

Polk City SPA LCCX text amendment Narrative

The Linear Commercial Corridor (LCCX) district was added to the Polk City Special Protection Area (SPA) in the Green Swamp Area of Critical State Concern (ACSC) of the Comprehensive Plan in June of 2000 which was in between the adoption of the Land Development Code (LDC) in March of that year and the effective date in September. Therefore, the LCCX Future Land Use Map district was not referenced in Chapter 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2, Use Table for Green Swamp ACSC in the original ordinance. Staff did not discover this omission until 2010. Once realized, staff proposed an amendment to add it to the table. The Board approved case LDC 10T-08 in August of 2010. Along with adding the category to the use tables, staff included a foot note stating, *“Comprehensive Plan Amendments to change a parcel's Future Land Use District to Linear Commercial Corridor within the Polk City Special Protection Area are prohibited by Policy 2.132-C3 of the Polk County Comprehensive Plan. Only parcels with the existing LCCX Future Land Use District are allowed within the Polk City Special Protection Area.”* At the time, this inclusion was prompted by negotiations with staff in the Florida Department of Community Affairs (DCA) Critical Areas of State Concern section.

Staff have found that after 16 years of the plan and code implementation there is a need to recognize and add more areas under the LCCX designation within the Polk City SPA. It is also known that regulations in the LDC cannot dictate what can and cannot be amended in the Comprehensive Plan according to Chapter 163 of the Florida Statutes. This proposed LDC amendment is to rectify this issue.