

Ordinance No. 25 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL-2025-9**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE POLICY 2.131-RA4.F.3.(H) TO AMEND THE PERSONAL SERVICES, RETAIL, AND COMMERCIAL LIMITATION TO EXCEED 30 PERCENT OF THE ECX DISTRICT WITH ALLOWANCES FOR HIGHER PERCENTAGE WITH A CONDITIONAL USE. 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 2025-9 is an applicant-initiated application to amend Policy 2.131.RA4.F.3(h) of the Comprehensive Plan; (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, Amendment on November 5, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on December 2, 2025, held an initial public hearing and authorized transmittal of the Amendment to the Department of Economic Opportunity (DEO) for written comment, and

WHEREAS, Florida Commerce, by letter dated January 9, 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 January 20, 2026; and

WHEREAS, the Board of County Commissioners, reviewed and considered all comments received during said public hearing, 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 text of the Comprehensive Plan Ordinance No. 92-36, as amended, (the “Polk County Comprehensive Plan”) is hereby amended to reflect changes depicted 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.

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 20th day of January 2026.

<p><i>NOTE:</i> The <u>underlined text</u> indicates proposed additions to the current language. The strikeout indicates text to be removed from the current ordinance.</p>
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ATTACHMENT “A”

F. EMPLOYMENT CENTER (ECX) - The Employment Center is an Activity Center designed to allow light assembly, office and research parks, low impact commercial, and other business uses to serve southeastern Lakeland and northwestern Bartow populations, as well as the educational campuses of the University of South Florida, Polk Community College, and Travis Vocational Technical Center.

1. DESIGNATION AND MAPPING - The Employment Center is designated on the Future Land Use Map Series as "Employment Center X" (ECX).

2. GENERAL CHARACTERISTICS - The ECX in this SAP is intended to accommodate the employment and functional needs of the college and vocational school campuses and the residents living within the area between the cities of Bartow and Lakeland along the US Highway 98 corridor. The ECX will generally contain uses that will generate employment as well as support facilities for the users and employees of the area. General (approximate) characteristics of the Employment Center Xs are:

(a) Gross Leasable Area (GLA): 100,000—500,000 square feet, on average,

(b) Minimum Population Support: 20,000,

(c) Market Area Radius: 3+ miles,

(d) Typical Tenants: Services to the universities and colleges, bookstores, offices, light assembly, warehousing, distribution centers, research firms, development firms, medical clinics, convenience stores, restaurants, professional offices, financial institutions, recreational uses, communication facilities, High-Density Residential, hotel/motel, and uses that support or directly relate to the college campuses and the development of a research park, including personal services.

3. DEVELOPMENT CRITERIA - Development within an ECX shall conform to the following criteria:

(a) Access to parcels shall be by an internal road system, frontage roads, cross-access easements, shared ingress/egress access easements, or some combination of these. New individual driveways accessing US Highway 98 will be permitted in compliance with FDOT requirements for this facility (US Highway 98 CAMP).

(b) Different uses shall incorporate the use of shared ingress/egress facilities consistent with this SAP.

(c) Parking shall be provided to meet the needs of the uses in an efficient manner that best suits the community collectively through optional methods such as shared parking and permeable surface parking design.

(d) Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

(e) Buffering that meets the County development standards as set forth in the Land Development Code shall be provided where effects of lighting, noise, odors, and other such factors would adversely impact adjacent land uses.

(f) Light industrial uses which include at least 50% office space, assemble products, and conduct research and development, but do not manufacture any products shall be permitted without a Local Planning Agency review.

(g) The maximum FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.5.

(h) Commercial and personal services are limited to 30 percent of the ECX district. The 30 percent limit may be exceeded with the approval of a Conditional Use Level 4 Review as required per the Land Development Code. The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points.