

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT**

ID #:	N/A
DRC Date:	April 30, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	June 16, 2026, 1 st reading, and August 16, 2026, Adoption
Applicant:	County Initiated
Level of Review:	Level 4 Review, Land Development Code Text Amendment
Case Number and Name:	LDCT-2026-12 ILE LDC Text Amendment
Request:	Land Development Code text amendment to Chapter 4, Section 402, c. Indian Lakes Estates (Pre-DRI #2) to add a use table and conditions for duplex units on septic tanks, minimum septic tank requirements, and prohibiting parcel subdivision. This case is related to LDCPAL-2026-5, a companion Comprehensive Plan text amendment.
Location:	Indian Lakes Estates is located east of Lake Walk in the Water, south of SR 60 and north of CR 630 between Lake Walk in the Water and the intersection of SR 60 and CR 630.
Property Owner:	Various property owners in Indian Lakes Estates
Parcel Size:	N/A
Development Area:	Neighborhood Utility Service Area (NUSA) and the Suburban Development Area (SDA)
Future Land Use:	Office Center-X (OCX), Community Activity Center-X (CAC-X), Neighborhood Activity Center-X (NAC-X), Recreation and Open Space-X (ROS-X), Residential Low-X (RL-X) and Residential Suburban-X (RS-X).
Nearest Municipality	Frostproof
DRC Recommendation:	Approval
Planning Commission Vote:	Approval 7:0
Florida Commerce	No comments
Case Planner:	Chanda Bennett, Comprehensive Planning Administrator

The changes to Chapter 4, section 402, c, Indian Lakes Estates (PRE-DRI #2) are:

- 1) POLICY 2.130-B3.4 –
 - a. Adding two conditions that allow duplex units on septic tanks in the Residential Low-4X (RL-4X) at four dwelling units to the acre. The conditions are summarized as follows:
 - i. Each duplex unit in RL-4X shall be limited to one septic tank per duplex unit on a parcel as it existed on August 16, 2026;
 - ii. Adding minimum requirements for septic tank design.

Summary of Analysis

This is a County-initiated amendment revising the regulations in Chapter 4, Section 401, c, Indian Lakes Estates (Pre-DRI #2) in the Land Development Code adding a use table and conditions for duplex units on septic tanks, minimum septic tank requirements and prohibiting parcel subdivision. This case is related to LDCPAL-2026-5, a companion Comprehensive Plan text amendment.

These requests modify the sewer connection requirements to allow one septic tank per duplex structure in Residential Low-X (RL-X) at densities over two dwelling units per acre. Connection to centralized sewer is required per Comprehensive Plan Policy 2.130-B3.4 for anything over two (2) dwelling units per acre in the RLX. Table 2.1 of the Land Development Code requires a Level 3 Review for duplex structures in the RLX. However, there is no sewer available in ILE and none is anticipated. The lot sizes in the RLX in ILE are mostly half an acre. This request includes a proposal to make duplex units a Conditional Use Level 1 Review (C1-administrative review). The need for this amendment is due to the two building permits that were issued for duplex units in Indian Lakes Estates in error, as follows:

- BR-2025-8850 on a half-acre parcel ID# 303109-994110-034548 in the RLX on a paved road;
- BR-2025-6542 on a half-acre parcel ID# 303109994110034803 in Residential Medium-X (RMX) on an unpaved road.
- The builders have converted the units to a single-family home and may convert the units back to a duplex at some point in the future.

ILE Background – Indian Lake Estates (ILE) is a platted subdivision of residential & non-residential lots recorded in the official records of Polk County, Florida, consisting of 8,000 ± lots (approx. 5,000 acres). ILE is not a vested development from the DRI statute. On November 30, 2004, the Board of County Commissioners approved a Comprehensive Plan map and text amendment for ILE (CPA 04B-09) based on a request from area property owners because there were no officially recognized land use designations in the Polk County Comprehensive for ILE. Prior to this amendment the Future Land Use designation was Pre-Development of Regional Impact #2. Development approvals were based on the Pre-Planned Unit Development and the subdivision documentation in Building. ILE is also governed by restrictive covenants of which the County does not enforce.

