Polk County Planning Commission

Meeting Agenda

June 03, 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 - May 6, 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2) Considerations of items to be withdrawn, deferred, or continued.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-2026-3 - Agricola Firearm Range CU - Continued to July 8, 2026

LDPD-2026-4 - Berkley Crossings PD - Continued to July 8, 2026

Explanation of General Procedures

Voir Dire of Expert Witnesses

Staff Resumes

Explanation of Quasi-Judicial Proceedings

Agenda Item

New Business

1. LDCPAS-2026-10 (GraylineX CPA)
2. LDCT-2026-7 (GrayLineX LDC Text Amendment)
3. LDCPAL-2026-4 (Organic Matters CPA)
4. LDCT-2026-14 (Polk City SPA LCCX Text Amendment)
5. LDCD-2026-3 (Goldenrod Ln RL-1 to RL-4)
6. LDCPAS-2025-36 (Hwy 540A OCX CPA)
7. LDCPAS-2025-24 (Shimmering Dr CAC CPA)
8. LDCT-2026-5 (Shimmering Drive LDC Text Amendment)
9. LDCU-2026-9 (Waffle House Highland City TCX)
10. LDCU-2026-2 (TOHO Water Authority)
11. LDCU-2026-8 (Reynolds Road Event Facility)
12. LDCU-2026-7 (West Cannon Heights Duplex)
13. LDCU-2026-5 (CR 547 Short-Term Rental)
14. LDPD-2026-7 (U.S. Hwy 27 Retail Center Modification)
15. LDSPD-2026-1 (Old Dixie Highway SPD)
16. LDPD-2026-6 (Deeson Road RRD)
17. LDCU-2025-35 (Crossed Paws Rescue CU)
18. LDCPAL-2026-5 (Text amendment to Section 2.130-B Indian Lakes Estates for Sewer and Duplex units)
19. LDCT-2026-12 (Text amendment to Chapter 4, Section 402 C - Indian Lakes Estate for sewer, duplex units and adding a use table)

Comprehensive Plan update

Adjournment

Polk County

Planning Commission

Agenda Item 6/3/2026

SUBJECT

Meeting Minutes - May 6, 2026

Polk County

Planning Commission

Agenda Item 6/3/2026

SUBJECT
Staff Resumes

Agenda Item 1. 6/3/2026

SUBJECT

LDCPAS-2026-10 (GraylineX CPA)

DESCRIPTION

This is an applicant-initiated Future Land Use Map to change 3.81 acres from Residential-Suburban (RS) to Industrial (IND) and change the text of Section 2.135 of the Comprehensive Plan to limit the intensity of the IND activity on the site. This case is related to LDCT-2026-7, an LDC text amendment for the same property. The 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.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Mark J. Bennett, AICP, FRA-RA, CNU-A

Senior Planner

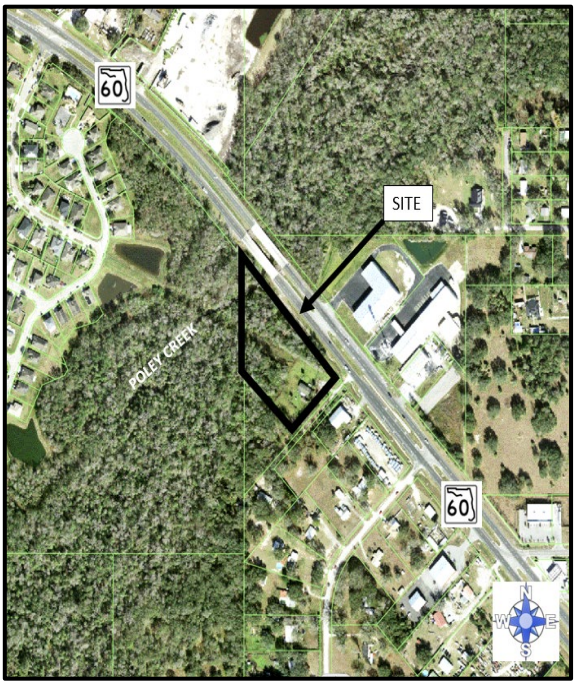
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POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 26, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	July 21, 2026
Applicant:	Tom Wodrich, AICP
Level of Review:	Level 4 Review, Small-Scale Comprehensive Plan Amendment
Case Number and Name:	LDCPAS-2026-10 (GrayLineX CPA)
Request:	Change 3.81 acres from Residential-Suburban (RS) to Industrial (IND) and change the text of Section 2.135 of the Comprehensive Plan to limit the intensity of the IND activity on the site. This case is related to LDCT-2026-7, an LDC text amendment for the same property.
Location:	West of State Road 60, south of Poley Creek, and north of the City of Mulberry, in Section 32, Township 29, Range 23.
Property Owner:	GrayLineX LLC
Parcel Size:	3.81 acres
Development Area:	Suburban Development Area (SDA)
Future Land Use:	Residential-Suburban (RS)
Nearest Municipality:	Mulberry
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	N/A
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 3.81 acres from Residential-Suburban (RS) to Industrial (IND) on the Future Land Use Map, and change the text of Section 2.135 of the Comprehensive Plan to limit the intensity of the IND activity on the site. This case is related to LDC-2026-7, an LDC text amendment for the same property. The approval justification for this request is based on the following:

1) The presence of industrial uses within the general area;
2) Property east and southeast of the site has industrial uses; and
3) The property has direct access to a full median opening onto SR 60.

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 arterial highways is a factor in determining the appropriateness of industrial lands. This property has direct access to an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). The site has access to SR 60, which has a full median opening on the property frontage. Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

There are adjacent properties that are used for industrial activities. Because of the similarity with current uses in the area and the proposed use of the site for industrial activities, designating this site as Industrial will be compatible.

Infrastructure Summary

The site is in the Polk County Southwest Regional Water Distribution System 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. Poley Creek is north of 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 2.106(A1-A7): Suburban Development Areas (SDAs)
- Policy 2.113(A1-A5): Industrial (IND)
- Policy 2.120(A1-A4): Residential-Suburban (RS)
- Section 2.123B(B1-B5): Floodplain-Protection Areas
- Section 2.123C(C1–C6): Wetland-Protection Areas
- Section 2.124-B Airport-Impact Districts

Findings of Fact

Request and Legal Status

- LDCPAS-2026-10 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately 3.81 acres from Residential-Suburban (RS) to Industrial (IND) and change the text of Section 2.135 of the Comprehensive Plan to limit the intensity of the IND activity on the site.

- This case is related to LDCT-2026-7, an LDC text amendment for the same property. The LDC text amendment is proposed to limit certain types of industrial uses on the site.

- The LDC text amendment is proposed to ensure that the request is compatible with the adjoining residential uses, and that the use of the site is similar to the existing industrial uses in the adjoining LCC land use district.

- POLICY 2.106-A1: DESCRIPTION - SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

- POLICY 2.113-A1 describes the Industrial land use district as follows: "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 2.109-A11: The purpose of the Industrial (IND) land use 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.

- The property contains a mobile home and has a power line easement across the property.

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 and residential uses.

- Surrounding uses include industrial uses east of the site, across SR 60, and consist of a citrus packing plant and a warehouse/distribution/storage facility. These uses are within the existing Linear Commercial Corridor (LCC) land use district.

- Southeast of the site is a light manufacturing facility. Property north and east of the site is undeveloped and contains Poley Creek and associated woodlands. Vacant land and residential uses are south and southwest of the site.

- Policy 2.106-A3: Land Use Categories (for Suburban Development Areas (SDAs)) list Industrial as a permitted use in SDAs.

Infrastructure

- The property is zoned for Willow Oak Elementary. Mulberry Middle, and Mulberry Senior High.

- Fire response is provided by the Polk County Fire Station 8, located at 4210 Willis Road, Mulberry. This station is located .5 mile from the site. The estimated response time from this station is about three to five minutes.

- Emergency Medical Service (EMS) is provided by Polk County Fire Rescue Station 15, 300 Kid Ellis Road, Mulberry. This facility is located 5.6 miles from the site, and has a response time of 11-13 minutes.

- Sheriff's response to the site is served by the Southwest District, located at 4120 US 98 South, Lakeland. The response times are as follows: Priority One: 8:58 minutes; Priority Two: 22:54 minutes.

- The subject property is next to State Road 60. SR 60 is an Urban Principal Arterial, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

- The site is in the Polk County Southwest Water Distribution System service area.

- No sewer service is available to this site.

Environmental

- There are 1.66 acres of wetlands and Zone "AE" floodplains on the site.

- The site is comprised primarily of Nittaw Sandy Clay Loam, with a small percentage of the site also containing Sparr Sand.

- According to the Polk County Protected Species Observations Map dated July 22, 2021, the site is located within one mile of protected species of animals.

- The PolkGreen Map displays this parcel as being near to a potential connection of an overall natural network.

- The site is not within the Florida Wildlife Corridor.

- There is a 26.35 ± acre conservation easement north of the site and across the Poley Creek Bridge over SR 60. Polk County and the Southwest Florida Water Management District jointly own property with a conservation easement further downstream along Poley Creek, located about .3 mile southwest of the site.

- This property is within the Height Notification Zone and the In-Flight Visual Interference Zone for the South Lakeland Airpark.

- 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 2.106-A1: DESCRIPTION - SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to

multimodal transportation facilities, public safety, recreational and educational services.

- POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas:

  a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within SDAs in accordance with applicable criteria.

  b. RESIDENTIAL: Residential-Suburban.

  c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation.

  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 2.123-B1: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as the "Floodplain-Protection Area" overlay the Special Flood Hazard Areas and Regulatory Floodways identified by the Federal Emergency Management Agency in the Flood Insurance Study (FIS) for Polk County, originally dated January 19, 1983, with the accompanying maps and other supporting data, and any subsequent revisions thereto, are adopted by the reference and declared to be a part of this ordinance.

- POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria:

a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code.

b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not:

1. enlarge the off-site floodplain;

2. alter the natural function of the floodplain; nor

3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.

- POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:

  a. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards.

  b. 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.

  c. Commercial and industrial development shall locate on the non-wetland portion of a development site.

  d. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows:

     1. a maximum of one dwelling unit per Lot of Record; or
     2. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel.

  e. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.

  f. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.

  g. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.

h. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.

SECTION 2.124-B - AIRPORT-IMPACT DISTRICTS.

OBJECTIVE 2.124-B: The Polk County Plan shall provide for aviation-compatible land uses around airports licensed for public use, by limiting or restricting incompatible land uses and activities, as defined by the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board (JAZB), consistent with the objectives and policies of the Transportation Element, Section 3.200.

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-2026-10.**

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 Suburban Development Area (SDA). SDAs are those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services.

Currently, the site has a Future Land Use designation of Residential-Suburban (RS). The purpose of this designation is to provide for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS land use permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. It is characterized by densities of up to, and including, 1 DU/5 AC, unless permitted through SPD, RRD, RMD or the criteria established within the SR 17 Ridge Scenic Highway Provision of Section 2.124-H. The Residential-Suburban classification is characterized by single-family dwelling units and duplex units.

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 north, northeast, south, and east and southeast of the site are designated Linear Commercial Corridor (LCC). Northwest, west, and south west of the site, the property is designated as Residential-Suburban (RS).

The site contains a 2,108 square foot mobile home.

Generally, the predominant uses in this area of the county are industrial and residential. Surrounding uses include industrial uses east of the site, across SR 60, and consist of a citrus packing plant (Sizemore Sales) and a warehouse/distribution/storage facility (Barber & Associates Commercial Roofing Contractor). Southeast of the site is a light manufacturing facility (Elite Welding Services). Property north and east of the site is undeveloped and contains Poley Creek and associated woodlands. South and southwest of the site is vacant land and residential uses.

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 arterial highways, is a factor in determining the appropriateness of industrial lands. This site has access to an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). The site is next to a full median opening for SR 60. 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.

The corresponding Land Development Code (LDC) Text Amendment contains restrictions and limitations or certain types of intensive industrial uses such as construction aggregate processing. These restrictions are proposed to minimize the potential for adverse impacts to occur on adjoining residential uses and will further ensure compatible development of the site.

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 in the Suburban Development Area (SDA), where connection to water service is 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 Residential-Suburban (RS) Vacant	**North** Linear Commercial Corridor (LCC) Preservation (PRESV) Vacant	**Northeast** Linear Commercial Corridor (LCC) Citrus Packing Plant
West Residential-Suburban (RS) Vacant	**Subject Site** Residential-Suburban (RS) Mobile Home	**East** Linear Commercial Corridor (LCC) Citrus Packing Plant, Warehousing/Distribution/Storage
Southwest Residential-Suburban (RS) Detached Garage, Mobile Home/Manufactured Home	**South** Residential-Suburban (RS) Vacant	**Southeast** Linear Commercial Corridor (LCC) Light 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
Willow Oak Elementary	0	1.7 miles
Mulberry Middle	0	4.8 miles
Mulberry Senior High	0	5.3 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.

As part of their review of this project, Fire Rescue staff indicated that Fire Station 8 is scheduled to be rebuilt just down the street from its existing location at the intersection of Willis Road and Willow Oak Drive. Fire rescue staff also indicated that this move should not negatively affect response times in an appreciable manner.

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	15.3 miles	P1: 8:58 minutes P2: 22:54 minutes
Fire	Polk County Fire Rescue Station 8, located at 4210 Willis Road, Mulberry	0.5 miles	3-5 minutes
EMS	Polk County Fire Rescue Station 15, 300 Kid Ellis Road, Mulberry	5.6 miles	11-13 minutes

*Source: Polk County Sheriff's Office and Public Safety *Response times are under optimal conditions and 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 Suburban Development Area (SDA), where connection to public water is required. The site is in Polk County's Southwest Regional Water Distribution System service area. A 12-inch water line is in front of the site. No sewer service is available to this site.

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 107,877 square feet of warehouse for IND.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: **RS – 3.81 AC = 1 DU** **IND – 3.81 AC/165,964 SF of site** ***.65 FAR = 107,877 SF**	Estimated Impact Analysis Residential-Suburban (RS) to Industrial (IND) *Development Area: SDA*	
	Current Land Use designation **RS**	**Maximum Permitted Use in Proposed IND**
Current Maximum Allowable Use	1 Dwelling Unit (DU)	107,877 Square Feet (SF)
Potable Water Consumption	1 DU * 250 GPD = **250 GPD**	107,877 SF * .24 GPD/SF = **25,891 GPD**
Wastewater Generation	1 DU * 200 GPD = **200 GPD**	107,877 SF * 80% of water usage **20,713 GPD**

GPD – Gallons Per Day Source: Polk County Concurrency Manual and Polk County Utilities: Warehouse @ .24 GPD/SF (water) & .18 GPD/SF (sewer), and a single-family residential rate of 250 GPD for water, and 200 GPD for sewer.

B. Available Capacity:

Public water is available, with a 12-inch water line in front of the site. According to the Polk County Utilities Capacity Summary Table, the Southwest Potable Water System has a permitted capacity of 6.78 million gallons per day, and with an anticipated June 2026 flow of 4.502 million gallons per day.

C. Planned Improvements:

There are no 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 allowed intensity of 107,877 square feet of general light industrial for IND.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: **RS – 3.81 AC = 1 DU** **IND – 3.81 AC/165,964 SF of site** ***.65 FAR = 107,877 SF**	Estimated Impact Analysis Residential Suburban (RS) to Industrial (IND) Development Area: SDA	
	Current Land Use designation **RS**	**Maximum Permitted Use in Proposed** **IND**
	1 Dwelling Unit (DU)	107,877 Square Feet (SF)
Average Annual Daily Trips (AADT)	1 DU * 7.81 AADT = **7.81 AADT**	107,877 SF * 4.27 trips/1,000 SF * 92% new trips = **424 AADT**
PM Peak Hour Trips	1 DU * 1.01 Peak Hour Trips = **1 Peak Hour Trip**	107,877 SF * .63 trips/1,000 SF * 92% new trips = **63 PM Peak Hour Trips**

Source: Concurrency Manual and Table for Minor Traffic Study – General Light Industrial (ITE 140) – 4.27 AADT/1,000 SF, 0.63 peak-hour trips/1,000 SF. Single Family Detached Housing – ITE 210/Local Data – 7.81 AADT/DU, 1.00 PM Peak Hour Trip Rate.

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.

The subject property is next to State Road (SR) 60. SR 60 is an Urban Principal Arterial, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

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
5900E	SR 60 From: Hillsborough County Line to CR 676 (Nichols Road)	C	986	D	C
5900W	SR 60 From: Hillsborough County Line to CR 676 (Nichols Road)	C	944	D	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 13, 2026

As identified above, SR 60 has sufficient PM peak hour capacity to support future development activity.

C. Roadway Conditions

Since SR 60 is a state-maintained road, no Pavement Condition Index information is available.

D. Planned Improvements:

There are no known improvements for this portion of SR 60 at this time.

E. Mass Transit

There are no mass transit routes next to the site. Route 21X West – Bartow/Mulberry/Fort Meade is the closest route to this site. It traverses Shepard Road to Bailey Road, with an endpoint at the Bailey Road/SR 60 intersection, .63 mile southeast of 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 Fuller Heights Park, located 2.2 miles southeast of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

Fuller Heights Park has an address of 2205 4th Street, Mulberry, 33860.

B. Services:

Fuller Heights Park is a community park featuring a playground, basketball court, and picnic shelters.

C. Multi-use Trails:

The closest trails are located at Se7en Wetlands facility owned by the City of Lakeland and located 8.3 miles east of the site. There is a 2.9-mile trail at this facility.

Environmental Lands

The PolkGreen Map displays this parcel as being near to a potential connection of an overall natural network. There is a 26.35 ± acre conservation easement north of the site and across the Poley Creek Bridge over SR 60. Polk County and the Southwest Florida Water Management District jointly own property with a conservation easement further downstream along Poley Creek, located about .3 mile southwest of the site. The site is not within the Florida Wildlife Corridor, based on the Florida Wildlife Corridor Interactive Map.

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:

Poley Creek is north of the site.

B. Wetlands/Floodplains:

The site contains a Zone "AE" floodplain and wetlands. Combined, these features contain 1.66 acres, which is a significant portion of the 3.81 acre site. These limitations have an impact on site development by limiting the amount of developable land available. Careful site planning will be necessary to ensure that these environmental features are adversely affected.

C. Soils:

The site is comprised primarily of Nittaw Sandy Clay Loam, with a small percentage of the also containing Sparr 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)*
Nittaw Sandy Clay Loam, frequently flooded	Severe - Flooding, wetness, percs slowly	Severe – Flooding, wetness, shrink-swell	99%
Sparr Sand 0 to 5 Percent Slopes	Severe – Wetness, poor filter.	Moderate - Wetness	1%

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 Polk County Protected Species Observations Map dated July 22, 2021, the site is located within one mile of protected species of animals. 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 being near to a potential connection of an overall natural network. There is a 26.35 $\pm$ acre conservation easement north of the site and across the Poley Creek Bridge over SR 60. Polk County and the Southwest Florida Water Management District jointly own property further downstream along Poley Creek, located about .3 mile southwest 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 the Wellfield Protection District. However, there is a wellfield protection district located 800 feet northwest of the site. This district is from the County well located at 4431 Lower Meadow Road, Mulberry, .6 mile southwest of the site.

G. Airports:

This property is within the Height Notification Zone and the In-Flight Visual Interference Zone for the South Lakeland Airpark.

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 SR 60 and near existing industrial/warehousing uses provide an opportunity for new businesses to locate on this site, thereby also providing jobs for the Mulberry/Willow Oak 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 next to properties that are used for industrial activities, and would therefore be compatible. The corresponding LDC text amendment is proposed to limit certain types of industrial uses, thereby further ensuring compatibility with adjoining residentially designated properties.
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 next to existing industrial uses.
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;	The proximity of the site next to SR 60 and is next to an existing industrial area. These features make the site appropriate for an industrial use.

Comprehensive Plan Policy	Consistency Analysis
5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	
POLICY 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas: a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within SDAs in accordance with applicable criteria. b. RESIDENTIAL: Residential-Suburban. c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation. 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 Suburban Development Area (SDA).
<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. 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;	Although mapped as a Linear Commercial Corridor (LCC), adjacent properties contain industrial uses and activities. Therefore, this request can be considered to be part of an expansion of an existing industrial district. The site is located near an arterial road (SR 60). This policy includes a reference to separating industrial districts a significant distance from residential areas. To ensure consistency with this policy, the corresponding LDC text amendment is proposed to limit certain types of intensive industrial uses. Limiting industrial uses will further ensure that the project is compatible.

Comprehensive Plan Policy	Consistency Analysis
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 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria: a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code. b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not: 1. enlarge the off-site floodplain; 2. alter the natural function of the floodplain; nor 3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.	Compliance with this policy will be determined as part of a Level 2/site plan review.
POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria: i. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards. j. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for: 8. Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions;	Based on a review of the Polk GIS Viewer, 1.60 acres of the site consists of wetlands. This is a significant portion of the overall 3.81-acre site. Careful site planning will need to occur to ensure that development of the site is done in a manner that minimizes impacts to environmental resources.

Comprehensive Plan Policy	Consistency Analysis
9. access to the site; 10. necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety; 11. utility transmission and collection lines; 12. pre-treated storm-water management; 13. mining that meets state and federal regulations; or 14. 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. k. Commercial and industrial development shall locate on the non-wetland portion of a development site. l. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows: 3. a maximum of one dwelling unit per Lot of Record; or 4. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel. m. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3. n. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency. o. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.	

Comprehensive Plan Policy	Consistency Analysis
SECTION 2.124-B - AIRPORT-IMPACT DISTRICTS. OBJECTIVE 2.124-B: The Polk County Plan shall provide for aviation-compatible land uses around airports licensed for public use, by limiting or restricting incompatible land uses and activities, as defined by the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board (JAZB), consistent with the objectives and policies of the Transportation Element, Section 3.200.	This property is within the Height Notification Zone and the In-Flight Visual Interference Zone for the South Lakeland Airpark.

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:

On April 24, 2026, Florida Department of Transportation (FDOT) staff expressed concerns about this site. Specifically, their concerns are related to access, with their comments listed below:

We recently had the GraylineX CPA group come in for a pre-app and have concerns with their proposed access point at our full median opening just east of Polley Creek / Bridge. This was previously a residential site taking access from a private roadway to which they say they don't have access anymore or an access easement to allow them access. We would prefer to have them upgrade the current drive that has been used previously but if there isn't an access easement in place, we will have to provide them with reasonable and adequate access to SR60. This could potentially create safety and operational issues if approved at the full median. See below for current roadway classification criteria.

The Access Classification for this particular section of SR60 is:

Access Class 3 (Restrictive)
Context Class C3C

Spacing Standards:
Full Median Opening: 2640'
Directional: 1320
Signal: 2640'
Connection: 660'

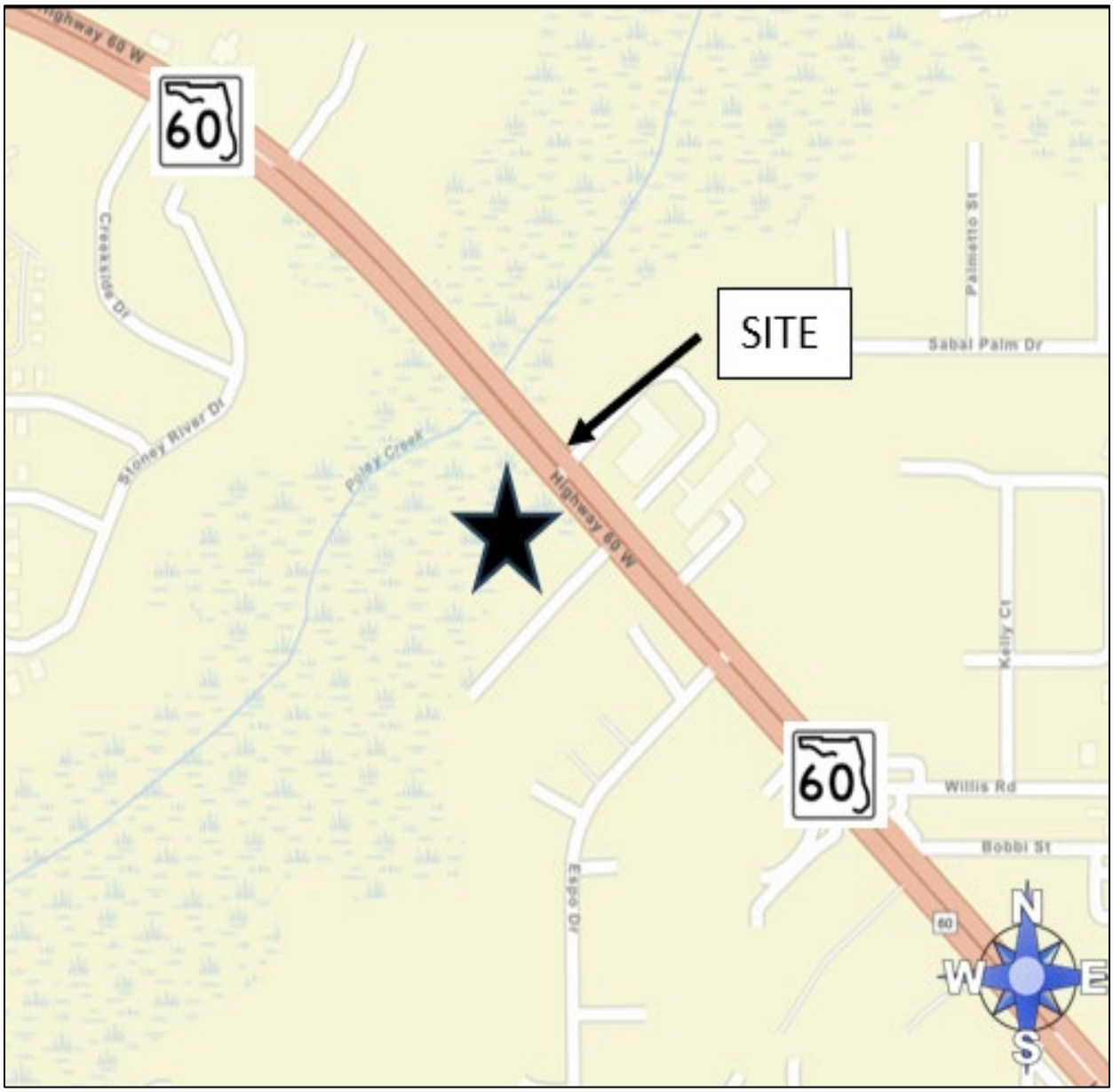
Tim Funk
Traffic Specialist IV
Access Management
F.D.O.T. District 1
801 N. Broadway Ave.
Bartow, Fl. 33830
863.519.2258 (Office)
timothy.funk@dot.state.fl.us

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 Proposed Text Change



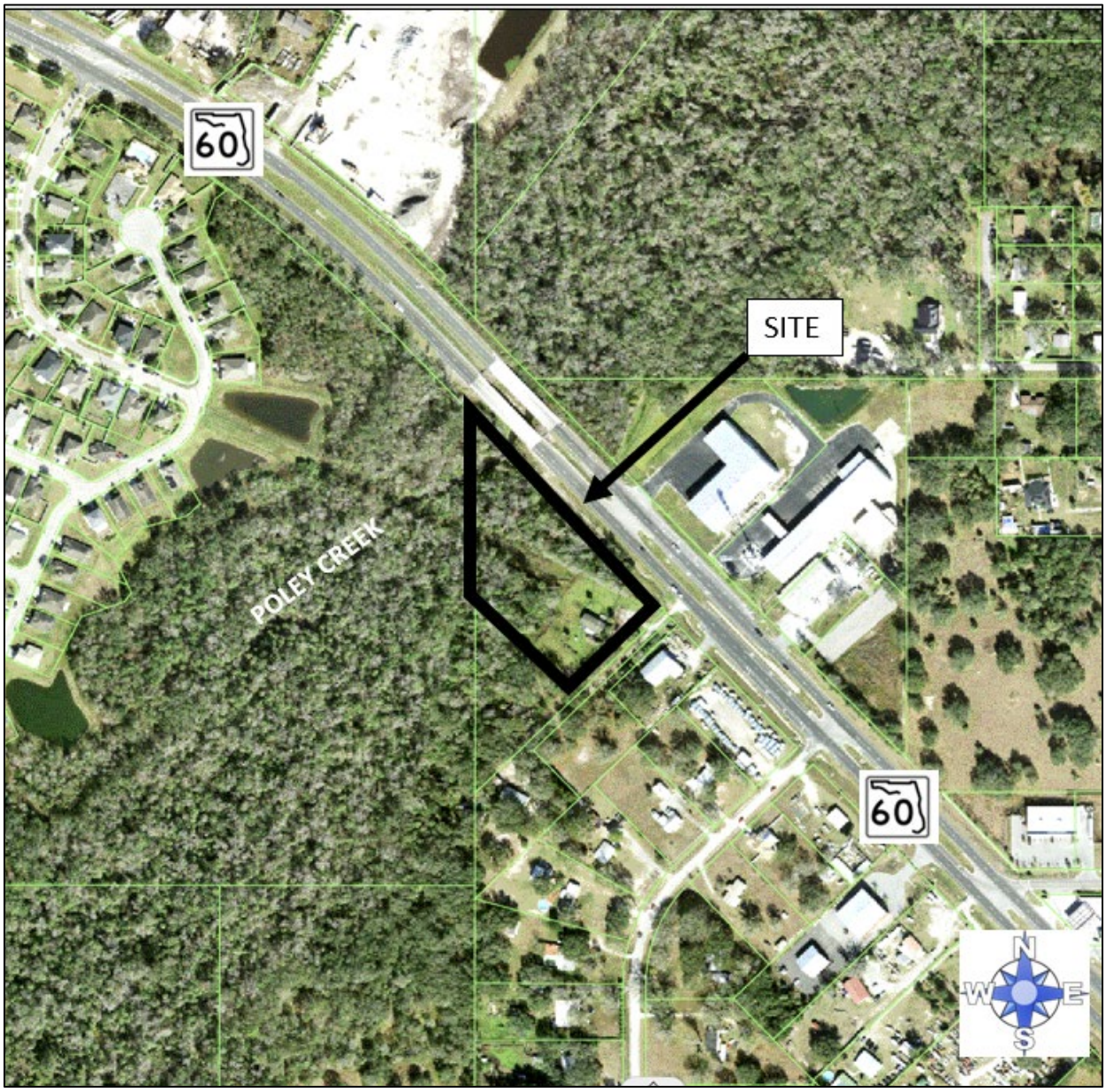
Location Map (Context)



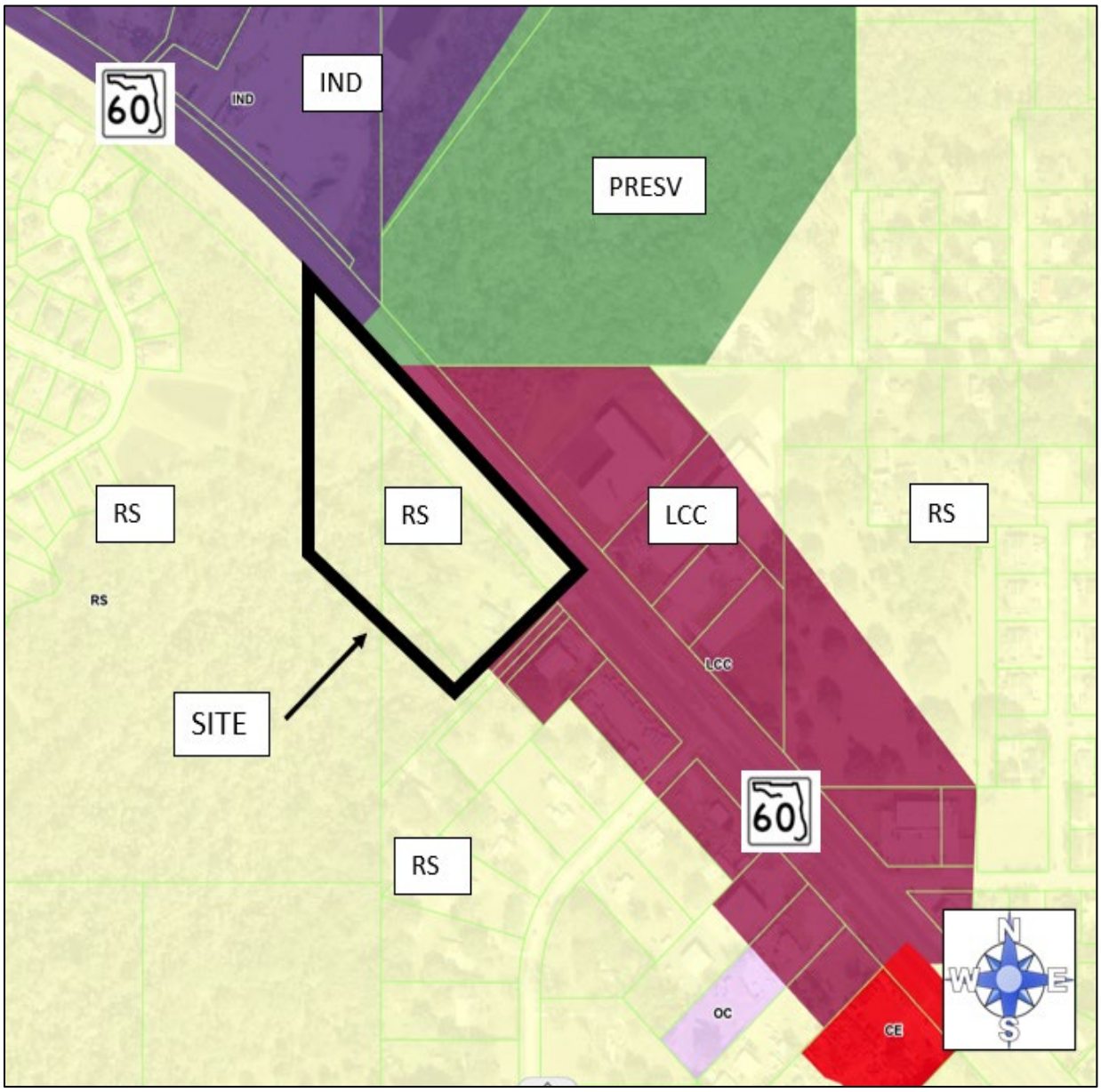
Location Map (Context)



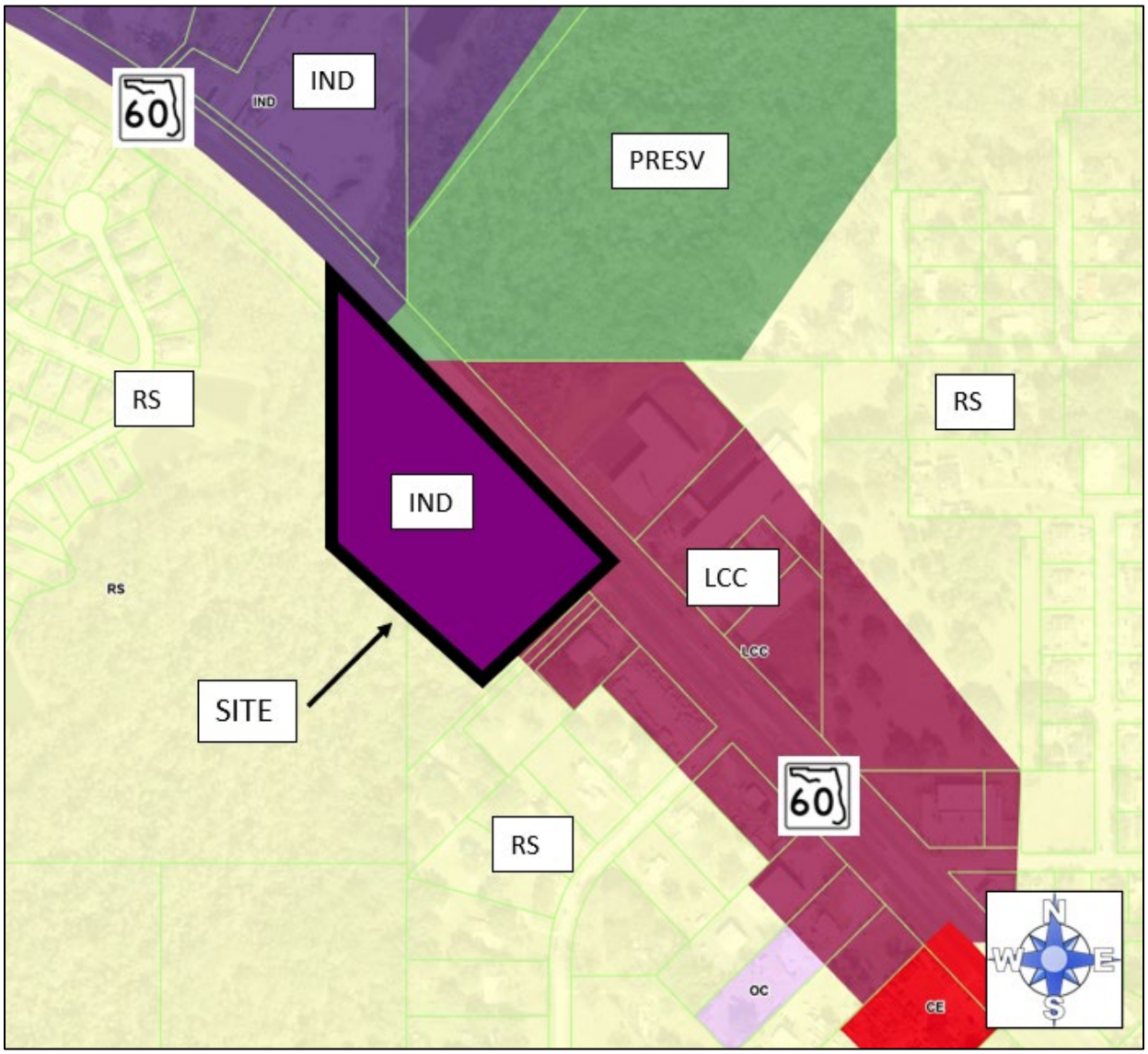
2023 Aerial Photo (Context)



2023 Aerial Photo (Detailed)



Current Future Land Use Map



Proposed Future Land Use Map

APPENDIX 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS

SECTION 2.135-X - Development Guidelines for Parcel number 232932000000013180.

OBJECTIVE 2.135-X: Through the adoption of LDCPAS 2026-10, this section of the plan enables this specific property to be developed with Industrial (IND) land uses in a limited fashion as established in the Polk County Land Development Code with conditions adopted into the Land Development Code through LDCT-2026-7.

POLICY 2.135-X1: DESIGNATION AND MAPPING - Land use for this parcel shall be designated and mapped on the Future Land Use Map Series as Industrial (IND).

POLICY 2.135-X2: LOCATION CRITERIA – This section applies to the property 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 S-R/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

POLICY 2.135-X3: DEVELOPMENT CRITERIA - Development within this IND area shall conform to the criteria established in Section 2.113A of this Comprehensive Plan consistent with the development standards adopted for this parcel in the Polk County Land Development Code.

Proposed Text Change

ORDINANCE NO. 26 -____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAS-2026-10;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 3.81+/- ACRES FROM RESIDENTIAL-SUBURBAN (RS) TO INDUSTRIAL (IND), AND TO MODIFY SECTION 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS. THIS CASE IS RELATED TO LDCT-2026-7. THE 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 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 June 3, 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 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; 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 3.81+/- acre site from Residential-Suburban (RS) to Industrial (IND) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 232932000000013180

COMM SW COR OF SW1/4 OF NE1/4 RUN N 2093.05 FT FOR POB CONT N 459.69 FT TO S-R/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

SECTION 2: COMPREHENSIVE PLAN AMENDMENT (TEXT)

Section 2.135, Parcel Specific Future Land Use Map Amendments with Conditions, is hereby amended as shown in Attachment "B" of this Ordinance.

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 be effective on August 22, 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.

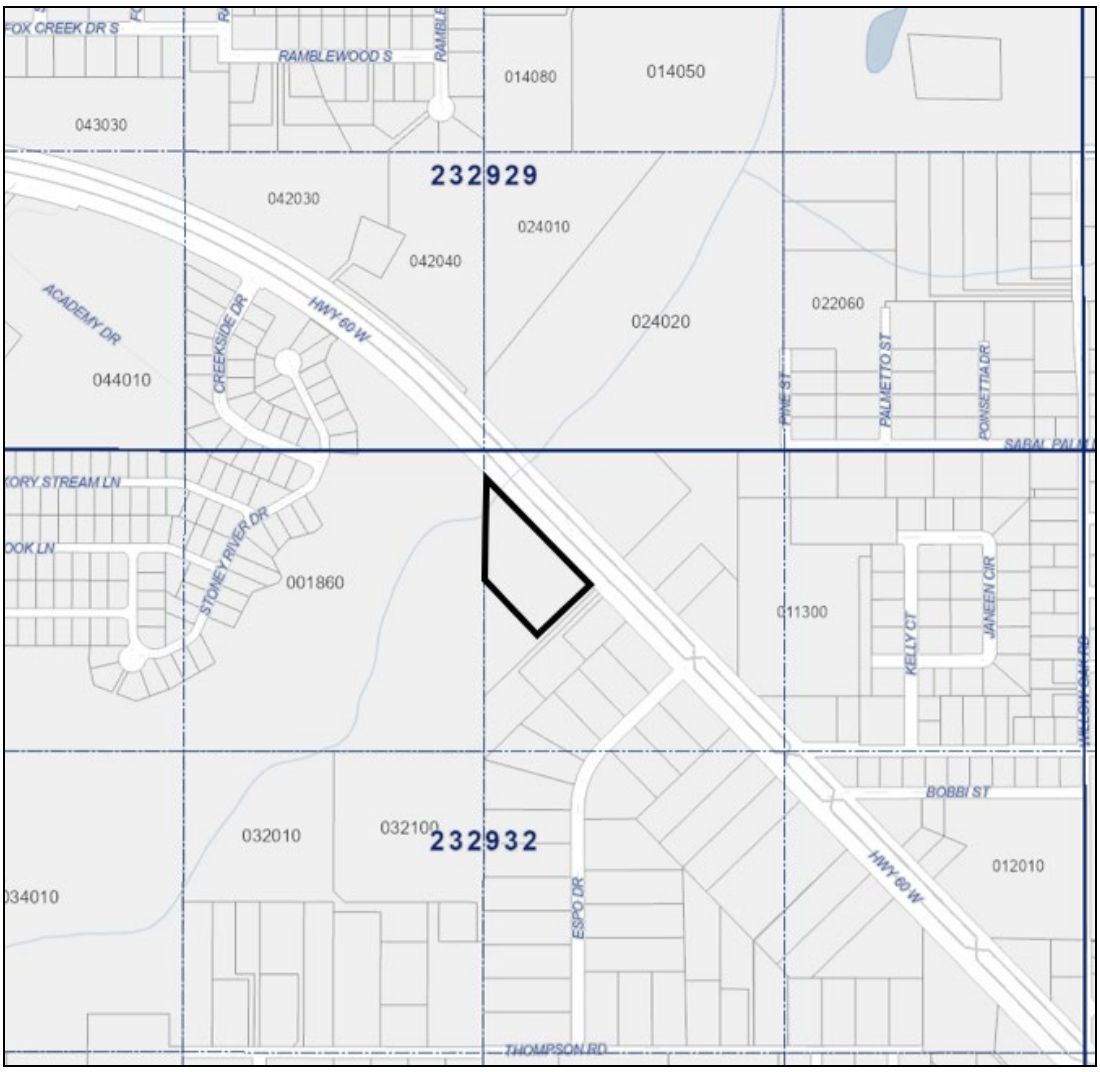
SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

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.

ATTACHMENT "A"

LDCPAS 2026-10
Location: West of State Road 60, south of Poley Creek, and north of the City of Mulberry
Section-32 Township-29 Range-23



PARCEL DETAIL
Note: Not to Scale

ATTACHMENT "B"

APPENDIX 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS

SECTION 2.135-Y - Development Guidelines for Parcel number 232932000000013180.

OBJECTIVE 2.135-Y: Through the adoption of LDCPAS 2026-10, this section of the plan enables this specific property to be developed with Industrial (IND) land uses in a limited fashion as established in the Polk County Land Development Code with conditions adopted into the Land Development Code through LDCT-2026-7.

POLICY 2.135-Y1: DESIGNATION AND MAPPING - Land use for this parcel shall be designated and mapped on the Future Land Use Map Series as Industrial (IND).

POLICY 2.135-Y2: LOCATION CRITERIA – This section applies to the property 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 S-R/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

POLICY 2.135-Y3: DEVELOPMENT CRITERIA - Development within this IND area shall conform to the criteria established in Section 2.113A of this Comprehensive Plan consistent with the development standards adopted for this parcel in the Polk County Land Development Code.

TDW Land Planning
(863) 838-8511 | tdwlandplanning@gmail.com

Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Project Narrative:

This is a text amendment to accompany the Future Land Use Map (FLUM) amendment to change the subject 3.8 acre site from Residential Suburban (RS) to Industrial (IND) which includes a binding site plan and site-specific conditions to allow light manufacturing on the subject parcel. The proposed manufacturing is different than typical IND uses that may produce noise, smoke, vibrations, smells or other objectionable impacts. The proposed light manufacturing facility is a high-tech manufacturer of electronic equipment with sophisticated and delicate manufacturing processes conducted entirely indoors that will not have any significant offsite impacts to the surrounding area.

The site plan illustrates excellent access directly on SR 60 at a median opening, includes buffering and separation from surrounding parcels, ensures wetland areas have sufficient buffering and protection, and provides excellent on-site parking and circulation for employees, guests, and deliveries. In order to limit the intensity of the proposed IND future land use, the site plan design binds the use of the site to the approval to ensure the site and level of activity is compatible with the surrounding uses in this area.

Exhibit 1 - Proposed Text to Comprehensive Plan Section 2.135:

SECTION 2.135-V - Development Guidelines for Parcel number 232932-000000-013180:

OBJECTIVE 2.135-R: Through the adoption of LDCPA_____, this section of the plan enables this specific property to be developed with Industrial (IND) land uses in a limited fashion as established in the Polk County Land Development Code with conditions adopted into the Land Development Code through LDCT-2026-___.

POLICY 2.135-R1: DESIGNATION AND MAPPING - Land use for this parcel shall be designated and mapped on the Future Land Use Map Series as Industrial (IND).

POLICY 2.135-R2: LOCATION CRITERIA – This section applies to the property 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 S-R/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

POLICY 2.135-R3: DEVELOPMENT CRITERIA - Development within this IND area shall conform to the criteria established in Section 2.113 of this Comprehensive Plan consistent with the development standards adopted for this parcel in the Polk County Land Development Code.

TDW Land Planning
(863) 838-8511 | tdwlandplanning@gmail.com

Owner Authorization

Owner Name(s): Nolan Martin
Subject: Agent Authorization
Parcel ID #s: 232932-000000-013180

I/We, Nolan Martin, legal representative(s) and/or owner(s) hereby designate and authorize TDW Land Planning, LLC to submit application and speak and act on my/our behalf as the authorized agent, applicant, and representative in the processing and furnishing of supplemental information in support of future land use/zoning and site development approval applications to the governing entities for the subject project. Authorization is also hereby granted to access the subject site. The building, land use/zoning and site development permit applications include, but are not limited to, those to Polk County Land Development, Southwest Florida Florida Water Management District, Polk County Utilities, Polk County Public Schools, Polk County Health Department, Florida Department of Environmental Protection, and Florida Department of Transportation.

Authorized Property Representative(s):

Nolan Martin	
Printed Name	Printed Name
Signature	Signature
10286 Meadowview Dr. Lithia FL 33547	
Address	Address

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S AUTHORIZATION

The foregoing instrument was acknowledged before me this 4 day of March, 2026, by Nolan Martin, who is personally known to me or has produced a valid photo identification (driver's license, passport, etc) and who did not take an oath.

Tessa Young
Notary Public

Notary Public State of Florida
Tessa Young
My Commission HH 725411
Expires 9/28/2029

Notary Seal and Commission Expiration Date

Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

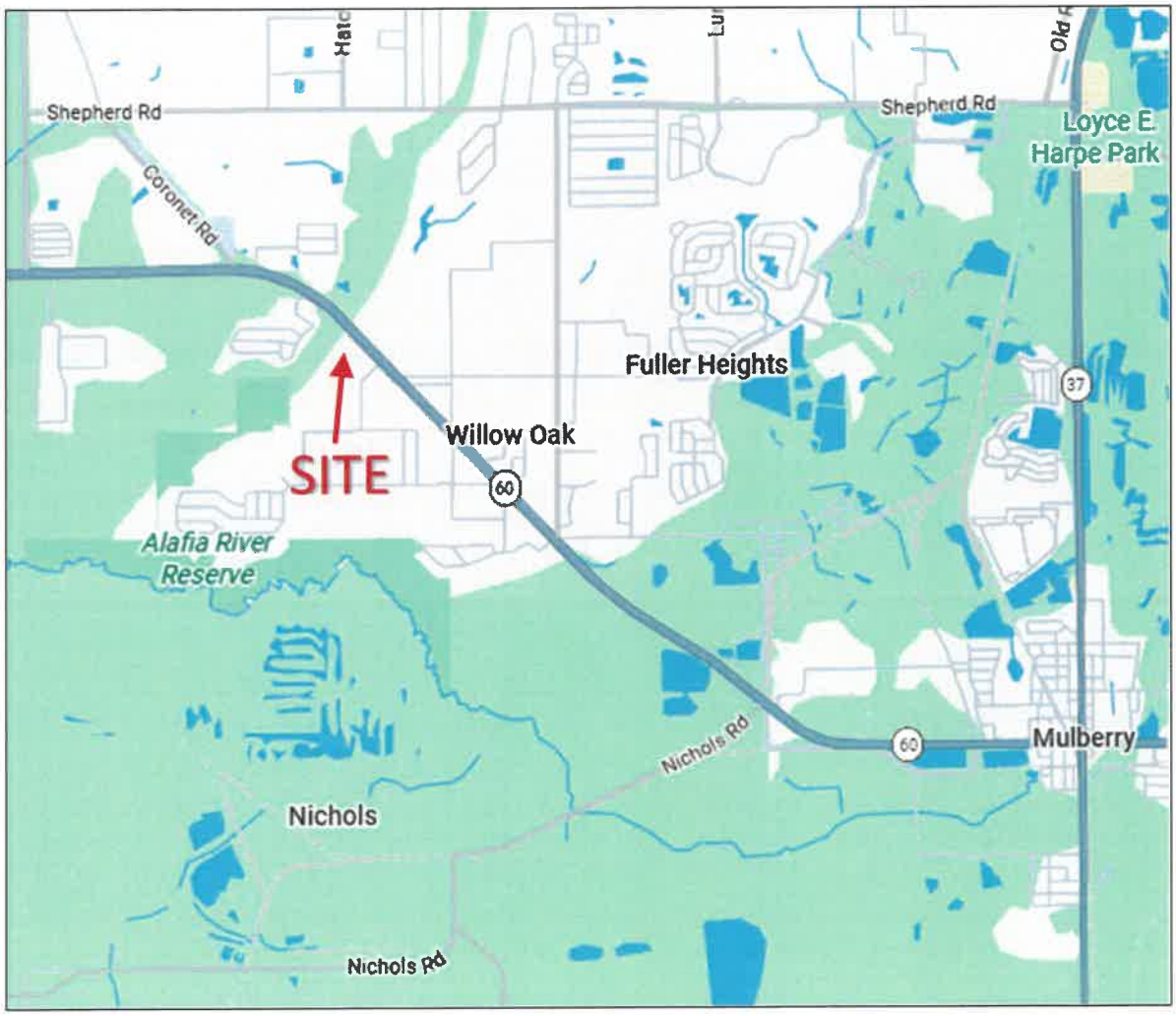
Project Narrative:

This is a request for a conditional Comprehensive Plan Amendment to change the land use map designation from Residential Suburban (RS) to Industrial (IND) which includes a binding site plan and site-specific conditions to allow light manufacturing on the subject parcel. The proposed manufacturing is different than typical IND uses that may produce noise, smoke, vibrations, smells or other objectionable impacts. The proposed manufacturing facility is a high-tech manufacturer of electronic equipment with sophisticated and delicate manufacturing processes conducted entirely indoors that will not have any significant offsite impacts to the surrounding area.

The site plan illustrates excellent access directly on SR 60 at a median opening, includes buffering and separation from surrounding parcels, ensures wetland areas have sufficient buffering and protection, and provides excellent on-site parking and circulation for employees, guests, and deliveries. This ensures the design of the site and level of activity is compatible with the surrounding uses in this area.

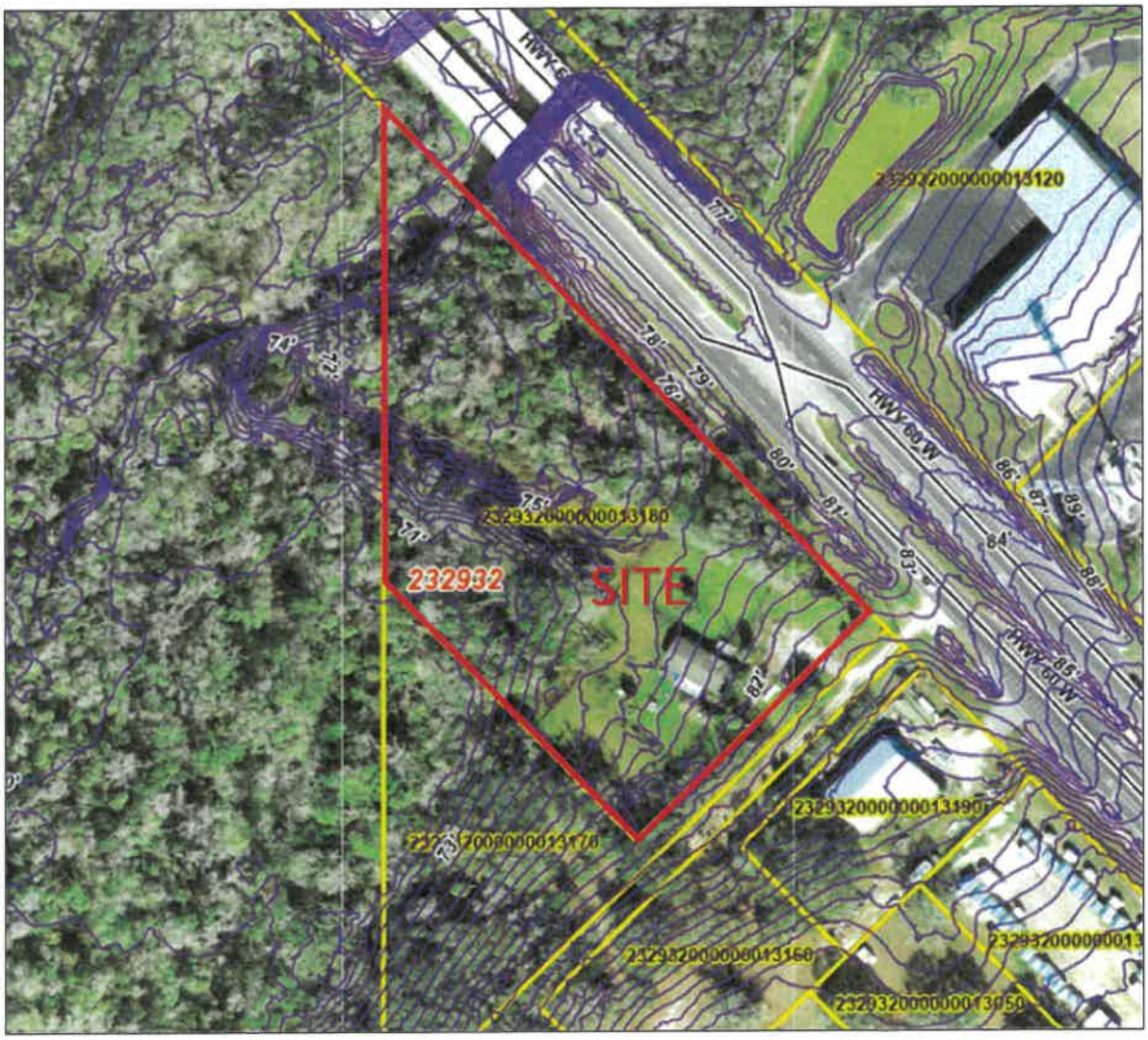
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map A: Location Map



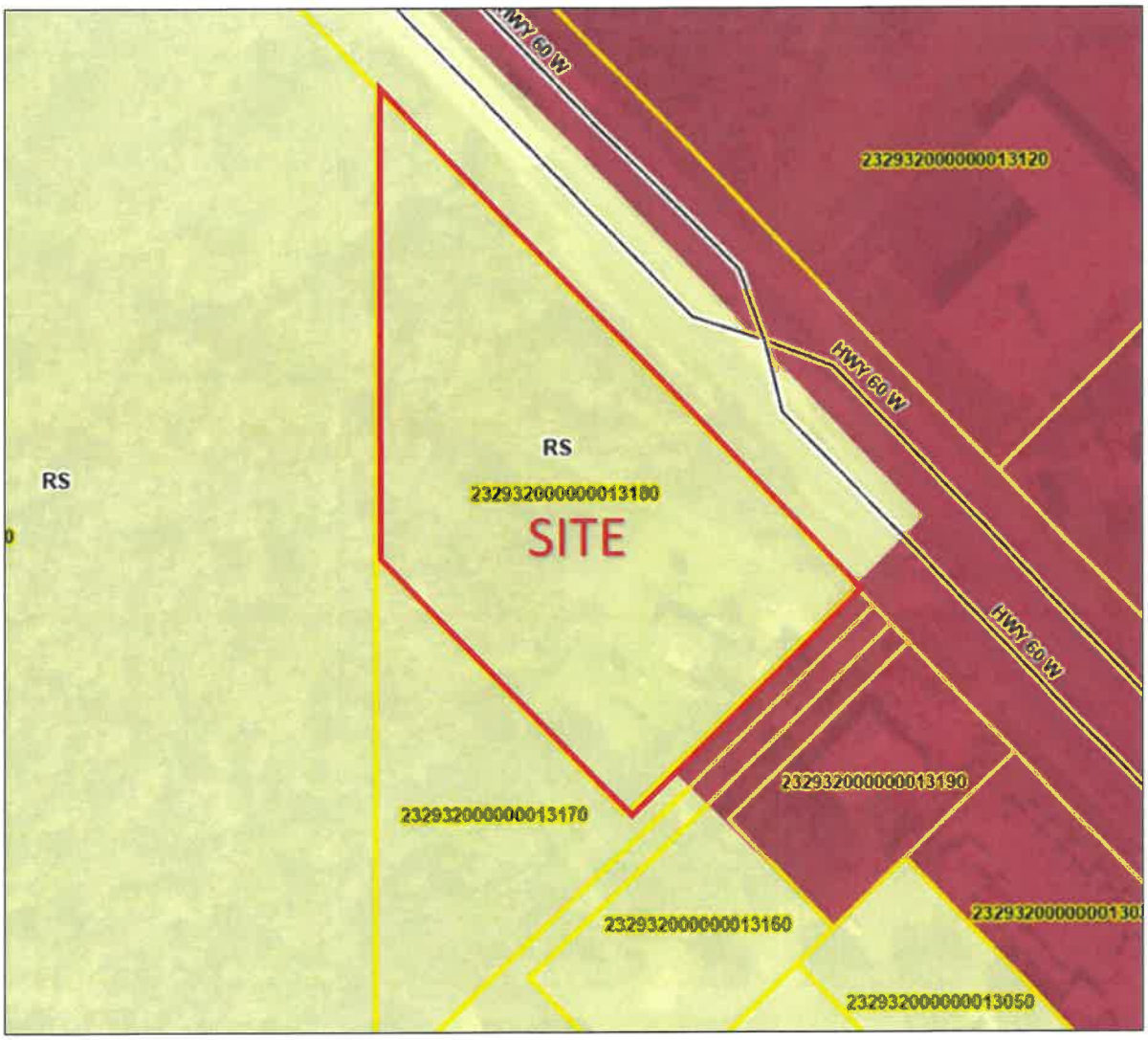
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map B: Topographical Map



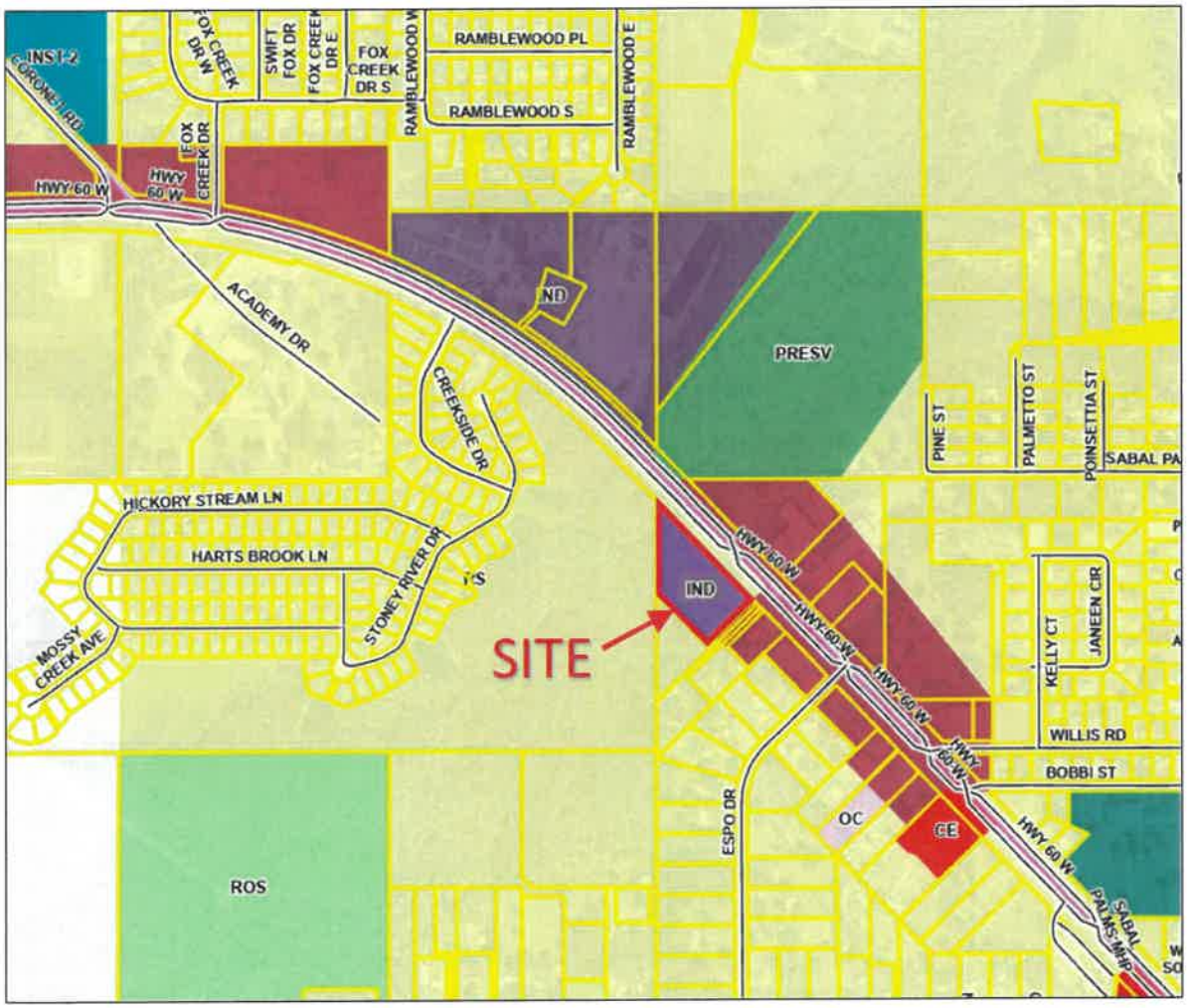
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map C(1): Existing FLUM



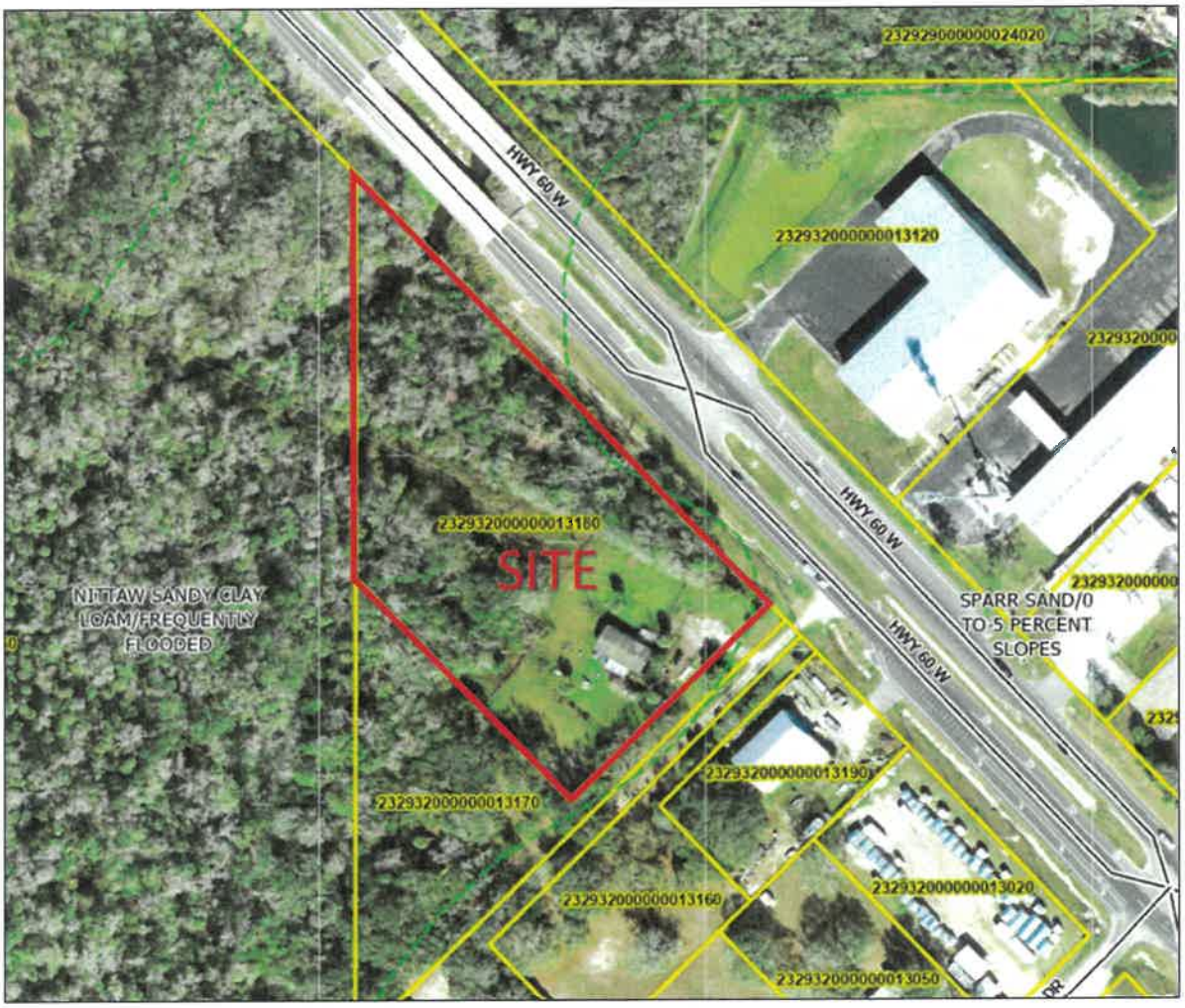
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map C(2): Proposed FLUM



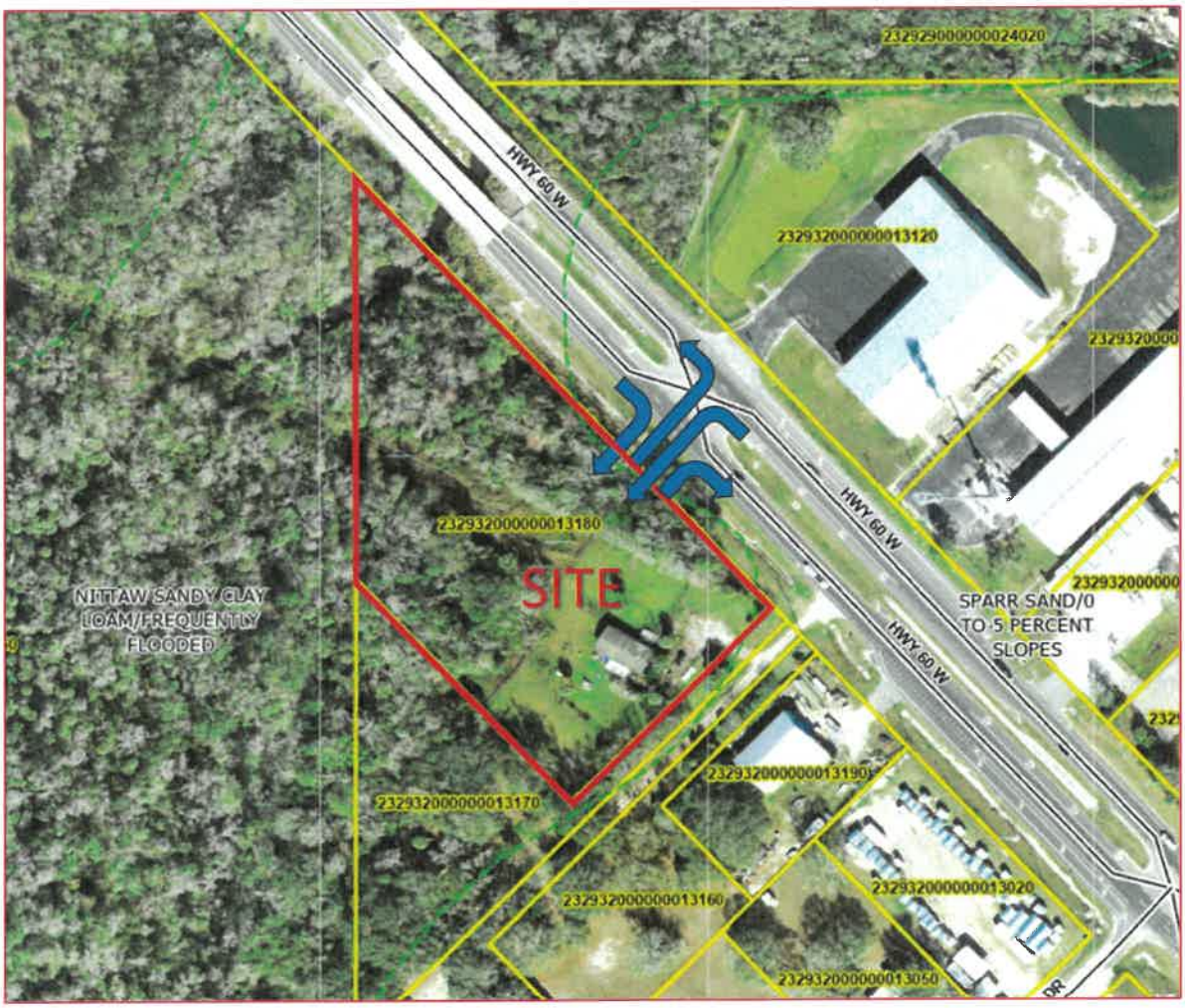
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map D: Soils



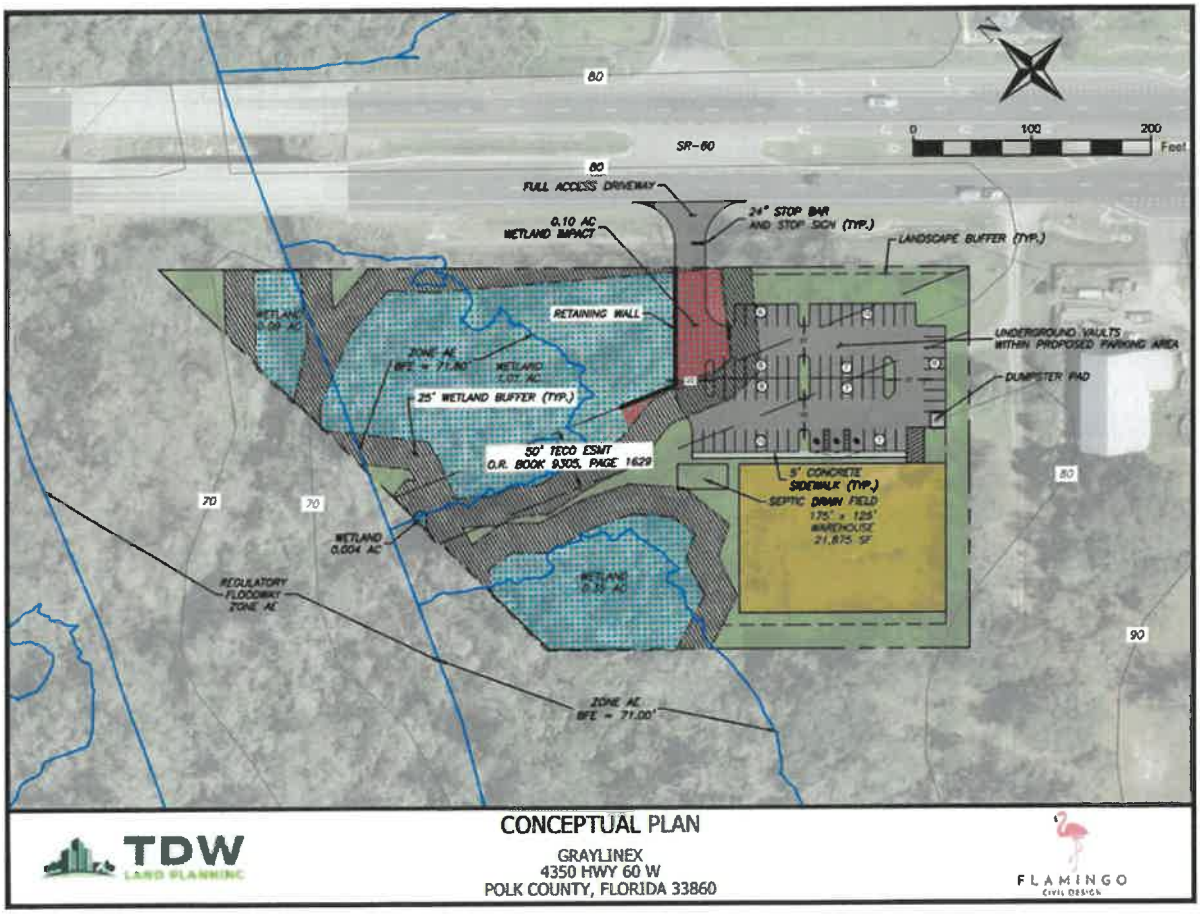
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map E: Traffic Circulation Map



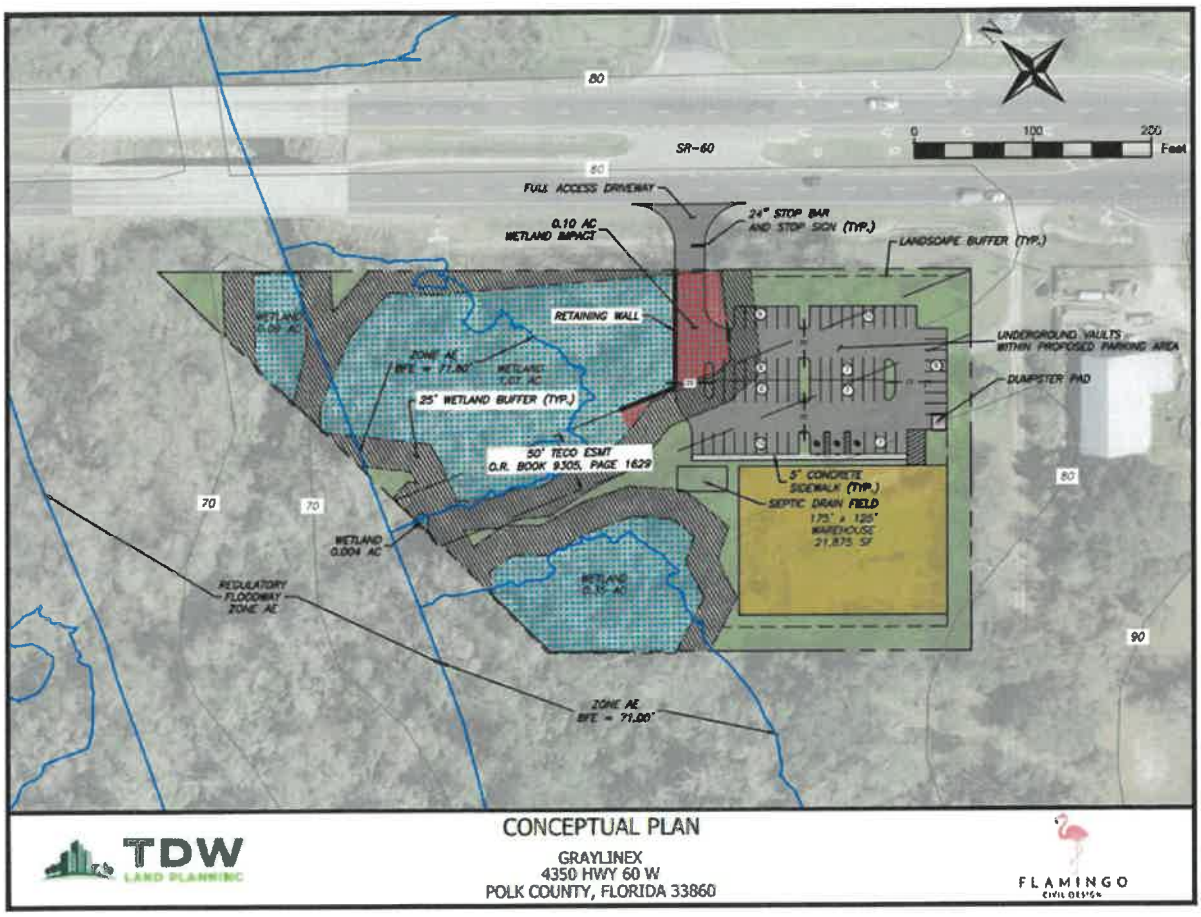
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map F: Site Plan



Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map G: Drainage Map



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IMPACT ASSESSMENT STATEMENT FORM

Growth Management Department
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

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 ***(Note: N/A is an insufficient comment, if N/A an explanation must be included)***:

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 conditional Comprehensive Plan Amendment to change the land use map designation from Residential Suburban (RS) to Industrial (IND) which includes a binding site plan and site-specific conditions to allow light manufacturing on the subject parcel. The proposed manufacturing is different than typical IND uses that may produce noise, smoke, vibrations, smells or other objectionable impacts. The proposed manufacturing facility is a high-tech manufacturer of electronic equipment with sophisticated and delicate manufacturing processes conducted entirely indoors that will not have any significant offsite impacts to the surrounding area.

The site plan illustrates excellent access directly on SR 60 at a median opening, includes buffering and separation from surrounding parcels, provides sufficient buffering and protection for on-site wetlands (except for access to SR 60), and provides excellent on-site parking and circulation for employees, guests, and deliveries. This ensures the design of the site and level of activity is compatible with the surrounding uses in this area.

This request is consistent with POLICY 2.113-A3: LOCATION CRITERIA because the requested IND is located within a Suburban Development Area, has access to an arterial roadway, and is grouped as part of an IND node that currently exists across from an existing IND northwest of the Alafia River (Mid-Florida Auto Salvage, Just Scrap It metal scrapping, & U Jerk It Auto salvage). In addition, the site design avoids impacts to the natural environment consistent with Policy 2.102-A9. With the exception of site access which is optimized for safety at the existing median opening, the site avoids major impacts to the wetlands or floodway. Consistent with Policy 2.102-A10, the site is far from existing agricultural production areas, provides buffering and separation from

existing residential uses in the area, and is close to supporting infrastructure and services (Fire, EMS, Sheriff).

The surrounding Willow Oak community and this segment of SR 60 has historically attracted commercial, industrial and light industrial businesses, many of which existed prior to the adoption of the Comprehensive Plan in 1991, when the Zoning ordinance was in force. Over the past couple decades, the County Commission has consistently recognized this commercial activity with future land use amendments to change the land use from residential to non-residential (IND, LCC, etc) future land use designations.

This site is the last remaining land along a busy highway between the LCC future land use designated land and the Alafia River. The closest use east of the site is Elite Welding Services, an industrial fabrication and maintenance welder. Directly across SR 60 are large industrial buildings containing businesses such as an industrial roofing company (Barber & Associates Commercial Roofing) and shipping and distribution company (Sizemore Sales. As the last remaining plot of land between commercial sites, its residential designation fails to encourage an attractive and functional mixture of existing non-residential land uses along the major highway stretching from the west coast to the east coast of Florida. Leaving this parcel designation as RS also adversely affects the adjoining LCC land's ability to develop commercially due to the Compatibility provisions of Section 220 of the Land Development Code which require a 50 foot setback for commercial uses from residentially designated property. If this parcel remains designated as RS, it will prevent the commercial use within 50 of its borders and have an adverse economic impact on those surrounding parcels. Changing the Future Land Use designation to IND creates a more attractive and functional mixture of land uses.

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

The site is bordered to the north by SR 60, to the west by the Alafia River floodway, and LCC FLUM to the east, and most of the adjoining parcel to the south also lies within the Alafia floodway. The construction of the proposed building will provide a sound and visual buffer between this small portion of developable residential lot to SR 60.

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

With 23,000 daily trips passing the site along SR 60 and the non-residential viability of the site demonstrated with decades of warehouse, industrial, and commercial use on nearby surrounding properties, residential usage on the subject site is neither viable or desirable. Industrial development along this major state roadway facility will continue to support the surrounding economic demands of this region and more efficiently utilize existing infrastructure. This development includes a binding conditional use site plan which will limit future development and give the County the ability to reference the limited use of this IND land use change.

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 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.

The ITE Manual (11th ed) indicates General Light Industrial as Land Use Code 110. The proposed light manufacturing facility, according to the ITE Manual (11th ed) indicates this use will generate 0.05 PM trips & 0.25 AADT/ 1,000sf. Therefore, the proposed 21,875 sf building is estimated to generate 5 AADT and 1 PM Peak Trips. However, given the parking spaces needed to support this use, along with the deliveries, it is anticipated that the use will generate a greater number of trips. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", IND uses generate approximately 6.97 AADT and 0.91 PM Peak trips per 1,000 sf. Therefore, this 21,875sf building could generate around 152 AADT and 19 PM Peak trips. Sufficient capacity exists on SR 60 to accommodate the anticipated trips generated by the proposed use.

2. What modifications to the present transportation system will be required as a result of the proposed development?
A minor traffic study will suffice for a detailed methodology and calculations for most applications.

During consultation with the user, the proposed development layout of the site was modified from the original driveway location further to the east. The proposed driveway was moved west to allow for use of the median opening on SR 60 and to provide greater separation from the existing driveways adjacent to the east. While this resulted in a wetland impact of approximately 0.1acres (4,356 square feet), it will result in a much safer access to and from the site. Access will require a driveway permit from the FDOT to verify that this driveway location is acceptable; however, the level of traffic produced by the proposed use of the site is considered minor by County standards, as it will not require a major traffic study. If the median opening location is not acceptable, the original driveway location further east is still a well-suited location for the proposed use.

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

While IND allows for a wide range of uses, this conditional CPA limits the use to light manufacturing. Section 708 of the LDC requires 1 space per 1,000sf of building area, and the proposed site plan shows 71 spaces.

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

The proposed method of access is directly onto SR 60.

NOTE: Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for ***"Infrastructure Impacts"*** *items 3 through 9 above.*

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.F of the LDC*)

The proposed use is light manufacturing on the subject 3.8 acre site. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", IND uses generate 0.24GPD/sf of water demand. Therefore, this 20,875sf building could generate around 5,010 GPD water demand. Wastewater generation is 80% of water demand, so this use could generate 4,008 GPD of wastewater.

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?

The site is located in the SDA where no wastewater services are available and will utilize an on-site septic system.

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

N/A

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)

N/A

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

N/A

6. What is the anticipated date of connection?

N/A

7. What improvements to the providers system are necessary to support the proposed request (e.g., lift stations, line extensions/expansions, interconnects, etc.)?

N/A

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?

Connection to the centralized potable water supply is proposed. The site is within Polk County's Southwest Utilities Service Area.

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

The proposed use is light manufacturing on the subject 3.8 acre site. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", IND uses generate 0.24GPD/sf of water demand. Therefore, this 20,875sf building could generate around 5,010 GPD water demand.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

Polk County Utilities states that there is an 8" water main line along the frontage of the property within the right-of-way for SR 60 available for connection.

4. Who is the service provider?

Polk County Utilities is the service provider in this area.

5. What is the anticipated date of connection?

2026.

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

Polk County Utilities was unable to provide specific plant capacity (GPD) information for this project.

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

There are no known wells on the property.

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 site slopes southeast to northwest towards the Alafia River. The developable portion of the site falls approximately 12 feet before reaching the floodplain and wetland areas of the site. The proposed structure, parking and retention are all located within this upland portion of the site and avoid any intrusion into the floodway portion of the site.

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

The initial layout of the site proposed site access further to the east. However, in order to improve access, driveway separation, and access to the full median opening on SR 60 across from the site, the proposed driveway was moved west. This resulted in a minor wetland impact of approximately 0.1acres (4,356 square feet), but it will result in a much safer access to and from the site. Retention will be underground in box-retention to maximize the use of the available upland area of the site.

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.

Proposed on-site retention systems will capture and treat stormwater runoff. While there are wetland, floodplain, and floodway areas of the site, development within these areas were avoided to the greatest extent practicable. The one exception is a minor wetland impact of approximately 0.1acres (4,356 square feet), but it will result in a much safer access to and from the site. This wetland impact is permitted per Section 620.C(2) of the LDC. If this proposed driveway is deemed unfeasible, there is sufficient site frontage on SR 60 for a commercial driveway access at the northeast corner of the site.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

A minor wetland impact of approximately 0.1acres (4,356 square feet) is proposed to allow for safer site access to and from the site. If this proposed driveway is deemed unfeasible, there is sufficient site frontage on SR 60 for a commercial driveway access at the northeast corner of the site.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;

There is an existing residential well on-site and other wells in the vicinity. Development of the site will require locating the proposed septic system in an area that is sufficiently distanced from these

existing wells, and will require the new on-site well servicing the proposed use to be located the required distance away from the proposed septic system and existing septic systems in the area.

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).*

The nearest runway is the South Lakeland Airstrip on Coronet Road. This private runway has limited use and the proposed use of the site is not anticipated to impact this runway or any Airport Buffer Zone from airports in the region.

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

According to the soil survey of Polk County, the site is entirely comprised of Nittaw Sandy Clay Loam. This soil type may require construction methods for the proposed use such as soil stabilization, mechanical compaction, and slab-on-grade reinforcement. The client has already consulted with an engineer to review the ways to ensure construction is successful on the subject site.

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 proposed IND land usage will generate little to no impact on parks. The nearest park is Fuller Heights Park, approximately two (2) miles east of the site or Loyce Harpe Park, approximately 3 miles east of the site.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

The proposed IND land usage will generate no school children and is far from existing schools. It will have little to no direct impact on schools.

3. Health Care (e.g., emergency, hospital);

The nearest hospital is Bartow Hospital which is approximately 12 miles east of the site.

4. Fire Protection;

The nearest fire station is Fire Department 8, which is less than one mile from the site.

5. Police Protection and Security;

The nearest Polk County Sheriff station is the NW District Command office located 3.5 miles south of the site.

6. Emergency Medical Services (EMS);

The closest EMS is located less than one mile from the site within Fire Department 8.

7. Solid Waste (collection and waste generation); and

Polk County provides waste collection services to this site.

8. How may this request contribute to neighborhood needs?

The requested Conditional IND land use designation will support the proposed high-tech investment and provide high wage jobs in this area of the County. New development built to current Code standards, along with the landscaping and infrastructure improvements, will also provide short-term construction jobs, and improve the visual aesthetic of the site.

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 overlaid on all maps.

The following **maps shall 8 1/2" x 11"** and 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: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy.** Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

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 and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

[2] See *Site Plan Standards* checklist form (GM LDD 11).

GrayLineX: Legal Descriptions

Parcel ID # 23-29-32-000000-013180

COMM SW COR OF SW1/4 OF NE1/4 RUN N 2093.05 FT FOR POB CONT N 459.69 FT TO S-R/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

Polk County

Planning Commission

Agenda Item 2. 6/3/2026

SUBJECT

LDCT-2026-7 (GrayLineX LDC Text Amendment)

DESCRIPTION

Change the text of the Land Development Code Appendix E, Section E105, Parcel Specific Comprehensive Plan Amendments with Conditions, to limit the intensity of the proposed Industrial (IND) activity on the site. This case is related to LDCPAS-2026-10, Future Land Use Change from RS to IND and the corresponding text amendment. The site is west of State Road 60, south of Poley Creek, and north of the City of Mulberry, in Section 32, Township 29, 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:	March 26, 2026	**Level of Review:**	4
PC Date:	June 3, 2026	**Type:**	LDC Text Amendment
BoCC Date:	July 7, 2026	**Case Numbers:**	LDCT-2026-7
		Case Name:	GrayLineX LDC Text Amendment
Applicant:	Tom Wodrich, AICP	**Case Planner:**	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner

Request:	Change the text of the Land Development Code Appendix E, Section E105, Parcel Specific Comprehensive Plan Amendments with Conditions, to limit the intensity of the proposed Industrial (IND) activity on the site. This case is related to LDCPAS-2026-10, Future Land Use Change from RS to IND and the corresponding text amendment.
Location:	West of State Road 60, south of Poley Creek, and north of the City of Mulberry, in Section 32, Township 29, Range 23.
Property Owner:	GrayLineX LLC
Parcel Size (Number):	3.81 acres
Development Area:	Suburban Development Area (SDA)
Nearest Municipality:	Mulberry
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	N/A

Proposed Change to the **LDC:**

Change Appendix E Section E105 Parcel Specific Comprehensive Plan Amendments with Conditions to limit the intensity of the proposed Industrial activity on the site.

Summary:

The applicant seeks a change to the Land Development Code Appendix E, Section E105, to limit the intensity of proposed Industrial activities. The specific limitations are as follows:

- Prohibition of Certain Uses
- Restrictions on Outdoor Activities
- Signage
- Landscaping
  - Additional Site Development Standards
  - Building Height
  - Loading/Unloading Areas
  - Lighting Requirements
- Conceptual Site Plan

Findings of Fact

- *LDCT-2026-7 is an applicant-initiated request to amend Appendix E, Section E105, Parcel Specific Comprehensive Plan Amendments with Conditions, to limit the intensity of the proposed Industrial activity on the site.*

- *The location of the subject property is west of SR 60, south of Poley Creek, and north of the City of Mulberry, in Section 32, Township 29, Range 23.*

- *This case is related to LDCPAS-2026-10. That request is for a Comprehensive Plan Amendment to change 3.81 acres from Residential-Suburban (RS) to Industrial (IND).*

- *LDCPAS-2026-10 also includes a text change to Appendix 2.135 - Parcel Specific Future Land Use Map Amendments with Conditions to allow for the adoption of requirements to limit the intensity of the proposed industrial activity.*

- *The subject property contains wetlands and Zone "AE" Floodplains.*

- *The site is within the South Lakeland Airpark Height Notification Zone and the In-Flight Visual Interference Zone.*

Development Review Committee Recommendation:

The Land Development Division, based on the Findings of Fact, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **APPROVAL** of LDCT-2026-7.

Analysis:

This amendment was submitted currently with LDCPAS-2026-10. That request is for a Comprehensive Plan Amendment to change 3.81 acres from Residential-Suburban (RS) to DRI) to Industrial (IND). The same Plan Amendment also includes a text change to Appendix 2.135 - Parcel Specific Future Land Use Map Amendments with Conditions. The changes to the text of both the Comprehensive Plan and the Land Development Code are necessary to limit the intensity of the proposed Industrial (IND) activity on the site. These restrictions will ensure that development is compatible with the nearby residential uses.

The specific limitations proposed as are follows:

<u>Text:</u>
- Applicability
- Permitted Uses – All uses currently allowed in the IND land use per Table 2.1 of the Land Development Code are allowed, except those specifically prohibited in this text, 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.
- Prohibited Uses – Certain uses that are intensive, conducted outdoors, and/or produce significant impacts are prohibited.
- Outdoor Activities – A Testing Operations Plan for any materials produced at this facility is required prior to any Level 2 approval.

- Signage –A prohibition on pole-mounted ground signage is proposed, with only monument signs allowed for ground signage.
- Landscaping – A provision requiring that development conserve and utilize existing trees and vegetation where possible is included.
- Additional Site Development Standards – These standards include the following:
  - The maximum structure height for any building shall be 50 feet.
  - All loading and unloading areas shall be at least fifty (50) feet from all residentially designated property lines.
  - All doors and loading bays shall remain closed except while being accessed for loading and/or unloading.
  - All outdoor lighting shall be oriented to minimize light projection off-site. All outdoor lighting fixtures shall be of the fully shielded type.

Site Plan:
- Conceptual Site Plan for parcel 232932000000013180

Benefit-Cost Analysis of the Amendment

Who does it help?
This amendment directly benefits the affected landowner by minimizing any potential adverse impacts on adjoining properties, thereby ensuring compatible development. Careful site design, as contemplated in the conceptual site plan contained in this amendment, will also minimize any environmental concerns. By allowing certain types of industrial uses, this text amendment and the corresponding Comprehensive Plan Amendment will promote economic development opportunities. The location of this site across SR 60 from the Willow Oak Redevelopment District could also potentially provide a source of jobs for residents in this area.

Who does it hurt?
There is the potential for existing residents living next to the affected properties to deal with impacts caused by new non-residential development. However, because of the restrictions of certain types of industrial uses, additional site development standards, proposed requirements for the use of existing vegetation in the landscape buffers, and the compatibility provisions in Section 220 of the Land Development Code must still be met, the potential for any adverse impacts should be minimized. Additionally, less intrusive signage by only allowing monument signs will minimize potential impacts.

What is the cost?
Any new development on this property will be restricted to only ground-mounted free-standing and monument signage. Also, potential wetland mitigation due to limitations on the project access point will be necessary. These requirements may result in additional land development costs.

Limits of the Proposed Ordinance

The focus of this amendment is to restrict the allowable uses within the Leisure/Recreation (L/R) land use district to limit the intensity of the Industrial activity to ensure the proposed on-site development is consistent with the levels of existing and planned infrastructure, as well as ensure compatibility with surrounding uses and activities.

Consistency with the Comprehensive Plan

This change is in conjunction with LDCPAS-2026-10. This amendment will designate a 3.81-acre tract as IND. The proposed text change to limit the intensity of the proposed Industrial (IND) activity on the site is consistent with the applicable Objectives and Policies in the Plan's Future Land Use Element.

Comments from Other Agencies:

On April 24, 2026, Florida Department of Transportation (FDOT) staff expressed concerns about this site. Specifically, their concerns are related to access, with their comments listed below:

We recently had the GraylineX CPA group come in for a pre-app and have concerns with their proposed access point at our full median opening just east of Polley Creek / Bridge. This was previously a residential site taking access from a private roadway to which they say they don't have access anymore or an access easement to allow them access. We would prefer to have them upgrade the current drive that has been used previously but if there isn't an access easement in place, we will have to provide them with reasonable and adequate access to SR60. This could potentially create safety and operational issues if approved at the full median. See below for current roadway classification criteria.

