

ORDINANCE NO. 24 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2024-28**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 7.49 ACRES SITE FROM DEVELOPMENT OF REGIONAL IMPACT (DRI) TO NEIGHBORHOOD ACTIVITY CENTER (NAC), IN THE UTILITY ENCLAVE AREA (UEA). THE SUBJECT SITE IS LOCATED SOUTH OF PALMETTO STREET, EAST OF MARIGOLD AVENUE, WEST OF AUDUBON ROAD, NORTH OF LAKE HATCHINEHA ROAD, AND EAST OF THE CITY OF HAINES CITY, IN SECTION 25, 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 February 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 March 5th, 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 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 +/- 7.49 acres site from Development of Regional Impact (DRI) to Neighborhood Activity Center (NAC), in the Utility Enclave Area (UEA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 1 Identification Number (282725-934060-079101)

Legal Description:

Parcel # 282725-934060-079101

TRACT A OF POINCIANA NEIGHBORHOOD 5 NORTH, VILLAGE 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 54, PAGE(S) 27 THROUGH 42, INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT THOSE PORTIONS THEREOF AS CONTAINED IN THOSE CERTAIN DEEDS RECORDED IN BOOK 3704, PAGE 762 AND BOOK 9140, PAGE 1419.

ALSO DESCRIBED AS:

A PARCEL OF LAND BEING A PORTION OF TRACT "A", POINCIANA NEIGHBORHOOD 5 NORTH, VILLAGE 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 54, PAGES 27-42, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHEAST CORNER OF SAID TRACT "A"; THENCE RUN S90°00'00"W ALONG THE NORTH LINE OF SAID TRACT "A", A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH LINE RUN S00°00'00"E, A DISTANCE OF 609.60 FEET; THENCE RUN S73°50'11"W, A DISTANCE OF 224.83 FEET; THENCE RUN S55°32'58"W, A DISTANCE OF 299.00 FEET TO A POINT ON THE WEST LINE OF SAID TRACT "A"; THENCE RUN N00°00'00"E ALONG SAID WEST LINE, A DISTANCE OF 626.33 FEET; THENCE DEPARTING SAID WEST LINE RUN N90°00'00"E, A DISTANCE OF 339.00 FEET; THENCE RUN N00°00'00"E, A DISTANCE OF 215.00 FEET TO A POINT ON AFORESAID NORTH LINE OF TRACT "A"; THENCE RUN N90°00'00"E ALONG THE SAID NORTH LINE, A DISTANCE OF 123.50 FEET TO THE POINT OF BEGINNING.

CONTAINING 7.49 ACRES, MORE OR LESS.

Parcel 2 Identification Number (282725-934060-079113)

POINCIANA NEIGHBORHOOD 5 NORTH VILLAGE 3 PB 54 PGS 27-42 THAT PART OF TRACT A DESC AS: COMM NE COR OF TRACT A S89-31-09W ALONG N BNDRY OF TRACT 163.5 FT TO POB S0-28-51E 215 FT S89-31-09W 339 FT TO POINT ON W BNDRY OF TRACT N0-28-51W 190 FT NELY ALONG CURVE 39.27 FT N89-31-09E 314 FT TO POB

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

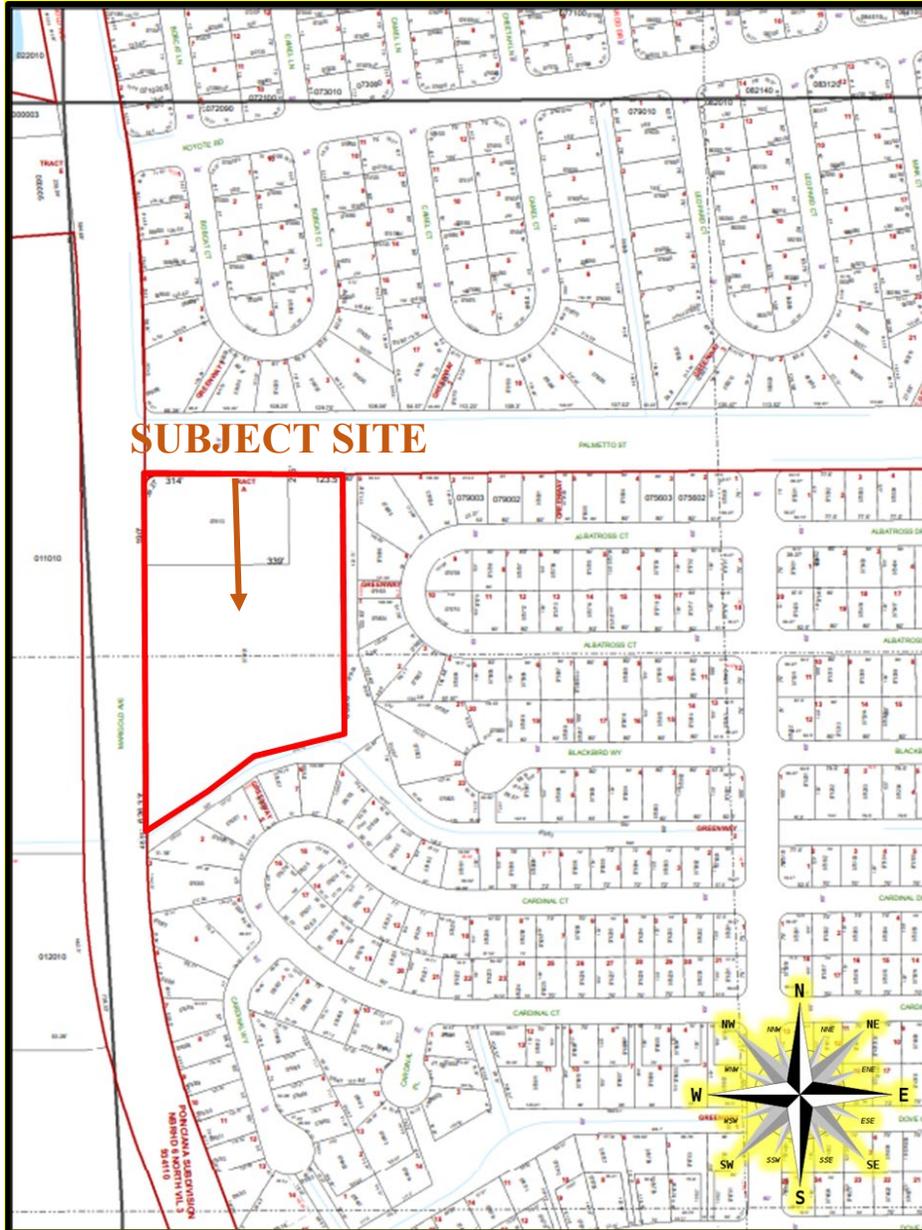
This ordinance shall be effective on April 6th, 2025 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment 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 5th day of March, 2025.

LDCPAS-2024-28
Development Area: Utility Enclave Area (UEA)
Location: South of Palmetto Street, east of Marigold Avenue, west of Audubon Road, north of Lake Hatchineha Road, and east of the city of Haines City.
Section-25 Township-27 Range-28



PARCEL DETAIL
Note: Not to Scale