Relevant Sections, Policies, and/or Regulations to Consider:

Policy 2.102-A1: Development Location

Policy 2.102-A2: Compatibility

ILE Goals

Findings of Fact

Request and Legal Status

- This is a Land Development Code text amendment (LDCT-2026-12) proposed to add a use table similar to Table 2.1, conditions that a duplex is permitted in RLX using a septic tank with only one septic tank per duplex unit on parcels as they existed on August 16, 2026, and minimum requirements for the septic tanks. The use table proposed to be added to Chapter 4 for ILE, part of LDCT-2026-12, will make duplex units a Conditional Use Level 2 Review rather than as listed in Table 2.1 for the rest of the County as a Conditional Use Level 3 Review.
- This is a County-initiated request to amend Policies 2.130-B3.4 to modify the sewer connection requirements to allow one septic tank per duplex structure in Residential Low-X (RL-X) in Section 2.130-B Indian Lakes Estates (ILE). This case is related to LDCT-2026-12, a companion Land Development Code Text Amendment.
- Two building permits were issued for duplex units in Indian Lakes Estates in error, as follows:
 - A. BR-2025-8850 on a half-acre parcel ID# 303109-994110-034548 in the RLX on a paved road;
 - B. BR-2025-6542 on a half-acre parcel ID# 303109994110034803 in Residential Medium-X (RMX) on an unpaved road.
 - C. The builders have converted the units to a single-family home and may convert the units back to a duplex at some point in the future.
- ILE is a platted subdivision of residential & non-residential lots recorded in the official records of Polk County, Florida, consisting of 8,000 ± lots (approx. 5,000 acres).
- All roads in ILE are privately owned and maintained by ILE.
- On November 30, 2004, the Board of County Commissioners approved a Comprehensive Plan map and text amendment for ILE (CPA 04B-09) based on a request from area property owners because there were no officially recognized land use designations in the Polk County Comprehensive for ILE. Prior to this amendment the Future Land Use designation was Pre-Development of Regional Impact #2.
- Development approvals were based on the Pre-Planned Unit Development and the subdivision documentation in Building.
- The table in Policy 2.130-B3.4 states the maximum density in RLX that can be on centralized water, but no sewer is two (2) dwelling units to the acre and the maximum density in RLX of (5) five dwelling units to the acre must be on public water and sewer. Therefore, any density over two (2) dwelling units per acre require centralized water and sewer connections.

- The use of septic tanks is permitted for densities less than five (5) dwelling units to the acre in other areas of unincorporated Polk County.
- Duplex units in Table 2.1 are currently listed as a Conditional Use Level 3 Review.
- ILE is in the Military Compatibility Zone 1 and Zone 2 for the Avon Park Airforce Range.

Compatibility and Infrastructure

- The Board of County Commissioners denied a Comprehensive Plan amendment (LDCPAL-2024-15) in February of 2025 modifying Policy 2.130-B3.4 to allow densities over two (2) dwelling units per acre to be on septic and to allow duplex units in the Office Center-X (OCX) Future Land Use designation.
- The Board of County Commissioners also denied a companion Land Development Text amendment (LDCT-2024-24) to add a use table to the ILE section in Chapter 4 of the LDC and to reference the allowance for septic.
- ILE is for the most part an isolated community surrounded predominantly by Agriculture/Residential Rural (A/RR) land use. Also surrounding ILE to the north is the Sumica, a 4,031-acre County owned Environmental Lands property. To the west is Lake Walk-in-Water.
- Canopy Oaks, a Recreational Vehicle Park community, is to the south of ILE.
- Water is provided by ILE Utilities, a private, independent company. There is no current active sewer within ILE.
- Approximately 10 percent of ILE is wetland, and approximately 35 percent is shown to contain Federal Emergency Management Area (FEMA) Flood Zones. The majority of the wetland areas lie on the shoreline of Lake Walk-in-Water. Some isolated wetlands appear in the interior of the development along the shoreline of the ponds. Almost all of the known wetlands are located within lands owned by the ILE Homeowners Association and not planned or approved for development.
- The nearest active airport facility is the airfield at River Ranch, a Development of Regional Impact (DRI) seven miles to the east. Airspace for the Avon Park Bombing Range is within closer proximity to the development. Neither of these facilities will be adversely impacted by the fulfillment of the ILE development plan.
- There have been protected plant and community sightings in the eastern part of ILE and there have been protected animal sightings in the eastern and western parts of ILE.
- ILE has a community golf course, several small community parks, an extensive system of greenway trails, community boat ramp, marina, beach and pier onto Lake Walk-In-Water.

