

ORDINANCE NO. 2025 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAL-2024-6**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO MODIFY POLICIES IN SECTION 2.130-E1, GRENELEFE UTILITY ENCLAVE AREA (UEA), TO REMOVE REFERENCES TO A RESORT COMMUNITY, UPDATE THE REFERENCE TO THE ESSENTIALLY BUILDOUT AGREEMENT, REVISE LAND USE AND DEVELOPMENT TOTALS AND RELATED POLICIES FOR RESIDENTIAL LOW-X (RLX), RESIDENTIAL MEDIUM-X (RMX), RESIDENTIAL HIGH-X (RHX), TOURIST COMMERCIAL CENTER-X (TCCX), DEVELOPMENT OF REGIONAL IMPACT-X (DRIX), AND ADD LOCATION CRITERIA FOR NEIGHBORHOOD ACTIVITY CENTER-X (NACX), AND REMOVE THE REQUIREMENT FOR A PLANNED DEVELOPMENT. GRENELEFE IS SOUTH OF HWY 544, WEST OF LAKE MARION ROAD, ON BOTH SIDES OF KOKOMO ROAD, NORTH OF LAKE HATCHINEHA ROAD, SOUTHEAST OF AND ABUTTING THE CITY OF HAINES CITY, IN SECTIONS 05, 06, 07, AND 08, 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-2024-6 is an Applicant-initiated request to change Section 2.130-E1 Grenelefe Utility Enclave Area (UEA) revise land use and development totals and related policies for property designated Residential Low-X (RLX), Residential Medium-X (RMX), Residential High-X (RHX), Tourist Commercial Center-X (TCCX), Development of Regional Impact-X (DRIX), and add location criteria for Neighborhood Activity Center-X (NACX), and remove the requirement for a Planned Development. This case is related to a Comprehensive Plan map amended (LDCPAL-2024-5) on 526± acres. LDCT-2024-10 is a companion Land Development Code Text Amendment. (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 October 2, 2024; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on November 5, 2024, held an initial public hearing and authorized transmittal of the Amendment to the Florida Department of Commerce (Florida Commerce) for written comment, and

WHEREAS, Florida Commerce, by letter dated [REDACTED], 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 7, 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 Comprehensive Plan of Ordinance No. 92-36, as amended, (the “Polk County Comprehensive Plan”) is hereby amended to reflect the amended text displayed in Attachment “A” with added text shown as underlined and deleted text with a strikethrough.

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.

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 7th day of January 2025.

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

SECTION 2.130-E1 GRENELEFE UTILITY ENCLAVE AREA.

The Grenelefe Utility Enclave Area (UEA) ~~is~~ was first adopted in the Comprehensive Plan by Ordinances 08-031 and 08-032 to recognize the existing developed Grenelefe DRI and to update and revitalize the community by allowing for redevelopment and growth. The Grenelefe Resort and Convention Center was originally constructed in 1979 as part of is a a mixed-use DRI, primarily oriented towards retirees, tourists, and conventions. The approved Grenelefe DRI consists of 971 acres and 1,359 units (as indicated in the approved PUD73-19) and is considered to be built-out. There is an executed "Essentially Built-Out Agreement" ~~that is currently being negotiated between~~ the Department of Community Affairs (now Florida Commerce) and the property owner, developer, their successors and assigns, and Polk County (of the convention center and golf courses) that will show states the DRI has met all of its development obligation. ~~This shall be executed prior to any new development.~~ The table below represents the existing DRI use, acreages, and number of units at the time of the Comprehensive Plan adoption of amendments creating the Grenelefe UEA:

Table 2.130-E1-A – Existing Grenelefe DRI Development

Existing Grenelefe DRI		
LAND USE	ACREAGE	UNITS
Rental Condominiums	243	780
Condominiums	14	94
Townhouses	42	161
Single Family Houses	67	118
Country Homes	43	92
Golf & Lake Villas	38	114
Golf Courses	467	54 holes
Clubhouse/Recreation/Marina	33	N/A
Maintenance Area	24	N/A
TOTAL	971	1,359

