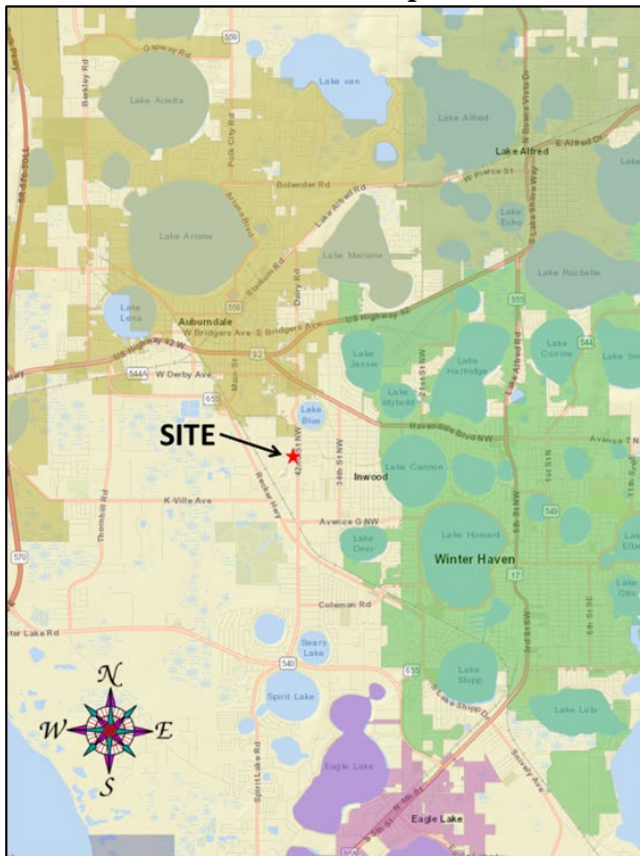


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date: March 16, 2026	Level of Review: Level 4 Review
PC Date: May 6, 2026	Type: LDC Subdistrict Change
BoCC Date: June 2, 2026	Case Numbers: LDCD-2026-2
Applicant: Luis De Leon	Case Name: Avenue Q Autobody
	Case Planner: Erik Peterson, AICP

Request:	Land Development Code Subdistrict Map change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on approximately one (1) acre.
Location:	1453 42 nd Street NW, south of Avenue Q NW, west of 42 nd Street NW, east of Recker Highway (SR 655), south of Auburndale, west of Winter Haven in Section 14, Township 28, Range 25.
Property Owners:	Jonathan Morales Diaz
Parcel Size (Number):	±0.99 acres (252814-000000-022020)
Future Land Use:	Business Park Center-1 (BPC-1)
Development Area:	Urban Growth Area (UGA)
Nearest Municipality:	City of Auburndale (±1,000 feet)
DRC Recommendation:	Approval
Planning Commission Vote:	Approval 7:0

Location Map



2025 Satellite Photo



Summary:

The property was approved for vehicle repair back in the 1980s under C-4 (Highway Commercial) zoning. Jonathan Diaz purchased what he thought was a business site that was approved for repairing vehicles because he had seen many vehicles stored onsite and some in a state of repair. He recently discovered the vehicle repair business had ceased many years prior and the property was designated Business Park Center-1 (BPC-1) under the Land Development Code (LDC). BPC-1 does not permit mechanical or autobody repair, but Business Park Center-2 (BPC-2) does. County approval of BPC-2 will return the former business rights to the property that were lost in 2016 when the grandfather rights of the former vehicle repair shop expired after being dormant for two years. The city of Auburndale provides potable water to the site. It is bordered by 42nd Street which is an urban collector, and Avenue Q NW, a local commercial road west of 42nd Street.

The site is served by a complete level of urban services with the exception of public wastewater collection and sidewalks. There are no significant environmental limitations onsite, but opposite Avenue Q is a ±27-acre state-owned property under management of the Florida Fish & Wildlife Conservation Commission (FWC) and it is designated BPC-2.

The subject property abuts two residences to the west that are also designated BPC-1. Among the differences between the current BPC-1 district and the requested BPC-2 district listed in Table 10 and Exhibit 5 of this report is the introduction of outdoor storage and vehicle repair. Outdoor storage is required to be less than 50% of onsite structures and screened from offsite view. Vehicle repair is required to be conducted within enclosed structures. Additionally, Section 220 of the LDC requires structures and outdoor storage to be set back to a minimum of 50 feet from offsite residences in non-residential districts.

Staff recommends approval because it is consistent with the Comprehensive Plan POLICY 2.113-B4, which directs commercial activities within the Future Land Use Map district to 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.*” The activities onsite will be conducted within enclosed structures, and their outdoor storage will be required to be screened from offsite view.

