

ORDINANCE NO. 22 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2022-31**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 10.93 +/- ACRES FROM BUSINESS PARK CENTER (BPC) AND RESIDENTIAL LOW (RL) IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA) TO RESIDENTIAL MEDIUM (RM). THE SUBJECT SITE IS LOCATED ON THE SOUTH SIDE OF PIPKIN ROAD W, EAST OF OLD HIGHWAY 37, WEST OF CIMARRON DRIVE AND NORTH OF KRENSON WOODS SOUTH OF THE CITY LIMITS OF LAKE LAND, IN SECTION 12, TOWNSHIP 29 AND 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 designation on 10.93 +/- acres from Business Park Center (BPC) and Residential Low (RL) in the Transit Supportive Development Area (TSDA) to Residential Medium (RM) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel: 232912-000000-043050

Legal Description:

THE WEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA, LESS RAILROAD RIGHT-OF-WAY ON THE WEST SIDE AND LESS 25 FEET OF ROADWAY ON NORTH SIDE, AND LESS ADDITIONAL RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 3169, PAGE 2115, PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

AND

THE SOUTHEAST ¼ OF THE SOUTH WEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 12, TOWNSHIP 29 SOUTH RANGE 23 EAST, POLK COUNTY, FLORIDA.

PART OF THE ABOVE REFERENCED PROPERTY IS LOCATED IN ZONE ‘X’, AREA OF MINIMAL FLOODING, AS PER F.I.R.M. COMMUNITY PANEL NO. 1210500480 G. POLK COUNTY, FLORIDA, MAP DATED DECEMBER 22, 2016.

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.

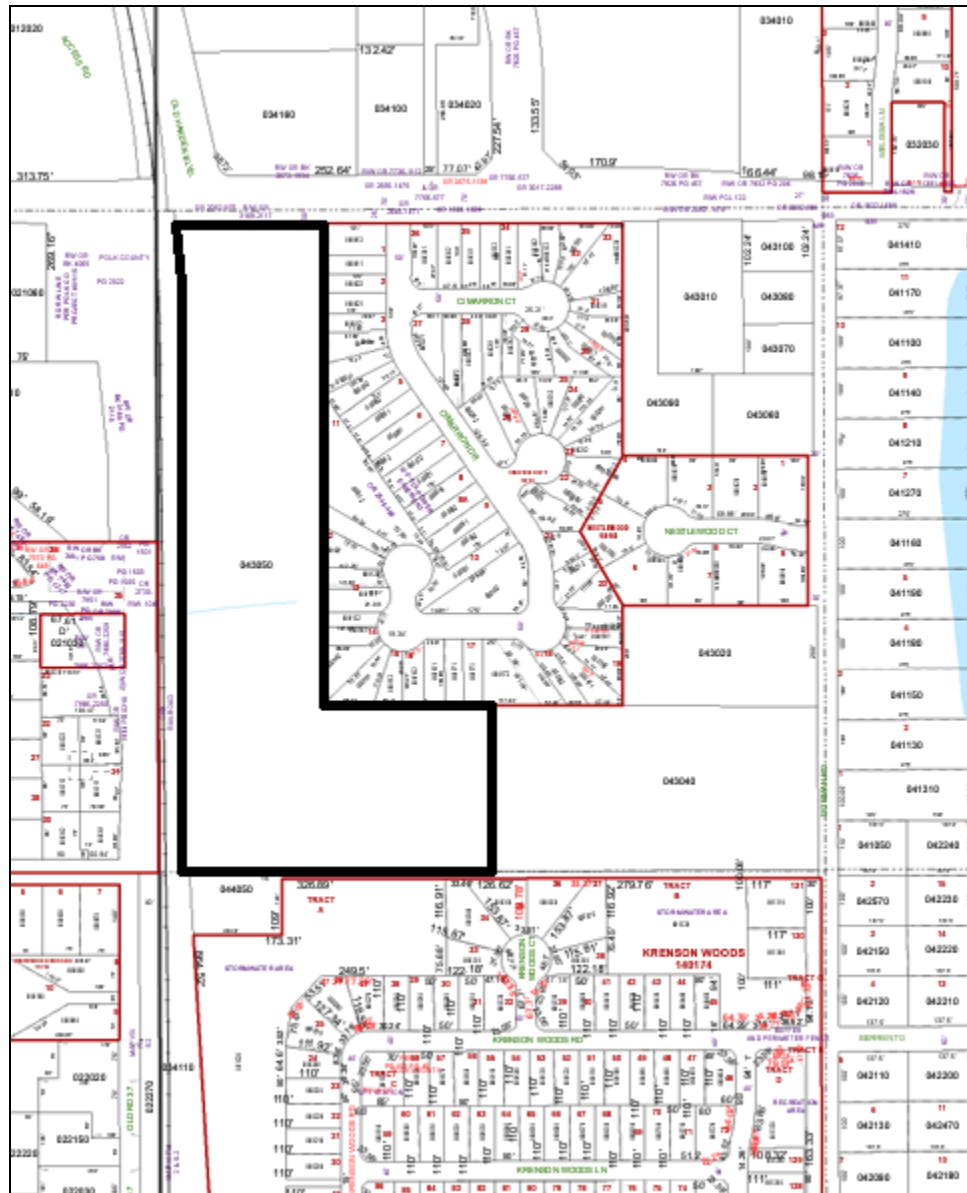
ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this March 21st day of December 2023.

LDCPAS 2022-31

Development Area: Rural Development Area

Location: Located on the south side of Pipkin Road W, east of Old Highway 37, west of Cimarron Drive and north of Krenson Woods south of the city limits of Lakeland

Section 12, Township 29 and Range 23



PARCEL DETAIL

Note: Not to Scale