



Polk County Planning Commission

Meeting Agenda

October 01, 2025 Regular Planning Meeting

Call Agenda Workshop to Order 8:50 a.m.

A. Planning Commission (PC) will discuss agenda items and consider additions, deferments, withdrawals to published agenda. Planning Commission will discuss any particular agenda items of concern with any Planning Commission member.

B. Planning Commission will consider and review with staff any upcoming ordinance revisions, comprehensive plan recommendations or other matters of concern to the Planning Commission.

Note: This first part of the monthly Planning Commission agenda is a workshop. No official action on any item will be taken at the workshop. While the public is invited to attend, no public comment will be solicited during the workshop.

Call Public Hearing to Order 9:00 a.m. Or as soon thereafter as the particular case may be heard 9:00 a.m.

Roll Call / Attendance

Pledge of Allegiance

Approve Minutes

Meeting Minutes - September 10, 2025

Reordering of the Agenda - Prior to beginning the Business of the Planning Commission, the Commission may reorder the Agenda.

1) Reorder Agenda

a) At the discretion of the Planning Commission members, a lunch break may be called if the hearing of cases goes beyond 12:00 p.m.

2) Considerations of items to be withdrawn, deferred, or continued.

LDCPAS-2025-16 - Osprey Creek CPA - Continued to November

LDCU-2025-27 (PRWC Wells #9 and #14) - Continued to November

LDSPD-2025-7 (Skyview Drive SPD) - Continued to November

Explanation of General Procedures

Explanation of Quasi-Judicial Proceedings

Voir Dire of Expert Witnesses

Staff Resumes

Agenda Item

New Business

1. LDCU-2025-17 (Sunrise Day Care CU)
2. LDWA-2025-31 (Bear Oak Ranch Waiver)
3. LDWA-2025-29 (McStuckers Ranch Access Waiver)
4. LDCPAS-2025-21 (Old Tampa Hwy IND CPA)
5. LDCPAS-2025-22 (Motor Vault East CPA)
6. LDCT-2025-7 (Cargo Containers LDC Text Amendment)
7. LDCT-2025-8 (Pool Safety Text Amendment)
8. LDCT-2025-9 (SE Polk Mobile Homes)

Comprehensive Plan Update

Election of Officers

Adjournment



Polk County
Planning Commission

Agenda Item

10/1/2025

SUBJECT

Meeting Minutes - September 10, 2025



Polk County
Planning Commission

Agenda Item

10/1/2025

SUBJECT

LDCU-2025-27 (PRWC Wells #9 and #14) - Continued to November



Polk County
Planning Commission

Agenda Item

10/1/2025

SUBJECT

LDSPD-2025-7 (Skyview Drive SPD) - Continued to November

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | |
|---------------------------|---|
| DRC Date: | August 14, 2025 |
| Planning Commission Date: | October 1, 2025 |
| BoCC Dates: | N/A |
| Applicant: | Matthew Johnson |
| Level of Review: | Level 3 Review, Suburban Planned Development (SPD) |
| Case Number and Name: | LDSPD-2025-7 (Skyview Drive SPD) |
| Request: | Proposing a Suburban Planned Development to develop sixty single-family lots on approximately 20 acres. |
| Location: | South of Skyview Drive, west of Reynolds Road, east of the city of Lakeland in Section 27, Township 28, Range 24. |
| Property Owners: | Jolly A Babu |
| Parcel Number (Size): | 242827-243500-000134 242827-243500-000160 242827-000000-013003 242827-000000-013021 (+/- 20 acres) |
| Development Area: | Suburban Development Area (SDA) |
| Future Land Use: | Residential Suburban (RS) |
| Case Planner: | Aleya Inglima, Planner II |
| Planning Commission Vote: | Pending Hearing |

Location



Aerial Image



Summary of Analysis:

The applicant is requesting approval of a Suburban Planned Development to develop sixty single-family lots on approximately 20 acres within a Residential Suburban (RS) land use district. SPDs require Level 3 Reviews in RS, according to Table 2.1 of the Land Development Code (LDC). The subject site is approximately 20 acres, and the proposed density is 3.0 dwelling units per acre (DU/AC) with achieving 32 locational points, which is the maximum allowed in the RS. This site is one of many vacant properties along Skyview Drive. Local residential uses include generational site-built homes and individual mobile homes are located nearby.

Single-family homes are located to the north, west, and east. Skyview Estates is located to the west of the subject site. The proposed site plan will add sixty additional single-family homes to the area. Lots sizes range from 7,700 square feet to 8,055 square feet. The site is down the road from Crystal Lake Elementary/Middle and Saddle Creek Park & Campground, making it a prime location to live. 30% of the site is dedicated to open space at about +/- 6.18 acres. Buffers and landscaping will be constructed in accordance with Ch.7 of the LDC.

This site is located in a Suburban Development Area (SDA), and the services found within this development area include utilities, schools, transportation, parks, and emergency services. The site is situated along Skyview Drive. Skyview Drive is an urban collector roadway that runs west-east. It connects Combee Road (SR 659) to Reynolds Road. No environmental issues are located on the site which would hinder development.

In short, the number of units requested create no compatibility issues, as defined in Chapter 10 of the LDC and prescribed in Policy 2.102-A2 of the Comprehensive Plan. To the west is Skyview Estates, which consists of mobile homes on lots ranging from approximately 5,000 to 8,000 square feet. To the east, the lots are larger but are developed with duplexes and triplexes. Sixty single-family homes will not have adverse effects on public infrastructure. This development adds a bit more housing to the area and should fit seamlessly into the surrounding community. The request is consistent with the Polk County Comprehensive Plan and Section 303 of the LDC as it pertains to PDs. Staff recommends approval.

Findings of Fact

- *LDSPD-2025-7 is a Suburban Planned Development (SPD) to develop sixty single-family lots on Parcel No. (242827-243500-000134), (242827-243500-000160), (242827-000000-013003), (242827-000000-013021) (+/- 20 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*
- *Minimum principal structure setbacks will be ten (10) feet from the sides and fifteen (15) feet from the rear. Minimum accessory structure setbacks will be five (5) feet from the sides and ten (10) feet at the rear. Front yard setback will be 20 feet from the right of way and 40 feet from centerline.*
- *This property is located in a Residential Suburban (RS) land use district. Section 204.A.3 of the LDC states, "The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities".*
- *According to Table 2.1 of the LDC, "Suburban Planned Development" is a "C3" conditional use in RS land use districts requiring a Level 3 Review approval from Polk County's Development Review Committee and a public hearing before the Planning Commission.*
- *Direct ingress/egress to the development is proposed on Skyview Drive. Skyview Drive (Road Number 842706) is a County-maintained Urban Collector roadway with a paved surface width of 22 feet. It is tracked for concurrency by Polk County's Transportation Planning Organization.*
- *Per Table 2.2 of the LDC, the RS district allows a maximum density of one (1) dwelling units per five (5) acres (du/ac). Interior side setbacks within RS are ten (10) feet for principal structures and five (5) feet for accessory structures. Rear setbacks are fifteen (15) feet for principal structures and ten (10) feet for accessory structures. Setbacks from Local roadways are 20 feet from the right-of-way and 40 feet from the centerline.*
- *Table 3.4 SPD Density Conversion Table of the LDC, states that 28 points can achieve a density up to 3.0 (DU/AC).*
- *Per Section 303 of the LDC, Suburban Planned Developments (Revised 9/26/01 - Ord. 01-70)*

Suburban Planned Developments (SPDs) are conditional uses in the RS land use district. SPDs may contain single-family detached and duplex units at a gross density of up to, and including, three dwelling units per acre based upon a Locational Eligibility Score as determined by Tables 3.3 and 3.4 under Planned Developments.

1. For purposes of this Code, an SPD is:

a. Land to be planned as a whole;

- b. *To be built in a single phase or a programmed series of phases; and,*
 - c. *To include uses and development substantially related to the character and purposes of the land use category.*
 - 2. *A proposed SPD project shall not be approved if it is determined to be premature. When evaluating proposed SPD projects, in addition to Locational Criteria in Table 3.3, the following factors shall indicate whether it is premature:*
 - a. *If the condition and adequacy of the collector and arterial road network is deficient;*
 - b. *The availability of urban services, including but not limited to, police, fire, and EMS;*
 - c. *If there is considerable displacement of ongoing economically viable agricultural activities; and,*
 - d. *The degree of existing development surrounding the proposed SPD.*
 - 3. *All SPDs shall:*
 - a. *Be adjoining (touching) the right-of-way of an arterial, paved collector, or paved County-maintained local road meeting or exceeding adopted level-of service standards*
 - b. *Be connected to public or a franchised water system which meets LOS standards established within this Plan.*
 - c. *Meet Open Space and recreation standards for Planned Developments in Section 303.*
- This subject property is located in the Suburban Development Area (SDA). According to *POLICY 2.106-A1 of Polk County's Comprehensive Plan*, "SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services".

- *Fire and EMS Response is from Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland, FL 33801. This is located approximately 1.7 miles from the subject site with a response time of five (5) minutes.*
- *The subject property is served by the Polk County Sheriff's Southwest District, located at 4012 US 98 South, Lakeland.*
- *The development is zoned for Oscar J. Pope Elementary, Crystal Lake Middle, and George W. Jenkins Senior High. The site is 2 miles from Oscar J. Pope Elementary; 1.2 miles from Crystal Lake Middle; and 7.2 miles from George W. Jenkins Senior High.*
- *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*
- *The property is composed of Arents, Myakka-Immokolee-Urban land complex, Arents-Water complex, and Smyrna and Myakka fine sands soils.*
- *The property has wetlands and flood hazard AE zones.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*
- *According to a preliminary report from the Secretary of State's Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*
- *There is a Citrus Connection mass transit stop at the front of the property.*
- *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."*
- *Crystal Lake Park is approximately 0.9 miles from the subject site.*
- *This request has been reviewed for consistency with Section 303 of the LDC.*
- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN DEVELOPMENT AREA (SDA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, the findings of fact, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions 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 LDSPD-2025-7**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDSPD-2025-7 with the following Conditions:

1. LDSPD-2025-7 is approved for sixty single-family detached lots on Parcel # 242827-243500-000134, 242827-243500-000160, 242827-000000-013003, 242827-000000-013021 as indicated in the site plan and staff report. Minimum lot sizes shall be 7,700 square feet. [PLG]
2. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDSPD-2025-7, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]
3. The open space shown on the site plan is binding. [PLG]
4. Minimum principal structure setbacks shall be five (5) feet from the sides and ten (10) feet from the rear. Streetside setbacks shall be fifteen (15) feet. Front yard setback shall be 20 feet from the right of way and 40 feet from centerline. Garage setbacks shall be 25 feet. [PLG]

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: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

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: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

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.

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: Skyview Estates Mobile Homes Residential Suburban (RS) | North: Mobile homes Residential Suburban (RS) | Northeast: Mobile Homes Residential Suburban (RS) |
| West: Skyview Estates Mobile Homes Residential Suburban (RS) | Subject Property: Vacant Residential Suburban (RS) | East: Duplexes Residential Suburban (RS) |
| Southwest: Skyview Estates Mobile Homes Residential Suburban (RS) | South: Vacant Residential Suburban (RS) | Southeast: Duplexes Residential Suburban (RS) |

Source: Polk County Geographical Information System and site visit by County staff

According to aerial photos and satellite images available on Polk County's Data Viewer, this property has always been vacant. To the west, north, and east are single-family homes. Some of these homes have been in the area since the 1960s. To the west is Skyview Estates. The west is buffered by ponds and vegetation.

Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with surrounding land uses and infrastructure.

A. Land Uses:

This request is compatible with surrounding land uses and available infrastructure. The proposed development is one of many vacant properties along Skyview Drive. The dominant surrounding use is single-family homes. Single-family homes are interspersed north, west, and east of the property. To the west is Skyview Estates Please refer to Exhibit 6

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.”

for the layout of the single-family homes in relation to the surrounding area. Landscaping, street lighting, and sidewalks will be required for this development. Each home will be required to have a tree and 25-foot garage setback. The development meets the open space that is required. The development was able to achieve 32 locational points for the sixty single-family lots based on its location. RS is not really the appropriate future land use given lot sizes and utilities in the area. It should be RL which makes this density appropriate. To the west is Skyview Estates, which consists of mobile homes on lots ranging from approximately 5,000 to 8,000 square feet. To the east, the lots are larger but are developed with duplexes and triplexes.

B. Infrastructure

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. There is available capacity for zoned

schools. The subject property is located within the City of Lakeland service area for potable water and wastewater.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, this proposal is not anticipated to create any significant demand on these services.

Nearest Elementary, Middle, and High School

According to information from the Polk County School Board's website, the zoned schools are Oscar J. Pope Elementary (± 2 miles), Crystal Lake Middle (± 1.2 miles), and George W. Jenkins Senior High (± 7.2 miles). These zoned schools have the capacity to accommodate the proposed development.

Table 2, to follow, illustrates the driving distances from the site to the zoned schools, in addition to the annual estimated student demand generated by 60 additional single-family homes and available capacity for each school based on the 2025-26 utilization projections.

Table 2

| Name of School | Annual Estimated Demand | % Capacity 2025-2026 School Year | Average driving distance from subject site |
|-------------------------------|-------------------------|----------------------------------|--|
| Oscar J. Pope Elementary | 9 students | 61% | ± 2 miles driving distance |
| Crystal Lake Middle | 5 students | 76% | ± 1.2 miles driving distance |
| George W. Jenkins Senior High | 7 students | 89% | ± 7.2 miles driving distance |

Source: Polk County School Board, GIS, Google Maps

Nearest Sheriff, Fire, and EMS Station

Fire and EMS Response is from Polk County Fire Rescue Station 39 located at 3325 E Main St, Lakeland, FL 33801. This is located approximately 1.7 from the subject site with a response time of five (5) minutes.

This property is served by the Polk County Sheriff's Office's Southwest District substation, located at 4012 US 98 South, Lakeland. The response times for the Southwest District for September 2025 were: Priority 1 – 9:14 & Priority 2 – 24:39. Priority 1 Calls are considered to be 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. Sheriff's response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County.

Table 3

| | Name of Station | Distance | Response Time * |
|---------|--|-----------------|-----------------------|
| Sheriff | PCSO Southwest District Substation 4012 US 98 South, Lakeland | ± 3.1 miles | P1: 9:14 P2: 24:39 |

| | | | |
|------|---|------------|-----------|
| Fire | Polk County Fire Station 39 3325 E Main St, Lakeland, FL 33801 | ±1.7 miles | 5 minutes |
| EMS | Polk County Fire Station 39 3325 E Main St, Lakeland, FL 33801 | ±1.7 miles | 5 minutes |

Source: Polk County Sheriff's Office and Public Safety

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

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands. Assuming other development standards could be met, the maximum density for Planned Developments in Residential Suburban land use districts within the Suburban Development Area is three (3) dwelling units/acre with 32 points achieved. At any rate, the number of units for either option would have a negligible impact.

Table 4

| Subject Property | | |
|---------------------------------|-------------------------|---------------------------|
| ±20.5 acres – RS (1 DU/ 5AC) | Maximum Permitted (SPD) | Proposed Plan (3.0 DU/AC) |
| Permitted Intensity | 60 Single-Family Home | 60 Single-Family Homes |
| Potable Water Consumption (GPD) | 21,600 GPD | 21,600 GPD |
| Wastewater Generation (GPD) | 16,200 GPD | 16,200 GPD |

B. Available Capacity:

The site will be using the City of Lakeland for potable water and wastewater. There are water and wastewater lines along the frontage of this development. The City has stated that there is capacity to support this development. Applicant will need to demonstrate capacity at Level 2 review.

C. Planned Improvements:

The site has no planned improvements.

Roadways/ Transportation Network

The surrounding roadway network is more than suitable for the proposed project. The roadway conditions are adequate, and there is ample available capacity.

A. Estimated Demand:

Single-family housing generates 7.81 Average Annual Daily Trips (AADT) and 1.00 Peak PM Hour Trips per unit (ITE Code 210). The proposed sixty single-family homes will equate to 469 AADT and 60 PM Trips (ITE Code 210). Table 5 shows the traffic that is projected for the proposed sixty single-family homes versus what the maximum could be with a Planned Development, according to Section 303 of the LDC.

Table 5

| Subject Property | | |
|-----------------------------------|--------------------------------|----------------------------------|
| ±20.5 acres – RS (1 DU/ 5AC) | Maximum Permitted (SPD) | Proposed Plan (3.0 DU/AC) |
| Permitted Intensity | 60 Single-Family Home | 60 Single-Family Homes |
| Average Annual Daily Trips (AADT) | 469 | 469 |
| PM Peak Hour Trips | 60 | 60 |

Generally, there will be approximately sixty vehicles exiting the site during the peak hour. The addition of sixty single-family homes to the subject site will require a Minor Traffic Study during the Level 2 Review process because the AADT is estimated to be more than 50 trips.

B. Available Capacity:

There is currently more than adequate capacity to serve the proposed development. Development of this size has negligible impacts on the roadway system or function of traffic. Table 6, to follow, displays the generalized capacity on the adjacent transportation links. Direct ingress/egress is from Skyview Drive.

Table 6

| Road Name | Current Level of Service (LOS) | Available PM Peak Hour Capacity | Minimum LOS Standard |
|--|--------------------------------|---------------------------------|----------------------|
| SKYVIEW DR (4146E) From SR 659 (COMBEE ROAD S) to REYNOLDS RD | C | 525 | D |
| SKYVIEW DR (4146W) From SR 659 (COMBEE ROAD S) to REYNOLDS RD | C | 514 | D |

These are trips that will be entering the roadways during a two-hour span during the evening when traffic is generally considered the most intense. These roadways have the capacity to assimilate all the peak hour traffic generation from this project and not fall below the Level of Service standard set by the Board.

C. Roadway Conditions:

The subject site has access through Skyview Drive. Skyview Drive is a County-maintained urban collector roadway. According to the 2025 Roadway Network Database, Skyview Drive (4146E) has approximately 525 available PM Peak Hour trips; Skyview Drive (4146W) has approximately 514 available PM Peak Hour trips. Skyview Drive current Level-of-Service (LOS) is “C” with an adopted LOS standard of “D”.

D. Sidewalk Network

A sidewalk is located nearby along Skyview Drive. This development will be required to add a sidewalk along their frontage.

E. Planned Improvements:

This proposed development will not depend upon any upcoming transportation system improvements, and none are currently found in the area.

F. Mass Transit

The site has a Citrus Connection Transit stop at the front of the property for the Green line.

Park Facilities and Environmental Lands:

Environmental lands and multi-use trails are located within a reasonable distance of the property.

A. Location:

Saddle Creek Park is off Saddle Creek Park Road approximately 4.4 miles southwest of the subject site.

B. Services:

Saddle Creek Park features a playground, picnic tables and picnic shelters, softball field, walking trails and a gun range. In addition, it also offers a campground with water, electricity and restrooms, there are also boat launch sites and bank/pier fishing. This park is owned by Polk County.

C. Multi-use Trails:

Saddle Creek has multi-use trails are located near the subject site.

D. Environmental Lands:

Environmental and conservation lands of Saddle Creek are near the subject site. Saddle Creek Park is a 740-acre park located between Winter Haven and Lakeland in Polk County, Florida. It is on the site of three main lakes and a great many other abandoned phosphate pits, providing a large area of fishable shoreline.

E. Planned Improvements:

There is no further recreation improvements scheduled for this area by the County in the five-year Capital Investment Plan.

Environmental Conditions

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). The parcel has flood hazard AE zones. The subject site is not located within any of the County's identified Wellhead-Protection Areas. The subject property is not located within a one-mile radius of an endangered species, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property is composed mostly of Arents soils. The soil is not such that it would limit compliance with applicable Land Development Code

regulations for the proposed use. The subject property is level with a slight slope from southwest to northeast with contour elevations ranging from 140 to 137. The subject property is not located within a Historical Preservation area. The subject site is not located within an Airport Height Notification or In-Flight Visual Interference Zones.

A. Surface Water:

There are surface water ponds on the subject property. The subject property has contour elevations of 140 to 137 for the proposed location of the homes.

B. Wetlands/Floodplains:

There are wetlands and flood zone AE on the property.

C. Soils:

The property is composed mostly of Arents soils which provides some limitations for drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.

Table 7

| Soil Name | Septic Tank Absorption Field Limitations | Limitations to Dwellings w/o Basements | % of Site (approximate) |
|-------------------------------------|---|---|--------------------------------|
| Arents | Severe: wetness | Severe: wetness | 70.4% |
| Arents-Water complex | Severe: wetness | Severe: wetness | 16.5% |
| Smyrna and Myakka fine sands | Severe: wetness | Severe: wetness | 2.9% |
| Myakka-Immokolee-Urban land complex | Severe: wetness | Severe: wetness | 0.9% |

The subject property is level with a slight slope from the northeast to southwest with contour elevations ranging from 140 to 137. The proposed development will meet all requirements from the LDC.

D. Protected Species

According to the Florida Natural Area Inventory (FNAI) Biodiversity Matrix, this site is not within one mile of a documented endangered species sighting.

E. Archeological Resources:

The property has no recorded archaeological resources or historical sites, according to the Florida Department of State's Division of Historical Resources.

F. Wells (Public/Private)

The property is not located within the Wellfield Protection District.

G. Airports:

The proposed PD is not within any Airport Impact District.

Economic Factors:

This area of Polk County has mostly single-family homes. Urban level services make this area an attractive place to live. Demand for housing has come from two main markets: retirement and commuters. This is partially due to slightly lower land values in Polk compared to the other counties and convenient routes of travel to work and leisure opportunities. This site is infill development where utilities are available. The Comprehensive Plan directs higher density to those areas.

Consistency with the Comprehensive Plan:

This project is consistent with the Comprehensive Plan. Table 8, to follow, outlines the pertinent Comprehensive Plan policies.

Table 8

| Comprehensive Plan Policy | Consistency Analysis |
|--|---|
| <i>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.</i> | The proposed development is compatible with neighboring properties. |
| <i>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 bypassed in favor of development more distant from services and existing Communities.</i> | The site is located in an area planned for suburban development. No environmental concerns are found on this property. |
| <i>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.</i> | Services are available such as parks and schools for the subject site. The proposal is along Skyview Drive. |
| <i>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.</i> | The site is located within an area that has a significant amount of capacity with potable water, traffic, and public schools. Emergency services are within a reasonable time and distance. |

| Comprehensive Plan Policy | Consistency Analysis |
|---|--|
| <i>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).</i> | The subject property is located within an area of the County that has adequate public safety services as identified in the staff report. |

Consistency with the LDC:

This request is consistent with the LDC. Development criteria for planned developments are detailed under Section 303 of the LDC. This section will be applied during the Level 2 Review. The proper landscaping has been proposed and will be constructed as set forth by Chapter Seven of the LDC.

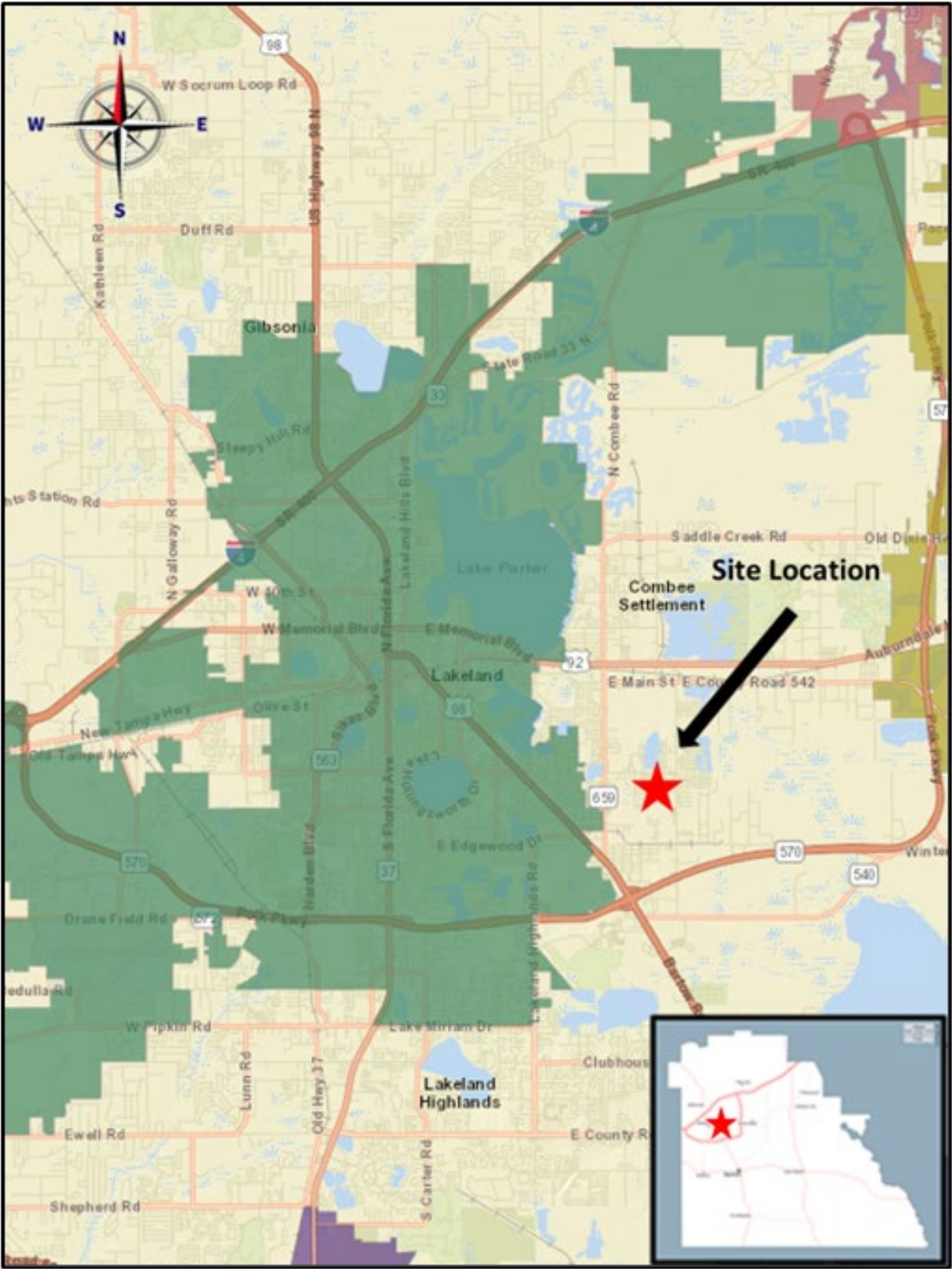
Table 9

| The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC: | |
|---|--|
| Whether the proposed development is consistent with all relevant requirements of this Code; | <i>Yes, this request is consistent with the LDC, specifically Sections 906.D and Section 303.</i> |
| Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan; | <i>Yes, this development is consistent with the Comprehensive Plan because it meets the density requirements.</i> |
| Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and | <i>Yes, the request is compatible with surrounding uses and the general character of the area. Conditions are recommended to achieve better compatibility. See Pages 6&7 of this staff report for data and analysis on surrounding uses and compatibility.</i> |
| How the concurrency requirements will be met, if the development were built. | <i>The request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 7-12 of this staff report for data and analysis.</i> |

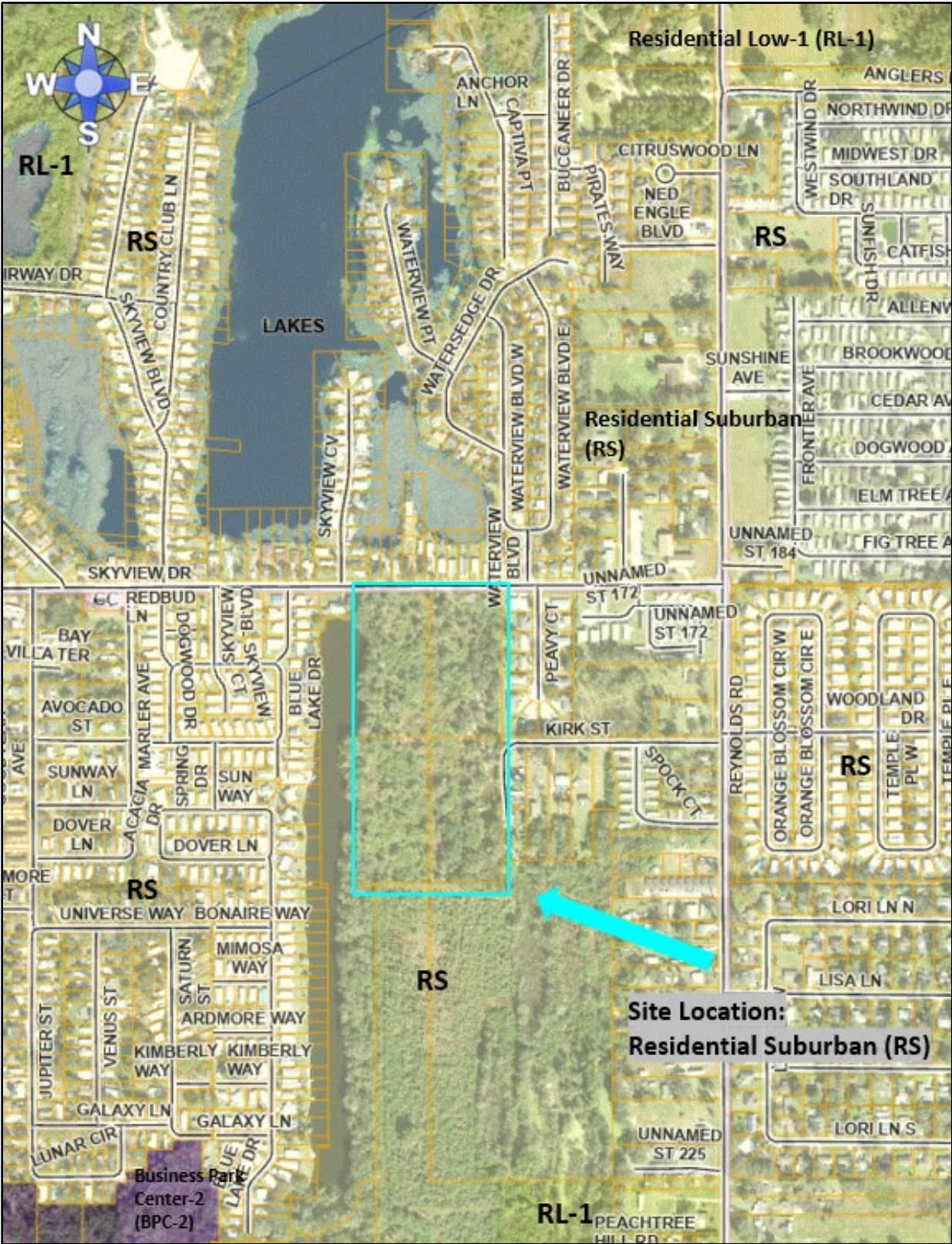
Comments from other Agencies: None

Exhibits:

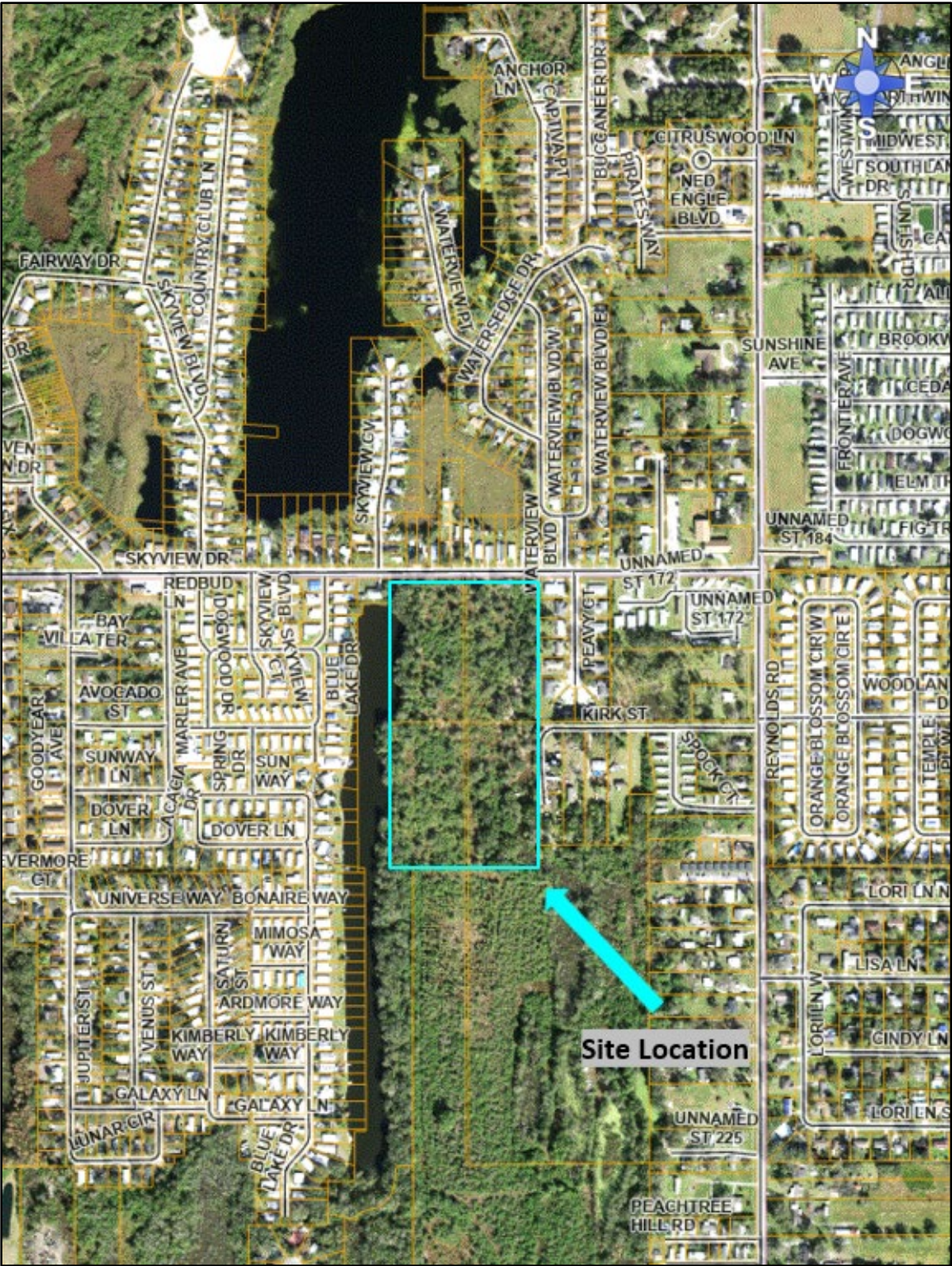
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Photograph (context)
- Exhibit 4 Aerial Photograph (close-up)
- Exhibit 5 Site Plan
- Exhibit 6 Density Bonus Table



Location Map



Future Land Use Map



Aerial Image (Context)



Aerial Image (Close)

SITE DATA

PARCEL INFORMATION

PARCEL ID: 242827-243500-000134
242827-243500-000160
242827-000000-013003
242827-000000-013021

FUTURE LAND USE: RS

DEVELOPMENT INFORMATION

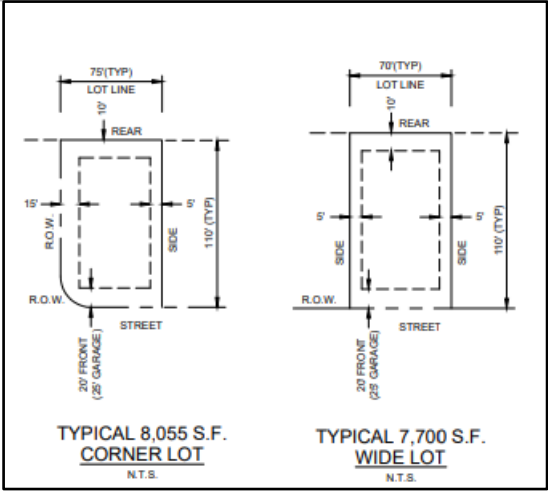
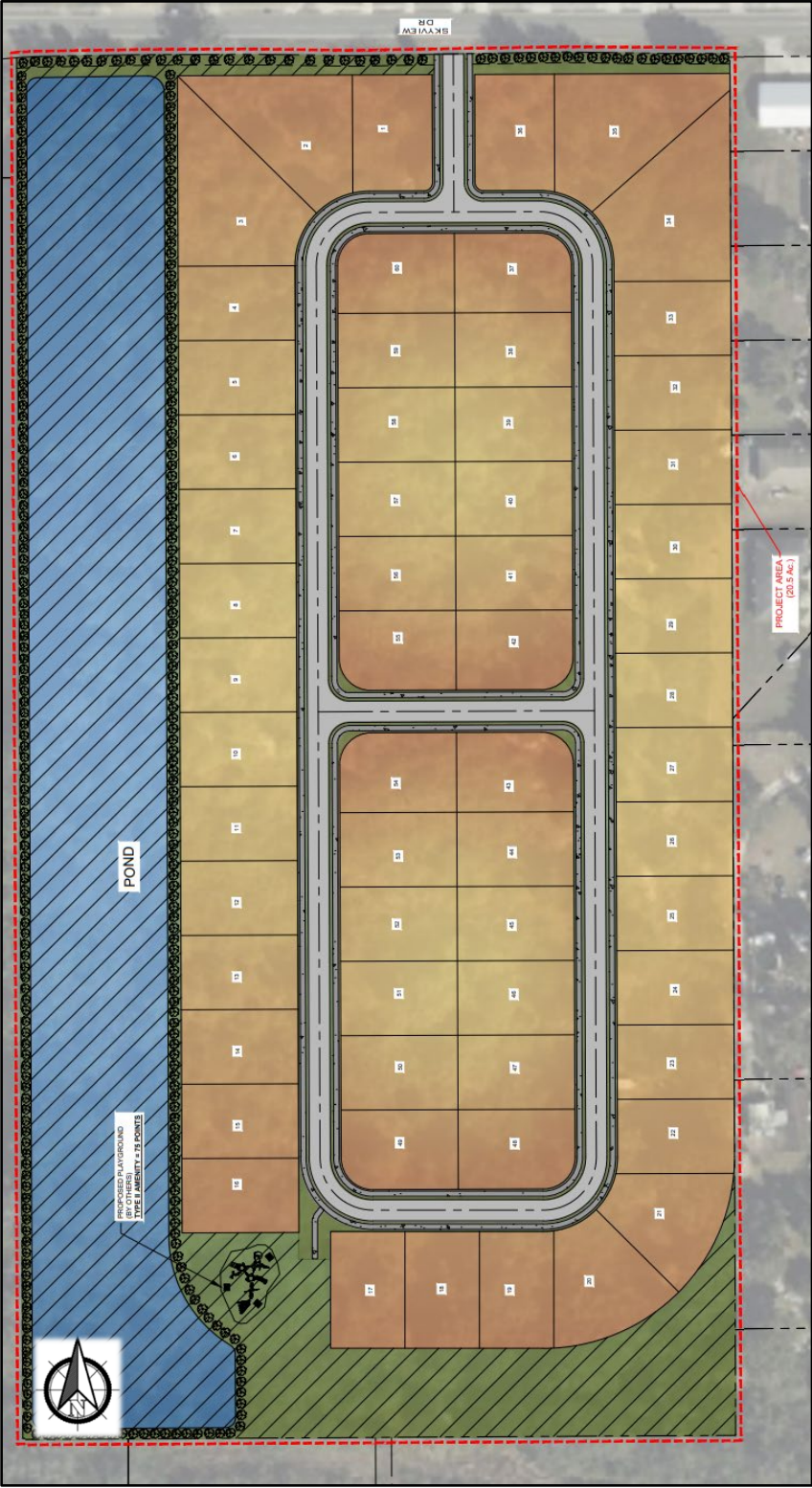
PROJECT AREA: ± 20.5 ACRES
TOTAL UNITS: 60 UNITS
PROJECT DENSITY: 3.0 DU/AC
OPEN SPACE ACREAGE: 6.18 AC.
OPEN SPACE PERCENTAGE: 30%

SETBACKS

FRONT: 20'
GARAGE: 25'
REAR: 10'
SIDE: 5'
STREETSIDE: 15'

UTILITY INFORMATION

WATER: CITY OF LAKELAND
SEWER: CITY OF LAKELAND
ELECTRIC: CITY OF LAKELAND



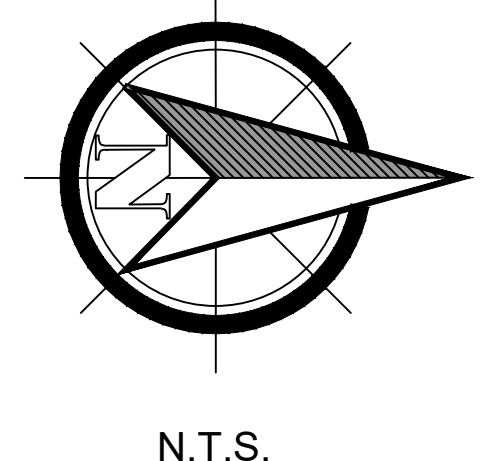
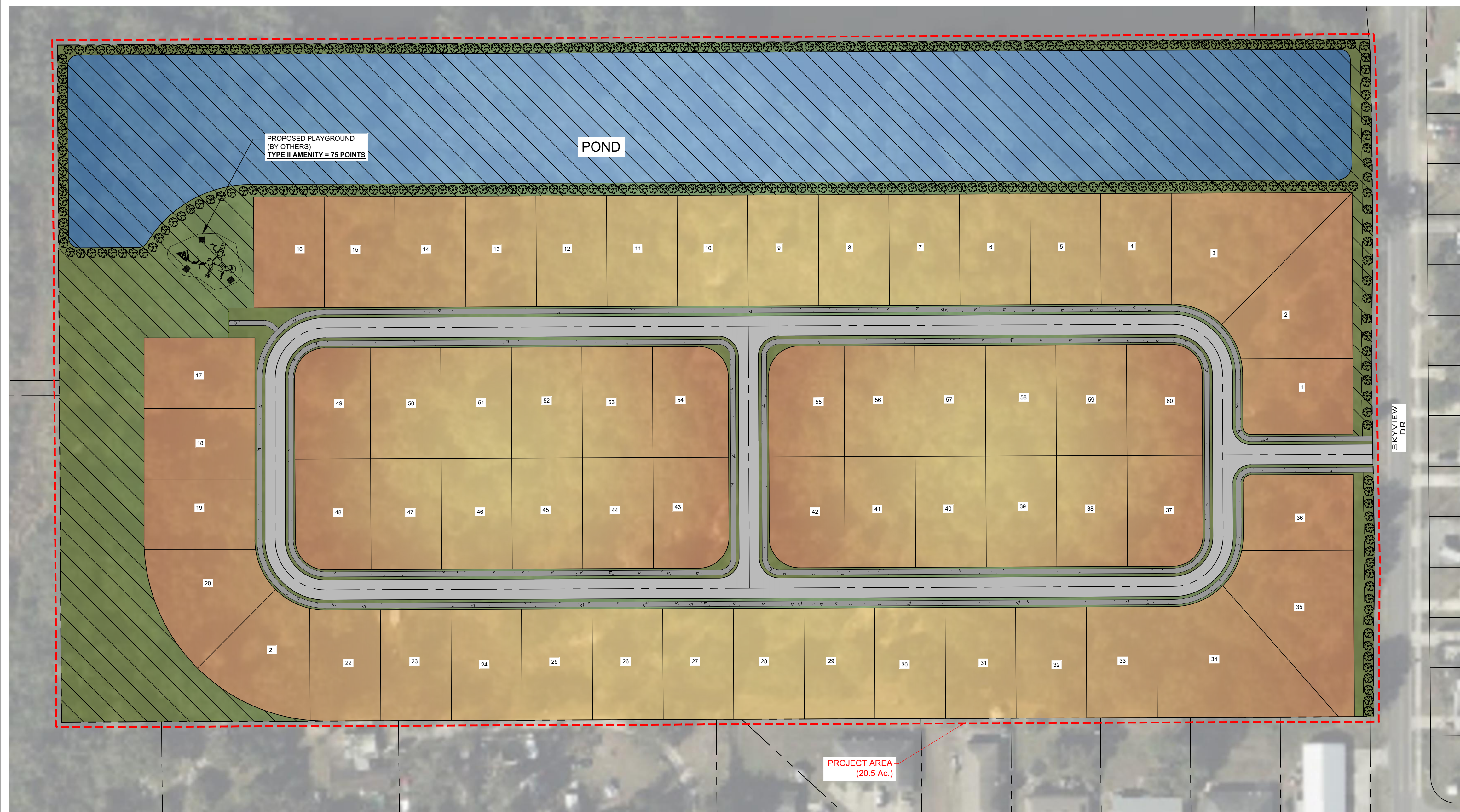
HATCH LEGEND





| | |
|------------------------|--------------------------------|
| [Blue Hatched Box] | PROPOSED ASPHALT PAVEMENT AREA |
| [Green Hatched Box] | PROPOSED LOT AREA |
| [Grey Hatched Box] | PROPOSED SIDEWALK |
| [Diagonal Hatched Box] | PROPOSED OPEN SPACE |

Site Plan

| <u>DENSITY BONUS TABLE</u> | |
|--|-----------------------------|
| <u>INFRASTRUCTURE:</u> | <u>BONUS POINTS:</u> |
| COLLECTOR ROAD | 3 |
| SIDEWALK CONNECTION TO RETAIL COMMERCIAL | 2 |
| SIDEWALK CONNECTION TO TRANSIT STOP | 2 |
| >6" POTABLE WATER LINE | 1 |
| >4" SANITARY SEWER LINE | 1 |
| FIRE STATION | 2 |
| EMERGENCY MEDICAL CARE | 2 |
| ELEMENTARY SCHOOL | 1 |
| MIDDLE SCHOOL | 3 |
| HIGH SCHOOL | 1 |
| COLLEGE/UNIVERSITY | 2 |
| CC DISTRICT | 1 |
| GENERAL MERCANTILE | 2 |
| REGIONAL PARK | 1 |
| EMPLOYER > FTE | 2 |
| OPEN DRAINAGE BASIN | 1 |
| POSITIVE OUTFALL | 1 |
| NO ADVERSE WETLAND DISTURBANCE | 1 |
| PEDESTRIAN CONNECTIONS | 1 |
| TOTAL POINTS: | 32 |

Density Bonus Table



| HATCH LEGEND | |
|---|--------------------------------|
|  | PROPOSED ASPHALT PAVEMENT AREA |
|  | PROPOSED LOT AREA |
|  | PROPOSED SIDEWALK |
|  | PROPOSED OPEN SPACE |

| <u>DENSITY BONUS TABLE</u> | |
|--|-----------------------------|
| <u>INFRASTRUCTURE:</u> | <u>BONUS POINTS:</u> |
| COLLECTOR ROAD | 3 |
| SIDEWALK CONNECTION TO RETAIL COMMERCIAL | 2 |
| SIDEWALK CONNECTION TO TRANSIT STOP | 2 |
| >6" POTABLE WATER LINE | 1 |
| >4" SANITARY SEWER LINE | 1 |
| FIRE STATION | 2 |
| EMERGENCY MEDICAL CARE | 2 |
| ELEMENTARY SCHOOL | 1 |
| MIDDLE SCHOOL | 3 |
| HIGH SCHOOL | 1 |
| COLLEGE/UNIVERSITY | 2 |
| CC DISTRACT | 1 |
| GENERAL MERCANTILE | 2 |
| REGIONAL PARK | 1 |
| EMPLOYER > FTE | 2 |
| OPEN DRAINAGE BASIN | 1 |
| POSITIVE OUTFALL | 1 |
| NO ADVERSE WETLAND DISTURBANCE | 1 |
| PEDESTRIAN CONNECTIONS | 1 |
| TOTAL POINTS: | 32 |

| | | | |
|--------------|------|--------------|---------|
| DESIGNED BY: | JH | Sep 03, 2025 | |
| DRAFTED BY: | SW | DATE | |
| CHECKED BY: | MJ | JOB NO. | 1489.01 |
| NO | DATE | DESCRIPTION | |
| 1 | | | |
| 2 | | | |
| 3 | | | |
| 4 | | | |

**Engineers, Land Planners
Construction Managers**

5904 Hillside Heights Drive
Lakeland, Florida 33812
Phone (863) 619-6131
Fax (863) 619-6103
Certificate of Authorization No. 26932
www.jsk-consulting.com



| |
|--------------------------------|
| SKYVIEW DRIVE |
| JOE JOSEPH & MAHESH BIGALA |
| SDP PLAN |
| KIRK STREET LAKELAND, FL 33801 |

THIS ITEM HAS BEEN ELECTRONICALLY
SIGNED AND SEALED BY MATTHEW
JOHNSON, P.E.

