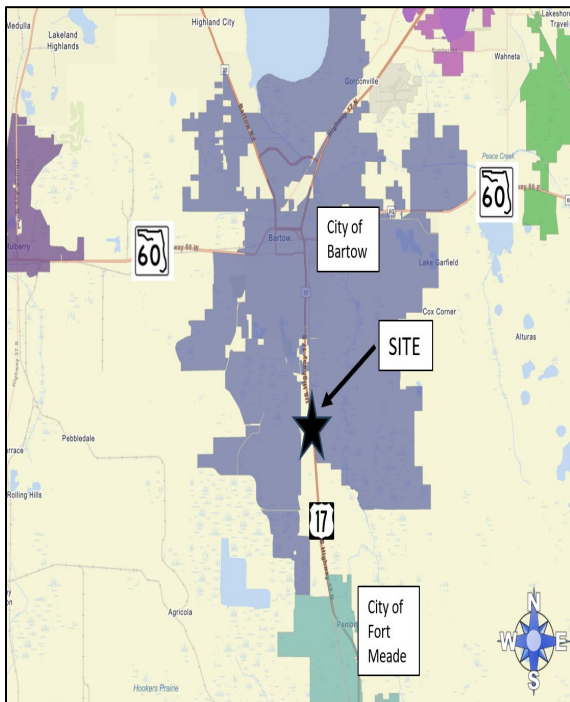


# POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

<b>DRC Date:</b>	March 26, 2026
<b>Planning Commission Date:</b>	June 3, 2026
<b>BoCC Dates:</b>	August 4, 2026 (Transmittal), October 6, 2026 (Adoption)
<b>Applicant:</b>	Chris Reko
<b>Level of Review:</b>	Level 4 Review, Large-Scale Comprehensive Plan Amendment
<b>Case Number and Name:</b>	LDCPAL-2026-4 (Organic Matters CPA)
<b>Request:</b>	Change 71.26 acres from Business Park Center (BPC) to Industrial (IND).
<b>Location:</b>	East of Old Homeland Road, west of US 17/98, and south of the City of Bartow, in Section 29, Township 30, Range 25
<b>Property Owner:</b>	Organic Matters, Inc.
<b>Parcel Size:</b>	71.26 acres
<b>Development Area:</b>	Rural Development Area (RDA)
<b>Future Land Use:</b>	Business Park Center (BPC)
<b>Nearest Municipality:</b>	Bartow
<b>DRC Recommendation:</b>	Approval
<b>Planning Commission Vote:</b>	Pending
<b>Florida Commerce:</b>	Pending
<b>Case Planner(s):</b>	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner



**Location Map**



**Aerial Photo**

## Summary:

This is an applicant-initiated Comprehensive Plan map amendment to change 71.26 acres from Business Park Center (BPC) to Industrial (IND) 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 IND is to the north, south, and east of the site;
- 3) The property has direct access (via Austin Phillip Lane) to a full median opening onto US 17/98.

## Compatibility Summary

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 arterial highways is a factor in determining the appropriateness of industrial lands. This property has direct access to an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). The site also has access to Austin Phillip Lane, which has a full median opening onto US 17/98. Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

Adjacent properties are both designated and used for industrial activities. Because of the similarity in current uses and Future Land Use designations, designating this site as Industrial will be compatible.

## Infrastructure Summary

The site is in the City of Bartow utility service area. 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

Portions of the site are within the 100-year floodplain and contain wetlands. There are no surface waters on or adjacent to the site. No adverse environmental impacts are expected due to the development of this site, subject to compliance with applicable floodplain and wetland regulations.

## 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 2.108(A1-A6): Rural Development Areas (RDAs)
- Policy 2.113(B1-B5): Business-Park Centers (BPC)
- Policy 2.113(A1-A5): Industrial (IND)
- Section 2.123B(B1-B5): Floodplain-Protection Areas
- Section 2.123C(C1-C6): Wetland-Protection Areas

## Findings of Fact

### Request and Legal Status

- LDCPAL-2026-4 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately 71.26 acres from Business-Park Center (BPC) to Industrial (IND).
- Policy 2.108-A1 describes Rural-Development Areas (RDAs) as 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 2.109-A5 describes the Business Park Center land use district as follows: “The purpose of the Business Park Center (BPC) land use district is to provide 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.”
- POLICY 2.109-A11: The purpose of the Industrial (IND) land use district is to provide areas for general manufacturing, processing, and distribution of goods. General commercial uses necessary to support the industrial area are also permitted.
- 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 Industrial (IND) Future Land Use designation.
- This area of Polk County is characterized by industrial uses.
- Surrounding uses include concrete manufacturing to the north, a mixture of industrial uses to the south along Austin Phillips Road, and vacant lands east and west of the site, with the exception of a small cemetery along Old Homeland Road.
- Policy 2.104-A3: Land Use Categories (for Rural Development Areas (RDAs)) list Industrial as a permitted use in RDAs.
- The subject property is adjacent to the City Limits of Bartow.

