Polk County Planning Commission

Meeting Agenda

May 06, 2026 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 April 1, 2026

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2) Considerations of items to be withdrawn, deferred, or continued.

LDCU-2025-25 (Hudson MH) - Withdrawn

LDCU-2026-3 (Agricola Firearm Range) - Continue to June 3, 2026

LDCPAS-2025-36 (IT Land Investments CPA) - Continue to June 3, 2026

LDCPAL-2026-3 (Socrum Loop W LCC CPA) - Continue to July 8, 2026

Explanation of General Procedures

Voir Dire of Expert Witnesses

Staff Resumes

Explanation of Quasi-Judicial Proceedings

Agenda Item

Old Business

1. LDCU-2025-37 (Tempe Circle Duplex Final Order)

New Business

2. LDCU-2026-6 (Northeast PRWC Receiving Facility)
3. LDCPAS-2025-12 (Keller Road PM to A/RR CPA)
4. LDCPAS-2025-13 (Mt. Pisgah Road PM to A/RR CPA)
5. LDCPAS-2026-4 (Fort Groves CPA)
6. LDCPAS-2026-7 (Premier Parking CPA)
7. LDCPAS-2026-3 (Sumner Cozart Road CPA)
8. LDCPAL-2026-2 Main Street Corridor Comprehensive Plan Text
9. LDCD-2026-2 (Avenue Q Autobody District Change)
10. LDCT-2026-3 (Firearms Range Access)
11. LDCU-2026-4 (Highland City ECX Cap)
12. LDCPAS-2025-11 (Medulla Road RL CPA)
13. LDPD-2026-2 (Crews Lake Subdivision)
14. LDCT-2026-8 (Stand-alone ATMs & Vending Machines)

Comprehensive Plan update

Adjournment

Polk County

Planning Commission

Agenda Item 5/6/2026

SUBJECT

Meeting Minutes April 1, 2026

Polk County

Planning Commission

Agenda Item 5/6/2026

SUBJECT

LDCU-2026-3 (Agricola Firearm Range) - Continue to June 3, 2026

DESCRIPTION

The applicant is requesting a Recreational, High Intensive Use in the Phosphate Mining (PM) land use district on approximately 19 acres of vacant land.

RECOMMENDATION

Continue to June 3, 2026

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

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Polk County

Planning Commission

Agenda Item 5/6/2026

SUBJECT

Staff Resumes

Agenda Item 1. 5/6/2026

SUBJECT

LDCU-2025-37 (Tempe Circle Duplex Final Order)

DESCRIPTION

On April 1, 2026, the Planning Commission voted 5-2 to deny LDCU-2025-37, a request for a duplex in a Residential Low-2 future land use district on property located at 268 Temple Circle South, north of Highway 540 West, south of K-Ville Avenue, east of Thornhill Road, west of Spirit Lake Road in Section 28, Township 28, Range 25. This is the Order Denying LDCU-2025-37 Without Prejudice.

RECOMMENDATION

Adopt

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

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PLANNING COMMISSION
POLK COUNTY, FLORIDA

Applicant: Richard McIntee

Property Owners: RDM Construction & Development LLC

Case Number: LDCU-2025-37 (Temple Circle Duplex)

_____/

ORDER DENYING LDCU-2025-37 WITHOUT PREJUDICE

THIS MATTER came before the Polk County Planning Commission ("Planning Commission") at a public hearing held on April 1, 2026, in accordance with the Polk County Land Development Code ("LDC") sections 303, 906 and 973, and the Polk County Comprehensive Plan ("Comprehensive Plan"), pursuant to the application submitted for Case Number LDCU-2025-37. The Planning Commission fully incorporates herein the entire record for the public hearing of LDCU-2025-37. The Planning Commission having been fully advised in the premises, makes the following findings of fact and rulings for its written order, in accordance with LDC §973.E.1 and §125.022, Florida Statutes:

1. The Applicant, Richard McIntee ("Applicant"), submitted an application for a Conditional Use (CU) to allow a duplex to be located on approximately 0.40 acres within a Residential Low-2 (RL-2) future land use district (the "Application"). The subject site is located at 268 Temple Circle South, south of Auburndale, and is designated as Lot 5, Group 3 of the Orange Hill Subdivision in Section 28, Township 28, Range 25 of unincorporated Polk County. The site is located within the Transit Supportive Development Area (TSDA). The Orange Hill Subdivision was recorded on March 20, 1973, prior to the adoption of the Comprehensive Plan, Land Development Code. The RL-2 future land use designation is an accurate representation of the existing lot sizes. The subject property is 0.40 acres and is surrounded by lots ranging around +/- 0.36 acres to +/- 0.69 acres.

2. Within the TSDA, the residential density in RL designations is 7 DU/AC, which allows for these two units through the Conditional Use process, as detailed in LDC Sections 303 and 906.

3. The surrounding homes were built between 1973 and 1980, however, the make and model of the mobile homes date back to the early 1960s. The surrounding homes are comparable in size to the two proposed units. The average square footage of homes within the immediate surrounding area is approximately 1,000 square feet. While no duplex is located within the Orange Hill Subdivision, three (3) duplexes are located within a quarter mile to the north and have been there since 1983 on lots smaller to the subject property (+/- 0.24 acres). The site plan shows setbacks can be met. Access will be from Temple Circle East. Utilities are available from the Florida Governmental Utility Authority and a private septic system. No additional buffering or screening will be required.

4. The Development Review Committee (DRC) concluded that the Application was consistent with the Comprehensive Plan and Land Development Code and compatible with the surrounding land uses and general character of the area and recommended approval.

5. On April 1, 2026, the Planning Commission held an advertised public hearing for LDCU-2025-37. Mr. Kyle Rogus of the Polk County Land Development Division presented a slide show depicting the subject property and surrounding neighborhood. Mr. Rogus testified that he recommended approval of the application, and in his opinion, the Application was consistent with the Comprehensive Plan and compatible with the surrounding land uses and general character of the area. The Applicant testified that the proposed use is compatible with the neighborhood. Neighboring residents provided opposition testimony at the hearing. Their collective concern was the increase in density that approving this conditional use request would create. They testified that no other lot in the Orange Hill Subdivision has more than one (1) dwelling unit (DU) and that allowing this lot to have a duplex would negatively impact the single-family residential character of the area. The Planning Commission voted 5-2 to deny the Application.

6. The Proposed CU request is inconsistent with the Comprehensive Plan and LDC and is incompatible with the surrounding land uses and general character of the area for the following reasons:

i. The Comprehensive Plan and LDC define Compatibility as follows: "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." In this case, placement of a Duplex on the subject property is incompatible with the immediate surrounding area of single-family homes. No other Duplex is located within the Orange Hill Subdivision. The introduction of Duplexes would change the character of the neighborhood from a traditional single-family residential neighborhood of lower density to one with a significantly higher density.

ii. The proposed request is inconsistent with Comprehensive Plan Policy 2.102-A2: COMPATIBILITY, which requires land to be developed so adjacent uses are compatible with each other 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 more compatible through limiting intensity and scale of the more intense use; c. uses are transitioned through gradual scaling of different land uses activities through the use of innovative techniques such as a Planned Unit Development. In this case, use of the property for a Duplex is incompatible with the immediate surrounding area of single-family homes. The introduction of Duplexes will change the character of the neighborhood from a traditional single-family neighborhood to one with significantly higher density. Additionally, no conditions were provided pursuant to subsections a.-c. to mitigate the incompatibility.

iii. Consideration of the factors in LDC section 303 related to Duplexes and LDC sections 906.A.2. and D.12.a., b., and c. related to Conditional Uses supports denying the Application. The introduction of a Duplex on a lot within the Orange Hill Subdivision increases the density within the subdivision, rendering the proposed use incompatible with the surrounding area, as all other lots within the subdivision are single-family residential. Duplexes are therefore not compatible with the general nature and character of this single-family residential subdivision.

7. The Applicant carries the initial burden of showing that the Application meets the Comprehensive Plan and LDC requirements. In addition, LDC section 920A. states the Applicant carries the burden of persuasion and of demonstrating entitlement to the development order. In this case, the initial burden was not met.

8. Per LDC section 933, a final decision of the Planning Commission that results in denying the application "shall be deemed a denial without prejudice thereby allowing a re-application for requests without material changes on the same property within one year after the final decision…"

It is therefore ORDERED AND ADJUDGED as follows:

In accordance with the Polk County Comprehensive Plan and the Polk County Land Development Code, the Polk County Planning Commission hereby denies LDCU-2025-37 without prejudice for the reasons set forth above. Pursuant to section 933 of the LDC, a re-application for a CU request without material changes on the subject site may be submitted at any time.

DONE and ORDERED in open session in Bartow, Polk County, Florida this **6th** day of **May, 2026**.

POLK COUNTY PLANNING COMMISSION

By: _____
Merle Bishop, Chair

ATTEST:

BY: _____
Lyndsay Yannone, Recording Secretary

This Decision is rendered to the Clerk on _____, 2026.

By: _____
Deputy Clerk

cc: Land Development Division Official File
Richard McIntee, Applicant

Agenda Item 2. 5/6/2026

SUBJECT

LDCU-2026-6 (Northeast PRWC Receiving Facility)

DESCRIPTION

Polk County Utilities request a conditional use approval of a Class III Utility for potable water production, treatment, storage and distribution including 1.25-million-gallon ground storage tank on approximately 9.91 acres in an Institutional-2 (INST-2X) district. The property is located at East of Holly Hill Road and Sugarwood Street, west of Del Webb Boulevard and Castellon Court, north of Forest Lake Drive and Navarra Lane, north of the Haines City, north of the town of Davenport in Section 32, Township 26, Range 27.

RECOMMENDATION

Approval.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

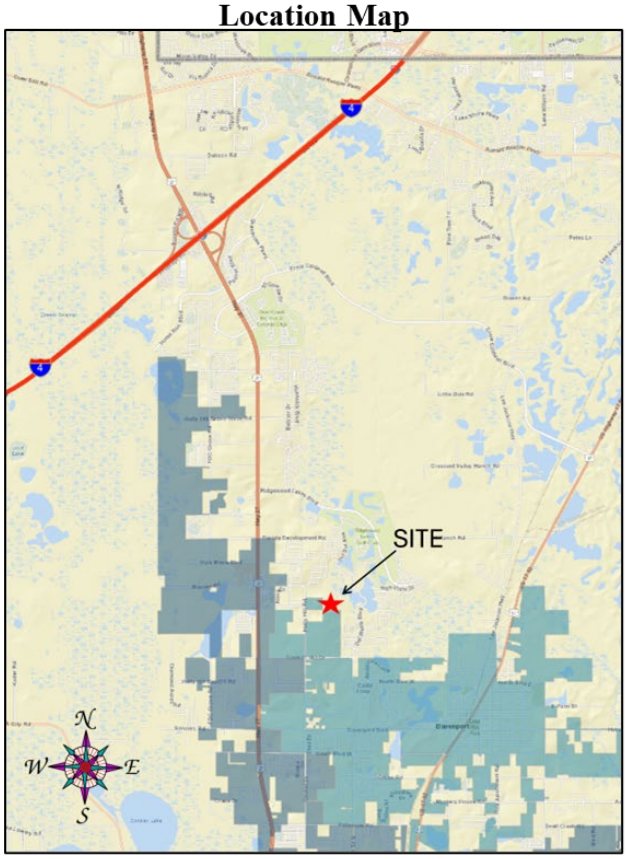
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POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	May 6, 2026	**Type:**	Conditional Use
BoCC Date:	n/a	**Case Numbers:**	**LDCU-2026-6**
		Case Name:	Northeast PRWC Receiving Facility
Applicant:	Polk County Utilities	**Case Planner:**	Erik Peterson, AICP

Request:	Conditional use approval of a Class III Utility for potable water production, treatment, storage and distribution including 1.25-million-gallon ground storage tank.
Location:	East of Holly Hill Road and Sugarwood Street, west of Del Webb Boulevard and Castellon Court, north of Forest Lake Drive and Navarra Lane, north of the Haines City, north of the town of Davenport in Section 32, Township 26, Range 27.
Property Owners:	Polk County
Parcel Size (Number):	±9.91 acres (272632-709500-020231)
Future Land Use:	Institutional-2 (INST-2X)
Development Area:	Urban Growth Area (UGA)
Nearest Municipality:	Town of Davenport (abutting) Haines City (2/3 miles)
DRC Recommendation:	Approval
Planning Commission:	Pending Public Hearing

Location Map



2024 Satellite Photo



Summary:

Polk County Utilities is applying for a Class III Utility on parcel #272632-709500-020231. This facility will be the receiving site for water from the Polk Regional Water Cooperative (PRWC) where it will be blended into the Northeast Regional Utility Service Area Potable Water System to expand the system capacity in the future. This facility will include a 1.25-million-gallon ground storage tank and production well in addition to the interconnection. On October 1, 2024, Polk County purchased the property from Walton Acquisitions, LLC for this purpose.

This facility will have multiple water pumps and ground storage tanks. It will mostly resemble a similar facility on Ronald Reagan Parkway near Champions Gate Boulevard. The water from the PRWC is treated at a reverse osmosis facility that removes the brine from the higher salinity Lower Floridan Aquifer water. This water will taste different from the water treated from the Upper Floridan Aquifer. The two sources of water need to be blended before being distributed through the system, so the public does not encounter a significant change in water flavor when the PRWC water is added to the greater system. This proposed water production facility includes a 1.25-million-gallon ground storage water tank to perform that blending.

Staff find that the interconnect facility as designed will be compatible with the surrounding land uses given the elevation grade and the County's standard Land Development Code (LDC) design requirements for landscaping, buffering, and setbacks. All three abutting residential developments included additional landscaping and buffering features to enhance compatibility with the inevitable future development of this property. The closest residences are on a higher grade than the subject property. There are very few environmental limitations with the property, and the intended use will become vital in the future for other infrastructure investments in the area.

The first project to be developed by the PRWC is the Southeast WPF and multiple well sites. It is under construction and line extensions are underway to connect to facilities like this in many locations throughout the County. The goal of this project is to utilize the brackish, Lower Floridan Aquifer (LFA) in Southeast Polk County as a "non-traditional" water supply. The Southeast Wellfield is a permitted supply, and after treatment via reverse osmosis, will deliver up to 30 million gallons per day (MGD) of high-quality drinking water to the member governments. Oversight of PRWC is solely in the hands of the elected officials from the sixteen Polk County member governments. In addition to Polk County, these include the cities of Auburndale, Bartow, Davenport, Dundee, Eagle Lake, Fort Meade, Frostproof, Haines City, Lake Alfred, Lake Hamilton, Lake Wales, Lakeland, Mulberry, Polk City, and Winter Haven.

Findings of Fact

- *On October 1, 2024, Polk County purchased this property from Walton Acquisitions LLC for the purpose of a potable water interconnect facility to blend water acquired from the Polk Regional Water Cooperative (PRWC) with the water in the Northeast Utility Service Area potable water system. This Comprehensive Plan Future Land Use Map amendment request was presented to the Development Review Committee (DRC) in a pre-application meeting under case# LDDRC-2025-103.*

- *A County-initiated request for a Small-Scale Future Land Use designation change from Residential Low (RLX) to Institutional (INSTX) on approximately 9.91 acres in the Urban Growth Area (UGA) was approved on May 5, 2026.*

- *A County-initiated request for an LDC Sub-District change from Institutional-1X (INST-1X) to Institutional-2X (INST-2X) on approximately 9.91 acres in the Urban Growth Area (UGA) was approved on May 5, 2026.*

- *This request is for conditional use approval of a Class III Utility for potable water production, treatment, storage and distribution including 1.25-million-gallon ground storage tank. approximately 9.91 acres of INST-2X.*

- *The property is located within the North Ridge Selected Area Plan which gives it an "X" suffix on the Future Land Use Map.*

- *The property was part of the Ridgewood Lakes Development of Regional Impact (DRI).*

- *The neighboring land uses to the east, south, and west are single-family residential developments. To the north, the property is currently vacant but it is planned for a park within the town of Davenport.*

- *The closest public school is Horizons Elementary, approximately one mile travel distance from the site.*

- *The current fire response to this project is from Polk County Rescue Station 38, located at 126 Cottonwood Drive, just under three (3) miles travel distance from the site.*

- *The current ambulance response is from Polk County Rescue Station 38, located at 126 Cottonwood Drive, just under three (3) miles travel distance from the site.*

- *The site is served by the Polk County Sheriff's Office Northeast District Command at 1100 Dunson Road, six (6) miles driving distance from the site.*

- *Polk County provides potable water, reclaimed water, and wastewater service to this area through its Northeast Regional Utility Service Area (NERUSA). This site will become a part of the potable water system.*

- *The site's access will be on Holly Hill Road from a 30-foot-wide unopened right-of-way. Holly Hill Road is a two-lane, 20-foot wide, urban major collector roadway.*

- *According to the Polk Transportation Planning Organization, there are capacity deficiencies on U.S. Highway 27. All other supporting roadways have available capacity. The designation of the property for Institutional land uses has a low probability of significantly increasing current traffic demands.*

- *There is a sidewalk system along Holly Hill Road, but it is incomplete to provide connections to transit and commercial services.*

- *The closest fixed route transit stop is at Heart of Florida Hospital at U.S. Highway 27 and Holly Hill Road, just over a mile from the site.*

- *The nearest public park will be developed in the future on the norther boundary of the site within the town of Davenport. The closest County recreation facility is Loughman Park approximately 11 miles away from the north in Loughman.*

- *POLICY 2.125-D1: UTILITIES PERMITTED USES of the Polk County Comprehensive Plan states that "utility facilities shall be permitted throughout the County in all land use classifications, subject to County approval, to support existing and proposed development:*
  a. *water and sewer transmission and treatment facilities, including, without limitation, collection and distribution mains, water and sewerage-treatment facilities, and pumping facilities;*
  b. *electrical-transmission and distribution facilities including, without limitation, electrical transmission lines, substations, and related electrical-distribution facilities;*
  c. *communications facilities, including, without limitation, radio towers and microwave transmission facilities, (subject to other restrictions within the Plan or the County's Land Development Code);*
  d. *public potable wells and temporary or permanent package treatment plants; ande.natural-gas and liquefied-fuel pipelines.*

- *POLICY 2.125-D2: UTILITIES' DEVELOPMENT CONTROLS of the Comprehensive Plan states that "Utility facilities shall be subject to the following criteria:*
  a. *Utility facilities shall generally be limited to the non-Rural-Development Areas, as designated on the Future Land Use Map Series. The scale of such facilities should be related to surrounding land uses and designed to preserve the character of residential neighborhoods, when so located.*
  b. *The provisions of Policy 2.125-D2(a) notwithstanding, it may be in the best interest of public health, safety, and welfare to provide utilities in locations which are potentially incompatible with adjacent land uses. In such cases, these facilities will be buffered from adjacent incompatible land uses through the provision of open space, landscaping berms, site design or other suitable means.*
  c. *The development of utility facilities shall be permitted in the Rural-Development Area, as designated on the Future Land Use Map Series, only when such developments provides regional services, or is incompatible with urban uses, or services the existing needs of the immediate area in which it is located.*
  d. *Polk County adopted the Land Development Code in accordance with Section 163.3202(1), F.S., to further define appropriate development controls to govern the locational and site criteria for utilities.*

- *POLICY 3.105-D3 of the Comprehensive Plan states that the "County, in partnership with the municipalities within Polk County, formed the Polk Regional Water Cooperative (PRWC) in 2016. The purpose was to develop projects that are environmentally sound, sustainable, and include adequate alternative water supplies within the region. Alternative water supplies may be sold to end users or retail and/or wholesale distributors as permitted by the appropriate water management district. Members of the PRWC within Polk County shall have first priority on alternative water supply production in accordance with the provisions of Section 373.1961 (5), FS."*

- *POLICY 3.105-D4 of the Comprehensive Plan states that the "County shall incorporate into the Future Land Use Map Series the specific locations of future groundwater, surface water, alternative water, and supplemental water supply sources. Existing and future wellhead protection areas shall be mapped in the Future Land Use Map Series as they are identified by the water management districts."*

- *The Polk County Land Development Code Section 220 prohibits non-residential buildings, garbage dumpsters, loading facilities, wastewater lift stations within 50 feet of an offsite*

residential district. Parking and lighting are strictly regulated. Parking can be no closer than 15 feet from a residential property and requires additional landscaping within 50 feet of adjacent residential districts and uses.

- *The Polk County Land Development Code Section 303 requires water storage tanks to be setback one times the height from neighboring residential development.*

- *The Polk County Land Development Code Section 303 has no standard conditions for Government Facilities.*

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 (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 LDCU-2026-6.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the DRC recommends APPROVAL of LDCU-2026-6 with the following conditions:

1. This approval shall be for a Class III Utility for potable water production, treatment, storage and distribution including 1.25-million-gallon ground storage tank.

2. The site plans included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDCU-2026-6, 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.

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. Building permits will be required for improvements to 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 of the properties immediately surrounding proposed facility.

Table 1

Northwest: City of Davenport Future Park	**North:** City of Davenport Future Park	**Northeast:** RL-3X, PUD 85-08 Ridgewood Lakes DRI Village 11 Wetlands/100-year Floodplain
West: City of Davenport Forest Lake subdivision Single-family ±3.5 dwelling units per acre	**Subject Property:** INST-2X ±9.91 total acres vacant	**East:** RL-3X, PUD 85-08 Ridgewood Lakes DRI Del Webb Phase 1 subdivision Single-family ±3.5 dwelling units per acre
Southwest: City of Davenport Forest Lake subdivision ±3.5 dwelling units per acre	**South:** RL-3X, PUD 85-08 Ridgewood Lakes Del Webb Phase 1 subdivision Single-family ±3.5 dwelling units per acre	**Southeast:** RL-3X, PUD 85-08 Ridgewood Lakes DRI Del Webb Phase 1 subdivision Single-family ±3.5 dwelling units per acre

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

The proposed facility will only occupy a small portion (<¼) of the nearly 10-acre site (see Exhibit 5). Buildings and the 1.25-million-gallon ground storage tank will be placed over 50 feet from the property line and over 200 feet from the nearest residential lot. The structures will also be considerably lower than the nearest homes due to the grade of the land. The closest home sits approximately 10 feet above the future grade of the utility site.

Compatibility with the Surrounding Land Uses and Infrastructure:

Staff find that the interconnect facility as designed will be compatible with the surrounding land uses given the elevation grade and the County's standard Land Development Code (LDC) design requirements for landscaping, buffering, and setbacks. All three abutting residential developments included additional landscaping and buffering features to enhance compatibility with the inevitable future development of this property. The closest residences are on a higher grade than the subject property. There are very few environmental limitations with the property, and the intended use will become vital in the future for other infrastructure investments in the area.

A. Land Uses:

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.*"

This facility will operate with minimal staffing limited to routine testing and maintenance. The most pronounced feature on the site plan is the 1.25-million-gallon ground storage tank that will be where the water from the Lower Floridan Aquifer comes from the Polk Regional Water Cooperative (PRWC) Southeast facility and is blended with the Upper Floridan water from the Northeast Utility Service Area water treatment facilities. It will be 100 feet in diameter and approximately 38 feet above adjacent grade. The site grade will be approximately 10 feet below the grade of the closest residences in the Forest Lake Subdivision. Section 220 of the LDC requires a 50-foot setback of non-residential uses from neighboring residential land uses or districts. Additionally, the neighboring properties have developed independently with additional landscaping and buffering for their residents from what future

development may occur on this property. The buffer tracts range from 35 to 100 feet in width abutting the subject property.

B. Environment:

There are few environmental limitations with this site. Surface waters have a positive outfall. There is a small portion (<5% of the site) in the northeast corner of the property with wetlands, flood hazard area, and marginal soils which can be easily avoided. The area is nearly built out and as a result there have been no species sightings nearby in over twenty years. However, the County will do a species walkover prior to development as required by state and local funding sources. This change in land use will not adversely impact nearby wells, airports, and there have been no findings of historical resources in the area. All but the wetland/floodplain area has been cultivated for citrus in the recent past.

C. Infrastructure:

The proposed interconnect facility will operate mostly unmanned and monitored through System Control and Data Acquisition (SCADA) systems during most of its operation. It will expand the infrastructure capabilities of the Northeast Regional Utility Service Area (NERUSA) by infusing water from the Lower Floridan Aquifer supplied through the Polk Regional Water Cooperative (PRWC). This facility will have no adverse impacts on schools. It will ensure that there are adequate water supplies and pressure for fire hydrants in the system. It will add water to the system and need very little wastewater treatment. Unless the rest of the site is used for offices, there will be no significant impact on the roadways after construction is completed. Drainage will outfall into a wetland system that connects to Horse Creek and into the Kissimmee River chain. The site is adjacent to a future park for the town of Davenport.

Nearest and Zoned Elementary, Middle, and High School

School capacity is not a concern for non-residential uses. Proximity and traffic conflicts are a concern. Fortunately, the activity on this site is benign and will have no potential conflicts with any school's operation. Listed in the table to follow are the three closest schools to the site.

Table 2

Name of School	Average driving distance from subject site
Horizons Elementary	±1 mile driving distance
Davenport School of the Arts Middle School	±9 miles driving distance
Ridge Community High School	±2 miles driving distance

Source: Polk County School Board GIS

This potable water interconnect and storage facility will pose no potential adverse impacts upon any nearby schools. One of the three schools listed in Table 2 above along with five others in the utility service area will be served by this future facility. Two more schools are planned within the service area over the next five years.

Nearest Sheriff, Fire, and EMS Station

Fire and EMS response to this project is from Polk County Fire Rescue Station 38, located at 126 Cottonwood Drive. The travel distance is just under three (3) miles from the site and response times can average six or more minutes depending on the type of call. There will be fire hydrants constructed onsite with ample water pressure since it will be a water interconnect and storage facility.

Demand for services will be low since the facility will be sparsely manned and there are very little flammable equipment items. Needs for emergency medical services will increase slightly if offices are added.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Northeast District Command (1100 Dunson Road)	±6 miles	6 minutes
Fire	Station 38 (126 Cottonwood Drive, Davenport)	±2.86 miles	6 minutes
EMS	Station 38 (126 Cottonwood Drive, Davenport)	±2.86 miles	6 minutes

Source: Polk County Sheriff's Office and Public Safety

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

The nearest Sheriff's substation is the Northeast Command Center on Dunson Road, six (6) miles to the north. 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. However, the closer to the command center increases the number of patrol officers available in the area.

Water and Wastewater Demand and Capacity:

This facility will bring more water supplies into the Northeast Regional Utility Service Area (NERUSA). By June of 2028, an additional 410,000 will come from the Polk Regional Water Cooperative (PRWC) through the facility that will be developed on this site. Additional water supplies will follow. This property may also host some other Polk County Utilities functions such as a satellite utilities operations office and a storage facility for vehicles, materials, and equipment.

A. Estimated Demand and Service Provider:

The interconnect facility will be unmanned and monitored through System Control and Data Acquisition (SCADA) systems during most of its operation. There will be restroom facilities and sinks in the chemical room show on the site plan. It will be periodically visited by staff to conduct water testing and maintenance of the system.

Table 4

Subject Property	Estimated Impact Analysis		
±9.91 acres INST-2X	**Demand as Currently Permitted in the INST-2X district**	**Maximum Permitted in the INST-2X district**	**Proposed Plan**
Permitted Intensity	Office building (323,760 sq.ft @ 75% FAR)	Office building (323,760 sq.ft @ 75% FAR)	Unmanned Potable Water Interconnect and Storage Facility and 1,000 sq.ft. chemical building
Potable Water Consumption (GPD)	77,702	77,702	250 GPD
Wastewater Generation (GPD)	62,162	62,162	200 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

The NERUSA is the fastest growing utility system in all of Polk County. Over the last year, the water system has been growing at 5.7 new connections per day. The wastewater system has been growing at 3.06 new connections per day.

B. Available Capacity:

The NERUSA potable water system has a permitted capacity of 12,940,000 gallons per day (GPD). Current usage is approximately 10,654,000 GPD with 83,000 GPD of committed capacity. This leaves 2,286,000 GPD of remaining capacity which is enough to serve nearly 6,350 single-family residential units. There are approximately 57,211 customers being served. The system growth rate is 1,427 GPD which equates to over 2,000 new connections per year. At the current rate of growth, expansion of the system is needed in approximately four (4) years.

The NERUSA wastewater system has a permitted capacity of 6,000,000 gallons per day (GPD). Current usage is approximately 5,459,000 GPD. This leaves 541,000 GPD of remaining capacity which is enough to serve nearly 2,004 single-family residential units. The plant will be expanding to 7,000,000 GPD within a year and to 9,000,000 GPD by June of 2029.

C. Planned Improvements:

The facility planned for this site will bring in 410,000 GPD from the PRWC Southwest Lower Floridan Aquifer Wellfield east of Lake Wales, 1,200,000 from the Cypress Lakes Lower Floridan Aquifer system in Osceola County, and by June of 2033, a new Lower Floridan Aquifer well may be operational in the NERUSA Holly Hill Plant on Sand Mine Road.

The NERUSA wastewater treatment facility on Homerun Boulevard has been enabled to increase treatment to a permitted capacity of 7,000,000 GPD. The plant is undergoing an expansion that will raise the capacity to 9,000,000 GPD. This is to be completed by June of 2029. While under construction, the subject property may be utilized for storage of vehicles, materials, and equipment that would be located at the Homerun Boulevard facility were it not for the construction.

Roadways/ Transportation Network

Access to the site is a narrow (30-foot wide) unopened right-of-way. This will not likely be permanent. The town of Davenport has acquired land immediately to the north of the interconnect site to become a park in the future. Polk County Utilities will be serving the site water and wastewater services. In return, the town has agreed to allow access to the interconnect through the park. Class III Utilities do not often generate significant amounts of traffic on roadways. They are typically more of a "land intensive" use. This means they can use a lot of land but don't have as much activity to go with it. There is more than ample capacity on the directly affected roadways, even for a use with higher transportation demands.

A. Estimated Demand:

The interconnect facility will be unmanned and monitored through System Control and Data Acquisition (SCADA) systems during most of its operation. However, the chemical building shown on the site will be routinely accessed by staff to perform water quality monitoring.

Table 5

Subject Property	**Estimated Impact Analysis**		
±9.91 acres INST-2X	**Demand as Currently Permitted in the INST-2X district**	**Maximum Permitted in the INST-2X district**	**Proposed Plan**
Permitted Intensity	Office building (323,760 sq.ft @ 75% FAR)	Office building (323,760 sq.ft @ 75% FAR)	Unmanned Potable Water Interconnect and Storage Facility

Table 5

Subject Property	Estimated Impact Analysis		
±9.91 acres INST-2X	**Demand as Currently Permitted in the INST-2X district**	**Maximum Permitted in the INST-2X district**	**Proposed Plan**
			and 1,000 sq.ft. chemical building
Average Annual Daily Trips (AADT)	7,314	7,314	23
PM Peak Hour Trips	493	493	2

Source: Institute of Transportation Engineers (ITE) Trip generation Manual 11th Addition
Single-family Residential = 7.81 AADT, 1 PM Peak (100% new)

There will also be the occasional delivery of chlorine and other facility materials. These will be large vehicles and semi-trucks.

B. Available Capacity

Although the request will have a limited impact on the transportation system, it is still pertinent to be aware of available capacity when making land use decisions. Table 6, to follow, provides a good snapshot of the capacity on the surrounding road network. U.S. Highway 27 is a constrained facility.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
8316N	Holly Hill Road From: County Road 547 To: U.S. Highway 27	C	668	E
8316S	Heller Brothers Road From: U.S. Highway 27 To: County Road 547	C	663	E
4053E	County Road 547 From: U.S. Highway 27 To: Lee Jackson Highway	C	277	E
4053W	County Road 547 From: Lee Jackson Highway To: U.S. Highway 27	C	256	E
5110N	U.S. Highway 27 From: CR 547 To: I-4	F	-436	D
5110S	U.S. Highway 27 From: I-4 To: CR 547	F	-301	D
8222E	Interstate-4 From: CR 557 To: Osceola County Line	C	4,071	D
8222W	Interstate-4 From: Osceola County Line To: CR 557	C	4,324	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025

Recent travel lane additions on I-4 have provided a temporary solution while work begins on the ultimate widening to 10 lanes. Polk County Roads and Drainage Division cannot control these facilities, but it can control the roadways that feed into them and improve alternative routes such as Holly Hill Road to lessen the local demand on the state thoroughfares.

C. Roadway Conditions

Polk County uses the Pavement Surface Evaluation and Rating (PASER) method established by the Transportation Information Center at the University of Wisconsin-Madison. The roadway conditions are displayed in the table to follow under the Pavement Condition Index (PCI) rating.

Table 7

Road Name	Roadway Classification	Pavement Width	Pavement Condition Index (PCI)
Holly Hill Road	Urban Major Collector	20'	"very good" (8)
County Road 547	Urban Major Collector	22'	"very good" (8)

The property does not have frontage on Holly Hill Road, but it connects to it through a 30-foot wide unopened and currently unmaintained right-of-way platted by the Florida Land Development Company at the turn of the 20th century. The County will use this access for construction and early operation. Eventually the site may take access through the town of Davenport's future park for which they have acquired land to the north of the site. Holly Hill Road is a two-lane, 20-foot wide, urban major collector roadways with a PCI rating of "very good" (8) along the project frontage. U.S. Highway 27 is not rated under the County's Road Inventory but appears to be in excellent condition since it was recently re-surfaced earlier this year. The Florida Department of Transportation (FDOT) maintains it.

D. Planned Improvements:

There are no transportation improvements planned for the immediate area of the facility. However, there are many roadway projects in the Northeast Utility Service Area (NERUSA). With new roadway projects comes new development and new development needs water. This site is vital to the growth of the area.

E. Mass Transit



Mass transit service is provided along U.S. Highway 27. The closest fixed route transit stop is at Heart of Florida Hospital at U.S. Highway 27 and Holly Hill Road. This is just over a mile from the site which is not a convenient walking distance and there are gaps in the sidewalk network. The route has 40 minute headways, but only nine cycles on weekdays and six on Saturday. The proposed uses are not likely to be conducive to use of mass transit.

F. Sidewalks

The sidewalk network along Holly Hill Road is less than 60% complete. But that is not a concern for the development of this site. Most of the operations will be conducted remotely thought the system control and data acquisition (SCADA) network. In the future, a satellite operations center may be located onsite. If that happens, there will be approximately 20 employees coming and going from the facility. They will be driving vehicles with equipment predominantly.

Park Facilities:

The closest County recreation facility is Loughman Park approximately 11 miles away from the north in Loughman. The town of Davenport will be constructing a park immediately to the north. The request will not adversely affect either the park or its operations. The proposed facility will most likely provide potable water to park.

A. Location:

Loughman Park is located at 6302 Old Kissimmee Road approximately 11 miles from the site. The Northeast Regional Park is located 12½ miles to the north of on U.S. Highway 27.

B. Services:

Loughman has soccer, basketball, multi-purpose fields, picnic tables, pavilion, and a playground. The Northeast Regional Park has six lighted soccer/football fields, five lighted baseball fields, basketball, tennis, and racquetball courts, concession facilities, boat access, as well as playground facilities for children and dog walks.

C. Environmental Lands:

Lake Bonnet Marsh is on the west side of U.S Highway 27. There is public access at the end of Sanders Road to the southwest within two miles of the site.

C. Planned Improvements

There are no planned improvements to park facilities in this area in the County's 5-year capital improvements plan. However, the town of Davenport is likely to begin construction of their park, (abutting the site) within the next three years.

Environmental Conditions

There are no significant environmental limitations to the development of this property. It has good soil, is connected through a wetland system to surface waters, minimal wetland and flood hazard area, no recent endangered species sightings, or archeological resources.

A. Surface Water

The highest point of the site is in the southwest corner at 150 feet above mean sea level (MSL). It slopes from the southwest to the northeast corner at 114 MSL. The site naturally flows northeasterly into a wetland system connected to the Ridgewood Lakes development. These wetlands connect to Horse Creek which is a manmade canal that funnels water through creeks that reach Lake Marion and Reedy Creek. Reedy Creek connects to the Kissimmee River which flows to the Gulf. The site used for the interconnect and water tanks will be brought to a standard even grade. Stormwater treatment facilities will be placed between the developed area and the wetlands to pretreat runoff prior to discharge. The site is in an open basin. Drainage systems will be designed to meet the 25-year/24-hour storm event.

B. Wetlands/Floodplains

The very tip of northeast corner of the site is comprised of both wetlands and 100-year floodplain. This is approximately 3% of the total site (0.298 acres). It is a small portion of a former lakebed that silted in after mining was conducted within the Ridgewood Lakes development. It will be easy for all development within the site to avoid any disturbance or alteration.

C. Soils:

The usable portion of the site has very good soil for development. The potion that has soil with severe limitations is a wetland that will be avoided. No development will occur within a minimum of 25 feet from the wetland boundary.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to small commercial buildings**	**% of Site** *(approximate)*
Candler Sand	Slight	Slight	90%
Tavares Fine Sand	Moderate: wetness	Slight	7%
Samsula Muck	Severe: ponding, poor filter	Severe: ponding, low strength	3%

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

There may be some need for offsite soil. Candler sand is so porous that it often needs some augmentation or heavy compaction to achieve foundational stability.

D. Protected Species

The area is very urbanized. There are not many locations of tracts of undeveloped land in the vicinity of the site. There have been no sightings within one mile of the proposed wastewater treatment plant site according to the Florida Natural Areas Inventory surveys in 2002, 2006, and 2011. A more in-depth protected species study will be required for both the Environmental Resource Permit (ERP) from the Florida Department of Environmental Protection as well as the federal agency providing the funding for the project.

E. Archeological Resources

There are no protected archeological resources in Section 32, Township 26, and Range 27, that the site of these proposed ground storage tanks would adversely impact, according to the Florida Department of State, Division of Historical Resources.

F. Wells (Public/Private)

PCU's Edghill well site is 1.8 miles to the north. Davenport's water treatment facility is ¾ mile to the south.

G. Airports

The site is over 2½ miles from the edge of the runway for Gore Airport. A private airfield west of Hanes City. Wastewater Treatment Plants are typically close to grade and pose no threat to aircraft. The water tanks will not exceed 40 feet in height. A system control and data acquisition communication tower will be included. It will be approximately 80 feet high. Not enough to pose any threats to aviation.

Economic Factors:

There are very minimal land development capabilities in an area without an ample source of potable water to support them. Water is one of the most important infrastructure items in land development. It is not only needed for drinking, cleaning, and cooking; it is also needed for fire protection. There is a finite amount of water from the upper Floridan Aquifer to serve the Northeast Utility Service Area (NERUSA) and without more water, this area will no longer be able to grow in residences and businesses. Future development depends on a new water supply. This conditional use request is primarily for an interconnection with the Polk Regional Water Cooperative (PRWC) Lower Floridan Aquifer well water supplies. This new source of water will enable development growth to continue in the utility service area for years to come. Many land investments will depend on an uninterrupted supply of potable water in the future. This facility will ensure continued growth in the area which will result in sustained land values in the future. Without this facility, development growth in the area will be capped under the current permitted level of drawdown from the Upper Floridan Aquifer which is approximately 12,940,000 gallons per day (gpd). Currently, 10,654,000 gpd are being used to serve existing development needs leaving only 2,286,000 gpd remaining to support more growth in the system. This is enough to support approximately 9,144 new dwelling units. The system averages approximately 2,000 new dwelling units each year. At such a continued rate, there will be no capacity for new development after 2030.

The water from the PRWC is treated at a reverse osmosis facility that removes the brine from the higher salinity Lower Floridan Aquifer water. This water will taste different from the water treated from the Upper Floridan Aquifer. The two sources of water need to be blended before being distributed through the system, so the public does not encounter a significant change in water flavor when the PRWC water is added to the greater system. This proposed water production facility includes a 1.25-million-gallon ground storage water tank to perform that blending. Without this tank, customers will experience a fluctuation in water taste. And that would not be good customer service.

Consistency with the Comprehensive Plan, LDC, and Other County Ordinances:

The site is located in the Urban Growth Area (UGA), which is the 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 2.105-A1 of the Comprehensive Plan. This site is near all of the necessary infrastructure and services mentioned in the policy.

POLICY 2.125-D1: UTILITIES PERMITTED USES states that "*utility facilities shall be permitted throughout the County in all land use classifications, subject to County approval, to support existing and proposed development.*" This site is on the south end of the Northeast Regional Utility System (NERUSA) potable water network it provides the least distance for travel from the PRWC Southeast water treatment facility where it can connect to the NERUSA's main distribution lines.

POLICY 3.105-D3 of the Comprehensive Plan states that the purpose of Polk Regional Water Cooperative (PRWC) is to "*develop projects that are environmentally sound, sustainable and include adequate* ***alternative water supplies*** *within the region*." While the PRWC acts as an independent government authority and may sell water to both public and private utility providers, the members of the PRWC within Polk County "*shall have first priority on alternative water supply production in accordance with the provisions of Section 373.1961 (5), FS.*"

Table 9, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan selected by staff for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan.

Table 9

Comprehensive Plan Policy	Consistency Analysis
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.	This request is primarily potable water storage and distribution. The property is a lone vacant tract surrounded by suburban developments of single-family homes. Accessibility is difficult. It was previously intended to be a latter phase of the Ridgewood Lakes development. It will better serve the area as a utility facility that benefits the service area customers.
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.	This site abuts residential development on three sides and that is taken into account in the design. The site plan shows it is designed to minimize visual and noise impacts. Adequate separation distances of 50 feet are maintained from residential district lines and include landscaping to augment visual screening. The existing developments have provided their residents with screening, landscaping, and buffering as well. So, it has buffers upon buffers.
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.	This site was chosen so that the water system can reach a balanced distribution throughout the service area.
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.	This site was purchased to connect the PRWC water to the Northeast water system. This system is being connected in advance of future water needs to maintain the County's level of service for potable water.
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).	The water storage and interconnect facility expand the water volume in the area. With more water, there is more pressure in the system to serve the fire hydrants.

Land Development Code (LDC) Section 401.06, Table 4.16, Use Table for Standard Land Use Districts in the Northridge Selected Area Plan lists Class III Utilities as a Level 3 Conditional Use in the Institutional (INST) districts. A Level 3 Review is approved by the Planning Commission under the criteria listed in Section 906.D.7 of the LDC

Table 10

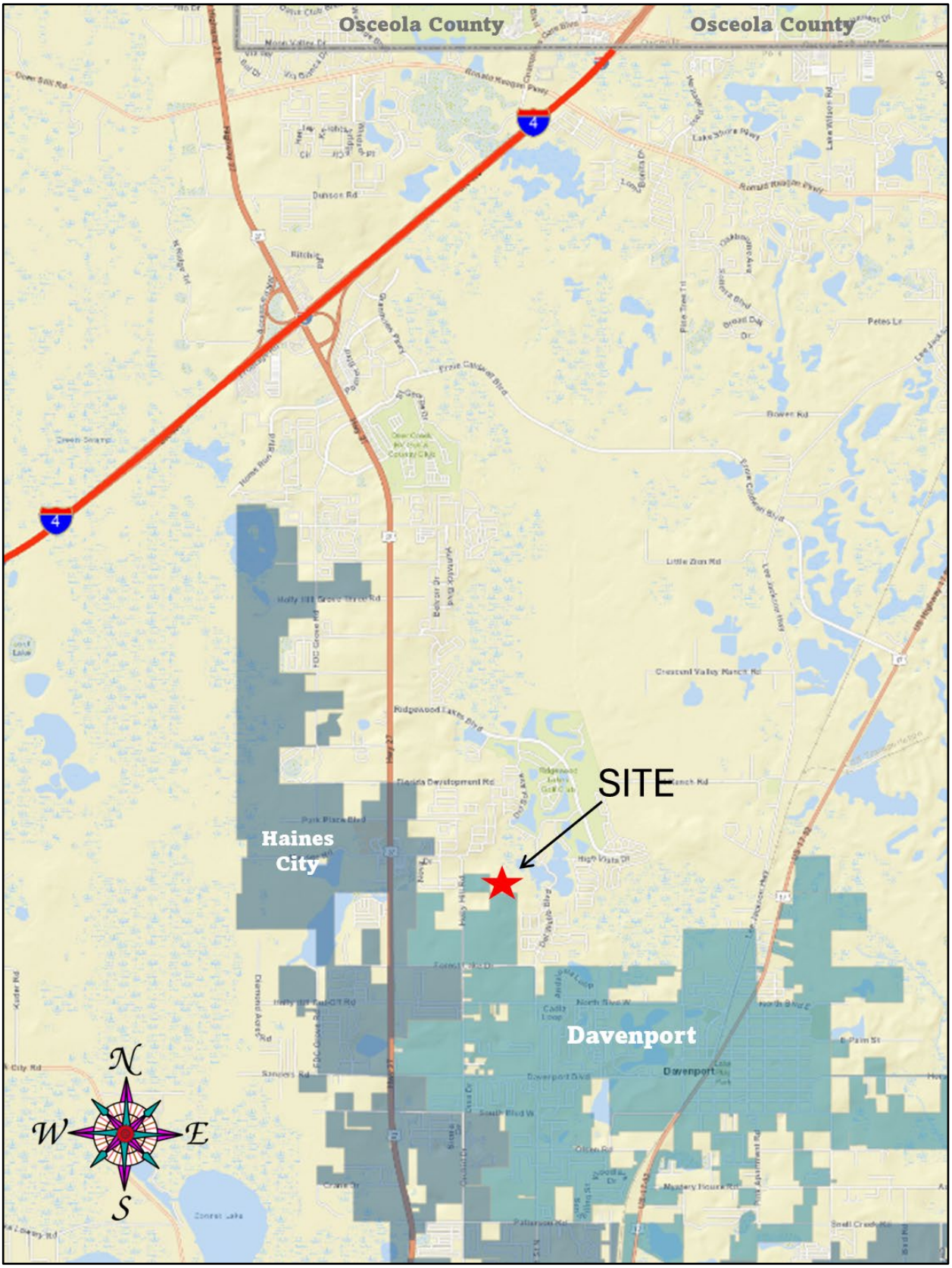
The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	*Yes, this request is consistent with the LDC, specifically Sections 303, Class III Utilities, and 906.D Level 3 Review Procedures.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this development is consistent with the Comprehensive Plan because POLICY 2.125-D1 states "utility facilities shall be permitted throughout the County in all land use classifications" and POLICY 3.105-D3 to "develop projects that are environmentally sound, sustainable and include adequate alternative water supplies within the region."*
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	*The site plan shows it is designed to minimize visual and noise impacts. Adequate separation distances of 50 feet are maintained from residential district lines and include landscaping to augment visual screening. The existing developments have provided their residents with screening, landscaping, and buffering as well. So, it has buffers upon buffers.*
How the concurrency requirements will be met if the development were built.	*This interconnect, storage and treatment facility generates an insignificant amount of vehicle travel, requires no school or park capacity, must be designed to meet drainage requirements, and are a concurrency facility on their own.*

The request meets all conditions in Section 303 of the LDC for Class III Utilities in an INST land use district in the Northridge SAP. These conditions are listed in the Findings of Fact on page 3 of this report.

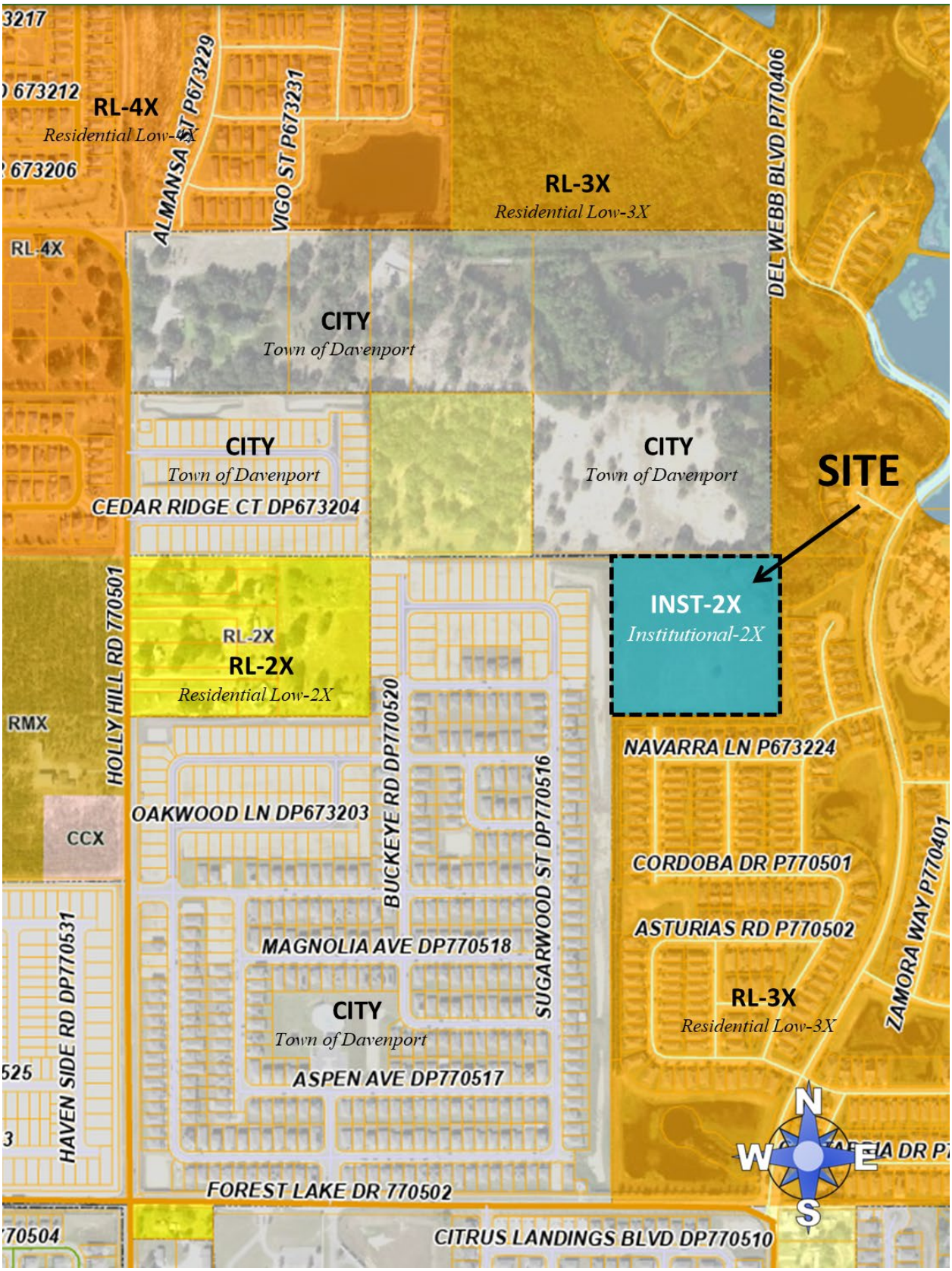
Comments from other Agencies: The Polk County Utilities, Land Development Engineering, County Surveyor, Polk County School Board, and the Polk County Public Safety Division contributed to the drafting of this report.

Exhibits:

Exhibit – 1 Location Map
Exhibit – 2 Future Land Use Map
Exhibit – 3 2024 Satellite Photo (Context)
Exhibit – 4 2025 Satellite Photo (Close-up)
Exhibit – 5 Site Plan



Location Map



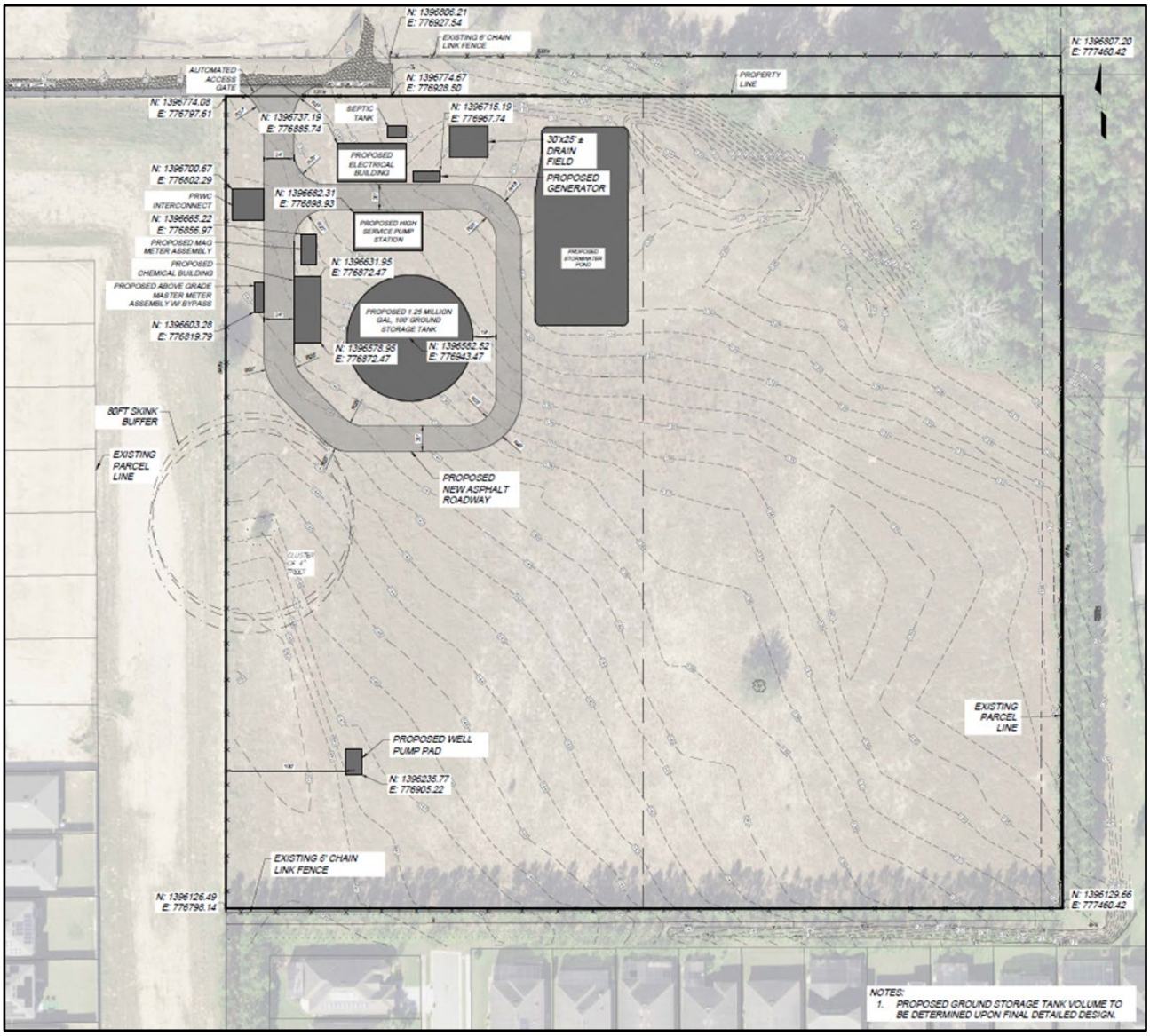
Future Land Use Map



2024 Satellite Photo (Context)



2025 Satellite (Close Up)



Water Treatment Facility Site Plan

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2026-6 (Northeast PRWC Receiving Facility)

Applicant: Polk County Utilities

Property Owner: Polk County

Hearing Date: May 6, 2026

I. Request:

Conditional use approval of a Class III Utility for potable water production, treatment, storage and distribution including 1.25-million-gallon ground storage tank.

II. Findings:

The Planning Commission hereby adopts and incorporates herein the staff report and makes the following findings based upon the staff report, testimony and exhibits presented during the hearing:

1. Pursuant to Section 906.D.7 of the LDC, the Planning Commission shall, in the review of a Level 3 Review 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, 401.06, 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 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 attached hereto and incorporated herein as Exhibit "A", and those conditions, if any, agreed upon by the Applicant and approved by the Planning Commission during the public hearing. Any such additional conditions approved during the public hearing, as applicable, are set forth on the attached Addendum 1 to Final Order and fully incorporated herein. This order becomes final on the date rendered to the Clerk.

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 6th day of May, 2026, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By:_____
Merle Bishop, FAICP, Chair

By: _____
Lyndsey Yannone, Recording Secretary

Date rendered to the Clerk: _____

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

ADDENDUM 1 to FINAL ORDER

The following conditions of approval were agreed upon by the Applicant and approved by the Planning Commission during the public hearing held on _____, 2026, and are fully incorporated into the Final Order. In the event any conflict or inconsistency arises between the conditions listed in the Staff Report and those listed in this Addendum 1, the conditions listed in this Addendum 1 shall control.

Additional Conditions of Approval:

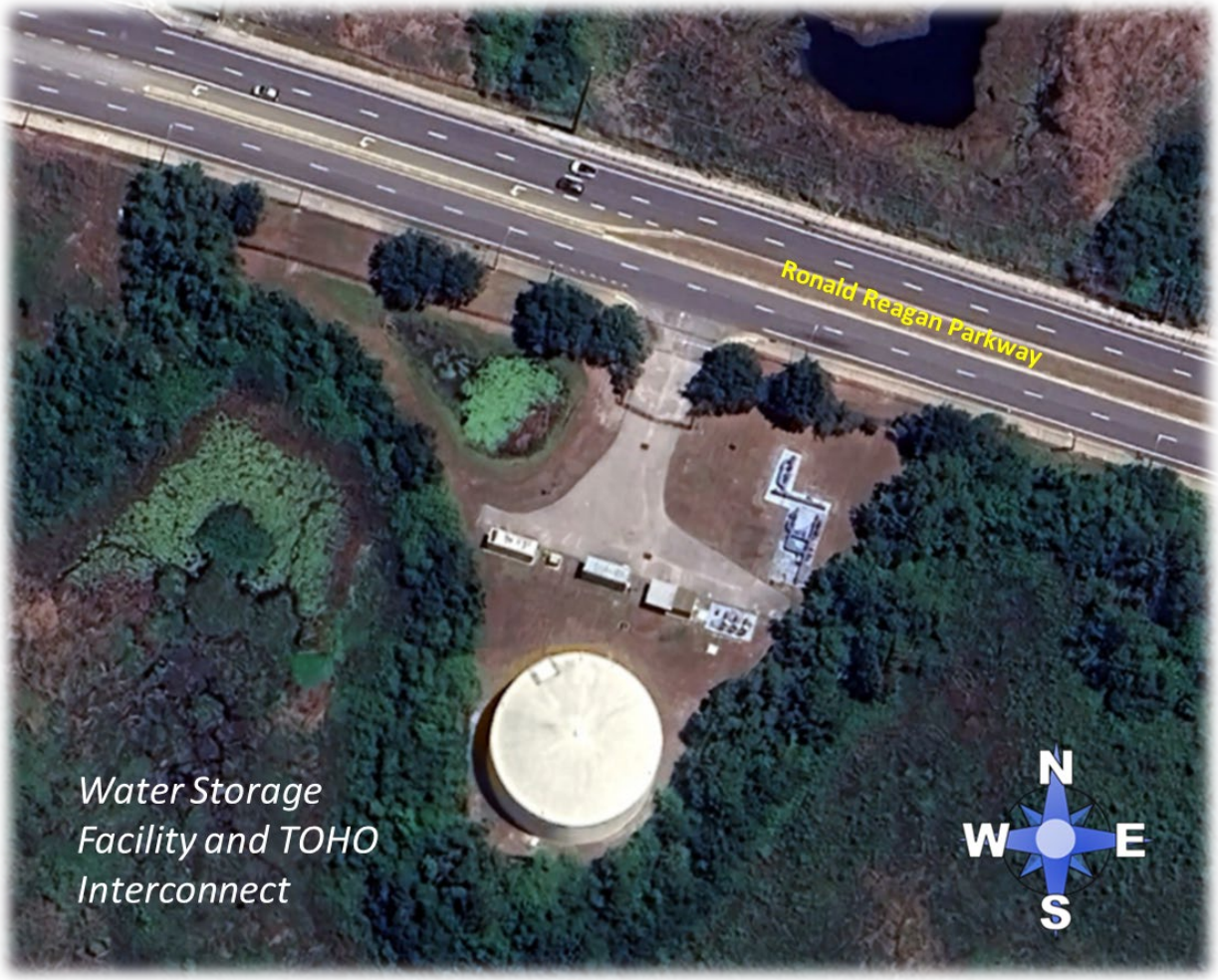
Exhibits to Planning Commission's Order

Exhibit A-Staff Report and Exhibits

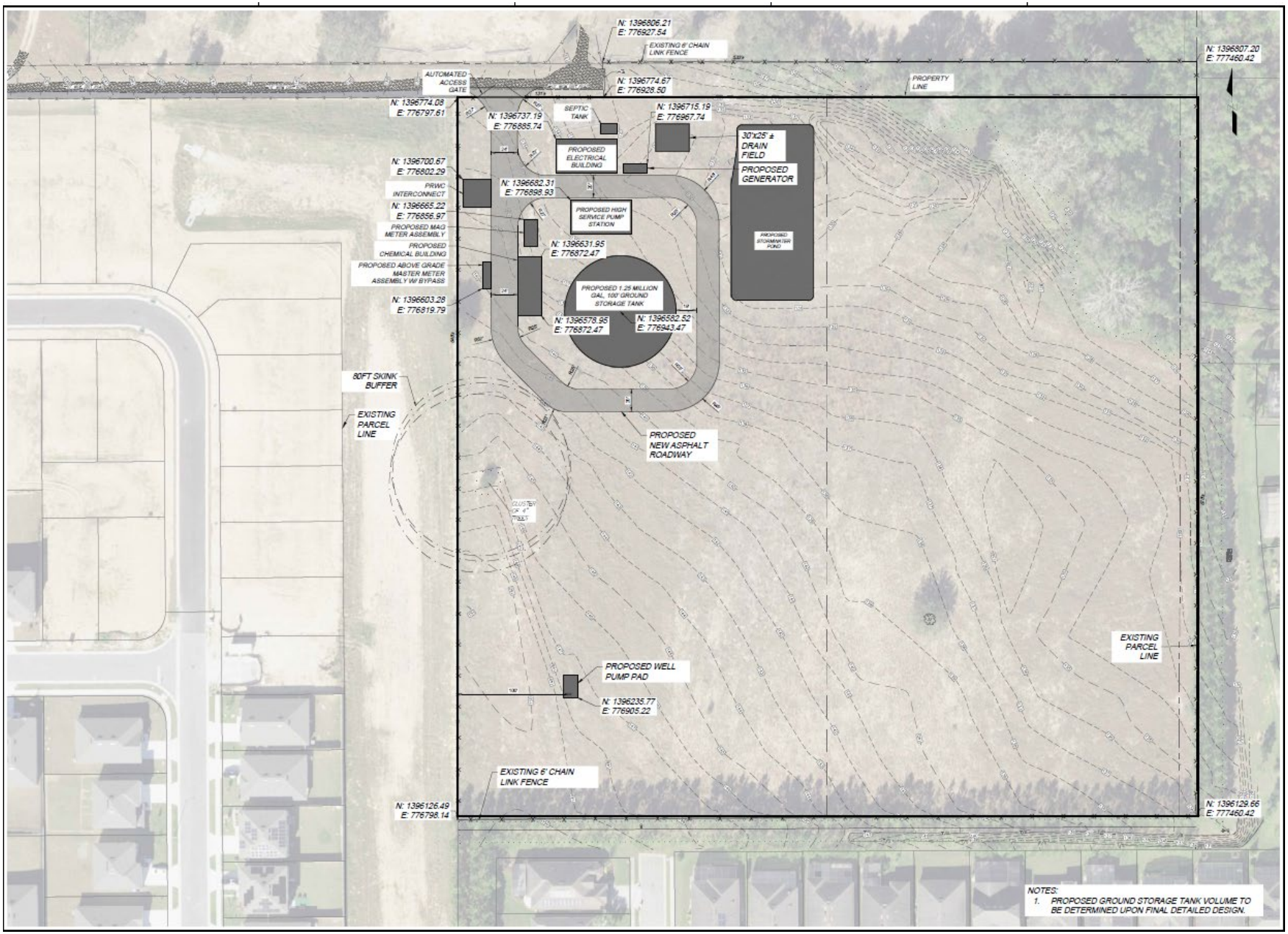
PRWC Receiving Facility CU
Project Narrative

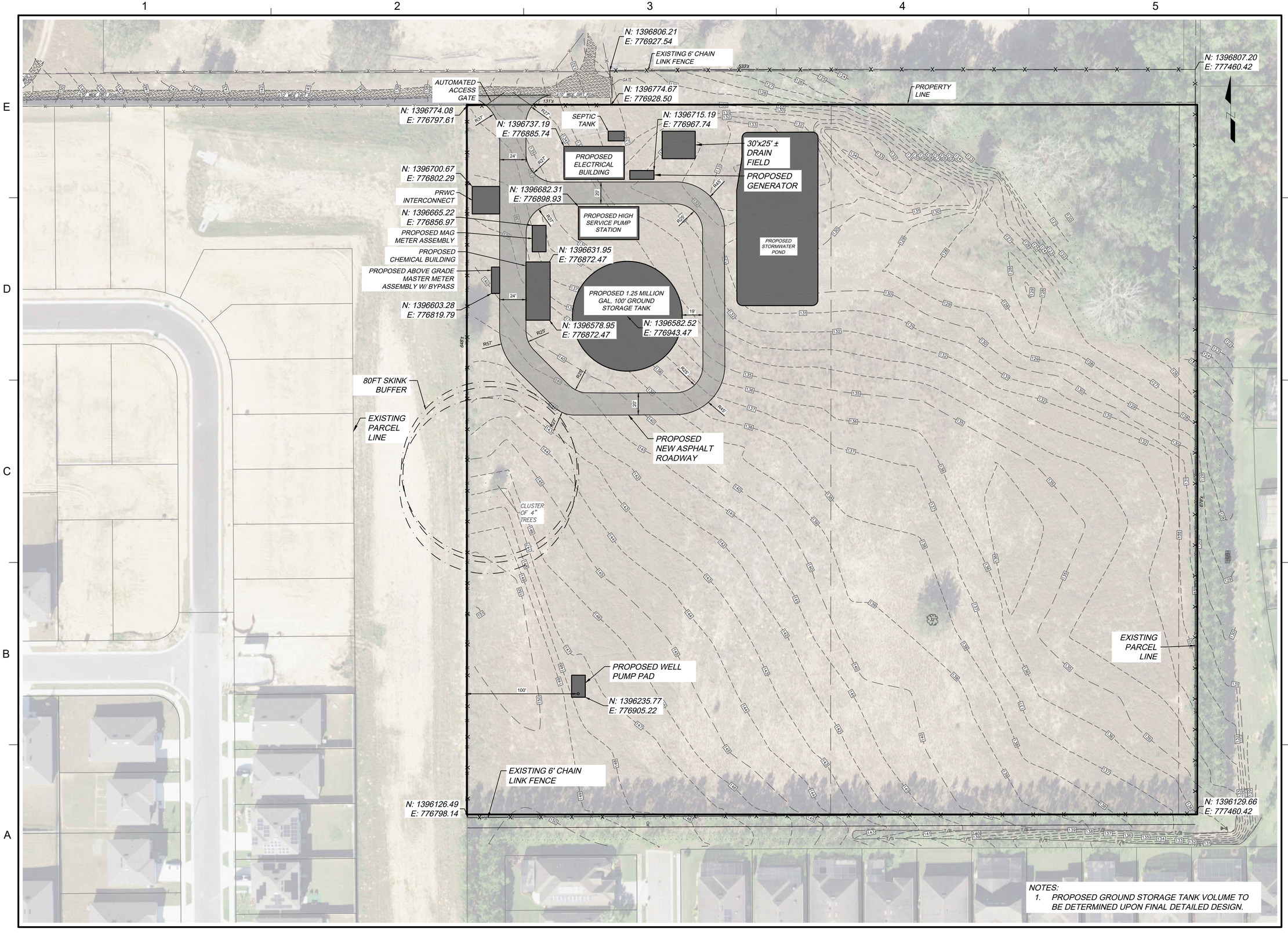
Polk County Utilities is applying for a Class III Utility on parcel #272632-709500-020231. This facility will be the receiving site for water from the Polk Regional Water Cooperative where it will be blended into the Northeast Regional Utility Service Area Potable Water System to expand the system capacity in the future. This facility will include a 1.25-million-gallon Ground Storage Tank and production well.

On October 1, 2024, Polk County purchased parcel #272632-709500-020231 from Walton Acquisitions, LLC for the purpose of a potable water interconnect facility to blend water acquired from the Polk Regional Water Cooperative (PRWC) facility east of Lake Wales with the water in the Northeast Utility Service Area potable water system. This facility will have multiple water pumps and ground storage tanks. It will most resemble a similar facility on Ronal Reagan Parkway near Champions Gate.



Attached is the proposed site plan for this Class III Utility.


N: 1396806.21
E: 776927.54
EXISTING 6' CHAIN LINK FENCE
N: 1396807.20
E: 777460.42
AUTOMATED ACCESS GATE
N: 1396774.67
E: 776928.50
PROPERTY LINE
N: 1396774.08
E: 776797.61
SEPTIC TANK
N: 1396737.19
E: 776885.74
N: 1396715.19
E: 776967.74
30'x25' ± DRAIN FIELD
PROPOSED ELECTRICAL BUILDING
PROPOSED GENERATOR
N: 1396700.67
E: 776802.29
PRWC INTERCONNECT
N: 1396682.31
E: 776898.93
PROPOSED HIGH SERVICE PUMP STATION
N: 1396665.22
E: 776856.97
PROPOSED MAG METER ASSEMBLY
PROPOSED STORMWATER POND
N: 1396631.95
E: 776872.47
PROPOSED CHEMICAL BUILDING
PROPOSED ABOVE GRADE MASTER METER ASSEMBLY W/ BYPASS
PROPOSED 1.25 MILLION GAL 100' GROUND STORAGE TANK
N: 1396603.28
E: 776819.79
N: 1396578.95
E: 776872.47
N: 1396582.52
E: 776943.47
80FT SKINK BUFFER
EXISTING PARCEL LINE
PROPOSED NEW ASPHALT ROADWAY
CLUSTER OF 4"
EXISTING PARCEL LINE
PROPOSED WELL PUMP PAD
N: 1396235.77
E: 776905.22
EXISTING 6' CHAIN LINK FENCE
N: 1396126.49
E: 776798.14
N: 1396129.66
E: 777460.42
NOTES:
1. PROPOSED GROUND STORAGE TANK VOLUME TO BE DETERMINED UPON FINAL DETAILED DESIGN.



NOTES:
1. PROPOSED GROUND STORAGE TANK VOLUME TO BE DETERMINED UPON FINAL DETAILED DESIGN.

Dewberry

Dewberry Engineers Inc.
1479 Town Center Dr
Suite D214
Lakeland, FL 33803
863.345.0838
CA #8794

POLK COUNTY UTILITIES

NERUSA PRWC AWS RECEIVING FACILITY

POLK COUNTY, FLORIDA
PRELIMINARY DESIGN

SEAL

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

SCALE

0' 20' 40' 80'
SCALE: 1" = 40'

REVISIONS

NO.	DESCRIPTION	DATE

DRAWN BY E.ORTEGA
APPROVED BY C.MARSH
CHECKED BY S.GUALTIERI
DATE AUGUST 2025

TITLE

PROPSED SITE PLAN

PROJECT NO. 50185487

C-102

SHEET NO. 06

Q:\PCU\PCU GEC 24\CSA\04_NERUSA AWS Rec Facility\CAD\dwg\50185487 PROPOSED SITE PLAN.dwg PLOTSTYLETABLE: DCS.CTB PLOTTED: 12/18/2025 4:44 PM PLOTTED BY: MARSH, COLSON

PRWC Receiving Facility IAS

Land and Neighborhood Characteristics

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

The site is strategically located where Polk County's Northeast Utility service area, Haines City service area and town of Davenport's service areas come together. It is a site that is ideal for utility infrastructure because it is an isolated tract set far from a major roadway and adjacent to a future city park.

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

The site abuts existing residential development on three sides. Not likely to be incompatible with neighboring residential development. There will be the 50' compatibility setbacks and the stormwater and landscaping buffers of the residential developments lie in between.

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

It will help support more of it. Without the PRWC water supply, the County and cities will have to cease development approvals when they run out of water capacity.

Access to Roads and Highways

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.

Table 5

Subject Property	**Estimated Impact Analysis**		
9.91 ± acres	**Demand as Currently Permitted**	**Maximum Permitted in the PD**	**Proposed Plan**
Permitted Density	RL-3 3 du/ac SF = 29 units	INST-1 400 Student Elementary School	Water Interconnect and Ground Storage Reservoirs
Average Annual Daily Trips (AADT)	228	908	6
PM Peak Hour Trips	29	57	3

Source: Polk County Concurrency Manual

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

None.

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

3

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

There is no public road frontage. Staff is negotiating with Town of Davenport for an entrance through the new city park.

Sewage

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development?

Table 4

Subject Property	**Estimated Impact Analysis**		
9.91 ± acres	**Demand as Currently Permitted**	**Maximum Permitted in the PD**	**Proposed Plan**
Permitted Density	RL-3 3 du/ac SF = 29 units	INST-1 400 Student Elementary School	Water Interconnect and Ground Storage Reservoirs
Potable Water Consumption (GPD)	10,440	6,000	360
Wastewater Generation (GPD)	7,830	4,800	270

Source: Polk County Concurrency Manual

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?

Septic Tank or share facilities with Davenport's park.

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

n/a

4. Where is the nearest sewer line (in feet) to the proposed development?

Manhole abutting the south side. 8" gravity line.

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

1.23 MGD

6. What is the anticipated date of connection?

When an office is constructed onsite. Early phases may be unmanned.

7. What improvements to the providers system are necessary to support the proposed request

Very few if connection can be made to the gravity line.

Water Supply

1. What is the proposed source of water supply and/or who is the service provider? **This request is for a water supply improvement.**

2. What is the estimated volume of consumption in gallons per day (GPD)? **360 GPD**

3. Where is the nearest potable water connection and re-claimed water connection, including

the distance and size of the line?

Abutting the site:



4. Who is the service provider?

Polk County

5. What is the anticipated date of connection?

When it gets built.

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

2.286 MGD

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

No.

Surface Water Management and Drainage

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

Site drains to the northeast into a wetland. 8½ acres is well drained. Only ¼ acre is wetlands and 100-year flood.

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

Detention will be needed to filter stormwater from impervious surfaces prior to discharge into the wetlands.

Environmental Analysis

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.

85% Candler Sand very few limitations. No impacts necessary to wetlands or floodplains.

2. What are the wetland and floodplain conditions?

Minor and avoidable.

3. Discuss location of potable water supplies, private wells, public well fields?

Not near them.

4. Discuss the location of Airport Buffer Zones (if any)

Over 10 miles away

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

85% Candler Sand, <10% Tavares Fine Sand, 2.4% Samsula Muck. Development will be on sand and avoid the muck.

Infrastructure Impact Information

1. Parks and Recreation – **Will be next door in the future.**

2. Educational Facilities – **Horizons Elementary, Davenport School of the Arts Middle and Ridge Community High School**

3. Health Care – **Heat of Florida Hospital**

4. Fire Protection – **Cottonwood Station**

5. Police Protection and Security – **Dunson Road NE Command Center**

6. Emergency Medical Services (EMS) – **Cottonwood Station**

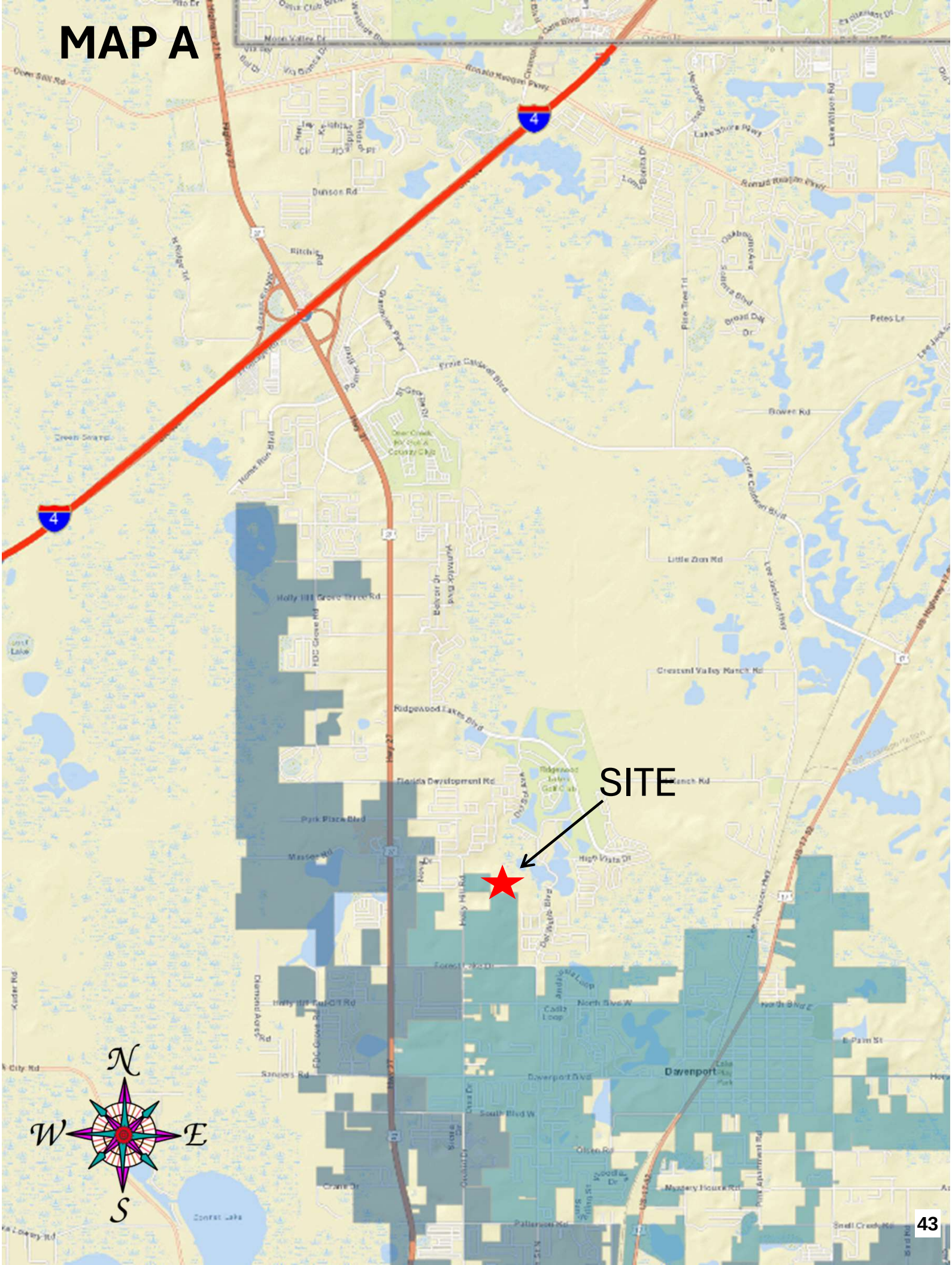
7. Solid Waste (collection and waste generation) – **County picks it up.**

8. How may this request contribute to neighborhood needs? – **Provides them more services.**

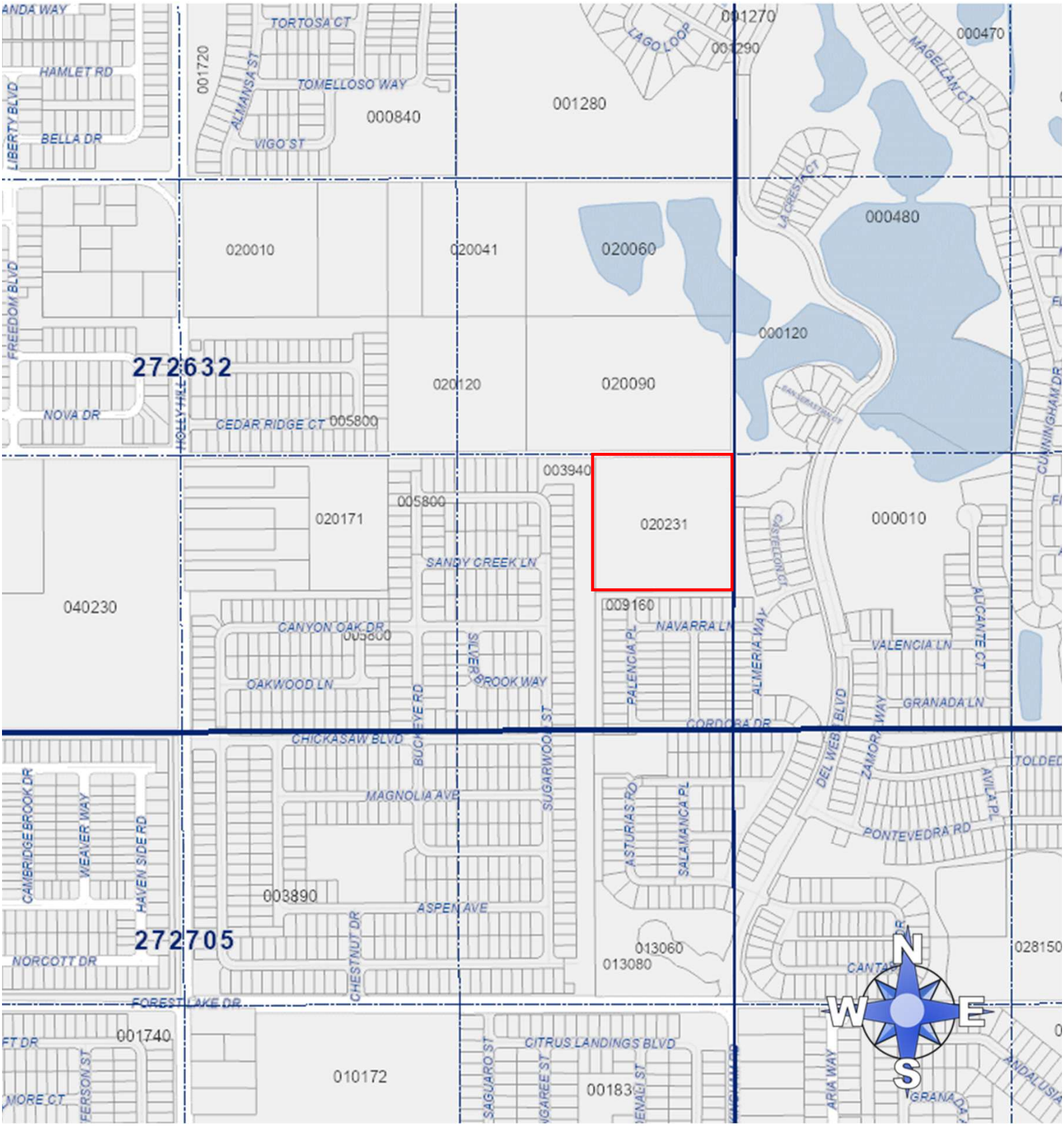
PRWC Receiving Facility

Application Maps

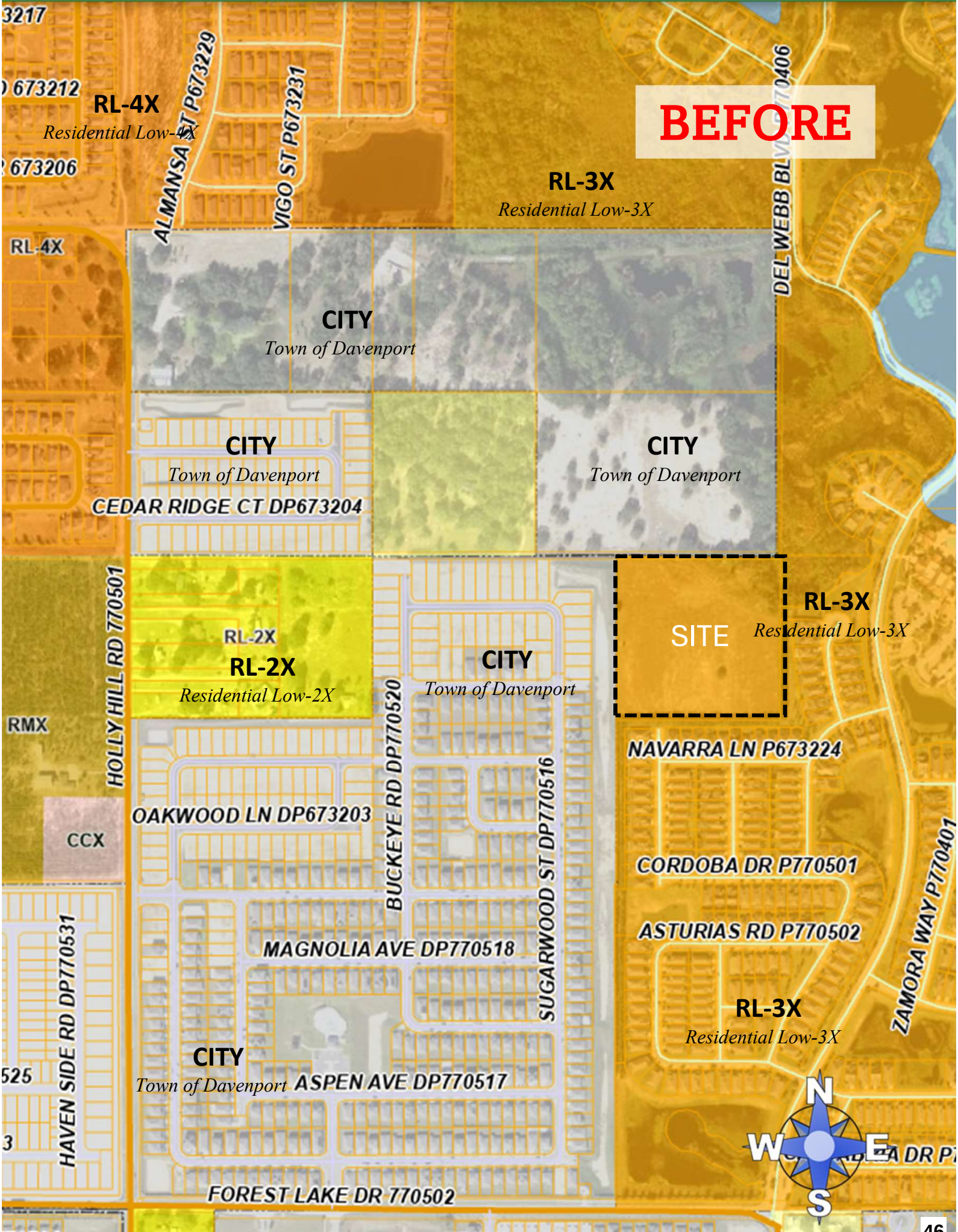
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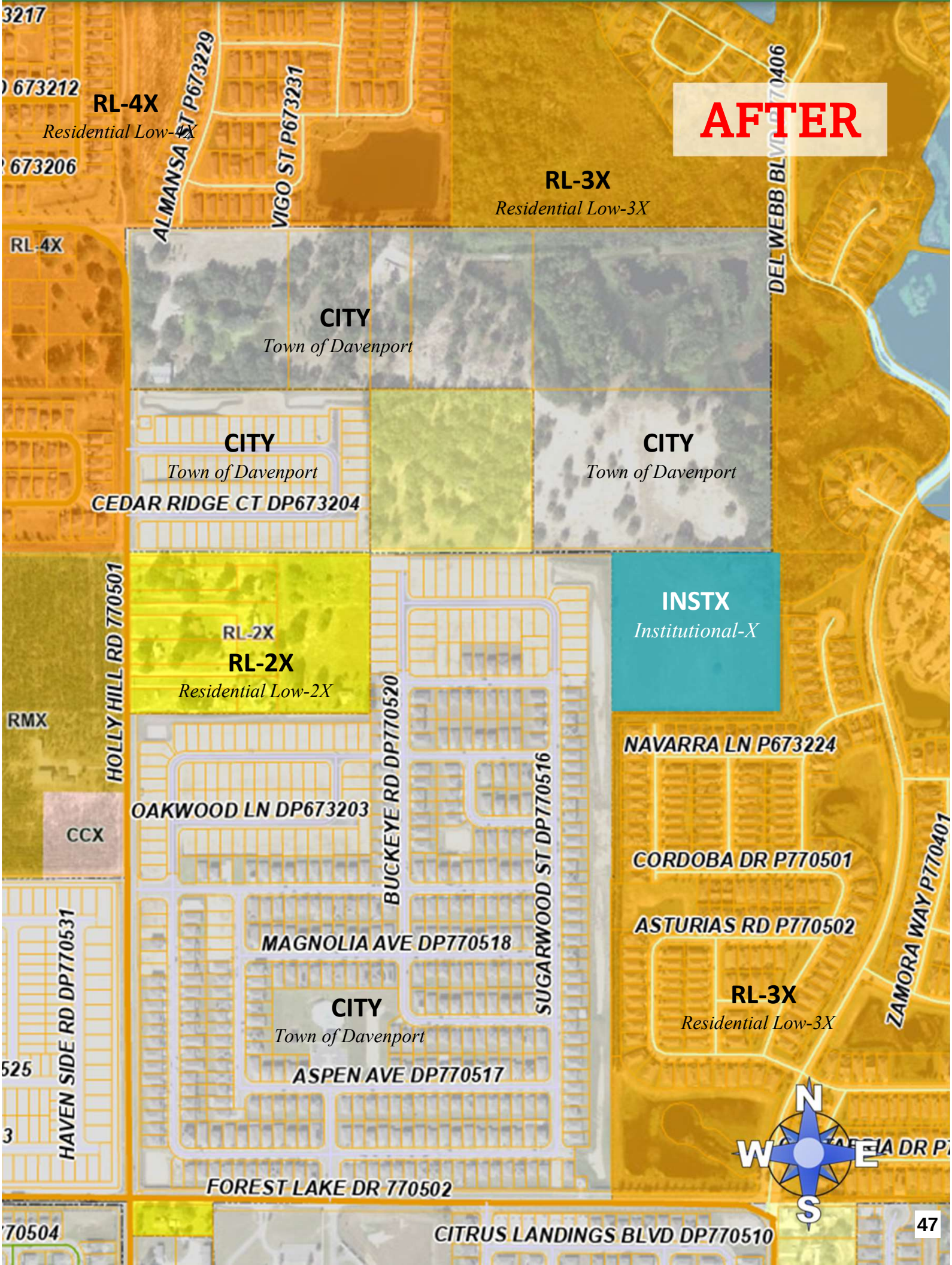

MAP A
SITE
N
W
E
S
Dunson Rd
Ritchie Rd
Ronald Reagan Pkwy
Lake Shore Pkwy
Lake Wilson Rd
Broad Oak Dr
Petes Ln
Bower Rd
Little Zion Rd
Crescent Valley Ranch Rd
Ridgewood Lakes Blvd
Florida Development Rd
Park Plaza Blvd
Massee Rd
High Vista Dr
Holly Hill Rd
Davenport
Davenport Blvd
Sanders Rd
Mastery Houses Rd
Patterson Rd
Home Run Blvd
Grandview Pkwy
Ernie Caldwell Blvd
Lake Jackson Pkwy
Crescent Lake
Lake Conine
Lake Loony Rd
Over Still Rd
Moon Valley Dr
Chelsea Club Blvd
Oakbourne Ave
Sienna Blvd
Pine Tree Trl
Loop Blvd E
Lake Shore Pkwy
Holly Hill Grove Branch Rd
FDC Grove Rd
Bolton Dr
Yarnell Ridge Dr
Golf Lake
Ridgewood Lakes Golf Club
Oak Ridge Blvd
Andiamo Loop
Cadiz Loop
North Blvd W
North Blvd E
E Palm St
Lake Davenport Park
South Blvd W
Orlando Rd
Pine Apartment Rd
Small Creek Rd
Bird Rd
Diamond Acres Rd
Xavier Rd
City Rd
Crane Dr
Wilson St
Woodland Dr
Oak Ridge Blvd
Oak Ridge Golf Club
Over Creek RV Park & Country Club
Green Swamp
Hwy 27
Hwy 17
Hwy 92
4
27
17
92

MAP B


001270
003290
000470
001280
000840
001720
TORTOSA CT
TOMELLOSO WAY
VIGO ST
ALMANSA ST
HAMLET RD
BELLA DR
LIBERTY BLVD
LAGO LOOP
MAGELLAN CT
LA CRESTA CT
000480
020010
020041
020060
020120
020090
000120
272632
FREEDOM BLVD
NOVA DR
CEDAR RIDGE CT
005800
003940
020171
020231
000010
SANDY CREEK LN
040230
009160
CANYON OAK DR
OAKWOOD LN
BROOK WAY
NAVARRA LN
VALENCIA LN
ALICANTE CT
GRANADA LN
CORDOBA DR
CHICKASAW BLVD
MAGNOLIA AVE
PONTEVEDRA RD
ASPEN AVE
003890
272705
NORCOTT DR
CAMBRIDGE BROOK DR
WEAVER WAY
HAVEN SIDE RD
CHESTNUT DR
SUGARWOOD ST
ASTURIAS RD
SALAMANCA PL
DEL WEBB BLVD
013060
013080
028150
FOREST LAKE DR
001740
010172
CITRUS LANDINGS BLVD
00183
ARIA WAY
ANDALUSIA
N
W
E
S


MAP C
Holly Hill Road
SITE
Holly Hill Road
Buckeye Road
Sugarwood Street
Chickasaw Boulevard
Ridgewood Lakes Boulevard
Forest Lake Drive
Image © 2025 Airbus
N
W
E
S


BEFORE
RL-4X
Residential Low-4X
RL-3X
Residential Low-3X
CITY
Town of Davenport
SITE
RL-2X
Residential Low-2X
ALMANSA ST P673229
VIGO ST P673231
DEL WEBB BL
CEDAR RIDGE CT DP673204
HOLLY HILL RD 770501
BUCKEYE RD DP770520
SUGARWOOD ST DP770516
NAVARRA LN P673224
OAKWOOD LN DP673203
CORDOBA DR P770501
ASTURIAS RD P770502
MAGNOLIA AVE DP770518
ZAMORA WAY P770401
HAVEN SIDE RD DP770531
ASPEN AVE DP770517
FOREST LAKE DR 770502
CITRUS LANDINGS BLVD DP770510
RMX
CCX
N
W
E
S


AFTER
RL-4X
Residential Low-4X
RL-3X
Residential Low-3X
CITY
Town of Davenport
CITY
Town of Davenport
CITY
Town of Davenport
INSTX
Institutional-X
RL-2X
RL-2X
Residential Low-2X
RL-3X
Residential Low-3X
CITY
Town of Davenport
ALMANSA ST P673229
VIGO ST P673231
DEL WEBB BLVD P770406
CEDAR RIDGE CT DP673204
HOLLY HILL RD 770501
BUCKEYE RD DP770520
SUGARWOOD ST DP770516
OAKWOOD LN DP673203
NAVARRA LN P673224
CORDOBA DR P770501
ASTURIAS RD P770502
ZAMORA WAY P770401
MAGNOLIA AVE DP770518
ASPEN AVE DP770517
HAVEN SIDE RD DP770531
FOREST LAKE DR 770502
CITRUS LANDINGS BLVD DP770510
RL-4X
RMX
CCX
673212
673206
3217
525
770504
N
W
E
S


Ronald Reagan Parkway
Water Storage Facility and TOHO Interconnect
N
W
E
S

Agenda Item 3. 5/6/2026

SUBJECT

LDCPAS-2025-12 (Keller Road PM to A/RR CPA)

DESCRIPTION

County-initiated requested Comprehensive Plan map amendment from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on 19.48±acres for a property located on the east side of Keller Road, north of Dishong Road and west of Lanier Road, southeast of the City of Fort Meade, in Section 06, Township 32, Range 26

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton

Planner III

Land Development

863-534-6468

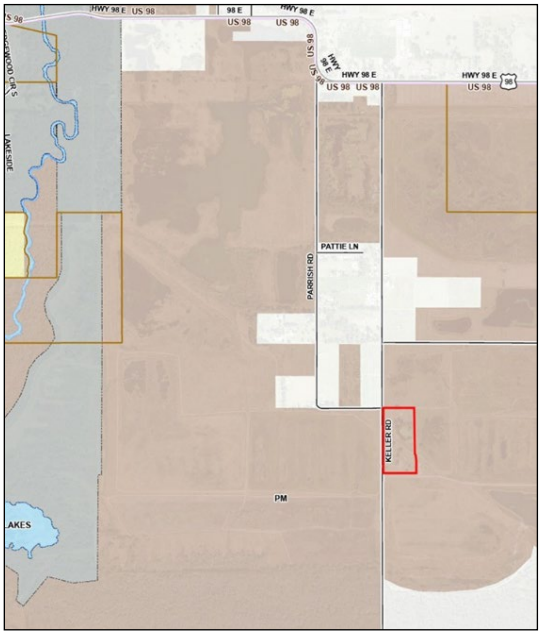
robertbolton@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	**May 15, 2025**
Planning Commission Date:	May 6, 2026
BoCC Dates:	June 16, 2026
Applicant:	Polk County
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-12 Keller Road PM to A/RR CPA
Request:	Small Scale Comprehensive Plan map amendment from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on 19.47± acres in the Rural Development Area (RDA).
Location:	The site is south of US Highway 98 E, on the east side of Keller Road, north of Dishong Road and west of Lanier Road, southeast of the City of Fort Meade, in Section 06, Township 32, Range 26
Property Owner:	James Merle Johnson, James R Keller, Timothy James Keller, Tiffany Pangborn, Pamela K Wells
Parcel Size:	19.48± acres (Parcels: 263206000000034010, 263206000000034020, 263206000000034030, 263206000000034040, 263206000000034050, 263206000000034060, 263206000000034070, 263206000000034080, 263206000000034100)
Development Area/Overlays:	Rural Development Area (RDA)
Future Land Use:	Phosphate Mining (PM)
Nearest Municipality	Fort Meade
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary

A County-initiated request for a Comprehensive Plan Map amendment to change the Future Land Use designation from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR). The subject property is located east of Keller Road, and south of US Highway 98 E, southeast of the City of Fort Meade. The site is 19.48± acres and consists of nine (9) lots in the subject site area with four (4) of the nine (9) lots currently improved with residential dwellings. The dwellings in the sites were constructed in the 1950's and 1960's and are lots of record. The site has not been owned by a mining company, nor been in a mine plan.

This land use change request is consistent with Policy 2.114-A2 that provides if a property designated PM was not owned by a mining company or in a mine plan, the future land use after PM can be A/RR or other recreation and institutional land uses. In addition, this policy allows for the subject site to be developed as if it was already designated A/RR and requiring that the County initiated a Future Land Use designation change to A/RR. This request is consistent with that policy and in line with the other A/RR in the RDA. This request is also part of Board of County Commission request to research, locate and initiate Land Use Changes from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) for parcels within the PM that have historically been utilized as residential use with residential dwellings.

Compatibility Summary

Section 2.114 of the Comprehensive Plan lists A/RR as one of the land uses for the conversion of PM lands. The surrounding uses are previously mined lands, with another area of Agricultural Residential Rural (A/RR) to the northwest of the site. Agricultural Residential Rural (A/RR) is the Future Land Use provided in Policy 2.114-A2 of the Comprehensive Plan.

Infrastructure Summary

The infrastructure is rural in nature. The site has been developed with residential dwellings for several decades with phosphate mining occurring around them. The surrounding use is predominantly previously mined lands. Adjacent to the northwest is another residential area that has been developed as rural residential and is located between Keller Road and Parrish Road. These uses are compatible with the current lots of record.

Environmental Summary

There is a small pond on site; however, there are no other floodplains or wetlands on site. The soils map indicates some moderate limitations for the use of septic within the subject area; however, the site is significantly built out with residential dwellings with the vacant lots owned by the residents.

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
- Section 2.114 Phosphate Mining
- Policy 2.114-A4: Future Development of PM Land

Findings of Fact

Request and Legal Status

- This is a County-initiated request for a Comprehensive Plan Map amendment to change the Future Land Use designation from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR) on 19.48 +/- acres.

- The County is initiating this request is consistent with Comprehensive Plan Policy 2.114-A2 which states that if property in the PM district that was not under a conceptual mining plan and owned by a phosphate mining company "may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use."

- This request is also part of Board of County Commission request to research, locate and initiate Land Use Changes from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) for parcels within the PM that have historically been utilized as residential use with residential dwellings.

- The subject site has historically been residential and has not been mined.

- The subject properties were not owned by a mining company or part of a mine plan at the time of the adoption of the Comprehensive Plan.

Compatibility

- There are nine (9) lots in the subject site area with four (4) of nine (9) lots currently improved with residential dwellings, five are vacant and owned by the improved lot owners.

- Staff set prior notification letters to the Owners of Record for each of the parcels. No response was received.

- Staff is coordinating with the Phosphate Review Group to obtain any comments per *Policy 2.114-A4,* any comments received may result in update(s) to this Staff Report.

- The earliest residential construction for the improved lots dates back to the 1950's and 1960's

- North of the site between Keller Road and Parrish Road is another area that was developed as rural residential.

- The existing uses surrounding the site are
    - North – PM Vacant, Formerly Phosphate Mined Land, NW, A/RR Residential and Citrus
    - West – PM Vacant, Formerly Phosphate Mined Land, NW, A/RR Residential and Citrus
    - East – PM Vacant, Formerly Phosphate Mined Land
    - South – PM Vacant, Formerly Phosphate Mined Land

Infrastructure

- The subject site parcels have enough road frontage and points of access to permit access points for the vacant lots within the subject site in accordance with Section 705 and Section 822 of the LDC.

- The property fronts Keller Road on the west, with frontage on a private unnamed access road on the south.

- The site has no access to centralized potable water or wastewater services. The closest water line is located on the west side of the Peace River. The closest municipal service area is the City of Fort Mead, north and east of the site.

- The subject property is zoned for Lewis Anna Woodbury Elementary School, Ft Meade Middle/Sr Middle School, and Ft. Meade Senior High School.

- The Sheriff's Regional Command that serves the area is the Polk County Sheriff's Southeast Command Center at 4011 Sgt. Mary Campbell Way in Lake Wales approximately 32 miles to the northeast.

- Fire rescue response from Polk County Fire Rescue Station #10 at 1235 9th St NE N, Fort Meade. It is approximately 3.9 miles driving distance.

- There are no sidewalks along Keller Road.

- The nearest transit route is Route 25 that stops at S. Hendry Avenue and E. Broadway Street in Ft. Meade, approximately 3.2 miles northwest.

- The nearest neighborhood park is the Fort Meade Park. The closest County Regional Park is Loyce Harpe Park. The Bone Valley ATV Park is about eleven (11) miles away.

Environmental

- There is a small pond on the site.

- The subject site does contain wetlands, the small pond is the only floodplain.

- The subject site has Tavares Fine Sand (60%), and Arents (40%).

- The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series.

- Approximately 0.6 mile south of the site has over 500 acres in a Conservation Easement.

- The subject property is not located within a one-mile radius of a protected plant or animal species sighting since 2006 (Source: Florida Natural Areas Inventory 2002, 2006, 2011, & 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are residential use wells on the subject site and it is not located in a wellfield.

- The site is not within an Airport Impact District.

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 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources.

  The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies:
  Department of Environmental Protection, Bureau of Mine Reclamation
  Central Florida Regional Planning Council
  Phosphate Mining Industry
  Florida Institute of Phosphate Mining Research
  Florida Fish and Wildlife Conservation Commission
  Polk County Planning

Polk County Natural Resources
Polk County Cooperative Extension Services, Soils Conservation

- These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.

- According to POLICY 2.108-A1 of the Comprehensive Plan, the subject property is in a Rural Development Area (RDA). The RDA "is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments."

- The subject property is in a Phosphate Mining (PM) Future Land Use Map district. The Comprehensive Plan permits only Phosphate mining and allied industries, land reclamation, agriculture, and Farmworker housing.

- Policy 2.114-A2 of the Comprehensive Plan states that if property in the PM district that was not under a conceptual mining plan and owned by a phosphate mining company "may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use."

- For PM lands affected by Policy 2.114-A2, a change to the Agricultural/Residential Rural (A/RR) district is the default category.

- Per Table 2.2 of the Land Development Code (LDC), the minimum residential lot size in an A/RR district is five (5) acres. Single-family residences are a permitted use in A/RR.

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 2025-12.**

Planning Commission Recommendation: On May 6, 2026, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCPAS 2025-12.**

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. The subject site has residential dwellings that were constructed in the 1960's and 1970's.

Table 1

Northwest: A/RR Improved and Vacant Residential and Citrus	**North:** PM Vacant Formerly Phosphate Mined Land	**Northeast:** PM Vacant Formerly Phosphate Mined Land
West: PM Vacant Formerly Phosphate Mined Land	**Subject Property:** PM 19.48± acres; Improved Residential, Vacant Residential	**East:** PM Vacant Formerly Phosphate Mined Land
Southwest: PM Vacant Formerly Phosphate Mined Land	**South:** PM Vacant Formerly Phosphate Mined Land	**Southeast:** PM Vacant Formerly Phosphate Mined Land
Source: Polk County Geographical Information System and site visit by County staff		

The infrastructure is limited due to the rural nature of the area. The site has been developed with residential dwellings for several decades with phosphate mining occurring around them. The surrounding use is predominantly previously mined lands. Adjacent to the northwest is another residential area that has been developed as rural residential and is located between Keller Road and Parrish Road. These uses are compatible with the current lots of record.

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

Section 2.114 of the Comprehensive Plan, lists A/RR as one of the land uses for the conversion of PM lands. The lands easy of the Peace River were mined for phosphate. The land to the west of the Peace River has historically been City of Fort Meade, residential or citrus groves. The existing residential and citrus nature are compatible with the existing residential development of the subject lots of record.

B. Infrastructure

The infrastructure is limited due to the rural nature of the area. The site has historically been developed with four (4) residential dwellings. Any new development would consist of redevelopment of the existing residential development. The site is currently developed without adding any additional impacts to roads and public safety services.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. The site, nine (9) lots, is currently developed with four (4) residential dwellings, with all of the vacant lots owned by existing residents except for one (1) lot. The four (4) vacant lots have the potential for one (1) additional student in elementary, middle and High schools.

Table 2 School Information

Name of School	**Annual Estimated Demand**	**% Capacity 2024-2025 School Year**	**Average driving distance from subject site**
Lewis Anna Woodbury Elementary School	1 student	87%	1.4 ± miles driving distance
Ft Meade Middle/Sr Middle School	1 student	70%	2.6 ± miles driving distance
Ft Meade Senior High School	1 student	57%	2.6 ± miles driving distance

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

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	Southe**ast** Command Center (4011 Sgt. Mary Campbell Way in Lake Wales)	30.3 +/- miles Priority 1 – 10:04 Priority 2 – 30:54
Fire/ EMS	**Station #10** (1235 9th St NE N, Fort Meade, Ft. Meade)	3.9 +/- miles 9-11 minutes

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for April 2026.

Water and Wastewater

The subject site is in the RDA and is not within any utility service area. Water and sewer lines are not near the subject site. The nearest water line is along the east side of Mt Pisgah Road, north of the site at Cox Road and is owned by the City of Ft. Meade. Potable water will be provided by a well, and an onsite septic treatment system will be utilized to handle wastewater for each individual lot. The nearest potable water from Fort Meade is on the west side of the Pease River.

A. Estimated Demand

Table 4, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR. The changes to IND have been along railroad lines. The subject site is not along a railroad and historically been utilized for residential dwelling. However, IND uses tend to be more impactive in terms of noise, vibrations, and odors. So, the traffic analysis below is based on PM having industrial uses. It is noted that there is not potable water or sewer service to the subject site, water and sewer is provided by well and septic systems

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity 19.47 +/- acres 848,113 sq ft @0.75 FAR = 636,085	**Current PM**	**Maximum Permitted in A/RRX**
	636,085 sf	9 units
Potable Water Consumption	636,085 * 0.24 = **152,661 GPD**	9 X 250 = **2,250 GPD**
Wastewater Generation	152,661 * 80% Water **= 122,129 GPD**	9 X 200 = **1,800 GPD**

Source: Concurrency Manual: PM@ IND rates @ 0.24 per sq ft and 80% for wastewater, single family @ 250 GPD Potable water and 200 Wastewater.

B. Service Provider

The subject site is not within any utility serve areas. Four (4) of the nine (9) parcels are currently improved with single-family dwellings, which use well and septic to provide for these utility needs. The above analysis is at full development, additional capacity would be 1,250 GPD portable water and 1,000 GPD wastewater. Only redevelopment with single-family residential would occur.

C. Available Capacity

The subject site is not within any utility serve areas. Therefore, all development on the subject site will require wells and septic tanks. The capacity of these systems will be based on the parameters of the permitting agency.

D. Planned Improvements

There are no utility improvements near the subject site.

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 being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR. The changes to IND have been along railroad lines. The subject site is not along a railroad and historically been utilized for residential dwelling. However, IND uses tend to be more impactive in terms of noise, vibrations, and odors. So, the traffic analysis below is based on PM having industrial uses.

The table below analyzes the subject site as if vacant; however, the four (4) of the nine (9) parcels are currently improved with single-family dwellings. The analysis of the site with the four (4) of the nine (9) parcels currently developed with residential indicates 63 AADT and 8 Peak Hour, verses the assumed PM developed intensity, indicating 2,300 ADDT and 392 Peak Hour.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity 19.47 +/- acres 848,113 sq ft @0.75 FAR = 636,085	**Current PM**	**Maximum Permitted in A/RRX**
	636,085 / 1,000 = 636 sf	9 units
Average Annual Daily Trips (AADT)	636 * 3.93 * 92% new trips = **2,300 AADT**	9 X 7.81 AADT = **71 AADT**
PM Peak Hour Trip	636 * 0.67 * 92% new trips = **392 AADT**	9 X 1 = **9 PM Peak Hour**

Source: Concurrency Manual and Table for Minor Traffic Study –PM @ IND rates ITE Code 140 @ 3.93 AADT per 1,000 square feet and 0.67 PM Peak Hour Trip per 1,000 square feet and 92% new trips, single family @ one house per five acres – 7.81 AADT per unit and 1 PM Peak Hour per unit 100% new trips

B. Available Capacity

The subject site only has direct access to Keller Road, which is not monitored by the Polk Transportation Planning Organization (TPO). Keller Road is a Rural Minor Collector. The nearest monitored road, US 98 and extends east out of Fort Meade. The current Level of Service (LOS) through this part of the County is “B”. The minimum LOS on the eastern portion of US 98 is “C” from Edgewood Dr North to Avon Park Cutoff Road. The current Level of Service (LOS) through this part of the road is “B”. The minimum LOS on this portion of US 98 is “D”.

The existing residential development will not have any significant impact on the roadway capacity.

Table 6

Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
5400N	US 98 (Edgewood Dr N to US 17)	B	867	D	B
5400S		B	855	D	B
5401N	US 98 (Edgewood Dr N to Avon Park Cutoff Road)	B	547	C	B
5401S		B	535	C	B

Source: Polk Transportation Planning Organization, Roadway network Database April 2026

C. Roadway Conditions

The subject site has access to Keller Road, which is not monitored by TPO; however, has a PCI condition rating of Poor. US 98 E is a two-lane undivided Principal Arterial Road that appears in good condition. US 98 E is maintained by the Florida Department of Transportation (FDOT). The condition of the roadways and the LOS change over time. The conditions are addressed when development access a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development in the short run.

D. Sidewalk Network

Keller Road does not have any sidewalks. The subject site is in the Rural Development Area (RDA) which does not require sidewalks within the right of way on a public road.

E. Planned Improvements:

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

F. Mass Transit

The nearest transit route is Route 25 that stops at S. Hendry Avenue and E. Broadway Street. This stop is approximately 3.2 miles northwest of the site.

Park Facilities:

The following analysis is based on public recreation facilities. The nearest neighborhood park is the Fort Meade Park. The Bone Valley ATV Park is about eleven (11) miles away.

A. Location:

Fort Meade Park is located in the northeast part of Fort Meade. Its current hours of operations are from 5 a.m. to 10 p.m. The park's amenities include baseball Fields, basketball Court(s), picnic tables, playground, and softball facilities.

Bone Valley ATV Park is on the south side of County Road 630 and east of State Road 37. It is a 200-acre tract of land with 15 trails, hill climbs and free riding areas. Below are the hours and fees for the park, along with important safety and registration information. The address is 10427 County Road 630 W. in Mulberry.

C. Environmental Lands:

There are no County owned Environmental Lands in this part of the County.

D. Planned Improvements:

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

Environmental Conditions

The subject site has historically been a residential area with nine (9) lots of record. The area does not have access to municipal water and sewer, historically relying on well and septic for water and sewer. While the lots are lots of record and would be able to be developed with single-family residences they would require to receive approval from the Polk County Health Department for any septic tank installation for the site.

A. Surface Water:

The highest point is 130 feet above sea level; the lowest is 116 feet MSL at the pond on the eastern side of the site, and 121 feet MSL on the southern side of the site. The site drains to the southerly into a flood plain system toward Bowlegs Creek and then into the Peace River. The pond appears to have been made between 1968 and 1970 per Polk County historic aerial photographs.

B. Wetlands/Floodplains:

The subject site has no indicated wetlands or floodplains, except for the pond onsite which is designated a Zone A.

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 types range from Moderate to Severe. The site is currently developed with single-family residential.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Tavares fine sand, 0 to 5% slope	Moderate: wetness	Slight	60%
Arents, 0 to 5% slope	Severe: wetness	Severe: wetness	40%

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

D. Protected Species:

The subject property is not located within a one-mile radius of a protected plant or animal species sighting since 2006 (Source: Florida Natural Areas Inventory 2002, 2006, 2011, & 2015).

E: Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 0.6 mile south of the site has over 500 acres in a Conservation Easement as recorded in OR Book 10740, Page 2012.

F. Archeological and Historical Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological or historical resources listed in the Florida Master Site File for the site.

G. Wells (Public/Private)

The subject site is not located on a wellfield. The nearest Wellfield is about three (3) miles northwest, in Fort Meade. The current improved subject parcels as well as other improved properties use wells for their water source.

H. Airports:

The site is not within any Airport Height Notification or In-Flight Visual Interference Zones.

Economic Factors:

The subject site is only 19.48± acres. Most phosphate mines are thousands of acres. The site has historically been residential with an residences dating back to the 1950's and 1960's. This change in land use will provide for a conforming use on the subject 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.	The neighboring Future Land Use Map designations are mostly PM and previously mined for phosphate many years ago. Adjacent to the East, South, and West are previously mined land. These lands were part of the Watson Mine and have been released from reclamation.

Comprehensive Plan Policy	Consistency Analysis
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-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 proposed low-density use is consistent with services available in the Rural Development Area (RDA).
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.	
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, 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.	One home per five acres does not require many services other than the potential need for public safety services and access for visitors. The subject site consists of nine (9) lots (existing lots of record), 4 of which are improved with residential dwellings. Existing dwellings date back to the 1950's and 1960's. Homeowners within the subject area have not had access to urban services and have not requested any increased level of urban services. A/RR is the main residential and agricultural designation in the RDA. Therefore, this request is consistent with these policies.

Comprehensive Plan Policy	Consistency Analysis
climatic conditions, including prevailing winds, when applicable.	
Property not meeting the criteria under Policy 2.114-A2 (Designation and Mapping of Phosphate Mining Land) but designated as Phosphate Mining on the Polk County Future Land Use Map Series, may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use. Agricultural/Residential-Rural (A/RR) development criteria specified under Section 2.121-A with the exception of Policy 2.121-A2.E.2 (Rural Mixed Use Developments) will be used; and, the applicant must show documentation proving the property was not owned by a phosphate mining company prior to May 1, 1991, the Plan's adoption date. Property purchased from a phosphate company after this date will not be considered an error.	
POLICY 2.114-A3: PERMITTED ACTIVITIES - The following activities shall be permitted within the Phosphate Mining land use category as mapped pursuant to Policy 2.114-A2: a. Phosphate mining and allied industries; b. Land reclamation; c. Agriculture and Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre; d. Other land uses with conditional approval which are compatible and related with the extraction and processing of phosphate; and e. Subject to the adoption of a Comprehensive Plan amendment, any activities permitted within the following land use designations, which are appropriate for the redevelopment of lands formally utilized for phosphate mining operations and which demonstrate compliance with the Comprehensive Plan criteria for each use: 1 .Preservation. 2. Recreation and Open Space. 3. Leisure/Recreation. 4. Institutional. 5. Rural Cluster Centers. 6. Tourism Commercial Centers. 7. Business Park Centers. 8. Industrial. 9. Rural Mixed-Use Developments. 10. New Communities. 11. Agricultural/Residential Rural only.	A mining company has not owned the subject site and was not part of a Mine Plan. This request is part of a Board of County Commission's request to locate residential use properties that have historically been residential use with residential dwellings and provide residential entitlements to these areas.
POLICY 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a	Staff is coordinating with the Phosphate Review Group to obtain any comments.

Comprehensive Plan Policy	Consistency Analysis
copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources. The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies: Department of Environmental Protection, Bureau of Mine Reclamation Central Florida Regional Planning Council Phosphate Mining Industry Florida Institute of Phosphate Mining Research Florida Fish and Wildlife Conservation Commission Polk County Planning Polk County Natural Resources Polk County Cooperative Extension Services, Soils Conservation These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.	

