

# POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

<b>DRC Date:</b>	November 30, 2023	<b>Level of Review:</b>	Level 4 Review
<b>PC Date:</b>	January 3, 2024	<b>Type:</b>	Large-Scale Comprehensive Plan Amendment
<b>BoCC Date:</b>	February 20, 2024	<b>Case Numbers:</b>	LDCPAL-2023-9
	April 16, 2024	<b>Case Name:</b>	RCC Text Change
<b>Applicant:</b>	Staff Initiated	<b>Case Planner:</b>	Mark J. Bennett, AICP, FRA-RA

<b>Request:</b>	Comprehensive Plan text amendment to policies in Objective 2.110-B (Rural Cluster Centers) and Policies 2.110-J1 & L3 regarding existing activity center expansions and the initiation of Activity Center Plans.
<b>Location:</b>	Property within the Rural Development Area
<b>Property Owners:</b>	N/A
<b>Parcel Number:</b>	N/A
<b>Future Land Use:</b>	N/A
<b>Development Area:</b>	Rural Development Area (RDA)
<b>Nearest Municipality:</b>	N/A
<b>DRC Recommendation:</b>	Approval
<b>Planning Commission Vote:</b>	Approval 6:0
<b>DEO*</b>	No Comment - March 26, 2024 (No. 24-01 ESR)

### Summary of Analysis:

This is a staff-initiated request to amend the text of the Comprehensive Plan Future Land Use Element for policies in Objective 2.110-B related to Rural Cluster Centers, existing activity center expansions (Policy 2.110-J1), and the initiation of Activity Center Plans (Policy 2.110-K3). These proposed changes will allow for the placement of commercial nodes at specific locations throughout the rural areas of the County in addition to existing Rural Cluster Centers (such as Homeland, Alturas, etc.). This change will meet the needs of residents, seasonal population, and travelers on the County’s regional road network, as the development pattern of the County today is different than it was when the Comprehensive Plan was adopted in 1991.

### Data and Analysis Summary:

Significant research has been completed for this text amendment. An analysis of comprehensive plans for similar types of jurisdictions was done to determine how other Counties address commercial uses in rural areas. Additionally, a mapping analysis was completed using the proposed criteria, and demonstrated that the proposed changes are feasible. Included with this report is a specific justification for each of the proposed policy changes.

### Relevant Sections, Policies, and/or Regulations Considered:

- Comprehensive Plan **Section 2.110 - Activity Centers**
- Comprehensive Plan **Objective 2.110-B: Rural Cluster Centers**
- Comprehensive Plan **Policy 2.110-B1: Characteristics**

- Comprehensive Plan **Policy 2.110-B2: Designation and Mapping**
- Comprehensive Plan **Policy 2.110-B3: Location Criteria**
- Comprehensive Plan **Policy 2.110-B4: Development Criteria**
- Comprehensive Plan **Objective 2.110-J: Activity Center Expansions and Reclassifications**
- Comprehensive Plan **Policy 2.110-J1: Existing Activity Center Expansion**
- Comprehensive Plan **Objective 2.110-K: Activity Center Establishment**
- Comprehensive Plan **Objective 2.110-L: Activity Center Plans**
- Comprehensive Plan **Policy 2.110-L3: Activity Center Plan Expansions (Initiated by a Property Owner)**
- Comprehensive Plan **Section 2.125-B Isolated Convenience Stores and Village Stores**

### Findings of Fact

- *This is a County-initiated request to the Comprehensive Plan Future Land Use Element Section 2.110 Activity Centers.*
- *The Polk County Comprehensive Plan Future Land Use Element Section 2.101 – Introduction, states that “Polk County used the “multi-nodal, urban-cluster” concept (see Appendix “B”) on which to base its urban form. This planning concept, as its name implies, manages urban growth by directing it to cluster around and near nodes, or centers, as opposed to undirected sprawl and/or corridor/linear development.” (Emphasis Added)*
- *Section 2.108 lists the objective/policies for Rural Development Areas (RDAs).*
- *Policy 2.108-A1 Describes Rural Development Areas 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 2.108-A3 Land Use Categories, states that Rural Cluster Centers (RCCs) shall be permitted within Rural-Development Areas. This policy also allows for Tourism Commercial Centers, a different type of commercial use, in Rural-Development Areas.*
- *Per Policy 2.108-A3, Land Use Categories in the RCC, other allowable Future Land Use designations include Linear Commercial Corridors (LCCs), Commercial Enclaves (CEs), Industrial (IND), Business-Park Centers (BPCs), Office Centers (OCs), Phosphate Mining (PM), Leisure/Recreation (L/R), Agricultural/Residential-Rural (A/RR), Recreation and Open Space (ROS), Preservation (PRESV), and Institutional (INST).*