Findings of Fact

- *The request is for an amendment to the Land Development Code (LDC) Sub-district Map from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on ±0.99 acres, located at 1453 42nd Street NW, south of Avenue Q NW, west of 42nd Street NW, east of Recker Highway (SR 655), south of Auburndale, west of Winter Haven in Section 14, Township 28, Range 25.*
- *The site is located in the Urban Growth Area (UGA), which is the area “where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed-use development,” according to POLICY 2.105-A1 of the Comprehensive Plan.*

- *The Future Land Use Map designation of the site has been Business Park Center (BPC-1) since the adoption of the Land Development Code. Prior to the adoption of the code, it was zoned for Heavy Commercial (C-4).*
- *The site has been used for vehicle repair in the past, according to aerial photos, and Florida Department of State Division of Corporations business records.*
- *Differences in uses allowed between BPC-1 and BPC-2 include outdoor storage and vehicle maintenance uses in BPC-2 versus multifamily in BPC-1 (See page 13 and Exhibit 5).*
- *The neighboring land uses to the west are self-storage and single-family residential. To the south is a concrete and asphalt plant. To the east is a convenience store, restaurant, and vehicle sales. To the north is a nature preserve under state management.*
- *The site abuts Business Park Center-2 (BPC-2) district to the north. The site abuts Business Park Center-1 (BPC-1) districts to the west and south. Property is Linear Commercial Corridor (LCC) to the east.*
- *The closest schools are Inwood Elementary, Westwood Middle School, and Auburndale High School.*
- *Fire and ambulance response to this site is from the Fire Station #5 approximately 1.6 miles driving distance from the site.*
- *The nearest Sheriff's substation is nearby (± 1.1 miles) on Avenue G next to Westwood Middle School.*
- *The city of Auburndale provides potable water service to the site. Capacity is available and lines are in the right-of-way of Avenue Q and 42nd Street.*
- *The property has ± 153 feet of direct roadway frontage on Avenue Q (local commercial) and ± 281 feet of direct roadway frontage on 42nd Street (urban collector).*
- *According to the Transportation Planning Organization, there is adequate capacity on Avenue G (CR 542), Spirit Lake Road, Havendale Boulevard (SR 544), and Recker Highway (SR 655). All other roads in the area have such low traffic volumes that they are not tracked, including 42nd Street.*
- *The closest park facilities are Westwood Park (± 0.7 miles) and Simmers-Young Regional Park (± 1.7 miles).*
- *The closest surface water is Lake Blue to the north of the site, but drainage flows through controlled structures and treated before discharge into Lake Cannon to the east.*
- *There are no wetlands or flood hazard areas on or near the site.*
- *The site has soils rated for only slight limitations for commercial development, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey.*
- *According to Polk County Endangered Habitat Maps, the proposed district change is not located within a one-mile radius of an endangered species sighting. (Source: Florida Fish and Wildlife Conservation Commission (FWC) 2015-2021).*
- *The site is within the flight path but not height restriction buffer zones of a public use airport.*

Development Review Committee (DRC)

Based upon the information provided by the applicant and a recent site visit, the DRC finds that with the recommended conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Comprehensive Plan and the Land Development Code, and therefore, the DRC recommends **APPROVAL of LDCD-2026-2**.

Planning Commission Recommendation:

*At an advertised public hearing on May 6, 2026, the Planning Commission reviewed the Sub-district change request and voted 7-0 to recommend **APPROVAL** to the Board of County Commissioners.*

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: Business Park Center -2 (BPC-2) Wildlife protection area	North: BPC-2 Wildlife protection area	Northeast: Linear Commercial Corridor (LCC) Quick serve restaurant and personal services
West: Business Park Center -1 (BPC-1) Self-Storage Residential (Brierwood Subdivision)	Subject Property: ±1 acre BPC-1 4,000 square foot automotive repair garage.	East: LCC Convenience Store
Southwest: BPC-1, BPC-2 Concrete and asphalt production facility	South: BPC-1, BPC-2 Concrete and asphalt production facility	Southeast: LCC Automotive Dealer

The majority of the land uses that surrounds the property is BPC-1. This district allows warehousing and distribution facilities. There are some BPC-2 districts nearby. One is underutilized and will likely remain a wildlife protection area under the Florida Fish and Wildlife Conservation Commission (FWC). The other is over utilized. It is a heavy industrial use that is not consistent with the BPC districts but is a legally non-conforming (grandfathered) use. On the east side of 42nd Street there are various commercial uses and some vacant land.

