

ORDINANCE No. 25 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL 2025-6**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 72.27 ACRES OF DEVELOPMENT OF REGIONAL IMPACT (DRI) IN THE RURAL DEVELOPMENT AREA (RDA) INTO INSTITUTIONAL (INST) IN THE UTILITY ENCLAVE AREA AND POINCIANA MASTER PLAN. THE SUBJECT SITE IS LOCATED WEST OF LAKE HATCHINEHA, NORTH OF COUNTY ROAD 542 (LAKE HATCHINEHA ROAD), SOUTH OF BAYBERRY STREET, EAST OF MARIGOLD AVENUE, EAST OF THE CITY OF HAINES CITY IN SECTION 14, 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 163.3184, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Large-Scale Comprehensive Plan Amendments; and

WHEREAS, Application LDCPAL-2025-6 is an applicant-initiated application to change the future land use designation of 72.27 +/- acres from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) and the Poinciana Master Plan (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 September 10th, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on November 4th, 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 25-08ESR, dated December 8, 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 January 6th, 2026; 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 72.27-acre site from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcels included:

LEGAL DESCRIPTION:

A PORTION OF POINCIANA NEIGHBORHOOD 3 WEST, VILLAGE 8, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGES 44 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF THE POLK COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF HEMLOCK AVENUE (186 FEET IN WIDTH), ACCORDING TO THE PLAT OF POINCIANA NEIGHBORHOOD 3 WEST, VILLAGE 8, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGES 44 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF THE POLK COUNTY, FLORIDA., SAID CORNER LYING ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 28 EAST. THENCE, S 89°11'00" W, ALONG THE SOUTH LINE OF AFORESAID PLAT OF POINCIANA, NEIGHBORHOOD 3 WEST, VILLAGE 8 AND THE SOUTH LINE OF SECTION 14, TOWNSHIP 28 S, RANGE 28 E, A DISTANCE OF 186.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF HEMLOCK AVENUE AND THE SOUTHEAST CORNER OF GREENWAY-1 OF AFORESAID PLAT; THENCE CONTINUE ALONG SAID SOUTH LINES, S 89°11'00" W, A DISTANCE OF 1038.69 FEET; THENCE DEPARTING SAID SOUTH LINE AND THROUGH THE INTERIOR OF SAID PLAT, N 00°00'35" W, A DISTANCE OF 588.42 FEET; THENCE N 40°43'33" W, A DISTANCE OF 621.83 FEET, TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 20°52'21", AND A CHORD THAT BEARS N 51°09'43" W, A DISTANCE OF 289.83 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 291.43 FEET A POINT OF REVERSE CURVATURE, OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 38°58'30", AND A CHORD THAT BEARS N 42°06'38" W, A DISTANCE OF 333.60 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 340.12 FEET; THENCE N 22°37'23" W, A DISTANCE OF 94.24 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BAYBERRY STREET, (210 FEET IN WIDTH), SAID POINT BEING THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1275.00 FEET, A CENTRAL ANGLE OF 20°33'09", AND A CHORD THAT BEARS N 57°06'02" E, A DISTANCE OF 454.91 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT AND SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 457.26 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE, N 46°49'27" E, A DISTANCE OF 350.00 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1137.54 FEET, A CENTRAL ANGLE OF 42°42'42", AND A CHORD THAT BEARS N 68°10'48" E, A DISTANCE OF 828.49 FEET; THENCE CONTINUE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 847.99 FEET; THENCE N 89°32'09" E, A DISTANCE OF 479.66 FEET, ALONG SAID RIGHT OF WAY TO A POINT ON THE WESTERLYH RIGHT OF WAY LINE OF HEMLOCK AVENUE, SAID POINT BEING THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD THAT BEARS S 45°27'51" E, A DISTANCE OF 35.35 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 39.27 FEET; THENCE, ALONG THE WEST RIGHT OF WAY LINE OF HEMLOCK AVENUE, S 00°27'51" E, A DISTANCE OF 2334.77 FEET, TO THE POINT OF BEGINNING.

SUBJECT TO STREETS, RIGHTS OF WAYS AND EASEMENTS OF RECORD.

CONTAINING 3,148,022 SQUARE FEET OR 72.269 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 January 6th, 2026.

