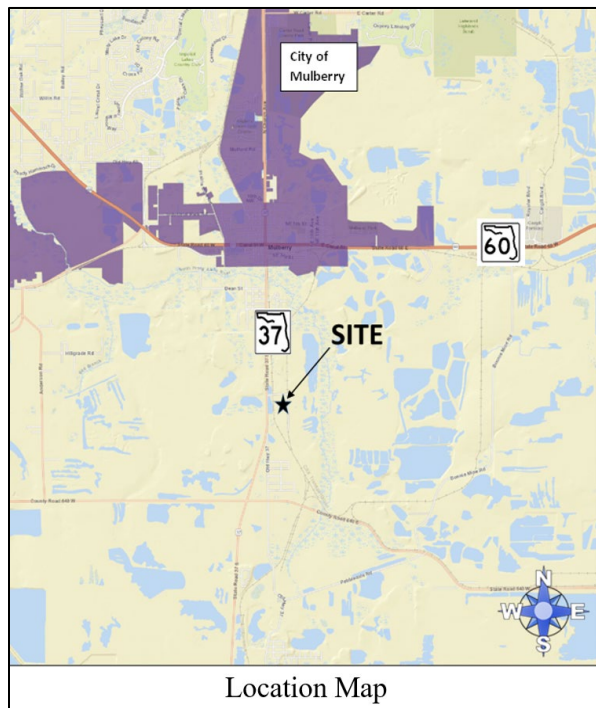


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	May 29, 2025
Planning Commission Date:	August 6, 2025
BoCC Dates:	September 16, 2025
Applicant:	Matthew Johnson, PE
Level of Review:	Level 4 Review, Small-Scale Comprehensive Plan Amendment
Case Number and Name:	LDCPAS-2025-14 (Solution Land FLUMA)
Request:	Change 26.21 acres from Business Park Center (BPC) to Industrial (IND).
Location:	South of Cozart Road, east of Highway 37 South, south of the City of Mulberry, east and west of the CSX railroad, in Section 13, Township 30, Range 23.
Property Owner:	Yavasclar Troy Holding LLC
Parcel Size:	26.21 acres
Development Area:	Rural Development Area (RDA)
Future Land Use:	Business Park Center (BPC)
Nearest Municipality:	Mulberry
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	Not Applicable
Case Planner(s):	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner Julio Cueva Lujan, Intern



Summary:

This is an applicant-initiated Comprehensive Plan map amendment to change 26.21 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 east and west of the site;
- 3) Two railroads are next to the property;
- 4) The property has direct access (via Cozart Road) to a full median opening onto State Road 37.

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 railroads and arterial highways is a factor in determining the appropriateness of industrial lands. This property has access to two railroads, and an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of private roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). 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.

Infrastructure Summary

The site is not in a 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

The site is not within the 100-year floodplain and does not contain wetlands or surface waters. No adverse environmental impacts are expected due to the development of this site.

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)

Findings of Fact

Request and Legal Status

- LDCPAS-2025-14 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately ± 26.21 acres from to 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.”
- 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) use.
- This area of Polk County is characterized by industrial uses and phosphate mining.
- Surrounding uses include outdoor storage to the west and northwest, manufacturing to the east, and vacant property north and south of the site.
- Policy 2.104-A3: Land Use Categories (for Rural Development Areas (RDAs)) list Industrial as a permitted use in RDAs.

Infrastructure

- The property is zoned for Kingsford Elementary, Mulberry Middle, and Mulberry Senior High.
- Fire and ambulance response is from Polk County Fire Rescue Station 15, located at 300 Kid Ellis Road, Mulberry. The estimated response time from this station is about nine- to fourteen 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: 8:55 minutes; Priority Two: 26:47 minutes.
- The subject property is near State Road (SR) 37. SR 37 is an Urban Minor 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 is next to Cozart Road, a private road.

- The site is not located within a utility service area.