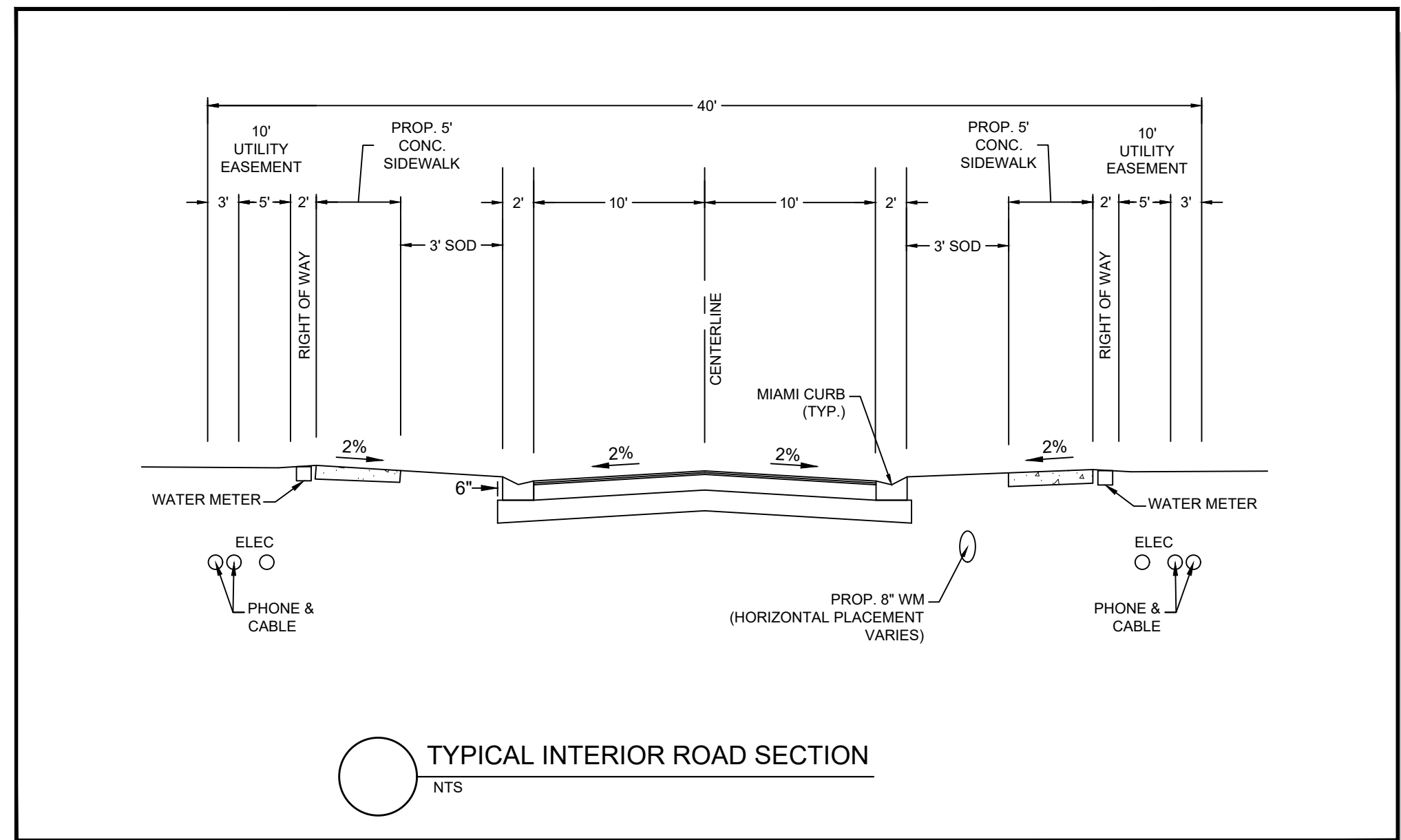
NOT FOR CONSTRUCTION

MATTHEW K. JOHNSON
P.E., No. 60129

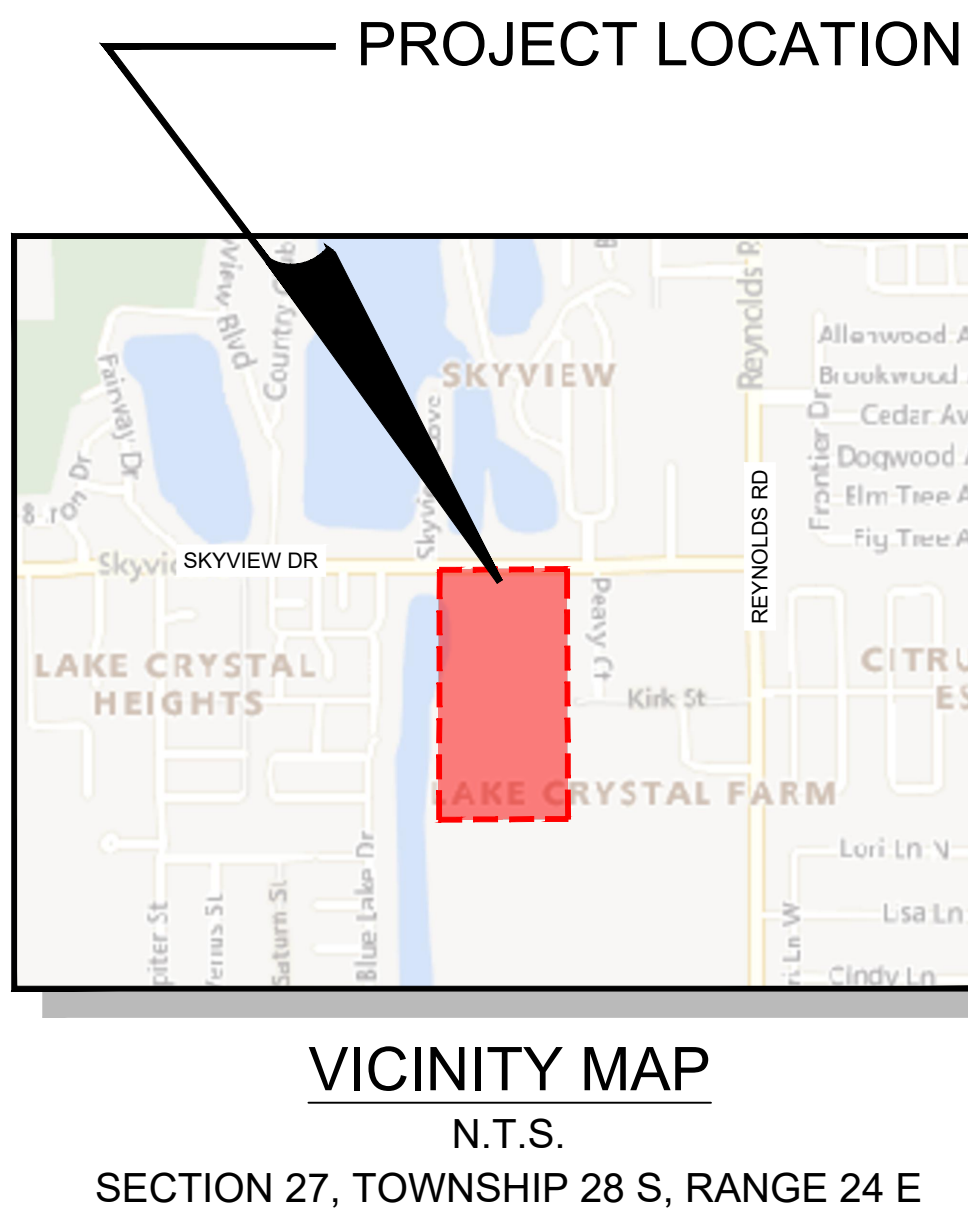
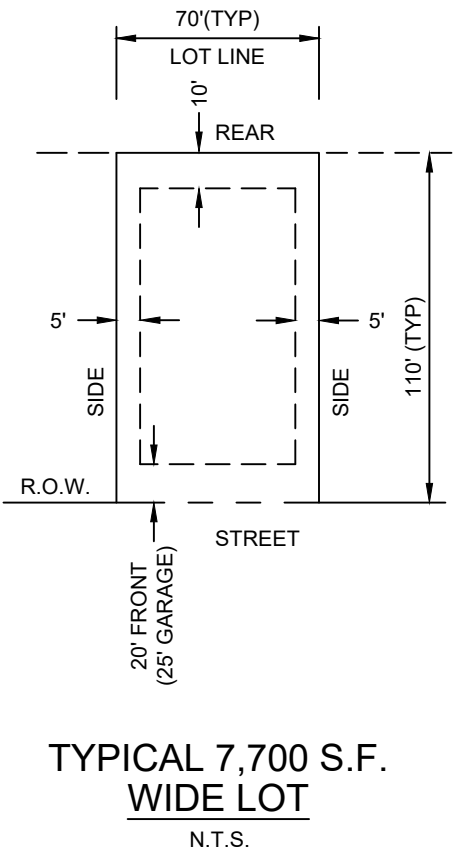
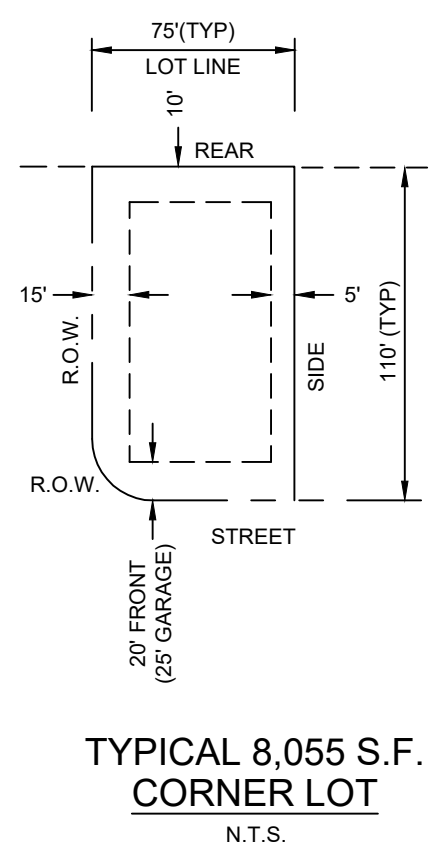
DATE _____

PRINTED COPIES OF THIS DOCUMENT
ARE NOT CONSIDERED SIGNED
OR SEALED AND THE SHA-1
AUTHENTICATION CODE MUST BE
OBTAINED ON ANY ELECTRONIC COPY

SHEET NUMBER
C000



| <u>SITE DATA</u> | |
|---------------------------------------|--|
| <u>PARCEL INFORMATION</u> | |
| PARCEL ID: | 242827-243500-000134 242827-243500-000160 242827-000000-013003 242827-000000-013021 |
| FUTURE LAND USE: | RS |
| <u>DEVELOPMENT INFORMATION</u> | |
| PROJECT AREA: | ± 20.5 ACRES |
| TOTAL UNITS: | 60 UNITS |
| PROJECT DENSITY: | 3.0 DU/AC |
| OPEN SPACE ACREAGE: | 6.18 AC. |
| OPEN SPACE PERCENTAGE: | 30% |
| <u>SETBACKS</u> | |
| FRONT: | 20' |
| GARAGE: | 25' |
| REAR: | 10' |
| SIDE: | 5' |
| STREETSIDE: | 15' |
| <u>UTILITY INFORMATION</u> | |
| WATER: | CITY OF LAKE LAND |
| SEWER: | CITY OF LAKE LAND |
| ELECTRIC: | CITY OF LAKE LAND |





Engineers, Land Planners and Construction Managers

5904 Hillside Heights Drive • Lakeland, FL 33812
 Phone: (863) 619-6131 • Facsimile: (863) 619-6103
www.jsk-consulting.com

August 21, 2025

| <u>Skyview Drive LDSPD-2025-7</u> | | | |
|--|--|--|----------------------|
| <u>Infrastructure</u> | | <u>Points</u> <u>1/4 mile</u> | |
| Collector Road | | 3 | |
| Sidewalk Connection to retail commercial | | 2 | |
| Sidewalk Connection to transit stop | | 2 | |
| >6" potable water line | | 1 | |
| >4" sanitary sewer line | | 1 | |
| Public Lift station | | 2 | |
| <u>Infrastructure</u> | | <u>1 mile</u> | <u>2 mile</u> |
| Fire station | | | 2 |
| Emergency medical care | | | 2 |
| Elementary School | | | 1 |
| Middle School | | 3 | |
| High School | | | 1 |
| College/University | | | 2 |
| CC District | | 1 | |
| General Mercantile | | 2 | |
| Regional Park | | | 1 |
| Employer >100 FTE | | | 2 |
| <u>Environmental Infrastructure</u> | | | |
| | | <u>YES</u> | |
| Open Drainage basin | | 1 | |
| Positive Outfall | | 1 | |
| No adverse wetland disturbance | | 1 | |
| <u>Interconnectivity</u> | | | |
| | | <u>TWO</u> | |
| Pedestrian Connections | | 1 | |
| <u>TOTAL POINTS</u> | | <u>32</u> | |

IMPACT ASSESSMENT STATEMENT

An Impact Assessment Statement is required for all Level 3 and Level 4 Reviews, with the exception of text amendment requests. The purpose of an Impact Assessment Statement is to provide information on the effects a proposed development or land use action will have on the existing neighborhood and general area; on the transportation facilities; on the environment and natural resources of the County; on the public facilities for water, sewer, solid waste disposal, fire, police, public education, parks, recreation, and other utilities; and any other aspect with an identified impact of the development and deemed appropriate for concern.

A sufficient Impact Assessment Statement must address all of the following **(Note: N/A is an insufficient comment, if N/A an explanation must be included)**:

Land and Neighborhood Characteristics

Assess the compatibility of the requested land use with adjacent properties and evaluate the suitability of the site for development. At a minimum, address the following specific questions in your response:

1. How and why is the location suitable for the proposed uses?

The property and surrounding area holds residential land use as well as municipal water/sewer.

2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses?

There are no incompatibilities or special efforts needed as the site is in a residential area and is well suited for development. All of the appropriate setbacks and landscape buffers may be observed as required by the land development code.

3. How will the request influence future development of the area?

There do not appear to be similar large tracts that can mimic what is proposed so it is unlikely this development alone will influence development patterns.

Access to Roads and Highways

Assess the impact of the proposed development on the existing, planned and programmed road system. At a minimum, address the following specific questions in your response:

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed methodology and calculations.

| ITE Code | Use | Variable | Proposed | AADT Rate | AADT Total | Peak Rate | Maximum PEAK |
|----------|---------------|----------|----------|-----------|------------|-----------|--------------|
| 210 | Single Family | 1 Unit | 60 | 7.81 | 469 | 1.00 | 60 |
| Total | | | | | | | <u>60</u> |

2. What modifications to the present transportation system will be required as a result of the proposed development? A minor traffic study will suffice for a detailed methodology and calculations for most applications.

Improvements will be made to Skyview Drive per Polk County Standards.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land Development Code?

The housing will have sufficient parking at each building.

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)?

The project will directly access Skyview Drive.

NOTE: Applications for projects attributing 50 or fewer Average Annual Daily Trips(AADT) according to the latest Institute of Transportation Engineers (ITE) manual May provide a written explanation and justification of why impacts will not be significant in lieu of the required information for “Infrastructure Impacts” items 3 through 9 above.

Sewage

Determine the impact caused by sewage generated from the proposed development. At a minimum, address the following specific questions in your response:

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development? (*Response may be based on Section 703.F of the LDC*)

| <u>Generator</u> | <u>Number of Units</u> | <u>Rate (GPD/Unit)</u> | <u>Flow GPD</u> |
|------------------|------------------------|------------------------|----------------------|
| Single family | 60 | 260 | 15,600 |
| | | Total: | <u>15,600</u> |

2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage?

No onsite treatment is proposed.

3. If offsite treatment, who is the service provider?

This is in the City of Lakeland's jurisdiction.

4. Where is the nearest sewer line (in feet) to the proposed development (*Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of-way under certain conditions listed in Section 702E.3 of the Land Development Code*)

The City's wastewater line is along the frontage on Skyview Drive.

5. What is the provider's general capacity at the time of application?

The city has represented that capacity is available.

6. What is the anticipated date of connection?

N/A

Water Supply

Determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area. At a minimum, address the following specific questions in your response:

1. What is the proposed source of water supply and/or who is the service provider?

City of Lakeland will be the water provider.

2. What is the estimated volume of consumption in gallons per day (GPD)?
(Response may be based on Section 703 of the LDC)

| <u>Generator</u> | <u>Number of Units</u> | <u>Rate (GPD/Unit)</u> | <u>Flow (GPD)</u> |
|------------------|------------------------|------------------------|----------------------|
| Single Family | 60 | 325 | 19,500 |
| Total: | | | <u>19,500</u> |

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

The City's water main is along the frontage on Skyview Drive.

4. Who is the service provider?

This is in the City of Lakeland's jurisdiction.

5. What is the anticipated date of connection?

N/A

6. What is the provider's general capacity at the time of application?

The city has represented that capacity is available.

7. Is there an existing well on the property(ies)?

There are no known permitted potable wells on the property.

Surface Water Management and Drainage

Determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development. At a minimum, address the following specific questions in your response:

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues);

The site is well drained and suitable for development with one isolated historic basin. Drainage is to the West.

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project?

There will not be any alterations necessary to the site's natural drainage features, other than constructing the required stormwater-management system. Post-development run-off will not exceed pre-development runoff.

Environmental Analysis

Provide an analysis of the character of the subject property and surrounding properties, and further assess the site's suitability for the proposed land use classification based on soils, topography, and the presence of wetlands, floodplain, aquifer recharge areas, scrub or other threatened habitat, and historic resources, including, but not limited to:

1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties.

The site is currently undeveloped. Adjacent properties are used for residential purposes. The floodplain is located along the western boundary.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

No impacts are proposed to the floodplain.

3. Discuss location of potable water supplies, private wells, public well fields (*discuss the location, address potential impacts*), and;

There will be no public or private water supplies on site. The potable water will come from the City.

4. Discuss the location of Airport Buffer Zones (if any) (*discuss the location and address, potential impacts*).

There are no County airport facilities close enough to be affected by this development.

5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development.

Please see attached soils map.

Infrastructure Impact Information

What is the nearest location (travel distance), provider, capacity or general response time, and estimated demand of the provision for the following services:

1. Parks and Recreation;

Polk County has an adequate amount of park facilities to meet the needs of this site. The closest park is Saddle Creek Park on Morgan Combee Road, approximately 2.8 miles away.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

Preschool children often receive education training associated with daycare and church facilities.

The schools that serve this area are:

- **Oscar J. Pope Elementary School**
- **Crystal Lake Middle School**
- **Lakeland High School**

3. Health Care (e.g., emergency, hospital);

The closest hospital is Lakeland Regional Health. There are numerous medical clinics in the area that would be expected to meet the health care needs of the residents. Lakeland Regional is approximately 5.6 miles away.

4. Fire Protection;

Fire protection will be supplied by The City of Lakeland Fire Station 5 on Lakeland Highlands Road. This station is 3.2 miles away and response time is estimated to be 9 minutes.

5. Police Protection and Security;

Police protection will be supplied by the County Sheriff's Department on 98 South/Bartow Highway. The distance is approximately 3 miles, and the response time will depend on the type of call.

6. Emergency Medical Services (EMS);

EMS Services will be supplied by The City of Lakeland Fire Station 5 on Lakeland Highlands Road. This station is 3.2 miles away and response time is estimated to be 9 minutes.

7. Solid Waste (collection and waste generation);

The expected solid waste volume of 836 pounds per day will be stored in residential cans and picked up at the curb in the residential areas by the contract hauler for proper disposal. The solid waste disposal site is the Polk County Northeast Landfill.

Maps

Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scale shall be clearly indicated on each map and the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following **maps shall 8 1/2" x 11"** and accompany Impact Assessment Statements:

Map A: A location map (center the site on the map) showing the relationship of the development to cities, highways, and natural features;

Map B: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards***² (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy**. Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

NOTE: Applications for text amendments are not required to submit a complete Impact Assessment Statement, however, all relevant information requested must be addressed. Use this form and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment. ² See *Site Plan Standards* checklist form (GM LDD 11).

Please see attached exhibits for all the necessary maps.

LDSPD-2025-7 - Skyview Drive SPD

Menu Reports Help

Application Name: Skyview Drive SPD

File Date: 07/03/2025

Application Type: PC-Planned Development

Application Status: Approved For Hearing

Application Comments: View ID Comment Date

Description of Work: We are proposing an SPD for a 60-lot subdivision on Skyview Drive. There will be stormwater management and infrastructure.

Application Detail: Detail

Address: 0 KIRK ST, LAKELAND, FL 33801

Parcel No: 242827243500000134

Owner Name: BABU JOLLY A

Contact Info: Name Organization Name Contact Type Contact Primary Address Status Matthew Johnson JSK Consulting Engineer Mailing, 5904 Hillside... Active

Licensed Professionals Info: Primary License Number License Type Name Business Name Business License #

Job Value: \$0.00

Total Fee Assessed: \$4,473.00

Total Fee Invoiced: \$4,473.00

Balance: \$0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS Development Type Application Type Board of County Commissioners Planned Development New Brownfields Request Affordable Housing

GENERAL INFORMATION Expedited Review Number of Lots Will This Project Be Phased Acreage DRC Meeting DRC Meeting Time Rescheduled DRC Meeting Time Green Swamp Number of Units Case File Number Is this Polk County Utilities Is this Application a result of a Code Violation One Year Extension FS 119 Status Code Violation Case Number

ADVERTISING Legal Advertising Date BOCC1 Advertising Date BOCC2 Advertising Date Advertising Board

MEETING DATES Community Meeting Planning Commission Date Land Use Hearing Officer 3 1st BOCC Date 2nd BOCC Date LUHO-Level 3

HEARING PC Hearing Results PC Vote Tally BOCC 1st Hearing Results BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_GEN_PUB_EDL

Opening DigEplan List...

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID

POLKCO-25EST-00000-41455

RequiredDocumentTypesComplete

Yes

DocumentGroupforDPC

DIGITAL PROJECTS LD

AdditionalDocumentTypes

Applications,AutoCad File,Binding Site Plans (PDs, Yes

and CUs),CSV,Calculations,Correspondence,Desig

n Drawings,Flood/Traffic Studies,Impact Statement,

Inspections,Miscellaneous,Plats,Record Drawings,

Response Letter,Resubmittal Complete,Staff Repor

t/Approval Letter,Survey,Title Opinion

DigitalSigCheck

Yes

RequiredDocumentTypes

Activate DPC

Activate FSA

Yes

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

✓

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan LU Code

Not in an SAP

RS- Residential Suburban

DEVELOPMENT AREA

Development Area

Suburban

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board Number of Boards (Number) Number of Mailers (Number) Date Mailed Date Posted NOR

PC

2

09/17/2025

Workflow Status:

Task

Assigned To

Status

Status Date

Action By

Application Submittal

Lyndsay Rathke

Application ...

07/17/2025

Lyndsay Rathke

Engineering Review

Kim Turner

Approve

07/20/2025

Kim Turner

Fire Marshal Review

Mike Benton

Not Required

07/31/2025

Mike Benton

Surveying Review

School District

Approve

07/21/2025

School District

School Board Review

Phil Irven

Approve

07/28/2025

Phil Irven

Roads and Drainage Review

Aleya Inglima

Approve

09/03/2025

Aleya Inglima

Planning Review

Lyndsay Rathke

Approved for...

09/04/2025

Lyndsay Rathke

Review Consolidation

Staff Report

Public Notice

Hearing

BOCC Hearing

Final Letter

Archive

Condition Status:

Name

Short Comments

Status

Apply Date

Severity

Action By

Scheduled/Pending Inspections:

Inspection Type

Scheduled Date

Inspector

Status

Comments

Resulted Inspections:

Inspection Type

Inspection Date

Inspector

Status

Comments

**POLK COUNTY PLANNING COMMISSION
FINAL ORDER**

Case Number: LDSPD-2025-7 (Skyview Drive SPD)

Applicant: Matthew Johnson

Property Owner: Jolly A Babu

Hearing Date: October 1, 2025

I. Request:

Proposing a Suburban Planned Development to develop sixty single family lots on approximately 20 acres.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 application, consider the following factors:
 - a. Whether the proposed development is consistent with all relevant requirements of this Code;
 - b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
 - c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
 - d. How the concurrency requirements will be met if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, Sections 303 and 906.
3. The Application is consistent with all applicable policies of the Comprehensive Plan.
4. The Application is compatible with surrounding uses and the general character of the area.
5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 1st day of October 2025, by the Polk County Planning Commission.

Polk County Planning Commission

ATTEST:

By: _____
Robert Beltran, Chair

By: _____
Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order

Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)



Polk County
Planning Commission

Agenda Item

10/1/2025

SUBJECT

Staff Resumes



Polk County
Planning Commission

Agenda Item 1.

10/1/2025

SUBJECT

LDCU-2025-17 (Sunrise Day Care CU)

DESCRIPTION

The applicant requests Conditional Use approval for an Adult Day Care for aging adults and individuals with disabilities within an existing building in the Residential Low-1 (RL-1) future land use district.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863) 534-6412

andrewgrohowski@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | | | |
|-------------------|-----------------|-------------------------|------------------------------|
| DRC Date: | July 31, 2025 | Level of Review: | Level 3 Review |
| PC Date: | October 1, 2025 | Type: | Conditional Use |
| BoCC | N/A | Case Numbers: | LDCU-2025-17 |
| Date: | | Case Name: | Sunrise Day Care CU |
| Applicant: | Martha Ponguta | Case Planner: | Andrew Grohowski, Planner II |

| | |
|----------------------------------|--|
| Request: | The applicant requests Conditional Use approval for an Adult Day Care for aging adults and individuals with disabilities within an existing building. |
| Location: | The subject site is located at 1140 Combee Road North, north of Jungle Street, west of Combee Road, south of Tanglewood Street, east of Lake Parker Drive East, east of the City of Lakeland in Section 09, Township 28, Range 24. |
| Property Owners: | Combee LLC |
| Parcel Size (Number): | 242809-175500-023000 (±1.57 acres) |
| Future Land Use: | Residential Low-1 (RL-1) |
| Development Area: | Transit Supportive Development Area (TSDA) |
| Nearest Municipality: | City of Lakeland |
| DRC Recommendation: | Conditional Approval |
| Planning Commission Vote: | Pending Hearing |

Location Map



2023 Aerial Image



Summary:

The applicant, on behalf of the property owner, is requesting Conditional Use approval for an Adult Day Care in the Residential Low-1 (RL-1) future land use district on approximately 1.57 acres off of North Combee Road. This property is use primarily as a Religious Institution with two (2) buildings (7,232 sq. ft. multipurpose building and a 4,495 sq. ft. main sanctuary hall). The property previously received Conditional Use approval from the Planning Commission to operate a Community Center for an at-risk youth program, Eckerd Connects, in the educational building back in 2019 (LDCU-2019-23). While the main sanctuary building is still being used by a religious institution, Eckerd Connects no longer operates in the secondary building.

The site is located in a Residential Low-1 (RL-1) Future Land Use district. The proposed Adult Day Care Center will operate out of the multipurpose building. The service will provide support services for seniors and adults with disabilities by offering enrichment activities, personal, care and structured supervision. Adult Day Care Centers are conditionally permitted in the RL-1 Future Land Use district following a Level 3 Review by County Staff and a public hearing before the Planning Commission.

The subject property is located within a Transit Supportive Development Area (TSDA). This property is already being serviced by the City of Lakeland for potable water with no wastewater services available. The site will utilize an existing septic and drain field on site.

The abutting uses include residential single-family homes, mobile homes, and retail. The subject property owner, Combee LLC, also owns the property directly west which has a single-family home located on it. The annex building to the former sanctuary hall is positioned on the west property line prior to the adoption of the LDC and is a legal non-conforming structure.

The site has approximately 195 feet of direct frontage along Jungle Street (840902) which is a County-maintained local residential road, according to the Polk County Road Inventory database. The site also has 350 feet of direct frontage along SR 659 (North Combee Road), which is a State-maintained Minor Arterial roadway and is tracked for concurrency by Polk County's Transportation Planning Organization (Link 7301 N/S). Per Section 708, Table 7.10, the Adult Day Care Center will require eight (8) parking spaces. Considering the request is not constructing any new buildings, the proposal could possibly require a minor level of review to ensure parking standards are being met. In accordance with Section 303 of the Land Development Code (LDC) the Adult Day Care Center has adequate road frontage on a collector road or better. This request will not generate an increase in demand on the County's school system. The site is located within acceptable distances of fire, EMS, and police services. This area is supported by a public mass transportation system with the nearest Citrus Connection Transit Route stop (Orange 1 Stop #1595) approximately 850 feet from the subject site directly north.

Staff recommends approval of this request. The request is consistent with the LDC and Comprehensive Plan. This request is also compatible with the surrounding land uses.

Findings of Fact

- *This is a request for Conditional Use approval of a one-story Adult Day Care. This property is located at 1140 Combee Road North, Lakeland, FL. The subject site is approximately ±1.57 acres in the Residential Low-1 (RL-1) land use district in the Transit Supportive Development Area (TSDA).*
- *In 2019, the Planning Commission voted 7/0 to conditionally approve the property for a Community Center under LDCU-2019-23. The property subsequently received Level 2 approval in October 2019 under LDNON-2019-180.*
- *According to Table 2.1 of the Land Development Code (LDC), an “Adult Day Care” is a “C3” Conditional Use in the RL-1 district. As such, this Conditional Use request requires a Level 3 Review with a public hearing before the Planning Commission in accordance with Chapter 3, Section 303 of the LDC.*
- *The site is located in the Transit Supportive Development Area (TSDA). According to POLICY 2.104-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS – “Development within the Transit Supportive Development Areas shall conform to the following criteria consistently with the requirements of the Land Development Code:*
 - a. provide access to transit facilities;*
 - b. connect to centralized potable water and sanitary sewer systems;*
 - c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;*
 - d. implementation of “Complete Street” and “Conservation Development” principles as established under Section 2.1251, Community Design, of this element;*
 - e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;*
 - f. provide access to civic space, parks, green areas, and open space and other amenities;*
 - g. be supported by public safety (i.e., fire, EMS and law enforcement);*
 - h. have access to public schools;*
 - i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.*
 - j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.*
- *According to POLICY 2.120-C4: Development Criteria of the Comprehensive Plan, “Residential development may contain a variety of housing types as defined by the Land Development Code within the TSDA. Outside the TSDA, RL may contain single-family dwelling units, duplex units, small-scale multi-family units, and family-care homes, and*

shall be permitted, with County approval, at a density of up to, and including, 5 DU/AC. Additionally, community facilities may be allowed in accordance with policies of this Plan.”

- *Chapter 3, Section 303 of the LDC states, “The following shall apply to Adult Day Care Centers:*
 - 1. Any request for an Adult Day Care Center shall comply with F.S. ch. 429.*
 - 2. Adult Day Care Centers shall be designed and built to a comparable scale and intensity as surrounding residential structures, or shall provide setbacks and buffering to mitigate dissimilar scales.*
 - 3. There shall be at a minimum 50 feet of road frontage, and all access points shall be on a collector road or better if any of the following conditions exist:*
 - a. The use (including accessory uses) generates 50 or more Average Annual Daily Trips (AADT).*
 - b. The overall Gross Floor Area (GFA) exceeds 5,400 square feet.*
- *According to Section 204 Standard Land Use District of the LDC, “The purpose of the RL-1 district is to provide areas for the low density residential needs of residents in urban areas who desire areas with larger sized lots, a minimum of 40,000 square feet.”*
- *The subject site was first recorded on November 3, 1923, through a plat known as “LAKEWOOD PARK SUBDIVISION” according to P.B. 6, Page 33.*
- *On July 31, 1958, “Lakewood Park United Methodist Church” purchased Lot 30 and the southern half of Lot 29 through a Warranty Deed with “The Methodist Church District Board of Missions and Church Extension of Lakeland District, Incorporated” according to O.R. Book 171, Page 351.*
- *Lakewood Park United Methodist Church expanded their property and purchased Lots 31 and 32 on August 1, 1960, through a Warranty Deed with Roy A. Rice and Mary Rice according to O.R. Book 417, Page 543.*
- *On April 12, 1961, the owners dedicated additional ROW (0.040 acres) from State Road 33A (Combee Road North) through a Special Warranty Deed with the State of Florida according to O.R. Book 482, Pages 477 and 478.*
- *At some point in the 1980s, State Road 33A was renumbered to State Road 659.*
- *The subject property is at the intersection of Jungle Street and North Combee Road (SR 659) with approximately 200 feet and 350 of frontage respectively. Jungle Street (Road No. 840902) is a County-maintained Local Residential Roadway with a paved surface width of 20 feet, according to the Polk County Roads Inventory. Combee Road (SR 659, Road No. 016006) is a State-maintained arterial roadway with a posted speed limit of 40 MPH.*
- *The site will utilize existing ingress and egress access off North Combee Road tracked for concurrency by Polk County’s Transportation Planning Organization (Link #7301). The roadway link has a Level of Service (LOS) standard of “C” in eastern and western directions. According to the Polk County Transportation Planning Organization, Link 7301*

is currently operating at with about 80% of its capacity with sufficient trips available for the Adult Day Care Center. There are 159 trips available northbound and 188 trips available southbound.

- *The proposed use is estimated to generate 344 Average Annual Daily Trips (AADT). According to Section 709.A of the LDC, the applicant will be required to provide a minor traffic study and paved parking.*
- *According to Table 7.10 of the LDC, Adult Day Care Centers require one (1) space per five (5) clients permitted, plus one (1) space per employee. According to the applicant, the request anticipates three (3) employees and twenty-three (23) clients. At least eight (8) paved parking spaces are required given this request.*
- *The surrounding land use districts are comprised of RL-1 to the west (Lakewood Park), north (Lakewood Park), east (Rawls Park Unit 2), and Linear Commercial Corridor to the south.*
- *The adjacent properties consist of single-family detached subdivisions and a mobile home park (Gifford Mobile Home Park LLC).*
- *The subject property is zoned for Phillip O'Brien Elementary School, Crystal Lake Middle School, and Tenoroc Senior High School. This requested use will not generate any additional demand on school capacity.*
- *This property is served by the Polk County Sheriff's Office's Southwest District substation located at 4120 US 98 South, Lakeland, FL 33801. The response times for the SW District for July 2025 were: Priority 1 – 9:40 & Priority 2 – 22:13.*
- *Both Fire and Ambulance response are from Polk County Fire Rescue Station 39, located at 3325 East Main Street, Lakeland. The travel distance is about 1.8 miles and travel time is estimated to be between six to eight minutes.*
- *There is a fire hydrant directly northeast of the subject property within the right-of-way of Canal Drive N approximately 90 feet from the subject property's northeast corner.*
- *The site lies within the City of Lakeland Utilities Service Area. Per discussions with City Utilities, wastewater services are not available to the site. The use will utilize an existing septic and drain field on the property.*
- *On the eastern portion of the property, there is a sidewalk located within the right-of-way off of Combee Road North.*
- *The closest park to the subject property is Lake Parker Eastside Pak, which is approximately ± 0.60 miles directly east which consists of a covered pavilion area and a dock.*

- *According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the property is comprised 100% of Myakka-Immokolee-Urban land complex soil. The soil has severe limitations for septic tank absorption fields and for small buildings.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a protected animal and plant species sighting along with natural communities.*
- *The general topography of the subject is relatively flat with elevations varying from 137 feet to 136 feet according to the Polk County GIS data viewer.*
- *There are no known historical or archeological resources onsite according to the Secretary of State's Department of Historical Resources Florida Master Site File.*
- *There are no wetlands or flood hazard areas on the property. The property is not located in a Wellfield Protection District.*
- *The site is not located within any airport flight path or height notification zones.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, and the staff report, the Development Review Committee (DRC) finds that the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan; therefore, the DRC recommends **APPROVAL of LDCU-2025-17.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends **APPROVAL** of **LDCU-2025-17** with the following Conditions:

1. This Conditional Use (CU) approval shall be for an Adult Day Care on ±1.57 acres located within an existing building on the subject site. [PLG]
2. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDCU-2025-17, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]

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: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

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: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commission's jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the

standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

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.

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: Residential Low-1 (RL-1) Mobile Home ± 578 acres | North: Residential Low-1 (RL-1) Mobile Home ± 0.29 acres | North: Residential Low-1 (RL-1) Single-family residence ± 0.36 acres |
| West: Residential Low-1 (RL-1) Single-family residence (Combee LLC) ± 0.62 acres | Subject Property: Residential Low-1 (RL-1) Religious Institution (Combee LLC) ± 0.57 acres | East: Residential Low-1 (RL-1) Five (5) single-family residences ± 0.22 - 0.77 acres |
| Southwest: Residential Low-1 (RL-1) Single-family residence ± 0.19 acres | South: LCC Beauty Shop ± 0.30 acres | Southeast: Residential Low-1 (RL-1) Minnesota Addition Subdivision ± 2.97 acres |

The subject site is considered Lots 30, 31 and 32 of the Lakewood Park subdivision platted in 1924 (PB 6, PG 33) with residences constructed soon thereafter in the 40s and 50s. The subject site has served as a religious institution since at least 1958. The main 3,389 sq. ft. sanctuary building expanded a few years later to include a 7,232 sq. ft. multipurpose building. According to the applicant, this was originally used as an educational building for Sunday school. The property directly to the west is owned by the same owners and contains a 1,232 sq. ft. single family residence constructed in 1951.

The site is situated in a predominantly residential area which is conducive with the applicant's intent for the proposed CU. The adjacent area is comprised of the Country Club Estates Subdivision, Lakewood Park community, Country Club Gardens and subset Gardens. In addition, the site can be accessed via Combee Road North and US 92 which is just south of the site. The Linear Commercial Corridor (LCC) begins just to the south of the property and extends south to US 92 where it expands to a Commercial Activity Center (CAC).

Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with the surrounding area as the property previously served as a religious institution, and according to the applicant, the main sanctuary hall will continue to function in this role. Similar to the Community Center, the Adult Day Care Center will operate

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.”

out of a one story annex from the main sanctuary hall. A portion of this annex building encroaches onto the parcel directly west which the owner also owns. Adult Day Cares function to provide caretaking and supervision services to local and adjacent communities. Like the previous use, this request operates as a similar intensity and functional use, with the annex building being adaptively reused to continue to serve the surrounding community. The site already has existing landscape buffers along the roadway frontage from the previous Community Center (LDCU-2019-23) and will require paved parking to accommodate both clientele and employees. The property is currently being served by the City of Lakeland's Utility services for potable water. An existing connection to onsite septic is proposed as no wastewater services are available.

A. Land Uses:

The property has a Future Land Use designation of RL-1. The requested CU is conditionally permitted following a Level 3 review by County staff and approval by the Planning Commission in a public hearing. In 2019, a Community Center was approved by the Planning Commission in the same building (LDCU-2019-23). Subsequently, the Community Center received Level 2 approval in October 2019 under LDNON-2019-180. Per Section 708, Table 7.10 of the LDC, Adult Day Care Centers require one (1) space per five (5) clients permitted, plus one (1) space per employee. According to the applicant, the request anticipates three (3) employees and twenty-three (23) clients. At least eight (8) paved parking spaces are required given this request. Given the preliminary traffic analysis, a minor traffic study will be required. Parking waivers may be requested under different circumstances with Administrator Approval. Since the property has undergone Level 2 approval in the past, the applicant may be permitted to submit minor conditional approval at the time of submission. The property has a main sanctuary hall and a single story annex building. The surrounding Future Land Use designations consist of varying degrees of residential density and some commercial to the south of the property, as noted in Table 1. It is sited well to serve as a compliment to surrounding residential uses.

B. Infrastructure:

The proposed Conditional Use is located in the Transit Support Development Area. This area has services which one would expect to find in a developed urban area. The surrounding area is serviced by the City of Lakeland Utilities for potable water. Correspondence with City Utilities indicates there are no wastewater services available and the applicant will need to submit a potable water capacity application to the City for review. This Conditional Use will not generate any students. There is an adequate sidewalk network which runs along both sides of North Combee Road and US 92. Lake Parker Eastside Park and Aliden Combee Park are located within a mile of the subject property. There is a mass transit available, with a Citrus Connection stop approximately 850 feet north of the subject site.

Nearest and Zoned Elementary, Middle, and High School

The subject property is zoned for Phillip O'Brien Elementary School, Crystal Lake Middle School, and Tenoroc Senior High School. The closest school is Crystal Lake Middle School (\pm 2.4 miles). This is a non-residential use and will not have an impact on school capacity. The project is located an adequate distance away from surrounding schools so as not to impact the zoned Polk County schools or the bussing of students to and from school.

Table 2

| Name of School | Annual Estimated Demand | % Capacity (inc. port) 2018-2019 School Year | Average driving distance from subject site |
|-----------------------------------|-------------------------|--|--|
| Phillip O'Brien Elementary School | 0 Students | 92% | ± 3 miles driving distance |
| Crystal Lake Middle School | 0 Students | 71% | ± 2.4 miles driving distance |
| Tenoroc High School | 0 Students | 60% | ± 3.9 miles driving distance |

Source: Polk County School Board, Tischler & Associates Study, GIS

Nearest Sheriff, Fire, and EMS Station

Both Fire and Ambulance response will be from Polk County Fire Rescue Station 39, located at 3325 East Main Street, Lakeland. The travel distance is 1.8 miles with an average response time of 6-8 minutes. There is a fire hydrant directly northeast of the subject property within the right-of-way of Canal Drive North, approximately ±90 feet from the subject property's northeast corner.

Sheriff's response to the site is served by the Southwest (SW) District, located at 4120 US 98 South, in Lakeland. The response times for the SW District for July 2025 were: P1 – 9:40 minutes; P2 – 22:13 minutes. Priority 1 Calls are considered to be 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. Sheriff's response times are not as much a function of the distance to the nearest Sheriff's substation but more a function of the overall number of patrol officers within the County.

Table 3

| | Name of Station | Distance | Response Time* |
|---------|---|------------|-----------------------|
| Sheriff | Southwest District Command (4120 US 98 South, Lakeland) | ±6.9 miles | P1: 9:40 P2: 22:13 |
| Fire | Station #39 (3325 East Main Street, Lakeland) | ±1.8 miles | 6-8 minutes |
| EMS | Station #39 (3325 East Main Street, Lakeland) | ±1.8 miles | 6-8 minutes |

Source: Polk County Sheriff's Office Response Times for July 2025 Polk County Fire Rescue Response Times for August 2025

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

The property is currently being served with potable water by the City of Lakeland with a 6" master water meter that serves both 1132 and 1140 N Combee Road. While main sewer distribution lines run along the property, the City has no wastewater service available to the site. The request will rely on a private on-site septic tank & drain field. According to filed permits, the property plans to install a fire sprinkler system as well as a backflow assembly for cross-connection protection.

Table 4

| Subject Property | Estimated Impact Analysis | | |
|---------------------------------|------------------------------------|--|-----------------------|
| | Demand as Currently Permitted RL-1 | Maximum Permitted in the District RL-1 | Proposed Plan |
| 1.57 ± acres RL-1 | | | |
| Permitted Intensity | One (1) single-family dwelling | 7 single-family dwelling units | Adult Day Care Center |
| Potable Water Consumption (GPD) | 360 GPD | 2,520 GPD | 500 GPD |
| Wastewater Generation (GPD) | 270 GPD | 1,890 GPD | 400 GPD |

Source: Polk County Concurrency Manual & Polk County Utilities

B. Available Capacity:

According to the City of Lakeland Utilities, the applicant will need to file a capacity application for review and approval.

C. Planned Improvements:

There are currently no planned improvements to this area and wastewater service from the City of Lakeland is not anticipated to be expanded.

Roadways/ Transportation Network

The surrounding roadway network is comprised of North Combee Road (SR 659), Jungle Street and US 92. North Combee Road (SR 659) is a State maintained Minor Arterial roadway (Link # 7301). US 92 is a state-maintained Principal Arterial roadway (Link #s 5305 & 5306). Jungle Street (Road No. 840902) is a County-maintained Local Residential Roadway. The traffic in and out of the requested CU is not likely to cause any disruption. Due to the estimated Average Annual Daily Trips (AADT), the proposed adult day care will require a minor traffic study as well as paved parking alongside Level 2 submittal.

A. Estimated Demand:

Based on the ITE Trip Generation Manual, religious institutions (ITE Code 565) generate 47.62 Annual Average Daily Trips (AADT) and 11.12 Peak PM Trips per 1,000 square-feet of floor area. The proposed use will operate out of an existing 7,232 sq. ft. multipurpose building. Table 5, to follow, shows the traffic that is projected for the Conditional Use development versus, what would be permitted by right and what the maximum could be with a planned development, according to Section 303 of the LDC. The hypothetical maximum includes the property directly to the west under same ownership.

Table 5

| Subject Property | Estimated Impact Analysis | | |
|-----------------------------------|------------------------------------|---|-----------------|
| | Demand as Currently Permitted RL-1 | Maximum Permitted in the District RL-2 | Proposed Plan |
| 1.57 ± acres RL-2 | | | |
| Permitted Intensity | 1 single-family dwelling units | 7 single-family attached dwelling units | Day Care Center |
| Average Annual Daily Trips (AADT) | 8 | 55 | 344 |
| PM Peak Hour Trips | 1 | 7 | 80 |

Source: Polk County Concurrency Manual

The proposed plan is to have one access point onto SR 659. Appendix C of the LDC requires all developments generating more than 50 average daily trips to conduct a minor traffic study. Conditional Use is projected to produce, on average, 344 trips a day and 80 trips during peak hours. A minor traffic study will be required as a result of the anticipated trips to identify if any offsite improvements are required. A key fact is that drop off and pick up times will be concentrated at the beginning of the day and later in the afternoon.

B. Available Capacity:

SR 659 (Combee Road North), between US 92/98 to CR 546 (Saddle Creek Road) has a capacity of 880 PM Peak hour vehicle trips in two separate links in each direction. Combee Road North has seen an increase in AADT by about 1,900 trips since the last Conditional Use approval in 2019. According to the Polk County Transportation Planning Organization (TPO) approximately 700 vehicles travel that portion of the roadway each day on average, with approximately 721 northbound vehicles and 692 southbound vehicles passing through the segment each day. This road link is currently operating with about 20% capacity left. The current level of service (LOS) is operating above the minimum County standard.

Table 6

| Link # | Road Name | Current Level of Service (LOS) | Available PM Peak Hour Capacity | Minimum LOS Standard |
|--------|---|--------------------------------|---------------------------------|----------------------|
| 7301N | SR 659 (Combee Road North) From: US 92 To: CR 546 (Saddle Creek Road) | C | 159 | D |
| 7301S | SR 659 (Combee Road North) From: US 92 To: CR 546 (Saddle Creek Road) | C | 188 | D |
| 5305E | US 92/98 (Memorial Boulevard East) From: Lake Parker Avenue North To: SR 659 (Combee Road North) | C | 663 | D |
| 5305W | US 92/98 (Memorial Boulevard East) From: Lake Parker Avenue North To: SR 659 (Combee Road North) | C | 715 | D |
| 5306E | US 92/98 (Memorial Boulevard East) From: SR 659 (Combee RD N) To: SR 655 (Recker Highway) | C | 670 | D |
| 5306W | US 92/98 (Memorial Boulevard East) From: SR 655 (Recker Highway) To: SR 659 (Combee Road North) | C | 616 | D |

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

Based on the estimated demand and the estimated capacity shown in Table 4, the expansion is not expected to have a significant influence on the capacity on the immediate roadway network.

C. Roadway Conditions:

According to Polk County's Road Inventory, Jungle Street (Road No. 840902) is a County-maintained Local Residential road approximately 0.55 miles in length with a 1.5 ton truck restriction and a paved surface width of 20' and ROW width of 60'. Combee Road (SR 659, Road No. 016006) is a State-maintained arterial roadway with a posted speed limit at 40 MPH.

D. Sidewalk Network

There are sidewalks along both sides of SR 659 which allows pedestrian traffic to reach the nearby retail shops and the Phillip O'Brian Elementary School.

E. Planned Improvements

There are currently no planned County improvements along SR 659 or Jungle Street.

F. Mass Transit

The nearest Citrus Connection Transit Route stop (Orange 1 Stop #1595) is approximately 850 feet from the subject site directly north, and there are sidewalks that allow for safe pedestrian access. The Orange line provides access with multiple stops between Southeastern University, Lakeside Village and downtown Lakeland.



Park Facilities and Environmental Lands:

The closest park to the subject property is Lake Parker Eastside Park, which is approximately ± 0.60 miles directly east, and consists of a covered pavilion area and a dock. There are no environmental lands abutting the site. The closest environmental site is Saddle Creek County Park.

A. Location:

The closest park to the subject property is Lake Parker Eastside Park at 1222 Lake Parkers Drive East, which is approximately ± 0.60 miles directly east.

B. Services:

Lake Parker Eastside Park consists of a covered picnic table and a dock.

C. Multi-use Trails:

The East Lake Parker is designated as a multi-use trail under the TPO 2035 Multimodal Plan. The route is shown to from the Lake Mirror Promenade, south along Lake Parker and eventually connects into the Tenoroc Trail.

D. Environmental Lands:

The Saddle Creek County Park is the closest environmental land to the property and is 0.90 miles east. This land is owned and maintained by Polk County. Saddle Creek Park is located on reclaimed phosphate lands, most of this park consists of lakes and surrounding uplands vegetated by natural communities such as oak hammock. Cypress strand occurs along Saddle Creek which runs through the uplands. Approximately 20% of the park is devoted to a maintenance facility, gun range, and baseball field.

E. Planned Improvements:

There are no further recreational improvements scheduled for this area by the County.

Environmental Conditions

There are no environmental limitations on this property that will likely impede the Conditional Use as requested. There is adequate positive drainage outfall from this property and no further improvements are proposed. There are no wetlands or floodplains on or near the property according to County viewers. The entire site is comprised of Myakka-Immokolee-Urban land complex soil (100%) according to the U.S. Department of Agriculture, Soil Conservation Service. According to the Florida Natural Areas Inventory Matrix (FNAI), the CU is not located within one (1) mile of any document endangered flora or fauna. The site is not within any public airport flight paths or buffer zones. The closest aviation facility is the Lakeland Linder Airport ± 7.32 miles to the southwest.

A. Surface Water:

There is no natural surface water feature on the subject parcel. The closest natural body of water is Lake Parker which is $\pm 2,194$ feet to the west. The site is relatively flat and the topography of the subject property slopes from the north to the south. Elevations vary from 135 feet to 138 feet.

B. Wetlands/Floodplains:

There are no wetlands or floodplain areas on the subject site.

C. Soils:

According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the subject site is comprised of Myakka-Immokolee-Urban land complex soil (100%). Myakka-Immokolee-Urban land complex soil has various limitations and properties as it relates to development and septic tanks absorption fields. While the soil type is listed as presenting severely limited challenges, it should be noted that the existing septic and building has been onsite for an ample period of time.

Table 8

| Soil Name | Septic Tank Absorption Field Limitations | Limitations to Dwellings w/o Basements | % of Site (approximate) |
|--|---|---|--------------------------------|
| Myakka_Immokolee-Urban land complex soil | Severely Limited | Severely Limited | 100 |

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

D. Protected Species:

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a protected animal and plant species sighting along with natural communities.

E. Archeological Resources:

There are no known archaeological or historical sites on the proposed development according to the Secretary of State's Department of Historical Resources Florida Master Site File.

F. Wells (Public/Private):

The subject site is not located within a wellhead protection area.

G. Airports:

According to the Polk County Airport Impact Districts Map, the subject property is not located within any Airport Buffer Zones for flight path and height restriction. The closest aviation facility is the Lakeland Linder Airport ±7.32 miles to the southwest.

Economic Factors:

The property was previously part of a Conditional Use approval as a Community Facility in the form of a youth rehabilitation center. The proposed Conditional Use will be similar in its use as a Community Facility and will be an adaptive reuse of an existing structure. Whenever possible, the reuse of existing structures are more financially advantageous compared to having to construct new facilities. The applicant has stated that the intent of the Conditional Use is to provide services which will provide daily supervision, therapeutic activities, and personal care support for seniors and adults with disabilities. The property is located in an area that has mass transportation service stops and is located near commercial retail businesses.

Consistency with the Comprehensive Plan and Land Development Code:

The site is located in a Transit Supportive Development Area (TSDA), which is an 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 2.104-A of the Comprehensive Plan.

There are centralized water and sewer services available that will service the proposed development. There are mass transit services available in the area as well as sidewalks that connect the residents to both shopping and recreational uses within a comfortable walking distance.

The site is located in the East Lake Parker/ North Combee Redevelopment District according to the County viewers. According to Section 2.101A, the long-term goal of for land use programs and activities are “To achieve an economically viable, efficient, safe, and quality-living environment through balanced and compact growth, while encouraging the efficient use of land, community infrastructure and protecting and managing the community’s natural resources by showing the proposed distribution, location, and extent of future land uses by type, density, and intensity; while providing essential services in a cost effective manner.”

Table 9, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan. Staff finds this proposed CU accomplishes all of these requirements and recommends approval.

Table 9: Consistency with the Comprehensive Plan

| Comprehensive Plan Policy | Consistency Analysis |
|---|--|
| 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. | The proposed Conditional Use is compatible with neighboring properties and there is adequate infrastructure to support it as well. The existing land uses abutting and adjacent to the property are Residential Low. |
| 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 will be reusing an existing structure and will not create an increase in public services. |
| 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. | The proposed Conditional Use is consistent with services available in the Transit Supportive Area (TSDA). The design of the project is in an area that contains adequate community and public safety services. |

| Comprehensive Plan Policy | Consistency Analysis |
|---|---|
| <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>The site is located within an area that has a significant amount of urban infrastructure and services with ample capacity to serve it.</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>The subject property is located within an area of the County that has adequate public safety services as identified in the staff report.</p> |

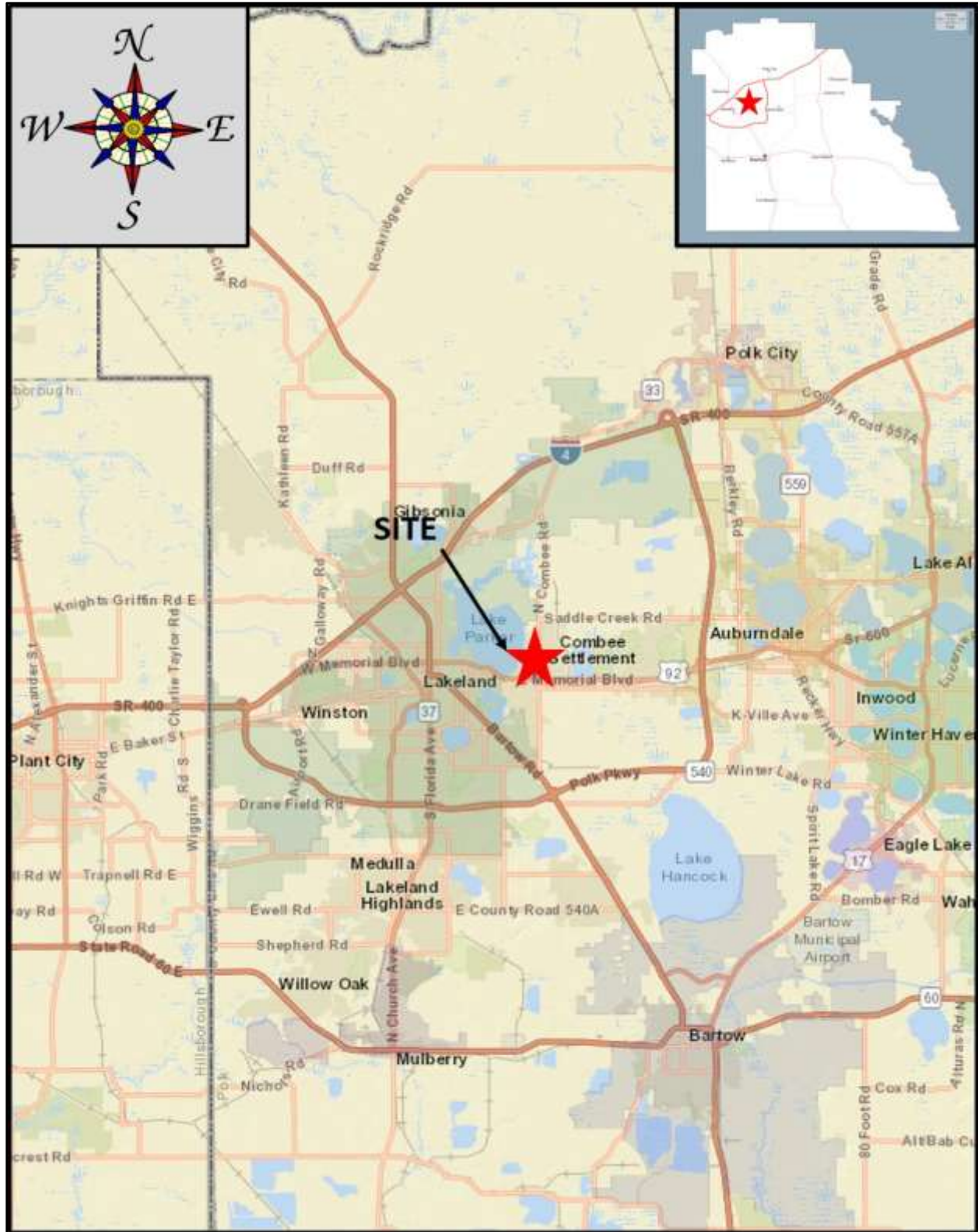
Comments from other Agencies:

City of Lakeland, Water Utilities

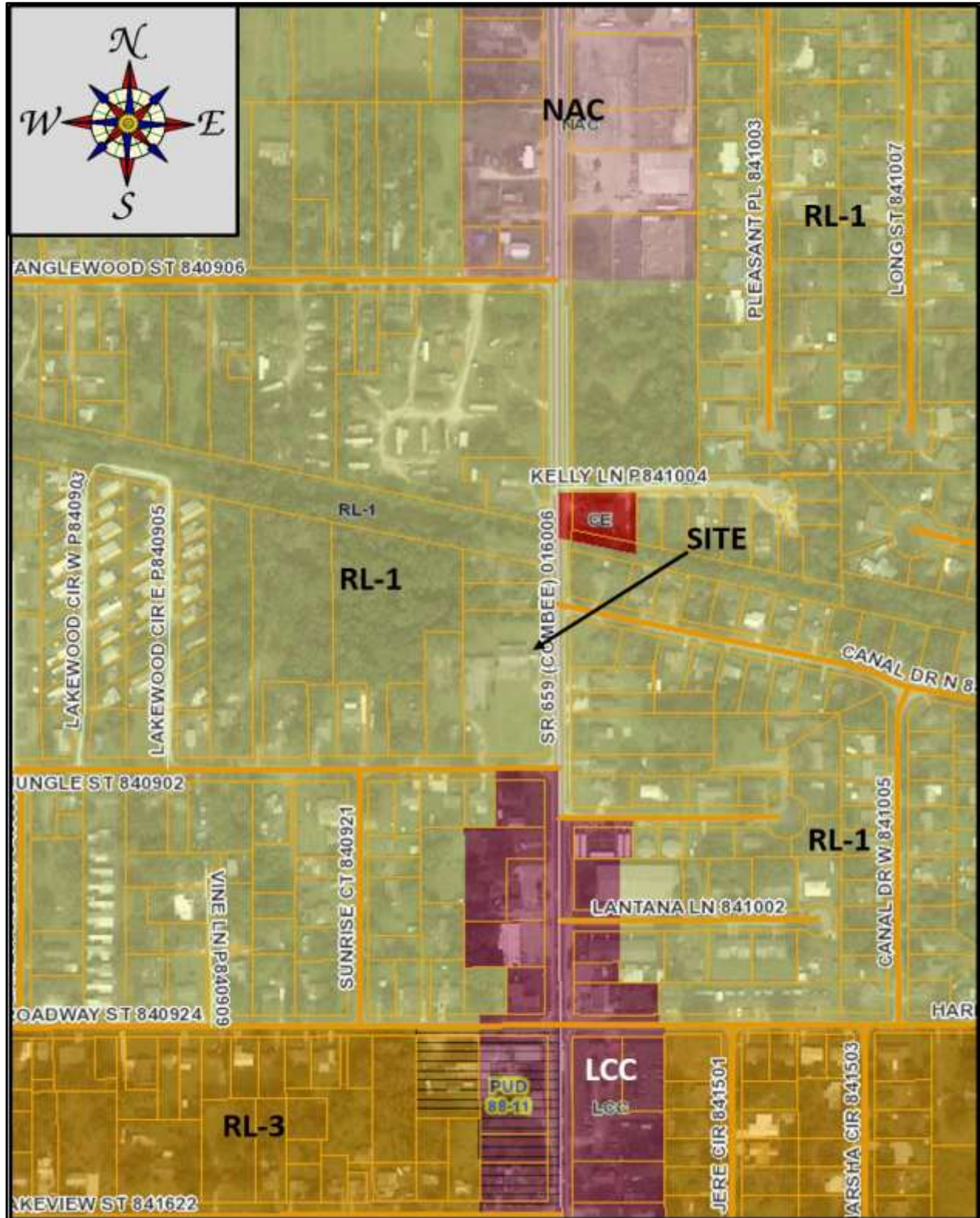
In order to proceed with potable water service, the applicant will be required to submit a capacity application to the City for further review.

