

ORDINANCE NO. 26 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2026-7, 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 2026-10. THE SUBJECT SITE IS LOCATED WEST OF STATE ROAD 60, SOUTH OF POLEY CREEK, AND NORTH OF THE CITY OF MULBERRY, IN SECTION 32, 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 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 June 3, 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:

LDCPAS2026-10 Parcel numbers 232932-000000-013180:

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, 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 23, Township 29, Section 32. The site is legally described as:

COMM SW COR OF SW1/4 OF NE1/4 RUN N 2093.05 FT FOR POB CONT N 459.69 FT TO SR/W SR 60 SELY ALONG R/W 684.63 FT SWLY 320 FT NWLY 354 FT TO POB BEING TRACTS I & J OF UNRE WILLOW HGTS.

2. Permitted Uses

The uses permitted on this parcel shall conform to those found in Table 2.1 Use Table for Standard Land Use Districts for Industrial (IND) uses, except those as listed below in Section 3, and provided that those uses have a composite Daily Trip Rate (with pass by reduction) of 4.27 trips per 1,000 square feet or less, and a PM Peak Hour Trip Rate of .63 trips per 1,000 square feet or less.

3. Prohibited Uses

The following uses are prohibited on this subject parcel:

- a. Construction Aggregate Processing
- b. Construction Aggregate Storage
- c. Crematorium
- d. Salvage Yards
- e. Vehicle Repair, Auto Body
- f. Hazardous Waste Transfer & Storage
- g. Hazardous Waste Treatment Facilities
- h. General Manufacturing
- i. Any use/activity with a composite Daily Trip Rate (with pass by reduction) of 4.28 trips per 1,000 square feet or greater, and a PM Peak Hour Trip Rate of .64 trips per 1,000 square feet or greater is prohibited on this site.

4. Outdoor Activities

The outside testing of materials or equipment assembled, fabricated, manufactured, or otherwise originating from the site shall be limited to prevent any adverse impacts on adjoining properties or operations at the South Lakeland Airpark. The applicant shall submit a Testing Operations Plan for review and approval by the County prior to any Level 2 approvals.

5. Signage

Signage shall be Monument Signage and shall meet the requirements of Section 760 of the Land Development Code.

6. Landscaping:

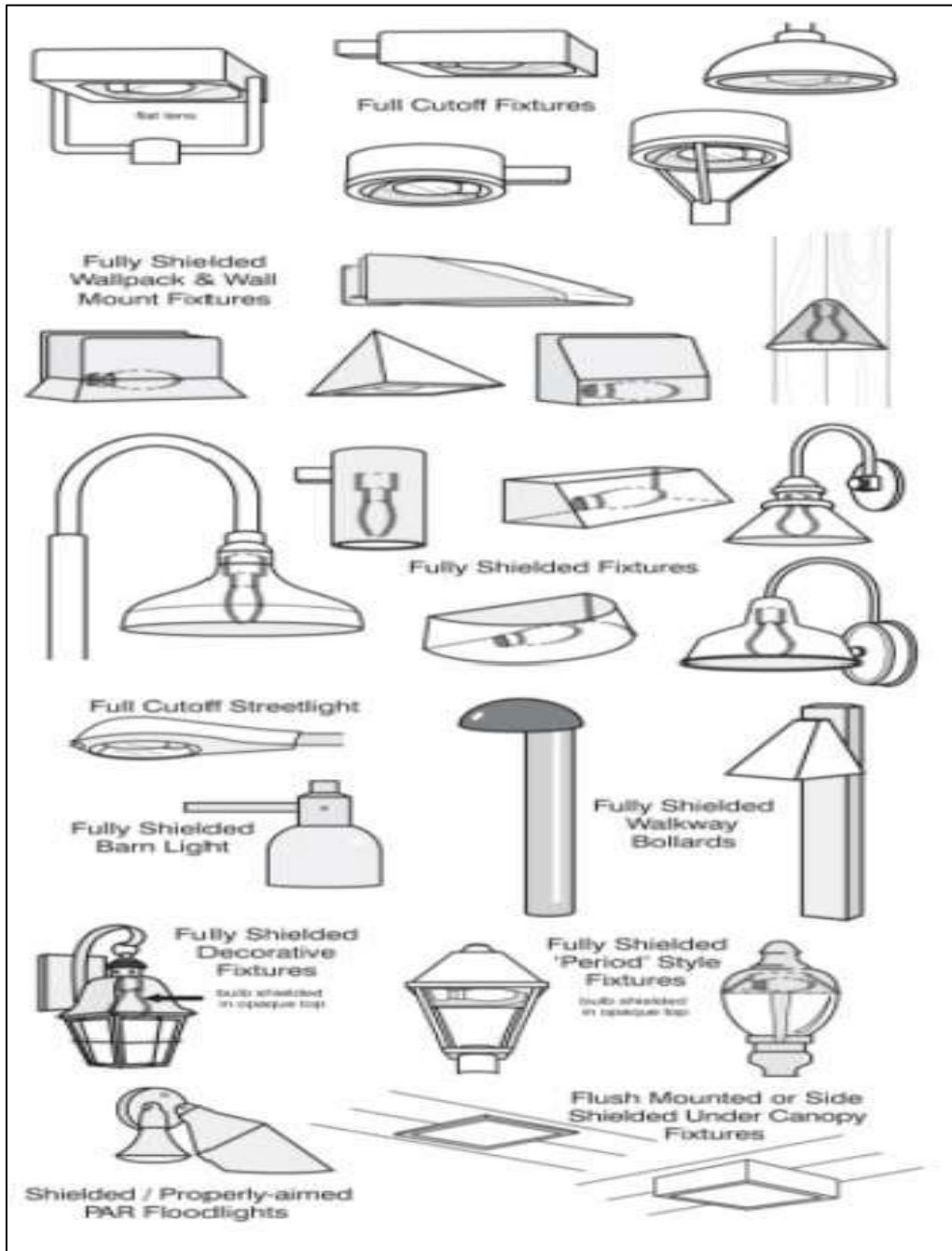
To the greatest extent practicable, development shall conserve and utilize existing on-site vegetation to meet the landscape and buffering requirements of Section 720 of the Land Development Code.