Environmental

- There are no wetlands or floodplains on the site.
- The site was previously classified as being within a 100-year floodplain, but a recent Letter of Map Amendment from FEMA removed the property from the Special Flood Hazard Area.
- The site is comprised of Neilhurst and Arents sands. These soils are related to previous phosphate mining activities and have a wide range of suitability for septic tanks and dwellings without basements.
- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is an area with a rookery.
- The PolkGreen Map does not show this parcel as part of a potential connection of an overall natural network.
- This site does not have a conservation easement. However, property located $\frac{3}{4}$ mile north of the site contains a conservation easement.
- This property is not within an Airport Impact District. However, according to Airport-Impact District map, there is a private heliport in the area.
- The site is not within a Wellfield Protection District.
- Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

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-B-1: 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-B-3: 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-B-4: 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.

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 LDCPAS-2025-14**.

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) land use. 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 east and west of the site are designated Industrial. Phosphate Mining (PM), which is also a Land Use with the potential for adverse impacts, is located south of the site. BPC is located to the north, across Cozart Road.

The site is vacant. Based on a review of past aerial photos, the site has been vacant since at least 1980. Aerial photos from 1941 to 1971 show a lake on the site, presumably as a result of phosphate mining activities on adjoining properties. Generally, the predominant uses in this area of the

county are industrial or phosphate mining related, with much of the land in this area having been previously mined.

Surrounding uses next to the site include railroads on the western and eastern boundaries of the site. A manufacturing use (YTR Ammunition, an ammunition manufacturer) and owned by the applicant is east of the site. Outdoor storage is located west and northwest of the site. Property to the north and south are vacant.

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 railroads and arterial highways is a factor in determining the appropriateness of industrial lands. This site has access to an arterial highway and is next to two railroads. Specifically, one of the criteria for locating Industrial lands is the location of private roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). 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

Northwest Industrial (IND) Outdoor Storage	North Business Park Center (BPC) Vacant	Northeast Industrial (IND) Light Manufacturing
West Industrial (IND) Outdoor Storage	Subject Site Business Park Center (BPC) Vacant	East Industrial (IND) Ammunition Manufacturing
Southwest Phosphate Mining (PM) Vacant	South Phosphate Mining (PM) Vacant	Southeast Phosphate Mining (PM) Vacant

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
Kingsford Elementary	0	1.5 mile
Mulberry Middle School	0	1.6 miles
Mulberry Senior High	0	2.3 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.

Sheriff 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	15.65 miles	P1: 8:55 minutes P2: 26:47 minutes
Fire/ EMS	Polk County Fire Rescue Station 15, located at 300 Kid Ellis Rd, Mulberry	3.4 miles	9-14 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 assumes the maximum allowed density/intensity of 570,854 square feet of warehouse space for IND, and 570,854 square feet of professional offices space for BPC.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: BPC-1 – 26.21 AC/1,141,707.6 SF of site *.50 FAR = 570,854 SF IND – 26.21 AC/1,141,707.6 SF of site *.50 FAR = 570,854 SF	Estimated Impact Analysis Business Park Center (BPC-1) to Industrial (IND) <i>Development Area: RDA</i>	
	Current Land Use designation BPC-1	Maximum Permitted Use in Proposed IND
Current Maximum Allowable Use	570,854 Square Feet (SF)	570,854 Square Feet (SF)
Potable Water Consumption	570,854 SF * .24 GPD/SF = 137,005 GPD	570,854 SF * .24 GPD/SF = 137,005 GPD
Wastewater Generation	570,854 SF * 80% of water usage 109,604 GPD	570,854 SF * 80% of water usage 109,604 GPD

GPD – Gallons Per Day

Source: Polk County Concurrence Manual and Polk County Utilities: Professional Offices @ .24 GPD/SF (water) & .18 GPD/SF (sewer); 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.