The Access Classification for this particular section of SR60 is:

Access Class 3 (Restrictive)
Context Class C3C

Spacing Standards:
Full Median Opening: 2640'
Directional: 1320
Signal: 2640'
Connection: 660'

Tim Funk
Traffic Specialist IV
Access Management
F.D.O.T. District 1
801 N. Broadway Ave.
Bartow, Fl. 33830
863.519.2258 (Office)
timothy.funk@dot.state.fl.us

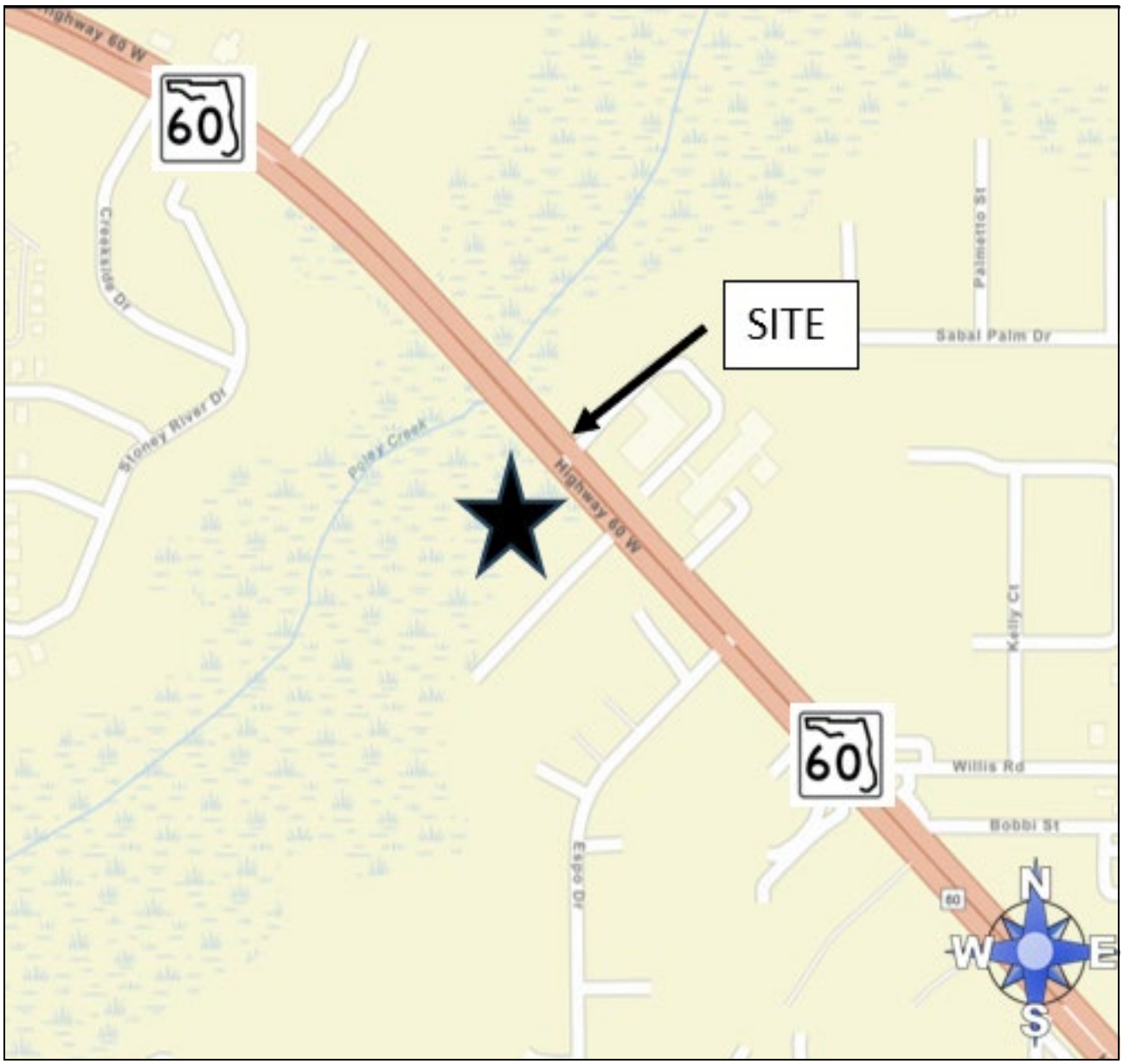
Draft Ordinance: Under separate attachment

Exhibits:

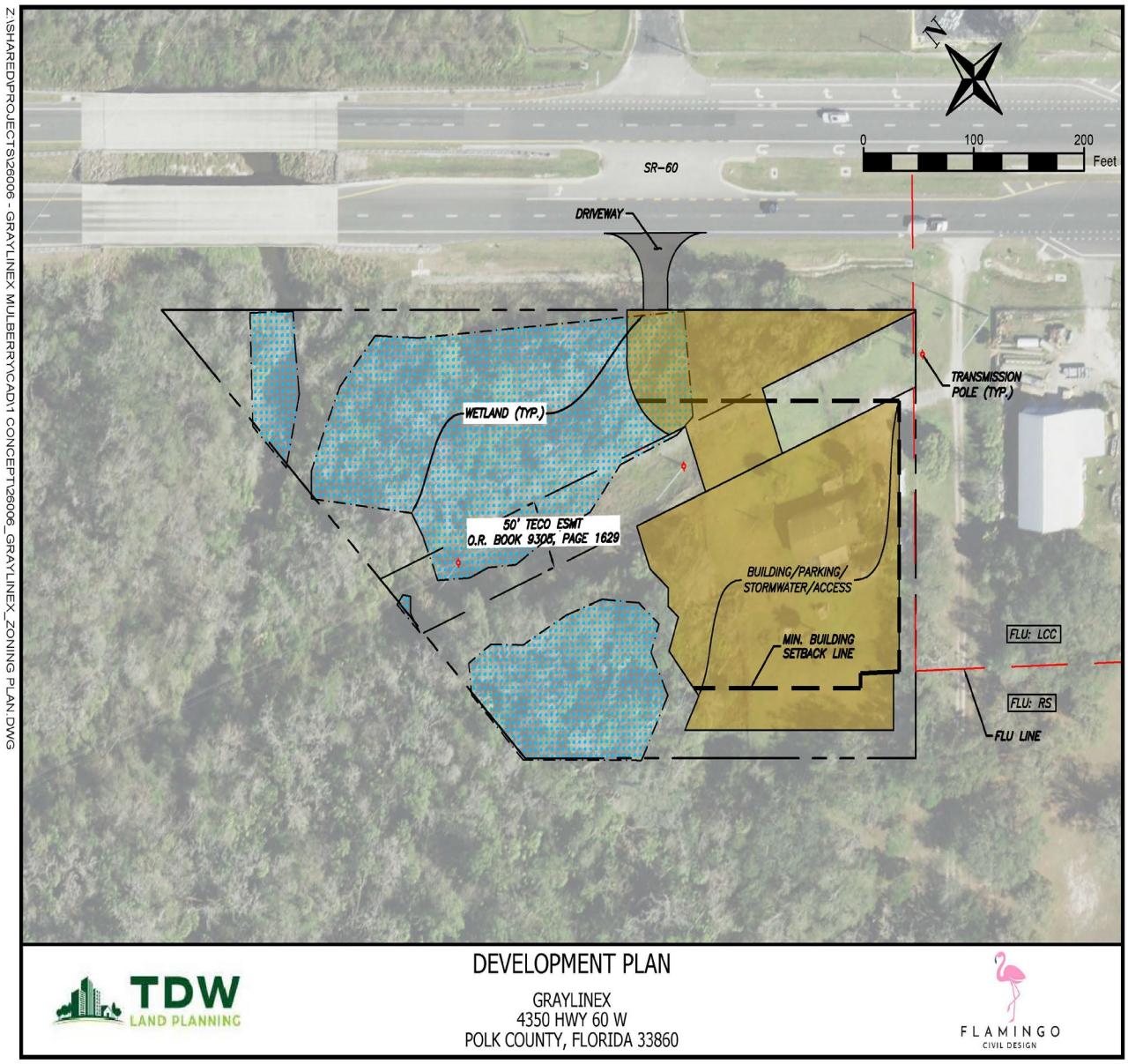
Exhibit – 1 Location Map
Exhibit – 2 Location Map (Detailed)
Exhibit – 3 Proposed Conceptual Site Plan
Exhibit – 4 Proposed Text Change



Location Map



Location Map (Detailed)



Proposed Conceptual Site Plan

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:

V. LDCPAS-2026-10 Parcel number 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 S-R/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.

Proposed Text Change

5. Signage

Signage shall be Monument Signage and shell 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.

Proposed Text Change

FIGURE "A"
Examples of Fully Shielded Lights



Proposed Text Change

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 shell 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.

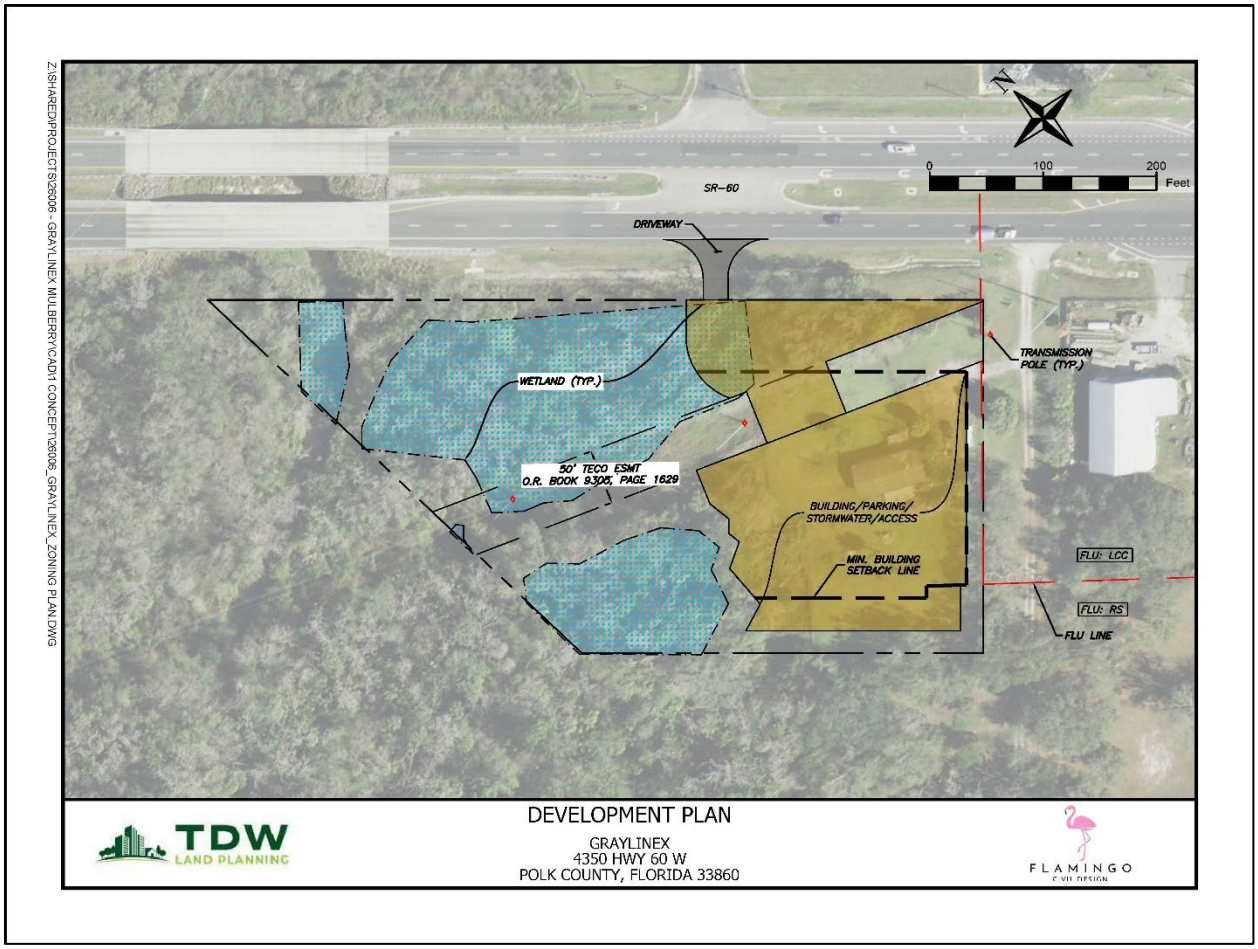
c. All doors and loading bays shall remain closed except while being accessed for loading and/or unloading.

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.

Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

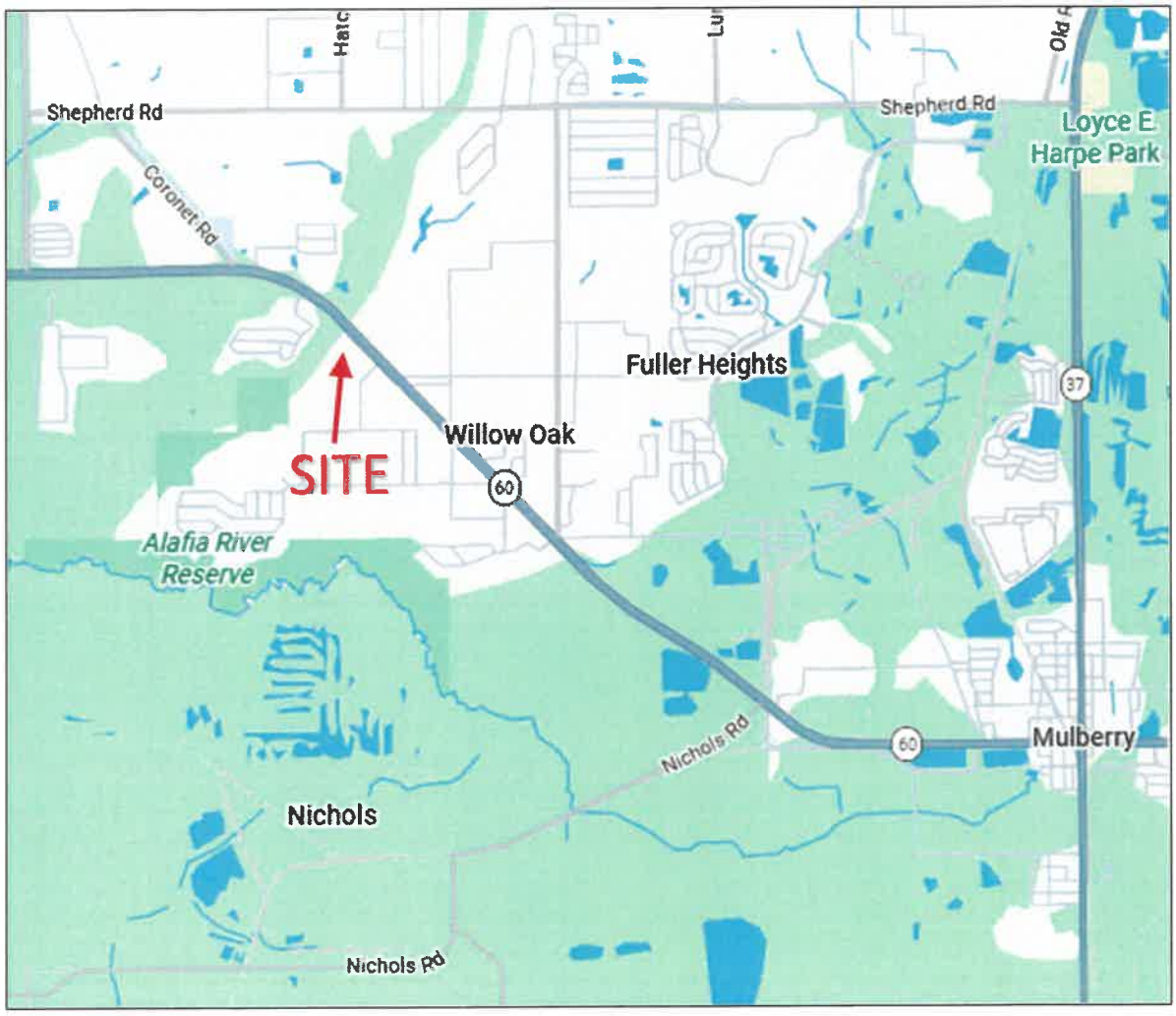
Project Narrative:

This is a request for a conditional Comprehensive Plan Amendment to change the land use map designation from Residential Suburban (RS) to Industrial (IND) which includes a binding site plan and site-specific conditions to allow light manufacturing on the subject parcel. The proposed manufacturing is different than typical IND uses that may produce noise, smoke, vibrations, smells or other objectionable impacts. The proposed manufacturing facility is a high-tech manufacturer of electronic equipment with sophisticated and delicate manufacturing processes conducted entirely indoors that will not have any significant offsite impacts to the surrounding area.

The site plan illustrates excellent access directly on SR 60 at a median opening, includes buffering and separation from surrounding parcels, ensures wetland areas have sufficient buffering and protection, and provides excellent on-site parking and circulation for employees, guests, and deliveries. This ensures the design of the site and level of activity is compatible with the surrounding uses in this area.

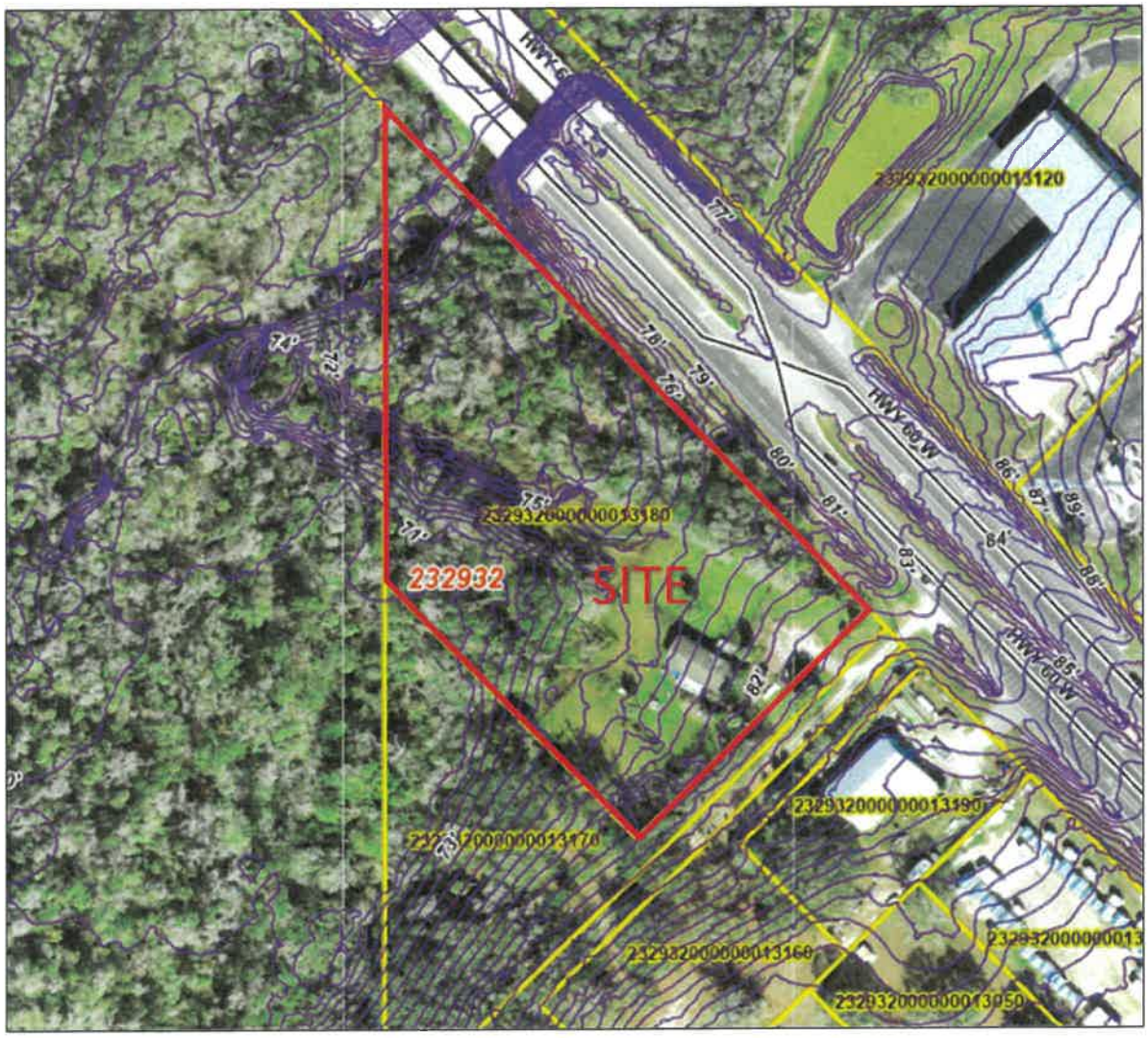
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map A: Location Map



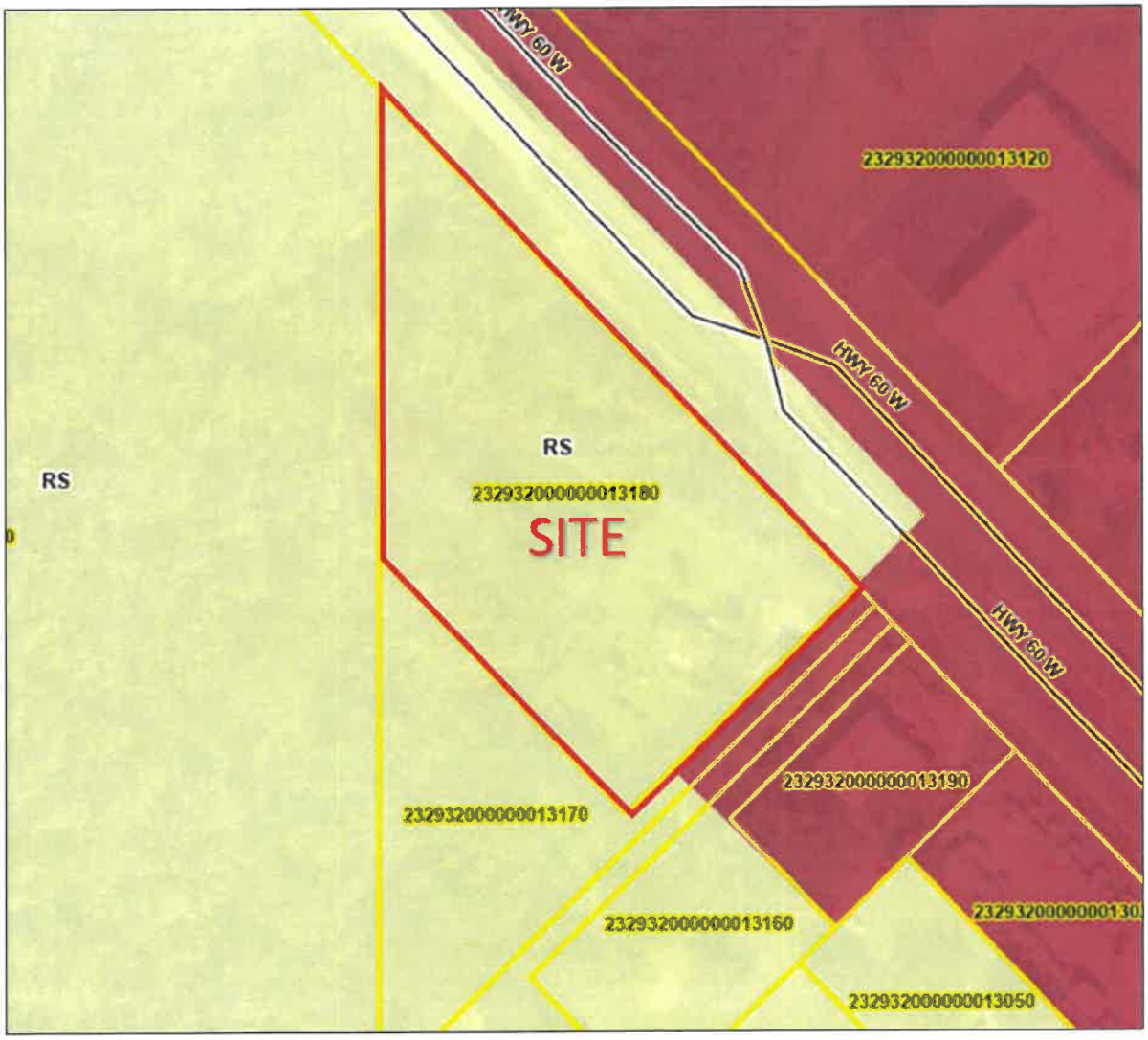
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map B: Topographical Map



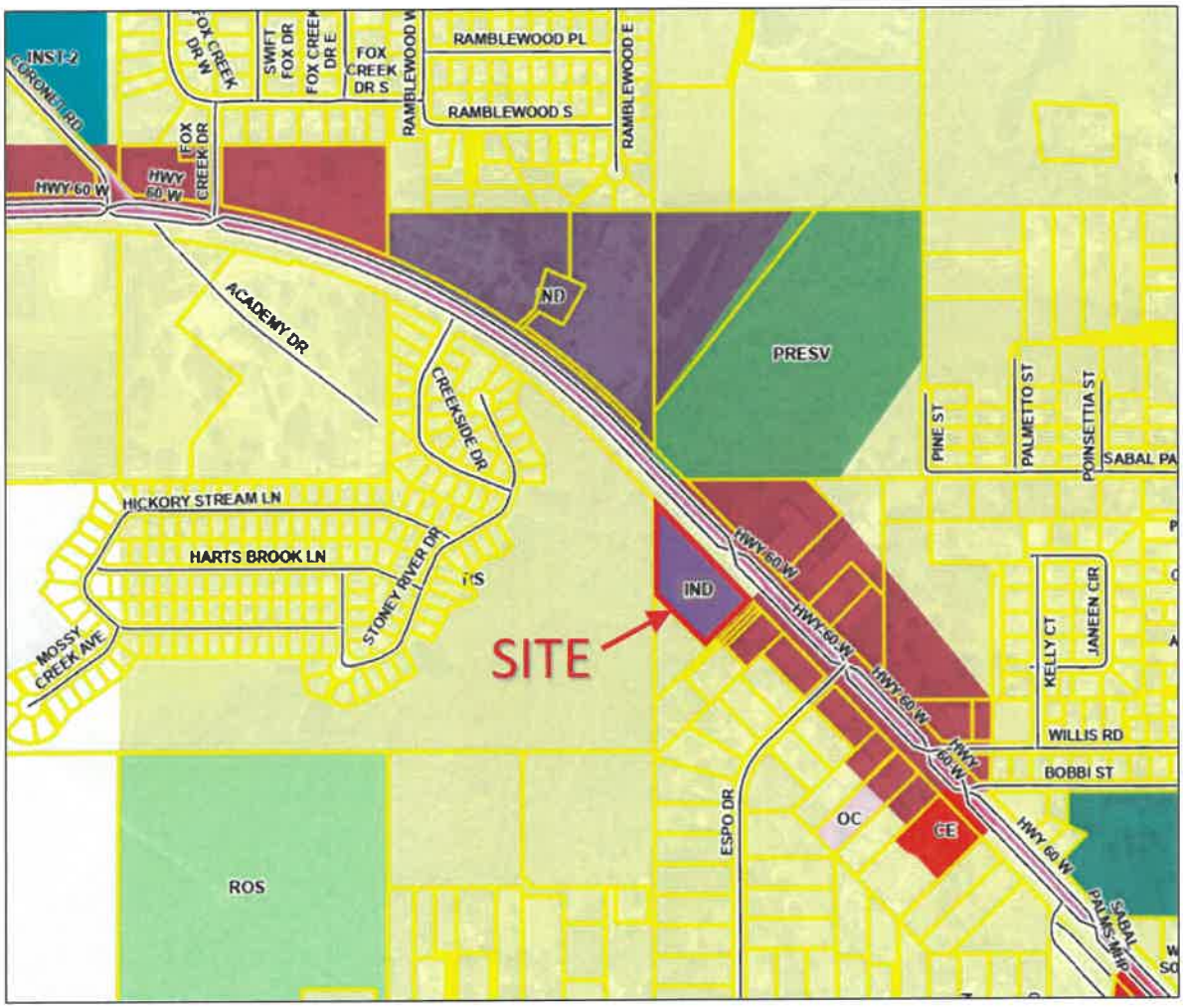
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map C(1): Existing FLUM



Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map C(2): Proposed FLUM



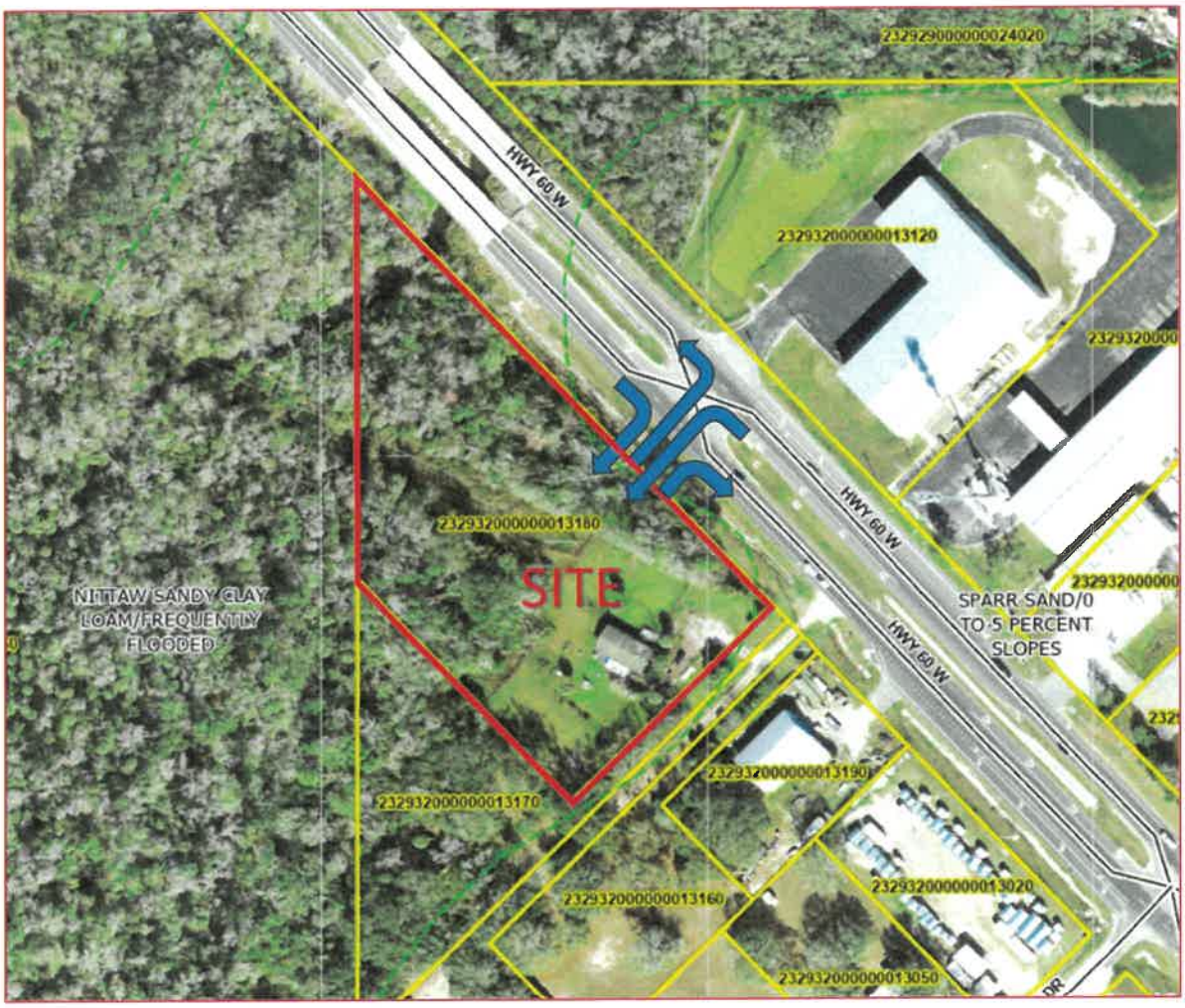
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map D: Soils



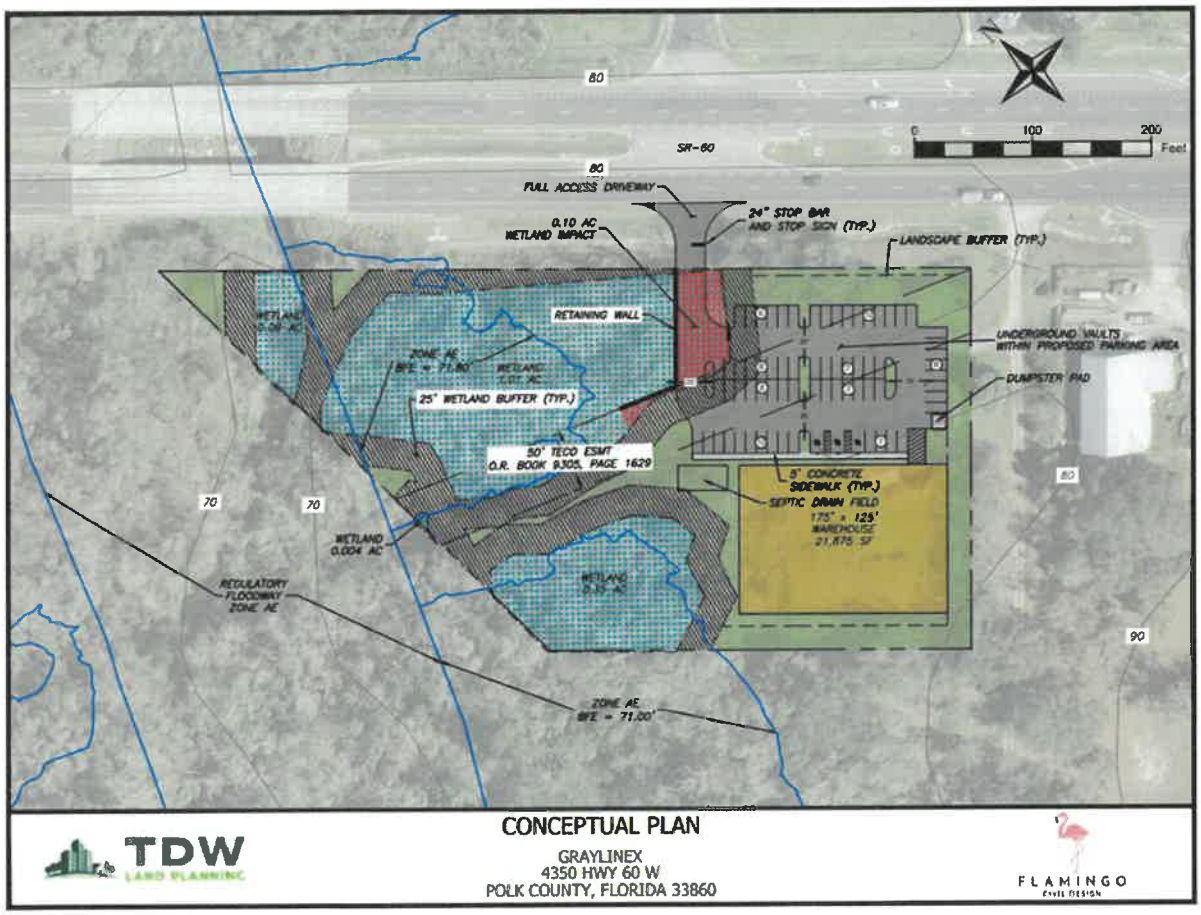
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map E: Traffic Circulation Map



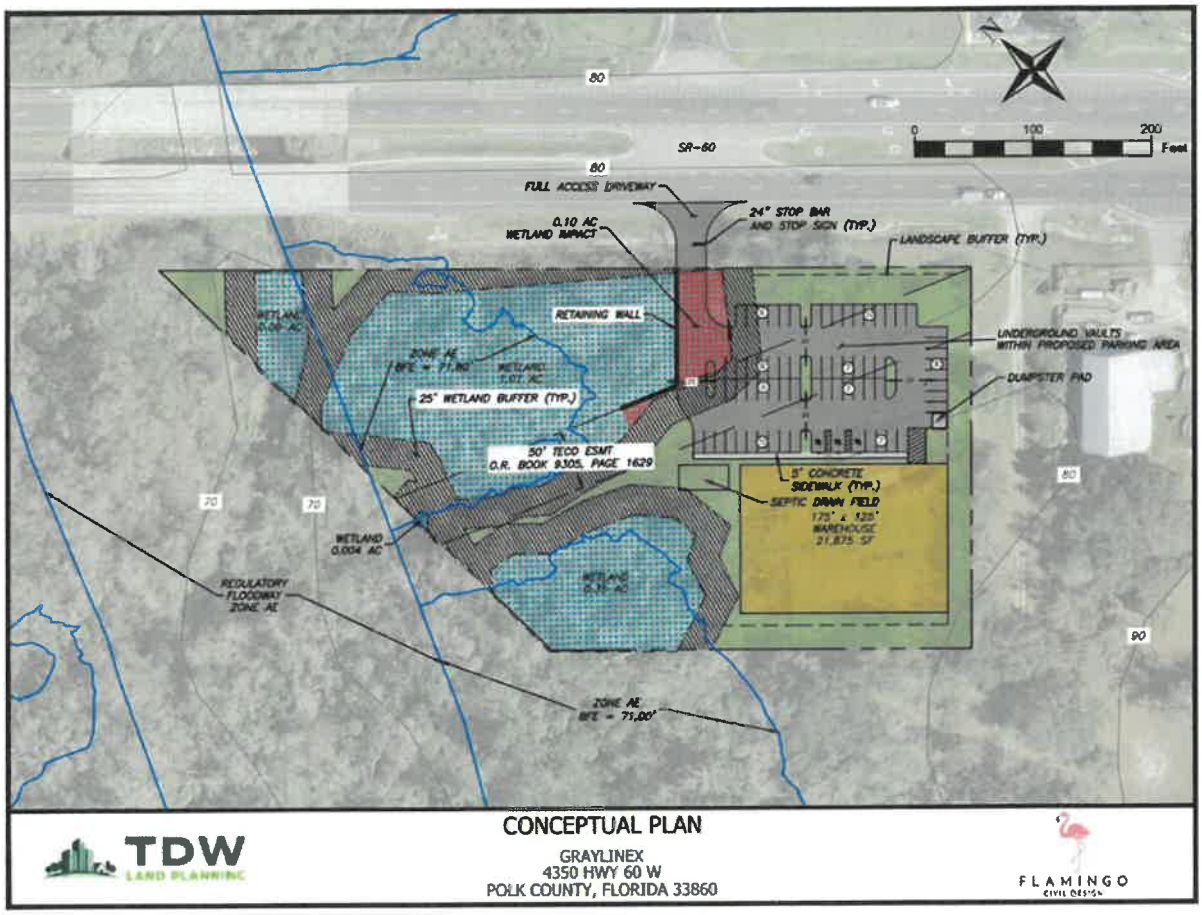
Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map F: Site Plan



Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Map G: Drainage Map



GrayLineX: Legal Descriptions

Parcel ID # 23-29-32-000000-013180

COMM SW COR OF SW1/4 OF NE1/4 RUN N 2093.05 FT FOR POB CONT N 459.69 FT TO S-R/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

TDW Land Planning
(863) 838-8511 | tdwlandplanning@gmail.com

Owner Authorization

Owner Name(s): Nolan Martin
Subject: Agent Authorization
Parcel ID #s: 232932-000000-013180

I/We, Nolan Martin, legal representative(s) and/or owner(s) hereby designate and authorize TDW Land Planning, LLC to submit application and speak and act on my/our behalf as the authorized agent, applicant, and representative in the processing and furnishing of supplemental information in support of future land use/zoning and site development approval applications to the governing entities for the subject project. Authorization is also hereby granted to access the subject site. The building, land use/zoning and site development permit applications include, but are not limited to, those to Polk County Land Development, Southwest Florida Florida Water Management District, Polk County Utilities, Polk County Public Schools, Polk County Health Department, Florida Department of Environmental Protection, and Florida Department of Transportation.

Authorized Property Representative(s):

Nolan Martin Printed Name	Printed Name
Signature	Signature
10386 Meadowview Dr. Lithia FL 33547 Address	Address

STATE OF FLORIDA
COUNTY OF POLK

OWNER'S AUTHORIZATION

The foregoing instrument was acknowledged before me this 4 day of March, 20 26, by Nolan Martin, who is personally known to me or has produced a valid photo identification (driver's license, passport, etc) and who did not take an oath.

Tessa Young
Notary Public

Notary Public State of Florida
Tessa Young
My Commission HH 726411
Expires 9/28/2029

Notary Seal and Commission Expiration Date

www.polk-county.net

IMPACT ASSESSMENT STATEMENT FORM

Growth Management Department
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

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 ***(Note: N/A is an insufficient comment, if N/A an explanation must be included)***:

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 conditional Comprehensive Plan Amendment to change the land use map designation from Residential Suburban (RS) to Industrial (IND) which includes a binding site plan and site-specific conditions to allow light manufacturing on the subject parcel. The proposed manufacturing is different than typical IND uses that may produce noise, smoke, vibrations, smells or other objectionable impacts. The proposed manufacturing facility is a high-tech manufacturer of electronic equipment with sophisticated and delicate manufacturing processes conducted entirely indoors that will not have any significant offsite impacts to the surrounding area.

The site plan illustrates excellent access directly on SR 60 at a median opening, includes buffering and separation from surrounding parcels, provides sufficient buffering and protection for on-site wetlands (except for access to SR 60), and provides excellent on-site parking and circulation for employees, guests, and deliveries. This ensures the design of the site and level of activity is compatible with the surrounding uses in this area.

This request is consistent with POLICY 2.113-A3: LOCATION CRITERIA because the requested IND is located within a Suburban Development Area, has access to an arterial roadway, and is grouped as part of an IND node that currently exists across from an existing IND northwest of the Alafia River (Mid-Florida Auto Salvage, Just Scrap It metal scrapping, & U Jerk It Auto salvage). In addition, the site design avoids impacts to the natural environment consistent with Policy 2.102-A9. With the exception of site access which is optimized for safety at the existing median opening, the site avoids major impacts to the wetlands or floodway. Consistent with Policy 2.102-A10, the site is far from existing agricultural production areas, provides buffering and separation from

existing residential uses in the area, and is close to supporting infrastructure and services (Fire, EMS, Sheriff).

The surrounding Willow Oak community and this segment of SR 60 has historically attracted commercial, industrial and light industrial businesses, many of which existed prior to the adoption of the Comprehensive Plan in 1991, when the Zoning ordinance was in force. Over the past couple decades, the County Commission has consistently recognized this commercial activity with future land use amendments to change the land use from residential to non-residential (IND, LCC, etc) future land use designations.

This site is the last remaining land along a busy highway between the LCC future land use designated land and the Alafia River. The closest use east of the site is Elite Welding Services, an industrial fabrication and maintenance welder. Directly across SR 60 are large industrial buildings containing businesses such as an industrial roofing company (Barber & Associates Commercial Roofing) and shipping and distribution company (Sizemore Sales. As the last remaining plot of land between commercial sites, its residential designation fails to encourage an attractive and functional mixture of existing non-residential land uses along the major highway stretching from the west coast to the east coast of Florida. Leaving this parcel designation as RS also adversely affects the adjoining LCC land's ability to develop commercially due to the Compatibility provisions of Section 220 of the Land Development Code which require a 50 foot setback for commercial uses from residentially designated property. If this parcel remains designated as RS, it will prevent the commercial use within 50 of its borders and have an adverse economic impact on those surrounding parcels. Changing the Future Land Use designation to IND creates a more attractive and functional mixture of land uses.

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

The site is bordered to the north by SR 60, to the west by the Alafia River floodway, and LCC FLUM to the east, and most of the adjoining parcel to the south also lies within the Alafia floodway. The construction of the proposed building will provide a sound and visual buffer between this small portion of developable residential lot to SR 60.

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

With 23,000 daily trips passing the site along SR 60 and the non-residential viability of the site demonstrated with decades of warehouse, industrial, and commercial use on nearby surrounding properties, residential usage on the subject site is neither viable or desirable. Industrial development along this major state roadway facility will continue to support the surrounding economic demands of this region and more efficiently utilize existing infrastructure. This development includes a binding conditional use site plan which will limit future development and give the County the ability to reference the limited use of this IND land use change.

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 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.

The ITE Manual (11th ed) indicates General Light Industrial as Land Use Code 110. The proposed light manufacturing facility, according to the ITE Manual (11th ed) indicates this use will generate 0.05 PM trips & 0.25 AADT/ 1,000sf. Therefore, the proposed 21,875 sf building is estimated to generate 5 AADT and 1 PM Peak Trips. However, given the parking spaces needed to support this use, along with the deliveries, it is anticipated that the use will generate a greater number of trips. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", IND uses generate approximately 6.97 AADT and 0.91 PM Peak trips per 1,000 sf. Therefore, this 21,875sf building could generate around 152 AADT and 19 PM Peak trips. Sufficient capacity exists on SR 60 to accommodate the anticipated trips generated by the proposed use.

2. What modifications to the present transportation system will be required as a result of the proposed development?
A minor traffic study will suffice for a detailed methodology and calculations for most applications.

During consultation with the user, the proposed development layout of the site was modified from the original driveway location further to the east. The proposed driveway was moved west to allow for use of the median opening on SR 60 and to provide greater separation from the existing driveways adjacent to the east. While this resulted in a wetland impact of approximately 0.1acres (4,356 square feet), it will result in a much safer access to and from the site. Access will require a driveway permit from the FDOT to verify that this driveway location is acceptable; however, the level of traffic produced by the proposed use of the site is considered minor by County standards, as it will not require a major traffic study. If the median opening location is not acceptable, the original driveway location further east is still a well-suited location for the proposed use.

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

While IND allows for a wide range of uses, this conditional CPA limits the use to light manufacturing. Section 708 of the LDC requires 1 space per 1,000sf of building area, and the proposed site plan shows 71 spaces.

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

The proposed method of access is directly onto SR 60.

NOTE: Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for ***"Infrastructure Impacts"*** *items 3 through 9 above.*

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.F of the LDC*)

The proposed use is light manufacturing on the subject 3.8 acre site. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", IND uses generate 0.24GPD/sf of water demand. Therefore, this 20,875sf building could generate around 5,010 GPD water demand. Wastewater generation is 80% of water demand, so this use could generate 4,008 GPD of wastewater.

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?

The site is located in the SDA where no wastewater services are available and will utilize an on-site septic system.

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

N/A

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)

N/A

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

N/A

6. What is the anticipated date of connection?

N/A

7. What improvements to the providers system are necessary to support the proposed request (e.g., lift stations, line extensions/expansions, interconnects, etc.)?

N/A

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?

Connection to the centralized potable water supply is proposed. The site is within Polk County's Southwest Utilities Service Area.

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

The proposed use is light manufacturing on the subject 3.8 acre site. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", IND uses generate 0.24GPD/sf of water demand. Therefore, this 20,875sf building could generate around 5,010 GPD water demand.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

Polk County Utilities states that there is an 8" water main line along the frontage of the property within the right-of-way for SR 60 available for connection.

4. Who is the service provider?

Polk County Utilities is the service provider in this area.

5. What is the anticipated date of connection?

2026.

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

Polk County Utilities was unable to provide specific plant capacity (GPD) information for this project.

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

There are no known wells on the property.

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 site slopes southeast to northwest towards the Alafia River. The developable portion of the site falls approximately 12 feet before reaching the floodplain and wetland areas of the site. The proposed structure, parking and retention are all located within this upland portion of the site and avoid any intrusion into the floodway portion of the site.

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

The initial layout of the site proposed site access further to the east. However, in order to improve access, driveway separation, and access to the full median opening on SR 60 across from the site, the proposed driveway was moved west. This resulted in a minor wetland impact of approximately 0.1acres (4,356 square feet), but it will result in a much safer access to and from the site. Retention will be underground in box-retention to maximize the use of the available upland area of the site.

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.

Proposed on-site retention systems will capture and treat stormwater runoff. While there are wetland, floodplain, and floodway areas of the site, development within these areas were avoided to the greatest extent practicable. The one exception is a minor wetland impact of approximately 0.1acres (4,356 square feet), but it will result in a much safer access to and from the site. This wetland impact is permitted per Section 620.C(2) of the LDC. If this proposed driveway is deemed unfeasible, there is sufficient site frontage on SR 60 for a commercial driveway access at the northeast corner of the site.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

A minor wetland impact of approximately 0.1acres (4,356 square feet) is proposed to allow for safer site access to and from the site. If this proposed driveway is deemed unfeasible, there is sufficient site frontage on SR 60 for a commercial driveway access at the northeast corner of the site.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;

There is an existing residential well on-site and other wells in the vicinity. Development of the site will require locating the proposed septic system in an area that is sufficiently distanced from these

existing wells, and will require the new on-site well servicing the proposed use to be located the required distance away from the proposed septic system and existing septic systems in the area.

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).*

The nearest runway is the South Lakeland Airstrip on Coronet Road. This private runway has limited use and the proposed use of the site is not anticipated to impact this runway or any Airport Buffer Zone from airports in the region.

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

According to the soil survey of Polk County, the site is entirely comprised of Nittaw Sandy Clay Loam. This soil type may require construction methods for the proposed use such as soil stabilization, mechanical compaction, and slab-on-grade reinforcement. The client has already consulted with an engineer to review the ways to ensure construction is successful on the subject site.

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 proposed IND land usage will generate little to no impact on parks. The nearest park is Fuller Heights Park, approximately two (2) miles east of the site or Loyce Harpe Park, approximately 3 miles east of the site.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

The proposed IND land usage will generate no school children and is far from existing schools. It will have little to no direct impact on schools.

3. Health Care (e.g., emergency, hospital);

The nearest hospital is Bartow Hospital which is approximately 12 miles east of the site.

4. Fire Protection;

The nearest fire station is Fire Department 8, which is less than one mile from the site.

5. Police Protection and Security;

The nearest Polk County Sheriff station is the NW District Command office located 3.5 miles south of the site.

6. Emergency Medical Services (EMS);

The closest EMS is located less than one mile from the site within Fire Department 8.

7. Solid Waste (collection and waste generation); and

Polk County provides waste collection services to this site.

8. How may this request contribute to neighborhood needs?

The requested Conditional IND land use designation will support the proposed high-tech investment and provide high wage jobs in this area of the County. New development built to current Code standards, along with the landscaping and infrastructure improvements, will also provide short-term construction jobs, and improve the visual aesthetic of the site.

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 overlaid on all maps.

The following **maps shall 8 1/2" x 11"** and 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: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy.** Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

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 and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

[2] See *Site Plan Standards* checklist form (GM LDD 11).

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, this amendment proposes to change the last remaining RS parcel along SR 60 in this non-residential corridor of the Willow Oak community.

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

   No, this amendment is located in the Suburban Development Area (SDA) and is surrounded by commercial, industrial, warehouse, salvage and other non-residential uses along SR 60.

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

   No, the proposed IND use of the site is located along an existing arterial road connecting this site to the entire region which is adjacent, or in close proximity, to existing LCC and IND land use designations and meets the County's Comprehensive Plan Policies for the proposed IND FLUM.

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

   No, this site is not an agricultural area. It is located in a developed commercial/industrial area within a suburban region of Polk County.

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

   No, this amendment would allow development in an area of moderate intensity where public facilities and services currently exist at appropriate levels to support the proposed conditional IND use.

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

   No, this amendment would allow development in an area of the County that already served by public facilities and services. Changing this site from RS to IND will allow maximum utilization and efficiency of the existing services, consistent with the goals of the Comprehensive Plan.

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

   No, this amendment would allow infill and development in an area of the County that already served by public facilities and services.

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

   No, this amendment is well within the existing SDA where growth has been planned and occurring for decades.

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

   No, this amendment will allow infill development of the final RS parcel in an area of moderate intensity where it will complement the existing surrounding development.

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

    No, this site compliments the level of infrastructure available and intensity of the surrounding uses.

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

    No, the proposed use has excellent access to the surrounding land uses, including direct access to SR 60 at an existing median opening.

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

    No open space will be lost with the approval of this amendment. The site was formerly a single-family home and not part of any open space conservation effort. However, a majority of the site lying within floodplain, wetlands, and floodway will remain unmolested and conserving the open space aspect of the site.

TDW Land Planning
(863) 838-8511 | tdwlandplanning@gmail.com

Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Project Narrative:

This is a text amendment to accompany the Future Land Use Map (FLUM) and text amendments to change the subject 3.8 acre site from Residential Suburban (RS) to Industrial (IND) which includes a binding site plan and site-specific conditions to allow light manufacturing on the subject parcel. The proposed manufacturing is different than typical IND uses that may produce noise, smoke, vibrations, smells or other objectionable impacts. The proposed light manufacturing facility is a high-tech manufacturer of electronic equipment with sophisticated and delicate manufacturing processes conducted entirely indoors that will not have any significant offsite impacts to the surrounding area.

The site plan illustrates excellent access directly on SR 60 at a median opening, includes buffering and separation from surrounding parcels, ensures wetland areas have sufficient buffering and protection, and provides excellent on-site parking and circulation for employees, guests, and deliveries. In order to limit the intensity of the proposed IND future land use, the site plan design and this text amendment to Section E105 of the Land Development Code bind the use of the site to the approval to ensure the site and level of activity is compatible with the surrounding uses in this area.

Exhibit 1 - Proposed Text to Land Development Code Appendix E, Section E105:

V. LDCPA_____ 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 S-R/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. *Prohibitive 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*

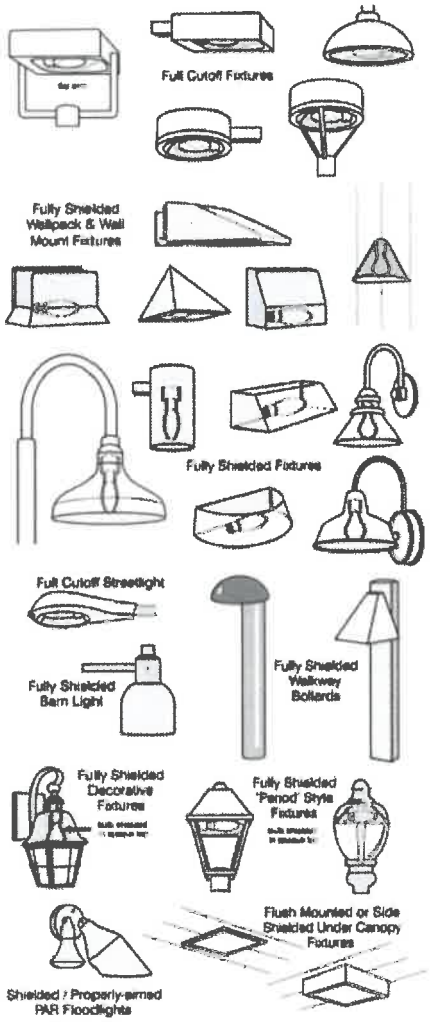
3. *Additional Site Development Standards*

   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.*

Exhibit 1 (cont.) - Proposed Text to Land Development Code Appendix E, Section E105:

FIGURE "A"
EXAMPLES OF FULLY SHIELDED LIGHTS



INSTR # 2026075027
BK 13937 Pgs 1122-1124 PG(s)3
03/30/2026 02:09:31 PM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 27.00
DEED DOC 2,625.00

Prepared by:
Smart Title, LLC
Monica Watkins
222 E Pine Street
Lakeland, FL 33801
File No.: SML26-139244
This Deed is prepared pursuant to the issuance of Title Insurance

GENERAL WARRANTY DEED

Effective this March 20, 2026. by Kochukand Varghese Joseph aka K.V. Joseph and Rimla Joseph, husband and wife, and Regi Alex, single, whose address is: 5898 Willoughby Ln, Frisco, TX 75033 hereinafter called the grantor, to GrayLineX LLC, a Florida Limited Liability Company, whose post office address is: 4350 State Road 60 W., 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:

Tract "I" and "J", WILLOW HEIGHTS, as follows:

Commence at the Southwest corner of the Southwest ¼ of the Northeast ¼ of Section 32, Township 29 South, Range 23 East, Polk County, Florida and run thence Northerly along the West boundary thereof 2093.05 feet, thence deflect 135°53'00" right and run Southeasterly 204.61 feet to the POINT OF BEGINNING for this description; thence deflect 90°00'00" left and run Northeasterly 320.00 feet; the same being a point of the South right of way of S.R. 60, thence deflect 90°00'00" right and run Southeasterly along said right of way 150.00 feet, thence deflect 90°00'00" and run Southwesterly 320.00 feet, thence deflect 90°00'00" right and run Northwesterly 150.00 feet to the POINT OF BEGINNING.
AND
Commence at the Southwest corner of the Southwest ¼ of the Northeast 1/4 of Section 32, Township 29 South, Range 23 East, Polk County, Florida, and run thence Northerly along the West boundary thereof 2093.05 feet to the POINT OF BEGINNING for this description: continue Northerly along the West boundary thereof 459.69 feet the same being a point on the South right of way of S.R. 60, thence deflect 135°53'00" right and run along said right of way Southeasterly 534.63 feet, thence deflect 90°00'00" right and run Southwesterly 320.00 feet, thence deflect 90°00'00" right and run Northwesterly 204.61 feet to the POINT OF BEGINNING.

Parcel ID No.: 23-29-32-000000-013180

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:
Smart Title, LLC
Monica Watkins
222 E Pine Street
Lakeland, FL 33801
incidental to the issuance of a title insurance policy
File No.: SML26-139244

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:

Witness Printed Name: Richard V. White

Address: 3015 Country Square Dr., Apt. 2006, Carrollton, TX 75006

Witness Printed Name: SABU ABRAHAM

Address: 14694 Daneway Dr Frisco TX-75035

Kochukand Varghese Joseph

Rimla Joseph

Address:

5898 Willoughby Ln
Frisco, TX 75033

State of Texas

County of Collin

The foregoing instrument was executed and acknowledged before me this 13th of March, 2026, by means of ✓ Physical Presence or ____ Online Notarization, by Kochukand Varghese Joseph and Rimla Joseph, husband and wife, who is/are personally known to me or who has produced a valid driver's license as identification.

Notary Public

My Commission Expires: 08/04/2029

(SEAL)

RICHARD VICTOR WHITE
Notary ID #131235563
My Commission Expires
August 4, 2029

Stacy M. Butterfield POLK
CFN# 2026075027 OR BK 13937 PG 1123 Pgs 1122-1124 03/30/2026 02:09:31 PM

Prepared by:
Smart Title, LLC
Monica Watkins
222 E Pine Street
Lakeland, FL 33801
incidental to the issuance of a title insurance policy
File No.: SML26-139244

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:

Witness Printed Name: Monica Watkins

Regi Alex

Address: 222 E. Pine Street, Lakeland, FL 33801

Witness Printed Name: Samantha Arambula

Address: 222 E. Pine Street, Lakeland, FL 33801

State of Florida

County of Polk

The foregoing instrument was executed and acknowledged before me this 16th day of March, 2026, by means of ✓ Physical Presence or ____ Online Notarization, by Regi Alex, who is/are personally known to me or who has produced a valid driver's license as identification.

Notary Public

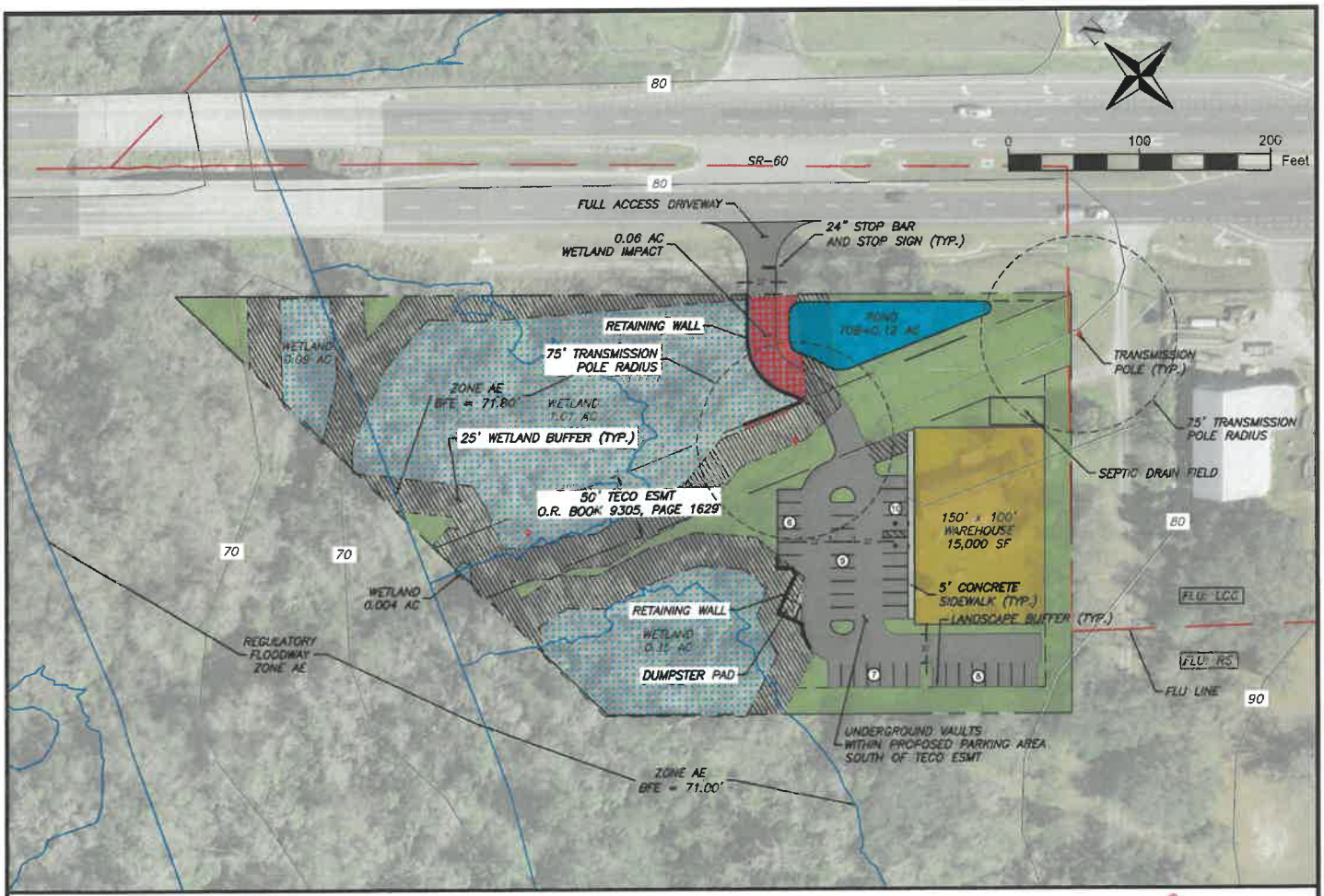
MONICA WATKINS
Commission # HH 534429
Expires June 28, 2028

My Commission Expires: _____

(SEAL)

Stacy M. Butterfield POLK
CFN# 2026075027 OR BK 13937 PG 1124 Pgs 1122-1124 03/30/2026 02:09:31 PM

Z:\SHARED\PROJECTS\26006 - GRAYLINEX MULBERRY\CAD\1 CONCEPT\26006_GRAYLINEX V9.DWG



TDW LAND PLANNING

CONCEPTUAL PLAN

GRAYLINEX
4350 HWY 60 W
POLK COUNTY, FLORIDA 33860

FLAMINGO CIVIL DESIGN

TDW Land Planning
(863) 838-8511 | tdwlandplanning@gmail.com

Project: GrayLineX
Site Boundary: See Legal Descriptions Provided
Parcel ID #s: 232932-000000-013180
Acreage: +/- 3.81 acre site

Project Narrative:

This is a text amendment to accompany the Future Land Use Map (FLUM) and text amendments to change the subject 3.8 acre site from Residential Suburban (RS) to Industrial (IND) which includes a binding site plan and site-specific conditions to allow light manufacturing on the subject parcel. The proposed manufacturing is different than typical IND uses that may produce noise, smoke, vibrations, smells or other objectionable impacts. The proposed light manufacturing facility is a high-tech manufacturer of electronic equipment with sophisticated and delicate manufacturing processes conducted entirely indoors that will not have any significant offsite impacts to the surrounding area.

The site plan illustrates excellent access directly on SR 60 at a median opening, includes buffering and separation from surrounding parcels, ensures wetland areas have sufficient buffering and protection, and provides excellent on-site parking and circulation for employees, guests, and deliveries. In order to limit the intensity of the proposed IND future land use, the site plan design and this text amendment to Section E105 of the Land Development Code bind the use of the site to the approval to ensure the site and level of activity is compatible with the surrounding uses in this area.

Exhibit 1 - Proposed Text to Land Development Code Appendix E, Section E105:

V. LDCPA_____ 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 S-R/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. *Prohibitive 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*

3. *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



2026 FLORIDA LIMITED LIABILITY COMPANY ANNUAL REPORT

FILED
Mar 10, 2026
Secretary of State
7083977215CC

DOCUMENT# L23000343590

Entity Name: GRAYLINEX LLC

Current Principal Place of Business:

333 N FALKENBURG RD
A131
TAMPA, FL 33619

Current Mailing Address:

10286 MEADOWRUN DR
LITHIA, FL 33547

FEI Number: 85-3897615

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

MARTIN, NOLAN A
10286 MEADOWRUN DR
LITHIA, FL 33547 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent — Date

Authorized Person(s) Detail :

Title	MGR
Name	MARTIN, NOLAN A
Address	10286 MEADOWRUN DR
City-State-Zip:	LITHIA FL 33547

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 605, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: NOLAN MARTIN MGR 03/10/2026

Electronic Signature of Signing Authorized Person(s) Detail — Date

Agenda Item 3. 6/3/2026

SUBJECT

LDCPAL-2026-4 (Organic Matters CPA)

DESCRIPTION

This is an applicant-initiated Comprehensive Plan Map Amendment to charge 71.26 acres from Business-Park Center (BPC) to Industrial (IND) on the Future Land Use Map. The subject property is east of Old Homeland Road, west of US 17/98, and south of the City of Bartow, in Section 29, Township 30, Range 25.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

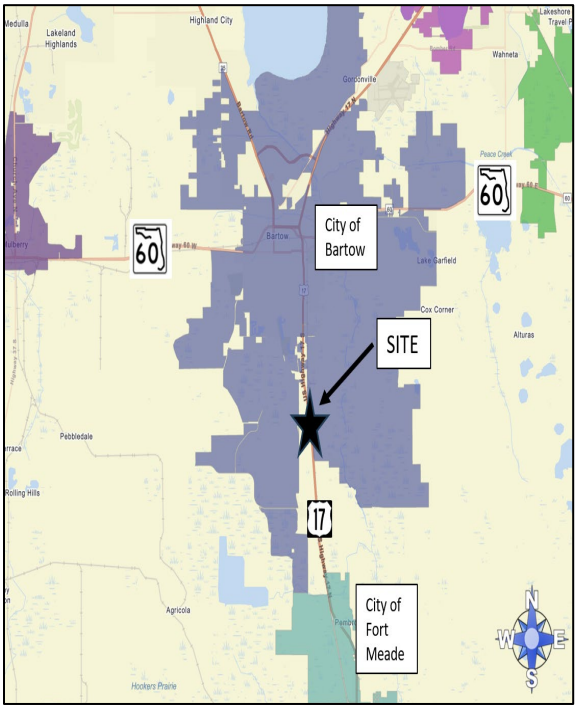
Mark J. Bennett, AICP, FRA-RA, CNU-A

Senior Planner

markbennett@polkfl.gov <mailto:markbennett@polkfl.gov>
(863) 534-6455

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 26, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	August 4, 2026 (Transmittal), October 6, 2026 (Adoption)
Applicant:	Chris Reko
Level of Review:	Level 4 Review, Large-Scale Comprehensive Plan Amendment
Case Number and Name:	LDCPAL-2026-4 (Organic Matters CPA)
Request:	Change 71.26 acres from Business Park Center (BPC) to Industrial (IND).
Location:	East of Old Homeland Road, west of US 17/98, and south of the City of Bartow, in Section 29, Township 30, Range 25
Property Owner:	Organic Matters, Inc.
Parcel Size:	71.26 acres
Development Area:	Rural Development Area (RDA)
Future Land Use:	Business Park Center (BPC)
Nearest Municipality:	Bartow
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce:	Pending
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 71.26 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 north, south, and east of the site;
3) The property has direct access (via Austin Phillip Lane) to a full median opening onto US 17/98.

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 arterial highways is a factor in determining the appropriateness of industrial lands. This property has direct access to an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). The site also has access to Austin Phillip Lane, which has a full median opening onto US 17/98. Therefore, this request is consistent with the applicable policies in the Comprehensive Plan.

Adjacent properties are both designated and used for industrial 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 in the City of Bartow 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)
- Section 2.123B(B1-B5): Floodplain-Protection Areas
- Section 2.123C(C1–C6): Wetland-Protection Areas

Findings of Fact

Request and Legal Status

- LDCPAL-2026-4 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately 71.26 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."

- POLICY 2.109-A11: The purpose of the Industrial (IND) land use 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.

- 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.

- Surrounding uses include concrete manufacturing to the north, a mixture of industrial uses to the south along Austin Phillips Road, and vacant lands east and west of the site, with the exception of a small cemetery along Old Homeland Road.

- Policy 2.104-A3: Land Use Categories (for Rural Development Areas (RDAs)) list Industrial as a permitted use in RDAs.

- The subject property is adjacent to the City Limits of Bartow.

- Property adjacent to the site in the City of Bartow has a Future Land Use designation of Clear Springs Planned Industrial east of US 1798, and Clear Springs Planned Agricultural west of Old Homeland Road.

Infrastructure

- The property is zoned for Floral Avenue Elementary. Bartow Middle, and Bartow Senior High.

- Fire response is provided by the City of Bartow Fire Station 2, located at 2475 E Clower Street, Bartow via an Automatic Aid Agreement. The estimated response time from this station is about 7 to 9 minutes.

- Emergency Medical Service (EMS) is provided by Polk County Fire Rescue Station 9, 1450 Pinehurst Street, Bartow. This facility is located 2.8 miles from the site, and has a response time of 6-8 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: 8:58 minutes; Priority Two: 22:54 minutes.

- The subject property is next to US Highway 17/98. US 17/98 is a Principal 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 also has frontage of Old Homeland Road, a County-maintained collector, and Austin Phillip Lane, a county-maintained local commercial road.

- The site is in the City of Bartow utility service area, but only electric service is available.

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 Polk County Protected Species Observations Map dated July 22, 2021, the site is not within one mile of a rookery, protected species of animals, or eagle nests.

- The PolkGreen Map displays this parcel as being near a potential connection of an overall natural network.

- The property is not in the Florida Wildlife Corridor.

- There are no conservation easements on this parcel, but a property with an conservation easement that includes the Peace River is one mile east of the site.

- This property is not within an Airport Impact District.

- The site is not within a Wellfield Protection District.

- The Shady Oaks Gardens Cemetery, located directly west of the site across Old Homeland Road, is listed on the Florida Master Site File inventory.

- The information received from the Secretary of State's Department of Historical Resources office includes a statement that "This search area may contain *unrecorded* archeological sites, historical structures, or other resources even if previously surveyed for cultural resources."

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-B1: 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-B3: 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-B4: 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.

- POLICY 2.123-B1: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as the "Floodplain-Protection Area" overlay the Special Flood Hazard Areas and Regulatory Floodways identified by the Federal Emergency Management Agency in the Flood Insurance Study (FIS) for Polk County, originally dated January 19, 1983, with the accompanying maps and other supporting data, and any subsequent revisions thereto, are adopted by the reference and declared to be a part of this ordinance.

- POLICY 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria:

a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code.

b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not:

1. enlarge the off-site floodplain;

2. alter the natural function of the floodplain; nor

3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.

- POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:

a. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards.

b. 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.

c. Commercial and industrial development shall locate on the non-wetland portion of a development site.

d. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows:

    1. a maximum of one dwelling unit per Lot of Record; or
    2. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel.

e. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.

f. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.

g. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.

h. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.

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 LDCPAL-2026-4.**

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 north, south, and east of the site are designated Industrial. West of the site, in the City of Bartow, the property is designated as Clear Springs Planned Agricultural.

The site is vacant. A review of aerial photos between 1964 to 1971 show phosphate mining activities on the site. adjoining properties. Generally, the predominant uses in this area of the county are industrial with much of the land in this area having been previously mined.

Surrounding uses include a concrete contractor (Metromont) north of the site. A small (2.68 acres) County-owned cemetery (Shady Oaks Gardens) is directly west of the site, across Old Homeland Road. Vacant lands are east and west of the site. A mixture of industrial uses (construction equipment, outdoor storage, warehouse, and offices) are south of the site, clustered along Austin Phillips Lane.

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 arterial highways, is a factor in determining the appropriateness of industrial lands. This site has access to an arterial highway. Specifically, one of the criteria for locating Industrial lands is the location of roads with full median access, as outlined in Policy 2.113-A3.f.3.(a). Austin Phillip Lane, which is adjacent to the site, has a full median opening onto US 17/98. 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 Clear Springs Planned Agricultural – (Bartow) Vacant	**North** Industrial (IND) - Heavy Industrial (Metromont) Industrial (Bartow) – Metromont retention pond	**Northeast** Clear Springs Planned Industrial (Bartow) Pasture
West Clear Springs Planned Agricultural (Bartow) - Vacant Phosphate Mining (PM) – Cemetery, Vacant	**Subject Site** Business Park Center (BPC) Vacant	**East** Clear Springs Planned Industrial (Bartow) Pasture
Southwest Clear Springs Planned Agricultural – (Bartow) Vacant	**South** Business Park Center (BPC) & Industrial (IND) Industrial Facility (Organic Matters, Inc), Heavy Industrial (Construction yard), Office, Warehousing/storage	**Southeast** Clear Springs Planned Industrial (Bartow) Pasture

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
Floral Avenue Elementary	0	3.5 miles
Bartow Middle School	0	3.5 miles
Bartow Senior High	0	3.5 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	13 miles	P1: 8:58 minutes P2: 22:54 minutes
Fire	City of Bartow Fire Station 2, located at 2475 E Clower Street, Bartow (via Automatic Aid Agreement)	3.4 miles	7-9 minutes
EMS	Polk County Fire Rescue Station 9, 1450 Pinehurst Street, Bartow	2.8 miles	6-8 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 is based on a developable site area of 67.63 acres (71.26 acres less 3.53 acres of wetlands), and assumes the maximum allowed square footage of 1,472,982 square feet of warehouse space.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: **BPC – 67.63 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF** **IND – 71.26 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF**	Estimated Impact Analysis Business Park Center (BPC) to Industrial (IND) *Development Area: RDA*	
	Current Land Use designation **BPC**	**Maximum Permitted Use in Proposed IND**
Current Maximum Allowable Use	1,472,982 Square Feet (SF)	1,472,982 Square Feet (SF)
Potable Water Consumption	1,472,982 SF * .24 GPD/SF = **353,516 GPD**	1,472,982 SF * .24 GPD/SF = **353,516 GPD**
Wastewater Generation	1,472,043 SF * 80% of water usage **282, 813 GPD**	1,472,043 SF * 80% of water usage **282, 813 GPD**

GPD – Gallons Per Day
Source: Polk County Concurrency Manual and Polk County Utilities 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. While the property is in the City of Bartow utility service area only electric service is available, with no water or sewer lines nearby.

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 following analysis is based on a developable site area of 67.63 acres (71.26 acres less 3.53 acres of wetlands), and assumes the maximum allowed square footage of 1,472,982 square feet of warehouse space.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: BPC – 67.63 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF IND – 71.26 AC/2,945,963 SF of site *.50 FAR = 1,472,982 SF	Estimated Impact Analysis Business Park Center (BPC) to Industrial (IND) Development Area: RDA	
	Current Land Use designation BPC	**Maximum Permitted Use in Proposed IND**
	1,472,982 Square Feet (SF)	1,472,982 Square Feet (SF)
Average Annual Daily Trips (AADT)	1,472,982 SF *1.71 trips/1,000 SF = **2,519 AADT**	1,472,982 SF * 4.27 trips/1,000 SF * 92% new trips = **5,786 AADT**
PM Peak Hour Trips	1,472,982 SF * .18 trips/1,000 SF = **265 PM Peak Hour Trips**	1,472,982 SF * .63 trips/1,000 SF = 92% new trips **854 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 140) – 4.27 AADT/1,000 SF, 0.63 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.

The subject property is next to US Highway 17/98. US 17/98 is a Principal Arterial, according to the Polk County TPO Roadway Network Database, and is the closet road to the site that is monitored for concurrency.

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**
5004N	US 17/98 From: CR 640 to Clear Springs Mine Road	B	2,179	D	B
5004S	US 17/98 From: CR 640 to Clear Springs Mine Road	B	2,216	D	B

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 13, 2026

As identified above, US 17/98 has sufficient PM peak hour capacity to support future development activity.

The subject parcel also has frontage on Old Homeland Road, a County maintained collector road. The site also has 60 feet of frontage next to Austin Phillip Lane, and County-maintained local commercial road and has a pavement width of 20 feet.

C. Roadway Conditions

Old Homeland Road has a Pavement Condition Index of "good", and Austin Phillip Lane has a Pavement Condition Index of "fair."

D. Planned Improvements:

There are no known improvements for this portion of US 17/98 at this time.

E. Mass Transit

Route 25– Bartow/Fort Meade traverses this section of US 17/98. There is a bus stop on the west side of US Highway 17/98, 550 feet south of the southeast corner of 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 Mosaic Peace River Park, located .08 mile southeast of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

The entrance to the Mosaic Peace River Park is located on County Road 640, with an address of 220 County Road 640, Bartow, 33830.

B. Services:

Mosaic Peace River Park offers bank and pier fishing, horseback riding and picnic tables and picnic shelters. Additionally, there an airfield for radio controlled aircraft and a disc golf course is planned for the future.

C. Multi-use Trails:

The Mosaic Peace River Park contains more than 7.5 miles of multi-use trails.

Environmental Lands

The PolkGreen Map displays this parcel as being near to a potential connection of an overall natural network. There are no conservation easements on this parcel, but property with an conservation easement that includes the Peace River is one mile east of the site. The property is not in the Florida Wildlife Corridor.

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.

B. Wetlands/Floodplains:

The site contains a Zone "A" floodplain and wetlands. The applicant has submitted documentation from the Florida Department of Environmental Protection (DEP) containing a formal determination of the landward extent of wetlands. This notice states that approximately 3.53 acres of the site contain 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, Polk Green, Conservation Easements and Wildlife Corridor

According to the Polk County Protected Species Observations Map dated July 22, 2021, the site is not located within one mile of a rookery, protected species of animals, or eagle nests. 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 being near to a potential connection of an overall natural network. There are no conservation easements on this parcel, but a property with an conservation easement that includes the Peace River is one mile east of the site.

E. Archeological Resources:

The Shady Oaks Gardens Cemetery, located directly west of the site across Old Homeland Road, is listed on the Florida Master Site File inventory. Attached with this agenda item is correspondence dated May 5, 2025 from the Florida Department of State, informing Polk County that the Cemetery was to be added to the Master Site File. Additional information received from the Secretary of State's Department of Historical Resources office for this case includes a statement that "This search area may contain *unrecorded* archeological sites, historical structures, or other resources even if previously surveyed for cultural resources." Because the cemetery is greater than 100 feet from the site (124 feet), the provisions for historic resource protection Section 680 of the Land Development Code do not apply. However, it is suggested that the applicant complete a more detailed survey of potential historical or archeological resources on the site prior to any site development activity.

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 US Highway 17/98 and next to existing industrial uses provide an opportunity for new businesses to locate on this site, thereby also providing jobs to support the Bartow 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; 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	The proximity of the site next to US 17/98, and is next to an existing industrial area. These features make the site appropriate for more intensive industrial uses.

Comprehensive Plan Policy	Consistency Analysis
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. 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;	This request can be considered to be part of an expansion of an existing industrial district. The site is located near an arterial road (US 17/98). .

Comprehensive Plan Policy	Consistency Analysis
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 2.123-B2: DEVELOPMENT CRITERIA - Development within a "Floodplain-Protection Area" shall conform to the following criteria: a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code. b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not: 1. enlarge the off-site floodplain; 2. alter the natural function of the floodplain; nor 3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.	Compliance with this policy will be determined as part of a Level 2/site plan review.
POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria: i. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards. j. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for: 8. Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions;	According to the applicant's support documentation, 3.53 acres consists of wetlands. This is a small amount of the overall 71.26-acre site. Careful site planning will need to occur to ensure that development of the site is done in a manner that minimizes impacts to environmental resources.

Comprehensive Plan Policy	Consistency Analysis
9. access to the site; 10. necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety; 11. utility transmission and collection lines; 12. pre-treated storm-water management; 13. mining that meets state and federal regulations; or 14. 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. k. Commercial and industrial development shall locate on the non-wetland portion of a development site. l. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows: 3. a maximum of one dwelling unit per Lot of Record; or 4. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel. m. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3. n. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency. o. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.	

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.

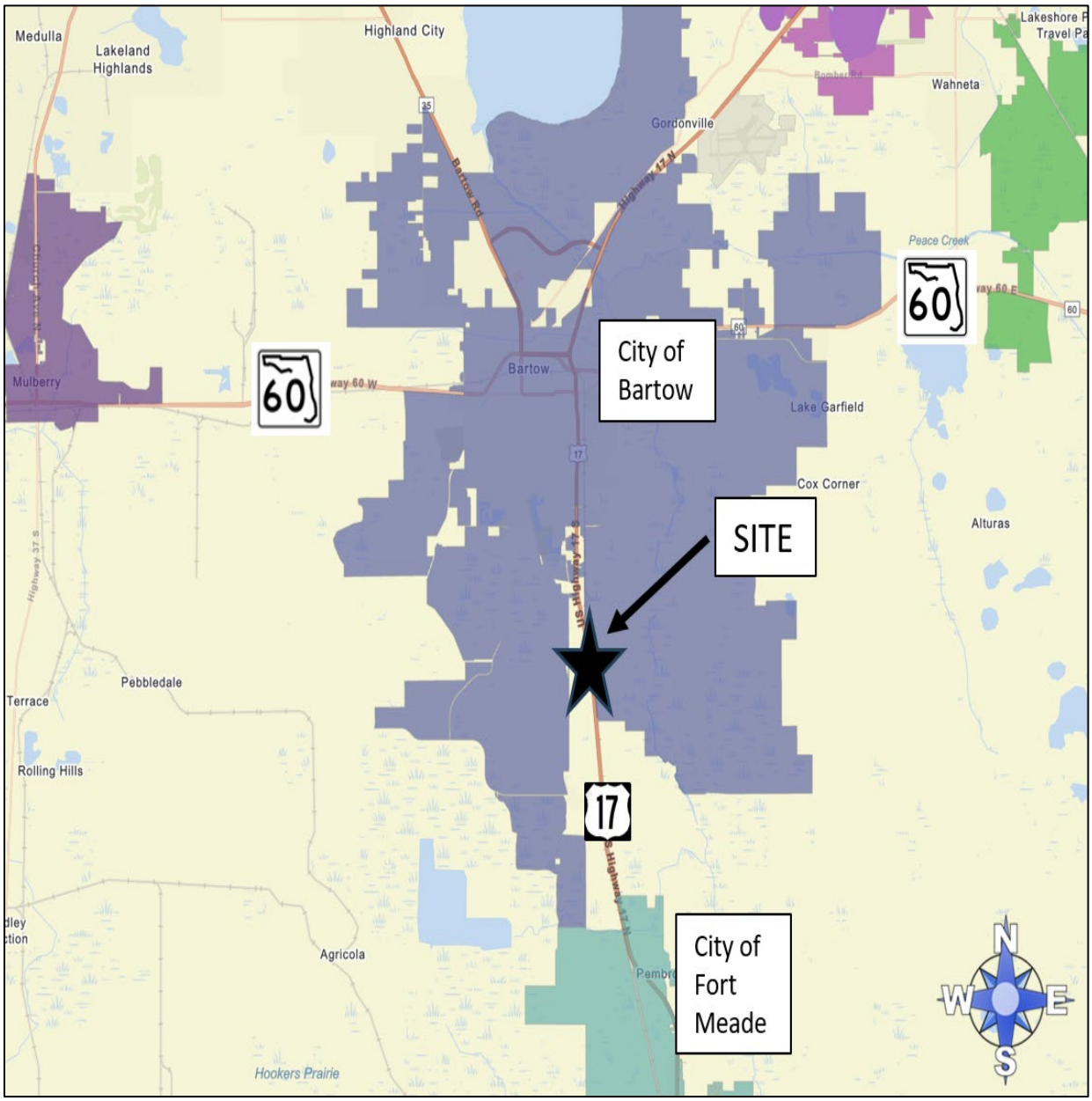
Table 9 Urban Sprawl Criteria

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:

An e-mail was sent to the City of Bartow Planning staff on Wednesday, April 15. The site is in the City of Bartow water, sewer, and electric service area, but only electrical service is available.

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



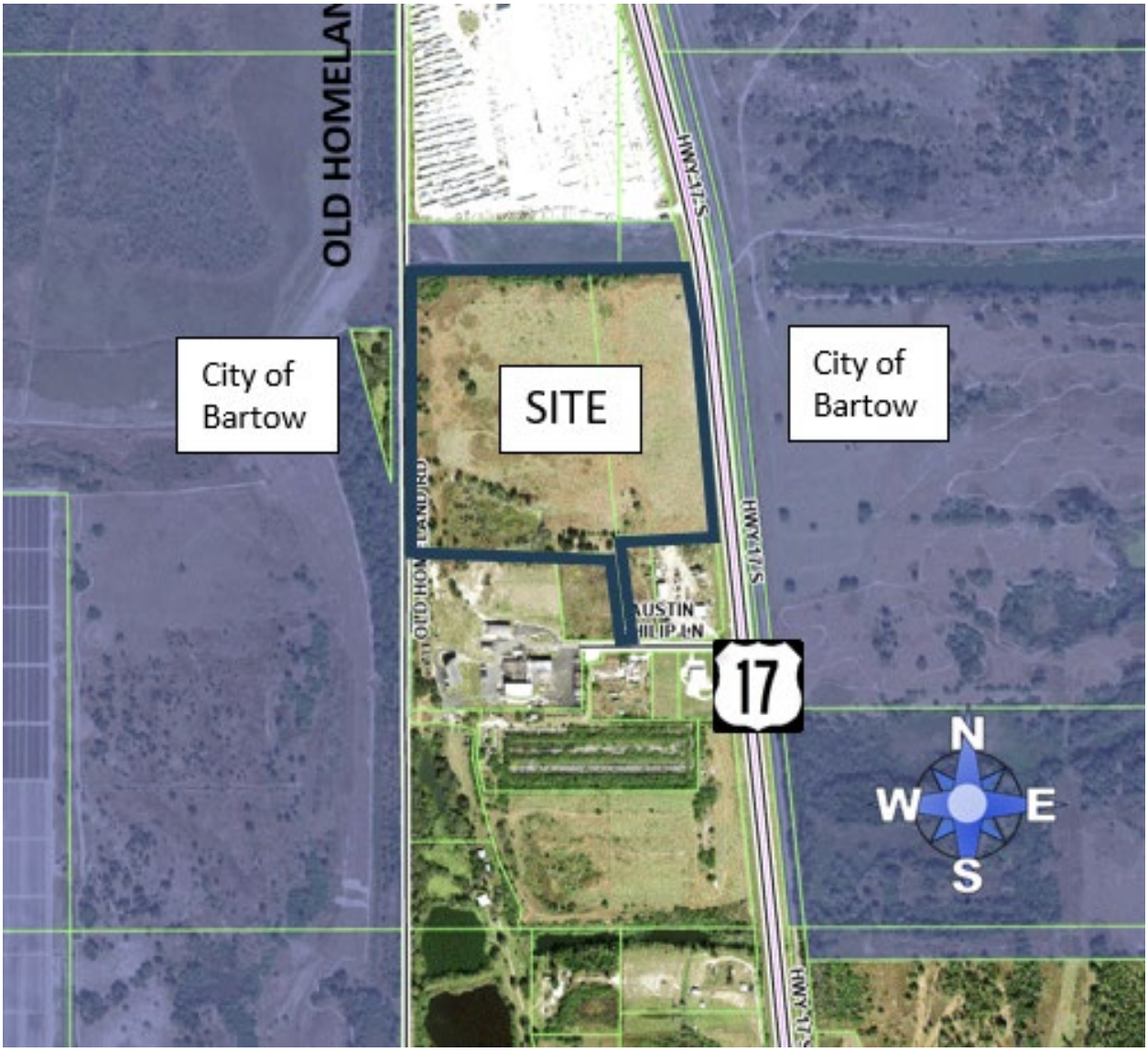
Location Map (Context)



Location Map (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 LDCPAL 2026-4; AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 71.26 ACRES FROM BUSINESS PARK CENTER (BPC) TO INDUSTRIAL (IND). THE SUBJECT SITE IS LOCATED ON THE EAST OF OLD HOMELAND ROAD, WEST OF US 17, AND SOUTH OF THE CITY OF BARTOW, IN SECTION 29, TOWNSHIP 30, 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 163.3184, FS, and Comprehensive Plan Section 4.305.B, provides for the approval of Large-Scale Comprehensive Plan Amendments; and

WHEREAS, LDCPAL 2026-4 is an applicant-initiated amendment to change 71.26 Acres from Business Park Center (BPC) to Industrial (IND) (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, on the Amendment on June 3, 2026; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on August 4, 2026, held an initial public hearing and authorized transmittal of the Amendment to the Department of Commerce 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 October 16, 2026; and

WHEREAS, the Board of County Commissioners, reviewed and considered all comments received during said public hearings, and provided for necessary revisions, if any; and

WHEREAS, the Board of County Commissioners has considered the data and analysis contained with 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 TEXT 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 District for parcels 253029-430450-000100 and 253029-430450-000110 and as legally described below and graphically depicted as referenced in Attachment "A" of this ordinance, for 71.26 Acres from Business Park Center (BPC) to Industrial (IND), legally described as:

PARCEL IDENTIFICATION NO. 253029-430450-000100

HOMELAND INDUSTRIAL COMPLEX PB 145 PGS 23-39 LOT 10

PARCEL IDENTIFICATION NO. 253029-430450-000100

HOMELAND INDUSTRIAL COMPLEZ PB 145 PGS 23-29 LOT 11

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 Florida Department of 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. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

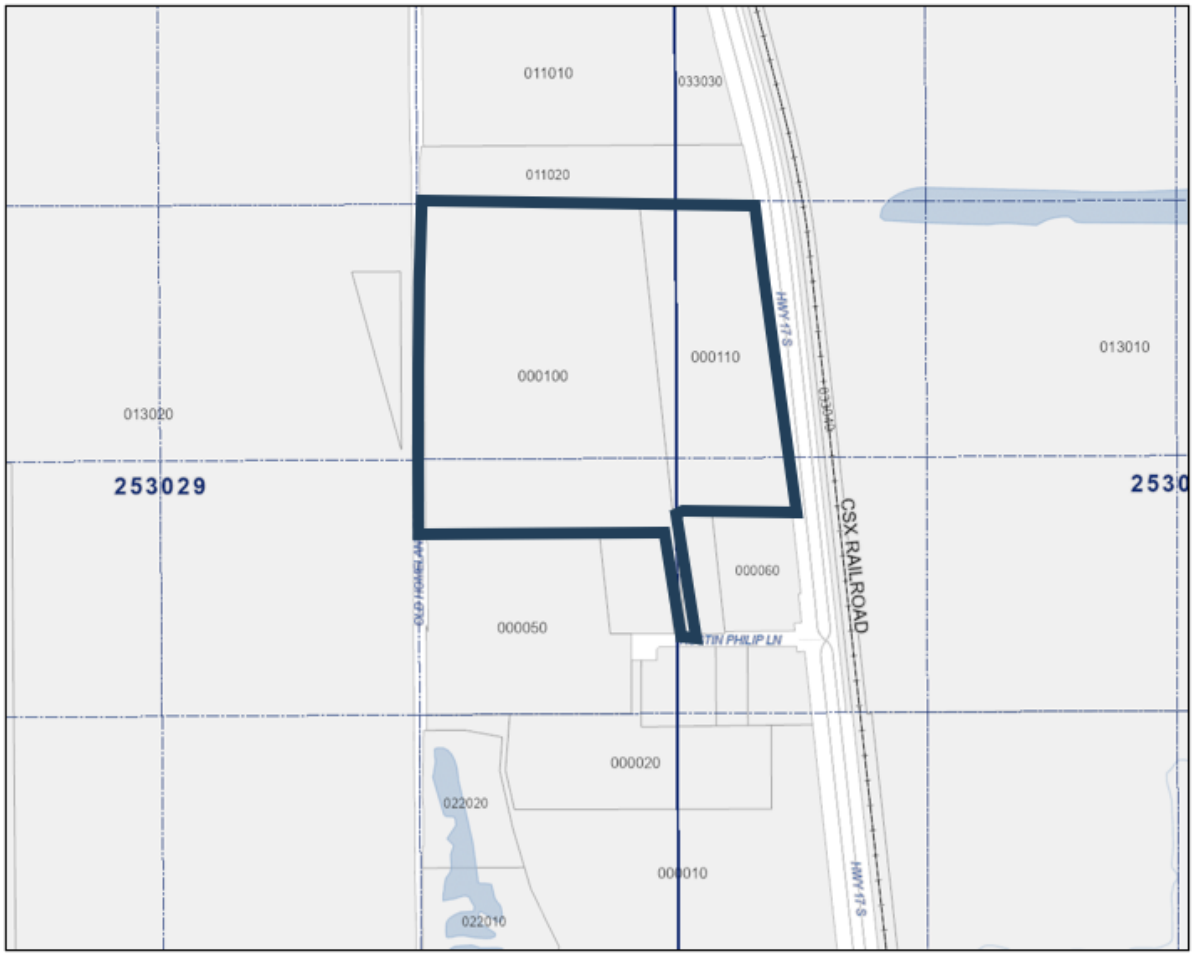
SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

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 6th day of October 2026.

ATTACHMENT "A"

LDCPAL 2026-4
Development Area: Rural Development Area (RDA)
Location: East of Old Homeland Road, west of US 17, and south of the City of Bartow.
Section 29, Township 30, Range 25



Organic Matters INC

Contents:

Cover Sheet/Index

Pages :

1-2 Intro

3-6 Impact Statement & Zoning Justification for both parcels

7-10 Land Maps off Appraiser website.

11-15 DEP Certification of wetlands.

4305 Austin Philip Lane, Bartow, FL 33830

Phone: 863 287 8460

Email: Ronnie@organicmatters.com

Date: March 3, 2026

Polk County Land Development Division Growth Management Department

330 W. Church St. Bartow, FL 33830

RE: Zoning Reclassification Request – BPC to IND (Industrial)

Parcels:

- 25-30-29-430450-000100 – 48.37 acres (0 Old Homeland Rd)
- 25-30-29-430450-000110 – 22.89 acres (0 US Hwy 17 S)
- Total Acreage: 71.26 acres

Applicant:

Organic Matters Inc.

To Whom It May Concern:

Organic Matters Inc. respectfully submits this request for a zoning reclassification from BPC to IND (Industrial) for the above-referenced 71.26 acres located along Old Homeland Road and US Highway 17 South in Bartow, Florida. The subject properties are currently undeveloped and positioned along a major regional transportation corridor that is already heavily zoned for IND and well-suited for further industrial development.

Enclosed is the Impact Assessment Statement and Zoning Justification, prepared in accordance with Section 910 of the Polk County Land Development Code. The analysis demonstrates that the requested Industrial zoning is appropriate based on:

- Direct proximity to US Highway 17, a designated freight and industrial corridor
- Compatibility with surrounding development patterns and long-term growth trends
- Suitability of the land for industrial use, given its size, configuration, and physical characteristics
- Alignment with Polk County's Comprehensive Plan and economic development objectives
- Availability of infrastructure and ability to serve future industrial uses
- Minimal impact on residential, environmental, and public service systems

The reclassification will support orderly, planned growth and provide opportunities for employment, investment, and economic expansion within the Bartow area.

We appreciate your review of this request and look forward to working with staff throughout the evaluation process. Please contact us if additional information or clarification is needed.

Sincerely,

Chris Reko

President/Owner

Organic Matters Inc.

Impact Assessment Statement & Zoning Justification

Zoning Reclassification Request: DOR → IND (Industrial) Applicant: Organic Matters Inc. Parcels: 25-30-29-430450-000100 & 25-30-29-430450-000110 Total Acreage: 71.26 acres Location: Bartow, Polk County, Florida Existing Condition: Undeveloped land

1. Land and Neighborhood Characteristics

The 71.26-acre site consists of two contiguous undeveloped parcels located along Old Homeland Road and US Highway 17 South. The surrounding area includes agricultural lands, rural homesteads, scattered commercial uses along US 17, and large tracts of undeveloped property. This portion of Bartow is a transitional growth area where development is expanding outward from the urban core.

The location is well-suited for Industrial zoning due to its direct proximity to US Highway 17, a major regional freight corridor that supports heavy-vehicle access and employment-based uses. The land is generally flat, lightly vegetated, and free of physical constraints that would prevent industrial development. The parcels' size and configuration allow for efficient site planning, internal circulation, and buffering.

Potential incompatibilities with adjacent agricultural or rural residential uses can be mitigated through required setbacks, landscape buffers, fencing, and site-design standards. Industrial uses will be oriented toward US 17, with buffering along Old Homeland Road to protect existing rural residences.

Reclassification to IND will support orderly, planned growth and encourage compatible infill development along a major transportation corridor. This aligns with Polk County's long-term economic development goals and the evolving land-use pattern in the Bartow area.