Exhibits:

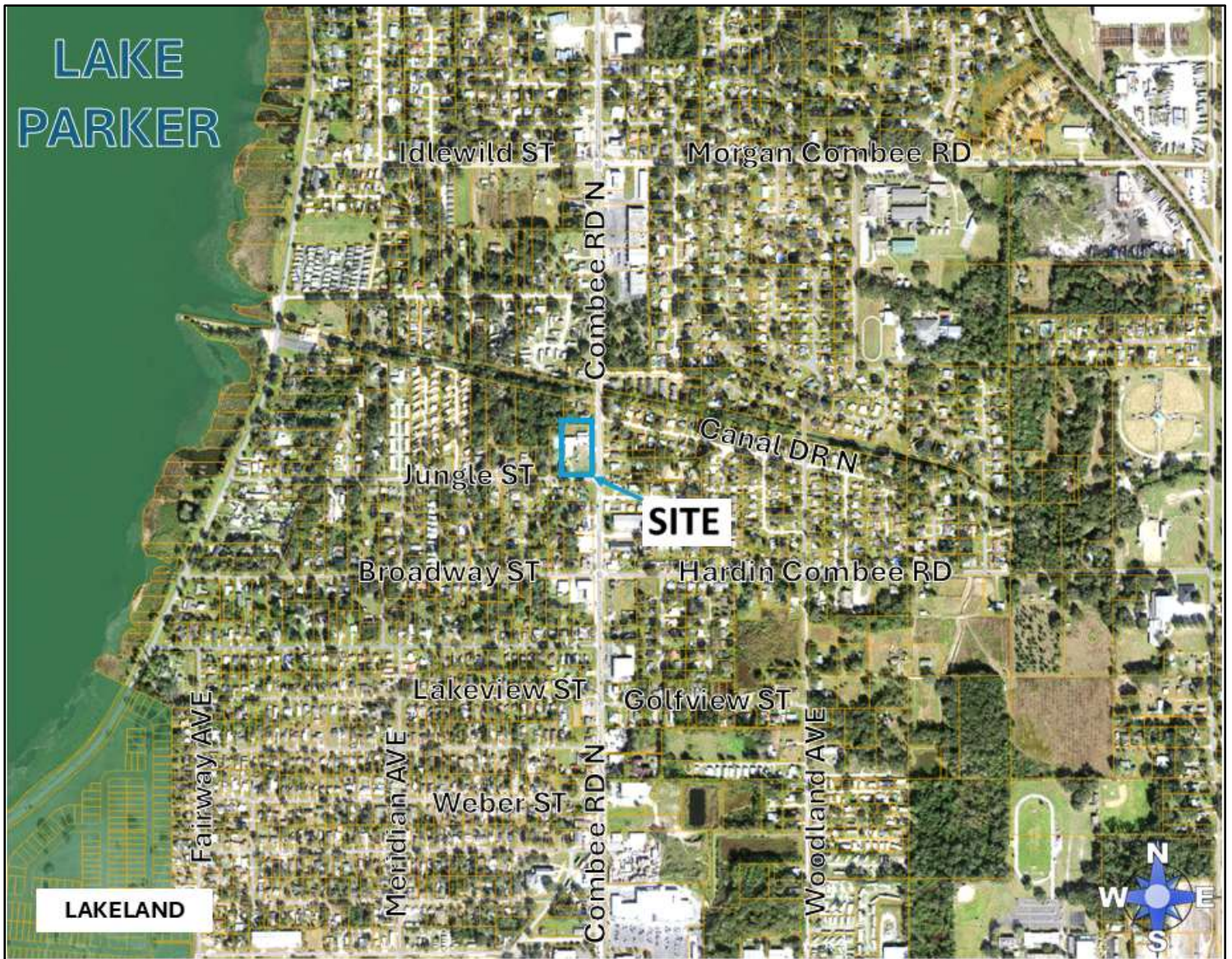
- Exhibit 1 – Location Map
- Exhibit 2 – Future Land Use Map
- Exhibit 3 – 2023 Aerial Photo (Context)
- Exhibit 4 – 2023 Aerial (Close-up)
- Exhibit 5 – Site Plan



Location Map



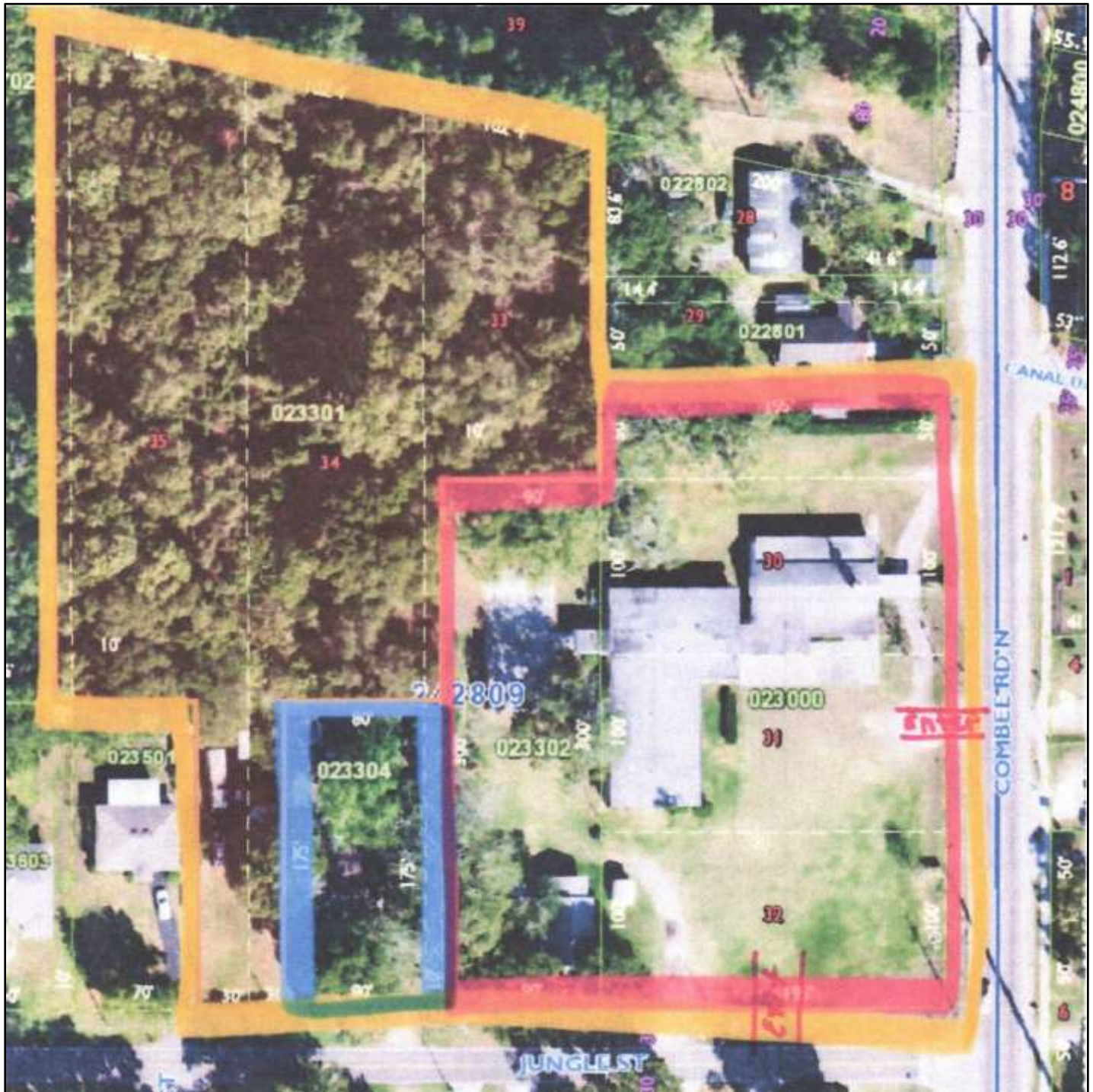
Future Land Use Map



2023 Aerial Photo (Context)



2023 Aerial Photo (Close-up)



Site Plan

Impact Statement Attachment

Project: Sunrise for a Happy Life Adult Day Care

Location: 1140 N Combee Rd, Lakeland, FL 33801

Prepared for: Level 3 County Review

1. Land and Neighborhood Characteristics

The facility is part of an existing building previously used as a school. It has access and features suitable for health and care-related services already designated as compatible with the local community.

2. Access To Roads and Highways

The property is accessible directly from Combee Road, a well-established connector. Traffic impact is minimal, as clients are dropped off and picked up in scheduled intervals, avoiding congestion. The program will generate fewer than 50 Average Daily Trips (ADT), remaining well below the threshold requiring transportation review. We are not aware of any planned road improvements affecting the site.

3. Sewerage

The property is served by Polk County Utilities, which manages wastewater. No modifications to the septic or sewer system are proposed. The adult day care program will not place additional strain on the system beyond standard daily use. Plumbing systems in place meet local utility standards.

4. Water Supply

Water service is also provided by Polk County Utilities. The adult day care's water usage is limited to hygiene, cleaning, and basic day-to-day operations. No adverse impact on the municipal water supply is expected.

5. Surface Water Management and Drainage

The property has no known drainage issues and has previously been used by FEMA as a headquarters site, indicating its suitability for operational use. No land development or changes to impervious surfaces are proposed.

6. Environmental Analysis

The property is already developed and is not located in an environmentally sensitive area. There are no wetlands, conservation areas, or protected species on-site. There is no expected impact to air, water, or soil quality. The site is outside any airport noise or hazard zones.

7. Infrastructure Impact Information

No additional strain will be placed on area infrastructure. The program does not affect schools, and solid waste will be managed through existing commercial service providers. Emergency services access remains unchanged. Electricity is provided by Lakeland Electric.

8. Neighborhood Needs

The program addresses a critical need in the community by supporting seniors and adults with disabilities. It provides daily supervision, therapeutic activities, and personal care, allowing family caregivers to maintain employment. This service helps promote health, independence, and quality of life in the area.

Community Impact Summary

Sunrise for a Happy Life Adult Day Care plays an essential role in strengthening the local support network for seniors and adults with disabilities. By offering structured supervision, enrichment activities, and personal care, the program allows families to remain active in the workforce while ensuring their loved ones receive quality care in a safe, nurturing environment. This service promotes dignity, reduces isolation, and helps meet the growing demand for accessible community-based adult care in Polk County.

LDCU-2025-17 - Expansion of Sunrise for a Happy Life Adult Day Care

Menu

Reports

Help

Application Name:Expansion of Sunrise for a Happy Life Adult Day Care

File Date:06/19/2025

Application Type:PC-Major Modifications

Application Status:Approved For Hearing

Application Comments:

| View ID | Comment | Date |
|---------|---------|------|
|---------|---------|------|

Description of Work:

Sunrise for a Happy Life Adult Day Care is seeking to expand its services within Polk County to meet the growing need for structured, compassionate adult day care. The center has become a vital resource for aging adults and individuals with disabilities, offering tailored activities, wellness monitoring, and social engagement that enhance health outcomes and quality of life. Equally important, these services provide essential respite and peace of mind to families and caregivers. Due to increased enrollment and limited space at our current location, this proposed expansion is both timely and necessary. By increasing capacity, Sunrise will continue to deliver high-quality, person-centered care while serving a larger segment of the community. We respectfully request your consideration and support in reviewing this proposal, which aligns with Polk County's broader commitment to senior care and community well-being.

Application Detail:

Detail

Address:1140 N COMBEE RD, LAKELAND, FL 33801

Parcel No:242809175600023000

Owner Name:COMBEE LLC

| Contact Info: | Name | Organization Name | Contact Type | Contact Primary Address | Status |
|---------------|----------------|-------------------|--------------|---------------------------|--------|
| | martha coogata | | Engineer | Mailing, 410 W HANCOCK, , | Active |

Licensed Professionals Info:

| Primary | License Number | License Type | Name | Business Name | Business License # |
|---------|----------------|--------------|------|---------------|--------------------|
|---------|----------------|--------------|------|---------------|--------------------|

Job Value:\$0.00

Total Fee Assessed:\$4,471.00

Total Fee Invoiced:\$4,471.00

Balance:\$0.00

Custom Fields:

LD, GEN, PUB

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Planned,
Development Major
Modification
Brownfields Request

Affordable Housing
-

GENERAL INFORMATION

| | | |
|-----------------------------|-------------------------------|--|
| Expedited Review | Number of Lots | |
| | - | |
| Will This Project Be Phased | Acreage | |
| | 1.46 | |
| DRC Meeting 07/31/2025 | DRC Meeting Time | |
| | - | |
| Rescheduled DRC Meeting | Rescheduled DRC Meeting Time | |
| | - | |
| Green Swamp No | Number of Units | |
| | - | |
| Case File Number | Is this Polk County Utilities | Is this Application a result of a Code Violation |
| | No | |
| One Year Extension | FS 119 Status | Code Violation Case Number |
| | Non-Exempt | - |

ADVERTISING

| | |
|-------------------------------------|------------------------|
| Legal Advertising Date 9/22/2025 | BOCC1 Advertising Date |
| | - |
| BOCC2 Advertising Date | Advertising Board |
| | Planning Commission |

MEETING DATES

| | |
|----------------------------|--------------------------|
| Community Meeting | Planning Commission Date |
| | 10/01/2025 |
| Land Use Hearing Officer 3 | 1st BOCC Date |
| | - |
| 2nd BOCC Date | LUHO-Level 3 |
| | - |

HEARING

| | |
|--------------------------|---------------------|
| PC Hearing Results | PC Vote Tally |
| | - |
| BOCC 1st Hearing Results | BOCC 1st Vote Tally |
| | - |
| BOCC 2nd Hearing Results | BOCC 2nd Vote Tally |
| | - |

FINAL LETTER

| | |
|---------------|----------------|
| Denovo Appeal | Denovo Results |
| | - |
| Denovo Tally | |
| | - |

LD, GEN, PUB, EDL

Opening DigEplan List...
DigEplan Document List

-

PLAN REVIEW FIELDS

| | | |
|---|--|-----------------------|
| TMPRecordID POLKCO-REC25-00000-00P&P | DocumentGroupforDPC DIGITAL PROJECTS LD | RequiredDocumentTypes |
| RequiredDocumentTypesComplete Yes | AdditionalDocumentTypes Applications AutoCad File Binding Site Plans (PDFs, Yes and CUs), CSV Calculations Correspondence Design Drawings Flood/Traffic Studies Impact Statement, Inspections Miscellaneous Photo Record Drawings, Response Letter Resubmittal Complete Staff Report/Approval Letter Survey Title Opinion DigitalSigCheck | Activate DPC |

Activate FSA
Yes

Yes

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan LU Code

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

| Posting Board | Number of Boards (Number) | Number of Mailers (Number) | Date Mailed | Date Posted | NOR |
|---------------|---------------------------|----------------------------|-------------|-------------|-----|
| PC | 1 | 23 | 10/05/2025 | 09/17/2025 | No |

65

| | | | | | | |
|--------------------------------|---|------------------|-----------------|-------------|------------------|-----------|
| Workflow Status: | Task | Assigned To | Status | Status Date | Action By | |
| | Application Submittal | Lyndsay Rathke | Application ... | 07/09/2025 | Lyndsay Rathke | |
| | Engineering Review | | | | | |
| | Fire Marshal Review | Kim Turner | Approve | 07/17/2025 | Kim Turner | |
| | Planning Review | Andrew Grohowski | Approve | 08/06/2025 | Andrew Grohowski | |
| | Surveying Review | Mike Benton | Not Required | 07/18/2025 | Mike Benton | |
| | School Board Review | School District | Not Required | 07/10/2025 | School District | |
| | Roads and Drainage Review | Phil Iven | Approve | 07/10/2025 | Phil Iven | |
| | Review Consolidation | Lyndsay Rathke | Approved for... | 08/12/2025 | Lyndsay Rathke | |
| | Staff Report | | | | | |
| | Public Notice | | | | | |
| | Hearing | | | | | |
| | BOCC Hearing | | | | | |
| | Final Letter | | | | | |
| | Archive | | | | | |
| Condition Status: | Name | Short Comments | Status | Apply Date | Severity | Action By |
| Scheduled/Pending Inspections: | Inspection Type | Scheduled Date | Inspector | Status | Comments | |
| Resulted Inspections: | Inspection Type | Inspection Date | Inspector | Status | Comments | |

**POLK COUNTY PLANNING COMMISSION
FINAL ORDER**

Case Number: LDCU-2025-17 Sunrise Day Care CU

Applicant: Martha Ponguta

Property Owner: Combee LLC

Hearing Date: October 1, 2025

I. Request:

The applicant requests Conditional Use approval for an Adult Day Care for aging adults and individuals with disabilities within an existing building.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 application, consider the following factors:
 - a. Whether the proposed development is consistent with all relevant requirements of this Code;
 - b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
 - c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
 - d. How the concurrency requirements will be met if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, Sections 303 and 906.
3. The Application is consistent with all applicable policies of the Comprehensive Plan.
4. The Application is compatible with surrounding uses and the general character of the area.
5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 1st day of October **2025**, by the Polk County Planning Commission.

Polk County Planning Commission

ATTEST:

By: _____
Robert Beltran, Chair

By: _____
Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order

Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)



Polk County
Planning Commission

Agenda Item 2.

10/1/2025

SUBJECT

LDWA-2025-31 (Bear Oak Ranch Waiver)

DESCRIPTION

Waiver to Section 705.B for approval for a residential lot with access through a private road easement accessed by more than four lots and is over ¼ mile in length.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863) 534-6412

andrewgrohowski@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | |
|---------------------------------|---|
| DRC Date: August 7, 2025 | Level of Review: Level 3 Review |
| PC Date: October 1, 2025 | Type: Residential Access Waiver |
| BoCC Date: N/A | Case Numbers: LDWA-2025-31 |
| Applicant: Joanna Smith | Case Name: Bear Oak Ranch Waiver |
| | Case Planner: Andrew Grohowski, Planner II |

| | |
|-------------------------------------|--|
| Request: | Waiver to Section 705.B for approval for a residential lot with access through a private road easement accessed by more than four lots and is over ¼ mile in length. |
| Location: | 3890 Wolfolk Road, east of Highway 27, west of Lake Buffum Road East, north of Buffum Lake Trail, south of Lake Buffum Road North, northwest of the City of Frostproof in Section 09, Township 31, Range 27. |
| Property Owner: | Bear Oak Ranch LLC |
| Parcel Number (Size): | 273109-000000-033050 (±33.23 acres) |
| Land Use District: | Agriculture/Residential Rural-X (A/RRX) |
| Development Area/Overlays: | Southeast Selected Area Plan (SAP) Rural Development Area (RDA) |
| Nearest Municipality/County: | City of Frostproof |
| DRC Recommendation: | Conditional Approval |
| Planning Commission Vote: | Pending Hearing |

Site Location



2023 Aerial (Close-up)



Summary of Analysis:

The property owner wishes to subdivide an existing 33-acre residential property in order to create a one (1) new residential lot that will be accessed solely via easement on Wolfolk Road, an unpaved private easement, pursuant to Land Development Code 705.B.

In order for a dwelling to be built on a lot without direct access to a public road, a legal easement must meet the following basic requirements:

1. Provides access to no more than four (4) lots and meets the required density, minimum lot size requirements and any other applicable requirements of the LDC;
2. At least 20 feet wide;
3. Is no longer than a ¼ mile;
4. Provides sufficient ingress and egress for fire trucks, ambulances, police cars and emergency vehicles; and,
5. The property owner has the joinder and consent of all owners under the easement or legal opinion from a licensed Florida attorney that the property has legal right to the easement.

Typically, an administrative Level 1 Review is used to determine eligibility; however, in this instance, the number of lots on the proposed easement will exceed four lots and the easement is longer than ¼ mile. According to LDC Section 705.B.7, the Planning Commission (PC) may grant a waiver through the Level 3 Review process to overcome this limit and length.

This review is to determine the extent to which an access easement can accommodate the usage proposed. There are many variables that separate one easement from another. These include, but are not limited to, the condition of the easement, how the surface is constructed, maintenance and sustainability, public input derived at a public hearing, and the amount of additional use proposed. It is these factors, as well as the waiver criteria in Section 932.A (1-5), that are to be considered. According to the survey, Wolfolk Road provides access to more than four residences: one (1) undeveloped lot and five (5) developed lots including the subject site. Additionally, the easement is longer than ¼ mile and is approximately ±3,325 feet, ±0.63 miles. Given this request, the total number of residential properties accessing this private easement will be six (6) developed lots. The remaining properties are large tracts owned by the Water Management District and Polk County. In 1978, the Board granted a variance for the subject site in order to construct a single-family residence without having direct public roadway frontage (Case # 78-11).

Staff recommends approval. The proposed easement and the associated residences in the neighborhood have been in existence for over fifty years. Correspondence with Fire by both the applicant and Staff has confirmed there is sufficient ingress and egress on Wolfolk Road for their operations. The additional residence will not create any burden on public infrastructure or urban services, including school capacity. Furthermore, staff finds the request satisfies the LDC Waiver criteria found in Section 932. The proposed lot will meet the minimum lot size requirements for the A/RRX land use district of five acres, but with limited access to a public road, this easement is necessary. If this Waiver is approved, a Level 1 Review will be necessary when the applicant (s) applies for a building permit to ensure the easement meets the standards proposed and the approved conditions.

Findings of Fact

- *This is a request for an approval of a waiver to Section 705.B for approval for a new residential lot with access through a private road easement accessed by more than four lots on ±33.23 acres.*
- *The subject property is recorded as Parcel ID # 242909-279990-000050. It is approximately 33.23 acres and currently has a single-family residence.*
- *The property has access to the County maintained road through an easement that is unpaved and unmaintained. The easement is listed as a private road named *Wolfolk Road* in the County Road Inventory.*
- *On February 1978, the Board of County Commissioners voted to approve a variance to permit the construction of a single-family residence without direct frontage on a public roadway for the subject site (Case #: 78-11).*
- *Per Section 705.B.1 of the LDC, “an easement providing access to a residential lot from a paved road meeting County standards shall meet the following requirements; the easement shall:*
 - a. Provide access for no more than four lots subject to other density, minimum lot size requirements and any other applicable requirements of this Code;*
 - b. Have a minimum width of 20 feet;*
 - c. Not exceed 0.25 miles (1,320 feet) in length;*
 - d. Provide for sufficient ingress and egress for fire trucks, ambulances, police cars and emergency vehicles; and*
 - e. Be supported by the joinder and consent of all fee owners under easements to the use of the easement by the subject parcel(s). If joinders are provided for the easement, it shall be accompanied by an ownership and encumbrance report based on the legal description of the easement. In lieu of joinders, an applicant may provide a legal opinion from a licensed Florida attorney stating a lot has legal access, along with supporting documentation.”*
- *Waivers to Section 705.B may be granted by the Planning Commission pursuant to a Level 3 Review and subject to the waiver provisions in Section 932 of this Code for the following standards of 705.B:*
 - a. Easement will serve no more than four lots after the creation of the newly proposed lot(s).*
 - b. Easement is no longer than 0.25 miles (1,320 feet) in length.*
 - c. The parent parcel, prior to subdividing, directly fronts on a public or private paved road meeting County standards.*
- *The subject property is within a Agriculture/Residential Rural-X (A/RRX) land use district in the Rural Development Area (RDA) and Southeast Selected Area Plan (SAP). Minimum lot sizes are five (5) acres.*
- *Ordinance 71-03 stated in Section 4, “For the purposed hereof the word “access” shall mean that the plot on which such structure is proposed to be erected directly abuts on such road, street or highway and sufficient frontage there on to allow the ingress and egress of fire trucks, ambulances, police cars and other emergency vehicles, and a frontage of twenty- five feet shall presumptively be sufficient for that purpose.”*

- *On June 26, 1971, the Board of County Commissioners adopted Ordinance 71-03, Section 1, of the ordinance stated “No permit for the erection of any building in the unincorporated area of Polk county shall be issued unless there is a road, street or highway giving access to the lot or parcel upon which such structure would be located...”*
- *On July 11, 1971, a private 6-foot easement between the subject property owners at the time, Robert W. Murray and Pauline I. Murray, and Florida Power Corporation through an easement agreement (O.R. Bk 1388, Pg 235). Six additional easement agreements have been recorded between 1971 and 2008, each varying in width.*
- *On June 10, 1974, Fay M. Pope and George J. Pope Et. Al. sold the subject property through a Fee Simple Deed to Robert. W. Murray according to O.R. Book 1516, Page 782.*
- *The subject property is zoned for Frostproof Ben Hill Griffin Jr. Elementary and McLaughlin Academy of Excellence for Middle/High School.*
- *The subject property is served by the Polk County Sheriff’s Southeast District, located at 4011 Sgt. Mary Campbell Way, Lake Wales. The response times for July 2025 were P1: 13:35; P2: 27:46.*
- *Fire and EMS responses are from Polk County Fire Rescue Station 21 and Fire Rescue Station 12 respectively. Station 21 is located at 14684 US-27, Lake Wales. Station 12 is located at 1385 Fort Meade Rd, Frostproof.*
- *There are no fire hydrants located on Wolfolk Road. The closest accessible fire hydrant is located over 1,000 feet away from the subject property.*
- *The private easement known as Wolfolk Road is over ¼ mile (±3,325 feet, ±0.63 miles) and has no place to turn a vehicle around within the easement. There are numerous driveways, which are used to compete three point turns to turn around. The property owner has confirmed with Fire Rescue that the condition of the easement is sufficient for their operations.*
- *Wetlands and flood hazard areas are found onsite and correspond to the numerous ponds. The closest body of water is Lake Buffam which is ±0.85 miles from the property.*
- *There are no known historical or archeological resources onsite, according to the Secretary of State’s Department of Historical Resources Florida Master Site File.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species documented sighting.*
- *This application has been reviewed for consistency with LDC Sections 705, 906, 932, and Tables 2.1 and 2.2.*

Development Review Committee

Based upon the information provided by the applicant and a recent site visit, the Development Review Committee finds that with the recommended conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Comprehensive

Plan, and Land Development Code. Based upon the findings of fact the Development Review Committee recommends **APPROVAL** of **LDWA-2025-31**.

CONDITIONS OF APPROVAL

1. Approval of this waiver shall allow for one (1) residential building permit on a newly created parcel from parent Parcel No. 273109-000000-033050, as described within the staff report. [PLG]
2. The parcel is subject to the requisite Level 1 Review approval pursuant to Section 705.B of the Land Development Code. [PLG]
3. To allow for the access of emergency vehicles, all easements shall have an unobstructed width of not less than 20 feet. No fencing, landscaping, vehicles, machinery, equipment, or other accessory structures or features which could interfere with the passage of emergency vehicles shall be placed or stored within these 20 feet. [FM]

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: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

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: Approval of this request is only for Level 4 Review and only for those development decisions within the Planning Commission's and Board of County Commissioner's jurisdiction. Upon completion of the Level 4 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

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.

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING WAIVERS SUMMARIZED BELOW:

Note: Below are staff's responses and opinions to the applicant's request relative to demonstrating the criteria for granting a waiver. Since this particular request requires a Level 3 Review approval, it is ultimately the Planning Commission's decision on whether the waiver should be granted and access should be allowed.

1. *Whether the application of the provisions of the Code would cause unnecessary and undue hardship on the use of the property;*

When the lots along Wolfolk Road, a private road easement, were created, the zoning on the property at the time (Rural Conservation, RC) required a minimum of one dwelling unit per acre, and a minimum lot size of 40,000 square feet. The subject site as well as the other properties accessing Wolfolk Road, are at least five (5) acres. As it currently stands, the easement along Wolfolk Road is approximately 3,325 feet or 0.63 miles in length, exceeding the maximum easement length permitted in Section 705.B by over 2,000 feet. The applicant proposes a one-time lot split on the

subject site, and the new lot will meet the minimum lot size requirements for the Agricultural/Residential Rural (A/RR) land use district (5 acres). A variance to road frontage access was approved on February 7, 1978, and granted legal permission to construct a residence on the site. According to LDC Section 822, 50 feet of frontage is required for lots on Local Residential roadways. Given the CSX rail line and public lands surrounding this small neighborhood, the lots in this neighborhood are unable to have frontage on a public roadway. Without this waiver, one additional residence on this lot through subdividing, while meeting the minimum size standards, is not possible. Wolfolk Road has five (5) properties with existing homes accessing Wolfolk Road, including the subject property since at least 1973. There is one additional vacant lot along Wolfolk Road owned by the property owner, so the maximum buildout could potentially be seven (7) homes.

2. *Whether the waiver granted is the minimum adjustment that will make possible the reasonable and permitted use of the property;*

The ability to acquire a building permit for a new home is tied to having access to a County roadway per Section 705.B. This will be the minimum requirement in order to construct a residence on the property. The width of the easement varies in width and the County Surveying Division has confirmed it meets the average minimum LDC requirements (20 ft.). As previously mentioned, the applicant can choose not to subdivide and build a home on the adjacent property, however they would still need to go through the waiver process. Denial of this waiver request would leave the adjacent property owned by the applicant vacant in perpetuity as there does not appear to be any other actions the applicant could take to make the lot buildable.

3. *Whether the granting of the waiver will be in harmony with the general intent and purpose of this Code and that such waiver will not be injurious or detrimental to the public health, safety or welfare by, without limitation, creating unsafe traffic conditions or cause increased maintenance expenses in connection with the subdivision improvements;*

The assurance of safe access is one of the key issues for the Planning Commission to consider when evaluating requests for access via easement. The property in its current form was created in 1973, three years after the adoption of the zoning ordinance in 1970 and over one year after the Subdivision Regulations in 1971. The road frontage requirement at the time was 25 feet on a publicly maintained road. In 1978, the Board granted a variance for the subject site in order to construct a single-family residence without having direct public roadway frontage (Case # 78-11). The maximum development impacts from this request are de minimus.

Another issue is whether the easement is becoming overburdened, which is why these decisions are required to have a public hearing. The applicant has met with Polk County Fire Rescue and has confirmed that there is sufficient ingress and egress on Wolfolk Road and the easement is adequate in order to provide service to the residents living along it. Conditions of approval will ensure no obstacles prevent access by emergency vehicles. The amount of traffic generated by this subdivision will not create unsafe traffic conditions outside of the development.

4. *The granting of the waiver will not likely result in setting a precedent for a similar waiver request in the area; and*

The subject property already received approval by the Board for waiving public road frontage access in 1978 thereby already establishing a precedent (Case #: 78-11). Besides this request, there is room for one additional unit to be developed on a 5-acre vacant property which was purchased by the

same landowners. This unit will have a de minimus impact on any infrastructure in the neighborhood. The access easement is mostly built out and the neighborhood is surrounded by large tracts owned by the County or SWFMD.

5. *Whether all other avenues of relief have been exhausted.*

The hardship was placed on the property by the original owner by creating a property without direct public roadway frontage. The easement standards outlined in the LDC including width, stabilization, and grade were not required when the easement was recorded in the 1970s. Correspondence with the County Surveying Division has confirmed that while the easement width varies, the average width exceeds the 20-foot minimum. Further, the applicant has met with representatives from Polk County Fire Rescue and have confirmed that the access provides sufficient ingress and egress in order for them to serve the residents of the neighborhood.

Surrounding Land Use Designations and Current Land Use Activity:

The residential properties along Wolfolk Road have been in existence since at least 1973. Wolfolk Road was created as a private easement around 1971 with an agreement made between the property owner at the time and Florida Power (O.R. Bk 1388, Pgs 235 & 237). The first residence began utilizing Wolfolk Road for access sometime in 1973 (3840 Wolfolk Road) without a variance to road frontage. The subject site followed shortly thereafter with a 1,336 sq. ft. single-family home constructed in 1978 after being granted approval of a roadway frontage variance by the Board in 1978 (Case #: 78-11). Besides the five (5) existing properties which use Wolfolk Road for access, one additional lot is owned by the applicant and is approximately 6.7 acres. The remaining parcels in the immediate area to the north, south, and west across the rail line are publicly owned by the Southwest Florida Water Management District or Polk County. Directly to the west across the CSX rail line is a vacant lot subdivision, Lake Buffum Acres. The 6-lot subdivision was recently platted in April 2025 (P.B. 214, Pgs 28-29). Prior to this, the surrounding lands were used for citrus groves and vacant undisturbed lands.

Table 1

| | | |
|--|---|---|
| Northwest: Agriculture/Residential Rural-X (A/RRX) Vacant land owned by subject property ± 6.7 acres | North: Agriculture/Residential Rural-X (A/RRX) Polk County ± 593.5 acres | Northeast: Agriculture/Residential Rural-X (A/RRX) Polk County ± 593.5 acres |
| West: Agriculture/Residential Rural (A/RR) Polk County & CSX Rail Line ± 30 acres | Subject Property: Agriculture/Residential Rural-X (A/RRX) 1,336 sq. ft. single-family residence ± 33.23 acres | East: Agriculture/Residential Rural-X (A/RRX) Polk County ± 464.73 acres |
| Southwest: Agriculture/Residential Rural (A/RR) Vacant land & CSX Rail Line | South: Agriculture/Residential Rural-X (A/RRX) Four (4) residential parcels accessing Wolfolk Road | Southeast: Agriculture/Residential Rural-X (A/RRX) Polk County ± 464.73 acres |

Compatibility with the Surrounding Land Uses:

The proposed use is believed to be compatible with adjacent land uses. The residential density in this area is relatively sparse and the lots on Wolfolk Road are similar in size. The five (5) residences to the south, including subject site, have coexisted for nearly fifty years, which addresses the co-location factor. Much of the surrounding area besides the lots along Wolfolk Road is vacant land owned by the Southwest Florida

Water Management District or Polk County. Further west, large residential lots dart the banks of Lake Buffum. The closest city is Frostproof, located about seven (7) miles southeast of the subject property.

Urban Services and Infrastructure Analysis

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. From an area wide perspective, a single unit will not disrupt the County's ability to maintain the current standards for traffic on public roads, schools or recreation facilities.

Table 2, below, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, the proposed request is not anticipated to create any significant demand on these services.

Table 2

| Urban Services and Infrastructure Summary | |
|--|---|
| Schools (Zoned) | Frostproof Ben Hill Griffin Jr. Elementary McLaughlin Academy of Excellence (Middle/High School) |
| Parks | Lake Buffum Boat Ramp (±3.2 miles). Little Crooked Lake Ramp (±4.4 miles). Fewox Park in Frostproof (± 6.86 miles). |
| Sheriff | Polk County Sheriff's Southeast (SE) District, located at 4011 Sgt. Mary Campbell Way, Lake Wales. The response times for July 2025 were: Priority 1: 13:35 Priority 2: 27:46 |
| Fire | Polk County Fire Rescue Station 21, 14684 US-27, Lake Wales. (±7.6 miles) Response time: 18-22 minutes. No objection. |
| EMS | Polk County Fire Rescue Station 12, 1385 Fort Meade Rd, Frostproof. (±12.2 miles) Response time: 24-28 minutes. No objection. |
| Water | Well (Proposed) |
| Sewer | Septic (Proposed) |
| Transportation (Public Road) | Lake Buffum Road East (Road No. 171901) – Rural Minor Collector (RNC) |

Table 3

| Impact Analysis Summary Proposed Use : One Single-Family Home | | | |
|--|--------------------------|--------------------|-------------------------|
| Potable Water Impact | Wastewater Impact | AADT Impact | Peak Hour Impact |
| 360 GPD (on-site well) | 270 GPD (on-site septic) | 7.81 AADT | 1 trip |
| <i>Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a single-family home will consume 360 GPD and generate 270 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates for single-family homes. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.</i> | | | |

Environmental Conditions Analysis

There are no known environmental conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). The site has flood zones and wetlands which correspond to the small ponds scattered throughout. The subject property is not located within any of the County's identified wellhead protection areas; the subject site is not located within an identified protected species area. The soil on the property is not of such that would limit compliance with applicable Land Development Code regulations for the proposed use. In addition, the subject property is not located within a Historical Preservation area.

Table 4

| Environmental Conditions Summary | |
|---|---|
| Surface Water | Small ponds scattered throughout |
| Wetlands/Floodplains | Flood hazard areas and wetlands dotted throughout corresponding to small ponds |
| Soils | Smyrna and Myakka Sands; Ona Fine Sand; Immokalee Sand |
| Protected Species | The subject property is not located within a one-mile radius of an endangered plant or animal species sighting (Source: Florida Natural Areas Inventory Biodiversity Matrix). |
| Wellfield Protection | The site is not located within a wellfield protection area. |
| Historical Preservation | The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources. |
| Airports | The site is not within proximity to any public airports. |

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5 in accordance with Section 906.D.7 of the LDC.

Table 5

| The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC: | |
|---|---|
| Whether the proposed development is consistent with all relevant requirements of this Code; | <i>Yes, this request is consistent with the LDC, specifically Sections 705.B and 932 which permit this Waiver upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 3-4 of the staff report.</i> |
| Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan; | <i>Yes, this request is consistent with the Comprehensive Plan, as reviewed above.</i> |
| Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and | <i>Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 7-8 of this staff report for data and analysis on surrounding uses and compatibility.</i> |
| How the concurrency requirements will be met if the development were built. | <i>This request will not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Page 8 of the staff report.</i> |

Comments from other Agencies:

Fire Marshall:

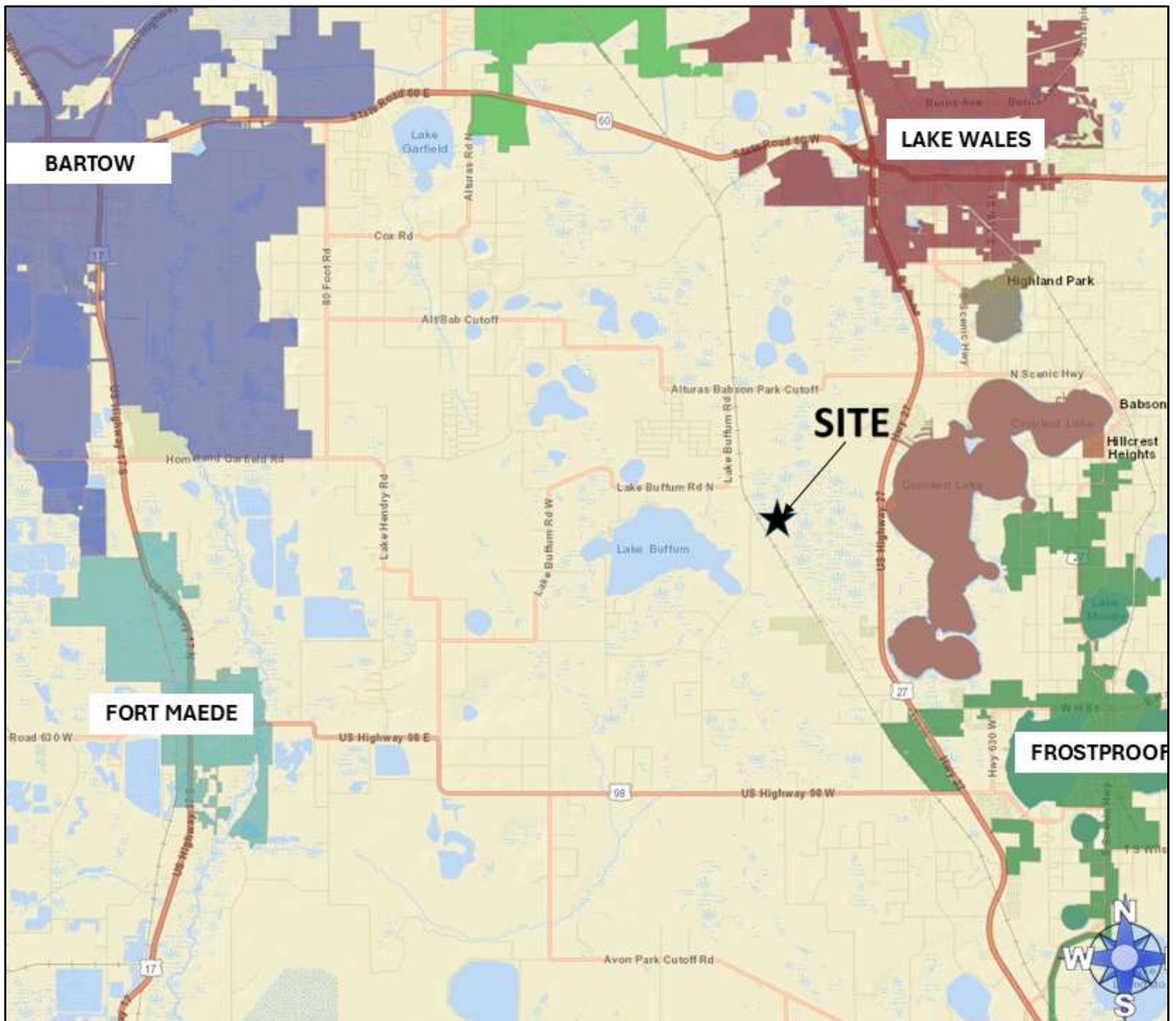
"This location does have Fire/EMS access all the way through. Width and stabilized road [for sufficient ingress and egress]"

County Survey:

The easement sufficient in width, averaging about 20 feet, taken over the span of the entire easement.

Exhibits:

- Exhibit 1 – Location Map
- Exhibit 2 – Future Land Use Map
- Exhibit 3 – 2023 Aerial Photo (Context)
- Exhibit 4 – 2023 Aerial Photo (Close-up)
- Exhibit 5 – Survey
- Exhibit 6 – Site Plan



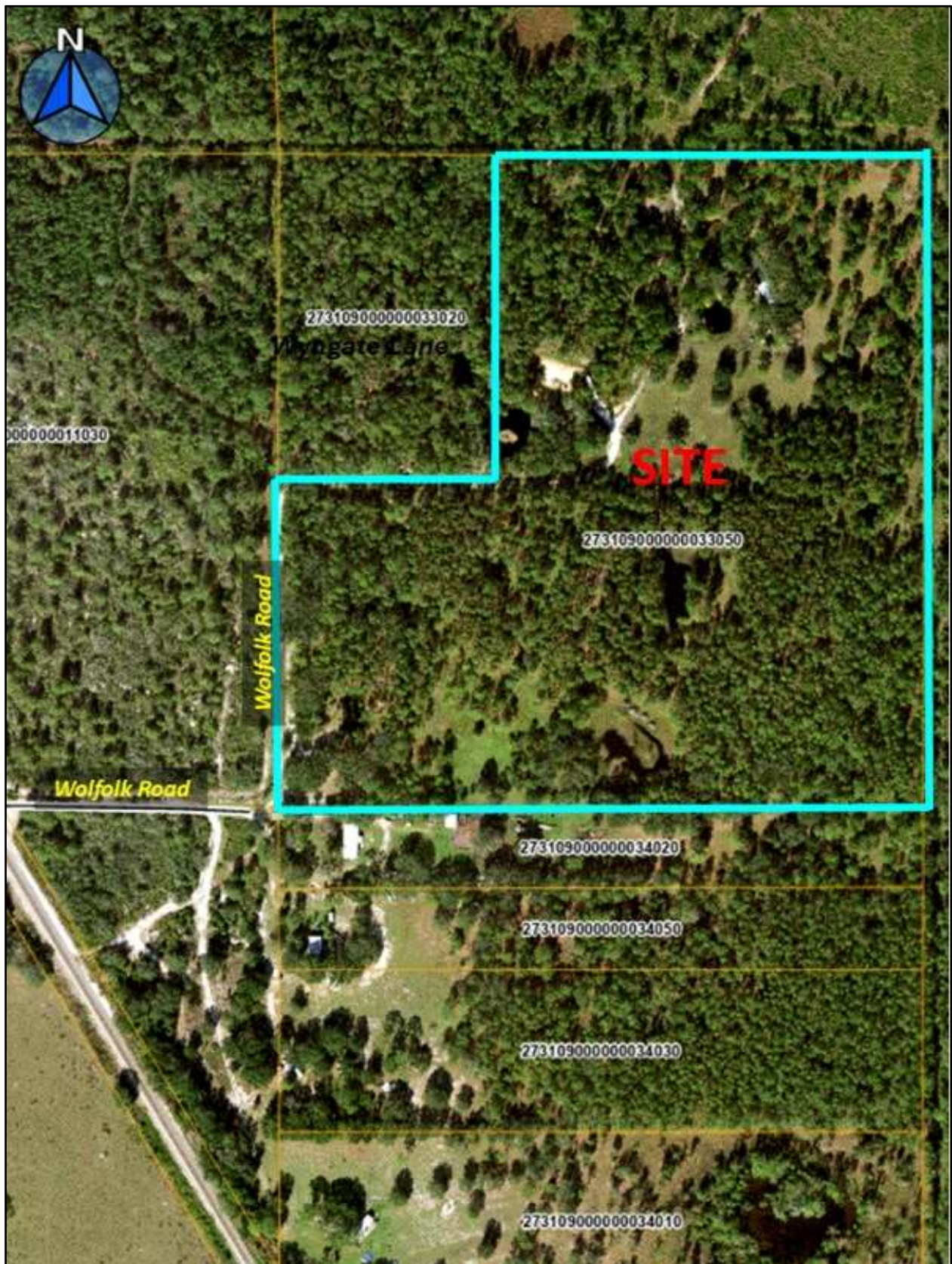
Location Map



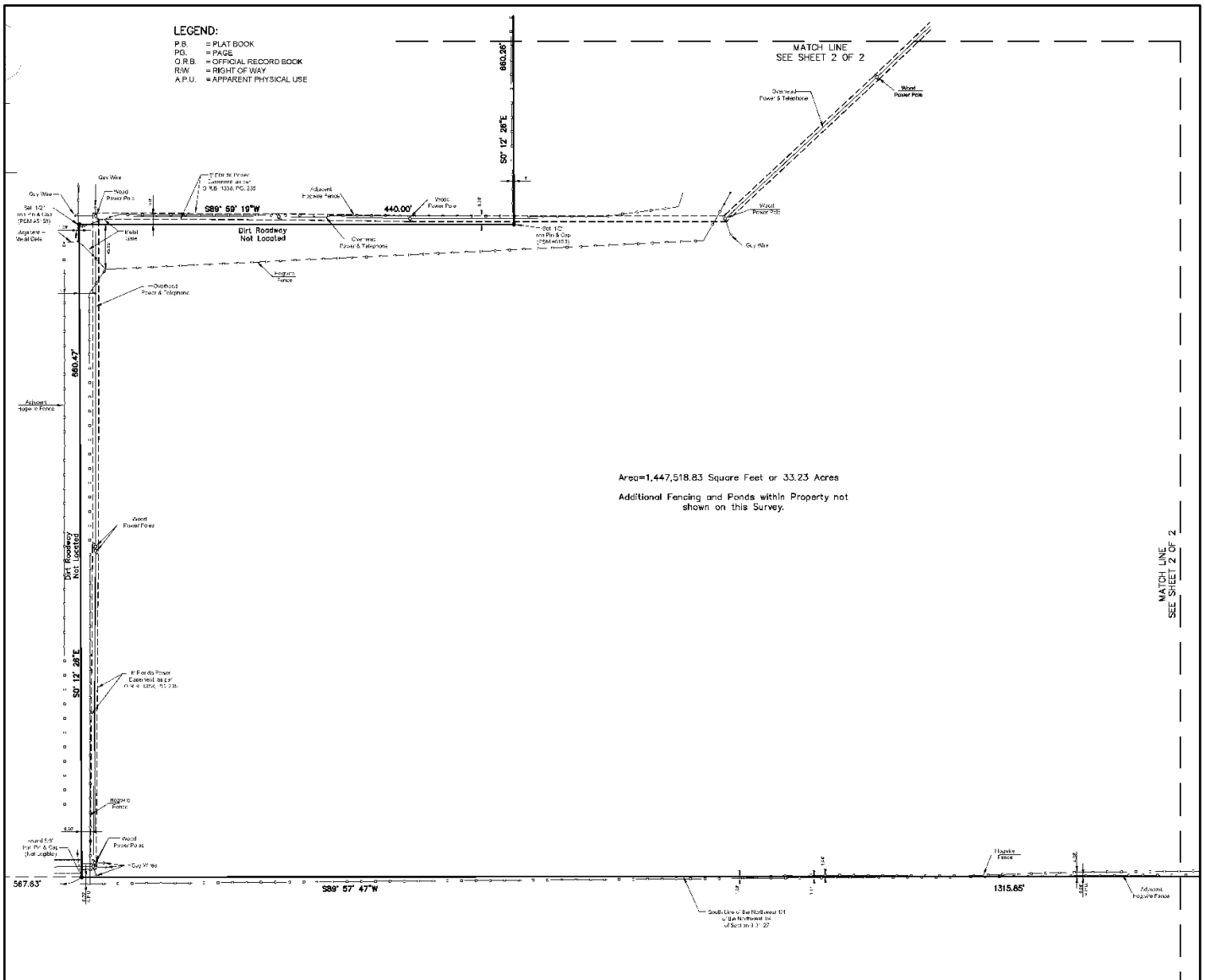
Future Land Use Map



2023 Aerial Image (Context)



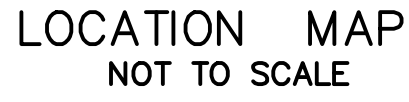
2023 Aerial Image (Close-up)



Survey



Site Plan



LEGAL DESCRIPTION:

Legal 3
All of the North 1/2 Northwest 1/4 of the Northwest 1/4 of Section 9, Township 31 South, Range 27 East,
Less the East 220 feet thereof and less the West 440 feet thereof, Polk County, Florida.

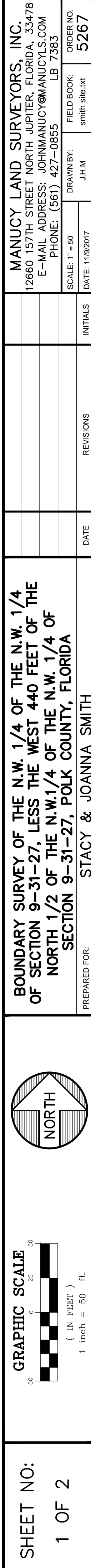
I hereby certify to the best of my knowledge and belief that this drawing is a true and correct representation of the boundary survey of the real property described hereon. I further certify that this boundary survey was prepared in accordance with the applicable provisions of Chapter 5J-17 Florida Administrative Code.

Date : 11/9/17
John H. Manucy Jr., P.S.M.
Professional Surveyor & Mapper No. 5158
State of Florida.

- 1) The Legal Description was provided by PolK County Property Appraisers Office Official Records Book 9240, Pages 484/485.
- 2) Type of Drawing: BOUNDARY SURVEY
- 3) Bearings shown hereon are based on the North Line of Section 9, Township 31 South, Range 27 East as shown on the Boundary Survey of Bowlegs Creek, prepared by GCY, Inc. under File & Drawing No. 08-1047-01-01 and Dates July 2008 and is assumed to bear N.89°59'04" W.
- 4) Elevations are based on: N/A
- 5) Bench Mark Used: N/A
- 6) Reproductions of this Drawing are not Valid unless embossed with the official Seal of the above Surveyor.
- 7) Contact the appropriate authority prior to any design work on the herein described parcel for Building and Zoning information.
- 8) This BOUNDARY SURVEY, has been prepared for the exclusive use of the entities named hereon. The Certificate does not extend to any unnamed party:
 - a. Stacy & Joanna Smith
 - b. Kenneth B. Evers, P.A.
 - c.
- 9) Property Address:
3890 Wolfolk Road
Fort Meade, Florida.
- 10) Flood Zone "X"
Base Flood Elev. = N/A
FEMA Panel Number: 12105C-0720G
Date: December 22, 2016
- 11) Underground foundations and/or footings that may cross beyond the boundary lines of the parcel herein described are not shown.
- 12) All bearings and distances shown hereon are record and measured unless otherwise shown.

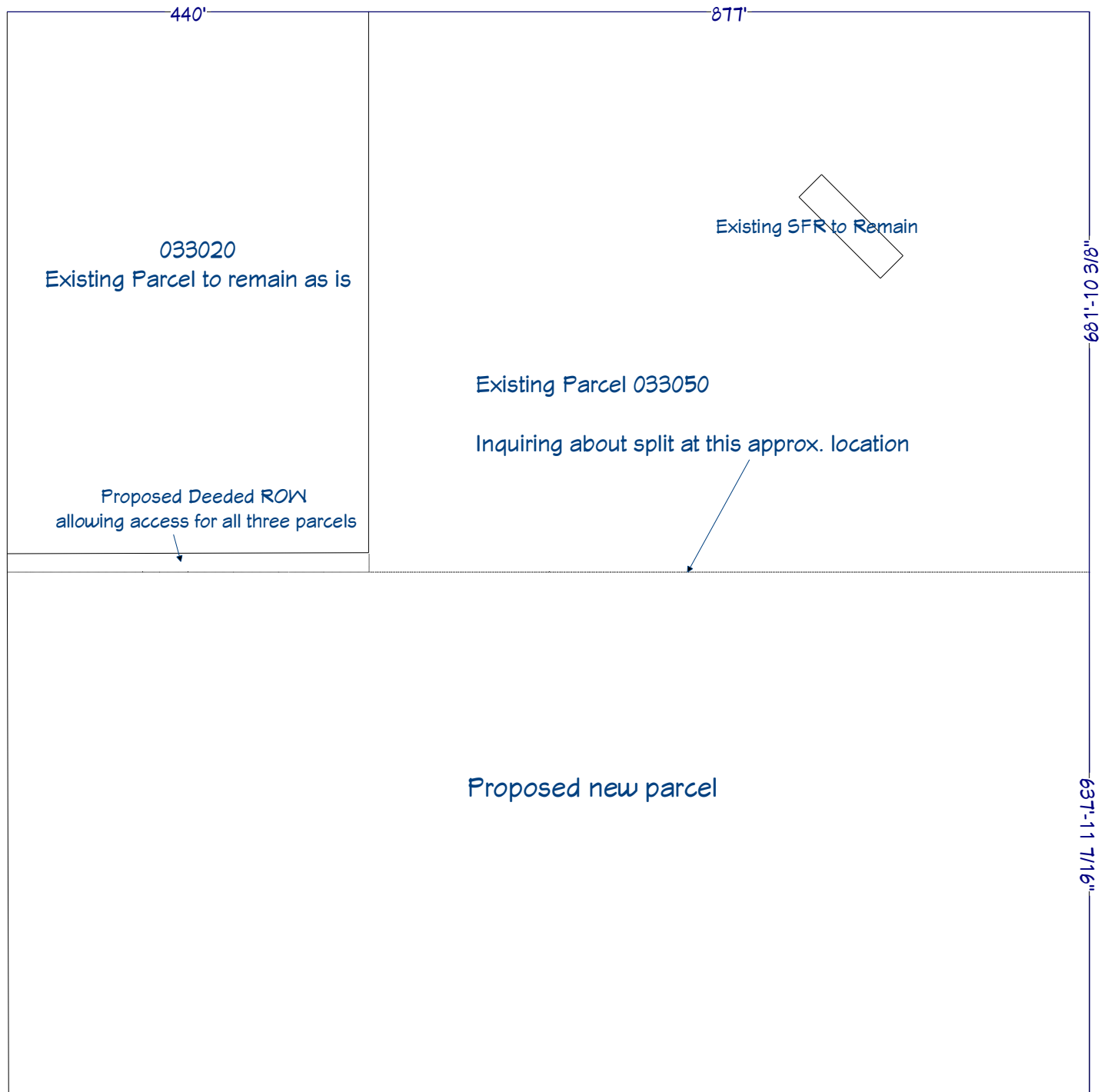
LEGEND:

| | |
|--------|-------------------------|
| P.B. | = PLAT BOOK |
| PG. | = PAGE |
| O.R.B. | = OFFICIAL RECORD BOOK |
| R/W | = RIGHT OF WAY |
| A.P.U. | = APPARENT PHYSICAL USE |



Bear Oak Ranch
3890 Wolfolk Road,
Fort Meade, FL 33841

PROPOSED PARCEL SPLIT



Re: LDWA-2025-31 - Wolfolk Rd Easement

From Shireman, Kevin <kevinshireman@polk-county.net>

Date Fri 8/22/2025 9:06 AM

To Grohowski, Andrew <andrewgrohowski@polk-county.net>; Turner, Kim <kimturner@polk-county.net>

Cc Burnett, David <davidburnett@polk-county.net>

Hello, good morning, Everyone!

Done.

This location does have fire/ems access all the way through. Width and stabilized road.

Actually, I met and spoke with Mr. Smith- we discussed cutting the low hanging tree branches 14' in height.

Let me know if you need anything else-

Respectfully- Shireman

Get [Outlook for iOS](#)

From: Grohowski, Andrew <andrewgrohowski@polk-county.net>

Sent: Friday, August 22, 2025 8:30 AM

To: Turner, Kim <kimturner@polk-county.net>; Shireman, Kevin <kevinshireman@polk-county.net>

Cc: Burnett, David <davidburnett@polk-county.net>

Subject: Re: LDWA-2025-31 - Wolfolk Rd Easement

Thank you! I understand the applicant may reach out to Fire for confirmation on sufficient roadway access as well.

Chief Shireman, if someone does go to confirm, please let me know.

Thanks again and happy Friday everyone!

Andrew Grohowski

Planner II | Land Development Division

Polk County Board of County Commissioners

330 W. Church Street | 863-534-6412 | 863-534-6407 (fax)

P.O. Box 9005, Drawer GM03 | Bartow, FL 33831-9005



[EXTERNAL]: LDWA-2025-31 - Fire Marshall

From Joanna Smith <bearoakranch@gmail.com>

Date Tue 8/26/2025 5:20 AM

To Grohowski, Andrew <andrewgrohowski@polk-county.net>

You don't often get email from bearoakranch@gmail.com. [Learn why this is important](#)

Good Morning Andrew,

Deputy Chief Fire Marshall Kevin Shireman met with my husband Stacy Smith on Friday 8/22/2025. He reviewed the ingress / egress to the properties pertaining to this application and stated that the access is sufficient for their needs.

Should it be needed, we have historical photographs of the PC Fire Dept. using our access and rear gates to support fire control methods on the SWFMD property adjacent to ours.

I am sure he will post results of the visit but I just wanted to follow up on our conversation from last week and let you know the progress on our end.

Best regards,

Jody Smith

Bear Oak Ranch, LLC

561-722-1613

Road Variances (Variances) Fe
Case # 78-11
13203291

1991 Plat Book

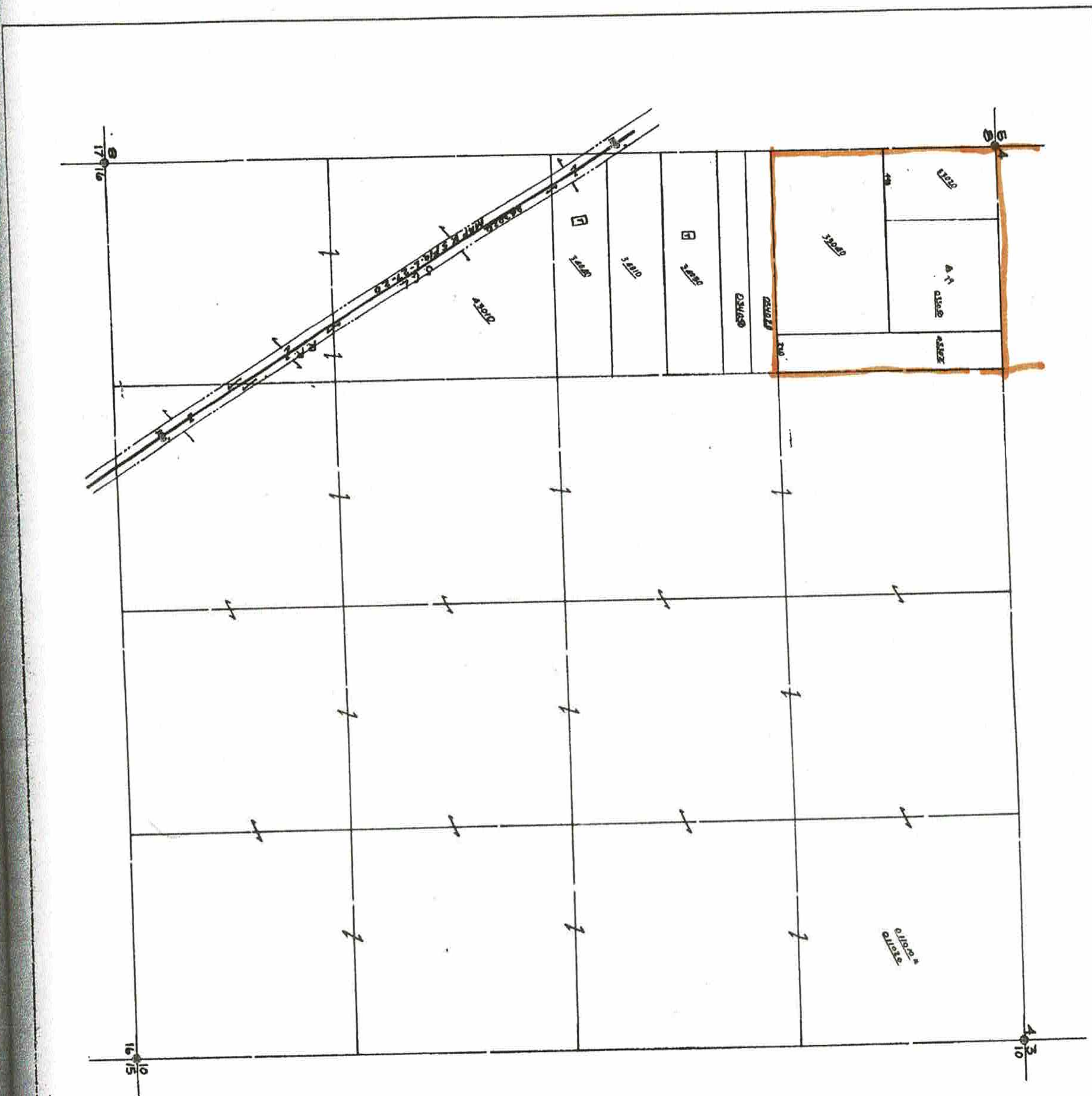
9. 2282

Sec. 9, Twp. 31, R. 27

Area 637.50'
Acres No. 0100
Mileage
City

SCALE: 1"=400'

PREPARED BY THE
OFFICE OF
JAMES L. CUDEN
MILK COUNTY ASSESSOR



Notice of Privately Maintained Access.

filed on 6th Common under old road VAR.

| Date of Hearing | Applicant and Address | Legal Description of Property | Disposition |
|-----------------|---|---|--|
| Feb 7 | Steve Grimsley Winter Haven | Clog Rd 23-28-27 | Case # 78-10 approved B 199328 |
| Feb 7 | Robert Murray Rt 1 Box 238 AB St Meade 638-1855 | off Buffum Road Parcel # 33010 ? 9-31-27 | Case # 78-11 approved B 203291 |
| Feb 14 | Kenneth R. Washburn Kathleen | Robbins Rd. 20 27 23 | Case # 78-12 approved B 199744 |
| Feb 14 | T. Sestruick 607 B. W. Robinson St Bradenton W.M. Cleveland | off ^{old} Prairie Mine Rd. Parcel # 041020 2 30 23 | Case # 78-13 B 200628 with conditions. |
| Feb 14 | D.A. Paul Rt 2 Box 62 Compano Beach | Hillside Lane (Wilson Ave) 33 30 28 | Case # 78-14 Denied Approved 8-8-78 |
| Feb 21 | Ms. Melchod Couson 114 Sears Lk. Dr. Winter Haven 299-8385 299-3655 | off SR 60 4 lots - 35 29 25 Parcel # 42050 | Case # 78-15 Denied |
| Feb 21 | Teddy Casey 4722 1st Ave Auburn Dale | Sparrow Lane 6 28 25 | Case # 78-16 Approved B 200157 |
| Feb 28 | Avery E. Coleman 900 Cohasset Lake Wales | Private Rd 29 29 28 | Case # 78-17 B 200601 |
| Feb 28 | M. L. Baggett 655 Lorraine Cir Lake Wales | off Lake Reedy Blvd 12 32 28 | Case # 78-18 approved B-201283 |
| Feb 28 | Louis E. Mesmer 530 Pracey Rd. Lakeland | Pracey Rd 024010 1 27 23 | Case # 78-19 approved |
| Mar 7 | Walter Bills 3 Candlelight Lakeland | off Masterpiece Rd. 30 29 28 | Case # 78-20 Filed 3-28-78 |

1/13/87
384468
\$500.00 CH 5615
CH 53351

12/12/78

NOTICE OF PRIVATELY MAINTAINED ACCESS

NOTICE IS HEREBY GIVEN that the hereinafter described parcel of land in Polk County, Florida does not have public access from a county or publicly maintained road and that the route of access to and from said parcel is not maintained with public funds and that neither Polk County nor any other unit of government has any obligation to construct or maintain such access route and that such maintenance of the access route as may be needed in the future shall be performed solely at the expense of the occupants of said parcel;

The South 1/2 of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 31 South, Range 27 East, lying and being in Polk County, Florida, less and except the East 220 feet thereof, together with all easements appurtenant thereto.
SUBJECT TO easements, covenants and restrictions of record, if any, and the real property taxes for 1986 and subsequent years.

9-31-27-000000-033040

This Notice does not constitute a representation that lawful access to the parcel exists.

IN WITNESS WHEREOF the undersigned owner (s) have/has executed this Notice and cause the same to be recorded in the public records of Polk County, Florida, on the 13 day of January, 1987.

FILED, RECORDED AND
RECORD VERIFIED
E.D. 'Bud' DIXON, Ck. Clk. Ch.
POLK COUNTY, FLA.
BY [Signature] D.A.

[Signature] (SEAL)
Robert W. Murray

(SEAL)

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me this 13 day of JAN., 1987 by Robert W. Murray.

(NOTARIAL SEAL)

[Signature]
Notary Public
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA.
MY COMMISSION EXPIRES: NOV. 16, 1990.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

Building Department
Will call for
Recording Dept

LDWA-2025-31 - Bear Oak Ranch, LLC - Joanna Smith

Menu

Reports

Help

Application Name:

Bear Oak Ranch, LLC - Joanna Smith

File Date:

07/08/2025

Application Type:

BOCC-Waiver

Application Status:

Approved for Hearing

Application Comments:

View ID

Comment

Date

Description of Work:

Request to split parcel 27-31-09-000000-033050 as per attached detail to allow construction of new SFR on new parcel. Include easement and ROW access to parcels 27-31-09-000000-033050 & 27-31-09-000000-033020.

Application Detail:

Detail

Address:

3890 WOLFOLK RD, FORT MEADE, FL 33841

Parcel No:

273109000000033050

Owner Name:

BEAR OAK RANCH,LLC

Contact Info:

Name

Organization Name

Contact Type

Contact Primary Address

Status

Joanna Smith

Engineer

Mailing, 3890 Wolfolk ...

Active

Licensed Professionals Info:

Primary

License Number

License Type

Name

Business Name

Business License #

Job Value:

\$0.00

Total Fee Assessed:

\$1,106.00

Total Fee Invoiced:

\$1,106.00

Balance:

\$0.00

Custom Fields:

LD, BOCC, WAIV

GENERAL INFORMATION

Expedited Review

Number of Lots

—

Acreage

33.3

Will This Project Be Phased

No

DRC Meeting

08/07/2025

DRC Meeting Time

—

Rescheduled DRC Meeting Time

—

Rescheduled DRC Meeting

—

Green Swamp

No

Number of Units

0

Case File Number

No

Is this Polk County Utilities

—

One Year Extension

FS 119 Status

—

Non-Exempt

WAIVER

Is this waiver related to an existing project?

Existing Project Number

Yes

LDASE-2025-16

Provided Justification from Section 932A.1-5

BOA Hearing Date

Yes

—

PUBLIC HEARINGS

Development Type

Application Type

Board of County Commissioners

Waiver

Variance Type

Brownfields Request

—

NA

Affordable Housing

ADVERTISING

Legal Advertising Date

BOCC1 Advertising Date

9/17/2025

9/17/2025

BOCC2 Advertising Date

Advertising Board

—

Board of County Commissioners

MEETING DATES

Community Meeting

Planning Commission Date

—

10/1/2025

1st BOCC Date

2nd BOCC Date

—

—

HEARING

PC Hearing Results

PC Vote Tally

—

—

BOCC 1st Hearing Results

BOCC 1st Vote Tally

—

—

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

—

—

FINAL LETTER

Denovo Appeal

Denovo Results

—

—

Denovo Tally

APPLICABILITY AND CRITERIA FOR WAIVERS

What is the hardship if the Waiver is not approved?

The hardship, if the waiver is not approved, would be the owners inability to build a SFR on the requested new parcel. This would result in the owners not having an equal and proportionate use of their land in comparison to adjacent parcels and the land use code.

Is this the minimum relief for the reasonable use of the land?

Yes, the proposed parcel will still be substantially larger than the minimum parcel size for the proposed use as required by code.

Will the Waiver be injurious to the area involved or detrimental to the public welfare?

No, there will be no additional impact on the area or public welfare.

Will the Waiver create future maintenance obligations for the County?

No, the easement is a privately maintained access and has been since its inception in 1978.

Will the Waiver result in setting a precedent for a similar waiver request in the area?

No, precedent has already been set by the 5 existing residences currently using said easement, one of which is located on the existing parcel requesting the split.

Have all other avenues of relief been exhausted?

Yes, there are no other avenues of relief.

LD, BOCC, WAIV, EDL

Opening DigEplan List...

DigEplan Document List

Open

PLAN REVIEW FIELDS

TMPRecordID

DocumentGroupforDPC

RequiredDocumentTypes

POLKCO-REC25-00000-00RS7

DIGITAL PROJECTS LD

—

| | | |
|--|--|--------------|
| RequiredDocumentTypesComplete Yes | AdditionalDocumentTypes Applications AutoCad File Binding Site Plans /PDs Yes and CUs CSV Calculations Correspondence Desio n Drawings Flood/Traffic Studies Impact Statement Inspections Miscellaneous Plate Record Drawings Response Letter Resubmittal Complete Staff Repor t/Approval Letter Survey Title Opinion Digital/SigCheck Yes | Activate DPC |
| Activate FSA Yes | | |

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan LU Code

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

WAIVER SECTION

LDC Chapters Waiver Section

[Chapter 7](#) 705 Site Access

PUBLIC MAILERS

| Posting Board | Number of Boards (Number) | Number of Mailers (Number) | Date Mailed | Date Posted | NOR |
|--------------------|---------------------------|----------------------------|-------------|-------------|-----|
| PC | 2 | 15 | 09/17/2025 | 09/17/2025 | No |

| Workflow Status: | Task | Assigned To | Status | Status Date | Action By | |
|--------------------------------|---------------------------------------|-------------------|-----------------|-------------|-------------------|-----------|
| | Application Submittal | | Application ... | 07/14/2025 | Juana Bustos | |
| | Roads and Drainage Review | | | | | |
| | School Board Review | | | | | |
| | Surveying Review | Noelle S Colaanni | Approve | 07/28/2025 | Noelle S Colaanni | |
| | Engineering Review | Brad De Neve | Approve | 08/07/2025 | Brad De Neve | |
| | Fire Marshal Review | Kim Turner | Approve | 07/15/2025 | Kim Turner | |
| | Planning Review | Andrew Grohowski | Approve | 08/20/2025 | Andrew Grohowski | |
| | Review Consolidation | Lyndsay Rathke | Approved for... | 08/29/2025 | Lyndsay Rathke | |
| | Staff Report | | | | | |
| | Public Notice | | | | | |
| | Planning Commission | | | | | |
| | BOCC Hearing | | | | | |
| | Final Letter | | | | | |
| | DEO Review | | | | | |
| | Second BOCC Hearing | | | | | |
| | Archive | | | | | |
| Condition Status: | Name | Short Comments | Status | Apply Date | Severity | Action By |
| Scheduled/Pending Inspections: | Inspection Type | Scheduled Date | Inspector | Status | Comments | |
| Resulted Inspections: | Inspection Type | Inspection Date | Inspector | Status | Comments | |

**POLK COUNTY PLANNING COMMISSION
FINAL ORDER**

Case Number: LDWA-2025-31 Bear Oak Ranch Waiver

Applicant: Joanna Smith

Property Owner: Bear Oak Ranch LLC

Hearing Date: October 1, 2025

I. Request:

Waiver to Section 705.B for approval for a residential lot with access through a private road easement accessed by more than four lots and is over ¼ mile in length.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 application, consider the following factors:
 - a. Whether the proposed development is consistent with all relevant requirements of this Code;
 - b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
 - c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
 - d. How the concurrency requirements will be met if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, Sections 303 and 906.
3. The Application is consistent with all applicable policies of the Comprehensive Plan.
4. The Application is compatible with surrounding uses and the general character of the area.
5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 1st day of October **2025**, by the Polk County Planning Commission.

Polk County Planning Commission

ATTEST:

By: _____
Robert Beltran, Chair

By: _____
Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order

Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)



Polk County
Planning Commission

Agenda Item 3.

10/1/2025

SUBJECT

LDWA-2025-29 (McStuckers Ranch Access Waiver)

DESCRIPTION

Charles Brooker requests approval for up to 10 single family lots to have access via an existing shared access easement on ± 157.84 acres within an Agriculture/Residential Rural (A/RR) future land use district. The subject site is located at 6472 Cox Road, north of Alturas Babson Park Cutoff, south of State Road 60, east of US Highway 17, west of US Highway 27 in Section 08, Township 30, Range 26.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

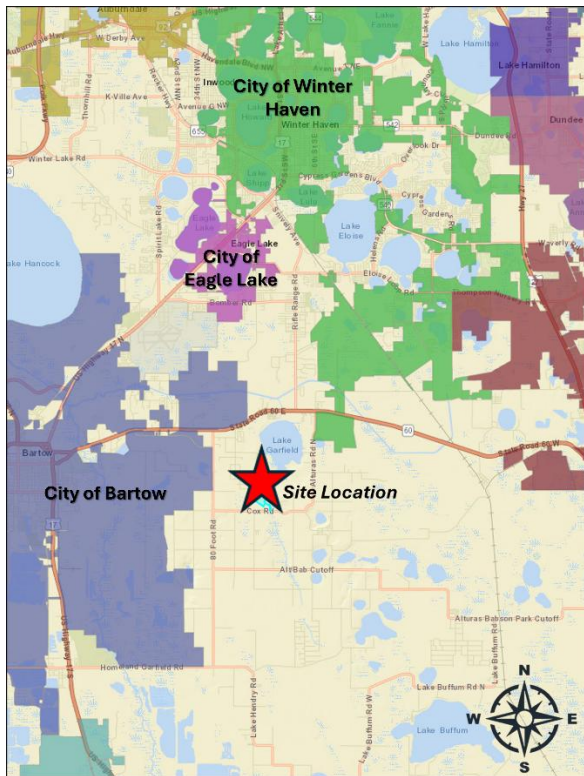
No fiscal impact.

CONTACT INFORMATION

Kyle Rogus, Planner I
Land Development Division
863-534-7553
kylerogus@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | |
|-----------------------------------|--|
| DRC Date: | July 31, 2025 |
| Planning Commission Date: | October 1, 2025 |
| Applicant: | Charles Brooker |
| Level of Review: | Level 3 Review, Access Via Easement |
| Case Number and Name: | LDWA-2025-29 McStucker's Ranch Easement |
| Request: | The applicant is requesting approval for up to 10 single family lots to have access via an existing shared access easement on ±157.84 acres within an Agriculture/Residential Rural (A/RR) future land use district. |
| Location: | The subject site is located at 6472 Cox Road, north of Alturas Babson Park Cutoff, south of State Road 60, east of US Highway 17, west of US Highway 27 in Section 08, Township 30, Range 26. |
| Property Owner: | McStucker's Ranch LLC |
| Parcel Numbers, Size: | ±157.84 acres Parcel IDs (#263008-692971-000050) |
| Development Area/Overlays: | Rural Development Area (RDA) |
| Future Land Use: | Agricultural/Residential Rural-X (A/RRX) |
| Nearest Municipality | Bartow |
| DRC Recommendation: | Approval |
| Planning Commission Vote: | Pending Public Hearing |
| Case Planner: | Kyle Rogus, Planner I |



Location



Context Aerial

Summary of Analysis:

The applicant is proposing the future subdivision of 6 additional lots, creating a total of 10 lots to access off the existing easement, exceeding a maximum four (4) lots and the 0.25 mile maximum allowable by Land Development Code (LDC) standards. The existing four (4) lots were approved administratively. Lots 1, 2, 4, and 5 have shared access via easement, while lot 3 has its own access directly to Cox Road. Pursuant to Land Development Code 705.B that exceeds the four (4) lot maximum and ¼ mile length.

To be eligible for admin. Approval the easement must:

1. *Provide access to no more than four (4) lots;*
2. *Be at least 20 feet wide; and,*
3. *Be no longer than a ¼ mile;*
4. *Provide for sufficient ingress and egress for fire trucks, ambulances, police cars and emergency vehicles; and*
5. *Be supported by the joinder and consent of all fee owners under easements to the use of the easement by the subject parcel(s). If joinders are provided for the easement, it shall be accompanied by an ownership and encumbrance report based on the legal description of the easement. In lieu of joinders, an applicant may provide a legal opinion from a licensed Florida attorney stating a lot has legal access, along with supporting documentation.*

Typically, an administrative Level 1 Review is used to determine eligibility; however, in this instance, the easement may provide access to more than four (4) lots and exceed ¼ of a mile. According to LDC Section 705.B.1.b, the Planning Commission may grant a waiver through the Level 3 Review process to overcome the number of lots and road length maximum.

This review is to determine the extent to which an access easement can accommodate the usage proposed. There are many variables that separate one easement from another. These include, but are not limited to, the condition of the easement, how the surface is constructed, maintenance and sustainability, public input derived at a public hearing, and the amount of additional use proposed. It is these factors, as well as the waiver criteria in Section 932.A (1-5), that are to be considered. The Planning Commission will ultimately decide whether or not to approve the waiver request.

Through the Development Review Committee (DRC) process, Land Development staff recommends approval of this application with the conditions listed on Page 4 of this staff report. The existing easement is approximately 1,320 linear feet, or 0.25 miles, with a 50-foot-wide unpaved drive access off Cox Road. The McStucker's Ranch Plat has already been assigned 5 total lots, all meeting the minimum residential lot area of 5 acres in the Agriculture/Residential Rural (A/RRX) land use district. Lot 5 in question is approximately 157.84 acres. If subdivided in accordance with the requirements of the Land Development Code (LDC), the parcel can create 31 new residential lots. None of the existing lots prevent its use by emergency services or create an incompatible situation with neighbors. The maintenance of the easement is a private matter between the users. Furthermore, staff finds the request satisfies the LDC Waiver criteria found in Section 932. To provide frontage for each new property and meet LDC requirements would create an encumbrance on the remainder of the parcel. If this Waiver is approved, a Level 1 Review will be necessary when the applicant (s) applies for a building permit to ensure the easement meets the standards proposed and the approved conditions.

Findings of Fact

- *The applicant is requesting approval of a waiver to LDC Section 705.B necessary to allow the issuance of a building permit for up to ten single-family homes on properties that gain access solely via an easement that exceeds ¼ mile.*
- *The subject property is recorded as Parcel ID #263008692971000050. It is approximately 157.84 acres and vacant.*
- *The existing easement has 50 feet of frontage along Cox Road. Access easements require a minimum 20 foot width.*
- *Per LDC Section 705.B.1, “an easement providing access to a residential lot from a paved road meeting County standard shall meet the following requirements; the easement shall:*
 - a. Have a minimum width of 20 feet;*
 - b. Not exceed 0.25 miles (1,320 feet) in length without a waiver approved by the Planning Commission pursuant to LDC Section 932;***
 - c. Provide for sufficient ingress and egress for fire trucks, ambulances, police cars and emergency vehicles; and*
 - d. Be supported by the joinder and consent of all fee owners under easements to the use of the easement by the subject parcel(s). If joinders are provided for the easement, it shall be accompanied by an ownership and encumbrance report based on the legal description of the easement. In lieu of joinders, an applicant may provide a legal opinion from a licensed Florida attorney stating a lot has legal access, along with supporting documentation; and,*
 - e. Be subject to a Level 1 Review and be provided written approval of same prior to obtaining a building permit.”*
- *Per LDC Section 705.B.2, “When subdividing a parcel that will utilize an easement for access, the following standards shall apply:*
 - a. No more than four lots. subject to density. minimum lot size requirements, and any other applicable requirements of this Code, shall be allowed to access solely via an easement. To exceed four lots on an easement, a waiver must be approved by the Planning Commission pursuant to LDC Section 932.***
 - b. When creating parcels that will be accessed solely via an easement as provided for herein, the parent tract (prior to subdividing) shall directly front on a public or private paved road meeting County standards. Waivers to the standards in this Subsection b. may be approved by the Planning Commission pursuant to LDC Section 932.*
 - i. If the parent parcel fronts an unpaved road that is maintained by the County and the road is less than 0.25 miles (1.320 feet) in length, this shall suffice as direct frontage.*

ii. In instances where the parent parcel accesses a County-maintained road or state highway solely via an easement and lacks direct deeded, fee-simple frontage on a County-maintained road or state highway, a one-time lot split consistent with the lot size and density requirements of the Future Land Use map may be permitted through a Level 1 Review, provided no more than four lots access the easement and the easement does not exceed 0.25 miles.

- *The subject property is within an Agricultural/Residential Rural-X (A/RRX) land use district in the Rural Development Area (RDA). Minimum lot sizes are five (5) acres.*
- *The subject property is zoned for Alturas Elementary, Bartow Middle, and Bartow Senior High schools.*
- *The subject property is served by the Polk County Sheriff's Southeast District, located at 4011 Sgt Mary Campbell Way, Lake Wales, FL.*
- *Fire/EMS responses are from Polk County Fire Rescue Station 19, located at 5361 Rifle Range Rd, Bartow, FL.*
- *Subject site is associated with portions of flood hazard areas and wetlands.*
- *There are no known historical or archeological resources onsite, according to the Secretary of State's Department of Historical Resources Florida Master Site File.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species documented sighting.*
- *This application has been reviewed for consistency with LDC Sections 705, 906, 932, and Tables 2.1 and 2.2.*

Development Review Committee

The Development Review Committee, based on submitted information, the findings of fact and analysis conducted as part of this staff report, and a recent site visit, finds that the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area; **IS CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan; and recommends **APPROVAL of LDWA-2025-29** with the following conditions:

CONDITIONS OF APPROVAL

1. Approval of this waiver shall allow for residential permits for up to 10 single-family homes and accessory structures to access public roadways through the existing easement.
2. To allow for the access of emergency vehicles, all easements shall have an unobstructed width of not less than 20 feet. No fencing, landscaping, vehicles, machinery, equipment, or other accessory structures or features which could interfere with the passage of emergency vehicles shall be placed or stored within this 20 feet.

3. The lot dimensions shown on the site plan may change so long as the minimum lot size standards for A/RRX are met.
4. The owner shall dedicate space within the easement for garbage receptacles and mailboxes for mail and delivery services such that no traffic will back up on Cox Road.

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: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

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: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commission's jurisdiction. Upon completion of the Level 3 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.

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.

DEMONSTRATIONS OF THE CRITERIA FOR GRANTING WAIVERS SUMMARIZED BELOW:

Note: Below are staff's responses and opinions to the applicant's request relative to demonstrating the criteria for granting a waiver. Since this particular request requires a Level 3 Review approval, by the Planning Commission on whether the waiver should be granted, and access should be allowed.

1. *Whether the application of the provisions of the Code would cause unnecessary and undue hardship on the use of the property;*

McStuckers Ranch LLC bought the subject property along with lots 1, 2, 3, and 4 on October 15, 2021, to combine for the McStuckers Ranch Subdivision, plated in early February of 2023. Since the plat of the subdivision, the owner sold off lots 1, 2, 3, and 4, leaving the remaining ±157.84 acres as lot 5. As high-density growth in the County continues, large acres of rural land are becoming harder to find, driving the demand for subdivisions such as McStuckers Ranch. As the lots were subdivided, there was a quick turnover rate in new ownership. For instance, McStuckers Ranch LLC bought the land currently deemed Lot 4 of the McStuckers Ranch Subdivision on October 15, 2021. When Lot 4 was approved on February 7, 2023, the lot was sold to William and Tori Jordan on February 15, 2023. The owner is looking to subdivide the remaining ±157.84 acres into six (6) additional lots, creating a total of 10 residential lots to access the existing easement for future development.

Lot 5 of the McStucker's Ranch Subdivision is ±157.84 acres. This lot is eligible for 31 lots of 5 acres administratively. With only 50 feet of public road frontage, only one driveway can be constructed on a Rural Minor Collector roadway under Section 705.H.

The 10 total properties, as proposed, will meet the minimum lot size for the A/RR district of five (5) acres. With ± 157.84 acres subdivided into 6 newly proposed lots, there is a significant amount of each property that is uplands and buildable without significant environmental limitations. Construction of a road to County standards, either publicly or privately owned, has both fixed and variable costs that are a substantial expense to defray over only 10 residential lots, given their size of over 5 acres. If constructed, the applicant would have the ability to turn this road over to the County for perpetual maintenance. This would likely become a burden to the tax payers because a road in this rural location presents a higher cost of maintenance that is not offset by the tax revenue from 10 total lots, especially for the duration that they may remain vacant.

2. *Whether the waiver granted is the minimum adjustment that will make possible the reasonable and permitted use of the property;*

If an internal roadway constructed to County standards were in place, the applicant's total property can support 31 homes at the allotted base density of one dwelling unit per 5 acres. The granting of the waiver is to allow up to six additional homes, 10 total, on this easement without further hearings. Any additional home on the easement will require another Waiver Application.

3. *Whether the granting of the waiver will be in harmony with the general intent and purpose of this Code and that such waiver will not be injurious or detrimental to the public health, safety or welfare by, without limitation, creating unsafe traffic conditions or cause increased maintenance expenses in connection with the subdivision improvements;*

If an internal road was constructed, the applicant would have the ability to turn the road over to the County for perpetual maintenance. This would likely cause increased maintenance expenses in connection with the subdivision improvements because a street in this rural location presents a higher cost of maintenance that is not offset by the tax revenue from 11 total lots with a lower density than the base density allotted for the ± 157.84 acres. Either publicly or privately owned, there are both fixed and variable costs that are a substantial expense to defray over only six (6) additional lots given their size of five acres or more.

The easement will be privately maintained. Given the rural nature of the area, as it is deemed Agriculture/Residential Rural (A/RR), County utilities will not be extended, therefore the takeover and maintenance of an internal roadway is unlikely. The owner shall dedicate a singular location for garbage receptacles and mailboxes for mail and delivery services. Trash pick-up and mailing services are easier consolidated to one location versus multiple along a roadway. Given these factors, an internal roadway built to County standards will not be built, offering access via easement as the best alternative.

4. *The granting of the waiver will not likely result in setting a precedent for a similar waiver request in the area; and*

While there is always a chance that somewhere in this County one might draw a parallel to this situation, the probability is low. The surrounding area north of Cox Road is mostly developed. Directly to the east of the subject site is the Lake Enderly Estates Subdivision, which has been developed for 31 single-family lots ranging in size from 1.6 acres to 10 acres. Directly to the west of the subject site is more single-family developments. Due to this, it is unlikely there are other sites in the area that could have a similar waiver request. As such, no precedent will be set for other surrounding properties.

5. *Whether all other avenues of relief have been exhausted.*

The other avenue of relief would require a paved road built to County standards. The cost of constructing a road to reach all 10 proposed lots that will not have direct access off Cox Road will likely not meet the return on investment. Reducing the subdivision to only four lots grossly diminishes the potential value of the property.

Due to these factors and the rural nature of the site and size/density of the existing and proposed lots, maintaining access via easement is the best solution for accessing this site. The full buildout would allow access for up to 10 single family lots over 200 acres. Additionally, Lots 1, 2, 3, 4, & 5 of the existing McStucker's Ranch Plat are fully built out with existing homes. Changing how access is provided now would be a hardship for these owners.

Surrounding Land Use Designations and Current Land Use Activity:

The properties surrounding the site are mostly single-family within the A/RR land use district and RDA development area. Unplatted lots within A/RR are located to the south, with the Lake Enderly Estates Subdivision, platted on January 2, 2002, to the east.

Table 1

| | | |
|--|---|---|
| Northwest: A/RRX Citrus 80.46 acres | North: A/RRX Citrus 80.46 acres | Northeast: A/RRX Lake Garfield |
| West: A/RRX Single-family/ Agriculture | Subject Property: A/RRX McStuckers Ranch Vacant/Pasture 157.84 acres | East: A/RRX Lake Enderly Estates Single-Family 1.6 to 10 acre lots |
| Southwest: A/RRX Single-family/ Agriculture | South: A/RRX Vacant/ Unplatted | Southeast: A/RRX Vacant/ Unplatted |

Compatibility with the Surrounding Land Uses:

The proposed use is believed to be compatible with adjacent land uses. Single-family uses are to the east and west of the subject site and near the proposed easement, but otherwise the property is surrounded by vacant agricultural land. The existing easement is currently developed with a 50-foot wide unpaved private drive, which extends 0.25 miles and currently provides access for 4 platted lots. Lots 1, 2, 4, and 5 have shared access via easement, while lot 3 has its own access directly to Cox Road. The Lake Enderly Estates Subdivision to the east is comprised of 31 lots that range in size from 1.6 acres to 10 acres. The majority of the lots are below the 5-acre minimum lot size in the A/RR resulting in a higher density than is proposed with this waiver request. 6 additional homes will not create a reasonable burden on the adjacent uses.

For a comparison, this site is approximately ± 157.84 acres and is in the A/RR land use district which supports one dwelling unit per five acres. If a road built to County standards was provided through the property, it is possible there could be up to 31 homes. If centralized potable water was extended to the site,

it could be possible to attain one unit per acre through a Rural Residential Development (RRD), pursuant to LDC Section 303 and Planning Commission approval.

Urban Services and Infrastructure Analysis

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Placement of one additional home will not trigger school concurrency or a traffic study. Table 2, below, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, the proposed request is not anticipated to create any significant demand on these services.

Table 2

| Urban Services and Infrastructure Summary | |
|--|---|
| Schools (Zoned) | Alturas Elementary Bartow Middle School Bartow Senior High |
| Parks | Nye Jordan Park |
| Sheriff | Polk County Sheriff's Southeast District, located at 4011 Sgt Mary Campbell Way, Lake Wales, FL. The response times for February 2025 were: Priority 1: 8:55 Priority 2: 23:43 |
| Fire/EMS | Polk County Fire Rescue Station 19, located at 5361 Rifle Range Rd, Bartow, FL. (4.2 miles) |
| Water | Private Well |
| Sewer | Septic |
| Transportation | Cox Road (CR 655A) Available Capacity |

Table 3

| Impact Analysis Summary Proposed Use (SIX Single-Family Home) | | | |
|---|--------------------------|---------------------|--------------------|
| Potable Water Impact | Wastewater Impact | *AADT Impact | *PHT Impact |
| 2,160 GPD | 1,620 GPD | 48 AADT | 6.00 PHT |
| <i>Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a single-family home will consume 360 GPD and generate 270 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates for mobile homes. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.</i> | | | |

Environmental Conditions Analysis

There are no known environmental conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). The site has a flood zone located at the northern edge of the site. The subject property is not located within any of the County's identified wellhead protection areas; the subject site is not located within an identified protected species area. The soil on the property is not of such that would limit compliance with applicable Land Development Code regulations for the proposed use. In addition, the subject property is not located within a Historical Preservation area.

Table 4

| Environmental Conditions Summary | |
|---|---|
| Surface Water | Lake Garfield located at the northern extent of the site |
| Wetlands/Floodplains | Flood zones and wetlands indicated at the center and northern extent of the site |
| Soils | Tavares, Chobee, and Immokalee Fine Sands |
| Protected Species | The subject property is not located within a one-mile radius of an endangered plant or animal species sighting (Source: Florida Natural Areas Inventory Biodiversity Matrix). |
| Wellfield Protection | The site is not located within a wellfield protection area. |
| Historical Preservation | The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources. |
| Airports | The site is not within close proximity to any public airports. |

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5 in accordance with Section 906.D.7 of the LDC.

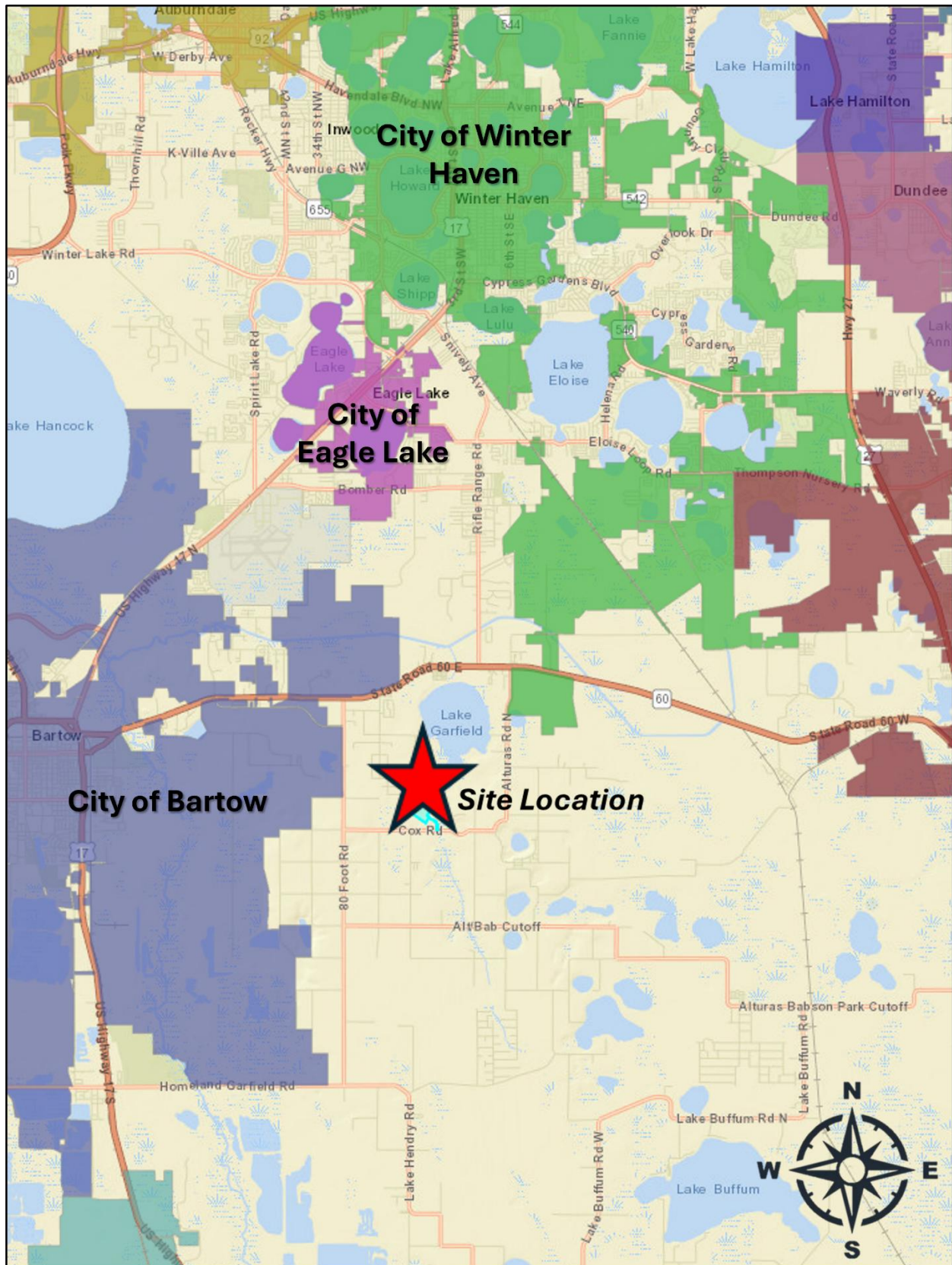
Table 5

| The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC: | |
|---|---|
| Whether the proposed development is consistent with all relevant requirements of this Code; | <i>Yes, this request is consistent with the LDC, specifically Sections 705.B and 932 which permit this Waiver upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 3-4 of the staff report.</i> |
| Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan; | <i>Yes, this request is consistent with the Comprehensive Plan, as reviewed above.</i> |
| Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and | <i>Yes, the request is compatible with surrounding uses and the general character of the area. See Page 7 - 8 of this staff report for data and analysis on surrounding uses and compatibility.</i> |
| How the concurrency requirements will be met if the development were built. | <i>This request will not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 8 - 9 of the staff report.</i> |

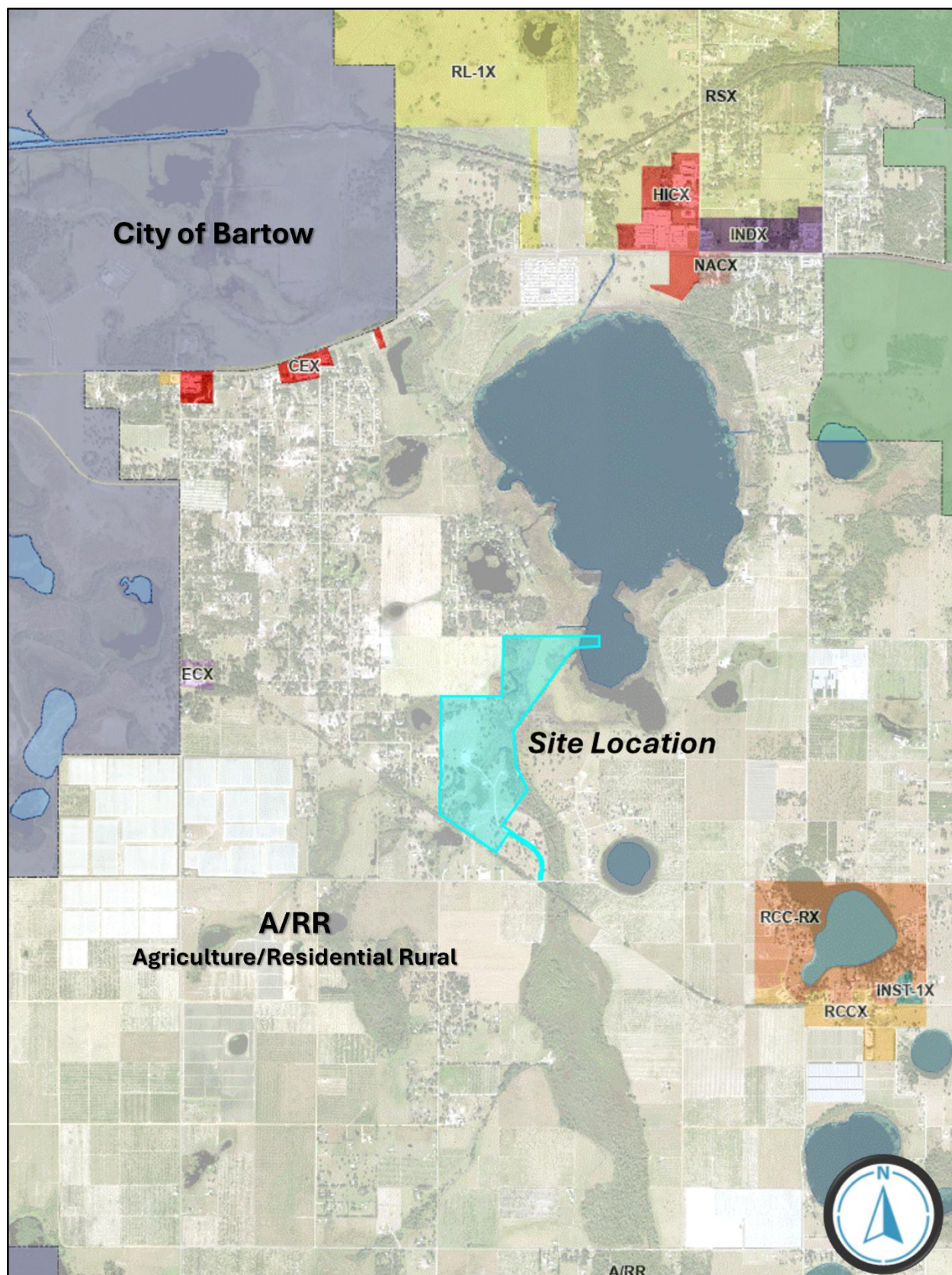
Comments from other Agencies: No Comments

Exhibits:

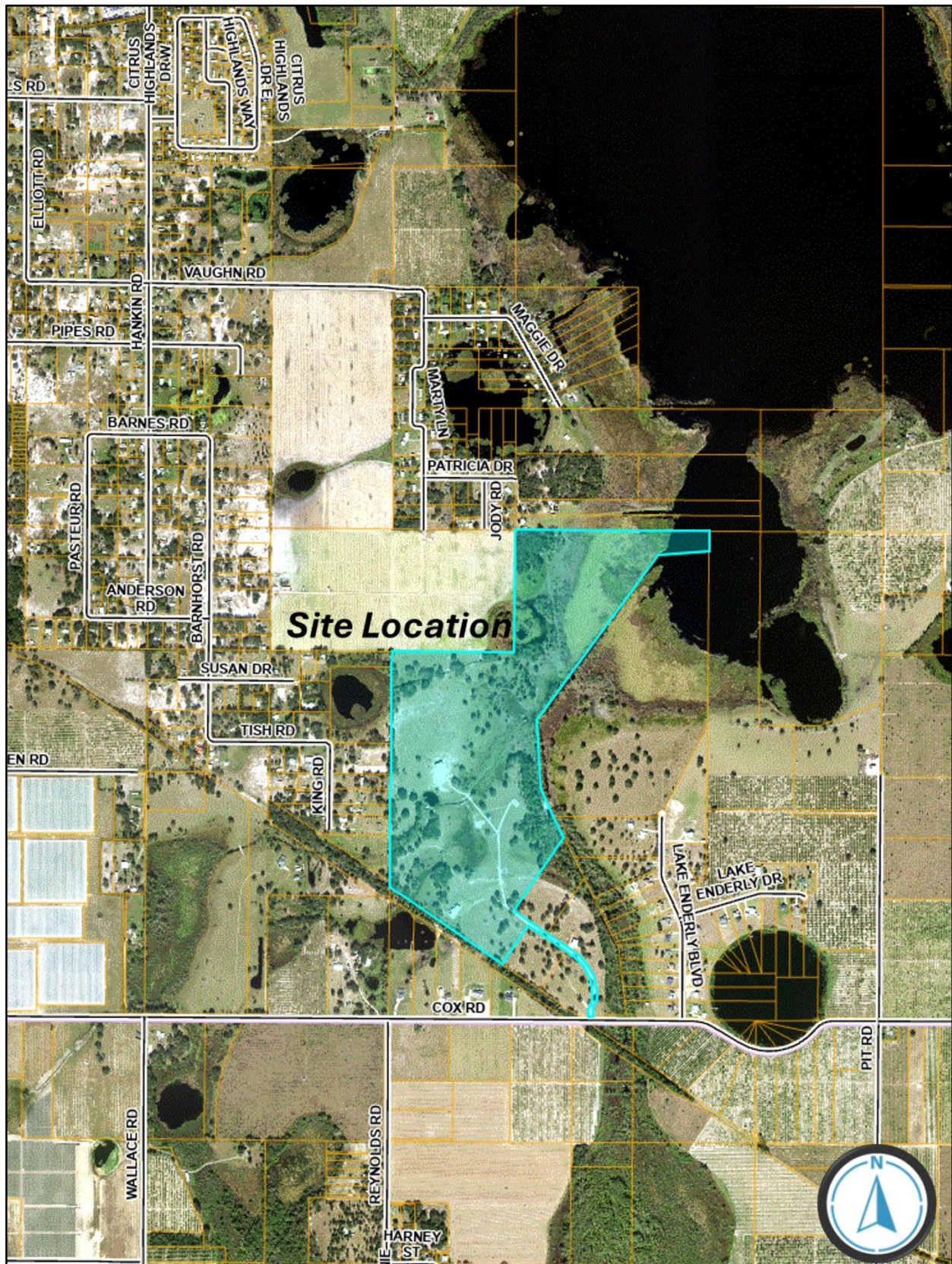
- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Image (Context)
- Exhibit 4 Aerial Image (Close)
- Exhibit 5 Site Plan (Applicant)



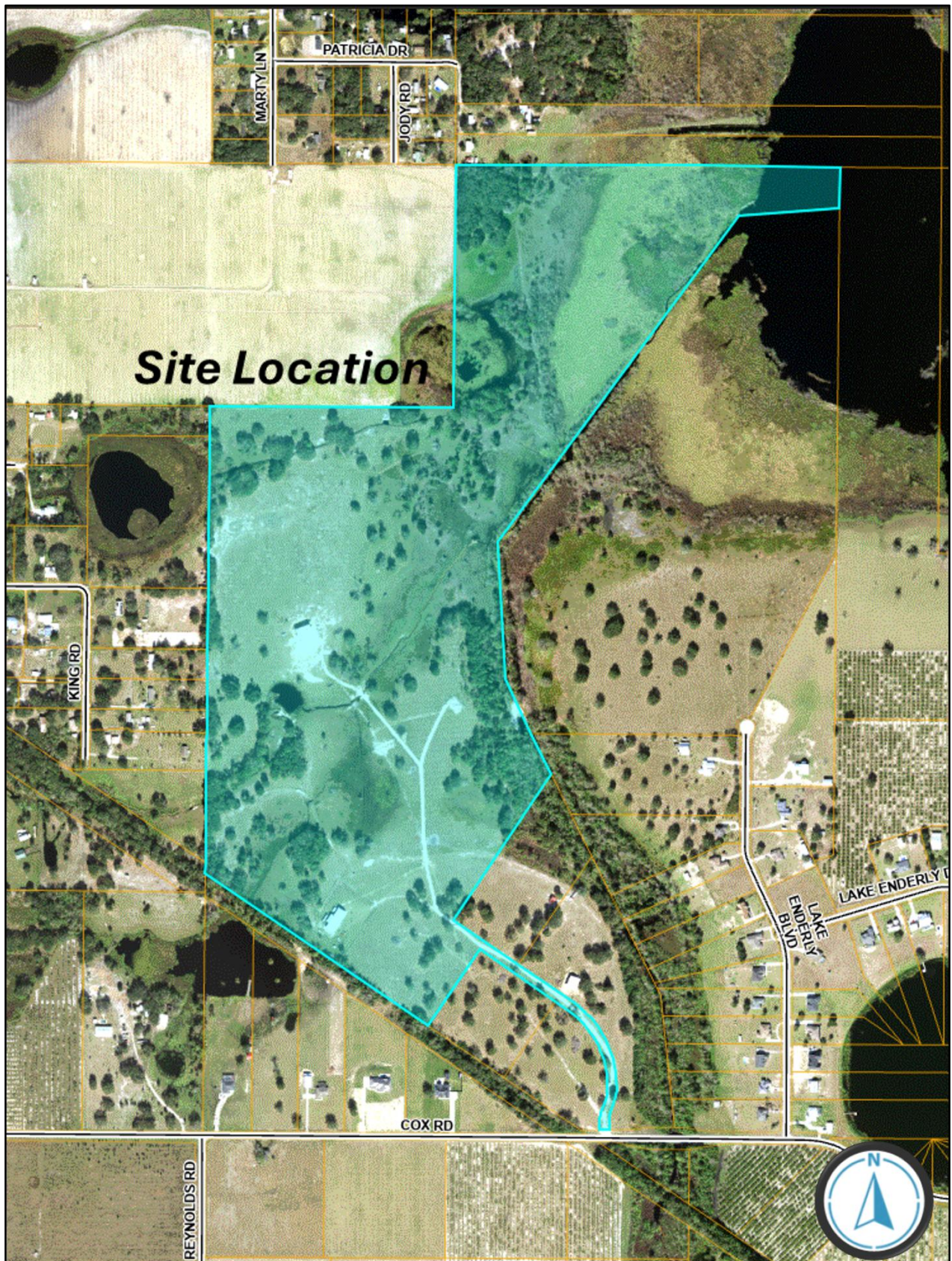
Location Map



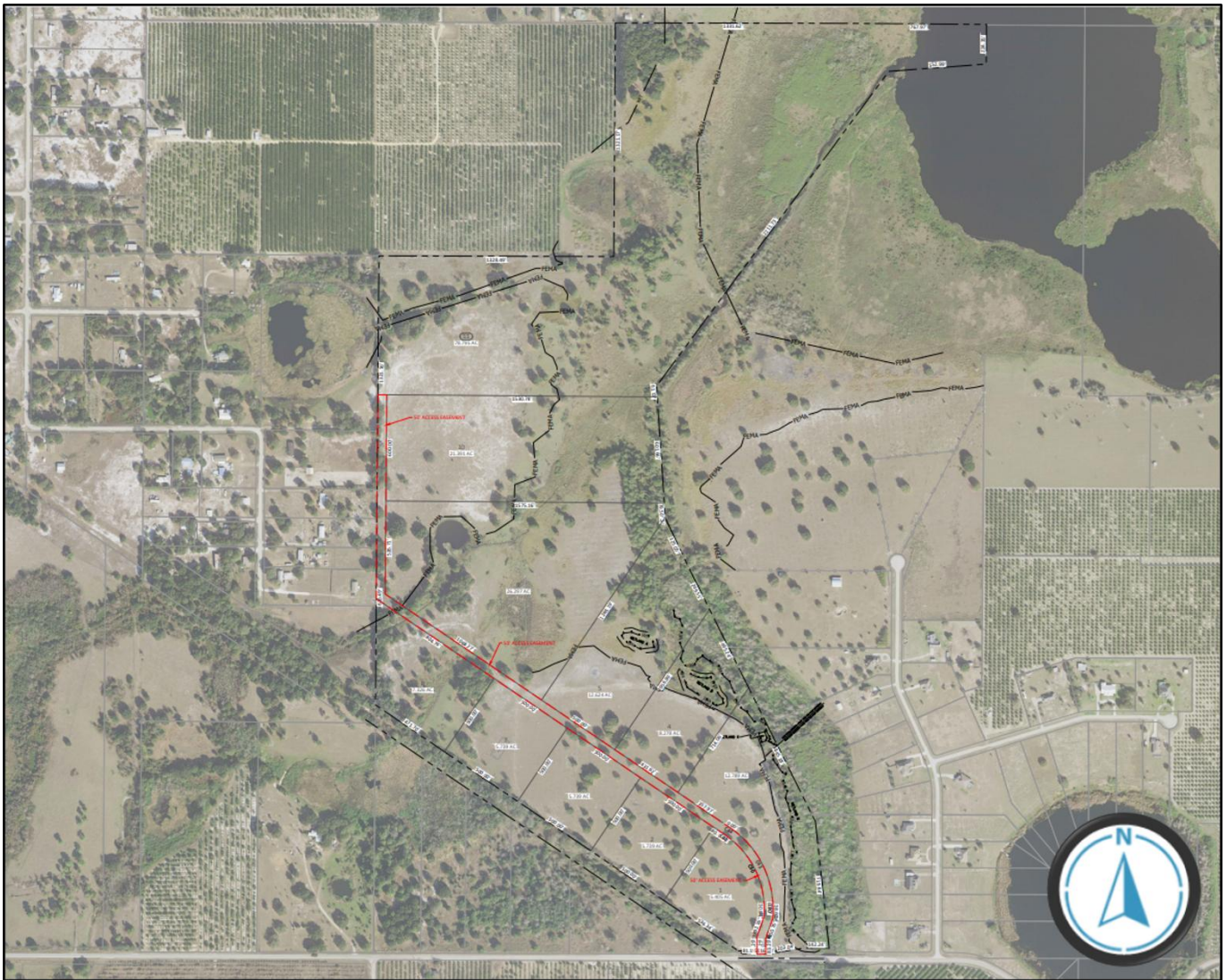
Future Land Use Map



Aerial Image – Context



Aerial Image – Close



Applicant Site Plan

LDWA-2025-29 - McStuckers Ranch Waiver

Menu

Reports

Help

Application Name:

McStuckers Ranch Waiver

File Date:

07/02/2025

Application Type:

BOCC-Waiver

Application Status:

Approved for Hearing

Application Comments:

View ID

Comment

Date

Description of Work:

WAS LDWA-2025-22 The proposed waiver is to allow for up to 10 single family lots to have access via an existing shared access easement. The current Plat for McStuckers Ranch shows a total of 5 lots platted on ±200 acres. Lot #3 has its own access directly to Cox Road. Lots 1, 2, 4, & 5 have shared access via an existing 50' access easement. Lot #5 is currently 157.84 acres. The applicant wishes to allow for this parcel to be able to be split in the future. This request is to allow up to 6 additional lots to have access via the existing 50' access easement.

Application Detail:

Detail

Address:

6472 COX RD, BARTOW, FL 33830

Parcel No:

263008692971000050

Owner Name:

MCSTUCKERS RANCH LLC

Contact Info:

Name

Organization Name

Contact Type

Contact Primary Address

Status

Charles Brooker

Traditions Engineering, LLC

Engineer

Mailing, 6039 Cypress Street, Bartow, FL 33830

Active

Licensed Professionals Info:

Primary

License Number

License Type

Name

Business Name

Business License #

Job Value:

\$0.00

Total Fee Assessed:

\$1,106.00

Total Fee Invoiced:

\$0.00

Balance:

\$0.00

Custom Fields:

LD_BOCC_WAIVER

GENERAL INFORMATION

Expedited Review

Number of Lots

—

Acreage

157.84

DRC Meeting Time

—

Rescheduled DRC Meeting Time

—

Will This Project Be Phased

No

DRC Meeting

07/31/2025

Rescheduled DRC Meeting

—

Green Swamp

No

Case File Number

—

One Year Extension

—

Number of Units

0

Is this Polk County Utilities

No

FS 119 Status

Exempt

WAIVER

Is this waiver related to an existing project?

Existing Project Number

No

—

Provided Justification from Section 932A.1-5

BOA Hearing Date

No

—

PUBLIC HEARINGS

Development Type

Application Type

Board of County Commissioners

Waiver

Variance Type

Brownfields Request

—

Affordable Housing

—

ADVERTISING

Legal Advertising Date

BOCC1 Advertising Date

—

10/01/2025

BOCC2 Advertising Date

Advertising Board

—

Planning Commission

MEETING DATES

Community Meeting

Planning Commission Date

—

09/10/2025

| | |
|---------------|---------------|
| 1st BOCC Date | 2nd BOCC Date |
| - | - |

| | |
|--------------------------|---------------------|
| HEARING | |
| PC Hearing Results | PC Vote Tally |
| - | - |
| BOCC 1st Hearing Results | BOCC 1st Vote Tally |
| - | - |
| BOCC 2nd Hearing Results | BOCC 2nd Vote Tally |
| - | - |

| | |
|---------------|----------------|
| FINAL LETTER | |
| Denovo Appeal | Denovo Results |
| - | - |
| Denovo Tally | |
| - | |

APPLICABILITY AND CRITERIA FOR WAIVERS

What is the hardship if the Waiver is not approved?
[If the waiver request is not approved, it will deem that 157 acres cannot be further subdivided.](#)

Is this the minimum relief for the reasonable use of the land?
[The granting of the waiver would simply allow access to additional lots on a residual 150-acre parcel. Granting this waiver is the minimum adjustment as it would require no additional improvements or hardships to the site. Approval would simply mean that lots can be created.](#)

Will the Waiver be injurious to the area involved or detrimental to the public welfare?
[No. The site is in a rural part of the County with all lots being +5 acres. Granting this waiver does not change the intensity or density of the site but would simply allow more lots to have access to a sufficient access drive. This is the intent of the "access via easement" section of the code, just for more than 4 lots.](#)

Will the Waiver create future maintenance obligations for the County?
[No. The waiver will allow the continual use of a private driveway via easement for access to the 10 lots. The maintenance obligations for this driveway are for the homeowners. No future maintenance for the County associated with this request.](#)

Will the Waiver result in setting a precedent for a similar waiver request in the area?
[The surrounding area north of Cox Road is mostly developed. Due to this, it is unlikely there are other sites in the area that could have a similar waiver request. As such, no precedent will be set for other surrounding properties.](#)

Have all other avenues of relief been exhausted?
[Due to the rural nature of the site and size/density of the existing and proposed lots, maintaining access via easement is the best solution for accessing this site. The full buildout would allow access for up to 10 single family lots over 200 acres. This development would propose minimal impacts to the site and surrounding area and allowing access via a 50' easement would not change that. Additionally, Lots 1, 2, 3, 4, & 5 of the existing McStuckers Ranch Plat are fully built out with existing homes. To change how access is provided now would be a hardship for these owners. As such, no other avenues of relief make sense for this site.](#)

LD_BOCC_WAIV_EDL

Opening DigEplan List...

DigEplan Document List

-

| | | |
|-------------------------------|---|-----------------------|
| PLAN REVIEW FIELDS | DocumentGroupForDPC | RequiredDocumentTypes |
| TMPRecordID | DIGITAL PROJECTS LD | - |
| POLKCO-REC25-00000-00R13 | AdditionalDocumentTypes | Activate DPC |
| RequiredDocumentTypesComplete | Applications, AutoCad File, Binding Site Plans (PDs, Yes and CUs), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion | |
| Activate FSA | DigitalSigCheck | |
| Yes | Yes | |

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan LU Code

DEVELOPMENT AREA

Development Area

NOR

Neighborhood Organization Registry (NOR)

WAIVER SECTION

LDC Chapters Waiver Section

[Chapter 7](#) 705 Site Access

PUBLIC MAILERS

Posting Board **Number of Boards** (Number) **Number of Mailers** (Number) **Date Mailed** **Date Posted** **NOR**

[PC](#) 1 08/26/2025

| Workflow Status: | Task | Assigned To | Status | Status Date | Action By |
|-------------------------|---|-----------------|-----------------|-------------|-----------------|
| | Application Submittal | Lyndsay Rathke | Application ... | 07/02/2025 | Lyndsay Rathke |
| | Engineering Review | | | | |
| | Surveying Review | Mike Benton | Not Required | 07/14/2025 | Mike Benton |
| | Roads and Drainage Review | Phil Irven | Approve | 07/08/2025 | Phil Irven |
| | Fire Marshal Review | Kim Turner | Approve | 07/15/2025 | Kim Turner |
| | Planning Review | Kyle Rogus | Approve | 07/16/2025 | Kyle Rogus |
| | School Board Review | School District | Approve | 07/07/2025 | School District |
| | Review Consolidation | Lyndsay Rathke | Approved for... | 07/17/2025 | Lyndsay Rathke |
| | Staff Report | | | | |
| | Public Notice | | | | |
| | Planning Commision | | | | |
| | BOCC Hearing | | | | |
| | Final Letter | | | | |
| | DEO Review | | | | |
| | Second BOCC Hearing | | | | |
| | Archive | | | | |

Condition Status: **Name** **Short Comments** **Status** **Apply Date** **Severity** **Action By**

Scheduled/Pending Inspections: **Inspection Type** **Scheduled Date** **Inspector** **Status** **Comments**

Resulted Inspections: **Inspection Type** **Inspection Date** **Inspector** **Status** **Comments**



Polk County Land Development
330 W. Church Street
Bartow, FL 33830

06/03/2025

Project: McStuckers Ranch – Waiver Request
Parcel No. 26-30-08-692971-000050
TE Project No. 25-3

Narrative:

The proposed waiver is to allow for up to 10 single family lots to have access via an existing shared access easement. The current Plat for McStuckers Ranch shows a total of 5 lots platted on ± 200 acres. Lot #3 has its own access directly to Cox Road. Lots 1, 2, 4, & 5 have shared access via an existing 50' access easement. Lot #5 is currently 157.84 acres. The applicant wishes to allow for this parcel to be able to be split in the future. This request is to allow up to 6 additional lots to have access to the existing 50' access easement.

Section 932 - Waivers to Technical Standards:

Minimum Requirements for Consideration of Waivers

When considering the waiver application, the Development Review Committee shall consider all of the following criteria:

1. Whether the application of the provisions of the Code would cause unnecessary and undue hardship on the use of the property;
 - **Applicant Response: Approval of the waiver would create no hardship on the property. The remaining lot #5 is over 150 acres, so subdividing it into 6 total lots would have no effect on the property. Additionally, the 46 daily vehicle trips generated by the additional lots would be de minimis and provide no additional hardship to the shared access easement or driveway.**
2. Whether the waiver granted is the minimum adjustment that will make possible the reasonable and permitted use of the property;
 - **Applicant Response: The granting of the waiver would simply allow access to additional lots on a residual 150-acre parcel. Granting this waiver is the minimum adjustment as it would require no additional improvements or hardships to the site. Approval would simply mean that lots can be created.**
3. Whether the granting of the waiver will be in harmony with the general intent and purpose of this Code and that such waiver will not be injurious or detrimental to the public health, safety or welfare by, without limitation, creating unsafe traffic conditions or cause increased maintenance expenses in connection with the subdivision improvements;
 - **Applicant Response: The site is in a rural part of the County with all lots being +5 acres. Granting this waiver does not change the intensity or density of the site but would simply allow more lots to have access to a sufficient access drive. This is the intent of the "access via easement" section of the code, just for more than 4 lots.**



4. The granting of the waiver will not likely result in setting a precedent for a similar waiver request in the area; and
 - **Applicant Response: The surrounding area north of Cox Road is mostly developed. Due to this, it is unlikely there are other sites in the area that could have a similar waiver request. As such, no precedent will be set for other surrounding properties.**
5. Whether all other avenues of relief have been exhausted.
 - **Applicant Response: Due to the rural nature of the site and size/density of the existing and proposed lots, maintaining access via easement is the best solution for accessing this site. The full buildout would allow access for up to 10 single family lots over 200 acres. This development would propose minimal impacts to the site and surrounding area and allowing access via a 50' easement would not change that. Additionally, Lots 1, 2, 3, 4, & 5 of the existing McStuckers Ranch Plat are fully built out with existing homes. To change how access is provided now would be a hardship for these owners. As such, no other avenues of relief make sense for this site.**

If you have any questions regarding this letter, please call me at (863) 397-1627 or email me at Cbrooker@traditions-eng.com

Sincerely,

Charles "Chad" Brooker, P.E.
Traditions Engineering, LLC

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDWA-2025-29

Applicant: Charles Brooker

Property Owner: McStuckers Ranch LLC

Hearing Date: October 1, 2025

I. Request:

The applicant is requesting an approval for up to 10 single family lots to have access via an existing shared access easement on ±157.84 acres within an Agriculture/Residential Rural (A/RR) future land use district.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the DRC staff report and makes the following findings based upon the staff report and other record evidence presented during the hearing:

1. Pursuant to section 906D.7 of the LDC, the Planning Commission shall, in the review of a level 3 application, consider the following factors:
 - a. Whether the proposed development is consistent with all relevant requirements of this Code;
 - b. Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;
 - c. Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and
 - d. How the concurrency requirements will be met, if the development was built.
2. The Application is consistent with all relevant requirements of the LDC, including without limitation, sections 906 and 303.
3. The Application is consistent with all applicable policies of the Comprehensive Plan.

4. The Application is compatible with surrounding uses and the general character of the area.
5. Concurrency requirements can be met if the development is built.

III. Incorporation of the Record

The record is hereby incorporated by reference into this order and is on file with the Land Development Division. The record consists of the following: the Application, Impact Assessment Statement, the DRC staff report, staff's PowerPoint presentation, and all testimony and evidence presented at the hearing.

IV. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

V. Effective Date, Appeals:

This order shall be rendered to the Clerk and becomes effective on the date rendered. The Planning Commission's decision may be appealed to the Board of County Commissioners by filing an application for de novo review with the Land Development Division within 7 calendar days after the Planning Commission hearing. If a de novo application is timely filed, this order shall not be final and effective until final action of the Board of County Commissioners.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session the 1st day of October, **2025**, by the Polk County Planning Commission.

Polk County Planning Commission

ATTEST:

By: _____
Robert Beltran, Chair

By: _____
Lyndsay Yannone, Recording Secretary

Date rendered to the Clerk: _____

Exhibits to Planning Commission's Order

Exhibit A-Staff Report and Exhibits

cc: Land Development Division Official File
Erin Valle, Clerk of Court (under separate cover)



Polk County
Planning Commission

Agenda Item 4.

10/1/2025

SUBJECT

LDCPAS-2025-21 (Old Tampa Hwy IND CPA)

DESCRIPTION

This is an applicant initiated, small-scale Comprehensive Plan Amendment requesting to change the Future Land Use on 2.5 acres of a 2.87 acre parent parcel from Residential Low (RL) to Industrial in the Transit Supportive Development Area (TSDA), and TCCO Corridor. The subject site is located south of New Tampa Highway, east of Airport Road, north of Wilkinson Road, west of Wabash Avenue South, and west of the City of Lakeland, in Section 21, Township 28, Range 23.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Johnathan (JP) Sims

Planner II

Polk County BoCC

863-534-7515

johnathansims@polk-county.net

LDCPAS-2025-21 - Old Tampa Highway Industrial

Menu

Reports

Help

Application Name: [Old Tampa Highway Industrial](#)

File Date: [07/02/2025](#)

Application Type: [BOCC-CPA Small](#)

Application Status: [Approved for Hearing](#)

Application Comments:

| View ID | Comment | Date |
|---------|---------|------|
|---------|---------|------|

Description of Work: [The project consists of approximately 2.87 acres of vacant land located north of Old Tampa Highway and east of Doc Gay Rd in Lakeland, FL. The project is located withi TSDA Development Area. The property will not be divided. The purpose of this application is to request a small-scale comprehensive plan amendment \(CPA\) to amend th existing Residential \(RL-4\) landuse to Industrial \(IND\) for the development of a vehicle maintenance shop. It is understood that during the pre-application meeting with the that it would be preferred to split the zoning of the parcel along the creek that bisects the parcel. With the smaller of the two areas remaining Residential \(RL-4\).](#)

Application Detail: [Detail](#)

Address: [3045 OLD TAMPA HWY, LAKELAND, FL 33803](#)

Parcel No: [232821090500000401](#)

Owner Name: [BIG FISH 1 INC](#)

Contact Info:

| Name | Organization Name | Contact Type | Contact Primary Address | Status |
|---|------------------------------------|--------------|---|--------|
| BIG FISH 1 INC | BIG FISH 1 INC | Applicant | Mailing, 204 E Silver ... | Active |
| Kimley-Horn and Associ... | Kimley-Horn and... | Engineer | Mailing, 109 South Ken... | Active |

Licensed Professionals Info:

| Primary | License Number | License Type | Name | Business Name | Business License # |
|---------|----------------|--------------|------|---------------|--------------------|
|---------|----------------|--------------|------|---------------|--------------------|

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$4,608.00](#)

Total Fee Invoiced: [\\$4,608.00](#)

Balance: [\\$0.00](#)

Custom Fields:

LD_GEN_PUB

PUBLIC HEARINGS

Development Type

[Board of County Commissioners](#)

Variance Type

—

Affordable Housing

Application Type

[CPA Small Scale Or](#)

[EAR](#)

Brownfields Request

—

Type of Acreage

—

GENERAL INFORMATION

Expedited Review

Number of Lots

—

Will This Project Be Phased

Acreage

[2.87](#)

DRC Meeting

[07/31/2025](#)

DRC Meeting Time

[9:45 AM](#)

Rescheduled DRC Meeting

Rescheduled DRC Meeting Time

—

Green Swamp

Number of Units

—

Case File Number

Is this Polk County Utilities

Is this Application a result of a Code Violation

[No](#)

One Year Extension

FS 119 Status

Code Violation Case Number

[Non-Exempt](#)

—

ADVERTISING

Legal Advertising Date

BOCC1 Advertising Date

—

Advertising Board

[Board of County Commissioners](#)

BOCC2 Advertising Date

—

MEETING DATES

Community Meeting

Planning Commission Date

—

[10/01/2025](#)

Land Use Hearing Officer 3

1st BOCC Date

—

[11/04/2025](#)

2nd BOCC Date

LUHO-Level 3

—

—

HEARING

PC Hearing Results
-
BOCC 1st Hearing Results
-
BOCC 2nd Hearing Results
-

PC Vote Tally
-
BOCC 1st Vote Tally
-
BOCC 2nd Vote Tally
-

FINAL LETTER
Denovo Appeal
-
Denovo Tally
-

Denovo Results
-

LD_GEN_PUB_EDL
Opening DigEplan List...
DigEplan Document List
-

PLAN REVIEW FIELDS
TMPRecordID
[POLKCO-25EST-00000-41186](#)
RequiredDocumentTypesComplete
[Yes](#)

DocumentGroupforDPC
[DIGITAL PROJECTS LD](#)
AdditionalDocumentTypes
[Applications, AutoCad File, Binding Site Plans \(PDs, Yes and CUs\), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion](#)
DigitalSigCheck
[Yes](#)

RequiredDocumentTypes
-
Activate DPC

Activate FSA
[Yes](#)

PLAN UPLOAD ACKNOWLEDGEMENT
Upload Plans Acknowledgement
[y](#)

SELECTED AREA PLANS
Selected Area Plans

LAND USE
Selected Area Plan LU Code

DEVELOPMENT AREA
Development Area

NOR
Neighborhood Organization Registry (NOR)

| PUBLIC MAILERS | | | | | |
|------------------------|---------------------------|----------------------------|-------------|-------------|-----|
| Posting Board | Number of Boards (Number) | Number of Mailers (Number) | Date Mailed | Date Posted | NOR |
| PC | 1 | | | 09/17/2025 | |
| BOCC 1 | 1 | | | 09/17/2025 | |

| Workflow Status: | | | | | |
|---|-----------------|-----------------|-------------|-----------------|--|
| Task | Assigned To | Status | Status Date | Action By | |
| Application Submittal | Lyndsay Rathke | Application ... | 07/09/2025 | Lyndsay Rathke | |
| Surveying Review | | | | | |
| Engineering Review | | | | | |
| Roads and Drainage Review | Phil Irlen | Approve | 07/18/2025 | Phil Irlen | |
| Fire Marshal Review | Kim Turner | Not Required | 07/15/2025 | Kim Turner | |
| Planning Review | Johnathan Sims | Approve | 07/21/2025 | Johnathan Sims | |
| School Board Review | School District | Not Required | 07/10/2025 | School District | |
| Review Consolidation | Lyndsay Rathke | Approved for... | 07/21/2025 | Lyndsay Rathke | |
| Staff Report | | | | | |
| Public Notice | | | | | |
| Planning Commission | | | | | |
| BOCC Hearing | | | | | |
| Final Letter | | | | | |
| DEO Review | | | | | |
| Second BOCC Hearing | | | | | |
| Archive | | | | | |

| Condition Status: | Name | Short Comments | Status | Apply Date | Severity | Action By |
|-------------------|------|----------------|--------|------------|----------|-----------|
|-------------------|------|----------------|--------|------------|----------|-----------|

| Scheduled/Pending Inspections: | Inspection Type | Scheduled Date | Inspector | Status | Comments |
|--------------------------------|-----------------|----------------|-----------|--------|----------|
|--------------------------------|-----------------|----------------|-----------|--------|----------|

| Resulted Inspections: | Inspection Type | Inspection Date | Inspector | Status | Comments |
|-----------------------|-----------------|-----------------|-----------|--------|----------|
|-----------------------|-----------------|-----------------|-----------|--------|----------|

DEMONSTRATION OF NEED

1. Could the proposed amendment promote substantial amounts of low-density, low intensity, or single use development in excess of demonstrated need?

No. The request will increase the allowable amount of industrial uses within the Transit Supportive Development Area (TSDA). The amendment will have no other impact on other land uses within the district.

2. Will the passage of the proposed amendment allow a significant amount of urban development to occur in rural areas?

No. The proposed request would not expand the permitted uses within any zoning district. The amendment would allow for a slight increase in the amount of industrial uses permitted within the TSDA. The amendment would not result in changes to any other zoning and would have no significant change in the intent of the future land use of the subject properties. Many of the parcels adjacent to the property are existing residential or industrial uses, so the requested amendment would not reduce compatibility with the surrounding properties.

3. Does the proposed amendment create or encourage urban development in radial, strip, isolated, or ribbon patterns emanating from existing urban development?

No. The proposed amendment does not encourage urban development in radial, strip, isolated, or ribbon patterns.

4. Does the proposed amendment fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

No; The proposed amendment does not fail to protect or conserve natural resources. The existing on-site creek will be maintained.

5. Does the proposed amendment fail to adequately protect adjacent agriculture areas?

No. The proposed request would not impact any land currently used for agriculture.

6. Could the proposed amendment fail to maximize existing public facilities and services?

No, the proposed request would not fail to maximize the existing public facilities. The subject property will utilize the existing water infrastructure and will connect to an existing force main for the removal of sanitary waste from the site.

7. Could the proposed amendment fail to minimize the need for future public facilities and services?

No, the proposed amendment would not fail to minimize the need for future public facilities. The subject property has limited impact on existing water and wastewater infrastructure.

8. Will the proposed amendment allow development patterns that will disproportionately increase the cost of providing public facilities and services?

No. The proposed development has a limited impact on public facilities and services that is proportionate to the existing surrounding uses.

9. Does the proposed amendment fail to provide clear separation between urban and rural uses?

No. The proposed amendment will not impact any buffering or separation requirements. Required buffering with adjacent properties will be provided with the change in the landuse.

10. Will the proposed amendment discourage infill development or redevelopment of existing neighborhoods?

No. The proposed development will allow for an increase in industrial development to support existing, adjacent industries.

11. Does the proposed amendment fail to encourage an attractive and functional mixture of land uses?

No. The proposed amendment will not discourage a functional mixture of land uses. The development provides additional industrial potential which matches the adjacent industrial areas to the east of the property.

12. Could the proposed amendment result in poor accessibility among linked or related land uses?

No. The current industrial land uses are connected via Old Tampa Highway and will continue as so with the proposed amendment. All adjacent single-family residences are connected via Old Tampa Highway through private driveways.

13. As a result of approval of this amendment, how much open space will be lost?

If allowable impervious area is maximized and the landuse is amended to industrial (IND within TSDA, Maximum ISR 0.75), then 2.15 acres of open space will be lost.

Level 4 Review

Old Tampa Highway Industrial

3045 Old Tampa Highway, Lakeland, FL 33803

Prepared By:

Kimley-Horn and Associates, Inc.

109 South Kentucky Avenue

Lakeland, FL 33801



APPLICANT INFORMATION

OWNER

Name: Big Fish 1, Inc.

Address: 204 E Silver Star Road

Ocoee, FL 34761

Email: rosenenoel@gmail.com

APPLICANT/ENGINEERING FIRM

Name: David Kuehn

Address: Kimley-Horn and Associates

109 S. Kentucky Ave.

Lakeland, FL 33801

Phone Number: 863-345-0511

Email: David.kuehn@kimley-horn.com

LEVEL 4 REVIEW

Big Fish 1, Inc. (the “Owner”) is proposing a Small-Scale Comprehensive Plan Amendment to allow for the development of a Vehicle Repair Shop within a residential district. The subject property consists of Parcel 23-28-21-090500-000401 (approximately 2.87 acres) located north of Old Tampa Highway, east of Doc Gay Road and west of Wilkinson Road. The address of the property is 3045 Old Tampa highway, Lakeland, FL, 33803.

The existing land use of the subject parcel is Residential (RL-4). The proposed amendment would amend the land use to Industrial (IND).

This application includes an Impact Assessment Statement as well as a description of this project’s consistency with the Polk County Land Development Code and Polk County Comprehensive Plan. Attachments include a boundary survey, deed, site plan, and map series.

The following legal descriptions were taken from the Polk County Property Appraiser for Parcel 23-28-21-090500-000401. A more detailed legal description for the proposed 2.87 acres development is also included.

Legal Description of Parcel 23-28-21-090500-000401: WEBSTER & OMOHUNDRO SUB PB 3 PG 81 LOT 4 LESS E 7 AC

Land and Neighborhood Characteristics

Assess the compatibility of the requested land use with adjacent properties and evaluate the suitability of the site for development. At a minimum, address the following specific questions in your response:

1. How and why is the location suitable for the proposed uses?

The location is suitable for the proposed use as the property is adjacent to Old Tampa Highway. The property frontage along the highway is ideal for industrial establishments. The property is within a Transit Supportive Development Area. The property is also adjacent to existing industrial land use, so the proposed use would be compatible with existing land use in the area.

2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses?

The adjacent properties are vacant or existing residential and industrial uses. The proposed industrial use would be compatible with the existing industrial use to the east of the property. The property is bordered on the south and north side by an existing roadway and railway, respectively, which serve as buffers between neighboring properties. To the west of the property is a single-family residential property, which will require a 20-foot Type C landscape buffer with the proposed land use change.

3. How will the request influence future development of the area?

The request will allow for a slight increase in the amount of industrial development in the area. Much of the surrounding area along the Old Tampa Highway corridor is currently vacant, existing industrial, or existing residential development. The proposed use may encourage future development of the vacant parcels into industrial uses, which supports the TSDA development area.

Access to Roads and Highways

Assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed methodology and calculations.

The property is currently estimated to be 5,000 SF of Vehicle Repair Shop. The ITE Manual for Automobile Parts and Service Center (943) generates 16.28 trips per 1000 SF daily, and 2.75 trips per 1,000 SF at the AM peak hour. Therefore, the formula is as follows:

Automobile Parts and Service Center (943):

$$(5,000/1,000) * 16.28 = 81 \text{ Daily Trips}$$

$$(5,000/1000) * 2.75 = 14 \text{ Peak Hour Trips}$$

2. What modifications to the present transportation system will be required as a result of the proposed development?

A driveway connection will be constructed on Old Tampa Highway to provide access to the property. If necessary, Right-of-way will be dedicated along Old Tampa Highway to make the right-of-way width compatible with Polk County standards. No modifications to the roadway are anticipated to be needed along Old Tampa Highway at this time, as the proposed use will not significantly increase the demand to the transportation system. Modification to the guard rail is anticipated with the addition of the driveway which will be designed to meet County and FDOT standards.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land Development Code?

The developer of the property will be required to meet the parking requirements. The parking requirements for the expected land use, according to section 708 of the Polk County Land Development Code (LDC), is as follows:

- Vehicle Service, Mechanical is required to provide 4 spaces per service bay.

Handicapped parking will be provided in accordance with the Federal Americans with Disabilities Act.

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)?

The site will have access to Old Tampa Highway along the south property boundary. Old Tampa Highway is a road maintained by Polk County.

NOTE: Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for “Infrastructure Impacts” items 3 through 9 above.

Sewage

Determine the impact caused by sewage generated from the proposed development. At a minimum, address the following specific questions in your response:

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development? (Response may be based on Section 703.F of the LDC)

Using Polk County standards, the expected volume of sewage generation in GPD was calculated for the proposed land use – industrial. For Automobile Parts and Service Center, the site will generate 0.3 GPD per gross square foot of building area.

Automobile Parts and Service Center: 0.3 GPD* 5,000 SF = 1,500 GPD

2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage?

Not applicable as the site does not utilize on-site systems.

3. If offsite treatment, who is the service provider?

The service provider is City of Lakeland Utilities. The wastewater treatment plant that will serve the project is the West Lakeland Wasteload Reduction Facility.

4. Where is the nearest sewer line (in feet) to the proposed development (*Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of-way under certain conditions listed in Section 702E.3 of the Land Development Code*)

There is an existing 16" and 20" DIP sewer force main that cross under Old Tampa Highway approximately 250 LF east of the property going south towards the West Lakeland WRF. Connection will be made to the 16" DIP force main.

5. What is the provider's general capacity at the time of application?

There are no anticipated capacity issues at the time of this application.

6. What is the anticipated date of connection?

The anticipated date of connection to the existing sanitary sewer system is April 2026.

7. What improvements to the providers system are necessary to support the proposed request (*e.g., lift stations, line extensions/expansions, interconnects, etc.*)?

The project will include one (1) on-site lift station. 4" PVC force main will be installed to connect to the existing 16" DIP force main that is within the Old Tampa Highway right of way, approximately 250 feet east of the property boundary, on the north side of the road.

Water Supply

Determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area. At a minimum, address the following specific questions in your response:

1. What is the proposed source of water supply and/or who is the service provider?

Potable water will be provided by City of Lakeland Utilities public supply.

2. What is the estimated volume of consumption in gallons per day (GPD)? (Response may be based on Section 703 of the LDC)

Using Polk County standards, the expected volume of consumption in GPD was calculated for the proposed land use – industrial. For Automobile Parts and Service Center, the site will consume 0.3 GPD per gross square foot of building area.

Automobile Parts and Service Center: 0.3 GPD* 5,000 SF = 1,500 GPD

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

There is an existing 8” unknown (UNK) watermain located approximately 25 LF to the south of the property along the north side of Old Tampa Highway. Connection will be made to the existing 8” UNK watermain.

4. Who is the service provider?

The service provider is City of Lakeland Utilities.

5. What is the anticipated date of connection?

The anticipated date of connection to the existing potable water system is April 2026.

6. What is the provider’s general capacity at the time of application?

There are no anticipated capacity issues at the time of this application.

7. Is there an existing well on the property(ies)?

No, there is not an existing well on the property.

Surface Water Management and Drainage

Determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development. At a minimum, address the following specific questions in your response:

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues)

The north and south boundaries of the property are at an elevation of 129 feet. Additionally, the property slopes east (El. 130 ft) to west (El. 126 ft), to an existing on-site creek. The property is located within the Trailer Park Drainage Basin. There are no existing wetlands or floodplains onsite. A storm water management system will tie into the existing pond to collect and control runoff so that discharge is equal or less than pre-development conditions.

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project?

The construction of this project will not impact any existing wetlands or the existing on-site creek. Fill will be introduced to the north portion of the site for the building pads and parking areas. A storm sewer system will be installed to collect runoff and direct it towards the stormwater pond onsite. The site will still generally slope from east to west, directing any runoff not collected by the storm sewer system towards the existing creek and storm sewer network at rates equal or less than pre-development conditions.

Environmental Analysis

Provide an analysis of the character of the subject property and surrounding properties, and further assess the site's suitability for the proposed land use classification based on soils, topography, and the presence of wetlands, floodplain, aquifer recharge areas, scrub or other threatened habitat, and historic resources, including, but not limited to:

1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties.

Development on the property will adhere to state, regional, and local regulations regarding impacts to wetlands, floodplain, endangered species, etc.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from the development of the site.

There are no existing wetlands or floodplains on the subject property. Development on the property will adhere to state, regional, and local regulations regarding impacts to wetlands and floodplains.

3. Discuss location of potable water supplies, private wells, public well fields (*discuss the location, address potential impacts*).

There are no existing wells on the property. The project will connect to an existing 8" UNK watermain to the south of the property along Old Tampa Highway. The Polk County GIS website does not indicate the land being within a wellfield protection district.

4. Discuss the location of Airport Buffer Zones (if any) (*discuss the location and address, potential impacts*).

The subject site is not located within an airport buffer zone.

5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development.

A breakdown of soil types and percent coverage of the development area is shown in **Table 1** below. The property contains two major soil groups which are suitable for the development. The site coverage is Pomona Fine Sand and Myakka-Immokolee-Urban Land Complex, both of which are Hydrologic Group A/D.

Table 1: Soil Types and Percent Coverage on Development Site

| Soil Type | Hydrologic Group | Area (Acres) | Percent Coverage |
|-------------------------------------|------------------|--------------|------------------|
| Pomona Fine Sand | A/D | 2.15 | 74.9% |
| Myakka-Immokolee-Urban Land Complex | A/D | 0.72 | 25.1% |

Soils are compatible with the proposed development.

Infrastructure Impact Information

What is the nearest location (travel distance), provider, capacity or general response time, and estimated demand of the provision for the following services:

1. Parks and Recreation; The closet park is Westside Park, which is north of Josephine Street, in the West End Farm subdivision. The park is approximately 1.6 miles east of the property.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school); The closest school is Jesse Keen Elementary, which is located approximately 1.17 miles east of the property. The closest high school is Kathleen High School, which is located approximately 1.72 miles northeast of the property.

3. Health Care (e.g., emergency, hospital); The nearest Hospital is Lakeland Regional Health Medical Center, located approximately 3.76 miles northeast of the property.

4. Fire Protection; The nearest fire station is Lakeland Fire Department Station 4 (City of Lakeland Fire Rescue Station), located at 215 N Brunnell Parkway, Lakeland, FL 33815. The fire station is approximately 1.90 miles east of the property.

5. Emergency Medical Services (EMS); See answer to 4 above.

6. Solid Waste (collection and waste generation); All waste is transported to the Polk County Landfill Solid Waste.

7. How may this request contribute to neighborhood needs?

The request would contribute to neighborhood needs by allowing for an additional industrial business to support and provide services to the surrounding industrial developments.

ORDINANCE NO. 25 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-21**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 2.5 ACRES OF A 2.87 ACRES PARCEL FROM RESIDENTIAL LOW (RL) TO INDUSTRIAL (IND), IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA). THE SUBJECT SITE IS LOCATED SOUTH OF NEW TAMPA HIGHWAY, EAST OF AIRPORT ROAD, WEST OF WABASH AVENUE, NORTH OF WILKINSON ROAD, AND SOUTH OF THE CITY LIMITS OF LAKE LAND, IN SECTION 21, TOWNSHIP 28, RANGE 23, 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 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; 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 proposed Plan revisions on October 1st, 2025; and

WHEREAS, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on November 4th, 2025; and

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

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

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 Future Land Use designation on +/- 2.5 acres of a 2.87 acres parent site from Residential Low (RL) to Industrial (IND), in the Transit Supportive Development Area (TSDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

PARCEL # 232821-090500-000401

Commence at the Southeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 21, Township 28S, Range 23E; thence run North along the east line of said the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 2, a distance of 55 feet to a point north of the right-of-way of Old Tampa Highway; thence West along the North right-of-way line of Old Tampa Highway, a distance of 462 feet to the Point of Beginning; thence continue West for a distance of 205.2 feet; thence North for a distance of 589 feet; thence East along the South right-of-way line of CSX Railroad, for a distance of 209.29 feet; thence South for a distance of 628.03 feet to the Point of Beginning.

Contains: 2.87 Acres More or Less.

Less and Except:

A portion of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 21, Township 28S, Range 23E, Polk County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 21, Township 28S, Range 23E; thence run North along the east line of said the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 2, a distance of 55 feet to a point north of the right-of-way of Old Tampa Highway; thence West along the North right-of-way line of Old Tampa Highway, a distance of 552 feet to the Point of Beginning; thence continue West

for a distance of 115 feet; thence North for a distance of 237 feet; thence Southeast for a distance of 262 feet to the Point of Beginning.

Contains: 0.31 Acres More or Less.

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

This ordinance shall be effective on December 5th, 2025 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

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 November 4th, 2025.

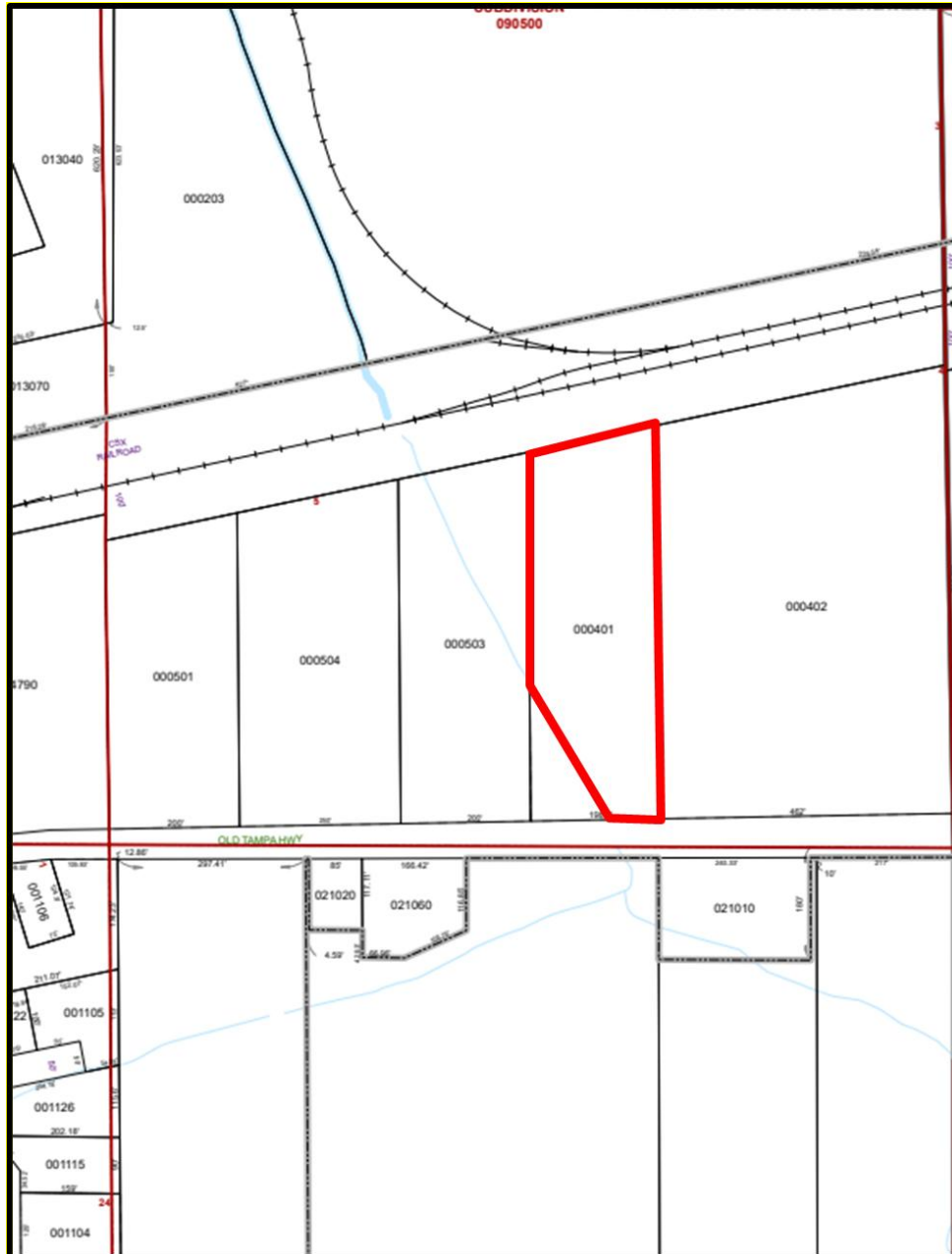
ATTACHMENT "A"

LDCPAS-2025-21

Development Area: Transit Supportive Development Area (TSDA)

Location: South of New Tampa Highway, east of Airport Road, west of Wabash Avenue, north of Wilkinson Road, and south of the city of Lakeland.

Section-21 Township-28 Range-23

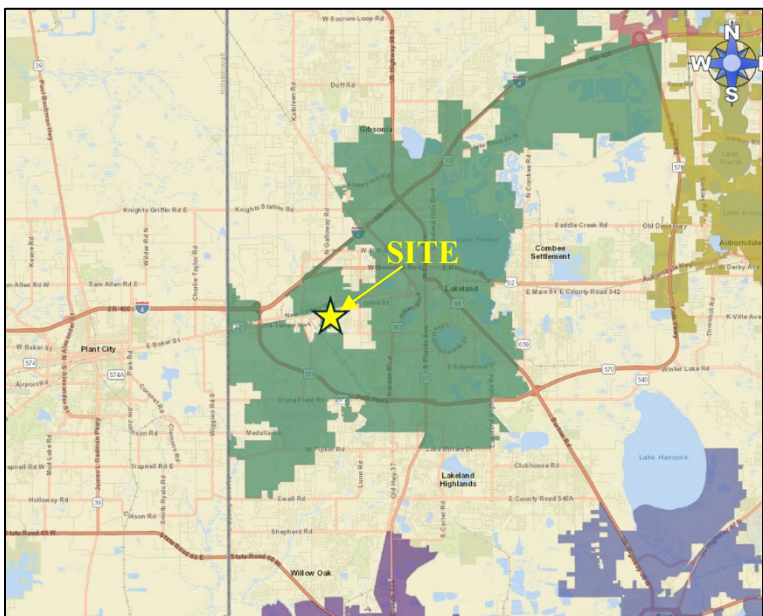


PARCEL DETAIL

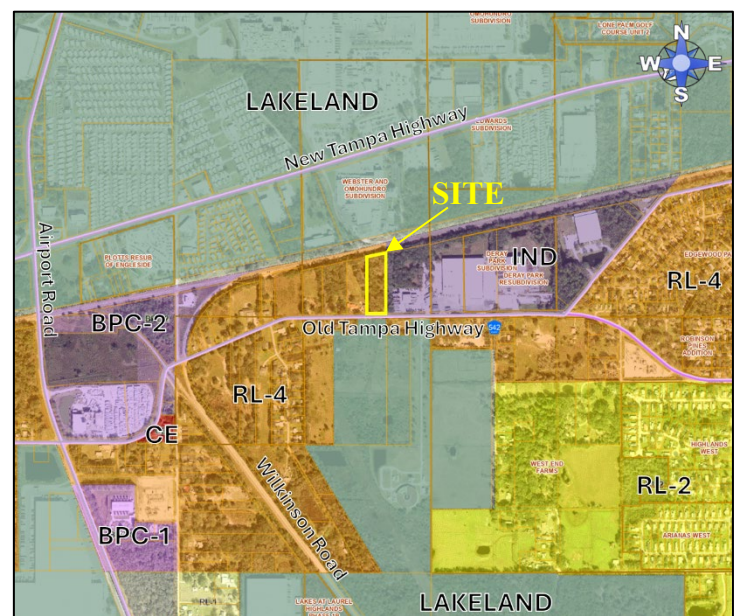
Note: Not to Scale

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | |
|-----------------------------------|--|
| ID #: | 119 |
| DRC Date: | July 31 st , 2025 |
| Planning Commission Date: | October 1 st , 2025 |
| BoCC Dates: | November 4 th , 2025 |
| Applicant: | Anderson Noel |
| Level of Review: | Level 4 Review, Comprehensive Plan Map Amendment |
| Case Number and Name: | LDCPAS-2025-21 Old Tampa HWY IND Small Scale CPA |
| Request: | Small Scale Comprehensive Plan map amendment from Residential Low (RL) to Industrial (IND) on 2.5 of a 2.87 +/- acre parcel. |
| Location: | South of New Tampa Highway, east of Airport Road, north of Wilkinson Road, west of Wabash Avenue South, and west of Lakeland City, in Section 21, Township 28, Range 23. |
| Property Owner: | Big Fish 1 INC |
| Parcels Size: | ± 2.5 of 2.87 acres (23-28-21-090500-000401) |
| Development Area/Overlays: | Transit Supportive Development Area (TSDA) |
| Future Land Use: | Residential Low (RL-4) |
| Nearest Municipality | Lakeland |
| DRC Recommendation: | Approval |
| Planning Commission Vote: | Pending |
| Case Planner: | Johnathan (JP) Sims, Planner II |



Location



Current Land Use Map

Summary

The applicant, Anderson Noel, of Big Fish 1 Incorporated, is requesting a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Residential Low (RL) to Industrial (IND) on 2.5 acres of a 2.87-acre parcel of property in the Transit Supportive Development Area (TSDA), and TCCO Corridor. Applicant's original request was to convert the entire site to IND, but staff is only recommending approval up until the creek that runs through the southwest corner of the parcel. Site is located south of New Tampa Highway, west of Wabash Avenue, east of Airport Road, and north of Wilkinson Road, south of Lakeland city limits, in Sections 21, Township 28, and Range 23.

Compatibility Summary

This request will be compatible with the surrounding area as County Road 542 (Old Tampa Highway) is an Urban Major Collector, which promotes a diverse range of uses. It has Residential Low (RL) abutting the subject site to the west, while north and south are CITY land uses with Lakeland, and east is Industrial (IND). Subject site is currently undeveloped. The Industrial site to the east is a Truck Repair Shop. To the west is a single-family home. The Publix Bakery Factory is to the north of the subject site across a CSX rail line, and to the south is a government building.

Infrastructure Summary

The subject site is within the Lakeland Utilities Service Area for both water and sewer. This was confirmed by the Utilities GIS. The road with access, County Road 542 (Old Tampa Highway), is an Urban Major Collector maintained by Polk County, where there is available capacity with close proximity to US Highway 92 (New Tampa Highway). Mass transit is available in the area with the Lemon Line from Citrus Connection on New Tampa Highway with a stop to the west of the site on Airport Road. Public safety response times are normal for this part of the County, and school capacity should not be an issue in the future as the applicant is looking to a commercial business. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is Walker Road Park 1.1 miles north of the site, and the nearest regional Park is Bonnet Springs Park 2.5 miles to the northeast of the subject site. The soil type for the site is 76.7% Pomona fine sand and 23.3% Myakka-Immokolee-Urban land complex. There are no wetlands or flood zone on site, but there is a creek that runs through the southwest corner of the parcel. The Industrial usage will not be able to cross that creek, but will act as a natural buffer for the residential to the west.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.104(A1-A7): Transit Supportive Development Area (TSDA)
- Policy 2.113A (A1-A5): Industrial (IND)

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Residential Low (RL) to Industrial (IND).
- The subject site is adjacent to a CSX rail line on the north side of the property and abutting Industrial uses to the east.
- The Publix Bakery warehouse is to the north of the subject site across the rail line.
- Applicant's original request was to convert the entire parcel site to IND by staff is only recommending approval up until the creek that runs through the southwest corner of the parcel as demonstrated in exhibits.
- The applicant was consulted about staff's findings and recommendations and is in agreement with the revised request.

Compatibility

- The existing uses surrounding the site are:
 - North – CITY; Publix Bakery warehouse
 - West – RL-4; single family residential, south of the floodway and vacant on the north end of the parcel.
 - East – IND; Truck Repair shop
 - South – CITY; WRF Government building

Infrastructure

- The zoned schools for the site are Jesse Keene Elementary, Sleepy Hill Middle, and Kathleen Senior High School.

- Polk County Fire Rescue Station 24 will be the response unit for fire and EMS for this site. It is located at 1140 North Galloway Road in Lakeland, with an approximate travel distance of 3 miles.
- The subject site is within the Sheriff Department's Southwest District. The Southwest District Office is located at 4120 US Highway 98 South in Lakeland.
- The subject site is within the Lakeland Utilities Service Area for both water and sewer.
- Closest sidewalk connection to the site is along US 92 0.2 miles to the north.
- The closest mass transit route is the Lemon Line with Citrus Connection. The closest bus stop to the subject site is Stop 1400 on Old Tampa Highway, west of the Airport Road intersection.
- The nearest neighborhood park is Walker Road Park 1.1 miles north of the site, and the nearest regional Park is Bonnet Springs Park 2.5 miles to the northeast of the subject site.

Environmental

- The subject site is relatively flat with a high elevation of 133 feet on the north side of the site along the rail line and a low of 125 feet in the center of the site.
- There is no flood zone on site, but there is a small wetlands creek that acts as a flood way that runs through the southwest corner of the parent tract.
- The soil type for the site is 76.7% Pomona fine sand and 23.3% Myakka-Immokolee-Urban land complex.
- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).
- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.
- There are no wells on the subject site and it is not located in a wellfield.
- The site is within an Airport Impact District for Lakeland Linder Airport.
- On the Polk Green Map, site does show in the Potential Network Connection. Site does not reside within a Conservation Easement Area.

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 2.104-A1: DESCRIPTION** - Transit Supportive Development Areas shall meet the following criteria:
 - a.be those areas 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;
 - b.be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon;
 - c.be designated as part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services, as identified in the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and the connecting circulator routes, in order to increase mobility and travel options;
 - d. include development criteria that:1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities;
 - **POLICY 2.104-A2: DESIGNATION AND MAPPING** - The Future Land Use Map Series shall designate and map TSDAs for those areas of the County meeting the general characteristics of this Section 2.104.
 - **POLICY 2.104-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria
 - **ACTIVITY CENTERS:** Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.
 - **RESIDENTIAL:** Residential-High, Residential-Medium, and Residential-Low Districts.
 - **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation.
 - **Note:** Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in the definitions in Section 2.109.
 - **POLICY 2.104-A4: OVERLAY DISTRICTS** - All overlay Districts shall be permitted within TSDAs and UGAs in accordance with applicable criteria.

- **POLICY 2.104-A5: DEVELOPMENT CRITERIA** - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code:
 - provide access to transit facilities;
 - connect to centralized potable water and sanitary sewer systems;
 - incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
 - implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
 - integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;
 - provide access to civic space, parks, green areas, and open space and other amenities;
 - g.be supported by public safety (i.e., fire, EMS and law enforcement);
 - have access to public schools;
 - provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.
 - encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.

- **POLICY 2.104-A6: GENERAL INCENTIVES** - Polk County shall encourage and promote compact, mixed-use by allowing:
 - increased densities and intensities within the Transit Corridors and Centers Overlay District subject to Policy 2.104-A7; and
 - increased densities for affordable or workforce housing subject to Policy 2.104-A7.

- **POLICY 2.104-A7: DENSITIES AND INTENSITIES** - To promote energy efficient land use patterns and compact mixed-use development, the TSDA and the Transit Corridors and Centers Overlay (TCC Overlay) within the TSDA shall include higher densities and intensities of development. The maximum densities and intensities listed in Table 2.104.1 exceed those listed in Policy 2.109-A1 and Policy 2.119-A1 and the policies that include the description for each of the referenced land use category as provided for within this Element. The Mixed Use category within Tables 2.104.1 and 2.104.2 is for those non-residential land use categories that permit residential as provided for in this Element or the Appendices for the Selected Area Plans (SAP). The Transit Corridors and Centers Overlay includes three separate components that expand the residential density of selected Future Land Use Districts. These three components as depicted in Figure 1. include:
 - Transit Corridor - an area within ¼ mile of fixed route transit service;
 - Transit Center - an area within a one mile radius of the point of access for transit services; and

- Transit Center Core - an area within ¼ mile of the point of access for transit services.
 - Maximum densities are established within the TSDA and the respective components of the Transit Corridors and Centers Overlay as listed in Table 2.104.1. The maximum densities are not guaranteed within the respective land use categories and shall only be permitted subject to the requirements established in Policy 2.104-A5 Development Criteria and Policy 2.124-A3 Design Principles. Table 2.104.1 also includes recommended minimum densities to support future investments in public transportation. These recommended minimum densities may be required under the Land Development Code to coincide with planned public or private sector transit investments. Residential projects with less than the recommended minimum density will be encouraged to include a site design that allows for project phasing in order to preserve the maximum development potential of the subject parcel(s).
- 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-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; or3.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-A5: ADJACENT DEVELOPMENT** - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an Industrial may include the following uses: Office, Self-storage Facilities, Medium and High-Density Residential, Institutional, or Open Space.

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 finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-21**.

Planning Commission Recommendation: On October 1st, 2025, in an advertised public hearing, the Planning Commission voted ?? to **recommend ? of LDCPAS-2025-21**.

***NOTE:** This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested 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.*

Analysis

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses

Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

| | | |
|---|---|---|
| Northwest CITY; Publix Training Center | North CITY; Publix Bakery | Northeast CITY; Vacant Industrial |
| West RL-4; Single-family residential | Subject Site RL-4; vacant | East IND; Diesel Repair shop |
| Southwest RL-4; single family residential | South CITY; government building | Southeast RL-4; single family residential |

Source: Polk County Geographical Information System and site visit by County staff

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 purpose of TSDA's is to serve as a foundation from which a future urban pattern is established, and to provide areas for development at urban densities and intensities. TSDA's are areas within the County that, at a minimum, are currently served, or are programmed within the applicable Comprehensive Plan Capital Improvement Program to be served within the next ten years by County owned, municipal, or County franchised central sanitary sewage and potable water systems. TSDA's are also supported by, or programmed to be supported by, other services typically found to accompany urban development such as public safety services, an urban road network, and developed parks.

The request is a Future Land Use designation that is compatible with the surrounding area. In Section 2.113-A of the Comprehensive Plan, Industrial is allowed within the TSDA, and it can include many different types of non-residential developments. The area of the parcel not being changed is on the southwest side of an existing creek that acts as a flood way, that bifurcates the

parcel, and staff is not recommending the Industrial to extend past the natural environmental buffer. This will ensure that there is adequate buffering for the residential use to the west of the subject site. On the parcel with the single family residence, the northern part of the parcel is vacant, as the house was built south of the flood way.

B. Infrastructure

The subject site is within the Lakeland Utilities Service Area for both water and sewer. The Utilities GIS confirms that the water lines surround the subject site along Old Tampa Highway. The parcel accesses onto County Road 542 (Old Tampa Highway), an Urban Collector, that connects to County Line Road, an Urban Collector. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. While there is capacity within the schools, this site is not expected to develop residentially, so impact will not be a factor. The request is compatible with the available infrastructure.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board. However, this site is expected to develop industrial, so no student generation should occur.

Table 2 School Information

| Name of School | Annual Estimated Demand | % Capacity 2023-2024 School Year | Average driving distance from subject site |
|------------------------------|-------------------------|----------------------------------|--|
| Jesse Keen Elementary School | 0 student | 100% | 1.6 miles |
| Sleepy Hill Middle School | 0 student | 99% | 6.5 miles |
| Kathleen Senior High School | 0 student | 69% | 2.9 miles |

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the County.

Table 3 Public Safety Information

| | Name of Station | Distance Response Time* |
|------------------|---|---|
| Sheriff | Southwest District Command Unit (4120 US Highway 98 South, Lakeland, FL) | 18.1 +/- miles Priority 1 – 8:49 Priority 2 – 26:26 |
| Fire/ EMS | Station #24 (1140 N Galloway Rd, Lakeland) | 3 +/- miles |

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for July 2025.

Water and Wastewater

A. Estimated Demand

The subject site is within the City of Lakeland's Utility Service Area for potable water and sewer. The proposed IND would potentially use more water and wastewater than the current land use of RL-4 if built out to maximum developable allowance.

Table 4 Estimated Water and Sewer Impact Analysis

| Permitted Intensity | Maximum Permitted in Existing Land Use RL-4 | Maximum Allowable in Proposed IND |
|---------------------------------------|--|--|
| 2.5 +/-acres 108,900 sq ft | 2.5 acres X 4 du/ac = 10 du | 2.5 +/- acres = 108,900 sq ft X 0.70 FAR = 76,230 sq ft |
| Potable Water Consumption | 10 du X 360 GPD = 3,600 GPD | 76,230 sq ft X 0.24 GPD = 18,295 GPD |
| Wastewater Generation | 10 du X 270 GPD = 2,700 GPD | 18,295 GPD X 80% = 14,636 GPD |

Source: Concurrency Manual: RL-4 uses Single Family Home for concurrency with 360 GPD for water and 270 GPD for sewer. IND uses Warehousing as most common use with 0.24 GPD per sq ft and 80% of water use for sewer use.

B. Service Provider

The subject site is within the City of Lakeland's Utility Service Area for water and sewer. There is a Distribution Main Line for water that runs west to east along Old Tampa Highway, which is south of the subject site. There are wastewater lines that appear on the Utilities GIS, and the Impact Assessment Statement provided by the applicant indicates it will use pre-existing wastewater lines being used by the development on site that run along the east side of the site.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by City of Lakeland Utilities.

D. Planned Improvements

There are no improvements planned at this time.

Roadways/Transportation Network

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Future Land Use change may result in higher trips.

Table 5 Estimated Transportation Impact Analysis

| Permitted Intensity | Maximum Permitted in Existing Land Use RL-4 | Maximum Allowable in Proposed IND |
|--------------------------------|--|--|
| 2.5 +/- acres 108,900 sq ft | 2.5 +/- acres X 4 du/ac = 10 du | 2.5 +/- acres = 108,900 sq ft X 0.70 FAR = 76,230 sq ft / 1000 = 76 sq ft |
| Average Annual | 10 du X 7.81 AADT = 78 Trips (100% New Trips) | 76 sq ft X 1.71 AADT = 120 Trips (92% New Trips) |
| PM Peak | 10 du X 1 PM Peak = 10 Trips (100% New Trips) | 76 sq ft X 0.18 PM Peak = 13 Trips (92% New Trips) |

Source: Concurrency Manual and Table for Minor Traffic Study –Single Family Housing at 7.81 AADT and 1 PM Peak for RL-4, and Warehousing LDA at 1.71 AADT and 0.18 Peak Hours (92% new trips).

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a non-residential development. There is currently nothing developed on the site. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

| Table 6 | | | | | |
|---------|---|-------------|--------------------|----------------------|-------------------------|
| Link # | Road Name | Current LOS | Available Capacity | Minimum LOS Standard | Projected Five Year LOS |
| 4047E | CR 542 (OLD TAMPA HWY) – COUNTY LINE ROAD TO WABASH AVE | C | 553 | E | C |
| 4047W | | C | 549 | E | C |
| 5301E | US 92 (NEW TAMPA HWY) - SR 572 (AIRPORT ROAD) TO WABASH AVE | C | 168 | D | C |
| 5301W | | C | 196 | D | C |

Source: Polk Transportation Planning Organization, Roadway network Database 2025

C. Roadway Conditions

Old Tampa Highway is an Urban Major Collector with available capacity in both directions showing in Fair Condition. US Highway 92 is maintained by the state so conditions are not tracked by Polk County. Access to this site is dictated by a pre-existing driveway on the southeast corner, on the east side of a bridge that crosses the creek. The condition of the roadways and the LOS

change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalk Network

There are no sidewalks running west to east along Old Tampa Highway, and the closest sidewalk connection is on US 92 at the intersection of Airport Road.

E. Planned Improvements:

There are currently no planned County improvements along any of the traffic links.

F. Mass Transit

The closest mass transit route is the Lemon Line with Citrus Connection, with the closest stop being Stop 1400 on Old Tampa Highway on the west side of Airport Road.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Walker Road Park 1.4 miles north of the site, and the nearest regional Park is Bonnet Springs Park 2.5 miles to the northeast of the subject site.

B. Services:

Walker Road Park has a 1.1. mile walking trail, as well as four softball and two multi-purpose fields. You will also find a playground, a nature trail, restrooms and picnic tables. Bonnet Springs Park has a variety of uses, including playgrounds, hiking trails, a museum, open pavilions, cafes, and a boardwalk.

C. Multi-use Trails:

The closest free hiking trail is in Bonnet Springs, 2.5 miles to the northeast of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site is the Tenoroc Fish Management Area which is 5.23 +/- miles to the northeast of the subject site.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

A. Surface Water:

There is no surface water on the subject site, but there is a wetland creek that runs along the southwest corner. On the Polk Green Map, site does show in the Potential Network Connection. Site does not reside within a Conservation Easement Area. The site is almost flat with a low of 125 feet in the center with the land rising to a high of 133 feet on the north side along the CSX rail line.

B. Wetlands/Floodplains:

The subject site's parent tract has a flood way creek that runs through the southwest corner of the property. Development on this site will not be allowed to encroach upon that. This creek forces access to be taken on the southeast corner of the property, on the east side of a bridge on Old Tampa Highway.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the soil is a mix of Pomona fine sand and Myakka-Immokolee-Urban land complex. Both of which are not ideal for construction that requires putting anything below ground.

Table 8

| Soil Name | Septic Tank Absorption Field Limitations | Limitations to Dwellings w/o Basements | % of Site (approximate) |
|---|---|---|------------------------------------|
| Pomona fine sand (7) | Severe: wetness, percs slowly | Severe: wetness | 76.7% |
| Myakka-Immokolee-Urban land complex (53) | Severe: wetness, poor filter | Severe: wetness | 23.3% |

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

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, 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.

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.

F. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site will be connecting to water and sewer from City of Lakeland Utilities. The closest Well site is 0.23 miles to the north of the subject site.

G. Airports:

The site is within an Airport Impact District for Lakeland Linder Regional Airport.

Economic Factors:

There are no known economic factors that would impact the development of this site.

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 and Land Development Code

| Comprehensive Plan Policy | Consistency Analysis |
|---|---|
| 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. | The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Industrial to the east and a Publix warehouse to the north, with a CSX rail line abutting the site to the north help with compatibility. The single-family residence to the west will be sufficiently buffered from the IND use since the IND use will not extend beyond the flood way creek that bifurcates the parcel on the southwest corner. |
| 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 lands surrounding the subject site are already developed with detached single-family home to the west, with commercial uses to the east, south, and north. City of Lakeland Utilities are available in this area for water and wastewater. This request is consistent with this policy. |

| Comprehensive Plan Policy | Consistency Analysis |
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| <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>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> <p>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.</p> | <p>The timing is consistent with the growth in the area as the surrounding sites to the north, east, and south are already being used for commercial purposes. There is ample connectivity to water and electricity. Fire is close by with low response times, while Sheriff is close enough to not be an issue. Site will not generate students so schools will be unaffected. The overall parcel does not contain wetlands or floodplains, but there is a creek that runs through the southwest corner of the site. The site is currently undeveloped.</p> |
| <ul style="list-style-type: none"> • POLICY 2.104-A1: DESCRIPTION - Transit Supportive Development Areas shall meet the following criteria: <ul style="list-style-type: none"> o a. be those areas 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; | <p>Industrial is an allowable use in the TSDA. There is ample infrastructure available in the area to support this land use with connections to water and sewer connections through City of Lakeland. The closest sidewalk connection is to the north of the subject site along New Tampa Highway. Old Tampa Highway is an Urban Major Collector Road with available capacity. There are emergency services, parks, education, mass transit, and industrial development close by abutting to the east. The</p> |

| Comprehensive Plan Policy | Consistency Analysis |
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| <ul style="list-style-type: none"> o b.be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon; o c.be designated as part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services, as identified in the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and the connecting circulator routes, in order to increase mobility and travel options; o d. include development criteria that:1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities; <ul style="list-style-type: none"> • POLICY 2.104-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map TSDAs for those areas of the County meeting the general characteristics of this Section 2.104. • POLICY 2.104-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria <ul style="list-style-type: none"> o ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers. o RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts. o OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation. o Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in the definitions in Section 2.109. • POLICY 2.104-A4: OVERLAY DISTRICTS - All overlay Districts shall be permitted within TSDAs and UGAs in accordance with applicable criteria. | <p>subject site sits within the Transit Corridor which allows for higher density developments.</p> |

| Comprehensive Plan Policy | Consistency Analysis |
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| <ul style="list-style-type: none"> • POLICY 2.104-A5: DEVELOPMENT CRITERIA - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code: <ul style="list-style-type: none"> o provide access to transit facilities; o connect to centralized potable water and sanitary sewer systems; o incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element; o implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element; o integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings; o provide access to civic space, parks, green areas, and open space and other amenities; o g.be supported by public safety (i.e., fire, EMS and law enforcement); o have access to public schools; o provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas. o encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7. • POLICY 2.104-A6: GENERAL INCENTIVES - Polk County shall encourage and promote compact, mixed-use by allowing: <ul style="list-style-type: none"> o increased densities and intensities within the Transit Corridors and Centers Overlay District subject to Policy 2.104-A7; and o increased densities for affordable or workforce housing subject to Policy 2.104-A7. • POLICY 2.104-A7: DENSITIES AND INTENSITIES - To promote energy efficient land use patterns and compact mixed-use development, the | |

| Comprehensive Plan Policy | Consistency Analysis |
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| <p>TSDA and the Transit Corridors and Centers Overlay (TCC Overlay) within the TSDA shall include higher densities and intensities of development. The maximum densities and intensities listed in Table 2.104.1 exceed those listed in Policy 2.109-A1 and Policy 2.119-A1 and the policies that include the description for each of the referenced land use category as provided for within this Element. The Mixed Use category within Tables 2.104.1 and 2.104.2 is for those non-residential land use categories that permit residential as provided for in this Element or the Appendices for the Selected Area Plans (SAP). The Transit Corridors and Centers Overlay includes three separate components that expand the residential density of selected Future Land Use Districts. These three components as depicted in Figure 1. include:</p> <ul style="list-style-type: none"> o Transit Corridor - an area within ¼ mile of fixed route transit service; o Transit Center - an area within a one mile radius of the point of access for transit services; and o Transit Center Core - an area within ¼ mile of the point of access for transit services. o Maximum densities are established within the TSDA and the respective components of the Transit Corridors and Centers Overlay as listed in Table 2.104.1. The maximum densities are not guaranteed within the respective land use categories and shall only be permitted subject to the requirements established in Policy 2.104-A5 Development Criteria and Policy 2.124-A3 Design Principles. Table 2.104.1 also includes recommended minimum densities to support future investments in public transportation. These recommended minimum densities may be required under the Land Development Code to coincide with planned public or private sector transit investments. Residential projects with less than the recommended minimum density will be encouraged to include a site design that allows for project phasing in order to preserve the maximum development potential of the subject parcel(s). | |
| <ul style="list-style-type: none"> • 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 | <p>The subject site is currently designated as Residential Low (RL-4), which is also an allowable use in the TSDA and abuts appropriate land uses. The site is currently undeveloped, and has a single-family residential home to the west. Commercial uses are abutting the site to the north and east, with a government building to the south. A CSX rail line abuts the site on the north side.</p> |

| Comprehensive Plan Policy | Consistency Analysis |
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| <p>significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product.</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> o 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. o b. Accessibility to major air and ground transportation, including but not limited to arterial roadways, rail lines, and cargo airport terminals. o c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10. o d. Industrial facilities should group together in planned industrial districts on sites capable of being expanded and developed in stages. o 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. o 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; or3.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. o 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: <ul style="list-style-type: none"> o a. Permitted uses include facilities for the processing, fabrication, manufacturing, recycling, bulk | <p>The applicant has indicated that their desire to change the site to IND stems from wanting to construct a vehicle repair shop on site, which is a Permitted use. Old Tampa Highway is an Urban Major Collector, which is appropriate for IND to access onto. Site abuts IND use to the east. Single family, low density Residential to the west is the only caveat to this site being converted.</p> |

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| <p>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.</p> <ul style="list-style-type: none"> o 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. o c. Industrial sites shall be designed to provide for: <ul style="list-style-type: none"> <input type="checkbox"/> 1.adequate parking to meet the demands of the use; and <input type="checkbox"/> 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. o 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. o 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. o 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. o 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. | |

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| <p>o 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.</p> <p>o 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.</p> <p>• POLICY 2.113-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an Industrial may include the following uses: Office, Self-storage Facilities, Medium and High-Density Residential, Institutional, or Open Space.</p> | |
| <p>POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria:</p> <p>a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code.</p> <p>b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not:</p> <ol style="list-style-type: none"> 1. enlarge the off-site floodplain; 2. alter the natural function of the floodplain; nor 3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C. <p>POLICY 2.123-B3: LAND-DEVELOPMENT REGULATIONS - Polk County shall implement the land development standards adopted in the Land Development Code for establishing standards and procedures to:</p> <p>a. provide for construction techniques which protect the planned and existing development from flood hazards, and maintain the floodplain's natural flow functions;</p> <p>b. control unnecessary project-related site alteration, erosion, sedimentation, and storm-water</p> | <p>The extension of IND to not cross over the flood way on site is to ensure protection of the natural functions of the creek. Per the concept site plan, development is to take place exclusively east of the flood way on site.</p> |

| Comprehensive Plan Policy | Consistency Analysis |
|--|----------------------|
| <p>runoff;c.prohibit development activities that are incompatible with the Special Flood Hazard Area unless acceptable mitigation techniques are utilized, which may include utilizing FDEP's Florida Development Manual or the applicable water management district's mitigation standards;d.require that all permits for an agency with jurisdiction (i.e. U. S. Corps of Engineers, Water Management Districts, Florida Department of Environmental Protection, etc.) be approved prior to, or concurrently with, the County issuing a final development order; ande.provide development criteria for riverine, lake and other floodplains to specifically address encroachment and buffering.</p> <p>POLICY 2.307-A1: The Polk County Engineer shall prioritize floodplains associated with watercourses, based on the floodplains' development potential, and shall routinely perform hydrologic studies of selected floodplains to determine floodplain and floodway limits. The results of these studies shall be submitted to FEMA for review and revision of existing FIRM and floodway maps.</p> <p>POLICY 2.307-A2: Polk County shall continue to enforce floodplain regulations to ensure the protection of floodplains' natural functions.</p> <p>POLICY 2.307-A3: Polk County shall require that new development in the form of structures and structural improvements be placed one foot or more above the 100-year flood elevation.</p> <p>POLICY 2.307-A4: Polk County shall continue to request inclusion of County public lakes in SWFWMD's Minimum Flows and Lake Levels Project.</p> <p>POLICY 2.307-A5: Development within floodplains shall be limited in accordance to the policies stated in the Future Land Use Element "Floodplain-Protection Areas" Section 2.123-B.</p> | |

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. 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 |

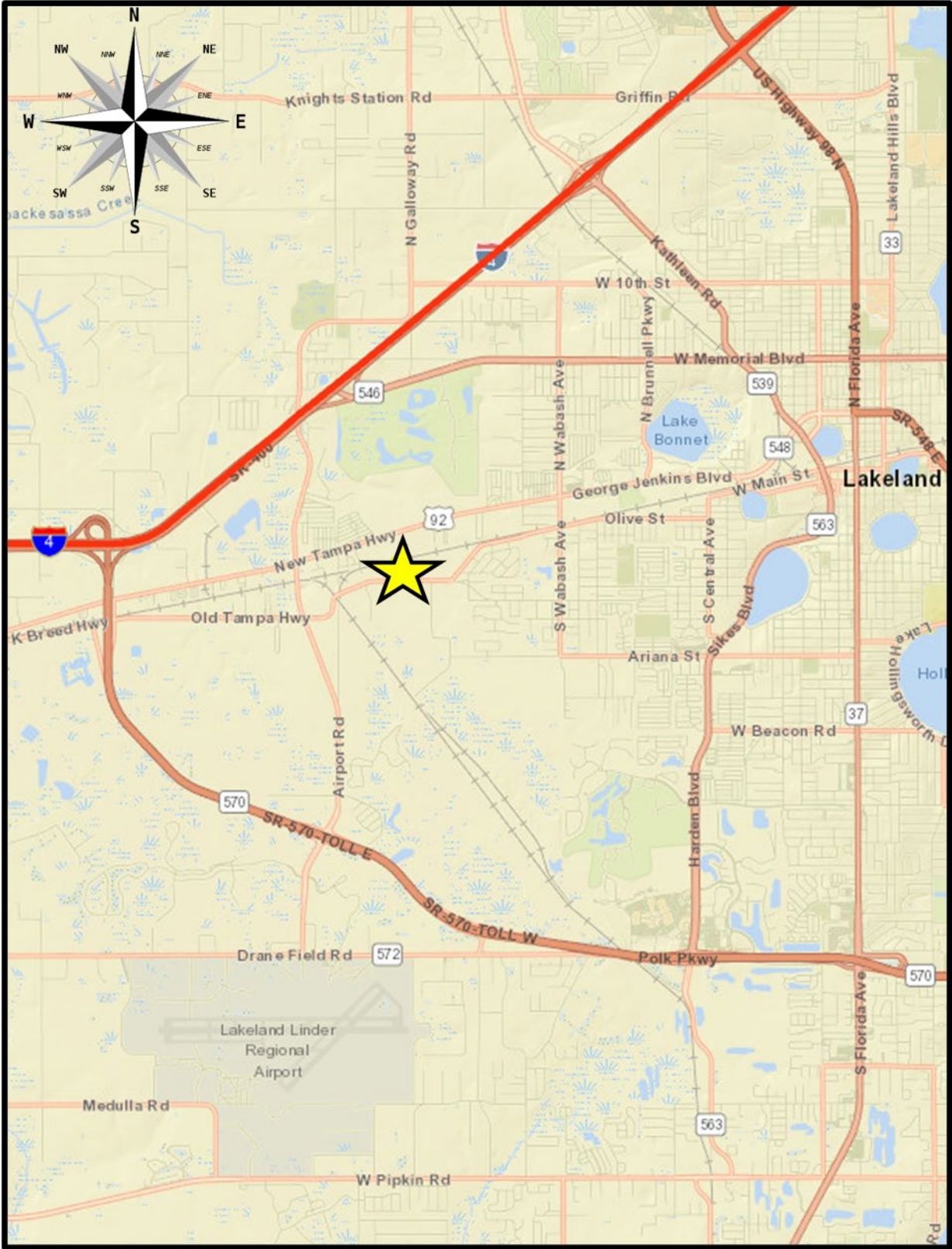
Comments from other agencies

No comments

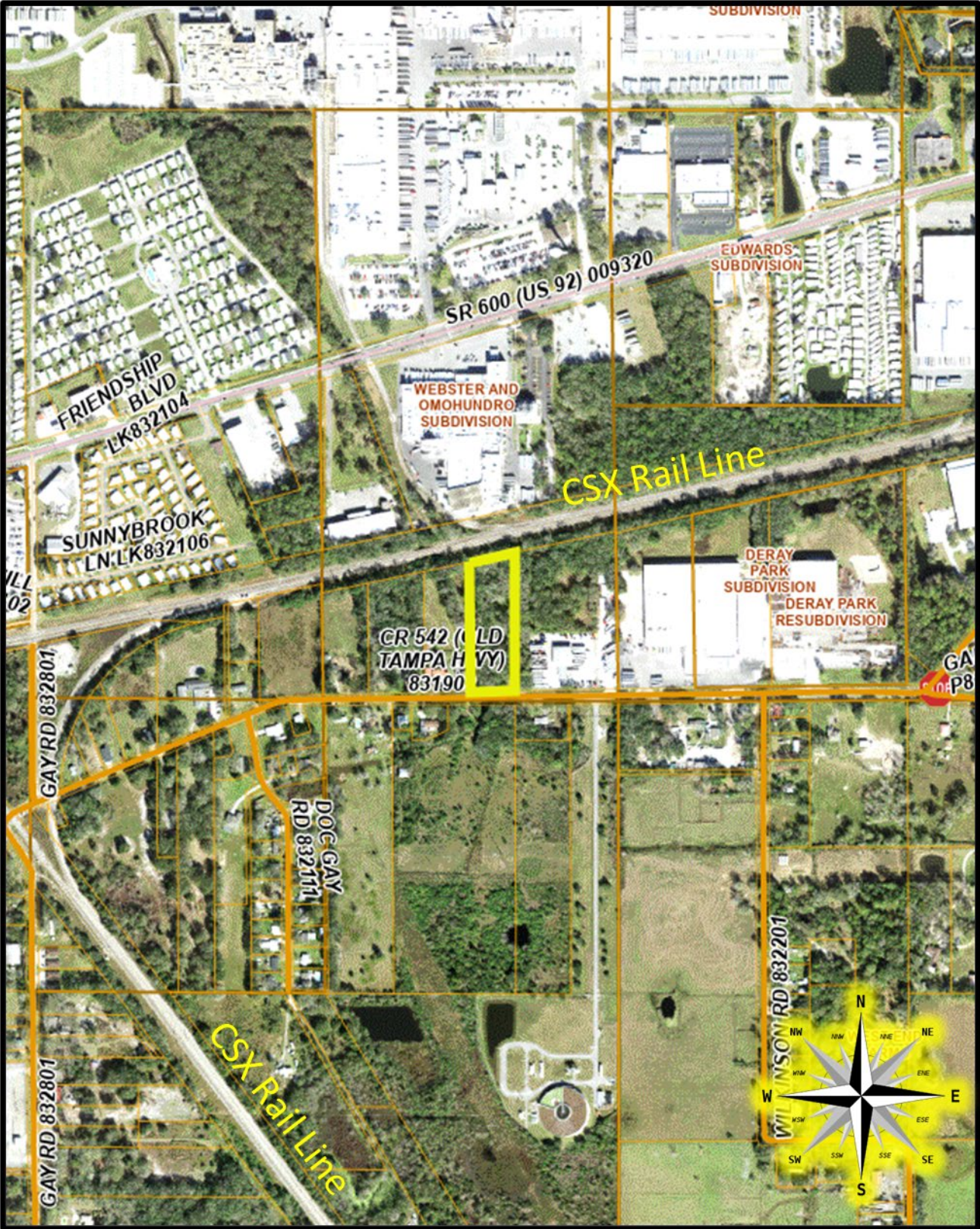
Exhibits:

| | |
|-----------|------------------------------------|
| Exhibit 1 | Location Map |
| Exhibit 2 | 2023 Aerial Context Map |
| Exhibit 3 | 2023 Aerial Close Up |
| Exhibit 4 | Current Future Land Use Map |
| Exhibit 5 | Proposed Future Land Use Map |
| Exhibit 6 | IND Permitted and Conditional Uses |
| Exhibit 7 | Concept Site Plan |

Applicant's submitted documents and ordinance as separate files



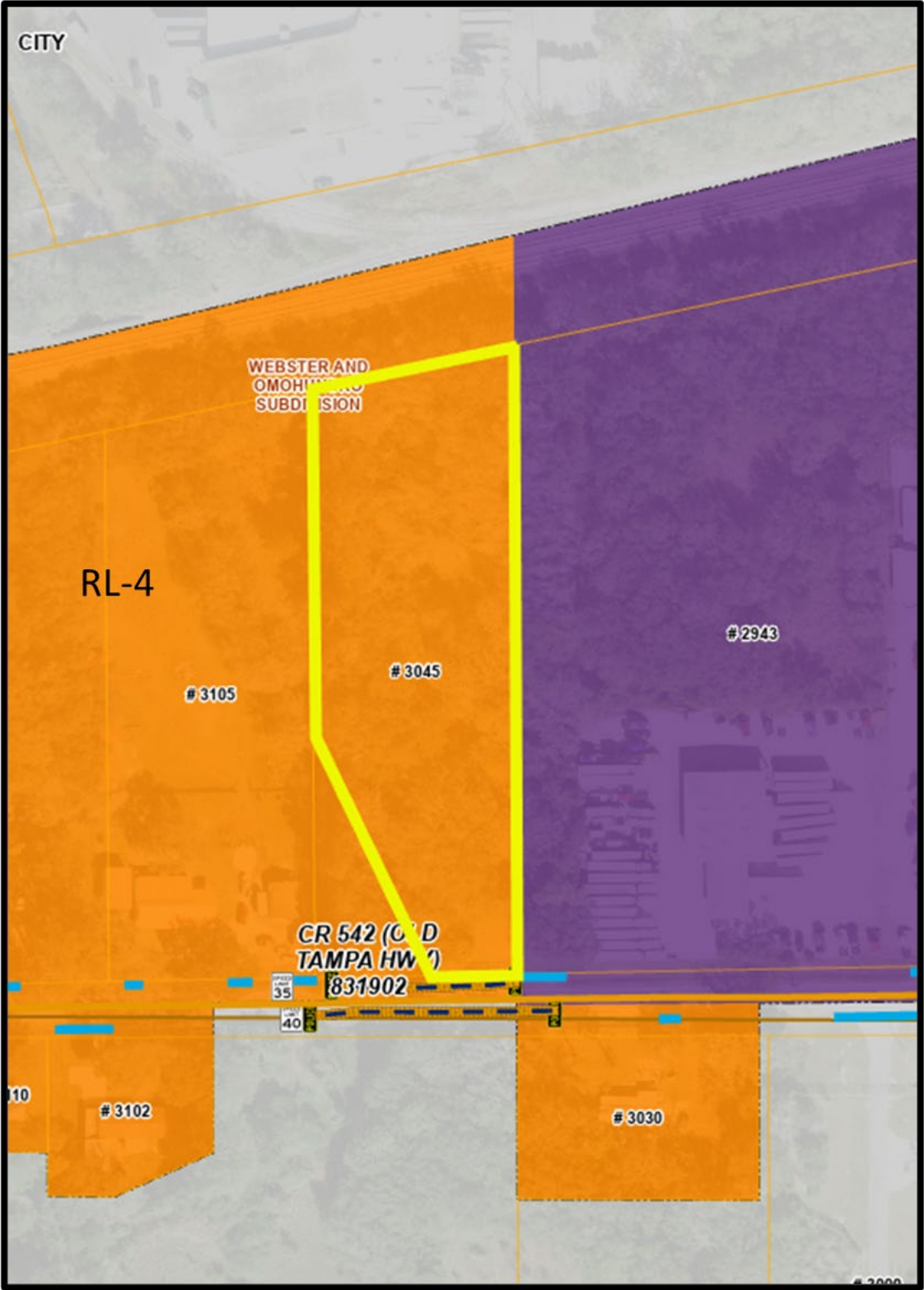
LOCATION MAP



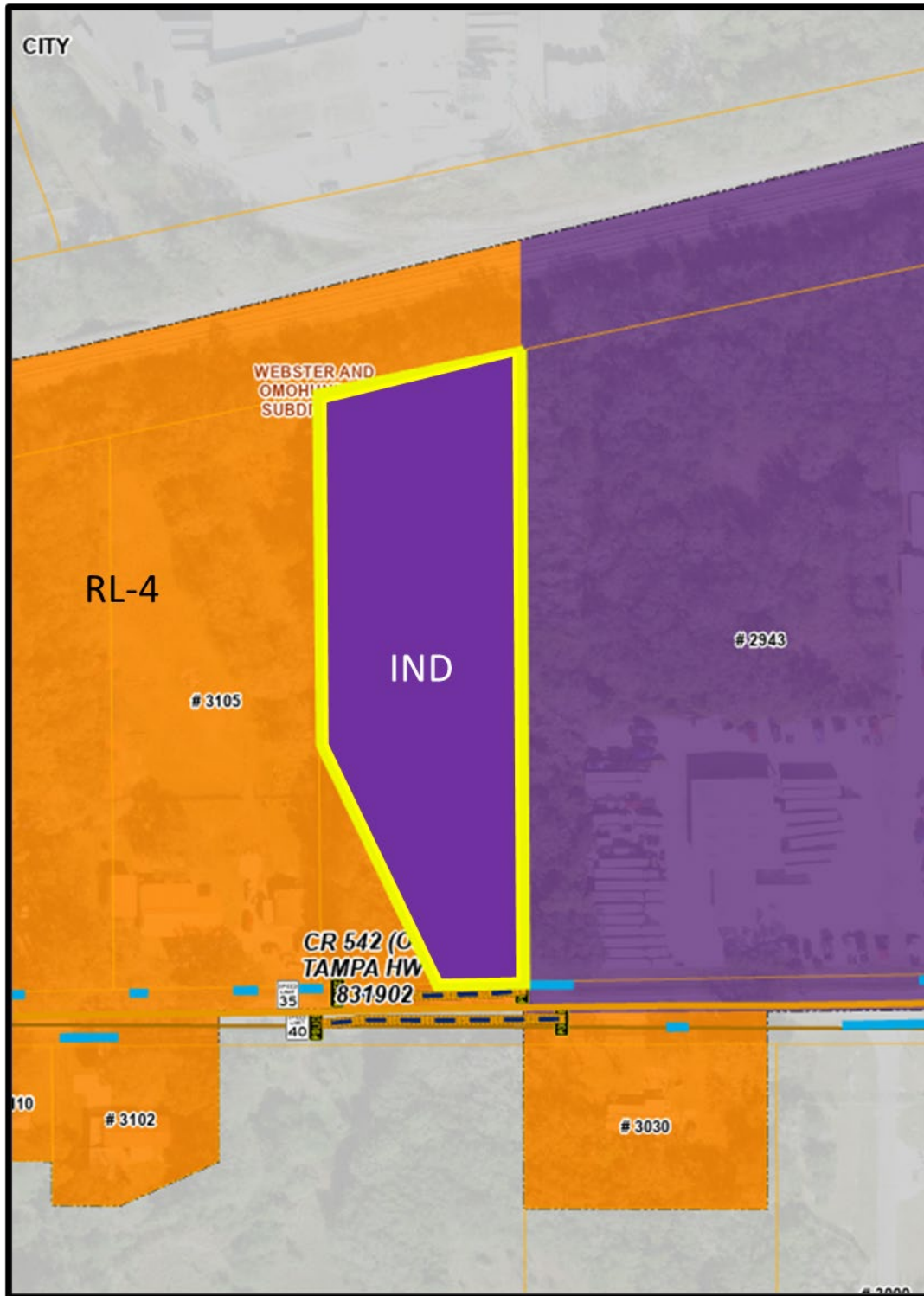
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Residential Low (RL-4)

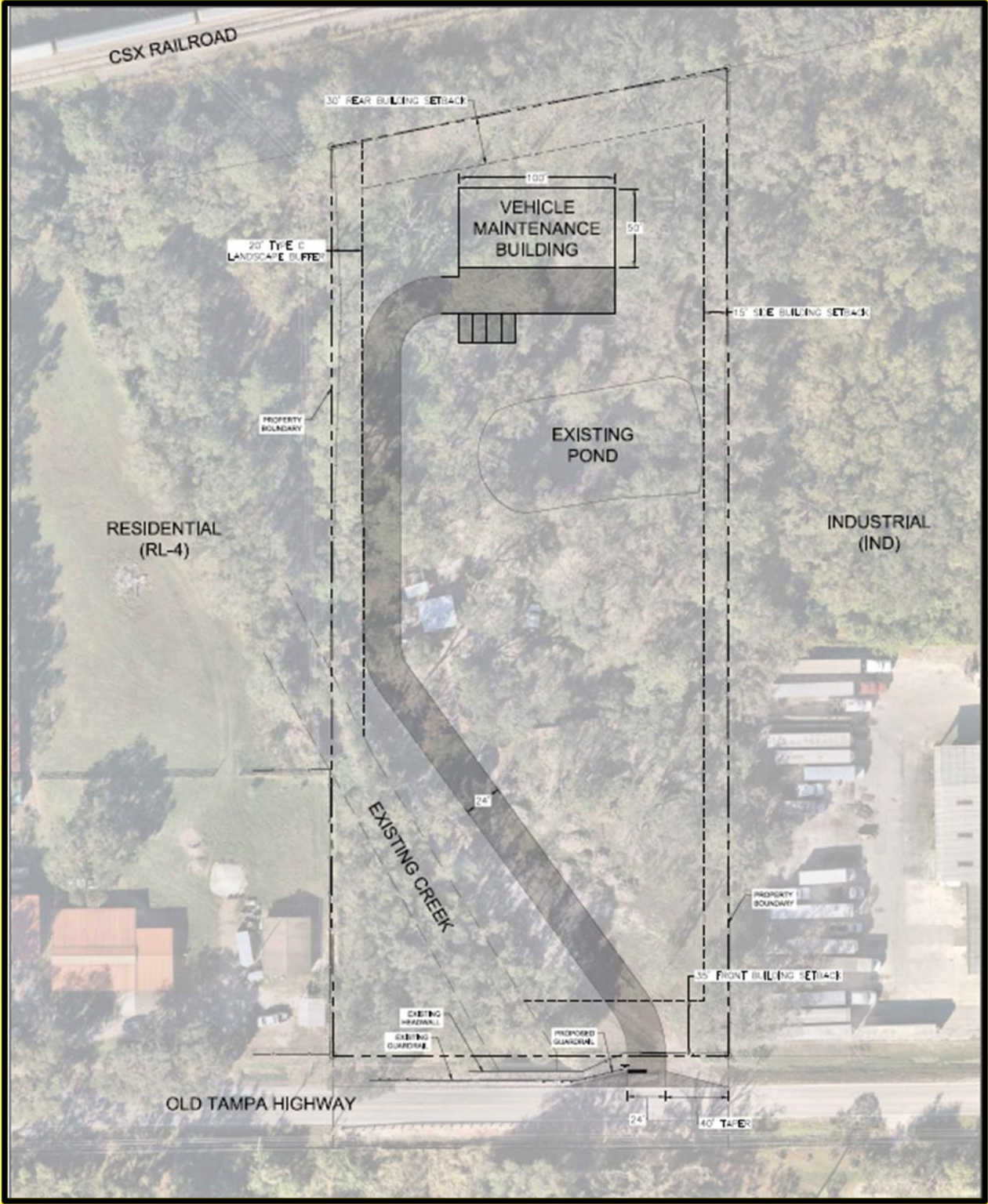


PROPOSED FLUM Industrial (IND)

| FLU | PERMITTED (By Right) | CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review) | CONDITIONAL USE Level 3 or 4 Review (Public Hearing) |
|------------|--|--|---|
| IND | Agricultural Support- Off-Site, Animal Farm- Intensive, Commercial Vehicle Parking, Crematorium, Farming General, Government Facility, Heavy Machinery Equipment Sales and Services, Kennels- Boarding and Breeding, Livestock Sale- Auction, Manufacturing- Explosives/ Volatile Material, Manufacturing- General, Manufacturing- Light, Motor Freight Terminal, Nurseries and Greenhouses, Office, Personal Service, Printing & Publishing, Research & Development, School- Technical/Vocational/Trade & Training, Studio- Production, Transit- Commercial, Transit-Facility, Utilities- Class I, Utilities- Class II, Vehicle Repair- Auto Body, Vehicle Service-Mechanical, Warehousing/Distribution | Alcohol Package Sales, Bars- Lounges- and Taverns, Golf Course, Recreation- Passive, Farm Worker Dormitory- Barrack Style, Breeding- Boarding- and Rehabilitation Facility- Wild or Exotic, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Heliports, Helistops, Hotels and Motels, Medical Marijuana Dispensaries, Nurseries- Retail, Recreational Vehicle Storage, Religious Institution, Restaurant- Drive-thru/Drive-in, Restaurant-Sit-down/Take-out, Retail- 10-000 – 34-999 sq. ft., Retail- 35-000 - 64-999 sq. ft, Retail- Less than 10-000 sq. ft., Self-storage Facility, Solar Electric-Power Generation Facility, Utilities- Class III, Vehicle Recovery Service/Agency, Veterinary Service | Planned Development, Construction Aggregate Processing, Construction Aggregate Storage, Lime Stabilization Facility, Mining- Non-phosphate, Railroad Yard, Retail- More than 65-000 sq. ft., Salvage Yard, School- Leisure/Special Interest, School- University/College, Seaplane Base, Water Ski Schools, Airport, Hazardous Waste Transfer- Storage, Power Plants- Non-Certified- High, Power Plants Non-Certified- Low |

Industrial (IND)

PERMITTED AND CONDITIONAL USES



CONCEPT SITE PLAN



Polk County
Planning Commission

Agenda Item 5.

10/1/2025

SUBJECT

LDCPAS-2025-22 (Motor Vault East CPA)

DESCRIPTION

This is an applicant initiated small-scale Comprehensive Plan Amendment to change the Future Land Use on a 2.28-acre parcel from Residential Low 3 (RL-3) to Institutional (INST), to act as an expansion upon an already approved development to the west called Motor Vault. The subject site is located south of Alamo Drive West, west of State Road 37 (Florida Avenue South), north of Pipkin Road, east of Harden Boulevard, and south of the City of Lakeland, in Section 12, Township 29, Range 23.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Johnathan (JP) Sims

Planner II

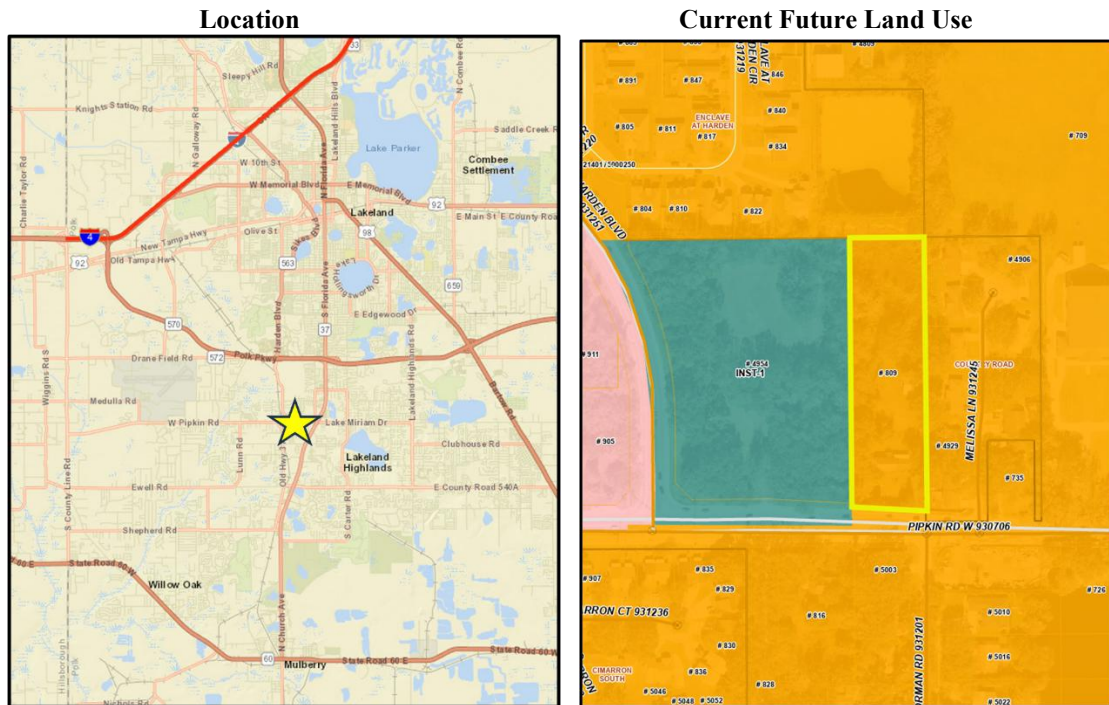
Polk County BoCC

863-534-7515

johnathansims@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | |
|-----------------------------------|---|
| ID #: | 120 |
| DRC Date: | July 31 st , 2025 |
| Planning Commission Date: | October 1, 2025 |
| BoCC Dates: | November 4 th , 2025 |
| Applicant: | Matthew Johnson |
| Level of Review: | Level 4 Review, Comprehensive Plan Map Amendment |
| Case Number and Name: | LDCPAS-2025-22 Motor Vault East CPA |
| Request: | Small Scale Comprehensive Plan map amendment from Residential Low (RL) to Institutional (INST) on 2.28 +/- acres. |
| Location: | South of Alamo Drive West, west of State Road 37 (Florida Avenue South), north of Pipkin Road, east of Harden Boulevard, and south of Lakeland, in Section 12, Township 29, Range 23. |
| Property Owner: | Jennie Campano, Galya Campano |
| Parcel Size: | ± 2.28 acres (232912-000000-034010) |
| Development Area/Overlays: | Transit Supportive Development Area (TSDA) |
| Future Land Use: | Residential Low (RL-3) |
| Nearest Municipality | Lakeland |
| DRC Recommendation: | Approval |
| Planning Commission Vote: | Pending |
| Case Planner: | Johnathan (JP) Sims, Planner II |



Summary

The applicant, Matthew Johnson, is requesting a Small-Scale Comprehensive Plan Amendment on behalf of the property owners, Jennie and Galya Campano, to change the Future Land Use Designations from Residential Low (RL) to Institutional (INST) on 2.28 +/- acres of property in the Transit Supportive Development Area (TSDA). Current Land Development Code district are Residential Low 3 (RL-3), and if approved, it will become Institutional (INST-1). Site is located south of Alamo Drive Wet, west of State Road 37 (Florida Avenue South), east of Harden Boulevard, and north of Pipkin Road, south of Lakeland city limits, in Sections 12, Township 29, and Range 23.

Compatibility Summary

This request will be compatible with the surrounding area as it has ingress/egress onto two large Urban Minor Arterial Roads in Harden Boulevard and Pipkin Road West. It has Institutional (INST-1) to the west of the site, Residential Low (RL-3) to the south, north, and east. There is The change in future land use from RL-3 to INST-1 would allow for the approved Motor Vault Lodge to expand onto this site.

Infrastructure Summary

The subject site has access to water from Lakeland Utilities. This was confirmed by Polk County Utilities GIS. Per the applicant's Impact Assessment Statement, site is planning to connect to sewer through Polk County Utilities by running a line from Dorman Road to the south to the subject site. There is sufficient road capacity on all surrounding road networks. Mass transit is available nearby, with a stop fairly close to the site on Pipkin Road West. Public safety response times are normal for this part of the County, and schools will not be impacted as this site is developing non-residentially. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is the Seminole Park 2.2 miles north of the site and the nearest regional Park is Christina Park 1.5 miles to the south of the subject site. The elevation for the site is relatively flat with a low elevation of 166 and a high of 170. Site does not reside within the Polk Green Network Connection. There are no wetlands or flood zone on site. The soils are a mix of Tavares fine sand and Smyrna and Myakka fine sands.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.104(A1-A5): Transit Supportive Development Area (TSDA)
- Policy 2.116(A3-A4): Institutional

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Residential Low (RL) to Institutional (INST).
- Current Land Development Code is Residential Low 3 (RL-3)
- If approved, site will default to Institutional (INST-1)

Compatibility

- The existing uses surrounding the site are:
 - North – RL-3; Enclave at Harden, a single-family residential neighborhood.
 - West – INST-1; future site of Motor Vault Lodge
 - East – RL-3; single-family residential neighborhood.
 - South – RL-3; single-family residential neighborhood.
- The general area to the east, north, and south of the subject site includes mostly single family detached. To the west is the future site of Motor Vault Lodge, which this subject site will become an expansion of.

Infrastructure

- The zoned schools for the site are Medulla Elementary, Southwest Middle, and George Jenkins High School.
- Polk County Fire Rescue Station 2 will be the response unit for fire and EMS for this site. It is located at 2523 Ewell Road and is 3.1 miles from the subject site.
- The subject site is within the Sheriff Department's Southwest District. The Southwest District Office is located at 4120 US Highway 98 in Lakeland.
- The subject site will be serviced by Lakeland's Utility Service Area for potable water, but per Polk County GIS information, wastewater is handled by the Southwest Regional Utility Service Area. Applicant is planning to run a line south of the site to connect to a force main on Dorman Road.
- There are sidewalks that run along the south side of the subject site along Pipkin Road West and up onto Harden Boulevard on the west side of the subject site.
- The closest mass transit route is the Lime Flex Line through Citrus Connection route with the closest stop being Stop 1179 which is about 500 feet west from the subject site.
- The nearest regional park is Christina Park 1.5 miles south of the site on County Road 540A, and the nearest neighborhood Park is Seminole Park 2.2 miles to the north of the subject site.

Environmental

- The site is relatively flat with a high elevation of 170 feet at the south end of the site down to a low elevation of 166 feet at the north end of the site. Center of the site is 169 feet.
- There are no wetlands or flood zone on the subject site.
- The soil type for the subject site is comprised of Tavaras fine sand and Smyrna and Myakka fine sands.
- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).
- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.
- There are no wells on the subject site and it is not located in a wellfield.
- Site does not reside within a Polk Green Network Connection site.
- The subject site is located within the Lakeland Regional Airport Impact District (AID) and Airport Height Notification Zone. The Airport Height Notification Zone is established to regulate the height of structures and objects of natural growth in areas lying beneath the primary, approach, transitional, horizontal and conical surfaces around each public-use airport in Polk County. As the subject site is east of the Lakeland Regional Airport it is in the Conical Surface Limit boundary. The Conical Surface, according the Polk County Airport Zoning Regulations (Adopted 09/06/2019), is a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet. No height limitation is provided for Conical Surface in the Polk County Airport Zoning Regulations.

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 2.104-A1: DESCRIPTION - Transit Supportive Development Areas shall meet the following criteria:

- a.be those areas 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;
 - b.be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon;
 - c.be designated as part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services, as identified in the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and the connecting circulator routes, in order to increase mobility and travel options;
 - d.include development criteria that:
 - 1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;
 - 2.improve access to employment areas, schools, shopping and recreational opportunities;
- **POLICY 2.104-A2: DESIGNATION AND MAPPING** - The Future Land Use Map Series shall designate and map TSDAs for those areas of the County meeting the general characteristics of this Section 2.104.
 - **POLICY 2.104-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria
 - a.ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.
 - b.RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts.
 - c.OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation.

Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in the definitions in Section 2.109.

- **POLICY 2.104-A4: OVERLAY DISTRICTS** - All overlay Districts shall be permitted within TSDAs and UGAs in accordance with applicable criteria.
- **POLICY 2.104-A5: DEVELOPMENT CRITERIA** - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code:
 - a.provide access to transit facilities;
 - b.connect to centralized potable water and sanitary sewer systems;

- c.incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
 - d.implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
 - e.integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;
 - f.provide access to civic space, parks, green areas, and open space and other amenities;
 - g.be supported by public safety (i.e., fire, EMS and law enforcement);
 - h.have access to public schools;
 - i.provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.
 - j.encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.
- POLICY 2.104-A6: GENERAL INCENTIVES - Polk County shall encourage and promote compact, mixed-use by allowing:
 - a.increased densities and intensities within the Transit Corridors and Centers Overlay District subject to Policy 2.104-A7; and
 - b.increased densities for affordable or workforce housing subject to Policy 2.104-A7.
 - POLICY 2.104-A7: DENSITIES AND INTENSITIES - To promote energy efficient land use patterns and compact mixed-use development, the TSDA and the Transit Corridors and Centers Overlay (TCC Overlay) within the TSDA shall include higher densities and intensities of development. The maximum densities and intensities listed in Table 2.104.1 exceed those listed in Policy 2.109-A1 and Policy 2.119-A1 and the policies that include the description for each of the referenced land use category as provided for within this Element. The Mixed Use category within Tables 2.104.1 and 2.104.2 is for those non-residential land use categories that permit residential as provided for in this Element or the Appendices for the Selected Area Plans (SAP). The Transit Corridors and Centers Overlay includes three separate components that expand the residential density of selected Future Land Use Districts. These three components as depicted in Figure 1. include:
 - a.Transit Corridor - an area within ¼ mile of fixed route transit service;
 - b.Transit Center - an area within a one mile radius of the point of access for transit services; and
 - c.Transit Center Core - an area within ¼ mile of the point of access for transit services.

Maximum densities are established within the TSDA and the respective components of the Transit Corridors and Centers Overlay as listed in Table 2.104.1. The maximum densities are not guaranteed within the respective land use categories and shall only be permitted subject to the requirements established in Policy 2.104-A5 Development Criteria and Policy 2.124-A3 Design Principles. Table 2.104.1 also includes recommended minimum densities to support future investments in public transportation. These recommended minimum densities may be required under the Land Development Code to coincide with planned public or private sector transit investments. Residential projects with less than the recommended minimum density will be encouraged to include a site design that allows for project phasing in order to preserve the maximum development potential of the subject parcel(s).

- **POLICY 2.116-A3: LOCATION CRITERIA** - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:
 - a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.
 - b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).
 - c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.
 - d. Proximity to similar and compatible uses providing opportunities for shared facilities.
 - e. Plans of the School Board and other public service agencies with jurisdiction in the County.
 - The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.
 - Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.
- **POLICY 2.116-A4: DEVELOPMENT CRITERIA** - Institutional development shall conform to the following criteria:
 - a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include:
 - 1. public and private educational facilities;
 - 2. government-administration buildings;
 - 3. public-safety structures (e.g. police and fire);
 - 4. cultural facilities (e.g. libraries, museums, and performing-arts theaters);

- 5.health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].
- b.Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.
- c.Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.
- d.Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.
- e.Institutional sites shall be designed to provide for:1.Adequate parking to meet the present and future demands of the use.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.
- f.Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:
 - 1.Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.
 - 2.Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution
- g.Recreational uses accessory to the institutional use or compatible with the location of the institutional district.

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 finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-22.**

Planning Commission Recommendation: On October 1, 2025, in an advertised public hearing, the Planning Commission voted ?? to **recommend ? of LDCPAS-2025-22.**

***NOTE:** This staff report was prepared without the benefit of testimony and evidence submitted by the public and other interested 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.

Analysis

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses

Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

| | | |
|--|---|---|
| Northwest RL-3; Enclave at Harden single-family residential | North RL-3; Enclave at Harden single-family residential | Northeast RL-3; Ardella Baptist Church |
| West INST-1; Motor Vault Lodge future development | Subject Site RL-3; single-family residential | East RL-3; single-family residential |
| Southwest RL-3; single-family residential | South RL-3; single-family residential | Southeast RL-3; single-family residential |

Source: Polk County Geographical Information System and site visit by County staff

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 purpose of TSDA is to serve as a foundation from which a future urban pattern is established, and to provide areas for development at urban densities and intensities. TSDAs are where there exists 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. The TSDA also promotes and supports the location of higher density and intensity that requires compact and mixed-use development.

The request is a Future Land Use designation that will become an expansion of an already approved development to the west, the Motor Vault Lodge. There is currently a single-family residence on site, but it will be developed to fit with the lodge that is going to the west.

B. Infrastructure

The subject site will be serviced by Lakeland's Utility Service Area for potable water, but per Polk County GIS information, wastewater is available on Dorman Road to the south. The applicant has stated that they intend to run a wastewater line from the subject site south onto Dorman Road to connect to sewer through Polk County's Southwest Regional Service Area. The site has access south onto Pipkin Road West, but as an expansion of the Motor Vault, will also be able to access Harden Boulevard to the west. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. While there is capacity within the schools, this site is not expected to generate students. The request is compatible with the available infrastructure.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board.

Table 2 School Information

| Name of School | Annual Estimated Demand | % Capacity 2024-2025 School Year | Average driving distance from subject site |
|----------------------------|-------------------------|----------------------------------|--|
| Medulla Elementary School | 0 students | 65% | 1.4 miles |
| Southwest Middle School | 0 students | 61% | 3.7 miles |
| George Jenkins High School | 0 students | 102% | 5 miles |

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

It is important to note that the site is intended to develop with a non-residential use, so no students are anticipated to be generated. In addition, the policies in the Comprehensive Plan limits any residential to multifamily associated with a university or college.

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the County.

Table 3 Public Safety Information

| | Name of Station | Distance Response Time* |
|------------------|---|--|
| Sheriff | Southwest District Command Unit (4120 US 98 South, Lakeland) | 7.2 +/- miles Priority 1 – 8:49 Priority 2 – 26:26 |
| Fire/ EMS | Station #2 (2523 Ewell Rd, Lakeland) | 3.1 +/- miles |

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for July 2025.

Water and Wastewater

A. Estimated Demand

Table 4 Estimated Water and Sewer Impact Analysis

| Permitted Intensity | Maximum Permitted in Existing Land Use RL-3 | Maximum Permitted in Proposed INST-1 |
|--|--|--|
| 2.28 +/-acres | 2.28 +/- acres X 7 du/ac = 15 du | 2.28 +/- acres = 99,317 sq ft X 0.25 FAR = 24,829 sq ft |
| Potable Water Consumption | 15 du X 360 GPD = 5,400 GPD | 24,829 sq ft X 0.24 = 5,959 GPD |
| Wastewater Generation | 15 du X 270 GPD = 4,050 GPD | 5,959 GPD X 80% = 4,767 GPD |

Source: Concurrency Manual: RL-3 for single family residence is 360 GPD for water and 270 GPD for wastewater, INST-1 uses Government Offices as LDA, with 0.25 FAR, 0.24/sf for water, and 80% of water for wastewater. Site sits within TSDA which allows up to 7 du/ac for RL.

B. Service Provider

The subject site is within the Lakeland Utility Service Area for potable water, but wastewater will be handled by Polk County Utilities. Applicant is planning to connect to wastewater lines south of the subject site on Dorman Road. The proposed INST-1 has the potential to require more water and generate more wastewater with than the current land use and more.

C. Available Capacity

Staff has not been provided the information for water capacity as service is handled by Lakeland Utilities. With sewer, the following table does show that the Southwest Wastewater Treatment Facility does have available capacity.

| System Status | | | | | | | | |
|-------------------------|---------------------------------------|-----------------------|--|--|---------------------------|-------------------------------|----------------------------------|--|
| | Current Working Permit Limit (MGD) | Current Flow (MGD) | Percent of Current Limit Used Today (%) | Available Flow-Capacity Today (MGD) | Firm Commitments (MGD) | Uncommitted Capacity (MGD) | System Growth Rate (MGD/year) | Time Until Flow Exceeds Limit (Years) |
| Southwest Regional WWTF | 4.000 | 2.131 | 53% | 1.869 | 0.098 | 1.771 | 0.041 | > 20 |

D. Planned Improvements

There are no improvements planned at this time.

Roadways/Transportation Network

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Future Land Use change may result in higher trips. However, it is already developed with a religious institution.

Table 5 Estimated Transportation Impact Analysis

| Permitted Intensity | Maximum Permitted in Existing Land Use RL-3 | Maximum Permitted in Proposed INST-1 |
|---------------------|---|---|
| 2.28 +/-acres | 2.28 +/- acres X 7 du/ac = 15 du | 2.28 +/- acres = 99,317 sq ft X 0.25 FAR = 24,829 sq ft / 1,000 = 25 sq ft |
| Average Annual | 15 du X 7.81 AADT = 118 Trips (100% New Trips) | 25 sq ft X 22.59 AADT = 503 Trips (89% New Trips) |
| PM Peak | 15 du X 1 AADT = 15 Trips | 25 sq ft X 2.68 AADT = 60 Trips |

Source: Concurrency Manual and Table for Minor Traffic Study –Residential Low Single-Family Housing at 7.81 AADT and 1 PM Peak Hours (100% new trips), and INST-1 for General Government Office uses 22.59 AADT and 1.71 AADT at PM Peak Hours.

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a lodge. The site is currently developed with a single-family home, but is expected to develop as an expansion to the Motor Vault Lodge already approved to the west. Since it also serves as a storage facility and is not an everyday use, capacity should not be a problem. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links. It is also relevant to consider the distribution of traffic as it leaves a development site. As traffic leaves a site the impact is not at the same intensity the farther away from the site as it is at the driveway.

| Table 6 | | | | | |
|--|--|-------------|--------------------|----------------------|-------------------------|
| Link # | Road Name | Current LOS | Available Capacity | Minimum LOS Standard | Projected Five Year LOS |
| 8013N | Harden Boulevard (Pipkin Road W to SR 570) | D | 610 | E | D |
| 8013S | | D | 581 | E | D |
| 8339E | Pipkin Road W (Harden Blvd to SR 37) | D | 341 | D | D |
| 8339W | | D | 302 | D | D |
| Source: Polk Transportation Planning Organization, Roadway network Database 2025 | | | | | |

C. Roadway Conditions

Pipkin Road West is an Urban Minor Arterial with available capacity in both directions. Harden Boulevard is also an Urban Minor Arterial. The Pavement Condition Index (PCI) for Pipkin Road West is Very Good while Harden Boulevard has a PCI rating of Good. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalk Network

There are sidewalks that run along the south side of the subject site along Pipkin Road West and up onto Harden Boulevard on the west side of the subject site.

E. Planned Improvements:

Pipkin Road West is currently under construction to widen and improve it from SR 37 down to Medulla Road.

F. Mass Transit

The closest mass transit route is the Lime Flex Line through Citrus Connection route with the closest stop being Stop 1179 which is about 500 feet west from the subject site.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Seminole Park 2.2 miles north of the subject site and the nearest regional Park is Christina Park 1.5 miles to the south of the subject site on County Road 540A.

B. Services:

Christina Park has a Pavilion, Picnic Area, Playground, Restrooms, and Softball Fields. Seminole Park has open space.

C. Multi-use Trails:

The closest free hiking trail is in the Lakeland Highlands Scrub which is located at 6998 Lakeland Highlands Road in Lakeland.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Scott Lake Conservation Easement located 2.4 miles southeast on County Road 540A.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

The following is information pertaining to the environmental conditions on the subject site.

A. Surface Water:

There is no surface water on the subject site. Site does not reside within a Polk Green Network Connection site.

B. Wetlands/Floodplains:

There are no wetlands or floodplains on the subject site.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph.

Table 8

| Soil Name | Septic Tank Absorption Field Limitations | Limitations to Dwellings w/o Basements | % of Site (approximate) |
|---|---|---|------------------------------------|
| Tavares fine sand, 0 to 5 percent slopes | Moderate: wetness | Slight | 71% |
| Smyrna and Myakka fine sands | Severe: wetness, poor filter | Severe; wetness | 29% |

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, 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.

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.

F. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site is connecting to water through Lakeland Utilities.

G. Airports:

The subject site is located within the Lakeland Regional Airport Impact District (AID) and Airport Height Notification Zone. The Airport Height Notification Zone is established to regulate the height of structures and objects of natural growth in areas lying beneath the primary, approach, transitional, horizontal and conical surfaces around each public-use airport in Polk County. As the subject site is east of the Lakeland Regional Airport it is in the Conical Surface Limit boundary. The Conical Surface, according the Polk County Airport Zoning Regulations (Adopted 09/06/2019), is a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet. No height limitation is provided for Conical Surface in the Polk County Airport Zoning Regulations..

Economic Factors:

If site is developed with proposed Motor Vault, it will act as a retreat or lodge to people who share an enthusiasm for automobiles. This could increase the value of the area since it would bring in a specific type of clientele.

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 and Land Development Code

| Comprehensive Plan Policy | Consistency Analysis |
|--|---|
| 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. | The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Institutional would not be out of context with the surrounding area as it is a designation allowed to anywhere within the County. |
| 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 lands surrounding the subject site are already primarily single-family homes, with Institutional to the west with an already approved development. Lakeland Utilities are readily available in this area for water. Site accesses onto two Urban Minor Arterial roads. This request is consistent with this policy. |
| 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. | The timing is consistent with the growth in the area as it is expected to grow with the expansion and improvement of Pipkin Road West. There is ample connectivity to water and electricity. Fire and Sheriff are close by with low response times. Schools that are zoned for the site are not at capacity, but the site is developing non-residentially so schools will not be impacted. The overall parcel does not contain wetlands or floodplains. The site currently has a single-family residence on it but will become an expansion of the Motor Vault Lodge to the west. |
| 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: 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, | |

| Comprehensive Plan Policy | Consistency Analysis |
|--|--|
| <p>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.</p> | |
| <p>POLICY 2.104-A1: DESCRIPTION - Transit Supportive Development Areas shall meet the following criteria:</p> <p>a.be those areas 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;b.be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon;c.be designated as part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services, as identified in the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and the connecting circulator routes, in order to increase mobility and travel options;d.include development criteria that:1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities;</p> | <p>Institutional is allowed in the TSDA. There are sidewalks on the front of the property along Pipkin Road West and Harden Boulevard. The change from Residential Low to Institutional will complement the surrounding land uses.</p> |

| Comprehensive Plan Policy | Consistency Analysis |
|---|---|
| <p>POLICY 2.104-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria</p> <p>a.ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.b.RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts.c.OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation.</p> | <p>The proposed Institutional Future Land Use designation is permitted in the TSDA. The applicant will be required to demonstrate consistency with the TSDA Development Criteria. Therefore, this request is consistent with the TSDA policies. The site is connecting to water through Lakeland Utilities. Applicant is running a wastewater line to a force main on Dorman Road to the south, which is handled by Polk County Southwest Utility Service Area. The sidewalks fronting the property promote walkability in the surrounding area. Public Safety is readily available nearby. The zoned high school does have a capacity issue, but as Institutional does not allow Single Family Residential uses in nature, there should be no student generation caused by the Future Land Use Change.</p> |
| <p>POLICY 2.104-A5: DEVELOPMENT CRITERIA - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code:</p> <p>a.provide access to transit facilities;b.connect to centralized potable water and sanitary sewer systems;c.incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;d.implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;e.integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;f.provide access to civic space, parks, green areas, and open space and other amenities;g.be supported by public safety (i.e., fire, EMS and law enforcement);h.have access to public schools;i.provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.j.encourage the inclusion of a variety of housing choices, other than single family detached</p> | |

| Comprehensive Plan Policy | Consistency Analysis |
|--|---|
| <p>homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.</p> | |
| <p>POLICY 2.116-A1: CHARACTERISTICS - Institutional areas are primarily characterized by private and public-service structures.</p> <p>POLICY 2.116-A2: DESIGNATION AND MAPPING -Institutional areas shall be designated and mapped on the Future Land Use Map Series as "Institutional" (INST) and shall include all major existing institutional areas which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave.</p> <p>POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:</p> <p>a.Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.b.Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).c.The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.d.Proximity to similar and compatible uses providing opportunities for shared facilities.e.Plans of the School Board and other public service agencies with jurisdiction in the County.</p> | <p>The site being changed to Institutional will allow for the site to be used as an expansion of the Motor Vault Lodge to the west. Harden Boulevard and Pipkin Road West are both Urban Minor Arterial which is suitable for the Institutional land use.</p> |

| Comprehensive Plan Policy | Consistency Analysis |
|---|----------------------|
| <p>The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.</p> <p>Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.</p> <p>POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria:</p> <p>a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include: 1. public and private educational facilities; 2. government-administration buildings; 3. public-safety structures (e.g. police and fire); 4. cultural facilities (e.g. libraries, museums, and performing-arts theaters); 5. health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].</p> <p>b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.</p> <p>c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.</p> <p>d. Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.</p> <p>e. Institutional sites shall be designed to provide for:</p> <ol style="list-style-type: none"> 1. Adequate parking to meet the present and future demands of the use. 2. Buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, | |

| Comprehensive Plan Policy | Consistency Analysis |
|---|----------------------|
| <p>utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.f.Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:1.Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.2.Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.</p> | |

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. 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 |

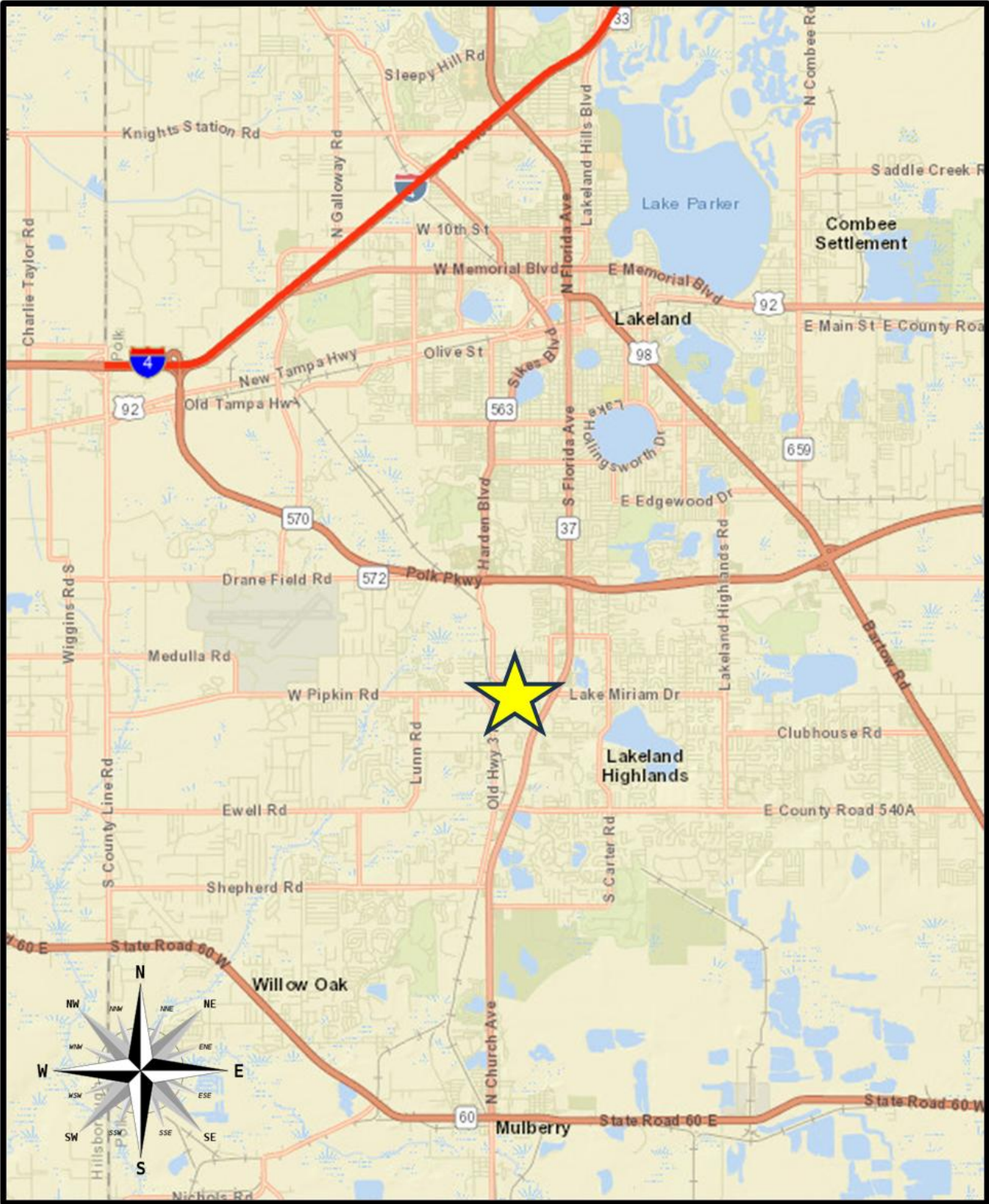
Comments from other agencies

No comments

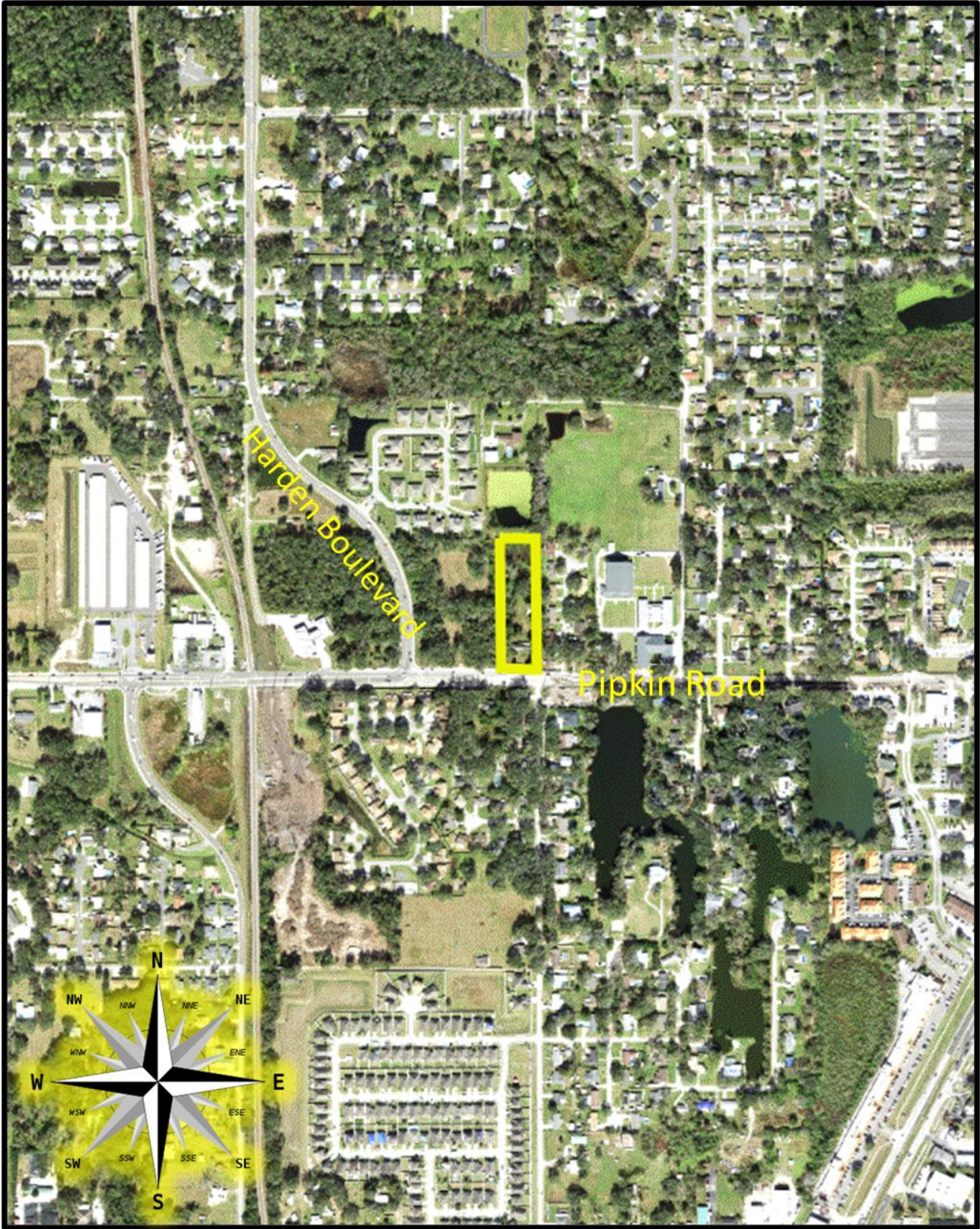
Exhibits:

| | |
|------------|---------------------------------------|
| Exhibit 1 | Location Map |
| Exhibit 2 | 2023 Aerial Context Map |
| Exhibit 3 | 2023 Aerial Close Up |
| Exhibit 4 | Current Future Land Use Map |
| Exhibit 5 | Proposed Future Land Use Map |
| Exhibit 6a | INST-1 Permitted and Conditional Uses |

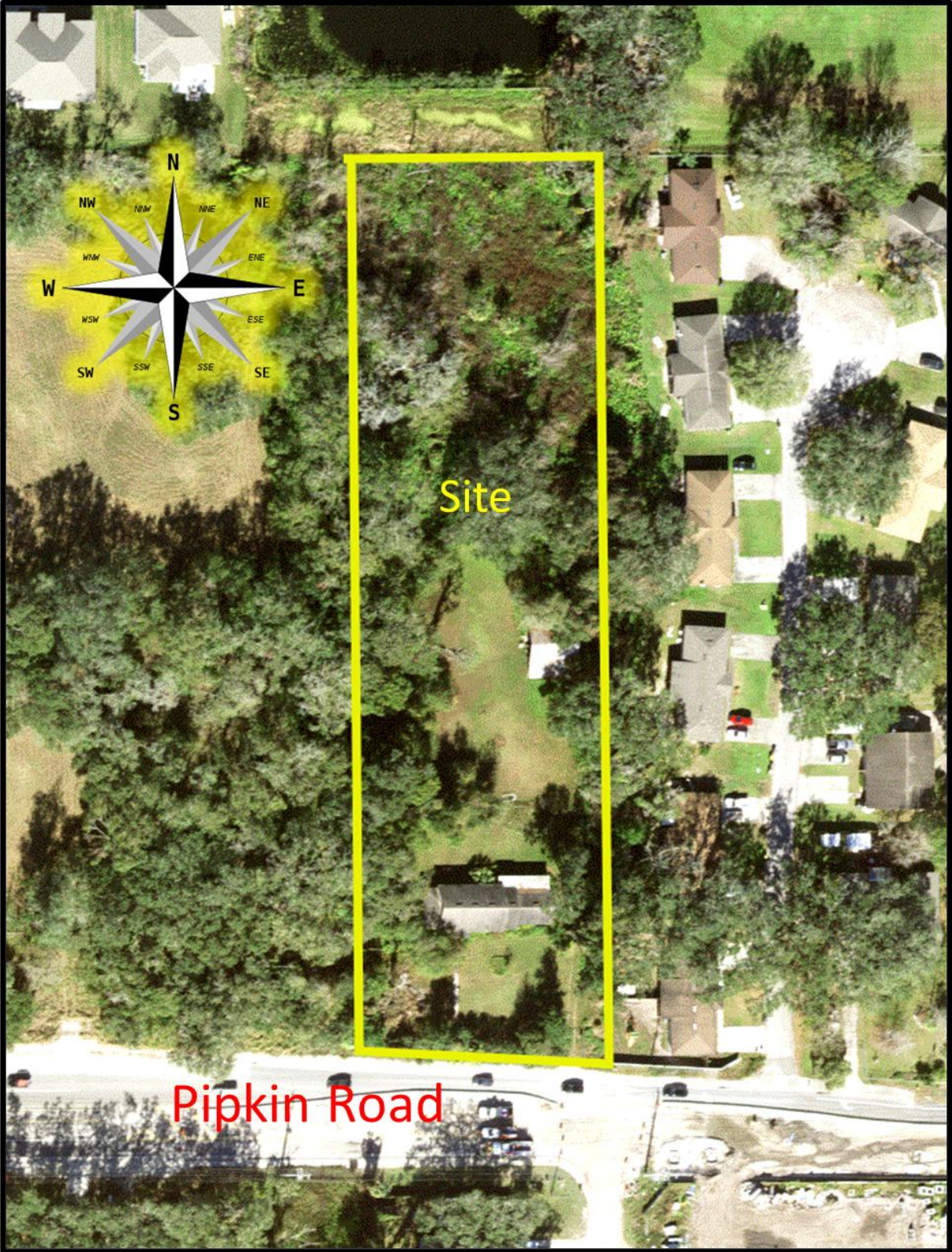
Applicant's submitted documents and ordinance as separate files



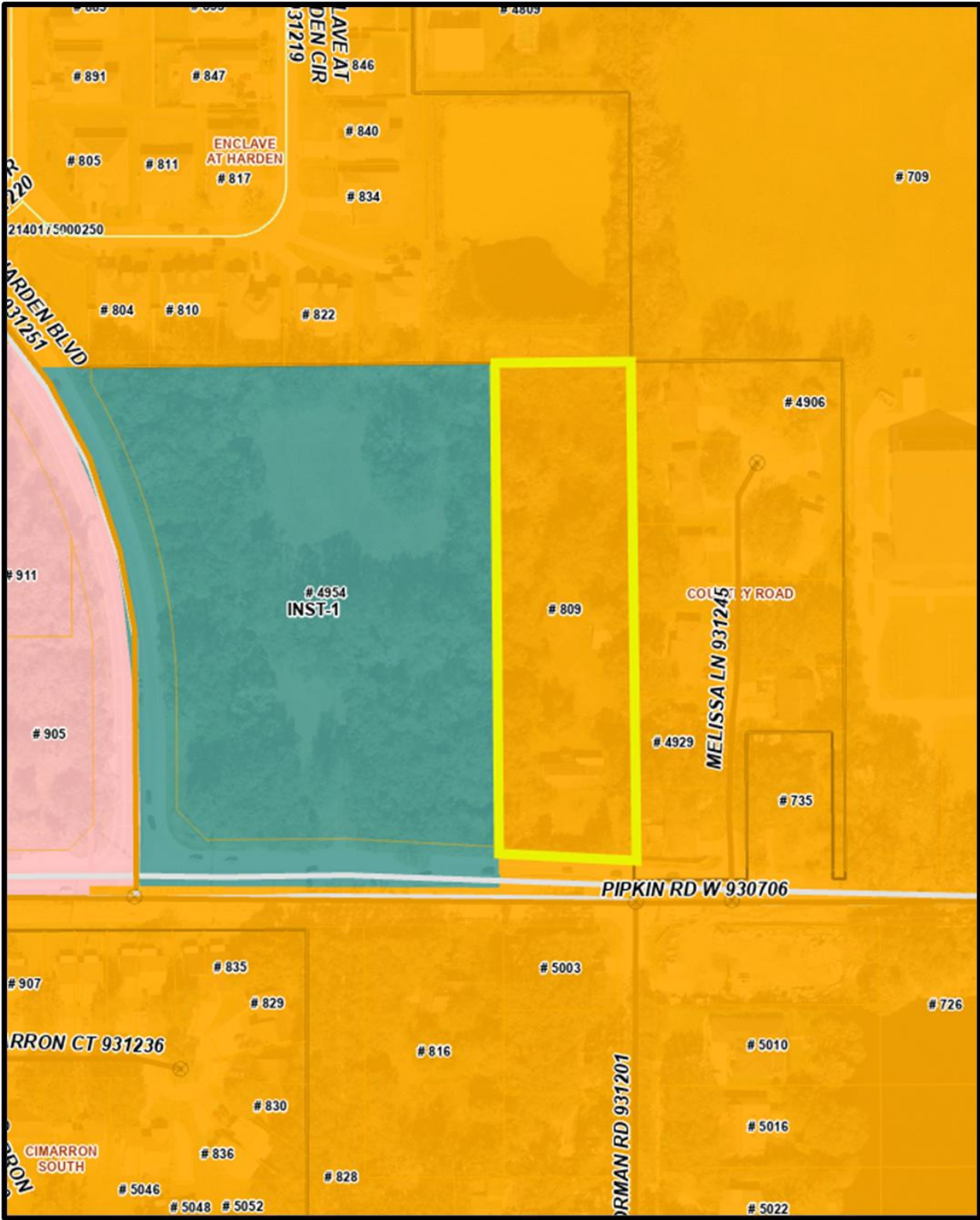
LOCATION MAP



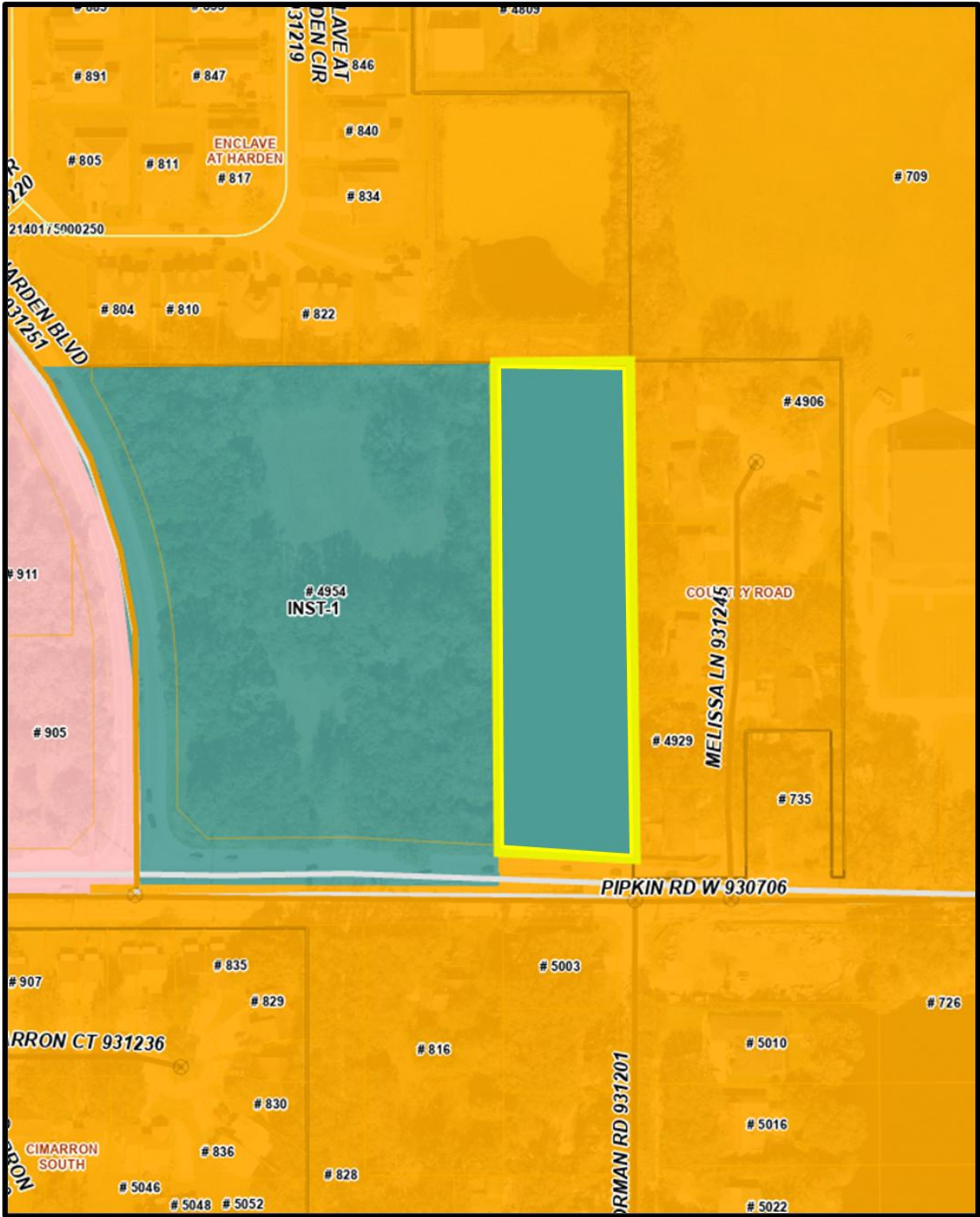
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Residential Low (RL-3)



PROPOSED FLUM Institutional (INST-1)

| FLU | PERMITTED (By Right) | CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review) | CONDITIONAL USE Level 3 or 4 Review (Public Hearing) |
|-------|---|--|--|
| INST1 | Childcare Center, Farming General, Government Facility, Lodges and Retreats, School- Elementary, School- Leisure/Special Interest, School- Middle, Studio- Production, Transit- Facility, Utilities- Class I, Utilities- Class II | Group Home- Large (7-14 residents), Emergency Shelter- Medium (7-14 residents), Golf Course, Recreation- High Intensity, Recreation- Low Intensity, Recreation- Passive, Group Living Facility (15 or more residents), Adult Day Care Center (7 or more clients), Cemetery, Clinics & Medical Offices, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Heliports, Helistops, Nursing Home, Office, Office Park, Recreation- Vehicle Oriented, Religious Institution, Research & Development, Solar Electric-Power Generation Facility | Multi-family, Planned Development, Gas Station, Hospitals, Lime Stabilization Facility, Mining- Non-phosphate, School- High, School- Technical/Vocational/Trade & Training, School- University/College, Seaplane Base, Utilities- Class III, Water Ski Schools, Residential Treatment Facility |

Institutional (INST-1) PERMITTED AND CONDITIONAL USES

LDCPAS-2025-22 - Motor Vault East

Menu

Reports

Help

Application Name: [Motor Vault East](#)

File Date: [07/03/2025](#)

Application Type: [BOCC-CPA Small](#)

Application Status: [Approved for Hearing](#)

Application Comments:

| View ID | Comment | Date |
|---------|---------|------|
|---------|---------|------|

Description of Work: [We are requesting land use change from RL-3 to INST-1.](#)

Application Detail: [Detail](#)

Address: [809 W PIPKIN RD, LAKELAND, FL 33813](#)

Parcel No: [232912000000034010](#)

Owner Name: [CAMPANO GALYA ESTATE OF](#)

Contact Info:

| Name | Organization Name | Contact Type | Contact Primary Address | Status |
|---------------------------------|--------------------------------|--------------|---|--------|
| Matthew Johnson | JSK Consulting | Engineer | Mailing, 5904 Hillside... | Active |

Licensed Professionals Info:

| Primary | License Number | License Type | Name | Business Name | Business License # |
|---------|----------------|--------------|------|---------------|--------------------|
|---------|----------------|--------------|------|---------------|--------------------|

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$4,608.00](#)

Total Fee Invoiced: [\\$4,608.00](#)

Balance: [\\$0.00](#)

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type

[Board of County Commissioners](#)

Variance Type

-

Affordable Housing

Application Type

[CPA Small Scale Or](#)

[EAR](#)

Brownfields Request

-

Type of Acreage

-

GENERAL INFORMATION

Expedited Review

Will This Project Be Phased

DRC Meeting

[07/31/2025](#)

Rescheduled DRC Meeting

-

Green Swamp

[No](#)

Case File Number

-

One Year Extension

-

Number of Lots

-

Acreage

[2.28](#)

DRC Meeting Time

[10:00 AM](#)

Rescheduled DRC Meeting Time

-

Number of Units

-

Is this Polk County Utilities

Is this Application a result of a Code Violation

[No](#)

FS 119 Status

[Exempt](#)

Code Violation Case Number

-

ADVERTISING

Legal Advertising Date

-

BOCC2 Advertising Date

-

BOCC1 Advertising Date

-

Advertising Board

[Board of County Commissioners](#)

MEETING DATES

Community Meeting

-

Land Use Hearing Officer 3

-

2nd BOCC Date

-

Planning Commission Date

[10/01/2025](#)

1st BOCC Date

[11/04/2025](#)

LUHO-Level 3

-

HEARING

PC Hearing Results

-

BOCC 1st Hearing Results

PC Vote Tally

-

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

FINAL LETTER

Denovo Appeal

Denovo Results

Denovo Tally

LD_GEN_PUB_EDL

[Opening DigEplan List...](#)

DigEplan Document List

PLAN REVIEW FIELDS

TMPRecordID

[POLKCO-25EST-00000-41441](#)RequiredDocumentTypesComplete
[Yes](#)

DocumentGroupforDPC

[DIGITAL PROJECTS LD](#)

AdditionalDocumentTypes

[Applications, AutoCad File, Binding, Site Plans \(PDs, and CUs\), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion](#)

DigitalSigCheck

[Yes](#)

RequiredDocumentTypes

Activate DPC

Activate FSA

[Yes](#)

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

[y](#)

SELECTED AREA PLANS

Selected Area Plans

LAND USE

Selected Area Plan LU Code

[Not in an SAP](#)

RL-3 -Residential Low

DEVELOPMENT AREA

Development Area

[Transit Supportive](#)

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board Number of Boards (Number) Number of Mailers (Number) Date Mailed Date Posted NOR

[PC](#)

1

09/17/2025

[BOCC 1](#)

1

09/17/2025

Workflow Status:

Task

Assigned To

Status

Status Date

Action By

[Application Submittal](#)

Lyndsay Rathke

Application ...

07/09/2025

Lyndsay Rathke

Surveying Review

Engineering Review

[Roads and Drainage Review](#)

Phil Irven

Approve

07/18/2025

Phil Irven

[Fire Marshal Review](#)

Kim Turner

Not Required

07/15/2025

Kim Turner

[Planning Review](#)

Johnathan Sims

Approve

07/21/2025

Johnathan Sims

[School Board Review](#)

School District

Not Required

07/10/2025

School District

[Review Consolidation](#)

Lyndsay Rathke

Approved for...

07/21/2025

Lyndsay Rathke

Staff Report

[Public Notice](#)

Planning Commision

BOCC Hearing

Final Letter

DEO Review

Second BOCC Hearing

Archive

Condition Status:

Name

Short Comments

Status

Apply Date

Severity

Action By

Scheduled/Pending Inspections:

Inspection Type

Scheduled Date

Inspector

Status

Comments

Resulted Inspections:

Inspection Type

Inspection Date

Inspector

Status

Comments

Demonstration of Need

The applicant requests an amendment of the existing land use from Residential Low (RL-3) to Institutional (INST). INST would meet Polk County's growing market demands and provide opportunities for the area.

Future developments would be cultivated with the utmost care for surrounding land uses, making sure that impacts to public facilities, services and environmental resources are minimal to none. The applicant does not foresee any conflicts but instead, intends to use development to benefit the encompassing area and residents.

Analysis of Economic Issues

Please see attached Demographic Snapshot Comparison Report.

Urban Sprawl Analysis

1. Could the proposed amendment promote substantial amounts of low-density, low-intensity, or single-use development in excess of demonstrated need?

The request for INST will not create single-use development due to the fact that it will have diverse development options.

2. Will passage of the proposed amendment allow a significant amount of urban development to occur in rural areas?

No, the property is already in an urban setting and will not conflict with rural areas.

3. Does the proposed amendment create or encourage urban development in radial, strip, isolated, or ribbon patterns emanating from existing urban development?

The site is adjacent to INST Land Use and is situated at a major roadway intersection. Due to these existing conditions, the proposed amendment should not create or encourage urban development growth in unusual patterns.

4. Does the proposed amendment fail to adequately protect adjacent agricultural areas?

There are no significant agricultural areas adjacent to the project.

5. Could the proposed amendment fail to maximize the existing public facilities and services?

Public facilities are available and INST land use blends well with adjacent property.

6. Could the proposed amendment fail to minimize the need for future public facilities and services?

No, the request is consistent with the development pattern along this section of W Pipkin Road.

7. Will the proposed amendment allow development patterns that will disproportionately increase the cost of providing public facilities and services?

Public facilities are available, and the INST land use will not disproportionately increase the cost of public facilities and services.

8. Does the proposed amendment fail to provide clear separation between urban and rural uses?

The request for INST is compatible with the other future land uses within the immediate area.

9. Will the proposed amendment discourage infill development or redevelopment of existing neighborhoods?

No, the amendment will allow the continued pattern of development within the surrounding area.

10. Does the proposed amendment fail to encourage an attractive and functional mixture of land uses?

The proposed INST will add to the already diverse mix of attractive and functional land uses.

11. Could the proposed amendment result in poor accessibility among linked or related land uses?

No, any development in this area will comply with the current land development which promotes connectivity and access management.

12. As a result of approval of this amendment, how much open space will be lost?

We do not anticipate additional open space being lost as a result of this amendment.

IMPACT ASSESSMENT STATEMENT

An Impact Assessment Statement is required for all Level 3 and Level 4 Reviews, with the exception of text amendment requests. The purpose of an Impact Assessment Statement is to provide information on the effects a proposed development or land use action will have on the existing neighborhood and general area; on the transportation facilities; on the environment and natural resources of the County; on the public facilities for water, sewer, solid waste disposal, fire, police, public education, parks, recreation, and other utilities; and any other aspect with an identified impact of the development and deemed appropriate for concern.

A sufficient Impact Assessment Statement must address all of the following **(Note: N/A is an insufficient comment, if N/A an explanation must be included)**:

Land and Neighborhood Characteristics

Assess the compatibility of the requested land use with adjacent properties and evaluate the suitability of the site for development. At a minimum, address the following specific questions in your response:

1. How and why is the location suitable for the proposed uses?

The property and surrounding area holds Institutional, Neighborhood Activity Center, Business Park Center and Residential land use as well as municipal water/sewer.

2. What are, if any, the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses?

There are no incompatibilities or special efforts needed as the site is in a varied land use area and is well suited for development. All of the appropriate setbacks and landscape buffers may be observed as required by the land development code.

3. How will the request influence future development of the area?

There do not appear to be similar large tracts that can mimic what is proposed so it is unlikely this development alone will influence development patterns.

Access to Roads and Highways

Assess the impact of the proposed development on the existing, planned and programmed road system. At a minimum, address the following specific questions in your response:

1. What is the number of vehicle trips to be generated daily and at the PM peak hour based on the latest Institute of Traffic Engineers (ITE)? Please provide a detailed methodology and calculations.

| ITE Code | Use | Variable | Proposed | AADT Rate | AADT Total | Peak Rate | Maximum PEAK |
|----------|-------|----------|----------|-----------|------------|-----------|--------------|
| 591 | Lodge | 1 Unit | 28 | .29 | 8 | .03 | 2 |
| Total | | | | | | | <u>2</u> |

2. What modifications to the present transportation system will be required as a result of the proposed development? A minor traffic study will suffice for a detailed methodology and calculations for most applications.

The proposed development will have direct access to Pipkin Road. Any improvements will be addressed at Level II Construction Plan Review.

3. What is the total number of parking spaces required pursuant to Section 708 of the Land Development Code?

There will be parking at each lodge area and at the clubhouse.

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)?

The project will directly access Pipkin Road West.

NOTE: Applications for projects attributing 50 or fewer Average Annual Daily Trips(AADT) according to the latest Institute of Transportation Engineers (ITE) manual May provide a written explanation and justification of why impacts will not be significant in lieu of the required information for “Infrastructure Impacts” items 3 through 9 above.

Sewage

Determine the impact caused by sewage generated from the proposed development. At a minimum, address the following specific questions in your response:

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development? (*Response may be based on Section 703.F of the LDC*)

| <u>Generator</u> | <u>Number of Units</u> | <u>Rate (GPD/Unit)</u> | <u>Flow GPD</u> |
|------------------|------------------------|------------------------|-------------------|
| Lodge/Retreat | 28 | 10gpd | 280 |
| | | Total: | <u>280</u> |

2. If on-site treatment is proposed, what are the proposed method, level of treatment, and the method of effluent disposal for the proposed sewage?

No onsite treatment is proposed.

3. If offsite treatment, who is the service provider?

Polk County.

4. Where is the nearest sewer line (in feet) to the proposed development (*Sanitary sewer shall be considered available if a gravity line, force main, manhole, or lift station is located within an easement or right-of-way under certain conditions listed in Section 702E.3 of the Land Development Code*)

The County's wastewater collection system is located approximately 1,600 south along Dorman Road.

5. What is the provider's general capacity at the time of application?

N/A

6. What is the anticipated date of connection?

N/A

Water Supply

Determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area. At a minimum, address the following specific questions in your response:

1. What is the proposed source of water supply and/or who is the service provider?

City of Lakeland will be the water provider.

2. What is the estimated volume of consumption in gallons per day (GPD)?
(Response may be based on Section 703 of the LDC)

| <u>Generator</u> | <u>Number of Units</u> | <u>Rate (GPD/Unit)</u> | <u>Flow (GPD)</u> |
|------------------|------------------------|------------------------|-------------------|
| Lodge/Retreat | 28 | 10gpd | 280 |
| | | Total: | <u>280</u> |

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

This is in the City of Lakeland's jurisdiction.

4. Who is the service provider?

This is in the City of Lakeland's jurisdiction.

5. What is the anticipated date of connection?

N/A

6. What is the provider's general capacity at the time of application?

N/A

7. Is there an existing well on the property(ies)?

There are no known permitted potable wells on the property.

Surface Water Management and Drainage

Determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development. At a minimum, address the following specific questions in your response:

1. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards, (describe the drainage of the site and any flooding issues);

The site is well drained and suitable for development. Drainage is to the Northeast.

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project?

There will not be any alterations necessary to the site's natural drainage features, other than constructing the required stormwater-management system. Post-development run-off will not exceed pre-development runoff.

Environmental Analysis

Provide an analysis of the character of the subject property and surrounding properties, and further assess the site's suitability for the proposed land use classification based on soils, topography, and the presence of wetlands, floodplain, aquifer recharge areas, scrub or other threatened habitat, and historic resources, including, but not limited to:

1. Discuss the environmental sensitivity of the property and adjacent property in basic terms by identifying any significant features of the site and the surrounding properties.

The site is currently undeveloped. Adjacent properties are used for institutional and residential purposes. There are no known wetland or floodplain conditions on-site.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

There are no known wetland or floodplain conditions on-site.

3. Discuss location of potable water supplies, private wells, public well fields (*discuss the location, address potential impacts*), and;

There will be no public or private water supplies on site. The potable water will come from the City of Lakeland.

4. Discuss the location of Airport Buffer Zones (if any) (*discuss the location and address, potential impacts*).

There are no County airport facilities close enough to be affected by this development.

5. Provide an analysis of soil types and percentage of coverage on site and what effect it will have on development.

Please see attached soils map.

Infrastructure Impact Information

What is the nearest location (travel distance), provider, capacity or general response time, and estimated demand of the provision for the following services:

1. Parks and Recreation;

Polk County has an adequate amount of park facilities to meet the needs of this site. The closest park is Christina Park on 540 A, approximately 2.4 miles away.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

N/A

3. Health Care (e.g., emergency, hospital);

The closest hospital is Lakeland Regional Health. There are numerous medical clinics in the area that would be expected to meet the health care needs of the residents. Lakeland Regional is approximately 7.2 miles away.

4. Fire Protection;

Fire protection will be supplied by The City of Lakeland Fire Station 7 on Drane Field Road. This station is 4.1 miles away and response time is estimated to be 9 minutes.

5. Police Protection and Security;

Police protection will be supplied by the Lakeland Police Department on N Massachusetts Ave. The distance is approximately 6 miles, and the response time will depend on the type of call.

6. Emergency Medical Services (EMS);

EMS Services will be supplied by The City of Lakeland Fire Station 7 on Drane Field Road. This station is 4.1 miles away and response time is estimated to be 9 minutes.

7. Solid Waste (collection and waste generation);

The expected solid waste volume of 100 pounds per day will be stored in residential cans and picked up at the curb in the residential areas by the contract hauler for proper disposal. The solid waste disposal site is the Polk County Northeast Landfill.

Maps

Maps shall be used to give the public agencies a clear graphic illustration and visual understanding of the proposed development and the potential positive and negative impacts resulting from the development. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scale shall be clearly indicated on each map and the dates of preparation and revisions shall be included. The project boundaries shall be overlaid on all maps. The following **maps shall 8 1/2" x 11"** and accompany Impact Assessment Statements:

Map A: A location map (center the site on the map) showing the relationship of the development to cities, highways, and natural features;

Map B: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards***² (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy**. Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

NOTE: Applications for text amendments are not required to submit a complete Impact Assessment Statement, however, all relevant information requested must be addressed. Use this form and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment. ² See *Site Plan Standards* checklist form (GM LDD 11).

Please see attached exhibits for all the necessary maps.

ORDINANCE NO. 25 - _____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-22**; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 2.28 ACRES FROM RESIDENTIAL LOW (RL) TO INSTITUTIONAL (INST), IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA). THE SUBJECT SITE IS LOCATED SOUTH OF ALAMO DRIVE, EAST OF HARDEN BOULEVARD, WEST OF STATE ROAD 37 (FLORIDA AVENUE SOUTH), NORTH OF PIPKIN ROAD, AND SOUTH OF THE CITY LIMITS OF LAKE LAND, IN SECTION 12, TOWNSHIP 29, RANGE 23, 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 163.3187, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Small-Scale Comprehensive Plan Amendments; 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 proposed Plan revisions on October 1st, 2025; and

WHEREAS, pursuant to Section 163.3187(2), FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Plan revisions on November 4th, 2025; and

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

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

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 Future Land Use designation on a +/- 2.28 acres site from Residential Low (RL) to Institutional (INST), in the Transit Supportive Development Area (TSDA) on the parcel listed below and graphically depicted on the parcel map in Attachment “A”.

Parcel # 232912-000000-034010

E1/4 OF SE1/4 OF SW1/4 OF NW1/4 LESS THAT PART BEING R/W FOR HARDEN BLVD AS
DESC IN OR 7832 PG 206

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

This ordinance shall be effective on December 5th, 2025 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in compliance in accordance with Section 163.3184 (1)(b), Florida Statutes. No development orders, development permits, or land uses dependent upon this amendment, as described on the attached map of proposed land uses, may be issued or commence before it has become effective.

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 November 4th, 2025.

ATTACHMENT "A"

LDCPAS-2025-22

Development Area: Transit Supportive Development Area (TSDA)

Location: South of Alamo Drive, east of Harden Boulevard, west of State Road 37 (Florida Avenue South), north of Pipkin Road, and south of the city of Lakeland.

Section-12 Township-29 Range-23



PARCEL DETAIL

Note: Not to Scale



Polk County
Planning Commission

Agenda Item 6.