Additionally, there are several ponds located throughout ILE and to the north is the 4,031 acre Sumica County owned Natural Area.

Comprehensive Plan Policies and Land Development Code Regulations

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.
- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.
- The goals of the ILE development in the Comprehensive Plan include:
 - GOAL 2.130-B1: Remain a secure and sustainable suburban resort-oriented community.
 - GOAL 2.130-B2: Preserve the natural beauty, wildlife and solitude of ILE and the surrounding area.
 - GOAL 2.130-B3: Encourage sustainable growth by promoting a mixture of residential and non-residential uses outside the gate; and allowing only single-family residential and amenities with services inside the gate.
 - GOAL 2.130-B4: For Indian Lake Estate to continue to develop at the same quality as it has in the past.

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 LDCT-2026-12**.

Planning Commission Recommendation: On June 3, 2026, at an advertised public hearing, the Planning Commission recommend 7:0, to **APPROVE LDCT-2026-12**.

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:

Exhibits 2, 3, and 4 display parcels staff have been asked to allow duplex structures in ILE in 2024. Moreover, a building permit has been issued for a duplex unit in the Residential Low-X (RLX) at the south end of Fort Myers Drive on a parcel that is half an acre and a duplex building permit for a property in the Residential Medium-X (RMX) on a half an acre on an unpaved road. Both parcels are connected to public water and on septic. The roads in ILE are all private. The duplex makes the density four (4) dwelling units per acre. Policy 2.130-B3.4 includes a table providing maximum densities and intensities given the availability of centralized water and sewer. This table states the maximum density in Residential Low-X (RLX) as displayed below with the recommended text modification highlighted in yellow.

FLU	Without Central Water or Sewer		With Central Water, but not Sewer		With Central Water & Sewer*	
	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR
RLX	1 du/ac	0.05	2 du/ac **	0.1	5 du/ac	0.25
RMX	1 du/ac	0.05	4 du/ac	0.15	10 du/ac	0.25
OCX	1 du/ac	0.1	2 du/ac	0.2	5 du/ac	0.30
NACX*	1 du/ac	0.1	4 du/ac	0.2	10 du/ac	0.25
CACX*	1 du/ac	0.15	4 du/ac	0.2	10 du/ac	0.35
INSTX	n/a	0.1	n/a	0.2	n/a	0.25
* Residential only permitted in NACX and CACX in connection with retail as a mixed use or live-work unit.						
** See Policy 2.130-B3.4						

Most lots in the RL-4X and the RMX in ILE are half acre which is a density of two (2) dwelling units to the acre, if a single-family home is constructed on each. A subdivision of these lots or a duplex on any of these lots makes the density four (4) dwelling units per acre. However, the table in the Comprehensive Plan displayed above does not permit densities above two (2) dwelling units per acre on septic tanks. Other areas in RL-4 in unincorporated Polk County outside of ILE have the option to develop at three (3) and (4) dwelling units per acre with septic tanks if permitted by the Health Department. However, duplex units in RL-4 is a Level 3 Review per Table 2.1 of the Land Development Code.

The LDC text amendment (LDCT-2026-12) is being proposed to add a use table in Chapter 4 for ILE like Table 2.1 in Chapter 2 for just the Future Land Use designations within ILE which are listed below. The only difference will be that duplex units in ILE is proposed a Conditional Use Level 1 Review (C1 - administrative staff level review) versus Table 2.1 that requires a Conditional Use Level 3 Review for all duplex units in RL. Duplex units in RM are a permitted use "P" in Table 2.1.

- Residential Suburban (RS)
- Residential Low (RL)
- Neighborhood Activity Center (NAC)
- Community Activity Center (CAC)
- Institutional (INST)

- Recreation and Open Space (ROS)

Infrastructure Impacts - This does remove some barriers to development that can lead to more growth. However, ILE is a vested development. These changes will encourage development in an area already planned for such. Any infrastructure impacts will be implemented and required per the concurrency standards listed in Chapter 7 of the LDC.

