

ORDINANCE NO. 26 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2025-39**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 36 +/- ACRES FROM MIXED-USE (MUX) AND PRESERVATION (PRESVX) TO BUSINESS PARK CENTER (BPCX) IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA). THE SUBJECT SITE IS LOCATED ON THE WEST SIDE OF SR 570 POLK PARKWAY, SOUTH OF INTERSTATE 4, NORTH OF OLD DIXIE HIGHWAY CR 546, EAST OF TENOROC MINE ROAD, NEAR THE CITY LIMITS OF AUBURNDALE, IN SECTION 29 TOWNSHIP 27, 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 April 1, 2026; 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 May 19, 2026; 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 an approximately 36 acre site from Mixed Use (MUX) and Preservation (PRESVX) to Business Park Center (BPC) in an Transit Supportive Development Area (TSDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

To be submitted.

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 June 19, 2026 (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 May 2026.

LDCPAS 2025-39

Development Area: Transit Supportive Development Area

Location: Located on the west side of the Polk Parkway, north of Old Dixie Highway, east of Tenoroc Mine Road, south of Interstate 4 near the city limits of Auburndale

Section-29 Township-27 Range-25

PARCEL DETAIL

Note: Not to Scale