- *Section 2.125-B Isolated Convenience Stores (ICS) and Village Stores (VS) are uses that are permitted in the RDA.*
- *The RCC, TCC, ICS and VS uses must meet the same population support as other Activity Centers in more urban areas of unincorporated Polk County.*
- *Section 2.110 and the relevant Objectives and Policies that are proposed for change were adopted as part of the Comprehensive Plan in 1991.*
- *Objective 2.110-B contains the applicable policies for Rural Cluster Centers.*
- *Objective 2.110-J contains the applicable policies for expanding/reclassifying Activity Centers.*
- *Objective 2.110-L contains the applicable policies for the establishment of new Activity Centers.*
- *Policy 2.110-B1, Characteristics, states that “A Rural Cluster Center (RCC) serves as a focus for the rural community and generally contains public services, such as fire stations and schools, and retail-commercial uses at a level to serve the surrounding population.”*
- *The need for this text amendment arose due to the oddly shaped RCC at the intersection of Boy Scout Road and SR 60, the increased truck traffic along SR 60, and the proximity of nearby residential uses and the Integrated Logistics Center in Winter Haven that is accessed off SR 60.*
- *Other than the RCC at the intersection of SR 60 and Boy Scout Road, the existing RCCs all include residential and commercial.*
- *The expansion of Dollar General and similar retail stores in the rural area are meeting a unique need in the market by providing shopping conveniences of both a retail store and a small department store.*
- *The Land Development Code divides the RCC into two districts, RCC & RCC-R. The RCC is for commercial use and the RCC-R is for residential.*
- *Based on the findings of research into other Comprehensive Plans, the rural activity center concept is not used in many of our surrounding counties.*
- *The pattern of growth for our surrounding counties is much different due to being on the edge of certain direction of growth (i.e. from Orlando or from Tampa).*

- *Polk County has four main arterials with US 98, US 27, I-4, and SR 60.*
- *Polk County’s location in the center of the State requires truck movement in all directions as evident in the County’s branding title of the “Crossroads of Opportunity.”*
- *RCCs are the best fit to address the shifting pattern of rural commercial growth.*
- *This text amendment will allow RCCs to establish as commercial nodes without any initial residential development where the commercial uses are supported by a wider market range to reflect the rural population levels in the RDA and capturing passing by traffic for all vehicle types.*

**Recommendation:**

**Development Review Committee Recommendation:** Based on the information provided and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions the request **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAL-2023-9.**

**Planning Commission:** On January 3, 2024, in an advertised public hearing, the Planning Commission voted 6:0 to recommend approval of LDCPAL-2023-09.

**Florida Commerce review:** Based on a letter (No.24-01ESR) received on March 26, 2024, the Florida Department of Commerce had no objections, recommendation, or comments on this proposed amendment.

**GENERAL NOTES**

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

**Analysis:**

Rationale for the Amendment:

Per Policy 2.108-A3: Land Use Categories in the Rural Development Area (RDA), there are two Activity Centers that allow commercial development in the rural area: 1) Rural-Cluster Centers (RCC), and 2) Tourism Commercial Centers (TCC). In addition, under Section 2.125-B Isolated Convenience Stores (ICS) and Village Stores (VS) are permitted in the RDA. The RCC, TCC, the

ICS and the VS must meet the same population support as other Activity Centers in more urban areas of unincorporated Polk County.

The change in commercial uses and shopping patterns along with the growth of central Florida has presented different commercial needs than the RCC, ICS and VS were originally planned to support. TCC is for tourist uses and is not as versatile as more intense commercial designations as it is supposed to mainly serve Polk's tourist visitors. The other nonresidential Future Land Use designations permitted in the RDA include Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, and Institutional.

The need for this text amendment arose due to the oddly shaped RCC at the intersection of Boy Scout Road and SR 60, the increased truck traffic along SR 60, the proximity of nearby residential uses and the Integrated Logistics Center in Winter Haven that is accessed off SR 60. In addition, the expansion of Dollar General stores in the rural area are meeting a unique need in the market by providing shopping conveniences of both a retail store and a small department store. The RCCs seem to fit this shifting pattern of rural commercial growth.