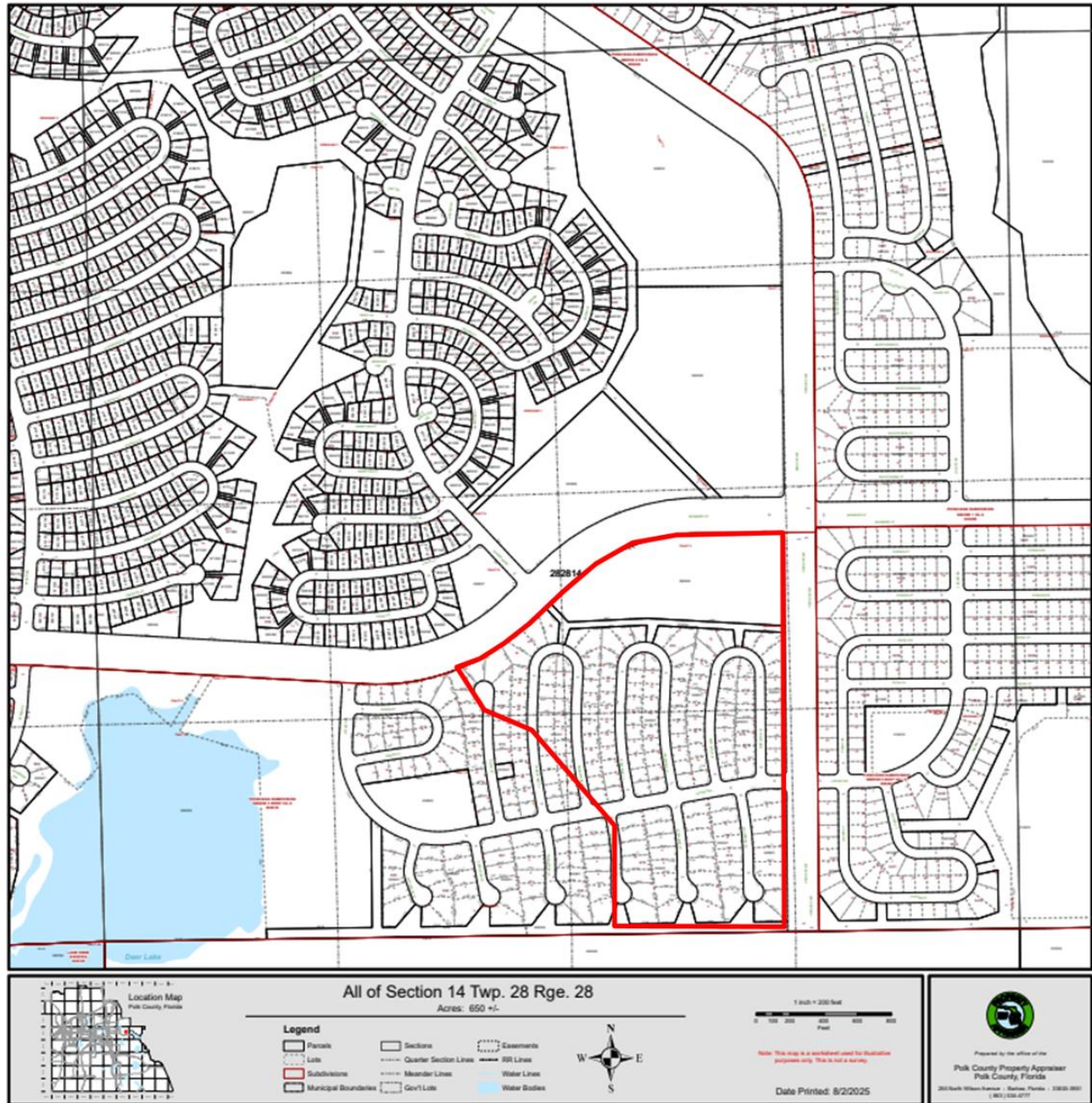
ATTACHMENT "A"

LDCPAL 2025-6

Land Use: DRI to INST (72.27 ± acres)

Location: The site is located west of Lake Hatchineha, north of County Road 542 (Lake Hatchineha Road), east of Marigold Avenue, and south of Bayberry Street.

Section-14 Township-28 Range-28



Parcel Detail

Note: Not to Scale