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. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

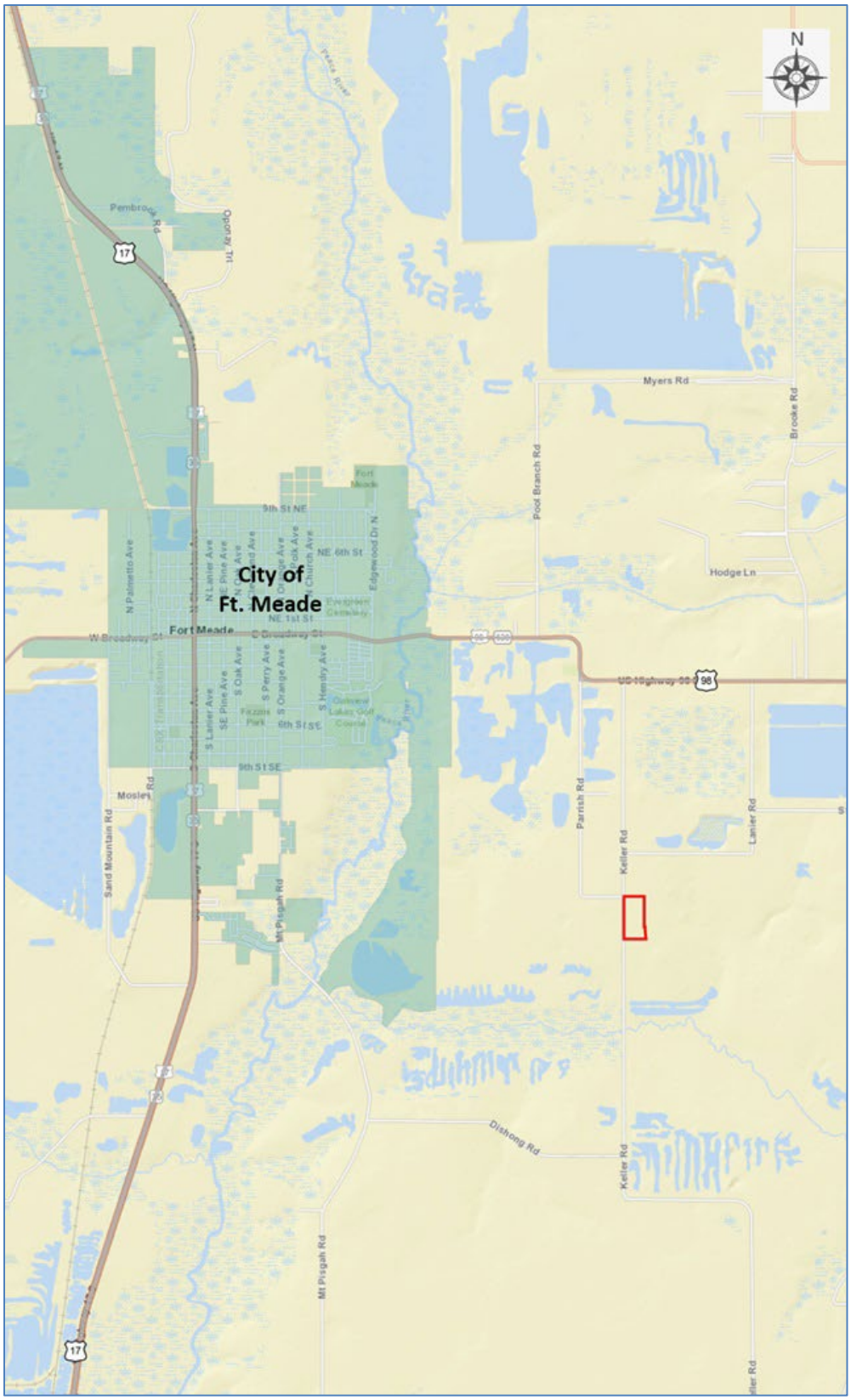
Comments from other agencies

No comments

Exhibits

Exhibit 1 Location Map
Exhibit 2 Aerial Map – Context
Exhibit 3 Aerial Map – Close-up
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6 FDEP Phosphate Mine GIS
Exhibit 6 Subject Properties and Ownership
Exhibit 7a&b Permitted and Conditional Uses in PM and A/RR

Applicant's submitted documents and ordinance as separate files



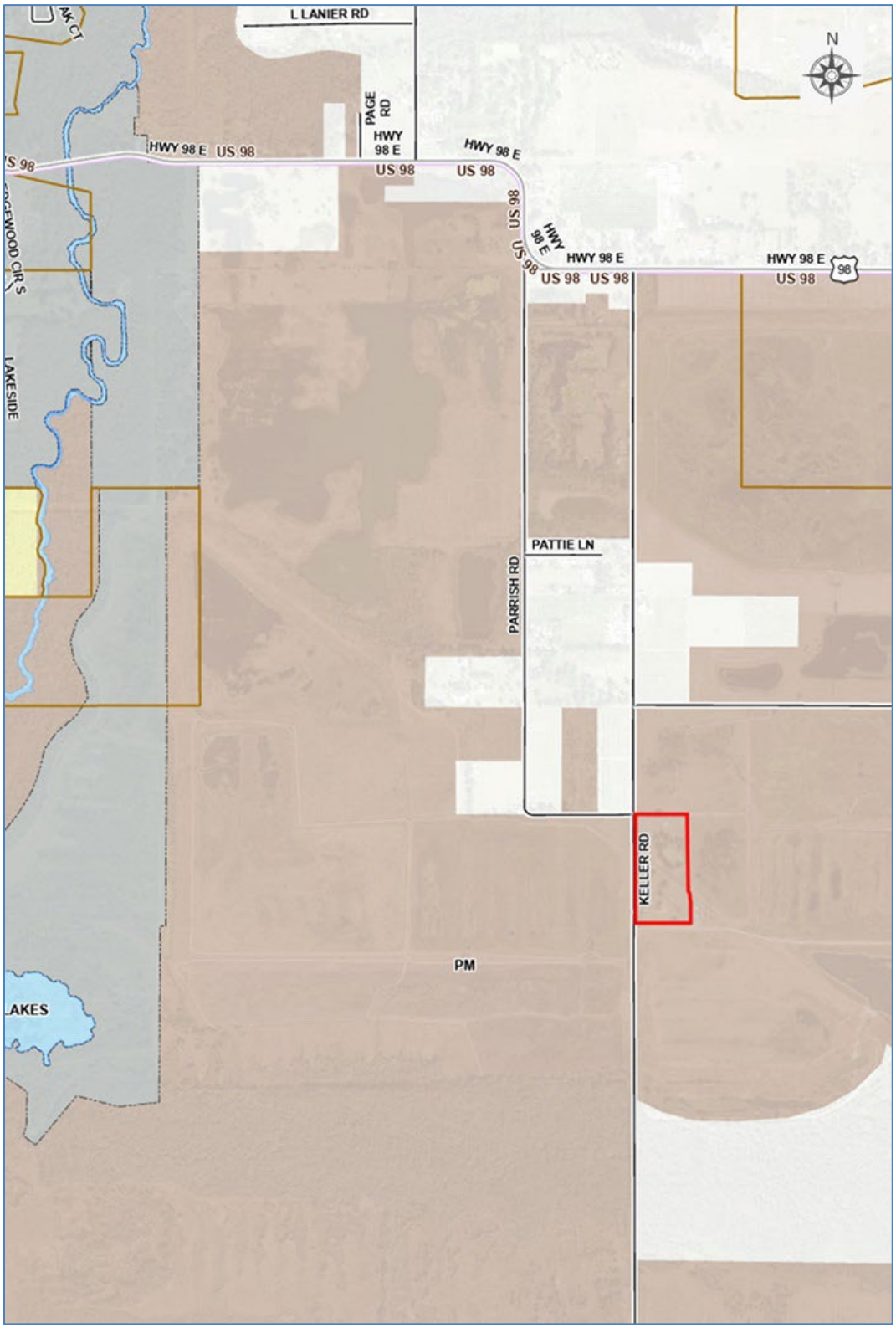
LOCATION MAP



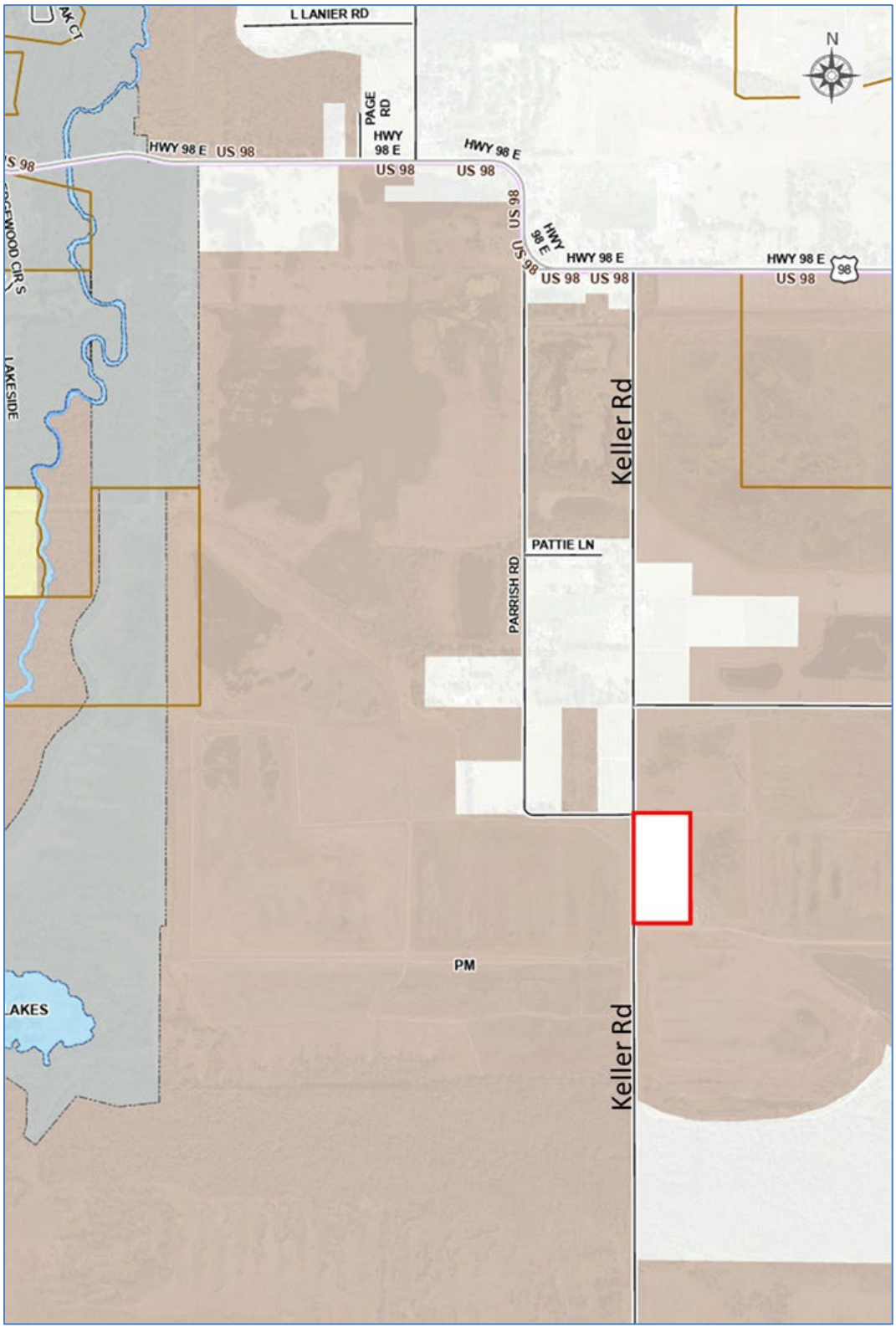
AERIAL MAP CONTEXT



AERIAL MAP – CLOSE UP



CURRENT FUTURE LAND USE MAP



PROPOSED FUTURE LAND USE MAP



FDEP Phosphate Mine GIS

Exhibit 7

Parcel Number	Current Owner	Size (ac)
26-32-06-000000-034040	JOHNSON JAMES MERLE	1.14
26-32-06-000000-034050	JOHNSON JAMES MERLE	1.14
26-32-06-000000-034070	KELLER JAMES R	2.50
26-32-06-000000-034080	KELLER JAMES R	1.01
26-32-06-000000-034100	KELLER TIMOTHY JAMES	5.91
26-32-06-000000-034020	PANGBORN TIFFANY	2.11
26-32-06-000000-034030	PANGBORN TIFFANY	2.25
26-32-06-000000-034060	PANGBORN TIFFANY	1.00
26-32-06-000000-034010	WELLS PAMELA K	2.42
		19.48

SUBJECT PARCELS AND OWNERSHIP

Phosphate Mining (PM)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
Residential Uses:	Family Farm; Farm Worker Dormitory, Apartment Style, C2	**Residential Uses:**	Farm Worker Dormitory, Barrack Style, C3
		Mixed Uses:	Planned Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Communication Towers, Guyed and Lattice, C2 Communication Tower, Monopole, C2 Community Center, C2 Convenience Stores, Isolated, C2 Cultural Facility, C2 Farming General, P Heavy Machinery Equipment Sales and Services, P Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding, P Livestock Sale, Auction, P Manufacturing, Explosives/Volatile Material, C2 Manufacturing, General, C2 Manufacturing, Light, C2 Medical marijuana Dispensaries, C2 Motor Freight Terminal, C2 Nurseries and Greenhouses, P Recreation, Passive, C1 Recreation, Low Intensity, C2 Recreation Vehicle Storage, C2 Religious Institution, C2 Research and Development, C2 Riding Academies, C1 School, Technical/Vocational/Trade & Training, C2 Solar Electric-Power Generation Facility, C2 Utilities, Class I, P Utilities, Class II, P Utilities, Class III, C2 Veterinary Service, C2	**All Other Uses:**	Agricultural Support, Off-Site, C3 Airport, C4 Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, C4 Government Facility, C3 Gypsum Stack, C4 Hazardous Waste Transfer, Storage, C4 Hazardous Waste Treatment Facilities, C4 Lime Stabilization Facility, C3 Mining, Non-Phosphate, C3 Power Plants, Non-Certified, Low, C4 Power Plants, Non-certified, High, C4 Power Plants, Certified, C4 Railroad yard, C3 Recreation High Intensity, C3 School, Leisure/special Interest, C3 School, university/college, C3 Seaplane Base, C3 Water Ski Schools, C3 Vehicle Recovery Service/Agency, C2 Vehicle Repair, Auto Body, P Vehicle Service, mechanical, P Veterinary Service, C2 Warehousing/Distribution, P

Permitted and Conditional Uses in PM

Future Land Use Designation	Technical Staff Review -Level 1 & 2	Public Hearing (s) Required-Level 3 & 4
Agricultural/Residential Rural (A/RR)	**Residential Uses:** Family Farm, C1 Group Home, Small (6 or less residents), C1 Farm Worker Dormitory, Apartment Style, C2 Mobile Homes, Individual, C1 Single-family Detached Home & Subdivision **All Other Uses:** Animal Farm, Intensive Cemetery, C2 Communication Towers, Guyed and Lattice C2 Communication Tower, Monopole, C2 Convenience Stores, Isolated, C2 Emergency Shelter, Small (6 or less residents), C1 Farming General, Golf Course, C1 Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding Livestock Sale, Auction Nurseries and Greenhouses Recreation, Passive, C1 Recreation, Low Intensity, C2 Riding Academies, C1 Solar Electric-Power Generation Facility, C2 Utilities, Cass I Utilities, Cass II, C1 Veterinary Service	**Residential Uses:** Fly-in Community, C3 Group Home, Large (7-14 residents), C3 Group Living Facility (15 or more residents), C3 Farm Worker Dormitory, Barrack Style, C3 Mobile Home Park & subdivision, C3 Rural Residential Development (RRD), C3 **Mixed Uses:** Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Rural Mixed Development (RMD), C3 **All Other Uses:** Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-Site, C3 Airport, C4 Bed and Breakfast, C3 Breeding, Boarding, and Rehabilitation Facility Wild or Exotic, C3 Childcare Center, C3 Community Center, C3 Correctional Facility, C4 Cultural Facility, C3 Emergency Shelter, Medium (7-14 residents), C3 Emergency Shelter, Large (15 or more residents), C3 Event Facility, C3 Government Facility, C3 Institutional Campground, C3 Lime Stabilization Facility, C3 Lodges and Retreats, Private, C3 Marinas and Related Facilities,C3 Outdoor Concert Venue, C3 Recreation, High Intensity C3 Recreation, Vehicle Oriented, C3 Religious Institution, C3 Residential Treatment Facility, C4 School, Elementary, C3 School, Leisure/Special Interest C3 School Technical/Vocational/Trade & Training, C3 Seaplane Base, C3 Utilities, Cass III, C3 Water Ski Schools, C4

Permitted and Conditional Uses in A/RR

ORDINANCE NO. 26 -____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAS-2025-12;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 19.48+/- ACRES FROM PHOSPHATE MINING (PM) TO AGRICULTURAL/RESIDENTIAL RURAL (A/RR). THE SITE IS LOCATED SOUTH OF US HIGHWAY 98 E, ON THE EAST SIDE OF KELLER ROAD, NORTH OF DISHONG ROAD AND WEST OF LANIER ROAD, SOUTHEAST OF THE CITY OF FORT MEADE, IN SECTION 06, TOWNSHIP 32, RANGE 26; 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 May 6, 2026; 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 June 16, 2026; 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 1: 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 19.48± acres from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) in the Rural Development Area (RDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 1

26-32-06-000000-034040

E 165 FT OF N1/4 OF W1/2 OF SW1/4 OF NW1/4 LESS S 30 FT

Parcel 2

26-32-06-000000-034050

BEG 165 FT W OF NE COR OF W1/2 OF SW1/4 OF NW1/4 RUN W 165 FT S 300 FT E 165 FT N 300 FT TO POB

Parcel 3

26-32-06-000000-034070

COMM SW COR OF SW1/4 OF NW1/4 OF SEC N89- 58-41E 30 FT TO ELY R/W OF KELLER RD & POB N0E ALONG SAID R/W 328.31 FT S89-43-30E 329.41 FT S0W 326.6 FT S89-58-41W 329.41 FT TO POB

Parcel 4

26-32-06-000000-034080

PARCEL A DESC AS FOLL: COMM AT SW COR OF SW1/4 OF NW1/4 E 25 FT TO ELY R/W OF KELLER RD N ALONG R/W 150 FT E 316.91 FT TO CURVE NWLY 39.27 FT N 233.68 FT E 12.5 FT TO POB E 243.74 FT TO CENTERLINE OF FLORIDA POWER CORPORATION POWER LINE S52-00-00E ALONG CENTERLINE 71.47 FT S 106 FT W 300 FT N 150 FT TO POB

Parcel 5

26-32-06-000000-034100

COMM SW COR OF SW1/4 OF NW1/4 OF SEC N89- 58-41E 30 FT TO ELY R/W OF KELLER RD N0E ALONG SAID R/W 328.31 FT TO POB THENCE N0E 547.6 FT TO C/L OF FLORIDA POWER CORPORATION POWER LINE LYING IN NWLY-SELY DIRECTION ACROSS W1/2 OF SW/14 OF NW1/4 S52E ALONG SAID C/L 759.07 FT S90W 243.74 FT S0W 150 FT N90E 300 FT S00-01-58W 258.32 FT S89-58-41W 324.85 FT N0E 326.6 FT N89-43-30W 329.41 FT TO POB

Parcel 6

26-32-06-000000-034020

BEG NW COR OF SW1/4 OF NW1/4 RUN E 180.90 FT S 300 FT E 35.20 FT S 300 FT TO C/L OF POWER LINE NWLY TO W SEC LINE N TO POB

Parcel 7

26-32-06-000000-034030

BEG 440 FT W & 135 FT S OF SE COR OF N1/4 OF W1/2 OF SW1/4 OF NW1/4 RUN S 135 FT SELY TO A PT 41 FT N OF SE COR OF N3/4 OF W1/2 OF SW1/4 OF NW1/4 N 339 FT NWLY TO POB

Parcel 8

26-32-06-000000-034060

BEG 180.90 FT E OF NW COR OF SW1/4 OF NW1/4 RUN E 145.20 FT S 300 FT W 145.20 FT N 300 FT TO POB

Parcel 9

26-32-06-000000-034010

BEG 300 FT S OF NE COR OF W1/2 OF SW1/4 OF NW1/4 RUN W 440 FT S 165 FT SELY TO A PT 380 FT N OF SE COR OF N3/4 OF W1/2 OF SW1/4 OF NW1/4 N TO POB

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on July 17, 2026 (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 4: 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 16th day of June 2026.

ATTACHMENT "A"

LDCPAS 2026-1
Development Area: Rural Development Area
Location: East of Keller Rd., south of US 98 E
Section-06 Township-32 Range-26



PARCEL DETAIL
Note: Not to Scale

Demonstration of Need and Impact Assessment Statement Form

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.

This land use change to A/RR is not sprawl and does not promote, allow or designate development is substantial areas of Polk County. This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan.

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

A/RR is not an urban land use.

c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.

The A/RR is somewhat isolated. However, the intent of the PM area was to have land uses change to something other than PM when mining was completed, and A/RR is listed as one of those land uses in Policy 2.114-A3 PERMITTED ACTIVITIES.

d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.

There are wetlands located on a portion of the subject site. Land Development Code Section 620 Wetland Protection and Section 630 Flood Hazard Management and Floodplain Protection will have to be met by any new development.

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan.

f. Fails to maximize use of existing public facilities and services.

The request if approved is consistent with the requirements for septic tanks and wells for wastewater and potable water. Therefore, there is not waste of services per the standards in the Comprehensive Plan.

g. Fails to minimize the use of future public facilities and services.

The area of the County that includes the subject site is not in an area where future public facilities or services are planned.

h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, stormwater management, law enforcement education health care, fire and emergency response, and general government.

The request if approved is consistent with the requirements for septic tanks and wells for wastewater and potable water. Therefore, there is not waste of services per the standards in the Comprehensive Plan.

i. Fails to provide a clear separation between urban and rural uses.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan. The separation between urban and rural uses is not impacted by this request.

j. Discourages or inhibits in-fill development or redevelopment of existing neighborhoods and communities.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan.

k. Fails to encourage an attractive and functional mix of land uses.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan. The mixing of land use is not an appropriate land use pattern to promote or require in this area of the County.

l. Results in poor accessibility among linked or related land uses.

The project area consists of 9 lots of record, with 3 of the parcels representing vacant residential lots. The subject parcels have access to a County maintained road, Keller Road, driveways would be required to meet the standards of Section 705 of the LDC.

m. Results in the loss of a significant amount of functional open space.

The project area consists of 9 lots of record, with 3 of the parcels representing vacant residential lots. No significant loss of functional open space is anticipated.

Section 910 Impact Assessment Statements

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. ***Land and Neighborhood Characteristics***

To assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

Policy 2.114-A2 requires this land use change if the subject site was not owned by a mining company or in a mining plan. Staff has found that the subject site was not owned by a mining company.

2. Provide a site plan showing each type of existing and proposed land use;

The project area of 19.47± acres consists of 9 lots of record, of which 6 are improved residential, with the only new development being on the three (3) vacant residential lots (Map H). Any new development would have to meet the standards for the A/RR in the Polk County Land Development Code.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

There is not active mining occurring to the north, east, south, or west. Therefore, efforts are not needed to minimize differences in uses.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped; and

The proposed A/RR is in an area with no current mining to the north, south, east, or west. Therefore, the existing uses of the adjacent properties are considered open space at this time.

5. Describe each of the uses proposed in a Planned Development and identify the following:

The request is a land use change and not a PD.

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses; and

d. The total area proposed for each type of use, including open space and recreation.

B. ***Access to Roads and Highways***

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

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

The project area of 19.47± acres consists of 9 lots of record, of which 6 are improved residential, with the only new development being on the three (3) vacant residential lots The total number of additional trip units anticipated is 24 AADT and 3 PM Peak Hour Trips.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

There are no modifications needed to Keller Road.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

Two sparking spaces are required outside of the garage, for new development.

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

The project area has approximately 1,325 feet of frontage on Keller Road. Any new residential development will be required to meet Section 822 of the LDC.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

There are no other modes of transportation in this area of the county. There are no sidewalks or transit routes in the area.

C. ***Sewage***

To determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

The project area of 19.47± acres consists of 9 lots of record, of which 6 are improved residential, with the only new development being on the three (3) vacant residential lots. The total number of additional lots (3) will potentially generate the need for 1,080 gallons per day potable water and 840 gallons per day wastewater generation.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The property owners will only have access to septic tanks and wells.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

The property owners will only have access to septic tanks and wells. The project area is not within a utility service area. The location of a septic tank is the responsibility of the Health Department as Polk County does not have any additional requirements of the septic tank location outside of the Green Swamp. The Florida Department of Environmental Protection has the authority for well placement.

4. Identify the service provider; and

5. Indicate the current provider's capacity and anticipated date of connection.

D. ***Water Supply***

To determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

See answers for sewer supply.

1. Indicate the proposed source of water supply and, the type of treatment;

2. Identify the service provider;

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

4. Indicate the current provider's capacity and anticipated date of connection.

E. ***Surface Water Management and Drainage***

To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The project area represents 9 lots of record that will be changed to A/RR, as lots of record no additional stormwater system will be required. The project area consists of 3 vacant residential lots. Impacts to quality are assumed to be minimal because they are not regulated.

2. Describe the alteration to the site's natural drainage features, including wetland, that would be necessary to develop the project;

Generally sloping from the north, with an elevation of approximately 132 feet, southerly with the southern border elevation approximately 122 feet.

3. Describe the impact of such alterations on the fish and wildlife resources of the site; and

Certainly, any development has impacts on the natural environment. The project area consists of 9 lots of record, with 3 of the parcels representing vacant residential lots. Future development is anticipated to be representative of the existing residential and have minimal impact to the wildlife resources.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

This is not known at this time.

F. ***Population***

To determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

The project area consists of 9 lots of record, with 3 of the parcels representing vacant residential lots. The expectation is that residents will be fulltime residents at 2.5 persons per household. This is about 8 persons.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Not Applicable

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

There is not expectation of expected demographics as this is not a PD request.

4. Describe the proposed service area and the current population thereof.

This is not in any service area.

G. ***General Information***

To determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

This question is more suitable to a PD as a specific product is known. This land use change request is consistent with Policy 2.114-A2 that provides if a property designated PM was not owned by a mining company, the future land use after PM can be A/RR or other recreation and institutional land uses. This request is consistent with that policy and in line with the other A/RR in the RDA. There are citizens that like to live in a rural area as demonstrated by the subject's project area. Of the 9 lots included within the application, 6 lots are improved with single-family dwellings, three (3) are vacant.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

The residents in this property may have interest in competitive sports and will have to go to a regional park as other Polk County citizens. Passive recreation can be provided within each property. However, there are other passive recreational opportunities with other natural areas in the County.

b. Educational Facilities (preschool/elementary/middle school/high school);

The project area consists of 9 lots of record, with 3 of the parcels representing vacant residential lots. For the three (3) vacant lots, the generation rates are listed in the table below. For the three (3) vacant single family lots, the generation is 1 elementary student, 1 middle school student, and 1 high school student. The zoned schools are Lewis Anna Woodbury Elementary, Ft Meade Middle/Sr, and Fort Meade Senior High.

	Elementary	Middle	High	Total
Single-Family	0.208	0.087	0.144	0.439
Multifamily	0.195	0.047	0.069	0.311
Mobile Home	0.144	0.048	0.062	0.254

c. Health Care (emergency/hospital);

The nearest hospital is in the City of Bartow. However, medical clinics are expanding.

d Fire Protection;

The nearest fire station per the Polk County GIS data viewer is in Ft Meade at 1235 9th Street NE. Staff will be asking for the most current information from Public Safety to use in the final staff report.

e. Police Protection and Security; and

The property is in the southwest district for the Sherriff's office. Staff will be asking for the most current response times to use in the final staff report.

f. Electrical Power Supply

The electrical supply is estimated to be TECO.

H. ***Maps***

See attached

1. 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.

2. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scales 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 accompany all Impact Assessment Statements:

3. Map A: A location map showing the relationship of the development to cities, highways, and natural features;

4. Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

5. Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

6. Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

7. Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths. **(See Location Map)**

8. Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

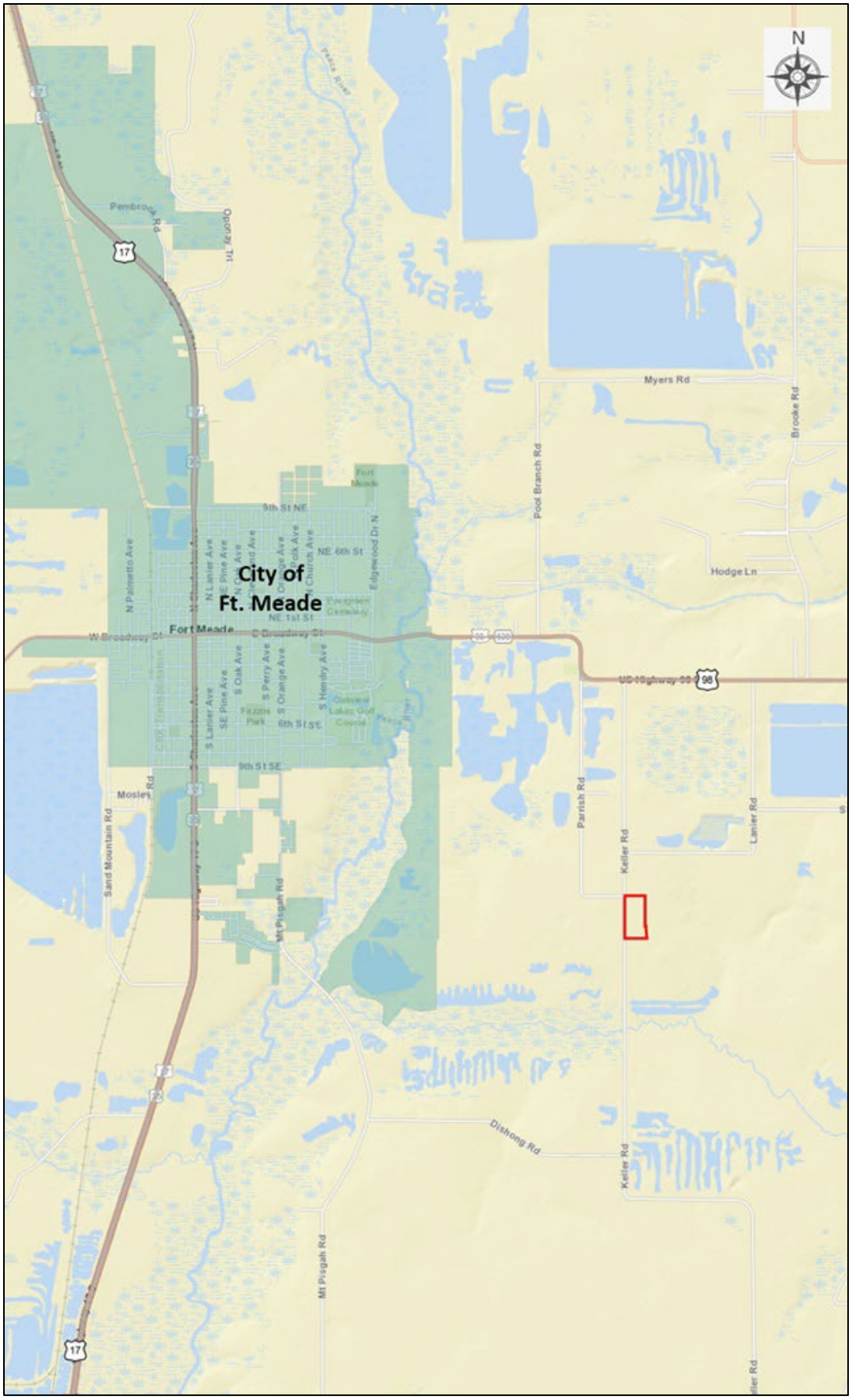
Not Applicable.

9. Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features. **See Map B**

Extra Map:

Map H: A Vacant Lot Map identifying the vacant residential lots within the Project Area. These lots represent the land area for future development within the requested Land Use change area.

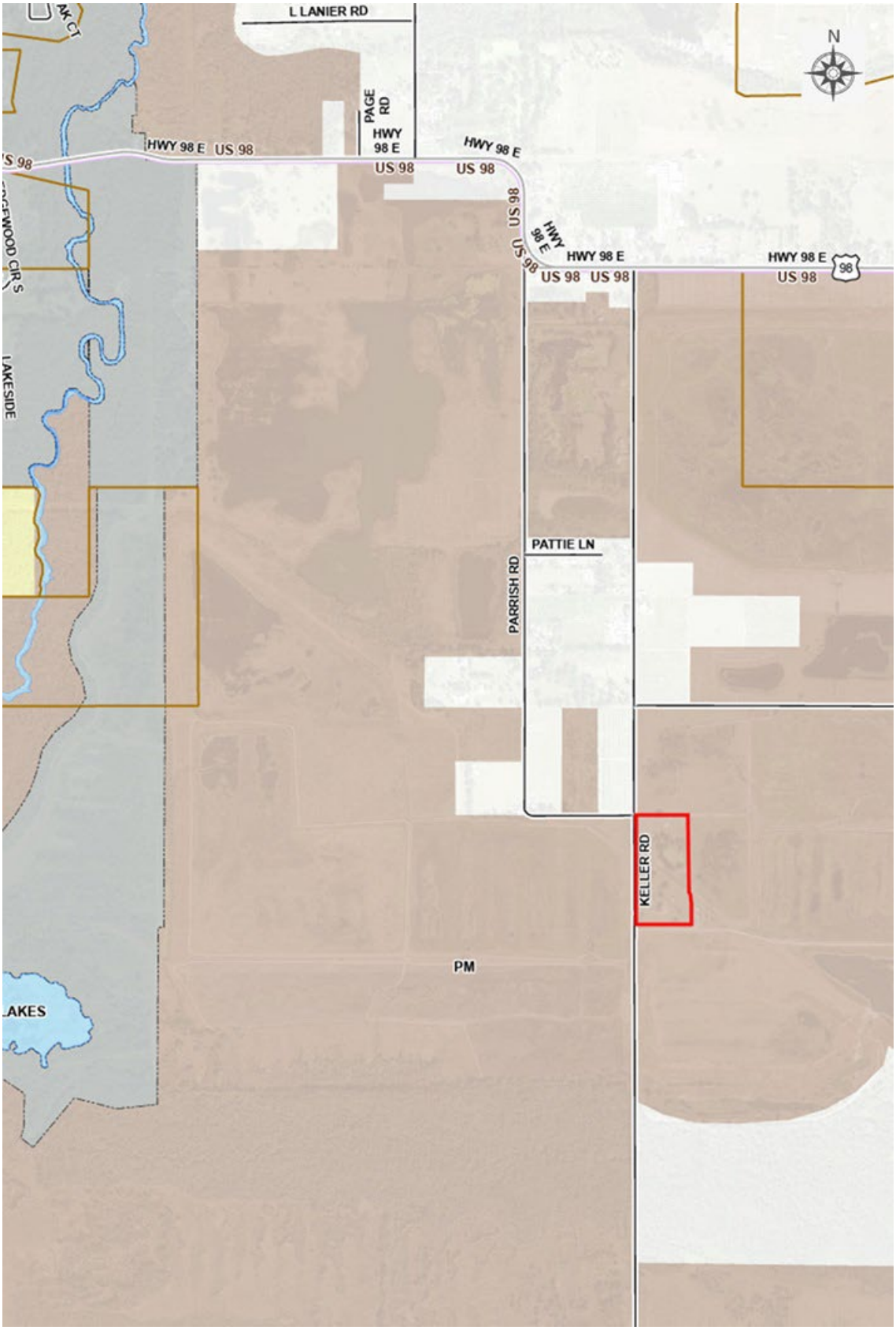
Map A – Location Map



Map B – Topographical Map

N/A

Map C – Current Land Use



Map D – Soils Map

N/A

Map H – Vacant Lot Map

To be provided if needed.

Agenda Item 4. 5/6/2026

SUBJECT

LDCPAS-2025-13 (Mt. Pisgah Road PM to A/RR CPA)

DESCRIPTION

County-initiated requested Comprehensive Plan map amendment from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on 2.0±acres for a property located east of Mt. Pisgah Road, south of Oak Drive, north of Berquist Road, west of the Peace River, southeast of the City of Fort Meade, in Section 02, Township 32, Range 25

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton

Planner III

Land Development

863-534-6468

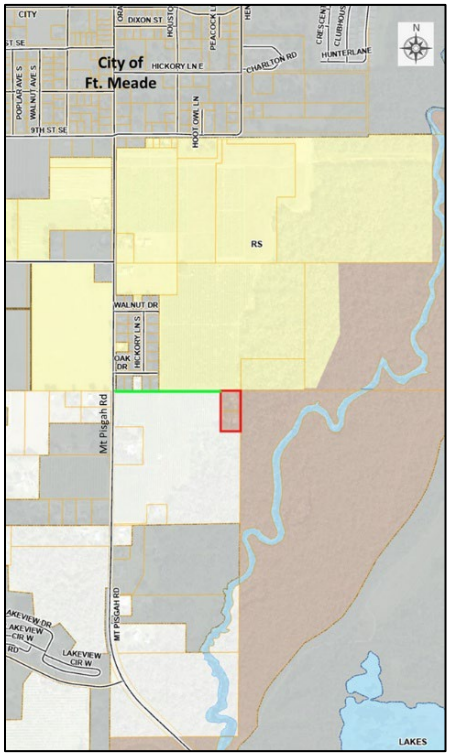
robertbolton@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	**May 15, 2025**
Planning Commission Date:	May 6, 2026
BoCC Dates:	June 16, 2026
Applicant:	Polk County
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-13 Mt. Pisgah Road PM to A/RR CPA
Request:	Small Scale Comprehensive Plan map amendment from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on 2.0± acres in the Rural Development Area (RDA).
Location:	The site is east of Mt. Pisgah Road, south of Oak Drive, north of Berquist Road, west of the Peace River, southeast of the City of Fort Meade, in Section 02, Township 32, Range 25
Property Owner:	Brandon M Outlaw, Cynthia Deniese Yeoman
Parcel Size:	2.0± acres (Parcels: 253202000000033020, 253202000000033050)
Development Area/Overlays:	Rural Development Area (RDA)
Future Land Use:	Phosphate Mining (PM)
Nearest Municipality	Fort Meade
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary

A County-initiated request for a Comprehensive Plan Map amendment to change the Future Land Use designation from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR). The subject property is located east of Mt. Pisgah Road, and west of the Peace River, south of the City of Fort Meade. The site is 2.0± acres and consists of two (2), one-acre residential sites. The dwellings in the sites were constructed in the late 1960's and early 1970's and are lots of record. The site has not been owned by a mining company, nor been in a mine plan.

This land use change request is consistent with Policy 2.114-A2 that provides if a property designated PM was not owned by a mining company or in a mine plan, the future land use after PM can be A/RR or other recreation and institutional land uses. In addition, this policy allows for the subject site to be developed as if it was already designated A/RR and requiring that the County initiated a Future Land Use designation change to A/RR. This request is consistent with that policy and in line with the other A/RR in the RDA. This request is also part of Board of County Commission request to research, locate and initiate Land Use Changes from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) for parcels within the PM that have historically been utilized as residential use with residential dwellings.

Compatibility Summary

Section 2.114 of the Comprehensive Plan lists A/RR as one of the land uses for the conversion of PM lands. The surrounding uses are residential or agricultural in nature and have historically represented the southern unincorporated part of the city of Fort Meade. The phosphate mining in this area was predominantly on the east side of the Peace River. The existing residential use is compatible with the surrounding uses.

Infrastructure Summary

The infrastructure is rural in nature. The site has been developed with residential dwellings for several decades. The phosphate mining that was done in the area was on the east side of the Peace River. The site has good access to public services with water and wastewater to be serviced by private well and septic system. The City of Fort Meade appears to have extended water to the north of the site, there is an existing fire hydrant at the end of Oak Drive, just north of the site.

Environmental Summary

There are no surface waters, wetlands or floodplains on site. The soils map indicates some moderate limitations for the use of septic within the subject area; however, the site's two (2) lots are developed with residential dwellings and no further development is available.

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
- Section 2.114 Phosphate Mining
- Policy 2.114-A4: Future Development of PM Land

Findings of Fact

Request and Legal Status

- This is a County-initiated request for a Comprehensive Plan Map amendment to change the Future Land Use designation from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR) on 2.0 +/- acres.

- The County is initiating this request is consistent with Comprehensive Plan Policy 2.114-A2 which states that if property in the PM district that was not under a conceptual mining plan and owned by a phosphate mining company "may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use."

- This request is also part of Board of County Commission request to research, locate and initiate Land Use Changes from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) for parcels within the PM that have historically been utilized as residential use with residential dwellings.

- The subject site has historically been residential and never mined.

- The two (2) parcels are the same as existed in the adoption of the Comprehensive Plan in 1991.

- Even though the parcels are less than five (5) acres, they are vested lots of record.

- The subject properties were not owned by a mining company or part of a mine plan at the time of the adoption of the Comprehensive Plan.

Compatibility

- There are two (2) lots in the subject site area each are improved with residential dwelling.

- Staff is coordinating with the Phosphate Review Group to obtain any comments per *Policy 2.114-A4,* any comments received may result in update(s) to this Staff Report.

- The existing residential dwellings were constructed in the late 1960's and early 1970's.

- Fort Meade has been annexing south of the historic southern boundary of the city, 9th Street SE with city limits to the north, south and west..

- The existing uses surrounding the site are
    - North – RS – Vacant, Citrus Grove and Peace River Flood Plain
    - West – A/RR – Vacant, Citrus Grove
    - East – PM – Vacant, Peace River Flood Plain
    - South – A/RR – Vacant, Peace River Flood Plain

Infrastructure

- The subject parcels have access to Mt. Pisgah Road via a parcel, owned by one of the subject property owners, as an access via easement. This parcel has a Future Land Use designation of A/RR and is not part of the request.

- The site has no access to centralized potable water or wastewater services. The nearest water line is along the east side of Mt Pisgah Road, north of the site at Cox Road and is owned by the City of Ft. Meade.

- The subject property is zoned for Lewis Anna Woodbury Elementary School, Ft Meade Middle/Sr Middle School, and Ft. Meade Senior High School.

- The Sheriff's Regional Command that serves the area is the Polk County Sheriff's Southeast Command Center at 4011 Sgt. Mary Campbell Way in Lake Wales approximately 32 miles to the northeast.

- Fire rescue response from Polk County Fire Rescue Station #10 at 1235 9th St NE N, Fort Meade. It is approximately 2.9 miles driving distance.

- There are no sidewalks along Mt. Pisgah Road.

- The nearest transit route is Route 25 that stops at 9th Street SE and Mt. Pisgah Road in Ft. Meade, approximately ½ mile north.

- The nearest neighborhood park is the Fort Meade Park. The closest County Regional Park is Loyce Harpe Park. The Bone Valley ATV Park is about eleven (11) miles away.

Environmental

- There are no surface waters on site.

- The subject site does contain wetlands and floodplains.

- The subject site has Adamsville Fine Sand (60%), and Holopaw Fine Sand (40%).

- The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series.

- Approximately one mile southeast of the site has over 500 acres in a Conservation Easement.

- The subject property is not located within a one-mile radius of a protected plant or animal species sighting since 2006 (Source: Florida Natural Areas Inventory 2002, 2006, 2011, & 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are residential use wells on the subject site and it is not located in a wellfield.

- The site is not within an Airport Impact District.

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 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources.

  The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies:

  Department of Environmental Protection, Bureau of Mine Reclamation

  Central Florida Regional Planning Council

  Phosphate Mining Industry

Florida Institute of Phosphate Mining Research

Florida Fish and Wildlife Conservation Commission

Polk County Planning

Polk County Natural Resources

Polk County Cooperative Extension Services, Soils Conservation

- These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.

- According to POLICY 2.108-A1 of the Comprehensive Plan, the subject property is in a Rural Development Area (RDA). The RDA "is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments."

- The subject property is in a Phosphate Mining (PM) Future Land Use Map district. The Comprehensive Plan permits only Phosphate mining and allied industries, land reclamation, agriculture, and Farmworker housing.

- Policy 2.114-A2 of the Comprehensive Plan states that if property in the PM district that was not under a conceptual mining plan and owned by a phosphate mining company "may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use."

- For PM lands affected by Policy 2.114-A2, a change to the Agricultural/Residential Rural (A/RR) district is the default category.

- Per Table 2.2 of the Land Development Code (LDC), the minimum residential lot size in an A/RR district is five (5) acres. Single-family residences are a permitted use in A/RR.

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 2025-13.**

Planning Commission Recommendation: On May 15, 2025, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCPAS 202-13.**

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. The past several decades the subject site has been developed with two (2) residential dwellings. It access Mt. Pisgah Road via an access via easement, owned by one of the subject property owners. Adjacent to the north west and south have historically been citrus groves. To the east is the Peace Rive and its flood plain.

Table 1

Northwest: RS – Vacant Citrus Grove	**North:** RS – Vacant Citrus Grove and Peace River Flood Plain	**Northeast:** RS – Vacant Peace River Flood Plain
West: A/RR – Vacant Citrus Grove	**Subject Property:** PM 2.0± acres; Improved Residential	**East:** PM – Vacant Peace River Flood Plain
Southwest: A/RR – Vacant Citrus Grove	**South:** A/RR – Vacant Peace River Flood Plain	**Southeast:** PM – Vacant Peace River Flood Plain
Source: Polk County Geographical Information System and site visit by County staff		

The infrastructure is limited due to the rural nature of the area. For the past several decades the subject site has been developed with two (2) residential dwellings. The site being located on the west side of the Peace River has historically been a part of the southern Fort Meade unincorporated area which included residential use as well as agricultural and citrus crops. The existing use as residential is compatible with the surrounding uses.

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

Section 2.114 of the Comprehensive Plan, lists A/RR as one of the land uses for the conversion of PM lands. The lands easy of the Peace River were mined for phosphate. The land to the west of the Peace River has historically been City of Fort Meade, residential or citrus groves. The existing residential and citrus nature are compatible with the existing residential development of the subject lots of record.

B. Infrastructure

The infrastructure is limited due to the rural nature of the area. The site has historically been developed with two (2) residential dwellings. Any new development would consist of redevelopment of the existing residential development. The site is currently developed not adding any additional impacts to roads and public safety services.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. The site is currently developed with two residential dwellings, no additional impacts too the Polk County Scholl system are anticipated..

Table 2 School Information

Name of School	**Annual Estimated Demand**	**% Capacity 2024-2025 School Year**	**Average driving distance from subject site**
Lewis Anna Woodbury Elementary School	1 student	87%	1.4 ± miles driving distance
Ft Meade Middle/Sr Middle School	1 student	70%	2.6 ± miles driving distance
Ft Meade Senior High School	1 student	57%	2.6 ± miles driving distance

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

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	Southe**ast** Command Center (4011 Sgt. Mary Campbell Way in Lake Wales)	32.4 +/- miles Priority 1 – 10:04 Priority 2 – 30:54
Fire/ EMS	**Station #10** (1235 9th St NE N, Fort Meade, Ft. Meade)	2.9 +/- miles 9-11 minutes

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for April 2026.

Water and Wastewater

The subject site is in the RDA and is not within any utility service area. Water and sewer lines are not near the subject site. The nearest water line is along the east side of Mt Pisgah Road, north of the site at Cox Road and is owned by the City of Ft. Meade. Potable water is provided by a well, and an onsite septic treatment system will be utilized to handle wastewater for each individual lot.

A. Estimated Demand

Table 4, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR. The changes to IND have been along railroad lines. The subject site is not along a railroad and historically been utilized for residential dwelling. However, IND uses tend to be more impactive in terms of noise, vibrations, and odors. So, the traffic analysis below is based on PM having industrial uses. It is noted that there is not potable water or sewer service to the subject site, water and sewer is/would be provided by well and septic systems

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity **2.0 +/- acres** **87,120 sq ft** **@0.75 FAR = 65,340**	**Current PM**	**Maximum Permitted in A/RRX**
	65,340 sf	2 units
Potable Water Consumption	65,340 * 0.24 = **15,682 GPD**	2 X 250 = 50**0 GPD**
Wastewater Generation	15,682 * 80% Water **= 12,546 GPD**	2 X 200 = **400 GPD**

Source: Concurrency Manual: PM@ IND rates @ 0.24 per sq ft and 80% for wastewater, single family @ 250 GPD Potable water and 200 Wastewater.

B. Service Provider

The subject site is not within any utility serve areas. The two (2) parcels are currently improved with single-family dwellings, which use well and septic to provide for these utility needs. Both lots are developed, only redevelopment with single-family residential will occur.

C. Available Capacity

The subject site is not within any utility serve areas. Therefore, all development on the subject site will require wells and septic tanks. The capacity of these systems will be based on the parameters of the permitting agency.

D. Planned Improvements

There are no utility improvements near the subject site.

Roadways/Transportation Network

A. Estimated Demand

The subject parcels have access to Mt. Pisgah Road via a parcel, owned by one of the subject property owners, as an access via easement. This parcel has a Future Land Use designation of A/RR and is not part of the request. Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR. The changes to IND have been along railroad lines. The subject site is not along a railroad and historically been utilized for residential dwelling. However, IND uses tend to be more impactive in terms of noise, vibrations, and odors. So, the traffic analysis below is based on PM having industrial uses.

The table below analyses the subject site as if vacant; however, the two (2) parcels are currently improved with single-family dwellings, which use well and septic to provide for these utility needs.. The analysis of the site with the two (2) lots currently developed with residential indicates 16 AADT and 2 Peak Hour, verses the assumed PM developed intensity, indicating 236 ADDT and 41 Peak Hour.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity Permitted Intensity	**Current PM**	**Maximum Permitted in A/RRX**
2.0 +/- acres 87,120 sq ft @0.75 FAR = 65,340	65,120 / 1,000 = 65 sf	2 units
Average Annual Daily Trips (AADT)	65 * 3.93 * 92% new trips = **236 AADT**	2 X 7.81 AADT = **16 AADT**
PM Peak Hour Trip	65 * 0.67 * 92% new trips = **41 AADT**	2 X 1 = **2 PM Peak Hour**

Source: Concurrency Manual and Table for Minor Traffic Study –PM @ IND rates ITE Code 140 @ 3.93 AADT per 1,000 square feet and 0.67 PM Peak Hour Trip per 1,000 square feet and 92% new trips, single family @ one house per five acres – 7.81 AADT per unit and 1 PM Peak Hour per unit 100% new trips

B. Available Capacity

The subject site only has direct access to Mt. Pisgah Road, which is not monitored by the Polk Transportation Planning Organization (TPO). Mt. Pisgah Road is a Rural Minor Collector. The nearest monitored road, US 17 is approximately ¾ mile north and west at the end of Oak Drive. US 27 extends south out of Polk County to Punta Gorda and north through Bartow, Orlando, and Jacksonville before entering Georgia. The current Level of Service (LOS) through this part of the road is "C". The minimum LOS on this portion of US 27 is "D". The existing residential development will not have any significant impact on the roadway capacity.

Table 6

Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
5003N	US 17/98	C	741	D	C
5003S	US 17 @ US 98 to CR 640	C	784	D	C
5001N	US 17	C	1,119	D	C
5001S	Hardee County Line to 9th Street SE	C	1,153	D	C

Source: Polk Transportation Planning Organization, Roadway network Database April 2026

C. Roadway Conditions

Mt. Pisgah Road and County Line Road (Hardee/Highlands) are two-lane undivided Rural Minor Collector Road that has a PCI condition rating of Very Good.

D. Sidewalk Network

Mt. Pisgah Road does not have any sidewalks. The subject site is in the Rural Development Area (RDA) which does not require sidewalks within the right of way on a public road.

E. Planned Improvements:

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

F. Mass Transit

The nearest transit route is Route 25 that stops at 9th Street SE and Mt. Pisgah Road. This stop is approximately ½ mile north of the site.

Park Facilities:

The following analysis is based on public recreation facilities. The nearest neighborhood park is the Bradley Junction Park. The Bone Valley ATV Park is about eleven (11) miles away.

A. Location:

Fort Meade Park is located in the northeast part of Fort Meade. Its current hours of operations are from 5 a.m. to 10 p.m. The park's amenities include baseball Fields, basketball Court(s), picnic tables, playground, and softball facilities.

Bone Valley ATV Park is on the south side of County Road 630 and east of State Road 37. It is a 200-acre tract of land with 15 trails, hill climbs and free riding areas. Below are the hours and fees for the park, along with important safety and registration information. The address is 10427 County Road 630 W. in Mulberry.

B. Environmental Lands:

There are no County owned Environmental Lands in this part of the County.

C. Planned Improvements:

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

Environmental Conditions

The subject site has historically been a residential area with two (2) lots of record. The area does not have access to municipal water and sewer, historically relying on well and septic for water and sewer. There are no vacant lots and any new development would consist of redevelopment of the older residential dwellings.

A. Surface Water:

The highest point is 102 feet above sea level; the lowest is below 87 feet MSL. The site drains to the southeast into a flood plain system and drain that takes surface waters to the Peace River.

B. Wetlands/Floodplains:

The subject site has no indicated wetlands or floodplains.

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 types range from Moderate to Severe. The site is currently developed with single-family residential.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Adamsville fine sand, 0 to 1% slope	Severe: wetness	Moderate: wetness	60%
Holopaw Fine sand, 0 to 1% slope	Severe: ponding	Severe: ponding	40%

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

D. Protected Species:

The subject property is not located within a one-mile radius of a protected plant or animal species sighting since 2006 (Source: Florida Natural Areas Inventory 2002, 2006, 2011, & 2015).

E: Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately one mile southeast of the site has over 500 acres in a Conservation Easement as recorded in OR Book 10740, Page 2012.

F. Archeological and Historical Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological or historical resources listed in the Florida Master Site File for the site.

G. Wells (Public/Private)

The subject site is not located on a wellfield. The nearest Wellfield is about 1.5 miles northwest, in Fort Meade. The current improved subject parcels as well as other improved properties use wells for their water source.

H. Airports:

The site is not within any Airport Height Notification or In-Flight Visual Interference Zones.

Economic Factors:

The subject site is only 2.0± acres. Most phosphate mines are thousands of acres. The site has historically been residential with The two residential dwellings being constructed in the 1960's and 1970's. This change in land use will provide for a conforming use on the subject 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.	The neighboring Future Land Use Map designations are RS to the north, and A/RR to the west and south, PM is west of the site. The Peace River is west of the site and the historic phosphate mining occurred east of the Peace River. The western side of the Peace River has and is agricultural or residential in use.

Comprehensive Plan Policy	Consistency Analysis
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-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 proposed low-density use is consistent with services available in the Rural Development Area (RDA).
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.	
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, 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.	One home per five acres does not need many services at all other than the potential need for public safety services and access for visitors. The subject site consists of two (2) one-acre lots of record. The lots are both improved with residential dwellings originally constructed in the 1960's and 1970's. Homeowners within the subject area have not had access to urban services and have not requested any increased level of urban services. A/RR is the main residential and agricultural designation in the RDA. Therefore, this request is consistent with these policies.

Comprehensive Plan Policy	Consistency Analysis
climatic conditions, including prevailing winds, when applicable.	
Property not meeting the criteria under Policy 2.114-A2 (Designation and Mapping of Phosphate Mining Land) but designated as Phosphate Mining on the Polk County Future Land Use Map Series, may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use. Agricultural/Residential-Rural (A/RR) development criteria specified under Section 2.121-A with the exception of Policy 2.121-A2.E.2 (Rural Mixed Use Developments) will be used; and, the applicant must show documentation proving the property was not owned by a phosphate mining company prior to May 1, 1991, the Plan's adoption date. Property purchased from a phosphate company after this date will not be considered an error.	
POLICY 2.114-A3: PERMITTED ACTIVITIES - The following activities shall be permitted within the Phosphate Mining land use category as mapped pursuant to Policy 2.114-A2: a. Phosphate mining and allied industries; b. Land reclamation; c. Agriculture and Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre; d. Other land uses with conditional approval which are compatible and related with the extraction and processing of phosphate; and e. Subject to the adoption of a Comprehensive Plan amendment, any activities permitted within the following land use designations, which are appropriate for the redevelopment of lands formally utilized for phosphate mining operations and which demonstrate compliance with the Comprehensive Plan criteria for each use: 1. Preservation. 2. Recreation and Open Space. 3. Leisure/Recreation. 4. Institutional. 5. Rural Cluster Centers. 6. Tourism Commercial Centers. 7. Business Park Centers. 8. Industrial. 9. Rural Mixed-Use Developments. 10. New Communities. 11. Agricultural/Residential Rural only.	A mining company has not owned the subject site and was not part of a Mine Plan. This request is part of a Board of County Commission's request to locate residential use properties that have historically been residential use with residential dwellings and provide residential entitlements to these areas.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources. The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies: Department of Environmental Protection, Bureau of Mine Reclamation Central Florida Regional Planning Council Phosphate Mining Industry Florida Institute of Phosphate Mining Research Florida Fish and Wildlife Conservation Commission Polk County Planning Polk County Natural Resources Polk County Cooperative Extension Services, Soils Conservation These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.	Staff is coordinating with the Phosphate Review Group to obtain any comments.

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. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments from other agencies

No comments

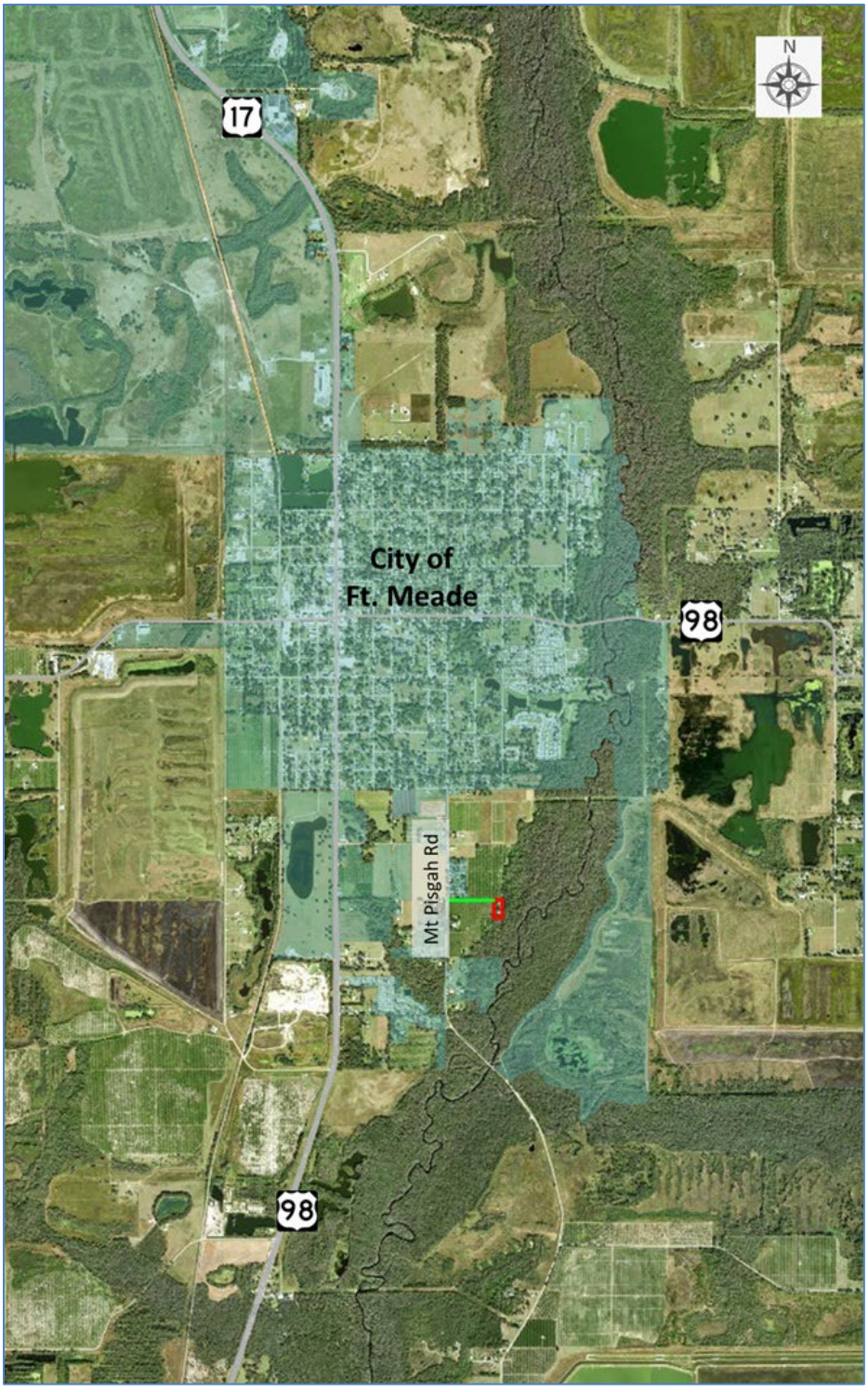
Exhibits

Exhibit 1 Location Map
Exhibit 2 Aerial Map – Context
Exhibit 3 Aerial Map – Close-up
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6 FDEP Phosphate Mine GIS
Exhibit 7 Subject Properties and Ownership
Exhibit 8a&b Permitted and Conditional Uses in PM and A/RR

Applicant's submitted documents and ordinance as separate files



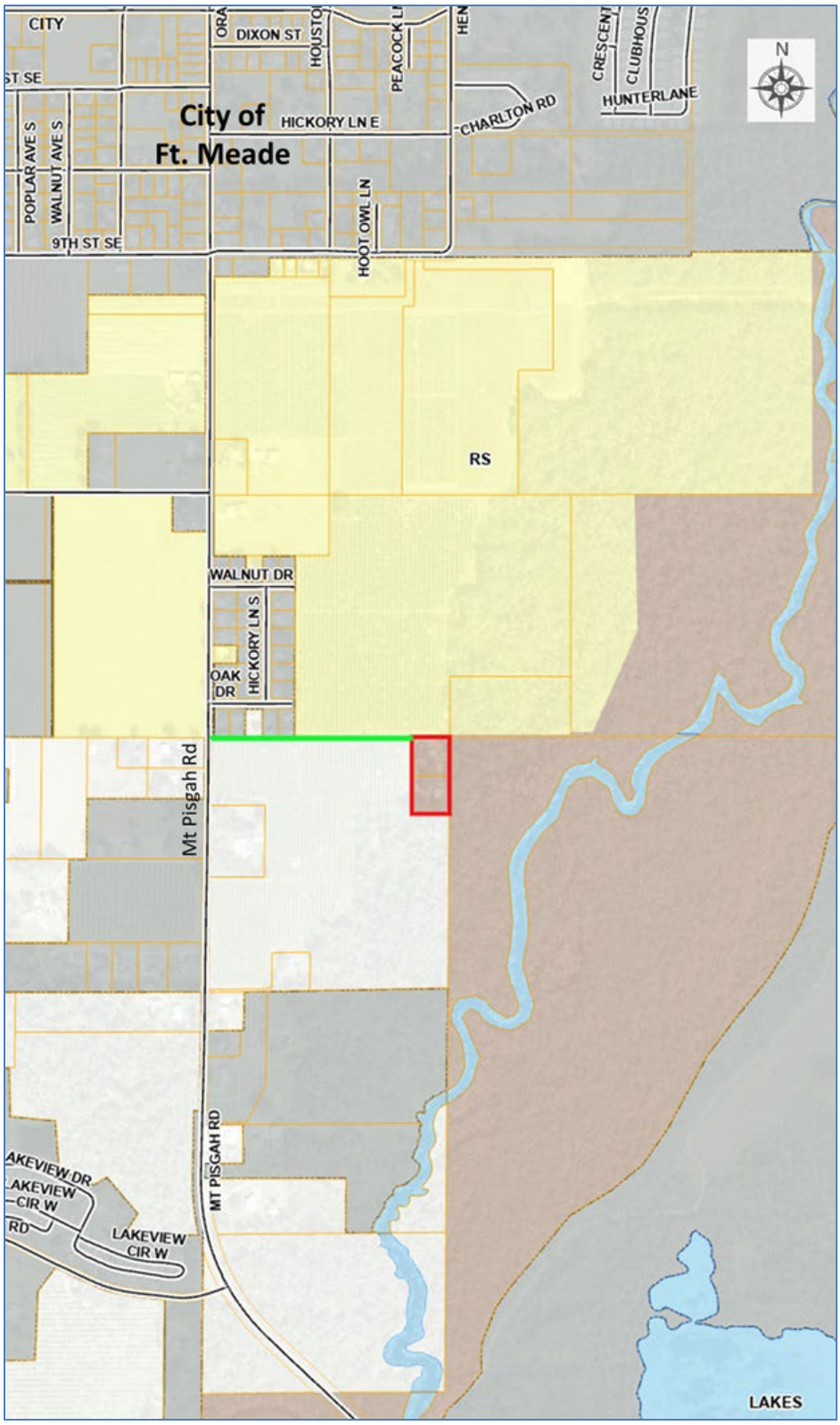
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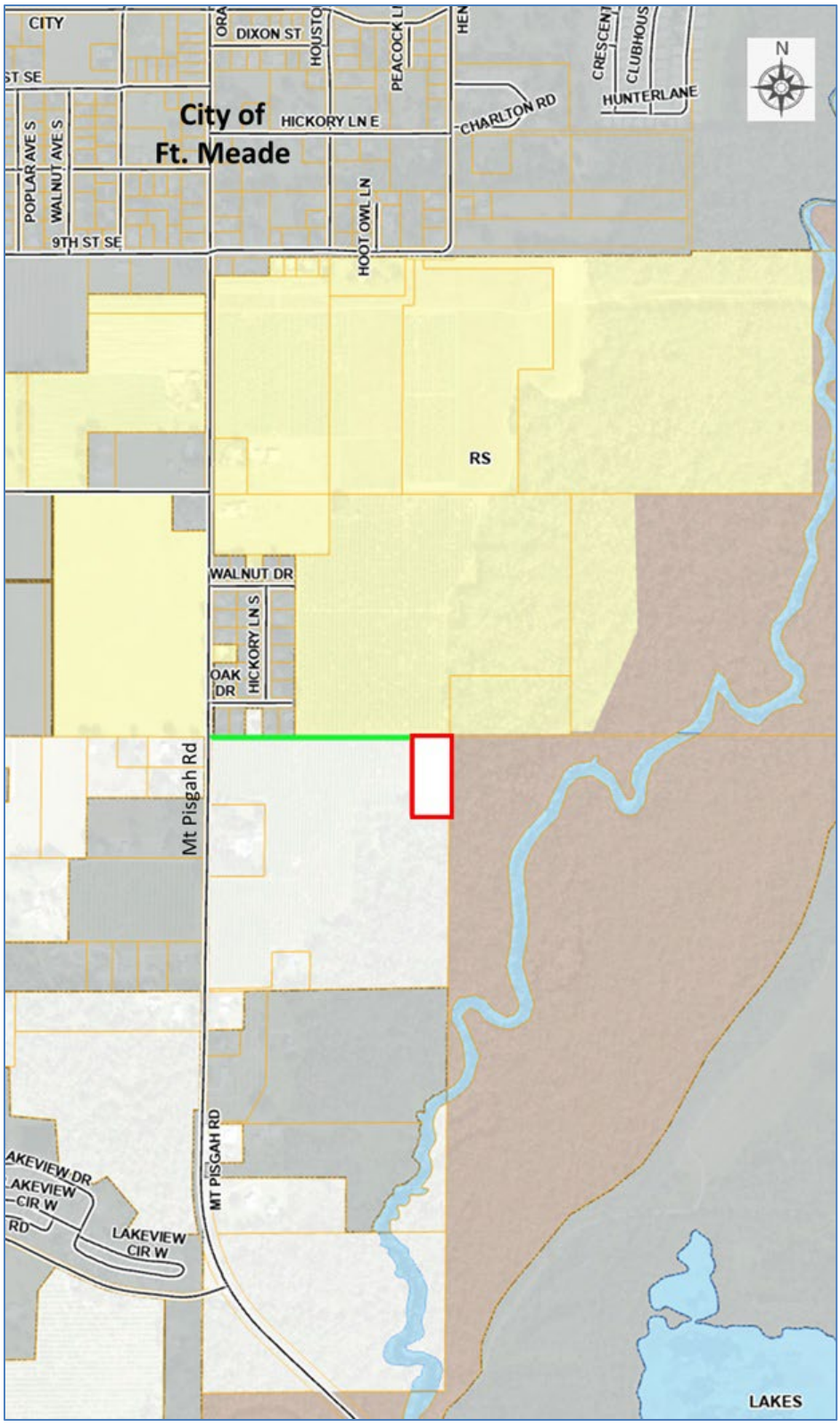
AERIAL MAP CONTEXT



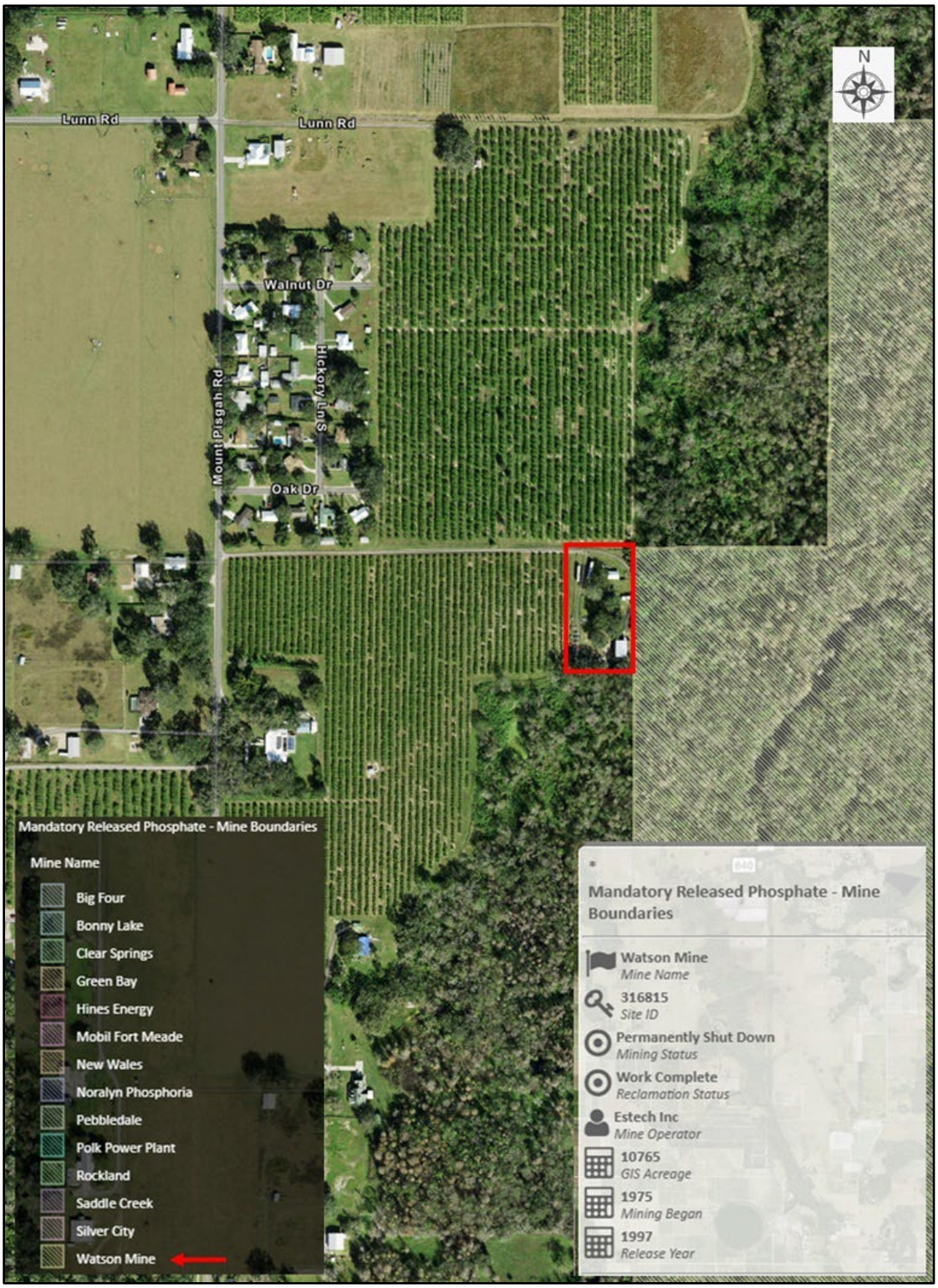
AERIAL MAP – CLOSE UP



CURRENT FUTURE LAND USE MAP



PROPOSED FUTURE LAND USE MAP



FDEP Phosphate Mine GIS

Parcel Number	Current Owner	Size (ac)
25-32-02-000000-033020	OUTLAW BRANDON M	1.0
25-32-02-000000-033050	YEOMAN CYNTHIA DENISE	1.0

SUBJECT PARCELS AND OWNERSHIP

Phosphate Mining (PM)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
Residential Uses:	Family Farm; Farm Worker Dormitory, Apartment Style, C2	**Residential Uses:**	Farm Worker Dormitory, Barrack Style, C3
		Mixed Uses:	Planned Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Communication Towers, Guyed and Lattice, C2 Communication Tower, Monopole, C2 Community Center, C2 Convenience Stores, Isolated, C2 Cultural Facility, C2 Farming General, P Heavy Machinery Equipment Sales and Services, P Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding, P Livestock Sale, Auction, P Manufacturing, Explosives/Volatile Material, C2 Manufacturing, General, C2 Manufacturing, Light, C2 Medical marijuana Dispensaries, C2 Motor Freight Terminal, C2 Nurseries and Greenhouses, P Recreation, Passive, C1 Recreation, Low Intensity, C2 Recreation Vehicle Storage, C2 Religious Institution, C2 Research and Development, C2 Riding Academies, C1 School, Technical/Vocational/Trade & Training, C2 Solar Electric-Power Generation Facility, C2 Utilities, Class I, P Utilities, Class II, P Utilities, Class III, C2 Veterinary Service, C2	**All Other Uses:**	Agricultural Support, Off-Site, C3 Airport, C4 Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, C4 Government Facility, C3 Gypsum Stack, C4 Hazardous Waste Transfer, Storage, C4 Hazardous Waste Treatment Facilities, C4 Lime Stabilization Facility, C3 Mining, Non-Phosphate, C3 Power Plants, Non-Certified, Low, C4 Power Plants, Non-certified, High, C4 Power Plants, Certified, C4 Railroad yard, C3 Recreation High Intensity, C3 School, Leisure/special Interest, C3 School, university/college, C3 Seaplane Base, C3 Water Ski Schools, C3 Vehicle Recovery Service/Agency, C2 Vehicle Repair, Auto Body, P Vehicle Service, mechanical, P Veterinary Service, C2 Warehousing/Distribution, P

Permitted and Conditional Uses in PM

Future Land Use Designation	Technical Staff Review -Level 1 & 2	Public Hearing (s) Required-Level 3 & 4
Agricultural/Residential Rural (A/RR)	**Residential Uses:** Family Farm, C1 Group Home, Small (6 or less residents), C1 Farm Worker Dormitory, Apartment Style, C2 Mobile Homes, Individual, C1 Single-family Detached Home & Subdivision **All Other Uses:** Animal Farm, Intensive Cemetery, C2 Communication Towers, Guyed and Lattice C2 Communication Tower, Monopole, C2 Convenience Stores, Isolated, C2 Emergency Shelter, Small (6 or less residents), C1 Farming General, Golf Course, C1 Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding Livestock Sale, Auction Nurseries and Greenhouses Recreation, Passive, C1 Recreation, Low Intensity, C2 Riding Academies, C1 Solar Electric-Power Generation Facility, C2 Utilities, Cass I Utilities, Cass II, C1 Veterinary Service	**Residential Uses:** Fly-in Community, C3 Group Home, Large (7-14 residents), C3 Group Living Facility (15 or more residents), C3 Farm Worker Dormitory, Barrack Style, C3 Mobile Home Park & subdivision, C3 Rural Residential Development (RRD), C3 **Mixed Uses:** Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Rural Mixed Development (RMD), C3 **All Other Uses:** Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-Site, C3 Airport, C4 Bed and Breakfast, C3 Breeding, Boarding, and Rehabilitation Facility Wild or Exotic, C3 Childcare Center, C3 Community Center, C3 Correctional Facility, C4 Cultural Facility, C3 Emergency Shelter, Medium (7-14 residents), C3 Emergency Shelter, Large (15 or more residents), C3 Event Facility, C3 Government Facility, C3 Institutional Campground, C3 Lime Stabilization Facility, C3 Lodges and Retreats, Private, C3 Marinas and Related Facilities,C3 Outdoor Concert Venue, C3 Recreation, High Intensity C3 Recreation, Vehicle Oriented, C3 Religious Institution, C3 Residential Treatment Facility, C4 School, Elementary, C3 School, Leisure/Special Interest C3 School Technical/Vocational/Trade & Training, C3 Seaplane Base, C3 Utilities, Cass III, C3 Water Ski Schools, C4

Permitted and Conditional Uses in A/RR

ORDINANCE NO. 26 -____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAS-2025-13;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 2.0+/- ACRES FROM PHOSPHATE MINING (PM) TO AGRICULTURAL/RESIDENTIAL RURAL (A/RR). THE SITE IS LOCATED EAST OF MT. PISGAH ROAD, SOUTH OF 9TH STREET SE, NORTH OF BERQUEST ROAD, WEST OF THE PEASE RIVER, SOUTHEAST OF THE CITY OF FORT MEADE, IN SECTION 02, TOWNSHIP 32, RANGE 25, RANGE 26; 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 May 6, 2026; 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 June 16, 2026; 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 1: 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 2.0± acres from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) in the Rural Development Area (RDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 1

25-32-02-000000-033020

N 208.71 FT OF E 208.71 FT OF NW1/4 OF NW1/4

Parcel 2

25-32-02-000000-033050

S 208.71 FT OF N 417.42 FT OF E 208.71 FT OF NW1/4 OF NW1/4

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on July 17, 2026 (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 4: FILING WITH THE DEPARTMENT OF STATE:

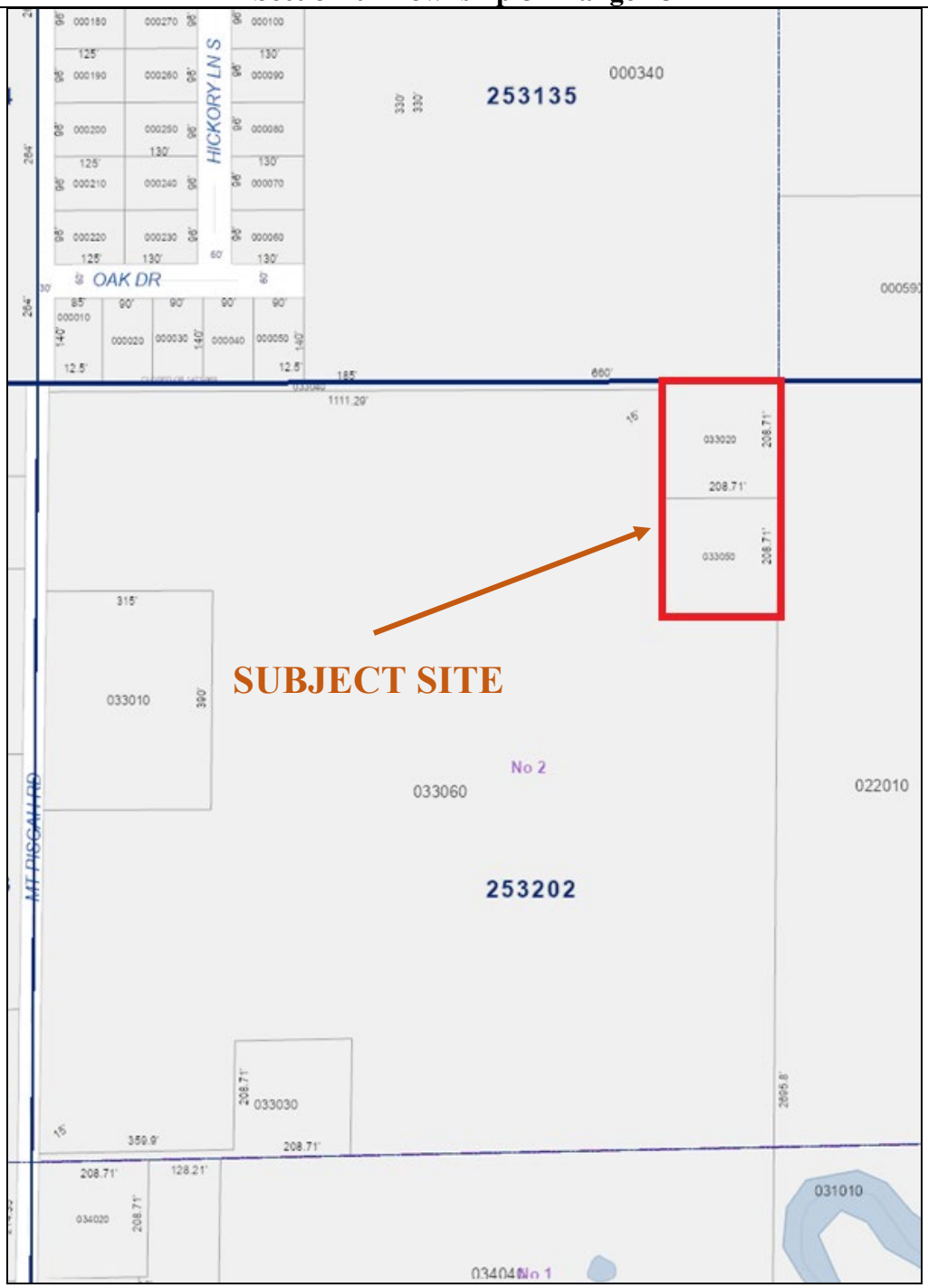
The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the

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 16th day of June 2026.

ATTACHMENT "A"

LDCPAS-2025-13
Development Area: Rural Development Area
Location: East of Mt. Pisgah Rd, west of Peace Ricer, south of F. Meade
Section-02 Township-32 Range-25



PARCEL DETAIL
Note: Not to Scale

Demonstration of Need and Impact Assessment Statement Form

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.

This land use change to A/RR is not sprawl and does not promote, allow or designate development is substantial areas of Polk County. This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan.

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.

A/RR is not an urban land use.

c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.

The A/RR is somewhat isolated. However, the intent of the PM area was to have land uses change to something other than PM when mining was completed, and A/RR is listed as one of those land uses in Policy 2.114-A3 PERMITTED ACTIVITIES.

d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.

There are no wetlands, floodplain, and floodway located on the subject site.

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan.

f. Fails to maximize use of existing public facilities and services.

The request if approved is consistent with the requirements for septic tanks and wells for wastewater and potable water. Therefore, there is not waste of services per the standards in the Comprehensive Plan.

g. Fails to minimize the use of future public facilities and services.

The area of the County that includes the subject site is not in an area where future public facilities or services are planned.

h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, stormwater management, law enforcement education health care, fire and emergency response, and general government.

The request if approved is consistent with the requirements for septic tanks and wells for wastewater and potable water. Therefore, there is not waste of services per the standards in the Comprehensive Plan.

i. Fails to provide a clear separation between urban and rural uses.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan. The separation between urban and rural uses is not impacted by this request.

j. Discourages or inhibits in-fill development or redevelopment of existing neighborhoods and communities.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan.

k. Fails to encourage an attractive and functional mix of land uses.

This request is for A/RR which is an allowable use in the Rural Development Area and is an appropriate land use once PM is not needed as stated in the PM policies in the Comprehensive Plan. The mixing of land use is not an appropriate land use pattern to promote or require in this area of the County.

l. Results in poor accessibility among linked or related land uses.

The project area consists of 2 lots of record, both are improved residential lots. The subject parcels have access to a County maintained road, Mt Pisgah Road, driveways would be required to meet the standards of Section 705 of the LDC.

m. Results in the loss of a significant amount of functional open space.

The project area consists of 2 lots of record, both are improved residential lots. No significant loss of functional open space is anticipated.

Section 910 Impact Assessment Statements

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. ***Land and Neighborhood Characteristics***

To assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

Policy 2.114-A2 requires this land use change if the subject site was not owned by a mining company or in a mining plan. Staff has found that the subject site was not owned by a mining company.

2. Provide a site plan showing each type of existing and proposed land use;

The project area of 2.0± acres consists of 2 lots of record, both are improved residential lots (Map H). Any new development would have to meet the standards for the A/RR in the Polk County Land Development Code.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

There is not active mining occurring to the north, east, south, or west. Therefore, efforts are not needed to minimize differences in uses.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped; and

The proposed A/RR is in an area with no current mining to the north, south, east, or west. Therefore, the existing uses of the adjacent properties are considered open space at this time.

5. Describe each of the uses proposed in a Planned Development and identify the following:

The request is a land use change and not a PD.

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses; and

d. The total area proposed for each type of use, including open space and recreation.

B. ***Access to Roads and Highways***

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

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

The project area of 2.0± acres consists of 2 lots of record, both are improved residential lots. The total number of additional trip units anticipated is 24 AADT and 3 PM Peak Hour Trips.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

There are no modifications needed to Mt Pisgah Road.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

Two sparking spaces are required outside of the garage, for new development.

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

The project area has approximately 15 feet of frontage on Mt Pisgah Road. Any new residential development will be required to meet Section 822 of the LDC.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

There are no other modes of transportation in this area of the county. There are no sidewalks or transit routes in the area.

C. ***Sewage***

To determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

The project area of 2.0± acres consists of 2 lots of record, both are improved residential lots. No new development will be made, no impacts to water or sewer capacity.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The property owners will only have access to septic tanks and wells.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

The property owners will only have access to septic tanks and wells. The project area is not within a utility service area. The location of a septic tank is the responsibility of the Health Department as Polk County does not have any additional requirements of the septic tank location outside of the Green Swamp. The Florida Department of Environmental Protection has the authority for well placement.

4. Identify the service provider; and

5. Indicate the current provider's capacity and anticipated date of connection.

D. ***Water Supply***

To determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

See answers for sewer supply.

1. Indicate the proposed source of water supply and, the type of treatment;

2. Identify the service provider;

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

4. Indicate the current provider's capacity and anticipated date of connection.

E. ***Surface Water Management and Drainage***

To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The project area represents 2 lots of record that will be changed to A/RR, as lots of record no additional stormwater system will be required. The project area consists of no vacant residential lots. Impacts to quality are assumed to be minimal because they are not regulated.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

The highest point on the overall site is at the northwest corner, at 103 feet, sloping to the southwest corner at 87 feet.

3. Describe the impact of such alterations on the fish and wildlife resources of the site; and

Certainly, any development has impacts on the natural environment. The project area consists of 9 lots of record, with 3 of the parcels representing vacant residential lots. Future development is anticipated to be representative of the existing residential and have minimal impact to the wildlife resources.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

This is not known at this time.

F. ***Population***

To determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

The project area consists of 2 lots of record, both are improved residential lots. No projected new population is anticipated with the request.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

Not Applicable

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

There is not expectation of expected demographics as this is not a PD request.

4. Describe the proposed service area and the current population thereof.

This is not in any service area.

G. ***General Information***

To determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

This question is more suitable to a PD as a specific product is known. This land use change request is consistent with Policy 2.114-A2 that provides if a property designated PM was not owned by a mining company, the future land use after PM can be A/RR or other recreation and institutional land uses. This request is consistent with that policy and in line with the other A/RR in the RDA. There are citizens that like to live in a rural area as demonstrated by the subject's project area. Of the 2 lots included within the application, there are no vacant lots.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

The residents in this property may have interest in competitive sports and will have to go to a regional park as other Polk County citizens. Passive recreation can be provided within each property. However, there are other passive recreational opportunities with other natural areas in the County.

b. Educational Facilities (preschool/elementary/middle school/high school);

The project area consists of 2 lots of record, with none of the parcels representing vacant residential lots. No increased school impact is anticipated. The zoned schools are Lewis Anna Woodbury Elementary, Ft Meade Middle/Sr, and Fort Meade Senior High.

c. Health Care (emergency/hospital);

The nearest hospital is in the City of Bartow. However, medical clinics are expanding.

d Fire Protection;

The nearest fire station per the Polk County GIS data viewer is in Ft Meade at 1235 9th Street NE. Staff will be asking for the most current information from Public Safety to use in the final staff report.

e. Police Protection and Security; and

The property is in the southwest district for the Sherriff's office. Staff will be asking for the most current response times to use in the final staff report.

f. Electrical Power Supply

The electrical supply is estimated to be TECO.

H. ***Maps***

See attached

1. 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.

2. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scales 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 accompany all Impact Assessment Statements:

3. Map A: A location map showing the relationship of the development to cities, highways, and natural features;

4. Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

5. Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

6. Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

7. Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths. **(See Location Map)**

8. Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

Not Applicable.

9. Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features. **See Map B**

Extra Map:

Map H: A Vacant Lot Map identifying the vacant residential lots within the Project Area. These lots represent the land area for future development within the requested Land Use change area.

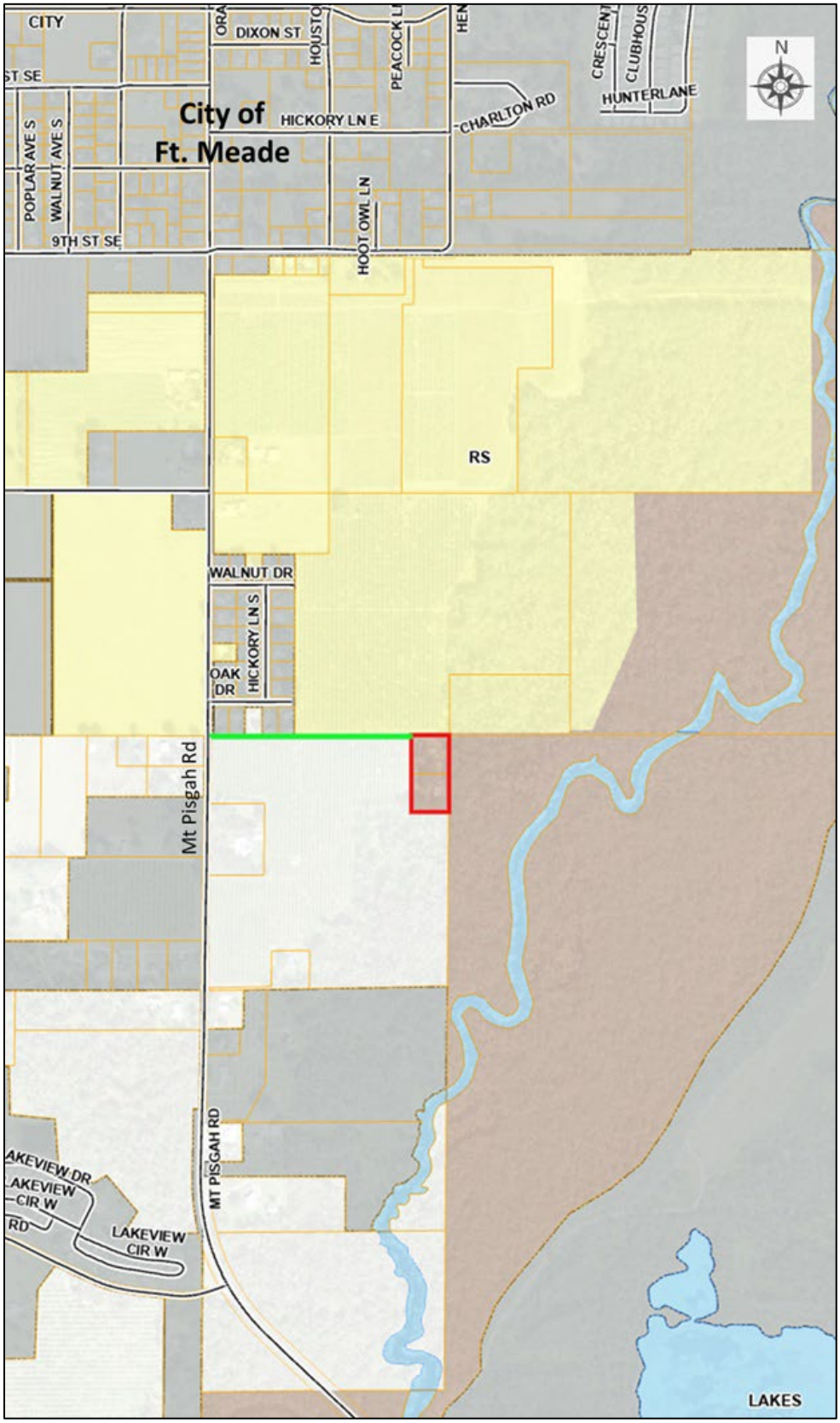
Map A – Location Map



Map B – Topographical Map

N/A

Map C – Current Land Use



Map D – Soils Map

N/A

Map H – Vacant Lot Map

N/A

Agenda Item 5. 5/6/2026

SUBJECT

LDCPAS-2026-4 (Fort Groves CPA)

DESCRIPTION

County initiated Future Land Use Map amendment to change the land use designation from Phosphate Mining (PM) to Agricultural/Rural Residential (A/RR). The subject site is located South of Hutchins Road, west of Old Bowling Green Road, southwest of the City of Fort Meade in Section 17, Township 32, Range 25.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

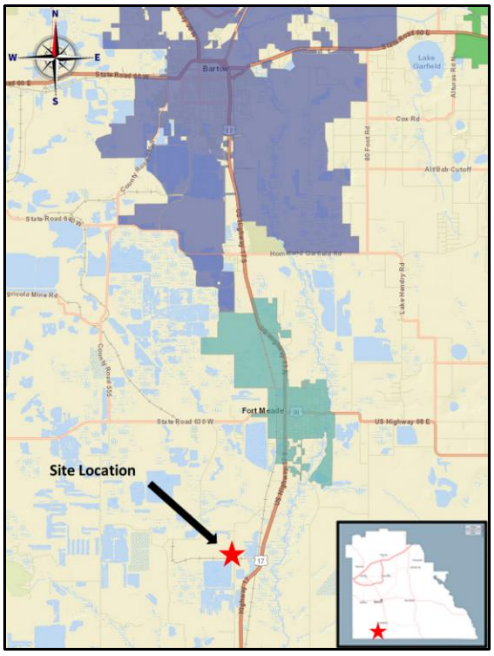
(863) 534-6764

aleyainglima@polkfl.gov

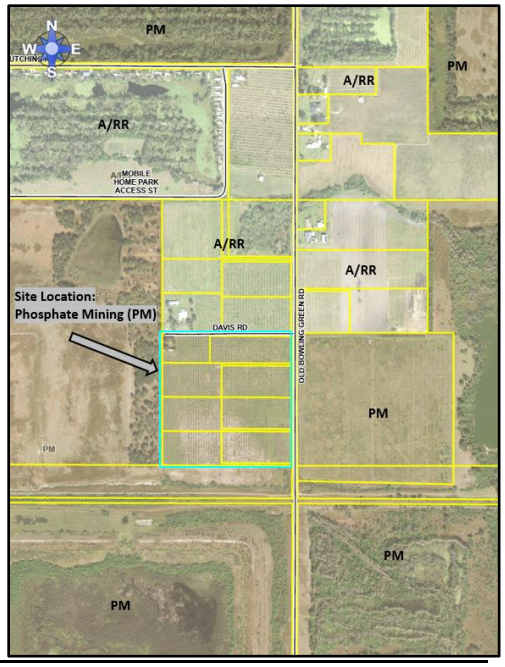
POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 5, 2026
Planning Commission Date:	May 6, 2026
BoCC Dates:	June 16, 2026
Applicant:	Polk County
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2026-4 (Fort Groves CPA)
Request:	County initiated Future Land Use Map amendment to change the land use designation from Phosphate Mining (PM) to Agricultural/Rural Residential (A/RR)
Location:	South of Hutchins Road, west of Old Bowling Green Road, southwest of the City of Fort Meade in Section 17, Township 32, Range 25.
Property Owner:	Fort Groves Inc
Parcel Size:	253217-486950-000080, 253217-486950-000070, 253217-486950-000060, 253217-486950-000050, 253217-486950-000030, 253217-486950-000040, 253217-486950-000020, 253217-486950-000010 (+/- 39 acres)
Development Area/Overlays:	Rural Development Area (RDA)
Future Land Use:	Phosphate Mining (PM)
Nearest Municipality	Fort Meade
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Aleya Inglima, Planner II

Location



Current Future Land Use



Summary

This is a County-initiated Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on approximately 39-acres, from Phosphate Mining (PM) to Agricultural/Rural Residential (A/RR) in the Rural Development Area (RDA). The subject site is located South of Hutchins Road, west of Old Bowling Green Road, southwest of the City of Fort Meade in Section 17, Township 32, Range 25. This property was previously owned and mined by Cities Service Company in the 1970s. It was later acquired by the applicant in the 90s and encumbrances cleared. Staff recommends approval.

The Fort Groves Plat has received prior approval; however, a portion of the property remains designated for Phosphate Mining on the Future Land Use Map. The proposed amendment is intended to support the long-term planning objectives for the area and the anticipated rural character of development. The Agriculture/Residential Rural designation supports low density residential development and agricultural uses, which are compatible with surrounding rural land uses and consistent with the County's Comprehensive Plan policies.

The amendment does not propose to increase density or intensity beyond what is permitted under the A/RR classification. Rather, it represents a reduction in intensity from a mining designation to a rural land use category. The change will facilitate appropriate rural residential development (1 du/5 ac) while supporting the protection of agricultural lands, maintaining open space, and preserving the rural character of the area.

Compatibility Summary

Section 2.114 of the Comprehensive Plan lists A/RR as one of the land uses for the conversion of PM lands. The surrounding uses are previously mined land and are compatible with five-acre residential lots. The A/RR maximum density of one dwelling unit per five acres is typical of the surrounding area.

Infrastructure Summary

The infrastructure is rural in nature. Public facilities and services are expected to be provided consistent with rural standards. The Agricultural/Residential Rural (A/RR) allows for a density of one dwelling unit per five acres. There is available capacity on Old Bowling Green Road and public safety services are available nearby.

Environmental Summary

There are a few environmental limitations to the development of this site for single-family residences, but they can be easily overcome with one dwelling unit per five acres within the A/RR. The site has no surface waters currently but previously did as a result of the previous mining operations. The soils are Arents and a typical of soils related to reclaimed mining operation and are of variable conditions and onsite investigation is recommended for use stability.

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
- Section 2.114 Phosphate Mining
- Section 121-A Agricultural/Residential Rural
- Policy 2.114-A4: Future Development of PM Land

Findings of Fact

Request and Legal Status

- This is an County-initiated request for a Comprehensive Plan Map amendment to change the Future Land Use designation from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR) on 39± acres.

- The County is initiating this request is consistent with Comprehensive Plan Policy 2.114-A2 which states that if property in the PM district that was not under a conceptual mining plan and owned by a phosphate mining company "may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use."

- Comprehensive Plan Policy 2.114-A3 which states that activities permitted and appropriate for the redevelopment of lands formerly utilized for phosphate mining operations and which demonstrate compliance with the Comprehensive Plan criteria may request a Comprehensive Plan amendment for Agricultural Residential Rural (A/RR)

- The subject property is in a Phosphate Mining (PM) Future Land Use Map district. The Comprehensive Plan permits only Phosphate mining and allied industries, land reclamation, agriculture, and Farmworker housing.

- Per Table 2.2 of the Land Development Code (LDC), the minimum residential lot size in an A/RR district is five (5) acres. Single-family residences are a permitted use in A/RR.

- The subject site includes eight (8) parcels at least five (5) acres or larger within the Fort Groves Plat

- The Fort Groves Plat includes 13 total lots with the northern portion in the A/RR.

Compatibility

The existing uses surrounding the site are:

- North – A/RR, Residential Use and Vacant Land
- East – PM, Former (reclaimed) phosphate mining
- South – PM, Former (reclaimed) phosphate mining
- West – PM, Former (reclaimed) phosphate mining

- The subject site was formerly phosphate mined land and has subsequently been reclaimed.

Infrastructure

- The property fronts Old Bowling Green Road and no other public roadway facility. There are no sidewalks

- The site has no access to centralized potable water or wastewater services.

- The subject property is zoned for Lewis Anna Woodbury Elementary School, Fort Meade Middle/Senior, and Fort Meade Senior High School.

- The Sheriff's Regional Command that serves the area is the Polk County Sheriff's Southeast Command Center at 4011 Sgt. Mary Campbell Way in Lake Wales approximately 32 miles to the northeast.

- Fire rescue response from Polk County Fire Rescue Station #10 at 1235 9th St NE, Fort Meade. It is approximately 6.4 miles driving distance.

- The nearest neighborhood park is the Fort Meade Park. The Bone Valley ATV Park is about twelve (12) miles away.

Environmental

- There are no surface waters on site

- The subject site does show wetlands related to the prior reclamation of the site from phosphate mining.

- The subject is comprised of Arents, with variable conditions and variable conditions and onsite investigation is recommended for use stability.

- There are no endangered species sighting near the property. (Source: Florida Natural Areas Inventory 2002, 2006, 2011, & 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- The site is not located in a wellfield.

- The site is not within a Airport Impact District.

- The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series.

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.

- According to POLICY 2.108-A1 of the Comprehensive Plan, the subject property is in a Rural Development Area (RDA). The RDA "is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments."

- Policy 2.114-A3: Permitted Activities allows for redevelopment of lands formerly utilized for phosphate mining operation to change to the Agricultural/Residential Rural (A/RR) district.

- POLICY 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources.

  The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies:

  Department of Environmental Protection, Bureau of Mine Reclamation

  Central Florida Regional Planning Council

  Phosphate Mining Industry

  Florida Institute of Phosphate Mining Research

  Florida Fish and Wildlife Conservation Commission

  Polk County Planning

  Polk County Natural Resources

  Polk County Cooperative Extension Services, Soils Conservation

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-2026-4.**

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. This property was previously owned and mined by Cities Service Company in the 1970s. In the 1990s the Fort family acquired the property. The site has been acquired by the applicant and encumbrances cleared. The surrounding mine is currently under reclamation, the Fort Meade mine by Mosaic (see exhibit 6).

Table 1

Northwest: PM ±181-acre parcel Former (reclaimed) phosphate mined land	**North:** Agriculture/Residential Rural (A/RR) Single-family residences In Fort Groves Plat	**Northeast:** Agriculture/Residential Rural (A/RR) Single-family residences
West: PM ±181-acre parcel Former (reclaimed) phosphate mined land	**Subject Property:** PM ±39-acre parcel in Fort Groves Plat Former (reclaimed) phosphate mined land	**East:** PM ±47-acre parcel Former (reclaimed) phosphate mined land
Southwest: PM ±634-acre parcel Former (reclaimed) phosphate mined land	**South:** PM ±634-acre parcel Former (reclaimed) phosphate mined land	**Southeast:** PM ±575-acre parcel Former (reclaimed) phosphate mined land

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

Compatibility with the Surrounding Uses, Environment, and Infrastructure

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 adopted definition for compatibility states it is "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."

The subject property was previously mined by Cities Service Company and subsequently reclaimed. The site has no surface water areas but has wetlands as the result of the reclamation process. To the north of the site are several single-family residences on parcels that range in size from one (1) to over ten (10) acres. This area is southwest of the city of Fort Meade and has been developed in a rural manner with lots that are typically an acre or larger.

A. Land Uses:

Section 2.114-A3 of the Comprehensive Plan lists A/RR as one of the land uses for the conversion of PM lands. The surrounding uses are previously mined lands as part of the Fort Meade mine and are compatible with five-acre residential lots. The A/RR maximum density of one dwelling unit per five acres is typical of the surrounding area.

B. Infrastructure:

The infrastructure is rural in nature. The Agricultural/Residential Rural (A/RR) allows for a density of one dwelling unit per five acres or eight (8) potential five-acre residential lots. There is available capacity on US 98 E and public safety services are available nearby.

C. Environmental:

The soil onsite is Arents-Water Complex which could pose septic tank limitations. There are no floodplains apparent on the site. Our GIS viewer does show wetlands on the property. The site is not located within an Airport Impact District or overlay for flight path and height restrictions.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Changes in school zones or annual fluctuations in population cohorts may reveal more capacity at the time these 8 households send students there. On average, 8 single -family dwelling units will only send one child to middle school in a given year.

Table 2

Name of School	Annual Estimated Demand	% Capacity 2025-2026 School Year	Distance From Subject Site
Lewis Anna Woodbury Elementary (Zoned)	1 student	87%	±5.3 mile driving distance
Fort Meade Middle (Zoned)	1 student	70%	±7.0 miles driving distance
Fort Meade High School (Zoned)	1 student	57%	±7.0 miles driving distance

Source: Polk County School Board, Duncan Associates Educational Facility Impact Fee Study, GIS

Nearest Sheriff, Fire, and EMS Station

Fire and EMS response to this project is from Polk County Fire Rescue Station 10, located at 1235 9th St NE, Fort Meade. The travel distance is under 6.4 miles with an average response time of 7-9 minutes. Fire Station 10 is staffed 27/7 with career firefighters and augmented by response from other similarly staffed county fire stations and through interlocal mutual aid agreements with the surrounding municipalities. There are no fire hydrants within the immediate area, which will need to be addressed in the future.

Sheriff's response to the site is served by the Southeast District, located at 4011 Sgt. Mary Campbell Way in Lake Wales. The response times for the Southeast District were: P1 – 10:04 minutes; P2 – 30:54 minutes. 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 district. The facilities are within appropriate distances to the subject site for a rural area.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Southeast District (4011 Sgt. Mary Campbell Way in Lake Wales)	±32 miles	P1: 10:04 minutes P2: 30:54 minutes
Fire/EMS	Polk County Fire Rescue Station #10 (1235 9th St NE, Fort Meade)	±6.4 miles	7-9 minutes

Source: Polk County Sheriff's Office and Public Safety for January 2026; Polk County Fire Rescue Response Times for April 2026
**Response times are based on when the station receives the call and not from when the call is made to 911.*

Water and Wastewater Demand and Capacity

The subject site is in the RDA and is not within any utility service area. Water and sewer lines are not near the subject site. Potable water will be provided by a well, and an onsite septic treatment system will be utilized to handle wastewater for each individual lot.

A. Estimated Demand and Service Provider:

Table 4, following this paragraph, shows the potable water needs and the wastewater generation rates being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR, which is the context of the request. The changes to IND have been along railroad lines. The subject site is not along a railroad and is adjacent to the city limits of Fort Meade. Therefore, it is more realistic that the proposed use will require more water and generate more wastewater than the historical agricultural use of the subject site. However, IND uses tend to be more impactive in terms of noise, vibrations, and odors. So, the analysis below is based on PM having industrial uses.

Table 4

Subject Property	Estimated Impact Analysis	
±39 acres *PM*	**Maximum Permitted in Existing Land Use** (*PM*)	**Maximum Permitted in Proposed** (*A/RR)*
Permitted Intensity 39± acres	1,698,840 sq ft X 0.75 FAR = 1,274,130	8 platted lots
Potable Water Consumption (GPD)	1,274,130 X 0.24 = 305,791 GPD	8 x 250 = 2,000 GPD

Wastewater Generation (GPD)	305,791 GPD X 80% = 244,633 GPD	8 x 200 = 1,600 GPD

Source: Concurrency Manual: PM@ IND rates @ 0.24 per sq ft and 80% for wastewater, single family @ 250 GPD Potable water and 200 Wastewater.

The subject area of the change includes the majority of the eighth lot. So, for purposes of the impact analysis, 8 lots were used even though 39 acres yields 7.8 lots for (5) acres in size.

B. Service Provider

The subject site is not within any utility service area. Therefore, all development on the subject site will require wells and septic tanks.

C. Available Capacity

The subject site is not within any utility serve areas. Therefore, all development on the subject site will require wells and septic tanks. The capacity of these systems will be based on the parameters of the permitting agency.

D. Planned Improvements

There are no utility improvements near the subject site.

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 being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR. IND uses tend to be more impactive in terms of noise, vibrations, and odors. So the traffic analysis below is based on PM having industrial uses. The subject area of the change includes the majority of the eighth lot. So, for purposes of the impact analysis, 8 lots were used even though 39 acres yields 7.8 lots for (5) acres in size.

Table 5

Subject Property	**Estimated Impact Analysis**	
±39 acres *PM*	**Maximum Permitted in Existing Land Use** (*PM*)	**Maximum Permitted in Proposed** (*A/RR)*
Average Annual Daily Trips (AADT)	1,274,130 / 1,000 = 1,274 sq ft 1,274 sq ft x 3.93 x 92% = **4,607 AADT**	39 / 5 = 8 units **8 x 7.81 = 63 AADT**
PM Peak Hour Trip	1,274 x 0.67 x 92% = 786 PM Peak Trips	**8 x 1 = 8 PM Peak Hour Trips**

Source: Concurrency Manual and Table for Minor Traffic Study –PM @ IND rates ITE Code 140 @ 3.93 AADT per 1,000 square feet and 0.67 PM Peak Hour Trip per 1,000 square feet and 92% new trips, single family @ one house per five acres – 7.81 AADT per unit and 1 PM Peak Hour per unit 100% new trips

B. Available Capacity:

Old Bowling Green Road is not tracked though TPO roadway database. The nearest link is US 17/Hardee County Line. It has a current Level of Service (LOS) through this part of the County is "C". The minimum LOS on the eastern portion of US 17/Hardee County Line is "D". The density of one (1) house per five acres will generate 8 homes and this is expected to generate a total of 62 AADT and 8 PM Peak Hour Trips. This will not have any significant impact on the roadway capacity.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard	Projected Five Year LOS
5001N	US 17 From: Hardee County Line To: 9th Street SE	C	1,173	D	C
5001S	US 17 From: Hardee County Line To: 9th Street SE	C	1,198	D	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January, 2026

C. Roadway Conditions:

Old Bowling Green Road is a two-lane undivided Rural minor collector (RNC) road that appears in good condition. Old Bowling Green Road is maintained by the County. The condition of the roadways and the LOS change over time. The conditions are addressed when development access a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development in the short run.

D. Sidewalk Network

Old Bowling Green Road does not have any sidewalks. The subject site is in the Rural Development Area (RDA) which does not require sidewalks within the right of way on a public road.

E. Planned Improvements:

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

F. Mass Transit

There are no nearby bus routes.

Park Facilities and Environmental Lands

The following analysis is based on public recreation facilities. The nearest neighborhood park is the Bradley Junction Park. The Bone Valley ATV Park is about twelve (12) miles away.

A. Location:

Fort Meade Park is located in the northeast part of Fort Meade. Its current hours of operations are from 5 a.m. to 10 p.m. The park's amenities include baseball Fields, basketball Court(s), picnic tables, playground, and softball facilities.

Bone Valley ATV Park is on the south side of County Road 630 and east of State Road 37. It is a 200-acre tract of land with 15 trails, hill climbs and free riding areas. Below are the hours and fees for the park, along with important safety and registration information. The address is 10427 County Road 630 W. in Mulberry.

C. Environmental Lands:

There are no County owned Environmental Lands in this part of the County.

D. Planned Improvements:

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

Environmental Conditions

The site had citrus on it previously, and Polk County data viewer shows it has wetlands as a result of the previous mining operations. The soils are Arents and a typical of soils related to reclaimed mining operation and are of variable conditions and onsite investigation is recommended for use stability.

A. Surface Water:

The highest point is 119 feet above sea level, northwest of the property; the lowest is 102 feet above MSL near the southeast corner. The site has no surface waters but shows wetlands being a result of the reclamation process.

B. Wetlands/Floodplains:

Wetlands show on the County's data viewer covering a portion land. The site has no Flood Zones mapped.

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 type is a soil that is related to reclaimed mining operation and are of variable conditions and onsite investigation is recommended for use stability.

Table 7

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Small Commercial Buildings**	**% of Site** *(approximate)*
Arents-Water Complex	Severe: wetness	Severe: wetness	100%

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

D. Protected Species:

According to Polk County Endangered Habitat Maps, the subject site does not sit within a zone where any protected species have been documented or observed.

E: Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series.

F Archeological and Historical Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological or historical resources listed in the Florida Master Site File.

G. Wells (Public/Private)

The subject site is not located on a wellfield. Staff has no knowledge of any wells on site.

H. Airports:

The site is not within any Airport Height Notification or In-Flight Visual Interference Zones.

Economic Factors:

The subject site is only 39± acres, the requested Land Use designation change is to Agricultural/Residential Rural (A/RR) and would have short term economic impact if the site were developed into single-family residential.

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:

- Policy 2.102-A10 Location Criteria
- Section 2.114 Phosphate Mining
- Section 121-A Agricultural/Residential Rural

Table 8

Comprehensive Plan Policy	Consistency Analysis
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	The requested Agricultural/Residential Rural (A/RR) Future Land Use is intended for low-density use and is consistent with services available in the Rural Development Area (RDA).

Comprehensive Plan Policy	Consistency Analysis
land are by-passed in favor of development more distant from services and existing communities.	
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 neighboring Future Land Use Map designations are predominantly PM & A/RR and previously mined for phosphate. To the north consists of single-family development on lots that range from 1 to 10+ acres. To the northeast is the City of Fort Meade.
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.	One home per five acres does not need many services at all other than the potential need for public safety services and access for visitors. Future homeowners' expectations for urban services should be low this far from the nearest municipality. A/RR is the main residential and agricultural designation in the RDA. Therefore, this request is consistent with these policies.
POLICY 2.114-A3: PERMITTED ACTIVITIES - The following activities shall be permitted within the Phosphate Mining land use category as mapped pursuant to Policy 2.114-A2: a. Phosphate mining and allied industries; b. Land reclamation; c. Agriculture and Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre; d. Other land uses with conditional approval which are compatible and related with the extraction and processing of phosphate; and e. Subject to the adoption of a Comprehensive Plan amendment, any activities permitted within the following land use designations, which are appropriate for the redevelopment of lands formally utilized for phosphate mining operations and which demonstrate compliance with the Comprehensive Plan criteria for each use: 1. Preservation. 2. Recreation and Open Space. 3. Leisure/Recreation. 4. Institutional. 5. Rural Cluster Centers. 6. Tourism Commercial Centers. 7. Business Park Centers. 8. Industrial. 9. Rural Mixed-Use Developments. 10. New Communities. 11. Agricultural/Residential Rural only.	The site was previously mined for phosphate and was subsequently reclaimed. This Policy allows for the reclaimed land to be remapped for several different Future Land Use districts, A/RR is one of the uses and therefore meets the policy
POLICY 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs,	Staff is coordinating with the Phosphate Review Group to obtain any comments.

Comprehensive Plan Policy	Consistency Analysis
compatibility with adjacent uses, and protection of existing natural resources. The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies: Department of Environmental Protection, Bureau of Mine Reclamation Central Florida Regional Planning Council Phosphate Mining Industry Florida Institute of Phosphate Mining Research Florida Fish and Wildlife Conservation Commission Polk County Planning Polk County Natural Resources Polk County Cooperative Extension Services, Soils Conservation These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.	

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 11 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 11

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections referenced in this report**
a. Promotes substantial amounts of low-density, low intensity, or single use development in excess of demonstrated need.	Summary of analysis
b. Allows a significant amount of urban development to occur in rural areas.	Summary of analysis
c. Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.	Summary of analysis, surrounding Development, compatibility
d. Fails to adequately protect and conserve natural resources and other significant natural systems.	Summary of analysis, surrounding Development, compatibility
e. Fails to adequately protect adjacent agricultural areas.	Compatibility with Surrounding Land Uses
f. Fails to maximize existing public facilities and services.	Summary of Analysis, Infrastructure
g. Fails to minimize the need for future facilities and services.	Summary of Analysis, Infrastructure
h. Allows development patterns that will disproportionately increase the cost of providing public facilities and services.	Summary of Analysis, Infrastructure
i. Fails to provide a clear separation between urban and rural uses.	Summary of Analysis, Compatibility with Surrounding Land Uses
j. Discourages infill development or redevelopment of existing neighborhoods.	Summary of Analysis, Compatibility with Surrounding Land Uses

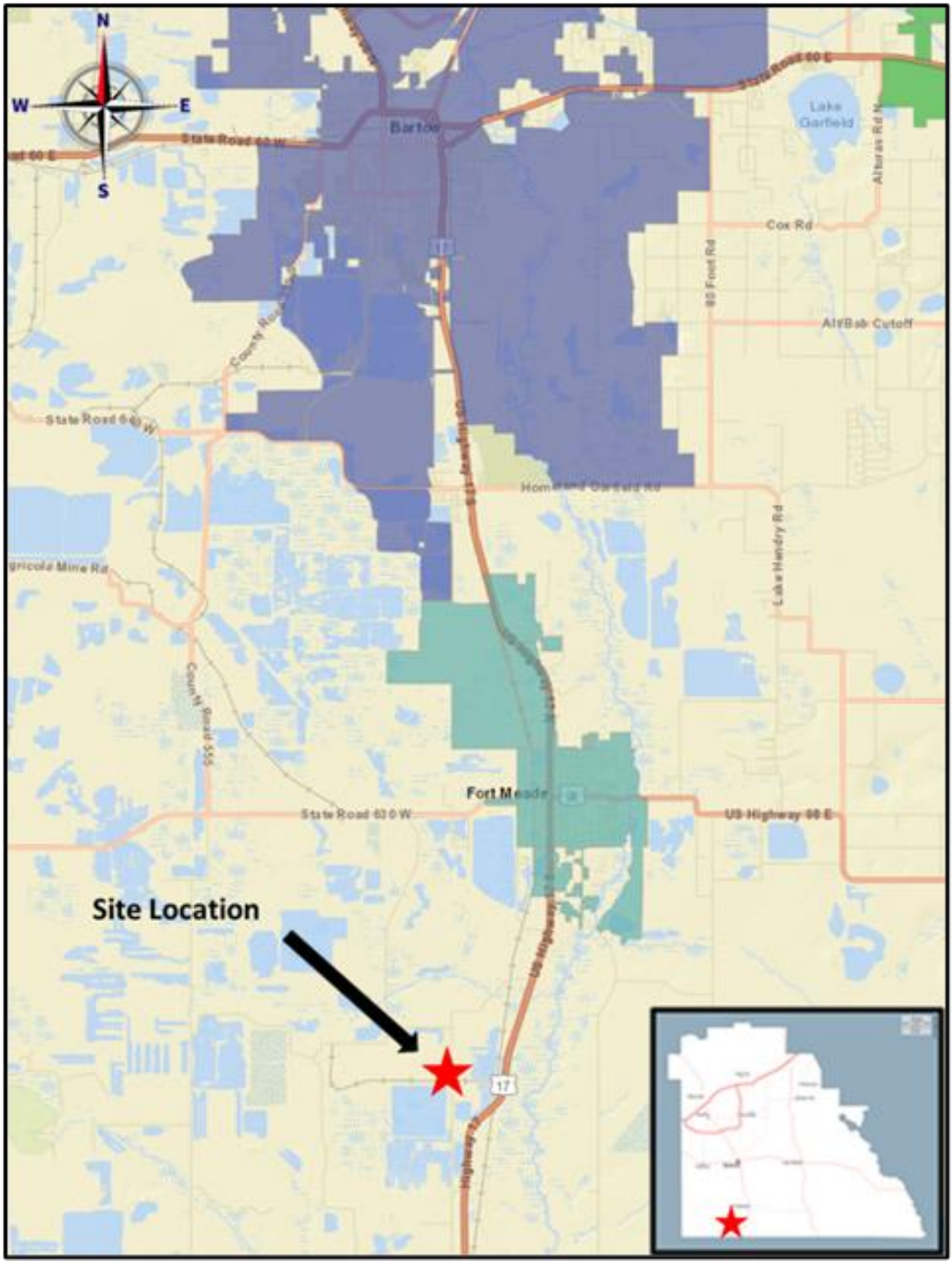
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections referenced in this report**
k. Fails to encourage an attractive and functional mixture of land uses.	Summary of Analysis, Compatibility with Surrounding Land Uses
l. Will result in poor accessibility among linked or related land uses.	Summary of Analysis, Compatibility with Surrounding Land Uses
m. Results in the loss of a significant amount of open space.	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments from other Agencies:

The mineral rights owners were notified and staff received no response.

