Polk County Planning Commission

Meeting Agenda

November 05, 2025 Regular Planning Meeting

Call Agenda Workshop to Order 8:50 a.m.

A. Planning Commission (PC) will discuss agenda items and consider additions, deferments, withdrawals to published agenda. Planning Commission will discuss any particular agenda items of concern with any Planning Commission member.

B. Planning Commission will consider and review with staff any upcoming ordinance revisions, comprehensive plan recommendations or other matters of concern to the Planning Commission.

Note: This first part of the monthly Planning Commission agenda is a workshop. No official action on any item will be taken at the workshop. While the public is invited to attend, no public comment will be solicited during the workshop.

Call Public Hearing to Order 9:00 a.m. Or as soon thereafter as the particular case may be heard 9:00 a.m.

Roll Call / Attendance

Pledge of Allegiance

Approve Minutes

Meeting Minutes October 1, 2025.

Reordering of the Agenda - Prior to beginning the Business of the Planning Commission, the Commission may reorder the Agenda.
1) Reorder Agenda
a) At the discretion of the Planning Commission members, a lunch break may be called if the hearing of cases goes beyond 12:00 p.m.
2) Considerations of items to be withdrawn, deferred, or continued.

LDCU-2025-21 Stericycle Reconstruction on Maine Avenue - Continued

LDSPD-2025-7 (Skyview Drive SPD) - Continued to December

Explanation of General Procedures

Explanation of Quasi-Judicial Proceedings

Voir Dire of Expert Witnesses

Staff Resumes

Agenda Item

New Business

1. LDCU-2025-27 (PRWC Wells #9 and #14)
2. LDCU-2025-20 (Reynolds CU)
3. LDCU-2025-22 (Robert Weed MH)
4. LDCU-2025-14 (Laura Downs MH)
5. LDCU-2025-16 (Childcare Center CU)
6. LDPD-2025-10 (Southern Storage TAD)
7. LDCD-2025-6 (Hamilton Road Sub-district)
8. LDCPAL-2025-9 (US 98 ECX CPA Text Amendment)
9. LDCT-2025-20 (US 98 ECX LDC Text Amendment)
10. LDCPAS-2025-26 (Natural Encounters CPA)
11. LDCT-2025-18 (Natural Encounters LDC Text Amendment)
12. LDCPAS-2025-16 (Osprey Creek CPA)
13. LDCPAS-2025-27 (Highway 542 E Property CPA)
14. LDCD-2025-7 (Highway 542 E Property District Change)
15. LDCPAS-2025-25 (Lk Marion Crk & Pine St CC CPA)
16. LDCPAS-2025-17 (Braddock Rd & Berkley Rd NAC CPA)
17. LDCT-2025-19 (Braddock Rd & Berkley Rd LDC Text Amendment
18. LDPD-2025-9 (The Highlands Club PD)
19. LDCT-2025-22 (Recovery Residences)

Comprehensive Plan update

LPA Rep for AHAC

Adjournment

Polk County

Planning Commission

Agenda Item 11/5/2025

Polk County

Planning Commission

Agenda Item 11/5/2025

SUBJECT

LDSPD-2025-7 (Skyview Drive SPD) - Continued to December

CONTACT INFORMATION

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Polk County

Planning Commission

Agenda Item 11/5/2025

SUBJECT

Staff Resumes

Agenda Item 1. 11/5/2025

SUBJECT

LDCU-2025-27 (PRWC Wells #9 and #14)

DESCRIPTION

The Polk Regional Water Cooperative requests conditional use approval of two additional Lower Floridan Aquifer raw water wells sites to a previous approval of a potable water treatment facility with two one-million-gallon storage tanks, and five (5) separate Lower Floridan Aquifer raw water wells. The additional well sites are located within an Agricultural/Residential Rural (A/RR) district. Well site #9 is on a site approximately 0.95 acres on the southwest corner of Mary Moser Lane and Walk-in-Water Road, south of Dixie Street, in Section 5, Township 31, Range 29 and well site #14 is approximately one acre of a 56.7 acre tract that will be located on the west side of Lake Walk-in-Water Road approximately 800 feet south of State Road 60 in Section 8, Township 30, Range 29.

RECOMMENDATION

Approval

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

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POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

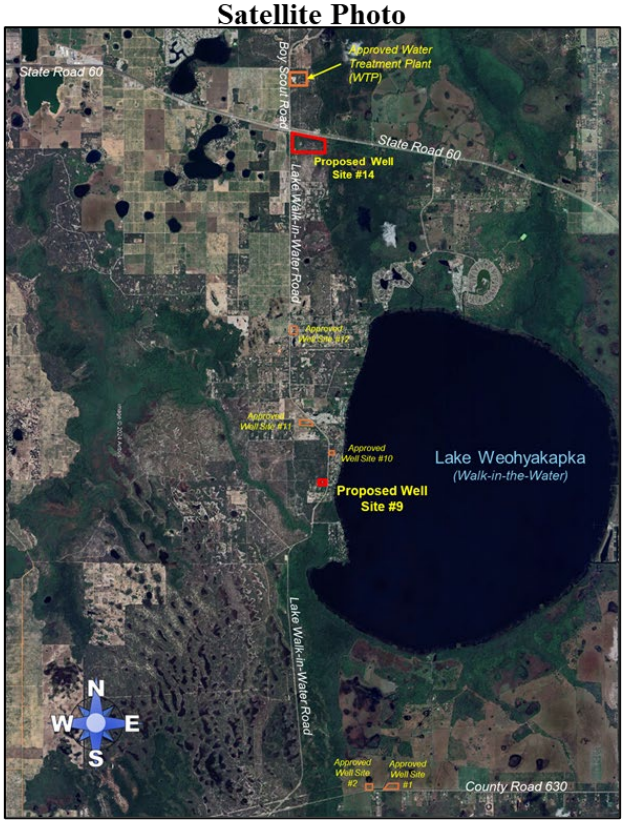
DRC Date:	September 25, 2025	**Level of Review:**	Level 3 Review
PC Date:	November 5, 2025	**Type:**	Conditional Use
BoCC Date:	n/a	**Case Numbers:**	**LDCU-2025-27**
		Case Name:	PRWC Wells #9 and #14
Applicant:	Polk Regional Water Cooperative	**Case Planner:**	Erik Peterson, AICP

Request:	Conditional use approval of two additional Lower Floridan Aquifer raw water wells sites to a previous approval of a potable water treatment facility with two one-million-gallon storage tanks, and five (5) separate Lower Floridan Aquifer raw water wells.
Locations of additional raw water wells:	Well site #9 is on the southwest corner of Mary Moser Lane and Walk-in-Water Road, south of Dixie Street, in Section 5, Township 31, Range 29 and well site #14 will be located on the west side of Lake Walk-in-Water Road approximately 800 feet south of State Road 60 in Section 8, Township 30, Range 29.
Property Owners:	Polk Regional Water Cooperative
Parcel Size (Number):	±0.95 acres (293105-000000-031150) ±1 acre of a ±56.7-acre tract (293008-000000-042010)
Future Land Use:	Agricultural/Residential Rural (A/RR)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	Lake Wales 5 miles, Frostproof 1.2 Miles
DRC Recommendation:	Approval
Planning Commission:	Pending Public Hearing

Location Map



Satellite Photo



Summary:

In the wake of limitations discovered in the County's primary water source, the Upper Floridan Aquifer, the Polk Regional Water Cooperative (PRWC) was formed in 2017 to ensure the future of our precious water supply and responsibly meet the individual and regional water supply needs of our communities. PRWC's role is to proactively identify alternative water sources and projects that will protect and sustain our future regional water supply. PRWC has identified sustainable groundwater sources, developed strategies to meet our future water demands, and determined the infrastructure needed for treatment and distribution.

The first project to be developed by the PRWC is the Southeast WPF and multiple well sites. The goal of this project is to utilize the brackish, Lower Floridan Aquifer (LFA) in Southeast Polk County as a "non-traditional" water supply. The Southeast Wellfield is a permitted supply, and after treatment via reverse osmosis, will deliver up to 12.5 million gallons per day (MGD) of high-quality drinking water to the member governments. As master planned, this project will eventually deliver up to 30 MGD of high-quality potable water to member governments. The first phase of construction has been approved by the Planning Commission for a 7.5 MGD reverse osmosis treatment facility, 5 raw water wells, and 61 miles of transmission pipeline. This request is to add two additional raw water wells.

The PRWC is requesting Level 3 approval of a Lower Floridan Aquifer raw water well for the following properties:

- Well Site 9, Parcel 2931050-00000-031150
- Well Site 14, a ±1 acre portion of Parent Parcel 293008-000000-042010

Oversight of PRWC is solely in the hands of the elected officials from the sixteen Polk County member governments. In addition to Polk County, these include the cities of Auburndale, Bartow, Davenport, Dundee, Eagle Lake, Fort Meade, Frostproof, Haines City, Lake Alfred, Lake Hamilton, Lake Wales, Lakeland, Mulberry, Polk City, and Winter Haven.

Each well site will contain at least one well with a casing that reaches a minimum of 1,400 feet below the surface and extends to a depth of approximately 1,900 feet. The wells will be drilled to a depth of approximately 2,500 feet and then backfilled with cement grout to plug the base of the hole to prevent mineral intrusion (See Exhibit 7). There will also be test wells drilled to the Upper Floridan Aquifer depth (75-400 feet) to monitor any potential impacts (See Exhibit 8). The well sites will be unmanned and operated through a communication network called the SCADA system which stands for system control and data acquisition. This is a protected internal communication system accessible only by the system operators. There will be back-up generators at each well site and some electronics (See Exhibit 6).

Findings of Fact

- *This is a request for Conditional Use approval of two additional Lower Floridan Aquifer raw water wells sites to a previous approval of a potable water treatment facility with two one-million-gallon storage tanks, and five (5) separate Lower Floridan Aquifer raw water wells.*
- *LDCU-2024-27 was approved by the Planning Commission on October 2, 2024, for a 30 MGD potable water production facility, two ground storage tanks, and five (5) Lower Floridan Aquifer raw water wells.*
- *The site water treatment plant and fire rescue station site were designated INST-1 through adoption of case number LDCPAL 2019-3 on October 12, 2019.*

- *These well sites are in a Rural Development Area (RDA), which is an area "characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments" according to POLICY 2.108-A1 of the Comprehensive Plan.*
- *Comprehensive Plan POLICY 2.125-D2.c says, "The development of utility facilities shall be permitted in the Rural-Development Area, as designated on the Future Land Use Map Series, only when such developments provide regional services, or is incompatible with urban uses, or services the existing needs of the immediate area in which it is located."*
- *Comprehensive Plan POLICY 2.125-D2.d says, "Polk County adopted the Land Development Code in accordance with Section 163.3202(1), FS, to further define appropriate development controls to govern the locational and site criteria for utilities."*
- *Comprehensive Plan POLICY 3.105-D3 says, "the County, in partnership with the municipalities within Polk County, formed the Polk Regional Water Cooperative (PRWC) in 2016. The purpose was to develop projects that are environmentally sound and sustainable and include adequate alternative water supplies within the region. Alternative water supplies may be sold to end users or retail and/or wholesale distributors as permitted by the appropriate water management district. Members of the PRWC within Polk County shall have first priority on alternative water supply production in accordance with the provisions of Section 373.1961 (5), FS."*
- *Chapter 10 of the Land Development Code (LDC) defines Class III Utilities as "Production or treatment facilities such as sewage treatment plants, elevated water storage towers, non-accessory ground storage tanks, or similar facilities. This definition does not include electric power plants and lime stabilization facilities."*
- *Section 205, Table 2.1 Use Table for Standard Land Use Districts lists Class III Utilities as a Level 3 Conditional Use in the Institutional-1 (INST-1) and Agricultural/Residential Rural (A/RR) districts.*
- *Chapter 3, Section 303, Criteria for Conditional Uses, of the Land Development Code states "Class III utility facilities may be permitted within the Rural Development Area (RDA), as designated on the Future Land Use Map Series, only when such development:*

  a. Provides regional (multi-county) services;
  b. Is determined by the County to be incompatible with urban uses;
  c. Is necessary to service the existing needs of the immediate area in which it is proposed to locate."

- *The areas surrounding the water treatment facility and all of the Lower Floridan Aquifer well sites are in an A/RR Future Land Use Map district.*
- *There are no public schools within 9 miles of either of the Lower Floridan Aquifer well sites.*
- *Fire and EMS facilities are planned and permitted to be on the same site as the water treatment facility. In the interim the site will be served by Station 14 at 10399 Leisure Lane in NalCrest.*
- *The sites are served by the Polk County Sheriff's Office Northeast District Command Center at 4011 Sgt. Mary Campbell Way near Lake Wales 14½ miles driving distance from the site.*
- *The well sites are not within the utility service area of any municipality or private utility provider.*
- *The well sites have direct frontage on collector roads.*

- *According to the Transportation Planning Organization, there are no capacity deficiencies on State Road 60, County Road 630, or Lake Walk-in-Water Road. Approval of the water treatment facility will not result in a significant increase in current traffic.*
- *There are no wetlands and floodplains on the site where the water treatment facility or any of the five proposed well sites.*
- *The sites are comprised of sandy soils prone to caving in if excavated and have slope or wetness issues, according to the U.S. Department of Agriculture, Soil Conservation Service (USDA, SCS) Polk County Survey.*
- *There have been numerous endangered species sightings within one mile of every well site and the water treatment plant site according to the Florida Natural Areas Inventory surveys in 2002, 2006, and 2011.*
- *The well sites are not within an airport flight path and height notification zone.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2025-27.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the DRC recommends APPROVAL of LDCU-2025-27 with the following conditions:

1. This approval shall be for two (2) Lower Floridan Aquifer raw water wells on the following properties:
   - Well Site 9, portion of Parent Parcel 2931050-00000-031150
   - Well Site 14, portions of Parent Parcel 293008-000000-042010

2. The site plans included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDCU-2025-27, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission.

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. Building permits will be required for improvements to structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit

if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses of the properties immediately surrounding the Lower Floridan Aquifer well sites.

Table 1 Lower Floridan Well Sites

Site	North	South	East	West
Well Site #9	A/RR Forest Lake Wales Ridge State Forest	A/RR single-family residential properties	A/RR single-family residential properties Lake Walk-in-Water	A/RR single-family residential properties
Well Site #14	A/RR State Road 60 One single-family residence vacant	A/RR single-family residential properties vacant land	A/RR Collany Wetland Mitigation Bank	A/RR Active citrus

Both well sites are close to residences. There will be a minimum of 50 feet of separation required between the site mechanics and any current or future residence. It is unlikely that any deep well or surface equipment will be within 100 feet of a nearby residence according to the typical well site plan shown in Exhibit 6.

Compatibility with the Surrounding Land Uses and Infrastructure:

Staff find that the Polk Regional Water Cooperative (PRWC) staff have designed these well facilities with the utmost caution for neighboring properties. There are no anticipated adverse impacts to neighboring properties due to the site design for the water treatment facility and its five (5) supporting Lower Floridan Aquifer well sites. Like the other five well facilities, these will be compatible with the available infrastructure because the well sites are unmanned and will be located where the infrastructure needed the most (access and public safety) are present in sufficient quantities.

A. Land Uses:

The LDC defines compatibility as "*A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

These well sites are clearly compatible with surrounding land uses and other infrastructure in the immediate area. The plans shown in Exhibit 6-8 show how benign they will be to nearby uses and the precautions taken to prevent any impact to individual well systems. The well sites, once construction of them is complete, will be unmanned and unobtrusive. Staff believes these facilities can "coexist in relative proximity … in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition." Like the other five well sites, these facilities will have vegetative buffers between the roadways and neighboring uses. Landscaping and screening methods will be installed that will primarily use existing vegetation and augment with appropriate plantings. Some equipment will be screened with opaque fencing to conceal their hard appearances.

B. Infrastructure:

This request is part of a new water production system to improve the capacity of each member government's potable water systems, a vital element of urban infrastructure. This system is planned to begin by providing up to 12.5 MGD to the regional network. It will have the expansion capability

of up to 30 MGD. The infrastructure most needed to support the water supply system and its well sites are access and public safety. The sites have direct frontage on a collector road. A fire rescue station has been approved nearby and will be constructed concurrently with the development of the system's water treatment facility. The Lower Floridan Aquifer well sites are unmanned. They have no need for urban services or infrastructure to support them other than roadway access.

Nearest and Zoned Elementary, Middle, and High School

School capacity is not a concern for non-residential uses, especially unmanned ones. Proximity and traffic conflicts can be a concern. Fortunately, the activity on this site is benign and will have no potential conflicts with any school's operation. Listed to follow are the three zoned schools for the area. The closest schools to the site are in Lake Wales over nine (9) miles away.

Table 2

Name of School	Average driving distance from subject site
Spook Hill Elementary	±11-16 miles driving distance
McLaughlin Academy Middle School	±9-14 miles driving distance
Frostproof High School	±15-20 miles driving distance

Source: Polk County School Board GIS

These well sites will pose no potential adverse impacts upon any nearby schools.

Nearest Sheriff, Fire, and EMS Station

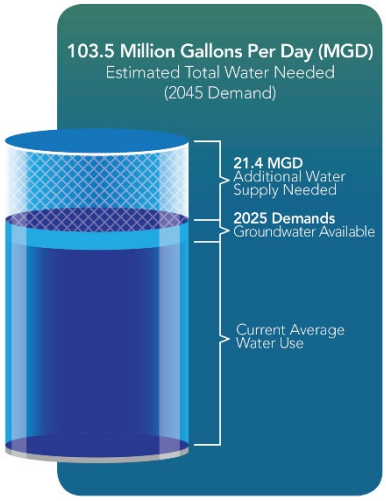
Fire and EMS response to this project is from Polk County Fire Rescue Station 14, located at 10399 Leisure Lane in NalCrest, a retirement community for former letter carriers. The travel distance is approximately three (3) miles from the Well Site #14 but nearly eight (8) miles from Well Site #9. This station facility is outdated. A new one will be constructed on the site of the system's water treatment facility on Boy Scout Road. This will shorten response times. The well sites are unmanned. The greatest need for fire rescue may only be in the event of equipment failure.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Southeast District Command (4011 Sgt. Mary Campbell Way near Lake Wales)	±14-19 miles	6 minutes
Fire	Station 14 (10399 Leisure Lane, NalCrest)	±3-8 miles	6 minutes
EMS	Station 14 (10399 Leisure Lane, NalCrest)	±3-8 miles	6 minutes

Source: Polk County Sheriff's Office and Public Safety
**Response times are based on when the station receives the call, not from when the call is made to 911.*

The nearest Sheriff's station is the Northeast Command Center on Dunson Road, 14 miles to the northwest of Well Site #14. While it may seem like a long distance, Sheriff response times are not as much a function of the distance to the nearest sheriff's station, but more a function of the overall number of patrol officers within the County. However, the closer to the command center increases the number of patrol officers available in the area. The sites will need to be monitored by patrol offices to prevent vandalism or metal theft.



Water and Wastewater Demand and Capacity:

Water is vital to any form of property development and the need for it will increase as the population increases. It is estimated that by 2045, the County and its cities will need at least 103.5 million gallons of water per day to serve the population projections. There is also a limited supply available from our current source, the Upper Floridan Aquifer. Drawdowns in aquifer levels in some areas of central Florida have exceeded 50 feet. Within approximately 5,100 square miles, including all of DeSoto, Hardee, Manatee and Sarasota counties, and parts of Charlotte, Highlands, Hillsborough and Polk counties scientists are documenting reduced flows in its river systems, reduced lake levels, and saltwater intrusion into the Upper Floridan aquifer along the southwest coast of the state. Concurrently, similar environmental declines were being witnessed on the eastern coast of central Florida. After much data gathering and analysis into the causes of these environmental declines, the Florida Department of Environmental Protection developed a program called the Central Florida Water Initiative (CFWI). The CFWI Planning Area covers five counties, including Orange, Osceola, Polk, Seminole and southern Lake County. The boundaries of the St. Johns River, South Florida and Southwest Florida water management districts (Districts) meet in this area. In 2020, rules were adopted to limit water users in the CFWI area to their currently permitted groundwater quantities, or the quantities necessary to meet their needs in the year 2025, depending upon the use type. It requires all new and expanded Upper Floridan Aquifer uses to be offset. This rule will limit growth and development in Polk County unless other sources of drinking water can be found.

A. Estimated Demand and Service Provider:

In the wake of limitations discovered in the County's primary water source, the Upper Floridan Aquifer, the Polk Regional Water Cooperative (PRWC) was formed in 2017 to ensure the future of our precious water supply and responsibly meet the individual and regional water supply needs of our communities. PRWC's role is to proactively identify alternative water sources and projects that will protect and sustain our future regional water supply. PRWC will specifically identify sustainable groundwater sources, develop strategies to meet our future water demands, determine needed infrastructure for treatment and distribution, and establish consistent rules for fairly meeting all water supply needs across the County. Oversight of PRWC is solely in the hands of the elected officials from the sixteen Polk County member governments. In addition to Polk County, these include the cities of Auburndale, Bartow, Davenport, Dundee, Eagle Lake, Fort Meade, Frostproof, Haines City, Lake Alfred, Lake Hamilton, Lake Wales, Lakeland, Mulberry, Polk City, and Winter Haven.

PRWC's role is to proactively identify alternative water sources and projects that will protect and sustain our future regional water supply. There is no need for water or wastewater services at either site. Table 4 to follow demonstrates what other uses could be on the properties.

Table 4

Subject Property	Estimated Impact Analysis		
Well site #9 ±0.95 acres A/RR Well site #14 ±56.7 acres A/RR	**Demand as Currently Permitted in the A/RR district**	**Maximum Permitted in the A/RR district**	**Proposed Plan INST-1**
Permitted Intensity	Well site #9: one dwelling unit Well site #14: five (5) dwelling units	Well site #9: one dwelling unit Well site #14: 56 dwelling units	Two Lower Floridan Aquifer wells
Potable Water Consumption (GPD)	2,160 GPD	20,520 GPD	0 GPD
Wastewater Generation (GPD)	1,620 GPD	15,390 GPD	0 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

There will be no potable water or wastewater fixtures at the well sites.

B. Available Capacity:

The initial phase of the water system is to treat up to 7.5 MGD per day with two million gallons of onsite storage. As demand increases throughout the network, more raw water wells will be developed, and an additional ground storage tank will be added to provide up to 30 MGD and four million gallons of onsite storage. Ground storage facilities are also being added to receiving plants in each member government's system to be blended with Upper Floridan water and distributed throughout each member government's existing potable water distribution network.

C. Planned Improvements:

This is a planned improvement at this stage in the process. It is a planned improvement to all of the member government's water capacity.

Roadways/ Transportation Network

Class III Utilities do not often generate significant amounts of traffic on roadways. They are typically more of a "land intensive" use. This means they can use a lot of land but don't have as much activity to go with it. There is more than ample capacity on the directly affected roadways, even for a use with higher transportation demands.

A. Estimated Demand:

The well sites will be unmanned and monitored through System Control and Data Acquisition (SCADA) systems. However, the use of the remainder of Well Site #14 has not been determined.

Table 5

Subject Property	**Estimated Impact Analysis**		
Well site #9 ±0.95 acres A/RR Well site #14 ±56.7 acres A/RR	**Demand as Currently Permitted in the A/RR district**	**Maximum Permitted in the A/RR district**	**Proposed Plan INST-1**
Permitted Intensity	Well site #9: one dwelling unit Well site #14: five (5) dwelling units	Well site #9: one dwelling unit Well site #14: 56 dwelling units	Two Lower Floridan Aquifer wells
Average Annual Daily Trips (AADT)	47	446	0
PM Peak Hour Trips	6	57	0

Source: Institute of Transportation Engineers (ITE) Trip generation Manual 11th Addition
Single-family Residential = 7.81 AADT, 1 PM Peak (100% new)

The wells will be operated remotely through the SCADA system. Visitation to the site will be infrequent and combined with the same visit to the other six sites. Neither site will require a traffic study.

B. Available Capacity:

Although the request will have limited impact on the transportation system, it is still pertinent to be aware of available capacity when making land use decisions. Table 6, to follow, provides a good snapshot of the capacity on the surrounding road network.

Table 6

Link #	**Road Name**	**Current Level of Service (LOS)**	**Available PM Peak Hour Capacity**	**Minimum LOS Standard**
5910E	State Road 60 From: Stokes Road To: County Road 630	B	1,448	C
5910W	State Road 60 From: County Road 630 To: Stokes Road	B	1,478	C
4157N	Walk-in-Water Road From: County Road 630 To: State Road 60	B	388	C
4157S	Walk-in-Water Road From: State Road 60 To: County Road 630	B	386	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025

State Road 60 is operating at 34% of its level of service (LOS) capacity at a current volume of approximately 17,000 AADT according to the Florida Department of Transportation (FDOT). Walk-in-Water Road is operating at 14% of its LOS capacity at a current volume of 1,300 AADT, according to Polk County TPO. Boy Scout Road has so little traffic on it that it is not tracked for concurrency.

C. Roadway Conditions

State Road 60 is managed and maintained by the Florida Department of Transportation. There is no direct access proposed for Well Site #14. Lake Walk-in-Water meets current standards of 24 feet in pavement width and 80 feet of right-of-way width. Drainage is handled through open swales.

D. Planned Improvements:

There are no roadway improvements planned in this area over the next five years.

E. Sidewalks

This is a very rural area of the County. There are no sidewalks located on either State Road 60 or Walk-in-Water Road.

F. Mass Transit

There are no mass transit routes in this rural area of the county. The closest route is the Lake Wales Circulator. The closest stop is over seven miles away. The well sites will have no demand or adverse impacts on the mass transit system.

Park Facilities:

Utility infrastructure does not create a direct demand for parks or recreational facilities. It is very rare that a utility infrastructure project will impede or diminish the use of a park or recreation improvement. There are no adverse impacts anticipated to any public parks or recreation areas. Lake Rosalie Campground and the Lake Walk-in-Water boat ramp are the nearest County park facilities. Lake Rosalie Park is a regional facility located over four miles away from Well site #14 "as the crow flies," and 13 miles driving distance. The well sites are also surrounded by many environmentally managed lands and conservation easements.

A. Location:

Lake Rosalie Park is located at the end of Lake Rosalie Road, 3¼ miles north of State Road 60 via Tiger Lake Road. While it is approximately three miles linear distance the site, it is over 10 miles driving distance.

Lake Walk-in-Water boat ramp is at the end of Boat Landing Road, 0.85 miles from the nearest proposed well site, Well Site #9.

B. Services:

Lake Rosalie Park has campgrounds and boat ramps. Lake Walk-in-Water is just a boat ramp with parking and a dock.

C. Multi-use Trails:

There is a canoe trail that links Lake Rosalie, Tiger Lake and Lake Kissimmee together.

D. Environmental Lands:

Well site #9 is surrounded by the Lake Wales Ridge State Forest and portions of the property on which Well site #14 will be located contains a conservation easement and abuts the Collany Wetland Mitigation Bank to the east. The wells are equipped with test wells drilled to the Upper Floridan Aquifer depth (75-400 feet) to monitor any potential impacts to the aquifer levels (See Exhibit 8). This will ensure that there will be no adverse impacts to nearby environmental lands.

E. Planned Improvements:

There are no recreation improvements scheduled by the County for this area.

Environmental Conditions

There are no significant environmental limitations to the development of these properties. The well sites, once constructed, will be unmanned and function in a relatively benign manner. There are not likely to be any conflicts with surface waters, wetlands or floodplains, soils, protected species, archeological sites, and public use airports. The wells are equipped with test wells drilled to the Upper Floridan Aquifer depth (75-400 feet) to monitor any potential impacts to the aquifer levels (See Exhibit 8). This will ensure that there will be no adverse impacts to nearby private wells or surface waters.

A. Surface Water:

Both well sites drain towards Lake Walk-in-the-Water but have a minimal impervious surface footprint and are all a significant distance from the shoreline. The wells are equipped with test wells drilled to the Upper Floridan Aquifer depth (75-400 feet) to monitor any potential impacts to the aquifer levels (See Exhibit 8). This will ensure that there will be no adverse impacts to nearby surface waters.

B. Wetlands/Floodplains:

There are no wetlands or 100-year flood hazard areas on or near any of the well site locations. Each well site includes two Upper Floridan Aquifer monitoring wells (see exhibit 8) to gage any potential adverse impacts to water quality or quantity. If properly monitored, this project will have no adverse impact upon wetlands or floodplains.

C. Soils:

The sites are comprised of sandy soils prone to caving in if excavated and have slope or wetness issues, according to the U.S. Department of Agriculture, Soil Conservation Service (USDA, SCS) Polk County Survey. This would be a concern if digging trenches. However, they have little effect on well drilling or pedestals for electric equipment and back-up generators. It's a different style of digging and the pads for the equipment are not bearing significant loads. The water production wells will extend to between 1,400 and 2,600 feet below the surface (see Exhibit 7)

Table 8

Facility	**Soil Name**	**Shallow Excavations**	**Limitations to Small Commercial Buildings**	**% of Site** *(approximate)*
Well Site #9	Immokalee Sand (21)	Severe: cutbanks cave, wetness	Severe: wetness	65%
	Duette Fine Sand (70)	Severe: cutbanks cave	Slight	35%
Well Site #14	**Actual area of the well site:** Smyrna & Myakka Fine Sands (17)	Severe: cutbanks wetness	Severe: wetness	40%
	Pomello Fine Sand	Severe: cutbanks cave, wetness	Moderate: wetness	20%
	Archbold Sand (83)	Severe: cutbanks cave	Slight	10%

Table 8

Facility	Soil Name	Shallow Excavations	Limitations to Small Commercial Buildings	% of Site *(approximate)*
	Satellite Sand (77)	Severe: cutbanks cave, wetness	Severe: wetness	30%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service

D. Protected Species

The west shore of Lake Walk in the Water has an abundance of natural wildlife. There have been numerous endangered species sightings within one mile of every well site and the water treatment plant site according to the Florida Natural Areas Inventory surveys in 2002, 2006, and 2011. The well sites are close to well-traveled roads and surrounded by existing development. Once constructed, the facilities will be relatively benign and noninvasive to protected species. A more in-depth protected species study was required for both the Environmental Resource Permit (ERP) from the Florida Department of Environmental Protection as well as the federal agencies providing funding for the project. Proper avoidance is being implemented with construction and mitigation measures taken if necessary.

E. Archeological Resources:

There are no protected archeological resources in Section 8, Township 30, and Range 29 or Section 5, Township 31, and Range 29, that the site of these proposed well sites would adversely impact, according to the Florida Department of State, Division of Historical Resources. The well sites are too small, and somewhat disturbed through past uses, to have any significant archeological resources associated with them.

F. Wells (Public/Private)

Every one of the Lower Floridan Aquifer wells will be significantly deeper than any other Upper Floridan Aquifer wells. The Polk County Utilities' (PCU's) Walk-in-the-Water potable water system's well site is over two (2) miles from either well site. There are private wells surrounding both sites. Each site will have test wells drilled to the Upper Floridan Aquifer depth (75-400 feet) to monitor any potential impacts to the aquifer levels (See Exhibit 8). This will ensure that there will be no adverse impacts to nearby private wells.

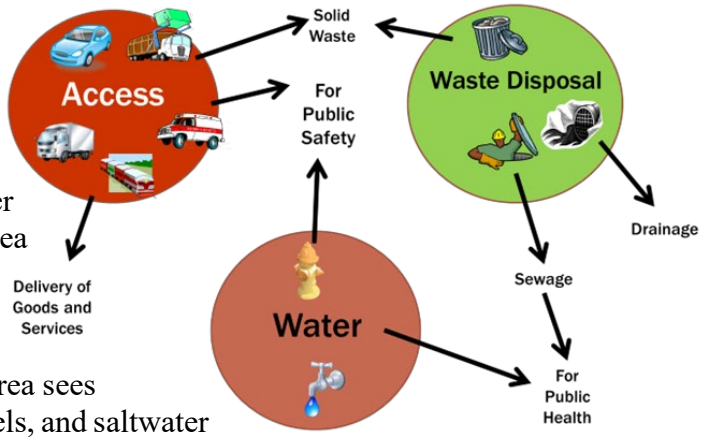
G. Airports:

The closest airport is Fly Jive Fly at 2605 Walk in Water Road. It is over 1½ miles away from Well Site #9 and farther from Well Site #14. It is also a small private facility. Both sites are over ten (10) miles from Lake Wales Municipal Airport. Water Treatment Plants are typically close to grade and pose no threat to aircraft. The well sites will not have any structures above 10 feet tall.

Economic Factors:

To develop any property there are three fundamental needs that have to be addressed, otherwise there will be no development. As in the biology of life, where every organism must have food, water, and a way to dispose of their waste, so must every type of land development. There will absolutely be no use for the land if the property does not have a means of **access**ing it, a source of **water**, and a way to dispose of its **waste** (solid, liquid, and gas). Of the three, water is the most essential commodity

to the development and habitation of property. The other two can be manufactured, but water cannot. Roads can be built, waste can be managed, but if water is not available there is no way to create it easily. Not only is water part of the basic needs of development, but it is also not one that can be assumed to be an infinite resource. Water is the most essential commodity to the development and habitation of property.



The Southern Water Use Caution Area (SWUCA) was designated in 1992 to address declines in aquifer levels due primarily to groundwater withdrawals. Drawdowns in aquifer levels in some areas exceeded 50 feet. The area encompasses approximately 5,100 square miles, including all of DeSoto, Hardee, Manatee and Sarasota counties, and parts of Charlotte, Highlands, Hillsborough and Polk counties. This area sees reduced flows in its river systems, reduced lake levels, and saltwater intrusion into the Upper Floridan aquifer along the southwest coast of the state. Concurrently, similar environmental declines were being witnessed on the eastern coast of central Florida. After much data gathering and analysis into the causes of these environmental declines, the Florida Department of Environmental Protection developed a program called the Central Florida Water Initiative (CFWI) to limit growth and development in Polk County unless other sources of drinking water can be found.

The PRWC was formed as a non-profit, special district of the State of Florida created to plan, develop, and deliver a future high-quality alternative drinking water supply. The PRWC was created by interlocal agreement among member governments and is a regional utility funded by contributions from the member governments and State agency grants. Based on the local and regional water supply needs of Polk County's communities, the member governments knew that planning to meet those needs and protect Polk County's precious water resources needed to be a collective and collaborative process. The PRWC assures fair representation in the decision-making process while also representing the regional water supply needs of Polk County with a single voice.

This facility comes at a steep price. The Southwest Florida Water Management District is the project's largest funding partner, having committed over $200 million to the project so far. The PRWC has also been successful in securing over $10 million in state funding grants for this regional project. Low-interest state revolving funds and federal WIFIA loans will also be used to help finance the project and give members time to generate future revenue for repayment of the project loans. In spite of all the grants and low interest loans, the water produced from this facility will cost more than it currently costs to retrieve water from the Upper Floridan Aquifer. This is due to the effort and energy it takes to bring the Lower Floridan Aquifer's briny water to purification and consumption standards. The byproduct of the process also comes at a cost to dispose through deep well injection.

With or without this facility the cost of water will go up, just like very thing that has a low supply and a high demand. For those PRWC member government utilities that elect to receive water from PRWC, it is anticipated that drinking water rates will increase in order to pay for the cost to construct and operate the PRWC water treatment and supply system. The individual municipal utilities will make decisions for any changes to their customer drinking water rates. Regardless of its cost, our existing water supply will become more expensive. Conservation of the water we have will ultimately be the factor that lessens the burden on the average consumer.

Consistency with the Comprehensive Plan, LDC, and Other County Ordinances:

The two well sites are all located in the Rural Development Area (RDA), which "*is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments.*" according to POLICY 2.108-A1 of the Comprehensive Plan.

POLICY 2.125-D1: UTILITIES PERMITTED USES states that "*utility facilities shall be permitted throughout the County in all land use classifications, subject to County approval, to support existing and proposed development.*" Some utility facilities must be located closer to the resource rather than closer to the users. Such is the case with the PRWC well sites. These sites were chosen due to their ability to access the Lower Floridan Aquifer more efficiently.

POLICY 3.105-D3 of the Comprehensive Plan states that the purpose of Polk Regional Water Cooperative (PRWC) is to "*develop projects that are environmentally sound, sustainable and include adequate* ***alternative water supplies*** *within the region*." While the PRWC acts as an independent government authority and may sell water to both public and private utility providers, the members of the PRWC within Polk County "*shall have first priority on alternative water supply production in accordance with the provisions of Section 373.1961 (5), FS.*"

Table 9, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan selected by staff for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan.

Table 9

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The well sites will be designed to be subtle and unnoticeable, especially where they are closer to residential development. Each wellsite will be screened from offsite view and landscaping will be provided around the perimeter (see typical site plan in Exhibit 6).
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	Fundamental to the future growth of the County's urban areas is the adequate supply of water, which is not only for consumption but for fire protection as well. These well sites are part of a larger water supply project that secures a consistent water supply for the next 30 years to minimize the cost of development and enable more continued contiguous and compact growth patterns
POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.	These well sites are part of a larger water supply system needed to serve development approved within the County and municipal utility service areas. The plant does not need many urban services and has a fire station planned for the site. The well sites will be unmanned and operated through the PRWC's SCADA system.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	These well sites are part of a larger water supply system that will enable future growth in County and municipal urban service areas. In itself there is not a necessity to evaluate its concurrency. It will enable other developments throughout the County and its cities to meet their concurrency needs.
POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost-effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).	The well sites will be unmanned and operated through the PRWC's SCADA system.

Land Development Code (LDC) Section 205, Table 2.1, Use Table for Standard Land Use Districts lists Class III Utilities as a Level 3 Conditional Use in the Agricultural/ Residential Rural district. A Level 3 Review is approved by the Planning Commission under the criteria listed in Section 906.D.7 of the LDC

Table 10

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC, specifically Sections 303, Class III Utilities, and 906.D Level 3 Review Procedures.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this development is consistent with the Comprehensive Plan because POLICY 2.125-D1 states "utility facilities shall be permitted throughout the County in all land use classifications" and POLICY 3.105-D3 to "develop projects that are environmentally sound, sustainable and include adequate alternative water supplies within the region."*
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	*The well sites are far from existing development or areas planned for high intensity residential developments. It generates less traffic than an elementary school and is partnered with a fire rescue station. The well sites are unmanned, low profile, and unnoticeable once constructed.*
How the concurrency requirements will be met if the development were built.	*Raw water wells generate an insignificant amount of vehicle travel, require no school or park capacity, must be designed to meet drainage requirements, and are a concurrency facility on their own.*

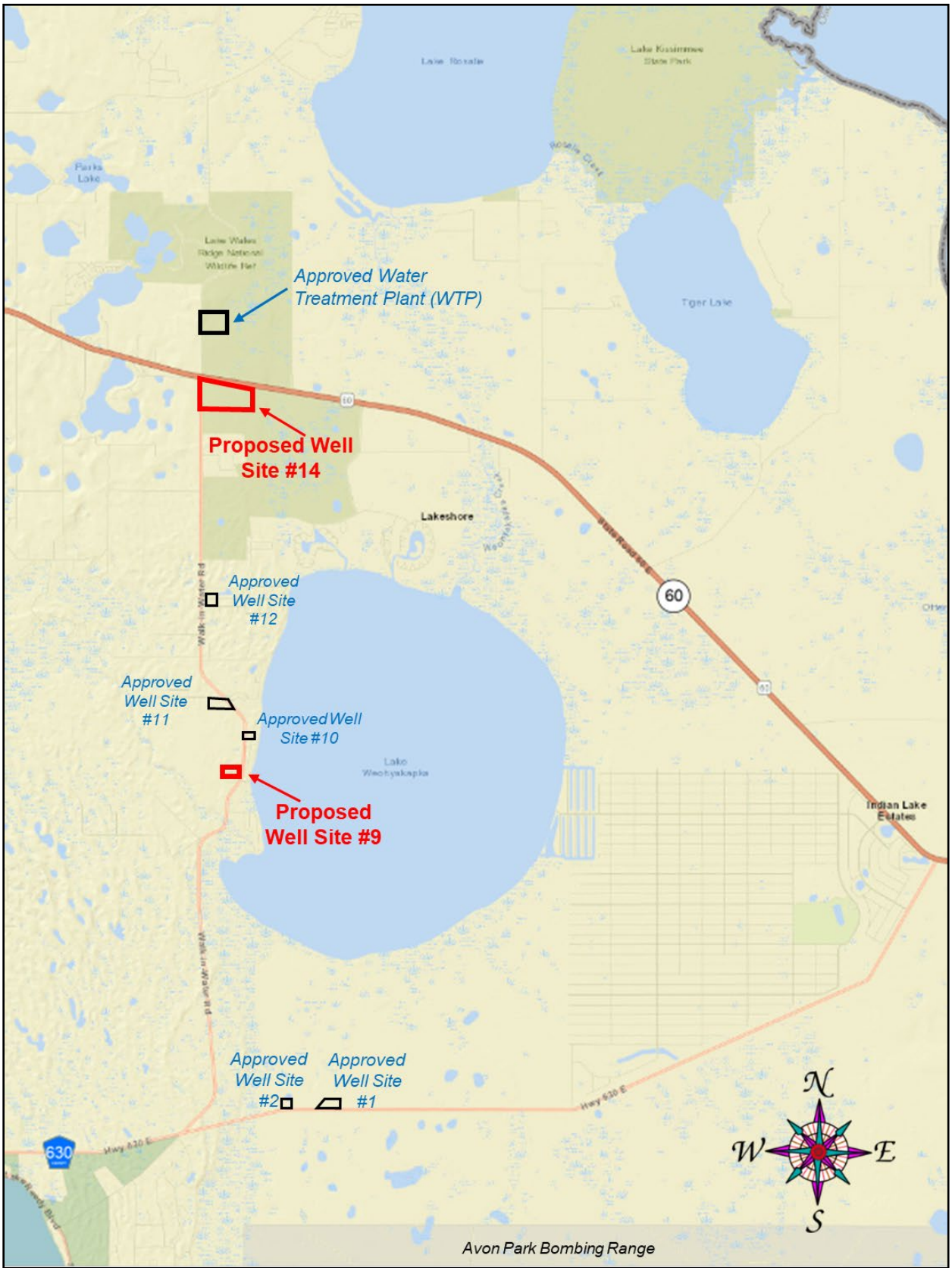
The request meets all conditions in Section 303 of the LDC for Class III Utilities in an A/RR land use district. These conditions are listed in the Findings of Fact on page 3 of this report.

Comments from other Agencies: The Polk County Utilities, Land Development Engineering, County Surveyor, Polk County School Board, and the Polk County Public Safety Division contributed to the drafting of this report.

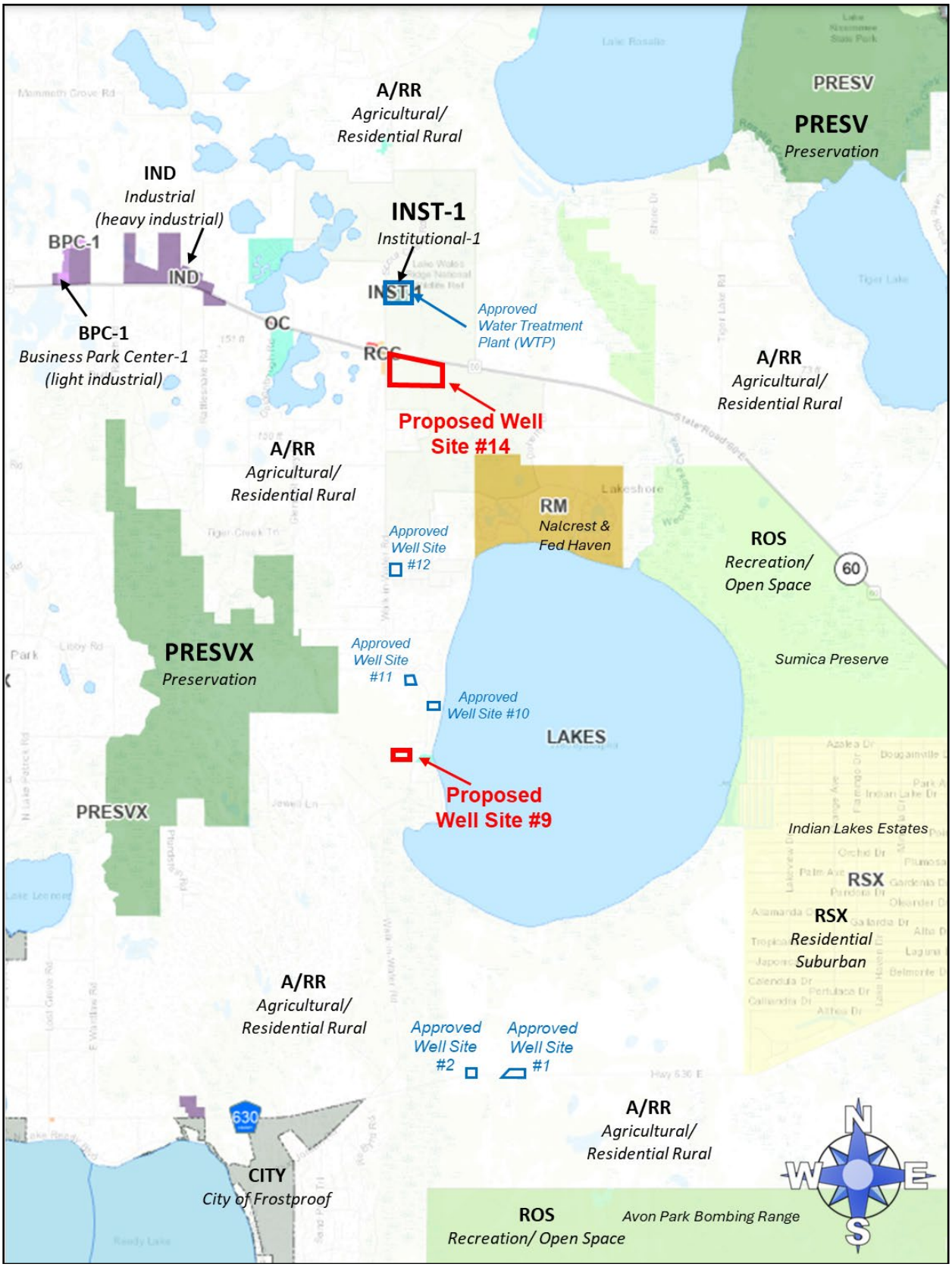
Exhibits:

Exhibit – 1 Location Map
Exhibit – 2 Future Land Use Map
Exhibit – 3 Satellite Photo (Context)
Exhibit – 4 **Site #9** 2023 Aerial Photo (Close-up)
Exhibit – 5 **Site #14** 2023 Aerial Photo (Close-up)

Exhibit – 6 Typical Photo of Well Site and Site Plan
Exhibit – 7 Typical Lower Floridan Aquifer Well
Exhibit – 8 Upper Floridan Aquifer Test Wells



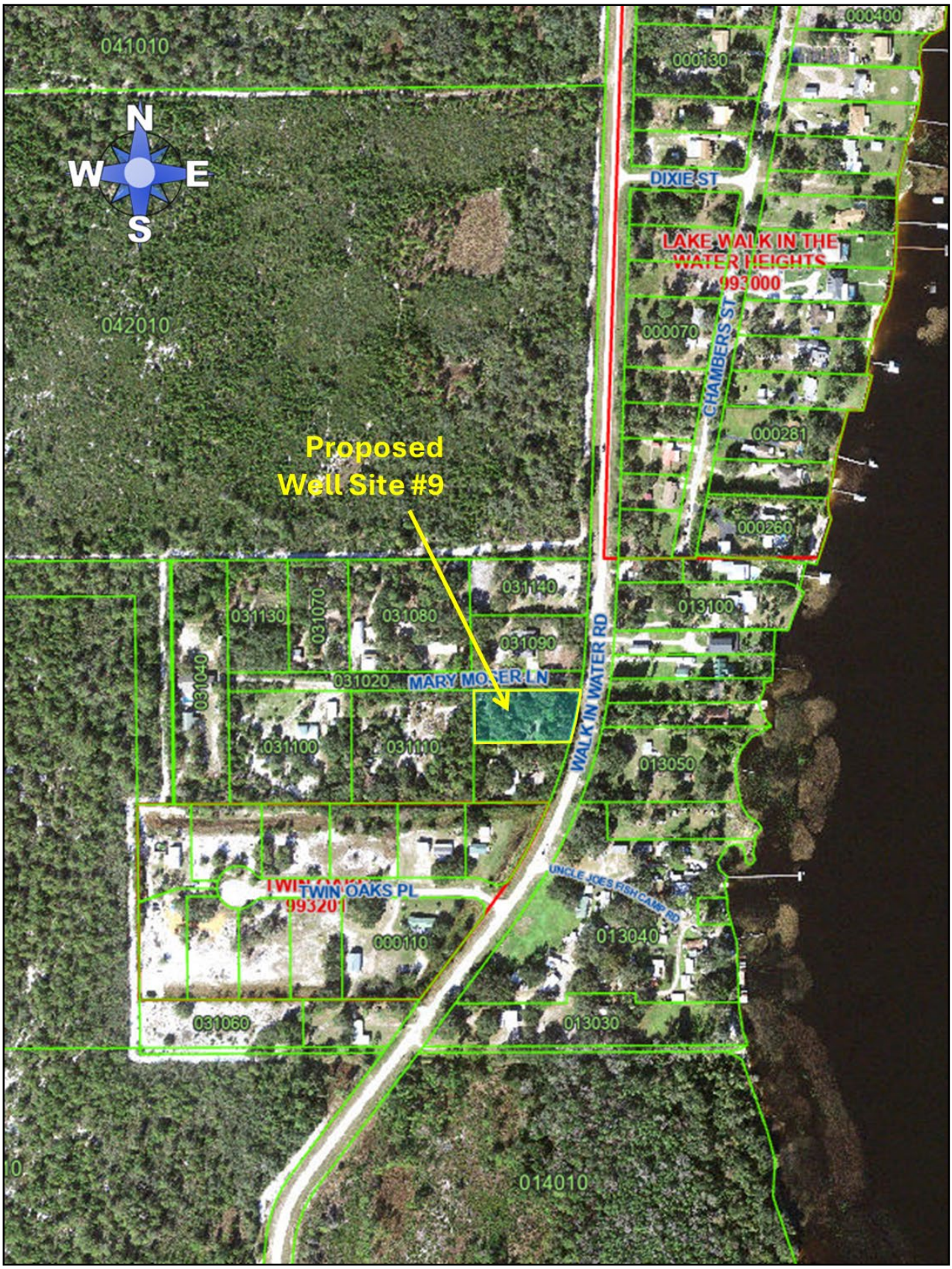
Location Map



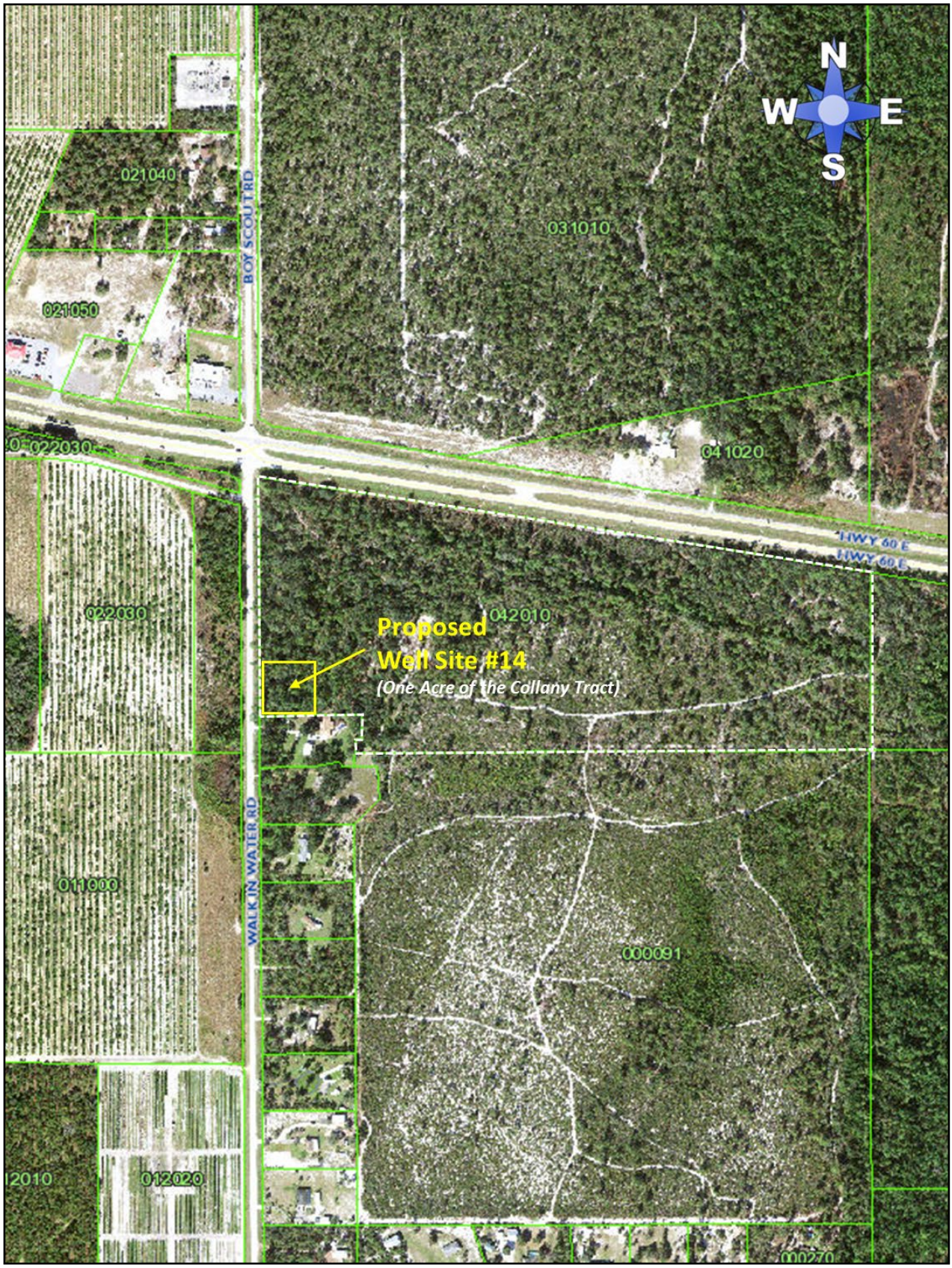
Future Land Use Map



Satellite Photo (Context)



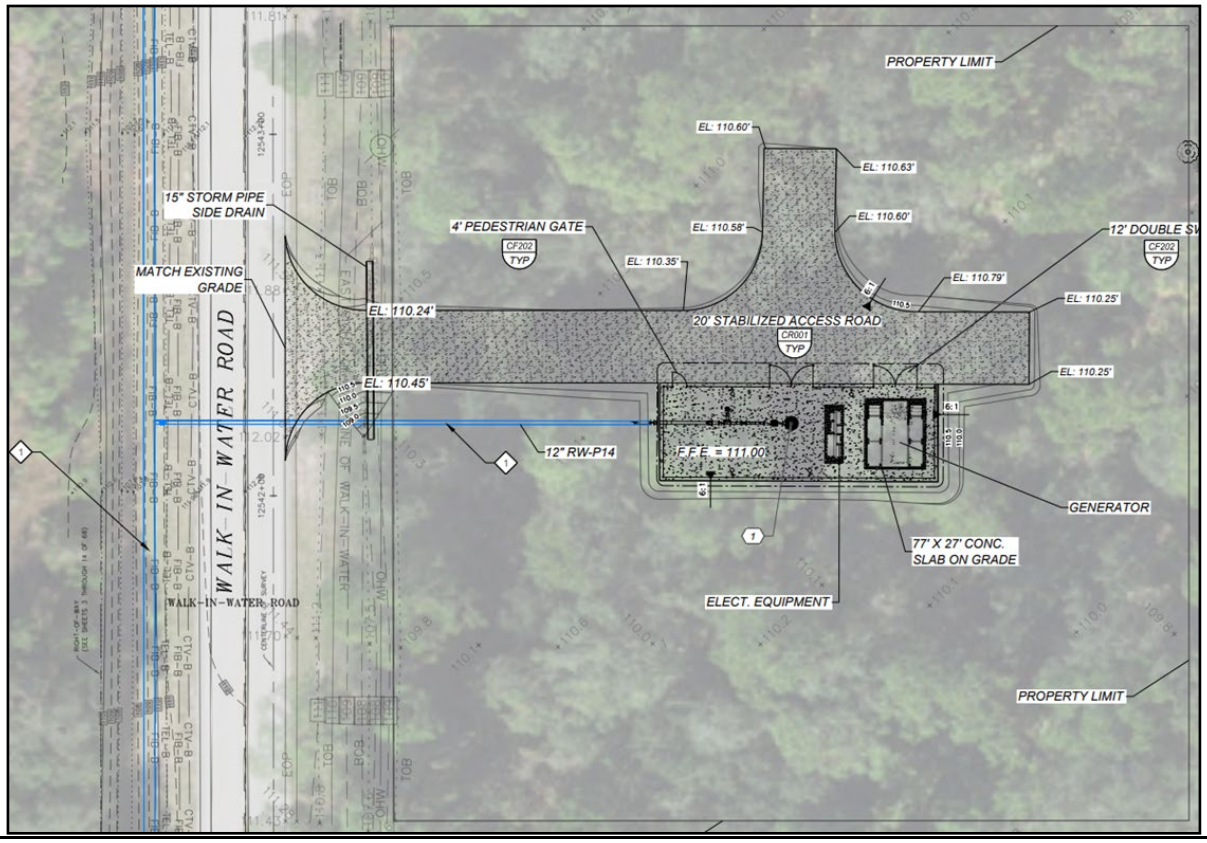
2023 Aerial (Close Up)



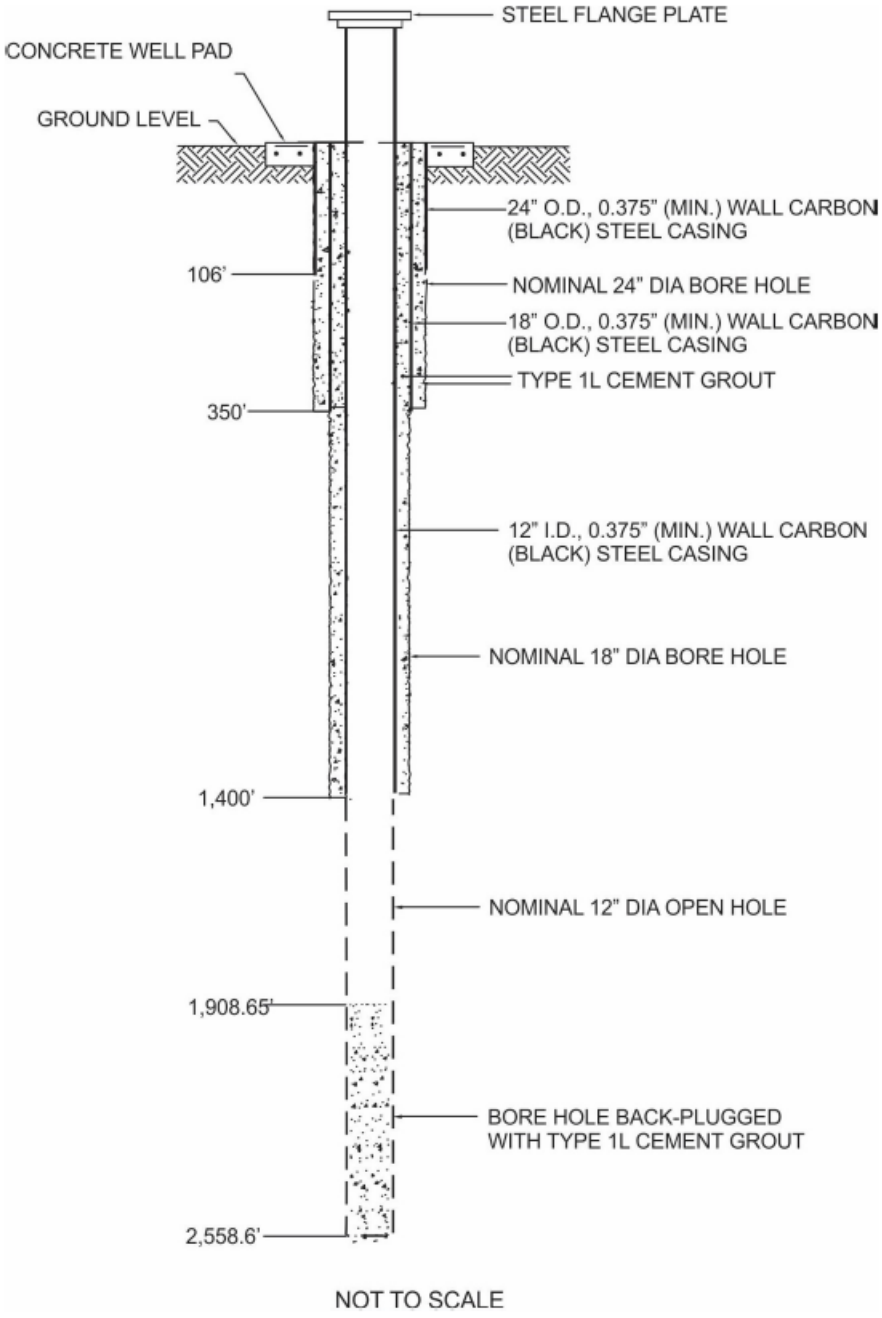
2023 Aerial (Close Up)



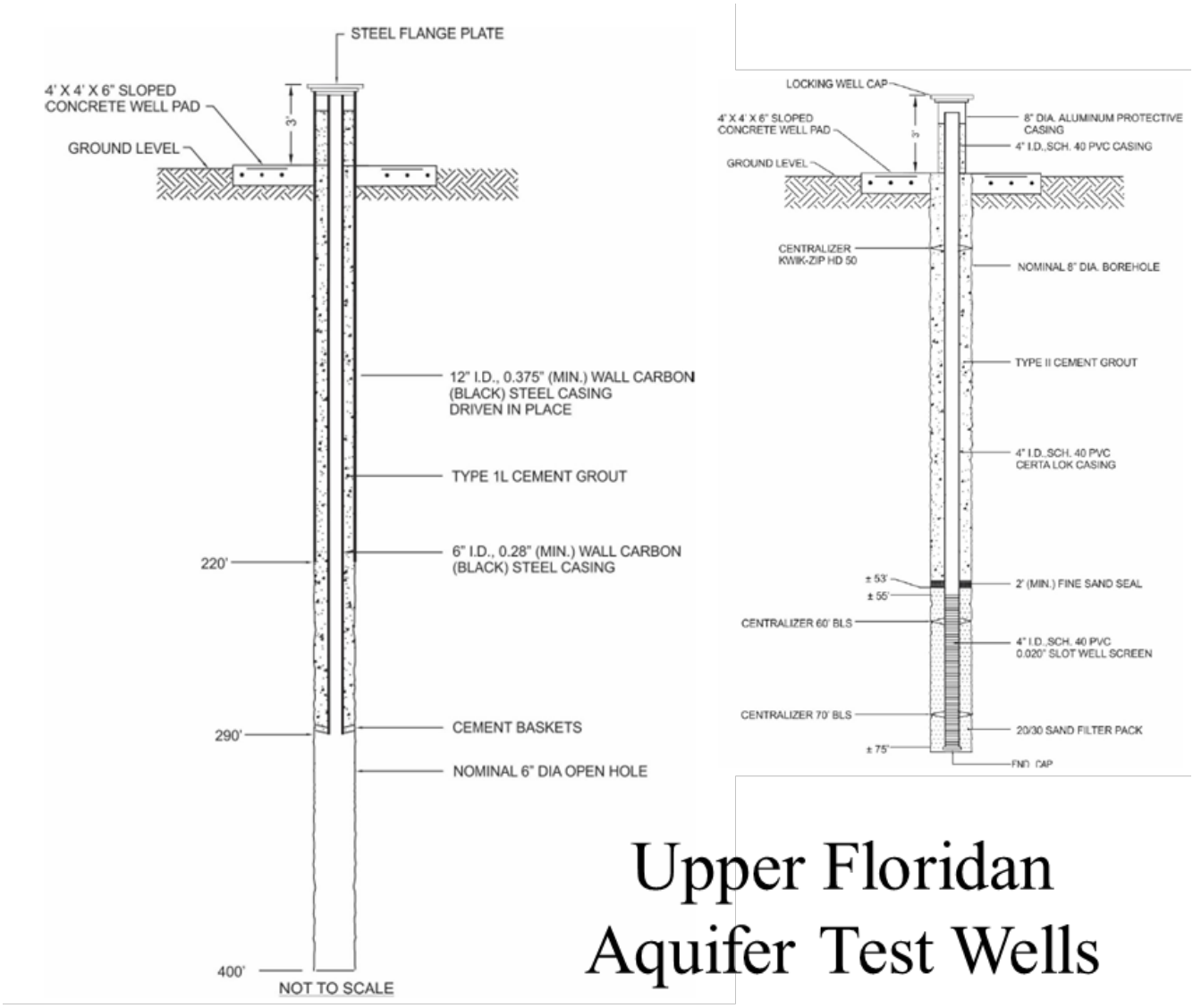
Photo of Typical Well Site and Site Plan



An as-built construction diagram of SE-TPW3-LFA is provided as **Figure 2-4.**



Typical Lower Floridan Aquifer Well


STEEL FLANGE PLATE
4' X 4' X 6" SLOPED CONCRETE WELL PAD
3'
GROUND LEVEL
12" I.D., 0.375" (MIN.) WALL CARBON (BLACK) STEEL CASING DRIVEN IN PLACE
TYPE 1L CEMENT GROUT
220'
6" I.D., 0.28" (MIN.) WALL CARBON (BLACK) STEEL CASING
290'
CEMENT BASKETS
NOMINAL 6" DIA OPEN HOLE
400'
NOT TO SCALE
LOCKING WELL CAP
4' X 4' X 6" SLOPED CONCRETE WELL PAD
3'
GROUND LEVEL
8" DIA. ALUMINUM PROTECTIVE CASING
4" I.D.,SCH. 40 PVC CASING
CENTRALIZER KWIK-ZIP HD 50
NOMINAL 8" DIA. BOREHOLE
TYPE II CEMENT GROUT
4" I.D.,SCH. 40 PVC CERTA LOK CASING
± 53'
± 55'
2' (MIN.) FINE SAND SEAL
CENTRALIZER 60' BLS
4" I.D.,SCH. 40 PVC 0.020" SLOT WELL SCREEN
CENTRALIZER 70' BLS
20/30 SAND FILTER PACK
± 75'
END CAP
Upper Floridan Aquifer Test Wells

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2025-27 (PRWC Wells #9 and #14)

Applicant: Polk Regional Water Cooperative

Property Owner: Polk Regional Water Cooperative

Hearing Date: November 5, 2025

I. Request:

Conditional use approval of two additional Lower Floridan Aquifer raw water wells sites to a previous approval of a 30 MGD potable water treatment facility with two one-million-gallon storage tanks, and five (5) separate Lower Floridan Aquifer raw water wells.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the staff report and makes the following findings based upon the staff report, testimony and exhibits presented during the hearing:

1. Pursuant to Section 906D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 Review application, consider the following factors:
    a. Whether the proposed development is consistent with all relevant requirements of this Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. How the concurrency requirements will be met, if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, Sections, 205, 303, and 906.

3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.

5. Concurrency requirements can be met if the development is built.

III. Planning Commission's Decision:

Based upon the evidence and testimony presented to the Planning Commission and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

IV. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application with the Land Development Division within 7 calendar days after the Planning Commission hearing.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 5th day of November 2025, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By:_____ By: _____
Merle H. Bishop, FAICP, Chairman Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order
Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)

www.polk-county.net

LEVEL 3 & 4 DEVELOPMENT REVIEW APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

TYPE OF APPLICATION

(✓) Level 3 ( ) Level 4

(✓) Conditional Use **( ) Planned Development**

( ) Suburban Planned Development **( ) Sign Plan**

( ) Major Modification - Case Number _____

	Owner	Applicant	Contact Person
Name	Polk Regional Water Cooperative (PRWC)	Eric De Haven	Mark Addison
Work Number		813-323-7061	863-298-4214
Fax Number			
Mailing Address	330 W. Church Street P.O. Box 9005 Drawer CA01 Bartow, FL 33830		
Email		EricDeHaven@PRWCwater.com	markaddison@polk-county.net

Description of Proposed Activity or Use

Please provide a detailed description of the project, quantifying intensity (such as number of units, employees, seats, beds, rooms, children, holes of golf, pumps, vehicle repair bays, etc.), specify phasing, and estimated period for completion.

The PRWC is requesting Level 3 approval of two more additional well sties to an previous approval of a potable water production facility with two one million gallon storage tanks, and five (5) separate Lower Floridan Aquifer raw water wells.

	Range	Township	Section	Subdivision #		Parcel #
Parcel ID Number(s):	R 29	T 31	S 05	000000	-	031140 .
	R 29	T 30	S 08	000000	-	042010 .
	R	T	S		-	.
	R	T	S		-	.

(Include others on a separate attachment)

Address and Location of Property:

630 Boy Scout Road, Lake Wales, 33898

Directions to Property from Bartow

Get on SR 60 and head east past Lake Wales, turn right on Walk-in-Water Road.

Property Description

Future Land Use (and Subdistrict if applicable): INST-1, A/RR .

Property Size: 30 acres Development Area: RDA

Water Provider Name and Phone Number: Same number as applicant .

Sewer Provider Name and Phone Number: not available .

Development of Regional Impact: no .

(Name and Phase of DRI)

Selected Area Plan: no .

(Name of SAP)

Green Swamp Area of Critical State Concern: no .

(Name of Special Protection Area)

Joint Planning Area/Interlocal Agreement no

Have Development Rights been transferred to or from the subject property? ___ Yes ✓ No

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

Boy Scout Camp **NW**	vacant **N**	vacant **NE**
citrus grove **W**	Test well and future fire station site **Subject Property**	vacant **E**
citrus grove **SW**	vacant **S**	vacant **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, _____ (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

_____. _____.

Property owner or property owner's authorized representative. Date:

POLK COUNTY
www.polk-county.net

LEVEL 3 AND 4 SITE PLAN STANDARDS

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

Applications will NOT be processed unless all required information is submitted.

- 24" x 36" sheet(s) at a minimum scale equal to 1" = 60'.
  - If multiple sheets, clearly depict match lines where sheets join.
  - Number all sheet(s) in the plan set.

- Provide a date, north arrow, scale (minimum 1" = 60') and a legend.

- Provide a vicinity map which clearly shows the site in relationship to its surround area (scale no less than 1" = 1 mile)

- Provide on the site plan clearly and legibly:
  - Depict phase lines of the project IF proposed to be constructed in phases.
  - State the estimated time of completion of the project by phase.
  - State the total project acreage.
  - State proposed densities for each dwelling unit type and approximate total number of dwelling units by type.
  - State proposed floor area ratio (FAR) for all non-residential land uses and gross floor area for all non-residential buildings by type.
  - State impervious surface area ratio calculation.
  - State wetland acreage calculation.
  - State amount of additional density or FAR requested under bonus points and calculations supporting specific features. State the parking calculation per the requirements of Table 7.10 of the LDC and provide a typical detail of a parking space.
  - State the proposed number of stories and height of all structures.
  - Depict the current/future land use on site and on properties immediately adjacent within 150 feet of the property boundaries.
  - Delineate flood zones, floodways and wetlands on site and within 150 feet of the property boundaries.
  - Indicate and dimension proposed lot lines, land uses, structures, facilities, easements, open space areas (including buffer yards), parking and loading areas and vehicular circulation.
  - Depict a typical lot layout for all housing types including footprints, setbacks and driveways. If there are lots with multiple frontages, show an additional typical.
  - Depict the location of proposed signs, dumpsters and trash compactors.

Do Not Submit Instructions With Aapplicaiton

Development Plan Requirements for Utilities

- Indicate the general location of existing utilities in adjacent easements and rights-of-way;
- Indicate existing and proposed easements for facilities to be maintained by Polk County;
- Indicate by notation proposed off-site extensions from the point of available capacity, as by the utility service provider.

Development Plan Requirements for Access

- Show paved areas and stabilized areas of the site that may be used for access to the structures by emergency apparatus. This includes cul-de-sacs, dead ends, emergency accesses, limerock based areas of travel;
- A statement indicating whether access will be to a state, city, county or private road;
- Location and type of adjacent developments, land uses, and driveways or roads within 150 feet of the proposed project;

Development Plan Requirements for Fire Protection

- Provide locations of fire hydrants and the size and locations of water mains that supply them. The point of service for fire protection systems connected to the public water system shall also be designated;

NOTE: Additional information may be required by County staff during project review. Any revisions made at the request of a reviewer shall be resubmitted to the Land Development Division Processing Section with the number of copies needed for the initial application.

Do Not Submit Instructions With Aapplicaiton

www.polk-county.net

LEVEL 3 AND 4 SUBMITTAL LIST FOR PD, SPD, CU, SIGN PLANS AND MAJOR MODIFICATIONS

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

APPLICATION - DOCUMENTS REQUIRED

Land Development Division: Official Records

One (1) Level 3/4 Development Review Application
One (1) Site Plan 24"x 36"
One (1) Impact assessment statement
One (1) Green swamp impact assessment statement (if applicable)
One (1) Reduced site plan (82@x 11")
One (1) Legal description
One (1) Deed (copies only)
One (1) Owner authorization letter
One (1) Location map
One (1) SPD developable Area Map
One (1) Pre-app Comments (if applicable)
One (1) Major Traffic Study with fee (if applicable)

APPLICATION AND PLANS SUBMITTAL INSTRUCTIONS

Polk County's development review process is now electronic. There is no need to submit paper plans or multiple copies of applications. Just follow the steps below.

1. Submit the only Application (Form # PD LDD 07) using one of the following methods:
   a. Email to projectsubmittal@polk-county.net
   b. Fax to 863-534-5908; **or**
   c. Deliver or Mail to address above.

2. Pay applicable using one of the following methods:
   a. Check (Made out to Polk County BoCC),
   b. Cash; or
   c. Credit Card (Master Card, American Express and Discover).

3. Submit plans and all required supporting documents (using one of the following methods as noted below)
   a. Electronic submittal via ePlan (instructions found in user guide at www.polk-county.net/eplan); **or**
   b. Deliver or mail CD - Follow ePlan instructions at above link for file types and naming conventions.

Incomplete Packets will not be processed.
The applicant will be called to pick up incomplete packets.

PRWC Southeast Water Well Network additions

The Southeast Wellfield was permitted on October 2, 2024 for a 30 MGD of high-quality potable water production facility on Parcel 293008-000000-033020 with the following well sites:

- Well Site 1, Parcel 293121-000000-041010
- Well Site 2, Parcel 293120-000000-021010
- Well Site 10, Parcel 293032-993000-000181
- Well Site 11, Parcel 293032-000000-032080
- Well Site 12, Parcels 293029-992880-011010, 011020, 012010, & 012020

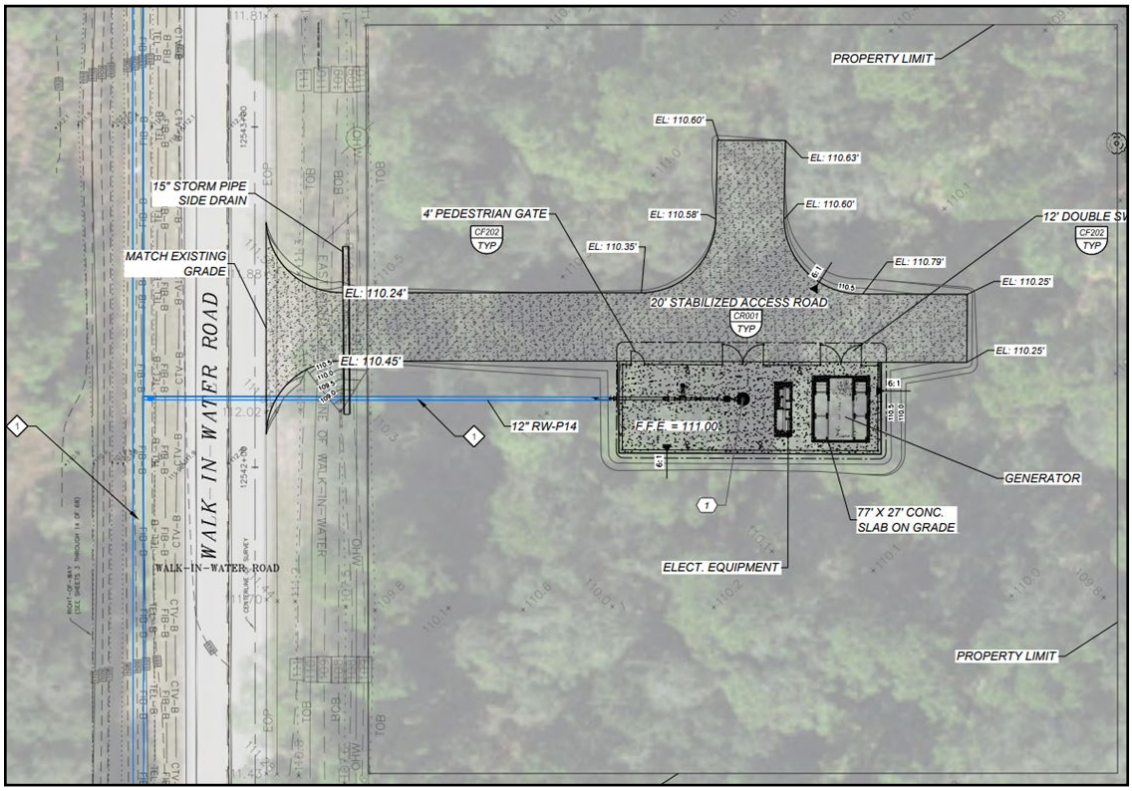
The PRWC is requesting Level 3 approval of two more well sites:

- Future Well Site 9, portion of Parent Parcel 293105000000031140
- Future Wells Site 14, portions of Parent Parcel 293008000000042010

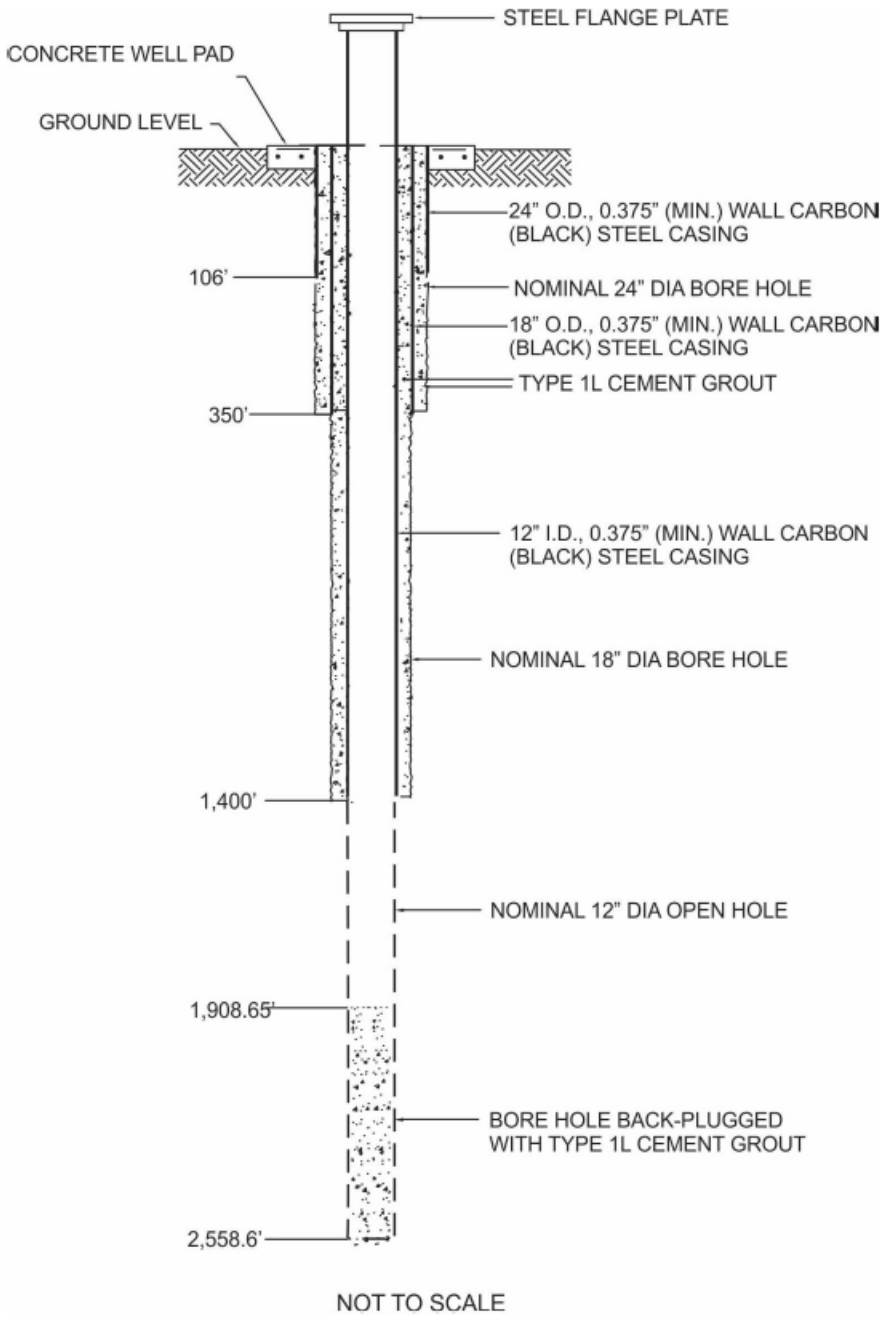
These well sites will contain at least one well with a casing that reaches a minimum of 1,400 feet below the surface and extends to a depth of approximately 1,900 feet. The wells will be drilled to a depth of approximately 2,500 feet and then backfilled with cement grout to plug the base of the hole to prevent mineral intrusion (See Exhibit 2). There will also be test wells drilled to the Upper Floridan Aquifer depth (75-400 feet) to monitor any potential impacts (See Exhibit 3). The well sites will be unmanned and operated through a communication network called the SCADA system which stands for system control and data acquisition. This is a protected internal communication system accessible only by the system operators. There will be back-up generators at each well site and some electronics (See Exhibit 1).



Photo of Typical Well Site and Site Plan

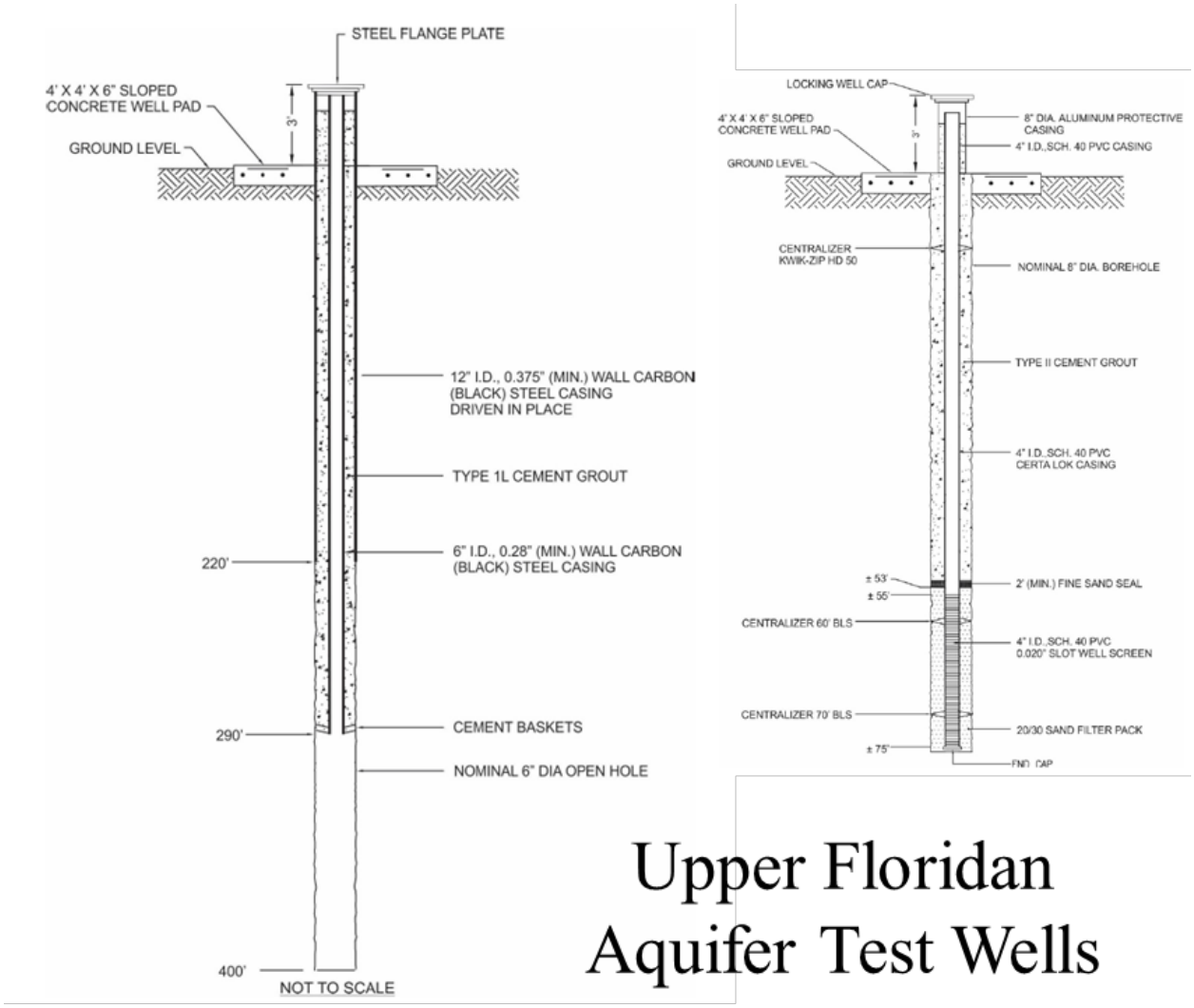


An as-built construction diagram of SE-TPW3-LFA is provided as **Figure 2-4.**



Typical Lower Floridan Aquifer Well

Exhibit 3



Upper Floridan Aquifer Test Wells

Impact Assessment Statement

Land and Neighborhood Characteristics

1. How and why is the location suitable for the proposed uses?

Located in a rural area but able to access the Lower Floridan Aquifer without adversely impacting other environmental assets or people.

2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses?

Locating the treatment plant far from residential. The raw water wells will have low impacts.

3. How will the request influence future development of the area?

It will provide water to support growth in urban areas.

Access to Roads and Highways

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed1 methodology and calculations.

Less than 50 AADT at the treatment site, 10 PM peak. Only an occasional trip to the raw water wells for maintenance and testing.

2. What modifications to the present transportation system will be required as a result of the proposed development?

Commercial driveway entrance.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land

10-15 and storage of maintenance vehicles at the plant site.

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)?

Direct frontage

Sewage

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development?

Not much more than 1 ERC at the plant site. None at the well sites.

2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage?

Septic tank and drain field.

3. If offsite treatment, who is the service provider?

n/a

4. Where is the nearest sewer line (in feet) to the proposed development (Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of- way under certain conditions listed in Section 702E.3 of the Land Development Code)

n/a

5. What is the provider's general capacity at the time of application?

n/a

6. What is the anticipated date of connection?

n/a

7. What improvements to the providers system are necessary to support the proposed request

n/a

Water Supply

1. What is the proposed source of water supply and/or who is the service provider?

Polk Regional Water Cooperative (PRWC). This facility.

2. What is the estimated volume of consumption in gallons per day (GPD)?

Not much more than 1 ERC at the plant site. None at the well sites.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

Onsite.

4. Who is the service provider?

Polk Regional Water Cooperative (PRWC).

5. What is the anticipated date of connection?

2026

6. What is the provider's general capacity at the time of application?

12.5 MGD to 30 MGD

7. Is there an existing well on the property(ies)?

Surface Water Management and Drainage

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues);

The highest point on the WTP site is 141 MSL in the northwest corner, the lowest point is 110 MSL in the southeast corner. No flood hazard areas. Most of the site is Pomello Fine Sand, the rest is Astatula Sand. Pomello has a shallow water table. Astatula is well drained.

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project?

There will be some site grading necessary to place all of the facilities.

Environmental Analysis

1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties.

The PRWC has commissioned species studies of all the sites, water modeling studies, and conducted numerous soils and well testing and analysis.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

No wetlands or floodplains.

3. Discuss location of potable water supplies, private wells, public well fields (discuss the location, address potential impacts), and;

The project is nothing but wells.

4. Discuss the location of Airport Buffer Zones (if any) (discuss the location and address, potential impacts).

No impact. Most facilities will be at grade. The highest are the ground storage tanks that are less than 40 feet above average adjacent grade.

5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development.

Most of the site is Pomello Fine Sand, the rest is Astatula Sand. Pomello has a shallow water table. Astatula is well drained.

Infrastructure Impact Information

1. Parks and Recreation;

Sumica Preserve is the closest environmental land. Closest parks are in Lake Wales.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

Closest schools are in Lake Wales.

3. Health Care (e.g., emergency, hospital);

Lake Wales Hospital (Baycare)

4. Fire Protection;

A fire station will be built onsite (see site plan)

5. Police Protection and Security;

PCSO

6. Emergency Medical Services (EMS);

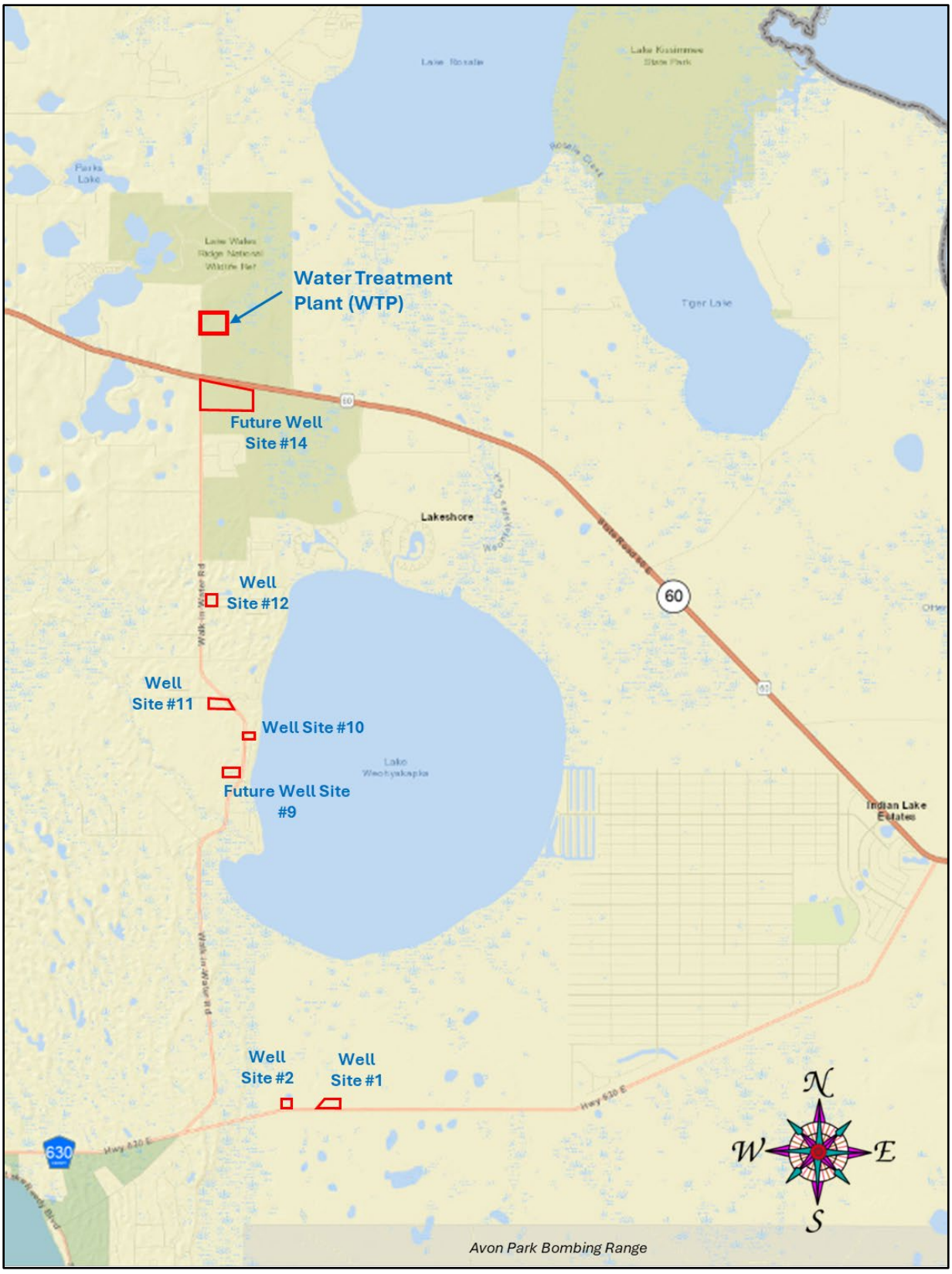
Onsite

7. Solid Waste (collection and waste generation); and

Not much. Brin is contained within the facility beneath the ground.

8. How may this request contribute to neighborhood needs?

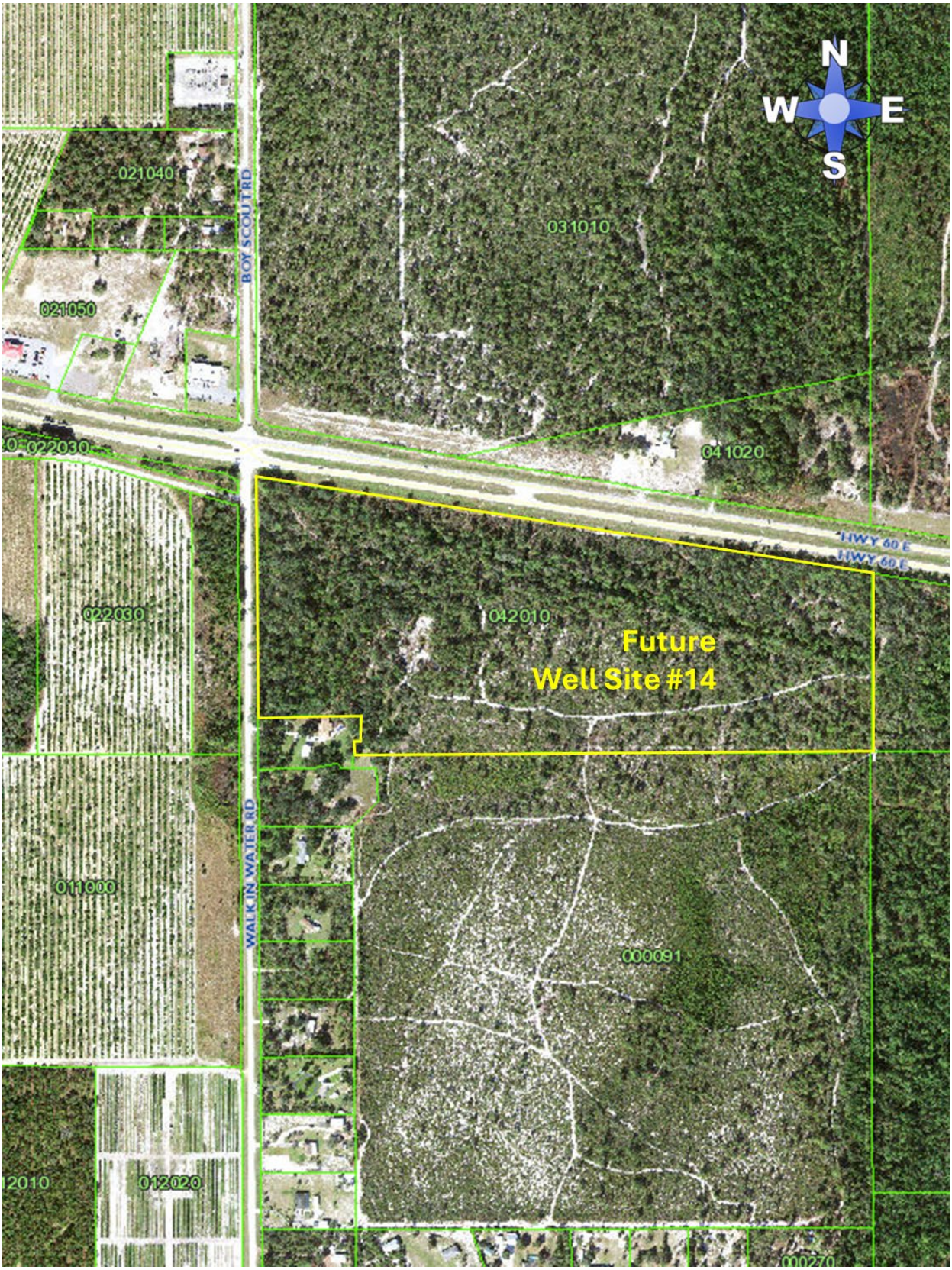
It will provide a future water supply.



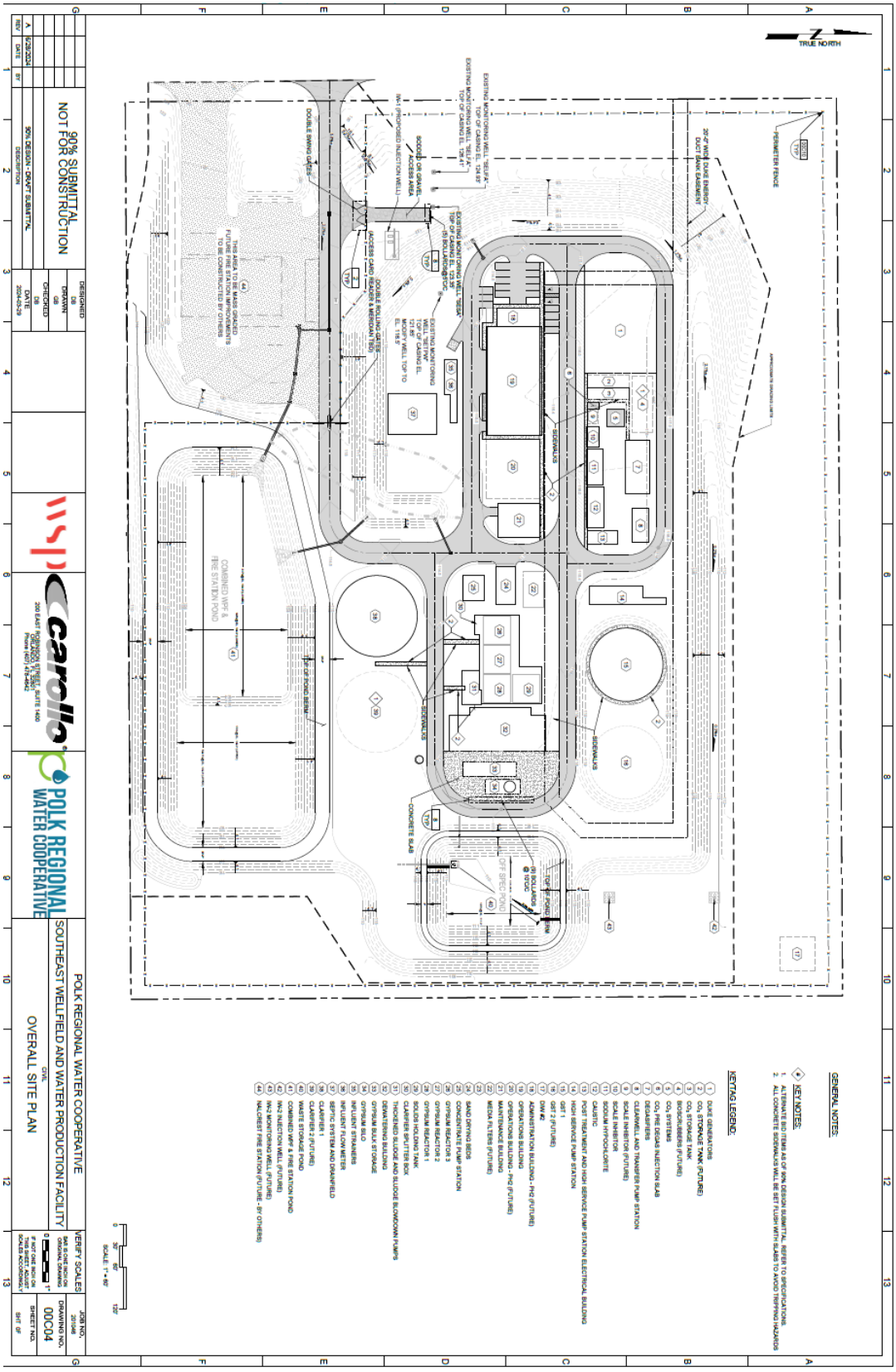
Map A: Location Map



Map B: Map depicting the site boundary (properties included in the request)



Map B: Map depicting the site boundary (properties included in the request)


TRUE NORTH
GENERAL NOTES:
KEY NOTES:
1. ALTERNATE BID ITEM #4 OF 90% DESIGN SUBMITTAL. REFER TO SPECIFICATIONS.
2. ALL CONCRETE SIDEWALKS SHALL BE SET FLUSH WITH SLABS TO AVOID TRIPPING HAZARDS
KEYTAG LEGEND:
1 DUKE GENERATORS
2 CO2 STORAGE TANK (FUTURE)
3 CO2 STORAGE TANK
4 BIOSCRUBBERS (FUTURE)
5 CO2 SYSTEMS
6 CO2 FIRE EGRESS INJECTION SLAB
7 CLEARWELL AND TRANSFER PUMP STATION
8 SCALE INHIBITOR (FUTURE)
9 SCALE INHIBITOR
10 SODIUM HYPOCHLORITE
11 CAUSTIC
12 POST TREATMENT AND HIGH SERVICE PUMP STATION ELECTRICAL BUILDING
13 HIGH SERVICE PUMP STATION
14 GST 1
15 GST 2 (FUTURE)
16 GST 3
17 ADMINISTRATION BUILDING - PH2 (FUTURE)
18 OPERATIONS BUILDING - PH2 (FUTURE)
19 OPERATIONS BUILDING
20 MAINTENANCE BUILDING
21 MEDIA FILTERS (FUTURE)
22 MEDIA FILTERS
23 SAND DRYING BEDS
24 CONCENTRATE PUMP STATION
25 GYPSUM REACTOR 3
26 GYPSUM REACTOR 2
27 GYPSUM REACTOR 1
28 SOLIDS HOLDING TANK
29 CLARIFIER SPLITTER BOX
30 THICKENED SLUDGE AND SLUDGE BLOWDOWN PUMPS
31 DEWATERING BUILDING
32 GYPSUM BULK STORAGE
33 GYPSUM SILO
34 INFLUENT STRAINERS
35 INFLUENT FLOW METER
36 RAPID MIX SYSTEM AND DRAINFIELD
37 CLARIFIER 2
38 CLARIFIER 3 (FUTURE)
39 WASTE STORAGE POND
40 CLARIFIER 1 (FUTURE)
41 COMBINED WPF & FIRE STATION POND
42 WK2 INJECTION WELL (FUTURE)
43 WK2 MONITORING WELL (FUTURE)
44 HALCHEST FIRE STATION (FUTURE - BY OTHERS)
DUKE ENERGY DUCT BANK EASEMENT
PERIMETER FENCE
EXISTING MONITORING WELL "SEG-PA" TOP OF CASING EL. 124.93' TOP OF CASING EL. 124.41'
EXISTING MONITORING WELL "SEG-PB" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PC" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PD" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PE" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PF" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PG" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PH" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PI" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PJ" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PK" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PL" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PM" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PN" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
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EXISTING MONITORING WELL "SEG-PW" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PX" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PY" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
EXISTING MONITORING WELL "SEG-PZ" TOP OF CASING EL. 123.98' (6) BOLLARDS@TOC
INJ-1 (PROPOSED INJECTION WELL)
MONITORING WELL TOP TO EL. 119.5'
ACCESS AREA
SODDED OR GRAVEL
(ACCESS CARD READER & MERIDIAN TBD)
DOUBLE SWING GATES
DOUBLE SWING GATES
THIS AREA TO BE MASS GRADED BY OTHERS TO BE CONSTRUCTED BY OTHERS
COMBINED WPF & FIRE STATION POND
TOP OF POND BERM
OFF SPEC POND
TOP OF POND BERM
(6) BOLLARDS @ TOC
CONCRETE SLAB
SIDEWALKS
SIDEWALKS
SIDEWALKS

Agenda Item 2. 11/5/2025

SUBJECT

LDCU-2025-20 (Reynolds CU)

DESCRIPTION

The applicant is requesting Conditional Use approval for a Mobile Home to be permitted on ±3.75 acres within a Residential Low-1 Future Land Use District.

RECOMMENDATION

Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863) 534-6412

andrewgrohowski@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 28, 2025	**Level of Review:**	Level 3 Review
PC Date:	November 5, 2025	**Type:**	Conditional Use Approval
BoCC Date:	N/A	**Case Numbers:**	LDCU-2025-20
		Case Name:	Reynolds CU
Applicant:	Kelsey Reynolds	**Case Planner:**	Andrew Grohowski, Planner II

Request:	The applicant is requesting Conditional Use approval for a Mobile Home to be permitted on ±3.75 acres within a Residential Low-1 Future Land Use District.
Location:	720 Reynolds Road, south of US Highway 92 and County Highway 542, east of Combee Road South, north of Skyview Drive, west of Saddlebag Lane, east of the City of Lakeland in Section 23, Township 28, Range 24.
Property Owners:	Grant Alan Reynolds & Kelsey Alyssa Culm
Parcel Number:	242823-000000-034160 (±3.75 acres)
Future Land Use:	Residential Low-1 (RL-1)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	City of Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Hearing

Location Map



2023 Aerial Photo (Context)



Summary of Analysis:

The applicant is requesting Conditional Use approval to locate a Mobile Home in a Residential Low-1 (RL-1) land use district on a ±3.75-acre lot. Chapter 2, Table 2.1 (Use Table for Standard Land Use District) of the Land Development Code (LDC) instructs that the placement of mobile homes in the RL-1 land use district requires Conditional Use approval via a Level 1 Review (via Staff only). To meet current development approval conditions, requests for mobile homes must adhere to the standards found in Chapter 3, Section 303 (*Mobile Home, Individual*) of the LDC.

The property is not located within a platted subdivision. Reynolds Road has a mixture of both detached single-family and mobile homes either on individual lots or in subdivisions. LDC Section 303 allows administrative approval for the placement of a mobile home within un-platted lots if the abutting sides have existing mobile homes or if the subject parcel is greater than five acres. Since these standards cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding residential uses.

Staff recommends approval. The mobile home request is compatible with neighboring properties and surrounding area. The nearest mobile home to the subject site is approximately 460 feet to the south (Parcel No. 242823-000000-034150) on about 19-acres. A large mobile home park, Schalamar Creek (PUD # 85-45) is less than 1½ mile to the northeast with 1,214 units. The Village of Lakeland and Anglers Cove West are two mobile home parks established in the 1980s. They are within ¼ mile from the subject site and have 319 and 153 mobile home spaces, respectively. Access is proposed off of Reynolds Road and will utilize a shared driveway easement with the property to the south, which has a 4,541 sq. ft. single-family residence under construction (BR-2025-2590). The Staff finds the placement of a new mobile home on this site does not present any apparent incompatibilities as the mobile home subdivisions in the immediate area have existed for over forty years. This parcel is not anticipated to cause any public safety concerns nor foreseeably place a strain on existing infrastructure, schools, or emergency services. The site will utilize a septic system and private well for potable water and plans to share a driveway easement with the neighboring property to the south. The driveway has received waiver approval from separation requirements on an Urban Collector roadway (LDWA-2025-17). There are no wetlands on site, and the flood zone covers a small portion to the rear of the property. There are no known environmental constraints that will prohibit the development of a mobile home. The proposed request is also consistent with the LDC and Comprehensive Plan.

Findings of Fact

- *LDCU-2025-20 is a Conditional Use request to allow a mobile home on Parcel No.* 252806-000000-022280 *(±1.23 acres) within a Residential Low-1 (RL-1) Future Land Use District in the Transit Supportive Development Area (TSDA).*

- *The surrounding properties are within a Residential Low-1 (RL-1) land use district and consist of single-family detached residences, mobile homes and vacant land.*

- *The subject site was part of approximately 11.24-acre parent parcel which performed a lot split (former Parcel No. 242823000000034120). The property was sold to Alan Reynolds and Susan B. Reynolds through a Quitclaim Deed on June 12, 2023, according to O.R. Book 12739, Pages 972 and 973.*

- *On January 13, 2025, the site was subsequently subdivided again with the southern 2.19-acre parcel ("Parcel Three") sold to Daniel Paul Burnham and Tiffany Lee Burnham through a Quitclaim Deed, according to O.R. Book 13406, Pages 8 to 13 (Parcel No. 242823000000034170). The subject site ("Parcel Two") was sold to Grant Alan Reynolds and Kelsey Alyssa Culm through a Quitclaim Deed, according to O.R. Book 13406, Pages 2 to 7.*

- *The subject property has approximately 92 feet of frontage along Reynolds Road. Reynolds Road (Road No. 843423) is a County-maintained Urban Collector roadway with a paved surface width of 25 feet, according to the Polk County Road Inventory.*

- *Per Chapter 7, Section 705, Table 7.5 of the LDC, the minimum distance between residential driveway center lines on an Urban Collector roadway is 100 feet.*

- *The adjacent parcel to the south site received approval for a waiver to Section 822 of the LDC for road frontage (LDWA-2025-17). Both the southern parcel and subject site plan to use a shared private easement for access.*

- *The southern property (Parcel No. 242823000000034170) is currently constructing a 4,541 square foot single-family residence (BR-2025-2590).*

- *POLICY 2.109-A24 of the Comprehensive Plan states that "The purpose of the Residential Low (RL) land use district is to provide areas for the low density residential development in the urban areas of unincorporated Polk County."*

- *Per Chapter 2, Section 205, Table 2.2 of the LDC, the RL-1 land use district mandates right-of-way setbacks from Urban Collector roadways for the primary structure of 35 feet, side setbacks for the primary structure of 10 feet; and rear setbacks for the primary structure of 15 feet.*

- *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that "Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County's Land Development Code."*

- *Chapter 2, Table 2.1 of the LDC, indicates Individual Mobile Homes within the RL-1 district are conditionally permitted following a Level 1 Review.*

- *Per Chapter 3, Section 303 of the LDC, Individual Mobile Homes are allowed in all of the following locations:*

  1. Within any registered mobile home park that has been approved by Polk County;

  2. Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;

  3. Within any platted residential subdivision or single platted phase within a multiple phased development recorded prior to May 20, 1971;

4. Within any platted residential subdivision, or single platted phase within a multiple phased development recorded after May 20. 1971, in which 50 percent or more of the developed lots contain mobile homes;

5. On any un-platted legal residential lot or parcel in the A/RR district;

6. On any un-platted legal residential lot or parcel that is five acres or larger in the RS district;

7. On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;

8. On any un-platted legal residential lot or parcel where at least one property abutting the subject property's side lot line has a mobile home;

9. On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,

10. On any legal residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area.

- *Since there are no mobile homes abutting side and rear property lines nor vacant properties on all side and rear lines, the Planning Commission shall determine if the proposed request is compatible with the established character of the surrounding area via the Level 3 Review process.*

- *Fire and EMS Response is from Polk County Fire Rescue Station 39 located at 3325 E Main Street in Lakeland. This is located approximately 3.6 miles from the subject site with a response time of eleven (11) minutes.*

- *Sheriff's response to the site is served by the Southwest (SW) District located at 4120 US 98 South in Lakeland. The response times for SW in October 2025 were: Priority 1 Calls – 9:21 and Priority 2 Calls – 25:28.*

- *The subject property is located within the City of Lakeland's water service area. The lot will utilize its own private well and septic tank.*

- *The development is zoned for Clarence Boswell Elementary, Crystal Lake Middle School and Tenoroc Senior High School. The site is 4.9 miles from Clarence Boswell Elementary, 2.1 miles from Crystal Lake Middle School, and 4.3 miles from Tenoroc Senior High School.*

- *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*

- *The property is composed of 58.9 percent Zolfo fine sand, 31.6 percent Pomona fine sand, and 9.5 percent Placid and Myakka fine sands.*

- *The property has approximately 0.30 acres (10 percent) of floodplains and does not contain Freshwater Emergent wetlands.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species. A monitored bald eagle nest (ID # PO269) is located about 0.2 miles southeast of the subject site according to the Audubon EagleWatch Inventory of 2025.*

- *According to the Florida Ecological Greenways Network (FEGN) the site is within a prioritized wildlife greenway network of "Priority Level 3." According to the Florida Natural Areas Inventory (FNAI), the site not located within an existing or proposed conservation easement.*

- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*

- *There are two Citrus Connection transit routes within a one-mile radius of the subject property. The Purple Line (Stop # 714) is about 0.55 miles to the north. The Green Line (Stop # 726) is about 0.65 miles to the south.*

- *The subject site has ingress and egress access through Reynolds Road, a paved, Urban Collector roadway. The roadway is tracked for concurrency with Polk County's Transportation Planning Organization. According to the 2025 Roadway Network Database, Reynolds Road (4139N) has approximately 411 available PM Peak Hour trips; Reynolds Road (4139S) has approximately 395 available PM Peak Hour trips. Reynolds Road current Level-of-Service (LOS) is "C" with an adopted LOS standard of "D".*

- *The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*

- *Chapter 553 of the Florida Statutes states that "Mobile Homes" means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile homes are built to a separate standard than site-built homes and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to the standards set forth in Chapter 553 of Florida Statutes.*

- *This request has been reviewed for consistency with Section 303 of the LDC.*

- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.104 TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA) and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, and the analysis conducted within this staff report,

the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL** of **LDCU-2025-20.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2025-4 with the following Conditions:

1. LDCU-2025-20 is approved for no more than one (1) mobile home on Parcel # 242823-000000-034160, as indicated in the site plan and staff report.

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity:

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: RL-1 Vacant, forested land ± 18.13 acres	**North:** RL-1 710 Reynolds Rd 2,926 sq. ft. single-family home ± 5.30 acres	**Northeast:** RL-1 710 Reynolds Rd 2,926 sq. ft. single-family home ± 5.30 acres
West: RL-1 Vacant, forested land ± 18.13 acres	**Subject Property:** RL-1 Vacant land ± 3.75 acres	**East:** RL-1 & RS 710 Reynolds Rd, wetlands & vacant land ± 40.18 acres
Southwest: RL-1 740 Reynolds Rd 1,120 sq. ft. single-family home ± 0.52 acres	**South:** RL-1 730 Reynolds Rd Proposed 4,541 sq. ft. single-family home ± 2.20 acres	**Southeast:** RL-1 & RS 710 Reynolds Rd, wetlands, & vacant land ± 5.30 acres

Source: Polk County Geographical Information System and site visit by County staff

The property, as well as adjacent lots, are unplatted and within a Residential Low-1 (RL-1) land use district consisting of single-family site-built homes. The general area is occupied with a combination of a site-built single-family homes, mobile homes, and vacant residential. The property directly to the south is currently constructing a 4,541 sq. ft. single-family residence (BR-2025-2590). A large tract of vacant land within the Residential Suburban (RS) land use district is to the rear. Two mobile home parks, The Village of Lakeland and Angler's Cove West to the south (LIC-H-1426), both have more than 150 mobile home spaces and were developed in the 1970s and 1980s.

Compatibility with the Surrounding Land Uses and Infrastructure:

This request is compatible with surrounding land uses and available infrastructure. The impact from a single mobile home is minimal. Given the improved standards for mobile home construction in recent years, the placement of a mobile home in this location is compatible with surrounding homes.

The LDC defines compatibility as "*A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

The property is not located within a platted subdivision. Individual properties and subdivisions line Reynolds Road and consist of a mixture of detached single-family and mobile homes. Existing mobile homes are commonly found within the surrounding area since the 1980s, according to historical aerials. The nearest mobile home to the subject site is approximately 460 feet to the south (Parcel No. 242823-000000-034150) on about 19-acres. Two subdivisions under ¼ mile to the north and south from the site, The Village of Lakeland and Angler's Cove West, have 319 and 153 mobile home spaces respectively (*Exhibit 5*). Further south, Sunshine Village MHP has 303 mobile home spaces. However, the largest mobile home park nearby is Schalamar Creek, which is less than 1½ mile northeast. The Planned Unit Development was approved in 1985 for a 1,214 unit mobile home park, a 155 unit destination recreational vehicle park, and golf course (PUD # 85-45). If a mobile home were to have been developed in any of these subdivisions, or if the neighborhood was part of a plat prior to May 20, 1971, additional approval via the Planning Commission would not be necessary.

Urban Services and Infrastructure Analysis

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Placement of one mobile home will not trigger school concurrency requirements at Clarence Boswell Elemenatry, Crystal Lake Middle School, or Tenorac Senior High School; however, Clarence Boswell Elementary is at 87% capacity, Crystal Lake Middle is operating at 57% capacity, and Tenorac Senior High School is currently operating at 62% capacity. The subject property is located within the City of Lakeland's water service area.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, this proposal is not anticipated to create any significant demand on these services.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Clarence Boswell Elementary; 2024-2025 School Capacity: 87% Crystal Lake Middle School; 2024-2025 School Capacity: 57%

Urban Services and Infrastructure Summary	
	Tenoroc Senior High School; 2024-2025 School Capacity: 62% *(Source: Polk County School Board)*
Sheriff	Sheriff's response to the site is served by the Southwest (SW) District Substation located at 4120 US 98 South, Lakeland. The response times for SW in October 2025 were: Priority 1 Calls – 9:21 and Priority 2 Calls – 25:28.
Fire/EMS	Fire and EMS Response is from Polk County Fire Rescue Station 39 located at 3325 E Main Street, Lakeland. This is located approximately 0.9 miles from the subject site with a response time of 4-5 minutes. No objections.
Water	Private Well
Sewer	Onsite Treatment System
Transportation	The subject site has ingress and egress access through Reynolds Road, a paved, County-maintained Urban Collector roadway (Road No. 843423). According to the 2025 Roadway Network Database, the nearest monitored roadway link Reynolds Road (4139N) has approximately 411 available PM Peak Hour trips; Reynolds Road (4139S) has approximately 395 available PM Peak Hour trips. Reynolds Road current Level-of-Service (LOS) is "C" with an adopted LOS standard of "D". There are two Citrus Connection lines within one-mile to the north (Purple Line; Stop # 714) and south (Green Line; Stop # 726) of the subject site.
Urban Sprawl	Site is located within the TSDA and is not considered urban sprawl.

Table 3, below, identifies the anticipated impact of one mobile home on water and sewer services. The site has approximately 92 feet of frontage along Reynolds Road, using a private well and septic tank. The placement of one mobile home will have negligible impacts on the traffic on local roadways.

Table 3

Impact Analysis Summary **Proposed Conditional Use** **(One Mobile Home)**			
Potable Water Impact	**Wastewater Impact**	***AADT Impact**	***PHT Impact**
360 GPD (on-site well)	270 GPD (on-site septic)	7.81 AADT	1.00 PHT
Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a mobile home will consume 360 GPD and generate 270 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates for mobile homes. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.			

Environmental Conditions Analysis

There are no further known conditions that should pose a threat to the existing environmental resources based upon the proposed request (*Table 4*). The parcel is approximately 3.75 acres total and is comprised of 0.33, or 10%, within the 100-year flood zone. The Saddle Creek River is about ¾ mile to the east of the subject property. The remaining lands are considered uplands to the western portion of the property. No freshwater emergent wetlands were identified on the site. Per Chapter 6, Section 620 – Wetland Protection of the Land Development Code (LDC), an undisturbed vegetative buffer adjacent to surface waters with an average width of 25 feet and a minimum width of 15 feet shall be maintained for stormwater treatment and wildlife utilization measured perpendicularly from the OHWL or the jurisdictional wetland line, whichever is greater.

It is easy to meet the 25 feet wetland buffer and the development setbacks in Chapter 2 of the LDC as the parcel spans over 1,000 feet in length.

The subject site is not located within any of the County's identified Wellhead-Protection Areas, Historical Preservation Area, or In-Flight Visual Interference Zone. The subject property is not located within a one-mile radius of endangered species, according to the Florida Natural Areas Inventory Biodiversity Matrix. The subject property contains no surface water features and gradually slopes downward to the east with an elevation of 130' along Reynolds Road to 112' to the rear, or easternmost portion of the site.

Table 4

Environmental Conditions Summary	
Surface Water	None
Wetlands/Floodplains	The site is entirely composed of uplands with no freshwater emergent wetlands. About 0.30 acres of the site is within a special flood hazard area (Zone A), according to FEMA maps.
Soils	The property is composed of 58.9 percent Zolfo fine sand, 31.6 percent Pomona fine sand, and 9.5 percent Placid and Myakka fine sands, which provides poor drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.
Protected Species	The subject site is not located within one mile of any identified endangered species. One monitored bald eagle nest (ID # PO269) is located about 0.2 miles southeast. (Sources: Florida Natural Areas Inventory Biodiversity Matrix & Audubon EagleWatch Inventory of 2025).
Wellfield Protection	The property is not located within any County Wellhead-Protection Areas.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.
Airports	The subject property is located outside any Airport's Height Notification and In-Flight Visual Interference Zones.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5 in accordance with Section 906.D.7 of the Land Development Code.

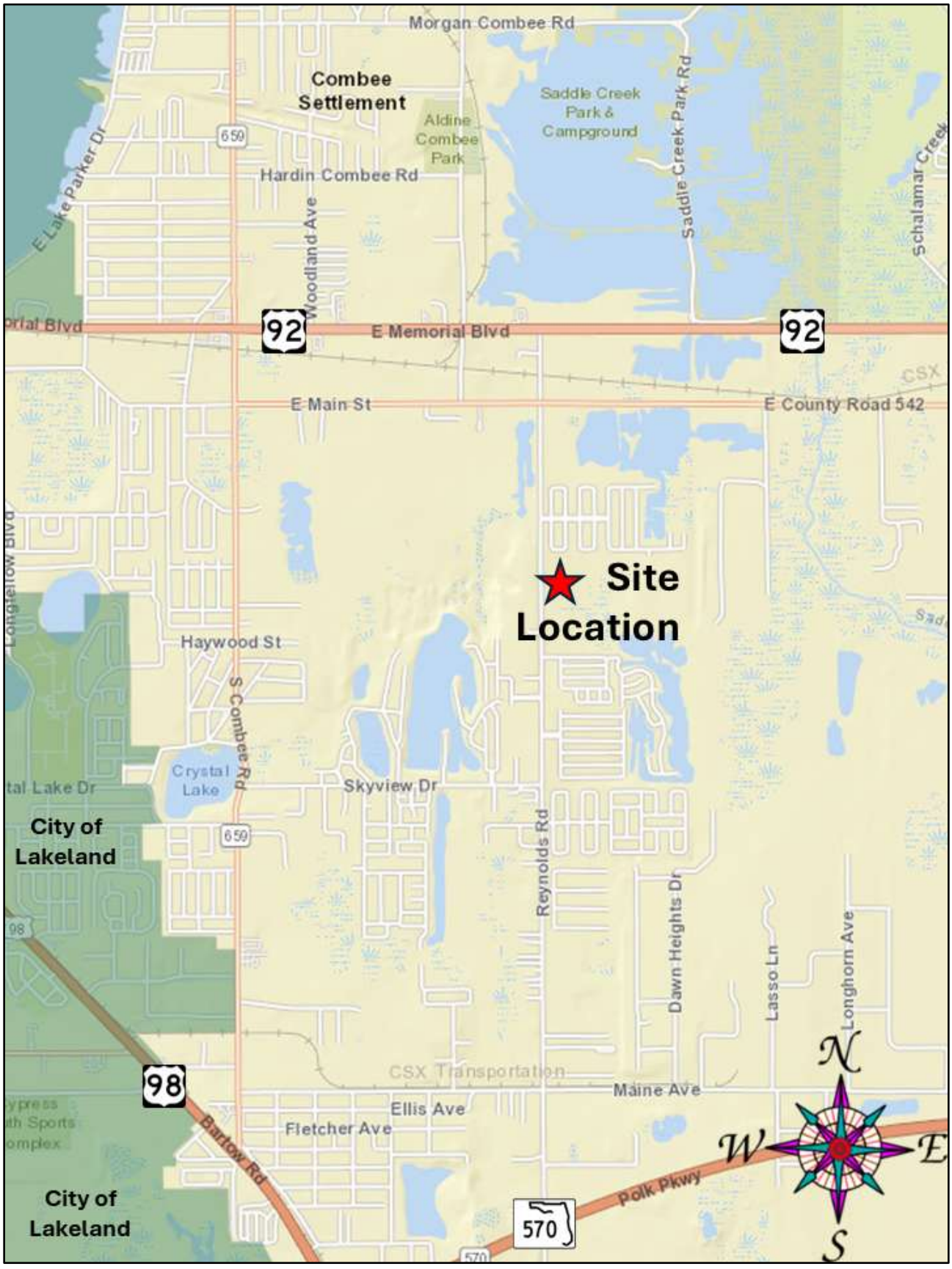
Table 5

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC, specifically Table 2.1 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2-5 of the staff report.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	*Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 6-7 of this staff report for data and analysis on surrounding uses and compatibility.*
How the concurrency requirements will be met if the development were built.	*This request will not require concurrency determination from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 7-8 of the staff report.*

Comments from other Agencies: None

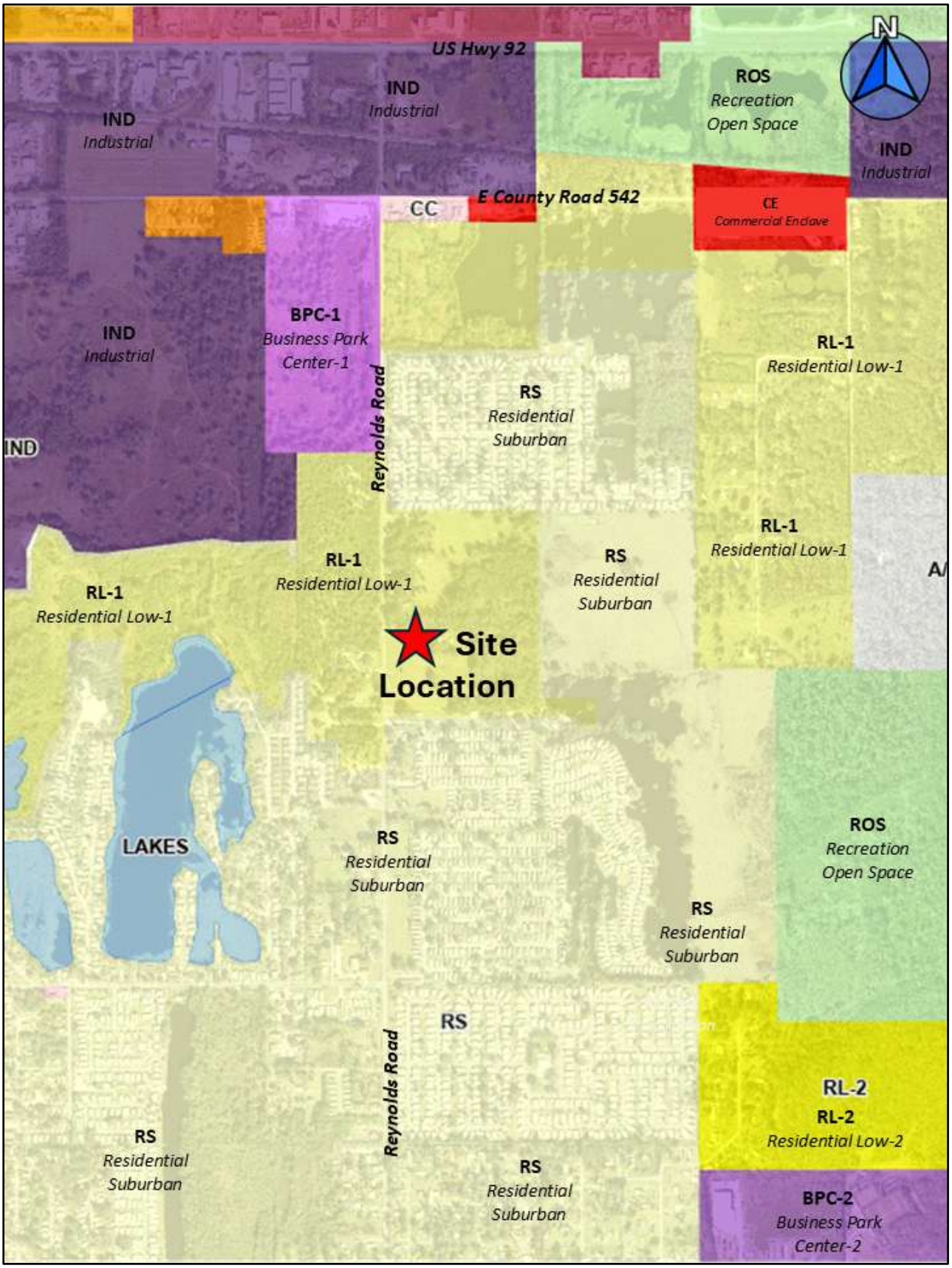
Exhibits:
Exhibit 1 – Location Map
Exhibit 2 – Future Land Use Map
Exhibit 3 – 2023 Aerial Image (Context)
Exhibit 4 – 2025 Satellite Photo (Close-up)
Exhibit 5 – Surrounding Properties
Exhibit 6 – Site Plan

Exhibit 1



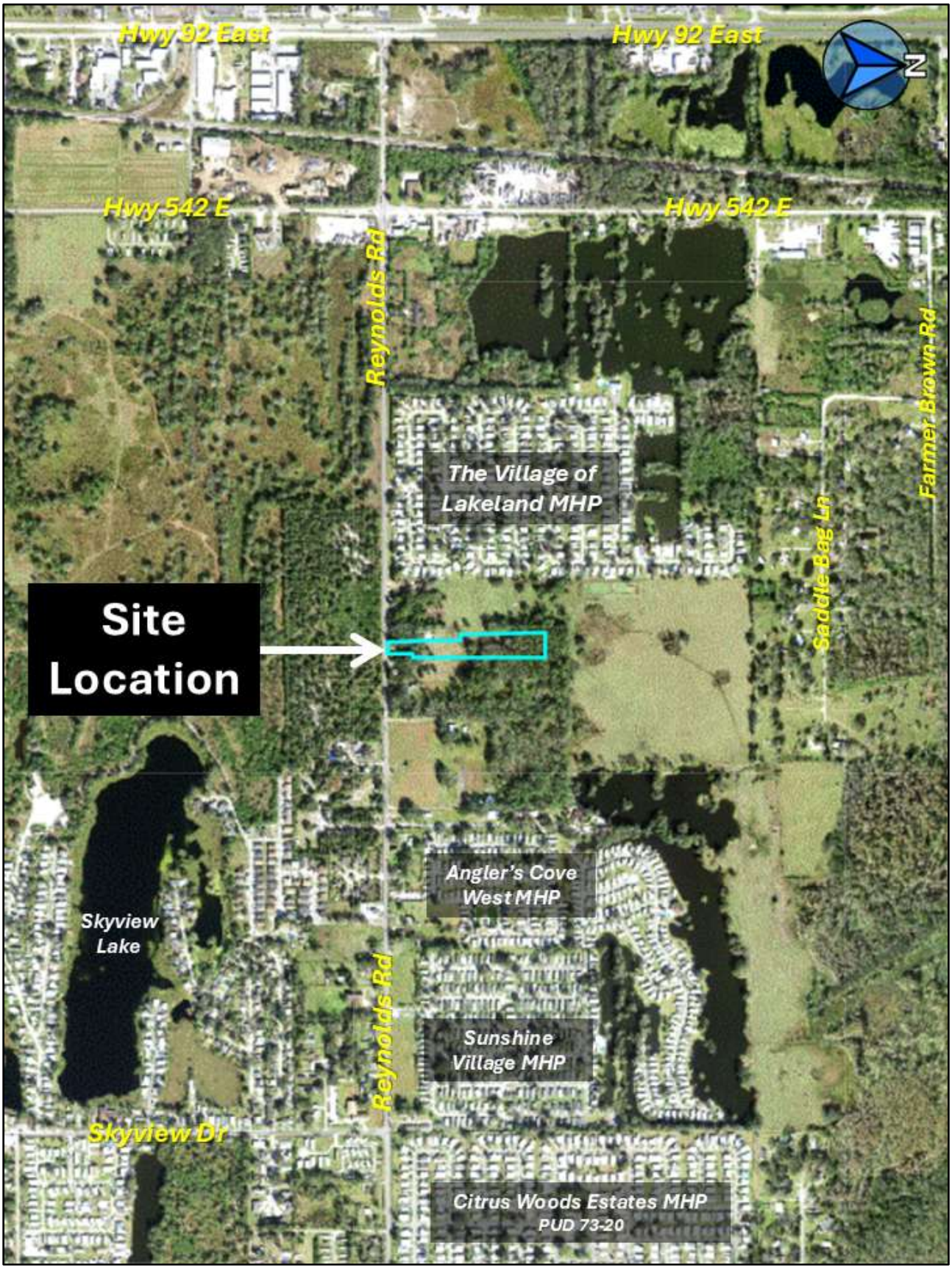
Location Map

Exhibit 2



Future Land Use Map

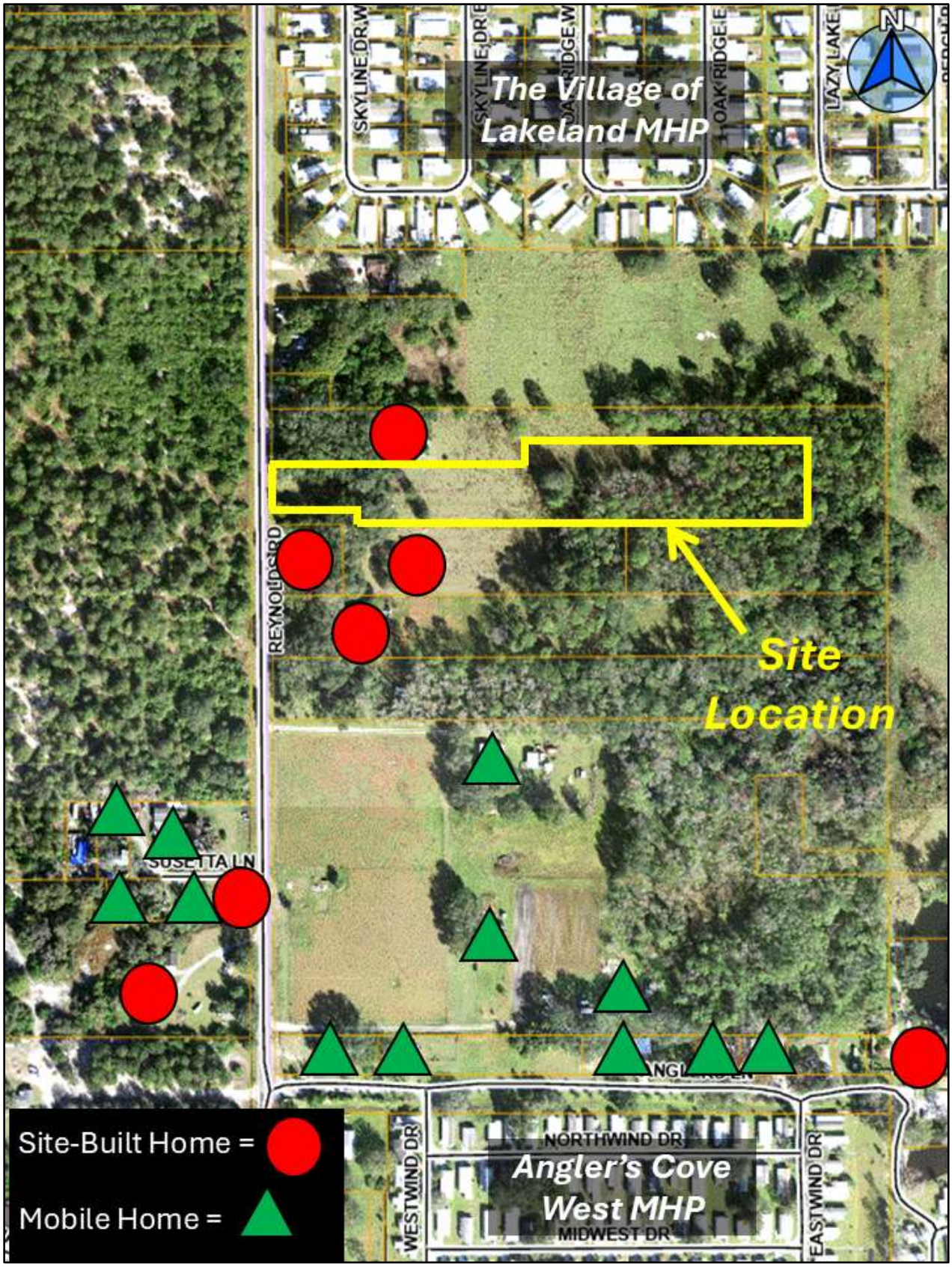
Exhibit 3



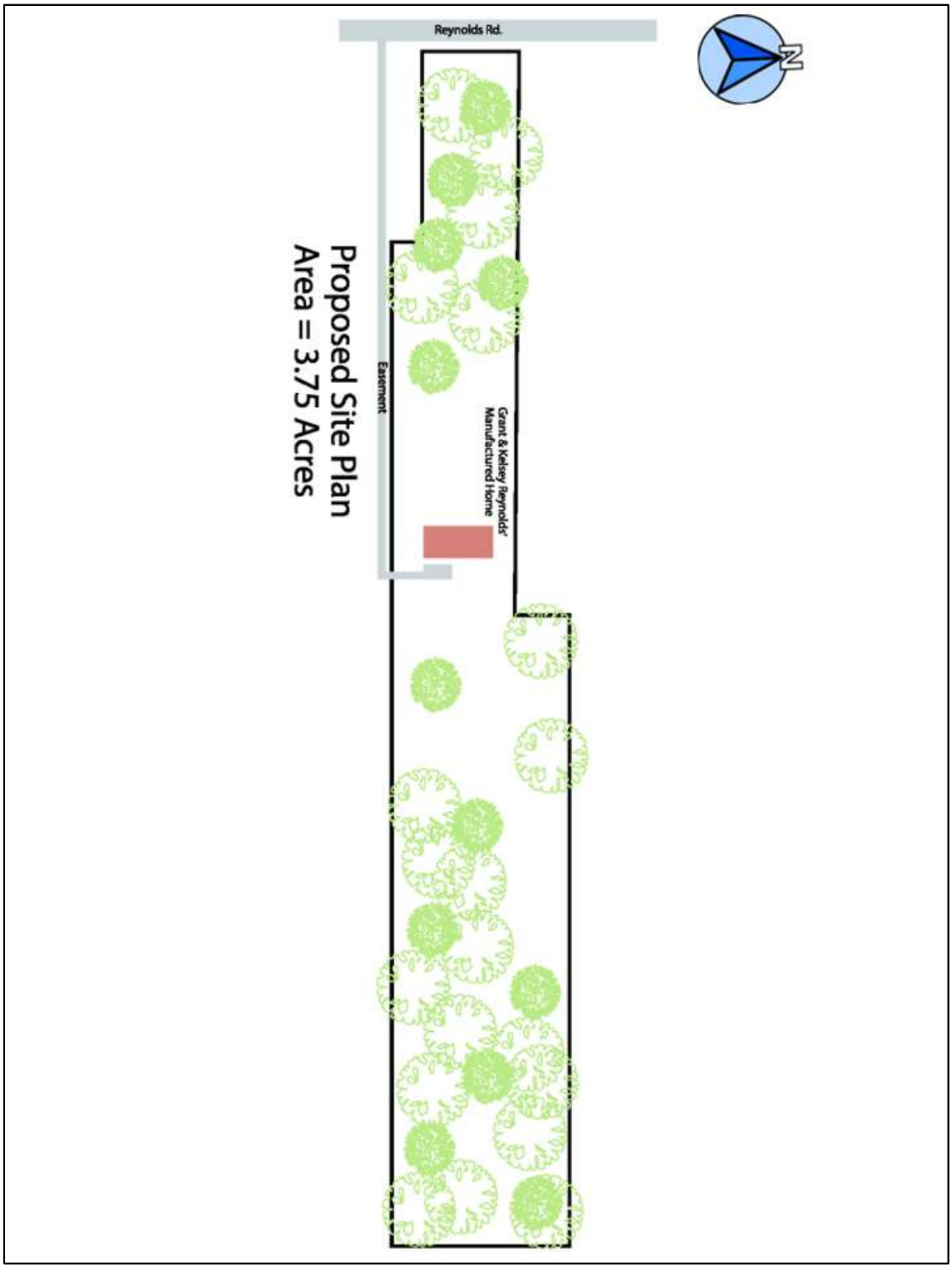
2023 Aerial Image (Context)



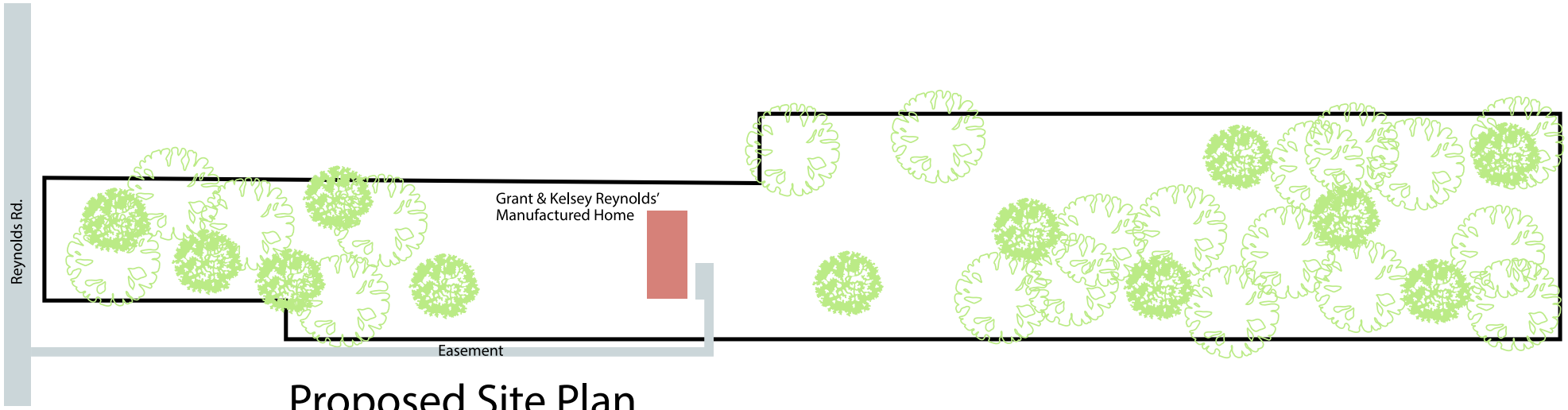
2025 Satellite Photo (Close-up)



Surrounding Properties


Reynolds Rd.
N
Proposed Site Plan
Area = 3.75 Acres
Easement
Grant & Kelsey Reynolds'
Manufactured Home

Site Plan



Proposed Site Plan
Area = 3.75 Acres

Impact Statement & Description

Property Address: 720 Reynolds Rd. Lakeland Fl. 33801
Parcel ID: 242823000000034160

Proposed Action: Rezoning from 9900 – Unplatted up to 10 acres to PC – Conditional Use: New or Mobile Home to allow placement of a new HUD-certified manufactured home.

Short Legal Desription:
COMM AT SW COR OF N3/4 OF SW1/4 OF NW1/4 OF SEC N00-1140E 442.76 FT TO POB CONT N00-11-40E 91.94 FT TO INTERSECTION OF S BNDRY OF PCL REC IN

Project Description:
The applicant requests a zoning district change for property located in unincorporated Polk County to permit the placement of a new HUD-certified manufactured home from Jacobsen Homes, to be installed on-site as a permanent single-family residence. The home will be constructed in compliance with the U.S. Department of Housing and Urban Development (HUD) standards, the Florida Building Code, and all applicable Polk County Land Development Code requirements.

Impact on Surrounding Area

Traffic: The proposed residential use will result in minimal traffic generation, consistent with other single-family homes in the area. No roadway modifications will be required.

Utilities & Services: The property will be served by Lakeland Electric and Lakeland Water Utilities for electricity and potable water, and by a private septic system for wastewater. No significant impact on county infrastructure or public services is anticipated.

Compatibility: The requested zoning is compatible with the rural and residential character of the surrounding area, which includes similar single-family and agricultural uses.

Environmental Considerations: The project will comply with all applicable environmental regulations, including stormwater management, setbacks, and, if applicable, Green Swamp requirements. No adverse environmental impacts are anticipated.

Community Benefits
Approval of this rezoning will allow for the productive use of the property, providing a safe, affordable, and permanent housing option while maintaining the character of the surrounding community in unincorporated Polk County.

Florida's Crossroads of Opportunity

Board of County Commissioners

330 West Church Street
PO Box 9005 • Drawer GM03
Bartow, Florida 33831-9005

POLK COUNTY

PHONE: 863-534-6792
FAX: 863-534-6407
www.polk-county.net

LAND DEVELOPMENT DIVISION

April 17, 2025

REYNOLDS ALAN
710 REYNOLDS RD
LAKELAND, FL 33801

Re: **Project Name:** BURNHAM DANIEL
Project #: LDWA-2025-17
Property Location: 720 REYNOLDS RD, LAKELAND, FL 33801
Request: Road Frontage waiver. Section 822

Dear Reynolds Alan,

The Development Review Committee has reviewed your request for a waiver from the Polk County Land Development Code. After careful and diligent consideration of all the materials that were presented at the DRC meeting, the Committee finds that granting the requested waiver is appropriate. Therefore, your waiver is hereby GRANTED contingent upon the following condition(s):

Should any party choose to appeal this decision to the Board of County Commissioners, application through the Land Development Division shall be made within 7 calendar days from the date of this letter. Appeals shall be in conformance with the requirements of Section 921.A of the Land Development Code and shall follow Public Notice of Administrative Decisions pursuant to Section 921.D.

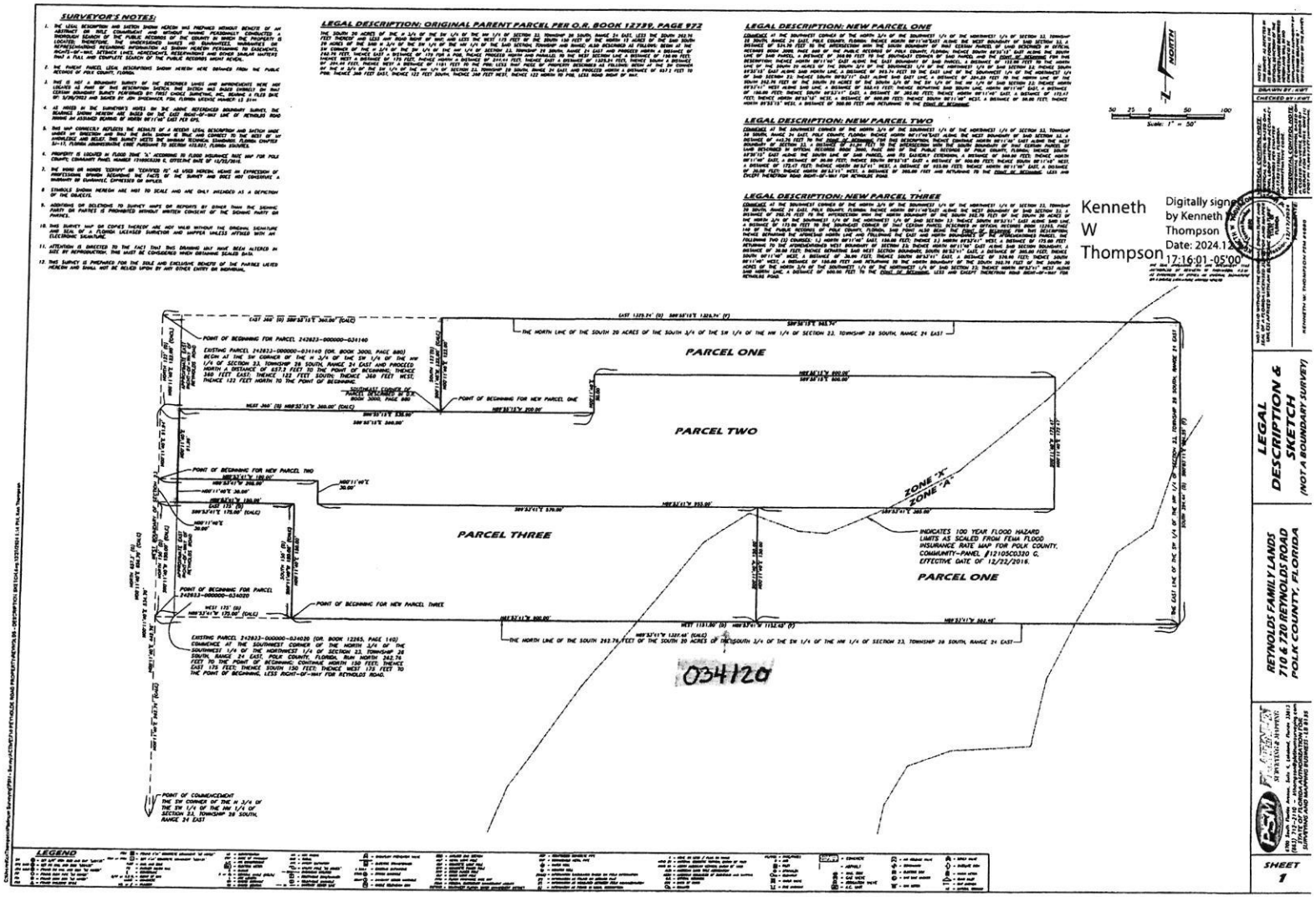
For further questions regarding the matter stated herein, please call Rita Karacson at (863) 534-6794.

Sincerely,

Rita Karacson

Rita Karacson, CPM, CPS
Development Coordination Supervisor
Land Development Division

c: Chronfile


SURVEYOR'S NOTES:
LEGAL DESCRIPTION: ORIGINAL PARENT PARCEL PER O.R. BOOK 12739, PAGE 972
LEGAL DESCRIPTION: NEW PARCEL ONE
LEGAL DESCRIPTION: NEW PARCEL TWO
LEGAL DESCRIPTION: NEW PARCEL THREE
NORTH
Scale: 1" = 50'
Kenneth W Thompson
Digitally signed by Kenneth W Thompson
Date: 2024.12.17 17:16:01 -05'00'
PARCEL ONE
PARCEL TWO
PARCEL THREE
POINT OF BEGINNING FOR PARCEL 242823-000000-034140
POINT OF BEGINNING FOR NEW PARCEL ONE
POINT OF BEGINNING FOR NEW PARCEL TWO
POINT OF BEGINNING FOR NEW PARCEL THREE
POINT OF BEGINNING FOR PARCEL 242823-000000-034020
POINT OF COMMENCEMENT
ZONE "X"
ZONE "A"
INDICATES 100 YEAR FLOOD HAZARD LIMITS AS SCALED FROM FEMA FLOOD INSURANCE RATE MAP FOR POLK COUNTY, COMMUNITY-PANEL #12105C0330 G, EFFECTIVE DATE OF 12/22/2016.
034120
LEGEND
LEGAL DESCRIPTION & SKETCH
(NOT A BOUNDARY SURVEY)
REYNOLDS FAMILY LANDS
710 & 720 REYNOLDS ROAD
POLK COUNTY, FLORIDA
SHEET 1

PARCEL TWO:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA: THENCE NORTH 00°11'40"EAST ALONG THE WEST BOUNDARY OF SAID SECTION 23, A DISTANCE OF 442.76 FEET TO THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE CONTINUE NORTH 00°11'40" EAST ALONG THE WEST BOUNDARY OF SECTION 23, A DISTANCE OF 91.94 FEET TO THE INTERSECTION WITH THE SOUTH BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3000, PAGE 880 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 89°55'15" EAST ALONG THE SOUTH LINE OF SAID PARCEL, AND ITS EASTERLY EXTENSION, A DISTANCE OF 560.00 FEET; THENCE NORTH 00°11'40" EAST, A DISTANCE OF 50.00 FEET; THENCE SOUTH 89°55'15" EAST A DISTANCE OF 600.00 FEET; THENCE SOUTH 00°11'40" WEST, A DISTANCE OF 172.47 FEET; THENCE NORTH 89°53'41" WEST, A DISTANCE OF 955.00 FEET; THENCE NORTH 00°11'40" EAST, A DISTANCE OF 30.00 FEET; THENCE NORTH 89°53'41" WEST, A DISTANCE OF 205.00 FEET AND RETURNING TO THE POINT OF BEGINNING. LESS AND EXCEPT THEREFROM ROAD RIGHT-OF-WAY FOR REYNOLDS ROAD.

PARCEL THREE:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA: THENCE NORTH 00°11'40"EAST ALONG THE WEST BOUNDARY OF SAID SECTION 23, A DISTANCE OF 262.76 FEET TO THE INTERSECTION WITH THE NORTH BOUNDARY OF THE SOUTH 262.76 FEET OF THE SOUTH 20 ACRES OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE SOUTH 89°53'41" EAST ALONG SAID LINE, A DISTANCE OF 175.00 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 12265, PAGE 140 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE DEPARTING THE AFORESAID NORTH LINE AND FOLLOWING THE EAST AND NORTH BOUNDARIES OF THE AFOREMENTIONED PARCEL, THE FOLLOWING TWO (2) COURSES: 1.) NORTH 00°11'40" EAST, 150.00 FEET; THENCE 2.) NORTH 89°53'41" WEST, A DISTANCE OF 175.00 FEET RETURNING TO THE AFOREMENTIONED WEST BOUNDARY OF SECTION 23; THENCE NORTH 00°11'40" EAST ALONG SAID SECTION BOUNDARY, A DISTANCE OF 30.00 FEET; THENCE DEPARTING SAID WEST SECTION BOUNDARY, SOUTH 89°53'41" EAST, A DISTANCE OF 205.00 FEET; THENCE SOUTH 00°11'40" WEST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 89°53'41" EAST, A DISTANCE OF 570.00 FEET; THENCE SOUTH 00°11'40" WEST, A DISTANCE OF 150.00 FEET AND RETURNING TO THE NORTH BOUNDARY OF THE SOUTH 262.76 FEET OF THE SOUTH 20 ACRES OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE NORTH 89°53'41" WEST ALONG SAID NORTH LINE, A DISTANCE OF 600.00 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THEREFROM ROAD RIGHT-OF-WAY FOR REYNOLDS ROAD.

This Instrument Prepared By:
Michael A. Johnson, Esquire
Post Office Box 1397
Lakeland, Florida 33802
(863) 688-0741

QUITCLAIM DEED

THIS QUITCLAIM DEED executed this 13th day of January, 2025, by ALAN REYNOLDS and SUSAN B. REYNOLDS, husband and wife, whose post office address is 710 Reynolds Rd., Lakeland, FL 33801-6432, (hereinafter called "Grantors"), and

DANIEL PAUL BURNHAM and TIFFANY LEE BURNHAM, husband and wife, whose post office address is 740 Reynolds Rd., Lakeland, FL 33801, (hereinafter called "Grantees").

WITNESSETH, that said Grantors, for and in consideration of the sum of ten dollars and other good and valuable considerations to said Grantors in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, hereby remise, release and quitclaim unto the Grantees forever, all the right, title, interest, claim and demand, which the said first party has in and to the following described land, situate, lying and being in Polk County, Florida, to-wit:

PARCEL THREE:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA: THENCE NORTH 00°11'40"EAST ALONG THE WEST BOUNDARY OF SAID SECTION 23, A DISTANCE OF 262.76 FEET TO THE INTERSECTION WITH THE NORTH BOUNDARY OF THE SOUTH 262.76 FEET OF THE SOUTH 20 ACRES OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE SOUTH 89°53'41" EAST ALONG SAID LINE, A DISTANCE OF 175.00 FEET TO THE SOUTHEAST CORNER OF THAT CERTAIN PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 12265, PAGE 140 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, SAID POINT ALSO BEING THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE DEPARTING THE AFORESAID NORTH LINE AND FOLLOWING THE EAST AND NORTH BOUNDARIES OF THE AFOREMENTIONED PARCEL, THE FOLLOWING TWO (2) COURSES: 1.) NORTH 00°11'40" EAST, 150.00 FEET; THENCE 2.) NORTH 89°53'41" WEST, A DISTANCE OF 175.00 FEET RETURNING TO THE AFOREMENTIONED WEST BOUNDARY OF SECTION 23; THENCE NORTH 00°11'40" EAST ALONG SAID SECTION BOUNDARY, A DISTANCE OF 30.00 FEET; THENCE DEPARTING SAID WEST SECTION BOUNDARY, SOUTH 89°53'41" EAST, A DISTANCE OF 205.00 FEET; THENCE SOUTH 00°11'40" WEST, A DISTANCE OF 30.00 FEET; THENCE SOUTH 89°53'41" EAST, A DISTANCE OF 570.00 FEET; THENCE SOUTH 00°11'40" WEST, A DISTANCE OF 150.00 FEET AND RETURNING TO THE NORTH BOUNDARY OF THE SOUTH 262.76 FEET OF THE SOUTH 20 ACRES OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE NORTH 89°53'41" WEST ALONG SAID NORTH LINE, A DISTANCE OF 600.00 FEET TO THE POINT OF BEGINNING. LESS AND EXCEPT THEREFROM ROAD RIGHT-OF-WAY FOR REYNOLDS ROAD.

Previously part of Parcel ID#: 24-28-23-000000-034120
Property Location: 720 Reynolds Rd., Lakeland, FL 33801

THE NAMES OF THE GRANTORS AND GRANTEES AND THE DESCRIPTION OF THE PROPERTY WERE FURNISHED BY THE GRANTORS/GRANTEES AND NO OPINION WAS RENDERED WITH REFERENCE TO THE CONDITION OF THE TITLE OR ANY OTHER MATTERS CONTAINED HEREIN.

TO HAVE AND TO HOLD the same together with all the singular the appurtenances hereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said Grantors, either in law or equity, to the only proper use, benefit of the said Grantees forever.

IN WITNESS WHEREOF, the Grantors have executed this deed the day and year first above-written.

Signed, sealed and delivered in the presence of:

Serenity Barber
Witness [Signature]
P.O. Box 1397 Lakeland, FL
SERENITY BARBER 33802
Print Name & Address of Witness

Heather Watters
Witness [Signature]
P.O. Box 1397 Lakeland, FL
HEATHER WATTERS 33802
Print Name & Address of Witness

ALAN REYNOLDS

Susan B. Reynolds
SUSAN B. REYNOLDS
710 Reynolds Rd.
Lakeland, FL 33801-6432
(Address for Both)

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 13th day of January, 2025, by ALAN REYNOLDS, and SUSAN B. REYNOLDS, husband and wife, ☒ who by means of physical presence:

☒ are personally known to me, or

☐ who have produced _____ as identification.

(AFFIX NOTARY SEAL)

MICHAEL ALAN JOHNSON
Commission # HH 444805
Expires November 15, 2027

NOTARY PUBLIC SIGNATURE

REYNOLDS FAMILY LANDS
REYNOLDS ROAD, LAKELAND, POLK COUNTY, FLORIDA
LEGAL DESCRIPTIONS

PARCEL ONE:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA: THENCE NORTH 00°11'40"EAST ALONG THE WEST BOUNDARY OF SAID SECTION 23, A DISTANCE OF 534.70 FEET TO THE INTERSECTION WITH THE SOUTH BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 3000, PAGE 880 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 89°55'15" EAST ALONG THE SOUTH LINE OF SAID PARCEL, A DISTANCE OF 360.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL AND THE POINT OF BEGINNING FOR THIS DESCRIPTION; THENCE NORTH 00°11'40" EAST ALONG THE EAST BOUNDARY OF SAID PARCEL, A DISTANCE OF 122.00 FEET TO THE NORTH LINE OF THE SOUTH 20 ACRES OF THE SOUTH 3/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE SOUTH 89°55'15" EAST ALONG SAID NORTH LINE, A DISTANCE OF 965.74 FEET TO THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 23; THENCE SOUTH 00°03'11" EAST ALONG SAID EAST LINE, A DISTANCE OF 394.55 FEET TO THE NORTH LINE OF THE SOUTH 262.76 FEET OF THE SOUTH 20 ACRES OF THE SOUTH 3/4 OF THE SW 1/4 OF THE NW 1/4 OF SAID SECTION 23; THENCE NORTH 89°53'41" WEST ALONG SAID LINE, A DISTANCE OF 552.45 FEET; THENCE DEPARTING SAID SOUTH LINE, NORTH 00°11'40" EAST, A DISTANCE OF 150.00 FEET; THENCE SOUTH 89°53'41" EAST, A DISTANCE OF 385.00 FEET; THENCE NORTH 00°11'40" EAST, A DISTANCE OF 172.47 FEET; THENCE NORTH 89°55'15" WEST, A DISTANCE OF 600.00 FEET; THENCE SOUTH 00°11'40" WEST, A DISTANCE OF 50.00 FEET; THENCE NORTH 89°55'15" WEST, A DISTANCE OF 200.00 FEET AND RETURNING TO THE POINT OF BEGINNING.

LDCU-2025-20 - HUD-Code Manufactured Home Placement – Reynolds Road (Parcel 2)

Menu Reports Help

Application Name: HUD-Code Manufactured Home Placement – Reynolds Road (Parcel 2)

File Date: 07/29/2025

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: This application requests Level 3 Review approval for the placement of a new HUD-code manufactured home on Parcel 2, located near Reynolds Road in unincorporated County, within the RL-1 (Residential Low-1) land use district. The proposed residence is a newly constructed manufactured home built to HUD standards. Because the sit not meet the criteria for Conditional Level 1 Review as outlined in Chapter 3, Section 303 of the Polk County Land Development Code, the project is being submitted for L consideration with a public hearing. A certified wetland delineation has been completed and submitted, identifying suitable buildable area on the parcel. In addition, legal a to Reynolds Road is secured via a recorded easement, which is documented in the delineation report and included as part of this application. This proposal supports the development of a compliant and permanent residential homestead, aligned with the rural residential character of the surrounding area and in accordance with all applicab county regulations.

Application Detail: Detail

Address: 720 REYNOLDS RD, LAKELAND, FL 33801

Parcel No: 242823000000034120

Owner Name: Grant & Kelsey Reynolds

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Kelsey Reynolds	N/A	Engineer	Mailing, 2501 Idlewild...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $966.00

Total Fee Invoiced: $966.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Conditional Use
Mobile Home

Variance Type
_

Brownfields Request
Individual

Affordable Housing

Type of Acreage
_

GENERAL INFORMATION

Expedited Review

Number of Lots
1

Will This Project Be Phased

Acreage
3.75

DRC Meeting
08/28/2025

DRC Meeting Time
_

Rescheduled DRC Meeting
_

Rescheduled DRC Meeting Time
_

Green Swamp
No

Number of Units
_

Case File Number
_

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

One Year Extension
_

FS 119 Status
Non-Exempt

Code Violation Case Number
_

ADVERTISING

Legal Advertising Date
_

BOCC1 Advertising Date
_

BOCC2 Advertising Date
_

Advertising Board
Planning Commission

MEETING DATES

Community Meeting
_

Planning Commission Date
11/05/2025

Land Use Hearing Officer 3
_

1st BOCC Date
_

2nd BOCC Date
_

LUHO-Level 3
_

HEARING

PC Hearing Results

–

PC Vote Tally

–

BOCC 1st Hearing Results

–

BOCC 1st Vote Tally

–

BOCC 2nd Hearing Results

–

BOCC 2nd Vote Tally

–

FINAL LETTER

Denovo Appeal

–

Denovo Results

–

Denovo Tally

–

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

–

PLAN REVIEW FIELDS

TMPRecordID
POLKCO-25EST-00000-46560

DocumentGroupforDPC
DIGITAL PROJECTS LD

RequiredDocumentTypes
–

RequiredDocumentTypesComplete
Yes

AdditionalDocumentTypes
Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion

Activate DPC
Yes

Activate FSA
Yes

DigitalSigCheck
Yes

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan **LU Code**

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	1			10/21/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/13/2025	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	08/22/2025	Kim Turner
Planning Review	Andrew Grohowski	Approve	08/26/2025	Andrew Grohowski
Surveying Review	Mike Benton	Approve	08/27/2025	Mike Benton
School Board Review	School District	Not Required	08/14/2025	School District
Roads and Drainage Review	Phil Irven	Approve	08/18/2025	Phil Irven
Review Consolidation	Lyndsay Rathke	Approved for...	08/29/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Hearing				
BOCC Hearing				
Final Letter				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By
Parcel Number Correction	Parcel number provided...	Informati...	08/25/2025		

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2025-20 HUD CU

Applicant: Kelsey Reynolds

Property Owner: Grant Alan Reynolds & Kelsey Alyssa Culm

Hearing Date: November 5, 2025

I. Request:

The applicant is requesting Conditional Use approval for a Mobile Home to be permitted on ±3.75 acres within a Residential Low-1 Future Land Use District.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 application, consider the following factors:

    a. Whether the proposed development is consistent with all relevant requirements of this Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. How the concurrency requirements will be met if the development was built.

2. The Application is consistent with all relevant requirements of the LDC, including without limitation, Sections 303 and 906.

3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.

5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 5th day of November **2025**, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By: _____ By: _____
Merle Bishop, Chair Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order
Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)

Agenda Item 3. 11/5/2025

SUBJECT

LDCU-2025-22 (Robert Weed MH)

DESCRIPTION

Linda Campbell requests a Conditional Use (CU) approval for a mobile home to be located on ±1.88 acres within a Residential Low-4 (RL-4) future land use district. The subject site is located north of Highway 540, south of Coleman Road, east of Spirit Lake Road, west of Recker Highway in Section 31, Township 28, Range 26.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

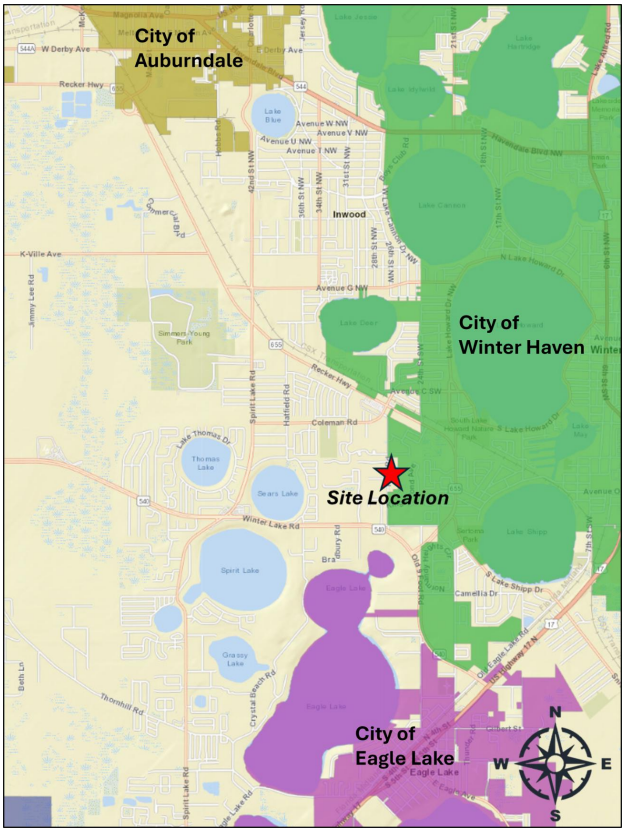
Kyle Rogus, Planner II
Land Development Division
863-534-7553
kylerogus@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 28, 2025	**Level of Review:**	Level 3 Review
PC Date:	November 5, 2025	**Type:**	Conditional Use Approval
BoCC Date:	N/A	**Case Numbers:**	**LDCU-2025-22**
		Case Name:	Robert Weed MH
Applicant:	Linda Campbell	**Case Planner:**	Kyle Rogus, Planner II

Request:	The applicant is requesting a Conditional Use (CU) approval for a mobile home to be located on ±1.88 acres within a Residential Low-4 (RL-4) future land use district.
Location:	The subject site is located north of Highway 540, south of Coleman Road, east of Spirit Lake Road, west of Recker Highway in Section 31, Township 28, Range 26.
Property Owners:	Robert Weed
Parcel Size (Number):	±1.88 acres Parcel ID (#262831-000000-033060)
Future Land Use:	Residential Low-4 (RL-4)
Development Area:	Urban Growth Area (UGA)
Nearest Municipality:	N/A
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Public Hearing

Location



2023 Satellite Photo



Summary of Analysis:

The applicant is requesting Conditional Use (CU) approval to locate a mobile home in a Residential Low-4 (RL-4) land use district on an ±1.88 acre lot. Chapter 2, Section 205, Table 2.1 (Use Table for Standard Land Use District) of the Land Development Code (LDC) instructs that the placement of mobile homes in the RL-4 land use district requires Conditional Use approval via a Level 1 Review (via Staff only). To meet current development approval conditions, requests for mobile homes must adhere to the standards found in Chapter 3, Section 303 (Mobile Home, Individual) of the LDC. Since these standards cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding uses.

The proposed mobile home is not the first mobile home within the surrounding area. Approximately 104 feet to the north and 65 feet to the south of the subject site are two mobile homes (see Exhibit #6). Both mobile homes obtain ingress and egress off King Road. The sites with existing mobile homes are not abutting the subject site, however they are the next lot over, separated by 100 feet or less. If at least one of the mobile homes were abutting the subject property's side lot lines, the application would not be required. Based upon procedure, the standards outlined in Section 303 cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding uses.

Staff recommends approval. This mobile home request is compatible with the surrounding area. The subject property is zoned RL-4. There are multiple mobile homes that utilize King Road to obtain access either directly or indirectly to their property. The RL-4 permits single-family dwelling units. The proposed mobile home will meet the required setbacks for the Land Use District and all other applicable setbacks in the (LDC). The proposed request is consistent with the LDC and Comprehensive Plan.

Findings of Fact

- *LDCU-2025-22 is a Conditional Use request to allow a mobile home on Parcel No. 262831-000000-033060 (+/- 1.88 acres) within a Residential Low-4 (RL-4) land use district in the Urban Growth Area (UGA).*

- *The surrounding properties are within a Residential Low-1 (RL-1) Land Use District to the west, RL-4 Land Use District to the north and south, City of Winter Haven to the east.*

- *King Road (Road No. 853603) is a two-lane, County-maintained, paved Urban Collector road with a width of 20 feet.*

- *Section 204.A.7 of the LDC states, "The purpose of the RL-4 district is to provide areas for the low density residential needs of residents in urban areas who desire areas with smaller lots, a minimum of 6,000 square feet."*

- *Per Table 2.2 of the LDC, RL-4 land use mandates right-of-way setbacks for the primary structure of 35 feet, side setbacks for the primary structure of 7 feet, and rear setbacks for the primary structure of 10 feet.*

- *Chapter 553 of the Florida Statutes states that "Mobile Homes" means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile Homes are built to a separate standard than site-built homes*

and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to standards set forth in Chapter 553 of Florida Statutes.

- *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that "Mobile homes shall be allowed in all areas of the County designated for residential development subject to siting and design criteria consistent with the County's Land Development Code*

- *According to Section 303 of the LDC, Individual Mobile Homes are allowed in all the following locations:*

  1. Within any registered mobile home park that has been approved by Polk County;

  2. Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;

  3. Within any platted residential subdivision, or single platted phase within a multiple phased development recorded prior to May 20, 1971;

  4. Within any platted residential subdivision, or single platted phase within a multiple phased development recorded after May 20, 1971, in which 50 percent or more of the developed lots contain mobile homes;

  5. On any un-platted legal residential lot or parcel in the A/RR district;

  6. On any un-platted legal residential lot or parcel that is five acres or larger in the RS district;

  7. On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;

  8. On any un-platted legal residential lot or parcel where at least one property abutting the subject property's side lot line has a mobile home;

  9. On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,

  10. On any legal residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area.

- *Fire and EMS Response is from Polk County Fire Rescue Station 5, located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.*

- *Sheriff's response to the site is served by the Central District, located at 3635 Ave G NW in Winter Haven. The response times in May 2024 were: Priority 1 Calls – 8:44 and Priority 2 Calls – 19:29.*

- *Subject site will utilize its own private septic system in compliance with Polk County Standards for wastewater and the City of Winter Haven supplies water.*

- *The development is zoned for Lake Shipp Elementary, Westwood Middle, and Lake Region Senior High. The site is 1.4 miles from Lake Shipp Elementary; 2.6 miles from Westwood Middle; and 2.6 miles from Lake Region Senior High.*

- *The subject parcel is not within one of the Wellhead-Protection Areas.*

- *The property is composed of 43 percent Immokalee sand; 35 percent Pomello fine sand; and, 21 percent Smyrna and Myakka fine sands.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of natural areas.*

- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*

- *The subject site will have ingress and egress access through King Road. King Road is a paved, two-lane Urban Collector, County-maintained roadway. According to the 2025 Roadway Network Database, the nearest monitored roadway King Road (8452N) has approximately 752 available PM Peak Hour trips; King Road (8452S) has approximately 747 available PM Peak Hour trips. CR 542 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "C".*

- *The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*

- *This request has been reviewed for consistency with Section 303 of the LDC.*

- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.105 URBAN-GROWTH AREA (UGA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2025-22.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends APPROVAL of LDCU-2025-22 with the following Conditions:

1. LDCU-2025-22 is approved for no more than one (1) mobile home on Parcel No. 262831-000000-033060 as indicated in the site plan and staff report.

2. The placement of the mobile home shall not encroach upon designated wetlands and must comply with all applicable setback requirements of the Land Development Code (LDC).

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: Residential Low-1 Single-family Residential 1.01 acres	**North:** Residential Low-4 Single-family Residential 0.94 acres	**Northeast:** City of Winter Haven Un-platted Tract 14.43 acres
West: Residential Low-1 Single-family Residential 1.01 acres	**Subject Property:** Residential Low-4 Residential 1.88 acres	**East:** City of Winter Haven Un-platted Tract 14.43 acres
Southwest: Residential Low-1 Vacant Residential 1.30 acres	**South:** Residential Low-4 Single-family Residential 0.59 acres	**Southeast:** City of Winter Haven Un-platted Tract 14.43 acres

Source: Polk County Geographical Information System and site visit by County staff

Property Appraiser shows the parcel as residential located in the Residential Low-4 (RL-4) land use district. The immediate surrounding area provides similar single-family residential densities, however to the east of the site is vacant un-platted land within Winter Haven city limits and to the west is residential designated Residential Low-1 (RL-1).

Compatibility with the Surrounding Land Uses and Infrastructure:

The LDC defines compatibility as "*A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

This request is compatible with the Comprehensive Plan and Land Development Code. The purpose of the RL-4 land use district is to provide areas for the low density residential needs of residents in urban areas who desire areas with smaller lots, a minimum of 6,000 square feet. The RL-4 district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. The impact from a single mobile home is minimal. The immediate surrounding land uses are zoned for residential uses.

Mobile Homes, Individual Condition No. 8:
This is not the first mobile home within the surrounding area. Approximately 104 feet to the north and 65 feet to the south of the subject site measured from property line to property line are two mobile homes (see Exhibit #6). Both mobile homes obtain ingress and egress off King Road. According to condition No. 8, if at least one of the mobile homes were abutting the subject property's side lot lines, the application would not be required. The sites with existing mobile homes are not abutting the subject site, however they are the next lot over, separated by 100 feet or less. In essence, the minimal separation between the proposed mobile home and the two existing still meets compatibility and accomplishes the intent of the Land Development Code (LDC). Based upon procedure, the standards outlined in Section 303 cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding uses.

Although the property does meet the standards in Section 303, it is compatible with the surrounding uses and is consistent with the Land Development Code (LDC). There are multiple mobile homes that utilize King Road to obtain access either directly or indirectly to their property. New mobile homes are built to a higher quality than in previous years and often resemble that of a single-family home causing minimal discrepancies with what is existing on the ground today.

Urban Services and Infrastructure Analysis:

The surrounding area has public safety service facilities that are operating within their adopted Level of Service (LOS) standard with no deficiencies. Placement of one mobile home will not trigger school concurrency requirements at Lake Shipp Elementary, Westwood Middle or Lake Region Senior High; however, Lake Shipp Elementary is at 93% capacity; Westwood Middle is currently operating at 51% capacity; and, Lake Region Senior High is currently operating at 62% capacity. Subject property is provided water from the City of Winter Haven and will utilize its own private septic system in compliance with Polk County standards for wastewater.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, the proposal is not anticipated to create any significant demand on these services.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Lake Shipp Elementary, Westwood Middle, and Lake Region Senior High.
Sheriff	Sheriff's response to the site is served by the Central District located at 3635 Ave G NW in Winter Haven. The response times in May 2024 were: Priority 1 Calls – 8:44 and Priority 2 Calls – 19:29.
Fire/EMS	Fire and EMS Response is from Polk County Fire Rescue Station 5 located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.
Water	City of Winter Haven
Sewer	Private septic system in compliance with Polk County Standards.
Transportation	subject site will have ingress and egress access through King Road. King Road is a paved, two-lane Urban Collector, County-maintained roadway. According to the 2025 Roadway Network Database, the nearest monitored roadway King Road (8452N) has approximately

Urban Services and Infrastructure Summary	
	752 available PM Peak Hour trips; King Road (8452S) has approximately 747 available PM Peak Hour trips. CR 542 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "C".
Urban Sprawl	Site is located within the UGA and is not considered urban sprawl.

Table 3, below, identifies the anticipated impact of one mobile home on water and sewer services. The site has approximately 208 feet of frontage off King Road, using a private septic system in compliance with Polk County Standards and the water supply will be provided by the City of Winter Haven. The placement of one mobile home will have negligible impacts on the traffic on local roadways.

Table 3

Impact Analysis Summary Proposed Conditional Use (One Mobile Home)			
Potable Water Impact	**Wastewater Impact**	***AADT Impact**	***PHT Impact**
360 GPD	250 GPD	7.81 AADT	1.00 PHT
Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a mobile home will consume 360 GPD and generate 250 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates for mobile homes. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.			

Environmental Conditions Analysis:

Current GIS Data Viewer shows there are no wetlands on site. The parcel has approximately 0.18 acres of floodplains (See Table 4, below). The floodplain is isolated to the rear of the subject site approximately 258 feet away from the proposed mobile home.

The subject site is not located within any of the County's identified Wellhead-Protection Areas. The subject property is not located within a one-mile radius of natural areas, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property is composed of 43 percent Immokalee sand; 35 percent Pomello fine sand; and, 21 percent Smyrna and Myakka fine sands, which provide moderate and poor drainage. The soil is not of such that would limit compliance with applicable LDC regulations for the proposed use, though the subject property is relatively flat with an elevation of 147 feet where the mobile home is proposed and 141 feet to the rear of the property associated with the floodplains. The subject site does not contain or abut any surface water bodies. In addition, the subject property is not located within a Historical Preservation area. The subject site is located in the City of Winter Haven Airport Height Notification and In-Flight Visual Interference Zones.

Table 4

Environmental Conditions Summary	
Surface Water	The property does not contain or abut any surface water bodies.
Wetlands/Floodplains	Current GIS Data Viewer shows approximately 0.18 acres of floodplains to the rear (northeast) of the property. There are no wetlands on site.
Soils	The property is composed of 43 percent Immokalee sand, 35 percent Pomello fine sand, and 21 percent Smyrna and Myakka fine sands, which provides moderate and

	poor drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.
Protected Species	The subject site is not located within one mile of natural areas according to the Florida Natural Areas Inventory Biodiversity Matrix.
Wellfield Protection	The property is not located within any County Wellhead-Protection Areas.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.
Airports	The subject property is located within the city of Winter Haven Airport Height Notification and In-Flight Visual Interference Zones.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5, in accordance with Section 906.D.7 of the LDC.

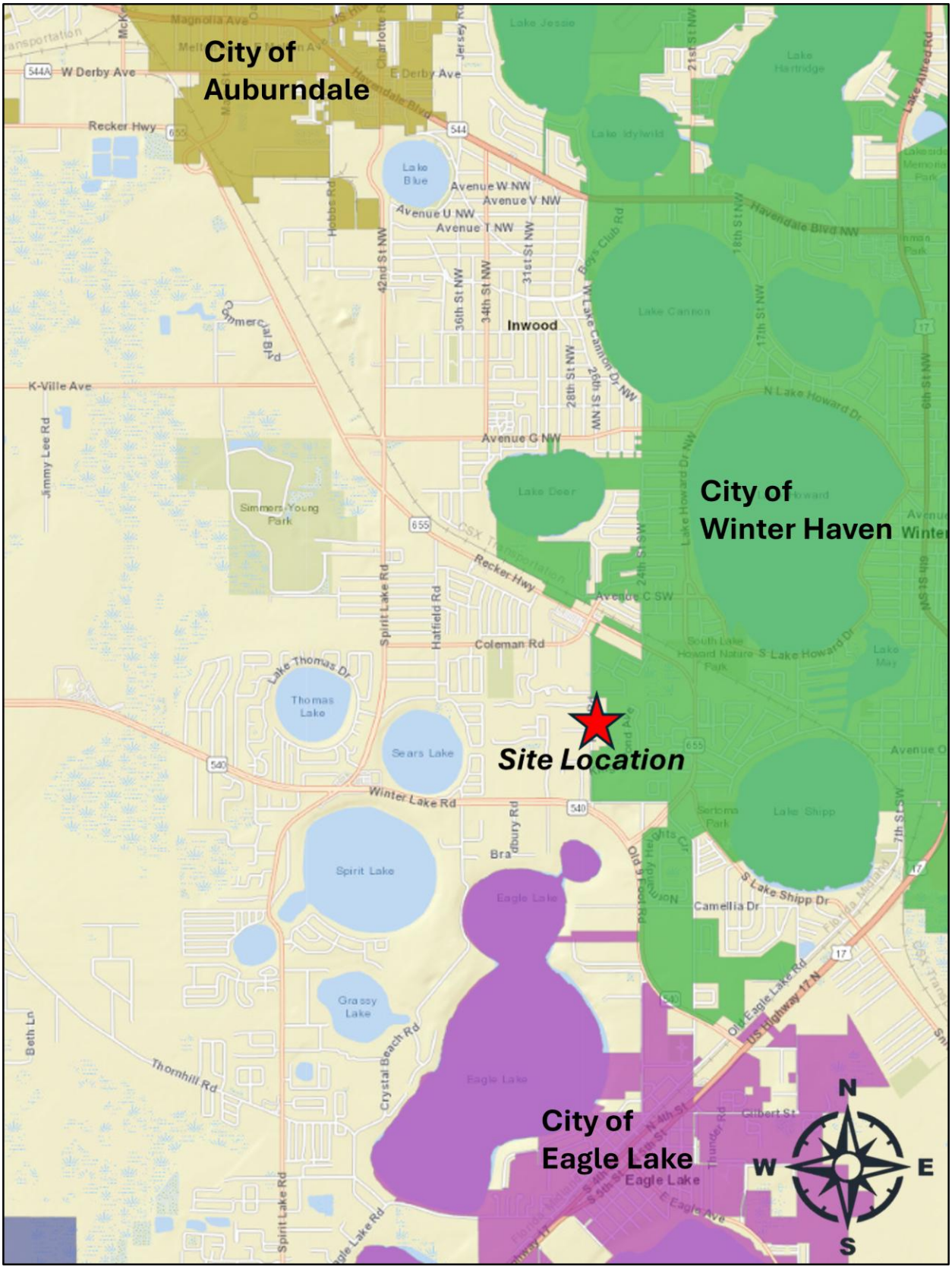
Table 5

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC, specifically Section 303 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2 - 4 of the staff report.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	*Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 5-6 of this staff report for data and analysis on surrounding uses and compatibility.*
How the concurrency requirements will be met if the development were built.	*This request will not require concurrency determinations from utilities, the school board, or TPO. The impact on public services can be found in the analysis found on Pages 6-7 of the Staff Report.*

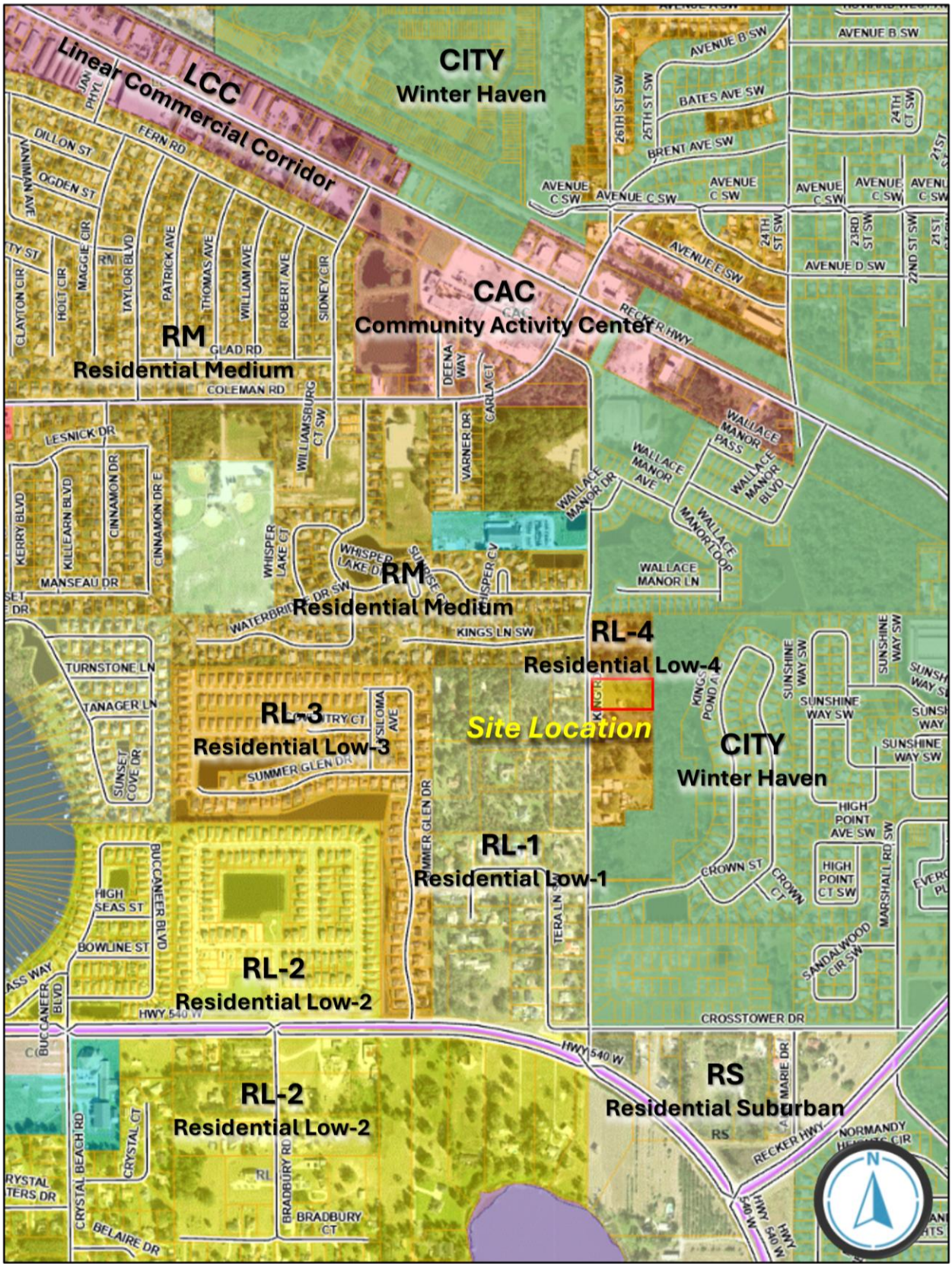
Comments from other Agencies: None

Exhibits:

Exhibit 1 Location Map
Exhibit 2 Future Land Use Map
Exhibit 3 Aerial Imagery (context)
Exhibit 4 Aerial Imagery (close-up)
Exhibit 5 Site Plan
Exhibit 6 Surrounding Uses



Location Map



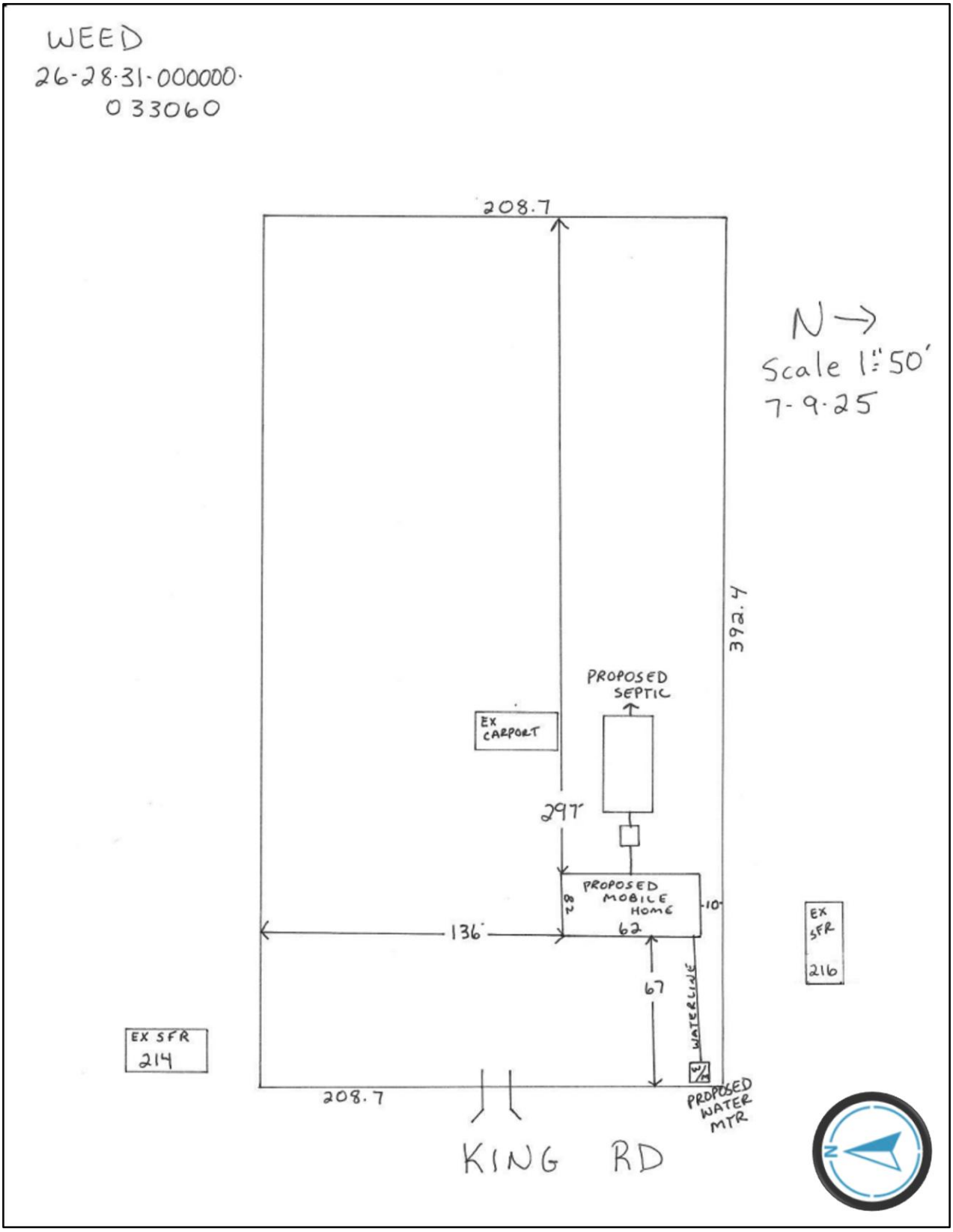
Future Land Use Map



Aerial Imagery (Context)



Aerial Imagery (Close-up)


WEED
26-28-31-000000-
033060
208.7
N →
Scale 1" = 50'
7-9-25
392.4
PROPOSED
SEPTIC
EX
CARPORT
297'
PROPOSED
MOBILE
HOME
78
62
10'
136'
67
WATERLINE
EX SFR
214
EX
SFR
216
208.7
PROPOSED
WATER
MTR
KING RD
N

Site Plan



Surrounding Uses

LDCU-2025-22 - ROBERT WEED

Menu Reports Help

Application Name: ROBERT WEED
File Date: 08/07/2025
Application Type: PC-Conditional Use-New Or Mobile Home
Application Status: Approved For Hearing
Application Comments:

View ID	Comment	Date

Description of Work: APPLYING TO PLACE A MOBILE HOME ON PARCEL
Application Detail: Detail
Address: 0 KING RD, WINTER HAVEN, FL 33880
Parcel No: 262831000000033060
Owner Name: WEED ROBERT H
Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Linda Campbell	Linda Campbell ...	Engineer	Mailing, P.O. Box 1074...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00
Total Fee Assessed: $966.00
Total Fee Invoiced: $966.00
Balance: $0.00
Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type	**Application Type**
LUHO-Level 3	Conditional Use Mobile Home
	Brownfields Request
	--
Affordable Housing	

GENERAL INFORMATION

Expedited Review	**Number of Lots**
	--
Will This Project Be Phased	**Acreage**
	1.88
DRC Meeting	**DRC Meeting Time**
08/28/2025	--
Rescheduled DRC Meeting	**Rescheduled DRC Meeting Time**
--	--
Green Swamp	**Number of Units**
No	1
Case File Number	**Is this Polk County Utilities**
--	
One Year Extension	**FS 119 Status**
--	Non-Exempt

Is this Application a result of a Code Violation	
No	
Code Violation Case Number	
--	

ADVERTISING

Legal Advertising Date	**BOCC1 Advertising Date**
--	--
BOCC2 Advertising Date	**Advertising Board**
--	LUHO-Level 3

MEETING DATES

Community Meeting	**Planning Commission Date**
--	11/05/2025
Land Use Hearing Officer 3	**1st BOCC Date**
--	--
2nd BOCC Date	**LUHO-Level 3**
--	--

HEARING

PC Hearing Results	**PC Vote Tally**
--	--
BOCC 1st Hearing Results	**BOCC 1st Vote Tally**
--	--
BOCC 2nd Hearing Results	**BOCC 2nd Vote Tally**
--	--

FINAL LETTER

Denovo Appeal	**Denovo Results**
--	--
Denovo Tally	
--	

LD_GEN_PUB_EDL
Opening DigEplan List...
DigEplan Document List
--

PLAN REVIEW FIELDS

TMPRecordID	**DocumentGroupforDPC**	**RequiredDocumentTypes**
POLKCO-25EST-00000-48632	DIGITAL PROJECTS LD	--
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT
Upload Plans Acknowledgement
√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan	LU Code

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	1			10/21/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/13/2025	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	08/22/2025	Kim Turner
Planning Review	Kyle Rogus	Approve	08/26/2025	Kyle Rogus
Surveying Review	Mike Benton	Not Required	08/27/2025	Mike Benton
School Board Review	School District	Not Required	08/14/2025	School District
Roads and Drainage Review	Phil Irven	Approve	08/15/2025	Phil Irven
Review Consolidation	Lyndsay Rathke	Approved for...	08/29/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Hearing				
BOCC Hearing				
Final Letter				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

INSTR # 2024183750
BK 13222 Pgs 1489-1492 PG(s)4
RECORDED 08/09/2024 08:21:52 AM
STACY M. BUTTERFIELD, CLERK OF COURT
POLK COUNTY
DEED DOC $0.70
RECORDING FEES $35.50
RECORDED BY abiazamb

Quitclaim Deed

RECORDING REQUESTED BY Robert H Weed
AND WHEN RECORDED MAIL TO:
Robert H. Weed , Grantee(s)
216 King Rd.
Winter Haven, FL. 33880
Consideration: $ 10.06
Property Transfer Tax: $ -0-
Assessor's Parcel No.: 26-28-31-000080-033060
PREPARED BY: Michael K Compton certifies herein that he or she has prepared this Deed. 604 WAKULLA DR. Winter Haven, Fl. 33884

Michael K Compton
Signature of Preparer

4/11/24
Date of Preparation

Michael K Compton
Printed Name of Preparer

THIS QUITCLAIM DEED, executed on 11th day, April, 2024 in the County of Polk, State of Florida
by Grantor(s), Elaine Watkins,
whose post office address is 126 COSTA LOOP, Auburndale, FL 33823
to Grantee(s), Robert H. Weed,
whose post office address is 216 King Road, Winter Haven, FL 33880

WITNESSETH, that the said Grantor(s), Elaine Watkins,
for good consideration and for the sum of Ten Dollars
($ 10.00) paid by the said Grantee(s), the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said Grantee(s) forever, all the right, title,

interest and claim which the said Grantor(s) have in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Polk, State of Florida and more specifically described as set forth in EXHIBIT "A" to this Quitclaim Deed, which is attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said Grantor(s) has signed and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

GRANTOR(S):

Elaine Watkins
Signature of Grantor

Elaine Watkins
Print Name of Grantor

Kim Hulverson
Signature of First Witness to Grantor(s)

Kim Hulverson
Print Name of First Witness to Grantor(s)
1101 First Street S
Winter Haven, FL 33880

Signature of Second Grantor (if applicable)

Print Name of Second Grantor (if applicable)

Kai Erazo
Signature of Second Witness to Grantor(s)

Kai Erazo
Print Name of Second Witness to Grantor(s)
1101 First Street S.
Winter Haven, FL 33880

GRANTEE(S):

Robert H Weed
Signature of Grantee

Robert H. Weed
Print Name of Grantee

Kim Hulverson
Signature of First Witness to Grantee(s)

Kim Hulverson
Print Name of First Witness to Grantee(s)
1101 First Street S.
Winter Haven, FL 33880

Signature of Second Grantee (if applicable)

Print Name of Second Grantee (if applicable)

Kai Erazo
Signature of Second Witness to Grantee(s)

Kai Erazo
Print Name of Second Witness to Grantee(s)
1101 First Street S.
Winter Haven, FL 33880

NOTARY ACKNOWLEDGMENT

State of Florida

County of Polk

On July 31, 2024, before me, Kimberly J. Hulverson, a notary public in and for said state, personally appeared, Robert H. Weed and Elaine Watkins

who are known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Kimberly J Hulverson
Signature of Notary

Affiant Known _____ Produced ID X

Type of ID FL DL

(Seal)

KIMBERLY J HULVERSON
Notary Public - State of Florida
Commission # HH 28518
My Comm. Expires Aug 5, 2024

Robert W 300-768-57-190-0

Elaine W 325-200-46-668-0

Exhibit "A"

Begin 417.4 feet South of the Northwest corner of Section 31 Township 28 South, Range 26 East, in Polk County, Florida, for a point of beginning, run thence East 417.4 feet, thence South 208.7 feet, thence West 417.4 feet, thence North 208.7 feet to the point of beginning; less 25 feet off the West end for a right of way.