Compatibility with Environment, Infrastructure and Surrounding Land Uses:

This proposed change from BPC-1 to BPC-2 is both compatible with the majority of land uses in the area and infrastructure needed to support development of all potential BPC-2 uses. While there are a few single-family residences to the west, they are designated BPC-1 and considered legally non-conforming. The predominant land uses in the immediate are commercial and industrial in nature.

A. Land Uses:

The current use of the property has been utilized for automotive repair off and on since 1983. The property was zoned Heavy Commercial (C-4) from 1971 to 2000. There is a lot of outdoor storage that has occurred over the years. The abutting residential subdivision to the west was platted in 1964. The wildlife management area to the north has remained untouched since 1941, according to aerial photos. The asphalt and concrete plants to the southwest have been in operation since at least 1964, according to aerial photos. It appears in the 1964 aerial photos along with three homes in the Brierwood Subdivision. Commercial uses have existed opposite 42nd Street since the 1960s. The convenience store was constructed in 1966. 42nd Street has been a major thoroughfare since Inwood began as a development in 1925. Enabling more BPC-2 uses on the property will not create any greater incompatibility with the neighboring subdivision than currently exists. The existing structure is abutting two residences and has been for over 40 years. The outdoor storage activities about a self storage warehouse that was constructed on two of the lots in the residential subdivision in 1987.

The LDC defines compatibility 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.”

B. Infrastructure:

Most elements of urban infrastructure and services are available to this site. The two exclusions are public wastewater service and pedestrian facilities. The site has direct access to an urban collector road, a bus stop, potable water, a comprehensive drainage network, overlapping fire rescue services in less than three miles of travel, nearby Sheriff substation, parks and schools a short distance away.

C. Environmental:

Although there is a protected area to the north on property managed by the Florida Fish and Wildlife Conservation Commission (FWC), there are no known environmental limitations on this property. No wetlands or floodplains on or near the property. Stormwater is managed by the County through an urban drainage network where storm sewer is treated for contaminants before it is discharged into the Chain of Lakes. Soils are well drained. There are no reports of archeological sites in the area. It is a significant distance from the nearest public use well. The site is in the flight path of Winter Haven Airport, but far enough away to not be of concern.

Nearest and Zoned Elementary, Middle, and High School

Removing the possibility of a residential component on the property eliminates the need for educational facilities to support the district. Additionally, there are no public schools within proximity to the site. Therefore, commercial traffic conflicting with school operations is minimized.

Table 2

Name of School	Average driving distance from subject site
Inwood Elementary	±1¼ miles driving distance
Westwood Middle School	<1 mile driving distance
Auburndale High School	±2.75 miles driving distance

Source: GIS

Changing the LDC sub-district from BPC-1 to BPC-2 is more consistent with existing use of the property. There are no public schools within three miles of the site. This site would not be a good

location for residential development. It is too small and lacks wastewater connections to support multifamily.

Nearest Sheriff, Fire, and EMS Station

Fire and ambulance responses to this site are from the Fire Station #5 just over a mile and a half away at the entrance to Simmers-Young Park. There is a fire hydrant on Avenue Q within 400 feet of the onsite automotive repair structure. The Sheriff’s Central Command substation is also nearby on Avenue G next to Westwood Middle School.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Polk County Sheriff Central Substation (3635 Avenue G)	±1.1 miles	7 minutes
Fire	Polk County Fire Station #5 333 American Spirit Road	±1.6 miles	6 minutes
EMS	Polk County Fire Station #5 333 American Spirit Road	±1.6 miles	6 minutes

Source: Polk County Sheriff’s Office and Public Safety

**Response times are based on when the station receives the call, not from when the call is made to 911.*

Polk County also has a fire station at 310 3rd Street in Auburndale that can back up this area from just under two miles away and reciprocal agreements with Winter Haven and Auburndale for overlapping coverage.

Water and Wastewater Demand and Capacity:

The City of Auburndale provides potable water to the site. There is no wastewater available and it is not likely to be in the future. Onsite septic is ample for the automotive repair business. The current use does not consume much water and there is ample supply since Auburndale is a member of the Polk Regional Water Cooperative (PRWC).

A. Estimated Demand:

Warehousing and office park development can be conducted in either BPC-1 or BPC-2. The difference is the ability to store goods and materials in the open and maintain vehicles in lieu of multifamily development at 15 dwellings per acre. Both warehousing and office parks have similar water and wastewater demands at 0.24 gallons per day (GPD) which, if maximized, could result in a significant amount of water and wastewater demand. The difference between the two categories can only be brought out in the potential for multifamily, which is forgone with the change to BPC-2. In reality, vehicle maintenance and outdoor storage do not result in a significant amount of water or wastewater usage. The table to follow provides a comparison between multifamily development and the maximum amount of automobile service possible on this site.