Exhibits:

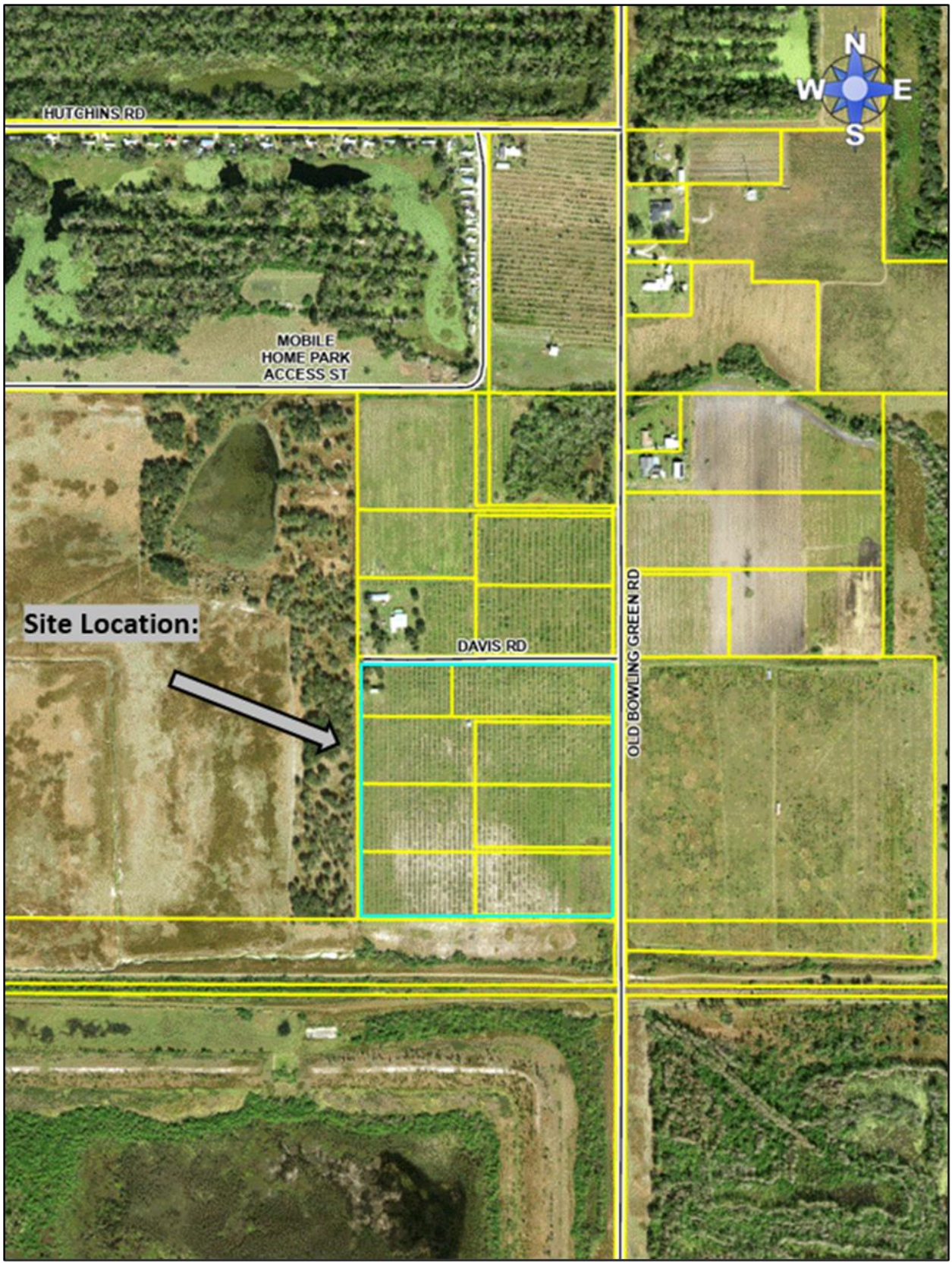
Exhibit – 1 Location Map
Exhibit – 2 2023 Satellite Image (Context)
Exhibit – 3 2023 Aerial Photo (Close-up)
Exhibit – 4 Existing Future Land Use Map
Exhibit – 5 Proposed Future Land Use Map
Exhibit – 6 FDEP Phosphate Mine GIS
Exhibit – 7 Fort Meade Mine
Exhibit – 8 Permitted and Conditional Uses in PM
Exhibit – 9 Permitted and Conditional Uses in A/RR



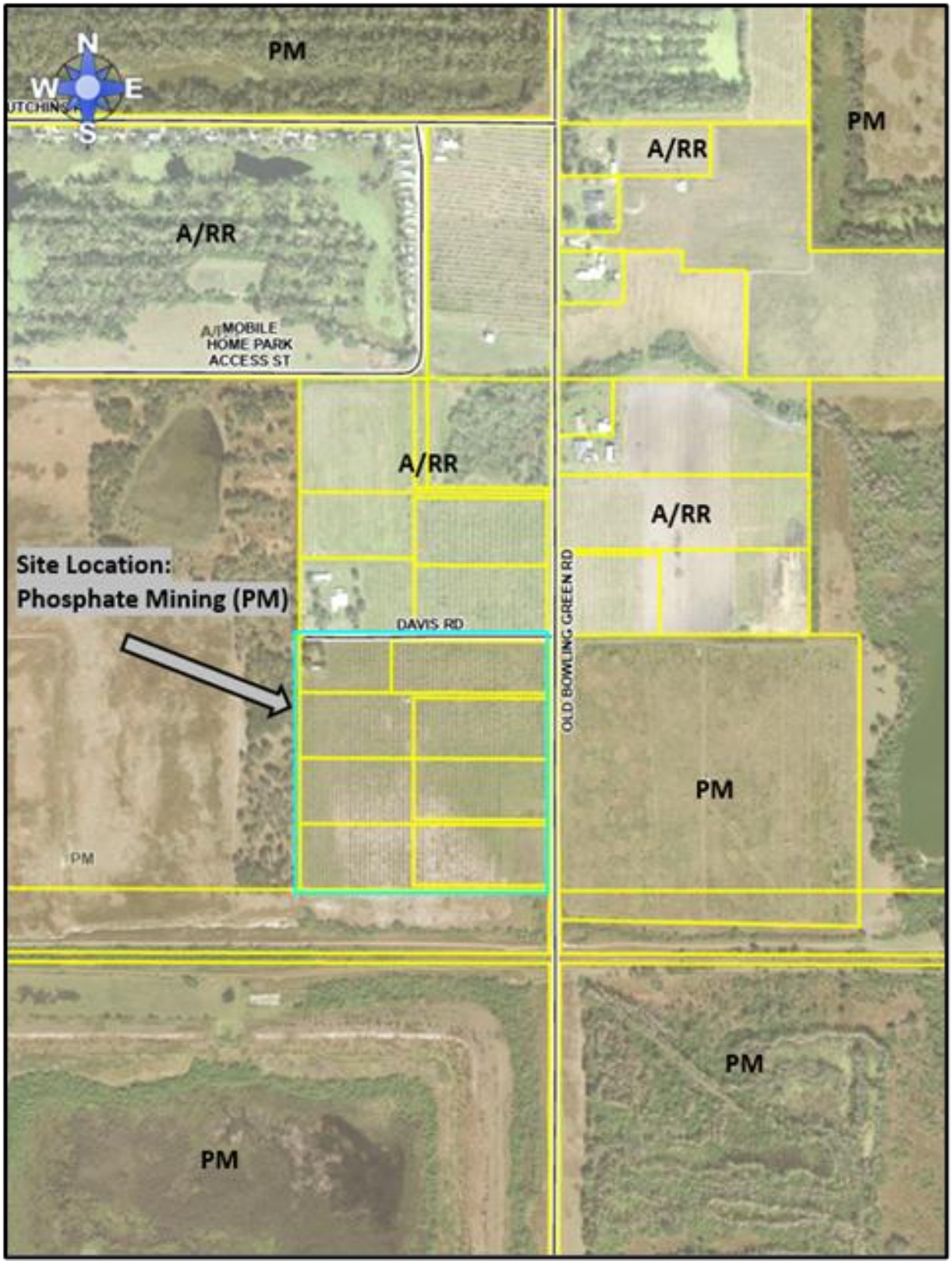
Location Map



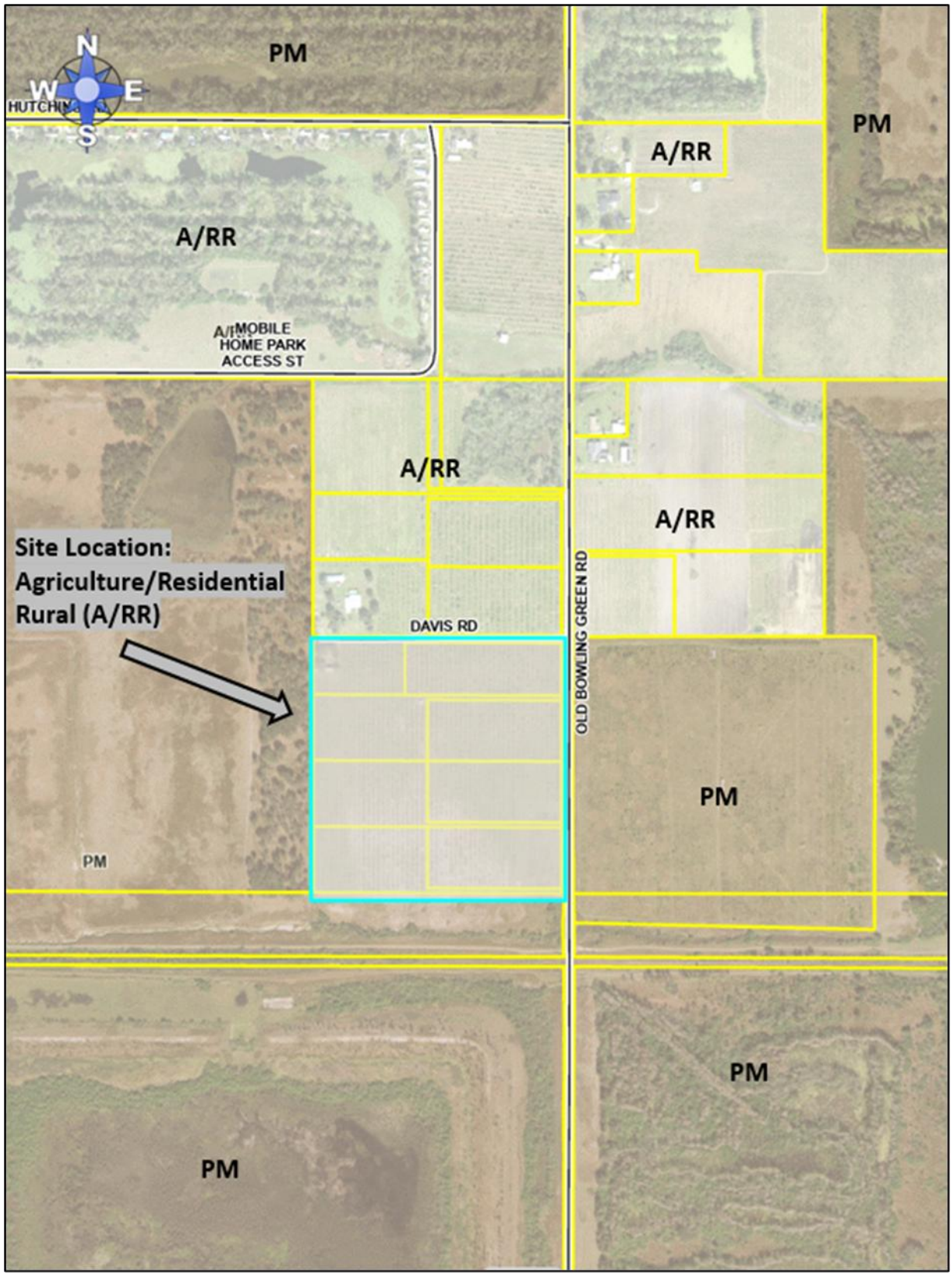
2023 Satellite Image (Context)



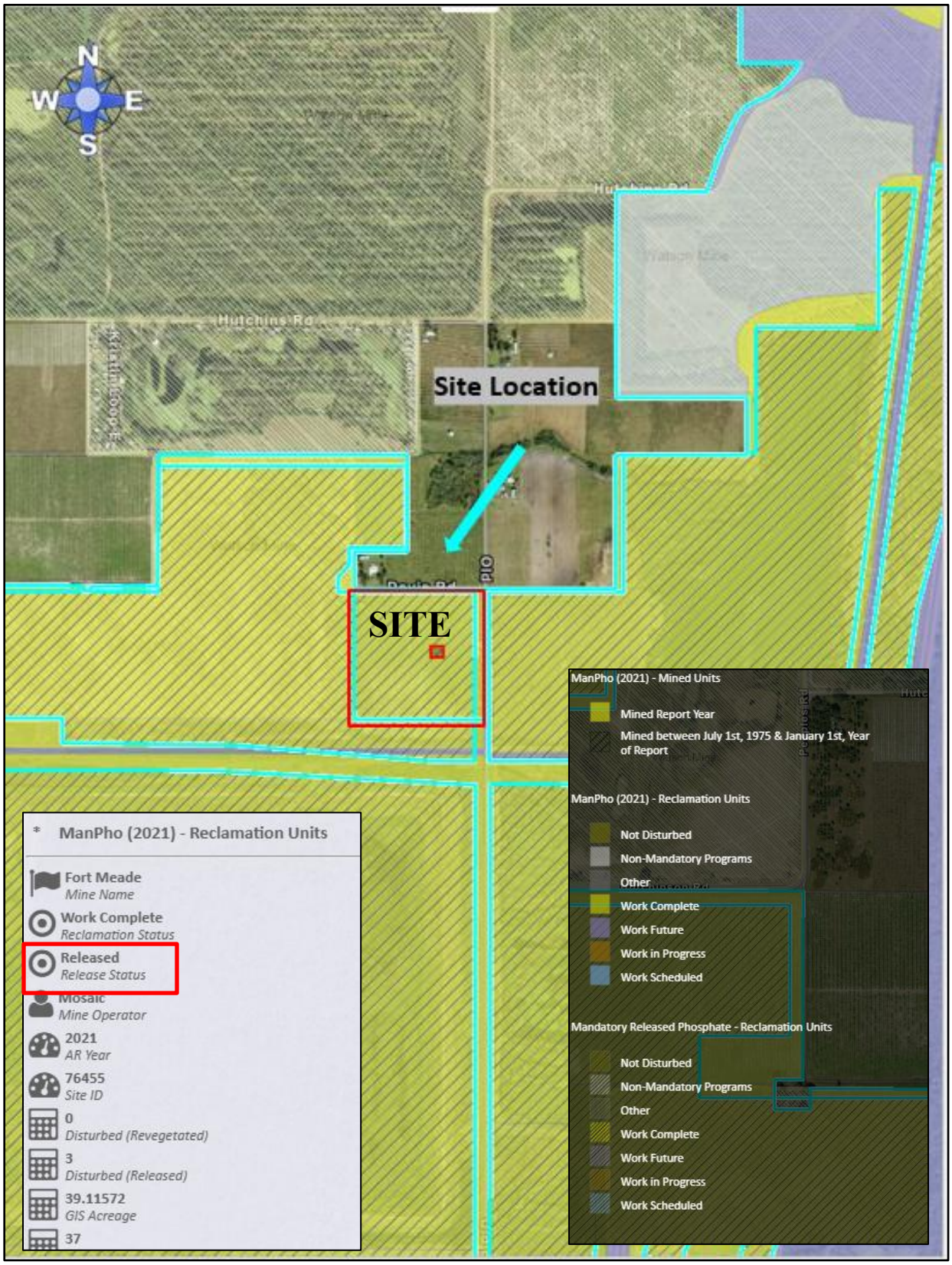
2023 Aerial Photo (Close-up)



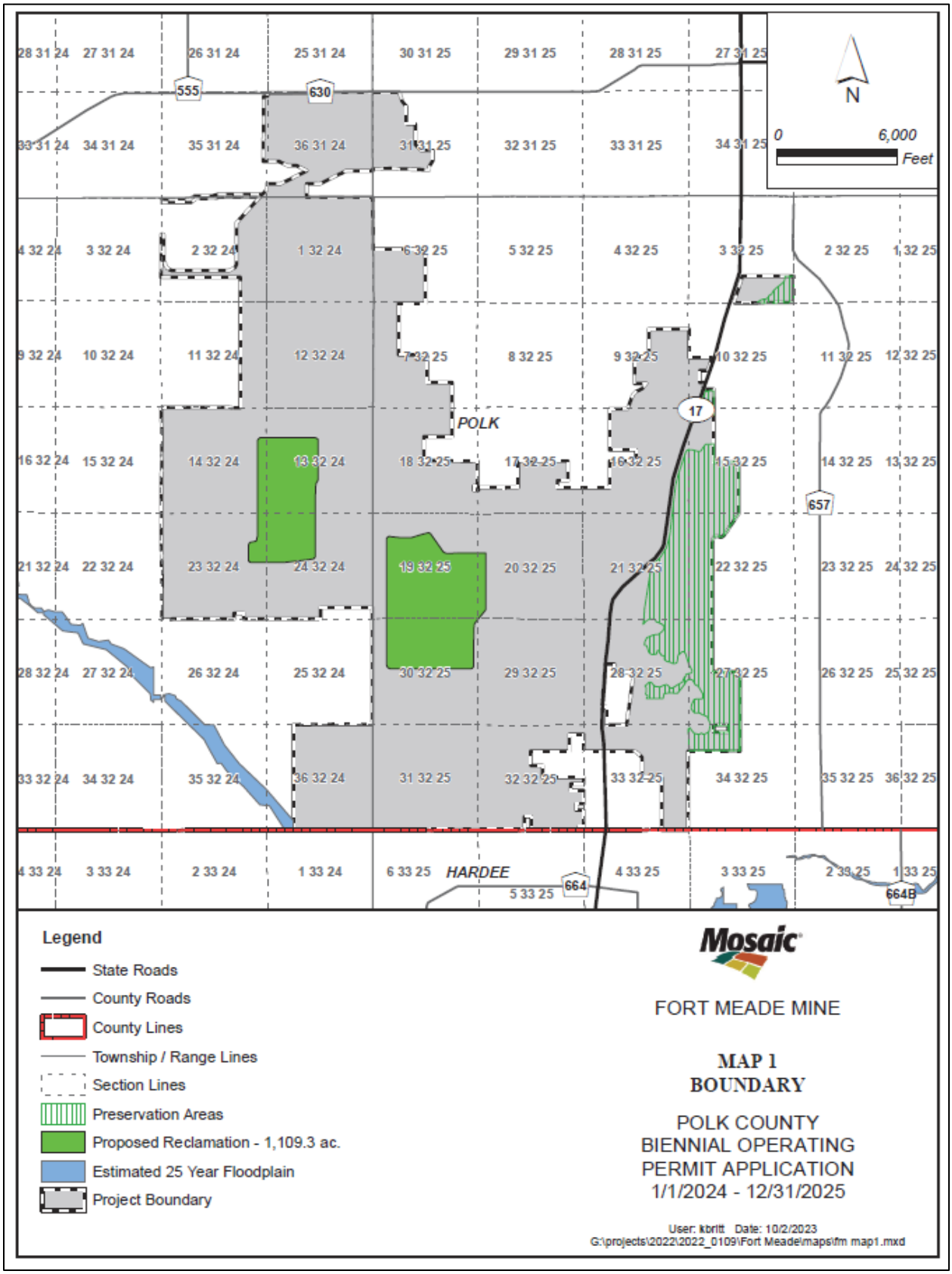
Existing Future Land Use Map



Proposed Future Land Use Map



FDEP Phosphate Mine GIS



Fort Meade Mine

Phosphate Mining (PM)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
Residential Uses:	Family Farm; Farm Worker Dormitory, Apartment Style, C2	**Residential Uses:**	Farm Worker Dormitory, Barrack Style, C3
		Mixed Uses:	Planned Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Communication Towers, Guyed and Lattice, C2 Communication Tower, Monopole, C2 Community Center, C2 Convenience Stores, Isolated, C2 Cultural Facility, C2 Farming General, P Heavy Machinery Equipment Sales and Services, P Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding, P Livestock Sale, Auction, P Manufacturing, Explosives/Volatile Material, C2 Manufacturing, General, C2 Manufacturing, Light, C2 Medical marijuana Dispensaries, C2 Motor Freight Terminal, C2 Nurseries and Greenhouses, P Recreation, Passive, C1 Recreation, Low Intensity, C2 Recreation Vehicle Storage, C2 Religious Institution, C2 Research and Development, C2 Riding Academies, C1 School, Technical/Vocational/Trade & Training, C2 Solar Electric-Power Generation Facility, C2 Utilities, Class I, P Utilities, Class II, P Utilities, Class III, C2 Veterinary Service, C2	**All Other Uses:**	Agricultural Support, Off-Site, C3 Airport, C4 Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, C4 Government Facility, C3 Gypsum Stack, C4 Hazardous Waste Transfer, Storage, C4 Hazardous Waste Treatment Facilities, C4 Lime Stabilization Facility, C3 Mining, Non-Phosphate, C3 Power Plants, Non-Certified, Low, C4 Power Plants, Non-certified, High, C4 Power Plants, Certified, C4 Railroad yard, C3 Recreation High Intensity, C3 School, Leisure/special Interest, C3 School, university/college, C3 Seaplane Base, C3 Water Ski Schools, C3 Vehicle Recovery Service/Agency, C2 Vehicle Repair, Auto Body, P Vehicle Service, mechanical, P Veterinary Service, C2 Warehousing/Distribution, P

PERMITTED AND CONDITIONAL USES IN PM

Future Land Use Designation	Technical Staff Review -Level 1 & 2	Public Hearing (s) Required-Level 3 & 4
Agricultural/Residential Rural (A/RR)	**Residential Uses:** Family Farm, C1 Group Home, Small (6 or less residents), C1 Farm Worker Dormitory, Apartment Style, C2 Mobile Homes, Individual, C1 Single-family Detached Home & Subdivision **All Other Uses:** Animal Farm, Intensive Cemetery, C2 Communication Towers, Guyed and Lattice C2 Communication Tower, Monopole, C2 Convenience Stores, Isolated, C2 Emergency Shelter, Small (6 or less residents), C1 Farming General, Golf Course, C1 Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding Livestock Sale, Auction Nurseries and Greenhouses Recreation, Passive, C1 Recreation, Low Intensity, C2 Riding Academies, C1 Solar Electric-Power Generation Facility, C2 Utilities, Cass I Utilities, Cass II, C1 Veterinary Service	**Residential Uses:** Fly-in Community, C3 Group Home, Large (7-14 residents), C3 Group Living Facility (15 or more residents), C3 Farm Worker Dormitory, Barrack Style, C3 Mobile Home Park & subdivision, C3 Rural Residential Development (RRD), C3 **Mixed Uses:** Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Rural Mixed Development (RMD), C3 **All Other Uses:** Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-Site, C3 Airport, C4 Bed and Breakfast, C3 Breeding, Boarding, and Rehabilitation Facility Wild or Exotic, C3 Childcare Center, C3 Community Center, C3 Correctional Facility, C4 Cultural Facility, C3 Emergency Shelter, Medium (7-14 residents), C3 Emergency Shelter, Large (15 or more residents), C3 Event Facility, C3 Government Facility, C3 Institutional Campground, C3 Lime Stabilization Facility, C3 Lodges and Retreats, Private, C3 Marinas and Related Facilities,C3 Outdoor Concert Venue, C3 Recreation, High Intensity C3 Recreation, Vehicle Oriented, C3 Religious Institution, C3 Residential Treatment Facility, C4 School, Elementary, C3 School, Leisure/Special Interest C3 School Technical/Vocational/Trade & Training, C3 Seaplane Base, C3 Utilities, Cass III, C3 Water Ski Schools, C4

PERMITTED AND CONDITIONAL USES IN A/RR

ORDINANCE NO. 26 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2026-4;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 39± ACRES FROM PHOSPHATE MINING (PM) TO AGRICULTURAL/RESIDENTIAL RURAL (A/RR). THE SUBJECT SITE IS LOCATED SOUTH OF HUTCHINS ROAD, WEST OF OLD BOWLING GREEN ROAD, SOUTHWEST OF THE CITY OF FORT MEADE IN SECTION 17, TOWNSHIP 32, RANGE 25; 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 May 6, 2026; 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 June 16, 2026; 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 1: 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 39+/- acre site from Phosphate Mining (PM) to Agriculture/Residential Rural (A/RR) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Described as: A PORTION OF LAND(S) LYING IN SECTION 17, TOWNSHIP 32 SOUTH, RANGE 25 EAST, POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS: THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 17, TOWNSHIP 32 SOUTH , RANGE 25 EAST.

Including all of or a portions of the following parcels:

253217-486950-000070,
253217-486950-000060,
253217-486950-000050,
253217-486950-000040,
253217-486950-000030,
253217-486950-000020,
253217-486950-000010,

and a portion of parcel (253217-486950-000080):

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on July 17, 2026 (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 Commerce 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 4: 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 16th day of June 2026.

ATTACHMENT "A"

LDCPAS-2026-4
Location: South of Hutchins Road, west of Old Bowling Green Road, southwest of the City of Fort Meade in Section 17, Township 32, Range 25.
Section-17 Township-32 Range-25



PARCEL DETAIL
Note: Not to Scale

Impact Assessment Statement (Fort Groves – PM to A/RR)

Land and Neighborhood Characteristics

The subject property is located in the Fort Groves Plat. The proposed change from Phosphate Mining (PM) to Agricultural/Rural Residential (A/RR) is consistent with the character in the area. The site is suitable for A/RR designation due to its proximity to existing rural residential properties and agricultural lands, as well as reclamation of the Fort Meade mining operations.

Access to Roads and Highways

The subject property is currently served by a County roadway that have historically supported mining-related traffic. A change to A/RR would significantly reduce daily and peak-hour trip generation compared to phosphate mining operations. No roadway modifications are anticipated beyond standard access improvements.

Sewage

The proposed A/RR land use will generate minimal sewage compared to PM uses. Service will be provided through on-site septic systems.

Water Supply

Water demand will be minimal under the A/RR designation. The property will be served by private wells. The proposed change will reduce overall water consumption compared to mining operations.

Surface Water Management and Drainage

The site has been previously impacted by phosphate mining activities. Future development under A/RR will require compliance with stormwater management regulations. Any wetlands will be evaluated.

Environmental Analysis

The subject property reflects characteristics typical of former phosphate mining operations, including altered soils and reclaimed lands. Surrounding properties consist primarily of agricultural and rural residential uses.

The transition to A/RR is expected to support reclamation efforts. Soil on the site varies due to prior mining activity and reclamation.

Narrative

This is a County-initiated Future Land Use (FLU) Map change affecting a portion of a previously approved Fort Groves Plat. The amendment proposes to change the Future Land Use designation from Phosphate Mining (PM) to Agriculture/Residential Rural (A/RR) for approximately half of the plat area.

The Fort Groves Plat has received prior approval; however, a portion of the property remains designated for Phosphate Mining on the Future Land Use Map. The proposed amendment is intended to realign the Future Land Use designation with the long-term planning objectives for the area and the anticipated rural character of development. The Agriculture/Residential Rural designation supports low density residential development and agricultural uses, which are compatible with surrounding rural land uses and consistent with the County's Comprehensive Plan policies for rural areas.

The amendment does not propose to increase density or intensity beyond what is permitted under the A/RR classification. Rather, it represents a reduction in intensity from a mining designation to a rural land use category. The change will facilitate appropriate rural development while supporting the protection of agricultural lands, maintaining open space, and preserving the rural character of the area.

Public facilities and services are expected to be provided consistent with rural standards. The proposed amendment does not introduce urban development patterns, nor does it extend urban infrastructure into rural areas. Instead, it reinforces the separation between urban and rural uses as established in the Comprehensive Plan.

Overall, the proposed Future Land Use amendment is intended to ensure internal consistency within the Comprehensive Plan, align the Future Land Use Map with the approved plat pattern and support rural development within the Fort Groves area.

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 amendment converts a Phosphate Mining designation to Agriculture/Residential Rural, which is consistent with rural land use patterns. The change does not introduce additional density beyond what is permitted under A/RR. It aligns the Future Land Use designation with the intended long term rural character of the area.

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

No, the A/RR designation permits rural residential and agricultural uses at low densities. It does not allow urban development and therefore does not introduce significant urban development into rural areas.

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

No, the amendment does not expand or extend urban land use designations. It maintains rural development.

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

No, the A/RR designation supports agricultural activities and rural residential uses, which are compatible with adjacent agricultural lands.

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

No, the A/RR designation anticipates lower service demands than more intensive land use categories. The amendment does not create additional strain on existing public facilities and is consistent with rural service levels.

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

No, rural residential development generates less demand for public infrastructure than urban classifications.

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

No, development under A/RR is expected to occur at low density, consistent with rural service standards. The amendment does not introduce urban infrastructure expectations that would disproportionately increase service costs.

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

No, the A/RR designation reinforces the rural character of the area and maintains separation from urban land use categories.

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

The site will maintain a rural land use designation. It is in an area not intended for infill.

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

No, the A/RR designation supports a compatible mix of rural residential and agricultural uses appropriate to the area's character.

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

No, rural residential and agricultural uses are compatible. The amendment does not disrupt existing or planned patterns.

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

The change from Phosphate Mining to Agriculture/Residential Rural maintains or increases the likelihood of open space preservation. Agricultural and rural residential uses typically retain significant open space compared to mining or more intensive land uses.

LDCPAS-2026-4 - Fort Groves CPA

Menu Reports Help

Application Name: Fort Groves CPA

File Date: 01/30/2026

Application Type: BOCC-CPA Small

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: County initiated land use change from PM to A/RR

Application Detail: Detail

Address: 4070 OLD BOWLING GREEN RD, FORT MEADE, FL 33841

Parcel No: 253217486950000070

Owner Name: FORT GROVES INC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Polk County BoCC	Polk County BoCC	Engineer	Mailing, 330 W. Church...	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: $4,608.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Small Scale Or EAR

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
39

DRC Meeting
03/05/2026

DRC Meeting Time
11:15 AM

Rescheduled DRC Meeting
–

Rescheduled DRC Meeting Time
–

Green Swamp
No

Number of Units
–

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

Case File Number
–

One Year Extension
–

FS 119 Status
Non-Exempt

Code Violation Case Number
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
05/06/2026

Land Use Hearing Officer 3
–

1st BOCC Date
06/16/2026

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

Open

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-REC26-00000-003RT	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
No	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	Yes
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)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	3				
BOCC 1	3				

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	01/30/2026	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	02/12/2026	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	02/02/2026	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	02/03/2026	Kim Turner
Planning Review	Aleya Inglima	Approve	02/13/2026	Aleya Inglima
School Board Review	School District	Not Required	02/16/2026	School District
Review Consolidation	Lyndsay Rathke	Approved for...	02/16/2026	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

Agenda Item 6. 5/6/2026

SUBJECT

LDCPAS-2026-7 (Premier Parking CPA)

DESCRIPTION

Future Land Use Map amendment to change the land use designation from Business Park Center (BPC) to Industrial (IND). The subject site is located North of Highway 542 W, east of Recker Highway, south of the City of Auburndale in Section 14, Township 28, Range 25.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

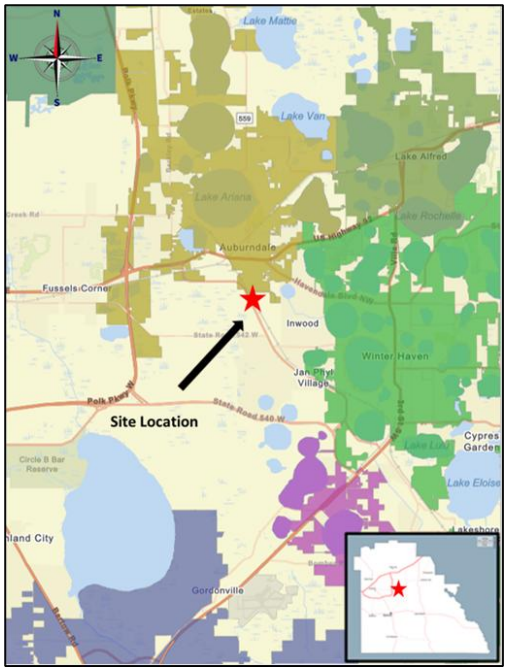
(863) 534-6764

aleyainglima@polkfl.gov

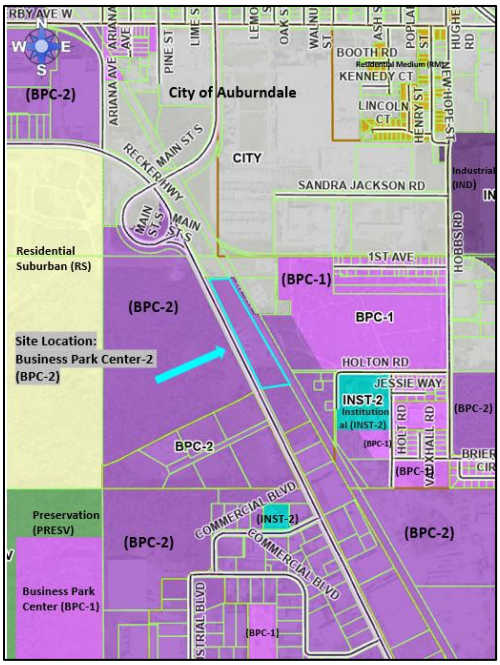
POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	February 26, 2026
Planning Commission Date:	May 6, 2026
BoCC Dates:	June 16, 2026
Applicant:	Zachary Thornton, Madrid CPWG
Level of Review:	Level 4 Review, Comprehensive Plan Amendment (CPA)
Case Number and Name:	LDCPAS-2026-7 (Premier Parking CPA)
Request:	Future Land Use Map amendment to change the land use designation from Business Park Center (BPC) to Industrial (IND)
Location:	North of Highway 542 W, east of Recker Highway, south of the City of Auburndale in Section 14, Township 28, Range 25.
Property Owner:	Premier Parking US LLC
Parcel Number (Size):	252814-000000-041080 (+/- 8.59 acres)
Development Area:	Transit Supportive Development Area (TSDA) and Center of the Transit Centers and Corridor Overlay (TCCO)
Future Land Use:	Business Park Center-2 (BPC-2)
Nearest Municipality:	Auburndale
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Aleya Inglima, Planner II

Location



Current Future Land Use



Summary:

This is an applicant-initiated Comprehensive Plan map amendment to change 8.59 acres from Business Park Center (BPC) to Industrial (IND) on the Future Land Use Map. The approval justification for this request is based on the following:

1) The presence of industrial uses within the general area and adjacent to the site;
2) Property designated Heavy Industrial within the City of Auburndale north of the site;
3) Railroads abuts the property;
4) The property has direct access to Recker Highway and within two (2) miles of US 92.

Compatibility Summary

There are several reasons why this request is considered to be compatible and consistent with the Comprehensive Plan and Land Development Code. The purpose of the IND district is to provide areas for general manufacturing, processing, and distribution of goods. General commercial uses necessary to support the industrial area are also permitted. Recker Highway is an established area for commercial and high intensity uses. The location of transportation facilities such as railroads and arterial highways is a factor in determining the appropriateness of industrial lands. This property is adjacent to a railroad and near an arterial highway. Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

Adjacent properties are designated for Business Park Center (BPC) types of uses and activities. Property is designated Heavy Industrial within the City of Auburndale north of the site. Due to the similarity in current uses and Future Land Use designations, designating this site as Industrial will be compatible.

Infrastructure Summary

The site is located within City of Auburndale utility service area. Since this amendment is for a non-residential use, schools will not be impacted. There is sufficient roadway capacity. Public safety facilities and services are available. Utilities is with the City of Auburndale. Auburndale has capacity issues for wastewater connections. This report will be updated when additional information is received.

Environmental Summary

Portions of the site contain wetlands. Ther are no surface waters on or adjacent to the site. No adverse environmental impacts are expected due to the development of this site, subject to compliance with applicable wetland regulations.

Comprehensive Plan

Listed below are the relevant sections of the Comprehensive Plan that are applicable to this request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.104(A1-A6): Transit Supportive Development Areas (TSDA)
- Policy 2.113(B1-B5): Business-Park Centers (BPC)
- Policy 2.113(A1-A5): Industrial (IND)

Findings of Fact

Request and Legal Status

- LDCPAS-2026-7 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately ± 8.59 acres from Business-Park Center (BPC) to Industrial (IND).

- The current Land Development Code district is Business Park Center-2 (BPC-2)

- Policy 2.104-A1 describes Transit Supportive Development Areas (TSDA) as 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.

- Policy 2.109-A5 describes the Business Park Center land use district as follows: "The purpose of the Business Park Center (BPC) land use district is to provide areas for office, business park development, and light-industrial activities. The BPC land use permits office, research and development parks, distribution centers, and wholesaling activities. Some retail uses are also permitted to support the businesses and activities within the Business Park Center."

- While aerial imagery indicates the presence of storage on-site, a staff site visit confirms that the property is vacant

- The property is currently vacant and undeveloped.

Compatibility

- 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."

- The proposed request is for an Industrial (IND) Future Land Use designation.

- Surrounding uses include manufacturing, rail line to the east, and vacant property north and west of the site.

- The subject site is surrounded by BPC or the city.

- Policy 2.104-A3: Land Use Categories for Transit Supportive Development Areas, list Industrial as a permitted use in TSDAs.

Infrastructure

- The property is zoned for Clarence Boswell Elementary, Jere L. Stambaugh Middle, and Auburndale Senior High.

- Fire and ambulance response is from Polk County Fire Rescue Station 5, located at 333 American Spirit Rd, Winter Haven. The estimated response time from this station is about seven- to nine minutes.

- Sheriff's response to the site is served by the Southwest District, located at 4120 US 98 South, Lakeland. The responses time are as follows: Priority One: 8:55 minutes; Priority Two: 26:47 minutes.

- The subject property fronts Recker Highway. Recker Highway is an Urban Minor Arterial, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

- The subject parcel is next to Recker Highway, a state road.

- The site is located within City of Auburndale utility service area.

- US 92 is two (2) miles from the subject site.

Environmental

- There are wetlands south on the site.

- The site is comprised of Adamsville fine sand and samsula muck.

- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is within one mile of an endangered species.

- The PolkGreen Map does not show this parcel as part of a potential connection of an overall natural network.

- This site does not have a conservation easement.

- This property is within an Airport Impact District for Winter Haven regional airport.

- The site is not within a Wellfield Protection District.

- Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

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;

3. 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.

d. 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-A2: DESIGNATION AND MAPPING - Industrial areas shall be designated and mapped on the Future Land Use Map Series as "Industrial" (IND); shall include all major existing industrial areas; and shall provide for the projected future industrial development needs of the County.

- 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; or

  3. 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.

e. POLICY 2.113-B-1: CHARACTERISTICS - Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there. General (approximate) characteristics of Business-Park Centers are:

Usable Area: 10 acres or more

Gross Leasable Area (GLA): 500,000 to 2,000,000 sq. ft.

Minimum Population Support: 150,000 or more people

Service-Area Radius: 20 miles or more

Typical Leading Tenant: One or more light-assembly plants, or warehouse facilities

Other Typical Tenants: Offices, distribution centers, research and development firms, High-Density Residential (with proper buffering).

f. POLICY 2.113-B-3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

a. arterial roads;

b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road;

c. local commercial roads or private roads under the following conditions:

1. the road has full median access onto to an arterial road;

2. the road does not serve existing or expected future residential traffic from the surrounding area; and

3. the road has a structural integrity and design characteristics suitable for truck traffic.

d. properties abutting an Industrial (IND) district or railroad line.

g. POLICY 2.113-B-4: DEVELOPMENT CRITERIA - Development within a Business-Park Center shall conform to the following criteria:

a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

b. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

c. Buffering shall be provided 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. Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park.

e. The maximum floor area ratio for commercial activities shall not exceed 0.25. The maximum floor area ratio for non-commercial activities shall not exceed 0.75 in the TSDA, 0.65 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.

f. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center 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.

g. New residential development within Business Park Centers shall be limited to High-Density Residential (with proper buffering).

h. All research and development, light-industrial, and distribution activities shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures.

i. 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 septic and as required if within a Nutrient Restoration Plan Overlay.

j. Planned Developments within the Business Park Center 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 FAR in the RDA may be increased to 0.75 when connection to public water and sewer is available and within a half mile of a transit route. The Land Development Code shall establish development standards and criteria for Planned Developments within the BPC district.

k. 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.

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 (DRC) finds that 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 LDCPAS-2026-7.**

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: 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.

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 site is within a Transit Supportive Development Area (TSDA). TSDAs 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.

While aerial imagery indicates the presence of storage on-site, a staff site visit confirms that the property is vacant. Currently, the site has a Future Land Use designation of Business-Park Center (BPC). BPCs are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there.

The proposed request is for an Industrial (IND) Future Land Use designation. Generally, Industrial districts contain more intensive uses and activities than contemplated in a Business-Park Center. The Comprehensive Plan describes Industrial Lands as 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.

As shown on the Future Land Use Map, adjacent properties of the site are designated BPC. IND is located to the north of the site within the City of Auburndale. The site is vacant. Based on a review of past aerial photos, the site has always been vacant.

Surrounding uses next to the site include railroads on the eastern boundaries of the site. A manufacturing use is south of the site. Property to the west and north are vacant.

There are several reasons why this request is considered to be compatible, and consistent with the Comprehensive Plan and Land Development Code. The location of transportation facilities, such as railroads and arterial highways, is a factor in determining the appropriateness of industrial lands. This site is within 2 miles of US 92, an arterial highway, and is adjacent to one railroad. Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

Adjacent properties are both designated for BPC types of uses and activities. Because of the similarity in current uses and Future Land Use designations, designating this site as Industrial will be compatible.

B. Infrastructure:

According to Comprehensive Plan 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 is located in the Transit Supportive Development Area (TSDA), where connections is available through the City of Auburndale.

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1 Future Land Use Map Districts and Existing Uses

Northwest Business Park Center (BPC-2) Cutrale Citrus Juices Vacant	**North** City of Auburndale Light Industrial (LI) Tampa Electric Company Vacant	**Northeast** CXS Rail line
West Business Park Center (BPC-2) Cutrale Citrus Juices Vacant	**Subject Site** Business Park Center (BPC-2) Vacant	**East** CSX Rail line
Southwest Business Park Center (BPC-2) Recker Business Park Plat Vacant	**South** Business Park Center (BPC-2) Vacant	**Southeast** CSX Rail line

Nearest and Zoned Elementary, Middle, and High School

The schools zoned for the subject property are listed in Table 2 below. Because the request is for a non-residential use, the request will not impact school concurrency.

Table 2: School Information

School	Annual Estimated Demand	Distance from Subject Site
Clarence Boswell Elementary	0	3.8 mile
Jere L. Stambaugh Middle	0	2.6 miles
Auburndale Senior High	0	3.0 miles

Source: Polk County School Board website

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Sherriff response times are not as much a function of the distance to the nearest sheriff's substation rather more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered 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.

Table 3 provides a breakdown of response times and travel distances for emergency services.

Table 3 Public Safety Information

	Name of Station	Distance	Response Time*
Sheriff	Southwest District, located at 4120 US 98 South, Lakeland	14.2 miles	P1: 8:55 minutes P2: 26:47 minutes
Fire/ EMS	Polk County Fire Rescue Station 5, located at 333 American Spirit Rd, Winter Haven	1.9 miles	7-9 minutes

*Source: Polk County Sheriff's Office and Public Safety *Response times are based on when the station receives the call and not from when the call is made to 911.*

Water and Wastewater

The subject property is in a Transit Supportive Development Area (TSDA). Connection to public water and sewer is available through the City of Auburndale.

A. Estimated Demand

The development of the property under the proposed land use designation is not anticipated to degrade the minimum LOS for the existing facilities, due to the relatively low consumption and generation rates. The following analysis assumes the maximum allowed density/intensity of 280,634 square feet of warehouse space for IND, and 280,634 square feet of professional offices space for BPC. The subject site is within the Transit Centers and Corridors overlay (TCCO) which allows up to 2.5 floor area ratio (FAR) in both BPC & IND. However, the LDC permits up to 0.75 which is what was used for calculated impacts.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: BPC-2 – 8.59 AC/374,180 SF of site *.75 FAR = 280,634 SF	Estimated Impact Analysis Business Park Center (BPC-2) to Industrial (IND)	
	Current Land Use designation BPC-2	**Maximum Permitted Use in Proposed IND**
Current Maximum Allowable Use	280,634 Square Feet (SF)	280,634 Square Feet (SF)
Potable Water Consumption	280,634 SF * .24 GPD/SF = **67,353 GPD**	280,634 SF * .24 GPD/SF = **67,353 GPD**
Wastewater Generation	67,353 SF * 80% of water usage **52,882 GPD**	67,353 SF * 80% of water usage **53,882 GPD**

GPD – Gallons Per Day Source: Polk County Concurrency Manual and Polk County Utilities: Professional Offices @ .24 GPD/SF (water) & .18 GPD/SF (sewer); Warehouse @ .24 GPD/SF (water) & .18 GPD/SF (sewer)

B. Available Capacity:

Utilities are available through the City of Auburndale.

C. Planned Improvements:

No information is known currently about any planned improvements to utilities in this area.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The data identifies both daily and peak hour traffic volumes. The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

The proposed Comprehensive Plan Amendment is not anticipated to affect surrounding roadways or transportation network. The Amendment will not change the LOS below the minimum established standards.

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The analysis is based on a maximum permitted use of 280,634 square feet of general light industrial. The following analysis assumes the maximum allowed intensity of 280,634 square feet of warehouse space for BPC and 280,634 square feet for IND.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: 8.59 AC/374,180 SF of site *.75 FAR = 280,634 SF	Estimated Impact Analysis Business Park Center (BPC-2) to Industrial (IND)	
	Current Land Use designation BPC-2	**Maximum Permitted Use in Proposed IND**
	280,634 SF	280,634 SF
Average Annual Daily Trips (AADT)	280,634 SF *3.60 trips/1,000 SF = **1,010 AADT**	280,634 SF * 1.71 trips/1,000 SF = **480 AADT**
PM Peak Hour Trips	280,634 SF * .49 trips/1,000 SF = **138 PM Peak Hour Trips**	280,634 SF * .18 trips/1,000 SF = **51 PM Peak Hour Trips**

Source: Concurrency Manual and Table for Minor Traffic Study – Warehousing (ITE 150) – 1.71 AADT/1,000 SF; General Light Industrial (ITE 110) – 3.60 AADT/1,000 SF, 0.49 peak-hour trips/1,000 SF.

B. Available Capacity:

The roads surrounding the subject site should have sufficient capacity available, depending on the eventual use and full build out of the site. The Polk Transportation Planning Organization (TPO) monitors certain roadways based on maximum approved traffic in comparison to current vehicle trips to determine what capacity is available.

Table 6, below, charts the generalized available capacity of the most-affected links.

Table 6 Available Capacity

Link #	**Road Name**	**Current Level of Service (LOS)**	**Available PM Peak Hour Capacity**	**Minimum LOS Standard**	**5-Year Peak Hour Projected LOS**
7102N	SR 655 (RECKER HWY) From: CR 542 (AVENUE G NW) To: US 92	C	538	D	C
7102S	SR 655 (RECKER HWY)7 From: CR 542 (AVENUE G NW) To: US 92	C	511	D	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2026

As identified above, Recker Highway has sufficient PM peak hour capacity to support future development activity.

C. Roadway Conditions

Recker Highway is a stated maintained road, no information regarding the Pavement Condition Index is available.

D. Planned Improvements:

There are no known improvements for this portion of Recker Highway at this time.

E. Mass Transit

There are no Citrus Connection routes along Recker Highway.

F. Sidewalks

There are no sidewalks in front of the subject property, nor along adjacent streets.

Park Facilities and Environmental Lands

The closest County Park is Simmers-Young Park, located two (2) miles south of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

Simmers-Young Park is located at 339 American Spirit Road in Winter Haven.

B. Services:

Simmers-Young Park is a recreational park in Winter Haven with 10 multi-purpose fields, baseball and softball and league play. There also are picnic facilities, a fishing pond, dog park, playground, restrooms, picnic tables and picnic shelters.

C. Multi-use Trails:

Lake Wales Ridge Wildlife and Environmental Area - Lake Blue trails are near the immediate area.

Environmental Lands

The site is not within an Ecological Greenway Network. The closest conservation area is 2.64 miles southwest of the site.

Environmental Conditions

There are wetlands on the south end of the site. Because of these conditions, any development of the site will have to take these conditions into account and comply with the applicable requirements of Section 620 (Wetland Protection) and Section 630 (Flood Hazard Management and Floodplain Protection) of the Land Development Code.

A. Surface Water:

There are no surface waters on the site. A pond is located about 750 feet northwest of the site.

B. Wetlands/Floodplains:

The site contains wetlands on the south side of the site.

C. Soils:

The site is comprised mostly of Adamsville fine sand, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Table 7, below, lists the soils associated with the subject site.

Table 7 Soils

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings Without Basements	% of Site *(approximate)*
Adamsville fine sand	Severe: wetness	Moderate: wetness	82.%
Samsula muck	Severe: ponding	Severe: ponding	18%

Source: Soil Survey of Polk County, Florida 1985, USDA, Soil Conservation Service

Any future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual.

D. Protected Species

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of an endangered species. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that 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: Polk Green Districts and Conservation Easements:

The PolkGreen Map displays this parcel as not within a potential connection of an overall natural network. Moreover, there are no conservation easements on this parcel.

F. Archeological Resources:

Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

G. Wells (Public/Private)

The site is not within a Wellfield Protection District.

H. Airports:

This property is within the Airport Impact District.

Economic Factors:

Site development activities create temporary jobs. Any new business activity that occurs at this site will need more goods and services, thereby generating more economic activity. The proximity of this site next to Recker Highway and existing railroads provide an opportunity for new businesses to locate on this site, thereby also providing jobs to support the community.

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

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 site is located in a well-established high intensity area and is considered compatible.
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 is located within an existing heavy commercial area. The site also is abutting a railroad line.
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, 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;	The proximity of the site fronts Recker Highway, next to an existing industrial area, and bordered by a railroad. These features make the site appropriate for more intensive commercial uses.

Comprehensive Plan Policy	Consistency Analysis
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-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. 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	The site is in a Transit Supportive Development Area (TSDA). IND is allowed in the TSDA.
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.	The site is located near an arterial road and has direct access next to one railroad. US 92 is a major arterial two (2) miles from the subject site.

Comprehensive Plan Policy	Consistency Analysis
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; or 3. 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.	

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, the proposed request is not considered to be urban sprawl.

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. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments From Other Agencies:

The City of Auburndale has no objections to the case.

Exhibits:

Exhibit – 1 Location Map
Exhibit – 2 2023 Satellite Image (Context)
Exhibit – 3 2023 Aerial Photo (Close-up)
Exhibit – 4 Existing Future Land Use Map
Exhibit – 5 Proposed Future Land Use Map
Exhibit – 6 Permitted and Conditional Uses in BPC & IND
Exhibit – 7 City of Auburndale Zoning



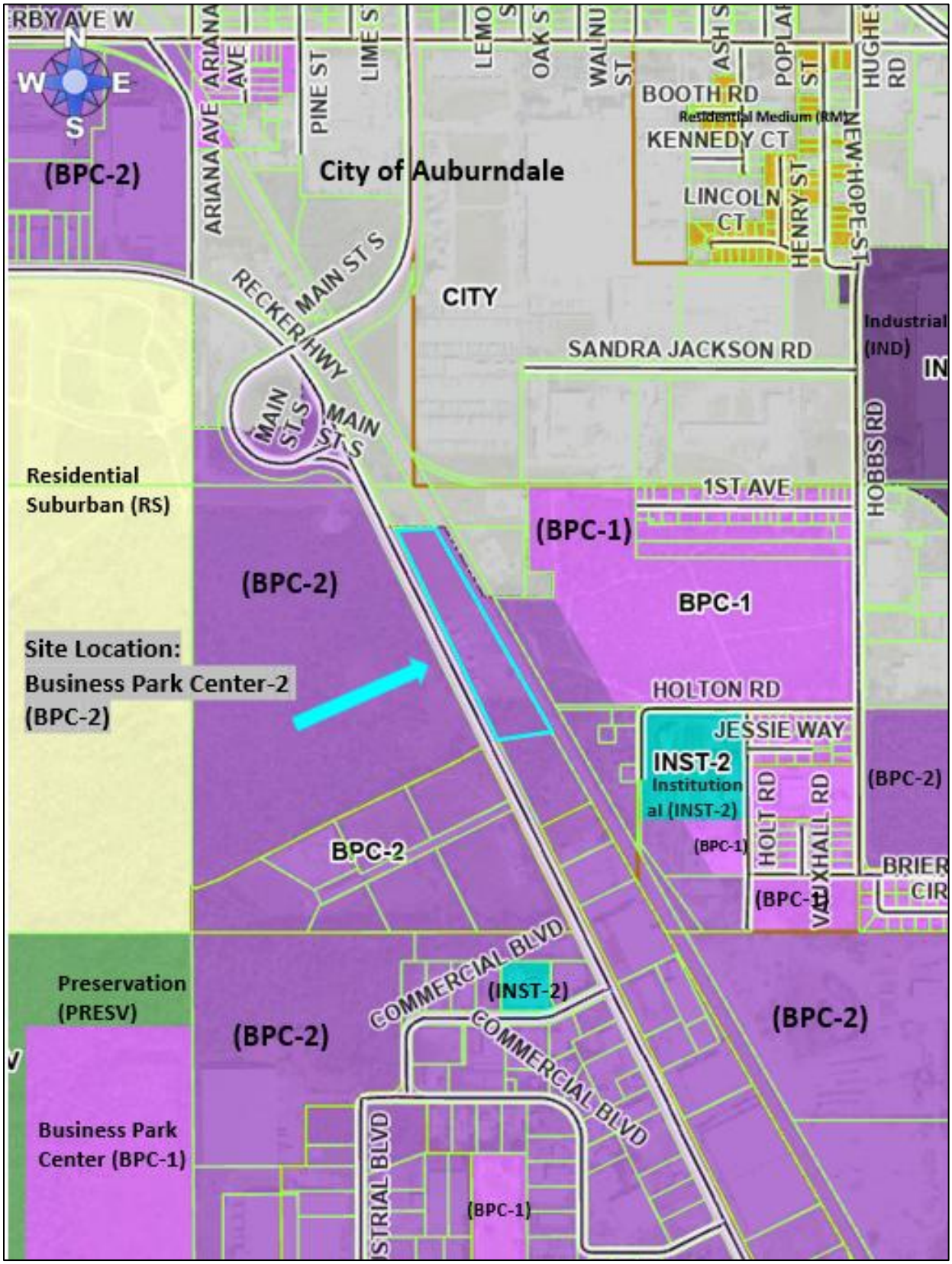
Location Map



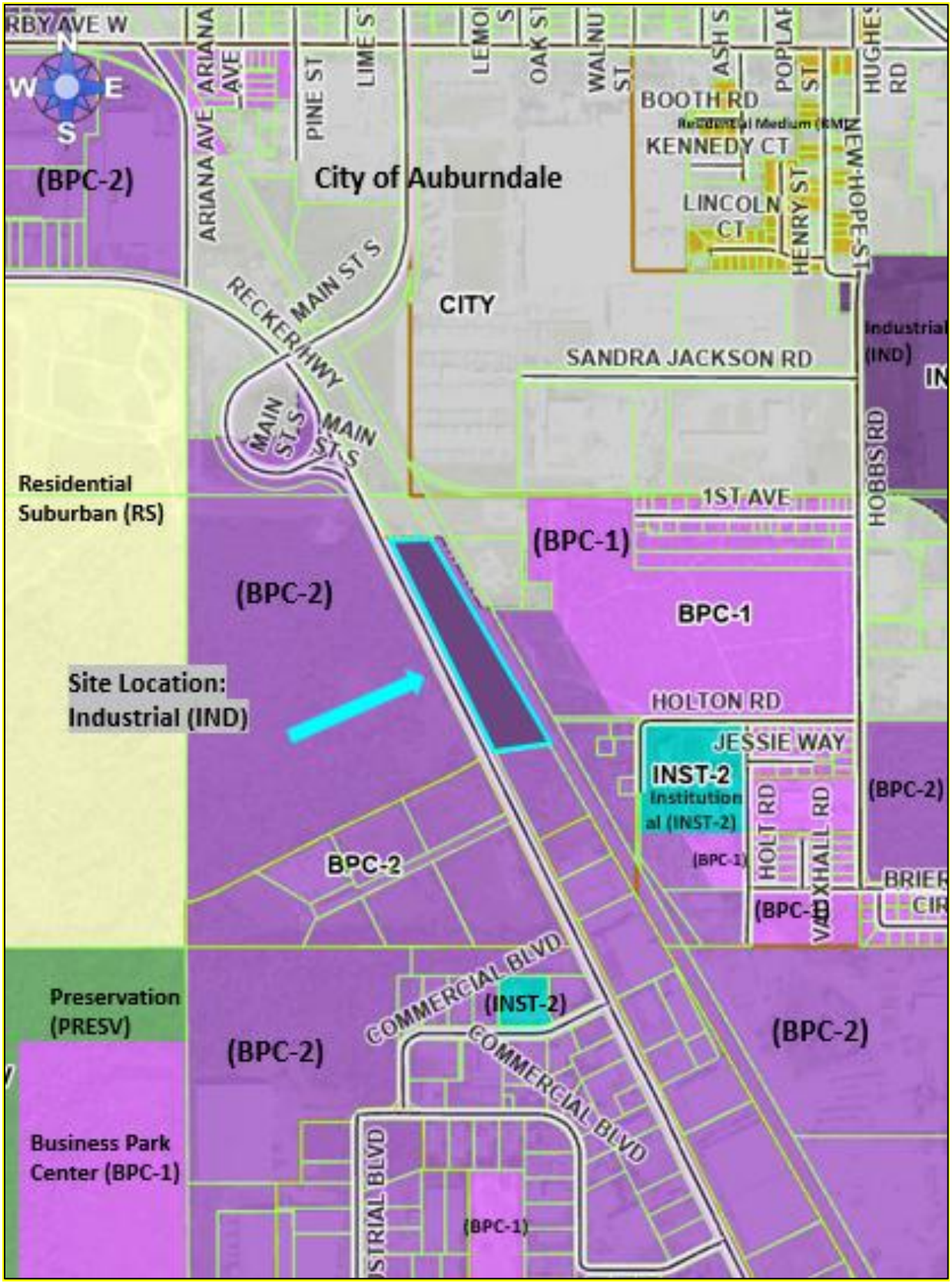
2023 Aerial Photo (Context)



2023 Aerial Photo (Close-up)



Current Future Land Use Map

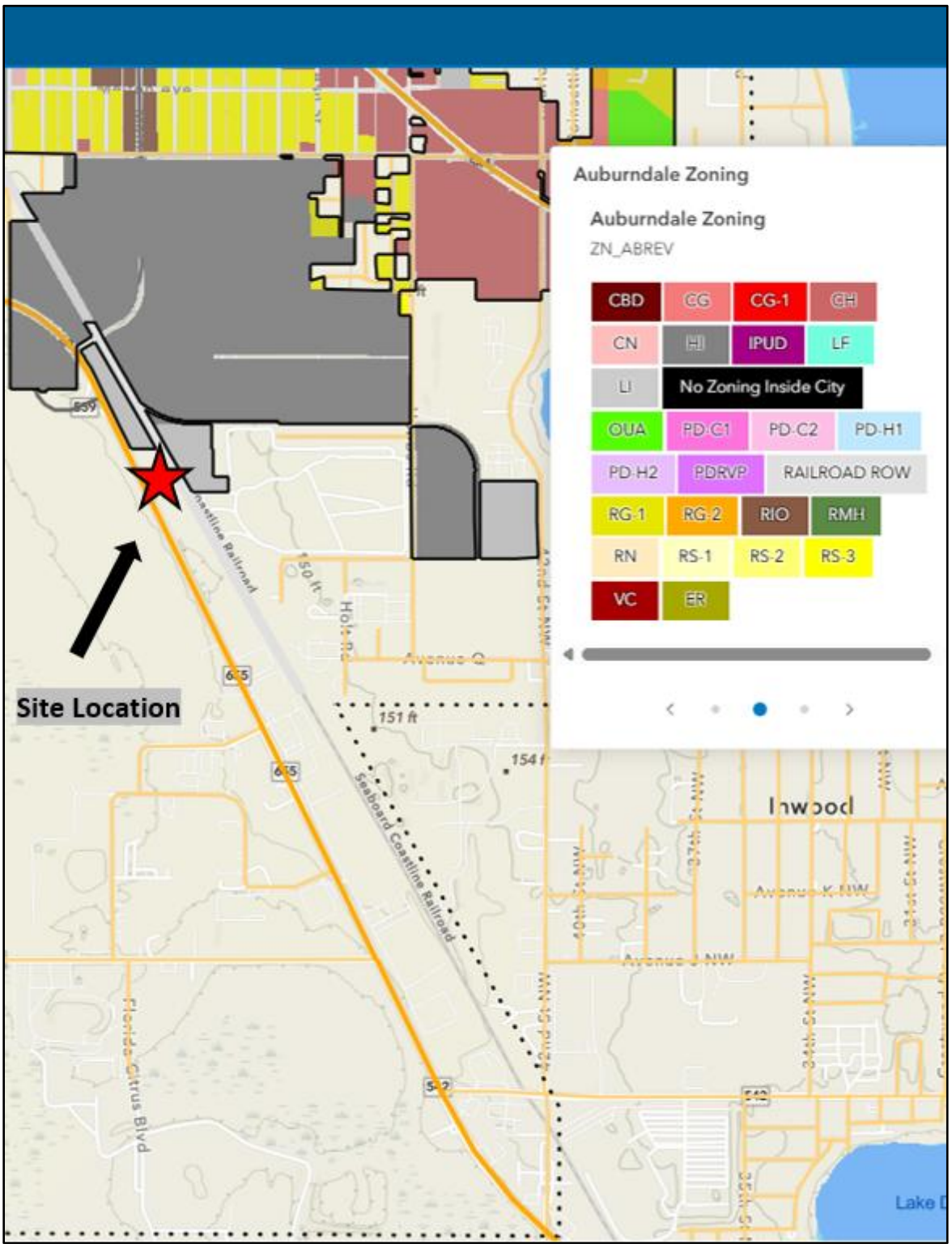


Proposed Future Land Use Map

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
BPC-2	Agricultural Support, Off-Site, Animal Farm, Intensive, Commercial Vehicle Parking, Farming General, Government Facility, Manufacturing- Light, Motor Freight Terminal, Nurseries and Greenhouses, Office, Office Park, Personal Service, Printing & Publishing, Research & Development, Retail, Outdoor Sales/Display, Studio- Production, Transit- Facility, Transit, Commercial, Utilities- Class I, Utilities- Class II, Vehicle Repair, Auto Body, Vehicle Service, Mechanical Warehousing/Distribution	Farm Worker Dormitory, Barrack Style Alcohol Package Sales, Bars- Lounges- and Taverns, Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, Golf Course, Recreation- Passive, Cardboard & Shredded Paper Collection, Communication Towers, Guyed and Lattice, Communication Tower- Monopole, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Heavy Machinery Equipment Sales and Services, Heliports, Helistops, Hotels and Motels, Kennels, Boarding and Breeding, Livestock Sale, Auction, , 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., School- Leisure/Special Interest, School- Technical/Vocational/Trade & Training, School- University/College, Self-storage Facility, Solar Electric-Power Generation Facility, Vehicle Recovery Service/Agency, Veterinary Service	Planned Development, Transitional Area Development, Airport, Lime Stabilization Facility, Mining- Non-phosphate, Retail- More than 65-000 sq. ft., Utilities- Class III, Water Ski Schools, Power Plants Non-Certified- Low Power Plants, Non-Certified, High

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, Kennels, Boarding and Breeding, Livestock Sale, Auction, Manufacturing, Explosives/Volatile Material, Manufacturing-Light, Manufacturing, General, Motor Freight Terminal, Nurseries and Greenhouses, Office, Personal Service, Printing & Publishing, Recreation-Passive, Research & Development, Retail, Home Sales Offsite, School- Technical/Vocational/Trade & Training, Studio, Production, Transit- Facility, Utilities- Class I, Utilities- Class II, Vehicle Repair- Auto Body, Vehicle Service- Mechanical, Warehousing/Distribution	Farm Worker Dormitory - Barrack Style, Alcohol Package Sales, Bars, Lounges and Taverns, Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, Cardboard and Shredded Paper Collection, Communication Tower- Guyed and Lattice, Communication Tower- Monopole, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Golf Course, Heliports, Helistops, Heavy Machinery Equipment Sales and Services, Hotels and Motels, Medical Marijuana Dispensaries, Nurseries- Retail, Railroad Yard, Recreation 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., School- Leisure/Special Interest, Self-storage Facility, Utilities Class III, Solar Electric-Power Generation Facility, Vehicle Recovery Service/Agency, Veterinary Service.	Planned Development, Airport, Construction Aggregate Processing, Construction Aggregate Storage, Gypsum Stack, Hazardous Waste Transfer, Storage, Hazardous Waste Treatment Facilities, Lime Stabilization Facility, Mining- Non-phosphate, Power Plants Non-Certified-Low, Power Plants Non-Certified-High, Salvage Yard, School-University/College, Seaplane Base, Water Ski Schools

Permitted and Conditional Uses in BPC-2 & IND



City of Auburndale Zoning

February 5, 2026

Polk County Board of County Commissioners
Land Development Division
330 West Church Street
Bartow, FL 33831-9005

Re: Smale-scale Comprehensive Plan Amendment (CPA)
Demonstration of Need Narrative
LLCPPAS-2026-7 Recker Hwy Storage Yard
0 Recker Hwy, Auburndale, FL 33823 (Parcel ID: 25-28-14-000000-041080)

To Whom it May Concern,

Madrid Engineering Group, Inc., dba Madrid CPWG/Madrid CFTL, is pleased to present the below narrative in support of the small-scale comprehensive plan amendment (CPA). The Owner, Premier Parking US LLC, proposes rezoning (changing land use district designation) of the parcel of land located at 0 Reckey Highway, Auburndale, FL 33823, from Business Park Center 2 (BPC-2) to Industrial (IND). The proposed land use district change will allow the Owner to store modular classrooms on the site as a primary use.

The need for outdoor storage on the parcel is essential for the Owner to maximize the space and capabilities of the site. The adjacent land is all vacant. The proposed use will not cause adverse impacts to the surrounding areas/property owners. The need for outdoor storage is realized based on the close proximity to the railroad and location of the site. The change in use will allow outdoor storage which will allow flexibility to the Owner. The Urban Sprawl Criteria below is outlined for the request below.

The proposed development will not promote substantial amounts of low-density, low intensity or single use development is excess. *The proposed development consist of temporary storage and would not be used for permanent storage of vehicles or any other apparatus.*

The proposed development will not produce a significant or any amount of development to the surrounding area.

No urban developments would be affected by this project.

There are no affects on adjacent land uses (specifically agriculture).

Most of the current parcel will still be utilized as open space and the goal is to put a landscape buffer along the frontage to beautify the parcel.

Comprehensive Plan– 2.102-A11 Urban Sprawl Criteria

The information and guidelines outlined in the urban sprawl section of the comprehensive plan do not apply as the site development does not introduce any additional population.

February 2, 2026

Polk County Board of County Commissioners
Land Development Division
330 West Church Street
Bartow, FL 33831-9005

Re: Smale-scale Comprehensive Plan Amendment (CPA)
Impact Assessment Statement (IAS) Narrative
LDDRC-2025-313 Recker Hwy Storage Yard
0 Recker Hwy, Auburndale, FL 33823 (Parcel ID: 25-28-14-000000-041080)

To Whom it May Concern,

Madrid Engineering Group, Inc., dba Madrid CPWG/Madrid CFTL, is pleased to present the below narrative in support of the small-scale comprehensive plan amendment (CPA). The Owner, Premier Parking US LLC, proposes rezoning (changing land use district designation) of the parcel of land located at 0 Reckey Highway, Auburndale, FL 33823, from Business Park Center 2 (BPC-2) to Industrial (IND). The proposed land use district change will allow the Owner to store modular classrooms on the site as a primary use. The Polk County Land Development Code (LDC) does not define outdoor storage as a primary use per (Chapter 2, Section 205, Table 2.1) within the Business Park Center-2 (BPC-2) land use district.

Premier Parking (Owner) utilizes several parcels of land in and around the Polk County area for commercial vehicle storage of semi tractor trailers. Commercial vehicle storage is an allowed use in BPC-2 and is permitted within the parcel in question. The Owner will utilize the parcel for commercial vehicle storage in the future but would like the flexibility to utilize a portion of the property for outdoor storage of the modular classrooms or other storage containers (with no hazardous materials or grease/oils). The temporary modular classroom storage is not allowed as a primary use in the BPC-2 land use district but would be allowed in the IND land use district. IND land use district allows dual primary uses.

Based on conversations with Polk County, staff is potentially looking to add text to the LDC to include a use for such storage purposes. However, the workshop for this text amendment has not occurred to date. The site is looked within the Transit Corridor and Centers Overlay (TCCO) in the Transit Supportive Development Area (TSDA). The site is not located within the Green Swamp Area of Critical State Concern or any other Selected Are Plans (SAPs) or Special Protection Areas (SPAs).

The project does not propose any structures and utility improvements would be limited to connection to City of Auburndale watermain along Recker Highway for irrigation service. No other utilities, including sanitary sewer, will be required for the project. The project does not propose any impervious area. The modular classrooms will be temporarily stored on site and would sit on “cribs” or wooden crates so existing stormwater flow would not be altered by the storage of the modular buildings. No soil disturbance would be anticipated with the proposed project.

LDC Section 910 – Impact Assessment Statements

The below information and responses (*identified in italics*) are provided for each subsection of 910 to provide information on the effects of the proposed development (and 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. Land and Neighborhood Characteristics

To assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;
   The parcel was utilized by the previous owner as outdoor storage from the beginning of 2022 until the current Owner purchased the property in September of 2024. No known concerns or complaints were raised by the neighboring parcels or landowners during this time. Since the purchase of the property, the site has remained vacant and is identified as Vacant Industrial (Code 4001) per the property appraiser website.

   The proposed IND Land use district is appropriate for the site due to its location. The parcels to the north and northeast (roughly half area to the east) are located within City of Auburndale city limits which have a Light Industrial (LI) City zoning. The parcels within the City of Auburndale adjacent to the site are owned by Tampa Electric Company. The site to the north has an existing land use of vacant industrial and the property at the northeast, separated by the CSX Corporation railroad parcel, has an existing land use of Utilities.

   The remaining parcels contiguous to the site are within the Polk County BPC-2 land use district. However, the parcels east of the site are separated by the CSX Corporation railroad land parcel. Please note, many parcels directly adjacent to railroads would typically have an industrial use classification or allow storage yards, etc. for use based on proximity of the railroad. The parcels to the west are separated by FDOT right-of-way of State Road 655 (Recker Highway). The vacant industrial property to the south is undeveloped and is mostly encompassed by wetlands. Therefore, the proposed land use district of IND will not have adverse effects on neighboring landowners or communities. All land adjacent to the site is currently vacant.
2. Provide a site plan showing each type of existing and proposed land use;
   Refer to Map F for site plan showing existing and proposed land use.
3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;
   There are no anticipated incompatibilities and special efforts needed to minimize difference in uses. As indicated above in A.1, the existing adjacent parcels are vacant and most are vacant industrial land use. The railroad and FDOT roadway also provide separation from the adjacent BPC-2 land use district parcels.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;
   The requested IND land use district change should not influence development patterns in the area unless other parcels pursue utilization of outdoor storage as a primary use. However, the potential added text to the LDC described by County staff for such uses may alleviate any adverse effects this request has on future development patterns.
5. Describe each of the uses proposed in a Planned Development and identify the following:
   The proposed development is not located within a planned development. Therefore, the items below are not applicable.
   a. The density and types of residential dwelling units;
      N/A, no residential dwellings (and not within planned development)
   b. The type of commercial and industrial uses;
      N/A, not within planned development but the commercial/industrial outdoor storage use will consist of temporary modular classroom storage and potential future commercial vehicle storage.
   c. The approximate customer service area for commercial uses;
      N/A, no customer service areas proposed.
   d. The total area proposed for each type of use, including open space and recreation.
      N/A, not within planned development but the proposed use is not anticipated to encompass more than 50% of the site (4.29 acres).

B. Access to Roads and Highways

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

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;
   The proposed use is not a use defined within the ITE manual. Based on information provided by the modular classroom storage management, the maximum daily trips would be 10 with max PM peak hour of 1. The average daily generated trips would be less than 1.
2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;
   FDOT owns and maintains SR655 (Recker Highway) and based on pre-application meeting with FDOT staff, no turnlanes or roadway improvements will be required due the proposed project and the corresponding daily trips.
3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;
   The proposed development is not proposing parking spaces or parking facilities.
4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads);
   Site access will be provided by an existing concrete driveway connection to Recker Highway. The existing driveway connection is the only connection to public roads and will remain as previously constructed. No improvements to the driveway connection are proposed or anticipated.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.
   The parcel is within a rural area located just outside the City of Auburndale city limits. There are no bus routes on Recker Highway or within close proximity to the project. The proposed storage facility will not produce any additional pedestrian or bicycle traffic. Therefore, no proposed sidewalks or pedestrian access are proposed with the project. FDOT had no requirement of providing sidewalks or bicycle lane along Recker Highway during the preliminary pre-application process.

C. Sewage

To determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;
   The proposed development will not generate any sewage flows and no sanitary sewer infrastructure or improvements are proposed. No structures are proposed.
2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;
   Not applicable; the proposed development will not generate sewage flow and no sanitary sewer infrastructure or improvements are proposed.
3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;
   Not applicable; the proposed development will not generate sewage flow and no sanitary sewer infrastructure or improvements are proposed.
4. Identify the service provider;
   City of Auburndale. There is an existing sanitary sewer forcemain located on the east side of Recker Highway adjacent to the project.
5. Indicate the current provider's capacity and anticipated date of connection.
   Not applicable; the proposed development will not generate sewage flow and no connection is anticipated.

D. Water Supply

To determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;
   There is an 12" watermain located on the east side of Recker Highway adjacent to the project.
2. Identify the service provider;
   The City of Auburndale.
3. Calculate the estimated volume of consumption in gallons per day (GPD);
   There is no potable consumption volume associated with the project. However, the 12" watermain is anticipated to be utilized for irrigation and only during the plant establishment period. Our irrigation designer anticipates 1800 GPD for this time period.

4. Indicate the current provider's capacity and anticipated date of connection.
   The City of Auburndale has available capacity for the irrigation service. An on-site well may be utilized for irrigation service if capacity issues arise. The anticipated connection date is 10/01/2026.

E. Surface Water Management and Drainage

To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;
   The project does not propose any additional impervious area and therefore, there will be no impact on surface water quality. The Owner will set aside an area at the southern portion of the parcel for future dry retention area and floodplain compensation. While the site is located in FEMA flood zone "X" panel no. 12105C0345G (effective date 12/22/2016), the SWFWMD Lake Handcock Watershed Model shows 100 year floodplain on the southern end of the site.
2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;
   The modular classrooms will be temporarily stored on site and would sit on "cribs" or wooden crates so existing stormwater flow would not be altered by the storage of the modular buildings. No soil disturbance would be anticipated with the proposed project.

   Surface water from the site sheet flows south to a forested, swampy area at the south end of the site where there is a wetland area which extends to the adjacent parcel to the south. Stormwater is then conveyed under Recker Highway via an existing culvert. Stormwater then flows west.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;
   The proposed development will not adversely affect fish and wildlife.
4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.
   The proposed development is not proposing new impervious area. Rainfall entering and traveling through the site will be able to percolate as in the existing condition so there is no impact to aquifer recharge and groundwater conditions.

F. Population

To determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;
   The proposed project does not produce any new population to the area.
2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;
   The proposed project does not produce any new employees to the area for the proposed storage yard.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors);
   The proposed project does not produce any new population to the area.
4. Describe the proposed service area and the current population thereof.
   The adjacent parcels are vacant and the project does not propose any increase in population.

G. General Information

To determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and
   The proposed development will provide the required landscaping along the frontage of Reckey Highway which will enhance the site over the existing conditions of the parcel. Barbed wire fencing will be provided for security.
2. Discuss the demand on the provision for the following services:
   a. Parks and Recreation
      The proposed development will not increase population in the area and no demand on parks and recreation are anticipated.
   b. Educational Facilities (preschool/elementary/middle school/high school);
      The proposed development will not increase population in the area and no demand on educational facilities are anticipated.
   c. Health Care (emergency/hospital)
      The proposed development will not increase population in the area and no demand on parks and recreation are anticipated.
   d. Fire Protection
      The proposed development does not propose any permanent structures and thus no demand for fire protection.
   e. Police Protection and Security
      Barbed wire fencing will be provided for security. The entire property is currently fenced and will be fenced.
   f. Electrical Power Supply.
      No electrical power is required for the project.

H. Maps

1. 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.
2. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scales 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 accompany all Impact Assessment Statements:

3. Map A: A location map showing the relationship of the development to cities, highways, and natural features;
4. Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;
5. Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;
6. Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;
7. Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.
8. Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes;
9. Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

Please refer to the attachment section for the associated maps.

Please do not hesitate to contact me if any additional information is required.

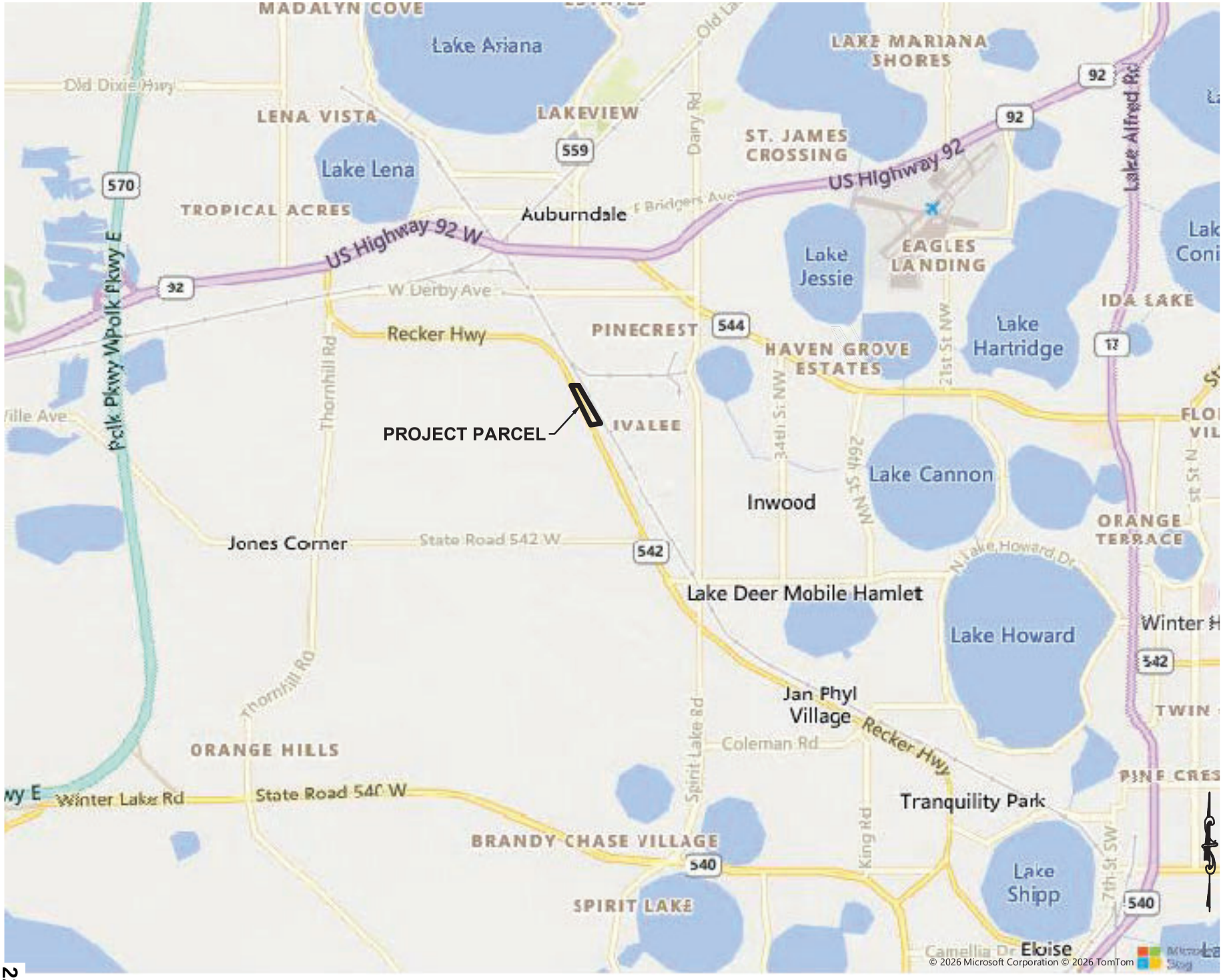
Madrid Engineering Group, Inc.



Zach H. Thornton, P.E.
Project Manger
FL PE# 79489

Attachments:
1. Map A: Location map
2. Map B: Topographical Map
3. Map C: Land Use and Land Use District Maps
4. Map D: Soils Map
5. Map E: Traffic Circulation Map
6. Map F: Site Plan
7. Map G: Drainage Map

ATTACHMENTS:



MADRIDCPWG
ENGINEERING, INC.
12625 40th STREET NORTH
CLEARWATER, FL
727-572-9797
MADRIDCPWG.COM

PREMIER PARKING US LLC
P.O. BOX 1487
BUNNELL, FL 32110

PREMIER PARKING US LLC
RECKER HEY (SR 655), AUBURNDALE, FL 33823

SCALE-SCALE CPA
MAP A - LOCATION MAP

ZACHARY H. THORNTON, PE FLORIDA REG.
PROF. ENGINEER No.: 79489

PROJECT NO.	SHEET NO.
M2515817.00	MAP-A
DATE	
01/14/2026	
SCALE	
AS NOTED	

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MADRIDCPWG
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CLEARWATER, FL
727-572-9797
MADRIDCPWG.COM

PREMIER PARKING US LLC
P.O. BOX 1487
BUNNELL, FL 32110

PREMIER PARKING US LLC
RECKER HEY (SR 655), AUBURNDALE, FL 33823

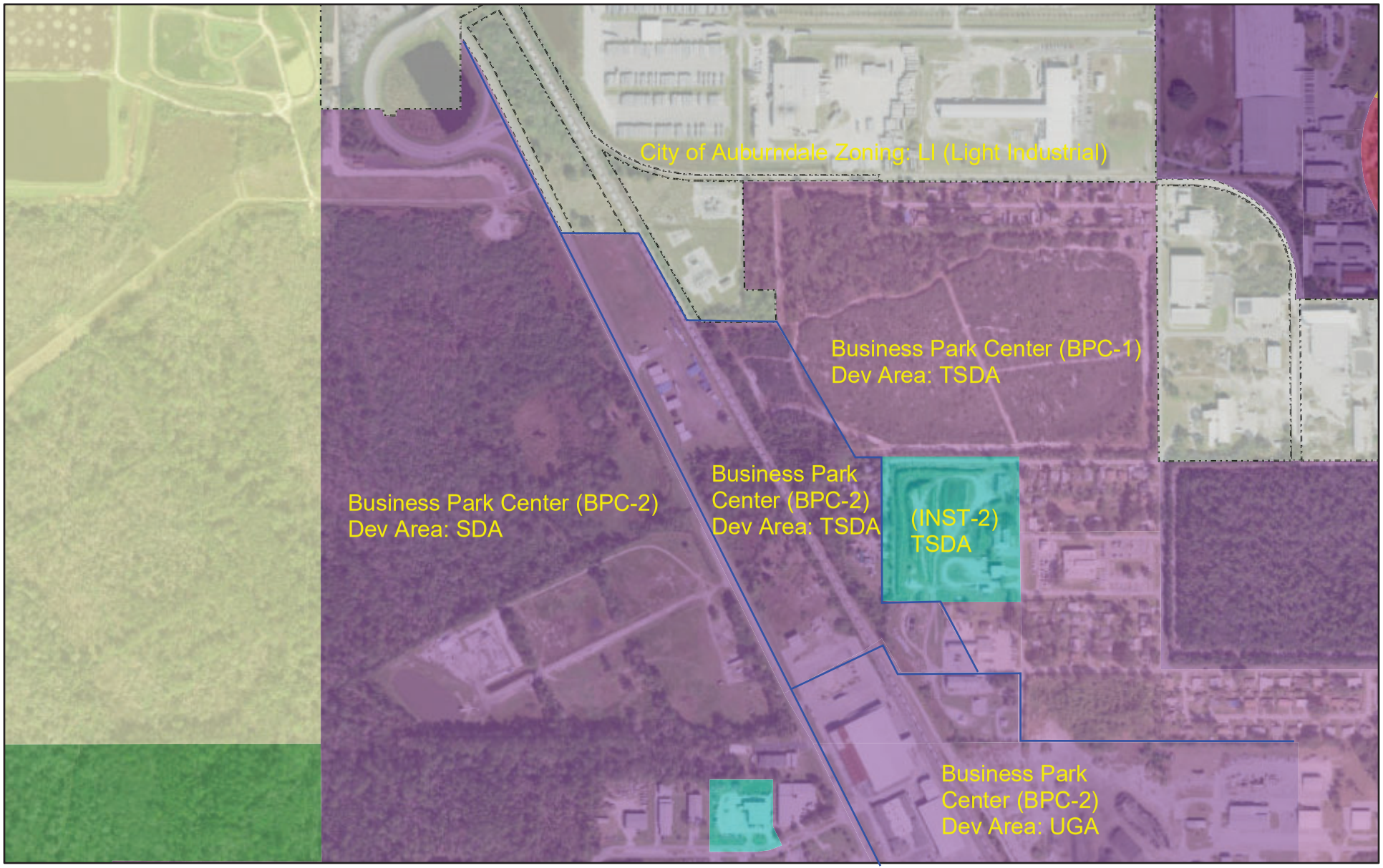
SCALE-SCALE CPA
MAP B - TOPOGRAPHIC MAP

ZACHARY H. THORNTON, PE FLORIDA REG.
PROF. ENGINEER No.: 76489

PROJECT NO.	SHEET NO.
M2515817.00	MAP-B
DATE	
01/14/2026	
SCALE	
AS NOTED	

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Polk Co. Land Use District Map (Map C)



1/27/2026

Map Land Use and Zoning _ FLU 2030

- CITY
- LCC - Linear Commercial Corridor
- BPC-1 - Business Park Center
- BPC-2 Business Park Center
- IND - Industrial
- INST-2 - Institutional
- PRESV - Preservation
- RS - Residential Suburban
- RM - Residential Medium

High Resolution 60cm Imagery
High Resolution 30cm Imagery
World Imagery
Citations
Low Resolution 15m Imagery
2.4m Resolution Metadata

1:8,921

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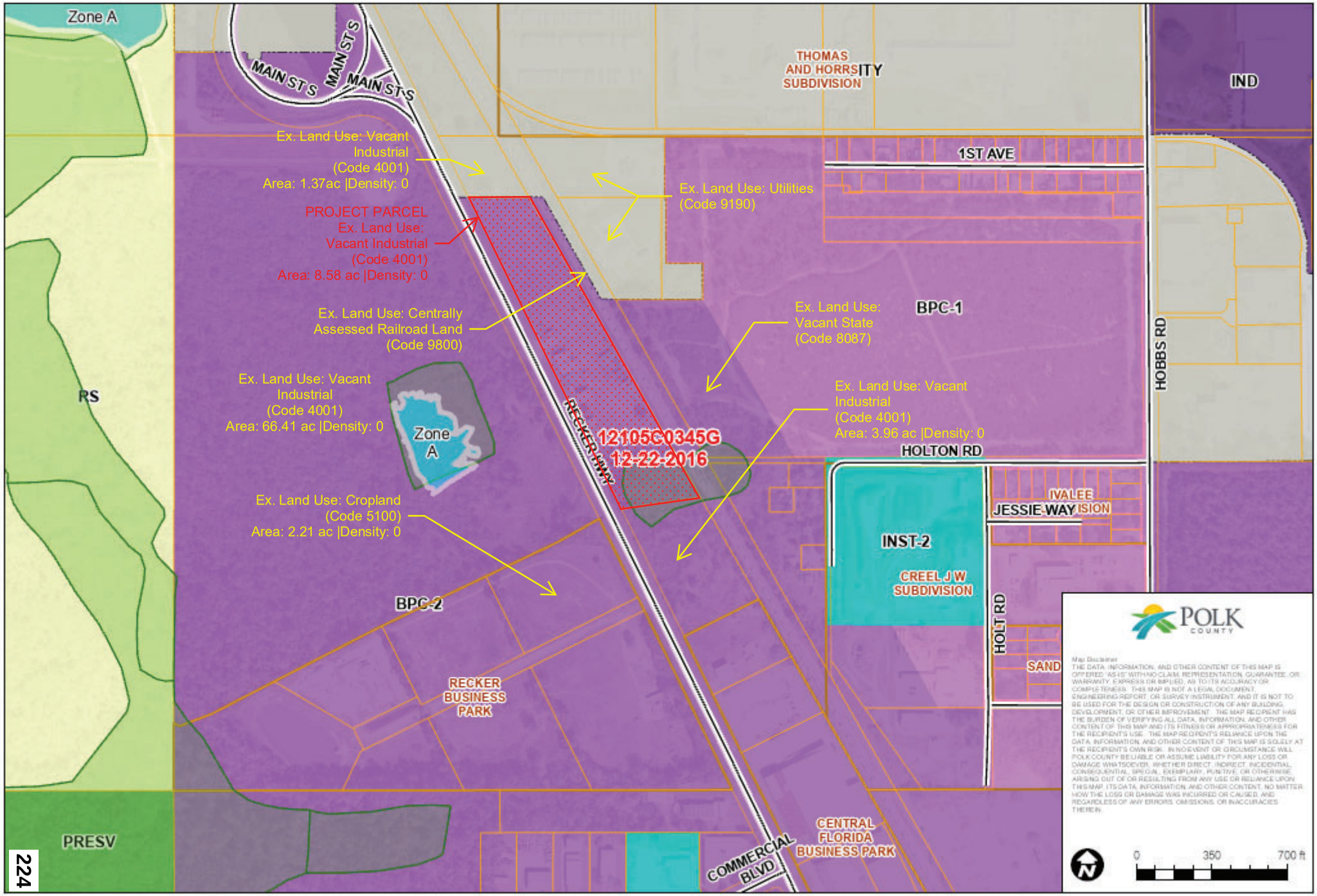
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State of Florida, Vantor

0 Recker Hwy, Auburndale, FL 33823
Parcel ID: 25-28-14-000000-041080

January 27, 2026

Polk Co. Ex. Land Use Map



Soil Map—Polk County, Florida
(MAP D_Recker Hwy CPA)



Map Scale: 1:2,710 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 40 80 160 240

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Polk County, Florida
Survey Area Data: Version 23, Aug 29, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jan 6, 2022—Mar 21, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
13	Samsula muck, frequently ponded, 0 to 1 percent slopes	1.6	13.5%
31	Adamsville fine sand, 0 to 2 percent slopes	10.5	86.5%
Totals for Area of Interest		**12.2**	**100.0%**



228

MADRIDCPWG
ENGINEERING, INC.
12625 40th STREET NORTH
CLEARWATER, FL
727-572-9797
MADRIDCPWG.COM

PREMIER PARKING US LLC
P.O. BOX 1487
BUNNELL, FL 32110

PREMIER PARKING US LLC
RECKER HEY (SR 655), AUBURNDALE, FL 33823

SCALE-SCALE CPA
MAP E - TRAFFIC CIRCULATION MAP

ZACHARY H. THORNTON, PE FLORIDA REG.
PROF. ENGINEER No.: 76489

PROJECT NO.	SHEET NO.
M2515817.00	MAP-E
DATE	
01/14/2026	
SCALE	
AS NOTED	

PLOTTED: 2/3/2026 11:38:21 AM
C:\Users\zach.thornton\Desktop\Projects\Premier Parking\AUBURNDALE EXT DEVELOPMENT\1 - CAD\Layouts\Auburndale_CPA (A3 MAP).dwg Plotted by: Zach Thornton

PLOTTED: 2/2/2026 12:50:13 PM

SITE DATA

PARCEL ID: 25-28-14-000000-041080

SECTION/TOWNSHIP/RANGE: 14/28S/25E
TOTAL PARCEL(S) AREA: 373,663 SF (8.578 ACRES)
ADDRESS: 0 RECKER HWY
AUBURNDALE, FL 33823

FEMA FLOOD ZONE: X
FIRM PANEL: 12105C 0345G
EFFECTIVE DATE: 12/22/2016

CURRENT ZONING: BPC-2 (BUSINESS PARK CENTER-2)
PROPOSED ZONING: IND (INDUSTRIAL)
FUTURE LAND USE (FLU): BPC

EXISTING USE: VACANT INDUSTRIAL
PROPOSED USE: MODULAR CLASSROOM STORAGE
(NO HAZARDOUS MATERIALS OR GREASE/OILS)

IMPERVIOUS SURFACE RATIO (ISR):
75% MAX.: 280,247 (6.434 AC)
PROPOSED:

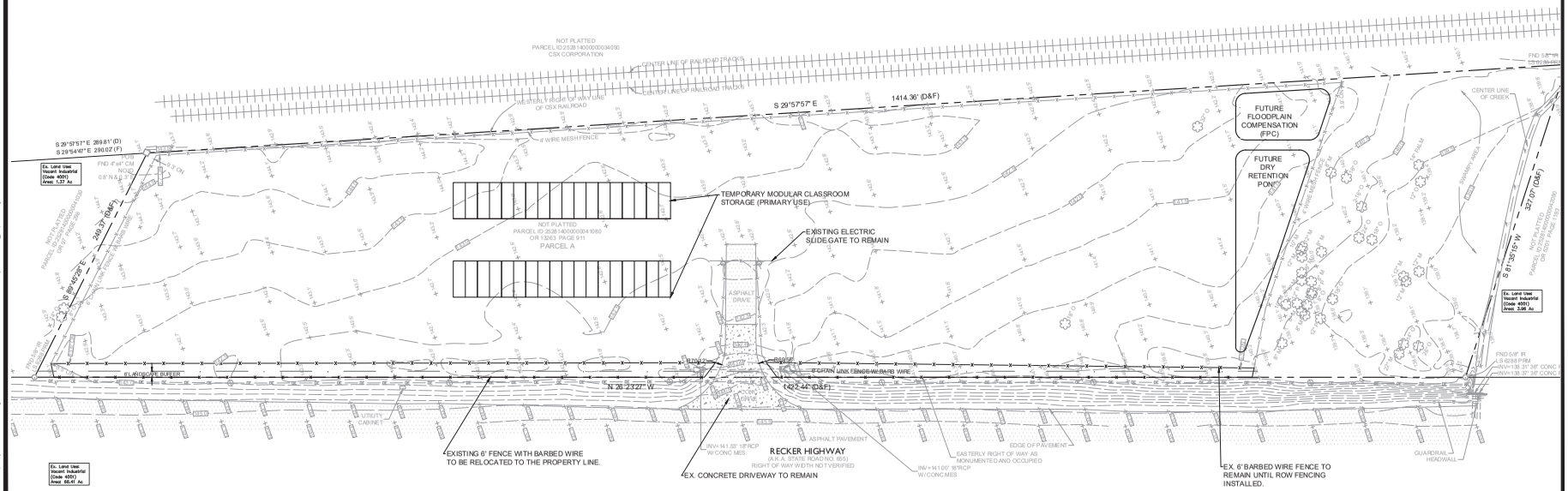
SETBACK REQUIREMENTS (NO PROPOSED STRUCTURES)
FRONT SETBACK - RECKER HWY/SR655 (W): 65'
SIDE SETBACK (N): 20'
SIDE SETBACK (S): 20'
REAR SETBACK (E): 20'

LANDSCAPE BUFFER:
FRONT BUFFER - RECKER HWY/SR655 (W): 6' (TYPE A)
BUFFER (N): N/A
BUFFER (S): N/A
BUFFER (E): N/A

50 FT 0 25 FT 50 FT 100 FT
1 IN = 50 FT

LEGEND

- PROPERTY LINE
- LANDSCAPE BUFFER
- ASPHALT MILLING PAVEMENT
- CONCRETE PAVEMENT
- CONCRETE SIDEWALK



MADRIDCPWG ENGINEERING, INC.
5001 N. Nebraska Ave, Suite A
TAMPA, FL
813-361-2644
WWW.MADRIDCPWG.COM

PREMIER PARKING US LLC
P.O. BOX 1487
BUNNELL, FL 32110

PREMIER PARKING US LLC
COMMERCIAL STORAGE
RECKER HWY (SR 655), AUBURNDALE, FL 33823

MAP F - SITE PLAN

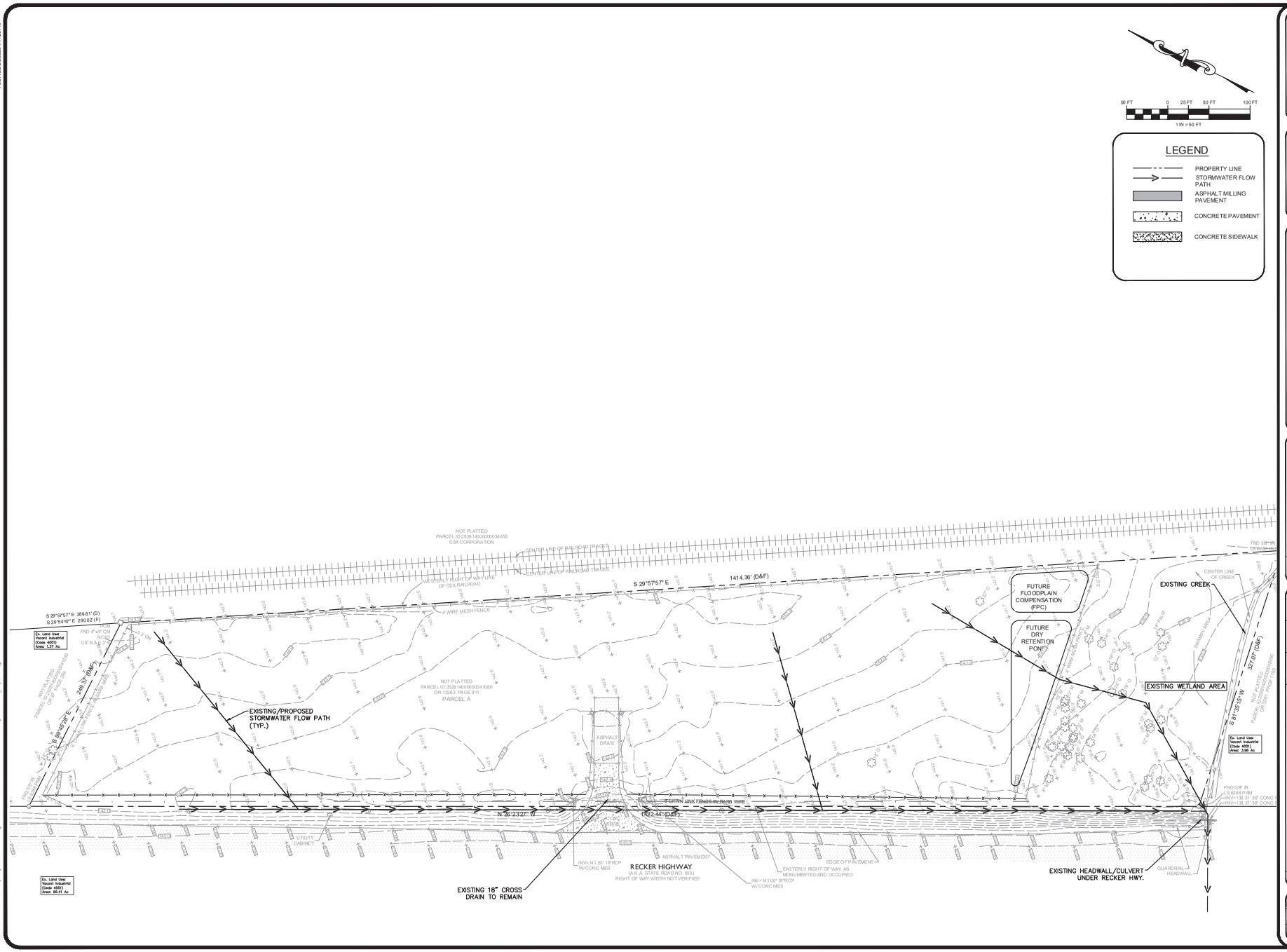
NOT FOR CONSTRUCTION

ZACHARY H. THORNTON, PE FLORIDA REG. PROF. ENGINEER No.: 79489

NO	REVISION/ISSUE	DRAWN	CHECKED	DATE

PROJECT NO. M25168.17.00
DATE 2/2/2026
SCALE AS NOTED
SHEET NO. MAP-F

C:\Users\zach.thornton\Desktop\Projects\Premier Parking\AUBURNDALE LOT DEVELOPMENT\01 - CAD\Layouts\Premier_Map F-2.dwg



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PREMIER PARKING US LLC
P.O. BOX 1487
BUNNELL, FL 32110

PREMIER PARKING US LLC
COMMERCIAL STORAGE
RECKER HWY (SR 655), AUBURNDALE, FL 33823

MAP G - DRAINAGE MAP

NOT FOR CONSTRUCTION

ZACHARY H. THORNTON, PE FLORIDA REG. PROF. ENGINEER No.: 79489

NO	REVISION/ISSUE	DRAWN	CHECKED	DATE

PROJECT NO. M25168.17.00
DATE 2/2/2026
SCALE AS NOTED
SHEET NO. MAP-G

PLOTTED 2/2/2026 1:11:26 PM
C:\Users\zach.thornton\Desktop\Projects\Premier Parking\AUBURNDALE LOT DEVELOPMENT\Y1 - CAD\Layouts\Premier_Map F-G.dwg

LDCPAS-2026-7 - Premier Parking Commercial Storage Auburndale

Menu Reports Help

Application Name: Premier Parking Commercial Storage Auburndale

File Date: 02/02/2026

Application Type: BOCC-CPA Small

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: The Owner, Premier Parking US LLC, proposes rezoning (changing land use district designation) of the parcel of land located at 0 Reckey Highway, Auburndale, FL 3382 Business Park Center 2 (BPC-2) to Industrial (IND). The proposed land use district change will allow the Owner to store modular classrooms on the site as a primary use. Parking (Owner) utilizes several parcels of land in and around the Polk County area for commercial vehicle storage of semi tractor trailers. Commercial vehicle storage is allowed use in BPC-2 and is permitted within the parcel in question. The Owner will utilize the parcel for commercial vehicle storage in the future but would like the flexibil utilize a portion of the property for outdoor storage of the modular classrooms or other storage containers (with no hazardous materials or grease/oils). The temporary mo classroom storage is not allowed as a primary use in the BPC-2 land use district but would be allowed in the IND land use district. IND land use district allows dual primar

Application Detail: Detail

Address: 0 RECKER HWY, AUBURNDALE, FL 33823

Parcel No: 252814000000041080

Owner Name: PREMIER PARKING US LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Zachary THORNTON	Madrid CPWG	Engineer	Mailing, 8770 133rd Av...	Active
PREMIER PARKING US LLC	PREMIER PARKING...	Property Owner		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

Application Type
CPA Small Scale Or EAR

Brownfields Request
N/A

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
0

Will This Project Be Phased

Acreage
8.58

DRC Meeting
02/26/2026

DRC Meeting Time

Rescheduled DRC Meeting

Rescheduled DRC Meeting Time

Green Swamp
No

Number of Units
0

Case File Number

Is this Polk County Utilities

Is this Application a result of a Code Violation
No

One Year Extension

FS 119 Status
Non-Exempt

Code Violation Case Number

ADVERTISING

Legal Advertising Date

BOCC1 Advertising Date

BOCC2 Advertising Date

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting

Planning Commission Date
05/06/2026

Land Use Hearing Officer 3

1st BOCC Date
06/16/2026

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	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-26EST-00000-01551	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	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	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

√

SELECTED AREA PLANS

Selected Area Plans
N/A

LAND USE

Selected Area Plan	LU Code
Not in an SAP	BPC2- Business Park Center

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	3			04/21/2026	
BOCC 1	3			04/21/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	02/06/2026	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	02/23/2026	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	02/09/2026	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	02/11/2026	Kim Turner
Planning Review	Aleya Inglima	Approve	02/23/2026	Aleya Inglima
School Board Review	School District	Not Required	02/06/2026	School District
Review Consolidation	Lyndsay Rathke	Approved for...	02/26/2026	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

ORDINANCE NO. 26 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2026-7;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 8.59± ACRES FROM BUSINESS PARK CENTER (BPC) TO INDUSTRIAL (IND). THE SUBJECT SITE IS LOCATED NORTH OF HIGHWAY 542 W, EAST OF RECKER HIGHWAY, SOUTH OF THE CITY OF AUBURNDALE IN SECTION 14, TOWNSHIP 28, RANGE 25; 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 May 6, 2026; 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 June 16, 2026; 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 1: 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 8.59+/- acre site from Business Park Center (BPC) to Industrial (IND) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel: 252814-000000-041080

as described below:

COMM NE COR NE1/4 OF SW1/4 RUN N89-45-31W 1361.82 FT TO WLY R/W OF CSX RR S29-57-57E ALONG SAID R/W 289.81 FT TO POB CONT S29-57-57E 1414.36 FT S81-35-15W 327.07 FT TO ELY R/W OF SR 655 N26-23- 27W ALONG SAID R/W 1422.44 FT S89-45-28E 249.37 FT TO POB.

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on July 17, 2026 (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 Commerce 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 4: FILING WITH THE DEPARTMENT OF STATE:

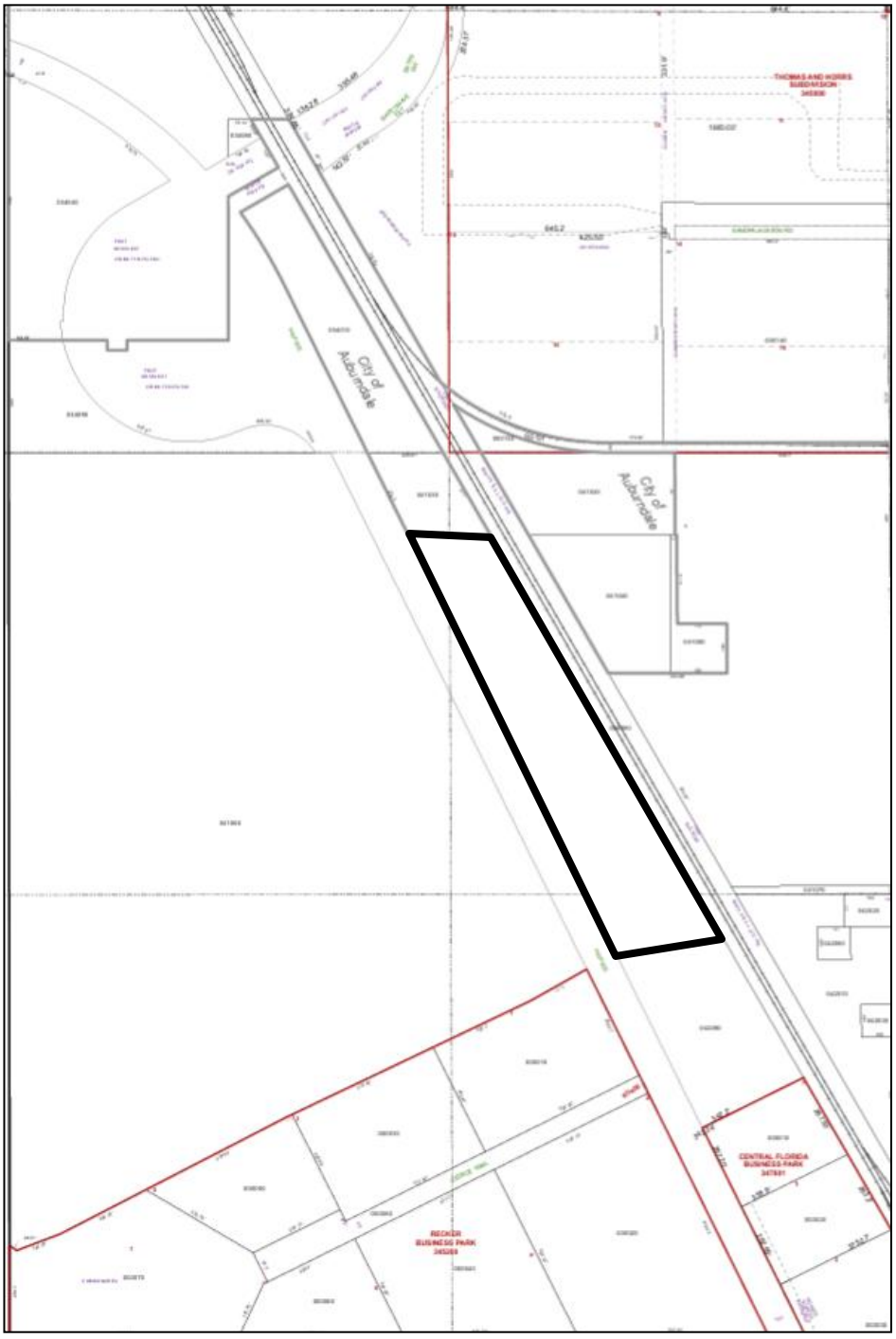
The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the Secretary of State, upon adoption by the Board of County Commissioners of Polk County, Florida.

ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 16th day of June 2026.

ATTACHMENT "A"

LDCPAS-2026-7
Location: North of Highway 542 W, east of Recker Highway, south of the City of Auburndale in Section 14, Township 28, Range 25.
Section-14 Township-28 Range-25

PARCEL DETAIL
Note: Not to Scale



Agenda Item 7. 5/6/2026

SUBJECT

LDCPAS-2026-3 (Sumner Cozart Road CPA)

DESCRIPTION

This is an applicant-initiated Future Land Use Map change for 25.8 acres from Business Park Center (BPC) to Industrial (IND). The location is north of Cozart Road, east of Highway 37 South, south of the City of Mulberry, east and west of the CSX railroad, in Section 13, Township 30, Range 23.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

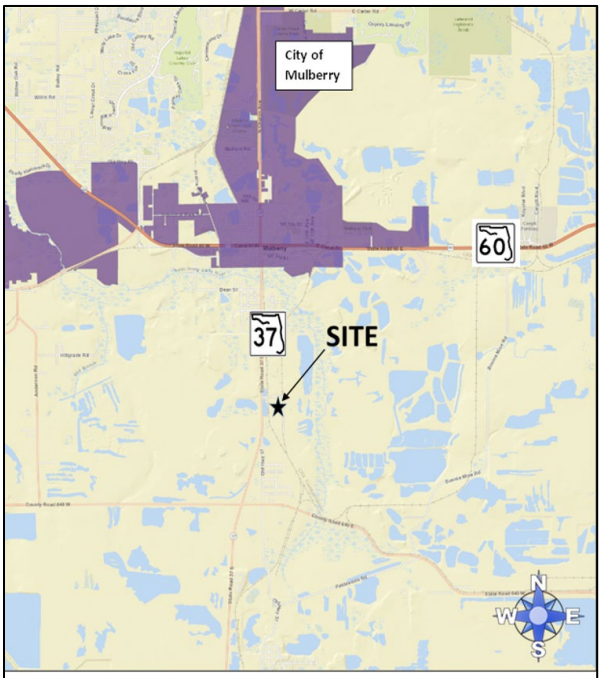
Mark J. Bennett, AICP, FRA-RA, CNU-A

Senior Planner

markbennett@polkfl.gov <mailto:markbennett@polkfl.gov>
863 534-6455

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	February 26, 2026
Planning Commission Date:	May 6, 2026
BoCC Dates:	June 16, 2026
Applicant:	Steve Sloan, PE
Level of Review:	Level 4 Review, Small-Scale Comprehensive Plan Amendment
Case Number and Name:	LDCPAS-2026-3 (Sumner Property Cozart Road CPA)
Request:	Change 25.8 acres from Business Park Center (BPC) to Industrial (IND).
Location:	North of Cozart Road, east of Highway 37 South, south of the City of Mulberry, east and west of the CSX railroad, in Section 13, Township 30, Range 23.
Property Owner:	David and Cathy Sumner
Parcel Size:	25.8 acres
Development Area:	Rural Development Area (RDA)
Future Land Use:	Business Park Center (BPC)
Nearest Municipality:	Mulberry
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	Not Applicable
Case Planner(s):	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner



Location Map



Aerial Photo

Summary:

This is an applicant-initiated Comprehensive Plan map amendment to change 25.8 acres from Business Park Center (BPC) to Industrial (IND) on the Future Land Use Map. The approval justification for this request is based on the following:

1) The presence of industrial uses within the general area and adjacent to the site;
2) Property designated IND is to the south, east and west of the site;
3) Two railroads are flanking the property;
4) The property has direct access (via Cozart Road) to a full median opening onto State Road 37.

Compatibility Summary

There are several reasons why this request is considered to be compatible and consistent with the Comprehensive Plan and Land Development Code. The location of transportation facilities such as railroads and arterial highways is a factor in determining the appropriateness of industrial lands. This property has access to two railroads and an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of private roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

Adjacent properties are both designated for industrial types of uses and activities. Because of the similarity in current uses and Future Land Use designations, designating this site as Industrial will be compatible.

Infrastructure Summary

The site is not in a utility service area. Because this amendment is for a non-residential use, schools will not be impacted. There is sufficient roadway capacity. Public safety facilities and services are available.

Environmental Summary

Portions of the site are within the 100-year floodplain and contain wetlands. Ther are no surface waters on or adjacent to the site. No adverse environmental impacts are expected due to the development of this site, subject to compliance with applicable floodplain and wetland regulations.

Comprehensive Plan

Listed below are the relevant sections of the Comprehensive Plan that are applicable to this request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.108(A1-A6): Rural Development Areas (RDAs)
- Policy 2.113(B1-B5): Business-Park Centers (BPC)
- Policy 2.113(A1-A5): Industrial (IND)

Findings of Fact

Request and Legal Status

- LDCPAS-2026-3 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately ± 25.8 acres from Business-Park Center (BPC) to Industrial (IND).

- Policy 2.108-A1 describes Rural-Development Areas (RDAs) as all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments.

- Policy 2.109-A5 describes the Business Park Center land use district as follows: "The purpose of the Business Park Center (BPC) land use district is to provide areas for office, business park development, and light-industrial activities. The BPC land use permits office, research and development parks, distribution centers, and wholesaling activities. Some retail uses are also permitted to support the businesses and activities within the Business Park Center."

- The property is vacant and undeveloped.

Compatibility

- 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."

- The proposed request is for a Industrial (IND) Future Land Use designation.

- This area of Polk County is characterized by industrial uses and phosphate mining.

- Surrounding uses include outdoor storage to the west and northwest, manufacturing to the east, and vacant property north and south of the site.

- Policy 2.104-A3: Land Use Categories (for Rural Development Areas (RDAs)) list Industrial as a permitted use in RDAs.

Infrastructure

- The property is zoned for Kingsford Elementary, Mulberry Middle, and Mulberry Senior High.

- Fire and ambulance response is from Polk County Fire Rescue Station 15, located at 300 Kid Ellis Road, Mulberry. The estimated response time from this station is about nine- to fourteen minutes.

- Sheriff's response to the site is served by the Southwest District, located at 4120 US 98 South, Lakeland. The responses time are as follows: Priority One: 8:55 minutes; Priority Two: 26:47 minutes.

- The subject property is near State Road (SR) 37. SR 37 is an Urban Minor Arterial, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

- The subject parcel is next to Cozart Road, a private road.

- The site is not located within a utility service area.

Environmental

- There are wetlands and floodplains on the site.

- The site is comprised of Neilhurst sands. These soils are related to previous phosphate mining activities, has severe suitability for septic tank usage and slight limitations for dwellings without basements.

- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is an area with a rookery.

- The PolkGreen Map does not show this parcel as part of a potential connection of an overall natural network.

- This site does not have a conservation easement. However, property located ¾ mile north of the site contains a conservation easement.

- This property is not within an Airport Impact District.

- The site is not within a Wellfield Protection District.

- Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

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 2.108-A1: DESCRIPTION - Rural-Development Areas (RDA) shall be all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments.

- POLICY 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas:

  a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria.

  b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria.

  c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional.

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

- 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-A2: DESIGNATION AND MAPPING - Industrial areas shall be designated and mapped on the Future Land Use Map Series as "Industrial" (IND); shall include all major existing industrial areas; and shall provide for the projected future industrial development needs of the County.

- 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; or

3. 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-B-1: CHARACTERISTICS - Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support

the businesses located there. General (approximate) characteristics of Business-Park Centers are:

Usable Area: 10 acres or more

Gross Leasable Area (GLA): 500,000 to 2,000,000 sq. ft.

Minimum Population Support: 150,000 or more people

Service-Area Radius: 20 miles or more

Typical Leading Tenant: One or more light-assembly plants, or warehouse facilities

Other Typical Tenants: Offices, distribution centers, research and development firms, High-Density Residential (with proper buffering).

- POLICY 2.113-B-3: LOCATION CRITERIA - Business-Park Centers shall be located with consideration being given to maximizing access to the arterial road system and with consideration given to the guidelines outlined in POLICY 2.404.-A1. In locating Business-Park Centers, Polk County shall seek to minimize the routing of commercial traffic through residential areas. Business-Park Centers shall be located on:

  a. arterial roads;

  b. collector roads, if the proposed district is within 2 miles of an intersecting arterial road;

  c. local commercial roads or private roads under the following conditions:

  1. the road has full median access onto to an arterial road;

  2. the road does not serve existing or expected future residential traffic from the surrounding area; and

  3. the road has a structural integrity and design characteristics suitable for truck traffic.

  d. properties abutting an Industrial (IND) district or railroad line.

- POLICY 2.113-B-4: DEVELOPMENT CRITERIA - Development within a Business-Park Center shall conform to the following criteria:

  a. Business-Park Center developments shall have frontage on, or direct access to, a collector or better roadway, or a local commercial road or service drive that directly connects to a collector roadway or better. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

  b. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

c. Buffering shall be provided 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. Commercial activities to support activity within a Business Park Center shall not exceed 15 percent of the total area of the Business Park.

e. The maximum floor area ratio for commercial activities shall not exceed 0.25. The maximum floor area ratio for non-commercial activities shall not exceed 0.75 in the TSDA, 0.65 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.

f. Retail sale of goods manufactured on the site of a business located within a Business Park Center is allowed without affecting the fifteen percent (15%) of commercial activity permitted for the entire activity center 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.

g. New residential development within Business Park Centers shall be limited to High-Density Residential (with proper buffering).

h. All research and development, light-industrial, and distribution activities shall be conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures.

i. 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 septic and as required if within a Nutrient Restoration Plan Overlay.

j. Planned Developments within the Business Park Center 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 FAR in the RDA may be increased to 0.75 when connection to public water and sewer is available and within a half mile of a transit route. The Land Development Code shall establish development standards and criteria for Planned Developments within the BPC district.

k. 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.

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 (DRC) finds that 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 LDCPAS-2026-3.**

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: 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.

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 site is within a Rural Development Area (RDA). RDAs are those unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments.

Currently, the site has a Future Land Use designation of Business-Park Center (BPC). BPCs are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there.

The proposed request is for an Industrial (IND) Future Land Use designation. Generally, Industrial districts contain more intensive uses and activities than contemplated in a Business-Park Center. The Comprehensive Plan describes Industrial Lands as 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.

As shown on the Future Land Use Map, adjacent properties south, east and west of the site are designated Industrial. BPC is located to the north of the site.

The site is vacant. Based on a review of past aerial photos, the site has been vacant since at least 1980. Aerial photos from 1941 to 1971 show a lake on the site, presumably as a result of phosphate mining activities on adjoining properties. Generally, the predominant uses in this area of the

county are industrial or phosphate mining related, with much of the land in this area having been previously mined.

Surrounding uses next to the site include railroads on the western and eastern boundaries of the site. A manufacturing use (YTR Ammunition, an ammunition manufacturer) is southeast of the site. Outdoor storage is located west and northwest of the site. Property to the north and south are vacant.

There are several reasons why this request is considered to be compatible, and consistent with the Comprehensive Plan and Land Development Code. The location of transportation facilities, such as railroads and arterial highways is a factor in determining the appropriateness of industrial lands. This site has access to an arterial highway and is flanked by two railroads. Specifically, one of the criteria for locating Industrial lands is the location of private roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

Adjacent properties are both designated for industrial types of uses and activities. Because of the similarity in current uses and Future Land Use designations, designating this site as Industrial will be compatible.

B. Infrastructure:

According to Comprehensive Plan 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 is located in the Rural Development Area (RDA), where connections to water and sewer service are not required.

The following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1 Future Land Use Map Districts and Existing Uses

Northwest Industrial (IND) Light Manufacturing	**North** Business Park Center (BPC) Vacant	**Northeast** Industrial (IND) Light Manufacturing
West Industrial (IND) Outdoor Storage	**Subject Site** Business Park Center (BPC) Vacant	**East** Industrial (IND) Light Manufacturing
Southwest Industrial (IND) Vacant	**South** Industrial (IND) Vacant	**Southeast** Industrial (IND) Ammunition Manufacturing

Nearest and Zoned Elementary, Middle, and High School

The schools zoned for the subject property are listed in Table 2 below. Because the request is for a non-residential use, the request will not impact school concurrency.

Table 2: School Information

School	Annual Estimated Demand	Distance from Subject Site
Kingsford Elementary	0	1.5 mile
Mulberry Middle School	0	1.6 miles
Mulberry Senior High	0	2.3 miles

Source: Polk County School Board website

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Sherriff response times are not as much a function of the distance to the nearest sheriff's substation rather more a function of the overall number of patrol officers within the County. Priority 1 Calls are considered 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.

Table 3 provides a breakdown of response times and travel distances for emergency services.

Table 3 Public Safety Information

	Name of Station	Distance	Response Time*
Sheriff	Southwest District, located at 4120 US 98 South, Lakeland	15.65 miles	P1: 8:55 minutes P2: 26:47 minutes
Fire/ EMS	Polk County Fire Rescue Station 15, located at 300 Kid Ellis Rd, Mulberry	3.4 miles	9-14 minutes

*Source: Polk County Sheriff's Office and Public Safety *Response times are based on when the station receives the call and not from when the call is made to 911.*

Water and Wastewater

The subject property is in a Rural Development Area (RDA), where connection to public water and sewer is not required. No sewer service or water lines are available in this area.

A. Estimated Demand

The development of the property under the proposed land use designation should not negatively impact the minimum LOS for the existing facilities, due to the relatively low consumption and generation rates. The following analysis assumes the maximum allowed density/intensity of 561,924 square feet of warehouse space for IND, and 561,924 square feet of professional offices space for BPC.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: BPC-1 – 25.8 AC/1,123,848 SF of site *.50 FAR = 561,924 SF IND – 25.8 AC/1,123,848 SF of site *.50 FAR = 561,924 SF	Estimated Impact Analysis Business Park Center (BPC-1) to Industrial (IND) *Development Area: RDA*	
	Current Land Use designation BPC-1	**Maximum Permitted Use in Proposed IND**
Current Maximum Allowable Use	561,924 Square Feet (SF)	561,924 Square Feet (SF)
Potable Water Consumption	561,924 SF * .24 GPD/SF = **134,862 GPD**	561,924 SF * .24 GPD/SF = **134,862 GPD**
Wastewater Generation	570,854 SF * 80% of water usage **107,890 GPD**	570,854 SF * 80% of water usage **107,890 GPD**

GPD – Gallons Per Day
Source: Polk County Concurrency Manual and Polk County Utilities: Professional Offices @ .24 GPD/SF (water) & .18 GPD/SF (sewer); Warehouse @ .24 GPD/SF (water) & .18 GPD/SF (sewer)

B. Available Capacity:

Because this property is in a Rural Development Area, public water or sanitary sewer services are not available.

C. Planned Improvements:

No information is known currently about any planned improvements to utilities in this area.

Roadways/ Transportation Network

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The data identifies both daily and peak hour traffic volumes. The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

The proposed Comprehensive Plan Amendment is not anticipated to affect surrounding roadways or transportation network. The Amendment will not change the LOS below the minimum established standards.

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The analysis is based on a maximum permitted use of 561,924 square feet of general light industrial. The following analysis assumes the maximum allowed intensity of 561,924 square feet of warehouse space for BPC and 561,924 square feet for IND.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: BPC-1 – 25.8 AC/1,123,848 SF of site *.50 FAR = 561,924 SF IND – 25.8 AC/1,123,848 SF of site *.50 FAR = 561,924 SF	Estimated Impact Analysis Business Park Center (BPC-1) to Industrial (IND) Development Area: RDA	
	Current Land Use designation BPC-1	**Maximum Permitted Use in Proposed IND**
	561,924 Square Feet (SF)	561,924 Square Feet (SF)
Average Annual Daily Trips (AADT)	561,924 SF *1.71 trips/1,000 SF = **961 AADT**	561,924 SF * 4.87 trips/1,000 SF = **2,736 AADT**
PM Peak Hour Trips	561,924 SF * .18 trips/1,000 SF = **101 PM Peak Hour Trips**	561,924 SF * .65 trips/1,000 SF = **37 PM Peak Hour Trips**

Source: Concurrency Manual and Table for Minor Traffic Study – Warehousing (ITE 150) – 1.71 AADT/1,000 SF; General Light Industrial (ITE 110) – 3.60 AADT/1,000 SF, 0.49 peak-hour trips/1,000 SF.

B. Available Capacity:

The roads surrounding the subject site should have sufficient capacity available, depending on the eventual use and full build out of the site. The Polk Transportation Planning Organization (TPO) monitors certain roadways based on maximum approved traffic in comparison to current vehicle trips to determine what capacity is available.

Table 6, below, charts the generalized available capacity of the most-affected links.

Table 6 Available Capacity

Link #	**Road Name**	**Current Level of Service (LOS)**	**Available PM Peak Hour Capacity**	**Minimum LOS Standard**	**5-Year Peak Hour Projected LOS**
5801N	SR 37 From: SR 674 To: SR 640	B	582	C	B
5801S	SR 37 From: SR 674 To: SR 640	B	570	C	B

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025

As identified above, SR 37 has sufficient PM peak hour capacity to support future development activity.

The subject parcel is next to Cozart Road. This road is a privately owned road and has a pavement width of 20 feet. There is an easement on the road that allows for access to the site.

C. Roadway Conditions

Because Cozart Road is a privately maintained road, no information regarding the Pavement Condition Index is available.

D. Planned Improvements:

There are no known improvements for this portion of Highway 37 South at this time.

E. Mass Transit

The Route 21X West – Bartow/ Mulberry/ Ft. Meade traverses this section of Highway 37 South in Mulberry. There is a bus stop at the northwest corner of Highway 37 South, about .9 miles walking distance from the site.

F. Sidewalks

There are no sidewalks in front of the subject property, nor along adjacent streets.

Park Facilities and Environmental Lands

The closest County Park is Pinedale Park, located 1 mile south of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

Pinedale Park is located on the south side of Temple Street in the Pinedale subdivision in Mulberry (no address available).

B. Services:

Pinedale Park is a County Park is a vacant lot with no special service or equipment.

C. Multi-use Trails:

There are no multi-use trails in the immediate area. According to the Polk GIS Viewer, the closest trails can be found at the Lakeland Highlands Scrub, 5.3 miles Northeast of the site.

Environmental Lands

The site is located close to an Ecological Greenway Network but is not within that area. The closest conservation area is 2.45 miles Northwest of the site, Alafia River Reserve.

Environmental Conditions

There are wetlands and floodplains on this site. Because of these conditions, any development of the site will have to take these conditions into account and comply with the applicable requirements of Section 620 (Wetland Protection) and Section 630 (Flood Hazard Management and Floodplain Protection) of the Land Development Code.

A. Surface Water:

There are no surface waters on the site. A freshwater pond is about 600 feet west of the site.

B. Wetlands/Floodplains:

The site contains floodplains and wetlands.

C. Soils:

The site is comprised of Neilhurst sand/1 to 5 percent slopes, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Table 7, below, lists the soils associated with the subject site.

Table 7 Soils

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings Without Basements**	**% of Site** *(approximate)*
Neilhurst sand/1 to 5 percent slopes	Severe: wetness	Slight	100.%

Source: Soil Survey of Polk County, Florida 1985, USDA, Soil Conservation Service

Any future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual.

D. Protected Species

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of a rookery. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that 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.

The PolkGreen Map displays this parcel as near potential connection of an overall natural network. Moreover, there are no conservation easements on this parcel, but a property with an conservation easement is ¾ mile north of the site.

E. Archeological Resources:

Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

F. Wells (Public/Private)

The site is not within a Wellfield Protection District.

G. Airports:

This property is not within the Airport Impact District.

Economic Factors:

Construction of buildings and site development activities create temporary jobs. Any new business activity that occurs at this site will need more goods and services, thereby generating more economic activity.

The proximity of this site next to Highway 37 and existing railroads provide an opportunity for new businesses to locate on this site, thereby also providing jobs to support the Mulberry community.

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

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 site is in between two properties that are designated as Industrial (IND) and would be compatible.
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 is in an existing industrial area.
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, 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;	The proximity of the site next to SR 37, next to an existing industrial area, and bordered on two sides by a railroad. These features make the site appropriate for more intensive industrial uses.

Comprehensive Plan Policy	Consistency Analysis
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 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas: a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria. b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria. c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional. Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.	The site is in a Rural Development Area (RDA).
<u>POLICY 2.113-A3: LOCATION CRITERIA</u> - 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.	This request can be considered to be part of an expansion of an existing industrial district. The site is located near an arterial road, and has direct access next to two railroads. Cozart Road has full median access to SR 37.

Comprehensive Plan Policy	Consistency Analysis
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; or 3. 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.	

Urban Sprawl Analysis
After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, the proposed request is not considered to be urban sprawl.

Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

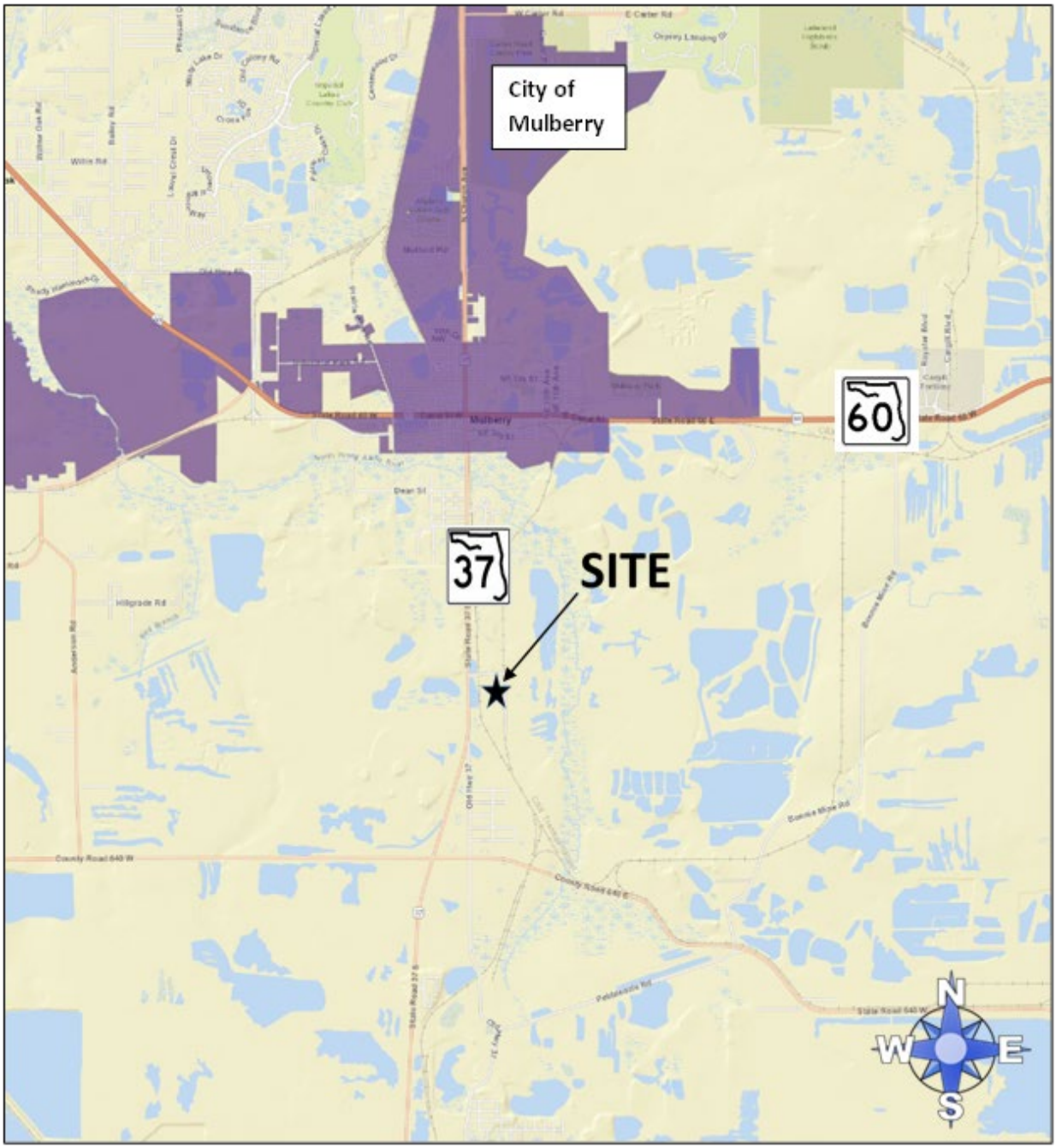
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	**Sections where referenced in this report**
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of analysis
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of analysis
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Summary of analysis, surrounding Development, compatibility
e. *Fails to adequately protect adjacent agricultural areas.*	Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Summary of Analysis, Infrastructure
g. *Fails to minimize the need for future facilities and services.*	Summary of Analysis, Infrastructure
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Infrastructure
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments From Other Agencies:

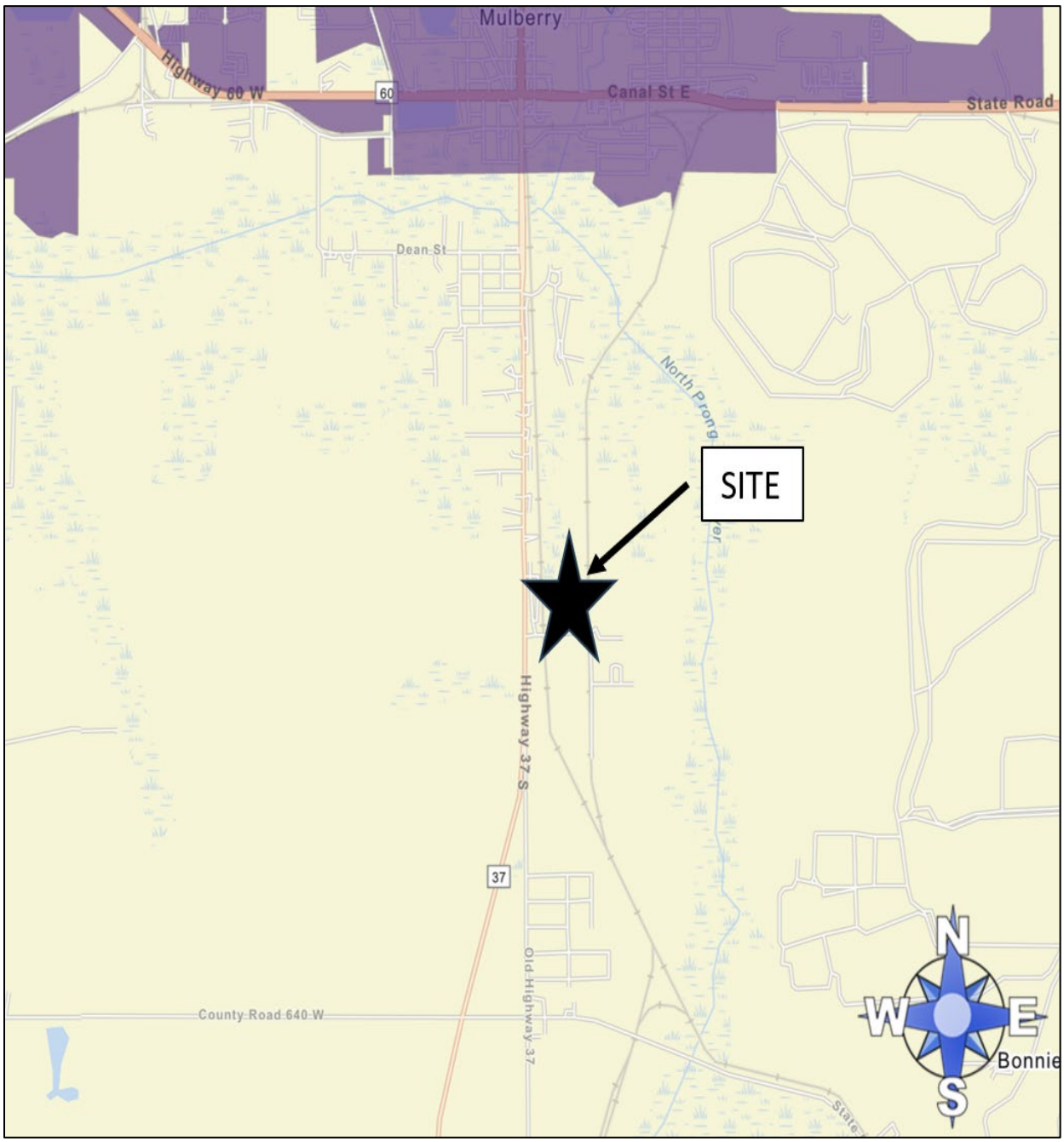
None

Exhibits:

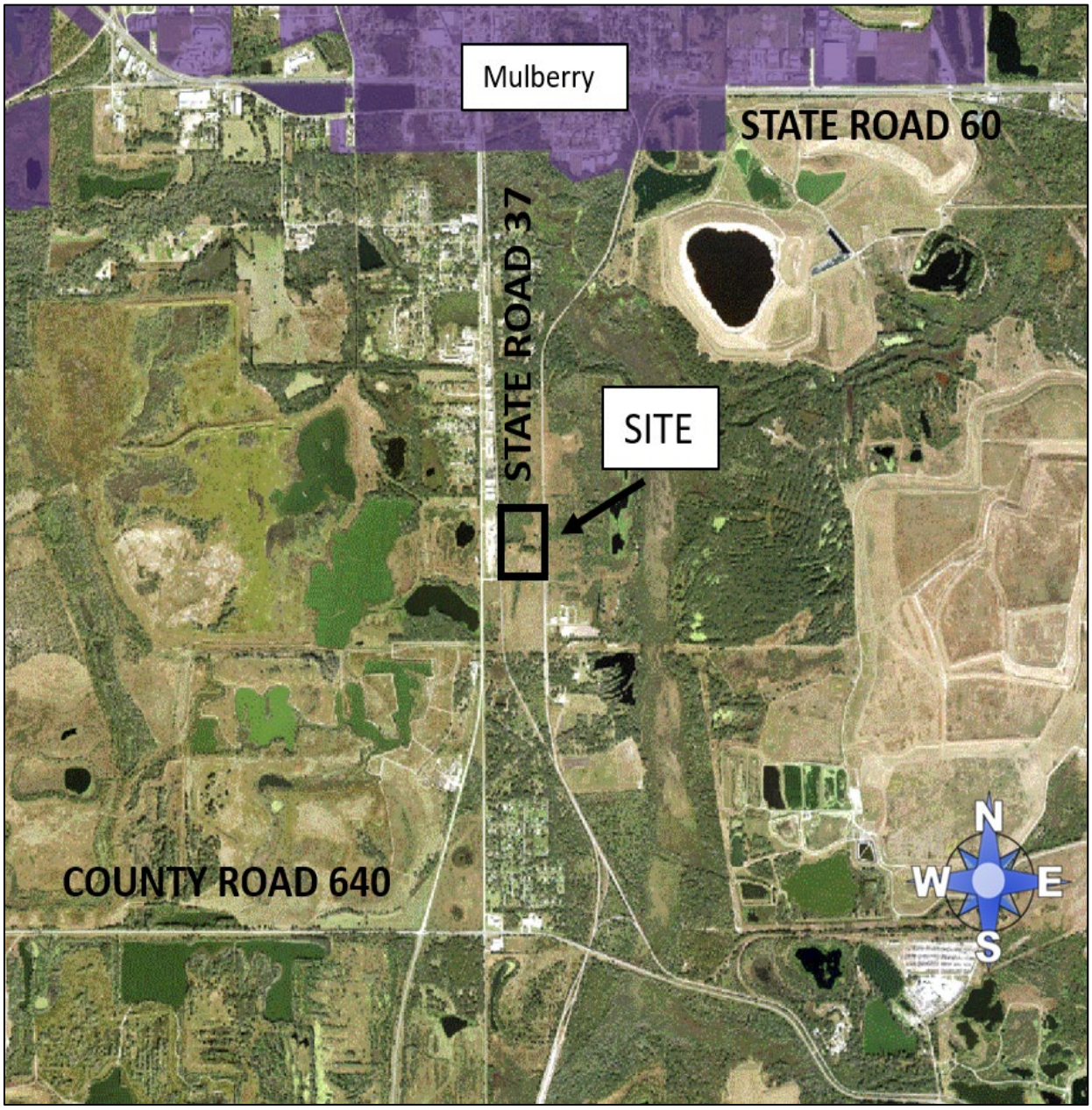
Exhibit – 1 Location Map
Exhibit – 2 Location Map (Detailed)
Exhibit – 3 2023 Aerial Photo (Context)
Exhibit – 4 2023 Aerial Photo (Detailed)
Exhibit – 5 Current Future Land Use Map
Exhibit – 6 Proposed Future Land Use Map
Exhibit – 7 District Use Comparison Tables



Location Map



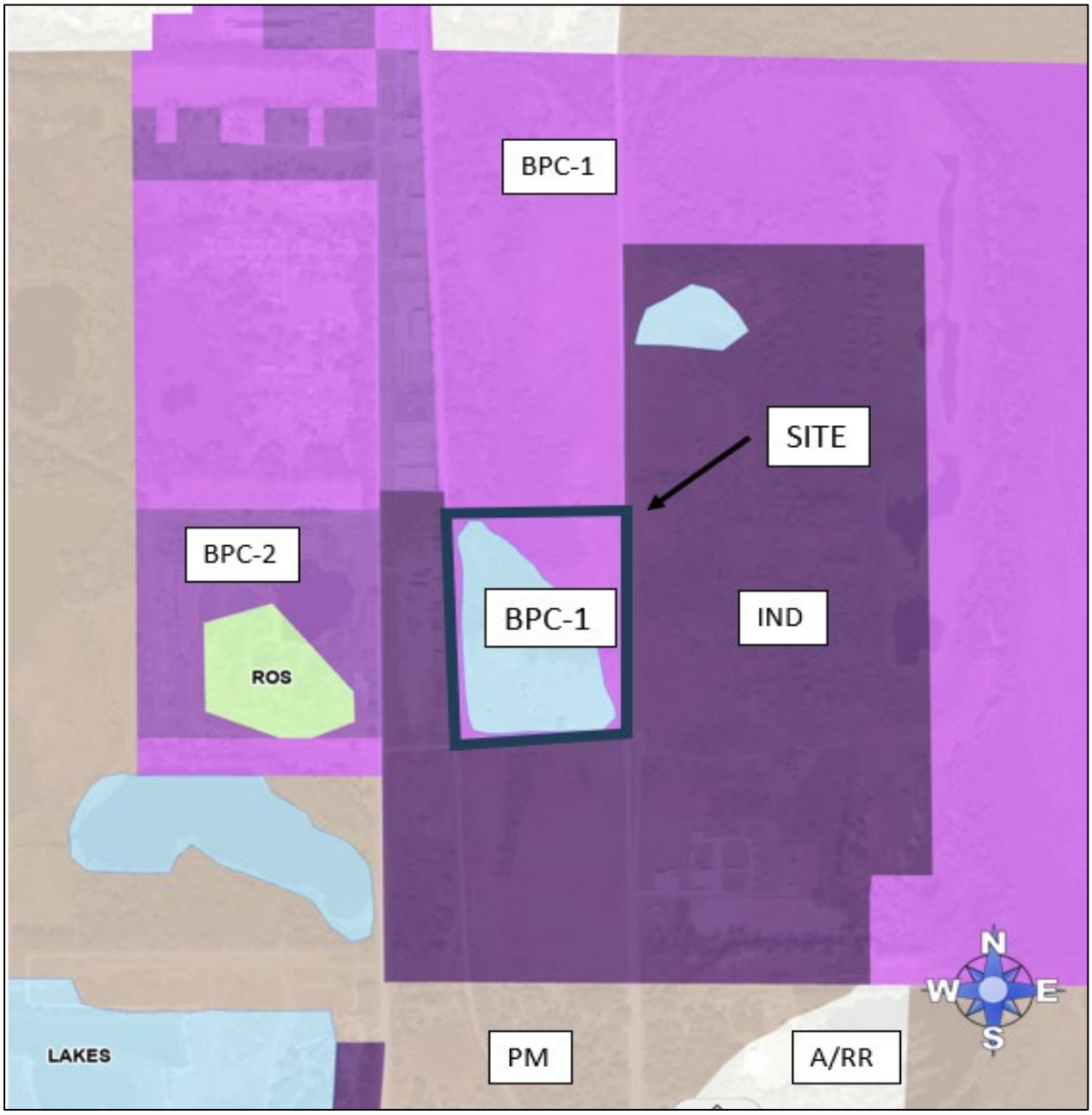
2023 Aerial Photo (Context)



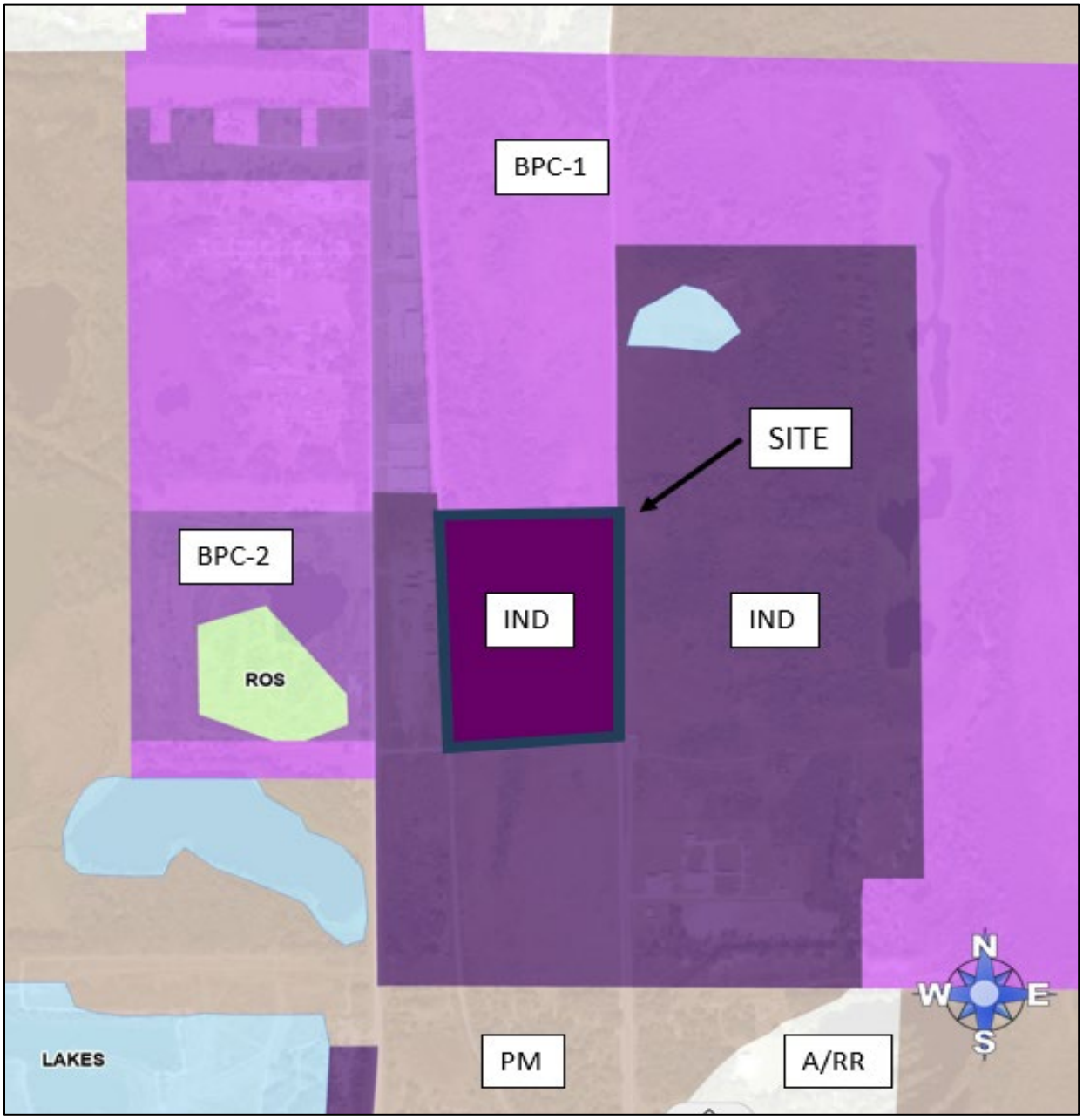
2023 Aerial Photo (Context)



2023 Aerial Photo (Detailed)



Current Future Land Use Map



Proposed Future Land Use Map

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
BPC-1	Farming General, Government Facility, Nurseries and Greenhouses, Office, Office Park, Personal Service, Printing & Publishing, Research & Development, Studio- Production, Transit- Facility, Utilities- Class I, Utilities- Class II, Warehousing/Distribution	Alcohol Package Sales, Bars- Lounges- and Taverns, Golf Course, Recreation- Passive, Cardboard & Shredded Paper Collection; Commercial Vehicle Parking, Communication Tower- Monopole, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Heliports, Helistops, Hotels and Motels, Manufacturing- Light, Medical Marijuana Dispensaries, Nurseries- Retail, 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., School- Leisure/Special Interest, School- Technical/Vocational/Trade & Training, School- University/College, Self-storage Facility, Solar Electric-Power Generation Facility	Multi-family, Planned Development, Transitional Area Development, Agricultural Support- Off-Site, Airport, Animal Farm- Intensive, Communication Towers- Guyed and Lattice, Lime Stabilization Facility, Mining- Non-phosphate, Retail- More than 65-000 sq. ft., Utilities- Class III, Water Ski Schools, Power Plants Non-Certified-Low

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, Kennels, Boarding and Breeding, Livestock Sale, Auction, Manufacturing, Explosives/Volatile Material, Manufacturing-Light, Manufacturing, General, Motor Freight Terminal, Nurseries and Greenhouses, Office, Personal Service, Printing & Publishing, Recreation-Passive, Research & Development, Retail, Home Sales Offsite, School- Technical/Vocational/Trade & Training, Studio, Production, Transit- Facility, Utilities- Class I, Utilities- Class II, Vehicle Repair- Auto Body, Vehicle Service- Mechanical, Warehousing/Distribution	Farm Worker Dormitory - Barrack Style, Alcohol Package Sales, Bars, Lounges and Taverns, Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, Cardboard and Shredded Paper Collection, Communication Tower- Guyed and Lattice, Communication Tower- Monopole, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Golf Course, Heliports, Helistops, Heavy Machinery Equipment Sales and Services, Hotels and Motels, Medical Marijuana Dispensaries, Nurseries- Retail, Railroad Yard, Recreation 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., School- Leisure/Special Interest, Self-storage Facility, Utilities Class III, Solar Electric-Power Generation Facility, Vehicle Recovery Service/Agency, Veterinary Service.	Planned Development, Airport, Construction Aggregate Processing, Construction Aggregate Storage, Gypsum Stack, Hazardous Waste Transfer, Storage, Hazardous Waste Treatment Facilities, Lime Stabilization Facility, Mining- Non-phosphate, Power Plants Non-Certified-Low, Power Plants Non-Certified-High, Salvage Yard, School-University/College, Seaplane Base, Water Ski Schools

DISTRICT USE COMPARISON TABLES

ORDINANCE NO. 26 -____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAS-2026-3;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 25.8+/- ACRES FROM BUSINESS PARK CENTER (BPC) TO INDUSTRIAL (IND). THE SITE IS LOCATED NORTH OF COZART ROAD, EAST OF HIGHWAY 37 SOUTH, SOUTH OF THE CITY OF MULBERRY, EAST AND WEST OF THE CSX RAILROAD, IN SECTION 13, TOWNSHIP 30, 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 May 6, 2026; 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 June 16, 2026; 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 1: 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 25.8+/- acre site from Business Park Center (BPC) to Industrial (IND) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 233013000000043040

COMM NW COR OF NE1/4 OF NE1/4 RUN N88-44-47W 1324.25 FT N88-45-20W 1401.10 FT S01-02-23E 928.93 FT N88-57-37E 20 FT S01-02-23E 1566.45 FT TO CURVE RUN SELY ALONG CURVE 178.81 FT TO POB CONT SELY ALONG CURVE & R/W LINE OF CSX RR SPUR LINE 900.37 FT TO REVERSE CURVE RUN SELY ALONG CURVE 343.39 FT S86-13-47W 853 FT N02-30-46W 1313 FT S89-12-27E 901.86 FT TO POB

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on July 17, 2026 (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 Commerce 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.

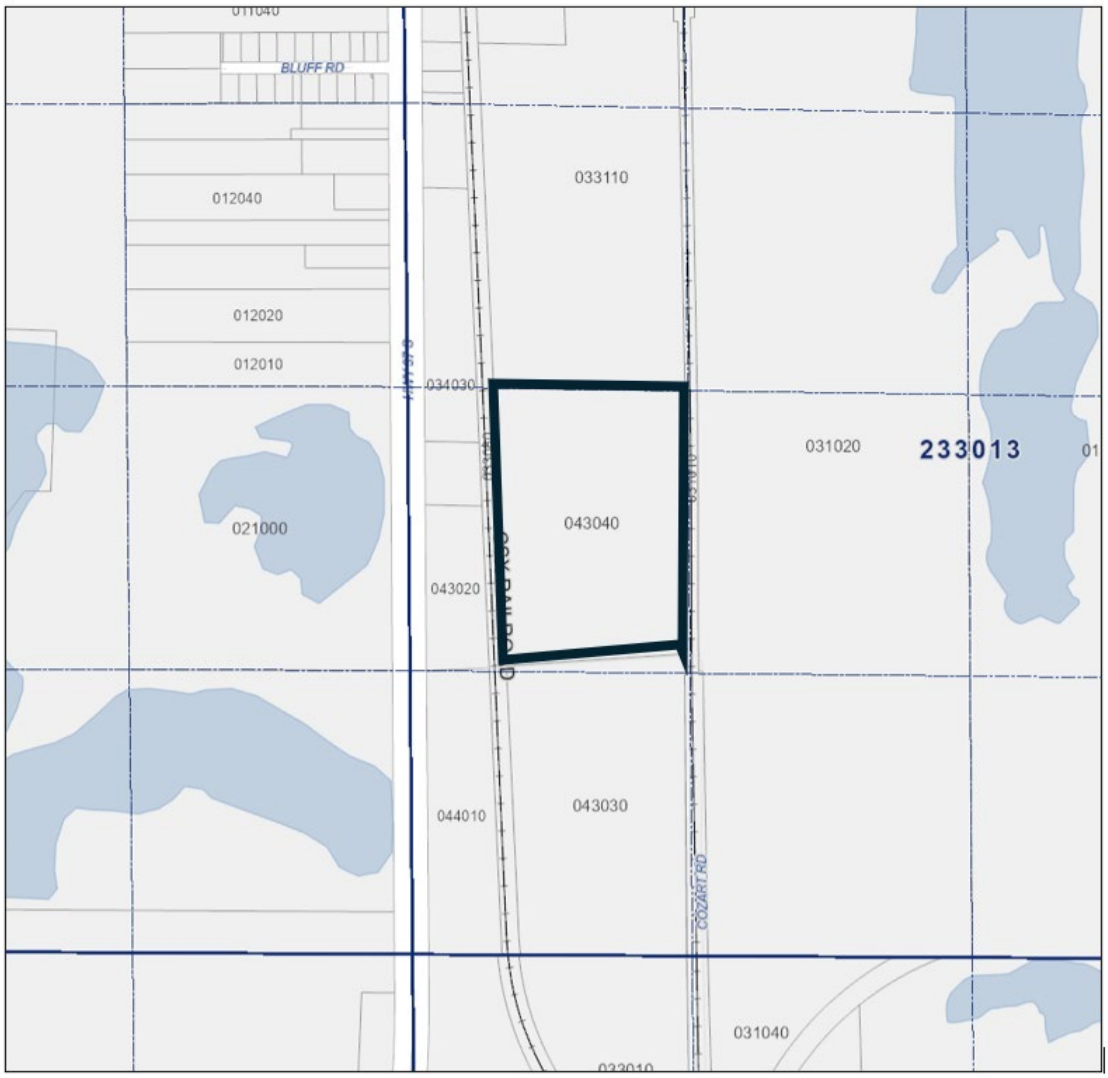
SECTION 4: FILING WITH THE DEPARTMENT OF STATE:

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 16th day of June 2026.

ATTACHMENT "A"

LDCPAS 2026-3
Location: Cozart Road, east of Highway 37 South, south of the City of Mulberry, east and west of the CSX railroad, in Section 13, Township 30, Range 23.
Section-13 Township-30 Range-23



PARCEL DETAIL
Note: Not to Scale

POLK COUNTY
www.polk-county.net

LEVEL 3 & 4 DEVELOPMENT REVIEW APPLICATION

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

TYPE OF APPLICATION

( ) Level 3 (✓) Level 4

( ) Conditional Use **( ) Planned Development**

( ) Suburban Planned Development **( ) Sign Plan**

( ) Major Modification - Case Number _____

	Owner	Applicant	Contact Person
Name	David & Cathy Sumner	Sloan Engineering Group Inc.	Steve Sloan
Work Number	863-797-7693	863-800-3046	863-800-3046
Fax Number			
Mailing Address	P.O. Box 215 Mulberry, Florida 33860	P.O. Box 253 Bartow, Florida 33831	P.O. Box 253 Bartow, Florida 33831
Email	sumnersinc@yahoo.com	admin@sloaneg.com	ssloan@sloaneg.com

Description of Proposed Activity or Use
Please provide a detailed description of the project, quantifying intensity (such as number of units, employees, seats, beds, rooms, children, holes of golf, pumps, vehicle repair bays, etc.), specify phasing, and estimated period for completion.

There is currently no proposed use for the property. The request is to change the property to Industrial landuse in an effort to market and seek users with needs for Industrial property.

	Range -	Township -	Section	Subdivision #	-	Parcel #
Parcel ID Number(s):	R 23	T 30	S 13	000000	-	043040 .
	R	T	S		-	.
	R	T	S		-	.
	R	T	S		-	.

(Include others on a separate attachment)

Address and Location of Property:

0 Cozart Road Mulberry Florida 33860

Directions to Property from Bartow

Take FL-60 West
Turn left onto FL-37 S/S Church Ave
Continue to follow FL-37 S for approximately 1.6 miles
Destination will be on the left

Property Description

Future Land Use (and Subdistrict if applicable): Business Park Center (BPC-1)

Property Size: 28.82 Development Area: N/A

Water Provider Name and Phone Number: N/A - Private well

Sewer Provider Name and Phone Number: N/A - Septic

Development of Regional Impact: N/A
(Name and Phase of DRI)

Selected Area Plan: N/A
(Name of SAP)

Green Swamp Area of Critical State Concern: N/A
(Name of Special Protection Area)

Joint Planning Area/Interlocal Agreement N/A

Have Development Rights been transferred to or from the subject property? ___ Yes ✓ No

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

Industrial landuse **NW**	BPC-1 **N**	Industrial landuse **NE**
Industrial landuse **W**	currently has a landuse designation of BPC-1 **Subject Property**	Industrial landuse **E**
Industrial landuse **SW**	Industrial landuse **S**	Industrial landuse **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, Steve Sloan, Authorized Agent (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

_____. 01/29/2026.

Property owner or property owner's authorized representative. Date:

Processing Time & Extension Procedures

Polk County
Office of Planning and Development

Contact Information:

Name of Applicant/Property Owner/Agent: Sloan Engineering Group Inc.

Mailing Address: P.O. Box 253 Bartow Florida 33831

Phone: 863-800-3046 Email: admin@sloaneg.com

Location of Property: 233013-000000-043040

Per F.S. 125.022(1), the County must process applications for development orders and development permits pursuant to timeframes set forth in the statute and as adopted by Land Development Code (LDC) Sections 905 through 908, as follows:

- The County shall notify applicants indicating the application is complete or specify deficiencies within 30 days after receipt of the application.
- If deficiencies are identified, applicants shall have 30 days to submit the required additional information or the application will be withdrawn. Both parties may agree to a reasonable request for an extension of time only in the event of a *force majeure* or other extraordinary circumstance.
- Within 120 days after a Level 2 Review (LDC Section 905) application is deemed complete, the County must approve, approve with conditions, or deny each application. These limits may be reasonably extended by mutual agreement of the applicant and the County for up to 120 days.
- Within 180 days after a Level 3-5 Review (LDC Sections 906-908) application is deemed complete, the County must approve, approve with conditions, or deny each application. These limits may be reasonably extended by mutual agreement of the applicant and the County for up to 90 days.
- Additionally, per F.S. 125.022(2), when reviewing an application for a development permit or development order that is certified by a professional listed in F.S. 403.0877, the County may not request additional information from the applicant more than three times unless the applicant waives the limitation in writing.

To request an extension of processing time and waiver of the limitation on requests for additional information, please fill out and sign this form and return it to OPD staff. **Applicants may request an extension of processing time at the time of filing an initial application or at any time an application is pending before final action.** Please be advised that the Applicant may incur additional advertising fees.

As the Applicant/Agent for Applicant for a development order or development permit from Polk County, I acknowledge the timeframes as listed above and hereby request (check all that apply):

(●) Decline the waiver and agree to comply with the timeframes set forth in F.S. 125.022(1) and the LDC.

( ) A waiver of the limitation on requests for additional information per F.S. 125.022(2).

○ An extension of _____ days for the submittal of additional information necessary for a complete application. *(Granted in the event of extraordinary circumstances)*

○ An extension of _____ days for the County to issue final action approving, approving with conditions, or denying an application for development permit or development order. *(Maximum 120 days for Level 2 Reviews; maximum 90 days for Level 3-5 Reviews)*

Stephen L. Sloan Digitally signed by Stephen L. Sloan Date: 2026.01.13 11:41:20 -05'00' 01/13/2026

Signature of Applicant/Agent for Applicant Date

**Not applicable to Comprehensive Plan Amendments, LDC text amendments, or the Green Swamp Area of Critical State Concern*

For Official Use Only:

Date Received: _____ Meeting Date: _____

Project Number: _____ Approved/Denied: _____

Subject: Agent Authorization
Project: Cozart Road
Parcel Id: 233013-000000-043040

To whom It may Concern:

I, David & Cathy Sumner, Owners hereby designate and authorize Sloan Engineering Group to act on behalf of Owner, as the authorized agent, applicant, and representative in the processing and furnishing of supplemental information in support of the zoning, building and site development permit applications to the governing entities for the subject project.

Owner's Signature — Date: 12-31-25

Owner's Signature — Date: 12-31-25

P.O. Box 215 Mulberry Florida 33860
Address

863-797-7693
Phone Number

sumnersinc@yahoo.com
E-mail address

State of Florida
County of Polk

The foregoing instrument was acknowledged before me this 31 day of December 20 25

by David E. Sumner / Cathy A. Sumner who is personally known to me or who has produced S560-165-64-367-0 S560-101-61-628-0 as identification.

(Notary Signature)

My Commission expires: Aug 29, 2029

Notary Stamp

KENDRA ANDREWS
Notary Public - State of Florida
Commission # HH 690785
My Comm. Expires Aug 29, 2029
Bonded through National Notary Assn.

SLOAN
Engineering Group

P.O. Box 253, Bartow, Florida 33831
Office: (863) 800-3046
Fax: (863) 800-1159

Project: Sumner Property – Cozart Road
Parcel Id: 233013-000000-043040

Narrative

This request is to amend the existing landuse on the subject property from Business Park Center (BPC) to Industrial (IND). The subject property has access to State Road 37 via an easement agreement recorded in OR Book 13444, Pgs 1719-1732). A portion of the subject property is designated as lakes. This is a result of the historical mining on the subject property. The mapping is incorrect as the subject property does not contain a lake. The subject property also contains a portion of floodplain with an undetermined flood elevation. Examination of the topography on the property makes it clear that the mapped floodplain is incorrect. The property will need to have the extent of the floodplain determined (via a flood study) at some point in the future when development plans are determined.

The subject property is consistent with the Polk County Comprehensive Plan and Land Development Code as summarized in the enclosed Impact Assessment Statement and Demonstration of Need.

SLOAN
Engineering Group

P.O. Box 253, Bartow, Florida 33831
Office: (863) 800-3046
Fax: (863) 800-1159

IMPACT ASSESSMENT STATEMENT

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 subject property currently has a landuse designation of BPC-1 and is bordered to the west, east, and south by Industrial landuse and bordered to the north by BPC-1 landuse. Additionally, the property is bordered by railway to the east and west.

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 incompatibility or special efforts needed as the site is surrounded by similar uses.

3. *How will the request influence future development of the area?*
This request will provide opportunities for additional Industrial uses compatible with the surrounding area.

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.

4. *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)?*
Currently there is not a specific use intended for the property, however, the proposed Industrial landuse will generate traffic in a manner similar to other Industrial uses in the area.

5. *What modifications to the present transportation system will be required as a result of the proposed development?*
The subject property is adjacent to Cozart Road to the south and is less than 500 feet from Highway 37. Transportation improvements are not anticipated, however, any future improvements will be determined based on the specific use at the time of Construction Plan review.

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

Parking will be provided in accordance with the specific development of the property in accordance with Section 708 of the Polk County Land Development Code.

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

Access to the property is via Cozart Road which is less than 500 feet from Highway 37 South.

SEWAGE

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

8. *What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development?*

Future development of the subject property will utilize septic.

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

Onsite septic and drainfield will be utilized

10. *If offsite treatment, who is the service provider?*

NA

11. *Where is the nearest sewer line (in feet) to the proposed development?*

NA

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

NA

13. *What is the anticipated date of connection?*

NA

14. *What improvements to the providers system are necessary to support the proposed request?*

NA

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.

15. What is the proposed source of water supply and/or who is the service provider?
Onsite well will be used for future development

16. What is the estimated volume of consumption in gallons per day (GPD)?
NA

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

18. Who is the service provider?
NA

19. What is the anticipated date of connection?
NA

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

21. Is there an existing well on the property(ies)?
Construction of a well is anticipated with future development

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.

22. Discuss the surface water features, including drainage patterns, basin characteristics, and flood hazards.
The subject site drains generally from south to north. A portion of the site is within a mapped floodplain with an undetermined flood elevation. The true extent of the floodplain will need to be determined via a floodstudy at the time of future development.

23. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project?
No significant alterations to the site's natural drainage direction and/or features are anticipated. Future development will be in accordance with the rules and

regulations of the Southwest Florida Water Management District and Polk County.

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:

24. 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.

There are no known environmental issues on the subject property. The site is surrounded by rail lines to the east and west and a road to the south. The site will be reviewed by an environmental scientist during Level 2 review for the presence of wetlands, protected species, and other environmentally sensitive areas. The development of the property will comply with the environmental regulations governing the property.

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

Wetlands exist in the northwest portion of the subject property. No wetland impacts are anticipated. **A portion of the site is within a mapped floodplain with an undetermined flood elevation. The true extent of the floodplain will need to be determined via a floodstudy at the time of future development.**

26. Discuss location of potable water supplies, private wells, and public well fields.

The subject property is not within a Utility Service Area. There are no known wells on site. Any well discovered will be abandoned in accordance with the SWFWMD Rules and Regulations. Existing offsite wells will not be impacted by the proposed development. Future development will construct a private well.

27. Discuss the location of Airport Buffer Zones.

There are no Airport Buffer Zones near the subject site.

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

The site consists almost entirely of Neilhurst soils which will not prohibit 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:

29. Parks and Recreation
NA

30. Educational Facilities
The property is zoned for Kingsford Elementary, Mulberry Middle, and Mulberry Senior High.

31. Health Care
Bartow Regional Medical Center is located approximately 11.8 miles from the subject property.

32. Fire Protection
Fire protection is provided by the Polk County Fire Station 15 located at 300 Kid Ellis Road, Mulberry. The estimated response time is 9-14 minutes.

33. Police Protection and Security
Sheriff's response to the site is served by the Southwest District, located at 4120 US 98 South, Lakeland. The response times are 8:55 minutes for Priority One and 26:47 minutes for Priority Two.

34. Emergency Medical Services (EMS)
Ambulance response is from Polk County Fire Station 15 located at 300 Kid Ellis Road, Mulberry. The estimated response time is 9-14 minutes.

35. Solid Waste
Polk County Landfill Solid Waste

36. How may this request contribute to neighborhood needs?
There is a strong and growing demand for property zoned for Industrial uses

IAS - Surface Water Management and Drainage - Please respond to the following questions as outlined in Section 910.E.: To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

Comment 1: Discuss the impact the proposed development will have on surface water quality.

Response: **No impact to surface water quality is anticipated. Stormwater runoff will be designed in accordance with the Polk County Land Development Code and SWFWMD rules and regulations.**

Comment 2: Describe the alteration to the site's natural drainage features, including wetland, that would be necessary to develop the project

Response: **The site natural drainage patterns will be maintained. Stormwater ponds will be constructed to capture runoff. Pond discharge will be directed to mimic the existing natural drainage patterns.**

Comment 3: Describe the impact of such alterations on the fish and wildlife resources of the site.

Response: **No impacts are anticipated**

Comment 4: Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

Response: **Stormwater ponds will be designed such that aquifer recharge is designed to match existing conditions.**

IAS – Population - Please respond to the following questions as outlined in Section 910.F. To determine the impact of the proposed developments additional population, the applicant shall:

Comment 1: Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses

Response: **The generated population will be dependent of the future development of the property and the future jobs that are created.**

Comment 2: Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift

Response: **The employment characteristics are dependent on the future development of the property once specific uses are proposed.**

Comment 3: Indicate the expected demographic composition of the additional population (age/socio-economic factors)

Response: **The future development will not target specific demographics, such as retirement, rental, or low-income individuals. This development will attract a mixture of population due to its proximity to the market areas of Polk County and surrounding counties.**

Comment 4: Describe the proposed service area and the current population thereof.

Response: **The service area is expected to be Central Florida.**

SLOAN
Engineering Group

P.O. Box 253, Bartow, Florida 33831
Office: (863) 800-3046
Fax: (863) 800-1159

DEMONSTRATION OF NEED

PROJECT NARRATIVE

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 proposed Future Land Use change to Industrial is consistent with the surrounding area.

2. *Will passage of the proposed amendment allow a significant amount of urban development to occur in rural areas?*
   The proposed amendment will expand on the Industrial nature of the surrounding area.

3. *Does the proposed amendment create or encourage urban development in radial, strip, isolated, or ribbon patterns emanating from existing urban development?*
   The subject property is located adjacent to the transportation system including existing highways and rail lines.

4. *Does the proposed amendment fail to adequately protect adjacent agriculture areas?*
   There are no agricultural areas adjacent to the subject property.

5. *Could the proposed amendment fail to maximize existing public facilities and services?*
   The proposed amendment encourages further use of the existing transportation infrastructure including the highways and rail system.

6. *Could the proposed amendment fail to minimize the need for future public facilities and services?*
   The proposed amendment is not anticipated to affect the need for future facilities and services in the area in a negative way as the project will utilize the existing public transportation system which has available capacity as well as the adjacent rail system.

7. *Will the proposed amendment allow development patterns that will disproportionately increase the cost of providing public facilities and services?*
   The proposed amendment has no negative effect on future public facilities and services. Public facilities already exist including the transportation system as well as the rail system.

8. *Does the proposed amendment fail to provide clear separation between urban and rural uses?*
   The subject property is in an area of industrial growth.

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

10. *Does the proposed amendment fail to encourage an attractive and functional mixture of land uses?*
    The area surrounding the subject property currently has landuses compatible with the proposed Industrial landuse.

11. *Could the proposed amendment result in poor accessibility among linked or related land uses?*
The proposed amendment will promote similar adjacent uses.

12. *As a result of approval of this amendment, how much open space will be lost?*
It is anticipated that the subject property will develop under the Polk County regulations for industrial development and will therefore provide open space in accordance with County requirements.

INSTR # 2024104804
BK 13105 Pgs 1617-1618 PG(s)2
05/06/2024 01:59:44 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 18.50

Prepared by:
Hillsborough Title, Inc.
Tammy Wooten
352 E. Bloomingdale Ave.
Brandon, FL 33511
File No.: BRI23-123215
This Deed is prepared pursuant to the issuance of Title Insurance

CORRECTIVE GENERAL WARRANTY DEED
(correcting legal description in OR instrument #2024008904)

Made this January 8, 2024. A.D. by Yavascalar Troy Holding, LLC, a Florida limited liability company, whose address is: 2701 Cozart Rd, Mulberry, FL 33860 hereinafter called the grantor, to David Sumner and Cathy Sumner, husband and wife, whose post office address is: P.O. Box 215, Mulberry, FL 33860, hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Polk County, Florida, viz:

That part of the West 3/2 of Section 13, Township 30 South, Range 23 East, Polk County, Florida, lying East of Seaboard Coastline Railroad Main Line being more particularly described as follows: Commence at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 13 and run thence North 88 degrees 44 minutes 47 seconds West a distance of 1324.25 feet along the North boundary of Section 13 to the North 1/4 corner of Section 13; thence North 88 degrees 45 minutes 20 seconds West a distance of 1401.10 feet along the North boundary of said Section 13; thence South 01 degrees 02 minutes 23 seconds East a distance of 928.93 feet along the West right of way of CSX Railroad Spur Line; thence North 88 degrees 57 minutes 37 seconds East a distance of 20.00 feet; thence South 01 degrees 02 minutes 23 seconds East a distance of 1566.45 feet along CSX Spur Line; thence with a curve turning to the right with an arc length of 178.81 feet, with a radius of 49804.07 feet, with a chord bearing of South 00 degrees 56 minutes 13 seconds East, with a chord length of 178.81 feet to the Point of Beginning; thence continue along said West right of way of the CSX Spur Line along said curve turning to the right with an arc length of 900.37 feet, with a radius of 49804.07 feet, with a chord bearing of South 00 degrees 18 minutes 58 seconds East, with a chord length of 900.36 feet, thence continue along said West right of way of CSX Spur Line with a reverse curve turning to the left with an arc length of 343.39 feet, with a radius of 20938.72 feet, with a chord bearing of South 00 degrees 13 minutes 10 seconds East, with a chord length of 343.39 feet; thence departing West right of way of CSX Railroad Spur Line; South 86 degrees 13 minutes 47 seconds West a distance of 853.00 feet thence along East right of way of the CSX Railroad Main Line North 02 degrees 30 minutes 46 seconds West a distance of 1313.00 feet; thence departing said East right of way, run South 89 degrees 12 minutes 27 seconds East a distance of 901.86 feet to the Point of Beginning. Together with an easement for ingress and egress, access and passage of vehicles and equipment over and upon the South 50 feet of that part of the Northwest 1/4 of the Northwest 1/4, lying West of Atlantic Coast Line Railroad Company Main Line right of way; and over and upon the South 50 feet of that part of the Northwest 1/4 of the Southwest 1/4, lying West of said railroad right of way, all in Section 13, Township 30 South, Range 23 East, Polk County, Florida.

Parcel ID No.: 23-30-13-000000-043030

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances except taxes accruing subsequent to the current year.

Prepared by:
Hillsborough Title, Inc.
Tammy Wooten
352 E. Bloomingdale Ave.
Brandon, FL 33511
incidental to the issuance of a title insurance policy
File No.: BRI23-123215

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed and Sealed in Our Presence:

Darren Poole

Witness Printed Name: Darren Poole

Address: 6900 Eleanor Ave
Mulberry FL 33860

MResmondo

Witness Printed Name: Misty Resmondo

Address: 6900 Eleanor Ave
Mulberry FL 33860

Yavascalar Troy Holding, LLC, a Florida limited liability company

BY: _____
Emrah Yavasca
Managing Member

BY: _____
Todd Hossler
Manager

Address:

2701 Cozart Rd
Mulberry, FL 33860

State of Florida
County of Polk

The foregoing instrument was executed and acknowledged before me this 8th of January, 2024, by means of ✓ Physical Presence or ____ Online Notarization, by Emrah Yavasca as Managing Member of Yavascalar Troy Holding, LLC, a Florida limited liability company and Todd Hossler as Manager of Yavascalar Troy Holding, LLC, a Florida limited liability company, who is/are personally known to me or who has produced a valid driver's license as identification.

MResmondo

Notary Public

MISTY W RESMONDO
Notary Public - State of Florida
Commission # HH 427925
My Comm. Expires Sep 9, 2027
Bonded through National Notary Assn.

My Commission Expires: _____

(SEAL)

INSTR # 2025042551
BK 13444 Pgs 1719-1732 PG(s)14
02/25/2025 09:36:01 AM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 120.50
DEED DOC 0.70

EASEMENT AGREEMENT

This Easement Agreement is entered into on this 19th day of February, 2025 by and between Yavascalar Troy Holding, LLC, a Florida limited liability company, of 2701 Cozart Road, Mulberry, FL 33860 ("Troy") Ultra Mag, LLC, a Florida limited liability company, of P. O. Box 6165; Lakeland, Florida 33807 ("Mag") and David Sumner and Cathy Sumner ("Sumner") of P. O. Box 215; Mulberry, Florida 33860.

Background. An Easement exists over the following described property:

The South 50 feet of that part of the NW ¼ of the SW ¼ lying west of railroad right of way along with the South 50 feet of the NW ¼ of the SW ¼ of east said right of way in Section 13, Township 30 South Range 23 East, Polk County, Florida. This easement was created by reservation in that certain Deed attached hereto recorded in Official Records Book 867, page 270, public records of Polk County, Florida, a copy of which is attached hereto as Exhibit A.

This Easement is adjacent to, and provides access to State Road 37 South, a public right of way in Polk County, Florida. However, only Troy and Sumner own property adjacent to the Easement, and therefore, Mag needs additional access. Troy is the owner of the real property described on Exhibit B ("Troy Land"), Sumner is the owner of the real property described on Exhibit C and Mag is owner of the real property described on Exhibit D ("Mag Land"). The Troy Land and the Mag Land are adjacent and contiguous, and the Troy Land and the Sumner Land are separated only by a railroad. The Sumner Land lies adjacent to and north of the easement described on Exhibit A and the vacated Cozart Road. Troy and Mag currently meander into and along the Sumner Land for ingress and egress where the Sumner Land adjoins the easement described on Exhibit A and the vacated Cozart Road.

NOW THEREFOR, in consideration of the sum of Ten Dollars and other good and valuable considerations, the receipt of which is acknowledged by all parties, it is agreed as follows:

1. Troy hereby grants to Mag, an ingress, egress and utility easement over the real property described on Exhibit E ("Easement Property") which is part of the Troy Land. The combined Easement locations referenced above are reflected on the sketch attached hereto as Exhibit F.

2. Sumner hereby grants to Troy and Mag, an ingress egress and utility easement over those lands of Sumner which are adjacent to the easement described on Exhibit A and the vacated Cozart Road which are presently being utilized by the parties for ingress and egress and as further shown in attached composite Exhibit F (the Additional Easement Property).

3. The Easement Property and the Additional Easement Property shall be appurtenant to land of the grantees named in the easements and shall run with the land.

4. Any party shall have the right, but not the obligation, to maintain any Easement Area.

5. The right to maintain the Easement Property shall include, but not be limited to, the right to repair and improve the Easement Property as any party deems necessary or appropriate, and, notwithstanding the foregoing, no party shall have any duty or obligation to perform any repair or maintenance to the Easement Property.

5. This Agreement shall be binding upon and inure to the benefit of the Parties hereto, their guests, and invitees and their respective heirs and assigns.

(Signatures on Following Pages)

Ultra Mag, LLC, a Florida limited liability company

Witness Name: Meghan J West
Witness Address: P.O Box 6165 LKLD FL 33807

(Seal)
Robert F. Harper, IV, its Manager

Witness Name: Robert White
Witness Address: Po 215 Mulberry 33860

State of Florida
County of Polk

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 14 day of Feb, 2025 by Robert F. Harper, as Manager of Ultra Mag, LLC, a Florida limited liability company, who [X] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

MEGHAN J. WEST
NOTARY PUBLIC
MY COMMISSION EXPIRES 5-23-2026
STATE OF FLORIDA
COMMISSION NUMBER HH 237386

Notary Public

Printed Name: Meghan J West

My Commission Expires:

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1721 Pgs 1719-1732 02/25/2025 09:36:01 AM

Witness Name: Meghan J West
Witness Address : P.O. Box 6165 Lkld FL 33807

(Seal)
David Sumner

Witness Name: Robert White
Witness Address : Po 215 Mulberry 33860

Witness Name: Meghan J. West
Witness Address : P.O. Box 6165 LKld FC 33807

(Seal)
Cathy Sumner

Witness Name: Robert White
Witness Address : Po 215 Mulberry 33860

State of Florida
County of Polk

The foregoing instrument was acknowledged before me by means of [X] physical presence or [ ] online notarization, this 19 day of Feb, 2025 by David Sumner and Cathy Sumner, who [✓] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name: Meghan J. West

My Commission Expires:

MEGHAN J. WEST NOTARY PUBLIC MY COMMISSION EXPIRES 5-23-2026 STATE OF FLORIDA COMMISSION NUMBER HH 237386

IN WITNESS WHEREOF, this Easement Agreement is executed on this 19 day of Feb, 2025.

Yavascalar Troy Holding, a Florida limited liability company

(Seal)
Todd Hossler, its Manager

Witness Name: Meghan West
Witness Address: P.O. Box 4145 Lkld. FL 33807

Witness Name: Robert White
Witness Address: Po 215 Mulberry 33860

State of Florida
County of Polk

The foregoing instrument was acknowledged before me by means of [X] physical presence or [_] online notarization, this 19 day of Feb, 2025 by Todd Hossler, as Manager of Yavascalar Troy Holding, LLC, a Florida limited liability company, who [☑] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]

MEGHAN J. WEST NOTARY PUBLIC STATE OF FLORIDA COMMISSION NUMBER HH 237386 MY COMMISSION EXPIRES 5-23-2026

Notary Public

Printed Name: _____

My Commission Expires: _____

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1723 Pgs 1719-1732 02/25/2025 09:36:01 AM

Exhibit "A"

189974

DEED

OFF REC 867 PAGE 270

The Grantor, SOCONY MOBIL OIL COMPANY, INC., a corporation existing under the laws of the State of New York, having a principal office at 150 East 42nd Street, New York, New York, in consideration of ten dollars and other valuable considerations received from the Grantees, hereby grants and conveys to the Grantees, BERNARD N. KIRKLAND and WILLIE MAE KIRKLAND, his wife, as tenants by the entirety, whose post office address is Route 4, Box 194, Lakeland, Florida, the real property described below.

That part of the west one-quarter (W-1/4) lying west of the Atlantic Coast Line Railroad Company main line right-of-way, in and of Section 13, Township 30 South, Range 23 East, Polk County, Florida, SUBJECT TO right-of-way for State Road 37 along the west side thereof.

The Grantor reserves unto itself, its successors and assigns, an easement for ingress, egress, access, and passage of vehicles and equipment over and upon the south 50 feet of that part of the NW-1/4 of NW-1/4 lying west of said railroad right-of-way and over and upon the south 50 feet of that part of the SW-1/4 of SW-1/4 lying west of said railroad right-of-way, all in and of said Section 13.

This conveyance is subject to (a) existing rights-of-way, if any, for roads and railroads; (b) lien for taxes, if any, which are not yet due and payable; and (c) electric power line easement over the south 160 feet of the property as set forth in instrument granted by Virginia-Carolina Chemical Corporation to Tampa Electric Company, dated September 23, 1954, Deed Book 988, page 81, Polk County, Florida.

The Grantor covenants that the property is free of all encumbrances, that lawful seisin of and good right to convey



Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1724 Pgs 1719-1732 02/25/2025 09:36:01 AM

OFF REC 867 PAGE 271

the property are vested in the Grantor, and that the Grantor hereby warrants the title to the property and will defend the same against the lawful claims of all persons whomsoever.

Dated this 16th day of September, 1964.

Signed, sealed, and delivered in the presence of:

W. F. Kerr

Mark Bell
Two witnesses

SOCONY MOBIL OIL COMPANY, INC.

By J. D. [illegible] VICE-PRESIDENT

Attest:

Eleanor C. Dickson
ASST. SECRETARY

(Affix corporate seal)

STATE OF NEW YORK

COUNTY OF NEW YORK

I hereby certify that on this day before me, the undersigned notary public authorized in the state and county named above to administer oaths and take acknowledgments, personally appeared [illegible] and Eleanor C. Dickson

as VICE-PRESIDENT and Assistant Secretary

respectively, of SOCONY MOBIL OIL COMPANY., INC., a corporation existing under the laws of the State of New York, known to me to be the persons described in and who executed the foregoing instrument as such officers, and they acknowledged before me that they executed the same in behalf of said corporation, and that they were duly authorized by said corporation to do so. Witness my hand and official seal in the sate and county named above this 16th day of September, 1964.

Elizabeth Conroy
Notary Public, State of New York

My commission expires:

ELIZABETH CONROY
Notary Public, State of New York
No. 41-5793000
Qualified in Queens County
Cert. Filed in New York County
Term Expires March 30, 1966

(Affix notarial seal)

189974

FILED, RECORDED AND RECORD VERIFIED
D H SLOAN JR Clk Cir Ct
POLK COUNTY, FLA
By

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1725 Pgs 1719-1732 02/25/2025 09:36:01 AM

Exhibit "B"

PARCEL 2:

That part of the West ¾ of Section 13, Township 30 South, Range 23 East, Polk County, Florida, lying East of Seaboard Coastline Railroad Main Line being more particularly described as follows:

Commence at the Northwest corner of the Northeast ¼ of the Northeast ¼ of said Section 13 and run thence N88°44'47"W a distance of 1324.25 feet along the North boundary of Section 13 to the North ¼ corner of Section 13; thence N88°45'20"W a distance of 1401.10 feet along the North boundary of said Section 13; thence S01°02'23"E a distance of 828.93 feet along the West right-of-way of CSX Railroad Spur Line; thence N88°57'37"E a distance of 20.00 feet; thence S01°02'23"E a distance of 1566.45 feet along CSX Spur Line; thence with a curve turning to the right with an arc length of 178.81 feet, with a radius of 49804.07 feet, with a chord bearing of S00°56'13"E, with a chord length of 178.81 feet to the Point of Beginning; thence continue along said West right-of-way of the CSX Spur Line along said curve turning to the right with an arc length of 890.37 feet, with a radius of 49804.07 feet, with a chord bearing of S00°18'58"E, with a chord length of 890.36 feet, thence continue along said West right-of-way of CSX Spur Line with a reverse curve turning to the left with an arc length of 401.13 feet, with a radius of 20838.72 feet, with a chord bearing of S00°25'37"E, with a chord length of 401.13 feet; thence continue along said West right-of-way of the CSX Spur Line S00°58'33"E a distance of 42.57 feet; thence N89°05'05"W a distance of 11.48 feet; thence continue along said CSX Railroad Spur Line S00°01'01"W a distance of 1343.81 feet; thence N88°57'44"W a distance of 777.30 feet along the South boundary of said Section 13 to the East right-of-way of the CSX Main Line; thence continue along said East right-of-way of the CSX Railroad Main Line with a curve turning to the right with an arc length of 103.02 feet, with a radius of 1507.58 feet, with a chord bearing of 04°28'13"W, with a chord length of 103.00 feet; thence continue along said East right-of-way of the CSX Railroad Main Line N02°30'46"W a distance of 2585.84 feet; thence departing said East right-of-way, run S89°12'27"E a distance of 901.86 feet to the Point of Beginning.

PARCEL 3:

That part of the West ¾ of Section 13, Township 30 South, Range 23 East, Polk County, Florida, lying East of Seaboard Coastline Railroad Main Line being more particularly described as follows:

Commence at the Northwest corner of the Northeast ¼ of the Northeast ¼ of said Section 13 and run thence N88°44'47"W a distance of 1324.48 feet along the North boundary of said Section 13 to the Point of Beginning; thence S00°38'18"E a distance of 5366.22 feet along the North South center of said Section 13 to the South boundary of said Section 13; thence N88°57'43"W a distance of 1218.42 feet along the South boundary of said Section 13; thence N00°58'33"W a distance of 1344.62 feet along the East boundary of the CSX Railroad Spur Line; thence N89°05'05"W a distance of 20.01 feet; thence continue along said CSX Railroad Spur Line N00°58'33"W a distance of 44.55 feet; thence continue along said CSX Railroad Spur Line with a curve turning to the right with an arc length of 389.94 feet, with a radius of 20878.20 feet, with a chord bearing of 00°25'37"W, with a chord length of 389.93 feet; thence continue along said CSX Railroad Spur Line with a reverse curve turning to the left with an arc length of 1080.44 feet, with an radius of 49804.07 feet, with a chord bearing of 00°25'08"W, with a chord length of 1080.42 feet; thence continue along said CSX Railroad Spur Line N01°02'23"W a distance of 1566.45 feet; thence N88°57'37"E a distance of 20.00 feet; thence continue along said CSX Railroad Spur Line, N01°02'23"W a distance of 924.94 feet to the North boundary of said Section 13; thence S88°45'20"E a distance of 1301.80 feet along the North boundary of said Section 13 to the Point of Beginning.

TOGETHER WITH an easement for ingress and egress, access and passage of vehicles and equipment over and upon the South 50 feet of that part of the NW ¼ of the NW ¼, lying West of Atlantic Coast Line Railroad Company Main Line right-of-way; AND over and upon the South 50 feet of that part of the NW ¼ of the SW ¼ , lying West of said railroad right-of-way, all in Section 13, Township 30 South, Range 23 East, Polk County, Florida.

Parcel Identification Number: 23-30-13-000000-013010

Stacy M. Butterfield POLK

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1726 Pgs 1719-1732 02/25/2025 09:36:01 AM

BUT SUBJECT TO an easement (for the benefit of both Parcels 1 and 4, listed below) on, across, over, under and through the Property, for the purposes of constructing and operating roadways (for among other things, automobile, truck, bicycle and pedestrian traffic); constructing, installing operating, maintaining, upgrading, improving, relocating and/or removing water lines, wastewater lines, water retention areas, pumps, lift stations and any other utilities and utility lines (including but not limited to electricity, telephone, internet, cable television and fiber optic lines), along with all associated appurtenances; and for the right of ingress and egress to and from both Parcels listed below to State Road 37:

PARCEL 1:

That part of the West ¼ of Section 13, Township 30 South, Range 23 East, Polk County, Florida, lying East of Seaboard Coastline Railroad Main Line, being more particularly described as follows:

Commence at the Northwest corner of the Northeast ¼ of the Northeast ¼ of said Section 13 and run thence N88°44'47W a distance of 1324.25 feet along the North boundary of Section 13 to the North ¼ corner of Section 13; N88°45'20"W a distance of 1401.10 feet along the North boundary of said Section 13 to the Point of Beginning; thence S01°02'23"E a distance of 928.83 feet along the West right-of-way of CSX Railroad Spur Line; thence N88°57'37"E a distance of 20.00 feet; thence S01°02'23"E a distance of 1566.45 feet along CSX Spur Line; thence with a curve turning to the right with an arc length of 178.81 feet, with a radius of 49804.07 feet, with a chord bearing of S00°56'13"E, with a chord length of 178.81 feet; thence N89°12'27"W a distance of 901.86 feet to the East right-of-way line of the CSX Railroad Main Line; thence N02°30'46"W a distance of 1632.19 along the said East right-of-way of the CSX Railroad Main Line; thence departing said CSX Railroad run S88°48'03"E a distance of 416.00; thence N02°32'09" W a distance of 1051.66 feet to the North boundary of said Section 13; thence S88°45'20"E a distance of 536.87 feet along the North boundary of said Section 13 to the Point of Beginning.

PARCEL 4:

That part of the West ¼ of Section 13, Township 30 South, Range 23 East, Polk County, Florida, lying East of Seaboard Coastline Railroad Main Line being more particularly described as follows:

Begin at the Northwest corner of the Northeast ¼ of the Northeast ¼ of said Section 13 and run thence S00°32'37"E a distance of 5318.55 feet along the 40 acre line; thence S89°37'31"W a distance of 1314.98 feet along the South boundary of said Section 13; thence N00°38'18"W a distance of 5356.22 feet along the North South centerline of said Section to the North boundary of said Section 13; thence S88°44'47"E a distance of 1324.48 feet along the North boundary of said Section 13 to the Point of Beginning.

Stacy M. Butterfield POLK

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1727 Pgs 1719-1732 02/25/2025 09:36:01 AM

Exhibit "C"

That part of the West 3/4 of Section 18, Township 30 South, Range 23 East, Polk County, Florida, lying East of Seaboard Coastline Railroad Main Line being more particularly described as follows: Commence at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of said Section 13 and run thence North 88 degrees 44 minutes 47 seconds West a distance of 1324.25 feet along the North boundary of Section 13 to the North 1/4 corner of Section 13; thence North 88 degrees 46 minutes 20 seconds West a distance of 1401.10 feet along the North boundary of said Section 13; thence South 01 degrees 02 minutes 23 seconds East a distance of 928.93 feet along the West right of way of CSX Railroad Spur Line; thence North 88 degrees 57 minutes 37 seconds East, a distance of 20.00 feet; thence South 01 degrees 02 minutes 23 seconds East a distance of 1565.45 feet along CSX Spur Line; thence with a curve turning to the right with an arc length of 176.81 feet, with a radius of 49804.07 feet, with a chord bearing of South 00 degrees 56 minutes 13 seconds East, with a chord length of 176.81 feet to the Point of Beginning; thence continue along said West right of way of the CSX Spur Line along said curve turning to the right with an arc length of 900.37 feet, with a radius of 49804.07 feet, with a chord bearing of South 00 degrees 16 minutes 56 seconds East, with a chord length of 900.36 feet, thence continue along said West right of way of CSX Spur Line with a reverse curve turning to the left with an arc length of 343.99 feet, with a radius of 20936.72 feet, with a chord bearing of South 00 degrees 19 minutes 10 seconds East, with a chord length of 343.99 feet; thence departing West right of way of CSX Railroad Spur Line; South 88 degrees 13 minutes 47 seconds West a distance of 663.00 feet thence along East right of way of the CSX Railroad Main Line North 02 degrees 30 minutes 46 seconds West a distance of 1313.00 feet; thence departing said East right of way, run South 88 degrees 12 minutes 27 seconds East a distance of 901.88 feet to the Point of Beginning. Together with an easement for ingress and egress, access and passage of vehicles and equipment over and upon the South 50 feet of that part of the Northwest 1/4 of the Northwest 1/4, lying West of Atlantic Coast Line Railroad Company Main Line right of way; and over and upon the South 50 feet of that part of the Northwest 1/4 of the Southwest 1/4, lying West of said railroad right of way, all in Section 13, Township 30 South, Range 23 East, Polk County, Florida.

Parcel ID No.: 23-30-13-000000-043030

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1728 Pgs 1719-1732 02/25/2025 09:36:01 AM

Exhibit "D"

Parcel 1:
Section 24, Township 30 South, Range 23 East, Polk County, Florida; Commence at the Northwest corner of said Section 24, thence run South 89 degrees 07'26", East along the North line of said NW ¼, a distance of 1296.29 feet to the Easterly right-of-way of the CSX Transportation Railroad, thence run South 00 degrees 59'42" East along said right-of-way a distance of 660 feet to the Point of Beginning, continue along said right-of-way a distance of 2030.79 feet, thence South 89 degrees 55'15" East a distance of 2095.85 feet; thence North 00 degrees West a distance of 2025.69 feet; thence South 89 degrees 26'51" West a distance of 651.83 feet; thence South 29 degrees 21'36" East a distance of 134.12 feet; thence South 10 degrees 47'06" East a distance of 190.26 feet; thence South 16 degrees 09'24" West a distance of 273.99 feet; South 00 degrees 13'36" East 346.04 feet; thence South 22 degrees 23'52" West a distance of 204.25 feet; thence South 77 degrees 19'16.7" West a distance of 410.30 feet; thence South 00 degrees 53'08.3" East a distance of 410.43 feet; thence South 04 degrees 34'41.6" East a distance of 171.95 feet; thence South 56 degrees 30'54.6" West a distance of 225.47 feet; thence South 62 degrees 41'02.9" West a distance of 330.97 feet; thence North 80 degrees 52'35.7" West a distance of 777.09 feet; thence North 12 degrees 08'27" West along the Easterly right-of-way line of CSX Transportation Railroad, a distance of 523.83 feet; thence North 13 degrees 19'57.3" East a distance of 764.96 feet; thence North 89 degrees 07'26" West a distance of 265.49 feet to the Point of Beginning. LESS that part of NE ¼ of NW 1/4, lying Westerly of Ridgewood Spur.

Parcel 2:
Commencing at the Northwest corner of Section 24, Township 30 South, Range 23 East, Polk County, Florida, thence South 89 degrees 07'26" East along the North boundary a distance of 2677.18 feet to the Northeast corner of the NW ¼ of said Section 24, to Point of Beginning; thence continue along said boundary North 89 degrees 26'51" East a distance of 644.46 feet, thence South 29 degrees 21'36.0" East 134.12 feet, thence South 10 degrees 47'06.0" East 190.26 feet, thence South 16 degrees 09'24.0" West 273.99 feet, thence South 00 degrees 13'36.0" East 346.04 feet, thence South 22 degrees 23'52.0" West 204.25 feet, thence South 77 degrees 19'16.7" West 410.30 feet, thence South 00 degrees 53'08.3" East 410.43 feet, thence South 04 degrees 34'41.6" East 171.95 feet, thence South 56 degrees 30'54.6" West 225.47 feet, thence South 62 degrees 41'02.9" West 330.97 feet, thence North 80 degrees 52'35.7" West 777.09 feet, to the Easterly right-of-way of CSX Transportation Railroad thence North 12 degrees 08'33.0" West along said right-of-way a distance of 526.83 feet, to the right-of-way for the Ridgewood Branch or Spur (now unused, abandoned, and removed) granted to Charlotte Harbor and Northern Railway Company, by instrument dated October 2, 1914, recorded in Deed Book 146, Page 454, Polk County, Florida, and by instrument dated October 27, 1915, recorded in Deed Book 151, Page 80, Polk County, Florida, continue Northeasterly along said right-of-way to Point of Beginning. LESS that part of NE ¼ of NW ¼ previously conveyed by O.R. Book 2253, Page 3, lying South of Ridgewood Spur right-of-way.

TOGETHER WITH an easement for ingress and egress, access and passage of vehicles and equipment over and upon the South 50 feet of that part of the NW ¼ of SW ¼ lying West of Atlantic Coast Line Railroad right-of-way, along with the South 50 feet of the NW ¼ of SW ¼ lying East of said right-of-way, and the West 50 feet of the SE ¼ of SW ¼ lying immediately East of said right-of-way, and the South 50 feet of the SE ¼ of SW ¼ lying immediately North of the TECO Power Line easement, and the West 50 feet of the South 210 feet of SW ¼ of SE ¼, all in Section 13, Township 30 South, Range 23 East, Polk County, Florida.

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

COMMENCE AT THE NW CORNER OF SECTION 24, TOWNSHIP 30 SOUTH, RANGE 23 EAST, POLK COUNTY FLORIDA, RUN THENCE SOUTH 89°07'26" EAST ALONG THE NORTH BOUNDARY OF SAID SECTION 24, 2106.29 FEET, THENCE SOUTH 00°59'42" EAST, 227.54 FEET TO THE POINT OF BEGINNING. SAID POINT BEING ON THE SOUTHEASTERLY RIGHT-OF- WA Y OF THE RIDGEWOOD BRANCH OR SPUR (NOT IN USE) AS RECORDED IN DEED BOOK 181, PAGE 80 OF THE PUBLIC RECORDS OF POLK COUNTY FLORIDA, SAID POINT ALSO BEING ON A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1273.57 FEET, THENCE CONTINUE SOUTH 00°59'42" EAST 432.46 FEET, THENCE NORTH 89°07'26" WEST 372.44 FEET TO A POINT ON THE SOUTHEASTERLY RIGHT -OF- WAY OF SAID RAILROAD SPUR, THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25°28'03", AN ARC DISTANCE OF 566.09 FEET TO A CHORD DISTANCE OF 561.44 FEET, A CHORD BEARING OF NORTH 40°32'05" EAST TO A POINT OF BEGINNING.

PARCEL NUMBER: 243023-000000-031030

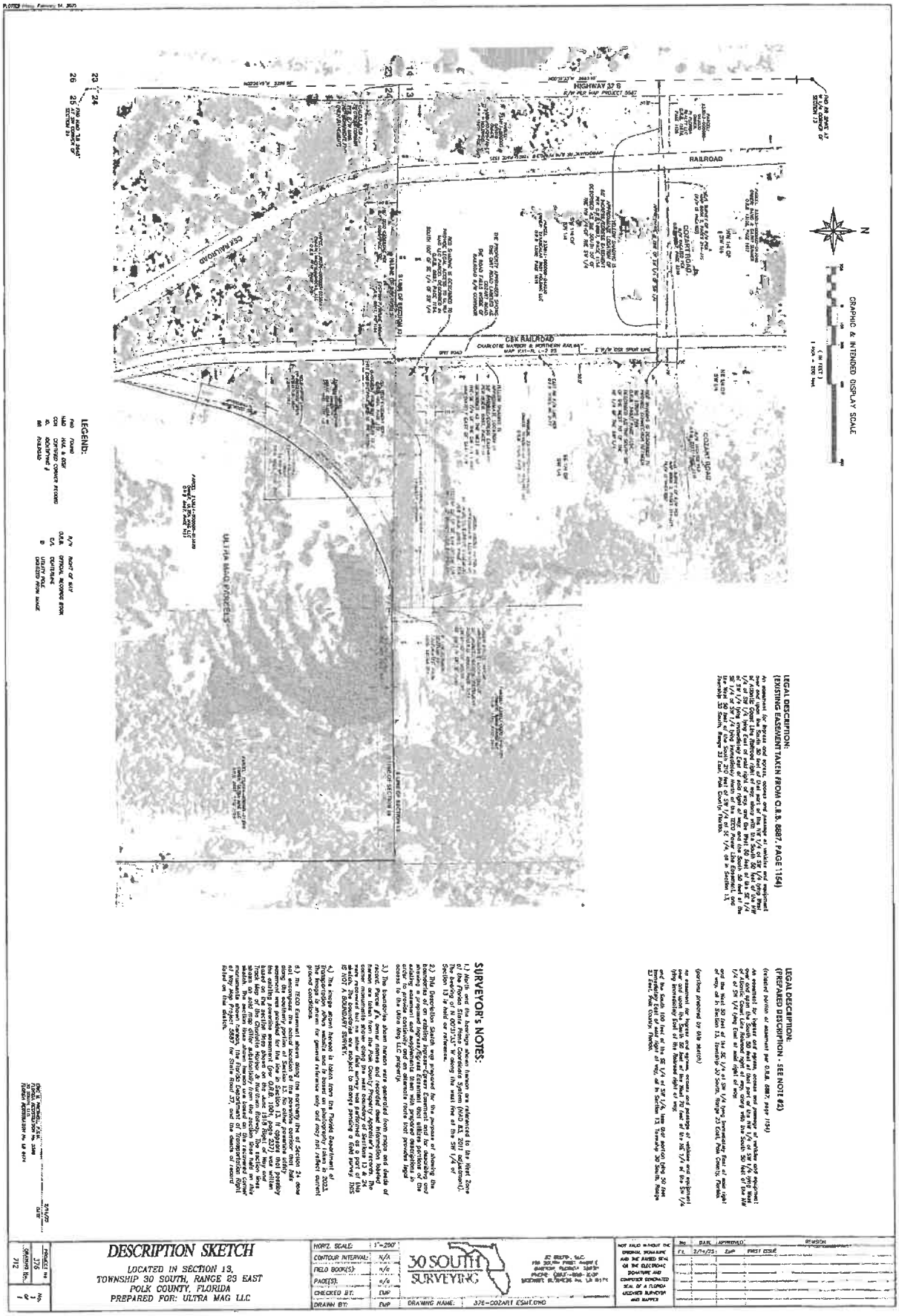
Exhibit "E"

Easement Property

An easement for ingress and egress over and upon the South 50 feet of the West 70 feet lying East of the Railroad right of way in the NE ¼ of the of the SW 1/4 and the West 50 feet of the SE ¼ of the SW ¼ lying immediately east of the railroad right of way and the South 50 feet of the SE ¼ of the SW ¼ less that portion lying 50 feet immediately East of the Railroad right of way, all in Section 13, Township 23 East, Range 23 East.

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1730 Pgs 1719-1732 02/25/2025 09:36:01 AM

Exhibit F



LEGAL DESCRIPTION:
(EXISTING EASEMENT TAKEN FROM O.R.B. 6687, PAGE 1154)

An easement for ingress and egress, access and passage of vehicular and equipment over and upon the South 50 feet of the North 1/2 of the NE 1/4 of the SW 1/4 of Section 13, Township 30 South, Range 23 East, Polk County, Florida.

LEGAL DESCRIPTION:
(PREPARED DESCRIPTION - SEE NOTE #2)
(related portion of easement per O.R.B. 6687, page 1154)

An easement for ingress and egress, access and passage of vehicular and equipment over and upon the South 50 feet of the North 1/2 of the NE 1/4 of the SW 1/4 of Section 13, Township 30 South, Range 23 East, Polk County, Florida.

(portion depicted on this sketch)

An easement for ingress and egress, access and passage of vehicular and equipment over and upon the South 50 feet of the West 70 feet of the NE 1/4 of the SW 1/4 lying immediately East of the Railroad right of way.

Also, an easement for ingress and egress, access and passage of vehicular and equipment over and upon the South 50 feet of the West 50 feet of the SE 1/4 of the SW 1/4 lying immediately East of said right of way of N. Section 13, Township 30 South, Range 23 East, Polk County, Florida.

SURVEYOR'S NOTES:

1) North is in reference to the bearing structure as referenced to the West Zone of the Florida State Plane Coordinate System (NAD 83, 2011 adjustment). The bearing of N 00°31'14" W along the west line of the SW 1/4 of Section 13 is held as reference.

2) This Description Sketch was prepared for the purpose of showing the existing easement and supplements drawn with proposed descriptions to accompany a proposed ingress/egress Easement that utilizes portions of the existing easement and supplements drawn with proposed descriptions to provide legal access to the Ultra Mag LLC property.

3) The boundaries shown hereon were generated from maps and deeds of record. Parcel ID's, owner names and recorded deed information hashed hereon was taken from the Polk County Property Appraiser's website. No monuments were recovered but no other field survey was performed as a part of this sketch. THIS IS NOT A BOUNDARY SURVEY. This project is always pending a field survey.

4) The bearings shown hereon are based on the Florida Department of Transportation offsite control and is based on photogrammetry taken in 2023. The basis of azimuth for general reference only and may not reflect current ground conditions.

5) The 150.0 Easement shown along the northerly line of Section 24 does not appear to be of record. The existing fence is generally along the northerly portion of Section 13. No other premises utility easements were provided for the preparation of this sketch. The apparent monument was picked for the line of occupation utility easement based on the section lines shown on the June 1916 Plat of Way and Structures for the Florida Southern Railway Company. No other monuments were found or set. The other distances/calls from the section lines calls in this description are based on the Polk County Property Appraiser's website. The section lines shown hereon are based on the recovered corner as noted on the Florida Department of Transportation Right of Way Map Project 3542 for State Road 37, and the deeds of record listed on this sketch.

PROJECT NO.	376
DRAWING No.	712
SHEET	1 of 1

DESCRIPTION SKETCH

LOCATED IN SECTION 13,
TOWNSHIP 30 SOUTH, RANGE 23 EAST
POLK COUNTY, FLORIDA
PREPARED FOR: ULTRA MAG LLC

HORZ. SCALE:	1"=200'
CONTOUR INTERVAL:	N/A
FIELD BOOK(S):	N/A
PAGE(S):	N/A
CHECKED BY:	EWP
DRAWN BY:	EWP

30 SOUTH SURVEYING
DRAWING NAME: 376-COZART ESMT.DWG

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE RAISED SEAL OF THE ELECTRONIC SIGNATURE AND COMPUTER GENERATED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

No.	DATE	APPROVED	REVISION
1	2/14/25	EWP	FIRST ISSUE

Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1731 Pgs 1719-1732 02/25/2025 09:36:01 AM

Exhibit F

Exhibit F
Florida AC +/-



Stacy M. Butterfield POLK
CFN# 2025042551 OR BK 13444 PG 1732 Pgs 1719-1732 02/25/2025 09:36:01 AM

SLOAN
Engineering Group

P.O. Box 253, Bartow, Florida 33831
Office: (863) 800-3046
Fax: (863) 800-1159

Reviewed by: Mark Bennett, Planning

Comment: Wetlands - Based on a review of the County's GIS Viewer, it appears that 5.74 acres, generally situated in the NW corner of the site, contain wetlands. Please provide a narrative/analysis of how this amendment will comply with the application wetlands policies in the Comprehensive Plan Future Land Use Element.

Response: **In accordance with Policy 2.123-C2, it is expected that future development of the subject property will delineate the existing wetlands by a qualified Environmental Scientist and avoid or minimize adverse impacts to the wetlands and the Industrial development will locate on the non-wetland portion of the site**

Comment: Analysis of Plan Industrial Policies - Please provide an analysis of how this request is consistent with the Industrial Policies, as requested in the Pre-Application comments.

Response: **The Industrial landuse request is intended to provide property that can be developed consistently with the surrounding area and allow future businesses to have an appropriate location for potential uses that operate externally to an enclosed structure. The property is located appropriately to established ground transportation and rail lines. There are no schools or residential areas in close proximity to the subject property. At this time, the specific use of the subject property has not been determined, however, this request will allow the property to be marketed to future users with operations consistent with the Industrial landuse.**

Comment: Vehicle Trips - Please provide an estimated building size to show an estimate of vehicle trips to be generated daily and at PM peak hour per Section 910 B. 1 of the LDC.

Response: **At this time a specific user is unknown; however, based on the allowable FAR in the RDA (0.5), we anticipate the site could accommodate 75,000 sf of warehouse and 50,000 sf of manufacturing. Based on this, the estimated vehicle trips would be as follows:**

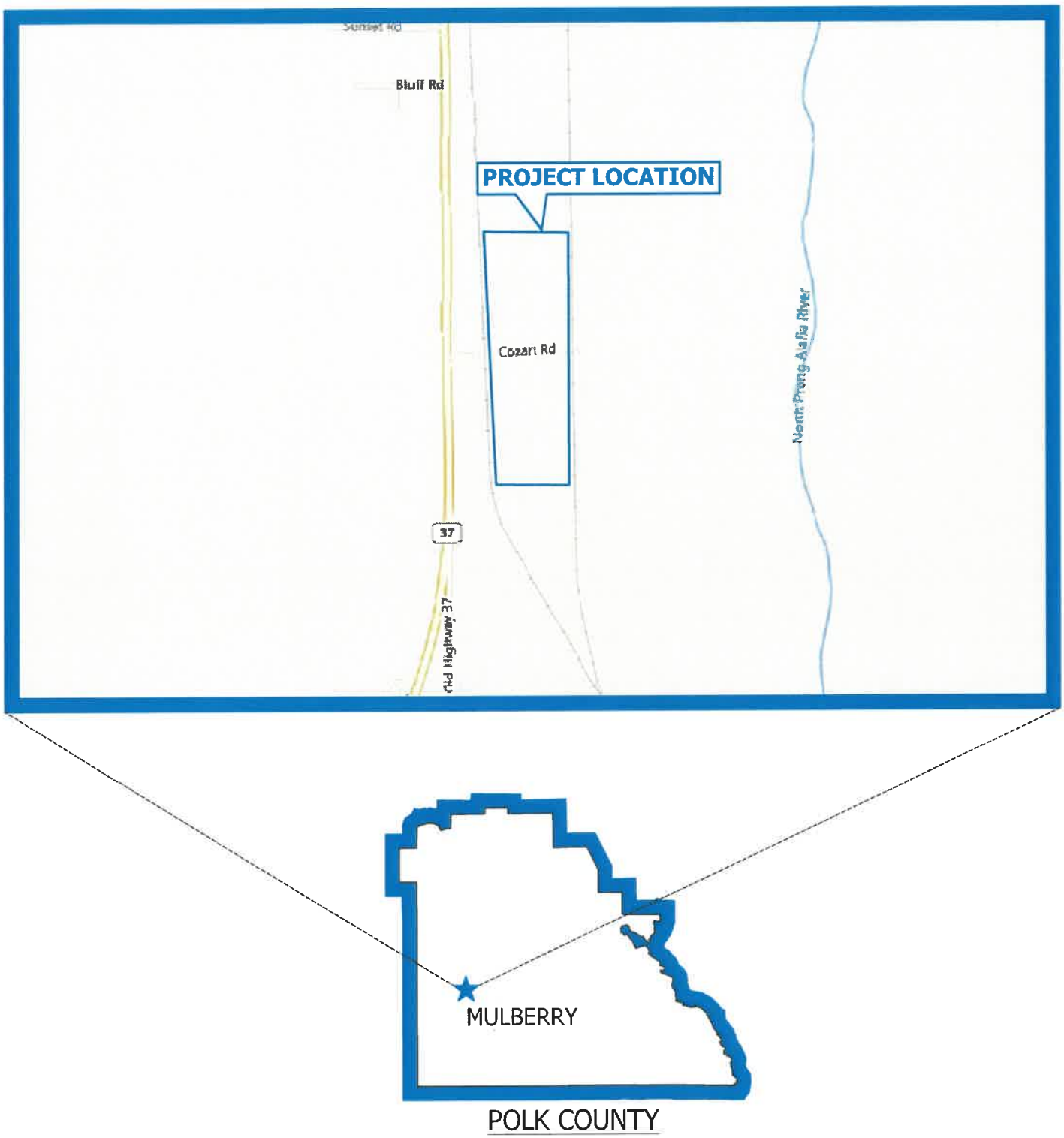
Warehouse (ITE code 150): 75,000 sf / 1,000 sf x 1.71 trips = 128.25
Manufacturing (ITE code 140): 50,000 sf / 1,000 sf x 4.75 trips = 237.5 trips
Total trips = 366

Comment: Water and Sewer Generation Rates - Please provide an estimated building size to show an estimate of water and sewer generation rates, per Sections 910 C.1. and D.3.of the LDC.

Response: **Water rates are estimated at 0.24 gpd per sf of warehouse and manufacturing space.**
Total Estimated Water Generation = 125,000 sf x 0.24 gpd/sf = 30,000 gpd
Total Estimated Sewer Generation = 0.75 of water = 0.75 x 22,500 gpd

Comment: Maps - Please provide the required maps for the Impact Statement, as required by Section 910. H. of the LDC

Response: **See enclosed maps.**



NORTH
SCALE: N.T.S.

SLOAN Engineering Group
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

COZART ROAD CPA
Section 13, Township 30S, Range 23E

LOCATION MAP A

SLOAN ENGINEERING GROUP, INC. | JOB # 3061



NORTH

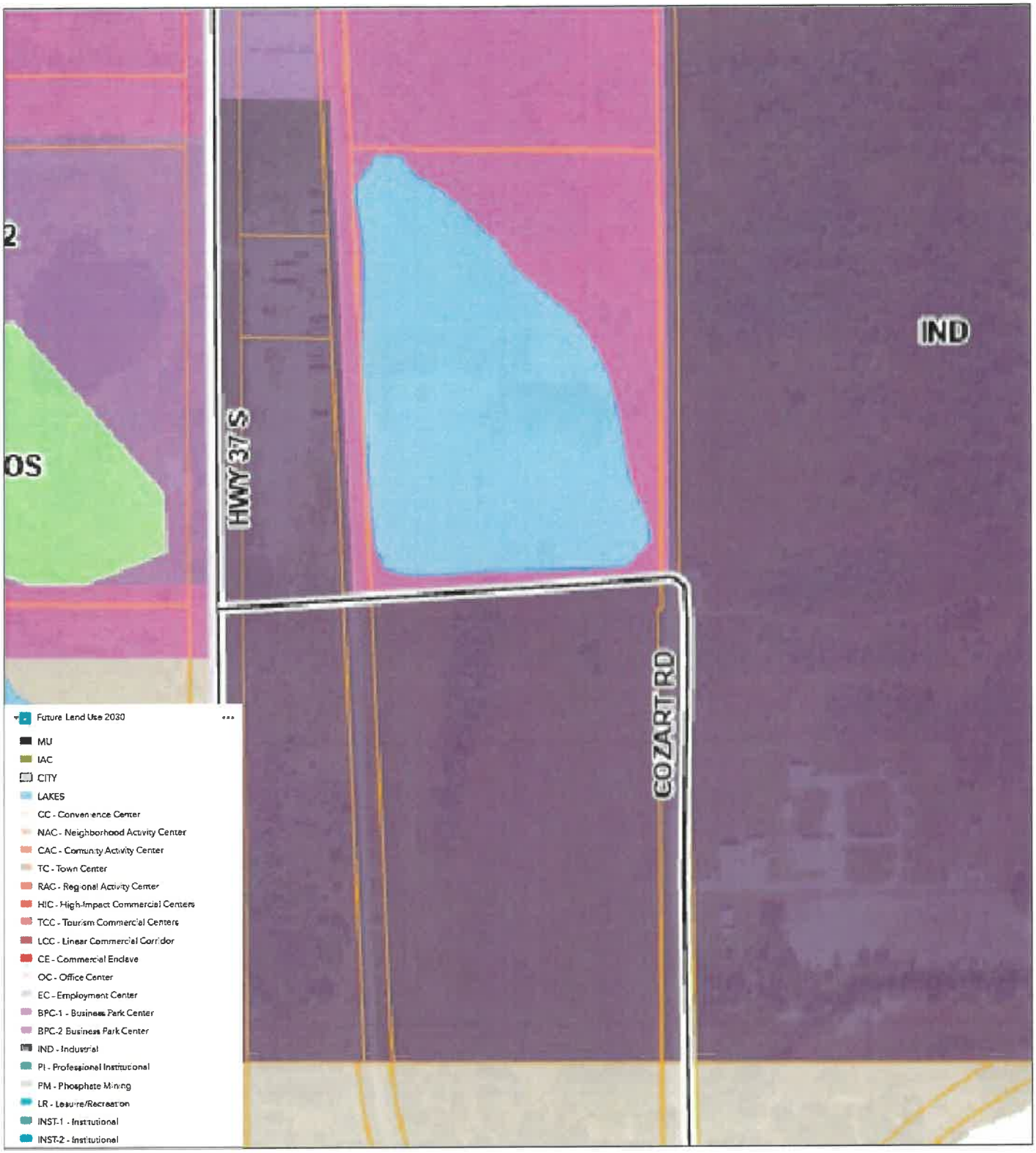
SCALE:
1" = 400'

SLOAN
Engineering Group
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

COZART ROAD CPA
Section 13, Township 30S, Range 23E

TOPOGRAPHICAL MAP B

SLOAN ENGINEERING GROUP, INC. | JOB # 3061



NORTH
SCALE: N.T.S.

SLOAN Engineering Group
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

COZART ROAD CPA
Section 13, Township 30S, Range 23E

LAND USE
MAP C

SLOAN ENGINEERING GROUP, INC. | JOB # 3061



Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
12	Neilhurst sand, 1 to 5 percent slopes	A	51.7	91.4%
68	Arents, 0 to 5 percent slopes	A	4.9	8.6%
Totals for Area of Interest			**56.6**	**100.0%**

NORTH
SCALE: N.T.S.

SLOAN Engineering Group
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

COZART ROAD CPA
Section 13, Township 30S, Range 23E

SOILS
MAP D

SLOAN ENGINEERING GROUP, INC. | JOB # 3061



NORTH

SCALE:
1" = 400'

SLOAN Engineering Group
150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 800-3046 - FAX: (863) 800-1159
FLORIDA CERTIFICATE OF AUTHORIZATION (FLCA) #26247

COZART ROAD CPA
Section 13, Township 30S, Range 23E

TRAFFIC CIRCULATION MAP E

SLOAN ENGINEERING GROUP, INC. | JOB # 3061

Agenda Item 8. 5/6/2026

SUBJECT

LDCPAL-2026-2 Main Street Corridor Comprehensive Plan Text

DESCRIPTION

This is a County-initiated request to amend the Comprehensive Plan to establish a new Section, to be called the Main Street Commercial (MSC) Corridor, in the Future Land Use Element.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Mark J. Bennett, AICP, FRA-RA, CNU-A

Senior Planner

863-534-6455

markbennett@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	February 26, 2026
Planning Commission Date:	May 6, 2026
BoCC Dates:	June 2, 2026 Transmittal, and July 21, 2026 Adoption
Applicant:	Polk County Land Development Division
Level of Review:	Level 4 Review, Large-Scale Comprehensive Plan Amendment
Case Number and Name:	LDCPAL-2026-2 Main Street Corridor Text CPA
Request:	This is a County-initiated request to amend the Comprehensive Plan to establish a new Section, to be called the Main Street Commercial (MSC) Corridor, in the Future Land Use Element.
Location:	N/A
Property Owner:	N/A
Parcel Size:	N/A
Development Area:	N/A
Future Land Use:	N/A
Nearest Municipality	N/A
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce	Pending
Case Planner:	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner

This is a County-initiated request to establish a new Future Land Use designation, the Main Street Commercial (MSC) Corridor, in the Future Land Use Element. The MSC is only for Redevelopment Districts pursuant to those listed in Section 2.124-F. The new section addresses characteristics, designations and mapping, location criteria, and development criteria.

Summary of Analysis

As a result of recent planning efforts in Wahneta and Eloise, a need has been identified to amend the Comprehensive Plan to account for development/redevelopment of existing corridors in developed areas and economically disadvantaged communities. The Comprehensive Plan and Land Development Code contain provisions for, and is oriented towards, a suburban, auto-oriented form of development focused on greenfield/vacant properties. However, these regulations do not contain provisions for the redevelopment/revitalization of existing older corridors in developed areas. To address this need, this amendment is proposed.

If approved, this amendment will establish the Main Street Corridor (MSC) designation. It will only be permitted in Redevelopment Districts per Section 2.124-F. that have an approved

Redevelopment District Revitalization Plan or similar type of plan. This requirement is suggested to ensure that redevelopment in the corridor is consistent with the applicable plan and the vision of the community for which the redevelopment is intended.

The proposed MSC category policies include a requirement for new regulations to be included in the Land Development Code. The new regulations are to be context-sensitive to their location in existing developed areas and promote redevelopment and/or revitalization of these corridors through an urban-oriented design. They are also intended to encourage uses that meet the immediate needs of the surrounding residential areas.

The MSC category will remove barriers to redevelopment/revitalization of these corridors by allowing for more flexibility in site design, the use of frontage roads, shared ingress/egress and/or cross-access easements.

By creating the new land use category, it is hoped that areas in need of revitalization can be preserved, rehabilitated, and redeveloped as described in Section 2.124-F, Redevelopment Districts of the Plan.

Relevant Sections, Policies, and/or Regulations to Consider:
Policy 2.102-A1: Development Location
Policy 2.102-A2: Compatibility
Policy 2.109-A1: Land Use Categories Established
Policy 2.124-F3: Redevelopment District Revitalization Plans
Policy 2.124-F4: Redevelopment Activities

Findings of Fact

Request and Legal Status

- LDCPAL-2026-2 is a County-initiated request for a Large-Scale Comprehensive Plan text amendment to establish a new Section, to be called the Main Street Commercial (MSC) Corridor, in the Future Land Use Element.

- Main Street Commercial Corridors are characterized by linear concentrations of all types of commercial, office, residential, and institutional uses along a roadway that are located within a Redevelopment District.

- 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.

- POLICY 2.124-F4: Redevelopment Activities, includes a statement that "it is fundamental to all revitalization plans that commercial uses, if included in the land use design, shall be oriented toward the historically established town center, ***main street,*** or placed in isolated neighborhood market sites that are restricted to a very limited scale of commercial activity and located only at the intersection of major collector roads. Linear commercial development shall not be allowed, unless it is clearly evident that it is consistent with the traditional development pattern of the community.

Compatibility and Infrastructure

- The proposed MSC land use category includes a provision to require that new development or redevelopment of non-residential development shall be compatible with adjacent existing uses.

- The proposed MSC land use objective includes the statement "and shall promote the redevelopment and infilling of such areas," which is consistent with the Policy 2.102-A1, Development Location.

Comprehensive Plan Policies and Land Development Code Regulations

- 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 2.109-A1 Land Use Categories Established, establishes land use categories in the Polk County Comprehensive Plan.

- POLICY 2.124-F3: Redevelopment District Revitalization Plans state that The County shall develop a "Redevelopment District Revitalization Plan" in accordance with the goals and objectives of the programs described the Polk County Consolidated Plan and Five Year Strategy Plan, for designated "Redevelopment District," to guide implementation of the Community Development Block grant, HOME Investment Partnership Program and the emergency Shelter Grant. The Redevelopment Plans will be prioritized based on a variety of factors that include but are not limited: funding availability, need, physical and economic conditions, level of neighborhood district revitalization plans will be coordinated with other planning initiatives.

The Redevelopment District Revitalization Plans shall contain strategies developed with public input from those areas affected to preserve, rehabilitate, revitalize, and/or redevelop those areas. These strategies shall include, but not be limited to:

a. targeting housing rehabilitation and code enforcement activities within designated Redevelopment Districts;

b. removing dilapidated structures to create space for infill development;

c. coordinating infrastructure improvements with rehabilitation and redevelopment activities;

d. providing economic opportunities and neighborhood support services to encourage economic independence and self-sufficiency of residents;

e. implementing programs to facilitate the development of affordable housing;

f. developing special incentives, provisions, restrictions, or requirements in order to ensure that redevelopment and revitalization activities occur in accordance with sound planning principles and local community objectives;

g. encouraging design features which promote public safety, create inviting streetscapes along public roadways, and emphasize a pedestrian-oriented environment;

h. developing or providing incentives for development of needed community facilities such as neighborhood centers, day care centers, churches, schools, and community-oriented policing substations; and

i. most importantly, empowering residents so as to rekindle community pride and developing lasting partnerships between government and the community.

Recommendation

Development Review Committee Recommendation: Based on the information provided and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions the request **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAL-2026-2.**

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.

Analysis:

As a result of recent planning efforts in Wahneta and Eloise, a need has been identified to amend the Comprehensive Plan to account for development/redevelopment of existing corridors in developed areas. The Comprehensive Plan and Land Development Code contain provisions for, and is oriented towards, a suburban, auto-oriented form of development focused on greenfield/vacant properties. However, these regulations do not address, nor contain provisions for, the redevelopment/revitalization of existing corridors along collectors/arterial roads in existing developed areas.

To address this need, this amendment is proposed. Key components of this amendment include the following:

- Establishes the Main Street Corridor (MSC) Future Land Use designation.

- Only permits the establishment of new MSCs in Redevelopment Districts as listed in Section 2.124-F.

- MSCs are also only allowed if that Redevelopment District has an approved Redevelopment District Revitalization Plan or similar type of plan. This requirement is suggested to ensure that redevelopment in the corridor is consistent with the applicable plan.

- Allows for neighborhood commercial, office, and institutional uses typically located along a roadway.

- Promotes new residential development to consist of duplex, triplex, quadraplex, and multi-family units.

- Protects existing single-family residential development through the Vested Rights and Non-conformities provisions in Chapter 1 of the Land Development Code.

- Requires new regulations for the Land Development Code that promote redevelopment and/or revitalization of these corridors that are context-sensitive to their location in existing, developed areas, promote an urban-oriented design, encourage the safe bicycle and pedestrian movement and provide flexibility and creativity in site and building design, and encourage uses that meet the immediate needs of the surrounding residential areas.

By creating the new land use category, it is hoped that areas in need of revitalization can be preserved, rehabilitated, and redeveloped as described in Section 2.124-F, Redevelopment Districts.

Infrastructure Impacts - This new land use category will remove some barriers to development (or, more specifically, redevelopment/revitalization) by allowing for more flexibility in site design. The proposed text contains a provision that requires the use of frontage roads shared ingress/egress

easements, or cross-assessments. Any infrastructure impacts will be implemented and required per the concurrency standards listed in Chapter 7 of the LDC.

Comparisons To Other Jurisdictions:

Special policies and development code regulations are common in other jurisdictions throughout Florida. Specific topic research was not completed for this report. However, other jurisdictions commonly create different regulations to promote the redevelopment of existing corridors. Numerous Community Redevelopment Agencies throughout the state include corridor revitalization/redevelopment as a component of their redevelopment plans.

Limits of the Proposed Ordinances

The scope of the amendment will impact new development within existing corridors in Redevelopment Districts. The proposed policies are meant to allow for the redevelopment and infilling of such areas through the establishment of criteria for the development of lands within Main Street Commercial Corridors.

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 or inconsistent** with the Comprehensive Plan is listed below:

Table 1 Consistency with the Comprehensive Plan

Policy	Consistency
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 proposed text amendments to establish the "Main Street Commercial Corridors" will promote the redevelopment and infilling of such areas through the establishment of criteria for the development of lands within Main Street Commercial Corridors.
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;	The proposed policy text changes include a provision to require that new development or redevelopment of non-residential development shall be compatible with adjacent existing uses.

Policy	Consistency
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 2.109-A1: LAND USE CATEGORIES ESTABLISHED - The following land use categories are hereby established for the Polk County Comprehensive Plan:	The proposed modification to this policy will establish the Main Street Commercial Land Use Category.
POLICY 2.124-F3: REDEVELOPMENT DISTRICT REVITALIZATION PLANS - The County shall develop a "Redevelopment District Revitalization Plan" in accordance with the goals and objectives of the programs described the Polk County Consolidated Plan and Five Year Strategy Plan, for designated "Redevelopment District," to guide implementation of the Community Development Block grant, HOME Investment Partnership Program and the emergency Shelter Grant. The Redevelopment Plans will be prioritized based on a variety of factors that include but are not limited: funding availability, need, physical and economic conditions, level of neighborhood district revitalization plans will be coordinated with other planning initiatives.	The proposed Main Street Commercial (MSC) Future Land Use designation will only be allowed within a Redevelopment District, where the MSC is to be located has an approved Redevelopment District Revitalization Plan pursuant to Policy 2.124-F3 of the Future Land Use Element, an Urban Infill and Redevelopment Area Plan and/or a Community Redevelopment Area (CRA) Plan, per Chapter 163, Florida Statutes, and the expansion is consistent with the applicable plan.
POLICY 2.124-F4: REDEVELOPMENT ACTIVITIES - Redevelopment District Revitalization Plans shall implement the purpose and intent of Policy 2.124-F1 and shall conform to the following requirements: a. PERMITTED USES: In keeping with the purpose and intent of this section, the following uses may be permitted within a Redevelopment District Revitalization Plan: 1.Residential (single-family and multi-family) 2.Commercial 3.Institutional 4.Recreation and Open Space 5.Preservation 6.Specialized Uses, subject to the provisions of Section 2.125	The proposed Main Street Corridor Land Use category implements this policy by allowing permitted uses listed in item a. This policy also contains a provision for promoting commercial uses to be located along a Main Street. This proposed text will implement this provision.

Policy	Consistency
7.Housing for workers (agricultural, industrial, construction and hospitality trades) b. DEVELOPMENT CRITERIA: 1.Non-residential uses should be limited to a size, scale, and intensity necessary to provide the residents of the community and surrounding area with retail, personal, and community services. Where permitted by the Redevelopment District Revitalization Plan, non-residential uses may include, but are not limited to, grocery stores, personal service shops, gas stations, restaurants, specialized and general retail, medical and professional offices, and community facilities such as neighborhood centers, churches, schools, community-oriented policing substations, and day care centers. 2.Non-residential uses should be centrally located within the community and within comfortable walking distance for a majority of the area's residents. 3.Non-residential uses shall have direct access to a collector or arterial roadway. 4.Appropriate mixes of housing types shall be permitted where such mixes will be compatible with immediate adjacent existing residential development. Development incentives shall be provided to encourage and stimulate workforce housing, affordable housing and housing for special needs groups. Such incentives shall include, but not be limited to: (a) Density and intensity increases up to 150% of the district standards, (b) Expedited permitting; and (c) Design flexibility, additionally (d) May include special impact fee consideration in such circumstances as adopted and codified by the BoCC. Such incentives shall be linked directly to the provision of affordable, workforce or special needs housing on a case-by-case basis, and require that the housing remain dedicated to the particular housing type for which the incentive was awarded for a minimum of twenty years through a deed restriction or similar measure.	

Policy	Consistency
Furthermore, no increase in density or intensity can occur unless adequate water, sewer, roadway and public school capacity exists or are planned to be available to meet the need of the additional development. 5.Commercial and office uses shall be permitted in Redevelopment District Revitalization Plans. Redevelopment District Revitalization Plans may include up to 10% of the total area of redevelopment district for commercial and office uses. Designation of an area exceeding the additional 10% shall require a Comprehensive Plan amendment. 6.It is fundamental to all revitalization plans that commercial uses, if included in the land use design, shall be oriented toward the historically established town center, main street, or placed in isolated neighborhood market sites that are restricted to a very limited scale of commercial activity and located only at the intersection of major collector roads. Linear commercial development shall not be allowed, unless it is clearly evident that it is consistent with the traditional development pattern of the community. 7.Appropriate buffering shall be provided between non-residential uses and residential uses.	

Comments from Other Agencies: None

Under separate attachment:

- Draft Ordinance with proposed text

Ordinance No. 26 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL-2026-2;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO AMEND POLICY 2.109-A1, ESTABLISH A NEW POLICY 2.109-A30, AND ESTABLISH A NEW SECTION, TO BE CALLED THE MAIN STREET COMMERCIAL (MSC) CORRIDOR, IN THE FUTURE LAND USE ELEMENT, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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

WHEREAS, Application LDCPAL 2026-2 is an applicant-initiated application to amend Policy 2.131.RA4.F.3(h) of the Comprehensive Plan; (the "Amendment"); and

WHEREAS, pursuant to Section 163.3174, FS, the Local Planning Authority (Planning Commission) conducted a public hearing, with due public notice having been provided, Amendment on May 6, 2026; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on June 2, 2026, held an initial public hearing and authorized transmittal of the Amendment to the Department of Economic Opportunity (DEO) for written comment, and

WHEREAS, Florida Commerce, by letter dated _____2026 transmitted objections, recommendations, and comments on the Amendment; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the Amendment on July 21, 2026; and

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

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

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

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

SECTION 1: LEGISLATIVE FINDINGS OF FACT

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

SECTION 2: COMPREHENSIVE PLAN AMENDMENT

The text of the Comprehensive Plan Ordinance No. 92-36, as amended, (the "Polk County Comprehensive Plan") is hereby amended to reflect changes depicted Attachment "A".

SECTION 3: SEVERABILITY

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

SECTION 4: EFFECTIVE DATE

The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the Department of Florida Commerce posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent

determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance.

SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

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

ADOPTED, in open session of the Polk County Board of County Commissioners with a quorum present and voting this 21st day of July 2026.

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

POLICY 2.109-A1: LAND USE CATEGORIES ESTABLISHED - The following land use categories are hereby established for the Polk County Comprehensive Plan:

	Map Symbol	Maximum Standard Residential Density	Maximum Planned Development Density	Standard Non-residential FAR	Maximum Planned Development FAR
Main Street Commercial	MSC	15.0	15.0	1.0	1.0

POLICY 2.109-A30: The purpose of the Main Street Commercial (MSC) land use is to provide for promote the redevelopment and infilling of linear concentrations of all types of commercial, office, residential, and institutional uses along a roadway that are located within a Redevelopment District.

SECTION 2.11X MAIN STREET COMMERCIAL CORRIDOR

OBJECTIVE 2.11X-A: Polk County shall recognize existing "Main Street Commercial Corridors" by their designation and mapping on the Future Land Use Map Series as Main Street Commercial Corridors (MSC) and shall promote the redevelopment and infilling of such areas through the establishment of criteria for the development of lands within Main Street Commercial Corridors.

POLICY 2.11X-A1: CHARACTERISTICS – Main Street Commercial Corridors are characterized by linear concentrations of all types of commercial, office, residential, and institutional uses along a roadway that are located within a Redevelopment District, pursuant to Section 2.124-F. Some Main Street Commercial Corridors may contain existing industrial uses.

POLICY 2.11X-A2: DESIGNATION AND MAPPING - Existing linear corridors in Redevelopment Districts with non-residential areas shall be designated and mapped on the Future Land Use Map Series as "Main Street Commercial Corridors" (MSC).

POLICY 2.11X-A3: LOCATION CRITERIA – MSCs shall be allowed in all Development Areas, subject to the other locational criteria in this policy. MSCs shall only be located within Redevelopment Districts, as outlined in the Future Land Use Element of the Comprehensive Plan. The establishment of new MSCs or the expansion, extension (along the road), or increase in depth of an existing MSC shall only permitted if the Redevelopment District where the MSC is to be located has an approved Redevelopment District Revitalization Plan pursuant to Policy 2.124-F3 of the Future Land Use Element, an Urban Infill and Redevelopment Area Plan and/or a Community Redevelopment Area (CRA) Plan, per Chapter 163, Florida Statutes, and the expansion is consistent with the applicable plan.

POLICY 2.11X-A4: DEVELOPMENT CRITERIA - Development or redevelopment within a Main Street Commercial Corridor shall conform to the following criteria:

a. Permitted uses include all types of neighborhood commercial, office, and institutional uses typically located along a roadway.

~~b.~~ Existing single-family residential development is protected by the Vested Rights and Non-conformities provisions in Chapter 1 of the Land Development Code.

c. New residential development within the MSC shall only consist of duplex, triplex, quadraplex, and multi-family units.

d. Industrial and High-Impact-Commercial-type (HIC) development shall be limited to in-filling existing industrial/HIC areas, and new industrial/HIC development shall not extend or expand these industrial/high-impact areas.

e. New development or redevelopment within a Main Street Commercial Corridor shall incorporate the use of frontage roads wherever there is adequate public right-of-way or there is property available for the expansion of the right-of-way or the establishment of frontage-road easements to facilitate such roads in accordance with recognized highway safety standards. Whenever the placement of frontage roads is not practical, shared ingress/egress facilities shall be used. Cross-access easements connected parking lots, and/or alternate methods of property connection shall be required.

f. Interior traffic circulation shall facilitate safe bicycle and pedestrian movement.

g. Where the MSC abuts residential areas, new development or redevelopment of non-residential development shall be compatible with adjacent existing uses.

h. The Land Development Code shall contain regulations that are context-sensitive to their location in existing, developed areas. The Land Development Code shall also promote the redevelopment and/or revitalization of these corridors through the creation of regulations that promote an urban-oriented design, encourage the safe bicycle and pedestrian movement and provide flexibility and creativity in site and building design, and encourage uses that meet the immediate needs of the surrounding residential areas.

i. To promote revitalization in MSCs, the maximum floor area ratio shall not exceed 1.0 for non-residential development, or Table 2.104.2 of the Future Land Use Element for MSCs located in the Transit Corridors and Centers Overlay (TCCO).

j. Residential development shall be limited to the range provided in the Residential High (RH) land use designation described in Policy 2.109-A1 or Table 2.104.1 of the Future Land Use Element for MSCs located in the Transit Corridors and Centers Overlay (TCCO).

Agenda Item 9. 5/6/2026

SUBJECT

LDCD-2026-2 (Avenue Q Autobody District Change)

DESCRIPTION

Jonathan Morales Diaz is requesting a Land Development Code Subdistrict Map change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on approximately one (1) acre. The property is located at 1453 42nd Street NW, south of Avenue Q NW, west of 42nd Street NW, east of Recker Highway (SR 655), south of Auburndale, west of Winter Haven in Section 14, Township 28, Range 25.

RECOMMENDATION

Approval

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

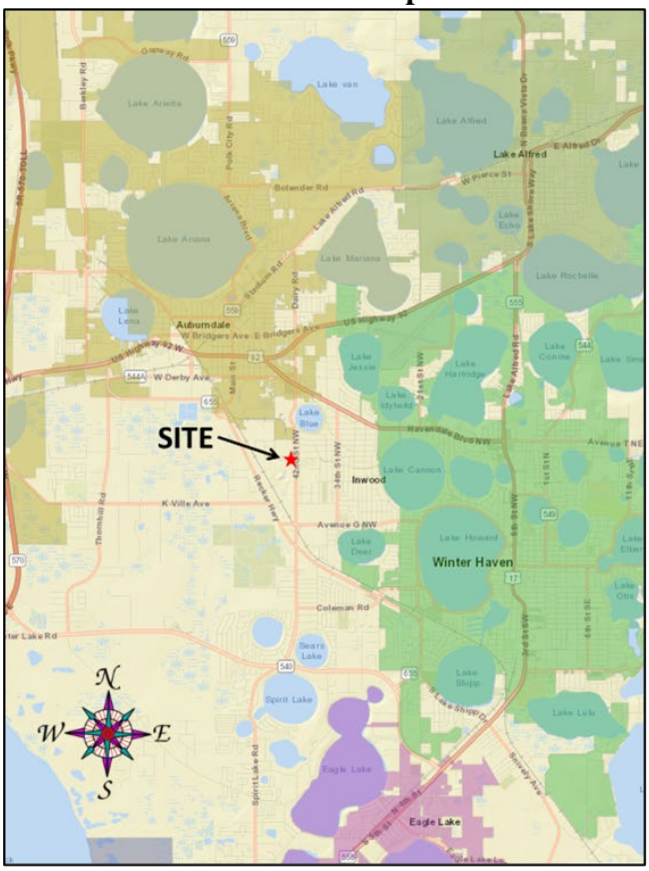
Erik E. Peterson, AICP
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POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 16, 2026	**Level of Review:**	Level 4 Review
PC Date:	May 6, 2026	**Type:**	LDC Subdistrict Change
BoCC Date:	June 2, 2026	**Case Numbers:**	**LDCD-2026-2**
		Case Name:	Avenue Q Autobody
Applicant:	Luis De Leon	**Case Planner:**	Erik Peterson, AICP

Request:	Land Development Code Subdistrict Map change from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on approximately one (1) acre.
Location:	1453 42nd Street NW, south of Avenue Q NW, west of 42nd Street NW, east of Recker Highway (SR 655), south of Auburndale, west of Winter Haven in Section 14, Township 28, Range 25.
Property Owners:	Jonathan Morales Diaz
Parcel Size (Number):	±0.99 acres (252814-000000-022020)
Future Land Use:	Business Park Center-1 (BPC-1)
Development Area:	Urban Growth Area (UGA)
Nearest Municipality:	City of Auburndale (±1,000 feet)
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Public Hearing

Location Map



2025 Satellite Photo



Summary:

The property was approved for vehicle repair back in the 1980s under C-4 (Highway Commercial) zoning. Jonathan Diaz purchased what he thought was a business site that was approved for repairing vehicles because he had seen many vehicles stored onsite and some in a state of repair. He recently discovered the vehicle repair business had ceased many years prior and the property was designated Business Park Center-1 (BPC-1) under the Land Development Code (LDC). BPC-1 does not permit mechanical or autobody repair, but Business Park Center-2 (BPC-2) does. County approval of BPC-2 will return the former business rights to the property that were lost in 2016 when the grandfather rights of the former vehicle repair shop expired after being dormant for two years. The city of Auburndale provides potable water to the site. It is bordered by 42nd Street which is an urban collector, and Avenue Q NW, a local commercial road west of 42nd Street.

The site is served by a complete level of urban services with the exception of public wastewater collection and sidewalks. There are no significant environmental limitations onsite, but opposite Avenue Q is a ±27-acre state-owned property under management of the Florida Fish & Wildlife Conservation Commission (FWC) and it is designated BPC-2.

The subject property abuts two residences to the west that are also designated BPC-1. Among the differences between the current BPC-1 district and the requested BPC-2 district listed in Table 10 and Exhibit 5 of this report is the introduction of outdoor storage and vehicle repair. Outdoor storage is required to be less than 50% of onsite structures and screened from offsite view. Vehicle repair is required to be conducted within enclosed structures. Additionally, Section 220 of the LDC requires structures and outdoor storage to be set back to a minimum of 50 feet from offsite residences in non-residential districts.

Staff recommends approval because it is consistent with the Comprehensive Plan POLICY 2.113-B4, which directs commercial activities within the Future Land Use Map district to be "*conducted within enclosed structures with the exception of loading and unloading of transport and distribution vehicles. Outdoor storage shall be screened from off-site view and significantly limited in respect to the floor area provided within enclosed structures.*" The activities onsite will be conducted within enclosed structures, and their outdoor storage will be required to be screened from offsite view.

Findings of Fact

- *The request is for an amendment to the Land Development Code (LDC) Sub-district Map from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) on ±0.99 acres, located at 1453 42nd Street NW, south of Avenue Q NW, west of 42nd Street NW, east of Recker Highway (SR 655), south of Auburndale, west of Winter Haven in Section 14, Township 28, Range 25.*

- *The site is located in the Urban Growth Area (UGA), which is the 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 2.105-A1 of the Comprehensive Plan.*

- *The Future Land Use Map designation of the site has been Business Park Center (BPC-1) since the adoption of the Land Development Code. Prior to the adoption of the code, it was zoned for Heavy Commercial (C-4).*

- *The site has been used for vehicle repair in the past, according to aerial photos, and Florida Department of State Division of Corporations business records.*

- *Differences in uses allowed between BPC-1 and BPC-2 include outdoor storage and vehicle maintenance uses in BPC-2 versus multifamily in BPC-1* *(See page 13 and Exhibit 5).*

- *The neighboring land uses to the west are self-storage and single-family residential. To the south is a concrete and asphalt plant. To the east is a convenience store, restaurant, and vehicle sales. To the north is a nature preserve under state management.*

- *The site abuts Business Park Center-2 (BPC-2) district to the north. The site abuts Business Park Center-1 (BPC-1) districts to the west and south. Property is Linear Commercial Corridor (LCC) to the east.*

- *The closest schools are Inwood Elementary, Westwood Middle School, and Auburndale High School.*
- *Fire and ambulance response to this site is from the Fire Station #5 approximately 1.6 miles driving distance from the site.*
- *The nearest Sheriff's substation is nearby (±1.1 miles) on Avenue G next to Westwood Middle School.*
- *The city of Auburndale provides potable water service to the site. Capacity is available and lines are in the right-of-way of Avenue Q and 42nd Street.*

- *The property has ±153 feet of direct roadway frontage on Avenue Q (local commercial) and ±281 feet of direct roadway frontage on 42nd Street (urban collector).*
- *According to the Transportation Planning Organization, there is adequate capacity on Avenue G (CR 542), Spirit Lake Road, Havendale Boulevard (SR 544), and Recker Highway (SR 655). All other roads in the area have such low traffic volumes that they are not tracked, including 42nd Street.*
- *The closest park facilities are Westwood Park (±0.7 miles) and Simmers-Young Regional Park (±1.7 miles).*
- *The closest surface water is Lake Blue to the north of the site, but drainage flows through controlled structures and treated before discharge into Lake Cannon to the east.*
- *There are no wetlands or flood hazard areas on or near the site.*
- *The site has soils rated for only slight limitations for commercial development, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey.*
- *According to Polk County Endangered Habitat Maps, the proposed district change is not located within a one-mile radius of an endangered species sighting. (Source: Florida Fish and Wildlife Conservation Commission (FWC) 2015-2021).*
- *The site is within the flight path but not height restriction buffer zones of a public use airport.*

Development Review Committee (DRC)

Based upon the information provided by the applicant and a recent site visit, the DRC finds that with the recommended conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Comprehensive Plan and the Land Development Code, and therefore, the DRC recommends **APPROVAL of LDCD-2026-2.**

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: Business Park Center -2 (BPC-2) Wildlife protection area	**North:** BPC-2 Wildlife protection area	**Northeast:** Linear Commercial Corridor (LCC) Quick serve restaurant and personal services
West: Business Park Center -1 (BPC-1) Self-Storage Residential (Brierwood Subdivision)	**Subject Property:** ±1 acre BPC-1 4,000 square foot automotive repair garage.	**East:** LCC Convenience Store
Southwest: BPC-1, BPC-2 Concrete and asphalt production facility	**South:** BPC-1, BPC-2 Concrete and asphalt production facility	**Southeast:** LCC Automotive Dealer

The majority of the land uses that surrounds the property is BPC-1. This district allows warehousing and distribution facilities. There are some BPC-2 districts nearby. One is underutilized and will likely remain a wildlife protection area under the Florida Fish and Wildlife Conservation Commission (FWC). The other is over utilized. It is a heavy industrial use that is not consistent with the BPC districts but is a legally non-conforming (grandfathered) use. On the east side of 42nd Street there are various commercial uses and some vacant land.

Compatibility with Environment, Infrastructure and Surrounding Land Uses:

This proposed change from BPC-1 to BPC-2 is both compatible with the majority of land uses in the area and infrastructure needed to support development of all potential BPC-2 uses. While there are a few single-family residences to the west, they are designated BPC-1 and considered legally non-conforming. The predominant land uses in the immediate are commercial and industrial in nature.

A. Land Uses:

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.*"

The current use of the property has been utilized for automotive repair off and on since 1983. The property was zoned Heavy Commercial (C-4) from 1971 to 2000. There is a lot of outdoor storage that has occurred over the years. The abutting residential subdivision to the west was platted in 1964. The wildlife management area to the north has remained untouched since 1941, according to aerial photos. The asphalt and concrete plants to the southwest have been in operation since at least 1964, according to aerial photos. It appears in the 1964 aerial photos along with three

homes in the Brierwood Subdivision. Commercial uses have existed opposite 42nd Street since the 1960s. The convenience store was constructed in 1966. 42nd Street has been a major thoroughfare since Inwood began as a development in 1925. Enabling more BPC-2 uses on the property will not create any greater incompatibility with the neighboring subdivision than currently exists. The existing structure is abutting two residences and has been for over 40 years. The outdoor storage activities abut a self storge warehouse that was constructed on two of the lots in the residential subdivision in 1987.

B. Infrastructure:

Most elements of urban infrastructure and services are available to this site. The two exclusions are public wastewater service and pedestrian facilities. The site has direct access to an urban collector road, a bus stop, potable water, a comprehensive drainage network, overlapping fire rescue services in less than three miles of travel, nearby Sheriff substation, parks and schools a short distance away.

C. Environmental:

Although there is a protected area to the north on property managed by the Florida Fish and Wildlife Conservation Commission (FWC), there are no known environmental limitations on this property. No wetlands or floodplains on or near the property. Stormwater is managed by the County through an urban drainage network where storm sewer is treated for contaminants before it is discharged into the Chain of Lakes. Soils are well drained. There are no reports of archeological sites in the area. It is a significant distance from the nearest public use well. The site is in the flight path of Winter Haven Airport, but far enough away to not be of concern.

Nearest and Zoned Elementary, Middle, and High School

Removing the possibility of a residential component on the property eliminates the need for educational facilities to support the district. Additionally, there are no public schools within proximity to the site. Therefore, commercial traffic conflicting with school operations is minimized.

Table 2

Name of School	Average driving distance from subject site
Inwood Elementary	±1¼ miles driving distance
Westwood Middle School	<1 mile driving distance
Auburndale High School	±2.75 miles driving distance

Source: GIS

Changing the LDC sub-district from BPC-1 to BPC-2 is more consistent with existing use of the property. There are no public schools within three miles of the site. This site would not be a good location for residential development. It is too small and lacks wastewater connections to support multifamily.

Nearest Sheriff, Fire, and EMS Station

Fire and ambulance responses to this site are from the Fire Station #5 just over a mile and a half away at the entrance to Simmers-Young Park. There is a fire hydrant on Avenue Q within 400 feet of the onsite automotive repair structure. The Sheriff's Central Command substation is also nearby on Avenue G next to Westwood Middle School.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Polk County Sheriff Central Substation (3635 Avenue G)	±1.1 miles	7 minutes
Fire	Polk County Fire Station #5 333 American Spirit Road	±1.6 miles	6 minutes
EMS	Polk County Fire Station #5 333 American Spirit Road	±1.6 miles	6 minutes

Source: Polk County Sheriff's Office and Public Safety

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

Polk County also has a fire station at 310 3rd Street in Auburndale that can back up this area from just under two miles away and reciprocal agreements with Winter Haven and Auburndale for overlapping coverage.

Water and Wastewater Demand and Capacity:

The City of Auburndale provides potable water to the site. There is no wastewater available and it is not likely to be in the future. Onsite septic is ample for the automotive repair business. The current use does not consume much water and there is ample supply since Auburndale is a member of the Polk Regional Water Cooperative (PRWC).

A. Estimated Demand:

Warehousing and office park development can be conducted in either BPC-1 or BPC-2. The difference is the ability to store goods and materials in the open and maintain vehicles in lieu of multifamily development at 15 dwellings per acre. Both warehousing and office parks have similar water and wastewater demands at 0.24 gallons per day (GPD) which, if maximized, could result in a significant amount of water and wastewater demand. The difference between the two categories can only be brought out in the potential for multifamily, which is forgone with the change to BPC-2. In reality, vehicle maintenance and outdoor storage do not result in a significant amount of water or wastewater usage. The table to follow provides a comparison between multifamily development and the maximum amount of automobile service possible on this site.

Table 4

Subject Property	Estimated Impact Analysis		
1± acre BPC-1	**Potential Demand as BPC-1**	**Potential Demand as BPC-2**	**Percentage increase**
Permitted Use	15 unit per acre Multifamily (15 units)	Automobile Service 32,670 SF	
Potable Water Consumption (GPD)	2,970	8,168	*275%*
Wastewater Generation (GPD)	2,700	6,534	*242%*

Source: Polk County Utilities Administration Manua: Multifamily=198 gpd water/unit, 180 wastewater/unit. Auto Repair = 250 gpd/1000SF water, 200gpd/1000SF wastewater

The current automotive repair business onsite is in a 4,000 square foot structure. The potential water and wastewater use is 1,000 GPD of water and 800 GPD of wastewater. The site is connected to public water from the city of Auburndale but uses an onsite septic tank to serve restrooms in the building.

B. Available Capacity:

It takes three separate water production facilities to provide enough water for the entire utility service area of Auburndale. The system consists of seven (7) deep production wells that draw water from the Floridian Aquifer. These facilities use a forced air degasification system to remove hydrogen sulfides prior to the addition of chlorine for disinfection. These facilities distribute more than 1.6 billion gallons of water to customers annually. Auburndale is also a member of the Polk Regional Water Cooperative (PRWC). An interconnect is planned for Derby Avenue between Jersey Road and Charlotte Street.

C. Planned Improvements:

There are no system improvements needed to serve this vehicle maintenance and storage development. It is currently connected to the system. Wastewater service is not feasibly available to this site even under the maximum possible expansion.

Roadways/ Transportation Network

There is a high volume of traffic on the area roadways, but the existing use is contributing very little to it despite not having the proper district designation. This proposed correction from BPC-1 to BPC-2 will have limited impact on the transportation system. Avenue Q is a local commercial road and 42nd Street is an urban collector. There is a mass transit stop on Avenue Q in front of the site that connects to both Auburndale and Winter Haven downtown. The greatest weakness in the transportation system is the lack of sidewalks.

A. Estimated Demand:

Warehousing can be conducted in either BPC-1 or BPC-2. The difference is the ability to store goods and materials in the open and maintain vehicles in lieu of multifamily development at 15 dwellings per acre. The Institute of Traffic Engineers (ITE) provides an estimate of 16.6 trips per 1,000 square feet of automobile service for average annual daily trips (AADT) and 2.06 trips during the peak hour of the day but with a passerby reduction of 76%. Multifamily can generate 4.46 trips per dwelling AADT and 0.38 per unit during peak hours. With only one (1) acre, the vehicle trip potential is low. If developed for multifamily, only 15 dwelling units could be the maximum result. While BPC-1 allows multifamily, the ability to do vehicle maintenance opens up the potential for more activity onsite. The floor area ratio (FAR) is 0.75 in both BPC-1 and BPC-2. The following table compares the extremes of either.

Table 5

Subject Property	**Estimated Impact Analysis**		
1± acre BPC-1	**Potential Demand as BPC-1**	**Potential Demand as BPC-2**	**Percentage increase**
Permitted Use	15 unit per acre Multifamily (15 units)	Automobile Service 32,670 SF	
Average Annual Daily Trips (AADT)	67	543	*209%*
PM Peak Hour Trips	6	52	*316%*

Source: Institute of Traffic Engineers (ITE) 12th Edition – Automobile Service 16.6 AADT/1000SF, 2.06 PM peak/1000SF @ 76% new Multifamily 4.46 AADT/unit, 0.38 PM peak/1000SF @ 100% new

The current auto repair establishment onsite is 4,000 square feet and generates very little traffic on the system. ITE estimates it to generate 67 average annual daily trips and up to four (4) trips during the PM peak hour. ITE estimates that 61% of the trips are exiting the site at peak.

B. Available Capacity:

Neither Avenue Q nor 42nd Street are tracked for concurrency in the Transportation Planning Organizations (TPO) Roadway Network Database. The closest monitored roadways are County Road 542 (Avenue G) and State Road 544 (Havendale Boulevard). Spirit Lake Road is tracked up to Avenue G where it becomes 42nd Street. It is likely that the majority of the traffic going north or south on Spirit Lake Roads is using 42nd Street given the traffic numbers on Avenue G and Recker Highway. The only difference is that 42nd Street is two lanes whereas Spirit Lake Road is four lanes between Recker Highway and State Road 540.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4175N	Spirit Lake Road (*becomes 42nd Street*) From: SR 540 To: CR 542 (Avenue G)	C	1,068	D
4175S	Spirit Lake Road (*becomes 42nd Street*) From: CR 542 (Avenue G) To: SR 540	C	1,038	D
4046E	CR 542 (Avenue G) From: SR 655 (Recker Highway) To: Lake Howard Drive	C	273	D
4046W	CR 542 (Avenue G) From: Lake Howard Drive To: SR 655 (Recker Highway)	C	252	D
6500E	SR 544 (Havendale Boulevard) From: US 92 Street To: 26th	C	1,542	D
6500W	SR 544 (Havendale Boulevard) From: 26th Street To: US 92	C	1,503	D
7103N	SR 655 (Recker Highway) From: CR 542 (Avenue G) To: Orangewood Avenue	C	135	D
7103S	SR 655 (Recker Highway) From: Orangewood Avenue To: CR 542 (Avenue G)	C	104	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 13, 2026

The Florida Department of Transportation (FDOT) estimated that as of 2025 an average of 15,200 vehicles traveled Spirit Lake Road every day. FDOT estimates that Avenue G is averaging 12,200 vehicles per day. Recker Highway south of 42nd Street is 18,100 vehicles per day. Havendale Boulevard averages 29,000 vehicles per day.

C. Roadway Conditions:

Avenue Q was resurfaced in 2012 and remains in above average condition. 42nd Street was resurfaced in 2016 and is in excellent condition. The driveway access to the site at 42nd Street has a 50-foot radius but is in substandard condition. There is no access on Avenue Q. If new structures or access is added to the site in the future, driveway improvements will be required.

D. Sidewalks

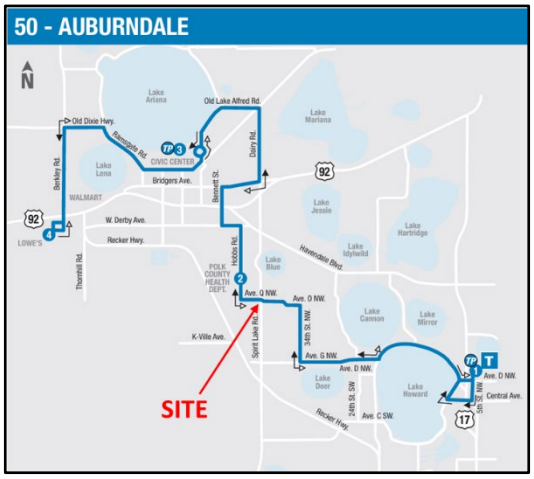
The sidewalk network is weak in this more industrial area of Inwood. There are no sidewalks on either side of 42nd Street or Avenue Q. The closest sidewalk network begins over ½ mile to the east at 34th Street. Priorities have been focused on streets near Westwood Middle and Inwood Elementary Schools. Since this site is currently developed, there are no sidewalk improvements required.

E. Planned Improvements:

The only project in the current 5-year Community Investment Program (CIP) is replacement of the signal lights and intersection lane improvements at 42nd Street and Avenue G to the south. There are no improvements necessary to the surrounding roadway network to enable the development of this site for commercial use. There are drainage improvements necessary in the immediate area.