©SmartLegalForms

Growth Management Department
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

IMPACT ASSESSMENT STATEMENT FORM

www.polk-county.net

An Impact Assessment Statement is required for all Level 3 and Level 4 Reviews, with the exception of text amendment requests. The purpose of an Impact Assessment Statement is to provide information on the effects a proposed development or land use action will have on the existing neighborhood and general area; on the transportation facilities; on the environment and natural resources of the County; on the public facilities for water, sewer, solid waste disposal, fire, police, public education, parks, recreation, and other utilities; and any other aspect with an identified impact of the development and deemed appropriate for concern. NO WETLAND ON

A sufficient Impact Assessment Statement must address all of the following ***(Note: N/A is an insufficient comment, if N/A an explanation must be included)***:

Land and Neighborhood Characteristics

Assess the compatibility of the requested land use with adjacent properties and evaluate the suitability of the site for development. At a minimum, address the following specific questions in your response:

1. How and why is the location suitable for the proposed uses? RESIDENTIAL NEIGHBORHOOD

2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses? NONE - OWNER GATHERING ACCEPTANCE LETTERS FROM NEIGHBORS TO PLACE MH ON LOT

3. How will the request influence future development of the area?
THIS WILL STILL BE A RESIDENTIAL PROPERTY

Access to Roads and Highways

Assess the impact of the proposed development on the existing, planned and programmed road system. At a minimum, address the following specific questions in your response:

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed[1] methodology and calculations. THIS SHOULD ONLY ADD 2 -4 MORE TRIPS / DAY

2. What modifications to the present transportation system will be required as a result of the proposed development? NONE - PAVED ROADWAY

[1]A minor traffic study will suffice for a detailed methodology and calculations for most applications.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land
2 PARKING OFF STREET PARKING SPACES PROVIDED IN THE DRIVEWAY TO THE HOME

Development Code?

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)? DIRECT FRONTAGE ON KING RD.

NOTE: *Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for* ***"Infrastructure Impacts"*** *items 3 through 9 above.*

Sewage

Determine the impact caused by sewage generated from the proposed development. At a minimum, address the following specific questions in your response:

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development? (*Response may be based on Section 703.F of the LDC*) PRIVATE SEPTIC SYSTEM

2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage? PRIVATE SEPTIC SYSTEM

3. If offsite treatment, who is the service provider? NONE - PRIVATE SEPTIC SYSTEM

4. Where is the nearest sewer line (in feet) to the proposed development (*Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of- way under certain conditions listed in Section 702E.3 of the Land Development Code*)

5. What is the provider's general capacity at the time of application?

6. What is the anticipated date of connection?

7. What improvements to the providers system are necessary to support the proposed request (*e.g., lift stations, line extensions/expansions, interconnects, etc.)*? OWNER TO INSTALL NEW SEPTIC SYSTEM

Water Supply

Determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area. At a minimum, address the following specific questions in your response:

1. What is the proposed source of water supply and/or who is the service provider? CITY OF WINTER HAVEN

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*) <2,000

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

4. Who is the service provider? CITY OF WINTER HAVEN

5. What is the anticipated date of connection? 2025

6. What is the provider's general capacity at the time of application? 10,000

7. Is there an existing well on the property(ies)?

Yes What type? _____

Permit Capacity_____

[No]

Location: _____

Water Use Permit #: _____

Constructed prior to Water Management District Permitting: Yes _____ [No]

Type of Use: __Ag __Public __Industrial or Commercial

__Recreation or Aesthetic __Mining

Permitted Daily Capacity: _____

Average Peak Monthly Withdrawal Rate: _____

Location: _____

Casing Diameter: _____

Mainline Diameter: _____

Surface Water Management and Drainage

Determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development. At a minimum, address the following specific questions in your response:

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues);

ALL DRAIANGE WILL BE DIRECTED TO THE FRONT AND REAR OF THE PROPERTY

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project? THERE ARE NO WETLANDS OR WATER BODIES ON THIS PROPERTY.

THERE WOULD BE NO LAND ALTERATIONS EXCEPT FOR THE SEPTIC AND HOME INSTALLATION.

Environmental Analysis

Provide an analysis of the character of the subject property and surrounding properties, and further assess the site's suitability for the proposed land use classification based on soils, topography, and the presence of wetlands, floodplain, aquifer recharge areas, scrub or other threatened habitat, and historic resources, including, but not limited to:

1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties.
   AREA HAS A LARGE WOODED BUFFER TO THE REAR OF THE PROPERTY.
2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site. CURRENTLY NO WETLANDS ON THIS PROPERTY
3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and; WATER TO BE SUPPLIED BY THE CITY OF WINTER HAVEN - WATER METER FRONT CORNER OF THE PROPERTY
4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).* NEAREST AIRPORT - 18 MILES
5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development. 5% OVERALL COVERAGE

Infrastructure Impact Information

What is the nearest location (travel distance), provider, capacity or general response time, and estimated demand of the provision for the following services:

1. Parks and Recreation; .41 MILES
2. Educational Facilities (e.g., preschool, elementary, middle school, high school);
3. Health Care (e.g., emergency, hospital); 4.0 MILES
4. Fire Protection; 3.2 MILES
5. Police Protection and Security; 2.3 MILES
6. Emergency Medical Services (EMS); 3.2 MILES
7. Solid Waste (collection and waste generation); and 4.8 MILES

8. How may this request contribute to neighborhood needs?

Maps

Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scale shall be clearly indicated on each map and the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following **maps shall 8 1/2" x 11"** and accompany Impact Assessment Statements:

Map A: A location map (center the site on the map) showing the relationship of the development to cities, highways, and natural features;

Map B: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy.** Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

NOTE: *Applications for text amendments are not required to submit a complete Impact Assessment Statement, however, all relevant information requested must be addressed. Use this form and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

[2] See *Site Plan Standards* checklist form (GM LDD 11).

August 4th, 2025

To Whom It May Concern,

We are writing this letter to strongly recommend that Bob Weed be granted permission to place a mobile home on his property, which he has owned for 13 years. As longtime neighbors living directly across the street, we have had the opportunity to observe firsthand the care, commitment, and integrity Bob brings not only to his land but to our community.

Throughout the years, Bob has proven to be an outstanding neighbor. He consistently maintains his property to the highest standards, keeping it clean, orderly, and well cared for. His pride in ownership is evident, and his land has always been a credit to the neighborhood. Additionally, Bob regularly checks in on elderly neighbors, offering help where needed, whether it's mowing, trimming, or other yard work. His willingness to lend a hand—especially to those who cannot do these things themselves—speaks volumes about his character.

Bob helps to safeguard our community as well. When neighbors are out of town, he keeps a watchful eye on their homes, helping ensure peace of mind and security for everyone. His quiet but dependable presence has been much appreciated over the years.

Given his long-standing ownership, responsible management of his land, and his commitment to being a helpful and conscientious neighbor, we believe Bob is more than deserving of his request to place a mobile home on his property. If you have any questions or would like further information, please feel free to contact us. We are happy to speak further on Bob's behalf.

Sincerely,

Billy R. Gillean, Sr.
billy.gillean@gmail.com
(863) 559-8503

Karen Gillean
karen.gillean@gmail.com
(863) 221-5194

Billy Gillean SR.

Karen Gillean

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2025-22

Applicant: Linda Campbell

Property Owner: Robert Weed

Hearing Date: November 5, 2025

I. Request:

The applicant is requesting a Conditional Use (CU) approval for a mobile home to be located on ±1.88 acres within a Residential Low-4 (RL-4) future land use district.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a level 3 application, consider the following factors:
    a. Whether the proposed development is consistent with all relevant requirements of this Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. How the concurrency requirements will be met, if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, sections 906 and 303.

3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.

5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session the 5th day of March, **2025**, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

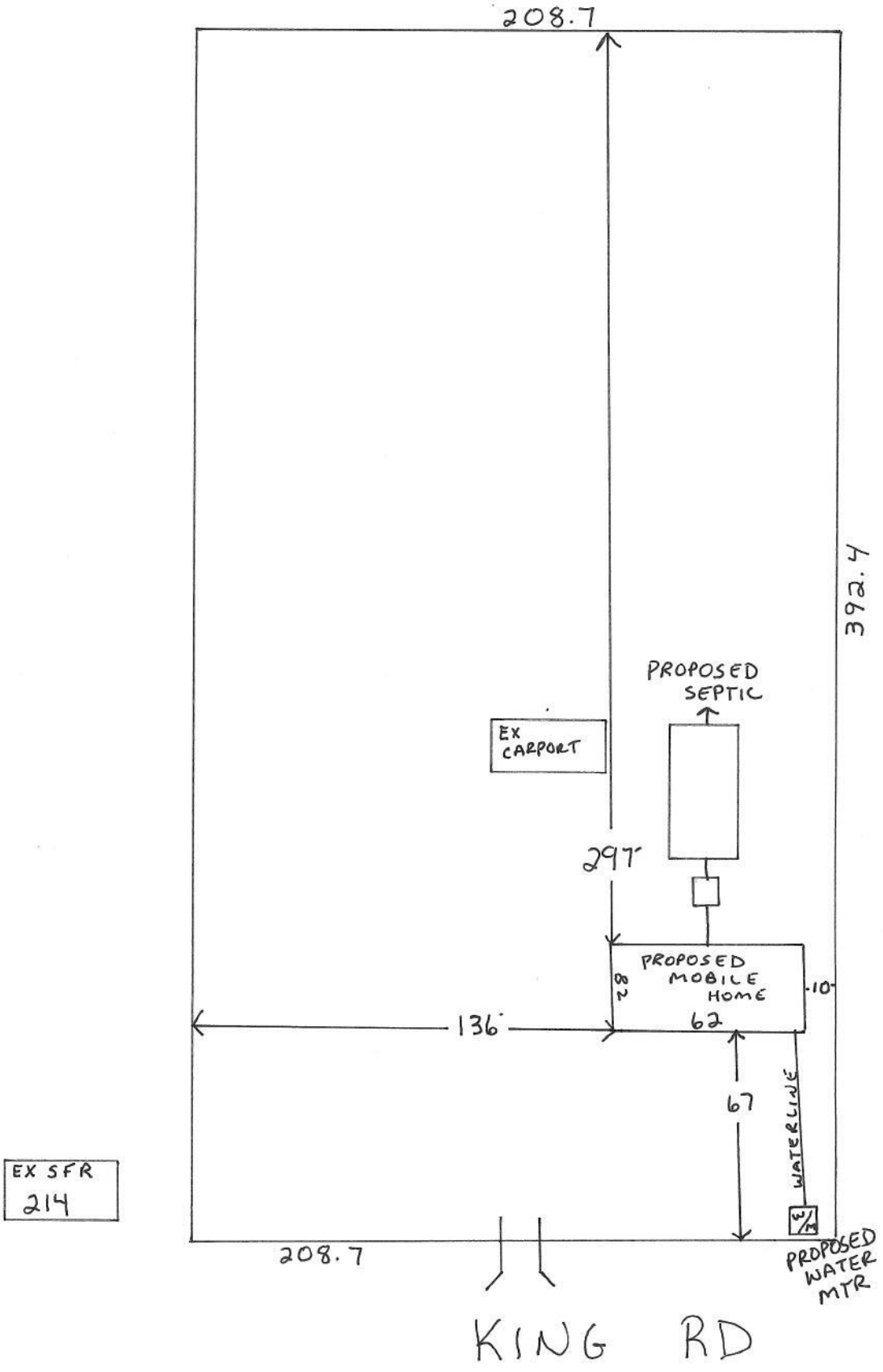
By:_____ By: _____
Merle Bishop, Chair Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order
Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)

WEED
26-28-31-000000-
033060



N →
Scale 1" = 50'
7-9-25

Agenda Item 4. 11/5/2025

SUBJECT

LDCU-2025-14 (Laura Downs MH)

DESCRIPTION

Laura Downs requests a Conditional Use (CU) approval for a mobile home to be located on ±2.45 acres within a Residential Suburban (RS) future land use district. The subject site is located north of Winter Lake Road, south of US Highway 92, east of Combee Road, west of Thornhill Road in Section 24, Township 28, Range 24.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Kyle Rogus, Planner II
Land Development Division
863-534-7553
kylerogus@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 28, 2025	**Level of Review:**	Level 3 Review
PC Date:	November 5, 2025	**Type:**	Conditional Use Approval
BoCC Date:	N/A	**Case Numbers:**	**LDCU-2025-14**
		Case Name:	Laura Downs MH
Applicant:	Laura Downs	**Case Planner:**	Kyle Rogus, Planner II

Request:	The applicant is requesting a Conditional Use (CU) approval for a mobile home to be located on ±2.45 acres within a Residential Suburban (RS) future land use district.
Location:	The subject site is located north of Winter Lake Road, south of US Highway 92, east of Combee Road, west of Thornhill Road in Section 24, Township 28, Range 24.
Property Owners:	319 Josh Property LLC (Roger Downs Jr.)
Parcel Size (Number):	±2.45 acres Parcel ID (#242824-000000-033160)
Future Land Use:	Residential Suburban (RS)
Development Area:	Suburban Development Area (SDA)
Nearest Municipality:	N/A
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Public Hearing

Location



2023 Satellite Photo



Summary of Analysis:

The applicant is requesting Conditional Use (CU) approval to locate a mobile home in a Residential Suburban (RS) land use district on an ±2.45 acre lot. Chapter 2, Section 205, Table 2.1 (Use Table for Standard Land Use District) of the Land Development Code (LDC) instructs that the placement of mobile homes in the RM land use district requires Conditional Use approval via a Level 1 Review (via Staff only). To meet current development approval conditions, requests for mobile homes must adhere to the standards found in Chapter 3, Section 303 (Mobile Home, Individual) of the LDC. Since these standards cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding uses.

According to Property Appraiser, the applicant owns both 5-acre un-platted lots to the west of the subject site designated Residential Low-1 (RL-1). When referring to condition No. 6, if these lots were designated RS, the applicant could combine the lots for a total acreage of 7.45 acres, permitting the placement of the mobile on site administratively. Furthermore, this is not the first mobile home within the surrounding area. Approximately 834 feet to the east and 556 feet to the southeast of the subject site are two mobile homes (see Exhibit #6). The mobile home to the east obtains ingress and egress off Trail Drive while the mobile home to the southeast obtains ingress and egress off Josh Reynolds Road. If at least one of the mobile homes were abutting the subject property's side lot lines, the application would not be required. The proposed mobile home will replace the existing barn-dominium as the primary dwelling unit. The barn-dominium will be an accessory dwelling unit (ADU), providing housing for the applicant's son while the mobile home will provide housing for the applicant's daughter. The barn-dominium will meet all requirements of the LDC per Section 206.A.

Staff recommends approval. This mobile home request is compatible with the surrounding area. The subject property is zoned RS. There are multiple mobile homes that utilize Josh Reynolds Road to obtain access either directly or indirectly to their property. The RS permits single-family dwelling units. The proposed mobile home will meet the required setbacks for the Land Use District and all other applicable setbacks in the (LDC). The proposed request is consistent with the LDC and Comprehensive Plan.

Findings of Fact

- *LDCU-2025-14 is a Conditional Use request to allow a mobile home on Parcel No. 242824-000000-033160 (+/- 2.45 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*

- *The surrounding properties are within a RS Land Use District to the north, south and east, and a Residential Low-1 (RL-1) Land Use District to the west.*

- *Josh Reynolds Road (Road No. 842401) is a two-lane, County-maintained, paved Local Residential road with a width of 20 feet.*

- *Section 204.A.3 of the LDC states, "The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities."*

- *Per Table 2.2 of the LDC, RS land use mandates right-of-way setbacks for the primary structure of 20 feet, side setbacks for the primary structure of 10 feet, and rear setbacks for the primary structure of 15 feet.*

- *Chapter 553 of the Florida Statutes states that "Mobile Homes" means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile Homes are built to a separate standard than site-built homes and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to standards set forth in Chapter 553 of Florida Statutes.*

- *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that "Mobile homes shall be allowed in all areas of the County designated for residential development subject to siting and design criteria consistent with the County's Land Development Code*

- *According to Section 303 of the LDC, Individual Mobile Homes are allowed in all the following locations:*

  1. Within any registered mobile home park that has been approved by Polk County;

  2. Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;

  3. Within any platted residential subdivision, or single platted phase within a multiple phased development recorded prior to May 20, 1971;

  4. Within any platted residential subdivision, or single platted phase within a multiple phased development recorded after May 20, 1971, in which 50 percent or more of the developed lots contain mobile homes;

  5. On any un-platted legal residential lot or parcel in the A/RR district;

  6. On any un-platted legal residential lot or parcel that is five acres or larger in the RS district;

  7. On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;

  8. On any un-platted legal residential lot or parcel where at least one property abutting the subject property's side lot line has a mobile home;

  9. On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,

  10. On any legal residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area.

- *Fire and EMS Response is from Polk County Fire Rescue Station 5, located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.*

- *Sheriff's response to the site is served by the Central District, located at 3635 Ave G NW in Winter Haven. The response times in May 2024 were: Priority 1 Calls – 8:44 and Priority 2 Calls – 19:29.*

- *Subject site will utilize its own private well and septic system in compliance with Polk County Standards for water and wastewater.*

- *The development is zoned for Clarence Boswell Elementary, JL Stambaugh Middle, and Tenoroc Senior High. The site is 3.4 miles from Clarence Boswell Elementary; 6.6 miles from JL Stambaugh Middle; and 2.9 miles from Tenoroc Senior High.*

- *The subject parcel is not within one of the Wellhead-Protection Areas.*

- *The property is composed 100 percent of Paisley fine sand.*

- *Current GIS Data Viewer shows approximately 1.01 acres of 100-year (AE) floodzone.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within a one-mile radius of Saddle Creek Sanctuary and Lake Hancock Conservation Lands.*

- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*

- *The subject site will have ingress and egress access through Josh Reynolds Road. Josh Reynolds Road is a paved, two-lane Local Residential, County-maintained roadway. According to the 2025 Roadway Network Database, the nearest monitored roadway CR 542 (4043E) has approximately 506 available PM Peak Hour trips; SR 544 (4043W) has approximately 491 available PM Peak Hour trips. CR 542 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "C".*

- *The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*

- *This request has been reviewed for consistency with Section 303 of the LDC.*

- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN-DEVELOPMENT AREAS (SDA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2025-14.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends APPROVAL of LDCU-2025-14 with the following Conditions:

1. LDCU-2025-14 is approved for no more than one (1) mobile home on Parcel No. 242824-000000-033160 as indicated in the site plan and staff report.

2. The placement of the mobile home shall not encroach upon designated wetlands and must comply with all applicable setback requirements of the Land Development Code (LDC).

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: Residential Low-1 Un-platted Owner: Laura and Roger Downs Jr 5.00 acres	**North:** Residential Suburban Single-family Residential Owner: Laura and Roger Downs Jr 2.46 acres	**Northeast:** Residential Suburban Single-family Residential 0.92 acres
West: Residential Low-1 Un-platted Owner: Laura and Roger Downs Jr 5.00 acres	**Subject Property:** Residential Suburban Single-family Residential Owner: 319 Josh Reynolds LLC (Roger Downs Jr) 2.45 acres	**East:** Residential Suburban Single-family Residential 2.16 acres
Southwest: Residential Low-1 Un-platted Owner: Laura and Roger Downs Jr 5.00 acres	**South:** Residential Suburban Multiple single-family Residences 2.45 acres	**Southeast:** Residential Suburban Single-family Residential 1.97 acres

Source: Polk County Geographical Information System and site visit by County staff

Property Appraiser shows the parcel as single-family residential located in the Residential Suburban (RS) land use district. The immediate surrounding area provides similar single-family residential densities, however to the west of the site is vacant un-platted residential land designated Residential Low-1 (RL-1).

Compatibility with the Surrounding Land Uses and Infrastructure:

> **The LDC defines compatibility as "*A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"**

This request is compatible with the Comprehensive Plan and Land Development Code. The purpose of the RS land use district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. The impact from a single mobile home is minimal. The immediate surrounding land uses are zoned for residential uses.

Mobile Homes, Individual Condition No. 6:
Chapter 3, Section 303 Mobile Homes, Individual lists nine (9) location conditions where mobile homes can be permitted throughout the County. Condition No. 6 states individual mobile homes are permitted "on any un-platted legal residential lot or parcel that is five acres or larger in the RS district." According to Property Appraiser, the applicant owns both 5-acre un-platted lots to the west of the subject site designated Residential Low-1 (RL-1). When referring to condition No. 6, if these lots were designated Residential Suburban (RS), the applicant could combine the lots for a total acreage of 7.45 acres, permitting the placement of the mobile on site administratively.

Mobile Homes, Individual Condition No. 9:
This is not the first mobile home within the surrounding area. Approximately 834 feet to the east and 556 feet to the southeast of the subject site are two mobile homes (see Exhibit #6). The mobile home to the east obtains ingress and egress off Trail Drive while the mobile home to the southeast obtains ingress and egress off Josh Reynolds Road. If at least one of the mobile homes were abutting the subject property's side lot lines, the application would not be required. Since the standards outlined in Section 303 cannot be met, the request must be approved by the Planning Commission in terms of the compatibility of individual mobile homes relative to the character of surrounding uses.

Although the property does not meet the standards in Section 303, it is compatible with the surrounding uses and is consistent with the Land Development Code (LDC). There are multiple mobile homes that utilize Josh Reynolds Road to obtain access either directly or indirectly to their property. The proposed mobile home will replace the existing barn-dominium as the primary dwelling unit. The barn-dominium will be an accessory dwelling unit (ADU), providing housing for the applicant's son while the mobile home will provide housing for the applicant's daughter. The barn-dominium will meet all requirements of the LDC per Section 206.A.

Per Section 206.A, ADUs may be permitted as accessory uses to single-family detached homes and mobile homes in all residential districts and lots of record for residential purposes subject to:

1. No more than one detached ADU may be permitted on any single-family residential lot or parcel.

2. Detached ADUs shall be built to the standards of the Florida Building Code and shall be subordinate in size to the principal structure located on the same site. No ADU shall exceed 1,000 sq. ft. of heated floor space unless granted a variance.

3. Detached ADUs shall be in the side or rear yard of the principal dwelling unit.

4. An ADU may utilize setbacks pertaining to accessory structures unless attached to the principal structure.

5. ADUs in conformance with this section do not count as additional dwelling units in the calculation of density.

This is the only ADU located on the property. According to Property Appraiser, the barn-dominium was built in 2011. The total square footage under roof is 800 square feet, below the maximum 1,000 square feet of heated floor space. A 3,200 square feet steel metal accessory structure is also located on the property. Both structures, the ADU and the accessory structure will be located to the side and rear of the principal dwelling unit meeting accessory structure setbacks in the RS of 5 feet side and 10 feet rear. The ADU will not count towards the density calculation within the RS, however the property abutting the subject site to the south currently has multiple single family dwelling units on site. The neighboring property is also 2.45 acres, providing similarities to the applicants request for a mobile home to be placed on the property as the primary dwelling unit with a barn-dominium as an ADU.

Urban Services and Infrastructure Analysis:

The surrounding area has public safety service facilities that are operating within their adopted Level of Service (LOS) standard with no deficiencies. Placement of one mobile home will not trigger school concurrency requirements at Clarence Boswell Elementary, JL Stambaugh Middle or Tenoroc Senior High; however, Clarence Boswell Elementary is at 87% capacity; JL Stambaugh Middle is currently operating at 85% capacity; and, Tenoroc Senior High is currently operating at 62% capacity. Subject property will utilize its own private well and septic system in compliance with Polk County standards for water and wastewater.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, the proposal is not anticipated to create any significant demand on these services.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Clarence Boswell Elementary, JL Stambaugh Middle, and Tenoroc Senior High.
Sheriff	Sheriff's response to the site is served by the Central District located at 3635 Ave G NW in Winter Haven. The response times in May 2024 were: Priority 1 Calls – 8:44 and Priority 2 Calls – 19:29.
Fire/EMS	Fire and EMS Response is from Polk County Fire Rescue Station 5 located at 333 American Spirit Rd, Winter Haven, FL 33880. This is located approximately 2.1 miles from the subject site with a response time of eight (8) minutes.
Water	Private well
Sewer	Private septic system in compliance with Polk County Standards.
Transportation	The subject site will have ingress and egress access through Josh Reynolds Road. Josh Reynolds Road is a paved, two-lane Local Residential, County-maintained roadway. According to the 2025 Roadway Network Database, the nearest monitored roadway CR 542 (4043E) has approximately 506 available PM Peak Hour trips; SR 544 (4043W) has approximately 491 available PM Peak Hour trips. CR 542 current Level-of-Service (LOS) is "C" with an adopted LOS standard of "C".
Urban Sprawl	Site is located within the SDA and is not considered urban sprawl.

Table 3, below, identifies the anticipated impact of one mobile home on water and sewer services. The site has approximately 165 feet of frontage off Josh Reynolds Road, using a private septic system in compliance with Polk County Standards and the water supply will be provided by private well. The placement of one mobile home will have negligible impacts on the traffic on local roadways.

Table 3

Impact Analysis Summary **Proposed Conditional Use** **(One Mobile Home)**			
Potable Water Impact	**Wastewater Impact**	***AADT Impact**	***PHT Impact**
360 GPD	250 GPD	7.81 AADT	1.00 PHT
Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a mobile home will consume 360 GPD and generate 250 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates for mobile homes. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.			

Environmental Conditions Analysis:

Current GIS Data Viewer shows there are no wetlands on site. The parcel has approximately 1.01 acres of 100-year (AE) flood zone (See Table 4, below). The flood zone is isolated to the rear of the subject site approximately 236 feet away from the proposed mobile home.

The subject site is not located within any of the County's identified Wellhead-Protection Areas. The subject property is located within a one-mile radius of Saddle Creek Sanctuary and Lake Hancock Conservation Lands, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property is composed entirely of Paisley fine sands. The soil is not such that would limit compliance with applicable LDC regulations for the proposed use. The subject property is relatively flat with an elevation of 109 feet where the mobile home is proposed and 105 feet to the rear of the property. The subject site does not contain or abut any surface water bodies. In addition, the subject property is not located within a Historical Preservation area and is not within any Airport Height Notification and In-Flight Visual Interference Zones.

Table 4

Environmental Conditions Summary	
Surface Water	The property does not contain or abut any surface water bodies.
Wetlands/Floodplains	Current GIS Data Viewer shows approximately 1.01 acres of 100-year (AE) floodzone to the rear (west) of the property.
Soils	The property is composed 100 percent of Paisley fine sand which provides poor drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.
Protected Species	The subject site is located within one mile of Saddle Creek Sanctuary and Lake Hancock Conservation Lands according to the Florida Natural Areas Inventory Biodiversity Matrix.
Wellfield Protection	The property is not located within any County Wellhead-Protection Areas.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.
Airports	The subject property is not located within Airport Height Notification and In-Flight

	Visual Interference Zones.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5, in accordance with Section 906.D.7 of the LDC.

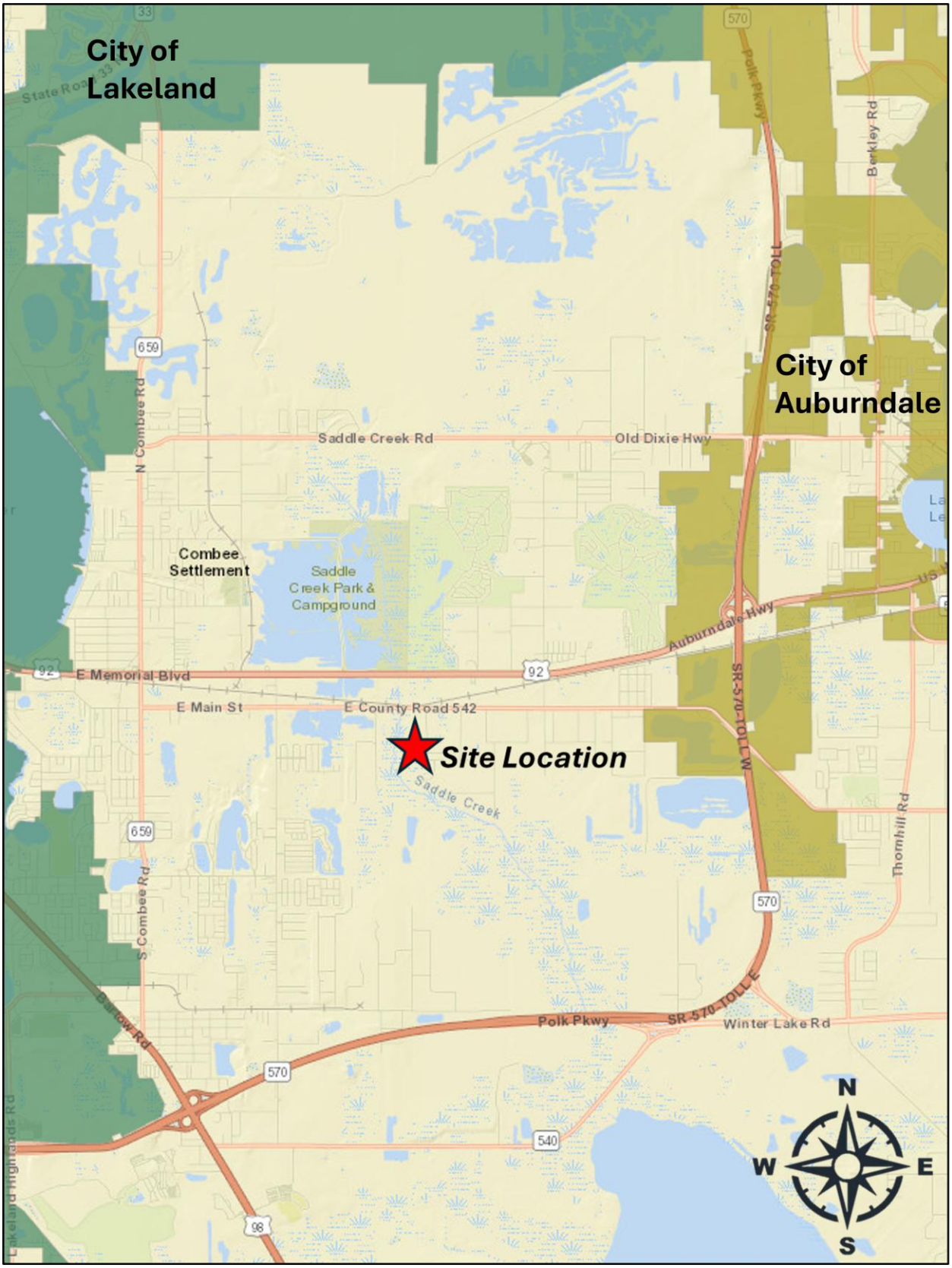
Table 5

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC, specifically Section 303 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2 - 4 of the staff report.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	*Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 5-7 of this staff report for data and analysis on surrounding uses and compatibility.*
How the concurrency requirements will be met if the development were built.	*This request will not require concurrency determinations from utilities, the school board, or TPO. The impact on public services can be found in the analysis found on Pages 7-8 of the Staff Report.*

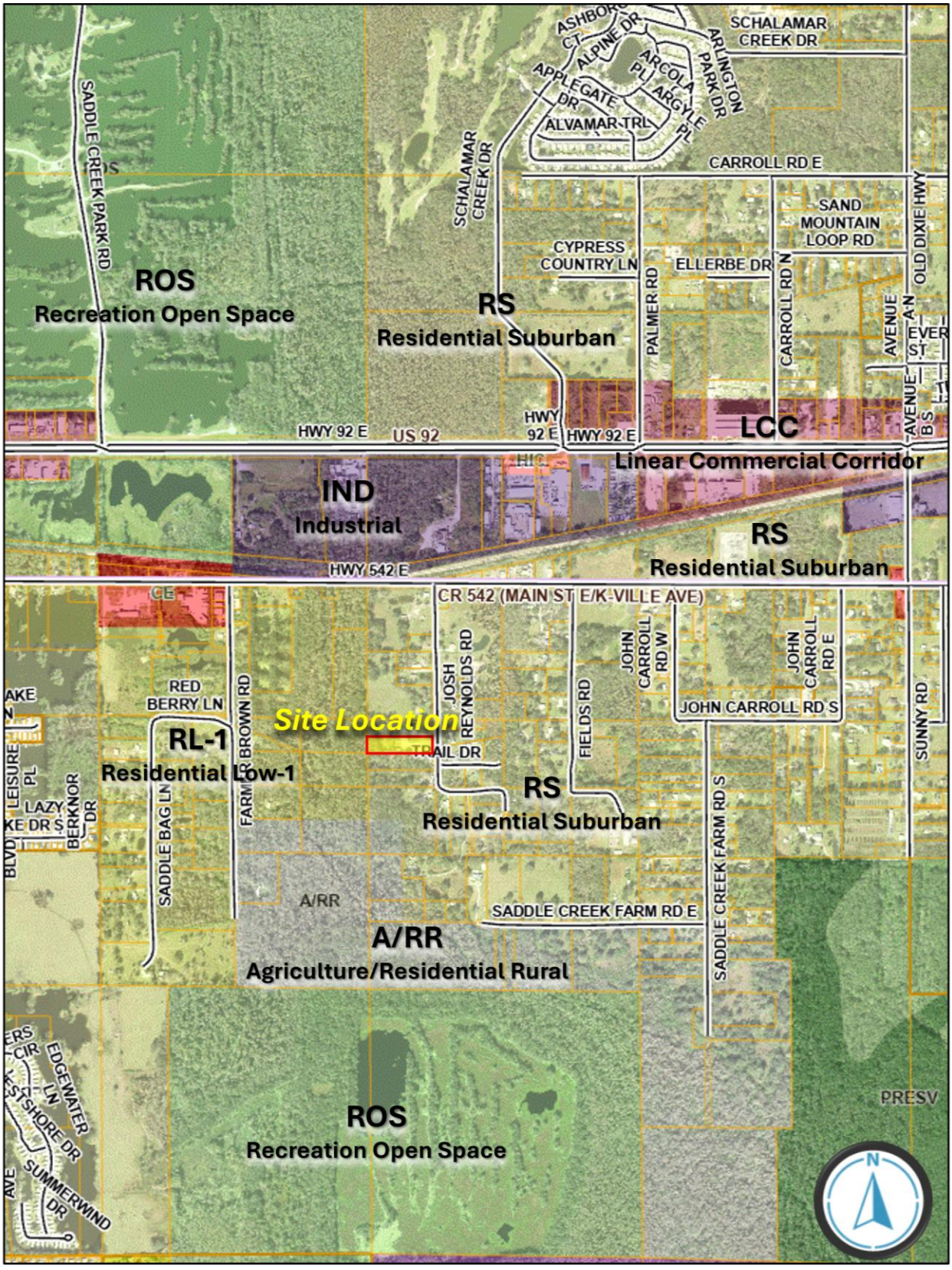
Comments from other Agencies: None

Exhibits:

Exhibit 1 Location Map
Exhibit 2 Future Land Use Map
Exhibit 3 Aerial Imagery (context)
Exhibit 4 Aerial Imagery (close-up)
Exhibit 5 Site Plan
Exhibit 6 Surrounding Uses



Location Map



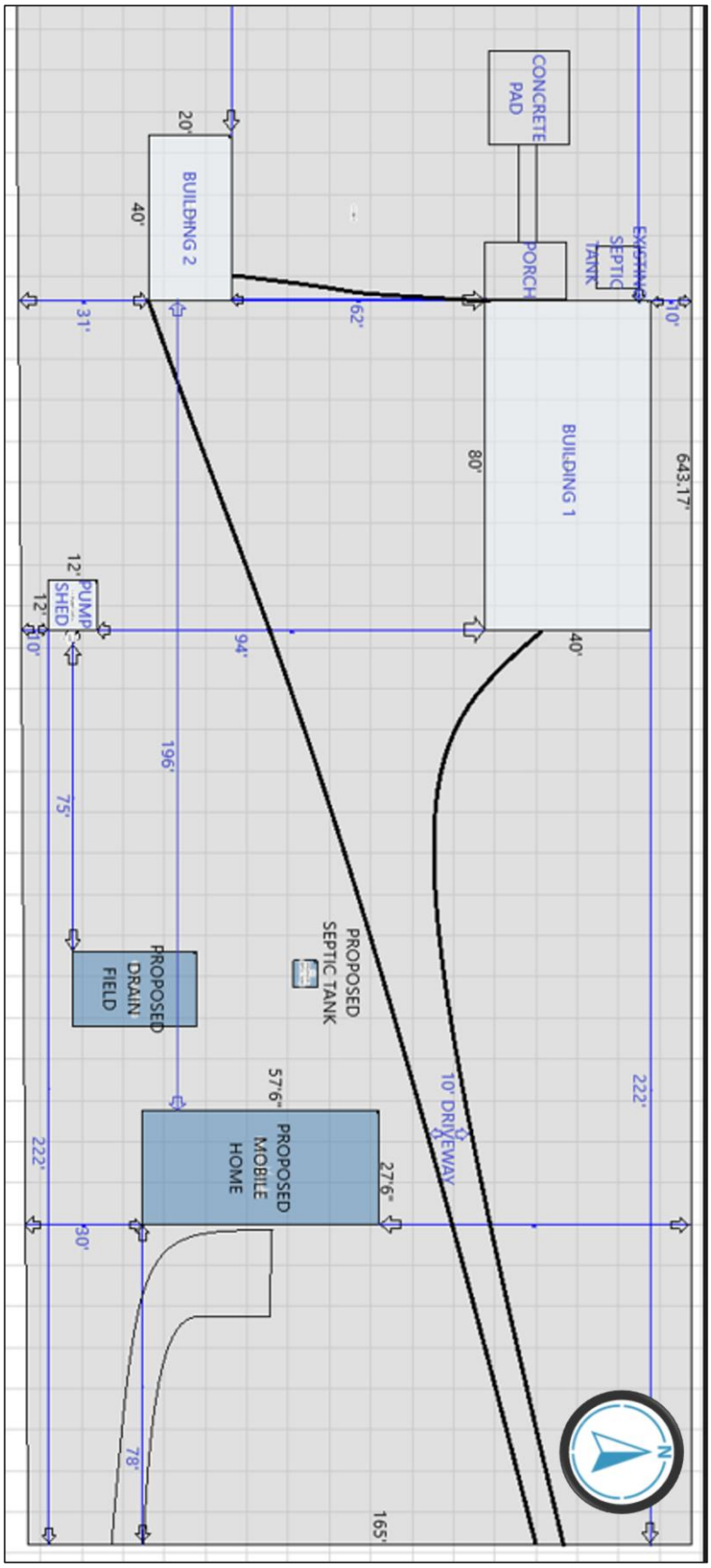
Future Land Use Map



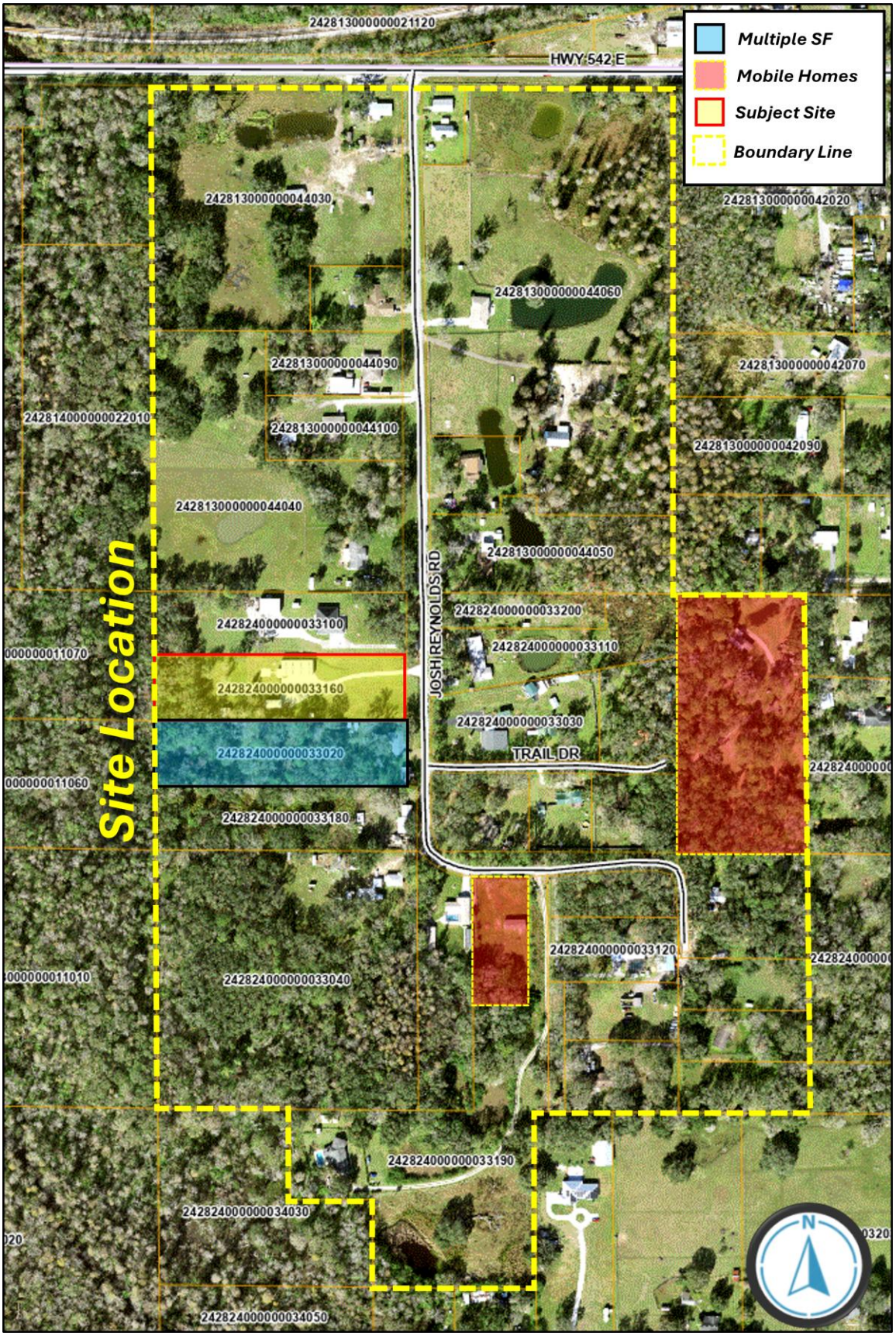
Aerial Imagery (Context)



Aerial Imagery (Close-up)


CONCRETE PAD
20'
BUILDING 2
40'
EXISTING SEPTIC TANK
PORCH
10'
31'
62'
BUILDING 1
80'
643.17'
12'
PUMP SHED
12'
10'
94'
40'
196'
75'
PROPOSED DRAIN FIELD
PROPOSED SEPTIC TANK
576"
PROPOSED MOBILE HOME
276"
10' DRIVEWAY
222'
222'
30'
78'
165'
N

Site Plan



Surrounding Uses

LDCU-2025-14 - Laura Downs

Menu Reports Help

Application Name: Laura Downs

File Date: 06/06/2025

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: My husband and I are wanting to put a brand new manufactured home at the front of our property at 319 Josh Reynolds Road for our daughter, Hannah Downs, to live in. We own this property and the property next to it is where we live (313 Josh Reynolds Road). There are several manufactured homes on this road. My son lives in the barn-dominium on this property at 319 Josh Reynolds Road. It is our hope to also have our daughter live on the property as well.

Application Detail: Detail

Address: 319 JOSH REYNOLDS RD LAKELAND, FL 33801

Parcel No: 242824000000033160

Owner Name: 319 JOSH PROPERTY LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
319 JOSH PROPERTY LLC	319 JOSH PROPER...	Engineer	Mailing, 313 Josh Reyn...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $966.00

Total Fee Invoiced: $966.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Conditional Use
Mobile Home

Brownfields Request
N/A

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
--

Will This Project Be Phased

Acreage
2.45

DRC Meeting
08/28/2025

DRC Meeting Time
--

Rescheduled DRC Meeting
--

Rescheduled DRC Meeting Time
--

Green Swamp
No

Number of Units
--

Case File Number
--

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

One Year Extension
--

FS 119 Status
Non-Exempt

Code Violation Case Number
--

ADVERTISING

Legal Advertising Date
--

BOCC1 Advertising Date
--

BOCC2 Advertising Date
--

Advertising Board
Planning Commission

MEETING DATES

Community Meeting
--

Planning Commission Date
11/05/2025

Land Use Hearing Officer 3
--

1st BOCC Date
--

2nd BOCC Date
--

LUHO-Level 3
--

HEARING

PC Hearing Results
--

PC Vote Tally
--

BOCC 1st Hearing Results
--

BOCC 1st Vote Tally
--

BOCC 2nd Hearing Results
--

BOCC 2nd Vote Tally
--

FINAL LETTER

Denovo Appeal
--

Denovo Results
--

Denovo Tally
--

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List
--

PLAN REVIEW FIELDS

TMPRecordID
POLKCO-25EST-00000-35723

DocumentGroupforDPC
DIGITAL PROJECTS LD

RequiredDocumentTypes
--

RequiredDocumentTypesComplete
Yes

AdditionalDocumentTypes
Applications,AutoCad File,Binding Site Plans (PDs, and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement, Inspections,Miscellaneous,Plats,Record Drawings, Response Letter,Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion

Activate DPC
Yes

Activate FSA
Yes

DigitalSigCheck
Yes

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan **LU Code**

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	1			10/21/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/13/2025	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	08/22/2025	Kim Turner
Planning Review	Kyle Rogus	Approve	09/02/2025	Kyle Rogus
Surveying Review	Noelle S Colaianni	Approve	08/25/2025	Noelle S Colaianni
School Board Review	School District	Not Required	08/14/2025	School District
Roads and Drainage Review	Phil Irven	Approve	08/18/2025	Phil Irven
Review Consolidation	Lyndsay Rathke	Approved for...	09/03/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Hearing				
BOCC Hearing				
Final Letter				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Prepared by and return to:
Elizabeth Mustelier
Miller Troiano Title, LLC
2215 S. Florida Avenue
Lakeland, FL 33803
(863) 688-7030
File Number: **25-34-R**
Will Call No.:

INSTR # 2025052530
BK 13459 Pgs 1013-1014 PG(s)2
03/10/2025 08:51:41 AM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 18.50
DEED DOC 0.70

[Space Above This Line For Recording Data]

NOTE TO CLERK: FLORIDA DOCUMENTARY STAMP TAX REQUIRED BY LAW IS NOT DUE ON THIS DOCUMENT, AS IT HAS BEEN PAID DIRECTLY TO THE DEPARTMENT OF REVENUE. ONLY MINIMUM REQUIRED DOC STAMPS ARE BEING PAID AT TIME OF RECORDING.

Warranty Deed

This Warranty Deed made this **18th day of February, 2025** between **James A. Starling and Darlene Starling** whose post office address is **319 Josh Reynolds Rd, Lakeland, FL 33801**, grantor, and **319 Josh Property LLC, a Florida Limited Liability Company** whose post office address is **313 Josh Reynolds Rd, Lakeland, FL 33801**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situated, lying and being in **Polk County, Florida** to-wit:

The South 165.0 feet of the North 330.0 feet of the NW 1/4 of the NW 1/4 of the NW 1/4 of Section 24, Township 28 South, Range 24 East, Polk County, Florida, LESS the East 25 feet for road right of way.

Parcel Number: 24-28-24-000000-033160

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **12/31/2024**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness
Printed Name: Elizabeth Hernandez
P.O. Address: P.O. BOX 8169, LAKELAND, FL 33802

James A. Starling

Witness
Printed Name: Jennifer Nolan
P.O. Address: P.O. BOX 8169, LAKELAND, FL 33802

Darlene Starling

State of Florida
County of Polk

The foregoing instrument was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 18th day of February, 2025 by James A. Starling and Darlene Starling who [ ] are personally known or [✓] have produced drivers' licenses as identification.

[Seal]

Notary Public
Print Name: Elizabeth Hernandez
My Commission Expires: 3/25/27

Notary Public State of Florida
Elizabeth Hernandez
My Commission HH 375497
Expires 3/25/2027

Stacy M. Butterfield POLK
CFN# 2025052530 OR BK 13459 PG 1014 Pgs 1013-1014 03/10/2025 08:51:41 AM

Growth Management Department
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

www.polk-county.net

IMPACT ASSESSMENT STATEMENT FORM

An Impact Assessment Statement is required for all Level 3 and Level 4 Reviews, with the exception of text amendment requests. The purpose of an Impact Assessment Statement is to provide information on the effects a proposed development or land use action will have on the existing neighborhood and general area; on the transportation facilities; on the environment and natural resources of the County; on the public facilities for water, sewer, solid waste disposal, fire, police, public education, parks, recreation, and other utilities; and any other aspect with an identified impact of the development and deemed appropriate for concern.

A sufficient Impact Assessment Statement must address all of the following ***(Note: N/A is an insufficient comment, if N/A an explanation must be included)***:

Land and Neighborhood Characteristics

Assess the compatibility of the requested land use with adjacent properties and evaluate the suitability of the site for development. At a minimum, address the following specific questions in your response:

1. How and why is the location suitable for the proposed uses? This is a neighborhood where other manufactured homes and houses are already. This is 2.5 acres,room for Primary and ADU.
2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses? N/A There are other manufactured homes on this street.
3. How will the request influence future development of the area? It will better the area because it be a nice manufactured home.

Access to Roads and Highways

Assess the impact of the proposed development on the existing, planned and programmed road system. At a minimum, address the following specific questions in your response:

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed[1] methodology and calculations. N/A She is 1 person and 1 vehicle.

2. What modifications to the present transportation system will be required as a result of the proposed development? N/A There is already a road.

[1]A minor traffic study will suffice for a detailed methodology and calculations for most applications.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land

Development Code? N/A There is no code for parking in this area. She would need 1 parking space.

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)? N/A Josh Reynolds Road connects to HWY 542.

NOTE: *Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for* ***"Infrastructure Impacts"*** *items 3 through 9 above.*

Sewage

Determine the impact caused by sewage generated from the proposed development. At a minimum, address the following specific questions in your response:

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development? (*Response may be based on Section 703.F of the LDC*) N/A we are on septic tank system and she is 1 person.
2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage? Septic Tank with drain field.
3. If offsite treatment, who is the service provider? N/A septic tank.
4. Where is the nearest sewer line (in feet) to the proposed development (*Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of- way under certain conditions listed in Section 702E.3 of the Land Development Code*) N/A septic tank.
5. What is the provider's general capacity at the time of application? N/A It has not been submitted to the health Dept yet. We have been waiting on getting the County's approval.
6. What is the anticipated date of connection? N/A septic tank.
7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc.)*? N/A septic tank.

Water Supply

Determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area. At a minimum, address the following specific questions in your response:

1. What is the proposed source of water supply and/or who is the service provider? We have a well usage will be for one person.
2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*) One person usuage on a well.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line? N/A we dont have reclaimed water connections here.

4. Who is the service provider?N/A the well.

5. What is the anticipated date of connection? When we get approved by the county.

6. What is the provider's general capacity at the time of application?N/A it is a well.

7. Is there an existing well on the property(ies)?

X Yes What type? Submersable pump.

Permit Capacity_____

No

Location: On the property.

Water Use Permit #: N/A

Constructed prior to Water Management District Permitting: Yes _____ No x

_____

Type of Use: __Ag __Public __Industrial or Commercial

x Recreation or Aesthetic __Mining

Permitted Daily Capacity: N/A

Average Peak Monthly Withdrawal Rate: N/A

Location: 319 Josh Reynolds Road Lakeland, FL 33801

Casing Diameter: N/A

Mainline Diameter: N/A

Surface Water Management and Drainage

Determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development. At a minimum, address the following specific questions in your response:

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues);N/A No flooding issues.

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project? N/A

Environmental Analysis

Provide an analysis of the character of the subject property and surrounding properties, and further assess the site's suitability for the proposed land use classification based on soils, topography, and the presence of wetlands, floodplain, aquifer recharge areas, scrub or other threatened habitat, and historic resources, including, but not limited to:

1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties. N/A

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site. N/A No changes would happen.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and; Private well, installed 2010.

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts)*. N/A

5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development. N/A Single family home.

Infrastructure Impact Information

What is the nearest location (travel distance), provider, capacity or general response time, and estimated demand of the provision for the following services:

1. Parks and Recreation; N/A
2. Educational Facilities (e.g., preschool, elementary, middle school, high school); N/A
3. Health Care (e.g., emergency, hospital); N/A
4. Fire Protection; N/A
5. Police Protection and Security; N/A
6. Emergency Medical Services (EMS); N/A
7. Solid Waste (collection and waste generation); and N/A

8. How may this request contribute to neighborhood needs? N/A nothing will change.

Maps

Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scale shall be clearly indicated on each map and the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following **maps shall 8 1/2" x 11"** and accompany Impact Assessment Statements:

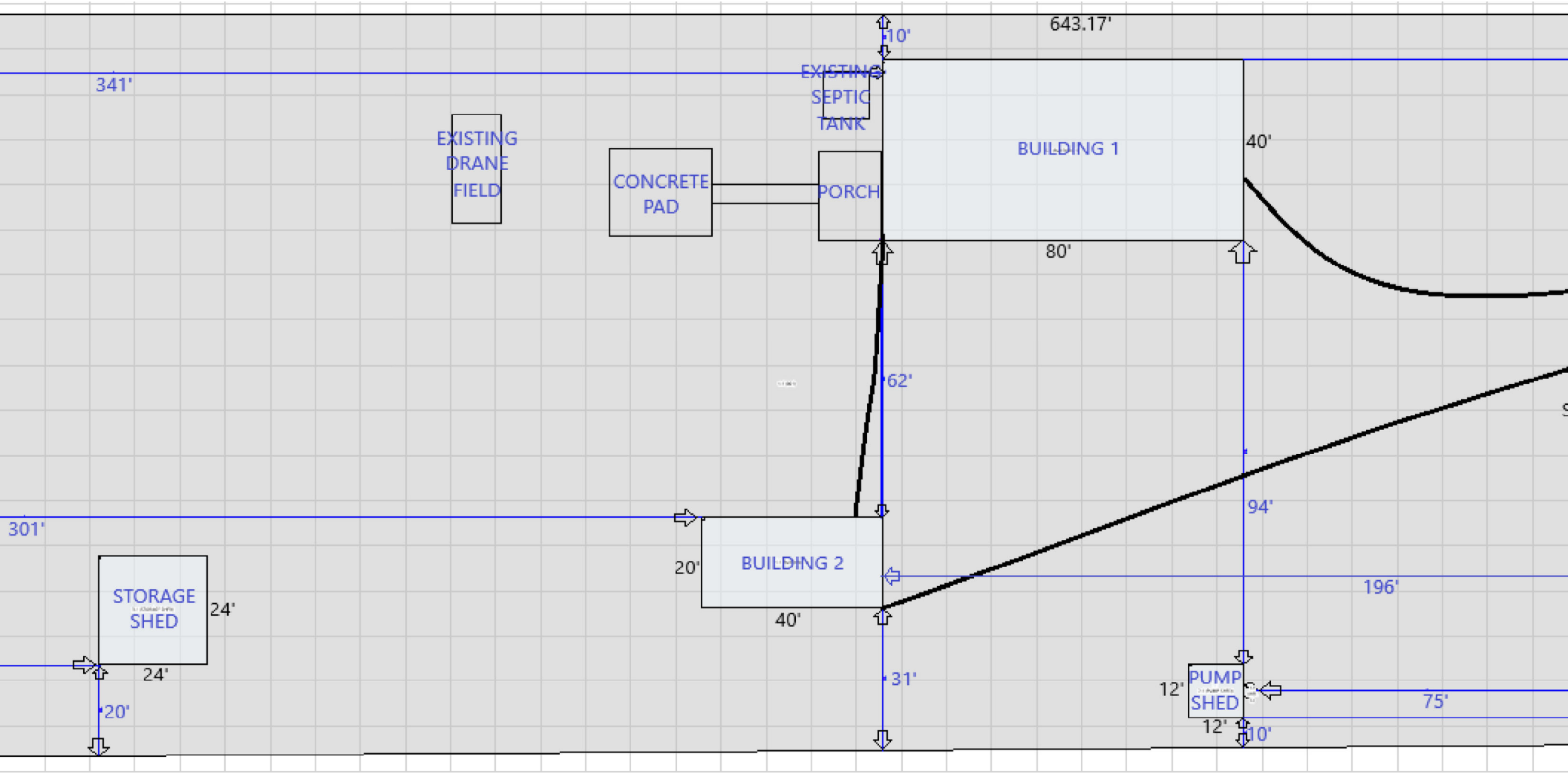
Map A: A location map (center the site on the map) showing the relationship of the development to cities, highways, and natural features;

Map B: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy.** Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

NOTE: *Applications for text amendments are not required to submit a complete Impact Assessment Statement, however, all relevant information requested must be addressed. Use this form and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

[2] See *Site Plan Standards* checklist form (GM LDD 11).


643.17'
10'
341'
EXISTING
SEPTIC
TANK
EXISTING
DRANE
FIELD
CONCRETE
PAD
PORCH
BUILDING 1
40'
80'
62'
94'
301'
20'
BUILDING 2
40'
196'
STORAGE
SHED
24'
24'
20'
31'
12'
PUMP
SHED
12'
75'
10'

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2025-14

Applicant: Laura Downs

Property Owner: 319 Josh Property LLC

Hearing Date: November 5, 2025

I. Request:

The applicant is requesting a Conditional Use (CU) approval for a mobile home to be located on ±2.45 acres within a Residential Suburban (RS) future land use district.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a level 3 application, consider the following factors:
    a. Whether the proposed development is consistent with all relevant requirements of this Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. How the concurrency requirements will be met, if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, sections 906 and 303.

3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.

5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session the 5th day of March, **2025**, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By:_____ By: _____
Merle Bishop, Chair Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order
Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)

Agenda Item 5. 11/5/2025

SUBJECT

LDCU-2025-16 (Childcare Center CU)

DESCRIPTION

Mohammed Alahi requests a Conditional Use (CU) approval for a Childcare Center to be located in the Residential Low-3 land use district on approximately 0.44 acres. The subject site is located at 2445 Main Street, north of the Polk Parkway, south of Interstate 4, east of Florida Avenue, west of Thornhill Road west of the City of Lakeland in Section 16, Township 28, Range 24.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

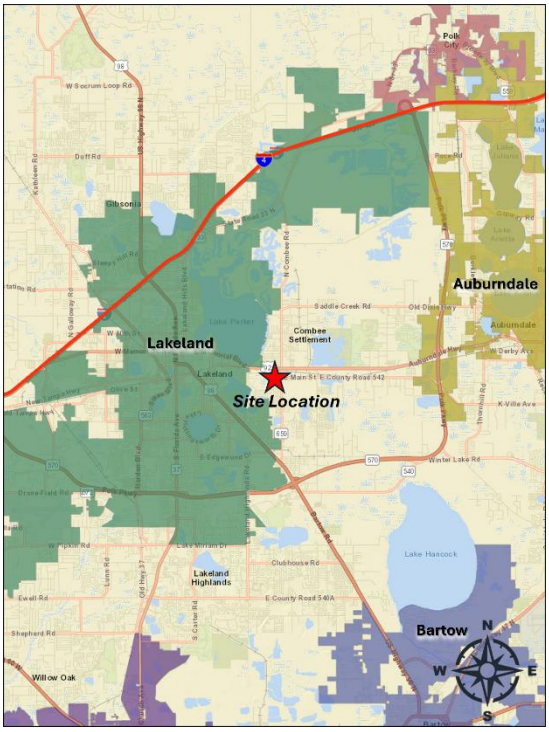
Kyle Rogus, Planner II
Land Development Division
863-534-7553
kylerogus@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	July 31, 2025	**Level of Review:**	Level 3 Review
PC Date:	November 5, 2025	**Type:**	Conditional Use
BoCC Date:	N/A	**Case Numbers:**	LDCU-2025-16
		Case Name:	Main St Childcare Center
Applicant:	Mohammed Alahi	**Case Planner:**	Kyle Rogus, Planner II

Request:	The applicant is requesting a Conditional Use (CU) approval for a Childcare Center to be located in the Residential Low-3 land use district on approximately 0.44 acres.
Location:	The subject site is located at 2445 Main Street, north of the Polk Parkway, south of Interstate 4, east of Florida Avenue, west of Thornhill Road west of the City of Lakeland in Section 16, Township 28, Range 24.
Property Owners:	Mahf INC, Mohammed Alahi, Selina Ali
Parcel Size (Number):	±0.44 acres Parcel IDs (#242816-183000-001010)
Future Land Use:	Residential Low-3 (RL-3)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	N/A
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location Map



2023 Aerial Image



Summary:

The applicant, on behalf of the property owner, is requesting Conditional Use approval for a Childcare Center in the Residential Low-3 (RL-3) future land use district on approximately 0.44 acres off of Main Street west of the City of Lakeland. This property has been used primarily as a Religious Institution with one (1) building (3,575 sq. ft.). The property has functioned as a religious institution since 1976. While the property no longer functions as a religious institution, the applicant intends to revitalize the site by providing childcare services to the surrounding residential neighborhoods.

The proposed Childcare Center will operate out of the existing 3,575 sq. ft. building. The service will provide support services for children from morning to late afternoon. Childcare Centers are conditionally permitted in the RL-3 Future Land Use district following a Level 3 Review by County Staff and a public hearing before the Planning Commission.

The subject property is located within a Transit Supportive Development Area (TSDA). This property is already being serviced by the City of Lakeland for potable water with no wastewater services available. The site will utilize an existing septic and drain field on site.

In accordance with Section 303 of the Land Development Code (LDC) the Childcare Center has adequate road frontage on a collector road or better. The site has approximately 130 feet of direct frontage along Main Street (CR 542, No. 841702) which is a County-maintained urban collector road and is tracked for concurrency by Polk County's Transportation Planning Organization (Link 4044 E/W), according to the Polk County Road Inventory database. The site also has 146 feet of direct frontage along Eastside Drive, which is a County-maintained urban collector road. Per Section 708, Table 7.10, the Childcare Center will require 15 parking spaces. Considering the request is not constructing any new buildings, the proposal will require only a minor level of review to ensure parking standards are being met. In accordance with Section 303 of the Land Development Code (LDC) the Childcare Center has adequate road frontage on a collector road or better. This request will not generate an increase in demand on the County's school system. The site is located within acceptable distances of fire, EMS, and police services. This area is supported by a public mass transportation system with the nearest Citrus Connection Transit Route stop (Purple Line 12 LAK/WH Town Center at Ingraham Ave. Stop) approximately 2.6 miles from the subject site directly west. There are sidewalks that allow for safe pedestrian access.

Staff recommends approval of this request. The request is consistent with the LDC and Comprehensive Plan. This request is also compatible with the surrounding land uses. The location of the subject site is ideal for the applicants request to revitalize the site as a childcare center as the surrounding area is majority residential in nature aside from properties accessing Main Street (CR 542). This provides direct access to the intended clientele. The applicant has an existing childcare center approximately five (5) minutes away from the subject site allowing an expansion of their service area.

Findings of Fact

- *This is a request for Conditional Use approval of a Childcare Center. This property is located at 2445 Main Street East, Lakeland, FL. The subject site is approximately ±0.44 acres in the Residential Low-3 (RL-3) land use district in the Transit Supportive Development Area (TSDA).*

- *According to Table 2.1 of the Land Development Code (LDC), a "Childcare Center" is a "C3" Conditional Use in the RL-3 district. As such, this Conditional Use request requires a Level 3 Review with a public hearing before the Planning Commission in accordance with Chapter 3, Section 303 of the LDC.*

- *The site is located in the Transit Supportive Development Area (TSDA). According to POLICY 2.104-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS – "Development within the Transit Supportive Development Areas shall conform to the following criteria consistently with the requirements of the Land Development Code:*

  a provide access to transit facilities;
  b. connect to centralized potable water and sanitary sewer systems;
  c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
  d. implementation of "Complete Street' and 'Conservation Development' principles as established under Section 2.1251, Community Design, of this element;
  e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;
  f. provide access to civic space, parks, green areas, and open space and other amenities;
  g. be supported by public safety (i.e., fire, EMS and law enforcement);
  h. have access to public schools;
  i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.
  j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.

- *According to POLICY 2.120-C4: Development Criteria of the Comprehensive Plan, "Residential development may contain a variety of housing types as defined by the Land Development Code within the TSDA. Outside the TSDA, RL may contain single-family dwelling units, duplex units, small-scale multi-family units, and family-care homes, and shall be permitted, with County approval, at a density of up to, and including, 5 DU/AC. Additionally, community facilities may be allowed in accordance with policies of this Plan."*

- *Chapter 3, Section 303 of the LDC states, "The following shall apply to Childcare Centers:*

1. Childcare centers with a licensed capacity of more than 25 children shall not have direct access to a local residential street.
2. A drop-off/pick-up area shall be designated to provide a one-way traffic circulation pattern on the site.
3. There shall be a minimum of 45 square feet of usable, safe outdoor play area per child. Play area shall be calculated at the rate of 45 square 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 of the childcare center.
4. The outdoor play area shall be fenced to a minimum height of four feet for childcare centers with a licensed capacity of 25 or fewer children. Those centers with a licensed capacity of more than 25 children shall provide a minimum five foot high fence around the outdoor play area.
5. Development and operation of a childcare center shall conform to the standards contained in the Polk County Child Care Center Regulation (Ord. 87-03, as amended), and all applicable state licensing requirements.

- *According to Section 204 Standard Land Use District of the LDC, "The purpose of the RL-3 district is to provide areas for the low density residential needs of residents in urban areas who desire areas with smaller lots, a minimum of 10,000 square feet."*

- *The subject site was first recorded on September 23, 1925, through a plat known as "LAKE BONNY ADDITION", according to P.B. 13, Page 39.*

- *On June 17, 2025, "Mahf Inc., Mohammed Alahi, Selina Ali" purchased the property through Warranty Deed with "The Well Church of God of Prophecy, Inc.", according to O.R. Book 13603, Pages 1056-1057.*

- *The subject property is at the intersection of Main Street (CR 542) and Eastside Drive with approximately 130 feet of frontage off Main Street and approximately 146 feet of frontage off Eastside Drive respectively. Main Street (CR 542, Road No. 841702) is a County-maintained Urban Collector Roadway with a paved surface width of 20 feet and posted speed limit of 35 MPH. Eastside Drive (Road No. 842149) is a County-maintained Urban Collector Roadway with a paved surface width of 20 feet and posted speed limit of 25 MPH, according to the Polk County Roads Inventory.*

- *The site will utilize existing ingress and egress access off Main Street tracked for concurrency by Polk County's Transportation Planning Organization (Link #4044). The roadway link has a Level of Service (LOS) standard of "C" in eastern and western directions. According to the Polk County Transportation Planning Organization, Link 4044 is currently operating at with about 35% of its capacity with sufficient trips available for the Childcare Center. There are 518 trips available eastbound and 507 trips available westbound.*

- *The proposed use is estimated to generate 125 Average Annual Daily Trips (AADT). According to Section 709.A of the LDC, the applicant will be required to provide a minor traffic study and paved parking.*

- *According to Table 7.10 of the LDC, Childcare Centers require one (1) space per five (5) children permitted, plus five (5) employee spaces. According to the applicant, the request anticipates a maximum of forty-seven (47) children. At least fifteen (15) paved parking spaces are required given this request.*

- *The surrounding land use districts are comprised of RL-4 to the west and east across Eastside Drive, Residential Low-3 to the south, and Linear Commercial Corridor to the north across Main Street.*

- *The adjacent properties consist of residential development to the south and light manufacturing to the west.*

- *The subject property is zoned for Crystal Lake Elementary School, Crystal Lake Middle School, and Tenoroc Senior High School. This requested use will not generate any additional demand on school capacity.*

- *This property is served by the Polk County Sheriff's Office's Southwest District substation located at 4120 US 98 South, Lakeland, FL 33801. The response times for the SW District were: Priority 1 – 9:21 & Priority 2 – 25:28.*

- *Both Fire and Ambulance response are from Polk County Fire Rescue Station 39, located at 3325 East Main Street, Lakeland. The travel distance is about 1 mile and travel time is estimated to be between four to six minutes.*

- *There is a fire hydrant directly north of the subject property within the right-of-way of Main Street approximately 9 feet from the subject property's northeast corner.*

- *The site lies within the City of Lakeland Utilities Service Area. Per discussions with City Utilities, wastewater services are not available to the site. The use will utilize an existing septic and drain field on the property.*

- *On the northern and eastern portion of the property, there is a sidewalk located within the right-of-way off of Main Street and Eastside Drive.*

- *The closest park to the subject property is Saddle Creek Park, which is approximately ± 2.5 miles directly northeast which consists of several covered pavilion areas, docks, and trails.*

- *According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the property is comprised 100% of Adamsville-Urban land complex soil. The soil has severe limitations for septic tank absorption fields and for small buildings.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a protected animal and plant species sighting along with natural communities.*

- *The general topography of the subject is relatively flat with elevations varying from 143 feet to 141 feet according to the Polk County GIS data viewer.*

- *There are no known historical or archeological resources onsite according to the Secretary of State's Department of Historical Resources Florida Master Site File.*

- *There are no wetlands or flood hazard areas on the property. The property is not located in a Wellfield Protection District.*

- *The site is not located within any airport flight path or height notification zones.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, and the staff report, the Development Review Committee (DRC) finds that the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan; therefore, the DRC recommends **APPROVAL of LDCU-2025-16.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends **APPROVAL** of **LDCU-2025-16** with the following Conditions:

1. This Conditional Use (CU) approval shall be for an Childcare Center on ±0.44 acres located within an existing building on the subject site. [PLG]

2. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDCU-2025-16, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commission's jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map Districts and existing land uses upon them.

Table 1

Northwest: Linear Commercial Corridor (LCC) County Fire Rescue Support Station ± 0.86 acres	**North:** Linear Commercial Corridor (LCC) County Fire Rescue Support Station ± 0.86 acres	**North:** Linear Commercial Corridor (LCC) Retail ± 0.41 acres
West: Residential Low-4 (RL-4) Auto Wholesale ± 0.41 acres	**Subject Property:** Residential Low-3 (RL-3) Religious Institution (Lake Bonny Addition) ± 0.44 acres	**East:** Residential Low-4 (RL-4) Commercial (Auto repair) ± 0.38 acres
Southwest: Residential Low-3 (RL-3) Single-family residence ± 0.28 acres	**South:** Residential Low-3 (RL-3) Mobile home residence (Lake Bonny Addition) ± 0.12 acres	**Southeast:** Residential Low-4 (RL-4) Mobile home residence ± 0.17 acres

The subject site is considered Lots 1, 2, and 3 of the Lake Bonny Addition subdivision platted in 1925 (PB 13, PG 39) with residences constructed soon thereafter in the 50s and later. The subject site served as a religious institution since at least 1976. The 3,575 sq. ft. building was constructed in 1966. According to the applicant, their current childcare center is experiencing a high waiting list and is therefore proposing to utilize this property as their second location is about 5 minutes from their current location.

The site is situated in a predominantly non-residential area along Main Street which is conducive with the applicant's intent for the proposed CU. The adjacent area is comprised of automotive wholesale business to the west, and mobile home residences to the south. Across Eastside Drive is a commercial automotive repair shop and mobile home residence with commercial use further south. In addition, the site can be accessed via Eastside Drive allowing for circulation with childcare pick-up and drop off schedules. The Linear Commercial Corridor (LCC) on the north side of Main Street begins to the west of the property at Fairway Avenue and extends east to Combee Road where it expands to an Industrial (IND) land use designation.

Compatibility with the Surrounding Land Uses and Infrastructure:

The LDC defines compatibility as "*A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

The request is compatible with the surrounding area as the property previously served as a religious institution. The Childcare Center functions to provide caretaking and supervision services to local and adjacent communities. Like the previous use, this request operates as a similar intensity and functional use. The site will require paved parking to accommodate both clientele and employees. The property is currently being served by the City of Lakeland's Utility services for potable water. An existing connection to onsite septic is proposed as no wastewater services are available.

A. Land Uses:

The property has a Future Land Use designation of RL-3. The requested CU is conditionally permitted following a Level 3 review by County staff and approval by the Planning Commission in a public hearing. Per Section 708, Table 7.10 of the LDC, Childcare Centers require one (1) space per five (5) children permitted, plus five (5) employee spaces. According to the applicant, the request anticipates a maximum of 47 students. At least 15 paved parking spaces are required given this request. Given the preliminary traffic analysis, a minor traffic study will be required. Parking waivers may be requested under different circumstances with Administrator Approval. The property has a 3,575 square feet building with 5 classrooms inside. The surrounding Future Land Use designations consist of varying degrees of residential and non-residential uses along Main Street, as noted in Table 1. It is sited well to serve as a compliment to surrounding residential uses.

B. Infrastructure:

The proposed Conditional Use is located in the Transit Support Development Area. This area has services which one would expect to find in a developed urban area. The surrounding area is serviced by the City of Lakeland Utilities for potable water. This Conditional Use will not generate any students. There is an adequate sidewalk network which runs along both sides of Main Street and Eastside Drive. Aldine Combee Park are located within a mile of the subject property. There is a mass transit available, with a Citrus Connection stop approximately 2.6 miles west of the subject site.

Nearest and Zoned Elementary, Middle, and High School

The subject property is zoned for Crystal Lake Elementary School, Crystal Lake Middle School, and Tenoroc Senior High School. The closest school is Crystal Lake Elementary School (± 1.0 miles). This is a non-residential use and will not have an impact on school capacity. The project is located an adequate distance away from surrounding schools so as not to impact the zoned Polk County schools or the bussing of students to and from school.

Table 2

Name of School	Annual Estimated Demand	% Capacity (inc. port) 2024-2025 School Year	Average driving distance from subject site
Crystal Lake Elementary School	0 Students	64%	± 1 mile driving distance
Crystal Lake Middle School	0 Students	57%	± 1.5 miles driving distance
Tenoroc High School	0 Students	62%	± 4.9 miles driving distance

Source: Polk County School Board, Tischler & Associates Study, GIS

Nearest Sheriff, Fire, and EMS Station

Both Fire and Ambulance response will be from Polk County Fire Rescue Station 39, located at 3325 East Main Street, Lakeland. The travel distance is 1 mile with an average response time of 4-6 minutes. There is a fire hydrant directly north of the subject property within the right-of-way of Main Street, approximately ± 10 feet from the subject property's northeast corner.

Sheriff's response to the site is served by the Southwest (SW) District, located at 4120 US 98 South, in Lakeland. The response times for the SW District were: P1 – 9:21 minutes; P2 – 25:28 minutes. Priority 1 Calls are considered to be true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Sheriff's response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Southwest District Command (4120 US 98 South, Lakeland)	±4.4 miles	P1: 9:21 P2: 25:28
Fire	Station #39 (3325 East Main Street, Lakeland)	±1.0 miles	4-6 minutes
EMS	Station #39 (3325 East Main Street, Lakeland)	±1.0 miles	4-6 minutes

Source: Polk County Sheriff's Office Response Times for July 2025 Polk County Fire Rescue Response Times for August 2025

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

The property is currently being served with potable water by the City of Lakeland with a 12'' pipe diameter. While main sewer distribution lines run along the property, the City has no wastewater service available to the site. The request will rely on a private on-site septic tank & drain field.

Table 4

Subject Property	Estimated Impact Analysis		
0.44 ± acres RL-3	**Demand as Currently Permitted RL-3**	**Maximum Permitted in the District RL-3**	**Proposed Plan**
Permitted Intensity	One (1) single-family dwelling	10 single-family dwelling units	Childcare Center
Potable Water Consumption (GPD)	360 GPD	3,600 GPD	705 GPD
Wastewater Generation (GPD)	270 GPD	2,700 GPD	564 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

B. Available Capacity:

The property will utilize the existing septic system that has a capacity of 16,000 galloons.

C. Planned Improvements:

There are currently no planned improvements to this area.

Roadways/ Transportation Network

The surrounding roadway network is comprised of Main Street East (CR 542) and North Combee Road (SR 659). North Combee Road (SR 659) is a State maintained Minor Arterial roadway (Link # 7301). Main Street (CR 542, Road No. 841702) is a County-maintained Urban Collector Roadway. The traffic in and out of the requested CU is not likely to cause any disruption. Due to the estimated Average Annual Daily Trips (AADT), the proposed Childcare Center will require a minor traffic study as well as paved parking alongside Level 2 submittal.

A. Estimated Demand:

Based on the ITE Trip Generation Manual, Day Care Center (ITE Code 565) generate 39.30 Annual Average Daily Trips (AADT) and 10.75 Peak PM Trips per 1,000 square-feet of floor area. The proposed use will operate out of an existing 3,575 sq. ft. building. Table 5, to follow, shows the traffic that is projected for the Conditional Use development versus, what would be permitted by right and what the maximum could be with a planned development, according to Section 303 of the LDC.

Table 5

Subject Property	**Estimated Impact Analysis**		
0.44 ± acres RL-3	**Demand as Currently Permitted RL-3**	**Maximum Permitted in the District RL-3**	**Proposed Plan**
Permitted Intensity	1 single-family dwelling units	10 single-family attached dwelling units	Childcare Center
Average Annual Daily Trips (AADT)	8	78	125
PM Peak Hour Trips	1	10	38

Source: Polk County Concurrency Manual

The proposed plan is to have one access point onto Main Street (CR 542) and one access point off Eastside Drive. Appendix C of the LDC requires all developments generating more than 50 average daily trips to conduct a minor traffic study. This Conditional Use is projected to produce, on average, 125 trips a day and 38 trips during peak hours. A minor traffic study will be required as a result of the anticipated trips to identify if any offsite improvements are required. A key fact is that drop off and pick-up times will be concentrated at the beginning of the day and later in the afternoon.

B. Available Capacity:

CR 542 (Main Street East), between US 98 (Lake Parker Avenue) to SR 659 (Combee Road) has a capacity of 790 PM Peak hour vehicle trips in two separate links in each direction. According to the Polk County Transportation Planning Organization (TPO) approximately 7,800 vehicles travel that portion of the roadway each day on average, with approximately 272 eastbound vehicles and 283 westbound vehicles passing through the segment each day. This road link is currently operating with about 64% capacity left. The current level of service (LOS) is operating above the minimum County standard.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
7300N	SR 659 (Combee Road North) From: US 98 To: US 92	D	40	D
7300S	SR 659 (Combee Road North) From: US 92 To: US 92	C	73	D
4044E	CR 542 (Main Street East) From: US 98 (Lake Parker Avenue) To: SR 659 (Combee Road North)	C	518	D
4044W	CR 542 (Main Street East) From: US 98 (Lake Parker Avenue) To: SR 659 (Combee Road North)	C	507	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 2025

Based on the estimated demand and the estimated capacity shown in Table 4, the expansion is not expected to have a significant influence on the capacity on the immediate roadway network.

C. Roadway Conditions:

According to Polk County's Road Inventory, Main Street (CR 542, Road No. 841702) is a County-maintained Urban Collector road approximately 4 miles in length and a paved surface width of 20' and ROW width of 60'. Eastside Drive (Road No. 842149) is a County-maintained Urban Collector road approximately 0.45 miles in length and a paved surface width of 20' and ROW width of 60'.

D. Sidewalk Network

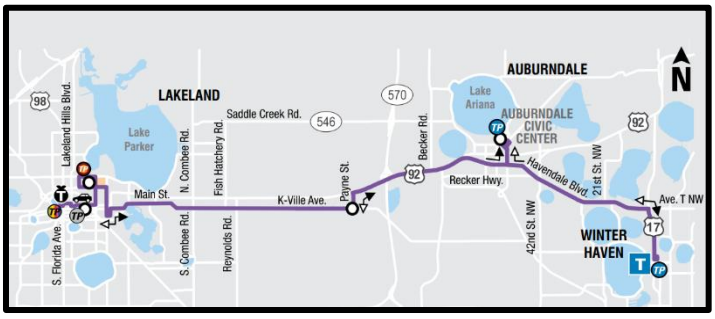
There are sidewalks along the south side of Main Street and the west side of Eastside Drive which allows pedestrian traffic to reach the nearby retail shops and Downtown Lakeland.

E. Planned Improvements

There are currently no planned County improvements.

F. Mass Transit

The nearest Citrus Connection Transit Route stop (Purple Line 12 LAK/WH Town Center at Ingraham Ave. Stop) is approximately 2.6 miles from the subject site directly west, and there are sidewalks that allow for safe pedestrian access. The Purple line provides access with multiple stops between Lakeland's downtown terminal and Winter Haven's downtown terminal.



Park Facilities and Environmental Lands:

The closest park to the subject property is Saddle Creek Park and Campground, which is approximately ± 2.5 miles directly east, and consists of multiple covered pavilion areas, docks, and trails. There are no environmental lands abutting the site. The closest environmental site is Saddle Creek County Park.

A. Location:

The closest park to the subject property is Saddle Creek Park and Campground at 3716 Morgan Combee Road, which is approximately ± 2.5 miles directly east.

B. Services:

Saddle Creek Park and Campground consists of multiple covered picnic tables, docks, and trails.

C. Multi-use Trails:

Saddle Creek Park and Campground provides multi-use trails under the TPO 2035 Multimodal Plan. The route is shown to from the Lake Mirror Promenade, south along Lake Parker and eventually connects into the Tenoroc Trail.

D. Environmental Lands:

Saddle Creek County Park is the closest environmental land to the property and is 2.5 miles east. This land is owned and maintained by Polk County. Most of this park consists of lakes and surrounding uplands vegetated by natural communities such as Osprey Links.

E. Planned Improvements:

There are no further recreational improvements scheduled for this area by the County.

Environmental Conditions

There are no environmental limitations on this property that will likely impede the Conditional Use as requested. Childcare Centers are not exempt from the paved parking requirements in Section 709.A of the LDC, therefore further stormwater management improvements are required as part of the Level 2 engineer site plan review to account for the increase in Impervious Surface Ratio (ISR). There are no wetlands or floodplains on or near the property according to County viewers. The entire site is comprised of Adamsville-Urban land complex soil (100%) according to the U.S. Department of Agriculture, Soil Conservation Service. According to the Florida Natural Areas Inventory Matrix (FNAI), the CU is not located within one (1) mile of any document endangered flora or fauna. The site is not within any public airport flight paths or buffer zones. The closest aviation facility is Lakeland Linder International Airport ± 9.2 miles to the southwest.

A. Surface Water:

There is no natural surface water feature on the subject parcel. The closest natural body of water is Lake Holloway which is ±3,302 feet to the southwest. The site is relatively flat and the topography of the subject property slopes from the west to the east. Elevations vary from 143 feet to 141 feet.

B. Wetlands/Floodplains:

There are no wetlands or floodplain areas on the subject site.

C. Soils:

According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the subject site is comprised of Adamsville-Urban land complex soil (100%). Adamsville-Urban land complex soil has a depth to restrictive feature of more than 80 inches with a somewhat poor drainage classification providing negligible runoff. It is also important to note that Adamsville-Urban land complex soil does not experience frequency of flooding or ponding as it pertains to this site with no wetlands or floodplain areas.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Adamsville-Urban land complex soil	Severe: Wetness, poor filter	Moderate wetness	100

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service

D. Protected Species:

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a protected animal and plant species sighting along with natural communities.

E. Archeological Resources:

There are no known archaeological or historical sites on the proposed development according to the Secretary of State's Department of Historical Resources Florida Master Site File.

F. Wells (Public/Private):

The subject site is not located within a wellhead protection area.

G. Airports:

According to the Polk County Airport Impact Districts Map, the subject property is not located within any Airport Buffer Zones for flight path and height restriction. The closest aviation facility is Lakeland Linder International Airport ± 9.2 miles to the southwest.

Economic Factors:

The location of the subject site is ideal for the applicants request to revitalize the site as a childcare center as the surrounding area is majority residential in nature aside from properties accessing Main Street (CR 542). This provides direct access to the intended clientele. The applicant has an existing childcare center approximately five (5) minutes away from the subject site allowing an expansion of their service area.

The property previously functioned as a religious institution as early as 1976. The proposed Conditional Use will be similar in use as it will provide caretaking and supervision services for children in the local and adjacent communities and will be an adaptive reuse of an existing structure. Whenever possible, the reuse of existing structures is more financially advantageous compared to having to construct new facilities. The applicant has stated that the intent of the Conditional Use is to provide services which will be provided daily with pick-up and drop-off times from 7am to late evening. The property is located in an area that has mass transportation service stops and is located near commercial retail businesses.

Consistency with the Comprehensive Plan and Land Development Code:

The site is located in a Transit Supportive Development Area (TSDA), which is an area "where the availability of infrastructure and other community facilities and services, including, but not limited to, mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development," according to POLICY 2.104-A of the Comprehensive Plan.

There are centralized water and sewer services available that will service the proposed development. There are mass transit services available in the area as well as sidewalks that connect the residents to both shopping and Downtown Lakeland within a comfortable walking distance.

The site is located in the Crystal Lake Redevelopment District, according to the County viewers. According to Section 2.101A, the long-term goal of for land use programs and activities are "To achieve an economically viable, efficient, safe, and quality-living environment through balanced and compact growth, while encouraging the efficient use of land, community infrastructure and protecting and managing the community's natural resources by showing the proposed distribution, location, and extent of future land uses by type, density, and intensity; while providing essential services in a cost effective manner."

Table 9, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan. Staff finds this proposed CU accomplishes all of these requirements and recommends approval.

Table 9: Consistency with the Comprehensive Plan

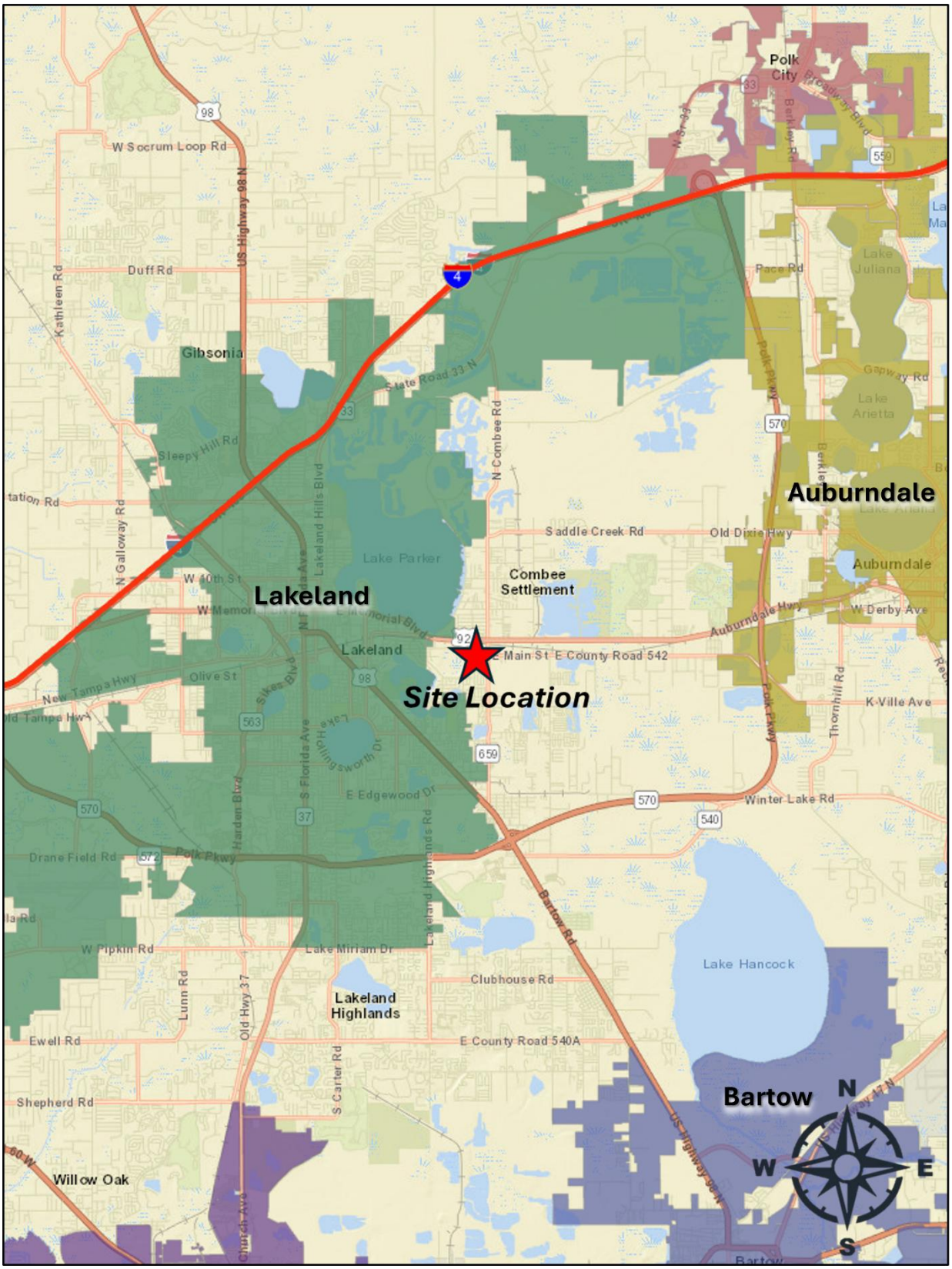
Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The proposed Conditional Use is compatible with neighboring properties and there is adequate infrastructure to support it as well. The existing land uses abutting are Residential Low and Linnear Commercial Corridor adjacent to the property.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The site will be reusing an existing structure and will not create an increase in public services.
POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.	The proposed Conditional Use is consistent with services available in the Transit Supportive Area (TSDA). The design of the project is in an area that contains adequate community and public safety services.
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The site is located within an area that has a significant amount of urban infrastructure and services with ample capacity to serve it.
POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).	The subject property is located within an area of the County that has adequate public safety services as identified in the staff report.

Comments from other Agencies:

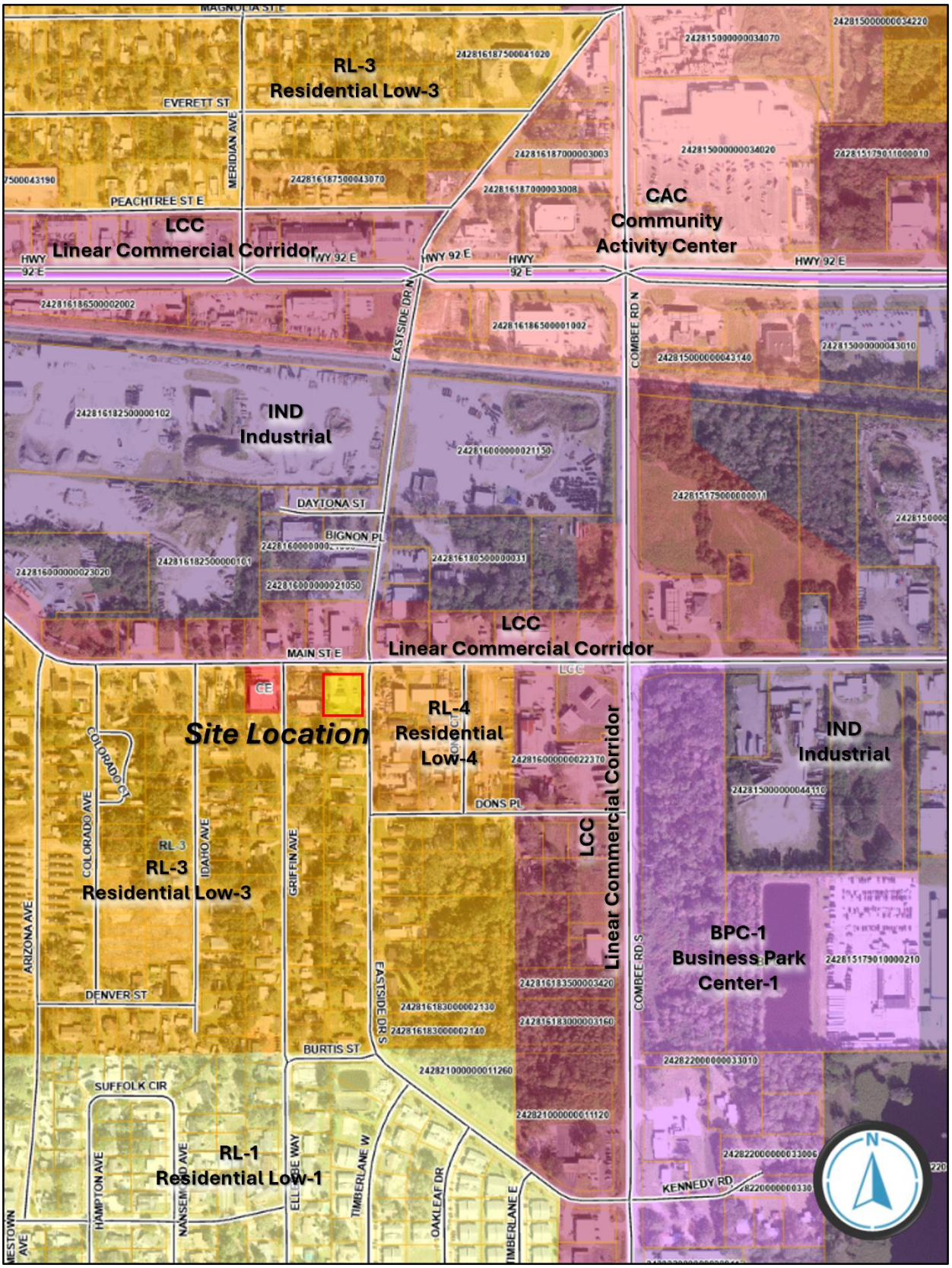
City of Lakeland, Water Utilities
In order to proceed with potable water service, the applicant will be required to submit a capacity application to the City for further review.

Exhibits:

Exhibit 1 – Location Map
Exhibit 2 – Future Land Use Map
Exhibit 3 – 2023 Aerial Photo (Context)
Exhibit 4 – 2023 Aerial (Close-up)
Exhibit 5 – Site Plan



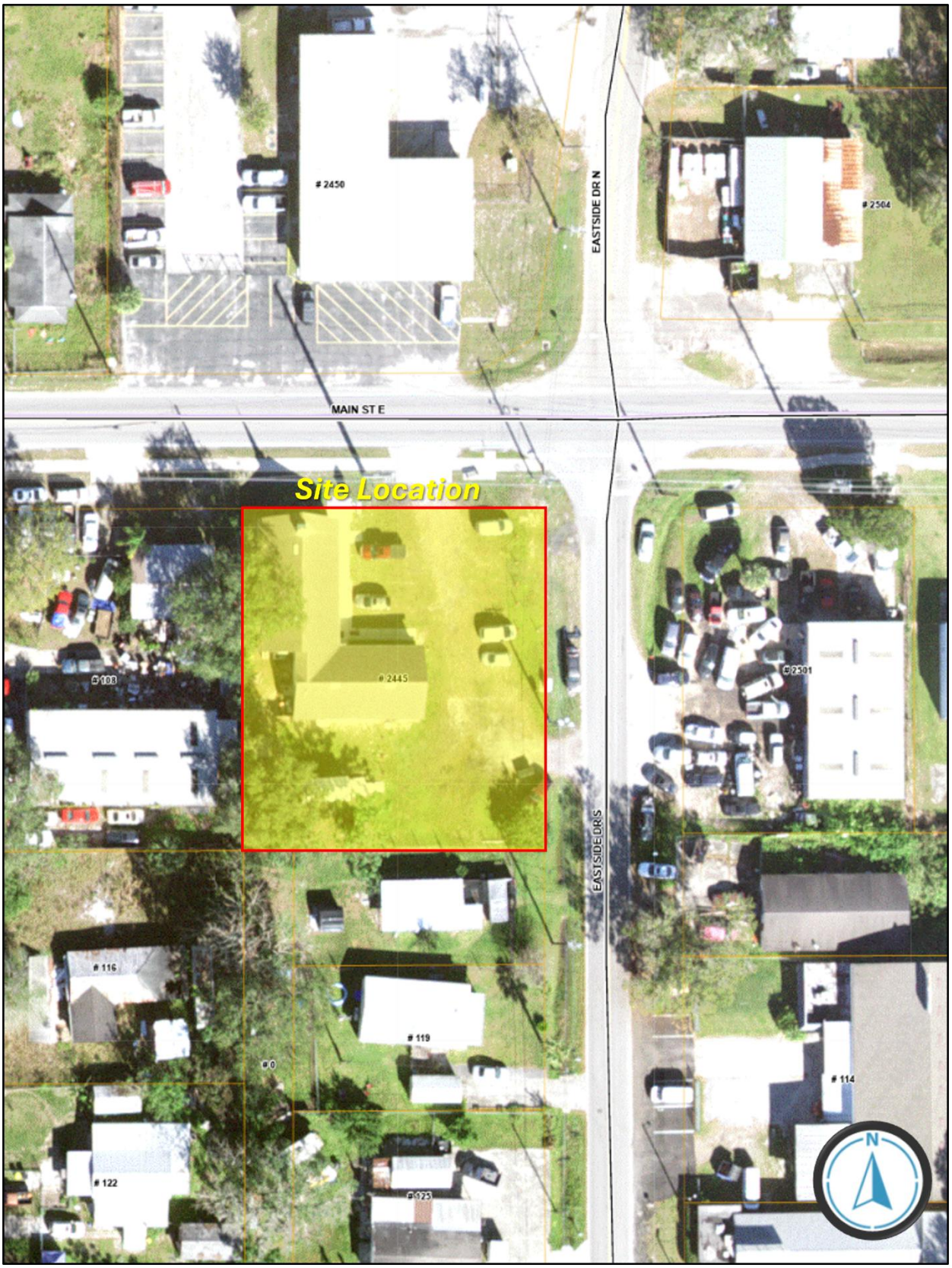
Location Map



Future Land Use Map



2023 Aerial Photo (Context)



2023 Aerial Photo (Close-up)


Untitled Map
Write a description for your map.
E Main St
Island Auto Wholesale
Google Earth
Image Landsat / Copernicus
Parking #16/17 ADA w/ ramp
Exit
6' Perimeter fence around playgorund
Playground location
Gate/ Walkway
2445 E Main St
10,244.96 sf
Pick up/ Drop off area w/ 24' driveiane
4108.11 sf
2,232.64 sf
Proposed drainage to storm water facility (Pond/Rio-swale)
All parking spots are 9'x18' (existing ADA is larger w/ widened access)
New fire hydrant location.
Existing side walk
Entrance: existing concrete approach
S Eastside Dr
Legend
2445 E Main St
C And C Auto
Island Auto Wholesale
70 ft
N

Site Plan

LDCU-2025-16 - PC-Conditional Use-New

Menu Reports Help

Application Name: PC-Conditional Use-New

File Date: 07/01/2025

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Revisions Required

Application Comments:

View ID	Comment	Date

Description of Work: My Little House Learning Center is expanding due to a high waiting list and will like to use 2445 E Main ST, Lakeland FL 33801 as their second location since it is about 5 from the current location. In the past the location has been operating as a Church. The purpose of this application is to allow for the location to be used as a full time Child center. This will provide childcare to many working members of the community.

Application Detail: Detail

Address: 2445 E MAIN ST, LAKELAND, FL 33801

Parcel No: 242816183000001010

Owner Name: Mahf Inc

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Mohammed Alahi		Engineer	Mailing, 2728 Eagle Ri...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,473.00

Total Fee Invoiced: $4,473.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Conditional Use New

Variance Type
_

Brownfields Request
N/A

Affordable Housing

Type of Acreage
_

GENERAL INFORMATION

Expedited Review

Number of Lots
_

Will This Project Be Phased

Acreage
0.36

DRC Meeting
07/31/2025

DRC Meeting Time
9:30 AM

Rescheduled DRC Meeting
_

Rescheduled DRC Meeting Time
_

Green Swamp
No

Number of Units
_

Case File Number
_

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

One Year Extension
_

FS 119 Status
Exempt

Code Violation Case Number
_

ADVERTISING

Legal Advertising Date
_

BOCC1 Advertising Date
_

BOCC2 Advertising Date
_

Advertising Board
Planning Commission

MEETING DATES

Community Meeting
_

Planning Commission Date
10/01/2025

Land Use Hearing Officer 3
_

1st BOCC Date
_

2nd BOCC Date
_

LUHO-Level 3
_

HEARING

PC Hearing Results
_

PC Vote Tally
_

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-25EST-00000-40397	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan	LU Code

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	2			10/21/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	07/09/2025	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	07/15/2025	Kim Turner
Planning Review	Kyle Rogus	Resubmittal ...	07/23/2025	Kyle Rogus
Surveying Review	Mike Benton	Not Required	07/18/2025	Mike Benton
School Board Review	School District	Not Required	07/10/2025	School District
Roads and Drainage Review	Phil Irven	Approve	07/09/2025	Phil Irven
Review Consolidation	Lyndsay Rathke	Resubmittal ...	07/23/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Hearing				
BOCC Hearing				
Final Letter				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

TRUE AND CERTIFIED COPY

Prepared by and return to:
Chrissy Morgan
Integrity First Title
207 Avenue G SW
Winter Haven, FL 33880
Parcel Identification Number: 24-28-16-183000-001010
File Number: **W2505013**

(Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this **17th day of June, 2025**, between **The Well Church of God of Prophecy, Inc., a Florida Not for Profit Corporation** whose post office address is **645 Sunway Ln, Winter Haven, FL 33880**, grantor, and **Mahf Inc, a Florida Profit, Mohammed Alahi, a married man and Selina Ferdows Ali, a married woman, as joint tenancy** whose post office address is **2728 Eagle Ridge Loop, Kissimmee, Florida 34746,** grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the **Polk County, Florida**, to-wit:

Lots 1 and 2 and the North 16 feet of Lot 3 in Block "A" of LAKE BONNY ADDITION, according to plat thereof recorded in Plat Book 13, page 39, public records of Polk County, Florida.
and
Lot 3, LESS AND EXCEPT the North 16 feet thereof, in Block "A" of LAKE BONNY ADDITION, Lakeland, Florida, according to the plat thereof recorded in Plat Book 13, page 39, public records of Polk County, Florida; being a part of the SE1/4 of Section 16, Township 28 South, Range 24 East.
and
BEGIN AT THE NORTHWEST CORNER OF LOT 1, IN BLOCK "A" OF LAKE BONNY ADDITION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 39, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE SOUTH 00°04'00" WEST ALONG THE WEST LINE OF SAID BLOCK "A," 146.55 FEET TO THE SOUTHWEST CORNER OF LOT 3, SAID BLOCK "A;" THENCE SOUTH 89°42'30" WEST, 18.40 FEET TO THE SOUTHEAST CORNER OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 7281, PAGE 643, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 00°02'28" WEST ALONG THE EAST LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 7281, PAGE 643, 146.64 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF MAIN STREET EAST (DIXIE HIGHWAY); THENCE NORTH 90°00'00W EAST ALONG SAID SOUTH RIGHT OF WAY LINE 18.68 FEET TO THE POINT OF BEGINNING.

SUBJECT TO easements, restrictions and reservations of record and taxes for the current year and thereafter.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2025.

***SIGNATURES AND NOTARIAL ACKNOWLEGEMENTS CONTAINED ON PAGE /2/**

***WARRANTY DEED**
PAGE /2/

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

David R. Shippey
Witness Name: DAVID R. SHIPPEY
Address: 207 Ave G Sw
Winter Haven, FL 33880

Nan H Webster
Witness Name: Nan H Webster
Address: 207 Ave G Sw
Winter Haven, FL 33880

The Well Church of God of Prophecy, Inc.

By: Christian Alvin Taylor Jr, President

William Aaron Taylor, Vice President

Michael Frederick Tubbs, Treasurer

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of X physical presence /or/ ____ online notarization, this June 17th, 2025, by Christian Alvin Taylor Jr., President, William Aaron Taylor, Vice President and Michael Frederick Tubbs, Treasurer of The Well Church of God of Prophecy, Inc., on behalf of the Corporation, who ( ) is personally known to me or (X) has produced FLDL as identification.

Nan H Webster
NOTARY PUBLIC

Printed Name: Nan H Webster

My Commission Expires: 06/11/2029

Table of contents

1. L (Land and neighborhood characteristics)

2. A (Access to roads and highways)

4. S (Sewage)

5. W (Water Supply) + Surface Water Management & Drainage

7. I (Infrastructure Impact Information)

12. M (Maps)

Land and Neighborhood Characteristics

1. The location at 2445 E Main St Lakeland, FL 33801 is suitable for the proposed use of a childcare center because of its proximity to residential areas. It is easily accessible by car, bike, public transportation, or on foot. The property includes spacious indoor areas for age appropriate learning stations and sufficient amount of space for an outdoor play area. Currently, there is a high demand for daycare services in the area because of its rising population rate. The property is a corner lot which provides visibility and accessibility, and the security features include enhanced safety for children and staff.
2.

Category	Incompatibility	Special Efforts
Room layout	Open sanctuary space	Build classrooms with walls/partitions
Outdoor play area	Not equipped	Build fenced playground

3. The request to use 2445 E Main St as a daycare can influence future development of the area in the following ways…
    - It can drive economic growth and encourage further development such as residential expansions and road improvements.
    - It could encourage adaptive use of other structures nearby such as old churches, community centers of commercial spaces to be used as education centers, healthcare facilities or residential purposes.

- The building improvements can raise the property's value and enhance the visual appeal of the area.
- It would encourage further investment or redevelopment if families/investors see the area as more desirable.
- This shift can lead to increased demand for family oriented amenities.

Access to Roads and Highways

1. Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual (11th edition) for a child care center (Land use code 565) with 50 children enrolled the daily trip rate is 10.99 trips per child enrolled. During the PM peak hour trip rate is 0.82 per child enrolled. The directional distribution is approximately 50% entering and 50% exiting during the PM peak hour.

   Calculations: Daily Trips=Number of Children x Daily Trip Rate

   Daily Trips= 50 x 10.99= 549.5~550 trips/day

   PM Peak Hour Trips= Number of Children x Peak Hour Trip Rate

   PM Peak Hour Trips= 50 x 0.82 = 41 trips

   Entering Trips: 50% of 41= 20.5 trips (rounded to 21)

   Exiting Trips: 50% of 41= 20.5 trips (rounded to 21)

Metric	Value
Number of Children Enrolled	50
Daily Trips	550 trips/day
PM Peak Hour Trips	41 trips
Entering	21
Exiting	21

2. Parking/Drop-off zones
    - There will be a designated area for drop-off/pick up that is clearly marked to facilitate safe/efficient areas for drop-off and pick up.
    - There is adequate parking available in the property.
    - Directional signage will be added to indicate entrances, exits and drop-off zones.
    - The expected number of vehicles entering the property is about 10 cars every 30 minutes between the hours of 7:00 am to 9:00 am. There are sufficient parking spaces at the property for all vehicles to park for drop off to ensure that there is no congestion on any accessible street.
3. According to the City of Lakeland's Land Development Code specifically Section 708 child care centers are required to provide one parking space per employee and one parking space per ten clients. With the expected enrollment of 50 children and the required amount of 7 employees the required parking spaces have being calculated as follows:

    Employee parking: 7 x 1 = 7 spaces

    Client parking: 50 children/10 = 5 spaces

Total required spaces: 7 spaces (employees) + 5 spaces (clients) = 12 spaces

4

The property currently has 2 ADA parking spaces and sufficient space for 15 total parking spaces.

4. The proposed methods of access to existing roads are both direct frontage for the entrance and exit.

Sewage

1. The typical sewage generation rate for daycare facilities is 10 gallons per child per day. According to the Florida Department of Environmental Protection (FDEP) guidelines if the property has an estimated capacity of 50 children then 50 x 10 = 500 gallons per day (GPD).

2. Given the existing septic system, the proposed method of on-site sewage treatment would involve making sure the septic tank system continues to work properly to receive and treat wastewater through anaerobic digestion. Treated effluent would be distributed into the soil via a drainfield, to provide further filtration and absorption. The septic system provides primary treatment.

3. Not applicable since there is an existing septic tank on the property.

4. The property does not have public sewer, there is currently an existing septic tank on the west side of the property.

5. The capacity of the septic tank is about 16,000 gallons.

6. Not applicable to the property on 2445 E Main St Lakeland, FL 33801 because it has a septic tank system.

7. No improvements to the provider's system are necessary to support the proposed request.

Water Supply

1. The property located at 2445 E Main St in Lakeland FL is currently connected to the public water supply provided by Lakeland Water Utilities.
2. Childcare centers/daycares typically use 15 gallons per child per day (GPD). This includes the average use of toilets, handwashing, drinking and cleaning.

   Calculations: 50 students x 15 GPD= 750 gallons per day
3. The nearest portable water connection and reclaimed water connection plus the distance and size of the line are currently unknown.
4. The service provider in Polk County for the property at 2445 E Main St Lakeland FL, 33801 is Lakeland Water Utilities.
5. The anticipated date of connection is September 30th, 2025.
6. The water supply for 2445 E Main St, Lakeland FL, 33801 comes from Wayne Combee Water Water Treatment Plant which has a capacity of 8 million gallons per day.
7. There is no existing well on the property.

Surface Water Management and Drainage

1. The surface water feature for 2445 E Main St, Lakeland FL, 33801 is its proximity to lakes. Lake Parker is 5.3 miles away from the property although the property is located in Flood Zone X, which means that it has a low risk of flooding. *Need to contact 800-432-2045 for drainage patterns and basin characteristics.

2. No alterations to the site's natural drainage features including wetlands would be necessary to develop the project.

Environmental Analysis

1. Se7en is located South of Lakeland, it is a 1,640-acre constructed treatment wetland system which receives wastewater and reclaimed water. It is not immediately adjacent but it is in proximity to the property.
2. The property is not designated as a wetland although it is located near areas that may have wetland characteristics such as lakes and other bodies of water. But the property is located in Flood Zone X. There will be no changes to these features with the proposed change of use of the property.
3. The property receives portable water from the municipal system sourced from the Floridan Aquifer. The property is in proximity to the C.Wayne Combee water treatment plant located at 2450 Old Combee Road, Lakeland FL, 33805.

4. The property is situated near the Lakeland Linder Airport (KLAL). At approximately 2.5 miles southeast of the Lakeland Linder International Airport.
5. Lakeland Sand is the most prevalent soil type in the property covering about 90% of the land.

Pomona and Candler Sand are present but only cover about 10% of the area. These will have no effects on future land use/development.

Infrastructure Impact Information

1. Parks and Recreation
    - Lake Parker Park
    - Common Ground Park
    - Barnett Family Park
    - Hollis Gardens
2. Educational Facilities
    - Crystal Lake Elementary School 0.7 miles
    - Combee Academy of Design and Engineering 1.3 miles
    - South Mckeel Academy 4.1 miles
    - Southwest Elementary School 4.1 miles
    - Southwest Middle School 4.1 miles
    - Santa Fe High School 3.5 miles
3. Health Care

- Lakeland Regional Health Medical Center located at 1324 Lakeland Hill Blvd about 2.5 miles from the property.
- Lakeland Regional Health Freestanding Emergency Department 3 miles away and provides 24/7 emergency care services.

4. Fire Protection

- Polk County Fire Station No. 7 is located 0.1 miles east of the property at 2450 E Main St Lakeland, FL 33801. This station is in close proximity to the property. Their response time for emergencies is approximately 4 minutes.
- Station 1-Fire Administration approximately 0.4 miles west of the property at 701 E Main St Lakeland, FL 33801. This station serves as the headquarters for the Lakeland Fire Department. Their general response time to emergencies in the city is 8 minutes.
- Fire Hydrant coverage, since there is a Fire Hydrant within 30 ft of the property.

5. Police Protection and Security
    - The property's location is in a well-patrolled area and it benefits from the police protection of the Lakeland Police Department (LPD) and the Polk County Sheriff Police Department (PCSO). In addition the property has an

installed surveillance system around the outside of the building.

6. Emergency Medical Services (EMS) for 2445 E Main St are provided by the Lakeland Fire Department and Polk County Fire Rescue. LFD does not transport patients but they deliver high-level medical care until an ambulance arrives. Polk County's Fire Rescue

provides transportation in the Lakeland area and is staffed with paramedics and EMTs.

7. Solid waste (collection and waste generation)
   At 2445 E Main St Lakeland FL, 33801 the solid waste collection services are provided by the City of Lakeland's Solid Waste Division. Garbage collection happens once per week.
8. The request to change the use of 2445 E Main St Lakeland, FL from a church to a childcare center could contribute to neighborhood needs in several important ways:
   - It will adress childcare demands in the community and in My Little House Learning Center. This center is only 3 minutes away from the property being discussed and it currently has a waiting list that is double the capacity of the childcare center. This demonstrates the high demand for childcare in the neighborhood. Turning the property at 2445 E Main St into the second location for My Little House Learning Center

it will help accomodate the new additions to the current and new families.

- Turning the property into a childcare center will support working families in the neighborhood. Specially those families that are moving into new construction homes in the

neighborhood. The ability to enroll their child in a nearby daycare can help them balance their careers and family responsibilities. This will promote greater workforce participation and economic stability for families in the area.

- The childcare center will provide bilingual, high quality early childhood education to children who will enroll in nearby elementary, middle and high schools in the future. This location will support their cognitive and social development. The bilingual instruction in different learning areas in early childhood education will set the students up for better academic sucess and well-being in the future.
- Changing the use of the property from a Church to a childcare center will boost local economy. It will create more job opportunities for teachers, caregivers and administrators in the community.

- A childcare center in this location can serve as a space in the community for families to connect, share resources and create supportive networks. This can imrpove the overall quality of life in the neighborhood.
- A dedicated space for childcare can ensure that children are in a safe, supervised and structured environment. Which will reduce the risks of children being left unattended or in unsafe situations in the neighborhood.

Untitled Map

Write a description for your map.

Legend

- 2445 E Main St
- C And C Auto
- Island Auto Wholesale

E Main St

E Main St

Exit

Parking #16/17 ADA w/ ramp

17

16

15

14

1

2

3

4

5

6

7

8

9

10

11

12

13

1%

1%

1%

1%

10,244.96 sf

New fire hydrant location.

All parking spots are 9'x18' (existing ADA is larger w/ widened access)

Pick up/ Drop off area w/ 24' drivelane

2445 E Main St

Gate/ Walkway

Existing side walk

Entrance: existing concrete approach

6' Perimeter fence around playgorund

4,096.15 sf

Playground location

2,232.64 sf

Proposed drainage to storm water facility (Pond/Bio-swale).

475.01 sf

Island Auto Wholesale

S Eastside Dr

Google Earth

Image Landsat / Copernicus

180

70 ft

Building Capacity/features

The building at 2445 E Main St, Lakeland FL 33801 is currently in the process of undergoing approval to serve as a Child Care Facility. Due to the previous use of the building as a church the building is currently unoccupied while it goes through the process of a Level 3 (Planning Commission) PC-Conditional Use- New application. We are writing this explanation of purpose/use in hopes to further explain the potential capacity of the building.

The plans that accompany this letter lay out the current indoor space/features of the building. Due to the ongoing application for the change of use an application for a childcare facility licensure cannot be submitted. Without this application the Department of Children and Families will not conduct a capacity measurement inspection of the facility therefore an accurate capacity cannot be determined at this time. Below you will find the calculations of the building's maximum children's capacity per DCF regulations and the potential changes the building could have in the future with DCF's permission.

As you enter the building through the main entrance door you will find a main hallway measuring 8' x 18'8". The first doors on the right measuring 60" lead to an open auditorium space this space will be divided into two classrooms using portable office dividers approved by the Department of Children and Families. The auditorium space will become classroom #1 and classroom #2. These will each measure 15' x 31' without counting the stage area. Classrooms #1 and #2 will have the capacity to fit 13 children each for a total of 26 children based on DCF's regulation of 35 sq ft per child. The stage area cannot be used because it contains stairs and there are no plans of removing them or making modifications to this area. In addition, the stage area also contains a music box near an exit door in the auditorium area of the building. This calculation is based on DCF's Child Care Facility Handbook:

C. To determine overall facility capacity, usable indoor floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-movable furniture.

D. Each room routinely used as a classroom must provide the minimum 35 square footage of usable indoor floor space per child.

The hallway also leads to a utility closet with a 36" door that has stairs access to the attic. The attic space is near the east side of the building. At the end of the hallway and by the closet there is a 32" door that opens to an office space measuring 8" x 8'1. On the west side of the building there is a 36" door that leads to a storage closet with shelves that measures 6'6" x 10'. Next to the storage closet there is bathroom #1 with two stalls and a

sink measuring 9'7" x 6'6". Continuing down the hallway there is bathroom #2 with an additional sink and 2-bathroom stalls. Both bathrooms have a waiting area inside that measure 9'6" x 3'6" and 7'9" x 3'6". At the end of the hall there is a 36" exit door that leads to the playground area.

Next to the exit door there is a lunch area that is part of an open kitchen, this entire space measures 15'9 x 32'1. Due to the open kitchen the lunch space will not be used as a classroom and will remain an area for lunch preparation/food storage unless a wall was put up to separate the two areas. If a wall is put up with DCF's **approval** it will make the lunch area a potential classroom. If this is the case the classroom will then measure 17' x 16' which will make the potential maximum capacity be 7 children. Based on DCF's handbook

> C. To determine overall facility capacity, usable indoor floor space is calculated by measuring at floor level from interior walls and by deleting space for stairways, toilets and bath facilities, permanent fixtures and non-movable furniture. Kitchens and designated food preparation areas, offices, laundry rooms, storage areas, hallways, and other areas not normally used or accessible to the children in daily operations are not included when calculating usable indoor floor space to determine total facility capacity.

To the south of the building there are 3 classrooms each with a 36" door for entry/exit. To the left of the lunch/kitchen area there is classroom #3 measures 10' x 11'7" making the maximum capacity for the room be 3 children. Classroom #4 measures 10' x 24'9" which the capacity for that room will be 7 children. In classroom #5 the capacity will be 4 children since it measures 15'9" x 9'1". Based on the current conditions/features of the building the total capacity for a childcare facility at this site will be 40 children at 35 sq ft per child since the total usable indoor floor space is 1,435 without the lunch area. If the lunch area was to be made accessible with DCF's permission that will add 7 more children, and the total will then be 47 total maximum children that the facility would be approved for.

Parking area/Stormwater management system

The parking space available for the site can accommodate up to 15 9' x 18' parking spaces with 2 (9 feet wide with a five-foot access aisle and ramp) ADA parking spaces. The impervious surface area the pave park will create is approximately 10,245 sq ft.

Per SWFWMD's Applicant's Handbook Volume II and local requirements, we plan to address the water quality treatment volume by providing an on-site retention system for the

first 1.0 inch of runoff water from the project's impervious areas. The primary source of runoff will be the on-site parking lot, which is approximately 10,245 square feet in area. The required treatment volume will be approximately 797 cubic feet (about 6,000 gallons). We intend to meet this volume using a dry retention pond designed to fully percolate within 72 hours in accordance with the ERP criteria.

At this time, we are planning a pond footprint of approximately 2,361 sq ft with side slopes and storage depth designed to meet the requirements of both the treatment and recovery. Additional design details, calculations and recovery time analysis will be provided with our permit submittal. Please let us know if there are any site-specific concerns preferences or additional documentation that would be preferred prior to formal submittal. We are happy to coordinate early to ensure alignment with city and SWFWMD requirements.

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2025-16

Applicant: Mohammed Alahi

Property Owner: Mahf INC., Mohammed Alahi, Selina Ali

Hearing Date: November 5, 2025

I. Request:

The applicant is is requesting a Conditional Use (CU) approval for a Childcare Center to be located in the Residential Low-3 land use district on approximately 0.44 acres.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a level 3 application, consider the following factors:
    a. Whether the proposed development is consistent with all relevant requirements of this Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. How the concurrency requirements will be met, if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, sections 906 and 303.

3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.

5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session the 5th day of November, **2025**, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By:_____ By: _____
Merle Bishop, Chair Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order
Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)

Agenda Item 6. 11/5/2025

SUBJECT

LDPD-2025-10 (Southern Storage TAD)

DESCRIPTION

The applicant is requesting a Transitional Area District for the expansion of an existing self-storage facility into a residential future land use designation.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

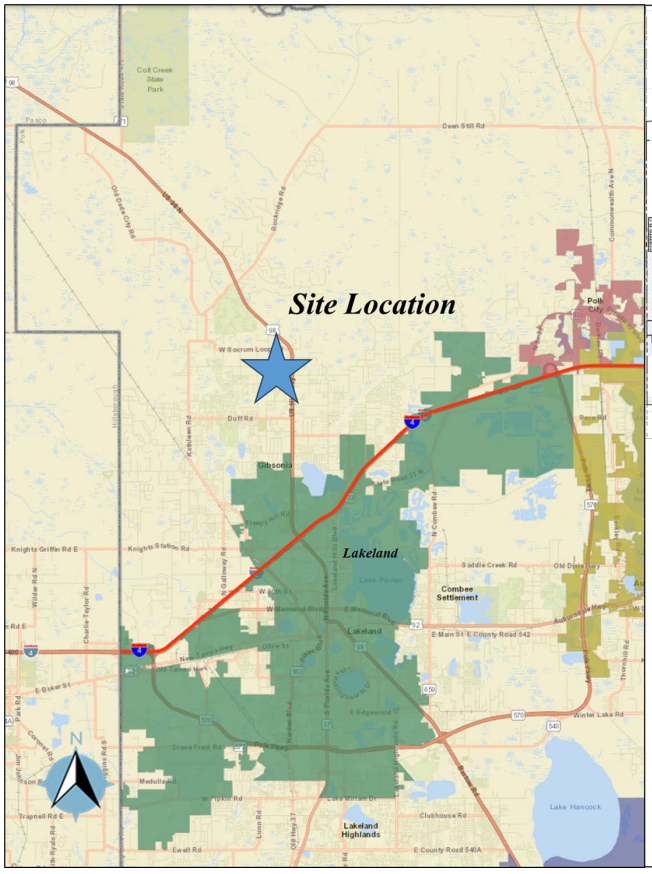
Ian Nance
Land Development
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ivannance@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

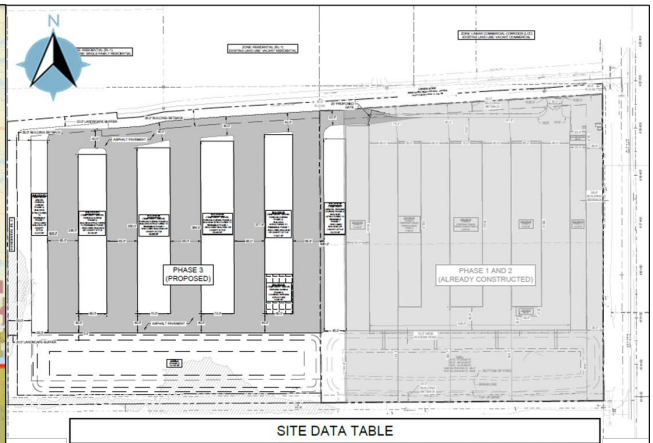
DRC Date:	September 18, 2025	**Level of Review:**	Level 4 Review
PC Date:	November 5, 2025	**Type:**	Transitional Area Development
BoCC Date:	December 2, 2025	**Case Numbers:**	LDPD-2025-10
		Case Name:	Southern Storage TAD
Applicant:	Southern Storage, LLC	**Case Planner:**	Ian Nance

Request:	The applicant is requesting a Transitional Area District for the expansion of an existing self-storage facility into a residential future land use designation.
Location:	1410 Lanier Road, west and south of US Highway 98, north of Banana Road, east of Park Byrd Road, in Section 11, Township 27, Range 23.
Property Owners:	Herman and Paulette Chin Loy
Parcel Number (Size):	232711-000000-011020 (+/- 9.40)
Future Land Use:	Residential Low-1 (RL-1)
Development Area:	Urban Growth Area (UGA)
Nearest Municipality:	City of Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Pending

Site Location



Site Plan



SITE DATA TABLE		
PARCEL ID(S)		23-27-11-000000-011020, 23-27-11-000000-011030, & 23-27-11-000000-011040
PROJECT ACREAGE		
	PHASE 3 ONLY	9.40 AC (+/-)
	TOTAL SITE	18.36 AC (+/-)
PROPOSED FLOOR AREA RATIO (FAR)	TOTAL	0.25 (MAX 0.25)
PROPOSED IMPERVIOUS SURFACE RATIO (ISR)	TOTAL	0.67 (MAX 0.70)
PHASE 3 SITE DATA INFORMATION		
CURRENT ZONING		RESIDENTIAL LOW-1 (RL-1)
PROPOSED ZONING		LINEAR COMMERCIAL CORRIDOR (LCC)
FUTURE LAND USE		INDUSTRIAL/COMMERCIAL
FEMA FLOOD ZONE		FLOOD ZONE "X"
WETLAND ACREAGE		N/A
BUILDING HEIGHT		MAXIMUM 50'
REQUIRED LANDSCAPE BUFFER		MINIMUM 20'

Summary:

The applicant is requesting approval of a Self-Storage Facility in a Residential Low-1 (RL-1) land use district through the Transitional Area Development (TAD) tool found in Comprehensive Plan Policy 2.125-C1 and Land Development Code (LDC) Section 303. Normally, Self-Storage Facilities are not allowable uses in RL-1; however, the TAD allows these developments in certain locations as they are low-impact, transitional uses between higher-intensity non-residential uses and residential properties. TADs require Level 4 Reviews and BoCC approval because approved sites for these developments are not specifically designated nor mapped on the Future Land Use Map Series (FLUMS) of the Polk County Comprehensive Plan. In other words, this approval will permit a use in a land use district where it would not otherwise be allowed.

This facility is an expansion of what had been previously approved in a Linear Commercial Corridor (LCC) future land use district to the east (LDNON-2022-109). Given Comprehensive Plan policies regulating the LCC, expansion of the subject LCC district is not permitted, leaving the TAD tool the solution for expanding the facility westward. It will consist of six one-story storage buildings that will meet screening and buffering standards as required by the LDC, including landscaping, opaque fences, and separation from adjacent uses by the placement of stormwater ponds. Access will be from an existing driveway on Lanier Road to the north.

The surrounding residential areas consist primarily of single-family dwellings. To the west is LDPD-2020-42, a Planned Development approved for 150 single-family units with +/- 0.11 acre lots adjacent to the subject site. Single-family residences on larger lots are located to the north of Lanier Road. To the south there are multiple mobile homes in RL-1 and LCC districts. An electric substation owned by the city of Lakeland is located along the southern border of the existing self-storage facility.

No surface waters, wetlands, or flood zones are found onsite, and no other environmental constraints are present that would hinder development. The required stormwater ponds will be designed to retain the difference in pre- and post-development runoff volumes from a 100-year/24-hour storm event since this site is within a stressed basin. Centralized potable water and wastewater are available to the site, but self-storage facilities generate little demand for these utilites. The site has frontage along US Highway 98 North which has capacity to assimilate the minimal amount of traffic that will be generated from this development.

Staff has found this request consistent with the Comprehensive Plan and LDC. Self-storage facilities are complementary in nature to single-family residential developments. They tend to be land intensive but do not create intense impacts on infrastructure. The mid-block location is preferable for this use as self-storage facilities should not occupy high-trafficked intersections that are better-suited for higher intensity development. Staff finds this request is compatible with the surrounding area and adjacent uses and recommends approval.

- *The applicant is requesting approval of a Self-Storage Facility in a Residential Low-1 (RL-1) land use district through the Transitional Area Development (TAD) and Planned Development (PD) tools found in Land Development Code (LDC) Section 303. The proposed development consists of six storage structures with a maximum Floor Area Ratio (FAR) of 0.25.*

- *According to LDC Table 2.1, Self-Storage Facilities are not allowable uses in RL-1 land use districts.*

- *According to LDC Table 2.2, the maximum FAR in RL-1 is 0.25 with an ISR in of the Urban Growth Area (UGA) of 0.65. The maximum height is 50 feet.*

- *LDC Table 3.10 lists Self-Storage Facilities as a permitted use within a TAD.*

- *LDC Chapter 10 defines a TAD as, "Non-mapped areas which provide for the lessening of impacts between dissimilar uses by proving for transitional or 'step-down' uses between intensive use activities and lower density residential uses."*

- *Comprehensive Plan POLICY 2.125-C1: TRANSITIONAL AREA LOCATIONAL CONTROLS states, "Transitional Areas are non-mapped areas to provide for the lessening of impacts between dissimilar uses by providing for transitional or 'step-down' uses between intensive-use activities and low-density residential uses, subject to the following controls:*

    a. *Transitional Areas shall be permitted in all land use categories within the TSDA, UGA, and SDA (except as prohibited herein), subject to County approval, adjacent to the following intensive-use land use categories:*

        1. All Activity Centers, except Convenience Centers and Rural Clusters;

        2. Linear Commercial Corridors;

        3. Commercial Enclaves, except in the SDA;

        4. Industrial; and

        5. Utilities as defined in Section 2.125-D

    b. *Transitional Areas shall only be located on that portion of the vacant, undeveloped residentially designated tract immediately adjacent to the higher-intensity use (not to exceed 660 feet from the property line of that use).*

    c. *Transitional Areas shall be contiguous to an intensive-use land use and cannot be separated from that use by an arterial road, or a natural or man-made barrier which makes the Transitional Area unnecessary.*

    d. *Transitional Areas may not be established until such time as the adjacent intensive-use area is developed with a use for which transitioning is needed. However, a transitional area may be established concurrently with the adjacent intensive-use area when both areas are under the control of one developer.*

e. Transitional Areas shall be established through the approval of a Planned Development (PD), pursuant to Policy 2.125-M.

f. Transitional Areas shall not intrude into developed areas of existing residential neighborhoods, except where such Transitional Area is made a part of a Redevelopment District Plan, as provided for in Policy 2.124-F2 and F3.

g. Transitional Areas shall not be permitted within RDAs, UEAs, and the Green Swamp Area of Critical State Concern.

- *Comprehensive Plan POLICY 2.125-C3: TRANSITIONAL AREA DEVELOPMENT CONTROLS states, "Transitional Areas shall be limited to the following:*

  a. Transitional Areas shall generally have the following attributes:

  1. normal-business hours (Monday-Saturday, 7 a.m. to 6 p.m.);

  2. low-traffic generation (40 trips per 1000 square feet per day, or less); and

  3. non- or low-external lighting glare, noise, odors, etc.

  b. Development within a Transitional Area shall be responsible for providing appropriate buffering from the less-intensive use and shall meet, at a minimum, the development criteria applicable to the intensive-use area for which the Transitional Area is being established. Also, other Plan policies, such as Policies 2.102-A1, 2.119-A3.a., and 2.119-A3.b. still are applicable to Transitional Areas.

  c. FAR may be increased in OC, RL, RM, and RH with an approved Planned Development associated with a Self-Storage Facility."

- *LDC Section 303 requires the following conditions for approval of TADs:*

  1. Transitional Areas shall provide for buffering between the transitional use and adjacent uses in accordance with the requirements in Section 720.

  2. Uses which typically operate after normal business hours (i.e., after 6:00 p.m. daily or on Sundays) shall not be permitted.

  3. Lot areas, setbacks, height, and other similar development regulations within the Transitional Area shall be proposed by the applicant; and upon review and approval by the County, incorporated into the Final Development Plans for the project.

  4. Transitional Area development shall be compatible with the residential character of the surrounding area in terms of building design and scale, lighting, signage.

5. Self-Storage facilities are permitted at a 0.75 FAR when utilizing the Planned Development process within the Transit Supportive Development Area.

- *Approval of a Transitional Area shall be in accordance with the procedures outlined in Section 906 for a Level 4 Review. In addition to the submittal requirements for a Level 4 Review, as prescribed in Section 907 and Section 909, Final Development Plan, an application for a Transitional Area shall include a Vicinity Plan including the following elements:*

  1. The existing land uses surrounding the subject property;

  2. The horizontal and vertical dimensions, density (residential), and floor area ratio (non-residential) of surrounding uses (Note: if the subject property is adjacent to a residential neighborhood which contains several single-family homes, the applicant may use average dimensions for the neighborhood);

  3. The setbacks of surrounding uses; and

  4. An elevation of the proposed transitional use showing the proposal in its community setting between the more intensive use and the adjacent residential area. This elevation shall show the proposed architectural style/facade treatment of the transitional use, and the proposed landscaping/buffering design for the site.

- *LDC Section 303 sets the following standards for Self-Storage Facilities:*

  1. Parking and travel aisle design shall be consistent with the following:

    a. One-way travel aisles shall include one ten-foot parking/loading lane and one 15-foot travel lane. Traffic direction and parking/loading lanes shall be indicated by either pavement marking or signage.

    b. Two-way travel aisles shall include one ten-feet wide parking/loading lane and two 12-feet wide travel lanes.

    c. Aisles not serving storage spaces shall not be required to provide parking/loading lanes.

  2. Outdoor storage of cars, boats, or recreational vehicles, may be permitted as an accessory use to a self-storage facility, except within the BPC-1 districts. Storage of boats, RVs, and other large items may be permitted in an NAC provided all the following are met:

    a. The item shall be completely screened from off-site view.

    b. Storage of large items shall be prohibited within 50 feet of residential uses and residential districts.

    c. All storage shall be limited to a 15-foot maximum height.

  3. Plumbing shall not be extended to individual storage spaces.

...

- *The subject site will have access to Lanier Road (Road No. 731102), a County-maintained Local Residential roadway.*

- *According to the National Wetland Inventory (NWI) Maps, no wetlands are located within the project site.*

- *According to the most recent Federal Management Inventory Map (FEMA) Federal Insurance Rate Maps (FIRM), no flood zones are located on the property.*

- *The general topography of the subject site has an elevation of 141' at the northeast property line and slopes down steeply to an elevation of 137' towards the southwestern property line.*

- *The subject site consists of Zolfo Fine Sand and Pomona Fine Sand.*

- *Fire and EMS responses are from Polk County Fire Rescue Station 6 Providence, located at 8936 US Highway 98 North, Lakeland.*

- *The subject site is located within Polk County Sheriff's Office Northwest District, headquartered at 1045 Wedgewood Estates, Lakeland.*

- *The subject site is served by Polk County Utilities for potable water and wastewater services.*

- *The zoned schools for the proposed project are Churchwell Elementary, Sleepy Hill Middle, and Kathleen Senior High School.*

- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master File, no archeological sites are found within the parcel's boundaries.*

- *According to the Florida Natural Resources Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species sighting.*

- *According to the 2030 Comprehensive Plan Map Series Airport Impact District Map, the site is not within the Height Notification zones.*

- *The site is not located within a well-field protection district.*

- *This request has been reviewed for consistency with Table 2.1 and Section 303 of the LDC.*

- *LDC Section 220 requires 50 feet of separation between non-residential structures and residential property lines.*

- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT; SECTION 2.105 Urban Growth Area (UGA); and POLICY 2.125-C1 TRANSITIONAL AREAS of the Comprehensive Plan.*

- *The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*

- *Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." To achieve this, three options are provided:*

  - Provisions made which buffer incompatible uses from dissimilar uses;

  - Incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and/or

  - Uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques.

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that the proposed requests **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, DRC recommends **APPROVAL of LDPD-2025-10.**

On November 5, 2025, the Planning Commission will provide a recommendation to the BoCC to approve or deny this application.

CONDITIONS OF APPROVAL

Based upon the findings of fact, DRC recommends **APPROVAL** of LDPD-2025-10. DRC recommends the following conditions to be applied.

1. This TAD/PD approval shall be for a Self-Storage facility with a maximum FAR of 0.25, as described in the staff report. [PLG]

2. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law. [PLG]

3. No commercial business or business transactions take place in the storage units. [PLG]

4. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDPD-2025-10, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]

5. The project shall be designed to retain the difference in pre and post-development runoff volumes from a 100 year/24-hour storm event. The rate of discharge from the post-development site shall not exceed the rate of runoff from the pre-development condition for a 100 year/24-hour storm event. [PLG]

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity

Table 1 provides a reference point for notable and pertinent Future Land Use Map designations and existing land uses upon them in the vicinity of the subject site.

Table 1

Northwest: LDPD-2020-42 Single-Family Residential	**North:** RL-1 Single-Family Residential	**Northeast:** RL-1 Single-Family Residential
West: LDPD-2020-42 Stormwater Pond	**Subject Property:** RL-1 Single-Family Residential	**East:** LCC Self-Storage Facility
Southwest: LDPD-2020-42 Stormwater Pond	**South:** RL-1 Mobile Homes	**Southeast:** LCC Mobile Homes & Power Station

The proposed TAD is an extenion into RL-1 of an existing Self-Storage facility (LDNON-2022-109) constructed in the adjacent LCC land use district. Given Comprehensive Plan policies regulating the LCC, expansion of the subject LCC district is not permitted, leaving the TAD tool the solution for expanding the facility westward.

The surrounding residential areas consist primarily of single-family dwellings. To the west is LDPD-2020-42, a Planned Development approved for 150 single-family units with +/- 0.11 acre lots adjacent to the subject site. Single-family residences on larger lots are located to the north of Lanier Road. To the south are multiple mobile homes in RL-1 and LCC districts. An electric substation owned by the city of Lakeland is located along the southern border of the existing self-storage facility.

Compatibility with the Surrounding Land Uses and Infrastructure:

The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion."

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

Self-storage facilities are complementary components of higher density residential development. While land intensive, they are not typically very active sites as would be expected from retail or other commercial businesses. With a proper layout, buffering, and screening, they are relatively benign uses.

Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other" and provides three options to ameliorate incompatibilities. The tools for accomplishing higher standards of compatibility, as outlined in the Comprehensive Plan, are as follows:

- Buffering
- Limiting Scale & Intensity
- Transition through the use of innovative techniques

For this application, Type "B" landscaping buffers will be required installed along the western and southern property lines in accordance with LDC Section 720. A Type "A" buffer will be planted along the frontage of Lanier Road. In addition, a six-foot opaque fence will be placed on the north and south side of the facility, and the west side will be fenced by a storage building. The overall height of the buildings will be one-story (10-15 feet); the maximum height in RL-1 is 50 feet. The parking requirement of one space per 300 sq. ft. of office has been provided with the previous phase. All lighting will be shielded to prevent light trespassing onto neighboring properties. All non-residential structures are set back a minimum of 50 feet from residential property lines, as required by LDC Section 220.

In addition, the site abuts a stormwater tract within LDPD-2020-42, creating between 70 and 350 feet between the closest non-residential structure and the nearest residential lot to the west. Stormwater ponds – existing and proposed - internal to the site buffer the storage units from properties to the south. Access will be off an existing entrance onto Lanier Road, preventing additional traffic west along this road.

Finally, neither the LCC nor the RL-1 favors large, multi-story self-storage facilities because of low FARs, 0.35 and 0.25, respectively. This makes the "barracks-style" self-storage facility ideal for a TAD that serves to transition from commercial to residential uses.

B. Infrastructure & Timing:

The subject site lies within the Urban Growth Area (UGA). Self-storage facilities do not demand much from utilities or create significant traffic impacts. Still, this parcel is located within an area that has a significant amount of urban infrastructure and services and should probably be mapped for a Transit Supportive Development Area (TSDA).

In terms of the appropriateness of this site for a TAD, staff finds it meets the standards in the Comprehensive Plan and LDC:

1. Transitional Areas shall only be located on that portion of a vacant, undeveloped, residentially designated tract immediately adjacent to properties primarily developed as Utilities (as defined in Section 2.125-D of the Comprehensive Plan) or a NAC, CAC, RAC, BPC, HIC, TCC, LCC, CE (except in the SDA), or IND district. A Transitional Area Development may not extend further than 660 feet from the boundary of the higher intensity district.

The subject site is adjacent to a developed LCC district – once completed, the entirety of the self-storage facility will be adjacent to utilities. The depth of this TAD is 610 feet.

2. Transitional Areas shall be contiguous to a more intensive use and cannot be separated from that use by an arterial road or other natural or man-made buffer which makes the Transitional Area unnecessary.

Lanier Road, a Local Residential roadway, separates the site from residential uses to the north; otherwise, no roads separate the proposed use from surrounding residential properties. Stormwater facilities within the planned development to the west provide some buffering, but staff finds that the proposal meets this standard due to the uneven boundaries of that stormwater tract. No such manmade buffers exist to the south.

3. Transitional Areas may not be established until such time as the adjacent intensive district is developed with a use for which transitioning is needed. A Transitional Area may be established concurrently with the adjacent intensive district when both areas are under the control of one developer.

This phase of the development will be under the control of the same developer as Phase I. Given that it is within the LCC, Phase I was able to develop at a higher FAR than what will be allowed within the TAD.

Nearest and Zoned Elementary, Middle, and High School

The zoned schools for the proposed project are Churchwell Elementary, Sleepy Hill Middle, and Kathleen Senior High School. Churchwell is the nearest elementary school to the site. Lake Gibson Middle (3.28 miles) is closer to the site than Sleepy Hill, and Lake Gibson Senior (3.6 miles) is closer than Kathleen Senior. Regardless, given the limited traffic generated by self-storage facilities, no significant impacts to busing routes or bus stops are anticipated. School capacity is not an issue with non-residential uses.

Table 2

Name of School	% Utilization	Average driving distance from subject site
Churchwell Elementary	85%	±1.78 miles driving distance
Sleepy Hill Middle	87%	±5.67 miles driving distance
Kathleen Senior High	66%	±10.34 miles driving distance

Source: Polk County School Board, GIS

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. It also provides fire suppression, rescue services, and fire prevention services to all of unincorporated Polk County and the municipalities of Eagle Lake, Polk City, Mulberry, Lake Hamilton, and Hillcrest Heights. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Fire and EMS responses to this project are from Polk County Fire Rescue Station 6 Providence, located at 8926 US Highway 98 North. The travel distance is approximately 0.7 miles with a response time of four to seven minutes. Fire service lines were placed on the site during the first phases of this development. Table 3, to follow, lists the locations, distances, and response times for emergency services that would respond to this site.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	PCSO Northwest District 1045 Wedgewood Estates, Lakeland	±4.75 miles	Priority 1 – 10:38 minutes Priority 2 – 44:30 minutes
Fire	Polk County Fire Station 6 8926 US Highway 98 North, Lakeland	±0.7miles	4-6 minutes

Source: Polk County Sheriff's Office and Public Safety.

**Response times are based from when the station receives the call, not from when the call is made to 911.*

As noted in Table 3, the nearest Sheriff's substation is the Northwest District. Priority 1 Calls are considered to be true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County. Current response times are 10 minutes and 38 seconds for a Priority 1 Call and 44 minutes and 30 seconds for a Priority 2 Call based upon times from September 2025. Information provided by the Polk County Sheriff's Office.

The PCSO is always trying to improve response times, especially for Priority 1 Calls, by employing new technologies such as Emergency 1 Dispatch (E1D) and Live911. E1D is a program designed to alert deputies at the earliest possible moment of a call for service that is being classified as a true emergency. E1D alert notifications are sent to deputies via their agency-issued smart phones as text messages, alerting deputies of the call type and address of the emergency. Similarly, Live911 technology allows deputies to hear emergency calls in real-time as the dispatcher is receiving the information. Both E1D and Live911 enable deputies to self-

dispatch to these in-progress, high-risk incidents as dispatchers collect additional information about the call, thus reducing our response time to emergency situations.

Patrol staff in each district also monitors the response times for their areas and tries to manage their shifts according to manpower, hotspots, traffic obstructions/construction sites, etc. Areas that are spread out tend to have slightly longer response times because of the vast land mass of their district and time of travel. Since patrol deputies are not sitting in the office waiting on a call, it is easier for patrol staff to assign them to certain sectors or beats based on areas with higher call volume to reduce response time; however, this cannot be predicted precisely.

Water and Wastewater Demand and Capacity:

There is adequate capacity available in the PCU's Northwest Regional Utility Service Area for water and wastewater services for the proposed development.

A. Estimated Demand and Service Provider:

The site is located within the Urban Growth Area (UGA) where centralized water and sewer services typically exist, and connections to these services are generally required. The service provider in this area is Polk County Utilities. This expansion, though, will not require additional demand on utilities, as there will be no expansion to the office (980 sq. ft.), and individual storage bays are prohibited from installing plumbing.

In terms of existing infrastructure, a 10-inch pressurized potable water main was routed under US Highway 98 from the east to provide water to the site. A private 8-inch fire service loop was installed with the previous phase of the facility. The proposed phase will connect to this infrastructure. A 4-inch wastewater line is also located in the eastern right-of-way, but extension was not required due to the low demand.

Self-storage facilities are not anticipated to significantly impact public utilities. Per Polk County's Concurrency Manual, general office uses are anticipated to generate approximately 0.24 gallons per day (GPD) of potable water demand per square-foot (235 GPD) and generate 0.19 GPD per square-foot of wastewater (186 GPD).

B. Available Capacity:

The Northwest Utility Service Area potable water system is permitted up to 5.7 MGD. Current flow is approximately 3.7 MGD. There is approximately 2.0 MGD in uncommitted capacity. No changes to the permitted levels are anticipated to 2034.

C. Planned Improvements:

According to the Polk County Community Investment Program (CIP) database, no improvements nearby are projected.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database contains current traffic data for all arterial and collector roads and includes information on the current

traffic volume and level-of-service for these major roads. The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT) – the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4 – 7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south).

The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

A. Estimated Demand:

Trip generation for the proposed self-storage facility was calculated according to procedures published in the 11th Edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. The Land Use Code (LUC) 151 (Mini-Warehouse) trip rates were used to calculate the daily (1.51 AADT/1,000 sq. ft.) and PM peak hour trips (0.17 Trips/1,000 sq. ft.).

The proposed facility (0.25 FAR/102,366 sq. ft.) is projected to generate 155 total daily trips and 18 PM peak hour trips. Alone, this will trigger a Minor Traffic Study at the Level 2 Review stage. Based on past studies, the average 100K sq. ft. self-storage facility generates approximately 12-15 actual customers per day.

To further analyze the traffic that could be created from this site, staff has compared the demand on the roadways that would be generated if a single-family development was built here under the RL land use district. On 9.4 acres, there could be a maximum of 47 dwelling units (5 DU/AC), each generating 7.81 Average Annual Daily Trips (AADT) and 1.00 Peak PM Trips. This results in 367 AADT and 47 Peak PM Trips. This still falls under the threshold of a Minor Traffic Study but is more than double the AADT and more than 2-1/2x the Peak PM Trips than this expansion will theoretically create.

B. Capacity:

There is more than adequate capacity on the roadway network to serve the proposed development. Table 4, to follow, provides the generalized link information for US Highway 98 N. It is currently operating at a "B" Level of Service (LOS).

Table 4

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
5419N	US 98 North Socrum Loop West to Rock Ridge Road	B	1,975	D
5419S	US 98 North Rock Ridge Road to Socrum Loop West	B	2,003	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025.

Given the estimated Peak PM vehicle trips from above and the capacity available on the nearest roadway facility, there is ample capacity to accommodate the full development of this site.

C. Roadway Conditions:

The subject site will access Lanier Road through an existing driveway approved through the Level 2 Review of the first phase. Lanier Road (Road No. 731102) is a County-maintained Local Residential roadway that provides access to US Highway 98 North, a state-maintained Principal Arterial roadway. US 98 is a four-lane divided highway and is the primary thoroughfare into Lakeland.

D. Sidewalk Network

No sidewalks are located along the frontage of the site or within the general vicinity of the site. FDOT maintains the right-of-way and determines the suitability of sidewalks.

E. Planned Improvements:

There are no planned improvements for the immediate roadways in the area. However, US 98 North is being expanded to four lanes north of the site.

F. Mass Transit

A bus stop for the Citrus Connection Blue Line 2 is located on the corner of US 98 and Banana Road, approximately 0.25 miles to the south of the subject site. No sidewalk connectivity is provided. The Blue Line provides transportation from north Lakeland south along US 98 to downtown.

Park Facilities and Environmental Lands:

The proposed TAD will have no impact on local parks or environmental lands.

A. Location:

Hunt Fountain Park is located approximately two (2) miles southwest.

B. Services:

One of Polk County's largest parks, Hunt Fountain Park features 63 acres of recreational opportunities. The park has four basketball courts, two racquetball courts and two tennis courts. There are also two playgrounds, covered picnic areas and a large, screened-in pavilion that is available to rent. It also features a horse arena – the Hunt Fountain Horse Arena – that is open to the public unless is has been reserved for a special event.

C. Environmental Lands:

Gator Creek Reserve is located less than a mile to the north of the site. It is comprised of 2,700 acres and has five miles of well-established trails taking hikers through marshes, cypress swamps and hardwood forests.

D. Planned Improvements

There are no further recreational improvements scheduled for this quadrant of the County at this time.

Environmental Conditions

No flood zones or wetlands are noted in Polk County's DataViewer. No surface water is present. No endangered animal species have been documented. The primary soil type is suitable for non-residential development.

A. Surface Water:

There are no surface water bodies within the project area. Lake Gibson is approximately 2.5 miles to the southwest.

B. Wetlands/Floodplains:

According to Polk County's DataViewer, there are no flood zones or wetlands on the subject site. The nearest flood zones and wetlands are approximately located on the parcel to the south.

C. Soils:

The subject site consists of Zolfo Fine Sand and Pomona Fine Sand. Table 5, to follow, shows the approximate percentage of each of these soil types and limitations of each according to the Soil Survey of Polk County.

Table 5

Soil Name (at project area)	Limitations to Dwellings w/o Basements	Septic Tank Limitations	% of Site *(approximate)*
Pomona Fine Sand	Severe: Wetness	Severe: Seepage, Wetness	50
Zolfo Fine Sand	Moderate: Wetness	Severe: Seepage, Wetness	50

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service

The Pomona series consists of very deep, poorly and very poorly drained soils that formed in sandy and loamy marine sediments. The Zolfo series consists of very deep, somewhat poorly drained soils that formed in sandy marine sediments. All future development is required by the LDC to implement best management practices for erosion-control, and the soils are not of such that would limit compliance with applicable LDC regulations for the proposed use.

The general topography of the subject site has an elevation of 141' at the northeast property line and slopes to an elevation of 137' towards the southwestern property line.

D. Drainage & Stormwater Management:

The subject site is located within the Fish Hatchery Drainage Basin, noted by Land Development staff as a stressed basin due to limited soil percolation and natural obstructions that affect a positive outfall. Engineering and Roads & Drainage will require a 100-year/24-hour stormwater design, therefore a condition to accommodate this has been recommended. For the first phases of this development, an ERP Permit 46079.000 was issued on 3/9/23. Ponds discharge into an existing FDOT ditch on the south side of the property.

E. Protected Species:

According to the Florida Natural Resources Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species sighting. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

F. Archeological Resources:

There are no protected archeological resources on this site, according to the Florida Master Site File.

G. Wells (Public/Private)

The site is not located in a Well-Head protection area. A private domestic ground water well is located onsite.

H. Airports:

According to the 2030 Comprehensive Plan Map Series Airport Impact District Map, the site is not within a Height Notification zone.

Economic Factors:

Self-storage facilities are complementary in nature to single-family residential developments and apartment complexes. HOAs throughout Florida have various restrictions and covenants causing the need for additional self-storage space, according to the applicant. Some examples of these restrictions include parking personal vehicles in the garage; restricting accessory buildings like sheds; restricting parking RVs or boats on residential property; limiting the number of vehicles parked in a driveway; and prohibiting the parking of commercial or work trucks within a neighborhood. Therefore, residents look for alternative places to store items away from their home to avoid HOA liens and fines.

Self-storage facilities tend to be land intensive but do not create intense impacts upon infrastructure. They also tend to be affected during economic downturns as people limit personal expenses. The mid-block location of this site is preferable for this use as self-storage facilities should not occupy high-trafficked intersections that are better-suited for higher intensity development.

Consistency with the Comprehensive Plan and Land Development Code:

Table 6, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan selected by staff for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan.

Table 6

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	As proposed and conditioned, the request is compatible with the surrounding land uses. The applicant has worked to soften any impacts presented by the proposed development from the adjacent uses through buffering strategies and structural design.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The site is in an area planned for urban development. It also represents a transition between non-residential and residential development.
POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.	The proposed development is consistent with services available in the Urban Growth Area (UGA).
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The site is located within an area that has a significant amount of urban infrastructure and services with ample capacity to serve it.
POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost-effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).	The subject site is located within an area of the County that has adequate public safety services as identified in the staff report.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 7 in accordance with Section 906.D.7 of the Land Development Code.

Table 7

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC Section 303, Section 220, and Table 2.1. The applicant has addressed concerns regarding compatibility through the use of buffering strategies as allowed by the Comprehensive Plan.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." As detailed in the staff report, the applicant will adhere to buffering strategies to minimize the impact of this development on surrounding uses.*
Whether the proposed use is compatible with	*Yes, the request is compatible with surrounding uses and*

surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	*the general character of the area. See this staff report for data and analysis on surrounding uses and compatibility.*
How the concurrency requirements will be met, if the development were built.	*The request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See this staff report for data and analysis.*

The BoCC, in the review of development plans, shall consider the following factors listed in Table 8 in accordance with Section 907.D.10 of the Land Development Code.

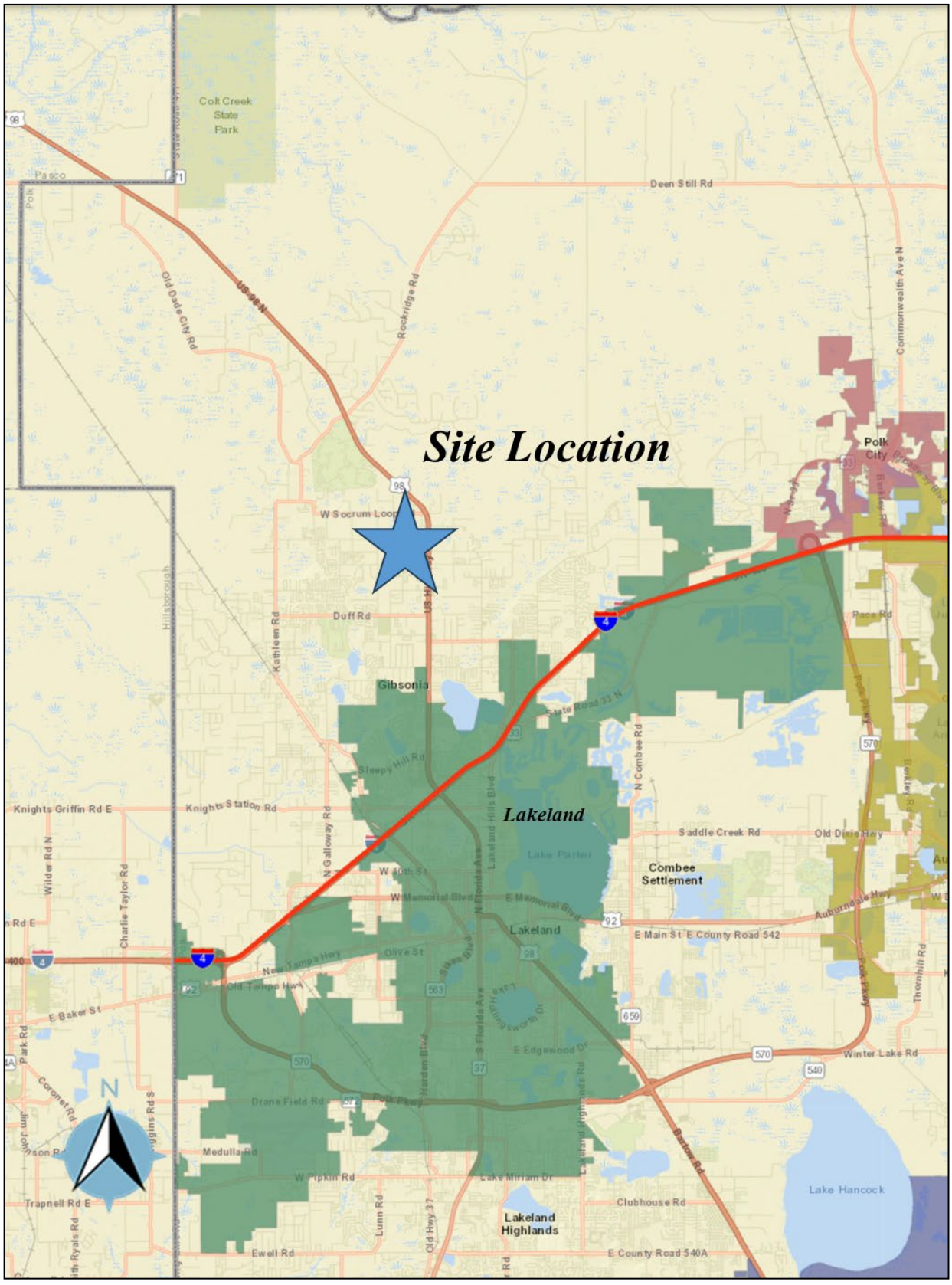
Table 8

The BoCC, in the review of development plans, shall consider the following factors in accordance with Section 907.D.10 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC Section 303, 220, and Table 2.1. The applicant has addressed concerns regarding compatibility using buffering strategies as allowed by the Comprehensive Plan.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed above.*
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	*Yes, the request is compatible with surrounding uses and the general character of the area. See this staff report for data and analysis on surrounding uses and compatibility.*
Any other matter which the BoCC may deem appropriate and relevant to the specific development proposal.	*The request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See this staff report for data and analysis.*

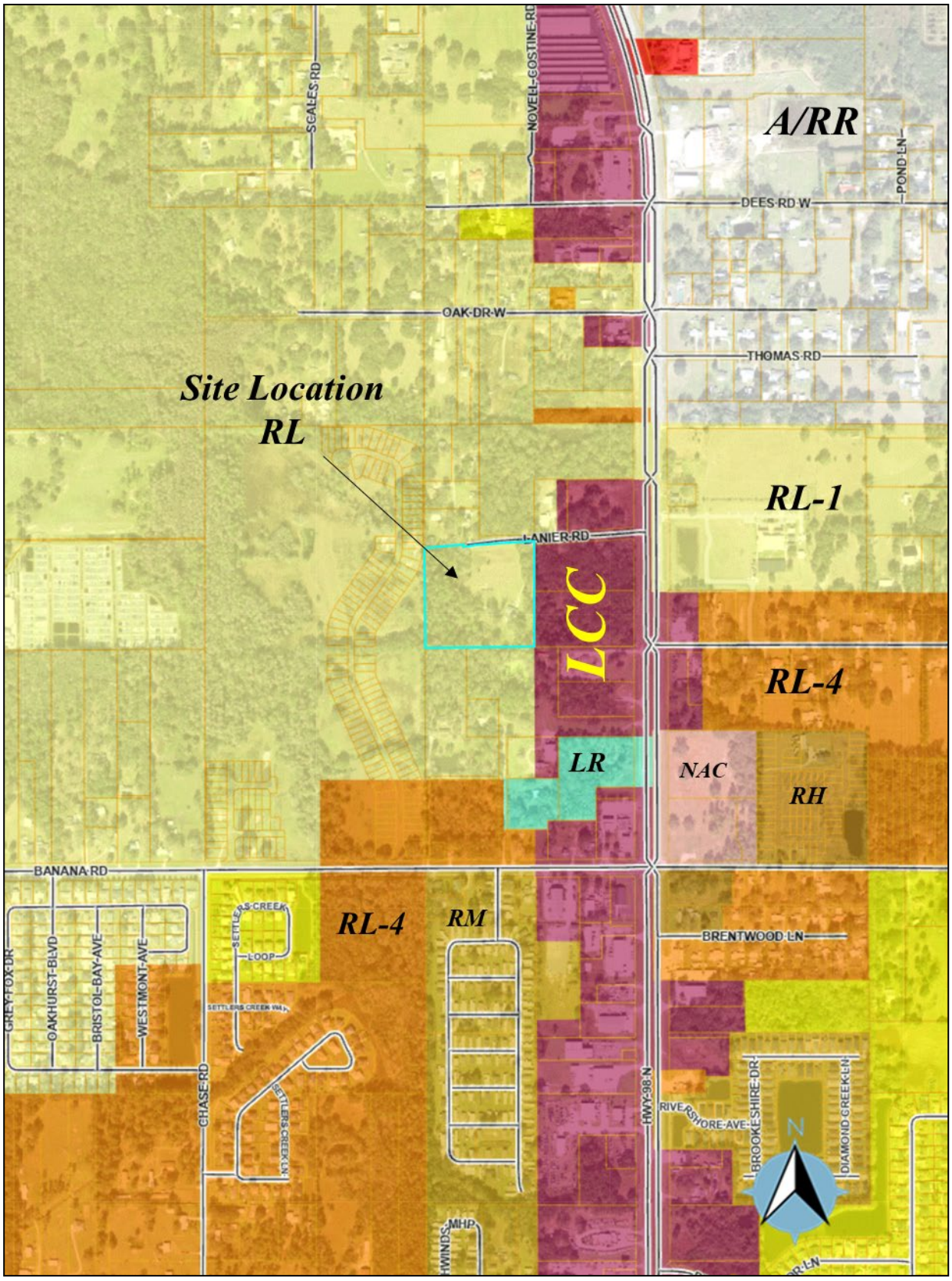
Comments from other agencies: No Additional Comments

Exhibits

Exhibit 1 Location Map
Exhibit 2 Future Land Use Map
Exhibit 3 Aerial Image (Context)
Exhibit 4 Aerial Image (Close-Up)
Exhibit 5 Site Plan
Exhibit 6 Elevation Exhibit



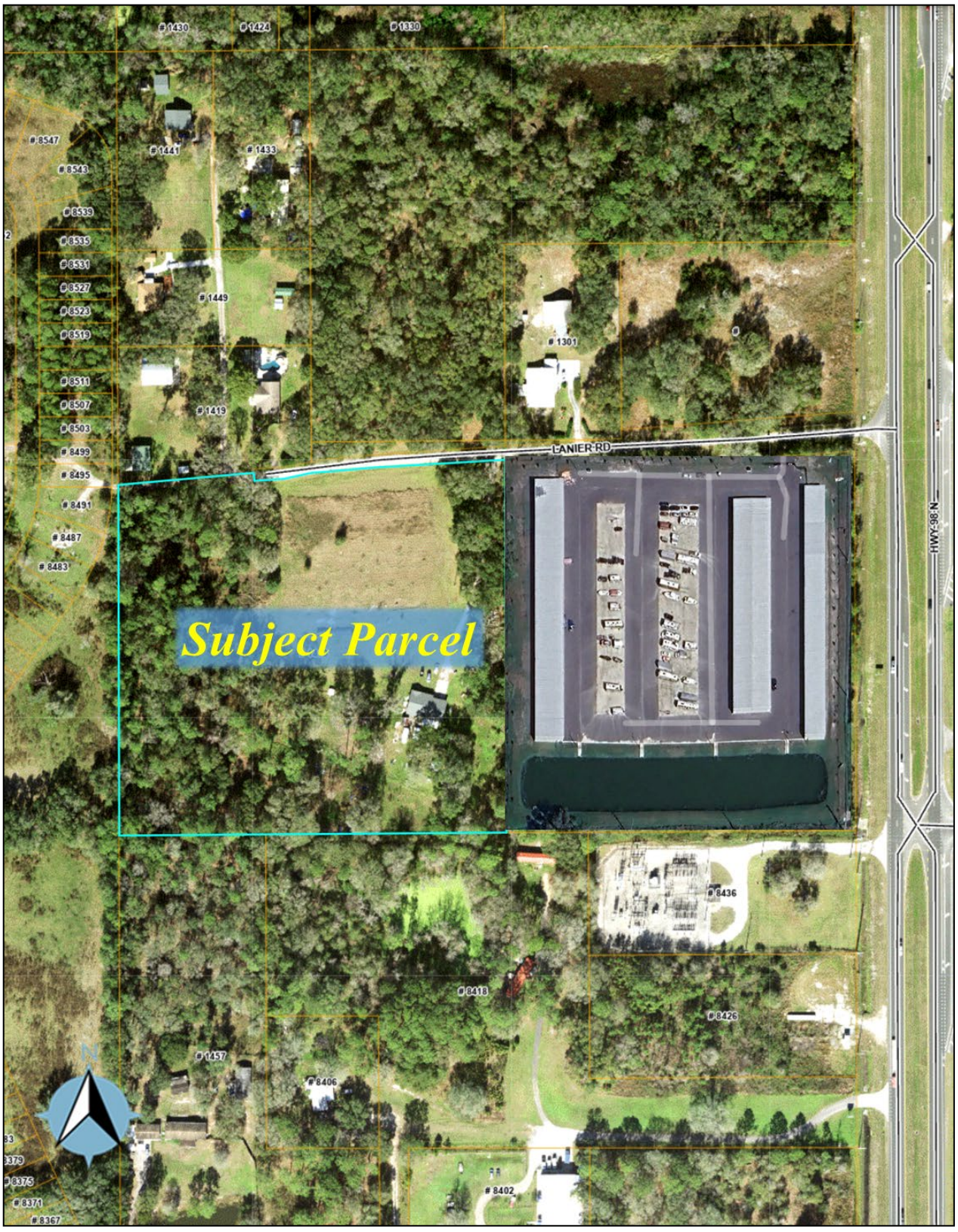
Location Map



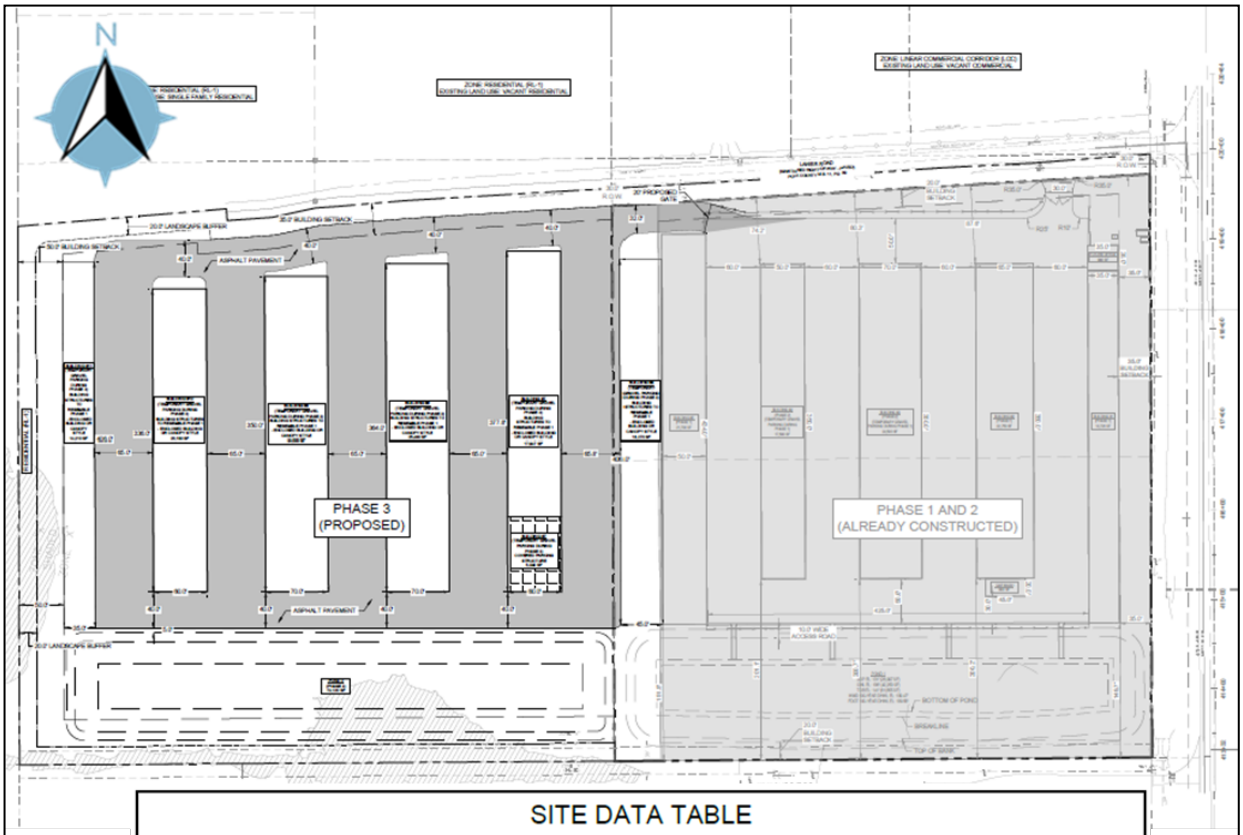
Future Land Use Map



Aerial Image (Context)

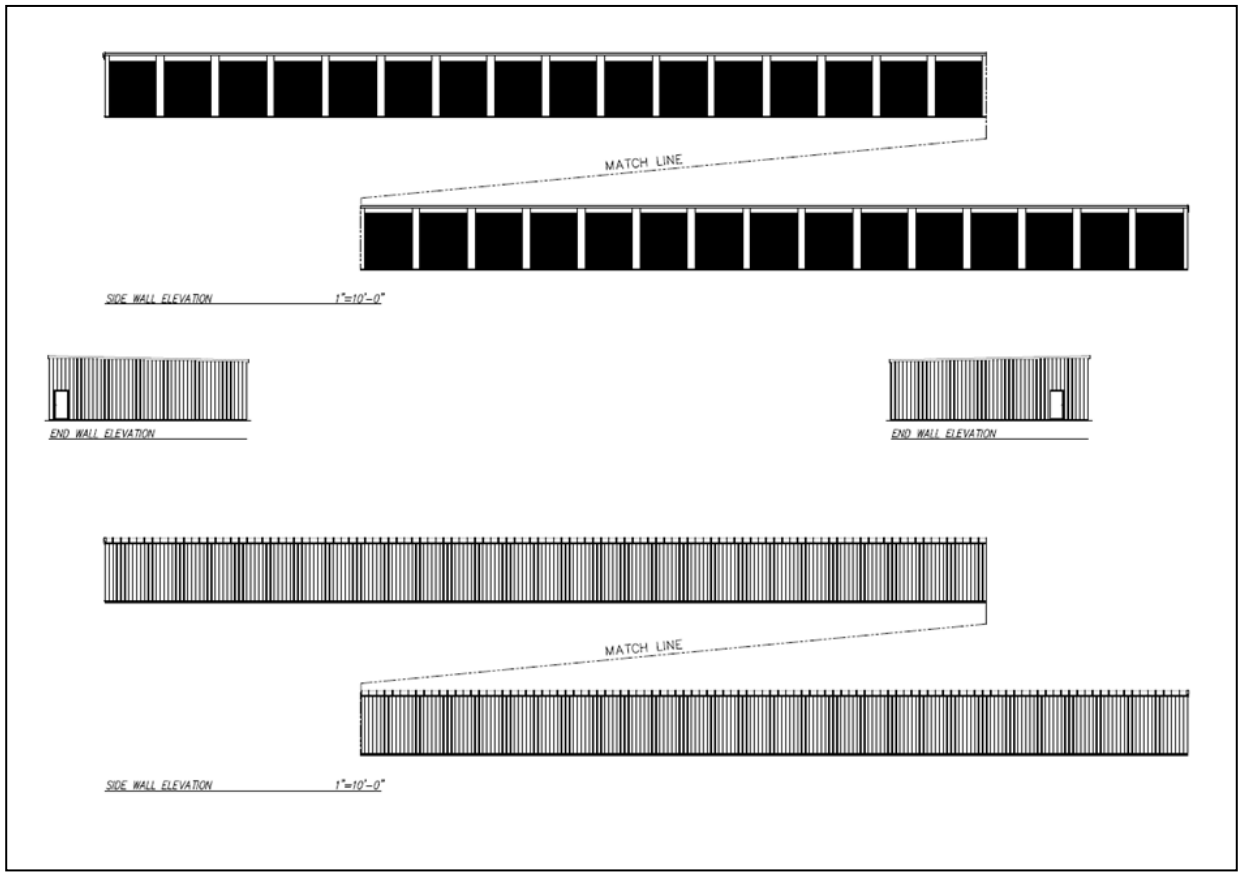


Aerial Image (Close)



SITE DATA TABLE		
PARCEL ID(S)	23-27-11-000000-011020, 23-27-11-000000-011030, & 23-27-11-000000-011040	
PROJECT ACREAGE		
	PHASE 3 ONLY	9.40 AC (+/-)
	TOTAL SITE	18.36 AC (+/-)
PROPOSED FLOOR AREA RATIO (FAR)	TOTAL	0.25 (MAX 0.25)
PROPOSED IMPERVIOUS SURFACE RATIO (ISR)	TOTAL	0.67 (MAX 0.70)
PHASE 3 SITE DATA INFORMATION		
CURRENT ZONING	RESIDENTIAL LOW-1 (RL-1)	
PROPOSED ZONING	LINEAR COMMERCIAL CORRIDOR (LCC)	
FUTURE LAND USE	INDUSTRIAL/COMMERCIAL	
FEMA FLOOD ZONE	FLOOD ZONE "X"	
WETLAND ACREAGE	N/A	
BUILDING HEIGHT	MAXIMUM 50'	
REQUIRED LANDSCAPE BUFFER	MINIMUM 20'	

Site Plan



Elevation Exhibits

LDPD-2025-10 - Southern Storage, LLC

Menu Reports Help

Application Name: Southern Storage, LLC

File Date: 08/01/2025

Application Type: BOCC-CPA Small

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: *** WAS LDCPAS-2025-23*** We are seeking to expand our current Boat & RV Storage Facility to this 10+/- AC parcel located directly to the West. Having reached maximum occupancy on our 80,000 sq. ft. of enclosed storage + 20,000 sq. ft. of outdoor storage, we need to expand to continue to capture the high demand for our specialized product of fully enclosed boat & RV storage. The end goal of this expansion would be to add 80,000-120,000 sq. ft. of enclosed storage, but starting with all outdoor storage at first and adding buildings as revenue and demand sees fit. We would connect our parcel to this parcel via a driveway set inside our current footprint, so as to not have a separate entrance/exit than what is currently on our property. This would limit any additional traffic past our current entrance/exit. With approximately 10-15 customers a day, our business generates very little traffic, noise, or lights to the area and have never received a complaint from any of the nearby residents. We would strive to continue that track-record. We seek approval by November of 2025 with initial phase of construction to begin in 2026. Phase I construction includes grading and development of building pads that will double as outdoor parking spaces until future buildings are added.

Application Detail: Detail

Address: 1410 LANIER RD, LAKELAND, FL 33810

Parcel No: 232711000000011020

Owner Name: LOY HERMAN CHIN

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Bryan Edwards	Southern Storag...	Applicant	Mailing, 16502 Millan ...	Active
Bryan Edwards	Southern Storag...	Engineer	Mailing, 16502 Millan ...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,936.00

Total Fee Invoiced: $4,936.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
Conditional Use New

Variance Type
–

Brownfields Request
–

Affordable Housing

Type of Acreage
–

GENERAL INFORMATION

Expedited Review

Number of Lots
1

Will This Project Be Phased

Acreage
9.4

DRC Meeting
09/18/2025

DRC Meeting Time
–

Rescheduled DRC Meeting
–

Rescheduled DRC Meeting Time
–

Green Swamp

Number of Units

No

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

Case File Number

One Year Extension

FS 119 Status
Non-Exempt

Code Violation Case Number

ADVERTISING

Legal Advertising Date

BOCC1 Advertising Date

BOCC2 Advertising Date

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting

Planning Commission Date
11/05/2025

Land Use Hearing Officer 3

1st BOCC Date
12/02/2025

2nd BOCC Date

LUHO-Level 3

HEARING

PC Hearing Results

PC Vote Tally

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID
POLKCO-25EST-00000-39204

DocumentGroupforDPC
DIGITAL PROJECTS LD

RequiredDocumentTypes

RequiredDocumentTypesComplete
Yes

AdditionalDocumentTypes
Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion

Activate DPC
Yes

Activate FSA
Yes

DigitalSigCheck
Yes

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
√

SELECTED AREA PLANS

Selected Area Plans

US 98

LAND USE

Selected Area Plan	LU Code
Not in an SAP	LCC- Linear Commercial Center

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/26/2025	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton			
Roads and Drainage Review				
Fire Marshal Review				
Planning Review	Ivan Nance	Resubmittal ...	08/27/2025	Ivan Nance
School Board Review	School District	Not Required	08/26/2025	School District
Review Consolidation	Lyndsay Rathke			
Public Notice				
Staff Report				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Growth Management Department
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

IMPACT ASSESSMENT STATEMENT FORM

www.polk-county.net

An Impact Assessment Statement is required for all Level 3 and Level 4 Reviews, with the exception of text amendment requests. The purpose of an Impact Assessment Statement is to provide information on the effects a proposed development or land use action will have on the existing neighborhood and general area; on the transportation facilities; on the environment and natural resources of the County; on the public facilities for water, sewer, solid waste disposal, fire, police, public education, parks, recreation, and other utilities; and any other aspect with an identified impact of the development and deemed appropriate for concern.

A sufficient Impact Assessment Statement must address all of the following ***(Note: N/A is an insufficient comment, if N/A an explanation must be included)***:

Land and Neighborhood Characteristics

Assess the compatibility of the requested land use with adjacent properties and evaluate the suitability of the site for development. At a minimum, address the following specific questions in your response:

1. How and why is the location suitable for the proposed uses?
   THE PROPOSED DEVELOPMENT IS AN EXPANSION OF AN EXISTING BOAT/RV STORAGE FACILITY DIRECTLY ADJACENT TO THE EAST.
2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses?
   THE PROPOSED DEVELOPMENT PRIORITIZES MATCHING THE ADJACENT USE DIRECTLY TO THE EAST.
3. How will the request influence future development of the area?

Access to Roads and Highways

Assess the impact of the proposed development on the existing, planned and programmed road system. At a minimum, address the following specific questions in your response:

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed[1] methodology and calculations.
   TRAFFIC STUDY CAN BE PROVIDED AT A LATER DATE.
2. What modifications to the present transportation system will be required as a result of the proposed development?
   THE PROPOSED DEVELOPMENT PRIORITIZES UTILIZING THE EXISTING DRIVEWAY CONNECTION FOR THE ADJACENT PARCEL OFF OF LANIER ROAD. THERE ARE NO ADDITIONAL CONNECTIONS TO PUBLIC ROW PROPOSED.

[1]A minor traffic study will suffice for a detailed methodology and calculations for most applications.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land
   N/A THE PROPOSED DEVELOPMENT IS A SOTRAGE FACILITY AND HAS NO PROPOSED PARKING SPACES.

Development Code?

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)?

THE PROPOSED DEVELOPMENT PRIORITIZES UTILIZING THE EXISTING DRIVEWAY CONNECTION FOR THE ADJACENT PARCEL OFF OF LANIER ROAD. THERE ARE NO ADDITIONAL CONNECTIONS TO PUBLIC ROW PROPOSED.

NOTE: *Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for* ***"Infrastructure Impacts"*** *items 3 through 9 above.*

Sewage

Determine the impact caused by sewage generated from the proposed development. At a minimum, address the following specific questions in your response:

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development? (*Response may be based on Section 703.F of the LDC*)

0 GPD. THE PROPOSED DEVELOPMENT IS AN EXPANSION OF AN EXISTING BOAT/RV STORAGE FACILITY. THERE ARE NO PROPOSED SANITARY CONNECTIONS RESULTING FROM THIS EXPANSION.

2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage?

N/A. NO PROPOSED ON-SITE SANITARY TREATMENT.

3. If offsite treatment, who is the service provider?

N/A. NO PROPOSED OFF-SITE SANITARY TREATMENT.

4. Where is the nearest sewer line (in feet) to the proposed development (*Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of- way under certain conditions listed in Section 702E.3 of the Land Development Code*)

EXISTING WASTEWATER SERVICE FOR THE EXISTING RESIDENCE.

5. What is the provider's general capacity at the time of application?

N/A. NO PROPOSED SANITARY CONNECTIONS.

6. What is the anticipated date of connection?

N/A. NO PROPOSED SANITARY CONNECTIONS.

7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc.)*?

N/A. NO PROPOSED SANITARY CONNECTIONS.

Water Supply

Determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area. At a minimum, address the following specific questions in your response:

1. What is the proposed source of water supply and/or who is the service provider?

PROPOSED FIRE SERVICE CONNECTION TO EXISTING WATER SERVICE AT THE PROPERTY TO THE EAST. NO PROPOSED POTABLE WATER SERVICE CONNECTIONS. SERVICE PROVIDER IS POLK COUNTY UTILITIES.

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

N/A NO PROPOSED POTABLE WATER SERVICE CONNECTIONS.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

EXISTING 8" FIRE SERVICE LOOP AT THE PROPERTY DIRECTLY TO THE EAST.

4. Who is the service provider?

POLK COUNTY UTILITIES.

5. What is the anticipated date of connection?

TO BE DETERMINED.

6. What is the provider's general capacity at the time of application?

N/A NO PROPOSED POTABLE WATER SERVICE CONNECTIONS.

7. Is there an existing well on the property(ies)?

Yes What type? DOMESTIC GROUND WATER/GEOLOGIC

Permit Capacity_____

No

Location: 28° 09' 19.88" / 81° 58' 33.30"

Water Use Permit #: Well Construction Permits: 537016 - 1

Constructed prior to Water Management District Permitting: Yes _____ No _____

Type of Use: __Ag __Public __Industrial or Commercial

__Recreation or Aesthetic __Mining

Permitted Daily Capacity: _____

Average Peak Monthly Withdrawal Rate: _____

Location: _____

Casing Diameter: 4

Mainline Diameter: _____

Surface Water Management and Drainage

Determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development. At a minimum, address the following specific questions in your response:

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues);

SITE DRAINS TO EXISTING OFF-SITE FDOT DITCH AT SOUTH SIDE OF THE PROPERTY BOUNDARY. ON-SITE FEMA ZONE X FLOODPLAIN.

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project?

WETLANDS ARE NOT ANTICIPATED ON THIS PROPERTY. PROPER STORMWATER MANAGEMENT SYSTEMS WILL BE ADDED TO PROPERLY TREAT AND ATTENUATE RUNOFF FROM SITE PRIOR TO DISCHARGING TO THE EXISTING OFF-SITE FDOT DITCH AT THE SOUTH SIDE OF THE PROPERTY.

Environmental Analysis

Provide an analysis of the character of the subject property and surrounding properties, and further assess the site's suitability for the proposed land use classification based on soils, topography, and the presence of wetlands, floodplain, aquifer recharge areas, scrub or other threatened habitat, and historic resources, including, but not limited to:

1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties.

   NO ANTICIPATED ENVIRONMENTAL IMPACTS TO THE PROPERTY OR ADJACENT PROPERTIES.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

   WETLANDS ARE NOT ANTICIPATED ON THIS PROPERTY. ON-SITE FEMA ZONE X FLOODPLAIN.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;

   EXISTING DOMESTIC GROUND WATER WELL ON-SITE. Well Construction Permit: 537016 - 1

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts)*.

   N/A NO ANTICIPATED AIRPORT BUFFER ZONES.

5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development.

   EXISTING ON-SITE SOILS ARE PREDOMINATELY ZOLFO FINE SANDS, ONA-ONA WET FINE SANDS, AND TAVARES FINE SAND. THESE SOILS ARE CLASSIFIED AS HYDROLOGIC SOILS GROUPS A AND B/D.

