

Ordinance No. 25 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL-2025-8**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE POLICY 2. 2.131-Q4. L. C. (G) TO AMEND THE RETAIL AND COMMERCIAL LIMITATION FROM 25 PERCENT TO 30 PERCENT OF THE PIX 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 2023-15 is a County-initiated application to amend Policies 2.130-B3.3 and 2.130B3.4 regarding duplexes in Office Center-X (OCX) and sewer connection in Section 2.130-B Indian Lakes Estates 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 September 10, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on November 4, 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 [REDACTED] 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 February 17, 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 17th day of February 2026.

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

ATTACHMENT “A”

L. PROFESSIONAL INSTITUTIONAL (PIX) - The Professional Institutional is an Activity Center designated only within this SAP that is designed to allow health related and other professional facilities and other support businesses.

- a. DESIGNATION AND MAPPING - Professional Institutional is designated on the North Ridge SAP Future Land Use Map.
- b. CHARACTERISTICS - The PIX is intended to accommodate the employment and functional needs of the medical community as well as associated uses and retail and commercial uses to serve the employees within the PIX and surrounding areas. The PIX will generally contain medical and other professional offices and support facilities including uses to support the employee population. General (approximate) characteristics of the Professional Institutional Xs are:
 - (a) Usable Area: 10 acres or more
 - (b) Minimum Population Support: More than 2,500 people
 - (c) Market-Area Radius: More than 2 miles
 - (d) Typical Tenants: Services to persons needing medical and other specialty services such as administrative, clerical, or professional offices, doctors offices, hospitals, pharmacies, medical supply and other specialty retail stores, assisted living facilities, nursing homes, and small scale retail stores and services for the clients and employees of the land use category. Hotels and motels are also permitted to serve the users of the districts.
- c. DEVELOPMENT CRITERIA - Development within a PIX 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 driveways to US 27 may be permitted during the Level 3 Review for the Planned Development.
 - (b) Different uses shall incorporate the use of shared ingress/egress facilities wherever practical.
 - (c) Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
 - (d) Buffering that meets the County development standards as set forth in the adopted code shall be provided where effects of lighting, noise, odors, and other such factors would adversely impact 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 development, as primary or accessory, will be permitted in up to fifteen percent (15%) of the PIX designation at Medium Densities.
- (f) The FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.25.
- (g) Retail and commercial uses are limited to ~~25~~ 30 percent of the PIX district. ~~Future expansions shall require review by the County to meet the then needed infrastructure improvements. A higher percentage of the limited 30 percent of retail and commercial uses shall be permitted through a Level 3 Conditional Use.~~ At no time may the commercial uses exceed the maximum floor area ratio of 0.70.