- Property adjacent to the site in the City of Bartow has a Future Land Use designation of Clear Springs Planned Industrial east of US 1798, and Clear Springs Planned Agricultural west of Old Homeland Road.

### **Infrastructure**

- The property is zoned for Floral Avenue Elementary, Bartow Middle, and Bartow Senior High.
- Fire response is provided by the City of Bartow Fire Station 2, located at 2475 E Clower Street, Bartow via an Automatic Aid Agreement. The estimated response time from this station is about 7 to 9 minutes.
- Emergency Medical Service (EMS) is provided by Polk County Fire Rescue Station 9, 1450 Pinehurst Street, Bartow. This facility is located 2.8 miles from the site, and has a response time of 6-8 minutes.
- Sheriff's response to the site is served by the Southwest District, located at 4120 US 98 South, Lakeland. The responses time are as follows: Priority One: 8:58 minutes; Priority Two: 22:54 minutes.
- The subject property is next to US Highway 17/98. US 17/98 is a Principal Arterial, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.
- The subject parcel also has frontage of Old Homeland Road, a County-maintained collector, and Austin Phillip Lane, a county-maintained local commercial road.
- The site is in the City of Bartow utility service area, but only electric service is available.

### **Environmental**

- There are wetlands and floodplains on the site.
- The site is comprised of Neilhurst sands. These soils are related to previous phosphate mining activities, has severe suitability for septic tank usage and slight limitations for dwellings without basements.
- According to the Polk County Protected Species Observations Map dated July 22, 2021, the site is not within one mile of a rookery, protected species of animals, or eagle nests.
- The PolkGreen Map displays this parcel as being near a potential connection of an overall natural network.
- The property is not in the Florida Wildlife Corridor.
- There are no conservation easements on this parcel, but a property with an conservation easement that includes the Peace River is one mile east of the site.
- This property is not within an Airport Impact District.

- The site is not within a Wellfield Protection District.
- The Shady Oaks Gardens Cemetery, located directly west of the site across Old Homeland Road, is listed on the Florida Master Site File inventory.
- The information received from the Secretary of State’s Department of Historical Resources office includes a statement that “This search area may contain *unrecorded* archeological sites, historical structures, or other resources even if previously surveyed for cultural resources.”

### **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-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 2.113-A1: CHARACTERISTICS - Industrial lands are characterized by facilities for the processing, fabrication, manufacturing, recycling, and distribution of goods, and may contain any use also found within a Business-Park Center. However, land use activities that operate externally to enclosed structures may be permitted within an Industrial Future Land Use designation. Industrial districts are also the appropriate location for land use activities that produce significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product.
- POLICY 2.113-A2: DESIGNATION AND MAPPING - Industrial areas shall be designated and mapped on the Future Land Use Map Series as "Industrial" (IND); shall include all major existing industrial areas; and shall provide for the projected future industrial development needs of the County.
- POLICY 2.113-A3: LOCATION CRITERIA - Industrial development within the County shall occur within lands designated as Industrial on the Future Land Use Map Series. The following factors shall be taken into consideration when determining the appropriateness of establishing new Industrial areas:
  - a. Industrial development shall be located within an Transit Supportive Development Area Urban-Growth Area, Suburban-Development Area, Rural-Development Area, or Utility-Enclave Area.
  - b. Accessibility to major air and ground transportation, including but not limited to arterial roadways, rail lines, and cargo airport terminals.
  - c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.
  - d. Industrial facilities should group together in planned industrial districts on sites capable of being expanded and developed in stages.
  - e. Industrial districts shall be separated significant distances from schools and developed residential areas through a combination of physical separation and screening and/or buffering in accordance with standards in the County's Land Development Code.
  - f. The location criteria for Industrial Districts shall serve to maximize access to the arterial road system and minimize the routing of commercial traffic through residential areas by requiring access be limited to:
    - 1. arterial roads;
    - 2. collector roads, if the subject parcel is within 2 miles of an intersecting arterial road; or

3. local commercial roads or private roads under the following conditions:

- (a) the road has full median access onto to an arterial road;
  - (b) the road does not serve existing or expected future residential traffic from the surrounding area;
  - (c) the road has a structural integrity and design characteristics suitable for truck traffic.
- g. Applications for establishment of an Industrial district shall include a plan consistent with Policy 2.110-L5.
- POLICY 2.113-A4: DEVELOPMENT CRITERIA - Development within an Industrial area shall conform to the following criteria:
    - a. Permitted uses include facilities for the processing, fabrication, manufacturing, recycling, bulk material storage, and distribution of goods, disposal yards, and limited retail commercial in accordance with Policy 2.113-A4.b. Other non-residential uses that produce significant amounts of noise, odor, vibration, dust, and lighting on and off-site may be permitted within an industrial district through conditional approval. Permitted uses also include any use found within a Business-Park Center.
    - b. Retail commercial uses within an industrial area shall be sized for the purpose of serving just the employees of, and visitors to, the industrial area, and shall be limited to a scale appropriate for that purpose. The maximum floor area ratio for commercial uses within an industrial area shall not exceed 0.25.
    - c. Industrial sites shall be designed to provide for:
      - 1. adequate parking to meet the demands of the use; and
      - 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.
    - d. The maximum floor area ratio for non-commercial uses within an Industrial area shall not exceed 0.75 in the TSDA, 0.65 in the UGA, 0.50 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.
    - e. Retail sale of goods manufactured on the site of a business located within an Industrial area is allowed 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.
    - f. 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 systems and as required if within a Nutrient Restoration Plan Overlay.
    - g. Planned Developments within the Industrial 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 Land Development Code shall establish development standards and criteria for Planned Developments within the Industrial district.

- h. Industrial districts shall be separated from existing schools and developed residential areas through physical separation, screening, buffering, or a combination thereof, consistent with the standards in the County's Land Development Code.
  - i. 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 2.113-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 2.123-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.
- POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:
  - a. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards.
  - b. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for:

1. Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions;
  2. access to the site;
  3. necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety;
  4. utility transmission and collection lines;
  5. pre-treated storm-water management;
  6. mining that meets state and federal regulations; or
  7. expansion of an existing use or a new use where upon consultation with the appropriate regulatory agency (prior to permitting) it is determined that the proposed mitigation implements all or part of an agency or jurisdiction's plan and provides greater long term ecological value than the impact.
- c. Commercial and industrial development shall locate on the non-wetland portion of a development site.
- d. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows:
1. a maximum of one dwelling unit per Lot of Record; or
  2. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel.
- e. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.
- f. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.
- g. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.
- h. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.

**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 LDCPAL-2026-4**.

### **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 Rural Development Area (RDA). RDAs are those 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.

Currently, the site has a Future Land Use designation of 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.

The proposed request is for an Industrial (IND) Future Land Use designation. Generally, Industrial districts contain more intensive uses and activities than contemplated in a Business-Park Center. The Comprehensive Plan describes Industrial Lands as characterized by facilities for the processing, fabrication, manufacturing, recycling, and distribution of goods, and may contain any use also found within a Business-Park Center. However, land use activities that operate externally to enclosed structures may be permitted within an Industrial Future Land Use designation. Industrial districts are also the appropriate location for land use activities that produce significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product.

As shown on the Future Land Use Map, adjacent properties north, south, and east of the site are designated Industrial. West of the site, in the City of Bartow, the property is designated as Clear Springs Planned Agricultural.

The site is vacant. A review of aerial photos between 1964 to 1971 show phosphate mining activities on the site. adjoining properties. Generally, the predominant uses in this area of the county are industrial with much of the land in this area having been previously mined.

Surrounding uses include a concrete contractor (Metromont) north of the site. A small (2.68 acres) County-owned cemetery (Shady Oaks Gardens) is directly west of the site, across Old Homeland Road. Vacant lands are east and west of the site. A mixture of industrial uses (construction equipment, outdoor storage, warehouse, and offices) are south of the site, clustered along Austin Phillips Lane.

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 arterial highways, is a factor in determining the appropriateness of industrial lands. This site has access to an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). Austin Phillip Lane, which is adjacent to the site, has a full median opening onto US 17/98. Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

Adjacent properties are both designated for industrial types of uses and activities. Because of the similarity in current uses and Future Land Use designations, designating this site as Industrial will be compatible.

**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 Rural Development Area (RDA), where connections to water and sewer service are not required.