Avon Park Airforce Range Military Compatibility Zone (Range)

ILE is in both Compatibility Zones for the Range. There is a Military Compatibility Zone 1 and Zone 2 (See Exhibit 5). Section 2.124-I of the Comprehensive Plan has policies for the Range.

https://library.municode.com/fl/polk_county/codes/comprehensive_plan?nodeId=CH2DEPO_DI_V2.100FULAUSEL_S2.124-IAVPAAIRAMICOZO

These policies address coordination and implementation of the Joint Land Use Study prepared by the Central Florida Regional Planning Council (CFRPC). Chapter 6 of the Land Development Code includes standards for the Range.

https://library.municode.com/fl/polk_county/codes/land_development_code?nodeId=CH6REPR_S642MICOZORE251RD19-008092112OR12-028

The proposed changes will make development in ILE easier which is of a concern for the Range. However, All the lots in ILE are vested lots that are eligible for some type of development.

Comparisons to other Jurisdictions:

Special policies and development code regulations are common in other jurisdictions throughout Florida. The current section for ILE is equivalent to the County's section of the Comprehensive Plan and Land Development Code regarding Selected Area Plans. Section 2.130 of the Comprehensive Plan was created for Developments of Regional Impact (DRI). It seems appropriate to make these changes to the policy related to ILE allow infill development and the potential for more residential development to accommodate the growing population of Polk County rather than creating new residential communities.

Benefit-Cost Analysis of the Amendment

Who does it help?

This amendment directly benefits the affected landowners in Residential Low by allowing more flexibility in duplex construction. The removal of sewer connection makes duplex unit an obtainable housing type in RL in ILE. In addition, by restricting one septic tank per duplex unit, it does not increase impacts to the environment because each parcel in RL in ILE would receive a septic tank per lot.

Who does it hurt?

There is the potential for existing single-family residents to live adjacent to lots that will receive a duplex unit without a public hearing. Not all property owners consider a mixture of housing types

in a community beneficial. Moreover, the residents of duplex units living on an unpaved road may experience dust and negative impacts on their vehicles. Section 705 of the Land Development Code (LDC) requires all residential structures to access a county paved and maintained road or a private paved road meeting County standard. Chapter 9 of the LDC does permit a waiver to this requirement. Staff will have to determine how these two building permits impact issuing unpaved road frontage waivers for additional building permits.

What is the cost?

There are some roadways in ILE that are not paved. The roads are private, however. Changing duplex units to a C1 instead of a Conditional Use 3 Review has the potential to increase the costs to ILE in terms of road maintenance which does in turn increase the costs to the new residents.

Limits of the Proposed Ordinances

The scope of the amendment will impact new development within the RL-4X designation only ILE. The Comprehensive Plan text amendment and the Land Development Code text amendment will allow duplex units in RLX at four dwelling units to the acre on public water and septic.

Consistency with the Comprehensive Plan

Consistency with the Comprehensive Plan and Land Development Code

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent or inconsistent** with the Comprehensive Plan is listed below:

Table 8 Consistency with the Comprehensive Plan

Policy	Consistency
Policy 2.102-A1: Development Location – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.	The proposed text amendments are a small change to allow for duplex units and allow some growth without sewer. The request is consistent with this policy and with the existing development allowances elsewhere in Polk County.
Policy 2.102-A2: Compatibility - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The proposed policy text changes along with the other requirements in the Land Development Code such as Section 220 ensure compatibility with the new uses.

Policy	Consistency
GOAL 2.130-B1: Remain a secure and sustainable suburban resort-oriented community. GOAL 2.130-B2: Preserve the natural beauty, wildlife and solitude of ILE and the surrounding area. GOAL 2.130-B3: Encourage sustainable growth by promoting a mixture of residential and non-residential uses outside the gate; and allowing only single-family residential and amenities with services inside the gate. GOAL 2.130-B4: For Indian Lake Estate to continue to develop at the same quality as it has in the past.	The proposed amendment related to sewer exemption will allow duplex units at no more than four (4) units per acre on public water and sewer.
<u>POLICY 2.124-I2:</u> In compliance with section 163.3175(5), F.S., Polk County shall continue to coordinate with range representatives and the Central Florida Regional Planning Council (CFRPC) to adopt and implement development standards and guidelines that minimize impacts of development on the operations of the military installation. The Land Development Code shall address land use, lighting, height, noise, and communication frequency spectrums in defining the criteria for compatibility within the MCZ.	Polk County has reached out to the Central Florida Regional Planning Council and the Avon Park Airforce Range base representative. The Avon Park Airforce Range did submit a letter of opposition to a similar type of request from January of 2025. This letter is provided under separate cover. An updated letter will be provided if received prior to the Planning Commission hearing.