The ~~existing resort property~~ is to be redeveloped as consist with the existing development pattern of the surrounding property a premier tourist/convention destination; therefore the DRI Future Land Use category is no longer appropriate. The Grenelefe UEA ~~will combine~~ combined the original DRI acreages and existing DRI units with 276 acres of Additional Property (located adjacent to the south). Any further development or redevelopment within the Grenelefe UEA shall follow the guidelines of the elements of this section of the Comprehensive Plan and shall be reviewed according to the County's Land Development Code, any applicable state, and local laws. Additional development shall be subject to the following overall limitations applicable to the total new development within the Grenelefe UEA:

USE	Maximum Limitation
Resort Residential Units	1,753
Multi-Family (Workforce Housing)	120

Hotel Rooms	300
Convention Center	*50,000 gross square feet
Other Non-Residential Uses (Commercial-Retail)	60,000 gross square feet
*Does not include existing 50,000 square foot convention center.	

Table 2.130-E1-B

<u>Use</u>	<u>Maximum Development</u>
<u>Single family detached</u>	<u>1,700 units</u>
<u>Multi-family (townhomes and single family attached)</u>	<u>246 units</u>
<u>Non-residential development* (not including golf course and recreation amenities)</u>	<u>60,000 gross square feet</u>
<u>*Non-residential development will be permitted based on the use table in Chapter of the Land Development Code for Grenelefe</u>	

The density limitations allowable development set forth above in Table 2.130-E1-B, applies only to new development within the Grenelefe UEA after the date of adoption of LDCPAL-2024-6 (January 7, 2025) CPA-08A-14, and does not include existing platted vacant lots within the Grenelefe UEA or the units in 2.130-E1.A of the Existing Grenelefe DRI as of the date of the adoption of the Comprehensive Plan Amendment creating the Grenelefe UEA. The areas designated TCCX, remaining after the adoption of LDCPAL-2024-6, are exclusive of entitlements in Table 2.130-E1-B and development shall be in accordance with the normal development standards listed in the Land Development Code for TCCX and the specific regulations for Grenelefe.

GOAL 2.130-E1: Provide for the redevelopment of Grenelefe Resort development and Additional Property as a premier Resort/Convention Community in Polk County.

OBJECTIVE 2.130-E1.1: Development within the Grenelefe Utility Enclave Area (UEA) shall occur in accordance with the policies stated within this section in addition to all other policies within the Future Land Use Element and other elements of the Comprehensive Plan not in conflict with these policies.

POLICY 2.130-E1.1A: The Grenelefe UEA is established as designated on the Future Land Use Map Series. Land use categories shall be designated on the Future Land Use Map (FLUM) which is included as part of the Future Land Use Map Series. The Grenelefe UEA includes the historic area of Grenelefe (DRI) as well as the Additional Property as shown in the FLUM. ~~All development within the historic area of the Grenelefe DRI shall be reviewed as part of a Planned Development.~~ All development within the Grenelefe UEA, including the one limitation for the Additional Property in the next sentence, shall be reviewed and approved in accordance with this section of the Comprehensive Plan, the Land Development Code provisions for the Grenelefe UEA, and other elements of the Comprehensive Plan, and Land Development Code provisions. Any development of the Additional Property that is either (1) in excess of four (4) dwelling units per acre or (2) has lot widths less than 50 feet wide that cannot meet the requirements of Section 822. B of the Land Development Code, shall require a Planned Development approval.

POLICY 2.130-E1.1B: Land Uses within the Grenelefe UEA will be a mix of uses to provide a diversity of residential and commercial ~~tourist/vacation-oriented~~ uses. Uses allowed will consist of low, medium, and high density residential, ~~resort residential~~, hotel, restaurant, retail, recreation, marina, utilities accessory and ancillary uses, and be further defined in the Land Development Regulations. Land Use Designations are to include:

Development of Regional Impact (DRIX): The DRI designation remained on the majority of the golf course due to the impacts on water and sewer. LDCPAL-2024-6 changed the majority of the DRIX designation to RLX. However, one parcel remains DRI and so to provide similar property rights, the Land Development Code will reflect uses consistent with its location. ~~One the existing water and wastewater plant has been expanded and has the permitted and plant capacities to handle additional development, then the applicant may request to change the land use for those portions designated DRI.~~

Neighborhood Activity Center "X" (NACX): The purpose of the NACX is to provide for the daily shopping needs of residents within neighborhoods surrounding the center. The NACX policies applicable to the Grenelefe UEA is the same as listed under Objective 2.110-D. However, the minimum population support of 5,000 people within a mile and a half has not been met in 2024. Therefore, any development proposed over 5 acres, cumulative, will requiring demonstrating existing population of 5,000 people.

