

ORDINANCE NO. 23 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2023-16**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 0.22 +/- ACRES FROM RESIDENTIAL-LOW (RL) TO RESIDENTIAL-HIGH (RH) IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA), LOCATED AT THE SOUTHWEST CORNER OF AVENUE Y NORTHEAST AND CEDIE STREET NORTHEAST, AND SOUTH AND WEST OF THE CITY OF WINTER HAVEN IN SECTION 16, TOWNSHIP 28, RANGE 26; 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 October 4, 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 November 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 262816-537500-000010 and 262816-537500-000021 as legally described below and graphically depicted as referenced in Attachment “A” of this ordinance, from Residential-Low (RL) to Residential-High (RH) in the Transit Supportive Development Area (TSDA), legally described as:

Bookers Subdivision Plat Book 10 PG 3 Lot 1 & North 1/2 Alley Lying South of Same:
and Bookers Subdivision Plat Book 10 PG 3 Lot 2 & North 1/2 Alley Lying South of Same.

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 December 22, 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.

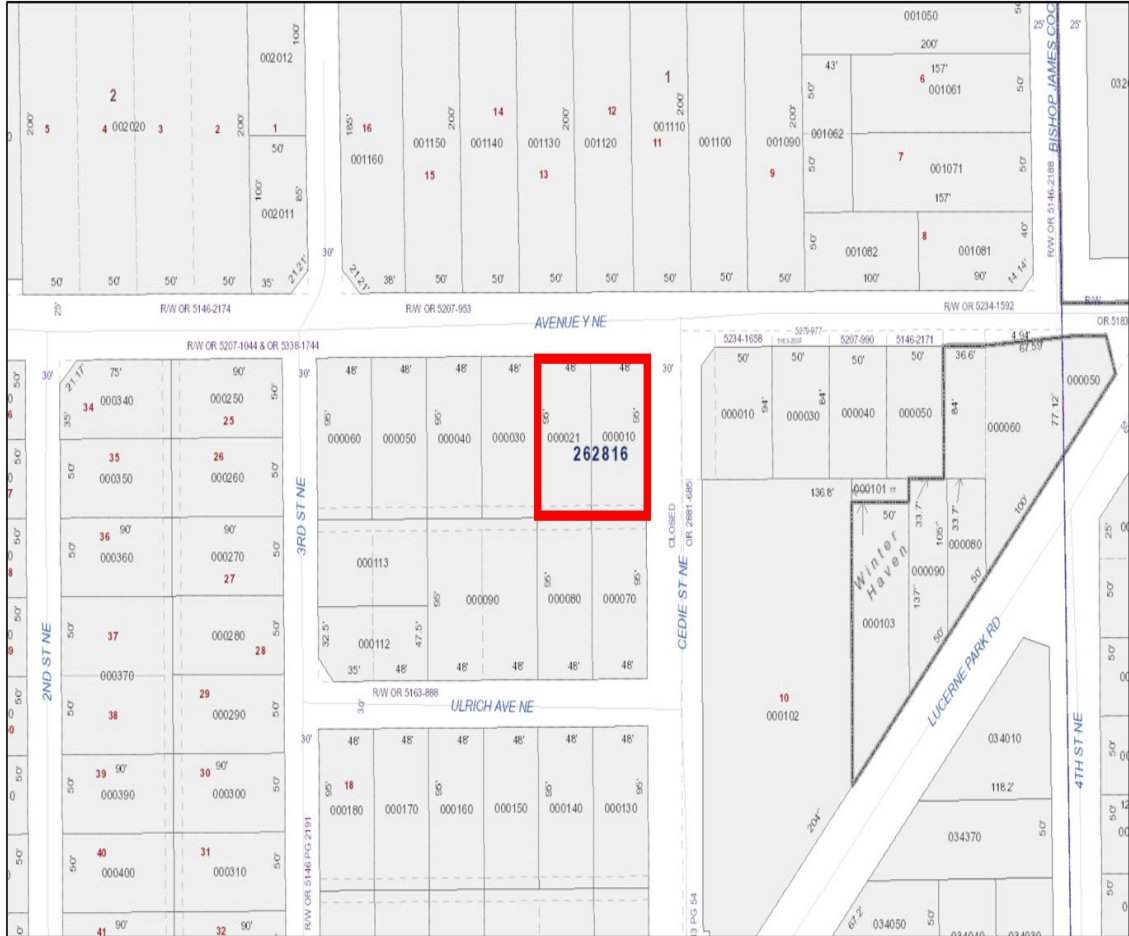
SECTION 4: FILING WITH THE DEPARTMENT OF STATE:

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 November 2023.

LDCPAS 2023-16
Development Area: Transit Supportive Development Area (TSDA)
Location: Southwest corner of Avenue Y Northeast and Cedie Street Northeast, and
South and West of the City of Winter Haven
Section 16, Township 28, Range 26



PARCEL DETAIL
Note: Not to Scale