The only Future Land Use designations where retail or commercial can be located in the RDA is the RCC, TCC, and CE. Limited commercial can go in IND, BPC, L/R. Therefore, this text amendment is to allow the RCC activity center land use district to establish new commercial nodes without any residential development where the commercial uses are supported by a wider market range to reflect the rural population levels in the RDA and capturing passing by traffic for all vehicle types.

Staff was assisted by a few stakeholders to consider different intersections throughout the county in addition to the intersection of Boy Scout Road and SR 60. Based on research of other jurisdiction's Comprehensive Plans, the rural activity center concept is not used in many of our surrounding counties. Staff concludes the reason for this is the pattern of growth for our surrounding counties is much different due to being on the edge of growth (i.e. from Orlando or from Tampa). Polk has four main arterials with US 98, US 27, I-4, and SR 60. Being in the center of the state in all directions requires truck movement in all directions as evident in the County's branding title of the Crossroads of Opportunity.

As part of the creation of these policies, an analysis of the County's land uses was done using the Geographic Information Systems Data Viewer. The results of this analysis show that there are numerous sites in the Rural Development Area that would be allowed for RCCs under the proposed changes (please see Exhibit B).

Description of Changes:

The proposed changes affect the following policies:

**Objective 2.110-B: Rural Cluster Centers**

Policy 2.110 B1 – Characteristics

Policy 2.110-B2 – Designation and Mapping  
Policy 2.110-B3 – Location Criteria  
Policy 2.110-B4 – Development Criteria

**Objective 2.110-J: Activity Center Expansions and Reclassifications**

Policy 2.110-J1 – Expansion of Existing Activity Centers

**Objective 2.110-L: Activity Center Plans**

Policy 2.110-L3: Initiated by A Property Owner

Listed below are the proposed changes for this text amendment shown in underline/strikeout, followed by an analysis:

POLICY 2.110-B1: CHARACTERISTICS – At the adoption of the Comprehensive Plan in 1991 the Rural-Cluster Center (RCC) was to serve serves as a focus for the County’s rural communities community and was to generally contains public services, such as fire stations and schools, and retail-commercial uses at a level to serve the surrounding population that may or may not be included in the RCC. As rural uses have changed since the Comprehensive Plan adoption, there is a need based on the County’s seasonal population and more trips on the County’s regional roads to allow commercial nodes of RCC separate from the historical RCC communities designated at the time of the initial adoption of the Comprehensive Plan, including, but not limited to Alturas, Babson Park, Bowling Green, Bradley Junction, Crooked Lake Park, and Homeland. One commercial node of RCC exists at the intersection of Boy Scout Road and SR 60. This node does not include any residential. It is intended to allow some additional commercial nodes of RCC without any initial residential consistent with the location criteria listed in Policy 2.110-B3 at the time of application for a Future Land Use Map amendment.

*The reason for these revisions is to explain the changes in rural uses since the Plan’s original adoption in 1991, plus explain the differentiation between the historical Rural Cluster Centers (such as Bradley Junction, Homeland, etc.), and the additional commercial nodes to be allowed by this amendment.*

POLICY 2.110-B2: DESIGNATION AND MAPPING- Rural-Cluster Centers shall be designated and mapped on the Future Land Use Map Series for those clusters of residential parcels located within the "Rural-Development Area" of the County, which also have a concentration of non-residential uses located within the immediate area. These centers shall be shown on the Future Land Use Map Series as "Rural-Cluster Center" (RCC). RCCs can also be designated for commercial nodes without any initial residential to serve a surrounding existing, tourist, or seasonal population in A/RR areas with significant traffic counts on the fronting roadways.

*The intent of this change is to recognize that RCCs may exist without any initial residential development included within the existing RCC. The additional text also recognizes that*

*commercial nodes in A/RR areas with existing, tourist, or seasonal populations and roads with significant traffic counts can be designated as RCCs.*

**POLICY 2.110-B3: LOCATION CRITERIA** - The establishment of new RCCs intended for both residential and commercial uses shall be located at the intersections of arterial and/or collector roads and shall be guided by the criteria established within Section 2.110-K Activity Center Establishment. **The establishment of new RCCs, subject to Section 2.110-K, intended for rural commercial-support activity, shall be located at:**

- 1. the intersections of arterial and/or collector roads whereby the intersection is central to seasonal, tourist, migratory population, or permanent residential population vehicle trips, this may include “t” intersections with safe access creating the appearance of a full intersection; or**