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**

<p><b>Northwest</b> Clear Springs Planned Agricultural – (Bartow) Vacant</p>	<p><b>North</b> Industrial (IND) - Heavy Industrial (Metromont) Industrial (Bartow) – Metromont retention pond</p>	<p><b>Northeast</b> Clear Springs Planned Industrial (Bartow) Pasture</p>
<p><b>West</b> Clear Springs Planned Agricultural (Bartow) - Vacant Phosphate Mining (PM) – Cemetery, Vacant</p>	<p><b>Subject Site</b> Business Park Center (BPC) Vacant</p>	<p><b>East</b> Clear Springs Planned Industrial (Bartow) Pasture</p>
<p><b>Southwest</b> Clear Springs Planned Agricultural – (Bartow) Vacant</p>	<p><b>South</b> Business Park Center (BPC) &amp; Industrial (IND) Industrial Facility (Organic Matters, Inc), Heavy Industrial (Construction yard), Office, Warehousing/storage</p>	<p><b>Southeast</b> Clear Springs Planned Industrial (Bartow) Pasture</p>

## 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
Floral Avenue Elementary	0	3.5 miles
Bartow Middle School	0	3.5 miles
Bartow Senior High	0	3.5 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 4120 US 98 South, Lakeland	13 miles	P1: 8:58 minutes P2: 22:54 minutes
Fire	City of Bartow Fire Station 2, located at 2475 E Clower Street, Bartow (via Automatic Aid Agreement)	3.4 miles	7-9 minutes
EMS	Polk County Fire Rescue Station 9, 1450 Pinehurst Street, Bartow	2.8 miles	6-8 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 Rural Development Area (RDA), where connection to public water and sewer is not required. 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 is based on a developable site area of 67.63 acres (71.26 acres less 3.53 acres of wetlands), and assumes the maximum allowed square footage of 1,472,982 square feet of warehouse space.

**Table 4 Estimated Water and Sewer Impact Analysis**

<b>Maximum Allowable Use:</b> <b>BPC – 67.63 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF</b> <b>IND – 71.26 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF</b>	Estimated Impact Analysis Business Park Center (BPC) to Industrial (IND) <i>Development Area: RDA</i>	
	<b>Current Land Use designation</b> <b>BPC</b>	<b>Maximum Permitted Use in</b> <b>Proposed IND</b>
Current Maximum Allowable Use	1,472,982 Square Feet (SF)	1,472,982 Square Feet (SF)
Potable Water Consumption	1,472,982 SF * .24 GPD/SF = <b>353,516 GPD</b>	1,472,982 SF * .24 GPD/SF = <b>353,516 GPD</b>
Wastewater Generation	1,472,043 SF * 80% of water usage <b>282, 813 GPD</b>	1,472,043 SF * 80% of water usage <b>282, 813 GPD</b>

*GPD – Gallons Per Day*

*Source: Polk County Concurrency Manual and Polk County Utilities Warehouse @ .24 GPD/SF (water) & .18 GPD/SF (sewer)*

### B. Available Capacity:

Because this property is in a Rural Development Area, public water or sanitary sewer services are not available. While the property is in the City of Bartow utility service area only electric service is available, with no water or sewer lines nearby.

### 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 is based on a developable site area of 67.63 acres (71.26 acres less 3.53 acres of wetlands), and assumes the maximum allowed square footage of 1,472,982 square feet of warehouse space.

**Table 5 Estimated Transportation Impact Analysis**

<b>Maximum Allowable Use:</b> BPC – 67.63 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF IND – 71.26 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF	Estimated Impact Analysis Business Park Center (BPC) to Industrial (IND) Development Area: RDA	
	<b>Current Land Use designation BPC</b>	<b>Maximum Permitted Use in Proposed IND</b>
	1,472,982 Square Feet (SF)	1,472,982 Square Feet (SF)
<b>Average Annual Daily Trips (AADT)</b>	1,472,982 SF * 1.71 trips/1,000 SF = <b>2,519 AADT</b>	1,472,982 SF * 4.27 trips/1,000 SF * 92% new trips = <b>5,786 AADT</b>
<b>PM Peak Hour Trips</b>	1,472,982 SF * .18 trips/1,000 SF = <b>265 PM Peak Hour Trips</b>	1,472,982 SF * .63 trips/1,000 SF = 92% new trips <b>854 PM Peak Hour Trips</b>

Source: Concurrency Manual and Table for Minor Traffic Study – Warehousing (ITE 150) – 1.71 AADT/1,000 SF; General Light Industrial (ITE 140) – 4.27 AADT/1,000 SF, 0.63 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.

