

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 [REDACTED] 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.

ATTACHMENT “A”

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
<u>Main Street Commercial</u>	<u>MSC</u>	<u>15.0</u>	<u>15.0</u>	<u>1.0</u>	<u>1.0</u>

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).