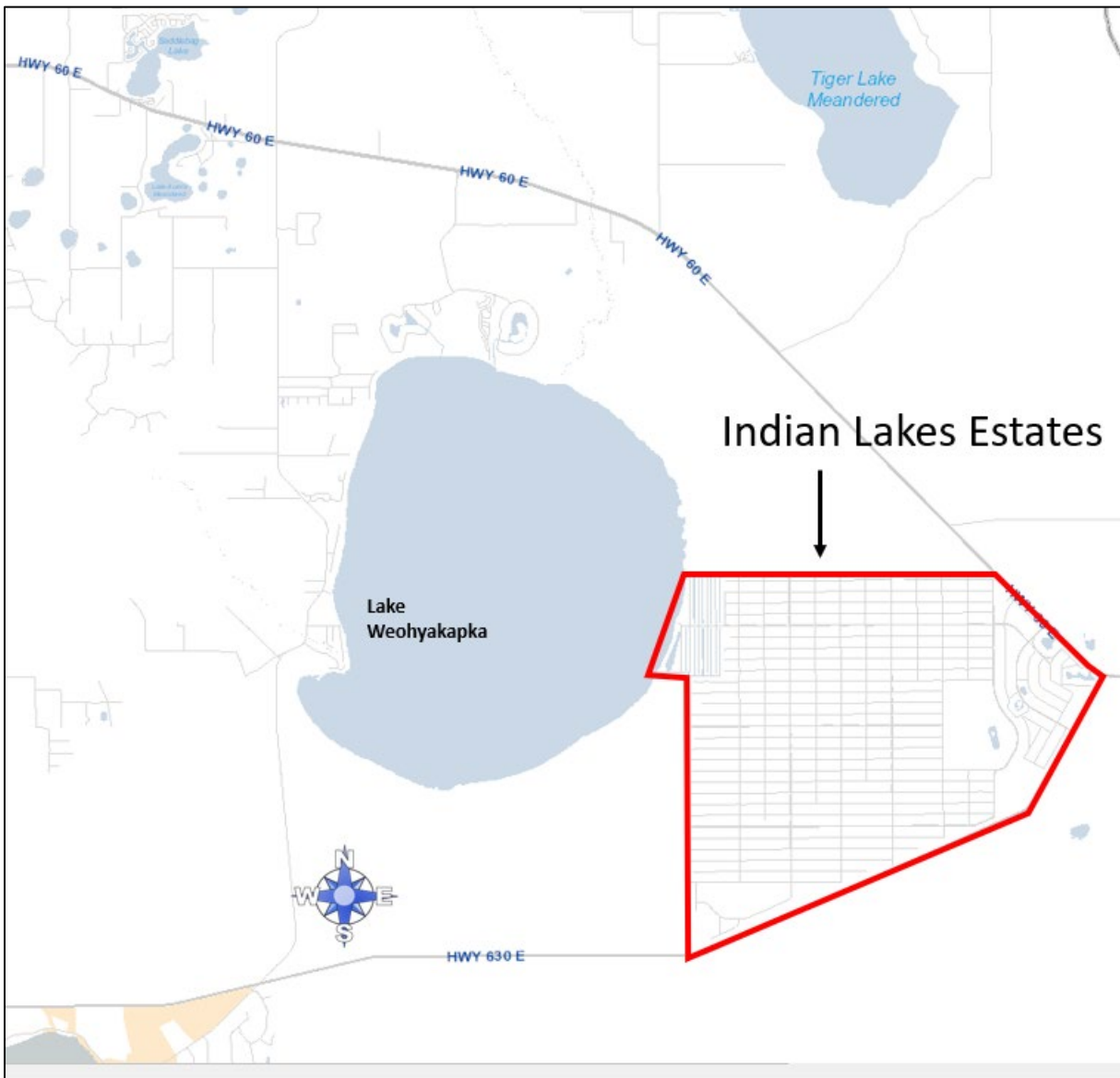
Comments from Other Agencies: None

Exhibits:

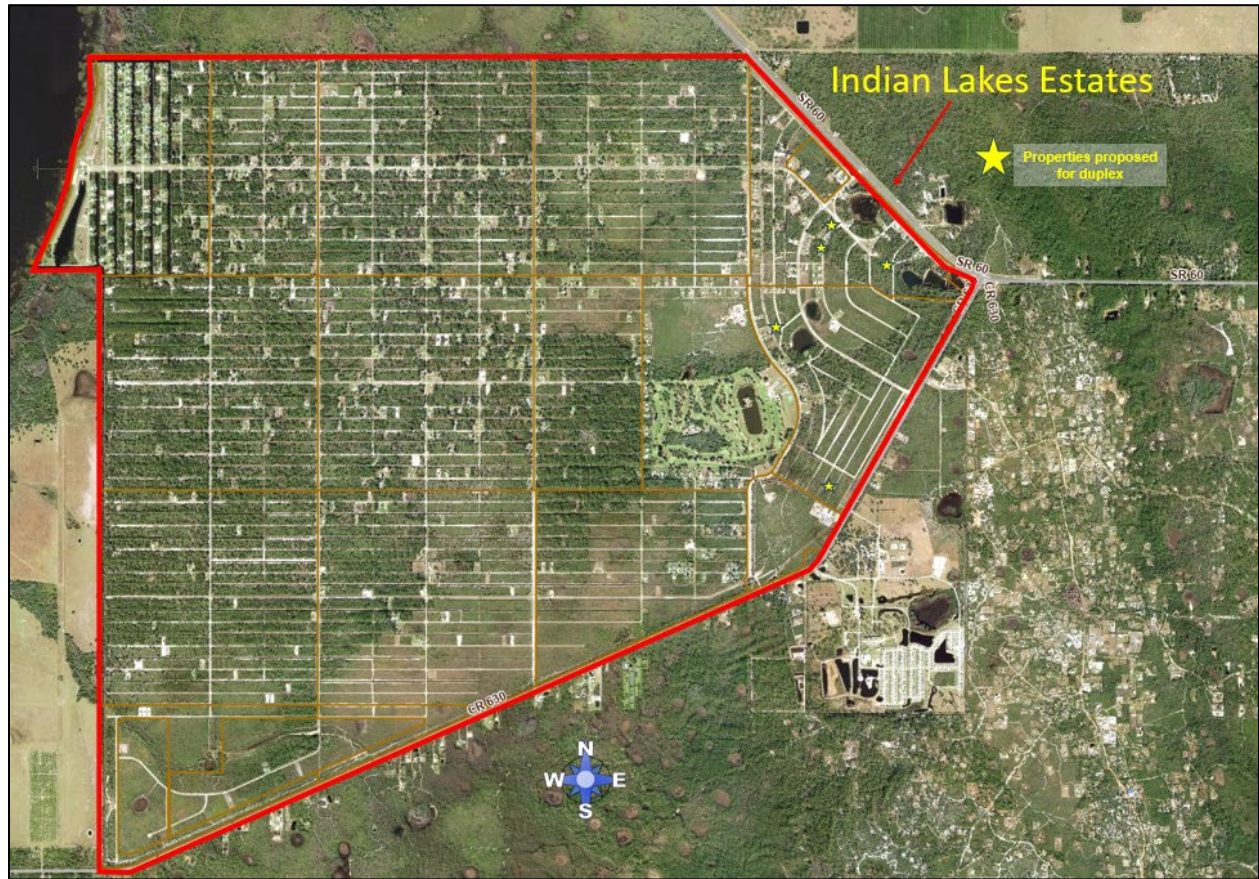
Exhibit 1	Location of the Indian Lakes Estates
Exhibit 2	Context Aerial
Exhibit 3	Close Up Aerial
Exhibit 4	Current Future Land Use Map
Exhibit 5	Military Compatibility Zones Avon Park Airforce Range

