

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-26, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 205, USE TABLE FOR STANDARD LAND USE DISTRICTS, TO CONSOLIDATE THE NUMBER OF CAR WASH USES; SECTION 206, ACCESSORY USES, TO ADD ACCESSORY CAR WASHES; CHAPTER 3, SECTION 303, CRITERIA FOR CONDITIONAL USES, TO MODIFY CAR WASH CONDITIONAL USE STANDARDS; CHAPTER 4, SPECIAL DISTRICTS, USE TABLES, TO CONSOLIDATE THE NUMBER OF CAR WASH USES; CHAPTER 7, SECTION 708, PARKING SPACE REQUIREMENTS, TO ADJUST THE PARKING REQUIREMENTS FOR CAR WASHES; CHAPTER 10, DEFINITIONS, TO PROVIDE NEW DEFINITIONS FOR CAR WASHES; 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 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 February 4, 2026; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code shall consolidate car wash uses; and

WHEREAS, the Board of County Commissioners held two public hearings on March 3, 2026, and March 17, 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 February 4, 2026, to consider the LDC text amendments contained within Application LDCT-2025-26 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-26.
- c) The adoption of LDCT-2025-26 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Table 2.1, Use Tables for Standard Land Use Districts, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 205 - Use Tables for Standard Land Use Districts

...

Table 2.1 Use Table for Standard Land Use Districts

	RCC	CC	CE	LCC	NAC	CAC	RAC	OC	TCC	HIC	BPC -1	BPC -2	IND	PM
Car Wash, Full Service				C2		P	P		P					
Car Wash, Incidental	-C2	C2	C2	-C2	C2	-P	P		-P					
Car Wash, Self Service				-C2		-P	P		-P					

...

SECTION 3: Chapter 2, Section 206, Accessory Uses, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 206 – Accessory Uses

Accessory uses are permitted in conjunction with the primary use in all land use districts. Accessory uses are those land uses that are incidental and subordinate to the primary use of the property (see table 2.1 for a list of primary land uses allowed per district). Specific requirements pertaining to the determination of what is incidental and subordinate for certain types of accessory uses are listed in the section and sections to follow in this chapter. All accessory uses contained herein, and any other not included shall comply with Section 209.

...

S. Accessory Car Wash Facilities

Accessory car wash facilities are those typically associated with gas stations and convenience stores and may be permitted in conjunction with these uses, subject to a Level 2 Review. In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

- 1. The minimum distance from an accessory car wash facility to any residentially designated property shall be 50 feet measured at the narrowest point between the

property line of the residential property and either the stacking lane, car washing enclosure, or detailing area, whichever is closer. All car wash activities shall be screened from off-site residential view.

2. Land use activities containing an accessory car wash and located adjacent to residentially designated properties shall, at a minimum, provide a landscaped buffer equal to a Type “C” buffer between the entire property and adjacent residential areas.
3. All car wash operations shall be required to connect to public or community sanitary sewer, a Car Wash Recycle System, or similar wastewater treatment system approved by the Florida Department of Environmental Protection or other applicable regulatory agency.
4. All car wash operations shall be required to connect re-use water where and when it is available.
5. All car washes with Drive-Thru Facilities shall abide by the standards found in Section 206.T

...

SECTION 4: Chapter 3, Section 303, Conditional Uses, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

...

Car Wash, ~~Full-Service~~ (Revised 05/21/19 – Ord. 19-032)

In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

1. The minimum distance from a ~~full-service~~ car wash facility to any residentially designated property shall be 50 feet measured at the narrowest point between the property line of the residential property and either the stacking lane, car washing enclosure, or detailing area, whichever is closer. All car wash activities shall be screened from off-site residential view.
2. Land use activities, containing a ~~full-service~~ car wash, and located adjacent to residentially designated properties shall, at a minimum, provide a landscaped buffer equal to a Type C buffer (see Section 720) between the entire property and adjacent residential areas.
3. All car wash operations shall be required to connect to public or community sanitary sewer, a Car Wash Recycle System, or similar wastewater treatment system approved by the Florida Department of Environmental Protection or other applicable regulatory agency.

