



AGENDA
CITY OF HAINES CITY, FLORIDA
PLANNING COMMISSION MEETING

June 9, 2025, 4:00 p.m.
City Hall Commission Chambers
620 E. Main Street, Haines City, FL 33844
Phone: 863-421-9921 Web: hainescity.com

NOTICE – Pursuant to Section 286.0105 of the Florida Statutes, if any person decides to appeal any decision made by the City Commission with respect to any matter considered at this public meeting, such person will need a record of the proceedings and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

For special accommodations, please notify the City Clerk's Office at least 72 hours in advance.

Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office. In accordance with the Americans with Disabilities Act (ADA), persons with a disability, such as a vision, hearing or speech impairment, or persons needing other types of assistance, and who wish to attend City Commission meetings or any other board or committee meeting may contact the City Clerk's Office in writing, or may call 863-421-9921 for information regarding available aids and services.

Pages

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **MINUTES TO ACCEPT**
5. **NEW BUSINESS**

5.a Ordinance No. 25-2105 – Major Modification of the RPUD for Scenic Terrace North

7

Forward an approval of Ordinance No. 25-2105, regarding a major modification to the RPUD for Scenic Terrace North.

Staff Contact: Richard Greenwood, Development Services Director

Recommended Motion:

Staff recommends approval of Ordinance No. 25-2105, on first reading, regarding a major modification to the Scenic Terrace North RPUD, by including an increase of 27 units and recreation space reduction, with the following conditions:

1. The recreational amenities should be identified and detailed on site construction plans prior to approval.
2. All other requirements set forth in Ordinance No. 22-1785 shall be made part of this Ordinance No. 25-2105.

5.b Ordinance No. 25-2114 –

18

Consider text amendments to the Land Development Regulations Chapter 5 – Zoning.

Staff Contact: April Brown, Planning Manager

Recommended Motion:

Request for Planning Commission to recommend approval to the City Commission of Ordinance No. 25-2114, for text amendments to the Land Development

6. PUBLIC COMMENTS

7. STAFF COMMENTS

8. ADJOURNMENT



PLANNING COMMISSION MEETING HAINES CITY, FLORIDA

MINUTES

April 14, 2025, 4:00 p.m.

City Hall Commission Chambers

620 E. Main Street, Haines City, FL 33844

Phone: 863-421-9921 Web: hainescity.com

Present: Earle Lee
Louie McLean
Joseph Hamilton

Absent: Charles Anderson
Brian Stokes
Debra Smith
Eddie Perez

1. CALL TO ORDER

The Planning Commission Meeting was called to order at TIME on DATE in the City Commission Chambers, located at 620 E Main Street, Haines City, FL.

2. INVOCATION

Dr Lee provided the invocation

3. PLEDGE OF ALLEGIANCE

Dr Lee Led the Pledge

4. MINUTES TO ACCEPT

March 10, 2025 - Planning Commission Meeting

Staff Contact: Sharon Lauther, MMC, City Clerk

Lee motioned

Joseph Second

Motion carried

5. NEW BUSINESS

5.a Ordinance No. 25-2105 – Major Modification of the RPUD for Scenic Terrace North

Grace presented this item.

Absolute Engineering, Inc., on behalf of the property owner, Albert B. Cassidy, applied for a Major Modification to the Scenic Terrace North RPUD plan (Ordinance 22-1785). The Polk County Property Appraiser Parcel number for the proposed land, including additional lots are: 272809-822005-022140; 272809-822005-022150; 272809-822005-022160. Said Major Modification affecting certain parcels contains approximately 8.4781+/- acres and is located north of Hughes Road, south of Floyd, and west of Scenic Highway (SR 17), Haines City Florida 33844.

This proposed major modification for the planned unit development will include 27 additional lots alongside a retention and recreation area. These additional lots meet current residential planned unit development standards of 60%, 52-foot lots, 20%, 60-foot lots, and 20%, 70-foot lots. There will be 15 lots of 52' in width, 6 lots of 60' in width, and 6 lots of 70' in width. An adjustment to the recreation area of 8.64 acres has been reduced to 4.25 acres, which still complies with the minimum standards of neighborhood recreation space in our Land Development Regulation (Sec. 13.3.7).