2. Access to Roads and Highways

The properties benefit from direct or near-direct access to US Highway 17, a major north–south arterial roadway with substantial capacity for industrial traffic. Old Homeland Road provides secondary local access.

Because this application is for zoning reclassification only, no traffic is generated at this stage. Trip generation will depend on the specific industrial use proposed and will be evaluated during site plan review. A full ITE-based traffic analysis will be provided at that time.

No immediate transportation system modifications are required as part of the reclassification. Any necessary improvements—such as turn lanes, driveway spacing, deceleration lanes, or signal adjustments—will be determined once a specific industrial development proposal is submitted.

Parking requirements will be established during site plan review based on the proposed industrial use.

3. Sewage (Wastewater)

The reclassification itself does not generate wastewater. Wastewater impacts will be determined when a specific industrial development proposal is submitted.

Central sewer service is expected to be available through the City of Bartow or Polk County Utilities, depending on the final service boundary. Sewer lines exist within the broader US 17 corridor, and availability will be confirmed during development review.

If central sewer is not immediately available, interim on-site wastewater treatment may be permitted subject to County and State regulations.

Any required system improvements—such as line extensions or lift station upgrades—will be addressed at the time of development.

4. Water Supply

Potable and industrial water demand will depend on the future use of the property. The reclassification does not create water consumption.

Water service is expected to be provided by the City of Bartow or Polk County Utilities. Potable water lines are located within the general vicinity of US 17 and may be extended as needed.

If central water is not immediately available, an interim well may be used subject to permitting requirements.

Provider capacity and connection timing will be evaluated during the development review process.

5. Surface Water Management and Drainage

The properties drain naturally toward the surrounding watershed typical of the Bartow region. No significant flooding issues have been documented based on general topography.

Any future industrial development will require a full stormwater management plan meeting SWFWMD and Polk County standards. Alterations to natural drainage features will be minimized, and any impacts to wetlands or floodplains will be addressed through permitting and mitigation.

6. Environmental Analysis

The 71.26-acre site consists primarily of upland vegetation and previously disturbed land. No known critical habitat or environmentally sensitive features have been identified based on general site conditions.

Wetland presence has been confirmed through a recent formal environmental assessment (see attached). Any impacts will be avoided or mitigated per County and State requirements.

The properties are not located within a public wellfield protection zone. No adverse impacts to potable water supplies or private wells are anticipated.

The parcels are not within an airport buffer zone associated with Bartow Executive Airport.

Soils in the area are typical of central Polk County and are generally suitable for industrial development with standard engineering practices. (Soil analysis survey available upon request)

7. Infrastructure Impact Information

- Parks & Recreation — Industrial zoning does not generate residential population; no impact is expected.
- Schools — Industrial uses do not generate students; no impact is expected.
- Health Care — The nearest hospital and emergency facilities in Bartow and Winter Haven have adequate capacity for long-term growth.
- Fire Protection — Served by Polk County Fire Rescue; response times are consistent with County standards. Industrial development will be required to meet fire-flow and access standards.
- Police Protection — Served by the Polk County Sheriff's Office; no capacity issues anticipated.
- EMS — EMS response is available within the Bartow service area.

- Solid Waste — Industrial solid waste will be handled by the County's franchise hauler or private commercial haulers as permitted.
- Neighborhood Needs — Industrial zoning supports employment opportunities, economic development, and tax-base expansion along the US 17 corridor.

8. Zoning Justification for IND Industrial

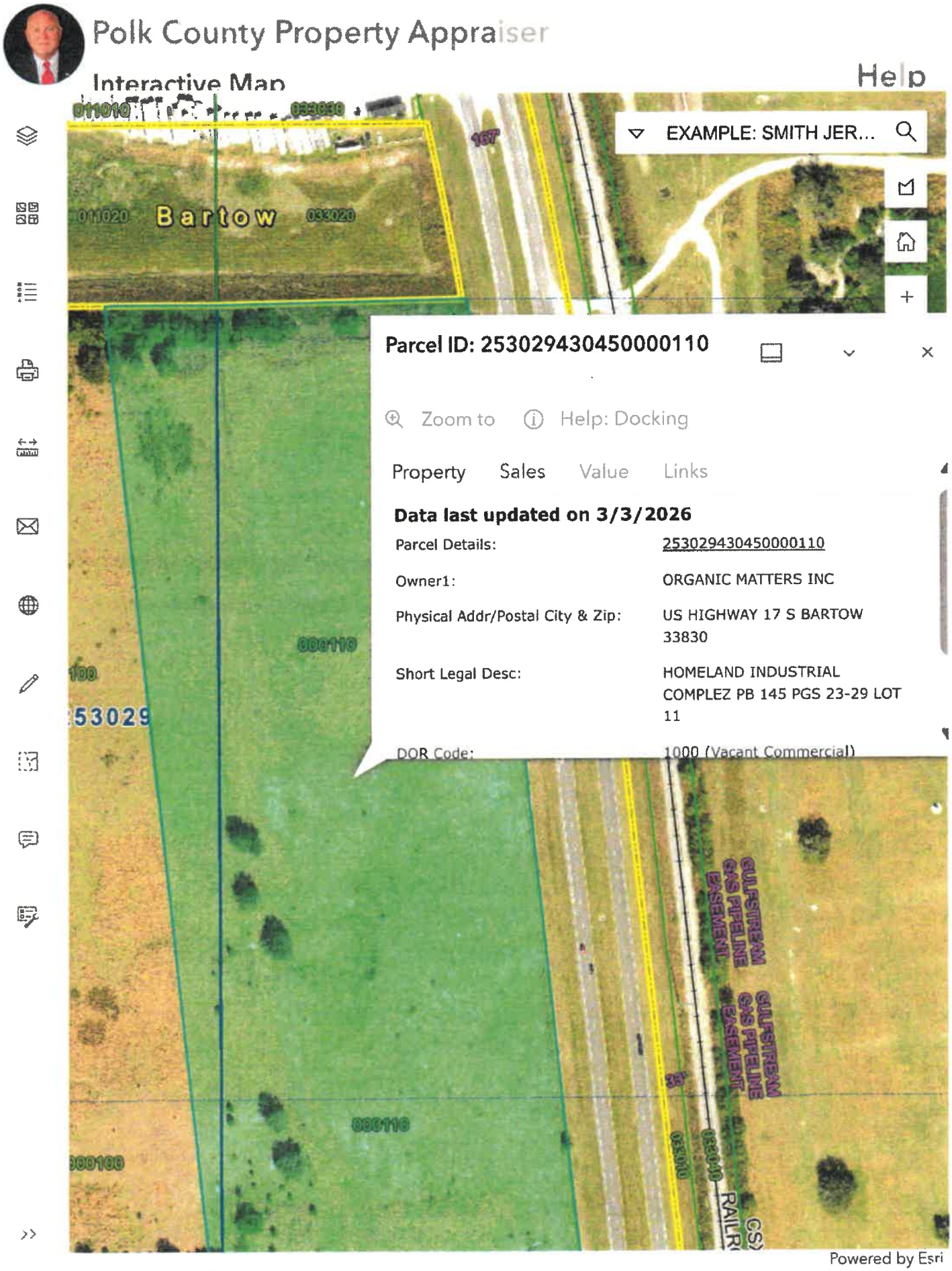
Reclassifying the 71.26 acres from BPC to IND is justified based on:

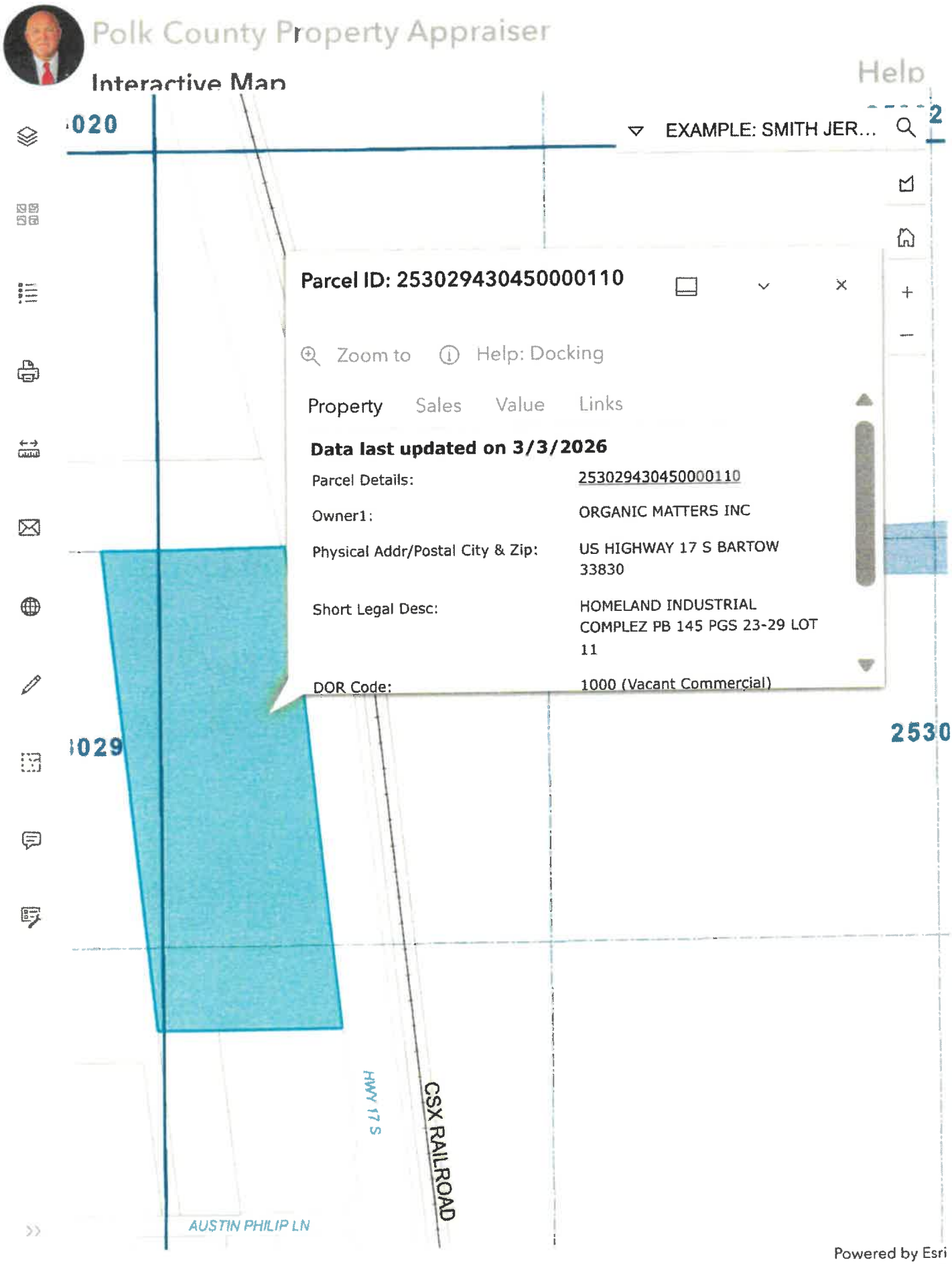
- Strategic location along US Highway 17, a designated freight corridor
- Compatibility with surrounding development patterns
- Suitability of the land for industrial use
- Support for economic development and job creation
- Availability of infrastructure
- Alignment with the Comprehensive Plan
- Reduction of pressure to place industrial uses near residential neighborhoods

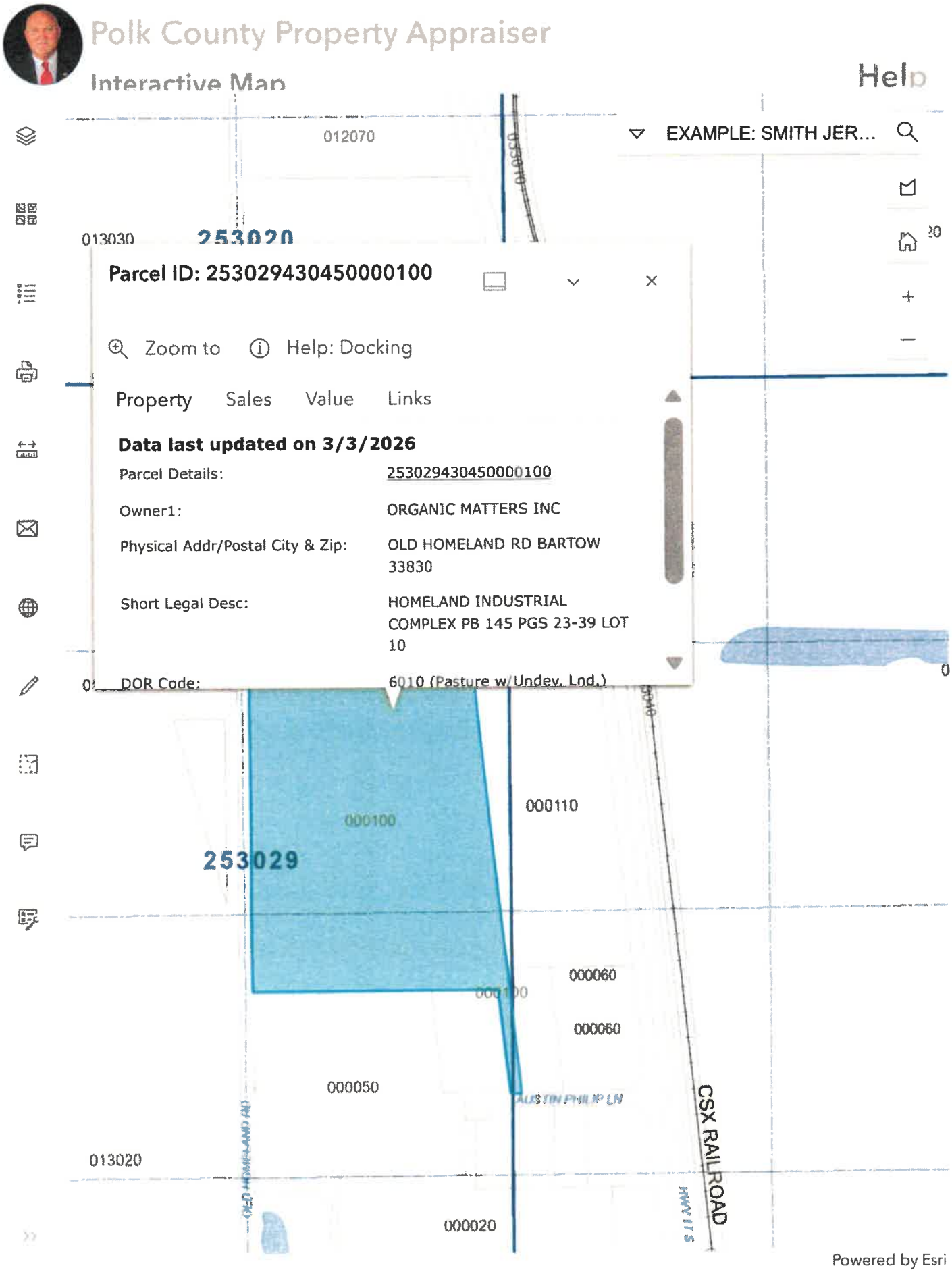
The request represents a logical, appropriate, and beneficial land-use transition for this portion of Bartow.

9. Required Maps

- Map A – Location map
- Map B – Boundary map
- DEP Certification of wetlands


Polk County Property Appraiser
Interactive Map
Help
EXAMPLE: SMITH JER...
Bartow
Parcel ID: 253029430450000110
Zoom to
Help: Docking
Property
Sales
Value
Links
Data last updated on 3/3/2026
Parcel Details: 253029430450000110
Owner1: ORGANIC MATTERS INC
Physical Addr/Postal City & Zip: US HIGHWAY 17 S BARTOW 33830
Short Legal Desc: HOMELAND INDUSTRIAL COMPLEZ PB 145 PGS 23-29 LOT 11
DOR Code: 1000 (Vacant Commercial)
GULFSTREAM GAS PIPELINE EASEMENT
GULFSTREAM GAS PIPELINE EASEMENT
Powered by Esri


Polk County Property Appraiser
Interactive Map
Help
EXAMPLE: SMITH JER...
Parcel ID: 253029430450000110
Zoom to
Help: Docking
Property
Sales
Value
Links
Data last updated on 3/3/2026
Parcel Details: 253029430450000110
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Physical Addr/Postal City & Zip: US HIGHWAY 17 S BARTOW 33830
Short Legal Desc: HOMELAND INDUSTRIAL COMPLEZ PB 145 PGS 23-29 LOT 11
DOR Code: 1000 (Vacant Commercial)
2530
HWY 17 S
CSX RAILROAD
AUSTIN PHILIP LN
Powered by Esri


Polk County Property Appraiser
Interactive Map
Help
EXAMPLE: SMITH JER...
012070
013030
253020
Parcel ID: 253029430450000100
Zoom to
Help: Docking
Property
Sales
Value
Links
Data last updated on 3/3/2026
Parcel Details: 253029430450000100
Owner1: ORGANIC MATTERS INC
Physical Addr/Postal City & Zip: OLD HOMELAND RD BARTOW 33830
Short Legal Desc: HOMELAND INDUSTRIAL COMPLEX PB 145 PGS 23-39 LOT 10
DOR Code: 6010 (Pasture w/Undev. Lnd.)
000100
253029
000110
000060
000060
000050
000020
013020
CSX RAILROAD
Powered by Esri



Polk County Property Appraiser

Interactive Map

Help

EXAMPLE: SMITH JER...

253020

CSX RAILROAD

OLD HOMELAND RD

Barto

253029

OLD HOMELAND RD

HWY 17 S

HWY 17 S

CSX RAILROAD

Parcel ID: 253029430450000100

Zoom to | Help: Docking

Property | Sales | Value | Links

Data last updated on 3/3/2026

Parcel Details:	253029430450000100
Owner1:	ORGANIC MATTERS INC
Physical Addr/Postal City & Zip:	OLD HOMELAND RD BARTOW 33830
Short Legal Desc:	HOMELAND INDUSTRIAL COMPLEX PB 145 PGS 23-39 LOT 10
DOR Code:	6010 (Pasture w/Undev. Lnd.)

Powered by Esri

FLORIDA DEPARTMENT OF Environmental Protection

Southwest District
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

In the Matter of a Petition for Formal Determination of the Landward Extent of Wetlands and Other Surface Waters by:

PETITIONER:
Organic Matters, Inc.
% Chris Reko
4305 Austin Phillip Lane
Bartow, Florida 33830

AGENT:
Lodestar Environmental Consulting
% Wes Dillon
3103 Chitty Road
Plant City, Florida 33565

PROJECT NAME: Organic Matters Parcels FD

File No: 53-0458588-001-FD
Polk County

Date of Issue: November 24, 2025
Expiration Date: November 23, 2030

FORMAL DETERMINATION OF THE LANDWARD EXTENT OF WETLANDS AND OTHER SURFACE WATERS

This Formal Determination of the Landward Extent of Wetlands and Other Surface Waters (**File No. 53-0458588-001-FD**) is issued pursuant to Section 373.421, Florida Statutes (F.S.), and Rule 62-330.201, Florida Administrative Code (F.A.C.). This determination is strictly for purposes of establishing the landward extent of wetlands and other surface waters and does not relieve you from the responsibility of obtaining any federal, state, or local permits.

The Formal Determination of the Landward Extent of Wetlands and Other Surface Waters is shown on the approved final certified survey (attached). The bold black line delineates the boundaries of the area inspected on the aerial images and specific purpose survey or certified survey. The red hatched areas on the certified survey delineate the wetlands and other surface waters.

The aerial images and specific purpose survey are available online at:
https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=hitlist&{freeText=}&{folderName=}&{profile=Permitting_Authorization}&{creator=}&{entityType=any}&{createdDateTo=}&{catalog=23}&{searchBy=Profile}&{sortBy=Document+Date}&{createdDate=}&{County=_EQ_POLK}&{District=_EQ_SWD}&{Facility-Site+ID=_EQ_ERP_458588}

Determination Location

Petition Expiration: November 23, 2030

COUNTY:	Polk
SEC/TWP/RGE:	S29/T30S/R25E, S28/T30S/R25E
PROJECT ACRES:	71.26
WETLAND AND OTHER SURFACE WATER ACRES:	3.53
SITE LOCATION:	Parcel IDs: 25-30-29-430450-000100, 25-30-29-430450-000110

Determination Description

The petitioner, Organic Matters, Inc., % Chris Reko, % Wes Dillon, Lodestar Environmental Consulting, 3103 Chitty Road, Plant City, Florida 33565, requested a Formal Determination of the Landward Extent of Wetlands and Other Surface Waters for a 71.26-acre tract/parcel resulting in the delineation of 3.53 acres of wetlands and other surface waters.

The petitioner elected to have the formal determination line surveyed and has provided the Department with an electronic copy of the survey properly certified in accordance with Chapter 472, Florida Statutes.

This Formal Determination of the Landward Extent of Wetlands and Other Surface Waters is binding for a period of five (5) years from the date of this determination provided physical conditions on the property do not change so as to alter wetland boundaries during this time.

This determination does not in any way establish boundaries of sovereign submerged lands.

The Department may revoke this formal determination if it finds that the petitioner has submitted inaccurate information in the petition.

Judicial Review

Any party to this action has the right to seek judicial review pursuant to Section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Petition Expiration: November 23, 2030

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Shannon Herbon
Permitting Program Administrator
Permitting and Waste Cleanup Programs
Southwest District

Attachments:
1. Certified Survey, 1 page
2. Aerial Map, 1 page
3. Staff Report, 44 pages

Copies furnished to:
ERP Permitting, Southwest DEP, SW_ERP@FloridaDEP.gov
Allana Crawford, Southwest DEP, Allana.G.Crawford@FloridaDEP.gov
Chris Reko, Petitioner, Chris@organicmatters.com
Wes Dillon, Agent, Fl.ecologist@gmail.com

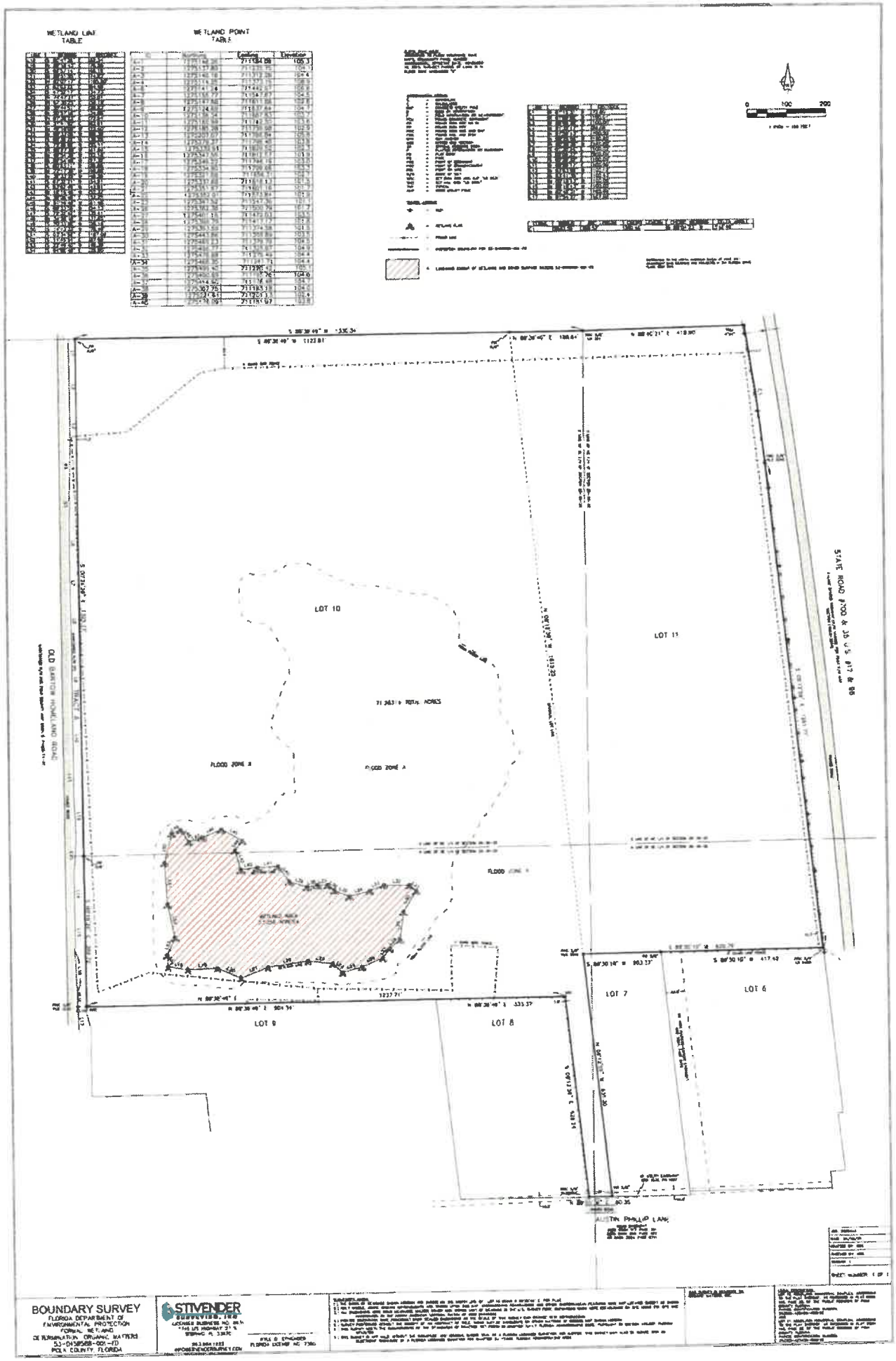
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this **Formal Determination of the Landward Extent of Wetlands and Other Surface Waters** (File No. 53-0458588-001-FD), including all copies, was e-mailed before the close of business on November 24, 2025, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date with the designated Department Clerk, pursuant to Section 120.52, Florida Statutes, receipt of which is hereby acknowledged.

Clerk — November 24, 2025
Date


WETLAND LINE TABLE
WETLAND POINT TABLE
LOT 10
LOT 11
LOT 9
LOT 8
LOT 7
LOT 6
FLOOD ZONE A
FLOOD ZONE X
OLD BARTOW HOWLAND ROAD
STATE ROAD #700 & US #17 & 98
AUSTIN PHILLIP LANE
BOUNDARY SURVEY
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
FORMAL WETLAND DETERMINATION ORDINARY WATERS
53-0385588-001-FD
POLK COUNTY, FLORIDA
STIVENDER SURVEYING, INC.


Survey Area
Wetland
Old Homeland Rd
US Highway 17 S
US Highway 17 S
17
17
Wetland A
3.5256 a.c.
Bartow
WETLAND MAP
0 200 400
Feet
WETLAND DELINEATION
ORGANIC MATTERS, INC.
POLK COUNTY
LODESTAR
ENVIRONMENTAL CONSULTING
Coordinate System: NAD 1983 HARN StatePlane Florida West FIPS 0902 Feet

Organic Matters INC

Cover Sheet/Index

Plea for reclassification to IND. Parcels 25-30-29-430450-000100 (48.37 acres) and 25-30-29-430450-000110 (22.89 acres)

Section 1 Requests for rezoning/reclassification.

Section 2 Justification

Section 3 Suitability for IND Reclassification.

Section 4 Future Land Use Designations in the City of Bartow.

Section 5 Demonstration of need.

Section 6 Compliance with Flood Plain Policies

Section 7 Access to Roads and Highways (2 Pgs)

Section 8 Water Use (2 Pages)

Section 9 Sewage

Section 10 Wetlands Review and Maps (5 Pages)

Date:

March 20, 2026

Subject:

Follow-Up Responses to Planning Commission Questions

Dear Ms. Bennett,

On behalf of Organic Matters Inc., please find enclosed responses to questions raised by the Planning Commission regarding the proposed Future Land Use Map amendment to the Industrial (IND) designation. The responses are provided for clarification at a planning level only and do not modify the request or seek additional approvals. All information is consistent with the legislative nature of the amendment and preserves full County review authority at subsequent development stages.

Respectfully submitted,



Ronnie Barron

863 287 8460

To Whom It May Concern:

Organic Matters Inc. respectfully submits this request for a zoning reclassification from BPC to IND (Industrial) for the above-referenced 71.26 acres located along Old Homeland Road and US Highway 17 South in Bartow, Florida. The subject properties are currently undeveloped and positioned along a major regional transportation corridor that is already heavily zoned for IND and well-suited for further industrial development.

Enclosed is the Impact Assessment Statement and Zoning Justification, prepared in accordance with Section 910 of the Polk County Land Development Code. The analysis demonstrates that the requested Industrial zoning is appropriate based on:

- Direct proximity to US Highway 17, a designated freight and industrial corridor
- Compatibility with surrounding development patterns and long-term growth trends
- Suitability of the land for industrial use, given its size, configuration, and physical characteristics
- Alignment with Polk County's Comprehensive Plan and economic development objectives
- Availability of infrastructure and ability to serve future industrial uses
- Minimal impact on residential, environmental, and public service systems

The reclassification will support orderly, planned growth and provide opportunities for employment, investment, and economic expansion within the Bartow area.

We appreciate your review of this request and look forward to working with staff throughout the evaluation process. Please contact us if additional information or clarification is needed.

Sincerely,

Chris Reko

President/Owner

Organic Matters Inc.

Justification for Zoning Reclassification to IND – Industrial

Parcels: 25-30-29-430450-000100 (48.37 acres) and 25-30-29-430450-000110 (22.89 acres) **Total Acreage:** 71.26 acres **Current Zoning:** DOR **Requested Zoning:** IND – Industrial **Location:** 0 Old Homeland Rd & 0 US Hwy 17 S, Bartow, FL

1. Consistency With Surrounding Development Patterns

The subject properties are located along the US Highway 17 corridor, a major regional arterial that supports freight movement, industrial traffic, and commercial activity. The surrounding area includes agricultural lands, rural homesteads, scattered commercial uses, and large undeveloped tracts. This corridor has historically transitioned toward employment-based uses due to its transportation capacity and strategic location between Bartow, Fort Meade, and the broader Central Florida logistics network.

Industrial zoning is appropriate in this location because it aligns with the evolving development pattern and supports the County's long-term economic development objectives.

2. Appropriateness of Industrial Zoning Along US Highway 17

US Highway 17 is a designated freight corridor with the roadway width, traffic capacity, and regional connectivity necessary to support industrial operations. The parcels' direct or near-direct access to this corridor makes them well-suited for uses involving distribution, manufacturing, warehousing, or other industrial activities.

Industrial zoning in this location reduces pressure to place industrial uses deeper into rural or residential areas, concentrating them instead along a major transportation spine where impacts can be effectively managed.

3. Compatibility With Adjacent Uses

The properties are bordered by agricultural and rural residential uses, which are typically low-intensity and low-density. Industrial zoning can be made compatible with these uses through:

- Landscape buffers
- Increased setbacks
- Screening and fencing
- Orientation of buildings and loading areas away from residences
- Traffic routing toward US 17 rather than Old Homeland Rd

These measures will be addressed during site plan review and ensure that industrial development does not create adverse impacts on neighboring properties.

4. Suitability of the Land for Industrial Development

The combined 71.26 acres are:

- Undeveloped
- Generally flat
- Free of major environmental constraints
- Large enough to support internal circulation, stormwater management, and buffering
- Configured in a way that supports efficient industrial site planning

The parcels' size and shape allow for flexible industrial layouts, including multi-building campuses, distribution centers, or manufacturing facilities.

5. Support for Economic Development

Reclassifying the property to IND directly supports Polk County's goals of:

- Expanding employment opportunities
- Increasing the industrial tax base
- Attracting logistics and manufacturing investment
- Leveraging regional transportation assets

Industrial land supply is limited in the Bartow area, and these parcels represent a strategically located opportunity to accommodate future economic growth.

6. Infrastructure Feasibility

The properties are located within reasonable proximity to:

- Central water and sewer service areas
- Electrical and telecommunications infrastructure
- Fire and EMS response zones
- Major transportation corridors

Any required utility extensions or system improvements can be addressed during the development review process. No infrastructure limitations prevent the parcels from supporting industrial zoning.

7. Consistency With the Comprehensive Plan

The request supports the Comprehensive Plan by:

- Encouraging development along major transportation corridors
- Promoting economic development and job creation
- Directing growth to areas with existing or planned infrastructure
- Supporting efficient land use patterns

The IND zoning district is consistent with the County's long-term vision for the US 17 corridor.

Conclusion

Reclassifying the 71.26 acres from **DOR** to **IND Industrial** is justified based on:

- Strategic location along US Highway 17
- Compatibility with surrounding development patterns
- Suitability of the land for industrial use
- Support for economic development goals
- Availability of infrastructure
- Alignment with the Comprehensive Plan

The request represents a logical, appropriate, and beneficial land-use transition for this portion of Bartow.

Section 910.A.1 Narrative — Suitability for IND Reclassification

The subject property is suitable for reclassification to the Industrial (IND) district due to its location, physical characteristics, and compatibility with the surrounding development pattern. The site consists of large, contiguous acreage with direct access to established transportation corridors, making it appropriate for industrial operations that require separation from residential areas and proximity to regional mobility routes. The land is generally flat, cleared, and free of environmental or topographic constraints that would limit industrial development, allowing the property to accommodate the building footprints, circulation areas, and infrastructure typical of IND-zoned uses.

The surrounding area is transitioning toward more intensive non-residential activity, and the proposed reclassification aligns with the County's long-range vision for employment-supportive growth in this corridor. The site's location near existing industrial and agricultural operations minimizes the potential for land-use conflicts and supports a logical extension of the County's industrial land inventory. Reclassifying the property to IND will reinforce an orderly development pattern by placing industrial uses in an area already characterized by low residential density and compatible rural or employment-oriented uses.

The request also supports economic development objectives by positioning the site for future job-creating uses in a location that can be efficiently served by transportation, utility, and emergency services. No incompatible adjacent uses would be adversely affected by the reclassification, and any potential impacts can be mitigated through site design, buffering, and compliance with the Land Development Code at the time of site plan review.

For these reasons, the site is appropriate for IND zoning and represents a logical, compatible, and policy-supported reclassification consistent with Section 910.A.1 of the Polk County Land Development Code.

k Narrative – Future Land Use Designations in the City of Bartow (East and West of the Site)

The properties located immediately east and west of the subject site lie within the municipal limits of the City of Bartow and are regulated under the City's adopted Future Land Use Map. Based on the City of Bartow's Future Land Use designations, the lands to both the east and west of the subject parcels are designated **Industrial (IND)** or **Agriculture/Rural Residential (A/RR)** depending on the specific tract. These designations support a range of employment-oriented, utility-intensive, and low-density rural uses that are compatible with the proposed Industrial (IND) classification for the subject property.

The presence of Industrial and Agriculture/Rural Residential designations on adjacent City-controlled lands demonstrates that the surrounding area is already planned for non-residential, low-intensity, or employment-supportive uses. This pattern reinforces the suitability of the proposed reclassification by ensuring that the subject property will be consistent with the long-term development vision on both sides of the site. The City's Future Land Use designations in this corridor do not include incompatible residential densities or urban commercial intensities that would conflict with industrial activity.

Accordingly, the proposed IND reclassification aligns with the existing and planned land-use framework of the City of Bartow on both the east and west sides of the property and supports a cohesive, compatible development pattern across jurisdictional boundaries.

Demonstration of Need

(As requested in Pre-Application Comments – LDDRC-2026-24)

There is a demonstrated need for additional Industrial (IND)-designated land in this area of unincorporated Polk County due to the continued growth of employment-oriented uses, the County's expanding logistics and agricultural-support sectors, and the limited availability of appropriately located industrial parcels. The subject property provides a unique opportunity to expand the County's industrial land inventory in a location that is physically suitable, strategically positioned, and compatible with surrounding land-use patterns.

Industrial demand in Polk County continues to increase as the region experiences sustained population growth, expansion of distribution-based industries, and rising demand for processing, storage, and support facilities tied to agriculture and regional commerce. Much of the existing IND-designated land in the area is already developed, encumbered, or fragmented into smaller parcels that cannot accommodate modern industrial operations. The subject property, by contrast, consists of large, contiguous acreage capable of supporting industrial uses that require adequate separation, circulation space, and operational flexibility.

The site's location near existing agricultural, rural, and employment-oriented uses further supports the need for its reclassification. This corridor is already transitioning toward more intensive non-residential activity, and the addition of IND-designated land will reinforce a cohesive development pattern while avoiding conflicts with residential neighborhoods. The property's access to established transportation routes enhances its suitability for industrial operations and supports the County's economic development objectives by positioning the site for future job-creating uses.

Reclassifying the property to IND will help meet the County's long-term need for strategically located industrial land, ensure an adequate supply of employment-supportive sites, and implement the intent of the Comprehensive Plan to direct industrial growth to areas with appropriate access, compatibility, and development capacity.

For these reasons, the request satisfies the Demonstration of Need requirement identified in the Pre-Application comments for LDDRC-2026-24.

Narrative – Compliance with Floodplain Policies (Section 2.123-B, Future Land Use Element)

Portions of the subject property are located within a Zone "A" 100-year floodplain, as identified on the Polk County GIS Data Viewer. The proposed reclassification to the Industrial (IND) district is consistent with the floodplain policies of Section 2.123-B of the Comprehensive Plan Future Land Use Element because the request does not authorize development and does not alter the physical characteristics, function, or extent of the floodplain. Any future development will be required to comply with all applicable floodplain management regulations, ensuring that flood storage capacity, natural drainage patterns, and public safety are protected.

Section 2.123-B emphasizes minimizing adverse impacts to floodplains, directing development away from sensitive areas, and ensuring that any permitted activity maintains or enhances the natural floodplain function. The proposed reclassification meets these objectives by preserving the County's ability to apply full floodplain development standards at the time of site plan review. Industrial zoning does not exempt the property from elevation, compensatory storage, stormwater, or flood hazard mitigation requirements. Instead, it ensures that any future development must be designed to avoid encroachment into flood-prone areas or mitigate impacts consistent with County and FEMA regulations.

The site contains sufficient upland area to accommodate industrial development outside of the mapped floodplain, and any improvements proposed within or adjacent to the floodplain will be subject to detailed engineering review. This includes compliance with the County's floodplain ordinance, stormwater management criteria, and best practices for maintaining natural hydrologic function. As a result, the reclassification itself does not increase flood risk, reduce flood storage, or create adverse off-site impacts.

For these reasons, the request is consistent with the floodplain protection policies of Section 2.123-B and maintains the County's ability to ensure that future development is appropriately designed, mitigated, and regulated within the Zone "A" floodplain.

U.S. Energy Information Administration (EIA)

EIA: CBECS 2012 Water consumption in large buildings summary

https://www.eia.gov/consumption/commerci

Narrative – Impact Statement: Access to Roads and Highways (Section 910.B.1 – Trip Estimate)

The Impact Assessment Statement requires an estimate of vehicle trips based on the maximum development potential of the site. While a specific site plan has not been prepared at this time, a conceptual development scenario has been evaluated using the maximum Floor Area Ratio (FAR) permitted for Industrial uses, consistent with Section 910.B.1 of the Land Development Code.

For purposes of this Impact Statement, the subject property is assumed to be developed to the maximum allowable Industrial FAR, resulting in a conceptual building area that reflects a "worst-case" traffic generation scenario. Standard trip generation rates for general industrial and related uses, as published by the Institute of Transportation Engineers (ITE), are applied to this conceptual floor area to estimate average daily trips and peak-hour trips. This methodology provides a conservative estimate of traffic impacts based on the highest reasonable intensity of industrial development allowed by the requested zoning.

Under this maximum-FAR scenario, the site is expected to generate vehicle trips at levels that can be evaluated in relation to the capacity and functional classification of the surrounding roadway network. Final trip generation, distribution, and access design will be refined at the time of site plan review, when specific uses, building sizes, and access points are known. At that stage, a detailed traffic analysis will be prepared as required, and any necessary improvements or mitigation measures will be identified in coordination with Polk County and other applicable agencies.

Accordingly, the conceptual trip estimate based on maximum Industrial FAR satisfies the requirement of Section 910.B.1 of the LDC by demonstrating that traffic impacts have been considered at the comprehensive plan amendment stage, with full, project-specific analysis to occur during subsequent development review.

⭐ **Maximum Industrial FAR = 0.35**

(Polk County's Industrial Future Land Use category allows up to **0.35 FAR**.)

With that confirmed, here is your **official trip estimate**.

🚗 **Estimated Vehicle Trips (Using Max FAR 0.35)**

1. Convert acreage to square feet

$$71.2 \text{ acres} \times 43{,}560 = 3{,}101{,}472 \text{ sq ft}$$

2. Apply max FAR (0.35)

$$3{,}101{,}472 \times 0.35 = 1{,}085{,}515 \text{ sq ft GFA}$$

3. Apply ITE Trip Rate (General Light Industrial – 6.97 trips / 1,000 sq ft)

$$\frac{1{,}085{,}515}{1{,}000} = 1{,}085.5$$

$$1{,}085.5 \times 6.97 = 7{,}566 \text{ average daily trips (ADT)}$$

✅ **Final Trip Estimate for IAS**

The 71.2-acre site, developed at the maximum Industrial FAR of 0.35, is estimated to generate approximately *7,566 average daily vehicle trips* (ADT), based on ITE General Light Industrial trip generation rates.

Step 1 – Floor area at max FAR

- Site area: 71.2acres
- Sq ft: $71.2 \times 43{,}560 = 3{,}101{,}472$ sq ft
- Industrial FAR (max): 0.35
- Conceptual GFA:

$$3{,}101{,}472 \times 0.35 = 1{,}085{,}515 \text{ sq ft}$$

Step 2 – Apply a planning-level water use rate

Using a generalized large-building rate of about 55.6 gallons per 1,000 sq ft per day :

$$\frac{1{,}085{,}515}{1{,}000} \approx 1{,}085.5 \text{ (thousand sq ft)}$$

$$1{,}085.5 \times 55.6 \approx 60{,}300 \text{ gallons per day}$$

One sentence for the IAS

Based on a conceptual industrial development of approximately 1,085,500 square feet at the maximum Industrial FAR of 0.35, and using a generalized water use rate of about 55.6 gallons per 1,000 square feet per day, the site is estimated to consume approximately 60,000 gallons of water per day at full build-out.

U.S. Energy Information Administration (EIA)

EIA: CBECS 2012 Water consumption in large buildings summary

https://www.eia.gov/consumption/commerci

Step 1 – Floor area at max FAR

- **Site area:** 71.2acres
- **Sq ft:** $71.2 \times 43{,}560 = 3{,}101{,}472$ sq ft
- **Industrial FAR (max):** 0.35
- **Conceptual GFA:**

$$3{,}101{,}472 \times 0.35 = 1{,}085{,}515 \text{ sq ft}$$

Step 2 – Apply a planning-level water use rate

Using a generalized large-building rate of **about 55.6 gallons per 1,000 sq ft per day**:

$$\frac{1{,}085{,}515}{1{,}000} \approx 1{,}085.5 \text{ (thousand sq ft)}$$

$$1{,}085.5 \times 55.6 \approx 60{,}300 \text{ gallons per day}$$

One sentence for the IAS

Based on a conceptual industrial development of approximately **1,085,500 square feet** at the maximum Industrial FAR of **0.35**, and using a generalized water use rate of **about 55.6 gallons per 1,000 square feet per day**, the site is estimated to consume approximately **60,000 gallons of water per day** at full build-out.

1. Floor area at max Industrial FAR

- **Site area:** 71.2acres
- **Land area:**

$$71.2 \times 43{,}560 = 3{,}101{,}472 \text{ sq ft}$$

- **Max Industrial FAR:** 0.35
- **Conceptual building area (GFA):**

$$3{,}101{,}472 \times 0.35 = 1{,}085{,}515 \text{ sq ft}$$

2. Planning-level sewage generation

For planning and Impact Statement purposes, it is standard to assume **wastewater ≈ water use** at full build-out.

From your prior water estimate:

- **Estimated water demand: ≈ 60,000 gallons per day**

So:

Estimated sewage flow: At maximum Industrial FAR (0.35) and a conceptual building area of approximately **1,085,500 square feet**, the site is estimated to generate on the order of **60,000 gallons per day of wastewater**, assuming sewage generation is approximately equal to potable water demand at full build-out.

FLORIDA DEPARTMENT OF Environmental Protection

Southwest District
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

Ron DeSantis
Governor

Jay Collins
Lt. Governor

Alexis A. Lambert
Secretary

In the Matter of a Petition for Formal Determination of the Landward Extent of Wetlands and Other Surface Waters by:

PETITIONER:
Organic Matters, Inc.
% Chris Reko
4305 Austin Phillip Lane
Bartow, Florida 33830

AGENT:
Lodestar Environmental Consulting
% Wes Dillon
3103 Chitty Road
Plant City, Florida 33565

PROJECT NAME: Organic Matters Parcels FD

File No: 53-0458588-001-FD
Polk County

Date of Issue: November 24, 2025
Expiration Date: November 23, 2030

FORMAL DETERMINATION OF THE LANDWARD EXTENT OF WETLANDS AND OTHER SURFACE WATERS

This Formal Determination of the Landward Extent of Wetlands and Other Surface Waters (**File No. 53-0458588-001-FD**) is issued pursuant to Section 373.421, Florida Statutes (F.S.), and Rule 62-330.201, Florida Administrative Code (F.A.C.). This determination is strictly for purposes of establishing the landward extent of wetlands and other surface waters and does not relieve you from the responsibility of obtaining any federal, state, or local permits.

The Formal Determination of the Landward Extent of Wetlands and Other Surface Waters is shown on the approved final certified survey (attached). The bold black line delineates the boundaries of the area inspected on the aerial images and specific purpose survey or certified survey. The red hatched areas on the certified survey delineate the wetlands and other surface waters.

The aerial images and specific purpose survey are available online at:
https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=hitlist&{freeText=}&{folderName=}&{profile=Permitting_Authorization}&{creator=}&{entityType=any}&{createdDateTo=}&{catalog=23}&{searchBy=Profile}&{sortBy=Document+Date}&{createdDate=}&{County=_EQ_POLK}&{District=_EQ_SWD}&{Facility-Site-ID=_EQ_ERP_458588}

Determination Location

Petition Expiration: November 23, 2030

COUNTY:	Polk
SEC/TWP/RGE:	S29/T30S/R25E, S28/T30S/R25E
PROJECT ACRES:	71.26
WETLAND AND OTHER SURFACE WATER ACRES:	3.53
SITE LOCATION:	Parcel IDs: 25-30-29-430450-000100, 25-30-29-430450-000110

Determination Description

The petitioner, Organic Matters, Inc., % Chris Reko, % Wes Dillon, Lodestar Environmental Consulting, 3103 Chitty Road, Plant City, Florida 33565, requested a Formal Determination of the Landward Extent of Wetlands and Other Surface Waters for a 71.26-acre tract/parcel resulting in the delineation of 3.53 acres of wetlands and other surface waters.

The petitioner elected to have the formal determination line surveyed and has provided the Department with an electronic copy of the survey properly certified in accordance with Chapter 472, Florida Statutes.

This Formal Determination of the Landward Extent of Wetlands and Other Surface Waters is binding for a period of five (5) years from the date of this determination provided physical conditions on the property do not change so as to alter wetland boundaries during this time.

This determination does not in any way establish boundaries of sovereign submerged lands.

The Department may revoke this formal determination if it finds that the petitioner has submitted inaccurate information in the petition.

Judicial Review

Any party to this action has the right to seek judicial review pursuant to Section 120.68, Florida Statutes, by filing a Notice of Appeal pursuant to Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this action is filed with the Clerk of the Department.

Petition Expiration: November 23, 2030

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Shannon Herbon
Permitting Program Administrator
Permitting and Waste Cleanup Programs
Southwest District

Attachments:
1. Certified Survey, 1 page
2. Aerial Map, 1 page
3. Staff Report, 44 pages

Copies furnished to:
ERP Permitting, Southwest DEP, SW_ERP@FloridaDEP.gov
Allana Crawford, Southwest DEP, Allana.G.Crawford@FloridaDEP.gov
Chris Reko, Petitioner, Chris@organicmatters.com
Wes Dillon, Agent, Fl.ecologist@gmail.com

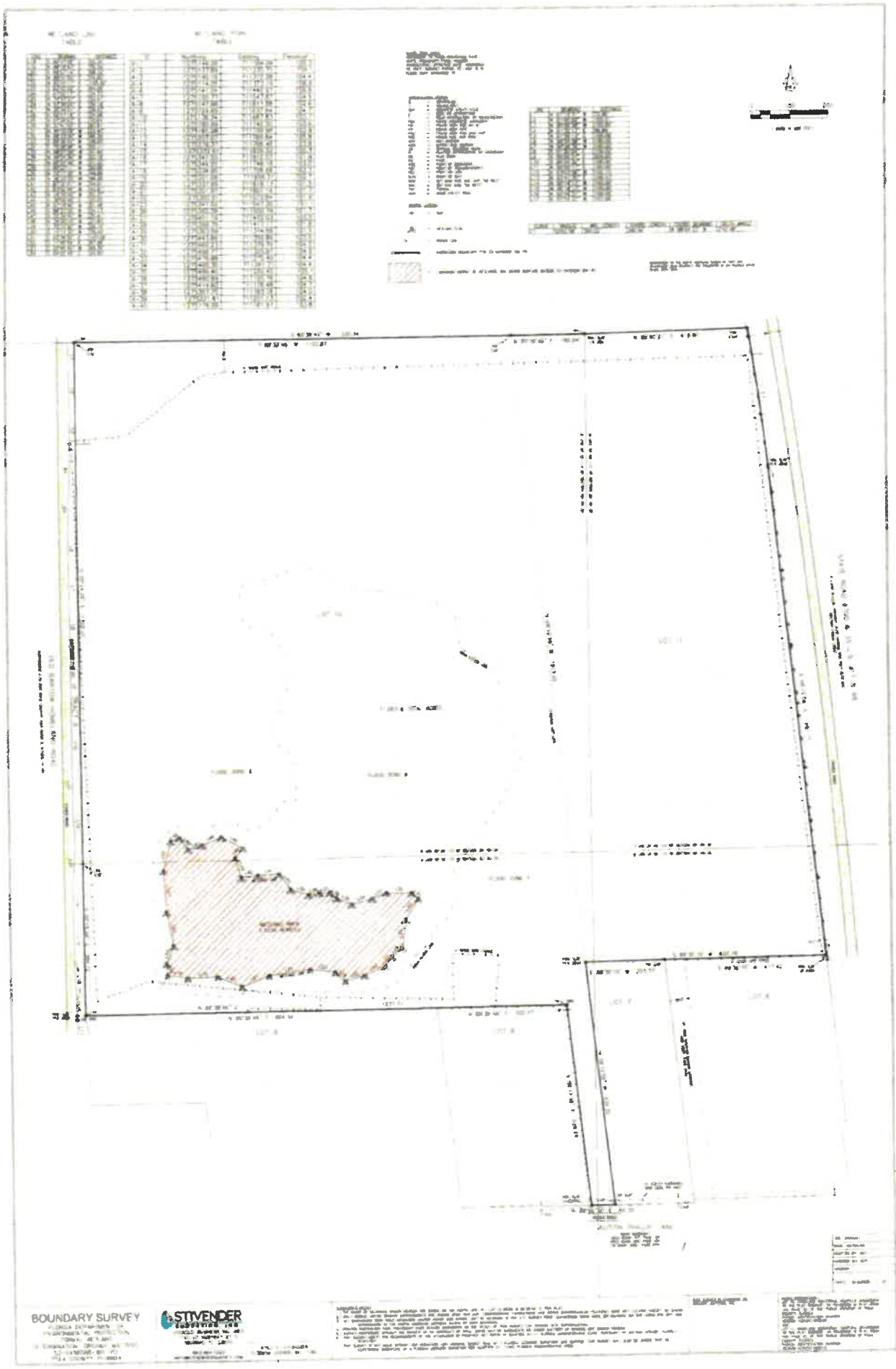
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this **Formal Determination of the Landward Extent of Wetlands and Other Surface Waters** (File No. 53-0458588-001-FD), including all copies, was e-mailed before the close of business on November 24, 2025, to the above listed persons.

FILING AND ACKNOWLEDGMENT

FILED, on this date with the designated Department Clerk, pursuant to Section 120.52, Florida Statutes, receipt of which is hereby acknowledged.

Clerk — November 24, 2025
Date


BOUNDARY SURVEY
STIVENDER


Survey Area
Wetland
Old Homeland Rd
US Highway 17 S
17
Wetland A
3.5256 ac.
Bartow
WETLAND MAP
0 200 400 Feet
WETLAND DELINEATION
ORGANIC MATTERS, INC.
POLK COUNTY
LODESTAR
ENVIRONMENTAL CONSULTING

15

Figure 6 – Site Location Map

Figure 6 (Site Location Map), provided pursuant to Section 910.H of the Polk County Land Development Code, illustrates the general location of the subject property within Polk County and its relationship to the surrounding regional context. The map depicts the subject parcels in relation to major roadways and nearby activity areas and is intended to orient the reviewer to the site setting.

This figure supports Comprehensive Plan consistency review by establishing the site's context for evaluating efficient service provision and mobility considerations, including how the subject property relates to the surrounding transportation network at a planning level.



Figure 6. Site Location Map

Figure 7 – Existing Land Use Map

Figure 7 (Existing Land Use Map) summarizes the existing land use pattern on and around the subject property using currently available data and aerial interpretation. The map identifies the general character of nearby development and undeveloped areas to provide a baseline for compatibility considerations.

This figure supports Future Land Use Element compatibility review by documenting the surrounding development pattern that informs planning-level considerations such as transitions, buffering, access orientation, and potential sensitivity to adjacent uses.

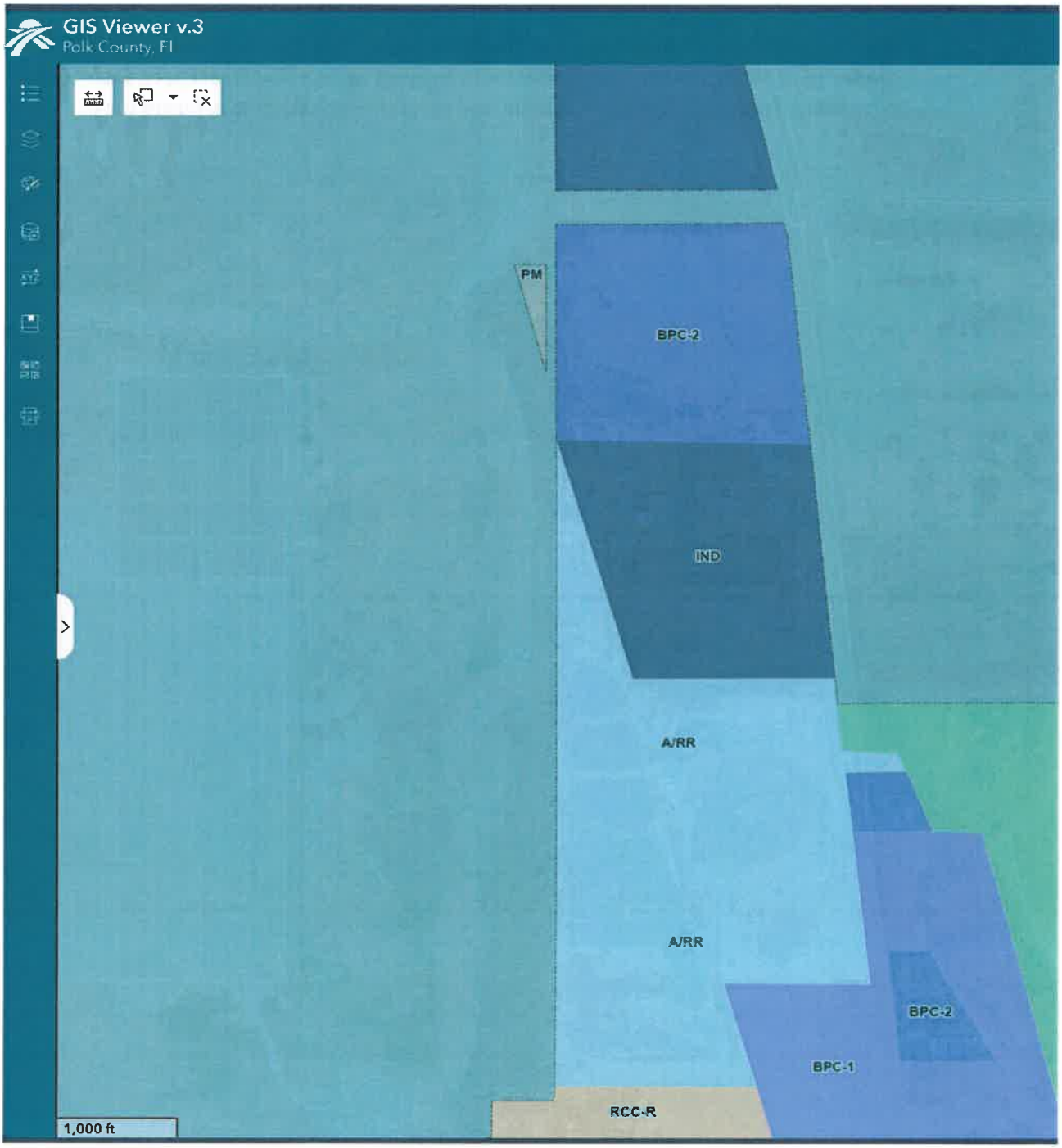


Figure 7. Existing Land Use Map

Figure 8 – Future Land Use Map

Figure 8 (Future Land Use Map) depicts the adopted Future Land Use designations for the subject property and surrounding parcels as established in the Polk County Comprehensive Plan. Where the subject property is near municipal limits, the map may also depict the adopted future land use framework on adjacent municipal lands to provide complete context for inter-jurisdictional consistency review.

This figure supports Future Land Use Element policies that direct industrial and employment-generating development to appropriate locations and provides the Comprehensive Plan context for evaluating the proposed use and intensity at full build-out.

Figure 8. Future Land Use Map

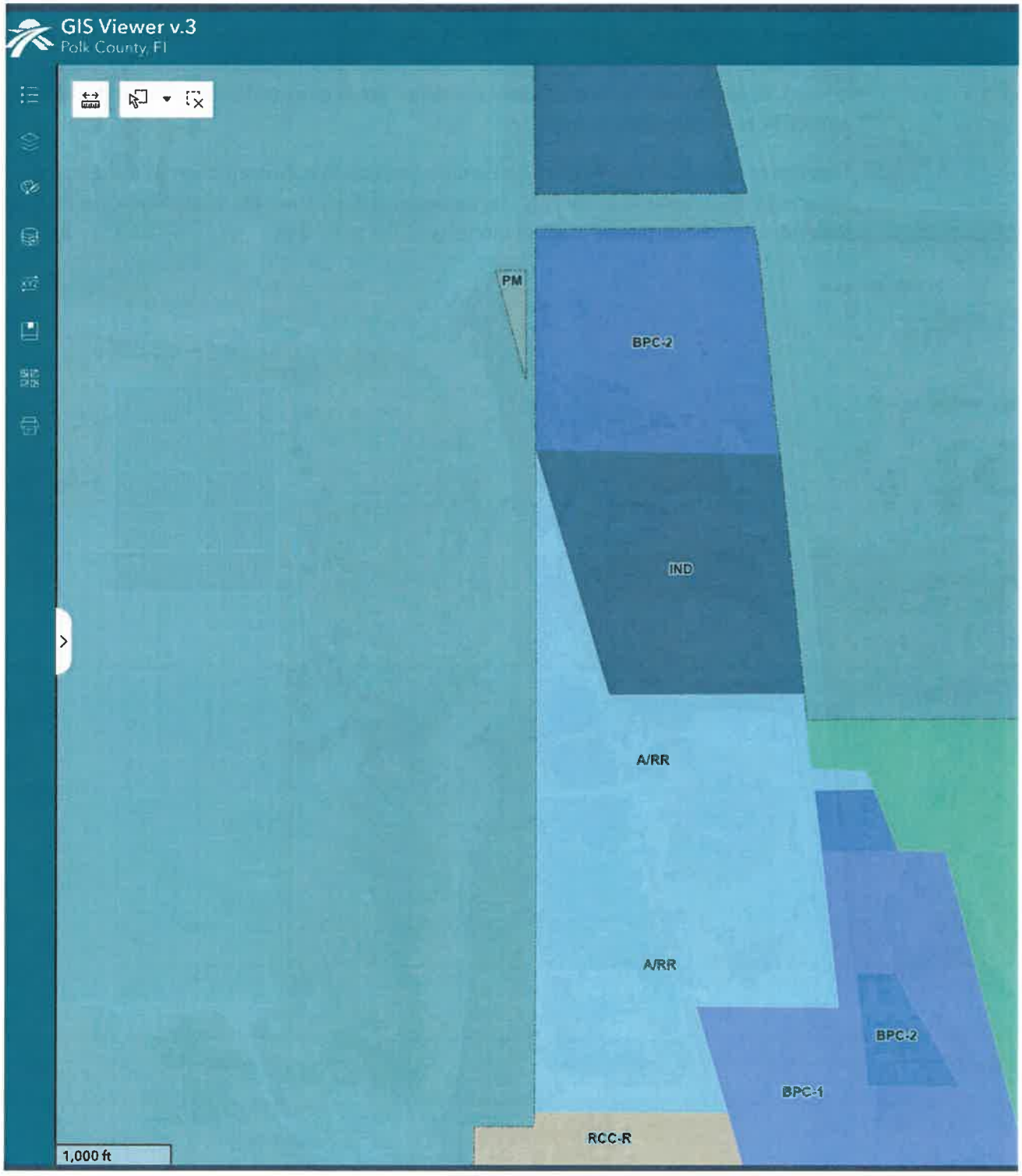


Figure 9 – Zoning Map

Figure 9 (Zoning Map) illustrates the existing zoning classifications applicable to the subject property and surrounding lands, including adjoining parcels, consistent with the map set required by Section 910.H. The map provides the regulatory context for the proposed development and supports evaluation of consistency between zoning districts and the adopted Future Land Use Map.

This figure supports Comprehensive Plan implementation review by documenting the current zoning framework that will guide future entitlement actions and site design standards, as applicable.

Figure 9. Zoning Map

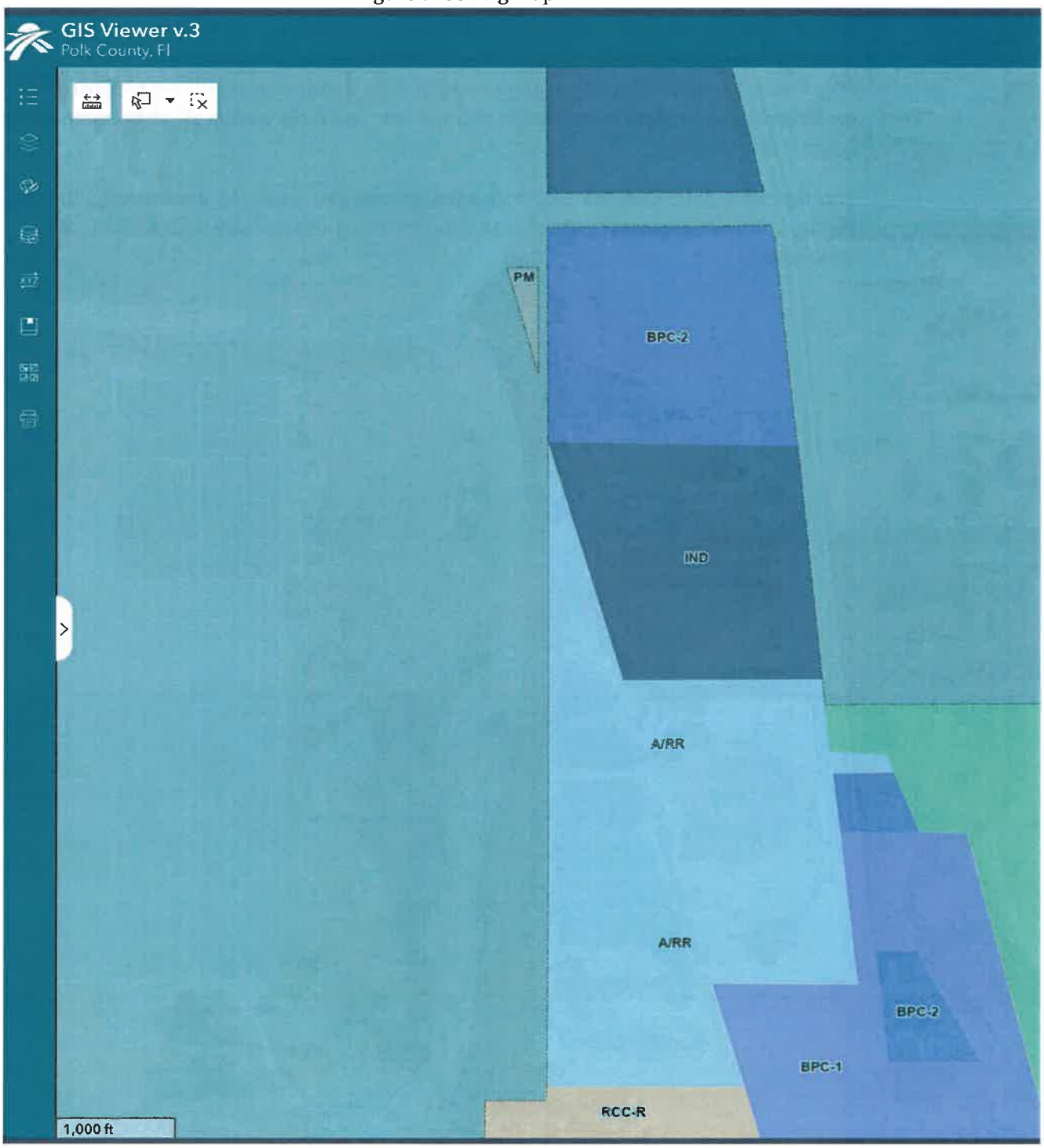


Figure 10 – Transportation and Roadway Network Map

Figure 10 (Transportation and Roadway Network Map), provided pursuant to Section 910.H, identifies the roadway network serving the subject property and illustrates connections to the broader collector and arterial system within Polk County. The map is intended to provide a planning-level understanding of access opportunities, circulation patterns, and proximity to major transportation corridors.

This figure supports Transportation Element review considerations, including connectivity and access management context, and establishes a framework for evaluating transportation impacts associated with potential full build-out.

Figure 10. Transportation and Roadway Network Map



Figure 11 – Utilities and Services Map

Figure 11 (Utilities and Services Map) illustrates the general location and availability of public utilities serving or near the subject property, including potable water and wastewater infrastructure, consistent with Section 910.H map requirements. The figure is provided to document the site's service context and to support planning-level evaluation of utility demand and facility availability.

This figure supports Infrastructure and Capital Improvements Element concurrency and level-of-service considerations by demonstrating the relationship of the subject property to existing utility service areas and infrastructure corridors.

Figure 11. Utilities and Services Map



Figure 12 – Environmental Features Map

Figure 12 (Environmental Features Map), provided pursuant to Section 910.H, identifies mapped environmental features on and near the subject property, including wetlands, surface waters, floodplain areas and/or FEMA flood zones (as applicable), conservation areas, and other potential environmental constraints. The map is intended to highlight potential resource areas that may influence future site design, infrastructure placement, and stormwater management concept development.

This figure supports Conservation Element review by documenting resource constraints at a planning level and establishing a basis for avoidance and minimization strategies during subsequent development review. Environmental features shown are based on currently available mapping and are provided for planning purposes only; detailed jurisdictional determinations, delineations, and permitting requirements will be addressed during site-specific engineering and applicable agency review, including coordination with the Southwest Florida Water Management District and other relevant state and federal programs.

Figure 12. Environmental Features Map

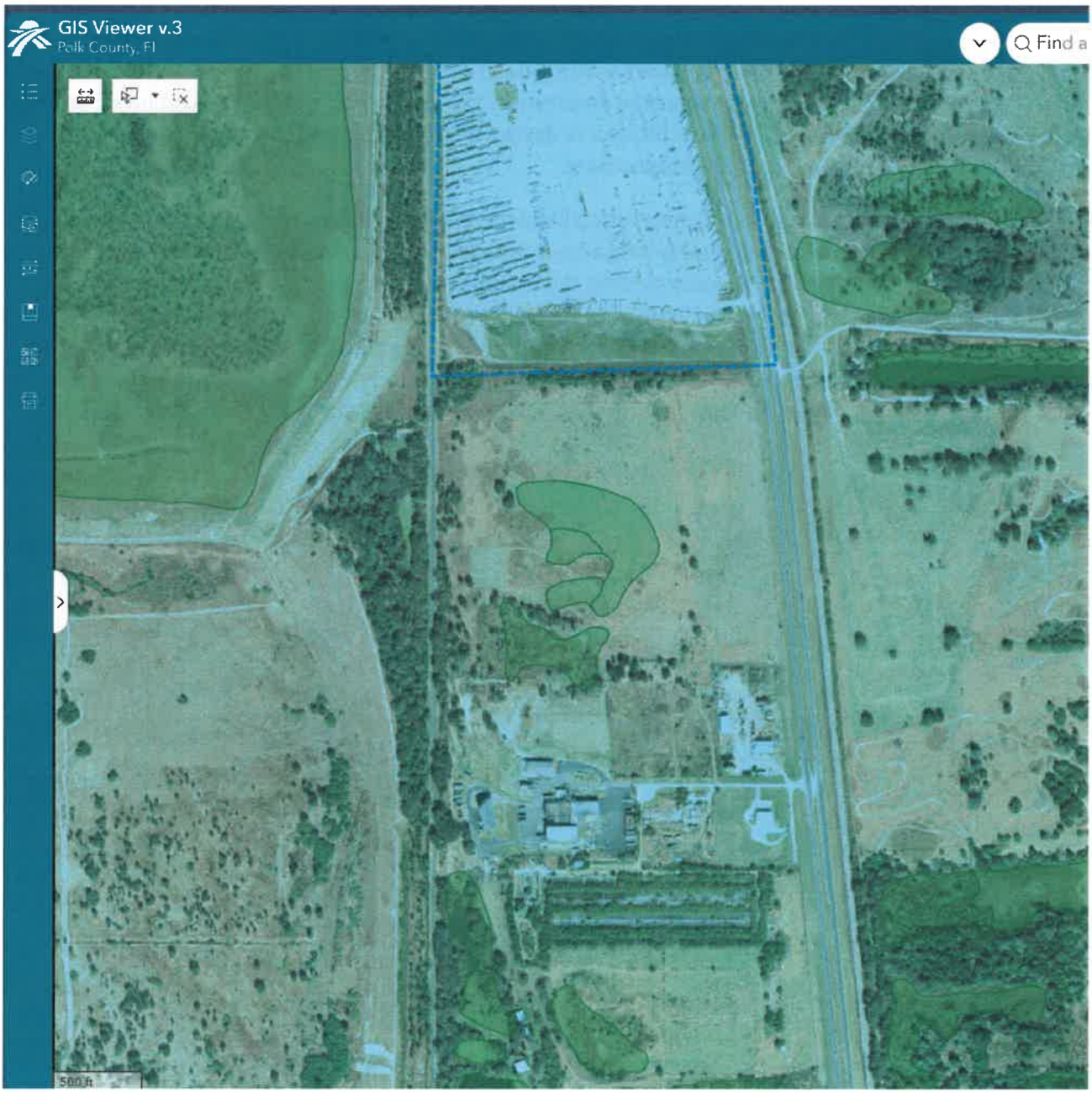


Figure 13 – Soils Map (USDA NRCS)

Figure 13 (Soils Map) depicts the soil classifications on the subject property and surrounding area based on data from the United States Department of Agriculture Natural Resources Conservation Service (USDA NRCS). The map is provided pursuant to Section 910.H of the Polk County Land Development Code to identify general soil conditions that may influence future site planning and engineering considerations.

The Soils Map supports planning-level review by identifying soil characteristics that may affect drainage, stormwater management, and foundation design. Soil data are provided for general reference purposes only; detailed geotechnical investigations and site-specific analyses will be conducted during subsequent engineering and development review phases, as applicable.

Figure 13. Soils Map (USDA NRCS)



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?

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

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

4. Does the proposed amendment fail to adequately protect adjacent agriculture areas?

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

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

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

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

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

ORGANIC MATTERS INC.

Bartow, Florida

REZONING APPLICATION

Request to Rezone Property to Industrial (IND)

Parcel ID: 25-30-29-430450-000100
0 Old Homeland Road
48.37 Acres

Parcel ID: 25-30-29-430450-000110
0 U.S. Highway 17 South
22.89 Acres

Submitted to Polk County Planning & Development Department

Date Submitted: March 25, 2026

Demonstration of Need

1. The proposed amendment does not promote substantial amounts of low-density, low-intensity, or single-use development in excess of demonstrated need. The amendment facilitates industrial land use in a location characterized by large, contiguous acreage, access to established transportation corridors, and surrounding uses that are compatible with employment-oriented development. The proposed designation aligns with the County's long-range vision for industrial growth and represents a logical extension of the existing industrial land inventory without resulting in inefficient land use patterns or an over-allocation of low-intensity development.

2. Passage of the proposed amendment will not allow a significant amount of urban development to occur in rural areas. The amendment is limited in scope and applies to a specific site that is suitable for industrial development based on its size, configuration, and access to regional transportation infrastructure. The proposed designation is consistent with surrounding land uses and does not extend urban-scale development into areas characterized by rural residential or agricultural patterns.

3. The proposed amendment does not create or encourage urban development in radial, strip, isolated, or ribbon patterns emanating from existing urban development. The amendment applies to a single, contiguous property and does not promote linear expansion along roadways or scattered development in disconnected locations. The proposed designation supports an orderly and compact development pattern that is consistent with surrounding land uses and existing growth trends.

4. The proposed amendment does not fail to adequately protect adjacent agricultural areas. The subject property is located in an area characterized by existing industrial and agricultural uses, and the proposed designation is compatible with those surrounding land use patterns. Potential impacts to nearby agricultural operations can be addressed through site design, buffering, and compliance with applicable Land Development Code standards at the time of development review.

5. The proposed amendment will not fail to maximize existing public facilities and services. The subject property is located in an area that can be efficiently served by existing and planned transportation infrastructure, utilities, and emergency services. The proposed industrial designation supports a land use pattern that allows for more efficient utilization of public facilities compared to lower-intensity development, with adequacy evaluated at the time of site plan review.

6. The proposed amendment will not fail to minimize the need for future public facilities and services. By directing development to a location that is already suitable for employment-oriented industrial use, the amendment reduces the potential for dispersed development patterns that would require unnecessary or premature expansion of infrastructure and public services.

7. The proposed amendment will not allow development patterns that disproportionately increase the cost of providing public facilities and services. The amendment does not promote scattered, linear, or inefficient development and instead supports a compact pattern that can be served in a cost-effective manner using existing and planned infrastructure systems.

8. The proposed amendment does not fail to provide clear separation between urban and rural uses. The proposed designation is compatible with existing land use patterns in the surrounding area and does not introduce urban-scale development into established rural residential areas. Appropriate buffering, site design, and Land Development Code standards will ensure compatibility and maintain a

clear transition between land use types.

9. The proposed amendment will not discourage infill development or redevelopment of existing neighborhoods. The amendment applies to a specific site intended for industrial use and does not divert development pressure from established urban areas. By accommodating employment-oriented development in an appropriate location, the amendment complements infill and redevelopment efforts rather than competing with them.

Submitted by:
Organic Matters Inc.

Authorized Representative: _____
Title: General Manager
Date: March 25, 2026

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 5, 2025

Polk County
PO BOX 988
Bartow, FL 33831

RE: Intent to add information documenting Shady Oaks Garden to the Florida Master Site File after 60 days from the date of this letter

Dear Polk County:

This letter is being sent to inform you that the Florida Department of State's Historic Cemeteries Program identified information concerning a reported cemetery located on the following property:

Address: 3927 Old Homeland Rd, Bartow, Florida
Parcel ID: 25-30-29-000000-014020

Per the Polk County Property Appraiser, you are listed as the owner of record for the property.

The Florida Master Site File is a statutorily required program operated by the Florida Department of State's Division of Historical Resources. The Florida Master Site File is the State of Florida's central inventory of historic properties that are reported to the Division of Historical Resources under s. 267.031(5)(m), *Florida Statutes*. The Historic Cemeteries Program serves as the organizational center for recording and updating in the Florida Master Site File records of cemeteries in this state established at least 50 years ago under s. 267.21(1)(a), *Florida Statutes*.

Florida laws that you may wish to be aware of that provide protections for both marked and unmarked burials, include:

- Chapter 872, *Florida Statutes*, Offenses Concerning Dead Bodies and Graves (particularly Sections 872.02 and 872.05)
- Section 704.08, *Florida Statutes*, Cemeteries; Right of Ingress and Egress for Visiting or Maintenance
- Chapter 497, *Florida Statutes*, Funeral, Cemetery, and Consumer Services

No action is necessary from you at this time. However, the Historic Cemeteries Program intends to add this information with the Florida Master Site File 60 days from the date of this letter. If,

in advance of the 60th day, you wish to provide additional information about the existence, ownership, location, size, or condition of the reported cemetery, you may reach out to our office using the contact information below. To receive a copy of the information referenced in this letter, please send a written request to HistoricCemeteries@dos.fl.gov or call 850.245.6361.

Sincerely,

Division of Historical Resources

Agenda Item 4. 6/3/2026

SUBJECT

LDCT-2026-14 (Polk City SPA LCCX Text Amendment)

DESCRIPTION

County-initiated requested text amendment amending Ordinance No. 00-09, as amended, the Polk County Land Development Code, amending Chapter 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2, Use Table for Green Swamp ACSC, removing footnote number 1 to allow for Comprehensive Plan Future Land Use Map amendments to the Linear Commercial Corridor-X (LCCX) district in the Polk City Special Protection Area of the Green Swamp Area of Critical State Concern; providing for severability; providing an effective date.

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 21, 2026	**Level of Review:**	4
PC Date:	June 6, 2026	**Type:**	LDC Text Amendment
BoCC Date:	June 16, 2026 July 7, 2026	**Case Numbers:** **Case Name:**	LDCT-2026-14 Polk City SPA LCCX
Applicant:	Polk County	**Case Planner:**	Robert Bolton, Planner III

Request:	An LDC text amendment to Chapter 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2, Use Table for Green Swamp ACSC, removing footnote number 1 to allow for Comprehensive Plan Future Land Use Map amendments to the Linear Commercial Corridor-X (LCCX) district in the Polk City Special Protection Area of the Green Swamp Area of Critical State Concern; 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 change to Chapter 5, Section 502, Table 5.2 is:

- The following will be removed:
  ~~Footnotes for Table 5.2~~
  1. ~~Comprehensive Plan Amendments to change a parcel's Future Land Use District to Linear Commercial Corridor within the Polk City Special Protection Area are prohibited by Policy 2.132-C3 of the Polk County Comprehensive Plan. Only parcels with the existing LCCX Future Land Use District are allowed within the Polk City Special Protection Area.~~

Summary:
The proposed amendment is a County initiated request to modify Chapter 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2, Use Table for Green Swamp ACSC, to remove footnote 1 which references *Policy 2.132-C3 of the Polk County Comprehensive Plan* as the limiting source for expansion of Linear Commercial Corridor-X (LCCX) within the Polk City Special Protection Area (SPA).

The Land Development Code Chapter 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2 lists LCCX as an allowable Land Use district and has established the permitted and conditional uses for the Land Use district. Currently there is one (1) parcel that has an existing LCCX Future Land Use designation.

The footnote is considered to be in conflict with both the Land Development Code and Comprehensive Plan as to the above matters of interpretation. Florida State Statues requires the Land Development Code to implement the Comprehensive Plan per **Florida Statue Florida Statutes 163.3194** ***Legal status of comprehensive plan*** and **163.3202** ***Land development regulations.***

Data and Analysis Summary

Staff have reviewed the Land Development Code Chapter 5 Green Swamp Area of Critical State Concern (ACSC), including Section 504 -Ridge Special Protection Area (Ridge-SAP), Section 505 – Polk City/Urban Growth Special Protection Area (PC-SPA), and Section 506 – Rural Special Protection Area (Rural-SPA). Table 5.2 Use Table for Green Swamp ACSC is the Use Table for the Green Swamp ACSC, including the three (3) SPA's. Of the three (3) SPA's within the Green Swamp ACSC, the footnote only applies to the Polk City/Urban Growth Special Protection Area (PC-SPA).

The amendment, striking the footnote will allow the Polk City SPA, will allow the Land Development Code to have parity within Future Land Use districts on implementation of the Comprehensive Plan Policy 2.132-C3 which permits the Linear Commercial Corridor (existing) (LCC) district. The interpretation, within other LCC districts with the (existing) reference is the (existing) refers to not making a new LCC district, not expansion of an existing LCC district.

The Land Development Code Section 104 – Conflict with the Comprehensive Plan states "In the event of a conflict between the Polk County Comprehensive Plan and this Code, the Comprehensive Plan shall control." And the Comprehensive Plan Section 1.107.K.1. in reference to conflicts between the Comprehensive Plan and Land Development Code states in part "and the land development regulations are inconsistent, the provisions of the most recently adopted Comprehensive Plan, or element or portion thereof, shall govern any action taken in regard to an application for a development order." The footnote for Table 5.2, while adopted by the Board of County Commissioners, is considered to be in conflict with both the Land Development Code and Comprehensive Plan as to the above matters of interpretation.

The footnote in the Land Development Code has the implication that the Land Development Code is directing development standards that the Comprehensive Plan. Allowing the Comprehensive Plan to be subordinate to the Land Development Code is in conflict with **Florida Statue Florida Statutes 163.3194** ***Legal status of comprehensive plan*** and **163.3202** ***Land development regulations.***

This amendment applies to the Linear Commercial Corridor-X (LCCX) districts 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. *An LDC text amendment to Chapter 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2, Use Table for Green Swamp ACSC, removing footnote number 1 to allow for Comprehensive Plan Future Land Use Map amendments to the Linear Commercial Corridor-X (LCCX) district in the Polk City Special Protection Area of the Green Swamp Area of Critical State Concern; providing for severability; providing an effective date.*

2. *This amendment applies to the Linear Commercial Corridor-X (LCCX) Future Land Use Map designation within the Polk City SPA in the Green Swamp Area of Critical State Concern.*

3. *On August 18, 2010 the Polk County Board of County Commissioners adopted LDC 10T-08 which established the Linear Commercial Corridor-X (LCCX) as a Future Land Use District within the Green Swamp ACSC adding permitted and conditional uses to Table 5.2, and added Footnote 1, which prohibits the expansion of the LCCX only within the Polk City SPA.*

4. *The Land Development Code Table 5.3 provides the Density and Dimensional Regulations for Green Swamp Area of Critical State Concern including the three (3) SPA's.*

5. *Land Development Code SECTION 104 -Conflict With Comprehensive Plan:*
   In the event of a conflict between the Polk County Comprehensive Plan and this Code, the Comprehensive Plan shall control.

6. *Comprehensive Plan SECTION 1.107 Rules of Interpretation K. Conflicts With Other Ordinances:*
   1. In accordance with Section 163.3194, FS, the following law applies with regard to conflicts with existing land development regulations:
   During the interim period when the provisions of the most recently adopted comprehensive plan, or element or portion thereof, and the land development regulations are inconsistent, the provisions of the most recently adopted comprehensive plan, or element or portion thereof, shall govern any action taken in regard to an application for a development order.
   2. Any land-use densities and intensities, level-of-service standards, or any other standards established within this Plan are considered minimum standards and may be further qualified, refined, and/or restricted through the; Adopted used to implement this Plan, so long as they are consistent with this Plan.

7. *POLICY 2.111-A1: Characteristics, of the Comprehensive Plan for Linear Commercial Corridors states that "Linear Commercial Corridors are characterized by linear concentrations of all types of commercial, office, and institutional uses along a roadway. Some Linear Commercial Corridors may contain existing industrial uses. For parcels with LCC land use designation in the TSDA and/or TCCO, development and redevelopment of areas may also include stand alone residential and mixed use structures."*

8. *POLICY 2.111-A3: Location Criteria, of the Comprehensive Plan for Linear Commercial Corridors states in part that "Expansion of an LCC shall be limited to infill development. Infilling of an existing Linear Commercial Corridor shall be limited to a depth which corresponds to the typical depth of existing development within the general area of the infill development. The extension (along the road) or establishment of new LCC strips shall not be permitted, except to recognized legitimate errors made during the original mapping process."*

9. *POLICY 2.111-A4: Development Criteria, of the Comprehensive Plan for Linear Commercial Corridors states "Development or redevelopment within a Linear Commercial Corridor shall conform to the following criteria:"*

a. *Permitted uses include all types of commercial, office, and institutional uses typically located along a roadway. New 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.*
b. *New development or redevelopment of non-residential uses within a Linear Commercial Corridor shall be limited to the intensities of uses at the same or less intensity as adjacent existing uses. New development or redevelopment of non-residential uses adjacent to existing uses shall be compatible with each other without allowing a higher intensity of development.*
c. *Step-down uses shall be encouraged between different intensity uses as in-fill and shall be lower in intensity than the highest existing intensive use. Step-down uses shall be contiguous to an intensive use land use, and shall not be separated from that use by an arterial or collector road, or a natural or man-made barrier which makes the step-down use unnecessary.*
d. *New development or redevelopment within a Linear 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.*
e. *Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation shall facilitate safe bicycle and pedestrian movement.*
f. *Where the LCC abuts residential areas, 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. New development or redevelopment of non-residential development adjacent to residential areas shall be compatible with adjacent existing uses without allowing a higher intensity of development.*
g. *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 that may require special buffering provisions.*
h. *The maximum floor area ratio shall not exceed 0.35 for non-residential development.*

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-2026-14.

Planning Commission Recommendation:

At the June 6, 2026, Planning Commission meeting, the Planning Commission voted #:# to recommend APPROVAL or DENIAL of LDCT-2026-14.

Analysis

Introduction

The amendment, striking the footnote will allow the Polk City SPA, will allow the Land Development Code to have parity within Future Land Use districts on implementation of the Comprehensive Plan Policy 2.132-C3 which permits the Linear Commercial Corridor (existing) (LCC) district. The interpretation, within other LCC districts with the (existing) reference is the (existing) refers to not making a new LCC district, not expansion of an existing LCC district.

The footnote in the Land Development Code has the implication that the Land Development Code is directing development standards that the Comprehensive Plan.

This is in conflict with Florida Statue Florida Statute **163.3194** ***Legal status of comprehensive plan*** *(1)(a) After a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted.* As well as **163.3202** ***Land development regulations.*** *– (1) Within 1 year after submission of its comprehensive plan or revised comprehensive plan for review pursuant to s. 163.3191, each county and each municipality shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan.*

Within the Polk City SPA only one parcel has a Future Land Use designation of Linear Commercial Corridor-X (LCCX). Authorizing the ability for expansion of a Linear Commercial Corridor-X (LCCX) district allows for the linear concentrations of all types of commercial, office, and institutional uses along a roadway as identified in Section 2.111-A1 of the Comprehensive Plan. Without the ability to expand other non-residential land used districts would need to be utilized and those may not meet the locational criteria. For the Polk City SPA, there limited areas for further expansion of the LCCX.

Recommended Changes

The current Land Development Code Chapter 5, Section 502, Table 5.2, via a footnote prohibits the possible expansion of a Linear Commercial Corridor-X only within the Polk City SPA. The amendment will remove the foot note allowing for expiation of the LCCX in line with the SPA's within the Green Swamp ACSC.

The following will be removed:

~~Footnotes for Table 5.2~~

1. ~~Comprehensive Plan Amendments to change a parcel's Future Land Use District to Linear Commercial Corridor within the Polk City Special Protection Area are prohibited by Policy 2.132-C3 of the Polk County Comprehensive Plan. Only parcels with the existing LCCX Future Land Use District are allowed within the Polk City Special Protection Area.~~

The standards for expansion of Linear Commercial Corridor-X will remain.

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?

The amendment will help the County, development and the citizens of the area. It helps the County in bringing the Land Development Code Section 502 Standards for Land Use Districts in the Green Swamp ACSC in alignment with the Land Development Code Policy 2.111-A. It helps the development community by providing consistent development standards within the Green Swamp ACSC. It helps the citizens by providing a path for commercial support development along the US 98 corridor which is currently being widened and upgraded by the Florida Department of

Transportation. Uses along US 98 within the Green Swamp and Polk City SPA may also qualify for expansion of the LCCX./

Who does it hurt?

The amendment does not have an adverse effect or harm anyone or the community. The request allows the Linear Commercial Corridor-X to operate and expand in the same way it is allowed to in the other Special Protection Areas of the Green Swam ACSC. There are few places where it is applicable relative to the large expanse of the Green Swamp ACSC.

What is the cost?

This amendment reduces the cost of development by allowing for the expansion of an existing LCCX district that provides commercial support for the surrounding residential development.

Regulatory History

On August 18, 2010 the Polk County Board of County Commissioners adopted LDC 10T-08 which established the Linear Commercial Corridor-X (LCCX) as a Future Land Use District within the Green Swamp ACSC adding permitted and conditional uses to Table 5.2, and added Footnote 1, which prohibits the expansion of the LCCX only within the Polk City SPA.

The prior amendment appears to have interpreted the use of the (existing) in the Comprehensive Plan, to mean unable to expand, only for the Polk City SPA. The LCCX is an allowable Land Use within the Green Swamp ACSC and has the ability for expiation within other SPA's.

Limits of the Proposed Ordinance

This amendment applies only to the expansion of the Linear Commercial Corridor-X (LCCX) Future Land Use district within the Polk City SPA and the Green Swamp ACSC. All other development standards for the Linear Commercial Corridor-X (LCCX) within the Polk City SPA and the Green Swamp ACSC shall not change. This amendment affects parcels within the Green Swamp Area of Critical State Concern and 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 the only Linear Commercial Corridor-X (LCCX) is located adjacent to a US Highway 98 a principal arterial road which is currently being widened north of the site to US 301 between Zephyrhills and Dade City in Pasco Caounty.

Comparisons to other Jurisdictions

This section is Not Applicable in that other Jurisdictions do not have a Linear Commercial Corridor-X (LCCX) Future Land Use district within the Green Swamp ACSC.

Consistency with the Comprehensive Plan

The request is consistent with the Comprehensive Plan's requirements for roadway access. SECTION 1.107 Rules of Interpretation K. Conflicts With Other Ordinances, of the Comprehensive Plan which subsection 1, states in part: "*and the land development regulations are inconsistent, the provisions of the most recently adopted comprehensive plan, or element or portion thereof, shall govern any action taken in regard to an application for a development order."* This amendment allows the Linear Commercial Corridor-X (LCCX) Future Land Use district within the Polk City SPA in the Green Swamp ACSC to preform and operate as other Linear Commercial Corridor-X (LCCX) Future Land Use district within the Green Swamp ACSC.

Consistency with the Florida Statutes

Florida Statue **163.3202 Land development regulations.** – *(1) Within 1 year after submission of its comprehensive plan or revised comprehensive plan for review pursuant to s. 163.3191, each county and each municipality shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan.* The remaining subsections of this statue refer the how land is to be developed and that it should be in a manner consistent with the comprehensive plan.

Florida Statutes **163.3194** ***Legal status of comprehensive plan*** *(1)(a) After a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act, all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan or element shall be consistent with such plan or element as adopted.* The remaining subsections of this statue reiterate the subordinate nature of a land development code to the comprehensive plan.

The removal of the footnote in Table 5.2 brings the LDC consistent to the Comprehensive Plan and Florida Statues.

Comments from Other Agencies: No other agencies provided input.

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-??**, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, AMENDING CHAPTER 5, GREEN SWAMP AREA OF CRITICAL STATE CONCERN, SECTION 502, STANDARDS FOR LAND USE DISTRICTS IN THE GREEN SWAMP ACSC, TABLE 5.2, USE TABLE FOR GREEN SWAMP ACSC, REMOVING FOOTNOTE NUMBER 1 TO ALLOW FOR COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENTS TO THE LINEAR COMMERCIAL CORRIDOR-X (LCCX) DISTRICT IN THE POLK CITY SPECIAL PROTECTION AREA OF THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN; 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 ??? ##, 2026; and

WHEREAS the proposed text amendment to the Polk County Land Development Code is intended to allow for Comprehensive Plan Future Land Use Map amendments to the Linear Commercial Corridor-X district of the Polk City Special Protection Area of the Green Swamp Area of Critical State Concern, provide conditions of approval, and define storage yards; and

WHEREAS, the Board of County Commissioners reviewed and considered all comments received during a public hearing on ??? ##, 2026, 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 ??? ##, 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 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2, Use Table for Green Swamp ACSC of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to delete footnote 1 as follows:

…

~~1. Comprehensive Plan Amendments to change a parcel's Future Land Use District to Linear Commercial Corridor within the Polk City Special Protection Area are prohibited by Policy 2.132-C3 of the Polk County Comprehensive Plan. Only parcels with the existing LCCX Future Land Use District are allowed within the Polk City Special Protection Area.~~

…

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.

Polk City SPA LCCX text amendment
Narrative

The Linear Commercial Corridor (LCCX) district was added to the Polk City Special Protection Area (SPA) in the Green Swamp Area of Critical State Concern (ACSC) of the Comprehensive Plan in June of 2000 which was in between the adoption of the Land Development Code (LDC) in March of that year and the effective date in September. Therefore, the LCCX Future Land Use Map district was not referenced in Chapter 5, Green Swamp Area of Critical State Concern, Section 502, Standards for Land Use Districts in the Green Swamp ACSC, Table 5.2, Use Table for Green Swamp ACSC in the original ordinance. Staff did not discover this omission until 2010. Once realized, staff proposed an amendment to add it to the table. The Board approved case LDC 10T-08 in August of 2010. Along with adding the category to the use tables, staff included a foot note stating, "*Comprehensive Plan Amendments to change a parcel's Future Land Use District to Linear Commercial Corridor within the Polk City Special Protection Area are prohibited by Policy 2.132-C3 of the Polk County Comprehensive Plan. Only parcels with the existing LCCX Future Land Use District are allowed within the Polk City Special Protection Area.*" At the time, this inclusion was prompted by negotiations with staff in the Florida Department of Community Affairs (DCA) Critical Areas of State Concern section.

Staff have found that after 16 years of the plan and code implementation there is a need to recognize and add more areas under the LCCX designation within the Polk City SPA. It is also known that regulations in the LDC cannot dictate what can and cannot be amended in the Comprehensive Plan according to Chapter 163 of the Florida Statutes. This proposed LDC amendment is to rectify this issue.

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date	**June 17, 2010**	**LEVEL:**	**4**
PC Date:	**July 13, 2010**	**TYPE:**	**Land Development Code (LDC) Text Amendment**
BOCC Date(s):	**July 21, 2010** **August 18, 2010**	**CASE #:**	**LDC 10T-08**

Project Number: 54804 (Polk City SPA LCC)

Request: This is a county initiated request to amend the text of the Land Development Code (LDC) amending Table 5.2, *Use Table for Green Swamp ACSC,* to add the Linear Commercial Corridor-X (LCCX) land use district to the Polk City Special Protection Area section of Table 5.2; providing for severability; providing an effective date.

Applicant: Polk County Growth Management Department

Case Planner: Todd Vargo, AICP

Summary of Analysis:

The proposed amendment is a county initiated request to modify Table 5.2, *Use Table for the Green Swamp Area of Critical State Concern (ACSC)*, to add the LCCX land use district and to establish Permitted and Conditional Uses within the LCCX district. Table 5.2 is divided into two Special Protection Areas (SPAs): the Polk City SPA and the Rural SPA. LCCX is proposed only to be added to the Polk City SPA portion of Table 5.2.

Comprehensive Plan Policy 2.132-C3 prohibits further expansion of the LCCX district within the Polk City SPA. Currently, there is only one parcel within the Polk City Special Protection Area with a Future Land Use of LCCX. Since LCCX is not listed as a Future Land Use district in Table 5.2 there are no guidelines available to determine what permitted and conditional uses are allowed.