Table 4

Subject Property	Estimated Impact Analysis		
	Potential Demand as BPC-1	Potential Demand as BPC-2	Percentage increase
1± acre BPC-1			
Permitted Use	15 unit per acre Multifamily (15 units)	Automobile Service 32,670 SF	
Potable Water Consumption (GPD)	2,970	8,168	275%
Wastewater Generation (GPD)	2,700	6,534	242%

Source: Polk County Utilities Administration Manual: Multifamily=198 gpd water/unit, 180 wastewater/unit. Auto Repair = 250 gpd/1000SF water, 200gpd/1000SF wastewater

The current automotive repair business onsite is in a 4,000 square foot structure. The potential water and wastewater use is 1,000 GPD of water and 800 GPD of wastewater. The site is connected to public water from the city of Auburndale but uses an onsite septic tank to serve restrooms in the building.

B. Available Capacity:

It takes three separate water production facilities to provide enough water for the entire utility service area of Auburndale. The system consists of seven (7) deep production wells that draw water from the Floridian Aquifer. These facilities use a forced air degasification system to remove hydrogen sulfides prior to the addition of chlorine for disinfection. These facilities distribute more than 1.6 billion gallons of water to customers annually. Auburndale is also a member of the Polk Regional Water Cooperative (PRWC). An interconnect is planned for Derby Avenue between Jersey Road and Charlotte Street.

C. Planned Improvements:

There are no system improvements needed to serve this vehicle maintenance and storage development. It is currently connected to the system. Wastewater service is not feasibly available to this site even under the maximum possible expansion.

Roadways/ Transportation Network

There is a high volume of traffic on the area roadways, but the existing use is contributing very little to it despite not having the proper district designation. This proposed correction from BPC-1 to BPC-2 will have limited impact on the transportation system. Avenue Q is a local commercial road and 42nd Street is an urban collector. There is a mass transit stop on Avenue Q in front of the site that connects to both Auburndale and Winter Haven downtown. The greatest weakness in the transportation system is the lack of sidewalks.

A. Estimated Demand:

Warehousing can be conducted in either BPC-1 or BPC-2. The difference is the ability to store goods and materials in the open and maintain vehicles in lieu of multifamily development at 15 dwellings per acre. The Institute of Traffic Engineers (ITE) provides an estimate of 16.6 trips per 1,000 square feet of automobile service for average annual daily trips (AADT) and 2.06 trips during the peak hour of the day but with a passerby reduction of 76%. Multifamily can generate 4.46 trips per dwelling AADT and 0.38 per unit during peak hours. With only one (1) acre, the vehicle trip potential is low. If developed for multifamily, only 15 dwelling units could be the maximum result. While BPC-1 allows multifamily, the ability to do vehicle maintenance opens up

the potential for more activity onsite. The floor area ratio (FAR) is 0.75 in both BPC-1 and BPC-2. The following table compares the extremes of either.

Table 5

Subject Property	Estimated Impact Analysis		
	Potential Demand as BPC-1	Potential Demand as BPC-2	Percentage increase
1± acre BPC-1			
Permitted Use	15 unit per acre Multifamily (15 units)	Automobile Service 32,670 SF	
Average Annual Daily Trips (AADT)	67	543	209%
PM Peak Hour Trips	6	52	316%

Source: Institute of Traffic Engineers (ITE) 12th Edition – Automobile Service 16.6 AADT/1000SF, 2.06 PM peak/1000SF @ 76% new Multifamily 4.46 AADT/unit, 0.38 PM peak/1000SF @ 100% new

The current auto repair establishment onsite is 4,000 square feet and generates very little traffic on the system. ITE estimates it to generate 67 average annual daily trips and up to four (4) trips during the PM peak hour. ITE estimates that 61% of the trips are exiting the site at peak.