The subject property is next to US Highway 17/98. US 17/98 is a Principal Arterial, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

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
5004N	US 17/98 From: CR 640 to Clear Springs Mine Road	B	2,179	D	B
5004S	US 17/98 From: CR 640 to Clear Springs Mine Road	B	2,216	D	B

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 13, 2026

As identified above, US 17/98 has sufficient PM peak hour capacity to support future development activity.

The subject parcel also has frontage on Old Homeland Road, a County maintained collector road. The site also has 60 feet of frontage next to Austin Phillip Lane, and County-maintained local commercial road and has a pavement width of 20 feet.

C. Roadway Conditions

Old Homeland Road has a Pavement Condition Index of “good”, and Austin Phillip Lane has a Pavement Condition Index of “fair.”

D. Planned Improvements:

There are no known improvements for this portion of US 17/98 at this time.

E. Mass Transit

Route 25– Bartow/Fort Meade traverses this section of US 17/98. There is a bus stop on the west side of US Highway 17/98, 550 feet south of the southeast corner 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 Mosaic Peace River Park, located .08 mile southeast of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

The entrance to the Mosaic Peace River Park is located on County Road 640, with an address of 220 County Road 640, Bartow, 33830.

B. Services:

Mosaic Peace River Park offers bank and pier fishing, horseback riding and picnic tables and picnic shelters. Additionally, there an airfield for radio controlled aircraft and a disc golf course is planned for the future.

C. Multi-use Trails:

The Mosaic Peace River Park contains more than 7.5 miles of multi-use trails.

**Environmental Lands**

The PolkGreen Map displays this parcel as being near to a potential connection of an overall natural network. There are no conservation easements on this parcel, but property with an conservation easement that includes the Peace River is one mile east of the site. The property is not in the Florida Wildlife Corridor.

## Environmental Conditions

There are wetlands and floodplains on this site. Because of these conditions, any development of the site will have to take these conditions into account and comply with the applicable requirements of Section 620 (Wetland Protection) and Section 630 (Flood Hazard Management and Floodplain Protection) of the Land Development Code.

### A. Surface Water:

There are no surface waters on the site.

### B. Wetlands/Floodplains:

The site contains a Zone “A” floodplain and wetlands. The applicant has submitted documentation from the Florida Department of Environmental Protection (DEP) containing a formal determination of the landward extent of wetlands. This notice states that approximately 3.53 acres of the site contain wetlands.

### C. Soils:

The site is comprised of Neilhurst sand/1 to 5 percent slopes, 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)
Neilhurst sand/1 to 5 percent slopes	Severe: wetness	Slight	100.0%

*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, Polk Green, Conservation Easements and Wildlife Corridor

According to the Polk County Protected Species Observations Map dated July 22, 2021, the site is not located within one mile of a rookery, protected species of animals, or eagle nests. 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 being near to a potential connection of an overall natural network. There are no conservation easements on this parcel, but a property with an conservation easement that includes the Peace River is one mile east of the site.

E. Archeological Resources:

The Shady Oaks Gardens Cemetery, located directly west of the site across Old Homeland Road, is listed on the Florida Master Site File inventory. Attached with this agenda item is correspondence dated May 5, 2025 from the Florida Department of State, informing Polk County that the Cemetery was to be added to the Master Site File. Additional information received from the Secretary of State's Department of Historical Resources office for this case includes a statement that "This search area may contain *unrecorded* archeological sites, historical structures, or other resources even if previously surveyed for cultural resources." Because the cemetery is greater than 100 feet from the site (124 feet), the provisions for historic resource protection Section 680 of the Land Development Code do not apply. However, it is suggested that the applicant complete a more detailed survey of potential historical or archeological resources on the site prior to any site development activity.

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 US Highway 17/98 and next to existing industrial uses provide an opportunity for new businesses to locate on this site, thereby also providing jobs to support the Bartow 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
<p>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;</p> <p>b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;</p> <p>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.</p>	<p>The site is in between two properties that are designated as Industrial (IND) and would be compatible.</p>
<p>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.</p>	<p>The site is in an existing industrial area.</p>
<p>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:</p> <p>a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided,</p> <p>b. nearness to agriculture-production areas;</p> <p>c. distance from populated areas;</p> <p>d. economic issues, such as minimum population support and market-area radius (where applicable);</p> <p>e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:</p> <ol style="list-style-type: none"> <li>1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;</li> <li>2. sanitary sewer and potable water service;</li> <li>3. storm-water management;</li> <li>4. solid waste collection and disposal;</li> <li>5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;</li> <li>6. emergency medical service (EMS) provisions; and</li> <li>7. other public safety features such as law enforcement;</li> <li>8. schools and other educational facilities</li> <li>9. parks, open spaces, civic areas and other community facilities,</li> </ol> <p>f. environmental factors, including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. environmental sensitivity of the property and adjacent property;</li> <li>2. surface water features, including drainage patterns, basin characteristics, and flood hazards;</li> <li>3. wetlands and primary aquifer recharge areas;</li> <li>4. soil characteristics;</li> <li>5. location of potable water supplies, private wells, public well fields; and</li> </ol>	<p>The proximity of the site next to US 17/98, and is next to an existing industrial area. These features make the site appropriate for more intensive industrial uses.</p>