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 analysis is based on a maximum permitted use of 570,854 square feet of general light industrial. The following analysis assumes the maximum allowed intensity of 570,854 square feet of warehouse space for BPC and 570,854 square feet for IND.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: BPC-1 – 26.21 AC/1,141,707.6 SF of site *.50 FAR = 570,854 SF IND – 26.21 AC/1,141,707.6 SF of site *.50 FAR = 570,854 SF	Estimated Impact Analysis Business Park Center (BPC-1) to Industrial (IND) Development Area: RDA	
	Current Land Use designation BPC-1	Maximum Permitted Use in Proposed IND
	570,854 Square Feet (SF)	570,854 Square Feet (SF)
Average Annual Daily Trips (AADT)	570,8534 SF * 1.71 trips/1,000 SF = 976 AADT	570,854 SF * 4.87 trips/1,000 SF = 2,780 AADT
PM Peak Hour Trips	570,854 SF * .18 trips/1,000 SF = 103 PM Peak Hour Trips	570,854 SF * .65 trips/1,000 SF = 371 PM Peak Hour Trips

Source: Concurrency Manual and Table for Minor Traffic Study –Warehousing (ITE 150) – 1.71 AADT/1,000 SF, 0.18 peak-hour trips/1,000 SF; General Light Industrial – 4.87 AADT/1,00 SF, 0.65 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.

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
5801N	SR 37 From: SR 674 To: SR 640	B	582	C	B
5801S	SR 37 From: SR 674 To: SR 640	B	570	C	B

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025

As identified above, SR 37 has sufficient PM peak hour capacity to support future development activity.

The subject parcel is next to Cozart Road. This road is a privately owned road and has a pavement width of 20 feet. The applicant provided an Easement Agreement (Book 13444, Pages 1719-1732, Public Records of Polk County, FL) demonstrating that they have legal access to use Cozart Road. This will be an issue that will be further addressed as part of the site development review and approval process.

C. Roadway Conditions

Because Cozart Road is a privately maintained road, no information regarding the Pavement Condition Index is available.

D. Planned Improvements:

There are no known improvements for this portion of Highway 37 South at this time.

E. Mass Transit

The Route 21X West – Bartow/ Mulberry/ Ft. Meade traverses this section of Highway 37 South in Mulberry. There is a bus stop at the northwest corner of Highway 37 South, about .9 miles walking distance from 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 Pinedale Park, located 1 mile south of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

Eaton Park is located on Citrus Avenue in Mulberry (no address available).

B. Services:

Pinedale Park is a County Park is a vacant lot with no special service or equipment.

C. Multi-use Trails:

There are no multi-use trails in the immediate area. According to the Polk GIS Viewer, the closest trails can be found at the Lakeland Highlands Scrub, 5.3 miles Northeast of the site.

Environmental Lands:

The site is located close to an Ecological Greenway Network but is not within that area. The closest conservation area is 2.45 miles Northwest of the site, Alafia River Reserve.

Environmental Conditions

There are no wetlands or floodplains on this site.

A. Surface Water:

There are no surface waters on the site. A freshwater pond is about 600 feet west of the site.

B. Wetlands/Floodplains:

The site does not contain any wetlands. Although the GIS Viewer shows this site with floodplains, the applicant provided a Letter of Map Amendment (LOMA) removing the property from a Special Flood Hazard Area (SFHA) (Case No.: 25-04-3623A). Therefore, this site does not have any floodplain areas.

C. Soils:

The site is comprised of Neilhurst sand/1 to 5 percent slopes and Arents/0 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	84.7%
Arents/0 to 5 percent slopes	Severe: cutbanks cave, wetness	Severe: wetness, poor filter	15.3%

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

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of a rookery. 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 near potential connection of an overall natural network. Moreover, there are no conservation easements on this parcel, but a property with an conservation easement is $\frac{3}{4}$ mile north of the site.

E. Archeological Resources:

Based on information received from the Secretary of State’s Department of Historical Resources office, there are no archeological or historic resources on the site.

F. Wells (Public/Private)

The site is not within a Wellfield Protection District.

G. Airports:

This property is not within the Airport Impact District. However, according to Airport-Impact District map, there is a private heliport in the area.