10/1/2025

SUBJECT

LDCT-2025-7 (Cargo Containers LDC Text Amendment)

DESCRIPTION

A County-initiated LDC Text Amendment to Section 206.K to allow cargo containers on residentially developed properties meeting or exceeding one acre.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Ian Nance
Land Development
(863) 534-7621
ivannance@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | | | |
|-------------------|-------------------|-------------------------|--|
| DRC Date: | February 27, 2025 | Level of Review: | Level 4 Review |
| PC Date: | October 1, 2025 | Type: | LDC Text Amendment |
| BoCC Date: | November 4, 2025 | Case Numbers: | LDCT-2025-7 |
| | December 2, 2025 | Case Name: | Cargo Containers on Residential Property |
| Applicant: | Polk County | Case Planner: | Ian Nance |

| | |
|----------------------------------|---|
| Request: | A County-initiated LDC Text Amendment to Section 206.K to allow cargo containers on residentially developed properties meeting or exceeding one acre. |
| DRC Recommendation: | Approval |
| Planning Commission Vote: | Pending |

Among the changes to Section 206.K:

- Allow cargo containers on residentially developed properties meeting or exceeding one acre for up to one container per acre.
- Provide a “grandfather” clause for cargo containers currently permitted on residential properties below one acre.

Summary:

Land Development Code policy prohibits the use of cargo containers for storage or as accessories on residential properties. The Building Department, though, has viewed them as building material, and permits have been issued to allow them on residential properties. Code Enforcement has been forced to either enact LDC standards or abide by the building permit.

This is a staff-initiated LDC Text Amendment to remedy this confusion and allow cargo containers in residentially developed areas. The Board has directed staff to incorporate a minimum lot size of one-acre to be eligible for a container, with a maximum of one container per acre. Existing standards will then apply, including not allowing these to be stacked, if allowed more than one container; buffering and/or screening from neighbors; requiring a 15-foot setback from residentially developed property lines; placement in the side or rear yard, consistent with most accessory structures; and prohibiting any signage.

While there has been an upward trend in using cargo containers for storage and other purposes, they do create a concern in residential areas given their height, length, and industrial aesthetic. Given the proposed and current standards listed above, these concerns can be mitigated and consistency gained when applying County policy. Staff recommends approval.

Relevant Sections, Policies, and/or Regulations to Consider:

LDC Section 206.K

LDC Section 907 Level 4 Reviews

Findings of Fact

- *This is a County-initiated LDC Text Amendment to Section 206.K to allow cargo containers on residentially developed properties meeting or exceeding one acre.*
- *LDC Chapter 10 defines Cargo Containers as, “A reusable vessel that is originally, specifically or formerly designed for or used in the packing, shipping, movement, or transportation of freight, articles, goods or commodities and is also designed for or capable of being mounted or moved on a rail car, truck or trailer or loaded on a ship.”*
- *Section 206.K “Cargo Containers for Permanent Storage” was added to the LDC by Ordinance 09-058 (LDC 09T-27) on September 2, 2009. This removed a restriction on using “convex shipping containers” and provided allowances for their use in certain non-residential, residential, and non-residential Future Land Use Districts.*
- *According to LDC Section 206.K, “Cargo containers are permitted to be used as permanent storage in accordance with the following:*
 - 1. All cargo containers shall comply with the Florida Building Code, Florida Fire Prevention code, and shall require a building permit.*
 - 2. Cargo Containers for permanent storage are prohibited in the following land use districts: RCC-R, RL, RM, RH, OC, L/R, ROS, and PRESV.*
 - 3. Cargo containers shall be permitted in accordance with the following:*
 - a. As a temporary use in any land use district in conjunction with an authorized construction project, and shall be removed upon completion of the project unless properly permitted to remain as permanent storage in accordance with section.*
 - b. Bona fide agricultural properties are permitted to have one cargo container per five acres of agricultural tax exempt acres of land, with no minimum acreage being required.*
 - c. Parcels designated A/RR and RS shall be permitted one cargo container per five acre parcel, with a minimum property size of five acres.*
 - d. Non-residential properties are permitted one cargo container per acre, with no minimum acreage being required.*

4. *In the instance where more than one cargo container, as outlined in this section, is allowed they shall not be stacked. However, within the IND and BPC-2 land use district they shall be permitted to be stacked two-high.*
 5. *Cargo containers located on a residentially developed lot, or within the CE, LCC, RCC, CC, NAC, CAC land use districts, that is adjacent to residentially developed lots or structures shall be buffered and/or screened from the adjacent off-site residential lot or structure. Additionally, they shall maintain a minimum setback of 15 feet.*
 6. *All cargo containers shall be placed in either the side or rear yard and meet accessory structure setbacks for the applicable land use district or the set back as outlined in the Condition #5 above, whichever is more restrictive.*
 7. *Cargo containers shall not be located within any drainage easements.*
 8. *Cargo containers shall not occupy any required off-street parking spaces, vehicular accesses or drive aisles, pedestrian facilities or landscape areas for the site.*
 9. *Cargo containers shall not be permitted to have signage of any type.*
 10. *Cargo Containers are not considered to be used for permanent storage if they are modified or retrofitted for residential habitation in accordance with the Florida Building Code. This section does not apply to the construction of residential dwellings.*
- *LDC Section 912 allows any property owner, BoCC, or agency to apply to the Department to amend the text of this Code, the text of the Comprehensive Plan, or the Future Land Use Map Series (FLUMS) in compliance with procedures prescribed by the Department.*
 - *This application has been reviewed for consistency with applicable Comprehensive Plan and LDC policies. As an accessory use, the Comprehensive Plan provides no instruction on the placement of cargo containers.*

The Land Development Division, based on the information provided with the proposed text amendment application, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **Approval of LDCT-2025-7**.

Analysis:

Prior to September 2, 2009, all cargo containers were prohibited for any use in the County. At the Board's direction and with the adoption of LDC 09T-27, this prohibition was lifted, and allowances were granted to certain non-residential future land use districts, Agricultural/Residential Rural (A/RR) and Residential Suburban (RS) land use districts, and for

bona fide agriculture. Adopted standards included requiring a building permit; prohibiting their use for habitation; increasing setbacks and enhancing screening from residential properties; prohibiting signage; and capping the number allowed on a property (e.g. A/R & RS are allowed one contained per five acres with a five-acre minimum lot size).

In 2023, Section 206.K was amended by LDCT-2023-13 to allow cargo containers for habitation. This was supported because they can be more cost-effective than traditional housing because they require less building materials and labor to construct. Furthermore, shipping containers are versatile and easy to modify. From a Building Code perspective, if designed and permitted properly, the containers are simply another construction material.

This reasoning remains with the subject of using containers for storage and other accessory purposes. The trouble with these containers is they have an industrial look that does not fit well in a residential property. These are eight feet in height and come in a mix of 20- and 40-foot-long models. They simply lack a residential aesthetic, and unlike incorporating containers into single-family dwelling units which will ostensibly be designed to look like homes, this is less likely to be true for an accessory storage structure purchased for cost reasons.

When drafting this text, staff explored options for making them more appealing for neighborhoods by requiring painting or retrofitting with roofs or siding; however, the LDC does not apply architectural standards for other accessory structures, relying instead on buffering and screening techniques. So, if adopted for use in residential areas, the current language will require these to be a minimum of 15 feet from residentially developed property lines and screened by fencing or landscaping. They will be required to be located to the side or rear yards, and any signage on the container must be removed.

Finally, the Board directed staff that a minimum of one acre should be applied to be eligible for a cargo container, with a maximum of one container per acre.

Benefit-cost Analysis of the Amendment

Who does it help?

This amendment allows homeowners that have the necessary property size to have at least one cargo container onsite. The containers provide room for storage in one structure rather than multiple sheds and garages. This amendment also provides clarity to County policy, as there is an existing conflict between the LDC and Building Code.

Who does it hurt?

Homeowners who do not meet the one-acre minimum will not be allowed to have cargo containers onsite. There is also a risk that neighboring properties will be unhappy with the placement of a container next door, even on an acre. These containers are large and lack a residential aesthetic. The County is unable to require these to be retrofitted, relying instead on buffering and screening to mitigate incompatibilities.

What is the cost?

The containers do provide a cost-effective alternative to other types of accessory structures intended for storage, as the price per square-foot is typically lower. A standard 20-foot-long container generally costs between \$1,500 to \$5,000, depending on its condition and features, such as roll-up doors. 80 - 120 sq. ft. manufactured sheds range in cost from \$3,500 to over \$6,000.

Jurisdictional Comparison

Staff commonly surveys Land Development regulations for counties on the I-4 corridor for regulatory comparisons due to their proximity to Polk County. Alachua and Duval are also reviewed because of similar demographic and urban-rural mixture. The cities of Winter Haven and Lakeland were also surveyed for comparison. This method of selection creates a review of 14 total local jurisdictions.

Through this research, staff did not find any regulations in six jurisdictions; five specifically prohibited their use as accessory structures; and three did allow them with conditions. The proposed ordinance compares closely with standards adopted by Manatee and Hardee counties. Manatee County, specifically, requires compliance with the Building Code and LDC for the placement of these containers, which include setbacks. Hardee County requires buffering, as is already required by Polk County.

Table 1

| Jurisdiction <i>(Code citation)</i> | General Residential Standards | Aesthetic Standards |
|---|--|---|
| Alachua County | None Noted | None Noted |
| Brevard County | No Cargo Containers for ADUs | None Noted |
| Duval County <i>Sec. 656.399.60</i> | Shipping containers shall be prohibited. | |
| Hardee County <i>Sec. 2.16.03</i> | Cargo containers are permitted to be used as accessory structures for permanent storage in the A-1, C-2, I-1, I-2, P-I, and CIBC zoning districts. shall not be stacked above the height of a single container | Cargo containers located on a residentially developed lot, or that is adjacent to residentially developed lots or structures, shall be buffered and/or screened from the adjacent off-site residential lot or structure with a well maintained, minimum ten-inch wide "Type A" landscape buffer |
| Highlands County <i>Division 3</i> | None | None |
| Hillsborough County | None | None |
| Lake County <i>Sec. 10.01.00</i> | Cargo and shipping containers shall not be used as Accessory Structure(s) in residential zoning districts. | None |
| Manatee County <i>Sec. 511.6</i> | Cargo containers and other transport containers are prohibited except those in compliance with applicable requirements of the building code and the Land Development Code. | Cargo containers and other transport containers may be allowed on A zoned properties of five (5) acres or more and must comply with the setbacks in that zoning district and be placed at the rear of the property. |

Table 1

| Jurisdiction <i>(Code citation)</i> | General Residential Standards | Aesthetic Standards |
|---|---|----------------------------|
| Orange County <i>Sec. 38.1426</i> | Unfinished shipping containers and mobile homes are not allowed as detached accessory structures. | None |
| Osceola County <i>Article 3.6</i> | Cargo containers are prohibited for storage buildings. | None |
| Seminole County | None | None |
| Volusia County | None | None |
| City of Lakeland <i>Sec. 4.3</i> | Overseas shipping containers are prohibited as storage buildings on residential property. | None |
| City of Winter Haven | None | None |

Limits of the Proposed Ordinance

This amendment applies to all residential lots or parcels within the unincorporated areas of the County regardless of the Future Land Use Map district, including the Green Swamp Area of Critical State Concern. The Department of Economic Opportunity (DEO) requires a 45-day review on all policy changes affecting development in the Green Swamp Area of Critical State Concern regardless of whether it has a direct relationship to the primary purpose of the Critical Area, which is aquifer recharge and protection. Therefore, this request will be reviewed by the DEO Community Planning Department Areas of Critical State Concern Program prior to becoming effective. Staff believes that this amendment will have no impact on the Critical Area since it does not change the effect of the current code.

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code. This text effectively treats cargo containers as accessory structures which are permitted in residential and non-residential Future Land Use designations. As an accessory use, the Comprehensive Plan provides no instruction on the placement of cargo containers.

Comments from Other Agencies: This ordinance was drafted with input provided by the Building Department and Code Enforcement.

Draft Ordinance: Under separate attachment

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-7, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 206.K, CARGO CONTAINERS, TO REMOVE PROHIBITIONS ON CARGO CONTAINERS IN RESIDENTIAL FUTURE LAND USE DESIGNATIONS; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; and

WHEREAS, Chapter 9, Section 903 of the Land Development Code requires Land Development Code Amendments to be a Level 4 Review; and

WHEREAS, Chapter 9, Section 907 sets forth the purpose and review process for Level 4 Reviews; and

WHEREAS, pursuant to Section 125.67 of the Florida Statutes, every ordinance shall embrace but one subject and matter properly connected therewith; and

WHEREAS, pursuant to Section 163.3164 of the Florida Statutes, the Polk County Planning Commission conducted a public hearing, with due public notice having been provided, on the proposed Land Development Code Amendment on October 1, 2025; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code shall allow cargo containers for permanent storage in residential future land use districts; and,

WHEREAS, the Board of County Commissioners held two public hearings on November 4, and December 2, 2025, wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public hearings, and provided for necessary revisions; and

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

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

SECTION 1: FINDINGS The Board hereby finds and determines that:

- a) The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.
- b) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on October 1, 2025, to consider the LDC text amendments contained within Application LDCT-2025-7 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-7.
- c) The adoption of LDCT-2025-7 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Section 206.K, Cargo Containers, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

K. ~~Cargo Containers for Permanent Storage (Rev. 09/02/09; Ord. 09-058)~~

~~Cargo containers are permitted to be used as permanent storage in accordance with the following:~~

- ~~1. All cargo containers shall comply with the Florida Building Code, Florida Fire Prevention code, and shall require a building permit.~~
- ~~2. Cargo Containers for permanent storage are prohibited in the following land use districts: RCC-R, RL, RM, RH, OC, L/R, ROS, and PRESV.~~
- ~~3. Cargo containers shall be permitted in accordance with the following:~~
 - ~~a. As a temporary use in any land use district in conjunction with an authorized construction project, and shall be removed upon completion of the project unless properly permitted to remain as permanent storage in accordance with section.~~
 - ~~b. Bona fide agricultural properties are permitted to have one cargo container per five acres of agricultural tax exempt acres of land, with no minimum acreage being required.~~
 - ~~c. Parcels designated A/RR and RS shall be permitted one cargo container per five acre parcel, with a minimum property size of five acres.~~

- d. ~~Non-residential properties are permitted one cargo container per acre, with no minimum acreage being required.~~
4. ~~In the instance where more than one cargo container, as outlined in this section, is allowed they shall not be stacked. However, within the IND and BPC-2 land use district they shall be permitted to be stacked two high.~~
5. ~~Cargo containers located on a residentially developed lot, or within the CE, LCC, RCC, CC, NAC, CAC land use districts, that is adjacent to residentially developed lots or structures shall be buffered and/or screened from the adjacent off-site residential lot or structure. Additionally, they shall maintain a minimum setback of 15 feet.~~
6. ~~All cargo containers shall be placed in either the side or rear yard and meet accessory structure setbacks for the applicable land use district or the set back as outlined in the Condition #5 above, whichever is more restrictive.~~
7. ~~Cargo containers shall not be located within any drainage easements.~~
8. ~~Cargo containers shall not occupy any required off-street parking spaces, vehicular accesses or drive aisles, pedestrian facilities or landscape areas for the site.~~
9. ~~Cargo containers shall not be permitted to have signage of any type.~~
10. ~~Cargo Containers are not considered to be used for permanent storage if they are modified or retrofitted for residential habitation in accordance with the Florida Building Code. This section does not apply to the construction of residential dwellings.~~

K. Cargo Containers (Rev. 09/02/09; Ord. 09-058)

This section does not apply to the construction of residential dwellings if Cargo Containers are modified or retrofitted for residential habitation in accordance with the Florida Building Code.

1. All cargo containers shall comply with the Florida Building Code, Florida Fire Prevention code, and shall require a building permit.
2. Cargo containers shall be permitted in accordance with the following:
 - a. As a temporary use in any land use district in conjunction with an authorized construction project and shall be removed upon completion of the project unless properly permitted to remain as permanent storage in accordance with section.

- b. Bona fide agricultural properties are permitted to have one cargo container per five acres of agricultural tax-exempt acres of land, with no minimum acreage being required.
 - c. Residentially developed properties are permitted one cargo container per acre, with a minimum property size of one acre.
 - d. Non-residentially developed properties are permitted one cargo container per acre, with no minimum acreage being required.
 - e. Cargo containers on residentially developed properties that do not meet the minimum acreage requirement above (2.c) but were permitted through the Building Department prior to December 2, 2025, shall be considered legally non-conforming.
- 3. Where more than one cargo container is allowed, as outlined in this section, they shall not be stacked. However, within the IND and BPC-2 land use district they shall be permitted to be stacked two-high.
 - 4. Cargo containers located on a residentially developed lot, or within the CE, LCC, RCC, CC, NAC, CAC land use districts, that is adjacent to residentially developed lots or structures shall be buffered and/or screened from the adjacent off-site residential lot or structure. Additionally, they shall maintain a minimum setback of 15 feet.
 - 5. All cargo containers shall be placed in either the side or rear yard and meet accessory structure setbacks for the applicable land use district or the setback as outlined in Condition #4 above, whichever is more restrictive.
 - 6. Cargo containers shall not be located within any drainage easements.
 - 7. Cargo containers shall not occupy any required off-street parking spaces, vehicular accesses or drive aisles, pedestrian facilities, or landscape areas for the site.
 - 8. Cargo containers shall not be permitted to have signage of any type.

SECTION 3: EFFECTIVE DATE

This ordinance shall become effective upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY,
FLORIDA this 2nd day of December 2025.

LDCT-2025-7 Cargo Containers

This amendment is intended to address the use of cargo containers for storage purposes within the County. The LDC currently prohibits them in Residential future land use districts for storage purposes as they are often large and do not match the residential characteristics of a neighborhood.

The amendment is proposing the following:

- Allowing cargo containers in residential areas with existing conditions.
- Limiting the number allowed on a property.

LDCT-2025-7 - Cargo Containers

Menu Reports Help

Application Name: [Cargo Containers](#)

File Date: [02/17/2025](#)

Application Type: [BOCC-LDC Text Change](#)

Application Status: [Approved for Hearing](#)

| | | | |
|-----------------------|---------|---------|------|
| Application Comments: | View ID | Comment | Date |
|-----------------------|---------|---------|------|

Description of Work: [Cargo Containers Text Amendment](#)

Application Detail: [Detail](#)

Address: [330 W CHURCH ST, BARTOW, FL 33830](#)

Parcel No: [253006393000000172](#)

Owner Name: [POLK COUNTY](#)

| | | | | | |
|---------------|---------------------------|-------------------|--------------|---|--------|
| Contact Info: | Name | Organization Name | Contact Type | Contact Primary Address | Status |
| | Ian Nance | | Applicant | Mailing, 330 W Church ... | Active |
| | Ian Nance | | Contact | | Active |

| | | | | | | |
|------------------------------|---------|----------------|--------------|------|---------------|--------------------|
| Licensed Professionals Info: | Primary | License Number | License Type | Name | Business Name | Business License # |
|------------------------------|---------|----------------|--------------|------|---------------|--------------------|

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$850.00](#)

Total Fee Invoiced: [\\$0.00](#)

Balance: [\\$0.00](#)

Custom Fields: **LD_PUBL_HEAR**

| | |
|---|------------------------------------|
| PUBLIC HEARINGS | |
| Development Type | Application Type |
| Board of County Commissioners | Government Project |
| Variance Type | Brownfields Request |
| - | - |
| Affordable Housing | |

| | |
|-------------------------------|------------------------------|
| GENERAL INFORMATION | |
| Expedited Review | Number of Lots |
| | - |
| Will This Project Be Phased | Acreage |
| | 0 |
| DRC Meeting | DRC Meeting Time |
| 02/27/2025 | 12:45 PM |
| Rescheduled DRC Meeting | Rescheduled DRC Meeting Time |
| - | - |
| Number of Units | Green Swamp |
| - | No |
| Is this Polk County Utilities | Case File Number |
| | - |
| FS 119 Status | One Year Extension |
| Non-Exempt | - |

ADVERTISING

Legal Advertising Date

-

BOCC2 Advertising Date

-

BOCC1 Advertising Date

-

Advertising Board

[Board of County Commissioners](#)

MEETING DATES

Community Meeting

-

BOA Hearing Date

-

2nd BOCC Date

[12/2/2025](#)

Planning Commission Date

[10/1/2025](#)

1st BOCC Date

[11/4/2025](#)

HEARING

PC Hearing Results

-

BOCC 1st Hearing Results

-

BOCC 2nd Hearing Results

-

PC Vote Tally

-

BOCC 1st Vote Tally

-

BOCC 2nd Vote Tally

-

FINAL LETTER

Denovo Appeal

-

Denovo Tally

-

Denovo Results

-

LD_PUBL_HEAR_EDL

Opening DigEplan List...

DigEplan Document List

[Open](#)

PLAN REVIEW FIELDS

TMPRecordID

[POLKCO-REC25-00000-006Y3](#)

RequiredDocumentTypesComplete

[No](#)

DocumentGroupforDPC

[DIGITAL PROJECTS LD](#)

AdditionalDocumentTypes

[Applications, AutoCad File, Binding Site Plans \(PDs, and CUs\), CSV, Calculations, Correspondence, Design Drawings, Flood/Traffic Studies, Impact Statement, Inspections, Miscellaneous, Plats, Record Drawings, Response Letter Resubmittal Complete, Staff Report/Approval Letter, Survey, Title Opinion](#)

RequiredDocumentTypes

-

Activate DPC

[Yes](#)

Activate FSA

[Yes](#)

DigitalSigCheck

[Yes](#)

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board

Number of Boards (Number)

Number of Mailers (Number)

Date Mailed

Date Posted

NOR

| Workflow Status: | Task | Assigned To | Status | Status Date | Action By |
|------------------|---|----------------|-----------------|-------------|----------------|
| | Application Submittal | Lyndsay Rathke | Application ... | 02/17/2025 | Lyndsay Rathke |
| | Surveying Review | Mike Benton | Approve | 03/03/2025 | Mike Benton |
| | Roads and Drainage Review | Phil Irven | Approve | 02/19/2025 | Phil Irven |

| Task | Assigned To | Status | Status Date | Action By |
|--------------------------------------|-----------------|-----------------|-------------|-----------------|
| Engineering Review | Rodney Isaac | Approve | 03/06/2025 | Rodney Isaac |
| Fire Marshal Review | Kim Turner | Not Required | 02/27/2025 | Kim Turner |
| Planning Review | Ivan Nance | Approve | 02/24/2025 | Ivan Nance |
| School Board Review | School District | Not Required | 02/18/2025 | School District |
| Review Consolidation | Lyndsay Rathke | Approved for... | 03/06/2025 | Lyndsay Rathke |
| Staff Report | | | | |
| Public Notice | | | | |
| Planning Commision | | | | |
| BOCC Hearing | | | | |
| Final Letter | | | | |
| DEO Review | | | | |
| Second BOCC Hearing | | | | |
| Archive | | | | |

| Condition Status: | Name | Short Comments | Status | Apply Date | Severity | Action By |
|--------------------------------|-----------------|-----------------|-----------|------------|----------|-----------|
| Scheduled/Pending Inspections: | Inspection Type | Scheduled Date | Inspector | Status | Comments | |
| | | | | | | |
| Resulted Inspections: | Inspection Type | Inspection Date | Inspector | Status | Comments | |
| | | | | | | |



Polk County
Planning Commission

Agenda Item 7.

10/1/2025

SUBJECT

LDCT-2025-8 (Pool Safety Text Amendment)

DESCRIPTION

Staff requests a LDC Text Amendment amending Chapter 2, Section 211, Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Kyle Rogus, Planner I
Land Development Division
863-534-7553
kylerogus@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | | | |
|-------------------|------------------|-------------------------|----------------------------|
| DRC Date: | March 27, 2025 | Level of Review: | Level 4 Review |
| PC Date: | October 1, 2025 | Type: | LDC Text Amendment |
| BoCC Date: | November 4, 2025 | Case Numbers: | LDCT-2025-8 |
| | December 2, 2025 | Case Name: | Pool Safety Text Amendment |
| Applicant: | Polk County | Case Planner: | Kyle Rogus |

| | |
|----------------------------------|--|
| Request: | A County-initiated LDC Text Amendment to Chapter 2, Section 211, Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures. |
| DRC Recommendation: | Approval |
| Planning Commission Vote: | Pending Approval |

Summary:

This Land Development Code (LDC) text amendment is to allow consistency with the Florida Building Code and Florida Statutes residential swimming pool barrier requirements. Currently the rules and regulations for pool safety barriers for above-ground pools found in the County's Land Development Code (LDC), Florida Building Code and Florida Statutes provide different languages causing confusion from a resident and contractor standpoint and inconsistency from a code enforcement standpoint.

Relevant Sections, Policies, and/or Regulations to Consider:

LDC Section 211 Pools and Screen Enclosures

Florida Building Code Section R4501.17.1.10

Florida Statutes Chapter 515.29 Residential Swimming Pool Barrier Requirements

Findings of Fact

- *This is a County-initiated request for a Land Development Code (LDC) Text Amendment to Chapter 2, Section 211 Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures.*
- *LDC, Chapter 2, Section 211.C states, "The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this Section. In addition, **any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this Section.**"*

- *Florida Building Code Section R4501.17.1.10 states, “Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections R4501.17.1.1 through R4501.17.1.9 and Sections R4501.17.1.12 through R4501.17.1.14. **When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter (102 mm) sphere.**”*
- *Florida Statutes Chapter 515.29 states, “The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section. **In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section.**”*

The Land Development Division, based on the information provided with the proposed text amendment application, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **Approval of LDCT-2025-8**.

Analysis:

The County is proposing a text amendment to Chapter 2, Section 211 of the Land Development Code (LDC) to reference and align with the Florida Building Code and Florida Statutes, specifically concerning above-ground swimming pool safety barriers. This change was brought on by Code Enforcement not being able to cite violations consistently based off the current interpretation of the LDC text. The current LDC language is outdated, or not harmonized with state law, therefore Code Enforcement Officers are struggling to uniformly apply the rules when inspecting properties.

Florida Building Code Section R4501.17.1.10 and Florida Statutes Chapter 515.29 lay out clear and specific language for above-ground pool safety. With consistent language, pool owners and contractors will better understand their responsibilities, eliminate confusion between County and State requirements, and avoid unintentional violations. Moreso, Code Enforcement will be able to cite specific and consistent provisions during inspections. This reduces subjective interpretation and potential disputes over compliance.

This amendment reflects a practical and necessary update to the County’s Land Development Code. By aligning with Florida’s Building Code and Statutes, clear and enforceable pool safety measures will prevent unauthorized access to pools, improving overall community safety.

Limits of the Proposed Ordinance

The effects of this amendment are restricted to pool safety measures for above-ground pools throughout the entirety of Polk County.

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code. No use is being proposed within a land use designation for which it was not intended. This is a policy change pertaining to above-ground pool safety measures.

Comments from Other Agencies: None

Draft Ordinance: Under separate attachment

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-8, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE; AMENDING CHAPTER 2, SECTION 211, POOLS AND SCREEN ENCLOSURES, TO REFER TO FLORIDA BUILDING CODE AND FLORIDA STATUTES FOR CONSISTENCY WITH ABOVE GROUND POOL SAFETY MEASURES; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; and

WHEREAS, Chapter 9, Section 903 of the Land Development Code requires Land Development Code Amendments to be a Level 4 Review; and

WHEREAS, Chapter 9, Section 907 sets forth the purpose and review process for Level 4 Reviews; and

WHEREAS, pursuant to Section 125.67 of the Florida Statutes, every ordinance shall embrace but one subject and matter properly connected therewith; and

WHEREAS, pursuant to Section 163.3164 of the Florida Statutes, the Polk County Planning Commission conducted a public hearing, with due public notice having been provided, on the proposed Land Development Code Amendment on October 1, 2025; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code regarding Pools and Screen Enclosures shall refer to Florida Building Code and Florida Statutes for consistency with above ground pools safety measures; and

WHEREAS, the Board of County Commissioners held two public hearings on November 4, 2025 and December 2, 2025 wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public hearings, and provided for necessary revisions; and

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

| |
|--|
| <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> |
|--|

SECTION 1: FINDINGS The Board hereby finds and determines that:

- a) The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.
- b) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on October 1, 2025, to consider the LDC text amendments contained within Application LDCT-2025-8 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-8.
- c) The adoption of LDCT-2025-8 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Section 211, Pools and Screen Enclosures, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 211 Pools and Screen Enclosures

A. Temporary Safety Barrier (Revised 8/28/02 - Ord. 02-56)

A temporary safety barrier shall be placed around any pool under construction in such a manner as to keep children from entering the pool area. The temporary safety barrier shall be installed prior to the beginning of excavation and shall remain until replaced by the permanent barrier required by the Code and the Florida Building Code. Failure to install or maintain the temporary safety barrier shall be a violation of this ordinance which may, at the discretion of the Building Official, result in a Stop Work Order or such other enforcement as provided by this Code.

B. Swimming Pool Enclosures (Revised 2/5/19 Ord. 19-008; 12/1/10 - Ord. 10-082)

A swimming pool, spa or hot tub and its enclosure may only be constructed or installed in the side or rear yard.

C. Safety Barrier

Any swimming pool more than 24 inches in depth, as measured between the lowest portion of the floor of the pool and the maximum possible water level, shall be entirely enclosed by a safety barrier of not less than four feet in height. Safety barriers shall include a screened-in enclosure, fence, wall, or other equivalent barrier approved by the Building Division and erected either around the swimming pool or around the property on which the swimming pool is constructed. Exterior access to any swimming pool must be through self-closing and self-latching gates that automatically close and fasten.

~~The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this Section. In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this Section.~~

D. Compliance with the Florida Building Code (Revised 11/27/02 - Ord. 02-84; 8/28/02 - Ord. 02-56)

All new swimming pools, spas, and hot tubs shall comply with the Florida Building Code and Florida Statutes.

(Ord. No. 22-017, § 1, 3-1-2022)

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

This ordinance shall become effective upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA
this 2nd day of December 2025.

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-8, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE; AMENDING CHAPTER 2, SECTION 211, POOLS AND SCREEN ENCLOSURES, TO REFER TO FLORIDA BUILDING CODE AND FLORIDA STATUTES FOR CONSISTENCY WITH ABOVE GROUND POOL SAFETY MEASURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

An Ordinance of The Polk County Board of County Commissioners regarding Land Development Code Amendment LDCT-2025-8, amending Ordinance No. 00-09, as amended, the Polk County Land Development Code; amending Chapter 2, Section 211, Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures; providing for severability; and providing for an effective date.

LDCT-2025-8 Pool Safety

This is a staff-initiated LDC Text Amendment to Section 211 to conform LDC standards for pool safety measures with state statutes. This entails changes to locks and barriers around pools.

LDCT-2025-8 - Pool Safety

Menu

Reports

Help

Application Name: [Pool Safety](#)

File Date: [03/04/2025](#)

Application Type: [BOCC-LDC Text Change](#)

Application Status: [Approved for Hearing](#)

Application Comments:

| View ID | Comment | Date |
|---------|---------|------|
|---------|---------|------|

Description of Work: [Pool Safety LDC Text Amendment](#)

Application Detail: [Detail](#)

Address: [330 W CHURCH ST, BARTOW, FL 33830](#)

Parcel No: [253006393000000172](#)

Owner Name: [POLK COUNTY](#)

Contact Info:

| Name | Organization Name | Contact Type | Contact Primary Address | Status |
|----------------------------|-------------------|--------------|---|--------|
| Kyle Rogus | | Applicant | Mailing, 330 W Church ... | Active |
| Kyle Rogus | | Contact | | Active |

Licensed Professionals Info:

| Primary | License Number | License Type | Name | Business Name | Business License # |
|---------|----------------|--------------|------|---------------|--------------------|
|---------|----------------|--------------|------|---------------|--------------------|

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$850.00](#)

Total Fee Invoiced: [\\$0.00](#)

Balance: [\\$0.00](#)

Custom Fields:

LD_PUBL_HEAR

PUBLIC HEARINGS

Development Type

[Board of County Commissioners](#)

Variance Type

-

Affordable Housing

Application Type

[Government Project](#)

Brownfields Request

-

GENERAL INFORMATION

| | |
|-------------------------------|------------------------------|
| Expedited Review | Number of Lots |
| | 0 |
| Will This Project Be Phased | Acreage |
| | 0 |
| DRC Meeting | DRC Meeting Time |
| 03/27/2025 | 12:15 PM |
| Rescheduled DRC Meeting | Rescheduled DRC Meeting Time |
| - | - |
| Number of Units | Green Swamp |
| - | No |
| Is this Polk County Utilities | Case File Number |
| | - |
| FS 119 Status | One Year Extension |
| Non-Exempt | - |

ADVERTISING

| | |
|------------------------|---|
| Legal Advertising Date | BOCC1 Advertising Date |
| - | - |
| BOCC2 Advertising Date | Advertising Board |
| - | Board of County Commissioners |

MEETING DATES

| | |
|---------------------------|---------------------------|
| Community Meeting | Planning Commission Date |
| - | 10/1/2025 |
| BOA Hearing Date | 1st BOCC Date |
| - | 11/4/2025 |
| 2nd BOCC Date | |
| 12/2/2025 | |

HEARING

| | |
|--------------------|---------------|
| PC Hearing Results | PC Vote Tally |
| - | - |

243

BOCC 1st Hearing Results

BOCC 1st Vote Tally

BOCC 2nd Hearing Results

BOCC 2nd Vote Tally

—

—

FINAL LETTER

Denovo Appeal

Denovo Results

—

—

Denovo Tally

—

LD_PUBL_HEAR_EDL

[Opening DigEplan List...](#)

DigEplan Document List

[Open](#)

PLAN REVIEW FIELDS

TMPRecordID

[POLKCO-REC25-00000-0099M](#)

RequiredDocumentTypesComplete

[No](#)

DocumentGroupforDPC

[DIGITAL PROJECTS LD](#)

AdditionalDocumentTypes

[Applications,AutoCad File,Binding Site Plans \(PDs, Yes](#)

[and CUs\),CSV,Calculations,Correspondence,Desig](#)

[n Drawings,Flood/Traffic Studies,Impact Statement,](#)

[Inspections,Miscellaneous,Plats,Record Drawings,](#)

[Response Letter Resubmittal Complete,Staff Repor](#)

[t/Approval Letter Survey,Title Opinion](#)

DigitalSigCheck

[Yes](#)

RequiredDocumentTypes

—

Activate DPC

Activate FSA

[Yes](#)

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board Number of Boards (Number) Number of Mailers (Number) Date Mailed Date Posted NOR

Workflow Status:

Task

Assigned To

Status

Status Date

Action By

[Application Submittal](#)

Lyndsay Rathke

Application ...

03/10/2025

Lyndsay Rathke

[Surveying Review](#)

Mike Benton

Approve

03/14/2025

Mike Benton

[Roads and Drainage Review](#)

Phil Irven

Approve

03/11/2025

Phil Irven

[Engineering Review](#)

Robert Joynes

Not Required

03/17/2025

Rita Karacson

[Fire Marshal Review](#)

Kim Turner

Approve

03/14/2025

Kim Turner

[Planning Review](#)

Kyle Rogus

Approve

03/24/2025

Kyle Rogus

[School Board Review](#)

School District

Not Required

03/10/2025

School District

[Review Consolidation](#)

Lyndsay Rathke

Approved for...

04/01/2025

Lyndsay Rathke

Staff Report

[Public Notice](#)

Planning Commision

BOCC Hearing

Final Letter

DEO Review

Second BOCC Hearing

Archive

Condition Status:

Name

Short Comments

Status

Apply Date

Severity

Action By

Scheduled/Pending Inspections:

Inspection Type

Scheduled Date

Inspector

Status

Comments

Resulted Inspections:

Inspection Type

Inspection Date

Inspector

Status

Comments



Polk County
Planning Commission

Agenda Item 8.

10/1/2025

SUBJECT

LDCT-2025-9 (SE Polk Mobile Homes)

DESCRIPTION

This is a County-initiated request to remove conditional use standards for Individual Mobile Homes within the Southeast Polk Selected Area Plan to conform with the rest of the County.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Planner II

Land Development Division

330 W. Church Street

Bartow, FL 33830

(863) 534-6764

aleyainglima@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

| | | | |
|-------------------|------------------|-------------------------|---------------------------|
| DRC Date: | April 10 2025 | Level of Review: | 4 |
| PC Date: | October 1, 2025 | Type: | LDC Text Amendment |
| BoCC | November 4, 2025 | Case Numbers: | LDCT-2025-9 |
| Date: | December 2, 2025 | Case Name: | SE Polk Mobile Homes |
| Applicant: | Polk BoCC | Case Planner: | Aleya Inglima, Planner II |

| | |
|----------------------------------|---|
| Request: | This is a County-initiated request to remove conditional use standards for Individual Mobile Homes within the Southeast Polk Selected Area Plan to conform with the rest of the County. |
| Location: | n/a |
| Property Owner: | n/a |
| Parcel Size (Number): | n/a |
| Development Area: | n/a |
| Nearest Municipality: | n/a |
| DRC Recommendation: | Approval |
| Planning Commission Vote: | Pending Hearing |

Among the changes to Section 401.08.01.K are:

- Removing conditional use criteria on where to place mobile homes within the Village Center and Village Center Core Overlay Areas and refer to Section 303.

Summary:

This is a County-initiated request to amend Section 401.08.01.K of the LDC to remove Mobile Home criteria within the Village Center and Village Center Core Overlay Areas of the Southeast Polk SAP and defer to Conditional Use criteria in Section 303. When the SE Polk SAP was adopted, it created these overlays which were based on a one to a one-and-a-half-mile market radii around existing municipal commercial nodes and activity centers adopted on the Future Land Use map. Based upon public input, individual mobile homes, as land uses, were omitted from these overlays when the SAP was adopted in 2012.

However, existing communities and subdivisions in which mobile homes were already present within these overlays when they were adopted. Individual units thus became non-conforming to the LDC. Furthermore, properties on the rural outskirts of the overlays in which minimum lot sizes are achievable have been left without an opportunity to develop with a mobile home. This amendment seeks to correct this situation by adding removing Mobile Home criteria in the conditional uses section of the SAP and refer to Section 303.

Findings of Fact

1. *LDCT-2025-9 is a County-initiated request to amend Section 401.08.01.K of the LDC to remove Mobile Home criteria within the Village Center and Village Center Core Overlay Areas of the Southeast Polk SAP and refer to Section 303.*
2. *The SE Polk SAP is generally located south of State Road 60, north of the Polk/Hardee/Highlands County line, east of Lake Buffum Road East and west of Tiger Creek Preserve/ Avon Park Air Force Range. The purpose of the SE Polk SAP is to develop a vision and supporting plan that encourage quality future growth that recognizes and protects existing community resources. It was adopted on December 18, 2012 by CPA 12E-03 (Ordinance 12-035) and is approximately 65,554 acres.*
3. *Comprehensive Plan POLICY 2.131-UB6 created the Village Center and Village Center Core Overlay Areas. Village Center Overlay Areas are those areas surrounding existing RCCs, NACs, or significant existing commercial nodes, generally within a one to one-and-a-half-mile Market Area Radii. Core areas of Village Center Overlay Areas located within a quarter (1/4) mile radius of existing RCCs, NACs, or CEs and allow for increased densities/intensities.*
4. *Four Village Center Overlay Areas and their corresponding cores are found in the SE Polk SAP. They total 23,996 acres which is approximately 36.6% of the SAP.*
5. *LDC Section 401.08 implements the Southeast Polk SAP. Allowable uses for both inside and outside of the Village Center and Village Center Cores can be found in Table 401.08.01.*
6. *“Mobile Homes, Individual” are listed as a “C1” conditional uses in A/RRX, RCC-RX, RSX, RL-1X, RL-2X, RL-3X, and RL-4X land use districts outside of the Village Centers, according to Table 401.08.01.*
7. *Mobile Homes are subject to LDC Section 303 which states, “Mobile homes shall be permitted in all of the following locations:*
 1. *Within any registered mobile home park that has been approved by Polk County;*
 2. *Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;*
 3. *Within any platted residential subdivision, or single platted phase within a multiple phased development, in which 50 percent or more of the developed lots contain mobile homes;*
 4. *On any un-platted legal residential lot or parcel in the A/RR district;*
 5. *On any un-platted legal residential lot or parcel that is five acres or larger in the RS district;*
 6. *On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;*
 7. *On any un-platted legal residential lot or parcel where at least one property abutting the subject property's side lot line has a mobile home;*

8. *On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,*
9. *On any legal residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area.”*
8. *POLICY 2.102-A2: COMPATIBILITY of the Comprehensive Plan states, “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.”*
9. *Chapter 553 of the Florida Statutes states that “Mobile Home” means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile homes are built to a separate standard than site-built homes and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to the standards set forth in Chapter 553 of the Florida Statutes.*
10. *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that “Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County's Land Development Code.”*

Development Review Committee Recommendation:

The Land Development Division, based on the Findings of Fact, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **APPROVAL** of LDCT-2025-9.

Analysis:

The Southeast Polk Selected Area Plan (SE Polk SAP) is generally located south of State Road 60, north of the Polk/Hardee/Highlands County line, east of Lake Buffum Road East and west of Tiger Creek Preserve/ Avon Park Air Force Range. The purpose of the SE Polk SAP is to develop a vision and supporting plan that encourage quality future growth that recognizes and protects existing community resources. It was created as a response to the public’s concern about development in this area of Polk County. Identified issues of concern were received from comments and feedback gathered from the public, the SE Polk Selected Area Study (SAS) Focus Group, other governmental agencies, and recommendations that came out of the SE Polk Selected Area Study process that were implemented into the Comprehensive Plan and LDC.

At the time of the adoption of the SAP in 2012, the Focus Group was concerned about the diversity of housing within and surrounding the municipal areas as mobile homes and mobile home parks were already a significant source of housing. As a result, individual mobile homes, as land uses, were left out of the Village Center Overlay Areas.

None the less, the implementation of the overlays has created problems. The market radius, which can extend up to 1.5 miles from the municipal areas or the County's activity centers, captured existing subdivisions in which mobile homes were the primary uses. These homes were rendered non-conforming to the LDC upon the adoption of the SAP. LDC Section 120 allows the replacement of non-conforming structures within their original footprint, whether they are destroyed through natural disasters or demolished under the owner's own volition; however, there is a two-year timeframe in which the structure must be replaced or the property loses this right. Similarly, undeveloped platted lots and legal lots-of-record within certain subdivisions are currently ineligible for individual mobile homes. There are nine standards for mobile homes to be approved which includes seeking approval from Planning Commission. This doesn't exist in the Southeast SAP.

This prohibition on mobile homes in the overlays also excluded un-platted properties on the outskirts of the market radii in land use districts that require large lot sizes to obtain a residential building permit, such as A/RRX, but which are not within programmed plans for the extension of centralized utilities, thus limiting their future development potential. While mobile homes will not offer the local economic benefits of hiring contractors for the various needs of constructing a site-built home, the option to have mobile homes is important to a prospective buyer. Generally speaking, in rural areas such as these where densities are lower and development is less frequent, the costs of site construction are higher than in urbanized areas because the travel distance affects the cost of labor and equipment and materials. Factory-built housing is more feasible for homebuyers.

In summary, this issue here is one of implementation and inclusive Land Development policy. Properties in this SAP that would normally be expected any where else in the County to be developed with a mobile home cannot be during a time when housing shortages are common and property prices are high.

Limits of the Proposed Ordinance

The proposed ordinance amends LDC by removing conditional use criteria on where to place mobile homes within the Village Center and Village Center Core Overlay Areas and refers to Section 303. This action is specific to the Village Center and Village Center Core Overlay Areas in the SE Polk SAP and allows mobile homes that were once not allowed in these overlays to meet standards in 303. The placement of mobile homes outside of this overlay is subject to LDC Section 303.

Consistency with the Comprehensive Plan

POLICY 2.102-A2: COMPATIBILITY of the Comprehensive Plan states, "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."*

The subject amendment has provided conditions to help ensure the placement of Mobile Homes is compatible with surrounding uses and takes advantage of those areas in which they exist or are anticipated to exist.

POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that “Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County's Land Development Code.”

The subject amendment will remove mobile home conditional use criteria to all residential land use districts in the Village Center & Core Overlay Areas in the SE Polk SAP and refer to Section 303

POLICY 2.501-A1 of the Comprehensive Plan (Property Rights Element) states: “The following statements related to the protection of private property rights shall be considered in the local decision-making process:

- 1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.*
- 2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.*
- 3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.*
- 4. The right of a property owner to dispose of his or her property through sale or gift.*

No part of the subject amendment will violate a property owner’s private property rights. This amendment will provide landowners with more development options.

Comments from Other Agencies: None

Draft Ordinance: Under separate attachment

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-9, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, CHAPTER 4, SECTION 401.08, TO REMOVE CONDITIONAL USE STANDARDS FOR INDIVIDUAL MOBILE HOMES WITHIN THE SOUTHEAST POLK SELECTED AREA PLAN TO CONFORM WITH THE REST OF THE COUNTY; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners (the “Board”) adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code (the “LDC”); and

WHEREAS, Chapter 9, Section 903 of the Land Development Code requires Land Development Code Amendments to be a Level 4 Review; and

WHEREAS, Chapter 9, Section 907 sets forth the purpose and review process for Level 4 Reviews; and

WHEREAS, pursuant to Section 125.67 of the Florida Statutes, every ordinance shall embrace but one subject and matter properly connected therewith; and

WHEREAS, pursuant to Section 163.3164 of the Florida Statutes, the Polk County Planning Commission conducted a public hearing, with due public notice having been provided, on the proposed Land Development Code Amendment on October 1, 2025; and

WHEREAS, LDCT-2025-9 is a County-initiated request to amend Chapter 4, Section 401.08; and

WHEREAS, the Board of County Commissioners of Polk County has determined it appropriate to adopt regulations that are consistent with the Comprehensive Plan;

WHEREAS, the Board held two public hearings on November 4, 2025, and December 2, 2025, wherein the Board reviewed and considered the Planning Commission’s recommendation, the staff report, and all comments received during said public hearings, and provided for necessary revisions, if any.

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

County, Florida that:

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

SECTION 1: FINDINGS The Board hereby finds and determines that:

- a) The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.
- b) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on October 1, 2025, to consider the LDC text amendments contained within Application LDCT-2025-9 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-9.
- c) The adoption of LDCT-2025-9 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 4, Section 401.08 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.08 *Southeast Polk Selected Area Plan*

K. Conditional Uses: (Revised 01/22/19 - Ord. 19-006; 11/4/14 - Ord. 14-066)

~~30. Mobile Homes shall be permitted in all of the following locations within the Village and VC-Core. The permitting of mobile homes outside of this overlay are subject to LDC Section 303:~~

- ~~1. Within any registered mobile home park that has been approved by Polk County;~~
- ~~2. Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;~~
- ~~3. Within any platted residential subdivision, or single platted phase within a multiple phased development, in which 50 percent or more of the developed lots contain mobile homes;~~
- ~~4. On any un-platted parcel in the A/RR district;~~
- ~~5. On any un-platted parcel that is five acres or larger in the RS district;~~
- ~~6. On any un-platted parcel where 50 percent or more of all contiguous residential lots or parcels are developed with mobile homes. Contiguous lots and parcels are those that share a common boundary, but not including those that intersect only at a corner point. Lots or parcels that are otherwise contiguous except for intervening local roads shall be~~

~~considered contiguous for this calculation.~~

31. 30. Motor Freight Terminals...

SECTION 4: 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 5: EFFECTIVE DATE

This ordinance shall become effective upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY,
FLORIDA this _____ day of _____, 2025.

LDCT-2025-9 MH Southeast Polk

This amendment is intended to remove mobile home language from LDC Section 401.08 Southeast Selected Area Plan and refer to standards in Section 303.

LDCT-2025-9 - MH Southeast Polk

Menu Reports Help

Application Name: [MH Southeast Polk](#)

File Date: [03/20/2025](#)

Application Type: [BOCC-LDC Text Change](#)

Application Status: [Approved for Hearing](#)

| | | | |
|------------------------------|---------|---------|------|
| Application Comments: | View ID | Comment | Date |
|------------------------------|---------|---------|------|

Description of Work: [Removing mobile home language from LDC Section 401.08 Southeast Selected Area Plan and refer to standards in Section 303.](#)

Application Detail: [Detail](#)

Address: [330 W CHURCH ST, BARTOW, FL 33830](#)

Parcel No: [253006393000000172](#)

Owner Name: [POLK COUNTY](#)

| Contact Info: | Name | Organization Name | Contact Type | Contact Primary Address | Status |
|---------------|-------------------------------|-------------------|--------------|---|--------|
| | Aleya Inglima | | Engineer | Mailing, 330 W. Church... | Active |
| | Aleya Inglima | | Contact | | Active |

| Licensed Professionals Info: | Primary | License Number | License Type | Name | Business Name | Business License # |
|------------------------------|---------|----------------|--------------|------|---------------|--------------------|
|------------------------------|---------|----------------|--------------|------|---------------|--------------------|

Job Value: [\\$0.00](#)

Total Fee Assessed: [\\$5,434.00](#)

Total Fee Invoiced: [\\$0.00](#)

Balance: [\\$0.00](#)

Custom Fields: **LD_PUBL_HEAR**

| | |
|---------------------------------|---------------------------|
| PUBLIC HEARINGS | Application Type |
| Development Type | LDC Text |
| Board of County | Amendment |
| Commissioners | Brownfields Request |
| Variance Type | - |
| - | - |
| Affordable Housing | |

GENERAL INFORMATION

| | |
|-------------------------------|------------------------------|
| Expedited Review | Number of Lots |
| | - |
| Will This Project Be Phased | Acreage |
| | 0 |
| DRC Meeting | DRC Meeting Time |
| 04/10/2025 | 10:30 AM |
| Rescheduled DRC Meeting | Rescheduled DRC Meeting Time |
| - | - |
| Number of Units | Green Swamp |
| - | No |
| Is this Polk County Utilities | Case File Number |
| | - |
| FS 119 Status | One Year Extension |
| Non-Exempt | - |

ADVERTISING

| | |
|------------------------|---------------------------------|
| Legal Advertising Date | BOCC1 Advertising Date |
| - | - |
| BOCC2 Advertising Date | Advertising Board |
| - | Board of County |
| | Commissioners |

MEETING DATES

| | |
|---------------------------|---------------------------|
| Community Meeting | Planning Commission Date |
| - | 10/1/2025 |
| BOA Hearing Date | 1st BOCC Date |
| - | 11/4/2025 |
| 2nd BOCC Date | |
| 12/2/2025 | |

HEARING

| | |
|--------------------|---------------|
| PC Hearing Results | PC Vote Tally |
| - | - |

BOCC 1st Vote Tally

BOCC 2nd Vote Tally

—

Denovo Results

—

LD PUBL HEAR EDL

Opening DigEplan List...

DigEplan Document List

Open

PLAN REVIEW FIELDS

TMPrecordID

POLKCO-REC25-00000-00BLB

RequiredDocumentTypesComplete

No

DocumentGroupforDPC

DIGITAL PROJECTS LD

AdditionalDocumentTypes

Applications.AutoCad File.Binding Site Plans (PDs Yes

and CUs). CSV Calculations: Correspondence Design

n Drawings Flood/Traffic Studies Impact Statement

11 Drawings, 1000 Traffic Studies, Impact Statement,
Inspections, Miscellaneous, Plans, Record Drawings,

Inspections, Miscellaneous, Plats, Record Drawings,

[Response Letter Resubmittal Complete](#)

[t/Approval Letter.](#)

Digi

RequiredDocumentTypes

Activate DPC

Activate FSA

Yes

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

| Posting Board | Number of Boards (Number) | Number of Mailers (Number) | Date Mailed | Date Posted | NOR |
|---------------|---------------------------|----------------------------|-------------|-------------|-----|
| 1 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 2 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 3 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 4 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 5 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 6 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 7 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 8 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 9 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 10 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 11 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 12 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 13 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 14 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 15 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 16 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 17 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 18 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 19 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 20 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 21 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 22 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 23 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 24 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 25 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 26 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 27 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 28 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 29 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 30 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 31 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 32 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 33 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 34 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 35 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
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| 37 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
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| 39 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 40 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 41 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 42 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 43 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 44 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 45 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 46 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 47 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 48 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 49 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 50 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 51 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 52 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 53 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
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| 60 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 61 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 62 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 63 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 64 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 65 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 66 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 67 | 1 | 1 | 1/1/19 | 1/1/19 | 1 |
| 68 | | | | | |

Workflow Status:

| Task | Assigned To | Status | Status Date | Action By |
|---|-----------------|-----------------|-------------|-----------------|
| Application Submittal | Lyndsay Rathke | Application ... | 03/21/2025 | Margo White |
| Engineering Review | | | | |
| Surveying Review | Mike Benton | Not Required | 04/01/2025 | Rita Karacson |
| Roads and Drainage Review | Phil Irven | Approve | 03/21/2025 | Phil Irven |
| Fire Marshal Review | Kim Turner | Not Required | 03/31/2025 | Kim Turner |
| Planning Review | Aleya Inglima | Approve | 03/21/2025 | Aleya Inglima |
| School Board Review | School District | Not Required | 03/24/2025 | School District |
| Review Consolidation | Lyndsay Rathke | Approved for... | 04/02/2025 | Lyndsay Rathke |
| Staff Report | | | | |
| Public Notice | | | | |
| Planning Commision | | | | |
| BOCC Hearing | | | | |
| Final Letter | | | | |
| DEO Review | | | | |
| Second BOCC Hearing | | | | |
| Archive | | | | |

Condition Status:

| Name | Short Comments | Status | Apply Date | Severity | Action By |
|------|----------------|--------|------------|----------|-----------|
|------|----------------|--------|------------|----------|-----------|

Scheduled/Pending Inspections:

| Inspection Type | Scheduled Date | Inspector | Status | Comments |
|-----------------|----------------|-----------|--------|----------|
|-----------------|----------------|-----------|--------|----------|

Resulted Inspections:

| Inspection Type | Inspection Date | Inspector | Status | Comments |
|-----------------|-----------------|-----------|--------|----------|
|-----------------|-----------------|-----------|--------|----------|