

ORDINANCE NO. 24 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2024-27, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, MODIFYING APPENDIX E, SECTION E105 PARCEL SPECIFIC COMPREHENSIVE PLAN AMENDMENTS WITH CONDITIONS. THIS CASE IS RELATED TO LDCPAS 2024-25. THE SUBJECT SITE IS LOCATED AT THE STATE ROAD 60/BOY SCOUT ROAD & WALK-IN-WATER ROAD INTERSECTION, EAST OF THE CITY OF LAKE WALES, IN SECTIONS 7 & 8, TOWNSHIP 30, RANGE 29; 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 Local Government Comprehensive Plan and Land Development Regulation 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 adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; and

WHEREAS, Chapter 9, Section 903 of the Land Development Code requires Land Development Code Amendments to be a Level 4 Review; and

WHEREAS, Chapter 9, Section 907 sets forth the purpose and review process for Level 4 Reviews; and

WHEREAS, pursuant to Section 125.67 of the Florida Statutes, every ordinance shall embrace but one subject and matter properly connected therewith; and

WHEREAS, pursuant to Section 163.3164 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 Amendment on December 4, 2024; and

WHEREAS, the Board of County Commissioners, reviewed and considered all comments received during said public hearing, and provided for necessary revisions; and

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

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

SECTION 1: APPENDIX E, Parcel Specific Future Land Use Designation with Conditions, of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, shall be amended in the following manner:

R. State Road 60 & Boy Scout Road Rural Cluster Center Activity Center Plan

1. Activity Center Plan (ACP) Applicability

The provisions and requirements of this Subsection apply to the parcels located east of Lake Wales at the intersection of State Road 60, Boy Scout Rd and Walk-in-Water Road, as shown in the ACP. It is intended to apply to those parcels within the existing RCC boundary and serve as a guide for future expansions and access management.

2. LDCPAL-2024-25 Parcel numbers 293008-000000-031010.

This RCC shall be expanded to include the subject parcel (293008-000000-031010), the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 29, Township 30, Section 8.

The site is legally described as:

That part of Section 8, Township 30 South, Range 29 East, Polk County, Florida described as follows:

Commence at the NW corner of the SW $\frac{1}{4}$ of said Section 8; thence N $89^{\circ} 41' 02''$ E, 40.00 feet to the east right of way line of Boy Scout Road; thence S $00^{\circ} 16' 46''$ E along said east right of way line, 861.74 feet to the POINT OF BEGINNING; thence N $89^{\circ} 43' 14''$ E, 648.63 feet; thence S $00^{\circ} 16' 46''$ E, 495.00 feet to the northerly right of way line of State Road 60 per O.R. Book 2659, Page 115, Public Records of Polk County, Florida; thence along said northerly right of way line the following four calls: 1.) N $80^{\circ} 54' 08''$ W, 161.03 feet; 2.) N $9^{\circ} 05' 52''$ E, 5.00 feet; 3.) N $80^{\circ} 54' 08''$ W, 440.64 feet; 4.) N $59^{\circ} 17' 22''$ E, 65.11 feet to the aforesaid east right of way line of Boy Scout Road; thence N $00^{\circ} 16' 46''$ W along said east right of way line, 358.51 feet to the POINT OF BEGINNING.

3. Permitted Uses

Uses permitted within the boundaries of this RCC shall conform to those found in Table 2.1 Use Table for Standard Land Use Districts.

4. Transportation

a) Access: This ACP shows the general locations of access points to the existing Boy Scout Road, Walk-in-Water Road, and SR 60 rights-of-way. They are conceptual and non-binding, with the exact driveway and cross-access location shall be determined at Level 2 review. In addition:

- 1) There shall be no easements or divisions of land created that prevent access to Boy Scout Road or SR 60.
- 2) Development shall be designed to allow cross-access to adjacent parcels.
- 3) All development shall ensure cross-access and connectivity to these two main roadways is maintained.

- 4) The general location of proposed access points shall not be the sole basis for the granting of any waiver from any applicable provision of the Land Development Code.

b) Intersection Design Changes:

- 1) It is anticipated that the Florida Department of Transportation (FDOT) may modify the SR 60 median opening to change the median opening to a directionalized median.
- 2) An alternate alignment for Rose Terrace is shown on the ACP to allow safer separation distance from the SR 60 intersection and allow for more usable area of the land within the RCC.

5. Mass Transit locations: Future transit service and stop locations shall be implemented by the transit provider at locations optimum for safe and effective operations.

6. Signage: Pole Mounted signage shall be prohibited within this RCC. All other signage shall meet the requirements of Section 760 of the Land Development Code.

7. Landscaping: To the greatest extent practicable, development shall conserve and utilize existing on-site trees to meet the landscape and buffering requirements of Section 720 of the Land Development Code.