*This provision provides criteria for locating RCCs that are intended for rural commercial-support activities.*

- 2. on an intersection of arterials and collector roads that serve as part of the main vehicle trip route for clusters of neighborhoods and in areas with 2,500 people in a three (3) mile radius.**

*This criterion allows for RCCs to locate near existing clusters of neighborhoods and areas that have a minimum support population. As with other types of activity centers, a minimum population support standard is included. Besides ensuring that there is an adequate population to support the RCC uses, this provision serves as a growth-control measure to guide the location of development.*

*Using a 3-mile radius results in a total area of 28.26 square miles, or 18,086 acres. Assuming the A/RR residential density of one unit per five acres results in a total of 3,617 potential dwelling units. Multiplying this figure by 2.5 persons per unit results in a total of 9,043 persons that could be expected to reside within a 3-mile radius of the property. Given that 9,000 persons could reside within a three-mile radius, establishing a minimum population support criteria of 2,500 persons is not excessive.*

- 3. Not within 3 miles of another Activity Center or other RCC;**

*Most of the activity centers found in the Comprehensive Plan contain distance criteria. Distance separation requirements are in place to ensure that there is not a proliferation of commercial uses, especially along arterial and collector roadways, thereby preventing corridor/linear development and urban sprawl. The greater distance of 3 miles was put in place to account for the lesser amount of residential development that would occur in rural areas. The 3-mile distance standard is also in place for ICSs and VSs in the Rural Development Area.*

- 4. Can be at the same intersection with a developed CE;**

*This provision is intended to allow for the expansion of existing, isolated commercial enclaves into commercial nodes, which is in keeping with the “multi-nodal, urban-cluster” on which the county’s urban form is based. As stated in the Future Land Use Element Section 2.101 - Introduction, “This planning concept, as its name implies, manages urban growth by directing it to cluster around and near nodes, or centers, as opposed to undirected sprawl and/or corridor/linear development.” (Emphasis Added)*

5. The expansion of these isolated commercial nodes, in situations when the 80% developed standard cannot be met may be permitted according to the following:

a. Up to the size of a Neighborhood Activity Center (NAC) with an Activity Center Plan (ACP) to be incorporated into Appendix E of the Land Development Code

*The Comprehensive Plan Future Land Use Element contains a policy (2.110-J1) that requires that 80% of an activity center be developed before an activity center can be expanded. While there is a provision that allows for this policy to be waived if a single owner controls the remaining undeveloped property, there was a concern from stakeholders that a monopoly situation could still exist. To prevent this situation from occurring, and to promote well-planned, quality development, the proposed policy allows for the expansion of isolated commercial nodes thru the creation of an Activity Center Plan.*

b. To ensure the increase of the node on as many corners as possible, and to ensure consistency with Policy 2.110-A5.

*As previously mentioned, allowing commercial nodes at as many corners of an intersection as possible is in keeping with the planning concept of clustering non-residential uses at intersections. Policy 2.110-A5 contains the boundary criteria for mapping activity centers.*

POLICY 2.110-B4: DEVELOPMENT CRITERIA - Development within Rural-Cluster Centers shall conform to the following standards:

a. Residential development within the Rural-Cluster Center shall be permitted at a density of up to two dwelling units per acre (2 DU/AC).

b. Non-residential development in the RCCs within the communities listed in Policy 2.110-B1, shall be permitted within a Rural Cluster as follows:

1. Commercial uses shall be limited to an intensity and scale necessary to provide the immediate rural population with retail and personal services. Such determination should be based on the market-area radius and minimum population support criteria established for Convenience, Neighborhood, or Community Activity Centers. The maximum floor area ratio shall not exceed 0.30.

2. Non-residential uses should be concentrated at the center of the cluster, with direct access to a collector or arterial intersection.
3. Typical non-residential uses are grocery, pharmacy, medical offices, and personal services.
4. The amount of non-residential uses for any cluster shall be based on the location and minimum population support criteria established for the applicable Activity Center.

c. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre.

