

ORDINANCE No. 24 - ?

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL 2024-19**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 3.2 ACRES OF RESIDENTIAL HIGH (RHX) INTO TOURISM COMMERCIAL CENTER (TCCX) IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA) AND NORTH RIDGE SELECTED AREA PLAN (SAP). THE SUBJECT SITE IS LOCATED ON THE WEST SIDE OF US HIGHWAY 27, NORTH OF HOLLY HILL GROVE ROAD 3, SOUTH OF INTERSTATE 4, EAST OF FDC GROVE ROAD, EAST OF THE CITY OF HAINES CITY IN SECTION 19, TOWNSHIP 26, RANGE 27; 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 163.3184, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Large-Scale Comprehensive Plan Amendments; and

WHEREAS, Application LDCPAL 2023-4 is an applicant-initiated application to change the future land use designation of 3.2 +/- acres from Residential High (RHX) in the Transit Supportive Development Area (TSDA) to Tourism Commercial Center (TCCX) in the Transit Supportive Development Area (TSDA) and North Ridge Selected Area Plan (SAP) (the “Amendment”); 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, Amendment on April 2nd, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on June 3rd, 2025, held an initial public hearing and authorized transmittal of the Amendment to the Department of Economic Opportunity (DEO) for written comment, and

WHEREAS, Florida Commerce, by letter 25-03, dated August 8th, 2025 transmitted objections, recommendations, and comments on the Amendment; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the Amendment on August 5th, 2025; and

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

WHEREAS, the Board of County Commissioners has considered the data and analysis contained within the staff report; and

WHEREAS, the Amendment is consistent with Chapter 163, FS, and the Polk County Comprehensive Plan.

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

SECTION 1: LEGISLATIVE FINDINGS OF FACT

The findings of fact set forth in the recitals to this Ordinance are true and correct and hereby adopted.

SECTION 2: 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 3.2-acre site from Residential High (RHX) to Tourism Commercial Center (TCCX) in the Transit Supportive Development Area (TSDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcels included:

LEGAL DESCRIPTION:

A TRACT OF LAND, BEING ALL OF TRACT 8 AND A PORTION OF TRACTS 7, 9 AND 10 IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 27 EAST, FLORIDA DEVELOPMENT CO. TRACT, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGES 60 THROUGH 63, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

COMMENCE AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19 FOR A POINT OF REFERENCE; THENCE RUN SOUTH 88° 59'20" WEST, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 71.35 FEET TO A POINT LYING ON THE NORTHERLY EXTENSION OF THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 25 (U.S. 27), PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, PROJECT ID 1977101 SECTION 16180-000; THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 00° 09'35" EAST, ALONG SAID NORTHERLY EXTENSION, 1119.16 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 00° 09'35" EAST, ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 25 (U.S. 27), A DISTANCE OF 176.24 FEET TO THE NORTH MAINTENANCE RIGHT-OF-WAY LINE OF HOLLY HILL GROVE ROAD 3 PER MAP BOOK 17, PAGES 93 THROUGH 99 OF AFORESAID PUBLIC RECORDS, THENCE RUN SOUTH 89°17'41" WEST ALONG SAID NORTH MAINTENANCE RIGHT-OF-WAY LINE, 349.04 FEET; THENCE RUN NORTH 00° 16'32" WEST, 1278.50 FEET TO A POINT LYING ON THE SOUTH RIGHT-OF-WAY LINE OF MINUTE MAID RAMP ROAD 1; THENCE RUN NORTH 88° 59'20" EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 71.62 FEET; THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, RUN SOUTH 00° 09'35" EAST, 1100.00 FEET; THENCE RUN NORTH 89° 50'25" EAST 280.00 FEET TO THE POINT OF BEGINNING. THE ABOVE-DESCRIBED TRACT OF LAND LIES IN POLK COUNTY, FLORIDA AND CONTAINS 3.206 ACRES MORE OR LESS.

SECTION 3: 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 4: EFFECTIVE DATE

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the Department of Economic Opportunity posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may

nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

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 August 5th, 2025.