Relevant Project Data & Proposed Standards

- Number of Units - Maximum of 357

- Roadways - 22 feet wide with 2' Miami curb and gutter
- Utilities - Cable TV, telephone, gas, and electric to be located underground and within a 14-foot utility easement on both sides of the street. Utilities to be provided by Polk County.
- Sidewalks - 5' sidewalks installed on each side of the 22-foot-wide interior streets.
- Landscaping - All City codes for landscaping will be met or exceeded.
- Neighborhood Park/Open Space – 4.25 +/- acres
- Setbacks:

Front- 15 feet

Garage - 20 feet

Rear - 10 feet

Interior Side – 6 feet

Front Side (Corner)- 15 feet

- Accessory - 5 feet
- Minimum Unit Width – 52 feet
- Minimum Lot Depth – 115 feet
- Maximum Impervious Surface Ratio – not to exceed 50%
- Minimum Living Space – A maximum of 10% of the units having a minimum living space area of 1,250 sf, 90% will have a minimum of 1,400 SF living space area.
- Minimum Garage Size – 400 square feet

Moved by Joseph Hamilton

Seconded by Earle Lee

Staff recommends approval of Ordinance No. 25-2105, on first reading, regarding a major modification to the Scenic Terrace North RPUD, by including an increase of 27 units and recreation space reduction, with the following conditions:

1. The recreational amenities should be identified and detailed on site construction plans prior to approval.
2. All other requirements set forth in Ordinance No. 22-1785 shall be made part of this Ordinance No. 25-2105.

Carried

6. PUBLIC COMMENTS

none

7. Board Comments

None

8. ADJOURNMENT

Without any further business the meeting was adjourned at 4:07.

_____, Chair

Sharon Lauther, MMC, City Clerk



HAINES CITY

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PLANNING COMMISSION

To: The Honorable Chairman and Planning Commissioners

Through: Richard Greenwood, Development Services Director

From: Grace Malpartida, Planner

Date: June 9, 2025

Subject: Ordinance No. 25-2105 – Major Modification of the RPUD for Scenic Terrace North

Executive Summary

Forward an approval of Ordinance No. 25-2105, regarding a major modification to the RPUD for Scenic Terrace North.

Staff Contact: Richard Greenwood, Development Services Director

Introduction

The intent of this item is to forward an approval of Ordinance No. 25-2105, regarding a major modification to the Scenic Terrace North RPUD, by including 27 additional lots of which only 12 lots meet current RPUD standards.

Background

Absolute Engineering, Inc., on behalf of the property owner, Albert B. Cassidy, applied for a Major Modification to the Scenic Terrace North RPUD plan (Ordinance 22-1785). The Polk County Property Appraiser Parcel number for the proposed land, including additional lots are: 272809-822005-022140; 272809-822005-022150; 272809-822005-022160. Said Major Modification affecting certain parcels contains approximately 8.4781+/- acres and is located north of Hughes Road, south of Floyd, and west of Scenic Highway (SR 17), Haines City Florida 33844.

This proposed major modification for the planned unit development will include 27 additional lots alongside the retention and recreation area. Of the proposed additional lots, all lots will meet current residential planned unit development standards of width which is 60%, 52-foot lots, 20%, 60-foot lots, and 20%, 70-foot lots. There will be 15 lots of 52' in width, 6 lots of 60' in width, and 6 lots of 70' in width. Likewise, only 12 lots of the proposed lots will meet current lot depth standards of 115' and rear setback of 15. Of the proposed 27 lots, 15 lots will have a depth of 110' due to physical restraints and a

rear setback of 11.25'. The rear setback adjustment is undergoing an administrative waiver process. An adjustment to the recreation area of 4.25 acres has been reduced to 4.19 acres, which still complies with the minimum standards of neighborhood recreation space in our Land Development Regulation (Sec. 13.3.7).

Relevant Project Data & Proposed Standards

- Number of Units - Maximum of 357 total (27 lots this modification)
- Roadways - 22 feet wide with 2' Miami curb and gutter
- Utilities - Cable TV, telephone, gas, and electric to be located underground and within a 14-foot utility easement on both sides of the street. Utilities to be provided by Polk County.
- Sidewalks - 5' sidewalks installed on each side of the 22-foot-wide interior streets.
- Landscaping - All City codes for landscaping will be met or exceeded.
- Neighborhood Park/Open Space – 4.25 +/- acres
- Setbacks:
 - Front- 15 feet
 - Garage - 20 feet
 - Rear - 15 feet & 11.25 feet
 - Interior Side – 6 feet
 - Front Side (Corner)- 15 feet
- Accessory - 5 feet
- Minimum Unit Width – 52 feet
- Minimum Lot Depth – 110 feet & 115 feet
- Maximum Impervious Surface Ratio – not to exceed 50%
- Minimum Living Space – A maximum of 10% of the units having a minimum living space area of 1,250 sf, 90% will have a minimum of 1,400 SF living space area.
- Minimum Garage Size – 400 square feet