Infrastructure Impact Information

What is the nearest location (travel distance), provider, capacity or general response time, and estimated demand of the provision for the following services:

1. Parks and Recreation;
2. Educational Facilities (e.g., preschool, elementary, middle school, high school);
3. Health Care (e.g., emergency, hospital);
4. Fire Protection;
5. Police Protection and Security;
6. Emergency Medical Services (EMS);
7. Solid Waste (collection and waste generation); and

8. How may this request contribute to neighborhood needs?

Maps

Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scale shall be clearly indicated on each map and the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following **maps shall 8 1/2" x 11"** and accompany Impact Assessment Statements:

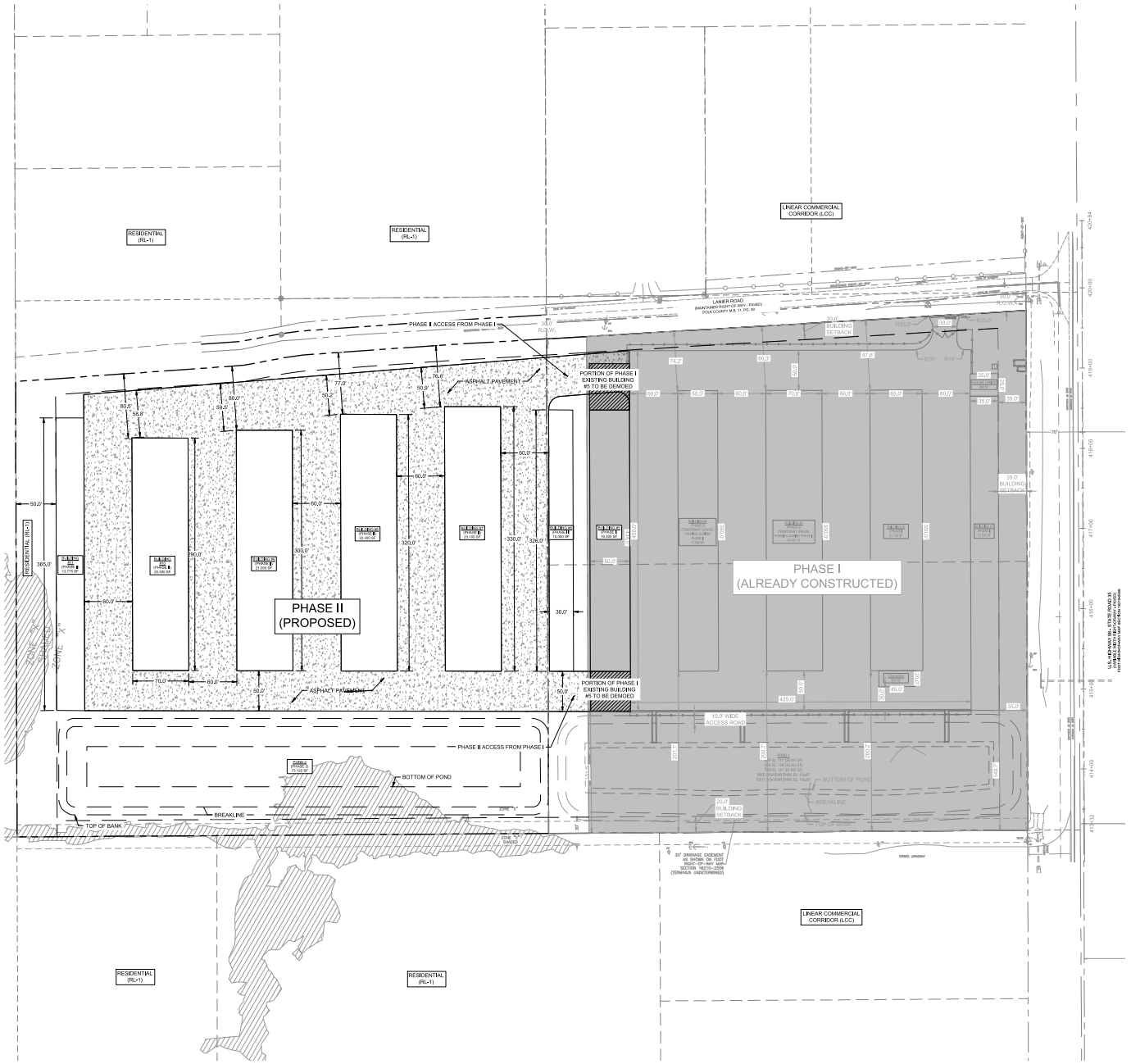
Map A: A location map (center the site on the map) showing the relationship of the development to cities, highways, and natural features;
REFER TO VICINITY MAP LOCATED ON CONCEPTUAL SITE PLAN.

Map B: Map depicting the site boundary (properties included in the request)
REFER TO SITE BOUNDARY LOCATED ON CONCEPTUAL SITE PLAN.

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy.** Applications for district changes alone are not required but are encouraged to submit a Development Plan; and
REFER TO CONCEPTUAL SITE PLAN.

NOTE: *Applications for text amendments are not required to submit a complete Impact Assessment Statement, however, all relevant information requested must be addressed. Use this form and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

[2] See *Site Plan Standards* checklist form (GM LDD 11).



NORTH

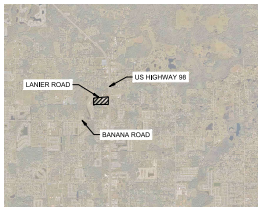
GRAPHIC SCALE IN FEET
REFER TO 24 X 36 VERSION FOR SCALED SITE PLAN

LEGEND

- PROPERTY BOUNDARY
- BUILDING SETBACK LINE
- PROPOSED BUILDING

PHASE II SITE DATA INFORMATION	
PARCEL ID(S)	23-27-11-000000-011020
PROJECT ACREAGE	9.40 AC (+/-)
PROPOSED FLOOR AREA RATIO (FAR)	0.27 (MAX 0.35)
PROPOSED IMPERVIOUS SURFACE RATIO (ISR)	0.64 (MAX 0.7)
CURRENT ZONING	RESIDENTIAL LOW-1 (RL-1)
PROPOSED ZONING	LINEAR COMMERCIAL CORRIDOR (LCC)
FUTURE LAND USE	INDUSTRIAL/COMMERCIAL
FEMA FLOOD ZONE	FLOOD ZONE "X"
WETLAND ACREAGE	N/A
BUILDING HEIGHT	MAXIMUM 35'

VICINITY MAP



SCALE: 1"=5000'

Know what's **below.** **Call** before you dig.

NO.	REVISIONS	DATE	BY

Kimley»Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
7740 WEST NEW HAVEN AVE., SUITE 325
ST. PETERSBURG, FL 33701
PHONE: 727-547-2999 WWW.KIMLEY-HORN.COM
REGISTRY NO. 35106

LICENSED PROFESSIONAL
JESSICA L. LYNN HERON, P.E.
FLORIDA LICENSE NUMBER
99543
DATE:

SCALE	AS SHOWN
DESIGNED BY	SLS
DRAWN BY	SLS
CHECKED BY	JLH

CONCEPTUAL SITE PLAN

LAKELAND BOAT AND RV STORAGE PHASE II

POLK COUNTY FLORIDA

DATE
28 JULY 2025

PROJECT NO.
145321001

SHEET NUMBER
EX-SITE



NORTH

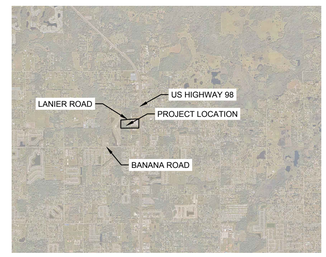
GRAPHIC SCALE IN FEET
0 30 60 120

LEGEND

- PROPERTY BOUNDARY
- BUILDING SETBACK LINE
- PROPOSED BUILDING
- LANDSCAPE BUFFER
- STANDARD DUTY ASPHALT

SITE DATA TABLE		
PARCEL ID(S)		23-27-11-000000-011020, 23-27-11-000000-011030, & 23-27-11-000000-011040
PROJECT ACREAGE		
	PHASE 3 ONLY	9.40 AC (+/-)
	TOTAL SITE	18.36 AC (+/-)
PROPOSED FLOOR AREA RATIO (FAR)	TOTAL	0.25 (MAX 0.25)
PROPOSED IMPERVIOUS SURFACE RATIO (ISR)	TOTAL	0.67 (MAX 0.70)
PHASE 3 SITE DATA INFORMATION		
CURRENT ZONING		RESIDENTIAL LOW-1 (RL-1)
PROPOSED ZONING		LINEAR COMMERCIAL CORRIDOR (LCC)
FUTURE LAND USE		INDUSTRIAL/COMMERCIAL
FEMA FLOOD ZONE		FLOOD ZONE "X"
WETLAND ACREAGE		N/A
BUILDING HEIGHT		MAXIMUM 50'
REQUIRED LANDSCAPE BUFFER		MINIMUM 20'

VICINITY MAP



SCALE: 1"=5000'

SITE NOTES

1. DRIVEWAYS TO BE GRAVEL UNTIL BUILDINGS ARE ERECTED. ASPHALT WILL BE ADDED AS BUILDINGS ARE ERECTED.

Know what's below. Call before you dig.

NO.	REVISIONS	DATE	BY

Kimley»Horn
© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
200 CENTRAL AVE., SUITE 600,
ST PETERSBURG, FL 33701
PHONE: 727-547-3999 WWW.KIMLEY-HORN.COM
REGISTRY NO. 35106

LICENSED PROFESSIONAL
JESSICA LYNN HERON, P.E.
FLORIDA LICENSE NUMBER 99543
DATE:

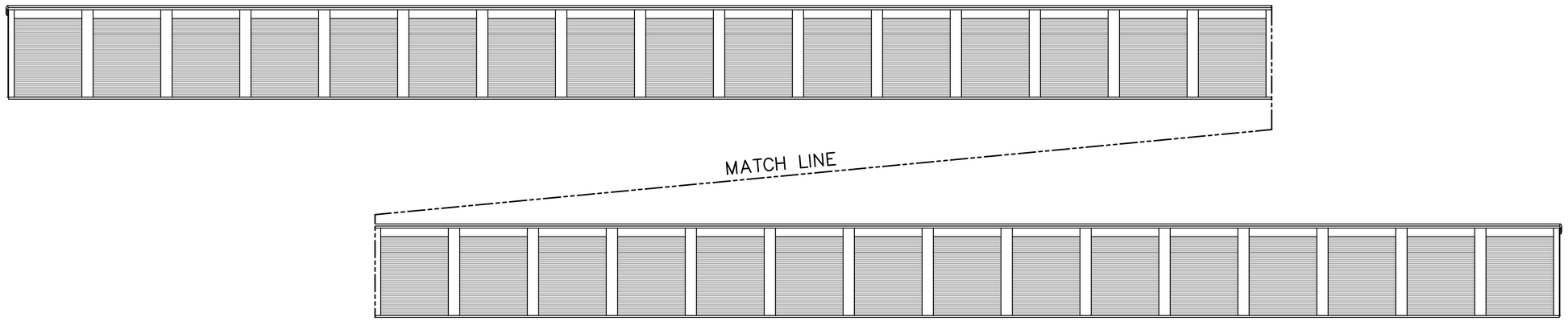
SCALE	AS SHOWN
DESIGNED BY	SLS
DRAWN BY	SLS
CHECKED BY	JLH

CONCEPTUAL SITE PLAN

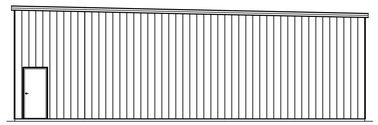
LAKELAND BOAT AND RV STORAGE PHASE II

FLORIDA
POLK COUNTY

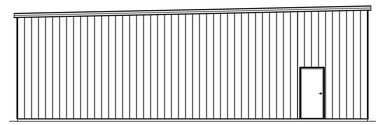
DATE
28 JULY 2025
PROJECT NO.
145321001
SHEET NUMBER
EX-SITE



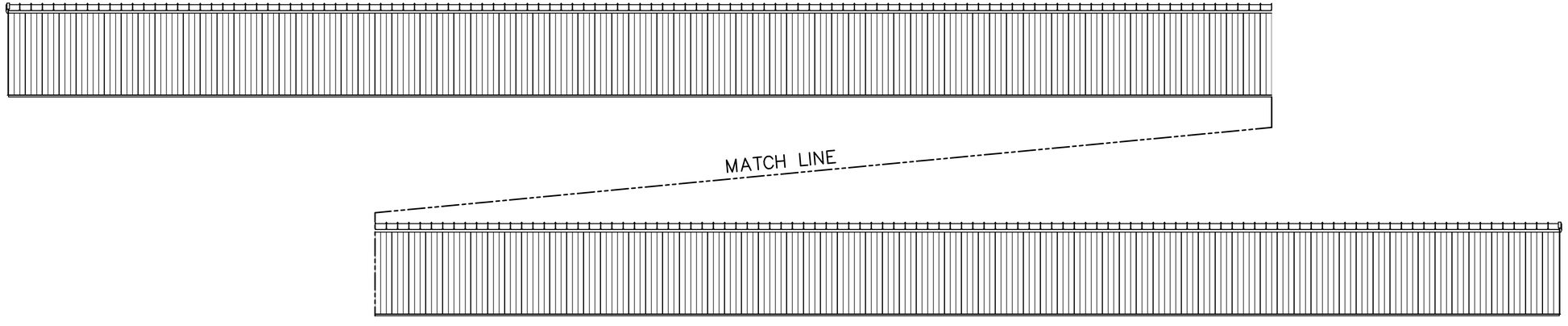
SIDE WALL ELEVATION 1"=10'-0"



END WALL ELEVATION



END WALL ELEVATION



SIDE WALL ELEVATION 1"=10'-0"

REVISION	By Date

TRACHTE BUILDING SYSTEMS, Inc.
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TBS

Job Description
PAUL BREWER
SOUTHERN BOAT & RV STORAGE
1304 LANIER ROAD
LAKELAND, FL

Sheet Title
BUILDING 5 ELEVATIONS

Date 5/15/2023
Drawn by JEB
Scale 1" = 10'-0"
Plan No. 55267
Order No. 258900
Sheet No. A3.1

Agenda Item 7. 11/5/2025

SUBJECT

LDCD-2025-6 (Hamilton Road Sub-district)

DESCRIPTION

This is a Future Land Use Map sub-district change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) to allow for outdoor storage. The subject site is located South of Drane Field Road, North of Medulla Road, East of County Line Road, West of the City of Lakeland in Section 6, Township 29, Range 23.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

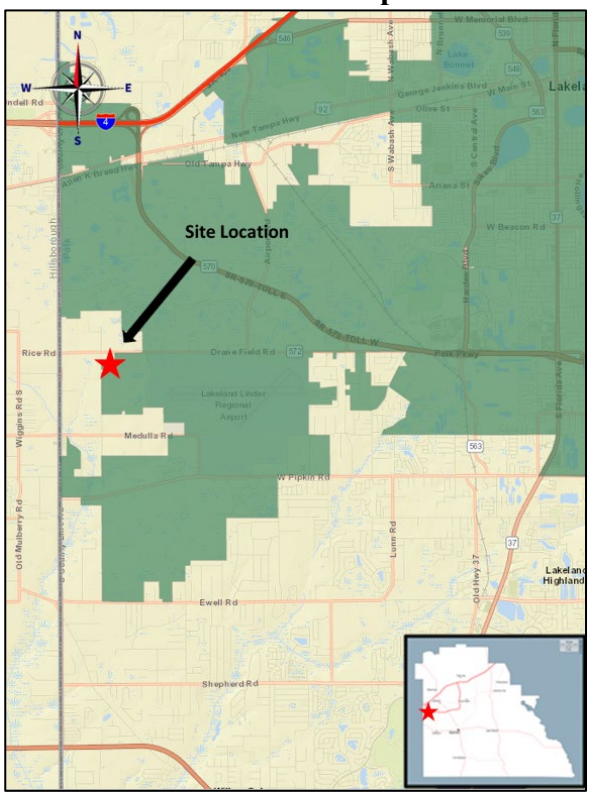
(863) 534-6764

aleyainglima@polk-county.net

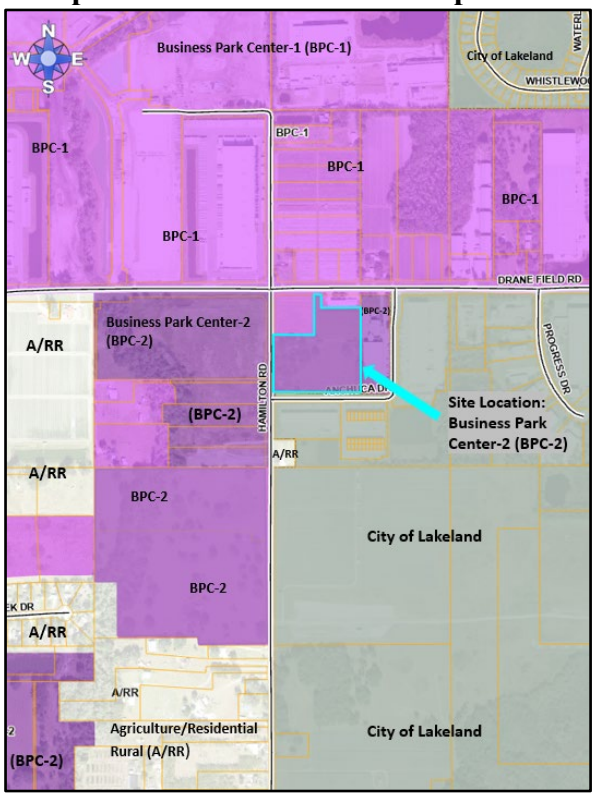
POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 28, 2025
Planning Commission Date:	November 5, 2025
BoCC Dates:	December 16, 2025
Applicant:	Bart Allen, Peterson & Myers, P.A.
Level of Review:	Level 4 Review, Sub-district Change
Case Number and Name:	LDCD-2025-6 (Hamilton Road Sub-district)
Request:	Future Land Use Map sub-district change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) to allow for outdoor storage.
Location:	South of Drane Field Road, North of Medulla Road, East of County Line Road, West of the City of Lakeland in Section 6, Township 29, Range 23.
Property Owner:	Ruthven Green LLC
Parcel Size:	232906-000000-013010 (+/- 8.1 acres)
Development Area:	Urban Growth Area (UGA)
Future Land Use:	Business Park Center-1 (BPC-1)
Nearest Municipality	City of Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Hearing
Case Planner:	Aleya Inglima, Planner II

Location Map



Proposed Land Use District Map



Summary:

This is an applicant-initiated Future Land Use Map sub-district change for 8.1+/- acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on the Future Land Use Map.

Compatibility Summary

The subject site is surrounded by BPC-1 to the north and BPC-2 to the west and east, and the City of Lakeland limits to the south. The properties in the area are warehouses and are used for industrial purposes for Lakeland International Airport.

The City of Lakeland has completed a sector plan for this area as a guide to growth. Policy 4.102-A13: City of Lakeland Sector Planning Program states that the sector plans are to be used as a shared resource and guide for planning efforts. The SW Lakeland Sector Plans displays the general vision for this area as business park.

LDCD-2025-3 (Hamilton Road Sub-district) was approved on October 21, 2025, by the Board of County Commissioners for a Future Land Use Map sub-district change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) to allow for outdoor storage.

Infrastructure Summary

Infrastructure is made of public safety, the school public system, utilities, and the accessed roadways. The City has the capacity to serve water and wastewater for the subject site. Public safety services (Fire, EMS, and Sheriff) are available in this area as shown on Table 2 of this staff report. This change will not increase demands on these services.

The subject site has road frontage on Hamilton Road. Hamilton Road is a local commercial road with 20 feet of pavement and available road capacity (Level of Service or concurrency).

Environmental Summary

The proposed request is not anticipated to have a negative impact upon the environmental features present on site. The development is existing and was designed in accordance with the Southwest Florida Water Management District and Polk County requirements to help address any potential alterations to wetlands and floodplain areas. This request is to allow outdoor storage.

Comprehensive Plan

Listed below are the relevant sections of the Comprehensive Plan that are applicable to this request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.105(A1-A5): Urban-Growth Areas
- Section 2.113B(B1-B5): Business Park Center
- Section 2.124-B Airport-Impact Districts

Findings of Fact

Request and Legal Status

- LDCD-2025-6 is an applicant-initiated request for a Level 4 Subdistrict change to designate approximately 8.1 +/- acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2).

- The site is currently under construction for a new warehouse (BC-2025-1149). The approval is to allow for outdoor storage.

- POLICY 2.105-A1 Description - Urban-Growth Areas, states that UGAs shall:

  a. complement the TSDA in guiding growth, while promoting orderly and compact development;

  b. be located contiguous to the TSDAs or a municipality as they represent the expansion areas;

  c. be supported by existing or planned urban type services that are programmed for the 20-year planning horizon;

  d. be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs;

  e. include development criteria that:

     1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;

     2. improve access to employment areas, schools, shopping and recreational opportunities;

     3. support the preservation of open space and natural areas;

     4. reduce capital and operating cost for the provision of infrastructure and public services.

- POLICY 2.113-B1 states that "Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there."

Compatibility

- The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

- The subject site is surrounded by the City of Lakeland to the south; BPC-1 to the north; and BPC-2 to the west and east.
- The City of Lakeland has completed a sector plan for this area as a guide to growth. Policy 4.102-A13: City of Lakeland Sector Planning Program states that the sector plans are to be used as a shared resource and guide for planning efforts. The SW Lakeland Sector Plans displays the general vision for this area as business park

Infrastructure

- The schools which would serve the subject site are Southwest Elementary, Sleepy Hill Middle and George Jenkins Senior High School.

- Both fire and ambulance response to this address is primarily from Polk County Fire Rescue Station 2, 2523 Ewell Rd, Lakeland. The travel distance is 5.7 miles. Last year, Polk County Fire Rescue entered into an Automatic Aid Agreement with the City of Lakeland to provide first alarm fire assistance to this area. Their closest fire station is Lakeland Fire Station Number 7, 3150 Drane Field Rd, Lakeland. Their travel distance is 2.7 miles. Over the last five years, there have been no responses to this address. Responses to this vicinity have averaged between 12 and 15 minutes.

- Sheriff's response to the site is served by the Southwest District, located at 4120 US 98 South, Lakeland. The response times for August 2025 were: Priority 1 – 8:55 minutes, Priority 2 – 26:47 minutes.

- Potable water and wastewater services are available to the subject site by the City of Lakeland.

- The subject property has road frontage on Hamilton Road and Drane Field Road. Hamilton Road is a local commercial road.

- The nearest park facilities and environmental lands are Alafia River Reserve, seven miles south of the site.

Environmental

- The subject property does not have wetlands or floodplains.

- The subject site is made up of Tavares Fine Sand, Fort Meade Sand, and Zolo Fine Sand. Both Tavares and Zolo fine sands are well drained and not limited as site development. The site is approximately 27.2% Tavares fine sand, 66.5% Fort Meade sand, and 6.2% Zolo fine sand.

- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not within an area of protected species and habitat observations.

- The subject site is located near Lakeland Linder Airport.

- The site is not within a Wellfield-Protection District.

- According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, there are no archeological sites on the subject property.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:

  a. there have been provisions made which buffer incompatible uses from dissimilar uses;

  b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;

  c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:

  a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;

  b. nearness to agriculture-production areas;

  c. distance from populated areas;

  d. economic issues, such as minimum population support and market-area radius (where applicable);

  e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:

    1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;

    2. sanitary sewer and potable water service;

3. storm-water management;

4. solid waste collection and disposal;

5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;

6. emergency medical service (EMS) provisions; and

7. other public safety features such as law enforcement;

8. schools and other educational facilities

9. parks, open spaces, civic areas and other community facilities

f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;

2. surface water features, including drainage patterns, basin characteristics, and flood hazards;

3. wetlands and primary aquifer recharge areas;

4. soil characteristics;

5. location of potable water supplies, private wells, public well fields; and

6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.105-A1 Description - Urban-Growth Areas shall:

a. complement the TSDA in guiding growth, while promoting orderly and compact development;

b. be located contiguous to the TSDAs or a municipality as they represent the expansion areas;

c. be supported by existing or planned urban type services that are programmed for the 20-year planning horizon;

d. be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs;

e. include development criteria that:

1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;

2. improve access to employment areas, schools, shopping and recreational opportunities;

3. support the preservation of open space and natural areas;

4. reduce capital and operating cost for the provision of infrastructure and public services.

- According to POLICY 2.113-B1 of the Polk County Comprehensive Plan, Business-Park Centers "are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there."

- POLICY 2.113-B3: Location Criteria - States that "Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

a. arterial roads;

b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road;

c. local commercial roads or private roads under the following conditions:

1. the road has full median access onto to an arterial road;
2. the road does not serve existing or expected future residential traffic from the surrounding area; and
3. the road has a structural integrity and design characteristics suitable for truck traffic.

d. properties abutting an Industrial (IND) district or railroad line."

- POLICY 2.113-B4: Development Criteria - Development within a Business-Park Center shall conform to the following criteria:

a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

b. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

c. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

d. Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park.

e. The maximum floor area ratio for commercial activities shall not exceed 0.25. The maximum floor area ratio for non-commercial activities shall not exceed 0.75 in the TSDA, 0.65 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.

f. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.

g. New residential development within Business Park Centers shall be limited to High-Density Residential (with proper buffering).

h. All research and development, light-industrial, and distribution activities shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures.

i. Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank septic and as required if within a Nutrient Restoration Plan Overlay.

j. Planned Developments within the Business Park Center district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The FAR in the RDA may be increased to 0.75 when connection to public water and sewer is available and within a half mile of a transit route. The Land Development Code shall establish development standards and criteria for Planned Developments within the BPC district.

k. Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters listed in the Land Development Code not to exceed an intensity of thirty-two (32) workers per acre or the limitations established by the Department of Health for water and wastewater usage, whichever allowed intensity is the lesser.

- OBJECTIVE 2.124-B (Airport Impact Districts): The Polk County Plan shall provide for aviation-compatible land uses around airports licensed for public use, by limiting or restricting

incompatible land uses and activities, as defined by the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board (JAZB), consistent with the objectives and policies of the Transportation Element, Section 3.200.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that the request for Business Park Center-2 (BPC-2) **IS compatible** with the surrounding land uses and general character of the area and **IS consistent** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL** of the BPC-2 sub district for **LDCD-2025-6.**

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses

This site is located in the Urban Growth Area (UGA). UGAs complement the TSDA in guiding growth, while promoting orderly and compact development; are located contiguous to the TSDAs or a municipality as they represent the expansion areas; are supported by existing or planned urban type services that are programmed for the 20-year planning horizon; and are those

areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs. The change to BPC-2 is to allow outdoor storage. It is surrounded by BPC-2.

B. Infrastructure:

According to Comprehensive Plan POLICY 2.102-A1: DEVELOPMENT LOCATION, "Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities."

The subject properties are located in the Urban Growth Area (UGA) and the subject site is already being constructed. There is public water adjacent to the site, with sewer located nearby. The development will not affect school capacity. This change will not increase the demand placed upon services.

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses.

Table 1

Northwest Business Park (BPC-1) Warehouse	**North** Business Park (BPC-1) Agriculture	**Northeast** Business Park (BPC-1) Agriculture
West Business Park (BPC-2) Vacant	**Subject Site** Business Park (BPC-1) Warehouse	**East** Business Park (BPC-2) Light manufacturing
Southwest Business Park (BPC-2) Vacant	**South** City of Lakeland	**Southeast** City of Lakeland

Nearest and Zoned Elementary, Middle, and High School

The schools zoned for the subject property include those listed in the table below. The zoned schools all have capacity. BPC-2 does not have residential development. Therefore, this request is not anticipated to have an impact to the school system.

Table 2: School Information

School	Annual Estimated Demand	Distance from Subject Site	School Capacity (including portables)
Southwest Elementary	0	8 miles	56%
Sleepy Hill Middle	0	10 miles	87%
George Jenkins High	0	10 miles	89%

Source: Polk County School Board website

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Sherriff response times are not as much a function of the distance to the nearest sheriff's substation rather more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered.

Table 3 provides a breakdown of response times and travel distances for emergency services.

Table 3 Public Safety Information

	Name of Station	**Distance**	**Response Time***
Sheriff	Southwest District, located at 4120 US 98 South, Lakeland	±12 miles	P1: 8:55 minutes P2: 26:47 minutes
Fire/ EMS	Lakeland Fire Station Number 7, 3150 Drane Field Rd, Lakeland	±2.7 miles	12 minutes

*Source: Polk County Sheriff's Office and Public Safety *Response times are based on when the station receives the call and not from when the call is made to 911.*

Water and Wastewater

Because development is in the Urban Growth Area, it is required to connect to public water and sewer facilities.

A. Estimated Demand

The subject is within the City of Lakeland's water and wastewater service area. The Comprehensive Plan (Policy 2.109 A1) permits BPC to achieve an FAR of 150%. However, this can only be achieved via a Planned Development. Development in the BPC throughout the County has not achieved an FAR above 75% to date.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity (8.1 acres)	**Current Land Use designation BPC-1**	**Maximum Permitted Use in Proposed BPC-2**
Current Maximum Allowable Use	8.1 acres x 43,560 sq. ft. x 0.75 Floor Area Ratio (FAR) = 264,627 sq. ft.	**8.1 acres x 43,560 sq. ft. x 0.75 Floor Area Ratio (FAR) = 264,627 sq. ft.**
Potable Water Consumption	264,627 sq. ft. x 0.24 GPD = 63,510 GPD	264,627 sq. ft. x 0.24 GPD = 63,510 GPD
Wastewater Generation	63,510 GPD. x 0.8 GPD = 50,808 GPD	63,510 GPD. x 0.8 GPD = 50,808 GPD

GPD – Gallons Per Day; DU – Dwelling Unit
*Source: Polk County Concurrency Manual and Service Provider data *Gallons per Day (GPD), Warehousing at 0.24 GPD for water and 80% of 0.24 for wastewater*

B. Available Capacity:

The subject is within the City of Lakeland's water and wastewater service area.

C. Planned Improvements:

No information is known currently about any planned improvements to utilities in this area.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The data identifies both daily and peak hour traffic volumes. The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

The proposed Comprehensive Plan Amendment will not further affect surrounding roadways, the transportation network, and the LOS below the minimum established standards.

A. Estimated Demand

Table 5 following this paragraph shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The table below provides as estimate of a warehouse use in per our concurrency manual. This change will not increase traffic demands.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity (8.1 acres)	**Demand as permitted in Existing Land Use**	**Maximum Permitted Use in Proposed Land Use**
	8.1 acres x 43,560 sq. ft. = 352,836 sq. x 0.75 Floor Area Ratio (FAR) = 264,627 ft./1,000 = 265	**265 DUs**
Average Annual Daily Trips (AADT)	265 DU * 150 trips/DU = **39,750 AADT**	265 DU * 150 trips/DU = **39,750 AADT**
PM Peak Hour Trips	265 DU * 0.47 trip/DU = **125 AADT**	265 DU * 0.47 trip/DU = **125 AADT**

Source: Polk County Concurrency Manual, Warehousing ITE code 150 AADT per 1,000 square feet 4.96 and 0.47 PM Peak Hour 92% percent new trips.

B. Available Capacity:

The roads surrounding the subject site should have sufficient capacity available, depending on the eventual use and full build out of the site. The Polk Transportation Planning Organization (TPO) monitors certain roadways based on maximum approved traffic in comparison to current vehicle trips to determine what capacity is available.

Table 6 charts the generalized available capacity of the most-affected links.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hour Projected LOS
4087E	Drane Field Road (County Line to SR 572)	C	300	D	C
4087W	Drane Field Road (County Line to SR 572)	C	281	D	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025

C. Roadway Conditions

Hamilton Road is a County-maintained Local Commercial Roadway with a surface width of 20 feet.

D. Planned Improvements:

There are no roadway improvements planned in the next five years for this area of the County.

E. Mass Transit

The nearest transit route is by New Tampa Highway and the Airport. None of these routes are within walking distance to the subject site.

F. Sidewalks

There are existing sidewalks near the parcel.

Park Facilities and Environmental Lands:

The nearest park facilities and environmental lands are The Alafia Reserve, seven miles south of the site.

A. Location:

The subject property is near a larger water system of wetlands and floodplains.

B. Services:

The Alafia Reserve is a 334-acre natural area with wetlands, wildlife, and hiking trails.

C. Multi-use Trails:

Multi-use trails can be found at the Alafia Reserve.

Environmental Lands:

The proposed request is not anticipated to have a negative impact upon the environmental features present on site. The development is existing and was designed in accordance with the Southwest Florida Water Management District and Polk County requirements.

Environmental Conditions

The subject property is near a larger water system of wetlands and floodplains

A. Surface Water:

The subject site has no surface water on site.

B. Wetlands/Floodplains:

The subject property does not have wetlands or floodplains.

C. Soils:

The subject site is made up of Tavares Fine Sand, Fort Meade Sand, and Zolo Fine Sand. Both Tavares and Zolo Fine Sands are well drained and not limited as site development. The site is approximately 27.2% Tavares Fine Sand and 6.2% Zolo Fine Sand. Fort Meade Sand is found on 66.5% of the site. Table 7 lists the soils associated with the subject site.

Table 7

Soil Name	**Septic Tank Absorption Field Limitations**	**Dwellings Without Basements**	**% of Site** *(approximate)*
Zolo Fine Sand	Severe: Wetness poor filter	Slight	6.2%
Fort Meade Sand	Slight	Slight	66.5%
Tavares Fine Sand	Moderate: wetness	Slight	27.2%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service, Applicant's Impact Statement

D. Protected Species

According to the Polk Endangered Habitat Map of the Future Land Use Map Series (FLUMS), the subject site is not within a one-mile radius of a protected animal and plant species sighting. The proposed land use change request is not anticipated to have a significant negative impact

E. Archeological Resources:

There are no resources identified per the Historical Resources Map as part of the Comprehensive Plan map series.

F. Wells (Public/Private)

The subject site is not within a Wellfield Protection district.

G. Airports:

The subject property is located within the Lakeland Linder Regional Airport Impact District.

Economic Factors:

Construction of buildings and site development activities create temporary jobs. Any new business activity that occurs at this site will need more goods and services, thereby generating more economic activity.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 9 Comprehensive Plan

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The proposed request for BPC-2 is consistent with this policy as the expansion area is adjacent to other BPC-2 to the west and east.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	Public water and sewer are available in the area and Drane Field is a collector road. In addition, the City of Lakeland's SW Sector Plan has a vision of business park uses. The subject site is located within an area that has some urban infrastructure with water and sewer availability and a collector road network. There are warehouses in the area to the east along Drane Field Road in the city limits of Lakeland.
POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable); e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2.sanitary sewer and potable water service;	

Comprehensive Plan Policy	Consistency Analysis
3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	
POLICY 2.105A1: DESCRIPTION -Urban Growth Areas shall: a. complement the TSDA in guiding growth, while promoting orderly and compact development; b. be located contiguous to the TSDAs or a municipality as they represent the expansion areas; c. be supported by existing or planned urban type services that are programmed for the 20-year planning horizon; d. be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs; e. include development criteria that: 1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities; 2. improve access to employment areas, schools, shopping and recreational opportunities; 3. support the preservation of open space and natural areas; 4. reduce capital and	The subject site is located within an area that has the appropriate levels of infrastructure and services. In addition, the City of Lakeland's Sector Plan provides for this area to have business park uses.

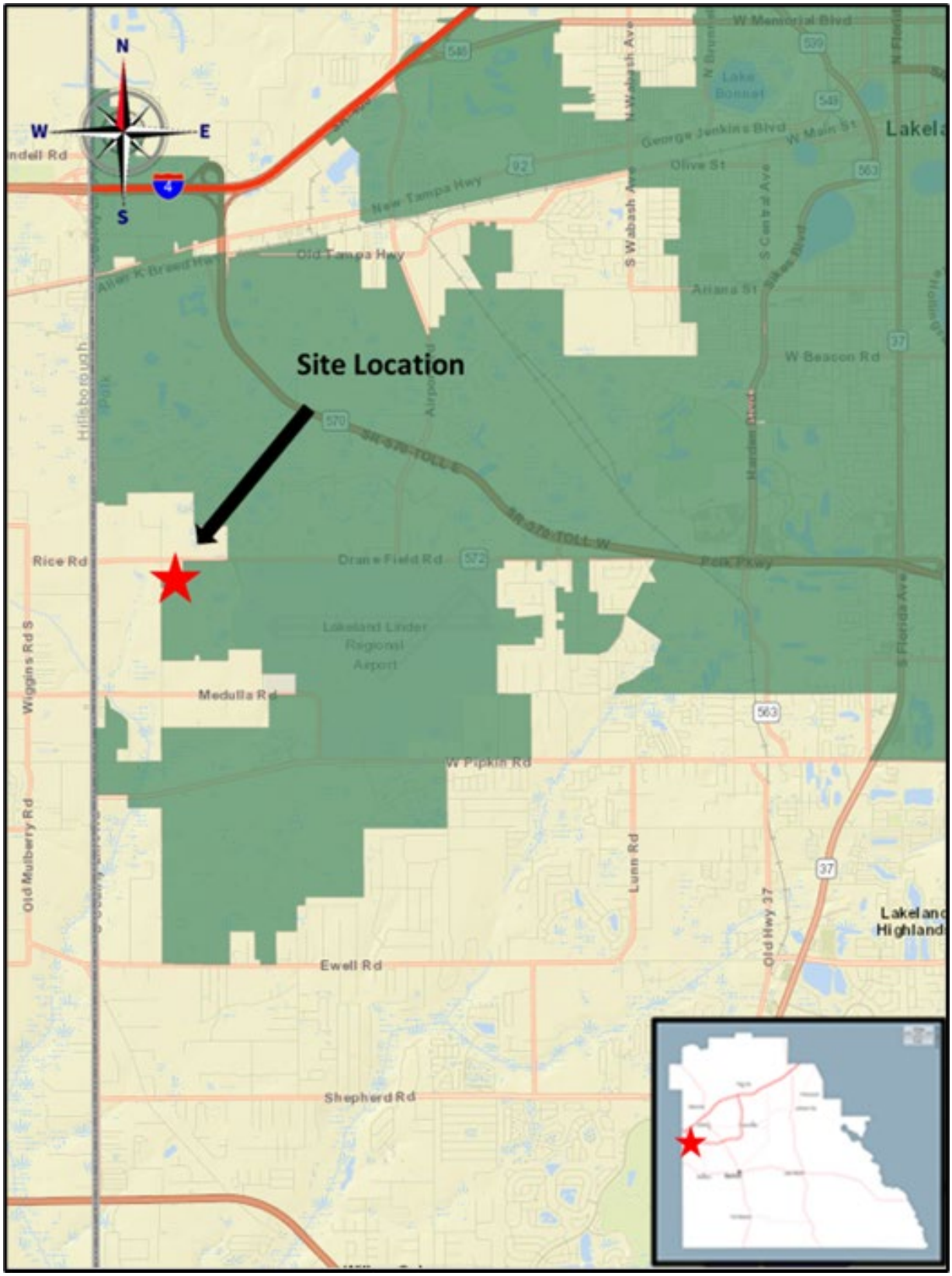
Comprehensive Plan Policy	Consistency Analysis
operating cost for the	
SECTION 2.124-B - AIRPORT-IMPACT DISTRICTS. OBJECTIVE 2.124-B: The Polk County Plan shall provide for aviation-compatible land uses around airports licensed for public use, by limiting or restricting incompatible land uses and activities, as defined by the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board (JAZB), consistent with the objectives and policies of the Transportation Element, Section 3.200.	The site is located in the Height Notification Zone for Lakeland International Airport. Due to the distance of the subject property away from the airport, no adverse impacts upon airport operations are expected.

Comments from other agencies

Comments by the City of Lakeland will be attached to the packet.

Exhibits:

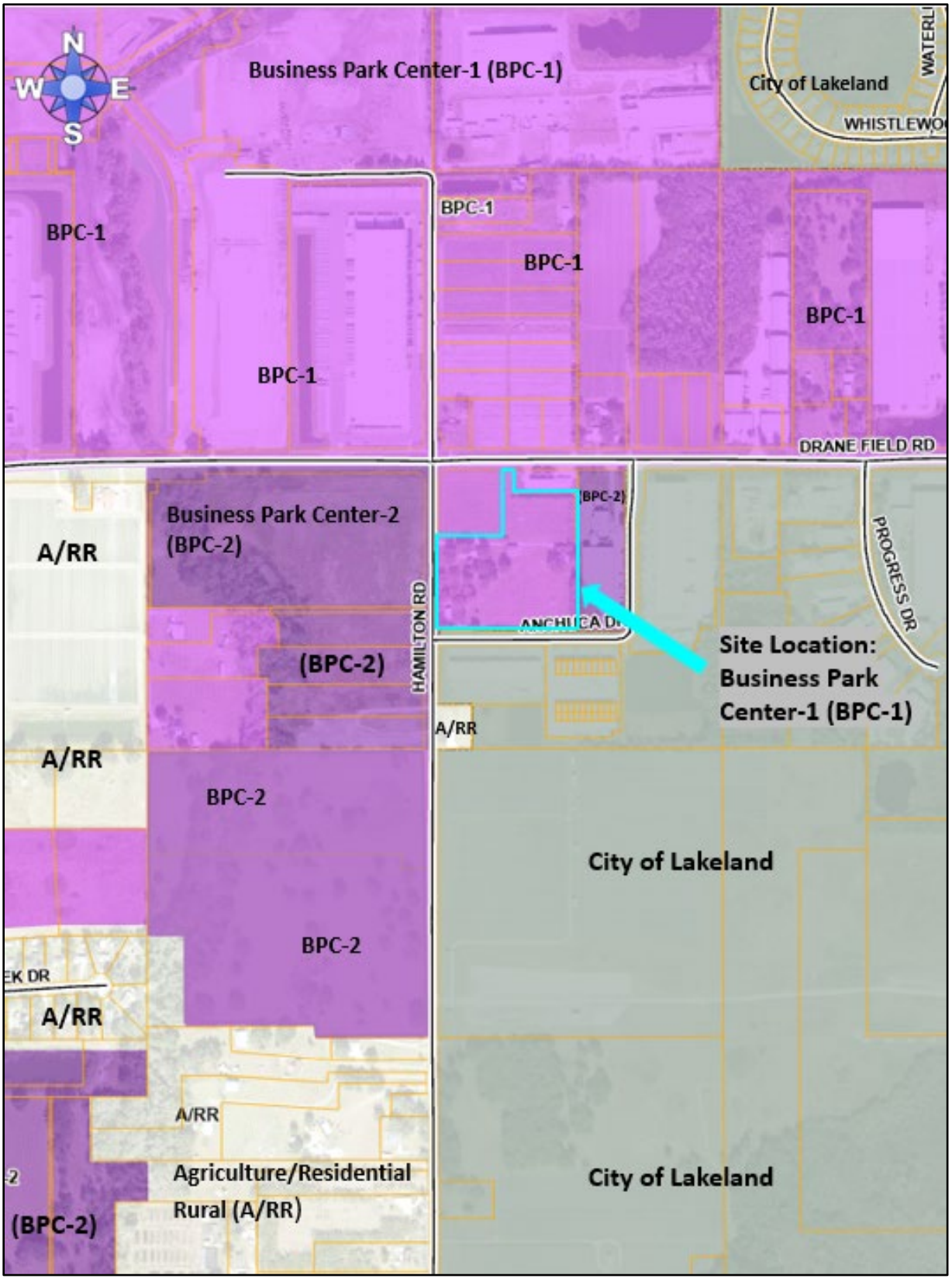
Exhibit - 1 Location Map
Exhibit - 2 2023 Aerial Photo
Exhibit - 3 Current Future Land Use Map
Exhibit - 4 Proposed Future Land Use Map



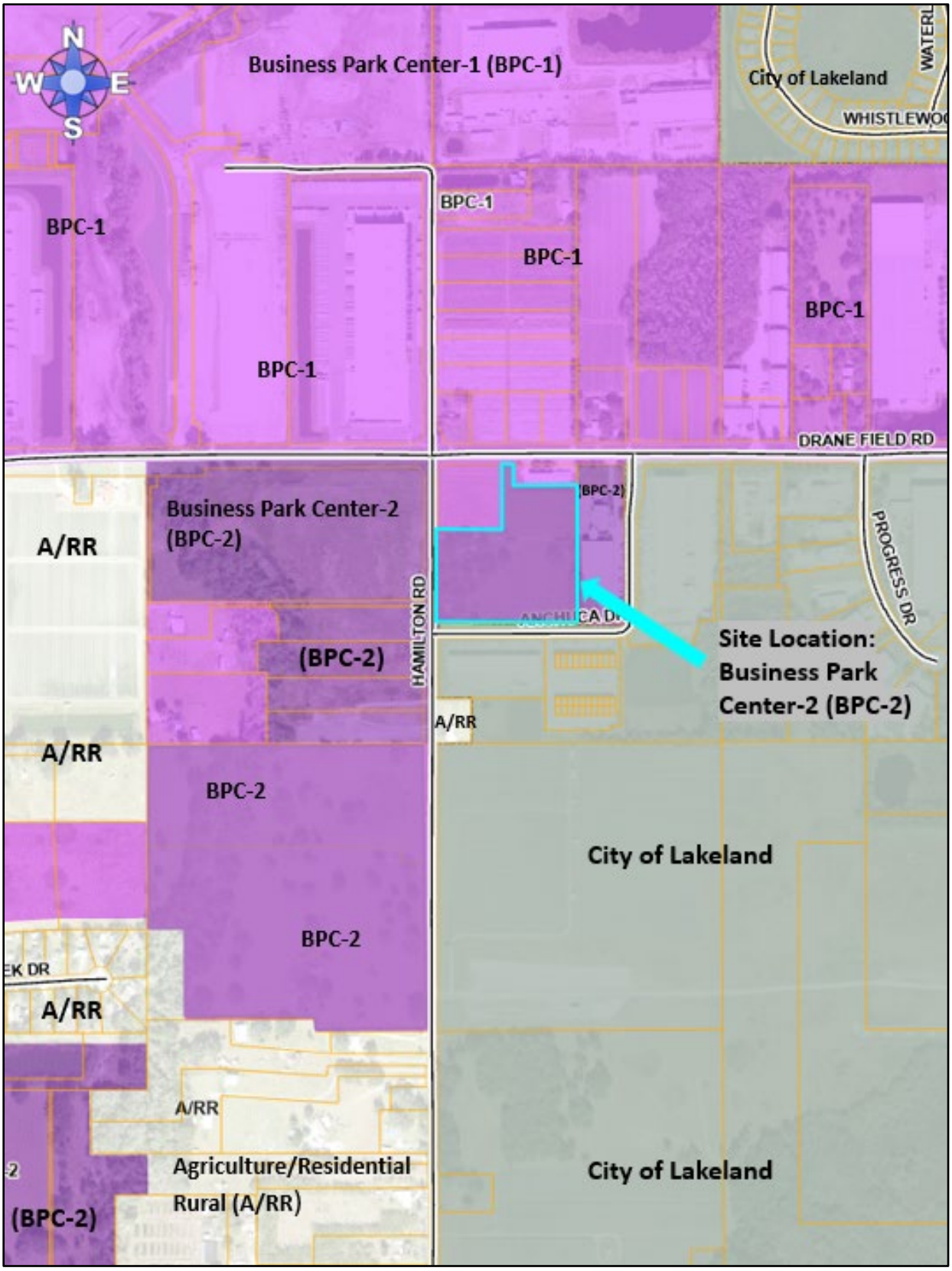
Location Map



2023 Aerial Photo



Current Future Land Use Map



Proposed Future Land Use Map

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF LDCD-2025-6, AN AMENDMENT TO THE POLK COUNTY LAND DEVELOPMENT CODE SUB-DISTRICT MAP (ORDINANCE 01-69), AS AMENDED; AMENDING THE SUB-DISTRICT MAP TO CHANGE 8.1+/- ACRES FROM BUSINESS PARK CENTER-1 (BPC-1) TO BUSINESS PARK CENTER-2 (BPC-2), LOCATED SOUTH OF DRANE FIELD ROAD, NORTH OF MEDULLA ROAD, EAST OF COUNTY LINE ROAD, WEST OF THE CITY OF LAKELAND IN SECTION 6, TOWNSHIP 29, RANGE 23.; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners (the "Board) adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; (the "LDC") and

WHEREAS, the Board of County Commissioners adopted a LDC Sub-district Map on September 26, 2001; and

WHEREAS, Chapter 9, Section 903 of the LDC provides the approval process for amending the LDC Sub-district Map as a Level 4 Review; and

WHEREAS, LDCD-2025-6 is a County-initiated application (the "Application") to amend the LDC Sub-district maps to change 8.1 +/- acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2); and

WHEREAS, pursuant to Section 163.3174 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 Sub-district Map Amendment on November 5, 2025; and

WHEREAS, pursuant to Section 125.66 of the Florida Statutes, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Land Development Code Sub-district Map Amendment on December 16, 2025; and

WHEREAS, the Board reviewed and considered all comments received during said public hearing, the Planning Commission's recommendation, the staff report, and provided for necessary revisions, if any; and

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

SECTION 1: FINDINGS The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted. In addition, the Board hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

a) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on November 5, 2025, to consider the LDC Sub-district map amendment contained within the Application and found it to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Sub-district Map Amendment contained within the Application.

b) Pursuant to section 907D.10 of the LDC, the Board shall, in the review of the Application, consider the following factors:
    a. Whether the proposed development is consistent with all relevant requirements of the Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. Any other matter which the BoCC may deem appropriate and relevant to the specific development proposal.

c) The Application is consistent with all relevant requirements of the Comprehensive Plan.

d) The Application is consistent with all relevant requirements of the LDC, including without limitation, section 907.

e) The Application is compatible with surrounding uses and the general character of the area.

f) The record is hereby incorporated by reference into this ordinance and is on file with the County Clerk. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, the Planning Commission's recommendation, and all testimony and evidence presented at the hearing.

SECTION 2: AREA AMENDED.

Polk County Ordinance No. 01-69 as amended (the "Polk County Land Development Code Sub-district Map"), of Polk County Ordinance No. 00-09, as amended (the "Polk County Land Development Code") is hereby amended to reflect a change in the Sub-district of Parcels, legally described below and graphically depicted in Attachment "A" of this ordinance, from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2), containing 8.1 acres, more or less.

Parcel number: (232906-000000-013010)

S 140 FT OF N 508 FT OF E 250 FT OF W1/2 OF NW1/4 OF NE1/4 & TRACT 5 OF UNRE SURVEY DESC AS E 428 FT OF S 146.34 FT OF N 514.34 FT OF W1/2 OF NW1/4 OF NE1/4 LESS E 250 FT & S 50 FT OF N 564.34 FT OF W1/2 OF NW1/4 OF NE1/4 LESS E 250 FT & LESS RD R/W PER MB 13 PG 100-107 & N 185 FT OF S 713 FT OF W 235 FT OF W1/2 OF NW1/4 OF NE1/4 LYING N OF BNDRY LINE AS ESTABLISHED IN OR 1889-1694 LESS RD R/W PER MB 13 PG 100-107 & TRACT 4 OF UNREC SURVEY DESC AS: W1/2 OF NW1/4 OF NE1/4 LESS N 508 FT OF E 250 FT & LESS W 178 FT OF E 428 FT OF N 564.34 FT & LESS N 564.34 FT OF W 235 FT & LESS W 235 FT OF N 185 FT OF S 713 FT & LESS S 528 FT & LESS RD R/W PER MB 13 PG 100-107 ALL LYING N OF BNDRY LINE AS ESTABLISHED IN OR 1889-1694 & S 5 FT OF N 355 FT OF W1/2 OF NW1/4 OF NE1/4 LESS E 428 FT & LESS RD R/W PER MB 13 PG 100-107 & S 18 FT OF N 368 FT OF W 178 FT OF E 428 FT OF W1/2 OF NW1/4 OF NE1/4 & N 350 FT OF W1/2 OF NW1/4 OF NE/14 LESS W 318.36 FT & LESS N 150 FT OF E 295 FT THEREOF & LESS ELY 7.4 FT M/L & LESS RD

R/W'S FOR DRANE FIELD RD ON N SIDE & HAMILTON RD ON W SIDE & S 18 FT OF N 368 FT OF E 250 FT OF W1/2 OF NW1/4 OF NE1/4 LESS ELY 7.4 FT M/L & TRACT 11 OF UNREC SURVEY DESC AS S 159.34 FT OF N 514.34 FT OF W1/2 OF NW1/4 OF NE1/4 LESS E 428 FT & LESS RD R/W PER MB 13 PG 100-107

SECTION 3: SEVERABILITY.

If any portion of this Ordinance is for any reason held unconstitutional or otherwise invalid by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall become effective upon filing of a certified copy of the Ordinance with the Department of State.

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 16th day of December 2025.

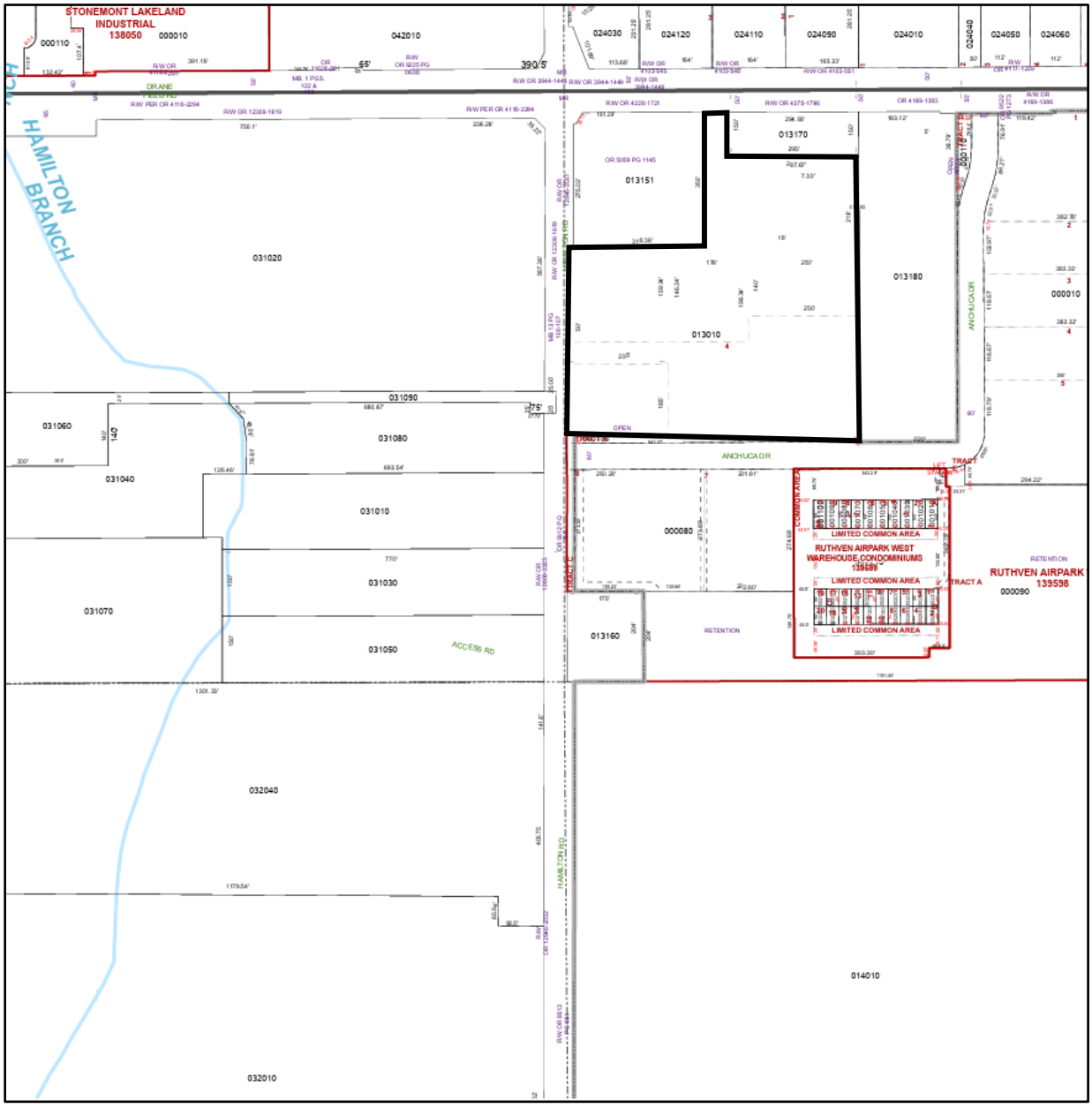
Date rendered to the Clerk:_____

Exhibits to Board's Order

Exhibit A-Property Map
Exhibit B-Staff Report

ATTACHMENT "A"

LDCD 2025-6
Land Use: Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2)
Location: South of Drane Field Road, North of Medulla Road, East of County Line Road, West of the City of Lakeland
Section 6, Township 29, Range 23.



PARCEL DETAIL

Note: Not to Scale

Impact Assessment Statement

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The establishment of a BPC-2 sub-district on the Subject Property meets the criteria set out in the Polk County Comprehensive Plan and Land Development Code. In addition, the Proposed Request is compatible with the surrounding area and will act to buffer Drane Field Rd from higher intensity uses to the south of the Subject Property. Notably, the shape and location of the Subject Property provides a natural scaling of land uses going south from Drane Field Rd. Finally, any potential incompatibilities will be addressed through adherence with the buffering requirements contained in the Polk County Land Development Code.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering required by the Polk County Land Development Code adequately ensures that the proposed request is compatible with adjacent uses and entitlements in the area. The Developer will take any and all reasonable and necessary steps to minimize impacts to the properties surrounding the requested land use map amendment.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The Subject Property is located in an area that is developed or currently undergoing development.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Proposed Request is not for a Planned Development.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

No impacts to the transportation system are anticipated as a result of the Proposed Request.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

No impacts on the transportation system are anticipated.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The Subject Property shall provide the requisite number of parking spaces required by the Polk County Land Development Code.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

The specific methods of access will be fully addressed at Level 2.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

Modes of transportation providing access to the property will be more fully understood upon the completion of a site plan and will be fully addressed at Level 2.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

The anticipated volume of sewage to be generated by the proposed site is unknown at this time. Site-specific information on waste generation will be fully addressed at Level 2.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The Subject Property will connect to existing public utilities from the City of Lakeland Water Utilities. The Developer will coordinate with the City of Lakeland for the provision of centralized sewer.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with applicable and appropriate rules and regulations.

4. Identify the service provider; and

The Subject Property will connect to existing public utilities from the City of Lakeland Water Utilities.

5. Indicate the current provider's capacity and anticipated date of connection.

Capacity and the date of connection will be more fully understood and addressed at Level 2.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

The Subject Property will connect to existing public utilities from the City of Lakeland Water Utilities. The Developer will coordinate with the City of Lakeland for the provision of water.

2. Identify the service provider;

The Subject Property will connect to existing public utilities from the City of Lakeland Water Utilities.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

The anticipated volume of water consumption is unknown at this time. Site-specific information on water consumption will be fully addressed at Level 2.

4. Indicate the current provider's capacity and anticipated date of connection

Capacity and the date of connection will be more fully understood and addressed at Level 2.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There does not appear to be any state or federal jurisdictional wetlands or surface water features located on the Subject Property.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. No significant impact on existing wildlife resources is anticipated from the project.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

The Proposed Request will act to provide BPC-2 uses off of Drane Field Rd and Hamilton Rd.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The shape of the Subject Property provides a natural buffer from Drane Field Rd, which will offer aesthetic benefits to the surrounding area and mitigate the impact on Drane Field Rd from growing industrial uses to the south.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact to health care is anticipated.

d. Fire Protection;

The nearest fire protection is City of Lakeland Fire Station Number 7 (3150 Drane Field Rd, Lakeland, FL 33811).

e. Police Protection and Security; and

The nearest police protection and security is Lakeland Police Department (219 N Massachusetts Ave, Lakeland, FL 33801).

f. Electrical Power Supply

Electrical service will be provided by Lakeland Electric.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Road Map; see also Aerial Map.

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Wetlands Map and Flood Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Future Land Use Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Road Map.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

A Site Plan is not available at this time.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

A Drainage Map is not available at this time, as we do not have any engineered plans to evaluate the proposed location of stormwater ponds, buildings, impervious surface, etc

Request, Background, and Justification

This document outlines the Applicant's request, provides background on the Subject Property, and presents the justification for the request. The terms "Developer," "Applicant," and "Subject Property" are defined below. All exhibits referenced in this document have been submitted along with this application.

Request

On Behalf of Ruthven Green, LLC (the "Developer"), Peterson & Myers, P.A. (the "Applicant") is requesting a Land Development Code Amendment for sub-district change to allow business park center-2 (BPC-2) uses (the "Proposed Request") on +/-8 acres of land situated at the southeast corner of Drane Field Rd and Hamilton Rd in Polk County, Florida (the "Subject Property"). The Subject Property is currently designated as Business Park Center-1 and lies within a Urban Growth Area (UGA). The Proposed Request would redesignate the Subject Property to BPC-2.

Background

The Subject Property is in the process of being developed. The Subject Property is adjacent to County BPC-2 to the east and west. Per current data, both properties to the east and west appear to be either developed or in the process of development. The property to the north of the Subject Property is designated as County BPC-1 and appears to be in the process of development or already developed. The property south of the Subject Property has a City Future Land Use of Business Park Center, and a City Zoning designation of Industrial (I-2). The property to the south of the Subject Property is currently developed and utilized for industrial use.

Justification

The establishment of a BPC-2 sub-district on the Subject Property is consistent with the Polk County Comprehensive Plan and Land Development Code. In addition, the Proposed Request is compatible with the surrounding area and will act to buffer Drane Field Rd from higher intensity uses to the south of the Subject Property. Notably, the shape and location of the Subject Property provides a natural scaling of land uses going south from Drane Field Rd. The wider array of uses offered by the BPC-2 sub-district will allow the Subject Property to distinguish itself in a district undergoing high intensity development. Finally, any potential incompatibilities will be addressed through adherence with the buffering requirements contained in the Polk County Land Development Code.

Demonstration of Need

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.

ANALYSIS: *The Proposed Request will not act to designate a substantial area of the County for low-intensity, low-density, or single-use development. See attached Future Land Use Map.*

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

ANALYSIS: *The Subject Property is located in an Urban Growth Area. In addition, the property surrounding the Subject Property is currently developed or being developed for compatible uses.*

c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.

ANALYSIS: *The Proposed Request will not allow or promote radial, strip isolated or ribbon patterns. [See Polk County Future Land Use Map].*

d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.

ANALYSIS: *The Subject Property does not appear to have any wetlands and is located outside of the 100-year flood zone. [See Wetlands Map; see Flood Map].*

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

ANALYSIS: *The Subject Property is not adjacent to agricultural areas and/or activities.*

f. Fails to maximize use of existing public facilities and services.

ANALYSIS: *The Subject Property is located in the City of Lakeland Utility Service Area. The Applicant will be required to coordinate with the City of Lakeland for the provision of centralized sewer and water.*

g. Fails to minimize the use of future public facilities and services.

ANALYSIS: *The Subject Property is located in the City of Lakeland Utility Service Area. The Applicant will be required to coordinate with the City of Lakeland for the provision of centralized sewer and water.*

h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, stormwater management, law enforcement education health care, fire and emergency response, and general government.

ANALYSIS: *There are no anticipated offsite improvements required for the development of the Subject Property. The Applicant will conduct a traffic study prior to site plan approval. In addition, there are no anticipated negative impacts on public facilities.*

i. Fails to provide a clear separation between urban and rural uses.

ANALYSIS: *The Subject Property is not located adjacent to rural uses. Notably, the Subject Property is located in an area that has predominantly been developed for compatible uses.*

j. Discourages or inhibits in-fill development or redevelopment of existing neighborhoods and communities.

ANALYSIS: *The Subject Property does not discourage in-fill development or redevelopment. See Future Land Use Map.*

k. Fails to encourage an attractive and functional mix of land uses.

ANALYSIS: *The Proposed Request is compatible with the surrounding area and will act to buffer Drane Field Rd from higher intensity uses to the south of the Subject Property. The shape and location of the Subject Property provides a natural scaling of land uses going south from Drane Field Rd.*

l. Results in poor accessibility among linked or related land uses.

ANALYSIS: *See Analysis above.*

m. Results in the loss of a significant amount of functional open space.

ANALYSIS: *The location of the Subject Property adjacent to BPC and Industrial activities is not a functional location for open space.*

LDCD-2025-6 - Hamilton Road Sub-District

Menu Reports Help

Application Name: Hamilton Road Sub-District

File Date: 08/07/2025

Application Type: BOCC-LDC District Change

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: See documents included with applicaiton.

Application Detail: Detail

Address: 3834 HAMILTON RD, LAKELAND, FL 33811

Parcel No: 232906000000013010

Owner Name: RUTHVEN GREEN LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Bart Allen	Peterson & Myer...	Engineer	Mailing, 225 E. Lemon ...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,923.00

Total Fee Invoiced: $4,923.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
LDC District Change

Brownfields Request
N/A

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
1

Will This Project Be Phased

Acreage
0

DRC Meeting
08/28/2025

DRC Meeting Time
10:15 AM

Rescheduled DRC Meeting
_

Rescheduled DRC Meeting Time
_

Green Swamp
No

Number of Units
_

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

Case File Number
_

One Year Extension
_

FS 119 Status
Non-Exempt

Code Violation Case Number
_

ADVERTISING

Legal Advertising Date
_

BOCC1 Advertising Date
_

BOCC2 Advertising Date
_

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
_

Planning Commission Date
11/05/2025

Land Use Hearing Officer 3
_

1st BOCC Date
12/16/2025

2nd BOCC Date
_

LUHO-Level 3
_

HEARING

PC Hearing Results
_

PC Vote Tally
_

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-25EST-00000-48669	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan	LU Code
Not in an SAP	BPC1- Business Park Center

DEVELOPMENT AREA

Development Area

Urban Growth

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
BOCC 1	3			10/21/2025	
PC	3			10/21/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/13/2025	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	08/27/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	08/18/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	08/22/2025	Kim Turner
Planning Review	Aleya Inglima	Approve	08/22/2025	Aleya Inglima
School Board Review	School District	Not Required	08/14/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	08/29/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Agenda Item 8. 11/5/2025

SUBJECT

LDCPAL-2025-9 (US 98 ECX CPA Text Amendment)

DESCRIPTION

Applicant-initiated request for a Large-Scale Comprehensive Plan text amendment to Policy 2.131-RA4. F. 3. (h) to amend the personal services, retail, and commercial limitation to exceed 30 percent of the Employment Center (ECX) when approved as a Conditional Use in the US 98 SAP.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Johnathan (JP) Sims

Planner II

Polk County BoCC

863-534-7515

johnathansims@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 30, 2025
Planning Commission Date:	November 5, 2025
BoCC Dates:	December 2, 2025 Transmittal, and January 20, 2026 Adoption
Applicant:	Bart Allen, Peterson and Myers Law Firm
Level of Review:	Level 4 Review, Comprehensive Plan Text Amendment
Case Number and Name:	LDCPAL-2025-9 ECX Comprehensive Plan Text Amendment and LDCT-2025-20 ECX Land Development Code Text Amendment
Request:	Applicant-initiated request for a Large-Scale Comprehensive Plan text amendment to Policy 2.131-RA4. F. 3. (h) and Land Development Code Section 401.04.D.6(g) to amend the personal services and commercial limitation to exceed 30 percent of the Employment Center (ECX) when approved as a Conditional Use in the US 98 SAP.
Location:	All ECX in the US 98 Selected Area Plan
Property Owner:	N/A
Parcel Size:	N/A
Development Area:	Transit Supportive Development Area (TSDA), Urban Growth Area (UGA), Suburban Development Area (SDA), and Rural Development Area (RDA)
Future Land Use:	N/A
Nearest Municipality	Lakeland, Bartow
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce	Pending
Case Planner:	Johnathan (JP) Sims, Planner II

The Comprehensive Plan policy change is to Section 2.131-RA4.F.3(h) US 98 Selected Area Plan:

1) Section 2.131 RA4.F.3(h): Development Criteria - Development within a ECX shall conform to the following criteria:
   (h) Commercial and personal services are limited to 30 percent of the ECX district. <u>The 30 percent limit may be exceeded with the approval of a Conditional Use as required per the Land Development Code.</u> The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points.

The Land Development Code policy change is to Section 401.04.D.6(g) US 98 Selected Area Plan:

1) Section 401.04.D.6(g): Development Criteria – Development within the ECX shall conform to the following criteria:
   (g) Retail and personal services are limited to 30 percent of the ECX district. <u>The 30 percent limitation may be exceeded with the approval of a Level 3 Conditional Use.</u> The

maximum FAR for retail uses shall be 0.60. Higher FARs, up to 0.75 may be allowed with bonus points and a Planned Development

Summary of Analysis

This is an applicant-initiated amendment to the text of the Comprehensive Plan and Land Development Code for Employment Center X (ECX) in the US 98 Selected Area Plan. The first request is for Comprehensive Plan policies in Section 2.131-RA4 of the US 98 Selected Area Plan related to the Employment Center (ECX) Future Land Use. The second request (LDCT-2025-20 US 98 SAP ECX LDC Text Amendment), is to amend LDC Chapter 4 Section 401.04.D US 98 Selected Area Plan. The Comprehensive Plan limits personal services and commercial uses to 30 percent of the ECX district. The Land Development Code limits personal services and commercial uses to 30 percent of the ECX district. This request and the related request (LDCT-2025-20) are intended to create consistency between the Comprehensive Plan and the Land Development Code on the limitation of personal services and commercial within the ECX district and allow more flexibility. An increase in the retail and commercial limit to exceed 30 percent when approved through a Conditional Use would create consistency along the US 98 SAP and with other SAPs that have had similar amendments like in the North Ridge SAP.

Background – The US 98 Selected Area plan was adopted on November 30th, 2004 by Ordinance 2004-074. This SAP's was adopted to provide guidance and order to the growth that was happening and anticipated in the future along the Highland City corridor. This SAP has experienced significant residential and commercial development, and continuing to experience continued growth demand. The Employment Center-X (ECX) district is an Activity Center designated only within an SAP that provide employment to the surrounding residential development and other professional facilities and support to businesses, while allowing for residential as well as retail and commercial components as allowed by the SAP's Land Use Table within the Land Development Code. The SAP was designed to promote a variety of uses that could facilitate many different needs within the area.

Need for amendment – The need for the amendment is to allow for more commercial uses in ECX. It will create consistency between the Comprehensive Plan and the Land Development Code on the ability to exceed the limitation of personal services, retail, and commercial within the ECX district as needed. The request to exceed the limit on personal services, retail and commercial beyond 30 percent with a Conditional Use will allow for the Employment Center-X (ECX) to build out as based on market trends, as a means to support the college, vocational school, and surrounding residential as the area populatio0n grows. This will not change what uses are allowed within the ECX, only the ability to exceed the 30 percent cap currently in place.

Relevant Sections, Policies, and/or Regulations to Consider:
Policy 2.102-A1: Development Location
Policy 2.102-A2: Compatibility
Section 2.131-RA4 US 98 Selected Area Plan
LDC Chapter 4 Section 401.04.D US 98 Selected Area Plan

Findings of Fact

Request and Legal Status

- Applicant-initiated request for a Large-Scale Comprehensive Plan text amendment to Policy 2.131-RA4.F.3.(h) to amend the personal services, retail, and commercial limitation to exceed 30 percent of the Employment Center-X (ECX) district so long as it is approved with a Conditional Use.

- The Employment Center-X (ECX) districts within the US 98 Selected Area Plan (SAP) total six (6) separate areas and range in size from 0.59± acres to 109.02± acres.

- Section 2.131-R of the Comprehensive Plan and Section 401.04 of the Land Development Code both mention and address the Employment Center-X (ECX) in the US 98 SAP.

- Table 4.12 in the Land Development Code is a use table for the US 98 SAP.

- The Employment Center-X (ECX) in the North Ridge SAP has a 30 percent retail cap with a larger percentage permitted through a Conditional Use, so this use would be similar.

Compatibility and Infrastructure

- The Employment Center-X (ECX) districts in the US 98 SAP are all located within the Transit Supportive Development Area (TSDA) and would require connection to water and sewer.

- This request is related to LDCT-2025-20 which is a Land Development Code Text Amendment to Section 401.04.D to amend requirements that retail and personal services are limited to 30 percent of the ECX district. This policy change will allow development to exceed the 30 percent cap if it is approved with Conditional Use.

Comprehensive Plan Policies and Land Development Code Regulations

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling

of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- SECTION 2.131-RA4 US 98 Selected Area Plan:
  - F. Employment Center (ECX)
    - 3. Development Criteria
      - (h) Commercial and personal services are limited to 30 percent of the ECX district. The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points

- LDC SECTION 401.04 US 98 Selected Area Plan:
  - D. Modified Uses
    - 6. Employment Center (ECX)
      - g. Retail and personal services are limited to 30 percent of the ECX district. The maximum FAR for retail uses shall be 0.60. Higher FARs, up to 0.75 may be allowed with bonus points and a Planned Development

Recommendation

Development Review Committee Recommendation: Based on the information provided and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions the request **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAL-2025-9.**

Planning Commission Recommendation: On November 5, 2025, at an advertised public hearing, the Planning Commission recommend 0:0, to **APPROVE or DENY LDCPAL-2025-9.**

Department of Economic Opportunity: Subject to Transmittal

GENERAL NOTES
NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

Analysis:

The applicant wishes to exceed the personal services, retail, and commercial limitations within the Employment Center-X (ECX) district within the US 98 SAP if it is approved with a Conditional Use. The Land Development Code and Comprehensive Plan limits personal services, retail, and commercial development to 30% of the ECX district. The ECX districts within the North Ridge SAP limits Retail and commercial development to 30% of the district with an allowance for a higher percentage with a Conditional Use. The applicant requested a Text Amendments to both the Comprehensive Plan and the Land Development Code (LDCT-2025-20).

Policy issue - The ECX district permits retail and commercial uses. However, Policy 2.131-RA4. F.3(h) has a limitation of 30 percent of the land within each ECX district. Within the Land Development Code, Chapter 4 Section 401.04.D.6(g). specifies a limitation of 30 percent of retail and commercial. The companion text amendment (LDCT-2025-20) also is reference to this issue.

Allowing more than 30% of the ECX district to consist of commercial, retail, and/or personal services aligns with the policies and objectives of the ECX district. The overarching goal of the ECX district is to "accommodate the employment and functional needs of the college and vocational school campuses and the residents living within the area between the Cities of Bartow and Lakeland

The request would make it so that personal services, retail, and commercial uses could exceed the 30 percent cap stated in both the Comprehensive Plan and Land Development Code, so long as it is done with an approved Conditional Use.

It is noted that neither this Text Amendment, nor the related LDCT-2025-20 Land Development Code Text Amendment alters any other development standard within the code.

Infrastructure Impacts - This does remove some barriers to development that can lead to more growth. However, the ECX has vested development rights and the increase for a portion of the possible uses within the district is considered minimal. These changes will encourage development in an area already planned for such. Any infrastructure impacts will be implemented and required per the concurrency standards listed in Chapter 7 of the LDC.

Comparisons to other Jurisdictions:

Special policies and development code regulations are common in other jurisdictions throughout Florida; however the US 98 SAP is unique to Polk County. The North Ridge SAP within Polk County has a similar allowance with ECX where the 30 percent cap can be exceeded for commercial uses if approved with a Conditional Use.

Limits of the Proposed Ordinances

The scope of the amendment will impact new development within Employment Center-X (ECX) Future Land Use Districts within the US 98 Selected Area Plan (SAP). The policy and related Land Development Code changes (LDCT-2025-20) are meant to allow for a concistancy of development standards with the Empoyment Center-X (ECX) within the US 98 SAP.

Consistency with the Comprehensive Plan

Consistency with the Comprehensive Plan and Land Development Code
Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent or inconsistent** with the Comprehensive Plan is listed below:

Table 8 Consistency with the Comprehensive Plan

Policy	Consistency
Policy 2.102-A1: **Development Location** – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.	The proposed text amendments are a small change to allow for an increase within one of several FLU districts within the US 98 SAP. It may result in some increased development; however, the ECX districts are located where growth is planned to be. The request is consistent with this policy and with the existing development allowances elsewhere in Polk County.
Policy 2.102-A2: Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The proposed policy text changes along with the other requirements in the Land Development Code such as Section 220 ensure compatibility with the new uses.

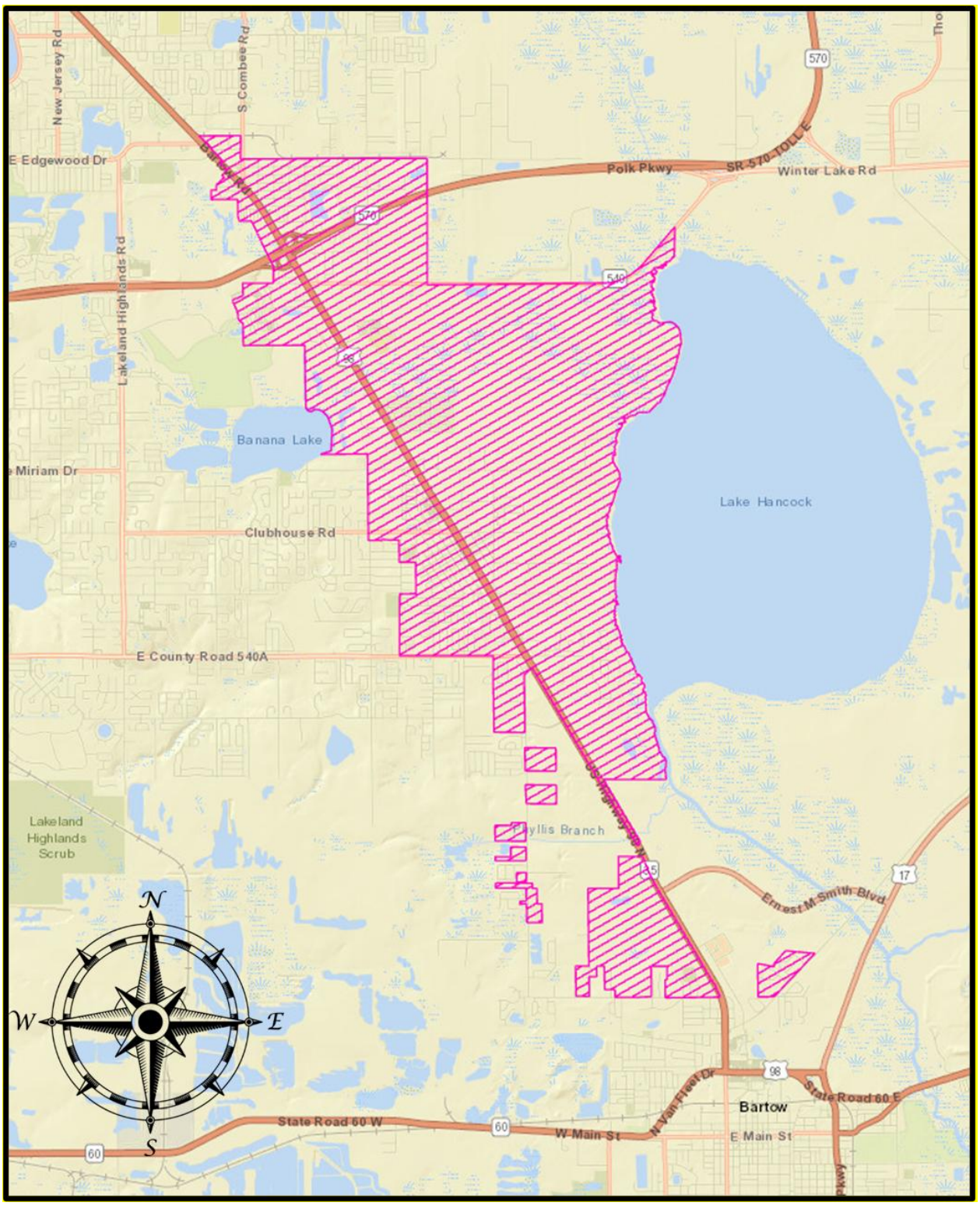
Policy	Consistency
SECTION 2.131-RA4 US 98 Selected Area Plan, F. Employment Center (ECX), 3. Development Criteria, (h) Commercial and personal services are limited to 30 percent of the ECX district. The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points.	The proposed policy change will allow personal services, retail, and commercial uses to exceed the 30 percent cap currently in place within the US 98 SAP, so long as it is approved as part of a Conditional Use.

Comments from Other Agencies: None

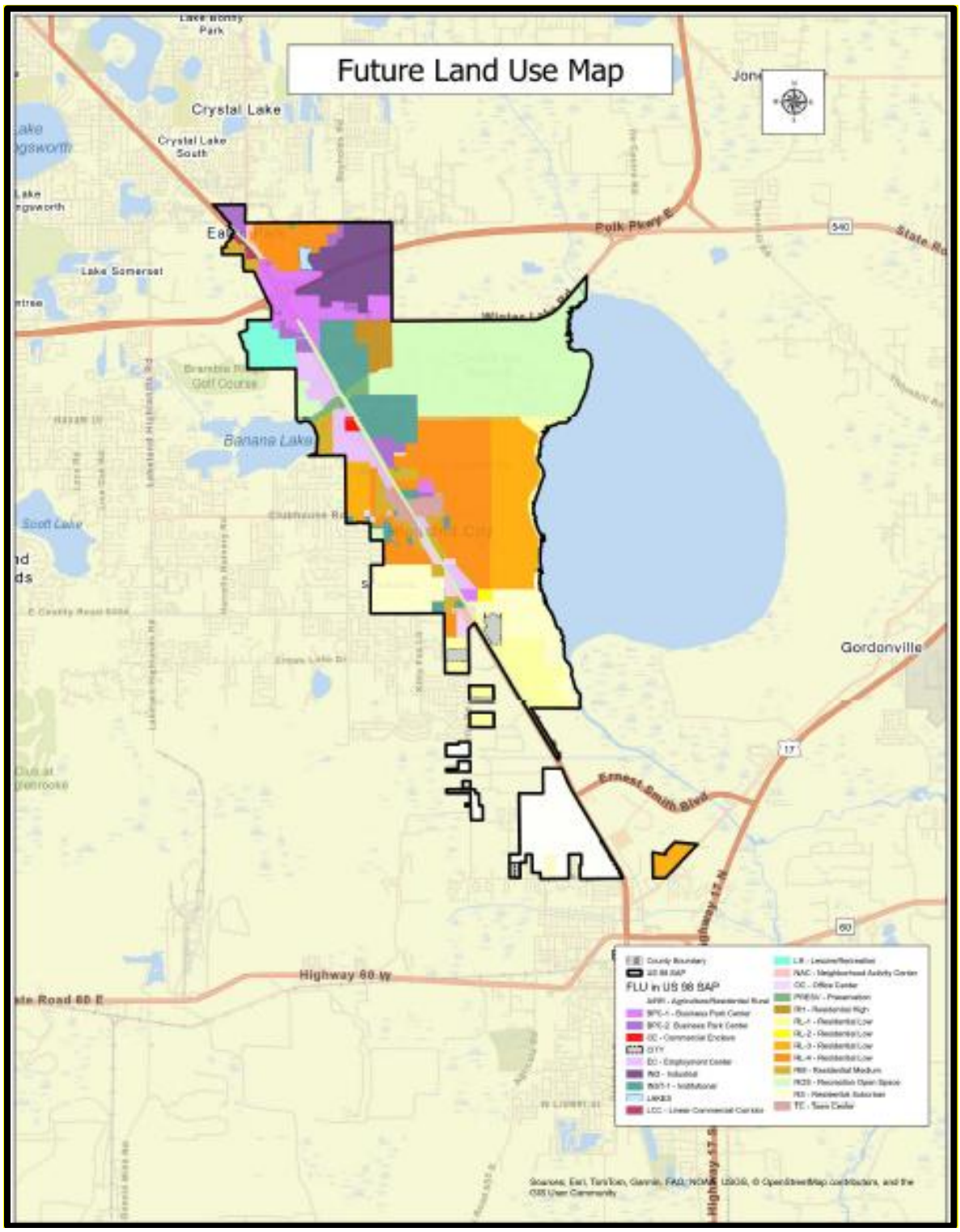
Exhibits:
Exhibit 1 Location Map
Exhibit 2 Current Future Land Use Map Within the US 98 SAP
Exhibit 3 ECX Uses Locations within the US 98 SAP

Under separate attachment

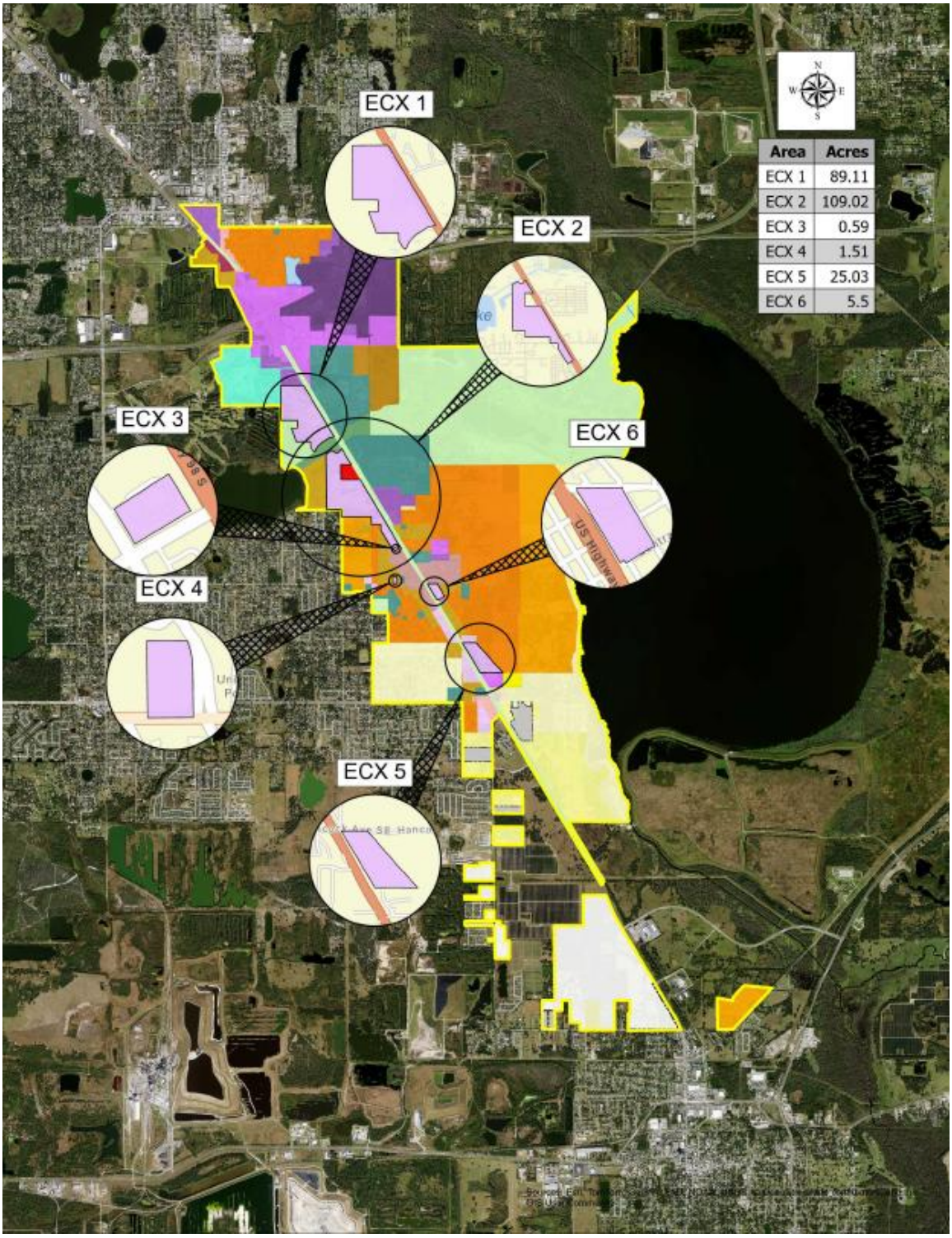
- Draft Ordinances with proposed text
- Application information



LOCATION MAP



CURRENT FUTURE LAND USE MAP
US 98 SAP



ECX LOCATIONS WITHIN US 98 SAP

Ordinance No. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL-2025-9;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE POLICY 2.131-RA4.F.3.(H) TO AMEND THE PERSONAL SERVICES, RETAIL, AND COMMERCIAL LIMITATION TO EXCEED 30 PERCENT OF THE ECX DISTRICT WITH ALLOWANCES FOR HIGHER PERCENTAGE WITH A CONDITIONAL USE. 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 2025-9 is an applicant-initiated application to amend Policy 2.131.RA4.F.3(h) of the Comprehensive 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 November 5, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on December 2, 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 dated _____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 20, 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 text of the Comprehensive Plan Ordinance No. 92-36, as amended, (the "Polk County Comprehensive Plan") is hereby amended to reflect changes depicted Attachment "A".

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 Florida Commerce 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.

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 20th day of January 2026.

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

F. EMPLOYMENT CENTER (ECX) - The Employment Center is an Activity Center designed to allow light assembly, office and research parks, low impact commercial, and other business uses to serve southeastern Lakeland and northwestern Bartow populations, as well as the educational campuses of the University of South Florida, Polk Community College, and Travis Vocational Technical Center.

1.DESIGNATION AND MAPPING - The Employment Center is designated on the Future Land Use Map Series as "Employment Center X" (ECX).

2. GENERAL CHARACTERISTICS - The ECX in this SAP is intended to accommodate the employment and functional needs of the college and vocational school campuses and the residents living within the area between the cities of Bartow and Lakeland along the US Highway 98 corridor. The ECX will generally contain uses that will generate employment as well as support facilities for the users and employees of the area. General (approximate) characteristics of the Employment Center Xs are:

(a) Gross Leasable Area (GLA): 100,000—500,000 square feet, on average,

(b) Minimum Population Support: 20,000,

(c) Market Area Radius: 3+ miles,

(d) Typical Tenants: Services to the universities and colleges, bookstores, offices, light assembly, warehousing, distribution centers, research firms, development firms, medical clinics, convenience stores, restaurants, professional offices, financial institutions, recreational uses, communication facilities, High-Density Residential, hotel/motel, and uses that support or directly relate to the college campuses and the development of a research park, including personal services.

3. DEVELOPMENT CRITERIA - Development within an ECX shall conform to the following criteria:

(a) Access to parcels shall be by an internal road system, frontage roads, cross-access easements, shared ingress/egress access easements, or some combination of these. New individual driveways accessing US Highway 98 will be permitted in compliance with FDOT requirements for this facility (US Highway 98 CAMP).

(b) Different uses shall incorporate the use of shared ingress/egress facilities consistent with this SAP.

(c) Parking shall be provided to meet the needs of the uses in an efficient manner that best suits the community collectively through optional methods such as shared parking and permeable surface parking design.

(d) Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

(e) Buffering that meets the County development standards as set forth in the Land Development Code shall be provided where effects of lighting, noise, odors, and other such factors would adversely impact adjacent land uses.

(f) Light industrial uses which include at least 50% office space, assemble products, and conduct research and development, but do not manufacture any products shall be permitted without a Local Planning Agency review.

(g) The maximum FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.5.

(h) Commercial and personal services are limited to 30 percent of the ECX district. The 30 percent limit may be exceeded with the approval of a Conditional Use as required per the Land Development Code. The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points.

Request, Justification, and Demonstration of Need

Request

1. *Comprehensive Plan Text Amendment*

On behalf of ECP Partners, LLC (the "Applicant"), Peterson & Myers, P.A. ("P&M") is transmitting an application submittal for a Comprehensive Plan Text Amendment to Section 2.131-R, Policy 2.131-RA4 for the U.S. 98 SAP in Chapter 4 of the Polk County Comprehensive Plan to allow over 30% the Employment Center-X (ECX) district to be commercial and personal services when approved by a conditional use ("Request 1").

2. *Land Development Code Text Amendment*

On behalf of the Applicant, P&M is also transmitting an application submittal for a Land Development Code Text Amendment to Section 401.04 for the U.S. 98 SAP in Chapter 4 of the Polk County LDC to allow over 30% the ECX district to be retail and personal services when approved through a Level 3 Conditional Use review ("Request 2").

Both Request 1 and Request 2 are collectively referred to throughout this application as the "Proposed Requests."

Justification and Demonstration of Need

The Proposed Requests are consistent with the Polk County Comprehensive Plan and Land Development Code. *See Consistency Analysis*. Allowing more than 30% of the ECX district to consist of commercial, retail, and/or personal services aligns with the policies and objectives of the ECX district. The overarching goal of the ECX district is to "accommodate the employment and functional needs of the college and vocational school campuses and the residents living within the area between the Cities of Bartow and Lakeland . . . ." Polk County Comprehensive Plan, Chapter 4, Section 2.131-R, Policy 2.131-RA4(F)(1).

The Proposed Requests will move towards the objectives set-out in the Comprehensive Plan by allowing for commercial, retail, and personal services to be developed in the ECX district on an as-needed-basis. Moreover, requiring conditional use approval for commercial, retail, and personal services development exceeding the 30% threshold provides Polk County with a mechanism to evaluate the merits and necessity of commercial, retail, and personal services within the ECX district before granting approval. This safeguard ensures that development facilitated by the Proposed Requests is well-planned and controlled.

LDCPAL-2025-9 - ECX CPA and LDC Text

Menu Reports Help

Application Name: ECX CPA and LDC Text

File Date: 08/08/2025

Application Type: BOCC-CPA Large

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: See attached.

Application Detail: Detail

Address: 4255 CLUBHOUSE RD, LAKELAND, FL 33812

Parcel No: 242914000000011010

Owner Name: ADM FLORIDA PROPERTIES LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Bart Allen	Peterson & Myer...	Individual	Mailing, 225 E. Lemon ...	Active
Bart Allen		Applicant	Mailing, 225 E. Lemon ...	Active
Bart Allen		Contact	Mailing, 225 E. Lemon ...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $5,236.00

Total Fee Invoiced: $5,236.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Within Selected Area Plan

Variance Type
_

Brownfields Request
N/A

Affordable Housing

Type of Acreage
_

GENERAL INFORMATION

Expedited Review

Number of Lots
1

Will This Project Be Phased

Acreage
3

DRC Meeting
08/30/2025

DRC Meeting Time
_

Rescheduled DRC Meeting
_

Rescheduled DRC Meeting Time
_

Green Swamp
No

Number of Units
_

Case File Number
_

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

One Year Extension
_

FS 119 Status
Non-Exempt

Code Violation Case Number
_

ADVERTISING

Legal Advertising Date
_

BOCC1 Advertising Date
_

BOCC2 Advertising Date
_

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
_

Planning Commission Date
11/05/2025

Land Use Hearing Officer 3
_

1st BOCC Date
12/2/2025

2nd BOCC Date
01/20/2026

LUHO-Level 3
_

HEARING

PC Hearing Results

PC Vote Tally

BOCC 1st Hearing Results

–

BOCC 1st Vote Tally

–

BOCC 2nd Hearing Results

–

BOCC 2nd Vote Tally

–

FINAL LETTER

Denovo Appeal

–

Denovo Results

–

Denovo Tally

–

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

–

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-REC25-00000-00XVF	DIGITAL PROJECTS LD	–
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

√

SELECTED AREA PLANS

Selected Area Plans
US 98

LAND USE

Selected Area Plan	LU Code
In an SAP	ECX Employment Center

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/25/2025	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	09/11/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	09/02/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	08/29/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	09/04/2025	Johnathan Sims
School Board Review	School District	Not Required	08/25/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	09/12/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Impact Assessment

A. **Land and Neighborhood Characteristics**

To assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

This application does not consider the suitability of a site, but rather the suitability of commercial, retail, and/or personal services within the ECX district of the U.S. 98 SAP when such uses exceed 30% of the district.

2. Provide a site plan showing each type of existing and proposed land use;

A site plan is not available as this is a text amendment to the CPA and LDC.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

These issues are not germane to text amendments.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped; and

The proposed amendments support the areas, businesses, and residents which already exist. In addition, the broadening of permitted uses will allow for further development in ECX districts.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses; and

d. The total area proposed for each type of use, including open space and recreation.

These issues are not germane to text amendments.

B. **Access to Roads and Highways**

To assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

These issues are not germane to text amendments.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

These issues are not germane to text amendments.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

These issues are not germane to text amendments.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

These issues are not germane to text amendments.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

These issues are not germane to text amendments.

C. **Sewage**

To determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

These issues are not germane to text amendments.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

These issues are not germane to text amendments.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

These issues are not germane to text amendments.

4. Identify the service provider; and

These issues are not germane to text amendments.

5. Indicate the current provider's capacity and anticipated date of connection.

These issues are not germane to text amendments.

D. **Water Supply**

To determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

These issues are not germane to text amendments.

2. Identify the service provider;

These issues are not germane to text amendments.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

These issues are not germane to text amendments.

4. Indicate the current provider's capacity and anticipated date of connection.

These issues are not germane to text amendments.

E. **Surface Water Management and Drainage**

To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

These issues are not germane to text amendments.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

These issues are not germane to text amendments.

3. Describe the impact of such alterations on the fish and wildlife resources of the site; and

These issues are not germane to text amendments.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

These issues are not germane to text amendments.

F. **Population**

To determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

These issues are not germane to text amendments.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

These issues are not germane to text amendments.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

These issues are not germane to text amendments.

4. Describe the proposed service area and the current population thereof.

These issues are not germane to text amendments.

G. **General Information**

To determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

These issues are not germane to text amendments.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

b. Educational Facilities (preschool/elementary/middle school/high school);

c. Health Care (emergency/hospital);

d. Fire Protection;

e. Police Protection and Security; and

f. Electrical Power Supply.

These issues are not germane to text amendments.

H. **Maps**

Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scales shall be clearly indicated on each map and

the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following maps shall accompany all Impact Assessment Statements:

3. Map A: A location map showing the relationship of the development to cities, highways, and natural features;

These issues are not germane to text amendments.

4. Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

These issues are not germane to text amendments.

5. Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

These issues are not germane to text amendments.

6. Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

These issues are not germane to text amendments.

7. Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

These issues are not germane to text amendments.

8. Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

These issues are not germane to text amendments.

9. Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

These issues are not germane to text amendments.

Agenda Item 9. 11/5/2025

SUBJECT

LDCT-2025-20 (US 98 ECX LDC Text Amendment)

DESCRIPTION

Applicant initiated request for an amendment to Land Development Code Section 401.04.D.6(g) to amend the personal services and commercial limitation to exceed 30 percent of the Employment Center (ECX) when approved as a Conditional Use in the US 98 SAP.

RECOMMENDATION

Approval

FISCAL IMPACT

Anticipated

CONTACT INFORMATION

Johnathan (JP) Sims

Planner II

Polk County BoCC

863-534-7515

johnathansims@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 30, 2025
Planning Commission Date:	November 5, 2025
BoCC Dates:	December 2, 2025 Transmittal, and January 20, 2026 Adoption
Applicant:	Bart Allen, Peterson and Myers Law Firm
Level of Review:	Level 4 Review, Comprehensive Plan Text Amendment
Case Number and Name:	LDCPAL-2025-9 ECX Comprehensive Plan Text Amendment and LDCT-2025-20 ECX Land Development Code Text Amendment
Request:	Applicant-initiated request for a Large-Scale Comprehensive Plan text amendment to Policy 2.131-RA4. F. 3. (h) and Land Development Code Section 401.04.D.6(g) to amend the personal services and commercial limitation to exceed 30 percent of the Employment Center (ECX) when approved as a Conditional Use in the US 98 SAP.
Location:	All ECX in the US 98 Selected Area Plan
Property Owner:	N/A
Parcel Size:	N/A
Development Area:	Transit Supportive Development Area (TSDA), Urban Growth Area (UGA), Suburban Development Area (SDA), and Rural Development Area (RDA)
Future Land Use:	N/A
Nearest Municipality	Lakeland, Bartow
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce	Pending
Case Planner:	Johnathan (JP) Sims, Planner II

The Comprehensive Plan policy change is to Section 2.131-RA4.F.3(h) US 98 Selected Area Plan:

1) Section 2.131 RA4.F.3(h): Development Criteria - Development within a ECX shall conform to the following criteria:
   (h) Commercial and personal services are limited to 30 percent of the ECX district. <u>The 30 percent limit may be exceeded with the approval of a Conditional Use as required per the Land Development Code.</u> The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points.

The Land Development Code policy change is to Section 401.04.D.6(g) US 98 Selected Area Plan:

1) Section 401.04.D.6(g): Development Criteria – Development within the ECX shall conform to the following criteria:
   (g) Retail and personal services are limited to 30 percent of the ECX district. <u>The 30 percent limitation may be exceeded with the approval of a Level 3 Conditional Use.</u> The

maximum FAR for retail uses shall be 0.60. Higher FARs, up to 0.75 may be allowed with bonus points and a Planned Development

Summary of Analysis

This is an applicant-initiated amendment to the text of the Comprehensive Plan and Land Development Code for Employment Center X (ECX) in the US 98 Selected Area Plan. The first request is for Comprehensive Plan policies in Section 2.131-RA4 of the US 98 Selected Area Plan related to the Employment Center (ECX) Future Land Use. The second request (LDCT-2025-20 US 98 SAP ECX LDC Text Amendment), is to amend LDC Chapter 4 Section 401.04.D US 98 Selected Area Plan. The Comprehensive Plan limits personal services and commercial uses to 30 percent of the ECX district. The Land Development Code limits personal services and commercial uses to 30 percent of the ECX district. This request and the related request (LDCT-2025-20) are intended to create consistency between the Comprehensive Plan and the Land Development Code on the limitation of personal services and commercial within the ECX district and allow more flexibility. An increase in the retail and commercial limit to exceed 30 percent when approved through a Conditional Use would create consistency along the US 98 SAP and with other SAPs that have had similar amendments like in the North Ridge SAP.

Background – The US 98 Selected Area plan was adopted on November 30th, 2004 by Ordinance 2004-074. This SAP's was adopted to provide guidance and order to the growth that was happening and anticipated in the future along the Highland City corridor. This SAP has experienced significant residential and commercial development, and continuing to experience continued growth demand. The Employment Center-X (ECX) district is an Activity Center designated only within an SAP that provide employment to the surrounding residential development and other professional facilities and support to businesses, while allowing for residential as well as retail and commercial components as allowed by the SAP's Land Use Table within the Land Development Code. The SAP was designed to promote a variety of uses that could facilitate many different needs within the area.

Need for amendment – The need for the amendment is to allow for more commercial uses in ECX. It will create consistency between the Comprehensive Plan and the Land Development Code on the ability to exceed the limitation of personal services, retail, and commercial within the ECX district as needed. The request to exceed the limit on personal services, retail and commercial beyond 30 percent with a Conditional Use will allow for the Employment Center-X (ECX) to build out as based on market trends, as a means to support the college, vocational school, and surrounding residential as the area populatio0n grows. This will not change what uses are allowed within the ECX, only the ability to exceed the 30 percent cap currently in place.

Relevant Sections, Policies, and/or Regulations to Consider:
Policy 2.102-A1: Development Location
Policy 2.102-A2: Compatibility
Section 2.131-RA4 US 98 Selected Area Plan
LDC Chapter 4 Section 401.04.D US 98 Selected Area Plan

Findings of Fact

Request and Legal Status

- Applicant-initiated request for a Large-Scale Comprehensive Plan text amendment to Policy 2.131-RA4.F.3.(h) to amend the personal services, retail, and commercial limitation to exceed 30 percent of the Employment Center-X (ECX) district so long as it is approved with a Conditional Use.

- The Employment Center-X (ECX) districts within the US 98 Selected Area Plan (SAP) total six (6) separate areas and range in size from 0.59± acres to 109.02± acres.

- Section 2.131-R of the Comprehensive Plan and Section 401.04 of the Land Development Code both mention and address the Employment Center-X (ECX) in the US 98 SAP.

- Table 4.12 in the Land Development Code is a use table for the US 98 SAP.

- The Employment Center-X (ECX) in the North Ridge SAP has a 30 percent retail cap with a larger percentage permitted through a Conditional Use, so this use would be similar.

Compatibility and Infrastructure

- The Employment Center-X (ECX) districts in the US 98 SAP are all located within the Transit Supportive Development Area (TSDA) and would require connection to water and sewer.

- This request is related to LDCT-2025-20 which is a Land Development Code Text Amendment to Section 401.04.D to amend requirements that retail and personal services are limited to 30 percent of the ECX district. This policy change will allow development to exceed the 30 percent cap if it is approved with Conditional Use.

Comprehensive Plan Policies and Land Development Code Regulations

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling

of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- SECTION 2.131-RA4 US 98 Selected Area Plan:
  - F. Employment Center (ECX)
    - 3. Development Criteria
      - (h) Commercial and personal services are limited to 30 percent of the ECX district. The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points

- LDC SECTION 401.04 US 98 Selected Area Plan:
  - D. Modified Uses
    - 6. Employment Center (ECX)
      - g. Retail and personal services are limited to 30 percent of the ECX district. The maximum FAR for retail uses shall be 0.60. Higher FARs, up to 0.75 may be allowed with bonus points and a Planned Development

Recommendation

Development Review Committee Recommendation: Based on the information provided and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions the request **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAL-2025-9.**

Planning Commission Recommendation: On November 5, 2025, at an advertised public hearing, the Planning Commission recommend 0:0, to **APPROVE or DENY LDCPAL-2025-9.**

Department of Economic Opportunity: Subject to Transmittal

GENERAL NOTES
NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

Analysis:

The applicant wishes to exceed the personal services, retail, and commercial limitations within the Employment Center-X (ECX) district within the US 98 SAP if it is approved with a Conditional Use. The Land Development Code and Comprehensive Plan limits personal services, retail, and commercial development to 30% of the ECX district. The ECX districts within the North Ridge SAP limits Retail and commercial development to 30% of the district with an allowance for a higher percentage with a Conditional Use. The applicant requested a Text Amendments to both the Comprehensive Plan and the Land Development Code (LDCT-2025-20).

Policy issue - The ECX district permits retail and commercial uses. However, Policy 2.131-RA4. F.3(h) has a limitation of 30 percent of the land within each ECX district. Within the Land Development Code, Chapter 4 Section 401.04.D.6(g). specifies a limitation of 30 percent of retail and commercial. The companion text amendment (LDCT-2025-20) also is reference to this issue.

Allowing more than 30% of the ECX district to consist of commercial, retail, and/or personal services aligns with the policies and objectives of the ECX district. The overarching goal of the ECX district is to "accommodate the employment and functional needs of the college and vocational school campuses and the residents living within the area between the Cities of Bartow and Lakeland

The request would make it so that personal services, retail, and commercial uses could exceed the 30 percent cap stated in both the Comprehensive Plan and Land Development Code, so long as it is done with an approved Conditional Use.

It is noted that neither this Text Amendment, nor the related LDCT-2025-20 Land Development Code Text Amendment alters any other development standard within the code.

Infrastructure Impacts - This does remove some barriers to development that can lead to more growth. However, the ECX has vested development rights and the increase for a portion of the possible uses within the district is considered minimal. These changes will encourage development in an area already planned for such. Any infrastructure impacts will be implemented and required per the concurrency standards listed in Chapter 7 of the LDC.

Comparisons to other Jurisdictions:

Special policies and development code regulations are common in other jurisdictions throughout Florida; however the US 98 SAP is unique to Polk County. The North Ridge SAP within Polk County has a similar allowance with ECX where the 30 percent cap can be exceeded for commercial uses if approved with a Conditional Use.

Limits of the Proposed Ordinances

The scope of the amendment will impact new development within Employment Center-X (ECX) Future Land Use Districts within the US 98 Selected Area Plan (SAP). The policy and related Land Development Code changes (LDCT-2025-20) are meant to allow for a concistancy of development standards with the Empoyment Center-X (ECX) within the US 98 SAP.

Consistency with the Comprehensive Plan

Consistency with the Comprehensive Plan and Land Development Code
Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent or inconsistent** with the Comprehensive Plan is listed below:

Table 8 Consistency with the Comprehensive Plan

Policy	Consistency
Policy 2.102-A1: **Development Location** – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.	The proposed text amendments are a small change to allow for an increase within one of several FLU districts within the US 98 SAP. It may result in some increased development; however, the ECX districts are located where growth is planned to be. The request is consistent with this policy and with the existing development allowances elsewhere in Polk County.
Policy 2.102-A2: Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The proposed policy text changes along with the other requirements in the Land Development Code such as Section 220 ensure compatibility with the new uses.

Policy	Consistency
SECTION 2.131-RA4 US 98 Selected Area Plan, F. Employment Center (ECX), 3. Development Criteria, (h) Commercial and personal services are limited to 30 percent of the ECX district. The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points.	The proposed policy change will allow personal services, retail, and commercial uses to exceed the 30 percent cap currently in place within the US 98 SAP, so long as it is approved as part of a Conditional Use.

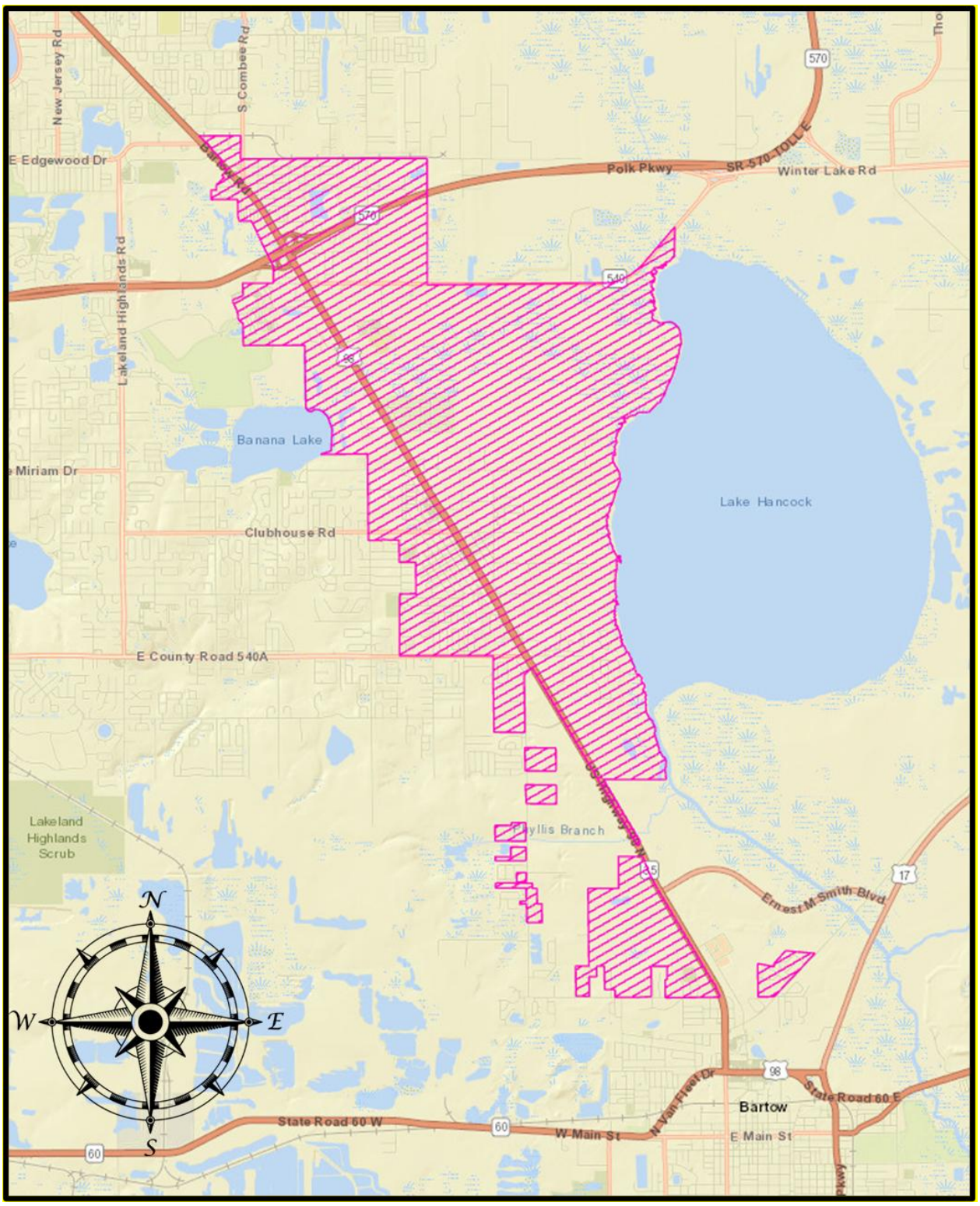
Comments from Other Agencies: None

Exhibits:

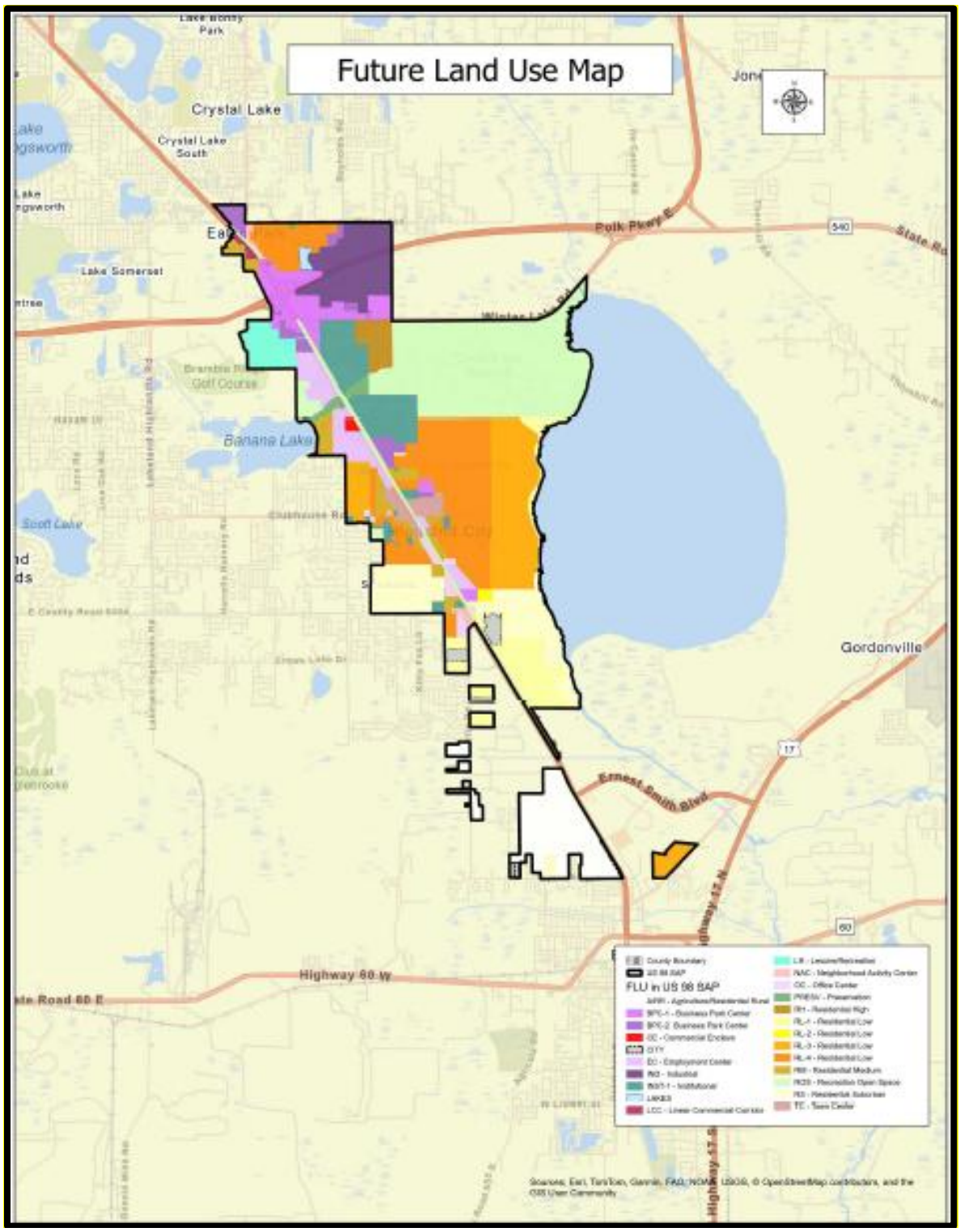
Exhibit 1 Location Map
Exhibit 2 Current Future Land Use Map Within the US 98 SAP
Exhibit 3 ECX Uses Locations within the US 98 SAP

Under separate attachment

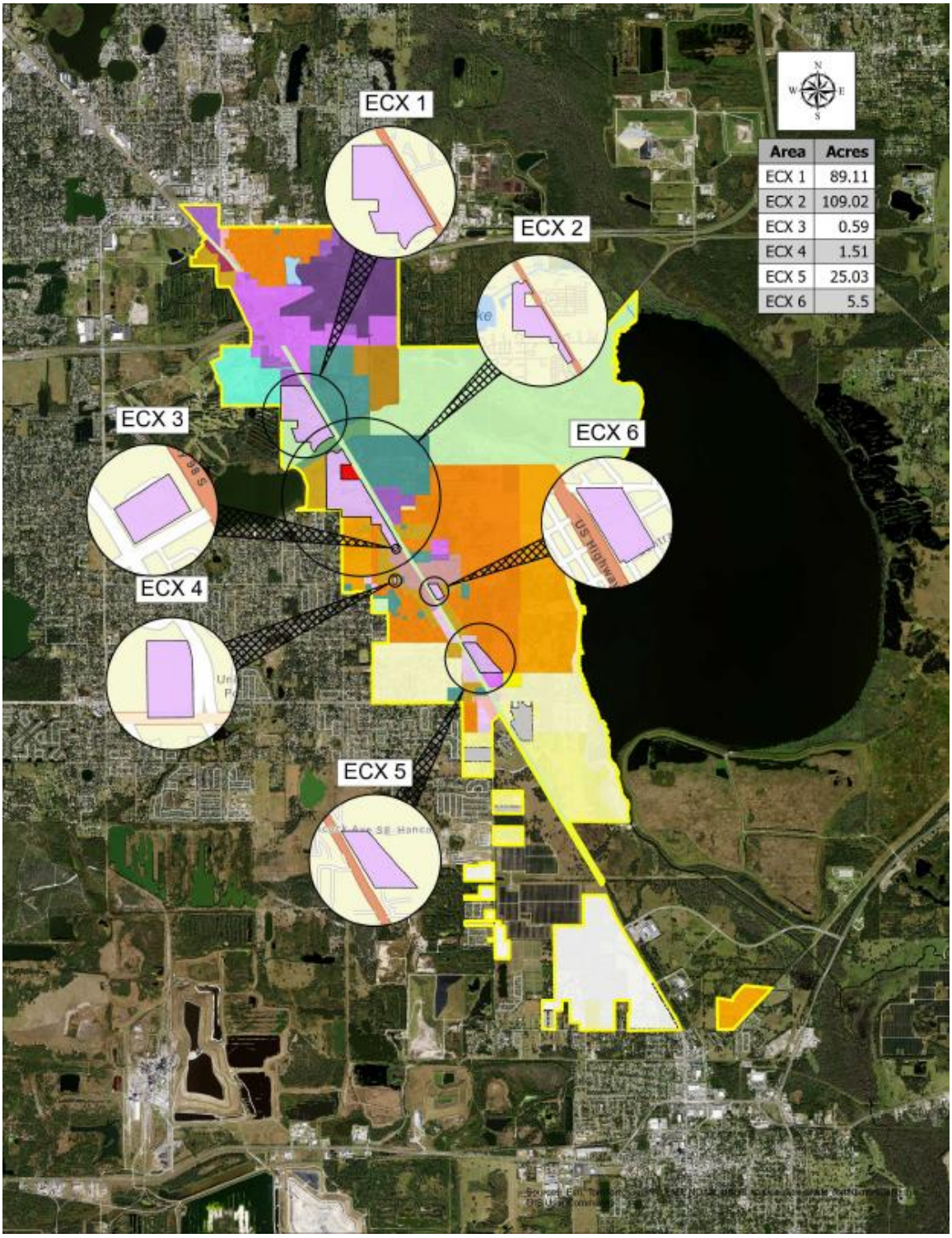
- Draft Ordinances with proposed text
- Application information



LOCATION MAP



CURRENT FUTURE LAND USE MAP
US 98 SAP



ECX LOCATIONS WITHIN US 98 SAP

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-20, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE; AMENDING CHAPTER 4, SECTION 401.04, US HIGHWAY 98 SELECTED AREA PLAN (SAP), TO ALLOW FOR COMMERCIAL AND RETAIL USES TO EXCEED 30 PERCENT OF THE EMPLOYMENT CENTER (ECX) DISTRICT WHEN APPROVED THROUGH A CONDITIONAL USE; 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 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 4, Section 401.04 of the Land Development Code lays out the requirements for the US Highway 98 Selected Area Plan (SAP); 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 November 5, 2025; and

WHEREAS, the Board of County Commissioners held two public hearings on December 2, 2025 and January 20, 2026, wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public hearings, 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: FINDINGS The Board hereby finds and determines that:

a) The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.

b) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on November 5, 2025, to consider the LDC text amendments contained within Application LDCT-2025-20 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-20.

c) The adoption of LDCT-2025-20 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 4, Section 401.04, US Highway 98 Selected Area Plan (SAP), of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 401.04 US Highway 98 Selected Area Plan

D. **Modified Land Use Requirements (Revised 2/6/18 - Ord. 18-012; 12/5/17 - Ord. 17-071; 1/22/13 - Ord. 13-002; 12/1/10 - 10-082; 04/23/08 - Ord. 08-011; 10/11/06 - Ord. 06-64)**

6. Employment Center (ECX) B In addition to the other requirements of this Code, all development shall be consistent with the following:

a. On-premises signs shall use the Community Activity Center (CAC) standards of Section 760 (reduced by 15 percent (%) for the SAP) of the L D C;

b. Structure and use setbacks shall meet the Community Activity Center (CAC) requirements of Table 2.2, Density and Dimensional Regulations for Standard Districts of the LDC;

c. Residential development shall be limited to a maximum of 25 percent of the total area of an ECX utilizing High Density Residential density (10 to 15 du/ac) and shall comply with all other requirements of Chapter 3, Conditional Uses, for multifamily developments within activity centers (CACX, RACX, and BPC-1X). Residential units above non-residential uses (vertical mixed- use) are encouraged and do not count towards the 25 percent residential cap. The setbacks for High Density Residential shall conform to the setbacks for the RH Future Land Use district as listed in Table 2.2, Density and Dimensional Regulations for Standard Districts of the LDC;

d. Single-family attached or detached, duplex, and three unit (triplex) residential buildings shall be prohibited in the ECX;

e. Light industrial uses that include at least 50 percent (%) office space, assemble products, and conduct research and development, but do not manufacture any products shall be permitted without a Level 3 Review;

f. The maximum FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.5. The ISR shall be limited to 0.70 in all cases;

g. Retail and personal services are limited to 30 percent of the ECX district. <u>The 30 percent limitation may be exceeded with the approval of a Level 3 Conditional Use.</u> The maximum FAR for retail uses shall be 0.60. Higher FARs, up to 0.75 may be allowed with bonus points and a Planned Development;

h. Warehouse uses as an accessory use (where at least 50 percent (%) of the square footage is office space) shall be permitted without a Level 3 Review;

i. The maximum building height shall be 100 feet. This may be increased through a variance or a Planned Development; and,

j. The building setbacks shall comply with those listed in Table 2.2 for Community Activity Center (CAC). All footnotes to Table 2.2 shall apply.

k. Area of an ECX shall only include property contiguous within that district irrespective of Preservation/Wetland areas and local or collector roads.

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

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

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA this 20th day of January, 2026.

Request, Justification, and Demonstration of Need

Request

1. *Comprehensive Plan Text Amendment*

On behalf of ECP Partners, LLC (the "Applicant"), Peterson & Myers, P.A. ("P&M") is transmitting an application submittal for a Comprehensive Plan Text Amendment to Section 2.131-R, Policy 2.131-RA4 for the U.S. 98 SAP in Chapter 4 of the Polk County Comprehensive Plan to allow over 30% the Employment Center-X (ECX) district to be commercial and personal services when approved by a conditional use ("Request 1").

2. *Land Development Code Text Amendment*

On behalf of the Applicant, P&M is also transmitting an application submittal for a Land Development Code Text Amendment to Section 401.04 for the U.S. 98 SAP in Chapter 4 of the Polk County LDC to allow over 30% the ECX district to be retail and personal services when approved through a Level 3 Conditional Use review ("Request 2").

Both Request 1 and Request 2 are collectively referred to throughout this application as the "Proposed Requests."

Justification and Demonstration of Need

The Proposed Requests are consistent with the Polk County Comprehensive Plan and Land Development Code. *See Consistency Analysis*. Allowing more than 30% of the ECX district to consist of commercial, retail, and/or personal services aligns with the policies and objectives of the ECX district. The overarching goal of the ECX district is to "accommodate the employment and functional needs of the college and vocational school campuses and the residents living within the area between the Cities of Bartow and Lakeland . . . ." Polk County Comprehensive Plan, Chapter 4, Section 2.131-R, Policy 2.131-RA4(F)(1).

The Proposed Requests will move towards the objectives set-out in the Comprehensive Plan by allowing for commercial, retail, and personal services to be developed in the ECX district on an as-needed-basis. Moreover, requiring conditional use approval for commercial, retail, and personal services development exceeding the 30% threshold provides Polk County with a mechanism to evaluate the merits and necessity of commercial, retail, and personal services within the ECX district before granting approval. This safeguard ensures that development facilitated by the Proposed Requests is well-planned and controlled.

Impact Assessment

A. **Land and Neighborhood Characteristics**

To assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

This application does not consider the suitability of a site, but rather the suitability of commercial, retail, and/or personal services within the ECX district of the U.S. 98 SAP when such uses exceed 30% of the district.

2. Provide a site plan showing each type of existing and proposed land use;

A site plan is not available as this is a text amendment to the CPA and LDC.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

These issues are not germane to text amendments.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped; and

The proposed amendments support the areas, businesses, and residents which already exist. In addition, the broadening of permitted uses will allow for further development in ECX districts.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses; and

d. The total area proposed for each type of use, including open space and recreation.

These issues are not germane to text amendments.

B. **Access to Roads and Highways**

To assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

These issues are not germane to text amendments.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

These issues are not germane to text amendments.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

These issues are not germane to text amendments.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

These issues are not germane to text amendments.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

These issues are not germane to text amendments.

C. **Sewage**

To determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

These issues are not germane to text amendments.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

These issues are not germane to text amendments.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

These issues are not germane to text amendments.

4. Identify the service provider; and

These issues are not germane to text amendments.

5. Indicate the current provider's capacity and anticipated date of connection.

These issues are not germane to text amendments.

D. **Water Supply**

To determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

These issues are not germane to text amendments.

2. Identify the service provider;

These issues are not germane to text amendments.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

These issues are not germane to text amendments.

4. Indicate the current provider's capacity and anticipated date of connection.

These issues are not germane to text amendments.

E. **Surface Water Management and Drainage**

To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

These issues are not germane to text amendments.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

These issues are not germane to text amendments.

3. Describe the impact of such alterations on the fish and wildlife resources of the site; and

These issues are not germane to text amendments.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

These issues are not germane to text amendments.

F. **Population**

To determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

These issues are not germane to text amendments.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

These issues are not germane to text amendments.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

These issues are not germane to text amendments.

4. Describe the proposed service area and the current population thereof.

These issues are not germane to text amendments.

G. **General Information**

To determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

These issues are not germane to text amendments.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

b. Educational Facilities (preschool/elementary/middle school/high school);

c. Health Care (emergency/hospital);

d. Fire Protection;

e. Police Protection and Security; and

f. Electrical Power Supply.

These issues are not germane to text amendments.

H. **Maps**

Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scales shall be clearly indicated on each map and

the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following maps shall accompany all Impact Assessment Statements:

3. Map A: A location map showing the relationship of the development to cities, highways, and natural features;

These issues are not germane to text amendments.

4. Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

These issues are not germane to text amendments.

5. Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

These issues are not germane to text amendments.

6. Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

These issues are not germane to text amendments.

7. Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

These issues are not germane to text amendments.

8. Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

These issues are not germane to text amendments.

9. Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

These issues are not germane to text amendments.

LDCT-2025-20 - ECX CPA and LDC Text

Menu Reports Help

Application Name: ECX CPA and LDC Text

File Date: 08/08/2025

Application Type: BOCC-LDC Text Change

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: See attached.

Application Detail: Detail

Address: 4255 CLUBHOUSE RD, LAKELAND, FL 33812

Parcel No: 242914000000011010

Owner Name: ADM FLORIDA PROPERTIES LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Bart Allen		Applicant	Mailing, 225 E. Lemon ...	Active
Bart Allen		Contact	Mailing, 225 E. Lemon ...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $6,584.00

Total Fee Invoiced: $5,434.00

Balance: $0.00

Custom Fields: **LD_PUBL_HEAR**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Within Selected Area Plan

Variance Type
_

Brownfields Request
N/A

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
1

Will This Project Be Phased

Acreage
3

DRC Meeting
08/30/2025

DRC Meeting Time
_

Rescheduled DRC Meeting
_

Rescheduled DRC Meeting Time
_

Number of Units
_

Green Swamp
No

Is this Polk County Utilities

Case File Number
_

FS 119 Status
Non-Exempt

One Year Extension
_

ADVERTISING

Legal Advertising Date
_

BOCC1 Advertising Date
_

BOCC2 Advertising Date
_

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
_

Planning Commission Date
11/05/2025

BOA Hearing Date
_

1st BOCC Date
12/2/2025

2nd BOCC Date
01/20/2026

HEARING

PC Hearing Results
_

PC Vote Tally
_

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_PUBL_HEAR_EDL

Opening DigEplan List...

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-REC25-00000-00XVM	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board **Number of Boards** (Number) **Number of Mailers** (Number) **Date Mailed** **Date Posted** **NOR**

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/25/2025	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	09/11/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	09/02/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	08/29/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	09/04/2025	Johnathan Sims
School Board Review	School District	Not Required	08/25/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	09/12/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Agenda Item 10. 11/5/2025

SUBJECT

LDCPAS-2025-26 (Natural Encounters CPA)

DESCRIPTION

Applicant-initiated request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R) on 33-acres of property in the Rural Development Area (RDA). Site is located south of State Road 540 (Cypress Gardens Boulevard), west of US Highway 27, east of Eloise Loop, and north of Thompson Nursery Road, surrounded by Winter Haven city limits, in Sections 17, Township 29, and Range 27. Case is related to LDCT-2025-18, which is a text amendment to prohibit certain uses allowed on the site to limit the intensity for the adjacent multifamily and single-family residential.

RECOMMENDATION

Approval

FISCAL IMPACT

Anticipated

CONTACT INFORMATION

Johnathan (JP) Sims

Planner II

Polk County BoCC

863-534-7515

johnathansims@polk-county.net

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-26;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 33 ACRES FROM AGRICULTURAL/RESIDENTIAL RURAL (A/RR) TO LEISURE/RECREATION (L/R), IN THE RURAL DEVELOPMENT AREA (RDA) AND A TEXT AMENDMENT TO APPENDIX 2.135, PARCEL SPECIFIC FUTURE LAND USE TO ADD DEVELOPMENT CONDITIONS . THE SUBJECT SITE IS LOCATED SOUTH OF STATE ROAD 540 (CYPRESS GARDENS BOULEVARD), EAST OF COUNTY ROAD 540A, WEST OF US HIGHWAY 27, NORTH OF THOMPSON NURSERY ROAD, AND SURROUNDED BYT THE CITY LIMITS OF WINTER HAVEN, IN SECTION 17, TOWNSHIP 29, RANGE 24, 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 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; 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, on the proposed Plan revisions on November 5^{THt}, 2025; and

WHEREAS, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on December 16th, 2025; 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 Polk County Board of County Commissioners:

SECTION 2: COMPREHENSIVE PLAN MAP 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 +/- 33 acres site from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R), in the Rural Development Area (RDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcels #272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080

BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 29 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN THENCE ALONG THE NORTH LINE THEREOF, N88°52'02"E A DISTANCE OF 1329.80 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4, S00°26'35"E A DISTANCE OF 1331.65 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4, S89°06'13"W A DISTANCE OF 450.01 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY WARRANTY DEED IN OFFICIAL RECORD BOOK 4432, PAGE 2060, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; RUN THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING THREE COURSES: (1) N00°26'35"W A DISTANCE OF 377.01 FEET; (2) THENCE S89°06'13"W A DISTANCE OF 251.69 FEET; (3) S00°31 '50"E A DISTANCE OF 377.01 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4; RUN THENCE ALONG SAID SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1 / 4, S89°06' 13"W A DISTANCE 226.58 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY QUIT CLAIM DEED IN OFFICIAL RECORD BOOK 3993,PAGE 2014 PUBLIC RECORDS OF POLK COUNTY, FLORIDA. RUN THENCE ALONG THE EAST BOUNDARY THEREOF, N00°31 '50"W A DISTANCE OF 272.01 FEET; THENCE S89°06'13"W A DISTANCE OF 19.00 FEET; THENCE N00°31 '50"W A DISTANCE OF 105.00 FEET; THENCE S89°06'13"W A DISTANCE OF 103.00 FEET; TO THE BOUNDARY OF SAID PARCEL DESCRIBED BY QUIT CLAIM DEED; RUN THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO COURES: (1)

N00°31 '50"W A DISTANCE OF 251.51 FEET; (2) S89°06'13"W A DISTANCE OF 278.01 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4; RUN THENCE ALONG SAID WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, N00°31'50"W A DISTANCE OF 697.64 FEET TO THE POINT OF BEGINNING.

SECTION 3: COMPREHENSIVE PLAN TEXT AMENDMENT

The text of Ordinance No. 92-36, as amended (the "Polk County Comprehensive Plan"), is hereby amended by changing Appendix 2.135 as shown in Attachment "B" of this Ordinance.

SECTION 4: 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 5: EFFECTIVE DATE

This ordinance shall be effective on January 17th, 2026 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

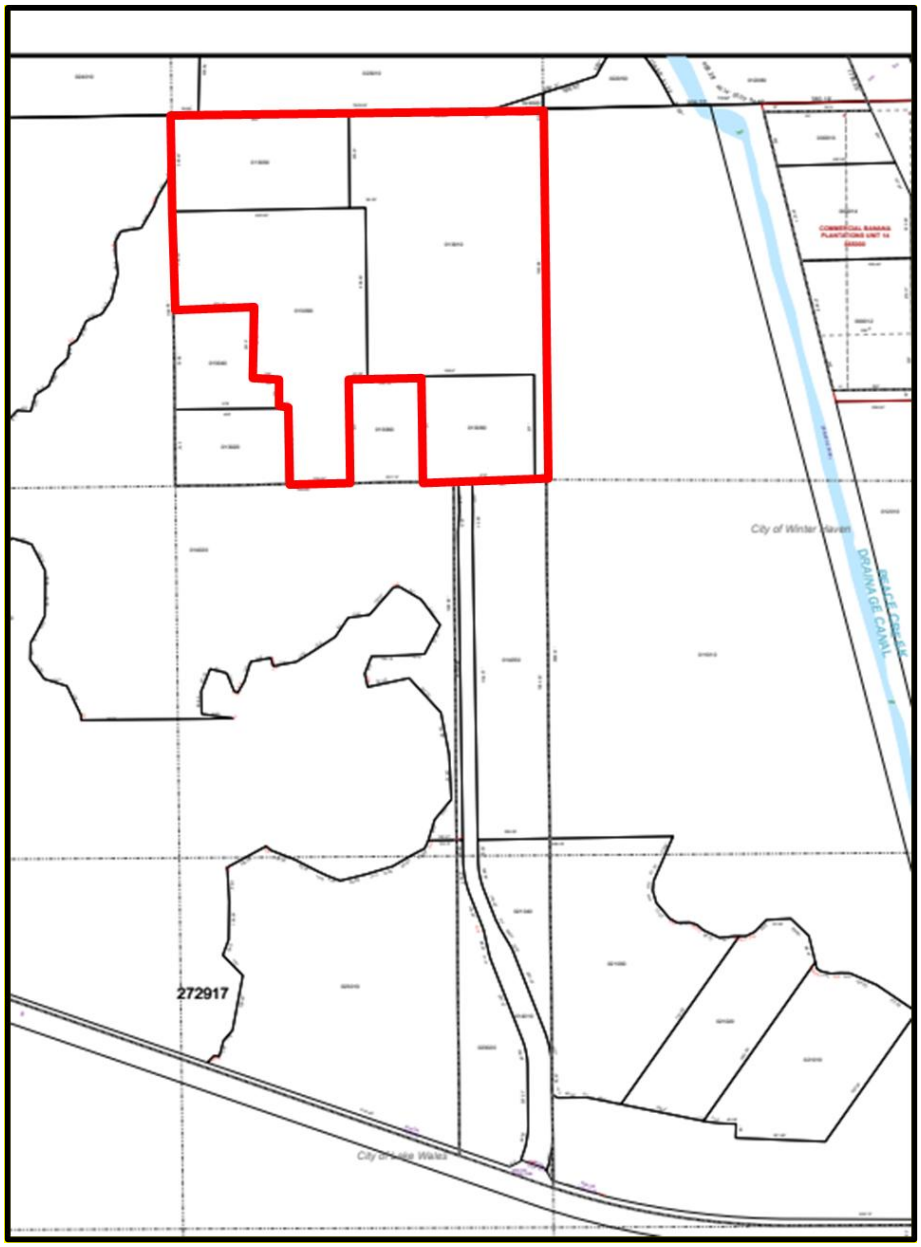
SECTION 6: FILING WITH THE DEPARTMENT OF STATE:

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 December 16th, 2025.

ATTACHMENT "A"

LDCPAS-2025-26
Development Area: Rural Development Area (RDA)
Location: South of State Road 540, east of County Road 540A, west of US Highway 27, north of Thompson Nursery Road, and surrounded by the city limits of Winter Haven.
Section-17 Township-29 Range-24



PARCEL DETAIL
Note: Not to Scale
Attachment "B"

SECTION 2.135-V – Development Guidelines for Parcel Numbers 272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080

- **POLICY 2.135-V; Through the adoption of LDCPAS-2025-26, this section of the plan enables this specific property to be developed with Leisure/Recreation (L/R) land use in a limited fashion as established in the Polk County Land**

Development Code through LDCT-2025-18. This agreement fulfills the objectives of the applicant and the County.

- **Policy 2.135-V1: DESIGNATION AND MAPPING – Land use for this parcel shall be designated and mapped on the Future Land Use Map Series as Leisure/Recreation (L/R).**

- **Policy 2.135-V2: LOCATION CRITERIA – The section applies to the property legally described as:**

  Parcels #272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080

  BEGIN AT THE NORTHWEST CORNER OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 29 SOUTH, RANGE 27 EAST, POLK COUNTY, FLORIDA AND RUN THENCE ALONG THE NORTH LINE THEREOF, N88°52'02"E A DISTANCE OF 1329.80 FEET TO THE NORTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE EAST LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4, S00°26'35"E A DISTANCE OF 1331.65 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4; RUN THENCE ALONG THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1 /4, S89°06'13"W A DISTANCE OF 450.01 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY WARRANTY DEED IN OFFICIAL RECORD BOOK 4432, PAGE 2060, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; RUN THENCE ALONG THE BOUNDARY OF SAID PARCEL THE FOLLOWING THREE COURSES: (1) N00°26'35"W A DISTANCE OF 377.01 FEET; (2) THENCE S89°06'13"W A DISTANCE OF 251.69 FEET; (3) S00°31 '50"E A DISTANCE OF 377.01 FEET TO THE SOUTH LINE OF SAID NORTHWEST 1 /4 OF THE NORTHEAST 1/4; RUN THENCE ALONG SAID SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1 / 4, S89°06' 13"W A DISTANCE 226.58 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED BY QUIT CLAIM DEED IN OFFICIAL RECORD BOOK 3993,PAGE 2014 PUBLIC RECORDS OF POLK COUNTY, FLORIDA. RUN THENCE ALONG THE EAST BOUNDARY THEREOF, N00°31 '50"W A DISTANCE OF 272.01 FEET; THENCE S89°06'13"W A DISTANCE OF 19.00 FEET; THENCE N00°31 '50"W A DISTANCE OF 105.00 FEET; THENCE S89°06'13"W A DISTANCE OF 103.00 FEET; TO THE BOUNDARY OF SAID PARCEL DESCRIBED BY QUIT CLAIM DEED; RUN THENCE ALONG SAID BOUNDARY THE FOLLOWING TWO COURES: (1)
  N00°31 '50"W A DISTANCE OF 251.51 FEET; (2) S89°06'13"W A DISTANCE OF 278.01 FEET TO THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST 1/4; RUN THENCE ALONG SAID WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, N00°31'50"W A DISTANCE OF 697.64 FEET TO THE POINT OF BEGINNING.

LDCPAS-2025-26 - Natural Encounters CPA

Menu Reports Help

Application Name: Natural Encounters CPA

File Date: 08/07/2025

Application Type: BOCC-CPA Small

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: See description uploaded as part of the application.

Application Detail: Detail

Address: 129 CONSERVATION WAY, WINTER HAVEN, FL 33884

Parcel No: 272917000000013030

Owner Name: STEVE MARTINS NATURAL ENCOUNTERS INC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Shelton Rice	Peterson & Myer...	Engineer	Mailing, 225 East Lemo...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,608.00

Total Fee Invoiced: $4,608.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type: Board of County Commissioners

Application Type: CPA Small Scale Or EAR

Variance Type: –

Brownfields Request: –

Affordable Housing:

Type of Acreage: –

GENERAL INFORMATION

Expedited Review:

Number of Lots: –

Will This Project Be Phased:

Acreage: 33

DRC Meeting: 08/28/2025

DRC Meeting Time: 11:00 AM

Rescheduled DRC Meeting: –

Rescheduled DRC Meeting Time: –

Green Swamp: No

Number of Units: –

Case File Number: –

Is this Polk County Utilities:

Is this Application a result of a Code Violation: No

One Year Extension: –

FS 119 Status: Non-Exempt

Code Violation Case Number: –

ADVERTISING

Legal Advertising Date: –

BOCC1 Advertising Date: –

BOCC2 Advertising Date: –

Advertising Board: Board of County Commissioners

MEETING DATES

Community Meeting: –

Planning Commission Date: 11/05/2025

Land Use Hearing Officer 3: –

1st BOCC Date: 12/16/2025

2nd BOCC Date: –

LUHO-Level 3: –

HEARING

PC Hearing Results: –

PC Vote Tally: –

BOCC 1st Hearing Results:

BOCC 1st Vote Tally:

BOCC 2nd Hearing Results
–

BOCC 2nd Vote Tally
–

FINAL LETTER

Denovo Appeal
–

Denovo Results
–

Denovo Tally
–

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List
–

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-25EST-00000-48691	DIGITAL PROJECTS LD	–
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
No	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan	LU Code
Not in an SAP	A/RR-Agricultural/Residential Rural

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
BOCC 1	1			10/21/2025	
PC	1			10/21/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/20/2025	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	09/11/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	08/28/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	08/22/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	08/28/2025	Johnathan Sims
School Board Review	School District	Not Required	08/25/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	09/12/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Demonstration of Need

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.

ANALYSIS: *The Proposed Request will act to provide L/R uses to residential developments in the area and those visiting Polk County.*

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

ANALYSIS: *The Proposed Request will act to alleviate sprawl concerns by changing the land use to L/R from Rural (A/RR). Such a change acknowledges the surrounding residential development but maintains the rural features adjacent to it.*

c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.

ANALYSIS: *The Proposed Request is not for urban development.*

d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.

ANALYSIS: *The Subject Property is developed. In addition, the Subject Property does not appear to have any wetlands, nor is it located in a flood zone. [see Wetlands Map; see Flood Zone Map].*

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

ANALYSIS: *The Subject Property is not adjacent to agricultural activities and there are no anticipated impacts to agricultural areas.*

f. Fails to maximize use of existing public facilities and services.

ANALYSIS: *No negative impacts to existing public facilities and services are anticipated.*

g. Fails to minimize the use of future public facilities and services.

ANALYSIS: *No impact on future public facilities and services are anticipated.*

h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, stormwater management, law enforcement education health care, fire and emergency response, and general government.

ANALYSIS: *There are no anticipated off-site improvements required for the development of the Subject Property. The Subject Property is currently developed. In addition, there are no anticipated adverse impacts on public facilities in general.*

i. Fails to provide a clear separation between urban and rural uses.

ANALYSIS: *The Subject Property is not located adjacent to rural uses. Notably, the Subject Property is situated in an area that has predominantly been developed for single family residential use.*

j. Discourages or inhibits in-fill development or redevelopment of existing neighborhoods and communities.

ANALYSIS: *The Proposed Request does not discourage in-fill development or redevelopment. The Subject Property is requesting redevelopment to better serve Polk County.*

k. Fails to encourage an attractive and functional mix of land uses.

ANALYSIS: *Disrupting the pattern of single-use development will ultimately provide current and future residential developments in the area, as well as visitors to Polk County, with access to the services typical of a L/R district, while creating an attractive, functional mix of uses and avoiding sprawl.*

l. Results in poor accessibility among linked or related land uses.

ANALYSIS: *The Subject Property is consistent with the locational requirements of an L/R district contained in the Polk Comprehensive Plan.*

m. Results in the loss of a significant amount of functional open space.

ANALYSIS: N/A. *The Subject Property is developed.*

Impact Assessment Statement

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The establishment of an L/R district on the Subject Property meets the criteria set out in the Polk County Comprehensive Plan for both RDAs and L/R districts. See Consistency Analysis. In addition, the Subject Property's proximity to Legoland and its established reputation within the wildlife industry makes it well-suited as a destination for visitors to Polk County.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering required by the Polk County Land Development Code and parcel-specific text amendments adequately ensure that the proposed request is compatible with adjacent uses and entitlements in the area. The Owners will take all reasonable and necessary steps to minimize the impacts on the properties surrounding the requested land use map amendment.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The Subject Property is located in area that is either developed or going through development.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development. Any development of the Property would be consistent with the Polk County Land Development Code, the Polk County Comprehensive Plan, and proposed site specific development criteria.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

The Subject Property is currently developed. Any future development or redevelopment will be reviewed through Level 2.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

The Subject Property has been previously developed. Any future development or redevelopment will be reviewed through Level 2.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The requisite number of parking spaces required by the Polk County Land Development Code will be determined at Level 2 based on the actual square footage of any structures proposed to be constructed.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

Access will be provided via Conservation Way, a private road established through a private easement. It is anticipated that Conservation Way be further improved as property to the east and west is fully developed.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

Modes of transportation to the Subject Property are primarily focused on automobiles.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

No impact on sewage generation is anticipated. The Subject Property has been previously developed.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

No impact on sewage generation is anticipated. The Subject Property has been previously developed.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with applicable and appropriate rules and regulations.

4. Identify the service provider; and

The Subject Property has been previously developed. No impact to sewer is anticipated.

5. Indicate the current provider’s capacity and anticipated date of connection.

No impact is anticipated. The Subject Property has been previously developed.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

No significant impact to water supply is anticipated. The Subject Property has been previously developed.

2. Identify the service provider;

No significant impact to water supply is anticipated. The Subject Property has been previously developed.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

No significant impact to water consumption is anticipated. The site has been previously developed.

4. Indicate the current provider's capacity and anticipated date of connection

Connection is not anticipated. The site has been previously developed.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There does not appear to be any state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. In addition, the Subject Property is already developed. As such, there is no anticipated impact on fish and wildlife resources.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

Indeterminable at this time. Market data will be submitted upon completion.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The proposed future land use map amendment would allow for the proposed development to provide convenience Leisure/Recreation uses in area that is predominantly single-use residential. The Proposed Request would also provide visitors to Polk County with a nature-based attraction.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact to health care is anticipated.

d. Fire Protection;

No impact on fire protection is anticipated. The Subject Property has been previously developed.

e. Police Protection and Security; and

No impact on police protection and security is anticipated. The Subject Property has been previously developed.

f. Electrical Power Supply

Indeterminable at this time.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Parcel Map; see attached Roads Map.

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Polk County Future Land Use Map; City of Winter Haven Future Land Use Map; City of Winter Haven Zoning Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Roads Map.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

A Site Plan is not available at this time.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

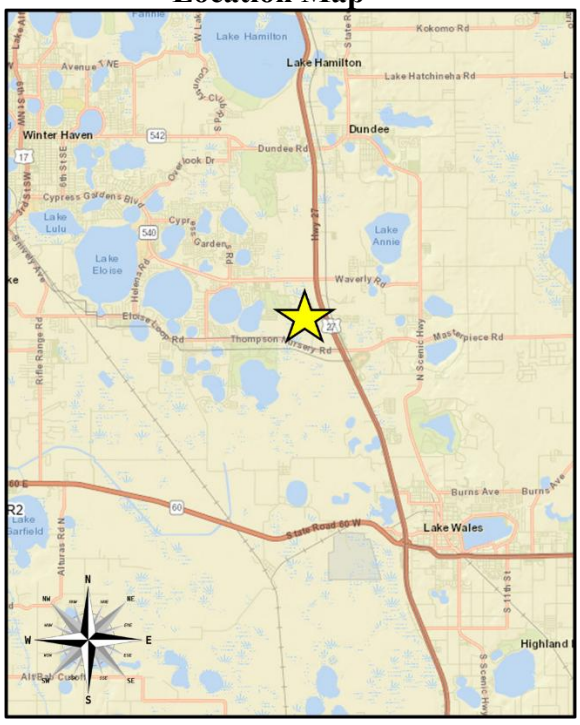
A Drainage Map is not available at this time, as we do not have any engineered plans to evaluate the proposed location of stormwater ponds, buildings, impervious surface, etc.

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

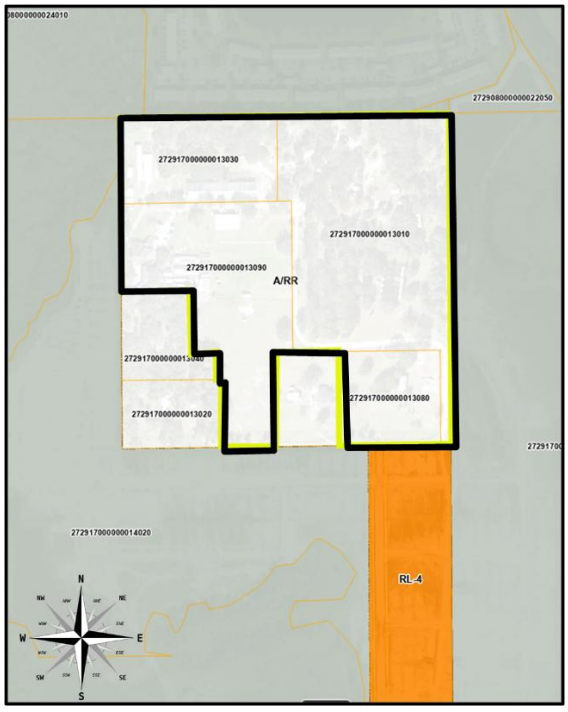
DRC Date:	August 28, 2025	**Level of Review:**	4
PC Date:	November 5, 2025	**Type:**	Comprehensive Plan Amendment
BoCC Date:	December 16, 2025	**Case Numbers:**	LDCPAS-2025-26
		Case Name:	Natural Encounters CPA
Applicant:	Shelton Rice, Peterson and Myers Law Firm	**Case Planner:**	J.P. Sims, Planner II

Request:	A Future Land Use designation change from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R) on 33 +/- acres.
Location:	The subject property is located south of State Road 540 (Cypress Gardens Boulevard), west of US Highway 27, east of Eloise Loop, north of Thompson Nursery Road, surrounded by the Winter Haven city limits, in Sections 17, Township 29, and Range 27.
Property Owner:	Steve Martin's Natural Encounters Inc.
Parcel Size/number:	33 +/- acres (Parcel #272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	City of Winter Haven
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Public Comment:	None
Florida Commerce*	N/A

Location Map



Current Future Land Use Map



Summary

The applicant, Shelton Rice, of Peterson and Myers Law Firm, is requesting a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R) on 33-acres of property in the Rural Development Area (RDA). Site is located south of State Road 540 (Cypress Gardens Boulevard), west of US Highway 27, east of Eloise Loop, and north of Thompson Nursery Road, surrounded by Winter Haven city limits, in Sections 17, Township 29, and Range 27. Case is related to LDCT-2025-18, which is a text amendment to prohibit certain uses allowed on the site to limit the intensity for the adjacent multifamily and single-family residential.

Compatibility Summary

This request will be compatible with the surrounding area as Leisure/Recreation is compatible with adjacent residential uses. The developments surrounding the subject site are all residential in nature. It has City of Winter Haven almost completely surrounding the subject site on all sides, with Winter Haven's Neighborhood Subdivision (NSUB) land use to the north and south, and Conservation (CON) to the west and east. Site accesses onto Thomson Nursery Road, an Urban Major Collector, and a requirement of L/R is access to a paved, publicly maintained road with adequate Level of Service (LOS) and available capacity, which it does.

Infrastructure Summary

The subject site is within the Winter Haven Utilities Service Area for water, and wastewater will be handled by on-site septic. This was confirmed by the Utilities GIS. Conservation Way is the road that leads to the site which directly accesses Thomspon Nursery Road, an Urban Major Collector maintained by Polk County, where there is available capacity with close proximity to US Highway 27 to the east. Mass transit is available in the area with the Route 30 for Legoland from Citrus Connection on State Road 540 (Cypress Gardens Boulevard) to the north, with the closest stop to the east at Eagle Ridge Mall. Public safety response times are normal for this part of the County, and school capacity should not be an issue in the future as Leisure/Recreation does not permit development that generates students. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is Waverly Park 4.2 miles northeast of the site driving, and the nearest regional Park is Lake Florence Park 3.7 miles to the northwest of the subject site. Legoland is 7.5 miles driving northwest of the subject site where the Cypress Gardens Conservation Easement is located. The site is comprised of a combination of soils. There are no wetlands or flood zone on site.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.108(A1-A5): Rural Development Area (RDA)
- Policy 2.121-A: Agricultural/Residential Rural (A/RR)
- Policy 2.115(A-A5): Recreation/Leisure (L/R)

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R).

- The subject site is already developed with an Preserve and Wildlife Refuge, and the applicant has indicated that they are wanting to expand their services to include on-site entertainment and educational tours.

- LDCU-2018-52 was the Conditional Use approval that allowed for the site to act as a Breeding, Boarding, and Rehabilitation facility.

- This case is related to LDCT-2025-18, which will prohibit certain uses.

Compatibility

- The existing uses surrounding the site are:
  - North – CITY; multifamily residential, Carlton Arms of Winter Haven
  - West – CITY; conservation. A/RR; single-family residential
  - East – CITY; conservation
  - South – CITY; future single family residential. A/RR; single family residential

Infrastructure

- The zoned schools for the site are South Pointe Elementary, McLaughlin Academy Middle, and Lake Region Senior High School. Site will not generate any students.

- Polk County Fire Rescue Station 44 will be the response unit for fire and Station 18 for EMS. Station 44 is located at 1695 Masterpiece Rd, Lake Wales, with an approximate travel distance of 4.8 miles. Station 18 is located at 2101 Register Rd SE, Winter Haven, with a travel distance of 7.4 miles.

- The subject site is within the Sheriff Department's Central District. The Central District Office is located at 3635 Ave G N.W. in Winter Haven.

- The subject site is connected to City of Winter Haven's Utility Service Area for potable water. However, wastewater will be handled by on-site septic. Per City of Winter Haven, the wastewater lines will be extended along Thompson Nursery Road to accommodate the new residential development.

- Thompson Nursery Road has no sidewalks along its entirety from west to east. There are sidewalks along US Highway 27. Thompson Nursery Road is currently under construction for improvement to widen from US Highway 27 to Lake Ruby Drive, taking it from 2 lanes to 4 with a median.

- Conservation Way is a private road. It is unpaved, with no shoulders or sidewalks. It is currently under construction to improve conditions to accommodate the new residential developments that will access it to Thompson Nursery Road. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed.

- The closest mass transit route is the Route 30 Legoland line with Citrus Connection. The closest bus stop to the subject site is at the Eagle Ridge Mall on the east side of US Highway 27.

- The nearest neighborhood park is Waverly Park 4.2 miles northeast of the site driving, and the nearest regional Park is Lake Florence Park 3.7 miles to the northwest of the subject site.

Environmental

- The subject site is relatively flat with a high elevation of 129 feet on the southeast corner of the site and a low of 121 on the northeast corner of the site. It is 125 on the northwest corner.

- There are no wetlands or flood zone on site.

- The soil type for the site is a mix of Sparr sand, Immokalee sand, Pompano fine sand, Holopaw fine sand, Wauchula fine sand, and Satellite sand.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are no wells on the subject site and it is not located in a wellfield.

- The site is not within an Airport Impact District.

- On the Polk Green Map, site does not show in the Potential Network Connection.

- There are no Conservation Easements on the subject site.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
  a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
  b. nearness to agriculture-production areas;
  c. distance from populated areas;
  d. economic issues, such as minimum population support and market-area radius (where applicable);
  e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
     1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
     2. sanitary sewer and potable water service;
     3. storm-water management;
     4. solid waste collection and disposal;

5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
6. emergency medical service (EMS) provisions; and
7. other public safety features such as law enforcement;
8. schools and other educational facilities
9. parks, open spaces, civic areas and other community facilities

f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;
2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
3. wetlands and primary aquifer recharge areas;
4. soil characteristics;
5. location of potable water supplies, private wells, public well fields; and
6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.108-A1: DESCRIPTION - Rural-Development Areas (RDA) shall be all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments.

- POLICY 2.108-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Rural-Development Area base areas for those areas of the County meeting the general characteristics of this Section.

- POLICY 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas:

    - a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria.
    - b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria.
    - c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional.

Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.

- POLICY 2.108-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within RDAs in accordance with applicable criteria.

- POLICY 2.108-A5: DEVELOPMENT CRITERIA - Development within RDAs shall be guided by the following criteria:

- a. The detailed criteria listed for each land use category permitted within the Rural-Development Area;
- b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and
- c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement).
- d. Connect to public sewer as required by the Nutrient Restoration Plan Overlay.

- POLICY 2.108-A6: MONITORING - The County shall monitor the amount and rate of development in the "Rural-Development Area." The Board of County Commissioners shall take action to amend the Comprehensive Plan to limit development in the Rural-Development Area should RMD development exceed 18 over a three year period. This evaluation shall occur once after the third year of Plan implementation and at every evaluation and appraisal report cycle. If the number of RMDs exceed 18 after the first three year period, or 6 for any year after the initial three year period, Polk County shall amend the Comprehensive Plan as follows:

    - a. adopt a cap on the number of RRDs and RMDs that can occur in the Rural-Development Area in any given year;
    - b. adopt locational and/or spacing criteria for RRDs and RMDs; or
    - c. provide DEO with additional data and analysis to justify why development in the Rural-Development Area has exceeded historical trends.

- POLICY 2.121-A2: DEVELOPMENT CRITERIA - Development within designated A/RR areas shall conform to:

    - a. Residential density of one dwelling unit per five acres (1 DU/5 AC). Density may be adjusted based on the actual size of the section. A property outside of the Green Swamp Area of Critical State of Concern, may be considered five acres if it is one one-hundred and twenty-eighth (1/128) the section size for sections less than six hundred forty acres (640 acres). This includes counting to the centerline of local and collector roads.
    - b. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed sixteen (16) workers per acre.
    - c. Utility structures for the storage of farm equipment and to conduct normal farm operations, to include on-site packing and other on-site agricultural-support activities typical of those uses listed in Policy 2.125-L1.a-d, provided that such activity is subordinate and accessory to the principal agricultural use. (Agricultural equipment may be used off-site.)
    - d. Structures for the sale of agricultural products grown or raised on the premises, provided that such sales activity is subordinate and accessory to the principal agricultural use.
    - e. The permitted uses of:
        - 1.Rural Residential Development (RRD), and
        - 2.Rural Mixed-Use Development (RMD).

- f. Institutional uses, Community Facilities and essential services will be allowed as conditional uses, in accordance with policies of this Plan and the guidelines of the County's Land Development Code.
- g. Properties adjacent to SR 17 shall be allowed densities and/or intensities up to the maximum allowed in this land use category (2 dwelling units per acre) as a permitted use without requiring a public hearing provided the development meets all the criteria established in Section 2.124-H for Scenic Highways and the Scenic Highway development regulations within the Land Development Code. At a minimum, all development shall:
  - 1.Connect to a centralized potable water supply, and
  - 2.Provide no less than 30% open space throughout the development with at least 70% of that open space dedicated to scenic vista preservation, either along the highway or through the property to a distant view beyond the property boundary. This open space shall be set aside as conservation in perpetuity via a binding legal instrument which prohibits future development within the established boundaries.

- POLICY:2.121-A3: RRD & RMD PERMITTED USES - The permitted uses of RRD and RMD shall meet the development criteria and conditions of Sections 1.121-B and 1.121-C and receive development approval as specified within the County's land-development regulations which shall include the following guidelines for consideration of such approval:

  - a. When approving an RRD or RMD permitted use consideration shall be given to all relevant facts and circumstances, including, but not limited to:1.the functional and proximate relationship between the proposed development and other development,2.the compatibility of the development with existing agricultural activities,3.the displacement of on-going economically viable agricultural activities,4.whether the development is premature, and5.consistency with the goals and objectives of this Comprehensive Plan.
  - b. The County shall encourage design standards for RRDs and RMDs which promote development consistent with the rural character of the area.
  - c. RRD and RMD developments shall comply with the following:
    - 1.The maximum number of dwelling units to be approved for a RRD/RMD project shall be calculated based upon the entire RRD/RMD site area (including the minimum 50% reservation area) with the total permitted dwelling units to be clustered on the non-reservation portion of the site.
    - 2.RRD/RMD dwelling unit calculations shall not be affected by wetlands, or other lands having similar special-density designations, and therefore, special non-RRD/RMD on-site density transfers (such as for wetlands) shall not be permitted within an RRD/RMD project since the entire RRD/RMD concept is already based upon on-site density transfers to preserve no less than one-half of the project site.
    - 3.The RRD/RMD binding site plan, approved through the development-review process specified in Policies 2.121-B3.b and 2.121-C3.d, shall first include in the reservation area environmentally sensitive lands, such as wetlands and scrub or other endangered habitats, before setting aside lands for other reasons such as open space or continued agricultural uses.

- POLICY 2.121-A4: AGRICULTURE - The following Agricultural policies shall apply within Polk County:

    - a. Agricultural uses, unless further restricted by development regulations, shall be permitted within any future land use category, and a future land use designation shall not be grounds for denial of a "greenbelt" tax exemption claim if the property is used primarily for bona fide agricultural purposes in accordance with Section 193.461, FS.
    - b. Agricultural activities within an A/RR classification shall not be deemed inconsistent or incompatible with, or a nuisance to, development.
    - c. All development within an A/RR classification shall be designed in a manner compatible with adjacent agricultural activities, including the provision of adequate buffering.
    - d. Agricultural activities shall be given priority when making land use decisions within A/RR areas.
    - e. Polk County shall not duplicate the regulation of those aspects of agricultural activities that are adequately regulated by other governmental agencies, as determined by the Board of County Commissioners.
    - f. Land within areas designated as A/RR or Residential-Suburban (RS) may be used by family members of the property owner for use as a permanent residence at densities higher than that permitted by the A/RR or RS land use classification, upon approval by the Board of County Commissioners - but not to exceed a density of one dwelling unit per acre (1 DU/AC) and the minimum lot size shall be one acre. This provision is intended to promote the perpetuation of the family farm by making it possible for family members to both work and reside on the property devoted to agricultural uses.
    - g. In furtherance of Policy 2.402-A4, and to address the agricultural land use issues created by the devastating December 1989 freeze, the Polk County Land Development Division, and the Economic Development Council, shall work with organizations representing the commercial agricultural industry in Polk County, including, but not limited to, Florida Citrus Mutual, Florida Cattlemen's Association (Polk County), and Florida Farm Bureau Federation (Polk County) in order to coordinate the future land use needs of that industry.

- POLICY 2.115-A1: CHARACTERISTICS - Leisure/Recreation (L/R) areas are grounds and facilities oriented primarily toward providing recreational-related services for residents and short-term visitors to Polk County. These include, but are not limited to: fish camps, lodges and retreats, recreational-vehicle (RV) parks, retirement mobile home parks, golf courses, and accessory minor commercial uses necessary to support these facilities, such as bait shops and convenience stores.

- POLICY 2.115-A2: DESIGNATION AND MAPPING - Leisure/ Recreation lands shall be designated and mapped on the Future Land Use Map Series as "Leisure/Recreation" or "L/R"; and may include existing commercial recreation sites which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave. L/R shall also include recreation and retirement accommodations, resorts, and communities.

- POLICY 2.115-A3: LOCATION CRITERIA - Retirement, recreation, leisure, and associated commercial development shall occur within designated L/R Areas. The following factors shall be taken into consideration when determining the appropriateness of establishing new L/R areas:

    - a. Accessibility to arterial or collector roadways, with consideration being given to regional transportation issues for L/R developments supported by a regional or national market.
    - b. Proximity to recreational attractions that would support the proposed development, to include, but not limited to: recreational water bodies, governmental recreational facilities, natural amenities, or other regional tourist attractions.
    - c. Economic issues, such as minimum population support and market area radius (where applicable).
    - d. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.

- POLICY 2.115-A4: DEVELOPMENT CRITERIA - Development within a L/R area shall conform to the following criteria:

    - a. Permitted uses include, but are not limited to: retirement communities, marinas, fish camps, lodges and retreats, recreational-vehicle (RV) parks, golf courses, and accessory minor retail commercial uses necessary to support these facilities, such as bait shops and convenience stores.
    - b. Minor retail commercial uses within a L/R area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/R area. No more than 7% of the net usable land within a specific L/R area shall be used for commercial uses.
    - c. L/R sites shall be designed to provide:
        - 1.Adequate parking to meet the present and future demands of the use and overflow parking designated and maintained for peak season events so as to prevent parking from encroaching upon public thoroughfares;
        - 2.Buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions; and
        - 3.Direct access to a paved publicly maintained road with adequate level-of-service (LOS) capacity.
    - d. Permitted lodging densities within the L/R are separated into three categories as follows:
        - Type A Leisure/Recreation - Permitted in all development areas, lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Housing densities may reach two dwelling units per acre (2 du/ac.) if there is centralized community or public water provided. With central water and sewer, housing densities may reach four units per acre (4 du/ac.). A minimum of 50% open space is required within a Type A L/R development.

- Type B Leisure/Recreation - Permitted in TSDA, UGA, UEA and SDA, lodging structures may not exceed four (4) dwelling units attached. Lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Lodging densities may reach three dwelling units per acre (3 du/ac.) if there is centralized community or public water provided. With central water and sewer, lodging may reach six units per acre (6 du/ac.).

- Type C Leisure/Recreation - Permitted only in TSDA and UGA. Community or public central water and sanitary sewer connection is mandatory. All types of lodging structures are permitted up to a maximum density of ten lodging units per acre (10 du/ac.) A minimum of 20% open space is required within a Type C L/R development. Type C recreational facilities are not permitted in the Green Swamp Area of Critical State Concern.

- RV parks permitting stays in excess of 30 days shall count each RV space as a unit in accordance with the density limits established above. Camping facilities that incorporate RV spaces within them shall not be considered as units towards the density calculations provided stays in excess of 30 days are prohibited within them.

- POLICY 2.115-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an L/R may include the following uses: Residential, Institutional, or Open Space.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-26.**

Planning Commission Recommendation: On November 5, 2025, in an advertised public hearing, the Planning Commission voted ?:? to **recommend ? of LDCPAS-2025-26.**

NOTE: *This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.*

NOTE: *All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*
NOTE: *Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite*

approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Analysis
This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses
Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest CITY; Carlton Arms apartment complex	**North** CITY; Carlton Arms apartment complex	**Northeast** CITY; Carlton Arms apartment complex
West CITY; conservation	**Subject Site** A/RR; Natural Encounters Inc	**East** CITY; conservation
Southwest CITY; single-family residential	**South** CITY; single-family residential	**Southeast** CITY; single-family residential

Source: Polk County Geographical Information System and site visit by County staff

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses

The purpose of RDA's is to provide areas for rural activities such as agricultural uses, mining activities, and rural residential development. RDA's include those areas of the County that are not located within a TSDA, UGA, SDA, or UEA.

The request is a Future Land Use designation that is compatible with the surrounding area. In Section 2.108-A3 of the Comprehensive Plan, Leisure/Recreation is allowed within the RDA and

Policy 2.115-A5 of the Comprehensive Plan states that Residential can be adjacent to Leisure/Recreation. In this instance, there is residential to the north and south of the subject site within the city limits of Winter Haven. There will also be three remaining parcels adjacent to the subject site that reside within the Agricultural/Residential Rural (A/RR) Future Lane Use that are not going to be changed. They currently have single family residential development on site.

The Preserve and Wildlife Refuge currently developed on site was approved with Conditional Use LDCU-2018-52, which was approved by the Board of County Commissioners on April 16, 2019. This allowed for the site to exist as a Breeding, Boarding, and Rehabilitation Facility. The Conditional Use will remain in effect even with the Future Land Use change to L/R as this use is still not an allowable use within the new land use.

B. Infrastructure

The subject site will be serviced by City of Winter Haven's Utility Service Area for potable water. The Utilities GIS confirms that the water lines run adjacent to the west end of the subject site. However, wastewater will be handled by on-site septic. The site directly accesses onto Thompson Nursery Road (Urban Major Collector), which is near US Highway 27 (Urban Principal Arterial) to the east. There is available transportation capacity on Thompson Nursery Road and US Highway 27 on this link. Public safety response times are normal for this part of the County. While there is capacity within the schools, this area has developed as non-residential, so student generation will not occur. The request is compatible with the available infrastructure.

The road that accesses the site, Conservation Way, is a private road that is currently unpaved and has no sidewalks or shoulders. However, after a site visit from staff, the road is currently under construction to improve and widen the road to accommodate the new residential development that will also be accessing Conservation Way. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed. Conservation Way accesses directly onto Thompson Nursery Road, which is also approved for improvement to widen it from a 2-lane undivided road to a 4-lane road with a median.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board. The related case to this, LDCT-2025-18, acts to prohibit certain uses on site. None of the uses remaining will allow for residential development, so no student generation will occur even with the land use change.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
South Pointe Elementary School	**0 student**	**48%**	**6.3 miles**
McLaughlin Academy Middle	**0 student**	**88%**	**7.3 miles**
Lake Region Senior High School	**0 student**	**61%**	**9.4 miles**

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

It is important to note that the subject site will not generate any students as it is built out for recreation/leisure purposes.

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the County.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	**Central District Command Unit (**3635 Ave G N.W., Winter Haven, FL)	12.7 +/- miles Priority 1 – 8:11 Priority 2 – 22:25
Fire/ EMS	**Station #44** (1695 Masterpiece Road, Lake Wales)	4.8 +/- miles

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for October 2025.

Water and Wastewater

A. Estimated Demand

The subject site is within the City of Winter Haven's Utility Service Area for potable water. A representative from City of Winter Haven did confirm that a water line runs along the western edge of the subject site and it is connected, but no wastewater lines are adjacent. However, the wastewater lines will be extended along Thompson Nursery Road to accommodate the new residential developments. The site currently uses septic. The proposed L/R would theoretically use more water and produce more wastewater than the current land use of A/RR.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use A/RR w/ PD**	**Maximum Allowable in Proposed L/R**
33 +/-acres **1,437,480sq ft**	**33 acres x 1 du/ac** **= 33 du**	**33 acres x 4 du/ac for RV units** **= 132 du**
Potable Water Consumption	**33 du X 360 GPD=** **11,880 GPD**	**132 du X 198 GPD =** **26,136 GPD**
Wastewater Generation	**33 du X 270 GPD =** **8,910 GPD**	**26,136 X 80% =** **20,909 GPD**

Source: Concurrency Manual: RL for single family residence is 360 GPD for water and 270 GPD for wastewater, RV Park is LDA for L/R with 198 GPD for water and 80% of water for sewer.

B. Service Provider

The subject site is within the City of Winter Haven's Utility Service Area for water, but the wastewater will be handled by septic. There is a Distribution Main Line for water that runs north to south on the west side of the subject property along the parcel edge. Site is connected to water as was confirmed by a City of Winter Haven representative.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by City of Winter Haven Utilities. Staff requested information but it was not available at the time this report was submitted.

D. Planned Improvements

There are no improvements planned at this time.

Roadways/Transportation Network

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Future Land Use change may result in higher trips.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use A/RR w/ PD**	**Maximum Allowable in Proposed L/R**
33 +/-acres 99,317 sq ft	**33 acres X 1du/ac = 3 du**	**33 acres x 4 du/ac = 132 du**
Average Annual	**33 du X 7.81 AADT = 258 Trips (100% New Trips)**	**132 du X 3.55 AADT = 417 Trips (89% New Trips)**
PM Peak	**33 du X 1 PM Peak = 33 Trips (100% New Trips)**	**132 du X 0.29 PM Peak = 34 Trips (89% New Trips)**

Source: Concurrency Manual and Table for Minor Traffic Study –Agricultural/Residential Rural (A/RR) Single Family Detached Housing at 7.81 AADT and 1 PM Peak Hours (100% new trips), and Recreational Homes at 3.55 AADT and 0.29 Peak Hours (89% new trips).

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a non-residential development. There is currently a Preserve and Wildlife Refuge developed on the site. The road accessing the site Thomson Nursery Road, has available capacity. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

Table 6

Link #	**Road Name**	**Current LOS**	**Available Capacity**	**Minimum LOS Standard**	**Projected Five Year LOS**
4160E	THOMPSON NURSERY ROAD (COUNTY ROAD 653 TO US 27)	C	212	D	C
4160W		C	189	D	C
5104N	US 27 (TOWERVIEW BOULEVARD TO STATE ROAD 540)	C	964	D	C
5104S		C	1044	D	C

Source: Polk Transportation Planning Organization, Roadway network Database 2025

C. Roadway Conditions

Thompson Nursery Road is an Urban Collector with available capacity in both directions. Thompson Nursery Road has a PCI rating of Good on this Road Link. US Highway 27 is

maintained by the state so conditions are not tracked by Polk County. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development. Conservation Way is privately owned, unpaved, and has no sidewalks. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed.

D. Sidewalk Network

There are no sidewalks running west to east along Thomspon Nursery Road, but there are sidewalks that run north to south along the west side of US Highway 27 east of the subject site.

E. Planned Improvements:

Thompson Nursery Road is currently under construction for improvement to widen from US Highway 27 to Lake Ruby Drive, taking it from 2 lanes undivided to 4 lanes with a median.

F. Mass Transit

Mass transit is available in the area with the Route 30 for Legoland from Citrus Connection on State Road 540 (Cypress Gardens Boulevard) to the north, with the closest stop to the east at Eagle Ridge Mall.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Waverly Park 4.2 miles northeast of the site driving, and the nearest regional Park is Lake Florence Park 3.7 miles to the northwest of the subject site.

B. Services:

Waverly Park has a cricket pitch, an athletic field and basketball courts. You will also find a playground, restrooms, picnic tables and picnic shelters. Lake Florence Park has a dock and boat launch site.

C. Multi-use Trails:

The closest free hiking trail is the Lake Gwyn Park which is 7.9 miles to the west of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site is the Barbara Pederson Wildlife Preserve. It is part of the Green Horizons Land Trust, 2.5 miles to the northeast of the subject site.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

A. Surface Water:

There is no surface water on the subject site. On the Polk Green Map, site does not show in the Potential Network Connection. There are no Conservation Easements on the site as well.

B. Wetlands/Floodplains:

There are no wetlands or floodplains on the subject site. There is Flood Zone AE to the west of the subject site. Site is not park of the Polk Green Network Connection and does not have a Conservation Easement on site.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the soil is comprised of a variety that could prove difficult for development.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Sparr sand, 0 to 5 percent slopes (14)	Severe: wetness, poor filter	Moderate: wetness	50.9
Immokalee sand (21)	Severe: wetness	Severe: wetness	1.4
Pompano fine sand (30)	Severe: wetness, poor filter	Severe: wetness	21.8
Holopaw fine sand, frequently ponded, 0 to 1 percent slopes (33)	Severe: ponding, poor filter	Severe: ponding	2.0
Wauchula fine sand (40)	Severe: wetness, percs slowly	Severe: wetness	1.2
Satellite sand, 0 to 2 percent slopes (77)	Severe: wetness, poor filter	Severe: wetness	22.7

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File.

F. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site will be connecting to water from City of Winter Haven Utilities.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

The development of this site does not negatively affect the economy of the County. It does provide a place for educational purposes as a functioning Preserve and Wildlife Refuge.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Recreation/Leisure (R/L) would be compatible with the surrounding area, as residential uses are allowable next to R/L per Policy 2.115-A5.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The lands surrounding the subject site are a mix of multifamily to the north, single-family to the south, and conservation to the east and west. There are three single family homes remaining within the A/RR FLU that will border the site. Site is almost completely surrounded by the city limits of Winter Haven. City of Winter Haven Utilities are available in this area for water, but wastewater will be handled by onsite septic. This request is consistent with this policy.
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The request is consistent with this policy as the site has already been developed with the attraction for some time. The Future Land Use change simply allows to operate under a conformity that would give them potential expansion opportunities in the future. There is ample connectivity to water and electricity. Site is connected to water as was confirmed by a City of Winter Haven employee. Fire is close by with low response times, while Sheriff is close enough to not be an issue. None of the three schools that are zoned for the site are at capacity, which is not an issue since the site is non-residential. The overall parcel does not contain wetlands or floodplains.
POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2.sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.108-A1: DESCRIPTION - Rural-Development Areas (RDA) shall be all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments. POLICY 2.108-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Rural-Development Area base areas for those areas of the County meeting the general characteristics of this Section. POLICY 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas: o a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria. o b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional. Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109. POLICY 2.108-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within RDAs in accordance with applicable criteria. POLICY 2.108-A5: DEVELOPMENT CRITERIA - Development within RDAs shall be guided by the following criteria: o a. The detailed criteria listed for each land use category permitted within the Rural-Development Area;	Leisure/Recreation (L/R) is an allowable use in the Rural Development Area (RDA). There is ample infrastructure available in the area to support this land use with connections to water, with septic handled on site. Sidewalks run north to south along the nearby US Highway 27, but none along Thompson Nursery Road, the accessing road to the site. Thompson Nursery Road is an Urban Collector road with available capacity. Conservation Way is a private road that is currently unpaved. It has no sidewalks or shoulders, but is currently under construction to accommodate new residential development. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed. There are emergency services, parks, education, mass transit, and multifamily residential development closeby at Carlton Arms. The subject site just barely sits within the TCCO Corridor which allows for higher density developments.

Comprehensive Plan Policy	Consistency Analysis
o b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and o c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). o d. Connect to public sewer as required by the Nutrient Restoration Plan Overlay. POLICY 2.108-A6: MONITORING - The County shall monitor the amount and rate of development in the "Rural-Development Area." The Board of County Commissioners shall take action to amend the Comprehensive Plan to limit development in the Rural-Development Area should RMD development exceed 18 over a three year period. This evaluation shall occur once after the third year of Plan implementation and at every evaluation and appraisal report cycle. If the number of RMDs exceed 18 after the first three year period, or 6 for any year after the initial three year period, Polk County shall amend the Comprehensive Plan as follows: o a. adopt a cap on the number of RRDs and RMDs that can occur in the Rural-Development Area in any given year; o b. adopt locational and/or spacing criteria for RRDs and RMDs; or o c. provide DEO with additional data and analysis to justify why development in the Rural-Development Area has exceeded historical trends.	
POLICY 2.115-A1: CHARACTERISTICS - Leisure/Recreation (L/R) areas are grounds and facilities oriented primarily toward providing recreational-related services for residents and short-term visitors to Polk County. These include, but are not limited to: fish camps, lodges and retreats, recreational-vehicle (RV) parks, retirement mobile home parks, golf courses, and accessory minor commercial uses necessary to support these facilities, such as bait shops and convenience stores. POLICY 2.115-A2: DESIGNATION AND MAPPING - Leisure/ Recreation lands shall be designated and mapped on the Future Land Use Map Series as "Leisure/Recreation" or "L/R"; and may include existing commercial recreation sites which are not included within an Activity Center, Linear	The subject site is currently designated as Agricultural/Residential Rural (A/RR), which is also an allowable use in the RDA and abuts appropriate land uses. The site already has a Preserve and Wildlife Refuge attraction developed on it and is abutting single family residences to the south and multifamily to the north. The request is to change the future land use to Leisure/Recreation (L/R). Site has direct access from Conservation Way onto Thompson Nursery Road, an Urban Major Collector, with close proximity to US Highway 27, a Principal Arterial. Legoland is nearby to the northwest of the subject site.

Comprehensive Plan Policy	Consistency Analysis
Commercial Corridor, or Commercial Enclave. L/R shall also include recreation and retirement accommodations, resorts, and communities. POLICY 2.115-A3: LOCATION CRITERIA - Retirement, recreation, leisure, and associated commercial development shall occur within designated L/R Areas. The following factors shall be taken into consideration when determining the appropriateness of establishing new L/R areas: o a. Accessibility to arterial or collector roadways, with consideration being given to regional transportation issues for L/R developments supported by a regional or national market. o b. Proximity to recreational attractions that would support the proposed development, to include, but not limited to: recreational water bodies, governmental recreational facilities, natural amenities, or other regional tourist attractions. o c. Economic issues, such as minimum population support and market area radius (where applicable). o d. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10. POLICY 2.115-A4: DEVELOPMENT CRITERIA - Development within a L/R area shall conform to the following criteria: o a. Permitted uses include, but are not limited to: retirement communities, marinas, fish camps, lodges and retreats, recreational-vehicle (RV) parks, golf courses, and accessory minor retail commercial uses necessary to support these facilities, such as bait shops and convenience stores. o b. Minor retail commercial uses within a L/R area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/R area. No more than 7% of the net usable land within a specific L/R area shall be used for commercial uses. o c. L/R sites shall be designed to provide: □ 1.Adequate parking to meet the present and future demands of the use and overflow parking designated and maintained for peak season events so as to prevent parking from encroaching upon public thoroughfares; □ 2.Buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas,	

Comprehensive Plan Policy	Consistency Analysis
dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions; and □ 3.Direct access to a paved publicly maintained road with adequate level-of-service (LOS) capacity. o d. Permitted lodging densities within the L/R are separated into three categories as follows: □ Type A Leisure/Recreation - Permitted in all development areas, lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Housing densities may reach two dwelling units per acre (2 du/ac.) if there is centralized community or public water provided. With central water and sewer, housing densities may reach four units per acre (4 du/ac.). A minimum of 50% open space is required within a Type A L/R development. □ Type B Leisure/Recreation - Permitted in TSDA, UGA, UEA and SDA, lodging structures may not exceed four (4) dwelling units attached. Lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Lodging densities may reach three dwelling units per acre (3 du/ac.) if there is centralized community or public water provided. With central water and sewer, lodging may reach six units per acre (6 du/ac.). □ Type C Leisure/Recreation - Permitted only in TSDA and UGA. Community or public central water and sanitary sewer connection is mandatory. All types of lodging structures are permitted up to a maximum density of ten lodging units per acre (10 du/ac.) A minimum of 20% open space is required within a Type C L/R development. Type C recreational facilities are not permitted in the Green Swamp Area of Critical State Concern. □ RV parks permitting stays in excess of 30 days shall count each RV space as a unit in accordance with the density limits established above. Camping facilities that incorporate RV spaces within them shall not be considered as units towards the density calculations provided stays in excess of 30 days are prohibited within them. POLICY 2.115-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development	

Comprehensive Plan Policy	Consistency Analysis
adjacent to an L/R may include the following uses: Residential, Institutional, or Open Space.	