Comprehensive Plan Policy	Consistency Analysis
6. climatic conditions, including prevailing winds, when applicable.	
<p>POLICY 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas:</p> <p>a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria.</p> <p>b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria.</p> <p>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.</p> <p>Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.</p>	<p>The site is in a Rural Development Area (RDA).</p>
<p><u>POLICY 2.113-A3: LOCATION CRITERIA</u> - Industrial development within the County shall occur within lands designated as Industrial on the Future Land Use Map Series. The following factors shall be taken into consideration when determining the appropriateness of establishing new Industrial areas:</p> <p>a. Industrial development shall be located within an Transit Supportive Development Area Urban-Growth Area, Suburban-Development Area, Rural-Development Area, or Utility-Enclave Area.</p> <p>b. Accessibility to major air and ground transportation, including but not limited to arterial roadways, rail lines, and cargo airport terminals.</p> <p>c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.</p> <p>d. Industrial facilities should group together in planned industrial districts on sites capable of being expanded and developed in stages.</p> <p>e. Industrial districts shall be separated significant distances from schools and developed residential areas through a combination of physical separation and screening and/or buffering in accordance with standards in the County's Land Development Code.</p> <p>f. The location criteria for Industrial Districts shall serve to maximize access to the arterial road system and minimize the routing of commercial traffic through residential areas by requiring access be limited to:</p> <p>1. arterial roads;</p>	<p>This request can be considered to be part of an expansion of an existing industrial district.</p> <p>The site is located near an arterial road (US 17/98).</p>

Comprehensive Plan Policy	Consistency Analysis
<p>2. collector roads, if the subject parcel is within 2 miles of an intersecting arterial road; or</p> <p>3. local commercial roads or private roads under the following conditions:</p> <p>(a) the road has full median access onto to an arterial road;</p> <p>(b) the road does not serve existing or expected future residential traffic from the surrounding area;</p> <p>(c) the road has a structural integrity and design characteristics suitable for truck traffic.</p> <p>g. Applications for establishment of an Industrial district shall include a plan consistent with Policy 2.110-L5.</p>	
<p>POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria:</p> <p>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.</p> <p>b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not:</p> <p>1. enlarge the off-site floodplain;</p> <p>2. alter the natural function of the floodplain; nor</p> <p>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.</p>	<p>Compliance with this policy will be determined as part of a Level 2/site plan review.</p>
<p>POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:</p> <p>i. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards.</p> <p>j. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for:</p> <p>8. Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions;</p>	<p>According to the applicant's support documentation, 3.53 acres consists of wetlands. This is a small amount of the overall 71.26-acre site. Careful site planning will need to occur to ensure that development of the site is done in a manner that minimizes impacts to environmental resources.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>9. access to the site;</p> <p>10. necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety;</p> <p>11. utility transmission and collection lines;</p> <p>12. pre-treated storm-water management;</p> <p>13. mining that meets state and federal regulations; or</p> <p>14. expansion of an existing use or a new use where upon consultation with the appropriate regulatory agency (prior to permitting) it is determined that the proposed mitigation implements all or part of an agency or jurisdiction's plan and provides greater long term ecological value than the impact.</p> <p>k. Commercial and industrial development shall locate on the non-wetland portion of a development site.</p> <p>l. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows:</p> <p>3. a maximum of one dwelling unit per Lot of Record; or</p> <p>4. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel.</p> <p>m. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.</p> <p>n. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.</p> <p>o. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.</p> <p>Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.</p>	