Development Summary

- Modification Area of Project Size – 8.47+/-
- Estimated Taxable Value - \$2,700,000 (assuming 27 units @ \$100,000)
- Estimated City Tax Receipts - \$20,491.65 (based on Estimated Taxable Value x 0.0075895 net taxable value per unit)

Organizational Goal(s)

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

Budget Impact

There is no budget impact for the 2024-2025 fiscal year.

Recommendation

Staff recommends approval of Ordinance No. 25-2105, on first reading, regarding a major modification to the Scenic Terrace North RPUD, by including an increase of 27 units and recreation space reduction, with the following conditions:

1. The recreational amenities should be identified and detailed on site construction plans prior to approval.
2. All other requirements set forth in Ordinance No. 22-1785 shall be made part of this Ordinance No. 25-2105.

ORDINANCE NO. 25-2105

AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA, AMENDING ORDINANCE NO. 03-1060, BY AMENDING THE ZONING MAP OF THE CITY FOR A MAJOR MODIFICATION TO THE SCENIC TERRACE NORTH DEVELOPMENT RESIDENTIAL PLANNED UNIT DEVELOPMENT(RPUD); PROPERTY PARCELS ARE LOCATED NORTH OF HUGHES ROAD, SOUTH OF FLOYD ROAD, AND WEST OF SCENIC HIGHWAY (SR 17), HAINES CITY, FL; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR ZONING DESIGNATION AND CONDITIONS; PROVIDING FOR A COPY TO BE KEPT ON FILE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 163, Florida Statutes, empowers the City Commission to prepare and enforce Land Development Regulations for the implementation of the adopted Haines City Comprehensive Plan; and

WHEREAS, the City Commission adopted Ordinance No. 13-1457 Land Development Regulations, to implement the adopted Haines City Comprehensive Plan; and

WHEREAS, the adopted Haines City Land Development Regulations contain Chapter 5 Zoning, including a zoning map; and

WHEREAS, the applicant has requested a Major Modification to the RPUD for Scenic Terrace North subdivision, (Ordinance No. 22-1785), to include 27 lots at the current RPUD standards and affects 8.47+/- acres of the project; and

WHEREAS, the Haines City Planning Commission, at an advertised public hearing

on April 14, 2025, as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input, and recommended that the City Commission amend the Zoning Map for the requested Major Modification to the Residential Planned Unit Development (RPUD); and

WHEREAS, the Haines City Planning Commission, at an advertised public hearing on June 9, 2025 as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input, and recommended that the City Commission amend the Zoning Map for the requested Major Modification to the Residential Planned Unit Development (RPUD); and

WHEREAS, the overall property consists of a gross land mass of 109.68 +/- acres, which shall consist of a maximum of 357 lots, and is located north of Hughes Road, south of Floyd, and east and west of Scenic Highway (SR 17), in Haines City, Florida; and

WHEREAS, this major modification consists of a gross land mass of 8.47 +/- acres, which is contained within the overall land mass of 109.68 +/- acres and shall consist of a maximum of 27 lots, and is located north of Hughes Road, south of Floyd, and east and west of Scenic Highway (SR 17), in Haines City, Florida; and

WHEREAS, the property consists of the following parcels and legal descriptions as described in Exhibit “A”; and

WHEREAS, in the exercise of its authority, the City Commission of the City of Haines City, Florida has determined it necessary and desirable to amend the zoning map contained in Chapter 5 and Chapter 6 of the Land Development Regulations adopted originally by Ordinance 796, and subsequently amended by Ordinance 13-1457 consistent

with the public interest within Haines City, Florida.

**NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE
CITY OF HAINES CITY, FLORIDA:**

Section 1. Incorporation of Recitals. The above recitals are true and correct and are incorporated herein by reference.

Section 2. Approval of the Major Modification to the RPUD and Conditions.

