

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	July 17, 2025	Level of Review:	4
PC Date:	August 5, 2026	Type:	LDC Text Amendment
BoCC	September 15, 2026	Case Numbers:	LDCT-2025-15
Date:	December 1, 2026	Case Name:	Mims Crossing LDC Text Amendment
Applicant:	Kriss Kaye, PE	Case Planner:	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner

Request:	This is an applicant-initiated amendment to change the text of the Land Development Code Appendix E, Section E105, Parcel Specific Comprehensive Plan Amendments with Conditions, to establish a 200-foot conservation buffer within the Residential-Suburban Land Use District adjacent to the Industrial Future Land Use designation, establish a Rural Cluster Center (RCC) at the intersection of State Road 37 and County Road 640, implement the Mims Crossing RCC Activity Center Plan (ACP) to guide development within the RCC, and provide for additional development standards. This case is related to LDCPAL-2025-7.
Location:	North and south of County Road 640, primarily west of State Road 37 and east of Anderson Road, and south of the City of Mulberry in Sections 10, 14, 15, 16, 21, 22, 23, 24, 26, & 28, Township 30, Range 23.
Property Owner:	T. Mims Corporation and others
Parcel Size (Number):	2,475 acres
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	Mulberry
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	Not Applicable
Case Planner:	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner

Proposed Change to the LDC:

Change Appendix E Section E105 Parcel Specific Comprehensive Plan Amendments with Conditions to establish a 200-foot conservation buffer within the Residential-Suburban Land Use District, establish a Rural Cluster Center (RCC) at the intersection of State Road 37 and County Road 640, implement the Mims Crossing RCC Activity Center Plan (ACP) to guide development within the RCC, and provide for additional development standards.

Summary:

The requested Land Development Code text amendment to Appendix E, Section E105, consists of three components:

- A. 200-foot Conservation Buffer within the Residential-Suburban (RS) Land Use District - This section applies to a 200-ft-wide strip within the subject site, and within a portion of an existing conservation easement, and includes a legal description that describes this area.

- B. Mims Crossing RCC Activity Center Plan (ACP) – LDCT-2025-15 - This section establishes the Mims Crossing Rural Cluster Center (RCC) Activity Center Plan (ACP) at the State Road 37 and CR 640 intersection.
- C. Additional Development Standards - This section provides additional standards for development within the RCC based on the ACP.

Findings of Fact

- *LDCT-2025-15 is an applicant-initiated request to amend Appendix E, Section E105, Parcel Specific Comprehensive Plan Amendments with Conditions, to establish a 200-foot conservation buffer with the Residential-Suburban (RS) Land Use District, establish a Rural Cluster Center (RCC) at the intersection of State Road 37 and County Road 640, implement the Mims Crossing RCC Activity Center Plan (ACP) to guide development within the RCC, and provide for additional development standards.*
- *The location of the subject property is north and south of County Road 640, primarily west of State Road 37 and east of Anderson Road, and south of the City of Mulberry in Sections 10, 14, 15, 16, 21, 22, 23, 24, 26, & 28, Township 30, Range 23.*
- *This case is related to LDCPAL-2025-7. That request is for a Comprehensive Plan Amendment to change 2,475 acres from Rural Development Area (RDA) to Suburban Development Area (SDA) with changes from Phosphate Mining (PM), Agricultural/Residential-Rural (A/RR) and Industrial, and Leisure/Recreation (L/R) in the RDA to Residential-Suburban (RS), and Industrial (IND), in the SDA, and Rural-Cluster Center (RCC) in the RDA.*
- *LDCPAL-2025-7 also includes a text change to Appendix 2.135 - Parcel Specific Future Land Use Map Amendments with Conditions to provide for the establishment of the Mims Crossing RCC 640 Activity Center Plan, and the establishment of a 200-ft. wide buffer area within the proposed (RS) district adjacent to the proposed IND district.*
- *The subject property contains wetlands, floodplains, and conservation easements.*

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-2025-15.

Analysis:

This amendment was submitted currently with LDCPAL-2025-7. That request is for a Comprehensive Plan Amendment to change 2,475 acres from Rural Development Area (RDA) to Suburban Development Area (SDA) with changes from Phosphate Mining (PM), Agricultural/Residential-Rural (A/RR) and Industrial, and Leisure/Recreation (L/R) in the RDA to Residential-Suburban (RS), and Industrial (IND), in the SDA, and Rural-Cluster Center (RCC) in the RDA. The same Plan Amendment also includes a text change to Appendix 2.135 - Parcel Specific Future Land Use Map Amendments with Conditions to provide for the establishment of the Mims Crossing RCC 640 Activity Center Plan, and the establishment of a 200-ft. wide buffer area within the proposed RS district adjacent to the proposed IND district.

The requested Land Development Code text amendment to Appendix E, Section E105, consists of three components:

A. 200-foot Conservation Buffer within the Residential-Suburban (RS) Land Use District:

This section applies to a 200-ft-wide strip within the proposed Residential-Suburban (RS) subject site, and within a portion of an existing conservation easement. It also includes a legal description that describes this area. This section also contains additional restrictions for the area and allows for the retention of development rights per the Land Development Code. The 200-foot wide buffer is necessary to ensure compatibility between more intensive industrial uses and less-intensive residential development. The 200-foot buffer is located on the residential portion of the site to correspond with existing conservation easements and site characteristics. Placing the buffer in the residential use also allows for the maximum utilization of the proposed industrial area.

B. Mims Crossing RCC Activity Center Plan (ACP) – LDCT-2025-15:

This section establishes the Mims Crossing Rural Cluster Center (RCC) Activity Center Plan (ACP) at the State Road 37 and CR 640 intersection. Also included is a legal description of the RCC, a reference to the permitted uses to Table 2.1 Table for Standard Land Use Districts in the Land Development Code, and requirements regarding easements, cross-access, mass-transit locations, landscaping, and signage. There are also policies in the Future Land Use Element that require Activity Center Plans. The policies are Policy 2.110-B3, Location Criteria for RCCs; Policy 2.110-K1, Additional Activity Centers; Policy 2.110-L1 Activity Center Plans; Policy 2.110-L3 Activity Center Plans Initiated by a Property Owner; and Policy 2.110-L4, Plan Required.

C. Additional Development Standards:

This section clarifies that any development within the RCC shall be guided by an Activity Center Plan (ACP), and that the ACP shall remain conceptual in nature, with final design and layout to be determined at the time of subsequent review, e.g. Level 2. This section also restates requirements for cross-access and internal connectivity, clarifies the applicable infrastructure requirements, and provides the criteria for future expansion of the RCC.

Benefit-Cost Analysis of the Amendment

Who does it help?

This amendment directly benefits the applicant by allowing for higher-density and more intensive non-residential development while still ensuring that the different uses are compatible. This amendment will also provide for the establishment of the Rural Cluster Center (RCC) at the SR 37 & CR 640 intersection thru the adoption of an Activity Center Plan (ACP). As part of the ACP, the property at the southeast corner of the intersection is identified for future expansion of the RCC.

Who does it hurt?

There is the potential for existing residents living in the Pinedale area to deal with impacts caused by new industrial development. However, due to the distance between the proposed industrial area and Pinedale, combined with the requirements in the Land Development Code Section 230 (Specific Provisions Applicable to Non-Residential Districts and Uses) should minimize any adverse impacts.

What is the cost?

Any new development within the proposed Residential-Suburban (RS) portion of this property near the industrial areas will be required to comply with the 200-foot conservation buffer requirement. Any development within the Mims Crossing Rural Cluster Center (RCC) is restricted to certain access points, cross access, mass transit locations, landscaping and only ground-mounted monument signage.

Limits of the Proposed Ordinance

The focus of this amendment is to establish a 200-foot conservation buffer within the Residential-Suburban Future Land Use District, establish a Rural Cluster Center (RCC) at the intersection of State Road 37 and County Road 640, implement the Mims Crossing RCC Activity Center Plan (ACP) to guide development within the RCC, and provide for additional development standards.

Implementing this amendment will promote more compatible development between the proposed residential and industrial land uses. The amendment will also establish an Activity Center Plan (that will include additional development standards) for the proposed Rural Cluster Center (RCC) at the State Road 37 and County Road 640 intersection.

Consistency with the Comprehensive Plan

This change is in conjunction with LDCPAL-2025-7. This amendment will redesignate a 2,475-acre area from PM, A/RR, IND, and L/R to RS, IND, and RCC. The proposed text change to Appendix 2.135 - Parcel Specific Future Land Use Map Amendments with Conditions to provide for the establishment of the Mims Crossing RCC 640 Activity Center Plan, and the establishment of a 200-ft. wide buffer area within the proposed (RS) district adjacent to the proposed IND district will be consistent with the applicable Objectives and Policies in the Plan's Future Land Use Element upon adoption of LDCPAL-2025-7, which will amend the Comprehensive Plan Future Land Use Map.

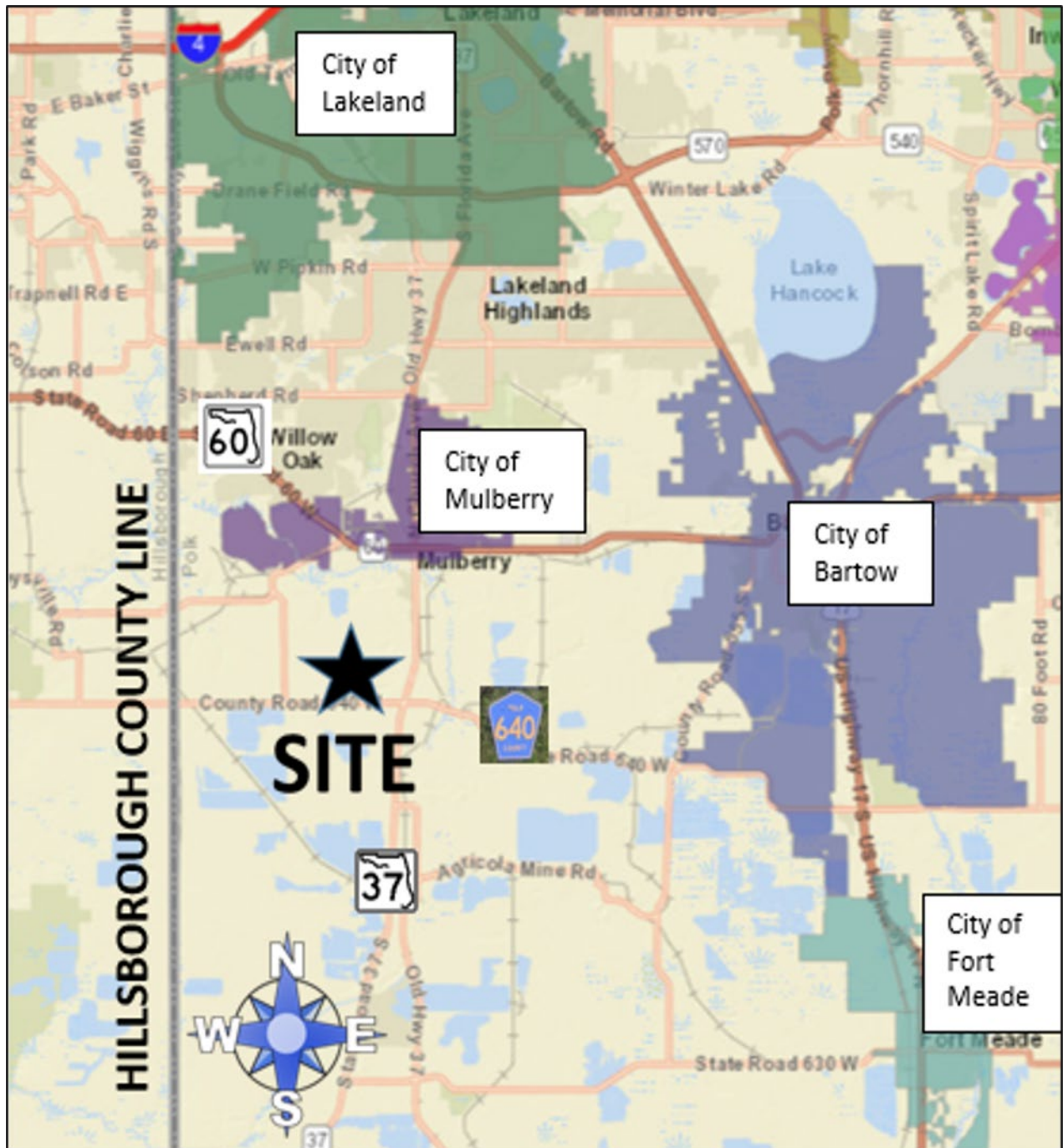
Comments from Other Agencies:

None

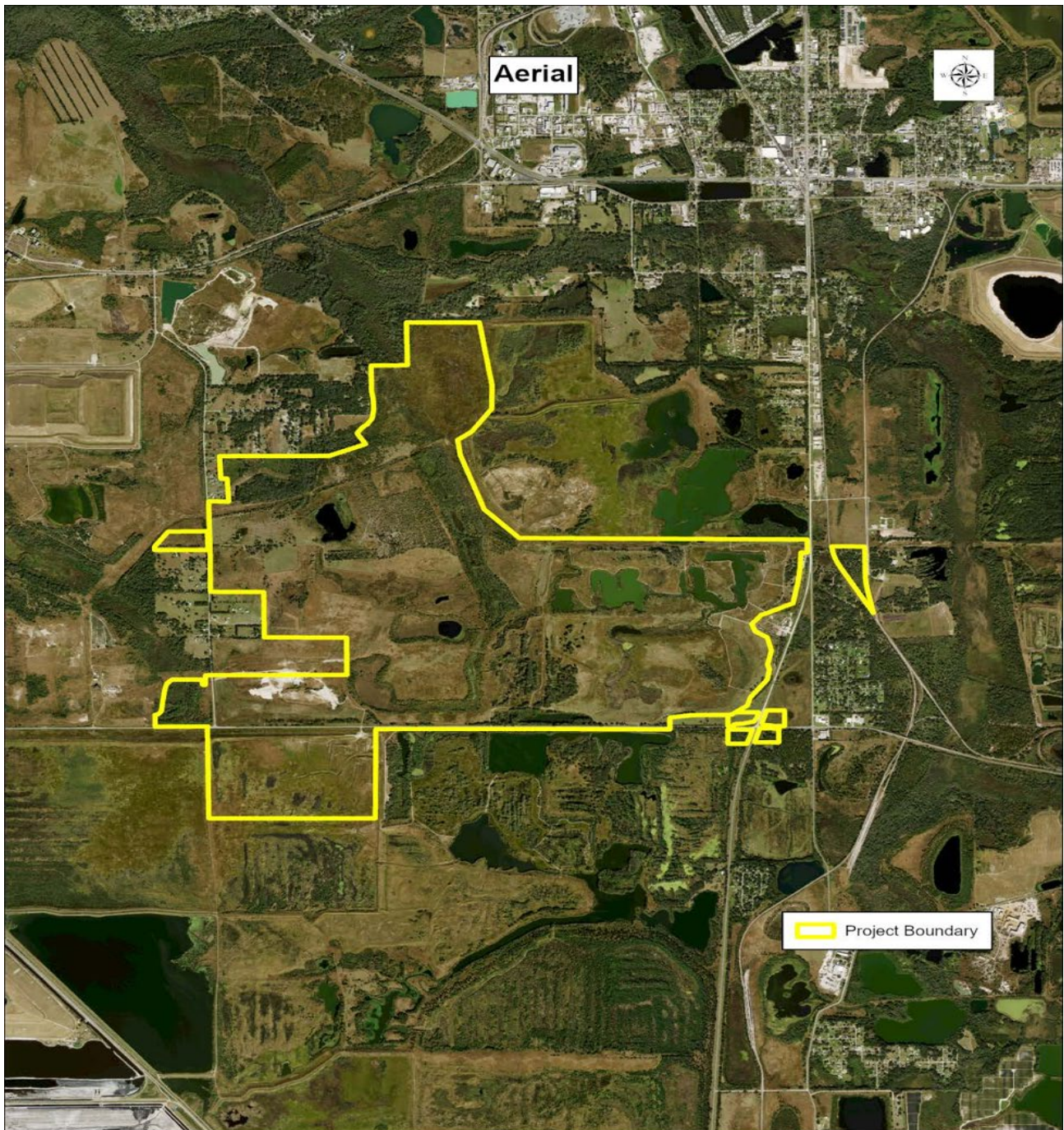
Draft Ordinance: Under separate attachment

Exhibits:

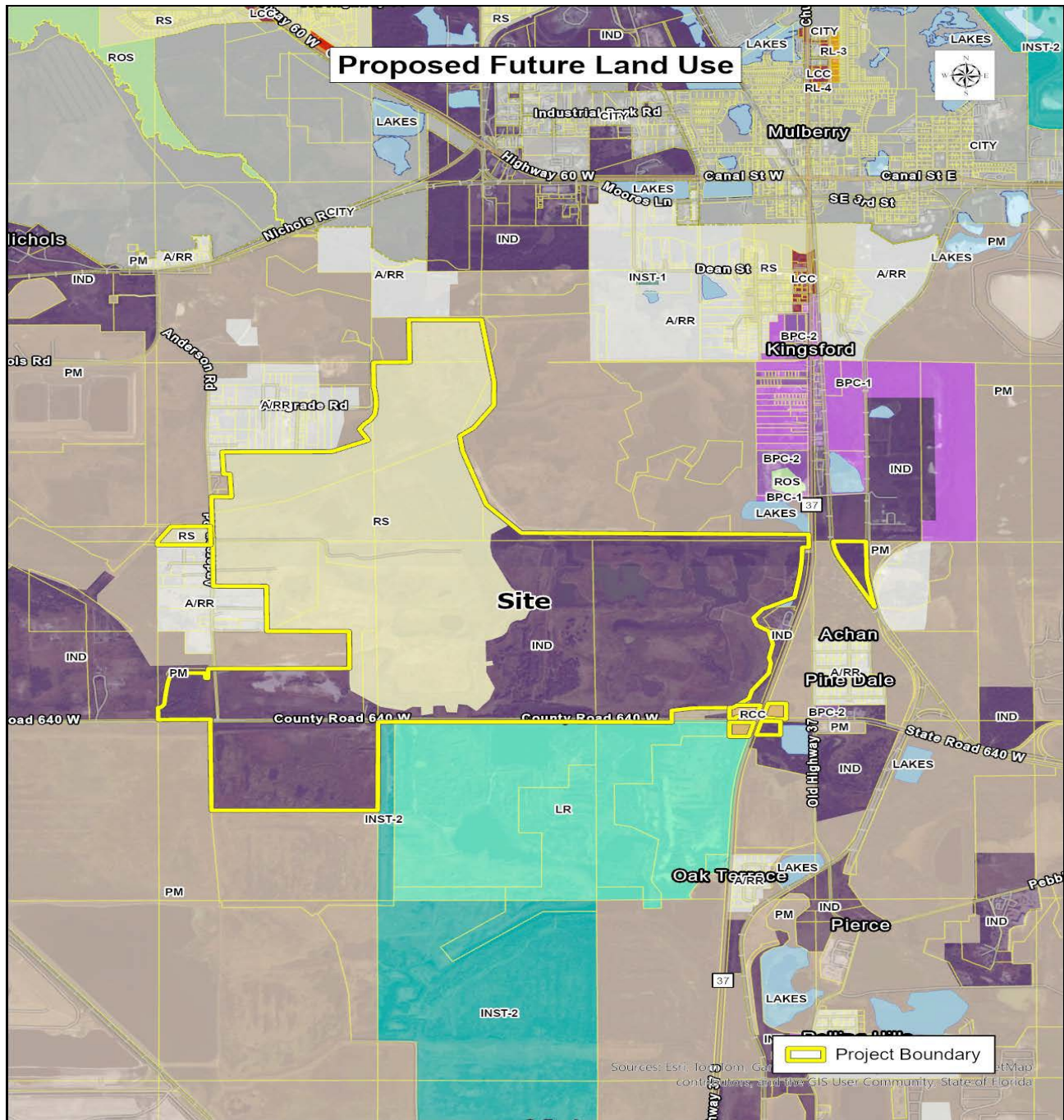
- Exhibit – 1 Location Map
- Exhibit – 2 Aerial Photo
- Exhibit – 3 Proposed Future Land Use Map
- Exhibit – 4 Proposed Text Change
- Exhibit – 5 Proposed Mims Crossing RCC Activity Center Plan



Location Map



Aerial Photo



Proposed Future Land Use Map

Proposed Text Change

Mims Crossing LDC Text Amendment - LDCT-2025-15

1. Applicability – The provisions and requirements of this section shall apply to the properties covered by LDCPAL-2025-7.

A. 200-ft Wide Buffer in the Residential-Suburban (RS) Area

A. The provisions and requirements of this subsection apply to a 200-ft-wide strip within the subject site within a portion of the conservation easement and more particularly that area legally described as:

A parcel of land in Sections 15, 21 & 22, Township 30 South, Range 23 East, Polk County, Florida, described as follows:

Commence at the southeast corner of said Section 21; thence N 00°53'01" W along the east line of said Section 21 a distance of 448.96 feet to the Point of Beginning being on the boundary of proposed Conservation Area 'D'; thence along said boundary for the following four courses; (1) N 56°26'14" W, 788.41 feet; (2) N 10°38'55" W, 200.54 feet; (3) N 00°02'50" E, 448.96 feet; (4) N 09°27'32" E, 14.46 feet; thence N 00°00'00" E a distance of 137.89 feet; thence N 90°00'00" E a distance of 200.00 feet; thence S 00°00'00" E a distance of 597.08 feet; thence S 10°38'55" E a distance of 82.58 feet; thence S 56°26'14" E a distance of 743.53; thence S 78°21'24" E a distance of 466.13 feet; thence N 57°59'41" E a distance of 206.54 feet; thence N 89°59'06" E a distance of 292.22 feet; thence N 86°19'02" E a distance of 963.00 feet; thence S 84°32'16" E a distance of 402.51 feet; thence N 42°32'48" E a distance of 125.45 feet; thence N 20°31'29" E a distance of 243.29 feet; thence N 23°57'16" W a distance of 462.01 feet; N 00°53'43" W a distance of 1184.21 feet; thence N 85°36'35" E a distance of 350.59 feet; thence N 52°45'23" E a distance of 225.69 feet; thence N 17°30'48" E a distance of 347.43 feet; thence N 73°07'25" E a distance of 361.82 feet; thence N 26°00'46" E a distance of 231.89 feet; thence N 45°09'51" W a distance of 600.29 feet; thence N 26°52'25" W a distance of 1158.04 feet; thence N 03°04'00" W a distance of 757.34 feet; thence N 58°13'35" E a distance of 685.05 feet to a point on the boundary of Conservation Area 'B' as described in Official Records Book 11887, page 2277 of the public records of Polk County, Florida; thence along said boundary for the following fourteen courses (1) S 17°07'22" E, 206.72 feet; (2) S 58°13'35" W, 514.27 feet; (3) S 03°04'00" E, 596.68 feet; (4) S 26°52'25" E, 1083.68 feet; (5) S 45°09'51" E, 579.16 feet; (6) N 71°53'24" E, 251.66 feet; (7) S 25°08'57" E, 145.08 feet; (8) S 01°10'29" W, 136.19 feet; (9) N 84°47'46" W, 163.57 feet; (10) S 45°46'21" W, 215.83 feet; (11) S 26°00'46" W, 204.22 feet; (12) S 73°07'25" W, 343.54 feet; (13) S 17°30'48" W, 305.49 feet; (14) S 52°45'23" W, 256.18 feet; thence S 61°21'02" W a distance of 121.48 feet to a point on the boundary of Conservation Area 'C' as described in Official Records Book 11887, page 2277 of the public records of Polk County, Florida; thence S 85°36'37" W along the boundary of said Conservation Area 'C' a distance of 187.93 feet to the intersection with the east line of the Southwest 1/4 of said Section 22; thence S 00°53'43" E along said east line a distance of 637.68 feet to the boundary of proposed Conservation Easement Area 'D'; thence along said boundary for the following three courses; (1) N 79°57'21" E, 155.13 feet; (2) S 10°02'31" E, 126.94 feet; (3) S 79°58'22" W, 175.57 feet to the intersection with the east line of said Southwest 1/4; thence S 00°53'43" E along said east line a distance of 189.04 feet to a point on the boundary of

said proposed Conservation Easement Area 'D'; thence along said boundary for the following sixteen courses; (1) thence S 23°57'16" E, 502.99 feet; (2) S 20°31'29" W, 363.99 feet; (3) S 42°32'48" W, 463.41 feet; (4) N 51°03'38" W, 288.53 feet; (5) N 84°32'16" W, 220.06 feet; (6) S 05°40'22" W, 255.63 feet; (7) N 84°31'22" W, 254.63 feet; (8) N 12°34'04" W, 198.98 feet; (9) S 86°19'02" W, 283.56 feet; (10) S 00°01'43" W, 231.55 feet; (11) S 81°28'09" W, 280.89 feet; (12) N 02°41'33" W, 257.28 feet; (13) S 89°59'06" W, 203.19 feet; (14) S 57°59'41" W, 229.30 feet; (15) N 78°21'24" W, 584.95; (16) N 56°26'14" W, 78.31 feet to the Point of Beginning.

- B. Any development within the area described above is prohibited. The area is to remain undisturbed and preserve the natural habitat, with only limited environmental management activities permitted.
- C. The Conservation Buffer area can retain any development rights within the RS land use district per the requirements of the Land Development Code.

B. Mims Crossing RCC Activity Center Plan (ACP) – LDCT-2025-15

- 1. The provisions and requirements of this Subsection apply to the parcels located south of Mulberry at the intersection of State Road 37 and CR 640, as shown in the ACP. It is intended to apply to those parcels within the existing RCC boundary and serve as a guide for future expansions and access management.
- 2. This RCC is shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 29, Township 30, Sections 23 and 26. and legally described as:

NE Parcel

A parcel of land in Section 23, Township 30 South, Range 23 East, Polk County, Florida, described as follows:

Commence at the southeast corner of said Section 23; thence N 89°51'46" W along the south line of said Section 23 a distance of 667.88 feet; thence N 00°00'00" E a distance of 34.98 feet to the Point of Beginning on the north right of way line of State Road 640 as shown on Right of Way Map Project 16720-2150; thence N 89°51'53" W along said right of way a distance of 254.21 feet to a point on a right of way parcel described in Official Records Book 13436, page 39 of the public records of Polk County, Florida; thence along said parcel for the following three courses; (1) N 71°55'36" W a distance of 52.30 feet; (2) N 84°28'45" W a distance of 183.16 feet to the beginning of a curve concave to the northeast and having a radius of 60.00 feet; (3) along said curve to the right through a central angle of 101°39'19" an arc distance of 106.45 feet (chord bearing = N 33°39'05" W, chord = 93.03 feet) to the east right of way of State Road 37 per Map Project No. 1625-5687; thence N 17°14'04" E along said right of way a distance of 360.49 feet; thence N 90°00'00" E a distance of 431.00 feet; thence S 00°00'00" E a distance of 456.18 feet to the Point of Beginning.

NW Parcel

A parcel of land in Section 23, Township 30 South, Range 23 East, Polk County, Florida, described as follows:

Commence at the southeast corner of said Section 23; thence N 89°51'46" W along the south line of said Section 23 a distance of 2041.32 feet; thence N 00°00'00" E a distance of 37.91 feet to the Point of Beginning on the north right of way line of State Road 640 as shown on Right of Way Map Project 16720-2150; thence N 00°00'00" E a distance of 329.85 feet to a point on the boundary of a parcel of land described in Official Records Book 9164, page 2068 of the public records of Polk County, Florida; thence along said boundary for the following two courses; (1) N 89°12'31" E a distance of 82.07 feet; (2) N 55°03'11" E a distance of 112.67 feet; thence N 90°00'00" E a distance of 574.18 feet to the westerly right of way line of State Road 37 per Map Project No. 1625-5687; thence S 17°13'55" W along said right of way line a distance of 154.56 feet to a point on the boundary of a right of way parcel described in Official Records Book 13436, page 33 of the public records of Polk County, Florida; thence along said right of way parcel boundary for the following five courses; (1) S 32°36'35" W, 142.09 feet; (2) S 77°26'58" W, 277.59 feet; (3) S 86°50'28" W, 150.33 feet; (4) S 71°50'14" W, 53.55 feet; (5) S 19°24'00" W, 46.05 feet to a point on aforesaid north right of way of County Road 640; thence N 89°47'05" W a distance of 139.00 feet to the Point of Beginning.

SW Parcel

A parcel of land in Section 26, Township 30 South, Range 23 East, Polk County, Florida, described as follows:

Commence at the northeast corner of said Section 26; thence N 89°51'46" W along the north line of said Section 26 a distance of 2041.32 feet; thence S 00°00'00" W a distance of 67.10 feet to the Point of Beginning on the south right of way line of State Road 640 as shown on Right of Way Map Project 16720-2150; thence S 89°47'05" E along said south line distance of 591.96 feet to the westerly right of way line of State Road 37 per Map Project No. 1625-5687; thence S 17°13'17" W along said right of way line a distance of 431.64 feet to a point on the south line of the north 480.50 feet of said Section 26; thence N 89°51'46" W along said South line a distance of 464.17 feet; thence N 00°00'00" E a distance of 413.40 feet to the Point of Beginning.

3. Permitted Uses - Uses permitted within the boundaries of this RCC shall conform to those found in Table 2.1 Use Table for Standard Land Use Districts.
4. Transportation
 - a. Access: This ACP shows the general locations of access points to the existing CR 640 and SR 37 rights-of-way. They are conceptual and nonbinding, with the exact driveway and cross-access location being determined at Level 2 review. In addition:
 1. There shall be no easements or divisions of land created that prevent access to CR 640 or SR 37.
 2. Development shall be designed to allow cross-access to adjacent parcels.
 3. All development shall ensure cross-access and connectivity to these roadways are maintained.
 4. Mass Transit locations: Future transit service and stop locations shall be implemented by the transit provider at locations optimum for safe and effective operations.
 5. Landscaping: Development shall adhere to the landscape and buffering requirements of Section 720 of the Land Development Code.

6. Signage: All ground signage shall be limited to monument signs.

C. Additional Development Standards:

1. Development within the RCC shall be guided by an Activity Center Plan (ACP), which shall establish conceptual land use organization, access, and circulation.
2. The ACP shall remain conceptual in nature, with final design and layout to be determined at the time of subsequent review, e.g. Level 2.
3. All development shall provide cross-access and internal connectivity, consistent with the ACP and applicable Land Development Code requirements.
4. Infrastructure improvements, including potable water and wastewater systems, shall be coordinated with development intensity and concurrency requirements at the time of subsequent development review.
5. Future expansion of the RCC shall require a Comprehensive Plan Amendment demonstrating consistency with applicable policies.

Mims Crossing RCC Activity Center Plan