B. Available Capacity:

Neither Avenue Q nor 42nd Street are tracked for concurrency in the Transportation Planning Organizations (TPO) Roadway Network Database. The closest monitored roadways are County Road 542 (Avenue G) and State Road 544 (Havendale Boulevard). Spirit Lake Road is tracked up to Avenue G where it becomes 42nd Street. It is likely that the majority of the traffic going north or south on Spirit Lake Roads is using 42nd Street given the traffic numbers on Avenue G and Recker Highway. The only difference is that 42nd Street is two lanes whereas Spirit Lake Road is four lanes between Recker Highway and State Road 540.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4175N	Spirit Lake Road (<i>becomes 42nd Street</i>) From: SR 540 To: CR 542 (Avenue G)	C	1,068	D
4175S	Spirit Lake Road (<i>becomes 42nd Street</i>) From: CR 542 (Avenue G) To: SR 540	C	1,038	D
4046E	CR 542 (Avenue G) From: SR 655 (Recker Highway) To: Lake Howard Drive	C	273	D
4046W	CR 542 (Avenue G) From: Lake Howard Drive To: SR 655 (Recker Highway)	C	252	D
6500E	SR 544 (Havendale Boulevard) From: US 92 Street To: 26th	C	1,542	D
6500W	SR 544 (Havendale Boulevard) From: 26th Street To: US 92	C	1,503	D
7103N	SR 655 (Recker Highway) From: CR 542 (Avenue G) To: Orangewood Avenue	C	135	D
7103S	SR 655 (Recker Highway) From: Orangewood Avenue To: CR 542 (Avenue G)	C	104	D

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

The Florida Department of Transportation (FDOT) estimated that as of 2025 an average of 15,200 vehicles traveled Spirit Lake Road every day. FDOT estimates that Avenue G is averaging 12,200 vehicles per day. Recker Highway south of 42nd Street is 18,100 vehicles per day. Havendale Boulevard averages 29,000 vehicles per day.

C. Roadway Conditions:

Avenue Q was resurfaced in 2012 and remains in above average condition. 42nd Street was resurfaced in 2016 and is in excellent condition. The driveway access to the site at 42nd Street has a 50-foot radius but is in substandard condition. There is no access on Avenue Q. If new structures or access is added to the site in the future, driveway improvements will be required.

D. Sidewalks

The sidewalk network is weak in this more industrial area of Inwood. There are no sidewalks on either side of 42nd Street or Avenue Q. The closest sidewalk network begins over ½ mile to the east at 34th Street. Priorities have been focused on streets near Westwood Middle and Inwood Elementary Schools. Since this site is currently developed, there are no sidewalk improvements required.

E. Planned Improvements:

The only project in the current 5-year Community Investment Program (CIP) is replacement of the signal lights and intersection lane improvements at 42nd Street and Avenue G to the south. There are no improvements necessary to the surrounding roadway network to enable the development of this site for commercial use. There are drainage improvements necessary in the immediate area.

F. Mass Transit

There is a mass transit stop (Route 50) that stops in front of the subject property on Avenue Q. It runs nine times on weekdays and twice Saturdays between transfer stations in downtown Auburndale and Winter Haven. Headways vary.

Park Facilities:

The closest park facilities are Westwood Park and Simmers-Young Regional Park. Without the possibility of a residential component, there is no demand created for park facilities in BPC-2 whereas there are in BPC-1



A. Location:

Westwood Park is located at 1145 36th Street NW which is ±0.7 miles driving distance from the site. The entrance to the Simmers-Young Regional Park is located at 339 American Spirit Road which is ±1.7 miles driving distance from the site.

B. Services:

Westwood Park features a playground with swings, slides and climbing areas. You will also find a paved walking path with exercise stations, picnic tables and picnic shelters. Additionally, there are restrooms and multi-purpose fields. Simmers-Young Park is a recreational park with 10 multi-

purpose fields, baseball and softball and league play. There also are picnic facilities, a fishing pond, dog park, playground, restrooms, picnic tables and picnic shelters.

C. Multi-use Trails:

The closest multiuse trail is located in north Auburndale. It is the Van Fleet Trail that is 29.2 miles long and has a paved surface eight feet wide. It extends from Auburndale into Lake County.

D. Environmental Lands:

The opposite side of Avenue Q is part of the Lake Wales Ridge Wildlife and Environmental Area. It consists of eleven separate sites located in the middle of the County extending from the center to the south end of the Lake Wales Ridge. It contains excellent examples of rosemary scrub, oak scrub, scrubby flatwoods, sandhill, and cutthroat seep. An extremely high concentration of more than 30 listed plant and animal species is present, including at least twelve Federally endangered species.

E. Planned Improvements:

There are no recreational improvements scheduled for this quadrant of the County at this time.

Environmental Conditions

There are no known environmental limitations on this property. No wetlands or floodplains on or near the property. Stormwater is managed by the County through an urban drainage network designed to protect waterbodies. Soils are well-drained. There are no known protected species onsite, but there may be to the north on property managed by the Florida Fish and Wildlife Conservation Commission (FWC). There are no reports of archeological sites in the area. It is a significant distance from the nearest public use well. The site is in the path of Winter Haven Airport, but far enough away to not be of concern.