The City Commission of Haines City (the "City Commission") hereby approves the Zoning Map for the property described below as a Major Modification to the Residential Planned Unit Development (RPUD) of Scenic Terrace North RPUD described as follows in Exhibit "A" (Legal Description) and Exhibit "B" (Approved RPUD Plan).

Section 3. Modifications to the Scenic Terrace North RPUD. The City Commission hereby approves the following additional and modified conditions for the Scenic Terrace North RPUD as modifications to the conditions set forth in Ordinance No. 22-1785:

1. Approval of this Major Modification does not release the applicant from meeting the requirements of all applicable sections of Haines City's Land Development Regulations, Code of Ordinances, and Growth Management Plan.
2. The Major Modification creates twenty-seven (27) additional lots at the current RPUD width standards for fifteen (15) lots at 52' (60%), six (6) lots at 60' (20%), and six (6) lots at 70' (70%) and reduces the recreation area to 4.19+/- acres, which still complies with the minimum standards. This said modification will also create 15 of the 27 lots with a depth of 110 feet and a rear setback of 11.25.

The remaining 12 lots will meet the current RPUD depth standard of 115 feet, with a rear setback of 15 feet. The adjustment of the rear setback for the 15 lots at 110' in depth will be requested through the Administrative Waiver process.

3. The maximum number of single-family detached residential homes will be 357 units.
4. The recreational amenities should be identified and detailed on site construction plans prior to approval.
5. All other conditions set forth in Ordinance No. 22-1785, remain in force and effect.

Section 4. Severability. The provisions of this Ordinance are severable; and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Commission's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

Section 5. Copy of Ordinance to be kept on file. The City Clerk shall keep and retain a copy of this Ordinance on file.

Section 6. Repeal or modification of RPUD if construction not commenced. Failure to commence construction within two (2) years of the effective date of the adoption of RPUD zoning set forth in this Ordinance shall be grounds for the City, at its discretion, to initiate a rezoning of the subject property. In such event, the Planning Commission may recommend to the City Commission (i) that the subject property be returned to its previous zoning classification, (ii) that the RPUD be modified, or (iii) that the RPUD be retained in its current form.

Section 7. Repeal of Ordinance in Conflict. All other ordinances of the City of

Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 8. Effective Date. This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval and adoption by said Commission, and when certified as to passage.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 3rd day of July.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

Morris West, Mayor-Commissioner

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

PASSED on second and final reading by the City Commission of the City of Haines, Florida, at regular session this 17th day of July, 2025.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

Omar Arroyo, Mayor-Commissioner

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

Exhibit "A"

LEGAL DESCRIPTION

Parcel Number: 272809-000000-031060, 272809-000000-033010, 272809-000000-033030, 272809-000000-033040 (Per Book 1178S, Page 1771-1774):

Parcel 1:

A portion of the following described property lying West of State Road No. 17: A strip of former Haines City Branch Right-of-Way at or near Dundee, Polk County, Florida, more particularly described as follows: For a point of reference, Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 4, Township 28 South, Range 27 East, Polk County, Florida; thence run Easterly along the South line of said Section 4, a distance of 490 feet, more or less, to a point in the center line of the former main track Right-of Way (a 130-foot Right-of-Way); thence Southwesterly along said Right-of-Way center line, a distance of 290 feet, more or less, to the Point of Beginning; thence continue Southwesterly along said Right-of Way center line, the width of 65 feet on the South side thereof and 35 feet on the North side thereof, a distance of 750 feet, more or less, being in Section 9, Township 28 South, Range 27 East, Polk County Florida, and LESS AND EXCEPT any portion that. may lie within the property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209, Page 597, Public Records of Polk County, Florida.

Parcel 2:

The NE 1/4 of the NW 1/4 of the NW 1/4, Lying South of Maintained Right of Way for Floyd Road, in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS County maintained road rights-of-way for Floyd Road and Palmeroy Road.

Parcel 3:

The E 3/4 of the S 1/2 of the NW 1/4 of NW 1/4 in Section 9, Township 28 South, Range 27 East, Polk County, Florida, and LESS County maintained road rights-of-way for Palmeroy Road.

Parcel 4: The NE 1/4 of the NW 1/4 of the NW 1/4 lying North of Maintained Right of Way for Floyd Road, in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS County maintained road rights of way for Floyd Road.

Parcel Number: 272809-000000-031010, 272809-000000-031040 (Per Book 1178S, Pages 1287 - 1290):

Parcel 1:

The Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT and subject to Right-of-Ways, AND LESS AND EXCEPT and subject to maintained Right-of-Ways.