Findings of Fact

1. *The proposed Land Development Code text amendment will amend the Polk City Special Protection Area portion of Table 5.2, Use Table for Green Swamp ACSC, to add the Linear Commercial Corridor-X (LCCX) Future Land Use District.*

2. *This amendment shall also establish permitted and conditional uses within the LCCX Future Land Use District for the Polk City Special Protection Area portion of Table 5.2.*

3. Policy 2.132-C3 of the Polk County Comprehensive Plan states:

POLICY 2.132-C3: LAND-USE CATEGORIES — The following land-use categories shall be permitted within the PC-SPA: *[Revised by CPA-2000A-10 (Ord. 00-42);Adopted by BoCC 20 JUN 2000]*

a. Activity Centers:
   1. Business-Park Center X (BPCX)
   2. Convenience Center (CC)
   3. Office Center (OCX)
b. Residential:
   1. Residential-Suburban X (RSX)
   2. Residential-Low X (RLX)
c. Other:
   1. Linear Commercial Corridor (existing) (LCC)
   2. Leisure/Recreation (L/R)
   3. Institution (INST)
   4. Recreation and Open Space (ROS)
   5. Preservation (PRES)

4. A footnote referencing Policy 2.132-C3 of the Polk County Comprehensive Plan and explaining the prohibition against Comprehensive Plan Map Amendments to LCCX is also being added to Table 5.2.

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 recommends **APPROVAL** of LDC 10T-08.

Planning Commission Recommendation:

At the July 13, 2010, Planning Commission meeting, the Planning Commission voted 6/0 to recommend approval of LDC 10T-08.

Comments from Other Agencies: None

ORDINANCE NO. 10-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDC 10T-08, AMENDING ORDINANCE NO. 00-09, AS AMENDED, MODIFYING TABLE 5.2, USE TABLE FOR GREEN SWAMP AREA OF CRITICAL STATE CONCERN, TO ADD THE LINEAR COMMERCIAL CORRIDOR-X (LCCX) LAND USE DISTRICT TO THE POLK CITY SPECIAL PROTECTION AREA; 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 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 July 13, 2010; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code shall be amended to add the Linear Commercial Corridor-X (LCCX) land use district to the Polk City Special Protection Area portion of Table 5.2, Use Table for Green Swamp ACSC; 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 indicate proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

SECTION 1: Table 5.2, Use Table for Green Swamp ACSC, of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Table 5.2 Use Table for Green Swamp ACSC (For revision history, please see next to last row in table.)

	Polk City Special Protection Area														Rural Special Protection Area							
	CEX	LCCX[1]	L/RX	RL-1X	RL-2X	RL-3X	RSX	ROS X	INST-1X	INST 2-X	BPC-1 X	BPC-2 X	CCX	OCX	INST-1X	INST-2X	PRES VX	L/RX	A/RRX	CORE	CEX	RSX
Residential Uses																						
Duplex/Two- Family Attached						C3	C3															C3
Family Farm/Family Homestead							C1												C1			C1
Fly-in Community																			C3			C3
Group Home, Small (6 or less residents)				C1	C1	C1	C1												C1			C1
Group Home, Large (7-14 residents)							C3		C1						C1	C1			C3			C3
Group Living Facility (15 or more residents)				C3	C3	C3	C3		C2	C2					C2	C2						C3
Farm Worker Housing																			C3			
Mobile Home Park & Subdivision				C3	C3		C3															C4
Mobile Homes, Individual				C1	C1	C1	C1												C1	C1		C1
Multi-Family						C3																
Residential Infill Development				C2	C2	C2	C2															
Short -Term Rental Units			P	C3	C3	C3												P				
Single-Family Detached Home				P	P	P	P												P	P		P
Suburban Planned Development (SPD)							C3															C3

Table 5.2 Use Table for Green Swamp ACSC (For revision history, please see next to last row in table.)																						
	Polk City Special Protection Area														**Rural Special Protection Area**							
	CEX	LCCX[1]	L/RX	RL-1X	RL-2X	RL-3X	RSX	ROS X	INST-1X	INST 2-X	BPC-1 X	BPC-2 X	CCX	OCX	INST-1X	INST-2X	PRES VX	L/RX	A/RRX	CORE	CEX	RSX
Mixed-Uses																						
Planned Development	C3	C3	C3	C3	C3	C3	C3	C3			C3	C3	C3	C3			C3	C3	C3	C3	C3	C3
Residentially Based Mixed Development (RBMD)				C3	C3	C3																
All Other Uses																						
Adult Day Care Center (7 or more clients)				C3	C3	C3	C3		C2	C2					C2	C2						C3
Agricultural Support, On-site	P		P	P	P	P	P	P	P		P	P	P		P			P	P	P	P	P
Agricultural Support, Off-site		C2					C3												C3	C3		C3
Agriculture, Intensive							C3												C2			C3
Alcohol Package Sales	C1	C1	C1								C1	C1	C1					C1			C1	
Animal Grazing	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P	P
Animal Farms, Small Specialty							C												P	C1		C3
Aquiculture																			P	C1		C3
Bars, Lounges, and Taverns	C3	C3	C1								C1	C1						C1			C3	
Breeding Facility, Wild or Exotic																			C4	C4		
Cemetery									C2	C2									C3			C3
Childcare Center	C2	C2		C3	C3	C3			P	P			P	C3					C3		C2	
Clinics & Medical Offices	C3	P							C2	C2			P	P							C3	
Communication Towers, Guyed & Lattice								C3	C2	C2	C3	C2			C2	C2			C2	C2		
Communication Towers, Monopole		C3	C3					C3	C2	C2	C2	C2			C2	C2	C3	C3	C2	C2		
Community Center	C2	C2	C2	C3	C3	C3	C3	C4	C2	C2	C2	C2	C2	C2	C2	C2		C2	C3		C2	C3
Convenience Stores	C3	C2	C2								C2	C2	P					C2			C3	
Convenience Stores,							C3												C3			C3

Table 5.2 Use Table for Green Swamp ACSC (For revision history, please see next to last row in table.)																						
	Polk City Special Protection Area														**Rural Special Protection Area**							
	CEX	LCCX[1]	L/RX	RL-1X	RL-2X	RL-3X	RSX	ROS X	INST-1X	INST 2-X	BPC-1 X	BPC-2 X	CCX	OCX	INST-1X	INST-2X	PRES VX	L/RX	A/RRX	CORE	CEX	RSX
Isolated																						
Correctional Facility										C4						C4			C4			
Cultural Facility	C2	C2	C2	C3	C3	C3	C3	C4	C2	C2	C2	C2	C2	C2	C2	C2		C2	C3		C2	C3
Dairy							C2															
Emergency Shelter, Small (6 or less residents)				C1	C1	C1	C1															
Emergency Shelter, Medium (7-14 residents)							C3		C1	C1					C1	C1			C3			C3
Emergency Shelter, Large (15 or more residents)				C3	C3	C3	C3		C2	C2					C2	C2						C3
Heavy Machinery Equipment Sales and Services												C2										
Fish Camp			P															P	C3			
Farming, General	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P		P	P	P	P	P
Financial Institution	C3	C2									C2	C2	P	C3							C3	
Financial Institution, Drive-Thru	C3	C2									C2	C2	C2								C3	
Forestry Specialized Operations																			C2	C2		
Funeral Home & Related	C3	C2											P								C3	
Gas Stations	C4	C2									C3	C3	C3								C4	
Governmental Facilities	P	P	C3	C3	C3	C3	C3	C3	P	P	P	P	P	C3	C3	C3		C3	C3	C3	P	C3
Heliports									C2	C2	C2	C2			C3	C3			C2			
Helistops	C4	C2	C3	C3	C3	C3	C3	C3	C2	C2	C2	C2	C2		C3	C3		C3	C2		C4	C3
Hospitals									C3	C2												
Hotels and Motels	C3										C2	C2									C3	
Kennels, Boarding	C3	C3																	C3		C3	
Kennels, Breeding							C3												C3			C3
Livestock Sale/Auction																			C3			

Table 5.2 Use Table for Green Swamp ACSC (For revision history, please see next to last row in table.)																					
	Polk City Special Protection Area														**Rural Special Protection Area**						
	CEX	LCCX[1]	L/RX	RL-1X	RL-2X	RL-3X	RSX	ROS X	INST-1X	INST 2-X	BPC-1 X	BPC-2 X	CCX	OCX	INST-1X	INST-2X	PRES VX	L/RX	A/RRX	CORE	CEX	RSX
Lodges and Retreats, Private			P						P	P								P	C3			
Manufacturing, Light											C2	P										
Marina & Related Facilities			P										P					P	C3			
Mining, Non-phosphate	C3		C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3				C3	C3	C3	C3	C3
Motor Freight Operations	C3											P									C3	
Nightclubs and Dance Halls		C3	C3								C1	C1						C3			C3	
Nurseries, Retail	C2	P											P								C2	
Nurseries & Greenhouses	C2	P					C3						P						P		C2	C3
Nursing Homes	C2	C2							C2	C2					C2	C2					C2	
Offices	C2	P							C2	C2	P	P	P	P							C2	
Outdoor Storage												P										
Personal Service	C1	C2									P	P	P	C2							C1	
Printing & Publishing		P									C2	C2		C3								
Recreation, Low Intensity	P	P	P	P	P	P		P	P	P	P	P	P				C3	P	P	C3	P	P
Recreation, High Intensity			P	C3	C3	C3	C3		P	P								P	C3			C3
Recreation & Amusement, General	C3	C2	P										P					P			C3	
Recreational Vehicle Park			C2															C2				
Religious Institutions	C2	C2	C2	C3	C3	C3	C3	C4	C2	C2	C2	C2	C2	C2	C2	C2		C2	C3		C2	C3
Institutional Campgrounds			P				C3	C3										P	C3	C3		C3
Research & Development									C3	C3	P	P										
Residential Treatment facility									C4	C4									C4			
Restaurant, Drive-through	C3	C3									C2	C2									C3	
Restaurant, Sit-down & Take-out	C2	C2	C2								C2	C2	C2					C2			C2	

Table 5.2 Use Table for Green Swamp ACSC (For revision history, please see next to last row in table.)

	Polk City Special Protection Area														Rural Special Protection Area							
	CEX	LCCX[1]	L/RX	RL-1X	RL-2X	RL-3X	RSX	ROS X	INST-1X	INST 2-X	BPC-1 X	BPC-2 X	CCX	OCX	INST-1X	INST-2X	PRES VX	L/RX	A/RRX	CORE	CEX	RSX
Retail, Less than 5,000 square feet	P	P	C2								C2	C2	P	C3				C2			P	
Retail, 5,000 - 49,999 square feet													C3									
Retail, Outdoor Sales/Display	C3	C2									P										C3	
School, Leisure/Special Interest	C2	C2	C3					P	P	P	C2	C2	C2	C3				C3			C2	
School, Technical/Vocational/Trade	C3	C3	C2						C3	P	C2	C2	C3	C2				C2			C3	
School, Training	C3	C3	C2						C3	P	C2	C2	C3	C2				C2			C3	
Self-storage facility	C2	C2									C2	C2									C2	
Stable/Riding Academy			P					P														
Studio, Artisan	P	P										P	P						C3		P	
Studio, Production		P									P	P										
Transit, Commercial	C3	C3									C3	P										
Transit Facility											P	P										
Utilities, Class I	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C2	P	P	P	P	P
Utilities, Class II	C1	P	C1	C1	C1	C1	C1	C1	P	P	C1	C1	C1	C1	P	P	C2	C1	C1	C1	C2	C1
Utilities, Class III	C3	C4	C3	C3	C3	C3	C3	C3	C4	C3	C3	C3	C3	C4	C4	C3		C3	C3	C3	C3	C3
Vehicle Repair, Auto body	C4	C3										P									C4	
Vehicle Service, Mechanical	C4	C2										P	P								C4	
Vehicle, Sales and Leasing	C4	C2																			C4	
Veterinary Services	C1	P											C1						C3		C1	
Warehousing											P	P										
Wholesale, Enclosed	C3	C2									P	P									C3	

Rev. 12/01/09 – Ord. 09-073; 07/22/09 – Ord. 09-047; 02/16/05 - Ord. 05-05; Rev. 01/03/05 - Ord. 04-80; Rev. 12/08/03 - Ord. 03-67; Rev. 03/19/03 - Ord. 03-23; Rev. 10/23/02 - Ord. 02-68; Rev. 5/15/02 - Ord. 02-22; Rev. 2/11/02 - Ord. 02-04 - Ord. 02-06; Rev. 12/28/01 - Ord. 01-92; Rev. 7/25/01 - Ord. 01-57)

Footnotes for Table 5.2

1. Comprehensive Plan Amendments to change a parcel's Future Land Use District to Linear Commercial Corridor within the Polk City Special Protection Area are prohibited by Policy 2.132-C3 of the Polk County Comprehensive Plan. Only parcels with the existing LCCX Future Land Use District are allowed within the Polk City Special Protection Area.

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 become effective as outlined in §380.05, Florida Statutes, and upon filing with the Department of State.

ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA this _____ day of _____, 2010.

BOARD OF COUNTY COMMISSIONERS OF

POLK COUNTY, FLORIDA

STATE OF FLORIDA)
)
COUNTY OF POLK)

I, Richard M. Weiss, Clerk and Auditor to the Board of County Commissioners of Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 10-_____, an amendment to the Polk County Land Development Code, which was adopted by the Board of County Commissioners of Polk County, Florida on the _____ day of _____, 2010.

WITNESS my hand and official seal on this _____ day of _____, 2010.

(SEAL) By:_____
Kathryn Courtney
Deputy Clerk

Agenda Item 5. 6/3/2026

SUBJECT

LDCD-2026-3 (Goldenrod Ln RL-1 to RL-4)

DESCRIPTION

Applicant-initiated requested LDC Subdistrict Map change from Residential Low-1X (RL-1X) to Residential Low-4X (RL-4X) on approximately 17.1 acres in the Utility Enclave Area (UEA) for a property located south of Hemlock Avenue, west of Dogwood Road, north of Bayberry Street, east of Marigold Avenue, and east of Haines City, in Section 10, Township 28, Range 28.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

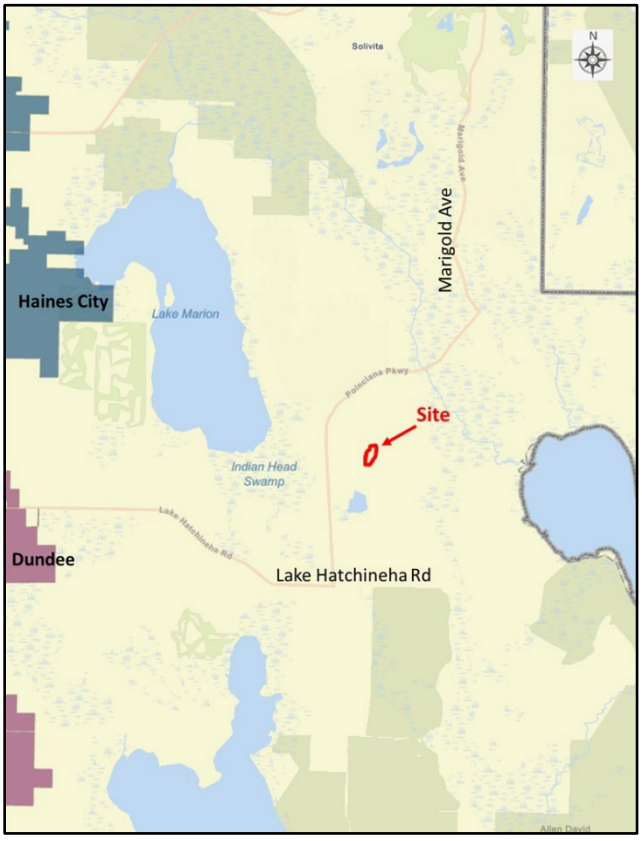
CONTACT INFORMATION

Robert Bolton
Planner III
Land Development
863-534-6468
robertbolton@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	April 2, 2026	**Level of Review:**	Level 4 Review
PC Date:	June 3, 2026	**Type:**	LDC Subdistrict Change
BoCC Date:	July 21, 2026	**Case Numbers:**	**LDCD-2026-3**
		Case Name:	Goldenrod Ln RL-4
Applicant:	Leandro Souto	**Case Planner:**	Robert Bolton, Planner III

Request:	Land Development Code Subdistrict Map change from Residential Low-1X (RL-1X) to Residential Low-4X (RL-4X) on approximately 17.1 acres.
Location:	South of Hemlock Avenue, west of Dogwood Road, north of Bayberry Street, east of Marigold Avenue, and east of Haines City, in Section 10, Township 28, Range 28.
Property Owners:	Moonstone Ventures LLC
Parcel Size (Number):	17.1± acres (282810-935240-000004)
Future Land Use:	Residential Low-1X (RL-1X)
Development Area:	Utility Enclave Area (UEA)
Nearest Municipality:	Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Pending Public Hearing



Location



Future Land Use Map

Summary:

This is an applicant-initiated Land Development Code Subdistrict Map change from Residential Low-1X (RL-1X) to Residential Low-4X (RL-4X) on approximately 17.1 acres. Site is located south of Hemlock Avenue, west of Dogwood Road, north of Bayberry Street, east of Marigold Avenue, and east of Haines City, in Section 10, Township 28, Range 28 in the Poinciana Pre-Development of Regional Impact.

The request is compatible with the surrounding area, residentially developed, with an adjacent residential density that ranges from approximately 3.75 dwelling units per acre to approximately 4.17 dwelling units per acre. The request will allow a density of four (4) dwelling units per acre without a Plannd Development (PD) or up to five (5) dwelling units per acre with a PD.

The subject site is within the Toho Water Authority Service Area per the Toho website's Service Area Map. The site will have access to water and wastewater lines as all of the surrounding sites being developed will also have access. The road with access, Goldenrod Lane, is a Local Road owned by Polk County, but capacity information is not tracked by TPO. However, the surrounding road link in Marigold Avenue, an Urban Collector, has available capacity and is in Fair condition. Mass transit is not available nearby, and there is not a stop nearby to the site. Public safety response times are normal for this part of the County, but school capacity will be an issue in the future as two of the zoned schools are already over capacity. It is noted that a new Polk County High School is underway just south of the site, on the south side of Bayberry Street. The request is compatible with the available infrastructure.

The nearest neighborhood park is the Poinciana Playground 1.22 miles north of the site and the nearest regional Park is Poinciana Community Park 2.2 miles to the south of the subject site. The soil types for the site are Tavares fine sand and Astatula sands. There are no wetlands or flood zone on site.

Staff recommends approval, it is consistent with the Comprehensive Plan POLICY 2.120-C, which sets forth Characteristics, Designation and Mapping, Location Criteria, and Development Criteria. The site is surrounded by similar density residential as allowed by the RL-4 district.

Findings of Fact

- *The request is for an amendment to the Land Development Code (LDC) Sub-district Map from Residential Low-1X (RL1X) to Residential Low-4X (RL14X) on ±17.1 acres, located South of Hemlock Avenue, west of Dogwood Road, north of Bayberry Streete, east of Marigold Avenue, and east of Haines City, in Section 10, Township 28, Range 28.*

- *The site is located in the Utility Enclave Area (UEA), which is the area the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas." according to POLICY 2.107-A1 of the Comprehensive Plan.*

- *The Future Land Use Map designation of Residential Low-1X (RL1X) was adopted by the BoCC on September 16, 2025. The site was originally designated as a school site within the Poinciana Mast Plan.*

- *Differences in uses allowed between RL-1 and RL- is predominantly the increased density from one (1) dwelling units per acre to four (4) dwelling units per acre (40,000 square foot lot vs 6,000 square foot lot), but also includes reduction in side setbacks from 10' in RL-1 to 7' in RL-4, reduction in rear setbacks from 15' to 10'.*

- *The neighboring land use on all sides of the site is DRI, with the original designated use as single family residential. The adjacent development indicates residential density between 3.75 dwelling units per acre to 4.17 dwelling units per acre.*

- *The closest schools are Laural Elementary, Lake Marion Creek Middle School, and Haines City High School.*
- *Fire and ambulance response to this site is from the Station #46 approximately 1.5 miles driving distance from the site.*
- *The nearest Sheriff's substation is nearby (±1.5 miles) at 9500 Marigold Avenue, Poinciana.*
- *TOHO provides potable water and sewer service to the site.*

- *According to the Transportation Planning Organization, there is adequate capacity on Poinciana Pkwy (aka Marigold Ave), and Lake Marion Creek Drive. All other roads in the area have such low traffic volumes that they are not tracked.*
- *The closest park facilities are Poinciana Playground (±1.2 miles) and Poinciana Community Park (±2.2 miles).*
- *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 not within an Airport Impact District.*

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-2026-3.**

Planning Commission Recommendation: On June 3, 2026, in an advertised public hearing, the Planning Commission voted **0:0** to **recommend APPROVAL or DENIAL of LDCD-2026-3.**

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 Pre-DRI; low density detached single family residential (4.08± du/ac)	**North** Pre-DRI; low density detached single family residential (4.17± du/ac)	**Northeast** Pre-DRI; low density detached single family residential (4.17± du/ac)
West Pre-DRI; low density detached single family residential (4.08± du/ac)	**Subject Site** RL-1; undeveloped.	**East** Pre-DRI; low density detached single family residential (4.17± du/ac)
Southwest Pre-DRI; low density detached single family residential (4.08± du/ac)	**South** Pre-DRI; low density detached single family residential (4.08± du/ac)	**Southeast** Pre-DRI; low density detached single family residential (3.75± du/ac)

All of the land surrounding the site is Pre-DRI-1 for Poinciana and was originally designated for detached single-family residential. Within the original Master Plan this site was designated as a school site. Design standards for schools have changed since that time, making the site non-viable for a school site. The Polk County Board of County Commissioners adopted a Future Land Use Map Amendment to change the property from Development of Regional Impact (DRI) to Residential Low-1X (RL1X) on September 16, 2025. The requested LDC Subdistrict Map change will allow the site to be developed with detached single-family dwellings at a similar density to what surrounds it currently.

Compatibility with Environment, Infrastructure and Surrounding Land 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 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 subject site was designated a school site within the original Poinciana Master Plan. The Polk County Board of County Commissioners adopted a Future Land Use Map Amendment to change the property from Development of Regional Impact (DRI) to Residential Low-1X (RL1X) on September 16, 2025. The site is located near the center of a residential area from

Marigold Avenue on the west, Lake Marion Creek Drive, on the north, Hemlock Avenue/Dogwood Road on the east, and Bayberry to the south. This area is substantially built out with the existing residential lots. The remaining vacant parcels are scattered throughout the area. Within this larger area the overall density is approximately 3.1 dwelling units per acre. However, the adjacent residential development indicates a higher density pattern ranging from 3.7 dwelling units per acre to 4.17 dwelling units per acre. The requested Residential Low-4X (RL4X) allows for a density of 4 dwelling units per acre and is considered compatible with the adjacent residential development as well as the larger residential neighborhood.

Table 2

	Standard Comparison	
Standard	**RL-1**	**RL-2**
Density	10-15 dwelling/acre	Not permitted
Minimum Lot Size	5 acres	6,000 square feet
ROW Setbacks	15 feet from Local Roads	15 feet from Local Roads
GARAGE Setback	25 feet from ROW	25 feet from ROW
Interior Side	10’ Primary, 5’ Accessory	7’ Primary, 5’ Accessory
Interior Rear	15’ Primary, 5’ Accessory	10’ Primary, 5’ Accessory
Height Limit	75 feet	100 feet

B. Infrastructure:

Per the applicant, the subject site will be serviced by Toho Water Authority for potable water and wastewater. This was confirmed by the service area map on the Toho website. The site accesses onto Goldenrod Lane, a Local Road, while also having close access to Marigold Avenue, an Urban Collector. Local Roads are not tracked for capacity so Goldenrod is unknown, but this road link of Marigold Avenue does have available capacity. Public safety response times are normal for this part of the County. While there is capacity within one of the schools, the other two schools are over capacity and will need to coordinate with the Polk County School Board to discuss mitigation issues. The request is compatible with the available infrastructure.

C. Environmental:

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 The Poinciana Drainage Master Plan. 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.

Nearest and Zoned Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board. The Table below indicates the potential demand by Land Use district or Planned Development.

Table 3

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Laurel Elementary School	RL-1 2 RL-4 10 PD 12	118%	2.5 miles
Lake Marion Creek Middle School	RL-1 1 RL-4 6 PD 7	88%	1.9 miles
Haines City High School	RL-1 2 RL-4 8 PD 10	120%	12.8 miles

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

Two of the three schools zoned for this site are overcapacity, so mitigation efforts will need to be made when this site is developed before Certificate of Occupancy can be permitted. It is noted that the Polk County School Board is under contract for the construction of a new High School on the south side of Bayberry Street. The new school site is approximately 0.30 miles to the south or approximately 1.0 mile by car.

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. Fire and ambulance responses to this site are from the Fire Station #46 approximately a mile and a half away. The Sheriff's Ridge District Command substation is also nearby on Marigold Avenue, approximately 1.5 miles away.

Table 4

	Name of Station	Distance Response Time*
Sheriff	**Ridge District Command Unit** (9530 Marigold Ave., Poinciana)	1.5± miles Priority 1 – 13:37 Priority 2 – 30:37
Fire/ EMS	**Station #46** (9500 Marigold Avenue, Poinciana)	1.5± miles

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for July 2025

Water and Wastewater Demand and Capacity:

A. Estimated Demand:

The subject site is within the Toho Water Authority Service Area for potable water and wastewater per the applicant's Impact Assessment Statement. This was confirmed by the service area map on the Toho website. The current land is undeveloped so generates no demand on water or wastewater, so the Residential Low land use would be greater than what is currently used. Table 4 below is the Estimated Water and Sewer Impact Analysis for the site.

Table 5

Subject Property			
17.1± acre RL-1	**Potential Demand as RL-1**	**Potential Demand as RL-4**	**Potential Demand as PD**
Permitted Use	1 unit per acre 17 units	4 units per acre 68 units	5 units per acre 85 units
Potable Water Consumption (GPD)	4,250	17,000	21,250
Wastewater Generation (GPD)	3,400	13,600	17,000

Source: Polk County Utilities Administration Manua: Single-family=250 gpd water/unit, 200 wastewater/unit.

B. Service Provider:

The subject site is within the Toho Water Authority Service Area for water and wastewater. This was confirmed by the service area map on the Toho website. There are water and wastewater lines that run along Mediterranean Drive, and there supposedly is available capacity.

C. Available Capacity:

Information is not available for capacity as the water and wastewater is handled by Toho Water Authority. However, a letter was provided to applicant from Toho Water Authority that they do in fact have capacity in water and sewer lines to serve this site.

D. Planned Improvements:

Toho has announced that they are developing a plan for utilizing new water sources and reclaimed water usage.

Roadways/ Transportation Network

The residential area of the subject site, east of Marigold Avenue, south of Lake Marion Creek Drive, west of Hemlock Avenue/Dogwood Rod, and north of Bayberry Street is built out with detached single-family dwellings. The additional traffic the requested Sub-district can place on the areas roadway network is not anticipated to degrade the network. Recently Polk County Roads and Drainage have repaved the roads in this area.

A. Estimated Demand:

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Table shows RL-1 By Right, RL-4 By Right and the site with a maximum density by a Planned Development (PD). The Future Land Use change may result in higher trips than what is currently expected.

Table 6

Subject Property	Estimated Impact Analysis		
17.1± acre RL-1	**Potential Demand as RL-1**	**Potential Demand as RL-4**	**Potential Demand as PD**
Permitted Use	1 unit per acre 17 units	4 units per acre 68 units	5 units per acre 85 units
Average Annual Daily Trips (AADT)	133	531	664
PM Peak Hour Trips	17	68	85

Source: Institute of Traffic Engineers (ITE) 12th Edition – Automobile Service Single-family 7.81 AADT/unit, 1.0 PM peak/ @ 100% new

B. Available Capacity:

The roads surrounding the subject site have sufficient PM Peak capacity available for a residential development. There is currently nothing developed on the site. The road directly accessing the site, Goldenrod Lane, is not tracked on the Roadway Network Database so capacity information is not available. Marigold Avenue is an Urban Collector with available capacity in both directions. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links. It is also relevant to consider that the subject site is completely surrounded by ongoing residential development. These developments will have a significant impact on the road links.

Table 7

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
8100N 8100S	Poinciana Pkwy (aka Marigold Ave) Lk Hatchineha Rd to Marigold Ave	2U UC	C	443 428	D	C
8101N 8101S	Poinciana Pkwy (aka Marigold Ave) Palmetto St. to S. Cypress Parkway	4D UC	C	871* 915*	D	C
8214N 8214S	Lake Marion Creek Dr Poinciana Pkwy to Cypress Pkwy (CR580).	2U UC	C	438 426	D	C

*Source: Polk County Transportation Planning Organization, 2025 Roadway Network Database April 2026. *2U means two lane undivided, UC means Urban Collector *Indicates capacity after programmed improvements*

C. Roadway Conditions:

The condition of Goldenrod Lane and the other local residential roads have recently been repaved and are in excellent condition. The condition of Poinciana Pkwy (aka Marigold Ave) is Very Good. condition of Hemlock Avenue is Fair. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalks

There are no sidewalks in the vicinity of the subject site. Once this area is developed, there could be sidewalks along these roads, but that will be determined at the Level 2 Review.

E. Planned Improvements:

Intersection improvements and signalization at Marigold Avenue at Hemlock Drive and Marigold Avenue at Lake Marion Creek Road were recently completed along with sidewalk improvements along Pine Street (north of the site). Table 7, to follow, shows planned improvements to the surrounding roadway network in the County's 5-year Community Investment Program (CIP).

Table 8

Road	Fiscal Year CIP (estimated cost)	Project Description
Marigold Avenue Widening	$59,000,000	Widen Marigold Avenue from CR 580/Cypress Parkway to Palmetto Street from two-lanes to four-lanes (about 2.2 miles). Marigold Avenue widening is a priority due to population and employment growth in the Poinciana area. SWFWMD permitting complete. Right-of-way acquisition underway. In re-deign to minimize impacts to existing transmission lines. **Construction is TBD.**
Intersection improvements at Marion Creek Road and Cypress	$2,600,000	Finalizing construction cost estimates for signalization.

Table 8

Road	Fiscal Year CIP (estimated cost)	Project Description
Parkway		
Caspian Road Sidewalks	Pending construction bids	Study Phase

F. Mass Transit

The closest mass transit is Citrus Connection Line 603, their Southwest Poinciana line with the closest stop at Coyote Road and Bobcat Court approximately 6.0 miles northeast of the site.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is the Poinciana Playground 1.22 miles north of the site and the nearest regional park is Poinciana Community Park 2.2 miles to the south of the subject site.

B. Services:

Poinciana Playground has a tot lot and playground. Poinciana Community Park has a walking path, a playground, baseball fields, a cricket pitch and basketball parks. There are also multipurpose fields, a pavilion that can be rented and league play. Additionally, a dog park features separate areas for large and small dogs, agility equipment, water fountains and shaded areas for humans.

C. Multi-use Trails:

The closest free hiking trail is in the Poinciana Community Park which is 2.2 +/- miles to the south of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Kissimmee Chain of Lakes 0.69 miles to the east of the subject site.

E. Planned Improvements:

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

Environmental Conditions

The subject site is comprised of a mix of soil types which are suitable for building. Site should connect to water and wastewater with Toho Utilities so septic absorption is not an issue.

A. Surface Water:

There is no surface water on the subject site. The site's elevation changes from the north to the south half of the property. On the half north of Goldenrod, the highest elevation is 110 feet in the middle with the lowest going down to 103 feet to the southeast. On the half south of Goldenrod,

the elevation high is 123 feet in the middle with it sloping down to 100 feet on the side abutting Goldenrod Lane.

B. Wetlands/Floodplains:

There are no wetlands on the site and it does not sit within a flood zone. There is a small portion of wetlands to the northwest of the parcel, but not within it. The subject site resides within a Potential Network Connection of the Polk Green District.

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 subject site should not have any major issues with flooding or absorption. The site will be able to connect to Toho wastewater lines, so this should not be an issue.

Table 9

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Tavares fine sand, 0-5% slopes (15)	Moderate; wetness	Slight	93%
Astatula sand, 0-5% slopes (46)	Slight	Slight	7%

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

D. Protected Species:

According to the Florida Biodiversity Matrix GIS application, 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. Staff did witness a gopher tortoise on site when performing a site visit.

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.

F. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site will be connecting to water and wastewater from Toho Utilities.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

According to the original Poinciana Master Plan this site was for a school site. On September 16, 2025 the Board of County Commissioner's Approved a Future Land Use (FLU) change from

Development of Regional Impact (DRI) to Residential Low-1. The original FLU request made the site, which was not a viable school site, available for residential development. Residential Low defaults to the Residential Low-1 district. In order to achieve a similar residential density as the adjacent neighborhoods the requested Sub-district request has been made. 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 2.107 – Utility Enclave Area (UEA) policies
- Section 2.120.C – Residential Low

The table to follow provides a brief breakdown of Section 2.102 policies that are most pertinent to this request.

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 Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Everything around the subject site is slated for low density residential use, meaning this land use change 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 lands surrounding the subject site are already developed with detached single family homes, with a few vacant lots for future development of low-density houses. Toho Water Authority lines are readily available in this area for water and wastewater. This request is consistent with this policy.
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 timing is consistent with the growth in the area as the surrounding sites are already designated for low density residential development. There is available connectivity to water and wastewater from Toho Water Authority, and electricity. Fire and Sheriff are available for this area. Two of the schools that

Comprehensive Plan Policy	Consistency Analysis
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. climatic conditions, including prevailing winds, when applicable.	are zoned for the site are at capacity, so that will be an issue in the future. The overall parcel does not contain wetlands or floodplains, and does not sit in a flood zone. The site is undeveloped and entirely surrounded by existing residential development sites.
POLICY 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas. POLICY 2.107-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where: a. it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s); b.it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy	Residential Low is allowed within the Utility Enclave Area. Water and sewer lines have already been constructed in this area by Toho Water Authority and will service the subject site if developed. The timing of trying to get this site developed is consistent with what has already been approved surrounding the site. The parcels around our subject site have been developed in the Poinciana Development of Regional Impact for low density single family residential development.

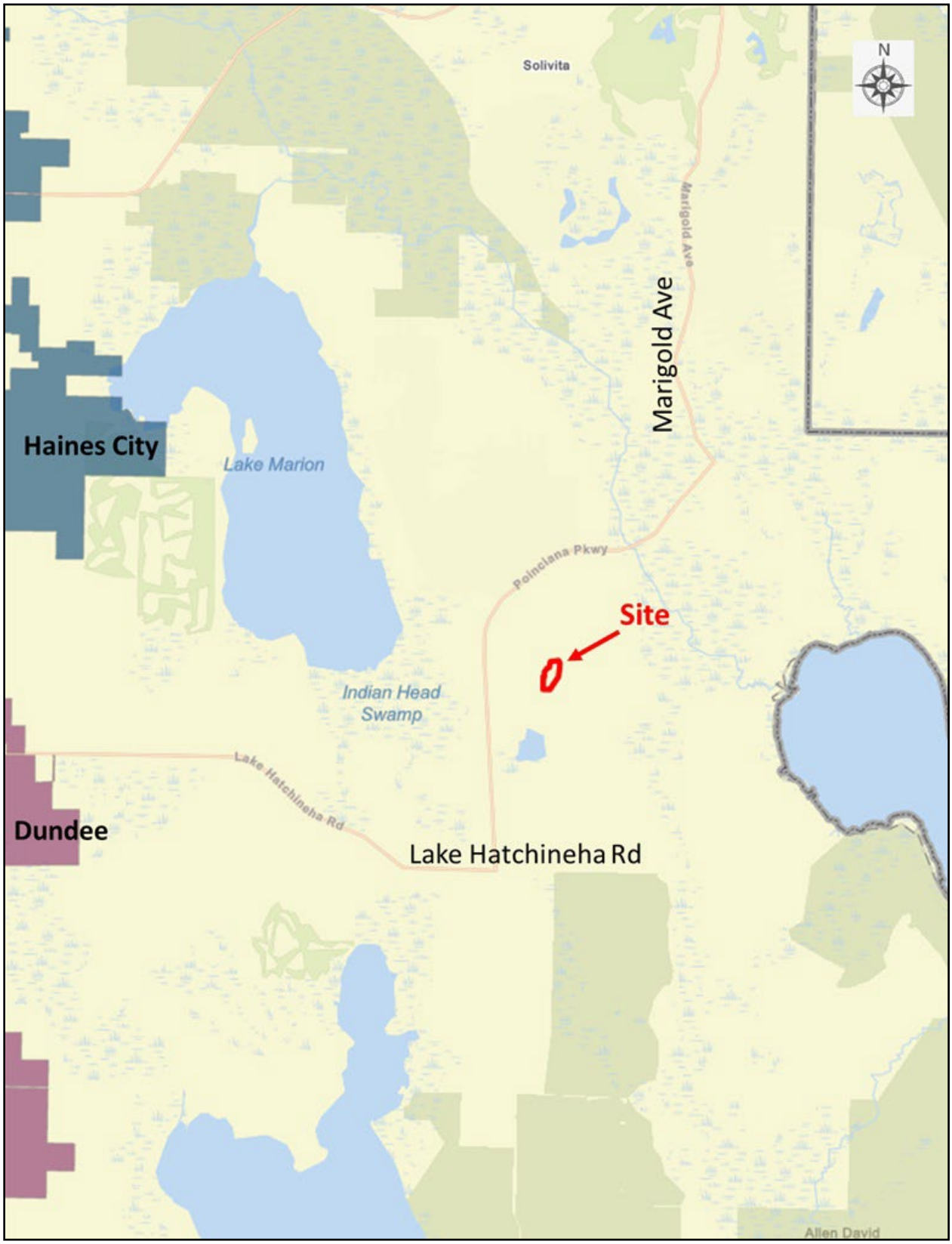
Comprehensive Plan Policy	Consistency Analysis
2.102-A10 ("locational criteria" for land use and development area expansions); andc.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed. POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs: ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation. POLICY 2.107-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria. POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code: All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met. Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element. Provide access to parks, green areas, and open space and other amenities. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section	

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.120-C1: CHARACTERISTICS - Densities up to, and including, 5.00 DU/AC. The Residential-Low classification is characterized by single-family dwelling units, duplex units, and small-scale multi-family units. POLICY 2.120-C2: DESIGNATION AND MAPPING - Residential-Low districts shall be located within TSDAs, UGAs, and UEAs as designated on the Future Land Use Map Series as "RL." 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.	On September 16, 2025 the Board of County Commissioner's Approved a Future Land Use (FLU) change from Development of Regional Impact (DRI) to Residential Low-1 (RL-1). The Requested Sub-district change to RL-4 will allow the property to be developed with a residential density similar to the surrounding residential neighborhoods.
Section 204 - Standard Land Use Districts: A. Agricultural/Residential Districts (Revised 5/6/09 - Ord. 09-018) The purpose and intent of the standard land use districts are prescribed. Specific uses and dimensional/density regulations are outlined in the Tables in Sections 205 and 208. 4. Residential Low-1 (RL-1): The purpose of the RL-1 district is to provide areas for the low density residential needs of residents in urban areas who desire areas with larger sized lots, a minimum of 40,000 square feet. 7. Residential Low-4 (RL-4): The purpose of the RL-4 district is to provide areas for the low density residential needs of residents in urban areas who desire areas with smaller lots, a minimum of 6,000 square feet.	The Land Development Code sets standards for development within the Land Use districts as well as the Sub-districts. The requested sib-district change from RL-1 to RL-4 allows the site to be developed at a similar density to that of the surrounding development.

Comments from other Agencies: None.

Exhibits:

Exhibit – 1 Location Map
Exhibit – 2 2023 Satellite Photo (Context)
Exhibit – 3 2023 Satellite Photo (Close-up)
Exhibit – 4 Current Future Land Use Map
Exhibit – 5 Proposed Future Land Use Map
Exhibit – 6 Current District Use Comparison Table
Exhibit – 7 Proposed District Use Comparison Table



Location Map



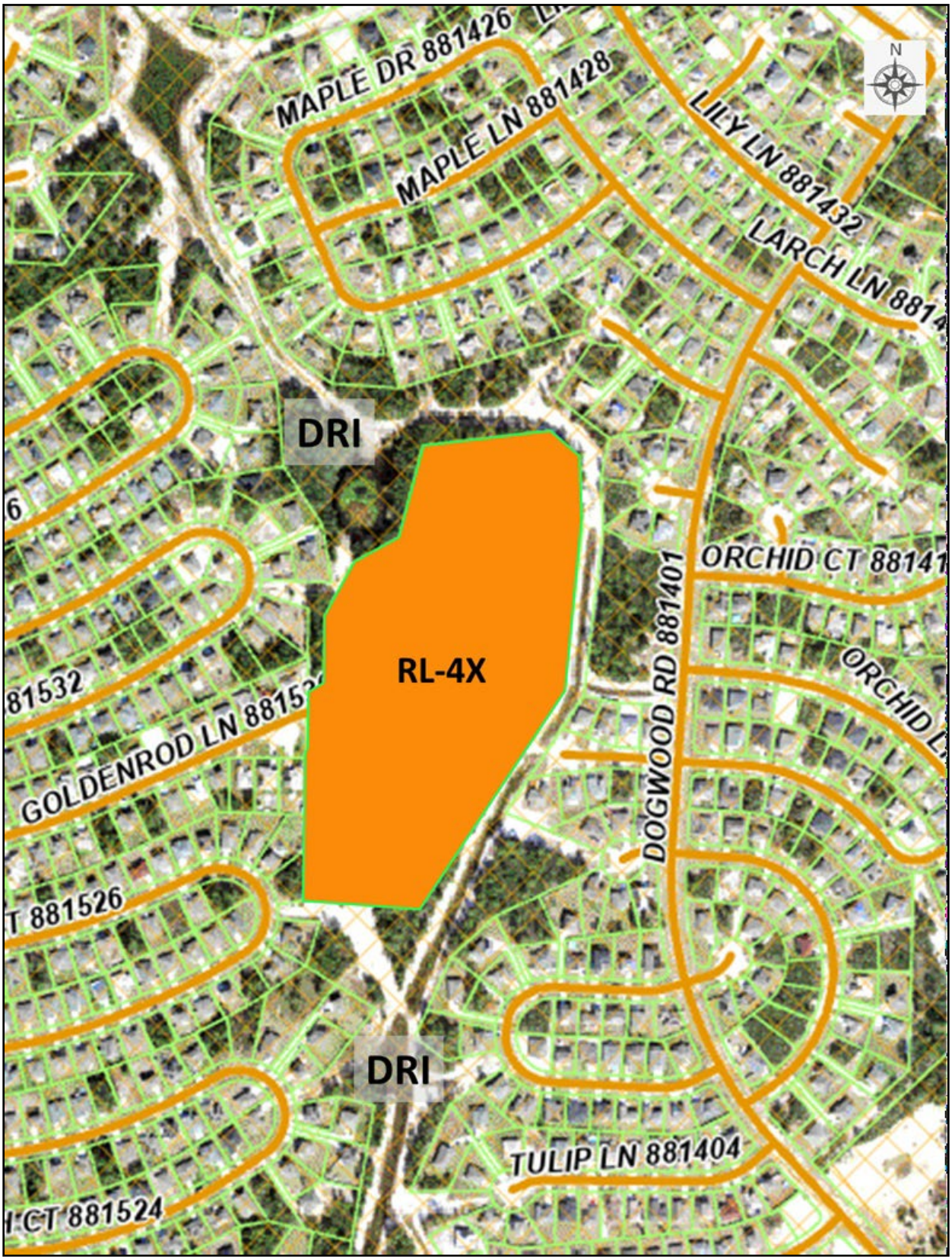
2025 Satellite Photo (Context)



2023 Aerial Photo (Close Up)



Current Future Land Use Map



Proposed Future Land Use Map

Residential Low (RL-1)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
Residential Uses:	Group Home, Small (6 or less residents), C1 Group Home, Small (6 or less residents), C1 Mobile Homes, Individual, C1 Residential Infill Development, C2 Single-family Detached Home & Subdivision, P	**Residential Uses:**	Duplex, Two-family attached, C3 Group Living Facility (15 or more residents), C3 Mobile Home Park, C4 Mobile Home Subdivision, C4 Multi-family, C3 Short-Term Rental unit, C3
		Mixed Uses:	Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Transitional Area Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Emergency Shelter, Small (6 or less residents), C1 Farming General, P Golf Course, C1 Livestock Sale, Auction, C1 Nurseries and Greenhouses, C1 Recreation, Passive, C1 Recreation, Low Intensity, C2 School, Elementary, C2 Utilities, Class I, P Utilities, Class II, C1 Veterinary Service, C2	**All Other Uses:**	Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-Site, C3 Bed and Breakfast, C3 Childcare Center, C3 Community Center, C3 Emergency Shelter, Large (15 or more residents), C3 Government Facility, C3 Helistops, C3 Mining, Non-phosphate, C3 Recreation, High Intensity, C3 Recreation, Vehicle Oriented, C3 Religious Institution, C3 Riding Academies, C3 School, High, C3 School, Leisure/special Interest, C3 Utilities, Class III, C3

CURRENT
PERMITTED AND CONDITIONAL USES
RESIDENTIAL LOW-1 (RL-1)

Land Use District	Technical Staff Review	Public Hearing(s) Required
Residential Low-4 Current Future Land Use Designation	Group Home, Small (6 or less residents); Mobile Homes, Individual; Residential Infill Development; Single-family Detached Home & Subdivision; Emergency Shelter, Small (6 or less residents); Farming General; Golf Course; Recreation, Passive; Recreation, Low Intensity; School, Elementary; School, Middle; Utilities, Class I; Utilities, Class II	Duplex, Two-family Attached; Group Living Facility (15 or more residents); Mobile Home Park & Subdivision; Multi-family; Short-Term Rental Unit; Residentially Based Mixed Development (RBMD); Transitional Area Development; Adult Day Care Center (7 or more clients); Bed and Breakfast; Childcare Center; 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; School, High; School, Leisure/Special Interest; School, University/College; Utilities, Class III

PROPOSED
PERMITTED AND CONDITIONAL USES
RESIDENTIAL LOW-4 (RL-4)

ORDINANCE NO. 26 -_____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING LDCD-2026-3, AN AMENDMENT TO THE POLK COUNTY LAND DEVELOPMENT CODE SUB-DISTRICT MAP (ORDINANCE 01-69), AS AMENDED, MODIFYING THE DESIGNATION ON 17.1± ACRES FROM RESIDENTIAL LOW1-X (RL1X) TO RESIDENTIAL LOW1-X (RL1X). THE SUBJECT PROPERTY IS LOCATED SOUTH OF HEMLOCK AVENUE, EAST OF MARIGOLD AVENUE, WEST OF DOGWOOD ROAD, AND NORTH OF BAYBERRY STREET, EAST OF THE HAINES CITY LIMITS, IN SECTION 10, TOWNSHIP 28, RANGE 28; 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 Land Development Regulations consistent with the Polk County Comprehensive Plan; and

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

WHEREAS, the Board of County Commissioners adopted an LDC Sub-district Map on September 26, 2001; and

WHEREAS, Chapter 9, Section 903 of the LDC provides the approval process for amending the LDC Sub-district Map as a Level 4 Review; and

WHEREAS, LDCD-2026-3 is an Applicant-initiated application (the "Application") to amend the LDC Sub-district map for approximately 17.1 acres south of Hemlock Avenue, west of Dogwood Road, north of Bayberry Street, east of Marigold Avenue, and east of Haines City, in Section 10, Township 28, Range 28. from Residential Low-1X (RL-1X) to Residential Low-4X (RL-4X); 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 April 1, 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 July 21, 2026; and

NOW THEREFORE, BE IT ORDAINED by the Polk County Board of County Commissioners:

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 June 3, 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, Residential Low-1X (RL-1X) to Residential Low-4X (RL-4X) as:

Parcel 282810-935240-000004

POINCIANA NEIGHBORHOOD 2 VILLAGE 8 PB 53 PGS 29-43 TRACT D
Containing 17.1 acres, more or less.

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.

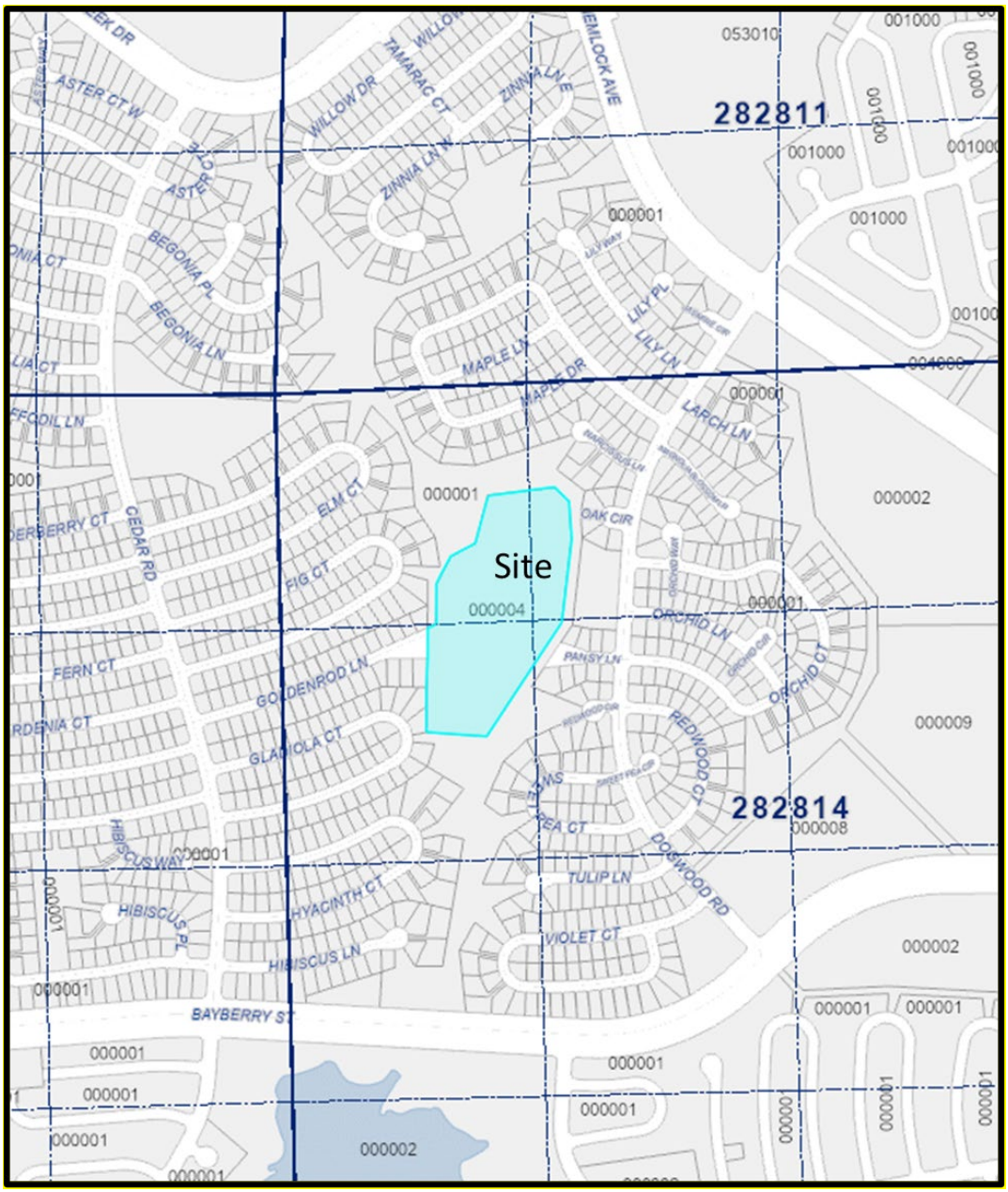
This Ordinance shall become effective upon filing of a certified copy of the Ordinance with the Department of State.

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 21st day of July 2026.

LDCD-2026-3
Location: South of Hemlock Avenue, East of Marigold Avenue, West of Dogwood Road, and North of Bayberry Street, East of the Haines City limits.
Section-10 Township-28 Range-28



PARCEL DETAIL
Note: Not to Scale

Moonstone 65 - unit Subdivision

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?

    a. No, the proposed amendment promotes slightly denser development as it changes the current land use designation from RL-1 undeveloped to RL-4 developed. Therefore, it would not promote substantial amounts of low-density, low-intensity, or single use development in excess of the demonstrated need.

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

    a. No. The surrounding neighborhoods include built out residential neighborhoods. The change to RL-4 allows for uses similar to other residential uses and density types in 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?

    a. No. The proposed change allows for uses comparable to the existing surrounding residential area.

4. Does the proposed amendment fail to adequately protect adjacent agriculture areas?

    a. No. Actually, the site is not adjacent to any agricultural areas. Any development to the property once modified to RL-4 land use is consistent with adjacent residential areas.

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

    a. The proposed residential development is similar in use and density will only allow a maximum of 65 homes.

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

    a. No. This proposed amendment will have a minimal impact to existing or future public facilities based on the proposed density.

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

a. No. This change will somewhat increase the needs for public services, but not public facilities with the proposed density.

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

   a. No. The proposed RL-4 designation is surrounded by consistent residential areas, with no rural areas adjacent to the site.

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

   a. No. This proposed change may be considered consistent infill with the surrounding adjacent land uses and density.

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

    a. No. This change adds a similar type of land use by changing the use from RL-1 to RL-4 with respect to residential density.

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

    a. No. The RL-4 land use is similar to the surrounding existing residential uses.

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

    a. There will always be a loss of open space when development occurs, whether the development is within the RL-1 or RL-4 designation. Anything built on property once zoned to RL-4 would still need to meet all the open space code requirements for that type of land use.

Moonstone - Development Impact Assessment

Land and Neighborhood Characteristics

1. The project location is within the heart of an existing neighborhood. The adjacent streets are Bayberry St. and Marigold Ave. Lake Marion Creek middle School, Laurel elementary school are within walking distance to the North. The location is within the Poinciana subdivision neighborhood and is centered between similar neighborhoods. The land will be zoned appropriately for residential use, and the area is not in conflict with any future commercial or industrial development. This ensures that the subdivision will be integrated seamlessly and consistent with the surrounding area.
2. There is no incompatibility with the proposed use and the adjacent uses.
3. This request will allow this vacant land surrounded by residential neighborhoods to be developed with a similar use that will complement the area while serving the families residing in the adjacent neighborhoods.

Access to Roads and Highways

1. The site is located and will have access to the following roadway system: Goldenrod Lane to Cedar Road (north/south) connecting to Bayberry Street to the south and Lake Marion Creek Road to the north. Both streets intersect with Marigold Avenue which extends north into the heart of Poinciana where the roadway takes you to the Poinciana Parkway further north U.S. 17 and Interstate 4 respectfully.
2. A minor traffic study is included with this submission.
3. The traffic study complies with existing Polk County land development code criteria and will include the final density of the proposed residential property.

Sewage

1. The development proposes 72 homes. The wastewater demand is 72*270=19,440 GPD.
2. The effluent will be treated at an offsite wastewater treatment facility.
3. The service provider is Toho Water Authority.
4. There is no sanitary sewer line in the vicinity of this proposed development.
5. The capacity of the plant is currently 80 percent at this time.
6. Anticipated connection date is Summer 2027.
7. There are no improvements necessary at this time.

Water Supply

1. The source of water to the proposed site is a public water system, serviced by the Toho Poinciana Water System (349-4429).
2. The development proposed 72 homes. The water demand is 72*360=25,920 GPD.
3. There is an existing 6” water main located adjacent to the east side of the site on Orchid Ct. and a 6” line on the west side of the site on Goldenrod Lane about 165’ away.
4. There does not appear to be any reclaimed water mains near the property.
5. Anticipated connection date is Summer 2027.
6. The water plant capacity is 86.8% at this time per TOHO Water Authority.
7. There are no known water wells currently on the property.

Surface Water Management and Drainage

1. There are currently no surface waters or stormwater systems currently on the site.

2. The property is an existing wooded lot surrounded by Poinciana residential subdivisions.

3. There does not appear to be any flood hazards onsite. Additionally, there appears to be no flooding issues known at this time.
4. The proposed development would alter the site's natural drainage features by adding treatment and attenuation of stormwater runoff. The stormwater alterations would include a stormwater conveyance system capturing the water and bringing it to a master drainage basin previously permitted with South Florida Water Management District (SFWMD)in the mid 1980's.
5. The proposed development will be designed consistent with the existing drainage patterns (pre-development condition).
6. A minor modification to the original SFWMD will most likely be required, however a pre-application meeting with the district will be completed to determine the scope of this requirement.

Environmental Analysis

1. There are no known surface waters or wetlands present on the property per the national wetland inventory database.
2. The property is located in zone "X" per the FEMA map Panel No.:12105C0415G .
3. The location of utilities and other infrastructure will be installed underground at the time of the internal street construction.
4. There are no airport buffer zones at issue with the proposed development.
5. Soil compositions show approximately 15.89 acres or 93% of the property is Tavares Find Sand, while approximately 1.20 acres or 7% of the property is Astatula Fine Sand. Both have a hydraulic soil group of A. The soils appear to be well drained with low water tables.

Infrastructure Impact Information

1. Parks and Recreation: Poinciana Community Park is within 3 miles of the property. Recreational facilities will be in accordance with current Polk County Land Development Code.
2. Educational Facilities: Lake Marion Creek Middle School is located 2.2 miles from the property and Sandhill Elementary School is within seven miles of the real property. A Polk County School Concurrency application will be submitted at the time of the land use and zoning change submittals.
3. Health Care: HCA Florida Poinciana Hospital is within 9.2 of the property.
4. Fire Protection: Fire Rescue Station is within six miles of the property.
5. Police Protection and Security: The Polk County Sheriff's Office Dundee station is 11 miles from the property.

6. Emergency Medical Services:). Fire Rescue Station is within six miles of the property and the nearest hospital (HCA Florida Poinciana Hospital) is located approximately 8.55 miles from the site located on Cypress Parkway.
7. Solid Waste: The Omni Waste of Polk, LLC facility is within twelve miles of the property.
8. The surrounding neighborhood is residential. The proposed development will be consistent with the surrounding homes and will assist with current demands in the area and will contribute to an already well-planned community. The request meets the intent of the DRI for Poinciana.

Moonstone 72-unit Subdivision

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?

    a. The proposed amendment promotes a denser development as it changes the current land use designation from DRI undeveloped to DRI developed. Therefore, it would not promote substantial amounts of low-density, low-intensity, or single use development in excess of the demonstrated need.

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

    a. No. The surrounding neighborhoods include built out residential neighborhoods and an elementary school. This change does not allow for dense urban development in this neighborhood.

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

    a. No. The proposed change allows for uses comparable with the surrounding area.

4. Does the proposed amendment fail to adequately protect adjacent agriculture areas?

    a. No. There are no adjacent agriculture areas near the site. Any development on the property would provide for buffers to protect all adjacent areas per the Polk County existing Land Development Code.

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

    a. No. The amendment proposed is consistent with the existing residential neighborhoods surrounding the property.

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

    a. No. This proposed amendment is consistent with the existing DRI development and the surrounding community.

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

a. No. This change will conform to concurrency requirements and consistent with surrounding residential neighborhoods and not increase the proportional cost of providing public facilities and services to each home.

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

   a. No. The DRI is designed to facilitate uses that are consistent with both urban and rural uses and will not alter existing services to the surrounding residential neighborhoods.

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

   a. No. This proposed change will not alter infill development on the surrounding neighborhoods as a new permitted use within DRI zoning district.

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

    a. No. This amendment change is consistent with the vision of past historical planning for the area as a whole. The area is part of the broader functional mixture of land uses and fits in with existing residential neighborhoods.

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

    a. No. the proposed development is linked between existing related land uses and is consistent with those neighborhoods.

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

    a. Currently the parcel is undeveloped wooded lot with an area of about 17.09 acres or 100% wooded vacant space. The DRI supports a maximum 70% developed area. Therefore, the amendment will not lose any open space area as it is part of the overall DRI for the entire area and is consistent with the proposed residential density within the community with typical open space requirements.

Agenda Item 6. 6/3/2026

SUBJECT

LDCPAS-2025-36 (Hwy 540A OCX CPA)

DESCRIPTION

Applicant-initiated request for a Small Scale Comprehensive Plan map amendment from Residential Suburban-X (RSX) to Office Center-X (OCX) on 1.35± acres located within the Suburban Development Area (SDA) for a property located on the north side of Hwy 540A east of Strickland Avenue, west of Crews Lake Road and south of Clubhouse Road, southeast of the City of Lakeland and northwest of the City of Bartow, in Section 14, Township 29, Range 24.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton

Planner III

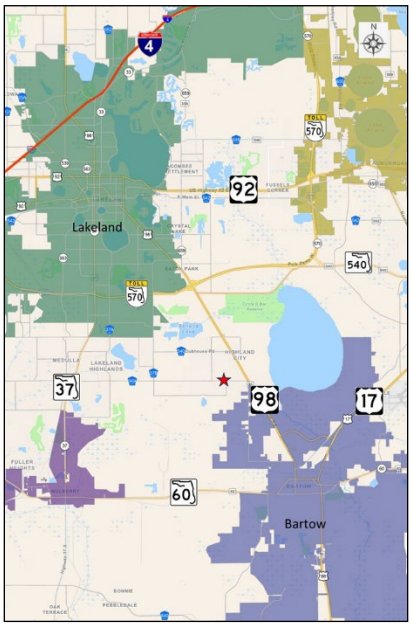
Land Development

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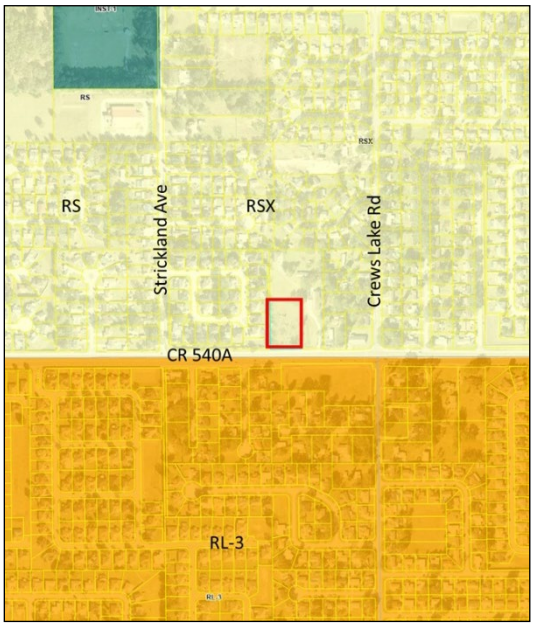
robertbolton@polkfl.gov

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	February 26, 2026
Planning Commission Date:	June 6, 2026
BoCC Dates:	June 16, 2026
Applicant:	Tim Campbell, Clark, Campbell, Lancaster, Workman, & Airth, P.A.
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-36 Hwy 540A OCX CPA
Request:	Small Scale Comprehensive Plan map amendment from Residential Suburban-X (RSX) to Office Center-X (OCX) on 1.35± acres in the Suburban Development Area (SDA).
Location:	The site is located on the north side of Hwy 540A east of Strickland Avenue, west of Crews Lake Road and south of Clubhouse Road, southeast of the City of Lakeland and northwest of the City of Bartow, in Section 14, Township 29, Range 24
Property Owner:	IT Land Investments LLC
Parcel Size:	1.35± acres (242914-282500-006006)
Development Area/Overlays:	Suburban Development Area (SDA) in the US 98 Selected Aria Plan (SAP)
Future Land Use:	Residential Suburban-X (RSX)
Nearest Municipality	Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary of Analysis

This is an applicant request for a Small Scale Comprehensive Plan Amendment (LDCPAS-2026-36) to change the Future Land Use Designation from Residential Suburban-X (RSX) to Office Center-X (OCX) on 1.35± acres in the Suburban Development Area (SDA) and in the US 98 Selected Area Plan (SAP). The site is located on the north side of CR 540A (Central Barn Road), approximately 0.85 feet on the north side of CR 540A (Central Barn Road), approximately 0.85 miles west of US Highway 98 S (Bartow Highway) southeast of the City of Lakeland, in Section 14, Township 29, Range 24.

Compatibility Summary

The site is located on the north side of CR 540A (Central Barn Road), approximately 0.85 mile west of the intersection with US Highway 98. Approximately 15 years ago CR 540A was improved and expanded from a two-lane road to the current four-lane divided Urban Collector. The subject site is adjacent to an existing religious institution constructed in 2006. The primary non-residential support areas for the area are located at the intersections with US Highway 98 and at the intersection with Lakeland Highlands Road. The primary non-residential uses along CR 540A in this area are several different religious institutions, including the one adjacent to the site, and two (2) Office Center (OC). Non-residential development would have to meet all buffering and compatibility setbacks of the Land Development Code. The intended use is for a professional office which would require a Type B landscape buffer and a 50-foot compatibility setback from the residential district to the west. The requested Office Center Future Land Use requested will allow for the site to be developed with a professional office building that is a compatible use within an area that has a high concentration of residential development fronting a four-lane divided Urban Collector road.

Infrastructure and Urban Services Summary

The subject site fronts and will have access to CR 540A. The proposed CPA is not anticipated to degrade the Level-of-service (LOS) standard for transportation, the locally zoned schools, fire, EMS and sheriff public safety resources. The subject site is located within the City of Lakeland water and wastewater serve area. There are no wells on the subject site.

Environmental Conditions Summary

The proposed request is not anticipated to have a negative impact upon the environmental features in the area. The subject site is not located within the one-mile radius of a protected animal and plant species sighting and has no surface water, wetlands or flood zones. The site is not located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. The project site is not located within an Airport Impact District and is not associated with any historical or archeological sites.

Comprehensive Plan Policies Considered

- Section 2.102 – General Growth Management policies
- Section 2.106 – Suburban Development Areas (SDA) policies
- Section 2.113 – Office Center policies

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request to change the Future Land Use (FLU) designation from Residential Suburban-X (RSX) to Office Center-X (OCX) in the Suburban Growth Area (SGA) on 1.35± acres.

- The site is located on the north side of CR 540A (Central Barn Road), a four-lane divided Urban Collector road.

- The subject site is within the City of Lakeland's Utility Service Area for potable water and wastewater.

- There are sidewalks along the north and south sides of the entirety of Katheen Road from US Highway 98 (Bartow Highway) to the east to Highway 39 (S. Florida Avenue) to the west.

- LDCPAL-2026-1 was transmitted to Florida Commerce on April 21, 2026 by the Board of County Commissioners to amend the Location Criteria for Office Center (Policy 2.113-C3) to allow isolated Office Center (OC) designations when adjacent to legally established non-residential uses. The Adoption Hearing is scheduled for June 2, 2026.

Compatibility

- The subject's surrounding uses are as follows:
  - North – RSX, Church
  - East – RSX, Church, church access
  - South – RL3, Polk County Stormwater & Residential Subdivision
  - West – RL3, Residential Subdivision

- The site is located on the north side of CR 540A (Central Barn Road), a four-lane divided Urban Collector road.

- Adjacent to the north and east is a religious institutional use offices are considered a transitional use between residential use and non-residential uses (Section 2.125-C).

- The Land Development Code Development Standards sets conditions for buffering and compatibility setbacks for the residential district to the west.

- The south side of CR 540A (Central Barn Road) is a County stormwater pond for CR 540A (Central Barn Road), and residential developments.

Infrastructure

- The zoned schools for the site are Highland City Elementary, Bartow Middle School, and Bartow High School.

- First responder Fire and EMS response is from Polk County Fire Rescue Station 28, 4101 Clubhouse Road, Lakeland with a travel distance of 1.5+/- miles and an anticipated average response time of six (6) to eight (8) minutes.

- The subject site is within the Southwest District Commend Area for the Sheriff's office which is located at 4120 US 98 South, Lakeland.

- The subject site is within the City of Lakeland's Utility Service Area for potable water and wastewater.

- There are sidewalks along the north and south sides of the entirety of CR 540A (Central Barn Road) from US Highway 98 (Bartow Highway) to the east to Highway 37 (S. Florida Avenue) to the west.

- CR 540A (Central Barn Road), a four-lane divided urban collector that connects US 98 (Bartow Highway) on the east to US 37 (South Florida Avenue) to the west.

- CR 540A (Central Barn Road) between US 98 and Yarborough Lane has a PCI condition rating that ranges between Poor and Fair. A Minor or Major Traffic study may be required at Level 2 Review (engineered site plan) depending on the final development request made.

- The nearest Citrus Connection route is the Silver Line Express, Stop 701, approximately 1 mile east on US Highway 98 (Bartow Highway).

- The nearest park to the site is Highland City Park. The closest environmental site is the Circle B Bar Reserve.

Environmental

- The area is relatively flat with the highest points located along the northwest border at an elevation of approximately 292 feet, with the lowest parts of the property located along the southern boundary, fronting Hwy 540A with an elevation of approximately 124 feet.

- There are no wetlands or floodplains on the subject site.

- According to the soil survey by the United States Department of Agriculture the subject site is made up of two (2) different soil types: Tavares fine sand, 0 to 5 percent slopes, and Smyrna and 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. The reported soils are based on the United States Department of Agriculture (USDA) Soils Survey.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observed a protected animal species sighting (Source: Florida

Department of Environmental Protection, 2015). However, the applicant will be required to submit a biological walk-over as part of the Level-2 review process.

- The site is not located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series.

- Approximately 2.75 miles west of the site, on the north side of the CR 540A (Central Barn Road) is a 99± acre Conservation Easement recorded in a portion of the W F Hallam & Co's Club Colony Tract, OR Book 4149, Page 0792.

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

- The subject site is not within a Wellfield Protection district. The nearest public Wellfield is approximately 0.14 mile south of 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 - 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 2.106-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within the Suburban Development Areas:
  a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within SDAs in accordance with applicable criteria.
  b. RESIDENTIAL: Residential-Suburban.
  c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers. Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, and Preservation.

  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 2.106-A5: DEVELOPMENT CRITERIA - Development within the Suburban Development Areas shall conform to the following criteria as further specified in the Land Development Code:
  a. support continued agricultural activities by requiring the implementation of compatibility techniques to limit land use conflicts;
  b. protect and preserve open space, agricultural and environmentally sensitive lands by implementing clustering and other conservation development strategies as established in Section 2.1251 of this element;
  c. incorporate design features that promote healthy communities, green building practices, conservation development principles, and other initiatives consistent with Section 2.1251 - Community Design, of this element;
  d. provide access to civic space, parks, green areas, and open space and other amenities;
  e. be supported by public safety (i.e., fire, EMS and law enforcement);
  f. have access to elementary schools;
  g. encourage connectivity between uses within the SDA, and between the SDA and other urban centers and the rural development areas; and
  h. in order to achieve higher densities and intensities allowed by each land use, development in the SDA shall be required to connect to centralized water system and incorporate clustering and other low impact design criteria as established under the Residential Suburban (RS) land use criteria, the Conservation Development Section (Section 2.1251), the Residential Rural Development (RRD) or the Rural Mixed Used Development (RMD) sections (Section 2.1251) of this element.

- POLICY 2.113-C3: LOCATION CRITERIA - The establishment of a new Office Center designation shall be located according to the following:
  a. at the intersection of a local and collector/arterial road, or at the intersection of two collector roads; or at the intersection of two arterial roads; or
  b. Along a collector or arterial roadway adjacent to an existing developed or undeveloped Activity Center, Commercial Enclave; Linear Commercial Corridor, Rural Cluster Center, Tourist Commercial Center, High Impact Center, Business Park Center, Industrial, Institution, Employment Center, Mixed Use, Professional Institutional, Interchange Activity Center, and Town Center; or
  c. Adjacent to existing legally established non-residential development;

d. When considering the establishment of a new Office Center designation or the expansion of an existing Office Center consideration shall be given to the following:
   1. maximizing access to a collector or arterial road and to the guidelines outlined in Policy 2.404-A1.~~;~~
   2. minimize the routing of office traffic through residential areas;
   3. The amount of existing office uses within a two mile radius.

- POLICY 2.113-C4: DEVELOPMENT CRITERIA - Development within an Office Center shall conform to the following criteria:
  a. Development in Office Centers shall have frontage on, or direct access to, a collector or arterial roadway, or a frontage road or service drive which directly serves these roadways. Development within Office 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, 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; and
  d. Retail uses within an Office Center shall not exceed ten (10) percent of the total land area of the Office Center as the OC is meant for professional employment and personal service businesses.

Development Review Committee (DRC) Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the DRC 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 DRC recommends **APPROVAL of LDCPAS-2025-36.**

Planning Commission Decision: On May 6, 2026, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCPAS-2025-36.**

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: *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.*

NOTE: Approval of this request is only for Level 4 Review and only for those development decisions within the Board of County Commissioners purview. A Level 2 Review (engineered plans) will be required for all site development and shall implement 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.

Surrounding Land Use Designations and Current Land Use Activity

Table 1: Surrounding Uses

NW RSX Residential Subdivision Strickland Manor	**N** RSX Church Iglesia Bautista La Promesa	**NE** RSX Church Iglesia Bautista La Promesa
W RSX Residential Subdivision SunnyWood	**Subject Property** RSX Vacant	**E** RSX Church Iglesia Bautista La Promesa
SW RL-3 Residential Subdivision	**S** RL-3 Polk County Stormwater & Residential Subdivision	**SE** RL-3 Polk County Stormwater & Residential Subdivision

Source: Site Visit and Polk County GIS Data Viewer

Compatibility is often regarded as a subjective term used to express ones 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 1.36± acres in the Residential Suburban-X (RSX) Future Land Use (FLU) requesting a change to Office Center-X (OCX). The site is located on the north side of CR 540A (Central Barn Road), approximately 0.85 mile west of the intersection with US Highway 98. Over the past 25+ years the CR 540A area has been experiencing continuous residential growth with limited non-residential development. Approximately 15 years ago CR 540A was improved and expanded from a two-lane road to the current four-lane divided Urban Collector. The primary non-

residential support uses for the area are located at the intersections with US Highway 98 and at the intersection with Lakeland Highlands Road. The primary non-residential uses along CR 540A in this area are several different religious institutions, including the one adjacent to the site. There are two (2) Office Center (OC) Land Use districts in this area. One of the OC's is part of a larger residential parcel and represents the road frontage for this residence and is not developed. The other is located near the Valleyview Elementary School and is fully built out and operated as a hair salon. The Office Center-X (OCX) Future Land Use district allows for a limited range of commercial type of uses, See Exhibit 7 for a full list of uses. The site fronts and will only have access to CR 540A. Non-residential development would have to meet all buffering and compatibility setbacks of the Land Development Code. The intended use is for a professional office which would require a Type B landscape buffer and a 50-foot compatibility setback from the residential district to the west. This area has been a very consistent growth markets within Polk County. The requested Office Center Future Land Use requested will allow for the site to be developed with a professional office building that is a compatible use within an area that has a high concentration of residential development fronting a four-lane divided Urban Collector road.

Compatibility with the Surrounding Land Use:
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 site is currently located within the Suburban Development Area (SDA). The subject site has access to and availability of the infrastructure and is considered to be compatible and consistent with the surrounding area.

Nearest Elementary, Middle, and High School:
The schools zoned for the subject property, as shown in Table 2, include Highland City Elementary, Bartow Middle School, and Bartow Senior High. The requested Office Center-X (OCX) is intended for non-residential development and is not intended for residential development. Residential development within the OC would require a Level 3 Planning Commission approval for multi-family development.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Highland City Elementary	**0 students**	**75%**	**1.2± miles**
Bartow Middle School	**0 students**	**79%**	**6.6± miles**
Bartow Senior High	**0 students**	**66%**	**6.1± miles**

Source: Polk County School Board

Nearest Sheriff, Fire, and EMS Station:
The nearest Sheriff District office is located approximately 7.3 miles from the subject site. Response times vary depending on where the nearest sheriff's deputy patrol car is located rather than the district office. The nearest EMS station is approximately 5.6 miles and Fire station is approximately 4.0 miles EMS station is approximately 2.9 miles from the subject site.

Table 3: Public Safety

	Name of Station	Distance/Response Time*
Sheriff	**Southwest District Command** (4120 US 98 South., Lakeland)	Priority 1 – 8:58 min Priority 2 – 22:54 min
Fire/EMS	**Polk County Fire Rescue Station 28** 4101 Clubhouse Rd, Lakeland	1.5 ± miles / 6-8 min

*Source: Polk County Sheriff's Office and Public Safety. 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 Sewer Capacity and Service Provider:
Table 4 below details the estimated impact to potable water and wastewater services based upon the buildout for the proposed FLU on the subject site. The subject property is within Polk County's Northwest Service Area for water and wastewater.

A. Available Capacity:
Table 4: Estimated Water and Sewer Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RSX	Maximum Permitted in Proposed OCX
1.35± acres RL	1.35± acres RS X 5du = 6 du	1.35± acres (58,806 sf) X 0.30 FAR = 17,642 sf
Potable Water Consumption	6 du X 250 gpd = **1,500 GPD**	17,642 sf X 0.25 = **4,411 GPD**
Wastewater Generation	6 du X 200 gpd = **1,200 GPD**	4,411 GPD X 80% = **3529 GPD**

B. Service Provider:
The subject site is located in the City of Lakeland Service Area for water and wastewater. There is a 6" potable water main on the north side of CR 540A. The City of Lakeland has not responded with wastewater availability or capacity for potable water.

C. Available Capacity:
At this time, the City of Lakeland has not responded with potable water and wastewater availability and capacity.

Roadways/Transportation Network:

A. Estimated Demand:
Table 5 following this paragraph shows the Average Annual Daily Trip (AADT) rate and the RSX Peak hour trip rate. The proposed Future Land Use designation change to OCX, at maximum density, will generate more than the current combination of the RS land use.

Table 5: Estimated Transportation Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RSX	Maximum Permitted in Proposed OCX
1.35± acres RL	1.35± acres RS X 5du = 6 du	1.35± acres (58,806 sf) X 0.30 FAR = 17,642 sf
Average Annual Daily Trips (AADT)	6 du X 7.81 AADT = **47 Trips**	17.642 X 6.74 AADT X 92% **119 Trips**
PM Peak Hour Trips	6 du X 1.00 AADT = 6 **Trips**	17.642 X 1.18 AADT X 92% = **21 Trips**

Source: Concurrency Manual: Single-family @ 7.81 AADT per du and 1.00 AADT PM Peak Hour, OC @ General Office 7.83 AADT per 1,000 sf, 1.18 AADT per 1,000 sf PM Peak Hour,

B. Available Capacity:
Table 6, following this paragraph, displays the available capacity for CR 540A (Central Barn Road). It is anticipated that CR 540A (Central Barn Road) will have sufficient capacity for maximum buildout.

Table 6: Roadway Link Concurrency

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
4162W	CR 540A (Central Barn Road)	4D*	C	759	D	C
4162E	CR 37B (Lakeland Highlands) to US 98	UC		759		

*Source: Polk County Transportation Planning Organization, 2025 Roadway Network Database January 2025. *4D means four-lane divided, UC means Urban Collector*

C. Roadway Conditions:

CR 540A (Central Barn Road), a four-lane divided urban collector that connects US 98 (Bartow Highway) on the east to US 37 (South Florida Avenue) to the west, an approximate six-mile stretch. Within the subject site's location, the road has a 90-foot right-of-way width and pavement width of 70 feet without shoulders. There are sidewalks on both sides of the road east and west of the site. CR 540A (Central Barn Road) between US 98 and Yarborough Lane has a PCI condition rating that ranges between Poor and Fair.

In general, all the roadways in the area are in adequate condition and have enough capacity to support the potential increase in trips. A Minor or Major Traffic study may be required at Level 2 Review (engineered site plan) depending on the final development request made.

D. Sidewalk Network:
Currently there are sidewalks along the north and south sides of the entirety of CR 540A (Central Barn Road) from US Highway 98 (Bartow Highway) to the east to Highway 39 (S. Florida Avenue) to the west.

E. Planned Improvements:
There are no road improvements currently planned for this area.

F. Mass Transit:
The nearest Citrus Connection route is the Silver Line Express, Stop 701, approximately 1 mile east on US Highway 98 (Bartow Highway).

Environmental Conditions:
Any impact to surface water, wetlands, and storm water management will be in accordance with the requirements of the Comprehensive Plan and Land Development Code.

A. Surface Water:
There are no wetlands on the subject site. The area is relatively flat with the highest points located along the northwest border at an elevation of approximately 292 feet, with the lowest parts of the property located along the southern boundary, fronting Hwy 540A with an elevation of approximately 124 feet.

B. Wetlands/Floodplains:
According to the Polk County Data Viewer the subject site does not indicate any flood zones or wetlands.

C. On-Site Soils:
The subject site is comprised of one (1) soil type: Candler 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. The reported soils are based on the United States Department of Agriculture (USDA) Soils Survey.

Table 7

SOIL NAME	SMALL COMMERCIAL BUILDINGS	SEPTIC TANK ABSORPTION FIELDS	PERCENTAGE OF SITE
Candler sand, 0 to 5 percent slopes	Slight	Slight	100+/-%
Source: USDA Web Soil Survey			

D. Wells (Public/Private):
The applicant did not indicate any wells located on the property. The subject property is not within a Wellfield Protection District. The closest Wellfield Protection District is approximately 0.14 miles south of the site.

E. Protected Species:
According to Polk County Protected Species Observation Map and the Florida Fish & Wildlife Conservation Commission (2015), the subject site is located within a one-mile radius of endangered animals. The applicant will be required to submit a biological walk-over as part of the Level-2 review process.

F: Polk Green Districts and Conservation Easements:
The site is not located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 2.75 miles west of the site, on the north side of the CR 540A (Central Barn Road) is a 99± acre Conservation Easement recorded in a portion of the W F Hallam & Co's Club Colony Tract, OR Book 4149, Page 0792.

G. Archeological Resources:
There are no known historical or archeological resources onsite according to the Secretary of the State's Department of Historical Resources Florida Master File.

H. Airports:
The subject site is not located within an Airport Impact District (AID) and Airport Height Notification Zone.

Park Facilities:
The proposed land use change is not anticipated to have a significant impact on the park facility demand or function. The nearest parks are Fort Frasier Trail, Highland City Park, and Highland City Senior Field. The closest environmental site is the Circle B Bar Reserve.

A. Location:
Highland City Park is located at 3930 Ball Park Road, Lakeland, approximately 1.1 miles north of the site. Fort Frasier Trail runs along the east side of US 98 between Bartow and SR 540 (Winter Lake Road).

B. Services:
All of the parks current hours of operation are from 5 a.m. to 10 p.m. Fort Frasier Trail offers approximately 8 mile of walking/ bicycling trails that connect Bartow and the Circle B Bar Reserve. Highland City Park offers basketball courts, pavilions, picnic tables, playground, sports leagues and rest rooms. Highland City Senior Field offers baseball fields, and leagues, softball fields and picnic tables.

C. Multiuse Trails:
The closest free hiking trails are the Fort Frasier Trail and the Circle B Bar Reserve.

D. Environmental Lands:
The Circle B Bar Reserve is located west of Lakeland and is comprised 0f 1,267 acres of natural Florida lands and wetland with walking trails, cycling, nature center, picnic areas, restrooms and wildlife viewing.

E. Planned Improvements:
There are no further recreation improvements scheduled for this area of Polk County at this time.

Consistency with the Comprehensive

The following policies in Table 8 have been included as being the most relevant policies to the proposed request. The policy is first stated and then an analysis of how the request may or may not be consistent with the County's Comprehensive Plan is provided.

Table 8 Comprehensive Plan Policy

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.	Adjacent to the north and east is a religious use property, providing scaling and a stepdown to the residential us to the north and east. Adjacent to the west is a residential development that the Land Development Code provides both buffering and compatibility setbacks that would be meet for development. To the south is a four-lane divided Urban Collector road and a stormwater retention pond for CR 540A.
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 request fronts the northern side of CR 540A a four-lane Urban Collector road. The site size is 1.35± acres and is not suitable for RS residential development, fronting an Urban Collector road.
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.	The request is for OCX within an area with very little remaining vacant land. There are only two (2) non-residential Land Use districts between US 98 and Lakeland Highlands Road.
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	

Comprehensive Plan Policy	Consistency Analysis
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 2.113-C3: LOCATION CRITERIA - The establishment of a new Office Center designation shall be located according to the following: a. at the intersection of a local and collector/arterial road, or at the intersection of two collector roads; or at the intersection of two arterial roads; or b. Along a collector or arterial roadway adjacent to an existing developed or undeveloped Activity Center, Commercial Enclave; Linear Commercial Corridor, Rural Cluster Center, Tourist Commercial Center, High Impact Center, Business Park Center, Industrial, Institution, Employment Center, Mixed Use, Professional Institutional, Interchange Activity Center, and Town Center; or c. Adjacent to existing legally established non-residential development; d. When considering the establishment of a new Office Center designation or the expansion of an existing Office Center consideration shall be given to the following: 1. maximizing access to a collector or arterial road and to the guidelines outlined in Policy 2.404-A1.~~;~~ ~~2.~~ minimize the routing of office traffic through residential areas; 3. The amount of existing office uses within a two mile radius.	The requested OC has frontage along a collector road adjacent to an existing developed existing legally established non-residential development to the north and east of the site.

Urban Sprawl Analysis

Polk County's Comprehensive Plan *Policy 2.102-A10* establishes review criteria intended to discourage the proliferation of urban sprawl. Specific characteristics of urban sprawl have been examined throughout this staff report and are summarized in Table 7 (below). Based on the findings of fact and analysis conducted, the proposed request does not meet the criteria to be considered as urban sprawl.

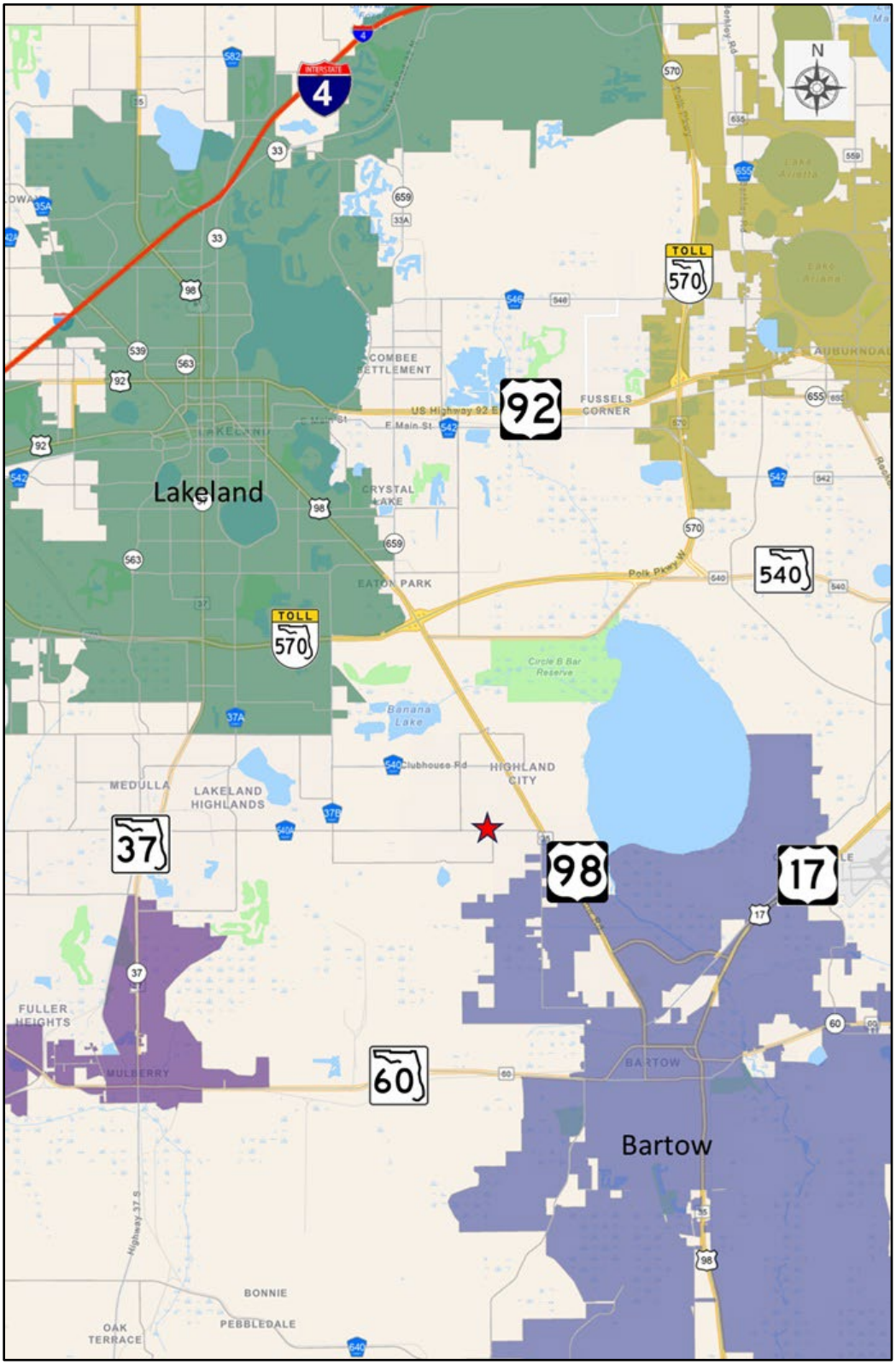
Table 7: Urban Sprawl Criteria

Rule 9J-5 Urban Sprawl Criteria	Page(s) within report
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Surrounding Land Uses Section
b. *Allows a significant amount of urban development to occur in rural areas.*	Surrounding Land Uses Section
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Surrounding Land Uses Section
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Environmental Conditions
e. *Fails to adequately protect adjacent agricultural areas.*	Surrounding Land Uses Section
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.*	Surrounding Land Uses Section
i. *Fails to provide a clear separation between urban and rural uses.*	Surrounding Land Uses Section
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Surrounding Land Uses Section
k. *Fails to encourage an attractive and functional mixture of land uses.*	Surrounding Land Uses Section
l. *Will result in poor accessibility among linked or related land uses.*	Surrounding Land Uses Section
m. *Results in the loss of a significant amount of open space.*	Surrounding Land Uses and Environmental Conditions Sections
Source: The following criteria are the primary indicators of urban sprawl per Rule 9J-5 of the Florida Administrative Code.	

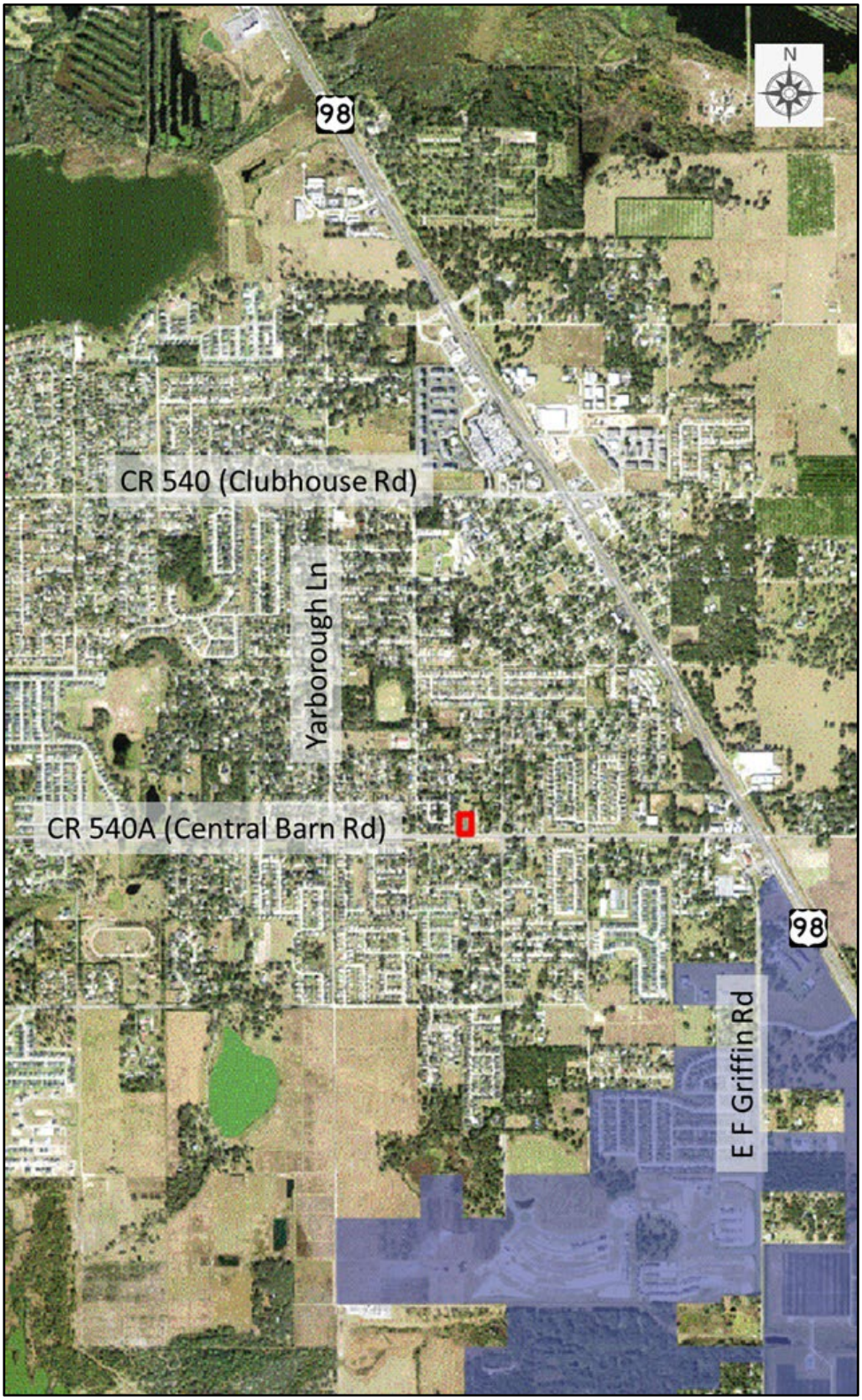
Comments from Other Agencies: None.