Under separate attachment

- Draft Ordinances with proposed text
- Application information



LOCATION MAP



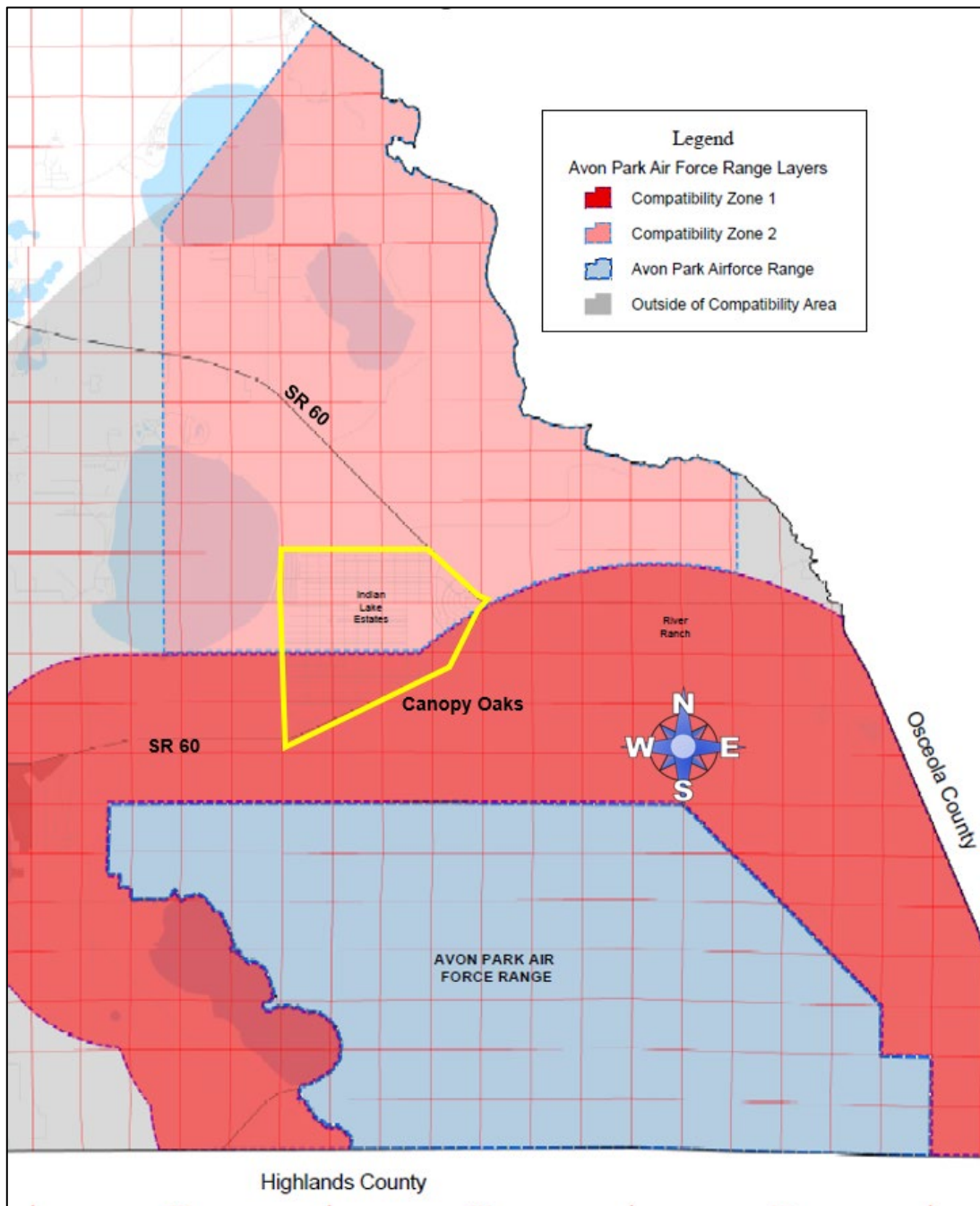
AERIAL (2023 CONTEXT)



AERIAL (2023 CLOSE UP)



CURRENT FUTURE LAND USE MAP



Military Compatibility Zones Avon Park Airforce Range