Parcel 2:

The Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4, lying West of the former railroad, being in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS Highway 27 Right-of-Way, AND LESS maintained Right-of-Way, AND LESS AND EXCEPT any portion that may lie within the property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209 Page 597, Public Records of Polk County, Florida.

Parcel Number: 272809-000000-031030, 272809-000000-031050, 272809-000000-031020 (Per Book 11785, Pages 1854 - 1857):

Parcel 1:

The Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4, South and East of the former railroad, and the Southeast 1/4 of the Northeast 1/4 of the Northwest 1/4, East of the former railroad, and the East 1/2 of the Southeast 1/4 of the Northwest 1/4, East of the former railroad, all in Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT right of way and maintained right of way and LESS Highway 27.

Parcel 2:

The South 1/2 of the Northeast 1/4 of the Northwest 1/4 lying West of the former railroad, AND the West 1/2 of the Southeast 1/4 of the Northwest 1/4, LESS right of way and LESS maintained right of way, AND LESS maintained right of way on West and South side, Section 9, Township 38 South, Range 27 East, Polk County, Florida, and LESS AND EXCEPT any portion that may lie within the former railroad, and LESS AND EXCEPT any portion that may lie within property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209 Page 597, Public Records of Polk County, Florida.

Parcel 3:

That part of the former Seaboard Coastline Railroad right of way lying in the West 1/2 of Section 9, Township 28 South, Range 27 East, Polk County, Florida, Described as: Commence at the North 1/4 corner of said Section 9, said corner also being the Southwest corner of the Southeast 1/4 of Section 4, Township 28 South, Range 27 East and run N 88°26'30" E along the North boundary of said Section 9, 494.76 feet to the centerline of right of way said former railroad right of way; thence S 47°11'38" W along said centerline 674.37 feet to the beginning of a curve concaved Southeasterly, having a radius of 1910.08 feet, a chord distance of 365.07 feet and a chord bearing of S 41°42'37" W; thence Southwesterly along the arc of said curve, 365.63 feet to the Point of Beginning; thence S 53°46'25" E, 65.00 feet to a point on the Southeasterly right of way of said former railroad right of way, said point being on a curve concaved Southeasterly, having a radius of 1845.08 feet, a chord distance of 1287.08 feet and a chord bearing of S 15°48'48" W; thence Southwesterly along the arc of said curve, an arc distance of 1314.72 feet to the end of said curve; thence S 04°36'00" E, 1344.26 feet to the South boundary of the North 1/2 of the Northeast 1/4 of the Southwest 1/4 of said Section 9; thence S 88°43'39" W, 100.17 feet; thence N 04°36'00" W, 1338.45 feet to the beginning of curve concaved Southeasterly having a radius of 1945.08 feet; a chord distance