Car Wash, ~~Incidental~~ (Revised 05/21/19 — Ord. 19-032)

~~In addition to the applicable district regulations in Table 2.2, the following standards shall apply:~~

- ~~1. The minimum distance from an incidental car wash facility to any residentially designated property shall be 50 feet measured at the narrowest point between the property line of the residential property and either the stacking lane, car washing enclosure, or detailing area, whichever is closer. All car wash activities shall be screened from off-site residential view.~~
- ~~2. Land use activities, containing an incidental car wash, located adjacent to residentially designated properties shall, at a minimum, provide a landscaped buffer equal to a Type C buffer (see Section 720) between the entire property and adjacent residential areas.~~
- ~~3. All car wash operations shall be required to connect to public or community sanitary sewer, a Car Wash Recycle System, or similar wastewater treatment system approved by the Florida Department of Environmental Protection or other applicable regulatory agency.~~
- ~~4. All car wash operations shall be required to connect re-use water where and when it is available.~~

Car Wash, Self-Service (Revised 05/21/19 – Ord. 19-032)

In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

- ~~1. The minimum distance from a self service car wash facility to any residentially designated property shall be 50 feet measured at the narrowest point between the property line of the residential property and either the stacking lane, car washing enclosure, or detailing area, whichever is closer. All car wash activities shall be screened from off-site residential view.~~
- ~~2. Land use activities, containing self-service car wash, located adjacent to residentially designated properties shall, at a minimum, provide a landscaped buffer equal to a Type C buffer (see Section 720) between the entire property and adjacent residential areas.~~
- ~~3. All car wash operations shall be required to connect to public or community sanitary sewer, a Car Wash Recycle System, or similar wastewater treatment system approved by the Florida Department of Environmental Protection or other applicable regulatory agency.~~
- ~~4. All car wash operations shall be required to connect re-use water where and when it is available.~~

...

SECTION 5: Chapter 4, Special Districts, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 401.02 – Ronald Reagan Parkway Plan District

...

Table 4.3 Use Table for Standard Land Use Districts for the Ronald Reagan Selected Area Plan

	CCX	NACX	TCX	CA CX	RAC X	OCX	ECX	MUX	BPC- 1X	BPC- 2X	IND X	INST 1X	INST 2X
Car Wash, Full Service				P	P			C2					
Car Wash, Incidental	C2	C2		P	P			C2					
Car Wash, Self Service				P	P			C2					

...

Section 401.03 - North US 27 Selected Area Plan

...

Section 401.03.01 Use Table for U.S. 27 Selected Area Plan

<i>Green Swamp ACSC Districts Outlined in shaded in grey</i>	TCX	RACX	PIX	OCX	RHX	NACX	TCX	RACX	PIX	NACX
Car Wash, Full Service						C2	C2	C2		C2
Car Wash, Incidental	C2	C2				C2	C2	C2		C2

...

Section 401.04 - US 98 Selected Area Plan

...

Table 4.12 Allowable Uses for US Highway 98 SAP

	ECX	CEX	LCCX	NACX	OCX	TCX	BPC-1X	BPC-2X	INDX
Car Wash, Full Service and Self Service	C2		C2	C2			C2	C2	C2
Car Wash, Incidental	C2	C2	C2	C2		C2	C2	C2	C2

...

Section 401.06 The North Ridge Selected Area Plan

...

Table 4.16 Use Table for Standard Land Use Districts

	RMX	RHX	CCX	CEX	LCCX	NACX	CACX	RACX	TCCX	PIX	L/RX	ECX
Car Wash, Full Service	C2									C3		C2
Car Wash, Incidental	C2		C2			C2	P	P	P	C2		C2

...

E. Modified Special Use Requirements

...

3. Conditional Uses - In addition to Chapter 3, the following conditions shall apply within the North Ridge SAP:

...

e. ~~Carwash (Incidental)~~ Car Wash establishments within the ECX district of the North Ridge SAP are considered to be retail/commercial uses and shall not exceed the 30 percent limit of such retail/commercial uses allowed throughout the ECX district. A higher percentage of the limited 30 percent of retail and commercial uses shall only be permitted through a ~~Planned Development~~ Level 3 Conditional Use. ~~Incidental Carwash~~ Car Wash establishments shall adhere to conditional use development criteria expressed for ~~Incidental Carwashes~~ Car Washes in Section 303, Criteria for Conditional Uses, of the Land Development Code and shall have direct frontage along US Highway 27.