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 Highway 37 and existing railroads provide an opportunity for new businesses to locate on this site, thereby also providing jobs to support the Mulberry 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; 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.</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> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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; 	<p>The proximity of the site next to SR 37, next to an existing industrial area, and bordered on two sides by a railroad. These features make the site appropriate for more intensive industrial uses.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities</p> <p>9. parks, open spaces, civic areas and other community facilities,</p> <p>f. environmental factors, including, but not limited to: 1. environmental sensitivity of the property and adjacent property;</p> <p>2. surface water features, including drainage patterns, basin characteristics, and flood hazards;</p> <p>3. wetlands and primary aquifer recharge areas;</p> <p>4. soil characteristics;</p> <p>5. location of potable water supplies, private wells, public well fields; and</p> <p>6. climatic conditions, including prevailing winds, when applicable.</p>	
<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>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:</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>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, and has direct access next to two railroads.</p> <p>Cozart Road has full median access to SR 37.</p>

Comprehensive Plan Policy	Consistency Analysis
<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> <ol style="list-style-type: none"> 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: <ul style="list-style-type: none"> (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. <p>g. Applications for establishment of an Industrial district shall include a plan consistent with Policy 2.110-L5.</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

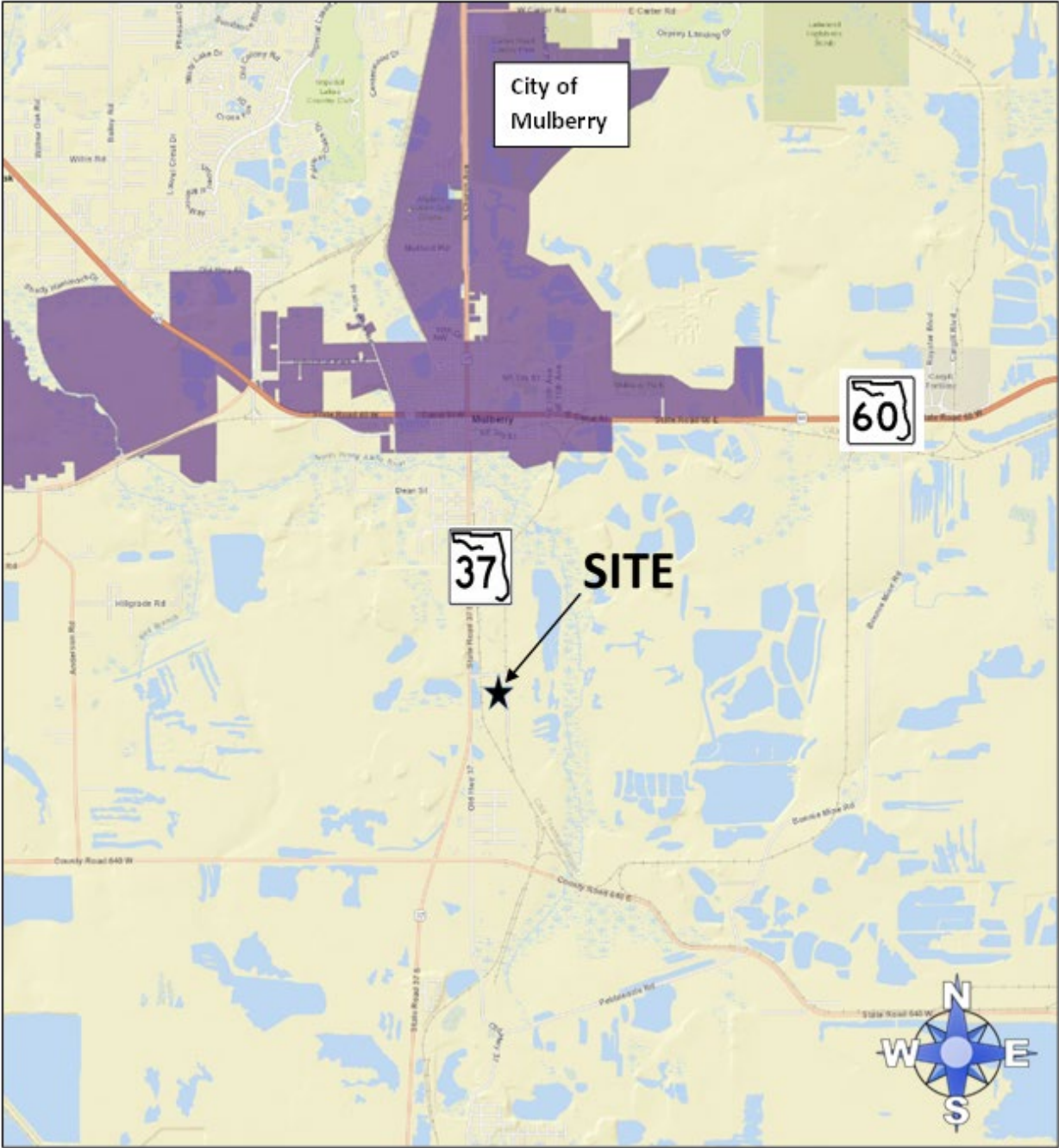
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	Sections where referenced in this report
a. <i>Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.</i>	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:

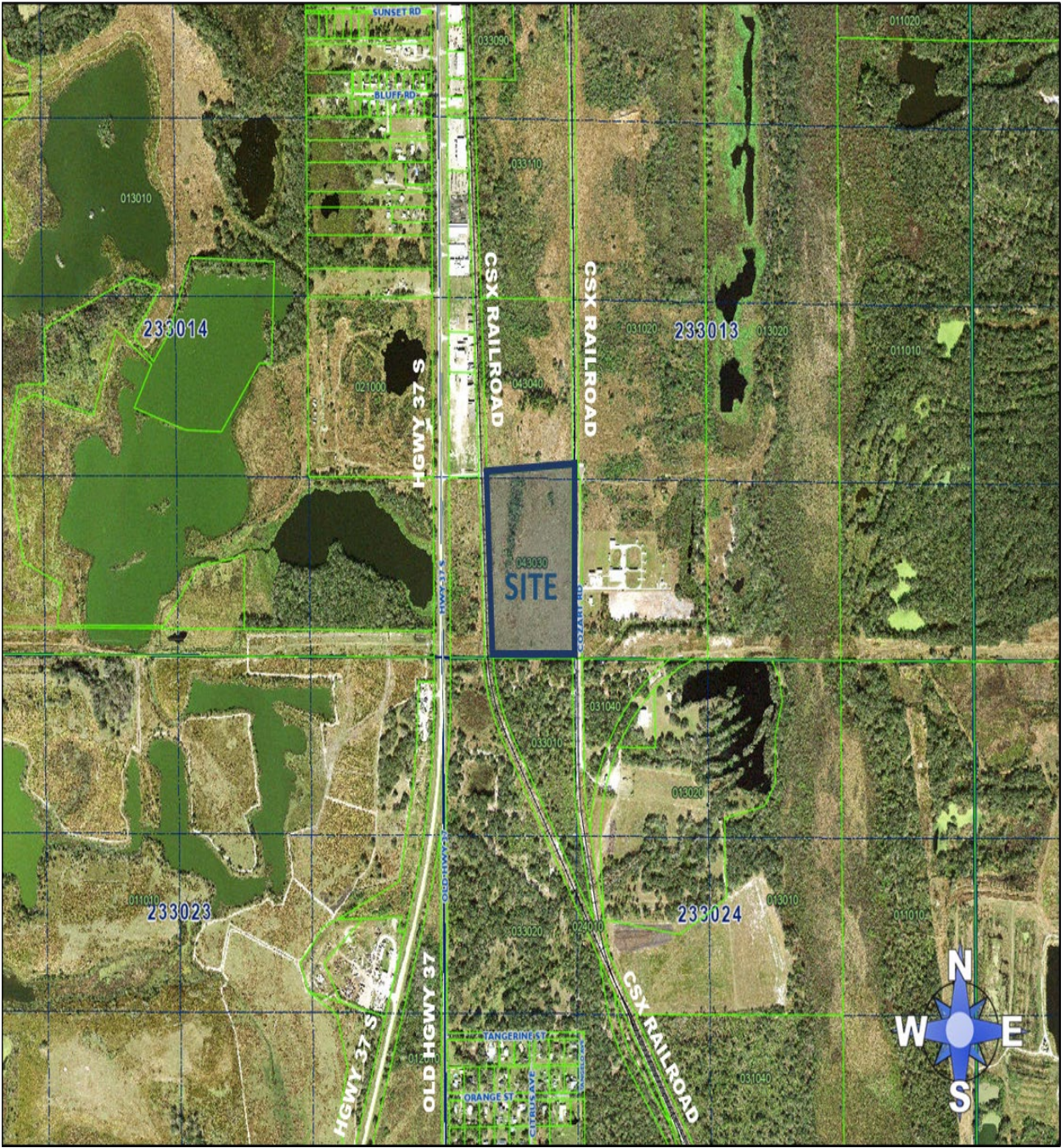
None

Exhibits:

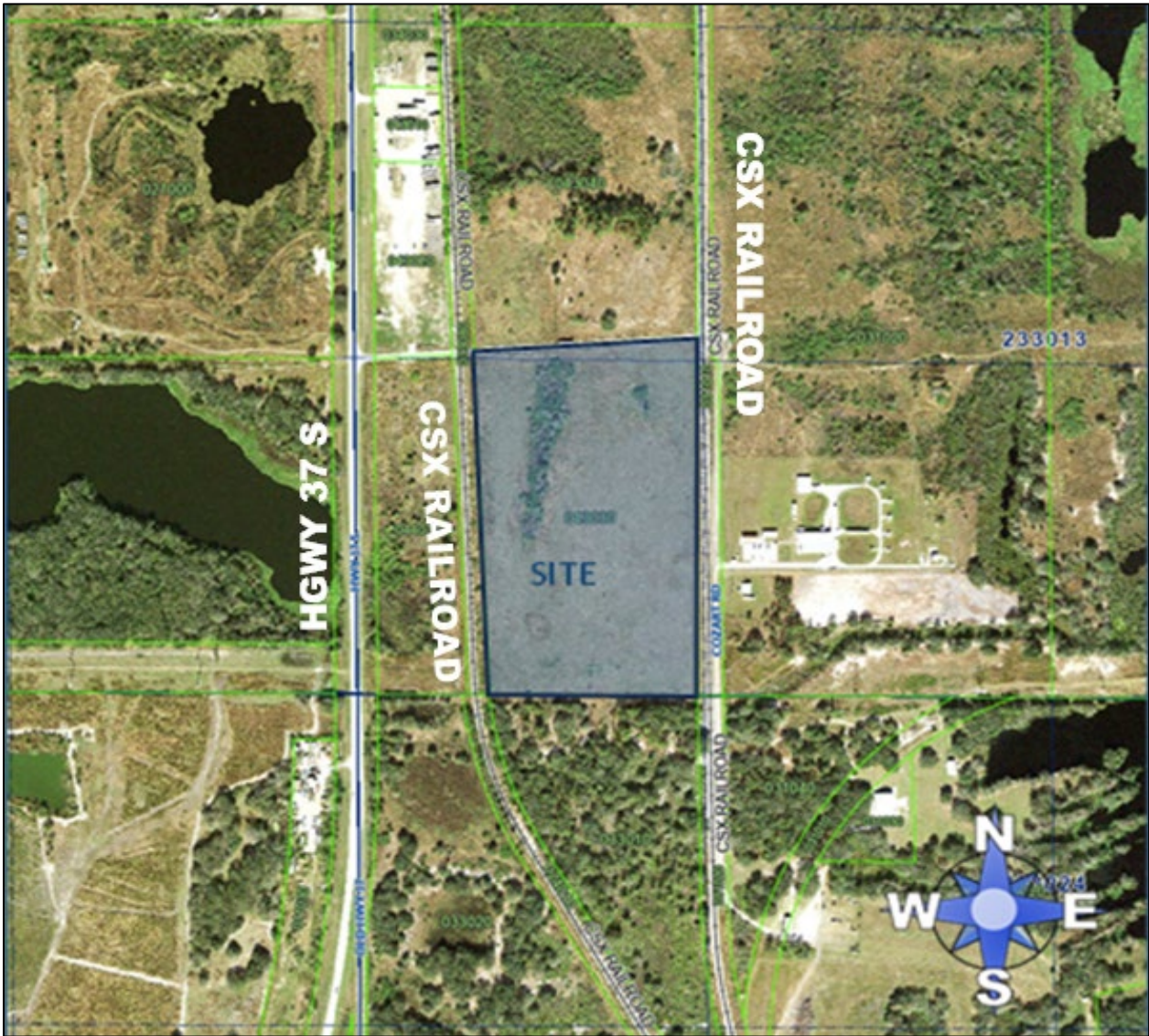
- Exhibit – 1 Location Map
- Exhibit – 2 2023 Aerial Photo (Context)
- Exhibit – 3 2023 Aerial Photo (Detailed)
- Exhibit – 4 Current Future Land Use Map
- Exhibit – 5 Proposed Future Land Use Map