Attachments:

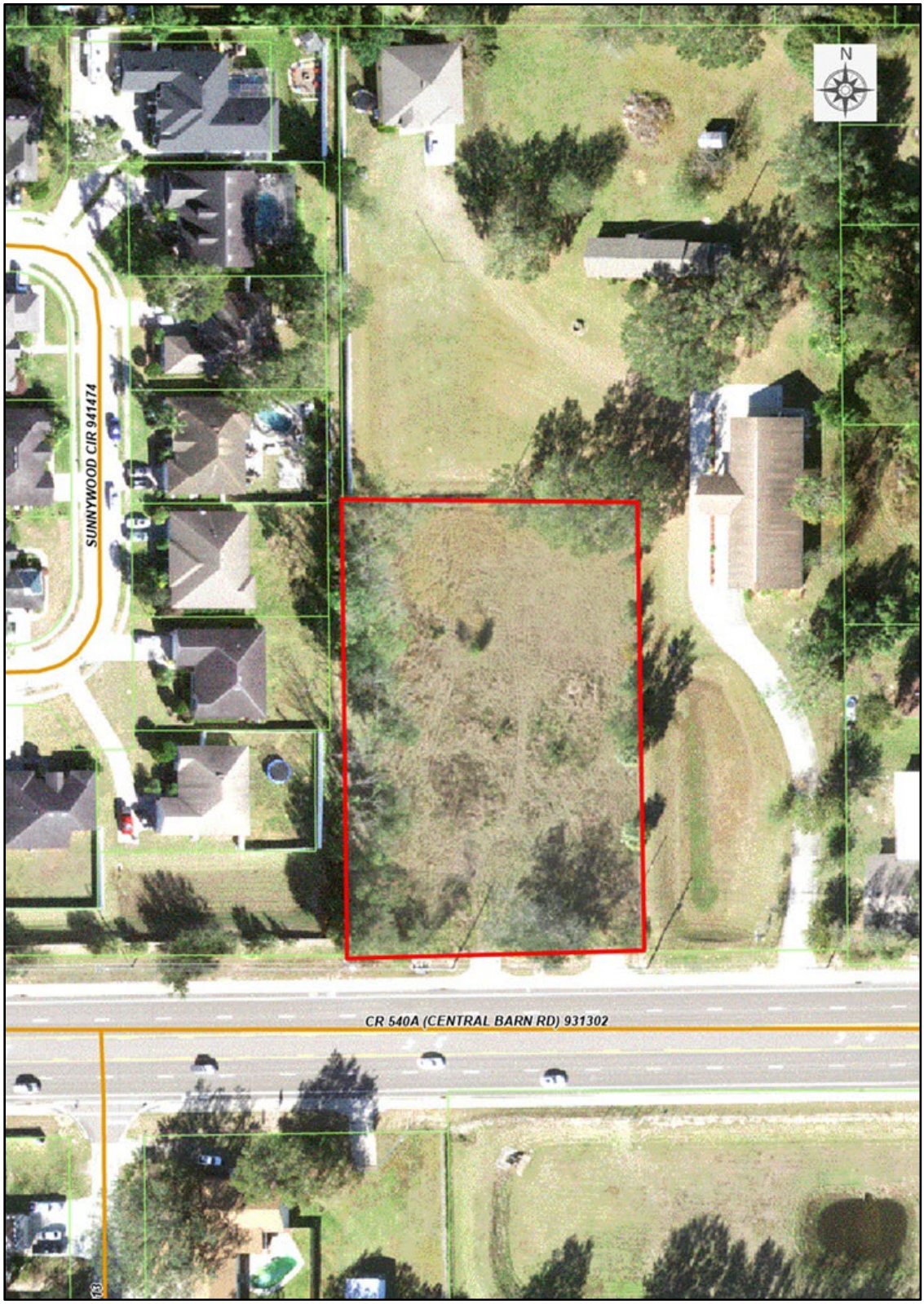
Exhibit 1 – Location Map
Exhibit 2 – 2023 Aerial Context Map
Exhibit 3 – 2023 Aerial Close-up Map
Exhibit 4 – Current Future Land Use Map
Exhibit 5 – Proposed Future Land Use Map
Exhibit 6 – Current Permitted and Conditional Uses
Exhibit 7 – Proposed Permitted and Conditional Uses



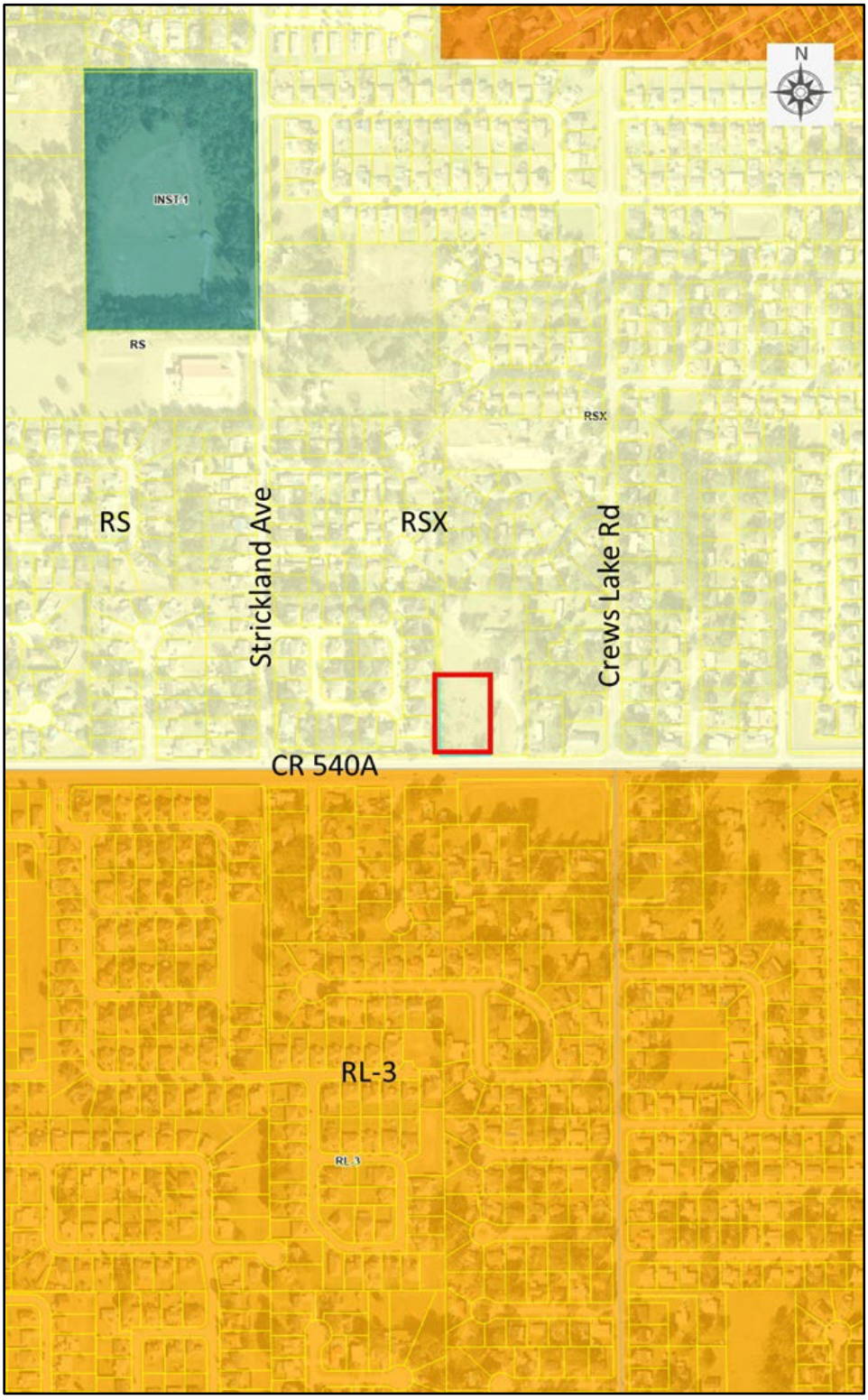
LOCATION MAP



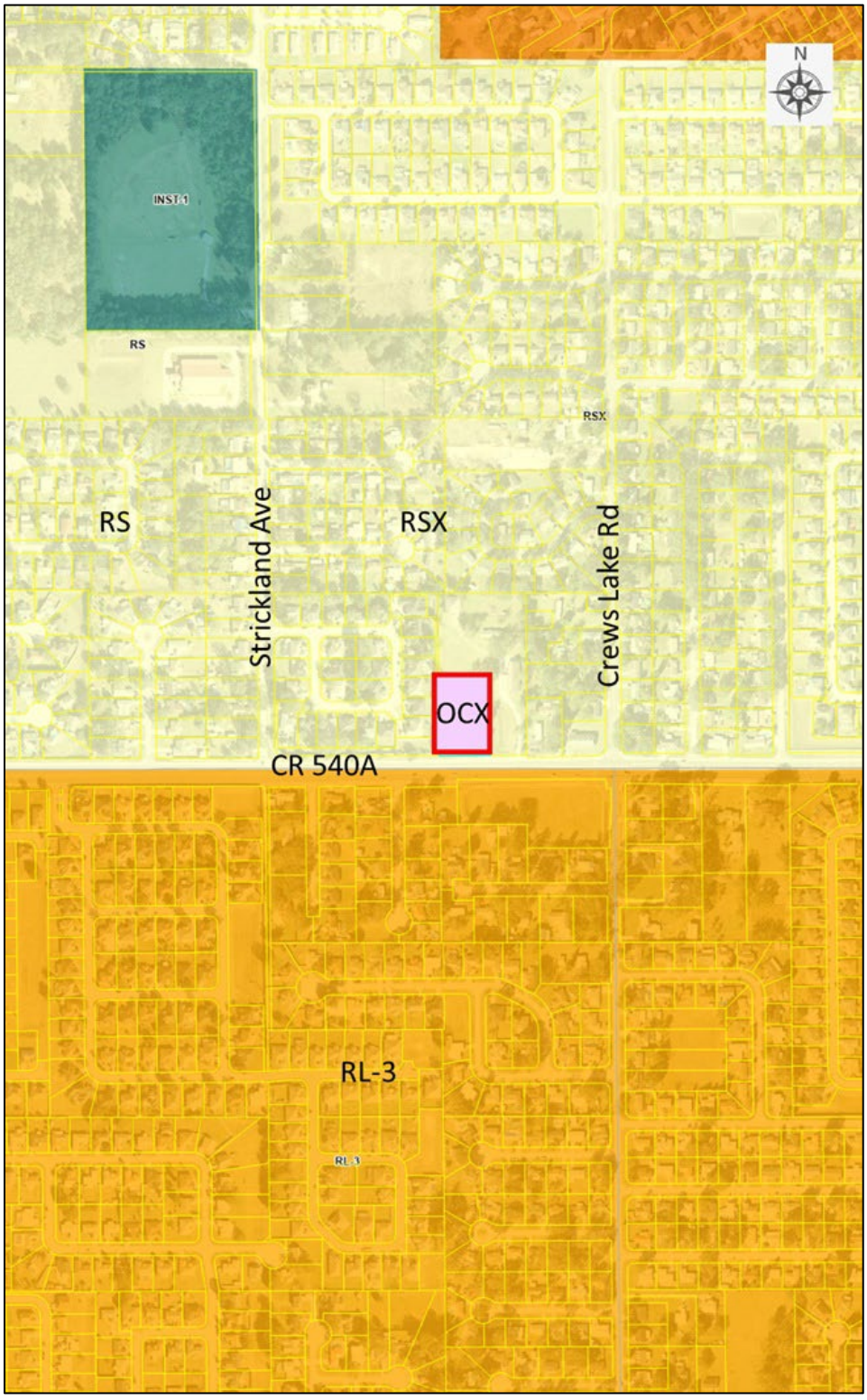
2023 AERIAL CONTEXT MAP



2023 AERIAL CLOSEUP MAP



CURRENT FUTURE LAND USE
RESIDENTIAL SUBURBAN-X (RSX)



PROPOSED FUTURE LAND USE
OFFICE CENTER-X (OCX)

Residential Suburban (RS)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
Residential Uses:	Family Farm, C1 Group Home, Small (6 or less residents), C1 Farm Worker Dormitory, Apartment Style, C2 Mobile Homes, Individual, C1 Residential Infill Development, C2 Single-family Detached Home & Subdivision, P	**Residential Uses:**	Duplex, C3 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, C4 Mobile Home Subdivision, C4 Rural Residential Development (RRD), C3 Suburban Planned Development, C3
		Mixed Uses:	Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Rural Mixed Development (RMD), C3 Transitional Area Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Convenience Stores, Isolated, C2 Emergency Shelter, Small (6 or less residents), C1 Farming General, P Golf Course, C1 Livestock Sale, Auction, C1 Nurseries and Greenhouses, C1 Recreation, Passive, C1 Recreation, Low Intensity, C2 Riding Academies, C1 School, elementary, C2 Utilities, Class I, P Utilities, Class II, C1 Veterinary Service, C2	**All Other Uses:**	Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-site, C3 Bed and Breakfast, C3 Cemetery, C3 Childcare Center, C3 Communication Towers, guyed and Lattice, C3 Communication Tower, Monopole, C3 Community Center, C3 Cultural Facility, C3 Emergency Shelter, medium (7-14 residents), C3 Emergency Shelter, Large (15 or more residents), C3 Event Facility, C3 Government Facility, C3 Helistops, C3 Kennels, Boarding and Breeding, C3 Lime Stabilization Facility, C3 Lodges and Retreats, C3 Mining, Non-phosphate, C3 Outdoor Concert Venue, C3 Recreation, High Intensity, C3 Religious Institution, C3 School, Middle, C3 School, High, C3 School, Leisure/Special Interest, C3 Seaplane Base, C3 Solar Electric-power Generation Facility, C3 Utilities, Class III, C3 Water Ski Schools, C4

CURRENT
PERMITTED AND CONDITIONAL USES

Office Center (OC)				
Technical Staff Review -Level 1& 2			**Public Hearing (s) Required-Level 3 & 4**	
All Other Uses:	Clinics & Medical Offices; Community Center; Cultural Facility; Farming General; Financial Institution; Office; Office Park; Printing & Publishing; Recreation, Passive; Religious Institution; School, Technical/Vocational/Trade & Training; Studio, Production; Utilities, Class II; Veterinary Service		**Residential Uses:**	Multi-Family
			Mixed Uses:	Planned Development
			All Other Uses:	Agricultural Support, Off-Site; Childcare Center; Financial Institution, Drive Through; Government Facility; Helistops; Hospitals; Medical Marijuana Dispensaries; Mining, Non-phosphate; Research & Development; Retail, 10,000-34,999 sq. ft.; Retail, Less than 10,000 sq. ft.; School, Leisure/Special Interest; Utilities, Class III

PROPOSED
PERMITTED AND CONDITIONAL USES

ORDINANCE NO. 26 -____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAS-2025-36;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE MAP DESIGNATION ON 1.35+/- ACRES FROM RESIDENTIAL SUBURBAN-X (RSX) TO OFFICE CENTER-X (OCX). THE SITE IS LOCATED ON THE NORTH SIDE OF HWY 540A EAST OF STRICKLAND AVENUE, WEST OF CREWS LAKE ROAD AND SOUTH OF CLUBHOUSE ROAD, SOUTHEAST OF THE CITY OF LAKELAND AND NORTHWEST OF THE CITY OF BARTOW, IN SECTION 14, TOWNSHIP 29, RANGE 24; 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 June 3, 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 five (5) acre site from Residential Suburban (RS) to Institutional (INST) in the Suburban Development Area (SDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 242914-282500-006006

W F HALLAM & CO'S CLUB COLONY TRACT PB 1 PG 102A LOT 60 W 196 FT OF S 350 FT OF W1/2 OF SE1/4 OF SE1/4 OF SW1/4 LESS S 40 FT FOR SR-540-A & LESS THAT PART BEING R/W PCL 141 PROJECT 100002.25 BEING ADDL R/W FOR CR 540A AS DESC IN OR 7252-0841

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

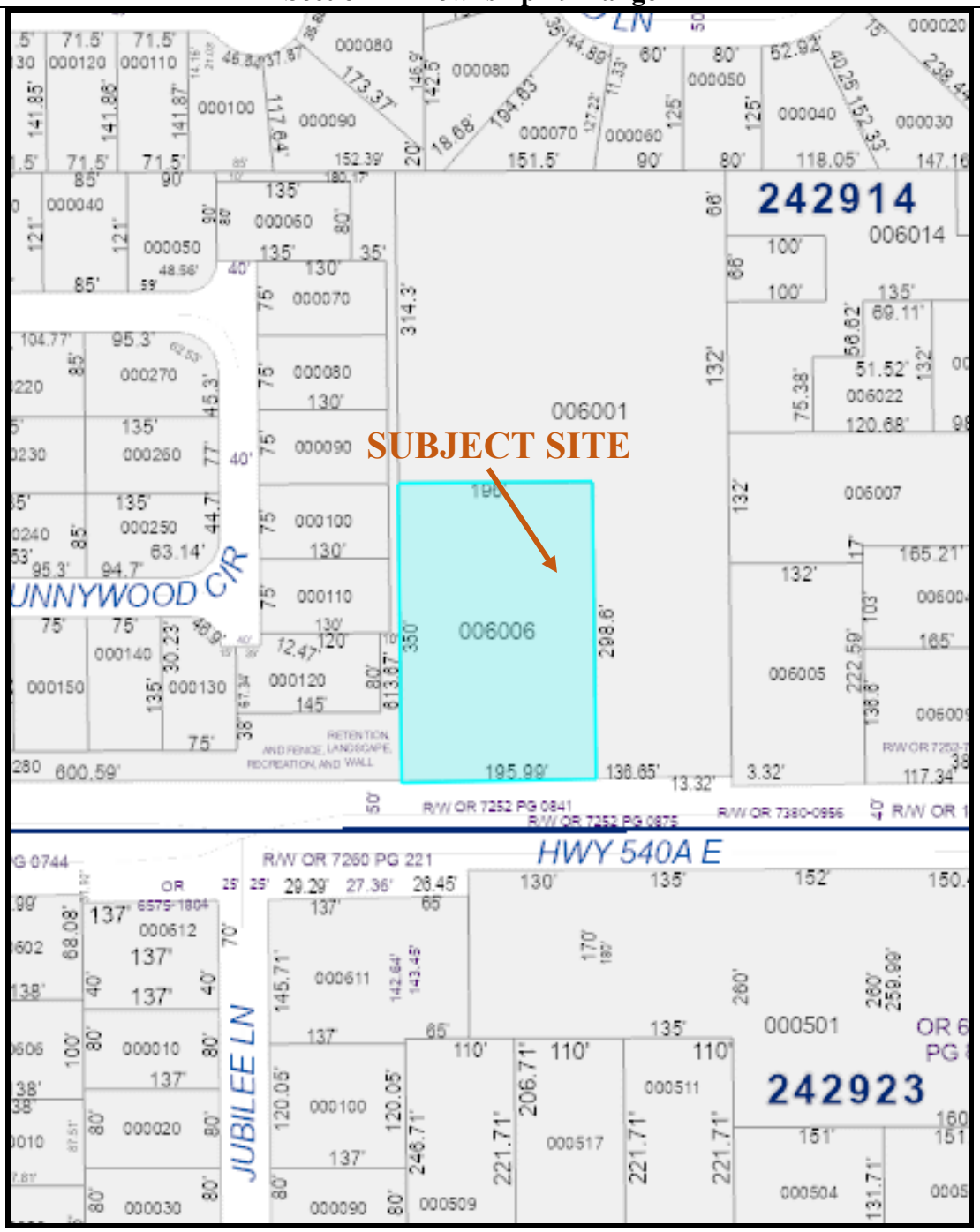
This ordinance shall be effective on July 17, 2026 (31 days after adoption), unless the amendment is challenged. If challenged, the effective date of this ordinance shall be the date a Final Order is issued by the Department of Economic Opportunity or Administration Commission finding the amendment in 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.

LDCPAS 2025-36
Development Area: Suburban Development Area
Location: North side of Hwy 540A E, east of Strickland Ave., west of Crews Lake Road
Section-14 Township-29 Range-24



PARCEL DETAIL
Note: Not to Scale

CLARK, CAMPBELL, LANCASTER, WORKMAN & AIRTH, P.A.
ATTORNEYS AT LAW

TIMOTHY F. CAMPBELL
Board Certified Real Estate Attorney
Board Certified City, County & Local Government Attorney
Land Use and Zoning | Commercial Real Estate | Corporate Law

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BOARD CERTIFICATIONS:
1. REAL ESTATE 2. TAX LAW
3. CITY, COUNTY & LOCAL GOVERNMENT
4. ELDER LAW

February 5, 2026

Benjamin Dunn, Director
Polk County Office of Planning and Development
330 W. Church Street
Bartow, Florida 33830

Transmitted by Email
BenjaminDunn@polk-county.net

Re: IT Land Investments LLC (Floyd) / Real Estate Matter (4002 E State Rd 540) | Comprehensive Plan Amendment

Dear Ben:

Our firm represents IT Land Investments, LLC (the "**Applicant**") with respect to the proposed development of approximately 1.35 acres of property identified as Polk County Property Appraiser Parcel Identification Number 242914282500006006 (the "**Property**"). This correspondence accompanies our application for a Comprehensive Plan Amendment for the Property. The following shall serve as an explanation of our request.

Explanation of Request

The Property presently has a land use classification of Residential Suburban X ("**RSX**"), is located within the U.S. Highway 98 Selected Area Plan and lies within a Suburban Development Area ("**SDA**"). At the recommendation of County planning staff, the Applicant requests a Comprehensive Plan Amendment to change the land use for the Property to an Office Center ("**OC**") future land use designation (the "**Request**"). The Request is compatible with surrounding uses, and consistent with the standards set forth in the Land Development Code.

Conclusion

We look forward to working with the County to process the application for a Comprehensive Plan Amendment. Please also let us know if we can address any questions or provide any additional supportive information.

Thank you very for your time and consideration.

Sincerely,

Timothy F. Campbell

Copy: Client (transmitted by email)

IMPACT ASSESSMENT STATEMENT

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 *(Note: N/A is an insufficient comment, if N/A an explanation must be included):*

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 location is ideal to provide services along County Road 540A to the surrounding community.**

2. What, if any, are the incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses? **The use of the property is consistent with uses in the vicinity of the property and complements the nearby uses.**

3. How will the request influence future development of the area? **The request will allow for flexibility of future uses of the property which will provide services to surrounding residents and those who travel on County Road 540A.**

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 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.

   While the property owner proposes to generally use the property for office, the specific use and layout have not been determined. As such, we cannot estimate the number of vehicle trips at this time. However, at such time that a specific use is intended for the property, vehicle trips and traffic impacts will be addressed during

the Site Plan Review process and in accordance with the Land Development Code.

2. What modifications to the present transportation system will be required as a result of the proposed development? **No transportation modifications are anticipated at this time as a result of the use of the property.**

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

   While the property owner proposes to generally use the property for office, the specific use and layout have not been determined. As such, we cannot estimate the number of parking spaces at this time. However, at such time that a specific use is determined for the property, parking will be addressed during the Site Plan Review process and in accordance with the Land Development Code.

4. What are the proposed methods of access to existing public roads (e.g., direct frontage, intersecting streets, and frontage roads)? **The property will have direct access onto County Road 540A.**

NOTE: *Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for* ***"Infrastructure Impacts"*** *items 3 through 9 above.*

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.F of the LDC) Approx.*

   While the property owner proposes to generally use the property for office, the specific use and layout have not been determined. As such, we cannot estimate the amount of sewage at this time. However, at such time that a specific use is determined for the property, sewage generation will be addressed during the Site Plan Review process and in accordance with the Land Development Code.

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? **On-site treatment of wastewater is not proposed for the property.**

3. If offsite treatment, who is the service provider? **City of Lakeland**

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) **Unknown at this time.**

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

6. What is the anticipated date of connection? **The date of connection cannot be anticipated at this time as the final development details for the property have not yet been determined.**

7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc.)?* **Any improvements necessary to support the proposed request will be addressed during the Site Plan Review process and in accordance with the Land Development Code.**

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? **City of Lakeland.**

2. What is the estimated volume of consumption in gallons per day (GPD) *(Response may be based on Section 703 of the LDC)?*

   While the property owner proposes to generally use the property for office, the specific use and layout have not been determined. As such, we cannot estimate the amount of water consumption at this time. However, at such time that a specific use is determined for the property, water consumption will be addressed during the Site Plan Review process and in accordance with the Land Development Code.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line? **Unknown at this time.**

4. Who is the service provider? **City of Lakeland.**

5. What is the anticipated date of connection? **The date of connection cannot be anticipated at this time as the final development details for the property have not yet been determined.**

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

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

   Yes ☐ What type?_____

Permit Capacity_____

No [X]

Location: _____

Water Use Permit #: _____

Constructed prior to Water Management District Permitting: Yes [ ] No [ ]

Type of Use [ ] Ag [ ] Public [ ] Industrial or

Commercial [ ] Recreation or Aesthetic [ ] Mining

Permitted Daily Capacity: _____

Average Peak Monthly Withdrawal Rate: _____

Location: _____

Casing Diameter_____

Mainline Diameter_____

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): **Stormwater management and drainage will be addressed on-site pursuant to a permit from Southwest Florida Water Management District.**

2. What alterations to the site's natural drainage features, including wetlands, would be necessary to develop the project? **No alterations are proposed with respect to the use of the property.**

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. **No environmentally sensitive features have been identified on the site. If environmentally sensitive features are subsequently identified, they will be addressed during the permitting and Site Plan Review process.**

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site. **No wetland or floodplain conditions have been identified on the site. If wetland or floodplain conditions are subsequently identified, they will be addressed during the permitting and Site Plan Review process.**

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*. **Unknown at this time.**

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).* **The property 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 soil type and percentage of coverage on the site is unknown at this time. Any effect that the soil composition will have on the development will be determined and addressed during the Site Plan Review and permitting process.**

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 use of the property is not anticipated to generate additional demand for recreational facilities.**

2. Educational Facilities (e.g., preschool, elementary, middle school, high school): **The use of the property is not anticipated to generate additional demand for educational facilities.**

3. Health Care (e.g., emergency, hospital): **The use of the property is not anticipated to generate additional demand for healthcare facilities. The closest emergency room is located 5.1 miles away (Lakeland Regional Health Freestanding Emergency Department 6150 Florida Ave S).**

4. Fire Protection: **The closest fire services facility is located 1.50 miles away at Polk County Fire Rescue Station 28 (4101 Clubhouse Rd).**

5. Police Protection and Security: **The closest police services facility is the Polk County Sheriff's Office Southwest Command located 4.0 miles away (4120 US-98).**

6. Emergency Medical Services (EMS): **The closest EMS facility is located 1.50 miles away at Polk County Fire Rescue Station 28 (4101 Clubhouse Rd).**

7. Solid Waste (collection and waste generation): **Solid waste services will be provided by Polk County.**

8. How may this request contribute to neighborhood needs? **The use of the property will allow for flexibility of future uses of the property in a manner consistent with surrounding uses which will benefit residents in this area of Polk Conty while reducing travel distance for some residents who seek office services.**

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 overlaid on all maps. The following **maps shall 8 1/2" x 11"** and 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: **Uploaded to portal.**

Map B: Map depicting the site boundary (properties included in the request): **Uploaded to portal.**

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 81/2"x 11" copy**. Applications for district changes alone are not required but are encouraged to submit a Development Plan: **Site Plan is not required for Comprehensive Plan Amendment.**

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 and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

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[2] See *Site Plan Standards* checklist form (GM LDD 11).

Agenda Item 7. 6/3/2026

SUBJECT

LDCPAS-2025-24 (Shimmering Dr CAC CPA)

DESCRIPTION

Applicant-initiated request for a Small Scale Comprehensive Plan map amendment from Residential Low (RL) to Community Activity Center-X (CAC) on 3.87± acres in the Transit Supportive Development Area (TSDA) for a property located on the south side of Shimmering Drive (Shepherd Road) east of Strickland Avenue, east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, in Section 25, Township 29, Range 23 and a text amendment to Section 2.135 Parcel Specific Future Land Use. Related to LDCT-2026-5 a LDC Text Amendment text amendment to Appendix E adding for an activity center plan.

RECOMMENDATION

Approval

FISCAL IMPACT

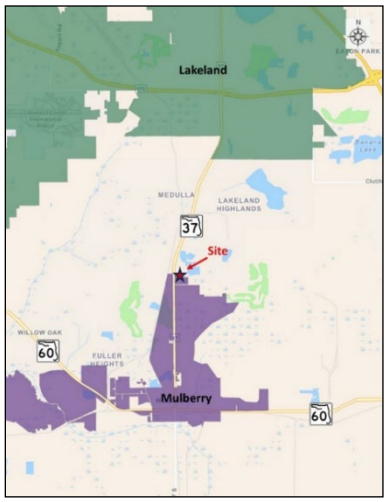
No Fiscal Impact

CONTACT INFORMATION

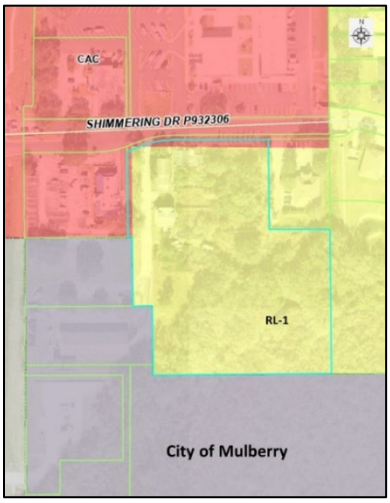
Robert Bolton
Planner III
Land Development
863-534-6468
robertbolton@polkfl.gov

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	August 28, 2025
Planning Commission Date:	June 3, 2026
BoCC Dates:	July 21, 2026
Applicant:	Dario Cardona, Clark, Commercial Park, LLC
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-24 Shimmering Drive CAC CPA
Request:	Small Scale Comprehensive Plan map amendment from Residential Low (RL) to Community Activity Center-X (CAC) on 3.87± acres in the Transit Supportive Development Area (TSDA). This request is related to a LDCT-2026-5, a LDC Text Amendment text amendment to Appendix E adding conditions for development.
Location:	The site is located on the south side of Shimmering Drive (Shepherd Road) east of Strickland Avenue, east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, in Section 25, Township 29, Range 23
Property Owner:	Commercial Park, LLC
Parcel Size:	3.87± acres (232925-000000-033030)
Development Area/Overlays:	Transit Supportive Development Area (TSDA), Transit Corridors and Centers Overlay, Corridor
Future Land Use:	Residential Low (RL)
Nearest Municipality	Mulberry
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary of Analysis

This is an applicant request for a Small Scale Comprehensive Plan Amendment LDCPAS-2025-24) to change the Future Land Use Designation from Residential Low (RL) in the Transit Supportive Development Area (TSDA) on 3.87+/- acres. The applicant has a related request for a Land Development Code (LDC) Text Amendment (LDCT-2026-5) to add an Activity Center Plan. The site is located in the Transit Supportive Development Area (TSDA) located on the south side of Shimmering Drive (Shepherd Road) east of Strickland Avenue, east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, in Section 25, Township 29, Range 23.

Compatibility Summary

The proposed land use change is compatible with the growth that has occurred in this area. The subject site is located within the Transit Supportive Development Area (TSDA) and the TCCO Corridor. The site is approximately 300 feet east of the SR 37 (S. Florida Avenue) and Shepherd Road at the southern entrance to the Imperial Christina Plaza. Shimmering Drive was developed with the original construction of the Imperial Christina Plaza as a southern entrance. With the development of the Twin Lake at Christina, the southern entrance to the shopping plaza became the entrance road to the residential development. Around the same time as the residential subdivision began development the subject site began operation as a plant nursery and operated as such until the past several years. Over the past several decades the southern expansion of unincorporated Lakeland has moved south into this area and the City of Mulberry has annexed and approved development north into this area.

Imperial Christina Plaza, a retail shopping center that includes uses from a grocery store, restaurants, and personal service providers. North of the shopping center is the Century Avenues apartment complex. At the eastern end of Shimmering Drive is the Twin Lake at Christina an 89-lot residential subdivision developed between 2000 and 2003. Adjacent to the east is a dental office developed in 2009. West of the site is a Burger King which was constructed in 1986. South of the Burger King is the City of Mulberry with a zoning of Highway Commercial.

The site has historically operated as a non-residential use property along side of the Twin Lake at Christina residential development. Shimmering Drive, from US 37 (S. Florida Avenue) to the entrance of Twin Lake at Christina has historically operated as an entrance to the retail center, or as a local commercial road with both uses working harmoniously together.

Infrastructure and Urban Services Summary

The proposed CPA is not anticipated to degrade the Level-of-service (LOS) standard for transportation, the locally zoned schools, fire, EMS and sheriff public safety resources. The subject site will be connected to Polk County Utilities. There are no wells on the subject site.

Environmental Conditions Summary

The subject's 3.87± acre site is comprised of an estimated 2.16 acres of uplands and an estimated 1.71 acres of wetlands. Preliminary proposed site plans indicate that the wetlands will not be impacted. The site is subject LDC Section 620 Wetland Protection. The proposed request is not anticipated to have a negative impact upon the environmental features present on site. The subject site is not located within the one-mile radius of a protected animal and plant species sighting. The site does have wetlands and a flood zone that would need to be address at the time of development. The project site is not located within an Airport Impact District and is not associated with any historical or archeological sites.

The subject site is not located within an airport height notification zone, there are no historical or archeological resources, and there are no indicated protected species. The subject site has no surface water, wetlands or flood zones, the soils are not of a problematic type.

Comprehensive Plan Policies Considered

- Section 2.102 – General Growth Management policies
- Section 2.104 – Transit Supportive Development Areas (TSDA) policies
- Section 2.110-E – Community Activity Center policies

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request to change the Future Land Use (FLU) designation from Residential Low (RL) to Community Activity Center (CAC) in the Transit Supportive Development Area (TSDA). This request is related to a LDCT-2026-5, a LDC Text Amendment text amendment to Appendix E adding conditions for development.

- The request is an expansion of an existing Community Activity Center (CAC). The CAC district is predominantly to the north of the site and is comprised of approximately 93.5 acres, and predominantly on the east side of SR 37 (S. Florida Ave.).

- The subject site is located on the south side of Shimmering Drive (Shepherd Road) east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, north of the City of Mulberry, in Section 25, Township 29, Range 23.

- The subject site is located within the Transit Supportive Development Area (TSDA).

- The proposed FLU change totals approximately 3.87± acres.

- A community meeting was hosted by the applicant on Thursday May28, 2026 at 5455 S. Florida Avenue, Lakeland. The meeting includes information of the expansion of the Community Activity Center (CAC) and development of retail/office strip centers.

Compatibility

- The subject's surrounding uses are as follows:
  - North of the subject site is existing Community Activity Center (CAC)
  - East of the subject site is the Twin Lakes at Christina residential development.
  - South of the subject site is vacant in the City of Mulberry with a Conservation zoning.
  - West of the subject site is Community Activity Center (CAC) in the County and C-2 Highway Commercial in the City of Mulberry.

- The request is an expansion of an existing Community Activity Center (CAC). The CAC district is predominantly to the north of the site and is comprised of approximately 93.5 acres, and predominantly on the east side of SR 37 (S. Florida Ave.).

- The greater Shimmering Drive/Sheperd Road and US 37 (S. Florida Avenue) intersection has become a center for commercial uses, with the western side of US 37 (S. Florida Avenue) filling in the last vacant properties fronting US 37 between Ewell Road and Shepherd Road.

- The city of Mulberry is adjacent to the south of the site. The City of Mulberry land has a Zoning of Conservation.

- The subject site is located within the Transit Supportive Development Area (TSDA).

- The site is located approximately 300 feet east of the intersection of SR 37 (S. Florida Ave.) and Shepherd Road, both of which are four (4) lane divided Urban Collector roads..

- The request is related to LDCT-2026-5 an Amendment tot the Land Development Code providing connectivity with he existing Community Activity Center (CAC).

Infrastructure

- The zoned schools for the site are Scott Lake Elementary, Lakeland Highlands Middle School, and George Jenkins High School.

- First responder Fire/ response is from Polk County Fire Rescue Station 2, 2523 Ewell Rd, Lakeland with a travel distance of 2.7+/- miles.

- The subject site is within the Southwest District Commend Area for the Sheriff's office which is located at 4120 US 98 South, Lakeland.

- The subject site is within Southwest Regional Service District for water and wastewater. The Polk County Utilities reports that development require upsizing of the 8" water main.

- The site is located on the south side of Shimmering Drive, a local private road, approximately 300 feet east of the SR 37 (S. Florida Ave.) and Sheperd Road intersection. SR 37 (S. Florida Ave.) is a 4-lane divided roadway and Sheperd Road is a 4-lane divided roadway.

- The subject site is located on a private road, sidewalks are not required. SR 37 (S. Florida Ave.) and Sheperd Road both have sidewalks in both sides of the respective roads.

- Citrus Connection's nearest route is the Lime Flex Line along S. Florida Avenue with the nearest stop approximately 0.2 miles north along S. Florida Ave. if front of the Imperial Chistina Plaza.

- The nearest parks are the Carter Road Park. The closest environmental site is the Lakeland Highland Scrub Trail.

Environmental

- The subject site is approximately 159 feet above sea level, with the lowest parts of the property located near the center and northern area of the property with an elevation of approximately 157 feet.

- The subject site, 3.87± acres, includes wetlands on the southern portion of the site. Development will require a formal wetland delineation. For purposed of this analysis a review of the Polk County Data view and wetland layer it is estimated that the site has 1.71± acres of wetlands, or 2.16± acres of uplands. See Exhibit 6

- According to the soil survey by the United States Department of Agriculture the subject site is made up of Hydraquents, clayey, and Arents, 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.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observed a protected animal species sighting (Source: Florida Department of Environmental Protection, 2015). However, the applicant will be required to submit a biological walk-over as part of the Level-2 review process.

- The site is not located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 1.3 miles southwest of the site, is a 46+ acre Conservation Easement recorded between Imperial Lakes Properties, LLC and National Farmers Trust, Inc., OR Book 9658, Page 1068.

- The site is not located within the Florida Wildlife Corridor.

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

- The subject site is not within a Wellfield Protection district; however, the nearest Wellfield Protection District is approximately 115 feet west of 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 - 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 2.104-A5: DEVELOPMENT CRITERIA - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code:
  a. provide access to transit facilities;
  b. connect to centralized potable water and sanitary sewer systems;
  c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
  d. implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
  e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;
  f. provide access to civic space, parks, green areas, and open space and other amenities;
  g. be supported by public safety (i.e., fire, EMS and law enforcement);
  h. have access to public schools;
  i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.
  j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.

- POLICY 2.110-E1: CHARACTERISTICS - Community Activity Centers are intended to accommodate the shopping needs of residents living within the community and generally contain a shopping center and other commercial and office uses within close proximity. General (approximate) characteristics of Community Activity Centers are:
  - Usable Area: Over 20 acres to 60 acres
  - Gross Leasable Area (GLA): 150,000 to 500,000 square feet
  - Minimum Population Support: 20,000 to 80,000 people
  - Market-Area Radius: 2 miles or more

- Typical Leading Tenant: Variety, Discount, or Department Store
- Other Typical Tenants: Supermarket, Theater, Offices, Restaurant, Drug Store, Professional Services.

- POLICY 2.110-E3: LOCATION CRITERIA - Community Activity Centers shall be located at the intersections of arterial and/or collector roads, and preferably with the capability to accommodate a fixed route mass-transit line. There shall be the following traveling distance, on public roads, between the center of a Community Activity Center and the center of any other Community Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same community shopping needs:
  a. Four (4) miles within the TSDA and UGA
  b. Six (6) miles within the SDA and UEA

  This required separation may be reduced if:
  a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or,
  b. The proposed Community Activity Center market-area radius, minimum population support is over 50,000 people.

- POLICY 2.110-E4: DEVELOPMENT CRITERIA - Development within a Community Activity Center shall conform to the following criteria:
  a. Community Activity Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.
  b. Different uses within a Community Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
  c. 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.
  d. 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.
  e. New residential shall be limited to Special Residential and shall not exceed 30 percent of the total area of the community activity center. Location of residential units above stores shall be encouraged by not considering such units against the maximum residential percentages.
  f. There shall be no limits on the mix of office and commercial uses within a Community Activity Center.
  g. The maximum floor area ratio shall not exceed 0.30 unless developed as a Planned Development.
  h. Planned Developments within the Community Activity Center may be permitted a maximum floor area ratio up to 1.0 and a maximum residential density of 25 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

- POLICY 2.110-E5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Community Activity Center may include the following uses: Office, Medium-Density Residential, Institutional, Open Space.

- POLICY 2.110-J1: Existing Activity Centers may be expanded to contiguous properties, subject to approval by the Board of County Commissioners, and approved as a Comprehensive Plan Amendment in compliance with state and local law. Expansions and reclassifications of Activity Centers shall be in accordance with the following criteria:
  g. Existing Activity Centers requested to be expanded beyond the usable acreage listed in the "general characteristics" of the Center shall be in accordance with the following, in addition to other applicable policies of this Plan.
     1. be expanded to the contiguous properties only;
     2. submittal of Activity Center Plan (ACP) shall be required pursuant to the relevant policies under Objective 2.110 and the following:
        i. a Master Drainage Plan for the undeveloped properties as well as how the existing development properties may benefit from a Master Drainage Plan;
        ii. provisions for required shared parking; and
        iii. shared access.
     3. the incorporation of the ACP into the Land Development Code with reference in the Comprehensive Plan shall be required; and
     4. demonstration that a collaborative process occurred between the applicant, County staff and adjacent property owners to identify potential buffer areas and areas most suitable for development.

Development Review Committee (DRC) Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the DRC finds that with the proposed conditions, the proposed requests **ARE 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 DRC recommends **APPROVAL of LDCPAS-2025-24.**

Planning Commission Decision: On June 3, 2026, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCPAS-2025-25.**

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: *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.*

NOTE: Approval of this request is only for Level 4 Review and only for those development decisions within the Board of County Commissioners purview. A Level 2 Review (engineered plans) will be required for all site development and shall implement 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.

Surrounding Land Use Designations and Current Land Use Activity

Table 1: Surrounding Uses

NW CAC Imperial Christina Plaza	**N** CAC Imperial Christina Plaza	**NE** RL-1 Dental Office Twin Lakes at Christina Residential subdivision
W CAC – Polk County C-2 Highway Commercial, Mulberry Burger King & Tire Choice	**Subject Property** RL-1 Vacant Former Plant Nursery	**E** RL-1 Twin Lakes at Christina Residential subdivision
SW C-2 Highway Commercial, Mulberry Tire Choice	**S** Conservation Zoning City of Mulberry Vacant	**SE** Conservation Zoning City of Mulberry Vacant

Source: Site Visit and Polk County GIS Data Viewer

The site is located on the south side of Shimmering Drive, a private road connecting SR 37 (S. Florida Avenue) and Shepherd Road with the Imperial Christina Plaza and the Twin Lakes at Christina residential subdivision. The site is located approximately 300 feet east of the SR 37 (S. Florida Avenue) and Shepherd Road intersection. On the northeast corner of the intersection is the Imperial Christina Plaza, a retail shopping center that includes uses from a grocery store, restaurants, and personal service providers. North of the shopping center is the Century Avenues apartment complex. At the eastern end of Shimmering Drive is the Twin Lake at Christina an 89-lot residential subdivision developed between 2000 and 2003. Adjacent to the east is a dental office developed in 2009. West of the site is a Burger King which was constructed in 1986. South of the Burger King is the City of Mulberry with a zoning of Highway Commercial.

Shimmering Drive was developed with the original construction of the Imperial Christina Plaza as a southern entrance. With the development of the Twin Lake at Christina, the southern entrance to the shopping plaza became the entrance road to the residential development. Around the same time as the residential subdivision began development the subject site began operation as a plant nursery and operated as such until the past several years. Over the past several decades the southern expansion of unincorporated Lakeland has moved south into this area and the City of Mulberry has annexed and approved development north into this area.

To the northwest of the SR 37 (S. Florida Avenue) and Shepherd Road intersection, north of the Walgreens are several projects under review and under construction that will complete the commercial corridor from Ewell Road south to Shepherd Road along the western side of US 37 (S. Forida Avenue).

The site has historically operated as a non-residential use property along side of the Twin Lake at Christina residential development. Shimmering Drive, from US 37 (S. Florida Avenue) to the entrance of Twin Lake at Christina has historically operated as an entrance to the retail center, or as a local commercial road with both uses working harmoniously together.

Compatibility with the Surrounding Land Use:
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 site is located within the Transit Supportive Development Area (TSDA) which 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 and improve access to employment areas, schools, shopping and recreational opportunities. This development includes improving access to employment areas, schools, shopping and recreational facilities, while reducing costs of providing infrastructure and public services. As previously discussed this is an expansion of an existing, fully function Community Activity Center (CAC). Within the Comprehensive Plan Policy 2.110-E1 Community Activity Centers (CAC) Usable Area is "Over 20 acres to 60 acres." The existing CAC district is approximately 93.5 acres, exceeding Comprehensive Plan's Useable Area criteria. The requested expansion represents less than a five (5) percent increase in the size of the existing CAC. The subject site's location, not fronting an urban collector road, effectively an interior parcel to the existing CAC and the existing retail center at the southern end of the CAC. The sites location as previously mentioned necessitates the inclusion of an Activity Center Plan to address cross access with the existing uses to ensue proper traffic flow. The related LDCT-2026-5 provided for an Activity Center Plan to ensure proper cross-access connectivity.

In summary, the subject site is located within the Transit Supportive Development Area (TSDA), as part of a development that is located at the intersection for two (2) Urban Collector roads with full public services. The proposed CAC will provide non-residential support in an area that is well established for that use. The request is considered to be compatible and consistent with the surrounding area.

Nearest Elementary, Middle, and High School:
The schools zoned for the subject property, as shown in Table 2, include Scott Lake Elementary, Lakeland Highlands Middle School, and George Jenkins Senior High. The requested Community Activity Center (CAC) is intended for non-residential development and is not intended for residential development. Residential development within the CAC would require a Level 3 Planning Commission approval for multi-family development.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Scott Lake Elementary	**0 students**	**83%**	**2.8± miles**
Lakeland Highlands Middle School	**0 students**	**84%**	**3.3± miles**
George Jenkins Senior High	**0 students**	**89%**	**4.4± miles**

Source: Polk County School Board

Nearest Sheriff, Fire, and EMS Station:
The nearest Sheriff District office is located approximately 9.2 miles from the subject site. Response times vary depending on where the nearest sheriff's deputy patrol car is located rather than the district office. The nearest Fire/EMS station is approximately 2.7 miles from the subject site.

Table 3: Public Safety

	Name of Station	Distance/Response Time*
Sheriff	**Southwest District Command** (4120 US 98 South, Lakeland)	Priority 1 – 8:58 min Priority 2 – 22:54 min
Fire/EMS	**Polk County Fire Rescue Station 2** 2523 Ewell Rd, Lakeland	2.7 ± miles / 10-12 min

*Source: Polk County Sheriff's Office and Public Safety. 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 Sewer Capacity and Service Provider:
Table 4 below details the estimated impact to potable water and wastewater services based upon the buildout for the proposed FLU on the subject site. The subject property is within the Southwest Regional Service Area. The site is located within the TDSA and TCCO Corridor.

A. Available Capacity:
Table 4: Estimated Water and Sewer Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed CAC
3.87± acres Gross **2.16± acres Upland**	22 du	2.16± acres (94,090 sf) X 0.30 FAR = 28,227 sf
Potable Water Consumption	22 du X 250 gpd = **5,500 GPD**	28,227 sf X 0.22 = **6,210 GPD**
Wastewater Generation	22 du X 200 gpd = 4,4**00 GPD**	6,210 GPD X 80% = **4,868 GPD**

B. Service Provider:
The subject site is serviced by Polk County's Southwest Regional Service District for water and wastewater. There is an eight (8) inch potable water main on the north side of Shimmering Drive

in front of the site. The location also has an Eight (8) inch reclaimed water main.

C. Available Capacity:
Polk County Utilities requires a maximum pipe velocity of 7.5 ft/s (1,175 gpm in an 8" water main) in proposed and existing infrastructure for the max day demand + fire flow scenario. Commercial fire flow requirements often exceed the 1,175 gpm limit and may require upsizing of the 8" water main. On the north side of Shimmering Drive is an eight (8) inch wastewater gravity main.

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. The proposed Future Land Use designation change to CAC, at maximum density, will generate more than the current combination of the RL land use.

Table 5: Estimated Transportation Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed CAC
3.87± acres Gross **2.16± acres Upland**	22 du	2.16± acres (94,090 sf) X 0.30 FAR = 28,227 sf
Average Annual Daily Trips (AADT)	22 du X 7.81 AADT = **172 Trips**	28 X 11.07 AADT X 92% **286 Trips**
PM Peak Hour Trips	22 du X 1.00 AADT = **22 Trips**	27 X 1.21 AADT X 92% =**32 Trips**

Source: Concurrency Manual: Single-family @ 7.81 AADT per du and 1.00 AADT PM Peak Hour, CAC @ Office Park 11.07 AADT per 1,000 sf, 1.21 AADT per 1,000 sf PM Peak Hour,

B. Available Capacity:
The subject site fronts the private road Shimmering Drive, which is not monitored by the Polk TPO. Shimmering Drive intersects with Shepherd Road to the west and SR 37 (Florida Ave S) to the north and south. Table 6, following this paragraph, displays the available capacity for Sheperd Road and SR 37 (Florida Ave S).

Table 6: Roadway Link Concurrency

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
4144E 4144W	Shepherd Road Baily Rd to SR 37	4D UC	C	836 874	D	C
4144N 4144S	SR 37 (Florida Ave S) Shepherd Road to Pipkin Rd W	4D UC	C	597 539	D	C
5804N 5804S	SR 37 (Florida Ave S) SR 60 (Canal Stret E) to Shepherd Road	4D UC	C	1,099 1,062	D	C

*Source: Polk County Transportation Planning Organization, Roadway Network Database April 2026. *4D means four-lane divided, , 2U means two lane undivided, UC means Urban Collector*

C. Roadway Conditions:
Shepherd Road is a four-lane Urban Collector roadway that is in excellent condition. US 37 is a four-lane Urban Collector roadway that is in excellent condition. Shimmering Drive is a private

road connecting the Sheperd Road and US 37 intersection with the Twin Lakes residential development to the east and running along the southern side of the Imperial Christina Plaza.

D. Sidewalk Network:
Currently there are sidewalks along the east and west side of SR 37 (S Florida Avenue) and the north and south sides of Shepherd Road. There are no sidewalks on the private road of Shimmering Drive.

E. Planned Improvements:
There are no road improvements currently planned for this area.

F. Mass Transit:
Citrus Connection runs the Lime Flex Line along S. Florida Avenue. The nearest stop is located on the east side of S. Florida Avenue in front of the Imperial Christina Plaza approximately 0.2 mile from the site.

Environmental Conditions:
Any impact to surface water, wetlands, and storm water management will be in accordance with the requirements of the Comprehensive Plan and Land Development Code.

A. Surface Water:
There are no observable surface waters on the subject site. The area is relatively flat with the highest points located primarily along the southern border at an elevation of approximately 159 feet, with the lowest parts of the property located near the center and northern area of the property with an elevation of approximately 157 feet.

B. Wetlands/Floodplains:
According to the Polk County Data Viewer, wetland provided by the FDEP wetland viewer indicates wetlands are on the subject site. A wetland determination will be needed for final uplands of the subject site. For this analysis it is estimated that of the 3.87± acre site, approximately 1.71 acres are wetland and 2.16 acres are upland acres.

C. On-Site Soils:
The subject site is comprised of two (2) different soil types: Hydraquents, clayey, and Arents, 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. The reported soils are based on the United States Department of Agriculture (USDA) Soils Survey.

Table 7

SOIL NAME	SMALL COMMERCIAL BUILDINGS	SEPTIC TANK ABSORPTION FIELDS	PERCENTAGE OF SITE
Hydraquents, clayey	Severe: ponding	Severe: ponding	86+/-%
Arents, 0 to 5 percent slopes	Slight	Moderate: wetness	14+/-%
Source: USDA Web Soil Servey			

D. Wells (Public/Private):
The applicant did not indicate any wells located on the property. The subject property is not within a Wellfield Protection District; however, the nearest Wellfield Protection District is approximately 115 feet west of the site.

E. Protected Species
According to Polk County Protected Species Observation Map and the Florida Fish & Wildlife Conservation Commission (2015), the subject site is not located within a one-mile radius of endangered animals. The applicant will submit a biological walk-over as part of the Level-2 review process.

F: Polk Green Districts and Conservation Easements:
The site is not located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 1.3 miles southwest of the site, is a 46+ acre Conservation Easement recorded between Imperial Lakes Properties, LLC and National Farmers Trust, Inc., OR Book 9658, Page 1068.

G. Florida Wildlife Corridor
The site is not located within the Florida Wildlife Corridor.

G. Archeological Resources
There are no known historical or archeological resources onsite according to the Secretary of the State's Department of Historical Resources Florida Master File.

H. Airports:
The subject site is not located within an Airport Impact District (AID) and Airport Height Notification Zone.

Park Facilities:
The nearest park is the Carter Road Park. The closest environmental site is the Lakeland Highland Scrub Trail.

A. Location:
Loyce E. Harpe Park is located at 500 W Carter Road.

B. Services:
The park's current hours of operation are from 7 a.m. to 10 p.m. and features multi-use fields, Little League baseball fields, softball fields and more in an area where a phosphate mine once existed. Amenities include eight 200-foot youth fields; four 300-foot adult softball fields; six multi-use fields; seven miles of mountain biking course; dog park; two covered batting tunnels; seating capacity for 1,600; lights for nighttime play; concession stands; playground; and pavilion.

C. Multiuse Trails:
The closest multi-use trail is within the Lakeland Highland Scrub Trail. The trail offers off-road bicycle and hiking areas. Bicycle trails are also located at Loyce E. Harpe Park less than a mile to the south and in the new Se7en Wetlands Park connected to it.

D. Environmental Lands:
The closest publicly accessible environmental lands are within the Lakeland Highland Scrub Trail. Lakeland Highlands Scrub is a 551-acre conservation area that is like no other in Polk County. Located in south Lakeland, 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.

The Se7en Wetlands is located at the southern end of Loyce E. Harpe Park. The City of Lakeland owns and operates Se7en Wetlands, a constructed wetland treatment system, which provides tertiary treatment, or final polishing, for all of the City's wastewater. It is comprised of over 1,600 acres of marshes, swamps, uplands, and lakes and connects to the North Prong of the Alafia River, which flows directly to Tampa Bay. Se7en Wetlands also provides water for Tampa Electric Company's Polk Power Station. Se7en Wetlands is home to a diverse community of plant and animal species.

E. Planned Improvements:
There are no further recreation improvements scheduled for this area of Polk County at this time.

Consistency with the Comprehensive
The following policies in Table 8 have been included as being the most relevant policies to the proposed request. The policy is first stated and then an analysis of how the request may or may not be consistent with the County's Comprehensive Plan is provided.

Table 8 Comprehensive Plan Policy

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 existing uses surrounding the site are primarily commercial in nature ranging from retail, restaurant, vehicle service, and office. The proposed CAC expansion will allow the site to develop in a similar manner to the surrounding development. The subject site's location, not fronting an urban collector road, effectively an interior parcel to the existing CAC and the existing retail center at the southern end of the CAC. The sites location as previously mentioned necessitates the inclusion of an Activity Center Plan to address cross access with the existing uses to ensue proper traffic flow. The related LDCT-2026-5 provided for an Activity Center Plan to ensure proper cross-access connectivity.
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 request is an expansion of the CAC to a property that, as a result of development is located and has the characteristics of the adjacent CAC district. Therefore, the request is consistent with the policy.

Comprehensive Plan Policy	Consistency Analysis
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.	The request is for an expansion of an existing CAC where all forms of infrastructure are available for commercial development on the subject site. Therefore, the timing of development of the subject site is consistent with the Comprehensive Plan's growth management strategy.
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. climatic conditions, including prevailing winds, when applicable	
POLICY 2.110-E1: CHARACTERISTICS - Community Activity Centers are intended to accommodate the shopping needs of residents living within the community and generally contain a shopping center and other commercial and office uses within close proximity. General (approximate) characteristics of Community Activity Centers are: ➢ Usable Area: Over 20 acres to 60 acres ➢ Gross Leasable Area (GLA): 150,000 to 500,000 square feet ➢ Minimum Population Support: 20,000 to 80,000 people ➢ Market-Area Radius: 2 miles or more ➢ Typical Leading Tenant: Variety, Discount, or Department Store	The request meets the Characteristics of a CAC and is consistent with this policy as stated.

Comprehensive Plan Policy	Consistency Analysis
Other Typical Tenants: Supermarket, Theater, Offices, Restaurant, Drug Store, Professional Services.	
POLICY 2.110-E3: LOCATION CRITERIA - Community Activity Centers shall be located at the intersections of arterial and/or collector roads, and preferably with the capability to accommodate a fixed route mass-transit line. There shall be the following traveling distance, on public roads, between the center of a Community Activity Center and the center of any other Community Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same community shopping needs: a. Four (4) miles within the TSDA and UGA b. Six (6) miles within the SDA and UEA This required separation may be reduced if: a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or, b. The proposed Community Activity Center market-area radius, minimum population support is over 50,000 people.	The request is consistent with this policy as the subject site has access to a County maintained road, meets the distance requirements for the TSDA.
Policy 2.110-J1: Existing Activity Centers may be expanded to contiguous properties, subject to approval by the Board of County Commissioners, and approved as a Comprehensive Plan Amendment in compliance with state and local law. Expansions and reclassifications of Activity Centers shall be in accordance with the following criteria: g. Existing Activity Centers requested to be expanded beyond the usable acreage listed in the "general characteristics" of the Center shall be in accordance with the following, in addition to other applicable policies of this Plan. 1. be expanded to the contiguous properties only; 2. submittal of Activity Center Plan (ACP) shall be required pursuant to the relevant policies under Objective 2.110 and the following: i. a Master Drainage Plan for the undeveloped properties as well as how the existing development properties may benefit from a Master Drainage Plan; ii. provisions for required shared parking; and iii. shared access. 3. the incorporation of the ACP into the Land Development Code with reference in the Comprehensive Plan shall be required; and 4. demonstration that a collaborative process occurred between the applicant, County staff and adjacent property owners to identify potential buffer areas and areas most suitable for development.	A community meeting was hosted by the applicant on Thursday May28, 2026 at 5455 S. Florida Avenue, Lakeland. The meeting includes information of the expansion of the Community Activity Center (CAC) and development of retail/office strip centers.

Urban Sprawl Analysis

Polk County's Comprehensive Plan *Policy 2.102-A10* establishes review criteria intended to discourage the proliferation of urban sprawl. Specific characteristics of urban sprawl have been examined throughout this staff report and are summarized in Table 7 (below). Based on the findings of fact and analysis conducted, the proposed request does not meet the criteria to be considered as urban sprawl.

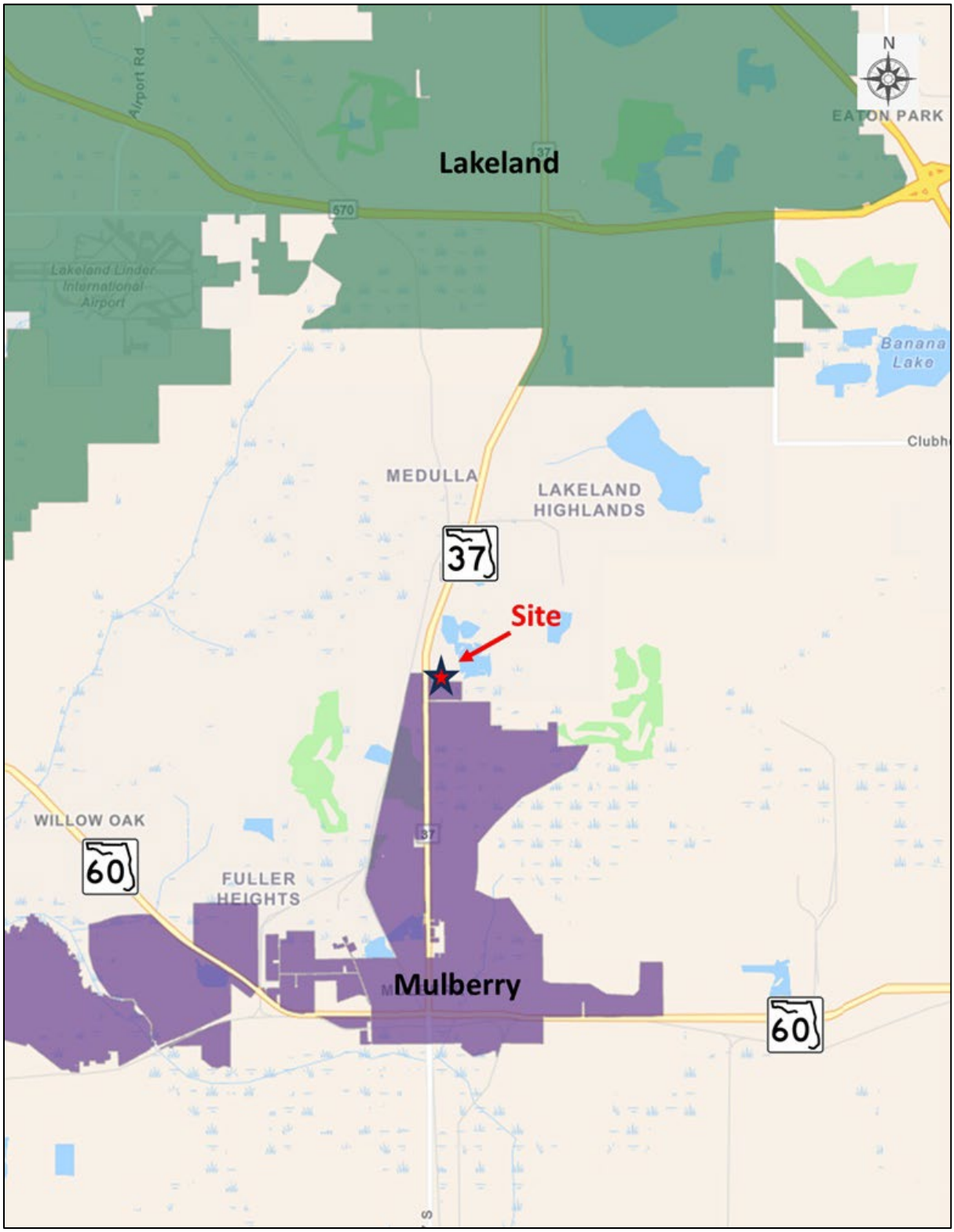
Table 7: Urban Sprawl Criteria

Rule 9J-5 Urban Sprawl Criteria	Page(s) within report
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Surrounding Land Uses Section
b. *Allows a significant amount of urban development to occur in rural areas.*	Surrounding Land Uses Section
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Surrounding Land Uses Section
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Environmental Conditions
e. *Fails to adequately protect adjacent agricultural areas.*	Surrounding Land Uses Section
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.*	Surrounding Land Uses Section
i. *Fails to provide a clear separation between urban and rural uses.*	Surrounding Land Uses Section
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Surrounding Land Uses Section
k. *Fails to encourage an attractive and functional mixture of land uses.*	Surrounding Land Uses Section
l. *Will result in poor accessibility among linked or related land uses.*	Surrounding Land Uses Section
m. *Results in the loss of a significant amount of open space.*	Surrounding Land Uses and Environmental Conditions Sections
Source: The following criteria are the primary indicators of urban sprawl per Rule 9J-5 of the Florida Administrative Code.	

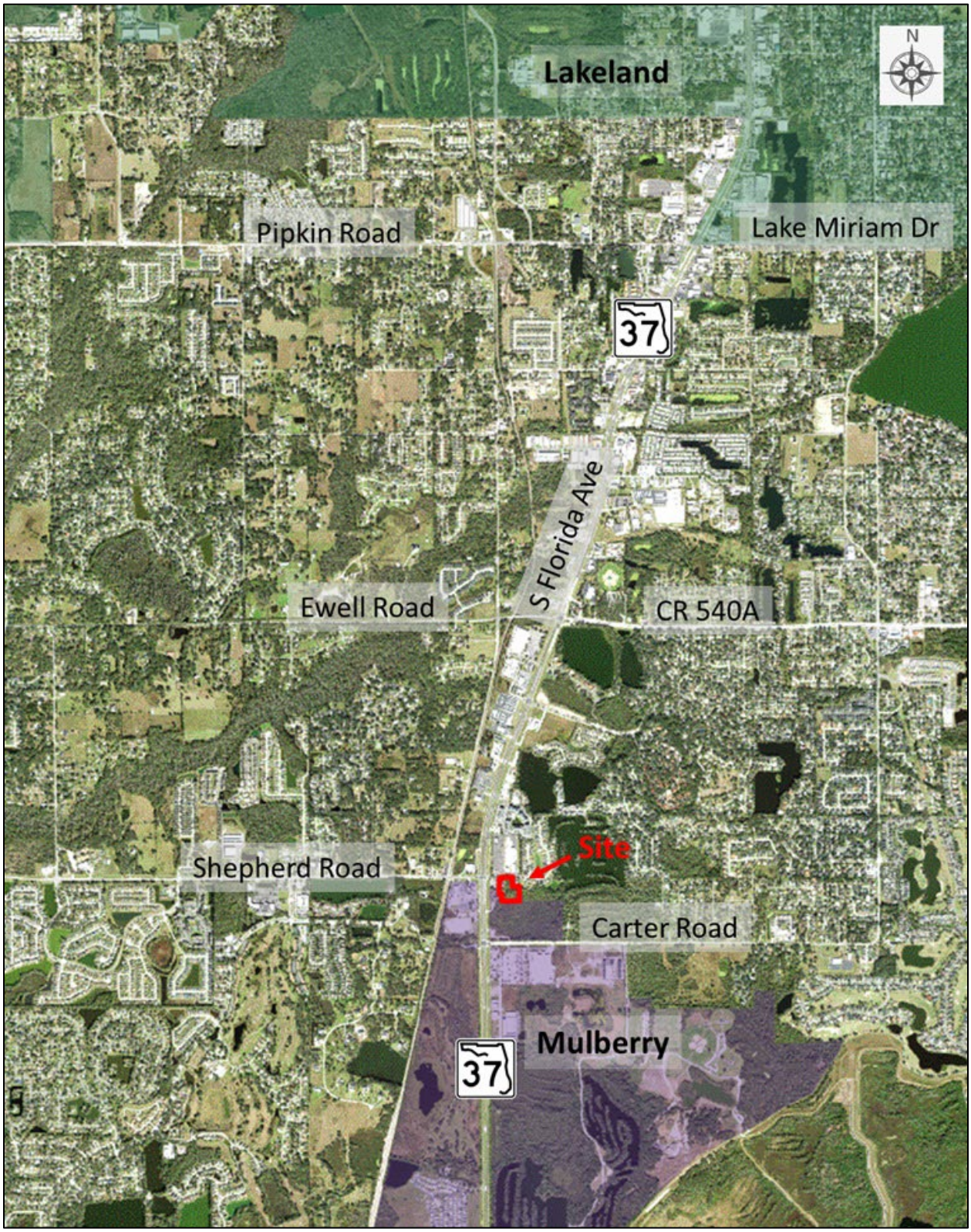
Comments from Other Agencies: See City of Auburndale's letter under separate attachment.

Attachments:

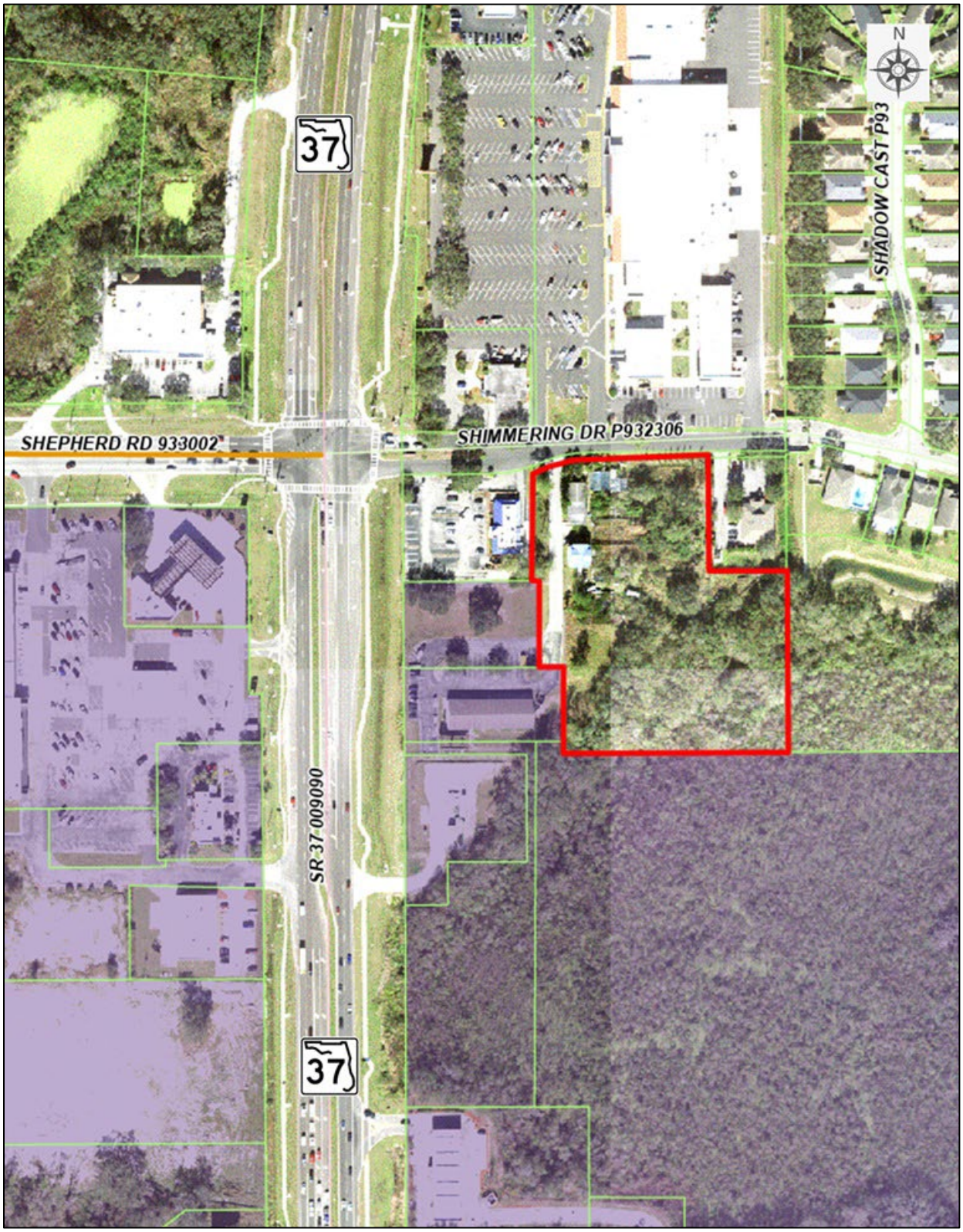
Exhibit 1 – Location Map
Exhibit 2 – Aerial Context Map
Exhibit 3 – 2023 Aerial Closeup Map
Exhibit 4 – Current Future Land Use Map
Exhibit 5 – Proposed Future Land Use Map
Exhibit 6 – Site Estimated Weland/Uplands
Exhibit 7 – Current Permitted and Conditional Uses
Exhibit 8 – Proposed Permitted and Conditional Uses
Exhibit 9 – Proposed Activity Center Plan



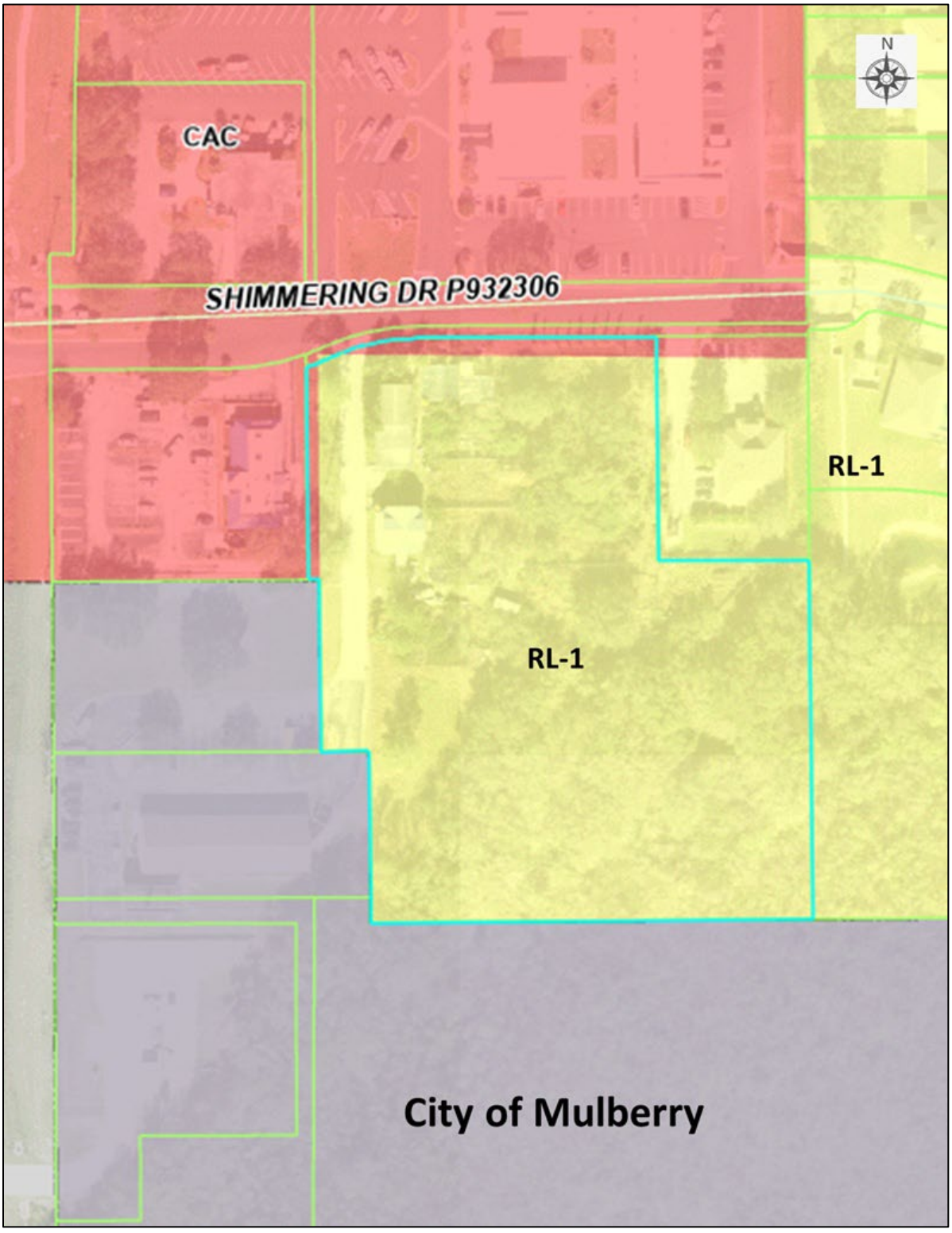
LOCATION MAP



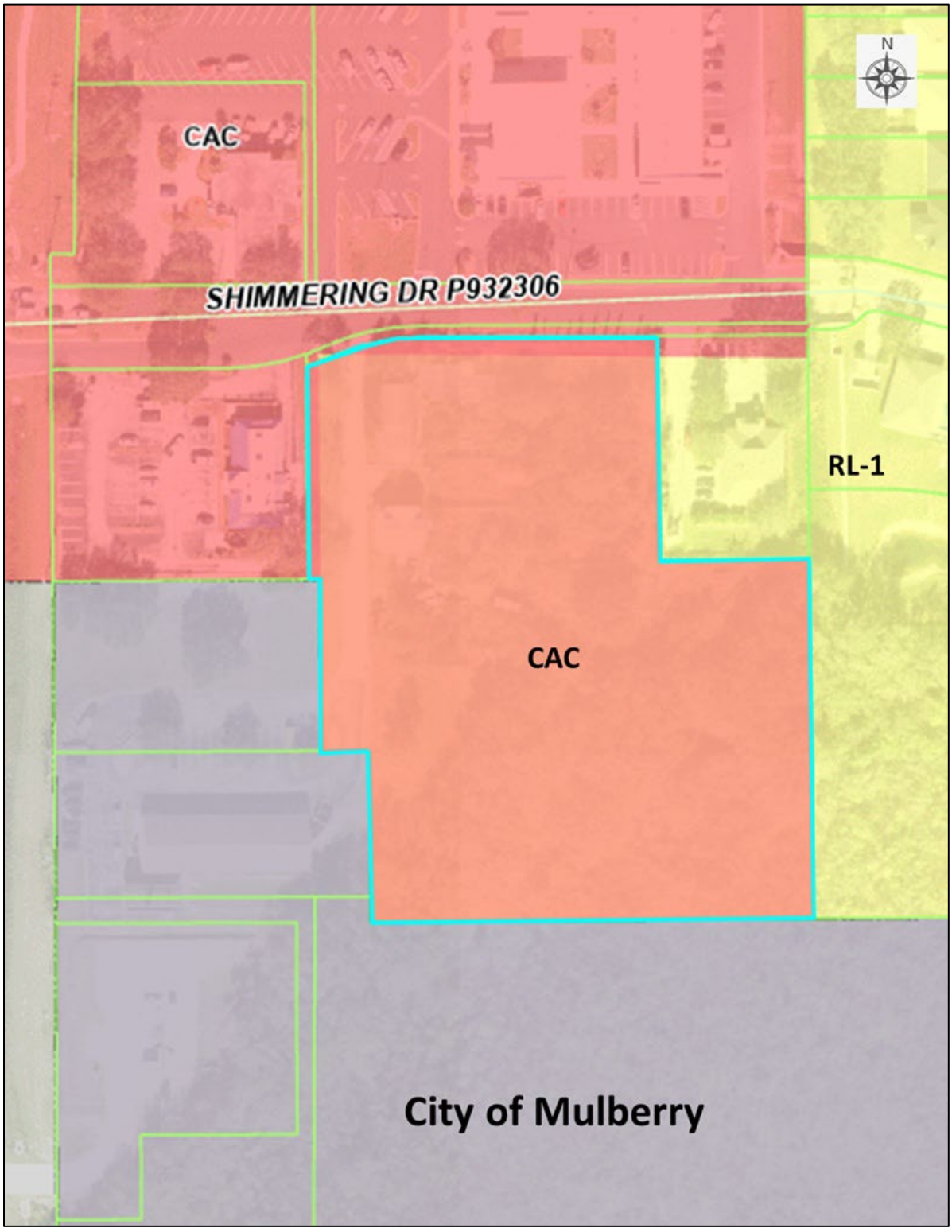
AERIAL CONTEXT MAP



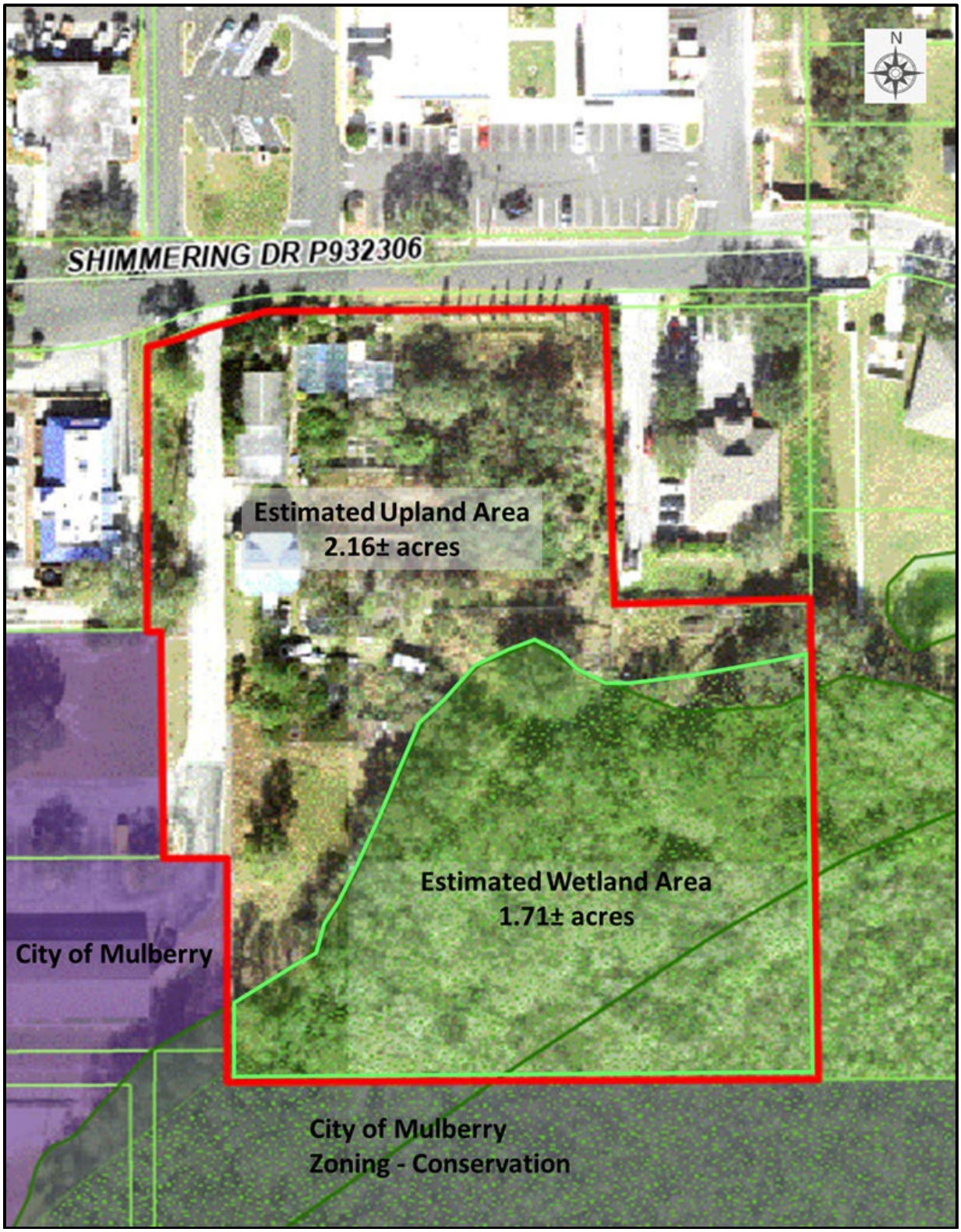
2023 AERIAL CLOSEUP MAP



CURRENT FUTURE LAND USE
RESIDENTIAL LOW-1



PROPOSED FUTURE LAND USE
COMMUNITY ACTIVITY CENTER (CAC)



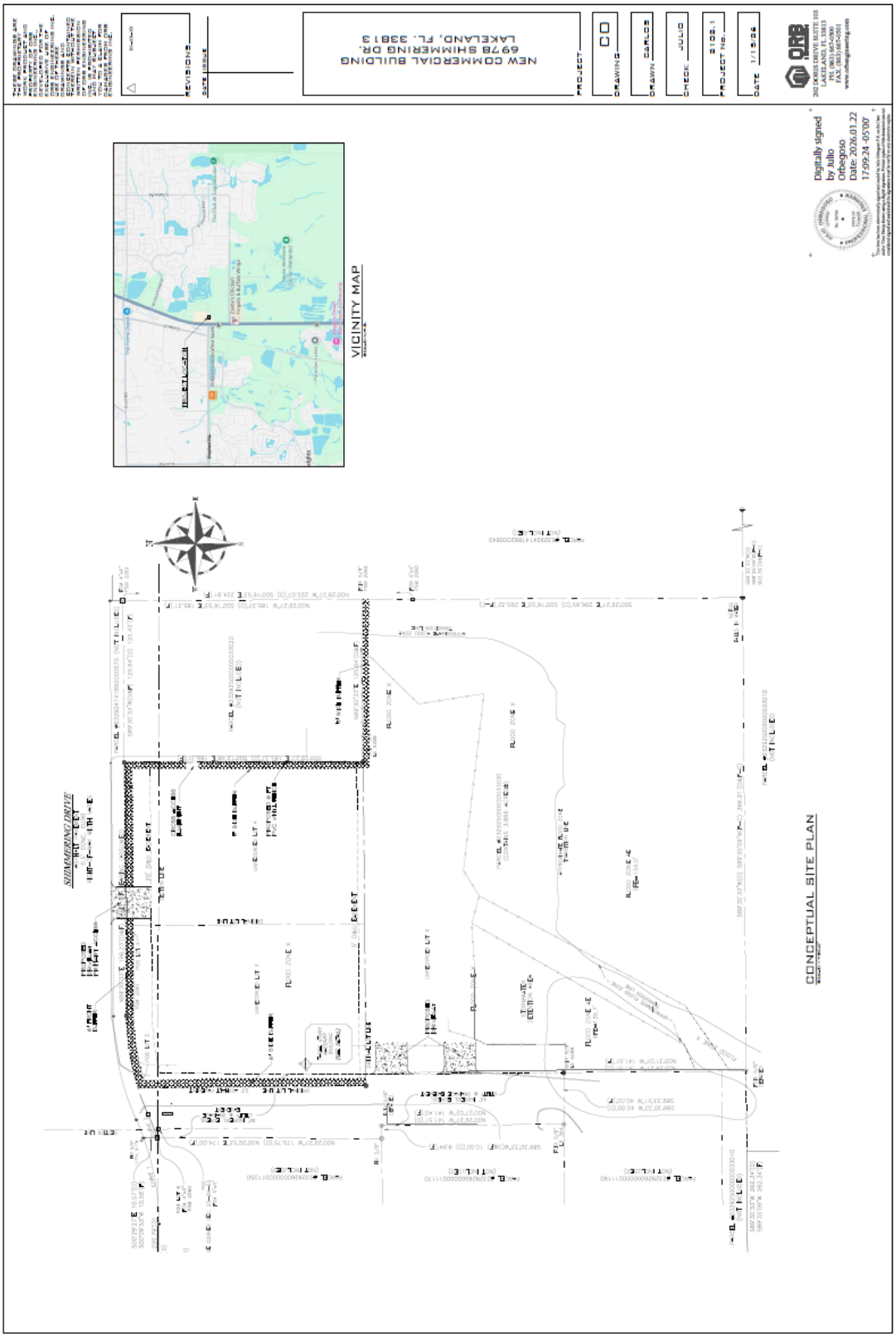
SITE ESTIMATED WETLAND/UPANDS

Residential Low (RL-1)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
Residential Uses:	Group Home, Small (6 or less residents), C1 Group Home, Small (6 or less residents), C1 Mobile Homes, Individual, C1 Residential Infill Development, C2 Single-family Detached Home & Subdivision, P	**Residential Uses:**	Duplex, Two-family attached, C3 Group Living Facility (15 or more residents), C3 Mobile Home Park, C4 Mobile Home Subdivision, C4 Multi-family, C3 Short-Term Rental unit, C3
		Mixed Uses:	Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Transitional Area Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Emergency Shelter, Small (6 or less residents), C1 Farming General, P Golf Course, C1 Livestock Sale, Auction, C1 Nurseries and Greenhouses, C1 Recreation, Passive, C1 Recreation, Low Intensity, C2 School, Elementary, C2 Utilities, Class I, P Utilities, Class II, C1 Veterinary Service, C2	**All Other Uses:**	Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-Site, C3 Bed and Breakfast, C3 Childcare Center, C3 Community Center, C3 Emergency Shelter, Large (15 or more residents), C3 Government Facility, C3 Helistops, C3 Mining, Non-phosphate, C3 Recreation, High Intensity, C3 Recreation, Vehicle Oriented, C3 Religious Institution, C3 Riding Academies, C3 School, High, C3 School, Leisure/special Interest, C3 Utilities, Class III, C3

CURRENT
PERMITTED AND CONDITIONAL USES
RESIDENTIAL LOW-1 (RL-1)

Community Activity Center (CAC)				
Technical Staff Review - Level 1 & 2				
Residential Uses:				
All Other Uses:	Adult Use , C1 Alcohol Package Sales , C1 Bars, Lounges, and Taverns , C1 Car Wash, Full Service , P Car Wash, Incidental , P Car Wash, Self Service , P Cemetery , C2 Childcare Center , P Clinics & Medical Offices , P Commercial Vehicle Parking , C2 Communication Tower, Community Center , C2 Cultural Facility , C2 Farming General , P Financial Institution , P Financial Institution, Drive Flea Market/Enclosed , C1 Funeral Home & Related Gas Station , P Government Facility , P Heliports , C2 Hospitals , P Hotels and Motels , P Kennels, Boarding and Breeding , Marinas and Related Facilities ,		All Other Uses:	Medical Marijuana Dispensaries , C2 Nurseries and Greenhouses , P Nurseries, Retail , P Nursing Home , C2 Office , P Personal Service , P Recreation & Amusement General , Recreation, Passive , C1 Religious Institution , C2 Restaurant, Drive-thru/Drive-in , C2 Restaurant, Sit-down/Take-out , P Retail, 10,000 - 34,999 sq. ft. , P Retail, 35,000 - 64,999 sq. ft , P Retail, Less than 10,000 sq. ft. , P Retail, More than 65,000 sq. ft. , P School, Leisure/Special Interest , P School, Technical/Vocational/Trade Self-storage Facility , C2 Transit, Facility , P Utilities, Class I , P Utilities, Class II , P Vehicle Sales, Leasing , C2 Vehicle Service, Mechanical , P Veterinary Service , P
Public Hearing(s) Required - Level 3 & 4				
Residential Uses:	Multi-family , C3		All Other Uses:	Communication Towers, Guyed and Flea Market/Open , C4 Helistops , C3 Mining, Non-phosphate , C3 Nightclubs and Dance Halls , C3 Residential Treatment Facility , C4 Retail, Outdoor Sales/Display , C3 School, University/College , C3 Transitional Area Development , C4 Utilities, Class III , C3 Water Ski Schools , C3
Mixed Uses:	Planned Development , C3 Transitional Area Development ,			

PROPOSED
PERMITTED AND CONDITIONAL USES
COMMUNITY ACTIVITY CENTER (CAC)



PROPOSED ACTIVITY CENTER PLAN

ORDINANCE NO. 26 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF **LDCPAS-2025-24**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN, ORDINANCE 92-36, AS AMENDED, TO CHANGE THE FUTURE LAND USE DESIGNATION ON A TOTAL OF 3.87± ACRES, FROM RESIDENTIAL LOW (RL) TO COMMUNITY ACTIVITY CENTER (CAC) AND A TEXT AMENDMENT TO APPENDIX 2.135 PARCEL SPECIFIC FUTURE LAND USE MAP AMENDMENTS WITH CONDITIONS TO REFERENCE THAT THE PARCEL SUBJECT TO THIS CASE HAD DEVELOPMENT CONDITIONS IN APPENDIX E OF THE LAND DEVELOPMENT CODE (LDCT-2026-5). THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF SHIMMERING DRIVE (SHEPHERD ROAD) EAST OF STRICKLAND AVENUE, EAST OF CLARK LAKE AND NORTH OF W. CARTER ROAD, NORTH OF THE CITY OF MULBERRY, IN SECTION 25, 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 June 3, 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 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; 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 five (5) acre site from Residential Suburban (RS) to Institutional (INST) in the Suburban Development Area (SDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel 232925-000000-033030

THAT PT OF SECS 23 24 25 & 26 TP 29 RG 23 KNOWN AS LOTS 3 4 & 6 OF UNRE SURVEY DESC AS: COMM SE COR SEC 23 W 220.79 FT TO WLY R/W SR 37 S ALONG R/W 0.26 FT E 146 FT NELY ALONG CURVE 67.62 FT S 10.57 FT TO POB NELY ALONG CURVE 19.71 FT NELY ALONG REV CURVE 78.9 FT E 196.24 FT S 185.37 FT E 125.64 FT S 296.65 FT W 366.91 FT N141.51 FT W 40 FT N 141.51 FT W 10 FT N 175.75 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 August 21, 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.

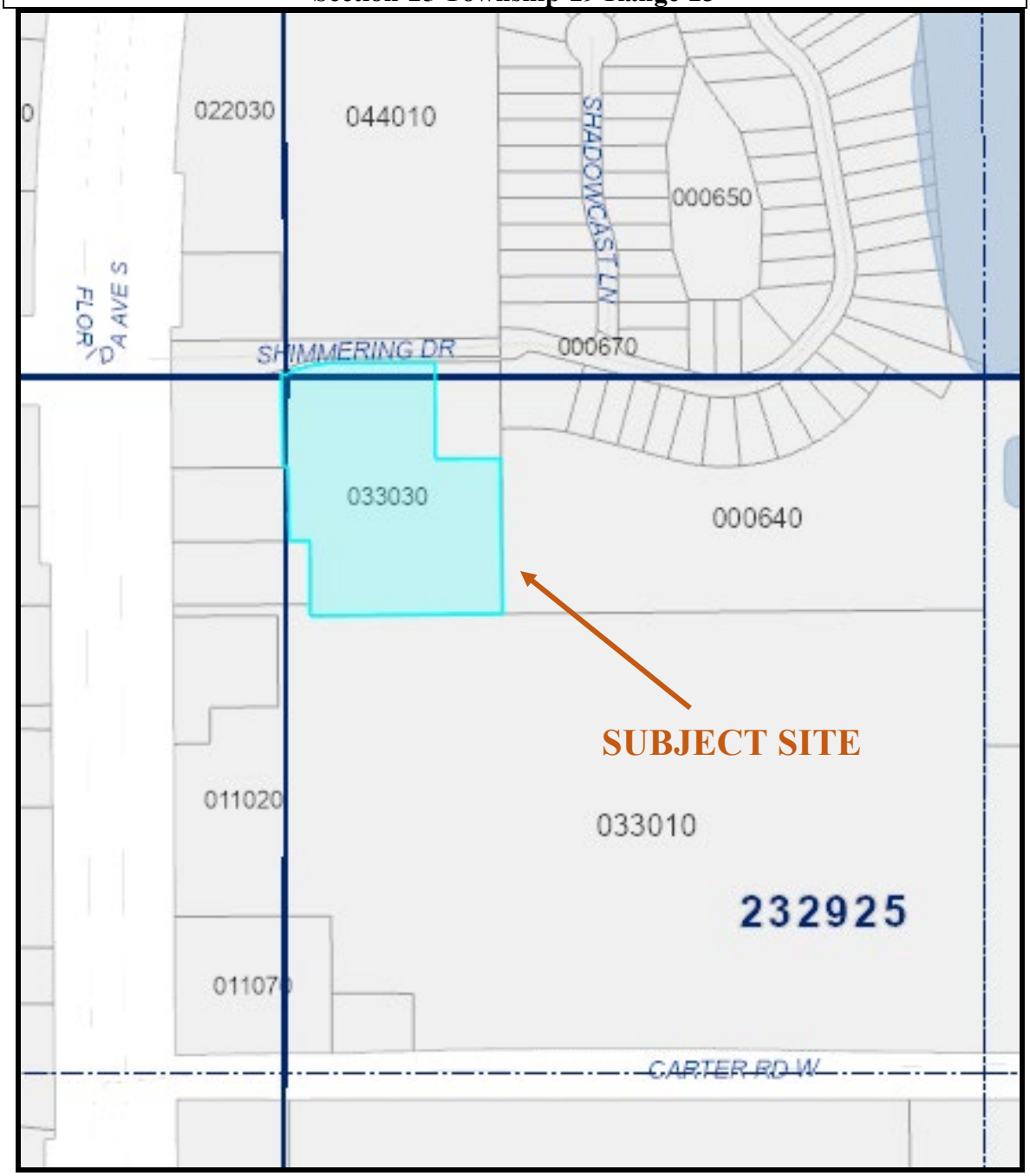
SECTION 4: FILING WITH THE DEPARTMENT OF STATE:

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 21st day of July 2026.

LDCPAS-2025-24
Development Area: Transit Supportive Development Area
Location: South side of Shimmering Drive (Shepherd Road) east of Strickland Avenue, east of SR 37
Section-25 Township-29 Range-23



PARCEL DETAIL
Note: Not to Scale

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

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

   No

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

   No

4. **Does the proposed amendment fail to adequately protect adjacent agriculture areas?**

   No

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

   No

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

   No

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

   No

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

   No

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

   No

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

No

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

No

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

18.000 SF.

Impact Assessment Statement Form

Land and Neighborhood Characteristics

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

Applicant Response: This parcel is located adjacent to the intersection of Shimmering Dr & SR 37. The site is also located at the corner of the CAC land use which supports many other commercial properties. The request is to change the current land use to CAC for the purpose of another commercial property in this largely commercial corridor. The request is suitable as the proposed use would be compatible with 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?

Applicant Response: The proposed use is compatible with adjacent uses, and as such, special efforts will not be required to minimize incompatibility with surrounding uses. Surrounding uses are largely commercial to the west with residential to the east. The proposed use and commercial site will support the needs of the residential properties to the east.

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

Applicant Response: The request is compatible with the surrounding existing land uses and growth in the area. Additionally, most other parcels in the immediate vicinity are built out so likely there will be no adverse impacts to future development.

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.

Applicant Response: The proposed land use change is to support a commercial office & retail site. Each use is estimated to be ±8,000 sq ft. Per ITE Code 710 (Office Building) and Code 826 (Retail Center), the project will generate approximately 322 daily trips and 34 peak hour trips. The trips will likely be distributed between (2) proposed driveways.

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

Applicant Response: The subject site has frontage onto (2) private roads. Likely there will be multiple driveway entrances which will distribute the proposed trips from this project. Likely no modifications to the existing roadways will be required.

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

Applicant Response: Per Polk County LDC Section 708, the office use and retail uses will both require 1.0 space per 300 sq ft. This would require around 54 parking spaces.

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

Applicant Response: The subject site has frontage onto (2) private roads. Likely there will be multiple driveway entrances which will distribute the proposed trips from this project. The named private road is Shimmering Drive.

Sewage

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.F of the LDC*)

Applicant Response: The Office & Retail uses are generally low demand users of utilities. As such, it is expected that each use (office & retail) will generate no more than 2 ERU's each. This would equate to a total project demand of 1,080 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?

Applicant Response: Onsite treatment of sewage is not proposed.

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

Applicant Response: Polk County Southwest Regional Wastewater will provide the wastewater utility connection.

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*)

Applicant Response: Wastewater utilities will be provided by Polk County. There appears to be a gravity wastewater main on the north side of Shimmering Drive adjacent to the subject property.

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

Applicant Response: For a property of this size and demand, it is expected that there should be ample potable water and wastewater capacity available.

6. What is the anticipated date of connection?

Applicant Response: Connection is anticipated sometime in 2026.

7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc.)*?

Applicant Response: We are currently coordinating with County staff, but expect there is adequate capacity and County infrastructure to allow for the proposed connection.

Water Supply

1. What is the proposed source of water supply and/or who is the service provider? **Applicant Response: Water utilities will be provided by Polk County. There appears to be a potable water main and fire hydrant on the south side of Shimmering Drive adjacent to the subject property.**

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

Applicant Response: The Office & Retail uses are generally low demand users of utilities. As such, it is expected that each use (office & retail) will generate no more than 2 ERU's each. This would equate to a total project demand of 1,440 gpd.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

Applicant Response: There appears to be a potable water main and fire hydrant on the south side of Shimmering Drive adjacent to the subject property.

4. Who is the service provider?

Applicant Response: Polk County Southwest Regional Wastewater will provide the wastewater utility connection.

5. What is the anticipated date of connection?

Applicant Response: Connection is anticipated sometime in 2026.

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

Applicant Response: For a property of this size and demand, it is expected that there should be ample potable water and wastewater capacity available.

