u>	<u>July 21, 2026</u>	232925-000000-033030

APPENDIX E SECTION E105 # LDCPAS-2025-24 Parcel Number: 232925-000000-033030

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 23, Township 29, Section 25. The entire site is legally described as:

DESCRIPTION:

Parcel 232925-000000-033030

THAT PT OF SECS 23 24 25 & 26 TP 29 RG 23 KNOWN AS LOTS 3 4 & 6 OF UNRE SURVEY DESC AS: COMM SE COR SEC 23 W 220.79 FT TO WLY R/W SR 37 S ALONG R/W 0.26 FT E 146 FT NELY ALONG CURVE 67.62 FT S 10.57 FT TO POB NELY ALONG CURVE 19.71 FT NELY ALONG REV CURVE 78.9 FT E 196.24 FT S 185.37 FT E 125.64 FT S 296.65 FT W 366.91 FT N141.51 FT W 40 FT N 141.51 FT W 10 FT N 175.75 FT TO POB

2. Access

Access to the site shall include one from Shimmering Drive and the access easement located on the western side of the subject parcel unless other access alternatives are needed to maintain safety per the County Engineer.

SECTION 2: SEVERABILITY

If any provisions 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 upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY,
FLORIDA THIS 21st DAY OF JULY 2026.

ATTACHMENT "A"