...

401.07 Table 1 - Use Table for Brewster Selected Area Plan Land Use Districts

LAND USE	A/RRX	TCCX	PMX	L/RX	ROSX	PRESVX
Car Wash, Full Service		P				
Car Wash, Incidental		P				
Car Wash Self Service		P				

...

Section 401.08 Southeast Polk Selected Area Plan

...

Table 401.08.01 Use Table for SE Polk SAP

	Village Centers and Village Center Cores									Outside the Village Centers (Scenic Highway overrides)						
	RCC X	CC X	CE X	LCC X	NAC X	TCC X	BPC-1 X	BPC-2 X	IND X	RCC X	CC X	CE X	TCC X	BPC-1 X	BPC-2 X	IND X
Car Wash, Full Service	C2		C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2
Car Wash, Incidental	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2
Car Wash, Self Service	C2			C2		C2	C2	C2		C2			C2	C2	C2	C2

...

K. Conditional Uses:

...

~~8. Carwash Full Service: Carwash full-service Car Wash facilities are allowed as part of the retail cap in those land use districts where retail is allowed (BPC-1X, BPC-2X, INDX, OCX, L/RX).~~

~~9. Carwash Incidental: Carwash incidental facilities are allowed as part of the retail cap in those land use districts where retail is allowed (BPC-1X, BPC-2X, INDX, OCX, L/RX).~~

~~10. Carwash Self Service: Carwash self-service facilities are allowed with the following conditions:~~

~~a. Within the Village and VC Core, self-service carwashes shall be limited to three bays;~~

~~b. Hours of operations shall be restricted to 7:00 am to 10 pm; and~~

~~c. The service shall be allowed as part of the retail cap in those land use districts where retail is allowed (BPC-1X, BPC-2X, INDX, OCX, L/RX).~~

~~11. 9. Community Centers: When adjacent to properties used or designated for residential, the use must have a Type B Buffer and a six-foot high opaque fence between the properties from the line of the front façade of the building to the rear of the property.~~

...

Section 402 - Development of Regional Impact and Pre-Development of Regional Impact, and Utility Enclave Areas

...

F. Grenelefe Utility Enclave Area (UEA)

...

Table 4.25 Use Table

Table 4.25 Use Table (Revised 11/21/17 - Ord. 17-066)							
	NACX	RLX	RMX	RHX	TCCX	DRI	PRESVX
Car Wash, Full Service	C2						
Car Wash, Incidental	C2						

...

Section 403.01 Wahneta Neighborhood Plan

...

Table 4: Wahneta Neighborhood Plan - Use Table (Allowable Uses and Districts)

	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X
Car Wash, Full Service		C2	C2	C2			
Car Wash, Incidental	C2	C2	C2	C2			
Car Wash, Self Service		C2	C2	C2			

...

SECTION 6: Chapter 7, Section 708, Parking Space Requirements, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 708 - Parking Space Requirements

...

Table 7.10 Minimum Off-Street Parking Requirements (For revision history, see last row in table. Newer ordinances appear at the end of the table)	
Land Use	Minimum Off Street Spaces
Car wash, Full Service	1 space per employee, minimum 5 spaces
Car wash, Self Service	2 spaces per stall
Carwash, Incidental	At least 2 spaces (40 feet) for stacking

...

SECTION 7: Chapter 10, Definitions, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

...

~~**CAR WASH, FULL SERVICE:** Any facility providing complete car washing and cleaning services. Car washing is generally automatic, with the driver leaving the car during the washing procedure. Waxing and detailing may also be provided. An establishment engaged in the business of washing domestic vehicles with self-service, automated, and/or staffed facilities.~~

~~**CAR WASH, ACCESSORY:** Any automated car wash facility that is incidental and accessory to the primary use onsite. The facility may be an attached or free-standing structure.~~

~~**CAR WASH, INCIDENTAL:** Any automated car wash which is incidental to the sale of fuel, and characterized by an automatic wash which requires the driver to remain in the vehicle during operation. The facility may be an attached or a free standing structure.~~

~~**CAR WASH, SELF SERVICE:** Any facility providing stalls with water, soap, wax, or other materials for cleaning vehicles by individuals.~~

...

SECTION 8: 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 9: 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 17th day of March 2026.