7. Additional Site Development Standards

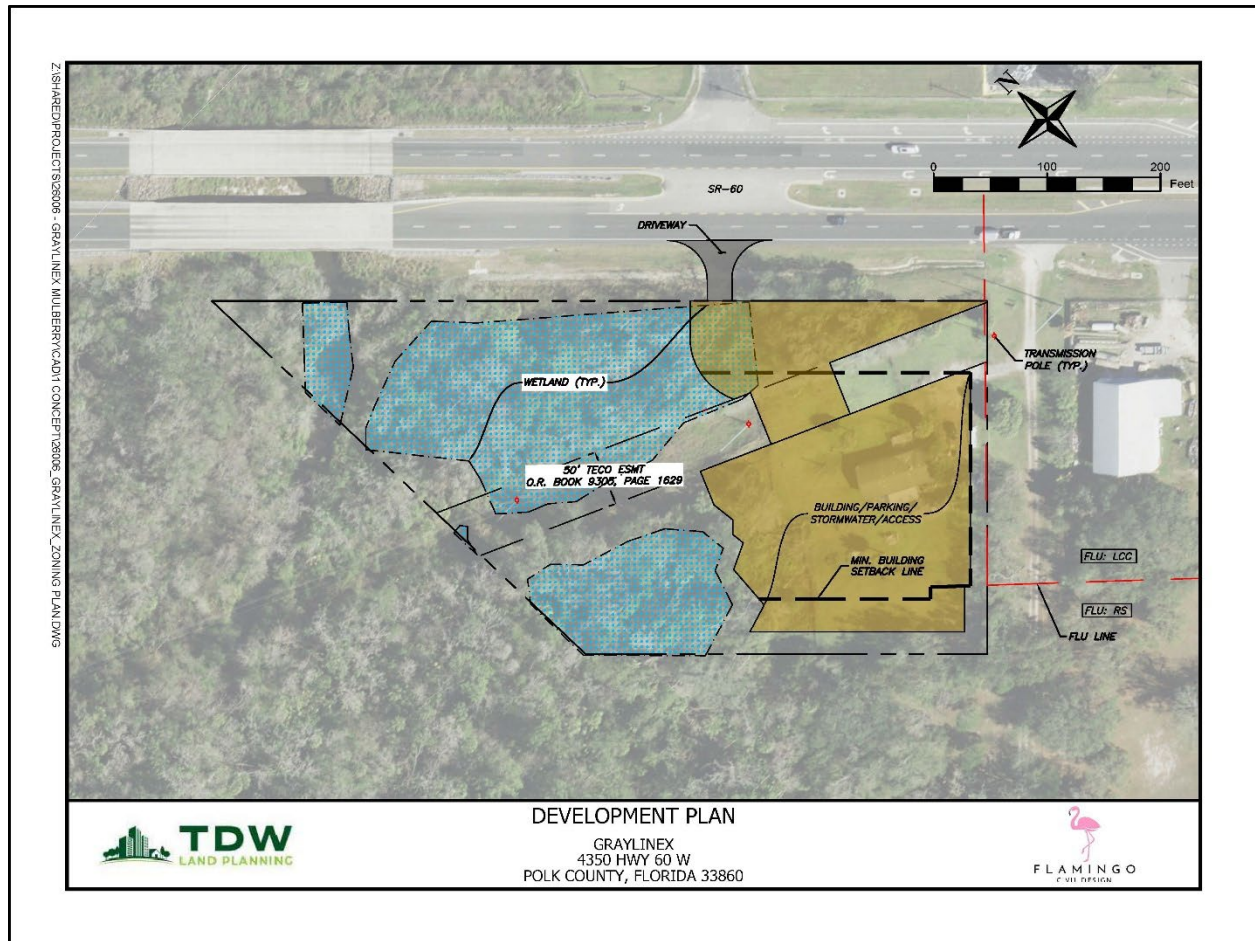
In addition to all applicable standards of this Code, any development on the subject site shall comply with the following site development standards prior to site alteration or development:

- a. The maximum structure height for any building shall be 50 feet.
- b. All loading and unloading areas shall be at least fifty (50) feet from all residentially designated property lines.
- c. All doors and loading bays shall remain closed except while being accessed for loading and/or unloading.
- d. All outdoor lighting shall be located, aimed or shielded in order to minimize light projection off-site. All outdoor lighting fixtures shall be of the fully shielded type. Examples of the fully shielded lights are set forth in Figure "A" below. Light fixtures shall be aimed downward to avoid off-site glare. Prohibited lights include flashing, revolving, or intermittent lights visible from any property line, and high intensity light beams such as but not limited to searchlights, laser lights, or strobe lights visible from any property line.

FIGURE "A"
Examples of Fully Shielded Lights



CONCEPTUAL SITE PLAN



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 21th DAY OF JULY 2026.