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections where referenced in this report**
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

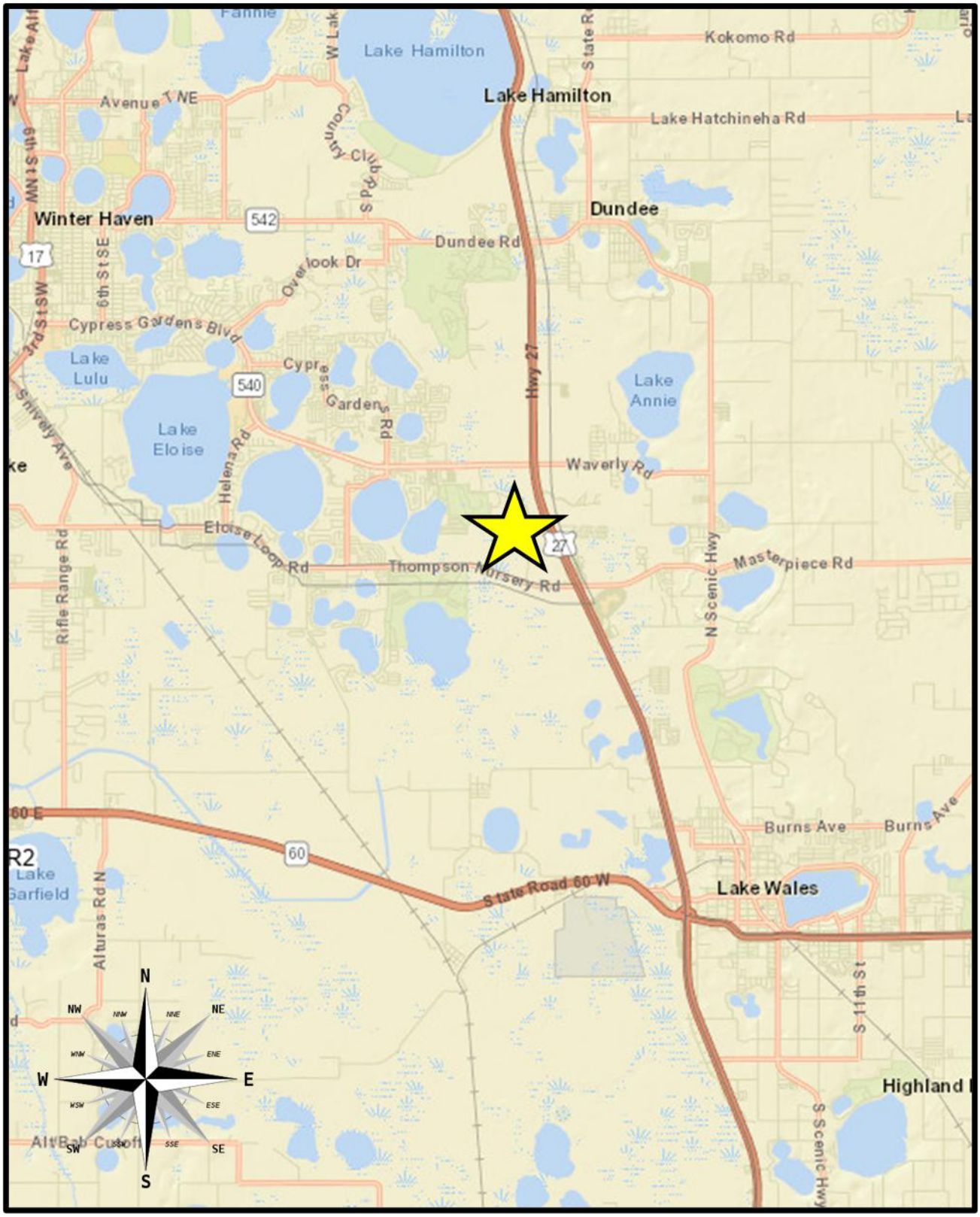
Comments from other agencies

City of Winter Haven was contacted regarding this project and they had no comments or concerns

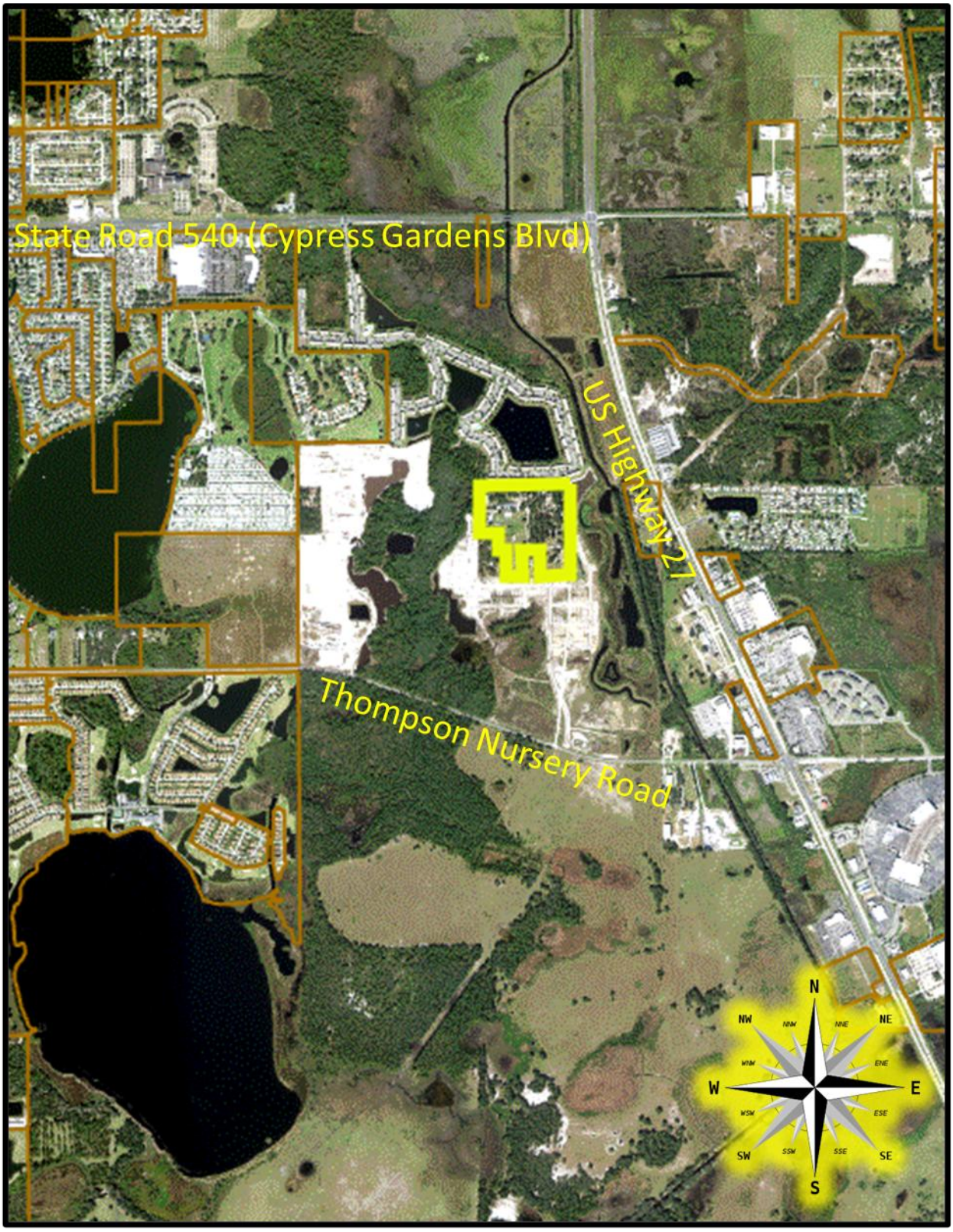
Exhibits:

Exhibit 1	Location Map
Exhibit 2	2023 Aerial Context Map
Exhibit 3	2023 Aerial Close Up
Exhibit 4	Current Future Land Use Map
Exhibit 5	Proposed Future Land Use Map
Exhibit 6a	A/RR Permitted and Conditional Uses
Exhibit 6b	L/R Permitted and Conditional Uses
Exhibit 7	Winter Haven Future Land Use
Exhibit 8	Site Plan from LDCU-2018-52

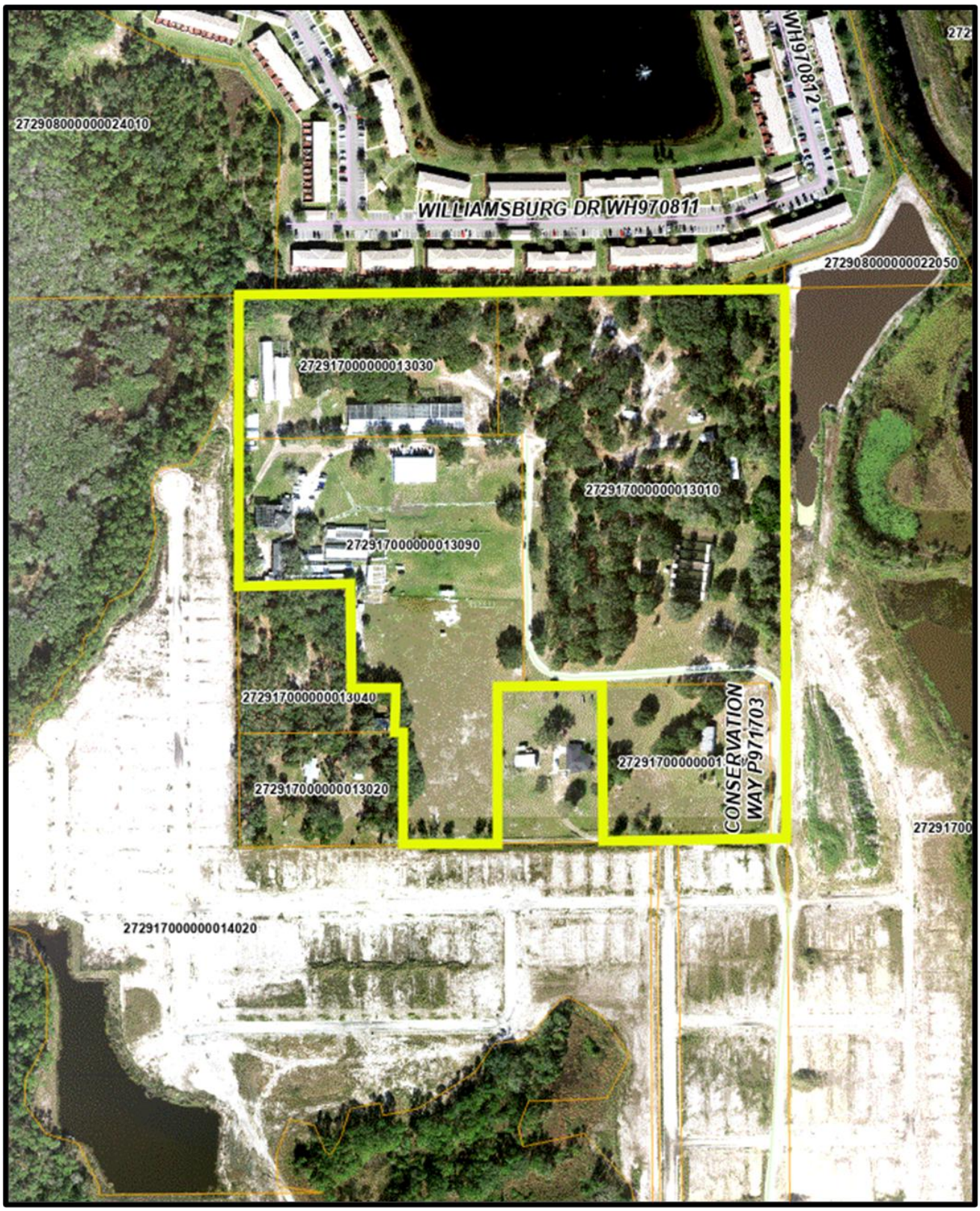
Applicant's submitted documents and ordinance as separate files



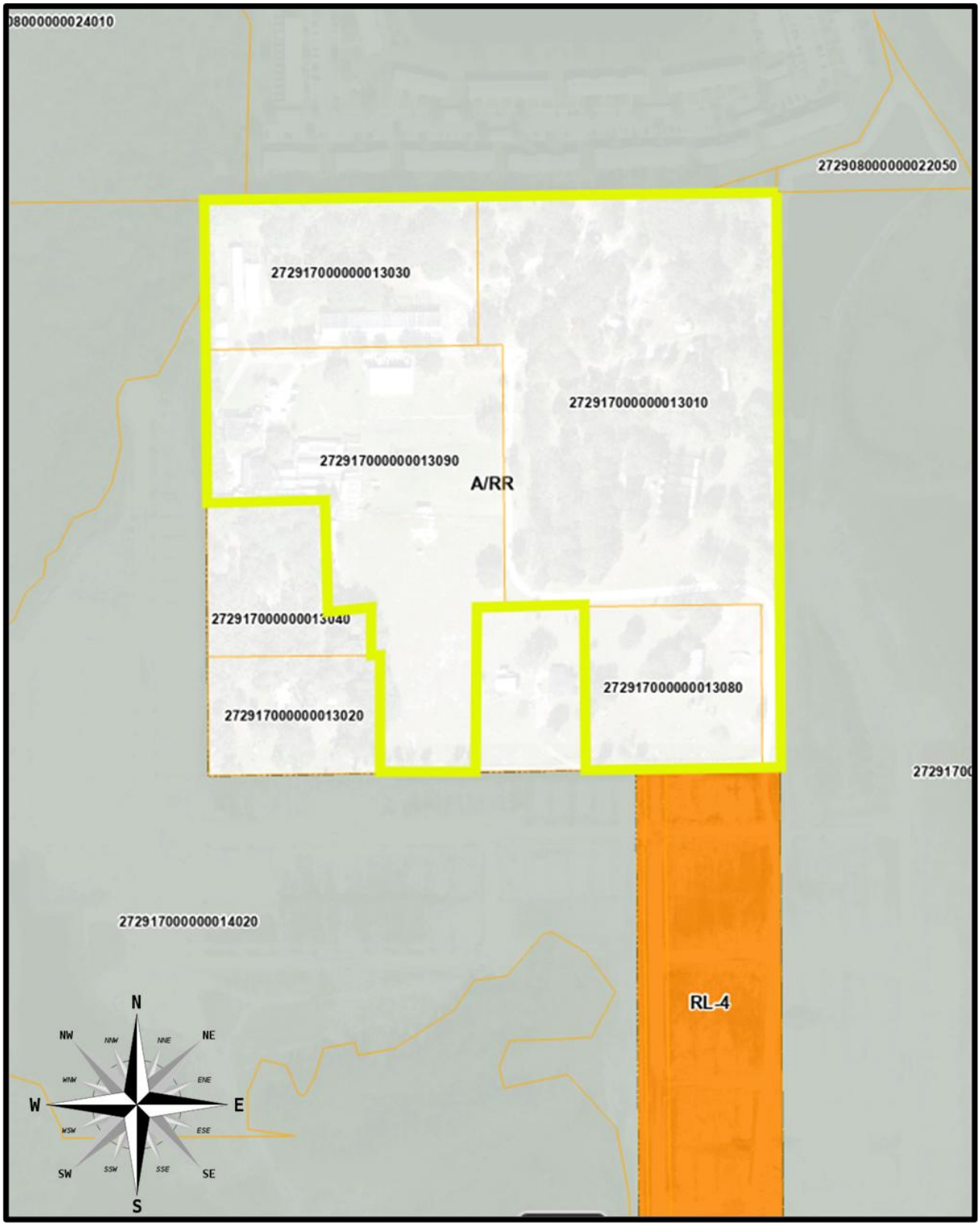
LOCATION MAP



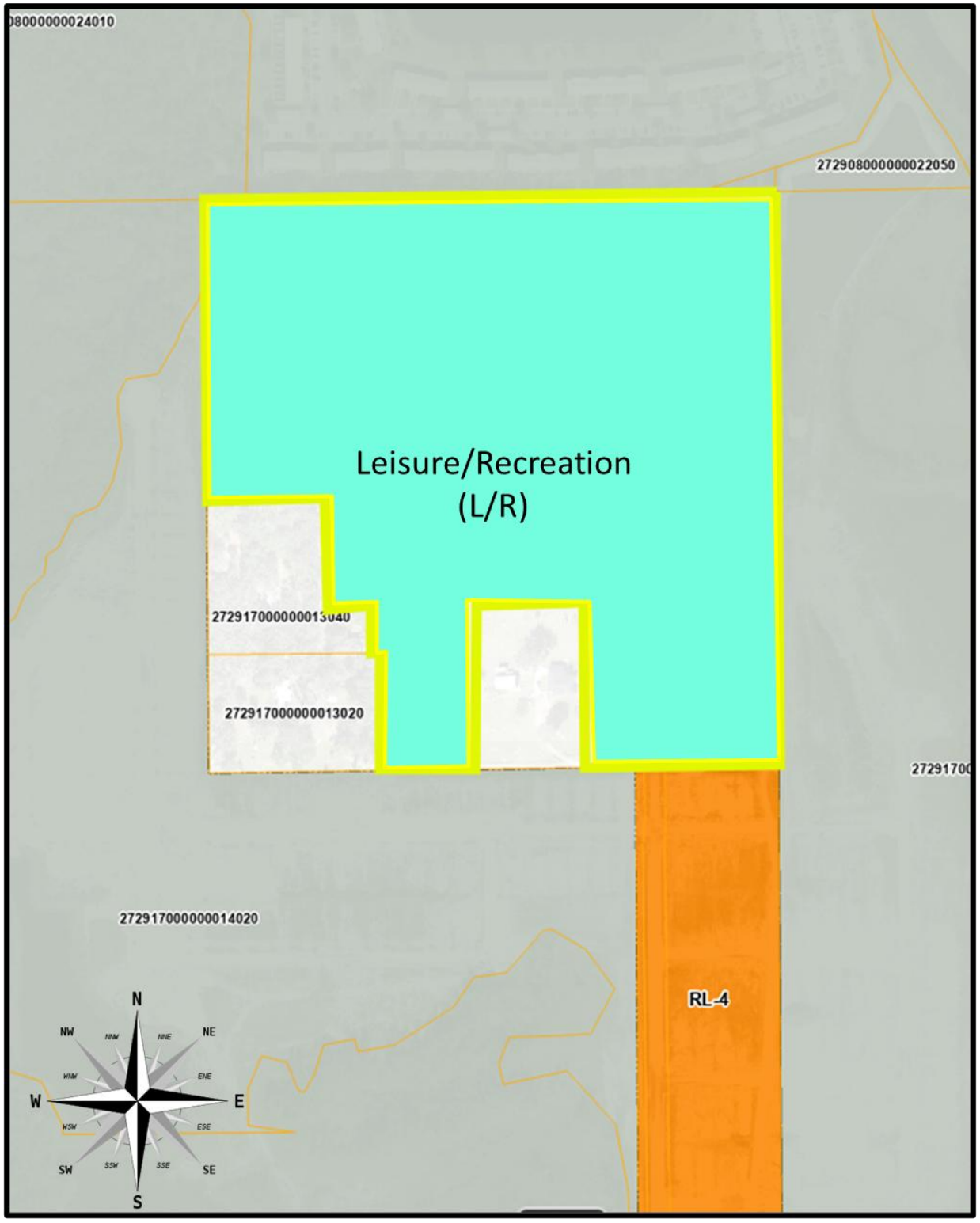
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Agricultural/Residential Rural (A/RR)



PROPOSED FLUM
Leisure/Recreation (L/R)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
A/RR	Single-family Detached Home & Subdivision, Animal Farm-Intensive, Farming General, Kennels- Boarding and Breeding, Livestock Sale-Auction, Nurseries and Greenhouses, Utilities- Class I, Veterinary Service	Family Farm, Group Home- Small (6 or less residents), Mobile Homes-Individual, Emergency Shelter-Small (6 or less residents), Golf Course, Recreation- Passive, Riding Academies, Utilities- Class II, Farm Worker Dormitory- Apartment Style, Cemetery, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Convenience Stores- Isolated, Heliports, Helistops, Recreation-Low Intensity, Solar Electric-Power Generation Facility	Farm Worker Dormitory- Barrack Style, Fly-in Community, Group Home- Large (7-14 residents), Group Living Facility (15 or more residents), Mobile Home Park, Mobile Home Subdivision, Rural Residential Development (RRD), Planned Development, Residentially Based Mixed Development (RBMD), Rural Mixed Development (RMD), Adult Day Care Center (7 or more clients), Agricultural Support- Off-Site, Bed and Breakfast, Breeding- Boarding- and Rehabilitation Facility- Wild or Exotic, Childcare Center, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Emergency Shelter- Medium (7-14 residents), Event Facility, Government Facility, Lime Stabilization Facility, Lodges and Retreats, Marinas and Related Facilities, Mining- Non-phosphate, Outdoor Concert Venue, Recreation-High Intensity, Recreation- Vehicle Oriented, Recreational Camping, Religious Institution, School-Elementary, School- Leisure/Special Interest, School-Technical/Vocational/Trade & Training, Seaplane Base, Utilities-Class III, Airport, Correctional Facility, Residential Treatment Facility, Water Ski Schools

Agricultural/Residential Rural (A/RR)
PERMITTED AND CONDITIONAL USES

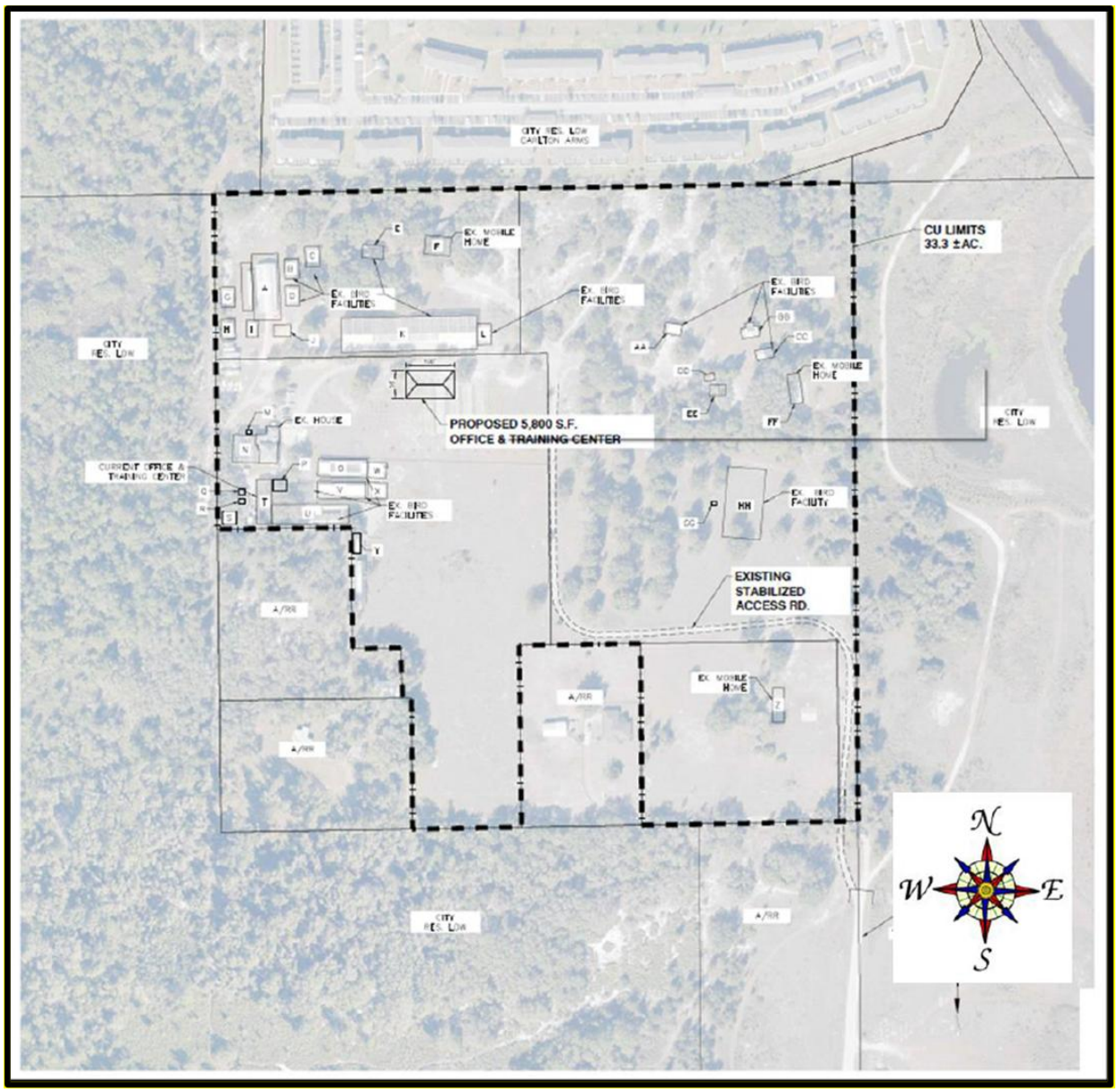
FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
L/R	Short-Term Rental Unit, Farming General, Fish Camp, Lodges and Retreats, Restaurant-Sit-down/Take-out, Riding Academies, School-Leisure/Special Interest, Utilities-Class I, Utilities- Class II, Veterinary Service	Alcohol Package Sales, Bars-Lounges- and Taverns, Golf Course, Marinas and Related Facilities, Recreation- High Intensity, Recreation- Low Intensity, Recreation- Passive, School-Technical/Vocational/Trade & Training, Multi-family, Childcare Center, Community Center, Convenience Stores- Isolated, Cultural Facility, Hotels and Motels, Medical Marijuana Dispensaries, Personal Service, Recreation & Amusement General, Recreation-Vehicle Oriented, Recreational Camping, Recreational Vehicle Park, Religious Institution, Restaurant- Drive-thru/Drive-in, Retail- 10-000 – 34-999 sq. ft., Retail- Less than 10-000 sq. ft.	Mobile Home Park, Planned Development, Communication Tower- Monopole, Government Facility, Helistops, Mining-Non-phosphate, Nightclubs and Dance Halls, Outdoor Concert Venue, Seaplane Base, Utilities-Class III, Water Ski Schools, Recreation & Amusement Intensive

Recreation/Leisure (R/L)

PERMITTED AND CONDITIONAL USES



Winter Haven Future Land Use



SITE PLAN FROM LDCU-2018-52

Agenda Item 11. 11/5/2025

SUBJECT

LDCT-2025-18 (Natural Encounters LDC Text Amendment)

DESCRIPTION

Applicant-initiated request for a Land Development Code Amendment to create a parcel specific restriction that will prohibit certain uses from being developed on 33-acres of property in the Rural Development Area (RDA). Site is located south of State Road 540 (Cypress Gardens Boulevard), west of US Highway 27, east of Eloise Loop, and north of Thompson Nursery Road, surrounded by Winter Haven city limits, in Sections 17, Township 29, and Range 27. Case is related to a Future Land Use change from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R) as part of LDCPAS-2025-26.

RECOMMENDATION

Approval

FISCAL IMPACT

Anticipated

CONTACT INFORMATION

Johnathan (JP) Sims

Planner II

Polk County BoCC

863-534-7515

johnathansims@polk-county.net

Impact Assessment Statement

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The establishment of an L/R district on the Subject Property meets the criteria set out in the Polk County Comprehensive Plan for both RDAs and L/R districts. See Consistency Analysis. In addition, the Subject Property's proximity to Legoland and its established reputation within the wildlife industry makes it well-suited as a destination for visitors to Polk County.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering required by the Polk County Land Development Code and parcel-specific text amendments adequately ensure that the proposed request is compatible with adjacent uses and entitlements in the area. The Owners will take all reasonable and necessary steps to minimize the impacts on the properties surrounding the requested land use map amendment.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The Subject Property is located in area that is either developed or going through development.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development. Any development of the Property would be consistent with the Polk County Land Development Code, the Polk County Comprehensive Plan, and proposed site specific development criteria.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

The Subject Property is currently developed. Any future development or redevelopment will be reviewed through Level 2.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

The Subject Property has been previously developed. Any future development or redevelopment will be reviewed through Level 2.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The requisite number of parking spaces required by the Polk County Land Development Code will be determined at Level 2 based on the actual square footage of any structures proposed to be constructed.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

Access will be provided via Conservation Way, a private road established through a private easement. It is anticipated that Conservation Way be further improved as property to the east and west is fully developed.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

Modes of transportation to the Subject Property are primarily focused on automobiles.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

No impact on sewage generation is anticipated. The Subject Property has been previously developed.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

No impact on sewage generation is anticipated. The Subject Property has been previously developed.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with applicable and appropriate rules and regulations.

4. Identify the service provider; and

The Subject Property has been previously developed. No impact to sewer is anticipated.

5. Indicate the current provider’s capacity and anticipated date of connection.

No impact is anticipated. The Subject Property has been previously developed.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

No significant impact to water supply is anticipated. The Subject Property has been previously developed.

2. Identify the service provider;

No significant impact to water supply is anticipated. The Subject Property has been previously developed.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

No significant impact to water consumption is anticipated. The site has been previously developed.

4. Indicate the current provider's capacity and anticipated date of connection

Connection is not anticipated. The site has been previously developed.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There does not appear to be any state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. In addition, the Subject Property is already developed. As such, there is no anticipated impact on fish and wildlife resources.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

Indeterminable at this time. Market data will be submitted upon completion.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The proposed future land use map amendment would allow for the proposed development to provide convenience Leisure/Recreation uses in area that is predominantly single-use residential. The Proposed Request would also provide visitors to Polk County with a nature-based attraction.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact to health care is anticipated.

d. Fire Protection;

No impact on fire protection is anticipated. The Subject Property has been previously developed.

e. Police Protection and Security; and

No impact on police protection and security is anticipated. The Subject Property has been previously developed.

f. Electrical Power Supply

Indeterminable at this time.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Parcel Map; see attached Roads Map.

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Polk County Future Land Use Map; City of Winter Haven Future Land Use Map; City of Winter Haven Zoning Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Roads Map.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

A Site Plan is not available at this time.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

A Drainage Map is not available at this time, as we do not have any engineered plans to evaluate the proposed location of stormwater ponds, buildings, impervious surface, etc.

LDCT-2025-18 - Natural Encounters Text Change

Menu Reports Help

Application Name: Natural Encounters Text Change

File Date: 08/07/2025

Application Type: BOCC-LDC Text Change

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: See description uploaded with application package.

Application Detail: Detail

Address: 129 CONSERVATION WAY, WINTER HAVEN, FL 33884

Parcel No: 272917000000013030

Owner Name: STEVE MARTINS NATURAL ENCOUNTERS INC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Shelton Rice	Peterson & Myer...	Engineer	Mailing, 225 East Lemo...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $5,434.00

Total Fee Invoiced: $5,434.00

Balance: $0.00

Custom Fields: LD_PUBL_HEAR

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
LDC Text Amendment

Variance Type
–

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
33

DRC Meeting
08/28/2025

DRC Meeting Time
11:30 AM

Rescheduled DRC Meeting
–

Rescheduled DRC Meeting Time
–

Number of Units
–

Green Swamp
No

Is this Polk County Utilities

Case File Number
–

FS 119 Status
Non-Exempt

One Year Extension
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
11/05/2025

BOA Hearing Date
–

1st BOCC Date
12/02/2025

2nd BOCC Date
12/16/2025

HEARING

PC Hearing Results
–

PC Vote Tally
–

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results
–

BOCC 2nd Vote Tally
–

FINAL LETTER

Denovo Appeal
–

Denovo Results
–

Denovo Tally
–

LD_PUBL_HEAR_EDL

Opening DigEplan List...

DigEplan Document List
–

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-25EST-00000-48695	DIGITAL PROJECTS LD	–
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
√

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/20/2025	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	09/09/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	08/26/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	08/22/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	09/09/2025	Johnathan Sims
School Board Review	School District	Not Required	08/25/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	09/12/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Demonstration of Need

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.

ANALYSIS: *The Proposed Request will act to provide L/R uses to residential developments in the area and those visiting Polk County.*

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

ANALYSIS: *The Proposed Request will act to alleviate sprawl concerns by changing the land use to L/R from Rural (A/RR). Such a change acknowledges the surrounding residential development but maintains the rural features adjacent to it.*

c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.

ANALYSIS: *The Proposed Request is not for urban development.*

d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.

ANALYSIS: *The Subject Property is developed. In addition, the Subject Property does not appear to have any wetlands, nor is it located in a flood zone. [see Wetlands Map; see Flood Zone Map].*

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

ANALYSIS: *The Subject Property is not adjacent to agricultural activities and there are no anticipated impacts to agricultural areas.*

f. Fails to maximize use of existing public facilities and services.

ANALYSIS: *No negative impacts to existing public facilities and services are anticipated.*

g. Fails to minimize the use of future public facilities and services.

ANALYSIS: *No impact on future public facilities and services are anticipated.*

h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, stormwater management, law enforcement education health care, fire and emergency response, and general government.

ANALYSIS: *There are no anticipated off-site improvements required for the development of the Subject Property. The Subject Property is currently developed. In addition, there are no anticipated adverse impacts on public facilities in general.*

i. Fails to provide a clear separation between urban and rural uses.

ANALYSIS: *The Subject Property is not located adjacent to rural uses. Notably, the Subject Property is situated in an area that has predominantly been developed for single family residential use.*

j. Discourages or inhibits in-fill development or redevelopment of existing neighborhoods and communities.

ANALYSIS: *The Proposed Request does not discourage in-fill development or redevelopment. The Subject Property is requesting redevelopment to better serve Polk County.*

k. Fails to encourage an attractive and functional mix of land uses.

ANALYSIS: *Disrupting the pattern of single-use development will ultimately provide current and future residential developments in the area, as well as visitors to Polk County, with access to the services typical of a L/R district, while creating an attractive, functional mix of uses and avoiding sprawl.*

l. Results in poor accessibility among linked or related land uses.

ANALYSIS: *The Subject Property is consistent with the locational requirements of an L/R district contained in the Polk Comprehensive Plan.*

m. Results in the loss of a significant amount of functional open space.

ANALYSIS: N/A. *The Subject Property is developed.*

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-18, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, TO AMEND APPENDIX E PARCEL SPECIFIC COMPREHENSIVE PLAN AMENDMENTS WITH CONDITIONS TO ADD STANDARDS FOR DEVELOPMENT ON PROPERTY SUBJECT TO LDCPAS-2025-26 AND LOCATED NORTH OF THOMPSON NURSERY ROAD, SOUTH OF STATE ROAD 540, WEST OF US HIGHWAY 27, AND EAST OF ELOISE LOOP, SURROUNDED BY WINTER HAVEN CITY LIMITS, IN SECTION 17, TOWNSHIP 29, AND RANGE 24; 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 November 5, 2025; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code shall prohibit site specific uses from Leisure/Recreation (L/R); and

WHEREAS, the Board of County Commissioners, reviewed and considered all comments received during said public hearings held on December 2, 2025 and December 16, 2025, and provided for necessary revisions; and

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

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

SECTION 1: FINDINGS The Board hereby finds and determines that:

a) The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.

b) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on November 5, 2025, to consider the LDC text amendments contained within Application LDCT-2025-18 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-18.

c) The adoption of LDCT-2025-18 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Appendix E, Section E105 of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

To place parcel specific limitations on the type of development that can occur on the Subject Property by prohibiting the future development of Helistops, Hotels and Motels, Recreation and Amusement Intensive, Multifamily, Medical Marijuana Dispensaries, Nightclubs and Dance Halls, Outdoor Concert Venues, Vehicle Oriented Recreation, and Recreation Vehicle Parks on the subject site. Table E1 will be amended to include Subsection V, which will include LDCPAS-2025-26 and the specific parcels associated with this site.

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 Florida Commerce 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.

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.

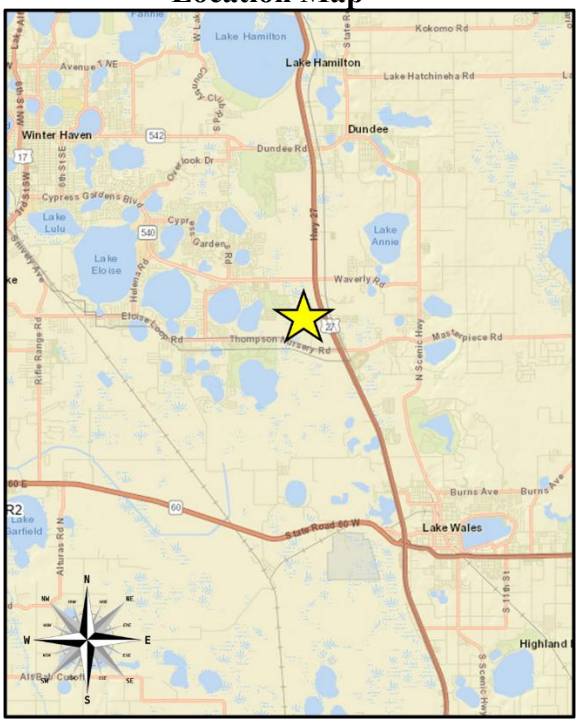
ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 16th day of December 2025.

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

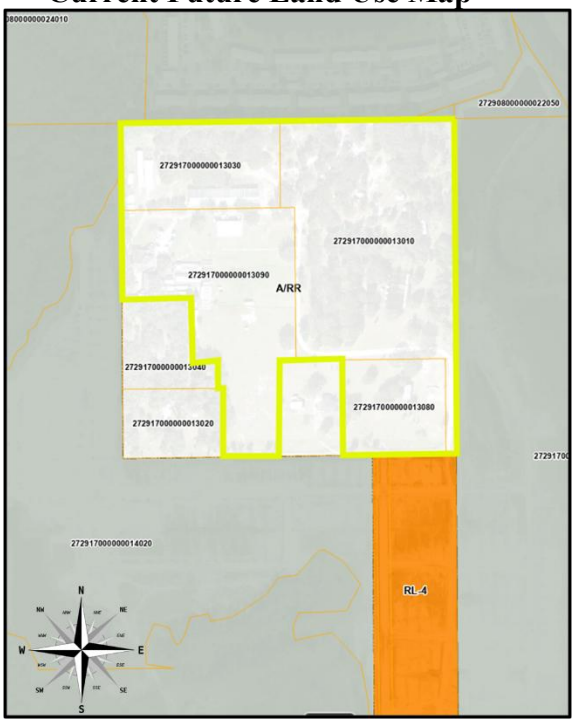
DRC Date:	August 28, 2025	**Level of Review:**	4
PC Date:	November 5, 2025	**Type:**	Comprehensive Plan Amendment
BoCC Date:	December 2, 2025 December 16, 2025	**Case Numbers:**	LDCT-2025-18
		Case Name:	Natural Encounters Text Amendment
Applicant:	Shelton Rice, Peterson and Myers Law Firm	**Case Planner:**	J.P. Sims, Planner II

Request:	Land Development Code Text Amendment to add development conditions in Appendix E, Section E105. This will add policies in Section 2.135 in the Comprehensive Plan to reference that this property has development restrictions in the LDC. Related to LDCPAS-2025-26 which is a Future Land Use Designation to change Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R)
Location:	The subject property is located south of State Road 540 (Cypress Gardens Boulevard), west of US Highway 27, east of County Road 540A, north of Thompson Nursery Road, surrounded by the Winter Haven city limits, in Sections 17, Township 29, and Range 27.
Property Owner:	Steve Martin's Natural Encounters Inc.
Parcel Size/number:	33 +/- acres (Parcel #272917-000000-013030, 272917-000000-013090, 272917-000000-013010, 272917-000000-013080)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	City of Winter Haven
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Public Comment:	None
Florida Commerce*	N/A

Location Map



Current Future Land Use Map



Summary

The applicant, Shelton Rice, of Peterson and Myers Law Firm, is requesting a Land Development Code Amendment to create a parcel specific restriction that will prohibit certain uses from being developed on 33-acres of property in the Rural Development Area (RDA). Site is located south of State Road 540 (Cypress Gardens Boulevard), west of US Highway 27, east of County Road 540A, and north of Thompson Nursery Road, surrounded by Winter Haven city limits, in Sections 17, Township 29, and Range 27. Case is related to a Future Land Use change from Agricultural/Residential Rural (A/RR) to Leisure/Recreation (L/R) as part of LDCPAS-2025-26. LR can permit high intensity uses with high trip levels and night time activity that is not appropriate surrounded by residential.

Compatibility Summary

This request will be compatible with the surrounding area as Leisure/Recreation is compatible with adjacent residential uses. The developments surrounding the subject site are all residential in nature. It has City of Winter Haven completely surrounding the subject site on all sides, with Winter Haven's NSUB land use to the north and south, and CON to the west and east. Site accesses onto Thomson Nursery Road, an Urban Major Collector, and a requirement of L/R is access to a paved, publicly maintained road with adequate Level of Service (LOS) and available capacity, which it does.

Infrastructure Summary

The subject site is within the Winter Haven Utilities Service Area for water, and wastewater will be handled by on-site septic. This was confirmed by the Utilities GIS. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed. The road with access, Thompson Nursery Road, is an Urban Major Collector maintained by Polk County, where there is available capacity with close proximity to US Highway 27 to the east. Mass transit is available in the area with the Route 30 for Legoland from Citrus Connection on State Road 540 (Cypress Gardens Boulevard) to the north, with the closest stop to the east at Eagle Ridge Mall. Public safety response times are normal for this part of the County, and school capacity should not be an issue in the future as the site is not developing with residential uses. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is Waverly Park 4.2 miles northeast of the site driving, and the nearest regional Park is Lake Florence Park 3.7 miles to the northwest of the subject site. Legoland is 7.5 miles driving northwest of the subject site where the Cypress Gardens Conservation Easement is located. The site is comprised of a combination of soils. There are no wetlands or flood zone on site.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.108(A1-A5): Rural Development Area (RDA)
- Policy 2.121-A: Agricultural/Residential Rural (A/RR)
- Policy 2.115(A-A5): Recreation/Leisure (L/R)

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for a Land Development Code Amendment that will prohibit certain uses from being developed in the Leisure/Recreation Future Land Use of these specific parcels, which is part of the related case LDCPAS-2025-26.

- The subject site is already developed with a Preserve and Wildlife Refuge, and the applicant has indicated that they are wanting to expand their services on site without adding intensity.

- Uses restricted on site will be: Helistop, Medical Marijuana Dispensary, Hotels and Motels, Recreation and Amusement Intensive, Multifamily, Nightclubs and Dance Halls, Outdoor Concert Venues, Recreation Vehicle Parks, and Vehicle Oriented Recreation.

- This case is related to LDCPAS-2025-26.

- LDCU-2018-52 was the Conditional Use approval that allowed for the site to act as a Breeding, Boarding, and Rehabilitation facility.

Compatibility

- The existing uses surrounding the site are:
  - North – CITY; multifamily residential, Carlton Arms of Winter Haven
  - West – CITY; conservation.
  - East – CITY; conservation
  - South – CITY; future single family residential

Infrastructure

- The zoned schools for the site are South Pointe Elementary, McLaughlin Academy Middle, and Lake Region Senior High School. Site will not generate any students as residential uses are not permitted within Leisure/Recreation (L/R).

- Polk County Fire Rescue Station 44 will be the response unit for fire and Station 18 for EMS response. Station 44 is located at 1695 Masterpiece Rd, Lake Wales, with an approximate travel distance of 4.8 miles. Station 18 is located at 2101 Register Rd SE, Winter Haven, with a travel distance of 7.4 miles.

- The subject site is within the Sheriff Department's Central District. The Central District Office is located at 3635 Ave G N.W. in Winter Haven.

- The subject site will be serviced by City of Winter Haven's Utility Service Area for potable water. However, wastewater will be handled by on-site septic.

- Thompson Nursery Road has no sidewalks along its entirety from west to east. There are sidewalks along US Highway 27.

- The closest mass transit route is the Route 30 Legoland line with Citrus Connection. The closest bus stop to the subject site is at the Eagle Ridge Mall on the east side of US Highway 27.

- The nearest neighborhood park is Waverly Park 4.2 miles northeast of the site driving, and the nearest regional Park is Lake Florence Park 3.7 miles to the northwest of the subject site.

Environmental

- The subject site is relatively flat with a high elevation of 129 feet on the southeast corner of the site and a low of 121 on the northeast corner of the site. It is 125 on the northwest corner.

- There are no wetlands or flood zone on site.

- The soil type for the site is a mix of Sparr sand, Immokalee sand, Pompano fine sand, Holopaw fine sand, Wauchula fine sand, and Satellite sand.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are no wells on the subject site and it is not located in a wellfield.

- The site is not within an Airport Impact District.

- On the Polk Green Map, site does not show in the Potential Network Connection.

- There are no Conservation Easements on the subject site.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
  a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
  b. nearness to agriculture-production areas;
  c. distance from populated areas;
  d. economic issues, such as minimum population support and market-area radius (where applicable);
  e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
     1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
     2. sanitary sewer and potable water service;
     3. storm-water management;
     4. solid waste collection and disposal;
     5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
     6. emergency medical service (EMS) provisions; and

7. other public safety features such as law enforcement;
8. schools and other educational facilities
9. parks, open spaces, civic areas and other community facilities

f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;
2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
3. wetlands and primary aquifer recharge areas;
4. soil characteristics;
5. location of potable water supplies, private wells, public well fields; and
6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.108-A1: DESCRIPTION - Rural-Development Areas (RDA) shall be all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments.

- POLICY 2.108-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Rural-Development Area base areas for those areas of the County meeting the general characteristics of this Section.

- POLICY 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas:

    - a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria.
    - b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria.
    - c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional.

Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.

- POLICY 2.108-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within RDAs in accordance with applicable criteria.

- POLICY 2.108-A5: DEVELOPMENT CRITERIA - Development within RDAs shall be guided by the following criteria:

    - a. The detailed criteria listed for each land use category permitted within the Rural-Development Area;

- b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and
- c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement).
- d. Connect to public sewer as required by the Nutrient Restoration Plan Overlay.

- POLICY 2.108-A6: MONITORING - The County shall monitor the amount and rate of development in the "Rural-Development Area." The Board of County Commissioners shall take action to amend the Comprehensive Plan to limit development in the Rural-Development Area should RMD development exceed 18 over a three year period. This evaluation shall occur once after the third year of Plan implementation and at every evaluation and appraisal report cycle. If the number of RMDs exceed 18 after the first three year period, or 6 for any year after the initial three year period, Polk County shall amend the Comprehensive Plan as follows:

    - a. adopt a cap on the number of RRDs and RMDs that can occur in the Rural-Development Area in any given year;
    - b. adopt locational and/or spacing criteria for RRDs and RMDs; or
    - c. provide DEO with additional data and analysis to justify why development in the Rural-Development Area has exceeded historical trends.

- POLICY 2.121-A2: DEVELOPMENT CRITERIA - Development within designated A/RR areas shall conform to:

    - a. Residential density of one dwelling unit per five acres (1 DU/5 AC). Density may be adjusted based on the actual size of the section. A property outside of the Green Swamp Area of Critical State of Concern, may be considered five acres if it is one one-hundred and twenty-eighth (1/128) the section size for sections less than six hundred forty acres (640 acres). This includes counting to the centerline of local and collector roads.
    - b. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed sixteen (16) workers per acre.
    - c. Utility structures for the storage of farm equipment and to conduct normal farm operations, to include on-site packing and other on-site agricultural-support activities typical of those uses listed in Policy 2.125-L1.a-d, provided that such activity is subordinate and accessory to the principal agricultural use. (Agricultural equipment may be used off-site.)
    - d. Structures for the sale of agricultural products grown or raised on the premises, provided that such sales activity is subordinate and accessory to the principal agricultural use.
    - e. The permitted uses of:
        - 1.Rural Residential Development (RRD), and
        - 2.Rural Mixed-Use Development (RMD).
    - f. Institutional uses, Community Facilities and essential services will be allowed as conditional uses, in accordance with policies of this Plan and the guidelines of the County's Land Development Code.

- g. Properties adjacent to SR 17 shall be allowed densities and/or intensities up to the maximum allowed in this land use category (2 dwelling units per acre) as a permitted use without requiring a public hearing provided the development meets all the criteria established in Section 2.124-H for Scenic Highways and the Scenic Highway development regulations within the Land Development Code. At a minimum, all development shall:
  - 1.Connect to a centralized potable water supply, and
  - 2.Provide no less than 30% open space throughout the development with at least 70% of that open space dedicated to scenic vista preservation, either along the highway or through the property to a distant view beyond the property boundary. This open space shall be set aside as conservation in perpetuity via a binding legal instrument which prohibits future development within the established boundaries.

- POLICY:2.121-A3: RRD & RMD PERMITTED USES - The permitted uses of RRD and RMD shall meet the development criteria and conditions of Sections 1.121-B and 1.121-C and receive development approval as specified within the County's land-development regulations which shall include the following guidelines for consideration of such approval:

  - a. When approving an RRD or RMD permitted use consideration shall be given to all relevant facts and circumstances, including, but not limited to:1.the functional and proximate relationship between the proposed development and other development,2.the compatibility of the development with existing agricultural activities,3.the displacement of on-going economically viable agricultural activities,4.whether the development is premature, and5.consistency with the goals and objectives of this Comprehensive Plan.
  - b. The County shall encourage design standards for RRDs and RMDs which promote development consistent with the rural character of the area.
  - c. RRD and RMD developments shall comply with the following:
    - 1.The maximum number of dwelling units to be approved for a RRD/RMD project shall be calculated based upon the entire RRD/RMD site area (including the minimum 50% reservation area) with the total permitted dwelling units to be clustered on the non-reservation portion of the site.
    - 2.RRD/RMD dwelling unit calculations shall not be affected by wetlands, or other lands having similar special-density designations, and therefore, special non-RRD/RMD on-site density transfers (such as for wetlands) shall not be permitted within an RRD/RMD project since the entire RRD/RMD concept is already based upon on-site density transfers to preserve no less than one-half of the project site.
    - 3.The RRD/RMD binding site plan, approved through the development-review process specified in Policies 2.121-B3.b and 2.121-C3.d, shall first include in the reservation area environmentally sensitive lands, such as wetlands and scrub or other endangered habitats, before setting aside lands for other reasons such as open space or continued agricultural uses.

- POLICY 2.121-A4: AGRICULTURE - The following Agricultural policies shall apply within Polk County:

- a. Agricultural uses, unless further restricted by development regulations, shall be permitted within any future land use category, and a future land use designation shall not be grounds for denial of a "greenbelt" tax exemption claim if the property is used primarily for bona fide agricultural purposes in accordance with Section 193.461, FS.
- b. Agricultural activities within an A/RR classification shall not be deemed inconsistent or incompatible with, or a nuisance to, development.
- c. All development within an A/RR classification shall be designed in a manner compatible with adjacent agricultural activities, including the provision of adequate buffering.
- d. Agricultural activities shall be given priority when making land use decisions within A/RR areas.
- e. Polk County shall not duplicate the regulation of those aspects of agricultural activities that are adequately regulated by other governmental agencies, as determined by the Board of County Commissioners.
- f. Land within areas designated as A/RR or Residential-Suburban (RS) may be used by family members of the property owner for use as a permanent residence at densities higher than that permitted by the A/RR or RS land use classification, upon approval by the Board of County Commissioners - but not to exceed a density of one dwelling unit per acre (1 DU/AC) and the minimum lot size shall be one acre. This provision is intended to promote the perpetuation of the family farm by making it possible for family members to both work and reside on the property devoted to agricultural uses.
- g. In furtherance of Policy 2.402-A4, and to address the agricultural land use issues created by the devastating December 1989 freeze, the Polk County Land Development Division, and the Economic Development Council, shall work with organizations representing the commercial agricultural industry in Polk County, including, but not limited to, Florida Citrus Mutual, Florida Cattlemen's Association (Polk County), and Florida Farm Bureau Federation (Polk County) in order to coordinate the future land use needs of that industry.

- POLICY 2.115-A1: CHARACTERISTICS - Leisure/Recreation (L/R) areas are grounds and facilities oriented primarily toward providing recreational-related services for residents and short-term visitors to Polk County. These include, but are not limited to: fish camps, lodges and retreats, recreational-vehicle (RV) parks, retirement mobile home parks, golf courses, and accessory minor commercial uses necessary to support these facilities, such as bait shops and convenience stores.

- POLICY 2.115-A2: DESIGNATION AND MAPPING - Leisure/ Recreation lands shall be designated and mapped on the Future Land Use Map Series as "Leisure/Recreation" or "L/R"; and may include existing commercial recreation sites which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave. L/R shall also include recreation and retirement accommodations, resorts, and communities.

- POLICY 2.115-A3: LOCATION CRITERIA - Retirement, recreation, leisure, and associated commercial development shall occur within designated L/R Areas. The following factors shall be taken into consideration when determining the appropriateness of establishing new L/R areas:

- a. Accessibility to arterial or collector roadways, with consideration being given to regional transportation issues for L/R developments supported by a regional or national market.
- b. Proximity to recreational attractions that would support the proposed development, to include, but not limited to: recreational water bodies, governmental recreational facilities, natural amenities, or other regional tourist attractions.
- c. Economic issues, such as minimum population support and market area radius (where applicable).
- d. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.

- POLICY 2.115-A4: DEVELOPMENT CRITERIA - Development within a L/R area shall conform to the following criteria:

  - a. Permitted uses include, but are not limited to: retirement communities, marinas, fish camps, lodges and retreats, recreational-vehicle (RV) parks, golf courses, and accessory minor retail commercial uses necessary to support these facilities, such as bait shops and convenience stores.
  - b. Minor retail commercial uses within a L/R area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/R area. No more than 7% of the net usable land within a specific L/R area shall be used for commercial uses.
  - c. L/R sites shall be designed to provide:
    - 1.Adequate parking to meet the present and future demands of the use and overflow parking designated and maintained for peak season events so as to prevent parking from encroaching upon public thoroughfares;
    - 2.Buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions; and
    - 3.Direct access to a paved publicly maintained road with adequate level-of-service (LOS) capacity.
  - d. Permitted lodging densities within the L/R are separated into three categories as follows:
    - Type A Leisure/Recreation - Permitted in all development areas, lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Housing densities may reach two dwelling units per acre (2 du/ac.) if there is centralized community or public water provided. With central water and sewer, housing densities may reach four units per acre (4 du/ac.). A minimum of 50% open space is required within a Type A L/R development.

    - Type B Leisure/Recreation - Permitted in TSDA, UGA, UEA and SDA, lodging structures may not exceed four (4) dwelling units attached. Lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Lodging densities may reach three dwelling units per acre (3 du/ac.) if there

is centralized community or public water provided. With central water and sewer, lodging may reach six units per acre (6 du/ac.).

- Type C Leisure/Recreation - Permitted only in TSDA and UGA. Community or public central water and sanitary sewer connection is mandatory. All types of lodging structures are permitted up to a maximum density of ten lodging units per acre (10 du/ac.) A minimum of 20% open space is required within a Type C L/R development. Type C recreational facilities are not permitted in the Green Swamp Area of Critical State Concern.

- RV parks permitting stays in excess of 30 days shall count each RV space as a unit in accordance with the density limits established above. Camping facilities that incorporate RV spaces within them shall not be considered as units towards the density calculations provided stays in excess of 30 days are prohibited within them.

- POLICY 2.115-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an L/R may include the following uses: Residential, Institutional, or Open Space.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCT 2025-18.**

Planning Commission Recommendation: On November 5, 2025, in an advertised public hearing, the Planning Commission voted ?:? to **recommend ? of LDCT-2025-18.**

NOTE: *This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.*

NOTE: *All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*
NOTE: *Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law*.

Analysis
This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses
Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest CITY; Carlton Arms apartment complex	**North** CITY; Carlton Arms apartment complex	**Northeast** CITY; Carlton Arms apartment complex
West CITY; conservation	**Subject Site** A/RR; Natural Encounters Inc	**East** CITY; conservation
Southwest CITY; single-family residential	**South** CITY; single-family residential	**Southeast** CITY; single-family residential

Source: Polk County Geographical Information System and site visit by County staff

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses

The purpose of RDA's is to provide areas for rural activities such as agricultural uses, mining activities, and rural residential development. RDA's include those areas of the County that are not located within a TSDA, UGA, SDA, or UEA.

The request is a Land Development Code Amendment to prohibit certain uses from being constructed on the new Future Land Use of Leisure/Recreation. The uses being prohibited are: Helistop, Medical Marijuana Dispensary, Hotels and Motels, Recreation and Amusement Intensive, Multifamily, Nightclubs and Dance Halls, Outdoor Concert Venues, Recreation Vehicle

Parks, and Vehicle Oriented Recreation. Restricting these uses will ensure minimal nuisance to the surrounding residential uses and limit intensity of future expansions.

Leisure/Recreation is allowed within the RDA and Policy 2.115-A5 of the Comprehensive Plan states that Residential can be adjacent to Leisure/Recreation. In this instance, there is residential to the north and south of the subject site within the city limits of Winter Haven.

B. Infrastructure

The subject site will be serviced by City of Winter Haven's Utility Service Area for potable water. The Utilities GIS confirms that the water lines run adjacent to the west end of the subject site. However, wastewater will be handled by on-site septic. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed. The site directly accesses onto Thompson Nursery Road (Urban Major Collector), which is near US Highway 27 (Urban Principal Arterial) to the east. There is available transportation capacity on Thompson Nursery Road and US Highway 27 on this link. Public safety response times are normal for this part of the County. While there is capacity within the schools, this area has developed as non-residential, so student generation will not occur. The request is compatible with the available infrastructure.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
South Pointe Elementary School	**0 student**	**48%**	**6.3 miles**
McLaughlin Academy Middle	**0 student**	**88%**	**7.3 miles**
Lake Region Senior High School	**0 student**	**61%**	**9.4 miles**

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

It is important to note that the subject site will not generate any students as it is built out for recreation/leisure purposes.

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the County.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	**Central District Command Unit (**3635 Ave G N.W., Winter Haven, FL)	12.7 +/- miles Priority 1 – 8:11 Priority 2 – 22:25
Fire/ EMS	**Station #44** (1695 Masterpiece Road, Lake Wales)	4.8 +/- miles

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for October 2025.

Water and Wastewater

A. Estimated Demand

The subject site is within the City of Winter Haven's Utility Service Area for potable water. However, the wastewater will be handled by septic. The proposed L/R would theoretically use more water and produce more wastewater than the current land use of A/RR.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use A/RR**	**Maximum Allowable in Proposed L/R**
33 +/-acres **1,437,480sq ft**	**33 acres x 1 du/5ac** **= 6 du**	**33 acres x 4 du/ac** **= 132 du**
Potable Water Consumption	**6 du X 360 GPD=** **2,160 GPD**	**132 du X 198 GPD =** **26,136 GPD**
Wastewater Generation	**6 du X 270 GPD =** **1,620 GPD**	**26,136 X 80% =** **20,909 GPD**

Source: Concurrency Manual: RL for single family residence is 360 GPD for water and 270 GPD for wastewater, RV Park is LDA for L/R with 198 GPD for water and 80% of water for sewer.

B. Service Provider

The subject site is within the City of Winter Haven's Utility Service Area for water, but the wastewater will be handled by septic. There is a Distribution Main Line for water that runs north to south on the west side of the subject property along the parcel edge.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by City of Winter Haven Utilities.

D. Planned Improvements

There are no improvements planned at this time.

Roadways/Transportation Network

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Future Land Use change may result in higher trips.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use A/RR**	**Maximum Allowable in Proposed L/R**
33 +/-acres **99,317 sq ft**	**33 acres X 1du/5ac** **= 6 du**	**33 acres x 4 du/ac** **= 132 du**
Average Annual	**6 du X 7.81 AADT =** **47 Trips (100% New Trips)**	**132 du X 3.55 AADT =** **417 Trips (89% New Trips)**
PM Peak	**6 du X 1 PM Peak =** **6 Trips (100% New Trips)**	**132 du X 0.29 PM Peak =** **34 Trips (89% New Trips)**

Source: Concurrency Manual and Table for Minor Traffic Study –Residential Low (RL) Single Family Detached Housing at 7.81 AADT and 1 PM Peak Hours (100% new trips), and Recreational Homes at 3.55 AADT and 0.29 Peak Hours (89% new trips).

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a non-residential development. There is currently a Preserve and Wildlife Refuge developed on the site. The road accessing the site Thomson Nursery Road, has available capacity. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

Table 6

Link #	**Road Name**	**Current LOS**	**Available Capacity**	**Minimum LOS Standard**	**Projected Five Year LOS**
4160E	THOMPSON NURSERY ROAD (COUNTY ROAD 653 TO US 27)	C	212	D	C
4160W		C	189	D	C
5104N	US 27 (TOWERVIEW BOULEVARD TO STATE ROAD 540)	C	964	D	C
5104S		C	1044	D	C

Source: Polk Transportation Planning Organization, Roadway network Database 2025

C. Roadway Conditions

Thompson Nursery Road is an Urban Collector with available capacity in both directions. Thompson Nursery Road has a PCI rating of Good on this Road Link. US Highway 27 is maintained by the state so conditions are not tracked by Polk County. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalk Network

There are no sidewalks running west to east along Thomspon Nursery Road, but there are sidewalks that run north to south along the west side of US Highway 27 east of the subject site.

E. Planned Improvements:

There are currently no planned County improvements along any of the traffic links. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed.

F. Mass Transit

Mass transit is available in the area with the Route 30 for Legoland from Citrus Connection on State Road 540 (Cypress Gardens Boulevard) to the north, with the closest stop to the east at Eagle Ridge Mall.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Waverly Park 4.2 miles northeast of the site driving, and the nearest regional Park is Lake Florence Park 3.7 miles to the northwest of the subject site.

B. Services:

Waverly Park has a cricket pitch, an athletic field and basketball courts. You will also find a playground, restrooms, picnic tables and picnic shelters. Lake Florence Park has a dock and boat launch site.

C. Multi-use Trails:

The closest free hiking trail is the Lake Gwyn Park which is 7.9 miles to the west of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site is the Cypress Gardens Conservation Easement to the northwest of the site where Legoland is located.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

A. Surface Water:

There is no surface water on the subject site. On the Polk Green Map, site does not show in the Potential Network Connection. There are no Conservation Easements on the site as well.

B. Wetlands/Floodplains:

There are no wetlands or floodplains on the subject site. There is Flood Zone AE to the west of the subject site.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the soil is comprised of a variety that could prove difficult for development.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Sparr sand, 0 to 5 percent slopes (14)	Severe: wetness, poor filter	Moderate: wetness	50.9
Immokalee sand (21)	Severe: wetness	Severe: wetness	1.4
Pompano fine sand (30)	Severe: wetness, poor filter	Severe: wetness	21.8
Holopaw fine sand, frequently ponded, 0 to 1 percent slopes (33)	Severe: ponding, poor filter	Severe: ponding	2.0
Wauchula fine sand (40)	Severe: wetness, percs slowly	Severe: wetness	1.2
Satellite sand, 0 to 2 percent slopes (77)	Severe: wetness, poor filter	Severe: wetness	22.7

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File.

F. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site will be connecting to water from City of Winter Haven Utilities.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

There are no known economic factors that would impact the development of this site.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Recreation/Leisure (R/L) would be compatible with the surrounding area, as residential uses are allowable next to R/L per Policy 2.115-A5.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The lands surrounding the subject site are a mix of multifamily to the north, single-family to the south, and conservation to the east and west. Site is completely surrounded by the city limits of Winter Haven. City of Winter Haven Utilities are available in this area for water, but wastewater will be handled by onsite septic. This request is consistent with this policy.
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The timing is consistent as the site has already been developed with the attraction for some time. The Future Land Use change simply allows to operate under a conformity that would give them potential expansion opportunities in the future. There is ample connectivity to water and electricity. Fire is close by with low response times, while Sheriff is close enough to not be an issue. None of the three schools that are zoned for the site are at capacity, which is not an issue since the site is non-residential. The overall parcel does not contain wetlands or floodplains.
POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2.sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.108-A1: DESCRIPTION - Rural-Development Areas (RDA) shall be all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments. POLICY 2.108-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Rural-Development Area base areas for those areas of the County meeting the general characteristics of this Section. POLICY 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas: o a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria. o b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional. Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109. POLICY 2.108-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within RDAs in accordance with applicable criteria. POLICY 2.108-A5: DEVELOPMENT CRITERIA - Development within RDAs shall be guided by the following criteria: o a. The detailed criteria listed for each land use category permitted within the Rural-Development Area;	Leisure/Recreation (L/R) is an allowable use in the Rural Development Area (RDA). There is ample infrastructure available in the area to support this land use with connections to water, with septic handled on site. Sidewalks run north to south along the nearby US Highway 27, but none along Thompson Nursery Road, the accessing road to the site. Thompson Nursery Road is an Urban Collector road with available capacity. There are emergency services, parks, education, mass transit, and multifamily residential development closeby at Carlton Arms. The subject site just barely sits within the TCCO Corridor which allows for higher density developments. Conservation Way is anticipated to be relocated and dedicated as a public road when the property to the south is developed.

Comprehensive Plan Policy	Consistency Analysis
o b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and o c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). o d. Connect to public sewer as required by the Nutrient Restoration Plan Overlay. POLICY 2.108-A6: MONITORING - The County shall monitor the amount and rate of development in the "Rural-Development Area." The Board of County Commissioners shall take action to amend the Comprehensive Plan to limit development in the Rural-Development Area should RMD development exceed 18 over a three year period. This evaluation shall occur once after the third year of Plan implementation and at every evaluation and appraisal report cycle. If the number of RMDs exceed 18 after the first three year period, or 6 for any year after the initial three year period, Polk County shall amend the Comprehensive Plan as follows: o a. adopt a cap on the number of RRDs and RMDs that can occur in the Rural-Development Area in any given year; o b. adopt locational and/or spacing criteria for RRDs and RMDs; or o c. provide DEO with additional data and analysis to justify why development in the Rural-Development Area has exceeded historical trends.	
POLICY 2.115-A1: CHARACTERISTICS - Leisure/Recreation (L/R) areas are grounds and facilities oriented primarily toward providing recreational-related services for residents and short-term visitors to Polk County. These include, but are not limited to: fish camps, lodges and retreats, recreational-vehicle (RV) parks, retirement mobile home parks, golf courses, and accessory minor commercial uses necessary to support these facilities, such as bait shops and convenience stores. POLICY 2.115-A2: DESIGNATION AND MAPPING - Leisure/ Recreation lands shall be designated and mapped on the Future Land Use Map Series as "Leisure/Recreation" or "L/R"; and may include existing commercial recreation sites which are not included within an Activity Center, Linear	The subject site is currently designated as Agricultural/Residential Rural (A/RR), which is also an allowable use in the RDA and abuts appropriate land uses. The site already has a nature conservancy attraction developed on it and is abutting single family residences to the south and multifamily to the north.

Comprehensive Plan Policy	Consistency Analysis
Commercial Corridor, or Commercial Enclave. L/R shall also include recreation and retirement accommodations, resorts, and communities. POLICY 2.115-A3: LOCATION CRITERIA - Retirement, recreation, leisure, and associated commercial development shall occur within designated L/R Areas. The following factors shall be taken into consideration when determining the appropriateness of establishing new L/R areas: o a. Accessibility to arterial or collector roadways, with consideration being given to regional transportation issues for L/R developments supported by a regional or national market. o b. Proximity to recreational attractions that would support the proposed development, to include, but not limited to: recreational water bodies, governmental recreational facilities, natural amenities, or other regional tourist attractions. o c. Economic issues, such as minimum population support and market area radius (where applicable). o d. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10. POLICY 2.115-A4: DEVELOPMENT CRITERIA - Development within a L/R area shall conform to the following criteria: o a. Permitted uses include, but are not limited to: retirement communities, marinas, fish camps, lodges and retreats, recreational-vehicle (RV) parks, golf courses, and accessory minor retail commercial uses necessary to support these facilities, such as bait shops and convenience stores. o b. Minor retail commercial uses within a L/R area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/R area. No more than 7% of the net usable land within a specific L/R area shall be used for commercial uses. o c. L/R sites shall be designed to provide: □ 1.Adequate parking to meet the present and future demands of the use and overflow parking designated and maintained for peak season events so as to prevent parking from encroaching upon public thoroughfares; □ 2.Buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas,	

Comprehensive Plan Policy	Consistency Analysis
dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions; and □ 3.Direct access to a paved publicly maintained road with adequate level-of-service (LOS) capacity. o d. Permitted lodging densities within the L/R are separated into three categories as follows: □ Type A Leisure/Recreation - Permitted in all development areas, lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Housing densities may reach two dwelling units per acre (2 du/ac.) if there is centralized community or public water provided. With central water and sewer, housing densities may reach four units per acre (4 du/ac.). A minimum of 50% open space is required within a Type A L/R development. □ Type B Leisure/Recreation - Permitted in TSDA, UGA, UEA and SDA, lodging structures may not exceed four (4) dwelling units attached. Lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Lodging densities may reach three dwelling units per acre (3 du/ac.) if there is centralized community or public water provided. With central water and sewer, lodging may reach six units per acre (6 du/ac.). □ Type C Leisure/Recreation - Permitted only in TSDA and UGA. Community or public central water and sanitary sewer connection is mandatory. All types of lodging structures are permitted up to a maximum density of ten lodging units per acre (10 du/ac.) A minimum of 20% open space is required within a Type C L/R development. Type C recreational facilities are not permitted in the Green Swamp Area of Critical State Concern. □ RV parks permitting stays in excess of 30 days shall count each RV space as a unit in accordance with the density limits established above. Camping facilities that incorporate RV spaces within them shall not be considered as units towards the density calculations provided stays in excess of 30 days are prohibited within them. POLICY 2.115-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development	

Comprehensive Plan Policy	Consistency Analysis
adjacent to an L/R may include the following uses: Residential, Institutional, or Open Space.	

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections where referenced in this report**
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

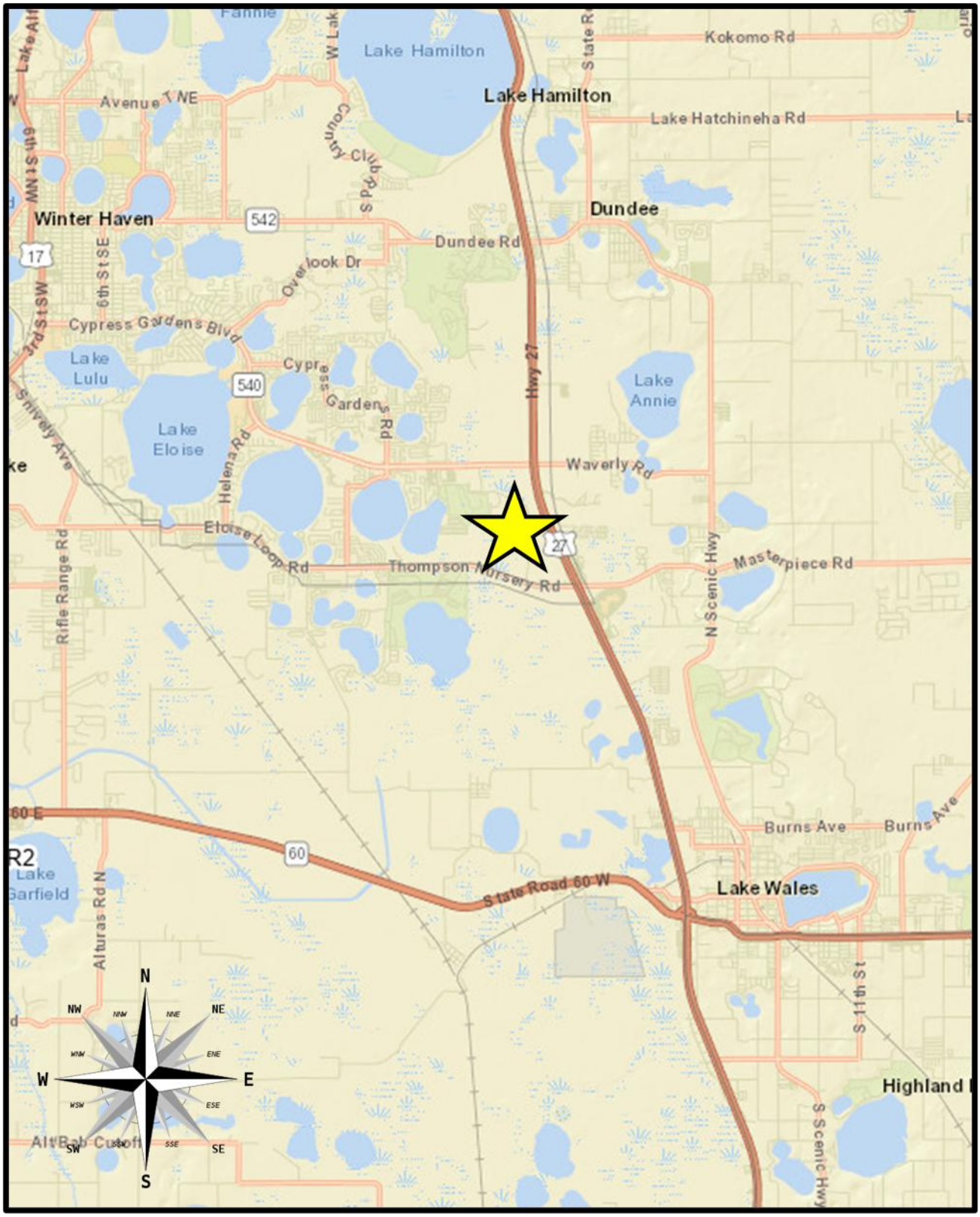
Comments from other agencies

City of Winter Haven was contacted regarding this project and they had no comments or concerns.

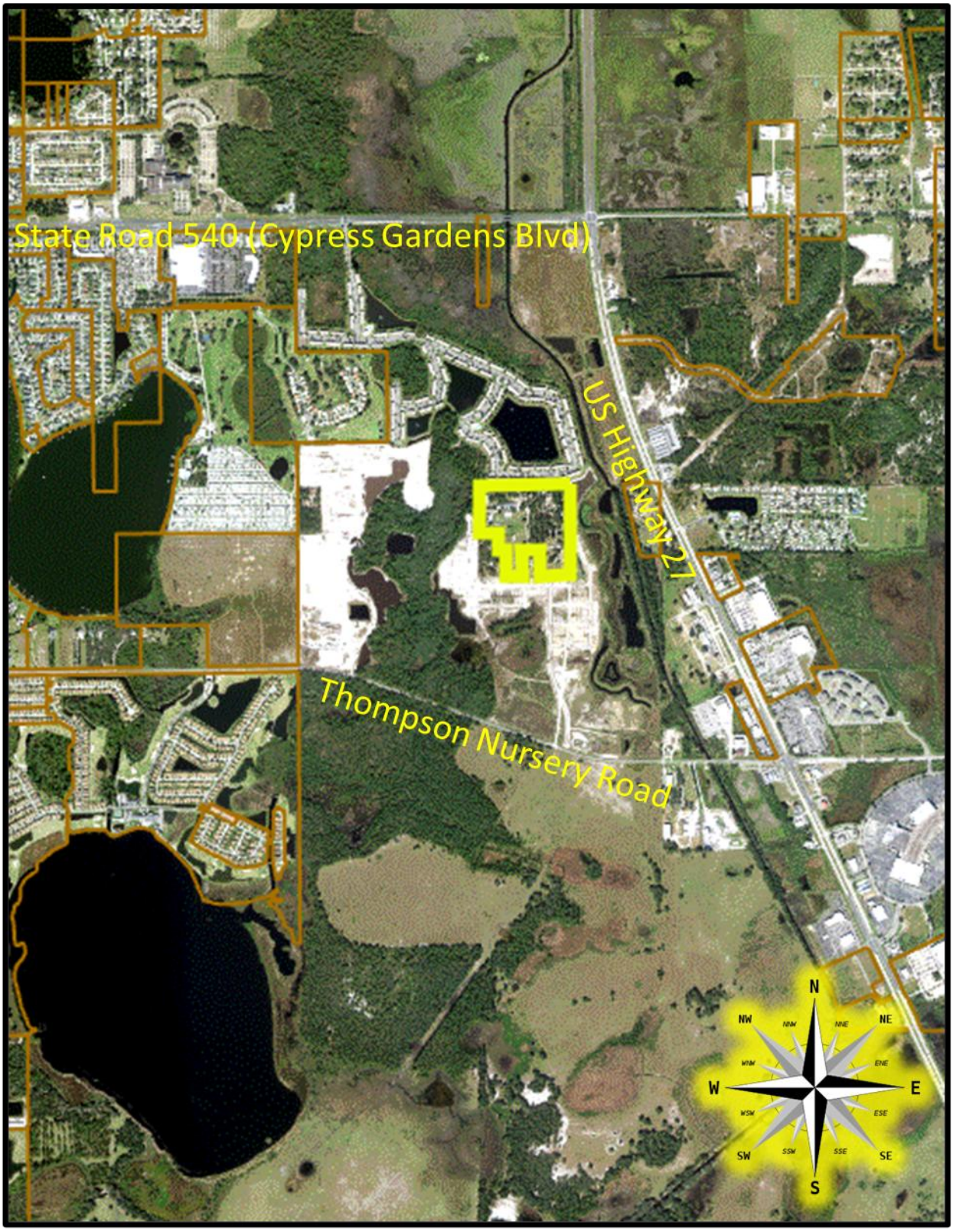
Exhibits:

Exhibit 1	Location Map
Exhibit 2	2023 Aerial Context Map
Exhibit 3	2023 Aerial Close Up
Exhibit 4	Current Future Land Use Map
Exhibit 5	Proposed Future Land Use Map
Exhibit 6a	A/RR Permitted and Conditional Uses
Exhibit 6b	L/R Permitted and Conditional Uses
Exhibit 7	Winter Haven Future Land Use
Exhibit 8	Site Plan from LDCU-2018-52

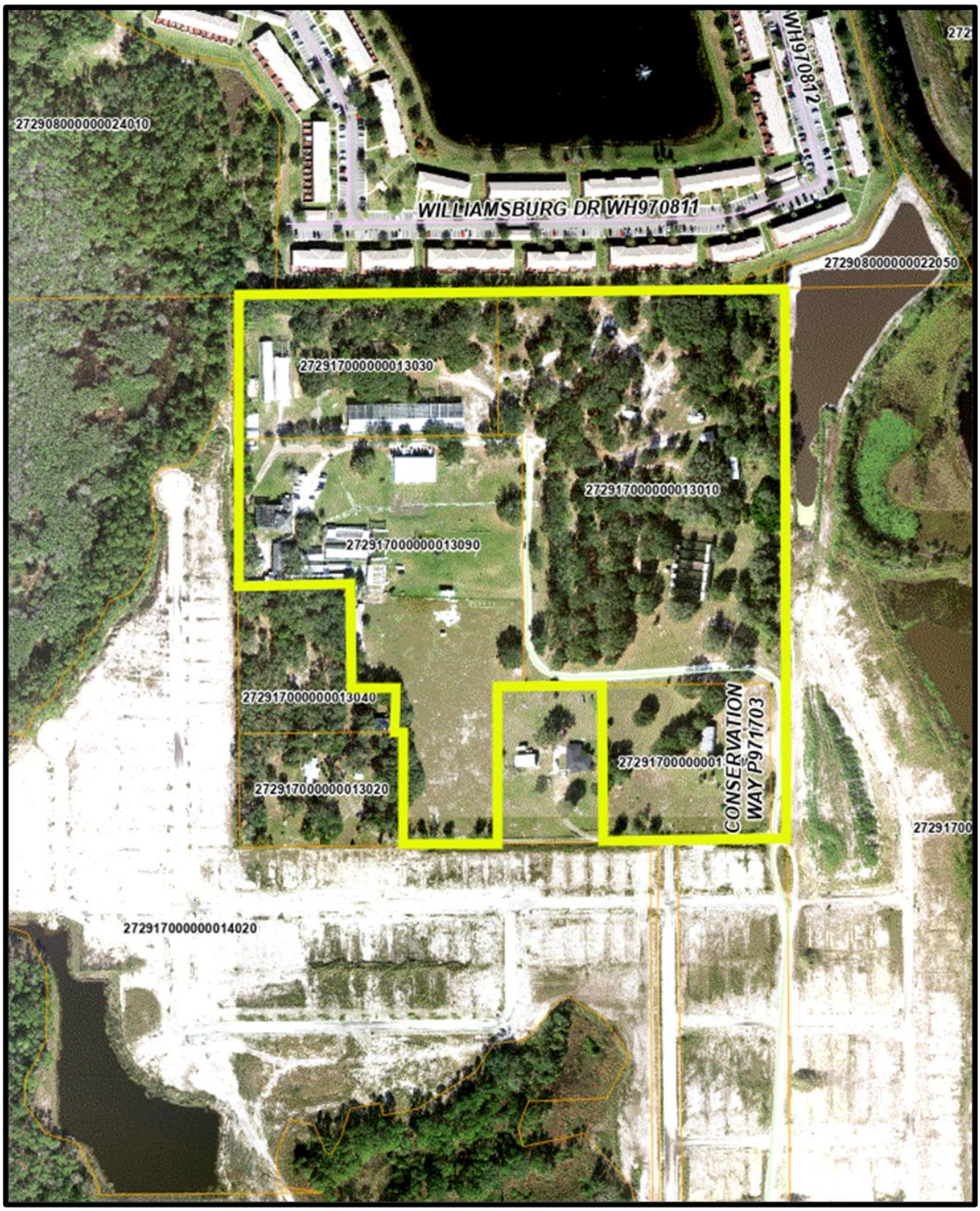
Applicant's submitted documents and ordinance as separate files



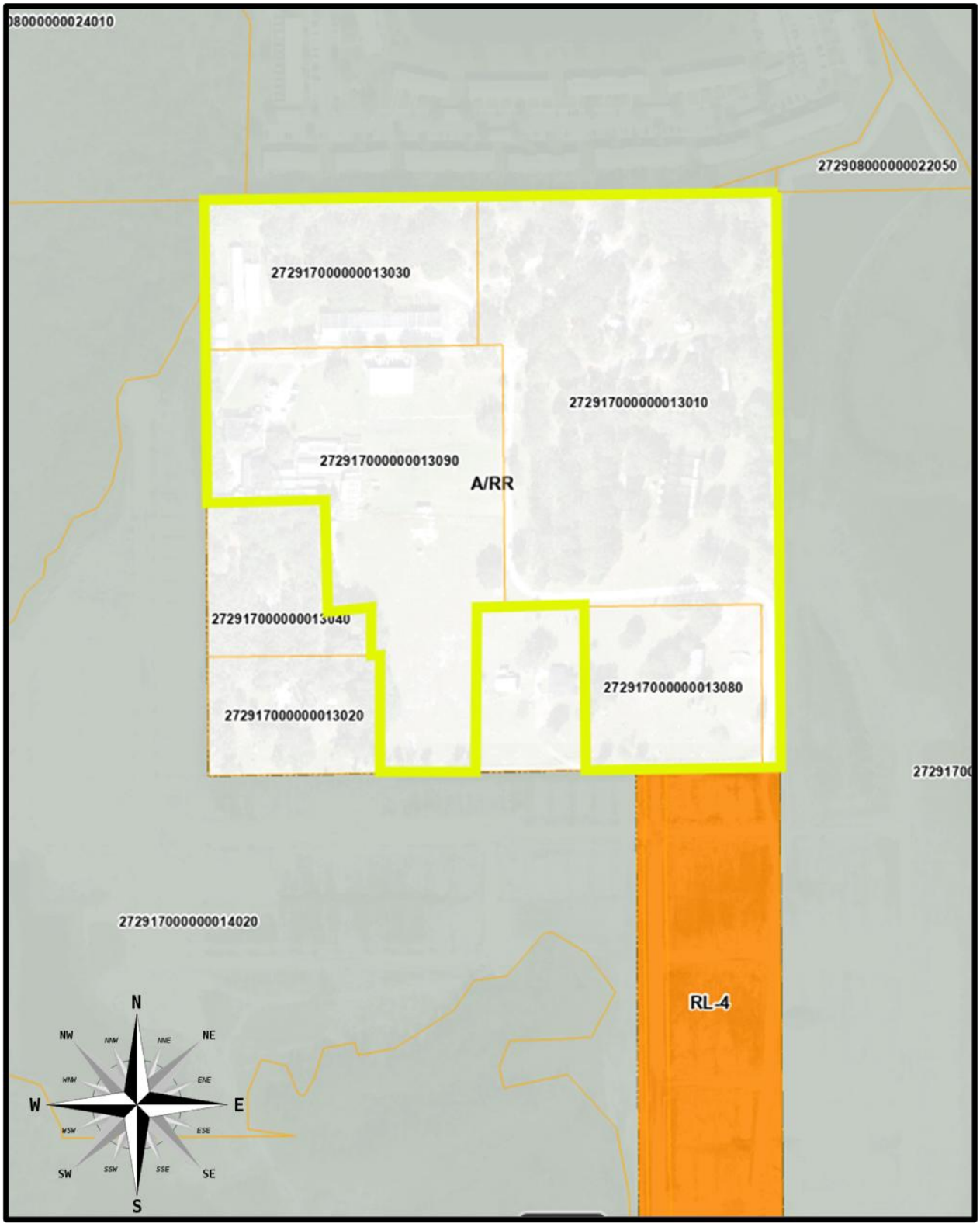
LOCATION MAP



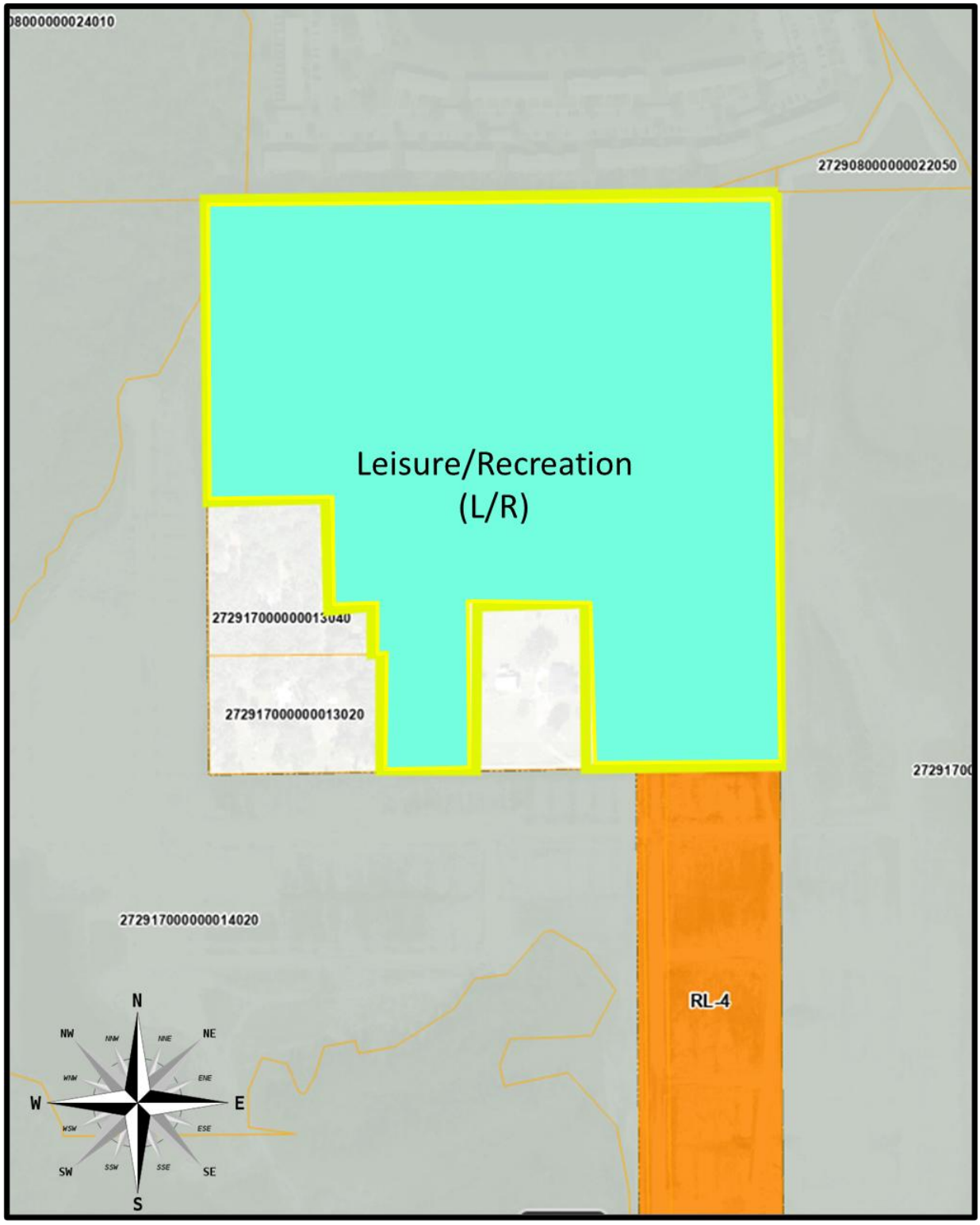
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Agricultural/Residential Rural (A/RR)



PROPOSED FLUM
Recreation/Leisure (R/L)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
A/RR	Single-family Detached Home & Subdivision, Animal Farm-Intensive, Farming General, Kennels- Boarding and Breeding, Livestock Sale-Auction, Nurseries and Greenhouses, Utilities- Class I, Veterinary Service	Family Farm, Group Home- Small (6 or less residents), Mobile Homes-Individual, Emergency Shelter-Small (6 or less residents), Golf Course, Recreation- Passive, Riding Academies, Utilities- Class II, Farm Worker Dormitory- Apartment Style, Cemetery, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Convenience Stores- Isolated, Heliports, Helistops, Recreation-Low Intensity, Solar Electric-Power Generation Facility	Farm Worker Dormitory- Barrack Style, Fly-in Community, Group Home- Large (7-14 residents), Group Living Facility (15 or more residents), Mobile Home Park, Mobile Home Subdivision, Rural Residential Development (RRD), Planned Development, Residentially Based Mixed Development (RBMD), Rural Mixed Development (RMD), Adult Day Care Center (7 or more clients), Agricultural Support- Off-Site, Bed and Breakfast, Breeding- Boarding- and Rehabilitation Facility- Wild or Exotic, Childcare Center, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Emergency Shelter- Medium (7-14 residents), Event Facility, Government Facility, Lime Stabilization Facility, Lodges and Retreats, Marinas and Related Facilities, Mining- Non-phosphate, Outdoor Concert Venue, Recreation-High Intensity, Recreation- Vehicle Oriented, Recreational Camping, Religious Institution, School-Elementary, School- Leisure/Special Interest, School-Technical/Vocational/Trade & Training, Seaplane Base, Utilities-Class III, Airport, Correctional Facility, Residential Treatment Facility, Water Ski Schools

Agricultural/Residential Rural (A/RR)
PERMITTED AND CONDITIONAL USES

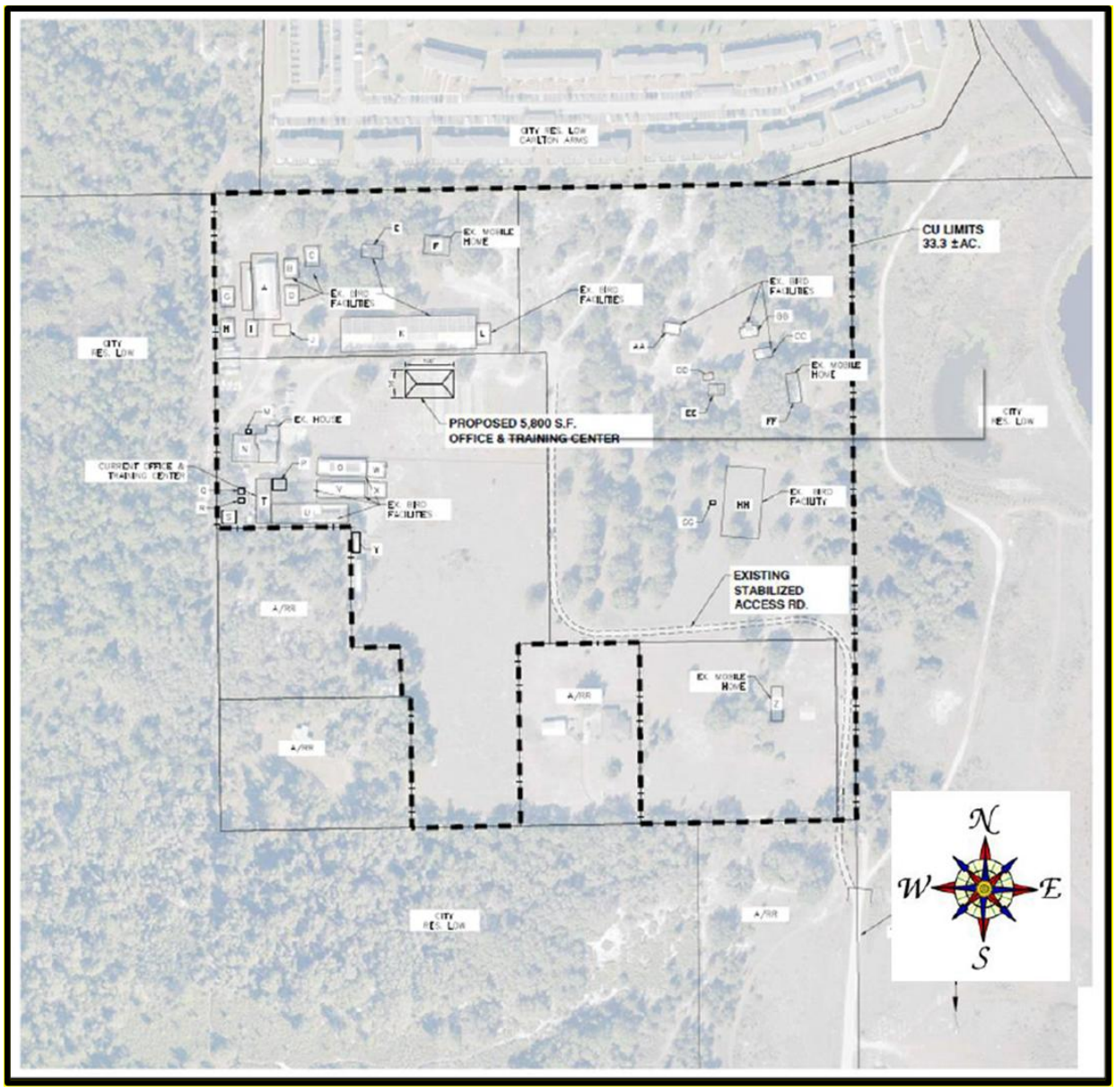
FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
L/R	Short-Term Rental Unit, Farming General, Fish Camp, Lodges and Retreats, Restaurant- Sit-down/Take-out, Riding Academies, School- Leisure/Special Interest, Utilities- Class I, Utilities- Class II, Veterinary Service	Alcohol Package Sales, Bars- Lounges- and Taverns, Golf Course, Marinas and Related Facilities, Recreation- High Intensity, Recreation- Low Intensity, Recreation- Passive, School- Technical/Vocational/Trade & Training, ~~Multi-family~~, Childcare Center, Community Center, Convenience Stores- Isolated, Cultural Facility, ~~Hotels and Motels~~, ~~Medical Marijuana Dispensaries~~, Personal Service, Recreation & Amusement General, ~~Recreation-Vehicle Oriented~~, Recreational Camping, ~~Recreational Vehicle Park~~, Religious Institution, Restaurant- Drive-thru/Drive-in, Retail- 10-000 – 34-999 sq. ft., Retail- Less than 10-000 sq. ft.	Mobile Home Park, Planned Development, Communication Tower- Monopole, Government Facility~~, Helistops~~, Mining- Non-phosphate, ~~Nightclubs and Dance Halls~~, ~~Outdoor Concert Venue~~, Seaplane Base, Utilities- Class III, Water Ski Schools, ~~Recreation & Amusement Intensive~~

Recreation/Leisure (R/L)

PERMITTED AND CONDITIONAL USES



Winter Haven Future Land Use



SITE PLAN FROM LDCU-2018-52

Agenda Item 12. 11/5/2025

SUBJECT

LDCPAS-2025-16 (Osprey Creek CPA)

DESCRIPTION

This is an applicant-initiated request for a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Residential (RL) in the Utility Enclave Area (UEA) on 17.48-acre parcels of property in the Poinciana Master Plan. Site is located south and east of Marigold Avenue, west of Osceola County Line, and north of County Road 542 (Lake Hatchineha Road), east of the City of Haines City, in Sections 01, Township 28, and Range 28.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Johnathan (JP) Sims

Planner II

Polk County BoCC

863-534-7515

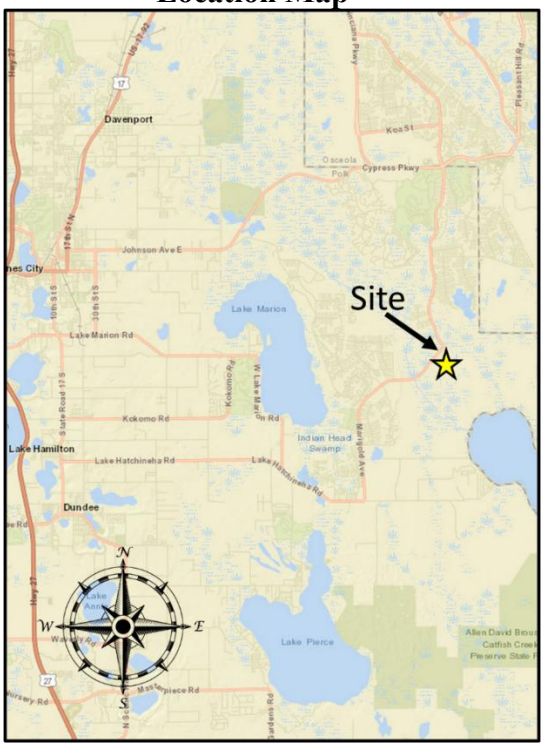
johnathansims@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

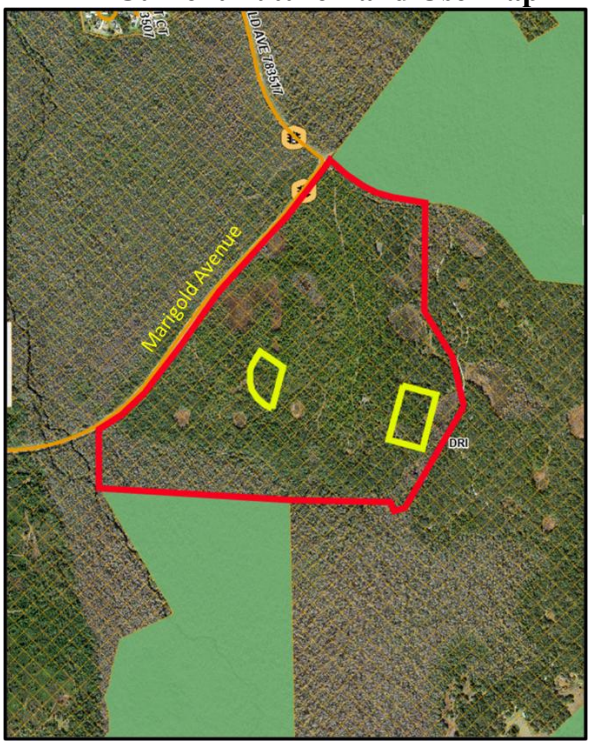
DRC Date:	July 10th, 2025	**Level of Review:**	4
PC Date:	November 5th, 2025	**Type:**	Comprehensive Plan Amendment
BoCC Date:	December 2nd, 2025	**Case Numbers:**	LDCPAS-2025-16
		Case Name:	Osprey Creek CPA
Applicant:	John Adams, RJWA, Inc	**Case Planner:**	J.P. Sims, Planner II

Request:	Small Scale Comprehensive Plan map amendment from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Residential Low (RL) in the Utility Enclave Area (UEA) on 17.48 +/- acres.
Location:	The subject property is located south and east of Marigold Avenue, north of County Road 542 (Lake Hatchineha Road, and west of Osceola County Line, east of Haines City, in Section 01, Township 28, Range 28.
Property Owner:	Osprey Creek LP
Parcel Size/number:	17.48 +/- acres (Parcel #282801-934670-000001)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	City of Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Public Comment:	None
Florida Commerce*	N/A

Location Map



Current Future Land Use Map



Summary

The applicant, John Ryan Adams, of RJWA Inc, is requesting a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Residential (RL-1) in the Utility Enclave Area (UEA) on 17.48-acre parcels of property in the Poinciana Master Plan. Site is located south and east of Marigold Avenue, west of Osceola County Line, and north of County Road 542 (Lake Hatchineha Road), east of Haines City city limits, in Sections 01, Township 28, and Range 28.

Compatibility Summary

This request will be compatible with the surrounding area as Marigold Avenue is an Urban Major Collector, which promotes a diversity of uses. The sites directly surrounding it are undeveloped with either Development of Regional Impact (DRI) or Preservation (PRESVX). Per the applicant, the proposed change reflects the fact that the tracts being changed no longer have a commercial or institutional draw, so residential would be the better use.

Infrastructure Summary

The subject site is within the Toho Water Authority Service Area for both water and sewer per a letter from Toho provided by the applicant. The road with access, Marigold Avenue, is an Urban Major Collector maintained by Polk County, where there is available capacity. Mass transit is available in the area with the Poinciana Express Line 603 from Citrus Connection, with a Transfer Point at the Walmart in Poinciana. Public safety response times are normal for this part of the County, and school capacity issues will need to be resolved with the School Board before any occupancy certificates can be issued. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is Poinciana Playground 1.23 miles west of the site driving, and the nearest regional Park is Poinciana Community Park 4 miles driving to the southwest of the subject site. The site is comprised of Malabar Fine Sand, Immokalee Sand, and Felda Fine Sand. There are wetlands and flood zone on the east portion of the site. There are no Conservation Easements on this site.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.107(A1-A5): Utility Enclave Area (UEA)
- Policy 2.120-C: Residential Low
- Policy 2.130-A: Poinciana Pre-DRI

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Pre-Development of Regional Impact (Pre-DRI) in the Rural Development Area (RDA) to Residential Low (RL) in the Utility Enclave Area (UEA).

- The subject site is currently designated for Commercial and Institutional uses within the Poinciana Master Plan. Changes are associated with LDPD-2023-29.

- The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Section 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

- The subject site does not have direct frontage on a paved road meeting county standards. LDPD-2023-29 provides frontage on a road per the site plan. This CPA is necessary to change the use per Policy 2.130-A of the Comprehensive Plan.

Compatibility

- The existing uses surrounding the site are:
    - North – PRESVX; undeveloped Preservation
    - West – DRI; undeveloped
    - East – DRI; undeveloped
    - South – PRESVX; undeveloped Preservation

Infrastructure

- The zoned schools for the site are Laurel Elementary, Lake Marion Creek Middle, and Haines City High School.

- Polk County Fire Rescue Station 46 will be the response unit for fire and EMS for this site. It is located at 9500 Marigold Avenue in Poinciana, with an approximate travel distance of 3.3 miles.

- The subject site is within the Sheriff Department's Northeast District. The Northeast District Office is located at 1100 Dunson Road in Davenport.

- The subject site is within the Toho Water Authority Service Area for both water and sewer.

- There are no sidewalks in the vicinity of the subject site.

- The closest mass transit route is Route 603 with Citrus Connection. The closest bus stop to the subject site is at the Walmart in Poinciana.

- The nearest neighborhood park is Poinciana Playground 1.23 miles west of the site driving, and the nearest regional Park is Poinciana Community Park 4 miles driving to the southwest of the subject site.

- The closest road to the site is Marigold Avenue. Marigold Avenue is a

Environmental

- The subject site is relatively flat with a high elevation of 60 feet on the west side of the site and a low of 55 feet on the east side of the site. There are two areas, but the elevation is almost flat from the west to the east side of the site.

- There are wetlands and flood zone on site on the eastern portion of the request.

- The soil type for the site is a mix or Felda fine sand, Immokalee sand, and Malabar fine sand.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are no wells on the subject site and it is not located in a wellfield.

- The site is not within an Airport Impact District.

- On the Polk Green Map, site does show in the Potential Network Connection. However, site and area around is partially developed with residential uses. No Conservation Easements exist on site. The closest Conservation Easement is one mile east of the subject site.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
  a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
  b. nearness to agriculture-production areas;
  c. distance from populated areas;
  d. economic issues, such as minimum population support and market-area radius (where applicable);
  e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
     1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
     2. sanitary sewer and potable water service;
     3. storm-water management;
     4. solid waste collection and disposal;
     5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
     6. emergency medical service (EMS) provisions; and
     7. other public safety features such as law enforcement;

8. schools and other educational facilities
9. parks, open spaces, civic areas and other community facilities

f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;
2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
3. wetlands and primary aquifer recharge areas;
4. soil characteristics;
5. location of potable water supplies, private wells, public well fields; and
6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.
- POLICY 2.107-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where:
  - a. it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s);
  - b. it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); and
  - c.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed.
- POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs:
  - a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria.
  - b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.
  - c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.
- POLICY 2.107-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria.
- POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code:
  - a. All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay.

- b. Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element.
- c. Provide access to parks, green areas, and open space and other amenities.
- d. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section (Section 2.1251).

- POLICY 2.120-C1: CHARACTERISTICS - Densities up to, and including, 5.00 DU/AC. The Residential-Low classification is characterized by single-family dwelling units, duplex units, and small-scale multi-family units.

- POLICY 2.120-C2: DESIGNATION AND MAPPING - Residential-Low districts shall be located within TSDAs, UGAs, and UEAs as designated on the Future Land Use Map Series as "RL."

- POLICY 2.120-C3: LOCATION CRITERIA - Residential-Low areas shall be located only within the TSDAs, UGAs, SDAs, and UEAs and new Residential-Low development shall not be located within Activity Centers. The placement of Residential-Low shall be evaluated based on the general criteria listed in Policy 2.119-A2.

- POLICY 2.120-C4: DEVELOPMENT CRITERIA - Residential development may contain a variety of housing types as defined by the Land Development Code within the TSDA. Outside the TSDA, RL may contain single-family dwelling units, duplex units, small-scale multi-family units, and family-care homes, and shall be permitted, with County approval, at a density of up to, and including, 5 DU/AC. Additionally, community facilities may be allowed in accordance with policies of this Plan.

- POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and

therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-16.**

Planning Commission Recommendation: On October 1st, 2025, in an advertised public hearing, the Planning Commission voted ?:? to **recommend ? of LDCPAS-2025-16.**

NOTE: *This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.*

NOTE: *All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*

NOTE: *Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law*.

Analysis
This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses
Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest DRI; undeveloped	**North** PRESVX; undeveloped	**Northeast** PRESVX; undeveloped
West DRI; undeveloped	**Subject Site** DRI; undeveloped	**East** DRI; undeveloped
Southwest DRI; undeveloped	**South** PRESVX; undeveloped	**Southeast** DRI; undeveloped

Source: Polk County Geographical Information System and site visit by County staff

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit

Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses

The purpose of UEA's is to recognize existing isolated areas of urban development that contain centralized water and sewer systems. UEA's are those areas within the County that are not located within a TSDA, UGA, or SDA and have developed at urban or suburban densities with County owned, municipal or County-franchised potable water systems, and small-scale public or County franchised centralized sewer facilities, or private sewer systems with capacities in excess of 400,000 GPD.

The request is a Future Land Use designation that is compatible with the surrounding area. Residential Low is allowed within the Utility Enclave Area (UEA), but not within the Rural Development Area (RDA), which is why the Development Area had to be changed. The Land Uses surrounding the subject site are either Development of Regional Impact (DRI) or Preservation (PRESVX). Not of the sites are developed. The closest development is one mile to the west on Laurel Avenue.

From LDPD-2023-29, "Another alternative to a PD modification for developing the site is through a Comprehensive Plan Amendment (CPA). Poinciana does not have a designated land use district on the County's Future Land Use Map (FLUM) or through LDC Tables 2.1 and 2.2. By completing a CPA, it would be assigned a land use district – likely Residential Low (RL) – which could attain up to 5 DU/AC through a Planned Development. The benefit to a CPA on this site is that it would erase the commercial and institutional entitlements that were installed with Master Plan, allowing for more residential units."

B. Infrastructure

The subject site is within the Toho Water Authority Utilities Service Area for both water and sewer. A letter from Toho confirming this has been provided by the applicant. The parcel accesses onto Marigold Avenue, an Urban Major Collector, that connects to County Road 542, also an Urban Major Collector. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. Two of the schools zoned for this site are over capacity, so mitigation efforts with the School Board will need to be utilized before occupancy certificates can be given for any residential development. The request is compatible with the available infrastructure.

From LDPD-2023-29, "This property is in the UEA where Toho Water Authority provides utilities. Connection to centralized potable water and wastewater is required. Reclaimed services are available."

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board, as two of the zoned schools are currently over capacity.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Laurel Elementary School	**12 students**	**119%**	**1.5 miles**
Lake Marion Creek Middle School	**7 students**	**89%**	**2.6 miles**
Haines City High School	**10 students**	**120%**	**15 miles**

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the County.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	**Northeast District Command Unit (**100 Dunson Road, Davenport, FL)	21.2 +/- miles Priority 1 – 09:58 Priority 2 – 30:57
Fire/ EMS	**Station #46** (9500 Marigold Avenue, Kissimmee, FL)	2.6 +/- miles

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for July 2025.

Water and Wastewater

A. Estimated Demand

The subject site is within the Toho Water Authority Utility Service Area for potable water and sewer. Site will connect to both.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use DRI**	**Maximum Allowable in Proposed RL in Poinciana DRI w/PD**
12 +/-acres **Tract C** **522,720 sq ft**	**12 acres = 522,720 sq ft** **X 0.25 FAR = 130,680 sq ft**	**17.48 +/- acres X 5 du/ac** **87 du**
Potable Water Consumption	**130,680 sq ft X 0.24 GPD =** **31,363 GPD**	**87 du X 360 GPD** **31,320 GPD**
Wastewater Generation	**31,363 GPD X 80% =** **25,091 GPD**	**87 du X 270 GPD =** **23,490 GPD**
5.48 +/- acres **Tract B** **238,709 sq ft**	**5.48 acres = 238,709 sq ft** **X 0.25 FAR = 59,677 sq ft**	
Potable Water Consumption	**59,677 sq ft X 0.15 GPD =** **8,952 GPD**	
Wastewater Generation	**8,952 X 80% =** **7,161 GPD**	

Source: Concurrency Manual; Single Family Residential is 360 GPD used for water and 270 used for wastewater generation rates. Institutional (INST-1) rates of 0.25 FAR with 0.24 GPD for water and 80% for wastewater were used for the 12 acres since schools are a common use in INST and one of the two tracts was originally slated for a School site per Poinciana Master Plan. The other parcel was Commercial, so Grocery Store calculation was used which was 0.25 FAR with 0.15 GPD for water and 80% for wastewater.

B. Service Provider

The subject site is within the Toho Water Authority Utility Service Area for water and sewer. A letter from Toho Water Authority confirming this was provided by the applicant. Site will connect to both water and sewer.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by Toho Water Authority. However, a letter was provided to applicant from Toho Water Authority that they do in fact have capacity in water and sewer lines to serve this site.

D. Planned Improvements

Toho has announced that they are developing a plan for utilizing new water sources and reclaimed water usage. No further information was provided.

Roadways/Transportation Network

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Future Land Use change may result in higher trips.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use DRI**	**Maximum Allowable in Proposed RL-1 in Poinciana DRI w/PD**
12 +/-acres **Tract C** **522,720 sq ft**	**12 acres = 522,720 sq ft** **X 0.25 FAR = 130,680 sq ft / 1000 = 131 sq ft**	**17.48 +/- acres X 5 du/ac** **87 du**
Average Annual	**131 sq ft X 2.27 AADT =** **265 Trips (89% New Trips)**	**87 du X 7.81 AADT =** **679 Trips (100% New Trips)**
PM Peak	**131 sq ft X 0.16 PM Peak =** **19 Trips (89% New Trips)**	**87 du X 1 PM Peak =** **87 Trips (100% New Trips)**
5.48 +/- acres **Tract B** **238,709 sq ft**	**5.48 acres = 238,709 sq ft** **X 0.25 FAR = 59,677 sq ft / 1000 = 60 sq ft**	
Average Annual	**60 sq ft X 59.07 AADT =** **2,964 Trips (76% New Trips)**	
PM Peak	**60 sq ft X 8.79 PM Peak =** **401 Trips (76% New Trips)**	

Source: Concurrency Manual and Table for Minor Traffic Study –Elementary School LDA at 2.27 AADT and 0.16 PM Peak Hours (89% new trips), Supermarket LDA at 59.07 AADT and 8.79 PM Peak Hours (76% New Trips,) and Single-family detached housing LDA at 7.81 AADT and 1 Peak Hours (100% new trips).

B. Available Capacity

The roads surrounding the subject site have insufficient PM Peak capacity available for a residential development. There is currently nothing developed on the site. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

Table 6

Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
8431N	MARIGOLD AVENUE (POINCIANA PARKWAY TO PALMETTO STREET)	F	0	D	F
8431S		F	0	D	F

Source: Polk Transportation Planning Organization, Roadway network Database 2025

C. Roadway Conditions

Marigold Avenue is an Urban Major Collector with unavailable capacity in both directions with a current condition of Fair. Per Roads and Drainage, this area is currently being improved to be repaved and widened so it will be better on the next PCI update. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalk Network

There are no sidewalks in the vicinity of the subject site.

E. Planned Improvements:

Marigold Avenue is currently undergoing an expansion that will improve the quality and widen the road to handle a higher capacity of traffic.

F. Mass Transit

The closest mass transit route is Route 603 with Citrus Connection, with the closest stop being at the Walmart in Poinciana.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Poinciana Playground 1.23 miles west of the site driving, and the nearest regional Park is Poinciana Community Park 4 miles driving to the southwest of the subject site.

B. Services:

Poinciana Community Park has Basketball Courts, Cricket Pitch, Dog Park, Restrooms, Soccer Fields, Softball Fields, Walking Paths/Trails. Poinciana Playground has a tot lot.

C. Multi-use Trails:

The closest free hiking trail is in the Poinciana Community Park which is 4 miles southwest of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site is the Kissimmee Chain of Lakes Reserve which borders the subject site to the south and north. On the Polk Green Map, site does show in the Potential Network Connection. There are no Conservation Easements on the site. The closest Conservation Easement is one mile to the east of the subject site.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

The site is entirely comprised of Candler Sand, which is suitable for building.

A. Surface Water:

There is no surface water on the subject site. The site is almost flat with a low of 55 feet on the east portion and a high of 60 feet on the west portion.

B. Wetlands/Floodplains:

There are wetlands and flood zone AE on the eastern subject site.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site *(approximate)*
Malabar fine sand, 0 to 2 percent slopes (10)	Severe: wetness, poor filter	Severe: wetness	9.7%
Immokalee sand (21)	Severe: wetness	Severe: wetness	13.9
Felda fine sand, frequently ponded, 0 to 1 percent slopes (86)	Severe: ponding, poor filter	Severe: ponding	76.4

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File.

F. Wells (Public/Private)

The subject site is not located in the Wellfield Protection District and does not have any wells on site. The site will be connecting to water and sewer from Toho Water Authority. The closest Well site is 4.55 miles to the west of the subject site.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

There are no known economic factors that would impact the development of this site.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with	The Comprehensive Plan permits a variety of different Future Land Use designations in

Comprehensive Plan Policy	Consistency Analysis
each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	urban areas and contribute to a combination of mixed uses. Residential Low (RL) would be compatible with the surrounding area of PRESVX and DRI.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The lands surrounding the subject site are all undeveloped. Toho Water Authority Utilities are available in this area for water and wastewater. This request is consistent with this policy.
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The timing is consistent with the growth in the area as the site has already been approved for development with LDPD-2023-29. There is ample connectivity to water, sewer, and electricity. Fire is close by with low response times, while Sheriff is close enough to not be an issue. Two of the three schools that are zoned for the site are overcapacity. The overall parcel does contain wetlands and part of it does reside within flood zone AE. The site is currently undeveloped but will have access roads provided per LDPD-2023-29.
POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2.sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental	

Comprehensive Plan Policy	Consistency Analysis
sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	
• POLICY 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas. • POLICY 2.107-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where: o a. it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s); o b. it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); and o c.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed. • POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs: o a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria. o b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park	Residential Low (RL) is an allowable use in the UEA. There is ample infrastructure available in the area to support this land use with connections to water and sewer connections through Toho Water Authority. Marigold Avenue is an Urban Major Collector Road with available capacity. There are emergency services, parks, education, mass transit, and residential development close by to the west. Toho provided a letter showing that this site can connect to water and sewer, but it will be up to the private developer to create the connections. Per the letter, “Toho staff has determined that Toho has potable water, reuse and sewer capacity with existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project. As noted in the attached document, extension and/or upsizing of infrastructure at the Owner’s expense may also be required to serve the property.”

Comprehensive Plan Policy	Consistency Analysis
Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation. • POLICY 2.107-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria. • POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code: o a. All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay. o b. Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element. o c. Provide access to parks, green areas, and open space and other amenities. o d. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section (Section 2.1251).	
POLICY 2.120-C1: CHARACTERISTICS - Densities up to, and including, 5.00 DU/AC. The Residential-Low classification is characterized by single-family dwelling units, duplex units, and small-scale multi-family units. POLICY 2.120-C2: DESIGNATION AND MAPPING - Residential-Low districts shall be located within TSDAs, UGAs, and UEAs as designated on the Future Land Use Map Series as "RL." POLICY 2.120-C3: LOCATION CRITERIA - Residential-Low areas shall be located only within the TSDAs, UGAs, SDAs, and UEAs and new Residential-Low development shall not be located within Activity Centers. The placement of Residential-	The subject site is already slated for development with LDPD-2023-29. The land use change from DRI to RL-1 is to change the use of the land on the PD from a commercial and institutional use to residential in nature. Primarily to accommodate single family homes. The density requested is under the allowable 5 du/ac and is allowed within the new UEA Development Area.

Comprehensive Plan Policy	Consistency Analysis
Low shall be evaluated based on the general criteria listed in Policy 2.119-A2. POLICY 2.120-C4: DEVELOPMENT CRITERIA - Residential development may contain a variety of housing types as defined by the Land Development Code within the TSDA. Outside the TSDA, RL may contain single-family dwelling units, duplex units, small-scale multi-family units, and family-care homes, and shall be permitted, with County approval, at a density of up to, and including, 5 DU/AC. Additionally, community facilities may be allowed in accordance with policies of this Plan.	
• POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.	From LDPD-2023-29, "Another alternative to a PD modification for developing the site is through a Comprehensive Plan Amendment (CPA). Poinciana does not have a designated land use district on the County's Future Land Use Map (FLUM) or through LDC Tables 2.1 and 2.2. By completing a CPA, it would be assigned a land use district – likely Residential Low (RL) – which could attain up to 5 DU/AC through a Planned Development. The benefit to a CPA on this site is that it would erase the commercial and institutional entitlements that were installed with Master Plan, allowing for more residential units." Since the County does not have a comprehensive history of the impacts of the BLIMS and where the land uses have been transferred, therefore this CPA is needed.

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections where referenced in this report**
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

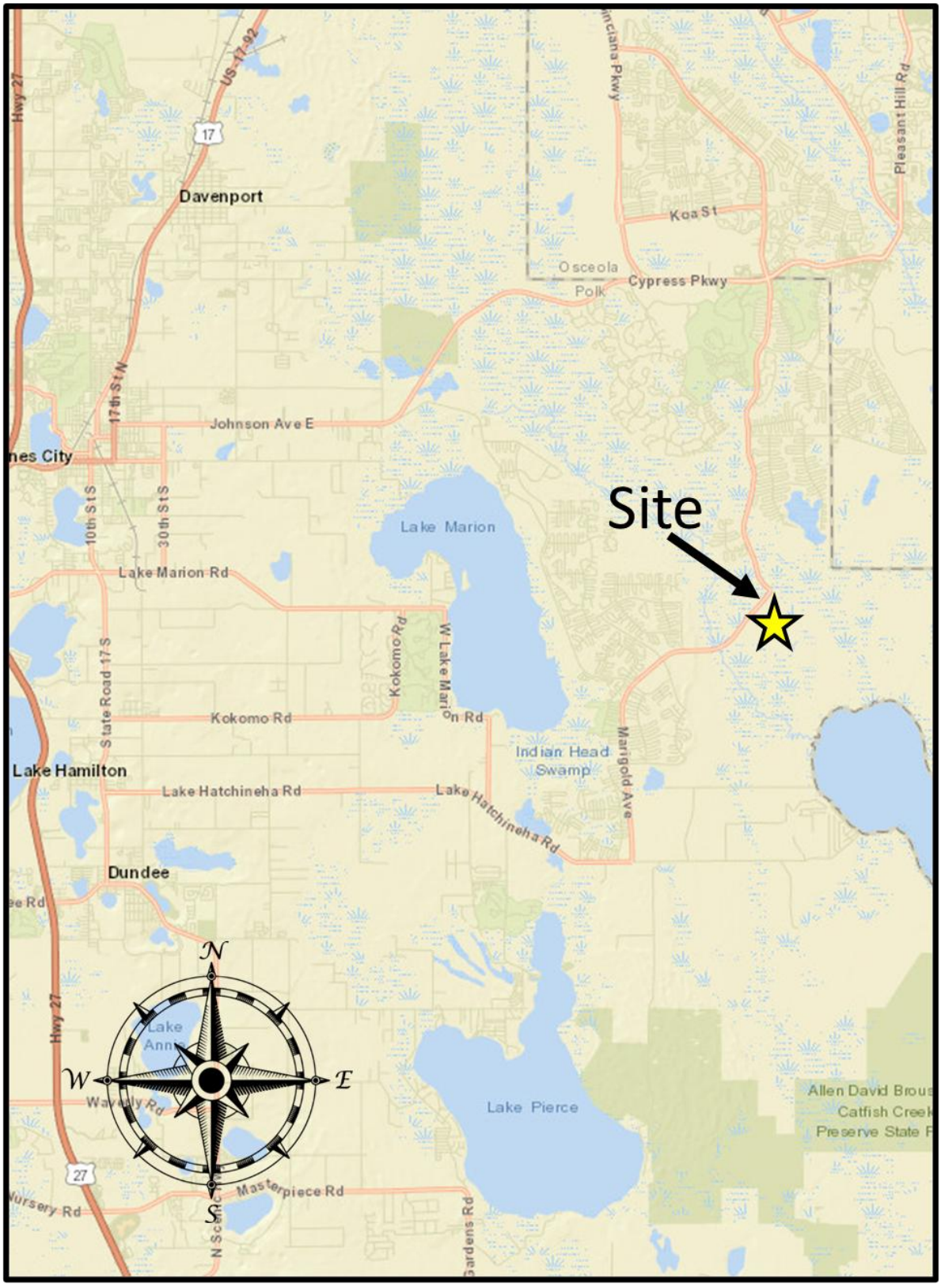
Comments from other agencies

No comments

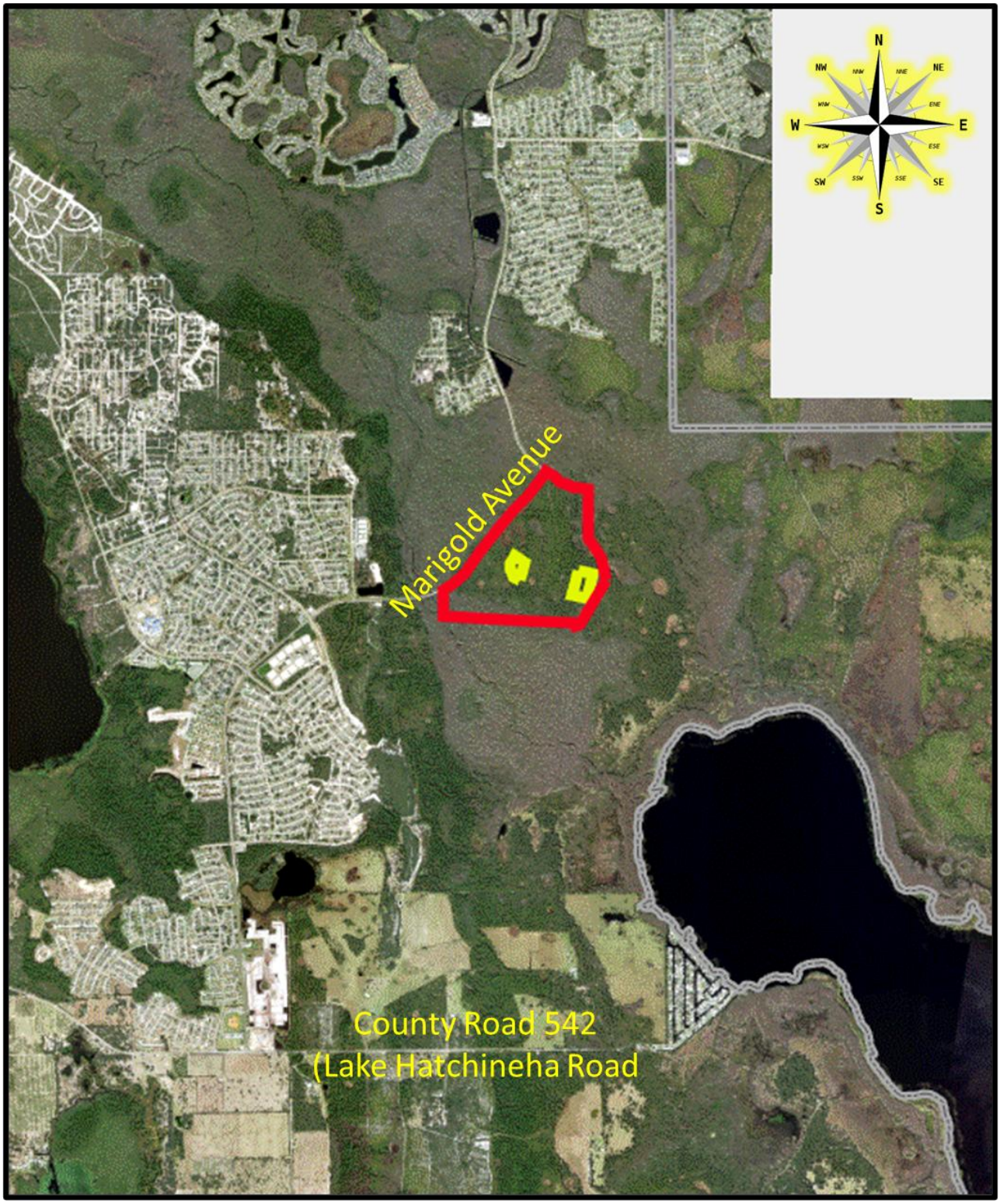
Exhibits:

Exhibit 1 Location Map
Exhibit 2 2023 Aerial Context Map
Exhibit 3 2023 Aerial Close Up
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6 RL-1 Permitted and Conditional Uses
Exhibit 7 Site Plan

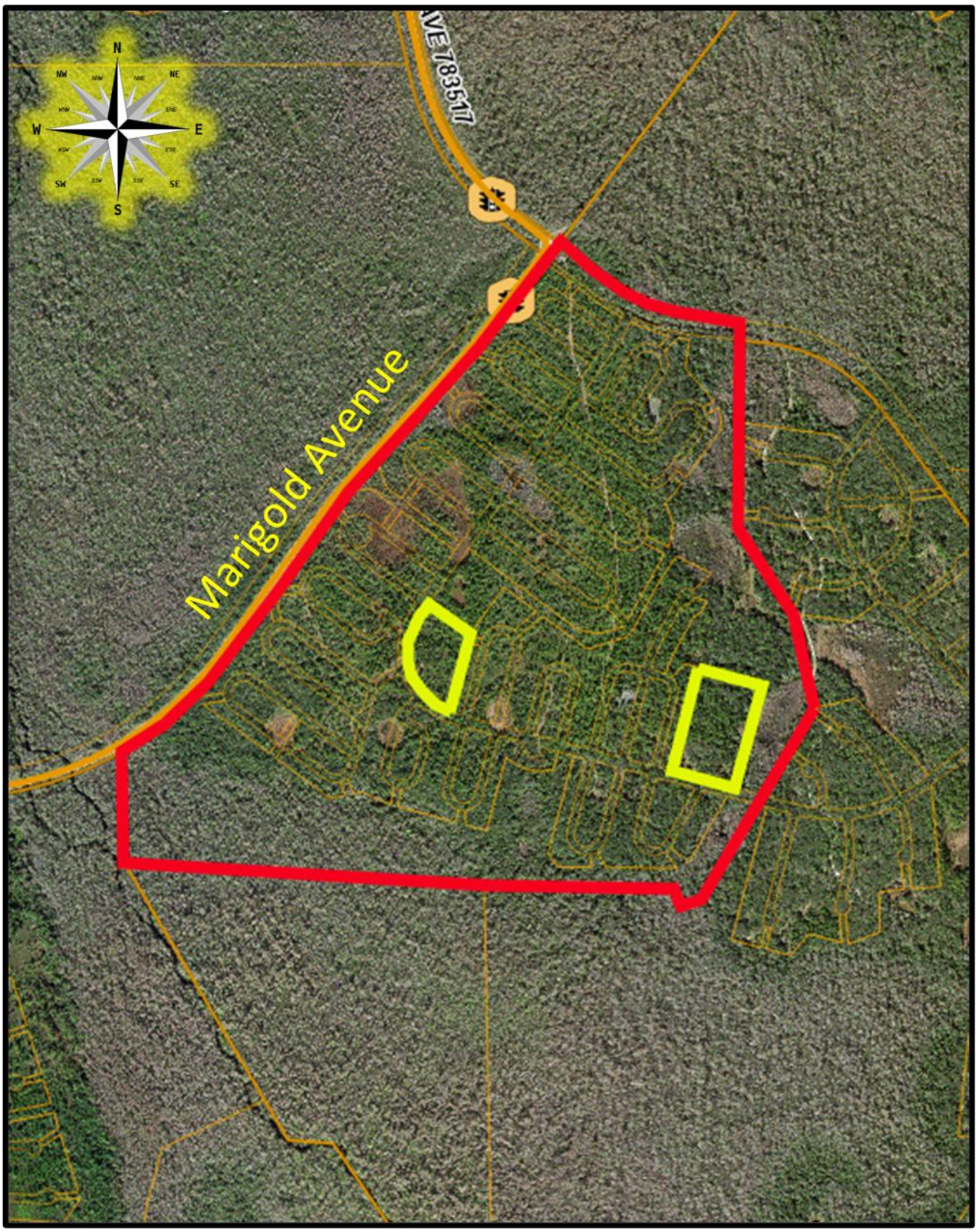
Applicant's submitted documents and ordinance as separate files



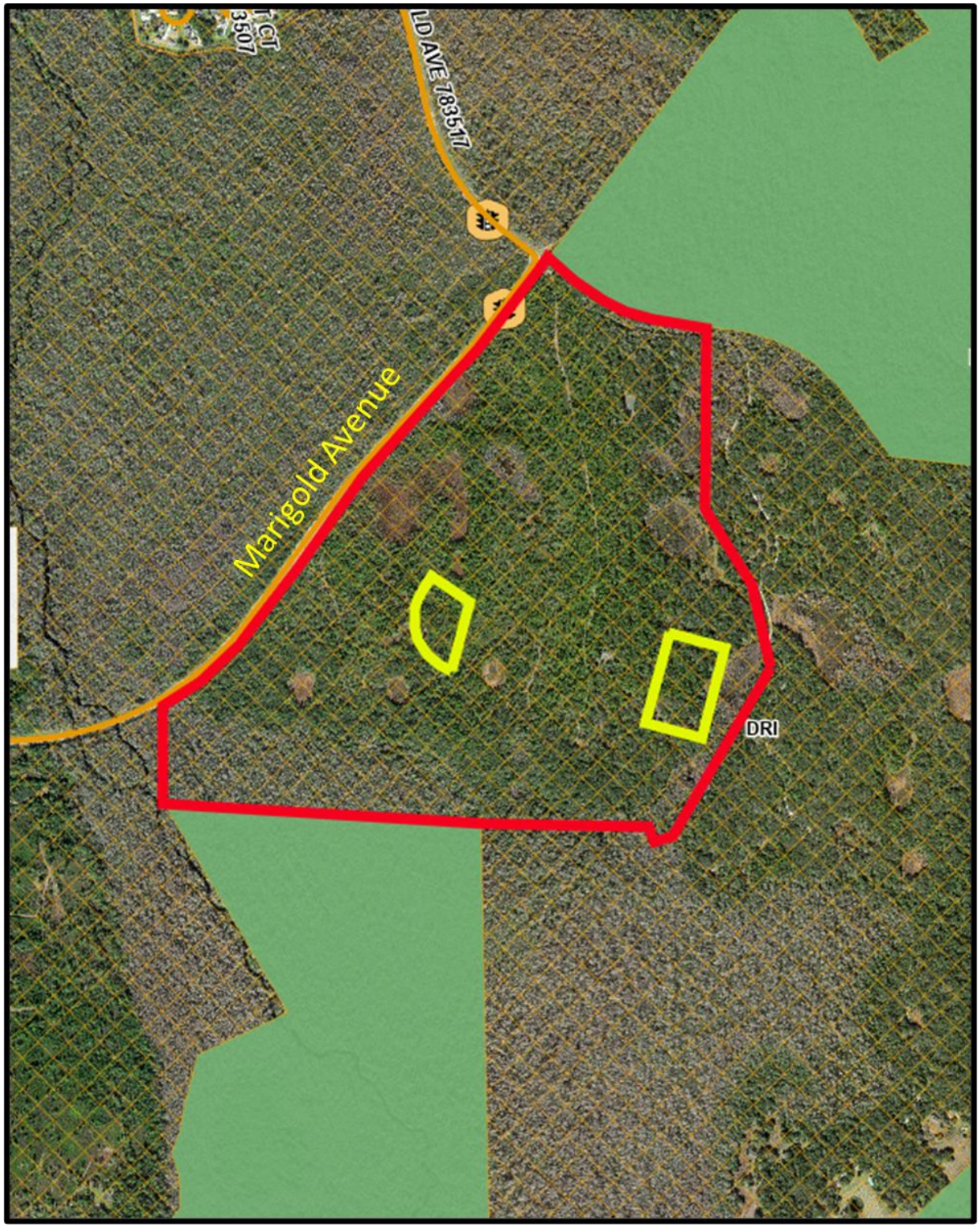
LOCATION MAP



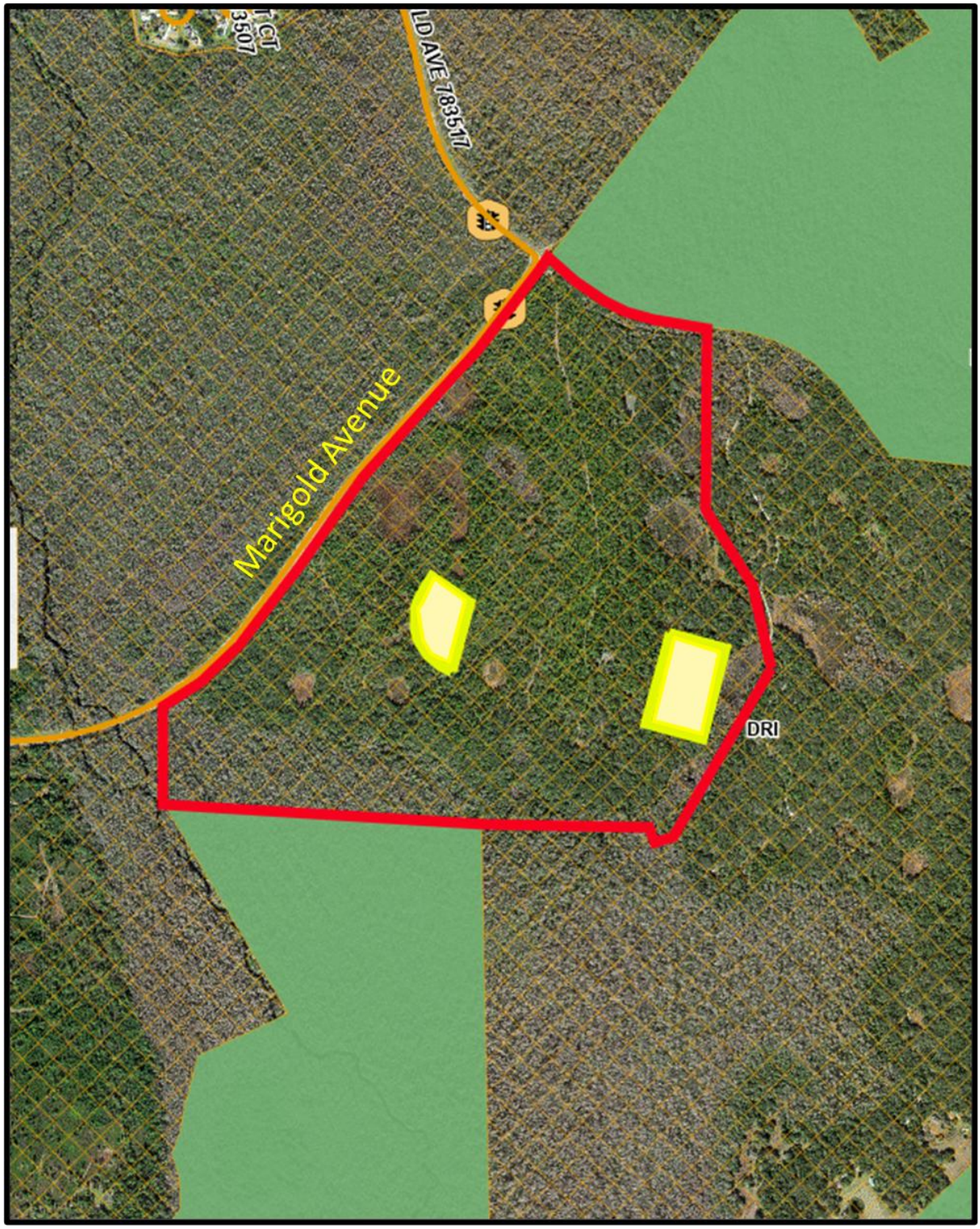
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Development of Regional Impact (DRI)



PROPOSED FLUM
Residential Low (RL-1)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
RL-1	Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Small (6 or less residents), Mobile Homes- Individual, Animal Farm- Intensive, Emergency Shelter- Small (6 or less residents), Golf Course, Livestock Sale- Auction, Nurseries and Greenhouses, Recreation- Passive, Utilities- Class II, Residential Infill Development, Recreation- Low Intensity, School- Elementary, School- Middle	Group Living Facility (15 or more residents), Multi-family, Short-Term Rental Unit, Planned Development, Residentially Based Mixed Development (RBMD), Transitional Area Development, Adult Day Care Center (7 or more clients), Agricultural Support- Off-Site, Bed and Breakfast, Childcare Center, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Government Facility, Helistops, Mining- Non-phosphate, Recreation- High Intensity, Recreation- Vehicle Oriented, Religious Institution, Riding Academies, School- High, School- Leisure/Special Interest, Utilities- Class III, Mobile Home Park, Mobile Home Subdivision

Residential Low (RL-1)

PERMITTED AND CONDITIONAL USES



SITE PLAN FROM LDPD-2023-29

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-16;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 17.48 ACRES FROM DEVELOPMENT OF REGIONAL IMPACT (DRI) IN THE RURAL DEVELOPMENT AREA (RDA) TO RESIDENTIAL LOW (RL) IN THE UTILITY ENCLAVE AREA (UEA). THE SUBJECT SITE IS LOCATED SOUTH AND EAST OF MARIGOLD AVENUE, WEST OF OSCEOLA COUNTY LINE, NORTH OF COUNTY ROAD 542, AND EAST OF THE CITY LIMITS OF HAINES CITY, IN SECTION 01, 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 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; 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, on the proposed Plan revisions on November 5th, 2025; and

WHEREAS, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on December 2nd, 2025; 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 Polk County Board of County Commissioners:

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 +/- 17.48 acres site from Development of Regional Impact (DRI) to Residential Low (RL), in the Utility Enclave Area (UEA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel # 282801-934670-000001

TRACT B, POINCIANA NEIGHBORHOOD 3 WEST-NORTH, VILLAGE 6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60, PAGES 13-22 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHERLY CORNER OF SAID TRACT B; THENCHE RUN SOUTH 53°20'17" EAST ALONG THE NORTH LINE OF SAID TRACT B, A DISTANCE OF 350.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT B; THENCE RUN SOUTH 15°00'00" WEST ALONG THE EAST LINE OF SAID TRANCT B, A DISTANCE OF 662.22 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF EQUESTRIAN ROAD, SAID POINT BEING A POINT ON A NON TANGENT CURVE TO THE RIGHT, CONCAVE ESAT, HAVING A RADIUS OF 510.00 FEET, A CHORD BEARING OF NORTH 13°06'12" WEST AND A CHORD DISTANCE OF 778.67 FEET; THENCE RUN NORTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 99°31'51", A DISTANCE OF 885.94 FEET; THENCE RUN NORTH 36°39'43" EAST ALONG SAID NORTHEASTERLY RIGHT OF WAY LINE, A DISTANCE OF 112.49 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 5.48 ACRES, MORE OR LESS

TRACT C, POINCIANA NEIGHBORHOOD 3 WEST-NORTH, VILLAGE 6, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60, PAGES 13-22 OF THE PUBLIC RECORD OF POLK COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT C, SAID POINT LYING ON THE NORTH RIGHT OF WAY LINE OF EQUESTRIAN ROAD; THENCE RUN NORTH 75°00'00" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 615.00 FEET TO THE SOUTHWEST CORNER OF SAID TRACT C, SAID POINT BEING THE SOUTHEAST CORNER OF LOT 1, BLOCK 3470 OF SAID POINCIANA NEIGHBORHOOD 3 WEST-NORTH; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE, RUN NORTH 15°00'00" EAST ALONG THE WEST LINE OF SAID TRACT C, A DISTANCE OF 850.00 FEET TO THE NORTHEAST CORNER OF SAID TRACT C; THENCE RUN SOUTH 15°00'00" WEST ALONG THE EAST LINE OF SAID TRACT C, A DISTANCE OF 850.00 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 12.00 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

This ordinance shall be effective on January 3rd, 2026 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

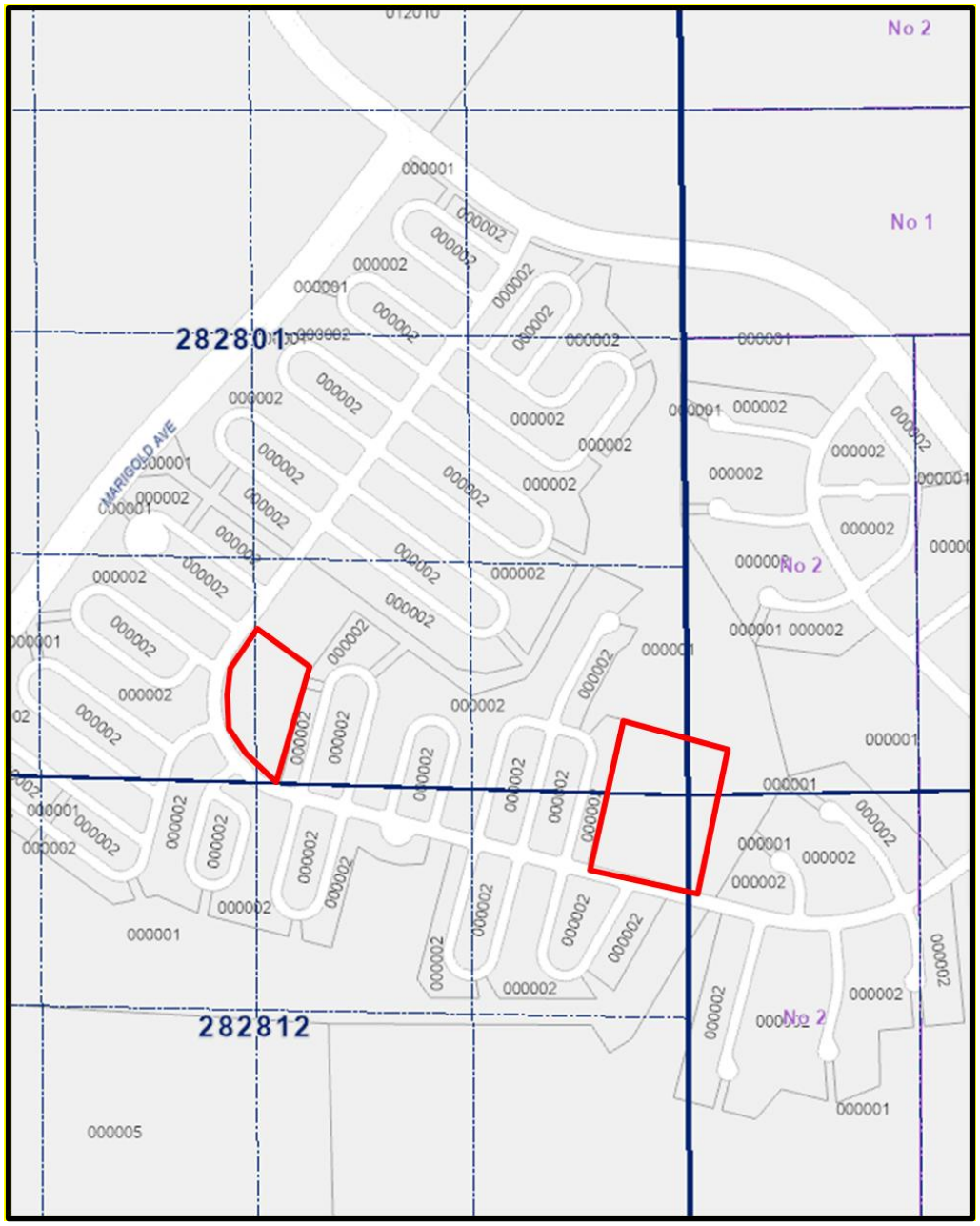
SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

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 December 2nd, 2025.

ATTACHMENT "A"

LDCPAS-2025-16
Development Area: Utility Enclave Area (UEA)
Location: South and east of Marigold Avenue, west of Osceola County Line, north of County Road 542, and east of the city of Haines City.
Section-01 Township-28 Range-28



PARCEL DETAIL
Note: Not to Scale

Toho Water Authority

bringing you life's most precious resource

951 Martin Luther King Blvd., Kissimmee, FL 34741
Tel: 407-944-5000
www.tohowater.com

September 27, 2023

Re: Parcel ID # 28-28-01-934670-000001 & 28-28-01-934670-000002
Request # 6763 & 6764

Dear John Adams,

Toho Water Authority (Toho) has reviewed your request for a water, reuse and sewer service availability determination and the Parcel ID referenced is within the Toho service area. Toho staff has determined that Toho has potable water, reuse and sewer capacity with existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project. As noted in the attached document, extension and/or upsizing of infrastructure at the Owner's expense may also be required to serve the property. The owner/ developer has not yet reserved capacity. However, subject to a fully executed Development Service Agreement (DSA), approved construction plans, and Florida Department of Environmental Protection permits, the Executive Director or his designee will ensure public facility capacity is reserved for the development in the amounts stated in the System Development Charge (SDC) Assessment letter and subject to the terms of the DSA, including any conditions associated with planned capital improvements serving the property and payment of SDCs.

The current locations of water, reuse and sewer mains are approximately:

- Water main installed.
- Water service line needs to be installed. Service line must be installed on property line.
- This water service will require a bore and tap.
- 16" Water main approx. 30' west of property.
- Force main installed
- Force main connection required
- Force main service line needs to be installed.
- Requires owner to install pump for connection to the force main.
- 16" Force main approx. 5' west of property.
- Reuse main installed
- Reuse service line needs to be installed.
- 24" Reuse main approx. 30' west of property.
- Fire hydrants approx. 25' west of property.

Please note this letter of availability is only valid for one year from the date of this letter. Should the project not have received Toho Water Authority approval and reserved capacity by 09/27/2024, they must request a new Letter of Availability from Toho.

Toho Water Authority looks forward to working you on this project. If you have any questions, please do not hesitate to contact us. More specific line location information is enclosed.

Sincerely,
Assets and Infrastructure
Toho Water Authority

951 Martin Luther King Blvd., Kissimmee, FL 34741
Tel: 407-944-5000
www.tohowater.com

Toho Request Number: 6763 & 6764

Parcel ID & Address: 28-28-01-934670-000001 & 28-28-01-934670-000002 / Marigold Ave., Poinciana

The options that have been checked below apply to the referenced property:

☐ Commercial Property Owners Only: Please contact a civil engineer to obtain design and cost information for main or service extensions. Toho does not provide extensions for commercial properties.

WATER

☒ A water main is installed

- ☐ No hydraulic analysis is required
- ☒ A hydraulic analysis is required, is the responsibility of the Owner, and could result in required main improvements by the Owner

☒ If a water main is installed, but the site does not have a water service line installed, please visit Meter Installation Request | Toho Water Authority to begin the process.

SEWER

☒ A force main is installed

- ☐ No hydraulic analysis is required
- ☒ A hydraulic analysis is required, is the responsibility of the Owner, and could result in required main improvements by the Owner

☒ A force main connection, lift station or grinder pump needs to be installed. For information please contact Ray Biron at rbiron@tohowater.com

MISCELLANEOUS

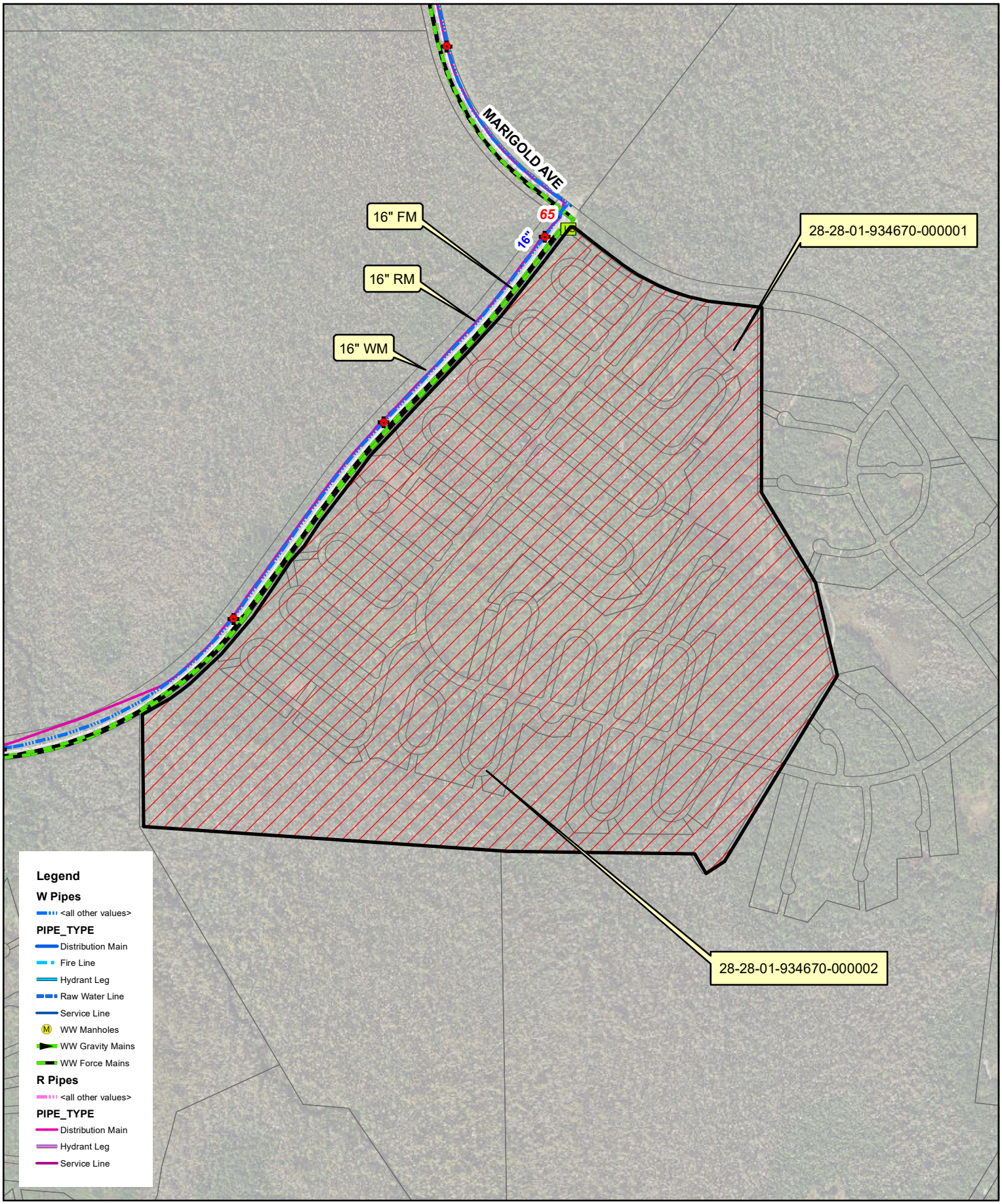
☒ Reuse main is installed

- ☐ No hydraulic analysis is required
- ☒ A hydraulic analysis is required, is the responsibility of the Owner, and could result in required main improvements by the Owner

☒ If a reuse main is installed, but the site does not have a reuse service line installed, please visit Meter Installation Request | Toho Water Authority to begin the process

Service to the site is the customer's responsibility and may require offsite utility improvements performed by a private contractor hired by the customer.

If you would like to speak with someone regarding potential fees or System Development Charges, please contact meterfees@tohowater.com or 407-944-5000 and they will be happy to assist.



N

1 inch = 1,000 feet

28-28-01-934670-000001
28-28-01-934670-000002

THE TOHOPEKALIGA WATER AUTHORITY MAKES NO WARRANTIES, GUARANTEES OR REPRESENTATIONS AS TO THE TRUTH, ACCURACY, OR COMPLETENESS OF THE DATA ON THIS MAP. THIS IS NOT A SURVEY PRODUCT AND IS A VISUAL REFERENCE TOOL ONLY. The Tohopekekiliga Water Authority makes no warranty, express or implied with respect to its ownership of any rights relating to trademarks and trade names described herein. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION OF THE FACE HEREOF. Any questions or concerns should be directed to Toho Water Authority, Information Technology (IT) Department at 407-944-5190.

C:\Users\Fsantos\Desktop\September_2023_Avail Map.mxd

Toho Water Authority

452

LDCPAS-2025-16 - Osprey Creek

Menu Reports Help

Application Name: Osprey Creek

File Date: 04/25/2025

Application Type: BOCC-CPA Small

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Small-Scale Comprehensive Plan Amendment for the existing Commercial and Institutional parcels approved under LDPD-2023-29 to change to RL.

Application Detail: Detail

Address: 5098 MARIGOLD AVE, POINCIANA, FL 34759

Parcel No: 282801934670000001

Owner Name: OSPREY CREEK LP

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
John Adams	RJWA, Inc	Engineer	Mailing, 8 Broadway, S...	Active
Structure Development	Structure Devel...	Developer	Mailing, 3700 34th Str...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,608.00

Total Fee Invoiced: $4,608.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Small Scale Or EAR

Variance Type
–

Brownfields Request
–

Affordable Housing

Type of Acreage
–

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
17.48

DRC Meeting
07/10/2025

DRC Meeting Time
12:00 PM

Rescheduled DRC Meeting
–

Rescheduled DRC Meeting Time
–

Green Swamp
No

Number of Units
–

Case File Number
–

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

One Year Extension
–

FS 119 Status
Non-Exempt

Code Violation Case Number
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
11/05/2025

Land Use Hearing Officer 3
–

1st BOCC Date
12/02/2025

2nd BOCC Date
–

LUHO-Level 3
–

HEARING

PC Hearing Results
–

PC Vote Tally
–

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-25EST-00000-26417	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan **LU Code**

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	5			09/17/2025	
BOCC 1	5			09/17/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	06/12/2025	Lyndsay Rathke
Surveying Review				
Engineering Review				
Roads and Drainage Review	Phil Irven	Approve	06/12/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	06/12/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	07/09/2025	Johnathan Sims
School Board Review	School District	Approve	06/17/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	07/09/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

Demonstration of Need – Compliance with Policy 2.102-A11: Urban Sprawl Criteria

The Applicant respectfully submits the following analysis to demonstrate consistency with Polk County Comprehensive Plan Policy 2.102-A11 and to confirm that the proposed Small-Scale Comprehensive Plan Amendment does not promote urban sprawl.

a. *Does not promote low-intensity, low-density, or single-use development in excess of demonstrated need.*

The subject parcels—3.97 acres of Commercial and 6.66 acres of Institutional—are being amended to Residential Low (RL) to be integrated into a larger 404.48-acre residential development, vested under BLIM 691-004. This change reflects the current development pattern and demand within the Poinciana Village 6 Neighborhood 3NW subdivision. The proposed use is consistent with adjacent development and does not exceed demonstrated market demand, but rather balances the land use mix by repurposing parcels that are either improperly sited (Commercial) or surplus (Institutional).

b. *Does not promote urban development in rural areas or leapfrog undeveloped lands.*

The subject site is within the urban development area and surrounded by existing and vested development, including residential neighborhoods and infrastructure systems. The amendment would integrate previously designated Commercial and Institutional parcels into an existing master-planned community.

c. *Does not promote radial, strip, or ribbon development patterns.*

The amendment supports a cohesive, interconnected neighborhood design consistent with the surrounding approved Planned Unit Development (LDPD-2023-29). The subject parcels are internal to the larger development and do not contribute to radial or strip commercial development along arterial corridors.

d. *Does not compromise the protection of natural resources.*

The proposed amendment will not impact wetlands, floodplains, or environmentally sensitive areas. Open space and greenway acreage remain protected as designated in the overall BLIM 691-004 vesting, and any future development will undergo environmental review through the County's Site Development process.

e. *Does not compromise adjacent agricultural areas or prime farmland.*

The site is not adjacent to active agricultural operations and is fully surrounded by urban and suburban development. There is no encroachment on prime farmland, and no conflict with agricultural uses.

f. *Maximizes the use of existing public facilities and services.*

The site is within an existing development area where infrastructure—including roads, water, sewer, and public services—has already been extended or is planned as part of the vested development. The amendment aligns with these existing and planned services.

g. *Minimizes reliance on future public facilities and services.*

Because the area is already incorporated into the vested development with infrastructure planning in place, no additional service extensions are required beyond what is already accounted for. Impact fees will offset any proportionate fair-share costs associated with the residential units.

h. *Does not increase the cost of providing public facilities and services disproportionately.*

The amendment will not disproportionately increase service delivery costs. The elimination of a commercially-designated parcel that does not meet the County's siting standards (Polk County LDC Section 205) may reduce

future capital and operational burdens. The conversion of Institutional land to residential is in line with surrounding uses and infrastructure.

i. *Provides a clear separation between urban and rural uses.*

The site is located within a defined urban development area and does not abut rural lands. The amendment supports continued logical urban development consistent with adjacent residential neighborhoods.

j. *Does not discourage infill or redevelopment.*

The amendment supports infill development by incorporating unused or underutilized parcels into a cohesive residential plan consistent with the surrounding community, rather than leaving these parcels isolated or functionally obsolete.

k. *Encourages a functional mix of land uses.*

The former Commercial parcel is now being programmed for central recreational use, enhancing neighborhood-level functionality and resident-serving amenities.

l. *Improves accessibility among linked land uses.*

The amendment results in better internal circulation and integration with adjacent residential parcels. The recreational programming for the former Commercial parcel will serve as a community anchor and support multimodal access from surrounding homes.

m. *Does not result in the loss of functional open space.*

No designated Open Space or Greenway land is being removed or converted. The amendment applies only to Commercial and Institutional parcels, with open space commitments remaining unchanged under approved PUD LDPD-2023-29.

Section 910 Impact Assessment Statements

The purpose of an Impact Assessment Statement is to provide information on the effects a proposed development or land use action will have on the existing neighborhood and general area; on the transportation facilities; on the environment and natural resources of the County; on the public facilities for water, sewer, solid waste disposal, fire, police, public education, parks, recreation, and other utilities; and any other aspect with an identified impact of the development and deemed appropriate for concern.

A. **Land and Neighborhood Characteristics**

To assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

   The subject ±10.63-acre area is internal to an approved ±404.48-acre Planned Unit Development (LDPD-2023-29) and is well suited for low-density residential use. The site is served by centralized water and sewer and is integrated into a larger, vested community design.

2. Provide a site plan showing each type of existing and proposed land use;

   The area includes two parcels—±3.97 acres previously designated Commercial and ±6.66 acres previously designated Institutional—both of which will be converted to Residential-Low. A recreational amenity will be planned for the smaller parcel, and the larger will support single-family residential lots consistent with the broader PUD.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

   No incompatibilities are anticipated. The amendment removes nonviable land use designations and replaces them with compatible residential uses consistent with surrounding development. No buffering or additional mitigation is required beyond standard PUD setbacks.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped; and

   The amendment promotes logical infill and compact development within a vested PUD and does not encourage leapfrog development. It reinforces the planned community pattern established by prior approvals and infrastructure investments.

5. Describe each of the uses proposed in a Planned Development and identify the following:

   a. The density and types of residential dwelling units;

      30 single-family detached units on ±6.66 acres

   b. The type of commercial and industrial uses;

      None proposed with this amendment.

   c. The approximate customer service area for commercial uses; and

      N/A

   d. The total area proposed for each type of use, including open space and recreation.

      ±10.63 acres to be designated Residential-Low. A portion (~4 acres) will include recreational amenities; the remainder will be for single-family detached development.

B. **Access to Roads and Highways**

To assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

   30 single-family units × 9.44 trips/day = ~283 daily trips
   PM Peak Hour (0.99 trips/unit) = ~30 PM peak hour trips
   Source: ITE Trip Generation Manual, 11th Edition, LUC 210.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

   All transportation improvements will be evaluated during the Site Development Plan (SDP) process in coordination with Polk County. Any turn lanes, access management treatments, or intersection upgrades will be identified and addressed at that time based on final engineering and traffic analysis, if required.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

   Each single-family lot will provide a minimum of 4 off-street parking spaces, consistent with the Polk County Land Development Code and PUD requirements. Additional On-Street Parking Required @ 1 space per 7 units.

3. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

   The project will connect to Marigold Avenue twice, a public collector roadway, via internal PUD streets. This collector roadway provides direct access to the larger Poinciana network and regional corridors such as Cypress Parkway and Poinciana Parkway.

4. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

   The PUD integrates sidewalks, trails, and passive open space, encouraging pedestrian and bicycle circulation. While fixed-route transit is limited in the immediate area, the project supports future transit readiness by maintaining internal connectivity and walkability standards.

C. **Sewage**

To determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

   30 units × 276 GPD = ~8,280 gallons per day

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

   All wastewater will be conveyed to existing centralized sewer systems; no on-site treatment is proposed.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

   Consistent with UEA and Nutrient Restoration Plan Overlay requirements.

4. Identify the service provider; and

   Toho Water Authority

5. Indicate the current provider's capacity and anticipated date of connection.

   TBD at future date with engineering plans.

D. **Water Supply**

To determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

   Potable water will be supplied from the existing centralized Toho Water Authority public water system serving the broader Poinciana area. Water will be treated through standard municipal processes consistent with federal and state public health regulations.

2. Identify the service provider;

   Toho Water Authority

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

   Based on an estimated 300 gpd per single-family unit × 30 units = ~9,000 gallons per day (GPD).

5. Indicate the current provider's capacity and anticipated date of connection.

   While TWA currently serves portions of the surrounding Poinciana community, the subject site lies outside the current water service boundary. As part of this development, the applicant will coordinate with TWA to extend water infrastructure and expand the coverage area to include the subject parcels.

   The anticipated date of connection will coincide with site development and utility permitting during the Site Development Plan (SDP) phase. Capacity is expected to be available once line extensions are completed and approved by TWA.

E. **Surface Water Management and Drainage**

To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

   The proposed development will implement a stormwater management system designed to comply with the regulations of the South Florida Water Management District (SFWMD) and the Polk County Land Development Code. Surface water quality will be protected through the use of on-site retention and treatment facilities that reduce pollutant loads and prevent adverse impacts to receiving waters.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

   The site has been previously disturbed as part of the broader master-planned development and does not contain significant natural drainage features or jurisdictional wetlands. Minor grading will occur to facilitate positive drainage, and new conveyance and retention systems will be integrated with the existing PUD drainage infrastructure. No impacts to protected natural hydrologic features are anticipated.

3. Describe the impact of such alterations on the fish and wildlife resources of the site; and

   The site is not located within a conservation area or known habitat for listed species. As the land is already within a vested PUD and has been previously cleared, impacts to fish and wildlife resources will be minimal. Habitat disruption will be limited and localized to infrastructure installation areas.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

On-site stormwater retention ponds will promote infiltration and support aquifer recharge, consistent with SFWMD regulations. The development will retain post-development runoff on-site, reducing discharge to off-site systems and maintaining groundwater quality. No adverse impact to regional groundwater levels or recharge function is expected as a result of the project.

F. **Population**

To determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

   The proposed development will introduce 30 market-rate single-family detached units on the ±6.66-acre parcel formerly designated for Institutional use.
   Assuming an average household size of 2.5 persons per unit, the projected resident population is:
   30 units × 2.5 persons/unit = ~75 new residents.
   No transient population is associated with this development, and no commercial or industrial components are proposed.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

   This project does not include commercial or industrial development. No new permanent employment positions will be generated as part of this application.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

   The proposed units are market-rate homes, not age-restricted, and are expected to serve a diverse mix of households. The anticipated demographic composition includes:

   - ***Working families and professionals employed in the greater Poinciana/Kissimmee region***
   - ***First-time homebuyers and local residents seeking attainable single-family housing***
   - ***Moderate-income households attracted by suburban location, infrastructure, and proximity to employment centers***

   Age composition is expected to reflect a typical suburban family community with a blend of children, adults, and retirees, though not specifically targeted to any one age group.

4. Describe the proposed service area and the current population thereof.

   The homes will be located within the existing Poinciana Village 6 – Neighborhood 3NW community, a fully vested and partially developed ±404.48-acre Planned Unit Development. This area is part of the broader Poinciana community, which is home to approximately 50,000+ residents.

   The development will tie into established infrastructure, utilities, roadways, and community services currently serving the Poinciana area, minimizing the need for any offsite expansion or new service areas.

G. **General Information**

To determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

    - ***Central ±3.97-acre recreational amenity***
    - ***Integrated trails and sidewalks***
    - ***Passive open space and shaded gathering areas***
    - ***Pedestrian connectivity to adjacent phases***
    - ***Unified streetscape and neighborhood design***
    - ***Recreation features that serve both new and existing residents***

2. Discuss the demand on the provision for the following services:

    a. Parks and Recreation;

    In the proposed development various recreation sites are provided that include Type I, II, III, and IV recreation.

    b. Educational Facilities (preschool/elementary/middle school/high school);

    ABC Einstein's Preschool: 6.8 +/- miles
    Laurel Elementary School: 1.4 +/- miles
    Laurel Middle School: 2.3 +/- miles
    Haines City High School: 11.8 +/- miles

    c. Health Care (emergency/hospital); d Fire Protection;

    HCA Florida Poinciana Hospital: 5.9 +/- miles

    e. Police Protection and Security; and

    Haines City Police Department: 18.1 +/- miles

    f. Electrical Power Supply.

    Duke Energy

H. **Maps**

1. Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development.
2. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scales shall be clearly indicated on each map and the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following maps shall accompany all Impact Assessment Statements:
3. Map A: A location map showing the relationship of the development to cities, highways, and natural features;
4. Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;
5. Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;
6. Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

7. Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.
8. Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and
9. Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

Agenda Item 13. 11/5/2025

SUBJECT

LDCPAS-2025-27 (Highway 542 E Property CPA)

DESCRIPTION

This is an applicant-initiated Future Land Use Map change for 12.64 acres from Residential-Suburban (RS) to Business-Park Center (BPC). This case is related to LDCD-2025-7, a request for a district change from BPC-1 to BPC-2. The location is on the South of Highway 92 East, west of Old Dixie Highway, north of County Road 542 East, east of Reynolds Road, west of the City of Auburndale, in Section 13, Township 28, Range 24.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

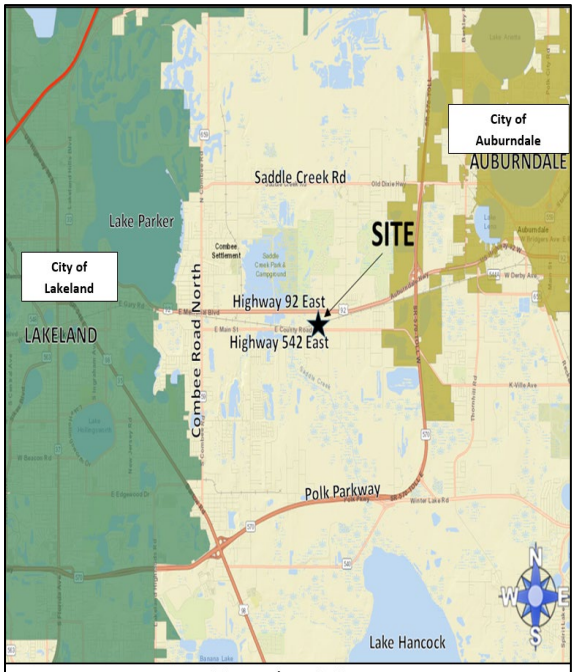
Mark J. Bennett, AICP, FRA-RA, CNU-A

Senior Planner

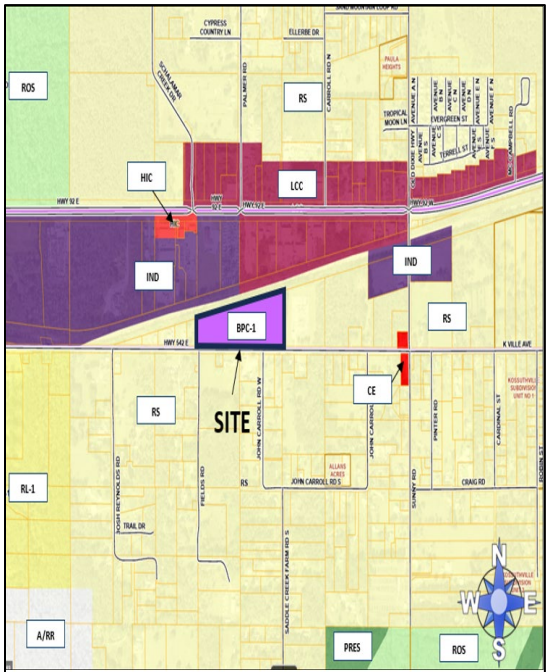
markbennett@polk-county.net <mailto:markbennett@polk-county.net>
(863) 534-6455

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 28, 2025
Planning Commission Date:	November 5, 2025
BoCC Dates:	December 16, 2025
Applicant:	Bart Allen, Esq.
Level of Review:	Level 4 Review, Small-Scale Comprehensive Plan Amendment
Case Number and Name:	LDCPAS-2025-27 (Hwy 542 E Property)
Request:	Change the Future Land Use designation for 12.64 acres from Residential Suburban (RS) to Business Park Center (BPC). This case is related to LDCD-2025-7, a request for a district change from BPC-1 to BPC-2.
Location:	South of Highway 92 East, west of Old Dixie Highway, north of County Road 542 East, east of Reynolds Road, west of the City of Auburndale, in Section 13, Township 28, Range 24.
Property Owner:	Carters Baptist Church Inc
Parcel Size:	12.64 acres
Development Area:	Suburban Development Area (SDA)
Future Land Use:	Residential-Suburban (RS)
Nearest Municipality:	Auburndale
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	Not Applicable
Case Planner(s):	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner



Location Map



Proposed Future Land Use Map

Summary:

This is an applicant-initiated Comprehensive Plan map amendment to change 12.64 acres from Residential Suburban (RS) to Business Park Center (BPC) on the Future Land Use Map. The approval justification for this request is based on the following:

1) The presence of industrial uses within the general area and adjacent to the site;
2) Property designated Industrial is north of the site;
3) A railroad and electrical substation abut the property; and
4) The property has direct access to an arterial road (US 92) via a lighted intersection .75 miles (driving distance) from the site.

This case is related to LDCD-2025-7, a request for a district change from BPC-1 to BPC-2.

Compatibility Summary

There are several reasons why this request is considered to be compatible, and consistent with the Comprehensive Plan and Land Development Code. There are industrial and other non-residential uses (such as an electrical substation, auto-related uses, and heavy equipment/outdoor storage & vehicle parking) near the site. The location of transportation facilities, such as railroads and arterial/collector roads, is a factor in determining the appropriateness of Business-Park Centers. This site has direct access to a collector road, with an intersection of an arterial highway (located .75-mile driving distance) away. The site is also next to a railroad. Because this request complies with the locational criteria found in Policy 2.113-B3, specifically collector/arterial road access and railroad abutting the site, this request is consistent with the applicable policies in the Comprehensive Plan.

Infrastructure Summary

The site is not in a utility service area, but water service is provided to property north of the site by the City of Auburndale. Because this amendment is for a non-residential use, schools will not be impacted. There is sufficient roadway capacity. Public safety facilities and services are available.

Environmental Summary

Some portions of the site are within the 100-year floodplain, but the site does not contain wetlands or surface waters. No adverse environmental impacts are expected due to the development of this site.

Comprehensive Plan

Listed below are the relevant sections of the Comprehensive Plan that are applicable to this request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.106(A1-A7): Suburban Development Areas (SDAs)
- Policy 2.113(B1-B5): Business-Park Centers (BPC)
- Policy 2.120(A1-A4): Residential-Suburban (RS)
- Section 2.123B(B1-B5): Floodplain-Protection Areas

Findings of Fact

Request and Legal Status

- LDCPAS-2025-27 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately 12.64 acres from Residential-Suburban (RS) to Business-Park Center (BPC).

- The subject site is in the Suburban Development Area (SDA).

- Policy 2.106-A1 describes Suburban-Development Areas (SDAs) as those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

- Policy 2.109-A5 describes the purpose of the Business Park Center (BPC) land use district as areas for office, business park development, and light-industrial activities. The BPC land use permits office, research and development parks, distribution centers, and wholesaling activities. Some retail uses are also permitted to support the businesses and activities within the Business Park Center.

- The property is vacant and undeveloped.

Compatibility

- The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

- The proposed request is for a Business-Park Center (BPC) use.

- This area of Polk County is characterized by a mixture of industrial and residential uses, with some retail commercial uses located along US 92, north of the site.

- Surrounding uses include industrial, retail commercial and a mobile home/recreational vehicle park north of the site, across the railroad line. An electrical substation is east of the site. Auto-related uses are west of the site, with heavy equipment storage and truck parking to the south, across CR 542.

- Policy 2.106-A3: Land Use Categories (for Suburban Development Areas (SDAs)) list Business-Park Centers as a permitted use in SDAs.

Infrastructure

- The property is zoned for Clarence Boswell Elementary, Crystal Lake Middle School, and Teneroc Senior High School.

- Fire and ambulance response is from Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland. The estimated response time from this station is about five to seven minutes.

- Sheriff's response to the site is served by the Southwest District, located at 4011 Sgt. Mary Campbell Way, Lake Wales. The response times are as follows: Priority One: 9:40 minutes; Priority Two: 22:13 minutes.

- The subject parcel is next to County Road (CR) 542. CR 542 is an Urban Major Collector, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

- The site is not located within a utility service area.

Environmental

- There are no wetlands on the site.

- Portions of the site are within a Zone "A" 100-year floodplain.

- The site is comprised of Nittaw sandy clay loam and Wabasso fine sands. These soils have severe limitations for septic tanks and dwellings without basements.

- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of a rookery, eagle nests and animal habitats.

- The PolkGreen Map does not show this parcel as part of a potential connection of an overall natural network.

- This site does not have a conservation easement. However, property located .80 mile southwest of the site contains a conservation easement.

- This property is not within an Airport Impact District.

- The site is not within a Wellfield Protection District.

- Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location, states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent

development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility, states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:

  a. there have been provisions made which buffer incompatible uses from dissimilar uses;

  b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;

  c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution, states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing, states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.102-A10 Location Criteria, states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:

  a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;

  b. nearness to agriculture-production areas;

  c. distance from populated areas;

  d. economic issues, such as minimum population support and market-area radius (where applicable);

  e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:

    1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;

    2. sanitary sewer and potable water service;

    3. storm-water management;

    4. solid waste collection and disposal;

5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;

6. emergency medical service (EMS) provisions;

7. other public safety features such as law enforcement;

8. schools and other educational facilities; and

9. parks, open spaces, civic areas and other community facilities.

f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;

2. surface water features, including drainage patterns, basin characteristics, and flood hazards;

3. wetlands and primary aquifer recharge areas;

4. soil characteristics;

5. location of potable water supplies, private wells, public well fields; and

6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.106-A1: DESCRIPTION - SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

- POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas:

  a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within SDAs in accordance with applicable criteria.

  b. RESIDENTIAL: Residential-Suburban.

  c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation.

  Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.

- POLICY 2.113-B1: CHARACTERISTICS - Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office

parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there. General (approximate) characteristics of Business-Park Centers are:

Usable Area: 10 acres or more

Gross Leasable Area (GLA): 500,000 to 2,000,000 sq. ft.

Minimum Population Support: 150,000 or more people

Service-Area Radius: 20 miles or more

Typical Leading Tenant: One or more light-assembly plants, or warehouse facilities

Other Typical Tenants: Offices, distribution centers, research and development firms, High-Density Residential (with proper buffering).

- POLICY 2.113-B3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

  a. arterial roads;

  b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road;

  c. local commercial roads or private roads under the following conditions:

     1.the road has full median access onto to an arterial road;

     2.the road does not serve existing or expected future residential traffic from the surrounding area; and

     3.the road has a structural integrity and design characteristics suitable for truck traffic.

  d. properties abutting an Industrial (IND) district or railroad line.

- POLICY 2.113-B4: DEVELOPMENT CRITERIA - Development within a Business-Park Center shall conform to the following criteria:

  a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

b. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

c. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

d. Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park.

e. The maximum floor area ratio for commercial activities shall not exceed 0.25. The maximum floor area ratio for non-commercial activities shall not exceed 0.75 in the TSDA, 0.65 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.

f. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.

g. New residential development within Business Park Centers shall be limited to High-Density Residential (with proper buffering).

h. All research and development, light-industrial, and distribution activities shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures.

i. Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank septic and as required if within a Nutrient Restoration Plan Overlay.

j. Planned Developments within the Business Park Center district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The FAR in the RDA may be increased to 0.75 when connection to public water and sewer is available and within a half mile of a transit route. The Land Development Code shall establish development standards and criteria for Planned Developments within the BPC district.

k. Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters listed in the Land Development Code not to exceed an intensity of thirty-two (32) workers per acre or the limitations established by the Department of Health for water and wastewater usage, whichever allowed intensity is the lesser.

- POLICY 2.120-A1: CHARACTERISTICS - Densities up to, and including, 1 DU/5 AC, unless permitted through SPD, RRD, RMD or the criteria established within the SR 17 Ridge Scenic Highway Provision of Section 2.124-H. The Residential-Suburban classification is characterized by single-family dwelling units and duplex units.

- POLICY 2.120-A3: LOCATION CRITERIA - Residential-Suburban areas shall be located only within the SDA and new Residential-Suburban development shall not be located within Activity Centers.

- POLICY 2.120-A4: DEVELOPMENT CRITERIA - Development within designated RS areas shall be limited to:

  a. Residential development containing single-family dwelling units, duplex units, and family-care homes, at a density of up to, and including, one dwelling unit per five acres (1 DU/5 AC). Density may be adjusted based on the actual size of the section. A property outside of the Green Swamp Area of Critical State of Concern, may be considered five acres if it is one one-hundred and twenty-eighth (1/128) the section size for sections less than six hundred forty acres (640 acres). This includes counting to the centerline of local and collector roads.

  b. The "permitted uses" of Suburban Planned Development (SPD), Rural-Residential Development (RRD), or Rural Mixed-Use Development (RMD). (See Sections 2.120-B, 2.121-B, and 2.121-C.).

  c. Properties adjacent to SR 17 shall be allowed densities and/or intensities up to the maximum allowed in this land use category (3 dwelling units per acre) as a permitted use without requiring a public hearing provided the development meets all the criteria established in Section 2.124-H for Scenic Highways and the Scenic Highway development regulations within the Land Development Code. At a minimum, all development shall:

     1. Connect to a centralized potable water supply, and

     2. Provide no less than 30% open space throughout the development with at least 70% of that open space dedicated to scenic vista preservation, either along the highway or through the property to a distant view beyond the property boundary. This open space shall be set aside as conservation in perpetuity via a binding legal instrument which prohibits future development within the established boundaries.

  d. Community Facilities, in accordance with policies of this Plan and the provisions of the Land Development Code.

  e. Residential Infill Development (RID) that contains single-family or duplex-style development and is located amongst an existing residential community (See Section 2.125-N.

  f. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acres.

  NOTE: All SDA policies also apply.

- POLICY 2.123-B1: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as the "Floodplain-Protection Area" overlay the Special Flood Hazard Areas and Regulatory Floodways identified by the Federal Emergency Management Agency in the Flood Insurance Study (FIS) for Polk County, originally dated January 19, 1983, with the accompanying maps and other supporting data, and any subsequent revisions thereto, are adopted by the reference and declared to be a part of this ordinance.

- POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria:

a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code.

b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not:

    1. enlarge the off-site floodplain;

    2. alter the natural function of the floodplain; nor

    3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that the request **IS compatible** with the surrounding land uses and general character of the area and **IS consistent** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCPAS-2025-27.**

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses

The site is within a Suburban Development Area (SDA). SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

Currently, the site has a Future Land Use designation of Residential-Suburban (RS). The purpose of this designation is to provide for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS land use permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. It is characterized by densities of up to, and including, 1 DU/5 AC, unless permitted through SPD, RRD, RMD or the criteria established within the SR 17 Ridge Scenic Highway Provision of Section 2.124-H. The Residential-Suburban classification is characterized by single-family dwelling units and duplex units.

The proposed request is for a Business-Park Center (BPC). BPCs are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there.

As shown on the Future Land Use Map, adjacent properties east and west of the site are designated Residential-Suburban (RS). North of the site, across the CSX railroad line, the properties are designated as Industrial (IND) and Linear Commercial Corridor (LCC). There is a Commercial Enclave (CE) at the CR 542 and Old Dixie Highway intersection. Along either side of Old Dixie Highway, south of the railroad and near US 92, is a 10.7-acre Industrial site.

The site is classified as vacant by the Polk County Property Appraiser, although current aerial photos show a structure on the eastern parcel (023020). A review of the 1988 aerial photo shows what appears to be a residential structure, but that structure is not shown on the 2002 aerial photo.

Generally, the predominant uses in this area of the county are residential, with a mixture of industrial type uses on adjoining properties. An electrical substation owned by the City of Lakeland and constructed in the mid-1990s, is immediately east of the site. North of the site, across the railroad, are retail commercial and light manufacturing uses, along with a mobile home/recreational vehicle park. West of the site is a single-family residence, with auto motive related uses (auto salvage and repair) further to the west. South of the site, across CR 542, are residential uses, consisting of single-family residences, mobile homes, and a mobile home/recreational vehicle park. Directly south of the site is a 1.86-acre parcel used for vehicle parking and heavy equipment/outdoor storage.

There are several reasons why this request is considered to be compatible, and consistent with the Comprehensive Plan and Land Development Code. The location of transportation facilities, such as railroads and arterial/collector roads is a factor in determining the appropriateness of Business-Park Centers. This site has direct access to a collector road, with an intersection of an arterial highway (located .75-mile driving distance) away. The site is also next to a railroad. Because this request complies with the locational criteria found in Policy 2.113-B3, specifically collector/arterial road access and railroad abutting the site, this request is consistent with the applicable policies in the Comprehensive Plan.

B. Infrastructure:

According to Comprehensive Plan POLICY 2.102-A1: DEVELOPMENT LOCATION, "Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities."

The site is located in the Suburban Development Area (SDA), where connection to water is required, but not to sewer service.

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1 Future Land Use Map Districts and Existing Uses

Northwest Industrial (IND) Light Manufacturing	**North** Linear Commercial Corridor (LCC) Mobile Home Park	**Northeast** Linear Commercial Corridor (LCC) Light Manufacturing
West Residential Suburban (RS) Single Family, Auto-Related Uses	**Subject Site** Residential Suburban (RS) Vacant	**East** Residential Suburban (RS) Electric Substation
Southwest Residential Suburban (RS) Mobile Home/Recreational Vehicle Park	**South** Residential Suburban (RS) Mobile Home, Heavy Equipment/ Vehicle Parking	**Southeast** Residential Suburban (RS) Single Family

Nearest and Zoned Elementary, Middle, and High School

The schools zoned for the subject property are listed in Table 2 below. Because the request is for a non-residential use, the request will not impact school concurrency.

Table 2: School Information

School	Annual Estimated Demand	Distance from Subject Site
Clarence Boswell Elementary	0	2.5 mile
Crystal Lake Middle School	0	3.0 miles
Teneroc Senior High School	0	1.92 miles

Source: Polk County School Board website

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Sherriff response times are not as much a function of the distance to the nearest sheriff's substation rather more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered.

Table 3 provides a breakdown of response times and travel distances for emergency services.

Table 3 Public Safety Information

	Name of Station	Distance	Response Time*
Sheriff	Southwest District, located at 4011 Sgt. Mary Campbell Way, Lake Wales	15.90 miles	P1: 09:40 minutes P2: 22:13 minutes
Fire/ EMS	Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland	1.7 miles	5-7 minutes

*Source: Polk County Sheriff's Office and Public Safety *Response times are based on when the station receives the call and not from when the call is made to 911.*

Water and Wastewater

The subject property is in a Suburban Development Area (SDA), where connection to public water is required but sewer is not. No sewer service or water lines are available in this area.

A. Estimated Demand:

The development of the property under the proposed land use designation should not negatively impact the minimum LOS for the existing facilities, due to the relatively low consumption and generation rates. The following analysis assumes the maximum allowed density of 28 dwelling units for RS (assuming an approval of a Suburban Planned Development at a maximum density of 3 units per acre), and 357,954 square feet of warehouse for BPC.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: **RS – 12.64 AC of site 3 DU/AC = 28 DU** **BPC – 12.64 AC/550,698.6 SF of site *.65 FAR = 357,954 SF**	Estimated Impact Analysis Residential Suburban (RS) to Business Park Center (BPC) Development Area: SDA	
	Current Land Use designation RS	**Current Land Use designation BPC**
Current Maximum Allowable Use	28 DU	357,954 Square Feet (SF)
Potable Water Consumption	28 DU * 250 GPD/DU = **7000 GPD**	357,954 SF * .24 GPD/SF = **85,909 GPD**
Wastewater Generation	28 DU * 200 GPD/DU = **5600 GPD**	357,954 SF * 80% of water usage = **68,727 GPD**

GPD – Gallons Per Day
Source: Polk County Concurrency Manual and Polk County Utilities: Single-Family (Detached) 360 GPD/DU (water) & 270 GPD/DU (sewer); Warehouse;24 GPD/SF (water) & .18 GPD/SF (sewer)

B. Available Capacity:

Because this property is in a Suburban Development Area, public water or sanitary sewer services are not available. The closest water line is a 10-inch diameter line operated by the City of Auburndale, located on the south side of US 92, 750 feet north of the site.

C. Planned Improvements:

No information is known currently about any planned improvements to utilities in this area.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The data identifies both daily and peak hour traffic volumes. The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

The proposed Comprehensive Plan Amendment is not anticipated to affect surrounding roadways or transportation network. The Amendment will not change the LOS below the minimum established standards.

A. Estimated Demand:

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The following analysis assumes the maximum allowed density of 28 dwelling units for RS (assuming an approval of a Suburban Planned Development at a maximum density of 3 units per acre). The following analysis assumes the maximum allowed intensity of 275,349 square feet of warehouse space for BPC.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: **RS – 12.64 AC of site 3 DU/AC = 28 DU** **BPC – 12.64 AC/550,698.6 SF of site *.65 FAR = 357,954 SF**	Estimated Impact Analysis Residential Suburban (RS) to Business Park Center (BPC) Development Area: SDA	
	Current Land Use designation RS	**Maximum Permitted Use in Proposed BPC**
	28 Dwelling Unit (DU)	357,954 Square Feet (SF)
Average Annual Daily Trips (AADT)	28 DU *7.81 trips/1 DU = **219 AADT**	357,954 SF * 1.71 trips/1,000 SF = **612 AADT**
PM Peak Hour Trips	28 DU * 1 trips/1 DU = **28 PM Peak Hour Trips**	357,954 SF * .18 trips/1,000 SF = **64 PM Peak Hour Trips**

Source: Concurrency Manual and Table for Minor Traffic Study – Single Family Detached Housing– 7.81 AADT/1 DU, 1 peak-hour trips/1 DU; Warehousing (ITE 150) – 1.71 AADT/1,000 SF, 0.18 peak-hour trips/1,000 SF.

B. Available Capacity:

The roads surrounding the subject site should have sufficient capacity available, depending on the eventual use and full build out of the site. The Polk Transportation Planning Organization (TPO) monitors certain roadways based on maximum approved traffic in comparison to current vehicle trips to determine what capacity is available.

Table 6, below, charts the generalized available capacity of the most-affected links.

Table 6 Available Capacity

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hour Projected LOS
4044E	CR 542 From: US 98 To: SR 659	C	518	E	C
4044W	CR 542 From: US 98 To: SR 659	C	503	E	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025

As identified above, CR 542 has sufficient PM peak hour capacity to support future development activity.

The subject parcel is next to CR 542. This is a County-maintained Urban Major Collector, per the Polk County TPO Roadway Network Database, and has a pavement width of 20 feet.

C. Roadway Conditions:

CR 542 has a Pavement Condition Index rating of "Fair".

D. Planned Improvements:

There are no known improvements for this portion of Highway 542 East at this time.

E. Mass Transit:

The Purple Line 12 LAK/WH traverses this section of Highway 542 East in Lakeland. There is a bus stop in front of the site.

F. Sidewalks:

There are no sidewalks in front of the subject property, nor along adjacent streets.

Park Facilities and Environmental Lands:

The closest County Park is Saddle Creek Park, located 0.47 miles northwest of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

Saddle Creek Park & Campground is located at 3716 Morgan Combee Road, Lakeland.

B. Services:

Saddle Creek Park & Campground has playground with swings, slides, picnic tables/shelters, softball field, walking trails and a gun range. It also has camping grounds with water and electricity, boat launch sites and bank and pier fishing.

C. Multi-use Trails:

There are no multi-use trails in the immediate area. According to the Polk GIS Viewer, the closest trails can be found at the Saddle Creek Park & Campground, 0.47 miles northwest of the site.

Environmental Lands:

The site is located close to an Ecological Greenway Network but is not within that area. The closest conservation area is 3.27 miles south of the site, at the Circle B Bar Reserve.

Environmental Conditions

There are no wetlands on the site, but portions of the site are within a flood hazard area

A. Surface Water:

There are no surface waters on the site. A freshwater pond is about 0.85 miles west of the site.

B. Wetlands/Floodplains:

The site does not contain any wetlands. The western and northeastern portions of the site are in the Zone "A" floodplain.

C. Soils:

The site is comprised of Nittaw sandy clay loam and Wabasso fine sand, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Table 7, below, lists the soils associated with the subject site.

Table 7 Soils

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings Without Basements**	**% of Site** *(approximate)*
Nittaw sandy clay loam, frequently flooded	Severe: flooding, wetness, percs slowly	Severe: flooding, wetness, shrink-swell	25.7%
Wabasso, fine sand, 0 to 2 percent slopes	Severe: wetness, percs slowly, poor filter.	Severe: wetness.	74.3%

Source: Soil Survey of Polk County, Florida 1985, USDA, Soil Conservation Service

Any future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual.

D. Protected Species:

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of a rookery, eagle nests and animal habitat. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

The PolkGreen Map displays this parcel as near potential connection of an overall natural network. Moreover, there are no conservation easements on this parcel, but a property with a conservation easement is 0.80 miles southwest of the site.

E. Archeological Resources:

Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

F. Wells (Public/Private):

The site is not within a Wellfield Protection District.

G. Airports:

This property is not within the Airport Impact District.

Economic Factors:

Construction of buildings and site development activities create temporary jobs. Any new business activity that occurs at this site will need more goods and services, thereby generating more economic activity.

The proximity of this site next to County Road 542 and an existing railroad line provides an opportunity for new businesses to locate on this site, thereby also providing jobs to support the Auburndale community.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The site is next to a railroad and an electrical substation, with other non-residential uses west and south of the site.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The site is next to an existing industrial area.
POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable); e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:	The proximity of the site near an arterial road (US 92), next to an existing industrial area, next to a railroad and an electrical substation makes the site appropriate for a Business-Park Center.

Comprehensive Plan Policy	Consistency Analysis
1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2.sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	
POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas: a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within SDAs in accordance with applicable criteria. b. RESIDENTIAL: Residential-Suburban. c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation. Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.	The site is in a Suburban Development Area (SDA).
POLICY 2.113-B1: CHARACTERISTICS - Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there. General (approximate) characteristics of Business-Park Centers are: Usable Area: 10 acres or more	The proposed Business-Park Center will be 12.64 acres.

Comprehensive Plan Policy	Consistency Analysis
Gross Leasable Area (GLA): 500,000 to 2,000,000 sq. ft. Minimum Population Support: 150,000 or more people Service-Area Radius: 20 miles or more Typical Leading Tenant: One or more light-assembly plants, or warehouse facilities Other Typical Tenants: Offices, distribution centers, research and development firms, High-Density Residential (with proper buffering).	
POLICY 2.113-B3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on: a. arterial roads; b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road; c. local commercial roads or private roads under the following conditions: 1.the road has full median access onto to an arterial road; 2.the road does not serve existing or expected future residential traffic from the surrounding area; and 3.the road has a structural integrity and design characteristics suitable for truck traffic. d. properties abutting an Industrial (IND) district or railroad line.	County Road 542 is a collector road. The site is accessible to an arterial road (US 92) which is .75 miles (driving distance) away from the site. The subject property abuts a railroad line and an Industrial District.
POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria: a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code. b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not: 1. enlarge the off-site floodplain; 2. alter the natural function of the floodplain; nor 3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.	Compliance with this policy will be determined as part of a Level 2/site plan review.

Urban Sprawl Analysis
After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, the proposed request is not considered to be urban sprawl.

Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

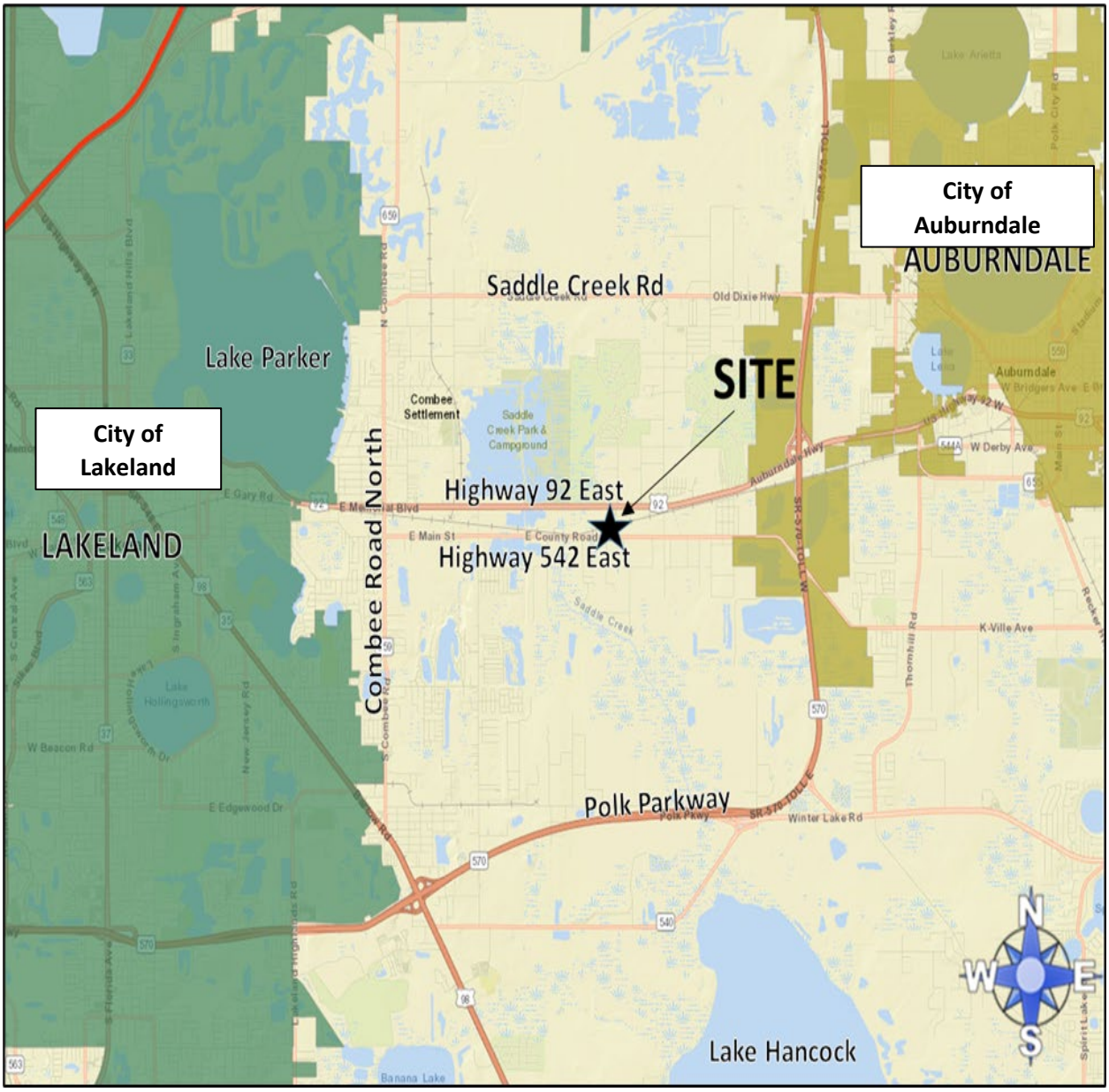
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections where referenced in this report**
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments From Other Agencies:

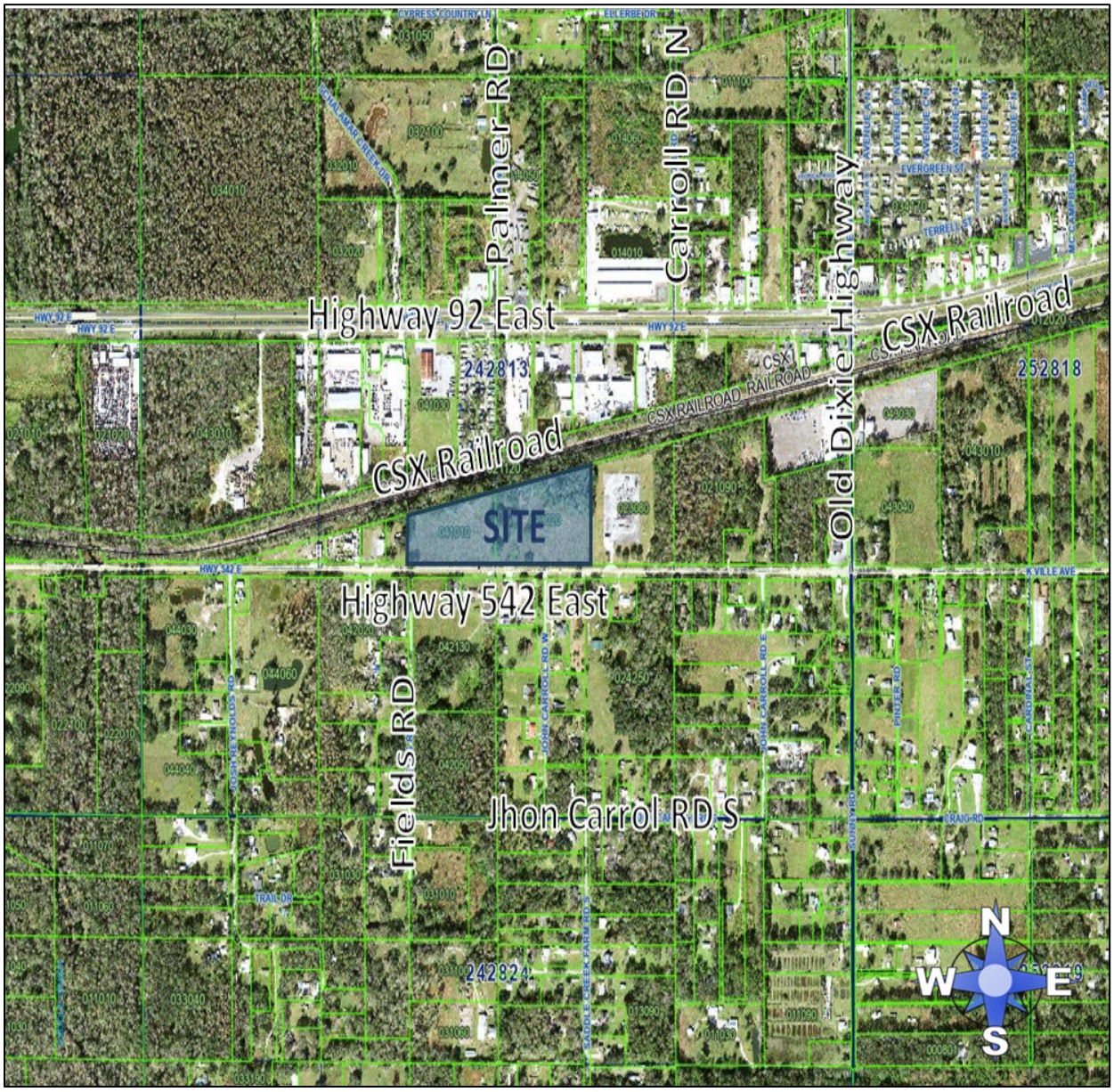
An email was sent to the City of Auburndale on September 11th informing them about this request.

