

## **ORDINANCE NO. 26-**

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAL-2026-7**, AS ESTABLISHED BY POLICY 4.206-A1 OF THE POLK COUNTY COMPREHENSIVE PLAN, CAPITAL IMPROVEMENTS ELEMENT, TO ADOPT BY REFERENCE, THE CAPITAL IMPROVEMENTS PROGRAM'S FIVE-YEAR WORK PLAN ALSO KNOWN AS THE COMMUNITY INVESTMENT PROGRAM, TO CONSIDER THE NEED FOR THE LOCATION OF PUBLIC FACILITIES; TO ADOPT BY REFERENCE THE ANNUAL TRANSPORTATION IMPROVEMENT PROGRAM AND THE POLK COUNTY SCHOOL BOARD FIVE-YEAR WORK PLAN FOR CONSISTENCY WITH THE INTERLOCAL AGREEMENT; AS ESTABLISHED IN THE POLK COUNTY COMPREHENSIVE PLAN, CAPITAL IMPROVEMENTS ELEMENT; 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 Comprehensive Plan (Plan); and

**WHEREAS**, the Board Of County Commissioners adopted, the Capital Improvements Program's Five-Year Work Plan also known as the Community Investment Program to the Capital Improvements Element for the purpose of conducting the annual Capital Improvements Element update, to reflect the timing and funding of capital projects to meet or maintain adopted level-of-service standards for certain public facilities on September 16, 2025; and

**WHEREAS**, the Polk Transportation Planning Organization adopted the five-year Transportation Improvement Program during a public hearing on June 11, 2026; and

**WHEREAS**, the Polk County School Board adopted the Polk County School Board Five-Year Work Plan on October 25, 2022; 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 August 5, 2026; and

**WHEREAS**, pursuant to Sections 163.3177(3)(b), and 163.3184, FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on September 15, 2026; and

**WHEREAS**, the Board of County Commissioners, reviewed and considered all comments received during said public hearings, and provided for necessary revisions; and

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

**SECTION 1: COMPREHENSIVE PLAN**

The Polk County Comprehensive Plan, Community Improvements Element is hereby amended to incorporate by reference the approved Capital Improvements Program's Five-Year Work Plan also known as the Community Investment Program, the Transportation Improvement Program Five-Year Plan and the Polk County School Board Five-Year Work Plan for the purpose of conducting the annual Capital Improvements Element update and review.

**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 October 16, 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 Florida Department of Commerce or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1).(b), Florida Statutes.

**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 15<sup>th</sup> day of September 2026.