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

Applicant Response: According to the SWFWMD Well Construction Permits Map, there are no wells on the subject site.

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);

Applicant Response: The site generally slopes from the NW side of the property to the SE corner. There appears to be existing floodplains and wetlands in the SE portion of the site. There is no intention to impact these waterbodies with the proposed design.

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

Applicant Response: The proposed development will not impact floodplain or wetlands as the proposed development will remain in the NW corner of the property.

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.

Applicant Response: Most of the sites surrounding the property have been developed or appear disturbed and thus do not have many environmental concerns. The site appears to be an old nursery with a few existing buildings. As stated before, the proposed development does not anticipate impacting floodplain or wetlands.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

Applicant Response: There appears to be existing floodplains and wetlands in the SE portion of the site. There is no intention to impact these waterbodies with the proposed design.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;

Applicant Response: There are not private wells or public well fields onsite. Potable Water will be supplied by PCU's main that fronts the site along Shimmering Drive.

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).*

Applicant Response: The site is not located 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.

Applicant Response: The site is mapped as being ±20% Arents Sand (Type A soil) and ±80% Clayey Hydraquents (Type D) soil. The better type A soils on the north side of the property where the project will be proposed.

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;

Applicant Response: The site is less than a mile from Loyce E Harpe Park from and less than 1.5 miles from Christina Park. With multiple parks within the vicinity of the site, adverse impact to the parks is not expected.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

Applicant Response: The proposed project is for a land use change to a commercial land use for a proposed office & retail project. These commercial uses will not impact existing school capacities.

3. Health Care (e.g., emergency, hospital);

Applicant Response: The site is less than 2.0 miles from multiple health care facilities along SR 37. Examples of these are AdventHealth Centra Care of South Lakeland, St. Luke's Regional Health Care, Scott Lake Health and Rehabilitation, Lakeland Regional Health Freestanding Emergency Department, and more.

4. Fire Protection;

Applicant Response: The site is approximately 2.8 miles from the Polk County Fire Rescue Station #2 and 3.3 miles from Polk County Fire Station #721. With two fire rescue stations within the immediate vicinity of the site, fire protection is expected to be adequate.

5. Police Protection and Security;

Applicant Response: The subject site is centralized between the Polk County Sheriff Substation (3.5 miles), Eagle Lake Police Department (subbed to Polk County Sheriff)(3 miles),

6. Emergency Medical Services (EMS);

Applicant Response: As stated in the "Fire Protection" section, the site is within 1.5 and 5 miles of two Fire Rescue Stations which also serve as EMS services.

7. Solid Waste (collection and waste generation);

Applicant Response: The site is approximately 3.5 miles from the Polk County Waste Management.

8. How may this request contribute to neighborhood needs?

Applicant Response: This request will contribute to the surrounding neighborhood by providing additional multi-family housing options for residents of the area. Plus affordable options for citizens looking for residence in the emerging area of Eagle Lake.

Please see the requested Maps attached to this application.

Narrative Demonstration of Compliance with the Community Activity Center (CAC), Activity Center Plan (ACP), and Polk County Land Development Code (LDC)

Project: Medical Offices
Location: 6978 Shimmering Drive

The proposed request for the Community Activity Center (CAC) designation has been evaluated for consistency with the Polk County Comprehensive Plan, the Community Activity Center (CAC) framework, the Activity Center Plan (ACP) requirements, and the applicable provisions of the Polk County Land Development Code (LDC). The request demonstrates compliance with the intent and purpose of these adopted planning documents by supporting compact, coordinated, and community-serving development within an appropriate activity center context.

The subject property is located within an area that already exhibits the functional characteristics of a Community Activity Center as defined in the Polk County Comprehensive Plan. Surrounding land uses include commercial, institutional, and service-oriented development that collectively establish the area as a focal point for community activity. These existing conditions support the expansion of the CAC beyond the general acreage thresholds, consistent with Comprehensive Plan policies that allow flexibility where development patterns, infrastructure capacity, and community benefits justify such expansion. In accordance with the Polk County LDC provisions related to Activity Centers, the applicant acknowledges the requirement for the preparation of an Activity Center Plan (ACP). The ACP will provide a coordinated framework for future development, addressing land use relationships, internal circulation, access management, shared parking opportunities, and compatibility with adjacent properties. The ACP will also ensure consistency with Comprehensive Plan objectives promoting efficient land use, reduced development fragmentation, and long-term planning certainty.

Stormwater management and flood mitigation are integral components of the proposed Conditional Area Compatibility (CAC) and Activity Center Plan (ACP). The proposed development is designed using a comprehensive master drainage system that maintains existing hydrologic conditions and complies with the Polk County Land Development Code (LDC), the Comprehensive Plan, and all applicable County and water management district stormwater criteria. The property includes a centrally coordinated stormwater retention pond designed to manage post-development runoff, attenuate peak discharge rates and volumes to pre-development conditions, and provide water quality treatment through temporary storage and sediment settling.

Site grading is designed to provide positive drainage from all impervious and pervious surfaces, including roof areas, parking lots, internal drive aisles, sidewalks, pedestrian walkways, and landscaped areas, directing runoff toward the on-site stormwater detention and retention facilities located in the southern portion of the property, as shown on the plans. The stormwater system is designed to prevent increases in downstream discharge rates and volumes, thereby avoiding adverse off-site drainage impacts. The retention pond also provides a community-wide benefit by reducing localized flood risks, mitigating downstream flooding potential, and enhancing overall site and neighborhood resilience during significant rainfall events.

As required by the Polk County Comprehensive Plan and the LDC, a Master Drainage Plan will be prepared to address stormwater management for undeveloped portions of the property and to ensure that future development phases do not adversely impact surrounding properties, downstream drainage systems, or natural hydrologic features. This plan will establish long-term drainage patterns, storage requirements, and conveyance criteria to maintain consistency with pre-development conditions. The site is primarily located within FEMA Flood Zone X, with limited areas adjacent to Flood Zone AE. All proposed improvements are located outside of regulated floodways, and no floodplain encroachment is proposed. Finished floor elevations and site grading are designed to provide positive drainage away from all structures and to maintain appropriate separation from flood hazard areas, consistent with County floodplain management requirements. Required buffer areas are provided along property boundaries in accordance with local land development regulations. These buffers remain free of impervious surfaces except where limited access points or utility crossings are required. Buffer areas provide visual separation, reduce runoff velocities, promote infiltration, and contribute to stormwater quality enhancement while protecting adjacent properties.

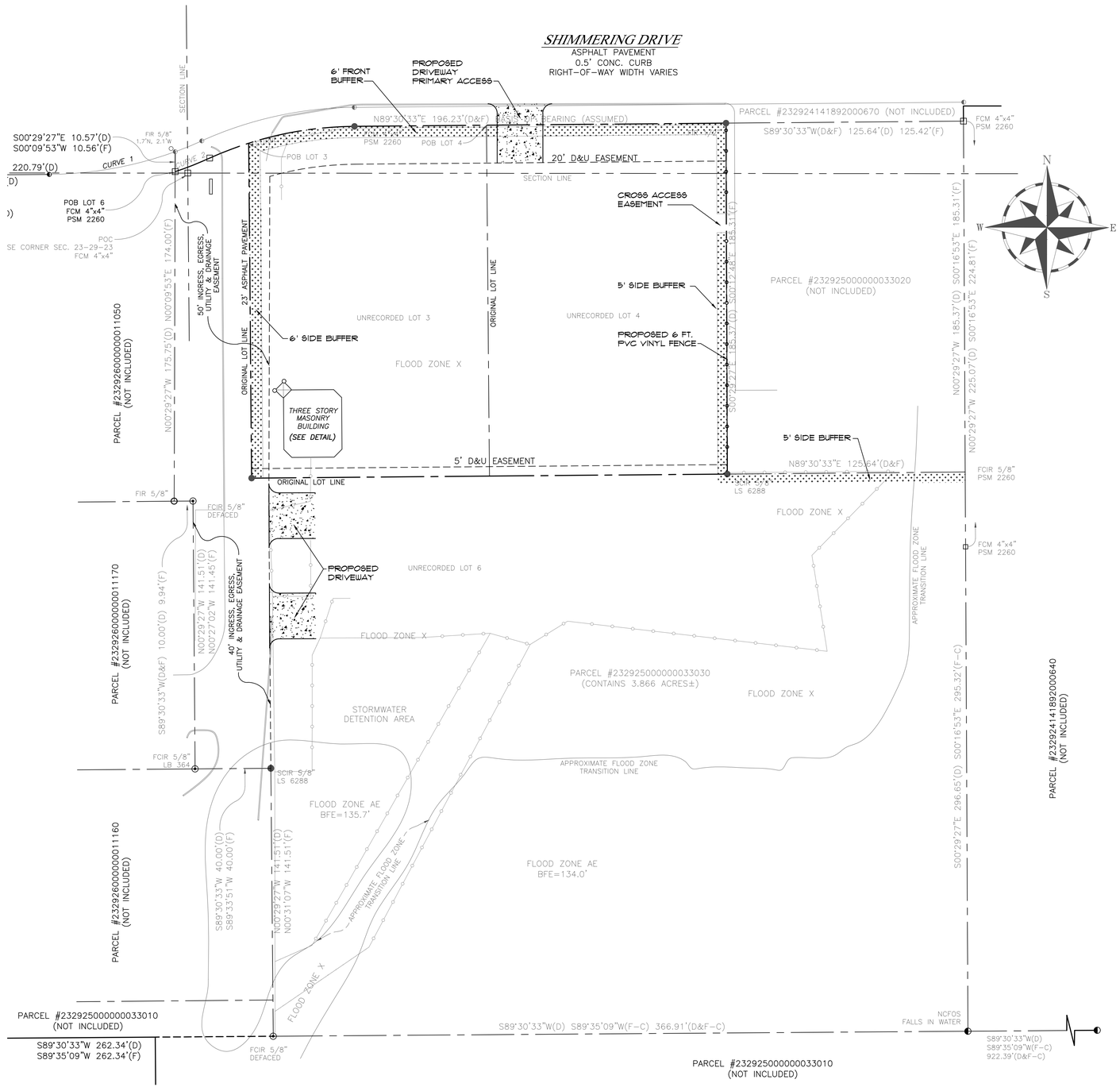
The proposed CAC also aligns with Comprehensive Plan goals related to public health, safety, and welfare. The proximity of an established medical service provider with demonstrated experience enhances access to healthcare services for residents, employees, and visitors within the activity center. The inclusion and accessibility of medical services within or near a CAC supports the Comprehensive Plan’s emphasis on creating complete, healthy communities where essential services are integrated into activity centers rather than dispersed in an inefficient manner.

Transportation access, utilities, and public services are available or can be efficiently extended to support the proposed CAC in a manner consistent with the infrastructure and concurrency principles of the Comprehensive Plan and the Polk County Land Development Code (LDC). The site benefits from direct connectivity to the surrounding roadway network, supporting shared access, efficient internal circulation, and reduced reliance on multiple curb cuts, as encouraged by Activity Center policies and LDC design standards. Vehicular access to the site is provided via a proposed driveway connection to Shimmering Drive, with

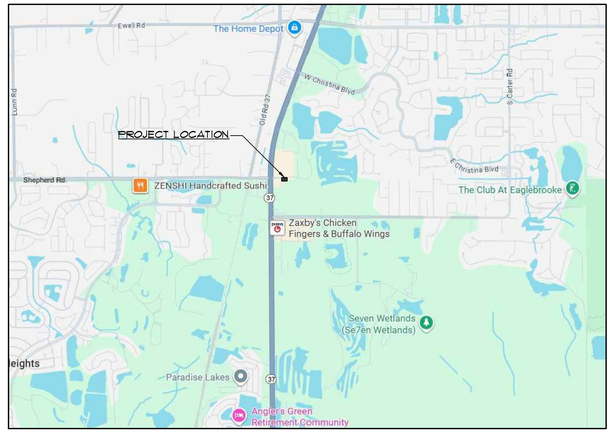
the driveway location and geometry designed to comply with Polk County and Florida Department of Transportation (FDOT) access management requirements, provide adequate sight distance, and safely accommodate anticipated traffic volumes, including emergency and service vehicles. Internal drive aisles are configured to ensure safe and efficient vehicular circulation and to support emergency response operations. The development process reflects ongoing coordination between the applicant and County staff and will continue to involve adjacent property owners as development progresses. This collaborative approach is consistent with Activity Center Program (ACP) objectives to identify appropriate buffer areas, ensure compatibility with surrounding land uses, and promote orderly, predictable development within the CAC framework. Parking areas and internal drive aisles are designed in accordance with applicable dimensional and design standards and are graded to direct stormwater runoff toward the on-site stormwater management system. No parking areas or drive aisles encroach into required buffer areas or flood hazard zones, ensuring compliance with floodplain regulations and protection of natural drainage patterns.

A continuous pedestrian circulation system is provided throughout the site via sidewalks and walkways connecting parking areas, building entrances, and site access points. All pedestrian facilities are designed to comply with Americans with Disabilities Act (ADA) requirements, and clearly marked crosswalks are provided at vehicular conflict points to enhance pedestrian safety and visibility. Overall, the proposed site layout integrates stormwater management, flood mitigation, buffering, vehicular access, parking, and pedestrian circulation in a coordinated and comprehensive manner that supports regulatory compliance, operational efficiency, long-term resilience, and the protection of adjacent properties and natural drainage systems.

Based on consistency with the Polk County Comprehensive Plan, the Community Activity Center (CAC) policies, the Activity Center Plan (ACP) requirements, and the applicable provisions of the Polk County Land Development Code (LDC), the requested CAC designation is appropriate for the subject property. The proposal supports resilient infrastructure, flood mitigation, access to essential medical services, community health and wellness, and sustainable economic development in a manner consistent with the County's long-term planning vision.



CONCEPTUAL SITE PLAN
SCALE: 1"=30'-0"



VICINITY MAP
SCALE: N.T.S.

THESE DRAWINGS ARE THE PROPRIETARY WORK PRODUCT AND PROPERTY OF ORB ENGINEERING INC., DEVELOPED FOR THE EXCLUSIVE USE OF ORB ENGINEERING INC. USE OF THESE DRAWINGS AND CONCEPTS CONTAINED THEREIN WITHOUT THE WRITTEN PERMISSION OF ORB ENGINEERING INC. IS PROHIBITED AND MAY SUBJECT YOU TO A CLAIM FOR DAMAGES FROM ORB ENGINEERING INC.

△ XX-XX-XX

REVISIONS

DATE	ISSUE

PROJECT: NEW COMMERCIAL BUILDING
6978 SHIMMERING DR.
LAKELAND, FL. 33813

DRAWING: CO

DRAWN: CARLOS

CHECK: JULIO

PROJECT No.: 2102.1

DATE: 1/15/26

ORB ENGINEERING
202 DORIS DRIVE SUITE 103
LAKELAND, FL 33813
PH. (863) 667-0500
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www.orbengineering.com

JULIO ORBEGOSO LICENSE No. 38769 STATE OF FLORIDA PROFESSIONAL ENGINEER

Digitally signed by Julio Orbegoso
Date: 2026.01.22 17:09:24 -05'00'

This item has been electronically signed and sealed by Julio Orbegoso P.E. on the Date and/or Time Stamp shown using a digital signature. Printed copies of this document are not considered signed and sealed and the signatures must be verify on any electronic copies.

Agenda Item 8. 6/3/2026

SUBJECT

LDCT-2026-5 (Shimmering Drive LDC Text Amendment)

DESCRIPTION

Applicant-initiated LDC Text Amendment text amendment to Appendix E adding access standards. This case is related to LDCPAS-2025-24 a Small Scale Comprehensive Plan map amendment from Residential Low (RL) to Community Activity Center-X (CAC) on 3.87± acres for a property located on the south side of Shimmering Drive (Shepherd Road) east of Strickland Avenue, east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, in Section 25, Township 29, Range 23.

RECOMMENDATION

Approval

FISCAL IMPACT

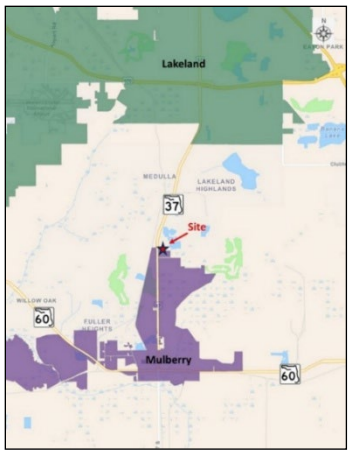
No Fiscal Impact

CONTACT INFORMATION

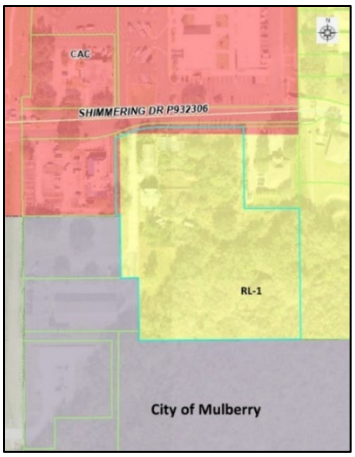
Robert Bolton
Planner III
Land Development
863-534-6468
robertbolton@polkfl.gov

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	August 28, 2025
Planning Commission Date:	June 3, 2026
BoCC Dates:	July 21, 2026
Applicant:	Dario Cardona, Clark, Commercial Park, LLC
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCT-2026-5 Shimmering Drive LDC Text Amendment
Request:	An Applicant-initiated LDC Text Amendment text amendment to Appendix E adding for an activity center plan. This request is related to a Small Scale Comprehensive Plan map amendment (LDCPAS-2025-24) from Residential Low (RL) to Community Activity Center-X (CAC) on 3.87± acres in the Transit Supportive Development Area (TSDA).
Location:	The site is located on the south side of Shimmering Drive (Shepherd Road) east of Strickland Avenue, east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, in Section 25, Township 29, Range 23
Property Owner:	Commercial Park, LLC
Parcel Size:	3.87± acres (232925-000000-033030)
Development Area/Overlays:	Transit Supportive Development Area (TSDA), Transit Corridors and Centers Overlay, Corridor
Future Land Use:	Residential Low (RL)
Nearest Municipality	Mulberry
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary of Analysis

This is an applicant request for a Land Development Code (LDC) Text Amendment (LDCT-2026-5) to add an Activity Center Plan. The applicant has a related request for a Small Scale Comprehensive Plan Amendment (LDCPAS-2025-24) to change the Future Land Use Designation from Residential Low (RL) in the Transit Supportive Development Area (TSDA) on 3.87+/- acres. The site is located in the Transit Supportive Development Area (TSDA) located on the south side of Shimmering Drive (Shepherd Road) east of Strickland Avenue, east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, in Section 25, Township 29, Range 23.

Compatibility Summary

The proposed land use change is compatible with the growth that has occurred in this area. The subject site is located within the Transit Supportive Development Area (TSDA) and the TCCO Corridor. The site is approximately 300 feet east of the SR 37 (S. Florida Avenue) and Shepherd Road at the southern entrance to the Imperial Christina Plaza. Shimmering Drive was developed with the original construction of the Imperial Christina Plaza as a southern entrance. With the development of the Twin Lake at Christina, the southern entrance to the shopping plaza became the entrance road to the residential development. Around the same time as the residential subdivision began development the subject site began operation as a plant nursery and operated as such until the past several years. Over the past several decades the southern expansion of unincorporated Lakeland has moved south into this area and the City of Mulberry has annexed and approved development north into this area.

Imperial Christina Plaza, a retail shopping center that includes uses from a grocery store, restaurants, and personal service providers. North of the shopping center is the Century Avenues apartment complex. At the eastern end of Shimmering Drive is the Twin Lake at Christina an 89-lot residential subdivision developed between 2000 and 2003. Adjacent to the east is a dental office developed in 2009. West of the site is a Burger King which was constructed in 1986. South of the Burger King is the City of Mulberry with a zoning of Highway Commercial.

The site has historically operated as a non-residential use property along side of the Twin Lake at Christina residential development. Shimmering Drive, from US 37 (S. Florida Avenue) to the entrance of Twin Lake at Christina has historically operated as an entrance to the retail center, or as a local commercial road with both uses working harmoniously together.

Infrastructure and Urban Services Summary

The proposed CPA is not anticipated to degrade the Level-of-service (LOS) standard for transportation, the locally zoned schools, fire, EMS and sheriff public safety resources. The subject site will be connected to Polk County Utilities. There are no wells on the subject site.

Environmental Conditions Summary

The subject's 3.87± acre site is comprised of an estimated 2.16 acres of uplands and an estimated 1.71 acres of wetlands. Preliminary proposed site plans indicate that the wetlands will not be impacted. The site is subject LDC Section 620 Wetland Protection. The proposed request is not anticipated to have a negative impact upon the environmental features present on site. The subject site is not located within the one-mile radius of a protected animal and plant species sighting. The site does have wetlands and a flood zone that would need to be address at the time of development. The project site is not located within an Airport Impact District and is not associated with any historical or archeological sites.

The subject site is not located within an airport height notification zone, there are no historical or archeological resources, and there are no indicated protected species. The subject site has no surface water, wetlands or flood zones, the soils are not of a problematic type.

Comprehensive Plan Policies Considered

- Section 2.102 – General Growth Management policies
- Section 2.104 – Transit Supportive Development Areas (TSDA) policies
- Section 2.110-E – Community Activity Center policies

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for a LDC Text Amendment text amendment to Appendix E adding an Activity Center Plan. This request is related toLDCPAS-2025-24, a request to change the Future Land Use (FLU) designation from Residential Low (RL) to Community Activity Center (CAC) in the Transit Supportive Development Area (TSDA).

- The request is an expansion of an existing Community Activity Center (CAC). The CAC district is predominantly to the north of the site and is comprised of approximately 93.5 acres, and predominantly on the east side of SR 37 (S. Florida Ave.).

- The subject site is located on the south side of Shimmering Drive (Shepherd Road) east of SR 37 (S. Florida Ave.), west of Clark Lake and north of W. Carter Road, north of the City of Mulberry, in Section 25, Township 29, Range 23.

- The subject site is located within the Transit Supportive Development Area (TSDA).

- The proposed FLU change totals approximately 3.87± acres.

- A community meeting was hosted by the applicant on Thursday May28, 2026 at 5455 S. Florida Avenue, Lakeland. The meeting included information of the expansion of the Community Activity Center (CAC) and development of retail/office strip centers.

Compatibility

- The subject's surrounding uses are as follows:
  - North of the subject site is existing Community Activity Center (CAC)
  - East of the subject site is the Twin Lakes at Christina residential development.
  - South of the subject site is vacant in the City of Mulberry with a Conservation zoning.
  - West of the subject site is Community Activity Center (CAC) in the County and C-2 Highway Commercial in the City of Mulberry.

- The request is an expansion of an existing Community Activity Center (CAC). The CAC district is predominantly to the north of the site and is comprised of approximately 93.5 acres, and predominantly on the east side of SR 37 (S. Florida Ave.).

- The greater Shimmering Drive/Sheperd Road and US 37 (S. Florida Avenue) intersection has become a center for commercial uses, with the western side of US 37 (S. Florida Avenue) filling in the last vacant properties fronting US 37 between Ewell Road and Shepherd Road.

- The city of Mulberry is adjacent to the south of the site. The City of Mulberry land has a Zoning of Conservation.

- The subject site is located within the Transit Supportive Development Area (TSDA).

- The site is located approximately 300 feet east of the intersection of SR 37 (S. Florida Ave.) and Shepherd Road, both of which are four (4) lane divided Urban Collector roads..

- The request is related to LDCPAS-2025-24 a Small Scale Comprehensive Plan Amendment to change the Future Land Use Designation from Residential Low (RL) to Community Activity Center (CAC) in the Transit Supportive Development Area (TSDA) on 3.87+/- acres.

Infrastructure

- The zoned schools for the site are Scott Lake Elementary, Lakeland Highlands Middle School, and George Jenkins High School.

- First responder Fire/ response is from Polk County Fire Rescue Station 2, 2523 Ewell Rd, Lakeland with a travel distance of 2.7+/- miles.

- The subject site is within the Southwest District Commend Area for the Sheriff's office which is located at 4120 US 98 South, Lakeland.

- The subject site is within Southwest Regional Service District for water and wastewater. The Polk County Utilities reports that development require upsizing of the 8" water main.

- The site is located on the south side of Shimmering Drive, a local private road, approximately 300 feet east of the SR 37 (S. Florida Ave.) and Sheperd Road intersection. SR 37 (S. Florida Ave.) is a 4-lane divided roadway and Sheperd Road is a 4-lane divided roadway.

- The subject site is located on a private road, sidewalks are not required. SR 37 (S. Florida Ave.) and Sheperd Road both have sidewalks in both sides of the respective roads.

- Citrus Connection's nearest route is the Lime Flex Line along S. Florida Avenue with the nearest stop approximately 0.2 miles north along S. Florida Ave. if front of the Imperial Chistina Plaza.

- The nearest parks are the Carter Road Park. The closest environmental site is the Lakeland Highland Scrub Trail.

Environmental

- The subject site is approximately 159 feet above sea level, with the lowest parts of the property located near the center and northern area of the property with an elevation of approximately 157 feet.

- The subject site, 3.87± acres, includes wetlands on the southern portion of the site. Development will require a formal wetland delineation. For purposed of this analysis a review of the Polk County Data view and wetland layer it is estimated that the site has 1.71± acres of wetlands, or 2.16± acres of uplands. See Exhibit 6

- According to the soil survey by the United States Department of Agriculture the subject site is made up of Hydraquents, clayey, and Arents, 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.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observed a protected animal species sighting (Source: Florida Department of Environmental Protection, 2015). However, the applicant will be required to submit a biological walk-over as part of the Level-2 review process.

- The site is not located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 1.3 miles southwest of the site, is a 46+ acre Conservation Easement recorded between Imperial Lakes Properties, LLC and National Farmers Trust, Inc., OR Book 9658, Page 1068.

- The site is not located within the Florida Wildlife Corridor.

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

- The subject site is not within a Wellfield Protection district; however, the nearest Wellfield Protection District is approximately 115 feet west of 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 - 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 2.104-A5: DEVELOPMENT CRITERIA - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code:
  a. provide access to transit facilities;
  b. connect to centralized potable water and sanitary sewer systems;
  c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
  d. implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
  e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;
  f. provide access to civic space, parks, green areas, and open space and other amenities;
  g. be supported by public safety (i.e., fire, EMS and law enforcement);
  h. have access to public schools;
  i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.
  j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.

- POLICY 2.110-E1: CHARACTERISTICS - Community Activity Centers are intended to accommodate the shopping needs of residents living within the community and generally contain a shopping center and other commercial and office uses within close proximity. General (approximate) characteristics of Community Activity Centers are:
  - Usable Area: Over 20 acres to 60 acres
  - Gross Leasable Area (GLA): 150,000 to 500,000 square feet
  - Minimum Population Support: 20,000 to 80,000 people
  - Market-Area Radius: 2 miles or more

- Typical Leading Tenant: Variety, Discount, or Department Store
- Other Typical Tenants: Supermarket, Theater, Offices, Restaurant, Drug Store, Professional Services.

- POLICY 2.110-E3: LOCATION CRITERIA - Community Activity Centers shall be located at the intersections of arterial and/or collector roads, and preferably with the capability to accommodate a fixed route mass-transit line. There shall be the following traveling distance, on public roads, between the center of a Community Activity Center and the center of any other Community Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same community shopping needs:
  a. Four (4) miles within the TSDA and UGA
  b. Six (6) miles within the SDA and UEA

  This required separation may be reduced if:
  a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or,
  b. The proposed Community Activity Center market-area radius, minimum population support is over 50,000 people.

- POLICY 2.110-E4: DEVELOPMENT CRITERIA - Development within a Community Activity Center shall conform to the following criteria:
  a. Community Activity Centers shall have frontage on, or direct access to, an arterial or collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.
  b. Different uses within a Community Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.
  c. 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.
  d. 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.
  e. New residential shall be limited to Special Residential and shall not exceed 30 percent of the total area of the community activity center. Location of residential units above stores shall be encouraged by not considering such units against the maximum residential percentages.
  f. There shall be no limits on the mix of office and commercial uses within a Community Activity Center.
  g. The maximum floor area ratio shall not exceed 0.30 unless developed as a Planned Development.
  h. Planned Developments within the Community Activity Center may be permitted a maximum floor area ratio up to 1.0 and a maximum residential density of 25 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

- POLICY 2.110-E5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Community Activity Center may include the following uses: Office, Medium-Density Residential, Institutional, Open Space.

- POLICY 2.110-J1: Existing Activity Centers may be expanded to contiguous properties, subject to approval by the Board of County Commissioners, and approved as a Comprehensive Plan Amendment in compliance with state and local law. Expansions and reclassifications of Activity Centers shall be in accordance with the following criteria:
  g. Existing Activity Centers requested to be expanded beyond the usable acreage listed in the "general characteristics" of the Center shall be in accordance with the following, in addition to other applicable policies of this Plan.
     1. be expanded to the contiguous properties only;
     2. submittal of Activity Center Plan (ACP) shall be required pursuant to the relevant policies under Objective 2.110 and the following:
        i. a Master Drainage Plan for the undeveloped properties as well as how the existing development properties may benefit from a Master Drainage Plan;
        ii. provisions for required shared parking; and
        iii. shared access.
     3. the incorporation of the ACP into the Land Development Code with reference in the Comprehensive Plan shall be required; and
     4. demonstration that a collaborative process occurred between the applicant, County staff and adjacent property owners to identify potential buffer areas and areas most suitable for development.

Development Review Committee (DRC) Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the DRC finds that with the proposed conditions, the proposed requests **ARE 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 DRC recommends **APPROVAL of LDCT-2026-5.**

Planning Commission Decision: On June 3, 2026, in an advertised public hearing, the Planning Commission voted ?:? to **recommend APPROVAL or DENIAL of LDCT-2026-5.**

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: *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.*

NOTE: Approval of this request is only for Level 4 Review and only for those development decisions within the Board of County Commissioners purview. A Level 2 Review (engineered plans) will be required for all site development and shall implement 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.

Surrounding Land Use Designations and Current Land Use Activity

Table 1: Surrounding Uses

NW CAC Imperial Christina Plaza	**N** CAC Imperial Christina Plaza	**NE** RL-1 Dental Office Twin Lakes at Christina Residential subdivision
W CAC – Polk County C-2 Highway Commercial, Mulberry Burger King & Tire Choice	**Subject Property** RL-1 Vacant Former Plant Nursery	**E** RL-1 Twin Lakes at Christina Residential subdivision
SW C-2 Highway Commercial, Mulberry Tire Choice	**S** Conservation Zoning City of Mulberry Vacant	**SE** Conservation Zoning City of Mulberry Vacant

Source: Site Visit and Polk County GIS Data Viewer

The site is located on the south side of Shimmering Drive, a private road connecting SR 37 (S. Florida Avenue) and Shepherd Road with the Imperial Christina Plaza and the Twin Lakes at Christina residential subdivision. The site is located approximately 300 feet east of the SR 37 (S. Florida Avenue) and Shepherd Road intersection. On the northeast corner of the intersection is the Imperial Christina Plaza, a retail shopping center that includes uses from a grocery store, restaurants, and personal service providers. North of the shopping center is the Century Avenues apartment complex. At the eastern end of Shimmering Drive is the Twin Lake at Christina an 89-lot residential subdivision developed between 2000 and 2003. Adjacent to the east is a dental office developed in 2009. West of the site is a Burger King which was constructed in 1986. South of the Burger King is the City of Mulberry with a zoning of Highway Commercial.

Shimmering Drive was developed with the original construction of the Imperial Christina Plaza as a southern entrance. With the development of the Twin Lake at Christina, the southern entrance to the shopping plaza became the entrance road to the residential development. Around the same time as the residential subdivision began development the subject site began operation as a plant nursery and operated as such until the past several years. Over the past several decades the southern expansion of unincorporated Lakeland has moved south into this area and the City of Mulberry has annexed and approved development north into this area.

To the northwest of the SR 37 (S. Florida Avenue) and Shepherd Road intersection, north of the Walgreens are several projects under review and under construction that will complete the commercial corridor from Ewell Road south to Shepherd Road along the western side of US 37 (S. Forida Avenue).

The site has historically operated as a non-residential use property along side of the Twin Lake at Christina residential development. Shimmering Drive, from US 37 (S. Florida Avenue) to the entrance of Twin Lake at Christina has historically operated as an entrance to the retail center, or as a local commercial road with both uses working harmoniously together.

Compatibility with the Surrounding Land Use:
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 site is located within the Transit Supportive Development Area (TSDA) which 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 and improve access to employment areas, schools, shopping and recreational opportunities. This development includes improving access to employment areas, schools, shopping and recreational facilities, while reducing costs of providing infrastructure and public services. As previously discussed this is an expansion of an existing, fully function Community Activity Center (CAC). Within the Comprehensive Plan Policy 2.110-E1 Community Activity Centers (CAC) Usable Area is "Over 20 acres to 60 acres." The existing CAC district is approximately 93.5 acres, exceeding Comprehensive Plan's Useable Area criteria. LDCT-2026-5 provided for an Activity Center Plan to ensure proper cross-access connectivity.

In summary, the subject site is located within the Transit Supportive Development Area (TSDA), as part of a development that is located at the intersection for two (2) Urban Collector roads with full public services. The proposed CAC will provide non-residential support in an area that is well established for that use. The request is considered to be compatible and consistent with the surrounding area.

Nearest Elementary, Middle, and High School:
The schools zoned for the subject property, as shown in Table 2, include Scott Lake Elementary, Lakeland Highlands Middle School, and George Jenkins Senior High. The requested Community Activity Center (CAC) is intended for non-residential development and is not intended for residential development. Residential development within the CAC would require a Level 3 Planning Commission approval for multi-family development.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Scott Lake Elementary	**0 students**	**83%**	**2.8± miles**
Lakeland Highlands Middle School	**0 students**	**84%**	**3.3± miles**
George Jenkins Senior High	**0 students**	**89%**	**4.4± miles**

Source: Polk County School Board

Nearest Sheriff, Fire, and EMS Station:
The nearest Sheriff District office is located approximately 9.2 miles from the subject site. Response times vary depending on where the nearest sheriff's deputy patrol car is located rather than the district office. The nearest Fire/EMS station is approximately 2.7 miles from the subject site.

Table 3: Public Safety

	Name of Station	Distance/Response Time*
Sheriff	**Southwest District Command** (4120 US 98 South, Lakeland)	Priority 1 – 8:58 min Priority 2 – 22:54 min
Fire/EMS	**Polk County Fire Rescue Station 2** 2523 Ewell Rd, Lakeland	2.7 ± miles / 10-12 min

*Source: Polk County Sheriff's Office and Public Safety. 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 Sewer Capacity and Service Provider:
Table 4 below details the estimated impact to potable water and wastewater services based upon the buildout for the proposed FLU on the subject site. The subject property is within the Southwest Regional Service Area. The site is located within the TDSA and TCCO Corridor.

A. Available Capacity:
Table 4: Estimated Water and Sewer Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed CAC
3.87± acres Gross **2.16± acres Upland**	22 du	2.16± acres (94,090 sf) X 0.30 FAR = 28,227 sf
Potable Water Consumption	22 du X 250 gpd = **5,500 GPD**	28,227 sf X 0.22 = **6,210 GPD**
Wastewater Generation	22 du X 200 gpd = 4,4**00 GPD**	6,210 GPD X 80% = **4,868 GPD**

B. Service Provider:
The subject site is serviced by Polk County's Southwest Regional Service District for water and wastewater. There is an eight (8) inch potable water main on the north side of Shimmering Drive

in front of the site. The location also has an Eight (8) inch reclaimed water main.

C. Available Capacity:
Polk County Utilities requires a maximum pipe velocity of 7.5 ft/s (1,175 gpm in an 8" water main) in proposed and existing infrastructure for the max day demand + fire flow scenario. Commercial fire flow requirements often exceed the 1,175 gpm limit and may require upsizing of the 8" water main. On the north side of Shimmering Drive is an eight (8) inch wastewater gravity main.

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. The proposed Future Land Use designation change to CAC, at maximum density, will generate more than the current combination of the RL land use.

Table 5: Estimated Transportation Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use RL	Maximum Permitted in Proposed CAC
3.87± acres Gross **2.16± acres Upland**	22 du	2.16± acres (94,090 sf) X 0.30 FAR = 28,227 sf
Average Annual Daily Trips (AADT)	22 du X 7.81 AADT = **172 Trips**	28 X 11.07 AADT X 92% **286 Trips**
PM Peak Hour Trips	22 du X 1.00 AADT = **22 Trips**	27 X 1.21 AADT X 92% =**32 Trips**

Source: Concurrency Manual: Single-family @ 7.81 AADT per du and 1.00 AADT PM Peak Hour, CAC @ Office Park 11.07 AADT per 1,000 sf, 1.21 AADT per 1,000 sf PM Peak Hour,

B. Available Capacity:
The subject site fronts the private road Shimmering Drive, which is not monitored by the Polk TPO. Shimmering Drive intersects with Shepherd Road to the west and SR 37 (Florida Ave S) to the north and south. Table 6, following this paragraph, displays the available capacity for Sheperd Road and SR 37 (Florida Ave S).

Table 6: Roadway Link Concurrency

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
4144E 4144W	Shepherd Road Baily Rd to SR 37	4D UC	C	836 874	D	C
4144N 4144S	SR 37 (Florida Ave S) Shepherd Road to Pipkin Rd W	4D UC	C	597 539	D	C
5804N 5804S	SR 37 (Florida Ave S) SR 60 (Canal Stret E) to Shepherd Road	4D UC	C	1,099 1,062	D	C

*Source: Polk County Transportation Planning Organization, Roadway Network Database April 2026. *4D means four-lane divided, , 2U means two lane undivided, UC means Urban Collector*

C. Roadway Conditions:
Shepherd Road is a four-lane Urban Collector roadway that is in excellent condition. US 37 is a four-lane Urban Collector roadway that is in excellent condition. Shimmering Drive is a private

road connecting the Sheperd Road and US 37 intersection with the Twin Lakes residential development to the east and running along the southern side of the Imperial Christina Plaza.

D. Sidewalk Network:
Currently there are sidewalks along the east and west side of SR 37 (S Florida Avenue) and the north and south sides of Shepherd Road. There are no sidewalks on the private road of Shimmering Drive.

E. Planned Improvements:
There are no road improvements currently planned for this area.

F. Mass Transit:
Citrus Connection runs the Lime Flex Line along S. Florida Avenue. The nearest stop is located on the east side of S. Florida Avenue in front of the Imperial Christina Plaza approximately 0.2 mile from the site.

Environmental Conditions:
Any impact to surface water, wetlands, and storm water management will be in accordance with the requirements of the Comprehensive Plan and Land Development Code.

A. Surface Water:
There are no observable surface waters on the subject site. The area is relatively flat with the highest points located primarily along the southern border at an elevation of approximately 159 feet, with the lowest parts of the property located near the center and northern area of the property with an elevation of approximately 157 feet.

B. Wetlands/Floodplains:
According to the Polk County Data Viewer, wetland provided by the FDEP wetland viewer indicates wetlands are on the subject site. A wetland determination will be needed for final uplands of the subject site. For this analysis it is estimated that of the 3.87± acre site, approximately 1.71 acres are wetland and 2.16 acres are upland acres.

C. On-Site Soils:
The subject site is comprised of two (2) different soil types: Hydraquents, clayey, and Arents, 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. The reported soils are based on the United States Department of Agriculture (USDA) Soils Survey.

Table 7

SOIL NAME	SMALL COMMERCIAL BUILDINGS	SEPTIC TANK ABSORPTION FIELDS	PERCENTAGE OF SITE
Hydraquents, clayey	Severe: ponding	Severe: ponding	86+/-%
Arents, 0 to 5 percent slopes	Slight	Moderate: wetness	14+/-%
Source: USDA Web Soil Servey			

D. Wells (Public/Private):
The applicant did not indicate any wells located on the property. The subject property is not within a Wellfield Protection District; however, the nearest Wellfield Protection District is approximately 115 feet west of the site.

E. Protected Species
According to Polk County Protected Species Observation Map and the Florida Fish & Wildlife Conservation Commission (2015), the subject site is not located within a one-mile radius of endangered animals. The applicant will submit a biological walk-over as part of the Level-2 review process.

F: Polk Green Districts and Conservation Easements:
The site is not located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately 1.3 miles southwest of the site, is a 46+ acre Conservation Easement recorded between Imperial Lakes Properties, LLC and National Farmers Trust, Inc., OR Book 9658, Page 1068.

G. Florida Wildlife Corridor
The site is not located within the Florida Wildlife Corridor.

G. Archeological Resources
There are no known historical or archeological resources onsite according to the Secretary of the State's Department of Historical Resources Florida Master File.

H. Airports:
The subject site is not located within an Airport Impact District (AID) and Airport Height Notification Zone.

Park Facilities:
The nearest park is the Carter Road Park. The closest environmental site is the Lakeland Highland Scrub Trail.

A. Location:
Loyce E. Harpe Park is located at 500 W Carter Road.

B. Services:
The park's current hours of operation are from 7 a.m. to 10 p.m. and features multi-use fields, Little League baseball fields, softball fields and more in an area where a phosphate mine once existed. Amenities include eight 200-foot youth fields; four 300-foot adult softball fields; six multi-use fields; seven miles of mountain biking course; dog park; two covered batting tunnels; seating capacity for 1,600; lights for nighttime play; concession stands; playground; and pavilion.

C. Multiuse Trails:
The closest multi-use trail is within the Lakeland Highland Scrub Trail. The trail offers off-road bicycle and hiking areas. Bicycle trails are also located at Loyce E. Harpe Park less than a mile to the south and in the new Se7en Wetlands Park connected to it.

D. Environmental Lands:
The closest publicly accessible environmental lands are within the Lakeland Highland Scrub Trail. Lakeland Highlands Scrub is a 551-acre conservation area that is like no other in Polk County. Located in south Lakeland, 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.

The Se7en Wetlands is located at the southern end of Loyce E. Harpe Park. The City of Lakeland owns and operates Se7en Wetlands, a constructed wetland treatment system, which provides tertiary treatment, or final polishing, for all of the City's wastewater. It is comprised of over 1,600 acres of marshes, swamps, uplands, and lakes and connects to the North Prong of the Alafia River, which flows directly to Tampa Bay. Se7en Wetlands also provides water for Tampa Electric Company's Polk Power Station. Se7en Wetlands is home to a diverse community of plant and animal species.

E. Planned Improvements:
There are no further recreation improvements scheduled for this area of Polk County at this time.

Consistency with the Comprehensive
The following policies in Table 8 have been included as being the most relevant policies to the proposed request. The policy is first stated and then an analysis of how the request may or may not be consistent with the County's Comprehensive Plan is provided.

Table 8 Comprehensive Plan Policy

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 existing uses surrounding the site are primarily commercial in nature ranging from retail, restaurant, vehicle service, and office. The proposed CAC expansion will allow the site to develop in a similar manner to the surrounding development. The subject site's location, not fronting an urban collector road, effectively an interior parcel to the existing CAC and the existing retail center at the southern end of the CAC. The sites location as previously mentioned necessitates the inclusion of an Activity Center Plan to address cross access with the existing uses to ensue proper traffic flow. LDCT-2026-5 provides an Activity Center Plan to ensure proper cross-access connectivity.
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 request is an expansion of the CAC to a property that, as a result of development is located and has the characteristics of the adjacent CAC district. Therefore, the request is consistent with the policy.

Comprehensive Plan Policy	Consistency Analysis
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.	The request is for an expansion of an existing CAC where all forms of infrastructure are available for commercial development on the subject site. Therefore, the timing of development of the subject site is consistent with the Comprehensive Plan's growth management strategy.
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. climatic conditions, including prevailing winds, when applicable	
POLICY 2.110-E1: CHARACTERISTICS - Community Activity Centers are intended to accommodate the shopping needs of residents living within the community and generally contain a shopping center and other commercial and office uses within close proximity. General (approximate) characteristics of Community Activity Centers are: ➢ Usable Area: Over 20 acres to 60 acres ➢ Gross Leasable Area (GLA): 150,000 to 500,000 square feet ➢ Minimum Population Support: 20,000 to 80,000 people ➢ Market-Area Radius: 2 miles or more ➢ Typical Leading Tenant: Variety, Discount, or Department Store	The request meets the Characteristics of a CAC and is consistent with this policy as stated.

Comprehensive Plan Policy	Consistency Analysis
Other Typical Tenants: Supermarket, Theater, Offices, Restaurant, Drug Store, Professional Services.	
POLICY 2.110-E3: LOCATION CRITERIA - Community Activity Centers shall be located at the intersections of arterial and/or collector roads, and preferably with the capability to accommodate a fixed route mass-transit line. There shall be the following traveling distance, on public roads, between the center of a Community Activity Center and the center of any other Community Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same community shopping needs: a. Four (4) miles within the TSDA and UGA b. Six (6) miles within the SDA and UEA This required separation may be reduced if: a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or, b. The proposed Community Activity Center market-area radius, minimum population support is over 50,000 people.	The request is consistent with this policy as the subject site has access to a County maintained road, meets the distance requirements for the TSDA.
Policy 2.110-J1: Existing Activity Centers may be expanded to contiguous properties, subject to approval by the Board of County Commissioners, and approved as a Comprehensive Plan Amendment in compliance with state and local law. Expansions and reclassifications of Activity Centers shall be in accordance with the following criteria: g. Existing Activity Centers requested to be expanded beyond the usable acreage listed in the "general characteristics" of the Center shall be in accordance with the following, in addition to other applicable policies of this Plan. 1. be expanded to the contiguous properties only; 2. submittal of Activity Center Plan (ACP) shall be required pursuant to the relevant policies under Objective 2.110 and the following: i. a Master Drainage Plan for the undeveloped properties as well as how the existing development properties may benefit from a Master Drainage Plan; ii. provisions for required shared parking; and iii. shared access. 3. the incorporation of the ACP into the Land Development Code with reference in the Comprehensive Plan shall be required; and 4. demonstration that a collaborative process occurred between the applicant, County staff and adjacent property owners to identify potential buffer areas and areas most suitable for development.	A community meeting was hosted by the applicant on Thursday May28, 2026 at 5455 S. Florida Avenue, Lakeland. The meeting includes information of the expansion of the Community Activity Center (CAC) and development of retail/office strip centers.

Urban Sprawl Analysis

Polk County's Comprehensive Plan *Policy 2.102-A10* establishes review criteria intended to discourage the proliferation of urban sprawl. Specific characteristics of urban sprawl have been examined throughout this staff report and are summarized in Table 7 (below). Based on the findings of fact and analysis conducted, the proposed request does not meet the criteria to be considered as urban sprawl.

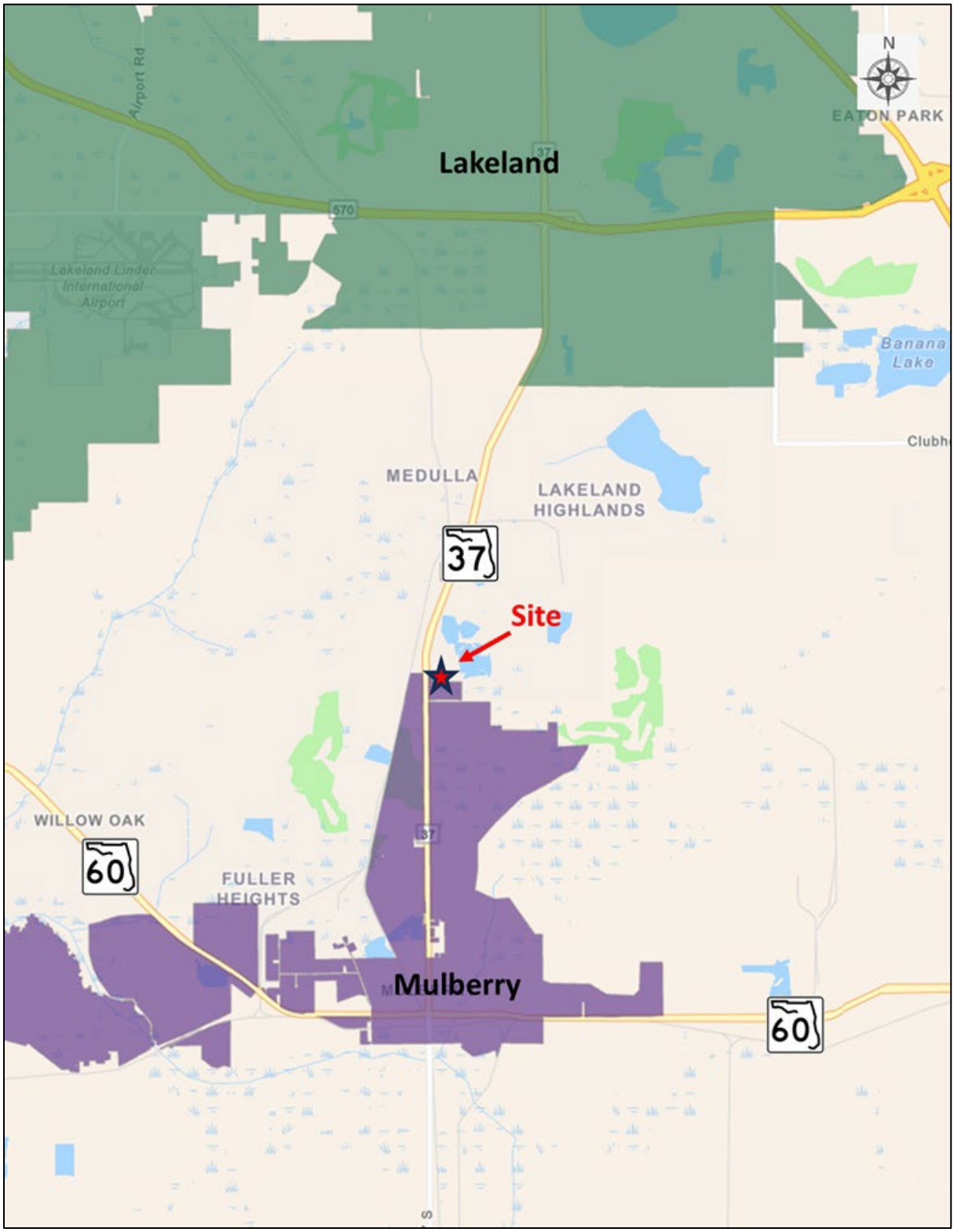
Table 7: Urban Sprawl Criteria

Rule 9J-5 Urban Sprawl Criteria	Page(s) within report
a. *Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.*	Surrounding Land Uses Section
b. *Allows a significant amount of urban development to occur in rural areas.*	Surrounding Land Uses Section
c. *Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.*	Surrounding Land Uses Section
d. *Fails to adequately protect and conserve natural resources and other significant natural systems.*	Environmental Conditions
e. *Fails to adequately protect adjacent agricultural areas.*	Surrounding Land Uses Section
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.*	Surrounding Land Uses Section
i. *Fails to provide a clear separation between urban and rural uses.*	Surrounding Land Uses Section
j. *Discourages infill development or redevelopment of existing neighborhoods.*	Surrounding Land Uses Section
k. *Fails to encourage an attractive and functional mixture of land uses.*	Surrounding Land Uses Section
l. *Will result in poor accessibility among linked or related land uses.*	Surrounding Land Uses Section
m. *Results in the loss of a significant amount of open space.*	Surrounding Land Uses and Environmental Conditions Sections
Source: The following criteria are the primary indicators of urban sprawl per Rule 9J-5 of the Florida Administrative Code.	

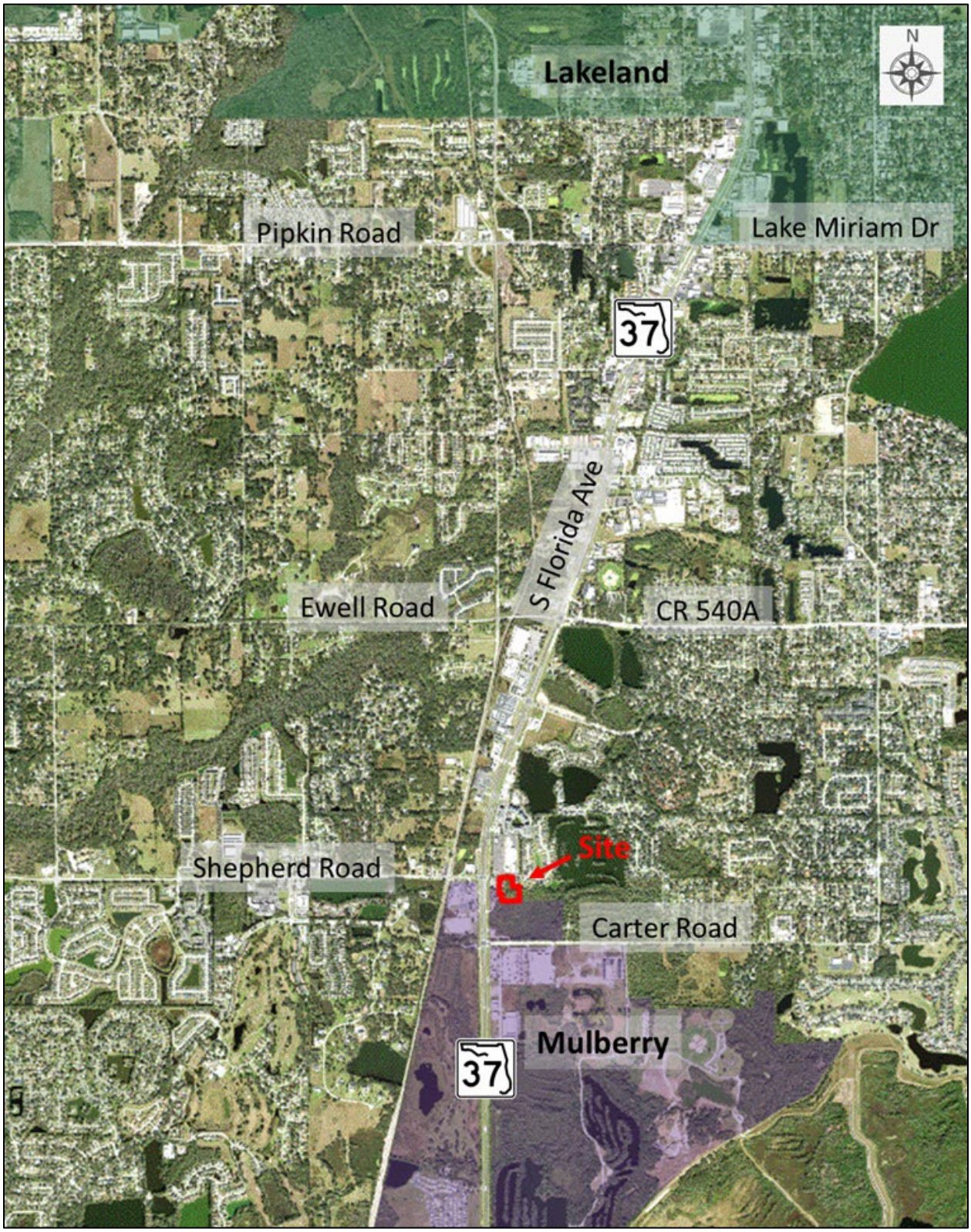
Comments from Other Agencies: See City of Auburndale's letter under separate attachment.

Attachments:

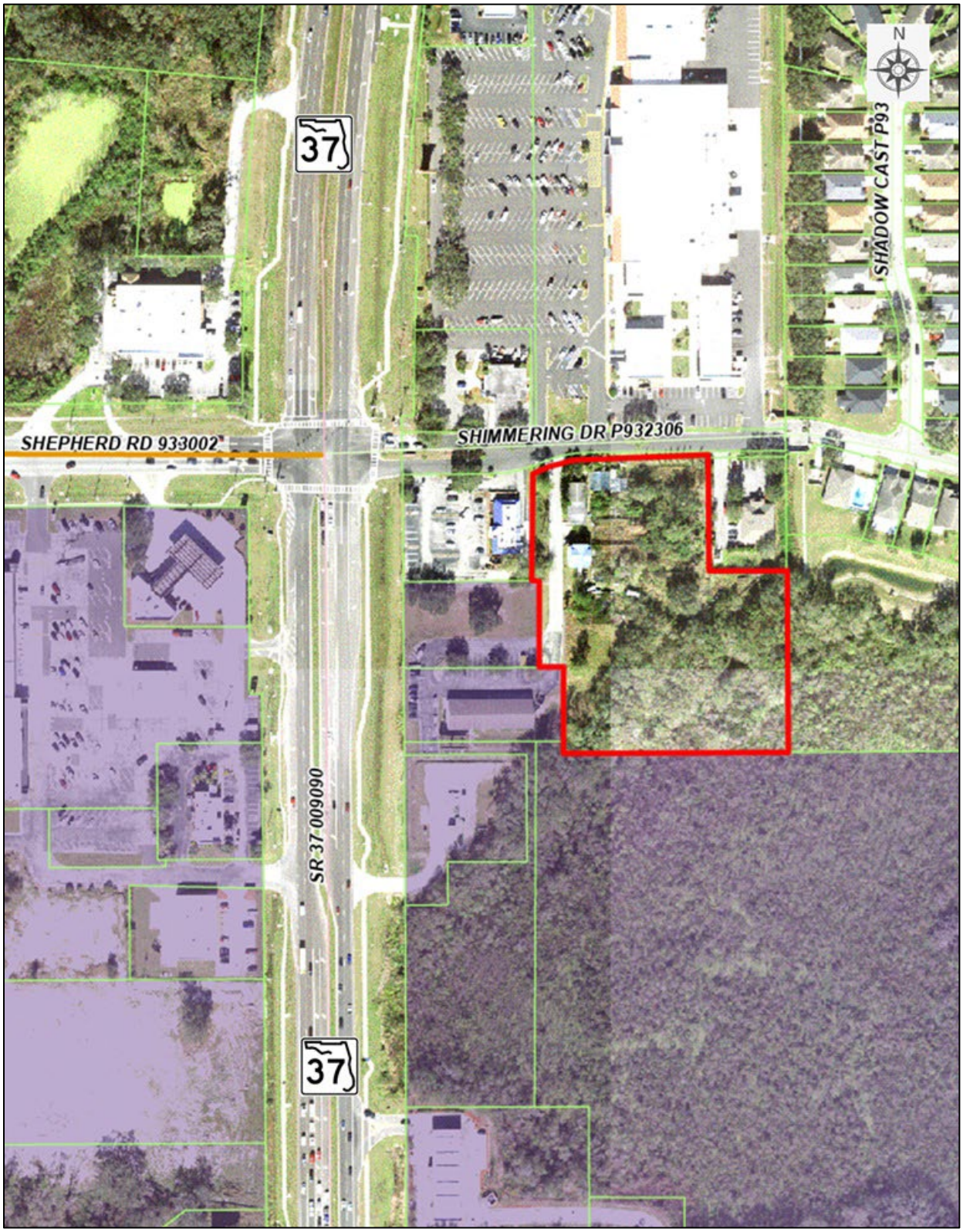
Exhibit 1 – Location Map
Exhibit 2 – Aerial Context Map
Exhibit 3 – 2023 Aerial Closeup Map
Exhibit 4 – Current Future Land Use Map
Exhibit 5 – Proposed Future Land Use Map
Exhibit 6 – Site Estimated Weland/Uplands
Exhibit 7 – Current Permitted and Conditional Uses
Exhibit 8 – Proposed Permitted and Conditional Uses
Exhibit 9 – Proposed Activity Center Plan



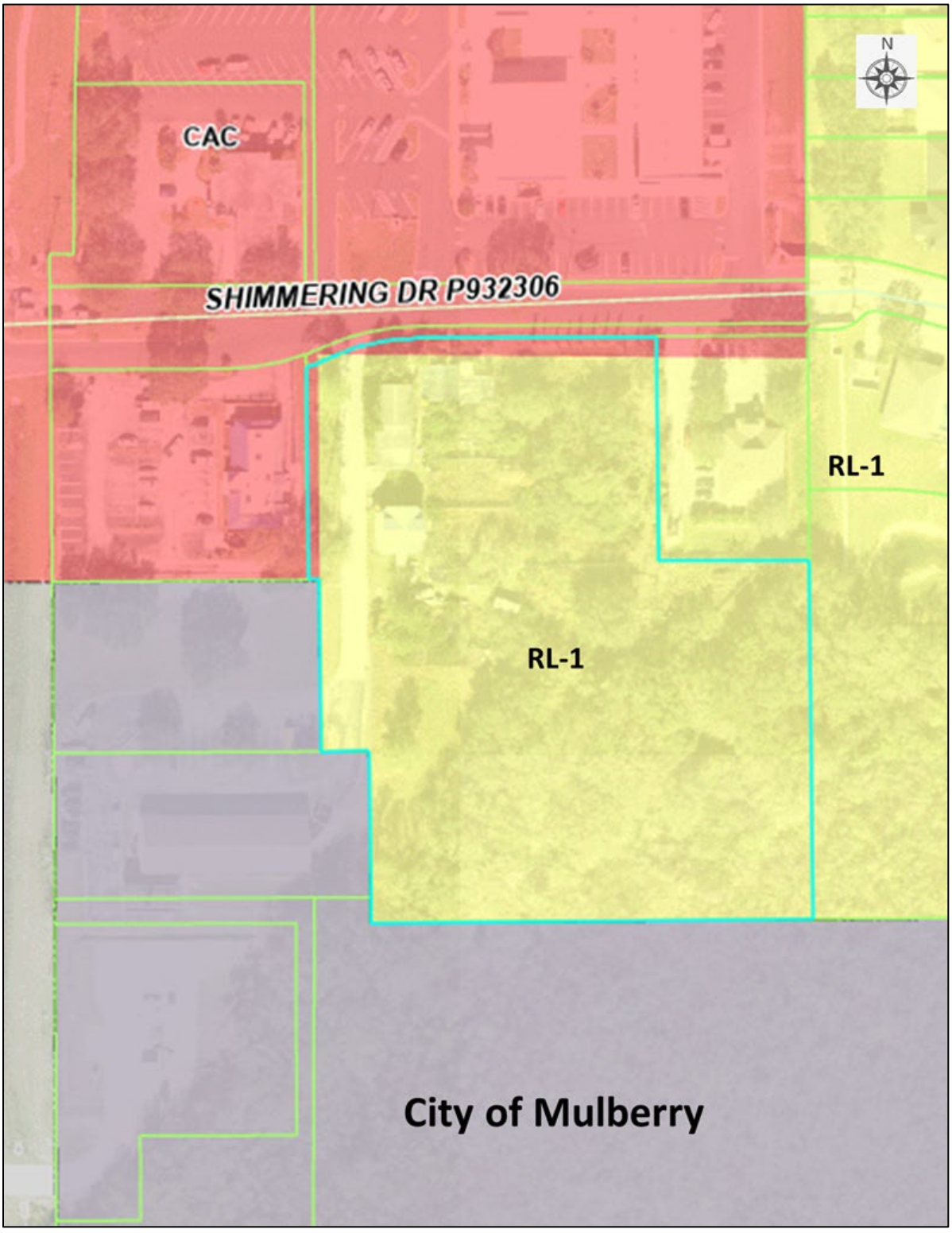
LOCATION MAP



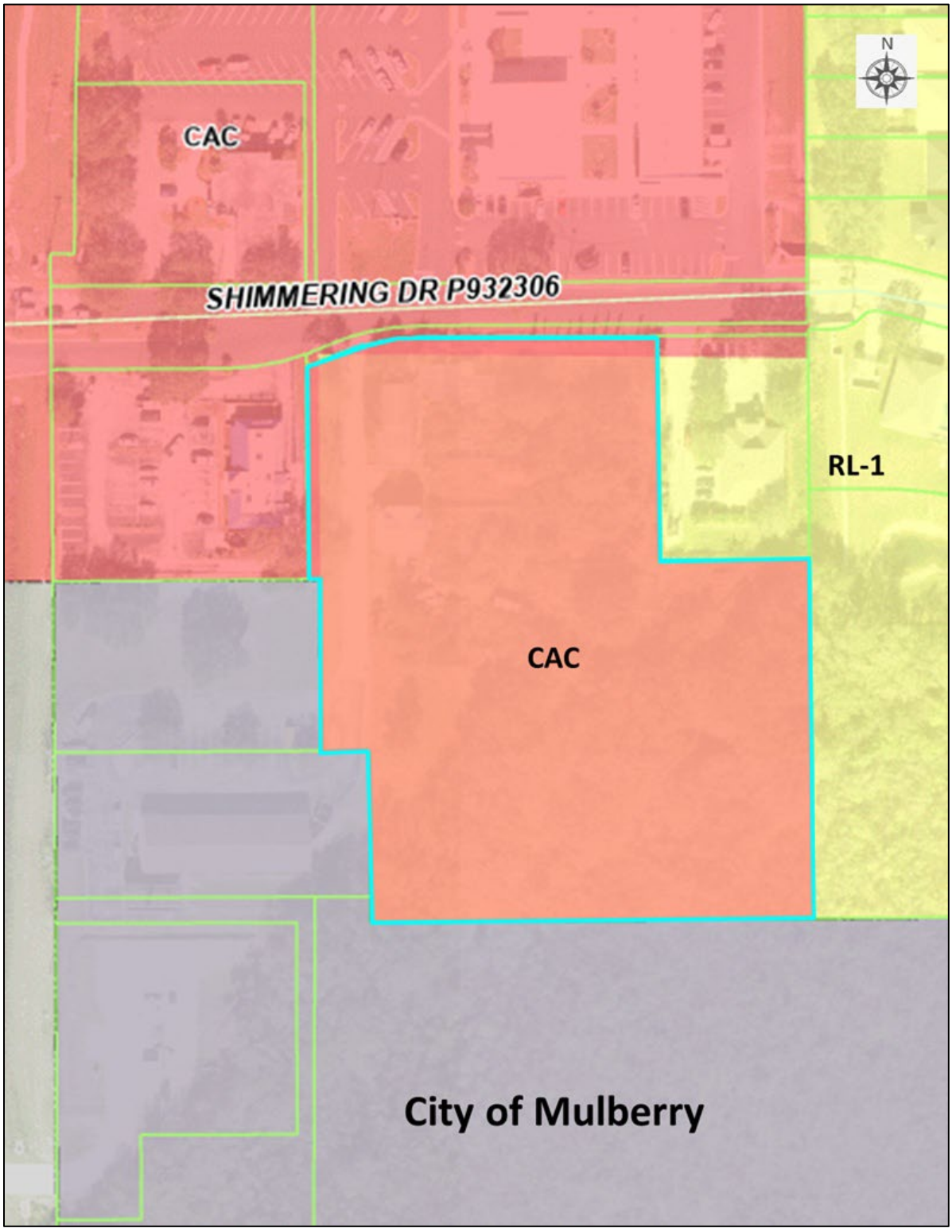
AERIAL CONTEXT MAP



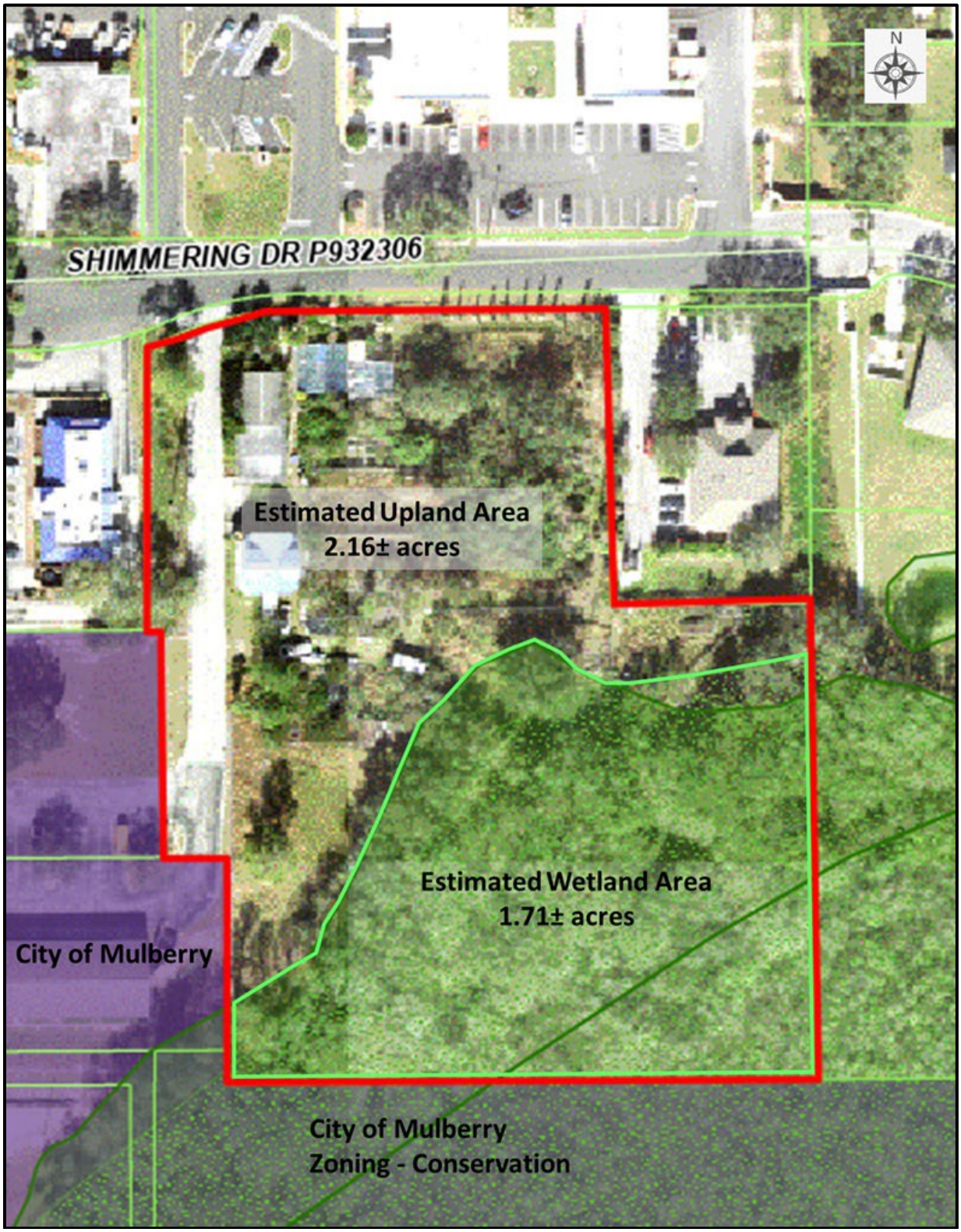
2023 AERIAL CLOSEUP MAP



CURRENT FUTURE LAND USE
RESIDENTIAL LOW-1



PROPOSED FUTURE LAND USE
COMMUNITY ACTIVITY CENTER (CAC)



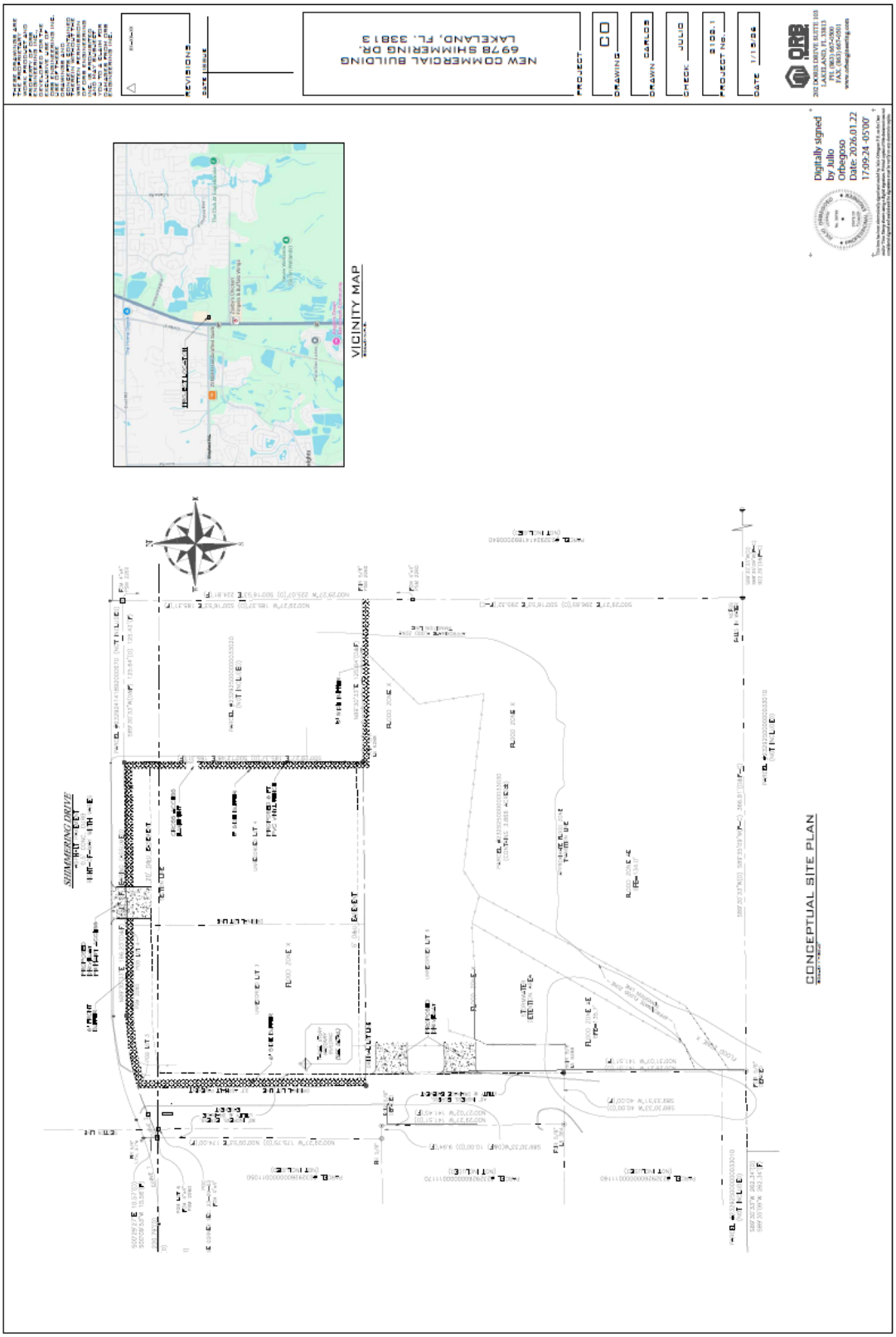
SITE ESTIMATED WETLAND/UPANDS

Residential Low (RL-1)			
Technical Staff Review -Level 1& 2		**Public Hearing (s) Required-Level 3 & 4**	
Residential Uses:	Group Home, Small (6 or less residents), C1 Group Home, Small (6 or less residents), C1 Mobile Homes, Individual, C1 Residential Infill Development, C2 Single-family Detached Home & Subdivision, P	**Residential Uses:**	Duplex, Two-family attached, C3 Group Living Facility (15 or more residents), C3 Mobile Home Park, C4 Mobile Home Subdivision, C4 Multi-family, C3 Short-Term Rental unit, C3
		Mixed Uses:	Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Transitional Area Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Emergency Shelter, Small (6 or less residents), C1 Farming General, P Golf Course, C1 Livestock Sale, Auction, C1 Nurseries and Greenhouses, C1 Recreation, Passive, C1 Recreation, Low Intensity, C2 School, Elementary, C2 Utilities, Class I, P Utilities, Class II, C1 Veterinary Service, C2	**All Other Uses:**	Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-Site, C3 Bed and Breakfast, C3 Childcare Center, C3 Community Center, C3 Emergency Shelter, Large (15 or more residents), C3 Government Facility, C3 Helistops, C3 Mining, Non-phosphate, C3 Recreation, High Intensity, C3 Recreation, Vehicle Oriented, C3 Religious Institution, C3 Riding Academies, C3 School, High, C3 School, Leisure/special Interest, C3 Utilities, Class III, C3

CURRENT
PERMITTED AND CONDITIONAL USES
RESIDENTIAL LOW-1 (RL-1)

Community Activity Center (CAC)				
Technical Staff Review - Level 1 & 2				
Residential Uses:				
All Other Uses:	Adult Use , C1 Alcohol Package Sales , C1 Bars, Lounges, and Taverns , C1 Car Wash, Full Service , P Car Wash, Incidental , P Car Wash, Self Service , P Cemetery , C2 Childcare Center , P Clinics & Medical Offices , P Commercial Vehicle Parking , C2 Communication Tower, Community Center , C2 Cultural Facility , C2 Farming General , P Financial Institution , P Financial Institution, Drive Flea Market/Enclosed , C1 Funeral Home & Related Gas Station , P Government Facility , P Heliports , C2 Hospitals , P Hotels and Motels , P Kennels, Boarding and Breeding , Marinas and Related Facilities ,		All Other Uses:	Medical Marijuana Dispensaries , C2 Nurseries and Greenhouses , P Nurseries, Retail , P Nursing Home , C2 Office , P Personal Service , P Recreation & Amusement General , Recreation, Passive , C1 Religious Institution , C2 Restaurant, Drive-thru/Drive-in , C2 Restaurant, Sit-down/Take-out , P Retail, 10,000 - 34,999 sq. ft. , P Retail, 35,000 - 64,999 sq. ft , P Retail, Less than 10,000 sq. ft. , P Retail, More than 65,000 sq. ft. , P School, Leisure/Special Interest , P School, Technical/Vocational/Trade Self-storage Facility , C2 Transit, Facility , P Utilities, Class I , P Utilities, Class II , P Vehicle Sales, Leasing , C2 Vehicle Service, Mechanical , P Veterinary Service , P
Public Hearing(s) Required - Level 3 & 4				
Residential Uses:	Multi-family , C3		All Other Uses:	Communication Towers, Guyed and Flea Market/Open , C4 Helistops , C3 Mining, Non-phosphate , C3 Nightclubs and Dance Halls , C3 Residential Treatment Facility , C4 Retail, Outdoor Sales/Display , C3 School, University/College , C3 Transitional Area Development , C4 Utilities, Class III , C3 Water Ski Schools , C3
Mixed Uses:	Planned Development , C3 Transitional Area Development ,			

PROPOSED
PERMITTED AND CONDITIONAL USES
COMMUNITY ACTIVITY CENTER (CAC)



PROPOSED ACTIVITY CENTER PLAN

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT **LDCT-2026-5**, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, TO AMEND APPENDIX E, SECTION E105, PARCEL SPECIFIC COMPREHENSIVE PLAN AMENDMENTS WITH CONDITIONS LIMITING ALLOWABLE USES WITHIN THE CAC, PROVIDING FOR AN ACTIVITY CENTER PLAN FOR AN EXPANSION OF AN ACTIVITY CENTER ON PROPERTY SUBJECT TO LDCPAS-2025-24. THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF SHIMMERING DRIVE (SHEPHERD ROAD) EAST OF STRICKLAND AVENUE, EAST OF CLARK LAKE AND NORTH OF W. CARTER ROAD, NORTH OF THE CITY OF MULBERRY, IN SECTION 25, 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 June 3 2026; and

WHEREAS, the Board held two public hearings on July 21, 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, if any

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Polk County, Florida that:

SECTION 1: The Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, shall be amended in the following manner:

Section E105 Parcel Specific Comprehensive Plan Amendments (CPA) with Conditions

Table E1 Parcel Specific Comprehensive Plan Amendments (CPA) with Conditions (Insert Row)

Subsection	CPA Case Number	CPA Approval	Parcel Number(s)
#	CPA LDCPAS-2025-24	July 21, 2026	232925-000000-033030

APPENDIX E SECTION E105 # LDCPAS-2025-24 Parcel Number: 232925-000000-033030

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 25. The entire site is legally described as:

DESCRIPTION:

Parcel 232925-000000-033030

THAT PT OF SECS 23 24 25 & 26 TP 29 RG 23 KNOWN AS LOTS 3 4 & 6 OF UNRE SURVEY DESC AS: COMM SE COR SEC 23 W 220.79 FT TO WLY R/W SR 37 S ALONG R/W 0.26 FT E 146 FT NELY ALONG CURVE 67.62 FT S 10.57 FT TO POB NELY ALONG CURVE 19.71 FT NELY ALONG REV CURVE 78.9 FT E 196.24 FT S 185.37 FT E 125.64 FT S 296.65 FT W 366.91 FT N141.51 FT W 40 FT N 141.51 FT W 10 FT N 175.75 FT TO POB

2. Access

Access to the site shall include one from Shimmering Drive and the access easement located on the western side of the subject parcel unless other access alternatives are needed to maintain safety per the County Engineer.

SECTION 2: SEVERABILITY

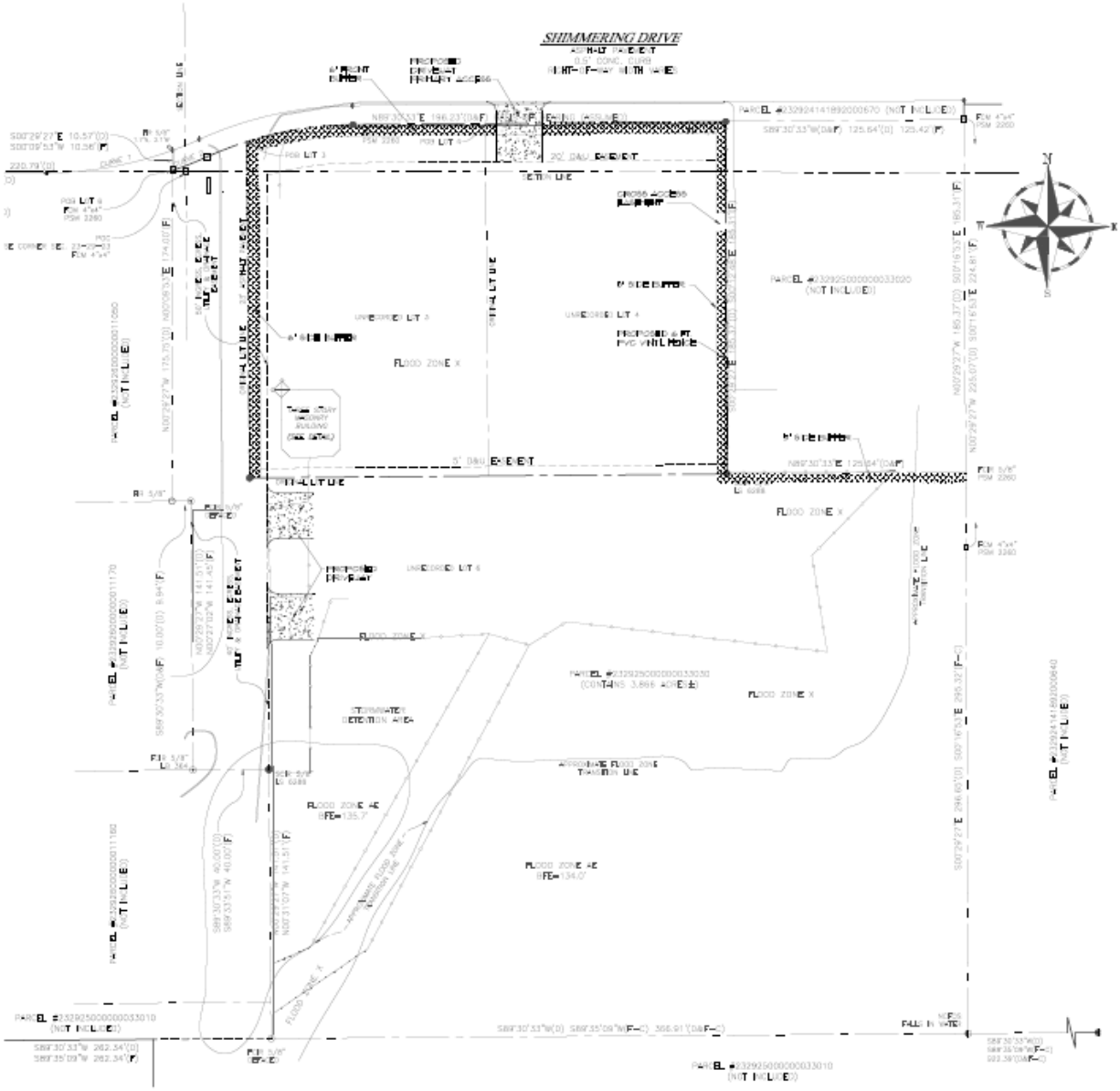
If any provisions of this Ordinance is held to be illegal, invalid, or unconstitutional by a court of competent jurisdiction the other provisions shall remain in full force and effect.

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 21st DAY OF JULY 2026.

ATTACHMENT "A"


SHIMMERING DRIVE
FLOOD ZONE X
FLOOD ZONE AE
BFE= 135.7'
BFE= 134.0'
5' D&U EASEMENT
CROSS ACCESS
STORMWATER DETENTION AREA
PROPOSED 6" PVC WATER MAIN
PROPOSED 8" PVC WATER MAIN
PROPOSED FIRE HYDRANT
PROPOSED GATE VALVE
PROPOSED 4" PVC WATER MAIN
PROPOSED 6" PVC WATER MAIN
PROPOSED 8" PVC WATER MAIN
PROPOSED 12" PVC WATER MAIN

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

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

   No

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

   No

4. **Does the proposed amendment fail to adequately protect adjacent agriculture areas?**

   No

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

   No

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

   No

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

   No

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

   No

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

   No

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

No

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

No

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

18.000 SF.

Impact Assessment Statement Form

Land and Neighborhood Characteristics

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

Applicant Response: This parcel is located adjacent to the intersection of Shimmering Dr & SR 37. The site is also located at the corner of the CAC land use which supports many other commercial properties. The request is to change the current land use to CAC for the purpose of another commercial property in this largely commercial corridor. The request is suitable as the proposed use would be compatible with 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?

Applicant Response: The proposed use is compatible with adjacent uses, and as such, special efforts will not be required to minimize incompatibility with surrounding uses. Surrounding uses are largely commercial to the west with residential to the east. The proposed use and commercial site will support the needs of the residential properties to the east.

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

Applicant Response: The request is compatible with the surrounding existing land uses and growth in the area. Additionally, most other parcels in the immediate vicinity are built out so likely there will be no adverse impacts to future development.

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.

Applicant Response: The proposed land use change is to support a commercial office & retail site. Each use is estimated to be ±8,000 sq ft. Per ITE Code 710 (Office Building) and Code 826 (Retail Center), the project will generate approximately 322 daily trips and 34 peak hour trips. The trips will likely be distributed between (2) proposed driveways.

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

Applicant Response: The subject site has frontage onto (2) private roads. Likely there will be multiple driveway entrances which will distribute the proposed trips from this project. Likely no modifications to the existing roadways will be required.

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

Applicant Response: Per Polk County LDC Section 708, the office use and retail uses will both require 1.0 space per 300 sq ft. This would require around 54 parking spaces.

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

Applicant Response: The subject site has frontage onto (2) private roads. Likely there will be multiple driveway entrances which will distribute the proposed trips from this project. The named private road is Shimmering Drive.

Sewage

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.F of the LDC*)

Applicant Response: The Office & Retail uses are generally low demand users of utilities. As such, it is expected that each use (office & retail) will generate no more than 2 ERU's each. This would equate to a total project demand of 1,080 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?

Applicant Response: Onsite treatment of sewage is not proposed.

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

Applicant Response: Polk County Southwest Regional Wastewater will provide the wastewater utility connection.

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*)

Applicant Response: Wastewater utilities will be provided by Polk County. There appears to be a gravity wastewater main on the north side of Shimmering Drive adjacent to the subject property.

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

Applicant Response: For a property of this size and demand, it is expected that there should be ample potable water and wastewater capacity available.

6. What is the anticipated date of connection?

Applicant Response: Connection is anticipated sometime in 2026.

7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc.)*?

Applicant Response: We are currently coordinating with County staff, but expect there is adequate capacity and County infrastructure to allow for the proposed connection.

Water Supply

1. What is the proposed source of water supply and/or who is the service provider? **Applicant Response: Water utilities will be provided by Polk County. There appears to be a potable water main and fire hydrant on the south side of Shimmering Drive adjacent to the subject property.**

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

Applicant Response: The Office & Retail uses are generally low demand users of utilities. As such, it is expected that each use (office & retail) will generate no more than 2 ERU's each. This would equate to a total project demand of 1,440 gpd.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

Applicant Response: There appears to be a potable water main and fire hydrant on the south side of Shimmering Drive adjacent to the subject property.

4. Who is the service provider?

Applicant Response: Polk County Southwest Regional Wastewater will provide the wastewater utility connection.

5. What is the anticipated date of connection?

Applicant Response: Connection is anticipated sometime in 2026.

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

Applicant Response: For a property of this size and demand, it is expected that there should be ample potable water and wastewater capacity available.

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

Applicant Response: According to the SWFWMD Well Construction Permits Map, there are no wells on the subject site.

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);

Applicant Response: The site generally slopes from the NW side of the property to the SE corner. There appears to be existing floodplains and wetlands in the SE portion of the site. There is no intention to impact these waterbodies with the proposed design.

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

Applicant Response: The proposed development will not impact floodplain or wetlands as the proposed development will remain in the NW corner of the property.

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.

Applicant Response: Most of the sites surrounding the property have been developed or appear disturbed and thus do not have many environmental concerns. The site appears to be an old nursery with a few existing buildings. As stated before, the proposed development does not anticipate impacting floodplain or wetlands.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

Applicant Response: There appears to be existing floodplains and wetlands in the SE portion of the site. There is no intention to impact these waterbodies with the proposed design.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;

Applicant Response: There are not private wells or public well fields onsite. Potable Water will be supplied by PCU's main that fronts the site along Shimmering Drive.

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).*

Applicant Response: The site is not located 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.

Applicant Response: The site is mapped as being ±20% Arents Sand (Type A soil) and ±80% Clayey Hydraquents (Type D) soil. The better type A soils on the north side of the property where the project will be proposed.

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;

Applicant Response: The site is less than a mile from Loyce E Harpe Park from and less than 1.5 miles from Christina Park. With multiple parks within the vicinity of the site, adverse impact to the parks is not expected.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

Applicant Response: The proposed project is for a land use change to a commercial land use for a proposed office & retail project. These commercial uses will not impact existing school capacities.

3. Health Care (e.g., emergency, hospital);

Applicant Response: The site is less than 2.0 miles from multiple health care facilities along SR 37. Examples of these are AdventHealth Centra Care of South Lakeland, St. Luke's Regional Health Care, Scott Lake Health and Rehabilitation, Lakeland Regional Health Freestanding Emergency Department, and more.

4. Fire Protection;

Applicant Response: The site is approximately 2.8 miles from the Polk County Fire Rescue Station #2 and 3.3 miles from Polk County Fire Station #721. With two fire rescue stations within the immediate vicinity of the site, fire protection is expected to be adequate.

5. Police Protection and Security;

Applicant Response: The subject site is centralized between the Polk County Sheriff Substation (3.5 miles), Eagle Lake Police Department (subbed to Polk County Sheriff)(3 miles),

6. Emergency Medical Services (EMS);

Applicant Response: As stated in the "Fire Protection" section, the site is within 1.5 and 5 miles of two Fire Rescue Stations which also serve as EMS services.

7. Solid Waste (collection and waste generation);

Applicant Response: The site is approximately 3.5 miles from the Polk County Waste Management.

8. How may this request contribute to neighborhood needs?

Applicant Response: This request will contribute to the surrounding neighborhood by providing additional multi-family housing options for residents of the area. Plus affordable options for citizens looking for residence in the emerging area of Eagle Lake.

Please see the requested Maps attached to this application.

Narrative Demonstration of Compliance with the Community Activity Center (CAC), Activity Center Plan (ACP), and Polk County Land Development Code (LDC)

Project: Medical Offices
Location: 6978 Shimmering Drive

The proposed request for the Community Activity Center (CAC) designation has been evaluated for consistency with the Polk County Comprehensive Plan, the Community Activity Center (CAC) framework, the Activity Center Plan (ACP) requirements, and the applicable provisions of the Polk County Land Development Code (LDC). The request demonstrates compliance with the intent and purpose of these adopted planning documents by supporting compact, coordinated, and community-serving development within an appropriate activity center context.

The subject property is located within an area that already exhibits the functional characteristics of a Community Activity Center as defined in the Polk County Comprehensive Plan. Surrounding land uses include commercial, institutional, and service-oriented development that collectively establish the area as a focal point for community activity. These existing conditions support the expansion of the CAC beyond the general acreage thresholds, consistent with Comprehensive Plan policies that allow flexibility where development patterns, infrastructure capacity, and community benefits justify such expansion. In accordance with the Polk County LDC provisions related to Activity Centers, the applicant acknowledges the requirement for the preparation of an Activity Center Plan (ACP). The ACP will provide a coordinated framework for future development, addressing land use relationships, internal circulation, access management, shared parking opportunities, and compatibility with adjacent properties. The ACP will also ensure consistency with Comprehensive Plan objectives promoting efficient land use, reduced development fragmentation, and long-term planning certainty.

Stormwater management and flood mitigation are integral components of the proposed Conditional Area Compatibility (CAC) and Activity Center Plan (ACP). The proposed development is designed using a comprehensive master drainage system that maintains existing hydrologic conditions and complies with the Polk County Land Development Code (LDC), the Comprehensive Plan, and all applicable County and water management district stormwater criteria. The property includes a centrally coordinated stormwater retention pond designed to manage post-development runoff, attenuate peak discharge rates and volumes to pre-development conditions, and provide water quality treatment through temporary storage and sediment settling.

Site grading is designed to provide positive drainage from all impervious and pervious surfaces, including roof areas, parking lots, internal drive aisles, sidewalks, pedestrian walkways, and landscaped areas, directing runoff toward the on-site stormwater detention and retention facilities located in the southern portion of the property, as shown on the plans. The stormwater system is designed to prevent increases in downstream discharge rates and volumes, thereby avoiding adverse off-site drainage impacts. The retention pond also provides a community-wide benefit by reducing localized flood risks, mitigating downstream flooding potential, and enhancing overall site and neighborhood resilience during significant rainfall events.

As required by the Polk County Comprehensive Plan and the LDC, a Master Drainage Plan will be prepared to address stormwater management for undeveloped portions of the property and to ensure that future development phases do not adversely impact surrounding properties, downstream drainage systems, or natural hydrologic features. This plan will establish long-term drainage patterns, storage requirements, and conveyance criteria to maintain consistency with pre-development conditions. The site is primarily located within FEMA Flood Zone X, with limited areas adjacent to Flood Zone AE. All proposed improvements are located outside of regulated floodways, and no floodplain encroachment is proposed. Finished floor elevations and site grading are designed to provide positive drainage away from all structures and to maintain appropriate separation from flood hazard areas, consistent with County floodplain management requirements. Required buffer areas are provided along property boundaries in accordance with local land development regulations. These buffers remain free of impervious surfaces except where limited access points or utility crossings are required. Buffer areas provide visual separation, reduce runoff velocities, promote infiltration, and contribute to stormwater quality enhancement while protecting adjacent properties.