A. Surface Water:

This site ranges in elevation between 155 and 156 feet above mean seal level (MSL). The site drains into a swale system on Avenue Q and 42nd Street where there is a storm grate which pipes runoff to the east into a larger capacity system that parallels Inman Drive (148' MSL) which funnels area drainage through subsurface storm pipes to Lake Cannon at an average elevation of 129.5' MSL. The stormwater is treated with alum to neutralize nitrate levels in a partially subsurface facility located at the intersection of 26th Street and Avenue O just before discharge into the lake. Lake Cannon is approximately 332 acres in size and is part of the Winter Haven Chain of Lakes that connects to the Peace River which flows to Charlotte Harbor and out to the Gulf.

B. Wetlands/Floodplains:

There are no flood zones or wetlands on or near the site. The closest forms along Inman Drive over a quarter mile to the east. The base flood elevation is 150.7 feet MSL and the subject site is 155 feet MSL. The closest real wetland systems are associated with Lakes Cannon and Blue. Lake Blue is over a half mile away and Lake Cannon is over a mile away. There is an arbitrary wetland system around the former County landfill at 38th Street and Avenue M.

C. Soils:

The site has well-suited soils for development, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Tavares is a suitable soil for most development applications and Candler is ideal for being well drained and malleable.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Small Commercial Buildings	% of Site (approximate)
Tavares Fine Sand	Moderate: wetness	Slight	60%
Candler Fine Sand	Slight	Slight	40%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service

D. Protected Species

According to Polk County Endangered Habitat Maps, the proposed district change is not located within a one-mile radius of an endangered species sighting. (Source: Florida Fish and Wildlife Conservation Commission (FWC) 2015-2021). However, the ±27-acre property opposite Avenue Q is owned by the state and managed by FWC. It is listed as Archbold Scrub habitat.

E. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File for Section 14, Township 28, Range 25.

F. Wells (Public/Private)

The site is over a mile from the closest public use wellhead or 10-year hydraulic travel time of any public potable water well. This lessens any concerns for potential groundwater contamination that may result from outside storage.

G. Airports:

The site is directly within the flight path but not within the height restriction buffer zones of the Winter Haven Airport, a public use airport. It is within 1.4 miles of the runway. However, these are the types of uses that are most appropriate in airport areas rather than multifamily developments. BPC-2 allows for outdoor storage but not multifamily as BPC-1 does.

Economic Factors:

The primary use of the property has been automotive repair in the past. Commercial vehicle maintenance and outdoor storage are a major component of the past uses of the property. The essential difference between BPC-1 and BPC-2 is that BPC-1 is where a mixture of office uses, and multifamily living comes together to form the quintessential corporate office park. BPC-2 is more geared towards light-industrial uses. Therefore, it enables outdoor storage of materials and products along with vehicle maintenance uses. The applicant is forgoing the ability to do multifamily in turn for the rights to external storage and equipment maintenance. Much of the existing development in the area is warehouse, light industrial, and vehicle maintenance. This request will not result in a change that could harm the local economic structure.

Consistency with the Comprehensive Plan, LDC, and Other County Ordinances:

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:

- Section 2.102 – General Growth Management policies
- Section 2.105 – Urban Growth Area (UGA) policies
- Section 2.113 – Business Park Center

The table to follow provides a brief breakdown of Section 2.102 policies that are most pertinent to this request.

Table 9

Comprehensive Plan Policy	Consistency Analysis
<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>This request is for a Subdistrict Map change from a BPC-1 to a BPC-2 district which can enable slightly more intensive use of the land without overburdening the cost of public services. The uses are similar to the ones that line Recker Highway to the west and within the City of Auburndale to the north.</p>
<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>This site abuts two residences to the west that are also designated BPC-1. Among the differences between the current BPC-1 district and the requested BPC-2 district is the introduction of outdoor storage and vehicle repair. Outdoor storage is required to be less than 50% of onsite structures and screened from offsite view. Vehicle repair is required to be conducted within enclosed structures. Additionally, Section 220 of the Land Development Code (LDC) requires structures and outdoor storage to be set back to a minimum of 50 feet from offsite residences in non-residential districts.</p>
<p>POLICY 2.102-A3: DISTRIBUTION - 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.</p>	<p>Most elements of urban infrastructure and services are available to this site. The two exclusions are public wastewater service and pedestrian facilities. The site has direct access to an urban collector road, a bus stop, potable water, comprehensive drainage network, overlapping fire rescue services in less than three miles of travel, nearby Sheriff substation, parks and schools a short distance away.</p>
<p>POLICY 2.102-A4: TIMING - The 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.</p>	<p>Changing from BPC-1 to BPC-2 is not an issue of timing. Both subdistricts require the same levels of infrastructure and services.</p>
<p>POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).</p>	<p>Fire and ambulance response to this site is from the Fire Station #5 just over a mile and a half away. There is a fire hydrant on Avenue Q within 400 feet of the onsite automotive repair structure. The Sheriff's Central Command substation is also nearby on Avenue G next to Westwood Middle School.</p>

