

ORDINANCE NO. 26 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2026-4, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, MODIFYING APPENDIX E, SECTION E105 PARCEL SPECIFIC COMPREHENSIVE PLAN AMENDMENTS WITH CONDITIONS. THIS CASE IS RELATED TO LDCPAS 2025-40. THE SUBJECT SITE IS LOCATED ON THE NORTH SIDE OF PINE STREET AND LAUREL AVENUE, EAST SIDE OF MACKEREL ROAD, 3.3 MILES EAST OF THE CITY OF HAINES CITY, IN SECTION 2, TOWNSHIP 28, 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 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

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

WHEREAS, Chapter 9, Section 903 of the Land Development Code requires Land Development Code Amendments to be a Level 4 Review; and

WHEREAS, Chapter 9, Section 907 sets forth the purpose and review process for Level 4 Reviews; and

WHEREAS, pursuant to Section 125.67 of the Florida Statutes, every ordinance shall embrace but one subject and matter properly connected therewith; and

WHEREAS, pursuant to Section 163.3164 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 Amendment on April 1, 2026; and

WHEREAS, the Board of County Commissioners held two public hearings on May 5, 2026 and May 19, 2026, wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public hearings, and provided for necessary revisions; 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 Board of County Commissioners of Polk County, Florida that:

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

SECTION 1: APPENDIX E, Parcel Specific Future Land Use Designation with Conditions, of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, shall be amended in the following manner:

Poinciana Commercial Activity Center Plan (ACP) – Parcel Numbers 282802934710147100 – 12.6 ac, and 282802934710147090 – 5.73 ac.

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 28, Township 28, Section 02. The site is legally described as:

POINCIANA NEIGHBORHOOD 4 VILLAGE 7 PB 53 PGS 4-18 TRACT K & W1/2 OF VACATED LAUREL AVE S LYING E OF SAME (282802-934710-147100); and

POINCIANA NEIGHBORHOOD 4 VILLAGE 7 PB 53 PGS 4-18 TRACT J (282802-934710-147090)

2. Permitted Uses

Uses permitted within the boundaries of this NAC shall conform to those found in Table 2.1 Use Table for Standard Land Use Districts.

3. Transportation

a. Access: This ACP shows the general locations of access points to this NAC. They are conceptual and non-binding, with the exact driveway and cross-access location which shall be determined at Level 2 review. In addition:

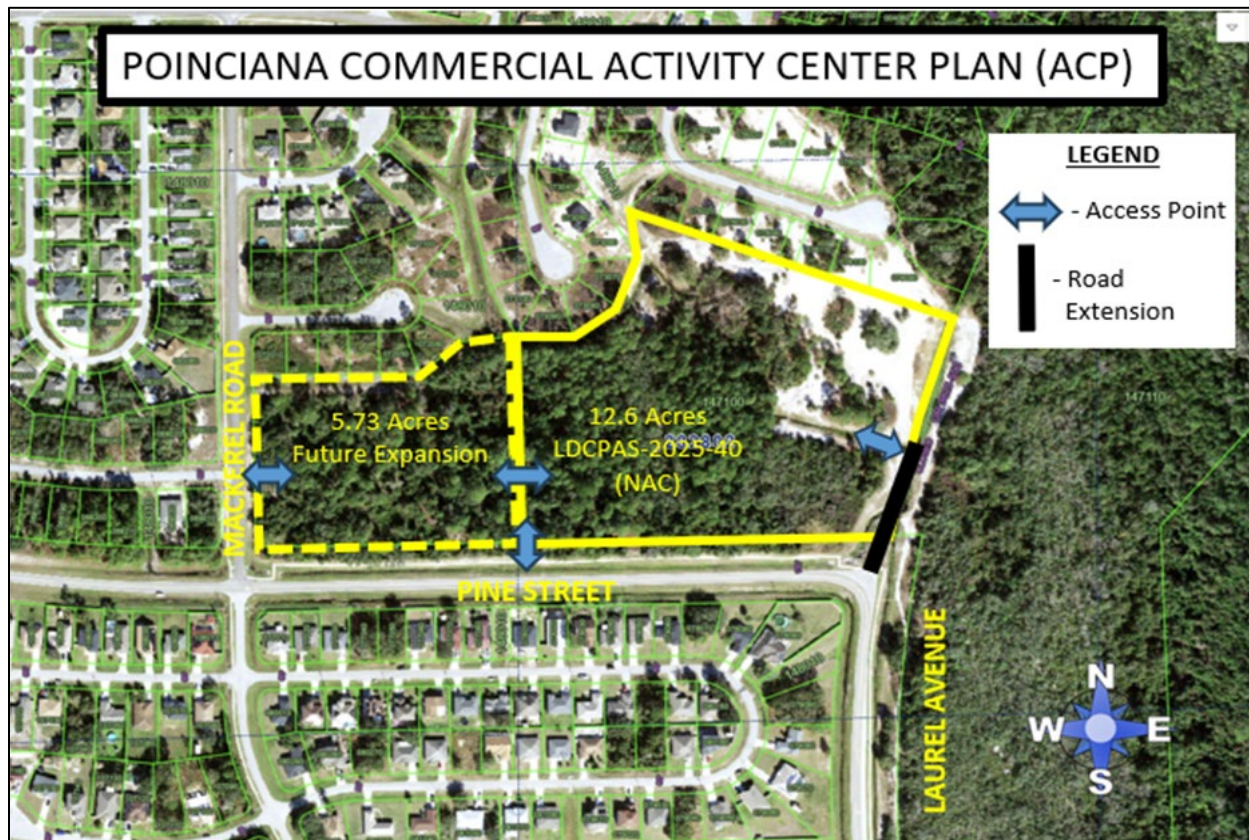
- 1) Development shall be designed to allow future cross-access to adjacent parcels.
- 2) At or near the time of development and when right-of-way is available, Laurel Avenue should be improved to County standards to allow for connectivity to the eastern edge of this NAC.
- 3) Development shall ensure connectivity to Laurel Avenue and Pine Street is maintained. Cross-access easements shall be recorded prior to any Level 2 approval to the parcel and the joint access to Pine Street.