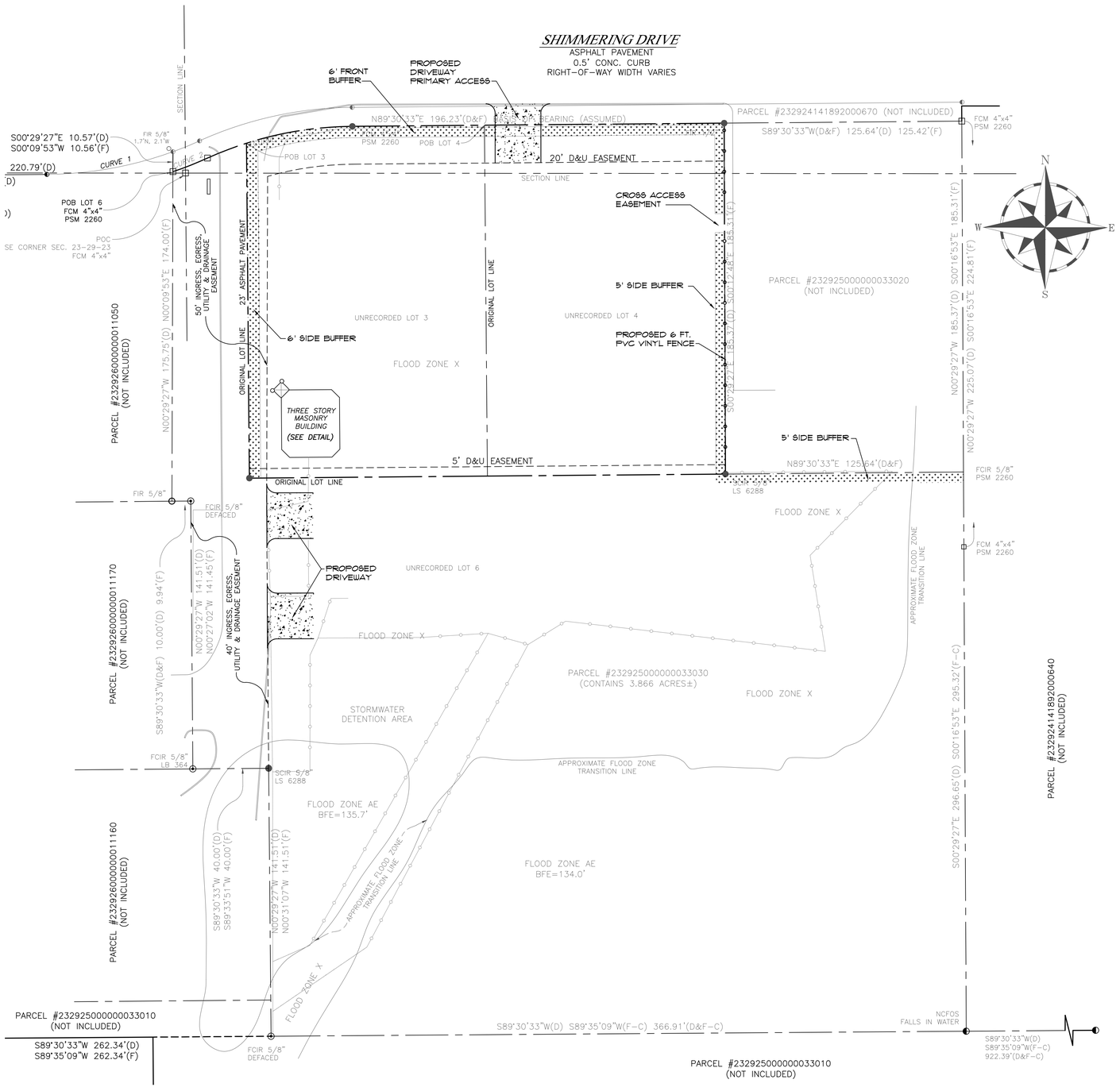
The proposed CAC also aligns with Comprehensive Plan goals related to public health, safety, and welfare. The proximity of an established medical service provider with demonstrated experience enhances access to healthcare services for residents, employees, and visitors within the activity center. The inclusion and accessibility of medical services within or near a CAC supports the Comprehensive Plan's emphasis on creating complete, healthy communities where essential services are integrated into activity centers rather than dispersed in an inefficient manner.

Transportation access, utilities, and public services are available or can be efficiently extended to support the proposed CAC in a manner consistent with the infrastructure and concurrency principles of the Comprehensive Plan and the Polk County Land Development Code (LDC). The site benefits from direct connectivity to the surrounding roadway network, supporting shared access, efficient internal circulation, and reduced reliance on multiple curb cuts, as encouraged by Activity Center policies and LDC design standards. Vehicular access to the site is provided via a proposed driveway connection to Shimmering Drive, with

the driveway location and geometry designed to comply with Polk County and Florida Department of Transportation (FDOT) access management requirements, provide adequate sight distance, and safely accommodate anticipated traffic volumes, including emergency and service vehicles. Internal drive aisles are configured to ensure safe and efficient vehicular circulation and to support emergency response operations. The development process reflects ongoing coordination between the applicant and County staff and will continue to involve adjacent property owners as development progresses. This collaborative approach is consistent with Activity Center Program (ACP) objectives to identify appropriate buffer areas, ensure compatibility with surrounding land uses, and promote orderly, predictable development within the CAC framework. Parking areas and internal drive aisles are designed in accordance with applicable dimensional and design standards and are graded to direct stormwater runoff toward the on-site stormwater management system. No parking areas or drive aisles encroach into required buffer areas or flood hazard zones, ensuring compliance with floodplain regulations and protection of natural drainage patterns.

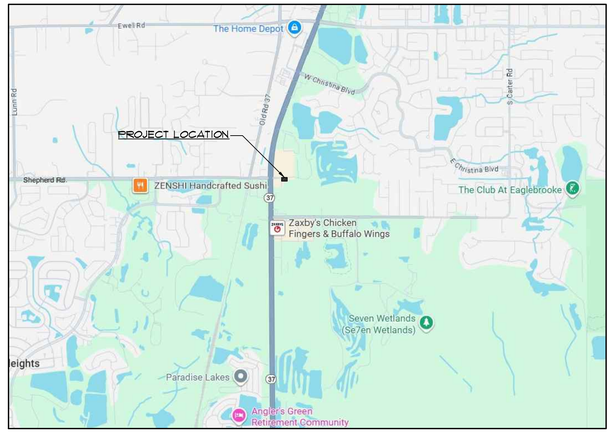
A continuous pedestrian circulation system is provided throughout the site via sidewalks and walkways connecting parking areas, building entrances, and site access points. All pedestrian facilities are designed to comply with Americans with Disabilities Act (ADA) requirements, and clearly marked crosswalks are provided at vehicular conflict points to enhance pedestrian safety and visibility. Overall, the proposed site layout integrates stormwater management, flood mitigation, buffering, vehicular access, parking, and pedestrian circulation in a coordinated and comprehensive manner that supports regulatory compliance, operational efficiency, long-term resilience, and the protection of adjacent properties and natural drainage systems.

Based on consistency with the Polk County Comprehensive Plan, the Community Activity Center (CAC) policies, the Activity Center Plan (ACP) requirements, and the applicable provisions of the Polk County Land Development Code (LDC), the requested CAC designation is appropriate for the subject property. The proposal supports resilient infrastructure, flood mitigation, access to essential medical services, community health and wellness, and sustainable economic development in a manner consistent with the County's long-term planning vision.



CONCEPTUAL SITE PLAN

SCALE: 1"=30'-0"



VICINITY MAP

SCALE: N.T.S.

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△ XX-XX-XX

REVISIONS

DATE	ISSUE

PROJECT: NEW COMMERCIAL BUILDING
6978 SHIMMERING DR.
LAKELAND, FL. 33813

DRAWING: CO

DRAWN: CARLOS

CHECK: JULIO

PROJECT No.: 2102.1

DATE: 1/15/26

ORB ENGINEERING
202 DORIS DRIVE SUITE 103
LAKELAND, FL 33813
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JULIO ORBEGOSO LICENSE No. 38769 STATE OF FLORIDA PROFESSIONAL ENGINEER

Digitally signed by Julio Orbegoso
Date: 2026.01.22 17:09:24 -05'00'

This item has been electronically signed and sealed by Julio Orbegoso P.E. on the Date and/or Time Stamp shown using a digital signature. Printed copies of this document are not considered signed and sealed and the signatures must be verify on any electronic copies.

Agenda Item 9. 6/3/2026

SUBJECT

LDCU-2026-9 (Waffle House Highland City TCX)

DESCRIPTION

The applicant is proposing an 1,800 sq. ft. Sit-Down Restaurant in the Town Center (TCX) land use district in the US Highway 98 Selected Area Plan (SAP). Per Section 401.04.D.8, a Conditional Use is required to deviate from TCX development criteria based on hardships on the property.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No fiscal impact

CONTACT INFORMATION

Andrew Grohowski

Land Development Division

(863) 534-6412

andrewgrohowski@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

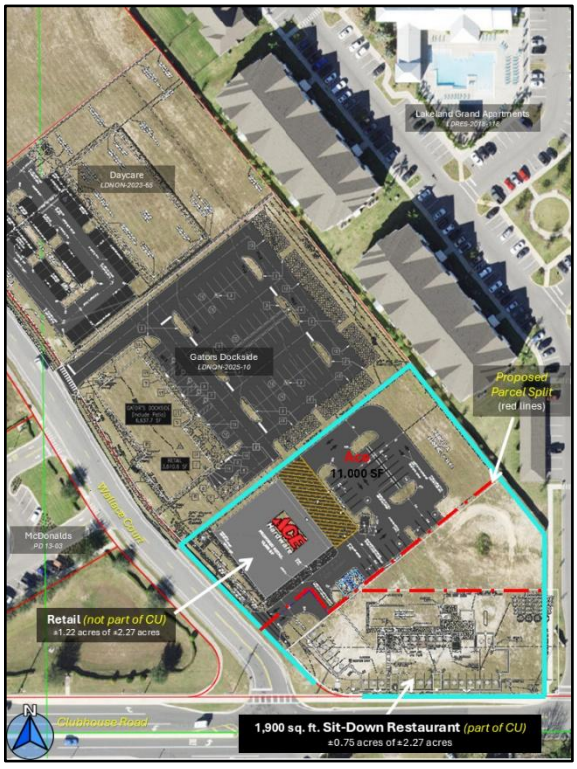
DRC Date:	April 2, 2026	**Level of Review:**	Level 3 Review
PC Date:	June 3, 2026	**Type:**	Conditional Use
BoCC Date:	N/A	**Case Numbers:**	LDCU-2026-9
		Case Name:	Waffle House Highland City TCX
Applicant:	Jennifer Yarbrough, Contineo Group	**Case Planner:**	Andrew Grohowski, Planner II

Request:	The applicant is proposing a Sit-Down Restaurant in the Town Center (TCX) land use district in the US Highway 98 Selected Area Plan (SAP). Per Section 401.04.D.8, a Conditional Use is required to deviate from TCX development criteria based on hardships on the property.
Location:	The subject site is located at the intersection of Clubhouse Road and Wallace Court, on the east side of US Highway 98, south of Wallace Road, west of 1st Street Southeast, northwest of the City of Bartow in Section 11, Township 29, Range 24.
Property Owner:	MLM Properties of Polk LLC
Parcel Size (Number):	±0.75 acres of ±2.27 acres (242911-281019-000031)
Future Land Use:	Town Center-X (TCX) 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



Overall Aerial



Summary:

The applicant is requesting Conditional Use (CU) approval for a 1,900 sq. ft. Sit-Down Restaurant within a Town Center (TCX) land use district in the US Highway 98 Selected Area Plan (SAP). The SAP allows deviations in the TCX standards through a Conditional Use request, including sign requirements, setbacks, and build-to lines, based on circumstances that create hardship on the property. For this case, the request includes deviations from the build-to-lines and frontage requirements. According to Table 401.04 of the LDC, "Sit-Down Restaurants" are a permitted use requiring staff approval within TCX land use district if the standards in Section 401.04.D.8 can be achieved. The purpose of this Level 3 Review is to permit deviations from certain TCX standards in 401.04.D.8, as is allowed pursuant to stipulations within this section. 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.

Among the standards for which this application is seeking relief are the build-to-lines from rights-of-way which ordinarily cannot exceed 15 feet from the property line. The TCX also requires at least 60% of the parcel frontage along the rights-of-way of all roads, which this property cannot achieve due to a large 50-foot utility easement on the southern portion of the property and the dual frontage on Wallace Court and Clubhouse Road. In this instance, the applicant is requesting to set the principal structure about 70 feet from Clubhouse Road and at a minimum 88 feet from the Wallace Court right-of-way. With dual frontage, a typical Waffle House is simply not large enough to accommodate 60% frontage requirements. Approval of this request will allow the site to develop without adhering to these two (2) rules. The site plan demonstrates the proposal will adhere to the remaining TCX district criteria outlined in LDC Section 401.04 as depicted on the site plan (Exhibit 6). This includes architectural plans, an amenity area with outdoor seating and internal pedestrian interconnectivity.

The subject site is proposed to be subdivided to accommodate a Retail Store (Ace Hardware) and Sit-Down Restaurant (Waffle House). According to the County Attorney's Office, the property will be required to re-plat with this proposed split. The retail store will be about 1.22 acres, and the restaurant will be about 0.75 acres. The remaining will be set aside for future stormwater improvements. The site has frontage along Clubhouse Road, an Urban Collector roadway, and Wallace Court, a private roadway maintained by the "HC Town Center Owners' Association, Inc." The site will gain access through a cross-access easement with the proposed Retail Store to the north, which will meet the build-to-line and frontage criteria once the lots are platted. Both the Ace and Waffle House will share a commercial driveway apron for ingress/egress off Wallace Court. Five-foot wide sidewalks will front Clubhouse Road and Wallace Court. Sign standards shall conform with those within the same TCX district, and architectural and aesthetic requirements mandated by the TCX will be further evaluated during the Level 2 Review.

No wetlands or flood zones are found onsite, and no other environmental constraints are present that would hinder development. The site will connect to utilities provided by the City of Lakeland. The surrounding roadways have ample capacity, and the request will have no impact on school capacity.

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, including the remaining TCX criteria. 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 construct a Sit-Down Restaurant in the Town Center (TCX) land use district in the US 98 Selected Area Plan (SAP). The layout of this request will deviate from standards in Section 401.04.08 of the Land Development Code (LDC) (**In Bold Below**).*

- *LDC Section 401.04.D.8, Town Center (TCX) - Development within the Town Center shall conform to the following criteria in addition to all other regulations within this Code:*

    a. *Buildings within the TCX shall build to property lines rather than setback back from property lines as follows:*

        i. ***Build to lines from roads - (0-15 feet)** - A Build to Line is a line parallel to the property line adjacent to rights-of-way, along which a building shall be built. The maximum distance that any building can be from the property line is 15 feet**.** This area between the building and the property line shall incorporate sidewalks, sidewalk cafes/eating areas, or retail display areas. **The building shall be in close proximity to the streets and pedestrian friendly parking areas, pathways, and gathering spaces shall be oriented toward the interior of the development** rather than the traditional strip development where a large parking area is in front of a building; and,*

        ii. *Side and Rear build to lines - To allow for maximum development flexibility, there shall be no pre-determined side or rear setbacks or side or rear build to lines other than those that are required for public safety. However, if the adjoining parcel(s) are developed with an existing residential use or have a Future Land Use district of ROSX, PRESVX, ARRX, RSX, RLX, RMX, or RHX the building(s) shall be consistent with the side and rear setbacks for CAC in Table 2.2.*

    b. *Impervious Surface Area Ratio (ISR) - The ISR shall be 0.70 for all development within the TCX. If a true hardship on the property can be determined, a waiver may be requested pursuant to Section 932;*

    c. *Building design and uses shall include the following:*

        i. *Developments shall have a consistent streetscape and architectural style. The first buildings to be constructed in the Town Center are expected to set the tone of the remaining building design. This may include various frontage types such as terraces, awnings, galleries, or arcades, etc. These terms are not strictly defined but are based on architectural standards of traditional downtowns (i.e., downtowns similar to historic areas of Tampa, Orlando, or Tallahassee);*

        ii. ***At least 60 percent (%) of the parcel frontage on the rights-of-way of all roads** and the Ft. Fraser Trail shall be lined with buildings;*

        iii. *Pedestrian shelters, awnings, roof overhangs, or other forms of shelter from the weather shall be incorporated along all building sides adjacent to pedestrian walkways; and,*

        iv. *Front building facade architecture shall be incorporated into any building side adjacent to right-of-way.*

d. Parking design shall include the following:

i. Parking lots shall be specifically prohibited between the building and US Highway 98 unless the parking is on-street parking, such as parallel parking;

ii. All development shall incorporate pedestrian friendly parking areas. At a minimum, parking areas shall include five foot wide paved walkways between parking rows every other parking isle (See Figure C); and

...

f. Roadway and/or Alley Construction shall be consistent with the following:

a. US Highway 98 and collector roads shall be lined with pedestrian-oriented features which are constructed in a uniform arrangement;

b. On-street parking shall be provided for any internal roads constructed that meet the County's local or collector standards. This shall be parallel parking; and,

c. Internal roads meeting the County's local or collector road standards shall also incorporate sidewalks and bike lanes.

g. Sign standards within the TCX shall conform to the following:

a. All signs shall be based on the standards for the CAC in Chapter 7 and reduced by 15 percent. Prior to any development, a sign plan shall be submitted for review and final approval.

b. All signs erected in the TCX shall be reviewed by the DRC to ensure the design of the sign is aesthetically consistent and in harmony with the architecture of the TCX. The first buildings and signs erected within the TCX shall set the tone and style of all signs;

c. Signs shall be monument-style or building-mounted only; freestanding pole signs shall be specifically prohibited;

d. Banners attached to lighting fixtures will be permitted if allowed by the owner of the light fixture; and,

e. All signs and lighting of signs shall be consistent with architecture of the buildings.

...

h. Any loading docks, utility facilities, car washes and storage areas abutting rights-of-way shall be landscaped from off-site view;

i. The maximum building height shall be 75 feet. This may be increased through a variance or a Planned Development;

j. The Development Review Committee (DRC) shall evaluate proposed development projects to determine how the projects are consistent with items a through k above. The DRC's decision shall be considered as required by this Code in site plan design for Level 3/4 Conditional Use, and Level 2 Review; and,

k. Any use with a drive-thru facility shall be reviewed as a Planned Development and shall only be located on properties adjacent to US Highway 98 or the Fort Fraser Trail.

l. *Any use with a driveway aisle between the Fort Fraser Trail and the principal structure within the TCX shall comply with the standards listed in 401.04 I.7 to provide for safe pedestrian crossing points.*

m. ***Items a through k above may be modified based on circumstances that create a significant hardship on the property through a Planned Development. However, the applicant shall demonstrate how each requirement is being met by the site plan or why a specific requirement should be modified."***

- *The subject site is approximately 2.17 acres, however, the applicant proposes to subdivide the property to allow both uses. The retail will have approximately 1.22 acres while the sit-down restaurant will have 0.75 acres. The remaining acreage will be used for open space and drainage purposes.*

- *According to the site plan, the retail store is approximately 11,000 square feet and the sit-down restaurant is about 1,890 square feet.*

- *Table 4.12 of the LDC notes "Restaurant, Sit-Down/Take Out" is a permitted (P) use in the TCX district.*

- *A fifty (50) foot public utility easement owned by the City of Lakeland runs along the southern portion of the property along Clubhouse Road (O.R. Bk 9381, Pg 1115).*

- *POLICY 2.109-A29: The purpose of the Town Center (TC) land use is to provide the citizens of unincorporated Polk County with an urban lifestyle through the promotion of mixed uses in a single structure or through a combination of clustered buildings with uniformed design characteristics and features that encourage pedestrian activity between uses. The TC land use is designed to allow dining, cafes, bars and pubs, retail, boutiques, music venues, professional office, and multi-family residential (i.e., townhomes, condominiums or apartments), parks, plazas and lakefront views. The TC land use is only available in the adopted Selected Area Plans.*

- *POLICY 2.131-R.H.2: GENERAL CHARACTERISTICS - The Town Center will include dining, cafes, bars and pubs, retail, boutiques, music venues, professional office, and multi-family residential. The Town Center shall include a community focus such as a park, plaza, or lakefront. The Town Center will exist and grow as a mixed-use area along specific urban design guidelines. The district is envisioned to be designed as a harmonious grouping of buildings that include cohesive architecture, and pedestrian spaces.*

- *POLICY 2.131-R.H.3: DEVELOPMENT GUIDELINES - Development within the Town Center shall conform to the following criteria:*

    a. *Development proposals of ten acres or more shall provide a central focal feature such as a park or square;*

    b. *residential development shall be apartment-style or townhouse-style;*

    c. *Loading docks, utility facilities, car washes, and storage areas shall not be visible from any abutting rights-of-way;*

    d. *Parking lots shall be specifically prohibited between the building and US Highway 98;*

e. *US Highway 98 shall be lined with pedestrian-oriented features which are constructed in a uniform arrangement.*

f. *signs shall be monument-style or building-mounted; pole signs shall be specifically prohibited.*

g. *Developments shall have a consistent streetscape style;*

h. *Pedestrian walkways shall be integrated into every development including appropriate pedestrian shelters or awnings;*

i. *Residential uses shall be limited at Special Residential densities as a primary use up to 25 percent of the TCX district. Location of residential units above non-residential uses shall be encouraged by not considering such units against the maximum residential percentages and densities if the residential is an accessory use.*

- *Section 303 of the LDC requires the following standards for Sit-Down Restaurants:*

  In addition to all applicable regulations the following standards shall apply:

  1. *Within existing BPC and IND land use districts:*
     a. *All proposed uses and structures shall support the surrounding facilities.*
     b. *All structures shall not exceed fifteen percent of the existing developed BPC or IND land use, and the restaurant is an accessory use that supports an existing BPC or IND use.*
  2. *All structures shall connect to water and sewer facilities.*
  3. *All on-site garbage collection facilities shall be screened from any adjacent property.*
  4. *Within OC districts (including OCX), Restaurant, Sit-down/Take-out uses shall comprise no more than 20 percent of the overall district.*

- *The subject site has about 225 feet of frontage on Wallace Court and 254 feet of frontage along Clubhouse Road (Road No. 941433). Clubhouse Road is a County-maintained, six-lane divided roadway classified as an Urban Collector roadway. Wallace Court is about 24' wide paved private roadway.*

- *The subject site is served by City of Lakeland Utilities for potable water and wastewater services. An 8-inch force main sewer line runs along the southern portion of the property within an existing 50-foot utility easement (O.R. Bk 9466, PG 1115 to 1117). An 8-inch water main line runs along the western right-of-way on Wallace Court. These services are available, and the development will be required to connect to each.*

- *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.*

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-2026-9.**

CONDITIONS OF APPROVAL

1. This CU approval shall be for one (1) sit-down restaurant as shown on the site plan with deviations from Section 401.04.D.8, as addressed in Table 2 of this staff report. Any modifications to LDCU-2026-9, 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]

2. All signs shall be based on the standards for the Community Activity Center (CAC) land use district shown in Chapter 7 and reduced by 15 percent. Signs shall be monument-style or building-mounted only; freestanding pole signs shall be specifically prohibited. All signs erected

in the TCX shall be reviewed by the DRC prior to Level 2 approval to ensure the design of the sign is aesthetically consistent and in harmony with the architecture of the surrounding uses within the US 98 TCX land use district. The overall height of the sign shall not exceed seven (7) feet. [PLG]

3. To maintain a consistent design and aesthetic within this TCX district, the project shall closely adhere to the architectural design renderings as shown in Exhibit 8 to the greatest extent possible. [PLG]

4. The subject site will be required to re-plat should the parent parcel be subdivided. [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:** TCX Gator's Dockside (LDNON-2025-10) ±1.80 acres	**Northeast:** TCX Multifamily
West: TCX LDPD-2021-35	**Subject Property:** TCX Vacant ± 2.27 acres	**East:** TCX Multifamily
Southwest: TCX Drive-Thru Restaurant (PD 13-03)	**South:** ECX Drive-Thru Restaurant (LDPD-2021-5) ± 1.96 acres	**Southeast:** TCX Single-family & mobile homes

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

The subject property is approximately 0.75 acres of a larger 2.27-acre site. The request proposes to split the original site into a restaurant and retail store located on each new property. The property

is located within the Transit Supportive Development Area (TSDA) in the US 98 SAP and has about 255 feet of frontage on Clubhouse Road and 135 feet of frontage on Wallace Court. The property is considered part of "Parcel 3" in the "Town Center East Lot 3" plat recorded in 2024 (PB 205, PG 50). A 50-foot utility easement runs along the southern portion while a large drainage retention easement along the eastern portion of the property. Over the last three years, this particular TCX district on the east side of US Highway 98 has been developing while that on the west side of the road has been built-out. Multi-family apartments have been constructed which triggered improvements to the intersection of Clubhouse Road and US 98. Sidewalks and right-of-way dedication were achieved when this property was platted.

On the western side of US 98, the TCX is completely built-out through a Planned Development (PD 02-13) approval. All of the non-residential properties to east of US 98 and fronting the Fort Fraser Trail have gone through the PD process because they are drive-thru facilities or gas stations. Drive-thru restaurants are considered a "C3" Conditional Use within the TCX district and only allowed to be located adjacent to US Highway 98 or the Fort Fraser Trail.

According to Comprehensive Plan POLICY 2.131-RA4.H, the Town Center includes "dining, cafes, bars and pubs, retail, boutiques, music venues, professional office." Normally, retail and sit-down restaurants are permitted through a Level 2 "C2" Conditional Use within the TCX district requiring only Staff-level approval. However, the LDC and Comprehensive Plan contains performance standards for the TCX district in Section 401.04 intended to bring a coherent design to this area. Relief from these standards may be granted by the Planning Commission through a Level 3 Review if there is significant hardship. Similar to this project, Gator's Dockside directly to the north also consists of both retail and restaurant components. Gator's and Ace Hardware will adhere to the building setback and frontage requirements in the TCX district without the need for Level 3 approval (LDNON-2025-10). This is the first Level 3 proposal east of Wallace Court.

Compatibility with the Surrounding Uses and Infrastructure:

Much of what the TCX stands to accomplish is a higher standard to cater to pedestrian oriented features, communal gathering spaces, and encourage pedestrian oriented features with parking areas focused away from vehicle traffic. These standards include but are not limited to shelters, awnings, roof overhangs, outdoor seating and eating areas, and sufficient areas to walk. Appropriate building placement is vital in order to provide these spaces oriented toward the interior away from passerby traffic and helps to provide a town-centric streetscape style. Retail and commercial uses are found throughout the Highland City area as well as the main intersection of Clubhouse Road and US Highway 98.

The applicant is proposing to split the subject site with an Ace Hardware and Waffle House located on each new property. A shared driveway will be provided off of Wallace Court, with Waffle House gaining cross access through the proposed Ace property. The southern parcel presents development challenges with a 50' utility easement owned by the City of Lakeland along the southern portion (Exhibit 7). Given this easement, the applicant is prohibited from locating the building within the 0-15 foot built-to-line. Despite this hardship, Staff found that the sit-down restaurant proposed can be integrated with other the Town Center criteria without seriously compromising the pedestrian experience.

It is important to note that many Planned Developments in the immediate area have received a positive recommendation from Staff and subsequent approval from the Planning Commission, with almost every PD or CU request for a drive-thru facility or gas station. 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 drive-thru and sit-down restaurants, retail plazas, and childcare facilities, many constructed in the past four years alone.

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.*"

Per LDC Section 401.04, the TCX district requires build-to-line designs with a maximum of 15-foot setbacks from the rights-of-way and 60% roadway frontage requirements. While the use itself is considered compatible with the surrounding area, these TCX standards are difficult for the sit-down restaurant to meet due to existing limitations. The 50' easement owned by the City of Lakeland, along with additional existing municipal sewer and storm sewer infrastructure makes this build-to requirement within 15 feet of the property line difficult along the frontage of Wallace Court or Clubhouse Road. Additionally, the small building footprint typically found as a business model for other Waffle House's makes the frontage requirement difficult to achieve. The Waffle House building is setback approximately 70 feet rather than 0-15 from Clubhouse Road.

Despite this the remaining TCX design criteria, such as internal sidewalks and architectural standards, are being met. According to Comprehensive Plan Policy 2.131-R.H.3 and LDC Section 401.04.D.8 subitems "a" and "d," developments shall encourage pedestrian activity and pedestrian friendly parking areas oriented toward the buildings side, interior, rear, and between uses with "pedestrian shelters, awnings, roof overhangs, or other forms of shelter from the weather" … "incorporated along all building sides adjacent to pedestrian walkways." From a public benefit perspective, additional pedestrian features are integrated into the site plan with an amenity and outdoor seating area along Clubhouse Road. Not only is an internal sidewalk connection shown between the amenity area and primary building but cross connection to the northern property is proposed as well (Exhibit 6). Additionally, awnings are incorporated along the front face of the Waffle House adjacent to the pedestrian walkway and the building façade is proposed facing both rights-of-way (Exhibit 8). These architectural standards outlined in the TCX district are included as part of the conditions of approval.

A multi-family apartment complex was constructed in 2021 to the rear, or east, of the subject site. A Type "B" landscape buffer, at a minimum, will be required in accordance with LDC Section 720. Additionally, a Type "B" buffer will be incorporated along the northern property boundary with the proposed retail store. A Type "A" landscape buffer is permitted to be within the utility easement. Per correspondence with the City of Lakeland utilities, landscaping and pavement is permitted "as long as the applicant meets the minimum tree separations and that the existing manholes or valves do not fall within parking spaces or curb lines rendering them inaccessible for maintenance or emergencies." The requested parking for this project meets minimum standards with twenty-nine (29) parking spaces proposed along with two (2) ADA spaces. Dumpster placement is set internal to the project, and lighting will meet LDC standards.

Existing mobile homes and site-built homes are located to the southeast within a RMX land use district in the Haskell subdivision (Plat Book 1 Page 5A), originally recorded on June 12, 1886, and re-mapped and verified in February of 1914. Beyond the residential areas previously mentioned, the project presents few compatibility concerns with existing uses. The properties fronting Wallace Court consist of proposed retail, sit-down restaurant, and childcare facility (Exhibit 5). Drive-thrus and a gas station are located further west closer to the Ft. Fraser Trail and US Highway 98. These non-residential uses are not dissimilar to the given request.

The challenges here are conforming to the intent of the TCX land use districts. The LDC contains performance standards for the TCX district in Section 401.04 intended to bring a coherent design to this area.

Table 2

Section 401.04 Standard	Applicant's Proposal
15' maximum setbacks from Clubhouse Road.	*The building has been pushed as far forward as possible to allow a restaurant without encroaching on the 50-foot utility easement. The building is approximately 70 feet from the right-of-way on Clubhouse Road.*
Maximum ISR of 0.70	*The proposed ISR will be 0.51.*
Developments shall have a consistent streetscape and architectural style	*The site will be similar in layout to the McDonalds. A patio will be provided and concept architectural plans have been included in Exhibit 8. Signage and landscaping will be consistent with TCX criteria.*
At least 60 percent (%) of the parcel frontage on the rights-of-way of all roads and the Ft. Fraser Trail shall be lined with buildings.	*The restaurant will have an outdoor amenity area fronting Clubhouse Road providing as much frontage on this roadway.*
Pedestrian shelters, awnings, roof overhangs, or other forms of shelter from the weather shall be incorporated along all building sides adjacent to pedestrian walkways.	*An outside seating area along the road frontage will provide this amenity.*
All development shall incorporate pedestrian friendly parking areas.	*Pedestrian connection to the right-of-way on Clubhouse Road is proposed as well as internal connection to proposed retail site to the north. Sidewalks will be along the frontage of Clubhouse Road.*
All signs erected in the TCX shall be reviewed by the DRC to ensure the design of the sign is aesthetically consistent and in harmony with the architecture of the TCX.	*All signs shall be based on the standards for the Community Activity Center (CAC) land use district shown in Chapter 7 and reduced by 15 percent. The sign cannot be mounted on a pole or freestanding and shall be consistent with the architecture of the buildings.*
Front building facade architecture shall be incorporated into any building side adjacent to right-of-way	*A concept rendering is proposed facing the adjacent rights-of-way. Architectural standards have been included as part of the conditions.*

During Level 2 review, other development factors are taken into consideration including minimum parking, landscaping and stormwater facilities.

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 Highland 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 two (2) 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 3

	Name of Station	Distance	Response Time*
Sheriff	Southwest District Command (4120 US Highway 98)	±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. The project is currently in the City Utility system as "Project # 2026-04-007D."

A. Estimated Demand and Service Provider:

In terms of existing infrastructure, an 8-inch force main is located within the 50-foot utility easement within the property boundary which connects to the City's lift station to the east. This provides sewer connections to the multifamily. An 8-inch water line runs north and south in the western right-of-way of Wallace Court with a 2-inch stub out provided to the entire subject site. Please refer to Exhibit 7 for the City's utility lines in the area.

Per Polk County's Concurrency Manual, sit-down restaurants are anticipated to generate approximately 60 gallons per day (GPD) of potable water demand per seat. About 80% of the anticipated water usage will be for wastewater according to the Concurrency Manual. Waffle House is proposing about 1,900 sq. ft. of building. Seating estimates were based on building plans for another Waffle House off US Highway 27 near Access Road. Those plans had thirty-eight (38) seats

in 1,592 SF of building space (BC-2021-849). Based on this ratio, about forty-five (45) seats are estimated at the proposed 1,900 SF restaurant.

Table 4, 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 TCX land use designation.

Table 4

Subject Property	**Estimated Impact Analysis**	
0.75 ± acres TCX	**Maximum Permitted in the District TCX**	**Proposed Plan**
Permitted Intensity	49,005 SF (Max 1.5 FAR)	1,900 SF
Potable Water Consumption (GPD)	7,351 GPD	2,280 GPD
Wastewater Generation (GPD)	5,881 GPD	1,842 GPD

Source: Polk County Concurrency Manual & Polk County Utilities
Proposed Uses: Water: Restaurant – 60/seat; Wastewater: 80% of water usage for wastewater generation.
TCX Typical Use – Supermarket/Grocery Store 0.15/sf for water and 80% of water usage for wastewater generation.

Based on the following variables and circumstances, the proposed site plan anticipates about 2,280 GPD for potable water and 1,842 GPD for wastewater.

B. Available Capacity:

Correspondence with the applicant and the City of Lakeland Utilities has confirmed the project has submitted plans for capacity and code review. The nearest fire hydrant is across the street, approximately 75 feet away, at the intersection of Clubhouse Road and Third Street Southeast

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 through a shared-cross access easement with the retail development to the north. Driveway connection is proposed off Wallace Court, a privately maintained roadway owned by the "HC Town Center Owners' Association Inc." Based on the ITE Trip Generation Manual, the use falls under: High Turnover (Sit Down) Restaurant (ITE Code 932). Per 1,000 square feet of space, the proposed restaurant is estimated to generate 59.14 Average Annual Daily Trips (AADT) and 9.18 PM peak trips. Given these rates, this turns out to be 85 AADT and 63 PM peak trips for the restaurant. Given the predicted AADT, a Minor Traffic Study will be required during the Level 2 Review. Based on the Polk County concurrency manual, about 8 trips (61%) are expected to enter the development while approximately 5 trips (39%) are expected to exit the site during the busiest driving periods.

Table 5

Subject Property	**Estimated Impact Analysis**	
0.75 ± acres ECX	**Maximum Permitted in the District TCX**	**Proposed Plan**
Permitted Intensity	49,005 SF (Max 1.5 FAR)	1,900 SF restaurant
Average Annual Daily Trips (AADT)	2,020	85
PM Peak Hour Trips	327	13

Source: Polk County Concurrency Manual
ITE 932 Fast Casual Restaurant: 59.14 AADT, 9.18 PM Peak Hour, 0.76 New Trips
ITE 850 Supermarket: 59.07 AADT 8.79 PM Peak Hour, 0.76 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 a grocery store or supermarket, a typical Town Center use, with the maximum permitted FAR with an appropriate amount of density bonus points.

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 40 feet, along the site's frontage. Transit services, sidewalks, and bike lanes are available to the site.

Table 6

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

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
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:

Ingress/egress to the restaurant will be through a cross-access easement agreement with the retail store directly to the north, with driveway connection from a private internal road (Wallace Court). This leads to Wallace Road to the north and Clubhouse Road to the south. According to Polk County's Road Inventory, Wallace Road (Road No. 941102) is a Local Commercial roadway with a 20-foot paved surface width that connects US 98 to First Street Southeast. Clubhouse Road (Road No. 941432) is an Urban Collector roadway with a 40-foot paved surface width directly south of the property. The pavement width varies and is about 60-feet paved width near the intersection of US Highway 98. No right-of-way is anticipated to be dedicated as the "Town Center East – Lot 3" plat dedicated 10-feet of right-of-way along the north side of Clubhouse Road.

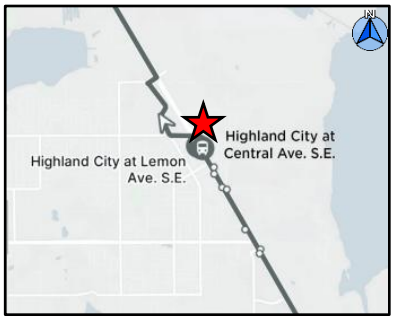
D. Sidewalk Network:

The Ft. Fraser Trail serves as the pedestrian network along the east side of US 98. Clubhouse Road, and Wallace Court have a partial sidewalk system. The applicant will be required to construct sidewalks along Clubhouse Road and connect with the proposed retail store directly to the north. These will allow residents in the apartment complex to the east to reach this restaurant by foot, alleviating vehicle traffic.

E. Planned Improvements:

Polk County's Community Investment Projects DataViewer does not currently identify any roadway improvements within vicinity of the site. US 98 was widened to six lanes in 2013-15. Improvements to the intersection of Clubhouse Road and US 98 were completed through LDDA-2019-3, as recorded by the Clerk of Courts on November 21, 2019.

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" about 0.2 miles to the southwest. The stop runs along the Ft. Fraser trail and is north of the Ft. Fraser main trailhead. The proposed sidewalk connections 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 is about 500 feet to the west.

A. Location:

Highlands City Park is located approximately 0.6 miles to the southwest at 3930 Ball Park Road. Highland City Senior Field is located 1.3 miles to the southwest at 5901 Strickland Avenue. Banana Lake Park is approximately 2 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 1.22 miles to the northeast. 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 about 8.6 miles to the northeast. The area 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 southeast. 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."

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. 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 and gradually slopes downward from the northeast to the southwest from 119' to 118'. The site is part of the larger "Town Center East Lot 3" plat recorded in 2024 (PB 205, PG 50), with the commercial development under ownership by the "HC Town Center Owners' Association, Inc." A Southwest Florida Water Management (SWFWMD) permit was filed in 2013 for the entire plat and remains active (permit # 41491.000). According to the plans, the site is part of drainage "Basin B." Stormwater concerns will be addressed at Level 2.

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 600 feet to the northeast 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 7

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 retail plaza, and a childcare facility constructed in the past four years alone (Exhibit 5).

Consistency with the Comprehensive Plan and Land Development Code:

Table 8 and 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 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.	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.
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 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 Table 4.16, which shows the allowable uses for an TCX 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 3-7
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 8-11 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 12-15 of this staff report for data and analysis.

Comments from other Agencies:

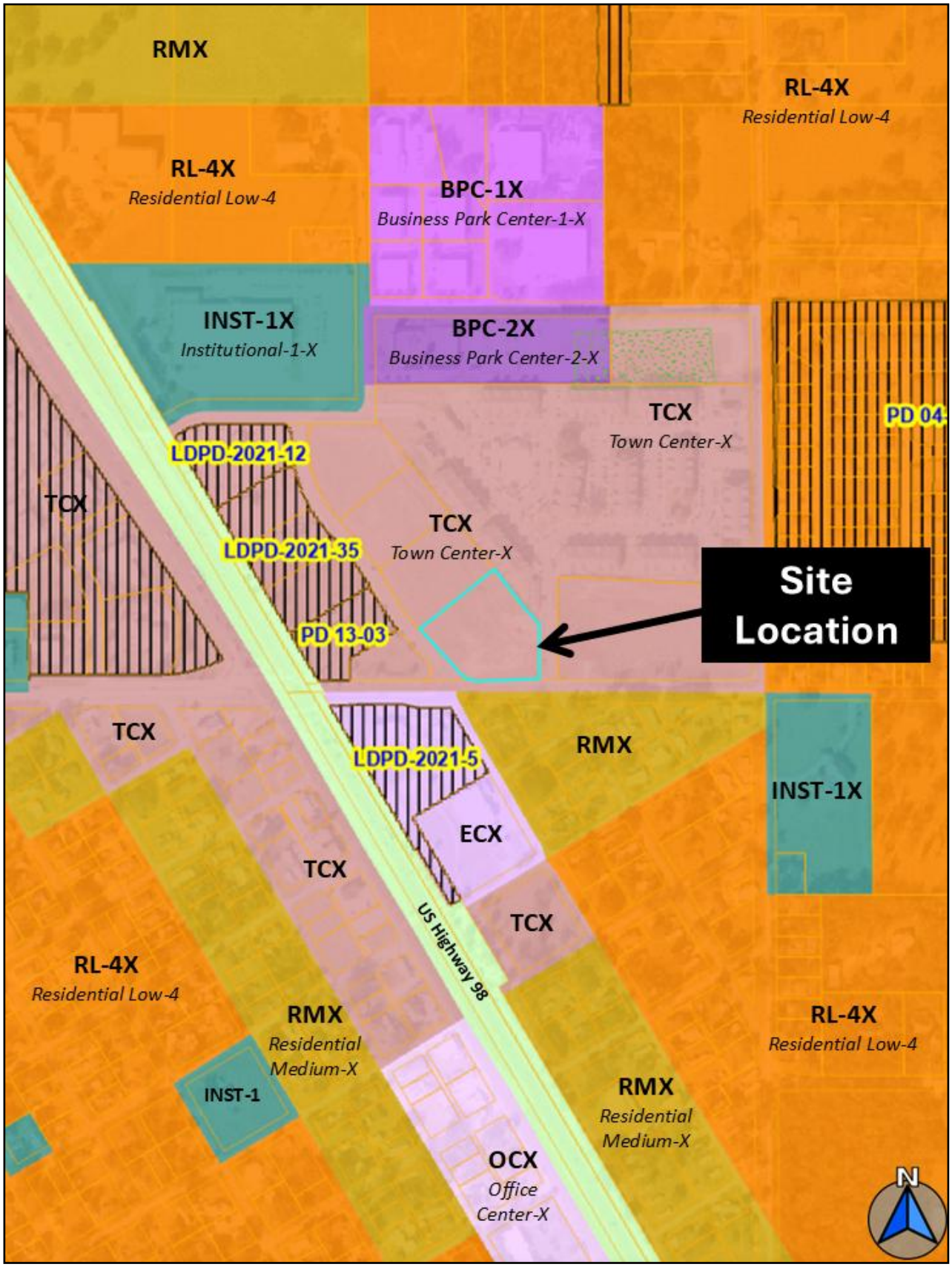
City of Lakeland Utilities:
The project is currently under review. The applicant should be encouraged to submit plans to the office concurrently with Level 2 review to ensure approved plans adhere to City utility requirements (Project # 2025-06-027D).

County Attorney's Office:
The proposed parcel subdivision will be required to re-plat.

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 – Overall 2023 Aerial with Proposed Developments
Exhibit 6 – Binding Site Plan
Exhibit 7 – Utility Map
Exhibit 8 – Architectural Plans (Concept)



Location Map



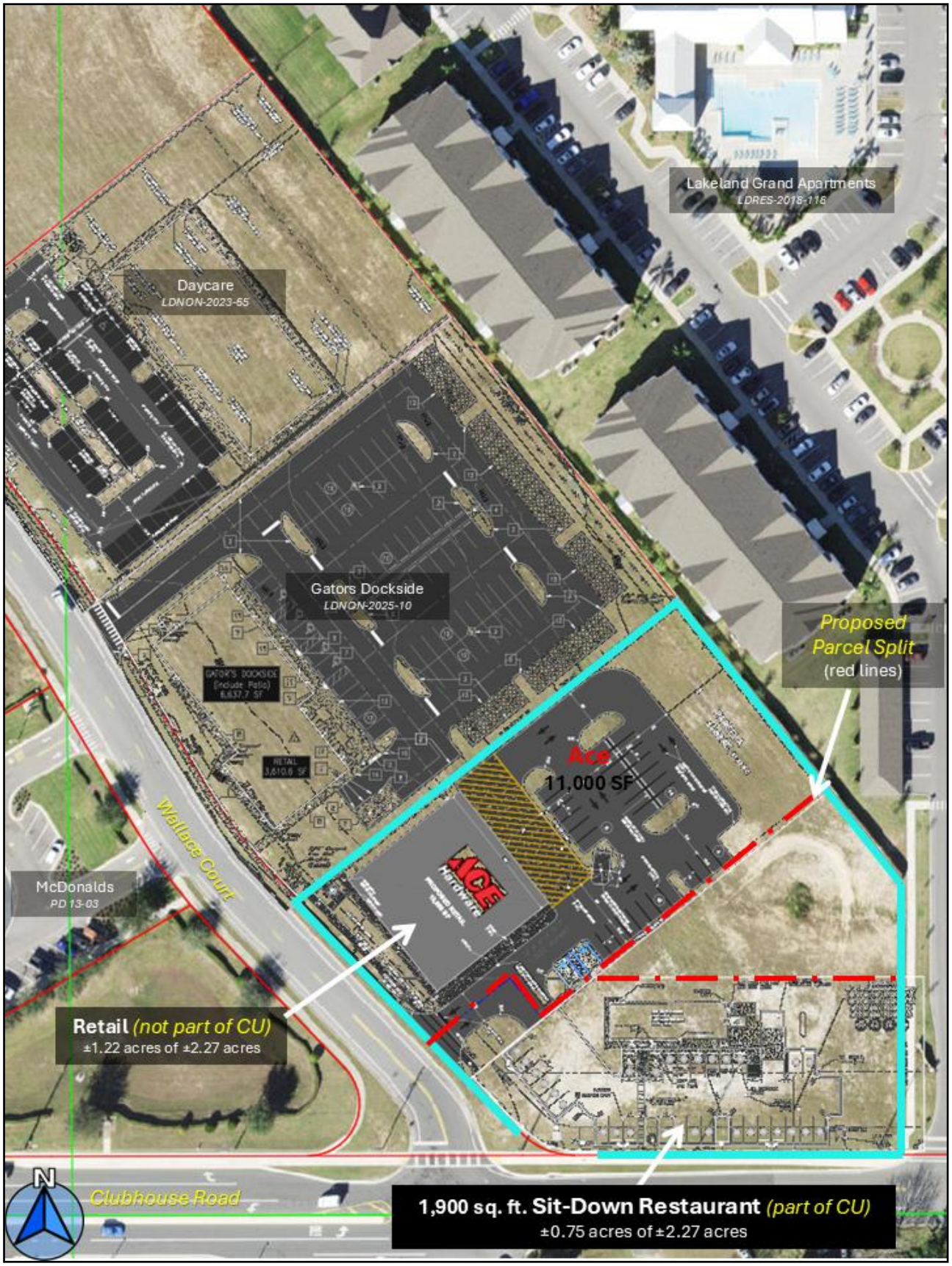
Future Land Use Map



2025 Satellite Image (Context)

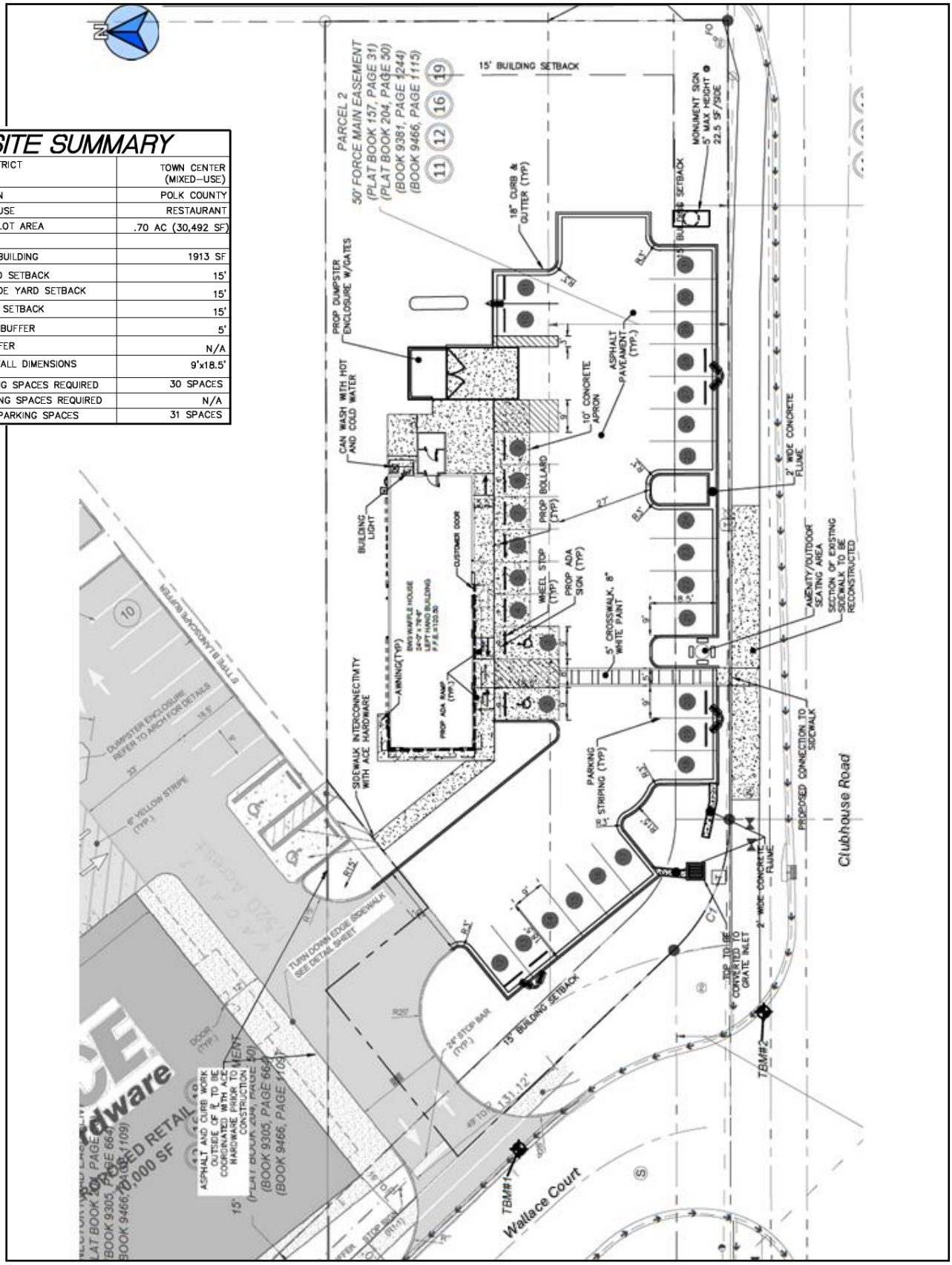


2023 Aerial Photo (Close-up)

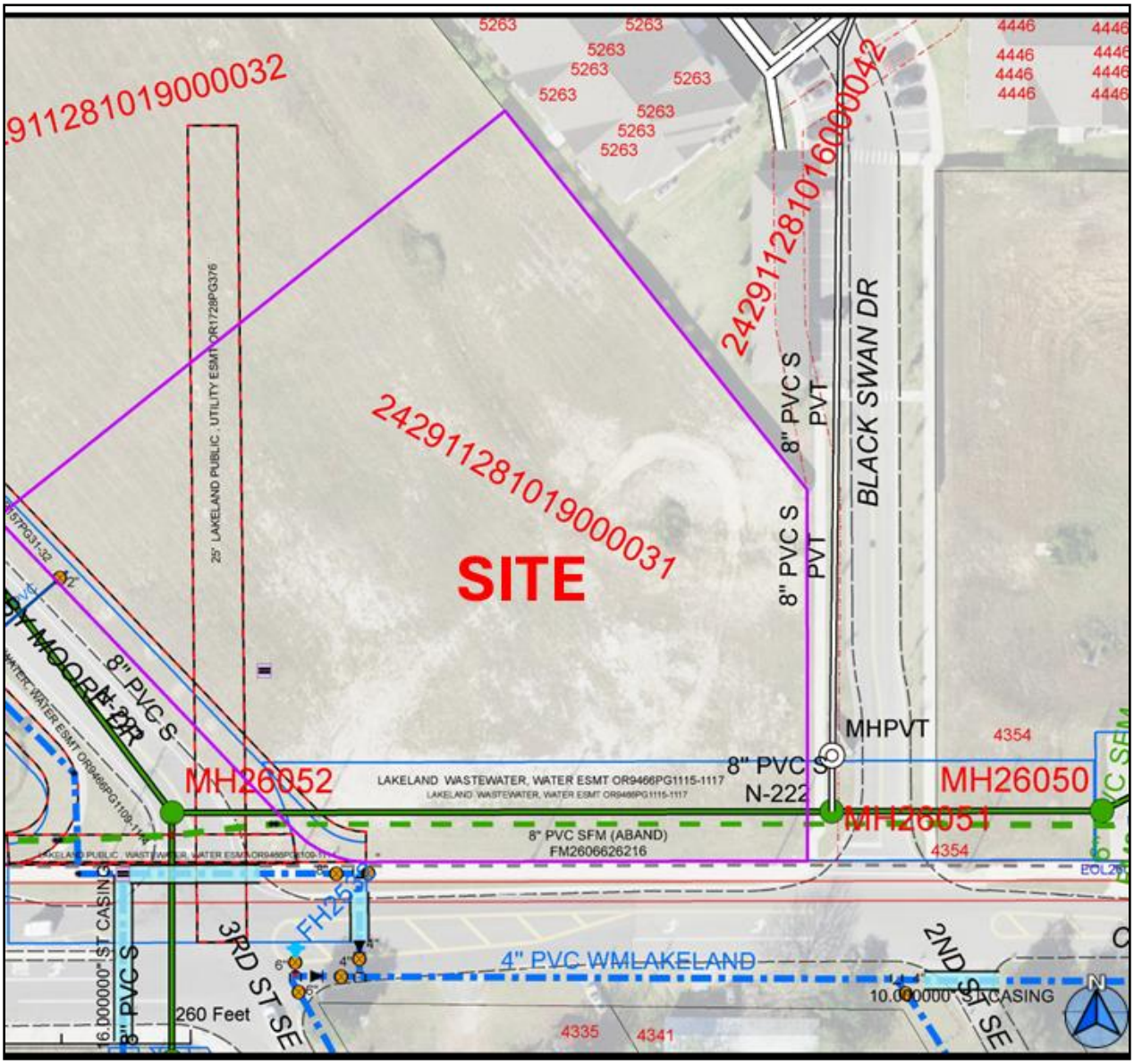


Overall 2023 Aerial with Proposed Developments

SITE SUMMARY	
ZONING DISTRICT	TOWN CENTER (MIXED–USE)
JURISDICTION	POLK COUNTY
PROPOSED USE	RESTAURANT
PROPOSED LOT AREA	.70 AC (30,492 SF)
PROPOSED BUILDING	1913 SF
FRONT YARD SETBACK	15'
INTERIOR SIDE YARD SETBACK	15'
REAR YARD SETBACK	15'
LANDSCAPE BUFFER	5'
TYPE C BUFFER	N/A
PARKING STALL DIMENSIONS	9'x18.5'
MIN. PARKING SPACES REQUIRED	30 SPACES
MAX. PARKING SPACES REQUIRED	N/A
PROPOSED PARKING SPACES	31 SPACES



Binding Site Plan

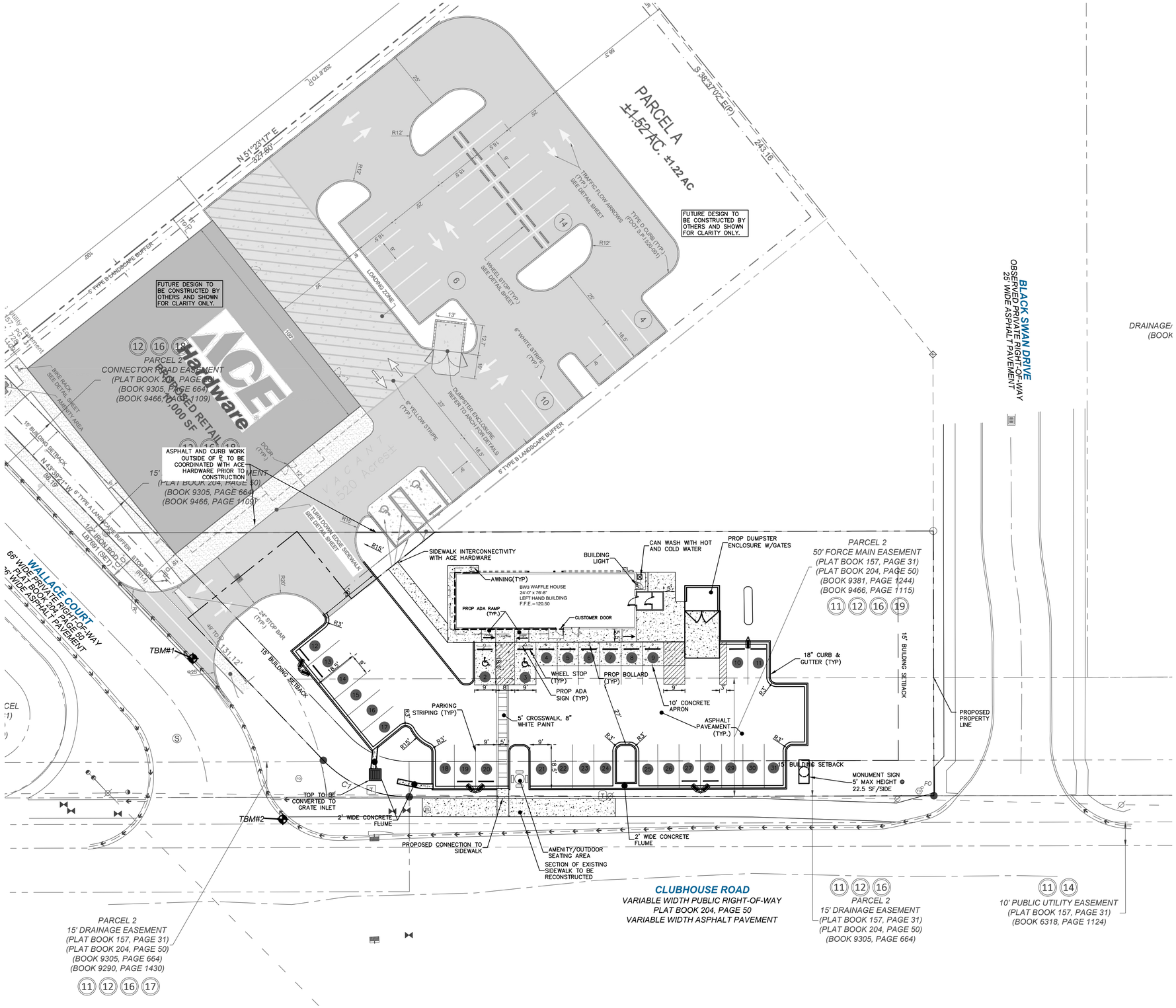

242911281019000032
242911281019000042
242911281019000031
SITE
BLACK SWAN DR
8" PVC S
PVT
MHPVT
MH26052
MH26050
MH26051
LAKELAND WASTEWATER, WATER ESMT OR9466PG1115-1117
8" PVC S
N-222
8" PVC SFM (ABAND)
FM2606626216
4" PVC WMLAKELAND
3RD ST SE
2ND ST SE
260 Feet
16.000000" ST CASING
10.000000" ST CASING
5263
4446
4354
4335
4341

Utility Map





Architectural Plans (Concept)





SITE NOTES:

1. COMPLETION OF ALL WORK SHALL BE IN ACCORDANCE THESE PLANS, SPECIFICATIONS, AS WELL AS, WITH FEDERAL, STATE AND LOCAL REGULATIONS. DEVIATION FROM THESE MAY CAUSE THE PROJECT TO BE UNACCEPTABLE.
2. PROJECT TO BE DELIVERED IN ACCORDANCE WITH AMERICANS WITH DISABILITY ACT (ADA) PER FEDERAL, STATE AND LOCAL CODES.
3. PROJECT TO BE DELIVERED IN ACCORDANCE WITH THE UNIFORM TRAFFIC CONTROL MANUAL (MUTCD), ASHTO, AS WELL AS STATE AND LOCAL REGULATIONS.
4. ARCHITECTURAL PLANS ARE TO GOVERN IN THE AREA WITHIN 5' OF THE BUILDING ENVELOPE. THIS IS TO INCLUDE, BUT NOT LIMITED TO STEPS, STOOPS, SIDEWALKS, RAMPS, HANDRAILS, ETC. SITE CONTRACTOR TO COORDINATE AREA WITHIN 3' OF THE BUILDING BETWEEN THE ARCHITECT AND CIVIL ENGINEER.
5. THE FACE OF CURB AND OUTSIDE FACE OF BUILDING SHALL BE THE DIMENSIONAL REFERENCE FOR ALL SITE MEASUREMENTS AND RADII, UNLESS OTHERWISE NOTED. ALL RADII SHALL BE ASSUMED TO BE 5' WHERE NO DIMENSION IS GIVEN.
6. CURB AND GUTTER SHALL BE 18" IN SIZE UNLESS SPECIFIED OTHERWISE.
7. THE CONTRACTOR SHALL DELIVER THE CURB AND GUTTER AT A 28-DAY COMPRESSIVE STRENGTH OF 3,000 PSI.
8. THE CONTRACTOR SHALL DELIVER THE PARKING LOT PAINTING AND STRIPING WITH A MINIMUM OF TWO COATS OF PAINT PER PROJECT SPECIFICATIONS.

SITE LEGEND

- PROPERTY LINE
- EASEMENT LINE
- SETBACK LINE
- LIMITS OF CONSTRUCTION
- 24" CURB AND GUTTER
- PROPOSED FENCE
- PROPOSED GUARDRAIL
- CONCRETE
- PAVEMENT
- GRAVEL
- HANDICAP ACCESSIBLE DESIGNATED STALL
- HANDICAP PARKING SIGN
- PARKING SPACE COUNT
- ELECTRICAL TRANSFORMER
- WATER METER
- FIRE HYDRANT
- HEAD WALL
- DRAIN INLET
- SINGLE WING CATCH BASIN
- DOUBLE WING CATCH BASIN

SITE SUMMARY

ZONING DISTRICT	TOWN CENTER (MIXED-USE)
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PROPOSED PARKING SPACES	31 SPACES

LICENSE No. 71653 ★ STATE OF FLORIDA ★ PROFESSIONAL ENGINEER

CONTINEO GROUP
755 COMMERCE DRIVE
SUITE 700
DECATUR, GA 30030
404.556.7721
www.tcg.engineer

"A UNIQUE AMERICAN PHENOMENON"
WAFFLE HOUSE®
"AMERICA'S PLACE TO EAT, AMERICA'S PLACE TO WORK"
5986 Financial Drive, Norcross, GA 30071
(770) 729-5700

WAFFLE HOUSE
LAKELAND, FL

ISSUED FOR: CONSTRUCTION
JURISDICTION: POLK COUNTY
LOCATION: 5263 BLACK SWAN DR
LAKELAND, FL 33812

#	DATE	REVISIONS

These drawings and the designs represented herein, are the exclusive property of Contineo Group and are not to be used in any way, unless authorized by the project. Intended without the express written consent of the Contineo for Group is prohibited. Any unauthorized use will be subject to legal action.

DRAWN:	CHECK:
DDC	JDR
JOB NO:	DATE:
25-297	11/13/25

SITE PLAN

SHEET C02

C:\USERS\CONTINEO\CONTINEO-MASTER DROPBOX\BRYAN RUSSELL\CONTINEO-MASTER\(P-DRIVE) PROJECTS\2025\25-297 - WH - LAKELAND, FL\2 - CIVIL DESIGN\0-DWG DESIGN FILES\02_CONSTRUCTION DRAWINGS

May 15, 2026
Waffle House
5986 Financial Drive
Norcross, GA 30071

RE: Waffle House – Lakeland, FL (Level 3 Narrative)

Dear Polk County,

This letter serves as a narrative listing out items a through k in LDC Section 401.04.D.8, with brief descriptions outlining how each requirement is being met on-site, or justifying the hardship imposed upon the property through the adherence of certain items:

A. Buildings within the TCX shall build to property lines rather than setback back from property lines as follows:
    a. Build-to lines from roads (0-15 feet) – **The existence of an existing 50' force main easement, along with additional existing municipal sewer and storm sewer infrastructure makes this build-to requirement impractical**.
    b. Side and Rear Build-to lines (none) – **The proposed Waffle House adheres to this requirement**.
B. Impervious Surface Area Ratio (ISR) shall be 0.70 for all development within the TCX – **The proposed Waffle House development adheres to this requirement, with an ISR of 0.51**.
C. Building design shall include the use of the following:
    a. Developments shall have a consistent streetscape and architectural style. The first buildings to be constructed in the Town Center are expected to set the tone of the remaining building design. This may include various frontage types such as terraces, awnings, galleries, or arcades, etc. These terms are not strictly defined but are based on architectural standards of traditional downtowns (i.e., downtowns similar to historic areas of Tampa, Orlando, or Tallahassee) – **Waffle House does not object to this stipulation.**
    b. At least 60 percent (%) of the parcel frontage on the rights-of-way of all roads and the Ft. Fraser Trail shall be lined with buildings – **Do to the elongated nature of the parcel being purchased by Waffle House, as well as the standard 1,900-sf Waffle House Footprint, lining 60% of the proposed parcel frontage is not practical for development of the parcel**.
    c. Pedestrian shelters, awnings, roof overhangs, or other forms of shelter from the weather shall be incorporated along all building sides adjacent to pedestrian walkways; and – **Awnings are incorporated along the front face of the Waffle House building adjacent to the pedestrian walkway**.
    d. Front building facade architecture shall be incorporated into any building side adjacent to right-of-way – **Front building façade architecture is proposed, as in this case, the proposed Waffle House faces the adjacent right-of-way**.
D. Parking Design shall include the following:
    a. Parking lots shall be specifically prohibited between the building and US Highway 98 unless the parking is on-street parking, such as parallel parking – **Due to the first 50' of the Waffle House parcel being occupied by a force main easement, along with other**

existing municipal infrastructure, the only feasible use for this portion of land is parking. As a result, the Waffle House development proposed utilizing this otherwise undevelopable area for parking.

b. All development shall incorporate pedestrian friendly parking areas. At a minimum, parking areas shall include five foot wide paved walkways between parking rows every other parking isle (See Figure C) – **The proposed Waffle House development adheres to this requirement**.

c. Structured Parking is not a requirement – **Structured Parking is not proposed**

E. Development proposals of ten acres or more shall provide the following… - **The Waffle House development does not exceed 10 acres**

F. Roadway and/or Alley Construction shall be consistent with – **The Waffle House development does not propose public roadways or alleys**.

G. Sign standards within the TCX shall conform to the following:

a. All signs shall be based on the standards for the CAC in Chapter 7 and reduced by 15 percent. Prior to any development, a sign plan shall be submitted for review and final approval – **Waffle House shall comply with this requirement**

b. All signs erected in the TCX shall be reviewed by the DRC to ensure the design of the sign is aesthetically consistent and in harmony with the architecture of the TCX. The first buildings and signs erected within the TCX shall set the tone and style of all signs – **The proposed Waffle House development signage shall be consistent with the architecture of the TCX district.**

c. Signs shall be monument-style or building-mounted only; freestanding pole signs shall be specifically prohibited – **Monument-style signage shall be utilized by the Waffle House development**.

d. Banners attached to lighting fixtures will be permitted if allowed by the owner of the light fixture – **No banners are proposed as part of the Waffle House development**

e. All signs and lighting of signs shall be consistent with architecture of the buildings – **The Waffle House architecture is consistent with our proposed Waffle House signage**.

H. Residential uses shall be limited to… - **The proposed development does not include any residential uses**

I. Any loading docks, utility facilities, car washes and storage areas abutting rights-of-way shall be landscaped from off-site view – **No loading docks, car washes, or outdoor storage areas are proposed. No utility facilities shall be visible from the right-of-way**.

J. The maximum building height shall be 75 feet – **The Waffle House Development does not exceed this height restriction**.

K. The Development Review Committee (DRC) shall evaluate proposed development projects to determine how the projects are consistent with items a through k above – **Understood. Thank you for your consideration!**

Ken Haertel – Engineering Manager
678-481-1498
Contineo Group
755 Commerce Drive, Suite 700
Decatur, GA 30030



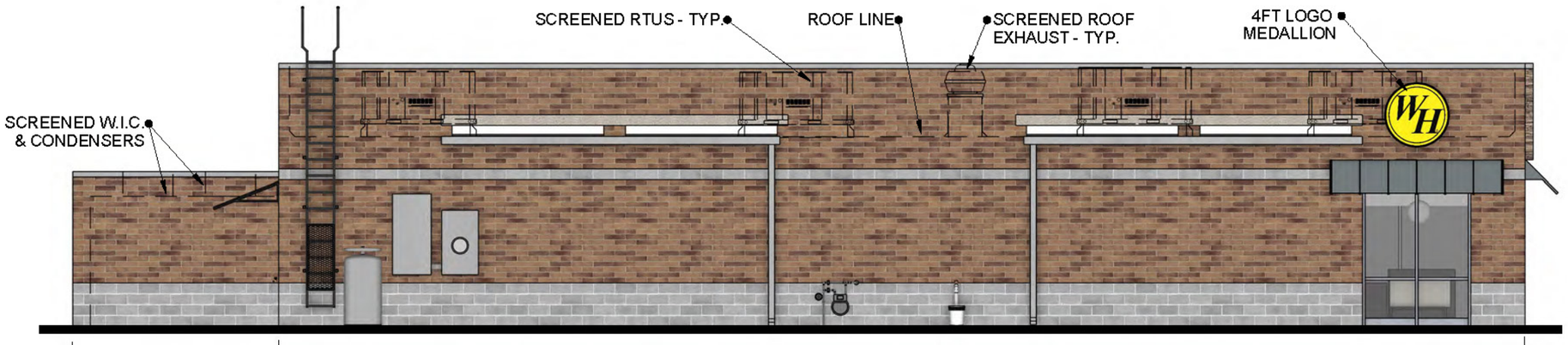
WALLACE COURT
SCALE: 1/8" = 1'-0"



CLUBHOUSE ROAD
SCALE: 1/8" = 1'-0"



BLACK SWAN DRIVE
SCALE: 1/8" = 1'-0"



NORTH FACADE
SCALE: 1/8" = 1'-0"

BUILDING DESCRIPTION:

LEFT HAND, MEDIUM PARAPET, BW3 BUILDING
QUIK BRIK "AUTUMN FLASHED" BODY W/ STONE PROJECTION WALL
GREY SPLIT-FACE CMU ACCENT STRIPE & BASE
ZINC GREY STANDING-SEAM METAL AWNING

ARCHITECTURAL ELEMENTS:
A - STONE PROJECTION WALL

NOTE: UTILITY LOCATIONS SHOWN ARE TYPICAL BUT MAY VARY DEPENDING ON SITE CONDITIONS

LDCU-2026-9 - Waffle House & Ace Hardware Lakeland, FL

Menu Reports Help

Application Name: Waffle House & Ace Hardware Lakeland, FL

File Date: 03/11/2026

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: The proposed development consists in the construction of a new Waffle House building with parking areas and associated utilities to serve the restaurant. Waffle House is a Master Development that includes Ace Hardware and we would like to go through this process together. This is critical as Ace Hardware's site layout approval will direct if Waffle House's development can move forward. The acreage information below is for both sites. Ace's site is 1.52 ac and Waffle House's site is 0.75 ac.

Application Detail: Detail

Address: 0 BOBBY MOORE DR, LAKELAND, FL 33813

Parcel No: 242911281019000031

Owner Name: MLM PROPERTIES OF POLK LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Mercedes Field	Waffle House, Inc.	Individual		Active
Jennifer Yarbrough		Individual	Mailing, 755 Commerce ...	Active
Carmine Ferraro	Crossover Comme...	Individual	Mailing, 4265 QUECHUA ...	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
–

Will This Project Be Phased

Acreage
2.27

DRC Meeting
04/02/2026

DRC Meeting Time
10:15 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
Planning Commission

MEETING DATES

Community Meeting
–

Planning Commission Date
06/03/2026

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

Open

PLAN REVIEW FIELDS

TMPRecordID
POLKCO-REC26-00000-009SM

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

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	1			05/19/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	03/11/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	03/18/2026	Kim Turner
Surveying Review	Mike Benton	Not Required	03/27/2026	Mike Benton
School Board Review	School District	Not Required	03/23/2026	School District
Roads and Drainage Review	Phil Irven	Approve	03/16/2026	Phil Irven
Planning Review	Andrew Grohowski	Conditional ...	05/21/2026	Andrew Grohowski
Review Consolidation	Lyndsay Rathke	Approved for...	05/21/2026	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-2026-9 (Waffle House Highland City TCX)

Applicant: Jennifer Yarbrough, Contineo Group

Property Owner: MLM Properties of Polk LLC

Hearing Date: June 3, 2026

I. Request:

The applicant is proposing a Sit-Down Restaurant in the Town Center (TCX) land use district in the US Highway 98 Selected Area Plan (SAP). Per Section 401.04.D.8, a Conditional Use is required to deviate from TCX development criteria based on hardships on the property.

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, 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 3rd day of June 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 June 3rd, 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:

Agenda Item 10. 6/3/2026

SUBJECT

LDCU-2026-2 (TOHO Water Authority)

DESCRIPTION

Allison Schulz requests a Conditional Use (CU) approval for two new production wells and associated infrastructure improvements (Utilities, Class III) for the expansion of the Huron Water Treatment Plant (WTP) capacity. The subject site is located at the intersection of Marigold Avenue and Hemlock Avenue, north of Lake Hatchineha Road, south of Pine Street, east of Lake Marion Cek Drive, west of Laurel Avenue in Section 02, Township 28, Range 28.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

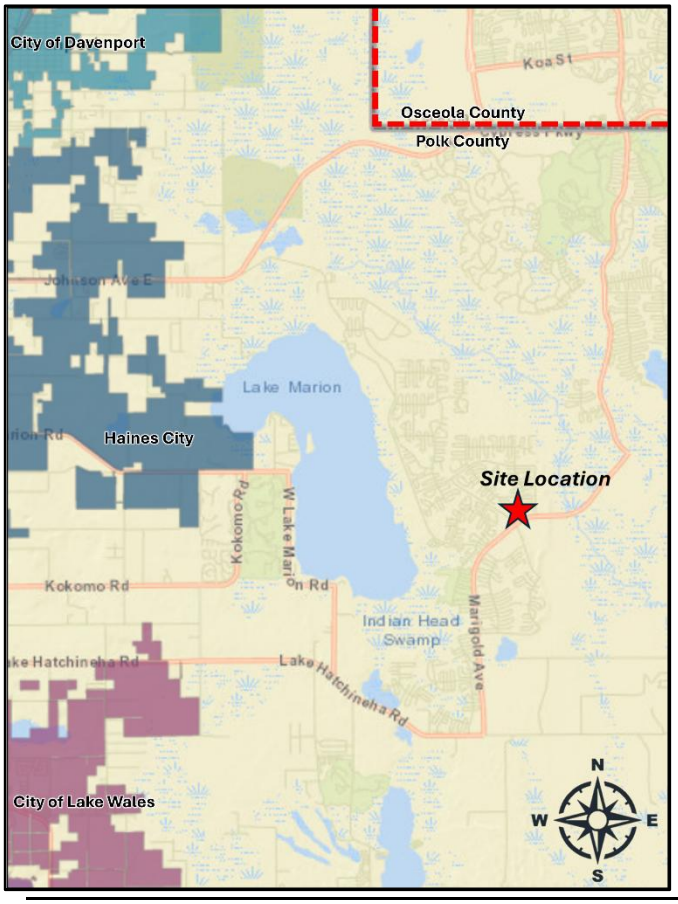
Kyle Rogus, Planner II
Land Development Division
863-534-7553
kylerogus@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

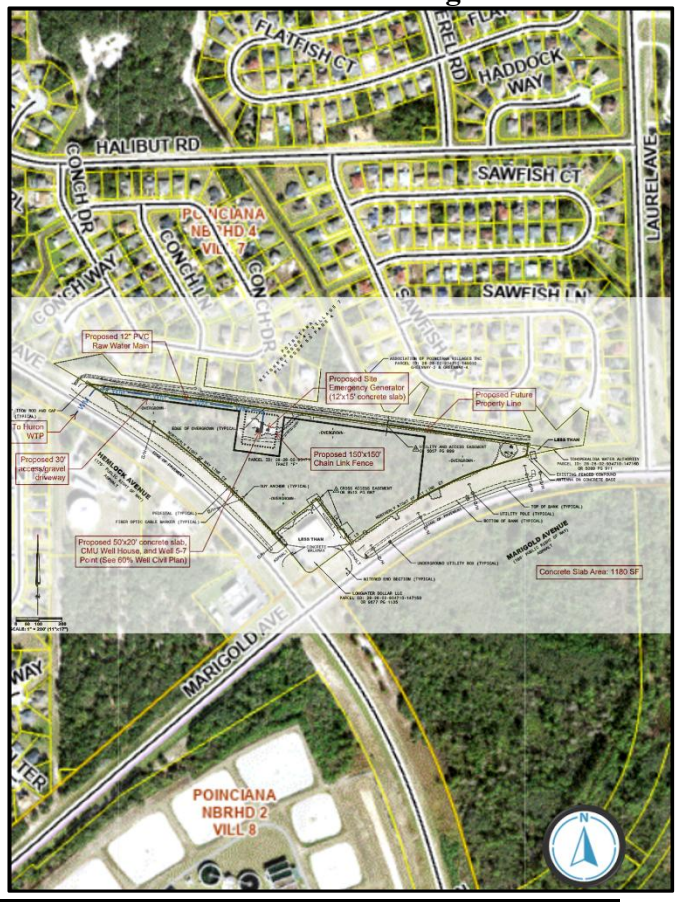
DRC Date:	March 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	June 3, 2026	**Type:**	Conditional Use
BoCC Date:	N/A	**Case Numbers:**	LDCU-2026-2
		Case Name:	TOHO Water Authority
Applicant:	Allison Schulz	**Case Planner:**	Kyle Rogus, Planner II

Request:	The applicant is requesting a Conditional Use (CU) approval for two new production wells and associated infrastructure improvements (Utilities, Class III) for the expansion of the Huron Water Treatment Plant (WTP) capacity.
Location:	The subject site is located at the intersection of Marigold Avenue and Hemlock Avenue, north of Lake Hatchineha Road, south of Pine Street, east of Lake Marion Creek Drive, west of Laurel Avenue in Section 02, Township 28, Range 28.
Property Owners:	Tohopekaliga Water Authority
Parcel Size (Number):	±3.4 acres of Parcel ID (#282802-934710-147060)
Future Land Use:	Poinciana Pre-Development of Regional Impact (DRI) #1 Planned Unit Development (PUD) 71-10, Neighborhood 4, Village 7
Development Area:	Utility Enclave Area (UEA)
Nearest Municipality:	N/A
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location



2023 Aerial Image



Summary:

"Utilities, Class III" is defined by the Land Development Code (LDC) as "production or treatment facilities."

Chapter 2, Table 2.1 (Use Table for Standard Land Use District) of the LDC indicates the placement of "Utilities, Class III" within Institutional-1 (INST-1) land use districts require Conditional Use Approval via a Level 3 Review. This request is to add two production wells that feed the Huron plant.

TOHO's Huron Water Treatment Plant requires expansion based on the latest Potable Water Master Plan demand projections. Due to growth in the area, water demands in the Poinciana service area are projected to exceed the treatment capacity of the existing Huron WTP by 2031. The existing Huron WTP's permitted capacity is 4.81 Million Gallons per Day (MGD). The projected capacity required at Huron WTP to meet future water demands is 7.5 MGD and is located on the opposite side of Hemlock Avenue from the request.

This project will expand the treatment capacity of Huron WTP to approximately 7.5 MGD by adding two new production wells, high service pump upgrades, aeration/chemical system upgrades, piping upgrades at the WTP, and other improvements that may be necessary to facilitate the capacity expansion. The proposed production well (5-7) in the Marigold property is one of the production wells needed to meet the future water demand.

Through site design and the conditions of approval, staff finds the request is compatible with the surrounding area and consistent with the LDC and Comprehensive Plan. Staff recommends approval of this application with the provided conditions of approval.

Findings of Fact

- *This is a Conditional Use request for Utilities, Class III on approximately 3.4 acres within an Institutional-1 (INST-1) land use district and in the Utility Enclave Area (UEA).*
- *Chapter 10 of the Land Development Code (LDC) defines Utilities, Class III as "Production or treatment facilities such as sewage treatment plants, elevated water storage towers, non accessory ground storage tanks, or similar facilities. This definition does not include electric power plants and lime stabilization facilities."*
- *Polk County Fire Rescue Station 46 will be the response unit for fire and EMS for this site. It is located at 9500 Marigold Avenue, Poinciana, with an approximate travel distance of 2.5 miles.*
- *The subject site is within the Sheriff Department's Northeast District. The Ridge District Office is located at 9500 Marigold Avenue, Poinciana.*
- *The property is located at the intersection of Hemlock Avenue (Road No. 880301) and Marigold Avenue (Road No. 882201) with direct ingress/egress to Hemlock Avenue, a County-maintained Urban Collector (UC) Roadway with a pavement width of 20 feet. Marigold Avenue is a County-maintained UC Roadway with a pavement width of 22 feet and monitored for Level of Service for traffic counts or concurrency by the Polk County Transportation Organization's Roadway Network Database.*
- *Section 303 of the Land Development Code (LDC) states that the following standards shall apply to Utilities, Class III:*

1. *"Class III utility facilities may be permitted within the Rural Development Area (RDA), as designated on the Future Land Use Map Series, only when such development:*
    a. *Provides regional (multi-county) services;*
    b. *Is determined by the County to be incompatible with urban uses;*
    c. *Is necessary to service the existing needs of the immediate area in which it is proposed to locate.*
2. *Class III utility facilities may be permitted within a residential district only if the applicant demonstrates what efforts have been made to first site the facility within a non-residential district and why those sites were not chosen. At a minimum, alternative non-residential sites within one quarter of one mile from the selected site shall be considered.*
3. *Utilities shall be required to comply with the buffer requirements of Section 720 to the extent that such provisions do not conflict with other requirements for utilities which are mandated by local, state, or federal governments. In cases where other governmental requirements do conflict with the buffering provisions of this Code, a waiver to the buffering provisions may be granted (refer to Section 932), but only to the extent necessary to rectify the conflict. In such instances, the County may require increases in the setback distances or other design features to offset decreases in buffering.*
4. *For electrical power substations and electrical power switching stations, the buffering requirements of Section 720 may also be modified through a waiver if necessary to minimize interference with overhead electrical power distribution or transmission lines and to ensure safe operational conditions.*
5. *Potable water treatment facilities and wastewater effluent disposal facilities shall adhere to setbacks as set forth in Florida Administrative Code (F.A.C.) requirements, Chapter 62-500 and Chapter 62-600 respectively.*
6. *Elevated potable water storage facilities shall be set back a distance equal to one times (1x) the height of the storage facility from any off-site FLUMS residential designation or the property line of any off-site existing residential use. Where such facilities are not adjacent to residential, the applicable district setback shall apply.*
7. *Wastewater treatment plants and associated facilities shall be sited according to the following required minimum setbacks:*
    a. *Pumps/lift stations serving 3,000 Equivalent Residential Connections (ERCs) or more, shall be set back 20 feet from all property lines.*
    b. *Wastewater treatment facilities, whether interim, package, or permanent, shall maintain a minimum setback of 100 feet from any off-site residential use or district, or any on-site platted lot or dwelling unit;*
    c. *A wastewater treatment facilities on-site percolation ponds shall be set back from the site boundary a minimum of 20 feet with buffering or 50 feet without buffering, as required by state regulations.*
8. *Electrical power substations and electrical power switching stations shall be sited according to the following required minimum setbacks:*
    a. *No setback adjacent to Phosphate Mining (PM) or Industrial (IND) uses or districts.*
    b. *A 50 foot setback adjacent to other utility uses, BPC-1, BPC-2, HIC, LCC, and TCC districts.*
    c. *A 100 foot setback adjacent to residential, institutional, recreational, commercial (other than listed in d.ii), agriculture, community facilities or preservation uses or districts.*

d. These setbacks may be modified in accordance with the variance procedures and criteria as outlined in Sections 930 and 931 of this Code.

9. For purposes of public safety and welfare, all new Class III utilities (except transmission lines) and all new electrical power substations (both Class II and Class III), shall be protected by fencing or other appropriate protection to discourage entry by animals and unauthorized persons. Fencing shall be interior to any required vegetative buffering. The minimum height for enclosures shall be six feet from finished grade level. Fencing in or adjacent to residential uses or districts shall exclude barbed or razor wire fencing materials below the height of six feet.

10. All water, wastewater and reclaimed water systems shall be in accordance with Florida Administrative Code (F.A.C.) Chapters 62-500 and 62-600, Recommended Standards for Wastewater Facilities latest edition, Recommended Standards for Water Works latest edition, American Water Works Association, and Water Environment Federation recommendations and requirements.

11. The following are maximum average noise levels which shall be permitted at the utility sites perimeter on any given day, when a proposed utility locates as indicated.

a. Next to a residential use or residential district: 65 dB(A).

b. Next to a commercial, non-residential use or district: 70 dB(A).

c. Next to an industrial, non-residential district or use: 80 dB(A).12.The applicant shall be required to monitor and report the observed noise levels (dB [A]) upon receipt of a written request to do so by the Director of the Polk County Code Enforcement Division.

12. Approval of utility facilities shall be in accordance with the type of Conditional Use identified on the Use table, Table 2.1 and the appropriate procedures outlined in Chapter 9. In addition to the submittal requirements of that Section, applications for Class III utilities shall include the following information:

a. For pipe or transmission line projects which require acquisition agreements or easements from more than one owner, and for which the exact route is not fixed at the time of application, the application shall include, in lieu of a legal description, a corridor route map depicting the planned alignment of the transmission line. This shall be accompanied by a narrative description of the diameter or kilowatt, length (in linear feet or miles) and type of line to be installed. The route map shall be depicted on a map scaled at 1:2,000 feet or the most recent USGS Quadrangle maps. The corridor map shall also show the proposed location and dimension of above ground facilities such as switching or substations, pumping stations, or valve and meter stations, as well as any landscaped buffer area for such above ground facilities. At least one map of the precise location of the final route of the pipe/transmission line and a written legal description shall be submitted to the County prior to construction of the pipe/transmission line.

b. Maximum capacity of the utility;

c. A list of federal, state or regional permits or approvals needed, including regulation citations;

d. Flow rate and volume of fuel or pounds per square inch (psi), as applicable;

e. Material of which pipeline transmission lines will be constructed, and a diagram depicting a typical section of the pipeline;

f. An explanation of the number, location, distance between and general operation of meter/valve stations and other safety mechanisms for pipelines;

g. An explanation of the relationship of the proposed use with existing utilities or distribution systems;

h. *An explanation of land use compatibility which shall address potential impacts of the proposed use on adjacent properties/land uses including, but not limited to, noise, vibration, odor, thermal or explosive hazards, electrical power interference, electromagnetic field influence, and any potential for obstruction of regulated airspace by the height, emitted waves or other features of the proposed use;*

i. *A description of emergency management and local coordination plans/procedures for natural gas, liquefied fuel, or petroleum product storage or transmission pipelines, and a Pollution Prevention Plan, including secondary containment and telephone numbers of individuals to be notified in the event of a spill;*

j. *The average depth to which facilities will be buried below grade/surface, if applicable;*

k. *An explanation of any plans for back-up/emergency electrical power generators, where and when they would be used for the proposed project;*

l. *Proposals for electrical power substations shall include in the project narrative for the development application a discussion of whether a "low profile" (underground or surface height) design is feasible for the proposed facility. The feasibility analysis shall include consideration of at least the following factors: adjacent future and existing land uses, proposed voltage of the facility (kV), buffering options and their effectiveness, the extent that a low profile design would lower the height/visibility of the tall structures within the facility;*

m. *An estimate of the proposed facility's proximity to County owned rights-of-way, to be shown on the site plan, accompanied by an explanation of any proposed use of County owned rights-of-way. If County owned rights-of-way will be encroached upon, the applicant shall be required to obtain a County Right-of-Way Use Permit prior to construction (refer to Section 707)."*

- *Table 7.10 of the LDC requires "Utilities, Class III" site specific determination.*
- *The site will have access to water and wastewater lines. This was confirmed by the TOHO Water Authority representative.*
- *The property is zoned for Laurel Elementary, Lake Marion Creek Middle, and Haines City Senior High.*
- *The property contains no wetlands or flood zones.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*
- *The property is comprised of Tavares fine sand, 0 to 5 percent slopes, Immokalee Sand, Astatula sand 0 to 5 percent slopes, Arents-Urban land complex, 0 to 5 percent slopes, and Narcoossee sand.*
- *The subject property is not located within an Airport Impact Zone.*
- *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*
- *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.*

- *Section 204.A.1 of the LDC states, "the purpose of the INST-1 district is to provide for the use and development of lands for private and public service structures with minimal external impacts such as elementary and middle schools, government facilities, cultural facilities, hospitals, and Class I and Class II utilities."*
- *The site is located in the Utility Enclave Area (UEA) which is the area "within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas" according to POLICY 2.107-A1 of the Comprehensive Plan.*
- *POLICY 2.116-A1 of the Comprehensive Plan states "Institutional areas are primarily characterized by private and public-service structures" in the Institutional districts.*
- *Per 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 request has been reviewed for consistency with Tables 2.1 & 2.2 and Section 303 of the LDC.*
- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and SECTION 2.107 UTILITY-ENCLAVE AREAS (UEA); of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, 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; therefore, the DRC recommends **APPROVAL of LDCU-2026-2.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends **APPROVAL** of **LDCU-2026-2** with the following Conditions:

1. The property shall be approved for Utilities, Class III. Any modifications to LDCU-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]

2. 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]

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 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: Pre-DRI; low density detached single family residential	**North:** Pre-DRI; low density detached single family residential	**Northeast:** Pre-DRI; low density detached single family residential
West: Pre-DRI; INST-1 developed / undeveloped. Toho Huron WTP, The Association of Poinciana Villages, Retail	**Subject Property:** Pre-DRI; INST-1 Undeveloped single-family residence	**East:** Pre-DRI; low density detached single family residential
Southwest: Pre-DRI; INST-1 Toho Wastewater Treatment	**South:** Pre-DRI; NAC Developed / Undeveloped Family Dollar, Wastewater Treatment / Commercial	**Southeast:** Pre-DRI; undeveloped

The property is at the intersection of Hemlock Avenue and Marigold Avenue surrounded by single-family residential and commercial uses. The existing TOHO treatment plant is in close proximity to the south and southwest, which makes this an ideal location for the new well production sites.

Compatibility with the Surrounding Land Uses and Infrastructure:

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.*"

Utility Enclave Areas (UEA) shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.

The Institutional (INST) Future Land Use district, 3.4± acres, represents an expansion of the Toho Huron WTP for an additional potable well in support of the existing potable water treatment plant. The location of the INST runs along the rear or northern portion of the property. The request for development of this site is for a Class III Utility and requires a Level 3 Conditional Approval. This use represents a low intensity use with the only traffic to/from the site is the occasional monitoring of the well. The site will adhere to the development standards of the Land Development Code. The remaining 9.1± acres to the south is designated Neighborhood Activity Center (NAC). The property is located at the northern corner of Marigold Ave (Poinciana Pkwy) and Hemlock Avenue. The corner parcel is a Family Dollar Store that was developed under the Pre-DRI. The previous land use change under LDCPAS-2025-38 planned for the majority of the frontage along Marigold Avenue and Hemlock Avenue, with the Family Dollar at the corner to be NAC, with the INST to the rear.

On the southern side of Marigold Avenue was the original Commercial district for this part of Poinciana, see Exhibit 6. In approximately 1980, the south or southwestern corner was developed with a wastewater treatment facility and was no longer a commercial use site. The western or southwestern corner of the intersection still has the Pre-DRI use of Commercial. However, this site is encumbered by wetlands and floodplain which appears to have hindered commercial development.

Two of the three sides of the site front Urban Collector Roads, with the third side (rear) fronting the residential development. The northern or rear side is separated from the residential development by a 60-foot wide Open Space, which is part of the Poinciana master drainage system. The northern side is also where the location of the proposed "Utilities, Class III" are exceeds any required buffer from residential and provides proper landscape screening.

B. Infrastructure:

The site will have access to water and wastewater lines. The site accesses onto Marigold Avenue and Hemlock Avenue, both of which are Urban Collectors. Marigold Avenue currently has planned improvements for the corridor to meet future needs. Public safety response times are normal for this part of the County. The use is not anticipated to have an adverse effect on any public services.

Nearest and Zoned Elementary, Middle, and High School

The property is zoned for Laurel Elementary, Lake Marion Creek Middle, and Haines City High School. The closest school is Lake Marion Creek Middle School located almost two (2) miles to the north of the subject site. The proposed utility improvements are not expected to have any impact on school concurrency as the use will not generate the need for children to attend school. Therefore, the proposed use is not likely to have any adverse impacts upon school operations.

Table 2

Name of School	Distance from subject site
Laurel Elementary	±1.8 miles driving distance
Lake Marion Creek Middle	±1.5 miles driving distance
Haines City High School	±10.6 miles driving distance

Source: Polk County GIS

Class III Utilities do not generate a demand for school capacity. Therefore, such data is not provided in this report.

Nearest Sheriff, Fire, and EMS Station

Fire and EMS response to this project is from Polk County Fire Rescue Station 46, located at 9500 Marigold Avenue, Poinciana. The travel distance is 2.5 miles with an average response time of 6-8 minutes. There are no fire hydrants within the immediate area.

Sheriff's response to the site is served by the Ridge District Command Unit, located at 9530 Marigold Avenue, Poinciana. The response times were: P1 – 11:35 minutes; P2 – 29:52 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. Sheriff's 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

	Name of Station	Distance	Response Time*
Sheriff	Ridge District Command Unit (9530 Marigold Ave., Poinciana)	±2.5 miles	P-1: 11:35 P-2: 29:52
Fire	Polk County Fire Rescue Station 46 (9500 Marigold Ave., Poinciana)	±2.5 miles	6-8 minutes
EMS	Polk County Fire Rescue Station 46 (9500 Marigold Ave., Poinciana)	±2.5 miles	6-8 minutes

Source: Polk County Sheriff's Office &Polk County Fire Rescue Response Times for February 2026

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

The site will utilize additional production potable wells for the Toho Huron WTP. Potable water and wastewater is serviced by Toho Utilities and are reported to have capacity within the area for future development.

Table 4

Subject Property	Estimated Impact Analysis		
±3.4 acres INST	**Demand as Currently Permitted**	**Maximum Permitted in the District**	**Proposed Plan**
Permitted Intensity	One (1) single-family residence	5 single-family residential units	Utilities, Class III
Potable Water Consumption (GPD)	250 GPD	4,250 GPD	8,887 GPD
Wastewater Generation (GPD)	200 GPD	3,400 GPD	7,110 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 250 GPD/unit for water consumption and 200 GPD/unit for wastewater generation. Proposed Plan Consumption/Generation numbers are based on Assembly Halls with Food Service at 5 GPD for per seat and 80% of water consumption for wastewater generation,

B. Available Capacity:

The Huron Water Treatment Plant requires expansion based on the latest Potable Water Master Plan demand projections. Due to growth in the area, water demands in the Poinciana service area are projected to exceed the treatment capacity of the existing Huron WTP by 2031. The existing Huron WTP's permitted capacity is 4.81 Million Gallons per Day (MGD). The projected capacity required

at Huron WTP to meet future water demands is 7.5 MGD. This project will expand the treatment capacity of Huron WTP to approximately 7.5 MGD by adding two new production wells, high service pump upgrades, aeration/chemical system upgrades, piping upgrades at the WTP, and other improvements that may be necessary to facilitate the capacity expansion.

C. Planned Improvements:

According to the Polk County's 5-year capital improvements plan, there are no planned improvements.

Roadways/ Transportation Network

A. Estimated Demand:

The requested Utilities, Class III use within the Institutional (INST) district has a determined development, expansion of the Huron WTP with an additional potable water well. This use, after development will only have the occasional well monitoring traffic, not the calculated 41 Peak Hour Trips.

Table 5

Subject Property	**Estimated Impact Analysis**		
±3.4 acres INST	**Demand as Currently Permitted**	**Maximum Permitted in the District**	**Proposed Plan**
Permitted Intensity	One (1) single-family dwelling unit	Five (5) single-family dwelling units	Utilities, Class III
Average Annual Daily Trips (AADT)	7.81	133	267
PM Peak Hour Trips	1.00	17	41

Source: Polk County Concurrency Manual

As Table 5 demonstrates, the traffic generated from this project is not anticipated to be more than 50 AADT of which a minor or major traffic study will not be required during the Level 2 Review process. These facilities are monitored occasionally for maintenance purposes.

B. Available Capacity:

This use, after development will only have the occasional well monitoring traffic. Well monitoring traffic will likely be arriving from the south or east on Marigold Avenue. Marigold Avenue is monitored for concurrency by the Transportation Planning Organization. Currently, Marigold Avenue has current levels of service (LOS) of "C" with an acceptable LOS of "C".

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
8101N	Marigold Avenue From: Palmetto Street To: CR 580 (Cypress Parkway)	C	871	C
8101S	Marigold Avenue From: Palmetto Street To: CR 580 (Cypress Parkway)	C	915	C

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

C. Roadway Conditions:

Ingress/egress to the site is from Hemlock Avenue (Road Number 880301). According to Polk County's Road Inventory, Hemlock Avenue is a County-maintained Urban Collector (UC) Roadway with an 20-foot-wide paved surface and 173 feet of rights-of-way (ROW). Hemlock Avenue is not monitored for concurrency by Polk County TPO and is slightly below County roadway standards. Marigold Avenue (Road Number 882201) is a County-maintained 22-foot-wide paved UC Roadway. Marigold Avenue is monitored for concurrency by Polk County TPO. Marigold Avenue monitored from Palmetto Street to CR 580 (Cypress Parkway) is functioning at a Level of Service (LOS) of "C".

