

ORDINANCE NO. 26 - _____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING LDCD-2026-3, AN AMENDMENT TO THE POLK COUNTY LAND DEVELOPMENT CODE SUB-DISTRICT MAP (ORDINANCE 01-69), AS AMENDED, MODIFYING THE DESIGNATION ON 17.1± ACRES FROM RESIDENTIAL LOW1-X (RL1X) TO RESIDENTIAL LOW4-X (RL4X). THE SUBJECT PROPERTY IS LOCATED SOUTH OF HEMLOCK AVENUE, EAST OF MARIGOLD AVENUE, WEST OF DOGWOOD ROAD, AND NORTH OF BAYBERRY STREET, EAST OF THE HAINES CITY LIMITS, IN SECTION 10, 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 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 an 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-2026-3 is an Applicant-initiated application (the “Application”) to amend the LDC Sub-district map for approximately 17.1 acres south of Hemlock Avenue, west of Dogwood Road, north of Bayberry Street, east of Marigold Avenue, and east of Haines City, in Section 10, Township 28, Range 28. from Residential Low-1X (RL-1X) to Residential Low-4X (RL-4X); 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 April 1, 2026; 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 July 21, 2026; and

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

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 staff report and makes the following findings based upon the staff report, testimony, and exhibits 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 3, 2026, 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.

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, Residential Low-1X (RL-1X) to Residential Low-4X (RL-4X) as:

Parcel 282810-935240-000004

POINCIANA NEIGHBORHOOD 2 VILLAGE 8 PB 53 PGS 29-43 TRACT D
Containing 17.1 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:

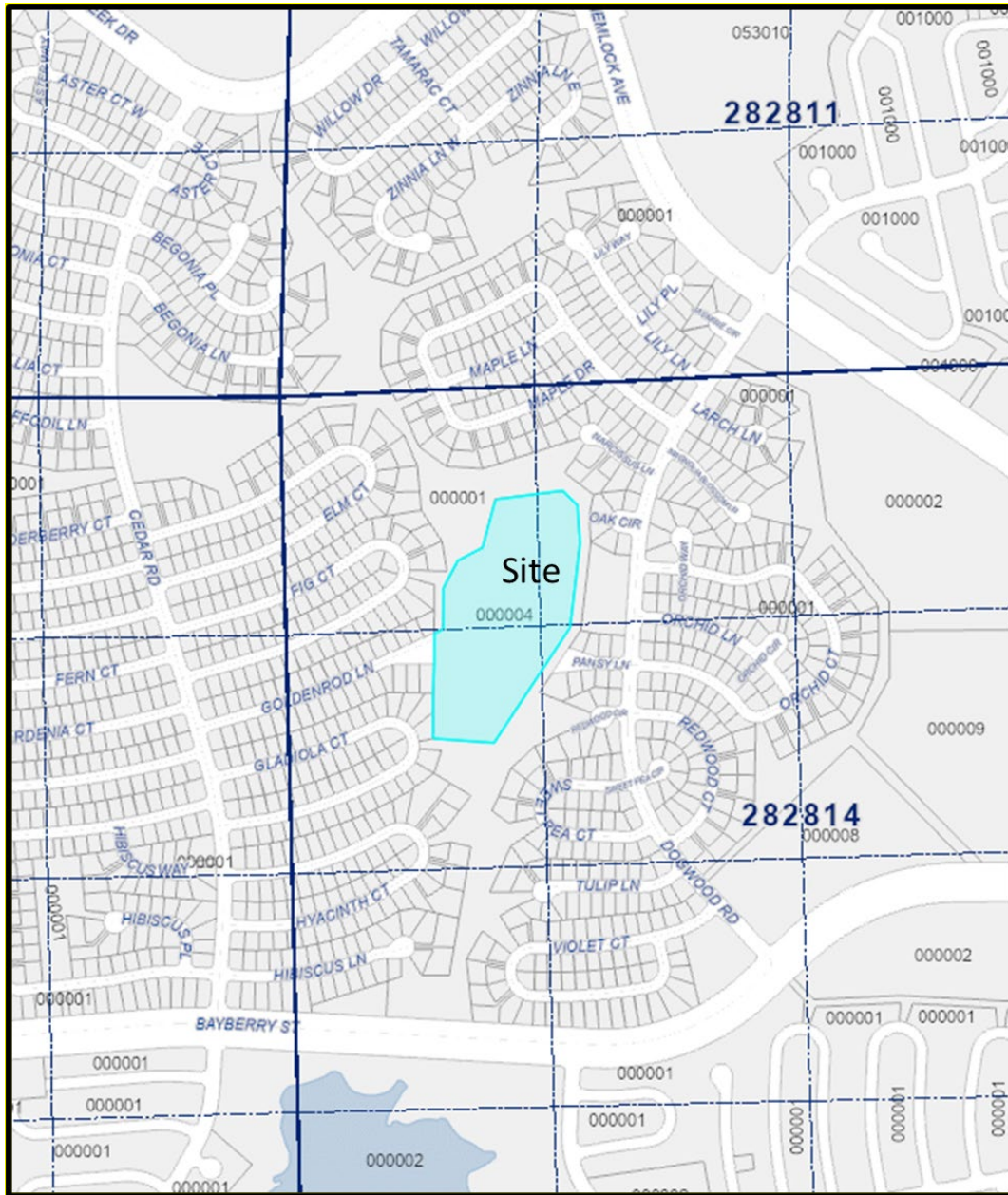
The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the Secretary of State, upon adoption by the Board of County Commissioners of Polk County, Florida.

ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 21st day of July 2026.

LDCD-2026-3

Location: South of Hemlock Avenue, East of Marigold Avenue, West of Dogwood Road, and North of Bayberry Street, East of the Haines City limits.

Section-10 Township-28 Range-28



PARCEL DETAIL

Note: Not to Scale