

ORDINANCE NO. 2025-045

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCD-2025-1**, AN AMENDMENT TO THE POLK COUNTY LAND DEVELOPMENT CODE SUB-DISTRICT MAP (ORDINANCE 01-69), AS AMENDED; MODIFYING THE SUB-DISTRICT MAP TO CHANGE 178 ACRES FROM RESIDENTIAL-LOW 1 (RL-1) TO RESIDENTIAL-LOW-4 (RL-4), THE SUBJECT SITE IS LOCATED SOUTH OF THORNHILL ROAD, EAST OF LAKE HANCOCK, AND NORTH OF THE CITY OF BARTOW, IN SECTIONS 3 & 10, TOWNSHIP 29, RANGE 25; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners (the “Board”) adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; (the “LDC”) and

WHEREAS, the Board of County Commissioners adopted a LDC Sub-district Map on September 26, 2001; and

WHEREAS, Chapter 9, Section 903 of the LDC provides the approval process for amending the LDC Sub-district Map as a Level 4 Review; and

WHEREAS, LDCD-2025-1 is an applicant-initiated application (the “Application”) to amend the LDC Sub-district maps to change 178 +/- acres from Residential-Low 1 (RL-1) to Residential-Low-4 (RL-4); and

WHEREAS, pursuant to Section 163.3174 of the Florida Statutes, the Polk County Planning Commission conducted a public hearing, with due public notice having been provided, on the proposed Land Development Code Sub-district Map Amendment on July 9, 2025; and

WHEREAS, pursuant to Section 125.66 of the Florida Statutes, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Land Development Code Sub-district Map Amendment on August 19, 2025; and

WHEREAS, the Board reviewed and considered all comments received during said public hearing, the Planning Commission's recommendation, the staff report, and provided for necessary revisions, if any; and

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

SECTION 1: FINDINGS The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted. In addition, the Board hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

- a) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on June 4, 2025 to consider the LDC Sub-district map amendment contained within the Application and found it to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Sub-district Map Amendment contained within the Application.
- b) Pursuant to section 907D.10 of the LDC, the Board shall, in the review of the Application, consider the following factors:
 - a. Whether the proposed development is consistent with all relevant requirements of the Code;
 - b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
 - c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
 - d. Any other matter which the BoCC may deem appropriate and relevant to the specific development proposal.
- c) The Application is consistent with all relevant requirements of the Comprehensive Plan.
- d) The Application is consistent with all relevant requirements of the LDC, including without limitation, section 907.
- e) The Application is compatible with surrounding uses and the general character of the area.

- f) The record is hereby incorporated by reference into this ordinance and is on file with the County Clerk. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, the Planning Commission's recommendation, and all testimony and evidence presented at the hearing.

SECTION 2: AREA AMENDED.

Polk County Ordinance No. 01-69 as amended (the "Polk County Land Development Code Sub-district Map"), of Polk County Ordinance No. 00-09, as amended (the "Polk County Land Development Code") is hereby amended to reflect a change in the Sub-district of Parcels, legally described below and graphically depicted in Attachment "A" of this ordinance, from Residential-Low-1 (RL-1) to Residential-Low-4 (RL-4), containing 178 acres, more or less.

SECTION 3: SEVERABILITY.

If any portion of this Ordinance is for any reason held unconstitutional or otherwise invalid by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall become effective upon filing of a certified copy of the Ordinance with the Department of State.

SECTION 5: 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 August, 2025.