The site is located in the Urban Growth Area (UGA), which is the area “where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed-use development” according to POLICY 2.105-A1 of the Comprehensive Plan. This site is near all of

the necessary infrastructure and services mentioned in the policy. The current use on the property is not connected to central wastewater treatment because it was not available in the area when it was originally constructed in 1983.

The Business Park Center Future Land Use Map designation is a broad multiuse district. For that reason, BPC was separated into two sub-categories in the LDC. POLICY 2.113-B-1 of the Comprehensive Plan illustrates the dynamics of the BPC district in the statement of 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.”*

The LDC separates the BPC Future Land Use Map designation into two categories, BPC-1, which is all enclosed operation and more attuned to office parks, and BPC-2, which allows for outdoor storage and heavy commercial activities to implement the Comprehensive Plan POLICY 2.113-B-4. The following table provides a summary of the differences in standards between the two LDC subdistricts.

Table 10

	Standard Comparison	
Standard	BPC-1	BPC-2
Different Land Uses	Corporate Office Park, Enclosed Light Manufacturing, Warehousing and Distribution, Multifamily	Enclosed Light Manufacturing, Warehousing and Distribution, Outdoor Storage, Heavy Commercial
Density	10-15 dwelling/acre	Not permitted
Minimum Lot Size	No minimum	No minimum
ROW Setbacks	30 feet from Local Roads	30 feet from Local Roads
Interior Side	20' Primary, 20' Accessory	20' Primary, 20' Accessory
Interior Rear	20' Primary, 20' Accessory	20' Primary, 20' Accessory
Height Limit	75 feet	100 feet
Prohibited Uses	Outdoor Storage, Vehicle Repair	Residential

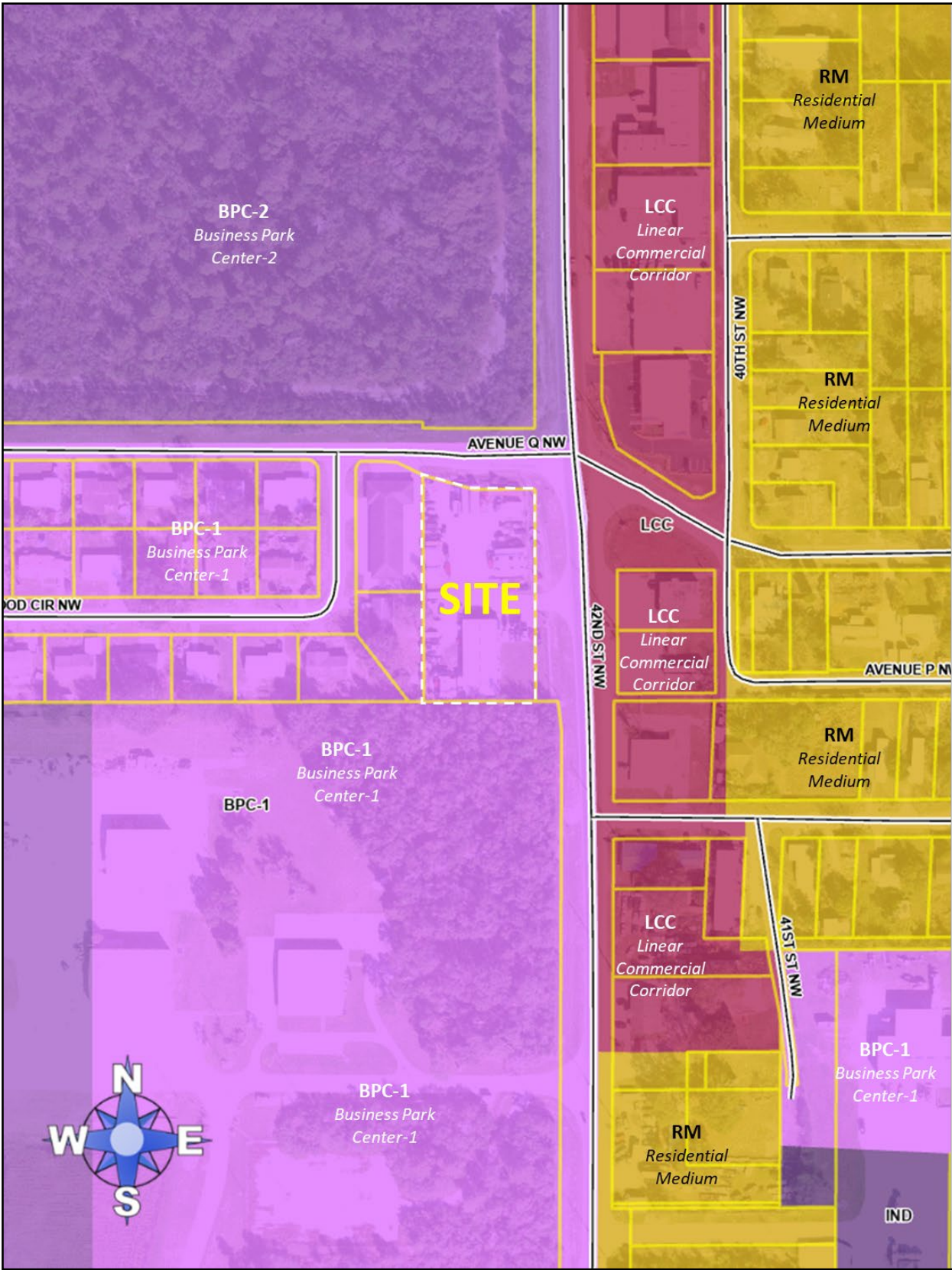
Although outdoor storage is permitted in BPC-2, it is for only finished goods and must be screened from offsite view. Multifamily requires Planning Commission in BPC-1. The site dimensional standards are identical between the sub-districts. The separation between the two is in land use activities.