*The purpose of the additional statement in Item b. is to clarify the criteria for how non-residential development in existing RCCs (such as Homeland, Alturas, etc.) should occur.*

**OBJECTIVE 2.110-J: ACTIVITY-CENTER EXPANSIONS AND RECLASSIFICATIONS - The Polk County Plan shall provide for the expansion of existing Activity Centers through the establishment of procedures for the expansion or reclassification of Activity Centers.**

POLICY 2.110-J1: Existing Activity Centers may be expanded to contiguous properties, subject to approval by the Board of County Commissioners, and approved as a Comprehensive Plan Amendment in compliance with state and local law. Expansions and reclassifications of Activity Centers shall be in accordance with the following criteria:

- a. Expansion of an existing Activity Center may occur when eighty percent (80%) or more of the usable area within the center is developed, or has received approval of:
  1. a final engineered construction plan (with building-permit application); or
  2. a final PUD/PD/CU approval.

If the remaining undeveloped usable area of an Activity Center is controlled by a single interest, items 1 and 2 above may be waived by the Board.

**b. The expansion of an isolated commercial RCC may occur according to the criteria in Objective 2.110-B.**

*The purpose of this additional statement is to reference the expansion of isolated, commercial RCCs to the appropriate designation/mapping, location, and development criteria.*

POLICY 2.110-L3: INITIATED BY A PROPERTY OWNER – Property owners of property located within an Activity Center shall have the option of preparing and submitting Any property owner applying for a new Activity Center shall prepare and submit an ACP for consideration by

the Board of County Commissioners for inclusion within the Future Land Use Element through a Comprehensive Plan Amendment. **The ACP can also be used** ~~or~~ as supporting documentation for **a proposed an** expansion or reclassification. The Board may require that such submittal of a requested ACP include land use, traffic, and market studies, or other appropriate studies to support the requested ACP as outlined in L5 below.

*These changes, some of which were requested by stakeholders, is intended to clarify the eligible parties that can initiate an Activity Center Plan.*

### **Comparisons to other Jurisdictions:**

Other jurisdictions have land use designations similar to Rural Cluster Centers. Other jurisdictions designate commercial land uses in rural areas. However, no jurisdictions were found that have a uniquely rural type of commercial/activity center designation. A summary of the research is included in Exhibit 1 of this report.

### **Limits of the Proposed Ordinance**

The scope of the amendment is to change the following:

- Description of the characteristics of Rural Cluster Centers:
- Provide additional location criteria for establishing new RCCs intended for rural commercial support activity;
- Revise the RCC Development Criteria policy to account for non-residential development in existing rural communities;
- Add a statement to the Existing Activity Center expansion policy to clarify expansions of isolated RCCs; and
- Revise the policy related to the initiation of Activity Center Plans (ACPs) by property owners.

The changes will allow RCCs to be established without any initial residential development, plus clarify the requirements for expanding RCCs.

### **Consistency with the Comprehensive Plan & Land Development Code**

The request is consistent with the Comprehensive Plan and the Land Development Code.

**Comments from Other Agencies:** None

**Draft Ordinance:** Under separate attachment

**Exhibits:**

Exhibit 1: Rural Activity Centers Research Summary

Exhibit 2: RCC Possible Locations Map

## RURAL ACTIVITY CENTERS RESEARCH SUMMARY

### Highlands County Comprehensive Plan

- Existing Village – Lorida
- Policy 1.3 covers Existing Villages
- SR 70 & US 27 Intersection – Designated as Commercial
- NOTE: Plan has some standards for residential-commercial relationships in the Lake Placid Plan

### Hillsborough County Comprehensive Plan

Pages 37-43 contain commercial locational criteria, including rural areas. For rural areas, a frontage width of 660 feet depending on road intersection type (from major local 2 lane or 4 lane up to 4 lane/4 lane) and max square footage (up to 75,000 SF) is allowed (Policy 22.2). Policy 22.3 allows for greater than listed frontage distances as listed if 75% of the frontage associated with the use is within that distance and under single ownership, then such proposed use may also be considered for approval.

### Manatee County Comprehensive Plan

- FLU – 2.2.1.8 – Agriculture/Rural (AG/R) – Limits maximum square feet (SF) for Neighborhood Commercial to 30,000 SF, and is subject to commercial locational criteria (Objective 2.10.4)
- SR 62 & CR 39 Intersection – Designated AG/R (Manatee Watershed Overlay)

### Marion County:

- Comprehensive Plan  
Has a Rural Activity Center – similar in concept to Polk County Rural-Cluster Centers in that it has both residential and commercial components to it. (pages 1-10 of Future Land Use Element)
- Marion County LDC  
4.2.23 – Rural Commercial -1 zoning – has list of uses, setbacks, etc. (typical zoning district requirements), but no location or development criteria similar to Polk County’s activity center policies the Polk Comprehensive Plan.  
  