Exhibits:

Exhibit – 1 Location Map
Exhibit – 2 2023 Aerial Photo (Context)
Exhibit – 3 2023 Aerial Photo (Detailed)
Exhibit – 4 Current Future Land Use Map
Exhibit – 5 Proposed Future Land Use Map



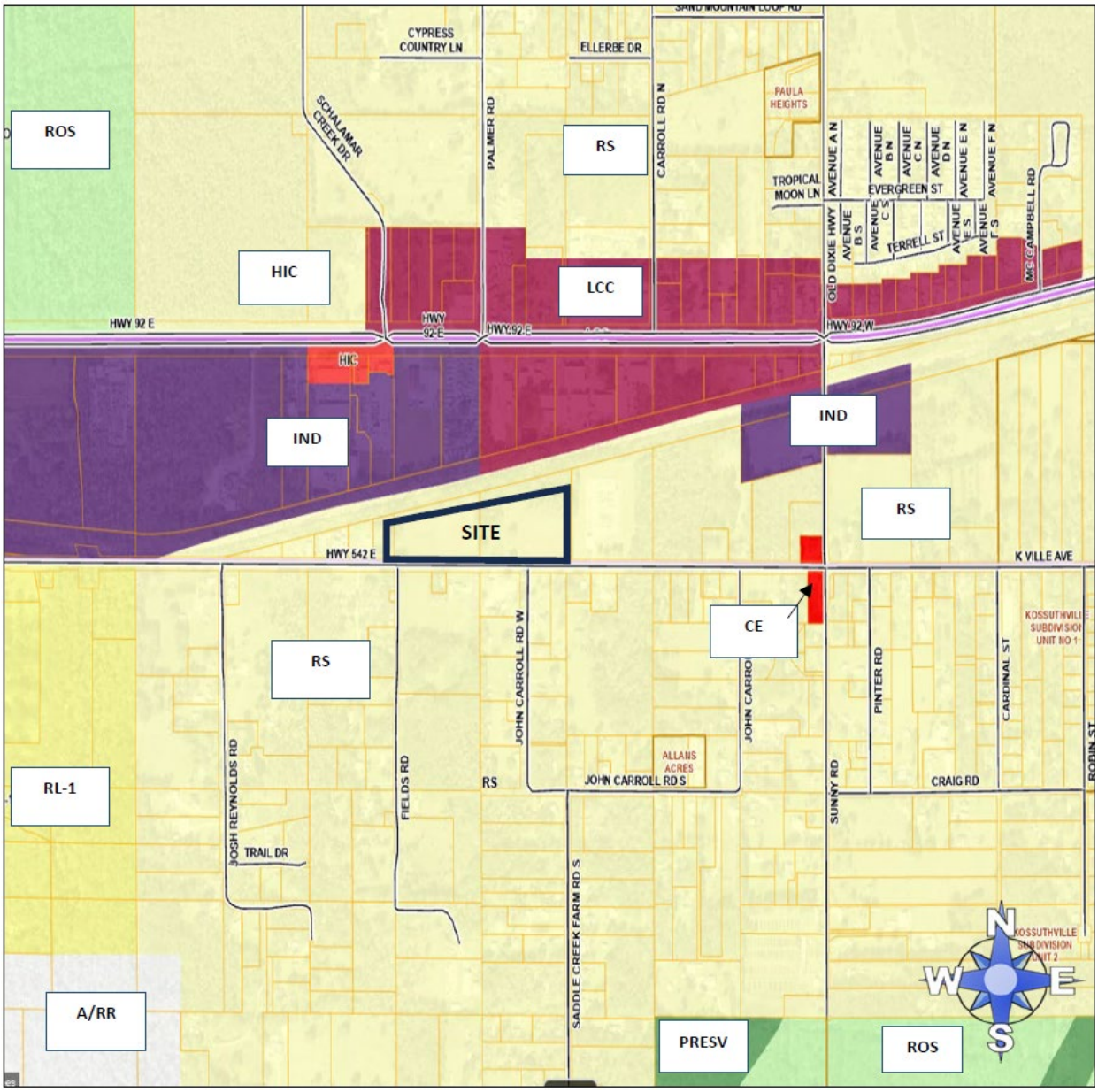
Location Map



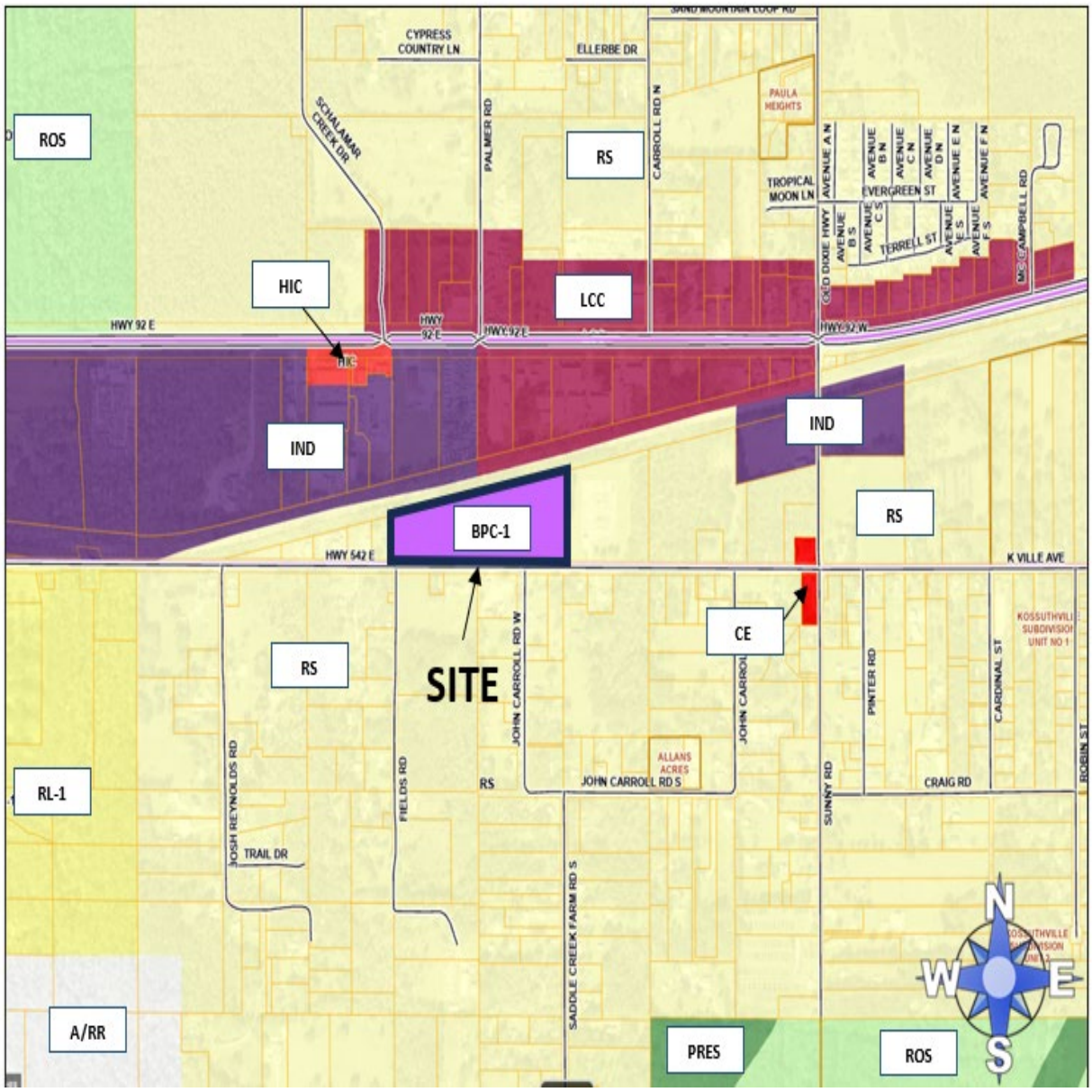
2023 Aerial Photo (Context)



2023 Aerial Photo (Detailed)



Current Future Land Use Map



Proposed Future Land Use Map

ORDINANCE NO. 25 -____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAS-2025-27;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 12.64+/- ACRES FROM RESIDENTIAL-SUBURBAN (RS) TO BUSINESS-PARK CENTER (BPC) IN THE SUBURBAN DEVELOPMENT AREA (SDA). THE SITE IS LOCATED SOUTH OF HIGHWAY 92 EAST, WEST OF OLD DIXIE HIGHWAY, NORTH OF COUNTY ROAD 542 EAST OF REYNOLDS ROAD, WEST OF THE CITY OF AUBURNDALE, IN SECTION 13, TOWNSHIP 28, RANGE 24; 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 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; 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, on the proposed Plan revisions on November 5, 2025; and

WHEREAS, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on December 16, 2025; 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 Polk County Board of County Commissioners:

SECTION 1: 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 12.64+/- acre site from Residential-Suburban (RS) to Business-Park Center (BPC) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 242813000000023020

NW1/4 OF SE1/4 LYING S OF RR R/W LESS HWY & LESS E 630 FT THEREOF

Parcel 242813000000041010

E1/2 OF NE1/4 OF SW1/4 LYING S OF RR R/W LESS HWY

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on January 17, 2026 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Commerce or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

SECTION 4: FILING WITH THE DEPARTMENT OF STATE:

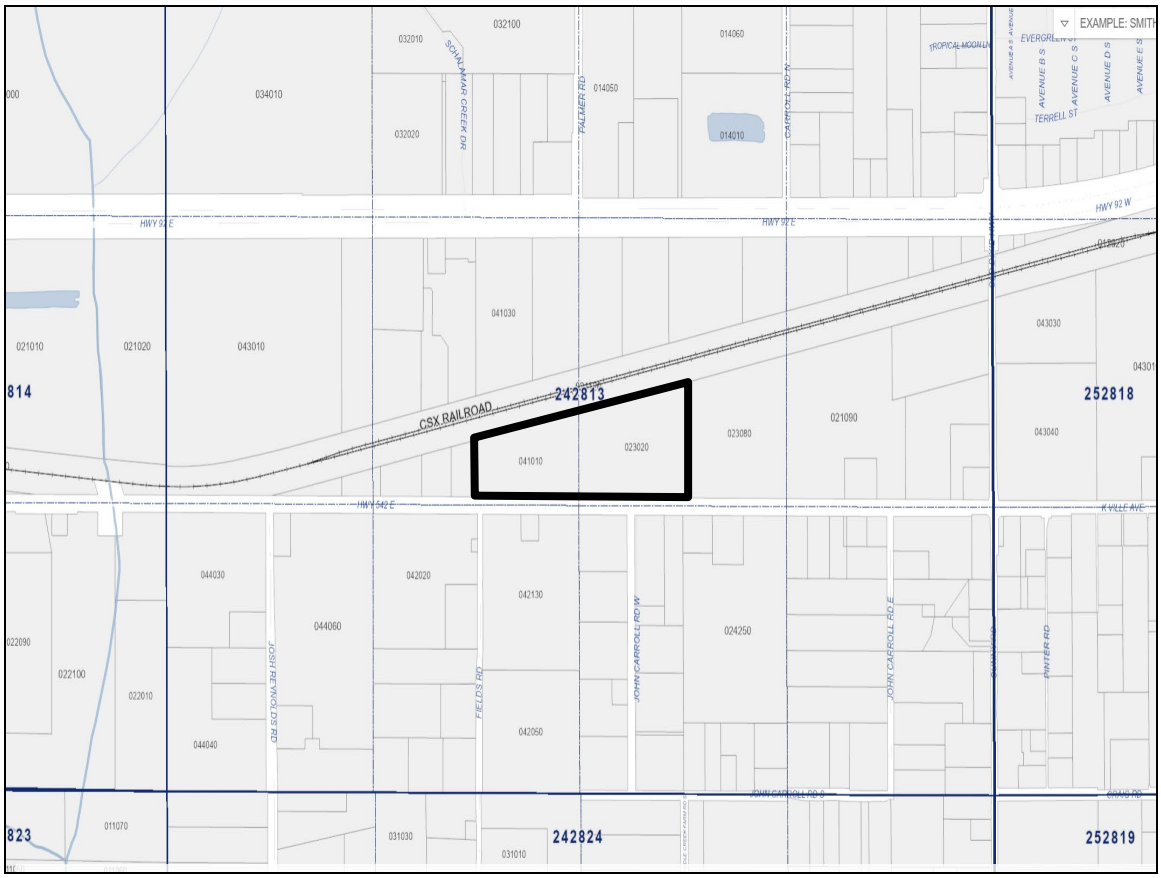
The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the

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 16th day of December 2025.

ATTACHMENT "A"

LDCPAS 2025-27
Location: South of Highway 92 East, west of Old Dixie Highway, north of County Road 542 East, east of Reynolds Road, west of the City of Auburndale
Section-13 Township-28 Range-24



PARCEL DETAIL
Note: Not to Scale

PETERSON & MYERS, P.A.
ATTORNEYS AT LAW • SINCE 1948

TELEPHONE
(863) 683-6511

P.O. BOX 24628
LAKELAND, FLORIDA 33802-4628

FAX
(863) 904-1335

HERITAGE PLAZA
225 EAST LEMON STREET, SUITE 300
LAKELAND, FLORIDA 33801

www.PetersonMyers.com

May 1, 2025

Polk County
Land Development Division
330 W. Church Street
Bartow, FL 33830

Re: DHS Holdings LLC
Application Submittal – Small Scale CPA – HWY 542 E

To Whom it May Concern:

On behalf of DHS Holdings LLC, Peterson & Myers, P.A. ("P&M") is transmitting this application submittal for a Small Scale Comprehensive Plan Amendment for future land use change to allow business park center uses on property ("Proposed Site") situated on +/-12 acres of land situated north of HWY 542 E, and south of HWY 92 E and a CSX Railroad. The Proposed Site is currently designated as Residential Suburban. The proposed change is to Business Park Center-1 and a sub-district change to Business Park Center-2, which will be requested in a separate application submittal.

The following items are included for your convenience:

1) Level 4 Review Application – Small Scale Comprehensive Plan Map Amendment
2) Ownership Authorization Form
3) Deed
4) Demonstration of Need/Justification, Impact Assessment Statement, and Consistency Analysis
5) Figures

Thank you for the opportunity to submit the attached application submittal. If you have questions concerning the application, please call or email me at ballen@petersonmyers.com.

Sincerely,
PETERSON & MYERS, P.A.

Bart Allen

John B. ("Bart") Allen

Enclosures

POLK COUNTY
www.polk-county.net

LEVEL 4
LAND DEVELOPMENT CODE
COMPREHENSIVE PLAN
AMENDMENT APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
Phone (863)534-6792
FAX (863) 534-6407

TYPE OF AMENDMENT

Land Development Code **( ) Text** **( ) Sub-district**

Comprehensive Plan **( ) Text** **( ) Large Scale Map** **(✓) Small Scale Map**

Is property in a Selected Area Plan (SAP) **( ) Yes** **(✓) No**

SAP Name _____

Pre Application Project # LDDRC-2025-28 **(Required)**

	Owner	Applicant	Contact Person
Name	Carter's Baptist Church	Peterson & Myers, P.A.	Bart Allen
Work Number		(863)683-6511	(863) 683-6511
Fax Number		(863)688-8099	(863) 688-8099
Mailing Address	4915 US HWY 92 East, Lakeland, FL 33801	225 E. Lemon St., Suite 300 Lakeland, FL 33801	225 E. Lemon St. Suite 300 Lakeland, FL 33801
Email		ballen@petersonmyers.com	ballen@petersonmyers.com

If additional contacts, please list on a separate sheet and submit with application.

Brief Description Request *(No more than 250 characters)*:

The applicant is requesting a Small Scale Comprehensive Plan Map Amendment to change the future land use designation from Residential Suburban (RS) to Business Park Center-1 (BPC-1) on approximately twelve (12) acres of property.

Request **From:** RS Land Use/Sub-District

To: BPC-1 Land Use/Sub-District

Acreage: 12 +/-

	Range -	Township -	Section	Subdivision #	-	Parcel #
Parcel ID Number(s):	R 24	T 28	S 13	000000	-	041010 .
	(Include others on a separate attachment)					
	R 24	T 28	S 13	000000	-	023020 .
	R	T	S		-	.
	R	T	S		-	.

Address and Location of Property:

24-28-13-000000-041010

24-28-13-000000-023020

North of 542 E and John Carroll Rd, South of HWY 92 E and CSX Railroad.

Water Provider Name and Phone Number: City of Auburndale .

Sewer Provider Name and Phone Number: City of Auburndale .

( ) Yes (✔) No Is the property located in the Green Swamp Area of Critical State Concern? *(If yes, a Green Swamp Impact Assessment Statement must be submitted with this application.)*

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

24-28-13-000000-021120 Centrally Assessed Railroad Land FLU: RS **NW**	24-28-13-000000-021120 Centrally Assessed Railroad Land FLU: RS **N**	24-28-13-000000-021120 Centrally Assessed Railroad Land FLU: RS **NE**
24-28-13-000000-041090 SFR up to 2.49 AC FLU: RS **W**	24-28-13-000000-041010 Churches- vacant land or misc impr of some value 24-28-13-000000-023020 Churches- vacant land or misc impr of some value FLU: RS **Subject Property**	24-28-13-000000-023080 Municipal (other than colleges) FLU: RS **E**
24-28-13-000000-042020 MHP - Family Park; MH Lot and Recreational Vehicle (RV) FLU: RS **SW**	24-28-13-000000-042130 -M.H. (RP) 2.5 -9.99 Acres 24-28-13-000000-042010-SFR up to 2.49 AC 24-28-13-000000-024220-Com. Misc. 24-28-13-000000-024100-SFR up to 2.49 AC 24-28-13-000000-024070-SFR up to 2.49 AC **S** FLU: RS	24-28-13-000000-024030 M.H. (RP) up to 2.49 Acres FLU-RS **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, Barr Allen as Attorney (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

Property owner or property owner's authorized representative. Date: 05/01/2025

INSTR # 2007055922
BK 07210 PGS 2216-2218 PG(s)3
RECORDED 03/15/2007 10:34:59 AM
RICHARD M WEISS, CLERK OF COURT
POLK COUNTY
DEED DOC 0.70
RECORDING FEES 27.00
RECORDED BY N Payne

This instrument prepared by
and return to:
W. Peyton Gause, Jr.
Gause & Associates, P.A.
3304 Lantana Court
Kissimmee, Florida 34746

CORRECTIVE TRUSTEE'S DEED

Scrivener's Note: This Corrective Trustee's Deed is recorded for the sole purpose of correcting the legal descriptions contained in the original conveyance recorded in Official Records Book 6257, Page 567, and a prior corrective instrument, recorded as Instrument #2006184989, of the Public Records of Polk County, Florida.

Tax I.D. Nos. 132824-000000-023020, and
132824-000000-041010

THIS CORRECTIVE TRUSTEE'S DEED, is made the 10th day of FEBRUARY 2007 by **ARTHUR D. DOHANY, as Successor Trustee** under the Dohany Family Land Trust Agreement, dated November 1, 1966, and First Amendment thereto dated December 17, 1999, and individually, whose address is 1218 Shady Lane Drive, Orlando, Florida 32804 (hereinafter, collectively, the "Grantor"), to **CARTER'S BAPTIST CHURCH, INC.**, a Florida corporation not-for-profit, whose address is 4825 E. State Road 542, Lakeland, Florida 33801 (hereinafter the "Grantee"):

(Wherever used herein the terms Grantor and Grantee include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of $10.00 and other valuable considerations, receipt of which is hereby acknowledged, hereby grants, bargains, sells, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Polk County, Florida, more particularly on **Exhibit A**, attached hereto and incorporated herein by this reference.

GRANTOR hereby warrants that the above-described real property is not now, nor has it ever been, homestead property of the Grantor, or contiguous thereto.

GRANTOR further certifies that the Trust Agreement referred to herein, as amended, remains in full force and effect and has not been terminated or revoked. The Trustee hereby further certifies that the applicable Trust confers upon him the power and authority to protect, conserve, sell, encumber and otherwise to manage and dispose of the above-described real property or any part thereof, all as set forth in *Florida Statutes* §689.071.

TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND, as against all persons claiming by, through, or under the Grantor (but not otherwise), the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has lawful seisen of and good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all

persons claiming by, through, or under the Grantor (but not otherwise) and that said land is free of all encumbrances, except for the lien of ad valorem real estate taxes not yet due and payable, and easements, restrictions, and limitations of Public Record, if any, none of which shall be deemed by this reference to be reimposed or extended.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Trustee's Deed the day and year first above written.

Signed in the presence of the following two (2) witnesses:

Witness, please sign on line and then print your name here: LES JONES

Witness, please sign on line and then print your name here: PAUL J WEBER

ARTHUR D. DOHANY, Successor Trustee of the Dohany Family Land Trust u/t/a dated 1 November 1996, and First Amendment thereto dated December 17, 1999.

STATE OF FLORIDA
COUNTY OF Orange

The foregoing instrument was executed before me this 10th day of February, 2007, by Arthur D. Dohany, as Successor Trustee of the Dohany Family Land Trust u/t/a dated 1 November 1996, and First Amendment thereto dated December 17, 1999, on behalf of the Trust and individually. Mr. Dohany is either [ ] personally known to me; or [ ] he produced his Florida drivers license as identification; and took an oath.

My commission expires: 8/13/2010

NOTARY PUBLIC
Please sign on line and then print your name here: PAUL J WEBER

[AFFIX SEAL]

Notary Public State of Florida
Paul J Weber
My Commission DD571931
Expires 08/13/2010

EXHIBIT A
LEGAL DESCRIPTION

ALL OF THAT PART OF THE NW ¼ OF THE SE ¼ OF SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, LYING SOUTH OF THE ATLANTIC COAST LINE RAILROAD, POLK COUNTY, FLORIDA; AND THE E ½ OF THE NE ¼ OF THE SW 1/4 LYING SOUTH OF THE RIGHT-OF-WAY OF THE ATLANTIC COAST LINE RAILROAD IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA;

LESS AND EXCEPT:

THAT PART OF THE E ½ OF THE NE ¼ OF THE SW ¼, LYING SOUTH OF RIGHT OF WAY OF A.C.L. RAILROAD, ALSO THE E ½ OF THE SE ¼ OF THE SW ¼ ALL IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, LYING WITHIN 40 FEET EACH SIDE OF THE SURVEY LINE OF STATE ROAD S-542, SECTION 1658, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS: COMMENCE AT A POINT ON THE SURVEY LINE OF STATE ROAD S 542, SECTION 1658, DESIGNATED AS STATION 215+74.82, SAID POINT LYING 1.65 FEET SOUTH 0 DEGREE 48' EAST OF A RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF THE SW ¼ OF THE SW ¼ OF SECTION 13 TOWNSHIP 28 SOUTH, RANGE 24 EAST, RUN THENCE NORTH 89 DEGREES 11' EAST 2014.09 FEET TO A POINT ON SAID SURVEY LINE DESIGNATED AS STATION 235+88.91; THENCE NORTH 89 DEGREES 07' EAST, 646.41 FEET TO A POINT ON THE SURVEY LINE DESGINATED AS STATION 242+35.32, SAID POINT LYING 1.91 FEET SOUTH 01 DEGREES 19' EAST OF AN 80 PENNY NAIL AND WASHER MARKING THE NORTHWEST CORNER OF SW1/4 OF SE ¼ OF SAID SECTION 13, LESS A.C.L. R/W AND EXISTING RIGHTS OF WAY.

AND LESS AND EXCEPT:

THAT PART OF THE NW ¼ of the SE ¼ WHICH IS A PART OF THE RIGHT-OF-WAY OF THE LAKELAND-WINTER HAVEN HIGHWAY, LYING WITHIN 40 FEET LEFT (NORTH) OF THE SURVEY LINE OF SR S-542, SECTION 1658, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS: COMMENCE AT A POINT ON THE SURVEY LINE OF SR S-542, SECTION 1658, DESIGNATED AS STA. 242+35.32, SAID POINT LYING 1.91 FEET SOUTH 01 DEGREES 19' EAST OF AN 80 PENNY NAIL AND WASHER MARKING THE NORTHWEST CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 13 TOWNSHIP 28 SOUTH, RANGE 24 EAST; RUN THENCE NORTH 89 DEGREES 07' EAST 2358.68 FEET TO A POINT ON SAID SURVEY LINE DESGINATED AS STA. 265+94.00; THENCE NORTH 89 DEGREES 42' EAST 106 FEET TO A POINT ON THE SURVEY LINE DESIGNATED AS STA 267+00 AND END OF RIGHT-OF-WAY JOB. LESS EXISTING RIGHT-OF-WAY;

AND ALSO LESS AND EXCEPT:

THE EAST 630.00 FEET OF THE NORTHWEST ¼ OF SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, LYING NORTH OF COUNTY ROAD 542 AND SOUTH OF S.C.L. RAILROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER FOR SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, AND RUN N 00 DEGREES 00' 00" E (ASSUMED BASIS OF BEARINGS) ALONG THE EAST LINE FOR SECTION 13 A DISTANCE OF 1334.07 FEET; THENCE N 89 DEGREES 31' 19" W A DISTANCE OF 1330.22 FEET TO THE SOUTHEAST CORNER FOR THE NORTHWEST ¼ OF THE SOUTHEAST 1/4 FOR SECTION 13; THENCE N 00 DEGREES 08' 40" E ALONG THE EAST LINE THEREOF A DISTANCE OF 42.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE FOR COUNTY ROAD 542 (OLD AUBURNDALE ROAD, FORMERLY STATE ROAD 542) AND THE POINT OF BEGINNING; THENCE N 89 DEGREES 31' 19" W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 630.01 FEET TO A POINT LYING 630.00 FEET WEST (AS MEASURED PERPENDICULARLY) OF THE EAST LINE OF THE NW ¼ OF THE SE ¼ FOR SECTION 13; THENCE N 00 DEGREES 0' 40" E ALONG A LINE LYING 630.00 FEET WEST OF THE EAST LINE OF THE NW ¼ OF THE SE ¼ A DISTANCE OF 534.41 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE FOR S.C.L. RAILROAD; THENCE N 79 DEGREES 10' 46" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 641.72 FEET TO A POINT ON THE EAST LINE OF THE NW ¼ OF THE SE ¼; THENCE S 00 DEGREES 08' 40" W ALONG SAID LINE A DISTANCE OF 660.14 FEET TO THE POINT OF BEGINNING.

(3)

PC 500

Demonstration of Need and Justification

DHS Holdings LLC (the "Applicant") is requesting a Small Scale Comprehensive Plan Map Amendment to change the future land use designation from Residential Suburban (RS) to Business Park Center-1 (BPC-1) on approximately twelve (12) acres of property. The Applicant desires to develop the site for business park center uses. The proposed site is located in a Suburban Development Area (SDA). The proposed change reflects commercial and industrial development trends north of the proposed site along the CSX railroad line and east of the site along Old Dixie Hwy. Moreover, the proposed site's proximity to 542 E and US HWY 92 allows the site to maximize access to arterial and collector roads.

The proposed land use change acts as a measured and compatible extension of the existing industrial and commercial activity north and east of the site. The proposed request also acts to alleviate compatibility concerns with existing uses near and adjacent to the north (rail line and industrial/commercial uses), east (City of Lakeland electric substation) and west (junk yard) of the site. In addition, the proposed request maximizes the opportunity to utilize the existing rail line to the north, collector roads to the south (542E) and west (Reynolds Rd), and arterial roads to the north (US HWY 92) and east (Old Dixie HWY) for access to and from the proposed site while minimizing impact to lower volume local roads in the surrounding community.

In order to ensure compatibility exists, the Applicant will ensure buffering considerations and maintain physical separation from the homes to the west and south. This will include landscaping requirements (width of buffers, quality of plantings, etc.) at or greater than the minimum requirements of the Land Development Code.

Consistency Analysis

I. Polk County, FL Comprehensive Plan

A. *Section 2.106 – Suburban-Development Areas (SDA)*

1. POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas:

   . . .

   c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation.

   ANALYSIS: *The proposed request is for BPC-1, which is consistent with allowable uses in Suburban Development Areas.*

2. POLICY 2.106-A5: DEVELOPMENT CRITERIA - Development within the Suburban Development Areas shall conform to the following criteria as further specified in the Land Development Code:

   . . .

   g. encourage connectivity between uses within the SDA, and between the SDA and other urban centers and the rural development areas; . . . .

   ANALYSIS: *The proposed site is in a location that encourages connectivity between existing uses within the SDA. Business park center uses within the proposed site can provide connectivity to industrial uses to the north along the CSX railroad, and east along Old Dixie HWY.*

B. *Section 2.113B – Business Park Center*

1. POLICY 2.113-B-1: CHARACTERISTICS –

   . . .

   Usable Area: 10 acres or more

   ANALYSIS: *The proposed site is approximately twelve (12) acres. As such, the size of the proposed site is consistent with the usable area requirement of 10 acres or more set out in the Comprehensive Plan.*

2. POLICY 2.113-B-3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

   a. arterial roads;

b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road;
c. local commercial roads or private roads under the following conditions:
   1. the road has full median access onto to an arterial road;
   2. the road does not serve existing or expected future residential traffic from the surrounding area; and
   3. the road has a structural integrity and design characteristics suitable for truck traffic.
d. properties abutting an Industrial (IND) district or railroad line.

ANALYSIS: The proposed site is consistent with the location criteria contained in the Comprehensive Plan. The proposed site is fronting an urban collector (542 E) to the south and abutting a CSX railroad to the north. In addition, the proposed site is 0.76 miles from an intersecting arterial road (US HWY 92).

3. POLICY 2.113-B-4: DEVELOPMENT CRITERIA - Development within a Business-Park Center shall conform to the following criteria:

   ...

   a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

   ANALYSIS: *The proposed site has frontage on 542 E, a collector roadway or better. Such frontage is consistent with the development criteria of the BPC district contained in the Comprehensive Plan.*

Impact Assessment Statement

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The applicant is requesting a Small Scale Comprehensive Plan Map Amendment to change the future land use designation from Residential Suburban (RS) to Business Park Center-1 (BPC-1) on approximately twelve (12) acres of property. See attached exhibits included with the application. The Applicant desires to develop the site for business park center uses. The proposed change reflects commercial and industrial development trends to the north of the proposed site and along the CSX railroad line. Moreover, the proximity of the site to 542 E and US HWY 92 allows the site to maximize access to arterial and collector roads.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

Please see narrative provided above. The landscaping and buffering required by the Polk County Land Development Code adequately ensures that the proposed request is compatible with adjacent uses and entitlements in the area. The Applicant will take any and all reasonable and necessary steps to minimize impacts to the properties surrounding the requested land use map amendment.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The proposed land use change acts as a measured and compatible extension of the existing industrial and commercial activity, north and east of the site. The proposed request also acts to alleviate compatibility concerns with existing uses near and adjacent to the north (industrial uses and rail line), east (City of Lakeland electric substation) and west (junk yard) of the site. In addition, the proposed request maximizes the opportunity to utilize the existing rail line to the north and collector road to the south.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development. Any development of the Property would be consistent with the Polk County Land Development Code, the Polk County Comprehensive Plan, and proposed site specific development criteria.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

Estimated Traffic Impact Analysis

Permitted Intensity 12 +/- acres 12 ac of RS	**Maximum Permitted in Existing Land Use RS** **12 ac** X 1du/5ac= 2 du	**Maximum Permitted in Proposed BPC** **12 ac** **522,720 sq ft** X 0.65 FAR= 339,768 sq ft/1000= 340 sq ft
Average Annual Daily Trips (AADT)	2 du X 7.81 AADT= **15.62 Trips**	340 X 1.74 AADT X 100%= **591 Trips**
PM Peak Hour Trips	2 du X 1 AADT= **2 Trips**	340 X 0.11 AADT X 100%= **37 Trips**

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

The Property will utilize the ingress/egress only from HWY 542 E. It is anticipated minor transportation improvements will be required for ingress/egress of the site in accordance with applicable County requirements. The specific intersection types will be will be fully addressed at Level 2.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The proposed development shall provide the requisite number of parking spaces required by the Polk County Land Development Code, which will be determined at Level 2 based on the actual square footages of the buildings constructed.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

The property has frontage on HWY 542 E. HWY 542 E has a functional classification as an Urban Collector Road. Ingress and Egress will be designed to move traffic to US 92. It is anticipated that minor transportation improvements will be required for ingress/egress of the site in accordance with applicable County requirements. The specific intersection types will be will be fully addressed at Level 2.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

The CitrusConnection Purple Line has various stops along 542 E including stops along John Carroll Road W, which is adjacent to the property.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

Potable Water Consumption and Wastewater Generation Table

Permitted Intensity 12 +/- acres 12 ac of RL	**Maximum Permitted in Existing Land Use RS** **12 ac** X 1du/5ac= 2 du	**Maximum Permitted in Proposed BPC** **12 ac** **522,720 sq ft** X 0.65 FAR= 339,768 sq ft
Potable Water Consumption	2 du X 360= **720 GPD**	339,768 X 0.24= **81,544 GPD**
Wastewater Generation	2 du X 270= **540 GPD**	81,544 X 80%= **65,235 GPD**

Source: Concurrency Manual: 0.24GPD/sq ft for water and an assumption of 80% of water for wastewater.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The Property will connect to public utilities from the City of Auburndale or provide onsite treatment. Prior to development, the Applicant will coordinate with the City of Auburndale to determine location of lines and availability of capacity.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with appropriate and applicable standards.

4. Identify the service provider; and

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site well and septic.

5. Indicate the current provider's capacity and anticipated date of connection.

Capacity and the date of connection will be more fully understood and addressed at Level 2.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site treatment. Prior to development the Applicant will coordinate with the City of Auburndale to determine the location of lines and availability of capacity.

2. Identify the service provider;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site treatment.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

Please see Potable Water Consumption and Wastewater Generation Table above.

4. Indicate the current provider's capacity and anticipated date of connection

Capacity and the date of connection will be more fully understood and addressed at Level 2.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There are no state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. No significant impact to existing wildlife resources is anticipated from the project.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

Indeterminable at this time.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The proposed future land use map amendment would allow for the parcel to be developed consistent with the other non-residential activities in the area.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact anticipated.

d. Fire Protection;

The nearest fire protection is Polk County Fire Rescue Station 39 (3325 E Main St, Lakeland, FL 33801).

e. Police Protection and Security; and

The nearest police protection and security is a County Sheriff Policing Unit located at 2805 Morgan Combee Rd, Lakeland, FL 33801.

f. Electrical Power Supply

Indeterminable at this time.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Location Map

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Future Land Use Map (current and requested).

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Location Map.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

A Site Plan is not available at this time.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

A Drainage Map is not available at this time, as we do not have any engineered plans to evaluate the proposed location of stormwater ponds, buildings, impervious surface, etc.

Polk County

Planning Commission

Agenda Item 14. 11/5/2025

SUBJECT

LDCD-2025-7 (Highway 542 E Property District Change)

DESCRIPTION

This is an applicant-initiated request to change for 12.64 acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2). The case is related to LDCPAS-2025-27, a request to the change the Future Land Use Map from Residential Suburban (RS) to Business Park Center (BPC). The location is south of Highway 92 East, west of Old Dixie Highway, north of County Road 542 East, east of Reynolds Road, west of the City of Auburndale, in Section 13, Township 28, Range 24.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

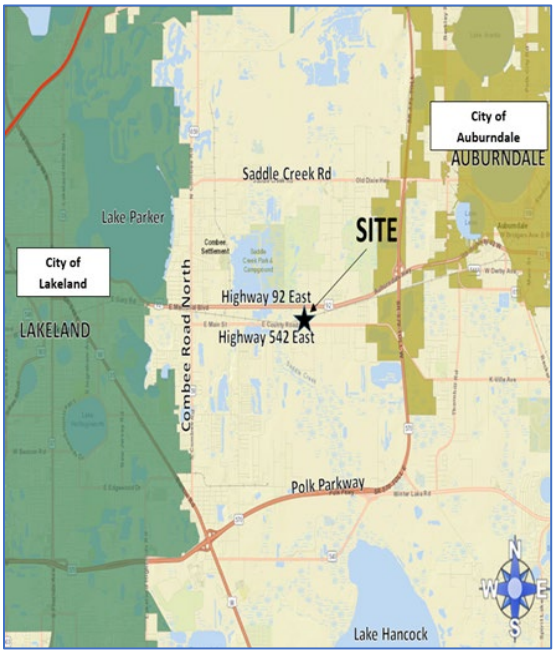
CONTACT INFORMATION

Mark J. Bennett, AICP, FRA-RA, CNU-A

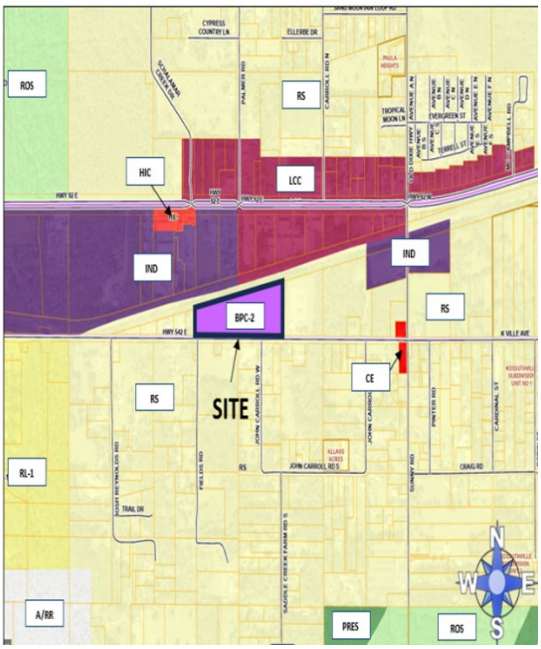
markbennett@polk-county.net <mailto:markbennett@polk-county.net>
(863) 534-6455

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	August 28, 2025
Planning Commission Date:	November 5, 2025
BoCC Dates:	December 16, 2025
Applicant:	Bart Allen, Esq.
Level of Review:	Level 4 Review, Sub-district change
Case Number and Name:	LDCD-2025-7 (Hwy 542 E Property)
Request:	Future Land Use Map sub-district change for 12.64 acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2). The case is related to LDCPAS-2025-27, a request to the change the Future Land Use Map from Residential Suburban (RS) to Business Park Center (BPC).
Location:	South of Highway 92 East, west of Old Dixie Highway, north of County Road 542 East, east of Reynolds Road, west of the City of Auburndale, in Section 13, Township 28, Range 24.
Property Owner:	Carters Baptist Church Inc.
Parcel Size:	12.64 acres
Development Area:	Suburban Development Area (SDA)
Future Land Use:	Residential-Suburban (RS)
Nearest Municipality	Auburndale
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	N/A
Case Planner:	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner



Location Map



Proposed Land Use District Map

Summary:

This is an applicant-initiated Future Land Use Map sub-district change for 12.64 acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on the Future Land Use Map. The case is related to LDCPAS-2025-27, a request to the change the Future Land Use Map from Residential Suburban (RS) to Business Park Center (BPC).

Compatibility Summary

There are several reasons why this request is considered to be compatible, and consistent with the Comprehensive Plan and Land Development Code. There are industrial and other non-residential uses (such as an electrical substation, auto-related uses, and heavy equipment/outdoor storage & vehicle parking) near the site. These non-residential uses are of a similar intensity to what is allowed within the BPC-2 district.

The location of transportation facilities, such as railroads and arterial/collector roads is a factor in determining the appropriateness of Business-Park Centers. This site has direct access to a collector road, with an intersection of an arterial highway (located .75-mile driving distance) away. The site is also next to a railroad. Because this request complies with the locational criteria found in Policy 2.113-B3, specifically collector/arterial road access and railroad abutting the site, this request is consistent with the applicable policies in the Comprehensive Plan.

Infrastructure Summary

The site is not in a utility service area, but water service is provided to property north of the site by the City of Auburndale. Because this amendment is for a non-residential use, schools will not be impacted. There is sufficient roadway capacity. Public safety facilities and services are available.

Environmental Summary

Some portions of the site are within the 100-year floodplain, but the site does not contain wetlands or surface waters. No adverse environmental impacts are expected due to the development of this site.

Comprehensive Plan

Listed below are the relevant sections of the Comprehensive Plan that are applicable to this request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.106(A1-A7): Suburban Development Areas (RDAs)
- Policy 2.120(A1-A4): Residential-Suburban (RS)
- Policy 2.113(B1-B5): Business-Park Centers (BPC)
- Section 2.123B(B1-B5): Floodplain-Protection Areas

Findings of Fact

Request and Legal Status

- LDCD-2025-7 is an applicant-initiated request for a Level 4 Subdistrict change to designate approximately 12.64 acres from Business-Park Center - 1 (BPC-1) to Business-Park Center – 2 (BPC-2).

- The subject site is in the Suburban Development Area (SDA).

- POLICY 2.106-A1 describes Suburban-Development Areas (SDAs) as those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

- POLICY 2.109-A26 describes the Business Park Center land use district as follows: "The purpose of the Residential-Suburban (RS) is to provide for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS land use permits single-family dwelling units, family care homes, agricultural support uses, and community facilities."

- Section 204.c.3. of the Land Development Code describes the Business Park Center- 2 (BPC-2) District as follows: "The purpose of the BPC-2 district is to provide areas for light-industrial activities. The BPC-2 district permits light manufacturing, fabrication, assembly, distribution and wholesaling activities, and some retail uses to support the businesses and activities within the Business Park Center."

- The property is vacant and undeveloped.

Compatibility

- The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

- The proposed request is for a Business-Park Center (BPC) use.

- This area of Polk County is characterized by a mixture of industrial and residential uses, with some retail commercial uses located along US 92, north of the site.

- Surrounding uses include industrial, retail commercial and a mobile home park north of the site, across the railroad line. An electrical substation is east of the site. Auto-related uses are west of the site, with heavy equipment/outdoor storage and truck parking to the south, across CR 542.

Infrastructure

- The property is zoned for Clarence Boswell Elementary, Crystal Lake Middle School, and Teneroc Senior High School.

- Fire and ambulance response is from Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland. The estimated response time from this station is about five to seven minutes.

- Sheriff's response to the site is served by the Southwest District, located at 4011 Sgt. Mary Campbell Way, Lake Wales. The response times are as follows: Priority One: 9:40 minutes; Priority Two: 22:13 minutes.

- The subject parcel is next to County Road (CR) 542. CR 542 is an Urban Major Collector, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

- The site is not located within a utility service area.

Environmental

- There are no wetlands on the site.

- Portions of the site are within a Zone "A" 100-year floodplain.

- The site is comprised of Nittaw sandy clay loam and Wabasso fine sands. These soils have severe limitations for septic tanks and dwellings without basements.

- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of a rookery, eagle nests and animal habitats.

- The PolkGreen Map does not show this parcel as part of a potential connection of an overall natural network.

- This site does not have a conservation easement. However, property located .80 mile southwest of the site contains a conservation easement.

- This property is not within an Airport Impact District.

- The site is not within a Wellfield Protection District.

- Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location, states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs,

conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility, states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:

  a. there have been provisions made which buffer incompatible uses from dissimilar uses;

  b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;

  c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution, states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing, states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.102-A10 Location Criteria, states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:

  a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;

  b. nearness to agriculture-production areas;

  c. distance from populated areas;

  d. economic issues, such as minimum population support and market-area radius (where applicable);

  e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:

    1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;

    2. sanitary sewer and potable water service;

    3. storm-water management;

    4. solid waste collection and disposal;

5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;

6. emergency medical service (EMS) provisions;

7. other public safety features such as law enforcement;

8. schools and other educational facilities; and

9. parks, open spaces, civic areas and other community facilities.

f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;

2. surface water features, including drainage patterns, basin characteristics, and flood hazards;

3. wetlands and primary aquifer recharge areas;

4. soil characteristics;

5. location of potable water supplies, private wells, public well fields; and

6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.106-A1: DESCRIPTION - SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

- POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas:

  a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within SDAs in accordance with applicable criteria.

  b. RESIDENTIAL: Residential-Suburban.

  c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation.

  Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.

- POLICY 2.113-B1: CHARACTERISTICS - Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there. General (approximate) characteristics of Business-Park Centers are:

  Usable Area: 10 acres or more

  Gross Leasable Area (GLA): 500,000 to 2,000,000 sq. ft.

  Minimum Population Support: 150,000 or more people

  Service-Area Radius: 20 miles or more

  Typical Leading Tenant: One or more light-assembly plants, or warehouse facilities

  Other Typical Tenants: Offices, distribution centers, research and development firms, High-Density Residential (with proper buffering).

- POLICY 2.113-B3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

  a. arterial roads;

  b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road;

  c. local commercial roads or private roads under the following conditions:

    1.the road has full median access onto to an arterial road;

    2.the road does not serve existing or expected future residential traffic from the surrounding area; and

    3.the road has a structural integrity and design characteristics suitable for truck traffic.

  d. properties abutting an Industrial (IND) district or railroad line.

- POLICY 2.113-B4: DEVELOPMENT CRITERIA - Development within a Business-Park Center shall conform to the following criteria:

  a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a

collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

b. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

c. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

d. Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park.

e. The maximum floor area ratio for commercial activities shall not exceed 0.25. The maximum floor area ratio for non-commercial activities shall not exceed 0.75 in the TSDA, 0.65 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.

f. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.

g. New residential development within Business Park Centers shall be limited to High-Density Residential (with proper buffering).

h. All research and development, light-industrial, and distribution activities shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures.

i. Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank septic and as required if within a Nutrient Restoration Plan Overlay.

j. Planned Developments within the Business Park Center district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The FAR in the RDA may be increased to 0.75 when connection to public water and sewer is available and within a half mile of a transit route. The Land Development Code shall establish development standards and criteria for Planned Developments within the BPC district.

k. Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters listed in the Land Development Code not to exceed an intensity of thirty-two (32) workers per acre or the limitations established by the

Department of Health for water and wastewater usage, whichever allowed intensity is the lesser.

- POLICY 2.120-A1: CHARACTERISTICS - Densities up to, and including, 1 DU/5 AC, unless permitted through SPD, RRD, RMD or the criteria established within the SR 17 Ridge Scenic Highway Provision of Section 2.124-H. The Residential-Suburban classification is characterized by single-family dwelling units and duplex units.

- POLICY 2.120-A3: LOCATION CRITERIA - Residential-Suburban areas shall be located only within the SDA and new Residential-Suburban development shall not be located within Activity Centers.

- POLICY 2.120-A4: DEVELOPMENT CRITERIA - Development within designated RS areas shall be limited to:

  a. Residential development containing single-family dwelling units, duplex units, and family-care homes, at a density of up to, and including, one dwelling unit per five acres (1 DU/5 AC). Density may be adjusted based on the actual size of the section. A property outside of the Green Swamp Area of Critical State of Concern, may be considered five acres if it is one one-hundred and twenty-eighth (1/128) the section size for sections less than six hundred forty acres (640 acres). This includes counting to the centerline of local and collector roads.

  b. The "permitted uses" of Suburban Planned Development (SPD), Rural-Residential Development (RRD), or Rural Mixed-Use Development (RMD). (See Sections 2.120-B, 2.121-B, and 2.121-C.).

  c. Properties adjacent to SR 17 shall be allowed densities and/or intensities up to the maximum allowed in this land use category (3 dwelling units per acre) as a permitted use without requiring a public hearing provided the development meets all the criteria established in Section 2.124-H for Scenic Highways and the Scenic Highway development regulations within the Land Development Code. At a minimum, all development shall:

     1. Connect to a centralized potable water supply, and

     2. Provide no less than 30% open space throughout the development with at least 70% of that open space dedicated to scenic vista preservation, either along the highway or through the property to a distant view beyond the property boundary. This open space shall be set aside as conservation in perpetuity via a binding legal instrument which prohibits future development within the established boundaries.

  d. Community Facilities, in accordance with policies of this Plan and the provisions of the Land Development Code.

  e. Residential Infill Development (RID) that contains single-family or duplex-style development and is located amongst an existing residential community (See Section 2.125-N.

  f. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acres.

NOTE: All SDA policies also apply.

- POLICY 2.123-B1: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as the "Floodplain-Protection Area" overlay the Special Flood Hazard Areas and Regulatory Floodways identified by the Federal Emergency Management Agency in the Flood Insurance Study (FIS) for Polk County, originally dated January 19, 1983, with the accompanying maps and other supporting data, and any subsequent revisions thereto, are adopted by the reference and declared to be a part of this ordinance.

- POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria:

a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code.

b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not:

    1. enlarge the off-site floodplain;

    2. alter the natural function of the floodplain; nor

    3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that the request for Business Park Center-2 (BPC-2) **IS compatible** with the surrounding land uses and general character of the area and **IS consistent** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL** of the BPC-2 sub district for **LDCD-2025-7.**

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses:

The site is within a Suburban Development Area (SDA). SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

Currently, the site has a Future Land Use designation of Residential-Suburban (RS). Concurrent with this request, the applicant has also submitted a request to change the Future Land Use designation from RS to Business-Park Center (BPC) (LDCPAS-2025-27).

The proposed request is for a Business-Park Center (BPC). BPCs are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there.

If the Plan Amendment application is approved, then the Future Land Use designation will change to BPC, with a BPC-1 subdistrict. Because of the default designation of BPC-1, this request is necessary to change the site to BPC-2. Generally, the main difference between BPC-1 and BPC-2 districts is that BPC-2 allows for more intensive uses, including outdoor storage and related activities (see Exhibit 6 for a comparison of uses).

As shown on the Future Land Use Map, adjacent properties east and west of the site are designated Residential-Suburban (RS). North of the site, across the CSX railroad line, the properties are designated as Industrial (IND) and Linear Commercial Corridor (LCC). There is a Commercial

Enclave (CE) at the CR 542 and Old Dixie Highway intersection. Along either side of Old Dixie Highway, south of the railroad and near US 92, is a 10.7-acre Industrial site.

The site is classified as vacant by the Polk County Property Appraiser, although current aerial photos show a structure on the eastern parcel (023020). A review of the 1988 aerial photo shows what appears to be a residential structure, but that structure is not shown on the 2002 aerial photo.

There are several reasons why this request is considered to be compatible, and consistent with the Comprehensive Plan and Land Development Code. There are industrial and other non-residential uses (such as an electrical substation, auto-related uses, and heavy equipment/outdoor storage and vehicle parking) near the site. These non-residential uses are of a similar intensity to what is allowed within the BPC-2 district.

The location of transportation facilities, such as railroads and arterial/collector roads is a factor in determining the appropriateness of Business-Park Centers. This site has direct access to a collector road, with an intersection of an arterial highway (located .75-mile driving distance) away. The site is also next to a railroad. Because this request complies with the locational criteria found in Policy 2.113-B3, specifically collector/arterial road access and railroad abutting the site, this request is consistent with the applicable policies in the Comprehensive Plan.

B. Infrastructure:

According to Comprehensive Plan POLICY 2.102-A1: DEVELOPMENT LOCATION, "Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities."

The site is located in the Suburban Development Area (SDA), where connection to water is required, but not to sewer service.

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1 Future Land Use Map Districts and Existing Uses

Northwest Industrial (IND) Light Manufacturing	**North** Linear Commercial Corridor (LCC) Mobile Home/Recreational Vehicle Park	**Northeast** Linear Commercial Corridor (LCC) Light Manufacturing
West Residential Suburban (RS) Single Family, Auto-Related Uses	**Subject Site** Residential Suburban (RS) Vacant	**East** Residential Suburban (RS) Electric Substation
Southwest Residential Suburban (RS) Mobile Home/Recreational Vehicle Park	**South** Residential Suburban (RS) Single Family, Mobile Home, Heavy Equipment/Outdoor Storage & Vehicle Parking	**Southeast** Residential Suburban (RS) Single Family

Nearest and Zoned Elementary, Middle, and High School

The schools zoned for the subject property are listed in Table 2 below. Because the request is for a non-residential use, the request will not impact school concurrency.

Table 2: School Information

School	Annual Estimated Demand	Distance from Subject Site
Clarence Boswell Elementary	0	2.5 mile
Crystal Lake Middle School	0	3.0 miles
Teneroc Senior High School	0	1.92 miles

Source: Polk County School Board website

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Sherriff response times are not as much a function of the distance to the nearest sheriff's substation rather more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered.

Table 3 provides a breakdown of response times and travel distances for emergency services.

Table 3 Public Safety Information

	Name of Station	Distance	Response Time*
Sheriff	Southwest District, located at 4011 Sgt. Mary Campbell Way, Lake Wales	15.90 miles	P1: 09:40 minutes P2: 22:13 minutes
Fire/ EMS	Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland	1.7 miles	5-7 minutes

*Source: Polk County Sheriff's Office and Public Safety *Response times are based on when the station receives the call and not from when the call is made to 911.*

Water and Wastewater

The subject property is in a Suburban Development Area (SDA), where connection to public water is required but sewer is not. No sewer service or water lines are available in this area.

A. Estimated Demand:

The development of the property under the proposed land use designation should not negatively impact the minimum LOS for the existing facilities, due to the relatively low consumption and generation rates. The following analysis assumes the maximum allowed density of 28 dwelling units for RS (assuming an approval of a Suburban Planned Development at a maximum density of 3 units per acre), and 357,954 square feet of warehouse for BPC.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: **RS – 12.64 AC of site 3 DU/AC = 28 DU** **BPC – 12.64 AC/550,698.6 SF of site *.65 FAR = 357,954 SF**	Estimated Impact Analysis Residential Suburban (RS) to Business Park Center (BPC) Development Area: SDA	
	Current Land Use designation RS	**Current Land Use designation BPC**
Current Maximum Allowable Use	28 Dwelling Units (DU)	357,954 Square Feet (SF)
Potable Water Consumption	28 DU * 250 GPD/DU = **7000 GPD**	357,954 SF * .24 GPD/SF = **85,909 GPD**
Wastewater Generation	28 DU * 200 GPD/DU = **5600 GPD**	357,954 SF * 80% of water usage = **68,727 GPD**

GPD – Gallons Per Day
Source: Polk County Concurrency Manual and Polk County Utilities: Single-Family (Detached) 360 GPD/DU (water) & 270 GPD/DU (sewer); Warehouse @ .24 GPD/SF (water) & .18 GPD/SF (sewer)

B. Available Capacity:

Because this property is in a Suburban Development Area, public water or sanitary sewer services are not available. The closest water line is a 10-inch diameter line operated by the City of Auburndale, located on the south side of US 92, 750 feet north of the site.

C. Planned Improvements:

No information is known currently about any planned improvements to utilities in this area.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The data identifies both daily and peak hour traffic volumes. The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

The proposed Comprehensive Plan Amendment may affect surrounding roadways, the transportation network, and the LOS below the minimum established standards, depending on the eventual build out of the property.

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The analysis is based on a maximum permitted use of 357,954 square feet of warehousing for BPC-1 compared to general light industrial for BPC-2.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: RS – 12.64 AC of site 1 DU/5 AC = 2 DU BPC – 12.64 AC/550,698.6 SF of site *.65 FAR = 357,954 SF	Estimated Impact Analysis from Business-Park Center – 1 (BPC-1) to Business Park Center -2 (BPC-2)	
	Current Land Use district BPC-1	**Maximum Permitted Use in Proposed BPC-2**
	357,954 Square Feet (SF)	357,954 Square Feet (SF)
Average Annual Daily Trips (AADT)	357,954 SF * 1.71 trips/1,000 SF = **612 AADT**	357,954 SF * 4.87 trips/1,000 SF = **1,743 AADT**
PM Peak Hour Trips	357,954 SF * .18 trips/1,000 SF = **64 PM Peak Hour Trips**	357,954 SF * .65 trips/1,000 SF = **233 PM Peak Hour Trips**

Source: Concurrency Manual and Table for Minor Traffic Study – ITE Code 210 (single-family detached housing) @ 7.81 AADT and 1 PM peak hour per unit, 100% new trips., and ITE Code 110 (General Light Industrial) @ 4.87 trips/1,000 SF and .65 peak hour per unit, with 92% new trips.

B. Available Capacity:

The roads surrounding the subject site should have sufficient capacity available, depending on the eventual use and full build out of the site. The Polk Transportation Planning Organization (TPO) monitors certain roadways based on maximum approved traffic in comparison to current vehicle trips to determine what capacity is available.

Table 6, below, charts the generalized available capacity of the most-affected links.

Table 6 Available Capacity

Link #	**Road Name**	**Current Level of Service (LOS)**	**Available PM Peak Hour Capacity**	**Minimum LOS Standard**	**5-Year Peak Hour Projected LOS**
4044E	CR 542 From: US 98 To: SR 659	C	518	E	C
4044W	CR 542 From: US 98 To: SR 659	C	503	E	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025

As identified above, CR 542 has sufficient PM peak hour capacity to support future development activity.

The subject parcel is next to CR 542. This is a County-maintained Urban Major Collector, per the Polk County TPO Roadway Network Database, and has a pavement width of 20 feet.

C. Roadway Conditions:

CR 542 has a Pavement Condition Index rating of "Fair".

D. Planned Improvements:

There are no known improvements for this portion of Highway 542 East at this time.

E. Mass Transit:

The Purple Line 12 LAK/WH traverses this section of Highway 542 East in Lakeland. There is a bus stop in front of the site.

F. Sidewalks:

There are no sidewalks in front of the subject property, nor along adjacent streets.

Park Facilities and Environmental Lands:

The closest County Park is Saddle Creek Park, located 0.47 miles northwest of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

Saddle Creek Park & Campground is located at 3716 Morgan Combee Road, Lakeland.

B. Services:

Saddle Creek Park & Campground has a playground with swings and slides, picnic tables and picnic shelters, softball field, walking trails and a gun range. It also has camping grounds with water and electricity, boat launch sites and bank and pier fishing.

C. Multi-use Trails:

There are no multi-use trails in the immediate area. According to the Polk GIS Viewer, the closest trails can be found at the Saddle Creek Park & Campground, 0.47 miles northwest of the site.

Environmental Lands:

The site is located close to an Ecological Greenway Network but is not within that area. The closest conservation area is 3.27 miles south of the site, at the Circle B Bar Reserve.

Environmental Conditions

There are no wetlands on the site, but portions of the site are within a flood hazard area

A. Surface Water:

There are no surface waters on the site. A freshwater pond is about 0.85 miles west of the site.

B. Wetlands/Floodplains:

The site does not contain any wetlands. The western and northeastern portions of the site are in the Zone "A" floodplain.

C. Soils:

The site is comprised of Nittaw sandy clay loam and Wabasso fine sand, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Table 7, below, lists the soils associated with the subject site.

Table 7 Soils

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings Without Basements**	**% of Site** *(approximate)*
Nittaw sandy clay loam, frequently flooded	Severe: flooding, wetness, percs slowly	Severe: flooding, wetness, shrink-swell	25.7%
Wabasso, fine sand, 0 to 2 percent slopes	Severe: wetness, percs slowly, poor filter.	Severe: wetness.	74.3%

Source: Soil Survey of Polk County, Florida 1985, USDA, Soil Conservation Service

Any future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual.

D. Protected Species:

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of a rookery, eagle nests and animal habitat. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

The PolkGreen Map displays this parcel as near potential connection of an overall natural network. Moreover, there are no conservation easements on this parcel, but a property with a conservation easement is 0.80 miles southwest of the site.

E. Archeological Resources:

Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

F. Wells (Public/Private):

The site is not within a Wellfield Protection District.

G. Airports:

This property is not within the Airport Impact District.

Economic Factors:

Construction of buildings and site development activities create temporary jobs. Any new business activity that occurs at this site will need more goods and services, thereby generating more economic activity.

The proximity of this site next to County Road 542 and an existing railroad line provides an opportunity for new businesses to locate on this site, thereby also providing jobs to support the Auburndale community.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The site is next to a railroad and an electrical substation, with other non-residential uses west and south of the site.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The site is next to an existing industrial area.
POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable); e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2.sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal;	The proximity of the site near an arterial road (US 92), next to an existing industrial area, next to a railroad and an electrical substation makes the site appropriate for a Business-Park Center.

Comprehensive Plan Policy	Consistency Analysis
5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	
POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas: a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within SDAs in accordance with applicable criteria. b. RESIDENTIAL: Residential-Suburban. c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation. Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.	The site is in a Suburban Development Area (SDA).
POLICY 2.113-B1: CHARACTERISTICS - Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there. General (approximate) characteristics of Business-Park Centers are: Usable Area: 10 acres or more Gross Leasable Area (GLA): 500,000 to 2,000,000 sq. ft. Minimum Population Support: 150,000 or more people Service-Area Radius: 20 miles or more Typical Leading Tenant: One or more light-assembly plants, or warehouse facilities	The proposed Business-Park Center will be 12.64 acres.

Comprehensive Plan Policy	Consistency Analysis
Other Typical Tenants: Offices, distribution centers, research and development firms, High-Density Residential (with proper buffering).	
POLICY 2.113-B3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on: a. arterial roads; b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road; c. local commercial roads or private roads under the following conditions: 1.the road has full median access onto to an arterial road; 2.the road does not serve existing or expected future residential traffic from the surrounding area; and 3.the road has a structural integrity and design characteristics suitable for truck traffic. d. properties abutting an Industrial (IND) district or railroad line.	County Road 542 is a collector road. The site is accessible to an arterial road (US 92) which is .75 miles (driving distance) away from the site. The subject property abuts a railroad line and an Industrial District.
POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria: a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code. b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not: 1. enlarge the off-site floodplain; 2. alter the natural function of the floodplain; nor 3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.	Compliance with this policy will be determined as part of a Level 2/site plan review.

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

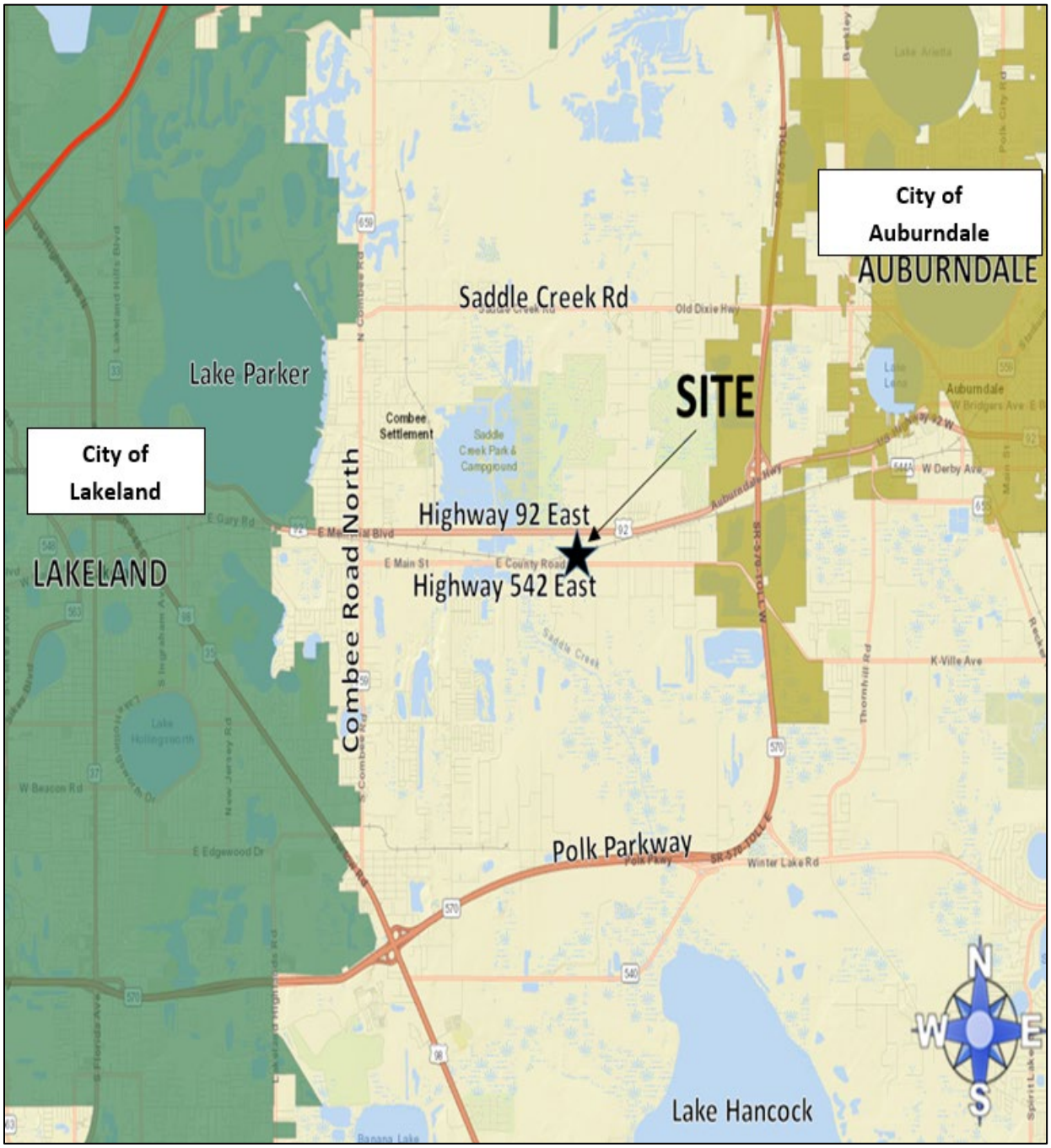
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections where referenced in this report**
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments from other agencies

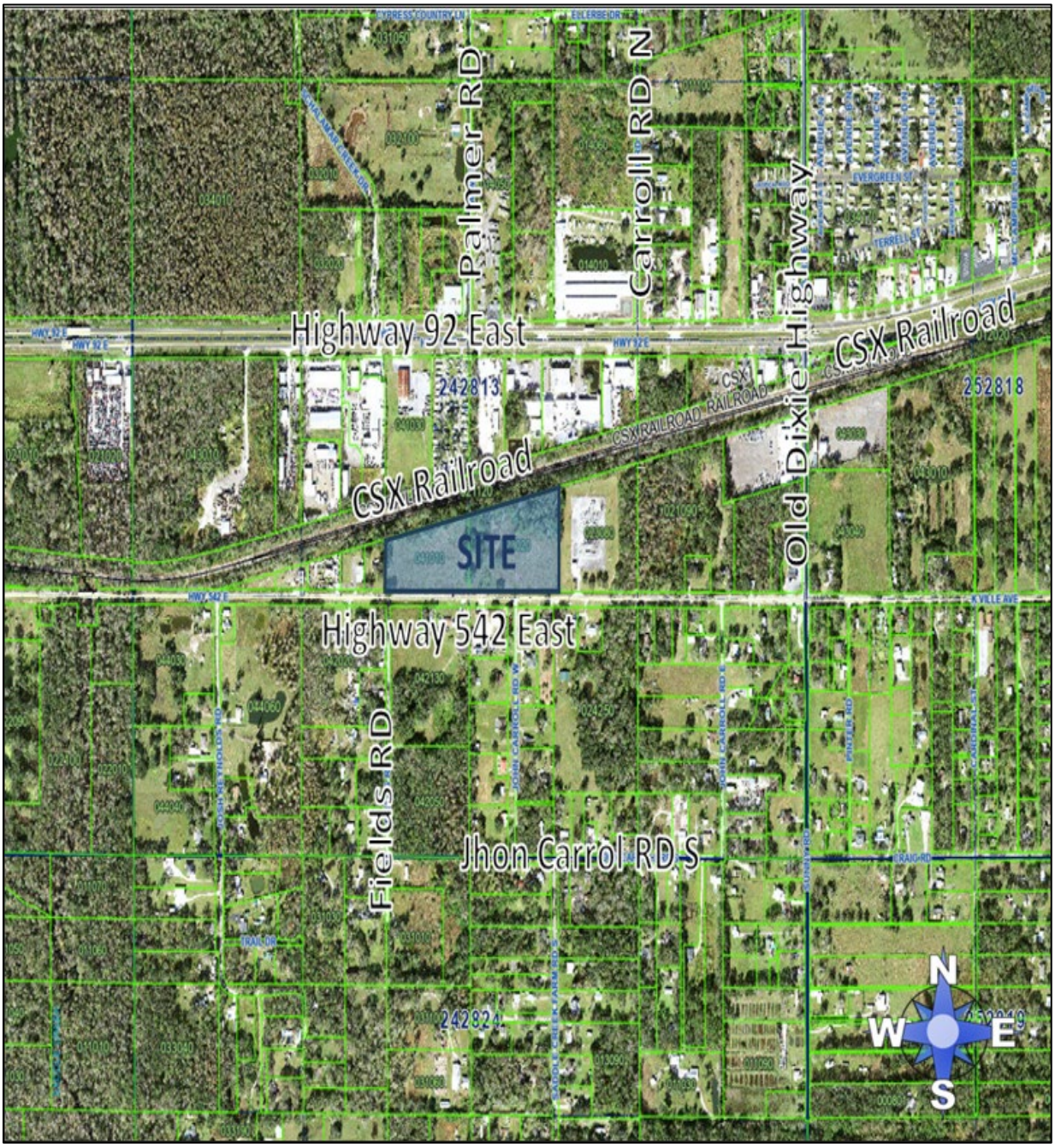
An email was sent to the City of Auburndale on September 11th informing them about this request.

Exhibits:

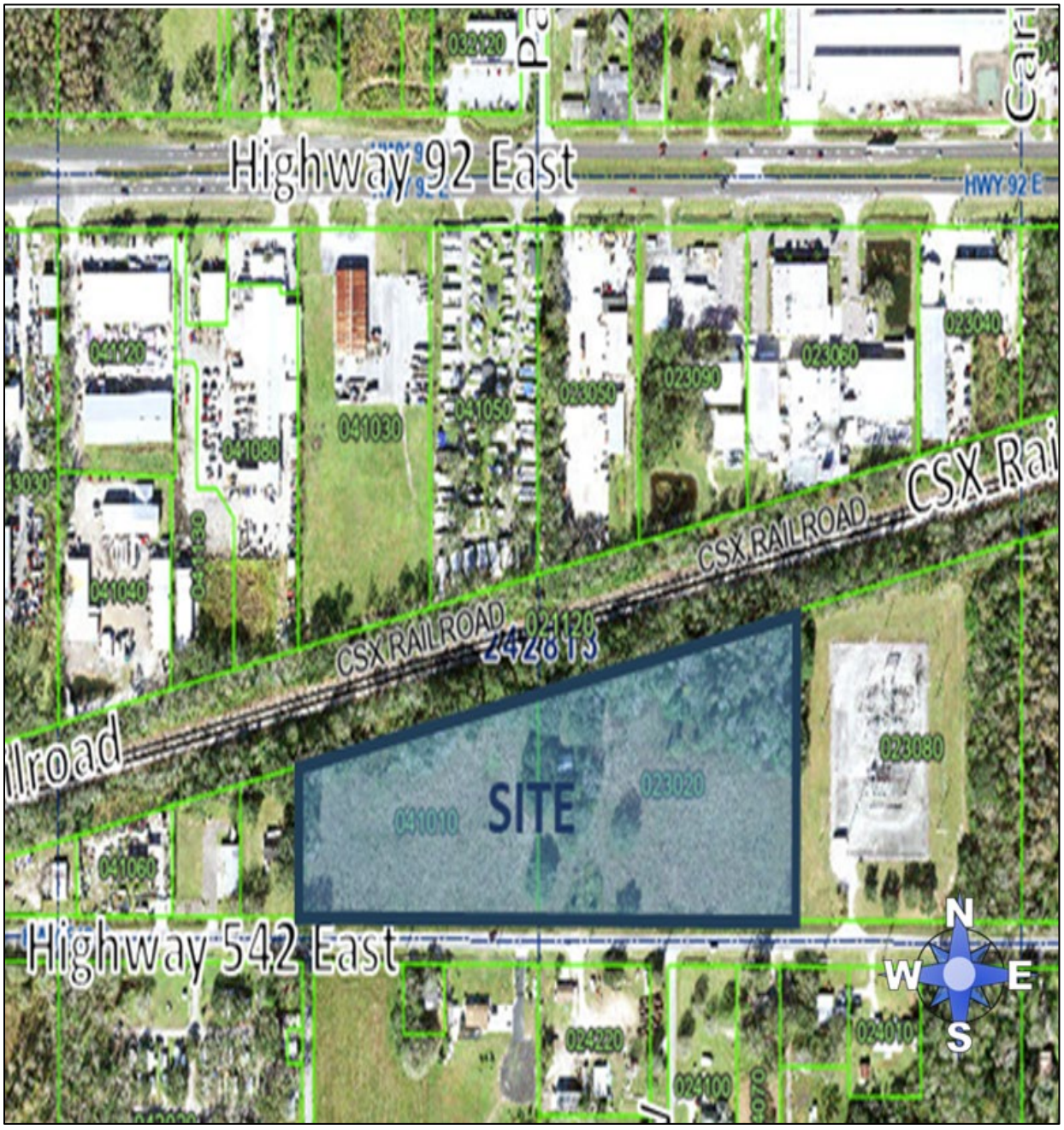
Exhibit - 1 Location Map
Exhibit - 2 Location Map (Detailed)
Exhibit - 3 2023 Aerial Photo
Exhibit - 4 Current Future Land Use Map
Exhibit - 5 Proposed Recommended District Map
Exhibit - 6 BPC-1 vs. BPC-2 Comparison Chart



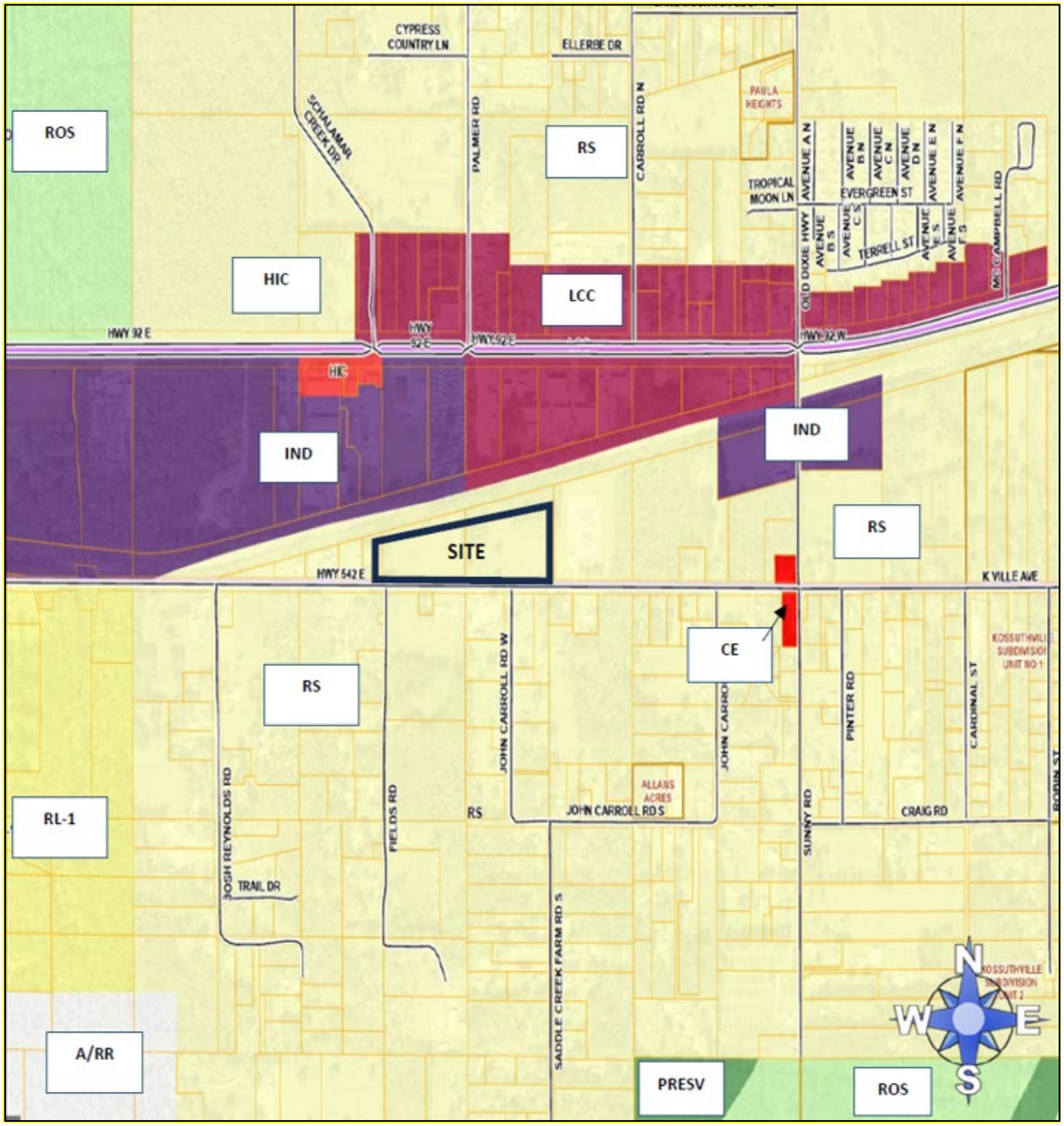
Location Map



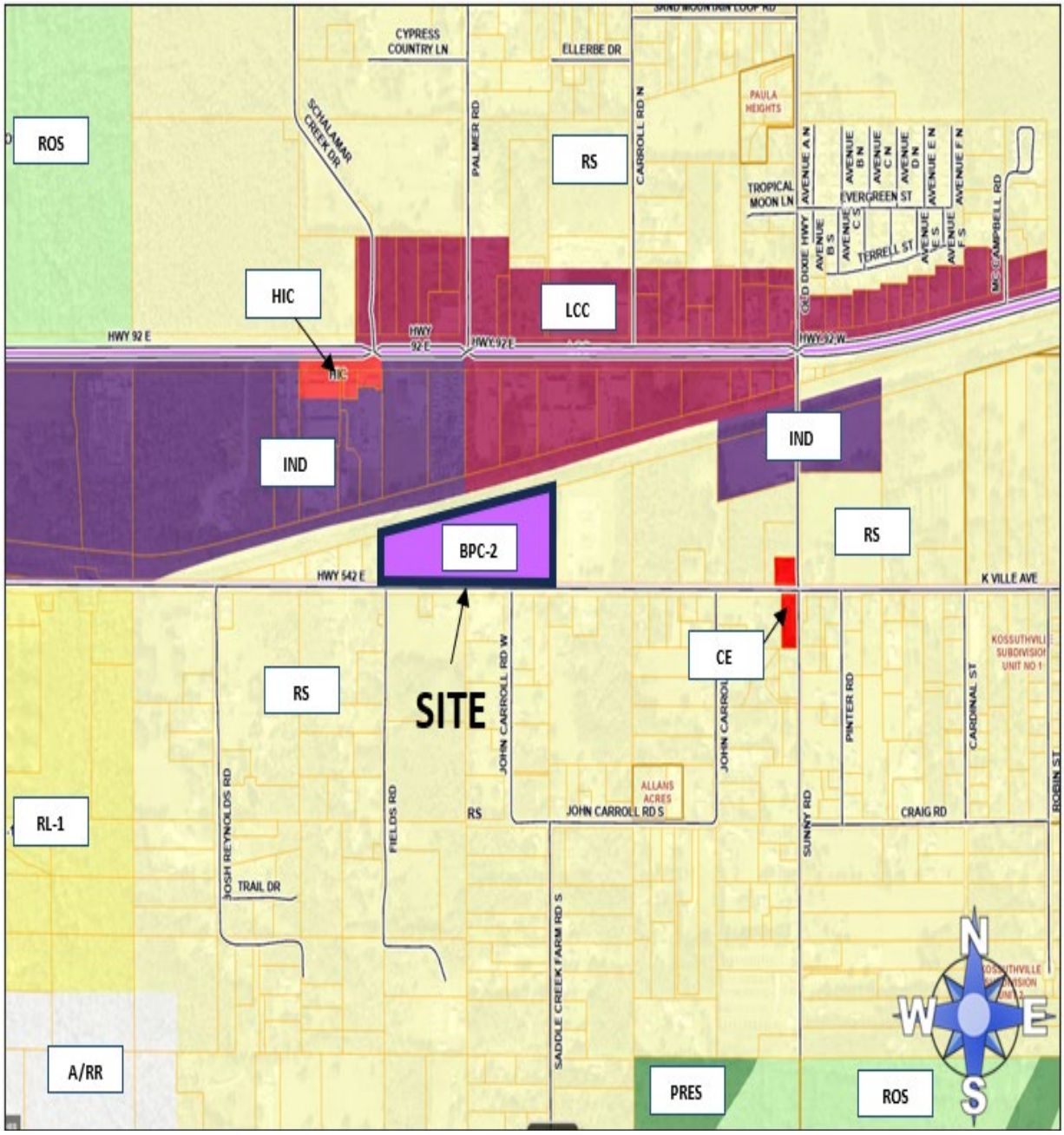
Location Map (Detailed)



2023 Aerial Photo



Current Future Land Use Map



Proposed Land Use District Map

(LDCD-2025-7)

	Technical Staff Review – P & Level 1/2	Public Hearing (s) Required – Level 3 & 4
BPC-1	Alcohol Package Sales, C1;Bars, Lounges, and Taverns, C1; Cardboard & Shredded Paper Collection, C2; Commercial Vehicle Parking, C2; Communication Tower, Monopole, C2; Community Center, C2; Convenience Stores, Isolated, C2; Cultural Facility, C2; Farming, General, P; Financial Institution, C2; Financial Institution, Drive-Through, C2; Gas Station, C2; Golf Course, C1; Government Facility, P; Heliports, C2; Helistops, C2; Kennels, Boarding and Breeding, C2; Manufacturing, Light, C2; Medical Marijuana Dispensaries, C2; Nurseries, Retail, C2; Nurseries and Greenhouses, P; Office, P; Office Park, P; Personal Service, P; Printing & Publishing, P; Recreation, Passive, C1; Religious Institution, C2; Research & Development, P; Restaurant, Drive-thru/Drive-in, C2; Restaurant, Sit-down/Take-out, C2; Retail, 10,000 - 34,999 sq. ft., C2; Retail, 35,000 - 64,999 sq. ft, C2; Retail, More than 65,000 sq. ft, C2; Retail, Less than 10,000 sq. ft, C2; School, Leisure/Special Interest, C2; School, Technical/Vocational/Trade & Training, C2; School, University/College, C2; Self-storage facility, C2; Studio, Production, C2; Transit, Facility, P; Transitional Area Development, C4; Utilities, Class I, P; Utilities, Class II, P; Utilities, Class III, C3; Warehousing/Distribution, P; Water Ski Schools, C3.	Multi-family, C3; Planned Development, C3; Transitional Area Development, C3; Agricultural Support, Off-Site, C3; Airport, C4; Animal Farm, Intensive, C3; Communication Towers, Guyed and Lattice, C3; Lime Stabilization Facility, C3; Mining, Non-phosphate, C3; Power Plants Non-Certified, Low, C4;
BPC-2	Agricultural Support, Off-Site, P; Farm Worker Dormitory, Barrack Style, C2; Alcohol Package Sales, C1; Animal Farm, Intensive, P; Bars, Lounges, and Taverns, C1; Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, C2; Cardboard & Shredded Paper Collection, C2; Commercial Vehicle Parking, P; Communication Towers, Guyed and Lattice, C2; Communication Tower, Monopole, C2; Community Center, C2; Convenience Stores, Isolated, C2; Cultural Facility, C2; Farming, General, P; Financial Institution, C2; Financial Institution, Drive-Through, C2; Gas Station, C2; Golf Course, C1; Government Facility, P; Heavy Machinery Equipment Sales and Services, C2; Heliports, C2; Helistops, C2; Kennels, Boarding and Breeding, C2; Livestock Sale, Auction, C2; Manufacturing, Light, P; Medical Marijuana Dispensaries, C2; Motor Freight Terminal, P; Nurseries, Retail, C2; Nurseries and Greenhouses, P; Office, P; Office Park, P; Personal Service, P; Printing & Publishing, P; Recreation, Passive, C1; Religious Institution, C2; Research & Development, P; Restaurant, Drive-thru/Drive-in, C2; Restaurant, Sit-down/Take-out, C2; Retail, 10,000 - 34,999 sq. ft., C2; Retail, 35,000 - 64,999 sq. ft, C2; Retail, More than 65,000 sq. ft, C2; Retail, Less than 10,000 sq. ft, C2; Retail, Outdoor Sales/Display, P; School, Leisure/Special Interest, C2; School, Technical/Vocational/Trade & Training, C2; School, University/College, C2; Self-storage facility, C2; Studio, Production, C2; Transit, Commercial, P; Transit, Facility, P; Transitional Area Development, C4; Utilities, Class I, P; Utilities, Class II, P; Utilities, Class III, C3; Vehicle Recovery Service/Agency, C2; Vehicle Repair, Auto Body, P; Vehicle Service, Mechanical, P; Veterinary Service, C2; Warehousing/Distribution, P; Water Ski Schools, C3.	Planned Development, C3; Transitional Area Development, C3; Airport, C4; Lime Stabilization Facility, C3; Mining, Non-phosphate, C3; Power Plants Non-Certified, Low, C4; Power Plants Non-Certified, High, C4;

BPC-1 vs. BPC-2 Comparison Chart

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF LDCD-2025-7, AN AMENDMENT TO THE POLK COUNTY LAND DEVELOPMENT CODE SUB-DISTRICT MAP (ORDINANCE 01-69), AS AMENDED; AMENDING THE SUB-DISTRICT MAP TO CHANGE 12.64 ACRES FROM BUSINESS PARK CENTER-1 (BPC-1) TO BUSINESS PARK CENTER-2 (BPC-2), LOCATED SOUTH OF HIGHWAY 92 EAST, WEST OF OLD DIXIE HIGHWAY, NORTH OF COUNTY ROAD 542 EAST, EAST OF REYNOLDS ROAD, WEST OF THE CITY OF AUBURNDALE, IN SECTION 13, TOWNSHIP 28, RANGE 24; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners (the "Board) adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; (the "LDC") and

WHEREAS, the Board of County Commissioners adopted a LDC Sub-district Map on September 26, 2001; and

WHEREAS, Chapter 9, Section 903 of the LDC provides the approval process for amending the LDC Sub-district Map as a Level 4 Review; and

WHEREAS, LDCD-2025-7 is a County-initiated application (the "Application") to amend the LDC Sub-district maps to change 12.64 acres from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2); and

WHEREAS, pursuant to Section 163.3174 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 Sub-district Map Amendment on November 5, 2025; and

WHEREAS, pursuant to Section 125.66 of the Florida Statutes, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Land Development Code Sub-district Map Amendment on December 16, 2025; and

WHEREAS, the Board reviewed and considered all comments received during said public hearing, the Planning Commission's recommendation, the staff report, and provided for necessary revisions, if any; and

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

SECTION 1: FINDINGS The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted. In addition, the Board hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

a) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on November 5, 2025, to consider the LDC Sub-district map amendment contained within the Application and found it to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Sub-district Map Amendment contained within the Application.

b) Pursuant to section 907D.10 of the LDC, the Board shall, in the review of the Application, consider the following factors:
    a. Whether the proposed development is consistent with all relevant requirements of the Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. Any other matter which the BoCC may deem appropriate and relevant to the specific development proposal.

c) The Application is consistent with all relevant requirements of the Comprehensive Plan.

d) The Application is consistent with all relevant requirements of the LDC, including without limitation, section 907.

e) The Application is compatible with surrounding uses and the general character of the area.

f) The record is hereby incorporated by reference into this ordinance and is on file with the County Clerk. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, the Planning Commission's recommendation, and all testimony and evidence presented at the hearing.

SECTION 2: AREA AMENDED.

Polk County Ordinance No. 01-69 as amended (the "Polk County Land Development Code Sub-district Map"), of Polk County Ordinance No. 00-09, as amended (the "Polk County Land Development Code") is hereby amended to reflect a change in the Sub-district of Parcels, legally described below and graphically depicted in Attachment "A" of this ordinance, from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2), containing 12.64 acres, more or less.

Parcel 242813000000023020

NW1/4 OF SE1/4 LYING S OF RR R/W LESS HWY & LESS E 630 FT THEREOF

Parcel 242813000000041010

E1/2 OF NE1/4 OF SW1/4 LYING S OF RR R/W LESS HWY

SECTION 3: SEVERABILITY.

If any portion of this Ordinance is for any reason held unconstitutional or otherwise invalid by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall become effective upon filing of a certified copy of the Ordinance with the Department of State.

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.

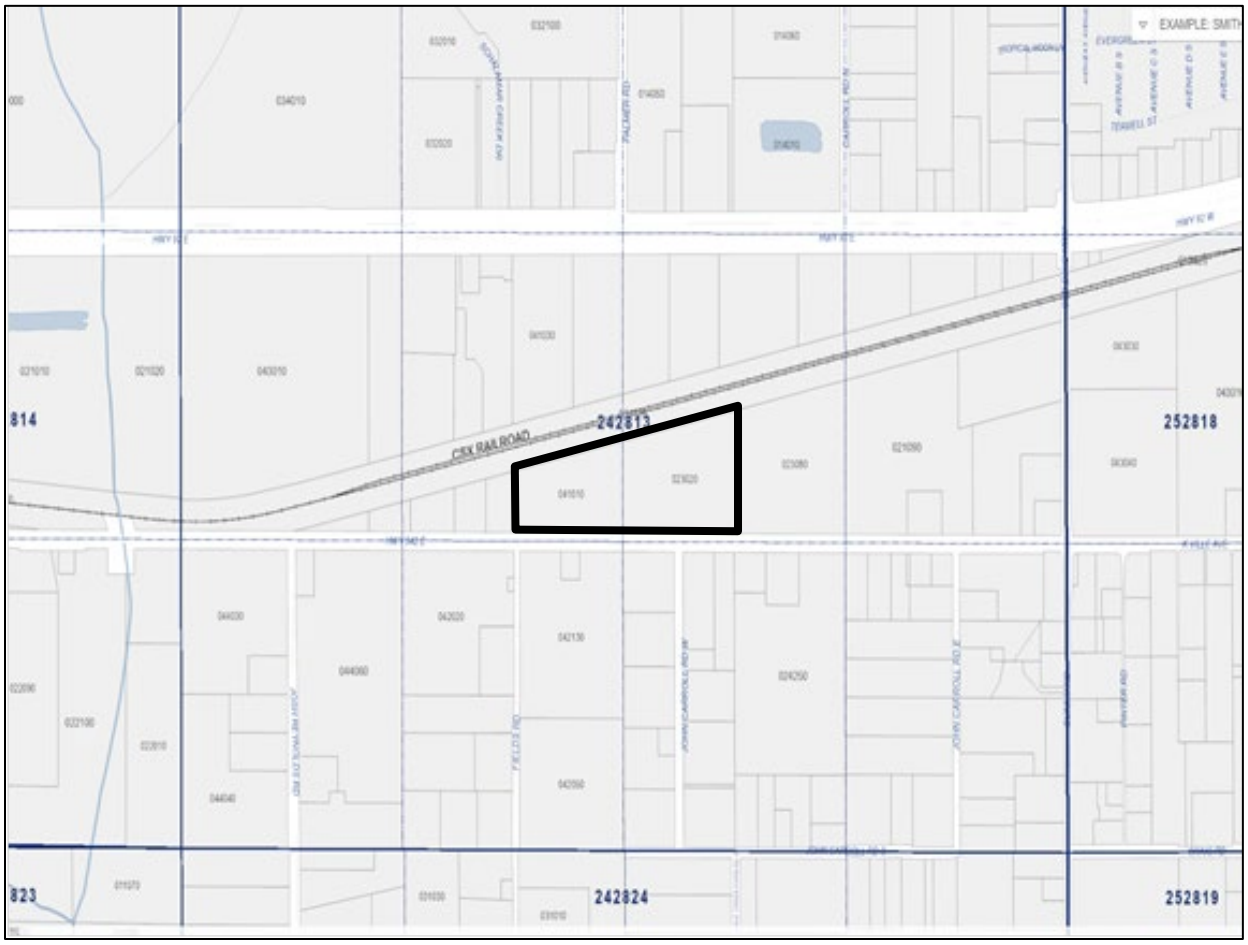
ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 16th day of December 2025.

Date rendered to the Clerk:_____

Exhibits to Board's Order
Exhibit A-Property Map
Exhibit B-Staff Report

ATTACHMENT "A"

LDCD 2025-7
Land Use: Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2)
Location: South of Highway 92 East, west of Old Dixie Highway, north of County Road 542 East, east of Reynolds Road, west of the City of Auburndale.
Section 13, Township 28, Range 24.



PARCEL DETAIL

Note: Not to Scale

PETERSON & MYERS, P.A.
ATTORNEYS AT LAW • SINCE 1948

TELEPHONE
(863) 683-6511

P.O. BOX 24628
LAKELAND, FLORIDA 33802-4628

FAX
(863) 904-1335

HERITAGE PLAZA
225 EAST LEMON STREET, SUITE 300
LAKELAND, FLORIDA 33801

www.PetersonMyers.com

May 1, 2025

Polk County
Land Development Division
330 W. Church Street
Bartow, FL 33830

Re: DHS Holdings LLC
Application Submittal – BPC-2 Sub-District Change – HWY 542 E

To Whom it May Concern:

On behalf of DHS Holdings LLC, Peterson & Myers, P.A. ("P&M") is transmitting this application submittal for a sub-district change for the purpose of allowing business park center uses on property ("Proposed Site") situated on +/-12 acres of land situated north of HWY 542 E, and south of HWY 92 E and a CSX Railroad. The Proposed Site is currently designated as Residential Suburban, which has been requested to be changed to Business Park Center-1 in a separate application submittal. The proposed sub-district change is from Business Park Center-1 to Business Park Center-2.

The following items are included for your convenience:

1) Level 4 Review Application – Land Development Code Sub-District Change
2) Ownership Authorization Form
3) Deed
4) Demonstration of Need/Justification, Impact Assessment Statement, and Consistency Analysis
5) Figures

Thank you for the opportunity to submit the attached application submittal. If you have questions concerning the application, please call or email me at ballen@petersonmyers.com.

Sincerely,
PETERSON & MYERS, P.A.

Bart Allen

John B. ("Bart") Allen

Enclosures

POLK COUNTY
www.polk-county.net

LEVEL 4
LAND DEVELOPMENT CODE
COMPREHENSIVE PLAN
AMENDMENT APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
Phone (863)534-6792
FAX (863) 534-6407

TYPE OF AMENDMENT

Land Development Code **( ) Text** **(✓) Sub-district**

Comprehensive Plan **( ) Text** **( ) Large Scale Map** **( ) Small Scale Map**

Is property in a Selected Area Plan (SAP) **( ) Yes** **(✓) No**

SAP Name _____

Pre Application Project # LDDRC-2025-28 **(Required)**

	Owner	Applicant	Contact Person
Name	Carter's Baptist Church	Peterson & Myers, P.A.	Bart Allen
Work Number		(863)683-6511	(863) 683-6511
Fax Number		(863)688-8099	(863) 688-8099
Mailing Address	4915 US HWY 92 East, Lakeland, FL 33801	225 E. Lemon St., Suite 300 Lakeland, FL 33801	225 E. Lemon St. Suite 300 Lakeland, FL 33801
Email		ballen@petersonmyers.com	ballen@petersonmyers.com

If additional contacts, please list on a separate sheet and submit with application.

Brief Description Request *(No more than 250 characters)*:

Applicant submits this request for a sub-district change to Business Park Center-2 (BPC-2) concurrently with a small scale comprehensive plan map amendment from Residential Suburban (RS) to Business Park Center-1 (BPC-1).

Request **From:** RS Land Use/Sub-District

To: BPC-2 Land Use/Sub-District

Acreage: 12 +/-

	Range	Township	Section	Subdivision #		Parcel #
Parcel ID Number(s):	R 24	T 28	S 13	000000	-	041010 .
	(Include others on a separate attachment)					
	R 24	T 28	S 13	000000	-	023020 .
	R	T	S		-	.
	R	T	S		-	.

Address and Location of Property:

24-28-13-000000-041010

24-28-13-000000-023020

North of 542 E and John Carroll Rd, South of HWY 92 E and CSX Railroad.

Water Provider Name and Phone Number: City of Auburndale .

Sewer Provider Name and Phone Number: City of Auburndale .

( ) Yes (✔) No Is the property located in the Green Swamp Area of Critical State Concern? *(If yes, a Green Swamp Impact Assessment Statement must be submitted with this application.)*

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

24-28-13-000000-021120 Centrally Assessed Railroad Land FLU: RS **NW**	24-28-13-000000-021120 Centrally Assessed Railroad Land FLU: RS **N**	24-28-13-000000-021120 Centrally Assessed Railroad Land FLU: RS **NE**
24-28-13-000000-041090 SFR up to 2.49 AC FLU: RS **W**	24-28-13-000000-041010 Churches- vacant land or misc impr of some value 24-28-13-000000-023020 Churches- vacant land or misc impr of some value FLU: RS **Subject Property**	24-28-13-000000-023080 Municipal (other than colleges) FLU: RS **E**
24-28-13-000000-042020 MHP - Family Park; MH Lot and Recreational Vehicle (RV) FLU: RS **SW**	24-28-13-000000-042130 -M.H. (RP) 2.5 -9.99 Acres 24-28-13-000000-042010-SFR up to 2.49 AC 24-28-13-000000-024220-Com. Misc. 24-28-13-000000-024100-SFR up to 2.49 AC 24-28-13-000000-024070-SFR up to 2.49 AC **S** FLU: RS	24-28-13-000000-024030 M.H. (RP) up to 2.49 Acres FLU-RS **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, Barr Miller As Attorney (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

Property owner or property owner's authorized representative. Date: 05/01/2025

Agent Authorization Letter

Date: April 25, 2025

Agent for Carter's Baptist Church, Inc.

To whom it may concern,

We, Kay Arrington, as the registered agent of Carter's Baptist Church, Inc. ("CBC") the owner of the property identified and legally described as:

See EXHIBIT A attached hereto

do hereby designate and authorize John B. "Bart" Allen of Peterson & Myers, P.A. to act on behalf of CBC, as authorized agent, applicant, and representative and to process and furnish information in support of any application including signing on behalf, as CBC's agent, all application forms and other documents necessary to obtain development approvals of the referenced Property with Polk County, the Florida Department of Environmental Protection and Florida Department of Transportation.

By: Kay Arrington
Kay Arrington, as registered agent of Carter's Baptist Church, Inc.

STATE OF Florida
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 26th day of April 2025, by Kay Arrington, who is personally known to me or produced a driver's license by means of ✓ physical presence or ____ online notarization as identification and who did not take an oath.

Notary Public
Notarial Seal and Commission
Expiration Date March 21st, 2026

JESSICA CHIRENO
Notary Public, State of Florida
Commission# HH 243415
My comm. expires March 21, 2026

Exhibit "A"

EXHIBIT A
LEGAL DESCRIPTION

ALL OF THAT PART OF THE NW ¼ OF THE SE ¼ OF SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, LYING SOUTH OF THE ATLANTIC COAST LINE RAILROAD, POLK COUNTY, FLORIDA; AND THE E ½ OF THE NE ¼ OF THE SW 1/4 LYING SOUTH OF THE RIGHT-OF-WAY OF THE ATLANTIC COAST LINE RAILROAD IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA;

LESS AND EXCEPT:

THAT PART OF THE E ½ OF THE NE ¼ OF THE SW ¼, LYING SOUTH OF RIGHT OF WAY OF A.C.L. RAILROAD, ALSO THE E ½ OF THE SE ¼ OF THE SW ¼ ALL IN SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, LYING WITHIN 40 FEET EACH SIDE OF THE SURVEY LINE OF STATE ROAD S-542, SECTION 1658, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS: COMMENCE AT A POINT ON THE SURVEY LINE OF STATE ROAD S 542, SECTION 1658, DESIGNATED AS STATION 215+74.82, SAID POINT LYING 1.65 FEET SOUTH 0 DEGREE 48' EAST OF A RAILROAD SPIKE MARKING THE NORTHWEST CORNER OF THE SW ¼ OF THE SW ¼ OF SECTION 13 TOWNSHIP 28 SOUTH, RANGE 24 EAST, RUN THENCE NORTH 89 DEGREES 11' EAST 2014.09 FEET TO A POINT ON SAID SURVEY LINE DESIGNATED AS STATION 235+88.91; THENCE NORTH 89 DEGREES 07' EAST, 646.41 FEET TO A POINT ON THE SURVEY LINE DESGINATED AS STATION 242+35.32, SAID POINT LYING 1.91 FEET SOUTH 01 DEGREES 19' EAST OF AN 80 PENNY NAIL AND WASHER MARKING THE NORTHWEST CORNER OF SW1/4 OF SE ¼ OF SAID SECTION 13, LESS A.C.L. R/W AND EXISTING RIGHTS OF WAY.

AND LESS AND EXCEPT:

THAT PART OF THE NW ¼ of the SE ¼ WHICH IS A PART OF THE RIGHT-OF-WAY OF THE LAKELAND-WINTER HAVEN HIGHWAY, LYING WITHIN 40 FEET LEFT (NORTH) OF THE SURVEY LINE OF SR S-542, SECTION 1658, SAID SURVEY LINE BEING DESCRIBED AS FOLLOWS: COMMENCE AT A POINT ON THE SURVEY LINE OF SR S-542, SECTION 1658, DESIGNATED AS STA. 242+35.32, SAID POINT LYING 1.91 FEET SOUTH 01 DEGREES 19' EAST OF AN 80 PENNY NAIL AND WASHER MARKING THE NORTHWEST CORNER OF THE SW ¼ OF THE SE ¼ OF SECTION 13 TOWNSHIP 28 SOUTH, RANGE 24 EAST; RUN THENCE NORTH 89 DEGREES 07' EAST 2358.68 FEET TO A POINT ON SAID SURVEY LINE DESGINATED AS STA. 265+94.00; THENCE NORTH 89 DEGREES 42' EAST 106 FEET TO A POINT ON THE SURVEY LINE DESIGNATED AS STA 267+00 AND END OF RIGHT-OF-WAY JOB, LESS EXISTING RIGHT-OF-WAY;

AND ALSO LESS AND EXCEPT:

THE EAST 630.00 FEET OF THE NORTHWEST ¼ OF SOUTHEAST ¼ OF SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, LYING NORTH OF COUNTY ROAD 542 AND SOUTH OF S.C.L. RAILROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER FOR SECTION 13, TOWNSHIP 28 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, AND RUN N 00 DEGREES 00' 00" E (ASSUMED BASIS OF BEARINGS) ALONG THE EAST LINE FOR SECTION 13 A DISTANCE OF 1334.07 FEET; THENCE N 89 DEGREES 31' 19" W A DISTANCE OF 1330.22 FEET TO THE SOUTHEAST CORNER FOR THE NORTHWEST ¼ OF THE SOUTHEAST 1/4 FOR SECTION 13; THENCE N 00 DEGREES 08' 40" E ALONG THE EAST LINE THEREOF A DISTANCE OF 42.00 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE FOR COUNTY ROAD 542 (OLD AUBURNDALE ROAD, FORMERLY STATE ROAD 542) AND THE POINT OF BEGINNING; THENCE N 89 DEGREES 31' 19" W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 630.01 FEET TO A POINT LYING 630.00 FEET WEST (AS MEASURED PERPENDICULARLY) OF THE EAST LINE OF THE NW ¼ OF THE SE ¼ FOR SECTION 13; THENCE N 00 DEGREES 0' 40" E ALONG A LINE LYING 630.00 FEET WEST OF THE EAST LINE OF THE NW ¼ OF THE SE ¼ A DISTANCE OF 534.41 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE FOR S.C.L. RAILROAD; THENCE N 79 DEGREES 10' 46" E ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 641.72 FEET TO A POINT ON THE EAST LINE OF THE NW ¼ OF THE SE ¼; THENCE S 00 DEGREES 08' 40" W ALONG SAID LINE A DISTANCE OF 660.14 FEET TO THE POINT OF BEGINNING.

Parcel ID Numbers:

24-28-13-000000-023020

24-28-13-000000-041010

Demonstration of Need and Justification

DHS Holdings LLC (the "Applicant") is requesting concurrently with a Small Scale Comprehensive Plan Map Amendment to change the future land use designation from Residential Suburban (RS) to Business Park Center-1 (BPC-1) a request for a Polk County Land Development Code Sub-District change to Business Park Center-2 (BPC-2) on approximately twelve (12) acres of property. The Applicant desires to develop the site for business park center uses. The proposed site is located in a Suburban Development Area (SDA). The proposed change reflects commercial and industrial development trends north of the proposed site along the CSX railroad line and east of the site along Old Dixie Hwy. Moreover, the proposed site's proximity to 542 E and US HWY 92 allows the site to maximize access to arterial and collector roads.

The proposed land use change acts as a measured and compatible extension of the existing industrial and commercial activity north and east of the site. The proposed request also acts to alleviate compatibility concerns with existing uses near and adjacent to the north (rail line and industrial/commercial uses), east (City of Lakeland electric substation) and west (junk yard) of the site. In addition, the proposed request maximizes the opportunity to utilize the existing rail line to the north, collector roads to the south (542E) and west (Reynolds Rd), and arterial roads to the north (US HWY 92) and east (Old Dixie HWY) for access to and from the proposed site while minimizing impact to lower volume local roads in the surrounding community.

In order to ensure compatibility exists, the Applicant will ensure buffering considerations and maintain physical separation from the homes to the west and south. This will include landscaping requirements (width of buffers, quality of plantings, etc.) at or greater than the minimum requirements of the Land Development Code.

Consistency Analysis

I. Polk County, FL Comprehensive Plan

A. *Section 2.106 – Suburban-Development Areas (SDA)*

1. POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas:

   ...

   c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation.

   ANALYSIS: *The proposed request is for BPC-1, which is consistent with allowable uses in Suburban Development Areas.*

2. POLICY 2.106-A5: DEVELOPMENT CRITERIA - Development within the Suburban Development Areas shall conform to the following criteria as further specified in the Land Development Code:

   ...

   g. encourage connectivity between uses within the SDA, and between the SDA and other urban centers and the rural development areas; . . . .

   ANALYSIS: *The proposed site is in a location that encourages connectivity between existing uses within the SDA. Business park center uses within the proposed site can provide connectivity to industrial uses to the north along the CSX railroad, and east along Old Dixie HWY.*

B. *Section 2.113B – Business Park Center*

1. POLICY 2.113-B-1: CHARACTERISTICS –

   . . .

   Usable Area: 10 acres or more

   ANALYSIS: *The proposed site is approximately twelve (12) acres. As such, the size of the proposed site is consistent with the usable area requirement of 10 acres or more set out in the Comprehensive Plan.*

2. POLICY 2.113-B-3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

   a. arterial roads;

b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road;

c. local commercial roads or private roads under the following conditions:

1. the road has full median access onto to an arterial road;
2. the road does not serve existing or expected future residential traffic from the surrounding area; and
3. the road has a structural integrity and design characteristics suitable for truck traffic.

d. properties abutting an Industrial (IND) district or railroad line.

ANALYSIS: The proposed site is consistent with the location criteria contained in the Comprehensive Plan. The proposed site is fronting an urban collector (542 E) to the south and abutting a CSX railroad to the north. In addition, the proposed site is 0.76 miles from an intersecting arterial road (US HWY 92).

3. POLICY 2.113-B-4: DEVELOPMENT CRITERIA - Development within a Business-Park Center shall conform to the following criteria:

...

a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

ANALYSIS: *The proposed site has frontage on 542 E, a collector roadway or better. Such frontage is consistent with the development criteria of the BPC district contained in the Comprehensive Plan.*

Impact Assessment Statement

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The applicant is requesting concurrently with a Small Scale Comprehensive Plan Map Amendment to change the future land use designation from Residential Suburban (RS) to Business Park Center-1 (BPC-1) a request for a Polk County Land Development Code Sub-District change to Business Park Center-2 (BPC-2) on approximately twelve (12) acres of property. See attached exhibits included with the application. The Applicant desires to develop the site for business park center uses. The proposed change reflects commercial and industrial development trends to the north of the proposed site and along the CSX railroad line. Moreover, the proximity of the site to 542 E and US HWY 92 allows the site to maximize access to arterial and collector roads.

2. Provide a site plan showing each type of existing and proposed land use;
See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

Please see narrative provided above. The landscaping and buffering required by the Polk County Land Development Code adequately ensures that the proposed request is compatible with adjacent uses and entitlements in the area. The Applicant will take any and all reasonable and necessary steps to minimize impacts to the properties surrounding the requested land use map amendment.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The proposed land use change acts as a measured and compatible extension of the existing industrial and commercial activity, north and east of the site. The proposed request also acts to alleviate compatibility concerns with existing uses near and adjacent to the north (industrial uses and rail line), east (City of Lakeland electric substation) and west (junk yard) of the site. In addition, the proposed request maximizes the opportunity to utilize the existing rail line to the north and collector road to the south.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development. Any development of the Property would be consistent with the Polk County Land Development Code, the Polk County Comprehensive Plan, and proposed site specific development criteria.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

Estimated Traffic Impact Analysis

Permitted Intensity 12 +/- acres 12 ac of RS	**Maximum Permitted in Existing Land Use RS** **12 ac** X 1du/5ac= 2 du	**Maximum Permitted in Proposed BPC** **12 ac** **522,720 sq ft** X 0.65 FAR= 339,768 sq ft/1000= 340 sq ft
Average Annual Daily Trips (AADT)	2 du X 7.81 AADT= **15.62 Trips**	340 X 1.74 AADT X 100%= **591 Trips**
PM Peak Hour Trips	2 du X 1 AADT= **2 Trips**	340 X 0.11 AADT X 100%= **37 Trips**

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

The Property will utilize the ingress/egress only from HWY 542 E. It is anticipated minor transportation improvements will be required for ingress/egress of the site in accordance with applicable County requirements. The specific intersection types will be will be fully addressed at Level 2.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The proposed development shall provide the requisite number of parking spaces required by the Polk County Land Development Code, which will be determined at Level 2 based on the actual square footages of the buildings constructed.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

The property has frontage on HWY 542 E. HWY 542 E has a functional classification as an Urban Collector Road. Ingress and Egress will be designed to move traffic to US 92. It is anticipated that minor transportation improvements will be required for ingress/egress of the site in accordance with applicable County requirements. The specific intersection types will be will be fully addressed at Level 2.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

The CitrusConnection Purple Line has various stops along 542 E including stops along John Carroll Road W, which is adjacent to the property.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

Potable Water Consumption and Wastewater Generation Table

Permitted Intensity 12 +/- acres 12 ac of RL	**Maximum Permitted in Existing Land Use RS** **12 ac** X 1du/5ac= 2 du	**Maximum Permitted in Proposed BPC** **12 ac** **522,720 sq ft** X 0.65 FAR= 339,768 sq ft
Potable Water Consumption	2 du X 360= **720 GPD**	339,768 X 0.24= **81,544 GPD**
Wastewater Generation	2 du X 270= **540 GPD**	81,544 X 80%= **65,235 GPD**

Source: Concurrency Manual: 0.24GPD/sq ft for water and an assumption of 80% of water for wastewater.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The Property will connect to public utilities from the City of Auburndale or provide onsite treatment. Prior to development, the Applicant will coordinate with the City of Auburndale to determine location of lines and availability of capacity.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with appropriate and applicable standards.

4. Identify the service provider; and

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site well and septic.

5. Indicate the current provider's capacity and anticipated date of connection.

Capacity and the date of connection will be more fully understood and addressed at Level 2.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site treatment. Prior to development the Applicant will coordinate with the City of Auburndale to determine the location of lines and availability of capacity.

2. Identify the service provider;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site treatment.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

Please see Potable Water Consumption and Wastewater Generation Table above.

4. Indicate the current provider's capacity and anticipated date of connection

Capacity and the date of connection will be more fully understood and addressed at Level 2.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There are no state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. No significant impact to existing wildlife resources is anticipated from the project.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

Indeterminable at this time.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The proposed future land use map amendment would allow for the parcel to be developed consistent with the other non-residential activities in the area.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact anticipated.

d. Fire Protection;

The nearest fire protection is Polk County Fire Rescue Station 39 (3325 E Main St, Lakeland, FL 33801).

e. Police Protection and Security; and

The nearest police protection and security is a County Sheriff Policing Unit located at 2805 Morgan Combee Rd, Lakeland, FL 33801.

f. Electrical Power Supply

Indeterminable at this time.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Location Map

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Future Land Use Map (current and requested).

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Location Map.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

A Site Plan is not available at this time.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

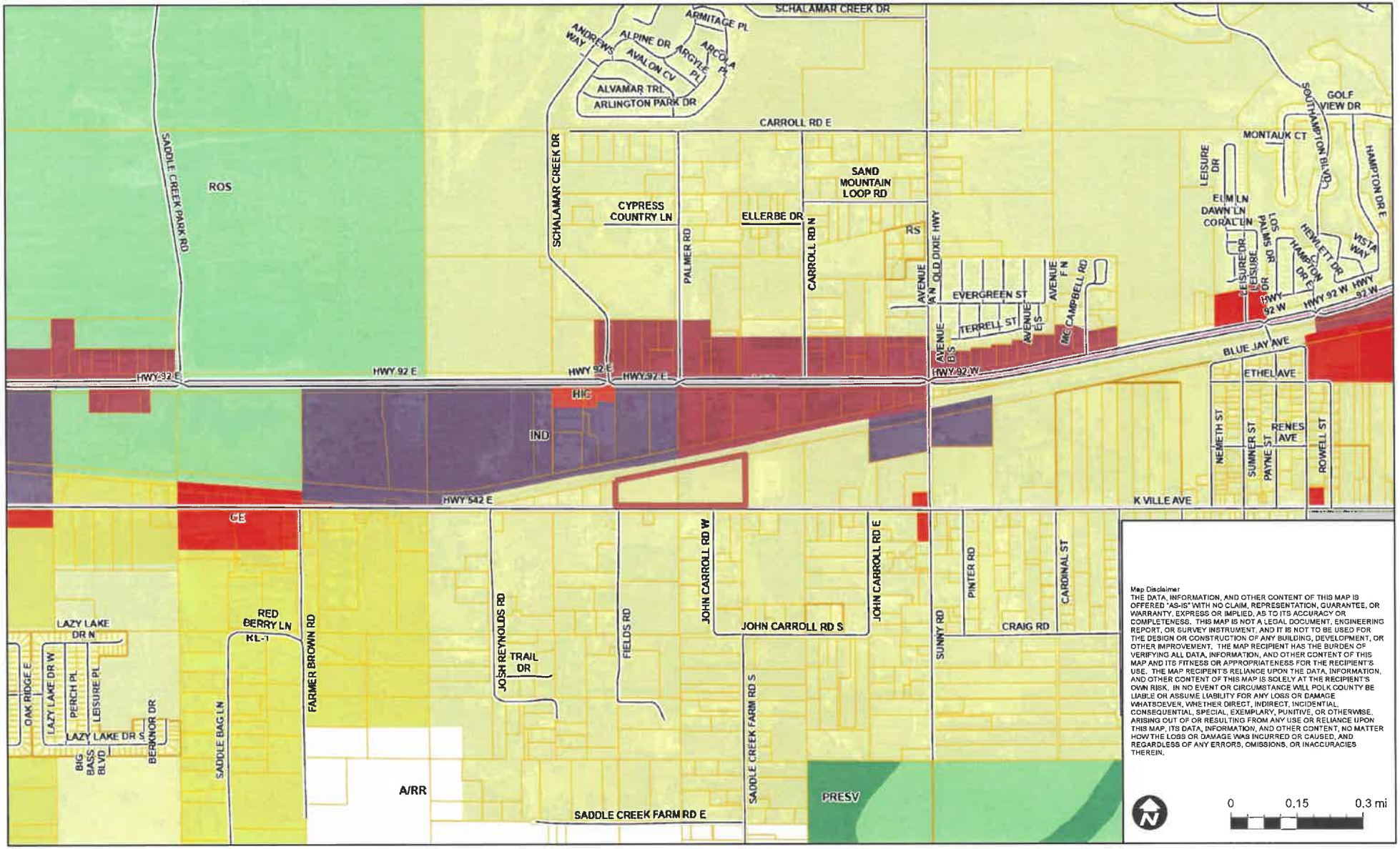
A Drainage Map is not available at this time, as we do not have any engineered plans to evaluate the proposed location of stormwater ponds, buildings, impervious

April 24, 2025

Location Map

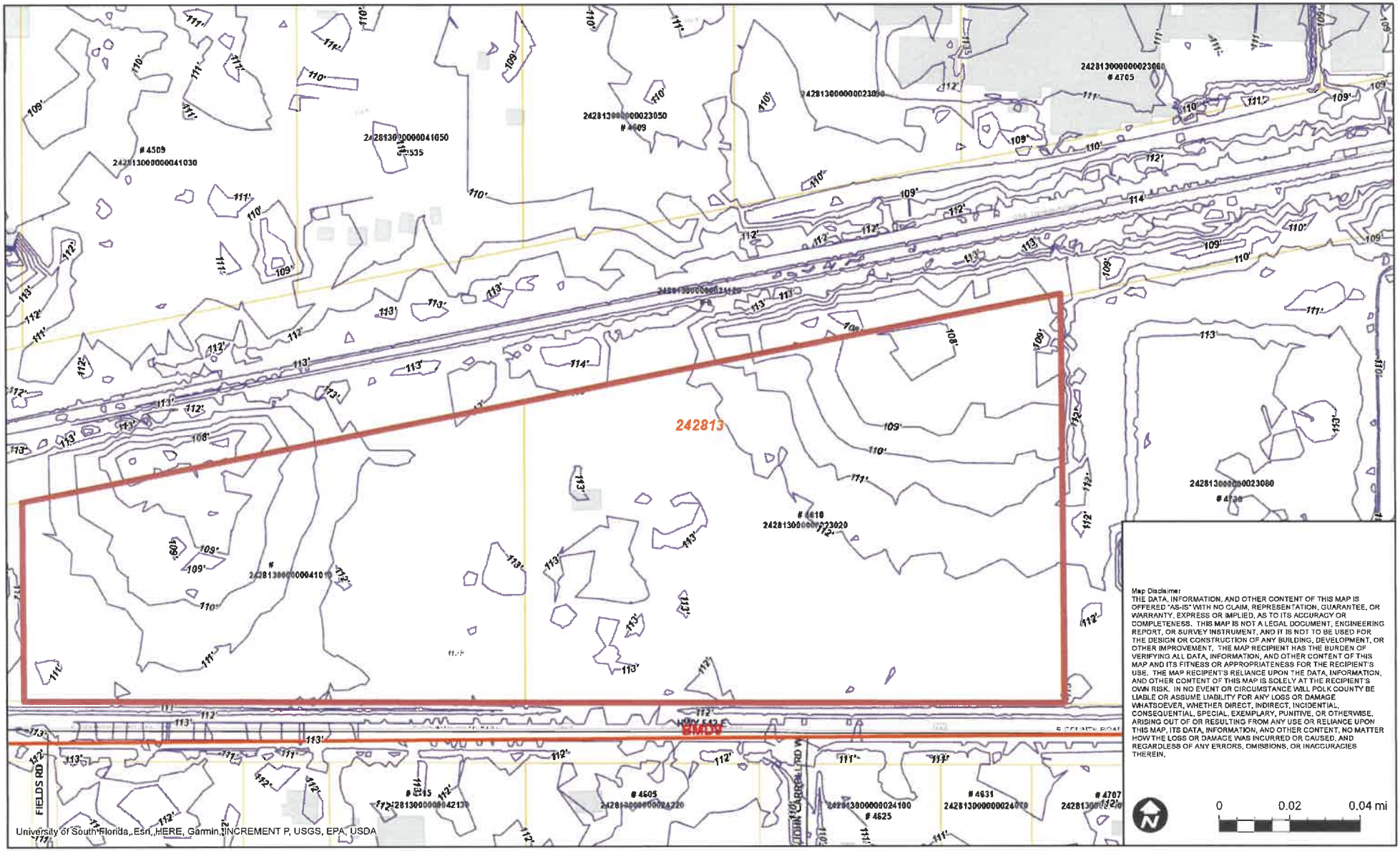


Future Land Use Map



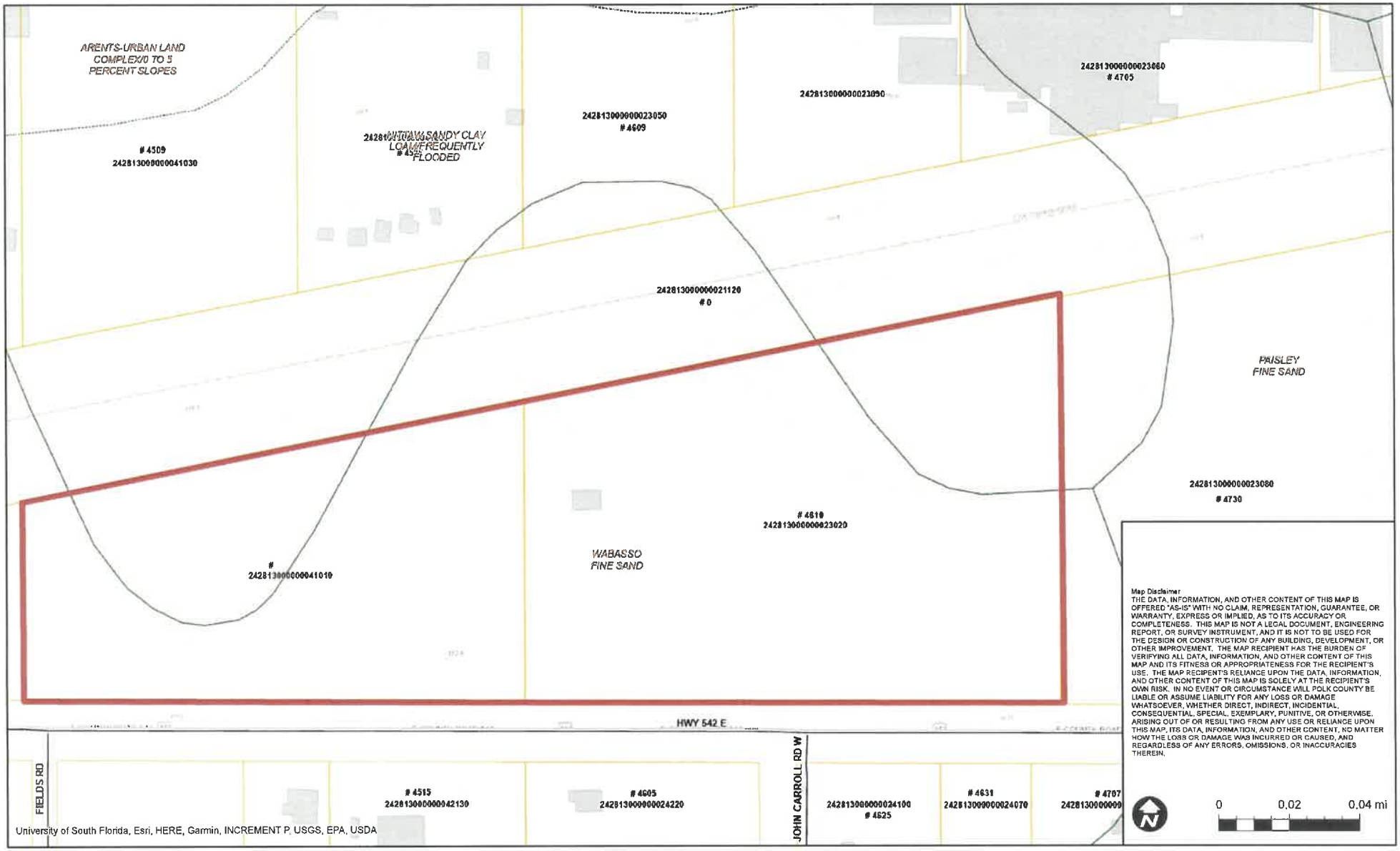
April 24, 2025

Topographical Map



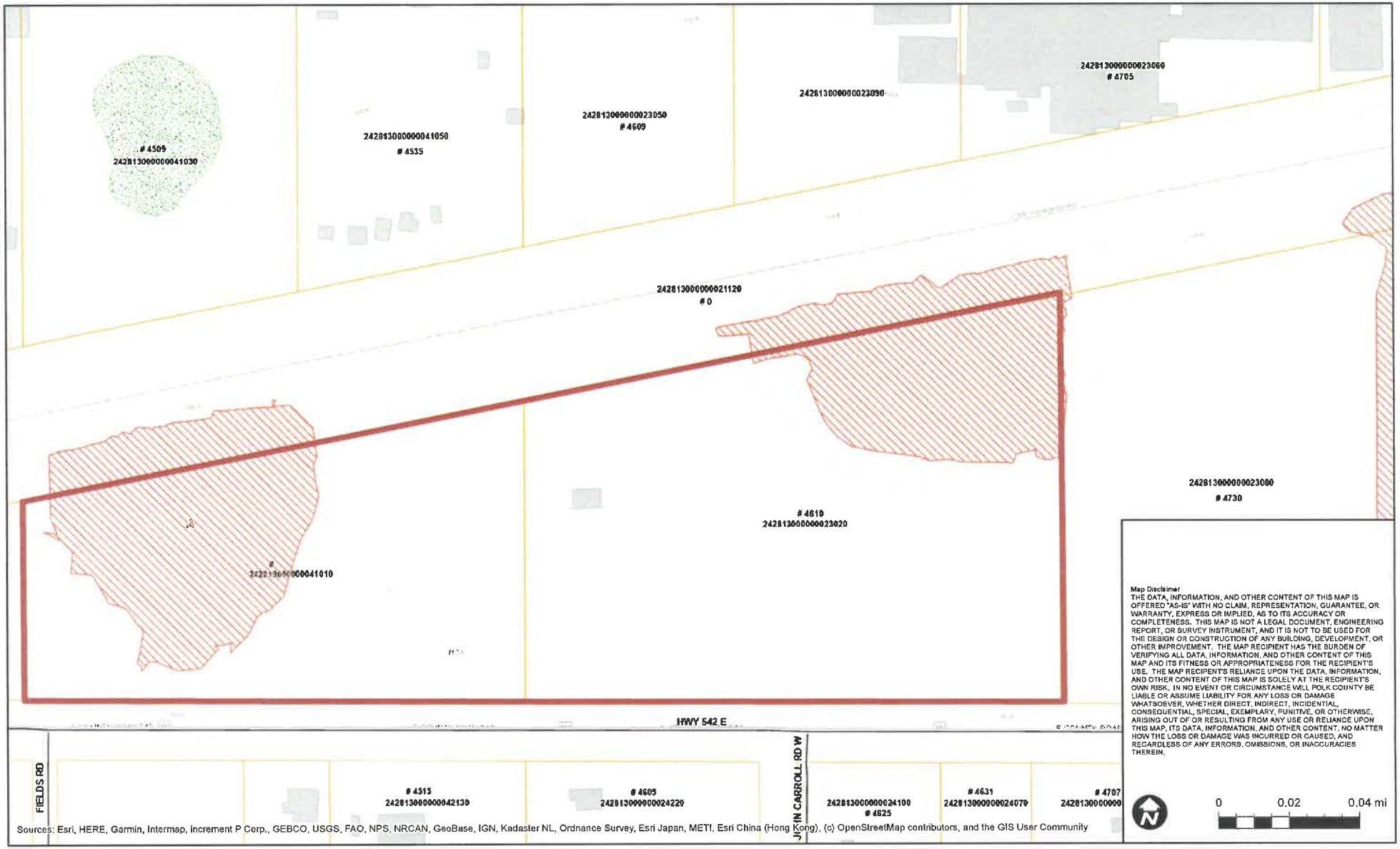
April 24, 2025

Soils Map



April 24, 2025

Floodplain, Wetlands, and Drainage Map



Agenda Item 15. 11/5/2025

SUBJECT

LDCPAS-2025-25 (Lk Marion Crk & Pine St CC CPA)

DESCRIPTION

Applicant-initiated requested Small Scale Comprehensive Plan map amendment from Development of Regional Impact (DRI) to Convenience Center-X (CCX)on 1.58± acres for a property located on the east side of Lake Marion Creek Drive, south side of Pine Street, west of Hemlock Avenue, north of Marigold Avenue, east of Haines City in Section 03, Township 28, Range 28.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton

Planner III

Land Development

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POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	**August 28, 2025**
Planning Commission Date:	November 5, 2025
BoCC Dates:	December 16, 2025
Applicant:	Bart Allen, Peterson & Myers
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-25; Lk Marion Creek Dr & Pine St DRI to CCX CPA
Request:	Small Scale Comprehensive Plan Map and Text Amendment from Development of Regional Impact (DRI) to Convenience Center-X (CCX)
Location:	East side of Lake Marion Creek Drive, south side of Pine Street, west of Hemlock Avenue, north of Marigold Avenue, east of Haines City in Section 03, Township 28, Range 28.
Property Owner:	J Everett Allen & Sons Inc
Parcel Size:	1.58± acres (282803-934760-086010)
Development Area/Overlays:	Utility Enclave Area (UEA)
Future Land Use:	Development of Regional Impact (DRI)
Nearest Municipality	Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary

The applicant is requesting a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Pre-Development of Regional Impact (Pre-DRI) to Convenience Center (CCX) on 1.58± acres in the Utility Enclave Area (UEA). Site is located on the east side of Lake Marion Creek Drive, south side of Pine Street, west of Hemlock Avenue, north of Marigold Avenue, east of Haines City in Section 03, Township 28, Range 28, in the Poinciana Pre-Development of Regional Impact.

Compatibility Summary

This request will be compatible with the surrounding area as the density requested by the applicant is relatively similar to the approved projects in the Poinciana Development of Regional Impact. It has Development of Regional Impact (DRI) surrounding the site, but all of the lots are built out or slated for low density residential. The site was designated as a Church site in the original Poinciana Pre-DRI map. In the original map a 14± acre tract, on the northwest corner of Lake Marion Creek Drive and Pine Street was designated as Commercial. This area was intended for residential support commercial use. The larger site to the northwest was acquired by Polk County and will not be built out with a commercial use. A changing the Future Land Use to Convenience Center, while everything around it is residential in nature, is a compatible usage, as the site sits at the intersection of two Urban Collector roads and has access to available infrastructure with water and sewer.

Infrastructure Summary

The subject site is within the Toho Water Authority Service Area. The site will have access to water and wastewater lines. This was confirmed by the Service Area Map on the Toho Water Authority website and a representative that was reached via phone. The road that access the site, Lake Marion Creek Drive and Pine Street, are both Urban Collectors, have available capacity and are in Fair condition. Mass transit is not available nearby, and there is not a stop nearby to the site. The closest mass transit is Citrus Connection Line 603, with the closest stop at Coyote Road and Bobcat Court approximately 5.9 miles northeast of the site. Public safety response times are normal for this part of the County. School capacity is not anticipated to be an issue with the cite to develop with commercial use. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is the Lil Halibut Park 1.6 miles east of the site and the nearest regional Park is Poinciana Community Park 4.0 miles to the south of the subject site. The soil types for the site are Tavares fine sand and Astatula sand. There are no indicated wetlands on the subject site, and is not in a flood zone.

Comprehensive Plan
The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.107(A1-A5): Utility Enclave Area (UEA)
- Policy 2.110-C: Convenience Center (CC)
- Policy 2.130-A: Poinciana Pre-DRI

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Pre-Development of Regional Impact (Pre-DRI) to Convenience Center (NACX).

- The subject site was originally designated as Church in the Poinciana Master Plan.

- The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Section 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

- The CCX is required by the applicant because they wish to build a retail store on the undeveloped subject site.

Compatibility

- The existing uses surrounding the site are:
    - North – DRI; detached single family residential.
    - West – DRI; undeveloped, Polk County Parks & Recreation.
    - East – DRI; detached single family residential.
    - South – DRI; detached single family residential.

- The general area to the east, north, and south of the subject site are designated for single family detached. The site is currently slated for Church. However, the northwest corner of the intersection was originally Commercial and was purchased by Polk County in 2023 for Recreation. Commercial was originally intended for this intersection in the Poinciana Master Plan.

Infrastructure

- The zoned schools for the site are Laurel Elementary, Lake Marion Creek Middle, and Haines City High School.

- Polk County Fire Rescue Station 46 will be the response unit for fire and EMS for this site. It is located at 9500 Marigold Avenue, Kissimmee, with an approximate travel distance of 3.2 miles.

- The subject site is within the Sheriff Department's Northeast District. The Northeast District Office is located at 100 Dunson Road in Davenport.

- The site will have access to water and wastewater lines. This was confirmed by the Service Area Map on the Toho Water Authority website and a representative that was reached via phone.

- There are sidewalks that run north to south along Lake Marion Creek Drive, fronting the subject site as well as along the north side of Pine Steet fronting the subject site.

- The closest mass transit is Citrus Connection Line 603, their Southwest Poinciana line with the closest stop at Coyote Road and Bobcat Court approximately 5.9 miles northeast of the site.

- The nearest neighborhood park is the Lil Halibut Park 1.6 miles east of the site and the nearest regional Park is Poinciana Community Park 4.0 miles to the south of the subject site.

- The environmental land that is closest to the subject site are the Kissimmee Chain of Lakes south of the subject site.

Environmental

- The site's elevation is relatively flat with an elevation of 84 feet, with only a few spots where the elevation dips to a low of 60 feet at the right-of-way boundary and 87 feet near the center of the site.

- The subject site is not located within a floodplain and has no wetlands indicated.

- The site is located within the Polk Green Potential Network Connections District. Adjacent to the west of the site Polk County has in excess of 280 acres of land under a conservation Easement as recorded in OR Book 12845, Page 0260.

- The soil types for the site are Tavares fine sand and Astatula sand.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are no wells on the subject site and it is not located in a wellfield.

- The site is not within an Airport Impact District.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
  a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
  b. nearness to agriculture-production areas;
  c. distance from populated areas;
  d. economic issues, such as minimum population support and market-area radius (where applicable);
  e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
     1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
     2. sanitary sewer and potable water service;
     3. storm-water management;
     4. solid waste collection and disposal;

5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
6. emergency medical service (EMS) provisions; and
7. other public safety features such as law enforcement;
8. schools and other educational facilities
9. parks, open spaces, civic areas and other community facilities

f. environmental factors, including, but not limited to:

1. environmental sensitivity of the property and adjacent property;
2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
3. wetlands and primary aquifer recharge areas;
4. soil characteristics;
5. location of potable water supplies, private wells, public well fields; and
6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.

- POLICY 2.107-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where:
  - a.it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s);
  - b.it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); andc.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed.

- POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs:
  - ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria.
  - RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.
  - OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.

- POLICY 2.107-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria.

- POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code:

  All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met.

  - Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element.
  - Provide access to parks, green areas, and open space and other amenities.
  - Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section

- POLICY 2.110-C1: CHARACTERISTICS - Convenience Centers are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area. General (approximate) characteristics of Convenience Centers are:
  - Usable Area: Up to 5 acres
  - Gross Leasable Area (GLA): 3,000 to 20,000 square feet
  - Minimum Population Support: 2,500 to 5,000 people
  - Market-Area Radius: 1 mile
  - Typical Leading Tenant: Convenience Store
  - Other Typical Leading Tenants: Laundry, Dry Cleaning, Barber, Restaurant, Gas Station, Office

- POLICY 2.110-C2: DESIGNATION AND MAPPING - Convenience Centers shall be located within TSDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Convenience Center" (CC).

- POLICY 2.110-C3: LOCATION CRITERIA - Convenience Centers shall be located at the intersections of arterial and/or collector roads, and of collector and local roads in Redevelopment Areas consistent with Section 2.124-F. There shall be the following traveling distance, on public roads, between the center of a Convenience Center and the center of any other Convenience Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same convenience-shopping needs:
  - a. One (1) mile within the TSDA and UGA.
  - b. Two (2) miles within the SDA and UEA.

  This required separation may be reduced if:
  - a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or
  - b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 5,000 people.

- POLICY 2.110-C4: DEVELOPMENT CRITERIA - Development within a Convenience Center shall conform to the following criteria:
  - a. Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.
  - b. Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
  - c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
  - d. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities which may require special buffering provisions.
  - e. Residential uses shall not be permitted in Convenience Centers.
  - f. Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.
  - g. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.
  - h. Planned Developments within the Convenience Center may be permitted a maximum floor area ratio up to 0.50. Intensity increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. Such Planned Developments shall also be designed to be compact and require less land area than other alternatives. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

- POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

The approved master development plan for Poinciana and subsequent modifications to various portions of this development are on file in the offices of the Polk County Land Development Division. Approved land uses are also detailed in the Poinciana Binding Letter of Interpretation of Vested Rights Status, date May 17, 1983, and subsequent Binding Letters of Modification to a Development of Regional Impact with Vested Rights (BLIVR), issued by and on file with the Department of Economic Opportunity (DEO). Additional copies are also available through the Polk County Land Development Division. In 2018, the Florida legislature modified Section 380.06 that local governments may modify the BLIVRs instead of DEO. The Land Development Code includes processes and procedures to determine if property is within the boundaries of Poinciana

and how development will be implemented. This also includes Future Land Use changes adjacent to proposed roadways.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-25.**

Planning Commission Recommendation: On November 5, 2025 in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCPAS-2025-25.**

NOTE: *This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.*

NOTE: *All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*

NOTE: *Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law*.

Analysis
This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses
Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest Pre-DRI; undeveloped. Commercial (Conservation Easement)	**North** Pre-DRI; low density detached single family residential	**Northeast** Pre-DRI; low density detached single family residential
West Pre-DRI; undeveloped. Multi-Family Med Density (Conservation Easement)	**Subject Site** Pre-DRI; undeveloped Church Designation	**East** Pre-DRI; low density detached single family residential
Southwest Pre-DRI; undeveloped. Multi-Family Med Density (Conservation Easement)	**South** Pre-DRI; low density detached single family residential	**Southeast** Pre-DRI; low density detached single family residential

Source: Polk County Geographical Information System and site visit by County staff

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses

Utility Enclave Areas (UEA) shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.

The request is a Future Land Use that is not out of context or compatibility with the surrounding uses. Within the Binding Letter of Interpretation of Vested Rights Status (BLIVR-783-002) the State of Florida Department of Community Affairs provided a table of Land Use Distribution which indicates that the Poinciana development contains, in part, 300 acres of Church Land and 1,000 acres of General Commercial land. The request is for a Future Land Use change from Pre-Development of Regional Impact (Pre-DRI), with Map H indicating a use of Church, to Convenience Center-X (CCX). As seen in Exhibit 7, the Poinciana Master Plan indicates the site as Church. However, it should be noted that to the northwest of the subject site is a parcel designated a Commercial, approximately 14 acres. This Commercial site along with a majority of the property west of Lake Marion Creek Drive and east of Lake Marion was acquired by Polk Couty in September of 2023 and is planned for use by Parks and Recreation. Commercial use originally intended for this intersection. Changing the land use to Convenience Center, while everything around it is residential in nature, is a compatible usage, as the site sits at the intersection of two Urban Collector roads and has access to available infrastructure with water and sewer.

B. Infrastructure

The site will have access to water and wastewater lines. This was confirmed by the Service Area Map on the Toho Water Authority website and a representative that was reached via phone. The site accesses onto Lake Marion Creek Drive and Pine Street, both of which are Urban Collectors. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. While there is capacity within one of the schools, the other two schools are over capacity, but this should not be an issue as site is expected to develop with commercial use. The request is compatible with the available infrastructure.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board. However, site is expected to develop with commercial uses so no student generation is anticipated.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Laurel Elementary School	**0 students**	**78%**	**1.9 miles**
Lake Marion Creek Middle School	**0 students**	**85%**	**0.8 miles**
Haines City High School	**0 students**	**95%**	**9.0 miles**

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the County. Table 3 Public Safety Information

	Name of Station	Distance/Response Time*
Sheriff	**Southeast District Command Unit** (4011 Sgt. Mary Campbell Way, Lake Wales)	Priority 1 – 14:17 Priority 2 – 34:37
Fire/ EMS	**Station #46** (9500 Marigold Avenue, Kissimmee, FL)	3.2 +/- miles / 7-9 min

*Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for October 2025. *Response times are based from when the station receives the call, not from when the call is made to 911..*

Water and Wastewater

A. Estimated Demand

The site will have access to water and wastewater lines as all of the surrounding sites developed will also have access. There is a 12-inch potable water main stubbed out, approximately 975 feet north of Pine Street at the intersection of Lake Marion Road and Silver Glen Road. There is a 6-inch sewer force main along the southern boundary of the site.

Table 4: Estimated Water and Sewer Impact Analysis

Permitted Density / Intensity	**Maximum Permitted in Existing Land Use DRI**	**Maximum Permitted in Proposed CC**
1.58± acres RL	1.58± acres (68,825 sf) X 0.25 FAR = 17,206 sf	1.58± acres (68,825 sf) X 0.25 FAR = 17,206 sf
Potable Water Consumption	17,206 sf X 0.15 = **2,581 GPD**	17,206 sf X 0.3 = **5,162 GPD**
Wastewater Generation	2,581 GPD X 80% = **2,065 GPD**	5,162 GPD X 80% = **4,130 GPD**

B. Service Provider

The subject site is within the Toho Water Authority Service Area for water and wastewater. This was confirmed by the Toho Service Area Map on their site.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by Toho Water Authority.

D. Planned Improvements

No new planned improvements were noted.

Roadways/Transportation Network

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Future Land Use change may result in increased trips.

Table 5: Estimated Transportation Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use DRI	Maximum Permitted in Proposed CC
7.1± acres RL	1.58± acres (68,825 sf) X 0.25 FAR = 17,206 sf	1.58± acres (68,825 sf) X 0.25 FAR = 17,206 sf
Average Annual Daily Trips (AADT)	17 X 60.06 AADT = **1,021 Trips**	17 X 92.87 AADT X 76% = **1,200 Trips**
PM Peak Hour Trips	17 X 8.95 AADT X 76% =**116 Trips**	17 X 15.85 AADT X 76% = **205 Trips**

Source: Concurrency Manual (Polk TPO 10/21/20252): CC @ Convenience Market 92.87 AADT per 1,000 sf, 15.85 AADT per 1,000 sf PM Peak Hour,

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a commercial development. On the norther side of Pine Street is an area of residential use that is continuing the residential development for the area. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links. It is also relevant to consider that the subject site is abutting residential development to the north, east and south. These developments will have a significant impact on the road links.

Table 6: Roadway Link Concurrency

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
8214N	Lake Marion Creek Dr	2U	C	464	D	C
8214S	Poinciana Pkwy to Cypress Pkwy (CR580).	UC		454		

*Source: Polk County Transportation Planning Organization, 2025 Roadway Network Database January 2025. *2U means two lane undivided, UC means Urban Collector*

C. Roadway Conditions

The condition of Lake Marion Creek Drive is currently Fair. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalk Network

There are sidewalks that run north to south along Lake Marion Creek Drive fronting the subject site. Pine Street has a sidewalk on the north side; however, on the south side fronting the site does not have a sidewalk.

E. Planned Improvements:

There are plans to widen and improve Lake Marion Creek Drive, and a plan in place to widen Marigold Avenue from Cypress Parkway to Palmetto Street. Also, Cypress Parkway will be widened from Power Line Road to West Solivita Boulevard.

F. Mass Transit

The closest mass transit is Citrus Connection Line 603, their Southwest Poinciana line with the closest stop at Coyote Road and Bobcat Court approximately 5.9 miles northeast of the site.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is the Lil Halibut Park 1.6 miles east of the site and the nearest regional Park is Poinciana Community Park 4.0 miles to the south of the subject site.

B. Services:

Lil Halibut Park has a tot lot and playground. Poinciana Community Park has a walking path, a playground, baseball fields, a cricket pitch and basketball parks. There are also multipurpose fields, a pavilion that can be rented and league play. Additionally, a dog park features separate areas for large and small dogs, agility equipment, water fountains and shaded areas for humans.

C. Multi-use Trails:

The closest free hiking trail is in Poinciana Community Park 4.0 miles to the south of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Kissimmee Chain of Lakes south of the subject site.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

The subject site is comprised of a mix of soil types, which may dictate construction techniques.

A. Surface Water:

There is no surface water on the subject site. The site's elevation is relatively flat with an elevation of 84 feet at the right-of-way boundary and 87 feet near the center of the site. There are no surface waters on the site.

B. Wetlands/Floodplains:

The subject site is not located within a floodplain and has no wetlands indicated.

C. On-Site Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the subject have limitations for septic tank absorption. However, the site will be able to connect to Toho wastewater lines, so this should not be an issue.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Tavares fine sand, 0 to 5 percent slopes (15)	Moderate: wetness	Slight	70%
Astatula sand, 0 to 5 percent slopes (46)	Slight	Moderate: slope	30%

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

D. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site will be connecting to water from TOHO Utilities.

E. Protected Species

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

F: Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. The lands on the west side of Lake Marion Creek Drive, owned by Polk County, in excess of 280 acres is under a conservation easement as recorded in OR Book 12845, Page 0260.

G. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File.

H. Airports:

The site is not within an Airport Impact District.

Economic Factors:

There are no known economic factors that would impact the development of this site.

Consistency with the Comprehensive Plan
Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Everything around the subject site is slated for low density residential use, meaning this land use change is compatible.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	Subject site is at the intersection of two Urban Collector Roads which is ideal for commercial use. Toho Water Authority lines are readily available in this area for water and wastewater. This request is consistent with this policy.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The timing is consistent with the growth in the area as the surrounding sites are already designated for low density residential. There is available connectivity to water, wastewater, and electricity. Fire and Sheriff are available for this area. The schools that are zoned for the site have capacity, but site is expected to develop commercially, so this should not be an issue. The request effectively swaps a small portion of the Commercial use, under the Pre-DRI map, from the northwest of the site to the site replacing the non-residential use of Church with Convenience Center.
POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2.sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	
POLICY 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.	Convenience Center is allowed within the Utility Enclave Area. Water and sewer lines have already been constructed in this area by Toho Water Authority and will service the subject site if developed.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.107-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where: o a. it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s); o b .it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); andc.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed. POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs: o ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria. o RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria. o OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation. POLICY 2.107-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria. POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code: o All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met. o Incorporate design features that promote healthy communities, green building practices, mixed use	

Comprehensive Plan Policy	Consistency Analysis
development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element. o Provide access to parks, green areas, and open space and other amenities. o Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section	
POLICY 2.110-C1: CHARACTERISTICS - Convenience Centers are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area. General (approximate) characteristics of Convenience Centers are: □ Usable Area: Up to 5 acres □ Gross Leasable Area (GLA): 3,000 to 20,000 square feet □ Minimum Population Support: 2,500 to 5,000 people □ Market-Area Radius: 1 mile □ Typical Leading Tenant: Convenience Store □ Other Typical Leading Tenants: Laundry, Dry Cleaning, Barber, Restaurant, Gas Station, Office POLICY 2.110-C2: DESIGNATION AND MAPPING - Convenience Centers shall be located within UDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as " Convenience Center" (CC). POLICY 2.110-C3: LOCATION CRITERIA - Convenience Centers shall be located at the intersections of arterial and/or collector roads, and of collector and local roads in Redevelopment Areas consistent with Section 2.124-F. There shall be the following traveling distance, on public roads, between the center of a Convenience Center and the center of any other Convenience Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same convenience-shopping needs: □ a. One (1) mile within the TSDA and UGA. □ b. Two (2) miles within the SDA and UEA. This required separation may be reduced if: □ a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within	The subject's 1.58± acre site meets the Characteristics for a Convenience Center and is located within the UEA. The site has a population support within a 1-mile radius of 5,899. Within the Pre-DRI Map the nearest commercial sites may be seen in Exhibit 7. The Commercial locations on the west side of Lake Marion Creek Drive are currently owned by Polk County and are administered by the Parks and Recreation Division, the largest of which would be in excess of 13 acres. The next nearest Commercial area is locates approximately ½ mile northeast of the site and is currently under construction with a multi-unit retail/office strip center. Approximately ¾ mile north of the subject on Lake Marion Creek Drive is a developed Gas Station. The request effectively swaps a small portion of the Commercial use, under the Pre-DRI map, from the northwest of the site to the site replacing the non-residential use of Church with Convenience Center.

Comprehensive Plan Policy	Consistency Analysis
the required distance separation is over 80% developed; or □ b. The proposed Convenience Center market-area radius, minimum population support is over 5,000 people. POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Convenience Center shall conform to the following criteria: □ a. Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway. □ b. Different uses within a Convenience Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical. □ c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic. □ d. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities which may require special buffering provisions. □ e. Residential uses shall not be permitted in Convenience Centers. □ f. Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center. □ g. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development. □ h. Planned Developments within the Convenience Center may be permitted a maximum floor area ratio up to 0.50. Intensity increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. Such Planned Developments shall also be designed to be compact and require less land area than other alternatives. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.	

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections where referenced in this report**
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

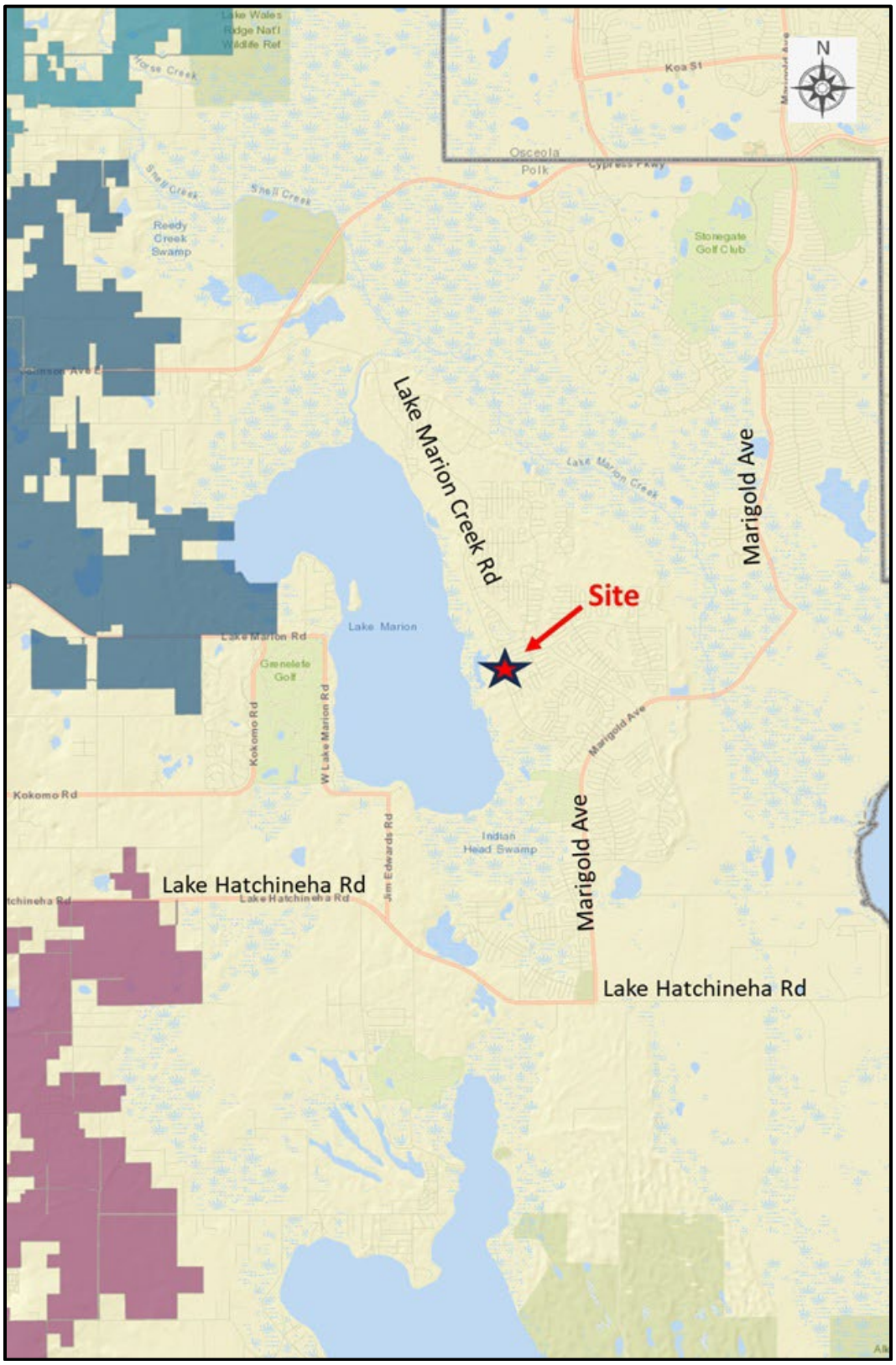
Comments from other agencies

No comments

Exhibits:

Exhibit 1 Location Map
Exhibit 2 2023 Aerial Context Map
Exhibit 3 2023 Aerial Close Up
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6 NACX Permitted and Conditional Uses
Exhibit 7 Poinciana Master Plan

Applicant's submitted documents and ordinance as separate files



LOCATION MAP



2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Pre-Development of Regional Impact (Pre-DRI)

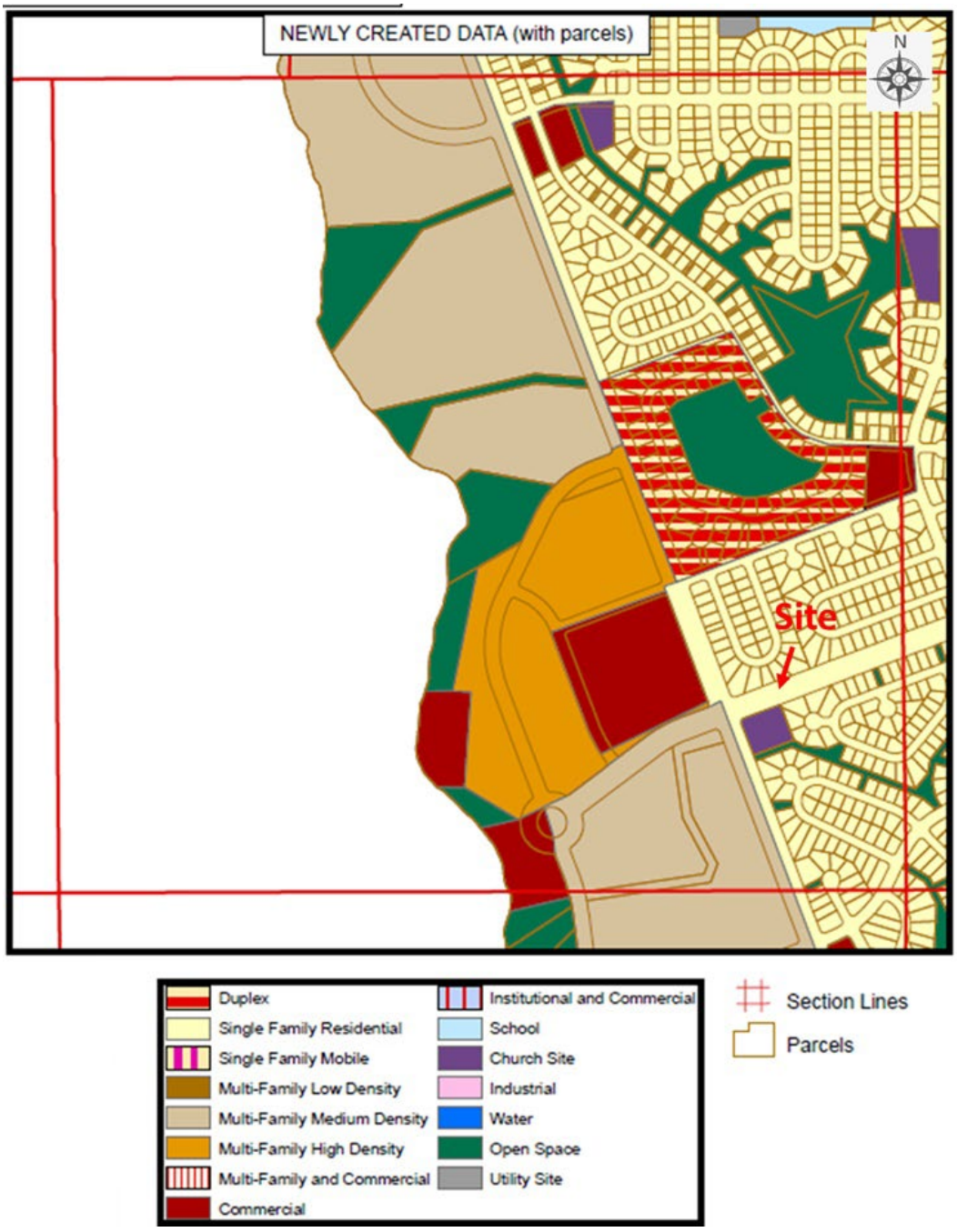


PROPOSED FLUM
Neighborhood Activity Center (NACX)

Convenience Center (CC)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	Alcohol Package Sales, C1 Car Wash, Incidental, C2 Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 Funeral Home & Related Facilities, C2 Gas Station, C2 Government Facility, P Medical Marijuana Dispensaries, C2 Nurseries, Retail, P Nurseries and Greenhouses, P Office, C2 Personal Service, C2 Recreation Passive, C1 Recreation & Amusement General, C2 Religious Institution, C2 Restaurant, drive-thru/Drive-in, C2 Restaurant, sit-down/Take-out, C2 Retail. Less than 10,000 sq. ft., P Utilities Class I, P Utilities Class II, P Veterinary Service, C1	**Mixed Uses:**	Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Cemetery, C3 Helistops, C3 Mining, Non-phosphate, C3 Retail, 10,0000-34,999 sq. ft., C3 Schools, Leisure/Special Interest, C3 School, Technical/Vocational/ Trade & Training, C3 Utilities Class III, C3 Water Ski Schools, C3

Convenience Center (CC)

PERMITTED AND CONDITIONAL USES



Poinciana Master Plan

(Church)

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2025-25**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE DESIGNATION ON A TOTAL OF 1.58± ACRES, FROM DEVELOPMENT OF REGIONAL IMPACT (DRI) TO CONVENIENCE CENTER-X (CCX). THE SUBJECT PROPERTY IS LOCATED ON THE EAST SIDE OF LAKE MARION CREEK DRIVE, SOUTH SIDE OF PINE STREET, WEST OF HEMLOCK AVENUE, NORTH OF MARIGOLD AVENUE, EAST OF HAINES CITY IN SECTION 03, 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 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; 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, on the proposed Plan revisions on November 5, 2025; and

WHEREAS, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on December 16, 2025; 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 Polk County Board of County Commissioners:

SECTION 1: 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 five (5) acre site from Residential Suburban (RS) to Institutional (INST) in the Suburban Development Area (SDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 282803-934760-086010

POINCIANA NEIGHBORHOOD 5 VILLAGE 7 PB 53 PGS 19/28 TRACT A

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on January 16, 2026 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

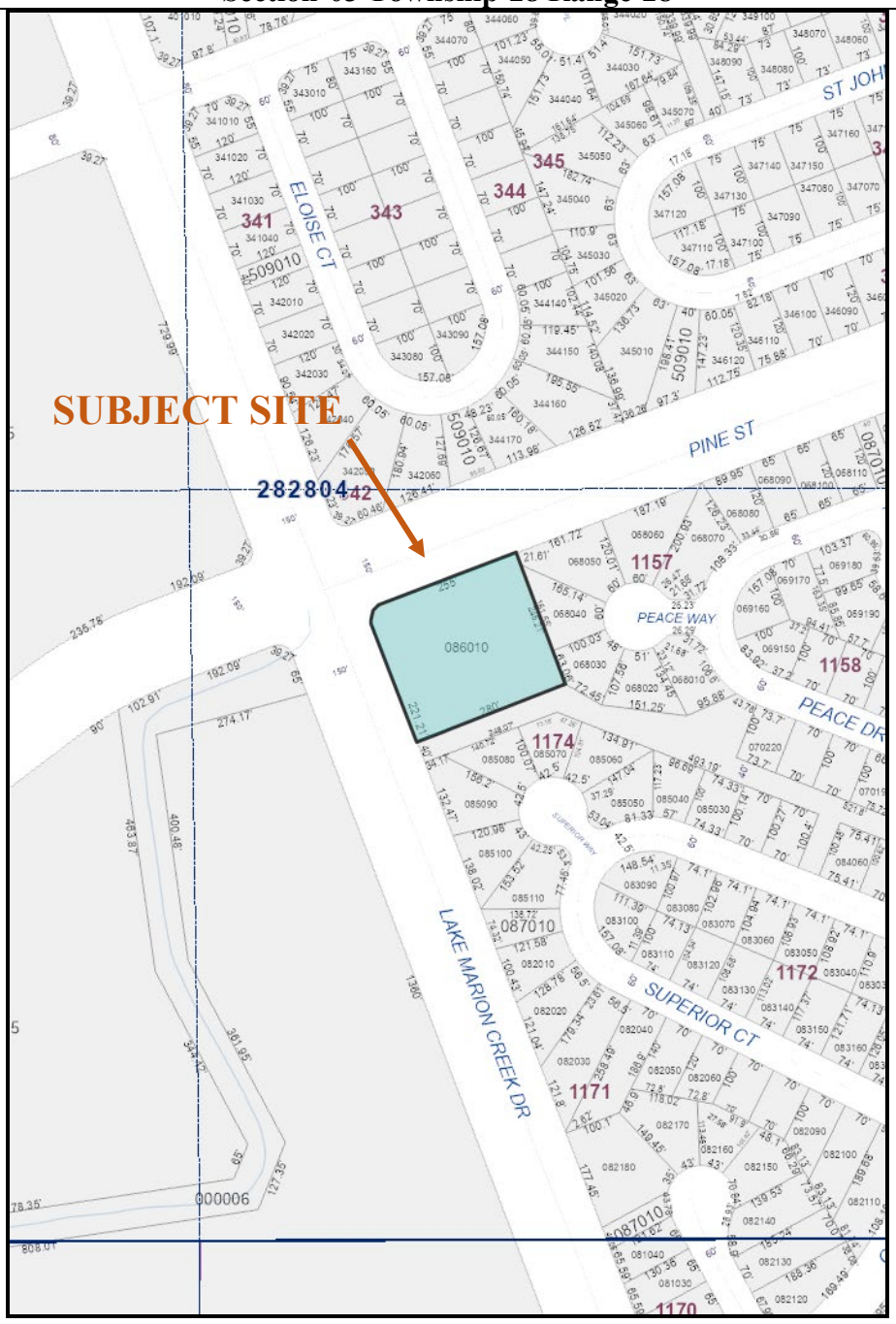
SECTION 4: FILING WITH THE DEPARTMENT OF STATE:

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 16th day of December 2025.

ATTACHMENT "A"

LDCPAS 2025-25
Development Area: Utility Enclave Area (UEA)
Location: East side of Lake Marion Creek Drive, south side of Pine Street, west of Hemlock Avenue
Section-03 Township-28 Range-28



PARCEL DETAIL
Note: Not to Scale

Impact Assessment Statement

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The establishment of a CC district at the intersection of Lake Marion Creek Drive and Pine Street meets the criteria set out in the Polk County Comprehensive Plan for both Activity Centers and Convenience Centers. See Consistency Analysis. The size of the property, location, and lack of development with the Master Plan has created a situation where a commercial use is the most logical use for the site. The creation of a CC district on the Subject Property will provide residents in the area with the services typical of a CC district and short trip times to such services.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering required by the Polk County Land Development Code adequately ensures that the proposed request is compatible with adjacent uses and entitlements in the area. The applicant will take any and all reasonable and necessary steps to minimize impacts to the properties surrounding the requested land use map amendment.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The majority of the area surrounding the proposed site has been developed for residential uses. The proposed request will ultimately provide current and future residential developments in the area with access to the services typical of a CC district, while creating an attractive, functional mix of uses.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development. Any development of the Property would be consistent with the Polk County Land Development Code, the Polk County Comprehensive Plan, and proposed site specific development criteria.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

A Traffic Impact Analysis will be provided prior to site plan approval.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

Driveway or offsite improvements, if any, will be identified and fully addressed at Level 2.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The proposed development shall provide the requisite number of parking spaces required by the Polk County Land Development Code, which will be determined at Level 2 based on the actual square footages of the buildings constructed.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

The property abuts Lake Marion Creek Drive and Pine Street. Both roads are classified as Urban Collector Roads. It is anticipated that minor transportation improvements will be required for ingress/egress of the site in accordance with applicable county standards. The specific methods of access will be fully addressed at Level 2.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

The Subject Property will be primarily automobile oriented. Pedestrian access through sidewalks is also a mode of transportation that has been considered by the Applicant.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

The actual volume of sewage to be generated by the proposed site is unknown at this time. Site-specific information on waste generation will be fully addressed at Level 2. However, based on industry factors, the estimated Sewage in GPD would be:

FAR of 0.25 x (1.58 acres x 43,560 Sq. Ft.) = 17,206 Sq. Ft

17,206 Sq Ft x 0.15 GPD/Sq. Ft. = 2,580 GPD

2,580 GPD x 80% = ***2,064 GPD***

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The Property will connect to existing public utilities from the Toho Water Authority. There is an existing 6" force main along the southern property boundary.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with applicable and appropriate rules and regulations.

4. Identify the service provider; and

The Property will connect to existing public utilities from the Toho Water Authority.

5. Indicate the current provider's capacity and anticipated date of connection.

Capacity and the date of connection will be addressed with the Toho Water Authority.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

The Property will connect to existing public utilities from the Toho Water Authority. There is a 12" water main stubbed out, approximately 975 feet north of Pine Street at the intersection of Lake Marion Road and Silver Glen Road.

2. Identify the service provider;

The Property will connect to existing public utilities from the Toho Water Authority

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

The actual volume of water consumption to be generated by the proposed site is unknown at this time. Site-specific information on water consumption will be fully addressed at Level 2. However, based on industry factors, the estimated water consumption in GPD would be:

FAR of 0.25 x (1.58 acres x 43,560 Sq. Ft.) = 17,206 Sq. Ft

17,206 Sq Ft x 0.15 GPD/Sq. Ft. = ***2,580 GPD***

4. Indicate the current provider's capacity and anticipated date of connection

Capacity and the date of connection will be addressed with the Toho Water Authority.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There does not appear to be any state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. No significant impact to existing wildlife resources is anticipated from the project.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

The Proposed Request will act to provide commercial services to residential developments in the area. The Applicant has submitted data demonstrating that the minimum population support within a one (1) mile radius of the Subject Property is 5,899 and within a two (2) mile radius of the Subject Property is 15,896. [See Population Support Map]. Such data demonstrates that the Proposed Request will not be in excess of demonstrated need and is consistent with the Comprehensive Plan.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The proposed future land use map amendment would allow for the proposed development to provide convenience center uses in area that is predominantly single-use residential.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact to health care is anticipated.

d. Fire Protection;

The nearest fire protection is Polk County Fire Rescue Station 46 (9500 Marigold Ave, Kissimmee, FL 34759).

e. Police Protection and Security; and

The nearest police protection and security is Haines City Police Department (35400 US-27, Haines City, FL 33844).

f. Electrical Power Supply

Electrical service will be provided by Duke Energy.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Vicinity Map

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Quad Map and FEMA Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Future Land Use Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Location Map w/ Roads.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

The Proposed Request is for a Comprehensive Plan Future Land Use Change only.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

The Proposed Request is for a Comprehensive Plan Future Land Use Change only.

Demonstration of Need

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.

ANALYSIS: *The Proposed Request is a land use change to support existing residents. The Applicant has submitted data demonstrating that the minimum population support within a one (1) mile radius of the Subject Property is 5,899 and within a two (2) mile radius of the Subject Property is 15,896. [See Population Support Map]. Such data demonstrates that the Proposed Request will not be in excess of demonstrated need and is consistent with the Comprehensive Plan.*

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

ANALYSIS: *The Proposed Request allows for the development of a corner lot that has failed to develop consistently with the surrounding neighborhood. In addition, the Proposed Request will alleviate concerns of leapfrog development patterns by encouraging the use of a vacant parcel.*

c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.

ANALYSIS: *The Proposed Request does not promote radial, strip isolated or ribbon patterns. [See Poinciana Master Plan; see also Polk County Future Land Use Map].*

d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.

ANALYSIS: *The Subject Property is located in an area with existing residential development. In addition, the Subject Property does not appear to have any wetlands and is located outside of the 100-year flood zone in Zone "X". [See General Location Map; see Wetlands Map; see FEMA Map].*

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

ANALYSIS: *The Subject Property does not adversely impact agriculture.*

f. Fails to maximize use of existing public facilities and services.

ANALYSIS: *The Subject Property is located in the Toho Water Authority Utility Service Area. The Applicant will be required to coordinate with the Toho Water Authority for the provision of centralized sewer and water.*

g. Fails to minimize the use of future public facilities and services.

ANALYSIS: *The Subject Property is located in the Toho Water Authority Utility Service Area. The Applicant will be required to coordinate with the Toho Water Authority for the provision of centralized sewer and water.*

h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, stormwater management, law enforcement education health care, fire and emergency response, and general government.

ANALYSIS: *There are no anticipated offsite improvements required for the development of the Subject Property. The Applicant will conduct a traffic study prior to site plan approval. In addition, there are no anticipated negative impacts on public facilities in general.*

i. Fails to provide a clear separation between urban and rural uses.

ANALYSIS: *The Subject Property is not located adjacent to rural uses. Notably, the Subject Property is located in an area that has predominantly been developed as platted and master planned residential communities.*

j. Discourages or inhibits in-fill development or redevelopment of existing neighborhoods and communities.

ANALYSIS: *The Subject Property is an undeveloped lot located at the intersection of two urban collector roads. As such, the Proposed Request does not discourage in-fill development or redevelopment.*

k. Fails to encourage an attractive and functional mix of land uses.

ANALYSIS: *Disrupting the pattern of single-use development will ultimately provide current and future residential developments in the area with access to the*

services typical of a CC district, while creating an attractive, functional mix of uses and avoiding sprawl.

l. Results in poor accessibility among linked or related land uses.

ANALYSIS: *The Subject Property is consistent with the locational requirements of a CC district contained in the Polk Comprehensive Plan. In addition, the location of the Subject Property at the intersection of two urban collector roads makes the location accessible to surrounding residential communities.*

m. Results in the loss of a significant amount of functional open space.

ANALYSIS: *The Subject Property's location at the intersection of two urban collector roads is not a prime location for open space.*

Consistency Analysis

Contained below is an analysis of the consistency of the Proposed Request with provisions of the Polk County Comprehensive Plan that are germane at this stage of the development process.

SECTION 2.102 GROWTH MANAGEMENT.

OBJECTIVE 2.102-A: Development within unincorporated Polk County shall occur in accordance with the policies stated within this Future Land Use Element and all other Goals, Objectives and Policies incorporated within the Polk County Comprehensive Plan.

POLICY 2.102-A1: DEVELOPMENT LOCATION - Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

ANALYIS: *The Proposed Request will promote contiguous and compact growth patterns by introducing a CC district in an area that is predominantly single-use residential development. In addition, the proposed site will act to provide services to the growing Poinciana community.*

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment . . .

ANALYSIS: *See Demonstration of Need and Justification for analysis on how the Proposed Request will discourage the proliferation of urban sprawl.*

SECTION 2.107 UTILITY-ENCLAVE AREAS (UEA).

OBJECTIVE 2.107-A: The Polk County Plan shall recognize existing isolated areas of urban development where centralized public, or franchised, or private potable water and sewer systems are in place through:

a.the designation and mapping of Utility-Enclave Areas (UEAs), and

b.the establishment of policies to govern the development of land within UEAs.

POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs:

a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria.

ANALYSIS: *The Proposed Request is for a Future Land Use Designation of Convenience Center (CC) which is consistent with the Subject Property's location in a Utility Enclave Area .*

POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code:

a. All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay.

ANALYSIS: *The Subject Property is located in the Toho Water Authority Utility Service Area. The Applicant will be required to coordinate with the Toho Water Authority for the provision of centralized sewer and water.*

SECTION 2.110 ACTIVITY CENTERS.

OBJECTIVE 2.110-A: The Polk County Plan shall manage higher-intensity land use activities by the designation and mapping of Activity Centers on the Future Land Use Map Series.

POLICY 2.110-A2: DESIGNATION AND MAPPING - Activity Centers shall be located as designated on the Future Land Use Map Series. Activity Centers shall be approved and designated on the Future Land Use Maps based on the efficient provision of urban services and such designation shall not create a "leap frog" development pattern.

ANALYSIS: *The Proposed Request will address an existing pattern of predominantly single-use residential development in the Poinciana Pre-DRI. The creation of a CC district on the Subject Property will result in shorter-distance trips for residents in the area who are seeking the amenities typical of a CC district.*

OBJECTIVE 2.110-C: CONVENIENCE CENTERS - The Polk County Plan shall provide for the convenience-shopping needs of residents through:

a.the designation and mapping of Convenience Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Convenience Centers.

POLICY 2.110-C2: DESIGNATION AND MAPPING - Convenience Centers shall be located within TSDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Convenience Center" (CC).

ANALYSIS: *The Subject Property is located within a UEA.*

POLICY 2.110-C3: LOCATION CRITERIA - Convenience Centers shall be located at the intersections of arterial and/or collector roads, and of collector and local roads in Redevelopment Areas consistent with Section 2.124-F. There shall be the following traveling distance, on public roads, between the center of a Convenience Center and the center of any other Convenience Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same convenience-shopping needs:

a. One (1) mile within the TSDA and UGA.

b. Two (2) miles within the SDA and UEA.

This required separation may be reduced if:

a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or

b. The proposed Convenience Center market-area radius, minimum population support is over 5,000 people.

ANALYSIS: *The Subject Property is located at the intersection of Pine Street and Lake Marion Creek Drive. Both roads have functional classifications as Urban Collector roads. The nearest County Activity Center is within the Poinciana Pre-DRI, which is within two (2) miles of the subject property. Separation requirements may be reduced when minimum population support exceeds 5,000 people within the proposed site's market-area radius. The Applicant has submitted data demonstrating that the minimum population support within a one (1) mile radius of the Subject Property is 5,899 and within a two (2) mile radius of the Subject Property is 15,896. [See Population Support Map].*

POLICY 2.110-C4: DEVELOPMENT CRITERIA - Development within a Convenience Center shall conform to the following criteria:

a. Convenience Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.

ANALYSIS: *The proposed site abuts two (2) collector roads, Pine Street and Lake Marion Creek Drive.*

POLK COUNTY
www.polk-county.net

LEVEL 4
LAND DEVELOPMENT CODE
COMPREHENSIVE PLAN
AMENDMENT APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
Phone (863)534-6792
FAX (863) 534-6407

TYPE OF AMENDMENT

Land Development Code ( ) **Text** ( ) **Sub-district**

Comprehensive Plan ( ) **Text** ( ) **Large Scale Map** (✓) **Small Scale Map**

Is property in a Selected Area Plan (SAP) ( ) **Yes** (✓) **No**

SAP Name _____

Pre Application Project # 2025-121 **(Required)**

	Owner	Applicant	Contact Person
Name	K&M HOMES INVESTMENTS INC	Palmetto Capital Group, LLC	John B. (Bart) Allen
Work Number		863.808.1320	(863) 683-6511
Fax Number			(863) 682-8031
Mailing Address	1859 Manitoba Court, Kissimmee, Florida 34759	632 E. Main Street Suite 301 Lakeland, FL 33801	PO Box 24628 Lakeland, FL 33802-4628
Email		jeff@palmettocg.com	ballen@petersonmyers.com

If additional contacts, please list on a separate sheet and submit with application.

Brief Description Request *(No more than 250 characters)*:

Palmetto Capital Group, LLC is requesting a Small Scale Comprehensive Plan Amendment for future land use change to allow convenience center uses on +/-1.58 acres of land located in Polk County, Florida.

Request **From:** Pre-DRI Land Use/Sub-District

To: Convenience Center (CC) Land Use/Sub-District

Acreage: 1.58

	Range - Township - Section	Subdivision #	-	Parcel #
Parcel ID Number(s):	R 28 T 28 S 03	934760	-	086010 .
	(Include others on a separate attachment)			
	R T S		-	.
	R T S		-	.
	R T S		-	.

Address and Location of Property:

Mailing Address:
1859 Poinciana, FL 34759-5349

Location: The subject parcel is located at the southeast corner of the intersection of Lake Marion Creek Dr. and Pine St. in Poinciana, Florida.

Water Provider Name and Phone Number: Toho Water Authority (407-944-5042) .

Sewer Provider Name and Phone Number: Toho Water Authority (407-944-5042) .

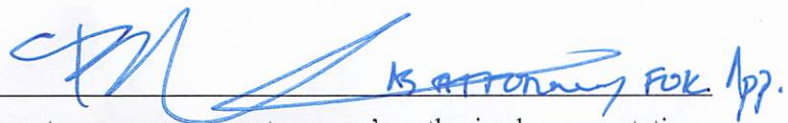
( ) Yes (✔) No Is the property located in the Green Swamp Area of Critical State Concern? *(If yes, a Green Swamp Impact Assessment Statement must be submitted with this application.)*

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

Pre-DRI Vacant Commercial **NW**	Pre-DRI Vacant Residential **N**	Pre-DRI Single Family Residential **NE**
Pre-DRI Vacant Residential and Vacant Commercial **W**	Pre-DRI Unplatted Land **Subject Property**	Pre-DRI Single Family Residential **E**
Pre-DRI Vacant Commercial **SW**	Pre-DRI Vacant Residential/Common Area **S**	Pre-DRI Single Family Residential and Vacant Residential/Common Area **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, John B. ("Bart") Allen (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.



Property owner or property owner's authorized representative.

08/07/2025

Date:


2 mi Radius
LGI Homes
[195 SF Homes]
Under Contract
[Approved 435 Homesites]
1 mi Radius
McMan Rd
Lake Marion
Lake Ma
SITE
Pine St
Hemlock Ave
Laurel Ave
Marigold Ave
Marigold Ave
County Rd 546 E
W Lake Marion Rd
Grenelefe
Jim Edwards Rd
Lake Hatchineha Rd
POPULATION
1-Mile: 5,899
2-Mile: 15,896

Agenda Item 16. 11/5/2025

SUBJECT

LDCPAS-2025-17 (Braddock Rd & Berkley Rd NAC CPA)

DESCRIPTION

Applicant-initiated requested Small Scale Comprehensive Plan and Text Amendment (LSCPAS-2025-17) from Residential Low (RL) to Neighborhood Activity Center (NAC) with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions part of a LDC Text Amendment (LDCT-2025-19) to Appendix E adding conditions of development, on 7.95± acres for a property located east of the Polk Parkway (SR 570), north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton

Planner III

Land Development

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POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	June 6, 2025
Planning Commission Date:	November 5, 2025
BoCC Dates:	December 16, 2025
Applicant:	Bart Allen, Peterson & Myers
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-17; Berkley & Braddock RL to NAC CPA
Request:	Small Scale Comprehensive Plan Map and Text Amendment (LSCPAS-2025-17) from Residential Low (RL) to Neighborhood Activity Center (NAC) with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions part of a LDC Text Amendment (LDCT-2025-19) to Appendix E adding conditions of development.
Location:	East of the Polk Parkway (SR 570), north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.
Property Owner:	J Everett Allen & Sons Inc
Parcel Size:	±7.95 acres (252728-000000-043020, -043180, -043190, -043200, -043210, -043230, -043230, -043240)
Development Area/Overlays:	Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA)
Future Land Use:	Residential Low (RL)
Nearest Municipality	Auburndale
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	N/A
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary of Analysis

This is an applicant request for a Small Scale Comprehensive Plan Amendment LDCPAL-2025-17) to change the Future Land Use Designation from Residential Low (RL) in the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA) to Neighborhood Activity Center (NAC) on 7.95+/- acres. The applicant has a related request for a Land Development Code (LDC) Text Amendment (LDCT-2025-19) to add development restrictions and limitations to the allowable uses as shown in Table 2.1 of the LDC. The site is located in the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA) located on the north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.

Compatibility Summary

The proposed land use change is compatible with the growth that has occurred in this area. The subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA), at the intersection for two (2) Urban Collector roads with full public services. The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary. Since approval of the JPA the boundary has experienced annexations as well as a new amendment to the City of Auburndale's Land Development Regulations Chapter 15 providing for a Special Overlay District for The Central Florida Innovation Distrct, which the subject site is not included within. The subject currently has Land Use designation of RL. The adjacent Land Use designations to the subject site are also residential. However, the surrounding other uses within approximately ½ mile include the City of Auburndale's Youth Baseball Complex, Polk County's Lake Myrtle Sports Park, TECO Auburndale Trail and the SunTrax facility. The Urban Growth Area (UGA) is meant to be an area where the availability of infrastructure and other community facilities and services, promotes and supports the location of higher density and intensity development. The proposed NAC will provide needed non-residential support to an area with land uses that vary from residential to recreational to employment center. The request is considered to be compatible and consistent with the surrounding area.

Infrastructure and Urban Services Summary

The proposed CPA is not anticipated to degrade the Level-of-service (LOS) standard for transportation, the locally zoned schools, fire, EMS and sheriff public safety resources. Braddock Road was rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. As part of the reconstruction of Braddock Road a new interchange was created with SR 570 (Polk Parkway), providing improved access to the SunTrax facility on the north side of Braddock Road. Braddock Road is currently being reviewed for Available Peak Hour Capacity as well as Level of Service. The subject site will be connected to the City of Auburndale's water and wastewater. The City of Auburndale reports that there are no capacity issues for potable water; however, they have halted taking new flows to the sanitary system in this area until sewer improvement projects have been completed. There are no wells on the subject site.

Environmental Conditions Summary

The proposed request is not anticipated to have a negative impact upon the environmental features present on site. However, the subject site is not located within the one-mile radius of a protected animal and plant species sighting and has no surface water, wetlands or flood zones. The project

site is not located within an Airport Impact District and is not associated with any historical or archeological sites.

The subject site is not located within an airport height notification zone, there are no historical or archeological resources, and there are no indicated protected species. The subject site has no surface water, wetlands or flood zones, the soils are not of a problematic type.

Comprehensive Plan Policies Considered

- Section 2.102 – General Growth Management policies
- Section 2.105 – Urban Growth Areas (UGA) policies
- Section 2.110-D – Neighborhood Activity Center policies

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request to change the Future Land Use (FLU) designation from Residential Low (RL) to Neighborhood Activity Center (NAC) in the Urban Growth Area (UGA) and a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions.

- LDCT-2025-19 is an applicant-initiated request to add parcel specific development restrictions to the site and limit specific allowable uses within the proposed Neighborhood Activity Center as shown in Table 2.1 of the Land Development Code (LDC) and to provide enhanced buffers.

- The subject site is located on the north side of Braddock Road, west side of Berkley Road (SR 655), with the RL Future Land Use district comprising the site and is located in the UGA.

- The subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA). The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary.

- The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary. (See separate Attachment)

- Since approval of the JPA the boundary has experienced annexations as well as a new amendment to the City of Auburndale's Land Development Regulations Chapter 15 providing for a Special Overlay District for The Central Florida Innovation Distrct, which the subject site is not included within.

- The proposed FLU change totals approximately 7.95+/- acres. The subject site is located east of the Polk Parkway (SR 570), north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.

- Within the City of Auburndale there are two Convenience Center Land Use districts approximately 1/3 mile south of the subject site. The Convenience Center on the west side of Berkley Road is associated with the Lake Myrtle Sports Complex and is owned by Polk County. The Convenience Center on the east side of Berkley Road is located within currently developing residential development Summer Lake Estates, as residential homes

- Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). The Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC).

- The site is located within the Joint Planning Area Interlocal Agreement Between The City of Auburndale and Polk County. Provided under separate attachment.

Compatibility

- The subject's surrounding uses are as follows:
  - North of the subject site is Residential Low (RL) with residential development typically 1 acre or larger.
  - East of the subject site is the City of Auburndale residential development.
  - South of the subject site is Residential Low (RL) with residential development typically 1 acre or larger.
  - West of the subject site is Residential Low (RL) with residential development typically 1 acre or larger.

- Much of the area has Future Land Uses of a residential nature, whether in the county or city. However, in the greater surrounding area includes the Lake Myrtle Sports Park, Auburndale Youth Baseball Complex, TECO Auburndale Tral and the SunTrax facility.

- Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). The Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC). The City of Auburndale's Village Center zoning's emphasis is on higher density residential being integrated, as well as urban design characteristics and gathering place design and prohibits gas stations.

- The subject site meets the population support criteria of 5,000 people within a 1½-mile radius as well as the 10,000 people within a 2-mile radius (based on a 12.4 square mile area) compensating for undevelopable areas (water and state park), Exhibit 9.

- The subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA). The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary.

- The site is at the intersection for two (2) Urban Collector roads with full public services.

- The proposed NAC will provide needed non-residential support to an area with land uses that vary from residential to recreational to employment center.

Infrastructure

- The zoned schools for the site are Lena Vista Elementary, JL Stambaugh Middle School, and Tenoroc High School.

- First responder Fire response Auburndale Fire Dept, 100 Ariana Ave, Auburndale with a travel distance of 5.6+/- miles. First responder EMS response will be from Polk County Fire Rescue Station 7, 200 Commonwealth Ave N SW, Polk City with a travel distance of 5.6+/- miles.

- The subject site is within the Central District Commend Area for the Sheriff's office which is located at 3635 Avenue G N.W., Winter Haven.

- The subject site is within the City of Auburndale's Utility Service Area for potable water and wastewater.

- The site is located at the northwest quadrant of Braddock Road and Berkley Road (SR 559). Berkley Road (SR559) is a 4-lane divided roadway and Braddock Road was rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. Available Peak Hour Capacity as well as Level of Service.

- As part of the rebuild and realignment of Braddock Road a new interchange with SR 570 (Polk Parkway) was created. This interchange provide better access to the SunTrax facility on the north side of Braddock Road.

- The subject site is serviced by the City of Auburndale for water and wastewater. The City of Auburndale reports that there are no capacity issues for potable water; however, they have halted taking new flows to the sanitary system in this area until sewer improvement projects have been completed.

- The subject site currently has sidewalks along the north and south side of the entirety of Braddock Road from the Polk Parkway (SR 570) to Berkley Road and the east and west sides of Berkley Road (SR 655).

- Citrus Connection's nearest route is the Route 50 with the nearest stop approximately two (2) miles south at Old Dixie Highway.

- The nearest parks are the Auburndale Youth Baseball Complex at Lake Myrtle Park and the Polk County Lake Myrtle Sports Park. The Auburndale TECO Trail is also located west of the site. The closest environmental site is the Tenoroc Fish Management Area and Tenoroc Public Use Area.

Environmental

- The subject site is approximately 159 feet above sea level at the center of the site and slopes to the edges to an elevation of approximately 157 feet.

- According to the soil survey by the United States Department of Agriculture the subject site is made up of Tavares fine sand, 0 to 5 percent slopes, and Zolfo fine sands. Future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observed a protected animal species sighting (Source: Florida Department of Environmental Protection, 2015). However, the applicant will be required to submit a biological walk-over as part of the Level-2 review process.

- The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 2.8 miles east of the site, on the south side of Lake Van is a 79+ acre Conservation Easement recorded in the Plat of Watercrest Estates, Plat Book 169, Page.

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- The subject site is not within a Wellfield Protection district. The nearest public Wellfields are approximately 2 miles south of the site.

Comprehensive Plan Policies

- POLICY 2.102-A1: Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2: Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:
  a. there have been provisions made which buffer incompatible uses from dissimilar uses;
  b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;
  c.uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3: Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other

community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4: Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.105-A5: Development Criteria -- Development within the Urban Growth Areas shall conform to the following criteria as further specified by the Land Development Code:
  a. connect to centralized potable water;
  b. connect to centralized sanitary sewer systems if available.
  c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
  d. promote the implementation of "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
  e. promote the integration of pedestrian-oriented features, including sidewalks, trails, or walkways into every development including appropriate pedestrian shelters or awnings;
  f. provide access to civic space, parks, green areas, and open space and other amenities;
  g. be supported by public safety (i.e., fire, EMS and law enforcement);
  h. have access to public schools;
  i. be encouraged to provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas;
  j. encourage the inclusion of a variety of housing choices and mixed uses; and
  k. additional standards supporting transit if development is within the "Corridor and Center Overlay" (Section 2.124-A);

- POLICY 2.110-D1: CHARACTERISTICS - Neighborhood Activity Centers are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are:
  - Usable Area: Over 5 acres to 20 acres
  - Gross Leasable Area (GLA): 20,000 to 150,000 square feet
  - Minimum Population Support: 5,000 to 10,000 people
  - Market-Area Radius: 1½ miles
  - Typical Leading Tenant: Supermarket
  - Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store

- POLICY 2.110-D2: DESIGNATION AND MAPPING - Neighborhood Activity Centers shall be located within UDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Neighborhood Activity Center" (NAC).

- POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs:
  - a. Two (2) miles within the TSDA and UGA.
  - b. Four (4) miles within the SDA and UEA.

  This required separation may be reduced if:
  - a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or
  - b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.

- POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Neighborhood Activity Center shall conform to the following criteria:
  - a. Neighborhood Activity Centers shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.
  - b. Different uses within a Neighborhood Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
  - c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
  - d. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.
  - e. Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.
  - f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.
  - g. Planned Developments within the Neighborhood Activity Center may be permitted a maximum floor area ratio up to 0.70 and a maximum residential density of 5 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

- POLICY 2.110-D5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Neighborhood Activity Center may include the following uses: Office, Residential, Institutional, and Recreation and Open Space.