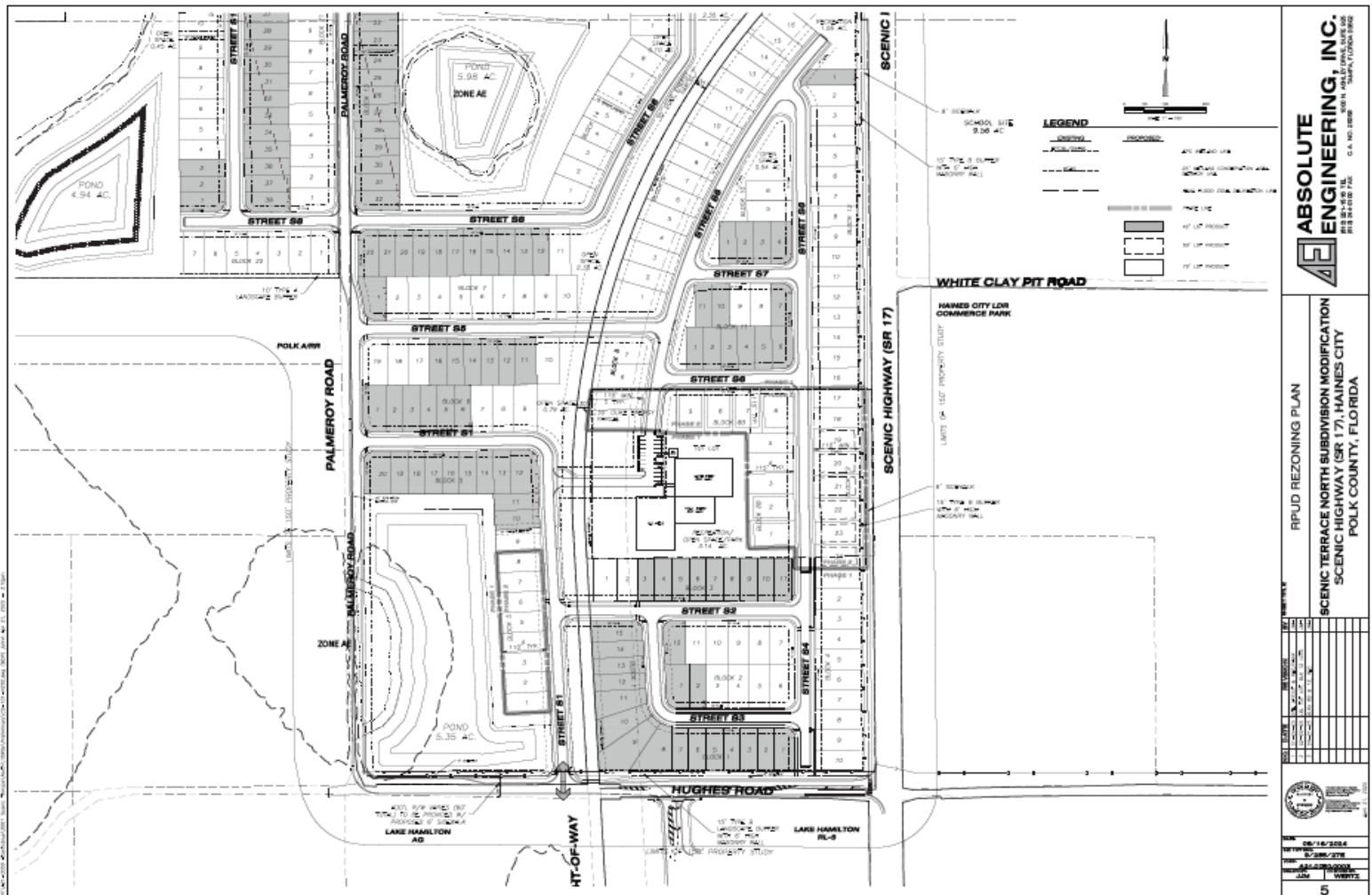
of 1356.84 feet and a chord bearing of 15°48'48" E; thence Northeasterly along the arc of said curve, an arc distance of 1385.98 feet; thence S 53°46'25" E 35.00 feet to the Point of Beginning, LESS AND EXCEPT Hughes Road and that portion lying South of Hughes Road, and LESS AND EXCEPT any portion that may lie within the property conveyed to Florida Power Corporation in deed recorded in O.R. Book 2209, Page 597, Public Records of Polk County, Florida.

Parcel Number: 272809-000000-013090(Per Book 11545, Page 1745 - 1746):

The SW 1/4 of the NW 1/4 of the NE 1/4 of Section 9, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT State Road right of way.

CONTAINING 109.68 +/- ACRES, MORE OR LESS

Exhibit “B”





HAINES CITY

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CITY MANAGER MEMORANDUM

To: The Honorable Chairman and Planning Commissioners

Through: Richard Greenwood, Development Services Director

From: April Brown, Planning Manager

Date: June 9, 2025

Subject: Ordinance No. 25-2114 –Text Amendments to the Land Development Regulations – Chapter 5 – Zoning.

Executive Summary

Consider text amendments to the Land Development Regulations Chapter 5 – Zoning.

Staff Contact: April Brown, Planning Manager

Introduction

The intent of the item to request amendments to the Land Development Regulations Chapter 5 – Zoning, as follows:

Chapter 5 – Sec. 5.6.11. – Central Business District (CBD)	Revised language regarding an Administrative Conditional Use for townhomes.
Chapter 5 – Zoning, Section 5.6.12 – Central Business District Extra (CBDX)	Revised language regarding an Administrative Conditional Use for townhomes.

Organizational Goal(s)

Economic: Foster an environment that attracts economic opportunity and sustains economic viability.

Budget Impact

There is no budget impact for the 2024-2025 Fiscal Year.

Recommendation

Request for Planning Commission to recommend approval to the City Commission of Ordinance No. 25-2114, for text amendments to the Land Development Regulations, Chapter 5 – Zoning, regarding Administrative Conditional Uses being required for townhomes.