F. Mass Transit

There is a mass tranit stop (Route 50) that stops in fron of the subject prpoty on Avenue Q. It runs nine times on weekdays and twice Saturdays between transfer stations in downtown Auburndale and Winter Haven. Headways vary.



Park Facilities:

The closest park facilities are Westwood Park and Simmers-Young Regional Park. Without the possibility of a residential component, there is no demand created for park facilities in BPC-2 whereas there are in BPC-1

A. Location:

Westwood Park is located at 1145 36th Street NW which is ±0.7 miles driving distance from the site. The entrance to the Simmers-Young Regional Park is located at 339 American Spirit Road which is ±1.7 miles driving distance from the site.

B. Services:

Westwood Park features a playground with swings, slides and climbing areas. You will also find a paved walking path with exercise stations, picnic tables and picnic shelters. Additionally, there are restrooms and multi-purpose fields. Simmers-Young Park is a recreational park with 10 multi-purpose fields, baseball and softball and league play. There also are picnic facilities, a fishing pond, dog park, playground, restrooms, picnic tables and picnic shelters.

C. Multi-use Trails:

The closest multiuse trail is located in north Auburndale. It is the Van Fleet Trail that is 29.2 miles long and has a paved surface eight feet wide. It extends from Auburndale into Lake County.

D. Environmental Lands:

The opposite side of Avenue Q is part of the Lake Wales Ridge Wildlife and Environmental Area. It consists of eleven separate sites located in the middle of the County extending from the center to the south end of the Lake Wales Ridge. It contains excellent examples of rosemary scrub, oak scrub, scrubby flatwoods, sandhill, and cutthroat seep. An extremely high concentration of more than 30 listed plant and animal species is present, including at least twelve Federally endangered species.

E. Planned Improvements:

There are no recreational improvements scheduled for this quadrant of the County at this time.

Environmental Conditions

There are no known environmental limitations on this property. No wetlands or floodplains on or near the property. Stormwater is managed by the County through an urban drainage network designed to protect waterbodies. Soils are well-drained. There are no known protected species onsite, but there may be to the north on property managed by the Florida Fish and Wildlife Conservation Commission (FWC). There are no reports of archeological sites in the area. It is a significant distance from the nearest public use well. The site is in the path of Winter Haven Airport, but far enough away to not be of concern.

A. Surface Water:

This site ranges in elevation between 155 and 156 feet above mean seal level (MSL). The site drains into a swale system on Avenue Q and 42nd Street where there is a storm grate which pipes runoff to the east into a larger capacity system that parallels Inman Drive (148' MSL) which funnels area drainage through subsurface storm pipes to Lake Cannon at an average elevation of 129.5' MSL. The stormwater is treated with alum to neutralize nitrate levels in a partially subsurface facility located at the intersection of 26th Street and Avenue O just before discharge into the lake. Lake Cannon is approximately 332 acres in size and is part of the Winter Haven Chain of Lakes that connects to the Peace River which flows to Charlotte Harbor and out to the Gulf.

B. Wetlands/Floodplains:

There are no flood zones or wetlands on or near the site. The closest forms along Inman Drive over a quarter mile to the east. The base flood elevation is 150.7 feet MSL and the subject site is 155 feet MSL. The closest real wetland systems are associated with Lakes Cannon and Blue. Lake Blue is over a half mile away and Lake Cannon is over a mile away. There is an arbitrary wetland system around the former County landfill at 38th Street and Avenue M.

C. Soils:

The site has well-suited soils for development, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Tavares is a suitable soil for most development applications and Candler is ideal for being will drained and malleable.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Small Commercial Buildings**	**% of Site** *(approximate)*
Tavares Fine Sand	Moderate: wetness	Slight	60%
Candler Fine Sand	Slight	Slight	40%

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

D. Protected Species

According to Polk County Endangered Habitat Maps, the proposed district change is not located within a one-mile radius of an endangered species sighting. (Source: Florida Fish and Wildlife

Conservation Commission (FWC) 2015-2021). However, the ±27-acre property opposite Avenue Q is owned by the state and managed by FWC. It is listed as Archbold Scrub habitat.

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 for Section 14, Township 28, Range 25.

F. Wells (Public/Private)

The site is over a mile from the closest public use wellhead or 10-year hydraulic travel time of any public potable water well. This lessens any concerns for potential groundwater contamination that may result from outside storage.

G. Airports:

The site is directly within the flight path but not within the height restriction buffer zones of the Winter Haven Airport, a public use airport. It is within 1.4 miles of the runway. However, these are the types of uses that are most appropriate in airport areas rather than multifamily developments. BPC-2 allows for outdoor storage but not multifamily as BPC-1 does.

Economic Factors:

The primary use of the property has been automotive repair in the past. Commercial vehicle maintenance and outdoor storage are a major component of the past uses of the property. The essential difference between BPC-1 and BPC-2 is that BPC-1 is where a mixture of office uses, and multifamily living comes together to form the quintessential corporate office park. BPC-2 is more geared towards light-industrial uses. Therefore, it enables outdoor storage of materials and products along with vehicle maintenance uses. The applicant is forgoing the ability to do multifamily in turn for the rights to external storage and equipment maintenance. Much of the existing development in the area is warehouse, light industrial, and vehicle maintenance. This request will not result in a change that could harm the local economic structure.

Consistency with the Comprehensive Plan, LDC, and Other County Ordinances:

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 or inconsistent** with the Comprehensive Plan is listed below:

- Section 2.102 – General Growth Management policies
- Section 2.105 – Urban Growth Area (UGA) policies
- Section 2.113 – Business Park Center

The table to follow provides a brief breakdown of Section 2.102 policies that are most pertinent to this request.

Table 9

Comprehensive Plan Policy	Consistency Analysis
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.	This request is for a Subdistrict Map change from a BPC-1 to a BPC-2 district which can enable slightly more intensive use of the land without overburdening the cost of public services. The uses are similar to the ones that line Recker Highway to the west and within the City of Auburndale to the north.
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.	This site abuts two residences to the west that are also designated BPC-1. Among the differences between the current BPC-1 district and the requested BPC-2 district is the introduction of outdoor storage and vehicle repair. Outdoor storage is required to be less than 50% of onsite structures and screed from offsite view. Vehicle repair is required to be conducted within enclosed structures. Additionally, Section 220 of the Land Development Code (LDC) requires structures and outdoor storage to be set back to a minimum of 50 feet from offsite residences in non-residential districts.
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.	Most elements of urban infrastructure and services are available to this site. The two exclusions are public wastewater service and pedestrian facilities. The site has direct access to an urban collector road, a bus stop, potable water, comprehensive drainage network, overlapping fire rescue services in less than three miles of travel, nearby Sheriff substation, parks and schools a short distance away.
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.	Changing from BPC-1 to BPC-2 is not an issue of timing. Both subdistricts require the same levels of infrastructure and services.
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).	Fire and ambulance response to this site is from the Fire Station #5 just over a mile and a half away. There is a fire hydrant on Avenue Q within 400 feet of the onsite automotive repair structure. The Sheriff's Central Command substation is also nearby on Avenue G next to Westwood Middle School.

The site is located in the Urban Growth Area (UGA), which is the 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 2.105-A1 of the Comprehensive Plan. This site is near all of

the necessary infrastructure and services mentioned in the policy. The current use on the property is not connected to central wastewater treatment because it was not available in the area when it was originally constructed in 1983.

The Business Park Center Future Land Use Map designation is a broad multiuse district. For that reason, BPC was separated into two sub-categories in the LDC. POLICY 2.113-B-1 of the Comprehensive Plan illustrates the dynamics of the BPC district in the statement of characteristics: "*Business-Park Centers are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, areas for light-industrial facilities, distribution centers, and mixed-use employment parks. Business-Park Centers are intended for land use activities that are conducted entirely within enclosed structures with the exception of loading and un-loading. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities. However, these centers often contain other minor commercial facilities, and wholesale facilities, within the Business-Park Center to support the businesses located there*."

The LDC separates the BPC Future Land Use Map designation into two categories, BPC-1, which is all enclosed operation and more attuned to office parks, and BPC-2, which allows for outdoor storage and heavy commercial activities to implement the Comprehensive Plan POLICY 2.113-B-4. The following table provides a summary of the differences in standards between the two LDC subdistricts.

Table 10

	Standard Comparison	
Standard	**BPC-1**	**BPC-2**
Different Land Uses	Corporate Office Park, Enclosed Light Manufacturing, Warehousing and Distribution, Multifamily	Enclosed Light Manufacturing, Warehousing and Distribution, Outdoor Storage, Heavy Commercial
Density	10-15 dwelling/acre	Not permitted
Minimum Lot Size	No minimum	No minimum
ROW Setbacks	30 feet from Local Roads	30 feet from Local Roads
Interior Side	20' Primary, 20' Accessory	20' Primary, 20' Accessory
Interior Rear	20' Primary, 20' Accessory	20' Primary, 20' Accessory
Height Limit	75 feet	100 feet
Prohibited Uses	Outdoor Storage, Vehicle Repair	Residential

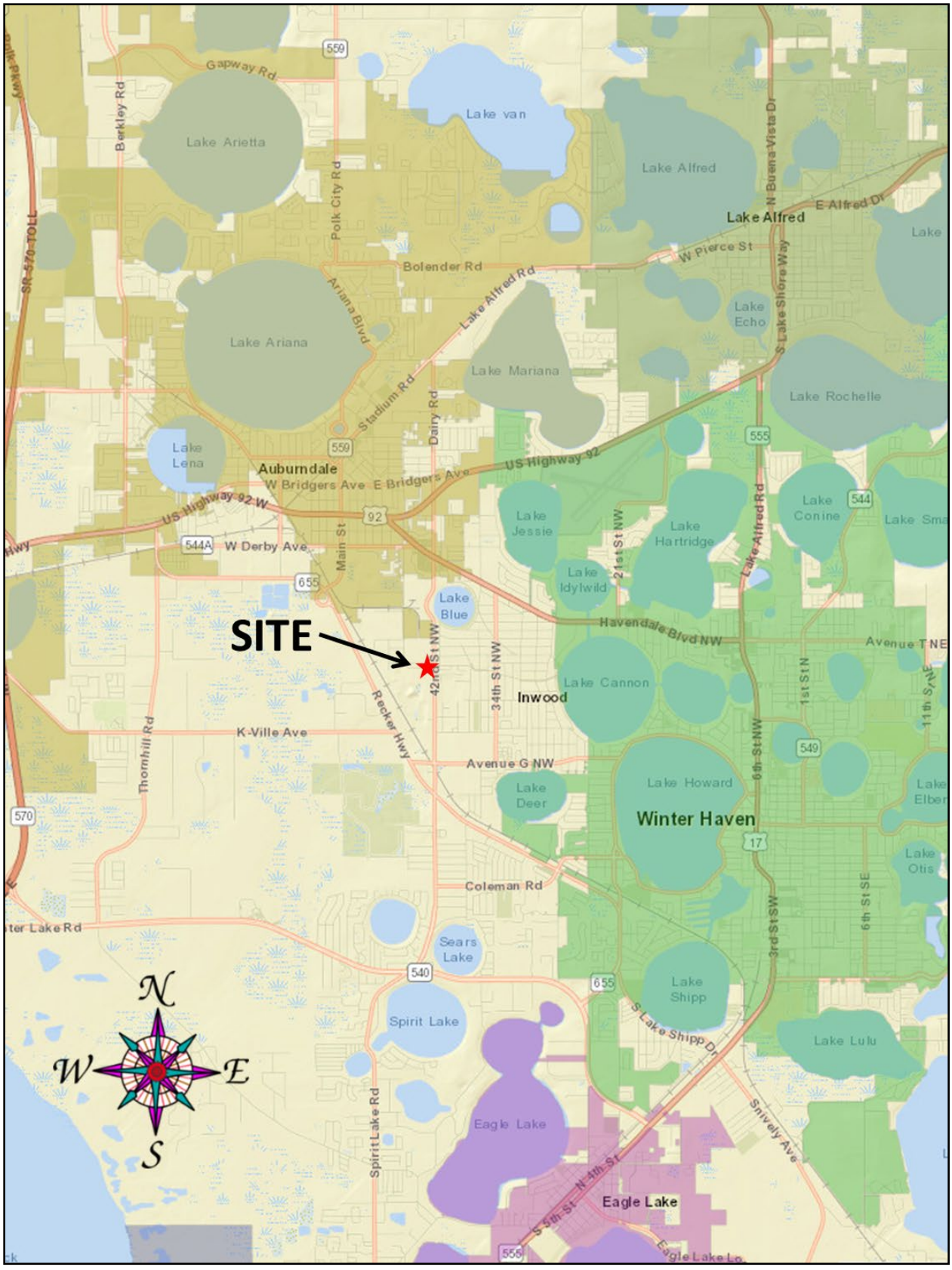
Although outdoor storage is permitted in BPC-2, it is for only finished goods and must be screened from offsite view. Multifamily requires Planning Commission in BPC-1. The site dimensional standards are identical between the sub-districts. The separation between the two is in land use activities.

Section 220 of the Land Development Code requires additional separations for commercial properties that abut residential districts and residential land uses. These include a 50-foot setback from all residential land use districts or an existing residence for commercial buildings, dumpsters, outdoor sales, storage or display, air conditioning units, loading facilities/structures, drive-thru, grease traps, wastewater lift stations, and gasoline pump islands. There is an existing residence in the current BPC-1 district that abuts the site to the west. It is approximately 40 from the property line. This will require a minimum of 10 feet of separation for the facilities regulated by Section 220.

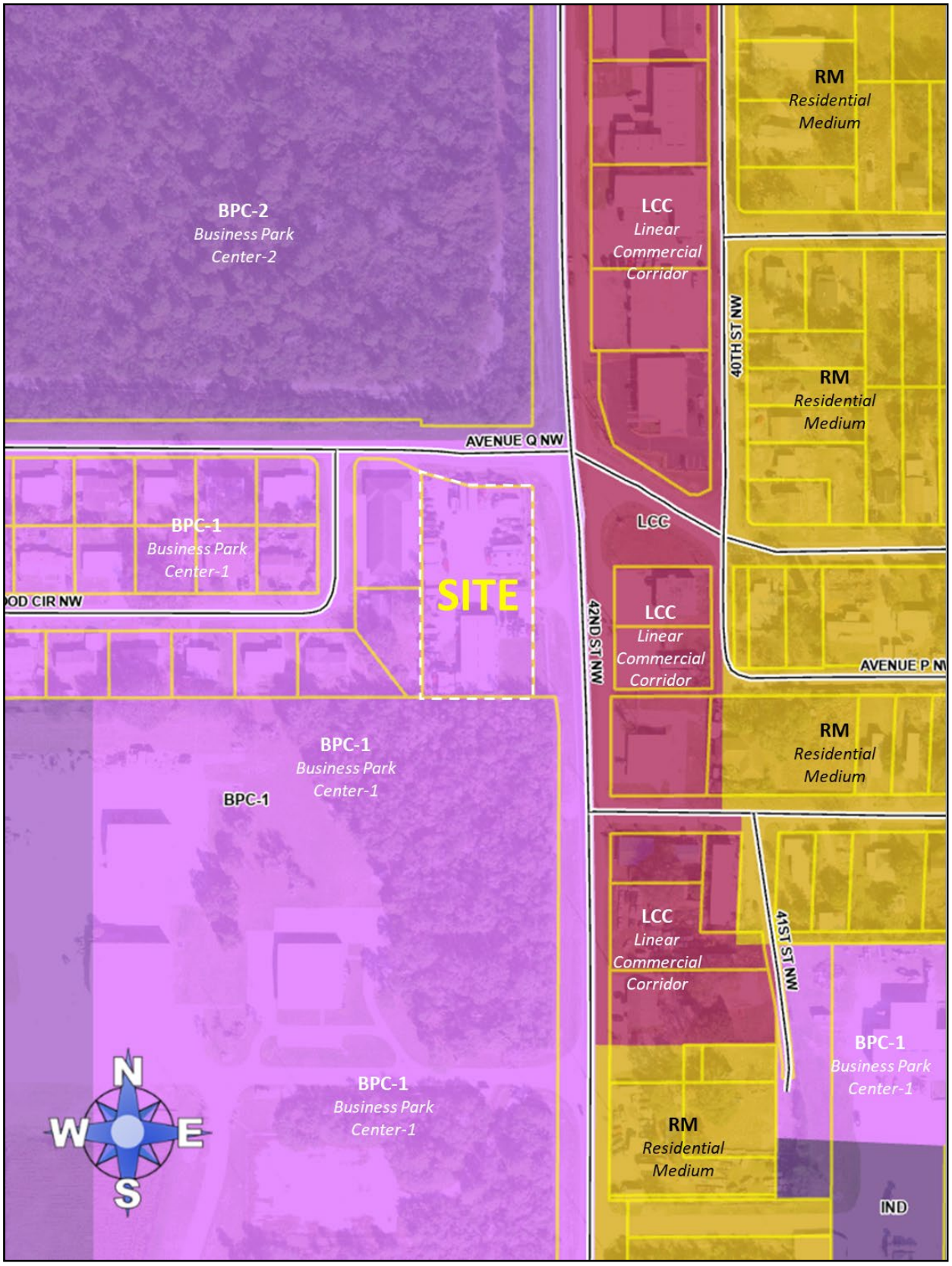
Comments from other Agencies: None.

Exhibits:

Exhibit – 1 Location Map
Exhibit – 2 Future Land Use Map
Exhibit – 3 2023 Satellite Photo (Context)
Exhibit – 4 2023 Satellite Photo (Close-up)
Exhibit – 5 District Use Comparison Table



Location Map



Future Land Use Map



2025 Satellite Photo (Context)



2023 Aerial Photo (Close Up)

Exhibit 5

Comparison of Permitted and Conditional Uses*

District	Permitted Uses	Administrative Review	Public Hearing(s) Required
BPC-1 *Business Park Center-1*	Government Facility Office or Office Park Personal Services Printing and Publishing Research & Development Production Studio Transit Facility Warehousing and Distribution	Alcohol Package Sales Bar, Lounge, or Tavern Bed and Breakfast Community Center Monopole Communication Tower Commercial Vehicle Parking Cultural Facility Financial Institution Drive-thru Financial Institution Gas Station Light Manufacturing Medical Marijuana Dispensaries Retail Nursery Retail 0-64,900 square feet Recreational Vehicle Storage All Restaurants Vocational School Self-storage facility	Agricultural Support Intensive Animal Farm **Multifamily** Guyed Communication Tower Power Plants Low Intensity (non-cert) Retail 65,000 square feet
BPC-2 *Business Park Center-1*	Agricultural Support Intensive Animal Farm Commercial Vehicle Parking Government Facility Light Manufacturing **Motor Freight Terminal** Office or Office Park Personal Services Printing and Publishing Research & Development **Retail, Outdoor Sales** Production Studio Transit, Commercial Transit Facility **Vehicle Repair** **Autobody Repair** Warehousing and Distribution	Farmworker Dormitory Alcohol Package Sales Bar, Lounge, or Tavern Bed and Breakfast Community Center Guyed Communication Tower Monopole Communication Tower Commercial Vehicle Parking Cultural Facility Financial Institution Drive-thru Financial Institution Gas Station **Heavy Machinery Sales & Service** **Dog Kennels** **Livestock Auction** Medical Marijuana Dispensaries Retail Nursery Retail 0-64,900 square feet Recreational Vehicle Storage All Restaurants Vehicle Recovery Vocational School Self-storage facility **Veterinary Service**	Power Plants Low Intensity (non-cert) **Power Plants High Intensity (non-cert)** Retail 65,000 square feet

**Uses with the same level of review in both categories not listed nor are agricultural and utility uses preempted by State Law Also excluded are uses impractical due to property size or location.*

ORDINANCE NO. 26-_____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCD-2026-2**, AN AMENDMENT TO THE POLK COUNTY LAND DEVELOPMENT CODE SUB-DISTRICT MAP (ORDINANCE 01-69), AS AMENDED, MODIFYING THE DESIGNATION ON ONE (1+/-) ACRE FROM BUSINESS PARK CENTER-1 (BPC-1) TO BUSINESS PARK CENTER-2 (BPC-2), LOCATED AT 1453 42ND STREET NW, SOUTH OF AVENUE Q NW, WEST OF 42ND STREET NW, EAST OF RECKER HIGHWAY (SR 655), SOUTH OF AUBURNDALE, WEST OF WINTER HAVEN IN SECTION 14, TOWNSHIP 28, RANGE 25; 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 Local Government Comprehensive Plan and Land Development Regulation 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, the Board of County Commissioners adopted a Land Development Code Sub-district Map on September 26, 2001; and

WHEREAS, Chapter 9, Section 903 of the Land Development Code provides an approval process for amendment to the Land Development Code Sub-district Map; and

WHEREAS, pursuant to Section 163.3174 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 Sub-district Map Amendment on May 6, 2026; and

WHEREAS, pursuant to Section 125.66 of the Florida Statutes, the Board of County Commissioners conducted an adoption public hearing, with due public notice having been provided, on the proposed Land Development Code Sub-district Map Amendment June 2, 2026; 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 1: FINDINGS The findings set forth in the recitals of this Ordinance are true and correct and hereby adopted. In addition, the Board hereby adopts and incorporates herein the staff report and makes the following findings based upon the staff report, testimony, and exhibits presented during the hearing:

a) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on May 6, 2026, to consider the LDC Sub-district map amendment contained within the Application and found it to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Sub-district Map Amendment contained within the Application.

b) Pursuant to Section 907D.10 of the LDC, the Board shall, in the review of the Application, consider the following factors:
    a. Whether the proposed development is consistent with all relevant requirements of the 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. Any other matter which the BoCC may deem appropriate and relevant to the specific development proposal.

c) The Application is consistent with all relevant requirements of the Comprehensive Plan.

d) The Application is consistent with all relevant requirements of the LDC, including without limitation, Section 907.

e) The Application is compatible with surrounding uses and the general character of the area.

SECTION 2: AREA AMENDED.

Polk County Ordinance No. 01-69 as amended (the "Polk County Land Development Code Sub-district Map"), of Polk County Ordinance No. 00-09, as amended (the "Polk County Land Development Code") is hereby amended to reflect a change in the Sub-district of Parcels, legally described below and graphically depicted in Attachment "A" of this ordinance, from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) as:

The east 230 feet of the south 373 feet of the southeast 1/4 of Section 14, Township 28, Range 25 including right-of-way to the centerline of the Avenue Q Northwest and 42nd Street Northwest identified in the public records of Polk County as Polk Property Appraiser's number 252814-000000-022020.

SECTION 3: SEVERABILITY.

If any portion of this Ordinance is for any reason held unconstitutional or otherwise invalid by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4: EFFECTIVE DATE.

This Ordinance shall become effective upon filing of a certified copy of the Ordinance with the Department of State.

SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

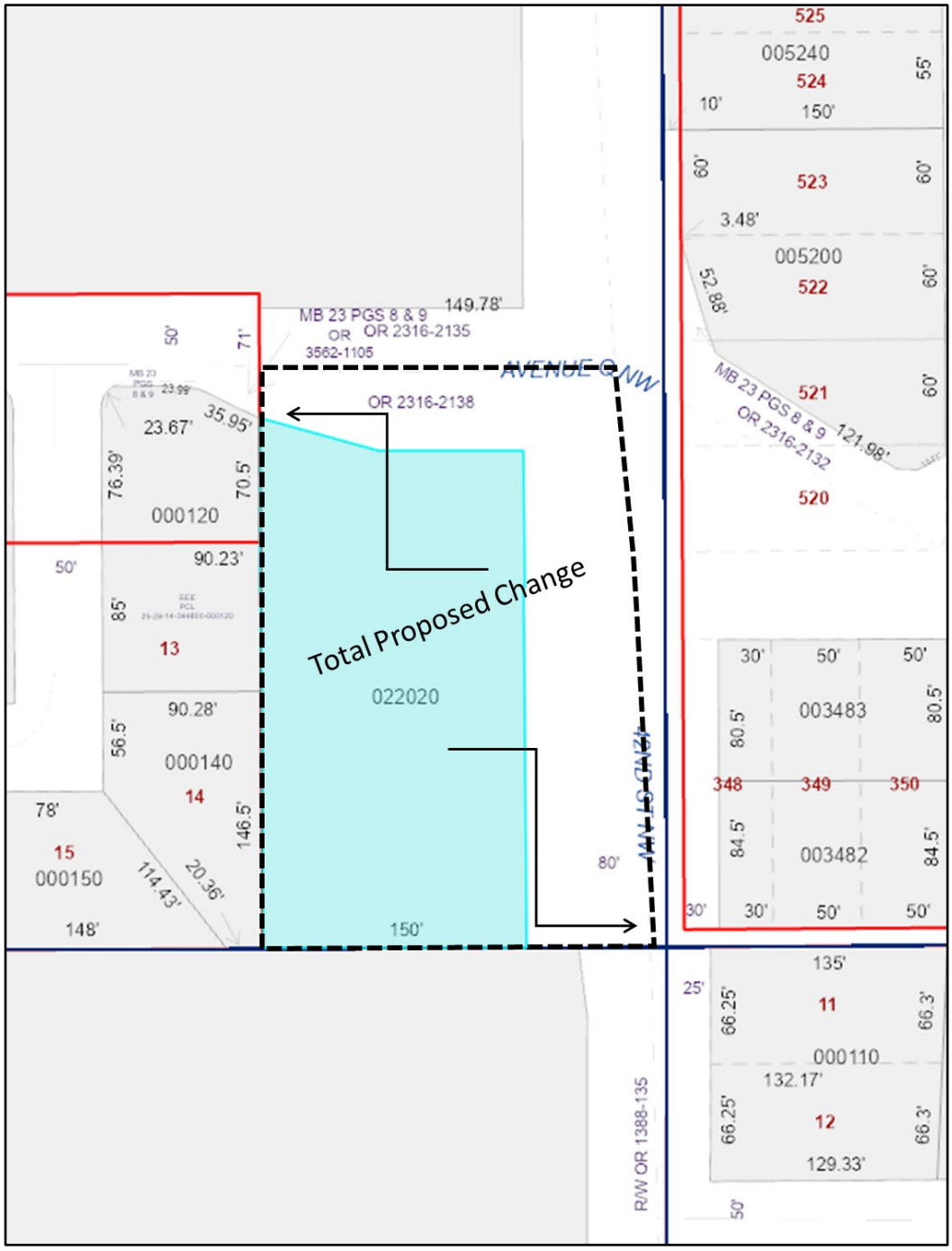
The Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, shall file a certified copy of this ordinance with the Department of State, through the Secretary of State, upon adoption by the Board of County Commissioners of Polk County, Florida.

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

LDCD-2026-2

Land Use: from Business Park Center-1 (BPC-1) to Business Park Center-2 (BPC-2) (1.0+/- acres)

Location: 1453 42nd Street NW, south of Avenue Q NW, west of 42nd Street NW, east of Recker Highway (SR 655), south of Auburndale, west of Winter Haven in Section 14, Township 28, Range 25.



PARCEL DETAIL

Note: Not to Scale

Avenue Q Autobody District Change Narrative

The property was approved for vehicle repair back in the 1980s under C-4 (Highway Commercial) zoning. Jonathan Diaz purchased what he thought was a businesses site that was approved for repairing vehicles because he had seen many vehicles stored onsite and some in a state of repair. Come to find out, the vehicle repair business had ceased many years prior and the property was designated BPC-1 under the Land Development Code. BPC-1 does not permit mechanical or autobody repair. BPC-2 does.

Mr. Diaz has been operating the auto repair business on this site since 2022. He recently discovered that it was not properly zoned when he applied for a new fire suppression system in the building to improve his fire code compliance.

Approval to BPC-2 will return the former business rights to the property that were lost in 2016 when the grandfather rights of the former vehicle repair shop expired after being dormant for two years.

1988 Aerial Photo of the business



Avenue Q Autobody Repair District Change

Land and Neighborhood Characteristics

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

There are a number of Auto Repair shops along 42nd Street. The southwest corner of Avenue Q is separated from residential development to the west by a self-storage warehouse.

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

There are residences to the west, but there is a large self-storage facility in between. All of it is zoned BPC-1.

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

It's similar to other businesses on 42nd Street.

Access to Roads and Highways

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.

Table 5

Subject Property	**Estimated Impact Analysis**		
1 ± acre	**Demand as Currently Permitted**	**Maximum Permitted**	**Proposed Plan**
Permitted Density	BPC-1 4,000 sq. ft. Storage Warehouse w/ 40 space commercial vehicle parking	32,670 square ft. Warehouse	BPC-2 Autobody Repair w/ 30 space commercial vehicle parking
Average Annual Daily Trips (AADT)	6 + 28 = 34	162	83 + 21 = 104
PM Peak Hour Trips	1 + 2 = 3	25	12 + 1 = 13

Source: Polk County Concurrency Manual

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

None.

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

36

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

The 2 existing residential driveways.

Sewage

1. What is the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development?

Table 4

Subject Property	**Estimated Impact Analysis**		
1 ± acre	**Demand as Currently Permitted**	**Maximum Permitted**	**Proposed Plan**
Permitted Density	BPC-1 4,000 sq. ft. Storage Warehouse w/ 40 space commercial vehicle parking	32,670 square ft. Warehouse	BPC-2 Autobody Repair w/ 30 space commercial vehicle parking
Potable Water Consumption (GPD)	960	7,841	960
Wastewater Generation (GPD)	768	6,273	768

Source: Polk County Concurrency Manual

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?

Septic Tank

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

n/a

4. Where is the nearest sewer line (in feet) to the proposed development?

City of Auburndale wastewater treatment plant.

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

Anyone's guess

6. What is the anticipated date of connection?

Not likely.

7. What improvements to the providers system are necessary to support the proposed request

none

Water Supply

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

2. What is the estimated volume of consumption in gallons per day (GPD)? **960 GPD**

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

Abutting

4. Who is the service provider?

Auburndale.

5. What is the anticipated date of connection?

Now.

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

Not sure. Neither are they.

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

Yes.

Surface Water Management and Drainage

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

50% Candler Sand, 50% Tavares Fine Sand

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

None

Environmental Analysis

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.

None really. It's been developed since the 1980s

2. What are the wetland and floodplain conditions?

None.

3. Discuss location of potable water supplies, private wells, public well fields?

Not near them.

4. Discuss the location of Airport Buffer Zones (if any)

Over 10 miles away

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

None.

Infrastructure Impact Information

1. Parks and Recreation – **Simmers-Young Park**

2. Educational Facilities – **Not needed for Autobody Repair**

3. Health Care – **Lakeland**

4. Fire Protection – **Fire Rescue Station 5 333 American Spirit Rd**

5. Police Protection and Security – **3635 Avenue G NW in Winter Haven.**

6. Emergency Medical Services (EMS) – **Fire Rescue Station 5 333 American Spirit Rd**

7. Solid Waste (collection and waste generation) – **County picks it up.**

8. How may this request contribute to neighborhood needs? – **Everyone needs auto repair eventually.**

Avenue Q Autobody District Change

Demonstration of Need

An **Analysis of Economic Issues** *[Minimum population support and market area radius (where applicable)]* is required when requesting a Land Use amendment from Residential to a Non-Residential Land Use designation.

The property at the intersection of Avenue Q and 42nd Street has been used for vehicle repair off and on since 1988 according to aerial photos. It was Zoned C-4 in the former Zoning Ordinance. It became BPC with the adoption of the Comprehensive Plan in 1991. It became BPC-1 in 2000 which is when it became a legally non-conforming use. Auto repair cesed on the property between 2014 and 2018. The owner purchased the property for that purpose in 2022 and has been operating the current autobody business since. It was while seeking a permit to improve the fire suppression system that the applicant discovered that the district did not permit vehicle repair. This change to BPC-2 will restore the former rights the business had enjoyed for 35 years.

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?

No. Between the autobody repair and the commercial vehicle parking, there is not much room for anything else.

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

When you look at all the development surrounding the site you quickly see that it is not rural.

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

Isn't everything either radial, strip, isolated, or ribbon in pattern? This is a rectangle property. Will that help?

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

No, this area has not been agricultural since the Roosevelt administration.

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

Not likely. There is water service to the site.

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

Probably not.

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

No.
It will restore the development rights that the property once had when it was zoned C-4.

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

Nope. It's surrounded by urban uses.

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

No, but it will serve existing development.

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

No, it's functional. There is a convenience store on one corner and Cuban Sandwich place on the other corner. I recommend it.

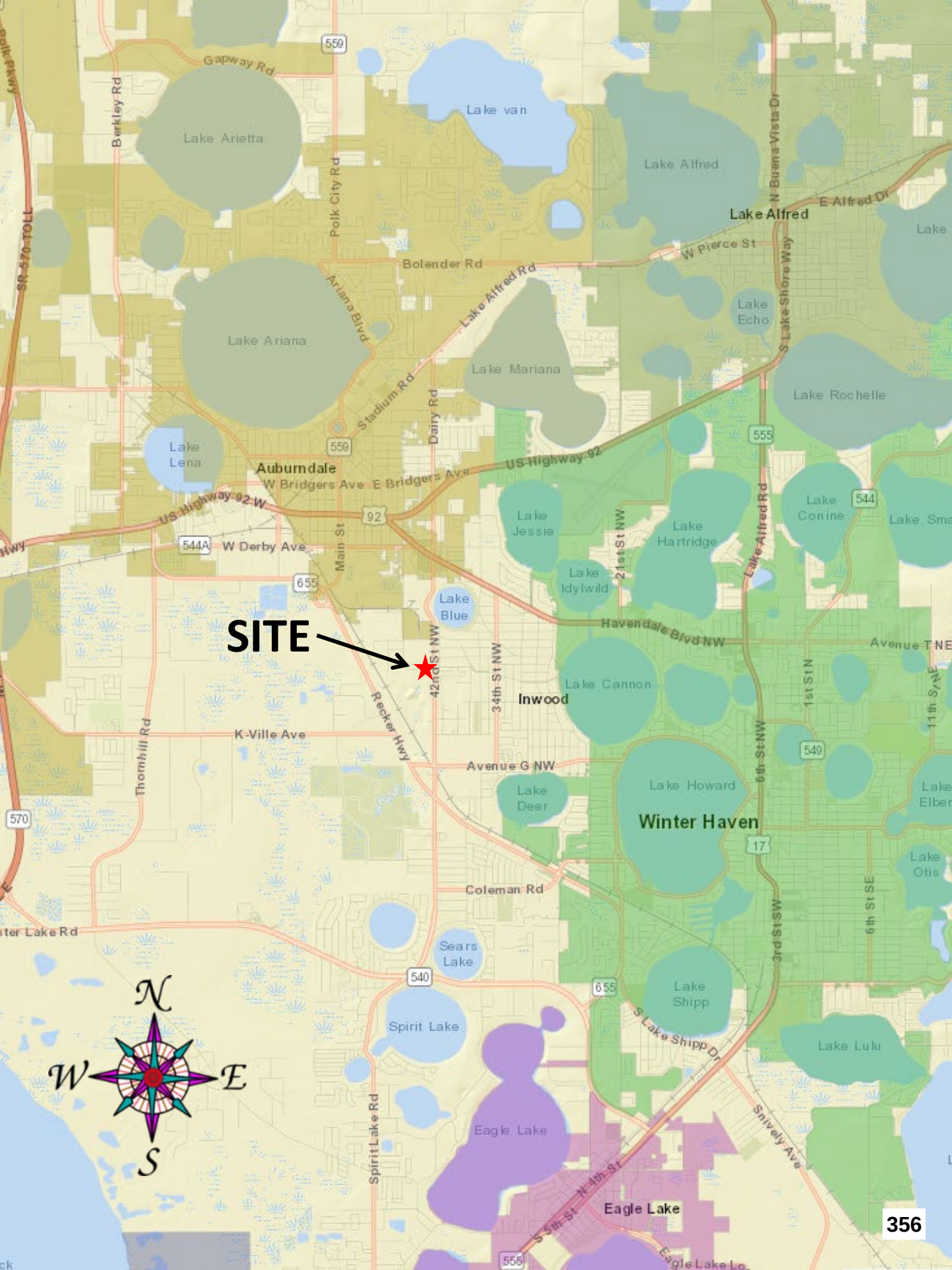
11. Could the proposed amendment result in poor accessibility among linked or related land uses?

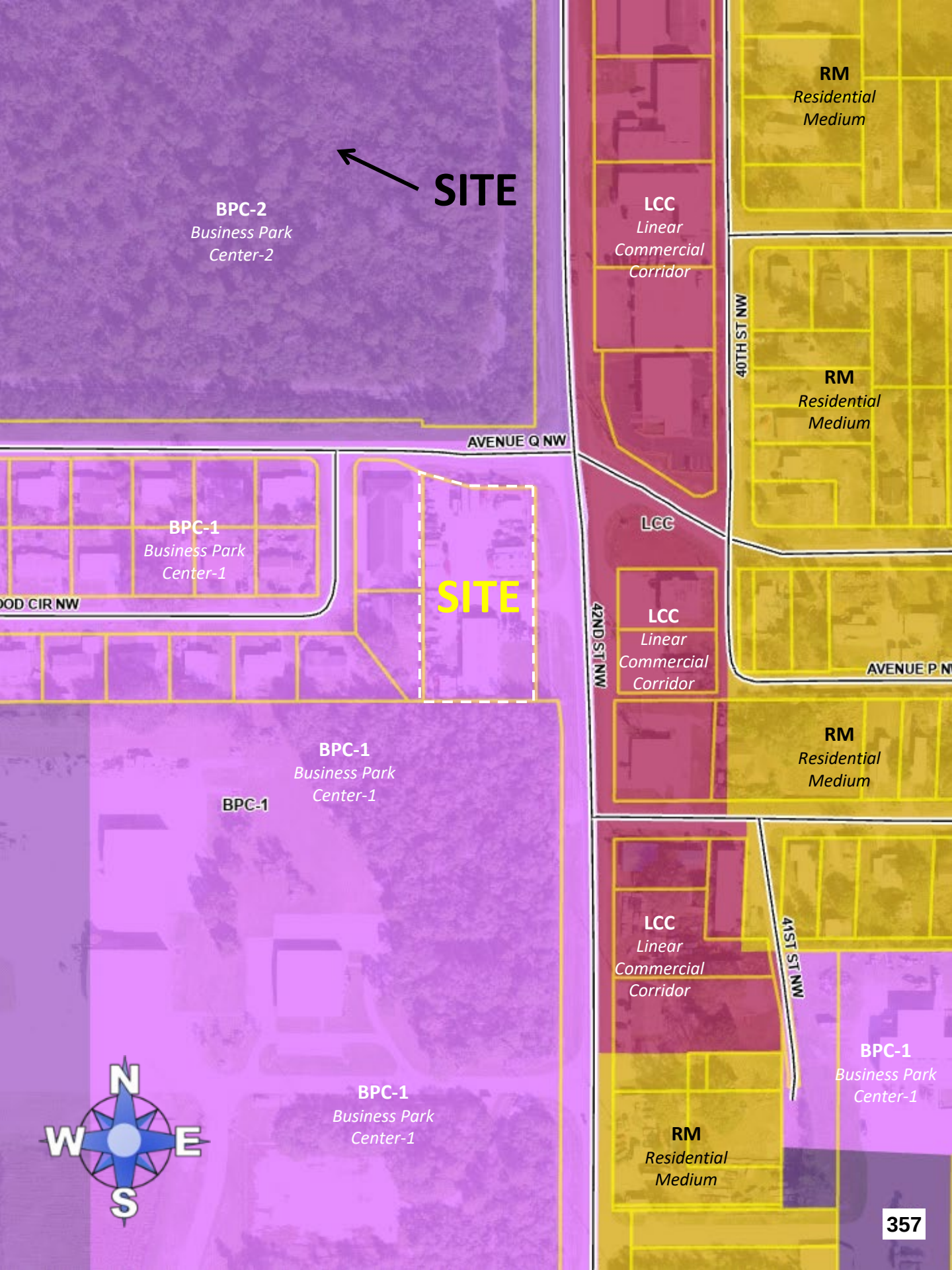
No. But the are could use more sidewalks.

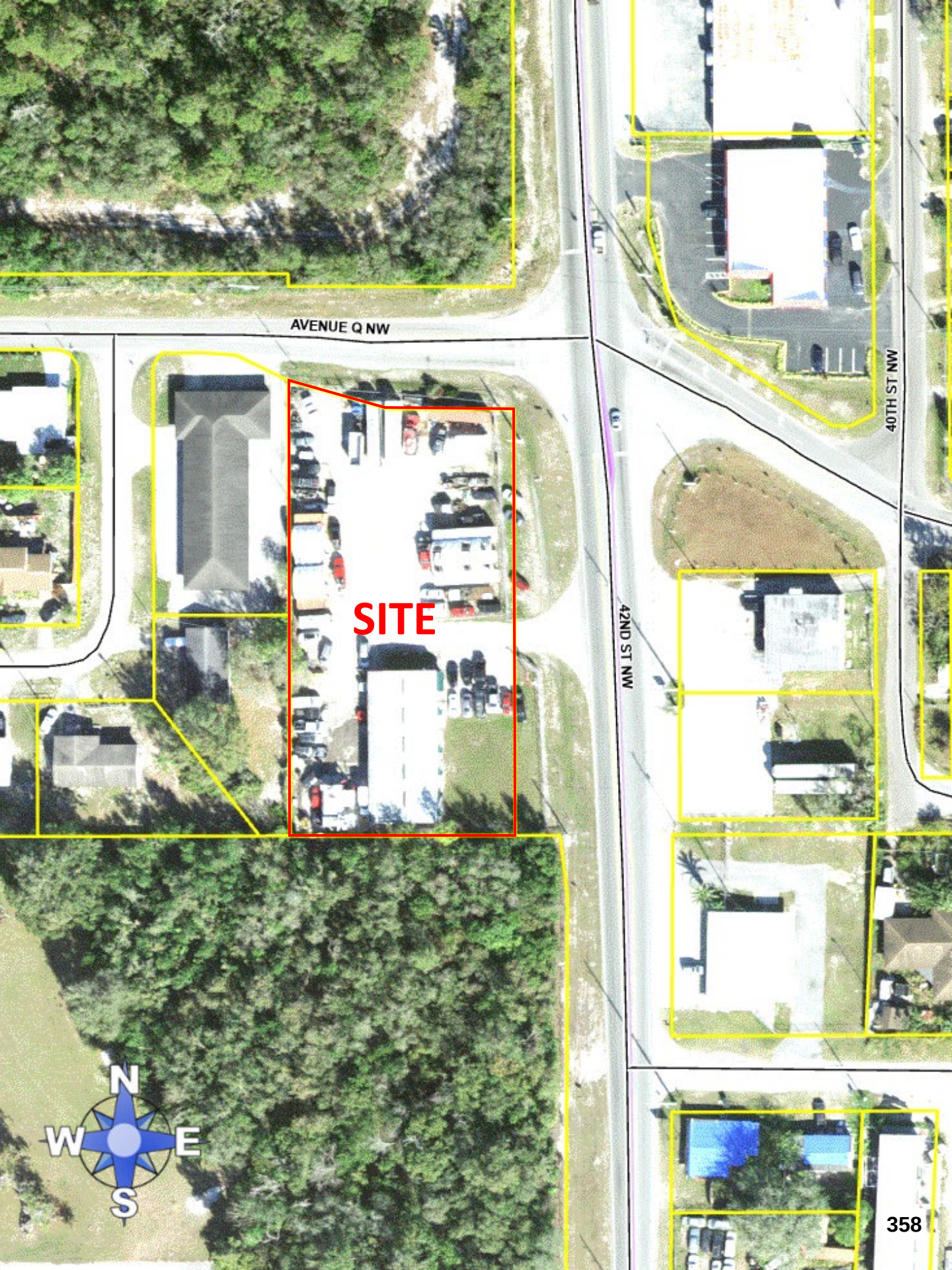
12. As a result of approval of this amendment, how much open space will be lost?

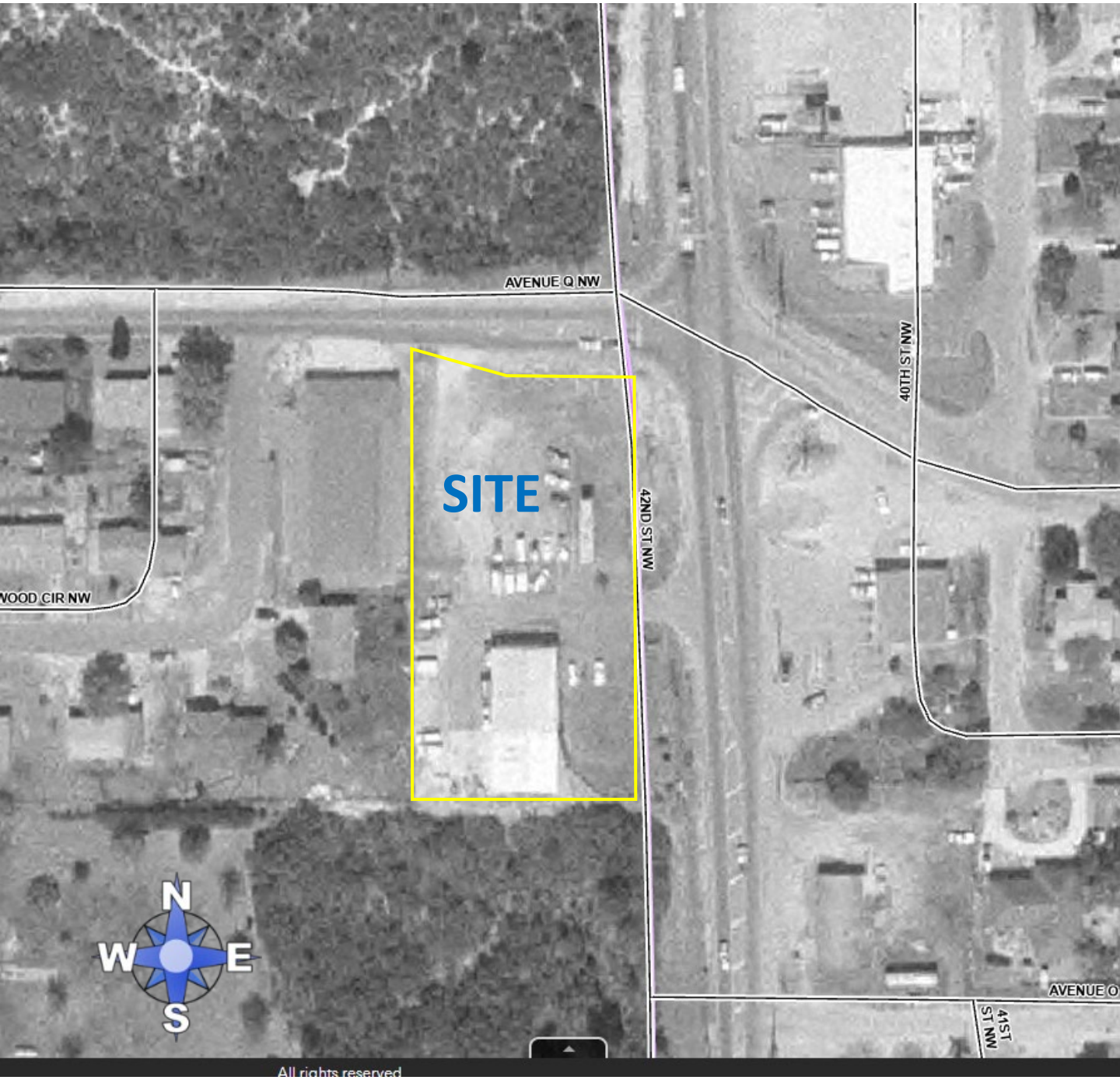
None on site today.

LDCD-2026-2


SITE
Lake Arietta
Lake van
Lake Alfred
Lake Alfred
Lake Ariana
Lake Mariana
Lake Echo
Lake Rochelle
Lake Lena
Auburndale
Lake Jessie
Lake Hartridge
Lake Conine
Lake Idylwild
Lake Blue
Lake Cannon
Inwood
Lake Howard
Winter Haven
Lake Deer
Sears Lake
Spirit Lake
Lake Shipp
Lake Lulu
Eagle Lake
Eagle Lake
Gapway Rd
Berkley Rd
Polk City Rd
Bolender Rd
Lake Alfred Rd
Ariana Blvd
Stadium Rd
Dairy Rd
Main St
US Highway 92
US Highway 92 W
W Bridgers Ave
E Bridgers Ave
W Derby Ave
Havendale Blvd NW
Avenue T NE
42nd St NW
34th St NW
21st St NW
Lake Alfred Rd
1st St N
6th St NW
11th St NE
Recker Hwy
K-Ville Ave
Thornhill Rd
Avenue G NW
Coleman Rd
Spirit Lake Rd
3rd St SW
6th St SE
S Lake Shipp Dr
Snively Ave
N 4th St
S 5th St
N Burena Vista Dr
S Lake Shore Way
E Alfred Dr
W Pierce St
SR 570 TOLL
559
92
544A
655
570
540
555
544
549
17
N
W
E
S


SITE
BPC-2
Business Park
Center-2
AVENUE Q NW
BPC-1
Business Park
Center-1
OOD CIR NW
SITE
BPC-1
Business Park
Center-1
BPC-1
BPC-1
Business Park
Center-1
LCC
Linear
Commercial
Corridor
RM
Residential
Medium
40TH ST NW
RM
Residential
Medium
LCC
42ND ST NW
LCC
Linear
Commercial
Corridor
AVENUE P N
RM
Residential
Medium
LCC
Linear
Commercial
Corridor
41ST ST NW
BPC-1
Business Park
Center-1
RM
Residential
Medium
N
W
E
S


AVENUE Q NW
40TH ST NW
42ND ST NW
SITE
N
W
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S


AVENUE Q NW
SITE
42ND ST NW
40TH ST NW
WOOD CIR NW
N
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AVENUE O
41ST ST NW
All rights reserved

Agenda Item 10. 5/6/2026

SUBJECT

LDCT-2026-3 (Firearms Range Access)

DESCRIPTION

An applicant initiated LDC text amendment to Chapter 3, Conditional Uses, Section 303, Criteria for Conditional Uses for High Intensity Recreation to allow access via easement for firearms ranges.

RECOMMENDATION

Approval

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

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Planning Administrator
Land Development Division
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erikpeterson@polkfl.gov <mailto:erikpeterson@polkfl.gov>

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 5, 2025	**Level of Review:**	4
PC Date:	May 6, 2026	**Type:**	LDC Text Amendment
BoCC Date:	June 6, 2026 June 16, 2026	**Case Numbers:**	LDCT-2026-3
		Case Name:	Firearms Range Access
Applicant:	Tom Wodrich AICP TDW Land Planning	**Case Planner:**	Erik Peterson, AICP

Request:	An LDC text amendment to Chapter 3, Conditional Uses, Section 303, Criteria for Conditional Uses for High Intensity Recreation to allow access via easement for firearms ranges; providing for severability; providing an effective date.
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

The changes to Chapter 3, Section 303, High Intensity Recreation are:

- Provide firearms ranges with the option of accessing the range via easement if:
  - ✓ The easement has a minimum width of 20 feet;
  - ✓ The easement does not exceed 0.50 miles (2,640 feet) in length from the nearest paved road;
  - ✓ The construction of the easement provides sufficient ingress and egress for fire trucks, ambulances, and police vehicles;
  - ✓ The firearms range serves no more than 50 daily attendees; and,
  - ✓ The easement is supported by the joinder and maintenance agreement with, and consent of, all fee simple 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.

Summary:

High Intensity Recreation includes facilities that host events with greater than 250 people in attendance, discharge firearms, or have lighting for nighttime activities. Heavily attended events and facilities with nighttime lighting have a use volume that warrant the minimum 50 feet of paved public road frontage required in Section 303 of the Land Development Code (LDC). However, low-volume firearms ranges may be better placed in locations farther from paved roadways. This seclusion enables them to be placed in more remote sites with greater noise reduction capabilities.

Polk County maintains over 3,000 miles of public roadways. Most are paved, but not all of them. While the state and cities also maintain a significant amount of paved public roadways, the combined amount of paved public roads in the County does not provide enough frontage to all 2,010 square miles of the County. This amendment request will increase the potential uses of properties without public road frontage.

Data and Analysis Summary

Staff have reviewed the Florida Statutes, Florida Administrative Code, Polk County Comprehensive Plan, the LDC, and the Code of Ordinances and found no violations of policy or inconsistencies with the request. Staff have reviewed a number of adjacent and similar jurisdictions for regulations regarding high intensity recreational uses and firearms ranges. In the survey, most jurisdictions used the conditional use process to address access requirements rather than one policy applying to all recreational uses. Staff researched past regulatory history and performed a benefit cost analysis of the amendment request.

This amendment applies to High Intensity Recreation in the Green Swamp Area of Critical State Concern. Florida Commerce 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.

Findings of Fact

1. *The request is a Land Development Code text amendment to Section 303, Criteria for Conditional Uses for High Intensity Recreation to allow access via easement for firearms ranges.*

2. *This amendment applies to multiple residential and non-residential Future Land Use Map designations including those in the Green Swamp Area of Critical State Concern.*

3. *POLICY 2.125-E1: COMMUNITY FACILITIES' PERMITTED USES of the Comprehensive Plan states "Community Facilities shall be allowed in all land use classifications, unless specifically prohibited elsewhere in this Comprehensive Plan, as a conditional use subject to the location and development controls established in Policy 2.125-E2 and as further regulated by the Land Development Code." Among the types of community facilities listed in the policy are Type E facilities which are "all types of recreation activities and associated infrastructure."*

4. *POLICY 2.125-E2: COMMUNITY FACILITIES' DEVELOPMENT CONTROLS of the Comprehensive Plan states that "Type E facilities may be permitted in all Future Land Use designations in accordance with the policies of this plan and the Land Development Code in accordance with Section 163.3201(1), F.S."*

5. *POLICY 2.117-A1: CHARACTERISTICS states that "Recreation and Open Space (ROS) areas are primarily sites and facilities which are accessible to the general public, and which are oriented toward providing recreation services for the resident and the short and long-term visitor to Polk County. A recreational activity included within recreation and open space areas may be motorized, **allow for the discharge of firearms**, accommodate nighttime use, and produce large crowds at events. Retail sales are limited to concessions at events or to enhance the quality of the recreation experience onsite unless combined with commercially designated lands.*

6. *POLICY 2.128-C2 of the Comprehensive Plan states that "All tracts of land to be developed for non-residential or residential purposes shall have legal access to a paved public road. Non-residential development shall have direct frontage on a paved public road except as otherwise provided herein. Non-residential and multi-family residential developments may gain access to a paved public road through a county approved, private internal service road. Residential development may gain access to a paved public road via a public or private road meeting County standards or via a legally established easement as prescribed in the Land Development Code."*

7. *POLICY 2.128-C3 of the Comprehensive Plan states that "All tracts of land to be developed for non-residential and residential purposes shall have sufficient ingress and egress for fire trucks, ambulances, police cars and other emergency vehicles."*

8. *LDC Section 303 states "All High Intensity Recreation Facilities shall comply with all applicable standards and all of the following conditions:*

   In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

   1. *All outdoor lighting shall be directional and shall not directly radiate onto adjacent properties.*
   2. *All structures and associated activities located in or adjacent to residential districts shall be limited to operation from 7:00 a.m. to 10:00 p.m.*
   3. *All access points shall have at a minimum 50 feet of road frontage on a paved public road.*
   4. *Buildings or structures used for or in connection with any such use shall be located at a minimum of fifty feet from adjoining property which is in a residential district.*

5. *Off street parking or loading spaces shall be located at a minimum of fifty feet from adjoining property which is in a residential district.*
6. *Any proposal for a recreational facility in a location that will render a legal use nonconforming shall require a Level 3 Review.*
7. *Food and retail sales shall be limited to concessions during events. Continual food or retail sales or services provided at High Intensity Recreation Facilities shall require a Level 4 Review. During the Review the Board shall determine that the activity meets the following criteria:a.The activity is clearly subordinate and incidental to the primary recreational use; and,b.The activity is directly related to the performance of the recreational activity.*
8. *Alcohol sales shall be limited to One, Two or Three Day Permits (ODP or SODP), no more than three (3) times per year per location (at the time of adoption, this license was referenced to Section 561.422 F.S).*
9. *RV Camping shall be limited to 10% of the facility and restricted to stays of 30 days or less.*
10. *The required number of parking spaces shall be determined by DRC during Level 2 Review using the following information provided by the applicant:*
    a. *Average daily attendance,*
    b. *Maximum peak event attendance; and,*
    c. *Off-site parking alternatives.*

9. *Chapter 10 of the LDC defines a High Intensity Recreational Facility as "All types of sports venues such as ball fields, courts, and tournament grounds with attendance that may exceed 250 for any event, allow for the discharge of firearms, or with lighting for night-time use by the public. Limited concessions may be permitted, but no permanent alcohol sales. This does not include an Event Facility or Outdoor Concert Venue use."*

Development Review Committee Recommendation:

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 recommend **APPROVAL** of LDCT-2025-10.

Analysis

Introduction

High Intensity Recreational uses require paved or public road frontage for two primary reasons, public safety and periodic heavy traffic volumes. This is because it is for recreational facilities that serve crowds above 250 people or have lighting for nighttime competitions. While the discharge of firearms has the perception of needing direct public safety access, in practice the demand is low. The analysis to follow demonstrates that relaxing the access requirements for small firearms ranges enhances public welfare while minimizing potential public risk.

Recommended Changes

The current Criteria for Conditional Uses in Section 303 under High Intensity Recreation requires all access points to "have a minimum 50 feet of frontage on a paved public road." This amendment exempts firearms ranges from this requirement if:

- ✓ The easement has a minimum width of 20 feet;
- ✓ The **easement does not exceed 0.50 miles** (2,640 feet) in length from the nearest paved road;
- ✓ The construction of the **easement provides sufficient ingress and egress for fire trucks, ambulances, and police vehicles**;

- ✓ The firearms range serves **no more than 50 daily attendees**; and,
- ✓ The easement is supported by the joinder and maintenance agreement with, and consent of, all fee simple 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.

The standards that maintain the most assurance that minimize potential risks to the public are the length of the easement, the limits to those served by it, and the assurance that the access is sufficient for public safety services.

Benefit-cost Analysis of the Amendment

Staff find that the benefits of approving this amendment far outweigh the potential harm to the public or businesses. While some potential risk is increased, more risks and adverse impacts are decreased. Under no circumstances will this amendment directly increase the cost of development.

Who does it help?

Firearms ranges can have loud and sporadic noises that disturb the comfort of surrounding inhabitants and enjoyment of public spaces. The best locations are those far away from land that is commonly used by people. Requiring public road frontage forces these uses to locate closer to places of public interaction. This amendment provides the ability to find more remote locations for small firearms ranges to avoid disturbing residences or businesses. There is also risk avoidance in range design when they can be located farther from public roadways. The farther the firearms range is located from a public road, the less likely that ricochet fire and gunshot noises can cause potential harm to passing motorists.

Who does it hurt?

The concern for allowing High Intensity Recreational uses to be accessed solely via an easement is primarily public safety. Firearms usage has higher potential for needing fast emergency response than typical recreational activities if an accident occurs. However, the risk of such an occurrence is low, especially in smaller groups. This amendment requires public safety staff approval of an unpaved access, and it limits the easement length. It also limits the number of daily attendees to further minimize potential risks.

What is the cost?

This amendment reduces the cost of providing a small firearms range. It lessens the barriers to clubs, entrepreneurs, and proprietors by increasing the amount of potential firearms range sites. Properties without direct roadway frontage are typically less expensive on a per acre basis than those with direct roadway frontage. Also, there are more lands in rural areas that are without paved road frontage that are better for locating firearms ranges than in urban areas.

Regulatory History

Firearms ranges are not specifically referenced under the land use regulations prior to the adoption of the LDC in 2000. Most firearms ranges were considered under the definition of a Club which was "*buildings or facilities owned or operated by a person, corporation, partnership, or other legal entity for social, educational, or recreational purpose - - but not primarily for profit or to render service*

which is customarily carried on as a business." These were listed under conditional uses in the Rural Conservation districts (RC, RC-2, RC-5) in the zoning ordinance which required Zoning Advisory Board (ZAB) review and Board of County Commissioners approval. Through the conditional use review process, access requirements could be conditions of approval.

Limits of the Proposed Ordinance

This amendment applies to all Future Land Use Map designations in the unincorporated area of Polk County that allow High Intensity Recreation as a conditional use at all levels of review (C1 through C4). In Agricultural Residential Rural (A/RR), Phosphate Mining (PM), and all the residential districts, High Intensity Recreation is a Level 3 Review (Planning Commission approval). It is a Level 1 administrative review in Tourism Commercial Center (TCC), Leisure/Recreation, Institutional (INST-1 & INST-2), and Recreation/Open Space (ROS). It is the same for these districts in the Green Swamp Area of Critical State Concern. Therefore, this amendment will require state review.

Florida Commerce 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 Florida Commerce Community Planning Department Areas of Critical State Concern Program. Staff believe that this amendment will have no impact on the Critical Area since it allows High Intensity Recreation and access is not a factor in aquifer protection.

Comparisons to other Jurisdictions

Staff survey counties along the I-4 corridor for regulatory comparisons because they are most closely similar to Polk. Some of the abutting counties are also reviewed along with the two largest cities within the County (Lakeland and Winter Haven). Alachua and Duval counties are included in the survey because of similar demographic and urban-rural mixtures to Polk County. This method of selection creates a survey of 14 total local jurisdictions. Through this survey, staff found that direct road frontage for recreation facilities does not coincide. Direct public road frontage is not a necessity based on the type of use rather the volume of attendants and the construction of the access was typically the standard. In most jurisdictions, firearms ranges were conditional uses requiring approval of a public body. Most often the elected officials. In these situations, access requirements come through the nature of the request. Also, when it comes to firearms ranges, it was more important to locate them either in very rural districts or heavy commercial and industrial. The following table displays the results of the survey.

Table 1

Jurisdiction *(Code citation)*	**How are firearms ranges addressed?**	**What uses are permitted with access solely via easement.**	**Are there other requirements firearms ranges**
Alachua County *Sections 404.64, 407.76*	Outdoor recreation	Up to nine single-family residential lots in rural areas.	•5-acre minimum size •Commercial uses shall be limited to payment for rental of equipment and for use of facilities, and retail sales of goods related to the activity on site.
Brevard County *Sections 62-1831.4, 62-102*	Included under civic, philanthropic or fraternal organizations, including art galleries. Permitted in Tourist Commercial and Institutional districts	a lot or parcel, which was created prior to January 1, 2011	Gun clubs (trap and skeet): 30 acres per shooting area, having a 900-foot radius from the center of the shooting area measured in the shape of a half circle.

Table 1

Jurisdiction *(Code citation)*	How are firearms ranges addressed?	What uses are permitted with access solely via easement.	Are there other requirements firearms ranges
Duval County *Section 656.331, 656.334, 656.407, 656.408*	Special Exception in Agriculture districts, Permitted in Recreation and Open Space districts (public)	Only in agriculture districts or as a secondary access in the same district.	Sale and service of alcoholic beverages for on-premises or off-premises consumption in conjunction with a permitted or permissible use by exception.
Hardee County *Sec. 2.04.01, 14.02.31, 5.12.02.11*	Commercial Outdoor Recreation Public Outdoor Recreation	35-feet minimum easement width and the Fire Marshal Inspector shall have the authority to require fire department access be provided to all new development,	No outdoor commercial recreation facility shall be located within 300 feet of any existing residences.
Highlands County *Section 12.05.200, 12.05.283, 12.05. 252*	Only in AU Agricultural, A-1 Airport, and I-2 Industrial districts with special exception	Non-residential	No
Hillsborough County *Section 6.03.01, 6.11.41*	Outdoor Firing Range Only in Agricultural and Manufacturing districts.	a minimum easement width of 50 feet for a roadway access or, for driveways, the minimum width of a two-way driveway is required.	20-acre minimum 15-foot berm 1,000 feet from residential zoning
Lake County *Appendix E*	Not addressed	Minor Lot Splits and Family Density Exception	No
Manatee County *Section 531.41*	Shooting Range Rural Recreation Special use permit in Agricultural districts only.	Anything platted.	Minimum 70 acres earthen berm or masonry fence (minimum six (6) feet high)
Orange County *Sections 38-77*	Not addressed	All development.	No
Osceola County *Chapter 3, Article 3.4.4*	Gun Range (Outdoor) Only in agriculture outside urban service boundary and Industrial IN and IG districts	All development.	No.
Seminole County *Sec. 30.9.8*	Gun Club	All development.	The Board of County Commissioners shall not place any restriction or condition on a gun club
Volusia County *Section 72-2*	Outdoor entertainment and recreational uses and structures	Commercial, industrial and multifamily	No.
City of Lakeland *Article 2, Sec. 2.6 Article 4, Sec. 4.11*	Outdoor Gun Ranges Conditional uses in Commercial C-2, C-4, C-5 and all Industrial Districts	All non-single family residential development.	No.
City of Winter Haven *Sec. 21-531, 21-191*	Outdoor Commercial Recreation Commercial C-3 and C-4, I-1	All land subdivisions must have 20 feet of public road frontage	No.

The data gathered in the survey supports the assertion that access for lower volume uses can be provided via easement rather than mandating an arbitrary condition of ownership over purpose. There were also a few jurisdictions that steered away from any regulations of firearms practices.

Consistency with the Comprehensive Plan

The request is consistent with the Comprehensive Plan's requirements for roadway access. POLICY 2.128-C2 of the Comprehensive Plan states that "*Non-residential development shall have direct frontage on a paved public road except as otherwise provided herein. Non-residential and multi-family residential developments may gain access to a paved public road through a county approved, private internal service road*." This request allows firearms ranges serving 50 or fewer daily attendees to utilize "*a county approved, private internal service road*" as primary access. POLICY 2.128-C3 of the Comprehensive Plan states that "*All tracts of land to be developed for non-residential and residential purposes shall have sufficient ingress and egress for fire trucks, ambulances, police cars and other emergency vehicles*." This amendment requires the construction of an access easement that provides sufficient ingress and egress for fire trucks, ambulances, and police vehicles. The request is also consistent with policies addressing the locations for recreational facilities in POLICIES 2.125-E1 and E2 along with POLICY 2.117-A1.

Consistency with the Florida Statutes

The Florida Statutes 790.15(4) states that it is a first-degree misdemeanor to discharge a firearm in areas where the residential density or zoning district allows one or more units per acre. This is why it is essential to locate firearms ranges in more remote areas away from population. In rural areas, there are often fewer properties with direct frontage on a paved road.

Comments from Other Agencies: Input into the review of this ordinance was provided by Polk Fire Marshal's Office.

Draft Ordinance: under separate attachment

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS, POLK COUNTY, FLORIDA, LAND DEVELOPMENT CODE AMENDMENT LDCT-2026-3, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, AMENDING CHAPTER 3, CONDITIONAL USES, SECTION 303, CRITERIA FOR CONDITIONAL USES FOR HIGH INTENSITY RECREATION TO ALLOW ACCESS VIA EASEMENT FOR FIREARMS RANGES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section I(g) of the Constitution of the State of Florida and the Local Government Comprehensive Plan and Land Development Regulation 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 May 6, 2026; and

WHEREAS the proposed text amendment to the Polk County Land Development Code is intended to firearms ranges on properties with access only via easement in a limited manner; 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 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 findings set forth in the recitals to this Ordinance are true and correct and hereby adopted. In addition, the Board hereby adopts and incorporates herein the staff report and makes the following findings based upon the staff report, testimony, and exhibits presented during the hearing:

a) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on May 6, 2026, to consider the LDC text amendment contained within the Application and found it to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC text amendment contained within the Application.

b) Pursuant to Section 907.D.10 of the LDC, the Board shall, in the review of the Application, consider the following factors:

   a. Whether the proposed text amendment is consistent with all relevant requirements of the Code;
   b. Whether the proposed text amendment is consistent with all applicable policies of the Comprehensive Plan; and
   c. Any other matter which the BoCC may deem appropriate and relevant to the text amendment proposal.

c) The Application is consistent with all relevant requirements of the Comprehensive Plan.

d) The Application is consistent with all relevant requirements of the LDC, including without limitation, Section 907.

SECTION 2: Chapter 3, Conditional Uses, Section 303, Criteria for Conditional Uses, of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to change the following sub-sections:

Section 303 - Criteria for Conditional Uses

The following land uses are conditional uses and are arranged in alphabetical order for presentation purposes.

…

Recreation, High Intensity *(Revised 10/2/12 - Ord. 12-030; 5/20/09 - Ord. 09-023; 11/27/02 - Ord. 02-83)*

All High Intensity Recreation Facilities shall comply with all applicable standards and all of the following conditions:

In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

1. All outdoor lighting shall be directional and shall not directly radiate onto adjacent properties.
2. All structures and associated activities located in or adjacent to residential districts shall be limited to operation from 7:00 a.m. to 10:00 p.m.
3. All ~~access points~~ high intensity recreation facilities shall have at a minimum 50 feet of road frontage on a paved public road. For firearms ranges without frontage on a

paved road meeting County standards, access shall be allowed via an easement provided the following conditions are met:

a. The easement has a minimum width of 20 feet;
b. The easement does not exceed 0.50 miles (2,640 feet) in length from the nearest paved road;
c. The construction of the easement provides sufficient ingress and egress for fire trucks, ambulances, and police vehicles;
d. The firearms range serves no more than 50 daily attendees; and,
e. The easement is supported by the joinder and maintenance agreement with, and consent of, all fee simple 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.

4. Buildings or structures used for or in connection with any such use shall be located at a minimum of fifty feet from adjoining property which is in a residential district.
5. Off street parking or loading spaces shall be located at a minimum of fifty feet from adjoining property which is in a residential district.
6. Any proposal for a recreational facility in a location that will render a legal use nonconforming shall require a Level 3 Review.
7. Food and retail sales shall be limited to concessions during events. Continual food or retail sales or services provided at High Intensity Recreation Facilities shall require a Level 4 Review. During the Review the Board shall determine that the activity meets the following criteria:
   a. The activity is clearly subordinate and incidental to the primary recreational use; and,
   b. The activity is directly related to the performance of the recreational activity.
8. Alcohol sales shall be limited to One, Two or Three Day Permits (ODP or SODP), no more than three (3) times per year per location (at the time of adoption, this license was referenced to Section 561.422 F.S).
9. RV Camping shall be limited to 10% of the facility and restricted to stays of 30 days or less.
10. The required number of parking spaces shall be determined by DRC during Level 2 Review using the following information provided by the applicant:
    a. Average daily attendance,
    b. Maximum peak event attendance; and,
    c. Off-site parking alternatives.

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 _____ day of _____, 2026.

LDCT-2026-3 - Recreational Use Easements

Menu Reports Help

Application Name: Recreational Use Easements

File Date: 02/06/2026

Application Type: BOCC-LDC Text Change

Application Status: Revisions Required

Application Comments:

View ID	Comment	Date

Description of Work: This is a text amendment to the Land Development Code to allow certain recreational activities to have access via easements subject to meeting a list of criteria.

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
Tom Wodrich, AICP, TDW...		Engineer	Mailing, 218 E. Pine S...	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: $5,434.00

Balance: $0.00

Custom Fields: **LD_PUBL_HEAR**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
LDC Text Amendment

Variance Type
–

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
0

DRC Meeting
03/05/2026

DRC Meeting Time
possibly 11:30 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
Exempt

One Year Extension
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
05/06/2026

BOA Hearing Date
–

1st BOCC Date
06/02/2026

2nd BOCC Date
06/16/2026

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_PUBL_HEAR_EDL

Opening DigEplan List...

DigEplan Document List
–

PLAN REVIEW FIELDS

TMPRecordID
POLKCO-26EST-00000-06785

DocumentGroupforDPC
DIGITAL PROJECTS LD

RequiredDocumentTypes
–

RequiredDocumentTypesComplete
Yes

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

Activate DPC
Yes

Activate FSA
Yes

DigitalSigCheck
Yes

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement
√

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 ...	02/07/2026	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	02/23/2026	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	02/16/2026	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	02/11/2026	Kim Turner
Planning Review	Erik Peterson	Resubmittal ...	02/20/2026	Erik Peterson
School Board Review	School District	Not Required	02/10/2026	School District
Review Consolidation	Lyndsay Rathke	Resubmittal ...	02/26/2026	Lyndsay Rathke
Public Notice				
Staff Report				
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

LDCT-2026-3: Text Amendment Justification

This is a text amendment to the Land Development Code for Recreation, High Intensity, to allow certain recreational activities to have access via easements subject to meeting a list of criteria. This is for the types of uses that are, by their nature, dependent upon the rural/wild/remote/natural setting and are best functioning when there are few urban improvements and impediments. For example, hunting and wildlife interactions when vehicles can travel at higher speeds down a paved road. Even the paving of the road itself creates a permanent negative impact on the land, severing wildlife habitats and putting wildlife at greater risk.

In addition to the environmental impacts that are incongruent with these types of uses, the cost of paving deep into the woods is a substantial financial burden, and is cost prohibitive in most cases because of the low financial return from uses like ropes training courses, retreat areas, shooting clubs, primitive campgrounds, hunting areas and similar uses. The uses that are under consideration for this text amendment are limited by the revised text language to those groups or classes with lower daily volumes of people (and traffic) that also depend upon being as remote as possible. For some of the allowable uses in Recreation, High Intensity, the use itself requires them to be far away from public access and exposure due to gun fire.

Requiring road frontage or mandating access on a County paved road over a private road (built to County standards) doesn't ensure the actual recreational use will begin at the road's edge or be any more suitable for public safety access just because they meet that road frontage standard. The Flaming Arrow Boy Scout Camp's pavement stops over 0.50 miles away from the camp activities. Unpaved access (and often via easement) for emergency vehicles and the visitors is more than adequate, and most often preferred. The value and purpose of these types of Recreational uses is greatly enhanced by the remote, lower impact natural setting that engulf them, and limiting pavement and other urban characteristics is the contrast from daily life that people expect when visiting these areas.

The low traffic generation and infrequency of use that characterize these access drives also contributes to them not being financially feasible to pave for their longer distances. The better solution is to have a stabilized road surface that is sufficient for emergency service vehicle access, similar to what the County and State have done with some of their recreational areas. For example, some of the original Van Fleet Trailheads (Deen Still and Green Pond Road trailheads) were built on open grade mix or unpaved roads, and most of the Teneroc Recreation Area and Hilochee Wildlife Management Areas are accessed via unpaved roads.

This text amendment continues to support the Land Development Code and Comprehensive Plan intents to provide safe access, and it proposes to allow a lower-impact types of access for a limited array of uses that can meet a narrow set of criteria. These types of uses are low traffic volume generators, often with private access that reach far back into the wilderness in order to maintain the natural, wild, and open habitat that are at their foundation and support their purpose.

Proposed Text:

Amending Section 303 – Recreation, High Intensity, #3:

Current text:

3. All access points shall have at a minimum 50 feet of road frontage on a paved public road.

Proposed text:

3. All ***development sites*** ~~*access points*~~ *shall have at a minimum 50 feet of road frontage on a paved* ~~*public*~~ *road* ***meeting County standards. For lots without frontage on a paved road meeting County standards, access shall be provided to the development site meeting the following criteria:***
a. Have a minimum width of 20 feet;
b. Not exceed 0.50 miles (2,640 feet) in length from the nearest paved road 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;
d. Have no more than 50 Average Annual Daily Trips (AADT);
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; and,
f. Be subject to a Level 1 Review and be provided written approval of same prior to obtaining a building permit.

Agenda Item 11. 5/6/2026

SUBJECT

LDCU-2026-4 (Highland City ECX Cap)

DESCRIPTION

The applicant is requesting to increase the retail and commercial cap in excess of thirty (30) percent within an Employment Center-X (ECX) land use district in the US 98 Selected Area Plan (SAP) as well as landscape alternatives to Section 401.04.L of the Land Development Code (LDC).

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863) 534-6412

andrewgrohowski@polkfl.gov

Impact Assessment Statement

This Impact Assessment Statement is connected to LDCPAS-2025-17 to reflect the change in requested use from CC to NAC.

A. Land and Neighborhood Characteristics: to assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;

The Subject Property's location along U.S. 98 and its adjacency to an existing Culver's make the requested Conditional Uses appropriate. The requested Conditional Uses and variances will provide medical services, vehicle-oriented services, and food options for individuals traveling along U.S. 98 between Lakeland and Bartow. Additionally, the Subject Property's proximity to Polk State University and Travis Technical College creates employment opportunities for students while also providing nearby commercial services.

2. Provide a site plan showing each type of existing and proposed land use;

See attached Future Land Use Map.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

The landscaping and buffering requirements of the Polk County Land Development Code ensure that the proposed request is compatible with adjacent uses and existing entitlements. In addition, the Site Plan adequately addresses compatibility concerns and is consistent with the Polk County Land Development Code. Specifically, the Site Plan provides a 20-foot landscape buffer along 3rd Street Southeast to maximize compatibility with nearby residential districts. Additionally, the Site Plan includes three proposed ponds that further buffer the requested uses from surrounding residential areas.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped;

The Proposed Request is to allow for certain conditional uses and variances. The influence on future development patterns has previously been addressed when the Subject Property underwent a Future Land Use Change.

5. Describe each of the uses proposed in a Planned Development and identify the following:

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses;

d. The total area proposed for each type of use, including open space and recreation

The Property is not within a Planned Development.

B. Access to Roads and Highways: to assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;

A Traffic Impact Analysis will be provided on an as-needed basis prior to site plan approval.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

See Site Plan Attached with Application Materials. The Proposed Site contemplates two accesses points from 3rd Street SE, each with ingress/egress. In addition, the Proposed Site contemplates an access point from Central Avenue Southeast with ingress/egress.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

PARKING RATIO:		REQUIRED	PROVIDED
QSR (1/100)		24 SPACES	38 SPACES
COFFEE SHOP (1/100)		23 SPACES	30 SPACES
DENTAL OFFICE (1/200)		20 SPACES	20 SPACES
OIL/LUBE		8 SPACES	8 SPACES
	TOTAL	75 SPACES	96 SPACES (INCLUDED 7 ADA)

PROVIDED SPACES (TOTAL) =96 SPACES (INCLUDED 7 ADA SPACES)

**See Site Plan for depiction of parking layout.*

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

See Site Plan Attached with Application Materials. The Proposed Site contemplates two accesses points from 3rd Street SE, each with ingress/egress. In addition, the Proposed Site contemplates an access point from Central Avenue Southeast with ingress/egress.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.

The Proposed Site will be primarily automobile oriented. However, as per the Comprehensive Plan and Land Development Code, the Proposed Site contemplates an internal sidewalk network integrated into the offsite sidewalks along U.S. 98.

C. Sewage: to determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;

Capacity has been approved by the City of Lakeland Utilities. The City of Lakeland Utilities has committed to providing 6,710 gpd.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on-site treatment is proposed;

The Property will connect to existing public utilities from City of Lakeland.

3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;

The City of Lakeland Utilities has committed to capacity.

4. Identify the service provider; and

The Property will connect to existing public utilities from City of Lakeland.

5. Indicate the current provider's capacity and anticipated date of connection.

Capacity has been confirmed with the City of Lakeland. Connection is anticipated within the next year.

D. Water Supply: to determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;

Capacity has been approved by the City of Lakeland Utilities. The City of Lakeland Utilities has committed to providing 6,710 gpd.

2. Identify the service provider;

The Property will connect to existing public utilities from City of Lakeland.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

Capacity has been approved by the City of Lakeland Utilities. The City of Lakeland Utilities has committed to providing 6,710 gpd.

4. Indicate the current provider's capacity and anticipated date of connection

Connection is anticipated within the next year.

E. Surface Water Management and Drainage: to determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;

The stormwater management system for the project site will be designed to meet regulatory requirements that will ensure adequate BMPs are instituted. The property does not have any areas of concern and surface water quality will not be negatively impacted by the development.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

There does not appear to be any state or federal jurisdictional wetlands or surface water features located within the project site.

3. Describe the impact of such alterations on the fish and wildlife resources of the site;

Based on the available GIS information, there are no state or federally jurisdictional wetland or surface water features or other bodies of open water identified within the project site. Per the Florida Biodiversity Matrix GIS application, no endangered plant and animal species exist on the site. No significant impact to existing wildlife resources is anticipated from the project.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

No change is anticipated.

F. Population: to determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;

Indeterminable at this time.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;

See Section G.1. within this Impact Assessment Statement. The employment characteristics will be consistent with the conditional uses requested.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

See Section G.1. within this Impact Assessment Statement. The conditional uses requested are not residential in nature. As such, they are not expected to generate any additional population

4. Describe the proposed service area and the current population thereof.

See Section G.1. within this Impact Assessment Statement.

G. General Information: to determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and

The requested conditional uses would allow for:

a. Restaurant, Drive-Thru/Drive-in

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;

None.

b. Educational Facilities (preschool/elementary/middle school/high school);

None.

c. Health Care (emergency/hospital);

No impact to health care is anticipated.

d. Fire Protection;

The nearest fire protection is Polk County Fire Rescue Station 28 (4101 Clubhouse Rd, Highland City, FL 33846).

e. Police Protection and Security; and

The nearest police protection and security is Polk County Sheriff's Office Southwest Command (4120 US-98, Lakeland, FL 33801).

f. Electrical Power Supply

City of Lakeland Electric Utility Service.

H. Maps: the following maps shall accompany all Impact Assessment Statements:

Map A: A location map showing the relationship of the development to cities, highways, and natural features;

See attached Location Map

Map B: A Topographical Map with contour intervals of no greater than five feet, the identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

See attached Topographical Map.

Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

See attached Future Land Use Map.

Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

See attached Soils Map

Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right-of-way widths.

See attached Location Map.

Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and

See Site Plan.

Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features.

See Site Plan.

Requests and Justifications

This document outlines the Applicant's requests, provides background on the Subject Property, and presents the justification for the requests.

Requests

A. Request to Exceed Thirty (30) Percent Threshold for Retail/Personal Services (C3)

Peterson & Myers, P.A. (the "Applicant") is requesting that personal services and retail uses be allowed to exceed the thirty (30) percent threshold on +/-3.18 acres of land with the Parcel ID Nos. 24-29-14-283000-030510 and 24-29-14-000000-011010 (the "Subject Property"). [See Location Map]. The Subject Property is located in the U.S. 98 Selected Area Plan and has a current Polk County Future Land Use designation of Employment Center-X. [See Polk County Future Land Use Map; see Polk County Selected Area Plan Map].

This request is pursuant to the recent Comprehensive Plan and Land Development Code text amendment that allows for personal service and retail uses to exceed the thirty (30) percent limit with a Conditional Use Level 3 Review when the ECX District is less than 10 acres.

B. Conditional Use Requests

The Applicant is requesting two (2) conditional uses on the Subject Property. The Applicant is requesting the following conditional uses:

1. Conditional Use Request 1 – Restaurant, Drive-Thru/Drive-in (C3)
2. Conditional Use Request 2 – Restaurant, Drive-Thru/Drive-in (C3)

(the "Conditional Uses"). The Conditional Uses are depicted on the Site Plan included as part of the application materials.

C. Variance Requests

Pursuant to Section 930 of the Polk County Land Development Code, the Applicant requests a variance from the dimensional requirements in Table 2.2 of the Land Development Code and to reduce the distance requirements for Alcohol Sales contained in Table 2.4 of the Land Development Code to allow for alcohol consumption on the premises of the Restaurant Drive-Thru/Drive-in Conditional Uses. Specifically, the Applicant is asking for the following variances.

1. Relief from Dimensional Requirements in Table 2.2
2. Relief from the Distance Requirements in Table 2.4

Justifications

A. *Request to Exceed Thirty (30) Percent Threshold for Retail/Personal Services*

The request to exceed the thirty (30) percent threshold for retail and personal services within the ECX District is necessary for the Subject Property to achieve its full development potential

and to develop in accordance with its Future Land Use designation. The Subject Property's location along U.S. 98 makes retail and personal service uses the most practical and appropriate uses for the site. Additionally, the limited size of the ECX District and the Subject Property's adjacency to residential districts constrain use for high-impact office and/or light industrial development.

B. *Conditional Use Requests*

As explained above, the Subject Property's location along U.S. 98 and its adjacency to an existing Culver's make the requested Conditional Uses appropriate. The requested Conditional Uses will provide vehicle-oriented services and food options for individuals traveling along U.S. 98 between Lakeland and Bartow. Additionally, the Subject Property's proximity to Polk State University and Travis Technical College creates employment opportunities for students while also providing nearby commercial services.

Moreover, the Site Plan makes efficient use of the Subject Property to promote site beautification and ensure maximum compatibility with the surrounding area. Specifically, the Site Plan provides an enhanced 20-foot landscape buffer along 3rd Street Southeast to enhance compatibility with nearby residential districts. In addition, the Site Plan incorporates three proposed ponds that further buffer the requested uses from surrounding residential areas. These design elements limit visibility of the proposed development from nearby residences while providing attractive landscaping and convenient access along 3rd Street Southeast.

C. *Variance Requests*

The limited size of the ECX District constrains the ability of the Subject Property to develop in strict compliance with the dimensional requirements set forth in Table 2.2 of the Land Development Code and the distance requirements set forth in Table 2.4 of the Land Development Code. Further, the Subject Property is bounded on all sides by public roadways – U.S. 98 to the west, 3rd Street East to the east, Central Avenue South to the south, and Clubhouse Road to the north. While this configuration enhances access, it restricts the site's ability to meet the applicable setback requirements. The variances requested represent the minimum relief necessary to allow reasonable development of the Subject Property in a way consistent with the uses and policies established in the Comprehensive Plan and the Land Development Code.

LDCU-2026-4 - U.S. 98 Conditional Use and Variance

Menu Reports Help

Application Name: U.S. 98 Conditional Use and Variance

File Date: 02/06/2026

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: Applicant is requesting (1) to exceed the 30% threshold for retail/personal services in the ECX District, (2) conditional uses for Restaurant, Drive-Thru/Drive-in, and (3) variances from the dimensional requirements in Table 2.2 and 2.4 of the Land Development Code.

Application Detail: Detail

Address: 5433 SE 3RD ST, HIGHLAND CITY, FL 33846

Parcel No: 242914283000030510

Owner Name: ADM FLORIDA PROPERTIES LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Ryan Behren	Peterson & Myer...	Engineer	Mailing, 225 East Lemo...	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 Planning Commission	**Application Type** Conditional Use New
Variance Type _	**Brownfields Request** _
Affordable Housing	**Type of Acreage** _

GENERAL INFORMATION

Expedited Review	**Number of Lots** 2	
Will This Project Be Phased	**Acreage** 3.18	
DRC Meeting 02/26/2026	**DRC Meeting Time** 11:00 AM	
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** Non-Exempt	**Code Violation Case Number** _

ADVERTISING

Legal Advertising Date _	**BOCC1 Advertising Date** _
BOCC2 Advertising Date _	**Advertising Board** Planning Commission

MEETING DATES

Community Meeting _	**Planning Commission Date** 05/06/2026
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-26EST-00000-06973	**DocumentGroupforDPC** DIGITAL PROJECTS LD	**RequiredDocumentTypes** _
RequiredDocumentTypesComplete Yes	**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	**Activate DPC** Yes
Activate FSA Yes	**DigitalSigCheck** Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

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SELECTED AREA PLANS

Selected Area Plans

US 98

LAND USE

Selected Area Plan	LU Code
In an SAP	ECX Employment Center

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	2			04/21/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	02/09/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	02/20/2026	Kim Turner
Planning Review	Andrew Grohowski	Resubmittal ...	02/26/2026	Andrew Grohowski
Surveying Review	Mike Benton	Not Required	02/23/2026	Mike Benton
School Board Review				
Roads and Drainage Review	Phil Irven	Approve	02/10/2026	Phil Irven
Review Consolidation	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-2026-4 (Highland City ECX Cap)

Applicant: Ryan Behren, Peterson & Myers

Property Owner: ADM Florida Properties LLC

Hearing Date: May 6, 2026

I. Request:

The applicant is requesting to increase the retail and commercial cap in exceed of thirty (30) percent within an Employment Center-X (ECX) land use district in the US 98 Selected Area Plan (SAP) as well as landscape alternatives to Section 401.04.L of the Land Development Code (LDC).

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 attached hereto and incorporated herein as Exhibit "A", and those conditions, if any, agreed upon by the Applicant and approved by the Planning Commission during the public hearing. Any such additional conditions approved during the public hearing, as applicable, are set forth on the attached Addendum 1 to Final Order and fully incorporated herein. This order becomes final on the date rendered to the Clerk.

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 6th day of May 2026, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By: _____ By: _____
Merle Bishop, Chair 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)

ADDENDUM 1 to FINAL ORDER

The following conditions of approval were agreed upon by the Applicant and approved by the Planning Commission during the public hearing held on May 6th, 2026, and are fully incorporated into the Final Order. In the event any conflict or inconsistency arises between the conditions listed in the Staff Report and those listed in this Addendum 1, the conditions listed in this Addendum 1 shall control.

Additional Conditions of Approval:

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

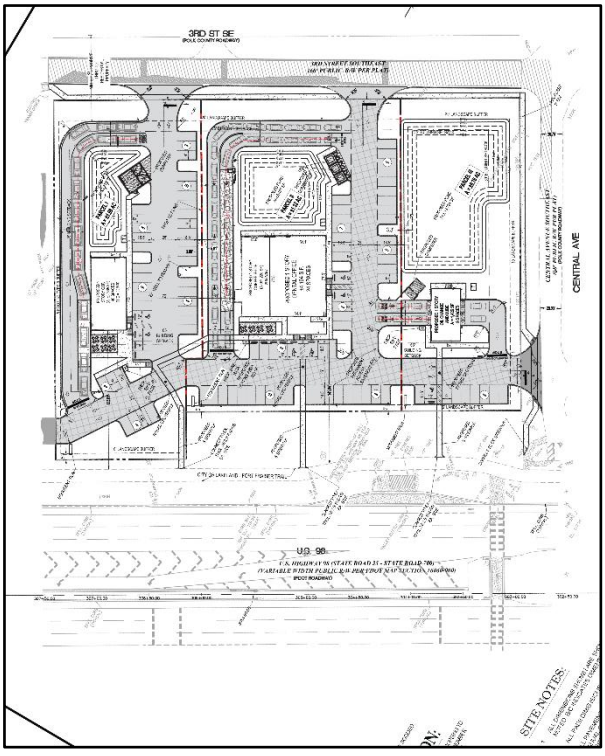
DRC Date:	February 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	May 6, 2026	**Type:**	Conditional Use
BoCC Date:	N/A	**Case Numbers:**	LDCU-2026-4
		Case Name:	Highland City ECX Cap
Applicant:	Ryan Behren, Peterson & Myers, P.A.	**Case Planner:**	Andrew Grohowski, Planner II

Request:	The applicant is requesting to increase the retail and commercial cap in excess of thirty (30) percent within an Employment Center-X (ECX) land use district in the US 98 Selected Area Plan (SAP) as well as landscape alternatives to Section 401.04.L of the Land Development Code (LDC).
Location:	The subject site is located at 5433 3rd Street Southeast, on the east side of US Highway 98, south of Wallace Road and Clubhouse Road, west of Third Street Southeast, north of Central Avenue Southeast northwest of the City of Bartow in Section 14, Township 29, Range 24.
Property Owner:	ADM Florida Properties LLC
Parcel Size (Number):	±3.18 acres (242914-283000-030510)
Future Land Use:	Employment Center-X (ECX) US 98 Selected Area Plan (SAP)
Development Area:	Transit Supportive Development Area (TSDA); Transit Corridor in Center
Nearest Municipality:	City of Bartow
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location



Site Plan



Summary:

The applicant is requesting Conditional Use (CU) approval to increase retail and commercial use in excess of 30% within an Employment Center-X (ECX) land use district in the US Highway 98 Selected Area Plan (SAP). The US Highway 98 SAP limits commercial and retail development within contiguous ECX districts up to 30% of the overall area of ECX. This promotes the land use to be utilized for larger employers such as office centers, medical facilities, universities, and colleges. However, the 30% cap can be exceeded with a Conditional Use approval with a Level 3 approval from the Planning Commission. The CU process allows staff the ability to review the proposed retail and commercial uses for compatibility with surrounding uses and to ensure the use is appropriate as a support service for nearby residents and tourists to the area.

The proposed request includes two (2) drive through restaurants, one (1) medical office, and one (1) vehicle service building with two (2) associated bays on approximately 3.18 acres. The subject site is the last remaining property within this 5.5-acre ECX district. Approval of this request will preserve the applicant's ability to develop the site with retail and commercial uses on the entire ECX district. Additionally the request includes flexibility of Type "B" internal landscaping buffering between each use. Given the shared parking areas and cross-access drive aisles, the applicant proposes to allocate these plantings throughout the site rather than along each side parcel boundary in accordance with Land Development Code (LDC) Section 401.04.K.1.a-h. This has been included as part of the conditions.

The proposed type of uses are not uncommon in the general vicinity of the Highland City area, with retail, restaurants, gas stations and drive-thrus within close walking distance nearby. A drive-through restaurant (Culvers), for example, is to the north and immediately adjacent to the subject site. The location is ideal for these uses as the businesses will have visibility off of Highway 98, a principal arterial roadway. The uses provide a natural transition in intensity between the principal arterial roadway and the residential homes to the east.

Another factor for consideration is the need for non-residential support uses. This project will provide for various uses for individuals traveling along U.S. 98 between Lakeland and Bartow. Additionally, the subject property's proximity to Polk State University and Travis Technical College creates employment opportunities for students while also providing nearby non-residential services.

No wetlands or flood zones are found onsite, and no other environmental constraints are present that would hinder development. According to the City of Lakeland Utilities, centralized potable water and wastewater are provided to the site and have available capacity. The site has frontage along US Highway 98, Central Avenue SE, and 3rd Street SE with three (3) commercial driveway aprons proposed for ingress/egress. Five-foot wide sidewalks will front 3rd Street SE and Central Avenue SE with raised pedestrian crossings to the Ft. Fraser Trail. According to the Transportation Planning Organization (TPO), all surrounding roadways have capacity to assimilate the amount of traffic that will be generated from this development with trips already vested for the project.

Staff has found this request consistent with the Comprehensive Plan and LDC. The site will meet all other standards including setbacks, FAR, ISR, lighting, and landscaping. The applicant has demonstrated compliance with unique standards set forth in the US 98 SAP, such as raised pedestrian crossings with the Ft. Fraser Trail and tree preservation. Staff finds this request is compatible with the surrounding area and adjacent uses and recommends approval.

Findings of Fact

- *The applicant is requesting a Conditional Use to increase the retail and commercial use in excess of thirty (30) percent within an Employment Center-X (ECX) land use district in the US 98 Selected Area Plan (SAP).*

- *POLICY 2.131-Q4 of the Comprehensive Plan states, "The Employment Center is an Activity Center designated only within the County's Selected Area Plans (SAP). It is designed to allow office parks, light assembly, commercial, and other business uses to serve the needs of the growing population in the northeast area of the County."*

- *On July 9, 2025, in an advertised public hearing, the Planning Commission voted 7:0 to recommend APPROVAL of LDCPAS-2025-9. This was a small-scale Future Land Use amendment from Town Center (TCX) to Employment Center (ECX) on approximately 5.45 acres which included the subject site and property to the north.*

- *On August 19, 2025, the Board of County Commissioners voted 5-0 to adopt LDCPAS-2025-9, effective on September 20, 2025 (Ord. 2025-46).*

- *POLICY 2.131-Q4: DEVELOPMENT CRITERIA - Development within an ECX shall conform to the following criteria:*

  (a) Access to parcels shall be by an internal road system, frontage roads, cross-access easements, shared ingress/egress access easements, or some combination of these. No new individual driveways shall be permitted to access US 27.

  (b) Different uses shall incorporate the use of shared ingress/egress facilities wherever practical.

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

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

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

  (f) Residential development, as primary will be permitted in up to 15% of the ECX designation at Medium and High Densities. Location of residential units above non-residential shall be encouraged by not considering such units against the maximum residential densities.

  (g) Industrial uses which include at least fifty percent (50%) office space, assemble products, and conduct research and development, but do not manufacture any products.

  (h) The FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 2.0.

(i) Retail and commercial uses are limited to 30 percent of the ECX district. A higher percentage of the limited 30 percent of retail and commercial uses shall be permitted through a Planned Development. The maximum floor area ratio for commercial uses shall be 1.0.

(j) All development, when it is feasible, shall take advantage of any mass-transit facilities.

- *The proposed request includes two (2) drive through restaurants, one (1) medical office, and one (1) vehicle service building with two (2) associated bays on approximately 3.18 acres.*

- *Table 4.12 of the LDC notes "Clinics & Medical Offices" and Vehicle Service, Mechanical" uses are a "C2" Conditional Use. "Restaurant, Drive-Thru/Drive-in" uses are a "C3" Conditional Use.*

- *Section 303 of the LDC requires the following standards for Drive-thru Facilities:*

  1. *Stacking lanes shall comply with the following standards:*
     a. *Stacking lanes shall be a minimum of 12 feet in width.*
     b. *At least one bypass lane, a minimum of ten feet in width, shall be provided at a drive-thru facility.*
     c. *The minimum distance for stacking lanes as measured from the curb cut to the service window shall be 150 feet for a single stacking lane, or 80 feet per lane when there is more than one stacking lane.*
     d. *Stacking lanes shall be designed so that they do not interfere with parking, pedestrian movements, on-site vehicle circulation, or off-site traffic flow.*
     e. *All stacking lanes shall be clearly identified through the use of striping, landscaping, signs, or other means.*

  2. *The minimum distance from a drive-thru facility to any residentially designated property shall be 50 feet measured at the narrowest point between the property line of the residential property and either the stacking lane, service window, or speaker box, whichever is closer. All speaker boxes shall be oriented away from adjoining residential property.*

  3. *Drive-thru facilities located adjacent to residentially designated properties shall be required to provide a landscaped buffer equal to a Type C buffer (see Section 720) between all service windows/stacking lanes, and adjacent residential areas.*

- *Section 303 of the LDC requires the following standards for Drive-thru/Drive-in Restaurants:*

     a. *All facilities shall be at a minimum of 15 feet from any side lot line, and a minimum of ten feet from the rear lot line.*

     b. *The minimum distance from a drive-thru restaurant facility to any residentially designated property shall be 50 feet measured at the narrowest point between the property line of the residential property and either the stacking lane, service window, or speaker box, whichever is closer.*

c. *All speaker boxes shall be oriented away from adjoining residential property.*

d. *Restaurant facilities located adjacent to residentially designated properties shall be required to provide a landscaped buffer equal to a Type C buffer (see Section 720) between all service windows/stacking lanes, and adjacent residential areas.*

e. *All facilities shall have at a minimum 50 feet of road frontage and be located at a minimum on an Urban collector or Rural Major collector road or better unless contained within a planned development with access to an Urban collector or Rural Major collector road or better.*

f. *All on-site garbage collection facilities shall be screened from any adjacent property.*

- *According to LDC Section 401.04.D.6, setbacks for the ECX district shall meet the Community Activity Center (CAC) requirements of LDC Table 2.2. Principal Arterial rights-of-way are 65 feet. Setbacks from Local Road rights-of-way are 30 feet. Side and rear setbacks are 15 feet. The maximum height is 75 feet.*

- *The subject site has about frontage on US Highway 98 (Links 5405 N/S & 5406 N/S), 3rd Street SE (Road No. 941433) and Central Avenue SE (Road No. 941420). US 27 is a state-maintained, six-lane divided roadway classified as a Principal Arterial roadway. 3rd Street SE and Central Avenue SE are both 20' wide paved Local Residential Roadways with 60' of right-of-way.*

- *On March 31, 2026, the Technical Advisory Committee (TAC) Committee approved reclassification of 3rd Street SE and Central Avenue SE. The Board is anticipated to give final approval on May 5, 2026.*

- *The site abuts Ft. Fraser Trail to the west. Development standards for uses along this trail are found in Section 401.04.I of the LDC.*

- *The subject site is served by City of Lakeland Utilities for potable water and wastewater services. These services are available, and the development will be required to connect to each. A 6-inch potable water main is located in the southern right-of-way off Central Avenue SE 27. An 8- 16-inch pressurized force wastewater main is located in the eastern property boundary off 3rd Street SE. No reclaimed water lines are nearby.*

- *The site is zoned for Highland City Elementary, Bartow Middle School, and Bartow Senior High School.*

- *Highland City Park and Highland City Senior Field are located to the west. Environmental lands and multi-use trails are located at Circle B Bar Reserve and Marshal Hampton Reserve to the east.*

- *Fire and EMS response to this project is from Polk County Fire Rescue Station #28, approximately 0.4 miles away located at 4101 Clubhouse Road in Highland City. Estimated response time of five (5) to seven (7) minutes. Fire Station #28 is scheduled to*

be relocated into a joint station with the City of Bartow, and will be constructed in the vicinity of EF Griffin Road and Smith Lane.

- *The site is served by the Polk County Sheriff's Southwest (SW) District located at 4120 US Highway 98 in Lakeland. The response times for SW in April 2026 were: Priority 1 Calls – 10:04 and Priority 2 Calls – 30:54.*

- *According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the subject site contains Candler-Urban land complex. The soil has slight limitations for septic tank absorption fields and for small commercial buildings.*

- *There are no wetlands or flood hazard areas on the property. The property is not located in a Wellfield Protection District.*

- *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.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within an identified one-mile radius for endangered species sightings.*

- *The site is not within any Airport Height Notification Zone.*

- *This request has been reviewed for consistency with Section 401.04, Section 303, and Table 4.12 of the LDC.*

- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT; SECTION 2.104 TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA); and SECTION 2.131-R US HIGHWAY 98 SELECTED AREA PLAN of the Comprehensive Plan.*

- *Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." To achieve this, three options are provided:*

  - Provisions made which buffer incompatible uses from dissimilar uses;

  - Incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and/or

  - Uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques.

Development Review Committee Recommendation:

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, **IS CONSISTENT** with the Comprehensive Plan, and is consistent with the Land Development Code. Based upon the findings of fact the Development Review Committee recommends **APPROVAL** of **LDCU-2026-4.**

CONDITIONS OF APPROVAL

1. This Conditional Use approval shall allow the proposal to exceed the 30% cap of retail and commercial up to 100% in the entirety of this ECX district. The proposed commercial and retail uses are considered non-binding. [PLG]

2. The applicant shall be required to select one option from the table below in order to meet the tree preservation requirements under LDC Section 401.04.J.6. Plantings shall not be counted toward any buffer requirements. [PLG]

Option	Number of Trees	Diameter at Breast Height (DBH)
1	2	6 inch
2	4	4 inch
3	6	3 inch

3. The applicant shall be required to install raised crosswalks with markings between the Ft. Fraser Trail and each building entrance. [PLG]

4. The applicant shall provide the equivalent of half of the requirement plantings and width of the Type "B" buffer, in accordance with LDC Section 720, along the northern property boundary. [PLG]

5. At Level 2 approval, the Type "B" landscape buffer between internal parcels with shared parking areas may be modified as provided in LDC Section 401.04.K.1.a-h. The plans shall call out where the Type "B" planting and species counts between each use will be allocated. [PLG]

6. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDCU-2026-4, 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 LDC Section 930 D.

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

Table 1

Northwest: TCX (PD 02-13) US 98/Ft. Fraser Trail Publix/Restaurants/Personal Services/Financial Institution	**North:** ECX Culvers (LDNON-2021-135) ±1.94 acres	**Northeast:** RMX Single-family & mobile homes
West: TCX US 98/Ft. Fraser Trail Single-family homes	**Subject Property:** ECX Vacant ± 3.18 acres	**East:** RMX Single-family & mobile homes
Southwest: TCX US 98/Ft. Fraser Trail Single-family homes	**South:** TCX Daycare Facility (LDNON-2024-148) ±1.49 acres	**Southeast:** RL-4X Single-family & mobile homes

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

The 3.18 acre subject site is the only vacant property within this particular 5.5-acre ECX district. The district is the result of a Furutre Land Use Map amendment from Town-Center (TCX) in August 2025. The Culvers directly to the north was developed within the TCX designation prior to the adoption of the land use change to ECX in August 2025. Therefore the current land use district is only applicable to the subject site. The district when compared to other ECX districts within the US 98 SAP, is smaller than anticipated due to the amendment from TCX. Drive-thru restaurants are considered a "C3" in TCX, so Level 3 process would still be required for this request regardless. The only discrepancy, however is "Vehicle Service, Mechanical" was not permitted in TCX.

The subject site is located at the northwest intersection of Central Avenue SE and 3rd Street SE, both roadways with 60 feet of right-of-way. It also has about 935 feet of frontage along US Highway 98 and the Fort Fraser Trail to the west. The west side of the highway has been developed with the Highlands City Town Center (PD 02-13) and platted single-family lots non-conforming to TCX standards. A Daycare Facility is to the south, across Central Avenue SE, is currently under construction (LDNON-2024-138). There are a number of detached single-family homes and mobile homes within this radius as well, prior to the adoption of any County zoning ordinances.

Compatibility with the Surrounding Uses and Infrastructure:

The request is considered compatible with the surrounding area. Retail and commercial uses are found in this general area and main intersection of Clubhouse Road and US Highway 98. The subject property and given request provide a relevant transition in intensity between US Highway 98, a principal arterial roadway, and the residential homes to the east. US Highway 98 SAP development standards, such as raised pedestrian crossings and tree preservation provisions, are shown on the plans and will be demonstrated at Level 2 Review.

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

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.*"

The applicant is requesting CU approval to build four (4) non-residential uses on approximately 3.18 acres: a 2,225 square foot drive-thru coffee shop; a 2,385 square foot drive-thru restaurant; a 4,194 square-foot dental office; and 1,426 vehicle service building with two bays. The proposed type of uses are not uncommon in the general vicinity, with retail, restaurants, gas stations and drive-thrus within close walking distance nearby. The location is ideal for these uses as the businesses will have visibility off of Highway 98, a principal arterial roadway and provide a natural transition in intensity between the principal arterial roadway and the residential homes to the east. The use is similar in intensity to the retail/commercial uses to the north of the site along US Highway 98, which include three (3) drive-thru restaurants; one (1) sit-down restaurant; one (1) gas station with a convenience store; and a retail plaza. Had any of these uses been proposed at the subject property, a CU would still be required.

The proposed site plan meets all relevant conditions in LDC Section 303 for drive-thru facilities and drive-through restaurants. Given 3rd Street is a local roadway, the residential properties across the street are considered abutting or adjacent. Drive-thru facilities must provide a landscaped buffer equal to a Type "C" between all service windows/stacking lanes when adjacent residential areas. As shown on the plans, a 20' wide Type "C" landscape buffer will be installed along the entire frontage of 3rd Street SE. Additionally, half the plantings of a Type "B" buffer will be provided to the north in accordance with LDC Section 401. Culvers has already installed half of these plantings and provided an internal drive aisle connection for cross-access. The internal properties boundaries are required to provide a Type "B" buffer between each proposed use. However, as part of the conditions, the applicant will have the flexibility to modify and relocate the required Type "B" landscape buffer width and associated plantings between the uses to allow for shared parking areas and drive-aisles.

Both drive-thru facilities also meet the minimum setback distance of fifty (50) feet. This is measured from the drive through lanes to the residential property lines to the east. The plans illustrate at least eighty-three (83) feet of setback away from the existing and designated residential properties across 3rd Street SE.

The plans also demonstrate compliance with the requirements outlined in US 98 SAP. Building setbacks for development in the ECX district will be met, if not exceeded, and the bay doors for the vehicle service station will not face the Ft. Fraser Trail. SAP development standards, such as raised pedestrian crossings and tree preservation provisions, are shown on the binding site plans (Exhibit 5) and incorporated into the conditions of approval. Pursuant to LDC Section 401.04.J.6, the applicant is required to install additional canopy trees because one (1) 14' DBH oak tree will be removed. The applicant has stated under the site notes they will select "Option 2" which

includes four (4) additional 4'' DBH canopy trees. These plantings shall not count toward any buffer requirements and have been incorporated as part of the conditions.

Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other" and provides three options to ameliorate incompatibilities. The tools for accomplishing higher standards of compatibility, as outlined in the Comprehensive Plan, are as follows:

- Buffering
- Limiting Scale & Intensity
- Transition through the use of innovative techniques

Because this project is being processed as a Conditional Use, this allows for provisions such as buffering and the scaling of different land use activities on the site to occur. Therefore, this project is consistent with the provisions of Policy 2.102-A2. Landscaping, lighting, and setbacks have already been addressed above, as has the limited impacts of commercial development relative to adjacent uses. In short, staff finds no practical incompatibilities with the plan as presented.

B. Infrastructure:

The subject site lies within the Transit Supportive Development Area (TSDA). As such, this parcel is located within an area that has a significant amount of urban infrastructure and services. Fire Sheriff, and EMS services are available and within close proximity. Potable water and wastewater are available to the site and have capacity according to the City of Lakeland Utilities. The affected roadways have available trips, according to the Transportation Planning Organization's (TPO) Roadway Network Database.

Nearest and Elementary, Middle, and High School:

The zoned schools for the proposed project are Highlands City Elementary, Bartow Middle, and Bartow Senior High School. This is a non-residential use and will not have an impact on school capacity.

Nearest Sheriff, Fire, and EMS Station:

Fire and EMS responses to this project are from Polk County Fire Station #28, located at 4101 Clubhouse Road in Highland City. The travel distance is approximately 0.40 miles with a response time of 5-7 minutes. Fire Station 28 is scheduled to be relocated into a joint station with the City of Bartow to be constructed in the vicinity of E.F. Griffin Road and Smith Lane. Once completed and operational, travel distances will increase to 2.3 miles and response times will increase to approximately 7-9 minutes. The site is served by the Polk County Sheriff's Southwest (SW) District located at 4120 US Highway 98 in Lakeland, approximately twenty-one miles from the site. The response times for SW in April 2026 were: Priority 1 Calls – 10:04 and Priority 2 Calls – 30:54. Table 2, to follow, lists the locations, distances, and response times for emergency services that would respond to this site.

Table 2

	Name of Station	Distance	Response Time*
Sheriff	Southeast District Command (4011 Sgt Mary Campbell Way)	±2.1 miles	Priority 1 – 10:04 minutes Priority 2 – 30:54 minutes
Fire	Station #28 (4101 Clubhouse Road)	±0.4 miles	5-7 minutes

EMS	Station #28 (4101 Clubhouse Road)	±0.4 miles	5-7 minutes

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for April 2026
**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:

The site is located within the Transit Supportive Development Area (TSDA) and centralized water and sewer services are provided in this by the City of Lakeland Utilities. As a result, the development is required to connect to both of these services.

A. Estimated Demand and Service Provider:

In terms of existing infrastructure, a 6-inch potable water main is located in the southern right-of-way off Central Avenue Southeast. The water line also runs north and south in the eastern right-of-way of 3rd Street SE. An 8-inch wastewater force main runs along 3rd Street SE within the eastern property boundary. This line connects to the Daycare Facility to the south (LDNON-2024-148) where construction is currently underway.

With the typical use assumed to be "General Office" in ECX, the highest potable water use for the subject site at a maximum 1.5 Floor Area Ratio (FAR) is 207,780 SF and would be estimated at 98,149 Gallons Per Day (GPD). The highest wastewater generated would be 78,519 GPD. This assumes water generation of 0.24 per square feet and 80% of water usage for wastewater generation, according to Polk County Concurrency Manual.

Per Polk County's Concurrency Manual, restaurants and fast-food restaurants are anticipated to generate approximately 60 and 100 gallons per day (GPD) of potable water demand per seat. In terms of potable water, a dental office and vehicle service are anticipated to generate approximately 200 GPD per wet chair and 0.30 GPD per square feet respectively. About 80% of the anticipated water usage will be for wastewater according to the Concurrency Manual.

In order to calculate estimated demand, the seating count for the coffee shop (fast-food restaurant) and dental office were based on prior building permits within the past five years for similar uses. The Chipotle has already submitted preliminary building plans which illustrate thirty-four (34) seats (BC-2026-290). Wet chair seats were based on building plans for "RRR Dentistry" off Florida Avenue in Lakeland (BC-2022-1334). The permit called for five (5) wet seats in 1,607 SF of building space. Based on this ratio, about thirteen (13) wet seats are estimated at the proposed 4,194 SF dental office. Seats for Starbucks were based on building plans for another Starbucks off Posner Boulevard in Davenport (BC-2022-1334). They had forty-six (46) seats in 2,472 SF of building space (BC-2024-533). Based on this ratio, about forty-two (42) seats are estimated at the proposed 2,225 SF coffee shop.

Table 3, to follow, provides a scenario of the maximum buildout project of the subject site, as well as the impacts it may have on water and wastewater services based upon the proposed project usage and the maximum development potential in the current ECX land use designation.

Table 3

Subject Property	Estimated Impact Analysis	
3.18 ± acres ECX	**Maximum Permitted in the District ECX**	**Proposed Plan**
Permitted Intensity	207,780 SF (Max 1.5 FAR)	2,385 SF Restaurant w Drive-Thru 2,225 SF Coffee Shop w/ Drive Thru 4,194 SF Medical Office 1,426 SF Vehicle Service w 2 bays
Potable Water Consumption (GPD)	49,868 GPD	Total: 9,182 GPD 2,040 GPD (Restaurant); 4,200 GPD (Coffee Shop); 2,600 GPD (Medical Office); 342 GPD (Vehicle Service)
Wastewater Generation (GPD)	39,894 GPD	Total: 7,346 GPD 1,632 GPD (Restaurant); 3,360 GPD (Coffee Shop); 2,080 GPD (Medical Office); 274 GPD (Vehicle Service)

Source: Polk County Concurrency Manual & Polk County Utilities
Proposed Uses: Water: Restaurant – 60/seat; Restaurant, Fast Food – 100/seat; Dental Office 200/wet chair; Service, Filling, or Gas Station 0.30/sf for water. Wastewater: 80% of water usage for wastewater generation.
ECX Typical Use - General Office 0.24/sf for water and 80% of water usage for wastewater generation.

Based on the following variables and circumstances, the proposed site plan anticipates about 9,182 GPD for potable water and 7,346 GPD for wastewater.

B. Available Capacity:

Correspondence with the applicant and the City of Lakeland Utilities has confirmed that capacity has been reserved/approved for both water and wastewater in the amount of 13,341 GPD. The nearest fire hydrant is approximately 61 feet away to the east.

C. Planned Improvements:

The Polk County Community Investment Program (CIP) database does not identify any utility improvements within the vicinity of the site.

Roadways/ Transportation Network:

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database contains current traffic data for all arterial and collector roads and includes information on the current traffic volume and level-of-service for these major roads. The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT) – the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4 – 7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south).

The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

A. Estimated Demand:

The project will have direct ingress/egress onto 3rd Street SE and Central Avenue SE. Cross access

is also planned from the existing drive-thru restaurant to the north of the site. Based on the ITE Trip Generation Manual, the four uses fall under the following categories: Coffee/Donut Shop with Drive Through Window (ITE Code **937**); Fast Food Restaurant with Drive Through Window (ITE Code **934**); Medical-Dental Office Building (ITE Code **720**); and Quick Lubrication Vehicle Shop (ITE Code **941**). Per 1,000 square feet of space, the proposed coffee shop, restaurant, and dentist are estimated to generate 300.25 Annual Average Daily Trips (AADT) and 39 PM peak trips; 228.55 AADT and 31.60 PM peak trips; and 34.03 AADT and 3.42 PM peak trips respectively.

Given these rates, this turns out to be 508 AADT and 66 PM peak trips for the coffee shop, 415 AADT and 57 PM peak trips for the drive-thru restaurant, 131 AADT and 13 PM peak trips for the medical-dental office building.

Trip generation for the proposed vehicle service area is based on the daily (40.00 AADT/servicing positions) and PM peak hour (4.85 trips) calculations. The proposed facility is projected to generate 80 total daily trips and 7 PM peak hour trips. Alone, this will trigger a Minor Traffic Study at the Level 2 Review stage.

Table 4

Subject Property	**Estimated Impact Analysis**	
3.18 ± acres ECX	**Maximum Permitted in the District ECX**	**Proposed Plan**
Permitted Intensity	207,780 SF (Max 1.5 FAR)	2,225 SF Coffee Shop w/ Drive Thru 2,385 SF Restaurant w Drive Thru 4,194 SF Medical Office 1,426 SF Vehicle Service w 2 bays
Average Annual Daily Trips (AADT)	2,116	Total: 1,134 508 (Coffee Shop); 415 (Restaurant); 131 (Medical Office); 80 (Vehicle Service)
PM Peak Hour Trips	231	Total: 143 66 (Coffee Shop) 57 (Restaurant); 13 (Medical Office) 7 (Vehicle Service)

Source: Polk County Concurrency Manual
ITE 750 Office Park: 11.07 AADT, 1.21 PM Peak Hour, 0.92 New Trips

To further analyze the traffic that could be created from this site, staff has compared the demand on the roadways that would be generated if the entire site was to be developed as an office park with maximum permitted FAR, which is a typical Employment Center use. Based on US 98 Development Agreements and the First Amendment to Development Agreement for MLM Properties of Polk, the subject site as well as the existing Culvers to the north have 479 PM peak hour trips vested for future development in this area. This was confirmed through correspondence with TPO.

B. Capacity:

This project will have a significant influence on the capacity of the nearest relevant road links, however, Level of Service (LOS) will not fall below minimum standard. US 98 (Links 5405 N/S & 5406 N/S) is tracked for concurrency by TPO. This is classified as a Principal Arterial roadway and is funded by the Federal Highway Administration. Approximately 57,500 vehicles travel that portion of the highway annually on average, with on average approximately 2,536 northbound and 2,639 southbound vehicles passing through the segment during PM peak hours each day. Clubhouse Road (CR 540A) is an Urban Collector roadway with a paved surface width of 20 feet, according to Polk County's Road Inventory. Transit services, sidewalks, and bike lanes are available to the site.

Table 5

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
5406N	US 98 From: CR 540A To: SR 540 (Winter Lake Road)	C	484	D
5406S	US 98 From: SR 540 (Winter Lake Road) To: CR 540A	C	381	D
5405N	US 98 From: Lyle Parkway To: CR 540A (Clubhouse Road)	C	564	D
5405S	US 98 From: CR 540A (Clubhouse Road) To: Lyle Parkway	C	661	D
4040E	CR 540A (Clubhouse Road) From: Lakeland Highlands Road To: US 98	C	249	D
4040W	CR 540A (Clubhouse Road) From: US 98 To: Lakeland Highlands Road	C	271	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database 2026

Surrounding roadway links tracked through TPO are currently operating at a "C" Level of Service (LOS), above the minimum County standard. Each link has over 200 Peak PM trips available before falling below the minimum LOS standard.

C. Roadway Conditions:

The subject site has frontage on US Highway 98, a state-maintained, six-lane divided principal arterial roadway, 3rd Street SE (Road No. 941433) and Central Avenue SE (Road No. 941420), both of which are paved 20' wide Local Residential roadways. On March 31, 2026, the Technical Advisory Committee (TAC), which includes representatives from all of the TPO's member jurisdictions, approved reclassification on both Central Avenue and 3rd Street SE from Local Residential to Local Commercial. Final Board approval on reclassification is scheduled for May 5. Should the roadways remain under residential classification, the applicant will be required to submit a waiver during Level 2 review. The site plans to have direct ingress/egress with three (3) new driveway connections, two (2) along 3rd Street SE and one (1) on Central Avenue SE.

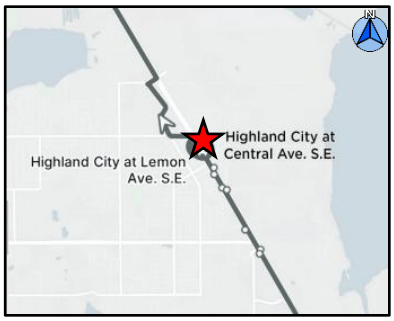
D. Sidewalk Network:

The Ft. Fraser Trail serves as the pedestrian network along the east side of US 98. Clubhouse Road, 3rd Street SE, and Central Avenue have a partial sidewalk system with sidewalks found along across Central Avenue SE with the recently built Daycare Facility. The northern portion of 3rd Street SE has sidewalks from construction of the Culvers. The applicant will be required to construct sidewalks along the frontages of both Central Avenue SE and 3rd Street SE. Additionally, three (3) pedestrian connections and associated raised crosswalks will be made to the Ft. Fraser Trail. This has been included as part of the conditions.

E. Planned Improvements:

Central Avenue SE and 3rd Street SE were recommended to be reclassified from Local Residential roadways to Local Commercial Roadways. This was recently adopted by the Board on April 21. There are no improvements within the County's CIP plans.

F. Mass Transit:



The nearest mass transit route is the Citrus Connection Transit Route stop (Route 22XL "Silver Express") with the closest stop being "Highland City at Central Ave SE" directly in front of the subject site. The stop runs along the Ft. Fraser trail and is north of the Ft. Fraser main trailhead. The proposed sidewalk connections to the trail will allow pedestrian traffic direct access to the Citrus Connection transit network.

Park Facilities and Environmental Lands:

Numerous public parks, environmental lands, boat ramps, and multi-use trails are located within a short distance of the subject site. The Ft. Fraser Trail borders the western property line of the site.

A. Location:

Highlands City Park is located approximately a half mile to the west at 3930 Ball Park Road. Highland City Senior Field is located 1.3 to the southwest at 5901 Strickland Avenue. Banana Lake Park is approximately two miles to the west at 5002 Tillery Road.

B. Services:

Highland City Senior Field consists of a lighted baseball and softball fields and a concession stand. There are also picnic tables. The park is well-known for its baseball field referred to as "The Pit" due to its elevation relative to the surrounding road and homes. Highlands City Park has two little league fields. There is also a playground with a covered area, a pavilion and basketball courts. Banana Lake Park has a multi-use trail, pier fishing, a boat ramp, picnic tables, and a playground.

C. Multi-use Trails:

The Fort Fraser Trail is 12-foot-wide, 7.75-mile long and runs parallel to U.S. Highway 98 from State Highway 60 (Van Fleet Drive) in Bartow to County Road 540 (Winter Lake Road) just beyond the Polk State College campus in Lakeland. Hundreds of walkers, joggers, in-line skaters, bicyclists, and others enjoy the trail each day. The trail is off-limits to motorized vehicles. The trail is named after Fort Fraser, which was constructed in early November of 1837 by U.S. Army troops under the command of Lt. Col. William S. Foster. In total there are five picnic shelters, six rest shelters, and three trestle bridges (Banana Creek, South, and Bear Creek) that many are using as turn-around landmarks to shorten exercise routes to one or two-mile walks.

Circle B Bar Reserve is located to the east. It is situated on the northwest shore of Lake Hancock and hosts several distinct ecosystems in this 1,267-acre reserve. It has over five miles of trails for hiking and wildlife observation. Polk County and the Southwest Florida Water Management District acquired Circle B Bar Reserve in December 2000 to protect the valuable water and wildlife resources and to restore the Banana Creek marsh system.

Marshall Hampton Reserve is a blend of oak hammock areas canopying over mesic flatwoods, hardwood forest wetlands, and a 60-acre pond found on its 1,100 acres. The two loop trails provide different views of the property. The site is open for horseback riding with a special use permit. Polk County entered into an agreement with the Southwest Florida Water Management District in 2010 to oversee the management of the property. The acquisition of this property also protected a

significant amount of shoreline and floodplain swamp on the edge of Lake Hancock, the headwaters of the Peace River.

D. Environmental Lands:

Environmental lands surrounding the eastern shore of Lake Hancock are located to the east. The Southwest Florida Water Management District oversees two initiatives that are critical to the District's recovery strategy for "meeting the minimum flows in the upper Peace River, improving water quality in the Peace River, and protecting Charlotte Harbor."

Lakeland Highlands Scrub is a 551-acre conservation area located to the southwest. It is home to one of the largest undeveloped scrub properties on the Lakeland Ridge, one of a series of elevated sandy ridges along the backbone of an area known as "peninsular Florida." This area used to be surrounded by water, but now, the Lakeland Highlands Scrub rises more than 230 feet above sea level. The Polk County Environmental Lands Program and the Florida Communities Trust Preservation 2000 Program jointly provided funding to acquire the Lakeland Highlands Scrub.

E. Planned Improvements:

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

Environmental Conditions:

There are no significant environmental limitations on this property that will likely preclude the development as requested. The site has already been cleared and was previously developed with a non-residential use. No flood zones or wetlands are noted in Polk County's DataViewer. No surface water is present. No endangered animal species have been documented. The primary soil type is suitable for non-residential development.

A. Surface Water:

There are no surface water bodies within the project area. The site is elevated in the southeastern corner of the property at 118' and gradually slopes down to the west to 115'. The applicant proposes to divert stormwater runoff to three (3) onsite detention pond located on the eastern portions of the site. A Southwest Florida Water Management (SWFWMD) permit has been filed (application # 930656).