Section 220 of the Land Development Code requires additional separations for commercial properties that abut residential districts and residential land uses. These include a 50-foot setback from all residential land use districts or an existing residence for commercial buildings, dumpsters, outdoor sales, storage or display, air conditioning units, loading facilities/structures, drive-thru, grease traps, wastewater lift stations, and gasoline pump islands. There is an existing residence in the current BPC-1 district that abuts the site to the west. It is approximately 40 from the property line. This will require a minimum of 10 feet of separation for the facilities regulated by Section 220.

Comments from other Agencies: None.

Exhibits:

- Exhibit – 1 Location Map
- Exhibit – 2 Future Land Use Map
- Exhibit – 3 2023 Satellite Photo (Context)
- Exhibit – 4 2023 Satellite Photo (Close-up)
- Exhibit – 5 District Use Comparison Table



Future Land Use Map



2025 Satellite Photo (Context)



2023 Aerial Photo (Close Up)

Comparison of Permitted and Conditional Uses*

District	Permitted Uses	Administrative Review	Public Hearing(s) Required
BPC-1 <i>Business Park Center-1</i>	Government Facility Office or Office Park Personal Services Printing and Publishing Research & Development Production Studio Transit Facility Warehousing and Distribution	Alcohol Package Sales Bar, Lounge, or Tavern Bed and Breakfast Community Center Monopole Communication Tower Commercial Vehicle Parking Cultural Facility Financial Institution Drive-thru Financial Institution Gas Station Light Manufacturing Medical Marijuana Dispensaries Retail Nursery Retail 0-64,900 square feet Recreational Vehicle Storage All Restaurants Vocational School Self-storage facility	Agricultural Support Intensive Animal Farm Multifamily Guyed Communication Tower Power Plants Low Intensity (non-cert) Retail 65,000 square feet
BPC-2 <i>Business Park Center-1</i>	Agricultural Support Intensive Animal Farm Commercial Vehicle Parking Government Facility Light Manufacturing Motor Freight Terminal Office or Office Park Personal Services Printing and Publishing Research & Development Retail, Outdoor Sales Production Studio Transit, Commercial Transit Facility Vehicle Repair Autobody Repair Warehousing and Distribution	Farmworker Dormitory Alcohol Package Sales Bar, Lounge, or Tavern Bed and Breakfast Community Center Guyed Communication Tower Monopole Communication Tower Commercial Vehicle Parking Cultural Facility Financial Institution Drive-thru Financial Institution Gas Station Heavy Machinery Sales & Service Dog Kennels Livestock Auction Medical Marijuana Dispensaries Retail Nursery Retail 0-64,900 square feet Recreational Vehicle Storage All Restaurants Vehicle Recovery Vocational School Self-storage facility Veterinary Service	Power Plants Low Intensity (non-cert) Power Plants High Intensity (non-cert) Retail 65,000 square feet

**Uses with the same level of review in both categories not listed nor are agricultural and utility uses preempted by State Law
 Also excluded are uses impractical due to property size or location.*