Date rendered to the Clerk: _____

August 19, 2025



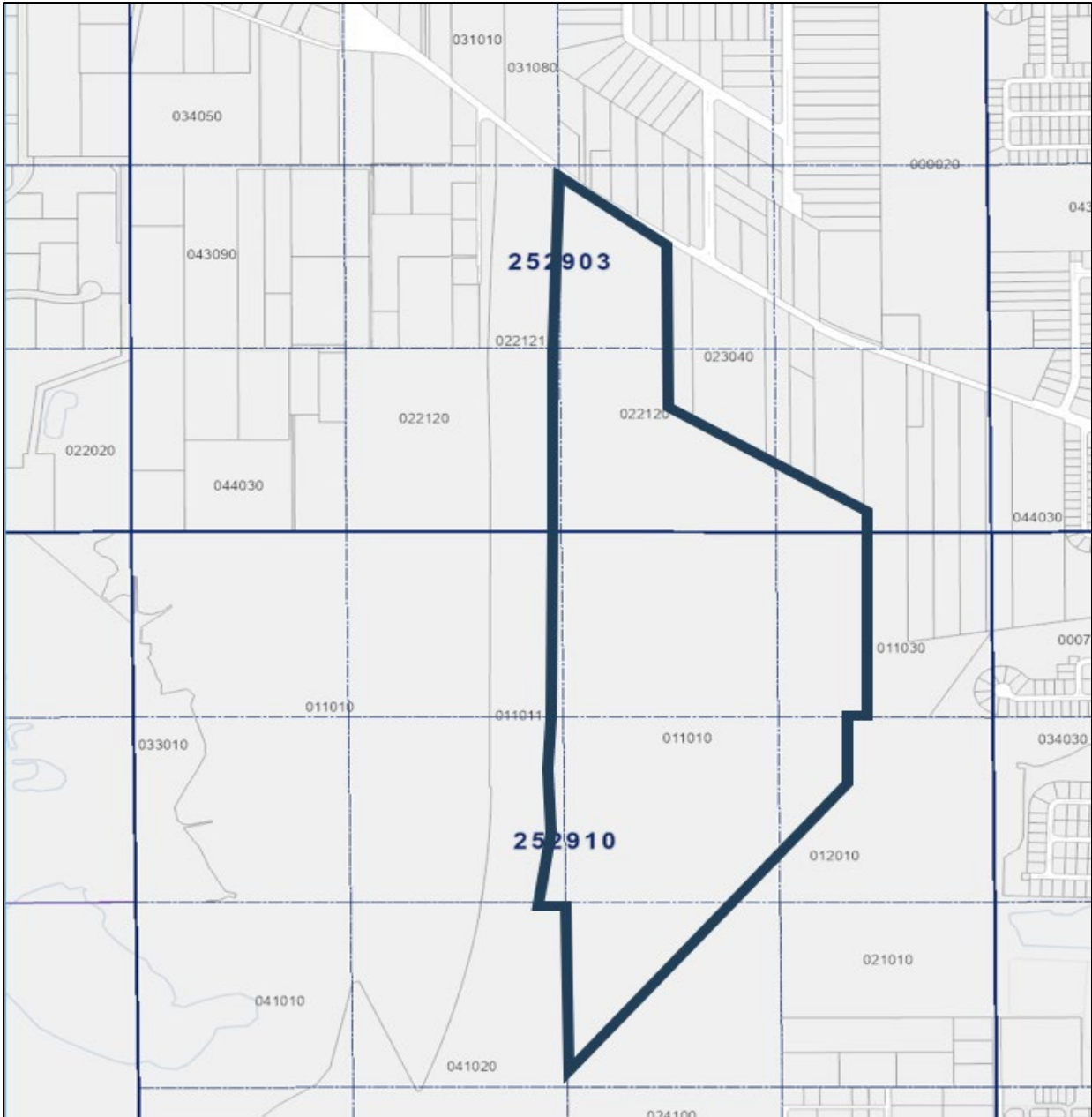
Exhibits to Board's Order

Exhibit A-Property Map

Exhibit B-Staff Report

ATTACHMENT "A"

LDCD 2025-1
Land Use: Residential-Low-1 (RL-1) to Residential-Low-4 (RL-4)
Location: South of Thornhill Road, East of Lake Hancock, and North of the City of Bartow.
Sections 3 & 10, Township 29, Range 25



PARCEL DETAIL

Note: Not to Scale

ATTACHMENT "A"