8. Architectural Standards – Buildings within this RCC shall be designed and constructed to contain additional/enhanced architectural design standards. The building's architectural design shall be reviewed by staff as part of the Level 2 process, and such approval shall not be unreasonably withheld. Building facades facing arterial or collector roadways may not include a metal panel exterior finish and must incorporate at least three (3) of the following architectural elements:

- Changes in texture/finish across the facade (i.e., stucco to block);
- Variations in fenestration, roof line, or parapet height;
- Pitched or sloped roof entry feature (may be accomplished via a parapet wall);
- Enhanced facade landscaping with flowering species (min. 5' & width);
- Awnings or covered front entryways;
- Columns or pilasters, decorative exterior trim, and additional façade treatments.

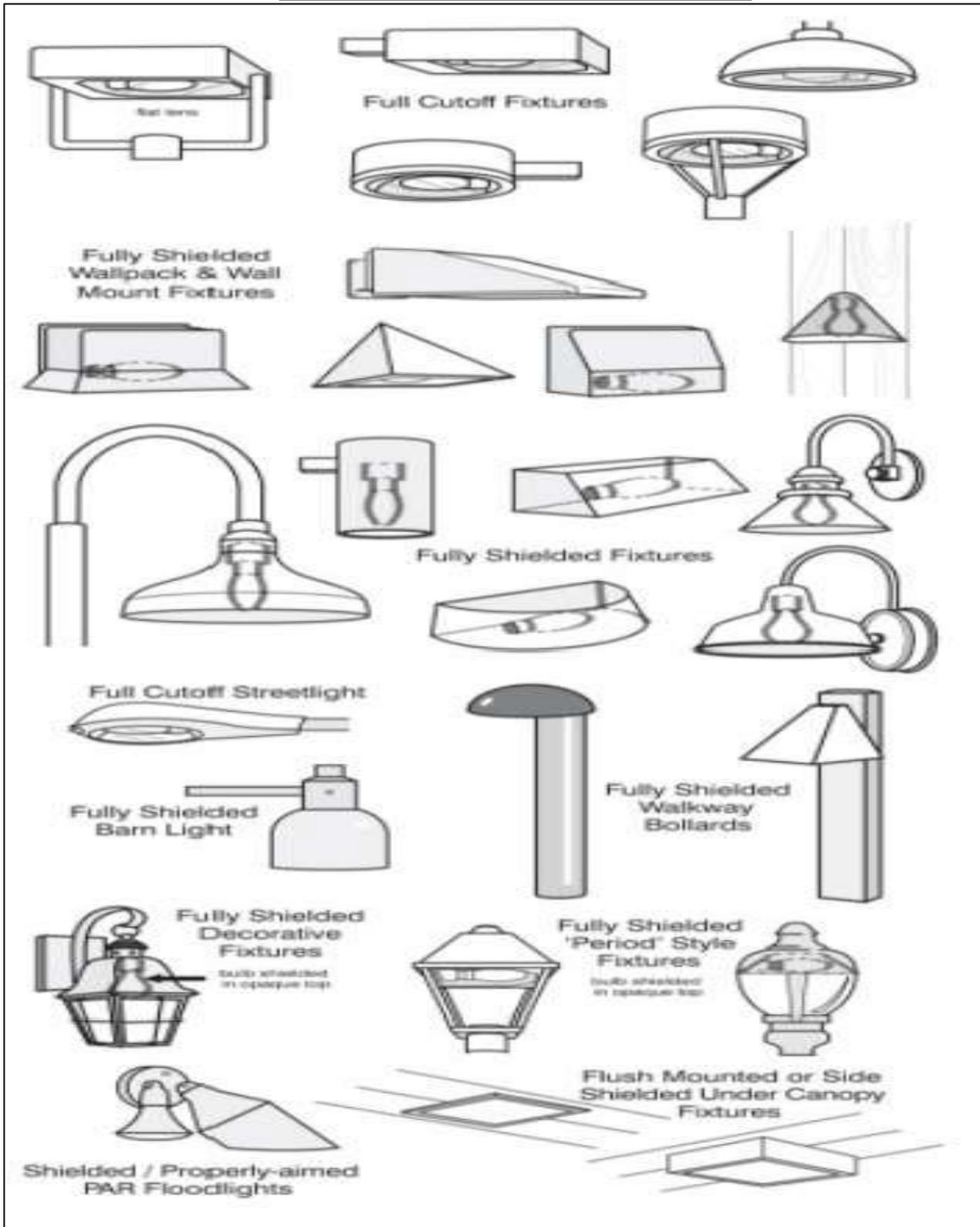
9. Lighting: All outdoor lighting shall be consistent with “dark sky” requirements and be subject to the following conditions:

- a) All outdoor lighting shall be located, aimed, shielded, and maintained in a manner which minimizes light projection off-site.
- b) All outdoor lighting fixtures shall be of the fully shielded type. Examples of the fully shielded lights are set forth in Figure "A" below.
- c) Light fixtures shall be aimed no higher than 45 degrees above vertical down (half-way between straight down and straight to the side) when the light source is visible from any off-site property or thoroughfare.
- d) Prohibited lights:
 - 1) Flashing, revolving, or intermittent lights visible from any property line.