## 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**

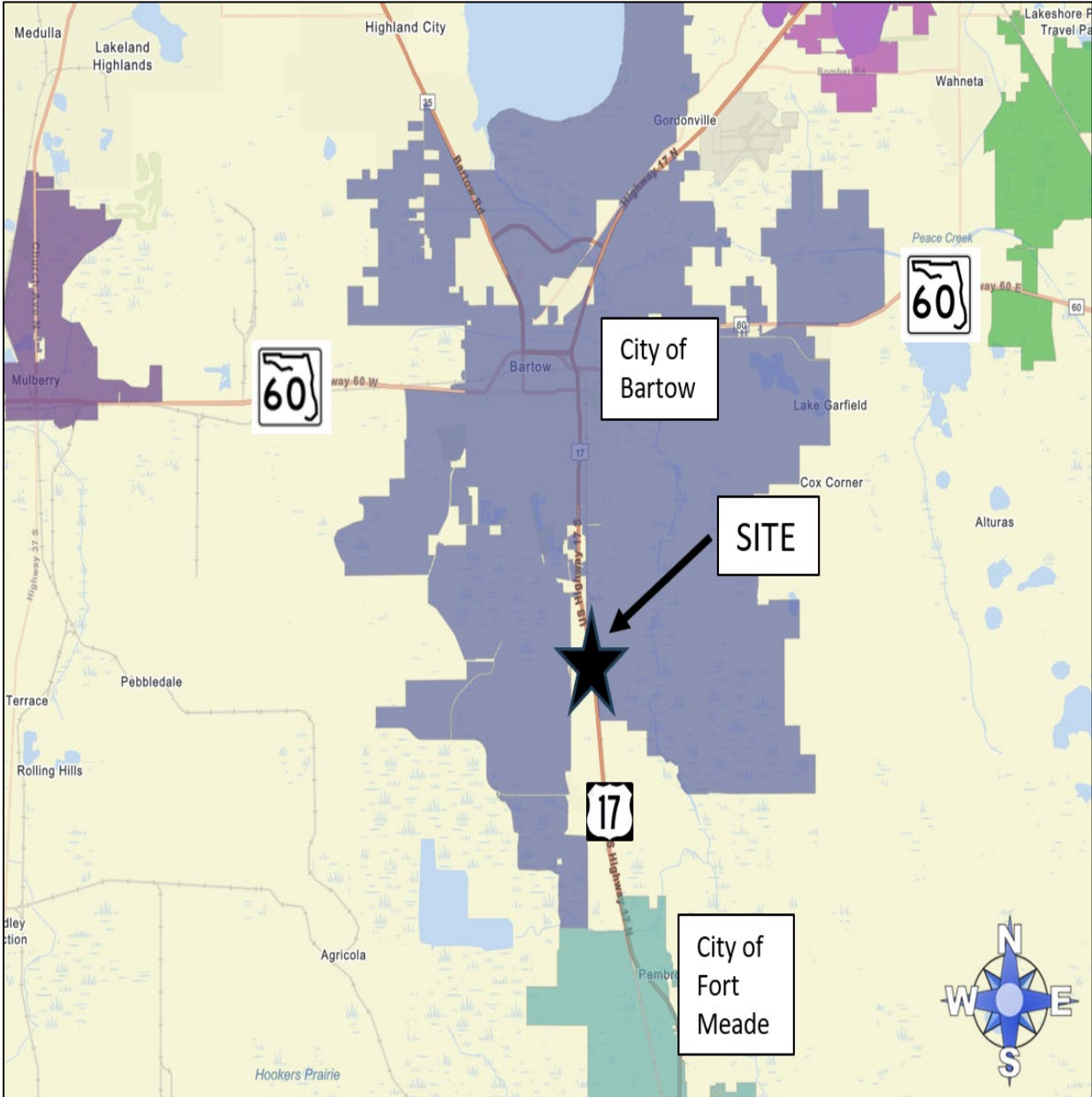
<b>Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes</b>	
<b>Urban Sprawl Criteria</b>	<b>Sections where referenced in this report</b>
a. <i>Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.</i>	Summary of analysis
b. <i>Allows a significant amount of urban development to occur in rural areas.</i>	Summary of analysis
c. <i>Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.</i>	Summary of analysis, surrounding Development, compatibility
d. <i>Fails to adequately protect and conserve natural resources and other significant natural systems.</i>	Summary of analysis, surrounding Development, compatibility
e. <i>Fails to adequately protect adjacent agricultural areas.</i>	Compatibility with Surrounding Land Uses
f. <i>Fails to maximize existing public facilities and services.</i>	Summary of Analysis, Infrastructure
g. <i>Fails to minimize the need for future facilities and services.</i>	Summary of Analysis, Infrastructure
h. <i>Allows development patterns that will disproportionately increase the cost of providing public facilities and services.</i>	Summary of Analysis, Infrastructure
i. <i>Fails to provide a clear separation between urban and rural uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
j. <i>Discourages infill development or redevelopment of existing neighborhoods.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
k. <i>Fails to encourage an attractive and functional mixture of land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
l. <i>Will result in poor accessibility among linked or related land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
m. <i>Results in the loss of a significant amount of open space.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses

### Comments From Other Agencies:

An e-mail was sent to the City of Bartow Planning staff on Wednesday, April 15. The site is in the City of Bartow water, sewer, and electric service area, but only electrical service is available.