Legal Description

A PORTION OF SECTIONS 3, 9, AND 10, TOWNSHIP 29 SOUTH, RANGE 2S EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE SOUTH 89°48'09" EAST ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 10 A DISTANCE OF 1332.08 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 00°03'20" WEST ALONG THE WEST BOUNDARY OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1311 .76 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 89°47'57" EAST ALONG THE NORTH BOUNDARY OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 830.97 FEET TO THE SOUTHWEST CORNER OF THE EAST 3/8 OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 00°07'29" WEST ALONG THE WEST BOUNDARY OF SAID EAST 3/8 OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1311 .73 FEET TO THE SOUTHEAST CORNER OF THE WEST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 00°08'15" WEST ALONG THE EAST BOUNDARY OF SAID WEST QUARTER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 400.37 FEET TO THE SOUTHERLY RIGHT OF WAY OF THORNHILL ROAD ACCORDING TO MAP BOOK 1, PAGES 31-33, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE ALONG SAID SOUTHERLY RIGHT OF WAY FOR THE FOLLOWING EIGHT COURSES: SOUTH 49°39'22" EAST A DISTANCE OF 112.32 FEET; THENCE SOUTH 45°38'50" EAST A DISTANCE OF 200.09 FEET; THENCE SOUTH 47°39'08" EAST A DISTANCE OF 200.00 FEET; THENCE SOUTH 47°56'19" EAST A DISTANCE OF 200.01 FEET; THENCE SOUTH 47°39'14" EAST A DISTANCE OF 198.78 FEET; THENCE SOUTH 48°07'51" EAST A DISTANCE OF 16.31 FEET; THENCE SOUTH 55°43'59" EAST A DISTANCE OF 400.00 FEET; THENCE SOUTH 56°01'10" EAST A DISTANCE OF 185.72 FEET TO AN INTERSECTION WITH A LINE LYING PARALLEL WITH THE CENTERLINE OF A UTILITY EASEMENT RECORDED IN O.R. BOOK 1255, PAGE 1061, PUBLIC RECORDS OF POLK COUNTY, FLORIDA AND 1200.00 FEET WEST OF SAID CENTERLINE (MEASURED PERPENDICULAR TO SAID CENTERLINE); THENCE SOUTH 00°18'25" EAST ALONG SAID PARALLEL LINE A DISTANCE OF 1162.10 FEET; THENCE SOUTH 58°17'57" EAST A DISTANCE OF 1415.14 FEET TO SAID CENTERLINE OF UTILITY EASEMENT; THENCE SOUTH 00°18'25" EAST ALONG SAID CENTERLINE OF UTILITY EASEMENT A DISTANCE OF 1500.00 FEET TO THE NORTH BOUNDARY OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 89°42'59" WEST ALONG SAID NORTH BOUNDARY A DISTANCE OF 100.00 FEET TO THE WEST BOUNDARY OF SAID UTILITY EASEMENT;

THENCE SOUTH 00°18'25" EAST ALONG SAID WEST BOUNDARY OF UTILITY EASEMENT A DISTANCE OF 494.52 FEET; THENCE CONTINUE ALONG SAID WEST BOUNDARY OF UTILITY EASEMENT SOUTH 40°16'59" WEST A DISTANCE OF 2719.58 FEET TO THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 00°21'59" WEST ALONG SAID WEST BOUNDARY A DISTANCE OF 1251.95 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 10; THENCE NORTH 89°48'35" WEST ALONG THE SOUTH BOUNDARY OF SAID NORTHWEST QUARTER A DISTANCE OF 2660.98 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE NORTH 00°26'07" WEST ALONG THE WEST BOUNDARY OF SAID NORTHWEST QUARTER A DISTANCE OF 1989.35 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9; THENCE NORTH 45°25'26" WEST ALONG THE SOUTHWESTERLY BOUNDARY OF SAID NORTHEAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 939.25 FEET TO THE NORTHWEST CORNER OF SAID NORTHEAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE NORTH 89°39'55" EAST ALONG THE NORTH BOUNDARY OF SAID NORTHEAST QUARTER OF SECTION 9 A DISTANCE OF 664.02 FEET TO THE POINT OF BEGINNING.

LYING EAST OF THE FOLLOWING DESCRIBED PROPERTY,

A PARCEL OF LAND LYING IN SECTIONS 3 AND 10, TOWNSHIP 29 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A 4 INCH BY 4 INCH CONCRETE MONUMENT WITH 5/8 INCH IRON ROD WITH NO IDENTIFICATION MARKING THE CENTER OF SAID SECTION 10, TOWNSHIP 29 SOUTH, RANGE 25 EAST THENCE ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 10, NORTH 89°55'19" WEST A DISTANCE OF 170.38 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10 NORTH 89°55'19" WEST A DISTANCE OF 353.68 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHWESTERLY AND HAVING A RADIUS OF 5592.00 FEET; THENCE DEPARTING SAID SOUTH LINE, RUN NORTHEASTERLY 826.56 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°28'08", THE CHORD OF SAID CURVE BEARS NORTH 04°22'36" EAST TO THE END OF SAID CURVE; THENCE NORTH 89°51'28" WEST A DISTANCE OF 10.00 FEET; THENCE NORTH 00°08'32" EAST A DISTANCE OF 2250.00 FEET; THENCE NORTH 01°12'15" WEST A DISTANCE OF 800.22 FEET; THENCE NORTH 01°41'11" EAST A DISTANCE OF 697.71 FEET; THENCE NORTH 02°59'33" EAST A DISTANCE OF 603.29 FEET; THENCE NORTH 00°08'32" EAST A DISTANCE OF 383.88 FEET TO THE SOUTHERLY EXISTING RIGHT OF WAY LINE OF

