

ORDINANCE NO. 26 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2026-13, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, MODIFYING APPENDIX E, SECTION E105 PARCEL SPECIFIC COMPREHENSIVE PLAN AMENDMENTS WITH CONDITIONS. THIS CASE IS RELATED TO LDCPAS 2026-6. THE SUBJECT SITE IS SOUTH OF US 17, WEST OF SNIVELY AVENUE, BETWEEN 6TH STREET AND THE US 17/SNIVELY AVENUE INTERSECTION, SOUTHWEST OF THE CITY OF WINTER HAVEN, NORTHEAST OF THE CITY OF EAGLE LAKE, IN SECTION 5, TOWNSHIP 29 SOUTH, RANGE 26 EAST.

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 a Land Development Regulations consistent with the Polk County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners adopted said Land Development Regulations on March 1, 2000, titled the Polk County Land Development Code; and

WHEREAS, Chapter 9, Section 903 of the Land Development Code requires Land Development Code Amendments to be a Level 4 Review; and

WHEREAS, Chapter 9, Section 907 sets forth the purpose and review process for Level 4 Reviews; and

WHEREAS, pursuant to Section 125.67 of the Florida Statutes, every ordinance shall embrace but one subject and matter properly connected therewith; and

WHEREAS, pursuant to Section 163.3164 of the Florida Statutes, the Polk County Planning Commission conducted a public hearing, with due public notice having been provided, on the proposed Land Development Code Amendment on August 5, 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 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: APPENDIX E, Parcel Specific Future Land Use Designation with Conditions, of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, shall be amended in the following manner:

1. Applicability

The provisions and requirements of this Subsection apply to the subject site that is designated as Main Street Corridor, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 26, Township 29, Section 5.

2. Eloise Main Street Corridor Use Table

Table X.X Use Table for Standard Land Use Districts for the Eloise Main Street Corridor (MSC).	
	MSC
Key to Table: P = Permitted Use; C = Conditional Use/Level of Review	
<u>Residential Uses</u>	
<u>Duplex, Two-family Attached</u>	<u>C1</u>
<u>Group Home, Small (6 or less residents)</u>	<u>C1</u>
<u>Multi-family</u>	<u>C3</u>
<u>Mixed Uses</u>	
<u>Planned Development</u>	<u>C3</u>
<u>All Other Uses</u>	
<u>Adult Day Care Center (7 or more clients)</u>	<u>C3</u>
<u>Bed and Breakfast</u>	<u>C3</u>
<u>Childcare Center</u>	<u>C2</u>
<u>Clinics & Medical Offices</u>	<u>C2</u>
<u>Community Center</u>	<u>C2</u>
<u>Convenience Stores, Isolated</u>	<u>C2</u>
<u>Cultural Facility</u>	<u>C2</u>
<u>Event Facility</u>	<u>C2</u>
<u>Farming General</u>	<u>P</u>
<u>Financial Institution</u>	<u>C2</u>
<u>Funeral Home & Related Facilities</u>	<u>C2</u>

<u>Government Facility</u>	<u>P</u>
<u>Hotels and Motels</u>	<u>C3</u>
<u>Kennels, Boarding and Breeding</u>	<u>C3</u>
<u>Medical Marijuana Dispensaries</u>	<u>C2</u>
<u>Nurseries, Retail</u>	<u>C2</u>
<u>Nurseries and Greenhouses</u>	<u>P</u>
<u>Office</u>	<u>P</u>
<u>Personal Service</u>	<u>P</u>
<u>Recreation, Passive</u>	<u>C1</u>
<u>Recreation, Low-Intensity</u>	<u>C2</u>
<u>Recreation & Amusement General</u>	<u>C2</u>
<u>Religious Institution</u>	<u>C2</u>
<u>Research & Development</u>	<u>P</u>
<u>Restaurant, Sit-down/Take-out</u>	<u>C2</u>
<u>Retail, 10,000 - 34,999 sq. ft.</u>	<u>C2</u>
<u>Retail, 35,000 - 64,999 sq. ft.</u>	<u>C2</u>
<u>Retail, More than 65,000 sq. ft.</u>	<u>C3</u>
<u>Retail, Less than 10,000 sq. ft.</u>	<u>P</u>
<u>Retail, Outdoor Sales/Display</u>	<u>C3</u>
<u>School, Leisure/Special Interest</u>	<u>C3</u>
<u>School, Technical/Vocational/Trade & Training</u>	<u>C3</u>
<u>Studio, Production</u>	<u>P</u>
<u>Transitional Area Development</u>	<u>C4</u>
<u>Utilities, Class I</u>	<u>P</u>
<u>Utilities, Class II</u>	<u>P</u>
<u>Utilities, Class III</u>	<u>C3</u>
<u>Veterinary Service</u>	<u>C2</u>

2. Additional Site Development Standards for the Eloise Main Street Corridor (MSC):

- a. Multi-Family – Shall be limited to Small-Scale Multi-Family, which is defined in the Comprehensive Plan as a residential dwelling containing up to four units and not over two stories high.
- b. Crime Prevention Thru Environmental Design (CPTED) – Development in the MSC shall be designed in accordance with CPTED principles and standards wherever possible. The burden of proof shall be on the applicant to demonstrate that CPTED design standard cannot be met.

c. Signage Limitations – Any ground signage shall be limited to monument signs.

SECTION 2: SEVERABILITY

If any provisions 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 upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY,
FLORIDA THIS 15th DAY OF SEPTEMBER 2026.