

ORDINANCE NO. 24 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2023-21**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 13.56 +/- ACRES FROM AGRICULTURAL/RURAL RESIDENTIAL-X (A/RR-X) TO HIGH IMPACT COMMERCIAL-X (HIC-X), LOCATED ON THE SOUTH SIDE OF US HIGHWAY 60, WEST OF CR 655A (ALTURAS ROAD), NORTH OF LAKE GARFIELD, AND EAST OF 80 FOOT ROAD, WEST OF THE CITY OF WINTER HAVEN AND EAST OF THE CITY OF BARTOW, IN SECTION 32, TOWNSHIP 29 AND 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 February 7, 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 March 19, 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 District of parcel 262932-000000-021000 and as legally described below and graphically depicted as referenced in Attachment “A” of this ordinance, from Agricultural/Rural Residential-X (A/RR-X) in the Rural Development Area (RDA) to High Impact Commercial-X (HIC-X) in the Suburban Development Area (SDA), legally described as:

LEGAL DESCRIPTION:

That part of U.S. Government Lot 1 in Section 32, Township 29 South, Range 26 East, Polk County, Florida, described as follows:

Commence at the northeast corner of the southeast quarter of said Section 32; thence South 00°11 '09" East along the east line of the southeast quarter thereof a distance of 119.05 feet to the south right-of-way line of State Road 60 per State of Florida, State Road Department right-of-way map section 16110-2505 and the POINT OF BEGINNING; thence continue South 00°11 '09" East along said east line a distance of 580.83 feet; thence North 89°53'16" West a distance of 77.59 feet; thence South 36°36'20" West a distance of 478.16 feet; thence North 68°06'48" West a distance of 758.54 feet; thence North 00°00'00" West a distance of 64. 75 feet; thence North 90°00'00" East a distance of 413.41 feet; thence North 00°00'00" West a distance of 621.98 feet to the aforesaid south right-of-way line of State Road 60; thence South 89°33'47" East along said south right-of-way line a distance of 651.30 feet to the POINT OF BEGINNING.

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 19, 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 19th day of March 2024.

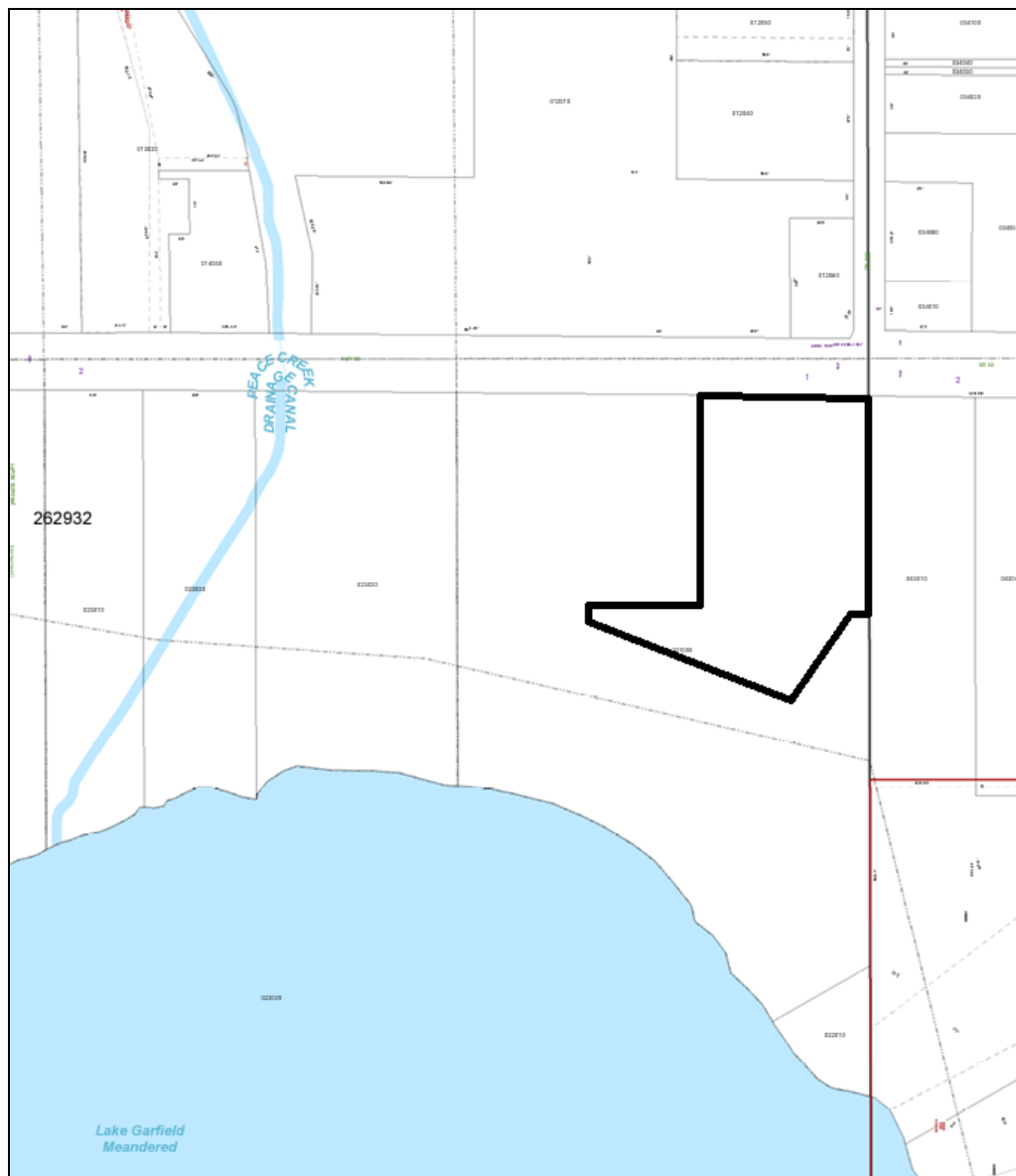
ATTACHMENT “A”

LDCPAS 2023-21

Development Area: Suburban Development Area (SDA)

Location: Located on the south side of US Highway 60, west of CR 655A (Alturus Road), north of Lake Garfield, and east of 80 Foot Road, west of the city of Winter Haven and east of the city of Bartow.

Section 32, Township 29, Range 26



PARCEL DETAIL

Note: Not to Scale