Preservation "X" (PRESVX): This land use shall be as provided in Section 2.118 except that the following additional permitted development and uses shall be allowed: (1) when necessary for golf course routing and circulation, which shall only include elevated golf cart paths allowing motorized golf carts and which otherwise meet the development criteria for Wetland-Protection Areas set forth in Section 2.125-C2 as not impacting the wetlands and the permitting criteria imposed by SWFWMD for such structures located in wetland areas; and (2) roadways for internal traffic circulation, where other alternatives do not exist, or for purposes of public safety. The PRESVX boundary lies in its general location on the FLUM but shall be finally determined by a wetlands delineation survey.

Residential Low "X" (RLX): RLX includes single family detached and attached residential units that may be included in the rental pool (resort residential). Any resort residential shall be requested as a conditional use Level 3 (C3) Review per the requirements of the Land Development Code. Development within RLX shall have a maximum density of five (5) dwelling units per gross acre.

Residential Medium "X" (RMX): RMX includes single family detached and attached and multifamily units that may be included in the rental pool (resort residential). Any resort residential shall be requested as a conditional use Level 3 (C3) Review per the requirements of the Land Development Code. Development within RMX shall have a maximum density of seven (7) units per gross acre.

Residential High "X" (RHX): RHX includes multi-family units that may be included in the rental pool (resort residential). Any resort residential shall be requested as a conditional use Level 3 (C3)

Review per the requirements of the Land Development Code. Development shall have a maximum density of 10 units per gross acre.

Tourist Commercial Center "X" (TCCX): The original purpose of the TCCX was is to provide for the tourist, recreational needs and activities for short term, seasonal and second home visitor to Polk County. The TCCX includes attached and detached residential resort dwelling units as well as non-residential uses such as ~~hotel, convention~~, golf, tennis, pools, shops, restaurants, employee housing (workforce) and convenience shops. General characteristics of the development in the TCCX are:

Usable area: 10 acres or more.

Typical Uses: Hotel, convention center, golf course, restaurants, entertainment, shops, tennis, pools, marinas, low, medium and high density resort residential units and supportive workforce housing.

FAR: The FAR applicable to the TCCX shall be 1.0.

POLICY 2.130-E1.1C: ~~Development within the existing Grenelefe, approved as part of the Preexisting Planned Unit Development (PEPUD), shall be processed as an amendment to a PEPUD. The Additional Property is not subject to the PEPUD. Nevertheless,~~ Residential densities and nonresidential intensities within the Grenelefe UEA will be designated in accordance with the Future Land Use Map (FLUM), the Comprehensive Plan, and the Land Development Code.

POLICY 2.130-E1D: Pursuant to Policy 2.107-A5, development with the Grenelefe UEA will be consistent with the following criteria:

- a. Non-Residential and Residential Development - All new development shall be required to connect to centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met.
- b. The area known as the Grenelefe DRI is currently served by an existing water and sewer plant. The existing water and wastewater plant currently serve approximately 1,500 existing residential units including single family homes, townhomes and condominiums as well as the existing resort conference center and golf courses. Any additional development (excluding the additional property) other than that described above shall not be permitted until the existing water and wastewater plant has permitted and plant capacity to provide services for additional development; and
- c. The Additional Property is located in its general terms as south of SR 546 and south of the developed portion of Grenelefe and is within the Utility Service Area for the City of Haines City. The provision of water and wastewater services for the area of the Grenelefe UEA that is within the Utility Service Area for the City of Haines City shall be consistent with the Interlocal Agreement between the Polk County and the City of Haines City. This Agreement provides that the City of Haines City has the right to serve the development with water and wastewater services to development within their Utility Service Area. If Haines City is unable to provide service, then public water and wastewater service shall be provided according to applicable law.