Development Review Committee (DRC) Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the DRC finds that with the proposed conditions, the proposed requests **ARE COMPATIBLE** with the

surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the DRC recommends **APPROVAL of LDCPAS-2025-17 and LDCT-2025-19.**

Planning Commission Decision: On February 1, 2023, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCPAS-2025-17.**

Planning Commission Decision: On February 1, 2023, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCT-2025-19.**

NOTE: *This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.*

NOTE: *Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

NOTE: Approval of this request is only for Level 4 Review and only for those development decisions within the Board of County Commissioners purview. A Level 2 Review (engineered plans) will be required for all site development and shall implement the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

Surrounding Land Use Designations and Current Land Use Activity

Table 1: Surrounding Uses

NW RL-1 Residential Development Lots of Record 1991	**N** RL-1 Residential Development Lots of Record 1991	**NE** RS Arieta Shores Plat 12/1/1977
W RL-1, RL-4 Residential Development Lots of Record 1991	**Subject Property** RL-1, RL-4 Vacant	**E** City of Auburndale FLU: Low Density Residential Zoning RS-1 Vacant 3.83± ac Tract B Future Development (2/7/19)
SW RL-1 Residential Development Lots of Record 1991	**S** RL-1 Residential Development Lots of Record 1991	**SE** RL-1 Vacant

Source: Site Visit and Polk County GIS Data Viewer

The site is located on the northwest quadrant of the intersection of Braddock Road and Berkley Road (SR 655), both 4-lane divided Urban Collector roads. Braddock Road was recently rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. This project included a new interchange with SR 570 (Polk Parkway) approximately ½ mile west of the site and adjacent to the SunTrax facility on the north side of Braddock Road. Just west of the site on the south side of Braddock Road is the Auburndale Youth Baseball Complex. Approximately ½ mile south of the site on the west side of Berkley Road is Polk County's Lake Myrtle Sports Park. Many of the Future Land Use districts in the area are of a residential nature, approximately 1/3 of a mile to the west, within the city limits of Auburndale is the SunTrax facility, an automotive testing and research facility with significant lands for expansion available. It is noted that within the City of Auburndale there are two Convenience Center Land Use districts approximately 1/3 mile south of the subject site. The Convenience Center on the west side of Berkley Road is associated with the Lake Myrtle Sports Complex and is owned by Polk County. The Convenience Center on the east side of Berkley Road is located within currently developing residential development Summer Lake Estates, as residential homes.

Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). This center is located within the city's Future Land Use district of Lakes District Mixed Use and a Zoning of Village Center. Chapter 15 of the City of Auburndale's Land Development Regulations, Section 15.202 – Village Center (VC) Guidelines and Standards provide that they are intended to be developed as important destinations for multiple Residential Neighborhoods. The housing within the Village Center is described as Medium Intensity housing within the VC surrounding the commercial area. The development is to be of Urban Design Character. They are to have a central feature or gathering place that shall include a comfortable, centrally located park or plaza with public amenities. The policy provides for a Mix of Uses which include, Grocery, Retail and Services, Restaurants, Professional Offices, Residential, Civic, Park/Plaza, Institutional/ Schools. Other proposed uses may be permitted through the planned development process, and exclude Gas Stations, Car Washes and Drive-Thru's.

The Comprehensive Plan Policy 2.110-D3: Location Criteria for Neighborhood Activity Center (NAC) provides for separation criteria for Activity Centers. The polity states that there shall be traveling distances, on public roads between the center of a Neighborhood Activity Center (NAC) and other Activity centers providing for the same neighborhood shopping needs. As described above, the City of Auburndale's Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC). The City of Auburndale's Village Center zoning's emphasis is on higher density residential being integrated, as well as urban design characteristics and gathering place design. While there is some overlap of mix of uses, the Village Center excludes automotive uses including gas stations and restaurants with drive-thru's. The Village Center Urban (vs suburban) design standards also differentiates the shopping and use of the center from that of the Neighborhood Activity Center (NAC). The subject site meets the population support criteria of 5,000 people within a 1½-mile radius as well as the 10,000 people within a 2-mile radius (based on a 12.4 square mile area) compensating for undevelopable areas (water and state park), Exhibit 9.

Berkley Road (SR 559) was formerly CR559 and in approximately 2010 the road was rebuilt and upgraded from a 2-lane Urban Collector road to a 4-lane divided Urban Collector road and corresponds to the development of the Lake Myrtle Sports Complex. SunTrax Auburndale began construction in 2017 with a Grand Opening of the full facility in 2023. In October 2025 Governor Ron DeSantis announced that construction for a new advanced air mobility (AAM) vertiport was underway at the SunTrax facility, creating the nation's first-ever AAM aerial test bed and dedicated airspace.

It is noted that the subject site is located within the area covered by the Joint Planning Area Interlocal Agreement with the City of Auburndale, dated October 7, 2009. Within this Agreement are Exhibit Maps B through F to be used as a "guide" for consideration of Future Comprehensive Plan Amendments within the boundary of the JPA. Map Exhibit E indicates the area considered as Commercial Area "CA". This "area" is located at the intersection of Berkley Road and Denton Avenue. The proposed Commercial Area is developed with a gas station constructed in 1988 and a Dollar General constructed in 2015. Significant growth, residential, recreational as well as a significant testing facility. Residential and recreational uses utilize commercial supporting uses like those allowed within the Future Land Use Designation of Neighborhood Activity Center (NAC). The LDC Text amendment limits a number of uses allowed in other NAC districts for increased compatibility as well as providing increased development standards, setbacks and buffering from adjacent residential districts. With consideration to the sites location, at the intersection of two (2) 4-lane divided Urban Collector roads, one approximately ½ mile from a new interchange with the Polk Parkway (SR 570) provides for a logical addition location for a non-residential commercial support Land Use.

Compatibility with the Surrounding Land Use:
According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The adopted definition for compatibility states it is "a condition in which land

uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

The subject site is located within the Urban Growth Area (UGA) which is an area where the availability of infrastructure and other community facilities and services, promotes and supports the location of higher density and intensity development. This development includes improving access to employment areas, schools, shopping and recreational facilities, while reducing costs of providing infrastructure and public services. As described previously this area represents a location that, especially since the opening of SR570 the Polk Parkway in 1999, has experienced the growth described in an Urban Growth Area. The limitations proposed by the applicant in the LDCPAS-2025-2025 Comprehensive Plan Text and Map Amendment and LDCT-2025-19 Land Development Code Text Amendment provides enhanced development standards and limitations to the standard list of allowable uses within a Neighborhood Activity Center (NAC) providing for enhanced compatibility beyond the current compatibility proved for by the Land Development Code.

In summary, the subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA), at the intersection for two (2) Urban Collector roads with full public services. The proposed NAC will provide needed non-residential support to an area with land uses that vary from residential to recreational to employment center. The request is considered to be compatible and consistent with the surrounding area.

Nearest Elementary, Middle, and High School:
The schools zoned for the subject property, as shown in Table 2, include Lena Vista Elementary, JL Stambaugh Middle School, and Tenoroc Senior High. The requested Neighborhood Activity Center (NAC) is intended for non-residential development and is not intended for residential development. Residential development within the NAC would require a Level 3 Planning Commission approval for multi-family development.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Lena Vista Elementary	**0 students**	**79%**	**4.0± miles**
JL Stambaugh Middle School	**0 students**	**85%**	**4.5± miles**
Tenoroc Senior High	**0 students**	**62%**	**4.9± miles**

Source: Polk County School Board

Nearest Sheriff, Fire, and EMS Station:
The nearest Sheriff District office is located approximately 7.3 miles from the subject site. Response times vary depending on where the nearest sheriff's deputy patrol car is located rather than the district office. The nearest EMS station is approximately 5.6 miles and Fire station is approximately 4.0 miles EMS station is approximately 2.9 miles from the subject site.

Table 3: Public Safety

	Name of Station	Distance/Response Time*
Sheriff	**Central District Command** (3635 Avenue G N.W., Winter Haven)	Priority 1 – 8:11 min Priority 2 – 22:25 min
EMS	**Polk County Fire Rescue Station 7** 200 Commonwealth Ave N SW, Polk City	5.6 ± miles / 10-12 min
Fire	**Auburndale Fire Dept,** 100 Ariana Ave, Auburndale	4.0 ± miles / 10-12 min

*Source: Polk County Sheriff's Office and Public Safety. Response times for October 2025. *Response times are based from when the station receives the call, not from when the call is made to 911.*

Water and Sewer Capacity and Service Provider:
Table 4 below details the estimated impact to potable water and wastewater services based upon the buildout for the proposed FLU on the subject site. The subject property is within the City of Auburndale Service area for water and wastewater.

A. Available Capacity:
Table 4: Estimated Water and Sewer Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed NAC
7.95± acres RL	7.95± acres RL X 7du = 55 du	7.95± acres (346,302 sf) X 0.70 FAR = 242,411 sf
Potable Water Consumption	55 du X 360 gpd = **19,800 GPD**	242,411 sf X 0.15 = **36,362 GPD**
Wastewater Generation	55 du X 270 gpd = **14,850 GPD**	36,362 GPD X 80% = **29,090 GPD**

B. Service Provider:
The subject site is serviced by the City of Auburndale for water and wastewater. There are two (2) potable water mains in close proximity to the subject. East of the property across Berkley Rd. is an 8-inch potable water main and approximately 900 feet west of the site is a 12-inch potable water main. There is a 24-inch gravity sanitary sewer main and a 16-inch force sewer main approximately 600 feet west of the site. In the same area is a 16 inch reclaim water main.

East of the property across Berkley Road. is an 8-inch potable water main. To the far West of the map is a 12-inch potable water main, 24-inch gravity sanitary sewer main, 16-inch reclaim water main, and a 16-inch force main.

C. Available Capacity:
The City of Auburndale reports that there are no capacity issues for potable water. Also reported was that they have halted taking new flows to the sanitary system in this area until sewer improvement projects have been completed. The most significant being the Southern force main re-route. This project consists of two phases, with phase one set to begin Nov. 1, 2025. Upon that date, the contractor has a timeline of 180 days for substantial completion and 210 days for final. They are currently working on easement acquisitions for phase II and have not awarded to any contractor to date. Capacity availability will be needed at the time of a Level 2 Review.

Roadways/Transportation Network:

A. Estimated Demand:
Table 5 following this paragraph shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The proposed Future Land Use designation change to NAC, at maximum density, will generate more than the current combination of the RL land use.

Table 5: Estimated Transportation Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed NAC
7.95± acres RL	7.95± acres RL X 7du = 55 du	7.95± acres (346,302 sf) X 0.70 FAR = 242,411 sf
Average Annual Daily Trips (AADT)	55 du X 7.81 AADT = **430 Trips**	242 X 59.07 AADT X 76% **10,865 Trips**
PM Peak Hour Trips	55 du X 1.00 AADT = **55 Trips**	242 X 8.79 AADT X 76% =**1,617 Trips**

Source: Concurrency Manual: Single-family @ 7.81 AADT per du and 1.00 AADT PM Peak Hour, NAC @ Supermarket 59.07 AADT per 1,000 sf, 8.79 AADT per 1,000 sf PM Peak Hour,

B. Available Capacity:
Table 6, following this paragraph, displays the available capacity for Berkley Road (SR655) and Braddock Road. Braddock Road has not been revaluated for Capacity and LOS after completion of a rebuild and realignment completed in June of 2024. When the reevaluation is completed it is anticipated that the roads will have capacity for maximum buildout.

Table 6: Roadway Link Concurrency

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
8119E 8119W	Berkley Rd (SR 655) Old Dixie Hwy (CR 546) to Pace Rd.	4D UC	C	1,134 1,107	D	C
8450N 8450S	Braddock Rd SR 570 (Polk Pkwy) to Berkley Rd (SR 655)	2U* UC	C	675 672	D	C

*Source: Polk County Transportation Planning Organization, 2025 Roadway Network Database January 2025. *4D means four-lane divided, , 2U means two lane undivided, UC means Urban Collector (Braddock is currently a 4D see description below)*

C. Roadway Conditions:
Berkley Road (SR 559) was transferred from a County (CR559) to a State (SR559) road in October 2019. As the general area has grown. Berkley Road has also experienced considerable growth. Utilizing FDOT's Florida Traffic Online Data Viewer, the estimated AADT for this segment of Berkley Road is 13,000 trips indicating an increase of 30% over the 2020 AADT estimate of 10,000 trips. Berkley Road is a 4-lane divided Urban Collector Road. Braddock Road was rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. As part of the reconstruction of Braddock Road a new interchange was created with SR 570 (Polk Parkway), providing improved access to the SunTrax facility on the north side of Braddock Road. Braddock Road is currently being reviewed for Available Peak Hour Capacity as well as Level's of Service. Table 6: Roadway Link Concurrency shows the most current data for Braddock Road, improvements in LOS as well as Capacity are anticipated with the recent rebuild and realignment.

D. Sidewalk Network:
Currently there are sidewalks along the north and south side of the entirety of Braddock Road from the Polk Parkway (SR 570) to Berkley Road and the east and west sides of Berkley Road (SR 655).

E. Planned Improvements:
There are no road improvements currently planned for this area.

F. Mass Transit:
Citrus Connection runs the Route 50 – Auburndale from US 92 north/south along Berkley Road to Old Dixie Highway turning east toward Lake Ariana and downtown Auburndale. Old Dixie Highway is approximately two (2) miles south of the site.

Environmental Conditions:
Any impact to surface water, wetlands, and storm water management will be in accordance with the requirements of the Comprehensive Plan and Land Development Code.

A. Surface Water:
There are no wetlands on the subject site. The area is relatively flat with the highest points located primarily along the southern border at an elevation of approximately 159 feet, with the lowest parts of the property located near the center and northern area of the property with an elevation of approximately 157 feet.

B. Wetlands/Floodplains:
According to the Polk County Data Viewer the subject site does not indicate any flood zones or wetlands.

C. On-Site Soils:
The subject site is comprised of two (2) different soil types: Tavares fine sand, 0 to 5 percent slopes, and Smyrna and Zolfo fine sans, 0 to 2 percent slopes. Future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual. The reported soils are based on the United States Department of Agriculture (USDA) Soils Survey.

Table 7

SOIL NAME	SMALL COMMERCIAL BUILDINGS	SEPTIC TANK ABSORPTION FIELDS	PERCENTAGE OF SITE
Tavares fine sand, 0 to 5 percent slopes	Slight	Moderate	96+/-%
Zolfo fine sans, 0 to 2 percent slopes	Moderate	Severe	4+/-%
Source: Soil Survey of Polk County Florida 1990			

D. Wells (Public/Private):
The applicant did not indicate any wells located on the property. The subject property is not within a Wellfield Protection District. The closest Wellfield Protection Districts is approximately 1.5 miles southeast of the site.

E. Protected Species
According to Polk County Protected Species Observation Map and the Florida Fish & Wildlife Conservation Commission (2015), the subject site is located within a one-mile radius of endangered animals. The applicant will submit a biological walk-over as part of the Level-2 review process.

F: Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 2.8 miles east of the site, on the south side of Lake Van is a 79+ acre Conservation Easement recorded in the Plat of Watercrest Estates, Plat Book 169, Page.

G. Archeological Resources
There are no known historical or archeological resources onsite according to the Secretary of the State's Department of Historical Resources Florida Master File.

H. Airports:
The subject site is not located within an Airport Impact District (AID) and Airport Height Notification Zone.

Park Facilities:
The nearest parks are the Auburndale Youth Baseball Complex at Lake Myrtle Park and the Polk County Lake Myrtle Sports Park. The Auburndale TECO Trail is also located west of the site. The closest environmental site is the Tenoroc Fish Management Area and Tenoroc Public Use Area.

A. Location:
Auburndale Youth Baseball Complex at Lake Myrtle Park is located at 876 Braddock Road, Auburndale, approximately 1/4 mile west of the site. Lake Myrtle Sports Park is located at 2701 Lake Myrtle Park Drive, Auburndale, approximately 1/2 mile south of the site.

B. Services:
The park's current hours of operation are from 5 a.m. to 10 p.m. and offers Walking trails, baseball fields and leagues, softball fields, picnic shelters, and pavilions.

C. Multiuse Trails:
The closest free hiking trail is the Auburndale TECO Trail, located approximately 1,000 feet west of the site, crossing Braddock Road.

D. Environmental Lands:
The Tenoroc Fish Management Area and Tenoroc Public Use Area are located on the west side of SR 570 (Polk Parkway) south of Lakeland and is comprised of over 8,000 acres of natural Florida lands and wetland with walking trails, cycling, picnic areas, restrooms, wildlife viewing, and a full range of outdoor activities.

E. Planned Improvements:
There are no further recreation improvements scheduled for this area of Polk County at this time.

Consistency with the Comprehensive
The following policies in Table 8 have been included as being the most relevant policies to the proposed request. The policy is first stated and then an analysis of how the request may or may not be consistent with the County's Comprehensive Plan is provided.

Table 8 Comprehensive Plan Policy

Comprehensive Plan Policy	Consistency Analysis
Policy 2.102-A2: Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The existing uses surrounding the site are primarily single family detached. The proposed NAC provides for enhanced buffering and development standard limitations. Approval of the amendment will provide for needed non-residential support needed for this area.
Policy 2.102-A1: Development Location – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.	The request is at the intersection of two (2) 4-lane divided Urban Collector roads in an area with public water and sewer available. Therefore, the request is consistent with the policy.
Policy 2.102-A3: Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.	
Policy 2.102-A4: Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The request is for NAC where all forms of infrastructure are available for commercial development on the subject site. Therefore, the timing of development of the subject site is consistent with the Comprehensive Plan's growth management strategy.
Policy 2.102-A10: Location Criteria - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1.	

Comprehensive Plan Policy	Consistency Analysis
transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2. sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable	
POLICY 2.110-D1: CHARACTERISTICS - Neighborhood Activity Centers are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are: Usable Area: Over 5 acres to 20 acres Gross Leasable Area (GLA): 20,000 to 150,000 square feet Minimum Population Support: 5,000 to 10,000 people Market-Area Radius: 1½ miles Typical Leading Tenant: Supermarket Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store	The request meets the Characteristics oof a NAC and is consistent with this policy as stated.
POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs: a. Two (2) miles within the TSDA and UGA. b. Four (4) miles within the SDA and UEA. This required separation may be reduced if: a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.	The request is consistent with this policy as the subject site has access to a County maintained road, meets the distance requirements for the UGA. Within the City of Auburndale there are two Convenience Center Land Use districts approximately 1/3 mile south of the subject site. The Convenience Center on the west side of Berkley Road is associated with the Lake Myrtle Sports Complex and is owned by Polk County. The Convenience Center on the east side of Berkley Road is located within currently developing residential development Summer Lake Estates, as residential homes Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). The Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC).

Urban Sprawl Analysis

Polk County's Comprehensive Plan *Policy 2.102-A10* establishes review criteria intended to discourage the proliferation of urban sprawl. Specific characteristics of urban sprawl have been examined throughout this staff report and are summarized in Table 7 (below). Based on the findings of fact and analysis conducted, the proposed request does not meet the criteria to be considered as urban sprawl.

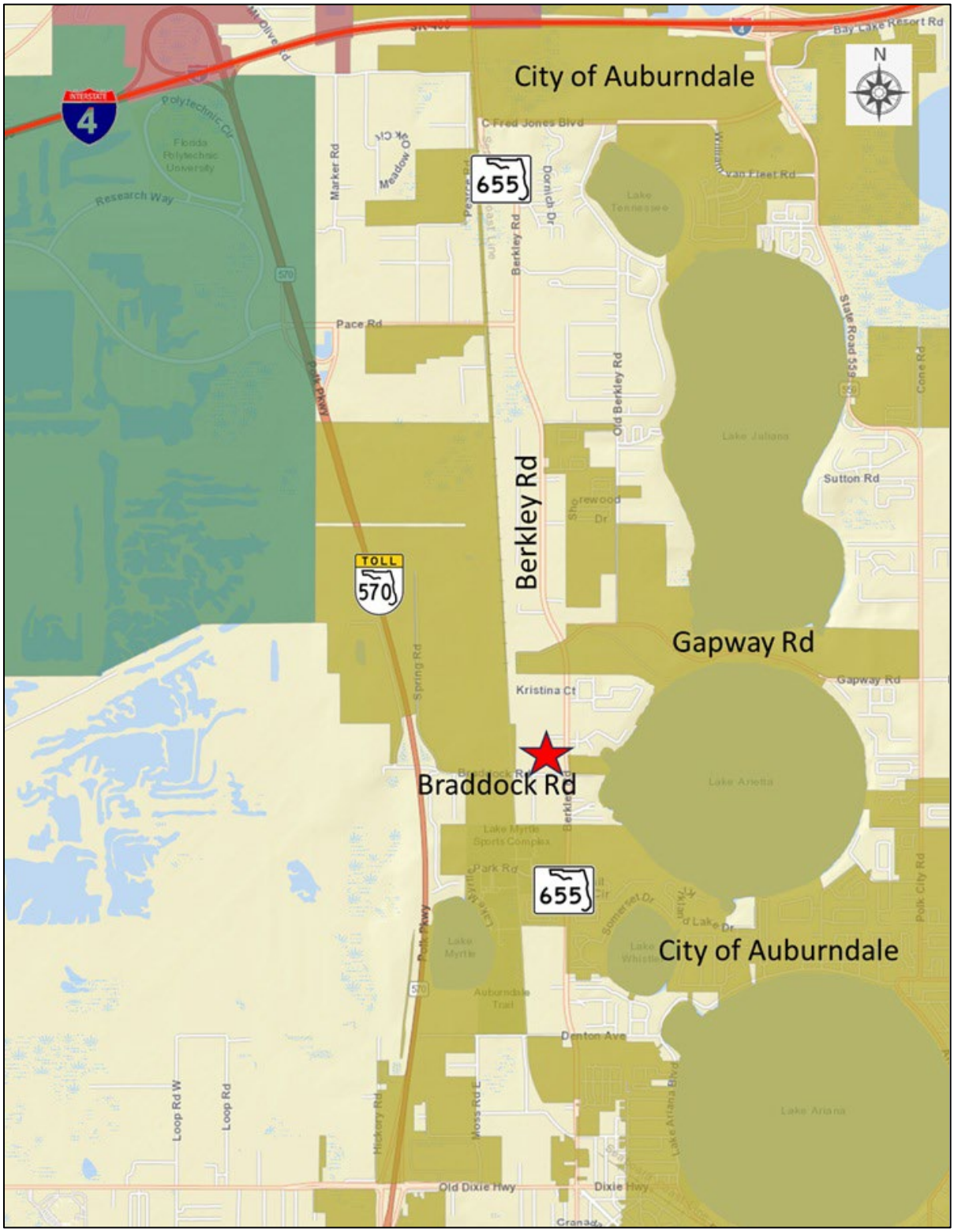
Table 7: Urban Sprawl Criteria

Rule 9J-5 Urban Sprawl Criteria	Page(s) within report
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Surrounding Land Uses Section
b. *Allows a significant amount of urban development to occur in rural areas.*	Surrounding Land Uses Section
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Surrounding Land Uses Section
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Environmental Conditions
e. *Fails to adequately protect adjacent agricultural areas.*	Surrounding Land Uses Section
f. *Fails to maximize existing public facilities and services.*	Schools, Public Facilities and Water/Sewer Sections
g. *Fails to minimize the need for future facilities and services.*	Schools, Public Facilities and Water/Sewer Sections
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Surrounding Land Uses Section
i. *Fails to provide a clear separation between urban and rural uses.*	Surrounding Land Uses Section
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Surrounding Land Uses Section
k. *Fails to encourage an attractive and functional mixture of land uses.*	Surrounding Land Uses Section
l. *Will result in poor accessibility among linked or related land uses.*	Surrounding Land Uses Section
m. *Results in the loss of a significant amount of open space.*	Surrounding Land Uses and Environmental Conditions Sections
Source: The following criteria are the primary indicators of urban sprawl per Rule 9J-5 of the Florida Administrative Code.	

Comments from Other Agencies: See City of Auburndale's letter under separate attachment.

Attachments:

Exhibit 1 – Location Map
Exhibit 2 – Aerial Context Map
Exhibit 3 – 2023 Aerial Map
Exhibit 4 – Current Future Land Use Map
Exhibit 5 – Proposed Future Land Use Map
Exhibit 6 – Auburndale Future Land Use Map
Exhibit 7 – Current Permitted and Conditional Uses
Exhibit 8 – Proposed Permitted and Conditional Uses
Exhibit 9 – Applicant Population Support
Exhibit 10 – Proposed Activity Center Plan



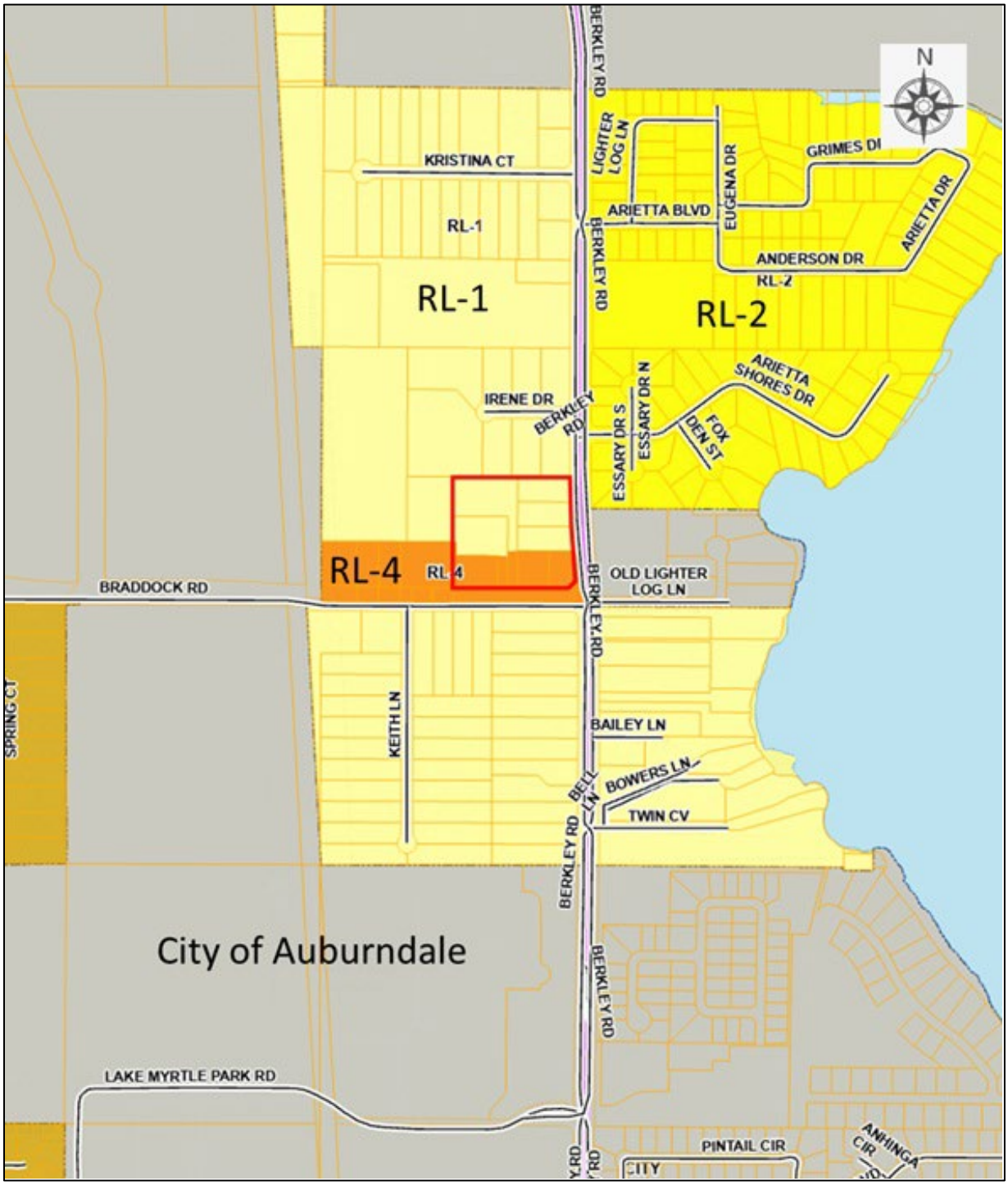
LOCATION MAP



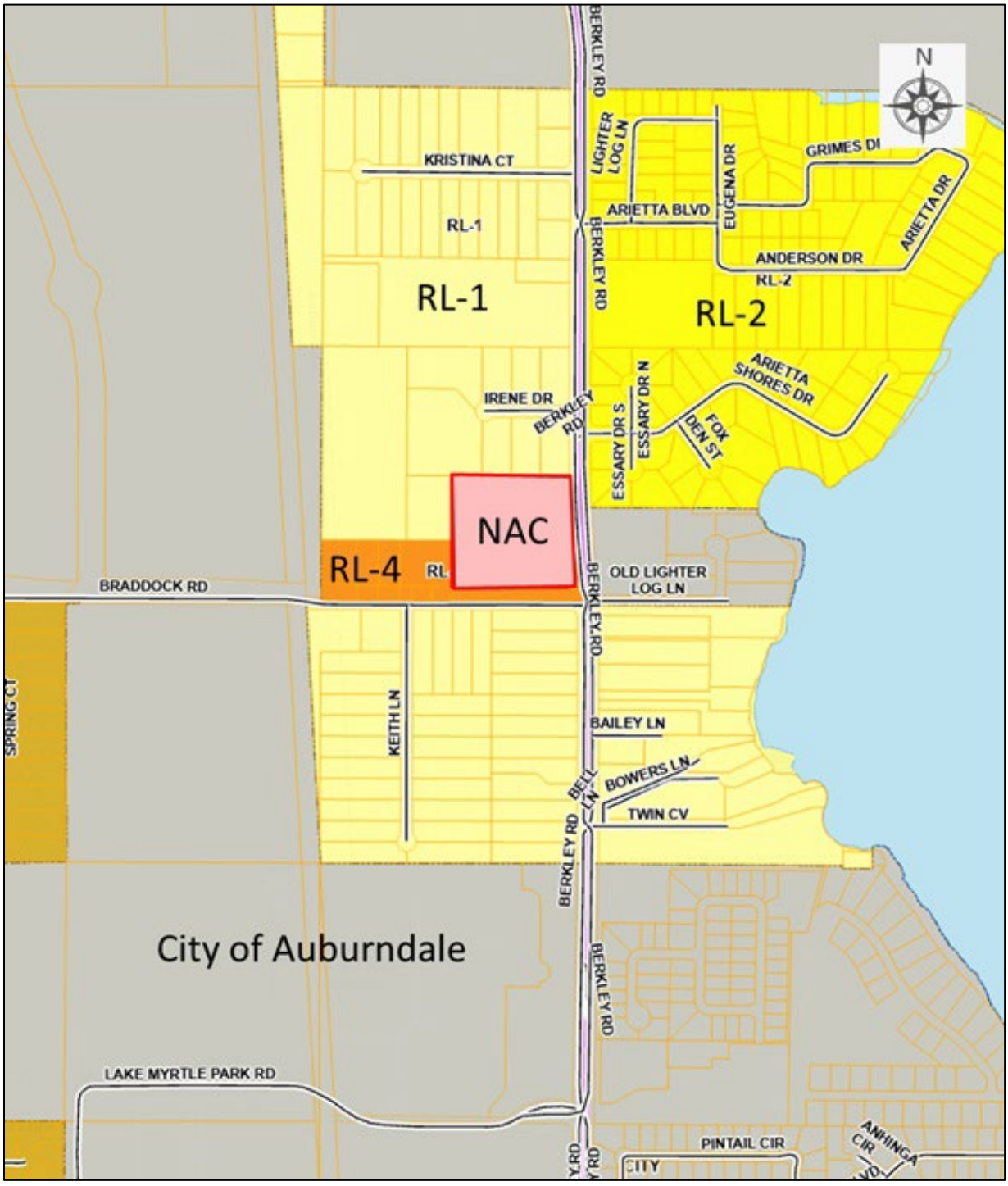
AERIAL CONTEXT MAP



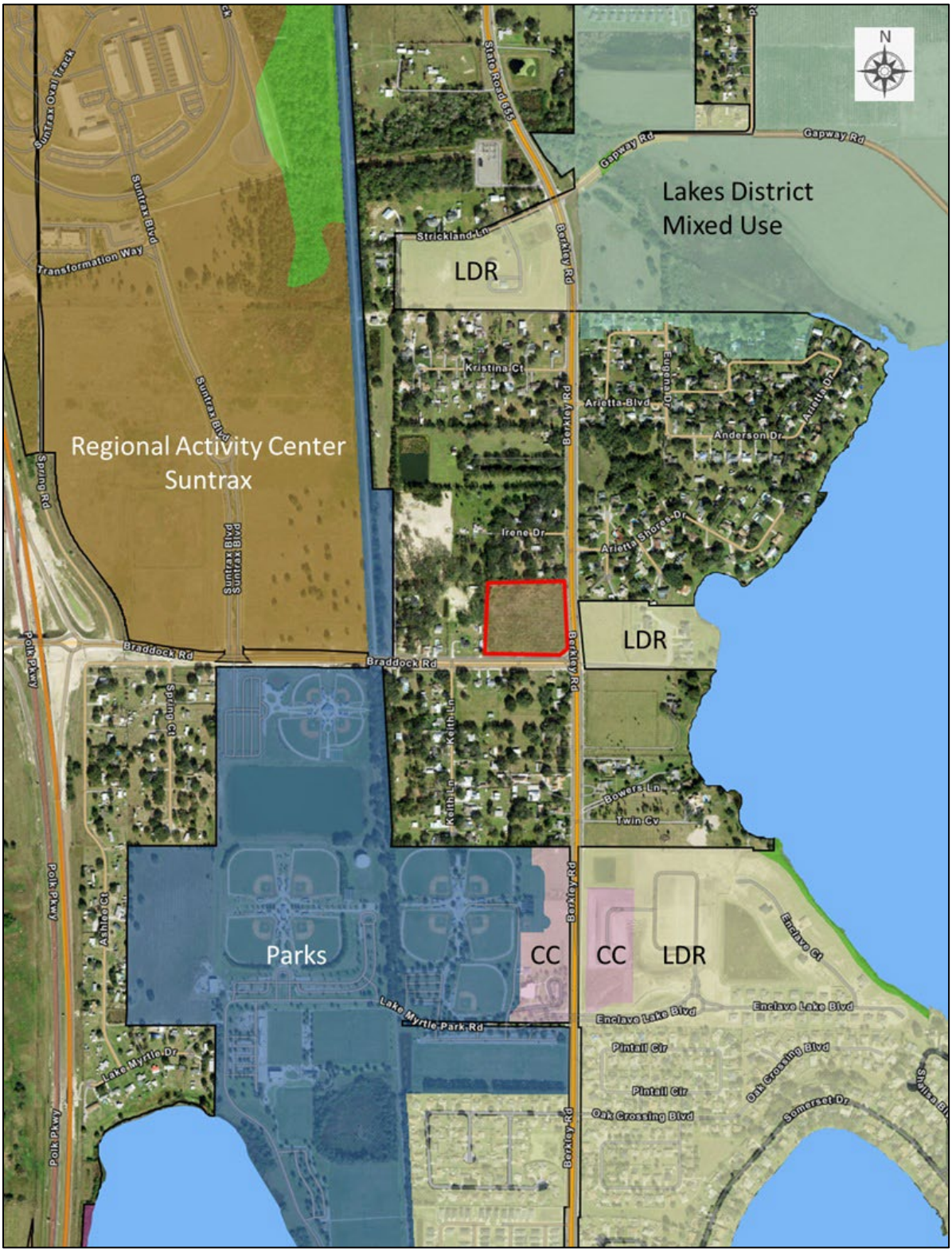
2025 GOOGLE EARTH AERIAL MAP



CURRENT FUTURE LAND USE
RESIDENTIAL LOW-1 & -4 (RL-1, -4)



PROPOSED FUTURE LAND USE
NEIGHBORHOOD ACTIVITY CENTER (NAC)



AUBURNDALE FUTURE LAND USE

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
RL-1	Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Small (6 or less residents), Mobile Homes- Individual, Animal Farm- Intensive, Emergency Shelter- Small (6 or less residents), Golf Course, Livestock Sale- Auction, Nurseries and Greenhouses, Recreation- Passive, Utilities- Class II, Residential Infill Development, Recreation- Low Intensity, School - Elementary, School - Middle	Group Living Facility (15 or more residents), Multi-family, Short-Term Rental Unit, Planned Development, Residentially Based Mixed Development (RBMD), Transitional Area Development, Adult Day Care Center (7 or more clients), Agricultural Support- Off-Site, Bed and Breakfast, Childcare Center, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Government Facility, Helistops, Mining- Non-phosphate, Recreation- High Intensity, Recreation- Vehicle Oriented, Religious Institution, Riding Academies, School- High, School- Leisure/Special Interest, Utilities- Class III, Mobile Home Park, Mobile Home Subdivision

RESIDENTIAL LOW-1 (RL-1)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
RL-4	Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Small (6 or less residents), Mobile Homes- Individual, Emergency Shelter- Small (6 or less residents), Golf Course, Recreation- Passive, Utilities- Class II, Residential Infill Development, Recreation- Low Intensity, School- Elementary, School - Middle	Duplex- Two-family Attached, Group Living Facility (15 or more residents), Multi-family, Short-Term Rental Unit, Planned Development, Residentially Based Mixed Development (RBMD), Transitional Area Development, Adult Day Care Center (7 or more clients), Bed and Breakfast, Childcare Center, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Government Facility, Helistops, Mining- Non-phosphate, Recreation- High Intensity, Recreation- Vehicle Oriented, Religious Institution, School- High, School- Leisure/Special Interest, School- University/College, Utilities- Class III, Mobile Home Park, Mobile Home Subdivision

RESIDENTIAL LOW-4 (RL-4)

CURRENT PERMITTED AND CONDITIONAL USES

Block A

Neighborhood Activity Center (NAC)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	~~Alcohol Package Sales, C1~~ Car Wash, Incidental, C2 Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Cultural Facility, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 Gas Station, P Government Facility, P ~~Marina and Related Facilities, C1~~ ~~Medical Marijuana Dispensaries, C2~~ Nurseries, Retail, P ~~Nurseries and Greenhouses, P~~ Office, C2 Personal Service, C2 Recreation Passive, C1 Recreation & Amusement General, C2 Religious Institution, C2 Restaurant, drive-thru/Drive-in, C2 Restaurant, sit-down/Take-out, P Retail, 10,0000-34,999 sq. ft., P Retail, 35,000-64,000 sq. ft., P Retail. Less than 10,000 sq. ft., P Schools, Leisure/Special Interest, C2 Self-storage Facility, C2 Transit Facility, P Utilities Class I, P Utilities Class II, P ~~Utilities Class III, C3~~ ~~Vehicle Service, Mechanical, P~~ Veterinary Service, P	**Residential Uses:**	Multi-family, C3
		Mixed Uses:	Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Bars, Lounges, and Taverns, C3 ~~Cemetery, C3~~ ~~Helistops, C3~~ ~~Mining, Non-phosphate, C3~~ Retail, More than 65,000 sq. ft., C3 School, Technical/Vocational/ Trade & Training, C3 School, University/College, C3 ~~Water Ski Schools, C3~~

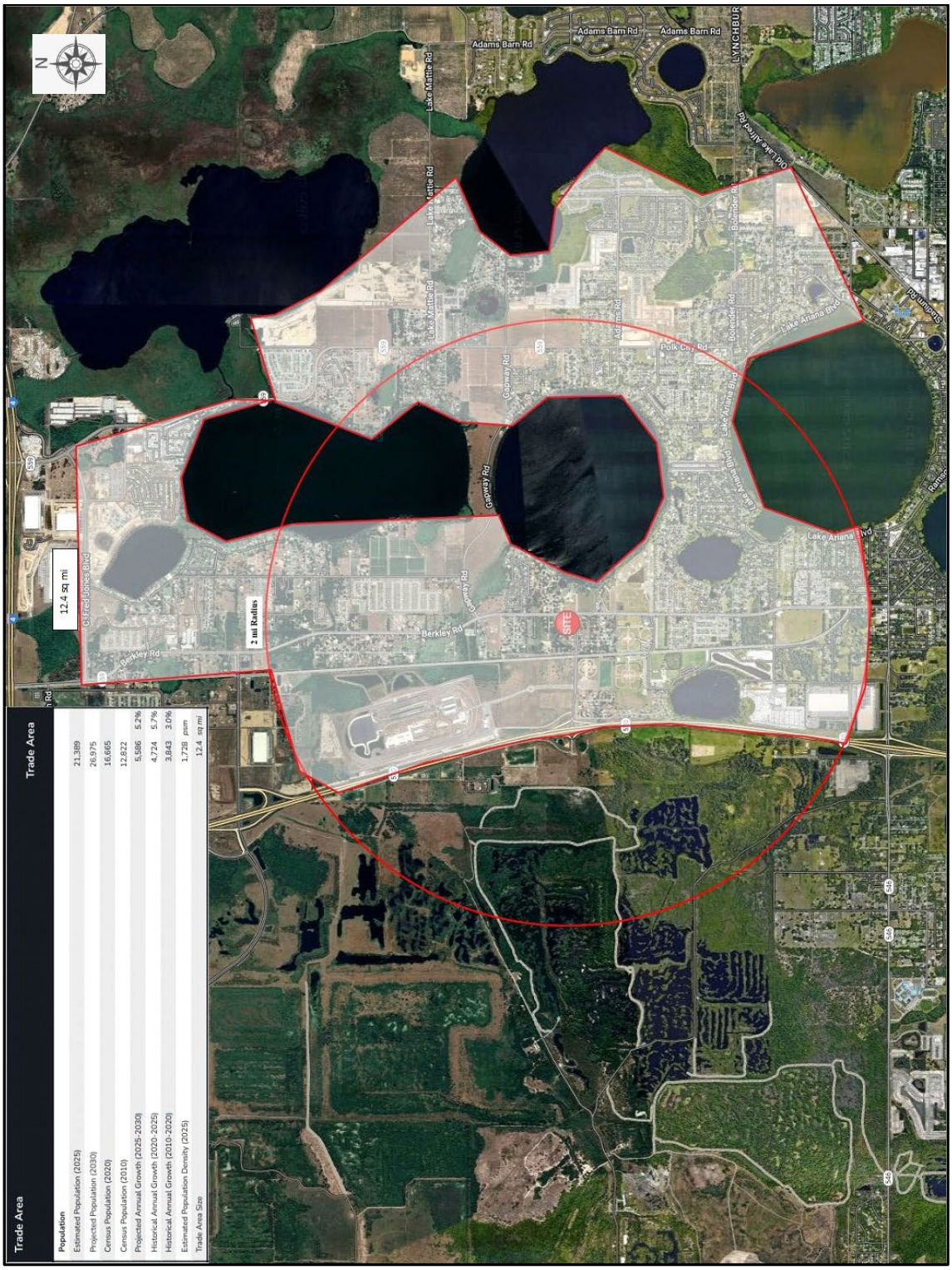
Block B

Neighborhood Activity Center (NAC)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	~~Alcohol Package Sales, C1~~ ~~Car Wash, Incidental, C2~~ Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Cultural Facility, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 ~~Alcohol Package Sales, C1~~ ~~Car Wash, Incidental, C2~~ Government Facility, P ~~Marina and Related Facilities, C1~~ ~~Medical Marijuana Dispensaries, C2~~ Nurseries, Retail, P ~~Nurseries and Greenhouses, P~~ Office, C2 Personal Service, C2 Recreation Passive, C1 ~~Recreation & Amusement General, C2~~ Religious Institution, C2 ~~Restaurant, drive-thru/Drive-in, C2~~ Restaurant, sit-down/Take-out, P Retail, 10,0000-34,999 sq. ft., P ~~Retail, 35,000-64,000 sq. ft., P~~ Retail. Less than 10,000 sq. ft., P Schools, Leisure/Special Interest, C2 Self-storage Facility, C2 Transit Facility, P Utilities Class I, P Utilities Class II, P ~~Utilities Class III, C3~~ ~~Vehicle Service, Mechanical, P~~ Veterinary Service, P	**Residential Uses:**	Multi-family, C3
		Mixed Uses:	Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Bars, Lounges, and Taverns, C3 ~~Cemetery, C3~~ ~~Helistops, C3~~ ~~Mining, Non-phosphate, C3~~ ~~Retail, More than 65,000 sq. ft., C3~~ ~~School, Technical/Vocational/ Trade & Training, C3~~ School, University/College, C3 ~~Water Ski Schools, C3~~

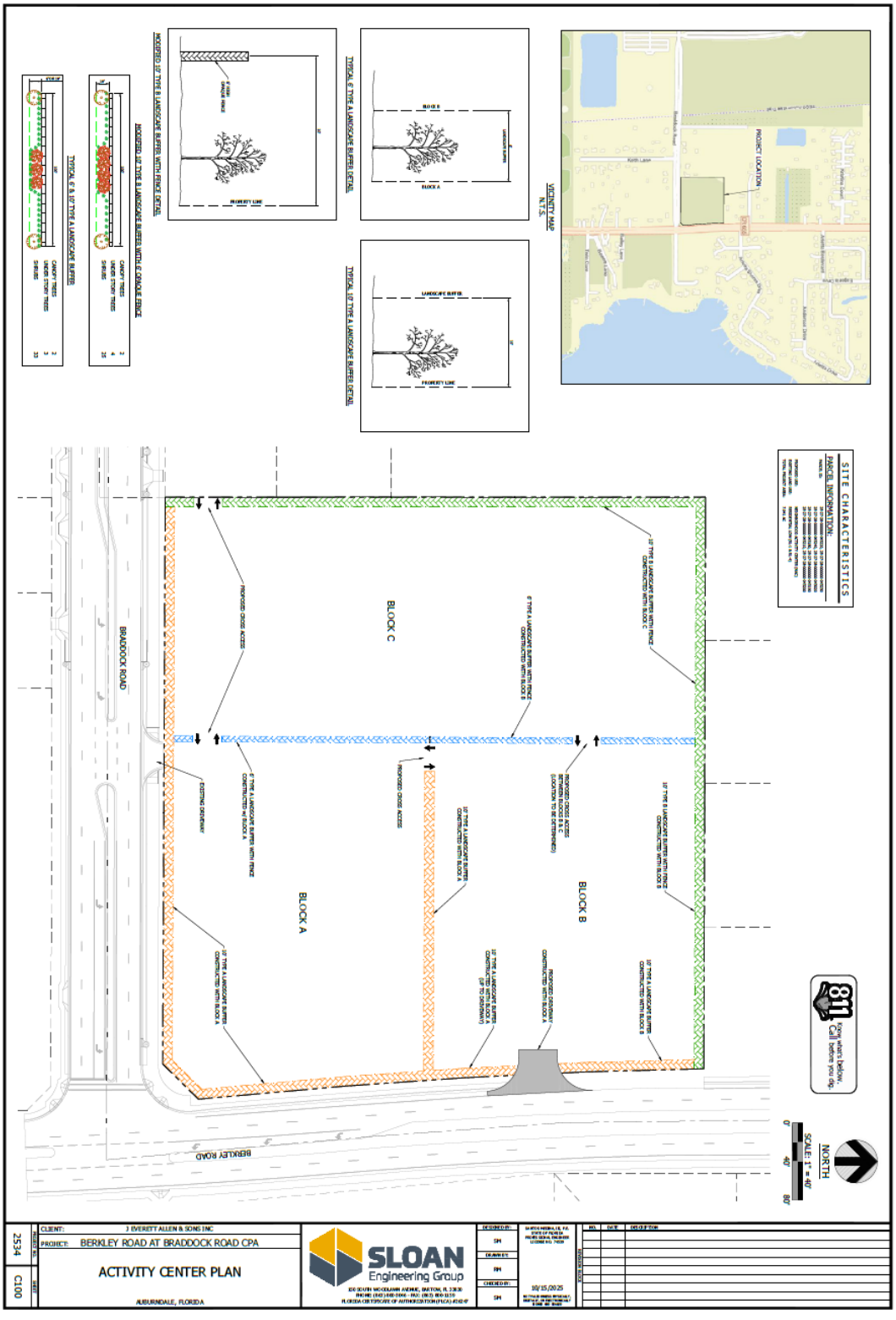
Block C

Neighborhood Activity Center (NAC)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	~~Alcohol Package Sales, C1~~ ~~Car Wash, Incidental, C2~~ Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Cultural Facility, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 ~~Gas Station, P~~ Government Facility, P ~~Marina and Related Facilities, C1~~ ~~Medical Marijuana Dispensaries, C2~~ Nurseries, Retail, P ~~Nurseries and Greenhouses, P~~ Office, C2 Personal Service, C2 Recreation Passive, C1 ~~Recreation & Amusement General, C2~~ Religious Institution, C2 Restaurant, drive-thru/Drive-in, C2 Restaurant, sit-down/Take-out, P Retail, 10,0000-34,999 sq. ft., P ~~Retail, 35,000-64,000 sq. ft., P~~ Retail. Less than 10,000 sq. ft., P Schools, Leisure/Special Interest, C2 Self-storage Facility, C2 Transit Facility, P Utilities Class I, P Utilities Class II, P ~~Utilities Class III, C3~~ ~~Vehicle Service, Mechanical, P~~ Veterinary Service, P	**Residential Uses:**	Multi-family, C3
		Mixed Uses:	Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Bars, Lounges, and Taverns, C3 ~~Cemetery, C3~~ ~~Helistops, C3~~ ~~Mining, Non-phosphate, C3~~ ~~Retail, More than 65,000 sq. ft., C3~~ ~~School, Technical/Vocational/ Trade & Training, C3~~ School, University/College, C3 ~~Water Ski Schools, C3~~

PROPOSED
PERMITTED AND CONDITIONAL USES
NEIGHBORHOOD ACTIVITY CENTER (NAC)



APPLICANT
POPULATION SUPPORT



PROPOSED
ACTIVITY CENTER PLAN

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2025-17**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE DESIGNATION ON A TOTAL OF 7.95± ACRES, FROM RESIDENTIAL LOW (RL) TO NEIGHBORHOOD ACTIVITY CENTER (NAC) AND A TEXT AMENDMENT TO APPENDIX 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS TO REFERENCE THAT THE PARCEL SUBJECT TO THIS CASE HAD DEVELOPMENT CONDITIONS IN APPENDIX E OF THE LAND DEVELOPMENT CODE (LDCT-2025-19). THE SUBJECT PROPERTY IS LOCATED EAST OF THE POLK PARKWAY (SR 570), NORTH SIDE OF BRADDOCK ROAD, WEST SIDE OF BERKLEY ROAD (SR 655), SOUTH OF GAPWAY ROAD AND ADJACENT TO THE CITY OF AUBURNDALE TO THE EAST, WITH AUBURNDALE IN CLOSE PROXIMITY TO THE NORTH, WEST AND SOUTH IN SECTION 28, TOWNSHIP 27, RANGE 25; 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 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; and

WHEREAS, Application LDCPAS-2025-17 is an applicant-initiated application to change the future land designation of 7.95± acres from Residential Low (RL) in the Urban Growth Area (UGA), to Neighborhood Activity Center (NAC) in the Urban Growth Area (UGA) (the "Amendment"); and to add a new sub section to Section 2.135 (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, on the Amendment on November 5, 2025; and

WHEREAS, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on December 16, 2025; 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 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 MAP 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 7.95± acres from Residential Low (RL) to Neighborhood Activity Center (NAC) in the Urban Growth Area (UGA) on the parcels listed below and graphically depicted on the parcel map in Attachment "A".

Parcels included:

Tract 1 (252728-000000-043020)
The north 125.00 feet of the East 360 feet of the SE ¼ of the NW ¼ of the SW ¼ of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655 Containing 0.93 acres.

and

Tract 2 (252728-000000-043180)
The South 125.00 feet of the North 250.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655. Containing 0.93 acres.

and

Tract 3: **(252728-000000-043190)**
The South 125.00 feet of the North 375.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27, South Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655. Containing 0.93 acres.

and

Tract 4: **(252728-000000-043200)**
The East 200.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 375.00 feet thereof, Less road right-of-way for S.R. 655 and Braddock Road. Containing 0.96 acres.

and

Tract 5: **(252728-000000-043210)**
The West 160.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the .SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 375.00 feet thereof, less road right-of-way for Braddock Road. Containing 0.94 acres.

and

Tract 6: **(252728-000000-043220)**
The SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 400.00 feet thereof and less the East 460.00 feet thereof, less road right-of-way for Braddock Road. Containing 1.1 acres.

and

Tract 7: **(252728-000000-043230)**
The South 200.00 feet of the North 400.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the East 410.00 feet thereof.
and
The West 50.00 feet of the East 460.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 400.00 feet thereof and less road right-of-way for Braddock Road. Containing 1.4 acres.

and

Tract 8: **(252728-000000-043240)**
The North 200.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the East 360.00 feet thereof:
and
The West 50.00 feet of the East 410.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 200.00 feet thereof and less road right-of-way for Braddock Road. Containing 1.87 acres.
Less and except

A parcel of land lying in the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, Township 27 South, Range 25 East, less the road right of way for Braddock Road as recorded in Official Records Book 958, at Page 415, and Official Records Book 7565, at Page 109, of the Public Records of Polk County, Florida, being more particularly described as follows:

COMMENCE at a 4 inch by 4 inch concrete monument (broken) with a 1/2 inch iron rod bent marking the Southwest corner of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 00°12'09" West, along the West line of said Southwest one-quarter (S.W. 1/4), a distance of 1,311.41 feet to the Southwest corner of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 89°59'56" East, along the South line of said Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, a distance of 665.49 feet to a railroad spike marking the Southeast corner of the Southwest one-quarter (S.E. 1/4) of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 00°01'11" West, along the West line of said Southeast one-quarter (S.E. 1/4) of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, a distance of 25.00 feet to the POINT OF BEGINNING, being on the existing Northerly right of way line of Braddock Road (also known as Spring Road) per Official Record Book 872, Page 339 of the Public Records of Polk County, Florida; thence North 00°01'11" West, continuing along said West line, a distance of 68.56 feet; thence departing said East line, run South 89º54'17" East, a distance of 593.84 feet; thence North 44°38'36" East, a distance of 52.50 feet to the existing West right of way line of State Road No. 655 (Berkley Road) as recorded in said Official Records Book 7565, at Page 109; thence South 05°01'43" East, along said existing West right of way line, a distance of 79.93 feet; thence South 42°35'00" West, along said existing West right of way line, a distance of 34.36 feet to its intersection with the existing North right of way line of said Braddock Road; thence South 89º59'56" West, along said existing North right of way line, a distance of 614.46 feet to the POINT OF BEGINNING. Containing 1.005 acres, more or less.

Containing 7.95 acres, more or less.

SECTION 3: COMPREHENSIVE PLAN TEXT AMENDMENT

The text of Ordinance No. 92-36, as amended (the "Polk County Comprehensive Plan"), is hereby amended by changing Appendix 2.135 as shown in Attachment "B" of this Ordinance.

SECTION 4: 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 5: EFFECTIVE DATE

This ordinance shall be effective January 16, 2026 (31 days after adoption) unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a

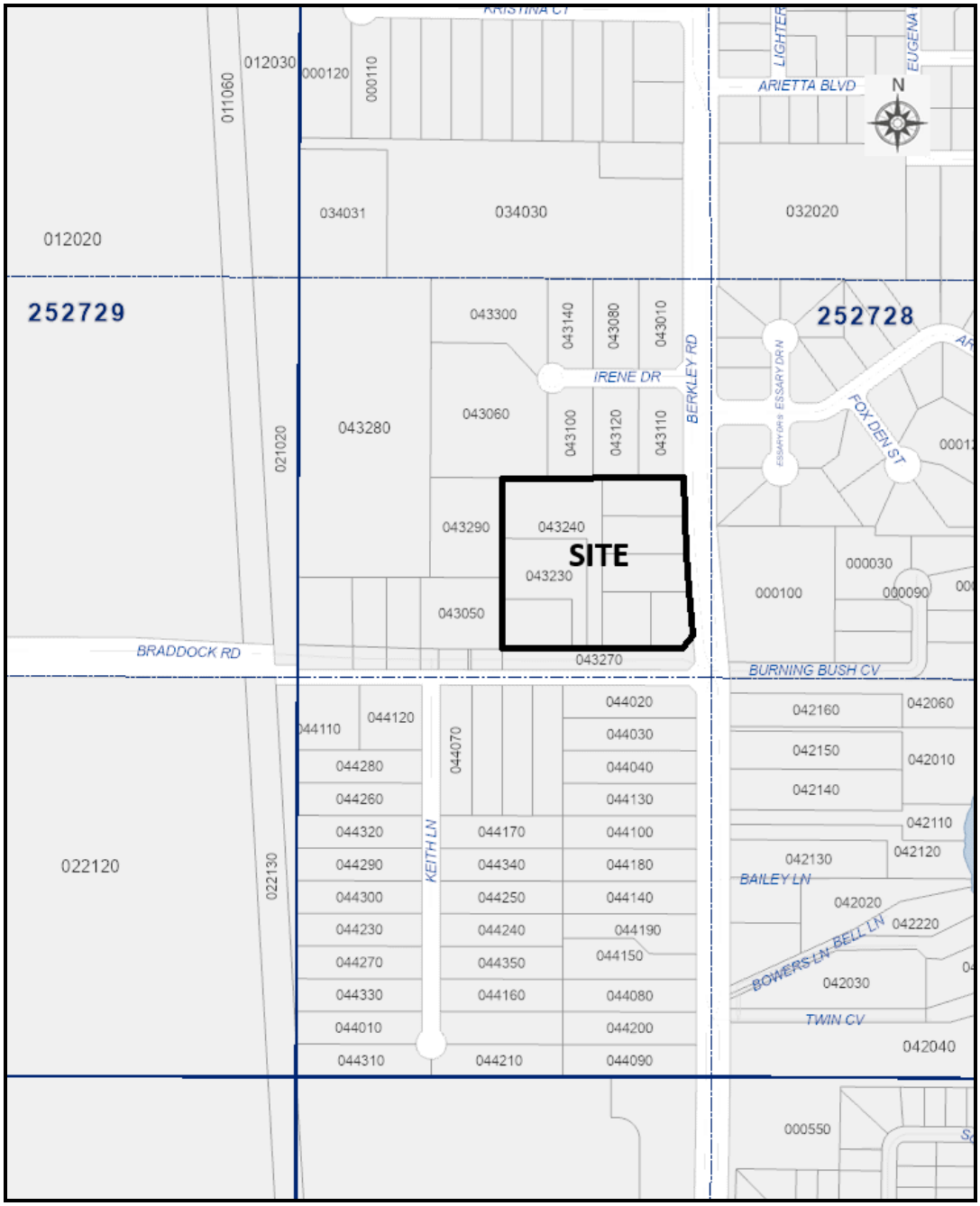
Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

SECTION 6: 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 16st day of December, 2025.

LDCPAS-2025-17
Land Use: RL to NAC (7.95± acres)
Location: The site is located on the north side of Braddock Road, west side of Berkley Road., south of Gapway Road and adjacent to the city of Auburndale to the east.
Section-28 **Township-**27 **Range-**25



Parcel Detail
Note: Not to Scale

ATTACHMENT "B"

Section 2.135-# – Development Guidelines for Parcel numbers: 252728-000000-043020, -252728-000000-043180, 252728-000000-043190, 252728-000000-043200, 252728-000000-043210, 252728-000000-043230, 252728-000000-043230, 252728-000000-043240

OBJECTIVE 2.135-#; Through the adoption of LDCPAS-2025-17, this section of the plan enables this specific property to be developed with Neighborhood Activity Center (NAC) land uses in a limited fashion as established in the Polk County Land Development Code with conditions adopted into the Land Development Code through LDCT-2025-19. This agreement fulfills the objectives of the applicant and the County.

Policy 2.135-#1: DESIGNATION AND MAPPING – Land use for these parcels shall be designated and mapped on the Future Land Use Map Series as Neighborhood Activity Center (NAC) and include the same acreage as described in LDCPAS-2025-17.

Policy 2.135-R2: LOCATION CRITERIA – This section applies to the properties legally described as:

Tract 1 (252728-000000-043020)
The north 125.00 feet of the East 360 feet of the SE ¼ of the NW ¼ of the SW ¼ of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655 Containing 0.93 acres.

and

Tract 2 (252728-000000-043180)
The South 125.00 feet of the North 250.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655. Containing 0.93 acres.

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Tract 3: **(252728-000000-043190)**
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and

Tract 4: **(252728-000000-043200)**
The East 200.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 375.00 feet thereof, Less road right-of-way for S.R. 655 and Braddock Road. Containing 0.96 acres.

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The West 160.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the .SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 375.00 feet thereof, less road right-of-way for Braddock Road. Containing 0.94 acres.

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Tract 6: **(252728-000000-043220)**
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and

Tract 7: **(252728-000000-043230)**
The South 200.00 feet of the North 400.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the East 410.00 feet thereof.
and
The West 50.00 feet of the East 460.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 400.00 feet thereof and less road right-of-way for Braddock Road. Containing 1.4 acres.

and

Tract 8: **(252728-000000-043240)**
The North 200.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the East 360.00 feet thereof:
and
The West 50.00 feet of the East 410.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 200.00 feet thereof and less road right-of-way for Braddock Road. Containing 1.87 acres.
Less and except
A parcel of land lying in the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, Township 27 South, Range 25 East, less the road right of way for Braddock Road as recorded in Official Records Book 958, at Page 415, and Official Records Book 7565, at Page 109, of the Public Records of Polk County, Florida, being more particularly described as follows:

COMMENCE at a 4 inch by 4 inch concrete monument (broken) with a 1/2 inch iron rod bent marking the Southwest corner of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 00°12'09" West, along the West line of said Southwest one-quarter (S.W. 1/4), a distance of 1,311.41 feet to the Southwest corner of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 89°59'56" East, along the South line of said Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section

28, a distance of 665.49 feet to a railroad spike marking the Southeast corner of the Southwest one-quarter (S.E. 1/4) of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 00°01'11" West, along the West line of said Southeast one-quarter (S.E. 1/4) of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, a distance of 25.00 feet to the POINT OF BEGINNING, being on the existing Northerly right of way line of Braddock Road (also known as Spring Road) per Official Record Book 872, Page 339 of the Public Records of Polk County, Florida; thence North 00°01'11" West, continuing along said West line, a distance of 68.56 feet; thence departing said East line, run South 89º54'17" East, a distance of 593.84 feet; thence North 44°38'36" East, a distance of 52.50 feet to the existing West right of way line of State Road No. 655 (Berkley Road) as recorded in said Official Records Book 7565, at Page 109; thence South 05°01'43" East, along said existing West right of way line, a distance of 79.93 feet; thence South 42°35'00" West, along said existing West right of way line, a distance of 34.36 feet to its intersection with the existing North right of way line of said Braddock Road; thence South 89º59'56" West, along said existing North right of way line, a distance of 614.46 feet to the POINT OF BEGINNING. Containing 1.005 acres, more or less.

Containing 7.95 acres, more or less.

POLICY 2.135-R3: DEVELOPMENT CRITERIA – Development within this NAC area shall conform to the criteria established in Section 2.110-D of this Comprehensive Plan as per the development standards adopted for these parcels in the Polk County Land Development Code.

Impact Assessment Statement

This Impact Assessment Statement is connected to LDCPAS-2025-17 to reflect the change in requested use from CC to NAC.

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The establishment of a Neighborhood Activity Center district at the intersection of Berkley Road and Braddock Road meets the criteria set out in the Polk County Comprehensive Plan for both Activity Centers and Neighborhood Activity Centers that are germane at this stage of the development process. See attached exhibits included with the application. In addition, the proposed request will address an existing pattern of predominantly single-use residential development along Berkley Road.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering required by the Polk County Land Development Code adequately ensures that the proposed request is compatible with adjacent uses and entitlements in the area. The applicant will take any and all reasonable and necessary steps to minimize impacts to the properties surrounding the requested land use map amendment. In addition, the applicant has submitted property specific conditions and an activity center plan to ensure that compatibility concerns are addressed.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The majority of the area surrounding the proposed site has been developed for residential uses. The proposed request will ultimately provide current and future residential developments in the area with access to the services typical of a NAC district, while creating an attractive, functional mix of uses.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development. Any development of the Property would be consistent with the Polk County Land Development Code, the Polk County Comprehensive Plan, and proposed site specific development criteria.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

A Traffic Impact Analysis will be provided prior to site plan approval.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

It is anticipated minor transportation improvements will be required for ingress/egress of the site in accordance with applicable County standards. The specific intersection types will be fully addressed at Level 2.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The proposed development shall provide the requisite number of parking spaces required by the Polk County Land Development Code, which will be determined at Level 2 based on the actual square footages of the buildings constructed.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

The property abuts Braddock Road to the south and Berkley Road to the east. Both roads are classified as Urban Collector Roads. It is anticipated that minor transportation improvements will be required for ingress/egress of the site in accordance with applicable county standards. The specific intersection types will be fully addressed at Level 2.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

Modes of transportation providing access to the property will be more fully understood upon the completion of a site plan and will be fully addressed at Level 2.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

The anticipated volume of sewage to be generated by the proposed site is unknown at this time. Site-specific information on waste generation will be fully addressed at Level 2.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The Property will connect to existing public utilities from City of Auburndale or provide on-site treatment. Prior to development, the Applicant will coordinate with the City of Auburndale to determine location of lines and available capacity.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with applicable and appropriate rules and regulations.

4. Identify the service provider; and

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site well and septic.

5. Indicate the current provider's capacity and anticipated date of connection.

Capacity and the date of connection will be more fully understood and addressed at Level 2.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site treatment. Prior to development the Applicant will coordinate with the City of Auburndale to determine location of lines and availability of capacity.

2. Identify the service provider;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide well and septic.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

The anticipated volume of water consumption is unknown at this time. Site-specific information on water consumption will be fully addressed at Level 2.

4. Indicate the current provider's capacity and anticipated date of connection

Capacity and the date of connection will be more fully understood and addressed at Level 2.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There does not appear to be any state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. Per the Florida Biodiversity Matrix GIS application, no endangered plant and animal species exist on the site. No significant impact to existing wildlife resources is anticipated from the project.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

Indeterminable at this time. Market data will be submitted upon completion.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The proposed future land use map amendment would allow for the proposed development to provide NAC uses in area that is predominantly single-use residential.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact to health care is anticipated.

d. Fire Protection;

The nearest fire protection is Auburndale Fire Department (100 Ariana Ave, Auburndale, FL 33823).

e. Police Protection and Security; and

The nearest police protection and security is Auburndale Police Department (2 Bobby Green Plaza, Auburndale, FL 33823.

f. Electrical Power Supply

Indeterminable at this time.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Location Map

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Future Land Use Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Location Map w/ Roads.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

See Activity Center Plan.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

A Drainage Map is not available at this time, as we do not have any engineered plans to evaluate the proposed location of stormwater ponds, buildings, impervious surface,

Demonstration of Need and Justification

This is an amendment to the original Demonstration of Need and Justification for LDCPAS-2025-17.

This is a two part request for (1) a Small Scale Comprehensive Plan Amendment for future land use change to allow neighborhood activity center uses on +/-7.9 acres of land situated north of Braddock Road, west of Berkley Road, and east of Polk Parkway (the "Subject Property") and a Comprehensive Plan text amendment to Appendix 2.135 to add a reference that the Subject Property has development standard conditions in the Land Development Code and (2) a LDC text amendment to add property specific development standard conditions for the Subject Property in Appendix E.

The Subject Property is currently designated as Residential Low (RL-1 and RL-4) and lies within an Urban Growth Area. The proposed change would redesignate the Subject Property to Neighborhood Activity Center (NAC). The applicant recognizes an Activity Center Plan (ACP), as set out in Section 2.110 of the Polk County Comprehensive Plan, is required to exceed the general acreage requirements established for NAC districts and to establish landscaping/buffering requirements to address compatibility concerns. The applicant has submitted an ACP connected with Project Number LDCT-2025-19.

The establishment of an NAC district at the intersection of Berkley Road and Braddock Road meets the criteria set out in the Polk County Comprehensive Plan for both Activity Centers and Convenience Centers. *See Consistency Analysis*. In addition, the proposed request will address an existing pattern of predominantly single-use residential development along Berkley Road. Disrupting the pattern of single-use development will ultimately provide current and future residential developments in the area with access to the services typical of a NAC district, while creating an attractive, functional mix of uses and avoiding sprawl.

Consistency Analysis

This Consistency Analysis is connected to LDCPAS-2025-17 and LDCT-2025-19 to reflect the change in requested use from CC to NAC. Contained below is an analysis of the consistency of the proposed request with provisions of the Polk County Comprehensive Plan that are germane at this stage of the development process.

SECTION 2.102 GROWTH MANAGEMENT.

OBJECTIVE 2.102-A: Development within unincorporated Polk County shall occur in accordance with the policies stated within this Future Land Use Element and all other Goals, Objectives and Policies incorporated within the Polk County Comprehensive Plan.

POLICY 2.102-A1: DEVELOPMENT LOCATION - Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

ANALYIS: *The proposed request will promote contiguous and compact growth patterns by introducing a NAC district in an area that is predominantly single-use residential development. In addition, the proposed site will act to provide services to communities along Braddock Road.*

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment . . .

ANALYSIS: *See Demonstration of Need and Justification for analysis on how the proposed request will discourage the proliferation of urban sprawl.*

SECTION 2.105 URBAN-GROWTH AREAS (UGA).

OBJECTIVE 2.105-A: The Polk County Plan shall provide areas for the future development of urban-intensity growth through:

a.the designation and mapping of Urban Growth Areas, and

b.the establishment of policies to govern the development of land within the Urban-Growth Areas.

POLICY 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:

. . .

e. include development criteria that:

1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;
2. improve access to employment areas, schools, shopping and recreational opportunities;

ANALYSIS: *A NAC district on the proposed site will ultimately introduce new employment and shopping opportunities to the area. The existing and planned single-use residential development along Berkely Road will increase demand for such services in the area. In the past couple of years, the City of Auburndale, FDOT, and Polk County worked together to cause the jurisdictional transfer of Berkley Road to the state road system. This is change significantly changes the type and amount of traffic on Berkely Road, which has effectively turned it into a truck route to I-4 from U.S. 92, further justifies the growing demand for commercial services. In addition, the proposed site's proximity to residential developments will promote walkability in the area.*

POLICY 2.105-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UGAs:

a. ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and Employment Centers, High-Impact Commercial Centers shall be permitted within UGAs in accordance with applicable criteria.

ANALYSIS: *NAC districts are permitted in the Urban Growth Area (UGA).*

OBJECTIVE 2.110-D: NEIGHBORHOOD ACTIVITY CENTERS - The Polk County Plan shall provide for the local-shopping needs of residents through:

a.the designation and mapping of Neighborhood Activity Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Neighborhood Activity Centers.

POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs:

a. Two (2) miles within the TSDA and UGA.

b. Four (4) miles within the SDA and UEA.

This required separation may be reduced if:

a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or

b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.

ANALYSIS: *The proposed site is located at the intersection of Berkley Road and Braddock Road. Both roads have functional classifications as Urban Collector roads. The nearest County designated Activity Center is a Commercial Enclave located at Denton Avenue and Berkely Road, which is more than one (1) mile away from the proposed site. It should also be noted there are other commercial designations within the area but they have unique characteristics regarding their designations, future intended use, and ownership. For instance, the nearest City of Auburndale activity center on Berkley Road is to the south and is owned by Polk County as part of the Lake Myrtle Park. Moving further south to Denton, there is a parcel designated as commercial that is owned by Polk County School Board for future use as a school. That said, the County Comprehensive plan provides for these instances. Separation requirements may be reduced when minimum population support exceeds 10,000 people within the proposed site's market-area radius. The applicant has submitted market data demonstrating that the site's market-area radius supports over 10,000 people. When reviewed together there is ample justification and need demonstrated for the establishment of this corner for NAC uses.*

POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Neighborhood Activity Center shall conform to the following criteria:

a. Neighborhood Activity Centers shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.

b. Different uses within a Neighborhood Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

d. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.

e. Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.

f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.

g. Planned Developments within the Neighborhood Activity Center may be permitted a maximum floor area ratio up to 0.70 and a maximum residential density of 5 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

ANALYSIS: *The proposed site abuts two (2) collector roads, Braddock Road and Berkley Road.*

POLICY 2.110-D5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Neighborhood Activity Center may include the following uses: Office, Residential, Institutional, and Recreation and Open Space.

ANALYSIS: *The proposed site is adjacent to residential uses, which is a compatible use pursuant to Policy 2.110-D5 of the Comprehensive Plan.*

OBJECTIVE 2.110-L: ACTIVITY-CENTER PLANS - The Polk County Plan shall provide procedures for the preparation of Activity-Centers Plans in order to ensure that Activity Centers develop in a manner consistent with sound planning principles, and in accordance with development objectives of the County.

POLICY 2.110-L1: ACTIVITY-CENTER PLANS - An Activity-Center Plan (ACP) is a special, detailed land use plan for a specific Activity Center. An ACP shall include a land use map and accompanying objective and policies to provide special conditions, restrictions, or requirements for activities within the ACP. ACPs shall be incorporated into the Land Development Code with reference to the Comprehensive Plan.

ANALYSIS: *The applicant has provided an Activity Center Plan consistent with the requirements of the Polk County Comprehensive Plan. The applicant's Activity Center Plan addresses those special conditions, restrictions, and/or requirements contemplated in the Polk County Comprehensive Plan.*

POLICY 2.110-L2: INITIATED BY THE COUNTY - An Activity-Center Plan may be adopted for an Activity Center and become incorporated into the Future Land Use Element by a Comprehensive Plan Amendment for all new Activity Centers proposed. The ACP, shall at a minimum, include land use, traffic, and market studies, or other appropriate studies to support the requested ACP.

ANALYSIS: *N/A to this request.*

POLICY 2.110-L3: INITIATED BY A PROPERTY OWNER - Any property owner applying for a new Activity Center shall prepare and submit an ACP for consideration by the Board of County Commissioners for inclusion within the Future Land Use Element through a Comprehensive Plan Amendment. The ACP can also be used as supporting documentation for a proposed expansion or reclassification. The Board may require that such submittal of a requested ACP include land use, traffic, and market studies, or other appropriate studies to support the requested ACP as outlined in L5 below.

ANALYSIS: *The applicant is applying for a new Activity Center. The applicant has provided an Activity Center Plan consistent with the requirements of the Polk County Comprehensive Plan. The applicant's Activity Center Plan addresses those special conditions, restrictions, and/or requirements contemplated in the Polk County Comprehensive Plan.*

POLICY 2.110-L4: PLAN REQUIRED - A developer shall be required to prepare and submit an ACP for the following:

a. a Development of Regional Impact (DRI) within an Activity Center;

b. a request to develop a residential development with a "Special Residential" classification (15 DU/AC or more) within an Activity Center; or

c. any new Activity Center proposed.

ANALYSIS: *This is an applicant initiated request for a Small Scale Comprehensive Plan amendment for future land use change to allow neighborhood activity center uses on the Subject Property. As such, the applicant has submitted an Activity Center Plan.*

POLICY 2.110-L5: PLAN REQUIREMENTS - ACPs, at a minimum, shall include a map, or maps, and policies which establish:

a. Land uses designations for all property within the center;

b. development criteria;

c. development restrictions, if appropriate;

d. a traffic circulation plan for the activity center; and

e. special transportation restrictions, if appropriate.

f. identify environmentally sensitive lands and endangered natural communities and outline proposals for the preservation and/or conservation of these areas; and

g. any other information that the Land Development Director or his designee may request.

ANALYSIS: *See materials contained within this application.*

POLK COUNTY
www.polk-county.net

LEVEL 4
LAND DEVELOPMENT CODE
COMPREHENSIVE PLAN
AMENDMENT APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
Phone (863)534-6792
FAX (863) 534-6407

TYPE OF AMENDMENT

Land Development Code ( ) Text ( ) Sub-district

Comprehensive Plan ( ) Text ( ) Large Scale Map (✓) Small Scale Map

Is property in a Selected Area Plan (SAP) ( ) Yes (✓) No

SAP Name _____

Pre Application Project # _____ **(Required)**

	Owner	Applicant	Contact Person
Name	Palmetto Capital Group, LLC	Palmetto Capital Group, LLC	John ("Bart") Allen
Work Number			(863) 683-6511
Fax Number			(863) 682-8031
Mailing Address	PO BOX 2184 THOMASVILLE, GA 31799	PO BOX 2184 THOMASVILLE, GA 31799	PO Box 24628 Lakeland, FL 33802-4628
Email			ballen@petersonmyers.com

If additional contacts, please list on a separate sheet and submit with application.

Brief Description Request *(No more than 250 characters)*:

This is a modification to LDCPAS-2025-17. This modification changes the requested use from CC to NAC .

Request **From:** RL-1 & RL-4 Land Use/Sub-District

To: NAC Land Use/Sub-District

Acreage: +/-7.9 acres

Parcel ID Number(s):

This lists only four (4) of the eight (8) parcels involved in this request. For a complete list of all parcels within this proposed request see attached Parcel ID List.

Range - Township - Section	Subdivision #	-	Parcel #
R 25 T 27 S 28	000000	-	043020 .
(Include others on a separate attachment)			
R 25 T 27 S 28	000000	-	043180 .
R 25 T 27 S 28	000000	-	043190 .
R 25 T 27 S 28	000000	-	043200 .

Address and Location of Property:

The property is located north of Braddock Road, west of Berkley Road, and east of Polk Parkway. See Location Map attached.

Water Provider Name and Phone Number: City of Auburndale .

Sewer Provider Name and Phone Number: City of Auburndale .

( ) Yes (✔) No Is the property located in the Green Swamp Area of Critical State Concern? *(If yes, a Green Swamp Impact Assessment Statement must be submitted with this application.)*

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

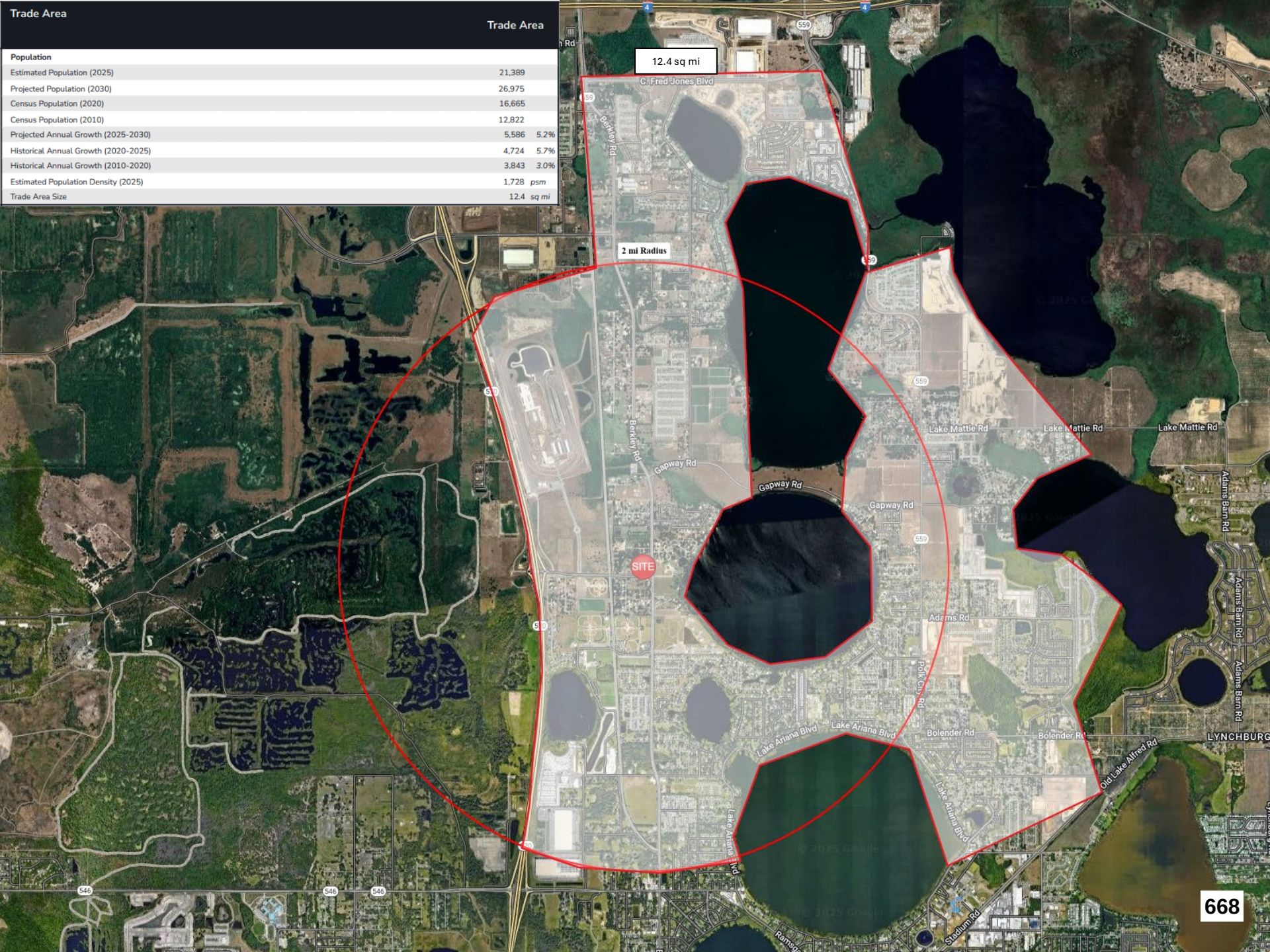
Multiple Residences SFR and MH Future Land Use: RL-1 **NW**	M.H. (RP) & Multiple Residences SFR and MH Future Land Use: RL-1 **N**	Single Family Residential Future Land Use: RL-2 **NE**
M.H. (RP) & Single Family Residential Future Land Use: RL-1 & RL-4 **W**	Unplatted Future Land Use: RL-1 & RL-4 **Subject Property**	Vacant Residential City of Auburndale Future Land Use: Low Density Residential **E**
Vacant Residential & Single Family Residential Future Land Use: RL-1 **SW**	Single Family Residential Future Land Use: RL-1 **S**	Cropland w/ Residenital Future Land Use: RL-1 **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, John ("Bart") Allen (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

Property owner or property owner's authorized representative.

Date: 10/03/2025



Trade Area

Trade Area		
Population		
Estimated Population (2025)	21,389	
Projected Population (2030)	26,975	
Census Population (2020)	16,665	
Census Population (2010)	12,822	
Projected Annual Growth (2025-2030)	5,586	5.2%
Historical Annual Growth (2020-2025)	4,724	5.7%
Historical Annual Growth (2010-2020)	3,843	3.0%
Estimated Population Density (2025)	1,728	*psm*
Trade Area Size	12.4	*sq mi*

JOINT PLANNING AREA INTERLOCAL AGREEMENT

BETWEEN

THE CITY OF AUBURNDALE AND POLK COUNTY

This **AGREEMENT** is made and entered into this 7th. day of October, 2009, by and between the CITY of Auburndale, a Florida municipal corporation (the "CITY") and Polk COUNTY, a political subdivision of the State of Florida (the "COUNTY"). The CITY and COUNTY shall collectively be referred to as "Parties."

RECITALS

1. The CITY and the COUNTY recognize that proper intergovernmental coordination is essential for sound growth management; and

2. The CITY and COUNTY seek to have compatible land uses adjacent to their common boundaries to provide for a more enjoyable quality of life for the citizens residing in Polk County, which includes the citizens in the City; and

3. The State Comprehensive Plan requires local governments to direct development to those areas which have in place the land and water resources, physical abilities and service capacity to accommodate growth in an environmentally acceptable manner and use incentives and disincentives to achieve a sustainable mix of land uses; and

4. The State Comprehensive Plan requires local governments to protect the substantial investment in public facilities which already exists and to plan for and finance new facilities in a timely, orderly and efficient manner; and

5. The Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, encourages and empowers local governments to cooperate with one another on matters of mutual interest and advantage, and provides authority for interlocal agreements between local governments on matters such as annexation and joint planning; and

6. The Municipal Annexation or Contraction Act, Chapter 171, Part I, Florida Statutes, and the Interlocal Service Boundary Agreement Act, Chapter 171, Part II, Florida Statutes, recognizes the use of interlocal service boundary agreements and joint planning agreements as a means to coordinate future land use, public facilities and services, and protection of natural resources in advance of annexation; and

7. In order to provide proper services for the citizens, the CITY and COUNTY are desirous of engaging in joint efforts to comprehensively and cohesively plan certain areas within the city limits of the CITY of Auburndale as well as certain areas located within the boundaries of unincorporated Polk COUNTY, which areas are collectively and individually referred to herein as the "Joint Planning Area" or the "JPA"; and

8. The JPA, as depicted in Exhibit "A," delineates areas where the CITY of Auburndale is providing municipal services or intends to provide municipal services; and

9. There is no intent for this Agreement to restrict the COUNTY's authority to amend its Comprehensive Plan and Map, Land Development Code and associated subdistrict map, or apply land development regulations or otherwise to make land use decisions for unincorporated areas within the JPA, or to restrict the County's authority to object to any annexations by the City if deemed necessary by the County; and

10. There is no intent for this Agreement to restrict the CITY's authority to amend its Comprehensive Plan, Official Zoning Map, land development regulations, or apply land development regulations or otherwise to make land use decisions for lands within the corporate boundaries of the CITY or within the JPA should such lands be annexed by the CITY; and

11. A Joint Planning Agreement will provide a basis for the evaluation of future development applications. The CITY and the COUNTY intend to plan for the adequate provision of public services as required per the Comprehensive Plan of each; and

12. The CITY and COUNTY wish to identify a Joint Planning Area and have determined that such an agreement will foster intergovernmental coordination and

cooperation, economical provision of services, including police, fire and other services and adequate utilization of existing and proposed infrastructure; and

13. A public hearing with due public notice has been held by the CITY and the COUNTY prior to approval of this Agreement and as set forth in Section 163.3171(3), Florida Statutes; and

14. The CITY and the COUNTY desire to enter into this Joint Planning Agreement to address desirable land uses and locations and standards for gateways within the JPA; and

15. It is desirable for the CITY and the COUNTY to enter into such an agreement to better identify areas proposed for future municipal services, and jurisdiction and to ensure better coordination of government services and to avoid creating incompatible land uses near the parties' common boundaries; and

16. The Agreement will facilitate a better process for exchanging information between the Parties, regarding land development issues affecting both the CITY and the COUNTY; and

ACCORDINGLY, in consideration of the mutual covenants set forth in this Agreement, the receipt and sufficiency of which are hereby acknowledged, the CITY and

the COUNTY agree with each other to create and participate in the following Joint Planning Area Agreement (hereinafter referred to as the "Agreement") as follows:

SECTION 1. AUTHORITY. This Agreement is entered into pursuant to the provisions of Chapter 163, Florida Statutes, and other applicable provisions of the law.

SECTION 2. RECITALS. The Recitals above are true and correct and are incorporated into this Agreement as if fully set forth below. This Agreement shall be considered an Interlocal Agreement pursuant to the authority within Sections 163.01, 163.3171, 163.3177(6)(h)1. a, as well as Chapters 125 and 171, Florida Statutes.

SECTION 3. DEFINITIONS.

1. **Agreement.** Means and refers to this Joint Planning Agreement, as the same may be amended as provided herein.

2. **Governing Body.** Means in the case of the COUNTY, the Board of COUNTY Commissioners, and in the case of the CITY, the Auburndale CITY Commission.

3. **Joint Planning Area.** Means and refers to that area depicted in Exhibit "A". Also referred to as the "JPA".

4. **Land Development Regulation.** Means ordinances enacted by the CITY or the COUNTY for the regulation of any aspect of development.

SECTION 4. DESIGNATION AND DEFINITION OF JOINT PLANNING AREA.

1. Establishment of Joint Planning Area. To establish the means and process by which future annexations and planning activities will be accomplished, the CITY and the COUNTY (the "Parties") hereby establish a Joint Planning Area (JPA), depicted in Exhibit "A," attached hereto and incorporated herein by this reference. All areas specifically delineated, mapped and referenced in the legend on Exhibit "A" are within the JPA.

SECTION 5. JOINT PLANNING EFFORTS

1. Desired Development Patterns. Exhibits B through F illustrate the desired development patterns including the creation of gateways into the City and Polk Commerce Centre/USF Polytechnic area as a guide for development. For the purposes of this Agreement, "guide" shall mean a preferred standard, and shall not mean, require, or compel exactitude, or strict compliance with Exhibits B through F.

2. Future Comprehensive Plan Amendments. The Parties agree to use Exhibits B through F as a guide for the consideration of Future Comprehensive Plan Amendments within the boundary of the JPA. For the purposes of this Agreement, "guide" shall mean a preferred standard, and shall not mean, require, or compel exactitude, or strict compliance with Exhibits B through F.

3. Land Development Regulations. The CITY and the COUNTY agree to pursue common amendments to their respective Land Development Regulations, as necessary and desired, to support and implement the Goals, Objectives and Policies and desired land use concepts outlined in Exhibits B through F.

SECTION 6. DISPUTE RESOLUTION. In the event a dispute arises as to the terms or provisions of this Agreement, the Parties agree to comply with Chapter 164, Florida Statutes. Should the Conflict Resolution procedure outlined in Chapter 164,

Florida Statutes not result in a settlement, the Parties may seek any remedy legally available to them.

SECTION 7. AMENDMENTS. This Agreement, supporting the JPA, may be amended at any time by mutual, written agreement between the CITY and COUNTY.

SECTION 8. NOTICES. Any notice required or allowed to be delivered hereunder shall be in writing and be deemed to be delivered when: (a) hand delivered to the official hereinafter designated; or (b) upon receipt of such notice when mailed by certified U.S. mail, postage prepaid, return receipt requested, addressed to a party at the address set forth below or at such other address as the party shall have specified by written notice to the other party delivered in accordance herewith:

If to the COUNTY:	County Manager Polk County Drawer CM01, P.O. Box 9005 Bartow, Florida 33831-9005	4 copies (distribution by County Manager's office)
If to the CITY:	City Manager City of Auburndale 1 Bobby Green Plaza Auburndale, FL33823	4 copies (distribution by City Manager's Office)

SECTION 9. DISCLAIMER OR THIRD PARTY BENEFICIARIES. This Agreement is solely for the benefit of the Parties herein and no right or cause of action

shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal named party hereto. Nothing in the Agreement expressed or implied is intended or shall be construed to confer upon or give any person or corporation other than the Parties any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereto, and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the Parties and their respective representatives, successors and assigns.

SECTION 10. SEVERABILITY. In the event that any section, subsection, sentence, clause or word of this Agreement shall be held by a court of competent jurisdiction to be partially or wholly invalid or unenforceable for any reason whatsoever, any such invalidity, illegality or unenforceability shall not affect any of the other remaining articles, sections, subsections, sentences, clauses or words of this Agreement, and this Agreement shall be read and/or applied as if the invalid, illegal or unenforceable section, subsection, sentence, clause or word did not exist. This Agreement was mutually negotiated by all Parties who have executed the same. Consequently, it is the intent of the Parties that no provision shall be more harshly construed against either Party as the drafter hereof.

SECTION 11. APPLICABLE LAW VENUE. This Agreement shall be governed and interpreted by the laws of the Sate of Florida. The venue for any legal action

necessary to enforce the Agreement shall be in the courts of Polk County, Florida; or the Middle District of Florida, located in Hillsborough County, Florida.

SECTION 12. TERM OF AGREEMENT. The term of this Agreement shall commence on the date the COUNTY formally approves this Agreement or the date this Agreement is approved by the CITY, whichever is later and shall continue for five (5) years. Thereafter, it may be extended for succeeding periods of five (5) years each by mutual agreement of the Parties. This Agreement may be terminated by either Party by delivery of written notice at least six (6) months prior to the termination date.

SECTION 13. FILING OF THE AGREEMENT. Polk County agrees to file an executed copy of this Agreement with the Clerk of the Circuit Court of Polk County in accordance with §163.01(11), Florida Statutes.

SECTION 14. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the Parties and supersedes all previous discussions, understandings and communications between the Parties relating to the subject matter contained herein.

LIST OF EXHIBITS:

Exhibit A: Joint Planning Area (JPA) Boundary

Exhibit B: Gateways and Tourism Commercial Areas

Exhibit C: Residential Areas

Exhibit D: Mixed-Use Areas

Exhibit E: Commercial Areas

Exhibit F: Business Park Centers

ATTEST:

Richard M. Weiss, Clerk of Circuit Court

P. 35

By: Freda L. Wade
Deputy Clerk

POLK COUNTY, FLORIDA, a political subdivision of the State of Florida

By: Sam Johnson
Sam Johnson, Chairman

Date: 10-7-09

REVIEWED AS TO FORM AND LEGAL SUFFICIENCY:

Jane J. Gibson 9/25/09
County Attorney's Office **Date**

ATTEST:

Shirley A. Lowrance
Shirley A. Lowrance, CITY Clerk

CITY OF AUBURNDALE, FLORIDA, a municipal corporation

APPROVED:

By:
William E. Sterling, Jr., Mayor

Date: 09-14-2009

APPROVED AS TO FORM AND LEGALITY:

V. Patton Kee
V. Patton Kee, CITY Attorney

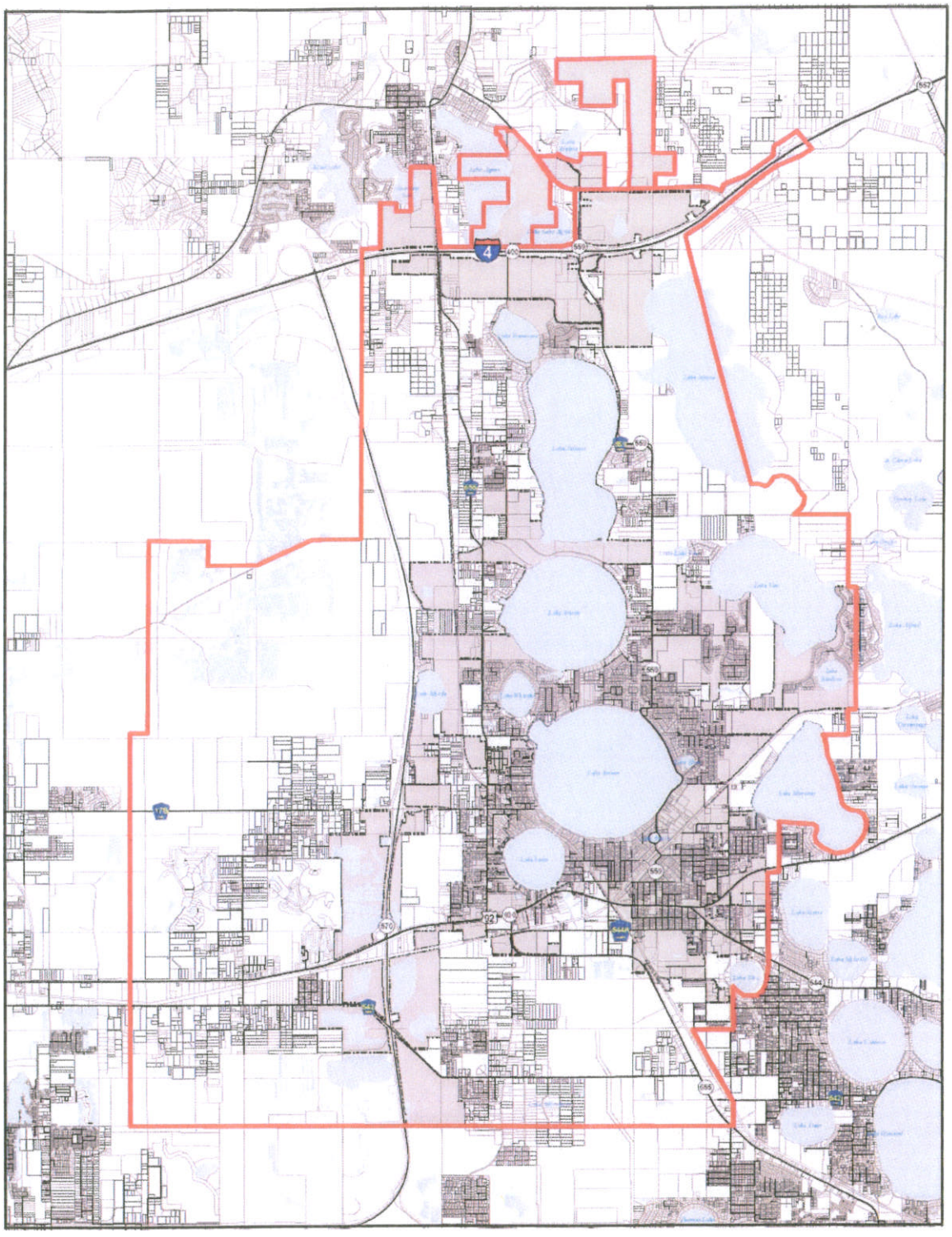


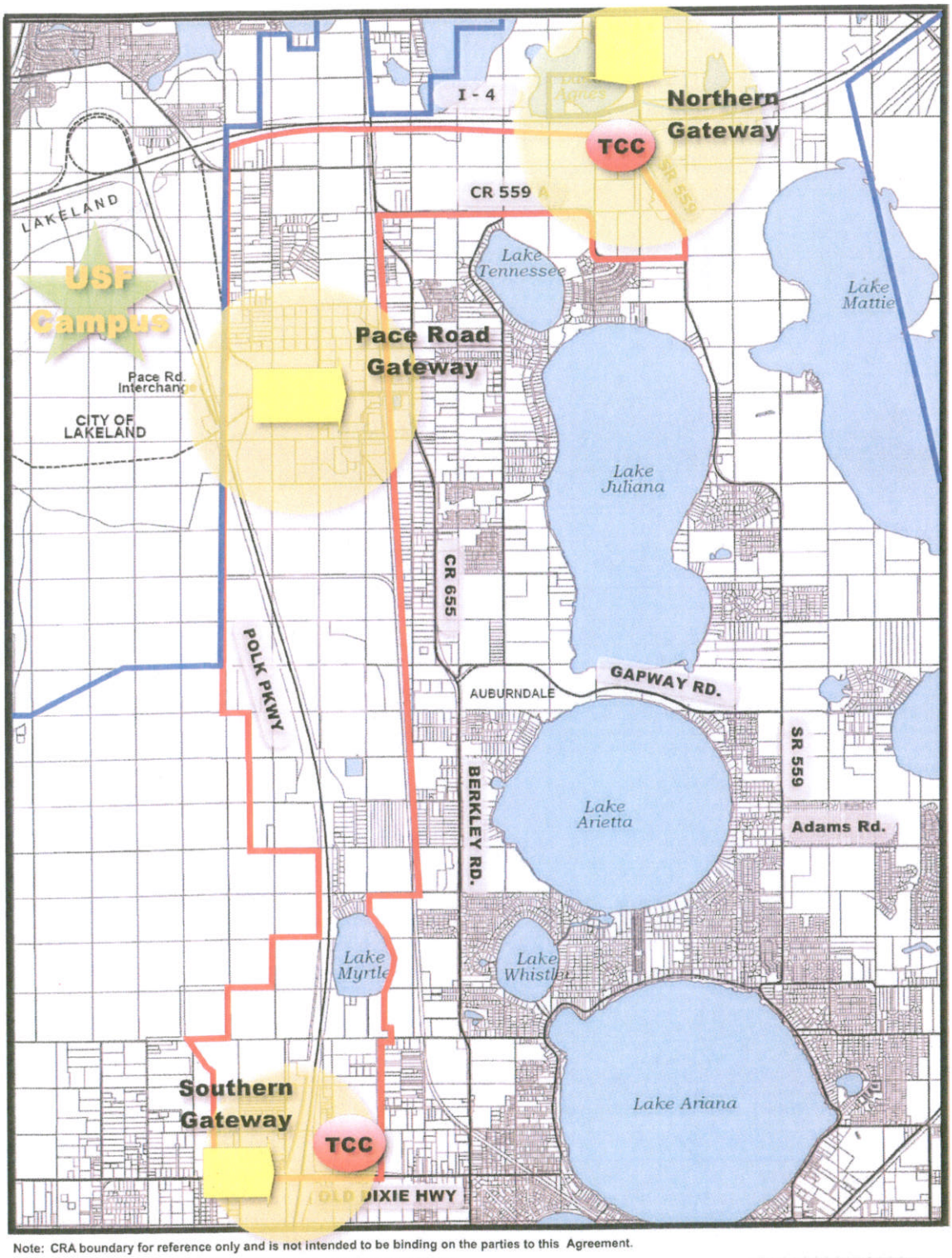
Exhibit A
JPA BOUNDARY
Joint Planning Area

City of Auburndale - Polk County JPA

Legend
- Local Roads
- Major Roads
- Parcels
- Water Bodies
- JPA Boundary
- Auburndale City Boundary

Miles
0 0.5 1 2

prepared for
City of Auburndale
by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit B
GATEWAYS & TOURISM COMMERCIAL AREAS
Joint Planning Area

City of Auburndale - Polk County JPA

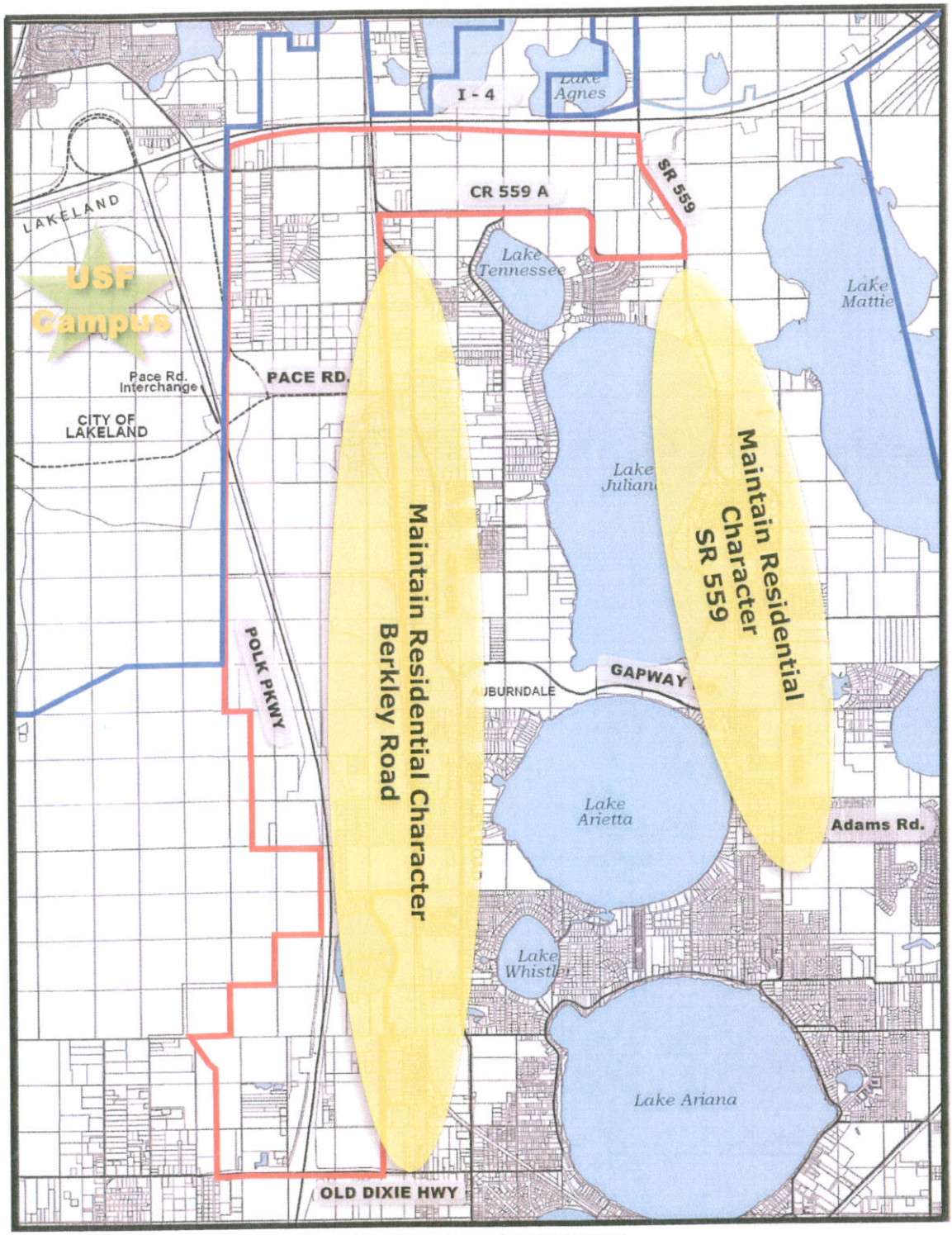
N

0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit C
RESIDENTIAL AREAS
Joint Planning Area

City of Auburndale - Polk County JPA

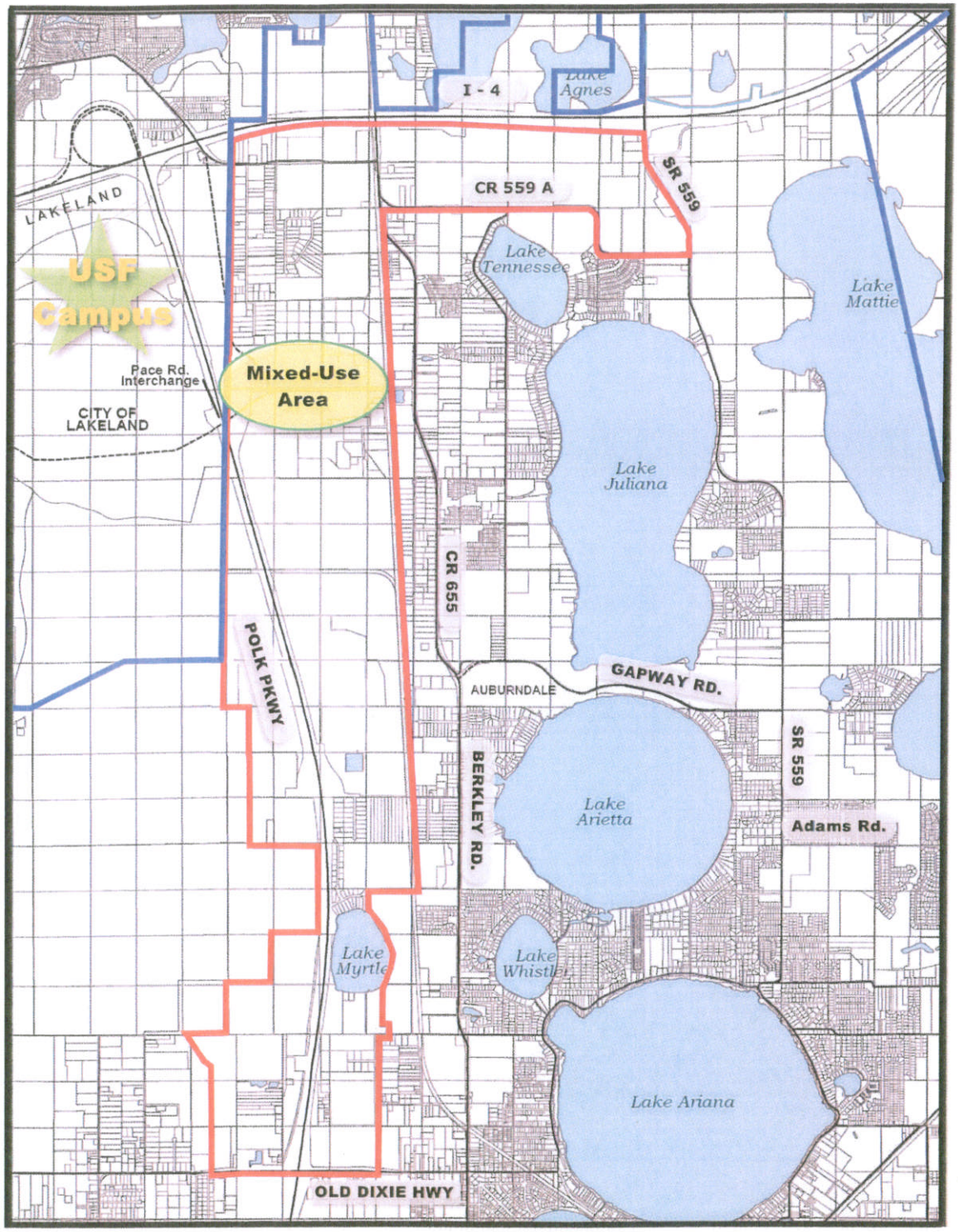
N

0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit D
MIXED-USE AREA
Joint Planning Area

N

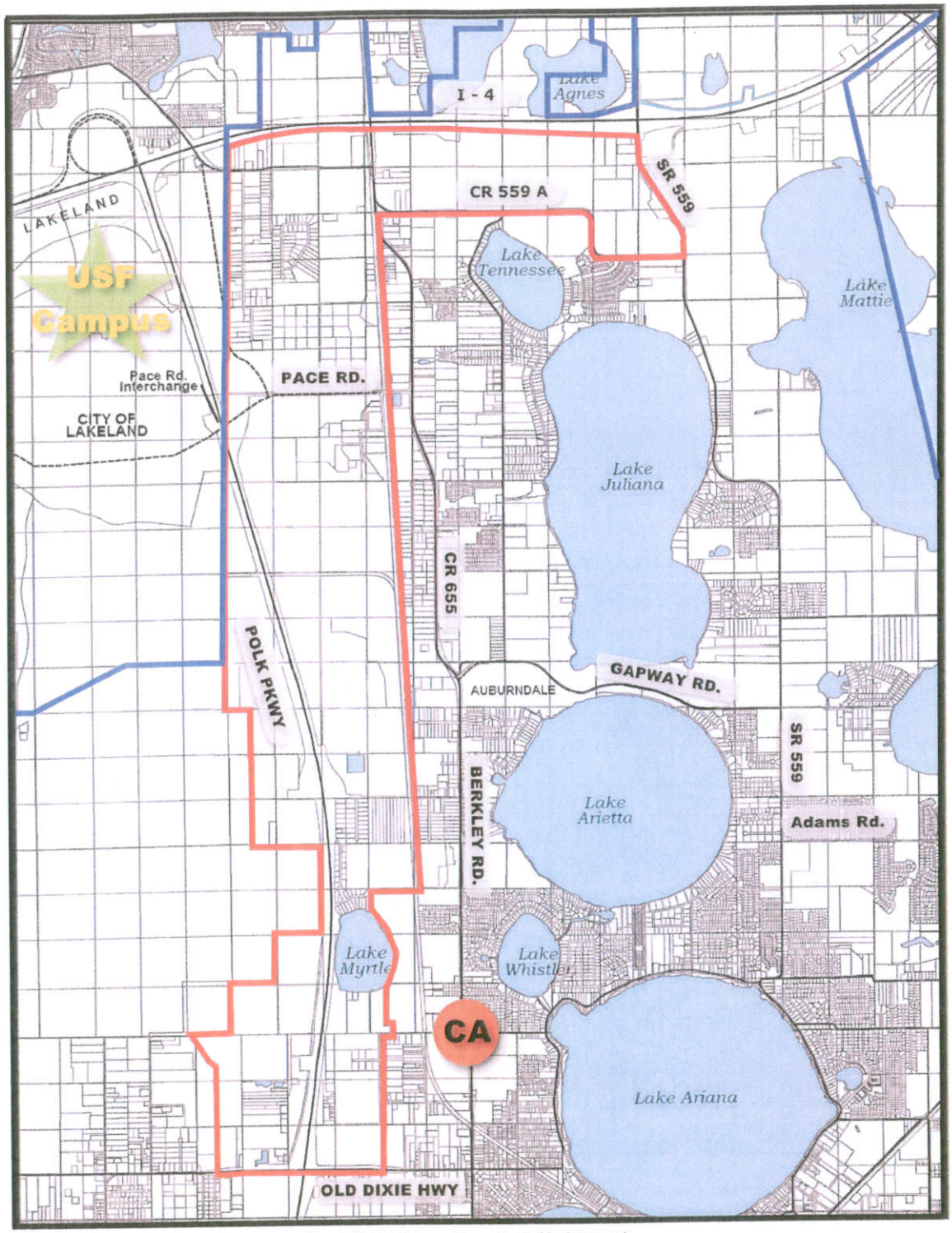
0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

City of Auburndale - Polk County JPA

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit E
COMMERCIAL AREA
Joint Planning Area

City of Auburndale - Polk County JPA

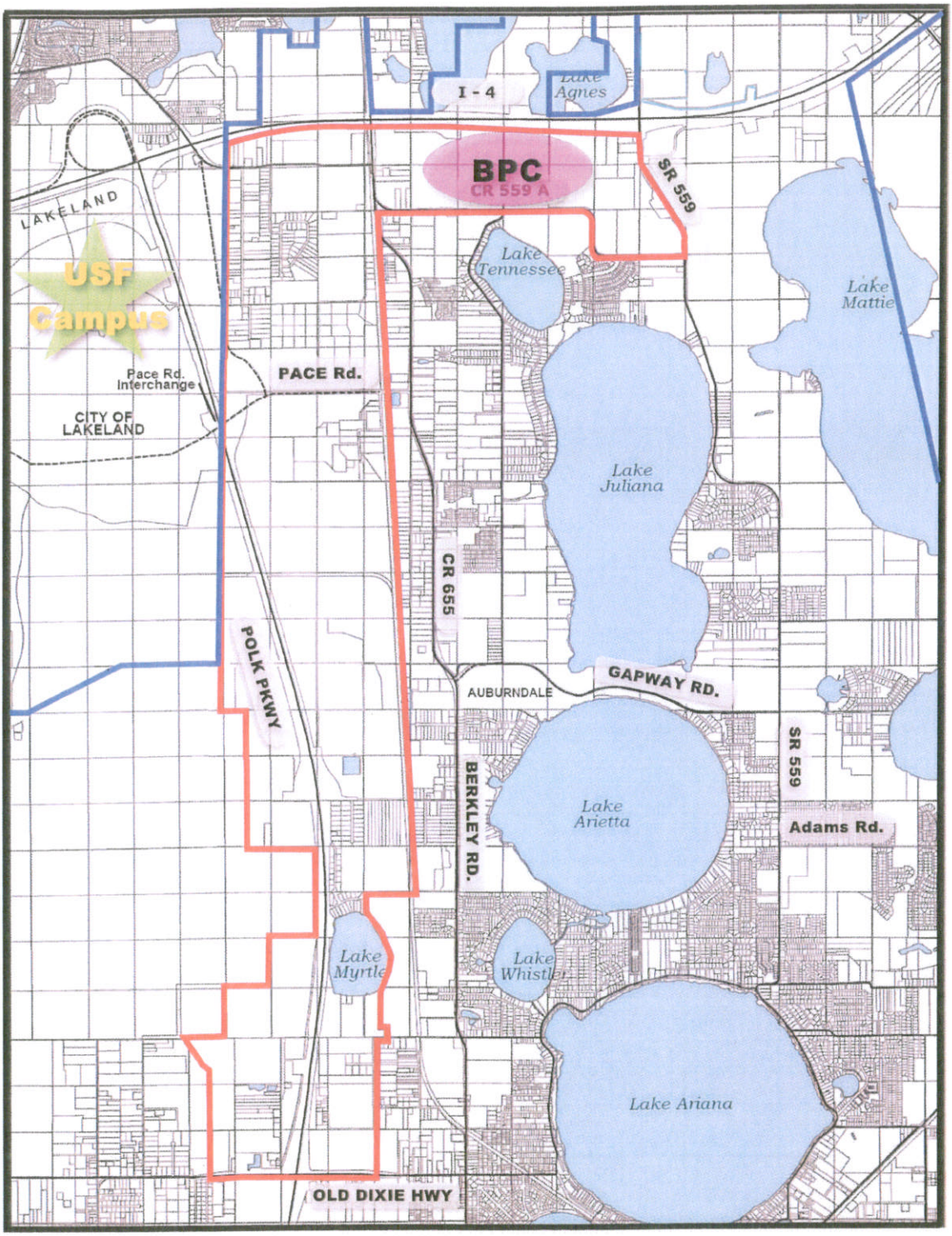
N

0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit F
BUSINESS PARK CENTER
Joint Planning Area

City of Auburndale - Polk County JPA

N

0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC

STATE OF FLORIDA)
)
COUNTY OF POLK)

I, Richard M. Weiss, Clerk of the Circuit Court of Polk County, Florida, hereby certify that attached is a Joint Planning Area Interlocal Agreement with the City of Auburndale. This Interlocal Agreement was approved by the Polk County Board of County Commissioners on October 7, 2009, and was filed in this office on the 20th day of October 2009.

WITNESS my hand and official seal on this October 20, 2009.

RICHARD M. WEISS
Clerk of Circuit Court

By: _____
Deputy Clerk

FILED - GENERAL
POLK COUNTY CLERK
CIRCUIT COURT CIVIL
2009 OCT 20 PM 2:39

City of Auburndale
Auburndale, Florida 33823

#1 Bobby Green Plaza
Community Development

P. O. Box 186
Phone (863) 965-5530
Fax (863) 965-5507

October 16, 2025

Mr. Robert Bolton
Planner III, Land Development
Polk County Board of County Commissioners
330 W Church St, Bartow, FL 33830

SUBJECT: LETTER OF OPPOSITION FOR LDCT-2025-19 and LDCPAS-2025-17

Dear Mr. Bolton,

The City of Auburndale would like to express concern regarding LDCT-2025-19 Text Amendment and LDCPAS-2025-17 Comprehensive Plan Amendment. The location of the subject site is a gateway of the Central Florida Innovation District, within the Auburndale Joint Planning Area (JPA) and serviced by the City of Auburndale utilities. The property is contagious to city limits to the east and could annex into the City of Auburndale.

The property has Single Family Residential-1 (RS-1) zoning and Low-Density Future Land Use within the City of Auburndale to the east. Unincorporated Polk County Residential Future Land Use also surrounds this property to the north, south and west as seen on exhibit maps. North and south of the subject site is Residential Low Future Land Use which is comparable to the City of Auburndale's Low-Density Future Land Use. While some of the subject site does have Polk County Residential Low-4 Future Land Use, the properties have developed with one dwelling unit per half acre to one acre and would not be considered compatible to the intensities allowed within the requested Neighborhood Activity Center Future Land Use. The Polk County Comprehensive Plan lists the following policies on compatibility that should be taken into consideration with the requested amendments.

> POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:
>
> a. there have been provisions made which buffer incompatible uses from dissimilar uses;
> b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;
> c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

The intensity of a Neighborhood Activity Center Future Land Use would not be considered compatible with the current established residential development surrounding the property. If commercial is considered for the subject site, it should mirror the same conditions for the entire subject site for Block A, B and C listed in the staff report "conditions." The closest Neighborhood Activity Center is approximately two miles to the south. However, within the City of Auburndale a commercial Village Center is approximately 0.39 miles to the northeast. Village Center Zoning allows for

mixed use commercial such as retail, restaurants, personal services, and office space. Polk County Comprehensive Plan POLICY 2.110-D3, states that there should be a minimum travel distance of two miles from one Neighborhood Activity Center (NAC) and the center of any other Neighborhood Activity Center. While the subject site meets the distance criteria for Polk County Future Land Use, it is less than 1.71 +/- miles north of Neighborhood Activity Center Future Land Use within the City of Auburndale which is comparable in permitted uses.

In 2019, Polk County with the City of Lakeland, City of Auburndale and Central Florida Development Council signed a Memorandum of Understanding establishing the Central Florida Innovation District. The City of Auburndale adopted Land Development Regulations in May of 2024 (Ordinance #1770) creating a special overlay district. The subject site is noted in Section 15.608 as a "Gateway" for the Innovation District. Within this special overlay district is sign standards, per Sec. 15. 606.11, stating monument signs shall be consistent with the design, character, materials, and finishes used on the Florida Polytechnic University and SunTrax monument signs. Regulations, per Sec. 15. 606.6, a, b, also outline Type C landscaping and solid walls to minimize the impact of nonresidential development on any abutting residential district.

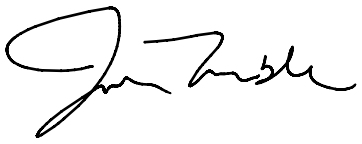
Should Polk County adopt LDCT-2025-19 and LDCPAS-2025-17, the City would ask that the following conditions be placed on the subject site:

1. Type C landscaping, sign standards to imitate Florida Polytechnic University and SunTrax monument signs.
2. a solid 6-foot masonry wall required on the northern and west property lines.
3. outdoor storage be prohibited to help the impact of nonresidential development abutting the established residential district.
4. require the same prohibited uses for Block A as listed in the staff report for Block B and C.

Due to the concern with compatibility and location, consideration should be given to accommodate compatible uses and transitional zoning to the surrounding residential. The City has provided Polk County staff with current City Zoning and Future Land Use Maps and City of Auburndale Ordinance #1770.

Please accept our objection to LDCT-2025-19 and LDCPAS-2025-17, based on the above information and enter it into the record with staff reporting.

Sincerely,



Julie Womble, M.A.
Community Development Director
City of Auburndale

ORDINANCE NO. 1770

AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING CHAPTER 15 SPECIAL OVERLAY DISTRICTS; ESTABLISHING ARTICLE 5 REGARDING THE CENTRAL FLORIDA INNOVATION DISTRICT AND DETAILING DEVELOPMENT GUIDELINES AND STANDARDS FOR THE CENTRAL FLORIDA INNOVATION DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Commission adopted Ordinance No. 764, the Land Development Regulations to implement the adopted Auburndale Comprehensive Plan;

WHEREAS, the adopted Auburndale Land Development Regulations contain Chapter 15, Special Overlay Districts

WHEREAS, the Auburndale Planning Commission, at an advertised Public Hearing, has reviewed, heard public input and recommended that the City Commission amend this Chapter of the Land Development Regulations;

WHEREAS, the Auburndale City Commission has held Public Hearings concerning the proposed amendment and has an affirmative vote of the City Commission on said amendment; and

WHEREAS, the City of Auburndale, Polk County Board of County Commissioners, the City of Lakeland and the Central Florida Development Council entered into a Memorandum of Understanding relating to the Central Florida Innovation District on September 17, 2019; and

WHEREAS, in exercise of its authority, the City Commission of the City of Auburndale, Florida has determined it necessary and desirable to amend the certain sections contained in the Land Development Regulations and adopted by Ordinance No. 764, consistent with the public interest within Auburndale, Florida.

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

SECTION 1. RECITALS. The above recitals are hereby incorporated as the factual basis for the adoption of this Ordinance.

SECTION 2. Chapter 15, Article 5 of the City of Auburndale Land Development Regulations is hereby adopted as follows on Exhibit "A" attached hereto and hereby incorporated by reference.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 4. COPY OF ORDINANCE ON FILE. A copy of this Ordinance shall be kept on file in the office of the Auburndale City Clerk.

SECTION 5. CONFLICTS WITH OTHER ORDINANCES. That portion of any Ordinance which may be in conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately following the second reading of the Ordinance.

INTRODUCED FOR CONSIDERATION ON FIRST READING by the City Commission of the City of Auburndale, Florida, meeting in Regular Session this 6th day of May, 2024.

CITY COMMISSION
OF AUBURNDALE, FLORIDA

By:_____
Dorothea Taylor Bogert, Mayor

ATTEST:

By:_____
Brandon Henry, City Clerk

LEGAL IN FORM AND VALID IF ENACTED

By:_____
Frederick J. Murphy, Jr., City Attorney

PASSED AND DULY ADOPTED ON SECOND AND FINAL READING by the City Commission of the City of Auburndale, Florida, meeting in Regular Session this 20th day of May, 2024.

CITY COMMISSION
OF AUBURNDALE, FLORIDA

By:_____
Dorothea Taylor Bogert, Mayor

ATTEST:

By:_____
Brandon Henry, City Clerk

CHAPTER 15

ARTICLE 5: THE CENTRAL FLORIDA INNOVATION DISTRICT

PART 1. – THE CENTRAL FLORIDA INNOVATION DISTRICT ESTABLISHED, INTRODUCTION AND PURPOSE

Sec. 15.600. - Title

Chapter 15, Article 5 shall be entitled "The Central Florida Innovation District" and is part of the City of Auburndale's "Land Development Regulations".

Sec. 15.601. - Relationship to the Comprehensive Plan.

The regulations and requirements herein set forth have been established in accordance with the City of Auburndale Comprehensive Plan.

Sec. 15.602. - Purpose.

The purpose of these zoning and design guidelines and standards is to create a planned and balanced "District" focusing on innovation. Further, it is the intent of these standards to provide for collaborative development that provides space for the targeted industries of the Central Florida Innovation District.

The City identified The Central Florida Innovation District as an area that provides specific opportunities for targeted economic development. The District focuses on retaining talent from Polk County's higher learning institutions, cultivates a sense of place and innovation, maximizes buildable space, provides a mix of uses where one does not dominate the other and offers opportunities for cutting-edge technology being developed at Florida Polytechnic University and SunTrax, the Florida Department of Transportation's testing facility along the Polk Parkway.

An Innovation District is an environment that allows for an integrated mix of related activities within an understandable, coordinated place. The Central Florida Innovation District has a common mission, which includes but is not limited to:

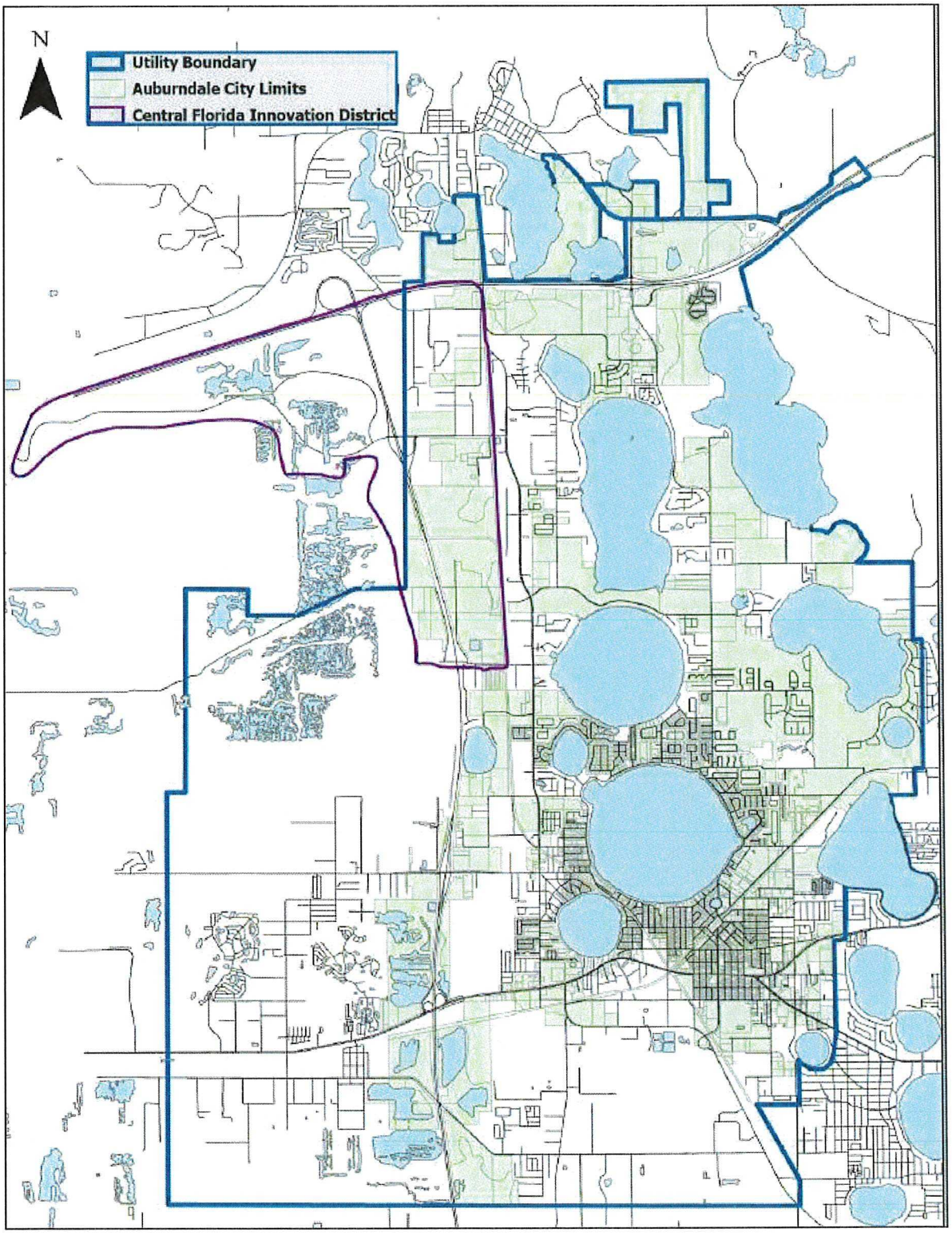
- Shared Ideas and Vision for the District.
- Mutual Economic Benefits for the City of Auburndale, City of Lakeland, and Polk County.
- Provide communication and collaboration between the City of Auburndale, City of Lakeland, and Polk County.
- Coordinated support of services for the District.

Sec. 15.603. - Where These Standards Apply.

Consistent with the City of Auburndale's Comprehensive Plan, the Central Florida Innovation District allows the use of underlying zoning district standards (Chapters 5 and 6). However, property anywhere within the District boundary area, and within the utility boundary service area of the City of Auburndale, is encouraged to develop in accordance with the planning principles contained within this Article through annexation, the establishment of zoning and/or rezoning. The remainder of this Article assumes that the property owner/developer has chosen, or is otherwise required, to develop consistent with the Central Florida Innovation District established and outlined within this Article and within the utility boundary service area of the City of Auburndale.

Map 15.4

The Central Florida Innovation District Boundary – General Overlay Area



Sec. 15.604. – Vision and Planning Principles.

The vision for the Central Florida Innovation District provides economic guidance for targeted industries and development within the District. The target industries include:

- Research and Development
- Health Tech
- Information Sciences and Engineering
- Advanced Manufacturing
- Mobility and Innovation

Development within the Central Florida Innovation District planning area shall encourage and incorporate land use techniques and principles which support and ensure:

- Compact urban design which encourages pedestrian activity and minimizes impacts on the natural environment.
- Mixed and multi-use use integrated development providing employment opportunities within targeted industries listed in the vision of the District.

Sec. 15.605. Administration and Enforcement.

Sec. 15.605.1. Applicability and Effective Date.

Commencing on the date of the adoption of the Central Florida Innovation District (Insert Date), these provisions shall apply to development of all land therein whether publicly or privately held. No development shall be undertaken without prior authorization in accordance with standards and or guidelines applicable to the Central Florida Innovation District. Any building, structure, or parking area that lawfully exists at the time the Central Florida Innovation District is enacted, which would not otherwise be permitted under the Central Florida Innovation District, may be continued in the same manner as it existed before the effective date of the Central Florida Innovation District. Any future considerations, additions, reconstruction, or renovation shall be subject to the requirements of standards and guidelines for the Central Florida Innovation District.

The Central Florida Innovation District standards apply to the following:

- All new construction of buildings or structures.
- All exterior building improvements requiring a building permit.
- All new or reconstructed parking areas.

Sec. 15.605.2. Compliance with the JPA Overlay District Standards.

All development within the Central Florida Innovation District shall also meet requirements outlined in Chapter 15, Special Overlay District, Article 3.

Sec. 15.606. Design Standards.

The following design standards are applicable to all development within the Central Florida Innovation District established herein.

1. Docks:
    a. Warehouse dock doors, loading areas, and truck drive aisles must be located on the opposite side of the building from the nearest sensitive receptors such as residential areas.
    b. Screening warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.

2. Truck courts must be internal.

3. Building Size –maximum 200,000 square feet.

4. Depth - does not exceed 200 feet.

5. Truck routing:

    A truck routing plan is required - Examples of measures to mitigate traffic impacts include but are not limited to:
    a. Preventing truck queuing spillover onto surrounding streets by positioning entry gates.
    b. Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
    c. Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
    d. Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.
    e. Requiring preparation and approval of a truck routing plan, prior to site plan approval, describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license and/or its functional equivalent is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.
    f. Internally Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.

6. Buffer, Landscaping and Walls:
    a. A Type C buffer shall be provided between all commercial development abutting residential districts.
    b. A solid wall, a minimum of 6 feet in height, shall be provided to minimize the impact of non-residential development on any abutting residential district.
    c. The Administrative Official may also require additional appropriate fences, solid walls and vegetative screening between mixed use development that includes residential.
    d. Industrial and manufacturing uses require a type C Buffer and landscaping.

e. For commercial development berms, Type C landscaping and solid walls may be required by the Administrative Official to mitigate against intense visual impacts, noise, traffic or parking.
f. Property owners and successors in interest are required to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.

7. All access points shall have at a minimum 50 feet of road frontage and be located at a minimum on an Urban collector or Rural Major collector road or better unless contained within a planned industrial park with access to an Urban collector or Rural Major collector road or better.

8. Manufacturing must be enclosed within the building's walls.

9. Percentage of distribution use: The Central Florida Innovation District does not permit warehouses, logistics and or distribution as the primary use, after the adoption date of this Article, within the Central Innovation District boundaries located within the City limits of Auburndale.

10. Architecture/color standards: Colors. Neutral colors are encouraged. Architectural standards outlined in Chapter 15, Special Overlay District, Article 3 also apply.

11. Signage:

a. Monument signs shall be consistent with the design, character, materials, and finishes used on the Florida Polytechnic University and SunTrax monument signs and approved by the City of Auburndale before installation.

b. Sign standards outlined in Chapter 15, Special Overlay District, Article 3 also apply.

Sec. 15.607. Prohibited Uses.

1. Cross docks.
2. Docks located in the front of the building.
3. Buildings over 200,000 square feet.
4. Outdoor storage.
5. No activity shall be conducted that produces noise, odors, dust, fumes, fire hazard, or other nuisance beyond the property lines.
6. Medium and Heavy Manufacturing.

Sec. 15.608. Gateways.

Gateways for the Central Florida Innovation District have been identified in Map 15.4. The gateways are entrance corridors into the Central Florida Innovation District and located around the crossroads of the following intersections:

a. Braddock Road and Berkley Road
b. Pace Road and Berkley Road
c. Polk Parkway and Pace Road
d. Polk Parkway and Braddock Road

(1)

November 3, 2025

Dear Planning Commission Member,

I would like to express my strong opposition to any commercial development of the property at the corner of Berkley Road and Braddock Road. (LDCPAS-2025-17)

First of all, there is no need for anything commercial. From Braddock Road south it is 1.3 miles to Denton Avenue where there is a Dollar General, a gas station with a convenience store, a proposed lawyers office, and a proposed commercial enclave.
Just 2 miles south of Braddock is Old Dixie Highway where there is a Family Dollar, another gas station, a market, a convenience store, a laundromat, and Peebles Barbecue around the corner.
From Braddock, it is 3.2 miles to US 92 where there is a whole host of commercial establishments including a dental clinic, Walmart, Lowe's, 2 gas stations, a convenience store, several fast-food restaurants, 2 sit down restaurants, Aldis, a bank, an auto parts store, plus many others. The area North of Braddock is mixed residential, agricultural, and wooded land all the way to Pace Road. ***However, there are NO commercial businesses in that stretch.*** From Braddock, it is 5.2 miles to the Publix shopping center via Fred Jones and William Van Fleet roads. There you'll find 3 restaurants, a fast-food restaurant, UPS, and another dental clinic. Certainly, we have easy access to all the commercial products and services that the people who live in this area need.

Next, I believe the current zoning is RL and is sandwiched between RL to the North and RL to the South. Under those circumstances, how is it responsible or ethical to change it to NAC which is essentially commercial?

When I moved here 43 years ago, Berkley Road was a 2 Lane Country Rd. with Orange Groves and cattle. From Denton to Pace there were a few residential subdivisions: Somerset, Arietta Shores, Grimes Woods. and the group of houses on Keith Court. Then came the gas station, the Dollar General, 4 Lanes, and the Sports complex. In recent years the number of housing developments has exploded: Berkley Pointe, Oak Crossing, Heather Heights, the Enclave at Lake Myrtle, the Enclave at Lake Arietta, and Auburn Reserve. The area from Denton to Pace Road is almost entirely residential. You (Polk County) and the City of Auburndale have aided and approved this stretch of Berkley Road to be residential. People choose to live here rather than in the city. Why would you betray all of these residents by approving a commercial development in the midst of what's left of their peace and tranquility? I thought we were all against urban sprawl! So many recent decisions have had a negative impact on our quality of life, for example the 18 wheelers that crowd our road. PLEASE don't further destroy this beautiful area by approving a commercial development at Berkley and Braddock. That property should be developed into houses in keeping with the surrounding area.

Thank you for your time.

Sincerely,
Kay Waterman
126 Arietta Shores Drive

(2)

City of Auburndale
Auburndale, Florida 33823

#1 Bobby Green Plaza
Community Development

P. O. Box 186
Phone (863) 965-5530
Fax (863) 965-5507

October 16, 2025

Mr. Robert Bolton
Planner III, Land Development
Polk County Board of County Commissioners
330 W Church St, Bartow, FL 33830

SUBJECT: LETTER OF OPPOSITION FOR LDCT-2025-19 and LDCPAS-2025-17

Dear Mr. Bolton,

The City of Auburndale would like to express concern regarding LDCT-2025-19 Text Amendment and LDCPAS-2025-17 Comprehensive Plan Amendment. The location of the subject site is a gateway of the Central Florida Innovation District, within the Auburndale Joint Planning Area (JPA) and serviced by the City of Auburndale utilities. The property is contagious to city limits to the east and could annex into the City of Auburndale.

The property has Single Family Residential-1 (RS-1) zoning and Low-Density Future Land Use within the City of Auburndale to the east. Unincorporated Polk County Residential Future Land Use also surrounds this property to the north, south and west as seen on exhibit maps. North and south of the subject site is Residential Low Future Land Use which is comparable to the City of Auburndale's Low-Density Future Land Use. While some of the subject site does have Polk County Residential Low-4 Future Land Use, the properties have developed with one dwelling unit per half acre to one acre and would not be considered compatible to the intensities allowed within the requested Neighborhood Activity Center Future Land Use. The Polk County Comprehensive Plan lists the following policies on compatibility that should be taken into consideration with the requested amendments.

> POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:
>
> a. there have been provisions made which buffer incompatible uses from dissimilar uses;
> b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;
> c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

The intensity of a Neighborhood Activity Center Future Land Use would not be considered compatible with the current established residential development surrounding the property. If commercial is considered for the subject site, it should mirror the same conditions for the entire subject site for Block A, B and C listed in the staff report "conditions." The closest Neighborhood Activity Center is approximately two miles to the south. However, within the City of Auburndale a commercial Village Center is approximately 0.39 miles to the northeast. Village Center Zoning allows for

mixed use commercial such as retail, restaurants, personal services, and office space. Polk County Comprehensive Plan POLICY 2.110-D3, states that there should be a minimum travel distance of two miles from one Neighborhood Activity Center (NAC) and the center of any other Neighborhood Activity Center. While the subject site meets the distance criteria for Polk County Future Land Use, it is less than 1.71 +/- miles north of Neighborhood Activity Center Future Land Use within the City of Auburndale which is comparable in permitted uses.

In 2019, Polk County with the City of Lakeland, City of Auburndale and Central Florida Development Council signed a Memorandum of Understanding establishing the Central Florida Innovation District. The City of Auburndale adopted Land Development Regulations in May of 2024 (Ordinance #1770) creating a special overlay district. The subject site is noted in Section 15.608 as a "Gateway" for the Innovation District. Within this special overlay district is sign standards, per Sec. 15. 606.11, stating monument signs shall be consistent with the design, character, materials, and finishes used on the Florida Polytechnic University and SunTrax monument signs. Regulations, per Sec. 15. 606.6, a, b, also outline Type C landscaping and solid walls to minimize the impact of nonresidential development on any abutting residential district.

Should Polk County adopt LDCT-2025-19 and LDCPAS-2025-17, the City would ask that the following conditions be placed on the subject site:

1. Type C landscaping, sign standards to imitate Florida Polytechnic University and SunTrax monument signs.
2. a solid 6-foot masonry wall required on the northern and west property lines.
3. outdoor storage be prohibited to help the impact of nonresidential development abutting the established residential district.
4. require the same prohibited uses for Block A as listed in the staff report for Block B and C.

Due to the concern with compatibility and location, consideration should be given to accommodate compatible uses and transitional zoning to the surrounding residential. The City has provided Polk County staff with current City Zoning and Future Land Use Maps and City of Auburndale Ordinance #1770.

Please accept our objection to LDCT-2025-19 and LDCPAS-2025-17, based on the above information and enter it into the record with staff reporting.

Sincerely,



Julie Womble, M.A.
Community Development Director
City of Auburndale

PUBLIC RESPONSE RECORD
OPPOSITION

CASE # LDCPAS-2025-17 LDCT-2025-19 HEARING DATE 11/5/2025

1. NAME Linda Sorrells ADDRESS _____

REASON Call in opposition

PHONE CALL (863-513-4424) LETTER ( ) PETITION ( )

2.. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

3. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

4. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

5. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

TOTAL RESPONSES
PHONE CALLS _____
LETTERS _____
PETITION _____

Polk County

Planning Commission

Agenda Item 17. 11/5/2025

SUBJECT

LDCT-2025-19 (Braddock Rd & Berkley Rd LDC Text Amendment

DESCRIPTION

Applicant-initiated requested LDC Text Amendment (LDCT-2025-19) to Appendix E adding conditions of development, related to a Small Scale Comprehensive Plan and Text Amendment (LSCPAS-2025-17) from Residential Low (RL) to Neighborhood Activity Center (NAC) with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions, on 7.95± acres for a property located east of the Polk Parkway (SR 570), north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton

Planner III

Land Development

863-534-6468

robertbolton@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	June 6, 2025
Planning Commission Date:	November 5, 2025
BoCC Dates:	1st Reading: December 2, 2025; Adoption: December 16, 2025
Applicant:	Bart Allen, Peterson & Myers
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCT-2025-19; Berkley & Braddock LDC Text Amendment
Request:	A Land Development Code Text Amendment (LDCT-2025-19) to Appendix E adding conditions of development and limiting allowable uses within the NAC and increased buffering requirements on property subject to the Small Scale Comprehensive Plan Map and Text Amendment (LSCPAS-2025-17) from Residential Low (RL) to Neighborhood Activity Center (NAC) with a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions to reference the subject site has development conditions.
Location:	East of the Polk Parkway (SR 570), north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.
Property Owner:	J Everett Allen & Sons Inc
Parcel Size:	±7.95 acres (252728-000000-043020, -043180, -043190, -043200, -043210, -043230, -043230, -043240)
Development Area/Overlays:	Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA)
Future Land Use:	Residential Low (RL)
Nearest Municipality	Auburndale
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	N/A
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary of Analysis

This is an applicant request for a Small Scale Comprehensive Plan Amendment LDCPAL-2025-17) to change the Future Land Use Designation from Residential Low (RL) in the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA) to Neighborhood Activity Center (NAC) on 7.95+/- acres. The applicant has a related request for a Land Development Code (LDC) Text Amendment (LDCT-2025-19) to add development restrictions and limitations to the allowable uses as shown in Table 2.1 of the LDC. The site is located in the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA) located on the north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.

Compatibility Summary

The proposed land use change is compatible with the growth that has occurred in this area. The subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA), at the intersection for two (2) Urban Collector roads with full public services. The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary. Since approval of the JPA the boundary has experienced annexations as well as a new amendment to the City of Auburndale's Land Development Regulations Chapter 15 providing for a Special Overlay District for The Central Florida Innovation Distrct, which the subject site is not included within. The subject currently has Land Use designation of RL. The adjacent Land Use designations to the subject site are also residential. However, the surrounding other uses within approximately ½ mile include the City of Auburndale's Youth Baseball Complex, Polk County's Lake Myrtle Sports Park, TECO Auburndale Trail and the SunTrax facility. The Urban Growth Area (UGA) is meant to be an area where the availability of infrastructure and other community facilities and services, promotes and supports the location of higher density and intensity development. The proposed NAC will provide needed non-residential support to an area with land uses that vary from residential to recreational to employment center. The request is considered to be compatible and consistent with the surrounding area.

Infrastructure and Urban Services Summary

The proposed CPA is not anticipated to degrade the Level-of-service (LOS) standard for transportation, the locally zoned schools, fire, EMS and sheriff public safety resources. Braddock Road was rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. As part of the reconstruction of Braddock Road a new interchange was created with SR 570 (Polk Parkway), providing improved access to the SunTrax facility on the north side of Braddock Road. Braddock Road is currently being reviewed for Available Peak Hour Capacity as well as Level of Service. The subject site will be connected to the City of Auburndale's water and wastewater. The City of Auburndale reports that there are no capacity issues for potable water; however, they have halted taking new flows to the sanitary system in this area until sewer improvement projects have been completed. There are no wells on the subject site.

Environmental Conditions Summary

The proposed request is not anticipated to have a negative impact upon the environmental features present on site. However, the subject site is not located within the one-mile radius of a protected animal and plant species sighting and has no surface water, wetlands or flood zones. The project

site is not located within an Airport Impact District and is not associated with any historical or archeological sites.

The subject site is not located within an airport height notification zone, there are no historical or archeological resources, and there are no indicated protected species. The subject site has no surface water, wetlands or flood zones, the soils are not of a problematic type.

Comprehensive Plan Policies Considered

- Section 2.102 – General Growth Management policies
- Section 2.105 – Urban Growth Areas (UGA) policies
- Section 2.110-D – Neighborhood Activity Center policies

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request to change the Future Land Use (FLU) designation from Residential Low (RL) to Neighborhood Activity Center (NAC) in the Urban Growth Area (UGA) and a Comprehensive Plan Text Amendment to Section 2.135 Parcel Specific Future Land Use Map Amendment with Conditions.

- LDCT-2025-19 is an applicant-initiated request to add parcel specific development restrictions to the site and limit specific allowable uses within the proposed Neighborhood Activity Center as shown in Table 2.1 of the Land Development Code (LDC) and to provide enhanced buffers.

- The subject site is located on the north side of Braddock Road, west side of Berkley Road (SR 655), with the RL Future Land Use district comprising the site and is located in the UGA.

- The subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA). The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary.

- The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary. (See separate Attachment)

- Since approval of the JPA the boundary has experienced annexations as well as a new amendment to the City of Auburndale's Land Development Regulations Chapter 15 providing for a Special Overlay District for The Central Florida Innovation Distrct, which the subject site is not included within.

- The proposed FLU change totals approximately 7.95+/- acres. The subject site is located east of the Polk Parkway (SR 570), north side of Braddock Road, west side of Berkley Road (SR 655), south of Gapway Road and adjacent to the city of Auburndale to the east, with Auburndale in close proximity to the north, west and south in Section 28, Township 27, Range 25.

- Within the City of Auburndale there are two Convenience Center Land Use districts approximately 1/3 mile south of the subject site. The Convenience Center on the west side of Berkley Road is associated with the Lake Myrtle Sports Complex and is owned by Polk County. The Convenience Center on the east side of Berkley Road is located within currently developing residential development Summer Lake Estates, as residential homes

- Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). The Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC).

- The site is located within the Joint Planning Area Interlocal Agreement Between The City of Auburndale and Polk County. Provided under separate attachment.

Compatibility

- The subject's surrounding uses are as follows:
  - North of the subject site is Residential Low (RL) with residential development typically 1 acre or larger.
  - East of the subject site is the City of Auburndale residential development.
  - South of the subject site is Residential Low (RL) with residential development typically 1 acre or larger.
  - West of the subject site is Residential Low (RL) with residential development typically 1 acre or larger.

- Much of the area has Future Land Uses of a residential nature, whether in the county or city. However, in the greater surrounding area includes the Lake Myrtle Sports Park, Auburndale Youth Baseball Complex, TECO Auburndale Tral and the SunTrax facility.

- Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). The Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC). The City of Auburndale's Village Center zoning's emphasis is on higher density residential being integrated, as well as urban design characteristics and gathering place design and prohibits gas stations.

- The subject site meets the population support criteria of 5,000 people within a 1½-mile radius as well as the 10,000 people within a 2-mile radius (based on a 12.4 square mile area) compensating for undevelopable areas (water and state park), Exhibit 9.

- The subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA). The JPA provided for the establishment of a Joint Planning Area as a "guide" to illustrate the desired development patterns within the boundary.

- The site is at the intersection for two (2) Urban Collector roads with full public services.

- The proposed NAC will provide needed non-residential support to an area with land uses that vary from residential to recreational to employment center.

Infrastructure

- The zoned schools for the site are Lena Vista Elementary, JL Stambaugh Middle School, and Tenoroc High School.

- First responder Fire response Auburndale Fire Dept, 100 Ariana Ave, Auburndale with a travel distance of 5.6+/- miles. First responder EMS response will be from Polk County Fire Rescue Station 7, 200 Commonwealth Ave N SW, Polk City with a travel distance of 5.6+/- miles.

- The subject site is within the Central District Commend Area for the Sheriff's office which is located at 3635 Avenue G N.W., Winter Haven.

- The subject site is within the City of Auburndale's Utility Service Area for potable water and wastewater.

- The site is located at the northwest quadrant of Braddock Road and Berkley Road (SR 559). Berkley Road (SR559) is a 4-lane divided roadway and Braddock Road was rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. Available Peak Hour Capacity as well as Level of Service.

- As part of the rebuild and realignment of Braddock Road a new interchange with SR 570 (Polk Parkway) was created. This interchange provide better access to the SunTrax facility on the north side of Braddock Road.

- The subject site is serviced by the City of Auburndale for water and wastewater. The City of Auburndale reports that there are no capacity issues for potable water; however, they have halted taking new flows to the sanitary system in this area until sewer improvement projects have been completed.

- The subject site currently has sidewalks along the north and south side of the entirety of Braddock Road from the Polk Parkway (SR 570) to Berkley Road and the east and west sides of Berkley Road (SR 655).

- Citrus Connection's nearest route is the Route 50 with the nearest stop approximately two (2) miles south at Old Dixie Highway.

- The nearest parks are the Auburndale Youth Baseball Complex at Lake Myrtle Park and the Polk County Lake Myrtle Sports Park. The Auburndale TECO Trail is also located west of the site. The closest environmental site is the Tenoroc Fish Management Area and Tenoroc Public Use Area.

Environmental

- The subject site is approximately 159 feet above sea level at the center of the site and slopes to the edges to an elevation of approximately 157 feet.

- According to the soil survey by the United States Department of Agriculture the subject site is made up of Tavares fine sand, 0 to 5 percent slopes, and Zolfo fine sands. Future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observed a protected animal species sighting (Source: Florida Department of Environmental Protection, 2015). However, the applicant will be required to submit a biological walk-over as part of the Level-2 review process.

- The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 2.8 miles east of the site, on the south side of Lake Van is a 79+ acre Conservation Easement recorded in the Plat of Watercrest Estates, Plat Book 169, Page.

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- The subject site is not within a Wellfield Protection district. The nearest public Wellfields are approximately 2 miles south of the site.

Comprehensive Plan Policies

- POLICY 2.102-A1: Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

- POLICY 2.102-A2: Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:
  a. there have been provisions made which buffer incompatible uses from dissimilar uses;
  b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;
  c.uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

- POLICY 2.102-A3: Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other

community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4: Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.

- POLICY 2.105-A5: Development Criteria -- Development within the Urban Growth Areas shall conform to the following criteria as further specified by the Land Development Code:
  a. connect to centralized potable water;
  b. connect to centralized sanitary sewer systems if available.
  c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
  d. promote the implementation of "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
  e. promote the integration of pedestrian-oriented features, including sidewalks, trails, or walkways into every development including appropriate pedestrian shelters or awnings;
  f. provide access to civic space, parks, green areas, and open space and other amenities;
  g. be supported by public safety (i.e., fire, EMS and law enforcement);
  h. have access to public schools;
  i. be encouraged to provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas;
  j. encourage the inclusion of a variety of housing choices and mixed uses; and
  k. additional standards supporting transit if development is within the "Corridor and Center Overlay" (Section 2.124-A);

- POLICY 2.110-D1: CHARACTERISTICS - Neighborhood Activity Centers are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are:
  - Usable Area: Over 5 acres to 20 acres
  - Gross Leasable Area (GLA): 20,000 to 150,000 square feet
  - Minimum Population Support: 5,000 to 10,000 people
  - Market-Area Radius: 1½ miles
  - Typical Leading Tenant: Supermarket
  - Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store

- POLICY 2.110-D2: DESIGNATION AND MAPPING - Neighborhood Activity Centers shall be located within UDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Neighborhood Activity Center" (NAC).

- POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs:
  - a. Two (2) miles within the TSDA and UGA.
  - b. Four (4) miles within the SDA and UEA.

  This required separation may be reduced if:
  - a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or
  - b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.

- POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Neighborhood Activity Center shall conform to the following criteria:
  - a. Neighborhood Activity Centers shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.
  - b. Different uses within a Neighborhood Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
  - c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
  - d. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.
  - e. Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.
  - f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.
  - g. Planned Developments within the Neighborhood Activity Center may be permitted a maximum floor area ratio up to 0.70 and a maximum residential density of 5 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

- POLICY 2.110-D5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Neighborhood Activity Center may include the following uses: Office, Residential, Institutional, and Recreation and Open Space.

Development Review Committee (DRC) Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the DRC finds that with the proposed conditions, the proposed requests **ARE COMPATIBLE** with the

surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the DRC recommends **APPROVAL of LDCPAS-2025-17 and LDCT-2025-19.**

Planning Commission Decision: On February 1, 2023, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCPAS-2025-17.**

Planning Commission Decision: On February 1, 2023, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCT-2025-19.**

NOTE: *This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested parties at a public hearing.*

NOTE: *Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

NOTE: Approval of this request is only for Level 4 Review and only for those development decisions within the Board of County Commissioners purview. A Level 2 Review (engineered plans) will be required for all site development and shall implement the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

Surrounding Land Use Designations and Current Land Use Activity

Table 1: Surrounding Uses

NW RL-1 Residential Development Lots of Record 1991	**N** RL-1 Residential Development Lots of Record 1991	**NE** RS Arieta Shores Plat 12/1/1977
W RL-1, RL-4 Residential Development Lots of Record 1991	**Subject Property** RL-1, RL-4 Vacant	**E** City of Auburndale FLU: Low Density Residential Zoning RS-1 Vacant 3.83± ac Tract B Future Development (2/7/19)
SW RL-1 Residential Development Lots of Record 1991	**S** RL-1 Residential Development Lots of Record 1991	**SE** RL-1 Vacant

Source: Site Visit and Polk County GIS Data Viewer

The site is located on the northwest quadrant of the intersection of Braddock Road and Berkley Road (SR 655), both 4-lane divided Urban Collector roads. Braddock Road was recently rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. This project included a new interchange with SR 570 (Polk Parkway) approximately ½ mile west of the site and adjacent to the SunTrax facility on the north side of Braddock Road. Just west of the site on the south side of Braddock Road is the Auburndale Youth Baseball Complex. Approximately ½ mile south of the site on the west side of Berkley Road is Polk County's Lake Myrtle Sports Park. Many of the Future Land Use districts in the area are of a residential nature, approximately 1/3 of a mile to the west, within the city limits of Auburndale is the SunTrax facility, an automotive testing and research facility with significant lands for expansion available. It is noted that within the City of Auburndale there are two Convenience Center Land Use districts approximately 1/3 mile south of the subject site. The Convenience Center on the west side of Berkley Road is associated with the Lake Myrtle Sports Complex and is owned by Polk County. The Convenience Center on the east side of Berkley Road is located within currently developing residential development Summer Lake Estates, as residential homes.

Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). This center is located within the city's Future Land Use district of Lakes District Mixed Use and a Zoning of Village Center. Chapter 15 of the City of Auburndale's Land Development Regulations, Section 15.202 – Village Center (VC) Guidelines and Standards provide that they are intended to be developed as important destinations for multiple Residential Neighborhoods. The housing within the Village Center is described as Medium Intensity housing within the VC surrounding the commercial area. The development is to be of Urban Design Character. They are to have a central feature or gathering place that shall include a comfortable, centrally located park or plaza with public amenities. The policy provides for a Mix of Uses which include, Grocery, Retail and Services, Restaurants, Professional Offices, Residential, Civic, Park/Plaza, Institutional/ Schools. Other proposed uses may be permitted through the planned development process, and exclude Gas Stations, Car Washes and Drive-Thru's.

The Comprehensive Plan Policy 2.110-D3: Location Criteria for Neighborhood Activity Center (NAC) provides for separation criteria for Activity Centers. The polity states that there shall be traveling distances, on public roads between the center of a Neighborhood Activity Center (NAC) and other Activity centers providing for the same neighborhood shopping needs. As described above, the City of Auburndale's Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC). The City of Auburndale's Village Center zoning's emphasis is on higher density residential being integrated, as well as urban design characteristics and gathering place design. While there is some overlap of mix of uses, the Village Center excludes automotive uses including gas stations and restaurants with drive-thru's. The Village Center Urban (vs suburban) design standards also differentiates the shopping and use of the center from that of the Neighborhood Activity Center (NAC). The subject site meets the population support criteria of 5,000 people within a 1½-mile radius as well as the 10,000 people within a 2-mile radius (based on a 12.4 square mile area) compensating for undevelopable areas (water and state park), Exhibit 9.

Berkley Road (SR 559) was formerly CR559 and in approximately 2010 the road was rebuilt and upgraded from a 2-lane Urban Collector road to a 4-lane divided Urban Collector road and corresponds to the development of the Lake Myrtle Sports Complex. SunTrax Auburndale began construction in 2017 with a Grand Opening of the full facility in 2023. In October 2025 Governor Ron DeSantis announced that construction for a new advanced air mobility (AAM) vertiport was underway at the SunTrax facility, creating the nation's first-ever AAM aerial test bed and dedicated airspace.

It is noted that the subject site is located within the area covered by the Joint Planning Area Interlocal Agreement with the City of Auburndale, dated October 7, 2009. Within this Agreement are Exhibit Maps B through F to be used as a "{guide for consideration of Future Comprehensive Plan Amendments within the boundary of the JPA. Map Exhibit E indicates the area considered as Commercial Area "CA". This "area" is located at the intersection of Berkley Road and Denton Avenue. The proposed Commercial Area is developed with a gas station constructed in 1988 and a Dollar General constructed in 2015. Significant growth, residential, recreational as well as a significant testing facility. Residential and recreational uses utilize commercial supporting uses like those allowed within the Future Land Use Designation of Neighborhood Activity Center (NAC). The LDC Text amendment limits a number of uses allowed in other NAC districts for increased compatibility as well as providing increased development standards, setbacks and buffering from adjacent residential districts. With consideration to the sites location, at the intersection of two (2) 4-lane divided Urban Collector roads, one approximately ½ mile from a new interchange with the Polk Parkway (SR 570) provides for a logical addition location for a non-residential commercial support Land Use.

Compatibility with the Surrounding Land Use:
According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The adopted definition for compatibility states it is "a condition in which land

uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

The subject site is located within the Urban Growth Area (UGA) which is an area where the availability of infrastructure and other community facilities and services, promotes and supports the location of higher density and intensity development. This development includes improving access to employment areas, schools, shopping and recreational facilities, while reducing costs of providing infrastructure and public services. As described previously this area represents a location that, especially since the opening of SR570 the Polk Parkway in 1999, has experienced the growth described in an Urban Growth Area. The limitations proposed by the applicant in the LDCPAS-2025-2025 Comprehensive Plan Text and Map Amendment and LDCT-2025-19 Land Development Code Text Amendment provides enhanced development standards and limitations to the standard list of allowable uses within a Neighborhood Activity Center (NAC) providing for enhanced compatibility beyond the current compatibility proved for by the Land Development Code.

In summary, the subject site is located within the Urban Growth Area (UGA) and Auburndale Joint Planning Area (JPA), at the intersection for two (2) Urban Collector roads with full public services. The proposed NAC will provide needed non-residential support to an area with land uses that vary from residential to recreational to employment center. The request is considered to be compatible and consistent with the surrounding area.

Nearest Elementary, Middle, and High School:
The schools zoned for the subject property, as shown in Table 2, include Lena Vista Elementary, JL Stambaugh Middle School, and Tenoroc Senior High. The requested Neighborhood Activity Center (NAC) is intended for non-residential development and is not intended for residential development. Residential development within the NAC would require a Level 3 Planning Commission approval for multi-family development.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Lena Vista Elementary	**0 students**	**79%**	**4.0± miles**
JL Stambaugh Middle School	**0 students**	**85%**	**4.5± miles**
Tenoroc Senior High	**0 students**	**62%**	**4.9± miles**

Source: Polk County School Board

Nearest Sheriff, Fire, and EMS Station:
The nearest Sheriff District office is located approximately 7.3 miles from the subject site. Response times vary depending on where the nearest sheriff's deputy patrol car is located rather than the district office. The nearest EMS station is approximately 5.6 miles and Fire station is approximately 4.0 miles EMS station is approximately 2.9 miles from the subject site.

Table 3: Public Safety

	Name of Station	Distance/Response Time*
Sheriff	**Central District Command** (3635 Avenue G N.W., Winter Haven)	Priority 1 – 8:11 min Priority 2 – 22:25 min
EMS	**Polk County Fire Rescue Station 7** 200 Commonwealth Ave N SW, Polk City	5.6 ± miles / 10-12 min
Fire	**Auburndale Fire Dept,** 100 Ariana Ave, Auburndale	4.0 ± miles / 10-12 min

*Source: Polk County Sheriff's Office and Public Safety. Response times for October 2025. *Response times are based from when the station receives the call, not from when the call is made to 911.*

Water and Sewer Capacity and Service Provider:
Table 4 below details the estimated impact to potable water and wastewater services based upon the buildout for the proposed FLU on the subject site. The subject property is within the City of Auburndale Service area for water and wastewater.

A. Available Capacity:
Table 4: Estimated Water and Sewer Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed NAC
7.95± acres RL	7.95± acres RL X 7du = 55 du	7.95± acres (346,302 sf) X 0.70 FAR = 242,411 sf
Potable Water Consumption	55 du X 360 gpd = **19,800 GPD**	242,411 sf X 0.15 = **36,362 GPD**
Wastewater Generation	55 du X 270 gpd = **14,850 GPD**	36,362 GPD X 80% = **29,090 GPD**

B. Service Provider:
The subject site is serviced by the City of Auburndale for water and wastewater. There are two (2) potable water mains in close proximity to the subject. East of the property across Berkley Rd. is an 8-inch potable water main and approximately 900 feet west of the site is a 12-inch potable water main. There is a 24-inch gravity sanitary sewer main and a 16-inch force sewer main approximately 600 feet west of the site. In the same area is a 16 inch reclaim water main.

East of the property across Berkley Road. is an 8" potable water main. To the far West of the map is a 12" potable water main (blue), 24" gravity sanitary sewer main (dull green), 16" reclaim water main (purple), and a 16" force main (bright green).

C. Available Capacity:
The City of Auburndale reports that there are no capacity issues for potable water. Also reported was that they have halted taking new flows to the sanitary system in this area until sewer improvement projects have been completed. The most significant being the Southern force main re-route. This project consists of two phases, with phase one set to begin Nov. 1, 2025. Upon that date, the contractor has a timeline of 180 days for substantial completion and 210 days for final. They are currently working on easement acquisitions for phase II and have not awarded to any contractor to date. Capacity availability will be needed at the time of a Level 2 Review.

Roadways/Transportation Network:

A. Estimated Demand:
Table 5 following this paragraph shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The proposed Future Land Use designation change to NAC, at maximum density, will generate more than the current combination of the RL land use.

Table 5: Estimated Transportation Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed NAC
7.95± acres RL	7.95± acres RL X 7du = 55 du	7.95± acres (346,302 sf) X 0.70 FAR = 242,411 sf
Average Annual Daily Trips (AADT)	55 du X 7.81 AADT = **430 Trips**	242 X 59.07 AADT X 76% **10,865 Trips**
PM Peak Hour Trips	55 du X 1.00 AADT = **55 Trips**	242 X 8.79 AADT X 76% =**1,617 Trips**

Source: Concurrency Manual: Single-family @ 7.81 AADT per du and 1.00 AADT PM Peak Hour, NAC @ Supermarket 59.07 AADT per 1,000 sf, 8.79 AADT per 1,000 sf PM Peak Hour,

B. Available Capacity:
Table 6, following this paragraph, displays the available capacity for Berkley Road (SR655) and Braddock Road. Braddock Road has not been revaluated for Capacity and LOS after completion of a rebuild and realignment completed in June of 2024. When the reevaluation is completed it is anticipated that the roads will have capacity for maximum buildout.

Table 6: Roadway Link Concurrency

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
8119E 8119W	Berkley Rd (SR 655) Old Dixie Hwy (CR 546) to Pace Rd.	4D UC	C	1,134 1,107	D	C
8450N 8450S	Braddock Rd SR 570 (Polk Pkwy) to Berkley Rd (SR 655)	2U* UC	C	675 672	D	C

*Source: Polk County Transportation Planning Organization, 2025 Roadway Network Database January 2025. *4D means four-lane divided, , 2U means two lane undivided, UC means Urban Collector (Braddock is currently a 4D see description below)*

C. Roadway Conditions:
Berkley Road (SR 559) was transferred from a County (CR559) to a State (SR559) road in October 2019. As the general area has grown. Berkley Road has also experienced considerable growth. Utilizing FDOT's Florida Traffic Online Data Viewer, the estimated AADT for this segment of Berkley Road is 13,000 trips indicating an increase of 30% over the 2020 AADT estimate of 10,000 trips. Berkley Road is a 4-lane divided Urban Collector Road. Braddock Road was rebuilt and realigned from a 2-lane Local Road to a 4-lane divided Urban Collector Road and was completed in June of 2024. As part of the reconstruction of Braddock Road a new interchange was created with SR 570 (Polk Parkway), providing improved access to the SunTrax facility on the north side of Braddock Road. Braddock Road is currently being reviewed for Available Peak Hour Capacity as well as Level's of Service. Table 6: Roadway Link Concurrency shows the most current data for Braddock Road, improvements in LOS as well as Capacity are anticipated with the recent rebuild and realignment.

D. Sidewalk Network:
Currently there are sidewalks along the north and south side of the entirety of Braddock Road from the Polk Parkway (SR 570) to Berkley Road and the east and west sides of Berkley Road (SR 655).

E. Planned Improvements:
There are no road improvements currently planned for this area.

F. Mass Transit:
Citrus Connection runs the Route 50 – Auburndale from US 92 north/south along Berkley Road to Old Dixie Highway turning east toward Lake Ariana and downtown Auburndale. Old Dixie Highway is approximately two (2) miles south of the site.

Environmental Conditions:
Any impact to surface water, wetlands, and storm water management will be in accordance with the requirements of the Comprehensive Plan and Land Development Code.

A. Surface Water:
There are no wetlands on the subject site. The area is relatively flat with the highest points located primarily along the southern border at an elevation of approximately 159 feet, with the lowest parts of the property located near the center and northern area of the property with an elevation of approximately 157 feet.

B. Wetlands/Floodplains:
According to the Polk County Data Viewer the subject site does not indicate any flood zones or wetlands.

C. On-Site Soils:
The subject site is comprised of two (2) different soil types: Tavares fine sand, 0 to 5 percent slopes, and Smyrna and Zolfo fine sans, 0 to 2 percent slopes. Future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual. The reported soils are based on the United States Department of Agriculture (USDA) Soils Survey.

Table 7

SOIL NAME	SMALL COMMERCIAL BUILDINGS	SEPTIC TANK ABSORPTION FIELDS	PERCENTAGE OF SITE
Tavares fine sand, 0 to 5 percent slopes	Slight	Moderate	96+/-%
Zolfo fine sans, 0 to 2 percent slopes	Moderate	Severe	4+/-%
Source: Soil Survey of Polk County Florida 1990			

D. Wells (Public/Private):
The applicant did not indicate any wells located on the property. The subject property is not within a Wellfield Protection District. The closest Wellfield Protection Districts is approximately 1.5 miles southeast of the site.

E. Protected Species
According to Polk County Protected Species Observation Map and the Florida Fish & Wildlife Conservation Commission (2015), the subject site is located within a one-mile radius of endangered animals. The applicant will submit a biological walk-over as part of the Level-2 review process.

F: Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 2.8 miles east of the site, on the south side of Lake Van is a 79+ acre Conservation Easement recorded in the Plat of Watercrest Estates, Plat Book 169, Page.

G. Archeological Resources
There are no known historical or archeological resources onsite according to the Secretary of the State's Department of Historical Resources Florida Master File.

H. Airports:
The subject site is not located within an Airport Impact District (AID) and Airport Height Notification Zone.

Park Facilities:
The nearest parks are the Auburndale Youth Baseball Complex at Lake Myrtle Park and the Polk County Lake Myrtle Sports Park. The Auburndale TECO Trail is also located west of the site. The closest environmental site is the Tenoroc Fish Management Area and Tenoroc Public Use Area.

A. Location:
Auburndale Youth Baseball Complex at Lake Myrtle Park is located at 876 Braddock Road, Auburndale, approximately 1/4 mile west of the site. Lake Myrtle Sports Park is located at 2701 Lake Myrtle Park Drive, Auburndale, approximately 1/2 mile south of the site.

B. Services:
The park's current hours of operation are from 5 a.m. to 10 p.m. and offers Walking trails, baseball fields and leagues, softball fields, picnic shelters, and pavilions.

C. Multiuse Trails:
The closest free hiking trail is the Auburndale TECO Trail, located approximately 1,000 feet west of the site, crossing Braddock Road.

D. Environmental Lands:
The Tenoroc Fish Management Area and Tenoroc Public Use Area are located on the west side of SR 570 (Polk Parkway) south of Lakeland and is comprised of over 8,000 acres of natural Florida lands and wetland with walking trails, cycling, picnic areas, restrooms, wildlife viewing, and a full range of outdoor activities.

E. Planned Improvements:
There are no further recreation improvements scheduled for this area of Polk County at this time.

Consistency with the Comprehensive
The following policies in Table 8 have been included as being the most relevant policies to the proposed request. The policy is first stated and then an analysis of how the request may or may not be consistent with the County's Comprehensive Plan is provided.

Table 8 Comprehensive Plan Policy

Comprehensive Plan Policy	Consistency Analysis
Policy 2.102-A2: Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The existing uses surrounding the site are primarily single family detached. The proposed NAC provides for enhanced buffering and development standard limitations. Approval of the amendment will provide for needed non-residential support needed for this area.
Policy 2.102-A1: Development Location – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.	The request is at the intersection of two (2) 4-lane divided Urban Collector roads in an area with public water and sewer available. Therefore, the request is consistent with the policy.
Policy 2.102-A3: Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.	
Policy 2.102-A4: Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The request is for NAC where all forms of infrastructure are available for commercial development on the subject site. Therefore, the timing of development of the subject site is consistent with the Comprehensive Plan's growth management strategy.
Policy 2.102-A10: Location Criteria - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area: a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 1.	

Comprehensive Plan Policy	Consistency Analysis
transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2. sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable	
POLICY 2.110-D1: CHARACTERISTICS - Neighborhood Activity Centers are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are: Usable Area: Over 5 acres to 20 acres Gross Leasable Area (GLA): 20,000 to 150,000 square feet Minimum Population Support: 5,000 to 10,000 people Market-Area Radius: 1½ miles Typical Leading Tenant: Supermarket Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store	The request meets the Characteristics oof a NAC and is consistent with this policy as stated.
POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs: a. Two (2) miles within the TSDA and UGA. b. Four (4) miles within the SDA and UEA. This required separation may be reduced if: a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.	The request is consistent with this policy as the subject site has access to a County maintained road, meets the distance requirements for the UGA. Within the City of Auburndale there are two Convenience Center Land Use districts approximately 1/3 mile south of the subject site. The Convenience Center on the west side of Berkley Road is associated with the Lake Myrtle Sports Complex and is owned by Polk County. The Convenience Center on the east side of Berkley Road is located within currently developing residential development Summer Lake Estates, as residential homes Approximately 1/3 of a mile north of the site at the southeastern corner of Berkley Road (SR 655) and Gapway Road, the City of Auburndale has designated the property as Village Center (VC). The Village Center, is a Zoning category and not a Land Use and having different characteristics form the Neighborhood Activity Center (NAC).

Urban Sprawl Analysis

Polk County's Comprehensive Plan *Policy 2.102-A10* establishes review criteria intended to discourage the proliferation of urban sprawl. Specific characteristics of urban sprawl have been examined throughout this staff report and are summarized in Table 7 (below). Based on the findings of fact and analysis conducted, the proposed request does not meet the criteria to be considered as urban sprawl.

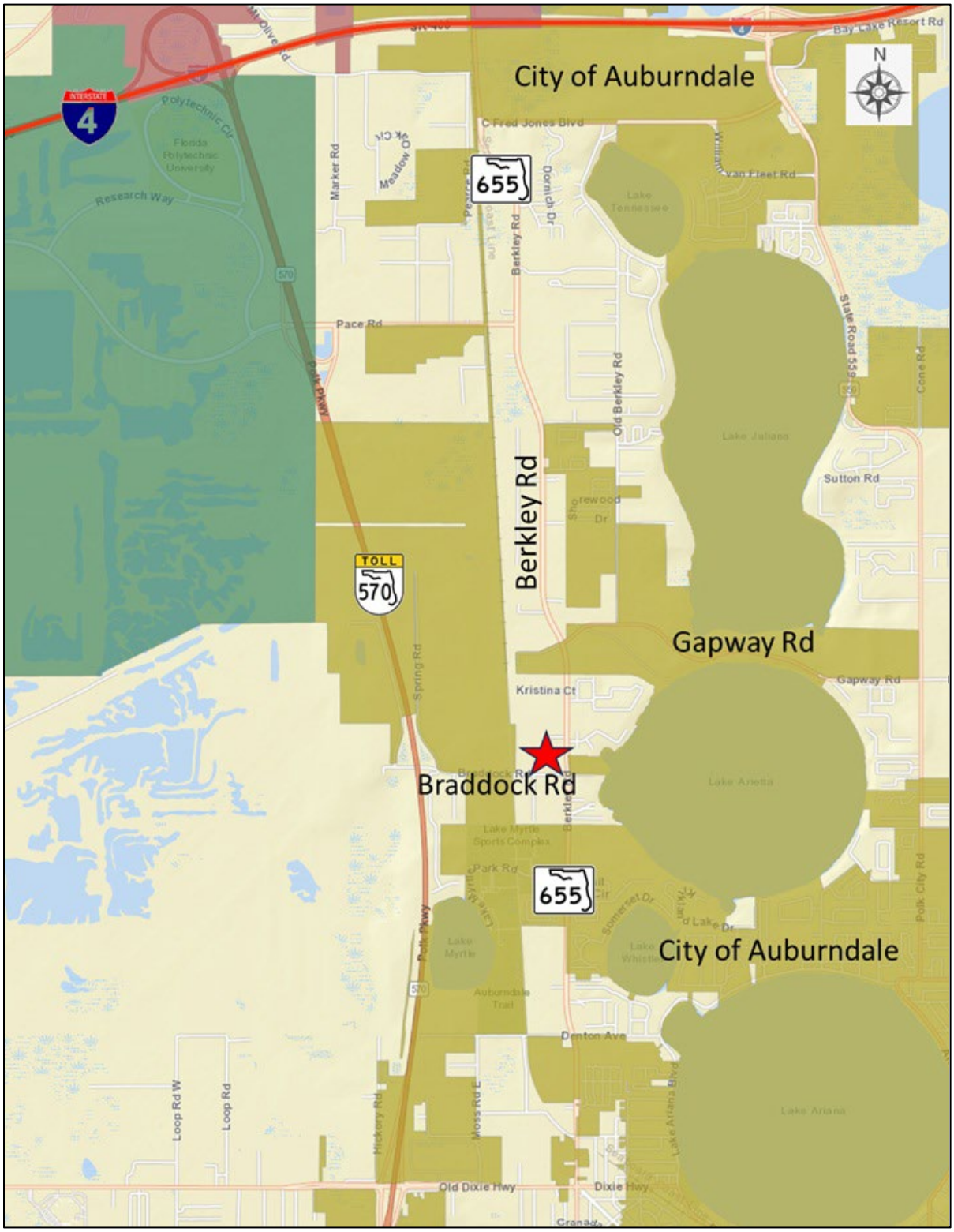
Table 7: Urban Sprawl Criteria

Rule 9J-5 Urban Sprawl Criteria	Page(s) within report
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Surrounding Land Uses Section
b. *Allows a significant amount of urban development to occur in rural areas.*	Surrounding Land Uses Section
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Surrounding Land Uses Section
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Environmental Conditions
e. *Fails to adequately protect adjacent agricultural areas.*	Surrounding Land Uses Section
f. *Fails to maximize existing public facilities and services.*	Schools, Public Facilities and Water/Sewer Sections
g. *Fails to minimize the need for future facilities and services.*	Schools, Public Facilities and Water/Sewer Sections
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Surrounding Land Uses Section
i. *Fails to provide a clear separation between urban and rural uses.*	Surrounding Land Uses Section
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Surrounding Land Uses Section
k. *Fails to encourage an attractive and functional mixture of land uses.*	Surrounding Land Uses Section
l. *Will result in poor accessibility among linked or related land uses.*	Surrounding Land Uses Section
m. *Results in the loss of a significant amount of open space.*	Surrounding Land Uses and Environmental Conditions Sections
Source: The following criteria are the primary indicators of urban sprawl per Rule 9J-5 of the Florida Administrative Code.	

Comments from Other Agencies: See City of Auburndale's letter under separate attachment.