ORDINANCE NO. 25-2114

**AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA;
AMENDING THE LAND DEVELOPMENT REGULATIONS OF
THE CITY OF HAINES CITY, FLORIDA, ADOPTING TEXT
AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS
OF THE CITY BY ADOPTING REVISIONS TO CHAPTER 5 –
ZONING; PROVIDING FOR SEVERABILITY; PROVIDING FOR
CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT
HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Chapter 163, Florida Statutes, empowers the City Commission of the City of Haines City, Florida to prepare and enforce Land Development Regulations for the implementation of the adopted Haines City Comprehensive Plan; and

WHEREAS, the City Commission adopted Ordinance No. 796, Land Development Regulations to implement the adopted Haines City Comprehensive Plan; and

WHEREAS, the Haines City Planning Commission, at an advertised public hearing as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input and recommended that the City Commission adopt specific changes in the Land Development Regulations; and

WHEREAS, the City Commission of the City of Haines City, Florida considered all oral and written comments received during advertised public hearings, and the recommendations of the Haines City Planning Commission; and

WHEREAS, in exercise of its authority, the City Commission of the City of Haines City, Florida has determined it necessary and desirable to adopt specific changes in the Land Development Regulations consistent with the public interest within Haines City, Florida.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF HAINES CITY, FLORIDA, AS FOLLOWS:

Section 1. Amendment to the Land Development Regulations of Haines City, Florida. The City Commission hereby amends portions of Chapter 5 – Zoning, of Haines City, Florida, as follows by strike through for removal and underline for additions format and shall be effective as set forth below:

SEE ATTACHED AS EXHIBIT A

Section 2. Severability. The provisions of this Ordinance are severable; and, if any section, sentence, clause, or phrase is for one reason held to be unconstitutional, invalid or ineffective, this holding shall not affect the validity of the remaining portions of this Ordinance, it being expressly declared to be the City Commission's intent that it would have passed the valid portions of this Ordinance without inclusion of any invalid portion or portions.

Section 3. Codification. The Ordinance shall be codified and made a part of the official Code of Ordinances, Land Development Regulations, or Charter of the City of Haines City.

Section 4. Repeal of Ordinance in Conflict. All other ordinances of the City of Haines City, Florida, or portions thereof which conflict with this or any part of this Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall take effect immediately upon it being read in two meetings of the City Commission of the City of Haines City, its approval, and adoption.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 3rd day of July, 2025.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

Morris West, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

PASSED on second and final reading by the City Commission of the City of Haines City, Florida, at regular session this 17th day of July, 2025.

ATTEST:

APPROVED:

Sharon Lauther, MMC, City Clerk

Morris West, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

EXHIBIT A

PROPOSED LAND DEVELOPMENT REGULATIONS
TEXT AMENDMENTS

CHAPTER 5. ZONING.

ARTICLE 6. SCHEDULE OF DISTRICT REGULATIONS.

Sec. 5.6.11. CBD, CENTRAL BUSINESS DISTRICT.

D. PROHIBITED USES AND STRUCTURES.

1. One and two family dwellings, except as provided under 5.6.11.C. Permitted Accessory Uses and Structures or as provided under 5.6.11.P administrative conditional use.

P. ADMINISTRATIVE CONDITIONAL USE.

These uses are permitted by a waiver granted by the administrative official, with denials of an administrative waiver appealable to the city commission.

1. Sign, electronic community bulletin board. Permitted subject to the following conditions:
 - a. Located on arterial or collector roadways.
 - b. Maximum height eight feet, maximum width 12 feet and designed as a monument sign.
 - c. Maximum size for electronic bulletin board is 20 square feet.
 - d. All signs will need to be brought into conformity.
 - e. Bulletins shall be incidental in the principal use.
 - f. No off premise signs will be permitted.
 - g. The applicant must own the property on which the sign is to be located.
 - h. Color and intensity of illumination shall be appropriate for the specific site and sign location.
 - i. Illumination shall be limited to a maximum of 11 watt incandescent bulbs and limited to the hours between 6:00 a.m. to 11:00 p.m.
 - j. The base of the monument sign shall be landscaped with appropriate shrubbery and ground material as approved by the technical review board.