THORNHILL ROAD AS PER POLK COUNTY MAINTAINED RIGHT OF WAY MAP BOOK 22, PAGE 29 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTHERLY EXISTING RIGHT OF WAY LINE OF THORNHILL ROAD THE FOLLOWING TWO COURSES: (1) SOUTH 47°47'00" EAST A DISTANCE OF 56.27 FEET; (2) SOUTH 48°44'25" EAST A DISTANCE OF 68.88 FEET TO A POINT ON THE SOUTHERLY EXISTING RIGHT OF WAY LINE OF THORNHILL ROAD AS PER POLK COUNTY MAINTAINED RIGHT OF WAY MAP BOOK 1, PAGE 31 OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTHERLY EXISTING RIGHT OF WAY LINE OF THORNHILL ROAD THE FOLLOWING THREE COURSES: (1) SOUTH 45°47'04" EAST A DISTANCE OF 21.59 FEET; (2) SOUTH 47°48'41" EAST A DISTANCE OF 200.00 FEET; (3) SOUTH 48°05'52" EAST A DISTANCE OF 117.06 FEET; THENCE DEPARTING SAID SOUTHERLY RIGHT OF WAY LINE SOUTH 00°08'32" WEST A DISTANCE OF 1973.96 FEET; THENCE SOUTH 02°45'59" WEST A DISTANCE OF 300.31 FEET; THENCE SOUTH 00°13'49" EAST A DISTANCE OF 1500.03 FEET; THENCE SOUTH 00°08'32" WEST A DISTANCE OF 650.00 FEET; THENCE NORTH 89°51'28" WEST A DISTANCE OF 11.00 FEET TO A POINT A CURVE CONCAVE TO THE NORTHWESTERLY AND HAVING A RADIUS OF 5942.00 FEET; THENCE RUN SOUTHWESTERLY 825.81 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°57'46", THE CHORD OF SAID CURVE BEARS SOUTH 04°07'25" WEST TO SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 10, AND THE END OF SAID CURVE, AND THE POINT OF BEGINNING.

AND LYING NORTH OF THE SOUTH LINE ON THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 29 SOUTH, RANGE 25 EAST.

CONTAINING A TOTAL OF 52.741 ACRES OF LAND, MORE OR LESS; AND

A PORTION OF SECTIONS 3, 9, AND 10, TOWNSHIP 29 SOUTH, RANGE 2S EAST, POLK COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE SOUTH 89°48'09" EAST ALONG THE NORTH BOUNDARY OF THE NORTHWEST QUARTER OF SAID SECTION 10 A DISTANCE OF 1332.08 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 00°03'20" WEST ALONG THE WEST BOUNDARY OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1311 .76 FEET TO THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH 89°47'57" EAST ALONG THE NORTH BOUNDARY OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 830.97 FEET TO THE SOUTHWEST CORNER OF THE EAST 3/8 OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE NORTH 00°07'29" WEST ALONG THE WEST BOUNDARY OF SAID EAST 3/8 OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 1311 .73 FEET TO THE SOUTHEAST CORNER OF THE WEST QUARTER OF THE EAST HALF OF THE SOUTHEAST

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AND LYING SOUTH OF THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 3,
TOWNSHIP 29 SOUTH, RANGE 25 EAST.

CONTAINING A TOTAL OF 123.883 ACRES OF LAND, MORE OR LESS.

STATE OF FLORIDA)
)
COUNTY OF POLK)

I Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 2025-045 adopted by the Board on August 19, 2025

WITNESS my hand and official seal on this 19th Day of August 2025.

STACY M. BUTTERFIELD, CLERK

By: *Yolanda Harris*
Yolanda Harris
Deputy Clerk





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

August 19, 2025

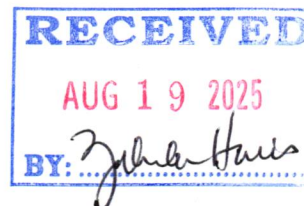
Stacy Butterfield
County Clerk
Polk County
Post Office Box 988
Bartow, FL 33831-0988

Dear Stacy Butterfield,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Polk County Ordinance No. 2025-045, which was filed in this office on August 19, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director



AL/dp