ORDINANCE NO. 24 -_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCD-2024-2;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 8.5 ACRES SITE FROM RESIDENTIAL LOW (RL-1X) TO RESIDENTIAL LOW (RL-4X) IN THE UTILITY ENCLAVE AREA (UEA).   THE SUBJECT SITE IS LOCATED SOUTH OF SYPRESS PARKWAY, EAST OF LAKE MARION CREEK DRIVE, WEST OF CASPIAN ROAD, AND NOTH OF MARIGOLD AVENUE, EAST OF THE HAINES CITY CITY LIMITS, IN SECTION 33, TOWNSHIP 27, RANGE 28; 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 May 1st, 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 May 21st, 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 designation on a +/- 8.5 acres site from Residential Low (RL-1X) TO Residential Low (RL-4X) in the Utility Enclave Area (UEA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel Identification Number 282733-934460-508040

Legal Description:

Tract "C" of Poinciana Neighborhood 2 West, Village 7 as recorded in Plat Book 55, Pages 7 through 18 of the Public Records of Polk County, Florida.

Containing 8.5, more or less.

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.
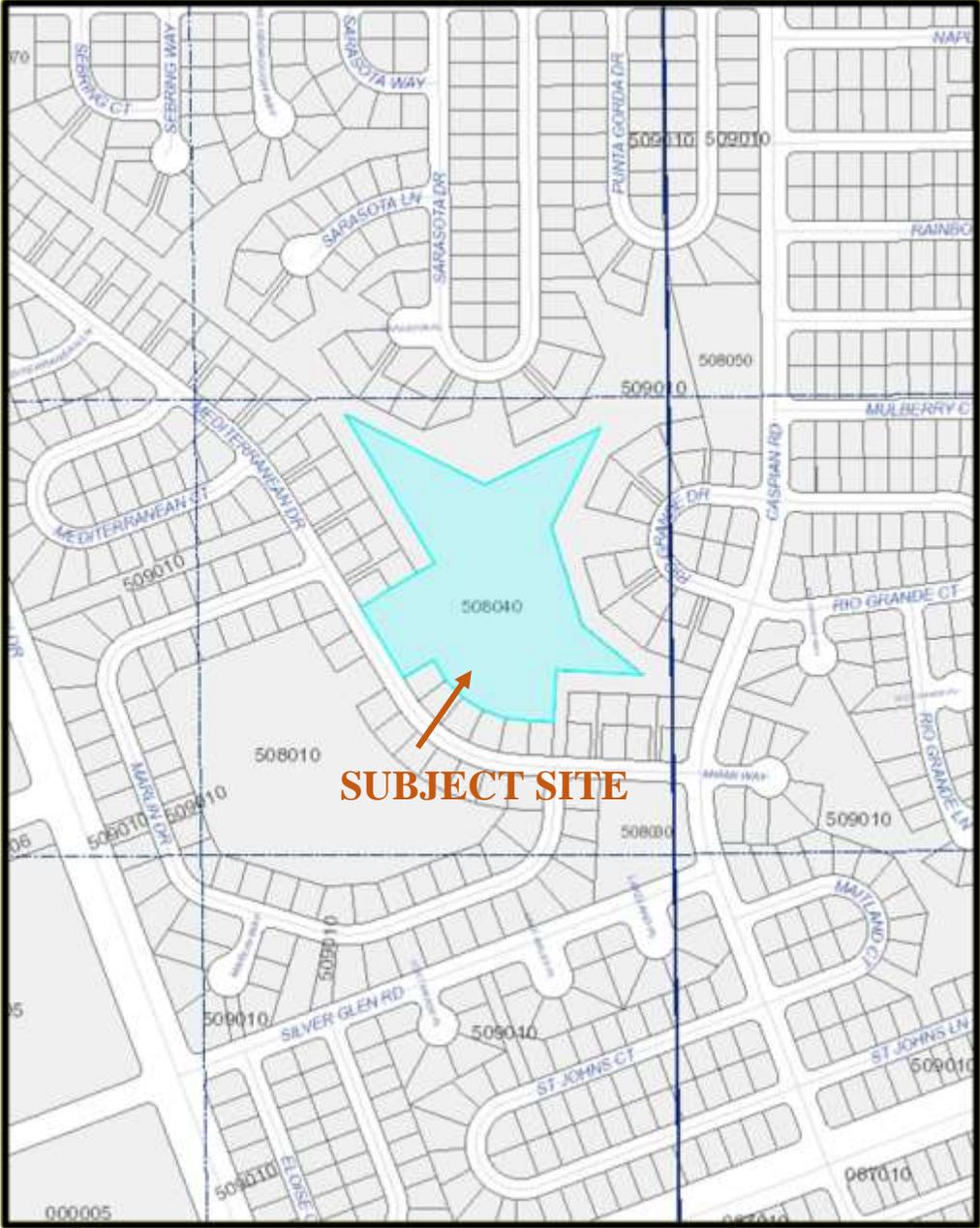
SECTION 3: EFFECTIVE DATE

This ordinance shall be effective on June 22nd, 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 21st day of May, 2024.

LDCD-2024-2
Development Area: Utility Enclave Area
Location: South of Cypress Parkway, East of Lake Marion Creek Drive, West of Caspian Road, and North of Marigold Avenue, East of the Haines City city limits.
Section-33 Township-27 Range-28

PARCEL DETAIL
Note: Not to Scale