

ORDINANCE NO. 22-2000

AN ORDINANCE OF THE CITY OF HAINES CITY, FLORIDA; AMENDING THE COMPREHENSIVE PLAN OF THE CITY OF HAINES CITY, FLORIDA, BY A LARGE SCALE LAND USE AMENDMENT TO THE LAND USE MAP BY RECLASSIFYING LAND FROM COUNTY AGRICULTURE/RESIDENTIAL RURAL (A/RR) TO CITY LOW DENSITY RESIDENTIAL (LDR) FOR PROPERTIES LOCATED SOUTH OF WHITE CLAY PIT ROAD, NORTH AND SOUTH OF HUGHES ROAD, AND EAST OF DETOUR ROAD, IN HAINES CITY, FLORIDA; THE PROPOSED LAND USE MAP AMENDMENT IS TO RE-DEFINE THE LAND USE OF THE PROPERTIES DESCRIBED THEREIN; PROVIDING FOR INCORPORATION OF RECITALS; PROVIDING FOR APPROVAL OF A LARGE SCALE LAND USE AMENDMENT; 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 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 change the Future Land Use Classification of the subject properties from County Agriculture/Residential Rural (A/RR) to City Low Density Residential (LDR); and

WHEREAS, the property consists of four parcels totaling 78.92± acres, and is located south of White Clay Pit Road, north and south of Hughes Road, and east of Detour Road, in Haines City, Florida; and

WHEREAS, the property consists of the following parcels; Legal Description:

Parcel Number: 272810-000000-021000 (Per Book 10804, Pages 1420 - 1423):

The Northeast 1/4 of the Southeast 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT road right of way.

Parcel Number: 272810-000000-012050 (Per Book 10602, Page 2172):

The SE 1/4 of the SE 1/4 of the NE 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS road right-of-way.

Parcel Number: 272810-000000-012040 (Per Book 11650, Pages 0129 – 0140):

Tract 13: COUNTER WCP

The Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS maintained right of way along the Northerly boundary thereof.

Parcel Number: 272810-000000-012030, 272810-000000-012020 (Per Book 11475, Page 61):

The West 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS maintained right of way on the North and South sides.

AND

The East 1/2 of the West 1/2 of the SE 1/4 of the NE 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS maintained right of way on the North and South sides.

CONTAINING 78.92 ACRES, MORE OR LESS.

WHEREAS, the City of Haines City Planning Commission, at an advertised public hearing on April 11, 2022, as required by Chapter 21 of the Land Development Regulations, has reviewed, heard public input and recommended that the City Commission approve the zoning for the property; 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. Approving Land Use Designation to LDR. The City Commission of Haines City (the "City Commission") hereby approves the Land Use Map classification of Low Density Residential (LDR) for the property described as follows:

Parcel Number: 272810-000000-021000 (Per Book 10804, Pages 1420 - 1423):

The Northeast 1/4 of the Southeast 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS AND EXCEPT road right of way.

Parcel Number: 272810-000000-012050 (Per Book 10602, Page 2172):

The SE 1/4 of the SE 1/4 of the NE 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS road right-of-way.

Parcel Number: 272810-000000-012040 (Per Book 11650, Pages 0129 – 0140):

Tract 13: COUNTER WCP

The Northeast 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS maintained right of way along the Northerly boundary thereof.

Parcel Number: 272810-000000-012030, 272810-000000-012020 (Per Book 11475, Page 61):

The West 1/4 of the Southeast 1/4 of the Northeast 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS maintained right of way on the North and South sides.

AND

The East 1/2 of the West 1/2 of the SE 1/4 of the NE 1/4 of Section 10, Township 28 South, Range 27 East, Polk County, Florida, LESS maintained right of way on the North and South sides.

CONTAINING 78.92 ACRES, MORE OR LESS.

Section 3. Copy of Ordinance to be kept on file. The City Clerk shall keep and retain a copy of this Ordinance on file.

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. 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 6. 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.

INTRODUCED AND PASSED on first reading in regular session of the City Commission of the City of Haines City, this 5th day of May, 2022.

ATTEST:

APPROVED:

Erica Anderson, CMC, City Clerk

Morris L. West, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

PASSED AND ENACTED on second reading in regular session of the City
Commission of the City of Haines City, this 4th day of October, 2022.

ATTEST:

APPROVED:

Erica Sanchez, Interim City Clerk

Anne Huffman, Mayor

APPROVED AS TO FORM AND CORRECTNESS:

Fred Reilly, City Attorney

EXHIBIT A