### **Exhibits:**

- Exhibit – 1 Location Map
- Exhibit – 2 Location Map (Detailed)
- Exhibit – 3 2023 Aerial Photo (Context)
- Exhibit – 4 2023 Aerial Photo (Detailed)
- Exhibit – 5 Current Future Land Use Map
- Exhibit – 6 Proposed Future Land Use Map
- Exhibit – 7 District Use Comparison Tables



Location Map (Context)



Location Map (Context)



2023 Aerial Photo (Context)



2023 Aerial Photo (Detailed)



Current Future Land Use Map



Proposed Future Land Use Map

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
BPC-1	Farming General, Government Facility, Nurseries and Greenhouses, Office, Office Park, Personal Service, Printing & Publishing, Research & Development, Studio- Production, Transit- Facility, Utilities- Class I, Utilities- Class II, Warehousing/Distribution	Alcohol Package Sales, Bars- Lounges- and Taverns, Golf Course, Recreation- Passive, Cardboard & Shredded Paper Collection; Commercial Vehicle Parking, Communication Tower- Monopole, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Heliports, Helistops, Hotels and Motels, Manufacturing- Light, Medical Marijuana Dispensaries, Nurseries- Retail, Religious Institution, Restaurant- Drive-thru/Drive-in, Restaurant- Sit-down/Take-out, Retail- 10-000 – 34-999 sq. ft., Retail- 35-000 - 64-999 sq. ft, Retail- Less than 10-000 sq. ft., School- Leisure/Special Interest, School- Technical/Vocational/Trade & Training, School- University/College, Self-storage Facility, Solar Electric-Power Generation Facility	Multi-family, Planned Development, Transitional Area Development, Agricultural Support- Off-Site, Airport, Animal Farm- Intensive, Communication Towers- Guyed and Lattice, Lime Stabilization Facility, Mining- Non-phosphate, Retail- More than 65-000 sq. ft., Utilities- Class III, Water Ski Schools, Power Plants Non-Certified-Low

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
IND	Agricultural Support-Off-Site, Animal Farm- Intensive, Commercial Vehicle Parking, Crematorium, Farming-General, Government Facility, Kennels, Boarding and Breeding, Livestock Sale, Auction, Manufacturing, Explosives/Volatile Material, Manufacturing-Light, Manufacturing- General, Motor Freight Terminal, Nurseries and Greenhouses, Office, Personal Service, Printing & Publishing, Recreation-Passive, Research & Development, Retail, Home Sales Offsite, School- Technical/Vocational/Trade & Training, Studio, Production, Transit- Facility, Utilities- Class I, Utilities- Class II, Vehicle Repair- Auto Body, Vehicle Service- Mechanical, Warehousing/Distribution	Farm Worker Dormitory - Barrack Style, Alcohol Package Sales, Bars, Lounges and Taverns, Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, Cardboard and Shredded Paper Collection, Communication Tower- Guyed and Lattice, Communication Tower- Monopole, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Golf Course, Heliports, Helistops, Heavy Machinery Equipment Sales and Services, Hotels and Motels, Medical Marijuana Dispensaries, Nurseries- Retail, Railroad Yard, Recreation Vehicle Storage, Religious Institution, Restaurant- Drive-thru/Drive-in, Restaurant- Sit-down/Take-out, Retail- 10-000 – 34-999 sq. ft., Retail- 35-000 - 64-999 sq. ft, Retail- Less than 10-000 sq. ft., School- Leisure/Special Interest, Self-storage Facility, Utilities Class III, Solar Electric-Power Generation Facility, Vehicle Recovery Service/Agency, Veterinary Service.	Planned Development, Airport, Construction Aggregate Processing, Construction Aggregate Storage, Gypsum Stack, Hazardous Waste Transfer, Storage, Hazardous Waste Treatment Facilities, Lime Stabilization Facility, Mining- Non-phosphate, Power Plants Non-Certified-Low, Power Plants Non-Certified-High, Salvage Yard, School-University/College, Seaplane Base, Water Ski Schools

## DISTRICT USE COMPARISON TABLES