4. Signage: Signage shall be Monument Signage and shall meet the requirements of Section 760 of the Land Development Code.

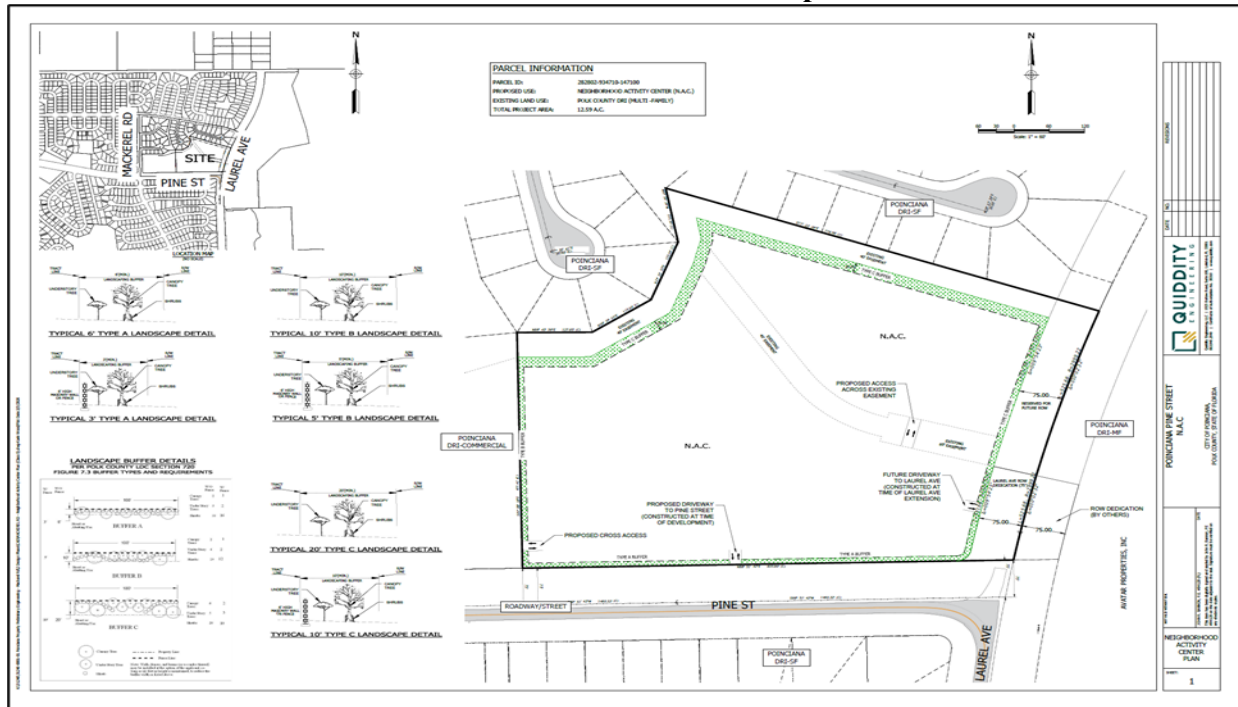
5. Landscaping: To the greatest extent practicable, development shall conserve and utilize existing on-site vegetation to meet the landscape and buffering requirements of Section 720 of the Land Development Code.

6. Buffering: In addition to the requirements contained in the Land Development Code, there shall be a minimum 20-foot-wide Type C buffer along the northern property line. Existing on-site trees and vegetation shall be used to the maximum extent possible within this buffer.

Poinciana Commercial Activity Center Plan



Parcel 282802-934710-147100 Conceptual Plan



SECTION 2: SEVERABILITY

If any provisions 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 upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA THIS 19th DAY OF MAY 2026.