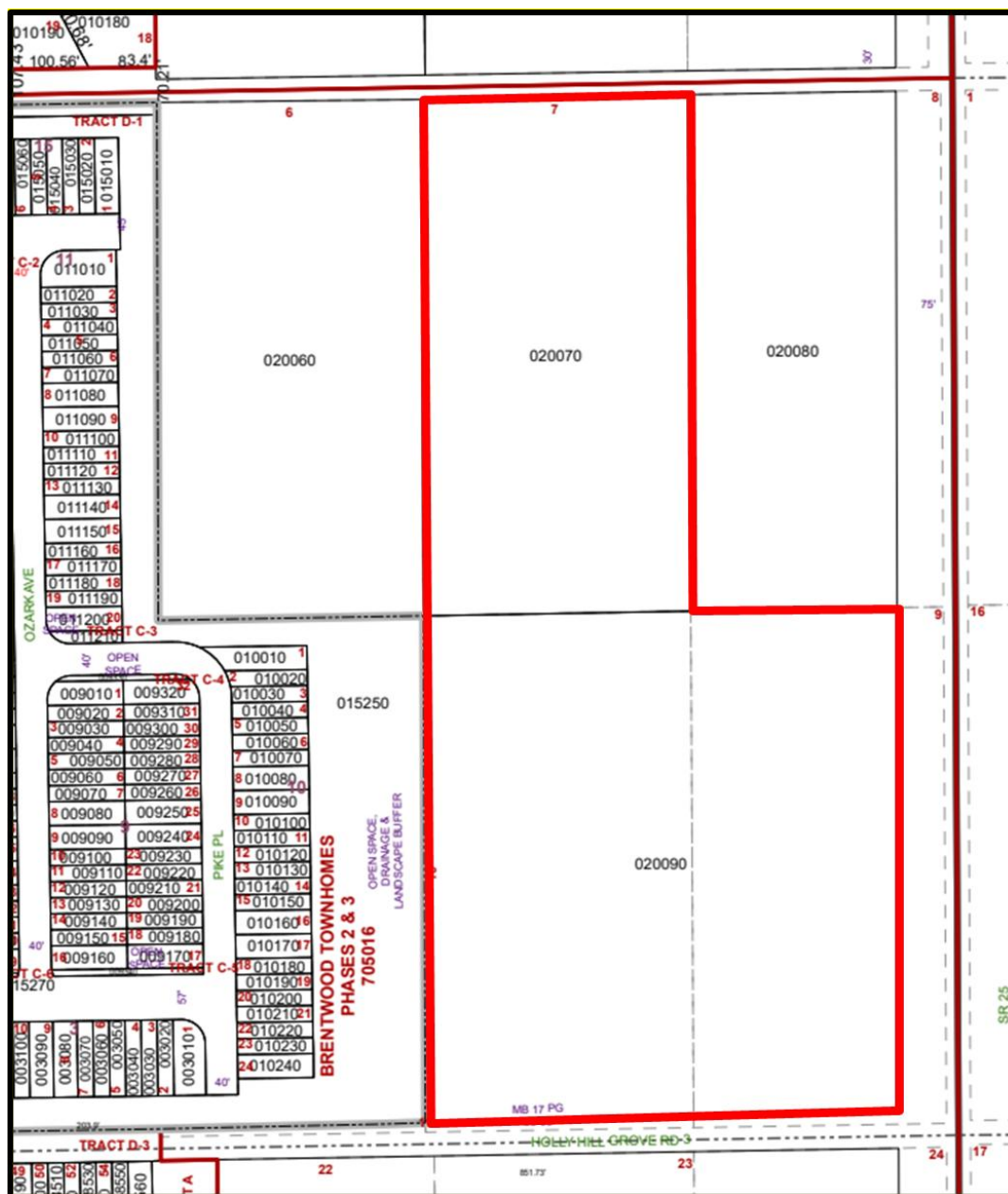
ATTACHMENT "A"

LDCPAL 2024-19

Land Use: RHX to TCCX (3.2 ± acres)

Location: The site is located on the west side of US Highway 27, north of Holly Hill Grove Road 3, east of FDC Grove Road, and south of Interstate 4.

Section-19 Township-26 Range-27



Parcel Detail

Note: Not to Scale