Attachments:

Exhibit 1 – Location Map
Exhibit 2 – Aerial Context Map
Exhibit 3 – 2023 Aerial Map
Exhibit 4 – Current Future Land Use Map
Exhibit 5 – Proposed Future Land Use Map
Exhibit 6 – Auburndale Future Land Use Map
Exhibit 7 – Current Permitted and Conditional Uses
Exhibit 8 – Proposed Permitted and Conditional Uses
Exhibit 9 – Applicant Population Support
Exhibit 10 – Proposed Activity Center Plan



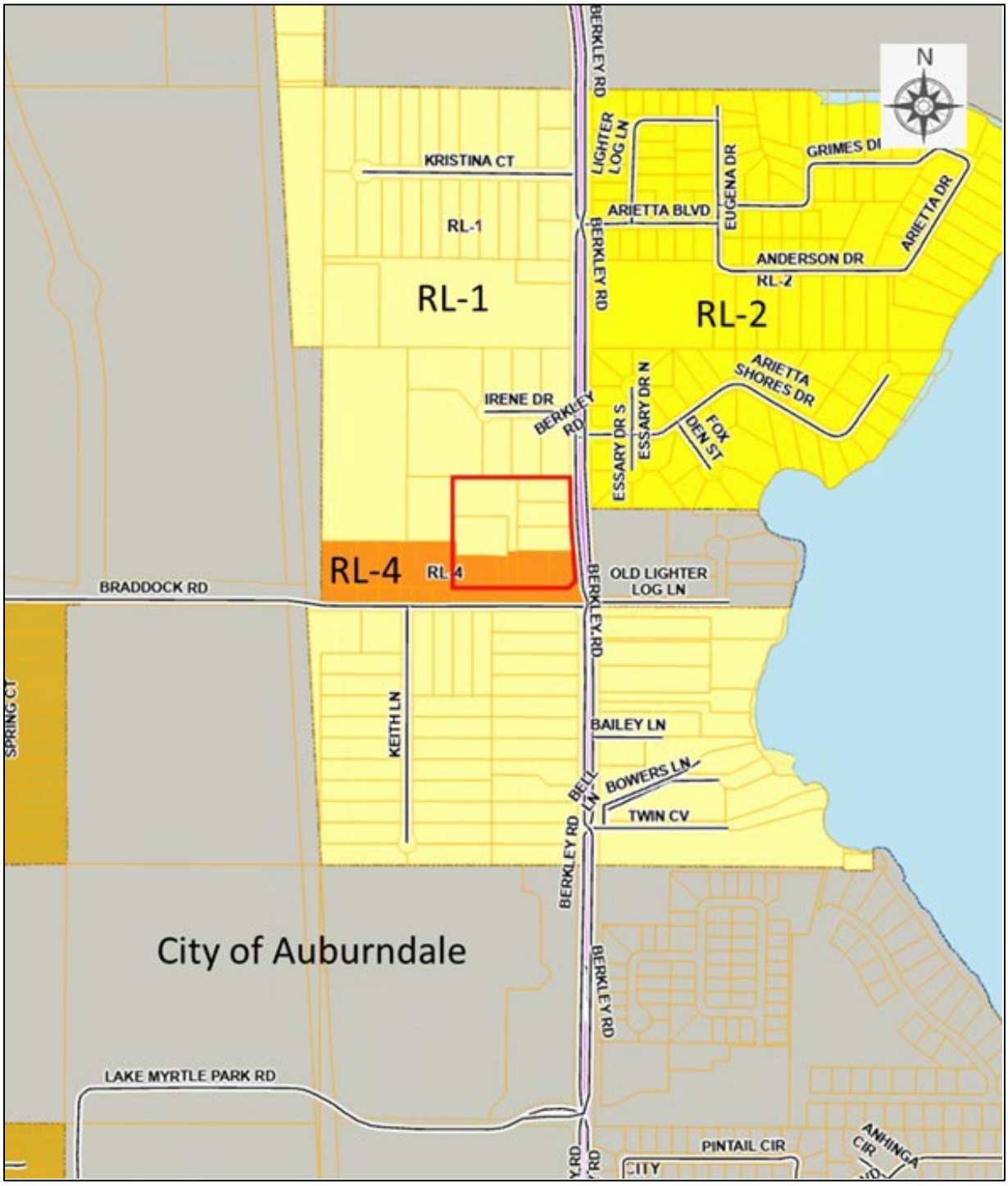
LOCATION MAP



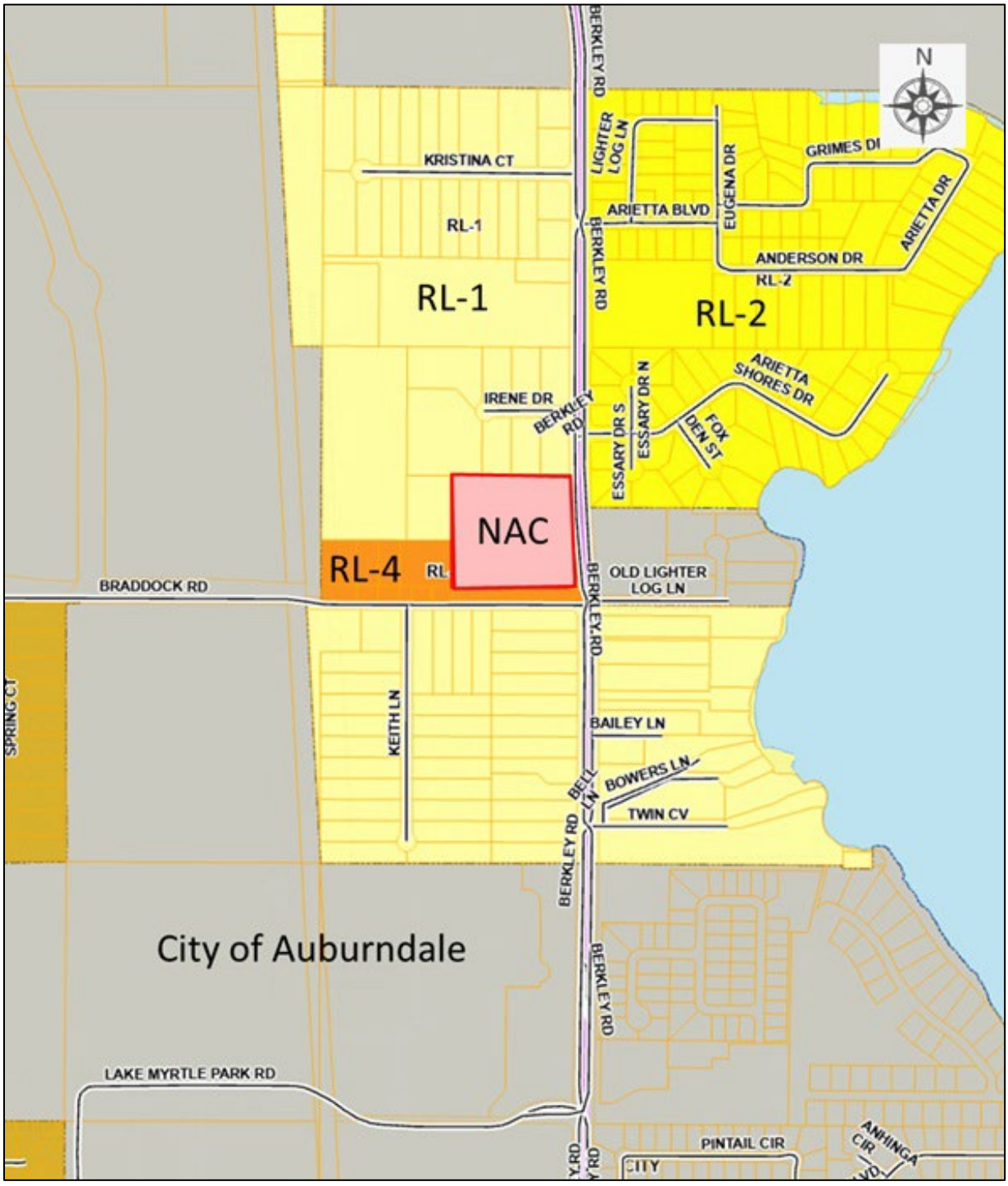
AERIAL CONTEXT MAP



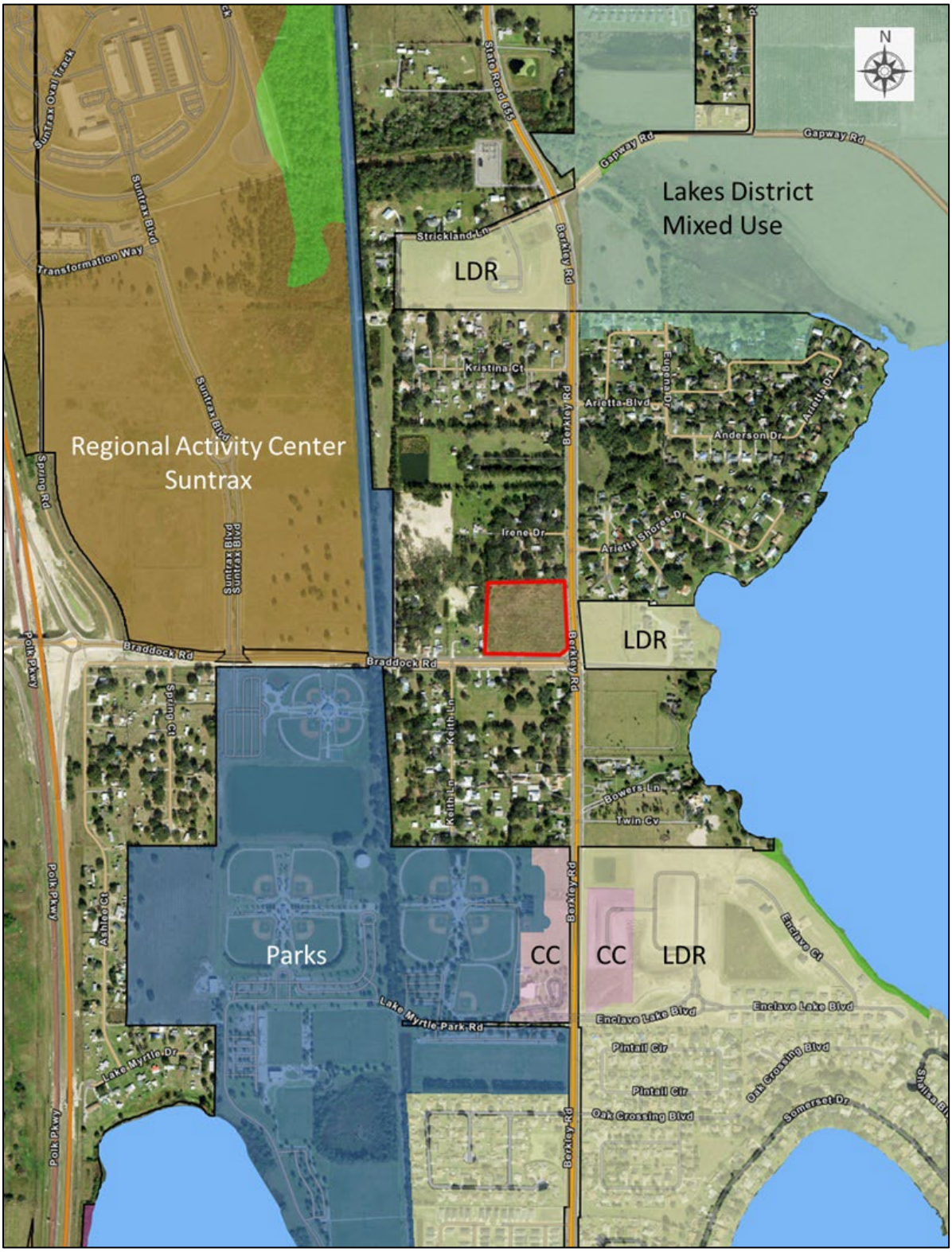
2025 GOOGLE EARTH AERIAL MAP



CURRENT FUTURE LAND USE
RESIDENTIAL LOW-1 & -4 (RL-1, -4)



PROPOSED FUTURE LAND USE
NEIGHBORHOOD ACTIVITY CENTER (NAC)



AUBURNDALE FUTURE LAND USE

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
RL-1	Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Small (6 or less residents), Mobile Homes- Individual, Animal Farm- Intensive, Emergency Shelter- Small (6 or less residents), Golf Course, Livestock Sale- Auction, Nurseries and Greenhouses, Recreation- Passive, Utilities- Class II, Residential Infill Development, Recreation- Low Intensity, School - Elementary, School - Middle	Group Living Facility (15 or more residents), Multi-family, Short-Term Rental Unit, Planned Development, Residentially Based Mixed Development (RBMD), Transitional Area Development, Adult Day Care Center (7 or more clients), Agricultural Support- Off-Site, Bed and Breakfast, Childcare Center, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Government Facility, Helistops, Mining- Non-phosphate, Recreation- High Intensity, Recreation- Vehicle Oriented, Religious Institution, Riding Academies, School- High, School- Leisure/Special Interest, Utilities- Class III, Mobile Home Park, Mobile Home Subdivision

RESIDENTIAL LOW-1 (RL-1)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
RL-4	Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Small (6 or less residents), Mobile Homes- Individual, Emergency Shelter- Small (6 or less residents), Golf Course, Recreation- Passive, Utilities- Class II, Residential Infill Development, Recreation- Low Intensity, School- Elementary, School - Middle	Duplex- Two-family Attached, Group Living Facility (15 or more residents), Multi-family, Short-Term Rental Unit, Planned Development, Residentially Based Mixed Development (RBMD), Transitional Area Development, Adult Day Care Center (7 or more clients), Bed and Breakfast, Childcare Center, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Government Facility, Helistops, Mining- Non-phosphate, Recreation- High Intensity, Recreation- Vehicle Oriented, Religious Institution, School- High, School- Leisure/Special Interest, School- University/College, Utilities- Class III, Mobile Home Park, Mobile Home Subdivision

RESIDENTIAL LOW-4 (RL-4)

CURRENT PERMITTED AND CONDITIONAL USES

Block A

Neighborhood Activity Center (NAC)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	~~Alcohol Package Sales, C1~~ Car Wash, Incidental, C2 Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Cultural Facility, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 Gas Station, P Government Facility, P ~~Marina and Related Facilities, C1~~ ~~Medical Marijuana Dispensaries, C2~~ Nurseries, Retail, P ~~Nurseries and Greenhouses, P~~ Office, C2 Personal Service, C2 Recreation Passive, C1 Recreation & Amusement General, C2 Religious Institution, C2 Restaurant, drive-thru/Drive-in, C2 Restaurant, sit-down/Take-out, P Retail, 10,0000-34,999 sq. ft., P Retail, 35,000-64,000 sq. ft., P Retail. Less than 10,000 sq. ft., P Schools, Leisure/Special Interest, C2 Self-storage Facility, C2 Transit Facility, P Utilities Class I, P Utilities Class II, P ~~Utilities Class III, C3~~ ~~Vehicle Service, Mechanical, P~~ Veterinary Service, P	**Residential Uses:**	Multi-family, C3
		Mixed Uses:	Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Bars, Lounges, and Taverns, C3 ~~Cemetery, C3~~ ~~Helistops, C3~~ ~~Mining, Non-phosphate, C3~~ Retail, More than 65,000 sq. ft., C3 School, Technical/Vocational/ Trade & Training, C3 School, University/College, C3 ~~Water Ski Schools, C3~~

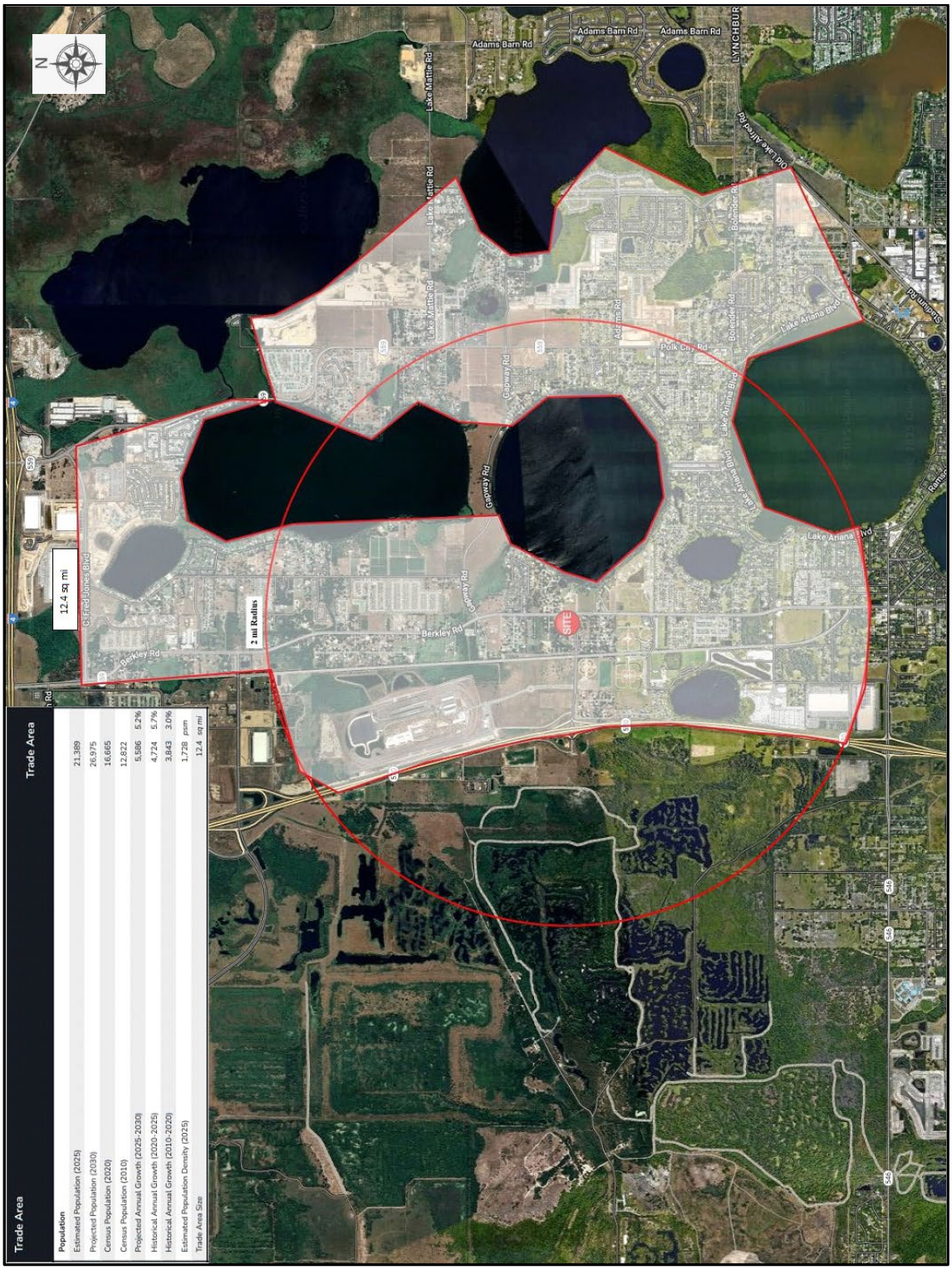
Block B

Neighborhood Activity Center (NAC)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	~~Alcohol Package Sales, C1~~ ~~Car Wash, Incidental, C2~~ Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Cultural Facility, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 ~~Alcohol Package Sales, C1~~ ~~Car Wash, Incidental, C2~~ Government Facility, P ~~Marina and Related Facilities, C1~~ ~~Medical Marijuana Dispensaries, C2~~ Nurseries, Retail, P ~~Nurseries and Greenhouses, P~~ Office, C2 Personal Service, C2 Recreation Passive, C1 ~~Recreation & Amusement General, C2~~ Religious Institution, C2 ~~Restaurant, drive-thru/Drive-in, C2~~ Restaurant, sit-down/Take-out, P Retail, 10,0000-34,999 sq. ft., P ~~Retail, 35,000-64,000 sq. ft., P~~ Retail. Less than 10,000 sq. ft., P Schools, Leisure/Special Interest, C2 Self-storage Facility, C2 Transit Facility, P Utilities Class I, P Utilities Class II, P ~~Utilities Class III, C3~~ ~~Vehicle Service, Mechanical, P~~ Veterinary Service, P	**Residential Uses:**	Multi-family, C3
		Mixed Uses:	Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Bars, Lounges, and Taverns, C3 ~~Cemetery, C3~~ ~~Helistops, C3~~ ~~Mining, Non-phosphate, C3~~ ~~Retail, More than 65,000 sq. ft., C3~~ ~~School, Technical/Vocational/ Trade & Training, C3~~ School, University/College, C3 ~~Water Ski Schools, C3~~

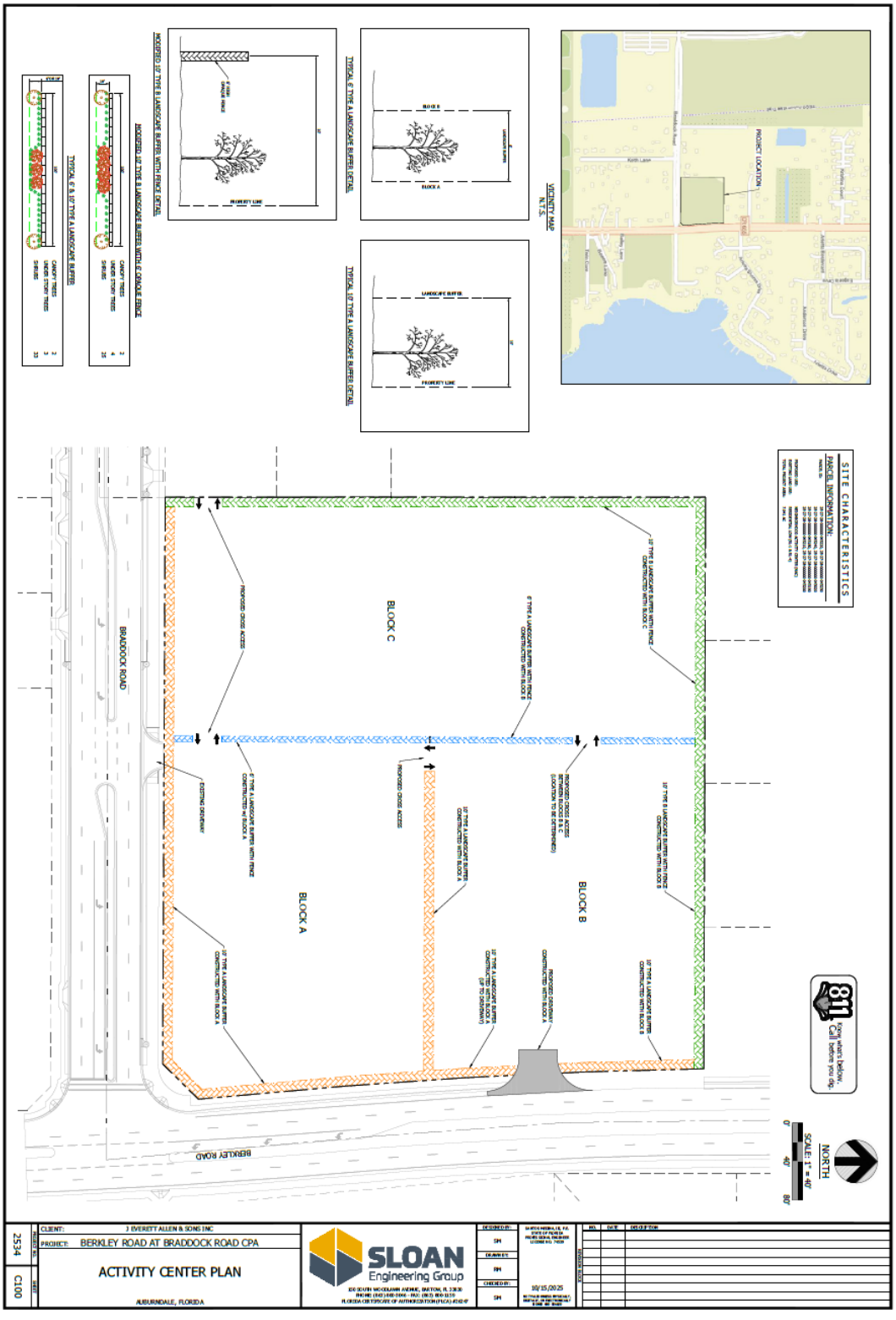
Block C

Neighborhood Activity Center (NAC)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	~~Alcohol Package Sales, C1~~ ~~Car Wash, Incidental, C2~~ Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Cultural Facility, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 ~~Gas Station, P~~ Government Facility, P ~~Marina and Related Facilities, C1~~ ~~Medical Marijuana Dispensaries, C2~~ Nurseries, Retail, P ~~Nurseries and Greenhouses, P~~ Office, C2 Personal Service, C2 Recreation Passive, C1 ~~Recreation & Amusement General, C2~~ Religious Institution, C2 Restaurant, drive-thru/Drive-in, C2 Restaurant, sit-down/Take-out, P Retail, 10,0000-34,999 sq. ft., P ~~Retail, 35,000-64,000 sq. ft., P~~ Retail. Less than 10,000 sq. ft., P Schools, Leisure/Special Interest, C2 Self-storage Facility, C2 Transit Facility, P Utilities Class I, P Utilities Class II, P ~~Utilities Class III, C3~~ ~~Vehicle Service, Mechanical, P~~ Veterinary Service, P	**Residential Uses:**	Multi-family, C3
		Mixed Uses:	Planned Development, C3 Transitional Area Development, C3
		All Other Uses:	Bars, Lounges, and Taverns, C3 ~~Cemetery, C3~~ ~~Helistops, C3~~ ~~Mining, Non-phosphate, C3~~ ~~Retail, More than 65,000 sq. ft., C3~~ ~~School, Technical/Vocational/ Trade & Training, C3~~ School, University/College, C3 ~~Water Ski Schools, C3~~

PROPOSED
PERMITTED AND CONDITIONAL USES
NEIGHBORHOOD ACTIVITY CENTER (NAC)



APPLICANT
POPULATION SUPPORT



PROPOSED
ACTIVITY CENTER PLAN

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT **LDCT-2025-19**, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, TO AMEND APPENDIX E, SECTION E105, PARCEL SPECIFIC COMPREHENSIVE PLAN AMENDMENTS WITH CONDITIONS LIMITING ALLOWABLE USES WITHIN THE NAC, PROVIDING FOR DEVELOPMENT BLOCK AND PROHIBITED USES AND INCREASED BUFFERING REQUIREMENTS ON PROPERTY SUBJECT TO LDCPAS-2025-25. THE SUBJECT PROPERTY IS LOCATED EAST OF THE POLK PARKWAY (SR 570), NORTH SIDE OF BRADDOCK ROAD, WEST SIDE OF BERKLEY ROAD (SR 655), SOUTH OF GAPWAY ROAD AND ADJACENT TO THE CITY OF AUBURNDALE TO THE EAST, WITH AUBURNDALE IN CLOSE PROXIMITY TO THE NORTH, WEST AND SOUTH IN SECTION 28, TOWNSHIP 27, RANGE 25; 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 November 5, 2025; and

WHEREAS, the Board held two public hearings on December 2, 2025 and December 16, 2025 wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public hearings, and provided for necessary revisions, if any

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

SECTION 1: The Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, shall be amended in the following manner:

Section E105 Parcel Specific Comprehensive Plan Amendments (CPA) with Conditions

Table E1 Parcel Specific Comprehensive Plan Amendments (CPA) with Conditions (Insert Row)

Subsection	CPA Case Number	CPA Approval	Parcel Number(s)
#	CPA LDCPAS-2025-17	December 16, 2025	252728-000000-043020, 252728-000000-043180, 252728-000000-043190, 252728-000000-043200, 252728-000000-043210, 252728-000000-043230, 252728-000000-043230, 252728-000000-043240

APPENDIX E SECTION E105 # LDCPAS-2025-17 Parcel Numbers: 252728-000000-043020, -252728-000000-043180, 252728-000000-043190, 252728-000000-043200, 252728-000000-043210, 252728-000000-043230, 252728-000000-043230, 252728-000000-043240

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, 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 25, Township 27, Section 28. The entire site is legally described as:

DESCRIPTION:
Tract 1 (252728-000000-043020)
The north 125.00 feet of the East 360 feet of the SE ¼ of the NW ¼ of the SW ¼ of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655 Containing 0.93 acres.

and

Tract 2 (252728-000000-043180)
The South 125.00 feet of the North 250.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655. Containing 0.93 acres.

and

Tract 3: **(252728-000000-043190)**
The South 125.00 feet of the North 375.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27, South Range 25 East, Polk County, Florida. Less road right-of-way for S.R. 655. Containing 0.93 acres.

and

Tract 4: **(252728-000000-043200)**
The East 200.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 375.00 feet thereof, Less road right-of-way for S.R. 655 and Braddock Road. Containing 0.96 acres.

and

Tract 5: **(252728-000000-043210)**
The West 160.00 feet of the East 360.00 feet of the SE 1/4 of the NW 1/4 of the .SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 375.00 feet thereof, less road right-of-way for Braddock Road. Containing 0.94 acres.

and

Tract 6: **(252728-000000-043220)**
The SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 400.00 feet thereof and less the East 460.00 feet thereof, less road right-of-way for Braddock Road. Containing 1.1 acres.

and

Tract 7: **(252728-000000-043230)**
The South 200.00 feet of the North 400.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the East 410.00 feet thereof.
and
The West 50.00 feet of the East 460.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 400.00 feet thereof and less road right-of-way for Braddock Road. Containing 1.4 acres.

and

Tract 8: **(252728-000000-043240)**
The North 200.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the East 360.00 feet thereof:
and
The West 50.00 feet of the East 410.00 feet of the SE 1/4 of the NW 1/4 of the SW 1/4 of Section 28, Township 27 South, Range 25 East, Polk County, Florida. Less the North 200.00 feet thereof and less road right-of-way for Braddock Road. Containing 1.87 acres.
Less and except
A parcel of land lying in the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, Township 27 South, Range 25 East, less the road right of way for Braddock Road as recorded in Official Records Book 958, at Page 415, and Official Records Book 7565, at Page 109, of the Public Records of Polk County, Florida, being more particularly described as follows:

COMMENCE at a 4 inch by 4 inch concrete monument (broken) with a 1/2 inch iron rod bent marking the Southwest corner of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 00°12'09" West, along the West line of said Southwest one-quarter (S.W. 1/4), a distance of 1,311.41 feet to the Southwest corner of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 89°59'56" East, along the South line of said Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, a distance of 665.49 feet to a railroad spike marking the Southeast corner of the Southwest one-quarter (S.E. 1/4) of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28; thence North 00°01'11" West, along the West line of said Southeast one-quarter (S.E. 1/4) of the Northwest one-quarter (N.W. 1/4) of the Southwest one-quarter (S.W. 1/4) of Section 28, a distance of 25.00 feet to the POINT OF BEGINNING, being on the existing Northerly right of way line of Braddock Road (also known as Spring Road) per Official Record Book 872, Page 339 of the Public Records of Polk County, Florida; thence North 00°01'11" West, continuing along said West line, a distance of 68.56 feet; thence departing said East line, run South 89º54'17" East, a distance of 593.84 feet; thence North 44°38'36" East, a distance of 52.50 feet to the existing West right of way line of State Road No. 655 (Berkley Road) as recorded in said Official Records Book 7565, at Page 109; thence South 05°01'43" East, along said existing West right of way line, a distance of 79.93 feet; thence South 42°35'00" West, along said existing West right of way line, a distance of 34.36 feet to its intersection with the existing North right of way line of said Braddock Road; thence South 89º59'56" West, along said existing North right of way line, a distance of 614.46 feet to the POINT OF BEGINNING. Containing 1.005 acres, more or less.

Containing 7.95 acres, more or less.

2. Allowable Uses and Intensity of Development

a. The development of Block A shall be allowed per Table 2.1 of the Land Development Code for Neighborhood Activity Center, except the following uses are prohibited:

I. Alcohol Package Sales
II. Cemetery
III. Helistops
IV. Marina and Related Facilities
V. Medical Marijuana Dispensaries
VI. Mining, Non-phosphate
VII. Nurseries and Greenhouses
VIII. Utility, Class III
IX. Vehicle Service, Mechanical
X. Water Ski Schools

b. The development of Block B shall be allowed per Table 2.1 of the Land Development Code for Neighborhood Activity Center, except the following uses are prohibited:

I. Gas Station
II. Alcohol Package Sales
III. Car Wash, Incidental
IV. Cemetery
V. Helistops
VI. Marina and Related Facilities
VII. Medical Marijuana Dispensaries
VIII. Mining, Non-phosphate
IX. Nurseries and Greenhouses
X. Recreation, & Amusement, General
XI. Retail, 35,000-64,000 sq. ft.
XII. Retail, more than 65,000 sq. ft.
XIII. School, Technical/Vocational/Trade & Training
XIV. Utility, Class III
XV. Vehicle Service, Mechanical
XVI. Water Ski Schools

c. The development of Block C shall be allowed per Table 2.1 of the Land Development Code, except the following uses are prohibited:

XI. Gas Station
XII. Alcohol Package Sales
XIII. Car Wash, Incidental
XIV. Cemetery

XV. Helistops
XVI. Marina and Related Facilities
XVII. Medical Marijuana Dispensaries
XVIII. Mining, Non-phosphate
XIX. Nurseries and Greenhouses
XX. Recreation, & Amusement, General
XXI. Restaurant, Drive-thru/Drive-in
XXII. Retail, 35,000-64,000 sq. ft.
XXIII. Retail, more than 65,000 sq. ft.
XXIV. School, Technical/Vocational/Trade & Training
XXV. Utility, Class III
XXVI. Vehicle Service, Mechanical
XXVII. Water Ski Schools

d. Outdoor Storage shall be prohibited in all blocks with the exception approved Self-storage facilities and subject to the Land Development Code Section 303 self-storage facilities.
e. The boundaries of Blocks A, B, and C shall generally match the boundaries as depicted in the Activity Center Plan.

3. Enhanced Developer Standards

a. All allowable uses shall comply with the following additional site development standards on all Level 2, 3, or 4 reviews prior to site alteration or development:

i. Excluding property frontage on rights-of-way, all proposed development or redevelopment of the subject site shall be conditioned upon Landscape Buffers, as defined in Section 720 of this code, with the following modifications:

a. any vegetative buffer shall achieve 80% opacity with shrubs capable of growing 36 inches in height within 12 months of planting; and

b. the Landscape Buffers may be constructed in phases as the site develops in either Block A or Block B or Block C, as delineated on the Activity Center Plan, and as follows:

1). Upon commencement of development in Block A, the 10' Type "A" Landscape Buffer shall be constructed along the entire northern boundary of Block A, the 10' Type "A" Landscape Buffer along the frontage of right-of-way of Berkley Road and Braddock Road, and the 6' Type "A" with Fence Landscape Buffer shall be constructed, if not constructed as a result of development by Block C, along the boundary between Block A and Block C.

2). Upon commencement of development in Block B, the 10' Type "B," including a fence that shall be a minimum six feet high, 100

percent opaque wood or PVC, Landscape Buffer shall be constructed along the entire northern boundary of Block B, the 10' Type "A" buffer along the frontage of right-of-way of Berkley Road, and the 6' Type "A," including a fence that shall be a minimum six feet high, 100 percent opaque wood or PVC, Landscape Buffer shall be constructed, if not constructed as a result of development by Block C, along the boundary between Block B and Block C.

3). Upon commencement of development in Block C, the 10' Type "B," including a fence that shall be a minimum six feet high, 100 percent opaque wood or PVC, Landscape Buffer shall be constructed along the entire western boundary and northern boundary of Block C, the 10' Type "A" buffer along the frontage of right-of-way of Braddock Road, and the 6' Type "A," including a fence that shall be a minimum six feet high, 100 percent opaque wood or PVC, Landscape Buffer shall be constructed, if not constructed as a result of development by Block C, along the boundary between Block B and Block C.

ii. Except when special requirements in this section are more stringent, all uses shown as allowed in the NAC Land Use designation as "P" in table 2. 1 of Chapter 2 of this LDC shall, at a minimum, comply with the Criteria for Conditional Uses for uses contained in Section 303 of this Code. All uses will be subject to the Level of Review established as per Table 2. 1 of this LDC.

iii. The first Level 2 review submitted for any Block shall include a master infrastructure plan, including stormwater plans, utility easements, and cross-access easements, for the entire site.

iv. A cross-access easement between and among the subject Blocks, generally consistent with the Activity Center Plan, will be recorded prior to site plan (Level 2) approval for the respective development areas. This shall include facilitating future expansion of the Activity Center Plan to adjacent parcels. The easements are displayed in the general location and maybe adjusted without an amendment to this section of the Activity Center Plan as long as cross-access maintained in a safe manner.

v. The edge of the retention ponds shall be landscaped with similar planting materials of a Type "A" Buffer along any side not adjacent to another buffer.

vi. Unless as otherwise provided herein for lighting, No structure or parking shall be located within the landscape buffer.

vii. All truck parking, vehicle repair bay/area, outdoor storage, transit facilities, and loading and unloading areas shall be at least fifty (50) feet from all

property lines abutting residential uses, excluding property lines abutting right-of-way.

viii. All principal structures and those accessory structures related to truck parking or loading and unloading activities shall be at least fifty (50) feet from all side and rear property lines, excluding property lines abutting rights-of-way.

ix. Accessory structures, not related to truck parking or loading and unloading activities shall be at least twenty (20) feet from all side and rear property lines.

x. The maximum height of any on-site light sources shall be forty (40) feet if placed at least thirty (30) feet from a residential property line, and twenty four (24) feet if within thirty (30) feet of an existing residential property line. The height limitation shall not apply to boundaries abutting rights-of-way. Illumination shall be shielded and directional and any spill onto adjacent properties shall not exceed 0.5 foot candles and consistent with Dark Sky Friendly lighting.

xi. The minimum setback of the light source from the residential property line shall be a horizontal distance of twenty (20) feet, except when the light source is adjoining a right-of-way. If the on-site light source adjoins a right-of-way, the lighting can be placed within the landscape buffer as required by Section 720 of this code.

xii. For structures exceeding thirty-five (35) feet in height, setbacks from parcels designated or developed as residential shall be increased by one-half of one foot for each one foot of height over thirty-five (35) feet.

xiii. External operations such as receiving deliveries, docking, loading or unloading of trucks, shall be limited to the hours between 6 a.m. and 8 p.m. for non-residential development within two-hundred (200) feet of an existing residence.

xiv. Signs relating only to identification of the premises and occupants and to goods sold or services rendered on the premises shall be limited as to the type, number, and area, as follows:

1) All signage for the property shall be monument signs. This limitation shall not preclude building signs, window signs, or directional signs which shall be permitted in accordance with Section 760 of Land Development Code.

2) When more than one place of business or activity exists in combination on a site, not more than one monument sign may be permitted when such sign is mounted on a permanent support in any required front yard in this district if such sign and its support do not constitute substantial impediments to visibility in relation to traffic flow on the site or on the adjacent street. Such

monument sign, when identifying more than one place of business or activity or a combined grouping of places of business or activities, shall not exceed eighty (80) square feet in surface area per side or one-hundred-sixty (160) square feet in total combined surface area. No such sign support(s) shall be erected within ten (10) feet of any property line, excluding rights-of-way.

3) In addition, one sign, which does not exceed ten (10) square feet of surface area, for each ten (10) lineal feet of building frontage, the location of which is identified on the Occupational License. Such sign shall be mounted on the main building and shall not extend more than three (3) feet above the roof or beyond the sides of the building.

2. Revised Use Table

The following Prohibited Use Tables (Tables E4 - E7) shall replace Table 2.1 and specifies the types of uses explicitly prohibited within this site. If a use is not listed in this table, and listed in Table 2.1, it is allowable as allowed in Table 2.1. All conditions outlined in Section 303 of this Code shall apply to each use listed below:

TABLE E4, NAC PROHIBITED LAND USES FOR
LDCPAL-2024-13 AND LDCD-2024-7
BLOCK A

Prohibited
Alcohol Package Sales, Cemetery, Helistops, Marina and Related Facilities, Medical Marijuana Dispensaries, Mining, Non-phosphate, Nurseries and Greenhouses, Utility, Class III, Vehicle Service, Mechanical, Water Ski Schools

TABLE E4, NAC PROHIBITED LAND USES FOR
LDCPAL-2024-13 AND LDCD-2024-7
BLOCK B

Prohibited
Alcohol Package Sales, Car Wash, Incidental, Alcohol Package Sales, Car Wash, Incidental, Marina and Related Facilities, Medical Marijuana Dispensaries, Nurseries and Greenhouses, Recreation & Amusement General, Retail, 35,000-64,000 sq. ft., Cemetery, Helistops, Mining, Non-phosphate, Retail, More than 65,000 sq. ft., School, Technical/Vocational/ Trade & Training, Water Ski Schools

TABLE E4, NAC PROHIBITED LAND USES FOR
LDCPAL-2024-13 AND LDCD-2024-7
BLOCK C

Prohibited
Alcohol Package Sales, Car Wash, Incidental, Gas Station, Marina and Related Facilities, Medical Marijuana Dispensaries, Nurseries and Greenhouses, Recreation & Amusement General, Retail, 35,000-64,000 sq. ft., Utilities Class III, Vehicle Service, Mechanical, Cemetery, Helistops, Mining, Non-phosphate, Retail, More than 65,000 sq. ft., School, Technical/Vocational/ Trade & Training, Water Ski Schools,

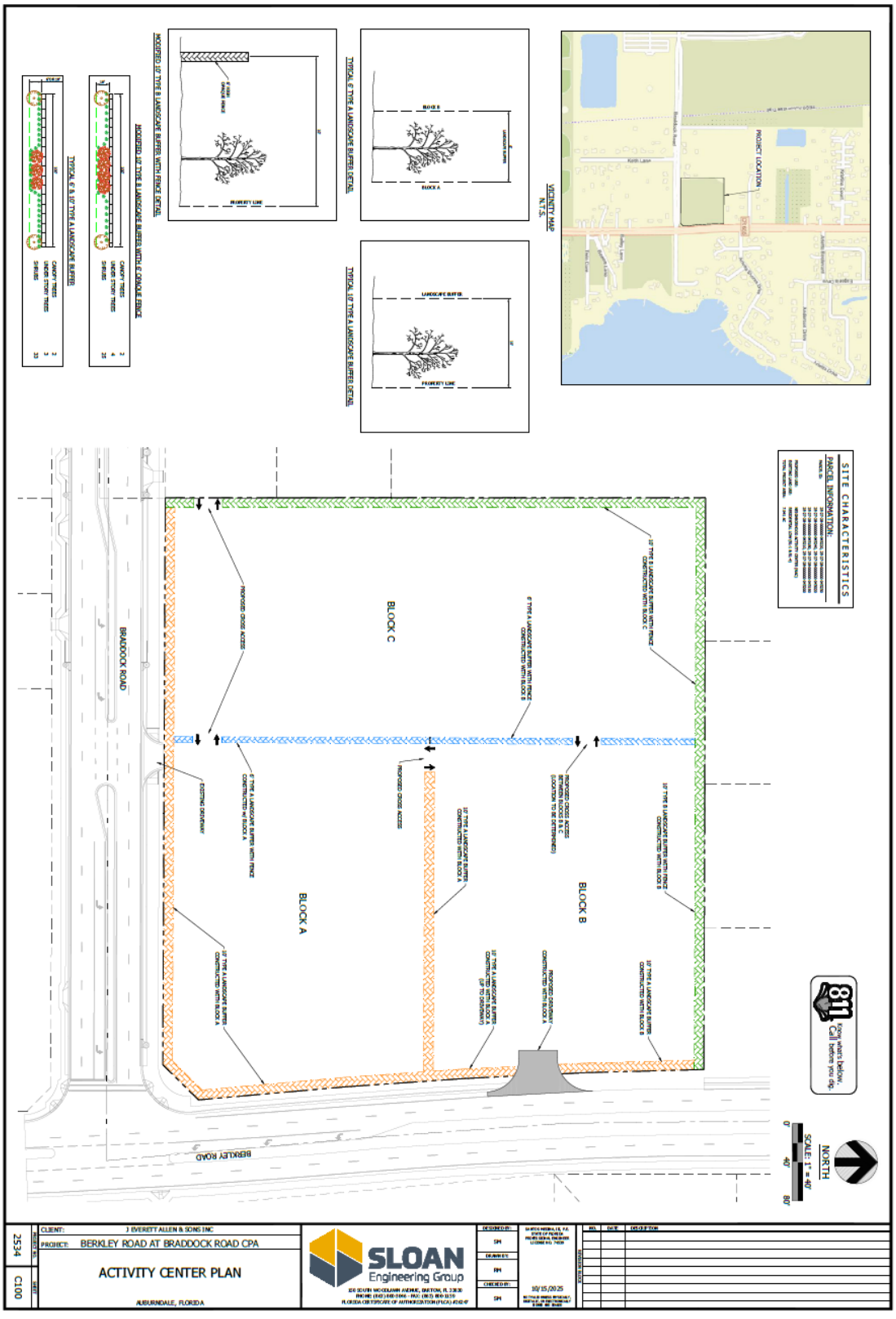
SECTION 2: SEVERABILITY

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 16th DAY OF DECEMBER 2025.


MODIFIED 10' TYPE B LANDSCAPE BUFFER WITH 6' CHOLOLE FENCE
MODIFIED 10' TYPE B LANDSCAPE BUFFER WITH FENCE DETAIL
TYPICAL 6' & 10' TYPE A LANDSCAPE BUFFER
TYPICAL 6' TYPE A LANDSCAPE BUFFER DETAIL
TYPICAL 10' TYPE A LANDSCAPE BUFFER DETAIL
VICINITY MAP
N.T.S.
PROJECT LOCATION
SITE CHARACTERISTICS
PARCEL INFORMATION:
BRADDOCK ROAD
BERKLEY ROAD
BLOCK A
BLOCK B
BLOCK C
PROPOSED CROSS ACCESS
EXISTING DRIVEWAY
PROPOSED DRIVEWAY (LOCATION TO BE DETERMINED)
811
Know what's below. Call before you dig.
SCALE: 1" = 40'
NORTH
CLIENT: J. EVERETT ALLEN & SONS INC
PROJECT: BERKLEY ROAD AT BRADDOCK ROAD CPA
ACTIVITY CENTER PLAN
AUBURNDALE, FLORIDA
SLOAN Engineering Group
2534
C100

Impact Assessment Statement

This Impact Assessment Statement is connected to LDCPAS-2025-17 to reflect the change in requested use from CC to NAC.

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The establishment of a Neighborhood Activity Center district at the intersection of Berkley Road and Braddock Road meets the criteria set out in the Polk County Comprehensive Plan for both Activity Centers and Neighborhood Activity Centers that are germane at this stage of the development process. See attached exhibits included with the application. In addition, the proposed request will address an existing pattern of predominantly single-use residential development along Berkley Road.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering required by the Polk County Land Development Code adequately ensures that the proposed request is compatible with adjacent uses and entitlements in the area. The applicant will take any and all reasonable and necessary steps to minimize impacts to the properties surrounding the requested land use map amendment. In addition, the applicant has submitted property specific conditions and an activity center plan to ensure that compatibility concerns are addressed.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The majority of the area surrounding the proposed site has been developed for residential uses. The proposed request will ultimately provide current and future residential developments in the area with access to the services typical of a NAC district, while creating an attractive, functional mix of uses.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development. Any development of the Property would be consistent with the Polk County Land Development Code, the Polk County Comprehensive Plan, and proposed site specific development criteria.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

A Traffic Impact Analysis will be provided prior to site plan approval.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

It is anticipated minor transportation improvements will be required for ingress/egress of the site in accordance with applicable County standards. The specific intersection types will be fully addressed at Level 2.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

The proposed development shall provide the requisite number of parking spaces required by the Polk County Land Development Code, which will be determined at Level 2 based on the actual square footages of the buildings constructed.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

The property abuts Braddock Road to the south and Berkley Road to the east. Both roads are classified as Urban Collector Roads. It is anticipated that minor transportation improvements will be required for ingress/egress of the site in accordance with applicable county standards. The specific intersection types will be fully addressed at Level 2.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

Modes of transportation providing access to the property will be more fully understood upon the completion of a site plan and will be fully addressed at Level 2.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

The anticipated volume of sewage to be generated by the proposed site is unknown at this time. Site-specific information on waste generation will be fully addressed at Level 2.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The Property will connect to existing public utilities from City of Auburndale or provide on-site treatment. Prior to development, the Applicant will coordinate with the City of Auburndale to determine location of lines and available capacity.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

Any proposed system will be designed in accordance with applicable and appropriate rules and regulations.

4. Identify the service provider; and

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site well and septic.

5. Indicate the current provider's capacity and anticipated date of connection.

Capacity and the date of connection will be more fully understood and addressed at Level 2.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide on-site treatment. Prior to development the Applicant will coordinate with the City of Auburndale to determine location of lines and availability of capacity.

2. Identify the service provider;

The Property will connect to existing public utilities from City of Auburndale, if available, or provide well and septic.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

The anticipated volume of water consumption is unknown at this time. Site-specific information on water consumption will be fully addressed at Level 2.

4. Indicate the current provider's capacity and anticipated date of connection

Capacity and the date of connection will be more fully understood and addressed at Level 2.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There does not appear to be any state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. Per the Florida Biodiversity Matrix GIS application, no endangered plant and animal species exist on the site. No significant impact to existing wildlife resources is anticipated from the project.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Indeterminable at this time.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

Indeterminable at this time.

4. Describe the proposed service area and the current population thereof.

Indeterminable at this time. Market data will be submitted upon completion.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The proposed future land use map amendment would allow for the proposed development to provide NAC uses in area that is predominantly single-use residential.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact to health care is anticipated.

d. Fire Protection;

The nearest fire protection is Auburndale Fire Department (100 Ariana Ave, Auburndale, FL 33823).

e. Police Protection and Security; and

The nearest police protection and security is Auburndale Police Department (2 Bobby Green Plaza, Auburndale, FL 33823.

f. Electrical Power Supply

Indeterminable at this time.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Location Map

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Future Land Use Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Location Map w/ Roads.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

See Activity Center Plan.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

A Drainage Map is not available at this time, as we do not have any engineered plans to evaluate the proposed location of stormwater ponds, buildings, impervious surface,

Demonstration of Need and Justification

This is an amendment to the original Demonstration of Need and Justification for LDCPAS-2025-17.

This is a two part request for (1) a Small Scale Comprehensive Plan Amendment for future land use change to allow neighborhood activity center uses on +/-7.9 acres of land situated north of Braddock Road, west of Berkley Road, and east of Polk Parkway (the "Subject Property") and a Comprehensive Plan text amendment to Appendix 2.135 to add a reference that the Subject Property has development standard conditions in the Land Development Code and (2) a LDC text amendment to add property specific development standard conditions for the Subject Property in Appendix E.

The Subject Property is currently designated as Residential Low (RL-1 and RL-4) and lies within an Urban Growth Area. The proposed change would redesignate the Subject Property to Neighborhood Activity Center (NAC). The applicant recognizes an Activity Center Plan (ACP), as set out in Section 2.110 of the Polk County Comprehensive Plan, is required to exceed the general acreage requirements established for NAC districts and to establish landscaping/buffering requirements to address compatibility concerns. The applicant has submitted an ACP connected with Project Number LDCT-2025-19.

The establishment of an NAC district at the intersection of Berkley Road and Braddock Road meets the criteria set out in the Polk County Comprehensive Plan for both Activity Centers and Convenience Centers. *See Consistency Analysis*. In addition, the proposed request will address an existing pattern of predominantly single-use residential development along Berkley Road. Disrupting the pattern of single-use development will ultimately provide current and future residential developments in the area with access to the services typical of a NAC district, while creating an attractive, functional mix of uses and avoiding sprawl.

Consistency Analysis

This Consistency Analysis is connected to LDCPAS-2025-17 and LDCT-2025-19 to reflect the change in requested use from CC to NAC. Contained below is an analysis of the consistency of the proposed request with provisions of the Polk County Comprehensive Plan that are germane at this stage of the development process.

SECTION 2.102 GROWTH MANAGEMENT.

OBJECTIVE 2.102-A: Development within unincorporated Polk County shall occur in accordance with the policies stated within this Future Land Use Element and all other Goals, Objectives and Policies incorporated within the Polk County Comprehensive Plan.

POLICY 2.102-A1: DEVELOPMENT LOCATION - Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.

ANALYIS: *The proposed request will promote contiguous and compact growth patterns by introducing a NAC district in an area that is predominantly single-use residential development. In addition, the proposed site will act to provide services to communities along Braddock Road.*

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment . . .

ANALYSIS: *See Demonstration of Need and Justification for analysis on how the proposed request will discourage the proliferation of urban sprawl.*

SECTION 2.105 URBAN-GROWTH AREAS (UGA).

OBJECTIVE 2.105-A: The Polk County Plan shall provide areas for the future development of urban-intensity growth through:

a.the designation and mapping of Urban Growth Areas, and

b.the establishment of policies to govern the development of land within the Urban-Growth Areas.

POLICY 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:

. . .

e. include development criteria that:

1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;
2. improve access to employment areas, schools, shopping and recreational opportunities;

ANALYSIS: *A NAC district on the proposed site will ultimately introduce new employment and shopping opportunities to the area. The existing and planned single-use residential development along Berkely Road will increase demand for such services in the area. In the past couple of years, the City of Auburndale, FDOT, and Polk County worked together to cause the jurisdictional transfer of Berkley Road to the state road system. This is change significantly changes the type and amount of traffic on Berkely Road, which has effectively turned it into a truck route to I-4 from U.S. 92, further justifies the growing demand for commercial services. In addition, the proposed site's proximity to residential developments will promote walkability in the area.*

POLICY 2.105-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UGAs:

a. ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and Employment Centers, High-Impact Commercial Centers shall be permitted within UGAs in accordance with applicable criteria.

ANALYSIS: *NAC districts are permitted in the Urban Growth Area (UGA).*

OBJECTIVE 2.110-D: NEIGHBORHOOD ACTIVITY CENTERS - The Polk County Plan shall provide for the local-shopping needs of residents through:

a.the designation and mapping of Neighborhood Activity Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Neighborhood Activity Centers.

POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs:

a. Two (2) miles within the TSDA and UGA.

b. Four (4) miles within the SDA and UEA.

This required separation may be reduced if:

a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or

b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.

ANALYSIS: *The proposed site is located at the intersection of Berkley Road and Braddock Road. Both roads have functional classifications as Urban Collector roads. The nearest County designated Activity Center is a Commercial Enclave located at Denton Avenue and Berkely Road, which is more than one (1) mile away from the proposed site. It should also be noted there are other commercial designations within the area but they have unique characteristics regarding their designations, future intended use, and ownership. For instance, the nearest City of Auburndale activity center on Berkley Road is to the south and is owned by Polk County as part of the Lake Myrtle Park. Moving further south to Denton, there is a parcel designated as commercial that is owned by Polk County School Board for future use as a school. That said, the County Comprehensive plan provides for these instances. Separation requirements may be reduced when minimum population support exceeds 10,000 people within the proposed site's market-area radius. The applicant has submitted market data demonstrating that the site's market-area radius supports over 10,000 people. When reviewed together there is ample justification and need demonstrated for the establishment of this corner for NAC uses.*

POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Neighborhood Activity Center shall conform to the following criteria:

a. Neighborhood Activity Centers shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.

b. Different uses within a Neighborhood Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

d. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.

e. Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.

f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.

g. Planned Developments within the Neighborhood Activity Center may be permitted a maximum floor area ratio up to 0.70 and a maximum residential density of 5 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

ANALYSIS: *The proposed site abuts two (2) collector roads, Braddock Road and Berkley Road.*

POLICY 2.110-D5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Neighborhood Activity Center may include the following uses: Office, Residential, Institutional, and Recreation and Open Space.

ANALYSIS: *The proposed site is adjacent to residential uses, which is a compatible use pursuant to Policy 2.110-D5 of the Comprehensive Plan.*

OBJECTIVE 2.110-L: ACTIVITY-CENTER PLANS - The Polk County Plan shall provide procedures for the preparation of Activity-Centers Plans in order to ensure that Activity Centers develop in a manner consistent with sound planning principles, and in accordance with development objectives of the County.

POLICY 2.110-L1: ACTIVITY-CENTER PLANS - An Activity-Center Plan (ACP) is a special, detailed land use plan for a specific Activity Center. An ACP shall include a land use map and accompanying objective and policies to provide special conditions, restrictions, or requirements for activities within the ACP. ACPs shall be incorporated into the Land Development Code with reference to the Comprehensive Plan.

ANALYSIS: *The applicant has provided an Activity Center Plan consistent with the requirements of the Polk County Comprehensive Plan. The applicant's Activity Center Plan addresses those special conditions, restrictions, and/or requirements contemplated in the Polk County Comprehensive Plan.*

POLICY 2.110-L2: INITIATED BY THE COUNTY - An Activity-Center Plan may be adopted for an Activity Center and become incorporated into the Future Land Use Element by a Comprehensive Plan Amendment for all new Activity Centers proposed. The ACP, shall at a minimum, include land use, traffic, and market studies, or other appropriate studies to support the requested ACP.

ANALYSIS: *N/A to this request.*

POLICY 2.110-L3: INITIATED BY A PROPERTY OWNER - Any property owner applying for a new Activity Center shall prepare and submit an ACP for consideration by the Board of County Commissioners for inclusion within the Future Land Use Element through a Comprehensive Plan Amendment. The ACP can also be used as supporting documentation for a proposed expansion or reclassification. The Board may require that such submittal of a requested ACP include land use, traffic, and market studies, or other appropriate studies to support the requested ACP as outlined in L5 below.

ANALYSIS: *The applicant is applying for a new Activity Center. The applicant has provided an Activity Center Plan consistent with the requirements of the Polk County Comprehensive Plan. The applicant's Activity Center Plan addresses those special conditions, restrictions, and/or requirements contemplated in the Polk County Comprehensive Plan.*

POLICY 2.110-L4: PLAN REQUIRED - A developer shall be required to prepare and submit an ACP for the following:

a. a Development of Regional Impact (DRI) within an Activity Center;

b. a request to develop a residential development with a "Special Residential" classification (15 DU/AC or more) within an Activity Center; or

c. any new Activity Center proposed.

ANALYSIS: *This is an applicant initiated request for a Small Scale Comprehensive Plan amendment for future land use change to allow neighborhood activity center uses on the Subject Property. As such, the applicant has submitted an Activity Center Plan.*

POLICY 2.110-L5: PLAN REQUIREMENTS - ACPs, at a minimum, shall include a map, or maps, and policies which establish:

a. Land uses designations for all property within the center;

b. development criteria;

c. development restrictions, if appropriate;

d. a traffic circulation plan for the activity center; and

e. special transportation restrictions, if appropriate.

f. identify environmentally sensitive lands and endangered natural communities and outline proposals for the preservation and/or conservation of these areas; and

g. any other information that the Land Development Director or his designee may request.

ANALYSIS: *See materials contained within this application.*

POLK COUNTY
www.polk-county.net

LEVEL 4
LAND DEVELOPMENT CODE
COMPREHENSIVE PLAN
AMENDMENT APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
Phone (863)534-6792
FAX (863) 534-6407

TYPE OF AMENDMENT

Land Development Code (✓) **Text** ( ) **Sub-district**

Comprehensive Plan ( ) **Text** ( ) **Large Scale Map** ( ) **Small Scale Map**

Is property in a Selected Area Plan (SAP) ( ) **Yes** (✓) **No**

SAP Name _____

Pre Application Project # _____ **(Required)**

	Owner	Applicant	Contact Person
Name	J. EVERETT ALLEN & SONS, INC.	Palmetto Capital Group, LLC	John ("Bart") Allen
Work Number			(863) 683-6511
Fax Number			(863) 682-8031
Mailing Address	1501 S. FLORIDA AVENUE LAKELAND, FL 33803	PO BOX 2184 THOMASVILLE, GA 31799	PO Box 24628 Lakeland, FL 33802-4628
Email			ballen@petersonmyers.com

If additional contacts, please list on a separate sheet and submit with application.

Brief Description Request *(No more than 250 characters)*:

Applicant is requesting a CPA text amendment to Appendix 2.135 and a LDC text amendment to Appendix E to add property specific references relating to a request for a Small Scale Future Land Use change to Convenience Center (CC) (LDCPAS-2025-17).

Request **From:** RL-1 & RL-4 Land Use/Sub-District

To: CC Land Use/Sub-District

Acreage: +/-7.9 acres

Parcel ID Number(s):

This lists only four (4) of the eight (8) parcels involved in this request. For a complete list of all parcels within this proposed request see attached Parcel ID List.

Range - Township - Section	Subdivision #	-	Parcel #
R 25 T 27 S 28	000000	-	043020
(Include others on a separate attachment)			
R 25 T 27 S 28	000000	-	043180
R 25 T 27 S 28	000000	-	043190
R 25 T 27 S 28	000000	-	043200

Address and Location of Property:

The property is located north of Braddock Road, west of Berkley Road, and east of Polk Parkway. See Location Map attached.

Water Provider Name and Phone Number: City of Auburndale .

Sewer Provider Name and Phone Number: City of Auburndale .

( ) Yes (✔) No Is the property located in the Green Swamp Area of Critical State Concern? *(If yes, a Green Swamp Impact Assessment Statement must be submitted with this application.)*

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

Multiple Residences SFR and MH Future Land Use: RL-1 **NW**	M.H. (RP) & Multiple Residences SFR and MH Future Land Use: RL-1 **N**	Single Family Residential Future Land Use: RL-2 **NE**
M.H. (RP) & Single Family Residential Future Land Use: RL-1 & RL-4 **W**	Unplatted Future Land Use: RL-1 & RL-4 **Subject Property**	Vacant Residential City of Auburndale Future Land Use: Low Density Residential **E**
Vacant Residential & Single Family Residential Future Land Use: RL-1 **SW**	Single Family Residential Future Land Use: RL-1 **S**	Cropland w/ Residenital Future Land Use: RL-1 **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, John ("Bart") Allen (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

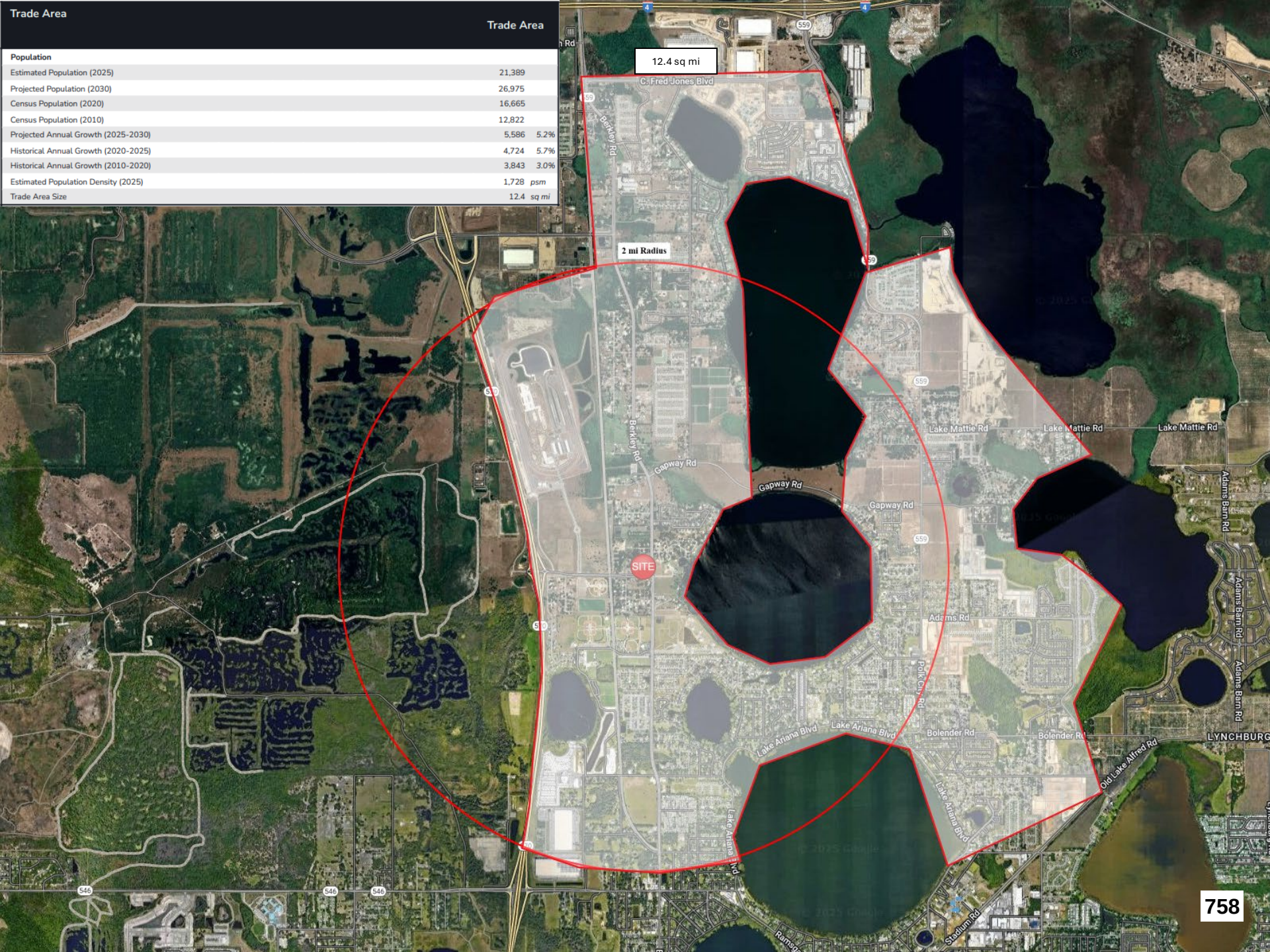
Attorney

Property owner or property owner's authorized representative.

08/07/2025

Date:

Trade Area	Trade Area	
Population		
Estimated Population (2025)	21,389	
Projected Population (2030)	26,975	
Census Population (2020)	16,665	
Census Population (2010)	12,822	
Projected Annual Growth (2025-2030)	5,586	5.2%
Historical Annual Growth (2020-2025)	4,724	5.7%
Historical Annual Growth (2010-2020)	3,843	3.0%
Estimated Population Density (2025)	1,728	*psm*
Trade Area Size	12.4	*sq mi*



1. Allowable Uses and Intensity of Development

a. The development of Block A shall be allowed per Table 2.1 of this Land Development Code for Neighborhood Activity Center uses shall be permitted.

b. The development of Block B shall be allowed per Table 2.1 of the Land Development Code, except the following uses are prohibited:

I. Gas Station
II. Alcohol Package Sales
III. Car Wash, Incidental
IV. Cemetery
V. Helistops
VI. Marina and Related Facilities
VII. Medical Marijuana Dispensaries
VIII. Mining, Non-phosphate
IX. Nurseries and Greenhouses
X. Recreation, & Amusement, General
XI. Retail, 35,000-64,000 sq. ft.
XII. Retail, more than 65,000 sq. ft.
XIII. School, Technical/Vocational/Trade & Training
XIV. Utility, Class III
XV. Vehicle Service, Mechanical
XVI. Water Ski Schools

c. The development of Block C shall be allowed per Table 2.1 of the Land Development Code, except the following uses are prohibited:

I. Gas Station
II. Alcohol Package Sales
III. Car Wash, Incidental
IV. Cemetery
V. Helistops
VI. Marina and Related Facilities
VII. Medical Marijuana Dispensaries
VIII. Mining, Non-phosphate
IX. Nurseries and Greenhouses
X. Recreation, & Amusement, General
XI. Restaurant, Drive-thru/Drive-in
XII. Retail, 35,000-64,000 sq. ft.
XIII. Retail, more than 65,000 sq. ft.
XIV. School, Technical/Vocational/Trade & Training
XV. Utility, Class III
XVI. Vehicle Service, Mechanical
XVII. Water Ski Schools

d. Outdoor Storage shall be prohibited in all blocks with the exception approved Self-storage facilities and subject to the Land Development Code Section 303 self-storage facilities.

e. The boundaries of Blocks A, B, and C shall generally match the boundaries as depicted in the Activity Center Plan.

2. Enhanced Developer Standards

a. All allowable uses shall comply with the following additional site development standards on all Level 2, 3, or 4 reviews prior to site alteration or development:

i. Excluding property frontage on rights-of-way, all proposed development or redevelopment of the subject site shall be conditioned upon Landscape Buffers, as defined in Section 720 of this code, with the following modifications:

a. any vegetative buffer shall achieve 80% opacity with shrubs capable of growing 36 inches in height within 12 months of planting; and

b. the Landscape Buffers may be constructed in phases as the site develops in either Block A or Block B or Block C, as delineated on the Activity Center Plan, and as follows:

1). Upon commencement of development in Block A, the 10' Type "A" Landscape Buffer shall be constructed along the entire northern boundary of Block A, the 10' Type "A" Landscape Buffer along the frontage of right-of-way of Berkley Road and Braddock Road, and the 6' Type "A" with Fence Landscape Buffer shall be constructed, if not constructed as a result of development by Block C, along the boundary between Block A and Block C.

2). Upon commencement of development in Block B, the 10' Type "B," including a fence that shall be a minimum six feet high, 100 percent opaque wood or PVC, Landscape Buffer shall be constructed along the entire northern boundary of Block B, the 10' Type "A" buffer along the frontage of right-of-way of Berkley Road, and the 6' Type "A," including a fence that shall be a minimum six feet high, 100 percent opaque wood or PVC, Landscape Buffer shall be constructed, if not constructed as a result of development by Block C, along the boundary between Block B and Block C.

3). Upon commencement of development in Block C, the 10' Type "B," including a fence that shall be a minimum six feet high, 100 percent opaque wood or PVC, Landscape Buffer shall be constructed along the entire western boundary and northern boundary of Block C, the 10' Type "A" buffer along the frontage of right-of-way of Braddock Road, and the 6' Type "A," including a fence that shall be a minimum six feet high, 100 percent opaque wood or PVC, Landscape Buffer shall be constructed, if not constructed as a result of development by Block C, along the boundary between Block B and Block C.

ii. Except when special requirements in this section are more stringent, all uses shown as allowed in the NAC Land Use designation as "P" in table 2. 1 of Chapter 2 of

this LDC shall, at a minimum, comply with the Criteria for Conditional Uses for uses contained in Section 303 of this Code. All uses will be subject to the Level of Review established as per Table 2. 1 of this LDC.

iii. The first Level 2 review submitted for any Block shall include a master infrastructure plan, including stormwater plans, utility easements, and cross-access easements, for the entire site.

iv. A cross-access easement between and among the subject Blocks, generally consistent with the Activity Center Plan, will be recorded prior to site plan (Level 2) approval for the respective development areas. This shall include facilitating future expansion of the Activity Center Plan to adjacent parcels. The easements are displayed in the general location and maybe adjusted without an amendment to this section of the Activity Center Plan as long as cross-access maintained in a safe manner.

v. The edge of the retention ponds shall be landscaped with similar planting materials of a Type "A" Buffer along any side not adjacent to another buffer.

vi. Unless as otherwise provided herein for lighting, No structure or parking shall be located within the landscape buffer.

vii. All truck parking, vehicle repair bay/area, outdoor storage, transit facilities, and loading and unloading areas shall be at least fifty (50) feet from all property lines abutting residential uses, excluding property lines abutting right-of-way.

viii. All principal structures and those accessory structures related to truck parking or loading and unloading activities shall be at least fifty (50) feet from all side and rear property lines, excluding property lines abutting rights-of-way.

ix. Accessory structures, not related to truck parking or loading and unloading activities shall be at least twenty (20) feet from all side and rear property lines.

x. The maximum height of any on-site light sources shall be forty (40) feet if placed at least thirty (30) feet from a residential property line, and twenty four (24) feet if within thirty (30) feet of an existing residential property line. The height limitation shall not apply to boundaries abutting rights-of-way. Illumination shall be shielded and directional and any spill onto adjacent properties shall not exceed 0.5 foot candles and consistent with Dark Sky Friendly lighting.

xi. The minimum setback of the light source from the residential property line shall be a horizontal distance of twenty (20) feet, except when the light source is adjoining a right-of-way. If the on-site light source adjoins a right-of-way, the lighting can be placed within the landscape buffer as required by Section 720 of this code.

xii. For structures exceeding thirty-five (35) feet in height, setbacks from parcels designated or developed as residential shall be increased by one-half of one foot for each one foot of height over thirty-five (35) feet.

xiii. External operations such as receiving deliveries, docking, loading or unloading of trucks, shall be limited to the hours between 6 a.m. and 8 p.m. for non-residential development within two-hundred (200) feet of an existing residence.

xiv. Signs relating only to identification of the premises and occupants and to goods sold or services rendered on the premises shall be limited as to the type, number, and area, as follows:

1) When more than one place of business or activity exists in combination on a site, not more than one free-standing identification sign may be permitted when such sign is mounted on a permanent support in any required front yard in this district if such sign and its support do not constitute substantial impediments to visibility in relation to traffic flow on the site or on the adjacent street. Such free-standing sign, when identifying more than one place of business or activity or a combined grouping of places of business or activities, shall not exceed eighty (80) square feet in surface area per side or one-hundred-sixty (160) square feet in total combined surface area. No such sign support(s) shall be erected within ten (10) feet of any property line, excluding rights-of-way.

2) In addition, one sign, which does not exceed ten (10) square feet of surface area, for each ten (10) lineal feet of building frontage, the location of which is identified on the Occupational License. Such sign shall be mounted on the main building and shall not extend more than three (3) feet above the roof or beyond the sides of the building.

3) All signage for the property shall be monument signs. This limitation shall not preclude building signs, window signs, or directional signs which shall be permitted in accordance with Section 760 of Land Development Code.

JOINT PLANNING AREA INTERLOCAL AGREEMENT

BETWEEN

THE CITY OF AUBURNDALE AND POLK COUNTY

This **AGREEMENT** is made and entered into this 7th day of October, 2009, by and between the CITY of Auburndale, a Florida municipal corporation (the "CITY") and Polk COUNTY, a political subdivision of the State of Florida (the "COUNTY"). The CITY and COUNTY shall collectively be referred to as "Parties."

RECITALS

1. The CITY and the COUNTY recognize that proper intergovernmental coordination is essential for sound growth management; and

2. The CITY and COUNTY seek to have compatible land uses adjacent to their common boundaries to provide for a more enjoyable quality of life for the citizens residing in Polk County, which includes the citizens in the City; and

3. The State Comprehensive Plan requires local governments to direct development to those areas which have in place the land and water resources, physical abilities and service capacity to accommodate growth in an environmentally acceptable manner and use incentives and disincentives to achieve a sustainable mix of land uses; and

4. The State Comprehensive Plan requires local governments to protect the substantial investment in public facilities which already exists and to plan for and finance new facilities in a timely, orderly and efficient manner; and

5. The Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, encourages and empowers local governments to cooperate with one another on matters of mutual interest and advantage, and provides authority for interlocal agreements between local governments on matters such as annexation and joint planning; and

6. The Municipal Annexation or Contraction Act, Chapter 171, Part I, Florida Statutes, and the Interlocal Service Boundary Agreement Act, Chapter 171, Part II, Florida Statutes, recognizes the use of interlocal service boundary agreements and joint planning agreements as a means to coordinate future land use, public facilities and services, and protection of natural resources in advance of annexation; and

7. In order to provide proper services for the citizens, the CITY and COUNTY are desirous of engaging in joint efforts to comprehensively and cohesively plan certain areas within the city limits of the CITY of Auburndale as well as certain areas located within the boundaries of unincorporated Polk COUNTY, which areas are collectively and individually referred to herein as the "Joint Planning Area" or the "JPA"; and

8. The JPA, as depicted in Exhibit "A," delineates areas where the CITY of Auburndale is providing municipal services or intends to provide municipal services; and

9. There is no intent for this Agreement to restrict the COUNTY's authority to amend its Comprehensive Plan and Map, Land Development Code and associated subdistrict map, or apply land development regulations or otherwise to make land use decisions for unincorporated areas within the JPA, or to restrict the County's authority to object to any annexations by the City if deemed necessary by the County; and

10. There is no intent for this Agreement to restrict the CITY's authority to amend its Comprehensive Plan, Official Zoning Map, land development regulations, or apply land development regulations or otherwise to make land use decisions for lands within the corporate boundaries of the CITY or within the JPA should such lands be annexed by the CITY; and

11. A Joint Planning Agreement will provide a basis for the evaluation of future development applications. The CITY and the COUNTY intend to plan for the adequate provision of public services as required per the Comprehensive Plan of each; and

12. The CITY and COUNTY wish to identify a Joint Planning Area and have determined that such an agreement will foster intergovernmental coordination and

cooperation, economical provision of services, including police, fire and other services and adequate utilization of existing and proposed infrastructure; and

13. A public hearing with due public notice has been held by the CITY and the COUNTY prior to approval of this Agreement and as set forth in Section 163.3171(3), Florida Statutes; and

14. The CITY and the COUNTY desire to enter into this Joint Planning Agreement to address desirable land uses and locations and standards for gateways within the JPA; and

15. It is desirable for the CITY and the COUNTY to enter into such an agreement to better identify areas proposed for future municipal services, and jurisdiction and to ensure better coordination of government services and to avoid creating incompatible land uses near the parties' common boundaries; and

16. The Agreement will facilitate a better process for exchanging information between the Parties, regarding land development issues affecting both the CITY and the COUNTY; and

ACCORDINGLY, in consideration of the mutual covenants set forth in this Agreement, the receipt and sufficiency of which are hereby acknowledged, the CITY and

the COUNTY agree with each other to create and participate in the following Joint Planning Area Agreement (hereinafter referred to as the "Agreement") as follows:

SECTION 1. AUTHORITY. This Agreement is entered into pursuant to the provisions of Chapter 163, Florida Statutes, and other applicable provisions of the law.

SECTION 2. RECITALS. The Recitals above are true and correct and are incorporated into this Agreement as if fully set forth below. This Agreement shall be considered an Interlocal Agreement pursuant to the authority within Sections 163.01, 163.3171, 163.3177(6)(h)1. a, as well as Chapters 125 and 171, Florida Statutes.

SECTION 3. DEFINITIONS.

1. **Agreement.** Means and refers to this Joint Planning Agreement, as the same may be amended as provided herein.

2. **Governing Body.** Means in the case of the COUNTY, the Board of COUNTY Commissioners, and in the case of the CITY, the Auburndale CITY Commission.

3. **Joint Planning Area.** Means and refers to that area depicted in Exhibit "A". Also referred to as the "JPA".

4. **Land Development Regulation.** Means ordinances enacted by the CITY or the COUNTY for the regulation of any aspect of development.

SECTION 4. DESIGNATION AND DEFINITION OF JOINT PLANNING AREA.

1. Establishment of Joint Planning Area. To establish the means and process by which future annexations and planning activities will be accomplished, the CITY and the COUNTY (the "Parties") hereby establish a Joint Planning Area (JPA), depicted in Exhibit "A," attached hereto and incorporated herein by this reference. All areas specifically delineated, mapped and referenced in the legend on Exhibit "A" are within the JPA.

SECTION 5. JOINT PLANNING EFFORTS

1. Desired Development Patterns. Exhibits B through F illustrate the desired development patterns including the creation of gateways into the City and Polk Commerce Centre/USF Polytechnic area as a guide for development. For the purposes of this Agreement, "guide" shall mean a preferred standard, and shall not mean, require, or compel exactitude, or strict compliance with Exhibits B through F.

2. Future Comprehensive Plan Amendments. The Parties agree to use Exhibits B through F as a guide for the consideration of Future Comprehensive Plan Amendments within the boundary of the JPA. For the purposes of this Agreement, "guide" shall mean a preferred standard, and shall not mean, require, or compel exactitude, or strict compliance with Exhibits B through F.

3. Land Development Regulations. The CITY and the COUNTY agree to pursue common amendments to their respective Land Development Regulations, as necessary and desired, to support and implement the Goals, Objectives and Policies and desired land use concepts outlined in Exhibits B through F.

SECTION 6. DISPUTE RESOLUTION. In the event a dispute arises as to the terms or provisions of this Agreement, the Parties agree to comply with Chapter 164, Florida Statutes. Should the Conflict Resolution procedure outlined in Chapter 164,

Florida Statutes not result in a settlement, the Parties may seek any remedy legally available to them.

SECTION 7. AMENDMENTS. This Agreement, supporting the JPA, may be amended at any time by mutual, written agreement between the CITY and COUNTY.

SECTION 8. NOTICES. Any notice required or allowed to be delivered hereunder shall be in writing and be deemed to be delivered when: (a) hand delivered to the official hereinafter designated; or (b) upon receipt of such notice when mailed by certified U.S. mail, postage prepaid, return receipt requested, addressed to a party at the address set forth below or at such other address as the party shall have specified by written notice to the other party delivered in accordance herewith:

If to the COUNTY:	County Manager Polk County Drawer CM01, P.O. Box 9005 Bartow, Florida 33831-9005	4 copies (distribution by County Manager's office)
If to the CITY:	City Manager City of Auburndale 1 Bobby Green Plaza Auburndale, FL33823	4 copies (distribution by City Manager's Office)

SECTION 9. DISCLAIMER OR THIRD PARTY BENEFICIARIES. This Agreement is solely for the benefit of the Parties herein and no right or cause of action

shall accrue upon or by reason hereof, to or for the benefit of any third party not a formal named party hereto. Nothing in the Agreement expressed or implied is intended or shall be construed to confer upon or give any person or corporation other than the Parties any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereto, and all of the provisions, representations, covenants and conditions herein contained shall inure to the sole benefit of and shall be binding upon the Parties and their respective representatives, successors and assigns.

SECTION 10. SEVERABILITY. In the event that any section, subsection, sentence, clause or word of this Agreement shall be held by a court of competent jurisdiction to be partially or wholly invalid or unenforceable for any reason whatsoever, any such invalidity, illegality or unenforceability shall not affect any of the other remaining articles, sections, subsections, sentences, clauses or words of this Agreement, and this Agreement shall be read and/or applied as if the invalid, illegal or unenforceable section, subsection, sentence, clause or word did not exist. This Agreement was mutually negotiated by all Parties who have executed the same. Consequently, it is the intent of the Parties that no provision shall be more harshly construed against either Party as the drafter hereof.

SECTION 11. APPLICABLE LAW VENUE. This Agreement shall be governed and interpreted by the laws of the Sate of Florida. The venue for any legal action

necessary to enforce the Agreement shall be in the courts of Polk County, Florida; or the Middle District of Florida, located in Hillsborough County, Florida.

SECTION 12. TERM OF AGREEMENT. The term of this Agreement shall commence on the date the COUNTY formally approves this Agreement or the date this Agreement is approved by the CITY, whichever is later and shall continue for five (5) years. Thereafter, it may be extended for succeeding periods of five (5) years each by mutual agreement of the Parties. This Agreement may be terminated by either Party by delivery of written notice at least six (6) months prior to the termination date.

SECTION 13. FILING OF THE AGREEMENT. Polk County agrees to file an executed copy of this Agreement with the Clerk of the Circuit Court of Polk County in accordance with §163.01(11), Florida Statutes.

SECTION 14. ENTIRE AGREEMENT. This Agreement constitutes the entire agreement between the Parties and supersedes all previous discussions, understandings and communications between the Parties relating to the subject matter contained herein.

LIST OF EXHIBITS:

Exhibit A: Joint Planning Area (JPA) Boundary

Exhibit B: Gateways and Tourism Commercial Areas

Exhibit C: Residential Areas

Exhibit D: Mixed-Use Areas

Exhibit E: Commercial Areas

Exhibit F: Business Park Centers

ATTEST:

Richard M. Weiss, Clerk of Circuit Court

P. 35

By: Freda L. Wade
Deputy Clerk

POLK COUNTY, FLORIDA, a political subdivision of the State of Florida

By: Sam Johnson
Sam Johnson, Chairman

Date: 10-7-09

REVIEWED AS TO FORM AND LEGAL SUFFICIENCY:

June J. Gibson 9/25/09
County Attorney's Office **Date**

ATTEST:

Shirley A. Lowrance
Shirley A. Lowrance, CITY Clerk

CITY OF AUBURNDALE, FLORIDA, a municipal corporation

APPROVED:

By:
William E. Sterling, Jr., Mayor

Date: 09-14-2009

APPROVED AS TO FORM AND LEGALITY:

V. Patton Kee
V. Patton Kee, CITY Attorney

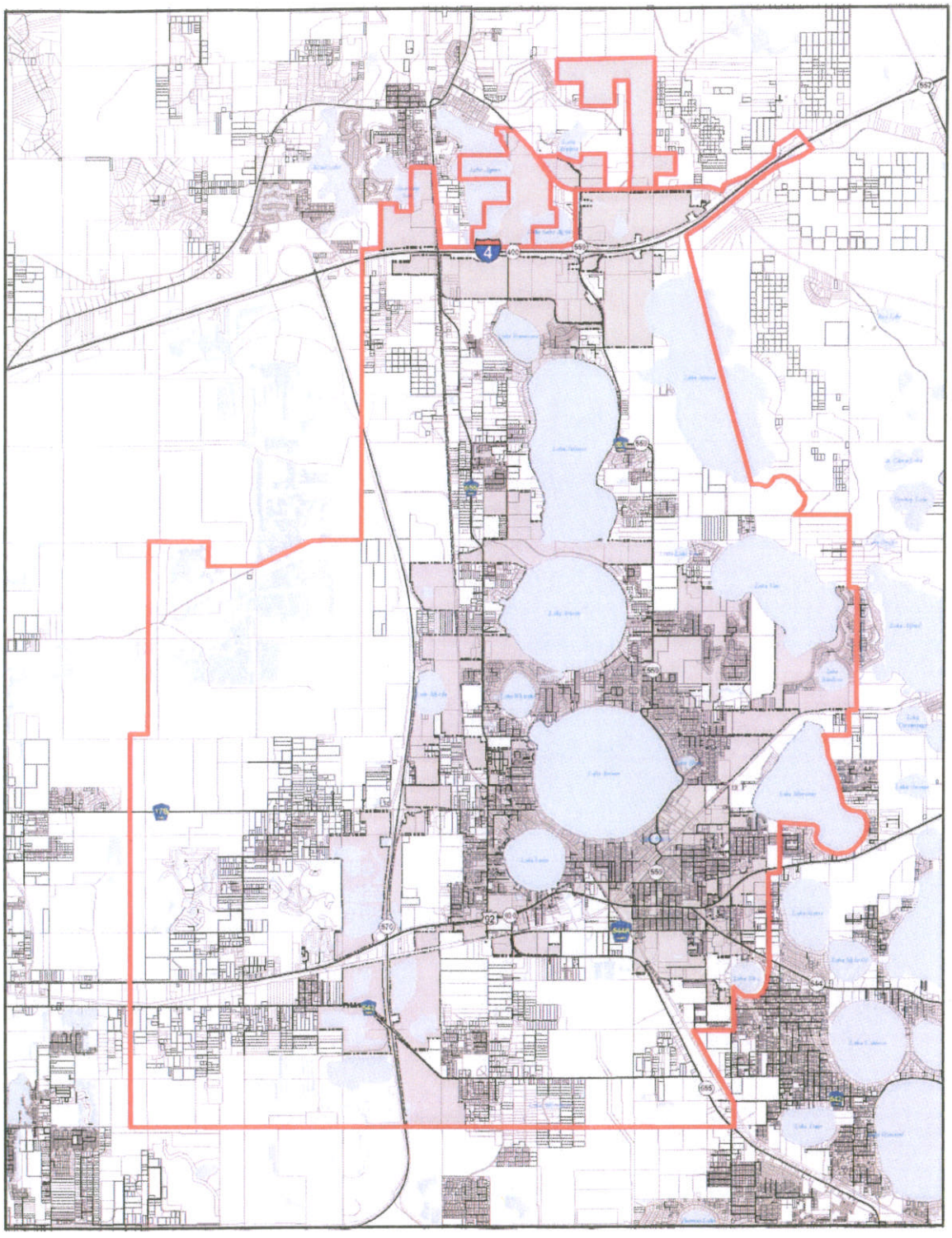


Exhibit A
JPA BOUNDARY
Joint Planning Area

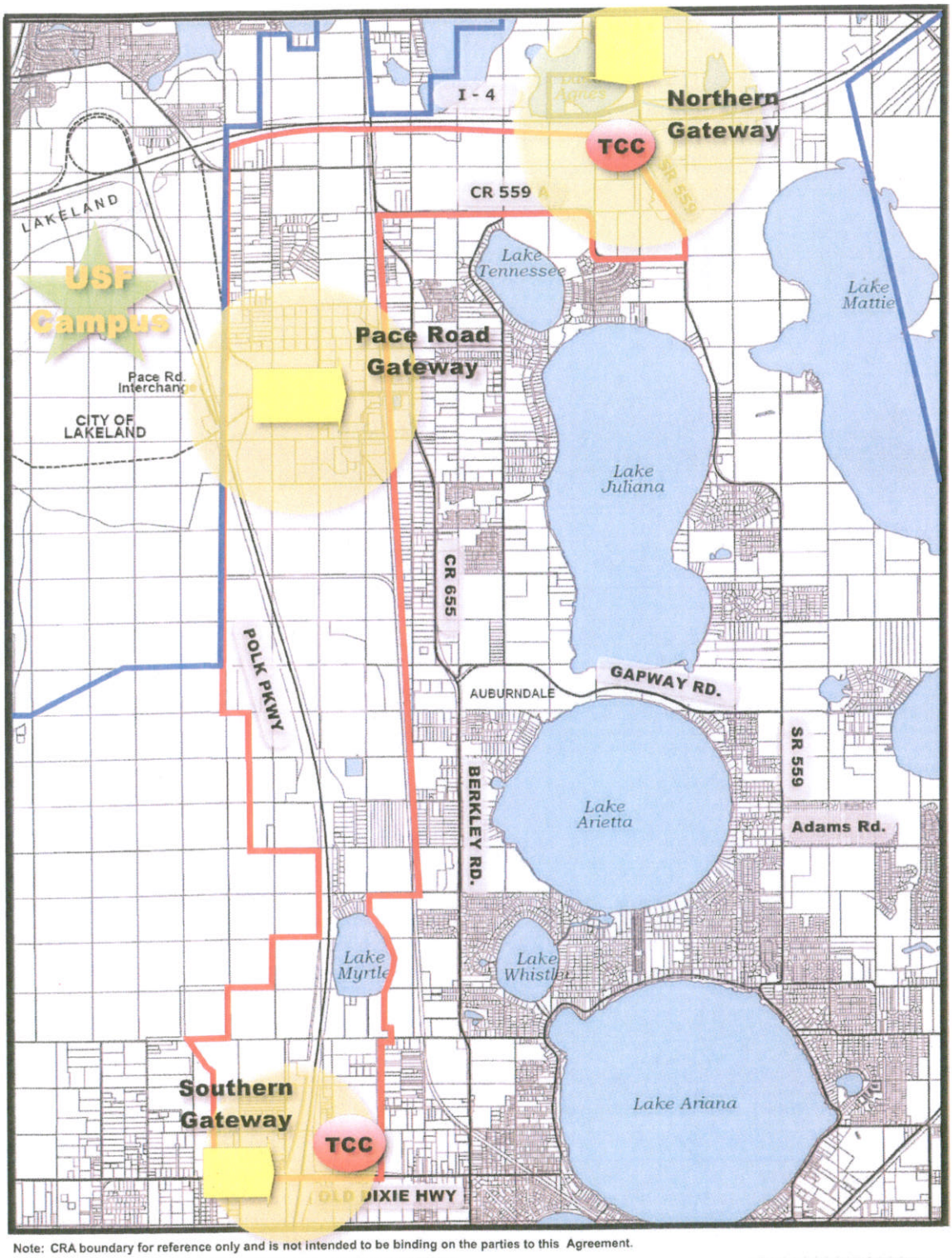
City of Auburndale - Polk County JPA

Legend

- Local Roads
- Major Roads
- Parcels
- Water Bodies
- JPA Boundary
- Auburndale City Boundary

Miles
0 0.5 1 2

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit B
GATEWAYS & TOURISM COMMERCIAL AREAS
Joint Planning Area

City of Auburndale - Polk County JPA

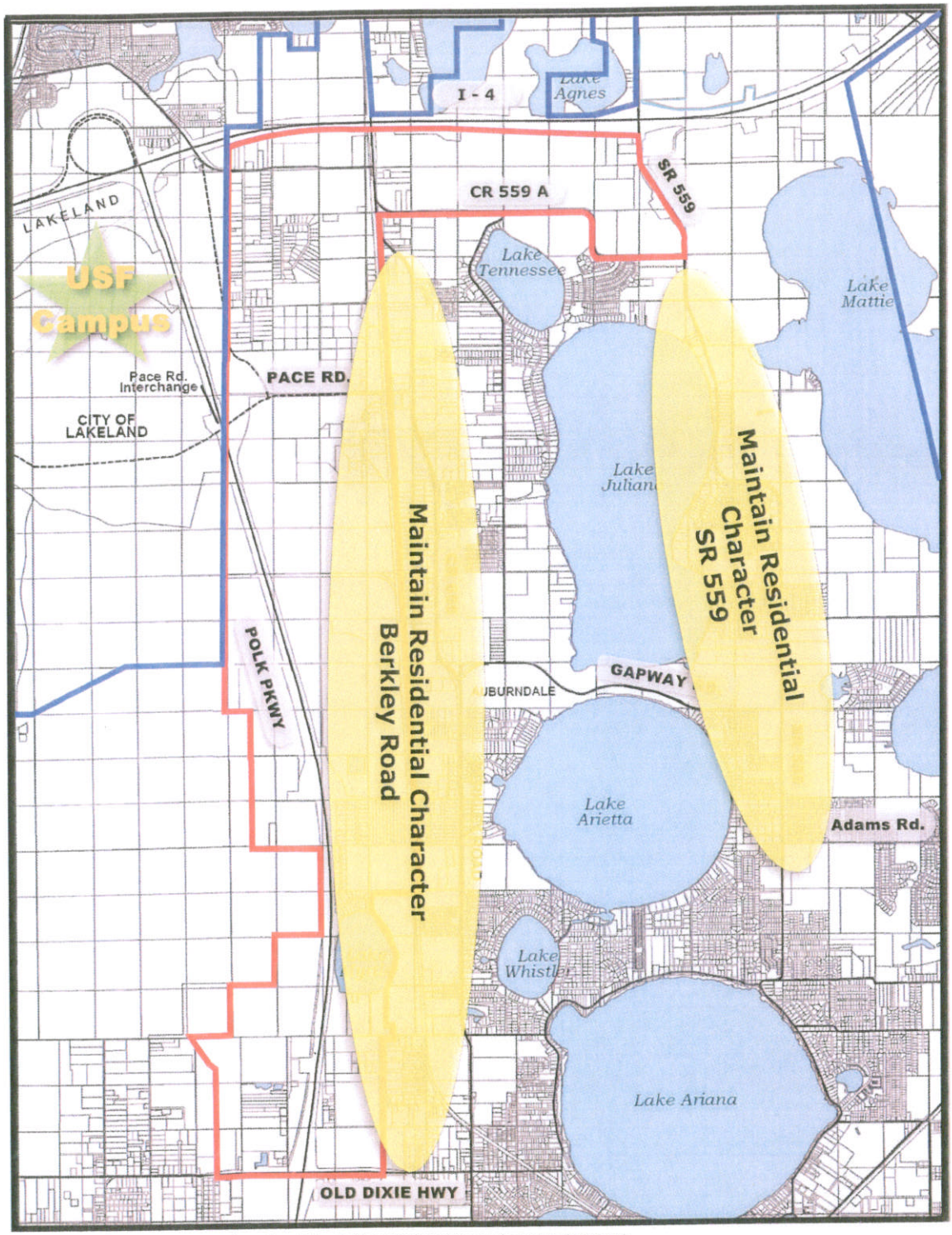
N

0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit C
RESIDENTIAL AREAS
Joint Planning Area

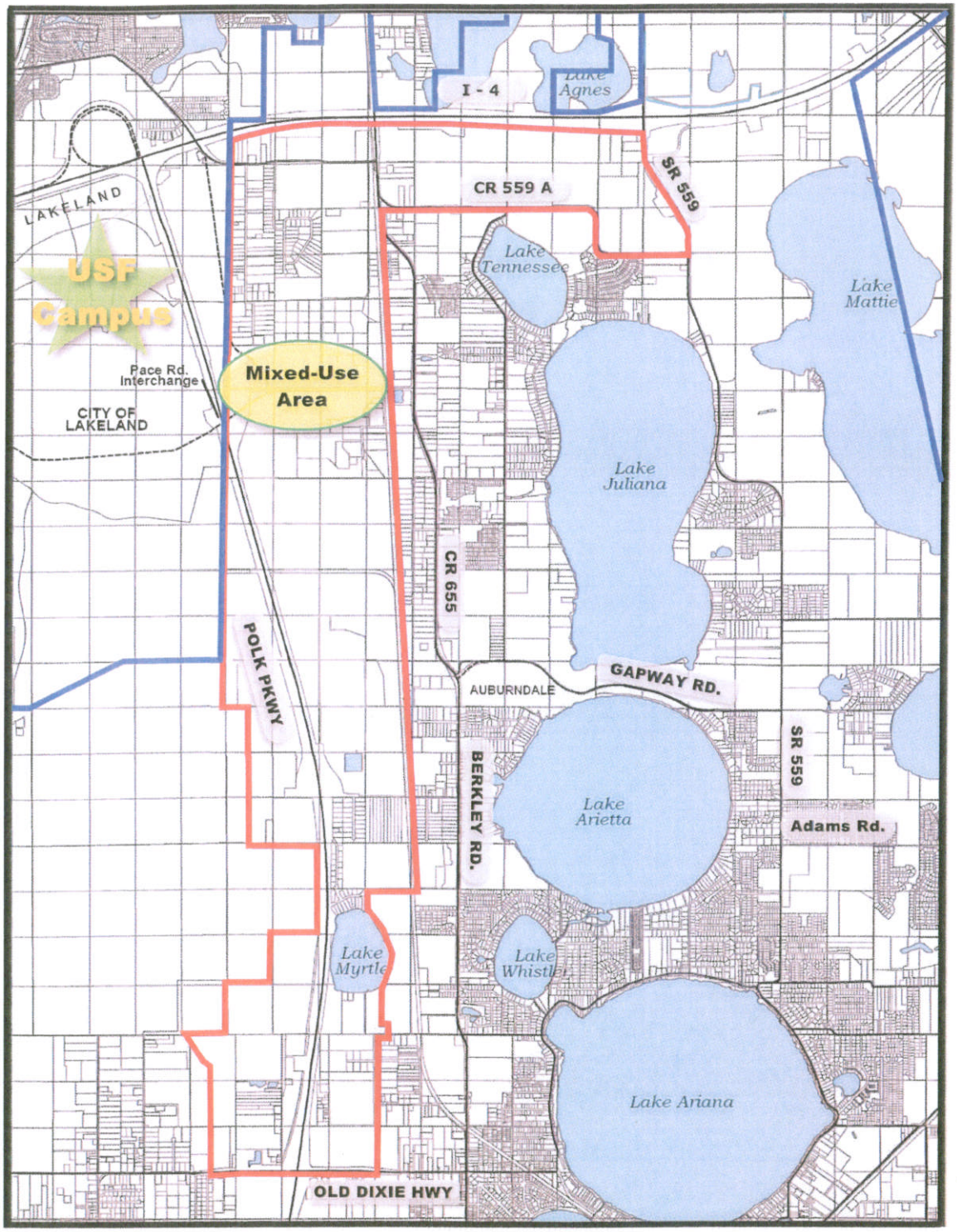
City of Auburndale - Polk County JPA

N

0 0.45 0.9 Miles

LEGEND
- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit D
MIXED-USE AREA
Joint Planning Area

N

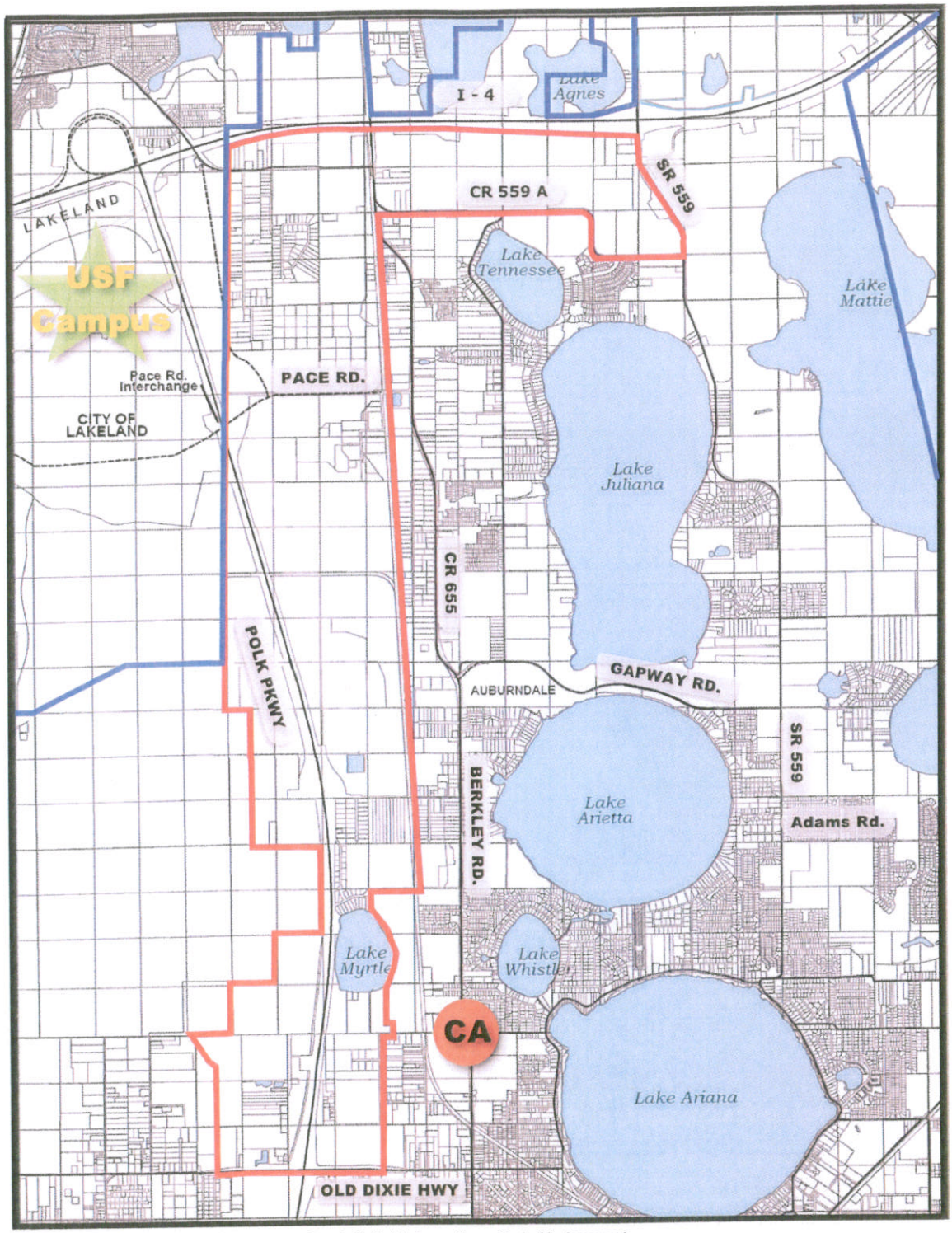
0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

City of Auburndale - Polk County JPA

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit E
COMMERCIAL AREA
Joint Planning Area

City of Auburndale - Polk County JPA

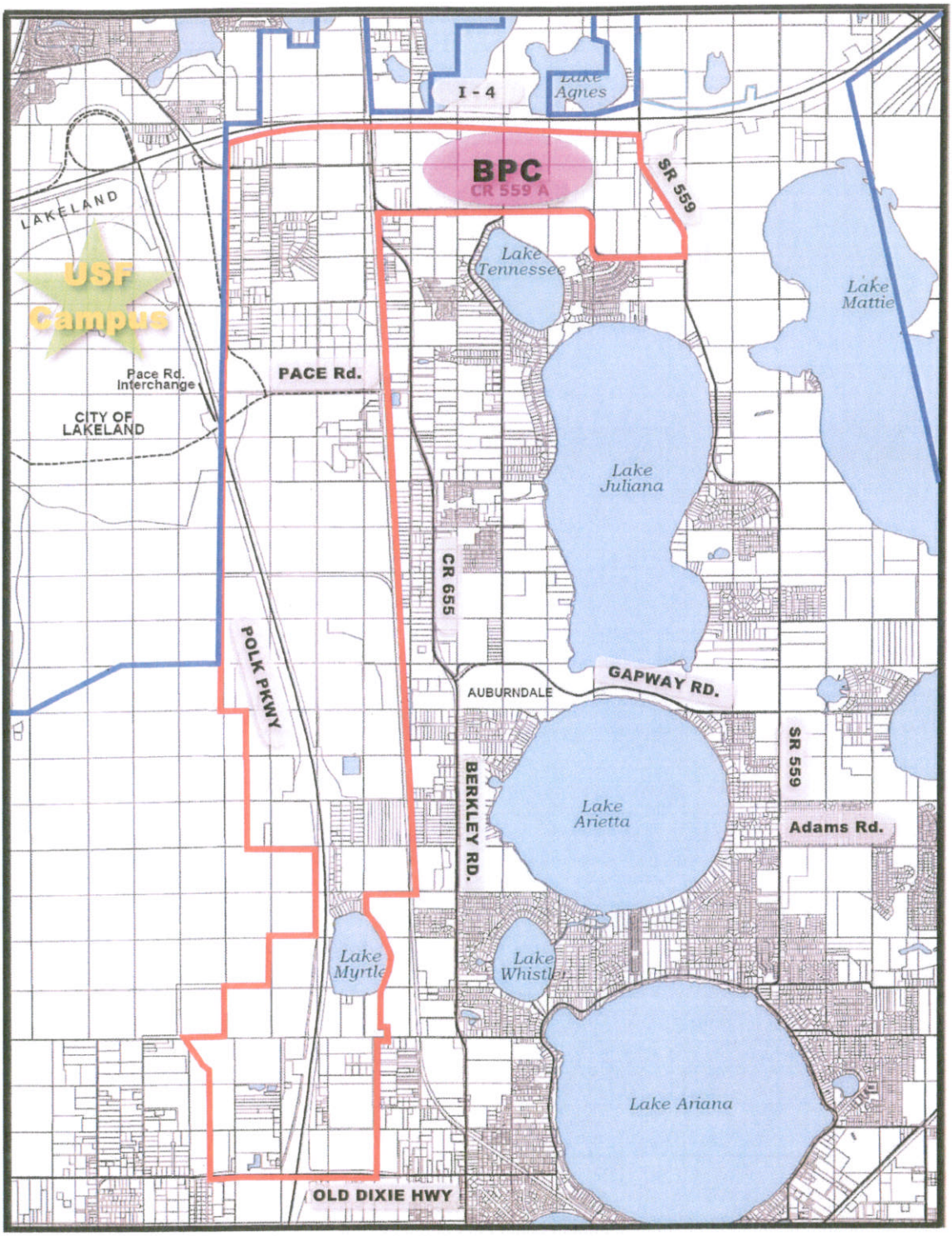
N

0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC



Note: CRA boundary for reference only and is not intended to be binding on the parties to this Agreement.

Exhibit F
BUSINESS PARK CENTER
Joint Planning Area

City of Auburndale - Polk County JPA

N

0 0.45 0.9 Miles

LEGEND

- JPA Boundary
- Polk Commerce Centre CRA Boundary

prepared for City of Auburndale by CFRPC

STATE OF FLORIDA)
)
COUNTY OF POLK)

I, Richard M. Weiss, Clerk of the Circuit Court of Polk County, Florida, hereby certify that attached is a Joint Planning Area Interlocal Agreement with the City of Auburndale. This Interlocal Agreement was approved by the Polk County Board of County Commissioners on October 7, 2009, and was filed in this office on the 20th day of October 2009.

WITNESS my hand and official seal on this October 20, 2009.

RICHARD M. WEISS
Clerk of Circuit Court

By: _____
Deputy Clerk

FILED - GENERAL
POLK COUNTY CLERK
CIRCUIT COURT CIVIL
2009 OCT 20 PM 2:39

City of Auburndale
Auburndale, Florida 33823

#1 Bobby Green Plaza
Community Development

P. O. Box 186
Phone (863) 965-5530
Fax (863) 965-5507

October 16, 2025

Mr. Robert Bolton
Planner III, Land Development
Polk County Board of County Commissioners
330 W Church St, Bartow, FL 33830

SUBJECT: LETTER OF OPPOSITION FOR LDCT-2025-19 and LDCPAS-2025-17

Dear Mr. Bolton,

The City of Auburndale would like to express concern regarding LDCT-2025-19 Text Amendment and LDCPAS-2025-17 Comprehensive Plan Amendment. The location of the subject site is a gateway of the Central Florida Innovation District, within the Auburndale Joint Planning Area (JPA) and serviced by the City of Auburndale utilities. The property is contagious to city limits to the east and could annex into the City of Auburndale.

The property has Single Family Residential-1 (RS-1) zoning and Low-Density Future Land Use within the City of Auburndale to the east. Unincorporated Polk County Residential Future Land Use also surrounds this property to the north, south and west as seen on exhibit maps. North and south of the subject site is Residential Low Future Land Use which is comparable to the City of Auburndale's Low-Density Future Land Use. While some of the subject site does have Polk County Residential Low-4 Future Land Use, the properties have developed with one dwelling unit per half acre to one acre and would not be considered compatible to the intensities allowed within the requested Neighborhood Activity Center Future Land Use. The Polk County Comprehensive Plan lists the following policies on compatibility that should be taken into consideration with the requested amendments.

> POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:
>
> a. there have been provisions made which buffer incompatible uses from dissimilar uses;
> b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;
> c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.

The intensity of a Neighborhood Activity Center Future Land Use would not be considered compatible with the current established residential development surrounding the property. If commercial is considered for the subject site, it should mirror the same conditions for the entire subject site for Block A, B and C listed in the staff report "conditions." The closest Neighborhood Activity Center is approximately two miles to the south. However, within the City of Auburndale a commercial Village Center is approximately 0.39 miles to the northeast. Village Center Zoning allows for

mixed use commercial such as retail, restaurants, personal services, and office space. Polk County Comprehensive Plan POLICY 2.110-D3, states that there should be a minimum travel distance of two miles from one Neighborhood Activity Center (NAC) and the center of any other Neighborhood Activity Center. While the subject site meets the distance criteria for Polk County Future Land Use, it is less than 1.71 +/- miles north of Neighborhood Activity Center Future Land Use within the City of Auburndale which is comparable in permitted uses.

In 2019, Polk County with the City of Lakeland, City of Auburndale and Central Florida Development Council signed a Memorandum of Understanding establishing the Central Florida Innovation District. The City of Auburndale adopted Land Development Regulations in May of 2024 (Ordinance #1770) creating a special overlay district. The subject site is noted in Section 15.608 as a "Gateway" for the Innovation District. Within this special overlay district is sign standards, per Sec. 15. 606.11, stating monument signs shall be consistent with the design, character, materials, and finishes used on the Florida Polytechnic University and SunTrax monument signs. Regulations, per Sec. 15. 606.6, a, b, also outline Type C landscaping and solid walls to minimize the impact of nonresidential development on any abutting residential district.

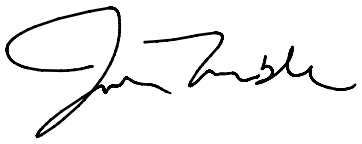
Should Polk County adopt LDCT-2025-19 and LDCPAS-2025-17, the City would ask that the following conditions be placed on the subject site:

1. Type C landscaping, sign standards to imitate Florida Polytechnic University and SunTrax monument signs.
2. a solid 6-foot masonry wall required on the northern and west property lines.
3. outdoor storage be prohibited to help the impact of nonresidential development abutting the established residential district.
4. require the same prohibited uses for Block A as listed in the staff report for Block B and C.

Due to the concern with compatibility and location, consideration should be given to accommodate compatible uses and transitional zoning to the surrounding residential. The City has provided Polk County staff with current City Zoning and Future Land Use Maps and City of Auburndale Ordinance #1770.

Please accept our objection to LDCT-2025-19 and LDCPAS-2025-17, based on the above information and enter it into the record with staff reporting.

Sincerely,



Julie Womble, M.A.
Community Development Director
City of Auburndale

ORDINANCE NO. 1770

AN ORDINANCE OF THE CITY OF AUBURNDALE, FLORIDA, AMENDING ORDINANCE NO. 764, THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF AUBURNDALE, FLORIDA, BY AMENDING CHAPTER 15 SPECIAL OVERLAY DISTRICTS; ESTABLISHING ARTICLE 5 REGARDING THE CENTRAL FLORIDA INNOVATION DISTRICT AND DETAILING DEVELOPMENT GUIDELINES AND STANDARDS FOR THE CENTRAL FLORIDA INNOVATION DISTRICT; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City Commission adopted Ordinance No. 764, the Land Development Regulations to implement the adopted Auburndale Comprehensive Plan;

WHEREAS, the adopted Auburndale Land Development Regulations contain Chapter 15, Special Overlay Districts

WHEREAS, the Auburndale Planning Commission, at an advertised Public Hearing, has reviewed, heard public input and recommended that the City Commission amend this Chapter of the Land Development Regulations;

WHEREAS, the Auburndale City Commission has held Public Hearings concerning the proposed amendment and has an affirmative vote of the City Commission on said amendment; and

WHEREAS, the City of Auburndale, Polk County Board of County Commissioners, the City of Lakeland and the Central Florida Development Council entered into a Memorandum of Understanding relating to the Central Florida Innovation District on September 17, 2019; and

WHEREAS, in exercise of its authority, the City Commission of the City of Auburndale, Florida has determined it necessary and desirable to amend the certain sections contained in the Land Development Regulations and adopted by Ordinance No. 764, consistent with the public interest within Auburndale, Florida.

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

SECTION 1. RECITALS. The above recitals are hereby incorporated as the factual basis for the adoption of this Ordinance.

SECTION 2. Chapter 15, Article 5 of the City of Auburndale Land Development Regulations is hereby adopted as follows on Exhibit "A" attached hereto and hereby incorporated by reference.

SECTION 3. SEVERABILITY. If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION 4. COPY OF ORDINANCE ON FILE. A copy of this Ordinance shall be kept on file in the office of the Auburndale City Clerk.

SECTION 5. CONFLICTS WITH OTHER ORDINANCES. That portion of any Ordinance which may be in conflict with this Ordinance is hereby repealed with the adoption of this Ordinance.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective immediately following the second reading of the Ordinance.

INTRODUCED FOR CONSIDERATION ON FIRST READING by the City Commission of the City of Auburndale, Florida, meeting in Regular Session this 6th day of May, 2024.

CITY COMMISSION
OF AUBURNDALE, FLORIDA

By:_____
Dorothea Taylor Bogert, Mayor

ATTEST:

By:_____
Brandon Henry, City Clerk

LEGAL IN FORM AND VALID IF ENACTED

By:_____
Frederick J. Murphy, Jr., City Attorney

PASSED AND DULY ADOPTED ON SECOND AND FINAL READING by the City Commission of the City of Auburndale, Florida, meeting in Regular Session this 20th day of May, 2024.

CITY COMMISSION
OF AUBURNDALE, FLORIDA

By:_____
Dorothea Taylor Bogert, Mayor

ATTEST:

By:_____
Brandon Henry, City Clerk

CHAPTER 15

ARTICLE 5: THE CENTRAL FLORIDA INNOVATION DISTRICT

PART 1. – THE CENTRAL FLORIDA INNOVATION DISTRICT ESTABLISHED, INTRODUCTION AND PURPOSE

Sec. 15.600. - Title

Chapter 15, Article 5 shall be entitled "The Central Florida Innovation District" and is part of the City of Auburndale's "Land Development Regulations".

Sec. 15.601. - Relationship to the Comprehensive Plan.

The regulations and requirements herein set forth have been established in accordance with the City of Auburndale Comprehensive Plan.

Sec. 15.602. - Purpose.

The purpose of these zoning and design guidelines and standards is to create a planned and balanced "District" focusing on innovation. Further, it is the intent of these standards to provide for collaborative development that provides space for the targeted industries of the Central Florida Innovation District.

The City identified The Central Florida Innovation District as an area that provides specific opportunities for targeted economic development. The District focuses on retaining talent from Polk County's higher learning institutions, cultivates a sense of place and innovation, maximizes buildable space, provides a mix of uses where one does not dominate the other and offers opportunities for cutting-edge technology being developed at Florida Polytechnic University and SunTrax, the Florida Department of Transportation's testing facility along the Polk Parkway.

An Innovation District is an environment that allows for an integrated mix of related activities within an understandable, coordinated place. The Central Florida Innovation District has a common mission, which includes but is not limited to:

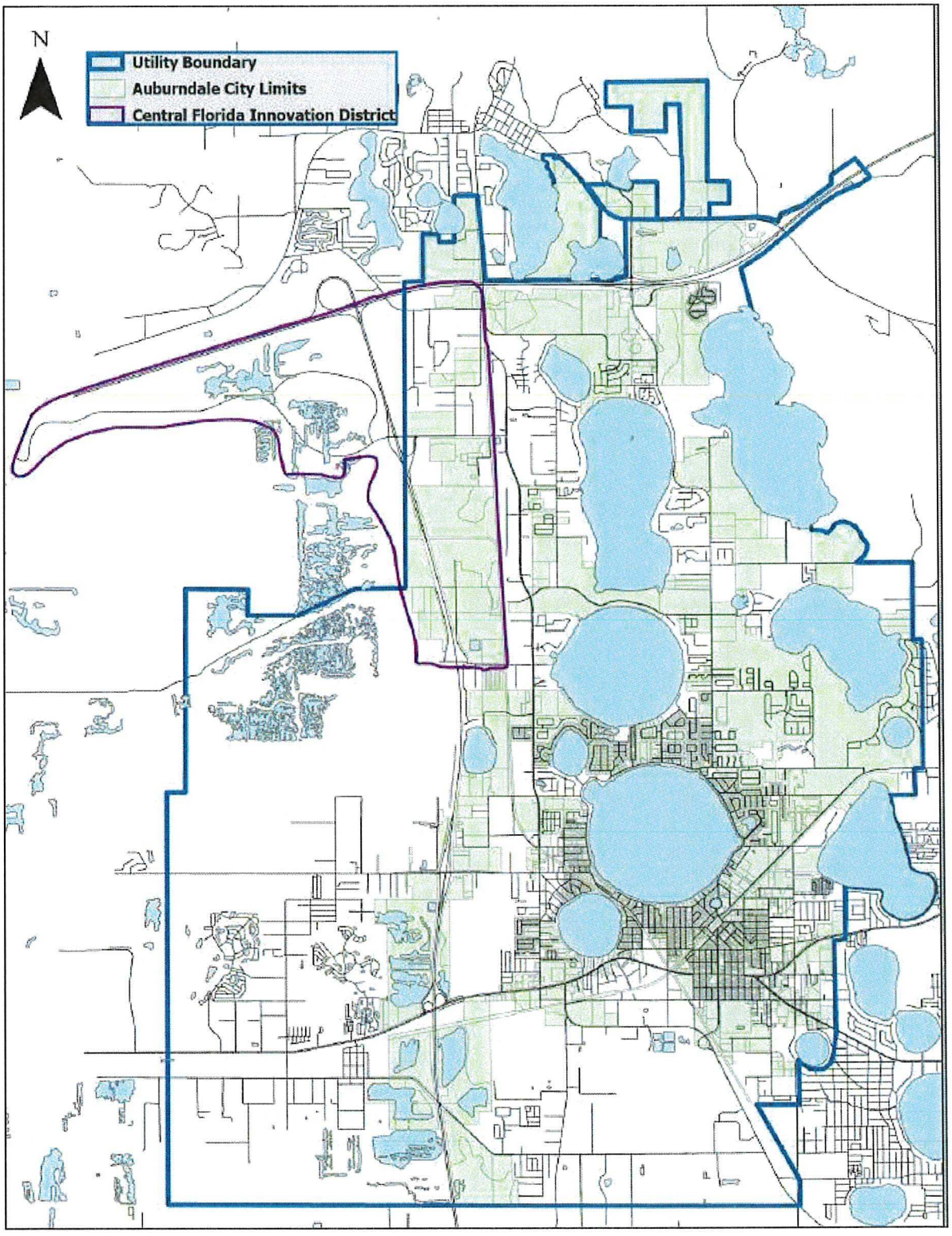
- Shared Ideas and Vision for the District.
- Mutual Economic Benefits for the City of Auburndale, City of Lakeland, and Polk County.
- Provide communication and collaboration between the City of Auburndale, City of Lakeland, and Polk County.
- Coordinated support of services for the District.

Sec. 15.603. - Where These Standards Apply.

Consistent with the City of Auburndale's Comprehensive Plan, the Central Florida Innovation District allows the use of underlying zoning district standards (Chapters 5 and 6). However, property anywhere within the District boundary area, and within the utility boundary service area of the City of Auburndale, is encouraged to develop in accordance with the planning principles contained within this Article through annexation, the establishment of zoning and/or rezoning. The remainder of this Article assumes that the property owner/developer has chosen, or is otherwise required, to develop consistent with the Central Florida Innovation District established and outlined within this Article and within the utility boundary service area of the City of Auburndale.

Map 15.4

The Central Florida Innovation District Boundary – General Overlay Area



Sec. 15.604. – Vision and Planning Principles.

The vision for the Central Florida Innovation District provides economic guidance for targeted industries and development within the District. The target industries include:

- Research and Development
- Health Tech
- Information Sciences and Engineering
- Advanced Manufacturing
- Mobility and Innovation

Development within the Central Florida Innovation District planning area shall encourage and incorporate land use techniques and principles which support and ensure:

- Compact urban design which encourages pedestrian activity and minimizes impacts on the natural environment.
- Mixed and multi-use use integrated development providing employment opportunities within targeted industries listed in the vision of the District.

Sec. 15.605. Administration and Enforcement.

Sec. 15.605.1. Applicability and Effective Date.

Commencing on the date of the adoption of the Central Florida Innovation District (Insert Date), these provisions shall apply to development of all land therein whether publicly or privately held. No development shall be undertaken without prior authorization in accordance with standards and or guidelines applicable to the Central Florida Innovation District. Any building, structure, or parking area that lawfully exists at the time the Central Florida Innovation District is enacted, which would not otherwise be permitted under the Central Florida Innovation District, may be continued in the same manner as it existed before the effective date of the Central Florida Innovation District. Any future considerations, additions, reconstruction, or renovation shall be subject to the requirements of standards and guidelines for the Central Florida Innovation District.

The Central Florida Innovation District standards apply to the following:

- All new construction of buildings or structures.
- All exterior building improvements requiring a building permit.
- All new or reconstructed parking areas.

Sec. 15.605.2. Compliance with the JPA Overlay District Standards.

All development within the Central Florida Innovation District shall also meet requirements outlined in Chapter 15, Special Overlay District, Article 3.

Sec. 15.606. Design Standards.

The following design standards are applicable to all development within the Central Florida Innovation District established herein.

1. Docks:
    a. Warehouse dock doors, loading areas, and truck drive aisles must be located on the opposite side of the building from the nearest sensitive receptors such as residential areas.
    b. Screening warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.

2. Truck courts must be internal.

3. Building Size –maximum 200,000 square feet.

4. Depth - does not exceed 200 feet.

5. Truck routing:

    A truck routing plan is required - Examples of measures to mitigate traffic impacts include but are not limited to:
    a. Preventing truck queuing spillover onto surrounding streets by positioning entry gates.
    b. Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
    c. Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
    d. Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.
    e. Requiring preparation and approval of a truck routing plan, prior to site plan approval, describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license and/or its functional equivalent is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.
    f. Internally Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.

6. Buffer, Landscaping and Walls:
    a. A Type C buffer shall be provided between all commercial development abutting residential districts.
    b. A solid wall, a minimum of 6 feet in height, shall be provided to minimize the impact of non-residential development on any abutting residential district.
    c. The Administrative Official may also require additional appropriate fences, solid walls and vegetative screening between mixed use development that includes residential.
    d. Industrial and manufacturing uses require a type C Buffer and landscaping.

e. For commercial development berms, Type C landscaping and solid walls may be required by the Administrative Official to mitigate against intense visual impacts, noise, traffic or parking.
f. Property owners and successors in interest are required to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.

7. All access points shall have at a minimum 50 feet of road frontage and be located at a minimum on an Urban collector or Rural Major collector road or better unless contained within a planned industrial park with access to an Urban collector or Rural Major collector road or better.

8. Manufacturing must be enclosed within the building's walls.

9. Percentage of distribution use: The Central Florida Innovation District does not permit warehouses, logistics and or distribution as the primary use, after the adoption date of this Article, within the Central Innovation District boundaries located within the City limits of Auburndale.

10. Architecture/color standards: Colors. Neutral colors are encouraged. Architectural standards outlined in Chapter 15, Special Overlay District, Article 3 also apply.

11. Signage:

a. Monument signs shall be consistent with the design, character, materials, and finishes used on the Florida Polytechnic University and SunTrax monument signs and approved by the City of Auburndale before installation.

b. Sign standards outlined in Chapter 15, Special Overlay District, Article 3 also apply.

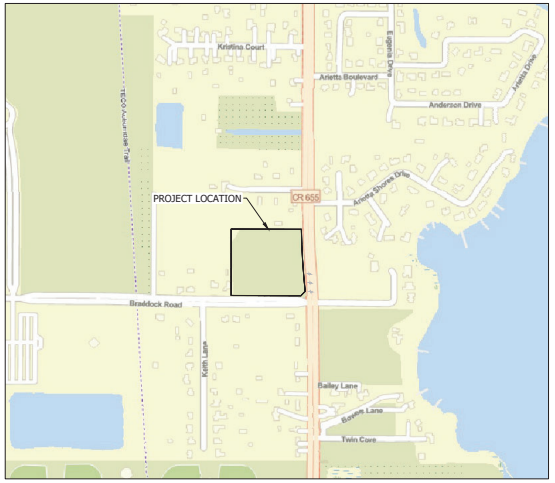
Sec. 15.607. Prohibited Uses.

1. Cross docks.
2. Docks located in the front of the building.
3. Buildings over 200,000 square feet.
4. Outdoor storage.
5. No activity shall be conducted that produces noise, odors, dust, fumes, fire hazard, or other nuisance beyond the property lines.
6. Medium and Heavy Manufacturing.

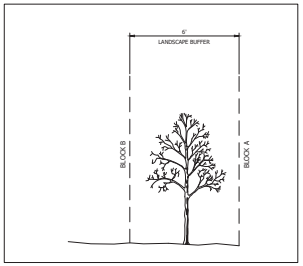
Sec. 15.608. Gateways.

Gateways for the Central Florida Innovation District have been identified in Map 15.4. The gateways are entrance corridors into the Central Florida Innovation District and located around the crossroads of the following intersections:

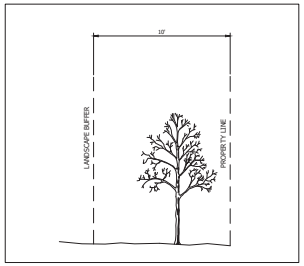
a. Braddock Road and Berkley Road
b. Pace Road and Berkley Road
c. Polk Parkway and Pace Road
d. Polk Parkway and Braddock Road



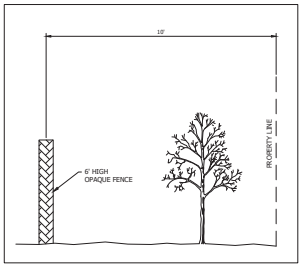
VICINITY MAP
N.T.S.



TYPICAL 6' TYPE A LANDSCAPE BUFFER DETAIL

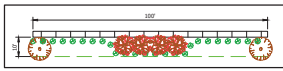


TYPICAL 10' TYPE A LANDSCAPE BUFFER DETAIL



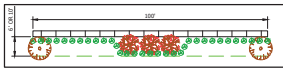
MODIFIED 10' TYPE B LANDSCAPE BUFFER WITH FENCE DETAIL

MODIFIED 10' TYPE B LANDSCAPE BUFFER WITH 6' OPAQUE FENCE



CANOPY TREES	2
UNDER STORY TREES	4
SHRUBS	25

TYPICAL 6' & 10' TYPE A LANDSCAPE BUFFER



CANOPY TREES	2
UNDER STORY TREES	3
SHRUBS	33

SITE CHARACTERISTICS

PARCEL INFORMATION:

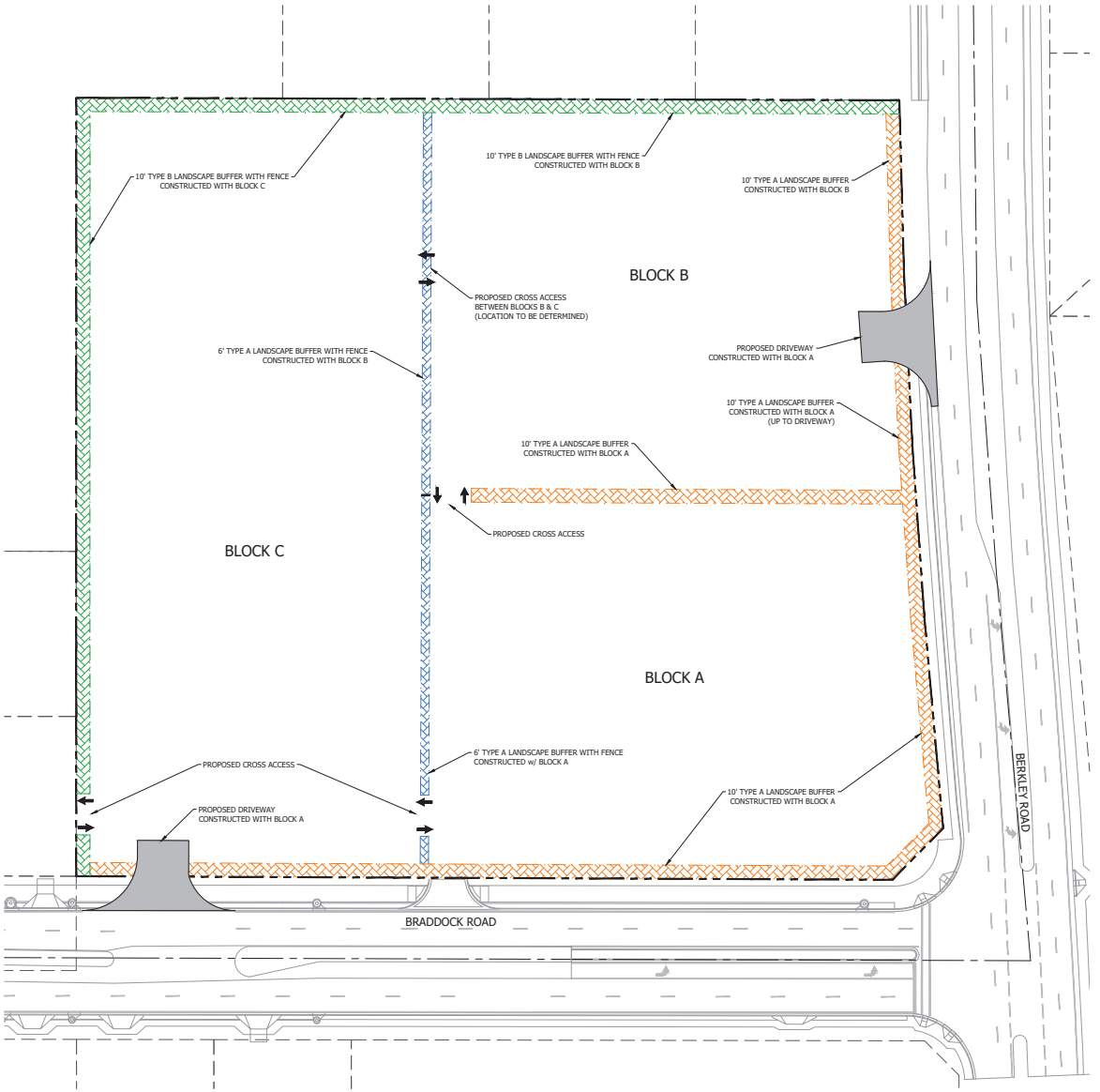
PARCEL ID:	25-27-28-000000-043220, 25-27-28-000000-043230 25-27-28-000000-043240, 25-27-28-000000-043020 25-27-28-000000-043180, 25-27-28-000000-043190 25-27-28-000000-043210, 25-27-28-000000-043200
PROPOSED USE:	CONVENIENCE CENTER (CC)
EXISTING LAND USE:	RESIDENTIAL LOW (RL-1 & RL-4)
TOTAL PROJECT AREA:	7.941 AC

811 Know what's below. Call before you dig.

NORTH

SCALE: 1" = 40'

0' 40' 80'



NO.	DATE	DESCRIPTION

REVISION BLOCK

SANTOS MEDINA, III, P.E.
FLORIDA REGISTERED
PROFESSIONAL ENGINEER
LICENSE NO. 74283

07/28/2025

NOT VALID WITHOUT AN ORIGINAL (NOT ELECTRONICALLY DISTRIBUTED) SIGNATURE AND RAISED SEAL

DESIGNED BY:	DRAWN BY:	CHECKED BY:
SM	RM	SM

SLOAN Engineering Group

191 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 533-0858 FAX: (863) 533-0859
FLORIDA CERTIFICATE OF AUTHORIZATION (R.C.A.) # 26247

CLIENT: J EVERETT ALLEN & SONS INC.

PROJECT: BERKLEY ROAD AT BRADDOCK ROAD CPA

ACTIVITY CENTER PLAN

AUBURNDALE, FLORIDA

PROJECT NO.	SHEET
2534	C100

PUBLIC RESPONSE RECORD
OPPOSITION

CASE # LDCPAS-2025-17 LDCT-2025-19 HEARING DATE 11/5/2025

1. NAME Linda Sorrells ADDRESS _____

REASON Call in opposition

PHONE CALL (863 513 4424 LETTER ( ) PETITION ( )

2.. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

3. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

4. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

5. NAME _____ ADDRESS _____

REASON _____

PHONE CALL ( ) LETTER ( ) PETITION ( )

TOTAL RESPONSES
PHONE CALLS _____
LETTERS _____
PETITION _____

Agenda Item 18. 11/5/2025

SUBJECT

LDPD-2025-9 (The Highlands Club PD)

DESCRIPTION

The applicant is requesting a Planned Development approval for 747 single-family homes on 50’ and 130’ wide lots on approximately 300 acres.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863) 534-6412

andrewgrohowski@polk-county.net

Second Amended Request, Background, and Justification

This document is part of LDPD-2025-9 and acts to amend the previously submitted document to reflect the most current concept plan for the project.

This document outlines the Applicant's request, provides background on the Subject Property, and presents the justification for the request. The terms "Developer," "Applicant," and "Proposed Site" are defined below. All exhibits referenced in this document have been submitted along with this application.

Request

1. *Planned Development Approval*

On behalf of Warnock Wakeman Equity Partners, LLC and RJA Land and Development, LLC (the "Developer"), Peterson & Myers, P.A. (the "Applicant") is proposing a residential Planned Development (PD) (the "Proposed Request") on +/-300.13 acres of land located south of Crews Lake Dr. and west of Yarborough Ln (the "Proposed Site"). [See Aerial Map]. The Proposed Site is in a Polk County Urban Growth Area (UGA) and has a current Polk County Future Land Use designation of Residential-Low (RL-1 and 2). [See Future Land Use Map]. The Developer intends to develop a residential PD consisting of up to 747 single family residential units. Of those units, 678 are planned to be 50-foot lots and 69 are planned to be 130-foot lots.

Background

The site is located in a section of unincorporated Polk County which has essentially become an extension of south Lakeland. The property has been partially developed and has several existing residences on large lots. Hower, the property around the area is almost fully developed. Immediately to the east lies the Touchstone residential project, which is an approved planned development through Polk County and currently under construction. To the west, the Treymont project is nearly fully developed. To the north, there are a number of residential developments with entitlements of RL-3.

As this area has grown, there have been numerous improvements to infrastructure. Specifically, Yarborough Ln has been improved and now extends southward to connect with the Wind Meadows South residential development. This provides additional connectivity to disperse traffic through from Crews Lake Dr. through Yarborough, Crews Lake Rd, CR 540A, E.F. Griffin Rd, and Lyle Parkway. The primary connections to CR 540A at Yarborough Ln and Crews Lake Road are now signalized. In 2025, FDOT intends to begin construction on the signalization project at Lyle Parkway and US Highway 98.

Additionally, sewer infrastructure improvements have been completed along 540A, extending south to the Subject Property as part of a public private partnership with Polk County Utilities and neighboring developments. This improvement to the existing sewer infrastructure is nearly complete and was designed to accommodate future growth in the urbanized areas of Polk County between the City of Lakeland and City of Bartow municipal limits.

Justification

The Proposed Request is both consistent with the Polk County Comprehensive Plan and Land Development Code. *See Consistency Analysis*. In addition, the Proposed Request is compatible with the existing development and anticipated development in the surrounding area. *See Polk County Future Land Use Map; City of Bartow Future Land Use Map; City of Bartow Zoning Map*. The proposed density of 2.49 dwelling units per acre is in-line with the development trend of the area. As shown on the site plan, the project proposes large lot development along Crews Lake Dr, closest to the existing homes on Walkers Glen Dr., Fox Tree Ln, and others. It's also important to note the traffic segregated from the balance of the project to limit the amount of ingress/egress trips in this area. Further, the Proposed Site has allocated 50' lot product in the areas nearest to or adjacent to the Touchstone Residential Development to the east and the Wind Meadows South residential development to the south. *See Location Map*

As previously noted, Yarborough Ln has been improved and extended southward to connect with the Wind Meadows South residential development. Plans are also in place to extend Crews Lake Rd to E.F. Griffin Rd, providing connectivity among residential developments in the area. In addition, sewer infrastructure improvements have been completed along CR 540A, extending south to the Proposed Site. *See also Impact Assessment Statement.* Public facility improvements in the area underscore the ability of the Propose Site to develop in lockstep with its neighbors. As a result, this project is essentially an urban infill project that can be plugged into the existing area.

LDPD-2025-9 - The Highlands Club PD

Menu Reports Help

Application Name: The Highlands Club PD

File Date: 08/07/2025

Application Type: PC-Planned Development

Application Status: Revisions Required

Application Comments:

View ID	Comment	Date

Description of Work: See attached documents.

Application Detail: Detail

Address: 0 CREWS LAKE DR, LAKELAND, FL 33813

Parcel No: 242922000000014080

Owner Name: LAKELAND FARMS INC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Bart Allen	Peterson & Myer...	Engineer	Mailing, 225 E. Lemon ...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,473.00

Total Fee Invoiced: $4,473.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Planned Development New

Variance Type
–

Brownfields Request
N/A

Affordable Housing

Type of Acreage
–

GENERAL INFORMATION

Expedited Review

Number of Lots
832

Will This Project Be Phased

Acreage
320

DRC Meeting
08/28/2025

DRC Meeting Time
10:00 AM

Rescheduled DRC Meeting
–

Rescheduled DRC Meeting Time
–

Green Swamp
No

Number of Units
–

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

Case File Number
–

One Year Extension
–

FS 119 Status
Non-Exempt

Code Violation Case Number
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Planning Commission

MEETING DATES

Community Meeting
–

Planning Commission Date
11/05/2025

Land Use Hearing Officer 3
–

1st BOCC Date
–

2nd BOCC Date
–

LUHO-Level 3
–

HEARING

PC Hearing Results
–

PC Vote Tally
–

BOCC 1st Hearing Results
–

BOCC 1st Vote Tally
–

BOCC 2nd Hearing Results	BOCC 2nd Vote Tally
–	–

FINAL LETTER

Denovo Appeal	Denovo Results
–	–

Denovo Tally

–

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

–

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-25EST-00000-48676	DIGITAL PROJECTS LD	–
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

√

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan	LU Code
Not in an SAP	RL-1- Residential Low

DEVELOPMENT AREA

Development Area

Urban Growth

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	14			10/21/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	08/13/2025	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	08/22/2025	Kim Turner
Surveying Review	Mike Benton	Not Required	08/28/2025	Mike Benton
School Board Review	School District	Approve	08/14/2025	School District
Roads and Drainage Review	Phil Irven	Approve	08/18/2025	Phil Irven
Planning Review	Andrew Grohowski	Resubmittal ...	10/10/2025	Andrew Grohowski
Review Consolidation	Lyndsay Rathke	Resubmittal ...	10/10/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Hearing				
BOCC Hearing				
Final Letter				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDPD-2025-9 The Highlands Club PD

Applicant: Bart Allen

Property Owners: Lakeland Farms Inc., Suz Investment Corporation & Michellesworth, Inc., Taramor Properties, Inc., William & Grey, Inc., Suzanne M. Ellsworth, Wogan S. Badcock III & Michelle E. Badcock

Hearing Date: November 5, 2025

I. Request:

The applicant is requesting Planned Development approval for 747 single-family homes on approximately 300 acres and establish setbacks and reduced lot sizes.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 application, consider the following factors:

    a. Whether the proposed development is consistent with all relevant requirements of this Code;
    b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
    c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
    d. How the concurrency requirements will be met if the development was built.

2. The Application is consistent with all relevant requirements of the LDC, including without limitation, Sections 303 and 906.

3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.

5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 5th day of November **2025**, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By: _____ By: _____
Merle Bishop, Chair Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order
Exhibit A-Staff Report and Exhibits

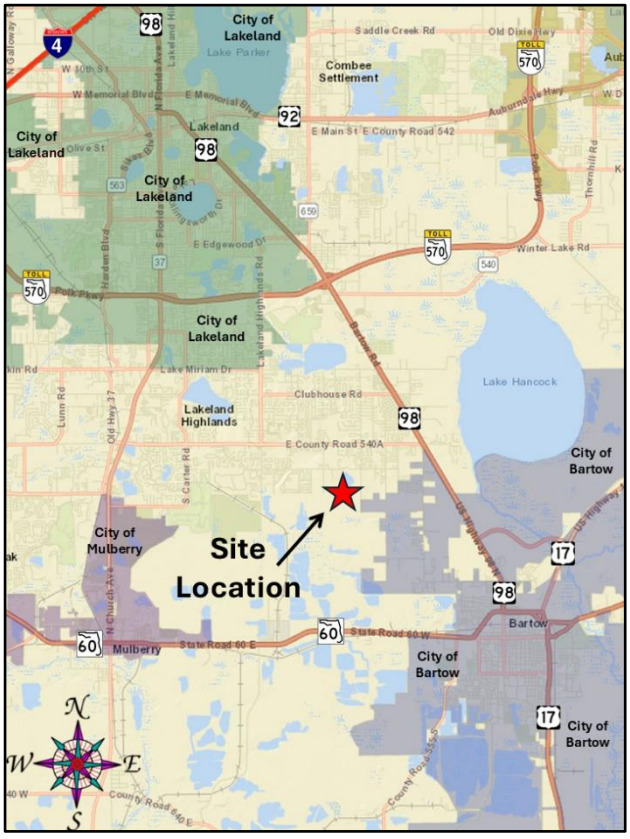
cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

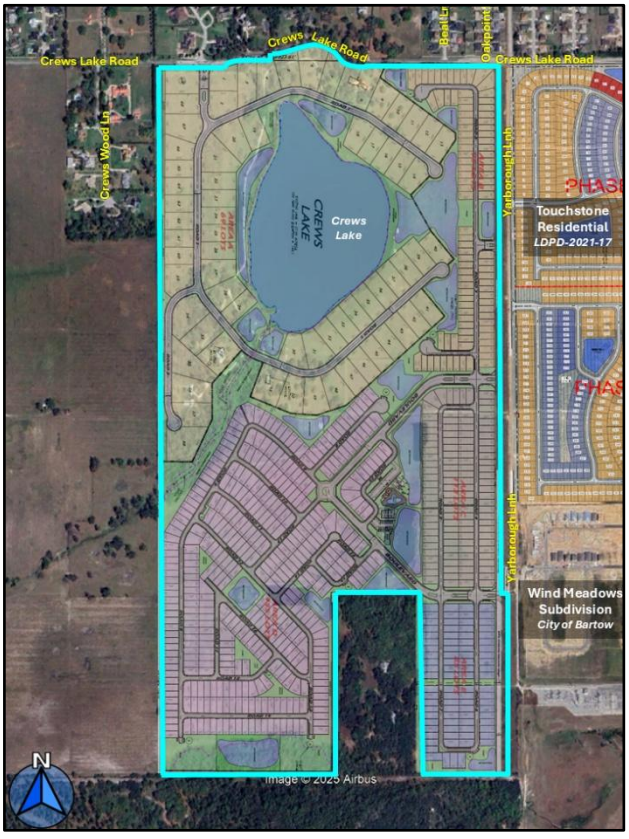
DRC Date:	August 28, 2025	**Level of Review:**	Level 3 Review
PC Date:	November 5, 2025	**Type:**	Planned Development (PD)
BoCC Date:	N/A	**Case Number:**	**LDPD-2025-9**
		Case Name:	The Highlands Club PD
Applicant:	Bart Allen	**Case Planner:**	Andrew Grohowski, Planner II

Request:	The applicant is requesting a Planned Development approval for 747 single-family homes on 50' and 130' wide lots on approximately 300 acres.
Location:	The subject property is west of US Highway 98, south of Crews Lake Drive, west of Yarborough Lane, south of County Road 540-A, east of McCall Road and northwest of the City of Bartow in Sections 22 & 27, Township 29, Range 24.
Property Owners:	Lakeland Farms Inc. (+ 5 more property owners) (Refer to Exhibit 8)
Parcel Size (Number):	±300.1 acres (Refer to Exhibit 8)
Future Land Use:	Residential Low-1 (RL-1) Residential Low-2 (RL-2)
Development Area:	Transit Supportive Development Area (TSDA) Urban Growth Area (UGA)
Nearest Municipality:	City of Bartow (adjacent)
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location Map



2025 Satellite Image with Site Plan



Summary of Analysis:

The applicant is requesting a Planned Development to construct 747 single-family homes on 50' and 130' wide lots on approximately 300 acres. The site is located in the Residential Low-1 (RL-1) and partially in the Residential Low-2 (RL-2) Future Land Use districts. Based on the submitted site plan, 69 units are 130' wide lots, and 678 units are 50' wide lots, with minimum lot sizes of 6,000 sq. ft. The overall density is proposed at 2.74 dwelling units per acre (DU/AC). According to the submitted site plan, there are five different phases ("areas") of the project. The density for "Areas B-E" is 3.80 DU/AC while "Area A" is 0.74 DU/AC. The site is located in the Urban Growth Area (UGA) and partially within the Transit Supportive Development Area (TSDA). The Comprehensive Plan allows up to 5 DU/AC with a Planned Development in the UGA and 7 DU/AC in the TSDA. Staff recommends approval and finds this request compatible with the surrounding area.

The proposed site plan layout provides relevant transitions between different scales and intensities of residential lots sizes. It is addressed through existing natural elements, landscaping and screening, as well as open space. The natural and existing vegetation on site will be preserved, which includes the 27.96-acre Crews Lake and wetlands. These provide a natural gradient, relevant transitions and avoids abrupt or severe differences in scale and intensity from the larger lots to the smaller 50' lots on the southern and eastern portions of the site. The 50' wide lots will be across from 50' wide lots in a recently approved subdivision (LDPD-2021-17). The larger 130' wide lots will be next to subdivisions with similar sized lots ranging from 140 feet to 175 feet wide. The densities proposed are consistent with the existing densities of the neighboring subdivisions (*Exhibit 11*). Buffering and screening strategies further mitigate any perceived incompatibilities. The dominant surrounding uses are single-family subdivisions on both the north and east sides of the property, making this request essentially infill development.

The site will have three access points onto Yarborough Lane and a fourth entrance off Crews Lake Drive, both of which are Urban Collector roadways. Recent improvements have been made to Yarborough including 60 feet of ROW, 5-foot-wide sidewalks, and 24 feet of pavement. A new Type III intersection was installed heading eastbound on Crews Lake Drive with a deceleration right turn lane onto Yarborough Lane. Additional sidewalks will be required along the project's roadway frontage as well as 20 feet of ROW dedication along Crews Lake Drive. A traffic study is not required at this time until Level 2 submittal. Based on preliminary calculations, the peak hour traffic conditions at full buildout may be significant. An in-depth major traffic study will dictate necessary transportation enhancements to address any potentially impacted segments or traffic links.

The site is within the County's Southwest Regional Utilities Service Area (SWRUSA). New water and wastewater lines have recently been extended south on Yarborough Lane to provide connections to Touchstone Residential directly to the east (LDPD-2021-17). There are also six new fire hydrants installed along Yarborough. Based on anticipated potable water and wastewater demand, there is sufficient capacity to serve this request.

After four iterations of design, the proposal has taken advantage of the PD process by achieving a higher development standard. This includes twenty-five-foot-wide landscaped Type "C" buffers along all roadway frontages and the entire western boundary property line. This landscape buffer will also surround all stormwater facilities with pedestrian connectivity to these features. Fifteen

(15) different amenities ranging from Type I to Type IV are evenly distributed and accessible through internal pedestrian connections. This includes a clubhouse with an associated pool, pickleball courts, and a tot lot. From Staff's perspective, these intentional choices are optimal when evaluating PD criteria. The result is increased open space, recreation areas, amenities, internal sidewalk networks, additional parking facilities, and landscaped stormwater ponds that would not otherwise be found in a typical residential development.

The County has experienced extraordinary growth over the past few decades, let alone just the past five years, and PDs are a necessary tool to manage this growth. The ranges in lot sizes caters to many different buyers. A diversity of housing types helps maintain a strong community, and the site is within a suburban area consisting of site-built subdivisions. The site location supports PDs such as this given its close proximity to public infrastructure, parks, commercial uses, schools and employment centers. Essential services including fire, EMS, and police are within acceptable distances. A new larger fire station is planned to relocate at the intersection E.F. Griffin Road and Smith Road. The site falls within different school zones, each at different capacities. Given the district changes underway by the School Board, student allocation is expected to adjust by the time buildout should occur.

Staff recommends approval of this request. This site is within the TSDA and UGA development area for which this level of residential development has been planned and expected. Furthermore, US 98 is approximately 1.75 miles to the east via CR 540A and serves as a major thoroughfare for commuters between Bartow and Lakeland. The request is consistent with the LDC and Comprehensive Plan and compatible with the surrounding land uses and growth patterns within this area.

Findings of Fact

- *LDPD-2025-9 is a request for a Planned Development (PD) for 747 single-family units on approximately 300 acres. Minimum lot sizes will be 6,000 sq. ft. The proposed density is 2.74 dwelling units per acre (DU/AC).*

- *The setbacks for "Area A" as depicted on the site plan will be as follows:*
    - *Primary Structure*
        - *Front: Increased from 15' to 25'*
        - *Side: 10'*
        - *Rear: Increased from 15' to 25'*
        - *Corner Side: Increased from 15' to 25'*
        - *Garage: 25'*
    - *Accessory Structure*
        - *Side: 10'*
        - ***Rear: Reduced from 10' to 5'***

- *The setbacks for "Areas B-E" as depicted on the site plan will be as follows:*
    - *Primary Structure*
        - *Front: Increased from 15' to 25'*

    - ***Side: Reduced from 10' to 5'***
    - *Rear: 15'*
    - *Corner Side: 15'*
    - *Garage: 25'*
- *Accessory Structure*
    - ***Side: Reduced from 10' to 5'***
    - ***Rear: Reduced from 10' to 5'***

- *The subject property contains areas of Residential Low-1 (RL-1) and Residential Low-2 (RL-2) Land Use designations. Per Table 2.1 in the LDC, Planned Developments are "C3" conditional uses in RL-1 and RL-2 districts which require a Level 3 Review as described in Section 906 of the LDC.*

- *The subject site is located in the Urban Growth Area (UGA), which are "those areas where the availability of infrastructure and other community facilities and services, including, but not limited to, mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity, compact, mixed use development in close proximity to the development in the adjacent TSDAs," according to Policy 2.105-A1 of the Polk County Comprehensive Plan.*

- *POLICY 2.105-A5 of Polk County's Comprehensive Plan requires development in UGA's to connect to centralized water unless a waiver is granted by the Board of County Commissioners. This policy also requires connection to centralized sanitary sewer systems if available.*

- *The subject site is partially within the Transit Supportive Development Area (TSDA). The intent of the TSDA "is to promote the development of walkable communities which include a balance between employment opportunities. Mix of complementary uses and activities, and a range of housing opportunities; improve access to employment areas, schools, shopping, and reactional opportunities," according to POLICY 2.105-A1 of the Comprehensive Plan. Policy 2.104-A5 requires applicable developments in the TSDA to connect to centralized water and sewer systems.*

- *Per Table 2.2 of the LDC, the RL-1 district allows a maximum density of one dwelling unit per acre. Interior side setbacks within RL-1 are ten (10) feet for principal structures and five (5) feet for accessory structures. Rear setbacks are fifteen (15) feet for principal structures and ten (10) feet for accessory structures.*

- *No lots are proposed on the approximately 0.5-acre RL-2 Land Use designation.*

- *Per POLICY 2.119-A7 of the Comprehensive Plan, the Residential-Low maximum density within the Transit Supportive Development Area allows up to seven (7) dwelling units per acre. Meanwhile, according to POLICY 2.120-C4, RL districts permit up to five (5) dwelling units per acre in the UGA. The requested PD has a proposed density of 2.74 DU/AC.*

- *Chapter 10 of the LDC defines "Planned Development" as "A land use or uses prepared, constructed, and maintained according to a binding plan as a single entity containing one*

or more structures and accessory uses. Strict adherence to land use district standards may be relaxed for the purpose of accomplishing a greater objective such as increased internal vehicle trip capture, resource protection, further compatibility with adjacent uses, and more efficient use of public infrastructure. Multiple land uses contained within Planned Development shall have a functional relationship with each other as well as consistency with the land use district."

- *The RL-1 and RL-2 districts are characterized by areas of low density with smaller lots with a minimum of 40,000 square feet (RL-1) and 15,000 square feet (RL-2), which is allowed by right. Through the Planned Development process, reduced lot sizes and setbacks can be achieved.*

- *Per Section 303 of the LDC, Planned Developments with lots less than 80 feet wide shall devote at least twenty percent of the gross developable project area to open space. The submitted site plan shows 68.95 acres of open space, which equates to approximately 23% open space.*

- *The submitted site plan shows proposed 25-foot Type "C" landscape buffers along roadway frontages as well as the entire western boundary of the subject property.*

- *On June 4, 2021, an 835 single-family unit to the southwest of the subject site, known as Wind Meadows South, received Planned Development approval by the City of Bartow (Application No. S-21-06-CP).*

- *On August 4, 2021, a Planned Development to the east of the subject site, known as Touchstone Residential, was approved 6-1 by the Planning Commission. The request consists of 562 single-family detached homes on 40', 50' and 60' wide lots on approximately 157 acres (LDPD-2021-17).*

- *On August 3, 1988, an easement agreement was recorded between Lee Wilbert and E. Dennis & Katherine E. Christie according to O.R. Book 2657, Pages 1682 and 1683. This established a 15' wide easement to provide access to two properties at the southern end of Yarborough Lane (Parcel Nos. 242927000000012040 & 242927000000012030). The proposed development is not anticipated to impact this easement agreement.*

- *According to Policy 2.125-M of the Comprehensive Plan, the Planned Development process allows "for increasing densities and intensities that may be permitted under certain circumstances, or using innovative design techniques, or providing a mixture of land uses. Planned Development may also be used to gain project design flexibility and to attach conditions where warranted. Planned Development shall comply with density bonus points as outlined in the Land Development Code."*

- *Polk County Comprehensive Plan Policy 2.102-A3 states, "Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available."*

- *Polk County Comprehensive Plan Policy 2.102-A4 states, "The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system."*

- *The project area is zoned for Spessard Holland Elementary, Valleyview Elementary, Lakeland Highlands Middle, Bartow Middle, George Jenkins Senior High and Bartow Senior High. Most of the site is zoned for Spessard Holland Elementary, Lakeland Highlands Middle, and George Jenkins Senior High.*

- *The site has approximately 2,715 feet of direct frontage along Crews Lake Road and 4,600 feet of direct frontage along Yarborough Lane.*

- *The property has direct ingress/egress to Crews Lake Drive (Road No. 942102) and Yarborough Lane (Road No. 942213), both are Urban Collector roadways. Road number 942102 has 40' of ROW and a pavement width of 22'. Road number 942213 has 60' of ROW and a pavement width of 24'. Crews Lake Drive is tracked for concurrency with the Polk County Transportation Organization's Roadway Network Database and has a Level-of-Service (LOS) of "C".*

- *The subject property lies within the County's SWUSA. A 10-inch potable water main is located along the frontage of the site in the western right-of-way of Yarborough Lane. A 10-inch wastewater line is within the southern right of way along Crews Lake Drive. A 12-inch reclaimed water line is about ¼ mile to the west on Crews Lake Drive.*

- *Fire and EMS response to this project is from Polk County Fire Rescue Station #28, located at 4104 Clubhouse Road in Lakeland, approximately 2.4 miles away, with an estimated response time of 8-10 minutes.*

- *Sheriff's response to the site is served by the Southwest District (SW), located at 4120 US 98 South in Lakeland. Response times for SW in October 2025 were: Priority 1 Calls – 9:21 and Priority 2 Calls – 25:28.*

- *The closest park to the subject property is Highland City Senior Field, which is approximately ± 1.08 miles directly north. This facility consists of a lighted baseball field and concession stand.*

- *According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the property is comprised of eleven (11) different soil types. The four most prevalent are Tavares sand (21.4%), Apopka sand (16.2%), Arents (14.0%), and Fort Meade sand (12.8%).*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a protected animal and plant species sighting along with natural communities.*

- *There are no known historical or archeological resources onsite according to the Secretary of State's Department of Historical Resources Florida Master Site File.*

- *There are surface water features on the subject property. The largest is Crews Lake at approximately 27.96 acres.*

- *There are wetlands and floodplains found on the subject property.*

- *The general topography of the subject property slopes toward Crews Lake with elevations varying from 148 feet to 201 feet, according to the Polk County GIS data viewer.*

- *The subject site is not located within any of the County's Wellhead Protection Districts.*

- *The subject property is not located within a Height Notification Zone or In-Flight Visual/Electronic Interference Zone of the Bartow Municipal Airport.*

- *The Comprehensive Plan defines Compatibility in Section 4.400 as "A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."*

- *This request has been reviewed for consistency with Table 2.1 and Sections 303 and 906 of the LDC.*

- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and SECTION 2.105 URBAN-GROWTH AREA (UGA); of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visits, and the staff report, the Development Review Committee (DRC) finds that the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code; therefore, the DRC recommends **APPROVAL of LDPD-2025-9.**

CONDITIONS OF APPROVAL:

1. This Planned Development (PD) approval shall be for 747-lot single-family detached units, as depicted on the site plan, on ±300 acres. [PLG]

2. Approval of this request shall include the following setbacks as shown on the site plan: [PLG]

Area	Primary Structure Setbacks	Accessory Structure Setbacks
Area A	Front: 25 feet, Side: 10 feet, Corner Side: 25 feet, Rear: 25 feet	Side: 10 feet, Rear: 5 feet
Area B	Front: 25 feet, Side: 5 feet, Corner Side: 15 feet, Rear: 15 feet	Side: 5 feet, Rear: 5 feet
Area C	Front: 25 feet, Side: 5 feet, Corner Side: 15 feet, Rear: 15 feet	Side: 5 feet, Rear: 5 feet
Area D	Front: 25 feet, Side: 5 feet, Corner Side: 15 feet, Rear: 15 feet	Side: 5 feet, Rear: 5 feet
Area E	Front: 25 feet, Side: 5 feet, Corner Side: 15 feet, Rear: 15 feet	Side: 5 feet, Rear: 5 feet

3. The applicant shall provide a twenty-five-foot setback from the right-of-way for garages in all areas of the development. [PLG]

4. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDPD-2025-9, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]

5. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law. [PLG]

6. The applicant shall provide a 25-foot-wide Type "C" landscape buffer along the project's frontage with Crews Lake Drive and Yarborough Lane. [PLG]

7. The applicant shall construct sidewalks along the entire frontage of Crews Lake Drive and Yarborough Lane as well as both sides of all internal roadways. Street lighting provided shall consist of fully shielded fixtures to prevent offsite glare. [PLG]

8. No residential lots shall be approved wholly or partially within wetlands or the wetland buffers. [PLG]

9. The project shall be designed to retain the difference in pre and post-development runoff volumes from a 100 year/24-hour storm event. The rate of discharge from the post-development site shall not exceed the rate of runoff from the pre-development condition for a 100 year/24-hour storm event. [PLG]

GENERAL NOTES

NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.

NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.

NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

Surrounding Land Use Designations and Current Land Use Activity

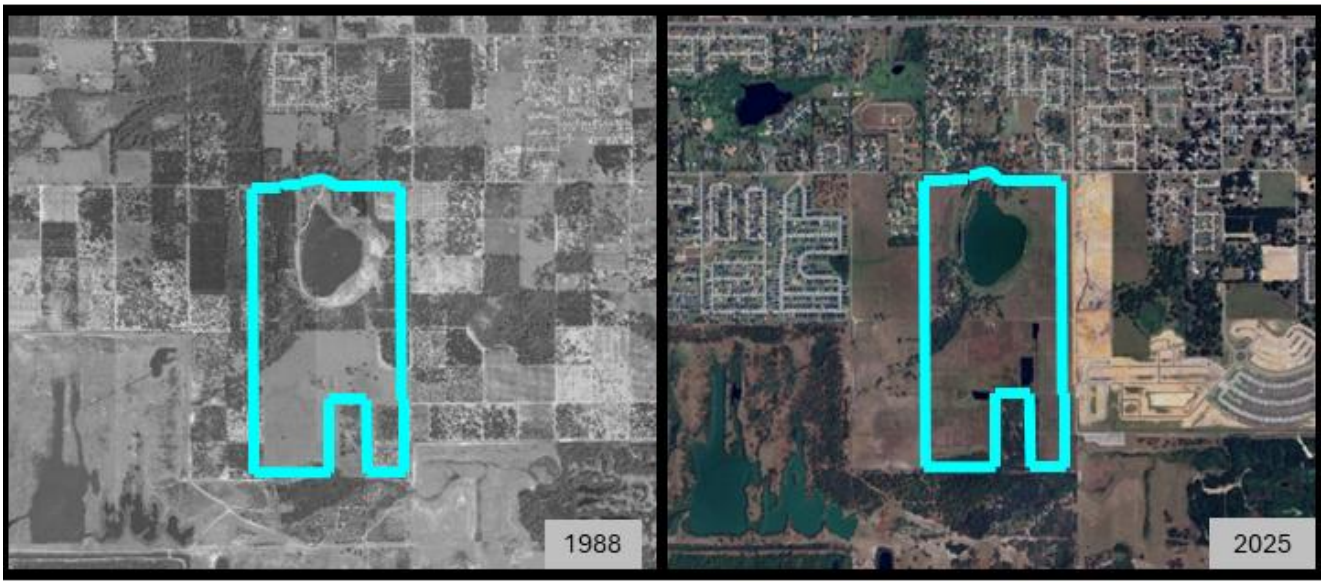
The subject property is currently undeveloped and is mainly used for cattle. The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: RL-2 & RL-3 Crews Lake Woods Subdivision 17 single-family homes ±47,000 sq. ft. – ±62,500 sq. ft. lots ±19.3 acres	**North:** RL-3 Walkers Glen Platted Subdivision & various single-family homes ±19,000 sq. ft. – 5 acres	**Northeast:** RL-3 Highlands Crossing Phase 1 & 2 Subdivision 116 single-family homes ±49.3 acres
West: RL-1 Treymont Subdivision (PD-04-14) & vacant pasture 190 single-family homes ±10,000 sq. ft. – ±21,000 sq. ft. lots ±70.43 acres	**Subject Property:** RL-1 & RL-2 Vacant, pasture, & 3 single-family residences ±300.1 acres	**East:** RL-1 & RL-2 Touchstone Residential (LDPD-2021-17) 562 single-family homes ±4,800 sq. ft. – ±13,300 sq. ft. ±157 acres
Southwest: PM Former phosphate mining ±367.92 acres	**South:** PM Former phosphate mining ±367.92 acres	**Southeast:** A/RR & Bartow City Limits Wind Meadows South PD 835 single-family homes ±6,250 sq. ft. – ±9,100 sq. ft.

Source: Polk County Geographical Information System and site visit by County staff

The project area is approximately 300 acres with three (3) single-family residences on the property. A large natural waterbody, Crews Lake, spans approximately 27.96 acres. This is an area that is characterized by single-family subdivisions which began in the late 1980s. Prior to their development, this area was comprised mainly of citrus groves and pasture fields. Yarborough Lane runs north and south along the eastern side. Crews Lake Drive heading eastbound has been paved and widened to a Type III intersection at Yarborough Lane. Two (2) driveway stub outs for Touchstone Residential are provided for access onto Yarborough (LDPD-2021-17). Wind Meadows South plans to connect to this roadway as well in the near future. To the south and southeast are large inaccessible tracts in the Phosphate Mining (PM) future land use district and are owned by the Mosaic Company. According to historical aerials, mining operations ceased sometime around 1988 with former phosphate tailings left behind. There is a 300+ acre landfill located about 0.6 miles southeast in Bartow's city limits owned by a private waste management service. Given the significant distance away from the landfill, land use conflicts are negligible. The Polk Parkway's introduction in 1999 provided greater access to I-4 and has spurred the Highlands residential growth. In addition, the site is situated near various retail and office establishments that will benefit from the requested PD.



Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with the surrounding area as the residential density in this area is very similar to what is being requested and will not adversely affect the citizens of the immediate surrounding area.

The LDC defines compatibility as "*A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*"

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

The proposed project is located in the RL-1 and RL-2 districts and the County's UGA and TSDA. The surrounding Future Land Use designations in the area are residential, as noted in Table 1, with mostly single-family residential and vacant or pasture lands. Policy 2.102.A2 of the Comprehensive Plan states, "Land shall be developed so that adjacent uses are compatible with each other" and provides three options to address incompatibilities. The tools for accomplishing higher standards of compatibility, as outlined in the Comprehensive Plan, are as follows:

- Buffering
- Limiting Scale & Intensity
- Transition through the use of innovative techniques

The development of single-family homes at this location presents few incompatibilities to surrounding uses. The layout provides relevant transitions in scale and intensity. The landscaping

and open space on the site plan exceed minimum requirements and are relevant tools for buffering, screening and aesthetics. Per LDC Section 303, since the setbacks along the roadway frontages are designated as open space, the project will be required to provide 25' wide Type "C" landscaping buffers along Crews Lake Drive and Yarborough Lane. Additionally, the applicant plans to install additional landscaping with Type "C" buffers adjacent to the vacant pasture to the west. Approximately 23% (68.95 acres) of buffers, open space, and recreation areas are provided (*Exhibit 8*). Stormwater facilities will be used to meet open space requirements and will also have Type "C" landscaping and pedestrian connections. Wetland buffers may be counted towards open space if a 25-foot setback is maintained throughout the entire buffer.

To the east, Touchstone Residential has 562 single-family units on a 40', 50' and 60' wide lots with the minimum lot size of 4,800 sq. ft and a density at 3.58 DU/AC (LDPD-2021-17). Wind Meadows South is constructing 835 single-family homes on 50' wide minimum lot sizes in the City of Bartow at a density of 3.05 DU/AC. To the west, you find larger lot sizes. Crews Lake Woods and other subdivisions, have lots ranging from 140 feet to 175 feet wide and densities 0.51 to 0.99 DU/AC. Further west, Treymont subdivision consists of 190 single-family homes on 80' wide lots (PD 04-14) and a density of 2.54 DU/AC.

According to the binding site plan, layout and placement is intentional where proposed lots are located next to similar existing sized lots (*Exhibit 11*). The larger 130-foot-wide lots are next to Crews Lake Woods and subdivisions with similar lot sizes and densities ranging from 140 to 175-foot wide. The smaller 50-foot-wide lots are across from 50-foot-wide lots in a new residential subdivision to the east. That subdivision offers even smaller sizes at 40 feet wide. Additionally, the layout of the site incorporates Crews Lake and its associated wetlands. The layout, in addition to landscaping, open space, and retention areas, provides natural gradients, relevant transitions, and avoids abrupt or severe differences in scale and intensity from the larger to smaller sized lots.

Per LDC Section 303 requires that for every ten (10) units on lots less than 55' wide, one (1) additional parking space is required in addition to the standard two spaces per dwelling in Section 708. There are 678 single-family units on 50' wide lots. A total of 113 spaces has been provided for guest parking with 38 clustered parking spaces located throughout Areas B-E (*Exhibit 6*). Based on the site plan, the request meets this requirement.

Based on the submitted amenity plan (*Exhibit 7*) the Planned Development proposes fifteen (15) different amenities including a clubhouse and pool (Type IV), pickleball courts (Type III), and a tot lot (Type II). The number of Type I-IV amenities provided are well above the minimum amenity points required outlined in LDC Section 303.

B. Infrastructure:

According to Comprehensive Plan POLICY 2.102-A1 states that "Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities."

The proposed development will take advantage of the many public investments into growth in the area and develop in greater conformance with current development standards that were not in place

when some of the surrounding properties were developed. The Lakeland Highlands area has greatly expanded with single-family homes over the past thirty years. From a larger perspective, the site is surrounded by similar sized single-family subdivisions and is one of the last large residentially designated sites to be developed in the Highlands, essentially rendering this request as infill. Current trends indicate residential development will continue to expand south and merge toward Bartow's city limits.

Staff found that this development scored 30 points based on LDC Table 3.3, Location Eligibility Score for RL, which permits up to five dwelling units per acre on the entirety of the property. However, the proposed request is 2.74 dwelling units per acre in its entirety, which only requires 10 points.

The proposed development is compatible with existing infrastructure. It has frontage on two Urban Collector roadways with close access to County Road 540A and US 98. New sidewalks are available along Yarborough Lane, and a mass transit stop is about one mile to the east of the site on US 98. The applicant will install sidewalks along their frontage on both Crews Lake Drive and Yarborough Lane. Connections to water and wastewater are available to the subject site and reclaimed water is available to the west on Crews Lake Drive. The SWRUSA has more than adequate capacity to serve the proposed 747-unit development with the wastewater treatment facility planning to undergo control system upgrades. The fire rescue station will relocate to a new larger facility and combine operations with the City of Bartow. There are overlapping school districts to serve the site which may soon change with the comprehensive rezoning for all school district maps. There are two community and regional parks nearby just over one (1) mile walking distance of the property.

Nearest Elementary, Middle, and High School

There are multiple schools zoned for the entire property. Most of the site is zoned for Spessard Holland Elementary, Lakeland Highlands Middle, and George Jenkins Senior High. Per Policy 3.603-B2 of the Comprehensive Plan, the uniform school district-wide level-of-service (LOS) standards are established as a percent of Florida Inventory of School Houses (FISH) capacity.



Spessard Holland Elementary

The schools zoned for the site today are expected to change. The Polk County School Board is undergoing a comprehensive rezoning of all school district maps. Currently, the school district is rethinking all high school boundaries and is requesting public input. Should the new boundaries be adopted next school year, the project would be entirely zoned for George Jenkins Senior High School.

By the time buildout should occur and the subdivision is platted, elementary and middle school zones may also be adjusted by the School Board. According to the School Board's 5-year Capital Improvement Plan (CIP), Southwest Middle (adjacent zone to Lakeland Highlands Middle) is rolling out 297 new stations. Floral Ave Elementary (adjacent zone to Spessard Holland Elemenatary) will provide 350 new stations by the 2027-2028 school year.

These additional capacities for adjacent zones and district boundary changes in the near future will provide better clarification on student allocation. Table 2, to follow, illustrates the driving distances from the site to the zoned schools, in addition to the annual estimated student demand generated.

Table 2

Name of School	*Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Spessard Holland Elementary	157	93%	± 2.2 miles driving distance
Valleyview Elementary		83%	± 1.4 miles driving distance
Lakeland Highlands Middle	66	84%	± 4 miles driving distance
Bartow Middle		79%	± 7.5 miles driving distance
George Jenkins Senior High	108	89%	± 2.5 miles driving distance
Bartow Senior High		66%	± 6.9 miles driving distance

Source: Polk County School Board, GIS, Google Maps
** Student allocation to be determined*

The applicant will be required to apply for a binding school capacity determination at the time of the Level 2 Review submittal. Student allocation is to be determined at that time. Should any of the other schools exceed capacity at the time of the Level 2 Review, a review of nearby schools will be performed in order to locate placement for students.

Nearest Sheriff, Fire, and EMS Station

Both fire and EMS response to this project is from Polk County Fire Rescue Station 28, located at 4104 Clubhouse Road in Lakeland. The travel distance is about 2.4 miles with an average response time of 8-10 minutes. Planning is underway to combine Fire Station 27 and the City of Bartow for a new joint station located near the intersection of Smith Lane and E.F. Griffin Road. Once completed, the existing Fire Station 28 will relocate to this new location. The new location will increase the travel distance to about 3 miles with an estimated response time of 9-11 minutes. Six (6) new fire hydrants have been installed along Yarborough Lane and will be activated once utility infrastructure is solidified. Fire Code requires hydrant spacing not to exceed 500' on each side of the street, and similar to other developments, this project will be required to install new hydrants internal to the site.

Sheriff's response to the site is served by the Southwest District (SW), located at 4120 US 98 South in Lakeland. The response times for SW were: P1 – 9:21 minutes; P2 – 25:28 minutes. Priority 1 Calls are considered to be true emergencies, in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. Sheriff's response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Southwest District Command (4120 US 98 S, Lakeland)	±3.9 miles	P1: 9:21 P2: 25:28
Fire/EMS	Station #28 (4104 Clubhouse Road, Lakeland)	±2.4 miles	8-10 minutes

Source: Polk County Sheriff's Office & Polk County Fire Rescue Response Times for October 2025

**Response times are based on when the station receives the call, not from when the call is made to 911.*

Water and Wastewater Demand and Capacity:



Pollard Road Water Treatment Facility

Water, wastewater, and reclaimed water services are serviced by the SWRUSA for potable water, wastewater, and reclaimed water. There are new 10-inch water main and new wastewater lines which extend south along the right-of-way of Yarborough Lane. These lines are currently being looped through the Touchstone Residential development to the east. There is an 10-inch wastewater line (force main) on Crews Lake Drive. A new lift station is anticipated to be provided for the development. The nearest reclaimed water line is a 12-inch line about ¼ mile to the west on Crews Lake Drive. Other than line extensions, no off-site improvements are anticipated. There are 14' public utility and drainage easements along Yarborough. There is line capacity and plant capacity to serve the proposed single-family development.

A. Estimated Demand and Service Provider:

A single-family dwelling is estimated to generate 360 gallons per day (GPD) for water and 270 GPD for wastewater. Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands. Maximum densities permitted if the PD were to acquire all locational criteria points allow up to five (5) units per acre in the ±237.9-acre upland UGA portion and up to seven (7) units per acre in the ± 10.8-acre TSDA portion. Based on Polk County concurrency calculations, proposal is estimated to generate 268,920 GPD of potable water and 201,690 GPD of wastewater.

Table 4

Subject Property	Estimated Impact Analysis		
248.2 ± upland acres RL-1 0.5 ± acres RL-2	**Demand as Currently Permitted**	**Maximum Permitted with PD Bonus Points**	**Proposed Plan**
Permitted Intensity	249 single-family dwelling units	1,265 single-family dwelling units	747 single-family dwelling units
Potable Water Consumption (GPD)	89,640 GPD	455,400 GPD	268,920 GPD
Wastewater Generation (GPD)	67,230 GPD	341,550 GPD	201,690 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

Single-family residential Consumption/Generation numbers are based on the most intense use allowed in the district at 360 GPD/unit for water consumption and 270 GPD/unit for wastewater generation.

B. Available Capacity:

The Southwest Public Water System is permitted for 6,780,000 GPD of water capacity. The current flow is at approximately 65% of capacity (4,436,000 GDP). The Southwest Regional Wastewater Treatment Facility is permitted to treat 4,000,000 GPD. The current flow is approximately 56% of the capacity (2,238,000 GPD). Both water and wastewater systems have enough capacity to serve development at its current rate for the next 20 years.

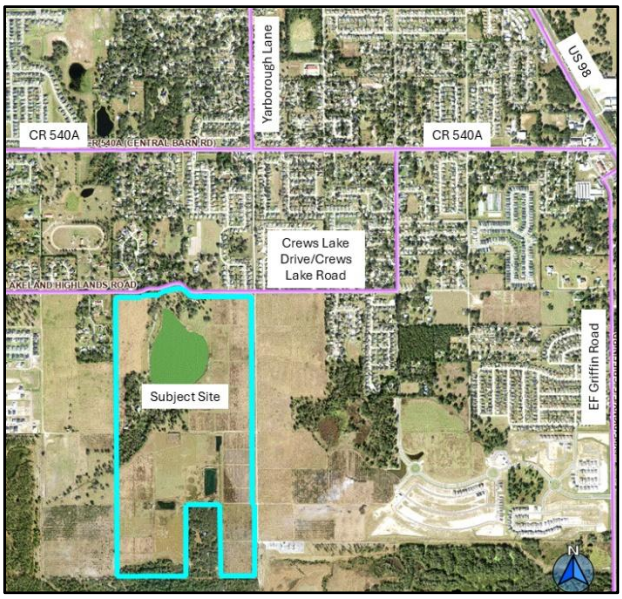
C. Planned Improvements:

New extensions for potable water and wastewater services are within the right-of-way on Yarborough Lane. These new lines include a 10-inch potable water main, 12-inch gravity line and 12-inch force main extend approximately 0.70 miles south. The development may be required to extend these lines further south to accommodate the entire project. There is also a new private lift station that is currently being installed within the Touchstone Residential Community Development District (CDD). The nearest reclaimed water line is a 12-inch line about ¼ mile to the west of the site along Crews Lake Drive. The extension of this line may be required pursuant to Section 702.G of the LDC.

The Southwest Regional Wastewater Treatment Facility (SWRWWTF) plans to upgrade their current centrifuge dewatering units with permanent dewater facilities and new network and control systems. According to the CIP Utilities summary from July 2025, the project is currently under preliminary design and development stages. Both water and wastewater systems have enough capacity to serve development at their current rate for the next 20 years

Roadways/ Transportation Network

The surrounding roadway network is comprised of Crews Lake Drive (Road No. 942102), Yarborough Lane (Road No. 942213), and CR 540A (Road No. 931302), which are County maintained Urban Collector roadways monitored for concurrency by Polk County Transportation Planning Organization (TPO). Three access points onto Yarborough Lane and one access point onto Crews Lake Drive have been identified on the site plan. The portion of Yarborough Lane extending south of Crews Lake Drive is not currently tracked for concurrency as it was a privately maintained roadway. However, the County is currently under agreement to take ownership over this roadway.



Recent improvements to Yarborough Lane are evident, which brought the roadway to Urban Collector standards including 60 feet of ROW and 24 feet of pavement width. Additional sidewalks will be required along the project's roadway frontage as well as 20 feet of ROW dedication along Crews Lake Drive. When heading eastbound on Crews Lake Drive, there is a new dedicated right turn lane onto Yarborough Lane. Due to the estimated Average

Annual Daily Trips (AADT), the PD will require a major traffic study to be assessed during Level 2.

Table 5, to follow, provides preliminary, generalized estimates of the anticipated traffic demands if the property was developed with a single-family detached subdivision (7.81/1.00) at densities allowed by-right in the RL-1 and RL-2 land use districts with a Planned Development.

A. Estimated Demand:

The proposed development is expected to generate 5,834 AADT and 747 PM Peak hour trips. Table 5, to follow, shows the traffic that is projected for the proposed 747 lot single-family development versus what would be permitted by right without the PD process and what the maximum could be with a Planned Development, according to Section 303 of the LDC.

Table 5

Subject Property	**Estimated Impact Analysis**		
248.2 ± upland acres RL-1 0.5 ± acres RL-2	**Demand as Currently Permitted**	**Maximum Permitted with PD Bonus Points**	**Proposed Plan**
Permitted Intensity	249 single-family dwelling units	1,265 single-family dwelling units	747 single-family dwelling units
Average Annual Daily Trips (AADT)	1,945	9,880	5,834
PM Peak Hour Trips	249	1,265	747

Source: Source: Polk County Concurrency Manual

Appendix C of the LDC requires all developments generating more than 750 average daily trips to conduct a major traffic study. The biggest impacts will be revealed as the housing units are developed and occupied. Based on the Polk County concurrency manual, about 471 trips (63%) are expected to enter the development while approximately 276 trips (37%) are expected to exit the site during the busiest driving periods. A very high percentage of this traffic will likely flow north on Yarborough to reach CR 540A because it is likely the fastest route of travel, and there are no commercial uses such as grocery, services, or employment immediately west on Crews Lake Drive. The closest grocery is on Clubhouse and US Highway 98 at the Highland City Town Center, just over two (2) miles to the north. There is also a hospital, Bartow Regional Medical Center, about 4.5 miles away on US Highway 98.

B. Available Capacity:

Three access points onto Yarborough Lane and one access point onto Crews Lake Drive (Road No. 942102) have been identified on the site plan. Table 6, to follow, shows that there is limited traffic capacity available to support development in this area based on generalized data. Link # 8082 has the capacity to support 790 peak hour trips and the capacity to assimilate 585 trips before this link's Level of Service (LOS) is degraded. Link # 4162 has the capacity to support 1,800 peak hour trips and the capacity to assimilate 759 trips before the LOS is degraded.

Crews Lake Drive is currently operating at a "C" LOS with minimum LOS standard "D." The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion.

Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

The peak hour traffic conditions at full buildout will be significant. It is important to note that the County's roadway network is greatly expanding with new roadways coming online, such as Yarborough Lane. Single-family developments take many years to completely build out. There is time for future road improvements to be programmed in the interim. Moreover, a development of this size will likely be developed in smaller phases. If it were a multifamily project, the effect would be more immediate. Single-family home sales fluctuate with market conditions. The recent rise in the Federal Reserve's lending rates has slowed home buying somewhat. It is anticipated that the pace of single-family growth will slow in the upcoming years.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
8082E	Crews Lake Drive From: CR 540A To: CR 540A	C	539	D
8082W	Crews Lake Drive From: CR 540A To: CR 540A	C	528	D
4162E	CR 540A (Central Barn Road) From: CR 37B (Lakeland Highlands Road) To: US 98	C	759	D
4162W	CR 540A (Central Barn Road) From: US 98 To: CR 37B (Lakeland Highlands Road)	C	759	D
8098N	Yarborough Lane From: CR 540A To: CR 540 (Clubhouse Road)	C	643	D
8098S	Yarborough Lane From: CR 540 (Clubhouse Road) To: CR 540A	C	637	D
4040E	CR 540 (Clubhouse Road) From: CR 37B (Lakeland Highlands Road) To: US 98	C	284	D
4040W	CR 540 (Clubhouse Road) From: US 98 To: CR 37B (Lakeland Highlands Road)	C	263	D
4038N	CR 37B (Lakeland Highlands Road) From: CR 540A To: Lake Miriam Drive	C	834	D
4038S	CR 37B (Lakeland Highlands Road) From: Lake Miriam Drive To: CR 540A	C	795	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database 2025

It is important to note that the traffic analysis provided is a snapshot in time. The single-family residential to the east, Touchstone, was approved for 562 single-family units in 2021. After four years, the development is still under construction after receiving Level 2 approval, and the Roadway Network Database will reflect these new trips once the development has been completed. As previously mentioned, the applicant will need to demonstrate traffic concurrency has been satisfied with any roadway improvements once they submit for Level 2 to address any potentially impacted segments or traffic links.

C. Roadway Conditions:

Crews Lake Drive is an Urban Collector planned for 5,700 AADT. A new Type III intersection was installed heading eastbound on Crews Lake Drive with a deceleration right turn lane onto Yarborough Lane. The roadway has 40' of ROW and a pavement width of 22'. LDC Section 705 requires development sites to dedicate or deed additional right-of way from the centerline of the

existing County road along the entire frontage of the development site at a width of 40 feet from the centerline of two (2) lane collector roads. Therefore, the project will need to dedicate 20' of ROW on Crews Lake Drive.

Yarborough Lane was recently widened and paved south of Crews Lake Drive to provide two access points for the residential subdivision to the east. The roadway will be under County ownership and now has 50' of ROW and a pavement width of 24', meeting Urban Collector standards.

D. Sidewalk Network:

Five (5) foot wide sidewalks were installed along the eastern portion of Yarborough Lane. Given the proximity to Spessard Elementary, the project will be required to incorporate new sidewalks along Crews Lake Drive and the western portion of Yarborough Lane to ensure adequate pedestrian connections. There are sidewalks along both sides of CR 540A which allows pedestrian traffic to reach the nearby retails shops and elementary school.

E. Planned Improvements:

Yarborough Lane has been paved approximately 2,000 feet beyond Touchstone's southernmost entrance in order to facilitate future connections to the transportation network. This includes a future alternative connection to the Wind Meadows South subdivision in the City of Bartow.

F. Mass Transit:



The nearest mass transit route is the Citrus Connection Transit Route stop (Route 22XL "Silver Express") with the closest stop being Stop #699 approximately 1.3 miles from the subject site. The existing sidewalk network along CR 540A allows for pedestrian traffic from the proposed PD to access the Citrus Connection transit network.

Park Facilities and Environmental Lands:

The closest park to the subject property is Highland City Senior Field, which is approximately 1.08 miles directly north, and consists of a lighted baseball and softball field and concession stand. There are no environmental lands abutting the site, the closest environmental site is the Lakeland Highlands scrub about ½ miles to the west. There are no conservation easements on the property.

A. Location:

The closest park to the subject property is Highland City Senior Field at 5901 Strickland Avenue, approximately 1.08 miles north. There are sidewalks and crosswalks at signalized intersections

along CR 540A and Strickland Ave to allow for safe pedestrian access. Further north is Highland City Park located at 3930 Ball Park Road, approximately 1.52 miles north.

B. Services:

Highland City Senior Field consists of a lighted baseball and softball fields and a concession stand. There are also picnic tables. Highlands City Park has two little league fields. There is also a playground with a covered area, a pavilion and basketball courts.

C. Multi-use Trails:

The Fort Fraser Trail is designated as a multi-use trail under the TPO 2035 Multimodal Plan. The route is shown to run parallel to and along the east side of US 98 north of Bartow. The Fort Frasier Trail is an asphalt paved trail accommodating walkers, joggers, and bikers. The trail also has access into Circle-B-Bar Reserve.

D. Environmental Lands:

The Lakeland Highlands Scrub is south of 540A along end of Lakeland Highlands Road about 1 ½ miles to the west of the site. The Lakeland Highlands Scrub is a compilation of diverse natural communities that include scrub, xeric hammock, dry prairie/scrub, dry prairie/scrubby flatwoods, baygall, basin marsh, depression marsh, and a basin swamp. There is also pasture and rural areas, and some of the basin marsh and basin swamp is disturbed. Several federally listed plants and animals are present on the property, including pygmy fringe tree, nodding pinweed, hairy jointweed, sand skink, eastern indigo snake, and the Florida scrub-jay.

Lake Hancock conservation area is located about 1.81 miles east of the subject site and held in a conservation easement by the Southwest Florida Water Management District (SWFWMD).

E. Planned Improvements:

Staff has not identified any planned improvements to the County parks near the subject site.

Environmental Conditions

There are no significant environmental limitations on this property that will likely preclude the development as requested. A large 27.96-acre surface water feature, known as Crews Lake, spans the northern portion of the site. Associated wetlands and flood zones are found throughout the site which will cluster units on the upland portions of the site. Elevations vary with the highest points along Yarborough Lane and 201 feet on the south westernmost portion of the site. The general topography of the subject property slopes downward toward Crew Lake. Eleven (11) soil types are found throughout the 300-acre property. The majority of the soils are well drained including Tavares fine sand and Apopka fine sand and pose few limitations to development. An unmonitored bald eagle's nest is less than 100 feet from the southern property boundary according to the EagleWatch Inventory (Nest ID # PO168a). Appropriate buffers will have to be maintained from the nest pursuant to federal and state laws.

A. Surface Water:



Crews Lake

The property is located in the Saddle Creek drainage basin, which is considered a "closed" drainage basin. Per LDC Section 740, new storm water facilities and drainage structures in closed drainage basins shall be designed and constructed to meet LOS I standards. Therefore, these storm water management systems need to have the ability to handle the 100-year, 24-hour storm event. Crews Lake is located on the northern portion of the subject site and is approximately 27.96 acres, measured from the ordinary high-water line (OHWL). Three man-made ponds can be seen sometime after 2017 on the southern portion. Sheet flow from the site varies with the majority of the water collecting in the wetland and flowing into Crews Lake.

B. Wetlands/Floodplains:

The site is located within a flood hazard area associated with the Crews Lake floodplain. The site is has different elevations with the highest being 201 feet on the southwestern most portion. The site generally slopes toward Crews Lake.

There are wetlands onsite which consist of existing forested trees and small ditch extending from the southwestern shoreline of Crews Lake. The associated wetland continues offsite in the southwest direction.

C. Soils:

The site is comprised of a multitude of different soils. Most of the property has well drained soils including Tavares fine sand, Apopka fine sand, and Arents, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Each sand type has few limitations and properties as they relate to development and septic tanks. Severe or moderate limitations are associated with septic tank absorption fields due to wetness and poor filtration. The limitation on septic tank absorption fields is in regard to a potential ground water contamination hazard in areas that have a concentration of homes with septic tanks due to poor filtration. Development of the site will be connected to public water and wastewater services, so this limitation is negligible.

Table 7

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% Of Site *(approximate)*
Tavares fine sand	Moderate: wetness	Slight	21.0
Candler sand	Slight	Slight	11.4
Fort Meade sand	Slight	Severe: flooding, wetness, shrink-swell	12.8
Arents	Not rated	Not rated	14.0
Apopka fine sand	Slight	Slight	16.2
Samsula muck	Severe: ponding, low strength	Severe: ponding, poor filter	0.8
Smyrna and Myakka fine sands	Severe: wetness, poor filter	Severe: wetness	1.1
Pomello fine sand	Severe: wetness, poor filter	Moderate: wetness	0.7
Placid and Myakka fine sands	Severe: ponding, poor filter	Severe: ponding	6.5
Adamsville fine sand	Severe: wetness, poor filter	Moderate: wetness	2.0
Basinger mucky fine sand	Severe: ponding, poor filter	Severe: ponding	4.6
Water (Crews Lake)	N/A	N/A	8.9

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service

Samsula muck, Smyrna and Myakka fine sands, and a portion of Adamsville fine sand are on the southern portion of the property which is dedicated as open space and should not be disturbed. Basinger mucky fine sand and Pomello fine sand are associated with the wetland that will be preserved traveling southwest off of Crews Lake. Fort Meade sand is found throughout the surrounding area including the development of the neighboring property The Crews Lake Woods subdivision directly to the west. The sand is considered well drained and has more than 80 inches to reach the water table. The general topography of the subject property slopes downward toward Crew Lake from the northeast, central and southwest corners with elevations varying from 148 feet to 201 feet, according to the Polk County GIS data viewer.

D. Protected Species:

According to Polk County Endangered Habitat Maps, the PD is not located within a one-mile radius of an endangered species sighting. (Source: Florida Natural Areas Inventory, 2002, 2006 & 2011). An unmonitored bald eagle nest is under 100 feet to the south of the property per the Audubon EagleWatch Inventory Viewer (Nest ID # PO168a). Appropriate buffers will have to be maintained from the nest pursuant to federal and state laws. Staff is recommending, prior to site clearing or grubbing, the applicant hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

There are no known archaeological or historical sites on the proposed development, according to the Secretary of State's Department of Historical Resources Florida Master Site File.

F. Wells (Public/Private):

There are private wells located on the property as well as irrigation connections to Crews Lake that were used when portions of the site were used for agricultural purposes. These wells will be closed in accordance with the Southwest Florida Water Management District's requirements.

G. Airports:

The site is not within the buffer zone of any municipal airport. The closest aviation facility is Bartow Medical Center's Helistop about 2.87 miles to the south and Bartow Executive Airport about 5.8 miles to the east. The site is not located within Bartow Airport's flight path or height restriction buffer zones.

Economic Factors:

This proposed PD will encompass vacant tracts along the south side of Crews Lake Drive and meet the growing demand for additional housing for current and future Polk County residents. A diversity of housing types helps maintain a strong community, and the site is within a suburban area consisting of site-built subdivisions. The Lakeland Highlands area of the County has experienced significant growth over the past few decades with the cost of single-family dwellings selling at a premium that reflects its current desirability. The site is approximately 1.75 miles west of US Highway 98. Urban level services including but not limited to potable water, wastewater, mass transit, nearby schools, and parks make this area an attractive place to live.

For Polk County, the number of proposed homes represents a return on the investment in local roadways, potable water, and wastewater services. The sewer availability makes this project feasible. Without it, lot sizes would not be permitted to be smaller than 10,890 square-feet per Health Department regulations. The housing market in Polk County is strong, and the housing trend has been for bigger houses on smaller lots.

Consistency with the Comprehensive Plan and Land Development Code:

The site is located within the Urban Growth Area (UGA) and Transit Supportive Development Area (TSDA). The TSDA is an area "where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed-use development," according to POLICY 2.104-A of the Comprehensive Plan.

There are public water and wastewater services available for the proposed development. There are mass transit services available in the area as well as sidewalks that connect the residents to both shopping and recreational areas within a comfortable walking distance. A major traffic study will need to be submitted at the time of the Level 2 Review to identify the traffic links that may be impacted because of the request, and improvements to be made by the developer. Public safety facilities are at urban service levels with existing and new facilities under development within close proximity.

The proposed 747 lot single-family development is consistent with the Comprehensive Plan; specifically, POLICY 2.120-C1, where residential development is permitted both in the RL-1 and RL-2 future land uses with up to five (5) dwellings per upland acre in the UGA depending on design and location.

Table 8, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan.

Table 8

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The proposed 747 single-family development with supportive amenities and recreational uses is compatible with neighboring properties and there is adequate infrastructure to support it as well. The proposed PD is surrounded on three sides by residential land use districts. This development borders a more intense residential development with 40', 50' and 60' wide lots to the east and a single-family subdivision with 175' wide lots to the west. The site plan provides adequate scaling of these intensities by incorporating significant buffers, appropriate lot sizing, and green spaces between uses.
POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.	The site is in an area intentionally planned for urban development. The site is located where potable water, wastewater, and reclaimed water services are available and have capacity.
POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.	The request is in an area with urban level services, including public water and sewer and has direct access to Urban Collector roadways. Mass transit is nearby with an extensive sidewalk network. Schools and emergency services are in the area with adequate response times.
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The site is located within an area that has a significant amount of urban infrastructure and services with ample capacity to serve it.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES- The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).	The subject property is located within an area of the County that has adequate public safety services as identified in the staff report. A larger new fire rescue station is undergoing planning stages at the intersection of E.F. Griffin Road and Smith Lane, which will be within three miles of the site.

This request is consistent with the Land Development Code. The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 9 in accordance with Section 906.D.7 of the Land Development Code.

Table 9

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC, specifically Sections 906.D, 303, 705 and Section 709.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this development is consistent with the Comprehensive Plan as it meets the density requirements.*
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	*Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 9-12 of this staff report for data and analysis on surrounding uses and compatibility.*
How the concurrency requirements will be met if the development were built.	*This request will require concurrency determinations from utilities, the School Board, and TPO. The impact on public services can be found in the analysis found in the staff report.*

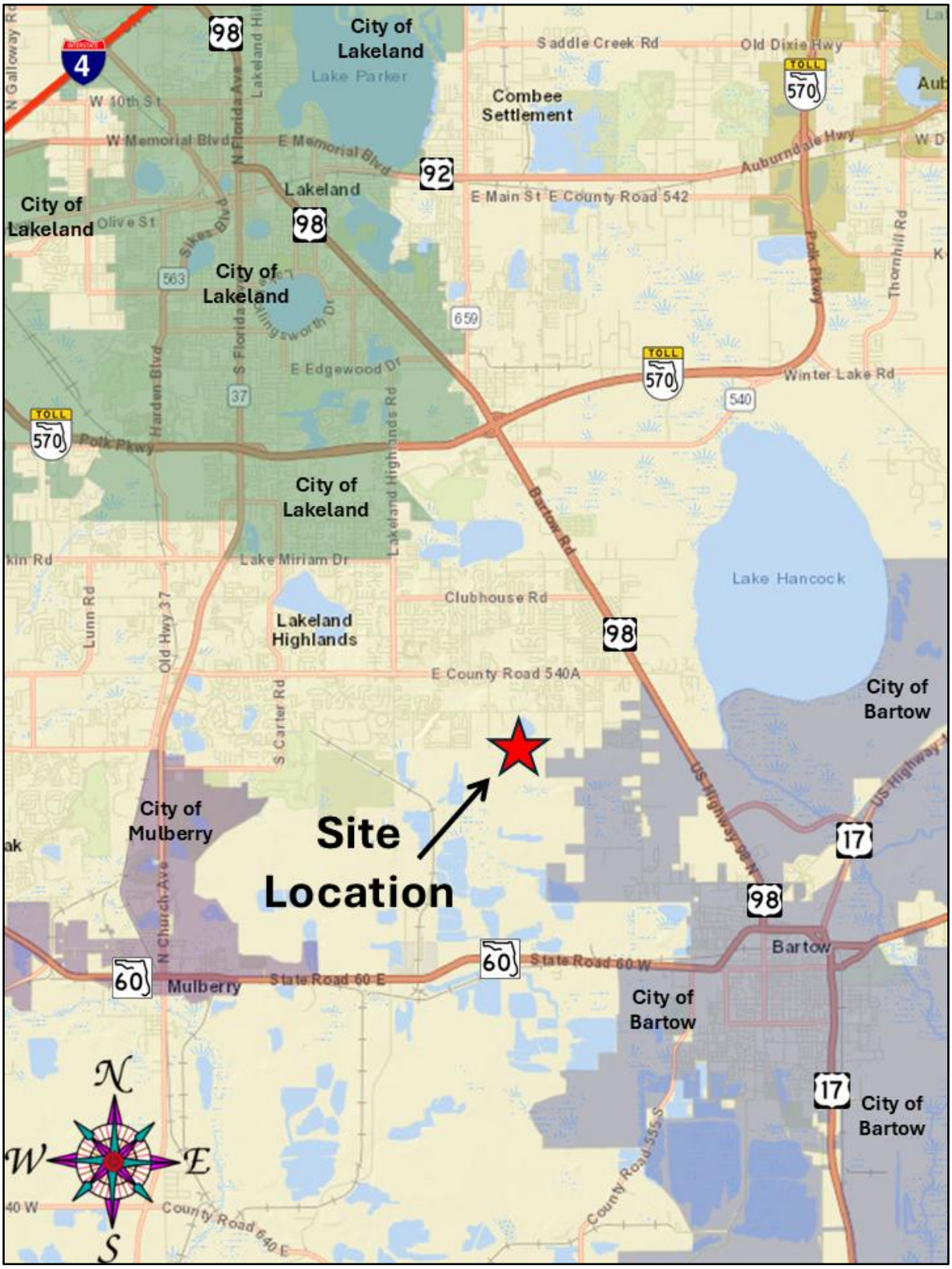
Comments from other Agencies:

School Board

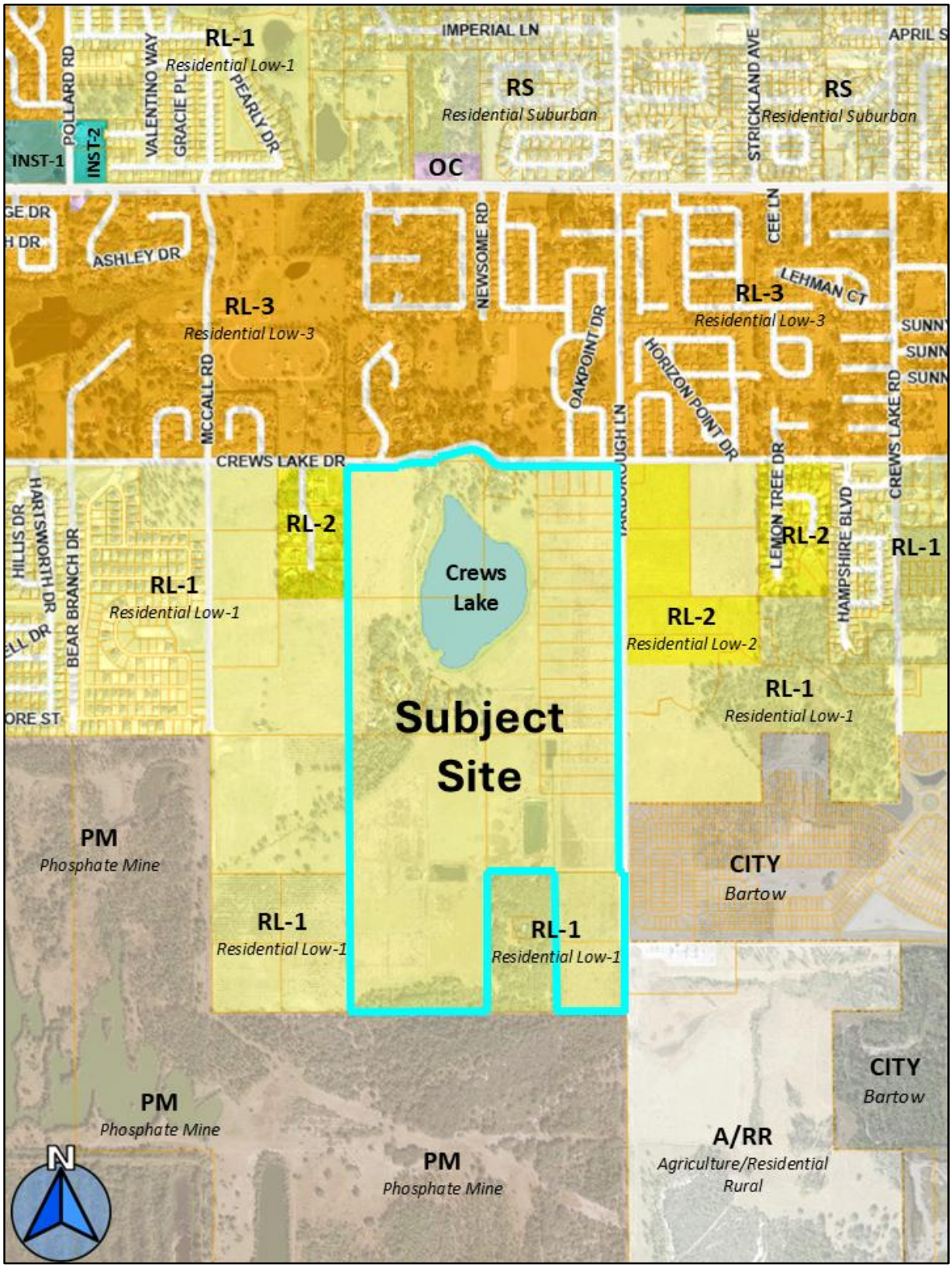
This project will result in a demand for additional school student stations. Staff encourages the applicant to submit a non-binding concurrency application for the proposed development. If the request is approved, the development will need to apply for a binding school capacity determination letter prior to receiving Level 2 approval.