- 2) High intensity light beams such as but not limited to searchlights, laser lights, or strobe lights visible from any property line.

10. RCC Expansion – Any expansion of this RCC must meet criteria listed in Objective 2.110-B, Rural-Cluster Centers, of the Comprehensive Plan and the requirements for a Comprehensive Plan Amendment per state law.

FIGURE "A"
EXAMPLES OF FULLY SHIELDED LIGHTS



State Road 60 and Boy Scout Road
Activity Center Plan Map – Anticipated RCC Expansions



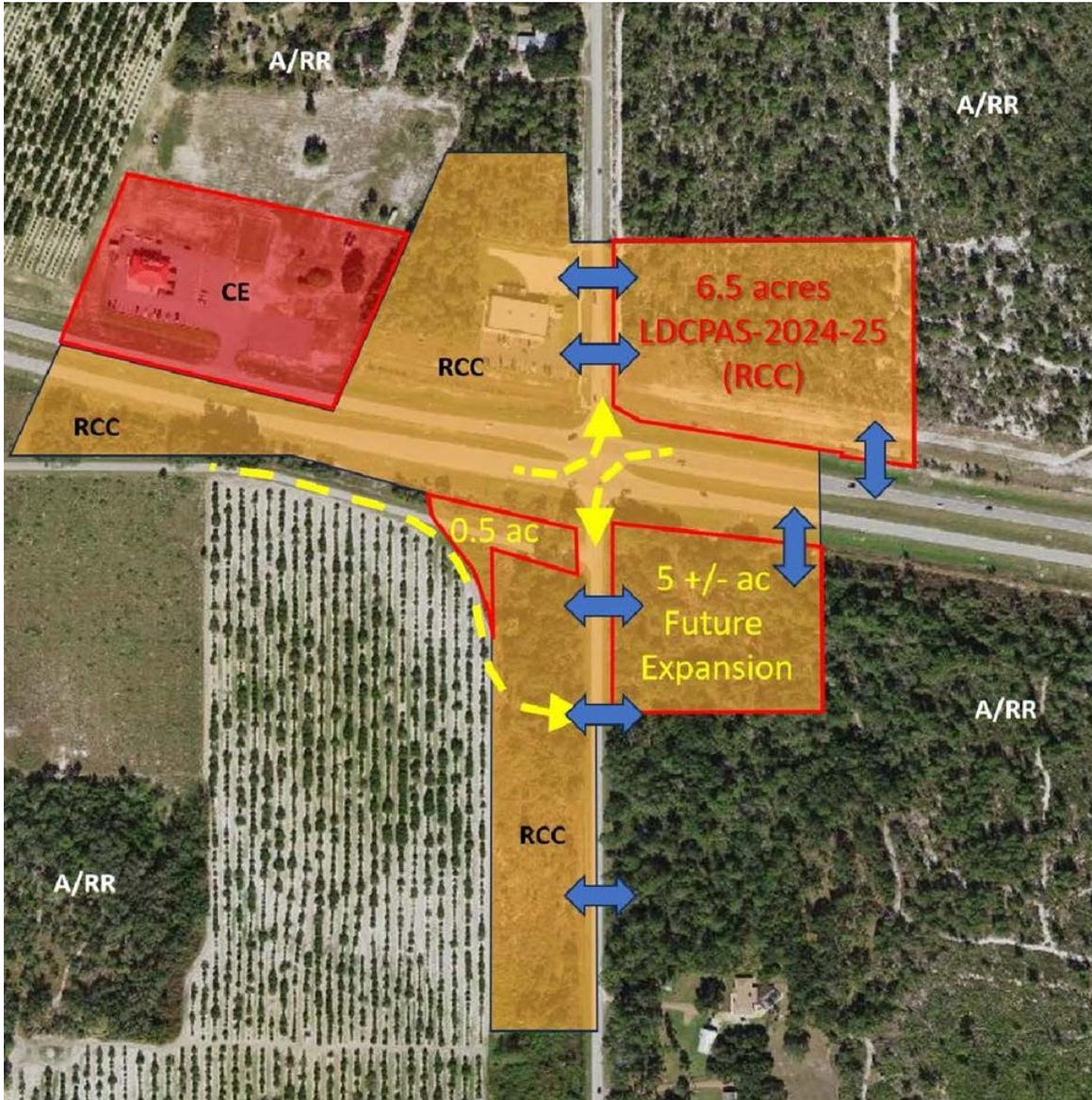
Source TDW Land Planning, 2024

State Road 60 and Boy Scout Road
Activity Center Plan Map – Potential Roadway Modifications



Source TDW Land Planning, 2024

State Road 60 and Boy Scout Road
Activity Center Plan Map – Access Points



Source TDW Land Planning, 2024

SECTION 2: SEVERABILITY

If any provisions 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 3: EFFECTIVE DATE

This ordinance shall be effective upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY,
FLORIDA THIS 21st DAY OF JANUARY 2025.