B. Wetlands/Floodplains:

According to Polk County's DataViewer, there are no flood zones or jurisdictional wetlands on the subject site. The nearest flood zones and wetlands are approximately 0.23 miles to the north of 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 Candler-Urban land complex soils. The sand consists of well-drained soils found in upland areas. It presents few limitations to building construction and slight limitation on septic tanks. This limitation is in regard to a potential ground water contamination hazard in areas that have a concentration of homes with septic tanks due to poor filtration. However, this project will connect to centralized wastewater.

Table 6

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Small Commercial Buildings**	**% of Site** *(approximate)*
Candler-Urban land complex	Slight	Slight	100

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

All future development is required by the LDC to implement best management practices for erosion-control, and the soils are not of such that would limit compliance with applicable LDC regulations for the proposed use.

D. Protected Species:

According to the Florida Natural Resources Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species sighting. The site was formerly developed and cleared of native vegetation.

E. Archeological Resources:

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.

F. Wells (Public/Private)

The subject site is not located within a wellhead protection area. No public or private wells are known to exist on site.

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.

Economic Factors:

The County has made significant investments to support urban development along US Highway 98. Facilities such as water, wastewater, fire protection, EMS and recreational facilities provide some capacity for growth. Such development growth as may occur by this request is now needed to contribute to the funding of these facilities.

Because this request is for non-residential uses, approval of this project should not adversely impact schools or recreational facilities. The additional ad valorem revenue generated from this project could assist in the funding of these public services and facilities.

The Highland City area at the intersection of US 98 and Clubhouse Road continues to see gradual non-residential development over the past decade and a half. This includes a Culvers, iHOP, Gators Dockside plaza, and Daycare directly to the north and south constructed in the past four years alone. This non-residential development is largely the impetus for this application, as the Comprehensive Plan limits retail and commercial uses within ECX land use districts to 30% of the ECX district. Commercial establishments offer a support service to surrounding residents and tourist visiting the area, and the location is ideal for such a use.

Consistency with the Comprehensive Plan and Land Development Code:

Table 7 and 8, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan selected by staff for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan.

Table 7

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.	As proposed and conditioned, the request is compatible with the surrounding land uses. The applicant has worked to soften any impacts presented by the proposed development from the adjacent uses through buffering strategies and structural design. The proposed development will create interconnectivity with existing uses, the Ft. Fraser Trail, and future development.
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 is located in an area planned for urban development. There has been a significant amount of development in this area, and other non-residential projects have been contemplated on properties nearby.
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.	This development will take place in an area that has seen an investment by public and private sectors to improve roadways and have adequate utilities available. This property is located in the TSDA where these services are expected. Public transit is also available.
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.	Capacity is available for utilities and transportation. This approval will have no bearing on school capacity. The site is one of the last vacant non-residential properties in this particular ECX district.
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).	This site will have access to adequate public facilities. Capacity is available for all services. Emergency services are functioning at an acceptable level.

Table 8

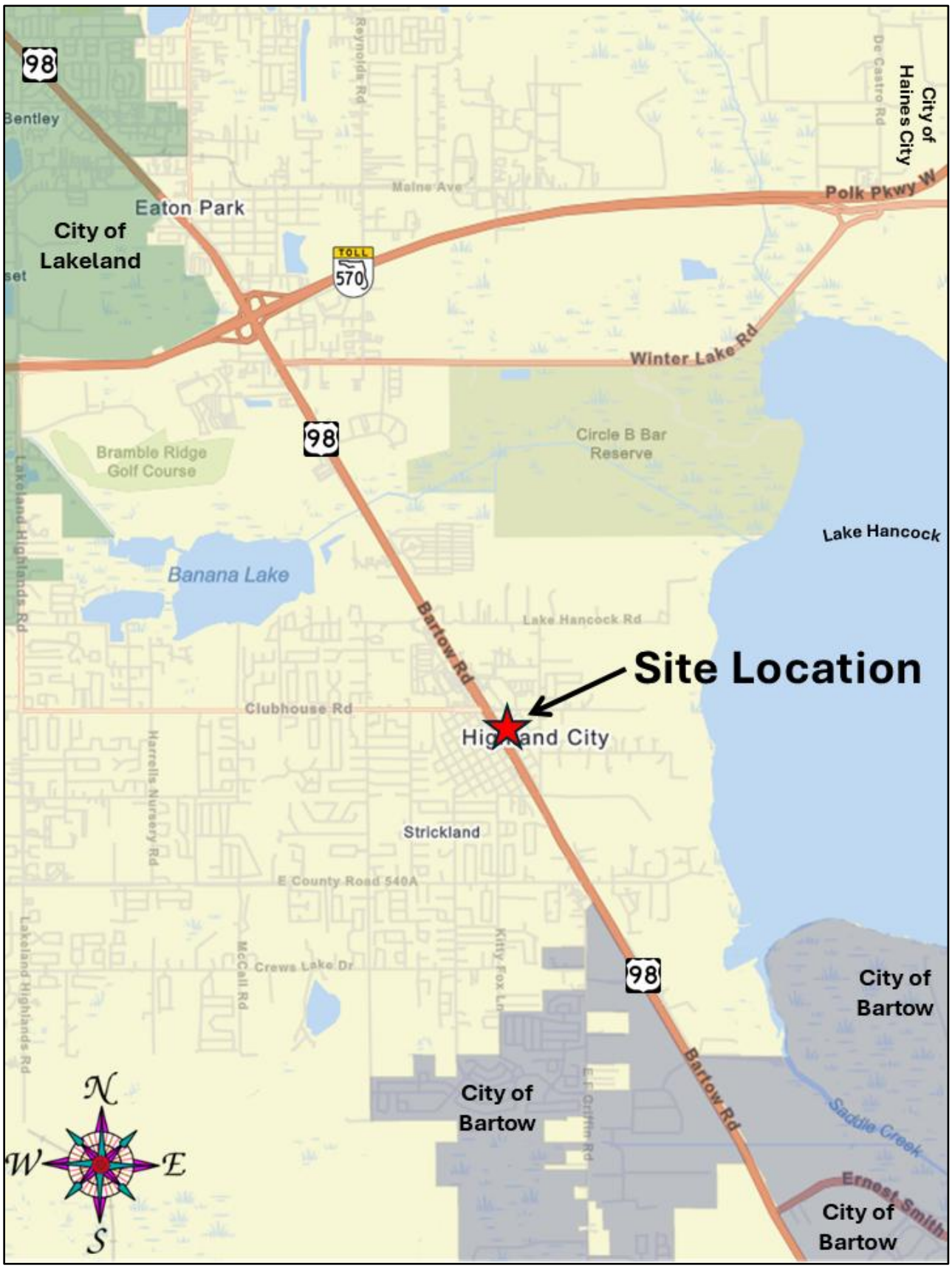
The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	Yes, this request is consistent with the LDC, specifically Table 4.16, which shows the allowable uses for an ECX designated property. LDC Section 401.04 provides specific standards for the US 98 SAP but allows deviations given the property hardship. Consistency with Section 303 of the LDC have been met. Many of the conditions required in Section 303 will be enforced after a Level 3 Review. These can be found in the Findings of Fact on Pages 306
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	Yes - POLICY 2.109-A1 of the Comprehensive Plan states, "For properties within the Transit Supportive Development Areas (TSDA), higher densities and intensities can be achieved in accordance with the criteria established in Policy 2.104-A7." Yes, Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." As detailed in the staff report, the applicant will adhere to buffering strategies to minimize the impact of this development on surrounding uses.
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	Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 8-9 of this staff report for data and analysis on surrounding uses and compatibility.
How the concurrency requirements will be met, if the development were built.	The request is capable of meeting concurrency requirements in the timeframe in which it will be constructed. See pages 10-15 of this staff report for data and analysis.

Comments from other Agencies:

City of Lakeland Utilities:
Water and wastewater capacity has been reserved and approved for the proposed request. (Project # 2025-06-027D)

Transportation Planning Organization (TPO):
On March 31, 2026, the Technical Advisory Committee (TAC) approved reclassification of 3rd Street SE and Central Avenue SE. The Board is anticipated to vote for final approval on May 5, 2026.

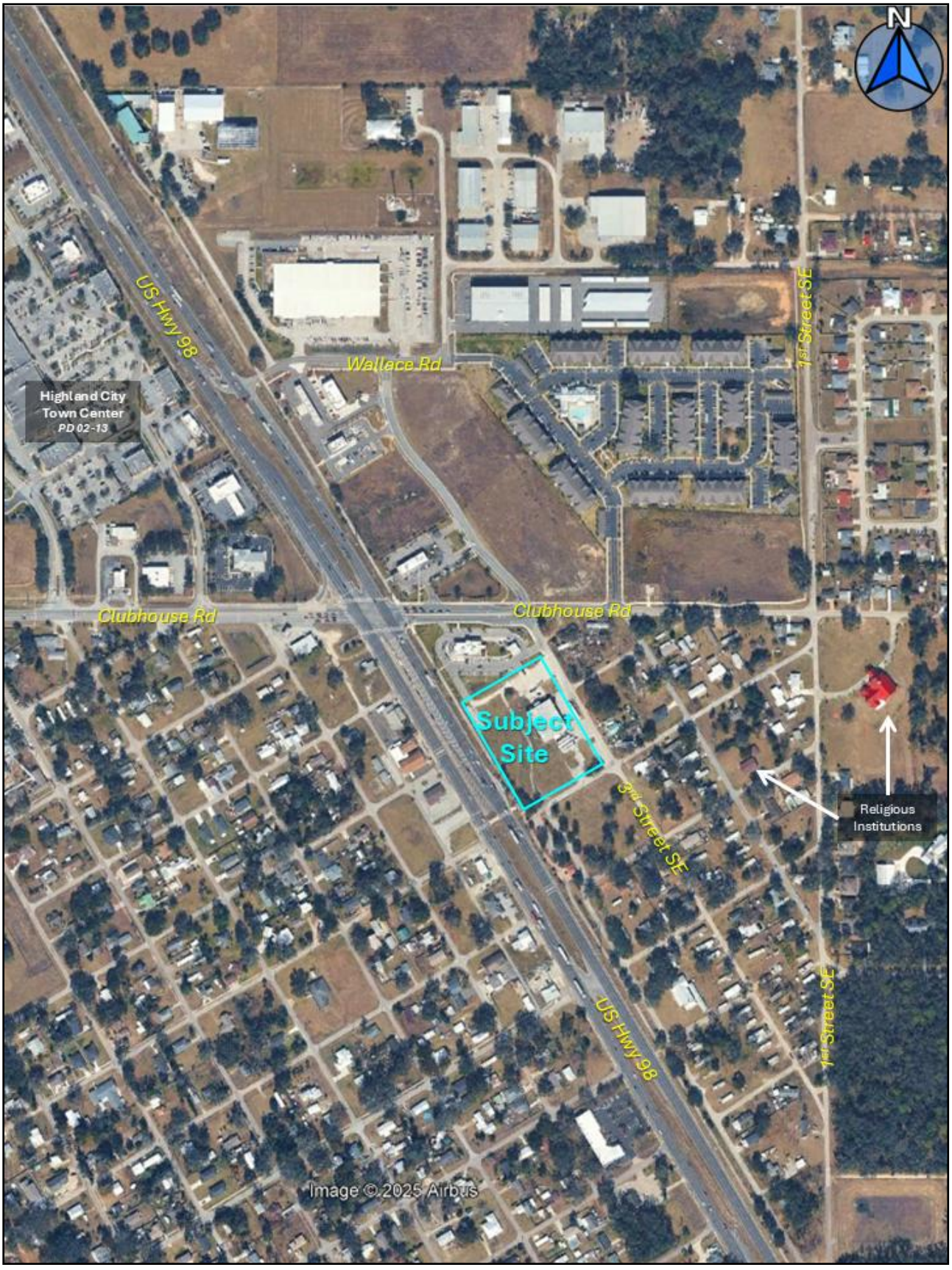
Exhibits
Exhibit 1 – Location Map
Exhibit 2 – Future Land Use Map
Exhibit 3 – 2025 Satellite Image (Context)
Exhibit 4 – 2023 Aerial Photo (Close-Up)
Exhibit 5 – Binding Site Plan



Location Map



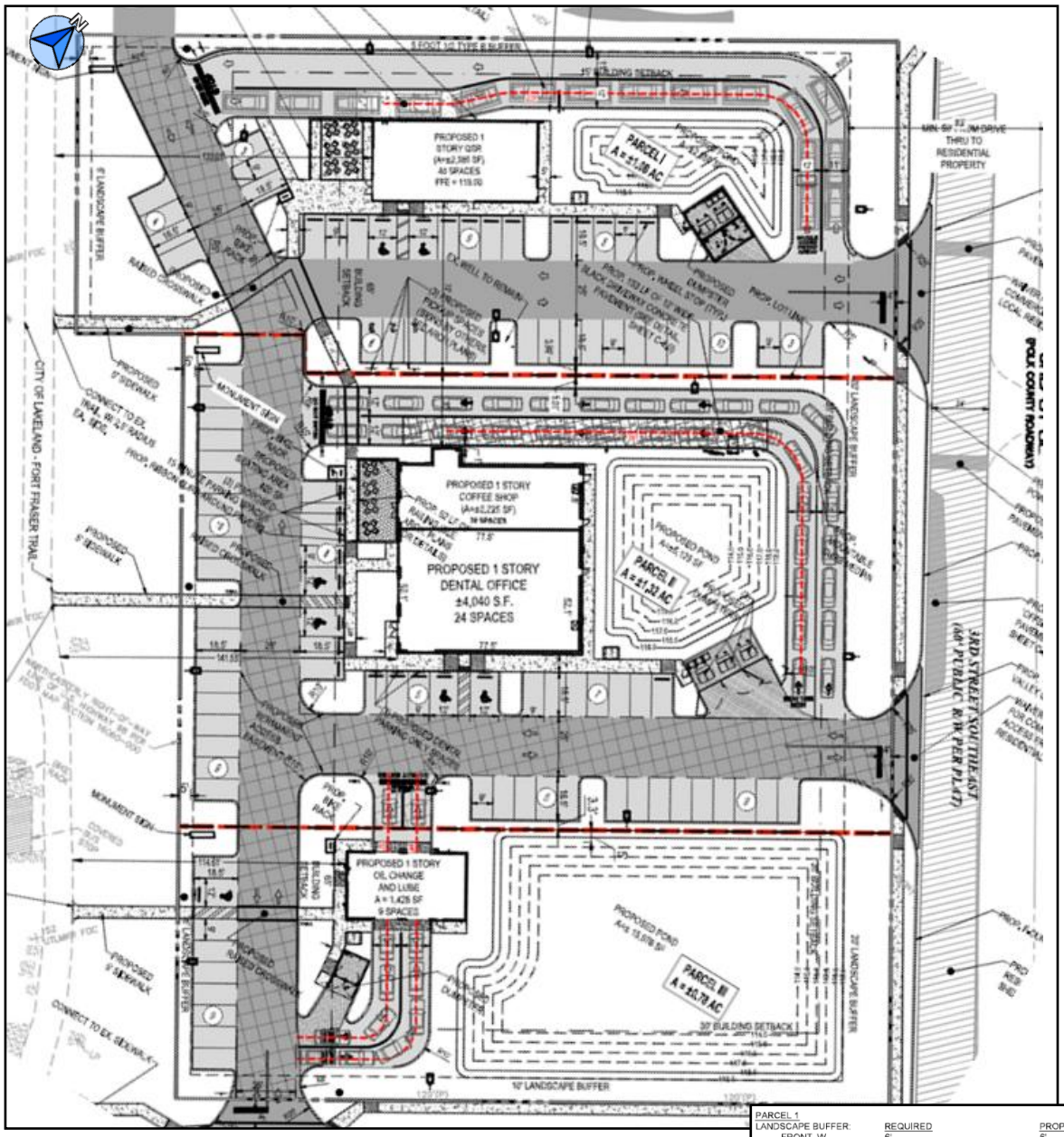
Future Land Use Map



2025 Satellite Image (Context)



2023 Aerial Photo (Close-up)



PARCEL 1		
LANDSCAPE BUFFER:	REQUIRED	PROPOSED
FRONT W	6'	6'
** SIDE N	10'	5'
* SIDE S	0'	3.99'
REAR E	20'	20'
SETBACKS:	REQUIRED	PROPOSED
FRONT W	125' FROM CLINE 65' FROM ROW	253.26' FROM CLINE 123.58' FROM ROW 133.01' FROM FT. FRAISER TRAIL
SIDE N	15'	34.39'
SIDE S	0'	72.09'
REAR E	30'/60'	150.44'

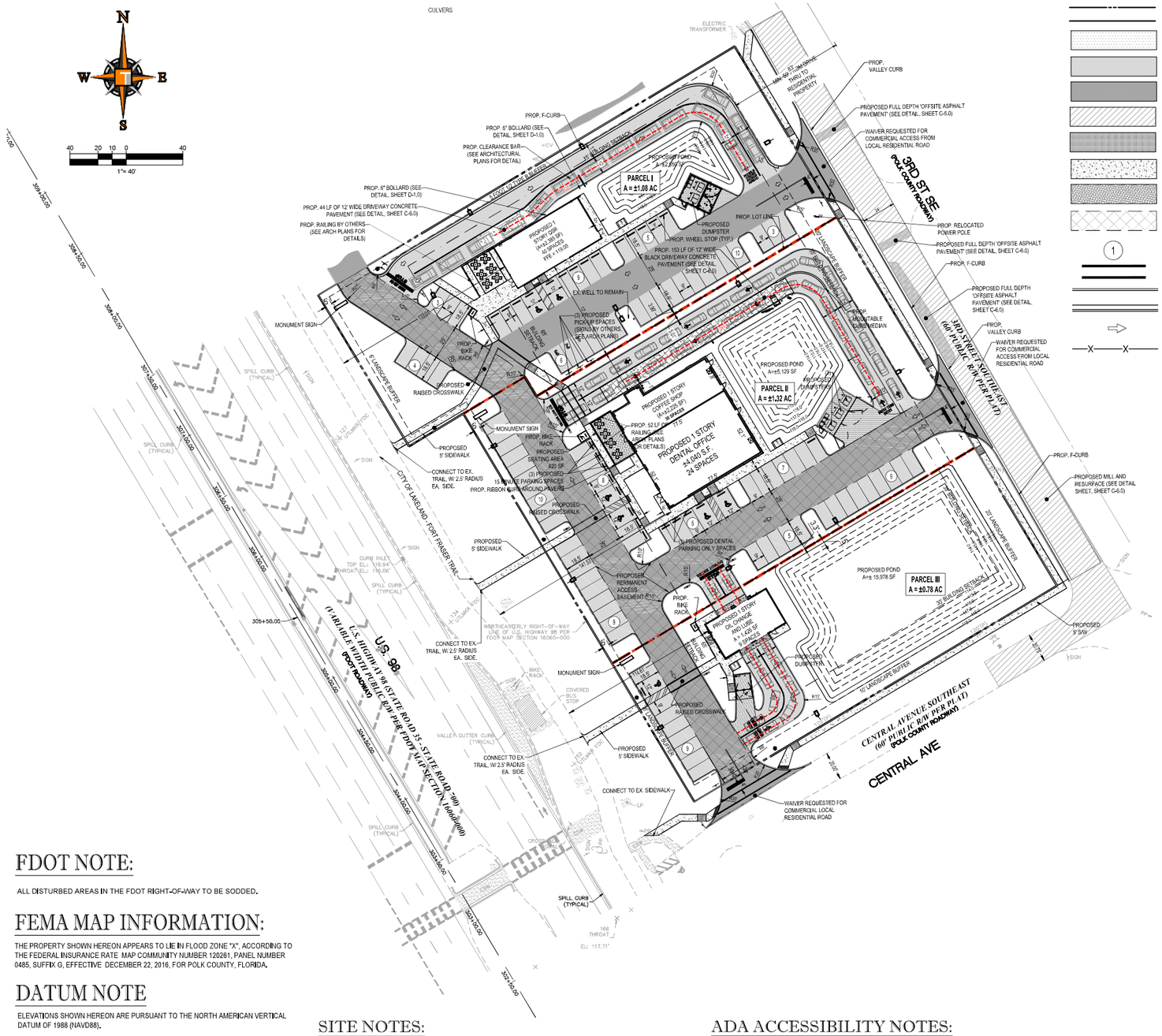
PARCEL 2		
LANDSCAPE BUFFER:	REQUIRED	PROPOSED
FRONT W	6'	6'
* SIDE N	0'	5.01'
* SIDE S	0'	3.3'
REAR E	20'	20'
SETBACKS:	REQUIRED	PROPOSED
FRONT W	125' FROM CLINE 65' FROM ROW	265.79' FROM CLINE 90.89' FROM ROW 141.53' FROM FT. FRAISER TRAIL
SIDE N	0'	30.68'
SIDE S	0'	73.41'
REAR E	30/60'	130.44'

PARCEL 3		
LANDSCAPE BUFFER:	REQUIRED	PROPOSED
FRONT W	6'	6'
* SIDE N	0'	5'
SIDE S	10'	10'
REAR E	20'	20'
SETBACKS:	REQUIRED	PROPOSED
FRONT W	125' FROM CLINE 65' FROM ROW	245.52' FROM CLINE 70.58' FROM ROW 114.61' FROM FT. FRAISER TRAIL
SIDE N	0'	9.83'
SIDE S	0'	75.62'
REAR E	30/60'	178.18'

LEVEL III LANDSCAPE REQUIREMENT NOTES
1. AT LEVEL 2 APPROVAL, PLANTINGS BETWEEN INTERNAL PARCELS WITH SHARED PARKING AREAS MAY BE MODIFIED AS PROVIDED IN SECTION 401.04(K)(1)(A)-(H).
2. SELECTED OPTION 2 UNDER SECTION 401.04(J)(6) WILL BE IMPLEMENTED AT LEVEL 2 APPROVAL TO MEET THE POLK COUNTY LAND DEVELOPMENT CODE TREE PRESERVATION REQUIREMENTS.

* CONDITION OF LEVEL III SITE PLAN CONDITIONAL USE
** 5 FOOT 1/2 TYPE B BUFFER

Binding Site Plan



LEGEND:

- PROPERTY LINE
- PROPOSED BUILDING
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT
- PROPOSED LIGHT DUTY ASPHALT PAVEMENT
- PROPOSED HEAVY DUTY ASPHALT PAVEMENT
- MILLS AND RESURFACE, SEE MILLING DETAIL, SHEET C-6.0.
- PORTION OF EXISTING PAVEMENT TO BE FULL DEPTH - SEE OFFSITE PAVEMENT DETAIL, SHEET C-6.0.
- PROPOSED CONCRETE PAVEMENT
- PROPOSED PAVERS
- PROPOSED ACCESS EASEMENT
- PROPOSED PARKING SPACE COUNT
- PROPOSED PEDESTRIAN CROSSWALK
- PROPOSED TYPE "D" CURB
- PROPOSED TYPE "D" CURB
- PROPOSED DIRECTIONAL TRAFFIC FLOW ARROW NOT TO BE STRIPED (FOR PERMITTING PURPOSES ONLY)
- PROPOSED FENCE

SITE DATA

TOTAL SITE:	±3.18 AC (±138,710 SF)
PARCEL I	±1.08 AC (±46,889 SF)
PARCEL II	±1.32 AC (±57,716 SF)
PARCEL III	±0.78 AC (±34,105 SF)
SITE ADDRESS:	4255 CLUBHOUSE RD SE LAKELAND, FL 33812 5433 3RD ST SE HIGHLAND CITY, FL 33846
PARCEL ID	24-29-14-000000-011010 24-29-14-283000-030510
JURISDICTION:	POLK COUNTY
ZONING DISTRICT:	NA
FUTURE LAND USE:	EC-X - EMPLOYMENT CENTER
ALLOWED USE:	RESTAURANT CONDITIONAL C3 USE PER US 98 SAP, CAR WASH C2, OFFICE C2, VEHICLE SERVICE C2

EC-X ZONING DISTRICT INFORMATION: PROPOSED SITE + CULVER'S SITE IS REZONED TO EC-X.

	ALLOWED	PROPOSED
FAR:	0.70	0.07 (OVERALL INCL. CULVER'S SITE)

EC-X DISTRICT SITE AREA BREAKDOWN:

	EXISTING	PROPOSED
IMPERVIOUS AREA:	113,391 S.F. (2,603 AC) - 51.10%	132,205 S.F. (3,035 AC) - 56.98%
BUILDING AREA	17,413 S.F. (0.400 AC) - 7.85%	10,076 S.F. (0.231 AC) - 4.34%
PERVIOUS AREA (TOTAL):	108,519 S.F. (2,491 AC) - 48.90%	79,629 S.F. (1.83 AC) - 35.88%
TOTAL	221,910 S.F. (5,094 AC) - 100%	221,910 S.F. (5,094 AC) - 100%

PROPOSED USE ONSITE:

	ALLOWED	PROPOSED
FAR:	0.70	0.05 (PARCEL I) 0.11 (PARCEL II) 0.04 (PARCEL III) 0.07 (PROPOSED OVERALL (I,II,III))
HEIGHT MAX:	75'-00"	
PERVIOUS MIN:	10%	

SITE AREA BREAKDOWN:	EXISTING	PROPOSED
IMPERVIOUS AREA:	63,733 S.F. (1,463 AC) - 45.95%	82,311 S.F. (1,890 AC) - 59.34%
BUILDING AREA	12,863 S.F. (0.295 AC) - 9.27%	10,076 S.F. (0.231 AC) - 7.26%
PAVEMENT VUA AREA	50,870 S.F. (1.168 AC) - 36.67%	63,097 S.F. (1,449 AC) - 45.49%
SIDEWALK/CURB/ETC	-	9,137 S.F. (0.210 AC) - 6.59%
PERVIOUS AREA (TOTAL):	74,977 S.F. (1.72 AC) - 54.05%	56,399 S.F. (1,295 AC) - 40.66%
GREEN SPACE	74,977 S.F. (1.72 AC) - 54.05%	32,642 S.F. (0,749 AC) - 23.53%
WETLAND/POND	-	23,757 S.F. (0.545 AC) - 17.13%
TOTAL	138,710 S.F. (3,184 AC) - 100%	138,710 S.F. (3,184 AC) - 100%

PARCEL 1

LANDSCAPE BUFFER:	REQUIRED	PROPOSED
FRONT W	6'	6'
** SIDE N	10'	5'
* SIDE S	0'	3.99'
REAR E	20'	20'
SETBACKS:	REQUIRED	PROPOSED
FRONT W	125' FROM CLINE 65' FROM ROW	253.26' FROM CLINE 123.58' FROM ROW 133.01' FROM FT. FRAISER TRAIL
SIDE N	15'	34.39'
SIDE S	0'	72.09'
REAR E	30'/60'	150.44'

PARCEL 2

LANDSCAPE BUFFER:	REQUIRED	PROPOSED
FRONT W	6'	6'
* SIDE N	0'	5.01'
* SIDE S	0'	3.3'
REAR E	20'	20'
SETBACKS:	REQUIRED	PROPOSED
FRONT W	125' FROM CLINE 65' FROM ROW	265.79' FROM CLINE 90.89' FROM ROW 141.53' FROM FT. FRAISER TRAIL
SIDE N	0'	30.68'
SIDE S	0'	73.41'
REAR E	30/60'	130.44'

PARCEL 3

LANDSCAPE BUFFER:	REQUIRED	PROPOSED
FRONT W	6'	6'
* SIDE N	0'	5'
SIDE S	10'	10'
REAR E	20'	20'
SETBACKS:	REQUIRED	PROPOSED
FRONT W	125' FROM CLINE 65' FROM ROW	245.52' FROM CLINE 70.58' FROM ROW 114.61' FROM FT. FRAISER TRAIL
SIDE N	0'	9.83'
SIDE S	0'	75.62'
REAR E	30/60'	178.18'

* CONDITION OF LEVEL III SITE PLAN CONDITIONAL USE
** 5 FOOT 1/2 TYPE B BUFFER

LEVEL III LANDSCAPE REQUIREMENT NOTES
1. AT LEVEL 2 APPROVAL, PLANTINGS BETWEEN INTERNAL PARCELS WITH SHARED PARKING AREAS MAY BE MODIFIED AS PROVIDED IN SECTION 401.04(K)(1)(A)-(H).
2. (SELECTED OPTION 2 UNDER SECTION 401,04(J)(6)) WILL BE IMPLEMENTED AT LEVEL 2 APPROVAL TO MEET THE POLK COUNTY LAND DEVELOPMENT CODE TREE PRESERVATION REQUIREMENTS.

PARKING RATIO:	REQUIRED	PROVIDED
OSR (1/100)	24 SPACES	40 SPACES
COFFEE SHOP (1/100)	23 SPACES	30 SPACES
DENTAL OFFICE (1/200)	21 SPACES	23 SPACES
OIL/LUBE	8 SPACES	9 SPACES
TOTAL	75 SPACES	102 SPACES (INCLUDED 7 ADA)
PROVIDED SPACES (TOTAL)	=102 SPACES (INCLUDED 7 ADA SPACES)	

FDOT NOTE:

ALL DISTURBED AREAS IN THE FDOT RIGHT-OF-WAY TO BE SODDED.

FEMA MAP INFORMATION:

THE PROPERTY SHOWN HEREON APPEARS TO LIE IN FLOOD ZONE "X", ACCORDING TO THE FEDERAL INSURANCE RATE MAP COMMUNITY NUMBER 120261, PANEL NUMBER 0485, SUFFIX G, EFFECTIVE DECEMBER 22, 2016, FOR POLK COUNTY, FLORIDA.

DATUM NOTE

ELEVATIONS SHOWN HEREON ARE PURSUANT TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).

BENCHARKS:

CONTROL BENCHMARK:
STATION IS A FOUND STANDARD F.D.O.T. 4"X4" CONCRETE MONUMENT WITH BRASS DISK STAMPED "BM 32", DISTANCE AND DIRECTION FROM NEAREST INTERSECTION: 4.9 MILES NORTH ON U.S. 98 FROM THE INTERSECTION S.R. 60 AND U.S. 98.
EL.: 116.61' (NAVD88)

TBM #1:
STATION IS A NAIL AND DISK STAMPED "EBI LB-7652" LOCATED 13.4' NORTHEAST OF THE NORTHEAST CORNER OF SUBJECT PARCEL.
EL.: 120.04' (NAVD88)

TBM #2:
STATION IS A NAIL AND DISK STAMPED "EBI LB-7652" LOCATED 67.1' NORTHWEST OF THE NORTHWEST CORNER OF SUBJECT PARCEL.
EL.: 115.45' (NAVD88)

SITE NOTES:

1. ALL DIMENSIONS SHOWN ARE SHOWN AT FACE OF CURB, UNLESS OTHERWISE NOTED. B/C INDICATES DIMENSION IS TO BACK OF CURB.
2. ALL RADII DIMENSIONS ARE 3' TO FACE OF CURB UNLESS OTHERWISE NOTED.
3. ALL PAVEMENT MARKINGS AND SIGNAGE SHALL BE IN ACCORDANCE WITH THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS," LATEST EDITION, AND POLK COUNTY LAND DEVELOPMENT CODE.
4. ALL PERMANENT PAVEMENT MARKINGS WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE THERMOPHASTIC PER FLORIDA DEPARTMENT OF TRANSPORTATION DESIGN STANDARDS (LATEST REVISION).
5. FREE STANDING SIGNAGE SHOWN ONLY FOR REPRESENTATIONAL PURPOSES, AND SHALL BE PERMITTED SEPARATELY.
6. 36" STOP SIGNS TO BE FABRICATED USING AT A MINIMUM, 3M DIAMOND GRADE DG3 REFLECTIVE SHEETING PER THE POLK COUNTY STANDARDS.

ADA ACCESSIBILITY NOTES:

1. ALL HANDICAPPED PARKING SPACES AND ACCESS AISLES ADJACENT TO THE HANDICAP PARKING SPACES SHALL HAVE A MAXIMUM OF 2% SLOPE IN ALL DIRECTIONS (THIS INCLUDES RUNNING SLOPE AND CROSS SLOPE).
2. AN ACCESSIBLE ROUTE FROM THE PUBLIC STREET OR SIDEWALK TO ALL BUILDING ENTRANCES MUST BE PROVIDED. THIS ACCESSIBLE ROUTE SHALL BE A MINIMUM OF 60" WIDE. THE RUNNING SLOPE OF AN ACCESSIBLE ROUTE SHALL NOT EXCEED 5% AND THE CROSS SLOPE SHALL NOT EXCEED 2%.
3. SLOPES EXCEEDING 5% BUT LESS THAN 8% WILL REQUIRE A RAMP AND MUST CONFORM TO THE REQUIREMENTS FOR RAMP DESIGN (HANDRAILS, CURBS, LANDINGS). NO RAMP SHALL EXCEED AN 8% RUNNING SLOPE OR 2% CROSS SLOPE.
4. IN THE CASE THAT A NEW SIDEWALK WILL BE CONSTRUCTED IN THE RW OF A SITE THE RUNNING SLOPE OF THE SIDEWALK SHALL NOT EXCEED 5% AND THE CROSS SLOPE SHALL NOT EXCEED 2%. THIS STANDARD APPLIES TO CROSS WALKS IN THE DRIVEWAY AS WELL AND WILL REQUIRE SPECIAL ATTENTION DURING STAKING TO MAKE SURE THE 2% CROSS SLOPE IS MET IN THE CROSS WALK.
5. IT WILL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO ENSURE THAT THE HANDICAP PARKING SPACES, ACCESSIBLE ROUTES, AND SIDEWALKS/CROSSWALKS ARE CONSTRUCTED TO MEET ADA REQUIREMENTS.
6. ANY REQUIREMENTS LISTED ABOVE THAT CAN NOT BE MET SHALL BE BROUGHT TO THE ENGINEER'S ATTENTION IMMEDIATELY. ANYTHING NOT BUILT TO THE ABOVE STANDARDS WILL REQUIRE REMOVAL AND REPLACEMENT OF THE NON COMPLIANT AREAS AT THE GENERAL CONTRACTORS COST.

THOMAS ENGINEERING GROUP
CIVIL ENGINEERS · PROJECT MANAGERS · LAND PLANNING · LANDSCAPE ARCHITECTS
6300 NW 31st AVE., FT. LAUDERDALE, FL 33309 P: 954-202-7000
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840 SE OSCEOLA STREET STUART, FL 33684 P: 772-888-5138

THE INFORMATION, DESIGN AND CONCEPTS SET FORTH ON THESE PLANS ARE THE PROPERTY OF THOMAS ENGINEERING GROUP, LLC AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT PRIOR WRITTEN CONSENT FROM THOMAS ENGINEERING GROUP, LLC. ANY UNAUTHORIZED USE SHALL BE SOLELY AT USER'S OWN RISK AND WITHOUT LIABILITY TO THOMAS ENGINEERING GROUP, LLC.

REVISIONS

REV	DATE	COMMENT	BY
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THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY CRAIG T. BOISSEAU, P.E. LICENSE NO. 67551 ON THE DATE/TIME STAMP SHOWN USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

PERMIT SET

PROJECT No.:	FT240053
DRAWN BY:	MUL/NP
CHECKED BY:	JMB
DATE:	01-29-2026
SCALE:	AS NOTED
CAD I.D.:	FT-240053-C-5.0 SP

PROJECT:
ECP - US 98 & CLUBHOUSE RD
FOR
ECP PARTNERS
4255 CLUBHOUSE RD SE
LAKELAND, FL & 5433 3RD ST
HIGHLAND CITY, FL
POLK COUNTY

THOMAS ENGINEERING GROUP
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EDWARD M. McDONALD
LICENSE No. 71615
STATE OF FLORIDA
PROFESSIONAL ENGINEER
EDWARD M. McDONALD, P.E.
April 22, 2026
FLORIDA LICENSE No. 71615
FLORIDA BUSINESS CERT. OF AUTH. No. 27528

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
C-5.0
OF

Agenda Item 12. 5/6/2026

SUBJECT

LDCPAS-2025-11 (Medulla Road RL CPA)

DESCRIPTION

Applicant-initiated future Land Use designation change on 5.14 +/- acres from Business Park Center (BPC) to Residential Low (RL) in the Urban Growth Area. The property is located south and west of Medulla Road, east of County Line Road, north of Pipkin Road, and south, west and north of Lakeland, in Section 08, Township 29, Range 23.

RECOMMENDATION

Approval

FISCAL IMPACT

None

CONTACT INFORMATION

Chanda Bennett, AICP, Comprehensive Planning Administrator

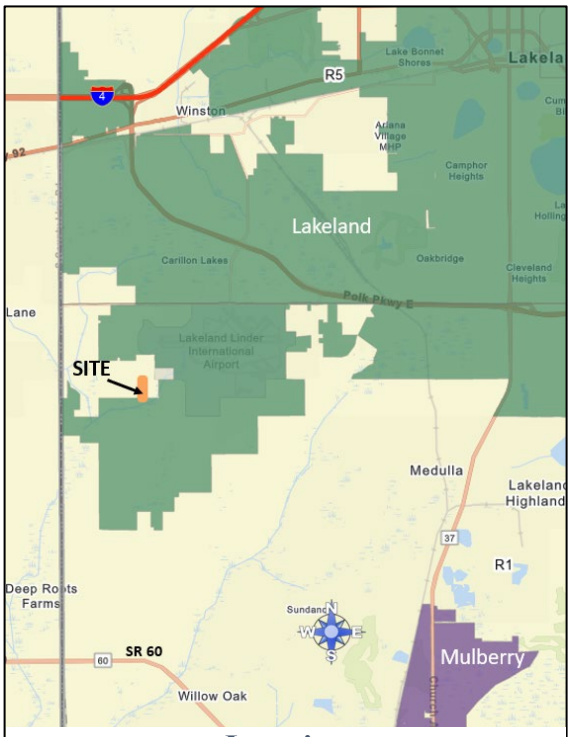
Land Development Division

863.534.6484

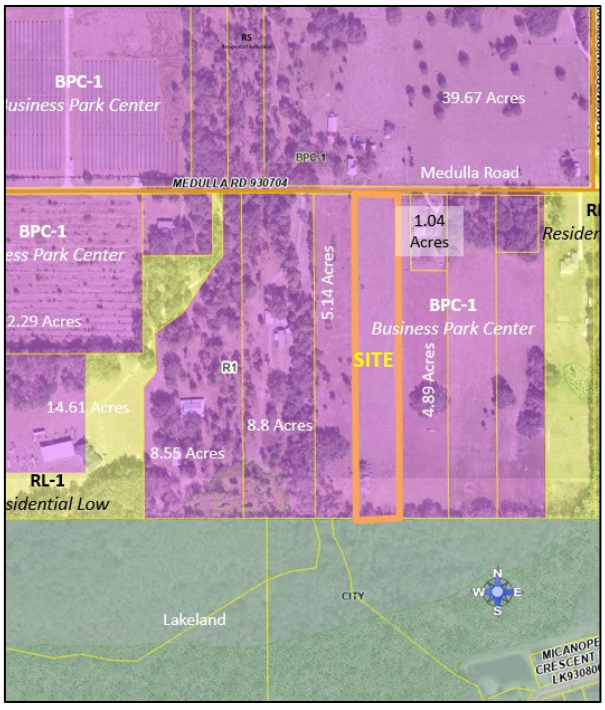
chandabennett@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
Staff Report

Application Details:	
DRC Date:	April 2, 2026
Planning Commission Date:	May 6, 2026
BoCC Dates:	May 19, 2026
Applicant:	Anielys Salgado
Level of Review:	Level 4 Review, Small-Scale Comprehensive Plan Map amendment
Case Number and Name:	LDCPAS-2026-11 Medulla Road RL
Request:	Future Land Use designation change from Business Park Center (BPC) to Residential Low (RL) in the Urban Growth Area
Location:	Located south and west of Medulla Road, east of County Line Road, north of Pipkin Road, and south, west and north of Lakeland, in Section 08, Township 29, Range 23.
Property Owner:	Anielys Salgado
Parcel Size:	5.14 acres (23-29-08-000000-033040)
Development Area/Overlays:	Urban Growth Area (UGA)
Future Land Use:	Business Park Center (BPC)
Nearest Municipality	Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Chanda Bennett, Comprehensive Planning Administrator



Location



Current Future Land Use Map

Summary of Analysis:

This is an applicant initiated Small-Scale Comprehensive Plan Map Amendment (CPA) modifying the Future Land Use (FLU) designation on 5.14 +/- acres from Business Park Center (BPC) to Residential Low (RL) within the Urban Growth Area (UGA). The applicant is requesting this for a single-family structure. The current BPC has a Land Development Code (LDC) district of BPC-1. If this request is approved, the LDC district for the RL will be RL-1. The applicant does have some farm animals and farm buildings on the subject site.

The Board of County Commissioners denied a Comprehensive Plan amendment request (LDCPAS-2020-2) on July 7, 2020, to change the Future Land Use designation from BPC to RL. The staff recommended denial of the case in 2020, but the Planning Commission recommended approval 5:1. The current owner and applicant purchased the property in 2021, understanding it was BPC. However, the GIS Data Viewer wrongly displayed the Future Land Use (FLU) designation of the property as RL. The time of the display on the viewer cannot be identified.

Three different staff members indicated to the applicant the FLU was RL and the applicant proceeded with a Road Frontage Waiver to Section 820 requiring 210 feet of frontage on a collector road for residential purposes (LDWA-2023-44) and then submitted a building permit for a residential home (BR-2026-290). BR-2026-290 was put on hold by the Building Division to investigate the parcel, and Planning staff identified the mapping error.

Most of the property south of Medulla Road is designated for residential purposes with 29 percent (%) of the unincorporated Future Land Use designations within the BPC designation. There are no non-residential uses within the BPC designation south of Medulla Road with a few of the properties having a residential structure. The BPC south of Medulla Road is close to Lakeland Linder Airport that continues to expand. The City of Lakeland has provided a letter included in the staff report as well as a sample avigation easement under separate cover that City is requesting be executed and recorded by the applicant.

Staff is recommended approval based on the following:

1. The unincorporated Future Land Use designation south of Medulla Road includes Residential Suburban (RS), Residential Low (RL), and Business Park Center (BPC). The RS is 151 acres, the RL is 22.2 acres, and the BPC is 71 acres of the unincorporated property south of Medulla Road. The residentially designated properties south of Medulla Road equal 70 percent (%) of the unincorporated property. The BPC equals 29%. However, there are no non-residential primary uses south of Medulla Road other than the cemetery at the southeast corner of Medulla Road and County Line Road. The following are facts of the parcels south of Medulla Road in unincorporated Polk County in the RL, RS and BPC combined:
    a. 67.3% of the parcels have residential structures
    b. 23% of the parcels are vacant or have pasture or cropland
    c. 9.6% of the parcels have agricultural with residential improvements
2. The Gresham Farms Village development has been constructed since 2020 in the city of Lakeland which includes 78 homes west of the subject site and south of Medulla Road near County Line Road.
3. There are five (5) out of 12 parcels in the BPC, south of Medulla Road within unincorporated Polk County, and have a residential DOR code per the Property Appraiser's website. These structures have been in place since before the adoption of

the Comprehensive Plan. The other parcels within the BPC are vacant or have a pasture Department of Revenue Code.

Compatibility Summary

The subject site is bordered by Business Park Center-1 (BPC-1) to the west, east and north. The southern portion of the property abuts Lakeland city limits which contain preservation and wetlands and a residential designation. The uses in the surrounding neighborhood are single family residential, pasture, and citrus all south of Medulla Road and a solar farm owned by the City of Lakeland on the north side of Medulla Road. The recent Future Land Use changes to the area have been from BPC to RL, but on the edges of the BPC. The Lakeland Linder Regional Airport is in the vicinity of the subject site and with the expected growth of the airport, noise levels may become a concern to future residents of this area.

Compatibility, according to Policy 2.102-A2 of the Comprehensive Plan, states, "Land shall be developed so that adjacent uses are compatible with each other, 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."

When development switches between a residential use and a non-residential use, it can create undue impacts to each. It decreases the opportunity for BPC to be developed in planned projects capable of being expanded and developed in stages. However, the pattern of existing homes in the BPC decreases this opportunity as well, unless the parcels are consolidated under one development. However, since 2020, the city of Lakeland has permitted the Gresham Farms Village which includes 78 homes west of the subject site and south of Medulla Road near County Line Road. In addition, the Publix has been completed and open at the northeast corner of County Line Road and Pipkin Road. Staff have not identified any primary non-residential uses south of Medulla Road other than the cemetery at the southeast corner of Medulla Road and County Line Road.

Section 220 of the LDC requires a 50-foot setback from a residential structure or a residentially designated property line. If this land use change request is approved, the 50-foot compatibility setback will be from the east and west property line of the subject site. The side setback for BPC is 20 feet. Therefore, any development consistent with BPC on the parcels to the east and west of the subject site will have to set their buildings back an additional 30 feet. The 50-foot compatibility zone can be used for parking and retention.

The City of Lakeland's Southwest Sector Plan identifies the area south of Medulla Road as Opportunities for "Cluster-Style Residential Development to Facilitate Open Space Preservation." The area on the north side of Medulla Road, west of the Lakeland Linder Airport, is designated as "Restricted Development, Limited to Business Park or Very Low Density/Rural/Residential Development." There is a solar facility to the northwest of the subject site in the City of Lakeland's jurisdiction.

Infrastructure and Urban Service's Summary

The subject site has direct access to Medulla Road. Medulla Road is classified as an Urban Collector County road. Medulla Road is a paved, two-lane, 20-foot-wide road with about 30 to 35 feet of right-of-way in front of the subject site. There are no paved shoulders or sidewalks along this east/west stretch of Medulla Road and the Pavement Condition Index is "Fair."

The property site shall meet the development requirements in the UGA. Public safety services, such as Fire, EMS and Sheriff are available in this area as shown in this staff report. The subject site is located in the city of Lakeland's utility service area. The proposed amendment will not have a negative impact on the Polk County School District.

Environmental Conditions Summary

If the subject site develops with a single-family home it is not anticipated to have a negative impact upon the environmental features present. The site is not located in a Wellfield-Protection District and is located within a one-mile buffer area of endangered plant/animal community. The soil on the subject site is include Pomona Fine Sand and Sparr sand, 0 to 5 percent slopes. The site is located within the Lakeland Linder Regional Airport and South Lakeland Airpark Overflight Zones and the Lakeland Linder Regional Airport In-Flight Visual Interference Zone identified on the County's Airport Impact Designation Map.

Comprehensive Plan

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

Section 2.102 Growth Management
Division 4.400 Glossary "Compatibility"
Section 2.105 Urban-Growth Areas (UGA)
Section 2.113B Business Park Center
Section 2.119 Residential
Section 2.120-C Residential Low (RL)

Land Development Code

The relevant sections of the Land Development Code are applicable to the project request.

Section 220 – Compatibility

Findings of Fact

Request and Legal Status

- *The applicant is requesting a Future Land Use (FLU) designation change on 5.14 +/- acres to parcel ID # 232908-000000-033040 from Business Park Center (BPC) to Residential Low (RL).*

- *The subject site is located in the Urban Growth Area (UGA), south of Medulla Road, east of County Line Road, north of West Pipkin Road in Section 08, Township 29, Range 23.*

- *The current Land Development Code district is BPC-1. If this request is approved the LDC district will be RL-1 which permits one unit per acre with an administrative review. Approval of a Planned Development by the Planning Commission may permit up to five (5) dwelling units to the acre.*

- *The Board of County Commissioner denied a Comprehensive Plan amendment request (LDCPAS-2020-2) on July 7, 2020, to change the Future Land Use designation from BPC to RL.*

- *The current owner and applicant purchased the property in 2021, understanding it was BPC. However, the GIS Data Viewer wrongly displayed the Future Land Use (FLU) designation of the property as RL. The time of the display on the viewer is not able to be identified.*

- *Three different staff indicated to the applicant the FLU was RL and the applicant proceeded with a Road Frontage Waiver to Section 820 requiring 210 feet of frontage on a collector road for residential purposes (LDWA-2023-44) and then submitted a building permit for a residential home (BR-2026-290). BR-2026-290 was put on hold as Building Division staff put the request on hold to investigate the parcel and Planning staff identified the mapping error.*

- *The applicant has applied for the following land development requests:*

Case Number	Request	Notes
LDDRC-2021-180	Pre-application Commercial Vehicle Parking	Staff identified the parcel as BPC and the steps to achieve the requested use
LDNON-2021-151	Level 2 Review Commercial Vehicle Parking	Withdrawn per applicant email stating desire to do a party venue
LDWA-2023-44	Road Frontage Waiver to LDC Sec. 820	210 Feet of frontage require. Subject site has 171 feet of frontage on Medulla Road
BR-2026-290	Building permit for residential home	On hold pending this request

- *Of the properties south of Medulla Road in unincporated Polk County to County Line Road, the following facts exist:*
  - *66.1% of the parcels have residential structure*
  - *23% of the parcels are vacant or have pasture or cropland*

- *9.4% of the parcels have agricultural with residential*
- *65% of the area is in RS*
- *6.1% of the area is in RL*
- *29% of the area is in BPC*
- *There are 12 parcels in the BPC that is south of Medulla Road.*
- *5 of the parcels (41%) in BPC have a residential home on the property.*

- *Three different staff indicated to the applicant the FLU was RL and the applicant proceeded with a Road Frontage Waiver to Section 820 requiring 210 feet of frontage on a collector road for residential purposes (LDWA-2023-44) and then submitted a building permit for a residential home (BR-2026-290). BR-2026-290 was put on hold as Building Division staff put the request on hold to investigate the parcel and Planning staff identified the mapping error.*

- *The site plan for BR-2026-190 labels the west side setback as 32.2 feet and the east side setback from the proposed home as 34 feet.*

Compatibility

- *The subject property is bordered by Business Park Center-1 (BPC-1) to the west, east and north. The southern portion of the property abuts Lakeland city limits which contains preservation and wetlands and a residential designation.*

- *The recent Future Land Use changes to the area south of Medulla have been from BPC to RL but mostly on the edges of the BPC including the following:*

  - *CPA 16S-13 approved December 23, 2016*
  - *LDCPAS 18-2 approved August 7, 2018*
  - *LDCPAS 2018-6 approved January 8, 2019*
  - *LDCPAS-2018-1 approved August 7, 2018*

- *According to the City of Lakeland's Southwest Lakeland's Sector Plan, the subject site is within the blue designated color which indicates "Opportunities for Cluster-Style Residential Development to Facilitate Open Space Preservation."*

- The Gresham Farms Village development has been constructed since 2020 in the city of Lakeland which includes 78 homes west of the subject site and south of Medulla Road near County Line Road.

- The City of Lakeland has submitted a letter of opposition as well as a request that if this is approved the applicant execute and record an avigation easement similar to the sample provided by the City of Lakeland.

- The side setback in BPC is 20 feet.

- Section 220 provides a 50-foot compatibility building setback in BPC from property designated as residential.

Infrastructure

- *The zoned schools are as follows: R. Bruce Wagner Elementary, Sleepy Hill Middle and George Jenkins Senior High. All schools have available capacity at this time.*

- *Both fire and ambulance response to the subject parcel is primarily from Polk County Fire Rescue Station 2, 2523 Ewell Rd, Lakeland. The travel distance is 4.5 miles and response times should average between 10 and 12 minutes under optimal conditions but can vary significantly based on many factors.*

- *The subject property is served by the Polk County Sheriff Office's Southwest District located at 4120 US 98 South. Priority one (1) response is nine minutes and 56 seconds. Priority two (2) response is one hour and seven minutes.*

- *The subject property is located within the City of Lakeland's Utility Service Area, however, sewer is not available or contiguous to the subject property. The subject site will have to utilize a septic tank and is noted on BR-2026-290.*

- *The subject property is located within the City of Lakeland's utility area for water, however, water is not available currently. The applicant will utilize a private well system for potable water which is noted on BR-2026-290.*

- *The nearest Community Investment Project is near the intersection of Hamilton Road and Medulla Road to the west for drainage improvements to address street and home flooding. Right-of-way acquisition is currently in progress. The project completion is expected on December 1, 2027.*

- *Other recent completed projects include the widening of West Pipkin Road (Medulla Road to SR 37/S. Florida Avenue) from two-lanes to four-lanes from Medulla Road to South Dossey Road and widen remainder to three-lanes from South Dossey Road to SR 37/S. Florida Ave (total length is around 4.2 miles).*

- *There are no sidewalks along Medulla Road. There are some sidewalks along Medulla Road from its intersection with Pipkin Road but stop at the entrance to Sun N Fun.*

Environmental

- *The subject property has the highest elevation of slightly over 121 feet on the north end of the property adjacent to Medulla Road and slopes to the south to slightly over 107 feet.*

- *The southwestern corner (about 8,344 square feet) is in the FEMA 100-year Flood zone A. This means that a base floor elevation has not been determined. As long as there is not development proposed in the flood zone, a flood study will not be required.*

- *According to the Florida Natural Areas Biodiversity Matrix (2021), a portion of the subject site is located within a one-mile radius of protect or endangered animal sighting.*

- *The subject site is not located within any of the County's Wellhead Protection Districts.*

- *According to the United States Department of Agriculture-Soil Conservation Service, the subject property is approximately 40% Pomona Fine Sand, 60% Sparr sand, 0 to 5 percent slopes.*

- *The subject property does not contain any wetland areas. The south-west corner is located in Flood Zone A.*

- *Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.*

- *The subject site is located within the Lakeland Linder Regional Airport and South Lakeland Airpark Airport Impact District. The subject site is within the Height Notification Subzone 1 for both airports and the Piston Engine Powered Aircraft Bird Strike Hazard Zone for Lakeland Linder Airport. The subject site is partially within the In-Flight Visual Interference Zone identified on the County's Airport Impact District Map.*

- *The PolkGreen Map shows a portion of this parcel as part of a potential connection of an overall natural network.*

- *This site does not have a conservation easement, but the property directly south is within a conservation easement per the Polk County Property Appraiser's website within the Morgan Creek Preserve development (OR 6108-886).*

Comprehensive Plan Policies

- *The Comprehensive Plan defines Compatibility in Division 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."*

- *The Polk County Comprehensive Plan lists POLICY 2.102-A2: COMPATIBILITY stating that Land shall be developed so that adjacent uses are compatible with each other and incompatible uses are made to me more compatible to each other through limiting the intensity and scale of the more intense use.*

- *The Comprehensive Plan 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.*

- *The Polk County Comprehensive Plan lists POLICY 2.102-A10: LOCATION CRITERIA in stating that 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.*

- *POLICY 2.120-C3: LOCATION CRITERIA - Residential-Low areas shall be located only within the TSDAs, UGAs, SDAs, and UEAs and new Residential-Low development shall not be located within Activity Centers. The placement of Residential-Low shall be evaluated based on the general criteria listed in Policy 2.119-A2.*

- *POLICY 2.120-C4: DEVELOPMENT CRITERIA - 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.*

- *POLICY 2.119-A2: LOCATION CRITERIA - Residential land use categories shall be established throughout the County with consideration being given to the following criteria:*
    - *a. Access to county-maintained roads or roads constructed to County standards.*
    - *b. Proximity to Activity Centers .*
    - *c. Adequacy of water and sewage disposal systems (public and private).*
    - *d. Adequacy and response time for public safety services - fire, police, and emergency medical service.*
    - *e. Adequacy of recreation facilities.*
    - *f. Proximity of incompatible land uses .*
    - *g. Development limitations, and,*
    - *h. Urban Sprawl Criteria set forth in POLICY 2.102-A10.*

- *POLICY 2.119-A3: DEVELOPMENT CRITERIA - Residential development shall conform to the following criteria:*
    - *a. BUFFERING: Buffering, when provided to lessen the impact and friction between residential and non-residential land uses, may take the form of physical barriers, such as walls, fences, berms, landscaping, open spaces, or other similar design features.*
    - *b. DENSITY AND SCALE: New residential development, immediately adjacent to existing residential areas, should be designed so as to minimize any potential adverse impacts due to dissimilar densities or building scale.*
    - *c. HOUSING TYPES: Residential structures may include all various types, such as: conventionally built single-family dwelling units; attached or detached units; zero-lot-line structures; factory-built modular units; mobile homes; duplexes; townhouses; and apartment complexes, provided they meet appropriate location standards and meet adopted building codes and construction standards.*
    - *d. ACCESS TO STREETS: New residential development should have direct access to local streets, as specified in Policy 2.128-C3. Access to collector and arterial streets shall be provided by local streets at intervals meeting recognized safety standards. Private residential driveways should be discouraged on collector or arterial streets.*
    - *e. INTERNAL CIRCULATION: Residential developments should be designed to provide for an efficient internal circulation system to include the provision of collector streets and adequate parking in accordance to the scale of the development.*
    - *f. DENSITY COMPUTATIONS: Polk County shall use gross densities when determining residential densities. Gross density is determined by dividing the total number of dwelling units on the site by the total area of the residential site, exclusive of water bodies. The area for computing gross density shall include all*

public and institutional land uses (e.g. internal streets, sewer plants, schools, parks, etc.) located within the site, as well as one-half of the right-of-way area for perimeter "local" streets, and one-fourth of the right-of-way area for perimeter local street intersections, for those areas not already owned by the public. In the Rural Development Area (RDA) and Suburban Development Area (SDA), outside of the Green Swamp Area of Critical State of Concern, one unit per five-acre (1 du/5ac) density may also be measured to the centerline of collector roads.

- *The following are the relevant Comprehensive Plan policies and Land Development Code for this case:*
  SECTION 2.102 (POLICY 2.102-A1 thru 2.102.A-15) Growth Management Policies
  POLICY 2.102-A11: Urban Sprawl Criteria
  SECTION 2.105 Urban-Growth Areas (UGA)
  SECTION 2.109 (POLICY 2.109-A24) Land Use Categories
  Section 220 Compatibility

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 requests **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 2026-11.**

Planning Commission: On May 6, 2026, at an advertised public hearing, the Planning Commission voted ?:? to Approve/Deny LDCPAS-2026-11.

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.*

Surrounding Land Use Designations and Current Land Use Activity

The following table provides a reference point for notable and pertinent Future Land Use Map designations and existing land uses upon them.

Table 1

Northwest:	**North:**	**Northeast:**
BPC-1, A/RR further NW	BPC-1 Single Family/Pasture	BPC-1

Pasture, solar facilities, residential further NW		Single Family/Pasture, Lakeland Linder Airport
West: BPC-1, RL-1 and RS further west Pasture and residential further west	**Subject Property:** BPC-1 Pasture	**East:** BPC-1, RL-1 further west Pasture, residential and Lakeland Linder Airport further east
Southwest: City of Lakeland Preservation	**South:** City of Lakeland Preservation	**Southeast:** City of Lakeland Preservation and residential further southeast

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

Compatibility with the Surrounding Land Uses and Infrastructure:

Compatibility is often regarded as a subjective term used to express one's opinion or feeling about the appropriateness of locating different uses adjacent to each other rather than being based upon facts or evidence to support those opinions or feelings. The American Planning Association (APA) defines compatibility as "the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony." Some elements affecting compatibility include (but are not limited to): height, scale, mass and bulk of structures, pedestrian or vehicular traffic, landscaping, lighting, noise, odor, or whether or not something is aesthetically pleasing (*Source: A Planner's Dictionary; American Planning Association*).

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.

The definition of Compatibility in the Comprehensive Plan is as follows:

> *COMPATIBILITY: 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.*

The subject site is 5.14 +/- acres within the BPC FLU designation. The applicant is requesting to change the site to RL with a Land Development Code (LDC) default district to RL-1. The maximum density in RL is five (5) dwelling units per acre. However, the LDC district default will be RL-1 if this request is approved which only permits one (1) dwelling unit per acre. The subject site is 5.14 acres which may permit up to five (5) units with a Level 2 Review assuming all development standards can be met. Other alternatives for higher densities include 1) district change to RL-2, RL-3, or RL-4 which permit two (2), three (3) or four (4) units per acre respectively, or 2) a Level 3 Planned Development (PD) to achieve five (5) dwelling units per acre. A PD on the subject site will require 22 Locational Points to achieve the five (5) dwelling units per acre.

The subject property is located in unincorporated Polk County and completely bordered by single-family, undeveloped or pastureland directly to the east and west within the BPC. The land adjacent to the southern portion of the subject site is located within the City of Lakeland and contains wetlands and Morgan Creek Preserve a residential development to the southeast. There are residential buildings in the area south of Medulla Road. A home at 4590 Aaron Morgan Road was constructed in 2018. A home at 4414 Medulla Road was constructed in 2020. A home at 4636 Medulla Road was constructed in 2021. There are some farm related buildings on the subject site in the southwest area appearing on aerial photographs in 2022 and another small building in 2025.

Since the last Comprehensive Plan amendment on the subject site the Gresham Farms Village subdivision was constructed to the west of the subject site in the City of Lakeland's jurisdiction with 78 homes. There are no non-residential uses on the south side of Medulla Road other than the cemetery at the southeast corner of County Line and Medulla Roads. Lakeland Linder Airport is to the east and northeast of the subject site on the other side of Medulla Road and there is a solar facility to the northwest of the site. Farther to the northwest include warehouse distribution uses along County Line Road north of Medulla Road.

According to the City of Lakeland's Southwest Lakeland's Sector Plan, the subject site is within the blue designated color which indicates "Opportunities for Cluster-Style Residential Development to Facilitate Open Space Preservation." The area on the north side of Medulla Road is included within the Orange Color which is marked as "Restricted Development, limited to Business Park or Very Low Density/Rural Residential Uses."

The residential development requested is consistent with the existing development patterns south of Medulla Road. However, the proposed RL is not consistent with the adjacent BPC.

Nearest Elementary, Middle, and High School

The applicant is requesting RL Future Land Use Designation in the UGA. The zoned schools are as follows: R. Bruce Wagner Elementary, Sleepy Hill Middle and George Jenkins Senior High. All schools have available capacity at this time.

Table 2: School Information

Name of School	Student Generation Rates @ 1 units per 5 acres	Capacity/Enrollment
R. Bruce Wagner Elementary	4	85.8%/1,038 with 25 reservations
Sleepy Hill Middle	3	77.64%/1,136 with 46 reservations
George Jenkins Senior High	3	90.1%/2,790 with 55 reservations

Source: Polk County School Board and "Estimating Maximum Feasible Build-out Study." The anticipated demand is based upon annual student ratios per unit for single-family development. Elementary schools 0.144, Middle schools 0.083 and High schools 0.117. The capacity is based on occupied student stations includes reserved capacity.

Nearest Sheriff, Fire, and EMS Station

The nearest Sheriff and Fire/EMS stations are listed below (see Table 3). The distances are within a good range to have appropriate response times.

Table 3

	Name of Station	**Response**
Sheriff	Polk County Sheriff's Southwest District 4120 US 98 South, Lakeland	P1: 00:09:56 (9 min: 56 sec) P2: 01:07:00 (1 hour: 7 min: 0 sec)
Fire	Fire Station 02 2523 Ewell Rd., Lakeland	4.5 +/- miles Average response 10 to 12 minutes Can vary based on many factors.
EMS	Fire Station 02 2523 Ewell Rd., Lakeland	

Source: Polk County Sheriff's Office and Public Safety.

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.

Table 4

Proposed Site **5.14 +/- acres** **From BPC-1 to RL-1**	**Estimated Impact Analysis**	
	Estimated Maximum Permitted Use in BPC	***Estimated Maximum Permitted Use in RL***
Permitted Intensity/Density	5.14 acres x 43560 x 0.75 FAR **167,924**	5.14 acres x 5 dua = 25 unit
Potable Water Consumption (GPD)	167,924 x .24 GPD **40,302 GPD**	25 x 250 GPD **6,250 GPD (84% reduction)**
Wastewater Generation (GPD)	40,302 x 80% GPD **32,242 GPD**	25 x 200 GPD **5,000 GPD (84% reduction)**
Source: Polk County Concurrency Manual & Polk County Utilities Polk County Comprehensive Plan, Warehousing 0.24 Gallons Per Day (GPD)(maximum use, BPC Floor Area Ratio (FAR) of 0.75, Water at 250 GPD and Wastewater at 200 GPD **Policy 2.119-A3.f, Development Criteria; Density Computations* ***Wastewater generates approximately 80% of water*		

Table 4 above shows the proposed RL will be a decrease is water and wastewater needs at full build out. The maximum density in RL is five (5) dwelling units per acre. However, the LDC district default will be RL-1 if this request is approved which only permits one (1) dwelling unit per acre. The subject site is 5.14 acres which may permit up to five (5) units with a Level 2 Review assuming all development standards can be met. Other alternatives for higher densities include 1) district change to RL-2, RL-3, or RL-4 which permit two (2), three (3) or four (4) units per acre respectively, or 2) a Level 3 Planned Development (PD) to achieve five (5) dwelling units per acre. A PD on the subject site will require 22 Locational Points to achieve the five (5) dwelling units per acre. At the total of 25 units at five (5) units per acre, it is anticipated that there will be a 84% reduction in water and wastewater needs.

B. Available Capacity:

The subject property is located within Lakeland's utility area for wastewater. The anticipated demand of the wastewater system at full buildout of 25 units is 5,000 Gallons Per Day (GPD) based on the maximum permitted use. However, sewer is not available or contiguous to the subject property. The subject site would have to utilize use of a septic tank much like other parcels in this area.

The subject property is located within Lakeland's utility area for water. The anticipated demand on the water system at full buildout of 25 units is 6,250 Gallons Per Day (GPD) based on the maximum permitted use. However, water is not available at this time. The applicant would utilize a private well system for services.

C. Planned Improvements:

There are no utility improvements anticipated for this area of the County.

Roadways/ Transportation Network

A. Capacity and B. Conditions

The surrounding roadway network is adequate to serve the proposed Future Land Use designation. The parcel has direct road frontage on Medulla Road which is an urban major collector monitored by the Polk County Transportation Planning Organization (TPO) for traffic concurrency. The road has a Pavement Condition Index (PCI) rating is "Fair". The paved surface width is 20 feet. Medulla Road has capacity and will serve any development on the subject without impacting the current LOS. Hamilton Road and Aaron Morgan Roads have a PCI rating of "Very Poor."

Table 5

Proposed Site 5.14 ± acres From BPC-1 to RL-1	**Estimated Impact Analysis**	
	Existing Land Use designation (BPC)	**Proposed Land Use designation (RL)**
Permitted Density/	5.14 x 43,560 sq. ft. x 0.75 FAR= **167,924**	5.14 acres @ 15ua = **25 units**
Average Annual Daily Trips (AADT)	167,924 / 1,000 x 1.46 x 88% new trips = **216 AADT**	25 x 7.81 **196 trips (9.23% decrease)**
PM Peak Hour Trips	167,924 / 1,000 x 0.15 x 88% new trips = **22 PM**	25 x 1.01 **25 trips (14% increase)**
Source: Polk County Transportation Planning Organization (TPO)and Trip Generation Manual – Institute of Transportation Engineers (ITE)ITE 150-Warehousing and 210-Single Family Detached **Policy 2.119-A3.f, Development Criteria; Density Computations*		

Table 6

Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
8105E	Medulla Road (County Line Road to Pipkin Road W)	B	711 *732 in 2020*	D	B
8105W	Medulla Road (County Line Road to Pipkin Road W)	B	707 *735 in 2020*	D	B

Source: Polk Transportation Planning Organization, Roadway network Database 2026 – published 4-17-26

Tables 5 and 6 show the proposed development will not exceed available capacity levels. The maximum density with RL is one (1) dwelling unit per five (5) acres. However, the LDC district default will be RL-1 if this request is approved which only permits one (1) dwelling unit per acre. The subject site is 5.14 acres which may permit up to five (5) units with a Level 2 Review assuming all development standards can be met. Other alternatives for higher densities include 1) district change to RL-2, RL-3, or RL-4 which permit two (2), three (3) or four (4) units per acre respectively, or 2) a Level 3 Planned Development (PD) to achieve five (5) dwelling units per acre. A PD on the subject site will require 22 Locational Points. At the total of 25 units at five (5) units per acre only generate a 14% increase in the PM Peak hour over BPC. However, the development of the subject site under BPC or RL is not significant in terms of generating five (5) percent (5%) of the capacity of Medulla Road which is 75 trips out of 1,500 trips.

C. Planned Improvements

The nearest Community Investment Project is near the intersection of Hamilton Road and Medulla Road to the west for drainage improvements to address street and home flooding. Right-of-way acquisition is currently in progress. The project completion is expected on December 1, 2027.

Other recent completed projects include the widening of West Pipkin Road (Medulla Road to SR 37/S. Florida Avenue) from two-lanes to four-lanes from Medulla Road to South Dossey Road and widen remainder to three-lanes from South Dossey Road to SR 37/S. Florida Ave (total length is around 4.2 miles).

There are no sidewalks along Medulla Road. There are some sidewalks along Medulla Road from its intersection with Pipkin Road but stop at the entrance to Sun N Fun.

Park Facilities and Environmental Lands

The nearest County park facility is Christina Park about seven (7) +/- miles from the subject site. The nearest environmental lands are The Alafia Reserve, seven miles south of the site.

A. Location:

Christina Road Park is at 625 West CR 540-A on the north side of CR 540-A less than a quarter mile from SR 37.

B. Services

The Christina Road Park includes a playground area, benches, ADA-accessible trails, pavilions and picnic tables. There are first-come, first-served picnic shelters and a large, screened-in pavilion is available to rent. Additionally, Christina Park has a five-field softball complex.

C. Multi-use Trails:

There are trails throughout the Alafia reserves and walking is possible around the Christina Road Park.

D. Environmental Lands:

The nearest environmental lands are The Alafia Reserve, seven miles south of the site. The Alafia River Reserve was purchased jointly by Polk County and the Southwest Florida Water Management District. The 334-acre reserve was acquired to preserve the natural wetlands and uplands along the upper corridor of the Alafia River. Wading birds and amphibians that require seasonally-flooded areas free of predators to complete their life cycles call the Alafia River Reserve home. Forested hardwood wetlands are the primary natural community, and common trees include sweet gum, laurel oak, ironwood, hickory, sabal palms and bay. Ground cover is sparse due to extended periods of flooding. Visitors may hike and picnic on these lands. (Source: County Website).

E. Planned Improvements:

There are no planned improvements

Environmental Conditions:

A. Surface Water

The subject property has the highest elevation of slightly over 121 feet on the north end of the property adjacent to Medulla Road and slopes to the south to slightly over 107 feet.

B. Wetlands/Floodplains

The subject property does not contain any wetland areas. The south-west corner is located in Flood Zone A and considered an area Inundated by 100-yr Flooding. There are no special floodplain requirements necessary for the building permit submitted by the applicant. However, that may change if any development is proposed in the floodplain.

C. On-Site Soils

According to the United States Department of Agriculture-Soil Conservation Service, the subject property is approximately 69.9% Pomona Fine Sand, 30.1% Sparr sand, 0 to 5 percent slopes. Future development of the site will be subject to Section 2.303: "Soils" of the County's Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection's (DEP) Florida Development Manual.

Table 7

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	Percentage of Site (approximate)

Pomona Fine Sand (7)	Severe: wetness, percs slowly	Severe: wetness	40%
Sparr sand (14)	Severe: wetness, poor filter	Moderate: wetness	60%
Source: United States Department of Agriculture Natural Resources Conservation Service, https://websoilsurvey.nrcs.usda.gov			

D. Protected Species

According to the Polk Endangered Habitat Map of the Future Land Use Map Series (FLUMS), the subject site is partially within a one-mile radius of a protected animal and plant species sighting (*Source: the Florida Natural Areas Inventory of 2021*). This means that a certified environmentalist identified an endangered or protected animal(s) within one mile of the property during the survey period of the 2021 study. The proposed land use change request is not anticipated to have a significant negative impact upon endangered species (*See Section 2.209: Ecological Communities of the Comprehensive Plan and Section 660: Ecological Communities of the Land Development Code)*.

E. PolkGreen Districts and Conservation Easements

The PolkGreen Map shows a portion of this parcel as part of a potential connection of an overall natural network. This site does not have a conservation easement, but the property directly south is within a conservation easement per the Polk County Property Appraiser's website within the Morgan Creek Preserve development (OR 6108-886).

F. Archeological Resources

According to the Florida Department of State, Division of Historical Resources, there are no archeological or historical sites listed in the Florida Master Site File.

G. Wells

The subject site does not contain any wells on the property. There are no Wellhead Protection districts on the subject site or in proximity.

H. Airports

The subject site is located within the Lakeland Linder Regional Airport and South Lakeland Airpark Airport Impact District. The subject site is within the Height Notification Subzone 1 for both airports and the Piston Engine Powered Aircraft Bird Strike Hazard Zone for Lakeland Linder Airport. The subject site is partially within the In-Flight Visual Interference Zone identified on the County's Airport Impact District Map. See Exhibit 9.

The City of Lakeland has expressed concern with this area changing from BPC to residential. See the attached letter from the City in Exhibit 7. The noise levels of the airport are expected to increase as the airport grows, which may be of concern to future residents of this area. The city is concerned about how more residentially designated areas will be designed if subdivisions are created. The City has asked that if this request is approved, the property owner be required to "to execute and record an Avigation Easement agreement similar to the attached sample instrument that is used for development activity within our jurisdiction." This sample is provided under separate attachment.

The subject site is not in the direct zone of the runways. However, the Morgan Creek Subdivision to the south of the subject site in the City of Lakeland is within the Education Restriction Zone.

Economic Factors

Adjacent to the subject site is undeveloped, pasture, and residentially developed property within the BPC designation on the south side of Medulla Road including smaller lot sizes than on the north side of Medulla Road. The smaller lot sizes are not as conducive to warehouse distribution uses but can be accommodating to commercial vehicle parking uses due to the limited building needs. The applicant has spent money and is waiting to construct a home that can provide immediate investment in the County's public services. However, developing the property with BPC uses can provide more support for County infrastructure and public safety services.

Consistency with the Comprehensive Plan and Land Development Code:

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in the staff report. 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. The request is not consistent with the following policies of the Comprehensive Plan. The following policies were reviewed:

POLICY 2.102-A1 – POLICY 2.102-A15: Growth Management
Division 4.400 Glossary "Compatibility"
Section 2.105 Urban-Growth Areas (UGA)
Section 2.119 Residential

Table 9

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A1-A15: GROWTH MANAGEMENT – *Polk County shall promote contiguous and compact growth 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 proposed request for a residential home is consistent with the development to the east and west of the subject site and south of Medulla Road. However, the request for RL continues to bifurcate the BPC and decrease the opportunity for coordinated development in the BPC south of Medulla Road.
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.*	There are residential homes to the east and west of the subject site within the BPC designation. Therefore, residential on the subject site is compatible with the adjacent uses. However, the RL designation in the middle of the BPC prevents separation between BPC uses and residential uses if the lots in the BPC develop according to the BPC entitlements. At full buildout of 25 units, the water needs, wastewater generation and AADT rates all decrease.

Comprehensive Plan Policy	Consistency Analysis
	However, PM Peak Hour trips slightly rise.
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 request to change the FLU from BPC to RL is not compatible with the adjacent Future Land Use designation. However, all the developments south of Medulla Road is residential. Approval of this request will be similar to a spot zone as it would change the FLU in the middle of a BPC district. However, the Gresham Farms Village residential subdivision that includes 78 homes was constructed since the original Future Land Use designation request to RL on this subject site in 2020. Gresham Farms Village is within the City of Lakeland.
SECTION 2.119 RESIDENTIAL *OBJECTIVE 2.119-A: The Polk County Plan shall establish residential land use categories in order to promote the appropriate quantities and distribution of residential densities in accordance with land use compatibility, sufficient quantities for demand, and public-facility and services impacts.*	The Future Land Use change from BPC-1 to RL-1 would not meet the criteria of distribution of residential densities in accordance to land use compatibility.
POLICY 2.120-C3: LOCATION CRITERIA - Residential-Low areas shall be located only within the TSDAs, UGAs, SDAs, and UEAs and new Residential-Low development shall not be located within Activity Centers. The placement of Residential-Low shall be evaluated based on the general criteria listed in Policy 2.119-A2. *POLICY 2.120-C4: DEVELOPMENT CRITERIA - 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.*	The Development Area is Urban Growth Area and RL is permitted in the UGA per Policy 2.105-A3.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.119-A2: LOCATION CRITERIA - Residential land use categories shall be established throughout the County with consideration being given to the following criteria: *a. Access to county-maintained roads or roads constructed to County standards. b.Proximity to Activity Centers .c.Adequacy of water and sewage disposal systems (public and private). d.Adequacy and response time for public safety services - fire, police, and emergency medical service. e.Adequacy of recreation facilities. f.Proximity of incompatible land uses .g.Development limitations, and, h.Urban Sprawl Criteria set forth in POLICY 2.102-A10.*	The subject site is appropriate for development as County Line Road directly accesses I-4 to the north and SR 60 to the south and is within one (1) mile of the subject site. In addition, there is a Publix shopping complex to the southwest of the site at the northeast corner of Pipkin Road and County Line Road about 1.8 miles from the subject site.
POLICY 2.119-A3: DEVELOPMENT CRITERIA - Residential development shall conform to the following criteria: *a.BUFFERING: Buffering, when provided to lessen the impact and friction between residential and non-residential land uses, may take the form of physical barriers, such as walls, fences, berms, landscaping, open spaces, or other similar design features.b.DENSITY AND SCALE: New residential development, immediately adjacent to existing residential areas, should be designed so as to minimize any potential adverse impacts due to dissimilar densities or building scale.c.HOUSING TYPES: Residential structures may include all various types, such as: conventionally built single-family dwelling units; attached or detached units; zero-lot-line structures; factory-built modular units; mobile homes; duplexes; townhouses; and apartment complexes, provided they meet appropriate location standards and meet adopted building codes and construction standards.d.ACCESS TO STREETS: New residential development should have direct access to local streets, as specified in Policy 2.128-C3. Access to collector and arterial streets shall be provided by local streets at intervals meeting recognized safety standards. Private residential driveways should be discouraged on collector or arterial streets.e.INTERNAL CIRCULATION: Residential developments should be designed to provide for an efficient*	When development switches frequently between a residential use and a non-residential use, it creates undue impacts to each. Section 220 of the LDC requires a 50-foot setback from a residential structure or residentially designated property line. The site plan for BR-2026-190 labels the west side setback as 32.2 feet and the east side setback from the proposed home as 34 feet. The side setback in BPC is 20 feet. Therefore, if the request is approved, the building setback for the parcels to the east and west will increase by 30 feet. But the 50-foot compatibility zone can be used for parking and retention. If a subdivision is constructed on the subject, buffers will be required on the east and west side of the subject site.

Comprehensive Plan Policy	Consistency Analysis
internal circulation system to include the provision of collector streets and adequate parking in accordance to the scale of the development.f.DENSITY COMPUTATIONS: Polk County shall use gross densities when determining residential densities. Gross density is determined by dividing the total number of dwelling units on the site by the total area of the residential site, exclusive of water bodies. The area for computing gross density shall include all public and institutional land uses (e.g. internal streets, sewer plants, schools, parks, etc.) located within the site, as well as one-half of the right-of-way area for perimeter "local" streets, and one-fourth of the right-of-way area for perimeter local street intersections, for those areas not already owned by the public. In the Rural Development Area (RDA) and Suburban Development Area (SDA), outside of the Green Swamp Area of Critical State of Concern, one unit per five-acre (1 du/5ac) density may also be measured to the centerline of collector roads.	
Section 220 – Land Development Code Municode.com *Generally described as development standards that "apply to all non-residential development within 50 feet of an existing residence or property designated as Agricultural/Residential Rural (A/RR), Residential Suburban (RS), Residential-Low (RL-1, RL-2, RL-3, RL-4), Residential-Medium (RM), Residential High (RH) or Rural Cluster Center-Residential (RCC-R) by the Future Land Use Map Series. Only the portion of the development within the 50-foot compatibility area shall be subject to the requirements of this Section."*	If approved, the RL will require non-residential uses on the properties to east and west of the subject property to set their buildings back 50 feet from the property line rather than just 50 feet from any residential structure. For example, there is a home in the BPC to the east of the subject site. Any non-residential structures constructed would have to be 50 feet from the home. But with RL the distance is measured from the property line of an RL designated parcel. The side setback in BPC is 20 feet.

Urban Sprawl Criteria

The proposed RL-1 Future Land Use designation in the UGA for this area does not lend itself to urban sprawl. However, the following urban sprawl analysis is provided to fulfill statutory requirements. (Policy 2.102-A11)

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl.	Page(s) referenced in this report
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Summary of Analysis, Compatibility with Surrounding Land Uses

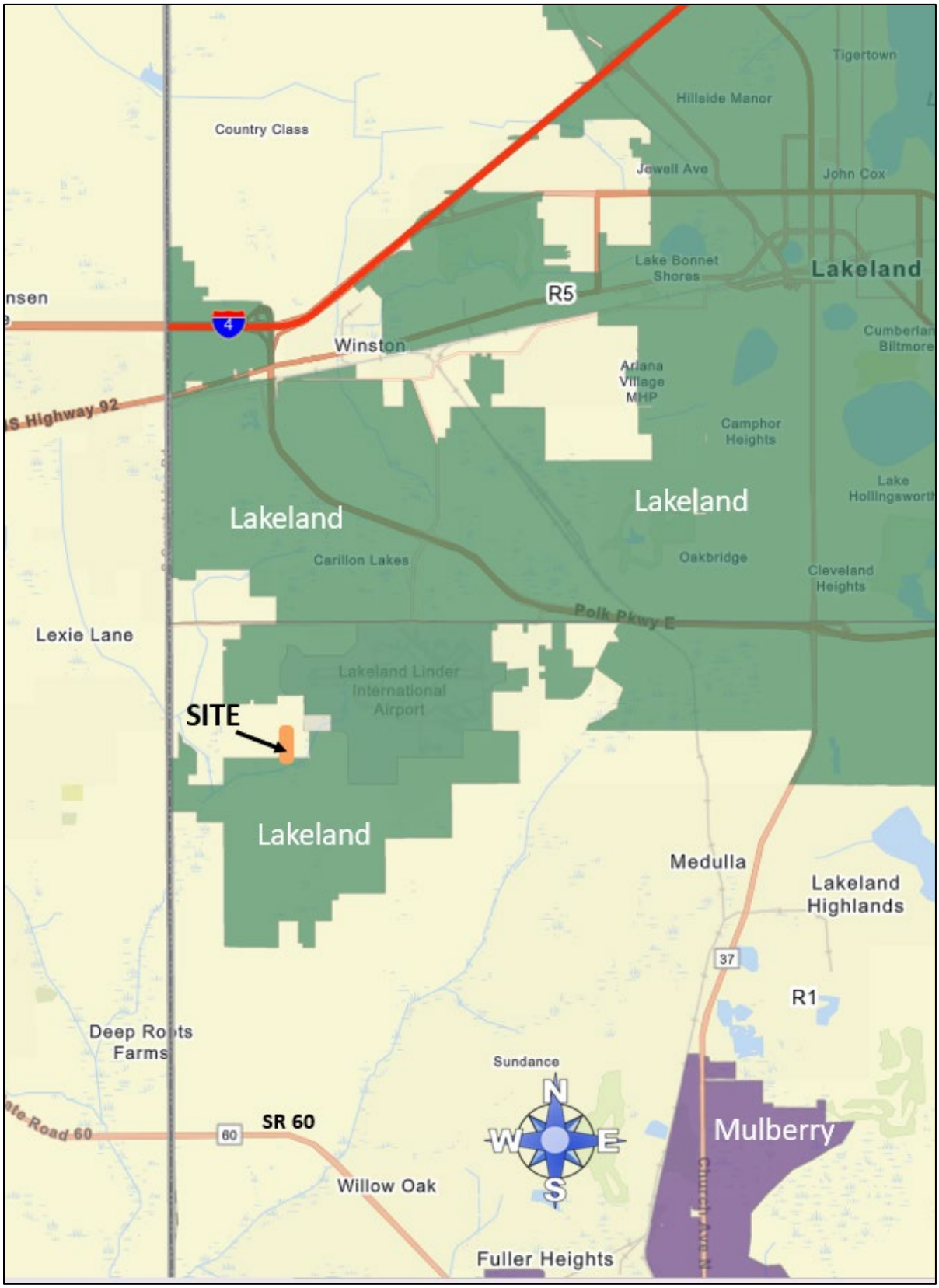
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl.	Page(s) referenced in this report
b. *Allows a significant amount of urban development to occur in rural areas.*	Summary of Analysis, Compatibility with Surrounding Land Uses
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Summary of analysis, surrounding Development, compatibility
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Environmental Conditions
e. *Fails to adequately protect adjacent agricultural areas.*	Summary of Analysis, Compatibility with Surrounding Land Uses
f. *Fails to maximize existing public facilities and services.*	Schools, Public Facilities and Water/Sewer Sections
g. *Fails to minimize the need for future facilities and services.*	Schools, Public Facilities and Water/Sewer Sections
h. *Allows development patterns that will disproportionately increase the cost of providing public facilities and services.*	Summary of Analysis, Compatibility with Surrounding Land Uses
i. *Fails to provide a clear separation between urban and rural uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Summary of Analysis, Compatibility with Surrounding Land Uses
k. *Fails to encourage an attractive and functional mixture of land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
l. *Will result in poor accessibility among linked or related land uses.*	Summary of Analysis, Compatibility with Surrounding Land Uses
m. *Results in the loss of a significant amount of open space.*	Summary of Analysis, Compatibility with Surrounding Land Uses and Environmental Conditions

Comments from other Agencies:

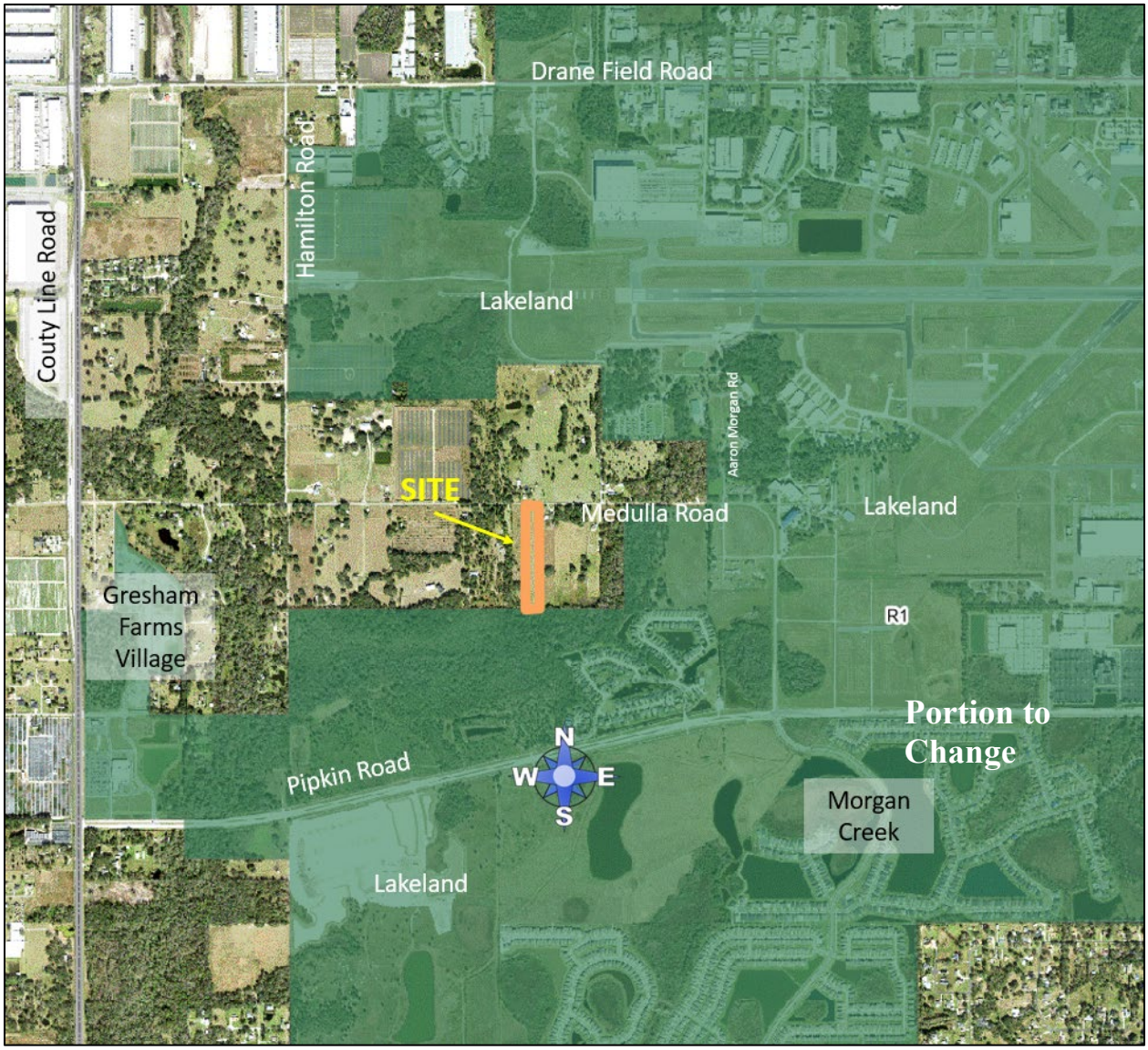
Letter from the City of Lakeland comment letter and Airport Layout Plan (Exhibit 7)
Southwest Lakeland Sector Plan (Exhibit 7).

Exhibits:

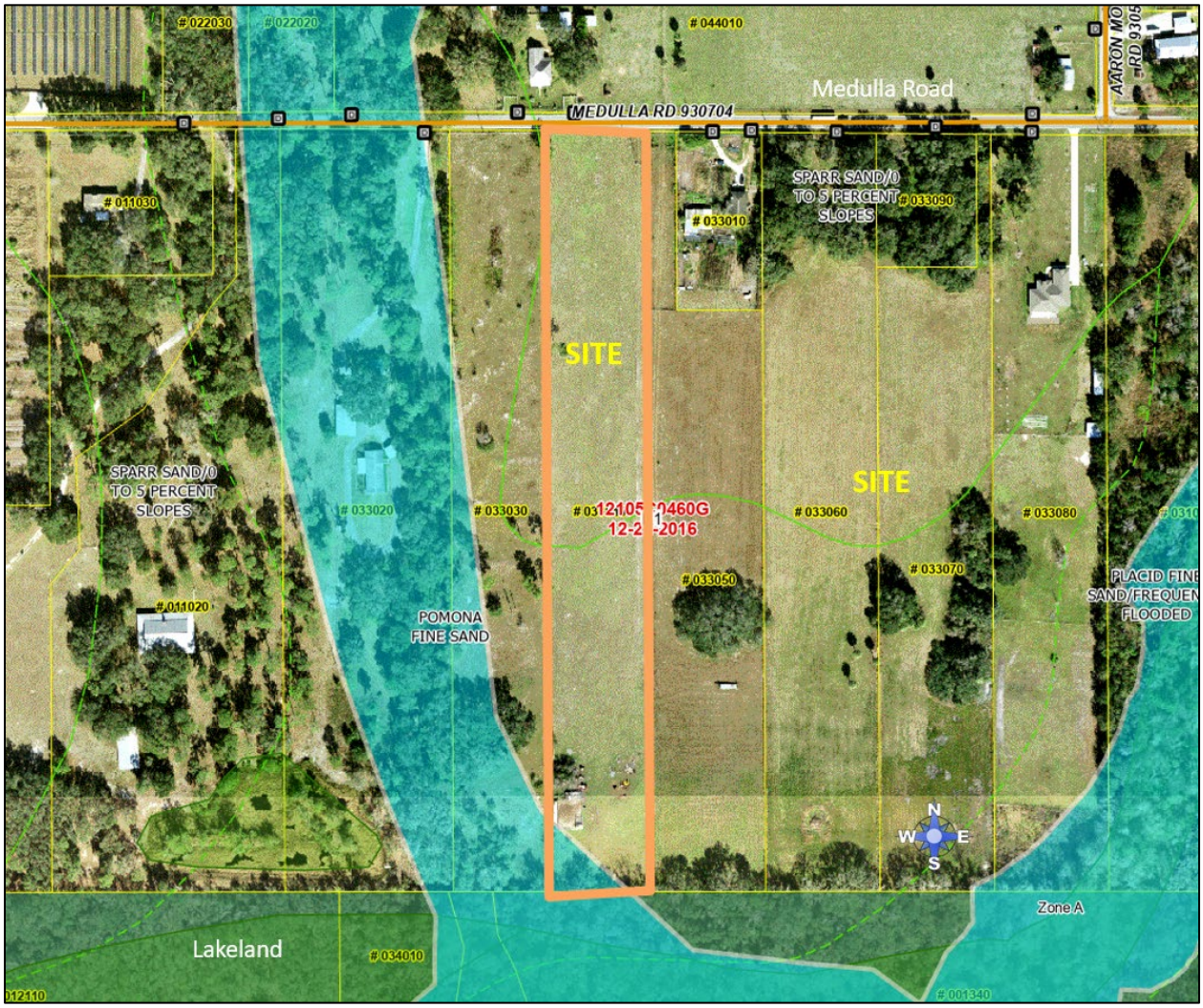
Exhibit 1 Location Map
Exhibit 2 Aerial Photograph (2023 Context)
Exhibit 3 Aerial Photograph (2023 Close Up)
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6 List of Permitted and Conditional Uses
Exhibit 7 City of Lakeland Letter dated April 20, 2026, and Airport Layout Plan 2025
Exhibit 8 Southwest Lakeland Sector Plan
Exhibit 9 Airport Impact District Map



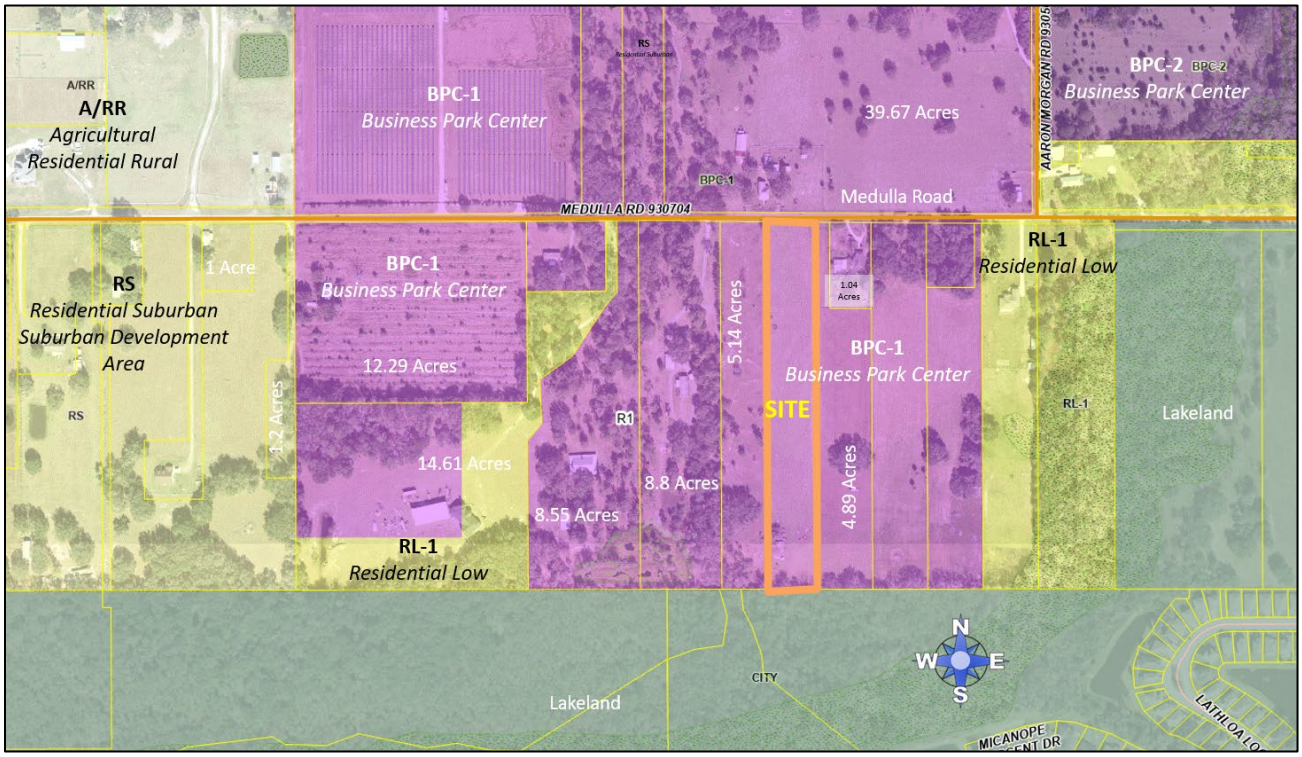
LOCATION MAP



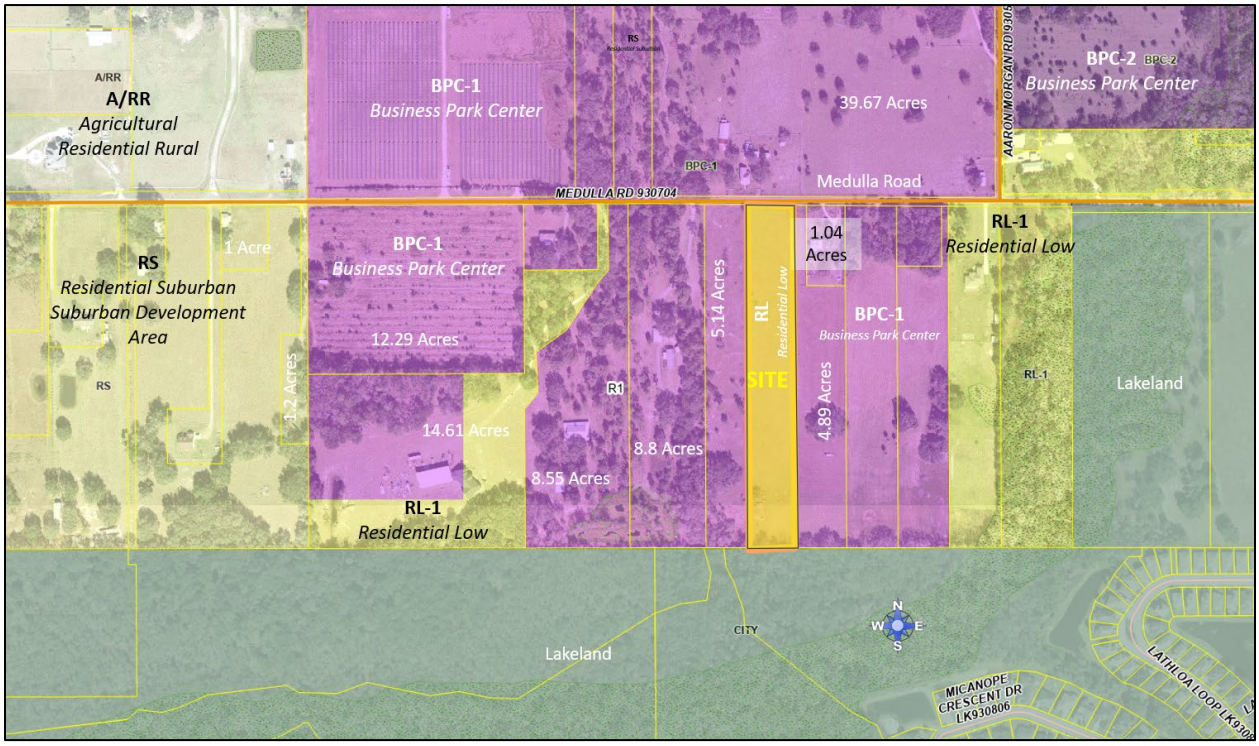
AERIAL PHOTOGRAPH
(2023 Context)



AERIAL PHOTOGRAPH
(2023 Close -up)



CURRENT FUTURE LAND USE MAP
BUSINESS PARK CENTER-1 (BPC-1)



PROPOSED FUTURE LAND USE MAP
RESIDENTIAL LOW-1 (RL-1)

Land Use District	Technical Staff Review (P, C1, C2)	Public Hearing(s) Required
Business Park Center (BPC-1) Current Future Land Use Designation	Alcohol Package Sales; Bars, Lounges, and Taverns; Cardboard & Shredded Paper Collection; Commercial Vehicle Parking, Communication Tower, Monopole; Community Center; Convenience Stores, Isolated; Cultural Facility; Farming General; Financial Institution; Financial Institution, Drive Through; Gas Station; Golf Course; Government Facility; Heliports; Helistops; Hotels and Motels; Manufacturing, Light; Medical Marijuana Dispensaries; Nurseries, Retail; Nurseries and Greenhouses; Office; Office Park; Personal Service; Printing & Publishing; Recreation, Passive; Religious Institution; Research & Development; Restaurant, Drive-thru/Drive-in; Retail, 10,000-34,999 sq. ft; Retail, 35,000-64,999 sq. ft.; Retail, Less than 10,000 sq. ft.; School, Leisure/Special Interest; School, Technical/Vocational/Trade & Training; School, University; Self-Storage Facility; Studio, Production; Solar Electric-Power Generation Facility; Transit, facility; Utilities, Class I; Utilities, Class II; Warehouse/Distribution	Multi-Family; Planned Development; Transitional Area Development; Agricultural Support, Off-site; Airport; Animal Farm, Intensive; Communication Tower, Guyed and Lattice; Lime Stabilization Facility; Mining, Non-phosphate; Power Plants Non-Certified, Low; Retail, More than 65,000 sq. ft.; Utilities, Class III; Water Ski Schools; Airport;
Residential-Low-1 (RL-1) Proposed Future Land Use	Group Home, Small (6 or less residents); Mobile Homes, Individual; Residential Infill; Single-family Detached Home & Subdivision; Animal Farm, Intensive; Emergency Shelter, Small (6 or less residents); Farming General; Golf Course; Livestock Sale, Auction; Nurseries and Greenhouses; Recreation, Passive; Recreation, Low Intensity; School, Elementary; School, Middle; Utilities, Class I; Utilities, Class II	Duplex, two-family attached; Group Living Facility (7-14 residents); Group Living Facility (15 or more residents); Mobile Home Park & Subdivision; Multi-family; Short-Term Rental Unit; Planned Development; Residentially Based Mixed Development (RBMD); Transitional Area Development; Adult Day Care Center (7 or more clients); Agricultural Support, Off-Site; Bed and Breakfast; Childcare Center; Communication Towers, Guyed and Lattice; Communication Tower, Monopole; Community Center; Cultural Facility; Emergency Shelter, Large (15 or more residents); Government Facility; Helistops; Mining, Non-Phosphate; Recreation, High Intensity; Recreation, Vehicle Oriented; Religious Institution; Riding Academies; School, high; School, Leisure/Special Interest; Utilities, Class III

CITY OF Lakeland
COMMUNITY DEVELOPMENT

Charles Barmby, AICP CTP
Planning & Transportation Manager
Direct Line: 863.834.6028
Email: charles.barmby@lakelandgov.net

228 S MASSACHUSETTS AVE
LAKELAND, FLORIDA 33801
863.834.6011

April 20, 2026

Transmitted via E-Mail

Chanda Bennett, AICP, CPM
Comprehensive Planning Administrator
Polk County Land Development Division
Post Office Box 9005 – Drawer GM03
Bartow, Florida 33831-9005

Subject: **Polk County Case File #LDCPAS-2026-11**
(Parcel ID NO. 232908-000000-033040)

Dear Ms. Bennett:

The City of Lakeland received notification of the above referenced case and submits the following comments for your consideration.

Although the 2008 Southwest Lakeland Sector Plan identifies the subject property as being within an area intended for future "cluster-style residential development," the dimensions of the subject property would only allow for a conventional subdivision laid out in a linear pattern with lots on only one side of the street. Provision of City services would necessitate a utility services agreement and subsequent annexation. As such, development of the property in this manner would be inconsistent with the connectivity provisions of the City's Land Development Code and the goals and policies of the City's Comprehensive Plan.

Since the Sector Plan was completed, the City's long-term vision for Lakeland International Airport has evolved and resulted in a new master plan. With the construction of the Amazon logistics center, plans for a second runway, parallel to and south of Runway 9/27 (see attached draft Airport Layout Plan), and the commencement of passenger airline service, the airport is poised for strong growth with additional flight operations. Furthermore, the Airport approved a Terminal Area Master Plan in 2025 with four sole domestic gates and one international-capable gate in addition to Advanced Air Mobility facilities. As such, any allowance for residential development off of Medulla Road at suburban densities will be a recipe for conflict once the new runway is completed. If this land use change is ultimately approved, the City requests that the property owner be required to execute and record an Avigation Easement agreement similar to the attached sample instrument that is used for development activity within our jurisdiction.

The application of County RL-1 land use would be inconsistent with adjacent properties to the north, east and west which are uniformly designated BPC-1. More importantly, encouraging additional residential in proximity to the Airport will create conflicts between

CITY OF LAKELAND LETTER & AIRPORT LAYOUT PLAN

Ms. Chanda Bennett
April 20, 2026
Page Two

land uses as a result of the known impacts generated by the Airport and will hinder the Airport's growth and future business park development.

The City of Lakeland appreciates the opportunity to comment on this request. Please contact me at 834-6028 if you should have any questions or concerns regarding these comments.

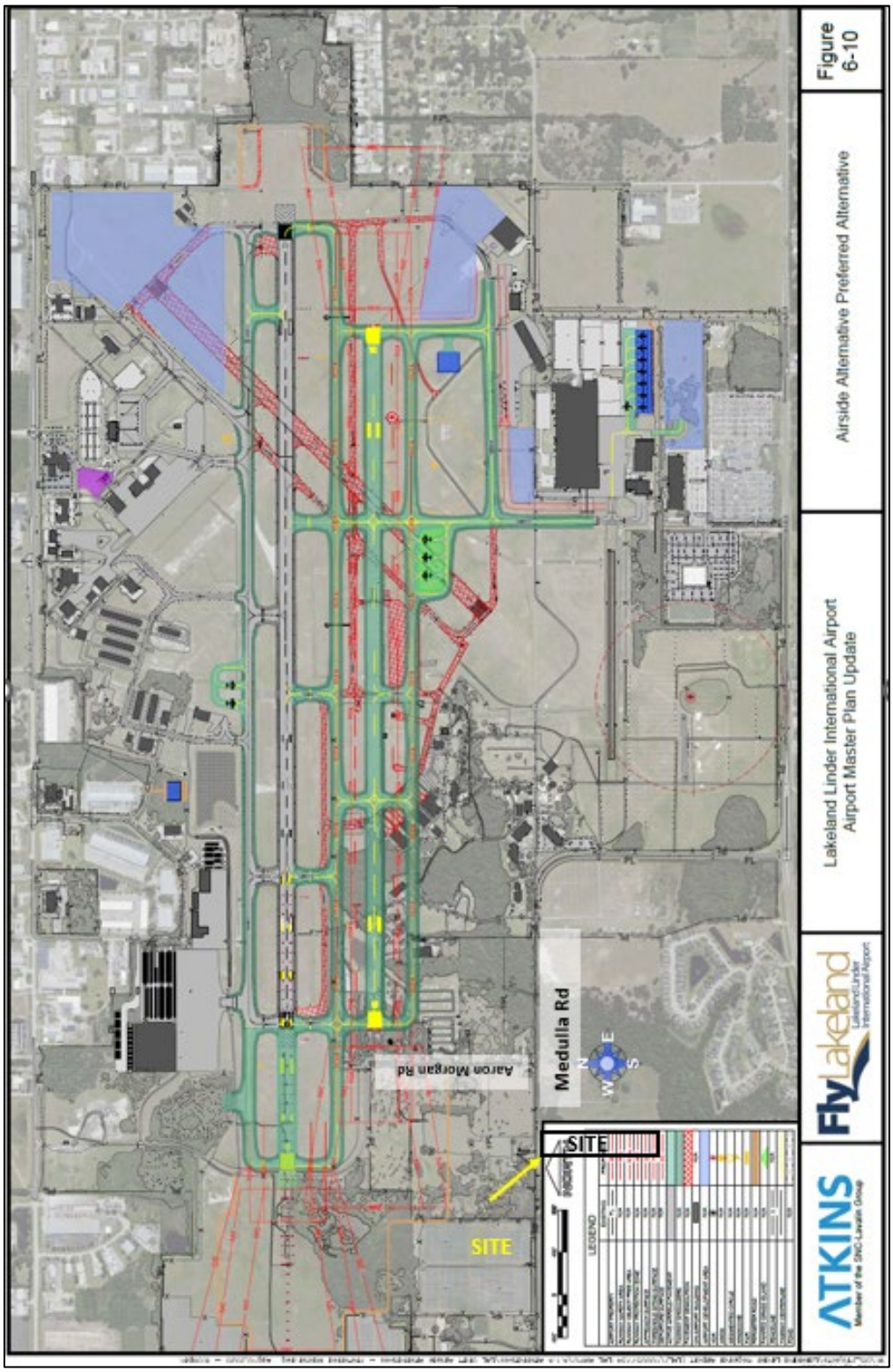
Sincerely,

Charles Barmby, AICP CTP
Planning & Transportation Manager

Enclosures

cc: Teresa Maio, AICP, Assistant Director of Community Development
Adam Lunn, C.M., ACE, Airport Assistant Director

CITY OF LAKELAND LETTER & AIRPORT LAYOUT PLAN (DRAFT)



CITY OF LAKELAND LETTER & AIRPORT LAYOUT PLAN

The **Southwest Lakeland Sector Plan** is the first of nine such plans being developed as a part of a City of Lakeland sector planning initiative. Sector Planning involves *"organized brainstorming"* to develop preferred scenarios for future growth and redevelopment. Sector Plans will be used to help make land use decisions, update the Comprehensive Plan, identify Capital Improvement needs, formulate redevelopment strategies, and identify the need for additional studies and plans.



Although the sector boundaries extend into the county, Sector Plans will have no legal force over property that is in the county and does not have city water or wastewater. However, Lakeland must plan ahead to avoid land use conflicts and assure that public improvements are coordinated.









Beginning in the Spring of 2007, the planning staff held a series of meetings with internal departments, surrounding local governments, and other outside agencies to identify the major planning issues. To solicit public input, staff conducted a Community Planning Workshop in November 2007 at Bruce Wagner Elementary School. To augment this effort, staff later conducted a similar workshop for city employees who live in the sector. Workshop participants identified what they felt were the most important issues facing this sector and took part in a map exercise in which they envisioned the future of the sector in 2030. Staff also produced a community survey that was distributed in person and posted on-line.

CURRENT CONDITIONS & TRENDS

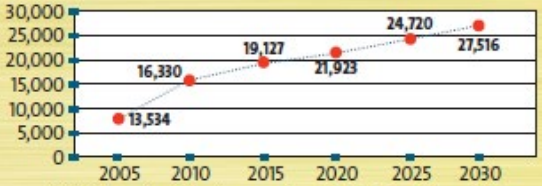
The Southwest Lakeland Sector remained largely rural until the 1980s and 1990s when it began to suburbanize and industrial and warehouse developers seeking quick access to I-4 began building along County Line Road. With the opening of the Polk Parkway, industrial, office and warehouse development accelerated. After 2000, developers of large-scale housing projects sought zoning approvals for much of the remaining land, especially south of the airport.

By 2030 the sector will need to accommodate nearly twice the current number of people. Although about 40 percent of the land is still vacant and agricultural land, approved but unfinished projects account for a significant portion of the remaining buildable land.

DEVELOPMENT TIMELINE

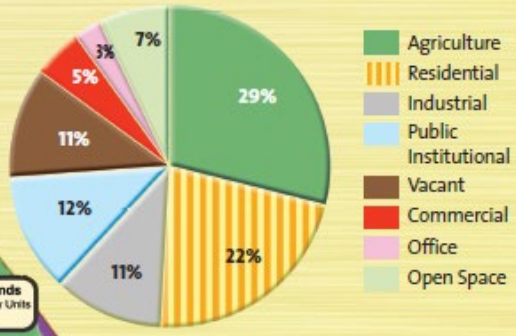
- 1942: Drane Field constructed by US Air Force
- 1958: City of Lakeland assumes control of airport
- 1981: Colonnades developed
- 1993: Publix warehouse on County Line Road developed
- 1993: Breed Automotive plant developed
- 1997: Carillon Lakes developed
- 1998: GEICO regional headquarters developed
- 1999: Polk County Parkway opens
- 1999: Rooms To Go warehouse developed
- 2001: Publix Super Markets headquarters developed
- 2002: West Pipkin Road extension to County Line Road opens
- 2003-2007: 2,400 single family homes approved
- 2006: Southern Wine and Spirits developed
- 2008: Lakeland Central Park DRI approved

PROJECTED POPULATION GROWTH



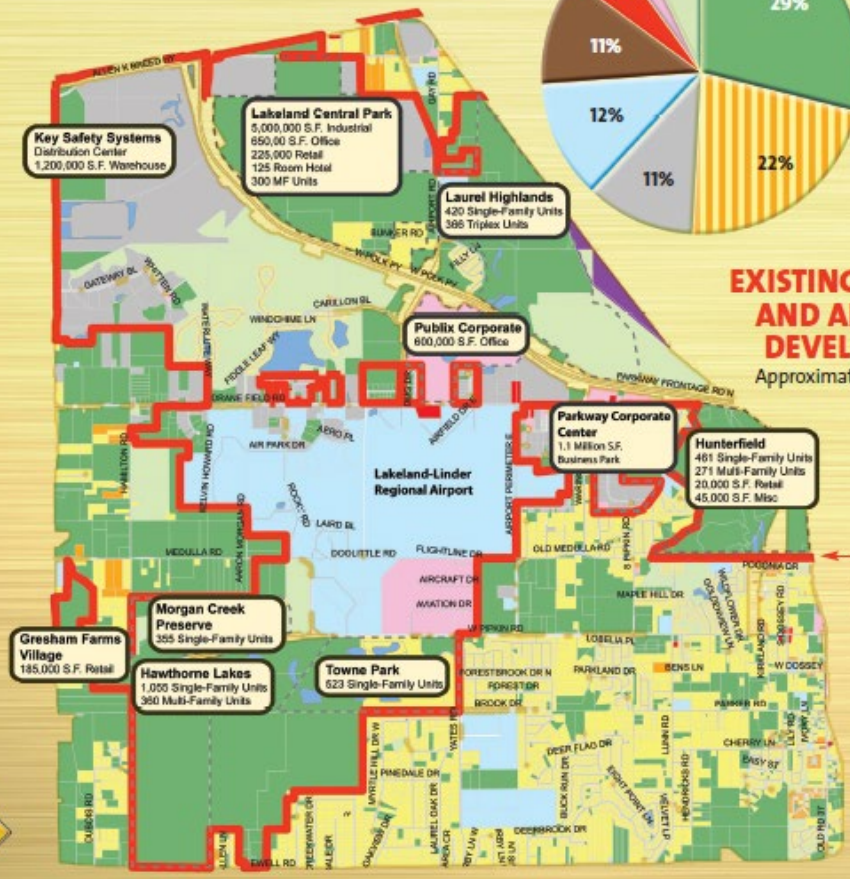
Calculated by extrapolation of 2000 and 2030 TAZ data from TPO 2030 TRIP

EXISTING LAND USES

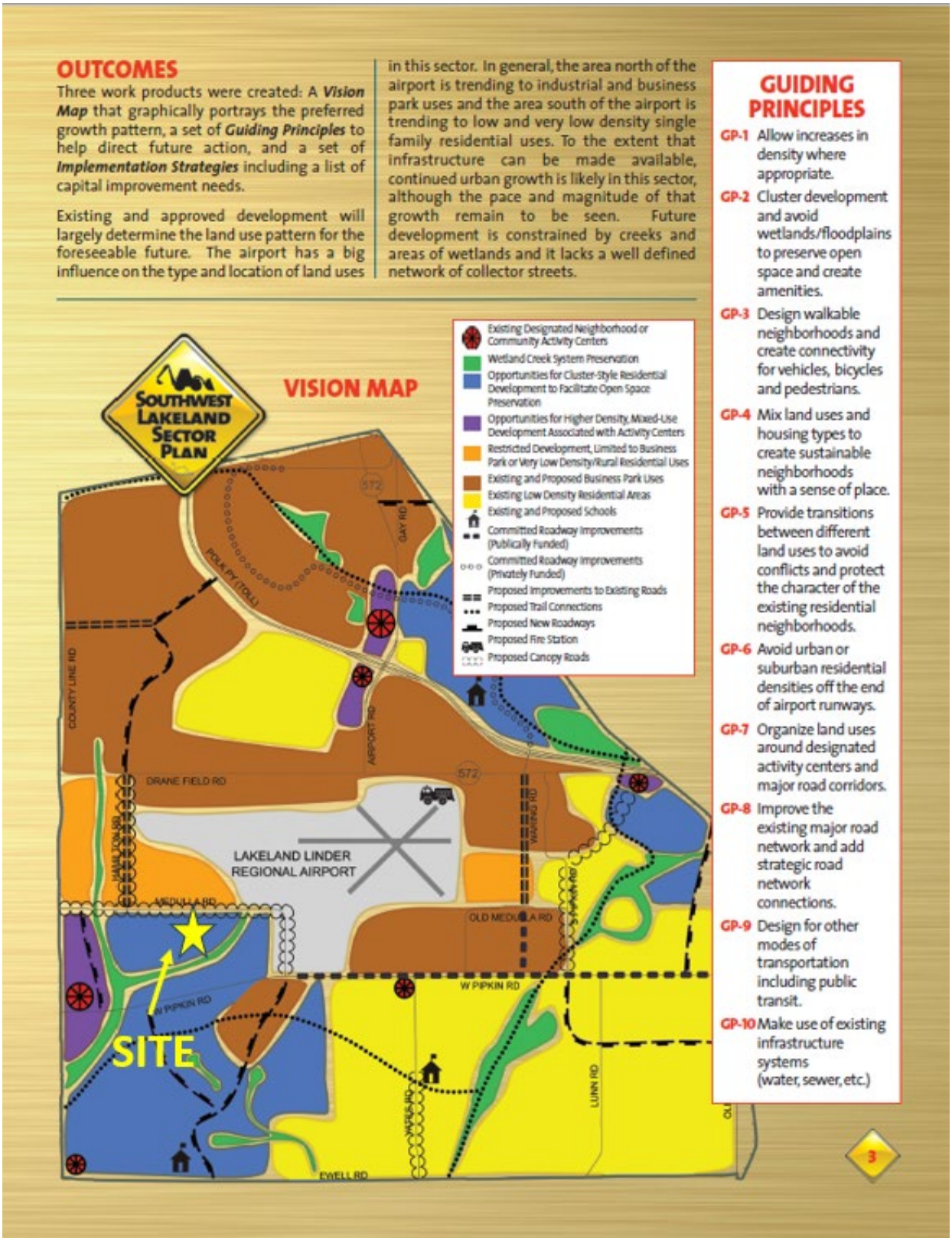


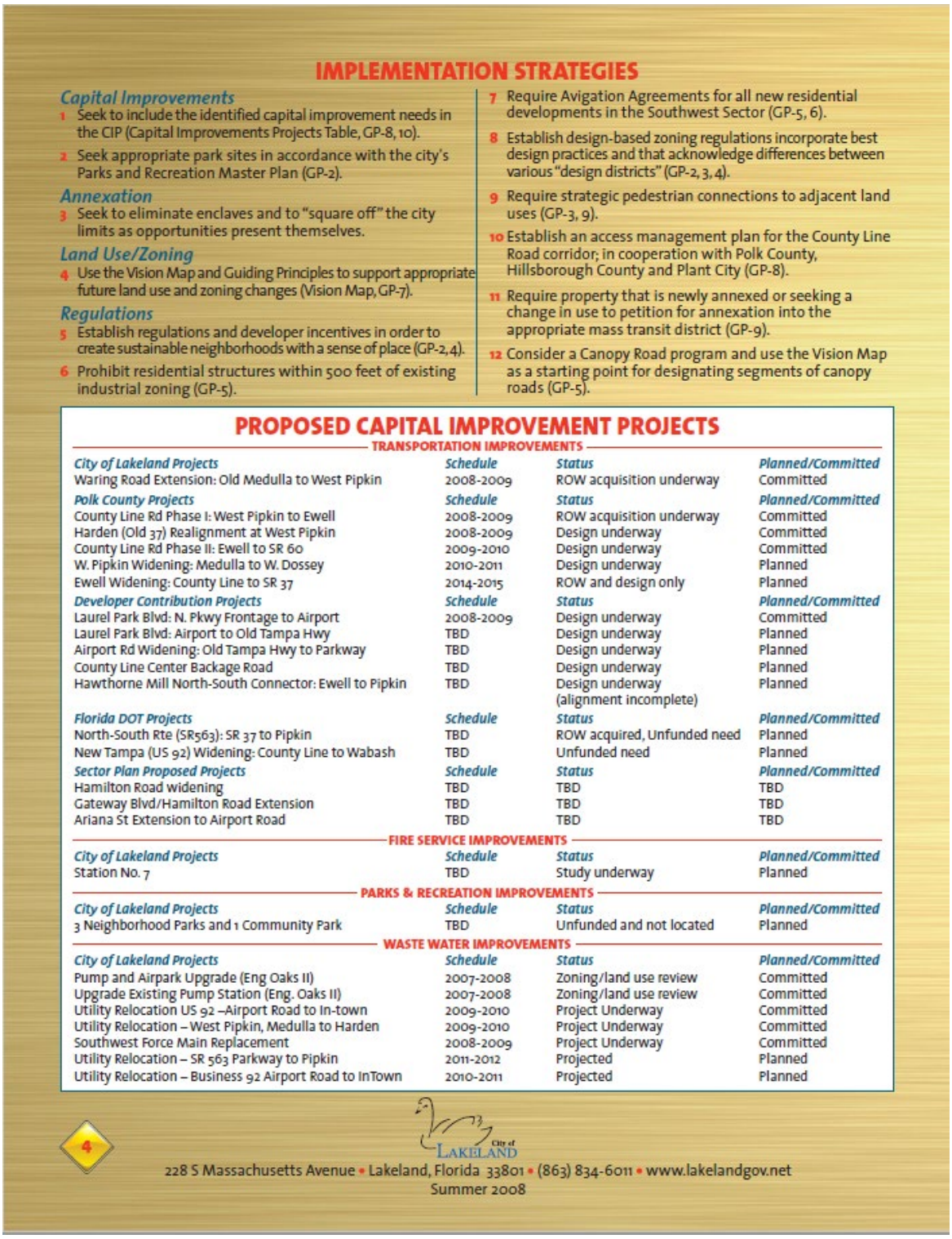
EXISTING LAND USE AND APPROVED DEVELOPMENT

Approximately 14,670 acres



SOUTHWEST LAKELAND SECTOR PLAN


OUTCOMES
Three work products were created: A *Vision Map* that graphically portrays the preferred growth pattern, a set of *Guiding Principles* to help direct future action, and a set of *Implementation Strategies* including a list of capital improvement needs.
Existing and approved development will largely determine the land use pattern for the foreseeable future. The airport has a big influence on the type and location of land uses in this sector. In general, the area north of the airport is trending to industrial and business park uses and the area south of the airport is trending to low and very low density single family residential uses. To the extent that infrastructure can be made available, continued urban growth is likely in this sector, although the pace and magnitude of that growth remain to be seen. Future development is constrained by creeks and areas of wetlands and it lacks a well defined network of collector streets.
GUIDING PRINCIPLES
GP-1 Allow increases in density where appropriate.
GP-2 Cluster development and avoid wetlands/floodplains to preserve open space and create amenities.
GP-3 Design walkable neighborhoods and create connectivity for vehicles, bicycles and pedestrians.
GP-4 Mix land uses and housing types to create sustainable neighborhoods with a sense of place.
GP-5 Provide transitions between different land uses to avoid conflicts and protect the character of the existing residential neighborhoods.
GP-6 Avoid urban or suburban residential densities off the end of airport runways.
GP-7 Organize land uses around designated activity centers and major road corridors.
GP-8 Improve the existing major road network and add strategic road network connections.
GP-9 Design for other modes of transportation including public transit.
GP-10 Make use of existing infrastructure systems (water, sewer, etc.)
SOUTHWEST LAKELAND SECTOR PLAN
VISION MAP
Existing Designated Neighborhood or Community Activity Centers
Wetland Creek System Preservation
Opportunities for Cluster-Style Residential Development to Facilitate Open Space Preservation
Opportunities for Higher Density, Mixed-Use Development Associated with Activity Centers
Restricted Development, Limited to Business Park or Very Low Density/Rural Residential Uses
Existing and Proposed Business Park Uses
Existing Low Density Residential Areas
Existing and Proposed Schools
Committed Roadway Improvements (Publically Funded)
Committed Roadway Improvements (Privately Funded)
Proposed Improvements to Existing Roads
Proposed Trail Connections
Proposed New Roadways
Proposed Fire Station
Proposed Canopy Roads
572
DAY RD
POLK PY (TOLL)
COUNTY LINE RD
AIRPORT RD
DRANE FIELD RD
LAKELAND LINDER REGIONAL AIRPORT
MEDULLA RD
OLD MEDULLA RD
W PIPKIN RD
SITE
LUNN RD
EWELL RD
3



IMPLEMENTATION STRATEGIES

Capital Improvements

1 Seek to include the identified capital improvement needs in the CIP (Capital Improvements Projects Table, GP-8, 10).

2 Seek appropriate park sites in accordance with the city's Parks and Recreation Master Plan (GP-2).

Annexation

3 Seek to eliminate enclaves and to "square off" the city limits as opportunities present themselves.

Land Use/Zoning

4 Use the Vision Map and Guiding Principles to support appropriate future land use and zoning changes (Vision Map, GP-7).