Exhibits

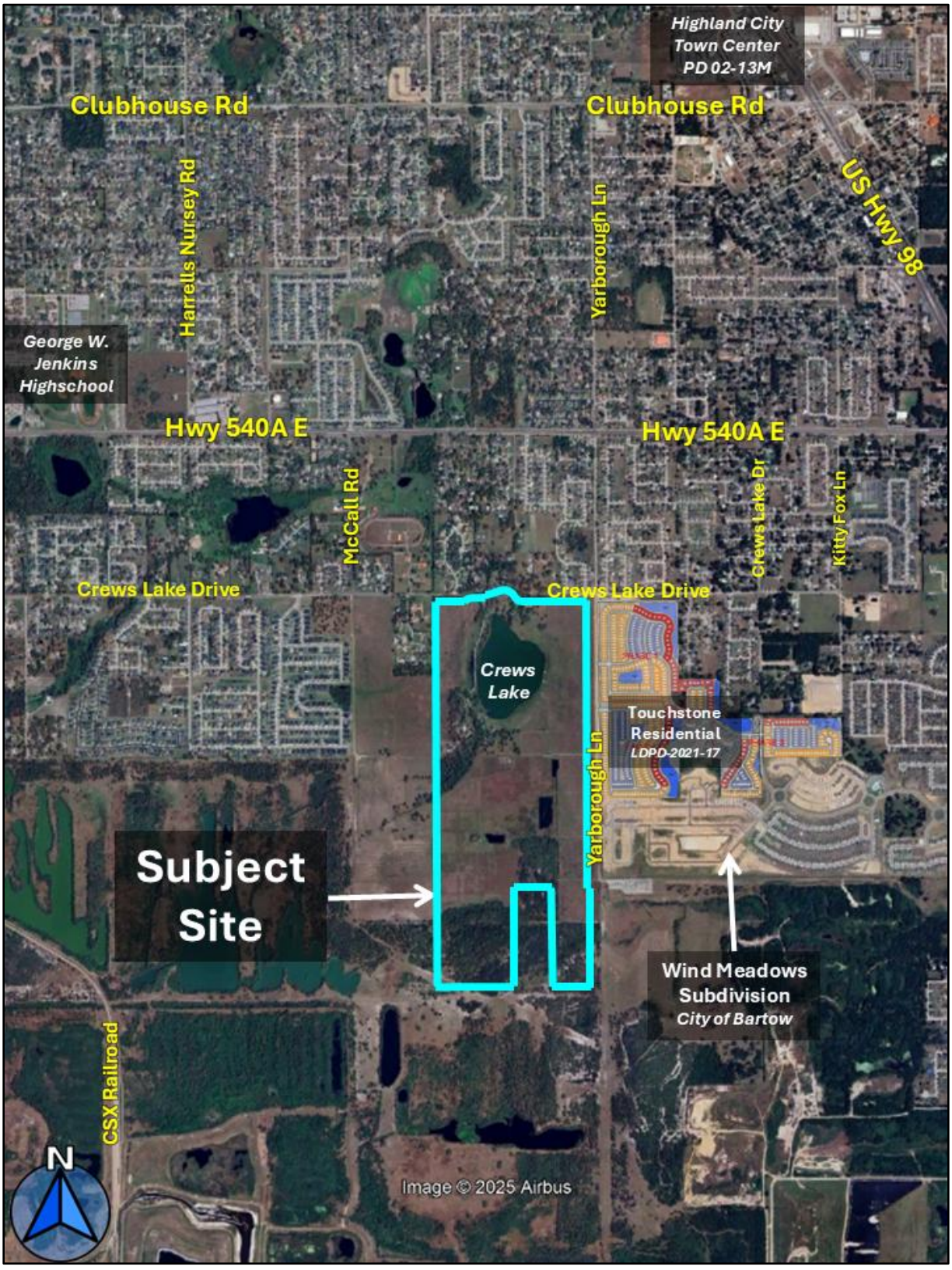
Exhibit – 1 Location Map
Exhibit – 2 Future Land Use Map
Exhibit – 3 2025 Satellite Image (Context)
Exhibit – 4 2025 Satellite Image (Close-up)
Exhibit – 5 2025 Satellite Image with Site Plan Overlay
Exhibit – 6 Site Plan
Exhibit – 7 Amenity Plan
Exhibit – 8 Open Space Plan
Exhibit – 9 Typical Lots
Exhibit – 10 List of Parcels
Exhibit – 11 Compatibility Map



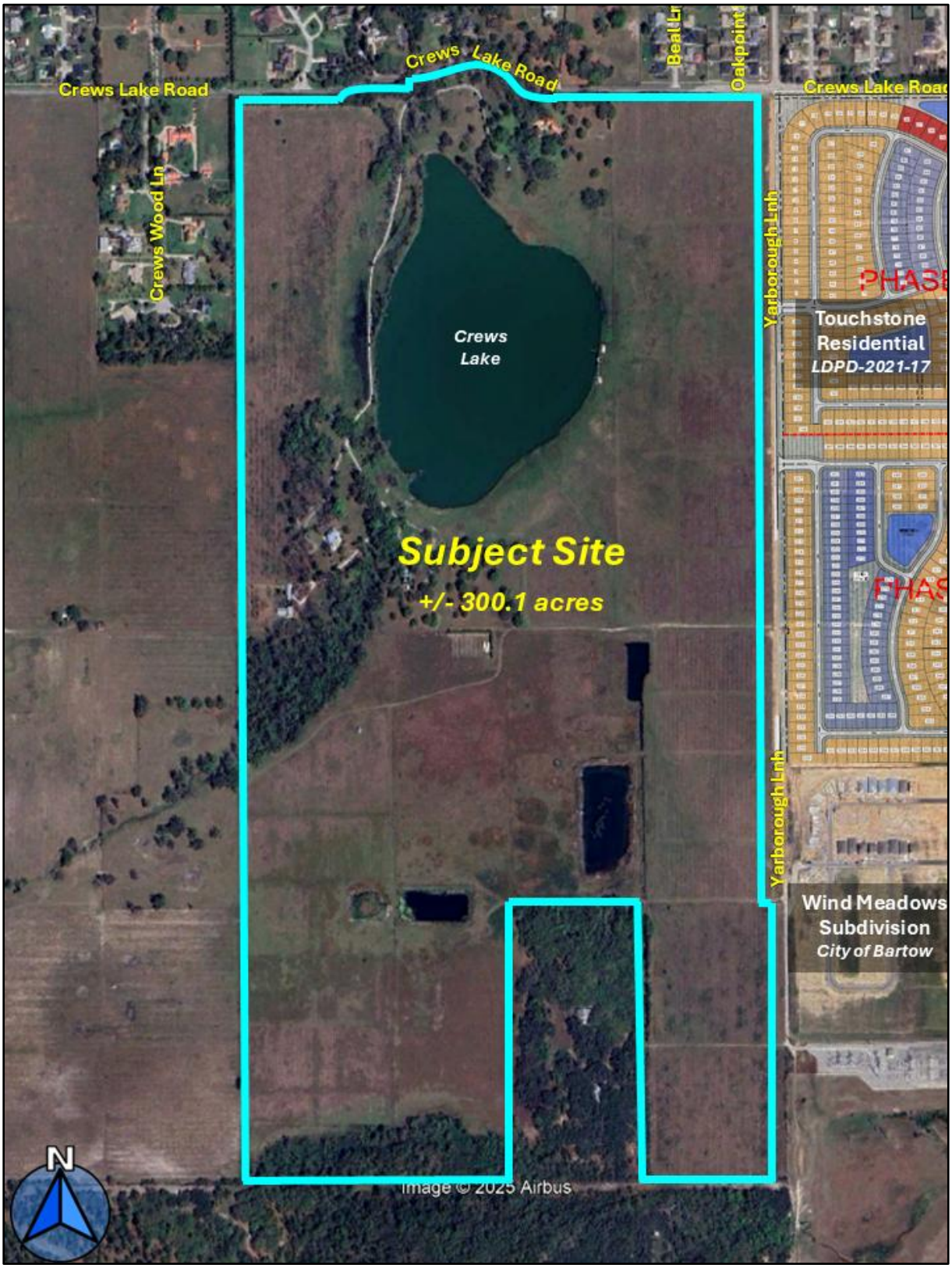
Location Map



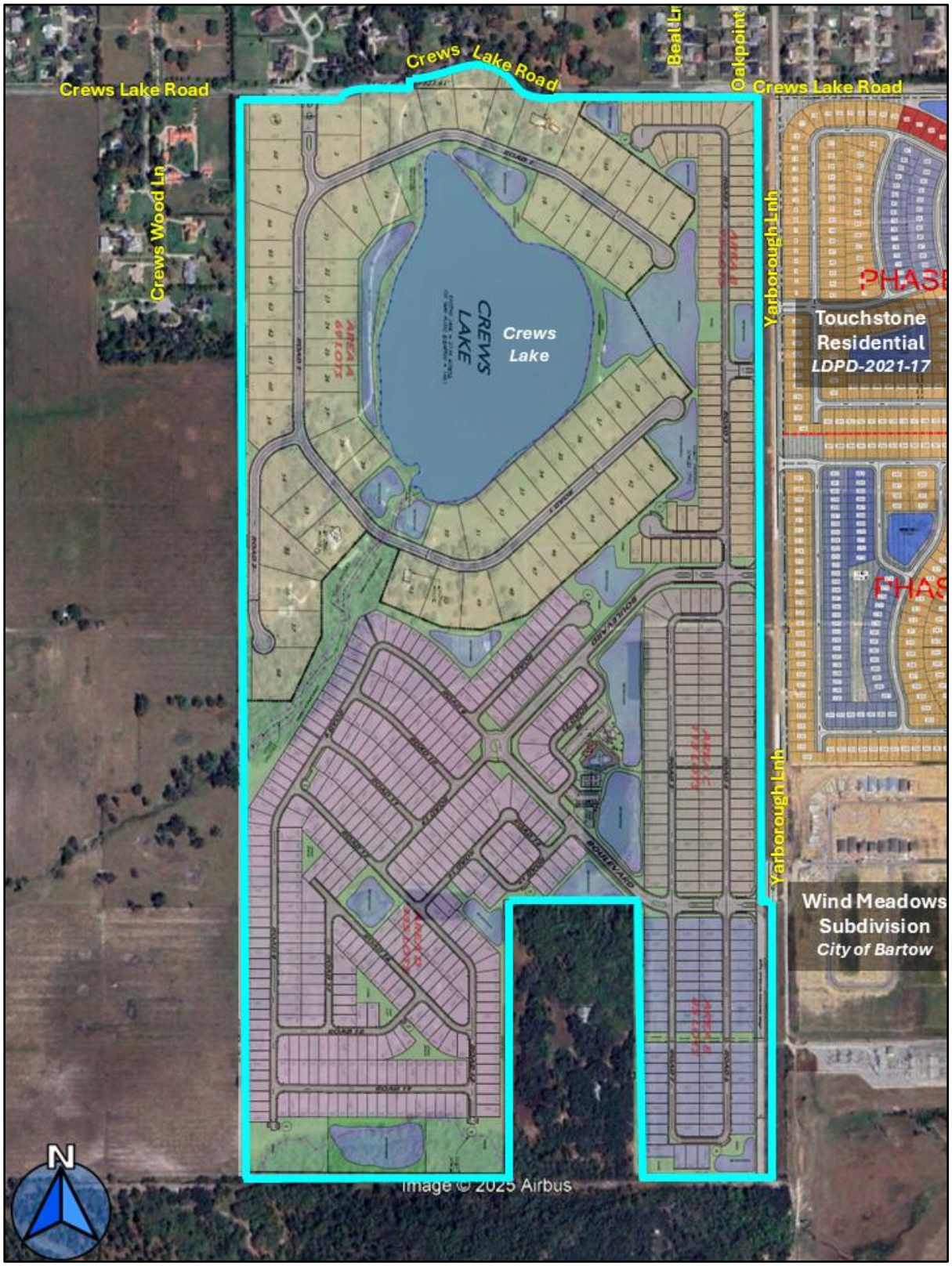
Future Land Use Map



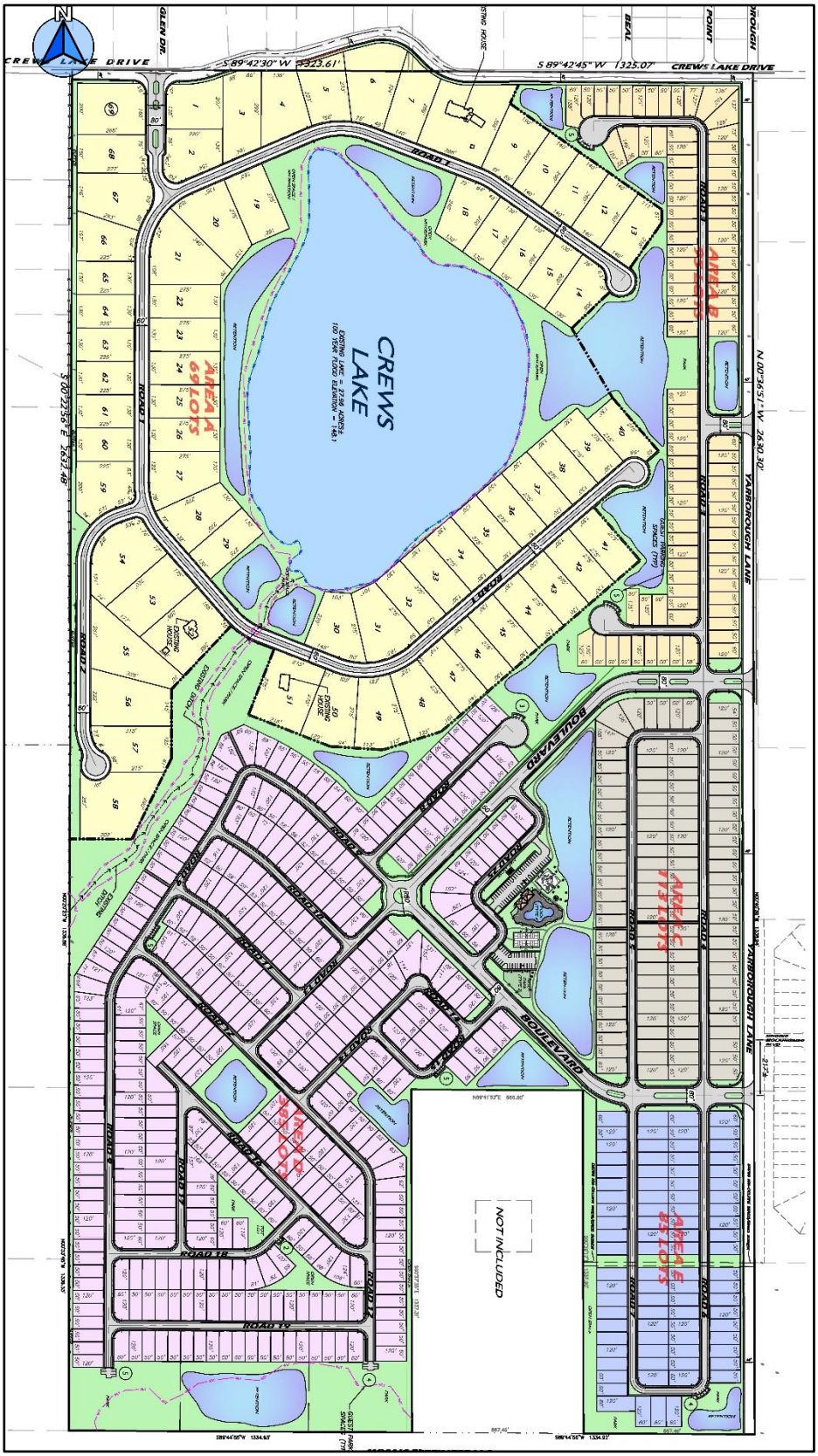
2025 Satellite Photo (Context)



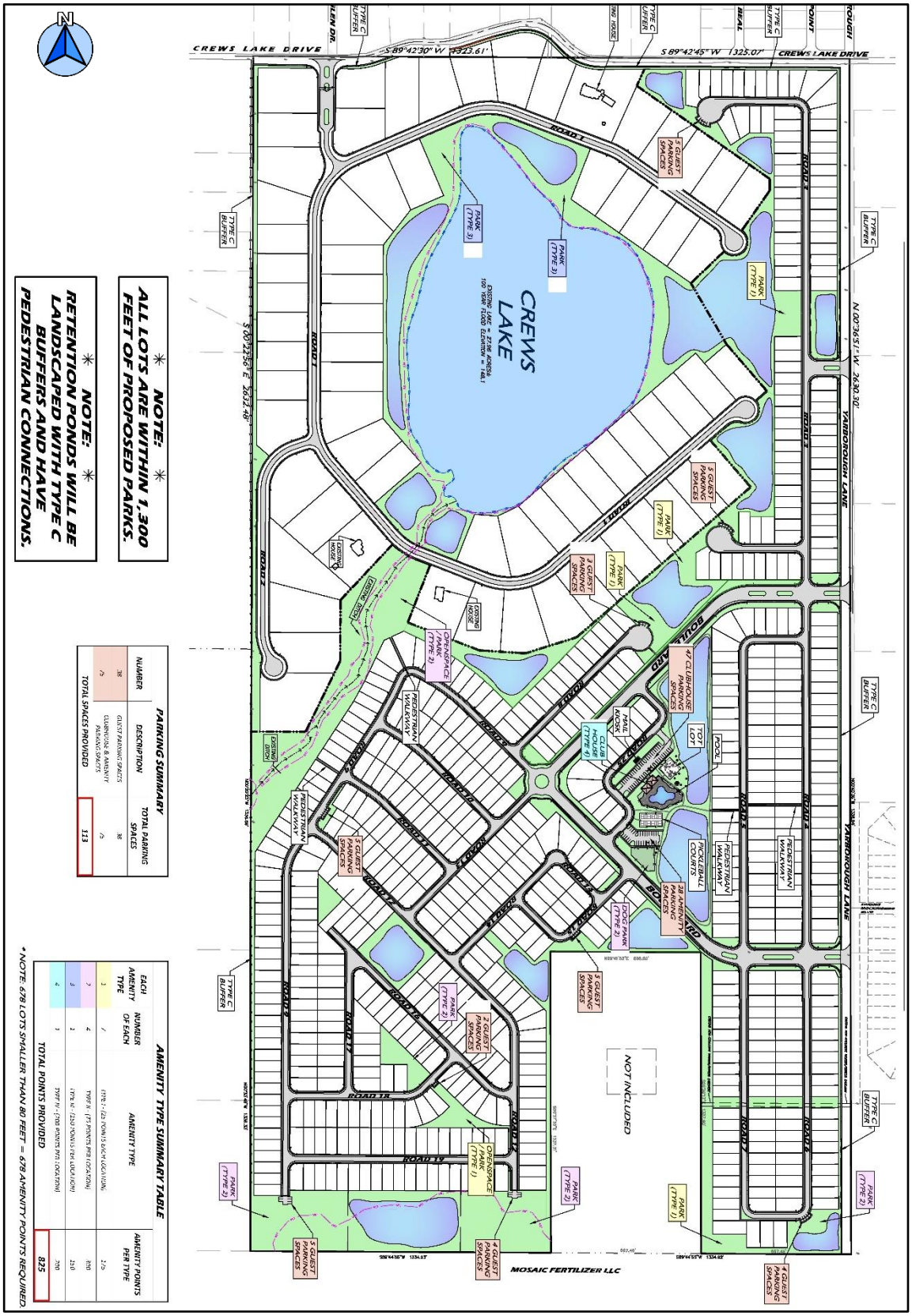
2025 Satellite Photo (Close-up)



2025 Satellite Image with Site Plan Overlay


CREWS LAKE DRIVE
S 89°42'30" W 2623.61'
S 89°42'45" W 1325.07'
CREWS LAKE DRIVE
GLEN DR.
CREWS LAKE
EXISTING LAKE = 27.66 ACRES±
100 YEAR FLOOD ELEVATION = 148.1
AREA A
69 LOTS
AREA B
AREA C
71 LOTS
AREA D
43 LOTS
AREA E
62 LOTS
ROAD 1
ROAD 2
ROAD 3
ROAD 4
ROAD 5
ROAD 6
ROAD 7
ROAD 8
ROAD 9
ROAD 10
ROAD 11
ROAD 12
ROAD 13
ROAD 14
ROAD 15
ROAD 16
ROAD 17
ROAD 18
ROAD 19
BOULEVARD
YARBOROUGH LANE
EXISTING POND
EXISTING POND (TYP.)
NOT INCLUDED
S 00°35'51" E 2637.48'
N 00°35'51" W 2630.30'

Site Plan



NOTE: ALL LOTS ARE WITHIN 1,300 FEET OF PROPOSED PARKS.

NOTE: RETENTION PONDS WILL BE LANDSCAPED WITH TYPE C BUFFERS AND HAVE PEDESTRIAN CONNECTIONS.

PARKING SUMMARY

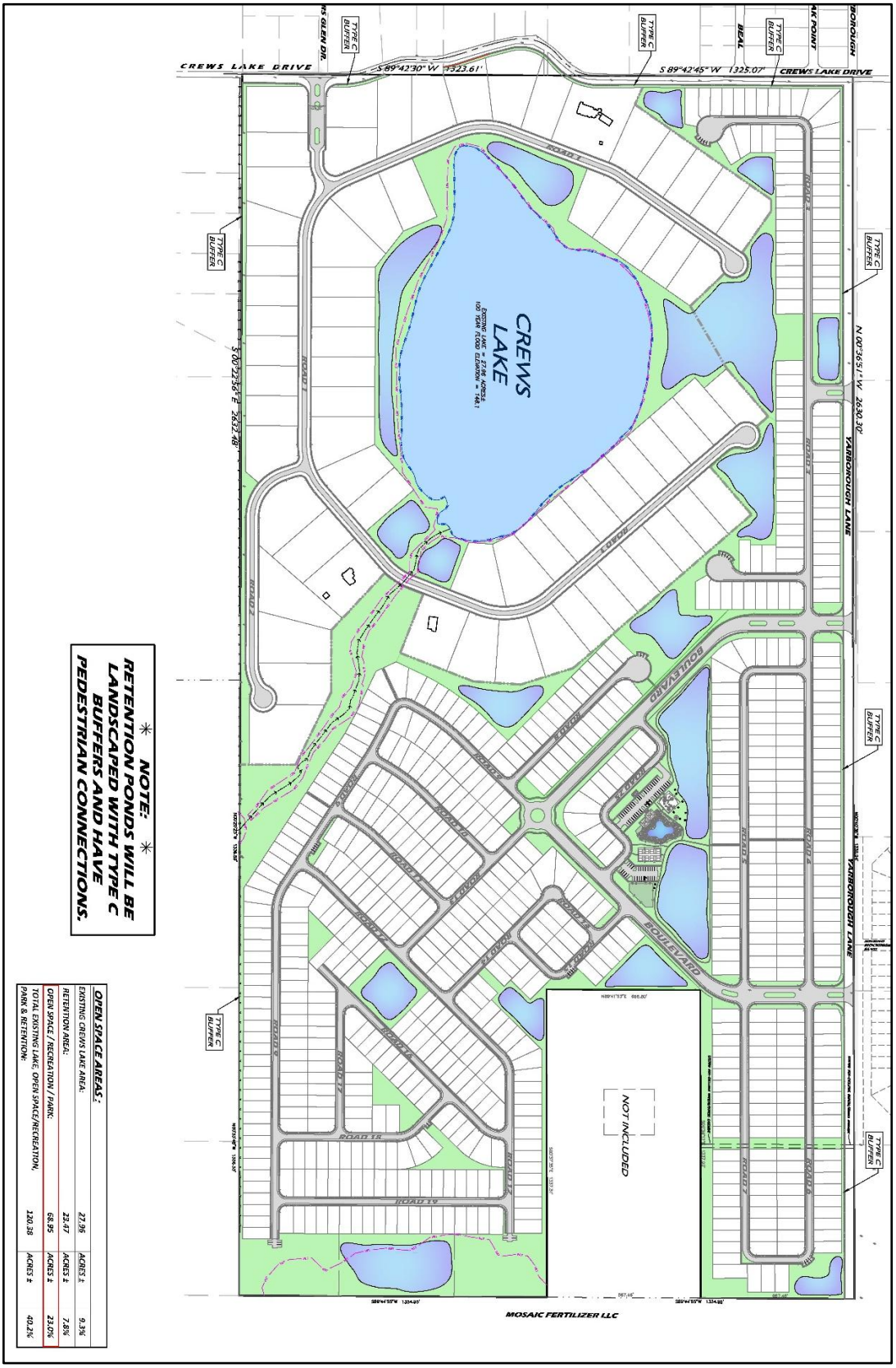
NUMBER	DESCRIPTION	TOTAL PARKING SPACES
38	GUEST PARKING SPACES	38
75	CLUBHOUSE & AMENITY PARKING SPACES	75
TOTAL SPACES PROVIDED		113

AMENITY TYPE SUMMARY TABLE

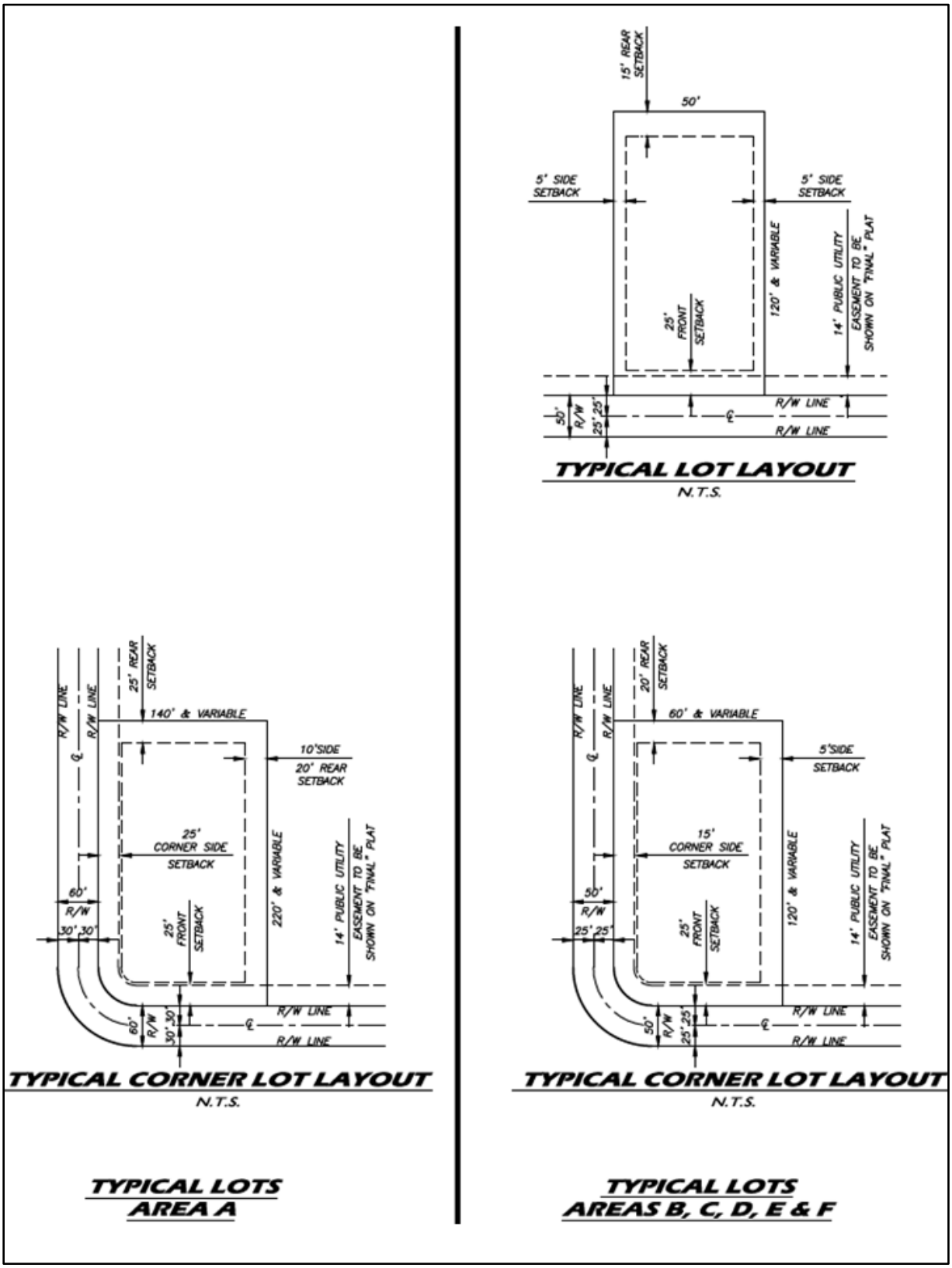
EACH AMENITY TYPE	NUMBER OF EACH	AMENITY TYPE	AMENITY POINTS PER TYPE
1	1	TYPE 1 - (25 POINTS EACH LOCATION)	175
2	4	TYPE II - (TEN POINTS PER LOCATION)	200
3	1	TYPE III - (150 POINTS PER LOCATION)	150
4	1	TYPE IV - (200 POINTS PER LOCATION)	200
TOTAL POINTS PROVIDED			825

* NOTE: 678 LOTS SMALLER THAN 80 FEET = 678 AMENITY POINTS REQUIRED.

Amenity Plan



Open Space Plan

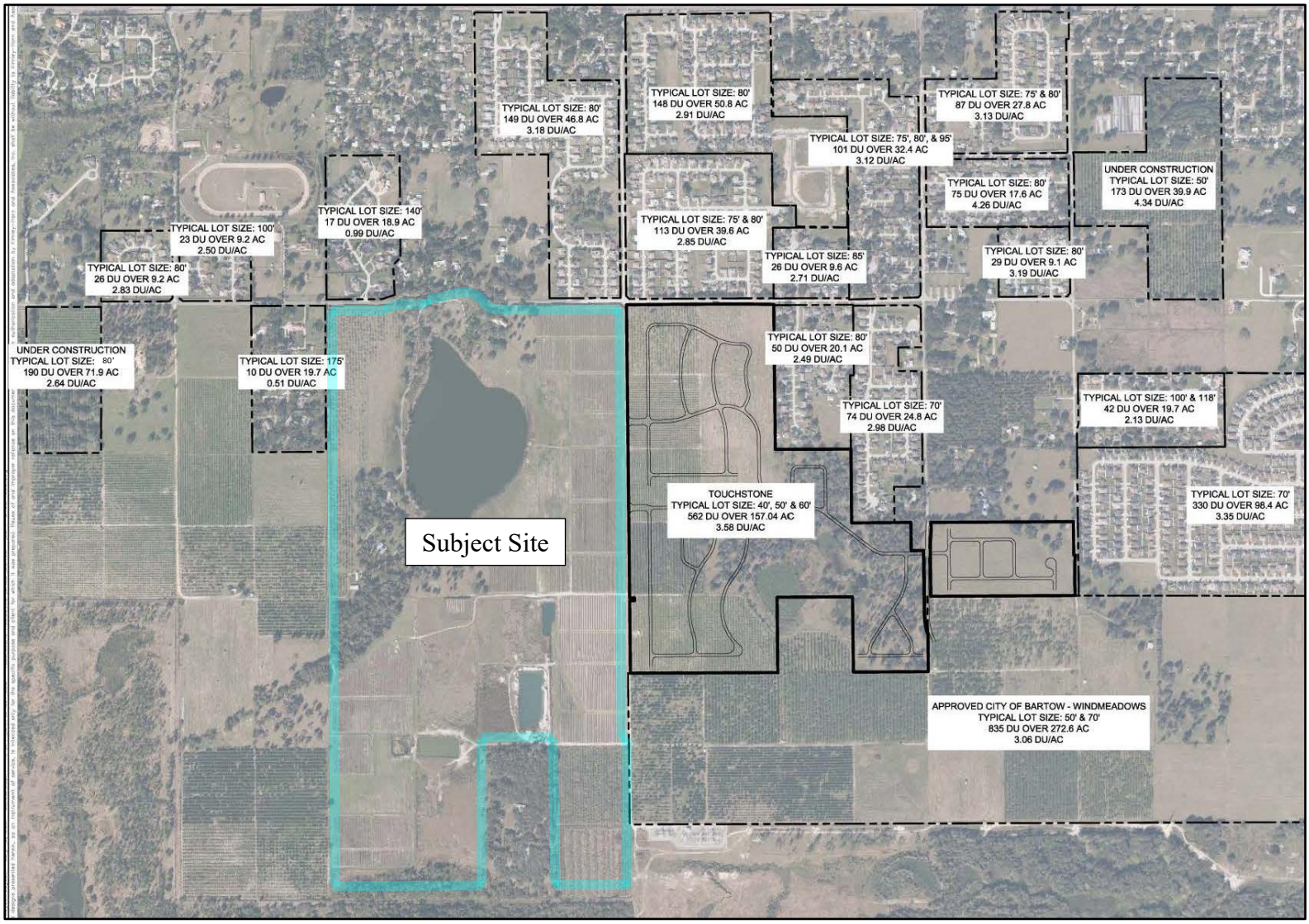


Typical Lots

Second Amended Parcel ID List

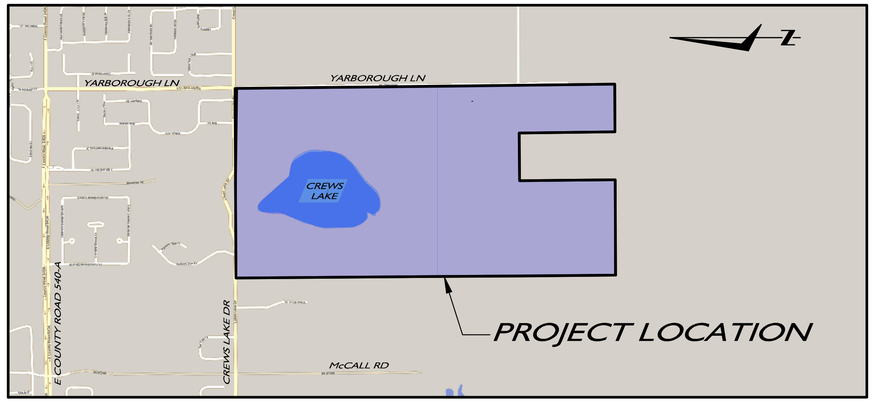
1. **Suzanne M. Ellsworth**
   a. 24-29-22-000000-024020
2. **Wogan S. Badcock, III & Michelle E. Badcock**
   a. 24-29-22-000000-021010
3. **Lakeland Farms Inc.**
   a. 24-29-22-000000-014080
   b. 24-29-22-000000-014140
   c. 24-29-22-000000-021020
   d. 24-29-22-000000-021030
   e. 24-29-22-000000-024010
   f. 24-29-27-000000-012010
   g. 24-29-27-000000-013010
   h. 24-29-22-287500-003102
   i. 24-29-22-287500-003501
   j. 24-29-22-000000-041060
4. **Suz Investment Corporation & Michellesworth, Inc.**
   a. 24-29-27-000000-012020
   b. 24-29-27-000000-011010
   c. 24-29-26-289500-000081
5. **Taramor Properties, Inc.**
   a. 24-29-22-000000-021110
   b. 24-29-22-000000-021160
   c. 24-29-22-000000-022010
   d. 24-29-22-000000-022020
   e. 24-29-22-000000-022030
   f. 24-29-22-000000-022040
   g. 24-29-22-000000-022050
   h. 24-29-22-000000-022060
   i. 24-29-27-000000-011020
   j. 24-29-27-000000-011040
   k. 24-29-27-000000-011050
6. **William & Grey, Inc.**
   a. 24-29-22-000000-021040
   b. 24-29-22-000000-021060
   c. 24-29-22-000000-021070
   d. 24-29-22-000000-021080
   e. 24-29-22-000000-021090
   f. 24-29-22-000000-021100
   g. 24-29-22-000000-021120
   h. 24-29-22-000000-021130
   i. 24-29-22-000000-021140
   j. 24-29-22-000000-021150

List of Parcels



Compatibility Map

HIGHLAND CLUB



VICINITY MAP
NOT TO SCALE

PART OF SECTION 22 AND
SECTION 27, TOWNSHIP 29 SOUTH,
RANGE 24 EAST,
POLK COUNTY, FLORIDA

LEGAL DESCRIPTION
300.13 ACRES±

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 29 SOUTH, RANGE 24 EAST, LESS THE WEST 210 FEET, ALL LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY OF CREWS LAKE DRIVE;

TOGETHER WITH:

THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 29 SOUTH, RANGE 24 EAST, LESS THE EAST 50.0 FEET THEREOF, ALL LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY OF CREWS LAKE DRIVE;

TOGETHER WITH:

THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 29 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, LESS ROAD RIGHT OF WAY;

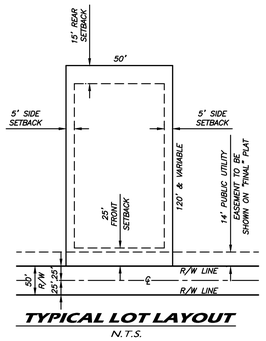
TOGETHER WITH:

THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 29 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, LESS THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, AND LESS THE ROAD RIGHT OF WAY;

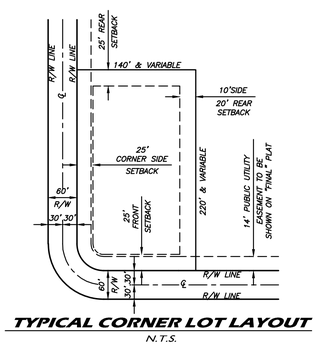
TOGETHER WITH:

THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 29, RANGE 24 EAST, POLK COUNTY, FLORIDA, LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY OF CREWS LAKE DRIVE;

ALL CONTAINING 300.13 ACRES, MORE OR LESS.

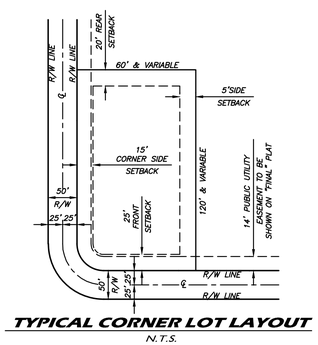


TYPICAL LOT LAYOUT
N.T.S.



TYPICAL CORNER LOT LAYOUT
N.T.S.

TYPICAL LOTS
AREA A



TYPICAL CORNER LOT LAYOUT
N.T.S.

TYPICAL LOTS
AREAS B, C, D, E & F

SITE DATA :			
PARCEL NUMBERS:			%
SEE LISTING			
TOTAL LAND AREA:	300.13	ACRES ±	100.0%
TOTAL NO. OF UNITS (AREA A) (93.56 AC±)	69	UNITS	9.2%
DENSITY (UNITS / ACRES) (AREA A)	0.74	D.U. / ACRE	
TOTAL NO. OF UNITS (AREAS B-E) (178.61 AC±)	678	UNITS	90.8%
DENSITY (UNITS / ACRES) (AREAS B-E)	3.80	D.U. / ACRE	
TOTAL UNITS:	747	D.U. / ACRE	100.0%
OVERALL DENSITY (UNITS / ACRES)(272.17 AC±)	2.74	D.U. / ACRE	
SETBACKS (PRIMARY STRUCTURE) ESTATE LOTS - AREA A			
FRONT:	25	FEET	
SIDE:	10	FEET	
CORNER SIDE:	25	FEET	
REAR:	25	FEET	
SETBACKS (ACCESSORY STRUCTURE) ESTATE LOTS - AREA A			
FRONT:	25	FEET	
SIDE:	10	FEET	
CORNER SIDE:	25	FEET	
REAR:	5	FEET	
SETBACKS (PRIMARY STRUCTURE) 50'x120' LOTS - AREAS B-E			
FRONT:	25	FEET	
SIDE:	5	FEET	
CORNER SIDE:	15	FEET	
REAR:	15	FEET	
SETBACKS (ACCESSORY STRUCTURE) 50'x120' LOTS - AREAS B-E			
FRONT:	25	FEET	
SIDE:	5	FEET	
CORNER SIDE:	15	FEET	
REAR:	5	FEET	
EXISTING CREWS LAKE AREA:	27.96	ACRES ±	9.3%
RETENTION AREA:	23.47	ACRES ±	7.8%
OPEN SPACE / RECREATION / PARK:	68.95	ACRES ±	23.0%
TOTAL EXISTING LAKE, OPEN SPACE/RECREATION, PARK & RETENTION:	120.38	ACRES ±	40.1%
UNDERLYING LAND USE:	RL-1 & RL-2		

PARCEL	ACRES
242922-287500-003501	39.77
242922-000000-021010	2.02
242922-000000-021020	65.62
242922-000000-021030	0.38
242922-000000-024010	1.81
242922-000000-024020	1.79
242927-000000-011010	29.39
242927-000000-012010	10.23
242927-000000-012020	10.25
242927-000000-013010	81.85
242922-000000-014140	0.02
242922-000000-014080	1.05
242922-287500-003102	0.12
242922-000000-021060	1.11
242922-000000-021070	1.11
242922-000000-021100	1.11
242922-000000-021080	1.04
242922-000000-021090	1.10
242922-000000-021120	3.05
242922-000000-021130	3.05
242922-000000-021140	3.05
242922-000000-021150	3.05
242922-000000-021040	3.28
242922-000000-021160	3.05
242922-000000-021110	3.05
242922-000000-022020	3.05
242922-000000-022030	3.05
242922-000000-022040	3.05
242922-000000-022050	3.05
242922-000000-022060	3.05
242922-000000-022010	3.05
242927-000000-011040	3.53
242927-000000-011020	3.53
242927-000000-011050	3.05
242926-289500-000081	0.04
242922-000000-041060	0.33
TOTAL ACRES =	300.13

DRAWING INDEX

SHEET NUMBER	SHEET TITLE
01	COVER SHEET
02	OVERALL PD CONCEPT PLAN
03	ENLARGED ACTIVE RECREATION AREA PLAN
04	OVERALL AMENITY PLAN
05	OPEN SPACE PLAN

DESIGNED BY : JCM
DRAWN BY: JAG
CHECKED BY : JCM

DATE	NO	REVISIONS	BY
06.13.25	0	ORIGINAL RELEASE	JAG
06.18.25	1	REVISE LOT LAYOUT	JAG
08.04.25	2	REVISE LOT LAYOUT	JAG
08.19.25	3	REMOVE SOUTH INGP, REVISE LOT LAYOUT	JAG
10.07.25	4	REVISE LOT LAYOUT, FLAGGED WETLAND	JAG

JAG DRAFTING CONCEPTS LLC
9730 VOYLES LOOP ROAD
POLK CITY, FL 33868
309-241-2338

COVER SHEET

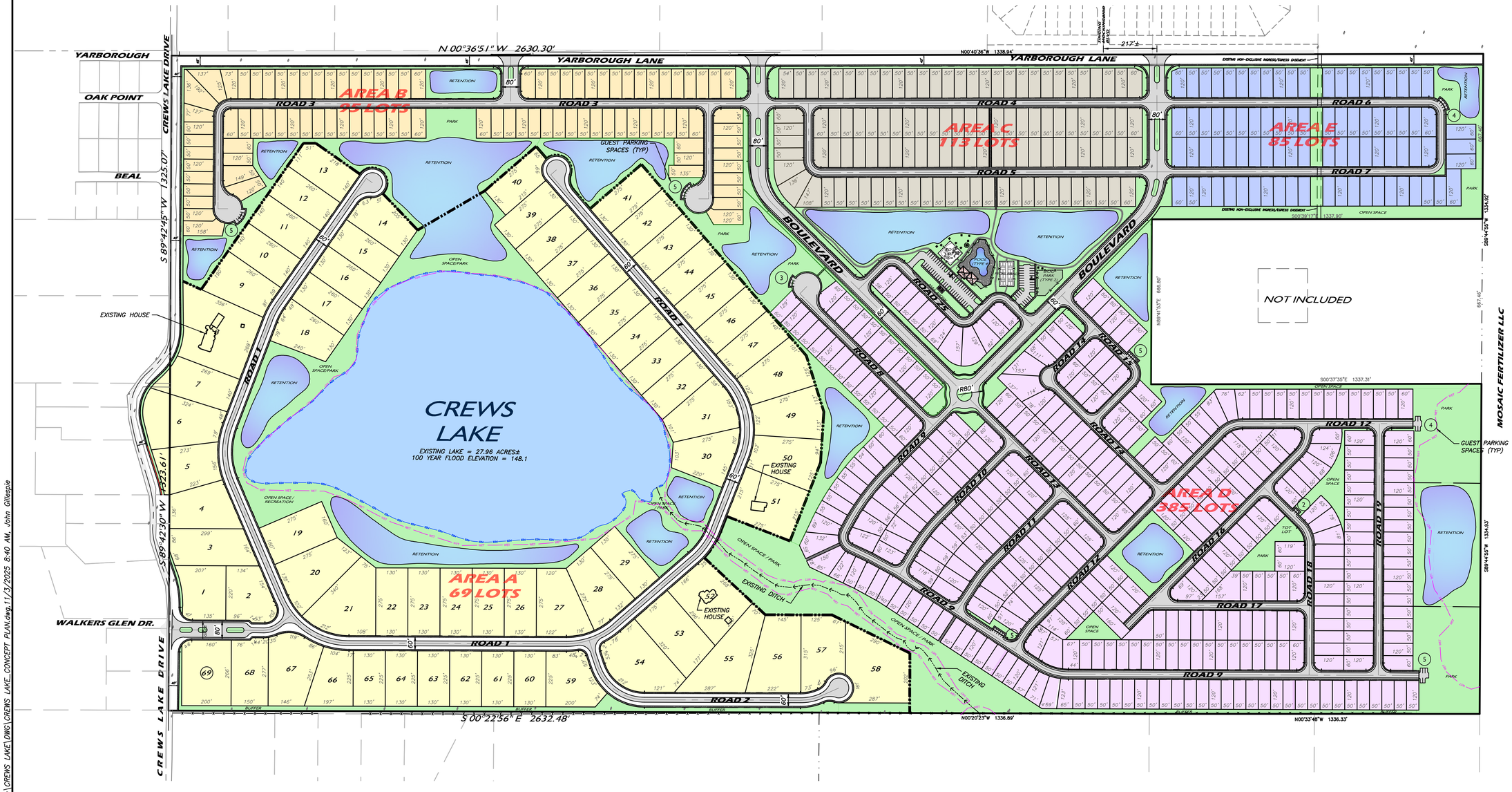
HIGHLAND CLUB
CREWS LAKE DRIVE
POLK COUNTY, FL

6700 SOUTH FLORIDA AVENUE
SUITE 4,
LAKELAND, FLORIDA 33813
ELITE DESIGN

SHEET
01

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HIGHLAND CLUB



LOT SUMMARY			
AREA	MINIMUN LOT SIZE	NO. LOTS	%
A	130' x 225' LOTS	69	9.2%
B	50' x 120' LOTS	95	12.7%
C	50' x 120' LOTS	113	15.1%
D	50' x 120' LOTS	385	51.5%
E	50' x 120' LOTS	85	11.4%
TOTAL LOTS		747	100.0%

DESIGNED BY: JCM
DRAWN BY: JAG
CHECKED BY: JCM

NO	DATE	REVISIONS	BY
0	06.13.25	ORIGINAL RELEASE	JAG
1	06.18.25	REVISE LOT LAYOUT	JAG
2	08.04.25	REVISE LOT LAYOUT	JAG
3	08.19.25	REMOVE SOUTH INGR. REVISE LOT LAYOUT	JAG
4	10.02.25	REVISE LOT LAYOUT, FLAGGED WETLAND	JAG

JAG DRAFTING CONCEPTS LLC
9730 VOYLES LOOP ROAD
POLK CITY, FL 33868
309-241-2338

OVERALL PD CONCEPT PLAN

HIGHLAND CLUB
CREWS LAKE DRIVE
POLK COUNTY, FL

ELITE DESIGN
6700 SOUTH FLORIDA AVENUE
SUITE 4,
LAKELAND, FLORIDA 33813

SHEET 02

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HIGHLAND CLUB



0 40 80 FEET

NO	DATE	REVISIONS	BY
0	06.13.25	ORIGINAL RELEASE	JAG
1	06.18.25	REVISE LOT LAYOUT	JAG
2	08.04.25	REVISE LOT LAYOUT	JAG
3	08.19.25	REMOVE SOUTH INGR, REVISE LOT LAYOUT	JAG
4	10.07.25	REVISE LOT LAYOUT, FLAGGED WETLAND	JAG

DESIGNED BY: JCM
DRAWN BY: JAG
CHECKED BY: JCM

JAG DRAFTING CONCEPTS LLC
9730 VOYLES LOOP ROAD
POLK CITY, FL 33868
309-241-2338

ENLARGED ACTIVE RECREATION AREA PLAN

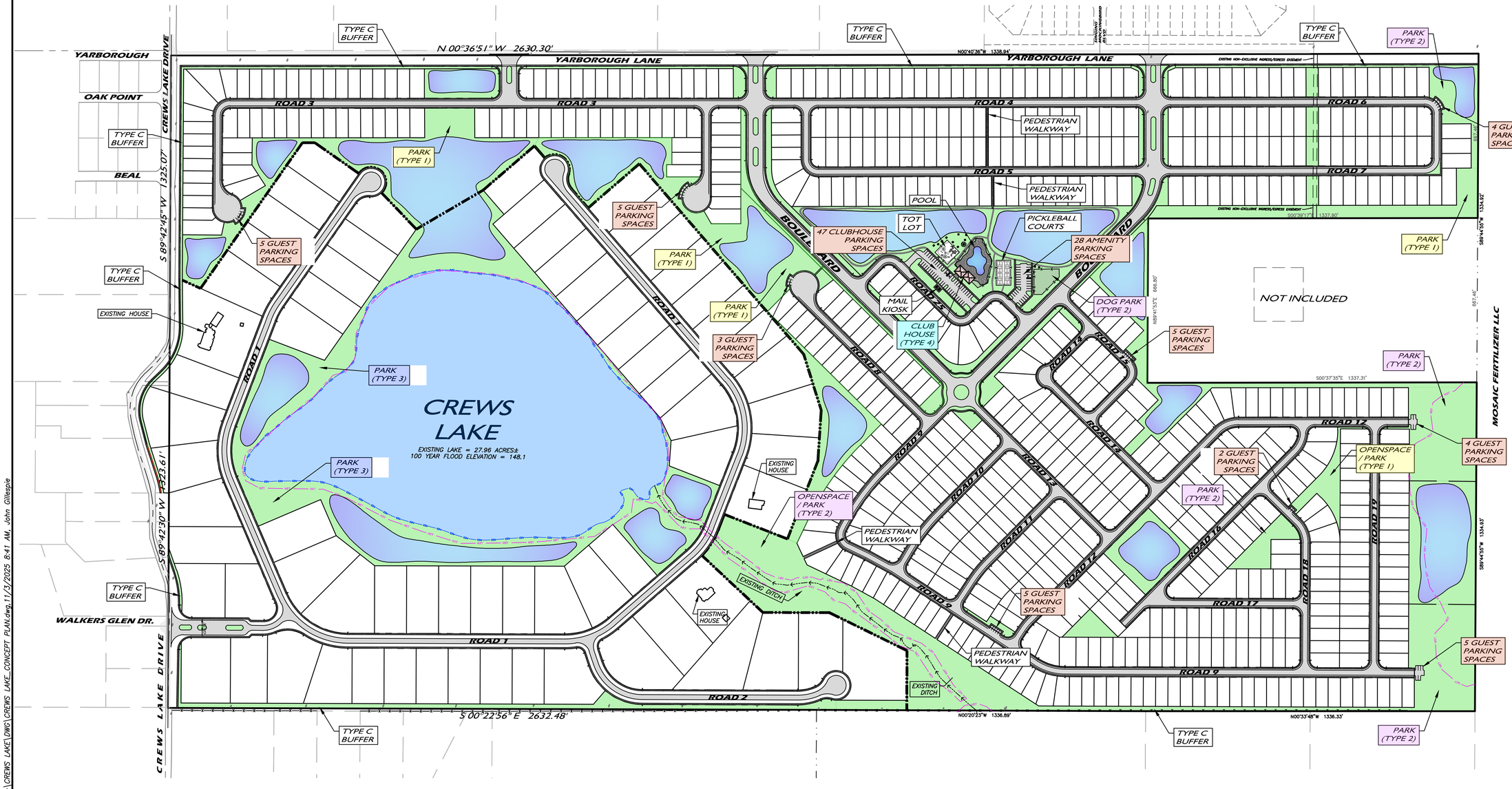
HIGHLAND CLUB
CREWS LAKE DRIVE
POLK COUNTY, FL

ELITE DESIGN
6700 SOUTH FLORIDA AVENUE
SUITE 4,
LAKELAND, FLORIDA 33813

SHEET 03

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HIGHLAND CLUB



NOTE:
ALL LOTS ARE WITHIN 1,300 FEET OF PROPOSED PARKS.

NOTE:
RETENTION PONDS WILL BE LANDSCAPED WITH TYPE C BUFFERS AND HAVE PEDESTRIAN CONNECTIONS.

PARKING SUMMARY

NUMBER	DESCRIPTION	TOTAL PARKING SPACES
38	GUEST PARKING SPACES	38
75	CLUBHOUSE & AMENITY PARKING SPACES	75
TOTAL SPACES PROVIDED		113

AMENITY TYPE SUMMARY TABLE

EACH AMENITY TYPE	NUMBER OF EACH	AMENITY TYPE	AMENITY POINTS PER TYPE
1	7	TYPE I - (25 POINTS EACH LOCATION)	175
2	4	TYPE II - (75 POINTS PER LOCATION)	300
3	1	TYPE III - (150 POINTS PER LOCATION)	150
4	1	TYPE IV - (200 POINTS PER LOCATION)	200
TOTAL POINTS PROVIDED			825

* NOTE: 678 LOTS SMALLER THAN 80 FEET = 678 AMENITY POINTS REQUIRED. *

DESIGNED BY: JCM
DRAWN BY: JAG
CHECKED BY: JCM

NO	DATE	REVISIONS	BY
0	06.13.25	ORIGINAL RELEASE	JAG
1	06.18.25	REVISE LOT LAYOUT	JAG
2	08.04.25	REVISE LOT LAYOUT	JAG
3	08.19.25	REMOVE SOUTH INGR. REVISE LOT LAYOUT	JAG
4	10.07.25	REVISE LOT LAYOUT, FLAGGED WETLAND	JAG

JAG DRAFTING CONCEPTS LLC
9730 VOYLES LOOP ROAD
POLK CITY, FL 33868
309-241-2338

OVERALL AMENITY PLAN

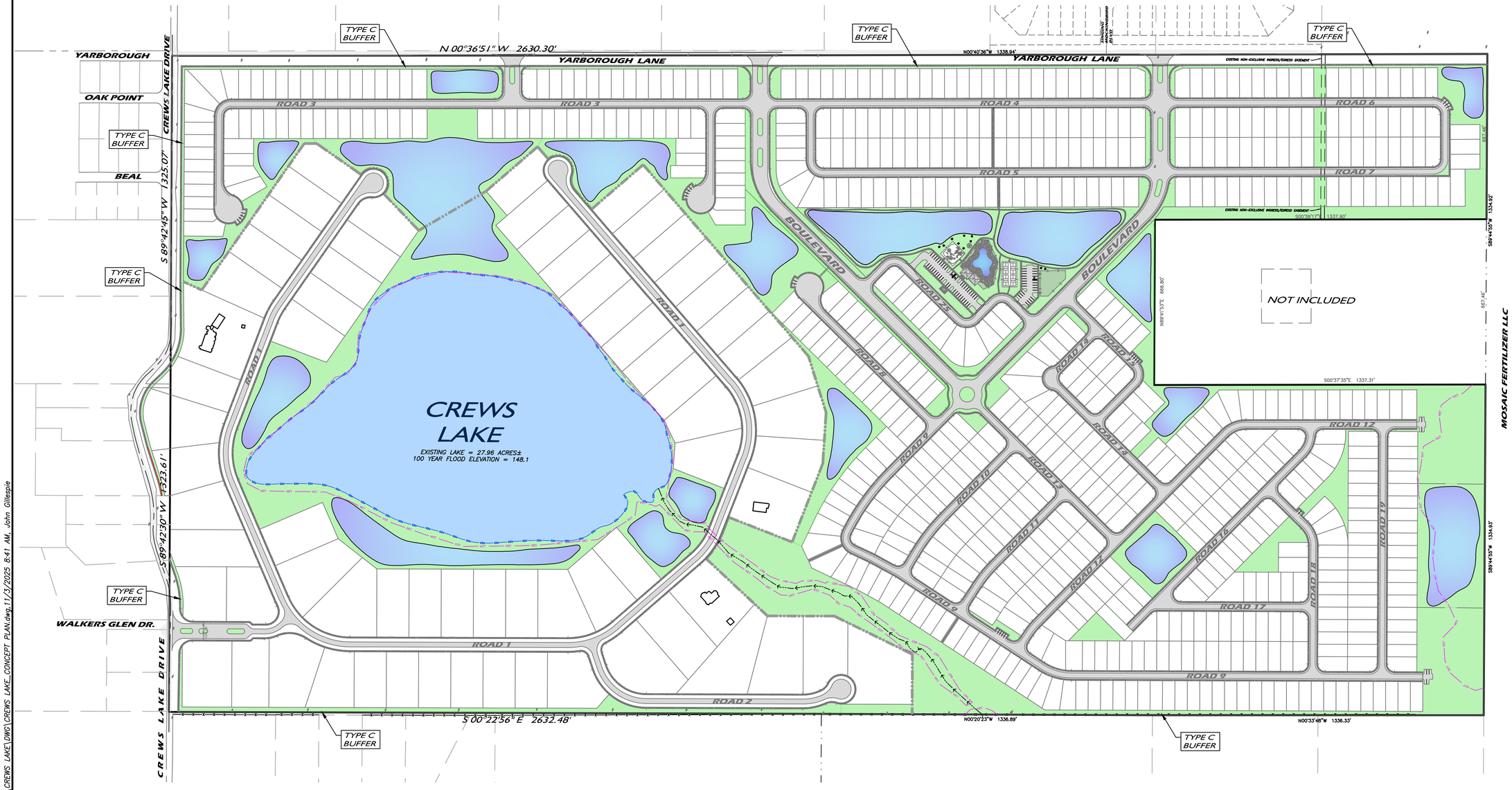
HIGHLAND CLUB
CREWS LAKE DRIVE
POLK COUNTY, FL

ELITE DESIGN
6700 SOUTH FLORIDA AVENUE
SUITE 4,
LAKELAND, FLORIDA 33813

SHEET 04

C:\Users\JohnGillespie\ECON\NAS Shares — Active\CREWS LAKE\DWG\CREWS LAKE_CONCEPT PLAN.dwg,11/3/2025 8:41 AM, John Gillespie

HIGHLAND CLUB



✳ **NOTE:** ✳
RETENTION PONDS WILL BE LANDSCAPED WITH TYPE C BUFFERS AND HAVE PEDESTRIAN CONNECTIONS.

OPEN SPACE AREAS :			
EXISTING CREWS LAKE AREA:	27.96	ACRES ±	9.3%
RETENTION AREA:	23.47	ACRES ±	7.8%
OPEN SPACE / RECREATION / PARK:	68.95	ACRES ±	23.0%
TOTAL EXISTING LAKE, OPEN SPACE/RECREATION, PARK & RETENTION:	120.38	ACRES ±	40.2%

DESIGNED BY : JCM
DRAWN BY: JAG
CHECKED BY : JCM

NO	DATE	REVISIONS	BY
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OPEN SPACE PLAN

HIGHLAND CLUB
CREWS LAKE DRIVE
POLK COUNTY, FL

6700 SOUTH FLORIDA AVENUE
SUITE 4,
LAKELAND, FLORIDA 33813
ELITE DESIGN

SHEET 05

C:\Users\JohnGillespie\ECON\NAS Shores - Active\CREWS LAKE\DWG\CREWS LAKE_CONCEPT PLAN.dwg,11/3/2025 8:41 AM, John Gillespie

The Highlands Club

Amended Planned Development Locational Criteria Analysis

This Amended Planned Development Locational Criteria Analysis reflects the new overall density of 2.74 du/ac.

As has been discussed in greater detail in the Impact Assessment Statement and Justification, the future land use designation of the Highlands Club is Residential Low (RL-1) and the property is in the Urban Growth Area (UGA). Both water and wastewater are available at the site, as defined in Chapter 10 of the Land Development Code. As a result, the site is eligible for approval as a Planned Development.

Over the past few years, the Polk County Board of County Commissioners revisited Planned Developments and how they are evaluated for permitted density. This re-evaluation provides greater emphasis on proximity to urban services and amenities, in lieu of project specific improvements. As a result, Table 3.3. of the Polk County Land Development Code scores the property to determine to how intense development should occur. Based on the criteria in Table 3.3, the Highlands Club generates 29 points. See attached exhibit.

This would allow up to 5 dwelling units per acre (gross density) on the entirety of the Highlands Club property. However, the proposed request is 2.74 dwelling units per acre, which only requires 8-10 points. The conclusion here is this project is well within the prescribed intensity limits based on the urban services, infrastructure, and amenities in place today.

Table 3.3 Locational Eligibility Score									
	RCC-R, RS, RL, & A/RR			RM and non-residential districts			RH and non-residential districts		
Infrastructure Item	¼ mile	½ mile	¾ mile	¼ mile	½ mile	¾ mile	¼ mile	½ mile	¾ mile
Artierial Road	3	2	1	2	1		2	1	
Collector Road	3	2	1	2	1		1		
Transit Road	3	2	1	2	1		1		
Sidewalk connection to School	2	1		2	1		1		
Sidewalk connection to retail commercial	2	1		2	1		1		
Sidewalk connection to transit stop	2	1		2	1		1		
Sidewalk connection to park	3	2	1	3	2	1	3	2	1
≥6" potable waterline	1			1			1		
≥4" sanitary sewer line	1			1			1		
Public Lift Station	2	1		2	1		1		
Reclaimed waterline	2	1		2	1		1		
Infrastructure Item	1 mile	2 mile	3 mile	1 mile	2 mile	3 mile	1 mile	2 mile	3 mile
Fire Rescue Station	3	2	1	2	1		1		
Emergency Medical Care	3	2	1	3	2	1	3	2	1
Elementary School	2	1		2	1		2	1	
Middle School	3	2	1	3	2	1	3	2	1
High School	3	2	1	3	2	1	3	2	1
College or University	3	2	1	3	2	1	3	2	1
CC district	1			1			1		

Table 3.3 Locational Eligibility Score									
	RCC-R, RS, RL, & A/RR			RM and non-residential districts			RH and non-residential districts		
CC district >50% dev.	2			2			2		
General Mercantile	2	1		1			1		
NAC district	2	1		2	1		2	1	
NAC district >50% dev.	2	1		2	1		2	1	
Grocery >40,000 sq.ft.	2	1		2	1		2	1	
CAC* district	2	1		2	1		2	1	
CAC* district >50% dev.	3	2	1	3	2	1	3	2	1
Regional Park	3	2	1	3	2	1	3	2	1
Community Park	2	1		2	1		2	1	
District Park	1			1			1		
City Park	2	1		2	1		1		
Employer (>100 FTE)	3	2	1	3	2	1	3	2	1
Employer (>300 FTE)	3	2	1	3	2	1	3	2	1
Employer (>500 FTE)	3	2	1	3	2	1	3	2	1
Environmental Infrastructure	yes			yes			yes		
Open Drainage Basin	1			1			1		
Positive Outfall	1			1			1		
No adverse wetland disturbance	1			1			1		
Interconnectivity	**two**	**three**	**four**	**two**	**three**	**four**	**two**	**three**	**four**
Access points	1	2	3	1	2	3	1	2	3
Vehicle interconnection to neighboring development	1	2	3	1	2	3	1	2	3

Table 3.3 Locational Eligibility Score									
	RCC-R, RS, RL, & A/RR			RM and non-residential districts			RH and non-residential districts		
Pedestrian connections	1	2	3	1	2	3	1	2	3

Table 3.3 Guide to Locational Scoring footnotes

- All measurements are nearest point of vehicle travel from property line to property line within margin of error not to exceed 10% of the measurement standard.
- Points are cumulatively added vertically within the table but not horizontally, except for schools.
- Road types are in accordance with the most recent County Road Inventory and measured from the nearest driveway to the closest right-of-way. Only one score from each different road classification counts (ex: max 9 pts if all 3 types are w/in ¼ mile).
- Sidewalk connections are measured from the end of the external sidewalk provided along the frontage of the site to the property line of the school, business, or bus stop post.
- Utilities are measured from right-of-way location to the property line.
- Points are awarded cumulatively for K-12 public, charter, and private schools with 100 students or more.
- Points awarded cumulatively for commercial districts, amount of development, and uses within them.
- *CAC district or higher activity center, such as RAC or TCC
- Points are awarded for one type of each park.
- Points are awarded cumulatively for each total employment sharing one access, such as a shopping plaza. Only 3 points per category for a maximum of 9 total points.
- Wetland disturbance includes all disturbances including for purposes of access. However, wetland enhancement is not considered disturbance.
- Pedestrian connections count for sidewalk connections to abutting development through the right-of-way if the abutting development has internal sidewalks.
- Properties with multiple districts may use the majority district for location evaluation.
- Provisional Locational Score Points: For infrastructure items that are fully funded in the most current 5-year Community Investment Program (CIP) or Polk County Schools 5-year Capital Improvement Plan (CIP). If Level 2 Plans have been submitted by private entities for commercial development and employers, they will be counted.

Second Amended Impact Assessment Statement

This document is part of LDPD-2025-9 and acts to amend the previously submitted document to reflect the most current concept plan for the project.

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The Proposed Site is adjacent to the Touchstone Residential Development to the east and the Wind Meadows South residential development to the south. See Location Map. Notably, most of the surrounding property has future land use designations of County Residential Low and City of Bartow Low Density Residential. Moreover, public facility improvements in the area underscore the ability of the Proposed Site to develop in lockstep with its neighbors.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering required by the Polk County Land Development Code adequately ensures that the proposed request is compatible with adjacent uses and entitlements in the area.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The Subject Property is not located in an area presently undeveloped.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

The proposed PD provides for traditional single family development. The overall density is 2.74.
dwelling units per acre and broken in to different areas. There is a group of large lot (1/3 acre) section along the Crews Lake Drive, which is closest to other larger lot neighborhoods. The second grouping includes 50' lots with access to Yarborough Lane.

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

See Open Space Plan. It is anticipated that 23% of the gross developable area of the site will be for Open Space and Recreation, exclusive of the private lake. If the private lake, Crews Lake, is included, the overall PUD provides 40.1% open space at 120.38 acres. .

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

A Traffic Impact Analysis will be provided prior to site plan approval for the Subject Property.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

It is anticipated that minor transportation improvements will be required for ingress/egress for the Proposed Site. See Overall Concept Plan. Such improvements will be more fully understood upon Level 2 Review.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

N/A.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and

Access will be provided via Crews Lake Dr and Yarborough Ln.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

Modes of transportation providing access to the property will be more fully understood upon the completion of a site plan and will be fully addressed at Level 2.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

Using the Polk County standard of 270 gallons per day for sewage generation, the Proposed Site can be expected to generate a demand of 201,690 GPD. Site-specific information on water consumption will be fully addressed at Level 2.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

N/A.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

N/A.

4. Identify the service provider; and

The Property will connect to existing public utilities from Polk County Utilities.

5. Indicate the current provider's capacity and anticipated date of connection.

The Property will connect to existing public utilities from Polk County Utilities. Prior to development the Developer will coordinate with Polk County Utilities to determine location of lines and availability of capacity.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

The Proposed Site will connect to existing public utilities from Polk County Utilities.

2. Identify the service provider;

The Proposed Site will connect to existing public utilities from Polk County Utilities.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

Using the Polk County standard of 360 gallons per day for potable water consumption, the Proposed Site can be expected to generate a demand of 268,920 GPD. Site-specific information on water consumption will be fully addressed at Level 2.

4. Indicate the current provider's capacity and anticipated date of connection

Capacity and the date of connection will be more fully understood and addressed at Level 2.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements and will ensure adequate BMPs are instituted.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

See Overall Concept Plan. Any impacts to the Proposed Site's natural drainage features and/or wetlands will be properly mitigated and done so in accordance with all federal, state, and local laws and regulations.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on available GIS data, there does not appear to be any endangered plant or animal species on the Proposed Site. As such, there is no anticipated impact on fish and wildlife resources. However, if a potential impact on fish or wildlife is discovered, the Developer shall act in accordance with all applicable federal, state, and local laws and regulations.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

See Overall Concept Plan. Groundwater recharge will occur in the stormwater management features of the Proposed Site. All changes will be in accordance with the appropriate state, local, and federal laws and regulations.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

*747 SF Units x 2.5 Residents per Unit = 1,867.5 projected population**

***Please note that this is an estimate and subject to change.*

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

N/A.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

The expected demographic composition will be consistent with typical Polk County demographics.

4. Describe the proposed service area and the current population thereof.

N/A.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The Proposed Request will act to provide much needed housing opportunities for those in Polk County. Based on 2020 U.S. Census data, there is a population of 725,046 people in Polk County. In 2010, the Polk County population consisted of 602,095 people. It follows that there was an approximately 20 % increase in Polk County's population over ten years. The Proposed Request will act to provide housing opportunities to the growing Polk County population.

2. Discuss the demand on the provision for the following services:
a. Parks and Recreation;

The Proposed Request includes areas for parks and recreation. In addition, there appear to be park and recreation areas within close proximity to the Proposed Site.

b. Educational Facilities (preschool/elementary/middle school/high school);

The closest preschool appears to be Small Wonders Child Development Center (4777 Lakeland Highlands Rd, Lakeland, FL 33813).

The closest elementary school appears to be Valleyview Elementary School (2900 Co Rd 540A, Lakeland, FL 33813)

The closest middle school appears to be Lakeland Highlands Middle School (740 Lake Miriam Dr, Lakeland, FL 33813).

The closest high school appears to be George Jenkins High School (6000 Lakeland Highlands Rd, Lakeland, FL 33813)

c. Health Care (emergency/hospital);

The closest health care appears to be Lakeland Regional Health Freestanding Emergency Department (6150 Florida Ave S, Lakeland, FL 33813).

d. Fire Protection;

The closes fire protection appears to be Polk County Fire Rescue Station 28 (4101 Clubhouse Rd, Highland City, FL 33846).

e. Police Protection and Security; and

The closes police protection and security appears to be Polk County Cheriff's Office Southwest Command (4120 US-98, Lakeland, FL 33801)

f. Electrical Power Supply

The Developer will coordinate with Lakeland Electric for provision of electrical power supply.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Location Map.

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map; see attached F.E.M.A. Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Land Use Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Overall Concept Plan.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

See attached Overall Concept Plan.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

See attached Overall Concept Plan.

White, Margo

From: Yannone, Lyndsay
Sent: Tuesday, November 4, 2025 10:32 AM
To: White, Margo
Subject: FW: [EXTERNAL]: Fwd: LDPD-2025-9 Highlands Club
Attachments: 13 12 10 Adopted ILA Appendix E.pdf; ILA Sec 4 Concurrency Management.pdf; 20.12.02 Windmeadows South.pdf; 22.1.14 Touchstone.pdf; 22.5.24 Crew Lake Haven Place.pdf; 22.5.25 Hancock Crossing.pdf; 22.10.17 Retreat at Stuart Crossing.pdf; 22.10.25 Stuart Crossing ver2.pdf; 22-5-25 Thompson Preserve 77 SF.pdf; 23.11.28 James Farms.pdf; 24.4.15 Thompson Preserve Phase 2.pdf

Can you print all this please

From: Merle Bishop, FAICP <merlebishop64@gmail.com>
Sent: Tuesday, November 4, 2025 10:04 AM
To: Yannone, Lyndsay <LyndsayRathke@polkfl.gov>
Subject: [EXTERNAL]: Fwd: LDPD-2025-9 Highlands Club

FYI

---------- Forwarded message ---------
From: **Pam Luce** <pamluce@msn.com>
Date: Mon, Nov 3, 2025 at 5:09 PM
Subject: LDPD-2025-9 Highlands Club
To: anglesimsfl@gmail.com <anglesimsfl@gmail.com>, brookegj@aol.com <brookegj@aol.com>, Merle Bishop, FAICP <merlebishop64@gmail.com>

I am still waiting to hear back from the County on how to send this to all planning commissioners. I'm sure the information is coming but I wanted to get this out in time for you to read. Yours are the only email addresses I have been able to acquire. You may get this again when I hear back from the County. I'll apologize in advance for the duplication.

Dear Commissioner,

I apologize for the length of this message, but this information is not being provided to you in your staff report, and it cannot be explained in three minutes at a meeting.

Most of you don't know me so let me introduce myself. I was formerly the ex-officio planning commissioner that sat in the School Board seat on your board. I retired in 2021 from the School Board. I was one of the members of the Planners Working Group who drafted the Interlocal Agreement for School Concurrency (ILA) which was required by statute to be adopted in 2008. I toured the county giving a presentation about school concurrency to the different municipalities to encourage them to adopt the agreement. Every city, town and the county adopted the ILA. Polk County was the first in the state to do so. It was an amazing feat with 17 municipalities!

I was so proud of the work we had done. It meant that capacity in the schools had to be available at the same time as the construction of approved development. I *thought* it meant no more overcrowded schools from

development. That was to be accomplished by either school capacity which was already available at the time of the development review or by the developer entering into a proportionate share mitigation agreement with the municipality and the school board. The law and the agreement were designed to ensure that schools would be in place at the same time as the development.

According to the ILA, the way to determine whether there is capacity for development is determined by the process spelled out in Appendix E of the ILA, (see attached). Please pay special attention to the term reserved capacity.

Reserved Capacity – School facility capacity set aside for a development pursuant to a School Concurrency Application. *(this is the number of student stations or "seats" reserved by developments which were approved prior to the current application.)*

The calculation would look something like this:

School Concurrency Review - Sample Only

ZONED SCHOOL	CURRENT ENROLLMENT	CONCURRENCY CAPACITY WITH PORTABLES	PLANNED EXPANSION	RESERVATIONS FROM PREV APPR DEVELOP	PROJECTED 5 YEAR UTILIZATION	# SF UNITS	# STUDENTS BY PROJECT SF	AVAILABLE CONCURRENCY CAPACITY
ABC Elementary	809	964	0	177	102%	747	155	-22
DEF Middle	1413	1569	0	314	110%		65	-158
HIJ Senior	3064	3279	0	447	107%		108	-232

In summary, available capacity is calculated as follows:

School Capacity – Current Enrollment + Reserved Capacity = Available Concurrency Capacity.

If the zoned school lacks capacity, the School Board must evaluate adjacent schools. If no adjacent schools have available capacity, the developer must either wait for capacity to be available or enter into a proportionate share mitigation agreement, as outlined in Section 4 of the ILA.

Excerpts from Section 4 of the ILA:

4.E.3 *In the event the LOS standards set forth in this Agreement will be exceeded by a proposed development (or developments), proportionate share mitigation measures may be considered. Mitigation measures will be considered by the School Board in concert with the local jurisdiction of authority over the proposed development.*

4.E.3 h. ***If, after 90 days, the applicant and the School Board have not reached an agreement*** *on an acceptable form of mitigation, and if no time extension is granted within 10 business days, the School Board will notify the County or non-exempt City in writing of the lack of school concurrency and* ***the County or non-exempt City shall not issue a final development approval for the proposed development.***

The developer doesn't have to enter into a mitigation agreement; they can postpone development until capacity is available or cancel it altogether.

According to Section 4.F.1- the school district will provide comments to the Development Review Committee.

4.F.2 states:

If a project advances through the Development Review Committee, ***detailed School Board comments shall be prepared by the School Board staff for the local government to include within the municipality of jurisdiction's staff report to the LPA.***

In your staff report, there are DRC comments from the School Board which state:

This project will result in a demand for additional school student stations. Staff encourages the applicant to submit a non-binding concurrency application for the proposed development. If the request is approved, the development will need to apply for a binding school capacity determination letter prior to receiving Level 2 approval.

There has been no non-binding letter issued at this time unless it is not yet posted on the district's website where all letters are supposed to be available for review.
https://pcsb.maps.arcgis.com/apps/dashboards/d5e60365a9a04cb798e18c956a2af5d5

Non-binding letters are simply informational and do not "bind" the school board or the developer. You have not even been given this very basic information.

At the time of my employment at the district, the County planning staff would give the application for a school concurrency determination to the applicant at the end of the development review process. The applicant would send the application to the school board facilities planning department and we would do the analysis and draft a detailed concurrency determination letter and return it to the applicant and the county planning staff. This letter was usually included in the staff report as stated in 4.F.2.

Concern Regarding Case LDPD-2025-9 (Highlands Club PD)

The staff report for this case lacks any detailed information from the School Board about school availability for this project. Instead, it includes only general statements about current and future rezoning and capital projects. While rezoning discussions are ongoing, they are not yet adopted and therefore **cannot be used** in this concurrency evaluation. You must have accurate, current capacity data to make an informed recommendation.

This information tells you absolutely nothing about whether there is space available in the schools. A rezoning can take years, I know, we began working on the rezoning project prior to my retirement in 2021. You need information as to the state of the schools now.

I believe the school district has not provided the information you need on this particular case because they cannot give accurate information to you. Let me tell you why I feel that way:

I live in Bartow. I saw all the development happening in my area of town. I knew there was no way Spessard Holland Elementary could absorb the number of students from these developments, so I began investigating. I contacted the City of Bartow and asked for the school concurrency determination letters they had received from the school district for the projects in this area. When I received them, unfortunately, I saw what I expected.

Following is a summary of the information I received in a table I created. I am attaching each of the letters for your review.

Spessard Holland Capacity (at the time of letter)	Enroll 3-12-25	Date of CD Letter	Development	Units	#Seats needed Est by Impact Fee Study Formula	Seats Reserved in Determ Letters	COs as of 4/25/25	Remaining Lots after COs	Est. Remaining Students Not Yet in Spessard Holland Elem
900	855	12/2/2020	Wind Meadows South	835	174	84	643	192	40
		1/14/2022	Touchstone (BoCC)	562	117	85	0	562	117
		5/24/2022	Crews Lake Haven Place	14	3	0	0	14	3
		5/25/2022	Thompson Preserve 1	77	16	0	71	6	1
		5/25/2022	Hancock Crossing	92	19	0	55	37	8
		10/17/2022	Retreat at Stuart Crossing MF	288	56	0	0	288	56
		10/25/2022	Stuart Crossing	591	123	0	117	474	99
		11/28/2023	James Farm PH I	150	31	101	16	134	28
		5/15/2024	Thompson Preserve 2	23	5	102	6	17	4
TOTAL				**2747**	**567**	**372**	**908**	**1839**	**379**

When I discovered that the reserved seats were being left out of these concurrency determination letters, contrary to the requirements of the ILA, I started researching a little further. I found that during 2022 the reservations were left out in letters for developments across the county; not in all the letters I requested from other cities, but in many. If there are homes which have not yet received a certificate of occupancy, there should still be reserved seats in the queue for the school(s) to which they were encumbered. There certainly should have been reserved seats in letters for schools in the northeast area of Polk County.

I realize this is a level 3 request. Nonetheless, you should have received information letting you know about the current state of the schools which will be affected by this project. You cannot make informed decisions without good data.

All the letters listed in my table where the reserved seats were left off were signed by your ex-officio School Board Planning Commissioner, Josh Mclemore. Please verify with Josh why reservations were left out of the calculations for these developments since it is a requirement in the Interlocal Agreement. When I was in his position, I was pressured to give a pass to developments for which there was no capacity. Maybe he is in the same position?

I reported what I had been asked to do and all I will say is that things became very uncomfortable for me at work. I finally quit.

I have requested updated Certificates of Occupancy data from the City of Bartow and a report from the School District listing all development reservations for the affected schools. The City of Bartow tells me that I will have the CO's tomorrow. I seriously doubt I will receive the information from the school board which I requested. I know the report of reservations for development by school is available. I used to run it all the time. I don't expect it will be provided to me.

Request

Given the absence of the required School Board concurrency letter and the likelihood of incomplete data, I respectfully request that you **continue Case LDPD-2025-9** until a complete statement is provided. That statement should include:

- Current enrollment, capacity, and reserved seats for Spessard Holland Elementary, Lakeland Highlands Middle, George Jenkins High, and adjacent schools
- Verification that all reserved capacities are included in the calculation
- Confirmation that any rezoning information used reflects **approved**, not proposed, boundaries

Without this information, you do not have the data necessary to make an informed recommendation to the County Commission on November 5.

Thank you for your time and attention to this important issue.

Respectfully,

Pam Luce
Former Ex-Officio Planning Commissioner, Polk County School Board
pamluce@msn.com

863-205-1222

--
Merle H. Bishop, FAICP
1105 S. Floral Ave.
Bartow, FL 33830
merlebishop64@gmail.com
(863) 271-0768

APPENDIX "E"

Summary of Capacity Computation, Concurrency Evaluation and Proportionate Share Mitigation Process

Step 1: DETERMINE STUDENT ENROLLMENT BY CONCURRENCY SERVICE AREAS
Calculate the number of students in the zoned school by school level.

Step 2: DETERMINE CAPACITY FOR EACH CONCURRENCY SERVICE AREA
Depending on the school level, multiply DOE student stations by the designated utilization factor referenced by SREF.

Step 3: DETERMINE RESERVED SEATS FOR EACH CONCURRENCY SERVICE AREA
Calculate seats to be reserved for developments currently in progress.

Step 4: DETERMINE AVAILABLE CAPACITY FOR EACH CONCURRENCY SERVICE AREA
Subtract the results of Step 1 and the results of Step 3 from the results of Step 2.

Step 5: DETERMINE THE NUMBER OF STUDENTS TO BE GENERATED BY A DEVELOPMENT AT EACH SCHOOL LEVEL (elementary, middle, and high)
Multiply the number of Dwelling Units in the proposed development by the Student Generation Rate for that type of development by school level. The result is the Number of Student Stations by school level needed to serve the proposed development.

Step 6: ASSESS THE NEED FOR MITIGATION
Compare the available capacity for each school from step 4 to the number of students generated for each school in Step 5. If the result is a negative number, repeat Step 5 for contiguous service areas.

Step 7: Calculating proportionate share mitigation

Needed additional Student Stations from Step 6
MULTIPLIED BY
Cost per Student Station
EQUALS
Proportionate Share Mitigation Obligation

Section 4. Concurrency Management System

4A. Concurrency Management System

4.A.1 All parties to this agreement agree that the Public School Facilities Element adopted into County and non-exempt Cities' Comprehensive Plans and any changes resulting from the adoption of the Public School Facilities Element to their Intergovernmental Coordination and Capital Improvements Elements and School Concurrency Ordinance as outlined in Section 4.A.2 will be the same or consistent with documents adopted by the County and School Board.

4.A.2 In 2007, the County and non-exempt Cities held public hearings, transmit and adopted Comprehensive Plan amendments to address school concurrency matters, including:

a. A Public Schools Facilities Element, pursuant to sections 163.3177 and 163.3180, F.S.

b. Changes to each jurisdiction's Intergovernmental Coordination Element necessary to implement school concurrency methodologies and processes, as provided herein.

c. Changes to each jurisdiction's Capital Improvements Element necessary to implement school concurrency methodologies and processes, as provided herein.

4.A.3 The School Board shall adopt a financially feasible plan as outlined in Section 3.D.

4.A.4 Within ninety (90) days following the amendment of the County and non-exempt Cities' Comprehensive Plans, as provided herein, the County and non-exempt Cities did adopt a "School Concurrency Ordinance" and made other necessary changes to their Land Development Codes (LDC) to implement school concurrency consistent with the Comprehensive Plan, state law (sections 163.3180 and 163.3202, F.S.), and the terms of this agreement.

4.A.5 School concurrency applies only to residential uses that generate demands for public school facilities and are proposed or established after the effective date of the plan amendment adopting school concurrency provisions. The following residential uses or projects shall be exempted from school concurrency review:

a. Single family residential development with construction plan and approval and multifamily residential development with unexpired final site plan approval prior to the effective date of the jurisdiction of authority's school concurrency regulations. Subject projects shall be deemed concurrent for school facilities. This concurrency determination will be subject to the provisions of 4.E.2 and shall remain valid for the time period specified based on an effective start date of March 1, 2008.

b. Single family subdivisions actively being reviewed as of March 1, 2008 that are determined to be sufficient and approvable by the County [City]. Upon receiving final development approval, subject projects shall be deemed concurrent for school facilities. This concurrency determination will be subject to the provisions of Policy 4.E.2.

c. Multi-family site plan(s) actively being reviewed as of March 1, 2008 that are determined to be sufficient and approvable by the County [City]. Upon receiving final development approval, subject projects shall be deemed concurrent for school facilities. This concurrency determination will be subject to the provisions of Policy 4.E.2.

d. Residential developments which have set aside a site for a public school that is found acceptable to the School Board of Polk County and which has agreed to provide site access to roads and necessary utilities, shall be exempt for up to three years from concurrency for the school level (i.e. elementary, middle or high school) to be addressed by the future school. A Development of Regional Impact or DRI which has set aside one or more acceptable school sites and will provide road and utility access shall be exempt for up to five years from concurrency for the school level(s) to be addressed by said future school(s). Any residential or mixed-use DRI with an approved Development Order in effect prior to March 1, 2008 shall be exempt from school concurrency for their current phase or to the extent exempted through the approved development order. Consistent with the provision of Section 39, Chapter 2005-290, Laws of Florida, this provision shall not apply to DRIs for which a development order was issued prior to July 1, 2005, or for which an application was submitted prior to May 1, 2005, unless the developer elects otherwise in writing.

e. Single family lots of record having received final plat approval or recorded prior to the effective date of the jurisdiction of authority's school concurrency regulations.

f. Amendments to residential development approvals issued prior to the effective date of the jurisdiction of authority's school concurrency regulations, which do not increase the number of residential units or change the type of residential units proposed or is subject to covenant or deed related long term age restrictions.

g. Age restricted developments that are subject to deed restrictions prohibiting the permanent occupancy of residents under the age of eighteen (18). Such deed restrictions must be recorded and must be irrevocable for a period of at least thirty (30) years, with revocation conditioned upon the project satisfying school concurrency per this element.

h. Group quarters including residential type of facilities such as local jails, prisons, hospitals, bed and breakfasts, colleges, motels, hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms and religious non-youth facilities.

i. Two-lot split of an exempted parcel in compliance with all other land development regulations. For purposes of this section, a property owner may not divide his property into several developments in order to claim exemption as allowed by this section. In making a determination as to whether a property is exempt under this section, a local government shall consider in addition to the ownership and parcel configuration at the time of the application the ownership as of the date of the adoption of this agreement.

4B. Level of Service and Long Range Planning

a. To ensure that the capacity of schools is sufficient to support student growth the LOS standard of 100% of FISH capacity will be in effect for all schools.

4.B.1 Pursuant to Section 163.3180(6)(c)), F.S., the level of service (LOS) standards set forth herein shall be applied consistently in Polk County and non-exempt Cities for purposes of implementing school concurrency, including determining whether sufficient school capacity exists to accommodate a particular development proposal, and if the School Board's Five Year Work Plan includes a project within the financially feasible plan that would provide capacity for a development.

4.B.2 The LOS standards set forth herein shall be included in the capital improvements element of the County and non-exempt Cities' Comprehensive Plans and shall be applied consistently by the County, non-exempt Cities and the School Board district wide to all schools of the same type.

A. Magnet and School of Choice: One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.

B. Other: K-8, 6th grade centers, 9th grade centers, 6-12 are at one hundred percent (100%) of DOE FISH capacity

C. Special: Including alternative education or special programmatic facilities will be determined by the type and use of programs for each facility.

D. Conversion Charter Schools: The capacity is set during contract negotiations and the School Board has limited or no control over how many students the schools enroll. The School Board is unable to "rezone" students to a conversion charter to maximize utilization. The level of service for conversion charter schools shall be 100% of negotiated enrollment.

4.B.3 Long Range Planning is necessary to address school capacity in several of the established 9 Planning Areas over the next ten years. Schools which have been determined to be deficient will be evaluated and addressed in the School Board's financially feasible Five Year Work Plan and Long Range Plan.

4C. Concurrency Service Areas

4.C.1 School Concurrency Service Areas (CSAs) shall be coterminous with the Polk County School Concurrency Service Areas for the 3 levels, elementary, middle, and high. The "spot zones" shall be excluded from the adjacency test. These initial school boundaries are shown on Appendix J attached hereto and incorporated herein by this reference. Maps of the CSAs shall be included within the support documentation of legal documents as deemed appropriate.

4.C.2 Establishment and modification of CSA's shall take into account School Board policies to:

a. Minimize transportation costs,

b. Limit maximum student travel times,

c. Achieve socioeconomic, racial and cultural diversity objectives,

d. Recognize capacity commitments resulting from local governments' development approvals for the CSA, and

e. Recognize capacity commitments resulting from local governments' development approvals for contiguous CSAs.

f. Reformulate a school due to requirements of Federal No Child Left Behind directives. This may be done on short notice.

g. School Board Policy –in reference to School Concurrency.

4D. School Concurrency Service Areas and Re-zoning.

4.D.1 Once a public school site has been acquired and funding identified for construction the capacity for the **new** public school will be established in order for projected re-zoning of the Concurrency Service Areas to occur. The projected re-zoning will establish a Projected Total Membership (PTM) by assigning existing and anticipated students to the new public school facility and obligating capacity at that facility. Concurrency Service Areas will be adjusted with consideration for actual or anticipated student enrollment from existing, under construction and recently approved residential projects. An estimated remaining or available capacity will be determined during projected re-zoning for a new facility and only that capacity can be utilized to provide concurrency approval for a new development.

4.D.2 The completion of projected re-zoning will cause **existing** public schools to be classified as schools in transition. Existing public schools which have a utilization rate higher than 100% will be evaluated first during the projected rezoning. The school in transition assists with identifying the number of students that will be assigned to the new facility upon opening and the potential for relief from overcrowding of the existing facilities.

4.D.3 Available capacity may be created at existing public schools as part of a re-zoning effort. This capacity will only be created to address the need of a previously approved residential project(s) anticipated to impact the existing public school.

4E. Capacity Determinations and Proportionate Share Mitigation

4.E.1 Public school capacity determinations shall be made by the School Board as outlined in Section 4.F, Concurrency Review for Residential Developments, and issued through local government's concurrency approval process, prior to the local government's final development approval for residential projects (as defined by each local government's Land Development Regulations). The determination of whether adequate school capacity exists for a proposed development will be based on the LOS standards, CSAs, and other standards set forth in this Agreement and will include a review of the following:

a. Total school capacity by school level based upon the LOS standards set forth in Section 4.B,

b. Obligated capacity by school level including existing student enrollment and the portion of reserved capacity by school level projected to be developed within three years,

c. The portion of previously approved development projected to be developed within three years,

d. The estimated demand on schools by school level created by the proposed development,

e. If the CSA in which the proposed development is located has available school capacity, based on the formula in Appendix F.

f. If the CSA in which the proposed development is located does not have available school capacity, whether one or more contiguous (adjacent) CSA's have available adequate school capacity, based on School Board policies.

g. If more than one contiguous CSA has capacity, identify the contiguous CSA most likely to be available to provide capacity considering the **proximity and travel time** to the proposed development and the potential of re-zoning into a school within that area and assigning the demand from the proposed development to that CSA, and

h. Reviewing feasible restructuring of public school Concurrency Service Areas, and other district policies on capacity, to ensure that the impacts of the proposed development will not cause the LOS standard in the CSA within which it is located or any other CSA to exceed the LOS standards set forth in this Agreement.

4.E.2 Concurrency will be provided for a development for a time period not to exceed eighteen (18) months.

a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

b. If an applicant donates land for a school facility, then concurrency may be extended for a longer time period subject to approval by the local government and the School Board.

c. For mixed use or residential DRIs, school concurrency may be extended for up to5 years where the DRI has addressed all questions regarding school impacts and the Development Order includes conditions to address mitigation of any school impacts, as agreed to by the School Board including those defined in this Interlocal Agreement.

d. If a development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local

government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

4.E.3 In the event the LOS standards set forth in this Agreement will be exceeded by a proposed development (or developments), proportionate share mitigation measures may be considered. Mitigation measures will be considered by the School Board in concert with the local jurisdiction of authority over the proposed development. If it is determined a method of mitigation may be acceptable and can offset the impacts of a proposed development, the following procedure shall be used.

a. The applicant shall initiate in writing a mitigation negotiation period with the School Board within 90 days of an adverse concurrency determination for any or all school levels. The mitigation negotiation period shall be 90 days in length and the School Board may grant one (1) 90 day extension. The School Board shall consult with and consider the recommendation of the local jurisdiction in evaluating the merits of any time extension within 10 business days after the end of the first 90 day period.

b. During this negotiation period an acceptable form of mitigation shall be established pursuant to Section 163.3180(6)(h), F.S., and the County and/or non-exempt Cities' School Concurrency Ordinance.

c. Acceptable forms of mitigation may include:

i. The donation, construction, or funding of school facilities sufficient to offset the demand for public school facilities to be created by the proposed development; and

ii. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell excess capacity credits. Credits shall be tracked by the School Board and made available to affected local governments within 5 days of request.

iii. Contribution of land in conjunction with the provision of additional school concurrency,

iv. Provision of additional student stations through the donation of buildings for use as a primary or alternative learning facility as long as the building meets SREF standards; or

v. Provision of additional student stations through the renovation of existing buildings for use as learning facilities as long as the building meets SREF standards; or

vi. Construction of permanent student stations or core capacity as long as the building meets SREF standards; or

vii. Construction of a charter school designed in accordance with School Board and State Requirements for Educational Facilities standards,

providing permanent capacity to the Board's inventory of student stations. Use of a charter school for mitigation must include provisions for its continued existence, required attendance by students generated by the development, including but not limited to the transfer of ownership of the charter school property and buildings and/or operation of the school to the School Board.

d. The following standards apply to any mitigation accepted by the School Board:

    i. Proposed mitigation must be directed toward a permanent school capacity improvement identified in the School Board's financially feasible Five Year Work Plan,

    ii. Must satisfy the demand(s) created by the proposed development,

    iii. Relocatable classrooms are not an acceptable method of mitigation, and

    iv. Mitigation must be, at a minimum, proportionate to the demand for public school facilities to be created by actual development of the property.

e. The applicant's total proportionate share mitigation obligation to resolve a capacity deficiency shall be based on the following formula:

    i. By school level multiply the number of new student stations required to serve the new development by the average cost per student station at that level as defined by the Florida Department of Education, Office of Educational Facilities (FDOE/OEF).

    ii. The average cost per student station shall include both on-site and off-site school facility development costs and land costs.

    iii. Cost of living multipliers shall be applied to the average cost per student station to offset increasing material, labor and land costs.

    iv. In the event that actual cost has exceeded DOE averages and the cost of living multipliers and evidence can be provided of the true cost, an adjusted actual cost can be utilized for the purposes of mitigation negotiations.

    v. Pursuant to Section 163.3180(6)(h)2.b, F.S., the applicant's proportionate share mitigation obligation will be credited toward the school or relevant impact fee imposed by local ordinance for the level or levels of schools, on a dollar-for-dollar basis, at fair market value, after calculation and deduction as relates to the project's absorption of the new capacity created.

f. For mitigation options provided by the developer, other than by payment of money, the costs associated with the identified mitigation shall be based on the estimated cost of the improvement on the date that the improvement is programmed for construction. Future costs will be calculated using estimated values at the time the mitigation is anticipated to commence.

1. The cost of the mitigation required by the developer shall be credited toward the payment of the school impact fee.

2. If the developer's required mitigation cost is greater than the school impact fees for the development, the difference between the developer's mitigation costs and the impact fee credit is the responsibility of the developer.

g. If within 90 days of the initiation of the mitigation negotiation period as defined in Section 4.E.3. the applicant and the School Board reach a mutually acceptable form of mitigation, then a legally binding mitigation agreement shall be executed by the School Board, the County or City, and the applicant, which sets forth the terms of the mitigation, including such issues as the amount, nature, and timing of donations, construction, or funding to be provided by the developer, and any other matters necessary to effectuate mitigation in accordance with this Agreement. The mitigation agreement shall specify the amount and timing of any impact fee credits or reimbursements that will be provided by the School Board or on the School Board's behalf as required by state law. The 90 day period may not include the time needed for noticing and holding official proceedings required to adopt the mitigation agreement but the agreement shall be substantially completed, tentatively approved by legal counsel and scheduled for hearings within this period.

h. If, after 90 days, the applicant and the School Board have not reached an agreement on an acceptable form of mitigation, and if no time extension is granted within 10 business days, the School Board will notify the County or non-exempt City in writing of the lack of school concurrency and the County or non-exempt City shall not issue a final development approval for the proposed development.

4.E.4 Methods for maximizing capacity of educational facilities shall be considered as part of the annual update to the Five Year Work Plan as discussed in Section 3.

4.E.5 Following the ninety (90) day negotiating period, a proportionate share mitigation applicant who is substantially affected by a School Board's adequate capacity determination made as part of the School Concurrency Process may appeal such determination through the process provided in Chapter 120, F.S. This shall constitute final agency action by the School Board for purposes of satisfying Chapter 120, F.S.

4.E.6 An applicant substantially affected by a local government decision made as part of the School Concurrency Process may appeal such a decision using the process identified in the local government's regulations for appeal of development orders. This shall not apply to any decision subject to the previous paragraph 4.E.5.

4F. Concurrency Review for Residential Developments

4.F.1 The superintendent or their designee will provide initial comments to the County and any City's Development Review Committee when development and redevelopment proposals are submitted which could have a significant impact on student enrollment or school facilities. Agendas and information packets for residential proposals will be provided to this person in the same manner as other Development Review Committee members.

4.F.2 If a project advances through the Development Review Committee,detailed School Board comments shall be prepared by the School Board staff for the local government to include within the municipality of jurisdiction's staff report to the LPA. Refer to Appendix "C" Information Request Process.

4.F.3 The County and the Cities agree to give the School Board notification of hearings for comprehensive plan amendments, zoning changes, and development proposals pending before them that may affect student enrollment, enrollment projections, or school facilities. Such notice will be provided pursuant to local notice procedures (see typical in Appendix "B"). This notice requirement applies to amendments to the comprehensive plan, re-zonings, developments of regional impact, and other residential or mixed-use development projects.

4.F.4 Pursuant to Section 163.3174 (1) Florida Statutes, each municipality and County shall include a representative of the school district appointed by the School Board as a nonvoting member of the local planning agency or equivalent agency to attend those meetings at which the agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. However, nothing prevents the governing body of the local government from granting voting status to the School Board member.

4.F.5 Based on the Department of Education FISH capacity; if sufficient capacity is not available or planned to serve the development at the time of impact, the School Board shall specify how, if financially feasible, it proposes to meet the anticipated student enrollment demand; alternatively, the School Board may enter into mitigation negotiations and reach an agreement as outlined in Section 4.E with a developer to mitigate the impact of the development. Section 4.F outlines the process for review for concurrency.

4.F.6 In reviewing and approving all comprehensive plan amendments and development proposals, the County and Cities will consider the following issues, as applicable:

a. Providing school sites and facilities within planned neighborhoods.

b. Ensuring the compatibility of land uses adjacent to existing schools and reserved school sites.

c. The co-location of parks, recreation and community facilities in conjunction with school sites. Refer to Appendix "D", Process for Consideration of Co-location and Joint Use Facilities.

d. The linkage of schools, parks, libraries, and other public facilities with bikeways, trails, and sidewalks.

e. Targeting community redevelopment improvements in distressed neighborhoods near schools.

f. Ensuring the development of traffic circulation plans to serve schools and the surrounding neighborhood, including any needed access improvements, sidewalks to schools, off-site signalization or safety-related signage.

g. Consider the location of school bus stops and turnarounds in new developments.

h. The County, City, and School Board will strongly encourage the private sector to identify and implement creative solutions to developing adequate school facilities in residential developments. This could include private sector cooperative development efforts in which two (2) or more developers/landowners share the burden of providing adequate infrastructure, land, financing, or other tools which allow for educational facilities in addition to other public uses or services. Refer to Section 3.B, Co-location and Shared Use and Appendix "D".

i. The County, City, and School Board will identify and encourage developers or property owners to provide incentives including, but not limited to, donation of site(s), negotiated site(s), reservation or sale of school sites at pre-development prices, construction of new facilities or renovation to existing facilities, and providing transportation alternatives.

j. School Board comments on comprehensive plan amendments and other land-use decisions.

k. Available school capacity or planned improvements to increase school capacity.

4.F.7 The County and non-exempt Cities will approve residential subdivision site plans and final plats, only after the applicant has complied with the terms of the County or non-exempt Cities' adopted School Concurrency Ordinance.

a. The School Board may provide to County and non-exempt Cities a non-binding concurrency determination for School Concurrency earlier in the approval process, if requested by the applicant, but this determination is subject to change during final development plan review when an official, binding concurrency determination is required.

b. Upon the receipt of a complete application for a Binding School Concurrency Determination, the Developer, County or non-exempt Cities (submission process to be determined by the affected jurisdiction) will transmit the application to the School Board for a determination of whether there is adequate school capacity, for each level of school i.e. elementary, middle, and high, to accommodate the proposed development, based on the Level of Service (LOS) standards, Concurrency Service Areas (CSAs), and other standards set forth herein and in the land development regulations.

c. Within thirty (30) days of the initial transmittal from the County or non-exempt Cities, the School Board will review an application for a binding School Concurrency Determination and, based on the standards set forth in Section 4 of this agreement, report in writing to the County:

i. whether adequate school capacity exists for each level of school, based on the standards set forth in this Agreement; or

ii. if adequate capacity does not exist, whether appropriate mitigation can be accepted, and if so, acceptable options for mitigation, consistent with this Agreement.

d. If the School Board determines that adequate capacity will not be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval and mitigation is not an acceptable alternative, the local government will not issue final concurrency or final approval for the development.

e. If the School Board determines that adequate capacity does not exist but that mitigation is an acceptable alternative, the development application will remain active pending the conclusion of the mitigation negotiation period

f. The County and non-exempt Cities shall issue a Certificate of School Concurrency only upon:

i. the School Board's written determination that adequate school capacity will be in place or under actual construction within 3 years after the issuance of final subdivision or site plan approval for each level of school without mitigation; or

ii. the execution of a legally binding mitigation agreement between the applicant and the School Board and the local government, as provided by this Agreement.

4.F.8 If a proposed development does not meet school concurrency requirements and is not issued a Certificate of School Concurrency, then the School Board will place this development into a queue of pending projects for a period of eighteen (18) months. If conditions change such that adequate capacity becomes available to serve a pending project, then the applicant will be issued a determination of adequate school capacity.

POLK COUNTY
PUBLIC SCHOOLS

BOARD MEMBERS

Lori Cunningham
Board Chair
District 2

Billy Townsend
District 1

Sarah Fortney
District 3

Sara Beth Reynolds
District 4

Kay Fields
District 5

Lynn Wilson
District 6

Lisa Miller
District 7

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Jacqueline M. Byrd
Superintendent

December 02, 2020

Center State Development LLC
Attn: Harold Baxter
4900 Dundee Road
Winter Haven, FL 33884
(863) 280-6921

PCPS # 2020-120207

Dear Mr. Baxter:

This letter is in response to your request for a **binding school concurrency determination** for the proposed **Windmeadows South,** parcel number(s) **242926-289500-000040**
Please see the table below for concurrency analysis.

Elementary School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard Holland Elem (Zoned)	744	900	84	835 SF	174	Yes
Highland City Elem (Adjacent)	433	552	53		18	Yes

Middle School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow Middle (Zoned)	1062	1307	75	835 SF	73	Yes

High School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow Senior (Zoned)	2216	3113	99	835 SF	120	Yes

Currently there is available capacity between the **zoned** and adjacent elementary, middle, and high schools. **Therefore, this letter is a finding of adequate capacity to serve the proposed development.**

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from Polk County Land Development. At the time that the Polk County DRC grants concurrency **(approved Level 2),** the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

STUDENTS FIRST

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.
4.3.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.
After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination.
Please call Toby Tiller at 863-534-0620 ext. 490 if you need any further assistance.

Sincerely,

Toby Tiller / Senior Coordinator

cc: : Chandra Frederick, Assistant County Manager, Planning & Development – Polk County BoCC
John Bohde, Land Development Director – Polk County BoCC
Erik Peterson, Principal Planner, Land Development Division – Polk County BoCC
Sue Chiodo, Utilities Development Specialist – Polk County Utilities Division

POLK COUNTY
PUBLIC SCHOOLS
STUDENTS FIRST

Toby Tiller | Senior Coordinator
Planning & Concurrency | Polk County Public Schools
1915 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x490 / toby.tiller@polkschoolsfl.com

"I have not failed. I've just found 10,000 ways that won't work. Our greatest weakness lies in giving up. The most certain way to succeed is always to try just one more time."(Thomas Edison)

POLK COUNTY
PUBLIC SCHOOLS

BOARD MEMBERS

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Board Chairman
District 4

Lisa Miller
Board Vice-Chairman
District 7

William Allen
District 1

Lori Cunningham
District 2

Sarah Fortney
District 3

Kay Fields
District 5

Lynn Wilson
District 6

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

PCSB #2022-011402

01/14/22

Clayton Properties Group
Attn: D. Joel Adams
3020 S. Florida Ave Suite 101
Lakeland, FL 33812
863.619.7103

Mr. Adams:

This letter is in response to your application request for a **binding school capacity determination** for the proposed Touchstone subdivision; parcel number(s) 242923-288000-003900, 242923-288000-004001, 242923-288000-004100, 242923-288000-004200, 242923-288000-005500, 242923-288000-005700, 242923-288000-0005801, 242926-289500-000072, 242923-000000-042020, 242926-000000-031030, 242923-000000-024050, and 242923-000000-024030.

Currently, there is available capacity at the **zoned** middle, and high schools. There is not sufficient capacity at the zoned elementary school; however, there is available capacity within the adjacent elementary schools. **Therefore, this letter is a finding of adequate capacity to serve the proposed development.**

Please see the table below for concurrency analysis:

SCHOOL	CURRENT ENROLLMENT	CONCURRENCY CAPACITY	RESERVED CAPACITY	HOUSING UNITS	STUDENTS GENERATED BY PROJECT	CAPACITY AVAILABLE?
Spessard Holland Elementary (zoned)	730	900	85	562 SF	117	Yes, partial
James E. Stephen Elementary (adjacent)	338	584	0	562 SF	117	Yes, partial
Bartow Middle School (zoned)	1,172	1,329	86	562 SF	49	Yes
Bartow Senior High School (zoned)	2,094	3,165	106	562 SF	82	Yes

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from Polk County Land Development. At the time that the Polk County grants concurrency **(Level 2)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.
4.3.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination.
Please call Joshua McLemore at 863-534-0620 ext. 489 if you need any further assistance.

Sincerely,

Joshua McLemore

POLK COUNTY PUBLIC SCHOOLS
STUDENTS FIRST

Joshua McLemore | Senior Coordinator
Planning & Concurrency | Polk County Public Schools
1915 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x489 | Joshua.mclemore@polk-fl.net

cc: John Bohde, Land Development Director - Polk County BoCC

ORIGINAL DOCUMENT PRINTED ON CHEMICAL REACTIVE PAPER WITH MICROPRINTED BORDER

CLAYTON PROPERTIES GROUP, INC.
dba HIGHLAND HOMES
3020 S. FLORIDA AVE. SUITE 101
LAKELAND, FL 33803

BANK OF CENTRAL FLORIDA
101 S. FLORIDA AVENUE
LAKELAND, FL 33801
63-1626/631

42201

PAY Six Hundred Dollars and 00/100.

To the order of Polk County School Board

DATE	**AMOUNT**
DEC 16, 2021	$**********600.00

VOID AFTER 180 DAYS

Polk County School Board

THIS DOCUMENT CONTAINS HEAT SENSITIVE INK - TOUCH OR PRESS HERE - RED IMAGE DISAPPEARS WITH HEAT

⑈42201⑈ ⑆063116261⑆ 15000226224⑈

CLAYTON PROPERTIES GROUP, INC. **42201**

Invoice #	Date	Description	Amount	Discount	Net Due
FEES-12/15/21	12/16/21	Touchstone-School Concurrency	600.00		600.00

FORM 1 A 27

OFFICIAL RECEIPT

(FOR MONEY RECEIVED)

DATE 1/24/2022

NO. 57807 Facilities SCHOOL

RECEIVED FROM Joshua M. / Hunt Club Grove Co. — $

(NAME OR ORGANIZATION) FOR DIRECT COLLECTION INDICATE

FOR Binding Sch. cap. / Fire LK Water CASH OR CHECK # 1011

FOR DEPOSIT IN General FUND (S)

HMC# OR SIGNATURE

J. Kohen
SIGNATURE

WHITE COPY - PAYEE BLUE COPY - COUNTY OFFICE PINK COPY - SCHOOL OFFICE

POLK COUNTY
PUBLIC SCHOOLS

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Lynn Wilson
District 6

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

PCSB #2022-052402

05/24/2022

ECON
Attn: Valerie Wheatley
6700 South Florida Avenue, Suite #4
Lakeland, FL 33813
863.210.9749
Email: vwheatley@econsouth.com

Ms. Wheatley,

This letter is in response to your application request for a **binding school capacity determination** for the proposed Crew Lake Haven/Place subdivision located on, parcel number 242923-000000-023040.

Currently, there is sufficient capacity at the **zoned** middle, and high schools. There is insufficient capacity at the zoned elementary school; however, between the available capacity at the zoned elementary and the capacity at an adjacent elementary school there is adequate capacity to fully support this development. Therefore, this letter serves as **a finding of adequate capacity** to serve the proposed development.

Please see the table below for concurrency analysis:

Elementary School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard L Holland zoned)	730	900	14 SF	3	Yes

Middle School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (zoned)	1,172	1,329	14 SF	1	Yes

Senior High School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (zoned)	2,094	3,165	14 SF	2	Yes

STUDENTS FIRST

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from Polk County Land Development. At the time that Polk County grants concurrency **(approved Level 2)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

4.3.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination.

Please call Joshua McLemore at 863-534-0620 ext. 489 if you need any further assistance.

Sincerely,

Joshua R McLemore

POLK COUNTY
PUBLIC SCHOOLS
STUDENTS FIRST

Joshua McLemore | Senior Coordinator
Planning & Concurrency | Polk County Public Schools
1915 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x489 | Joshua.mclemore@polk-fl.net

cc: John Bohde, Director of Planning & Development- Polk County BoCC
Benjamin Ziskal, Director of Land Development - Polk County BoCC
Erik Peterson, Planning Administrator- Polk County BoCC

POLK COUNTY
PUBLIC SCHOOLS

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Lynn Wilson
District 6

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

05/25/2022

PCSB #2022-052503

KB Home Orlando
Attn: Steve McConn
9102 Southpark Center Loop, Suite #100
Orlando, FL 32819
407.587.3509
Email: smcconn@kbhome.com

Mr. McConn,

This letter is in response to your application request for a **binding school capacity determination** for the proposed Hancock Crossing Subdivision located on, parcel numbers 242924-0000000-014010, and242924-885000-000041.

Currently, there is sufficient capacity at the **zoned** elementary, middle, and high schools. Therefore, this letter serves **as a finding of adequate capacity** to serve the proposed development.

Please see the table below for concurrency analysis:

Elementary School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard Holland (zoned)	730	900	92 SF	19	Yes

Elementary School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (zoned)	1,172	1,329	92 SF	8	Yes

Senior High School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (zoned)	2,094	3,165	92 SF	13	Yes

STUDENTS FIRST

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from Polk County Land Development. At the time that Polk County grants concurrency **(approved Level 2)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

4.3.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination

Please call Joshua McLemore at 863-534-0620 ext. 489 if you need any further assistance.

Sincerely,

Joshua R. McLemore

POLK COUNTY
PUBLIC SCHOOLS
STUDENTS FIRST

Joshua McLemore | Senior Coordinator
Planning & Concurrency | Polk County Public Schools
1915 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x489 | Joshua.mclemore@polk-fl.net

cc: John Bohde, Director of Planning & Development- Polk County BoCC
Benjamin Ziskal, Director of Land Development - Polk County BoCC
Erik Peterson, Planning Administrator- Polk County BoCC

POLK COUNTY
PUBLIC SCHOOLS

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Lynn Wilson
District 6

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

October 17, 2022

PCSB #: 2022-101702

Gadd & Associates LLC
Attn: Rodney A. Gadd, P.E.
4685 E. County Road 540A
Lakeland, FL 33813
863.940.9979
Email: projects@gaddcivil.com

Dear Mr. Gadd:

This letter is in response to your request for a **binding school concurrency determination** for the proposed 288 multi-family unit **Retreat at Stuart Crossing**, located on parcel number 252929-000000-042010.

Currently there is available capacity between the zoned and adjacent elementary, middle, and high schools. Therefore, this letter is a finding of adequate capacity to serve the proposed development.

Please see the table below for concurrency analysis.

Elementary School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard L Holland (Zoned)	730	900	288 MF	56	Yes
Floral Avenue (Adjacent)	583	771	288 MF	56	Yes

Middle School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	1,172	1,329	288 MF	14	Yes
Lakeland Highlands (Adjacent)	1,172	1,337	288 MF	14	Yes

STUDENTS FIRST

High School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow Senior (Zoned)	2,094	3,165	288 MF	20	Yes
George Jenkins Senior (Adjacent)	2,299	2,672	288 MF	20	Yes

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from the City of Bartow. At the time that the City of Bartow Planning Commission grants concurrency **(approved platting)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

4.3.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination.

Please call Joshua McLemore at 863-534-0620 ext. 489 if you need any further assistance.

Sincerely,

Joshua R McLemore

POLK COUNTY PUBLIC SCHOOLS
STUDENTS FIRST

Joshua McLemore | Senior Coordinator
Facilities & Operations | Polk County Public Schools
1909 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x489 / joshua.mclemore@polk-fl.net

c: Bob Wiegers, AICP, CPM, Planning Director – City of Bartow

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Lynn Wilson
District 6

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

October 25, 2022 PCSB #: 2022-102501

Meritage Homes
Attn: Tyler Vansant
10117 Princess Palm Ave, Suite 550
Tampa, FL 33610
813.386.8777
Email: tyler.vanvant@meritagehomes.com,
chris.torres@meritagehomes.com

Dear Mr. Vansant:

This letter is in response to your request for a **binding school concurrency determination** for the proposed Stuart Crossing subdivision, on parcel number 252929-000000-042000, 252932-000000-013010, 252932-000000-014030, 252931-000000-011010 and 252932-000000-044190.

Currently there is available capacity at the **zoned** elementary, middle, and high schools. Therefore, this letter serves as a finding of adequate capacity to support this project.

Elementary School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard Holland (Zoned)	730	900	591 SF	123	Yes

Middle School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	1,172	1,329	591 SF	51	Yes

High School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow Senior High (Zoned)	2,094	3,165	591 SF	85	Yes

The School Board of Polk County has encumbered the available capacity pending

the certificate of concurrency from the City of Bartow. At the time that the City of Bartow Planning Commission grants concurrency **(approved platting)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

4.3.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination.

Please call Joshua McLemore at 863-534-0620 ext. 489 if you need any further assistance.

Sincerely,

Joshua R McLemore

POLK COUNTY
PUBLIC SCHOOLS
STUDENTS FIRST

Joshua McLemore | Senior Coordinator
Facilities & Operations | Polk County Public Schools
1909 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x489 / joshua.mclemore@polk-fl.net

c: Bob Wiegers, AICP, CPM, Planning Director - City of Bartow

POLK COUNTY
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Lynn Wilson
District 6

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

05/25/2022

PCSB #: 2022-052505

ECON
Attn: Valerie Wheatley
6700 South Florida Ave, Suite #4
Lakeland, FL 33813
(863) 940-2040
Email: vwheatley@econsouth.com

Dear Ms. Wheatley:

This letter is in response to your request for a **binding school concurrency determination** for the proposed **Thompson Preserve subdivision**, on parcel number 252932-000000-021020.

Currently there is available capacity at the **zoned** elementary, middle and high schools. Therefore, this letter **is a finding of adequate capacity** to serve the proposed development.

Please see the table below for concurrency analysis.

Elementary School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard L Holland (Zoned)	730	900	77 SF	16	Yes

Middle School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	1,172	1,329	77 SF	7	Yes

High School	Current Enrollment	Concurrency Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	2,094	3,165	77 SF	11	Yes

STUDENTS FIRST

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from the City of Bartow. At the time that the City of Bartow Planning Commission grants concurrency **(approved platting)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

4.3.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination.

Please call Joshua McLemore at 863-534-0620 ext. 489 if you need any further assistance.

Sincerely,

Joshua R McLemore

POLK COUNTY
PUBLIC SCHOOLS
STUDENTS FIRST

Joshua McLemore | Senior Coordinator
Facilities & Operations | Polk County Public Schools
1909 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x489 / joshua.mclemore@polk-fl.net

c: Bob Wiegers, AICP, CPM, Planning Director – City of Bartow

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Lisa Miller
District 7

C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

November 28, 2023

PCSB #: 2023-112802

Austin Evans
Chad Booker, PE
632 E Main St
Lakeland, FL 33803
863.397.1626
cbooker@traditions-eng.com

Dear Mr. Booker:

This letter is in response to your request for a **binding school concurrency determination** for the proposed **James Farms**, on parcel numbers 242936-000000-031010, 242936-000000-031020 and 242936-000000-014030. Currently there is available capacity at the **zoned** elementary, middle, and high schools. **Therefore, this letter is a finding of adequate capacity to serve the proposed development.**

Please see the table below for concurrency analysis.

Elementary School	Current Enrollment	Concurrency Capacity	Committed Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard Holland (Zoned)	768	900	101	150 SF	31	Yes (+31)

Middle School	Current Enrollment	Concurrency Capacity	Committed Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	999	1,329	95	150 SF	13	Yes (+235)

High School	Current Enrollment	Concurrency Capacity	Committed Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	2,242	3,494	244	150 SF	22	Yes (+1,008)

STUDENTS FIRST

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from the City of Bartow. At the time that the City of Bartow Planning Commission grants concurrency **(approved platting)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

4.E.2a. The development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month time period for the reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

4.E.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination.

Please call Dulce Rodriguez at 863-534-0620 ext. 883 if you need any further assistance.

Sincerely,

DRdz

POLK COUNTY PUBLIC SCHOOLS
STUDENTS FIRST

Dulce Rodriguez | Senior Coordinator
Facilities Planning & Operations | Polk County Public Schools
1909 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x883 / Dulce.Rodriguez@polk-fl.net

c: Bob Wiegers, AICP, CPM, Planning Director – City of Bartow bwiegers.planning@cityofbartow.net

POLK COUNTY
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C. Wesley Bridges, II
General Counsel

ADMINISTRATION

Frederick R. Heid
Superintendent

April 15, 2024

PCSB: 2024-041503

Heritage Investments/Austin Evans
Attn: Chad Brooker, P.E.
35 Don Polston Drive, Suite 115
Eagle Lake, FL 33839
(863) 397-1626
Email:cbrooker@traditions-eng.com

Dear Mr. Brooker:

This letter is in response to your request for a **binding school concurrency determination** for the proposed **Thompson Preserve Phases 2** project located on parcel number 252932-000000-021020. Currently there is available capacity at the **zoned** elementary, middle and high school. **Therefore, this letter is a finding of adequate capacity to serve the proposed development.** Please see the table below for concurrency analysis.

Elementary School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Spessard Holland (Zoned)	768	900	102	21 SF	5	Yes (+30)

Middle School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	976	1,210	93	21SF	2	Yes (+141)

High School	Current Enrollment	Concurrency Capacity	Reserved Capacity	Housing Units	Students Generated by Project	Capacity Available
Bartow (Zoned)	2,242	3,494	200	21 SF	4	Yes (+1,052)

The School Board of Polk County has encumbered the available capacity **pending** the certificate of concurrency from the City of Bartow.

Prior to the city of Bartow's issuance of a final development order **(approved platting)**, the seats will be reserved for a period of 18 months in accordance with Section 4.E.2 (a & d) below of the adopted Interlocal Agreement for Public School Facilities Planning.

STUDENTS FIRST

Once the final development order has been issued by the city, the development must have proceeded to the horizontal construction phase prior to the end of the eighteen (18) month period for reserved capacities and the agreement to remain valid. At a minimum, this construction shall include rough lot grading consistent with an approved Water Management District Stormwater Permit. The construction phase shall exclude model homes.

4.E.2d. If the development does not proceed to construction with the specified period and school concurrency lapses, then the applicant may request the affected local government to issue a renewed certificate of school concurrency. As part of this request, the applicant must confirm that relevant project information remains the same as previously submitted or provide updated project details. The local government will renew the certificate of school concurrency if the School Board determines that there continues to be adequate school capacity to serve the proposed development subject to the provisions of 4.E.1.

After the eighteen (18) month period, if the governing municipality withdraws, terminates, or suspends the concurrency, then the applicant must reapply for school capacity determination. Please call the facilities planning and real estate department at 863-534-0620 ext. 581 or email at planning@polk-fl.net if you need any further assistance.

Sincerely,

DRd2

POLK COUNTY
PUBLIC SCHOOLS
STUDENTS FIRST

Dulce Rodriguez | Senior Coordinator
Facilities Planning & Real Estate Department | Polk County Public Schools
1909 South Floral Avenue, Bartow, FL 33830
T: (863)-534-0620 x883 / dulce.rodriguez@polk-fl.net

c: Bob Wiegers, AICP, CPM, Planning Director – City of Bartow bwiegers.planning@cityofbartow.net

2

Yannone, Lyndsay

From: Merle Bishop, FAICP <merlebishop64@gmail.com>
Sent: Monday, November 3, 2025 9:15 PM
To: Yannone, Lyndsay
Subject: [EXTERNAL]: Fwd: Objection to The Highlands Club proposal (11/5 hearing): Case# LDPD 2025-9
Attachments: LDPD-2025-9 The Highlands Club PD Case Overview.pdf

FYI

Merle H. Bishop, FAICP
1105 S. Floral Ave.
Bartow, FL 33830
merlebishop64@gmail.com
(863) 271-0768

---------- Forwarded message ---------
From: **Alexia Pearl** <j1shaw43@hotmail.com>
Date: Mon, Nov 3, 2025 at 9:14 PM
Subject: Objection to The Highlands Club proposal (11/5 hearing): Case# LDPD 2025-9
To: angelsimsfl@gmail.com <angelsimsfl@gmail.com>, rrbeltran72@gmail.com <rrbeltran72@gmail.com>, rbeltran@dewberry.com <rbeltran@dewberry.com>, cyndipcpc@gmail.com <cyndipcpc@gmail.com>, merlebishop64@gmail.com <merlebishop64@gmail.com>, olecowpoke@gmail.com <olecowpoke@gmail.com>, mike@hickmanhomes.net <mike@hickmanhomes.net>, brookeagninipz@gmail.com <brookeagninipz@gmail.com>, abass@island-grove.com <abass@island-grove.com>, kevinmupdike@gmail.com <kevinmupdike@gmail.com>, lmschultz21@gmail.com <lmschultz21@gmail.com>, Steven.Thomas@us.af.mil <Steven.Thomas@us.af.mil>, charles.maclaughlin.1@us.af.mil <charles.maclaughlin.1@us.af.mil>, BeckyTroutman@polk-county.net <BeckyTroutman@polk-county.net>
CC: SixFoot7Dad <coreyjedmundson@gmail.com>

Good evening:

I write to share my extreme concern and strong opposition to the proposed planned development of "The Highlands Club" associated with the above case number and ID#134.

This mega-development would allow a developer to build over 740 single-family houses along South Lakeland's Crews Lake Drive, a quiet country road in an unincorporated area of Lakeland full of horse farms, small single-entrance gated communities, and homes on large multi-acre lots. My neighbors and I oppose this project for the following reasons:

1. Proposed plans show that most of these lots would be just 50 feet wide. This lot size is incongruent with not only the surrounding area, but also the site's current land use designation of RL-1, which requires ***low***

density housing with large lots, a ***minimum of 40,000*** square feet each. This designation is there for a reason and defines the character of this area. Current residents like us chose to live in this area because of this designation! This area is not "urban" in any way. We strongly oppose changing current zoning to accommodate this unwanted new development.

2. The mega-development's *three* separate entrances/exits would drastically increase traffic congestion along a portion of Crews Lake Drive that is extremely narrow and curvy with a speed limit of just 20mph. Construction of the project would mean **thousands** of cars entering and exiting from three different points along a very narrow and already dangerously twisty road. The drastic increase in traffic would be hazardous to existing residents, the neighborhood's many children who have bus stops all along our street, and to the area's many pedestrians and cyclists. Such a huge development would also lead to a permanent loss of increasingly rare and valuable green infrastructure in Lakeland in the form of pasture and open space that has long characterized Crews Lake Drive.

3. One of the entrances is located directly across from the gate to Walkers Glen, my neighborhood, which is comprised of just 19 homes on large lots. Our gate is the sole entrance and exit to our community. The location of the mega-development's entrance/exit so close to ours would create dangerous traffic conditions and severe congestion. We cannot imagine trying to turn right or left onto Crews Lake Drive when thousands of people and thousands of vehicles move into this area and this giant entrance and exit is placed right in front of us, with unmitigated traffic to and from two more entrances/exits whipping around the corner at us.

4. The project would introduce excessive and harmful light and noise pollution to the surrounding area. The scale and type of this development, which involves packing in houses on small lots right up to the lot lines in every direction, is totally out of place in the proposed location on Crews Lake Drive and would permanently ruin the character of our neighborhood as well as the entire street. The construction alone would significantly impact the quality of life for all residents in this area.

5. Current infrastructure and resources in this area do not support the explosive growth associated with this project. Introducing thousands of people to this small and already-busy area would severely strain existing resources and retail outlets. Local schools cannot handle the population increase from this development.

I strongly urge you to oppose this project in its entirety. At the very least, please require a comprehensive traffic study and environmental impact study before it proceeds any further, require the existing low-density zoning of RL-1 to be maintained so that the size of this harmful project is drastically reduced, and relocate or eliminate the entrance/exit to this mega-development across from Walkers Glen.

Jessica Shaw
Corey Edmundson
Walkers Glen residents

3

Yannone, Lyndsay

From: Linda Schultz <lmschultz21@gmail.com>
Sent: Monday, November 3, 2025 12:42 PM
To: Yannone, Lyndsay
Subject: [EXTERNAL]: Fwd: Proposed Development for LDPD-2025-9

---------- Forwarded message ---------
From: **Brenda Al-Mutawa** <brendadalmutawa@gmail.com>
Date: Mon, Nov 3, 2025, 12:40 PM
Subject: Proposed Development for LDPD-2025-9
To: <lmschultz21@gmail.com>

Hi Ms Schultz,

I hope you're well. I am writing to escalate an issue regarding Case # LDPD-2025-9. This proposed development is adjacent to our neighborhood which consists of 10 homes on 1.5 - 2 acre lots in the Crews Lake area.

Our community has been overwhelmed by housing developments happening all around us. These smaller homes on very small lots are not compatible with our community.

I plan to be at the Planning Committee meeting on Nov., 5th and am hoping you will be open to hearing our thoughts on this matter.

Thank you,

Brenda Al-Mutawa

4

Yannone, Lyndsay

From: Merle Bishop, FAICP <merlebishop64@gmail.com>
Sent: Friday, October 24, 2025 1:34 PM
To: Yannone, Lyndsay
Subject: [EXTERNAL]: Fwd: Subject: Opposition to "Highlands Club" as Incompatible with Established 1-Acre Pattern

FYI

---------- Forwarded message ---------
From: **Nicole Pleasants Lane** <nicolepleasantslane@yahoo.com>
Date: Thu, Oct 23, 2025 at 4:58 PM
Subject: Subject: Opposition to "Highlands Club" as Incompatible with Established 1-Acre Pattern
To: merlebishop64@gmail.com <merlebishop64@gmail.com>

October 23, 2025

Dear Commissioners,

I am a resident of Crews Wood Lane. I respectfully request that you **deny** the proposed high-density *Highlands Club* development off Crews Lake Drive because it is incompatible with the established lot pattern and character of the surrounding area, including Crews Wood Lane, Walker's Glen, and the large-lot homes along Crews Lake Drive.

Compatibility with the Existing 1-Acre Pattern
Crews Wood Lane and the Walker's Glen neighborhood are characterized by single-family homes on lots of approximately one acre and wide frontages. This pattern creates a low-intensity streetscape and generous green space valued by the community. According to the applicant's materials, roughly **9.2%** of the ±**280-acre** project would consist of ~**0.67-acre** lots, while the **vast majority** would be ~**0.14-acre** lots (with the original landowners retaining larger lots for their own homes). This design does not adequately **match** or **transition** to the established 1-acre-plus pattern along Crews Wood Lane, Crews Lake Drive, and within Walker's Glen—particularly in lot size and frontage width.

Urban Growth Land Use has already been substantially addressed in our area through Wind Meadows South and Touchstone. Our community would be better served by a more **balanced** and **context-sensitive** development pattern. At a minimum, I request the following conditions if the application is not denied:

- **One-acre** lots along the **shared boundary** with Crews Wood Lane.
- **One-acre perimeter** lots along Crews Lake Drive, **across from Walker's Glen and other large-lot single-family homes**.

- A **graduated mix** of lot sizes (e.g., 1.00-acre, 0.50-acre, and 0.25-acre), with the smallest lots clustered in the interior of the subdivision and buffered from existing neighborhoods.

My property at 6704 Crews Wood Lane is 1.24 acres and would back up to the proposed development. Given the mismatch in lot sizes and frontages, the submitted project materially alters the area's established character and will strain the existing communities' lifestyle

For these reasons, I respectfully request that the Commission deny the Highlands Club proposal as submitted. If the item is continued rather than denied, please require a revised plan that:

- Offers a **balanced design** of 1.00-acre, 0.50-acre, and 0.25-acre lots, with the smallest lots clustered in the center of the subdivision and appropriate buffering along the perimeter.

Thank you for your consideration and for your service to our community.

Sincerely,
Nicole Lane
6704 Crews Wood Lane
Lakeland, FL 33813

678-642-7160

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Merle H. Bishop, FAICP
1105 S. Floral Ave.
Bartow, FL 33830
merlebishop64@gmail.com
(863) 271-0768

5

Yannone, Lyndsay

From: Merle Bishop, FAICP <merlebishop64@gmail.com>
Sent: Thursday, October 23, 2025 4:37 PM
To: Yannone, Lyndsay
Subject: [EXTERNAL]: Fwd: Proposed Highland Club Development - Crews Lake Rd, Lakeland

FYI - I suspect all commission members received this message, which I believe is in reference to Case #LDPD-2025-9. I also suspect there will be more to come.
Merle

---------- Forwarded message ---------
From: **Bill Dorman** <bdorman264@gmail.com>
Date: Thu, Oct 23, 2025 at 4:07 PM
Subject: Proposed Highland Club Development - Crews Lake Rd, Lakeland
To:

My wife and I have lived across the street from this proposed development for 21 years.

There has already been 2 significant developments in this area on Crews Lake Dr and traffic is already becoming a nuisance. As proposed, Highland Club will be adding 747 new homes. This will make about 2,500 new homes within a very concentrated area. To me it's not even feasible to have this high of concentration in such a limited area. The infrastructure certainly can't accommodate it.

We are strongly opposed to approval of this development as it is being presented. We know growth is inevitable, but this is way over the top. These homes will not be compatible with existing neighborhoods in this large of a number.

We urge you to use common sense and not allow this to happen as presented.

Bill & Allyson Dorman

--
Merle H. Bishop, FAICP
1105 S. Floral Ave.
Bartow, FL 33830
merlebishop64@gmail.com
(863) 271-0768

Yannone, Lyndsay

From: Merle Bishop, FAICP <merlebishop64@gmail.com>
Sent: Monday, November 3, 2025 12:14 PM
To: Yannone, Lyndsay
Subject: [EXTERNAL]: Fwd: Case LDPD-2025-9

FYI

---------- Forwarded message ---------
From: **Joel Batts** <medsuppliers@yahoo.com>
Date: Mon, Nov 3, 2025 at 10:22 AM
Subject: Case LDPD-2025-9
To: Merlebishop64@gmail.com <Merlebishop64@gmail.com>

Dear Mr. Bishop:

We are writing to express our strong opposition to the proposed housing development of 747 homes currently under your review for the Crews Lake area. This project, planned across the street from existing rural residential properties, represents a dramatic and incompatible shift in land use that would permanently alter the character of our community.

Our area is defined by large-lot rural homes, open landscapes, and a quiet, low-density environment. The addition of hundreds of densely packed houses will bring significant increases in traffic, noise, and light pollution — all of which would diminish the rural character that long-time residents value and have invested in. Roads that were never designed to handle such volume will become unsafe and congested, especially for cyclists and pedestrians who now share these routes safely.

Beyond quality-of-life concerns, this project raises serious questions about infrastructure and environmental impact. The proposed development will strain water and sewer systems, create runoff and drainage issues, and threaten local wildlife habitats that rely on open space corridors. While we recognize the need for managed growth and affordable housing, such growth must occur in areas already zoned and equipped for higher density — not in the heart of a rural residential area that has tried to remain intentionally low-density.

We respectfully request that the Planning Commission deny approval of this development or require the developer to significantly reduce its scale and redesign it to preserve the rural character and infrastructure capacity of our community. Thank you for your time on this matter.

Kind regards,
Joel and Jennifer Batts
3450 Crews Lake Dr
404-934-2311

--

Yannone, Lyndsay

From: Linda Schultz <lmschultz21@gmail.com>
Sent: Monday, November 3, 2025 10:14 AM
To: Yannone, Lyndsay
Subject: [EXTERNAL]: Fwd: Proposed Highland Club Development - Crews Lake Rd, Lakeland

Another one.

Thank you,

Linda M. Schultz, Esq.
386-479-8420

---------- Forwarded message ---------
From: **Bill Dorman** <bdorman264@gmail.com>
Date: Thu, Oct 23, 2025, 4:07 PM
Subject: Proposed Highland Club Development - Crews Lake Rd, Lakeland
To:

My wife and I have lived across the street from this proposed development for 21 years.

There has already been 2 significant developments in this area on Crews Lake Dr and traffic is already becoming a nuisance. As proposed, Highland Club will be adding 747 new homes. This will make about 2,500 new homes within a very concentrated area. To me it's not even feasible to have this high of concentration in such a limited area. The infrastructure certainly can't accommodate it.

We are strongly opposed to approval of this development as it is being presented. We know growth is inevitable, but this is way over the top. These homes will not be compatible with existing neighborhoods in this large of a number.

We urge you to use common sense and not allow this to happen as presented.

Bill & Allyson Dorman

8

Yannone, Lyndsay

From: Howard, Sandra
Sent: Tuesday, November 4, 2025 3:09 PM
To: Yannone, Lyndsay
Cc: Mink, Randy
Subject: Fw: [EXTERNAL]: Against Highlands Club 747 homes site plan, Assistant County Attorney Sandi Howard and yes, you can considerTraffic Impacts it's in our LDC.
Attachments: Treymont and Fox Tree_0001.jpg

Importance: High

Lyndsay:

Please see below opposition for a case tomorrow. Also, can you please confirm "olecowpoke@gmail.com" is Mike Schmidt's email? Thanks!

Sandi

From: suegnelson@aol.com <suegnelson@aol.com>
Sent: Tuesday, November 4, 2025 2:30 PM
To: AngelSims@gmail.com <AngelSims@gmail.com>; rbeltran@dewberry.com <rbeltran@dewberry.com>; Cyndipcpc@gmail.com <Cyndipcpc@gmail.com>; olecowpoke@gmail.com <olecowpoke@gmail.com>; mike@hickmanhomes.net <mike@hickmanhomes.net>; brookeagninipz@gmail.com <brookeagninipz@gmail.com>; abass@island-grove.com <abass@island-grove.com>; kevinmupdike@gmail.com <kevinmupdike@gmail.com>; lmschultz@gmail.com <lmschultz@gmail.com>
Cc: Howard, Sandra <SandraHoward@polkfl.gov>
Subject: [EXTERNAL]: Against Highlands Club 747 homes site plan, Assistant County Attorney Sandi Howard and yes, you can considerTraffic Impacts it's in our LDC.

Dear Commissioners,

Short and sweet: I'm against the current site plan. The 678, 50 ft wide homes, are not compatible with the **"character of our area"**. Immediately "adjacent" to this proposal are homes on very large lots including a 60 acre horse track and a 15 acre sheep farm and several deed restricted five acre lots in close proximity.
Yes, we do have some smaller lots, scroll down, farther down our road,
but **NOTHING** smaller than 80 ft lots the entire length of our roadway from Lakeland Highlands Rd to Yarborough Ln, see picture below.

Traffic: I was lucky enough to have a conversation with Ms. Howard last week, in regards to her PC procedure instructions, wishing to clarify exactly what she meant concerning "traffic" fact based testimony.
She agreed, and I'm copying her, because I'm not an engineer, that if I stick to the staff report regarding traffic impacts I'm good. Please be sure to clarify this with Ms. Howard before the meeting.

During my Planning Commission years, now Polk County Director Ben Dunn taught me how to read a traffic study. Several years ago, I filed a traffic complaint against Sandra Gorman, with Kimley Horn and to this day she has a "permanent" complaint lodged against her on the Florida Board of Professional Engineers website, of which I'm very proud. I can interpret a traffic study but that's where

it ends, believe you me. For those of you who are engineers or any one who's just curious, I have two traffic studies in my possession **Touchstone** and **Wind Meadows South** from Bartow that I can send to you if you'd like.

Polk County Land Development Code, Section 906 D (12):
The Planning Commission **SHALL** consider the following factors:
Whether the proposed development is **compatible** with the general **character of the area**, including such factors as
"...density,...intensity,...and traffic."

So YES, you may, at this Level 3, assess **traffic impacts** as they relate to the ***character of the area...compatibility***.
Increasing the lot sizes of the project, thus reducing the density of the development, reduces traffic.

Level 2 is when traffic concurrency and proportionate fair share are addressed.

v/r
Sue

LOT SIZE COMPARISON: NO LOTS LESS THAN AN ESTIMATED 80' ON CREWS LK DR FROM YARBOROUGH LANE ALL THE WAY TO LAKELAND HIGHLANDS RD

TREYMONT 80' X 132' lot size



FOX TREE 88' X 136' lot size $ 321,907



6544 Fox Tree Ln, Lakeland, FL 33813 | Zillow

OPPOSITION

CASE # LDPD-2025-9 HEARING DATE 11/5/2025

1. NAME Debbie ADDRESS _____

   REASON Call in opposition

   PHONE CALL(X) 803.529.5943 LETTER ( ) PETITION ( )

2. NAME _____ ADDRESS _____

   REASON _____

   PHONE CALL( ) LETTER ( ) PETITION ( )

3. NAME _____ ADDRESS _____

   REASON _____

   PHONE CALL( ) LETTER ( ) PETITION ( )

4. NAME _____ ADDRESS _____

   REASON _____

   PHONE CALL( ) LETTER ( ) PETITION ( )

5. NAME _____ ADDRESS _____

   REASON _____

   PHONE CALL( ) LETTER ( ) PETITION ( )

TOTAL RESPONSES
PHONE CALLS _____
LETTERS _____
PETITION _____

Agenda Item 19. 11/5/2025

SUBJECT

LDCT-2025-22 (Recovery Residences)

DESCRIPTION

This is a County-initiated request to amend the use tables in Chapter 2, Chapter 4, and Chapter 5, to add large group homes into residential future land use districts; amending chapter 10, definitions, to add recovery residences to conform with state statute.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

(863) 534-6764

aleyainglima@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	October 9, 2025	**Level of Review:**	4
PC Date:	November 5, 2025	**Type:**	LDC Text Amendment
BoCC Date:	December 2, 2025 December 16, 2025	**Case Numbers:**	LDCT-2025-22
		Case Name:	Recovery Residences
Applicant:	Polk BoCC	**Case Planner:**	Aleya Inglima

Request:	This is a County-initiated request to amend the use tables in Chapter 2, Chapter 4, and Chapter 5, to add large group homes into residential future land use districts; amending chapter 10, definitions, to add recovery residences to conform with state statute.
Location:	n/a
Property Owner:	n/a
Parcel Size (Number):	n/a
Development Area:	n/a
Nearest Municipality:	n/a
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Hearing

Among the changes to Section 205, Section 401.01.01, Section 401.02, Section 401.03, Section 401.04, Section 401.05, Section 401.06, Section 401.08, Section 403.01, Section 502 are:

- Ensures compliance with state requirements regarding recovery residences within residential zoning districts by adding Group Homes, Large to residential land use districts.

Among the changes to Chapter 10 are:

- Updating terminology by adding “recovery residences” within the definitions for “group homes” and “group living facilities”.

- Adding the definition of “recovery residences” consistent with state law.

Summary:

This is a County-initiated request to amend the use tables in Chapters 2, 4, and 5 of the Land Development Code to add large group homes as a C3 within Residential Low (RL) future land use districts, and to amend Chapter 10 to add the term “recovery residences” in order to conform with state statute.

This text amendment brings the County’s regulations into compliance with House Bill 1163, which updates state law regarding recovery residences, group homes, and group living facilities. The amendment clarifies definitions and strengthens standards for housing individuals in recovery. The term “recovery residences” is incorporated alongside “group homes” and “group living facilities” to ensure recognition throughout the Code.

Findings of Fact

1. *LDCT-2025-22 is a County-initiated request to amend the use tables in Chapter 2, Chapter 4, and Chapter 5, to add large group homes into residential future land use districts; amending Chapter 10, definitions, to add recovery residences to conform with state statute.*

2. *LDC Chapter 10 defines group homes under small, large, and group living facility:*

   "GROUP HOME, SMALL (Rev. 12/01/09 - Ord. 09-073): A full time, family type living arrangement, in a private residential home where room, board, and personal care is provided on a 24 hour basis for no more than six (6) unrelated persons along with a maximum of two full-time supervisors or house parents. This category includes, but is not limited to, community residential homes, adult family care homes, foster homes, and other similar group living homes. Such homes, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division

   GROUP HOME, LARGE (Rev. 12/01/09 - Ord. 09-073): A full time living arrangement, in a private residential home, where room, board, and personal care is provided on a 24 hour basis for 7 to 14 unrelated persons along with a maximum of two full-time supervisors or houseparents. This category includes, but is not limited to, congregate/assisted living, community residential homes, foster homes, and other similar group living homes. Such homes, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division.

   GROUP LIVING FACILITY (Rev. 12/01/09 - Ord. 09-073): Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, which undertakes through its ownership or management to provide housing, meals, and one or more personal services on a 24 hour basis for 15 or more unrelated persons. This category includes, but is not limited to, congregate/assisted living facilities, and other similar group living facilities. Such facilities, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division."

3. *LDC Chapter 10 defines family: FAMILY (Revised 09/02/09 - Ord. 09-054): Any of the following groups living together sharing common living, sleeping, cooking, and eating facilities and with at least one person who has attained the legal age of 18:*

   a) *Any number of people related by birth, marriage, civil union, adoption, guardianship, or duly-authorized custodial relationship; or*

   b) *No more than six (6) unrelated people.*

4. *Section 303 states that "Group Home, Large (7-14 Residents) (Rev. 12/01/09 - Ord. 09-073)*

   The following shall apply to Group Home, Large containing 7-14 residents:

1. *There shall be no exterior alterations which change the residential character of the structure. This provision does not apply to structures being utilized as a Large Group Home in the INST-1 and INST-2 land use districts.*

2. *Large Group Homes shall comply with the applicable separation distances as outlined in the Florida Statutes for each respective use. The distances shall be measured at the closest points from property line to property line.*

3. *Large Group Homes shall be permitted one non-illuminated sign mounted flush to the dwelling unit and not more than two square feet in area shall be allowed.*

4. *The applicant for a Large Group Home shall clearly demonstrate that adequate forms of transportation are available to the residents of the facility (such as nearby public transit or a private transit system provided on site) as well as accommodations on site to support the travel of persons involved in providing services to the individuals residing on the premises (such as vehicle parking that does not change the residential appearance of the site).*

5. *The applicant for a Large Group Home shall demonstrate that the dwelling is of adequate size and design to support the needs of the residents interned in the home. This shall include, but is not limited to, sleeping quarters, kitchen facilities, handicapped accessibility, and communal spaces.*

6. *Such homes, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division"*

Development Review Committee Recommendation:

The Land Development Division, based on the Findings of Fact, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **APPROVAL** of LDCT-2025-22.

Analysis:

House Bill 1163 was updated to address certified recovery residences within local zoning regulations. While previous statutes did not specifically address where such residences could be located, HB 1163 now limits the ability of local governments to restrict certain certified recovery residences, particularly those in multifamily structures.

Under HB 1163, for recovery residences voluntarily certified before July 1, 2025, local governments:

• Must classify these residences as non-transient residential uses for local zoning purposes.

• May not adopt ordinances or regulations that prohibit or restrict certified recovery residences in multifamily structures or regulate the duration or frequency of their use.

• Must allow certified recovery residences in all zoning districts permitting multi-family residential uses.

• Must allow multi-family structures to be used as certified recovery residences, housing up to two residents per bedroom, without requiring zoning or land use changes, variances, special exceptions, or comprehensive plan amendments.

The bill defines a recovery residence as a residential dwelling or community housing component that offers a peer-supported, alcohol-free, and drug-free living environment for individuals recovering from substance use disorders. These residences may operate in single-family or multifamily settings and vary in size, structure, and duration of occupancy.

This amendment aligns with HB 1163 and local zoning practices with federal protections under the Fair Housing Act and Americans with Disabilities Act, which restrict local governments from discriminating against housing for persons with disabilities, including those recovering from substance use disorders.

To comply with this legislation, this amendment will add the definition of "recovery residences" and to ensure zoning and land use regulations reflect the new state requirements.

This amendment aligns with current statutory requirements. Specifically, the County must demonstrate the following:

1. Reasonable Accommodation: That the CU application process constitutes reasonable accommodation from the County's other, more restrictive Land Development Code (LDC) regulations.

2. Consistency with Federal Law: That the process is consistent with the Fair Housing Amendments Act (FHAA) and the Americans with Disabilities Act (ADA).

3. Procedural Timelines: That applications are properly date-stamped upon receipt, with:

    • 30 days for staff to request any additional information from the applicant,

    • 30 days for the applicant to respond, and

    • 60 days to issue a final written decision.

In addition, the application must include a description of the specific accommodation being requested and identify the regulations or policy from which relief is sought. In these cases, the regulation or policy at issue is that a Community Recovery Residence (CRR) is not permitted by right in the applicable land use district, and the relief sought is approval through the Conditional Use process.

Rather than creating a new use category for Recovery Residences, staff has elected to acknowledge them under existing policy and definitions for Group Homes. For planning purposes, and to avoid conflict with fair housing regulations, the County does not differentiate *who* is living in the group home, rather the LDC speaks to *how many people* are in the facility. Small Group Homes (6 or fewer residents) are essentially the same as any other single-family home, since the County's definition of a family includes no more than six (6) unrelated people in a home. These require simple administrative approval through a Pre-Application meeting or Land Use Verification letter (Level 1 Review).

Large Group Homes (7-14 residents) currently require a Level 3 Review approval in some residential districts. They have not been permitted in Residential Low districts because of the higher intensity of this use. This amendment, in compliance with HB 1163, will allow them in RL sub-districts pursuant to a Level 3 Review, as is required elsewhere.

Finally, Group Living Facilities (15 or more residents) are more commercial in nature and require a Level 3 Review in all residential districts except Residential High (Level 2 Review). Also note, HB 1163 will not allow the County to restrict the use of multi-family developments for use as a recover residence. No such restrictions are in place now or with the adoption of this ordinance.

For requests requiring only C1 approval, compliance with FHAA and ADA requirements will not present an issue, as those decisions are administratively controlled by staff. However, for C3 approvals, staff reports to the Planning Commission should explicitly outline FHAA and ADA requirements. This ensures that any conditions imposed by the Planning Commission do not conflict with federal law.

Limits of the Proposed Ordinance

The proposed ordinance is limited to updating the County's Land Development Code to align with the requirements of House Bill 1163 by:

• Adding the definition of "recovery residences" consistent with state law.
.
• Recognizes certified recovery residences as a type of non-transient residential use for zoning purposes.

• Updating terminology by adding "recovery residences" alongside "group homes" and "group living facilities" where applicable in the Code.

• Ensures compliance with state requirements regarding the siting of certified recovery residences within multifamily residential zoning districts.

Consistency with the Comprehensive Plan

OBJECTIVE 2.204-B: Polk County shall implement provisions within the Future Land Use Element and the Land Development Code to ensure that opportunities are available to provide adequate sites in residential areas for group living facilities licensed by the Florida Department of Children and Families.

POLICY 2.204-B1: Licensed "family care homes" and "group homes" shall be located within residential areas throughout the County in accordance with the Florida Statutes. "Adult congregate-living facilities" may be located within all Future Land Use designations, in accordance with policies within the Future Land Use Element, standards within the County's land development regulations, and upon issuance of a conditional use permit or functional equivalent by the County.

POLICY 2.204-B2: Group-living facilities located immediately adjacent to existing residential areas shall be designed so that the group-living facilities have a similar scale and intensity as the residential land use designation or adjacent existing residential dwellings units, otherwise, the group living facilities shall be setback and/or buffered to mitigate dissimilar scales. See Policy 2.116-A4.

The ordinance does not alter existing regulations for single-family dwellings or other residential uses beyond what is required by state law. Local authority remains limited by the Fair Housing Act, the Americans with Disabilities Act, and the provisions of HB 1163, which preempt local governments from imposing restrictions that would effectively prohibit or discriminate against certified recovery residences.

Comments from Other Agencies: None

Draft Ordinance: Under separate attachment

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-22, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, AMENDING THE USE TABLES IN CHAPTER 2, CHAPTER 4, AND CHAPTER 5 TO ADD LARGE GROUP HOMES INTO RESIDENTIAL FUTURE LAND USE DISTRICTS; AMENDING CHAPTER 10, DEFINITIONS, TO DEFINE "RECOVERY RESIDENCES" AND "CERTIFIED RECOVERY RESIDENCES" IN COMPLIANCE WITH FLORIDA STATUES; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners (the "Board") adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code (the "LDC"); and

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

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

WHEREAS, THE Board has determined it appropriate to adopt regulations that are consist with the Polk County Comprehensive Plan; 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 397.487(15), Florida Statutes, the Board is required, by January 1, 2026, to adopt an ordinance establishing procedures for the review and approval of certified recovery residences within its jurisdiction, which ordinance must include a process for requesting reasonable accommodations from any local land use regulation that serves to prohibit the establishment of a certified recovery residence; and

WHEREAS, LDCT-2025-22 is a County-initiated request to amend the LDC to define Recovery Residences and Certified Recovery Residences, as provided in Chapter 397, Florida Statutes, and to amend the definitions of Group Homes and Group Living Facilities to include Certified Recovery Residences; 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 LDC Amendment on November 5, 2025; and

WHEREAS, the Board held two public hearings, one on December 2, 2025, and another on December 16, 2025, wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public hearings, and provided for necessary revisions, if any.

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: FINDINGS The Board hereby finds and determines that:

a) The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.

b) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on November 5, 2025, to consider the LDC text amendments contained within Application LDCT-2025-22 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-22.

c) The adoption of LDCT-2025-22 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Table 2.1 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 205 - Use Tables for Standard Land Use Districts

Table 2.1 Use Table for Standard Land Use Districts (For revision history, please see last row of table. Newer ordinances appear at end of section.)																				
	A/RR	RCC-R	RS	RL-1	RL-2	RL-3	RL-4	RM	RH	RCC	CC	CE	LCC	NAC	CAC	RAC	OC	TCC	HIC	BPC-1
Key to Table: P = Permitted Use; C = Conditional Use/Level of Review																				
Residential Uses																				
Duplex, Two-family Attached		C3	C3	C3	C3	C3	C3	P	P	C3										
Family Farm	C1		C1																	
Fly-in Community	C3		C3																	
Group Home, Small (6 or less residents)	C1	C1	C1	C1	C1	C1	C1	C1	C1											
Group Home, Large (7-14 residents)	C3	C3	C3	C3	C3	C3	C3	C1	C1											
Group Living Facility (15 or more residents)	C3	C3	C3	C3	C3	C3	C3	C3	C2											

SECTION 3: Chapter 4, Table 4.1c of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.01.01 - Use Table for Interstate 4 Selected Area Plan Land Use Districts

Table 4.1c Use Table for Interstate 4 Selected Area Plan Land Use District (For this table's revision history, see last row in table. Newer ordinances appear after the table.)												
	RL- 1X	RL- 2X	RL- 3X	RL- 4X	RMX	RHX	LCCX	TCCX	CACX	BPC-1X	BPC-2X	IACX
RESIDENTIAL USES												
Duplex, Two-Family Attached			C3	C3	P	P						
Group Home, Small (6 or less residents)	C1	C1	C1	C1	C1	C1						
Group Home, Large (7-14 residents)	C3	C3	C3	C3	C1	C1						
Group Living Facility (15 or more residents)	C3	C3	C3	C3	C3	C2						

SECTION 4: Chapter 4, Table 4.3 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.02 - Ronald Reagan Parkway Plan District

	RL-1X	RL-4X	RMX	CCX	NACX	TCX	CACX	RACX	OCX
Key to Table: P = Permitted by right; C = Conditional Use/Level of Review; if blank = Not Permitted									
Residential Uses									
Duplex or Two-family Attached	C3	C2	P			C2			
Group Home, Small (6 or less residents)	C1	C1	C1						
Group Home, Large (7—14 residents)	C3	C3	C1						
Group Living Facility (15 or more residents)	C3	C3							

SECTION 5: Chapter 4, Table 4.8 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.03 - North US 27 Selected Area Plan

Table 4.8 Use Table for U.S. 27 Selected Area Plan Land Use District (For revision history, please see last row of table. Newer ordinances appear after the table.)																	
Green Swamp ACSC Districts Outlined in shaded in grey	TCX	RACX	PIX	OCX	RHX	RMX	RL-1X	RL-2X	RL-3X	RL-4X	INSTX	NACX	TCX	RACX	PIX	NACX	RHX
RESIDENTIAL USES																	
Duplex, Two-Family Attached						C2	C3	C3	C3	C3							
Group Home, Small (6 or less residents)					C1	C1	C1	C1	C1	C1							C1
Group Home, Large (7-14 residents)					C1	C1	C3	C3	C3	C3	C1						C1
Group Living Facility (15 or more residents)			C2		C2	C3	C3	C3	C3	C3	C2				C2		C2

SECTION 6: Chapter 4, Table 4.12 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.04 - US Highway 98 Selected Area Plan

Table 4.12 Allowable Uses for US Highway 98 SAP(For revision history, please see last row in table. Newer ordinances appear after the table.)										
	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	RHX	ECX	CEX
Key to Table: P = Permitted Use; C = Conditional Use/Level of Review										
Residential Uses										
Family Farm	C1	C1	2	C2	C2	C2	C2	C2		
Family Homestead	C1	C1	C1	C1	C1	C1				
Fly-in Community	C3	C3	C3	C3	C3	C3	C3	C3		
Group Home, Small (6 or Less residents)	C1	C1	C1	C1	C1	C1	C1	C1		
Group Home, Large (7-14 Residents)	C3	C3	C3	C3	C3	C3	C1	C1		
Group Living Facility (15 or more residents)	C3	C3	C3	C3	C3	C3	C3	C2	C2	

SECTION 7: Chapter 4, Table 4.14 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.05 - State Road 559 Selected Area Plan

All Land Use Districts in the SR 559 SAP are in the Green Swamp ACSC	BPCX-1	BPCX-2	RL-1X	RL-2X	RL-3X	RL-4X
RESIDENTIAL USES						
Duplex, Two-Family Attached					C3	P
Group Home, Small (6 or less residents)			C1	C1	C1	C1
Group Home, Large (7-14 residents)			C3	C3	C3	C3
Group Living Facility (15 or more residents)			C3	C3	C3	C3

SECTION 8: Chapter 4, Table 4.16 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.06 - The North Ridge Selected Area Plan

	Table 4.16 Use Table for Standard Land Use Districts (Higher density/intensity developmen appear after the table.)								
	A/RR X	RS X	RL 1X	RL2 X	RL3 X	RL4 X	RM X	RH X	CC X
	Key to Table: P = Permitted Use; C = Conditional Use/Level of Review								
Duplex, Two-family Attached					C2	C2	P	P	
Family Farm	C1	C1							
Fly-in Community	C3	C3							
Group Home, Small (6 or less residents)	C1	C1	C1	C1	C1	C1	C1	C1	
Group Home, Large (7- 14 residents)	C3	C3	C3	C3	C3	C3	C1	C1	
Group Living Facility (15 or more residents)	C3	C3	C3	C3	C3	C3	C3	C2	

SECTION 9: Chapter 4, Table 401.08.01 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.08 - Southeast Polk Selected Area Plan

	Village Centers and Village Center Cores																						Outside the Village Centers (Scenic Highway overrides)							
	A/RR x	RCC-R x	RS x	RL-1 x	RL-2 x	RL-3 x	RL-4 x	RM x	RCC x	CC x	CE x	LCC x	NAC x	OC x	TCC x	BPC-1 x	BPC-2 x	IND x	LR x	INST1 x	INST2 x	ROS x	A/RR x	RCC-R x	RS x	RL-1 x	RL-2 x	RL-3 x	RL-4 x	RM x
	Key to Table: P = Permitted Use; C = Conditional Use/Level of Review																													
	RESIDENTIAL USES																													
Duplex/Two Family Attached	C2	C2	C2	C2	C2	C2	C2	C2	C2														C3	C3	C3			C3	C3	C2
Multi-Family (4 units or less)	C2	C2	C2	C2	C2	C 2	C2	C2	C2																					C2
Multi Family (5 units or more per building)		C3		C3	C3	C3	C2	C2	C3				C2	C3						C2	C2			C3		C3	C3	C3	C2	C2
Family Farm/Family Homestead	C1		C1																				C1		C1					
Fly in Community																							C3		C3					
Group Home, Small (6 or less residents)	C1	C1	C1	C1	C1	C1	C1	C1															C1	C1	C1	C1	C1	C1	C1	C1
Group Home, Large (7-14 residents)	C3	C3	C3	C3	C3	C3	C3	C1												C1	C1		C3	C3	C3	C3	C3	C3	C3	C1
Group Living Facility (15 or more residents)	C3	C3	C3	C3	C3	C3	C3	C3												C2	C2		C3	C3	C3	C3	C3	C3	C3	C3

SECTION 10: Chapter 4, Table 4 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 403.01 - Wahneta Neighborhood Plan (Wahneta NP)

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX
Key to Table: P = Permitted Use; C = Conditional Use/Level of Review							
Group Home, Small (6 or less residents)	C1	C1	C1	C1	C1	C1	C1
Group Home, Large (7-14 residents)	C3	C3	C3	C3	C3	C3	C1
Group Living Facility (15 or more residents)	C3	C3	C3	C3	C3	C3	C3

SECTION 11: Chapter 5, Table 5.2 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 502 - Standards for Land Use Districts in the Green Swamp ACSC

	Polk City Special Protection Area						
	CEX	LCCX 1	L/RX	RL-1X	RL-2X	RL-3X	RSX
Duplex/Two- Family Attached						C3	C3
Family Farm/Family Homestead							C1
Fly-in Community							
Group Home, Small (6 or less residents)				C1	C1	C1	C1
Group Home, Large (7-14 residents)				C3	C3	C3	C3
Group Living Facility (15 or more residents)				C3	C3	C3	C3

SECTION 12: Chapter 10 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

GROUP HOME, SMALL (Rev. 12/01/09 - Ord. 09-073): A full time, family type living arrangement, in a private residential home where room, board, and personal care is provided on a 24 hour basis for no more than six (6) unrelated persons along with a maximum of two full-time supervisors or house parents. This category includes, but is not limited to, community residential homes, adult family care homes, foster homes, certified recovery residences, and other similar group living homes. Such homes, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division

GROUP HOME, LARGE (Rev. 12/01/09 - Ord. 09-073): A full time living arrangement, in a private residential home, where room, board, and personal care is provided on a 24 hour basis for 7 to 14 unrelated persons along with a maximum of two full-time supervisors or houseparents. This category includes, but is not limited to, congregate/assisted living, community residential homes, foster homes, certified recovery residences, and other similar group living homes. Such homes, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division.

GROUP LIVING FACILITY (Rev. 12/01/09 - Ord. 09-073): Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, recovery residences, or other residential facility, which undertakes through its ownership or management to provide housing, meals, and one or more personal services on a 24 hour basis for 15 or more unrelated persons. This category includes, but is not limited to, congregate/assisted living facilities, and other similar group living facilities. Such facilities, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division.

RECOVERY RESIDENCES: A residential dwelling unit, the community housing component of a licensed day or night treatment facility with community housing, or other form of group housing, which is offered or advertised through any means, including oral, written, electronic, or printed means, by any person or entity as a residence that provides a peer-supported, alcohol-free, and drug-free living environment, or as may otherwise be defined by Section 397.311(39), Florida Statutes, or any replacement statute.

RECOVERY RESIDENCE, CERTIFIED: A recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator, or as may otherwise be defined by Section 397.311(5), Florida Statutes, or any replacement statute.

SECTION 13: 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 14: EFFECTIVE DATE

This ordinance shall become effective upon filing with the Department of State.
ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA this _____ day of _____, 2025.

FLORIDA HOUSE OF REPRESENTATIVES
BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/CS/HB 1163	**COMPANION BILL:** CS/SB 954 (Gruters)
TITLE: Recovery Residences	**LINKED BILLS:** None
SPONSOR(S): Owen	**RELATED BILLS:** None

Committee References

Human Services
12 Y, 5 N, As CS
➤
Intergovernmental Affairs
11 Y, 4 N, As CS
➤
Health & Human Services

SUMMARY

Effect of the Bill:

For operators whose recovery residences are voluntarily certified before July 1, 2025, the bill:

- Limits the ability of local governments to bar those certified recovery residences from operating in multifamily structures;
- Requires local governments to treat those recovery residences as a non-transient residential use of land under local zoning ordinances; and
- Prohibits local governments from regulating the duration or frequency of use of those certified recovery residences in a multifamily structure.

For certain Level IV certified recovery residences, the bill also eliminates staffing requirements when patients are not present, and increases the number of residents that a recovery residence administrator can oversee from 150 to 500 if the operator maintains a minimum 1:6 personnel-to-resident ratio when residents are present.

Fiscal or Economic Impact:

The bill does not have a fiscal impact on state or local government.

JUMP TO SUMMARY ANALYSIS RELEVANT INFORMATION BILL HISTORY

ANALYSIS

EFFECT OF THE BILL:

Recovery residences (also known as "sober homes" or "sober living homes") are non-medical residential settings designed to support recovery from substance use disorders, helping individuals transition from highly structured residential treatment programs back into their day-to-day lives and maintain their recovery. Florida has a voluntary certification program for recovery residences which classifies such residences into four levels of care, with Level IV being the most intense level.[1]

Zoning and Recovery Residences

Local governments' decisions on planning and zoning that affect recovery residences' siting has been the subject of controversy and ligation, both nationally and in Florida, over the last 30 years as recovery residences have become a more significant part of individuals' recovery. Currently, state law does not specifically address the siting of certified recovery residences. The bill limits the ability of local governments to bar certain certified recovery residences from being located in multifamily structures. Specifically, the bill requires, for recovery residences (residences) operated by providers that are voluntarily certified before July 1, 2025, that a municipality or county:

- Must consider those residences to be non-transient residential uses of land for local zoning purposes;

[1] S. 397.311, F.S., and ss. 397.487 – 397.4873, F.S.

- May not enact a law, ordinance, or regulation prohibiting certified residences or regulating the duration or frequency of use for such residences in multifamily structures;
- Must allow certified recovery residences in all districts zoned for multifamily residential use; and
- Must allow a structure originally constructed and permitted for multifamily purposes to be used as a certified recovery residence with up to two residents per bedroom, without obtaining a zoning or a land use change, a special exception, a conditional use approval, a variance, or a comprehensive plan amendment. (Section 1)

The bill specifies that the recovery residence must either not occupy or fully occupy a community or structure that is governed by a condominium association under ch. 718, F.S. (Section 1)

The bill includes exceptions to these requirements, permitting a municipality or a county to deny the establishment of a Level IV certified recovery residence if:

- The proposed use is adjacent to (meaning those properties sharing more than one point of a property line, but not including properties separated by a public road), or on two or more sides of, a parcel zoned for single-family residential use; and
- Is within a single-family residential development with at least twenty-five contiguous single-family homes. (Section 1)

Currently, until July 1, 2026, a local government may not enact an ordinance or regulation that further regulates the duration or frequency of a resident's stay in a certified recovery residence located within a multifamily zoning district.[2]

Staffing Requirements for Certified Recovery Residences

Current law specifies a minimum ratio of personnel-to-residents in certified recovery residences and maximum numbers of residents that a certified recovery residence administrator may supervise. Certain Level IV certified recovery residences may allow their certified recovery residence administrators to supervise a higher number of residents—up to 150.[3]

The bill also revises the staffing requirements for a Level IV certified recovery residence that operates as community housing, is actively managed by a certified recovery residence administrator, is approved for 100 residents, and is wholly owned or controlled by a licensed service provider. For residences meeting these requirements that actively manage up to 150 residents, the bill eliminates onsite supervision requirements when residents are not present. The bill further allows residences meeting these requirements to actively manage up to 500 residents provided that the administrator maintains a 1:6 personnel-to-resident ratio when residents are present. (Section 2)

The effective date of the bill is July 1, 2025. (Section 3)

FISCAL OR ECONOMIC IMPACT:

PRIVATE SECTOR:

The bill may expand opportunities for operators of recovery residences certified before the effective date of the act to open recovery residences where local government regulations have previously prohibited operation, particularly in multifamily structures. The bill may also benefit certain Level IV recovery residences, which will be subject to lower staffing requirements.

[2] S. 397.487(14), F.S.
[3] S. 497.4871(8), F.S.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Recovery Residences

Recovery residences (also known as "sober homes" or "sober living homes") are non-medical residential settings designed to support recovery from substance use disorders, helping individuals transition from highly structured residential treatment programs back into their day-to-day lives.[4] These may be cooperatively organized and run by residents or operated by for-profit or non-profit organizations.

Homes for individuals recovering from substance use disorder have existed in the U.S. since the mid-1800's, when the focus was on those chronically abusing alcohol; these homes were typically run by religious groups involved in the temperance movement or by privately-run "cure institutes". The modern version of these homes began in the mid-1960's, when homes promoting adherence to 12-step programs like Alcoholics Anonymous—which do not offer clinical or therapeutic services—began operating.[5]

According to the federal Substance Abuse and Mental Health Services Administration, "recovery housing can be a critical asset in supporting an individual on their journey of recovery. Research has demonstrated that recovery housing is associated with a variety of positive outcomes for residents including decreased substance use, reduced likelihood of return to use, lower rates of incarceration, higher income, increased employment, and improved family relationships."[6]

In Florida, a "recovery residence" means "a residential dwelling unit, the community housing component of a licensed day or night treatment facility with community housing, or other form of group housing, which is offered or advertised through any means, including oral, written, electronic, or printed means, by any person or entity as a residence that provides a peer-supported, alcohol-free, and drug-free living environment."[7] Day or night treatment is one of the state's licensable service components of clinical treatment services. This service is provided in a nonresidential environment with a structured schedule of treatment and rehabilitative services.[8] Some day or night treatment programs have a community housing component; day and night treatment programs with a community housing component are intended for individuals who can benefit from living independently in peer community housing while participating in treatment services at a day or night treatment facility for a minimum of 5 hours a day for a minimum of 25 hours per week.[9]

Recovery residences can be located in single-family homes and multifamily dwellings. There is no definition for "multifamily" in Florida law; however, the term generally refers to "a housing classification where multiple separate housing units for residential inhabitants are contained within one building or several buildings within one complex."[10] Examples are condominiums and apartment complexes. To live at a recovery residence, occupants may be required to pay a monthly fee or rent, which supports the cost of maintaining the home. The length of time a person lives at a recovery residence varies,[11] and there are no guidelines regarding lengths of stay.[12] Until July 1,

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[4] Douglas L. Polcin, Ed.D., MFT, and Diane Henderson, B.A., *A Clean and Sober Place to Live: Philosophy, Structure, and Purported Therapeutic Factors in Sober Living Houses,* 40(2) J Psychoactive Drugs 153–159 (June 2008).
[5] *To License a LULU: Scaling Preemption-Driven Responses to the Regulation of Recovery Homes*, 135 Harv. L. Rev. 733, 736 (2021) https://harvardlawreview.org/print/vol-135/a-license-a-lulu-scaling-preemption-driven-responses-to-the-regulation-of-recovery-homes/ (last visited March 30, 2025).
[6] Substance Abuse and Mental Health Services Administration, Best Practices for Recovery Housing, 2023, https://library.samhsa.gov/sites/default/files/pep23-10-00-002.pdf (last visited March 29, 2025).
[7] S. 397.311(39), F.S.
[8] S. 397.311(27)(a)2., F.S.
[9] S. 397.311(27)(a)3., F.S.
[10] Real Estate Industry: A Resource Guide, *Multifamily Real Estate*, Library of Congress Research Guides, https://guides.loc.gov/real-estate-industry-sources/residential/multifamily (last visited March 29, 2025).
[11] American Addiction Center, *Length of Stay at a Sober Living Home*, October 2022, available at https://americanaddictioncenters.org/sober-living/length-of-stay, (last visited March 30, 2025).
[12] Meenakshi S. Subbaraman, *Six-month length of stay associated with better recovery outcomes among residents of sober living houses,* 49 American Journal of Drug and Alcohol Abuse (Oct. 2023) https://www.tandfonline.com/doi/full/10.1080/00952990.2023.2245123#abstract (last visited March 29, 2025).

2026, a local government may not enact an ordinance or regulation that further regulates the duration or frequency of a resident's stay in a certified recovery residence located within a multifamily zoning district.[13]

Regulation of Recovery Residences in Florida

The Florida Model of Substance Abuse Treatment and Legislative Response

Recovery residences started to proliferate in Florida as insurance coverage for behavioral health conditions expanded after the enactment of the Affordable Care Act in 2008 and the Mental Health Parity and Addiction Equity Act of 2012.[14] The opioid crisis created a demand for addiction recovery services, and the housing crash of the late 2000's made purchasing and renting homes generally more affordable. The "Florida model" emerged, where after the first stages of detoxification and inpatient treatment, an individual enters intensive outpatient or day treatment services while residing in a recovery residence.[15]

While substance abuse treatment services require state licensure, at that time there was no legislatively-authorized method of ensuring quality in recovery residences. While many individuals undergoing treatment in Florida found long-term recovery, this situation led to relapse, human trafficking, and even death for others. According to the 2017 report from the Palm Beach County Sober Homes Task Force, "young adults with a substance use disorder are being marketed to Florida's recovery residences, also known as sober homes, and substance abuse treatment providers by the thousands, and many in this vulnerable class are being exploited and abused. The lack of effective oversight of this industry, especially in the private sector, has allowed bad actors to flourish, significantly contributing to the rising death toll."[16] This was a particularly significant issue in Palm Beach County and other jurisdictions in South Florida.

In 2013, the Department of Children and Families (DCF) conducted a study of recovery residences in Florida.[17] DCF sought public comment relating to community concern for recovery residences. Three common concerns were the safety of the residents, safety of the neighborhoods, and lack of governmental oversight.[18] Participants at public meetings listed many concerns, such as:

- Residents being evicted with little or no notice;
- Drug testing might be a necessary part of compliance monitoring;
- Unscrupulous landlords, including an alleged sexual offender who was running a woman's program;
- Residents dying in recovery residences;
- Lack of regulation and harm to neighborhoods;
- Whether state agencies have the resources to enforce regulations and adequately regulate these homes; and
- Land use problems, and nuisance issues caused by visitors at recovery residences, including issues with trash, noise, fights, petty crimes, substandard maintenance, and parking.

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[13] S. 397.487(14), F.S.

[14] Palm Beach County Sober Homes Task Force, *Identification of Problems in the Substance Abuse Treatment and Recovery Residence Industries with Recommended Changes to Existing Laws and Regulations,* Jan. 1, 2017, https://sa15.wpenginepowered.com/wp-content/uploads/Sober-Homes-Task-Force-Report-2017.pdf (last visited March 29, 2025).

[15] Douglas Polcin, et al, *Maximizing Social Model Principles in Residential Recovery Settings*, Journal of Psychoactive Drugs, Nov 2014, https://pmc.ncbi.nlm.nih.gov/articles/PMC4220294/ (last visited March 29. 2025).

[16] Palm Beach County Sober Homes Task Force, *supra* note 14, at 1.

[17] Ch. 2013-040, L.O.F. The 2013-2014 General Appropriations Act directed DCF to determine whether to establish a licensure/registration process for recovery residences and to provide the Governor and Legislature with a report on its findings. In its report, DCF was required to identify the number of recovery residences operating in Florida, identify benefits and concerns in connection with the operation of recovery residences, and the impact of recovery residences on effective treatment of alcoholism and on recovery residence residents and surrounding neighborhoods. DCF was also required to include the feasibility, cost, and consequences of licensing, regulating, registering, or certifying recovery residences and their operators. DCF submitted its report to the Governor and Legislature on October 1, 2013.

[18] *Recovery Residence Report*, Department of Children and Families, Office of Substance Abuse and Mental Health, October 1, 2013, available at https://www.myflfamilies.com/sites/default/files/2022-12/DCFProvisoRpt-SoberHomes.pdf (last visited on March 29, 2025).

The 2015 Legislature responded by establishing a voluntary certification program for recovery residences and recovery residence administrators, implemented by private credentialing entities.[19] This means that recovery residences can continue to operate without being certified, but certification offers advantages to recovery residence operators.

Certification of Recovery Residences and Recovery Residence Administrators

In Florida, a "certified recovery residence" is a recovery residence that holds a valid certificate of compliance and is actively managed by a certified recovery residence administrator.[20] While certification is voluntary, a recovery residence must be certified to accept or receive patient referrals from licensed treatment providers or existing recovery residences.[21]

Under the certification program, two DCF-approved credentialing entities administer certification programs and issue certificates: the Florida Association of Recovery Residences (FARR) certifies the recovery residences and the Florida Certification Board (FCB) certifies recovery residence administrators.[22]

Certified Recovery Residences

As the credentialing entity for recovery residences in Florida, FARR administers certification, recertification, and disciplinary processes as well as monitors and inspects recovery residences to ensure compliance with certification requirements. FARR is also authorized to deny, revoke, or suspend a certification, or otherwise impose sanctions, if recovery residences are not in compliance or fail to remedy any deficiencies identified. However, any decision that results in an adverse determination is reviewable by DCF.[23]

To be certified, a recovery residence must submit the following documents with an application fee to FARR:[24]

- A policy and procedures manual containing:
  - Job descriptions for all staff positions;
  - Drug-testing procedures and requirements;
  - A prohibition against use on the premises of alcohol, marijuana (including marijuana that has been certified by a qualified physician for medical use in accordance with s. 381.986, F.S.); illegal drugs, and the use of prescribed medications by an individual other than the individual for whom the medication is prescribed;
  - Policies to support a resident's recovery efforts; and
  - A good neighbor policy to address neighborhood concerns and complaints;
- Rules for residents;
- Copies of all forms provided to residents;
- Intake procedures;
- Sexual predator and sexual offender registry compliance policy;
- Relapse policy;
- Fee schedule;
- Refund policy;
- Eviction procedures and policy;
- Code of ethics;
- Proof of insurance;
- Proof of background screening; and

[19] Ch. 2015-100, L.O.F.
[20] S. 397.311(5), F.S.
[21] S. 397.4873(1), F.S.
[22] DCF, *Recovery Residence Administrators and Recovery Residences,* available at https://www.myflfamilies.com/services/samh/recovery-residence-administrators-and-recovery-residences (last visited March 29, 2025).
[23] S. 397.487(8)(f), F.S.
[24] S. 397.487(3)(a), F.S.

- Proof of satisfactory fire, safety, and health inspections.

If the owner, director, or chief financial officer of a certified recovery residence is arrested and awaiting disposition for or found guilty of, or enters a plea of guilty or nolo contendere to, any offense prohibited under s. 435.04(2), F.S., unless DCF has issued an exemption, the certified recovery residence must immediately remove the person from the person's position and notify the credentialing entity within three business days after that removal. If the recovery residence fails to do so, the credentialing entity must revoke the recovery residence's certificate of compliance.[25]

Current law requires DCF to publish a list of all certified recovery residences and recovery residence administrators on its website.[26] There are currently more than 750 certified recovery residences statewide, with 244 of this total classified as level IV.[27]

Certified Recovery Residence Administrators

The FCB administers certification, certification exams, recertification, code of ethics and disciplinary processes, and continuing education requirements. It also establishes core competencies for certified recovery residence administrators (CRRAs).[28] The FCB may also deny, suspend or revoke a recovery residence administrator's certification for noncompliance.[29]

CRRAs are individuals responsible for the overall management of a recovery residence, as well as the supervision of residents and staff.[30] Prior to obtaining certification, CRRA applicants must successfully undergo a level 2 background screening pursuant to ch. 435, F.S.[31] Additionally, the FCB currently requires CRRAs to:[32]

- Hold at least a high school diploma, GED, or equivalent;
- Complete 100 total clock hours of content specific training, as follows:
  - Recovery Residence Operations and Administration: 20 hours;
  - Maintaining the Physical Residence: 20 hours;
  - Resident Screening and Admission: 10 hours;
  - Resident Recovery Support: 30 hours; and
  - Legal, Professional and Ethical Responsibilities: 20 hours.
- Complete 1,000 hours of work and/or volunteer related experience providing recovery residence administrator, manager or closely-aligned residential management services within a recovery residence setting;
- Undergo 10 hours of on-the-job supervision of the applicant's performance of related recovery residence administrator, manager, or residential management services within a recovery residence setting;
- Obtain three professional letters of recommendation;
- Pass an exam administered by the FCB;
- Complete 10 hours of continuing education annually; and
- Apply for certification renewal annually.

Current law requires a recovery residence to immediately remove a CRRA and notify the credentialing entity within three business days after the removal, if the CRRA is arrested for, found guilty of, or enters a plea of guilty or

[25] S. 397.487(8)(d), F.S.
[26] S. 397.4872, F.S. Also see DCF, *Recovery Residence Administrators and Recovery Residences*, available at https://www.myflfamilies.com/services/samh/recovery-residence-administrators-and-recovery-residences, (last visited March 29, 2025).
[27] Department of Children and Families, Bill Analysis for House Bill 1163, Feb. 24, 2025, p. 4.
[28] S. 397.4871, F.S.
[29] *Id.*
[30] Florida Certification Board (FCB), *Certified Recovery Residence Administrator (CRRA),* available at https://flcertificationboard.org/certifications/certified-recovery-residence-administrator/ (last visited March 29, 2025).
[31] S. 397.4871(5), F.S.
[32] FCB, *Certification Guidelines: Credential Standards and Requirements Table: Certified Recovery Residence Administrator (CRRA)*, p. 4-5, available at https://flcertificationboard.org/wp-content/uploads/CRRA-Standards-and-Requirements-Tables-January-2020.pdf (last visited March 29, 2025).

nolo contendere to, regardless of adjudication, any offense prohibited under s. 435.04(2), F.S., while acting in capacity. The recovery residence has 90 days to retain another CRRA or be subject to revocation of its certification.[33]

Staffing Requirements for Certified Recovery Residences

A CRRA may actively manage up to 50 residents at any given time, though may manage up to 100 residents if written justification is provided to, and approved by, the credentialing entity as to how the administrator is able to effectively and appropriately respond to the needs of the residents, maintain residence standards, and meet the residence certification requirements.[34] CRRAs at certain Level IV certified recovery residences (those operating as community housing as defined in s. 397.311(9), F.S., which residence is actively managed by a certified recovery residence administrator approved for 100 residents under this section and is wholly owned or controlled by a licensed service provider) are allowed to actively manage up to 150 residents provided certain conditions are met:

- The licensed service provider maintains a service provider personnel-to-patient ratio of 1 to 8;
- Maintains onsite supervision at the residence 24 hours a day, 7 days a week; and
- Has a personnel-to-resident ratio of 1 to 10. [35]

Recovery Residence Levels of Support

Section 397.311(5), F.S., establishes a four level-classification of certified recovery residences, with Level IV being the most intense level of support. The levels include:

- **Level I**—houses individuals in recovery who have completed treatment, with a minimum of 9 months of sobriety. A Level I certified recovery residence is democratically run by the members who reside in the home.
- **Level II**—encompasses the traditional perspectives of sober living homes. There is oversight from a house manager who has experience with living in recovery. Residents are expected to follow rules outlined in a resident handbook provided by the certified recovery residence administrator. Residents must pay dues, if applicable, and work toward achieving realistic and defined milestones within a chosen recovery path.
- **Level III**—offers higher supervision by staff with formal training to ensure resident accountability. Such residences are staffed 24 hours a day, 7 days a week, and offer residents peer-support services, which may include, but are not limited to, life skill mentoring, recovery planning, and meal preparation. Clinical services may not be performed at the residence. Such residences are most appropriate for persons who require a more structured environment during early recovery from addiction.
- **Level IV**—is a residence offered, referred to, or provided by, a licensed service provider to its patients who are required to reside at the residence while receiving intensive outpatient and higher levels of outpatient care. Such residences are staffed 24 hours a day and combine outpatient licensable services with recovery residential living. Residents are required to follow a treatment plan and attend group and individual sessions, in addition to developing a recovery plan within the social model of living in a sober lifestyle. No clinical services are provided at the residence and all licensable services are provided offsite.

Local Government Land Use Regulation

Comprehensive Plans

Each county and municipality must plan for future development and growth by adopting, implementing, and amending as necessary a comprehensive plan.[36] Comprehensive plans are implemented through land development regulations and elements.[37] Each comprehensive plan contains elements that address future land use, housing,

[33] S. 397.4871(6)(b), F.S.
[34] *Id.*
[35] S.397.4871(8)(b) and (c), F.S.
[36] Ss. 163.3167(2), 163.3177(2), F.S.
[37] S. 163.3167(1)(c), F.S.

transportation, infrastructure, coastal management, conservation, recreation and open space, intergovernmental coordination, and capital improvements.

All elements of a plan or plan amendment must be based on relevant, appropriate data[38] and an analysis by the local government.[39] The data supporting a plan or amendment must be taken from professionally accepted sources.[40] The plan must be based on permanent and seasonal population estimates and projections published by the Office of Economic and Demographic Research or generated by the local government based upon a professionally acceptable methodology.[41] The analysis by the local government may include, but is not limited to, surveys, studies, community goals and vision, and other data available at the time of adoption of the comprehensive plan or plan amendment.[42]

Land Development Regulations

Comprehensive plans are implemented via land development regulations. Each county and municipality must adopt and enforce land development regulations, such as zoning or other housing-related ordinances, that are consistent with and implement their adopted comprehensive plan.[43] Additionally, all public and private development, including special district projects, must be consistent with the local comprehensive plan.[44]

Zoning

Zoning maps and zoning districts are adopted by a local government for developments within each land use category or sub-category. While land uses are general in nature, one or more zoning districts may apply within each land use designation.[45] Examples of major types of zoning often used in local jurisdictions include:[46]

- **Residential**—an area of single-family or multifamily dwellings where businesses may or may not also be located. The zone could be subdivided into areas specifically for multiple-unit dwellings, high-rise apartments, and redevelopment.
- **Commercial**—a zone specifically for commercial businesses. It may be subdivided into areas for small retail, large retail, offices, lodging and other uses.
- **Mixed Residential-Commercial**—also called Mixed-Use, this zoning permits a combination of complementary residential, commercial and/or industrial uses in a single district.
- **Industrial**—an area for industry or manufacturing. Businesses here specialize in the manufacture of industrial products and the provision of services for industrial manufacture. This zone may be subdivided into areas for heavy manufacturing, light assembly and warehouses.
- **Special**—an area that includes other specialized properties such as power plants, sports complexes, airports, and shopping malls.

Common regulations within the zoning map districts include density[47], height and bulk of buildings, setbacks, and parking requirements. Regulations for a zoning category in a downtown area may allow for more density and height than allowed in a suburb, for instance. Exceptions to zoning rules are known as variances. Local

[38] "To be based on data means to react to it in an appropriate way and to the extent necessary indicated by the data available on that particular subject at the time of adoption of the plan or plan amendment at issue." S. 163.3177(1)(f), F.S.
[39] S. 163.3177(1)(f), F.S.
[40] S. 163.3177(1)(f)2., F.S.
[41] S. 163.3177(1)(f)3., F.S.
[42] S. 163.3177(1)(f), F.S.
[43] S. 163.3202, F.S.
[44] See ss. 163.3161(6) and 163.3194(1)(a), F.S.
[45] Indian River County, General Zoning Questions, available at https://indianriver.gov/services/community_development/faq.php#faq-questions-33 (last visited March 29, 2025).
[46] Tulane University Law School, The Basics of Land Use and Zoning Law, https://online.law.tulane.edu/blog/land-use-and-zoning-law (last visited March 30, 2025).
[47] "Density" means an objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre. See s. 163.3164(12), F.S.

governments grant these to applicants to address a problem due to the nature of a specific property or to meet a unique need that would not be harmful to the public interest.[48]

Transient Public Lodging Establishments

Section 509.013, F.S., defines "public lodging establishment". A public lodging establishment can be either transient or non-transient. A public lodging establishment is non-transient if the periods of rental to guests are 30 days or a month or more in length. Examples of facilities excluded from the definition of "public lodging establishment" are:

- Any facility certified or licensed and regulated by the Agency for Health Care Administration or the Department of Children and Families or other similar place regulated under s. 381.0072, F.S., and
- Any roominghouse, boardinghouse, or other living or sleeping facility that may not be classified as a hotel, motel, timeshare project, vacation rental, non-transient apartment, bed and breakfast inn, or transient apartment under s. 509.242, F.S.[49]

The Division of Hotels and Restaurants within the Department of Business and Professional Regulation is charged with enforcing the provisions of ch. 509, F.S., and all other applicable laws relating to the inspection and regulation of public lodging establishments and public food service establishments for the purpose of protecting the public health, safety, and welfare. Thus, the division determines which establishments qualify as public lodging establishments.

Under s. 509.032, F.S., a local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals, excepting certain local laws, ordinances, or regulations that were grandfathered in.

Zoning and Recovery Residences

As local governments determine their own zoning regulations, regulations vary within a jurisdiction's zoning map districts. Additionally, since the physical buildings that may be used as recovery residences vary in size and other elements and may be located in different zoning map districts, the requirements that may apply to a building that may be used as a recovery residence can differ both among jurisdictions and even from street to street within a jurisdiction.

While local governments determine these regulations, enacting them by local ordinance, regulations must comply with federal and state law and regulation. The Fair Housing Act and the Americans with Disabilities Act are two federal laws that circumscribe local government authority regarding zoning affecting recovery residences.

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities.[50] The ADA requires broad interpretation of the term "disability" so as to include as many individuals as possible under the definition.[51] The ADA defines disability as a physical or mental impairment that substantially limits one or more major life activities.[52] Disability also includes individuals who have a record of such impairment, or are regarded as having such impairment.[53] The phrase "physical or mental impairment" includes, among others[54], drug addiction

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[48] Tulane University Law School, *supra* note 46.

[49] Section 509.242, F.S., establishes classifications for public lodging establishments. These include hotels, motels, vacation rentals, nontransient apartment, transient apartment, bed and breakfast inn, and timeshare project. A "transient apartment" is defined as "a building or complex of buildings in which more than 25 percent of the units are advertised or held out to the public as available for transient occupancy."

[50] 42 U.S.C. s. 12101. This includes prohibition against discrimination in employment, state and local government services, public accommodations, commercial facilities, and transportation. U.S. Department of Justice, *Law, Regulations & Standards*, available at http://www.ada.gov/2010_regs.htm (last visited March 29, 2025).

[51] 42 U.S.C. s. 12102.

[52] *Id.*

[53] *Id.*

and alcoholism.[55] However, this only applies to individuals in recovery as ADA protections are not extended to individuals who are actively abusing substances.[56]

Fair Housing Amendment Act

The Fair Housing Amendment Act of 1988 (FHA) prohibits housing discrimination based upon an individual's handicap.[57] A person is considered to have a handicap if he or she has a physical or mental impairment which substantially limits one or more of his or her major life activities.[58] This includes individuals who have a record of such impairment, or are regarded as having such impairment.[59] Drug or alcohol addiction are considered to be handicaps under the FHA.[60] However, current users of illegal controlled substances and persons convicted for illegal manufacture or distribution of a controlled substance are not considered handicapped under the FHA.

Based on these federal laws in particular, local governments' decisions on zoning that affects recovery residences' siting has been the subject of significant ligation, both nationally and in Florida, over the last 30 years.[61] Recovery residences' suits have alleged that some local governments have structured their zoning regulation to keep the residences from being able to operate, in response to citizens' concerns about possible detrimental effects to quality of life and property values, in violation of federal law. Local governments point to high costs of emergency response services, poor service quality impeding recovery and impacting health and safety of individuals in recovery living in the residences, and negative impacts on neighborhoods where recovery residences are in high concentration or operated by bad actors.

Federal law requires reasonable accommodations when zoning would exclude individuals with disabilities from housing in a community.[62] According to a joint federal Department of Justice and Department of Housing and Urban Development statement, "reasonable accommodation" is "a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling, including public and common use spaces. Since rules, policies, practices, and services may have a different effect on persons with disabilities than on other persons, treating persons with disabilities exactly the same as others may sometimes deny them an equal opportunity to use and enjoy a dwelling."[63]

However, there are also legitimate government interests that a local jurisdiction can seek to achieve through its planning and zoning.[64] Additionally, local governments are not required to grant accommodations when they

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[54] 28 C.F.R. s. 35.108(b). The phrase physical or mental impairment includes, but is not limited to, such contagious and noncontagious diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic) and tuberculosis.
[55] 28 C.F.R. s. 35.108(b).
[56] 28 C.F.R. s. 35.131.
[57] 42 U.S.C. § 3604. Similar protections are also afforded under the Florida Fair Housing Act, s. 760.23, F.S., which provides that it is unlawful to discriminate in the sale or rental of, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap of a person residing in or intending to reside in that dwelling after it is sold, rented, or made available. The statute provides that "discrimination" is defined to include a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to such person equal opportunity to use and enjoy a dwelling.
[58] 42 U.S.C. § 3602(h).
[59] *Id.*
[60] Oxford House, Inc. v. Town of Babylon, 819 F. Supp. 1179, 1182 (E.D.N.Y. 1993).
[61] See *Recovery Residence Report*, DCF, *supra* note 18, beginning at 10, for cases up until 2013.
[62] Daniel Lauber, *Reforming State and Local Zoning for Community Residences for People With Disabilities and for Recovery Communities* (2024), p. 150, https://sa15.wpenginepowered.com/wp-content/uploads/Florida_Study_CR_and_RC_Report_2024.pdf, (last visited March 30, 2025).
[63] Department of Justice and Department of Housing and Urban Development, *State and Local Land Use Laws and Practices and the Application of the Fair Housing Act,* Nov. 10, 2016, p. 8, https://www.justice.gov/opa/file/912366/dl, (last visited March 30, 2025).
[64] Lauber, *supra* note 62, at 150-151. Examples of such interests cited in this source include assuring that the health and safety needs of the occupants with disabilities are met, and facilitating the essential core characteristics of community residences of emulating a family, normalization, community integration, and the use of neighbors without disabilities as role models.

would impose an undue financial and administrative burden on the local government or fundamentally alter the essential nature of the locality's zoning scheme.[65]

RECENT LEGISLATION:

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2024	CS/CS/CS/HB 1065	Caruso	Harrell	Chapter No. 2024-176

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Human Services Subcommittee	12 Y, 5 N, As CS	4/1/2025	Mitz	Curry
THE CHANGES ADOPTED BY THE COMMITTEE:	Removes bill provisions pertaining to: • License application; • Licensure processes; • Denial, suspension, and revocation of licenses; • State preemption; and • Creation of a substance abuse and recovery resident efficiency committee.			
Intergovernmental Affairs Subcommittee	11 Y, 4 N, As CS	4/9/2025	Darden	Jones
THE CHANGES ADOPTED BY THE COMMITTEE:	• Specifies that a recertified recovery residence must either not occupy or fully occupy a community or structure governed by a condominium association.			
Health & Human Services Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

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[65] HUD/DOJ, *supra* note 63, at 8.

LDCT-2025-22 - Recovery Residences

Menu Reports Help

Application Name: Recovery Residences

File Date: 09/22/2025

Application Type: BOCC-LDC Text Change

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Recovery Residences

Application Detail: Detail

Address: 330 W CHURCH ST, BARTOW, FL 33830

Parcel No: 253006393000000172

Owner Name: POLK COUNTY

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
POLK COUNTY		Applicant	Mailing, 330 W Church ...	Active
POLK COUNTY		Engineer	Mailing, 330 W Church ...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $850.00

Total Fee Invoiced: $0.00

Balance: $0.00

Custom Fields: **LD_PUBL_HEAR**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
Government Project

Variance Type
–

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
0

DRC Meeting
10/09/2025

DRC Meeting Time
9:45 AM

Rescheduled DRC Meeting
–

Rescheduled DRC Meeting Time
–

Number of Units
–

Green Swamp
No

Is this Polk County Utilities

Case File Number
–

FS 119 Status
Non-Exempt

One Year Extension
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
11/05/2025

BOA Hearing Date
–

1st BOCC Date
12/02/2025

2nd BOCC Date
12/16/2025

HEARING

PC Hearing Results
–

PC Vote Tally
–

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_PUBL_HEAR_EDL

Opening DigEplan List...

DigEplan Document List

Open

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-REC25-00000-014GW	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
No	Applications,AutoCad File,Binding Site Plans (PDs and CUs),CSV,Calculations,Correspondence,Design Drawings,Flood/Traffic Studies,Impact Statement,Inspections,Miscellaneous,Plats,Record Drawings,Response Letter Resubmittal Complete,Staff Report/Approval Letter,Survey,Title Opinion	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board **Number of Boards** (Number) **Number of Mailers** (Number) **Date Mailed** **Date Posted** **NOR**

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	09/22/2025	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	10/13/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	09/24/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	09/22/2025	Kim Turner
Planning Review	Aleya Inglima	Approve	09/24/2025	Aleya Inglima
School Board Review	School District	Not Required	09/22/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	10/13/2025	Lyndsay Rathke
Staff Report				
Public Notice				
Planning Commision				
BOCC Hearing				
Final Letter				
DEO Review				
Second BOCC Hearing				
Archive				

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments