

ORDINANCE NO. 25 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-16**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 17.48 ACRES FROM DEVELOPMENT OF REGIONAL IMPACT (DRI) IN THE RURAL DEVELOPMENT AREA (RDA) TO RESIDENTIAL LOW (RL) IN THE UTILITY ENCLAVE AREA (UEA). THE SUBJECT SITE IS LOCATED SOUTH AND EAST OF MARIGOLD AVENUE, WEST OF OSCEOLA COUNTY LINE, NORTH OF COUNTY ROAD 542, AND EAST OF THE CITY LIMITS OF HAINES CITY, IN SECTION 01, 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 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 November 5th, 2025; 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 December 2nd, 2025; 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 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 +/- 17.48 acres site from Development of Regional Impact (DRI) to Residential Low (RL), in the Utility Enclave Area (UEA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel # 282801-934670-000001

TRACT B, POINCIANA NEIGHBORHOOD 3 WEST-NORTH, VILLAGE 6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60, PAGES 13-22 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF SAID TRACT B; THENCHE RUN SOUTH 53°20'17" EAST ALONG THE NORTH LINE OF SAID TRACT B, A DISTANCE OF 350.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT B; THENCE RUN SOUTH 15°00'00" WEST ALONG THE EAST LINE OF SAID TRACT B, A DISTANCE OF 662.22 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF EQUESTRIAN ROAD, SAID POINT BEING A POINT ON A NON TANGENT CURVE TO THE RIGHT, CONCAVE ESAT, HAVING A RADIUS OF 510.00 FEET, A CHORD BEARING OF NORTH 13°06'12" WEST AND A CHORD DISTANCE OF 778.67 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 99°31'51", A DISTANCE OF 885.94 FEET; THENCE RUN NORTH 36°39'43" EAST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 112.49 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 5.48 ACRES, MORE OR LESS

TRACT C, POINCIANA NEIGHBORHOOD 3 WEST-NORTH, VILLAGE 6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60, PAGES 13-22 OF THE PUBLIC RECORD OF POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT C, SAID POINT LYING ON THE NORTH RIGHT OF WAY LINE OF EQUESTRIAN ROAD; THENCE RUN NORTH 75°00'00" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 615.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT C, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 3470 OF SAID POINCIANA NEIGHBORHOOD 3 WEST-NORTH; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN NORTH 15°00'00" EAST ALONG THE WEST LINE OF SAID TRACT C, A DISTANCE OF 850.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT C; THENCE RUN SOUTH 15°00'00" WEST ALONG THE EAST LINE OF SAID TRACT C, A DISTANCE OF 850.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 12.00 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

This ordinance shall be effective on January 3rd, 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 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.

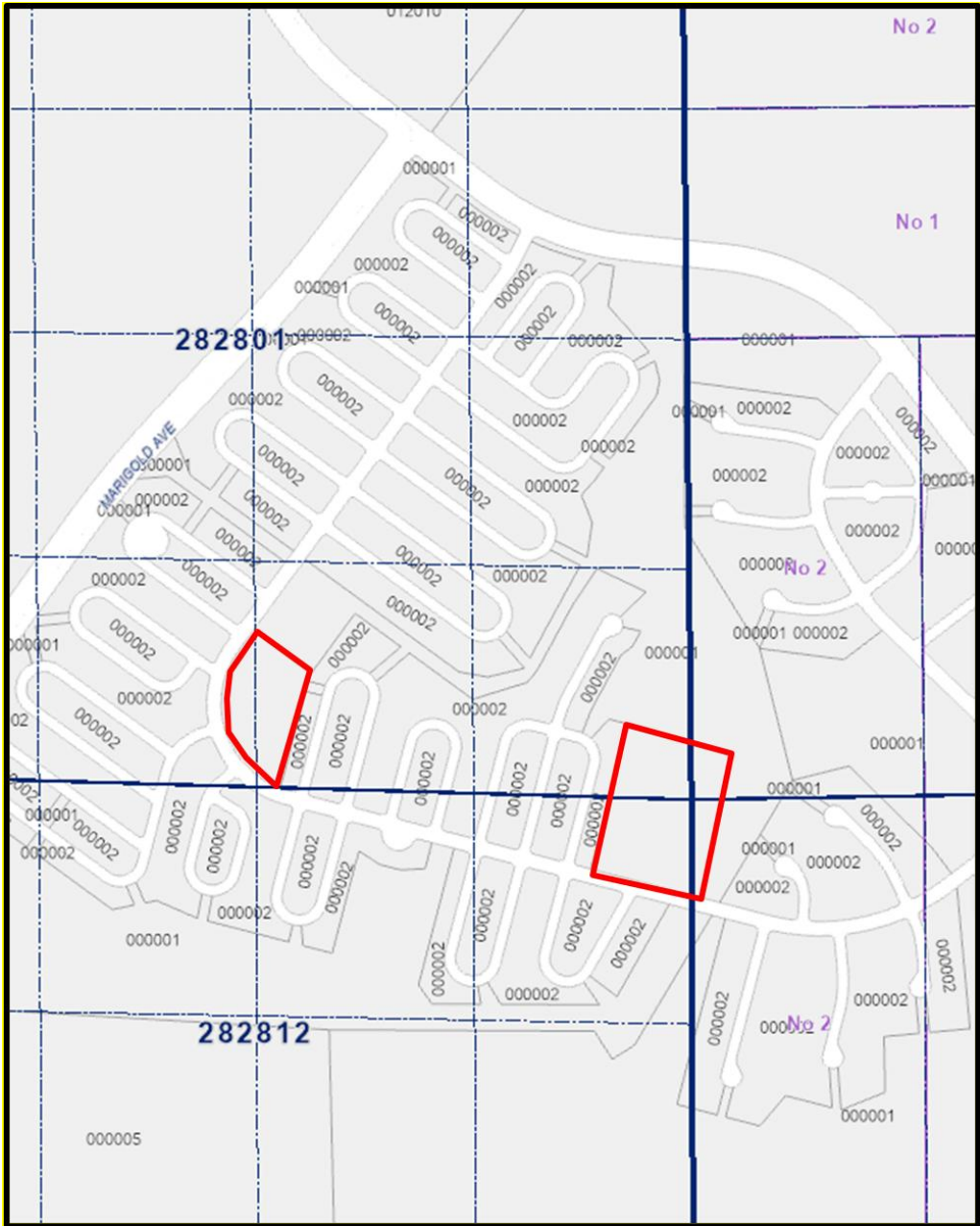
SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

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 December 2nd, 2025.

ATTACHMENT "A"

LDCPAS-2025-16
Development Area: Utility Enclave Area (UEA)
Location: South and east of Marigold Avenue, west of Osceola County Line, north of County Road 542, and east of the city of Haines City.
Section-01 Township-28 Range-28



PARCEL DETAIL
Note: Not to Scale