- k. Subject to any other condition deemed appropriate by the administrative official or the city commission including but not limited to hours of operation and level of illumination.
- 2. Adult Education Facilities (Small).
- 3. Private School (Small).
- 4. Multi-family providing the location of the required parking is designated either in an off-street or on-street location.

5. Single-Family Attached, three (3) or more townhome units.

- ~~5.~~ 6. Outdoor display and storage. Outdoor display or storage of merchandise for sale or rent may be permitted by conditional use permit subject to the following conditions:
 - a. The location and extent of outdoor storage and display areas are identified on a site plan and are approved as part of the conditional use.
 - b. Display and storage areas are subordinate in area and incidental to permitted principal
 - c. Outdoor storage areas shall be effectively screened by a solid fence or commercial grade. 70 percent opaque, mesh material applied to a fence.
 - d. Display and storage areas shall be paved according to the standards of the Land Development Regulations.
 - e. Outdoor display areas shall be indicated on the site plan as permanent or temporary and approved as part of the conditions of approval.
 - f. Additional landscaping and/or site enhancements may be required as part of the site plan to insure site compatibility or improve visual screening.
 - g. A minimum of five-foot-wide clearance on the sidewalk and/or walkway shall be required.
 - h. All propane tanks and other related-type vending stations shall be properly enclosed or secured to avoid any potential hazards.

Sec. 5.6.12. CBDX, CENTRAL BUSINESS DISTRICT EXTRA.

D. PROHIBITED USES AND STRUCTURES.

1. One and two family dwellings, except as provided under 5.6.11~~12~~.C. Permitted Accessory Uses and Structures or as provided under 5.6.12.N administrative conditional use.

N. ADMINISTRATIVE CONDITIONAL USE.

These uses are permitted by a waiver granted by the administrative official, with denials of an administrative waiver appealable to the city commission.

1. Private child care centers may be permitted in accordance with Florida Statutes, subject to the following conditions.
 - a. Must have a minimum of 20 square feet of usable indoor floor space for each child.
 - b. Must have a minimum of 45 square feet of usable outdoor play area for each child. Outdoor play area shall be calculated at the rate of 45 feet per child in any group using the play area at one time. A minimum play area shall be provided for one half of the licensed capacity. This standard applies as long as the child care facility remains licensed at the site occupied on October 1, 1992, and shall not be affected by any change in the ownership of the site.
 - c. A child care facility that does not hold a valid license on October 1, 1992, and seeks regulatory approval to operate as a child care facility must have a minimum of 35 square feet of usable floor space for each child and a minimum of 45 square feet of usable outdoor play area for each child.
 - d. The minimum standard for outdoor play area does not apply in calculating square footage for children under one year of age. However, appropriate outdoor infant equipment shall be substituted for outdoor play space. The center shall provide facilities and equipment conducive to the physical activities appropriate for the age and physical development of the child.

- e. No portion of the fenced play area shall be closer than five feet to any residential lot line not closer than 40 feet to any public street.
 - f. A five-foot high solid masonry wall, or vegetative screening which furnishes equal protection against noise, shall be provided between fenced play areas and residential lot lines in such locations as may be directed by the planning commission.
 - g. All outdoor play activities shall be conducted within the fenced play area, and no outdoor play activities shall be conducted before 8:00 a.m. or after 8:00 p.m.
 - h. All facilities, operation and maintenance shall meet city, county and state requirements of the operation of child care centers.
2. Sign, electronic community bulletin board. Permitted subject to the following conditions:
- a. Located on arterial or collector roadways.
 - b. Maximum height eight feet, maximum width 12 feet and designed as a monument sign.
 - c. Maximum size for electronic bulletin board is 20 square feet.
 - d. All signs will need to be brought into conformity.
 - e. Bulletins shall be incidental in the principal use.
 - f. No off premise signs will be permitted.
 - g. The applicant must own the property on which the sign is to be located.
 - h. Color and intensity of illumination shall be appropriate for the specific site and sign location.
 - i. Illumination shall be limited to a maximum of 11 watt incandescent bulbs and limited to the hours between 6:00 a.m. to 11:00 p.m.
 - j. The base of the monument sign shall be landscaped with appropriate shrubbery and ground material as approved by the technical review board.

- k. Subject to any other condition deemed appropriate by the administrative official or the city commission including but not limited to hours of operation and level of illumination.
- 3. Adult Education Facilities (Small).
- 4. Private School (Small).
- 5. Single-Family Attached, three (3) or more townhome units.