

ORDINANCE NO. 20 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING **LDCPAL-2026-1**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED MODIFYING THE POLICIES UNDER OBJECTIVE 2.133-C OFFICE CENTERS TO ADD PERSONAL SERVICES AS AN ALLOWABLE USE, ALLOW OFFICE CENTERS ADJACENT TO MULTIPLE NON-RESIDENTIAL FUTURE LAND USE DESIGNATIONS AND EXISTING NON-RESIDENTIAL LEGALLY ESTABLISHED DEVELOPMENT, REMOVE A REFERENCE TO POLICY 2.404-A1, REMOVE THE LIMITATIONS ON OFFICES WITHIN A TWO-MILE RADIUS, AND REMOVE DEVELOPMENT CRITERIA REGARDING FRONTAGE ON LOCAL ROADS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section I(g) of the Constitution of the State of Florida and the Community Planning Act, Chapter 163, Part II, Florida Statutes (FS), as amended, (the Act) Polk County is authorized and required to adopt a Comprehensive Plan (Plan); and

WHEREAS, Section 163.3184, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Large-Scale Comprehensive Plan Amendments; and

WHEREAS, Application LDCPAL 2026-1 is a county-initiated application to modify Policy 2.113-C1 to add “personal services” to the Characteristics and to add “adjacent to existing non-residential development” to Policy 2.113-C3 Location Criteria and remove a reference to Policy 2.404-A1 and the limitation on offices in a two-mile radius (the “Amendment”); and

WHEREAS, pursuant to Section 163.3174, FS, the Local Planning Authority (Planning Commission) conducted a public hearing, with due public notice having been provided, on the Amendment on April 1, 2026; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on April 21, 2026, held an initial public hearing and authorized transmittal of the Amendment to the Department of Economic Opportunity (DEO) for written comment, and

WHEREAS, DEO, by letter dated May 22, 2026, transmitted objections, recommendations, and comments on the Amendment; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the Amendment on June 2, 2026; and

WHEREAS, the Board of County Commissioners reviewed and considered all comments received during said public hearings, and provided for necessary revisions, if any; and

WHEREAS, the Board of County Commissioners has considered the data and analysis contained within the staff report; and

WHEREAS, the Amendment is consistent with Chapter 163, FS, and the Polk County Comprehensive Plan.

NOW THEREFORE, BE IT ORDAINED by the Polk County Board of County Commissioners:

SECTION 1: LEGISLATIVE FINDINGS OF FACT

The findings of fact set forth in the recitals to this Ordinance are true and correct and hereby adopted.

SECTION 2: COMPREHENSIVE PLAN AMENDMENT

The Future Land Use Map of Ordinance No. 92-36, as amended, (the “Polk County Comprehensive Plan”) is hereby amended to reflect a change in the text of the Comprehensive Plan as depicted in Attachment “A”.

SECTION 3: SEVERABILITY

If any provision of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction the other provisions shall remain in full force and effect.

SECTION 4: EFFECTIVE DATE

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the Department of Florida Commerce posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Florida Commerce.

SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the Secretary of State, upon adoption by the Board of County Commissioners of Polk County, Florida.

ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 2nd day of June, 2026.

OBJECTIVE 2.113C OFFICE CENTERS

OBJECTIVE 2.113-C: OFFICE CENTERS -The Polk County Plan shall provide for needs of residents through:

- a.the designation and mapping of Office Centers on the Future Land Use Map Series; and
- b.the establishment of criteria applicable to the location and development of land within Office Centers.

POLICY 2.113-C1: CHARACTERISTICS - Office Centers are intended to accommodate the office needs of the community they serve. They generally contain lawyer, real estate, engineering, and other professional offices. Medical offices, personal services, and support offices are also allowable in this category.

Usable Area: 10 acres or less

Gross Leasable Area (GLA): 1,000 to 30,000 square feet

Minimum Population Support: 2,500 people

Service-Area Radius: 2 miles or more

Typical Leading Tenant: Professional offices

Other Typical Tenants: Medical offices

POLICY 2.113-C2: DESIGNATION AND MAPPING - Office Centers shall be located throughout Polk County as designated on the Future Land Use Map Series as "Office Centers" (OC).

POLICY 2.113-C3: LOCATION CRITERIA - The establishment of a new Office Center designation shall be located according to the following:

- a. at the intersection of a local and collector/arterial road, or at the intersection of two collector roads; or at the intersection of two arterial roads; or
- b. Along a collector or arterial roadway adjacent to and existing developed or undeveloped Activity Center, ~~or~~ Commercial Enclave; Linear Commercial Corridor, Rural Cluster Center, Tourist Commercial Center, High Impact Center, Business Park Center, Industrial, Institution, Employment Center, Mixed Use, Professional Institutional, Interchange Activity Center, and Town Center. ~~that contains 10% or less in land area developed with professional offices;~~ or
- c. Adjacent to existing legally established non-residential development Policy 2.404 A1; and
- d. ~~the total acreage for Office Center Districts within a two mile radius shall not exceed ten (10) acres unless one of the following can be met:~~
 - 1. ~~the total land area of the existing Office Centers within the two mile radius are 60 percent (60%) developed and the total land area of the existing Activity Centers within the two miles radius are also at least 60 percent (60%) developed with less than 10 percent (10%) of the land area developed as professional office uses; or~~

- ~~2. the remaining undeveloped acreage of the Office Centers within the two mile radius are owned by a single interest or have final, valid engineered construction plans (with building permit application) or have a valid CU/PD approval; or~~
- ~~3. when item b above is met.~~

d. When considering the establishment of a new Office Center designation or the expansion of an existing Office Center consideration shall be given to the following:

1. maximizing access to a collector or arterial road and to the guidelines outlined in Policy 2.404-A1;
2. Polk County shall seek to minimize the routing of office traffic through residential areas;
3. The amount of existing office uses within a two mile radius.

POLICY 2.113-C4: DEVELOPMENT CRITERIA - Development within an Office Center shall conform to the following criteria:

- a. Development in Office Centers shall have frontage on, or direct access to, a collector or arterial roadway, or a frontage road or service drive which directly serves these roadways. Development within Office Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical;
- b. ~~Office Center expansions, new locations for Office Centers and development within Office Centers may front on or accessed via local roads if the subject parcel(s) is within a quarter mile of a collector or arterial road. If the local road is classified as residential then traffic from the OC shall not be permitted on the local road if there is residential traffic between the driveway for the OC and the collector roadway and until a waiver, per the requirements and standards in the LDC, is approved;~~
- c. 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;
- d. Buffering shall be provided where the effects of lighting, noise, 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; and
- e. Retail uses within an Office Center shall not exceed ten (10) percent of the total land area of the Office Center as the OC is meant for professional employment and personal service businesses.

POLICY 2.113-C5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an Office Center may include the following uses: Medium and High Residential, Neighborhood Activity Centers, Institutional, and Recreation and Open Space.