Regulations

5 Establish regulations and developer incentives in order to create sustainable neighborhoods with a sense of place (GP-2, 4).

6 Prohibit residential structures within 500 feet of existing industrial zoning (GP-5).

7 Require Avigation Agreements for all new residential developments in the Southwest Sector (GP-5, 6).

8 Establish design-based zoning regulations incorporate best design practices and that acknowledge differences between various "design districts" (GP-2, 3, 4).

9 Require strategic pedestrian connections to adjacent land uses (GP-3, 9).

10 Establish an access management plan for the County Line Road corridor; in cooperation with Polk County, Hillsborough County and Plant City (GP-8).

11 Require property that is newly annexed or seeking a change in use to petition for annexation into the appropriate mass transit district (GP-9).

12 Consider a Canopy Road program and use the Vision Map as a starting point for designating segments of canopy roads (GP-5).

PROPOSED CAPITAL IMPROVEMENT PROJECTS

TRANSPORTATION IMPROVEMENTS

City of Lakeland Projects	*Schedule*	*Status*	*Planned/Committed*
Waring Road Extension: Old Medulla to West Pipkin	2008-2009	ROW acquisition underway	Committed
Polk County Projects	***Schedule***	***Status***	***Planned/Committed***
County Line Rd Phase I: West Pipkin to Ewell	2008-2009	ROW acquisition underway	Committed
Harden (Old 37) Realignment at West Pipkin	2008-2009	Design underway	Committed
County Line Rd Phase II: Ewell to SR 60	2009-2010	Design underway	Committed
W. Pipkin Widening: Medulla to W. Dossey	2010-2011	Design underway	Planned
Ewell Widening: County Line to SR 37	2014-2015	ROW and design only	Planned
Developer Contribution Projects	***Schedule***	***Status***	***Planned/Committed***
Laurel Park Blvd: N. Pkwy Frontage to Airport	2008-2009	Design underway	Committed
Laurel Park Blvd: Airport to Old Tampa Hwy	TBD	Design underway	Planned
Airport Rd Widening: Old Tampa Hwy to Parkway	TBD	Design underway	Planned
County Line Center Backage Road	TBD	Design underway	Planned
Hawthorne Mill North-South Connector: Ewell to Pipkin	TBD	Design underway (alignment incomplete)	Planned
Florida DOT Projects	***Schedule***	***Status***	***Planned/Committed***
North-South Rte (SR563): SR 37 to Pipkin	TBD	ROW acquired, Unfunded need	Planned
New Tampa (US 92) Widening: County Line to Wabash	TBD	Unfunded need	Planned
Sector Plan Proposed Projects	***Schedule***	***Status***	***Planned/Committed***
Hamilton Road widening	TBD	TBD	TBD
Gateway Blvd/Hamilton Road Extension	TBD	TBD	TBD
Ariana St Extension to Airport Road	TBD	TBD	TBD

FIRE SERVICE IMPROVEMENTS

City of Lakeland Projects	*Schedule*	*Status*	*Planned/Committed*
Station No. 7	TBD	Study underway	Planned

PARKS & RECREATION IMPROVEMENTS

City of Lakeland Projects	*Schedule*	*Status*	*Planned/Committed*
3 Neighborhood Parks and 1 Community Park	TBD	Unfunded and not located	Planned

WASTE WATER IMPROVEMENTS

City of Lakeland Projects	*Schedule*	*Status*	*Planned/Committed*
Pump and Airpark Upgrade (Eng Oaks II)	2007-2008	Zoning/land use review	Committed
Upgrade Existing Pump Station (Eng. Oaks II)	2007-2008	Zoning/land use review	Committed
Utility Relocation US 92 –Airport Road to In-town	2009-2010	Project Underway	Committed
Utility Relocation – West Pipkin, Medulla to Harden	2009-2010	Project Underway	Committed
Southwest Force Main Replacement	2008-2009	Project Underway	Committed
Utility Relocation – SR 563 Parkway to Pipkin	2011-2012	Projected	Planned
Utility Relocation – Business 92 Airport Road to InTown	2010-2011	Projected	Planned

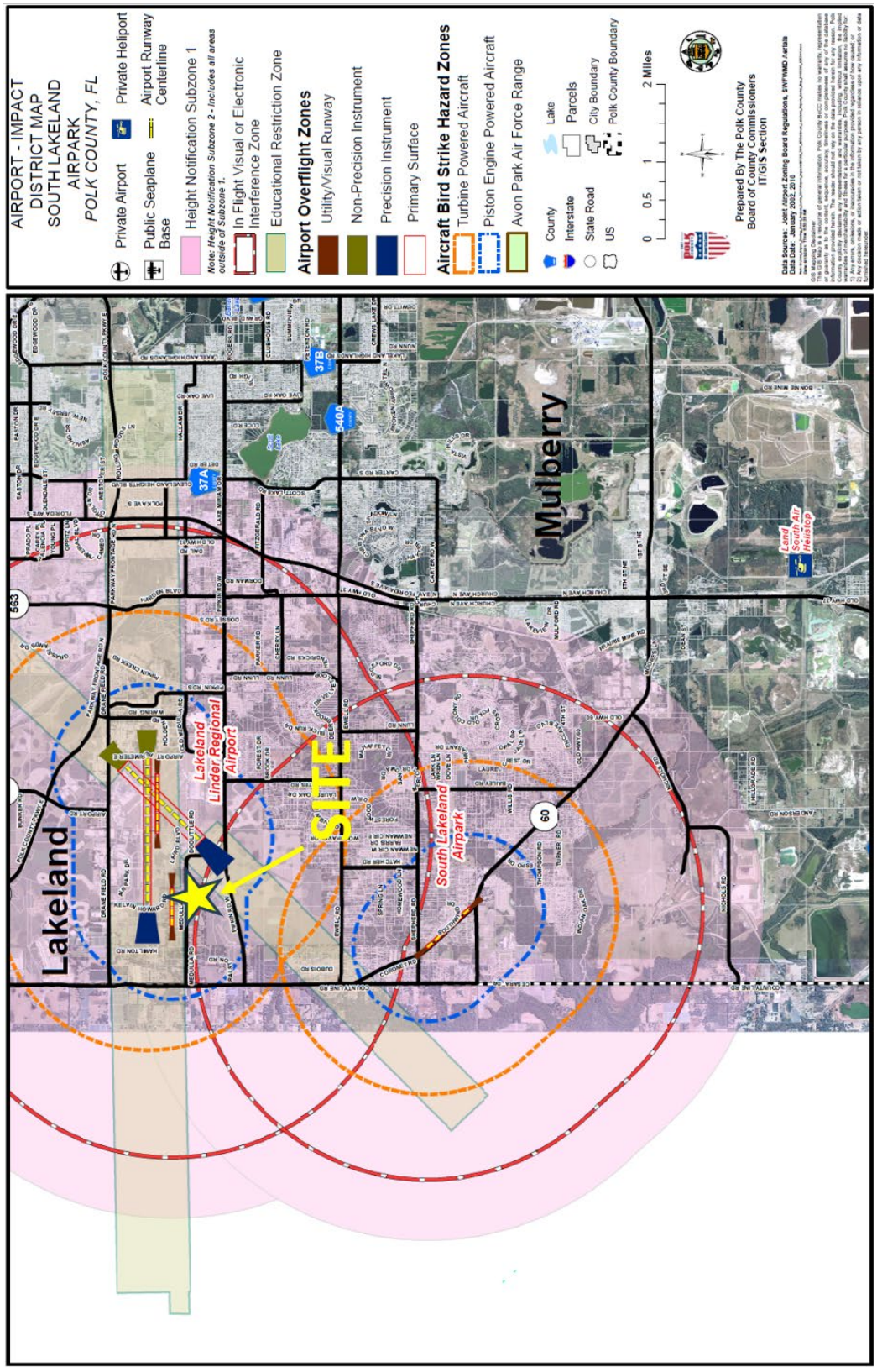
4

City of LAKELAND

228 S Massachusetts Avenue • Lakeland, Florida 33801 • (863) 834-6011 • www.lakelandgov.net

Summer 2008

SOUTHWEST LAKELAND SECTOR PLAN



AIRPORT IMPACT DISTRICT MAP
LAKELAND LINDER AND SOUTH LAKELAND AIRPARK

ORDINANCE NO. 26 -_____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING LDCPAS-2026-11, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, MODIFYING THE FUTURE LAND USE MAP DESIGNATION ON 5.14± ACRES FROM BUSINESS PARK CENTER (BPC) TO RESIDENTIAL LOW (RL). THE SUBJECT PROPERTY IS LOCATED SOUTH AND WEST OF MEDULLA ROAD, EAST OF COUNTY LINE ROAD, NORTH OF PIPKIN ROAD, AND SOUTH, WEST AND NORTH OF LAKELAND, IN SECTION 08, 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 May 6, 2026; 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 May 19, 2026; 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 1: 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 an approximately 9.91-acre site from Residential Low-X (RLX) to Institutional (INST) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 232908-000000-033040

The West 171 feet of the East 963 feet of the NW 4 of the NW ½ of Section 8, Township 29 South, Range 23 East, Polk County, Florida, LESS any maintained right of way for public roads.

SECTION 2: 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 3: EFFECTIVE DATE

This ordinance shall be effective on June 20, 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 4: 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 19th day of May 2026.

LDCPAS 2026-11
Location: south and west of Medulla Road, east of County Line Road, north of Pipkin Road, and south, west and north of Lakeland
Section-08 Township-29 Range-23



PARCEL DETAIL
Note: Not to Scale

LDCPAS-2026-11 - Medulla Road CPA

Menu Reports Help

Application Name: Medulla Road CPA

File Date: 03/12/2026

Application Type: BOCC-CPA Small

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: BPC to RL

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
Anielys Salgado		Applicant	Mailing, 330 W Church ...	Active
POLK COUNTY		Engineer		Active
Anielys Salgado		Contact		Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,936.00

Total Fee Invoiced: $4,936.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
Government Project

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
0

DRC Meeting
04/02/2026

DRC Meeting Time
possibly 10:45 AM

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
Non-Exempt

Code Violation Case Number
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
05/06/2026

Land Use Hearing Officer 3
–

1st BOCC Date
05/19/2026

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

Open

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-REC26-00000-00A0W	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
No	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	Yes
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)

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 ...	03/12/2026	Lyndsay Rathke
Engineering Review				
Surveying Review	Noelle S Colaianni	Approve	03/24/2026	Noelle S Colaianni
Roads and Drainage Review	Phil Irven	Approve	03/18/2026	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	03/18/2026	Kim Turner
Planning Review	Chanda Bennett			
School Board Review	School District			
Review Consolidation	Lyndsay Rathke			
Public Notice				
Staff Report				
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

A Land Use Zoning Narrative

Dear Commissioner,

Background and Initial Understanding

Thank you for taking the time to meet with me and consider my situation. I purchased my property in 2021 with the clear understanding that its land use designation was Business Park Center-1 (BPC-1).

In 2023, when I explored the possibility of establishing a small event venue, I was informed that the property was designated Residential Low-1 (RL-1), which would prohibit such use. Seeking clarification, I followed up multiple times by both phone and email. On each occasion, I was consistently told that the land use designation was RL-1.

Relying on this information, I adjusted my plans and moved forward with building a single-family home. I was even advised to request a waiver to proceed, which I did, only to later learn that such a waiver was not necessary. By that point, I had already incurred costs and invested considerable time in the process.

Between 2023 and 2025, my family and I made the meaningful decision to move forward with building our home. We engaged an architect, patiently and emotionally designed a residence to meet our needs and involved our children in the process to create a place they could truly call home.

Throughout this time, I remained diligent in confirming the land use designation and any applicable restrictions. Multiple communications with county staff consistently reinforced that the property was designated RL-1.

Permit Application and Discovery of Error

On January 14, I submitted my owner-builder permit application. On January 30, when I visited the office to finalize documentation and payment, I was informed for the first time that there were "inconsistencies with the zoning designation" and was referred to the department of technician on call for further review.

After approximately ten days, I received confirmation that an error had occurred. I was informed that the property had never officially been changed to RL-1 and that the correct designation remained BPC-1. I was further advised that this could not be corrected at that time due to other considerations as quoted below:

"For example, **Chapter 2 Section 220** requires a 50-foot buffer from adjacent commercial properties. **Although this buffer does not impact my parcel, it was cited as one reason for denying the change from BPC-1 to RL-1.**

The outcome is that the parcel remains zoned as **Business Park Center-1 (BPC-1)**: *The purpose of the BPC-1 district is to provide areas for office and business park development. The BPC-1 district permits office, research and development parks, distribution centers, and wholesaling activities. Some retail uses are also permitted to support the businesses and activities within the Business Park Center.*

This parcel is **not** eligible for a residential Dwelling Unit"

Current Zoning and Buffer Considerations

I understand that staff are now evaluating whether my property can retain residential use. One concern raised has been the requirement for a 50-foot buffer from adjacent commercial properties under Chapter 2, Section 220.

However, it has also been acknowledged by the staff that this buffer requirement does not directly impact my parcel. My property is surrounded primarily by residential uses, including neighboring homes and nearby subdivisions. Given this context, the application of the buffer requirement as a basis for denying residential use appears inconsistent with the actual conditions of the area. There is a residential home right next to my parcel on the east side, one right across the street (north) and one home 2 parcels west of mine.

Following my recent discussion with Chanda and Ben, I was left with the option to submit for a Level 4 review which is not only uncertain but expensive. If the land use were in fact RL1 as I was persistently informed, this would not apply. When my family and I made the decision to build a home it was because the land use was meant for that. I never had the desire to go through the process of requesting a land use change.

Efforts to Resolve and Community Context

I have made every effort to resolve this matter in good faith. I have communicated with staff, requested supervisory review, and participated in outreach efforts. Letters were sent

to 13 adjacent neighboring to collect their feedback. Three of them provided feedback. It is important to note that the immediate area is predominantly residential in character.

Additionally, other nearby parcels, many in closer proximity to the airport (like 4414 medulla rd.) have successfully obtained residential land use designations. This further underscore the inconsistency in how my property is being evaluated.

Summary of Position

I entered this process in good faith, relying on repeated and consistent information provided by county staff that my property was designated RL-1. Based on this, I made significant financial, professional, and personal commitments toward building a home for my family.

The subsequent discovery of an internal error, acknowledged by the county, has placed me in an extremely difficult position. Importantly, the 50-foot buffer requirement cited as a concern does not apply to my parcel and should not be used as a basis to deny my ability to construct a single-family home.

I respectfully request that the county consider the totality of these circumstances, including the documented miscommunication, my good-faith reliance, and the surrounding residential character of the area. Allowing me to proceed with building my home would be a fair and reasonable resolution.

Thank you again for your time, consideration, and attention to this matter.

Sincerely,
The Salgado's family.

Anielys Salgado
Hector Salgado
Bryan Salgado Bryan S
Anthony Salgado. Anthony S.

Comprehensive Plan Amendments

Level 4 Reviews Application Check List

Small Scale (50 acres or less and text amendment associated with specific sites)

Large Scale (more than 50 acres, anything in the Green Swamp any acreage, text amendments)

Map amendments and text amendments do not require the same items, so the list is divided by the two types.

Map Amendments (Small or Large Scale)

- Narrative of the request and why it is needed for the County. – Attached in narrative and under separate cover titled "Property Owner Narrative."
- Narrative of how the request is consistent with Policies of the Land Use, Development Area, or other overlays requested and the policies in the Comprehensive Plan that support the request. Attached under separate cover title "Property Owner Narrative."
- Demonstration of Need Form (each item addressed – Policy 2.102-A11 Comprehensive Plan) Attached
- Impact Assessment Statement (each item addressed -Section 910 Land Development Code). Attached
- Deed for all parcels included. Attached under separate cover
- Meets and bounds legal description (Word Version) of the area of the land use change which may be different then boundary of the parcel(s). Attached under separate cover
- Letter of Authorization from the property owner for the applicant and their representatives to make the application. and Attached under separate cover
- Other items requested during the Pre-application conference. None

NARRATIVE

This is a request to amend the Future Land Use designation from Business Park Center -1 (BPC-1) to Residential Low with the understanding that the base district will be RL-1. RL-1 permits up to one unit per acre if all other site development requirements are met within the Land Development Code. The request is based on consistent representations from County staff over the past 2 years indicating that the property was considered RL-1. I relied on this understanding in good faith when evaluating and planning the intended use of the property. Additionally, the surrounding area reflects a predominately residential development pattern, supporting residential use of the subject property. Approval of this amendment would correct the land use designation and align it with the long-standing information provided by the County. Additional information is provided in a document titled “Property Owner Narrative.”

Impact Assessment Statements (Section 910)

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. Land and Neighborhood Characteristics

To assess the compatibility of the requested land use district with the adjacent property and to evaluate the suitability of the site for development, the applicant shall:

1. Show how and why is the site suitable for the proposed uses;
   There are residential uses to the east and west of the subject site.

2. Provide a site plan showing each type of existing and proposed land use;
   See Map Exhibits under separate Cover.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;
   There are currently no non-residential uses constructed on the east side or the west side of the subject site.

4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped; and
   Section 220 requires a 50-foot setback/compatibility zone from any property designated residential for development in a non-residential district. This land use change will require any buildings constructed in the BPC to the east and west to be setback further. However, there are some residential structures already developed within the BPC block that is south of Medulla Road. There were three Comprehensive Plan amendments approved by the board in the last ten years as marked with a star on the Map Exhibits. The applicant has submitted a Building Permit

(BR- 2026-290) for one single family home. It displays that the home setback is 32.2 feet from the west property line and 34 feet from the east property line. There is also a residential structure within the BPC block that is east (4444 Medulla road) , west (4616 medulla road) and north (4415 Medulla Rd) of my property. These are only the closer ones.

5. Describe each of the uses proposed in a Planned Development and identify the following:
Number 5 is not applicable

a. The density and types of residential dwelling units;

b. The type of commercial and industrial uses;

c. The approximate customer service area for commercial uses; and

d. The total area proposed for each type of use, including open space and recreation.

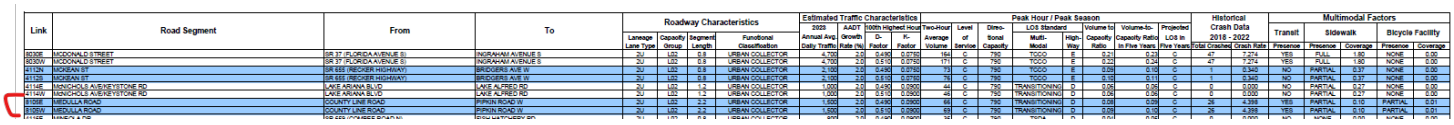
B. Access to Roads and Highways

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

1. Calculate the number of vehicle trips to be generated daily and at PM peak hour based on the latest ITE or provide a detailed methodology and calculations;
The subject site is 5.14 acres. RL-1 permits one house per acre which is 5 homes. However, RL in the Urban Growth Area may achieve up to 5 dwelling units per acre which is 25 homes. This equals 196 Average Annual Daily Trips (25 x 7.81 AADT) and 25 PM Peak Hour Trips (25 x 1.01). The applicant has submitted a Building Permit (BR- 2026-290) for one single family home. Therefore, the expectation is that there will only be 7.81 Average Annual Daily Trips and 1 PM Peak Hour Trip.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;
No modifications are anticipated as there are 724 PM Peak Hour Trips available in the East Direction and 721 PM Peak Hour Trips in the west direction. The PM Peak Hour Trips generated at full build out will not significantly impact the capacity of Medulla Road which is 5% of

Directional Capacity. This 5% of Directional Capacity is 39 trips (790 x .05). The applicant has submitted a Building Permit (BR- 2026-290) for one single family home.
The nearest transit stop is 1.15 +/- miles away to the southeast, stop 1780 on the Coral Road, on Medulla Road south of Pipkin Road.



Link	Road Segment	From	To	Roadway Characteristics				Estimated Traffic Characteristics					Peak Hour / Peak Season							Historical Crash Data 2018 - 2022		Multimodal Factors				
				Laneage Lane Type	Capacity Group	Segment Length	Functional Classification	2023 Annual Avg. Daily Traffic	AADT Growth Rate (%)	100th Highest Hour D-Factor	100th Highest Hour K-Factor	Two-Hour Average Volume	Level of Service	Directional Capacity	LOS Standard Multi-Modal	LOS Standard High-Way	Volume to Capacity Ratio	Volume-to-Capacity Ratio in Five Years	Projected LOS in Five Years	Total Crashes	Crash Rate	Transit Presence	Sidewalk Presence	Sidewalk Coverage	Bicycle Facility Presence	Bicycle Facility Coverage
80308	MCDONALD STREET	SR 37 (FLORIDA AVENUE E)	INGRAHAM AVENUE S	2U	U03	0.8	URBAN COLLECTOR	4,700	2.0	0.650	0.0750	184	E	790		TOCO	E	0.23	0.24	C	47	7,274	YES	FULL	1.80	NONE	0.00
80309	MCDONALD STREET	SR 37 (FLORIDA AVENUE E)	INGRAHAM AVENUE S	2U	U03	0.8	URBAN COLLECTOR	4,700	2.0	0.610	0.0750	171	C	790		TOCO	E	0.22	0.24	C	47	7,274	YES	FULL	1.80	NONE	0.00
41126	MORGAN ST	SR 555 (RECKER HIGHWAY)	BRIDGERS AVE W	2U	U03	0.8	URBAN COLLECTOR	2,100	2.0	0.430	0.0750	73	C	790		TOCO	E	0.09	0.10	C	1	3,340	NO	PARTIAL	0.37	NONE	0.00
41125	MORGAN ST	SR 555 (RECKER HIGHWAY)	BRIDGERS AVE W	2U	U03	0.8	URBAN COLLECTOR	2,100	2.0	0.610	0.0750	76	C	790		TOCO	E	0.10	0.11	C	1	3,340	NO	PARTIAL	0.37	NONE	0.00
41148	MANCHOLS AVE/KEYSTONE RD	LAKE ARIANA BLVD	LAKE ALFRED RD	2U	U03	1.2	URBAN COLLECTOR	1,000	2.0	0.430	0.0900	44	C	790	TRANSITIONING	D	0.06	0.06	C	0	0.000	NO	PARTIAL	0.27	NONE	0.00
41149	MANCHOLS AVE/KEYSTONE RD	LAKE ARIANA BLVD	LAKE ALFRED RD	2U	U03	1.2	URBAN COLLECTOR	1,000	2.0	0.610	0.0900	62	C	790	TRANSITIONING	D	0.08	0.08	C	0	0.000	NO	PARTIAL	0.27	NONE	0.00
81068	MEDULLA ROAD	COUNTY LINE ROAD	PIPKIN ROAD W	2U	U03	2.3	URBAN COLLECTOR	1,600	2.0	0.490	0.0900	66	C	790	TRANSITIONING	D	0.08	0.09	C	26	4,398	YES	PARTIAL	0.10	PARTIAL	0.01
81069	MEDULLA ROAD	COUNTY LINE ROAD	PIPKIN ROAD W	2U	U03	2.3	URBAN COLLECTOR	1,600	2.0	0.610	0.0900	69	C	790	TRANSITIONING	D	0.09	0.10	C	26	4,398	YES	PARTIAL	0.10	PARTIAL	0.01

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;
The Land Development Code requires 2 parking spaces per unit and this is displayed on the building plan. If an more homes are constructed, 2 spaces per unit will be required.

4. Indicate the proposed methods of access to the existing public roads (e.g., direct frontage, intersecting streets, frontage roads); and
The only legal access is from Medulla Road, which is about 172 feet of frontage. The property owner applied for and received a road frontage waiver (LDWA-2023-44) from Section 822 which requires 210 feet of frontage on a collector road for a residential home.

5. Indicate the modes of transportation, other than the automobile, that have been considered (e.g., pedestrian, bicycle, bus, train or air) and describe the modes.
The only mode considered is vehicular as there is no transit route on Medulla Road nor is there a transit route or stop within a quarter mile of the subject site.

C. Sewage

To determine the impact caused by sewage generated from the proposed development, the applicant shall:

1. Calculate the amount of sewage in gallons per day (GPD) expected to be generated by the proposed development;
The subject site is 5.14 acres. RL-1 permits one house per acre which is 5 homes. However, RL in the Urban Growth Area may achieve up to 5 dwelling units per acre which is 25 homes. This

equals 6,250 Gallons Per Day (GPD) (25 x 250 GPD/unit for potable water) for potable water needs and about 5,000 GPD (25 x 200 GPD/Unit for wastewater) for wastewater. The applicant has submitted a Building Permit (BR- 2026-290) for one single family home. Therefore, the expectation is that there will only be 250 GPD of water needed and 200 GPD for wastewater generated.

2. Describe the proposed method and level of treatment, and the method of effluent disposal for the proposed sewage treatment facilities if on site treatment is proposed;
The subject property is located within Lakeland's utility area for water and wastewater. However, water and wastewater lines are not adjacent to the subject site. Therefore, individual well and septic tanks will have to be used. The building plans for BR-2026-290 displays a well and septic tank.

2. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;
This is not applicable because this is not within the County utility service area and Polk County line are no near the subject site.

3. Identify the service provider; and
The subject property is located within Lakeland's utility area for water and wastewater.

4. Indicate the current provider's capacity and anticipated date of connection.
Connection is not anticipated. The building plans for BR-2026-290 display a well and septic tank. If the city were to bring lines to the subject site, the applicant may be required to connect by the Florida Department of Environmental Protection when they are available.

D. Water Supply

To determine the amount of water to be used, how it will be distributed, and the impact on the surrounding area, the applicant shall:

1. Indicate the proposed source of water supply and, the type of treatment;
Water and septic tank are planned by the applicant and displayed on the site plan in BR-2026-290.

2. Identify the service provider;
The subject property is located within Lakeland's utility area for water and wastewater.

3. Calculate the estimated volume of consumption in gallons per day (GPD); and
The subject site is 5.14 acres. RL-1 permits one house per acre which is 5 homes. However, RL in the Urban Growth Area may achieve up to 5 dwelling units per acre which is 25 homes. This equals 6,250 Gallons Per Day (GPD) (25 x 250 GPD/unit for potable water) for potable water needs and about 5,000 GPD (25 x 200 GPD/Unit for wastewater) for wastewater. The applicant has submitted a Building Permit (BR- 2026-290) for one single family home. Therefore, the expectation is that there will only be 250 GPD of water needed and 200 GPD for wastewater generated.

5. Indicate the current provider's capacity and anticipated date of connection.
Connection is not anticipated. The building plans for BR-2026-290 display a well and septic tank. If the city were to bring lines to the subject site, the applicant may be required to connect by the Florida Department of Environmental Protection when they are available.

E. Surface Water Management and Drainage

To determine the impact of drainage on the groundwater and surface water quality and quantity caused by the proposed development, the applicant shall:

1. Discuss the impact the proposed development will have on surface water quality;
There are no adjustments to the surface water flow in terms of construction a retention pond. If at some point more homes are constructed, the applicant will be required to comply with stormwater management requirements at that time.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;
There are no known wetlands displayed on the subject site. There are floodplains displayed in the southwest corner of the site. There appears to be a farm related building partially within this floodplain. The applicant will have to coordinate with the County's Floodplain Manager to address any issues with this impact.

3. Describe the impact of such alterations on the fish and wildlife resources of the site; and
If any threatened or endangered species are discovered on the subject site, the property owner is required to notify the FDEP if impacted or planned to be impacted to address proper mitigation. Per information received from the Florida Department of State on March 26, 2026, there are no previously recorded historical or archeological resources within your requested parcel.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.
The subject site is within the Floridan Vulnerable Aquifer area which means sick holes are possible if too much water is withdrawn. However, there are no standards to implement for the construction of one home. If more homes are constructed on site, any aquifer related regulations will be addressed at that time.

F. Population

To determine the impact of the proposed developments additional population, the applicant shall:

1. Calculate the projected resident (and transient) population of the proposed development and the generated population in the case of commercial or industrial uses;
25 homes are expected to generate 2.5 people per household which is 63 people. Short Terms rental is a Conditional Use Level 3 Review in RL and requires a separate Planning Commission hearing. This is not requested at this time or anticipated.

2. Describe, for commercial and industrial projects, the employment characteristics including the anticipated number of employees, type of skills or training required for the new jobs, the percentage of employees that will be found locally or are expected to be drawn from outside the county or state, and the number of shifts per day and employees per shift;
The request is for residential. Therefore, this question is not applicable to the request.

3. Indicate the expected demographic composition of the additional population (age/socio economic factors); and
The expected population is residents of Polk County.

4. Describe the proposed service area and the current population thereof.

Service areas are not referenced in any of the Comprehensive Plan policies for Residential Low.

G. General Information

To determine if any special needs or problems will be created by the proposed development, the applicant shall:

1. List and discuss special features of the proposed development that promote desirability and contribute to neighborhood needs; and
There are residential buildings in the area south of Medulla Road. A home at 4590 Aaron Morgan Road was constructed in 2018. A home at 4414 Medulla Road was constructed in 2020. A home at 4636 Medulla Road was constructed in 2021. There are some farm related buildings on the subject site in the southwest area appearing on aerial photographs in 2022 and another small building in 2025.

2. Discuss the demand on the provision for the following services:

a. Parks and Recreation;
The nearest County park facility is Christina Road Park at 625 West CR 540-A about seven (7) +/- miles to the east. The Christina Road Park includes a playground area, benches, ADA-accessible trails, pavilions and picnic tables. There are first-come, first-served picnic shelters and a large, screened-in pavilion is available to rent. Additionally, Christina Park has a five-field softball complex.

The nearest environmental lands are The Alafia Reserve, seven miles south of the site. The Alafia River Reserve was purchased jointly by Polk County and the Southwest Florida Water Management District. The 334-acre reserve was acquired to preserve the natural wetlands and uplands along the upper corridor of the Alafia River. Wading birds and amphibians that require seasonally-flooded areas free of predators to complete their life cycles call the Alafia River Reserve home. Forested hardwood wetlands are the primary natural community, and common trees include sweet gum, laurel oak, ironwood, hickory, sabal palms and bay. Ground cover is sparse due to extended periods of flooding. Visitors may hike and picnic on these lands. (Source: County Website).

b. Educational Facilities (preschool/elementary/middle school/high school);
R. Bruce Wagner Elementary, Sleepy Hill Middle, and George Jenkins Senior High School.

c. Health Care (emergency/hospital);
Nearest hospital is Lakeland Regional. However, Orlando Health is constructing a facility near the Polk Parkway and Lakeland Highlands Road intersection.

d Fire Protection;
Both fire and ambulance response to the subject parcel is primarily from Polk County Fire Rescue Station 2, 2523 Ewell Rd, Lakeland. The travel distance is 4.5 miles and response times should average between 10 and 12 minutes under optimal conditions but can vary significantly based on many factors.

e. Police Protection and Security; and
Police service is provided by the Polk County Sheriff's office.

f. Electrical Power Supply
Electrical power is provided by the City of Lakeland.

H. Maps – All Maps provided under separate Cover

1. 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.

2. Maps shall be of sufficient type, size, and scale to facilitate complete understanding of the elements of the proposed development. Scales 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 accompany all Impact Assessment Statements:

3. Map A: A location map showing the relationship of the development to cities, highways, and natural features;

4. Map B: A Topographical Map with contour intervals of no greater than five feet, the

identification of the property boundaries, and a delineation of the areas of special flood hazard (100 year flood plain) as shown on the Flood Insurance Rate Maps issued by the Federal Emergency Management Agency (FEMA) for Polk County;

5. Map C: A Land Use and Land Use District Map showing the existing land use designations and districts on and abutting the proposed development, including lot sizes and density;

6. Map D: A Soils Map with soils designated according to Natural Resources Conservation Service classifications. If available, USDA Natural Resources Conservation Service (NRCS) soil surveys are preferable;

7. Map E: A Traffic Circulation Map identifying any existing roads on or adjacent to the proposed development and indicating the name of the roads, maintenance jurisdiction, and pavement and right of way widths.

8. Map F: A Site Plan showing land uses, the layout of lots, the type and maximum density for each type of residential area; the typical minimum lot sizes and dimensions for each use and unit type, and the dimensions, locations, and types of buffers, easements, open space areas, parking and loading areas, setbacks, and vehicular circulation routes; and Not Applicable

9. Map G: A Drainage Map delineating existing and proposed drainage areas, water retention areas, drainage structures, drainage easements, canals, wetlands, watercourses, and other major drainage features. See Map B, E and E.

DEMONSTRATION OF NEED

POLICY 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Rule 9J-5.006(5) of the Florida Administrative Code, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need.
The request is for residential in an area with already residential structures on large lots.

b. Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development.
There is RL to the east and west of the BPC block that the subject parcel is located within. In addition, a new subdivision started being constructed in 2021 and is now built out in the City of Lakeland to the west called Gresham Farms Village.

c. Promotes, allows or designates urban development in radial, strip isolated or ribbon patterns generally emanating from existing urban developments.
The subject site is within the Urban Growth Area.

d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.
The request is for a 5.14 acre property with no wetlands and very little floodplain.

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils.
The property touching the subject site to the east and west does have a Department of Revenue Code (DOR) from the Property Appraiser's website of pasture. The subject site also has a DOR

code of pasture.

f. Fails to maximize use of existing public facilities and services.
There are no water or wastewater lines adjacent to the subject site.

g. Fails to minimize the use of future public facilities and services.
There are no water or wastewater lines adjacent to the subject site.

h. Allows for land use patterns or timing which will disproportionately increase the cost in time, money and energy, of providing public facilities and services including roads, potable water, sanitary sewer, stormwater management, law enforcement education health care, fire and emergency response, and general government.
If this request is approved, it will not generate new residential in an area currently void of it. There are over 30 homes between the subject site and County Line Road to the west in addition to the new homes in Gresham Farms Village which include about 78 additional homes.

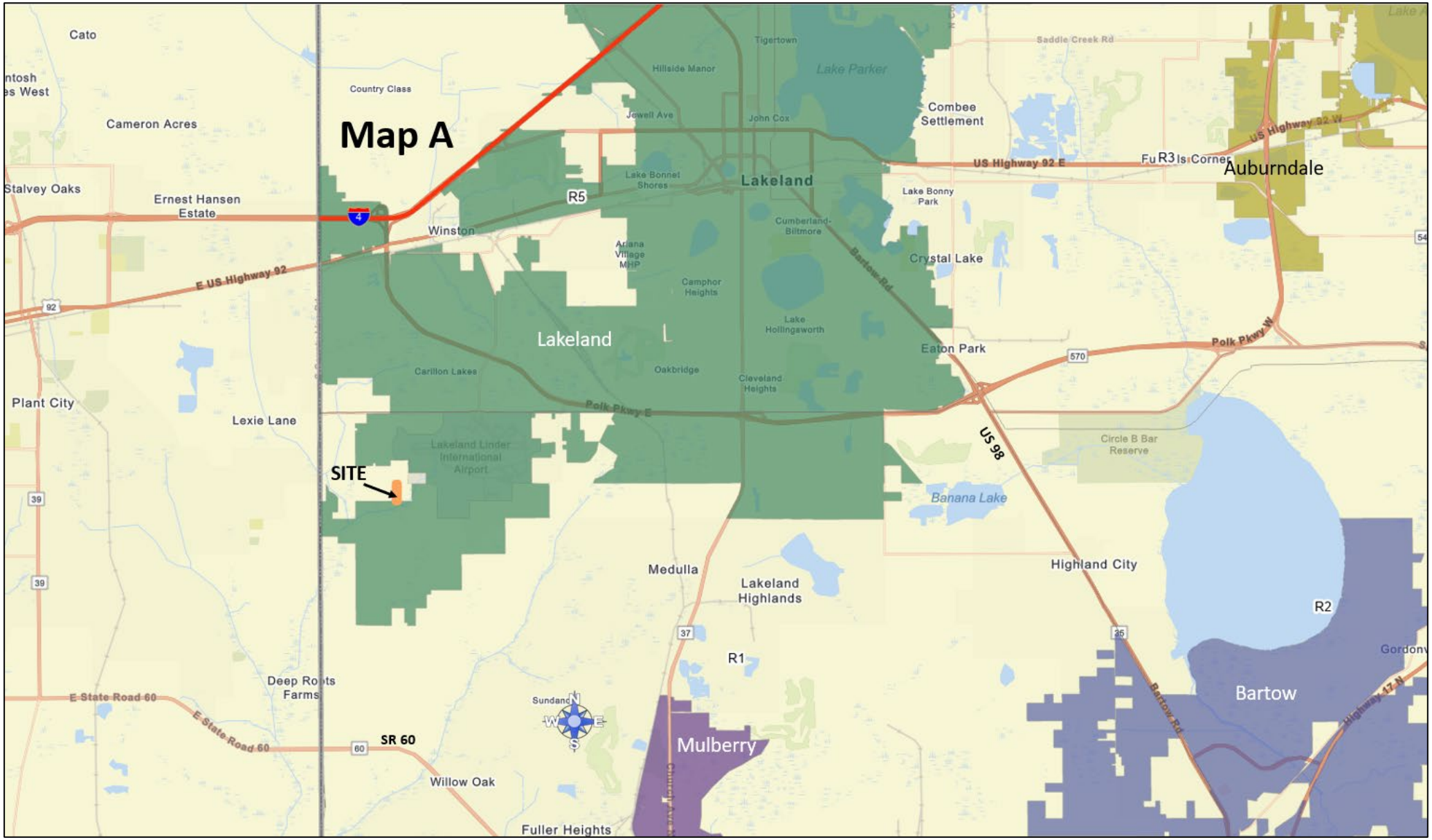
i. Fails to provide a clear separation between urban and rural uses.
The request is for residential in an area with already residential structures on large lots.

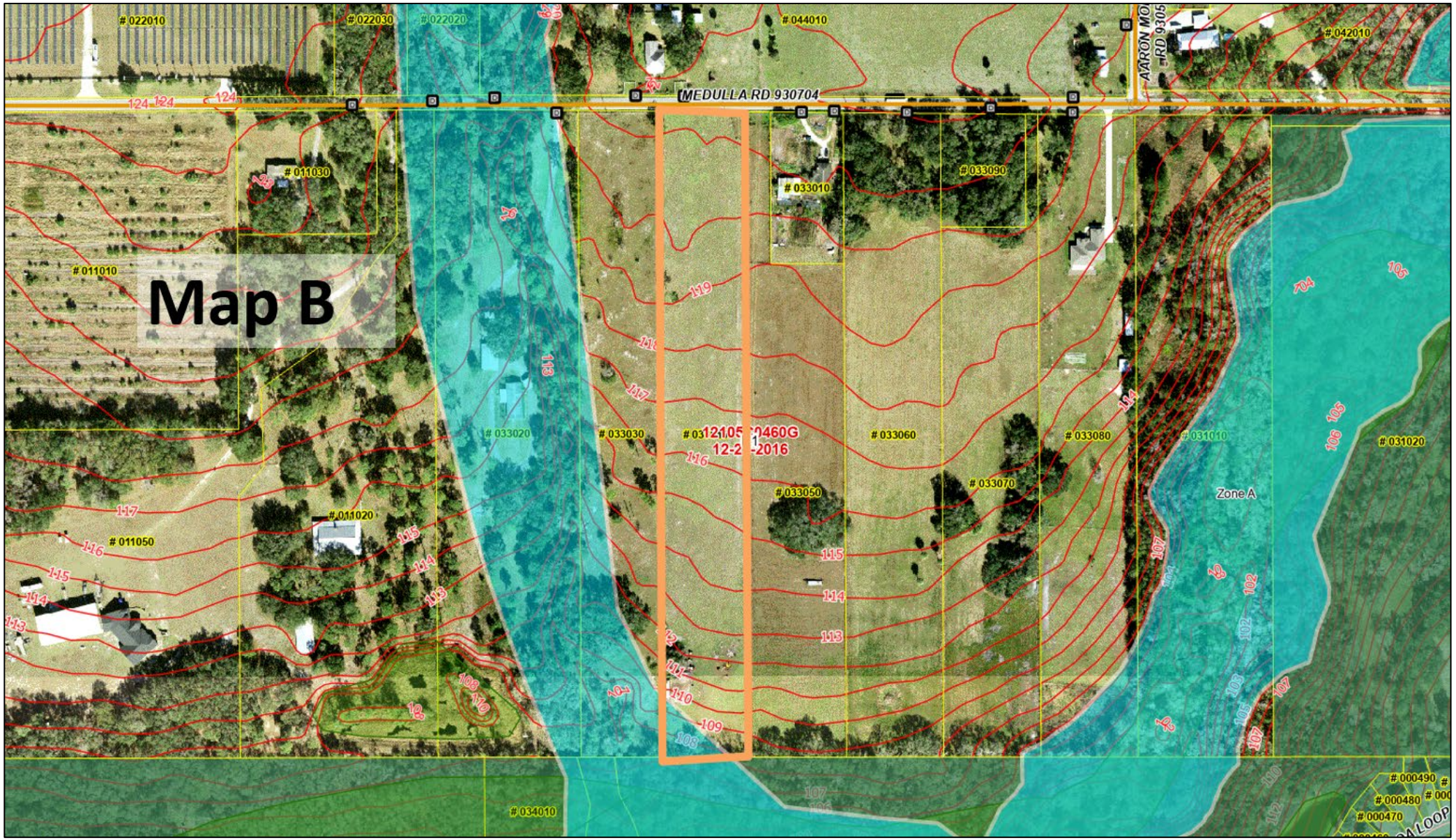
j. Discourages or inhibits in-fill development or redevelopment of existing neighborhoods and communities.
If it was not for the BPC, allowing a residential structure on the property can be considered infill.

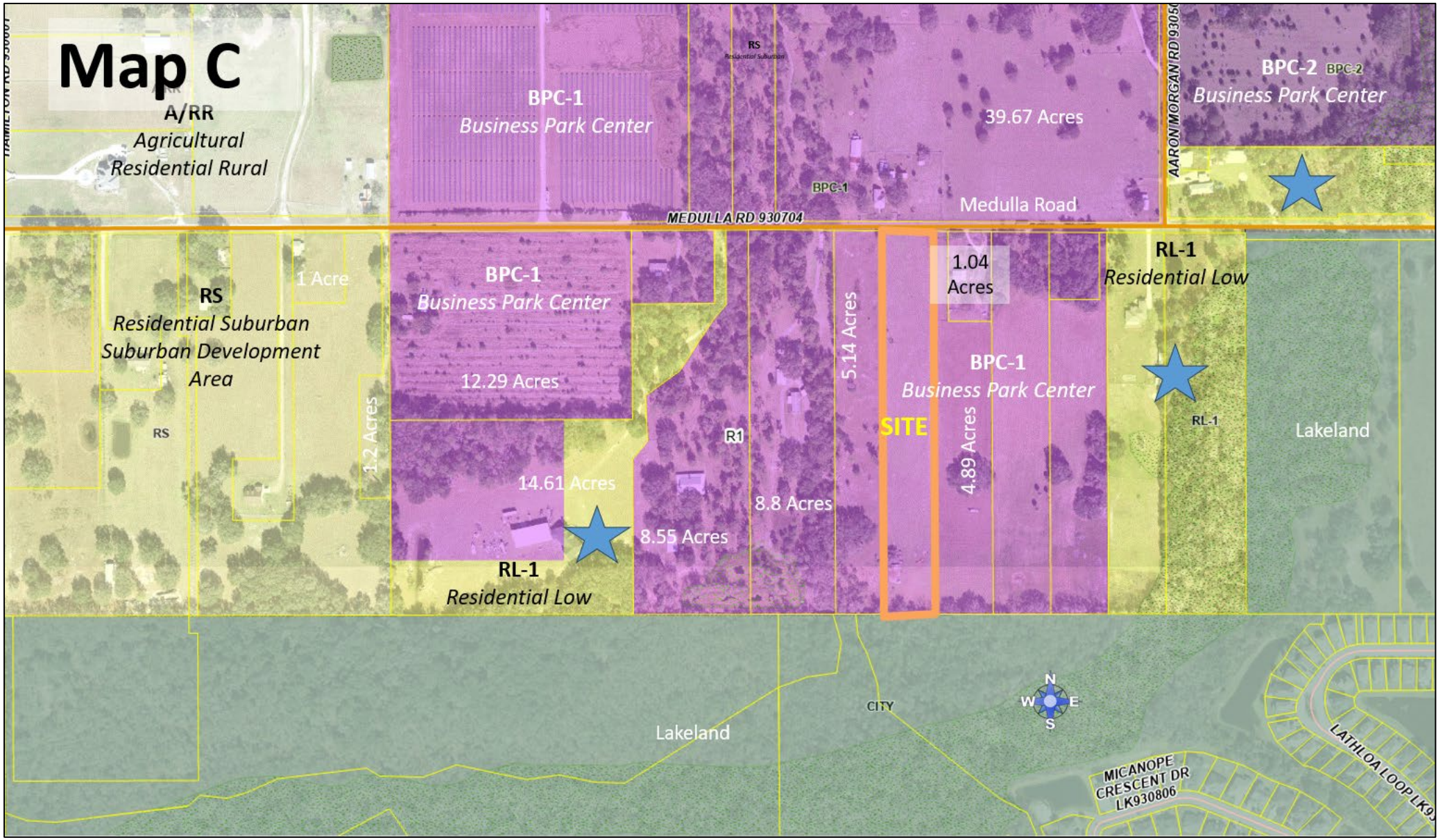
k. Fails to encourage an attractive and functional mix of land uses.
The request is for residential in an area with already residential structures on large lots.

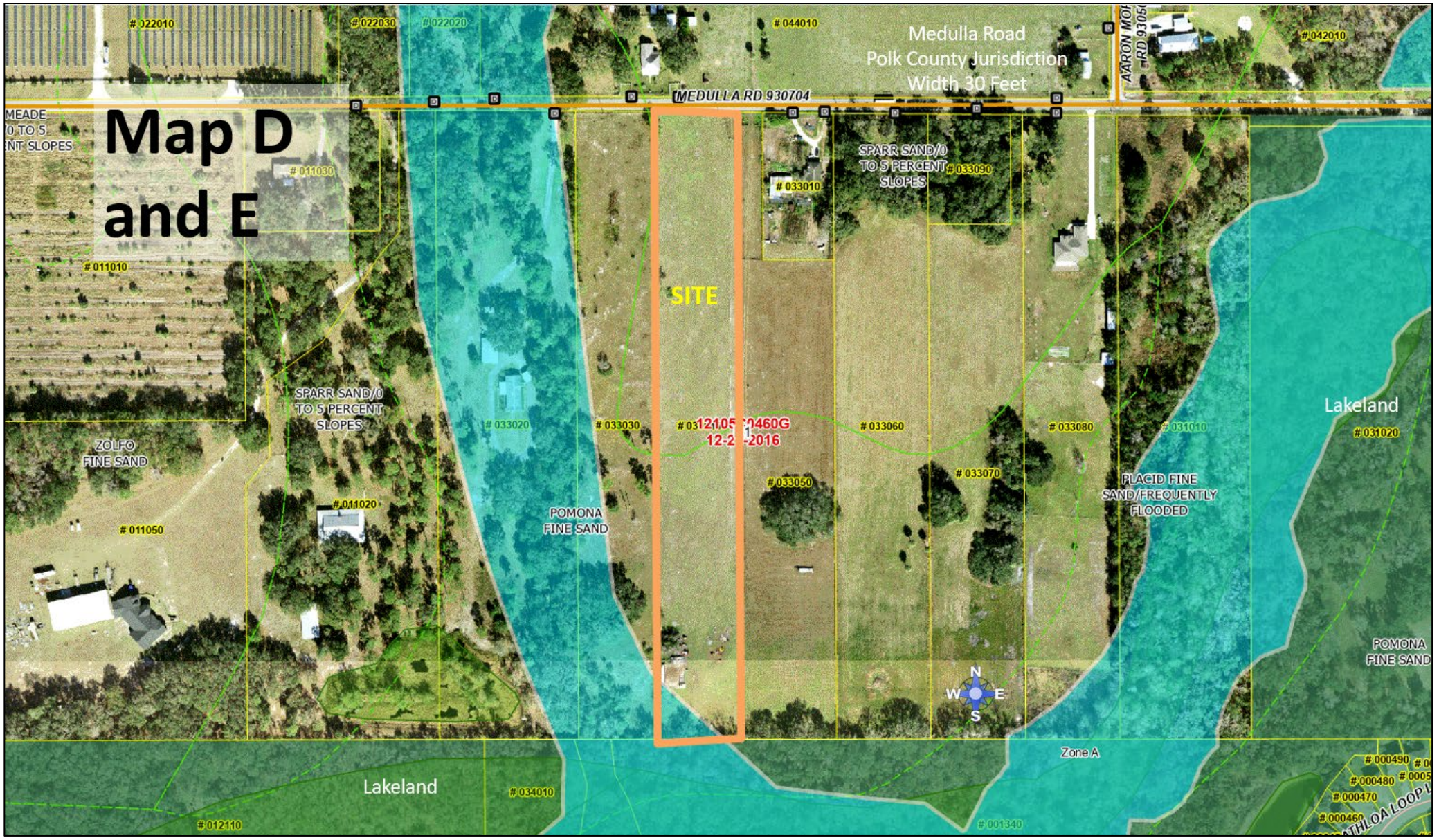
l. Results in poor accessibility among linked or related land uses.
If the properties to the east and west were developed with BPC uses, the request for RL would be out of place. However, the existing land use, south of Medulla Road, is either pasture or residential. Therefore, making the subject site RL will be consistent with what is constructed in the area.

m. Results in the loss of a significant amount of functional open space.
This parcel will have more open space developed with residential homes than BPC uses.


Map A
SITE
Cato
Cameron Acres
Stalvey Oaks
Ernest Hansen Estate
Plant City
Lexie Lane
Deep Roots Farms
Willow Oak
Fuller Heights
Mulberry
Medulla
Lakeland Highlands
Lakeland
Winston
Tigertown
Hillside Manor
Lake Parker
Country Class
Jewell Ave
John Cox
Combee Settlement
Saddle Creek Rd
US Highway 92 E
US Highway 92 W
Auburndale
Lake Bonnet Shores
Lake Bonny Park
Cumberland-Biltmore
Crystal Lake
Bartow Rd
Ariana Village MHP
Camphor Heights
Lake Hollingsworth
Eaton Park
Polk Pkwy W
Polk Pkwy E
Carillon Lakes
Oakbridge
Cleveland Heights
Lakeland Linder International Airport
Circle B Bar Reserve
Banana Lake
US 98
Highland City
R1
R2
R3
R5
Bartow
Gordonv
Sundand
E State Road 60
SR 60
Highway 17 N
92
39
37
35
570
54


Map B
MEDULLA RD 930704
022010
022030
022020
044010
042010
011030
033010
033090
011010
033020
033030
033060
033080
031010
031020
033050
033070
Zone A
011020
011050
034010
000490
000480
000470


Map C
A/RR
Agricultural
Residential Rural
BPC-1
Business Park Center
RS
Residential Suburban
39.67 Acres
BPC-1
Medulla Road
MEDULLA RD 930704
AARON MORGAN RD 93050
BPC-2 BPC-2
Business Park Center
RS
Residential Suburban
Suburban Development
Area
1 Acre
1.2 Acres
BPC-1
Business Park Center
12.29 Acres
14.61 Acres
RL-1
Residential Low
R1
8.8 Acres
8.55 Acres
5.14 Acres
SITE
1.04
Acres
BPC-1
Business Park Center
4.89 Acres
RL-1
Residential Low
RL-1
Lakeland
Lakeland
CITY
N
W
E
S
MICANOPE
CRESCENT DR
LK930806
LATHLOA LOOP LK9


Map D and E
Medulla Road
Polk County Jurisdiction
Width 30 Feet
MEDULLA RD 930704
SITE
SPARR SAND/0 TO 5 PERCENT SLOPES
ZOLFO FINE SAND
POMONA FINE SAND
PLACID FINE SAND/FREQUENTLY FLOODED
Lakeland
Zone A
022010
022030
022020
044010
042010
011030
011010
033010
033090
033020
033030
033060
033080
031010
031020
033050
033070
011020
011050
034010
012110
001340
000490
000480
000470
000460
N
W
E
S

INSTR # 2021149350
BK 11751 Pgs 2005-2006 PG(s)2
06/09/2021 02:37:51 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 18.50
DEED DOC 1,575.00

Prepared by and return to:
Denise Brown
ADVANTAGE TITLE SERVICES, INC.
44 Lake Morton Drive
Lakeland, Florida 33801
File Number: **21-0366 MEDULLA**

$1,575.00 (Space Above This Line For Recording Data)

Warranty Deed

This Warranty Deed made this **June 3, 2021** between **DEREK WAYNE DAVIS and HEATHER NICHOLE DAVIS, husband and wife,** whose post office address is 430 E. Carter Rd., Lakeland, Florida 33813, grantor, and **ANIELYS SALGADO** whose post office address is 5210 White Egret Lane, Lakeland, Florida 33811, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs, successors and assigns forever, the following described land, situate, lying and being in **Polk County, Florida** to-wit:

The West 171 feet of the East 963 feet of the NW ¼ of the NW ¼ of Section 8, Township 29 South, Range 23 East, Polk County, Florida, LESS any maintained right of way for public roads.

Parcel Identification Number: 082923-000000-033040

More Commonly known as: 0 Medulla Road, Lakeland, Florida 33811

SUBJECT TO easements and restrictions of record, if any, and taxes for the year 2021 and subsequent years.

N.B. Grantors were married to each other at the time subject property was acquired and have remained continuously married to each other through the date of this conveyance.

Together with all the rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, structures, fixtures and replacements, all of which shall be deemed to be a part of the property.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except as stated herein.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Sign: _____
Print Witness Name: BRENDA LANSBERY

Witness Sign: _____
Print Witness Name: DENISE BROWN

_____
DEREK WAYNE DAVIS

_____
HEATHER NICHOLE DAVIS

State of Florida
County of Polk

The foregoing instrument was acknowledged before me by means of ✓ physical presence or _____ online notarization, this June 3, 2021 by DEREK WAYNE DAVIS and HEATHER NICHOLE DAVIS, husband and wife, who is/are personally known or have produced driver's license(s) as identification.

(Notary Seal)

DENISE BROWN
Commission # GG 284548
Expires March 20, 2023
Bonded Thru Budget Notary Services

_____
Notary Public

Printed Name: _____

My Commission Expires:

Stacy M. Butterfield POLK
CFN# 2021149350 OR BK 11751 PG 2006 Pgs 2005-2006 06/09/2021 02:37:51 PM

Bennett, Chanda

Subject: FW: Attention Krystal Morales - parcel number 232908-000000-033040

From: Bennett, Chanda
Sent: Friday, March 13, 2026 8:27 AM
To: Suggs, Kay <KaySuggs@polkfl.gov>
Subject: FW: Attention Krystal Morales - parcel number 232908-000000-033040

This is the other email.

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator
Office of Planning and Development | Land Development Division
Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005
P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net



From: Anielys Salgado <anielysrn@gmail.com>
Sent: Thursday, March 12, 2026 9:03 AM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal <KrystalMorales@polkfl.gov>; Howard, Sandra <SandraHoward@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

CAUTION: This email originated from outside of the Polk County BoCC Email System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Chanda!
Thank you for the update
On Thu, Mar 12, 2026 at 8:47 AM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Good morning, Mrs. Salgado,

It will be closer to 10:30 before we call you. The other meetings that Ben and I are at have had a few delays.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

From: Anielys Salgado <anielysrn@gmail.com>
Sent: Wednesday, March 11, 2026 12:51 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal <KrystalMorales@polkfl.gov>; Howard, Sandra <SandraHoward@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Sounds good, talk to you then.

On Wed, Mar 11, 2026 at 12:50 PM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Thank you, Mrs. Salgado.

I have a meeting that should end at 10 am. Ben and I will call you soon after 10 am.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

From: Anielys Salgado <anielysrn@gmail.com>
Sent: Wednesday, March 11, 2026 12:12 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal <KrystalMorales@polkfl.gov>; Howard, Sandra <SandraHoward@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good afternoon Chanda,

Yes , I do .

Thank you

Anielys

On Wed, Mar 11, 2026 at 12:10 PM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Good afternoon, Mrs. Salgado:

Ben Ziskal and I are hoping to chat with you on the phone sometime tomorrow. Do you have time tomorrow between 10 am and 10:30 am?

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

From: Anielys Salgado <anielysrn@gmail.com>
Sent: Friday, March 6, 2026 3:58 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal <KrystalMorales@polkfl.gov>; Howard, Sandra <SandraHoward@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good afternoon, Chanda,

I understand. Everyone should have the right to decide what to do with their own land, including myself. The fact that they do not object to me building a home does not necessarily mean they want to change their land use code.

As previously discussed, they do not have the authority to determine what I can or cannot do with my property. I respectfully ask that my situation be evaluated based on the facts and the applicable regulations and unique circumstance, rather than on personal opinions from neighboring families or one particular family.

I look forward to hearing from you early next week.

Anielys .

This email is to provide you with a status update as promised in my Friday, February 27th email. I have heard from four property owners and two of them just this morning, and they do not wish their land use to be changed from Business Park Center to Residential Low. This means that we cannot include any other property in the land use change and need to just focus on your property. Since we were waiting to hear back from the property owners, I have not had the chance to discuss my conversations with management or the County Attorney's office for final direction. I hope to do that on Monday and provide you another update and our final direction early next week.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Friday, February 27, 2026 12:04 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>

Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal <KrystalMorales@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good afternoon Chanda ,

Thank you !

On Fri, Feb 27, 2026 at 11:59 AM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Good afternoon, Mrs. Salgado:

All the letters are attached.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Friday, February 27, 2026 11:30 AM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal

<KrystalMorales@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good morning Chanda ,

Thank you for the update .

Could you please send me a copy of the letter sent to my neighbors?

1. As stated in previous emails from your department (and provided to you the day of our phone meeting), it clearly says that I could not proceed with the party venue request because my land was zoned RL-1; therefore, no permit was requested. Never said anything about party venues not being permitted on BPC land , rather it said it was RL/1. Initiating a request/permit comes with expenses , therefore, there was no sense on submitting one if I was told it wasn't possible, therefore " no denial on Acela".

After learning this information, I inquired several times via email and phone about building a home as this was again new information to me , and each time it was confirmed that I could proceed. There is documentation of these communications in your system, and the details have already been provided and discussed at length in previous conversations.

I do not wish to repeat information unnecessarily; however, this situation is not the result of any action on my part. I followed the guidance provided to me and proceeded accordingly. It is extremely concerning to now be told that what I was previously advised it was ok to pursue , its facing so many challenges and delays .

2. Given these circumstances, I believe it would be extremely helpful for the staff to initiate the land use change request to correct this matter as soon as possible (thank you for doing this) . I would like to know when will this take place please.

3. It is not appropriate or friendly for me to provide information about someone else's property, but I thought I would mention it as a general observation, nothing against anybody in particular. I have great neighbors. I know , properties have been build and are currently being build in Medulla Rd. I am sure they went through the lawful process before proceeding.

I truly appreciate the efforts being made and I look forward for a prompt resolution.

Thank you in advance for your assistance. Have a good weekend.

Best regards,

Anielys .

On Fri, Feb 27, 2026 at 10:12 AM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Good morning, Mrs. Salgado:

I will first provide my update to you as promised in my Wednesday, February 25th email. We have mailed out 13 letters certified return receipt to the property owners with the Business Park Center (BPC) Future Land Use designation (i.e. zoning) within the red outline in the exhibit below. I am hoping to hear back from some or most of the property owners next week. With my next update to you on Friday, March 6th I hope to be able to provide you the timeline for the state mandated map amendment that is required to legally change your property to Residential Low (RL).

You sent the email below in response to mine on Wednesday, February 25th. I have listed a summary of each of your points followed by my response.

1. **Two important issues –**

    a. **Attempted to use my land for business and was denied** – Our records indicate you submitted a Pre-application (LDDRC-2021-180) to ask about commercial parking. Staff comments indicated the land use was BPC-1 which permitted Commercial Vehicle Parking as a C2 use and that a Level 2 Review is the next step and that was done with LDNON-2021-151 being submitted for the Commercial Parking. However our records indicate that you requested a withdrawal via an email to Chrissy Irons because you wanted to do a party venue. I do not find any records where you submitted a permit in Accela that was denied for a non-residential use or for a party venue. Please note that Party Venues are not permitted in BPC or RL. Section 918 Administrative Decisions of the Land Development Code provides the process for an appeal to a denial of a development request when submitted for the property processes laid out in the Land Development Code through Accela.
    b. **Building permit denied for a home** – You asked for the basis of a building permit denial. Our records indicate that the building permit submitted for your home (BR-2026-290) is not listed in Accela as denied. It is on hold pending additional information needed for the permit and this land use issue. The basis for the permit being on hold for the land use is because the property is not legally designated Residential Low (RL). The Board of County Commissioners specifically denied a request from the previous owner (LDCPAS-2020-2) on July 7, 2020 for RL. Therefore, based on this it is not legal for us to issue the building permit until the property is legally designated RL by the Board of County Commissioners

regardless of how it is displayed on the data viewer. I feel terrible that you were told the property is RL and that you proceeded for a waiver based on being told this information. However, I have discussed this with my boss, Ben Ziskal Land Development Director and the County attorney's office and we cannot legally issue the building permit. Please note that the property owner of the parcel marked with the larger star in the map below also submitted for a residential building permit back in 2018. Their permit was put on hold because their land use was BPC. They then submitted for a land use change to RL and as you can see in the map the Board approved the change to RL (CPAS-18S-03) for a portion of their property. Their residential building permit was then issued after the Board approved the land use change. In your case, staff will be initiating the land use change due to the error in the data viewer rather than requiring you to submit for the change.

2. **252 unit multifamily** approved on the southwest corner of West Pipkin Road & Yates Road in Southwest Lakeland - This property is within the City of Lakeland and I cannot speak to that development or how it got approved as Polk County has no authority or jurisdiction in City land use matters.
3. **Neighbor building a home** – I could not find that a residential building permit was submitted or issued for your neighbors adjacent to your property on the east and west. I can do a better job at finding information if I know exactly which parcel you are referencing.

I assure you I am working as much as I can to get a land use change through the process and to the Planning Commission and the Board of County Commissioners as fast as possible and as fast as our advertising requirements dictate.

Thanks

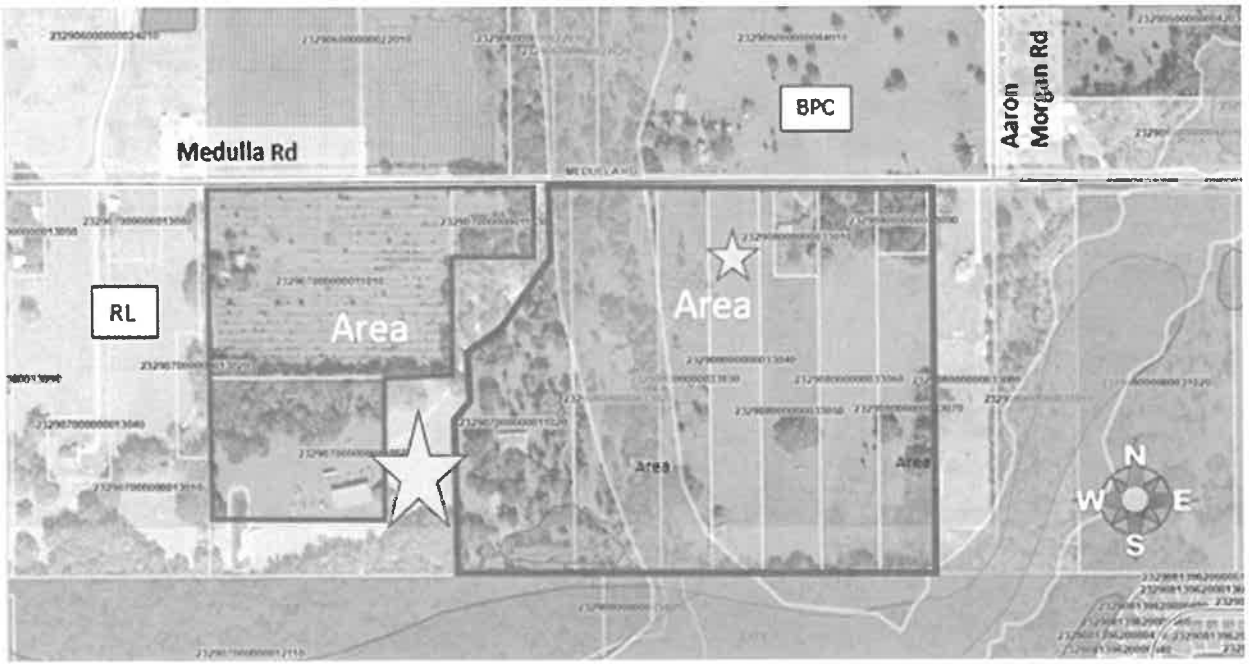
Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net



From: Anielys Salgado <anielysrn@gmail.com>
Sent: Thursday, February 26, 2026 8:54 AM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal <KrystalMorales@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good morning ,

To Whom It May Concern,

I understand that notices will be sent to the neighbors as part of the process. However, at this point, I believe it is appropriate to move forward with submitting an administrative review.

There are two important issues that should not be overlooked. First, I initially attempted to use my land for business purposes and was denied. Second, I was then informed that the only permissible use of my property was to build a house. Based on that guidance, I proceeded accordingly, sought the necessary waivers (which I learned did not even need that , but yes I also paid for it and patiently waited for the process) and invested significant amount of money into the project. Now, I am being denied AGAIN.

I respectfully express my frustration with this situation. It feels inconsistent and unfair. I would like clarification as to whether this decision is based strictly on the applicable laws and regulations, as I expect equal treatment under the same standards.

A 252-unit multifamily apartment development was approved for the southwest corner of West Pipkin Road & Yates Road in Southwest Lakeland. I am directly affected my this . I know per fact that the majority of the community voted against this, but it was approved.

I also note that my neighbor is currently building a beautiful home. I am genuinely happy for them; however, I am unaware of any public hearing or similar process in their case. I cannot afford to wait one or two more years for this matter to be resolved. Sending letters out is taking a while , I can only imagine having to wait for a public hearing.

And again , I am surrounded by residential properties, therefore my request it's not atypical or unheard of . It's just a single family home , not a complex of apartments.

I respectfully request a timely resolution.

You can just reply to me on Friday as previously discussed .

Sincerely,

Anielys .

On Wed, Feb 25, 2026 at 9:42 AM Anielys Salgado <anielysrn@gmail.com> wrote:

Ms. Chanda ,

Thank you for your time and consideration. I sincerely appreciate your hard work and look forward to your update on Friday.

Anielys .

On Wed, Feb 25, 2026 at 9:33 AM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Ms. Salgado:

I am truly sorry about all of this and how it has impacted you! I assure you I am working as hard as I can. I even worked on Sunday to ensure that the statement I made in my February 12th email to you to get the letters sent out by the end of the month can be met. The letter will be sent out via certified mail to 13 property owners.

On the timing of getting to the Board. The way we must ask the Board is through the state required amendment process to change Business Park Center to Residential Low. This process requires a Planning Commission hearing and a Board of County Commissioners hearing. Florida Statutes and local law also require several advertising methods which include posting the property, newspaper ads and notices sent to property owners within 500 feet which is more than the 13 property owners for this initial letter being sent out this week. However, before we can schedule the hearing dates and know the full extent of the advertisement, we must know how many of the property owners wish to be included in the map amendment from Business Park Center to Residential Low. This is why I said in the February 12, 2026, email that when we receive their feedback, we will have a better picture on the direction we must take regarding this map amendment.

Please note my boss, the Director of Land Development, is copied on this email to ensure I am proceeding correctly.

I will give you an update on Friday. I am hoping your neighbors will contact me as soon as they receive the letter.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Wednesday, February 25, 2026 7:54 AM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Morales, Krystal <KrystalMorales@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good morning Chanda ,

I have not received a response to my latest communication.

I look forward to your prompt response.

Thank you ,

Anielys .

On Fri, Feb 20, 2026 at 11:39 AM Anielys Salgado <anielysrn@gmail.com> wrote:

> Good morning, Mrs. Bennett,
>
> I hope you are doing well. Thank you for the update — I truly appreciate the efforts being made. However, I kindly ask that we try to avoid any further delays in this matter.
>
> During our meeting, it was stated that the letters would be drafted that day and sent out shortly thereafter. I wanted to follow up and ask whether you have had the opportunity to meet with the board yet. Since the decision will not be based solely on the neighbors' feedback, I respectfully ask that all other necessary steps on your end move forward in the meantime.

I understand that you are managing multiple cases, but given the current circumstances, I would sincerely appreciate any consideration for prioritizing this matter.

Thank you again for your time and attention.

Thank you

Anielys

Good morning, Ms. Salg

I hope your week is going well. This email is to give you a status update as promised last week. I have drafted a letter to go to the property owners. I have other staff reviewing the letter over the next few days and I will make corrections. I will provide a status update next Friday.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Thursday, February 12, 2026 7:31 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Call, Planner On <PlannerOnCall@polkfl.gov>; Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal,

Benjamin <BenjaminZiskal@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good evening Chanda ,

Thank you for following up with me.

I understand the concern about potential impacts on neighboring, but constructing a single-family home on my property should probably not impose too much increased in setback requirements on neighboring parcels, given that there are already existing properties to my east, west, and north.

And yes , I purchased the land fully aware of its commercial status, but when I tried to do a business, I was told I couldn't because it was actually LR-1. At this time, I just thought that land code use changed . And I even remember asking that . This information was repeatedly confirmed to me , throughout the years (since 2023 through 25) and by multiple staff members. I trusted the City , why wouldn't I . I honestly believed all the parcels were changed to LR-1 , since almost each parcel has a residential property , with the last one being currently under construction still .

I already talked to my neighbors yesterday. They didn't seem to have a problem with that. One of the families mentioned that they thought the biggest opposer "was the city, not the neighbors ".

I genuinely believe that Ben, you and any other staff involved are truly trying to help me and I appreciate that very much . I just like for you to please keep me updated, so I know that we continue to work as a team . I respect that you need time and I will honor that .

Have a good weekend everyone

Thank you very much

Anielys Salgado

On Thu, Feb 12, 2026 at 12:56 PM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Ms. Salgado,

You are not taking to much of my time! One's home is the biggest investments we make in our lifetimes. I understand the gravity and how personal this is for you. I also own a home and I have seen many different property owner situations in my 30 years with Polk County.

I am not convinced that their personal preferences will dictate the outcome of locating a home on your property. Their reactions will help guide us in the appropriate direction to find a win win for all.

I am trying to sort out many different layers of this issue as it does not just impact your property. One of the items we must consider is that putting a house on your property will increase the setbacks of your neighbors if they want to build something non-residential which is not the current requirement. Krystal mentioned this in her email to you the other day. Despite you knowing the property was commercial when you first bought it, I understand that there was a mistake on the map and that the staff you spoke to in 2023 used it in their conversations with you and they could not have known it was wrong. I also know that staff mistakes cannot divest us from following the law when a variance does not exist and it does not in this case. But it doesn't mean a solution cannot be found but it might mean a land use change that has to be brought to the Planning Commission and the Board of County Commissioners. As Ben said yesterday, it is our goal to work hard to find a solution that leads to this building permit to be issued for you. We just need time to sort it out due to the complexities for all property owners. But I know it can't take to much time as you have spent a great deal of money and time.

I think we have different possible solutions depending on the property owner's reactions and we may come up with more as time passes. I just need some time. My goal is to get the letter drafted and sent out before the month is out. I will email you the letters when completed and put in the mail so you will see what is being requested and the timeline for their response. Once we hear from the property owners, I expect we will be able to formulate the path forward and the timeline necessary to complete it.

As Ben said yesterday, if you can start talking to your neighbors it might help if you feel comfortable doing so.

I promise to give you a status update next Friday.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Wednesday, February 11, 2026 12:33 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Call, Planner On <PlannerOnCall@polkfl.gov>; Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Dear Chanda,

I have been reflecting on our conversation earlier. I understand your time is as valued as mine . Hopefully, I'm not taking too much of your time. After consulting with my architect, I can confirm that your office verified this parcel as zoned RL-1 during a phone call in September 2025.

While I understand that letters are being sent to neighboring property owners, I am concerned that my ability to build should not depend on their personal preferences. Given that I have moved forward in good faith based on repeated official confirmations, I

would like to understand the alternative plan if the current proposal is not approved. A business project is not my intent, and such a development would likely face similar challenges due to the existing residential properties to the north , east and west of my parcel. You mentioned one particular family that might be opposed, however , I own the land , they don't .

I look forward to hearing from you regarding the next steps and the expected timeframe for a resolution.

Best regards,

Anielys Salgado

On Wed, Feb 11, 2026 at 10:08 AM Anielys Salgado <anielysrn@gmail.com> wrote:

> Good morning,
>
> I have sent the emails as requested. Thank you again for taking the time to speak with me. I look forward to hearing from you.
>
> Best regards,
>
> Anielys Salgado
>
> On Tue, Feb 10, 2026 at 7:31 PM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:
>
> > Thank you!
> >
> > Ben Ziskal and I will call you at 9 am.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Tuesday, February 10, 2026 5:30 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Call, Planner On <PlannerOnCall@polkfl.gov>; Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good afternoon:

Yes, that time works for me.

My phone number is 863-328-4020.

Thank you

Anielys .

On Tue, Feb 10, 2026 at 5:26 PM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

> Good afternoon:

My Division director asked if we three can have a phone conversation tomorrow at 9 am. Please let me know if that time works and a phone number that we can call you.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Tuesday, February 10, 2026 4:29 PM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Call, Planner On <PlannerOnCall@polkfl.gov>; Nance, Ivan <IvanNance@polkfl.gov>; Nieves, Carmen <CarmenNieves@polkfl.gov>; Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

Good afternoon!

Thank you Chanda .

I will be looking forward to hearing from you.

Anielys

On Tue, Feb 10, 2026 at 4:13 PM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

> Good afternoon:
>
> Thank you for your email. I can understand your concern.
>
> I am not Krystal's supervisor. However, I am responding because I have the direct knowledge of the land use change that Krystal references and the project history of your property and the residential homes you reference in your email. I will respond tomorrow or Thursday with a more comprehensive response to your email and direction to move forward.
>
> Thanks
>
> Chanda
>
> Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator
>
> Office of Planning and Development | Land Development Division
>
> Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005
>
> P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

501

From: Anielys Salgado <anielysrn@gmail.com>
Sent: Tuesday, February 10, 2026 11:22 AM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Cc: Nance, Ivan <IvanNance@polkfl.gov>; Bennett, Chanda <ChandaBennett@polkfl.gov>
Subject: Re: Attention Krystal Morales - parcel number 232908-000000-033040

You don't often get email from anielysrn@gmail.com

Bennett, Chanda

From: Suggs, Kay
Sent: Friday, March 13, 2026 8:19 AM
To: Anielys Salgado; Bennett, Chanda
Cc: Ziskal, Benjamin
Subject: RE: Medulla Property

Good morning all,

I'll be speaking with Commissioner Troutman this morning, and be back with everyone to confirm either March 24 or March 25.

Thank you,
Kay

Kay M. Suggs
Executive Assistant
Polk County Board of County Commissioners
330 W. Church St. , PO Box 9005, Drawer BC01
Bartow, FL 33831-9005
863-534-6450; 863-534-6434; 863-534-6050
KaySuggs@PolkFL.gov www.PolkFL.gov

From: Anielys Salgado <anielysrn@gmail.com>
Sent: Friday, March 13, 2026 6:18 AM
To: Bennett, Chanda <ChandaBennett@polkfl.gov>
Cc: Ziskal, Benjamin <BenjaminZiskal@polkfl.gov>; Suggs, Kay <KaySuggs@polkfl.gov>
Subject: Re: Medulla Property

You don't often get email from anielysrn@gmail.com. Learn why this is important

CAUTION: This email originated from outside of the Polk County BoCC Email System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Chanda,

I have been reflecting on our conversation from yesterday, and I must admit that I am quite overwhelmed and upset by this news.

Had I known that building a home would require a Level 4 review, I would not have moved forward with this request. It feels unfair to undergo such an extensive, costly, and mentally exhausting process, especially given that the application could still be denied. If the land use had been correctly identified from the beginning, we would not be in this position. I believe this mapping error should be corrected by the department at the department's expense, rather than mine.

Given these unique circumstances, I am looking for a solution that allows me to build my home without the burden of a Level 4 request or a fee waiver application. Initiating those processes feels as though I am asking for forgiveness when, in fairness, the situation is the other way around. My case should be handled differently based on the facts we have discussed.

I am certain there must be a way or someone who can provide a lawful resolution that makes things right.

Please confirm our meeting with commissioner Troutman.

Best regards,

Anielys Salgado

On Thu, Mar 12, 2026 at 4:00 PM Anielys Salgado <anielysrn@gmail.com> wrote:

> Hello Chanda,
>
> Thank you for your time and for addressing my concerns during our call this morning.
>
> I spoke with Kay shortly after our conversation and confirmed that I am available on both Tuesday, March 24th, and Wednesday, March 25th. She mentioned she would coordinate with you, so please let me know which of those dates works best for your team.
>
> Additionally, I would like to move forward with scheduling meetings with each member of the Board, if you still advise doing so. Since I will be off for the next two weeks, it would be very convenient to complete these meetings during that time.
>
> Finally, could you please clarify if a public hearing is unavoidable? If there is an alternative process or anyone else I should speak with to potentially avoid a hearing, please let me know. Given that we already have an idea of where some neighbors stand, I was curious if there are other options.

Best regards,

Anielys Salgado

On Thu, Mar 12, 2026 at 3:44 PM Bennett, Chanda <ChandaBennett@polkfl.gov> wrote:

Mrs. Salgado:

I wanted to start a new email thread. Thank you for speaking with me and Ben this morning. Per our conversation, this email is to offer the two options we spoke about on the phone regarding a Level 4 Comprehensive Plan map amendment to change the BPC to RL as follows:

1. **Pay the $4,608 application fee within two weeks** – As I mentioned I will complete all the necessary paperwork and the hearings will be May 6, 2026, in the morning before the Planning Commission and then again on May 19th before the Board of County Commissioners also in the morning. I am currently working on getting the timeline and the case reservation started in our development review software. I will provide you the paperwork to review for the case before it is finalized and I submit it into the software.
2. **Request the Board grant you a fee waiver** – The earliest for this will be on Tuesday, April 7th Board meeting day in the morning. There is a form to be filled out but I can work on that upon my return after next week and let you review it before I submit it.
3. **Pay fee now and still request waiver** – I had this thought after we spoke on the phone. If you like you can pay the fee now and still move forward with the fee waiver request on April 7th which could mean, we refund you the $4,608 if the Board approves the fee waiver on April 7th. I thought this will help the case move faster to secure the May 6th PC and May 19th Board hearing and meeting all the advertising deadlines I mentioned to you earlier.

Please know, you do not have to decide on a choice today or even next week. I don't want you to feel pressured from me. But certainly you can let me know today or tomorrow.

I reached out to Commissioner Troutman's assistant, Kay Suggs. She is copied on this email to get a couple of tentative dates that Commissioner Troutman is available that match Ben and my calendars. Again, it is **totally up to you** if you want us to attend your meeting with Commissioner Troutman or not. If you do, the two dates Ben and I are available are **Tuesday, March 24 at 3 pm** in her office on the 4th floor of the County Administration Building in Bartow or on **Wednesday, March 25th** at 10 am in Commissioner Troutman's office as well.

Ben and I are both in the office tomorrow and we are out of the office next week. I may not be able to check my emails next week as I will be out of the Country, but I will check them as soon as I get back to the office on Tuesday, March 24th.

Thank you for your time today and patience. I look forward to hearing from you.

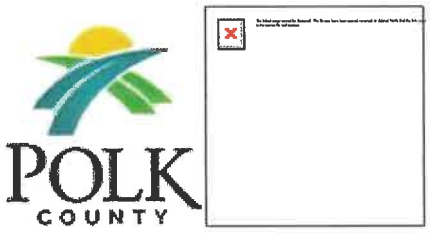
Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator

Office of Planning and Development | Land Development Division

Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005

P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net



https://www.inspire-engagement.com/polk-county-comp-plan



Gmail

Anielys Salgado <anielysrn@gmail.com>

Re: [EXTERNAL]: 4490 medulla rd

2 messages

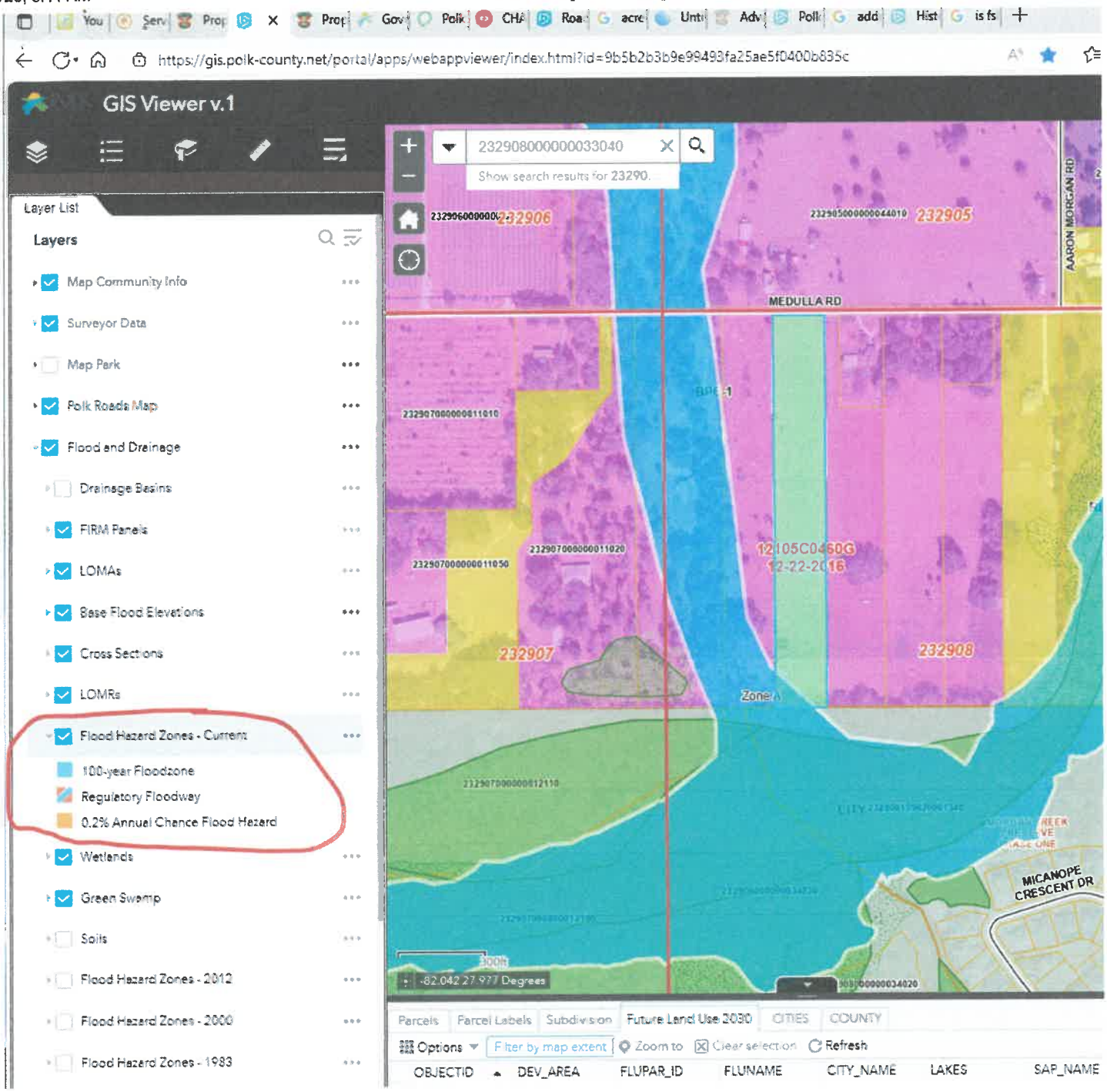
Call, Planner On <PlannerOnCall@polk-county.net>
To: Anielys Salgado <anielysrn@gmail.com>

Mon, Sep 29, 2025 at 3:31 PM

Good afternoon Ms. Salgado,

The parcel 232908-000000-033040 is located within the Residential Low-1 (RL-1) land use district. The property appears to contain floodplain. Could you please email a dimensional site plan showing the proposed split of the subject property. Please note: the newly created lots will need to meet the following.

Chapter 2, Section 2.2: Minimum lot size - each newly created lot requires a minimum of (40,000) square feet
Chapter7, Section 705: Legal Access to a paved road - according to our road inventory Medulla is paved
Chapter 8, Section 822: Minimum Road Frontage - the road is an Urban Collector, each lot will require 210 feet. This may be reduced by 50% if the accessed is shared (NOT IF ROAD IS A LOCAL RD)
*Chapter 6, Section 620 & 630: floodplain & wetlands - **newly created lots may not be entirely in the wetlands and/or floodplains**



Please let us know if we can be of any further assistance.

A copy of the Land Development Code may be viewed on our website at https://library.municode.com/fl/polk_county/codes/land_development_code

Kind Regards,

Sheranda Robinson, Planning Technician

Office of Planning and Development

Mailing: P. O. Box 9005/Drawer GM01, Bartow, FL 33831-9005
Physical: 330 W. Church Street, Bartow, FL 33830 Planner on call phone number -863.534.6084 | E-mail: planneroncall@polk-county.net http://www.polk-county.net

DISCLAIMER:
The "Planner on Call" service is provided as a courtesy to our customers. Please be advised that none of the information provided shall be construed to supersede any requirement of the Polk County Comprehensive Plan or Polk County Land Development Code. A more formal determination regarding land use entitlements or the use of land can be obtained through a request for a Land Use Verification Letter.

Please refer to the following link for the Municode Library: Ordinances | Comprehensive Plan | Polk County, FL | Municode Library

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Thursday, September 25, 2025 5:05 PM
To: Call, Planner On <PlannerOnCall@polk-county.net>
Subject: [EXTERNAL]: 4490 medulla rd

Hello , I am in the process of building a new home . I have 5.14 acres . I will not use the entire land for it . I want to split and leave some land for livestock, so how do I go about doing that?
Thank you
Anielys Salgado

Anielys Salgado <anielysrn@gmail.com> Mon, Oct 13, 2025 at 11:15 AM
To: "Call, Planner On" <PlannerOnCall@polk-county.net>

Good morning.
Thank you for your reply.
So I am currently classified a RL-1 with agricultural classification . If I decide to move forward, will the land be rezoned as A/RR instead??
Should I submit the request to you then how about the greenbelt tax status ??
Thank you,
Anielys.
[Quoted text hidden]

Gmail **Anielys Salgado <anielysrn@gmail.com>**

Re: [EXTERNAL]: Record number LDWA-2023-44

6 messages

BL_BuildingDivision <BuildingDivision@polk-county.net> Tue, Jun 17, 2025 at 8:38 AM
To: Anielys Salgado <anielysrn@gmail.com>

Good morning:

I spoke to the plans examiner supervisor and since lot 5 acres no site drainage info is needed.

If no septic need health dept approval call 863)519-8330 let them know processing a house permit and on septic they should help you process the paperwork.

If the survey is what the lot size is still and no changes you can use for the site plan.

Thanks,

Esther

Permit Technician On Call | Building Division | Polk BoCC
330 W. Church Street | 863-534-6080
P.O. Box 9005, Drawer GM02 | Bartow, FL 33831-9005

Apply for permits, check status, pay fees, schedule inspections, and more at https://aca-prod.accela.com/POLKCO/Login.aspx
Visit www.polk-county.net/accela-info for video tutorials and other information.
To request a Certificate of Occupancy (CO), please email COrequest@polk-county.net.
For assistance with Contractor Licensing, please email ContractorLicensing@polk-county.net or call 863-534-6530.
To request an expired or expiring permit be extended or reopened, please email ExpiredPermits@polk-county.net.

For assistance in navigating Accela call our help line at 863-534-6080.

Get Building Division news at Polk County Board of County Commissioners : Sign Up to Stay in Touch.

From: Anielys Salgado <anielysrn@gmail.com>
Sent: Tuesday, June 17, 2025 8:52 AM
To: BL_BuildingDivision <BuildingDivision@polk-county.net>; Call, Planner On <PlannerOnCall@polk-county.net>
Subject: [EXTERNAL]: Record number LDWA-2023-44

Good morning,
I am in the process of starting to work with an architect to design a new home construction in Polk county and I was asked to find out about the following information first:
1- Is a boundary survey enough? Does it matter how long ago was it done?
2- Do I need a topography?Grade elevations? If so, Can it just be in the area where the home will be constructed?
3-septic tank permit ??
4490 Medulla Rd Lakeland FL 33811

Anielys Salgado <anielysrn@gmail.com> Tue, Jun 17, 2025 at 8:47 AM
To: BL_BuildingDivision <BuildingDivision@polk-county.net>

Thank you very much for the information.
[Quoted text hidden]

Anielys Salgado <anielysrn@gmail.com> Tue, Jun 17, 2025 at 3:02 PM
To: BL_BuildingDivision <BuildingDivision@polk-county.net>

hello , I need to confirm with my jurisdiction (polk County) for when I do my topographic survey, at what intervals they want to see elevations, flood elevations lines if applicable, wetland lines and setbacks and location of wells within 75' of property if applicable. I need to know what the requirements are , because i dont want to do a topography of my whole land , just the area that the house will be built on to decrease cost, but again I need to ensure i meet the expectations.
Thank you again,
Anielys
[Quoted text hidden]

Call, Planner On <PlannerOnCall@polk-county.net> Wed, Jun 18, 2025 at 3:38 PM
To: Anielys Salgado <anielysrn@gmail.com>

Please contact the Building Division for your questions, thank you.

A copy of the County's Land Development Code is available at https://library.municode.com/fl/polk_county/codes/land_development_code

Juana Bustos
Planning Technician
Office of Planning and Development
Polk County Board of County Commissioners
330 West Church Street, PO Box 9005
Bartow, FL 33831-9005
863-534-6084
planneroncall@polk-county.net www.polk-county.net

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[Quoted text hidden]

Anielys Salgado <anielysrn@gmail.com> Wed, Jun 18, 2025 at 4:08 PM
To: "Call, Planner On" <PlannerOnCall@polk-county.net>

Thank you .
Do yiu know their email address?
[Quoted text hidden]

Anielys Salgado <anielysrn@gmail.com> Wed, Feb 11, 2026 at 8:59 AM
To: "Bennett, Chanda" <ChandaBennett@polkfl.gov>, "Ziskal, Benjamin" <BenjaminZiskal@polkfl.gov>

[Quoted text hidden]

Gmail **Anielys Salgado <anielysrn@gmail.com>**

Re: [EXTERNAL]: Re: Planner-on-Call Request - Do Not Reply

2 messages

Anielys Salgado <anielysrn@gmail.com> Wed, Jul 5, 2023 at 7:41 PM
To: "Call, Planner On" <plannerOncall@polk-county.net>

Hello Gary ,
So last year I asked and I was told if the land was considered " agricultural " it was able to do it .
Just asking for clarification and if there is any way this can be done some how .
Thank you again ,
Anielys .

On Wed, Jul 5, 2023 at 12:16 PM Call, Planner On <PlannerOnCall@polk-county.net> wrote:

Hello Anielys,

According to Chapter 2, Table 2.1 of the land development code an Event Facility (party venue) will be prohibited in the RL-1 land use.

A copy of our land development code can be found at: https://library.municode.com/fl/polk_county/codes/land_development_code

Gary McGahee, Planning Technician
Office of Planning and Development
Mailing: P. O. Box 9005/Drawer GM01, Bartow, FL 33831-9005
Physical: 330 W. Church Street, Bartow, FL 33830
Planner on call phone number -863.534.6084 | F-863.534.6021
E-mail: planneroncall@polk-county.net http://www.polk-county.net

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From: Anielys Salgado <anielysrn@gmail.com>
Sent: Wednesday, July 5, 2023 11:50 AM
To: Call, Planner On <PlannerOnCall@polk-county.net>
Subject: [EXTERNAL]: Re: Planner-on-Call Request - Do Not Reply

Hello Gary,
Thank you for your quick response . I sent another email right after this one in regards to the same property.
I would like to know if I can
1-build a home (answer received)
But I would like to build a part venue .
Can I do both , assuming my application to build a home is approved?
If so , how do I go about this 2 project ?
Thank you again
Anielys

On Wed, Jul 5, 2023 at 11:02 AM Call, Planner On <PlannerOnCall@polk-county.net> wrote:

Hello Anielys,

The subject property identified as 4490 Medulla Road in Lakeland (or parcel 23-29-08-000000-033040) is located within the Residential Low-1 (RL-1) land use/zoning district. This property is approximately 5.14 acres in size.

After further research, you will need to apply for a waiver to the Road Frontage requirement (Chapter 8, Section 822) since the property does not meet the 210 foot requirement.

A copy of our land development code can be found at: https://library.municode.com/fl/polk_county/codes/land_development_code

Please find attached the step-by-step guide and the link to apply for the application (you may need to register for an account if you do not have one). https://aca-prod.accela.com/POLKCO

Gary McGahee, Planning Technician
Office of Planning and Development
Mailing: P. O. Box 9005/Drawer GM01, Bartow, FL 33831-9005
Physical: 330 W. Church Street, Bartow, FL 33830
Planner on call phone number -863.534.6084|F-863.534.6021
E-mail: planneroncall@polk-county.net http://www.polk-county.net

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From: Polk County BoCC - Do Not Reply <noreply@polk-county.net>
Sent: Wednesday, July 5, 2023 9:33 AM
To: Call, Planner On <PlannerOnCall@polk-county.net>
Subject: Planner-on-Call Request - Do Not Reply

Submitted information:

PROPTERTY INFORMATION:
Owner's Name: Anielys Salgado
Parcel Number (Tax ID): 232908000000033040
Address: 4490 Medulla rd
City: Lakeland

REQUESTOR'S INFORMATION:
First Name: Anielys
Last Name: Salgado
Phone: 8633284020
E-Mail: anielysrn@gmail.com
Address: 5210 WHITE EGRET LN
City: LAKELAND

State: FL
Zip: 33811-1459
Details: Good morning. I would like to request permit to built a home at the above listed parcel number. What needs to be done please? Thank you

---

Anielys Salgado <anielysrn@gmail.com> Wed, Feb 11, 2026 at 8:37 AM
To: "Bennett, Chanda" <ChandaBennett@polkfl.gov>, "Ziskal, Benjamin" <BenjaminZiskal@polkfl.gov>

[Quoted text hidden]

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POLK COUNTY

Board of County Commissioners

PHONE: 863-534-6792
FAX: 863-534-6407
www.polk-county.net

LAND DEVELOPMENT DIVISION

August 21, 2023

SALGADO ANIELYS
5210 WHITE EGRET LN
LAKELAND, FL 33811

Re: **Project Name:** SALGADO'S WAIVER
Project #: LDWA-2023-44
Property Location: 4490 MEDULLA RD, LAKELAND, FL 33811
Request: I would love to built my family dream's home in our 5.14 acres of land.

Dear Salgado Anielys,

The Development Review Committee has reviewed your request for a waiver from the Polk County Land Development Code. After careful and diligent consideration of all the materials that were presented at the DRC meeting, the Committee finds that granting the requested waiver is appropriate. Therefore, your waiver is hereby GRANTED.

Should any party choose to appeal this decision to the Board of County Commissioners, application through the Land Development Division shall be made within 7 calendar days from the date of this letter. Appeals shall be in conformance with the requirements of Section 921.A of the Land Development Code and shall follow public Notice of Administrative Decisions pursuant to Section 921.D.

For further questions regarding the matter stated herein, please call Rita Karacson at (863) 534-6794.

Sincerely,

Rita Karacson

Rita Karacson, CPM, CPS
Development Coordination Supervisor
Land Development Division

c: Chronfile

Gmail **Anielys Salgado <anielysrn@gmail.com>**

RE: [EXTERNAL]: 4490 medulla rd

2 messages

Call, Planner On <PlannerOnCall@polk-county.net> Tue, Jul 1, 2025 at 9:09 AM
To: Anielys Salgado <anielysrn@gmail.com>
Cc: "Rogus, Kyle" <kylerogus@polk-county.net>

Good morning,

Subject site is located in the Residential Low-1 (RL-1) land use district. Setbacks in the RL-1 land use district are

ROW: 35'

Side: 10'

Rear: 15'

Kyle Rogus

Office of Planning & Development

Land Development Division

From: Anielys Salgado <anielysrn@gmail.com>
Sent: Tuesday, July 1, 2025 8:33 AM
To: Call, Planner On <PlannerOnCall@polk-county.net>
Subject: [EXTERNAL]: 4490 medulla rd

Good morning!

I need setbacks info please . Plan to build a home . Topping survey taking place . I need to add this info . Thanks

Anielys Salgado

Anielys Salgado <anielysrn@gmail.com> Tue, Jul 1, 2025 at 9:10 AM
To: "Call, Planner On" <PlannerOnCall@polk-county.net>
Cc: "Rogus, Kyle" <kylerogus@polk-county.net>

Thank you !
[Quoted text hidden]

INSTR # 2023126650
BK 12710 Pgs 0958-0961 PG(s)4
05/31/2023 01:10:50 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 35.50

THIS INSTRUMENT PREPARED BY:
Palmer C. Davis, Esq.
City Attorney's Office
City of Lakeland
228 S. Massachusetts Avenue
Lakeland, Florida 33801
(863) 834-6010

AVIGATION EASEMENT

This Avigation Easement (the "Easement") is made this 28TH day of JANUARY, 2022 by Pipkin Creek Properties, LLC ("Grantor") to the CITY OF LAKELAND, a Florida municipal corporation ("Lakeland"), the owner of Lakeland Linder International Airport (the "Airport").

WHEREAS, Grantor desires to develop a residential subdivision known as Lakeside Preserve Phase 2B&C on certain lands in Lakeland, Florida, more particularly described in Exhibit "A," attached hereto and made a part hereof (the "Property"); and

WHEREAS, Lakeland has requested that Grantor acknowledge that the Property is located near the Airport and that Grantor consent on behalf of Grantor, its successors and assigns, to the continued use of the airspace over the Property for avigation purposes; and

WHEREAS, Grantor is agreeable to the request of Lakeland;

NOW, THEREFORE, for and in consideration of the sum of $10.00, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor grants an avigation easement over the Property to Lakeland upon the following terms and conditions:

1. Grantor agrees that all persons and aircraft lawfully using or entitled to use the Airport may use and continue using, now and hereafter, the airspace over the Property in the same manner and for the same purposes as the airspace is currently being used, and for any other lawful avigation purposes, consistent with safe and proper flying procedures as promulgated from time to time by any regulatory agency of the government of the United States of America or the State of Florida.

2. Grantor waives any and all claims which it now has or hereafter may acquire relating to or resulting from noise or vibrations incidental to the use and operations of the Airport.

3. This Easement shall not be construed to constitute a waiver or relinquishment of any property right or interest for which Grantor might be entitled to recompense through proceedings in eminent domain and arising out of Lakeland's acquisition of additional lands for airport operations and clear zones incidental thereto.

4. This Easement shall be binding on Grantor and Grantor's successors and assigns, and the covenants set forth herein shall run with the Property until this Easement is either terminated by the parties, their successors or assigns, or until such time as the Airport's operations cease.

5. Nothing herein shall operate or be construed to limit any other rights that Lakeland or the operators of aircraft may have under any other authority.

6. This Easement shall be recorded in the Public Records of Polk County, Florida and shall be governed by the laws of the State of Florida and the United States of America.

[Signature Page Follows]

Stacy M. Butterfield POLK
CFN# 2023126650 OR BK 12710 PG 959 Pgs 0958-0961 05/31/2023 01:10:50 PM

IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name the day and year first above written.

GRANTOR:

Signed in the presence of:

Pam Chancey
Witness
Print Name: Pam Chancey

Witness
Print Name: A. David Norris

By: Lee Saunders

Print Name: Lee Saunders

Title: Manager

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of [✓] physical presence or [ ] online notarization this 28 day of January 2022, by Lee Saunders, as Manager (Title), of Pipkin Creek Properties, who is [✓] personally known to me or [ ] produced _____ as identification.

Notary Seal:

PAMELA G. CHANCEY
Commission # HH 010422
Expires October 15, 2024
Bonded Thru Budget Notary Services

Pamela G Chancey
Notary Public

Stacy M. Butterfield POLK
CFN# 2023126650 OR BK 12710 PG 960 Pgs 0958-0961 05/31/2023 01:10:50 PM

Exhibit "A"

LAKESIDE PRESERVE PHASE TWO
CITY OF LAKELAND, POLK COUNTY, FLORIDA
LEGAL DESCRIPTION
07-20-2021

A PARCEL OF LAND CONTAINING PORTIONS OF SECTIONS 2 AND 3, TOWNSHIP 29 SOUTH, RANGE 23 EAST, POLK COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 2; THENCE SOUTH 89°50'22" WEST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 2, A DISTANCE OF 741.12 FEET; THENCE DEPARTING SAID NORTH LINE, SOUTH 00°00'00" WEST A DISTANCE OF 186.61 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1879.86 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE/DELTA OF 02°45'04" (CHORD = 90.25 FEET, CHORD BEARING = SOUTH 79°12'19" EAST) FOR A DISTANCE OF 90.26 FEET TO THE END OF SAID CURVE; THENCE SOUTH 77°49'47" EAST, A DISTANCE OF 730.81 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE CSX TRANSPORTATION RAILROAD (FORMERLY SEABOARD COASTLINE RAILROAD); THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO (2) COURSES: THENCE (1) SOUTH 50°36'00" EAST, A DISTANCE OF 1897.08 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1116.28 FEET; THENCE (2) SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE/DELTA OF 00°24'38" (CHORD = 8.00 FEET, CHORD BEARING = SOUTH 49°51'19" EAST) FOR A DISTANCE OF 8.00 FEET TO THE END OF SAID CURVE AND THE INTERSECTION WITH THAT CERTAIN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY AS DEPICTED ON SHEETS 10-13 INCLUSIVE OF RIGHT-OF-WAY MAP FOR SECTION 16003-2514 (STATE ROAD 563) AND AS RECORDED IN OFFICIAL RECORDS BOOK 6341, PAGE 2006 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE DEPARTING THE CSX TRANSPORTATION RIGHT-OF-WAY AND ALONG THE AFORESAID FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY, THE FOLLOWING SEVEN (7) COURSES: THENCE 1.) SOUTH 10°41'52" WEST, A DISTANCE OF 1409.91 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 2716.84 FEET; THENCE 2.) SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE/DELTA OF 11°01'26" (CHORD = 521.92 FEET, CHORD BEARING = SOUTH 16°12'35" WEST) FOR A DISTANCE OF 522.73 FEET TO THE POINT OF TANGENCY; THENCE 3.) THENCE SOUTH 21°43'18" WEST, A DISTANCE OF 1289.69 FEET; THENCE DEPARTING THE AFORESAID LINE NORTH 29°40'47" WEST, A DISTANCE OF 2342.01 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF LAKESIDE PRESERVE AS RECORDED IN PLAT BOOK 171, PAGE 15 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE NORTH 29°40'47" WEST, ALONG SAID EASTERLY LINE, A DISTANCE OF 756.13 FEET TO THE SOUTHEASTERNMOST CORNER OF TRACT "B", OF SAID LAKESIDE PRESERVE PHASE 1; THENCE NORTH 29°11'37" WEST ALONG THE EASTERLY BOUNDARY OF SAID TRACT "B" AND TRACT "F", ALSO BEING ALONG THE EASTERN BOUNDARY LAKESIDE PRESERVE PHASE 1, A DISTANCE OF 1148.74 FEET TO THE NORTHEAST CORNER OF SAID LAKESIDE PRESERVE PHASE I; THENCE DEPARTING SAID LAKESIDE PRESERVE PHASE I, NORTH 89°48'32" EAST, A DISTANCE OF 865.69 FEET; THENCE NORTH 54°45'47" EAST, A DISTANCE OF 145.99 FEET; THENCE NORTH 29°17'54" WEST, A DISTANCE OF 323.28 FEET; THENCE NORTH 24°30'05" WEST, A DISTANCE OF 295.96 FEET AND THENCE NORTH 00°00'00" EAST, A DISTANCE OF 132.09 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 148.88 ACRES, MORE OR LESS.

Stacy M. Butterfield POLK
CFN# 2023126650 OR BK 12710 PG 961 Pgs 0958-0961 05/31/2023 01:10:50 PM

Agenda Item 13. 5/6/2026

SUBJECT

LDPD-2026-2 (Crews Lake Subdivision)

DESCRIPTION

Bart Allen, Peterson & Myers, P.A. requests a Planned Development (PD) for 400 single-family detached homes. The purpose of this request is to allow reduced lot sizes, setback reduction, and increased density on approximately 151 acres. The subject property is west of US Highway 98, south of Crews Lake Drive, west of Yarborough Lane, south of County Road 540-A, east of Dewitt Road and northwest of the City of Bartow in Sections 22 & 27, Township 29, Range 24.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

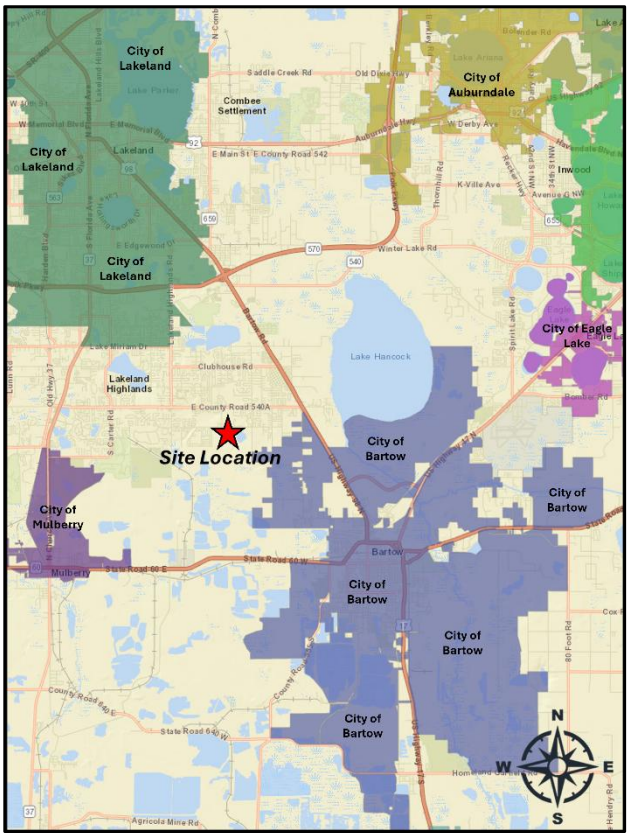
Kyle Rogus, Planner II
Land Development Division
kylerogus@polkfl.gov
863-534-7553

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

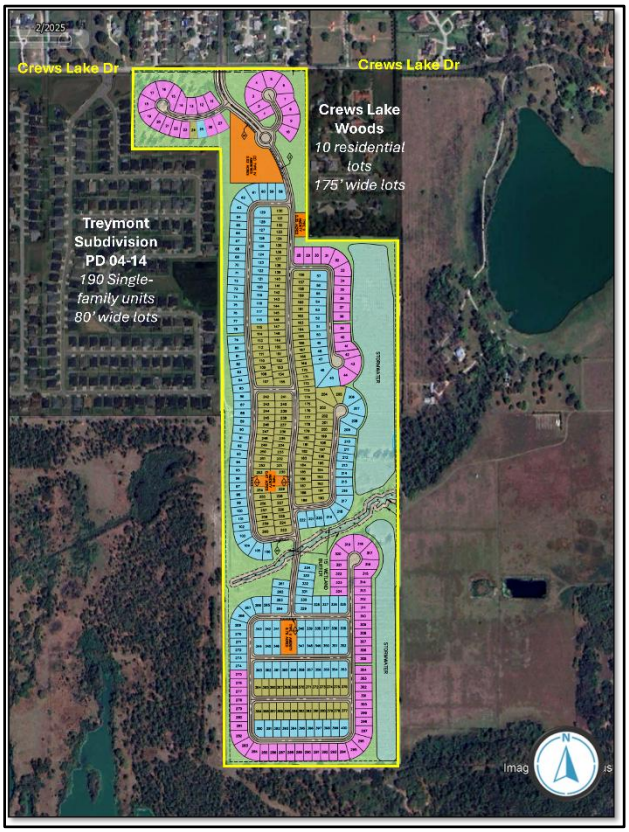
DRC Date:	February 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	May 6, 2026	**Type:**	Planned Development (PD)
BoCC Date:	N/A	**Case Number:**	**LDPD-2026-2**
		Case Name:	Crews Lake Subdivision
Applicant:	Bart Allen, Peterson & Myers, P.A.	**Case Planner:**	Kyle Rogus, Planner II

Request:	Planned Development (PD) request for 400 single-family detached homes. The purpose of this request is to allow reduced lot sizes, setback reduction, and increased density on approximately 151 acres.
Location:	The subject property is west of US Highway 98, south of Crews Lake Drive, west of Yarborough Lane, south of County Road 540-A, east of Dewitt Road and northwest of the City of Bartow in Sections 22 & 27, Township 29, Range 24
Property Owners:	Rogers Brothers, LLLP, and CDR Farms, LLC
Parcel Size (Number):	±151 acres (Refer to Exhibit 10)
Future Land Use:	Residential Low-1 (RL-1)
Development Area:	Transit Supportive Development Area (TSDA) Urban Growth Area (UGA)
Nearest Municipality:	City of Bartow is approximately 0.51 miles east.
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location Map



2025 Satellite Image with Site Plan



Summary of Analysis:

The proposed development consists of a single-family residential subdivision with 400 homes situated on approximately 151 acres. The site is located in the Residential Low-1 (RL-1) Future Land Use district and within the Urban Growth and Transit Supportive Development Areas (UGA & TSDA). The site plan incorporates a mix of lot widths, including 50', 60', and 64' wide lots. This variation in lot size allows the development to balance efficient land use with compatibility with surrounding residential properties. Below is a breakdown of the proposed lots.

Lot Type	Total
50'x120' 60'x120' 64'x130'	150 158 92
Total Units	400

A key component of the proposal is its approach to buffering and compatibility with adjacent properties. Along the project perimeter, particularly where it abuts existing 80-foot-wide lots, the applicant proposes a 25-foot-wide Type "C" landscape buffer. While buffering is not required between single-family residential uses under Section 720 of the Land Development Code (LDC), the applicant has elected to provide this feature voluntarily and at a width that exceeds typical standards. This enhanced buffer is intended to soften visual transitions, reduce potential conflicts between differing lot sizes, and create a more gradual and aesthetically pleasing edge condition. Additional buffering measures are incorporated along the boundary with the Crews Lake Woods subdivision to further mitigate potential incompatibilities. In this area, the development places its largest lots, 64 feet in width, adjacent to the existing neighborhood. These lots are supplemented by a six-foot-tall berm and a six-foot opaque fence, providing both physical and visual separation. The plan also maintains a minimum separation distance of approximately 64 feet between proposed and existing lots, not including required setbacks. These combined elements create a layered buffering strategy that enhances privacy and minimizes impacts on neighboring properties.

In terms of density and intensity, the development remains consistent with the surrounding area. The proposed density of 2.65 dwelling units per acre falls within the range of nearby subdivisions, which generally vary between approximately 2.4 and 2.9 dwelling units per acre. This consistency ensures that the project does not introduce excessive intensity and instead maintains a scale that is compatible with the existing development pattern.

Surrounding Intensities

Development	Unit #	Acres	Density	Lot Width
Pulte Crews Lake	**400**	**± 151 acres**	**2.65 du/ac**	**50', 60', 64'**
Highland Club	747	± 300.13 acres	2.48 du/ac	50', 130'
Treymont	190	± 71.66 acres	2.65 du/ac	80'
Hartford Estates	166	± 57.23 acres	2.90 du/ac	80'
Highlands Creek	190	± 79.25 acres	2.40 du/ac	80'
Highland Hills South	51	± 18.63 acres	2.74 du/ac	85'
Crews Lake Woods	10	± 13.92 acres	0.72 du/ac	175'
Fox Tree West	24	± 9.19 acres	2.61 du/ac	80'
Fox Tree East	23	± 9.17 acres	2.51 du/ac	80'

The site plan employs a deliberate transition strategy in its lot size distribution. Smaller and medium width lots are concentrated within the interior of the site, while larger lots and buffering elements

are positioned along the perimeter adjacent to existing neighborhoods. Five (5) different amenities ranging from Type II to Type IV are distributed and accessible through internal pedestrian connections not to exceed the 1,320-foot limit from houses to amenities pursuant to Section 303 of the LDC.

Potential Type-II Amenities:

- Tot lot
- Dog park or dog run
- Exercise course, or
- Picnic pavilion

Potential Type-IV Amenities:

- Community Center
- Clubhouse
- Community meeting room, or
- Community pool

The development meets and slightly exceeds open space requirements, providing 20.9 percent where 20 percent is required for Planned Developments with narrower lot widths. This ensures adequate spacing, contributes to the visual quality of the neighborhood, and supports overall livability.

The site will have one access point onto Crews Lake Drive, an Urban Collector roadway, where the previous southern extension of McCall Road, formerly Tillery Road, existed prior to its vacation. Sidewalks will be required along the project's roadway frontage as well as 25 feet of right-of-way (ROW) dedication along Crews Lake Drive. A traffic study is not required until Level 2 submittal. Based on preliminary calculations, the peak hour traffic conditions at full buildout may be significant. An in-depth major traffic study will dictate necessary transportation enhancements to address any potentially impacted segments or traffic links. At a minimum the entrance will require a Type IV intersection with deceleration and center turn lanes.

The previous Planned Development had a slightly lower proposed density (2.63 dwelling units per acre) to what is proposed today (2.65 dwelling units per acre). This change represents a minimal increase in intensity. Despite the small change, staff recommends approval of this request as it is based on the determination that the proposal remains consistent with the LDC and Comprehensive Plan and compatible with the surrounding land uses and growth patterns within this area.

Findings of Fact

- *LDPD-2026-2 is a request for a Planned Development (PD) for 400 single-family units on approximately 151 acres. Minimum lot sizes will be 6,000 sq. ft. The proposed density is 2.65 dwelling units per acre (DU/AC).*

- *The setbacks for the proposed development, as depicted on the site plan, will be as follows:*

    - *Primary Structure*
        - *Urban Collector: 35'*

- *Front: 15'*
- ***Side: Reduced from 10' to 5'***
- *Rear: 15'*
- *Corner Side: 15'*
- *Garage: 25'*

- *Accessory Structure*
  - *Side: 5'*
  - *Rear: 10'*

- *The subject property is located within the Residential Low-1 (RL-1) Land Use designation. Per Table 2.1 in the LDC, Planned Developments are "C3" conditional uses in RL-1 district which require a Level 3 Review as described in Section 906 of the LDC.*

- *The subject site is located in the Urban Growth Area (UGA), which are "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 in close proximity to the development in the adjacent TSDAs," according to Policy 2.105-A1 of the Polk County Comprehensive Plan.*

- *POLICY 2.105-A5 of Polk County's Comprehensive Plan requires development in UGA's to connect to centralized water unless a waiver is granted by the Board of County Commissioners. This policy also requires connection to centralized sanitary sewer systems if available.*

- *The subject site is partially within the Transit Supportive Development Area (TSDA). The intent of the TSDA "is to 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; improve access to employment areas, schools, shopping, and reactional opportunities," according to POLICY 2.105-A1 of the Comprehensive Plan. Policy 2.104-A5 requires applicable developments in the TSDA to connect to centralized water and sewer systems.*

- *Per Table 2.2 of the LDC, the RL-1 district allows a maximum density of one dwelling unit per acre. Interior side setbacks within RL-1 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.*

- *Per POLICY 2.119-A7 of the Comprehensive Plan, the Residential-Low maximum density within the Transit Supportive Development Area allows up to seven (7) dwelling units per acre. Meanwhile, according to POLICY 2.120-C4, RL districts permit up to five (5) dwelling units per acre in the UGA. The requested PD has a proposed density of 2.65 DU/AC.*

- *Chapter 10 of the LDC defines "Planned Development" as "A land use or uses prepared, constructed, and maintained according to a binding plan as a single entity containing one or more structures and accessory uses. Strict adherence to land use district standards may be relaxed for the purpose of accomplishing a greater objective such as increased internal*

vehicle trip capture, resource protection, further compatibility with adjacent uses, and more efficient use of public infrastructure. Multiple land uses contained within Planned Development shall have a functional relationship with each other as well as consistency with the land use district."

- *The RL-1 land use district is characterized by areas of low density with smaller lots with a minimum of 40,000 square feet (RL-1), which is allowed by right. Through the Planned Development process, reduced lot sizes and setbacks can be achieved.*

- *Per Section 303 of the LDC, Planned Developments with lots less than 80 feet wide shall devote at least twenty percent of the gross developable project area to open space. The submitted site plan shows 31.71 acres of open space, which equates to approximately 20.9% open space.*

- *Per Section 720, Table 7.13 Land Use Class Numbers, Single-family is a Class two (2). Pursuant to Table 7.12.a Buffer Matrix, a Class two (2) proposed use abutting an existing Class two (2) use does not require a landscaping buffer.*

- *The submitted site plan shows proposed 25-foot Type "C" landscape buffers along roadway frontages as well as the entire boundary of the subject property.*

- *On August 4, 2021, a Planned Development to the east of the subject site, known as Touchstone Residential, was approved 6-1 by the Planning Commission. The request consists of 562 single-family detached homes on 40', 50' and 60' wide lots on approximately 157 acres (LDPD-2021-17).*

- *On January 6, 2026, a Planned Development to the east of the subject site, known as Highlands Club, was approved 3-2 by the Board of County Commissioners. The request consists of 747 single-family detached homes on 50', and 130' wide lots on approximately 300.1 acres (LDPD-2025-9).*

- *According to Policy 2.125-M of the Comprehensive Plan, the Planned Development process allows "for increasing densities and intensities that may be permitted under certain circumstances, or using innovative design techniques, or providing a mixture of land uses. Planned Development may also be used to gain project design flexibility and to attach conditions where warranted. Planned Development shall comply with density bonus points as outlined in the Land Development Code."*

- *Polk County Comprehensive Plan Policy 2.102-A3 states, "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."*

- *Polk County Comprehensive Plan Policy 2.102-A4 states, "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 project area is zoned for Valleyview Elementary, R Bruce Wagner Elementary, Lakeland Highlands Middle, Bartow Middle, George Jenkins Senior High and Bartow Senior High. Most of the site is zoned for Valleyview Elementary, Lakeland Highlands Middle, and George Jenkins Senior High.*

- *The site has approximately 1,335 feet of direct frontage along Crews Lake Road and proposing one access point off Crews Lake Drive.*

- *The portion of McCall Road south of Crews Lake Drive was recorded as a County-maintained right-of-way under Map Book 13, Pages 14-17, and later vacated under O.R. Book 11144, Page 2073.*

- *The property has direct ingress/egress to Crews Lake Drive (Road No. 942102), an Urban Collector roadway. Road number 942102 has 46' of ROW and a pavement width of 22'. Crews Lake Drive is tracked for concurrency with the Polk County Transportation Organization's Roadway Network Database and has a Level-of-Service (LOS) of "C".*

- *The subject property lies within the County's Southwest Utility Service Area (SWUSA). A 12-inch potable water main is located along the western right-of-way of McCall Road. A 8-inch wastewater line is within the frontage of the subject site on the southern right-of-way along Crews Lake Drive. A 12-inch reclaimed water line is about directly across the street on the north side of Crews Lake Drive and McCall Road.*

- *Fire and EMS response to this project is from Polk County Fire Rescue Station #28, located at 4104 Clubhouse Road in Lakeland, approximately 2.8 miles away.*

- *Sheriff's response to the site is served by the Southwest District (SW), located at 4120 US 98 South in Lakeland.*

- *The following are the closest County park to the subject property*
  - ***Highland City Senior Field,*** *which is approximately ± 1.90 miles pedestrian travel directly northeast. Highland City Senior Field includes the following amenities:*
    - *Baseball fields*
    - *Picnic Tables*
    - *Restrooms*
  - ***Banana Lake Park,*** *which is approximately ± 2.40 miles pedestrian travel directly north. Banana Lake Park includes the following amenities:*
    - *Bank/pier fishing*
    - *Boat launching site*
    - *Picnic Area*
    - *Playground*
    - *Restrooms*
    - *Walking path/trails*

- ***Highland City Park,*** *which is approximately ± 2.50 miles pedestrian travel directly northeast. Highland City Park includes the following amenities:*
  - *Baseball fields*
  - *Playgrounds*
  - *Restrooms*

- *According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the property is comprised of seven (7) different soil types. The three (3) most prevalent are Fort Meade sand (49.0%), Tavares fine sand (28.5%), and Pomello sand (12.2%).*

- *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.*

- *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 surface water features on the subject property. The closest surface water feature to the subject site is Crews Lake at approximately 697 feet to the east in a closed basin within the larger Saddle-Creek Drainage Basin.*

- *There are wetlands and floodplains found on the subject property.*

- *The general topography of the subject property slopes toward Crews Lake with elevations varying from 160 feet to 215 feet, according to the Polk County GIS data viewer.*

- *The subject site is not located within any of the County's Wellhead Protection Districts.*

- *The subject property is not located within a Height Notification Zone or In-Flight Visual/Electronic Interference Zone of the Bartow Municipal Airport.*

- *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."*

- *This request has been reviewed for consistency with Table 2.1 and Sections 303 and 906 of the LDC.*

- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and SECTION 2.105 URBAN-GROWTH AREA (UGA); of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visits, 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 and Land Development Code; therefore, the DRC recommends **APPROVAL of LDPD-2026-2.**

CONDITIONS OF APPROVAL:

1. This Planned Development (PD) approval shall be for 400-lot single-family detached units, as depicted on the site plan, on ±151 acres. [PLG]

2. Approval of this request shall include the following setbacks as shown on the site plan [PLG]:
    - *Primary Structure*
        - *Urban Collector: 35'*
        - *Front: 15'*
        - ***Side: Reduced from 10' to 5'***
        - *Rear: 15'*
        - *Corner Side: 15'*
        - *Garage: 25'*
    - *Accessory Structure*
        - *Side: 5'*
        - *Rear: 10'*

3. The applicant shall provide a twenty-five-foot setback from the right-of-way for garages in all areas of the development. [PLG]

4. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDPD-2026-2, 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]

5. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that 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. [PLG]

6. The applicant shall construct sidewalks along the entire frontage of Crews Lake Drive as well as both sides of all internal roadways. Street lighting provided shall consist of fully shielded fixtures to prevent offsite glare. [PLG]

7. No residential lots shall be approved wholly or partially within wetlands or the wetland buffers. [PLG]

8. The project shall be designed to retain the difference in pre and post-development runoff volumes from a 100 year/24-hour storm event. The rate of discharge from the post-

development site shall not exceed the rate of runoff from the pre-development condition for a 100 year/24-hour storm event. [PLG]

9. Proposed residential development on the site shall be conditioned upon a twenty-five (25') foot wide buffer area on the boundary of the site, after right of way dedications along Crews Lake Drive, as generally shown on the site plan for LDPD-2026-2.
    a. The landscape buffer area buffer shall include the plantings of a Type "C" Landscape Buffer as outlined in Section 720 of the Land Development Code, and
    b. Include a minimum six-foot (6') earthen berm with a six-foot (6') high solid fence on top of the berm along the property boundary adjacent to residential development on Crews Woods Lane. The berm shall not be required where stormwater management facilities are located adjacent to properties on Crews Woods Lane.

10. The rear lot lines for proposed lots with rear lot lines adjacent to residential development on Crews Woods Lane shall be a minimum of 60' from the property. Any additional open space created by these additional setbacks may count toward open space requirements within the Planned Development and shall be prohibited for use as recreation or amenity areas.

11. During Level 2 review, the developer shall coordinate with the Polk County School Board to identify a potential bus pull off area, with a covered shelter, along the project's frontage on Crews Lake Drive, as generally shown on the site plan for LDPD-2026-2.