4.2.24. - Rural Activity Center (RAC) classification. Intent of classification. The Rural Activity Center classification is intended to provide for the shopping and limited services needed by residents in the rural area and encourage and allow for mixed use nodes of residential (single-family and multi-family), commercial uses, and agricultural-related commercial uses to meet

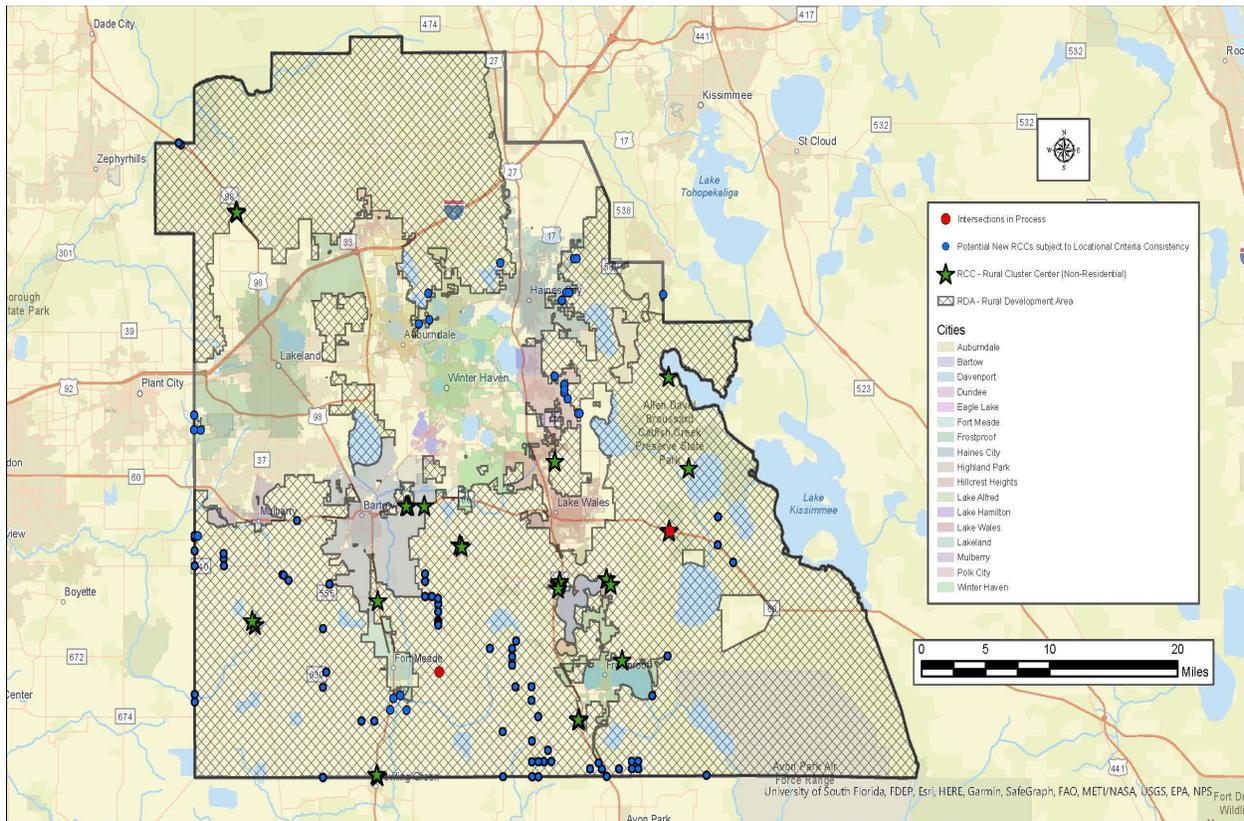
the daily needs of residents in the Rural Area to reduce trips to the urban areas of the county for daily needs and services.

Sarasota County Comprehensive Plan

- Objective 2.5 covers commercial activity centers
- Policy 2.5.3 contains general criteria (not specific criteria like Polk County's Plan) for designation of commercial activity centers
- Table 7-1 contains specific criteria (pop. support, distances, acreages)
- Nothing specific to rural activity centers

Sumter County Comprehensive Plan

- FLU Policy 1.6.2. - Economic Activity Centers (Not applicable; designated for large areas along I-75)
- Nothing similar to rural activity centers
- SR 471 & SR 50 Intersection - Designated as Commercial



# Rural Cluster Center (RCC) Possible Locations Map