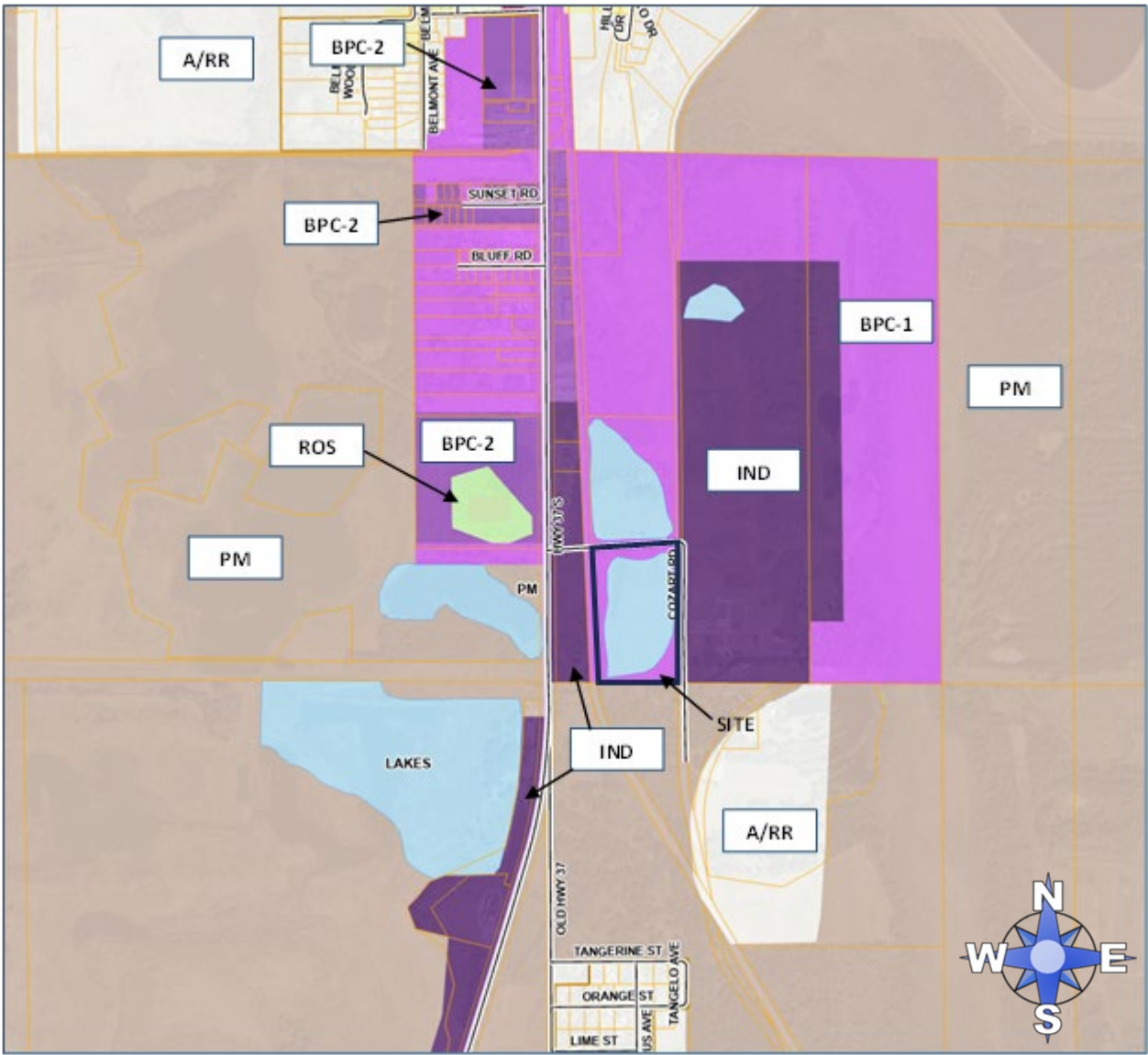
Location Map



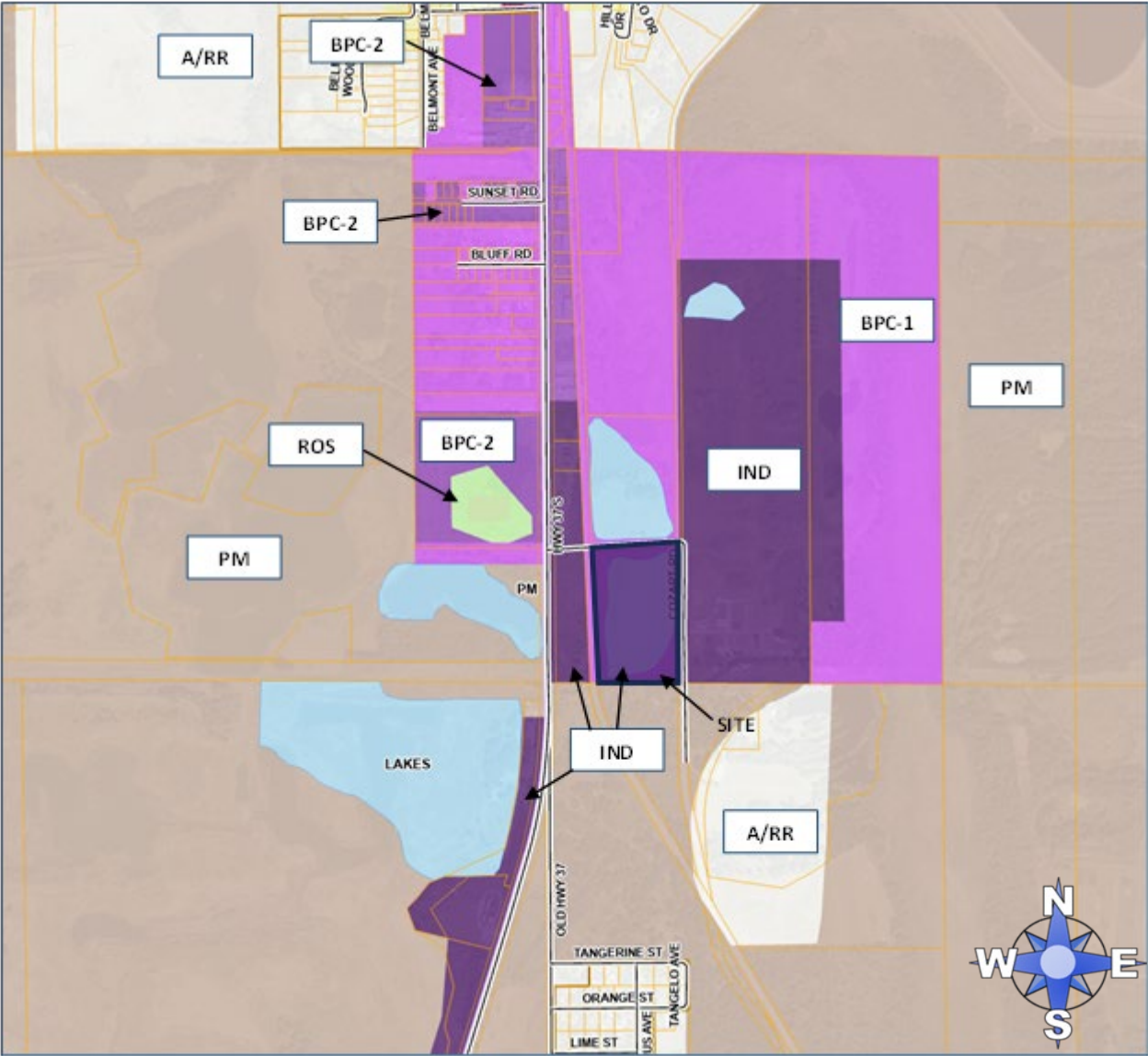
2023 Aerial Photo (Context)



2023 Aerial Photo (Detailed)



Current Future Land Use Map



Proposed Future Land Use Map