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 subject property is currently undeveloped. 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-3 (RL-3) Various single-family homes on ± 4.84 acres	**North:** Residential Low-3 (RL-3) Fox Tree East & West Subdivision Total Units: 47 single-family homes Total Acreage: 18.36 acres Density: 2.56 du/ac ±10,720 sq. ft. - 18,408 sq. ft.	**Northeast:** Residential Low-3 (RL-3) Equestrian Facility ±58.59 acres
West: RL-1 Treymont Subdivision (PD-04-14) 190 single-family homes ±10,000 sq. ft. – ±21,000 sq. ft. lots Treymont Density: 2.65 du/ac ±71.66 acres	**Subject Property:** Residential Low-1 (RL-1) Vacant, pasture, Proposed Project Proposed Density: 2.65 du/ac ±151 acres	**East:** Residential Low-1 & 2 (RL-1 & RL-2) Crews Lake Woods Subdivision 8 SFR, 2 unplatted SFR & Highlands Club PD (LDPD-2025-9) 747 single-family homes Highlands Club Density: 2.48 du/ac Crews Lake Woods Density: 0.72 du/ac ± 300.1 acres
Southwest: Phosphate Mining (PM) Former phosphate mining ±367.92 acres	**South:** Phosphate Mining (PM) Former phosphate mining ±367.92 acres	**Southeast:** Phosphate Mining (PM) Former phosphate mining ±367.92 acres

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

Table 1 indicates that the subject property is surrounded primarily by low-density residential uses, along with some non-residential land to the south. To the north and northwest, the area is designated Residential Low-3 (RL-3) and consists of established single-family neighborhoods, including the Fox Tree East and West subdivisions, which contain 47 homes on approximately 18.36 acres at a density of about 2.56 dwelling units per acre, as well as additional scattered single-family homes. To the west, the Treymont subdivision, designated RL-1, includes 190 single-family homes on roughly 71.66 acres with lot sizes ranging from about 10,000 to 21,000 square feet. To the east, a mix of RL-1 and RL-2 designations includes the Crews Lake Woods subdivision, limited unplatted residential lots, and the larger Highlands Club planned development with 747 single-family homes on approximately 300.1 acres. The northeast is characterized by an equestrian facility on about 58.59 acres under RL-3. In contrast, the lands to the south, southeast, and southwest are designated for Phosphate Mining (PM) and consist of former mining areas totaling approximately 367.92 acres.

A previous case, PD 05-05, a request for a 158-lot single-family subdivision with a minimum lot size of 9,000 square-feet on 60 ± acres, received a 4/3 vote of approval by the Planning Commission on March 8, 2005. The proposed gross density was 2.63 dwelling units per acre. The case was then

denied by the Board of County Commissioners on May 18, 2005 by a 5/0 vote. The Board of County Commissioners based its decision upon the following findings of facts and conclusions of law

Compatibility:
During the course of the de novo hearing, several citizens provided fact-based testimony as to the compatibility of the proposed project based upon the surrounding lot sizes and home sizes.

Schools:
There was testimony that the four schools that service the area (Valleyview Elementary, Lakeland Highlands Middle School, and George Jenkins High School would be directly and adversely impacted by the Planned Development as each of the aforementioned schools exceeded their respective enrollment capacities.

Transportation:
The overall transportation network was deemed inadequate. The area in question required an additional north/south road and east/west road. Further, the "S" curve on Crews Lake Drive was substandard and that vehicle traffic was causing widespread congestion.



2005 Aerial Photo



2025 Aerial Photo

Since the denial of PD 05-05 in May, 2005, the surrounding area has seen exponential growth over the last 20 years. Based on aerial data dating back to November of 2005, six (6) months after the denial of PD 05-05 and current aerial data as of April, 2025, you can see the increase in development with the anticipated infrastructure to support development. Key developments that have been built out since the previous denial consists of:

- Treymont Phase I & II
- Hartford Estates Phase II
- Highlands Creek Phase II
- Touchstone
- Wind Meadows

This growth includes multiple residential and community projects. The expansion reflects planned development supported by increasing infrastructure and investment, indicating the area is well-positioned for continued growth.

Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with the surrounding area as the residential density in this area is very similar to what is being requested and will not adversely affect the citizens of the immediate surrounding area.

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.*"

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

A. Land Uses:

Policy 2.102.A2 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 proposed development demonstrates compatibility with adjacent land uses by accomplishing all three provisions by organizing lot sizes and transitions in a deliberate manner. Single-family residences abutting single-family residences are compatible. The development proposed a similar intensity to what is existing today, while including additional buffering techniques.

Buffer:
The proposed development satisfies provision (a) of Policy 2.102.A2 by incorporating deliberate buffering techniques to mitigate potential incompatibilities between adjacent land uses. Along the project perimeter, where the new lots abut existing 80-foot-wide lots (Treymont subdivision), a 25-foot-wide Type "C" landscape buffer is provided. This buffer creates a physical and visual separation that softens transitions in lot size and development character. By introducing this landscaped edge condition, the plan reduces direct visual and spatial conflicts, ensuring that differing residential patterns can coexist without abrupt or jarring interfaces.

It is important to note that a landscape buffer of any width and planting material is not a requirement of the Land Development Code (LDC) for this type of development. Pursuant to Section 720.H1, *"the Buffer Matrix, Table 7.12 outlines the requirements for buffers which is based on the intensity of the proposed development or use, and the uses which are developed or intended on all adjacent properties"*. The letters A, B, C on Table 7.12 refer to specific types of buffers which are

illustrated in Figure 7.3. "N" means no buffer is required by this Code. The proposed use and abutting uses are both single-family residential (Class 2), which does not require a landscape buffer. However, the applicant has provided a 25-foot-wide Type "C" landscape buffer as part of the conditions of approval. The buffer conditioned by the applicant exceeds the County's most intense landscape buffer requirements by including an additional five (5) feet of buffer width along the entire property boundary.

In addition to the 25-foot-wide buffer along the entire property boundary, the applicant is proposing additional buffering techniques to mitigate potential incompatibility where the proposed development abuts the Crews Lake Woods subdivision. The Crews Lake Woods subdivision was approved for 10 single family lots with lot widths ranging from 175 feet to 317 feet depending on the orientation. According to Property Appraiser, the smallest lot size in the Crews Lake Woods subdivision is one (1) acre. Based on the site plan, the proposed development will implement the largest lots (64-foot-wide lots, approximately 8,320 square feet) abutting the Crews Lake Woods subdivision, in addition to a 6-foot-tall berm and 6-foot-tall, screened fence/wall measured from the average existing grade. The closest point, measured from property boundaries, is 64 feet and is conditioned by staff to have no proposed lot be closer than 64 feet to the Crews Lake Wood subdivision. This does not include any primary or accessory building setbacks. The space between lots is part of the developments open space calculations, where they provide 20.9% meeting the 20% minimum for residential Planned Developments with lots less than 80 feet wide.

Intensity and Scale:

Provision (b) is addressed through control of intensity and scale across the development. The data shows that densities remain generally consistent with surrounding communities, ranging roughly between 2.40 and 2.90 dwelling units per acre, aligning closely with nearby subdivisions. The proposed development is proposing 400 single-family detached units on approximately 151 acres of upland. This equates to a proposed density of 2.65 dwelling units per acre, which is slightly less than the abutting Treymont subdivision to the west. Additionally, while the project introduces a mix of lot widths (50', 60', and 64'), these are balanced against surrounding developments by arranging the smaller lot sizes internal to the site and the two larger lot sizes on the periphery. This approach to density and lot sizing ensures that the proposed development does not introduce excessive intensity but instead remains compatible by maintaining a comparable scale and gradually moderating differences.

Surrounding Intensities

Development	Unit #	Acres	Density	Lot Width
Pulte Crews Lake	**400**	**± 151 acres**	**2.63 du/ac**	**50', 60', 64'**
Highland Club	747	± 300.13 acres	2.48 du/ac	50', 130'
Treymont	190	± 71.66 acres	2.65 du/ac	80'
Hartford Estates	166	± 57.23 acres	2.90 du/ac	80'
Highlands Creek	190	± 79.25 acres	2.40 du/ac	80'
Highland Hills South	51	± 18.63 acres	2.74 du/ac	85'
Crews Lake Woods	10	± 13.92 acres	0.72 du/ac	175'
Fox Tree West	24	± 9.19 acres	2.61 du/ac	80'
Fox Tree East	23	± 9.17 acres	2.51 du/ac	80'

Transition:

Provision (c) is accomplished through a transition strategy that organizes lot sizes and development patterns in a logical progression. Smaller and medium-width lots are concentrated within the

interior of the site, while larger lots and buffering elements are placed along the edges adjoining existing neighborhoods. This gradation in lot size, combined with the inclusion of internal roadways, open spaces, and landscaped areas, creates a seamless transition between varying land use intensities. The result is a cohesive development pattern that avoids abrupt changes, promotes visual continuity, and reflects techniques consistent with the policy's intent.

Overall, the site design reflects a coordinated approach to land use planning, where lot size variation is integrated with buffering and placement techniques. These measures collectively reduce potential incompatibilities, enhance neighborhood continuity, and align the development with established planning principles for scale, intensity, and adjacency.

B. Infrastructure:

Comprehensive Plan Policy 2.102-A1 emphasizes the importance of encouraging compact and contiguous development patterns that reduce energy consumption, preserve natural resources, and limit the cost of extending public services. It also seeks to discourage leapfrog development by promoting growth in areas already supported by existing infrastructure and nearby communities.

The proposed project aligns with these objectives by utilizing existing public investments and developing in an area that has experienced steady residential growth over the past several decades. The Lakeland Highlands area is largely built out with single-family neighborhoods, and the subject property represents one of the remaining sizable parcels designated for residential use. As such, the development functions as infill within an established growth area rather than extending development outward. Broader growth patterns also suggest continued expansion toward the south, gradually connecting with the City of Bartow.

Based on the Land Development Code (Table 3.3 – Location Eligibility Score for Residential Low), the site achieved a score of 17 points, which would allow a density of up to 4 dwelling units per acre. However, the proposed density is significantly lower at 2.65 dwelling units per acre, requiring 10 points. This demonstrates that the project is well within allowable limits and maintains a moderate intensity consistent with surrounding development. The surrounding infrastructure provides ample opportunity to obtain the 10 points required for the proposed density.

The site is well-served by existing infrastructure and transportation networks. It has frontage along Crews Lake Drive, a County-maintained Urban Collector Roadway, and is conveniently located near County Road 540A and US 98. Sidewalk infrastructure is already present along Crews Lake Drive to the west of the site and continues north along Lakeland Highlands Road, providing connectivity to the nearest activity center. A public transit stop is located slightly less than two (2) miles to the east. The developer will extend sidewalks along Crews Lake Drive to enhance pedestrian connectivity. Utilities are readily available, including water, wastewater, and reclaimed water systems, with sufficient capacity confirmed by the Southwest Florida Water Reclamation Utility Authority (SWRUSA), which also has planned system upgrades. Emergency services are provided. Additionally, the site is within reach of multiple school service areas and is located near community and regional parks within appropriate travel distances.

Nearest Elementary, Middle, and High School

The site is zoned for Valleyview Elementary, Lakeland Highlands Middle, and George Jenkins Senior High. Adjacent schools for the site are R Bruce Wagner Elementary, Bartow Middle, and Bartow Senior High. Per Policy 3.603-B2 of the Comprehensive Plan, the uniform school district-wide level-of-service (LOS) standards are established as a percentage of Florida Inventory of School Houses (FISH) capacity.



Valleyview Elementary

A non-binding school concurrency determination for the proposed project was filed earlier this year in February. Based on the determination, there is available capacity at the zoned elementary, middle, and high schools. The determination also provided information regarding the adjacent schools, where there is available capacity. It is important to note that this determination is non-binding. No seats are being reserved for the proposed project. At the time the project is undergoing site plan approval, the development will need to apply for a binding letter to receive school concurrency. See Table 2 below for concurrency analysis.

If approved, the horizontal construction is expected to begin in the fourth quarter of 2026 and be completed by the third quarter of 2027 with an estimated full occupancy date by the end of 2028. By the time buildout should occur and the subdivision is platted, elementary and middle school zones may also be adjusted by the School Board.

Table 2

Name of School	Current Enrollment	Concurrency Capacity	*Students Generated by Project	% Capacity 2024-2025 School Year	Average Driving Distance
Valleyview Elementary (Zoned)	762	933	59	83%	± 1 mile
R Bruce Wagner Elementary (Adjacent)	866	1,038	59	86%	± 8.2 miles
Lakeland Highlands Middle (Zoned)	1,087	1,481	34	84%	± 4.9 miles
Bartow Middle (Adjacent)	1,062	1,477	34	79%	± 8.2 miles
George Jenkins Senior High (Zoned)	2,464	2,790	48	89%	± 2.2 miles
Bartow Senior High (Adjacent)	2,233	3,399	48	66%	± 7.7 miles

Source: Polk County School Board, GIS, Google Maps
** Pulte Crews Lake Non-binding School Concurrency Determination*

As previously stated, the applicant will be required to apply for a binding school capacity determination at the time of the Level 2 Review submittal. Student allocation is to be determined at that time. Should any of the other schools exceed capacity at the time of the Level 2 Review, a review of nearby schools will be performed in order to locate placement for students.

Nearest Sheriff, Fire, and EMS Station

Both fire and EMS response to this project is from Polk County Fire Rescue Station 28, located at 4104 Clubhouse Road in Lakeland. The travel distance is about 2.8 miles with an average response time of 8-10 minutes. Sheriff's response to the site is served by the Southwest Command District, located at 4120 US 98 South next to Polk State College. The response times for SW were: P1 – 9:21 minutes; P2 – 25:28 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.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Southwest District Command (4120 US 98 S, Lakeland)	±4.5 miles	P1: 10:22 P2: 25:37
Fire/EMS	Station #28 (4104 Clubhouse Road, Lakeland)	±2.8 miles	10-12 minutes

Source: Polk County Sheriff's Office & Polk County Fire Rescue Response Times

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

Water and Wastewater Demand and Capacity:



Pollard Road Water Treatment Facility

Water, wastewater, and reclaimed water services are serviced by the SWRUSA for potable water, wastewater, and reclaimed water. The nearest available water lines to serve the proposed development is a 12-inch potable water-main on the west side of McCall Road approximately 40 linear feet north of the property and a 12-inch reclaim water-main on the north side of Crews Lake Drive also approximately 40 linear feet north of the property. Public system improvements associated with the subdivision include a sanitary sewer network, one (1) public lift station, and approximately 2,600 linear feet of 6-inch sanitary force-main along McCall Road from the site entrance to the intersection of E County Road 540A and McCall Road. Force main along McCall Road and lift station will be upsized with a developers agreement by another project to 12-inches to provide sewer transmission capacity for potential future development.

A. Estimated Demand and Service Provider:

A single-family dwelling is estimated to generate 360 gallons per day (GPD) for water and 270 GPD for wastewater. Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands if maximum densities are permitted if the PD were to acquire all locational criteria points allow up to five (5) units per acre in the ±145.28-acre upland UGA portion and up to seven (7) units per acre in the ± 5.72-acre TSDA portion. Based on Polk County concurrency

calculations, proposal is estimated to generate 144,000 GPD of potable water and 108,000 GPD of wastewater.

Table 4

Subject Property	Estimated Impact Analysis		
151 ± upland acres RL-1	**Demand as Currently Permitted**	**Maximum Permitted with PD Bonus Points**	**Proposed Plan**
Permitted Intensity	151 single-family dwelling units	766 single-family dwelling units	400 single-family dwelling units
Potable Water Consumption (GPD)	54,360 GPD	275,760 GPD	144,000 GPD
Wastewater Generation (GPD)	40,770 GPD	206,820 GPD	108,000 GPD

Source: Polk County Concurrency Manual & Polk County Utilities
Single-family residential Consumption/Generation numbers are based on the most intense use allowed in the district at 360 GPD/unit for water consumption and 270 GPD/unit for wastewater generation.

B. Available Capacity:

According to PCU summary, the Southwest Public Water System is permitted for 6,780,000 GPD of water capacity. The current flow is at approximately 65% of capacity (4,436,000 GDP). The Southwest Regional Wastewater Treatment Facility is permitted to treat 4,000,000 GPD. The current flow is approximately 56% of the capacity (2,238,000 GPD). Both water and wastewater systems have enough capacity to serve development at its current rate of connections for the next 20 years.

C. Planned Improvements:

Potable water and wastewater services are within the right-of-way on Yarborough Lane. These include a 10-inch potable water main, 12-inch gravity line and 12-inch force main extend approximately 0.70 miles south. There is also a public lift station that is currently being installed within the Touchstone Residential Community Development District (CDD). The nearest reclaimed water line is a 12-inch line about 40 linear feet to the north of the site along Crews Lake Drive.

The Southwest Regional Wastewater Treatment Facility (SWRWWTF) plans to upgrade their current centrifuge dewatering units with permanent dewater facilities and new network and control systems. According to the CIP Utilities summary from July 2025, the project is currently under preliminary design and development stages. Both water and wastewater systems have enough capacity to serve development at their current rate for the next 20 years.

Roadways/ Transportation Network

The surrounding roadway network is comprised of Crews Lake Drive (Road No. 942102), Yarborough Lane (Road No. 942213), Lakeland Highlands Drive (Road No. 942005), and CR 540A (Road No. 931302), which are County-maintained Collector roadways monitored for concurrency by Polk County Transportation Planning Organization (TPO). One access point onto Crews Lake Drive has been identified on the site plan. Improvements such as additional sidewalks will be required along the project's roadway frontage as well as 25 feet of ROW dedication along Crews Lake Drive. Due to the estimated Average Annual Daily Trips (AADT), the PD will require a major traffic study to be assessed during Level 2.

A. Estimated Demand:

The proposed development is expected to generate 3,124 AADT and 400 PM Peak hour trips. Table 5, to follow, shows the traffic that is projected for the proposed 400 lot single-family development versus what would be permitted by right without the PD process and what the maximum could be with a Planned Development, according to Section 303 of the LDC.

Table 5

Subject Property	**Estimated Impact Analysis**		
151 ± upland acres RL-1	**Demand as Currently Permitted**	**Maximum Permitted with PD Bonus Points**	**Proposed Plan**
Permitted Intensity	151 single-family dwelling units	766 single-family dwelling units	400 single-family dwelling units
Average Annual Daily Trips (AADT)	1,180	5,983	3,124
PM Peak Hour Trips	151	766	400

Source: Source: Polk County Concurrency Manual

Appendix C of the LDC requires all developments generating more than 750 average daily trips to conduct a major traffic study. The biggest impacts will be revealed as the housing units are developed and occupied. Based on the Polk County concurrency manual, about 252 trips (63%) are expected to enter the development while approximately 148 trips (37%) are expected to exit the site during the busiest driving periods.

McCall Road, formally Tillary Road, was a County-maintained Right-of-way pursuant to Map Book 13, Pages, 14-17. The roadway extends south of Crews Lake Drive onto the subject property and was identified within the Treymont Phase I Plat according to Plat Book 182, Pages 28-30 as Tract "F2" for future development. Tracts "F1" and "F2" shown on the plat are reserved by Highlands Enhancement, INC., its successors and assigns for future development under its own Parcel ID No. 242922287530000760. The roadway extending south of Crews Lake Drive was later vacated in February of 2020 under O.R. 11144, Page 2073. For the purposes of this application, the portion identified as Tract "F2" in the Treymont Phase 1 plat, under its own Parcel ID No. 242922287530000760 has not been included in the request. This Tract will ultimately act as a natural buffer from the Treymont subdivision, not being accounted for as Planned Development (PD) open space requirements, density calculations, and upland calculations.

There is one proposed access point to the site along Crews Lake Drive. The access point is proposed where the southern portion of McCall Road was originally map creating driveway alignment with the northern portion of McCall Road. Because of this alignment, a significant proportion of the traffic generated from this development will travel north on McCall Road to reach CR 540A as it is the fastest route of travel. The nearest commercial district to the subject site is the Neighborhood Activity Center (NAC) land use district located northwest of the subject site at the corner of Lakeland Highlands Road and CR 540A. The district is just under 2 miles from the subject site.

B. Available Capacity:

One access point onto Crews Lake Drive (Road No. 942102) has been identified on the site plan. Table 6, to follow, shows that there is traffic capacity available to support development in this area based on generalized data. Based on new Polk County Transportation Planning Organization,

Concurrency Roadway Network Database 2026, Link # 8082 has the capacity to support 790 peak hour trips and available capacity for an additional 482 trips eastbound and 495 trips westbound before this link's Level of Service (LOS) is degraded. New road links were added to the 2026 Roadway Database offering a more precise way of measuring each road segment. The following links provided in Table 6 offer available capacity, and where some links do not, there are other alternative routes. Until a traffic study is complete at the time of Level 2 Review, there is no immediate way to gauge the exact impact the development will have on each road link.

Crews Lake Drive is currently operating at a "C" LOS with minimum LOS standard "D." The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of 'A' to 'F' with LOS 'A' being the best (free-flow traffic) and LOS 'F' being the worst (severe traffic congestion).

The peak hour traffic conditions at full buildout will be significant. It is important to note that the County's roadway network is greatly expanding as well as the new 2026 Roadway Network Database adding 12 additional roadway links and adjusting one (1) to provide clear and precise data to specific road links affected by future development. All impacted roads have available PM Peak Hour capacity.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
8082E	Crews Lake Drive From: Lakeland Highlands Road To: Crews Lake Road	C	482	D
8082W	Crews Lake Drive From: Lakeland Highlands Road To: Crews Lake Road	C	495	D
8501N	Crews Lake Road From: Crews Lake Drive To: CR 540A	C	606	D
8501S	Crews Lake Road From: Crews Lake Drive To: CR 540A	C	614	D
8500N	Lakeland Highlands Road From: Crews Lake Drive To: CR 540A	C	170	D
8500S	Lakeland Highlands Road From: Crews Lake Drive To: CR 540A	C	195	D
4038N	CR 37B (Lakeland Highlands Road) From: CR 540A To: Lake Miriam Drive	C	812	D
4038S	CR 37B (Lakeland Highlands Road) From: CR 540A To: Lake Miriam Drive	C	772	D
8502N	Yarborough Lane From: Crews Lake Drive To: CR 540A	C	694	D
8502S	Yarborough Lane From: Crews Lake Drive To: CR 540A	C	697	D
8098N	Yarborough Lane From: CR 540A To: CR 540 (Clubhouse Road)	C	633	E
8098S	Yarborough Lane From: CR 540A To: CR 540 (Clubhouse Road)	C	626	E
4040E	CR 540 (Clubhouse Road) From: CR 37B (Lakeland Highlands Road) To: US 98	C	249	D
4040W	CR 540 (Clubhouse Road) From: US 98 To: CR 37B (Lakeland Highlands Road)	C	271	D
4162W	CR 540A (Central barn Road) From: CR 37B (Lakeland Highlands Road) To: US 98	C	786	D
4162E	CR 540A (Central Barn Road) From: CR 37B (Lakeland Highlands Road) To: US 98	C	744	D
5405N	US 98 From: Lyle Parkway To: CR 540A	C	564	D
5405S	US 98 From: Lyle Parkway To: CR 540A	C	661	D
5406N	US 98 From: CR 540A To: SR 540 (Winter Lake Road)	C	484	D
5406S	US 98 From: CR 540A To: SR 540 (Winter Lake Road)	C	381	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database 2026

Roadway Network Database at a Glance:

The Roadway Network Database (RND) contains over 26 fields of transportation data for nearly 1,400 miles of state, county and city roads in Polk County. Much of the transportation data contained in the updated RND is based on traffic counts taken recently by the TPO and Florida Department of Transportation (FDOT) and is used to calculate the level of service and determine

how much capacity is available on a given road based on the road's level-of-service (LOS) standard. Also included are several safety and multi-modal indicators that help us track some of the TPO's performance measures and targets. This includes a calculation of crash rates, as well as if there is a presence of transit services, sidewalks and bicycle facilities for each road segment. The traffic study represents conditions at a specific point in time. As buildout progresses, the Roadway Network Database will be updated to reflect the additional trips generated by this development. At the time of Level 2 review for the proposed project, the applicant will be required to confirm that traffic concurrency standards are met, including identifying and addressing any affected roadway segments or links through necessary improvements.

C. Roadway Conditions:

Crews Lake Drive is classified as an Urban Collector with a planned capacity of 6,700 average daily trips (AADT). The existing right-of-way is approximately 46 feet wide, with a pavement width of 22 feet. In accordance with LDC Section 705, developments must provide additional right-of-way along County roads. For this project, that requirement equates to dedicating enough ROW to ensure that 40 feet of right-of-way from the centerline along the site's frontage on this two-lane collector roadway. Crews Lake Drive has a posted speed limit of 35 miles per hour.

D. Sidewalk Network:

Pursuant to Section 707 of the LDC, "sidewalks are considered an urban service and vital to the promotion of pedestrian well being and the minimization of pedestrian deaths in the County. Sidewalks are also an essential element of public and charter school infrastructure." Given the proximity to Valleyview Elementary, the project will be required to incorporate new sidewalks along Crews Lake Drive. There are existing sidewalks connections along the south side of Crews Lake Drive extending west to Lakeland Highlands Road. Lakeland Highlands Road also provides sidewalk connectivity on the east side to CR 540A. This connectivity allows pedestrian traffic to reach the nearby retails shops and elementary school.

E. Planned Improvements:

The County has not identified any planned improvements for this area in the current CIP.

F. Mass Transit:

The nearest mass transit route is the Citrus Connection Transit Route stop (Route 22XL "Silver Express") with the closest stop being Stop #699 approximately 1.97 miles from the subject site. The existing sidewalk network along CR 540A allows for pedestrian traffic from the proposed PD to access the Citrus Connection transit network.



Park Facilities and Environmental Lands:

The subject property is surrounded by a multitude of County Parks. The closest park to the subject site is Highland City Senior Field, which is approximately 1.10 miles directly north, and consists

of a baseball and softball field and picnic tables. Highland City Park and Banana Lake are two other parks within a 2-mile radius of the subject site both eligible to constitute as one (1) locational scoring point. There are no environmental lands abutting the site, the closest environmental site is the Lakeland Highlands scrub about 1.25 miles to the west. There are no conservation easements on the property.

A. Location:

Farther north, Highland City Park is located at 3930 Ball Park Road, roughly 2.50 miles from the site by pedestrian travel. This park supports recreational softball leagues and includes two (2) little league fields, a pony field, and a standard softball field. It also features a playground with a covered area to provide shade for children. Banana Lake Park, situated along Banana Lake in Lakeland, offers covered picnic shelters, a short walking trail, a boat ramp, a fishing pier, and a playground. Both parks are located within a 2-mile radius of the subject property, making either park eligible to count for one (1) locational scoring point. Pursuant to Section 303 Table 3.3, "points are awarded for one type of each park" meaning only one (1) point from either park can be awarded for community park if Highland City Senior Field was not the closest park.

B. Services:

According to Polk County Parks and Recreation, Highland City Park contains two (2) little league fields and offers a playground with a covered area. Banana Lake Park offers covered picnic shelters, a short walking trail, a boat ramp, a fishing pier, and a playground.

C. Multi-use Trails:

The Fort Fraser Trail is identified as a multi-use trail within the TPO 2035 Multimodal Plan. The planned route runs parallel to and along the east side of US 98 north of Bartow. The trail is asphalt-paved and designed for use by walkers, joggers, and cyclists, and it also provides access to Circle B-Bar Reserve.

D. Environmental Lands:

The closest environmentally sensitive land to the subject property is the Lakeland Highlands Scrub, located approximately 1.25 miles to the west. This 551-acre conservation area was acquired through joint funding from the Polk County Environmental Lands Program and the Florida Communities Trust Preservation 2000 Program to protect significant natural resources that had remained largely undisturbed by previous landowners. The site preserves the largest remaining contiguous portion of the historic Lakeland Ridge and supports a small population of red-tailed hawks and palm warblers. Two trails, the 2.2-mile Tortoise Trail and the 0.6-mile Shady Oak Trail provide access through open dry prairie, pine flatwoods, oak hammock, and basin swamp habitats. The area contains several federally listed plant and animal species, including pygmy fringe tree, nodding pinweed, hairy jointweed, sand skink, eastern indigo snake, and the Florida scrub-jay.
Lake Hancock conservation area is located approximately 0.00 miles to the east of the subject site and is protected under a conservation easement held by the Southwest Florida Water Management District (SWFWMD).

E. Planned Improvements:

The County Community Investment Program (CIP) has no planned improvements to the County parks near the subject site.

Environmental Conditions

The subject property has no significant environmental constraints that would preclude development, though it contains wetlands, floodplain areas, and a range of soil types that require standard mitigation and design considerations. The site lies within a closed drainage basin near Crews Lake, requiring stormwater systems capable of handling the 100-year, 24-hour storm event without offsite discharge. Wetlands are primarily located along the southern portion of the site and will be minimally impacted, with any disturbances mitigated in accordance with applicable regulations. Soils on site are generally well-drained but include some limitations for septic systems; however, planned centralized utilities reduce concern. No nearby protected species habitats are directly impacted, though standard wildlife surveys and buffers (including for a known bald eagle nest) will be required. No archaeological resources are known on site, and an existing private well will be properly abandoned. Overall, environmental conditions allow for development with typical regulatory compliance and mitigation measures.

A. Surface Water:

The property is in a closed portion of the Peace River - Saddle Creek drainage basin. It is in the open basin, but not connected due to topography. The basin spans 146.2 square miles and contains 79 named lakes/ponds and 7 named rivers/streams/canals. The closest surface waterbody to the subject site is Crews Lake, approximately 680 feet to the east. Per LDC Section 740, new stormwater facilities and drainage structures in closed drainage basins shall be designed and constructed to meet LOS I standards. Therefore, these storm water management systems need to have the ability to handle the 100-year, 24-hour storm event.

Stormwater originating from certain areas of the project site is presently included within Environmental Resource Permit (ERP) No. 1432 and No. 31479, which apply to the nearby Crews Lake Woods and Treymont developments. Under the proposed development scenario, however, the Crews Lake Subdivision will not contribute runoff to these adjacent permitted systems.

Within the neighboring Treymont development, Ponds 3, 4, and 7 are fitted with emergency overflow features that direct excess flows toward the project site during storm events exceeding the 100-year, 24-hour storm threshold. The associated control structures for these ponds are designed with weir elevations set at the peak water surface elevation corresponding to that storm event.

As part of the proposed design, the Crews Lake Subdivision will include a stormwater collection system located along the rear lot lines on the eastern portion of the site, where the sites elevation is at its lowest. This system is intended to intercept and convey runoff from the Treymont development during storm events that surpass the 100-year, 24-hour design criteria.

The portion of the subject site that is associated with wetlands, which extends across the southern half, acts as a drainage channel serving to collect overland flow before ultimately discharging into Crews Lake.

B. Wetlands/Floodplains:

A segment of the property is situated within a mapped Zone "A" floodplain. To address potential floodplain impacts associated with development, stormwater management facilities such as retention and detention ponds will be incorporated and designed in compliance with the standards of the Southwest Florida Water Management District (SWFWMD) and Polk County land development regulations.

The wetlands onsite consist of existing forested trees and small ditch extending from the southwestern shoreline of Crews Lake. The associated wetland continues offsite in the southwest direction. Any impacts will be subject to appropriate permitting and will be offset through mitigation measures in accordance with applicable local, state, and federal requirements. No lots are located within the wetlands.

Pursuant to Policy 2.123-C2: Development Criteria of the Polk County Comprehensive Plan, *"wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for:*

1. *Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions;*
2. ***access to the site;***
3. ***necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety;***
4. *utility transmission and collection lines;*
5. *pre-treated storm-water management;*
6. *mining that meets state and federal regulations; or*
7. *expansion of an existing use or a new use where upon consultation with the appropriate regulatory agency (prior to permitting) it is determined that the proposed mitigation implements all or part of an agency or jurisdiction's plan and provides greater long term ecological value than the impact."*

Pursuant to Section 620.B.3 of the Land Development Code (LDC), "an undisturbed vegetative buffer adjacent to surface waters with an average width of 25 feet and a minimum width of 15 feet…measured perpendicularly from the OHWL or the jurisdictional wetland line, whichever is greater" is proposed along the identified wetland. Impacts to the wetland are proposed to provide access to the southernmost portion of the subject site.

C. Soils:

The property contains a variety of soil types across the site. The majority consists of well-draining soils, including Fort Meade sand, Tavares fine sand, and Pomello fine sand, as documented in the U.S. Department of Agriculture Soil Conservation Service. These soils generally present minimal constraints for typical site development. However, certain limitations—ranging from moderate to severe—are identified for septic drainfield performance due to seasonal wetness and limited natural filtration capacity. In areas where numerous septic systems are concentrated, these conditions may increase the potential for groundwater quality impacts. Because the proposed

development will utilize centralized potable water and sanitary sewer infrastructure, these soil-related constraints are not expected to pose a concern.

Table 7

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	***Acres Of Site*** *(approximate)*	**% Of Site** *(approximate)*
Tavares fine sand	Moderate: wetness	Slight	43.4	28.5%
Candler sand	Slight	Slight	12.7	8.3%
Fort Meade sand	Slight	Severe: flooding, wetness, shrink-swell	74.6	49.0%
Arents	Not rated	Not rated	0.5	0.4%
Pomello fine sand	Severe: wetness, poor filter	Moderate: wetness	18.5	12.2%
Adamsville fine sand	Severe: wetness, poor filter	Moderate: wetness	2.3	1.5%
Basinger mucky fine sand	Severe: ponding, poor filter	Severe: ponding	0.1	0.1%
Totals for area of interest			152.2	100%

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

D. Protected Species:

Based on the Polk County Endangered Habitat Maps, The PD is not situated within a one-mile radius of any recorded endangered species sightings (Source: Florida Natural Areas Inventory). The nearest environmentally sensitive area to the subject property is the Lakeland Highlands Scrub, located approximately 1.25 miles to the west. This 551-acre conservation area was acquired through joint funding by the Polk County Environmental Lands Program and the Florida Communities Trust Preservation 2000 Program to preserve valuable natural resources that had remained largely undisturbed by prior landowners. An unmonitored Bald Eagle nest is located over 800 feet east of the property, according to the Audubon EagleWatch Inventory Viewer (Nest ID # PO168a). Staff recommends that prior to any site clearing or grubbing activities, the applicant retain a qualified professional to perform a site survey/walkover to confirm that no threatened or endangered plant or animal species are present. Should any such species be identified, the applicant must take appropriate measures to protect them or mitigate any impacts in accordance with applicable federal, state, and local regulations.

E. Archeological Resources:

No known archeological or historical sites are present on the proposed development site, according to the Florida Master Site File maintained by the Secretary of State's Department of Historical Resources.

F. Wells (Public/Private):

A private well exists on the property and was previously used when portions of the site supported agricultural activities. This well will be properly abandoned in compliance with the requirements of the Southwest Florida Water Management District (SWFWMD).

G. Airports:

The site is not located within the buffer zone of any municipal airport. The nearest aviation facilities are the Bartow Medical Centers helistop, approximately 5.6 miles to the southeast, and Bartow Executive Airport, located about 10.9 miles to the east. The property is not within the flight path or height restriction zones associated with Bartow Airport and all structures will meet the 50-foot max structure height requirement within the Residential Low-1 (RL-1) land use district pursuant to Section 205, Table 2.2 Density and Dimensional Regulations for Standard Districts.

Economic Factors:

The proposed Planned Development (PD) includes vacant parcels located along the south side of Crews Lake Drive and is intended to accommodate current and future housing needs within Polk County. The provision of diverse housing types will support a cohesive residential community within a suburban setting characterized by established site-built subdivisions. The Lakeland Highlands area has experienced sustained growth in recent decades, with increasing property values reflecting continued market demand.

Consistency with the Comprehensive Plan and Land Development Code:

The site is located within the Urban Growth Area (UGA) and Transit Supportive Development Area (TSDA). The TSDA 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.

The proposed development represents an efficient use of existing public infrastructure, including roadway, water, and wastewater systems. Public water and wastewater services are available to serve the site. Transit services operate within the surrounding area, providing connectivity to nearby commercial and recreational uses. A traffic study will be conducted during the Level 2 Review process to evaluate potential impacts and identify any required improvements. Public safety services are currently provided at urban service levels, with facilities located in close proximity to the site

The proposed 400 lot single-family development is consistent with the Comprehensive Plan; specifically, POLICY 2.120-C1, where residential development is permitted in the RL-1 future land use district with up to five (5) dwellings per upland acre in the UGA depending on design and location.

Table 8, 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.

Table 8

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 400 single-family development with supportive amenities and recreational uses is compatible with neighboring properties and there is adequate infrastructure to support it as well. The proposed PD is surrounded on three sides by residential land use districts. The site plan provides adequate scaling of these intensities by incorporating significant buffers, appropriate lot sizing, and green spaces between uses.
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 is in an area intentionally planned for urban development. The site is located where potable water, wastewater, and reclaimed water services are available and have capacity.
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 request is in an area with urban level services, including public water and sewer and has direct access to Urban Collector roadways. Mass transit is nearby with an extensive sidewalk network. Schools and emergency services are in the area with adequate response times.
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 site is located within an area that has a significant amount of urban infrastructure and services with ample capacity to serve it.
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).	The subject property is located within an area of the County that has adequate public safety services as identified in the staff report.

This request is consistent with the Land Development Code. The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 9 in accordance with Section 906.D.7 of the Land Development Code

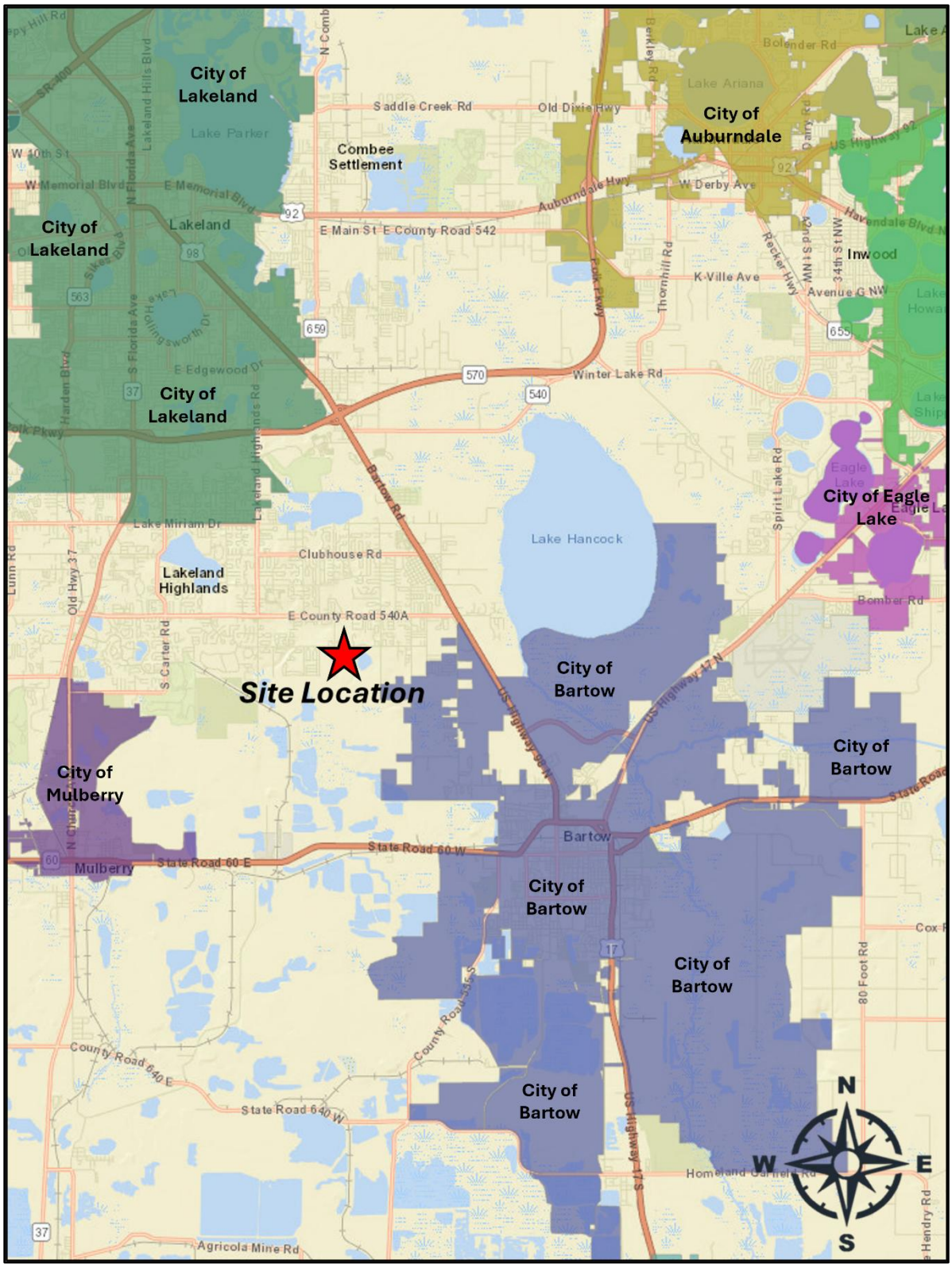
Table 9

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;	*Yes, this request is consistent with the LDC, specifically Sections 906.D, 303, 705 and Section 709.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this development is consistent with the Comprehensive Plan as it meets the density requirements.*
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	*Yes, the request is compatible with surrounding uses and the general character of the area. See Pages 11-14 of this staff report for data and analysis on surrounding uses and compatibility.*
How the concurrency requirements will be met if the development were built.	*This request will require concurrency determinations from utilities, the School Board, and TPO. The impact on public services can be found in the analysis found in the staff report.*

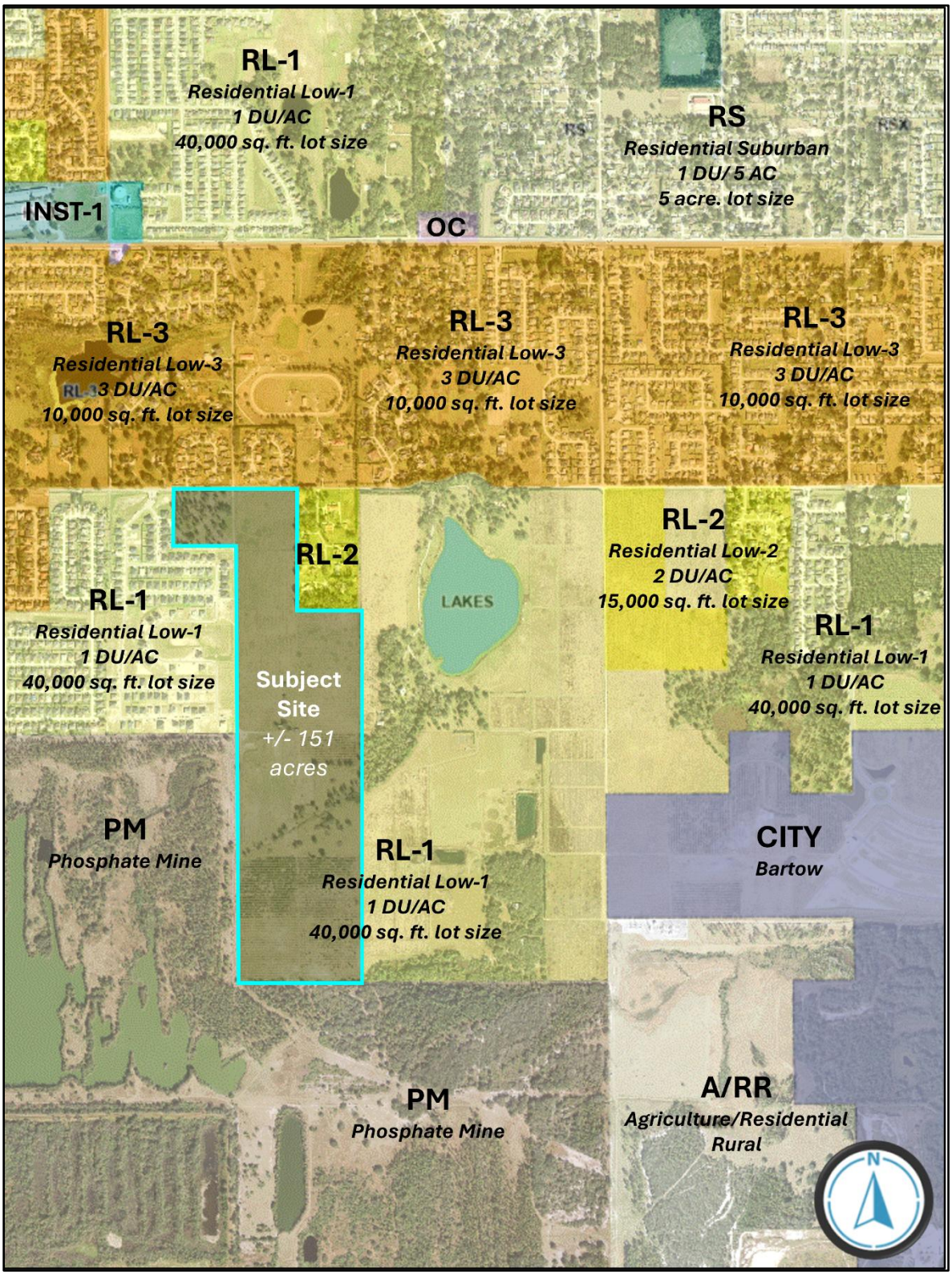
Comments from other Agencies: N/A

Exhibits

Exhibit – 1 Location Map
Exhibit – 2 Future Land Use Map
Exhibit – 3 2025 Satellite Image (Context)
Exhibit – 4 2025 Satellite Image (Close-up)
Exhibit – 5 2025 Satellite Image with Site Plan Overlay
Exhibit – 6 Site Plan
Exhibit – 7 Amenity Plan
Exhibit – 8 Open Space Plan
Exhibit – 9 Typical Lots
Exhibit – 10 List of Parcels
Exhibit – 11 Landscaping Berm



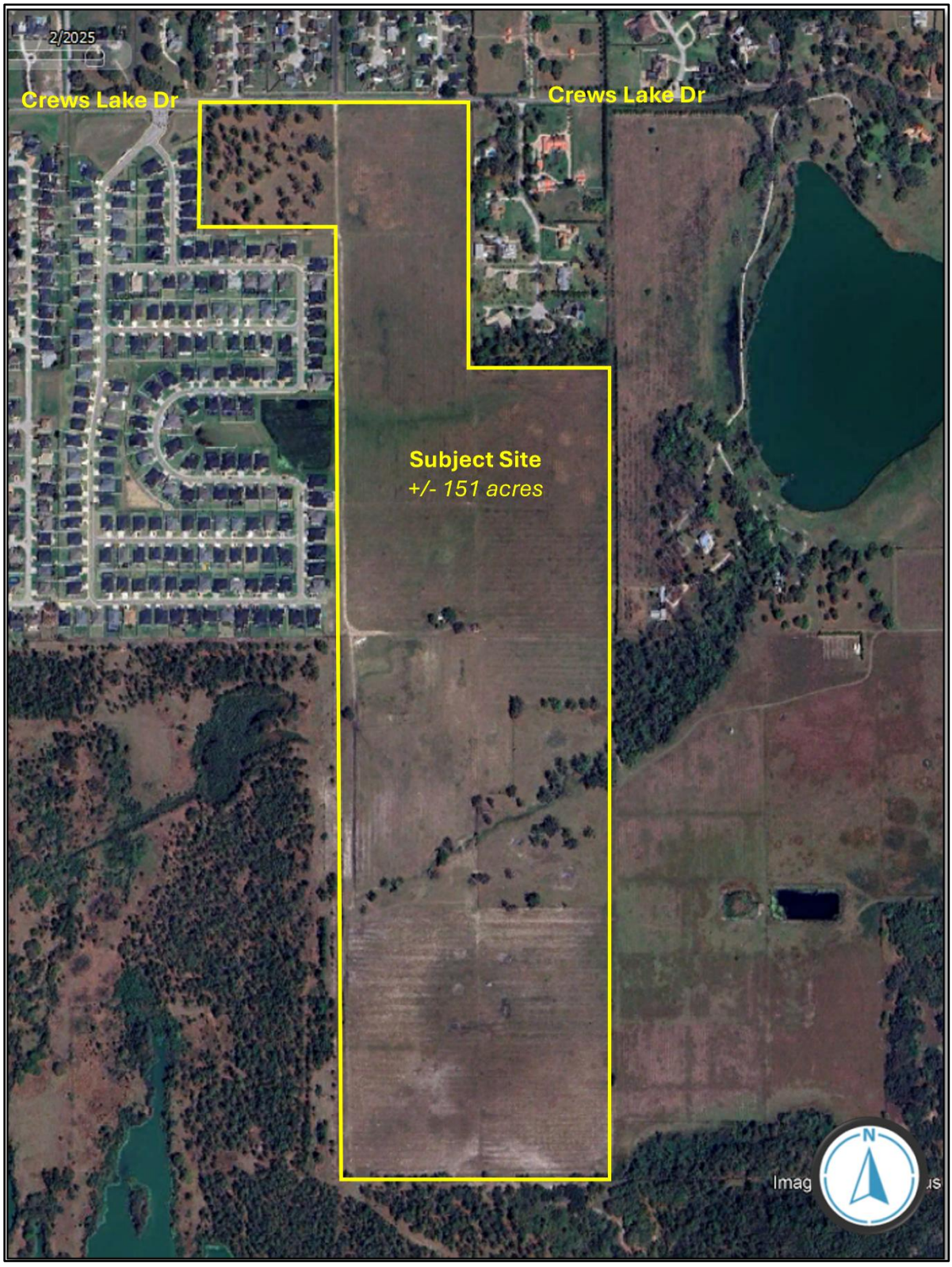
Location Map



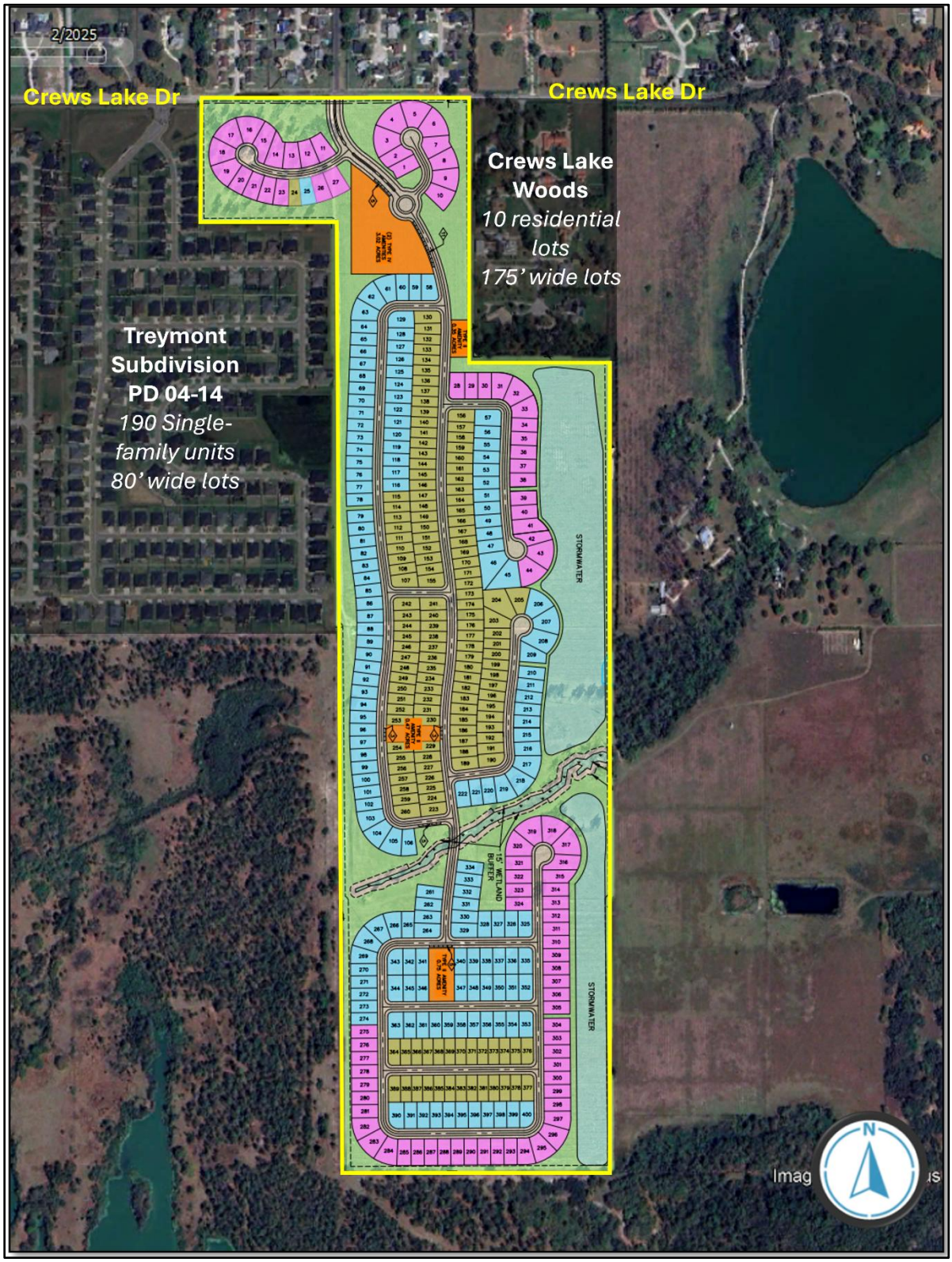
Future Land Use Map



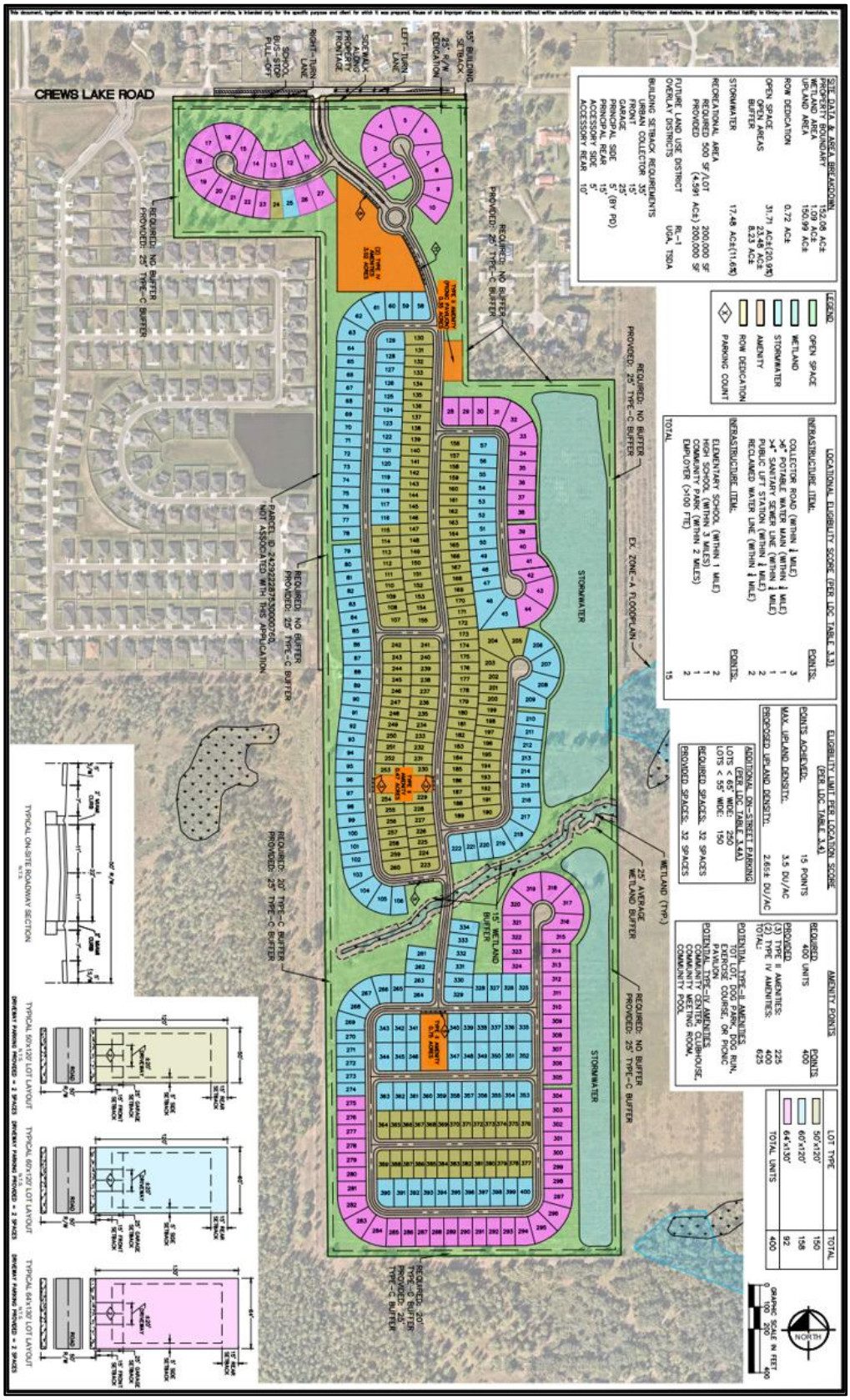
2025 Satellite Photo (Context)



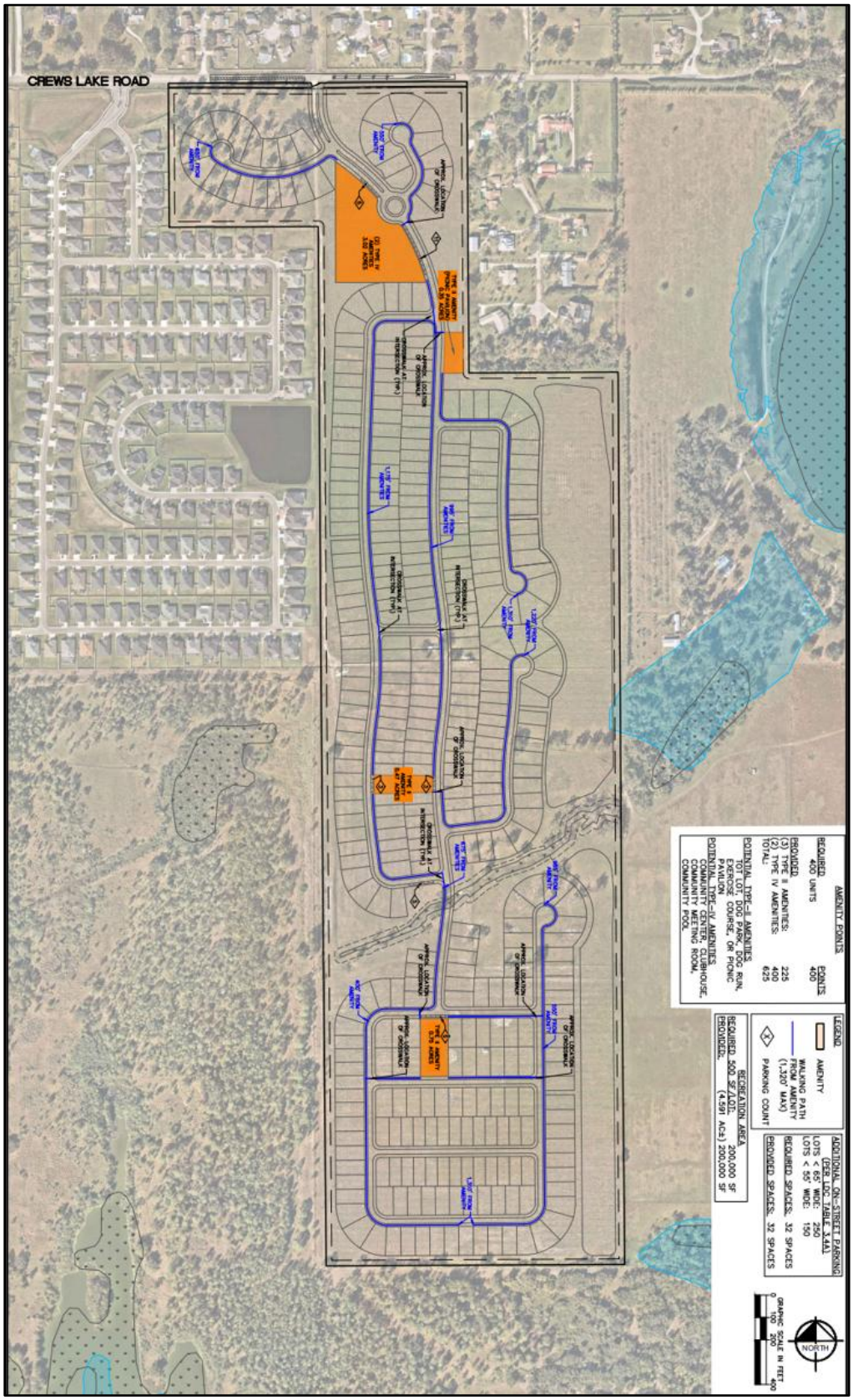
2025 Satellite Photo (Close-up)



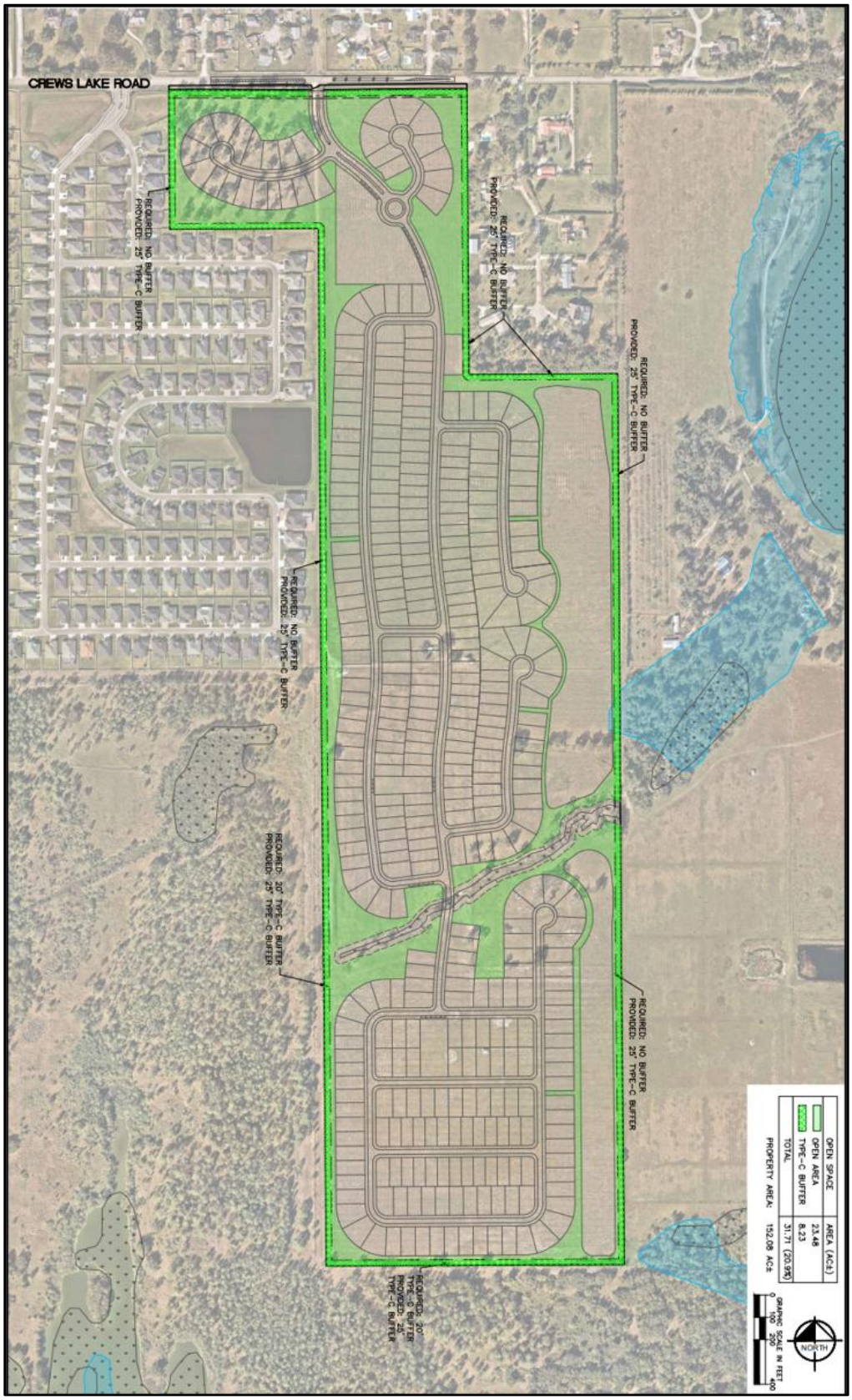
2025 Satellite Image with Site Plan Overlay


CREWS LAKE ROAD
SITE DATA & AREA BREAKDOWN
PROPERTY BOUNDARY 152.08 AC±
RETENTION AREA 1.99 AC±
UPLAND AREA 150.09 AC±
ROW DEDICATION 0.72 AC±
OPEN SPACE 31.71 AC±(20.9%)
OPEN AREAS 23.48 AC±
BUFFER 8.23 AC±
STORMWATER 17.48 AC±(11.6%)
RECREATIONAL AREA
REQUIRED 500 SF/LOT 200,000 SF
PROVIDED (4.591 AC±) 200,000 SF
FUTURE LAND USE DISTRICT RL-1
OVERLAY DISTRICTS UGA, TSDA
BUILDING SETBACK REQUIREMENTS
URBAN COLLECTOR 35'
FRONT 15'
GARAGE 25'
PRINCIPAL SIDE 5' (BY PD)
PRINCIPAL REAR 15'
ACCESSORY REAR 10'
LEGEND
OPEN SPACE
WETLAND
STORMWATER
AMENITY
ROW DEDICATION
PARKING COUNT
LOCATIONAL ELIGIBILITY SCORE (PER LDC TABLE 3.3)
INFRASTRUCTURE ITEM: POINTS:
COLLECTOR ROAD (WITHIN ½ MILE) 3
≥6" POTABLE WATER MAIN (WITHIN ½ MILE) 1
≥4" SANITARY SEWER LINE (WITHIN ½ MILE) 1
PUBLIC LIFT STATION (WITHIN ½ MILE) 2
RECLAIMED WATER LINE (WITHIN ½ MILE) 2
INFRASTRUCTURE ITEM: POINTS:
ELEMENTARY SCHOOL (WITHIN 1 MILE) 2
HIGH SCHOOL (WITHIN 3 MILES) 1
COMMUNITY PARK (WITHIN 2 MILES) 1
EMPLOYER (>100 FTE) 2
TOTAL 15
ELIGIBILITY LIMIT PER LOCATION SCORE (PER LDC TABLE 3.4)
POINTS ACHIEVED: 15 POINTS
MAX. UPLAND DENSITY: 3.5 DU/AC
PROPOSED UPLAND DENSITY: 2.65± DU/AC
ADDITIONAL ON-STREET PARKING (PER LDC TABLE 3.4A)
LOTS ≥ 65' WIDE: 250
LOTS < 55' WIDE: 150
REQUIRED SPACES: 32 SPACES
PROVIDED SPACES: 32 SPACES
AMENITY POINTS
REQUIRED 400 UNITS
PROVIDED POINTS
(2) TYPE II AMENITIES: 225
(3) TYPE IV AMENITIES: 400
TOTAL 625
POTENTIAL TYPE-II AMENITIES (CHOOSE 2): DOG RUN, EXERCISE COURSE, OR PICNIC PAVILION
POTENTIAL TYPE-IV AMENITIES (CHOOSE 3): CLUBHOUSE, COMMUNITY MEETING ROOM, COMMUNITY POOL
LOT TYPE TOTAL
50'x120' 150
60'x120' 158
64'x130' 92
TOTAL UNITS 400
STORMWATER
EX. ZONE-A FLOODPLAIN
25' AVERAGE WETLAND BUFFER
WETLAND (TYP.)
15' WETLAND BUFFER
REQUIRED: NO BUFFER PROVIDED: 25' TYPE-C BUFFER
REQUIRED: 20' TYPE-C BUFFER PROVIDED: 25' TYPE-C BUFFER
PARCEL ID #2392223753000070; NOT ASSOCIATED WITH THIS APPLICATION
TYPICAL ON-SITE ROADWAY SECTION
TYPICAL 50'x120' LOT LAYOUT
TYPICAL 60'x120' LOT LAYOUT
TYPICAL 64'x130' LOT LAYOUT
NORTH
GRAPHIC SCALE IN FEET

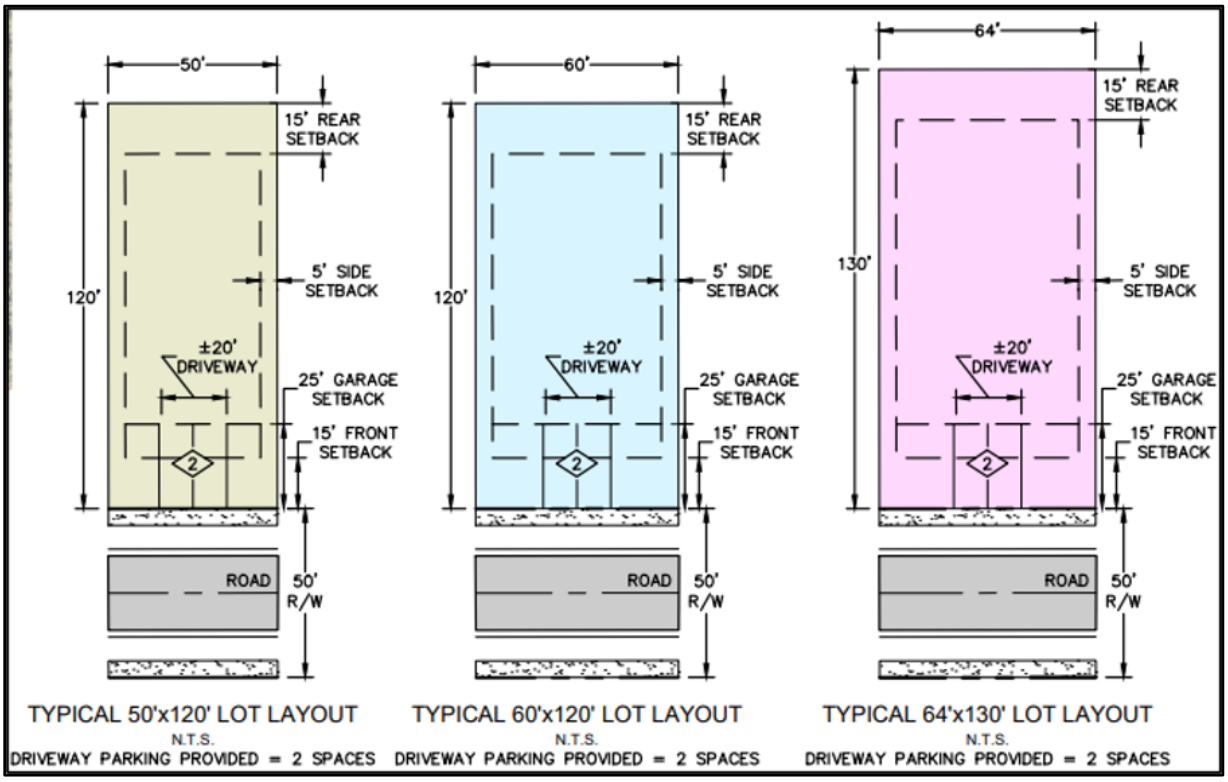
Site Plan



Amenity Plan



Open Space Plan

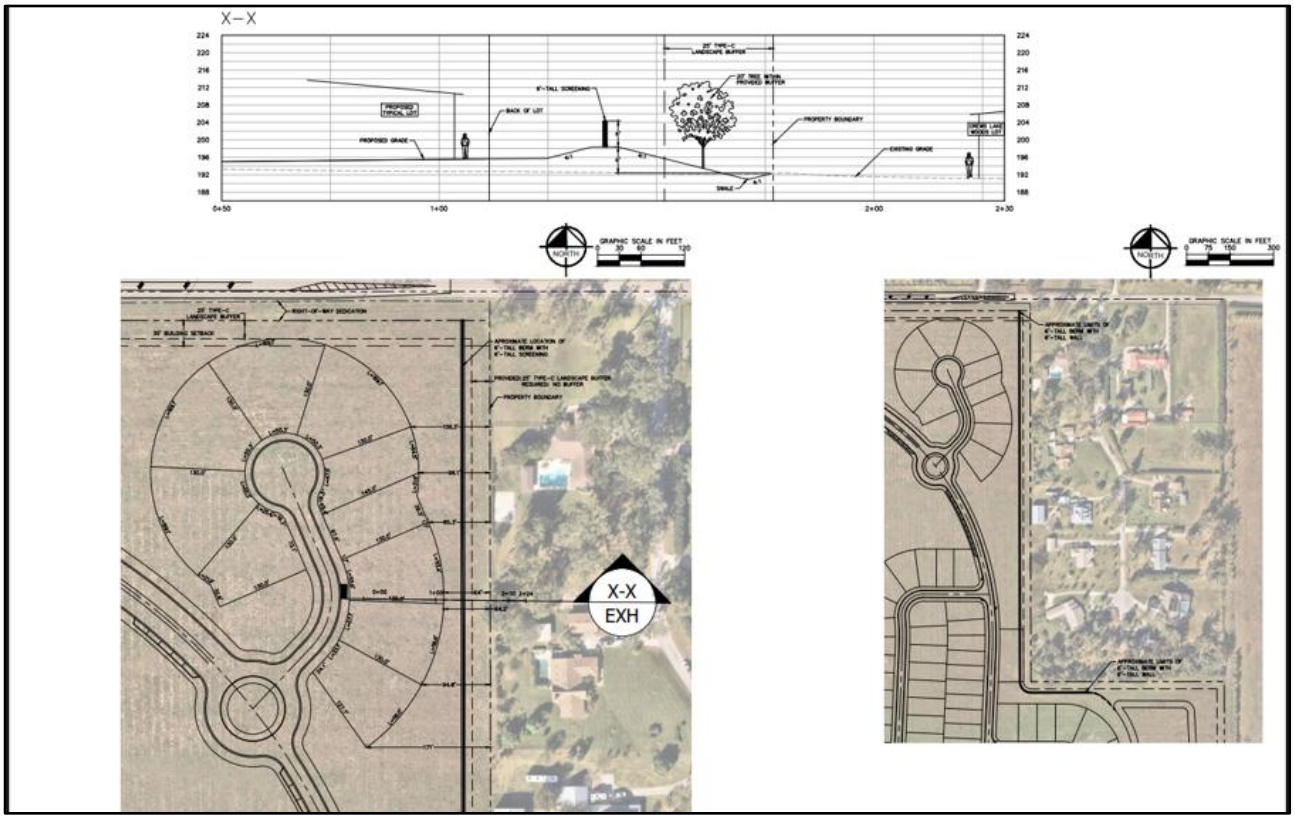


Typical Lots

Pulte Crews Lake Parcel List

PARCEL ID	OWNER	DEED BOOK/PAGE
24-29-22-287500-003900	Rogers Brothers, LLLP	09214 /1771-1772
24-29-22-000000-041020	Rogers Brothers, LLLP	07862 / 2257-2261
24-29-22-000000-042030	Rogers Brothers, LLLP	07862 / 2257-2261
24-29-27-000000-031010	Rogers Brothers, LLLP	07862 / 2257-2261
24-29-27-290000-000220	Rogers Brothers, LLLP	11959 / 1888-1891
24-29-27-290000-000210	Rogers Brothers, LLLP	11959 / 1888-1891
24-29-27-290000-000270	Rogers Brothers, LLLP	12191 / 0001-0002
24-29-27-290000-000280	Rogers Brothers, LLLP	11959 / 1888-1891
24-29-22-000000-041030	CDR Farms, LLC	07919 / 0392-0397
24-29-22-000000-042020	CDR Farms, LLC	07919 / 0392-0397

List of Parcels



Landscaping Berm

LDPD-2026-2 - Crews Lake Residential

Menu Reports Help

Application Name: Crews Lake Residential

File Date: 02/02/2026

Application Type: PC-Planned Development

Application Status: Revisions Required

Application Comments:

View ID	Comment	Date

Description of Work: Proposed project is for a single family residential subdivision with 400 lots located within unincorporated Polk County. Lot sizes include a mix of 50-ft, 60-ft and 64-ft wide lots, one (1) amenity center, misc. site amenities, and associated infrastructure over a total of +/- 151 acres to be constructed in two phases. A list of parcel ID numbers is attached.

Application Detail: Detail

Address: CREWS LAKE DR, LAKELAND, FL 33813

Parcel No: 242922000000041020

Owner Name: ROGERS BROTHERS LLLP

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Kimley Horn	Kimley-Horn and...	Engineer	Mailing, 109 S. Kentuc...	Active
Jeff Deason	Pulte Home Comp...	Developer		Active
GAGE BRUNO	Kimley-Horn and...	Contact		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
Board of County Commissioners

Application Type
Planned Development New

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
384

Will This Project Be Phased

Acreage
151

DRC Meeting
02/26/2026

DRC Meeting Time
11:15 AM

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
Non-Exempt

Code Violation Case Number
–

ADVERTISING

Legal Advertising Date
–

BOCC1 Advertising Date
–

BOCC2 Advertising Date
–

Advertising Board
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
05/06/2026

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	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-26EST-00000-05699	DIGITAL PROJECTS LD	
RequiredDocumentTypesComplete	**AdditionalDocumentTypes**	**Activate DPC**
Yes	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	Yes
Activate FSA	**DigitalSigCheck**	
Yes	Yes	

PLAN UPLOAD ACKNOWLEDGEMENT

Upload Plans Acknowledgement

√

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	3			04/21/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	02/06/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	02/17/2026	Kim Turner
Surveying Review	Mike Benton	Approve	03/24/2026	Mike Benton
School Board Review	School District	Approve	02/06/2026	School District
Roads and Drainage Review	Phil Irven	Approve	02/09/2026	Phil Irven
Planning Review	Kyle Rogus	Resubmittal ...	04/07/2026	Kyle Rogus
Review Consolidation	Lyndsay Rathke	Resubmittal ...	04/07/2026	Rita Karacson
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

SITE DATA & AREA BREAKDOWN

PROPERTY BOUNDARY	152.08 AC±	
WETLAND AREA	1.09 AC±	
UPLAND AREA	150.99 AC±	
ROW DEDICATION	0.72 AC±	
OPEN SPACE	31.71 AC±	(20.9%)
OPEN AREAS	23.48 AC±	
BUFFER	8.23 AC±	
STORMWATER	17.48 AC±	(11.6%)
RECREATIONAL AREA		
REQUIRED 500 SF/LOT	200,000 SF	
PROVIDED (4.591 AC±)	200,000 SF	
FUTURE LAND USE DISTRICT	RL-1	
OVERLAY DISTRICTS	UGA, TSDA	

BUILDING SETBACK REQUIREMENTS

URBAN COLLECTOR	35'
FRONT	15'
GARAGE	25'
PRINCIPAL SIDE	5' (BY PD)
PRINCIPAL REAR	15'
ACCESSORY SIDE	5'
ACCESSORY REAR	10'

LEGEND

- OPEN SPACE
- WETLAND
- STORMWATER
- AMENITY
- ROW DEDICATION
- (X) PARKING COUNT

LOCATIONAL ELIGIBILITY SCORE (PER LDC TABLE 3.3)

INFRASTRUCTURE ITEM:	POINTS:
COLLECTOR ROAD (WITHIN ¼ MILE)	3
>6" POTABLE WATER MAIN (WITHIN ¼ MILE)	1
>4" SANITARY SEWER LINE (WITHIN ¼ MILE)	1
PUBLIC LIFT STATION (WITHIN ¼ MILE)	2
RECLAIMED WATER LINE (WITHIN ¼ MILE)	2
INFRASTRUCTURE ITEM:	**POINTS:**
ELEMENTARY SCHOOL (WITHIN 1 MILE)	2
HIGH SCHOOL (WITHIN 3 MILES)	1
COMMUNITY PARK (WITHIN 2 MILES)	1
EMPLOYER (>100 FTE)	2
TOTAL	15

ELIGIBILITY LIMIT PER LOCATION SCORE (PER LDC TABLE 3.4)

POINTS ACHIEVED:	15 POINTS
MAX. UPLAND DENSITY:	3.5 DU/AC
PROPOSED UPLAND DENSITY:	2.65± DU/AC

ADDITIONAL ON-STREET PARKING (PER LDC TABLE 3.4A)

LOTS < 65' WIDE: 250
LOTS < 55' WIDE: 150

REQUIRED SPACES: 32 SPACES

PROVIDED SPACES: 32 SPACES

AMENITY POINTS

REQUIRED	POINTS
400 UNITS	400
PROVIDED	
(3) TYPE II AMENITIES:	225
(2) TYPE IV AMENITIES:	400
TOTAL:	625

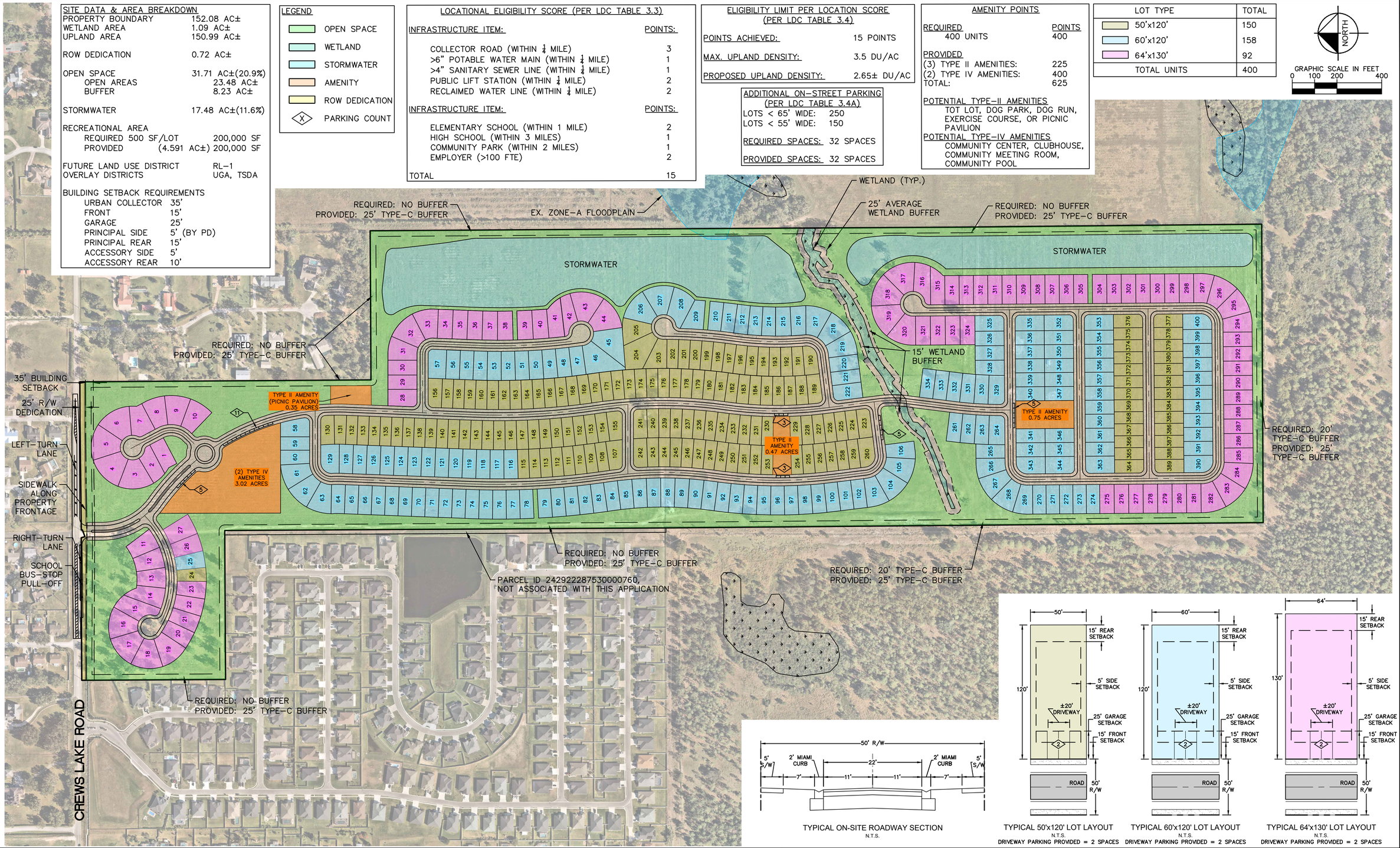
POTENTIAL TYPE-II AMENITIES
TOT LOT, DOG PARK, DOG RUN, EXERCISE COURSE, OR PICNIC PAVILION

POTENTIAL TYPE-IV AMENITIES
COMMUNITY CENTER, CLUBHOUSE, COMMUNITY MEETING ROOM, COMMUNITY POOL

LOT TYPE	TOTAL
50'x120'	150
60'x120'	158
64'x130'	92
TOTAL UNITS	400

NORTH

GRAPHIC SCALE IN FEET
0 100 200 400



TYPICAL ON-SITE ROADWAY SECTION
N.T.S.

TYPICAL 50'x120' LOT LAYOUT
N.T.S.
DRIVEWAY PARKING PROVIDED = 2 SPACES

TYPICAL 60'x120' LOT LAYOUT
N.T.S.
DRIVEWAY PARKING PROVIDED = 2 SPACES

TYPICAL 64'x130' LOT LAYOUT
N.T.S.
DRIVEWAY PARKING PROVIDED = 2 SPACES

Drawing name: K:\LAK_Civil\046489016 - Pulte Crews Lake\CAD\Exhibits\Level 3\Exh 1 Site Plan.dwg EX1 Apr 20, 2026 12:03pm by: Gage.Bruno
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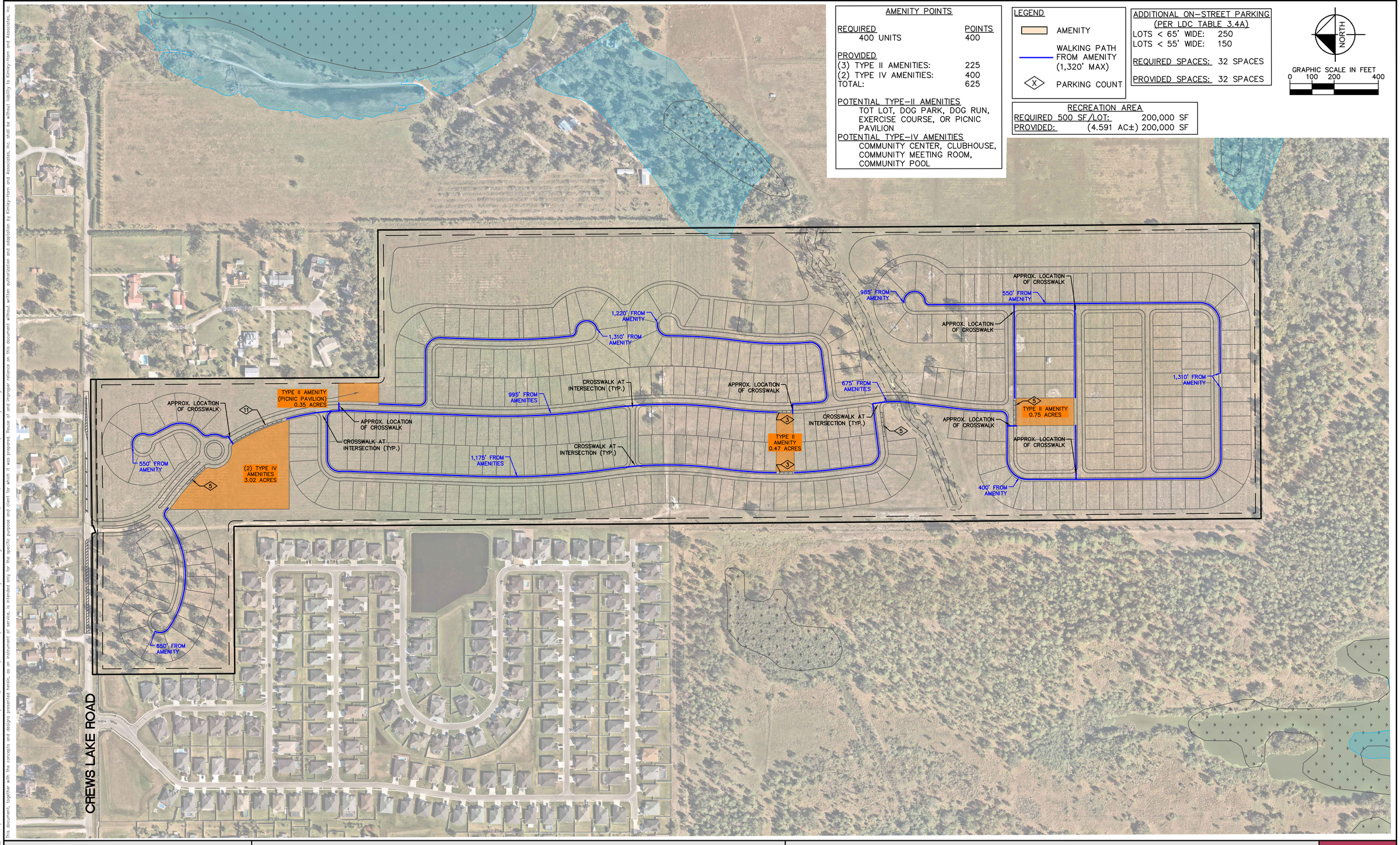
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PULTE GROUP
CREWS LAKE SUBDIVISION

SITE LAYOUT PLAN

SHEET NUMBER
EXH
4/20/2026



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AMENITY PLAN

SHEET NUMBER
EXH
4/20/2026

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OPEN SPACE	AREA (AC±)
OPEN AREA	23.48
TYPE-C BUFFER	8.23
TOTAL	31.71 (20.9%)
PROPERTY AREA:	152.08 AC±

NORTH

GRAPHIC SCALE IN FEET
0 100 200 400

REQUIRED: NO BUFFER
PROVIDED: 25' TYPE-C BUFFER

REQUIRED: NO BUFFER
PROVIDED: 25' TYPE-C BUFFER

REQUIRED: NO BUFFER
PROVIDED: 25' TYPE-C BUFFER

REQUIRED: 20' TYPE-C BUFFER
PROVIDED: 25' TYPE-C BUFFER

REQUIRED: NO BUFFER
PROVIDED: 25' TYPE-C BUFFER

REQUIRED: NO BUFFER
PROVIDED: 25' TYPE-C BUFFER

REQUIRED: 20' TYPE-C BUFFER
PROVIDED: 25' TYPE-C BUFFER

CREWS LAKE ROAD

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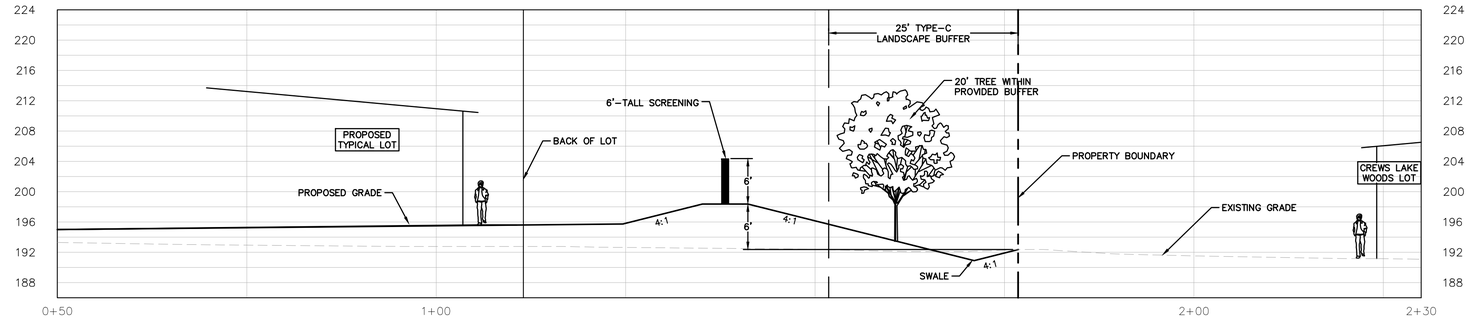
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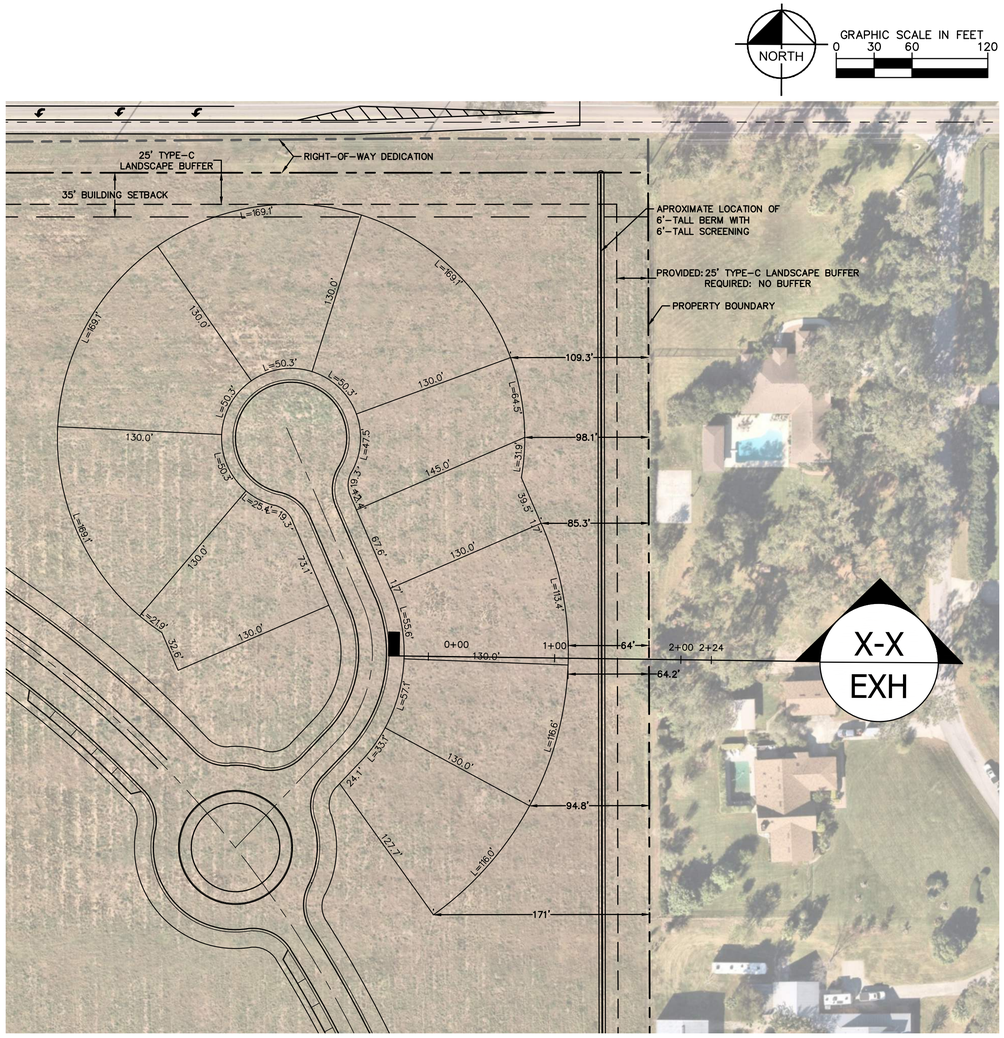
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CREWS LAKE SUBDIVISION

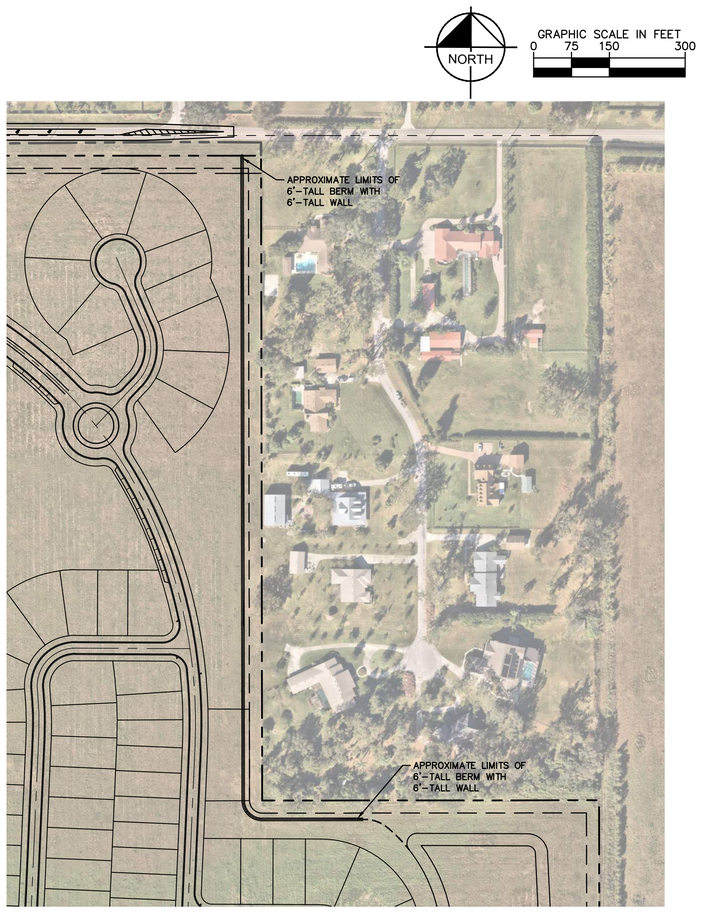
OPEN SPACE PLAN

SHEET NUMBER
EXH
4/20/2026

X–X







Drawing name: K:\LAK_Civil\046489016 – Pulte Crews Lake\CAD\Exhibits\2026-04 Grading Cross Sections\Grading Cross-Section-Crews Woods.dwg EX1 Apr 20, 2026 12:20pm by: Gage Bruno

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PULTE GROUP
CREWS LAKE SUBDIVISION

GRADING CROSS-SECTION X-X

SHEET NUMBER
EXH
4/20/2026

IMPACT ASSESSMENT STATEMENT

CREWS LAKE SUBDIVISION

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:

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?

   This is a request for a ±152-acre Planned Development located within unincorporated Polk County with the RL-1 future land use district. The proposed project is south of Crews Lake Dr. and east of McCall Rd. within an area of similar residential uses and previously permitted subdivisions with varying lot sizes as a PD. The property along Crews Lake Dr. is one of the last properties being proposed for development. The proposed single family detached project is similar to and compatible with existing residential subdivisions and planned developments adjacent to the site and in the surrounding area.

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 anticipated incompatibility issues with the proposed development or with adjacent development and land uses. Adjacent land uses to the east and west are existing single-family development and approved Planned Developments.

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

   The proposed development is one of the last undeveloped properties along Crews Lake Dr. The existing infrastructure and adjacent uses support and complement the proposed use.

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

   The trip-rating below was evaluated using the ITE Digital Handbook, 12th edition.

   Daily Trip Rate: 400 SF dwelling units x 9.09 = 3,636 trips

   Peak Hour Rate: 400 SF dwelling units x 0.93 = 372 trips

   While not required by the County Land Development Code or Florida Statutes for consideration of a Planned Development, a major transportation study has been commissioned to provide a detailed assessment of the proposed project.

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

   Based on initial review of the project, it is anticipated that proposed improvements include one (1) right-turn lane and one (1) left-turn lane along Crews Lake Dr at the project entrance, road widening of Crews Lake Dr. These improvements and potentially others will be confirmed through the completion of the major traffic study and implemented into Level 2 construction plans in accordance with the Polk County Land Development Code. It is also anticipated that a proposed sidewalk along the property frontage will be required at Level 2.

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

   Parking will be provided in accordance with Sections 708 and 303 of the Polk County Land Development Code. Single family detached units require two (2) external spaces per unit, and Planned Developments require additional parking based on lot width and number of units.

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

   The subdivision will feature a boulevard-entrance access to Crews Lake Dr. The number of access points is in accordance with section 821 of the LDC.

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 of the LDC or the Impact Fee Ordinance*)

   The estimated average daily sewage demand is:
   400 SF units x 270 gpd per ERC = 108,000 gpd

   Amenity Center with meeting/community room (100 gpd), assumed two (2) water closets (200 gpd), and a swimming pool (200 gpd) = 700 gpd

   Total estimate average daily sewage demand = 108,700 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?

   No on-site sewage treatment is proposed.

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

   The sewage service provider is Polk County Utilities

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 nearest "available" sewer line, as defined by the Polk County Comprehensive Plan and Land Development Code, to serve the subdivision is a 16" force-main on the south-side of Hwy 540A at the intersection of E County Rd 540A and McCall Rd approximately 2,600 LF north of the property,

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

   Per discussions with county utilities, the general capacity can adequately serve the proposed demand.

6. What is the anticipated date of connection?

   The anticipated date of connection is between Q3 and Q4 of 2028.

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

   Public-system improvements associated with the subdivision include a sanitary sewer network, one (1) public lift station, and approximately 2,600 LF of 6" sanitary force-main along McCall Rd from the site entrance to the intersection of E County Rd 540A and McCall Rd.

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?

   The service provider is Polk County Utilities. The site is located within the Southwest Regional Utility Service Area, and the water supply is the Southwest Public Water System.

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

   The estimated average daily water demand is:
   400 SF units x 360 gpd per ERC = 144,00 gpd

   Amenity Center with meeting/community room (100 gpd), assumed two (2) water closets (200 gpd), and a swimming pool (200 gpd) = 700 gpd

   Total estimate average daily water demand = 144,70 gpd

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

   The nearest "available" water lines, as defined by Polk County Comprehensive Plan and Land Development Code, to serve the subdivision is a 12" potable water-main on McCall Rd approximately 40 LF north of the property and a 12" reclaim water-main on the north-side of Crews Lake Dr approximately 40 LF north of the property.

4. Who is the service provider?

   The service provider is Polk County Utilities

5. What is the anticipated date of connection?

   Anticipated connection date is the second half of 2028.

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

Per discussions with county utilities, the general capacity can adequately serve the proposed demand.

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

(Yes) What Type? Less than 100,000 GPD and 100,000 GPD or greater but less than 500,000 GPD

Permit Capacity 590 GPD

No

Location: McCall Rd

Water Use Permit #s: 6577.003, 1348.006, and 1300.010

Constructed prior to Water Management District Permitting: YES _____ NO __X__

Type of Use: ___X___AG _____Public _____Industrial or Commercial

_____Recreation or Aesthetic _____Mining

Permitted Daily Capacity: 11,300 GPD, 13,800 GPD, and 69,800 GPD (Total 94,900 GPD)

Average Peak Monthly Withdrawal Rate: 62,200 GPD, 124,400 GPD, 594,500 GPD (Total 781,100 GPD)

Location: McCall Rd

Casing Diameter: 10", 8", and 6"

Mainline Diameter: 10", 8", and 4"

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 property is within the "Lake Hancock" watershed. Surface water runoff discharges to two main discharge points, Crews Lake and an existing depression on the eastern adjacent property, both of which are closed drainage basins.

Runoff from portions of the project site is considered in adjacent ERP No. 1432 and No. 31479 associated with the Crews Lake Woods and Treymont developments; however, the proposed Crews Lake Subdivision will not discharge to these developments in the developed condition.

Ponds 3, 4, and 7 within the adjacent Treymont development include emergency control structures that discharge to the project site in storm events greater than the 100-year/24-hour storm events. The weir elevations for control structures #3, #4, and #7, associated with their respectively-named ponds, are constructed at the 100-year/24-hour peak stage elevation.

The proposed Crews Lake Subdivision will include a rear-lot storm network that will collect discharge from the adjacent Treymont development in storm events greater than the 100-year/24-hour storm events.

There is an existing ditch that bisects the property, collects surface water runoff, and discharges to Crews Lake.

A portion of the property is within a Zone-A floodplain. Retention/Detention ponds will be designed to compensate for floodplain impacts in the developed condition per SWFWMD and Polk County Land Development requirements.

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

Wetland impacts on the site are kept to a minimum and are only proposed where necessary to support the development. Any wetland impacts will be properly permitted and mitigated in accordance with local, state, and federal regulations.

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.

A Phase 1 Environmental Site Assessment was performed on the property. Wetland and species surveys will be performed as part of the project as required during Level 2.

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

There are approximately 1.1 acres of wetlands bisecting the property. Wetland impacts on the site are kept to a minimum and are only proposed where necessary to support the development. Any wetland impacts will be properly permitted and mitigated in accordance with local, state, and federal regulations.

A portion of the property is within a Zone-A floodplain. Retention/Detention ponds will be designed to compensate for floodplain impacts in the developed condition per SWFWMD and Polk County Land Development requirements.

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

There are five (5) private wells on the property site, four of which are operations. The wells are permitted for agricultural use. There are no public wells within the project limits; the site is not within a wellfield-protection district.

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

The project site is not 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.

The existing soil is largely sandy soil and is highly permeable. The development will likely feature dry retention ponds. The site coverage below was evaluated through the National Resource Conservation Service (NRCS) Web Soil Survey.

Hydrologic Soil Rating	Soil Type	Percent of Area (Site Coverage)
A	Candler Sand: 0-5%	8.0
A	Tavares Fine Sand: 0-5%	30.0
A	Fort Meade Sand: 0-5%	47.8
A	Pomello Fine Sand	12.5
A/D	Adamsville Fine Sand: 0-2%	1.7

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 development will include recreation and open space areas throughout the property to serve as amenities to the development and meet the requirements set in the Polk County Land Development Code.

The closest existing public recreational areas are Highland City Senior Field located 1.8 miles north-east of the project site and Fort Fraser Trail located 2.5 miles east of the project site off US 98. Christina Park is also located 4.3 miles west of the site.

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

Valleyview Elementary School – 1.0 mile
George Jenkins High School – 2.2 miles
Lakeland Highlands Middle School – 5.0 miles

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

Lakeland Regional Health Lake Miriam – 6.6 miles
Lakeland Regional Health Freestanding Emergency – 4.5 miles
Bartow Regional medical Center – 5.2 miles

4. Fire Protection;

Polk County Station #28 – 3.7 miles
Polk County Station #2 – 6.2 miles
Bartow Fire Department – 6.6 miles

5. Police Protection and Security;

Bartow Police Department – 6.6 miles
Polk County Sheriff's Office Southwest Command – 5.5 miles

6. Emergency Medical Services (EMS); and

Polk County Station #2 – 6.2 miles
Polk County Ambulance – 6.7 miles

7. Solid Waste (collection and waste generation).

400 units x 10.5 lbs/day = 4,200 lbs/day

8. How may this request contribute to neighborhood needs?

The proposed project will meet the requirements of the Polk County LDC and complement the surrounding area, including adjacent planned developments. The roadway and pedestrian improvements along the

property frontage will create a safer traffic environment, and the development will reduce stormwater runoff discharging to the adjacent Treymont and Crews Wood Lakes developments.

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 overlayed on all maps. The following maps shall 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: A map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standard*** (multiple sheets may be used). In addition to the required number of copies please **include an 8 ½ x11 inch copy**. Applications for district changes alone are not required but are encouraged to submit a Development Plan;

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 as a guide for assessing the impact of a text amendment.*

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDPD-2026-2

Applicant: Bart Allen, Peterson & Myers, P.A.

Property Owner: Rogers Brothers, LLLP, and CDR Farms, LLC

Hearing Date: May 6, 2026

I. Request:

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 attached hereto and incorporated herein as Exhibit "A", and those conditions, if any, agreed upon by the Applicant and approved by the Planning Commission during the public hearing. Any such additional conditions approved during the public hearing, as applicable, are set forth on the attached Addendum 1 to Final Order and fully incorporated herein. This order becomes final on the date rendered to the Clerk.

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 day 6th day of May, 2026 by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By:_____ By: _____
Merle Bishop, FAICP, Chair Lyndsey Yannone, Recording Secretary

Date rendered to the Clerk: _____

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

ADDENDUM 1 to FINAL ORDER

The following conditions of approval were agreed upon by the Applicant and approved by the Planning Commission during the public hearing held on May 6th, 2026, and are fully incorporated into the Final Order. In the event any conflict or inconsistency arises between the conditions listed in the Staff Report and those listed in this Addendum 1, the conditions listed in this Addendum 1 shall control.

Additional Conditions of Approval:

Exhibits to Planning Commission's Order

Exhibit A-Staff Report and Exhibits

Agenda Item 14. 5/6/2026

SUBJECT

LDCT-2026-8 (Stand-alone ATMs & Vending Machines)

DESCRIPTION

A County-initiated LDC Text Amendment to add standards and definitions for stand-alone vending machines and automated teller machines.

RECOMMENDATION

Approval to the Board

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

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Stand-Alone Ice Machine, ATM, and Vending Machines LDC Text Amendment

This is a staff-initiated LDC Text Amendment to add standards into Chapter 2 for stand-alone vending machines, such as ice machines, and ATMs that utilize drive-thrus, either on their own parcel or in conjunction within a retail development.

Currently, the LDC is silent on these machines, but they often require reduced setbacks from the rights-of-way that require a variance. Staff needs to evaluate their impact on parking in an established development and determine if further review is required onsite.

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	April 16, 2026	**Level of Review:**	Level 4 Review
PC Date:	May 6, 2026	**Type:**	LDC Text Amendment
BoCC Date:	June 2, 2026 June 16, 2026	**Case Numbers:** **Case Name:**	LDCT-2026-8 ATMs & Vending Machines
Applicant:	Polk County	**Case Planner:**	Ian Nance

Request:	A County-initiated LDC Text Amendment to add standards and definitions for stand-alone vending machines and automated teller machines.
DRC Recommendation:	Approval
Planning Commission Vote:	Pending

Among the changes to Chapter 2:

- Add Section 214 to provide standards for Stand-alone ATMs and Vending Machines. Standards provide for location criteria, level of review, setbacks, the use of drive-thru facilities, and limitations to the size of these machines.

- Provides a clause to remove inoperable machines.

Among the Changes to Chapter 10, Definitions:

- Adding definition for “Automated Teller Machine, Drive-thru & Stand-Alone.”

- Adding definition for “Vending Machine, Stand-alone”.

Summary:

The Land Development Code (LDC) does not have standards pertaining to stand-alone ATMs or vending machines. A drive-thru & stand-alone ATM is a self-service banking terminal designed for customers to perform financial transactions from their vehicles without visiting a bank branch, while a stand-alone vending machine is a drive-up, automated kiosk designed to sell and dispense products, such as ice and/or water, directly to consumers without the need for an onsite salesperson or cashier.

Stand-alone vending has become popular in recent years for their convenience, especially in the case of ice and water vending. They typically utilize unused parking in large retail plazas for easy access for motorists. Stand-alone and drive-thru ATMs, on the other hand, fill a need as financial institutions downsize. As a "stand-alone" unit, both operate independently of other structures, requiring only a standard electrical connection for County permitting purposes.

Neither use fits the category of traditional accessory uses or structures, as they are not always related to the primary use on a site. As such, and without written criteria, the Building and Land Development divisions have had difficulty consistently directing applicants to the correct standards. Currently, they are being processed as new commercial applications through Building and are permitted with acknowledgment from Land Development on whether a Level 2 Review is required for issuance of a permit.

This amendment will formalize this process while providing necessary criteria for location and levels of approval; setbacks and variances; drive-thru facilities; and limitations, including size of the machine, and impacts on parking spaces and vehicular travel within a parking lot. Finally, this amendment will require inoperable machines to be removed or replaced in a timely manner.

Ultimately, while this amendment will add regulations to the LDC, provisions within this ordinance will provide for lessened restrictions, such as with setbacks, and provide clear paths for permitting for both applicants and County staff.

Relevant Sections, Policies, and/or Regulations to Consider:

LDC Table 2.1 Use Table
LDC Section 206 Accessory Uses
LDC Section 303 Conditional Use Criteria
LDC Chapter 4 Special Districts Use Tables
LDC Chapter 5 Green Swamp Area of Critical State Concern
LDC Section 708 Parking Space Requirements
LDC Chapter 10 Definitions

Findings of Fact

- *A County-initiated LDC Text Amendment to add Section 214, Stand-alone ATMs & Vending Machines, to Chapter 2 for standards and definitions for stand-alone vending machines and automated teller machines.*

- *LDC Chapter 10 defines Structure as, "Any building, sign, wall, fence, or similar physical obstruction placed or erected with or without footers or foundation including all other man-made facilities or infrastructures placed upon a piece of property for any purpose."*

- *LDC Chapter 10 defines Accessory Structure as, "A structure, which is customarily associated with, subordinate in size and incidental in use to the principal structure and located on the same site."*

- *LDC Chapter 10 defines Accessory Use as, "A use which:*

    1. *Is clearly incidental to, customarily found in association with, and serves a principal use;*

    2. *Is subordinate in purpose, area, and extent to the principal use served;*

3. *Is located on the same lot as the principal use, or on an adjoining lot in the same ownership as that of the principal use; and*

4. *Is not the principal use."*

- *Ice and water vending machines in Florida are regulated primarily by the Florida Department of Agriculture and Consumer Services.*

- *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.*

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-2026-28.**

Analysis:

It is critical within this amendment to differentiate and define what a stand-alone ATM or vending machine is apart from what might otherwise be considered. These are isolated conveniences typically sited within a developed non-residential development, apart from a primary structure, and which encourage drive-up or drive-thru designs. For ATMs, these are not units found within a gas station, attached to the front of a grocery store, or within a bank drive-thru. Stand-alone vending machines are larger in scale to those that dispense sodas or snacks on the outside of a building. They are retail uses but are un-manned and require little infrastructure aside from a water line (for ice and water vending), electricity, and the use of a couple parking spaces.

Currently, no guidance is provided for applicants or staff for permitting these. Staff has accepted permits in non-residential districts, in conjunction with developed non-residential uses, while applying district setbacks. No engineered site plans have been required, only an electrical permit. However, questions have been raised, again by applicants and staff, about guidelines on the placement of these units and their impact on parking requirements. Setbacks, too, have been a point of concern. Both uses require visibility from the road to be useful to the consumer. Technically, accessory structures are intended to be to the side or rear of the primary structure.

For this reason, staff finds it appropriate to create a section within the LDC tailored towards the success of these uses apart from other accessory structures or uses. Staff is proposing reducing the setbacks from all rights-of-way (ROW) to 15 feet, the least-restrictive ROW setback currently in the Code. This is significant, especially along arterial roadways where setbacks are 50-65 feet, depending on classification. However, along these roads, the ROWs themselves are wide, typically to accommodate utilities, drainage structures, and/or future road widening, and the standard

setbacks push these machines further from the edge of pavement and the attention of motorists creating a burden on placing these machines along these roadways, especially when sited within older developments.

To reduce this setback currently requires a variance approval through the Land Use Hearing Officer (LUHO). On March 26, 2026, the LUHO approved a ROW setback for reduction for an ice vending machine at 2787 Recker Highway. With dual frontages along a Minor Arterial (50-foot-setback) and Urban Collector (35-foot-setback), applying the setbacks would have placed the machine within the drive aisles of the existing retail plaza.

Reducing the setback to 15 provides for more flexibility overall; however, in this case, the request was to reduce the setback from 50 to 5 feet from the Recker Highway ROW. Staff recommended approval of this because between the edge of pavement on Recker and the edge of the parking lot where the ice vending machine was to be placed was an intervening 25-foot-wide drainage swale in the ROW. So, the proposed machine was ultimately set back 30 feet from the edge of pavement.

For future cases, this amendment proposes moving ROW variance approvals for these machines from the purview of the LUHO to Land Development staff based on Variance Criteria currently found in the LDC, the same as how setback variances for signs are approved. Staff advises this since ROW setbacks in commercial districts have less to do with impacts on neighbors and aesthetics, and more about impacts to the layout and infrastructure within a development (parking & vehicular circulation) and in the ROW (drainage). In short, it is a technical review. All other district setbacks (side & rear) will be applied, and variances from these will require LUHO approval due to potential impacts on neighbors.

For ATMs, a trend is emerging as banks downsize to provide for independent cash dispensing kiosks, rather than providing for the traditional ATM at a storefront or as a dedicated lane within a drive-thru financial institution. Again, these are often sited within a developed retail plaza with a drive-thru so motorists do not leave their vehicles. The same setbacks will apply as above, but criteria for a drive-thru facility will be applied.

In reality, the reduction of setbacks will only benefit unusual cases when siting these. Those placed within retail plazas will likely exceed 15 feet from the ROW as they will be placed internal to landscaping buffers, drive aisles, etc. What is important with all of these is to ensure that the placement of vending machines and ATMs do not adversely impact parking requirements and safe vehicular travel. The largest ice vending units are approximately 200 sq. ft. Complete with a foundation and bollards, they typically require the area of approximately two parking spaces. The ordinance prohibits the placement of these units if it decreases the number of parking spots to below what is required by Code for the primary use (s) onsite.

In conclusion, staff and applicants have cobbled together various policies within the Code to allow the permitting of these uses. This ordinance provides clearer instruction for Land Development, Building, and applicants, while reducing some burden on applicants.

Benefit-cost Analysis of the Amendment

Who does it help?

This amendment will aid staff and applicants in knowing which standards apply for these uses. Currently, staff has relied on interpretations of the Code for permitting purposes. The reduced setback allows for flexibility when siting these uses. An administrative variance reduces the wait time for an applicant to have a right-of-way setback reduction approved, if the variance criteria can be met.

Who does it hurt?

No harm is anticipated by this text amendment, though some might argue that allowing a large vending machine close to the road affects the aesthetics of an area. A larger harm is not having standards within the LDC. This leads to inconsistent application of standards and confusion between staff and applicants.

What is the cost?

Staff finds there should be no fiscal impacts with this amendment.

Comparisons to other Jurisdictions:

For regulatory comparisons, staff commonly surveys counties along the I-4 corridor; those with a comparable mix of rural, suburban, and urban development like Polk; and the largest cities within Polk. This method of selection creates a survey of 18 total local jurisdictions. The table below reviews standards for stand-alone vending machines and ATM kiosks.

Table 1

Jurisdiction *(Code citation)*	**Specific Vending Machine Standards**	**Specific ATM Kiosk Standards**
Alachua County	No	No
Brevard County	No	No
Duval County	Speaks to customary vending machines.	ATMs shall be located inside principal structures to the greatest extent possible.
Hardee County	Outdoor Vending Machines (excludes newspaper racks, payphones, air pumps, vacuum machines, and ATMs). (a) shall be located within a clearly delineated, contained, architecturally screened area. (b) Decorative structures…shall be used to contain the vending machine area if the existing architecture or building form does not already contain a location. (c) Shall be coordinated with the architectural features of the building when possible. (d) Shall not cover up or obscure existing architectural features.	No
Highlands County	No	No
Hillsborough County	Vending machines are a permitted accessory use when located inside a principal establishment or on the sidewalk(s) adjacent to	Listed in Use Table. Lighting requirements per state regulation.

Jurisdiction *(Code citation)*	Specific Vending Machine Standards	Specific ATM Kiosk Standards
	the exterior wall(s) of the establishment. Vending machines in other locations are regulated as accessory structures.	
Lake County	No	No
Manatee County	No	No
Orange County	Listed in Use Table.	Lighting per state regulation.
Osceola County	No	No
Seminole County	Screening required in special non-residential overlay.	No
Volusia County	No	No
Auburndale	No	No
Bartow	No	No
Haines City	Under "Outside Operations." A site plan shall be provided distinguishing the proposed outdoor display area and the items proposed outdoor display, i.e. vending and/or ice machines.	No
Lakeland	Prohibited in Neighborhood Convenience Centers	No
Lake Wales	Vending machine shelters that serve the public…may be located within the front yard, but no closer than 15 feet to the front property line.	No
Winter Haven	No	No

Mostly, the jurisdictions surveyed did not address the uses proposed in this amendment. References to vending machines had more to do with traditional "snack machines," newspaper vending, or roadside produce vending. This is not to say these vending machines and ATMs are prohibited, rather they are lumped under accessory structures, accessory uses, or outdoor sales/retail.

For instance, the city of Lakeland considers these to be accessory structures which must meet the setbacks for accessory structures. There must be a primary commercial structure already on the property, and they cannot be in any required parking space or vehicle use area like where the waste collection truck needs to access the solid waste bin.

Limits of the Proposed Ordinance

This amendment applies to non-residential Future Land Use districts, including in the Green Swamp Area of Critical State Concern.

The Florida Department of Commerce 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 state. Staff believes that this amendment will have no impact on the Critical Area.

These standards are being created and implemented in order to protect the public health based on unique conditions arising from the location of these facilities (flow of traffic, pedestrian safety, etc.) and the County's interest in promoting the health, safety and welfare of its residents and

visitors. Nothing in these LDC provisions are intended to circumvent, conflict with or supersede the requirements and restrictions of Section 500.459 or 500.511(3), Florida Statutes.

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code. This is reconfiguring standards already applicable in the Code.

Comments from Other Agencies: This text amendment was reviewed by members of the Development Review Committee without further comment.

Draft Ordinance: Under separate attachment

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2026-8, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, ADDING CHAPTER 2, SECTION 214, FOR STANDARDS FOR STAND-ALONE VENDING MACHINES AND AUTOMATED TELLER MACHINES; CHAPTER 10, DEFINITIONS, TO ADD DEFINITIONS; 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 May 6, 2026; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code to add standards for stand-alone ATMs and vending machines; and

WHEREAS, the Board of County Commissioners held two public hearings on June 2, 2026, and June 16, 2026, 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 May 6, 2026, to consider the LDC text amendments contained within Application LDCT-2026-8 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2026-8.

c) The adoption of LDCT-2026-8 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Section 214, Stand-alone ATMs & Vending Machines, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 214 - Stand-alone ATMs & Vending Machines

The section is intended to provide for the permitting of stand-alone & drive-thru Automated Teller Machines (ATMs) and stand-alone vending machines. These units operate independently of other structures onsite, typically requiring only a standard electrical connection and a specific, stationary location usually within a parking lot of an established non-residential development.

These following standards are intended to protect the public health based on unique conditions arising from the location of these facilities (flow of traffic, pedestrian safety, etc.). These provisions are not intended to circumvent, conflict with, or supersede the requirements and restrictions of Section 500.459 or 500.511(3), Florida Statutes.

A. Location

1. Stand-alone ATM kiosks and vending machines may be located and permitted within a developed non-residential property through a Level 1 Review.

2. Stand-alone ATM kiosks and vending machines may be located and permitted on a vacant non-residential property as a primary use, subject to LDC Section 704. Minimum requirements include a commercial vehicle driveway apron and Type "A" landscaping unless stricter standards apply.

B. Setbacks

1. Stand-alone ATM kiosks and vending machines shall be set back a minimum of 15 feet from public rights-of-way. Side and rear setbacks shall follow the land use district requirements.

    i. Right-of-way setback variances may be granted in accordance with criteria found in Section 931 and approved or denied by the Land Development Division Development Review Committee.

    ii. Side and rear setback variances shall be approved or denied by the Land Use Hearing Officer in accordance with LDC Sections 930 and 931.

2. No stand-alone ATM kiosk or vending machine shall be located within 50 feet of the property line of a residentially-developed or residentially-designated property.

C. Limitations

1. All uses in this Section with a Drive-thru Facility shall adhere to the standards in Section 206.T.

2. If any use under this Section is located within an established parking area, it shall neither reduce the overall number of parking spaces below the minimum required for the principal use (s) of the property, nor have a material adverse effect on the overall traffic circulation of the parking area.

3. Individual kiosks and vending machines are limited to no more than 220 sq. ft., not including space required for foundations, bollards, canopies, and awnings.

4. All kiosks and vending machines shall remain in operable condition. Damaged or inoperable machines shall be repaired, replaced, or removed. If a unit is removed, the site shall be restored to its original condition and purpose as approved by the site plan of the underlying development.

SECTION 3: Chapter 10, Definitions, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

…

AUTOMATED TELLER MACHINE, DRIVE-THRU & STAND-ALONE: A drive-thru & stand-alone automated teller machine (ATM) is a self-service banking terminal positioned on an island or at the edge of a parking lot and designed specifically for customers to perform financial transactions from their motor vehicles without visiting a bank branch.

…

VENDING MACHINE, STAND-ALONE: A drive-up, automated kiosk designed to sell and dispense products, such as ice and/or water, directly to consumers without the need for an onsite salesperson or cashier. As a "stand-alone" unit, it operates independently, requiring only a standard electrical connection and a specific, stationary location typically within a parking lot of an established non-residential use. These do not include standard vending machines located within a store or along the storefront.

…

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 16th day of June 2026.