D. Sidewalk Network:

There are sidewalks in front of the Family Dollar at the intersection of Marigold Avenue and Hemlock Avene. Sidewalks will be required at the time of development for the property to the south.

E. Planned Improvements:

Intersection improvements and signalization at Marigold Avenue at Hemlock Drive and Marigold Avenue at Lake Marion Creek Road were recently completed along with sidewalk improvements along Pine Street (north of the site). Table 7, to follow, shows planned improvements to the surrounding roadway network in the County's 5-year Community Investment Program (CIP).

Table 7

Road	Fiscal Year CIP (estimated cost)	Project Description
Marigold Avenue Widening	$59,000,000	Widen Marigold Avenue from CR 580/Cypress Parkway to Palmetto Street from two-lanes to four-lanes (about 2.2 miles). Marigold Avenue widening is a priority due to population and employment growth in the Poinciana area. SWFWMD permitting complete. Right-of-way acquisition underway. In re-deign to minimize impacts to existing transmission lines. **Construction is TBD.**
Intersection improvements at Marion Creek Road and Cypress Parkway	$2,600,000	Finalizing construction cost estimates for signalization.
Caspian Road Sidewalks	Pending construction bids	Study Phase

F. Mass Transit:

The closest mass transit is Citrus Connection Line 603, their Southwest Poinciana line with the closest stop at Coyote Road and Bobcat Court approximately 4.3 miles northeast of the site.

Park Facilities and Environmental Lands:

This use is not dependent upon park facilities and is not located in proximity to a park such that it would be disruptive to its function. The closest park is the Lil Halibut Park to the north. The closest environmental lands to the site are the Kissimmee Chain of Lakes south of the subject. The proposed potable production wells are not expected to impact the surrounding parks and environmental lands.

A. Location

The nearest neighborhood park is the Lil Halibut Park 1.6 miles east of the site and the nearest regional Park is Poinciana Community Park 1.0 miles to the north of the subject site.

B. Services

Lil Halibut Park has a tot lot and playground. Poinciana Community Park has a walking path, a playground, baseball fields, a cricket pitch and basketball parks. There are also multipurpose fields, a pavilion that can be rented and league play. Additionally, a dog park features separate areas for large and small dogs, agility equipment, water fountains and shaded areas for humans.

C. Multi-use Trails:

The closest free hiking trail is in Poinciana Community Park 4.0 miles to the south of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Kissimmee Chain of Lakes south of the subject site.

E. Planned Improvements:

Staff has not identified any planned improvements to the County parks near the subject site.

Environmental Conditions

There are no wetlands or floodplains on or near the property, or other environmental conditions which exist that would hinder development at this site.

A. Surface Water:

There is no surface water on the subject site. The site's elevation is relatively flat with an elevation of 107 feet at the northwestern area of the site and sloping downward to the property boundaries generally at 100 feet.

B. Wetlands/Floodplains:

The subject property is not located within any flood zone and there are no wetlands present on site.

C. Soils:

According to the Soil Survey of Polk County, the site is made up of Tavares fine sand, Arents-Urban land complex, Narcoossee sand, Astatula sand, and Immokalee sand. Table 8, to follow, summarizes

the soil type and limitations for development activity on-site, but wastewater generation is minimal for the site.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site *(approximate)*
Tavares fine sand, 0 to 5 percent slopes	Moderate: Wetness	Severe: Wetness	69.5%
Arents-Urban land complex, 0 to 5 percent slopes	Severe: wetness: poor filter		13.7%
Narcoossee sand	Severe: wetness: poor filter		8.7%
Astatula sand, 0 to 5 percent slopes	Slight		4.7%
Immokalee sand	Severe: wetness		3.4%

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

D. Protected Species

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of any endangered animal 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. 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 in an identified Wellfield Protection District. It is noted that the Toho Hurton Water Treatment Plant is located adjacent to the site on the western side of Hemlock Avenue.

G. Airports:

The site is not within any Airport Buffer Zones.

Economic Factors:

The Huron Water Treatment Plant requires expansion based on the latest Potable Water Master Plan demand projections. Due to growth in the area, water demands in the Poinciana service area are projected to exceed the treatment capacity of the existing Huron WTP by 2031. This project will expand the treatment capacity of Huron WTP to approximately 7.5 MGD by adding two new production wells, high service pump upgrades, aeration/chemical system upgrades, piping upgrades at the WTP, and other improvements that may be necessary to facilitate the capacity expansion. This will offer a greater return on investment for the surrounding residential neighborhood.

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 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.

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.*	The subject site is at the intersection of two Urban Collector Roads which is ideal for the NAC use, with the INST use along the rear of the site. Toho Water Authority lines are readily available in this area for water and wastewater. This request is consistent with this policy.
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.*	The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Everything around the subject site is slated for low density residential use, meaning this land use change is compatible.
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 timing is consistent with the growth in the area as the surrounding sites are already designated for low density residential. There is available connectivity to water, wastewater, and electricity. Fire and Sheriff are available for this area. The schools that are zoned for the site have capacity, but site is expected to generate any students.
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.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 10 in accordance with Section 906.D.7 of the Land Development Code.

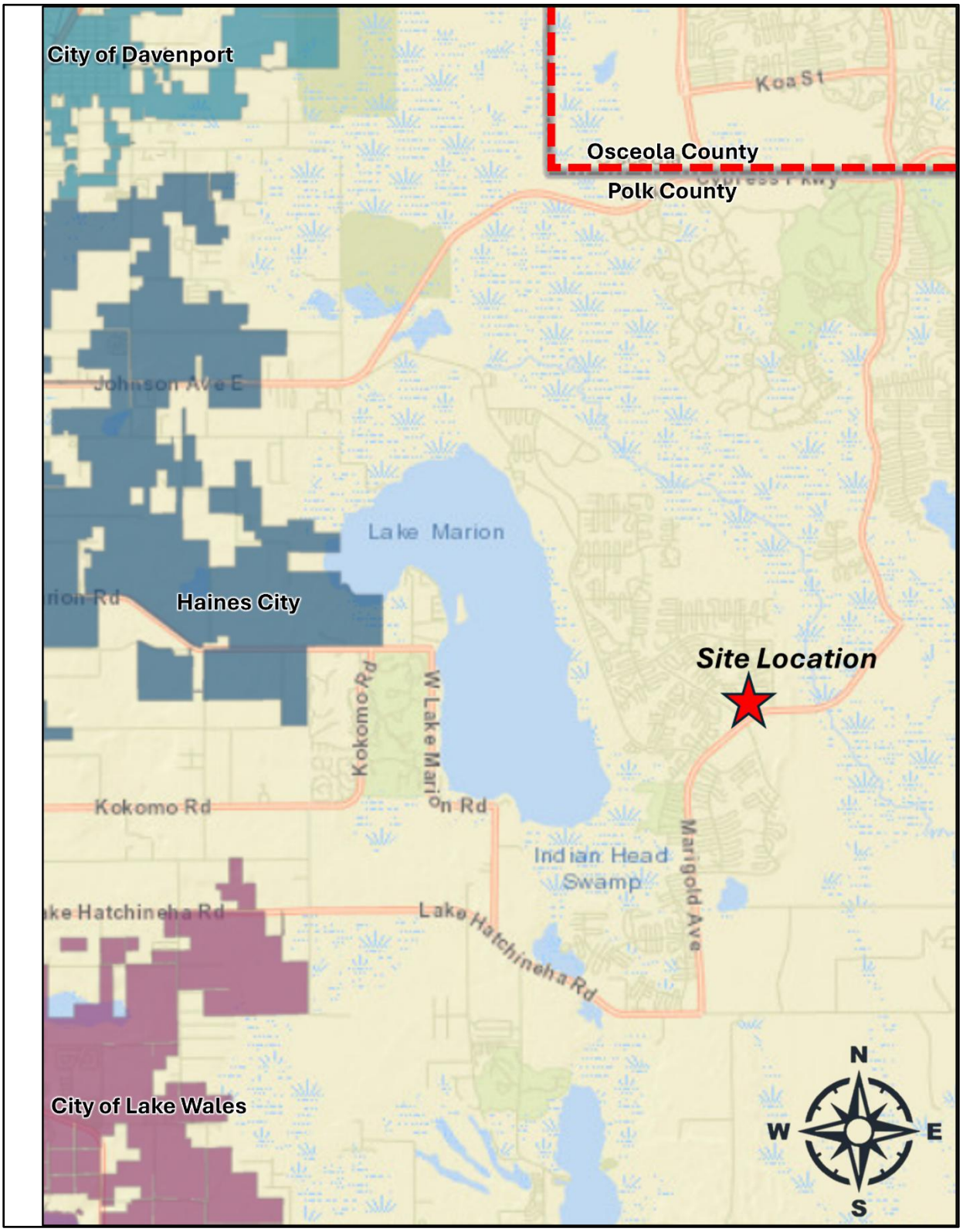
Table 10

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 Table 2.1 which permits this use upon completion of a Level 3 Review. 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 2-6 of the staff report.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed in Table 8.*
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 and the site will further be made compatible through the Conditions of Approval. See Page 6 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 not require concurrency determinations from the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 8-11 of the staff report.*

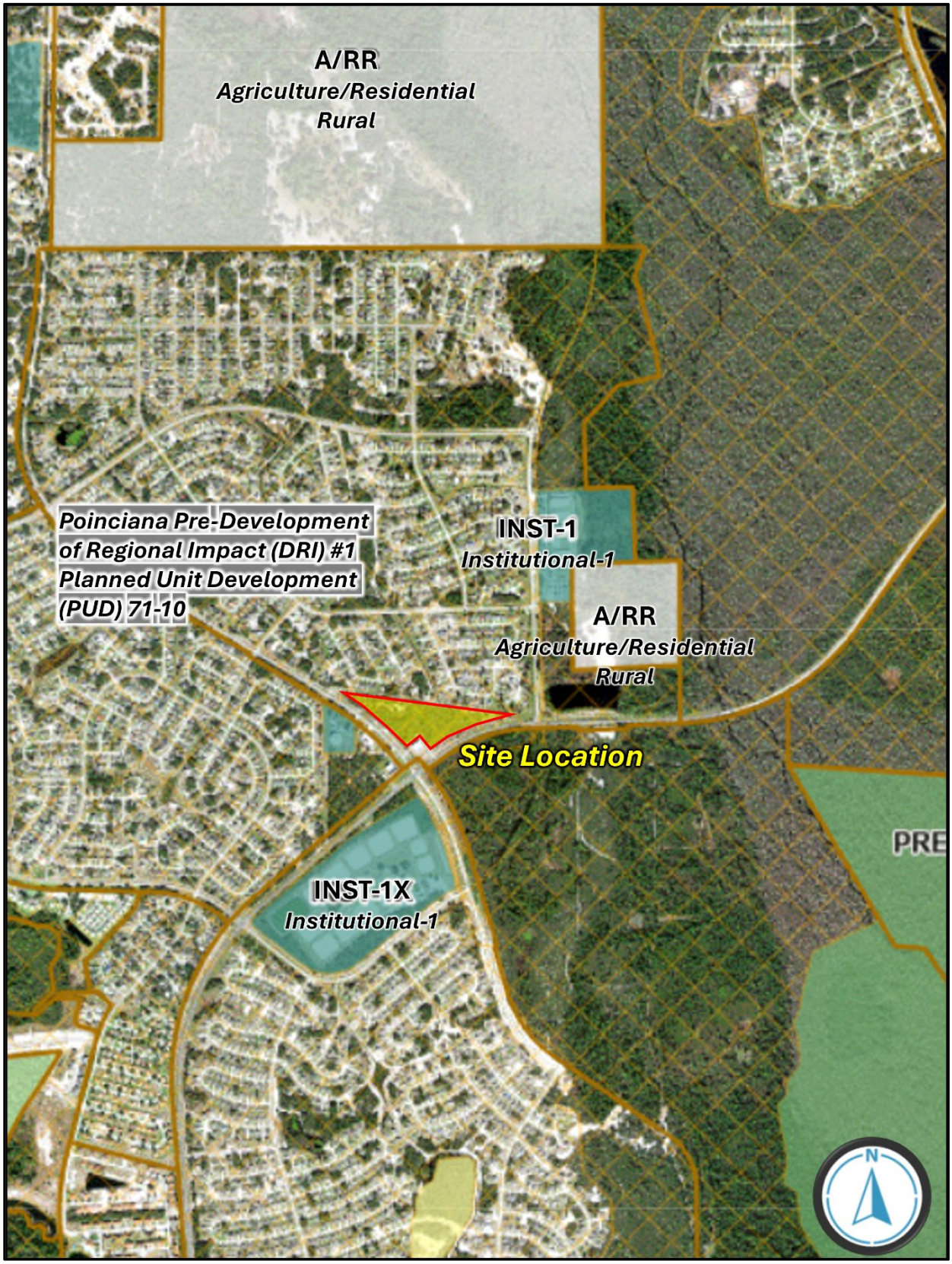
Comments from other Agencies: None.

Exhibits

Exhibit 1 – Location Map
Exhibit 2 – Future Land Use Map
Exhibit 3 – 2024 Satellite Image (Context)
Exhibit 4 – 2023 Aerial Photo (Close-up)
Exhibit 5 – Site Plan



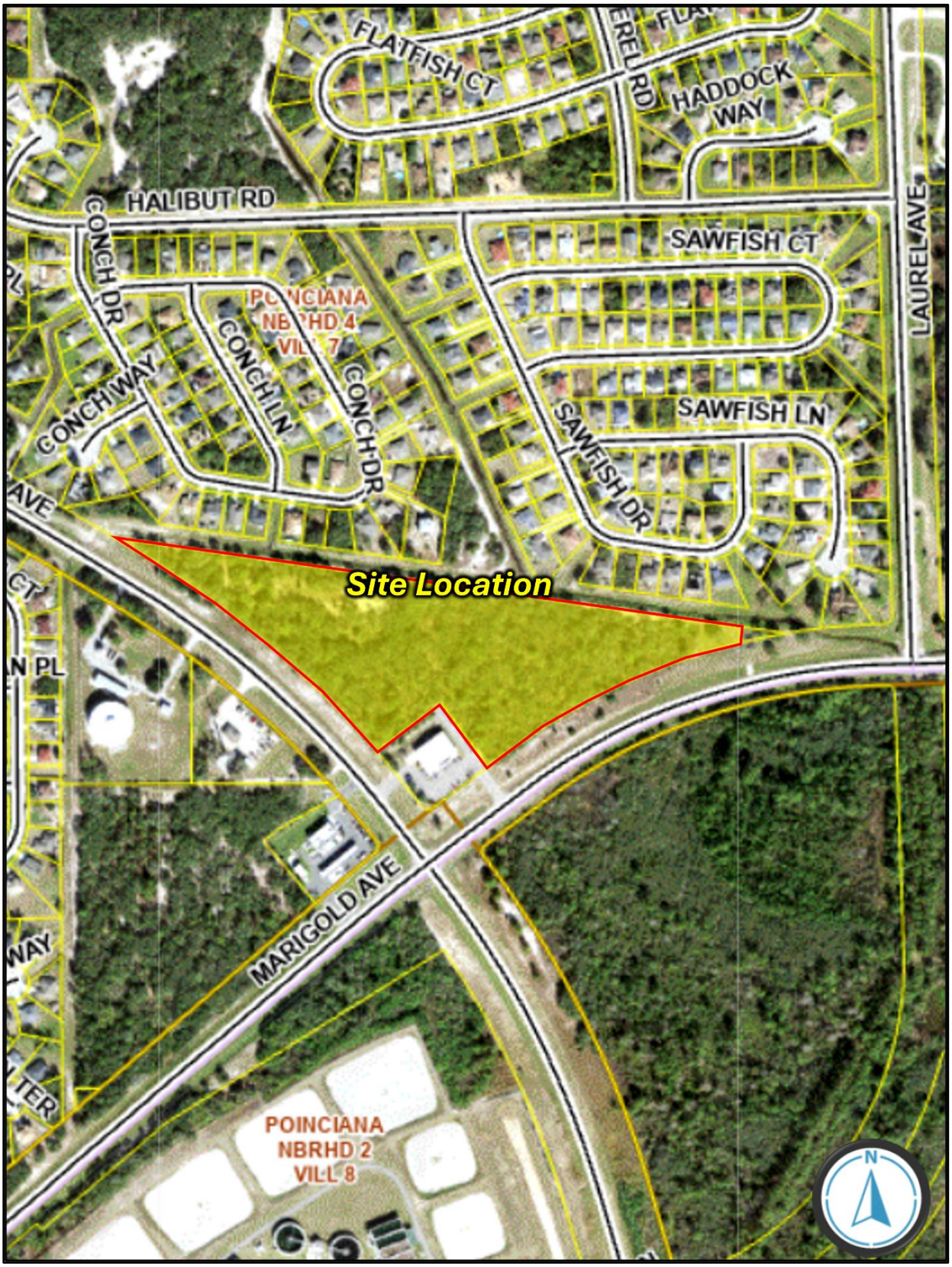
Location Map



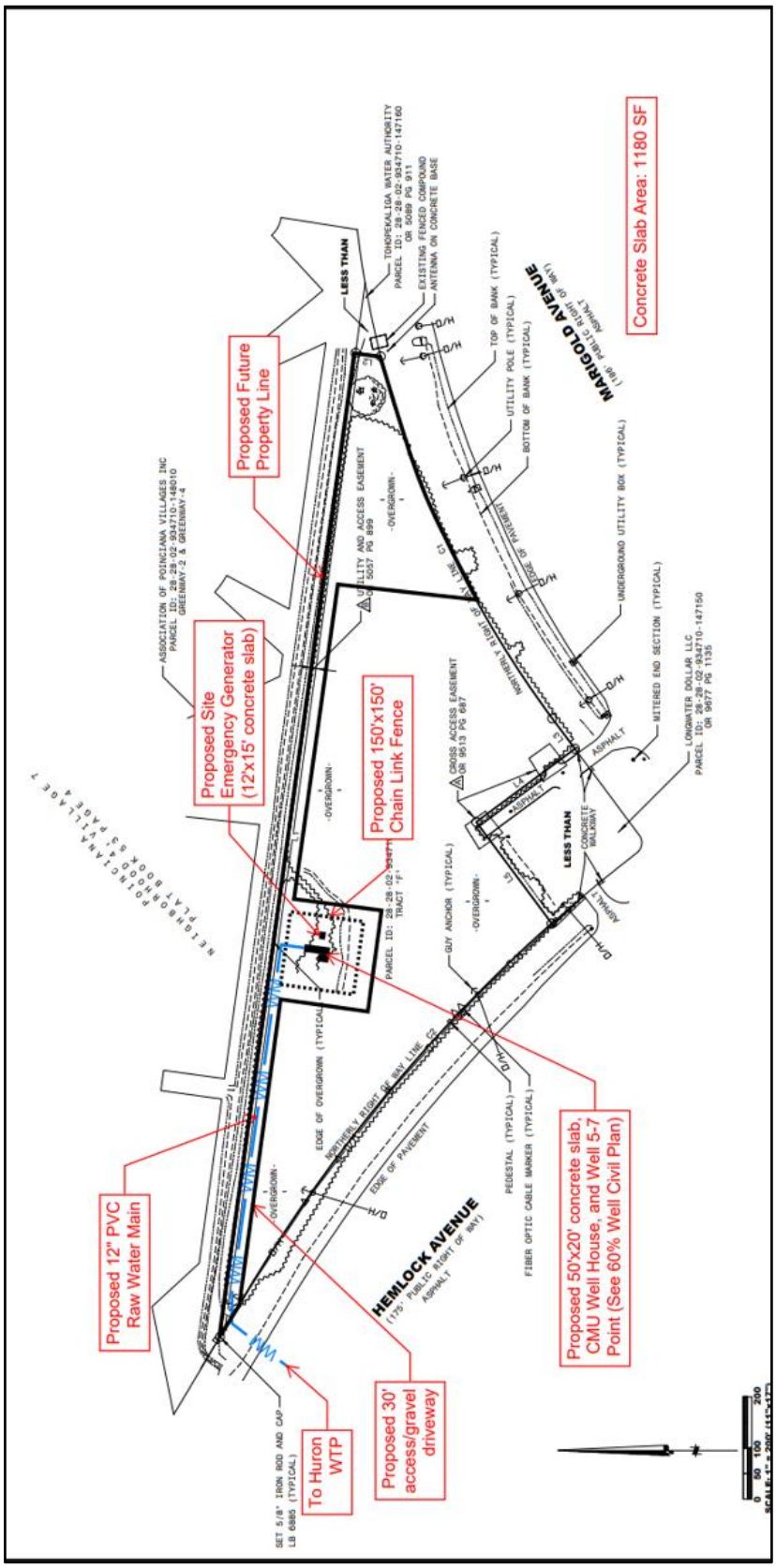
Future Land Use



2023 Aerial Photo (Context)



2023 Aerial Photo (Close-up)



Applicant's Site Plan

LDCU-2026-2 - Toho Water Authority

Menu Reports Help

Application Name: Toho Water Authority

File Date: 01/29/2026

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: This project is identified in the Master Hydraulic Model updates. Huron WTP requires expansion based on the latest Potable Water Master Plan demand projections. Due growth in the area, water demands in the Poinciana service area are projected to exceed the treatment capacity of the existing Huron WTP by 2031. The existing Huron W permitted capacity is 4.81 Million Gallons per Day (MGD). The projected capacity required at Huron WTP to meet future water demands is 7.5 MGD. This project will expa treatment capacity of Huron WTP to approximately 7.5 MGD by adding two new production wells, high service pump upgrades, aeration/chemical system upgrades, pipin upgrades at the WTP, and other improvements that may be necessary to facilitate the capacity expansion. The proposed production well (5-7) in the Marigold property is the production wells needed to meet the future water demand.

Application Detail: Detail

Address: 0 MARIGOLD AVE, POINCIANA, FL 34759

Parcel No: 282802934710147060

Owner Name: MARIGOLD DEVELOPMENT LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Allison Schulz		Engineer	Mailing, 951 M.L.K. Jr...	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

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
12.39

DRC Meeting
03/26/2026

DRC Meeting Time
–

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
06/03/2026

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-00000-05228	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	2			05/19/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	03/10/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Not Required	03/16/2026	Kim Turner
Planning Review	Kyle Rogus	Approve	03/24/2026	Kyle Rogus
Surveying Review	Mike Benton	Not Required	03/27/2026	Mike Benton
School Board Review	School District	Not Required	03/11/2026	School District
Roads and Drainage Review	Phil Irven	Approve	03/11/2026	Phil Irven
Review Consolidation	Lyndsay Rathke	Approved for...	03/27/2026	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

PARCEL "A"

LEGAL DESCRIPTIONS (AS PREPARED BY SURVEYOR)

PARCEL 1:
THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, VIZ:

TRACT F OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53 AT PAGES 4 THROUGH 18, INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT ANY PORTIONS THEREOF WHICH HAVE BEEN PREVIOUSLY CONVEYED, REPLATTED OR VACATED BY RESOLUTION.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, VIZ:

A PORTION OF TRACT "F", POINCIANA NEIGHBORHOOD 4, VILLAGE 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGE(S) 4 THROUGH 18, INCLUSIVE OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EASTERN MOST CORNER OF SAID TRACT "F", SAID POINT LYING ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG THE SOUTHEASTERLY LINE OF TRACT "F", ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY, 934.59 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 2002.86 FEET, A CENTRAL ANGLE OF 26°44'09" AND A CHORD BEARING AND DISTANCE OF S 67°11'59" W, 926.14 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID SOUTHEASTERLY LINE OF TRACT "F" AND THE NORTHERLY RIGHT OF WAY OF POINCIANA PARKWAY, S 53°49'54" W, 73.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 53°49'54" W, 174.96 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE 35.35 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 5795.58 FEET, A CENTRAL ANGLE OF 00°20'58" AND A CHORD BEARING AND DISTANCE OF S 53°39'25" W, 35.35 FEET TO A POINT OF REVERSE CURVATURE; THENCE 38.89 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°08'37" AND A CHORD BEARING AND DISTANCE OF N 81°57'11" W, 35.09 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT "F"; THENCE ALONG SAID SOUTHWESTERLY LINE OF SAID TRACT "F", SAID LINE ALSO BEING THE NORTHERLY RIGHT OF WAY OF HEMLOCK AVENUE, N 37°23'03" W, 9.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY; THENCE 206.99 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 3075.00 FEET, A CENTRAL ANGLE OF 03°51'25" AND A CHORD BEARING AND DISTANCE OF N 39°18'45" W, 206.95 FEET; THENCE DEPARTING SAID SOUTHWESTERLY LINE OF TRACT "F" AND NORTHERLY LINE OF HEMLOCK AVENUE, N 53°49'54" E, 247.00 FEET; THENCE S 36°10'06" E, 240.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, TO-WIT:

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF SAID TRACT "F" OF SAID POINCIANA NEIGHBORHOOD 4, VILLAGE 7, SAID CORNER LYING ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2002.86 FEET; THENCE FROM A TANGENT BEARING OF S 80°34'02" W RUN WESTERLY ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY A DISTANCE OF 146.26 FEET THROUGH A CENTRAL ANGLE OF 04°11'02" TO A POINT; THENCE FROM A TANGENT BEARING OF S 76°23'00" W AND LEAVING SAID RIGHT OF WAY LINE RUN THENCE N 08°17'09" E 49.56 FEET TO THE NORTH LINE OF AFORESAID TRACT "F"; THENCE RUN S 81°42'51" E ALONG SAID NORTH LINE 137.57 FEET TO THE POINT OF BEGINNING. CONTAINING THEREIN 3,279 SQUARE FEET MORE OR LESS.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, TO-WIT:

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT "F" FOR THE POINT OF BEGINNING: THENCE, ALONG THE NORTH LINE OF SAID TRACT "F", SOUTH 81°42'51" EAST, A DISTANCE OF 1942.23 FEET; THENCE DEPARTING THE NORTH LINE OF SAID TRACT "F", SOUTH 08°17'09" WEST, A DISTANCE OF 49.56 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "F", THE NORTH RIGHT OF WAY LINE OF MARIGOLD AVENUE AND A POINT ON A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY HAVING A RADIUS DISTANCE OF 2002.86 FEET, CENTRAL ANGLE OF 14°00'08", A CHORD BEARING OF SOUTH 69°22'55" WEST, A CHORD DISTANCE OF 488.26 FEET; THENCE SOUTHWESTERLY ALONG ARC OF SAID CURVE, NORTH RIGHT OF WAY LINE AND SOUTH LINE OF SAID TRACT"F", AN ARC DISTANCE OF 489.47 FEET; THENCE DEPARTING ARC OF SAID CURVE NORTH 08°17'09" EAST, A DISTANCE OF 265.56 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 632.61 FEET; THENCE SOUTH 08°17'09" WEST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 200.00 FEET; THENCE NORTH 08°17'09" EAST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 635.04 FEET TO THE EAST RIGHT OF WAY OF HEMLOCK AVENUE AND WEST LINE OF SAID TRACT "F"; THENCE NORTH 58°43'36" WEST, ALONG SAID EAST RIGHT OF WAY LINE AND WEST LINE OF SAID TRACT "F", A DISTANCE OF 51.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.0436 ACRES OR 1325808 SQUARE FEET, MORE OR LESS.

PARCEL 2: (NON-EXCLUSIVE EASEMENT ESTATE)

TOGETHER WITH NON-EXCLUSIVE EASEMENT(S) AS SET FORTH AND CREATED BY THAT CERTAIN EASEMENT AGREEMENT BETWEEN AVATAR PROPERTIES, INC., A FLORIDA CORPORATION, AND BOO-HEMLOCK, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED APRIL 17, 2015, RECORDED APRIL 29, 2015 IN OFFICIAL RECORDS BOOK 9513, PAGE 687, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, OVER, UNDER AND ACROSS THE LANDS DESCRIBED THEREIN.

FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, COMMITMENT No. 12657163, DATED AUGUST 22, 2025, SCHEDULE B, PART II PLOTTABLE ITEMS:

4. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, RECORDED IN PLAT BOOK 53, PAGE 4 THROUGH 18, INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AS AFFECTED BY THE AFFIDAVIT CONFIRMING ERROR ON PLAT RECORDED IN OFFICIAL RECORDS BOOK 1828, PAGE 461.

   SHOWN HEREON

5. RESOLUTION NO. 723 BY SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT REALIGNING THE BOUNDARIES OF THE PEACE RIVER BASIN RECORDED IN OFFICIAL RECORDS BOOK 1833, PAGE 1383.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

6. AGREEMENT BETWEEN AVATAR PROPERTIES INC., A FLORIDA CORPORATION, F/K/A GAC PROPERTIES, INC., A FLORIDA CORPORATION AND POLK COUNTY ATTACHED AS EXHIBIT "A" TO AFFIDAVIT RECORDED IN OFFICIAL RECORDS BOOK 2049, PAGE 1086.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

7. DELEGATION OF POWER AND AUTHORITY TO LEVY AND ENFORCE ASSESSMENTS AS SET FORTH IN RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 2797, PAGE 1193.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

8. UTILITY & ACCESS EASEMENT IN FAVOR OF THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY, RECORDED JULY 12, 2002, IN OFFICIAL RECORDS BOOK 5057, PAGE 899.

   SHOWN HEREON

9. RESTRICTIONS, COVENANTS, CONDITIONS AND EASEMENTS, WHICH INCLUDE PROVISIONS FOR A. AN EASEMENT ON THE LAND; B. A LIEN FOR LIQUIDATED DAMAGES; C. A PRIVATE CHARGE OR ASSESSMENTS; AS CONTAINED IN THAT CERTAIN AMENDED AND RESTATED POINCIANA SUBDIVISION DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 12634, PAGE 1844; AS AMENDED BY THE AMENDMENT TO THE AMENDED AND RESTATED POINCIANA SUBDIVISION DECLARATION REGARDING SELF HELP RECORDED IN OFFICIAL RECORDS BOOK 13025, PAGE 902 AND AMENDMENTS TO THE AMENDED AND RESTATED POINCIANA SUBDIVISION DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 13442, PAGE 573, AS MAY BE SUBSEQUENTLY AMENDED.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

10. FGUA TRANSFER AGREEMENT BETWEEN THE TOHOPEKALIGA WATER AUTHORITY AND FLORIDA GOVERNMENT UTILITY AUTHORITY RECORDED IN OFFICIAL RECORDS BOOK 7075, PAGE 1099, AS AFFECTED BY THE TRANSFER, ASSIGNMENT AND ASSUMPTION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7278, PAGE 139.

    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

11. EASEMENT RIGHTS FOR THE POINCIANA SYSTEM AND UTILITY ASSETS IN FAVOR OF FLORIDA GOVERNMENT UTILITY AUTHORITY (THE "FGUA"), A LEGAL ENTITY AND PUBLIC BODY CREATED BY INTERLOCAL AGREEMENT PURSUANT TO SECTION 163.01(7)(G), FLORIDA STATUTES, AS ASSIGNED TO THE TOHOPEKALIGA WATER AUTHORITY, AN INDEPENDENT SPECIAL DISTRICT, ESTABLISHED AND CREATED PURSUANT TO CHAPTER 189, FLORIDA STATUTES BY VIRTUE OF DEED RECORDED IN OFFICIAL RECORDS BOOK 7278, PAGE 105, AS AFFECTED BY THE BILL OF SALE RECORDED IN OFFICIAL RECORDS BOOK 7278, PAGE 121.

    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

12. TERMS AND CONDITIONS OF THAT CERTAIN EASEMENT AGREEMENT BETWEEN AVATAR PROPERTIES, INC., A FLORIDA CORPORATION, AND BOO-HEMLOCK, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED APRIL 17, 2015, RECORDED APRIL 29, 2015 IN OFFICIAL RECORDS BOOK 9513, PAGE 687.

    SHOWN HEREON, NO SPECIFIC SIZE STATED

13. NOTICE OF SETTLEMENT RECORDED NOVEMBER 30, 2018, IN OFFICIAL RECORDS BOOK 10684, PAGE 320.

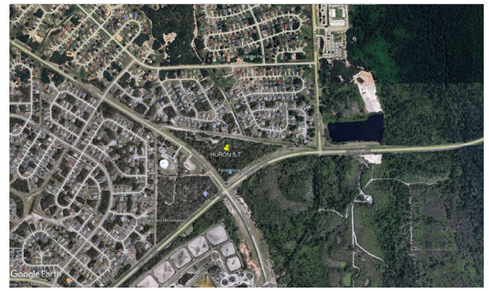
    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

14. SUPPLEMENTAL GRANT OF RIGHTS TO USE PLATTED EASEMENTS RECORDED DECEMBER 6, 2018, IN OFFICIAL RECORDS BOOK 10690, PAGE 1987.

    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

SURVEYOR'S NOTES

1. THIS IS A BOUNDARY SURVEY OF THE SUBJECT PARCELS.
2. THE SURVEYOR HAS REVIEWED THE COMMITMENT FOR TITLE INSURANCE, COMMITMENT No. 12657163, ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED AUGUST 22, 2025. ALL PLOTTABLE MATTERS OF RECORD TITLE IDENTIFIED IN THAT COMMITMENT THAT ARE PERTINENT TO THE SUBJECT PARCEL AND ITS ACCESS AND UTILITY EASEMENT, IF APPLICABLE, HAVE BEEN SHOWN OR NOTED HEREON. THE SURVEYOR HAS RELIED SOLELY UPON THAT REPORT WITH RESPECT TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS. NO FURTHER RESEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY THE SURVEYOR.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTHERLY LINE OF TRACT "F", POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AS BEING SOUTH 81°42'51" EAST
4. UNDERGROUND UTILITIES AND IMPROVEMENTS HAVE NOT BEEN LOCATED.
5. AFTER REVIEW OF FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 12105C0405G, DATED SEPTEMBER 28, 2012 THE SUBJECT PARCEL DEPICTED HEREON LIES IN ZONE "X".
6. (D) DENOTES DESCRIPTION;(F) DENOTES FIELD MEASURED;(P) DENOTES PLAT; (C) DENOTES CALCULATED.



VICINITY MAP

NEAR 0 MARIGOLD AVENUE, POINCIANA, FL 34759
(NOT TO SCALE)

LEGAL DESCRIPTIONS (AS PREPARED BY SURVEYOR)

PARCEL "B"

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT "F" FOR THE POINT OF BEGINNING: THENCE, ALONG THE NORTH LINE OF SAID TRACT "F", SOUTH 81°42'51" EAST, A DISTANCE OF 1942.23 FEET; THENCE DEPARTING THE NORTH LINE OF SAID TRACT "F", SOUTH 08°17'09" WEST, A DISTANCE OF 49.56 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "F", THE NORTH RIGHT OF WAY LINE OF MARIGOLD AVENUE AND A POINT ON A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY HAVING A RADIUS DISTANCE OF 2002.86 FEET, CENTRAL ANGLE OF 14°00'08", A CHORD BEARING OF SOUTH 69°22'55" WEST, A CHORD DISTANCE OF 488.26 FEET; THENCE SOUTHWESTERLY ALONG ARC OF SAID CURVE, NORTH RIGHT OF WAY LINE AND SOUTH LINE OF SAID TRACT"F", AN ARC DISTANCE OF 489.47 FEET; THENCE DEPARTING ARC OF SAID CURVE NORTH 08°17'09" EAST, A DISTANCE OF 265.56 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 632.61 FEET; THENCE SOUTH 08°17'09" WEST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 200.00 FEET; THENCE NORTH 08°17'09" EAST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 635.04 FEET TO THE EAST RIGHT OF WAY OF HEMLOCK AVENUE AND WEST LINE OF SAID TRACT "F"; THENCE NORTH 58°43'36" WEST, ALONG SAID EAST RIGHT OF WAY LINE AND WEST LINE OF SAID TRACT "F", A DISTANCE OF 51.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.0436 ACRES OR 1325808 SQUARE FEET, MORE OR LESS.

PARCEL "C"

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF SAID TRACT "F" OF SAID POINCIANA NEIGHBORHOOD 4, VILLAGE 7, SAID CORNER LYING ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2002.86 FEET; THENCE FROM A TANGENT BEARING OF S 80°34'02" W RUN WESTERLY ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY A DISTANCE OF 146.26 FEET THROUGH A CENTRAL ANGLE OF 04°11'02" TO A POINT; THENCE FROM A TANGENT BEARING OF S 76°23'00" W AND LEAVING SAID RIGHT OF WAY LINE RUN THENCE N 08°17'09" E 49.56 FEET TO THE NORTH LINE OF AFORESAID TRACT "F"; THENCE RUN S 81°42'51" E ALONG SAID NORTH LINE 137.57 FEET TO THE POINT OF BEGINNING. CONTAINING THEREIN 3,279 SQUARE

CONTAINING 0.0753 ACRES OR 3279 SQUARE FEET, MORE OR LESS.

CERTIFIED TO AND FOR THE EXCLUSIVE BENEFIT OF:

GRAY ROBINSON, P.A.
FIDELITY NATIONAL TITLE INSURANCE COMPANY
TOHOPEKALIGA WATER AUTHORITY
ITS AFFILIATES, SUBSIDIARIES AND LENDERS.

KIRK MITCHELL CERTIFICATE No. 5682 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

Digitally signed by Kirk Mitchell
DN: c=US, o=Advanced Land Surveying and Mapping Inc., dnQualifier=A01410C00000188B4BCAAB100084A05, cn=Kirk Mitchell
Date: 2026.02.04 12:13:33 -05'00'

THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY KIRK BRIAN MITCHELL 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.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PERFORMED ON AUGUST 27, 2025, IS IN ACCORDANCE WITH THE TECHNICAL STANDARDS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, STANDARDS OF PRACTICE PURSUANT TO SECTION 472.023, FLORIDA STATUTES AND WAS PREPARED UNDER MY RESPONSIBLE CHARGE.

KIRK B.MITCHELL P.S.M. L.S.No.5682

CERTIFICATE OF AUTHORIZATION No. L.B.6885 HARD COPIES NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REVISIONS								
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

ADVANCED LAND SURVEYING
AND MAPPING, INC.
371 BRIGHTWATERS DRIVE COCOA BEACH, FLORIDA 32931
PH: (407) 509-2305

BOUNDARY SURVEY
PREPARED FOR
TOHOPEKALIGA WATER AUTHORITY
TOHO PROJECT HURON 5-7
A PORTION OF SECTION 2, TOWNSHIP 28 SOUTH, RANGE 28 EAST
POLK COUNTY, FLORIDA

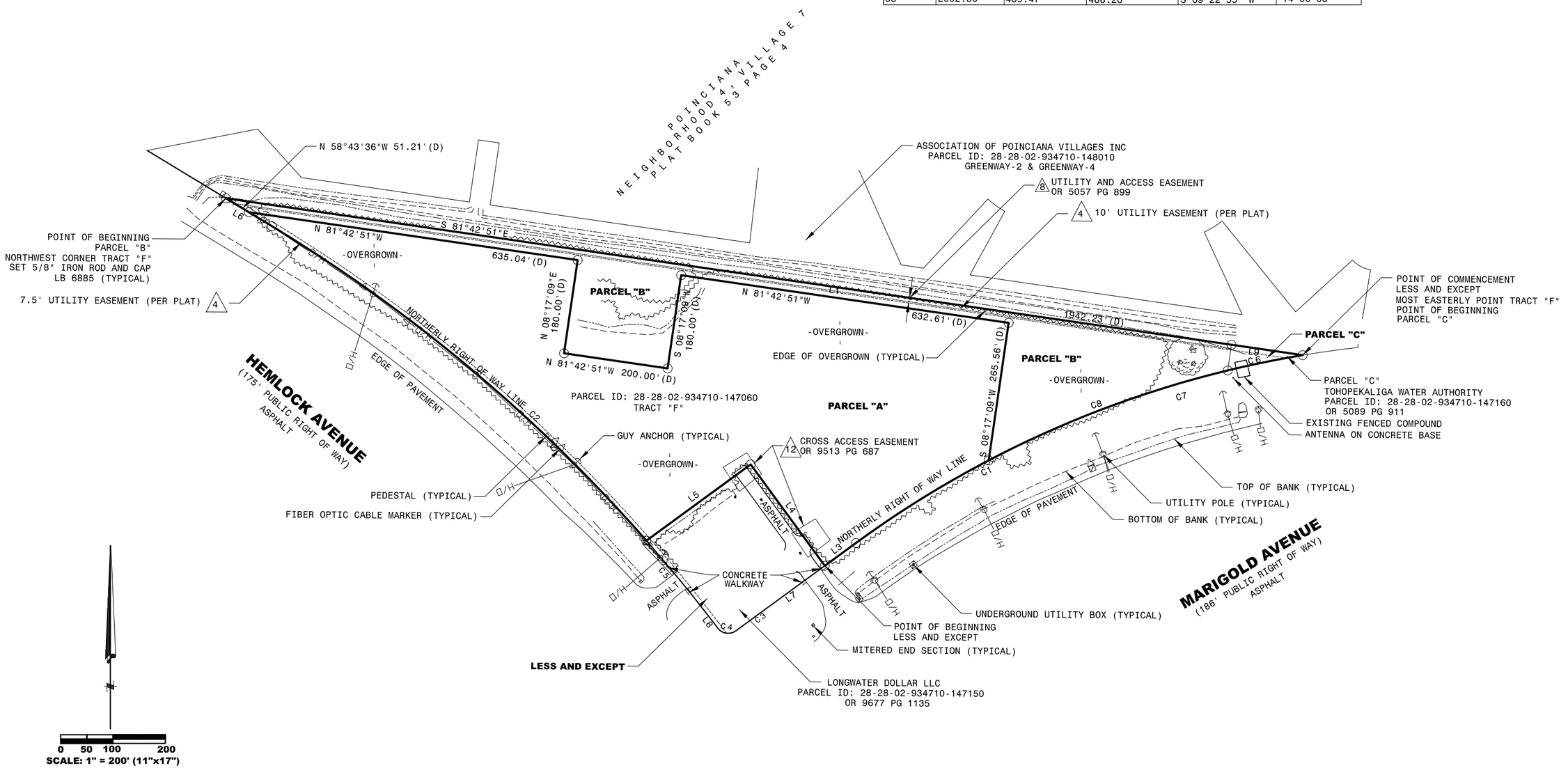
DRAWN	S. PETRAROLI
FIELD DATE	AUGUST 27, 2025
FIELD BOOK	PRINT
SCALE	NO SCALE
PROJECT NO.	X
FILE NAME	HURON 5-7.DWG
SHEET	1 OF 2

LINE DATA (FIELD)		
LINE	BEARING	DISTANCE
L1	S 82°10'02" E	1942.23'
L2	S 07°49'58" W	49.56'
L3	S 53°23'07" W	73.98'
L4	N 36°37'17" W	240.00'
L5	S 53°22'43" W	247.00'
L6	N 59°10'47" W	102.53'

LINE DATA (RECORD)		
LINE	BEARING	DISTANCE
L1	S 81°42'51" E	1942.23'(C)
L2	N 08°17'09" E	49.56'(D)
L3	S 53°49'54" W	73.98'(D)
L4	S 36°10'06" E	240.00'(D)
L5	N 53°49'54" E	247.00'(D)
L6	N 58°43'36" W	102.53'(P)
L7	S 53°49'54" W	174.96'
L8	N 37°23'03" W	9.00'
L9	S 81°42'51" E	137.57'

CURVE DATA (FIELD)					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2002.86'	788.33'	783.26'	S 64°39'16" W	22°33'07"
C2	3075.00'	938.44'	934.79'	N 50°26'13" W	17°29'08"

CURVE DATA (RECORD)					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2002.86'(P)	788.33'(C)	783.26'(C)	S 65°06'27" W(C)	22°33'07"(C)
C2	3075.00'(P)	938.44'(C)	934.59'(C)	N 49°59'02" W(C)	17°29'08"(C)
C3	5795.58'	35.35'	35.35'	S 53°39'25" W	0°20'58"
C4	25.00'	38.89'	35.09'	N 81°57'11" W	89°08'37"
C5	3075.00'	206.99'	206.95'	N 39°18'45" W	3°51'25"
C6	2002.86'	146.26'	146.22'	S 78°28'38" W	4°11'02"
C7	2002.86'	934.59'	926.14'	S 67°11'59" W	26°44'09"
C8	2002.86'	489.47'	488.26'	S 69°22'55" W	14°00'08"



REVISIONS								
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

ADVANCED LAND SURVEYING
AND MAPPING, INC.
371 BRIGHTWATERS DRIVE COCOA BEACH, FLORIDA 32931
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BOUNDARY SURVEY
PREPARED FOR
TOHOPEKALIGA WATER AUTHORITY
TOHO PROJECT HURON 5-7
A PORTION OF SECTION 2, TOWNSHIP 28 SOUTH, RANGE 28 EAST
POLK COUNTY, FLORIDA

DRAWN	S. PETRAROLI
FIELD DATE	AUGUST 27, 2025
FIELD BOOK	PRINT
SCALE	1" = 200'
PROJECT NO.	X
FILE NAME	HURON 5-7.DWG
SHEET	2 OF 2

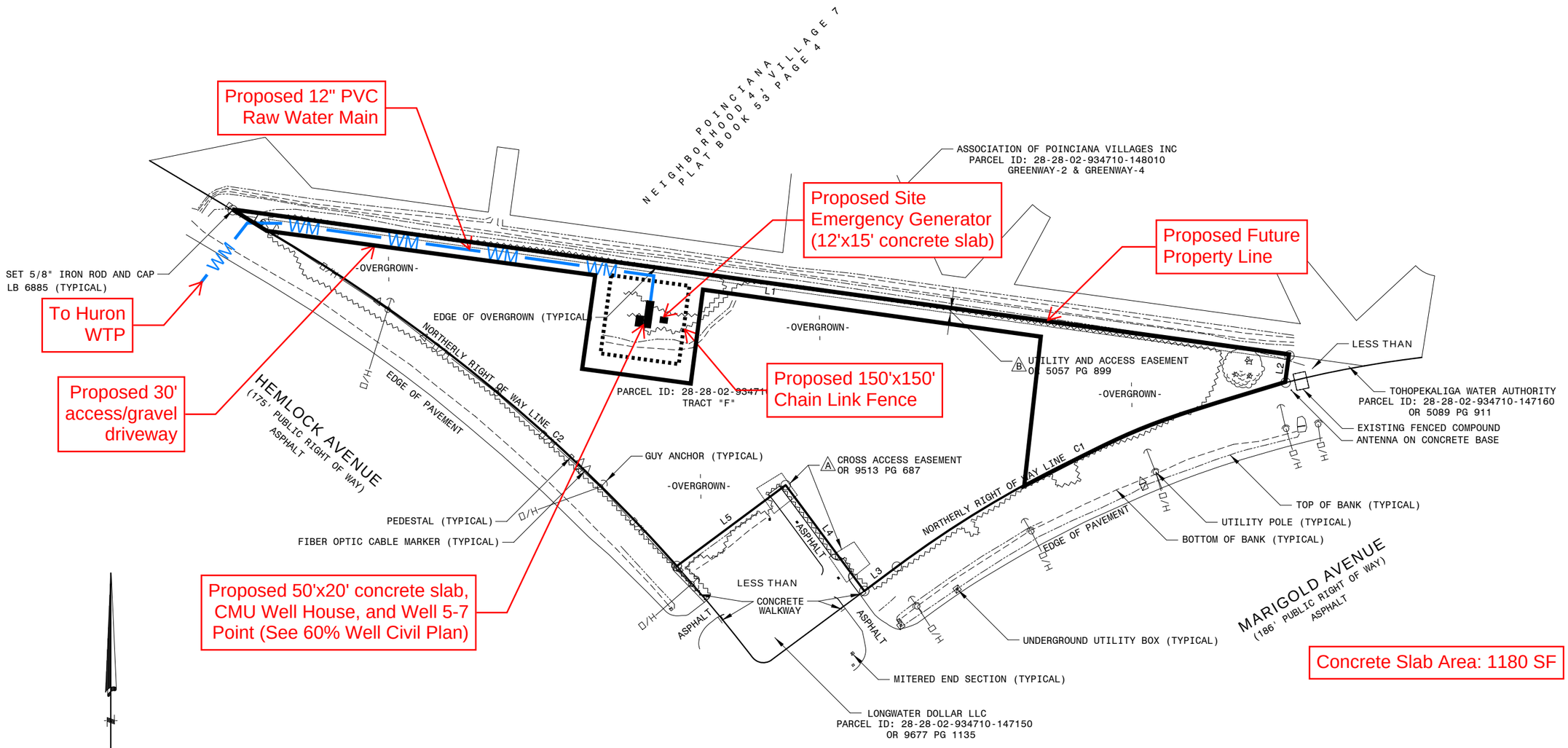
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LINE DATA (FIELD)		
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L2	S 07°49'58" W	49.56'
L3	S 53°23'07" W	73.98'
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L5	N 53°49'54" E	247.00'(D)
L6	N 58°43'36" W	102.53'(P)

CURVE DATA (FIELD)					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
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CURVE DATA (RECORD)					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2002.86'(P)	788.33'(C)	783.26'(C)	S 65°06'27" W(C)	22°33'07"(C)
C2	3075.00'(P)	938.44'(C)	934.79'(C)	N 49°59'02" W(C)	17°29'08"(C)

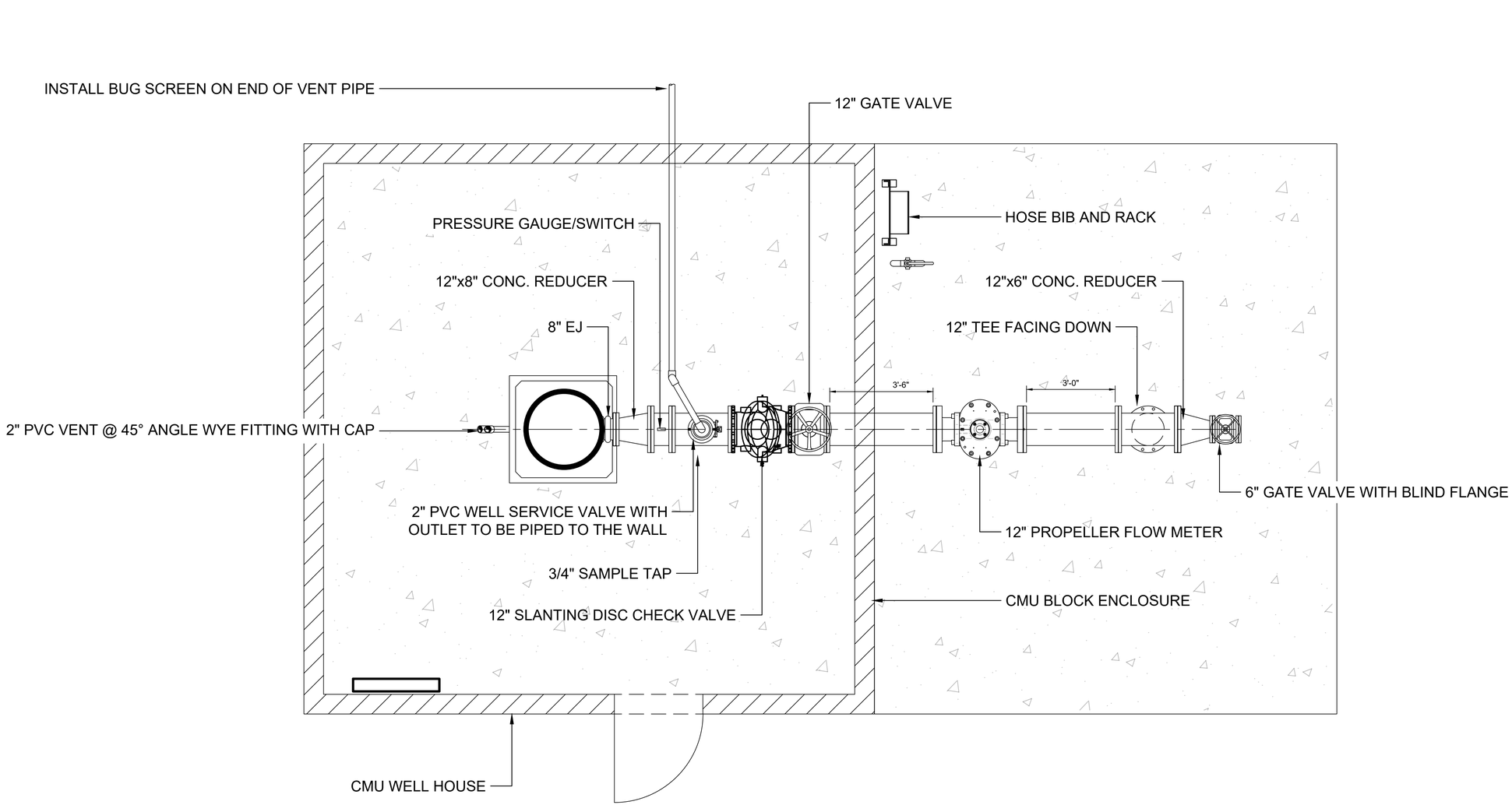


REVISIONS								
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

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DRAWN	S. PETRAROLI
FIELD DATE	AUGUST 27, 2025
FIELD BOOK	PRINT
SCALE	1" = 200'
PROJECT NO.	X
FILE NAME	HURON 5-7.DWG
SHEET	2 OF 2



1 PROPOSED WELL PUMP PLAN

Scale: 1"= 3/8'

Dewberry

Dewberry Engineers Inc.
800 N. Magnolia Avenue
Suite 1000
Orlando, FL 32803
407.843.5120

TOHO WATER AUTHORITY

HURON WATER TREATMENT PLANT 7.5 MGD UPGRADES

POLK COUNTY, FLORIDA
PRELIMINARY DESIGN

SEAL

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

PRELIMINARY DESIGN - 60% (NOT FOR CONSTRUCTION)

SCALE

0' 2' 4' 6'
SCALE: 3/8" = 1' - 0"

REVISIONS

NO.	DESCRIPTION	DATE

DRAWN BY E. ORTEGA
APPROVED BY B.WHITE
CHECKED BY M. MUSANTRY/S. GUALTIERI
DATE March 20, 2025

TITLE

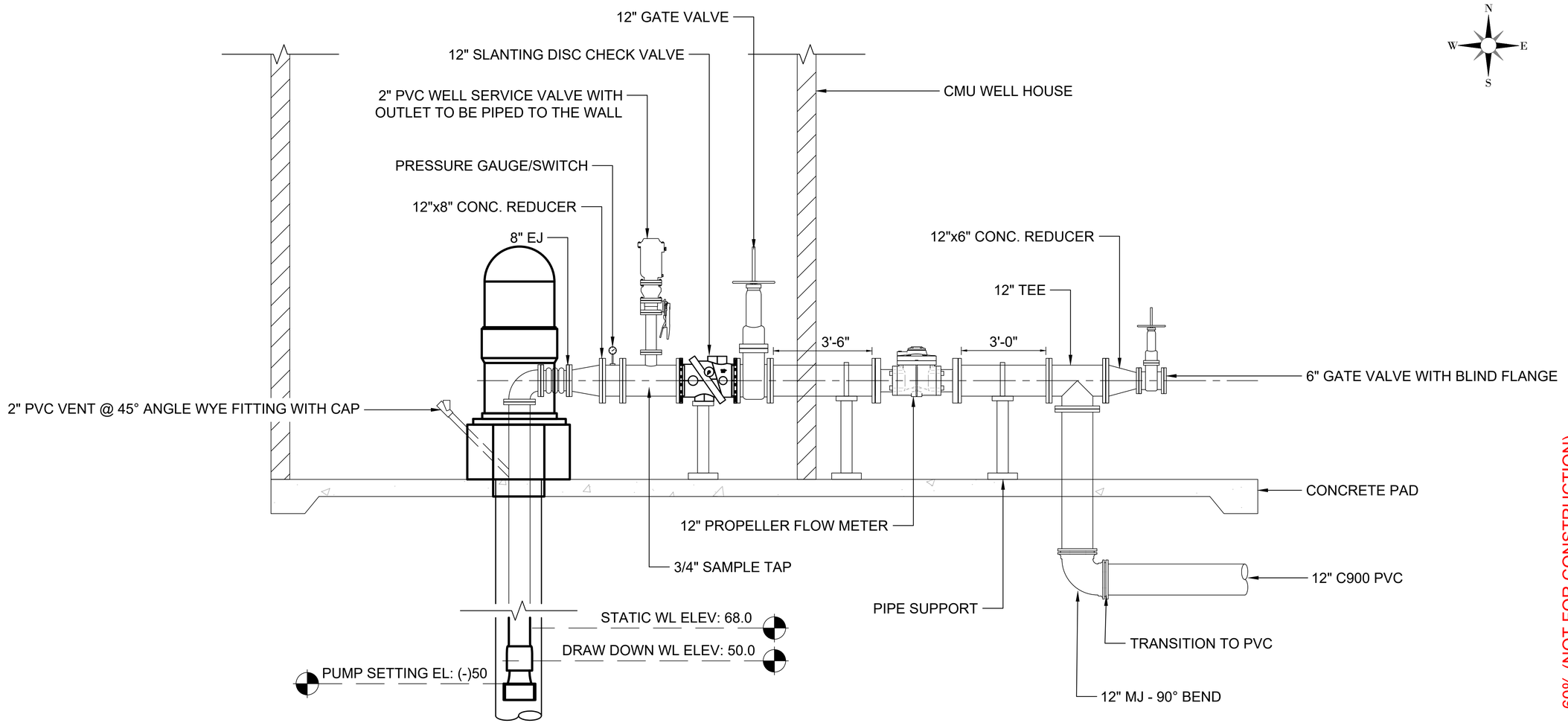
PROPOSED WELL PUMP PLAN

PROJECT NO. 50185157

M-100-101

SHEET NO. OF 12

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1 PROPOSED WELL PUMP SECTION

Scale: 1"= 3/8'

Dewberry

Dewberry Engineers Inc.
800 N. Magnolia Avenue
Suite 1000
Orlando, FL 32803
407.843.5120

TOHO WATER AUTHORITY

HURON WATER TREATMENT PLANT 7.5 MGD UPGRADES

POLK COUNTY, FLORIDA
PRELIMINARY DESIGN

SEAL

PRELIMINARY DOCUMENTS
NOT FOR CONSTRUCTION

PRELIMINARY DESIGN - 60% (NOT FOR CONSTRUCTION)

SCALE

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

REVISIONS

NO.	DESCRIPTION	DATE

DRAWN BY E. ORTEGA
APPROVED BY B.WHITE
CHECKED BY M. MUSANTRY/S. GUALTIERI
DATE March 20, 2025

TITLE

PROPOSED WELL PUMP SECTION

PROJECT NO. 50185157

M-100-301

SHEET NO. OF 12

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This instrument prepared by and return to:
Paul S. Quinn, Jr., Esq.
GrayRobinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801
Phone: (407) 843-8880

Property Appraiser Parcel ID Number:
Polk County Parcel ID No.: 28-28-02-934710-147060

NOTE TO RECORDER: Documentary stamp taxes in the amount of $ 12,600.00 are being paid in connection with this Deed as required pursuant to Section 201.02, Florida Statutes, and are being remitted to the Polk County Comptroller in connection with the recording of this Deed in the Public Records of Polk County, Florida.

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED made the 20th day of March, 2026 by MARIGOLD DEVELOPMENT LLC, a Florida limited liability company, whose address is 27191 Cooper Creek Court, Wesley Chapel, FL 33544, hereinafter called the **Grantor**, to TOHOPEKALIGA WATER AUTHORITY, an independent special district established and created pursuant to Chapter 189, Florida Statutes, by special act of the Florida Legislature, whose address is 951 Martin Luther King Blvd., Kissimmee, Florida 34741, hereinafter called the **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.]

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable consideration, 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, as follows:

See **Exhibit "A"** attached hereto and incorporated herein (the "**Property**").

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; and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under that said Grantor, save and except only for the following, to wit:

Subject to restrictions and easements of record set forth on **Exhibit "B"** attached hereto and incorporated herein, but this reference to such restrictions shall not serve to reimpose the same.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in our presence:

GRANTOR:

MARIGOLD DEVELOPMENT LLC, a Florida limited liability company

By: _____
Name: Alpeshkumar Patel
Title: Manager

_____
(Signature of Witness #1)

Rachel Dlabik
(Printed name of Witness #1)

101 E. Kennedy Blvd., Suite 4000

Tampa, FL 33602
(Address of Witness #1)

_____
(Signature of Witness #2)

Bonney J. Rosas
(Printed name of Witness #2)

101 E. Kennedy Blvd., Suite 4000

Tampa, FL 33602
(Address of Witness #2)

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

THE FOREGOING INSTRUMENT was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 13TH day of March, 2026, by ALPESHKUMAR PATEL, the Manager of Marigold Development LLC, a Florida limited liability company, on behalf of said company, who ☐ is personally known to me, or ☒ produced FL Drivers license as identification.

_____
Notary Public Signature
Print Notary Name: Bonney J. Rosas
My commission expires: 10-19-29

[AFFIX NOTARY SEAL]

BONNEY J. ROSAS
Notary Public - State of Florida
Commission # HH 732844
My Comm. Expires Oct 19, 2029
Bonded through National Notary Assn.

EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein below is situated in the County of POLK, State of Florida, and described as follows:

PARCEL 1: (FEE SIMPLE ESTATE)

TRACT F OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53 AT PAGES 4 THROUGH 18, INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT ANY PORTIONS THEREOF WHICH HAVE BEEN PREVIOUSLY CONVEYED, REPLATTED OR VACATED BY RESOLUTION.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, VIZ:

A PORTION OF TRACT "F", POINCIANA NEIGHBORHOOD 4, VILLAGE 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGE(S) 4 THROUGH 18, INCLUSIVE OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EASTERN MOST CORNER OF SAID TRACT "F", SAID POINT LYING ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG THE SOUTHEASTERLY LINE OF TRACT "F", ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY, 934.59 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 2,002.86 FEET, A CENTRAL ANGLE OF 26°44'09" AND A CHORD BEARING AND DISTANCE OF S 67°11'59" W, 926.14 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID SOUTHEASTERLY LINE OF TRACT "F" AND THE NORTHERLY RIGHT OF WAY OF POINCIANA PARKWAY, S 53°49'54" W, 73.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S°53 49'54" W, 174.96 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE 35.35 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 5,795.58 FEET, A CENTRAL ANGLE OF 00°20'58" AND A CHORD BEARING AND DISTANCE OF S 53°39'25" W, 35.35 FEET TO A POINT OF REVERSE CURVATURE; THENCE 38.89 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°08'37" AND A CHORD BEARING AND DISTANCE OF N 81°57'11" W, 35.09 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT "F"; THENCE ALONG SAID SOUTHWESTERLY LINE OF SAID TRACT "F", SAID LINE ALSO BEING THE NORTHERLY RIGHT OF WAY OF HEMLOCK AVENUE, N 37°23'03" W, 9.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY; THENCE 206.99 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 3,075.00 FEET, A CENTRAL ANGLE OF 03°51'25" AND A CHORD BEARING AND DISTANCE OF N 39°18'45" W, 206.95 FEET; THENCE DEPARTING SAID SOUTHWESTERLY LINE OF TRACT "F" AND NORTHERLY LINE OF HEMLOCK AVENUE, N 53°49'54" E, 247.00 FEET; THENCE S 36°10'06" E, 240.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, TO-WIT:

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLY MOST CORNER OF SAID TRACT "F" OF SAID POINCIANA NEIGHBORHOOD 4, VILLAGE 7, SAID CORNER LYING ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2,002.86 FEET; THENCE FROM A TANGENT BEARING OF S 80°34'02" W RUN WESTERLY ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY A DISTANCE OF 146.26 FEET THROUGH A CENTRAL ANGLE OF 04°11'02" TO A POINT; THENCE FROM A TANGENT BEARING OF S 76°23'00" W AND LEAVING SAID RIGHT OF WAY LINE RUN THENCE N 08°17'09" E 49.56 FEET TO THE NORTH LINE OF AFORESAID TRACT "F"; THENCE RUN S 81°42'51" E ALONG SAID NORTH LINE 137.57 FEET TO THE POINT OF BEGINNING.

PARCEL 2: (NON-EXCLUSIVE EASEMENT ESTATE)

TOGETHER WITH Non-Exclusive Easement(s) as set forth and created by that certain Easement Agreement between Avatar Properties, Inc., a Florida corporation, and Boo-Hemlock, LLC, a Florida limited liability company, dated April 17, 2015, recorded April 29, 2015 in Official Records Book 9513, Page 687, Public Records of Polk County, Florida, over, under and across the lands described therein.

[End of Exhibit "A"]

EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2026 and subsequent years, which are not yet due and payable.

2. The Plat of POINCIANA NEIGHBORHOOD 4, VILLAGE 7, recorded in Plat Book 53, Page 4 through 18, inclusive, of the Public Records of Polk County, Florida, as affected by the Affidavit Confirming Error on Plat recorded in Official Records Book 1828, Page 461.

3. Utility & Access Easement in favor of the Florida Governmental Utility Authority, recorded July 12, 2002, in Official Records Book 5057, Page 899.

4. Amended and Restated Poinciana Subdivision Declaration recorded in Official Records Book 12634, Page 1844; as amended by the Amendment to the Amended and Restated Poinciana Subdivision Declaration Regarding Self Help recorded in Official Records Book 13025, Page 902; Amendments to the Amended and Restated Poinciana Subdivision Declaration recorded in Official Records Book 13442, Page 573; Amendments to the Amended and Restated Poinciana Subdivision Declaration recorded in Official Records Book 13881, Page 665, together with Delegation of Power and Authority to Levy and Enforce Assessments as set forth in Resolution recorded in Official Records Book 2797, Page 1193, as may be subsequently amended.

5. Easement Agreement between Avatar Properties, Inc., a Florida corporation, and Boo-Hemlock, LLC, a Florida limited liability company, dated April 17, 2015, recorded April 29, 2015 in Official Records Book 9513, Page 687.

6. Notice of Settlement recorded November 30, 2018, in Official Records Book 10684, Page 320.

7. Supplemental Grant of Rights to Use Platted Easements recorded December 6, 2018, in Official Records Book 10690, Page 1987.

8. Matters that would be disclosed by an accurate and complete land survey of the Property.

[End of Exhibit "B"]

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDWA-2025-51

Applicant: Allison Schulz

Property Owner: Tohopekaliga Water Authority

Hearing Date: June 3, 2026

I. Request:

The applicant is requesting a Conditional Use (CU) approval for two new production wells and associated infrastructure improvements (Utilities, Class III) for the expansion of the Huron Water Treatment Plant (WTP) capacity. The subject site is located at the intersection of Marigold Avenue and Hemlock Avenue, north of Lake Hatchineha Road, south of Pine Street, east of Lake Marion Creek Drive, west of Laurel Avenue in Section 02, Township 28, Range 28.

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 3rd day of June, 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 June 3rd, 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:

Agenda Item 11. 6/3/2026

SUBJECT

LDCU-2026-8 (Reynolds Road Event Facility)

DESCRIPTION

Tom Wodrich, TDW Land Planning requests a Conditional Use approval for a 10,584 sq. ft. Event Facility on approximately 7.17 acres within an Agriculture/ Residential Rural (A/RR) land use district. The subject site is located at 3215 Reynolds Road, north of Alturas Babson Park Cutoff Road, south of CR 655A, east of Wallace Road, west of Perch Lake Road in Section 19, Township 30, Range 26.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

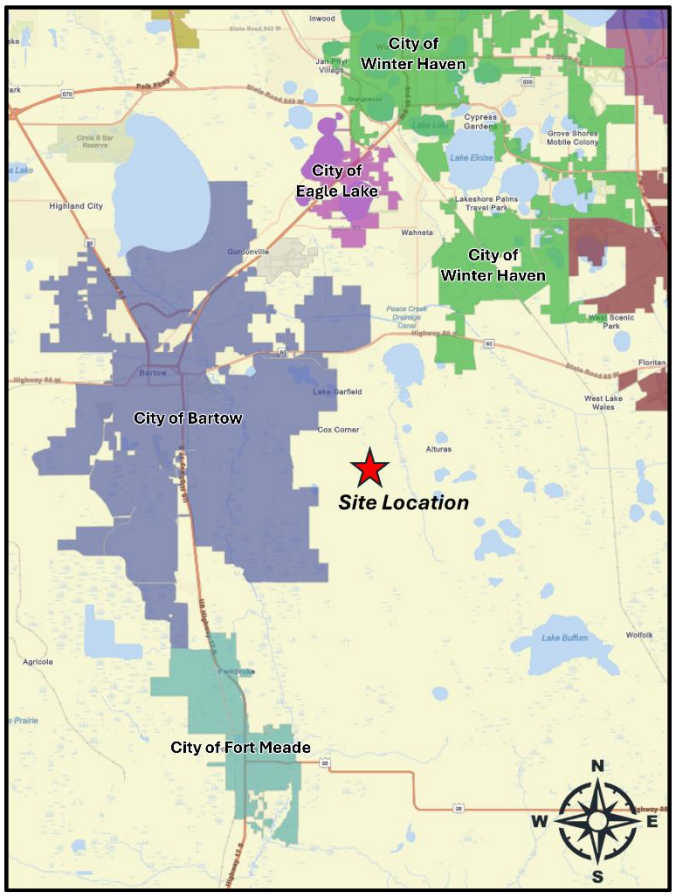
Kyle Rogus, Planner II
Land Development Division
863-534-7553
kylerogus@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

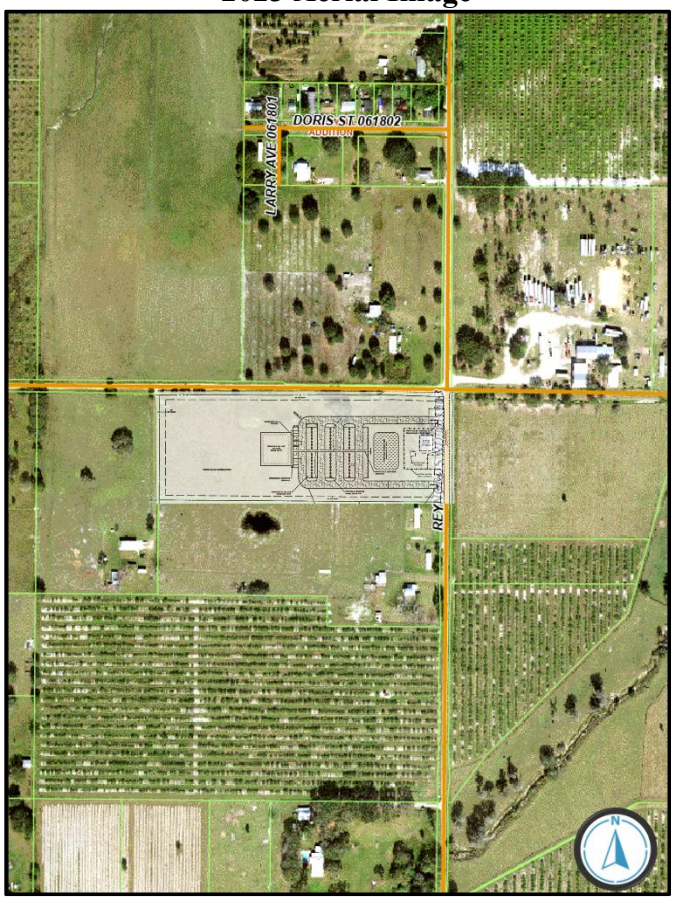
DRC Date:	March 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	June 3, 2026	**Type:**	Conditional Use
BoCC Date:	N/A	**Case Numbers:**	LDCU-2026-8
		Case Name:	Reynolds Road Event Venue
Applicant:	Tom Wodrich, TDW Land Planning	**Case Planner:**	Kyle Rogus, Planner II

Request:	The applicant is requesting Conditional Use approval for a 10,584 sq. ft. Event Facility on approximately 7.17 acres within an Agriculture/ Residential Rural (A/RR) land use district.
Location:	The subject site is located at 3215 Reynolds Road, north of Alturas Babson Park Cutoff Road, south of CR 655A, east of Wallace Road, west of Perch Lake Road in Section 19, Township 30, Range 26.
Property Owners:	Ben Badcock, Jr.
Parcel Size (Number):	±7.17 acres Parcel ID (#263019-000000-011010)
Future Land Use:	Agricultural/Residential Rural-X (A/RRX)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	City of Bartow
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Location



2023 Aerial Image



Summary:

The applicant is proposing to construct an Event Facility within an Agriculture/Residential Rural (A/RR) land use district (*Exhibit 2*). Per Table 2.1 of the Land Development Code (LDC), this requires a Conditional Level 3 Review. According to the application, the applicant is proposing a "wedding barn" event facility drawing on the area's history and surroundings to provide country-themed weddings and similar events. The applicant estimates maximum attendance to be approximately 125 guests per event, providing sufficient parking.

The subject parcel is currently used residentially. The proposed event facility will utilize a 10,584 square foot enclosed structure, to allow events and weddings on site. No outdoor amplified voice, music, or live entertainment will be permitted as conditioned within the staff report. The site is located within the Rural Development Area (RDA) with no connection to water or wastewater. The applicant is proposing a private well and septic system for potable water and wastewater as no service lines are nearby. The site plan indicates there will be adequate parking based upon parking requirements found in Table 7.10 of the LDC.

Roadway capacity of 80 Foot Road as well as emergency services in the area are adequate. The subject parcel has direct access to Reynolds Road, a Rural Minor Collector (RNC) Roadway, with frontage on Weita Road, a Local Commercial (LC) Roadway. The site has no wetlands, surface waters, or other environmental limitations. Should approval for the proposed event facility be granted, the applicant will be required to submit for a Level 2 staff review, during which engineered site plans must be submitted to address Conditional Use requirements, stormwater, parking needs, and site design for compatibility standards, such as landscaping.

Staff has noted a marked increase in such event facilities providing more rustic settings for weddings and special events. The parcels directly surrounding the subject property are residential land uses. The acreage of the site and required roadway landscaping will buffer the events from offsite making this request compatible. Through site design and the conditions of approval, staff finds the request is compatible with the surrounding area and consistent with the LDC and Comprehensive Plan. Staff recommends approval of this application with the provided conditions of approval.

Findings of Fact

- *This is a Conditional Use request for a 10,584 square foot Event Facility on approximately 7.17 acres within an Agriculture/Residential Rural (A/RR) land use district and in the Rural Development Area (RDA).*
- *Chapter 10 of the Land Development Code (LDC) defines Event Facility as "An enclosed place of assembly offered to the general public for accommodating events, which may include amplified voice, music, or live entertainment, but without permanent alcohol service."*
- *Fire and EMS response to this project is from the Polk County Fire Rescue Station 10, located at 1235 9th St NE N, Fort Meade, more than 13 miles from the site with a response time of 17 minutes.*
- *The site is located within the Polk County Sheriff's Office Southeast District, located at 4011 Sgt Mary Campbell Way in Lake Wales. Response times were: Priority 1 Calls – 13:35 and Priority 2 Calls – 27:46.*
- *The property is located at the intersection of Reynolds Road (Road No. 061903) and Weita Road (Road No. 061902) with direct ingress/egress to Reynolds Road, a County-maintained Rural Minor Collector (RNC) Roadway with a pavement width of 18 feet and monitored for*

Level of Service for traffic counts or concurrency by the Polk County Transportation Organization's Roadway Network Database. Weita Road is a County-maintained unpaved Local Commercial (LC) Roadway.

- *Section 303 of the Land Development Code (LDC) states that the following standards shall apply to Event Facilities:*

  "In addition to other applicable regulations, the following standards shall apply:

  1. All Event Facilities shall submit an Event Management Plan to include and address the following criteria:
  a. All parking areas shall be identified;
  b. A traffic circulation plan in narrative and graphic form shall be provided;
  c. Security measures;
  d. Identification of public safety needs (i.e. EMS/Fire, Sheriff's Office, Florida Highway Patrol, etc.);
  e. The number of anticipated attendees;
  f. Hours of operation; and
  g. Signage

  The above referenced may be further restricted or lessened by the Planning Commission or Board of County Commissioners through a condition of approval.

  2. An Event Facility with outdoor amplified voice, music, or live entertainment shall also comply with the Outdoor Concert Venue use criteria;

  3. On-premises alcohol consumption may not be licensed to the property or establishment."

- *Table 7.10 of the LDC requires Event Facilities to provide a minimum of 1 space per 3 seats or 150 square feet Gross Floor Area (GFA), whichever is greater.*

- *The subject parcel is not located within any Utility Service Area. There is no water or wastewater services to the subject parcel. A private well and septic tank will be utilized.*

- *The property is zoned for Alturas Elementary, Bartow Middle, and Bartow Senior High.*

- *The property contains no wetlands or flood zones.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*

- *The property is comprised of Immokalee Sand.*

- *The subject property is not located within an Airport Impact Zone.*

- *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*

- *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.*

- *Section 204.A.1 of the LDC states, "The purpose of the A/RR district is to provide lands for the continuation of productive agricultural uses and to provide for very low-density residential development within unincorporated rural areas. The A/RR district permits*

agricultural activities, agricultural support facilities, multi-family dwelling units, farm labor housing, group living facilities, and community facilities."

- *The site is located in the Rural Development Area (RDA) which is the area "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" according to POLICY 2.108-A1 of the Comprehensive Plan.*

- *POLICY 2.125-E1 of the Comprehensive Plan states that "Community Facilities shall be allowed in all land use classifications, unless specifically prohibited elsewhere in this Comprehensive Plan" and that Type E facilities are all types of recreation activities and associated infrastructure.*

- *POLICY 2.121-A1 of the Comprehensive Plan states "Institutional uses, Community Facilities and essential services will be allowed as conditional uses, in accordance with policies of this Plan and the guidelines of the County's Land Development Code" in the Agricultural/Residential Rural districts.*

- *Per 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 request has been reviewed for consistency with Tables 2.1 & 2.2 and Section 303 of the LDC.*

- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and SECTION 2.108 RURAL-DEVELOPMENT AREA (RDA); of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, 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; therefore, the DRC recommends **APPROVAL of LDCU-2026-8.**

CONDITIONS OF APPROVAL

Based upon the findings of fact the Development Review Committee recommends **APPROVAL** of **LDCU-2026-8** with the following Conditions:

1. The property shall be approved for a ±10,584 square foot Event Facility within an Agriculture/Residential Rural (A/RR) land use district. Any modifications to LDCU-2026-8, 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]

2. No amplified voice, music, or live entertainment is permitted outside the open structure. [PLG]

3. A Type-A Buffer will be required along Reynolds Road and Weita Road. [PLG]

4. 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]

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 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: Agriculture/Residential Rural (A/RR) ± 24.77 acres Pasture	**North:** Agriculture/Residential Rural (A/RR) ± 9.50 acres Single-family residence	**Northeast:** Agriculture/Residential Rural (A/RR) ± 9.86 acres Single-family residence
West: Agriculture/Residential Rural (A/RR) ± 5.89 acres Single-family residence	**Subject Property:** Agriculture/Residential Rural (A/RRX) ± 7.17 acres Single-family residence	**East:** Agriculture/Residential Rural (A/RR) ± 8.93 acres Pasture
Southwest: Agriculture/Residential Rural (A/RR) ± 5.89 acres Single-family residence	**South:** Agriculture/Residential Rural (A/RR) ± 7.20 acres Multiple residences SFR & MH	**Southeast:** Agriculture/Residential Rural (A/RR) ± 8.93 acres Pasture

The property is at the intersection of Reynolds Road and Weita Road surrounded by large tracts of vacant pastures and single-family residential which makes this an ideal location for a venue such as this. The area is rural in nature as the surrounding parcels are all within an Agriculture/Residential Rural land use district. Site-built homes are dispersed amongst vacant pastures. The nearest residential use is approximately 390 feet to the southeast.

Compatibility with the Surrounding Land Uses and Infrastructure:

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 site lies within the heart of a rural residential land use district which currently has a single-family residence. Large tracts of single-family homes and pastures are found along Reynolds Road and Weita Road. The nearest home is approximately 390 feet to the southeast. A few vacant parcels used as pastures to the northeast and east could be developed with residential dwelling units. With these factors in mind, no landscaping buffer is required, however a Type-A Buffer along the frontages of Reynolds Road and Weita Road are required pursuant to Section 720 of the Land Development Code (LDC). The applicant has also provided 125 parking spaces and a stormwater management area internal to the site which buffers the proposed event facility to the existing home on the east frontage of the property.

The property is located at the intersection of Reynolds Road, a County-maintained 18-foot-wide paved Rural Minor Collector (RNC) Roadway and Weita Road, a Local Commercial (LC) Roadway. This classification as well as the intersection location is suitable for commercial development. According to the applicant's site plan, access for ingress/egress operations will be from Reynolds Road through an existing driveway and a second proposed driveway, immediately after turning off of Weita Road.

This location will not have any outdoor gatherings or amplified sound. As such, this facility will not be utilized as an outdoor concert venue. If the applicant wishes to introduce outdoor sound in the future, a modification to this Conditional Use will be required in accordance with the Outdoor Concert Venue requirements located in Chapter 3, Section 303 of the LDC. Of the potential nonresidential uses permitted in the A/RR district, the proposed event facility is least impactful when compared to an Outdoor Facility or Agritourism, which the site does not qualify for.

B. Infrastructure:

The subject property is located within a Rural Development Area (RDA), and the area is very limited for infrastructure and public services. The property will be serviced by a private well and septic system, as there are no connections available to public potable water or wastewater systems. There are public safety services within a short driving distance. The site is far from public schools. There are no mass transit stops within a reasonable distance. There are no sidewalks in the area. The use is not anticipated to have an adverse effect on any public services.

Nearest and Zoned Elementary, Middle, and High School

The property is zoned for Alturas Elementary, Bartow Middle, and Bartow Senior High. The closest school is Alturas Elementary School located almost four (4) miles to the east of the subject site. The proposed event facility is not expected to have any impact on school concurrency as the use will not generate the need for children to attend school. Therefore, the proposed use is not likely to have any adverse impacts upon school operations.

Table 2

Name of School	Distance from subject site
Alturas Elementary	±3.6 miles driving distance
Bartow Middle	±11.5 miles driving distance
Bartow Senior High	±10.3 miles driving distance

Source: Polk County GIS

Event facilities do not generate a demand for school capacity. Therefore, such data is not provided in this report.

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 N, Fort Meade. The travel distance is 13.1 miles with an average response time of 3-5 minutes. There are no fire hydrants within the immediate area.

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 SE were: P1 – 13:35 minutes; P2 – 27:46 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. Sheriff's 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

	Name of Station	Distance	Response Time*
Sheriff	Southeast District Headquarters (4011 Sgt. Mary Campbell Way)	±14.6 miles	P-1: 13:35 P-2: 27:46
Fire	Polk County Fire Rescue Station 10 (1235 9th Street)	±13.1 miles	17 minutes
EMS	Polk County Fire Rescue Station 10 (1235 9th Street)	±13.1 miles	17 minutes

Source: Polk County Sheriff's Office Response Times for July 2025 Polk County Fire Rescue Response Times for 2026

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

This request is within the County's RDA. There are no municipality water or wastewater lines directly available to the site. The closest Polk County service area is the Central Regional Service Area north of the subject site, located of SR 60. The closest non-county service area is the City of Bartow service area which begins on the west side of 80 Foot Road. The event facility will be entirely serviced by an on-site well and septic system. The conditional use of an event facility does not generate a significant amount of demand for water and wastewater given the limited hours of operation for such a use. The property will be required to permit a private well and septic tank to address water or wastewater needs. If the facility were to connect to County utilities, an analysis of estimated impacts is provided in Table 4, below.

Table 4

Subject Property	Estimated Impact Analysis		
±7.17 acres A/RR	**Demand as Currently Permitted**	**Maximum Permitted in the District**	**Proposed Plan**
Permitted Intensity	One (1) single-family residence	5 single-family residential units with approval of a RRD with the maximum amount of Density Bonus Points	Event Facility with 125 Attendees
Potable Water Consumption (GPD)	250 GPD	1,250 GPD	375 GPD
Wastewater Generation (GPD)	200 GPD	1,000 GPD	375 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 250 GPD/unit for water consumption and 200 GPD/unit for wastewater generation. Proposed Plan Consumption/Generation numbers are based on Assembly Halls with Food Service at 5 GPD for per seat and 80% of water consumption for wastewater generation,

B. Available Capacity:

There are no public water or wastewater services offered in the immediate area, and there are no intentions of expanding services in this area. Water and wastewater services will be provided by the property owners.

C. Planned Improvements:

According to the Polk County's 5-year capital improvements plan, there are no planned improvements. Roads and Drainage Division just completed adding a right turn lane onto 80 Ft Rd in 2024.

Roadways/ Transportation Network

Event facilities operate similar to the methodology used for religious institutions with regard to traffic generation. The events are often held outside of peak travel hours, and most events are held evenings and weekends. The standard measure for transportation impacts, along with the size of the venue, indicate the Average Annual Daily Trips (AADT) will likely be above 50 trips, therefore requiring a minor traffic study. Attendees will travel to the event facility from Reynolds Road (Road Number 061903), a Rural Minor Collector (RNC) Roadway. The property is at the intersection of this Rural Minor Collector Roadway, and Weita Road, a County-maintained Local Commercial (LC) Roadway. Access will come from Reynolds Road. The facility will have to construct a driveway to commercial standards and should not cause any significant disruptions in the system.

A. Estimated Demand:

Similar to religious facilities, events are often held in the evenings and weekends, and the trips are outside of the peak travel hours. According to the applicant, the venue will provide space for up to 125 attendees. While trip counts are typically low on average throughout the year, staff anticipates congestion for a short period of time as an event commences and concludes. Additionally, attendees of weddings or special events are likely to travel together in the same vehicle, reducing the overall number of trips to the site. Table 5, below, provides the current demands for the parcel with permitted uses and the demand for the proposed use.

Table 5

Subject Property	Estimated Impact Analysis		
±7.17 acres A/RR	**Demand as Currently Permitted**	**Maximum Permitted in the District**	**Proposed Plan**
Permitted Intensity	One (1) single-family dwelling unit	One (1) single-family dwelling unit	10,584 sq. ft. Event Facility
Average Annual Daily Trips (AADT)	7.81	7.81	64
PM Peak Hour Trips	1.00	1.00	3

Source: Polk County Concurrency Manual

As Table 5 demonstrates, the traffic generated from this project is anticipated to be more than 50 AADT of which 3 trips will take place during the peak hours. A minor or major traffic study will be required during the Level 2 Review process. These events are typically held on weekends or after Peak PM hours.

B. Available Capacity:

Attendees to the event facility will likely be arriving from the west on 80 Foot Road (CR 655A). CR 655A is monitored for concurrency by the Transportation Planning Organization. Currently, CR 655A has current levels of service (LOS) of "B" with an acceptable LOS of "C". There is ample capacity along the monitored segments. Table 6, to follow provides the available information for the closest monitored segments.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4073N	CR 655A (Cox Road/Alturas Road North) From: CR 559/CR 655A (80 Foot Road) To: SR 60	B	266	C
4073S	CR 655A (Cox Road/Alturas Road North) From: CR 559/CR 655A (80 Foot Road) To: SR 60	B	274	C

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

C. Roadway Conditions:

Ingress/egress to the site is from Reynolds Road (Road Number 061903). According to Polk County's Road Inventory, Reynolds Road is a County-maintained Rural Minor Collector (RNC) Roadway with an 18-foot-wide paved surface and 30 feet of rights-of-way (ROW) at the narrowest point. Reynolds Road is not monitored for concurrency by Polk County TPO and is slightly below County roadway standards. CR 655A (Road Number 051201) is a County-maintained 24-foot-wide paved Rural Major Collector (RMC) Roadway. There is existing residential access off Reynolds Road for the subject property. For safety, the applicant is proposing a second access point off Reynolds Road to provide efficient traffic circulation. Waivers to Technical standards for driveway separation are processed administratively. The existing residential driveway will need to be upgraded to commercial standards.

D. Sidewalk Network:

No sidewalks are present on Reynolds Road or Weita Road at this location. No sidewalk improvements will be required for the proposed event facility.

E. Planned Improvements:

Staff has not identified any planned improvements to the local roadway or sidewalk network near the subject site.

F. Mass Transit:

There are no mass transit services provided to the area. There are no Citrus Connection routes within a reasonable distance of the subject parcel.

Park Facilities and Environmental Lands:

This event facility is not dependent upon park facilities and is not located in proximity to a park such that it would be disruptive to its function. The closest parks are Lake Garfield Boat Ramp to the north and Surveyor's Lake Boat Ramp to the southeast. The closest environmental lands are Wetlands Reserve Program Easement #164 and Grassland Reserve Program Easement #104 & #106 located to the east. The proposed event facility is not expected to impact the surrounding parks and environmental lands.

A. Location

Lake Garfield Boat Ramp is located at 1071 Lake Garfield Landing in Bartow, approximately 4.2 miles from the subject property. Surveyor's Lake Boat Ramp is located off Marshall Edwards Road, approximately 4.7 miles to the southeast, and Wetlands Reserve Program Easement #164 is approximately three (3) miles to the east of the subject site.

B. Services

The boat ramps provide boat launching services to a rural area with ample water bodies. The reserve easements are privately owned and are not open to the public.

C. Multi-use Trails:

Multi-use trails can be found at Circle B Bar Reserve off Lake Hancock further the north of the subject site.

D. Environmental Lands:

Wetlands Reserve Program Easement #164 and Grassland Reserve Program Easement #104 & #106 are located to the east of the subject parcel. The 1,244 total acres of reserve is managed by the US Department of Agriculture, Natural Resources Conservation Service.

E. Planned Improvements:

Staff has not identified any planned improvements to the County parks near the subject site.

Environmental Conditions

The property is currently used as residential. There are no wetlands or floodplains on or near the property, nor other environmental conditions which exist that would hinder development at this site. Stormwater features are proposed internal to the property.

A. Surface Water:

No surface water is found onsite. The closest lake is Flora Lake, approximately 1.21 miles to the northeast.

B. Wetlands/Floodplains:

The subject property is not located within any flood zone and there are no wetlands present on site.

C. Soils:

According to the Soil Survey of Polk County, the site is made up of Immokalee Sand, Table 7, to follow, summarizes the soil type and limitations for development activity on-site, but wastewater generation is minimal for the site.

Table 7

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Immokalee Sand	Severe: Wetness	Severe: Wetness	100%

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

D. Protected Species

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of any endangered animal 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. 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)

This site is not within any of the County's Wellhead Protection Districts. According to the applicant, there is an existing well on-site to provide water to the existing single-family residence.

G. Airports:

The site is not within any Airport Buffer Zones.

Economic Factors:

Event facilities typically rely on outside vendors to supply food and beverages to serve guests attending special events. Vendors can range from florists, photographers, videographers, musicians, and bakers. The addition of an event facility within the area may provide a long-term impact to the local economy with the contracting of such vendors. Additionally, attendees from outside of Polk County may take advantage of hotels, restaurants, and retail during their stay for the special event.

While the event facility is not immediately central to such amenities, the City of Bartow and Winter Haven are within a reasonable driving distance for such services.

Consistency with the Comprehensive Plan and Land Development Code:

The Event Facility use was added to Table 2.1 of the LDC in 2017 as a Level 3 Conditional Use approval within A/RR land use districts (Ord. No. 17-067). This was based upon a framework provided in the Comprehensive Plan for this type of use that transcends all land use categories termed "Community Facility" listed in POLICY 2.125-E. Because of the communal, social and recreational qualities of these types of uses, the Event Facility use fits best into the Type "E" Community Facility, which is described as "all types of recreation activities and associated infrastructure" because it remains a recreational use, just not one related to sports as other types of community facilities include. The addition of Event Facilities as a Conditional Use within A/RR land use districts is consistent with POLICY 2.121-A1 of the Comprehensive Plan that states "Institutional uses, Community Facilities and essential services will be allowed as conditional uses, in accordance with policies of this Plan and the guidelines of the County's Land Development Code" within an A/RR district.

Table 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 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 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) in an area where urban services are limited. The event facility will be required to provide their own sources for potable water and wastewater and will be self-sustained. Community Facilities are specifically noted within this policy to be allowed as a conditional use within A/RR land use districts.
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.*	Staff finds this CU request is compatible with neighboring properties. As noted within the staff report, buffers will be required along road frontages to help screen the site from potential future development. The main structure is a significant distance from other residences.
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 proposed request is not anticipated to create a Level-of-Services (LOS) deficiency upon existing services provided by the County. Such services were analyzed as part of this report.
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. The subject property will provide a private well and septic tank for potable water and wastewater and will be self-sustained for these purposes.

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.

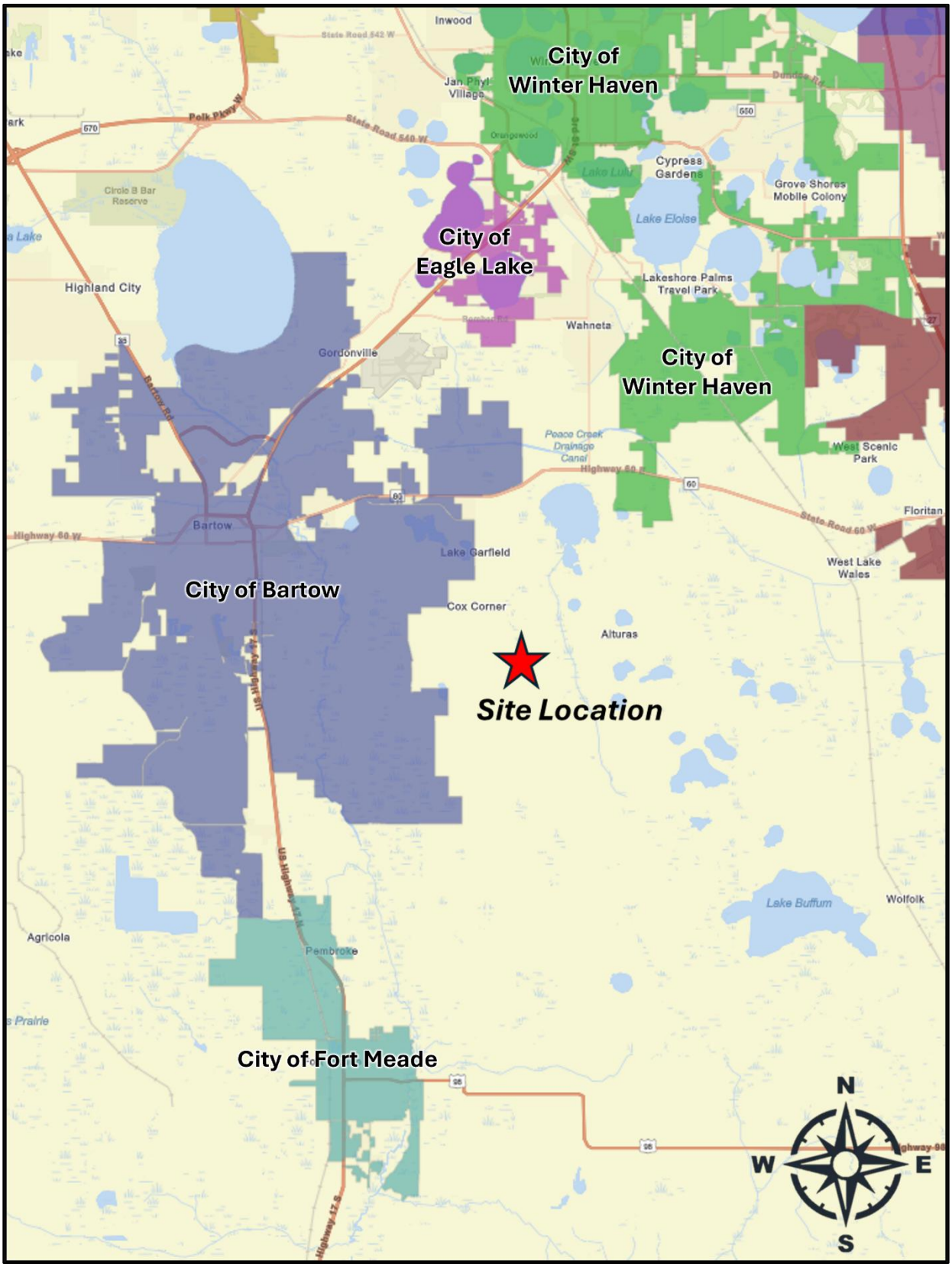
Table 9

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 Table 2.1 which permits this use upon completion of a Level 3 Review. 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 2-4 of the staff report.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed in Table 8.*
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 and the site will further be made compatible through the Conditions of Approval. See Pages 5-6 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 not require concurrency determinations from the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 6-10 of the staff report.*

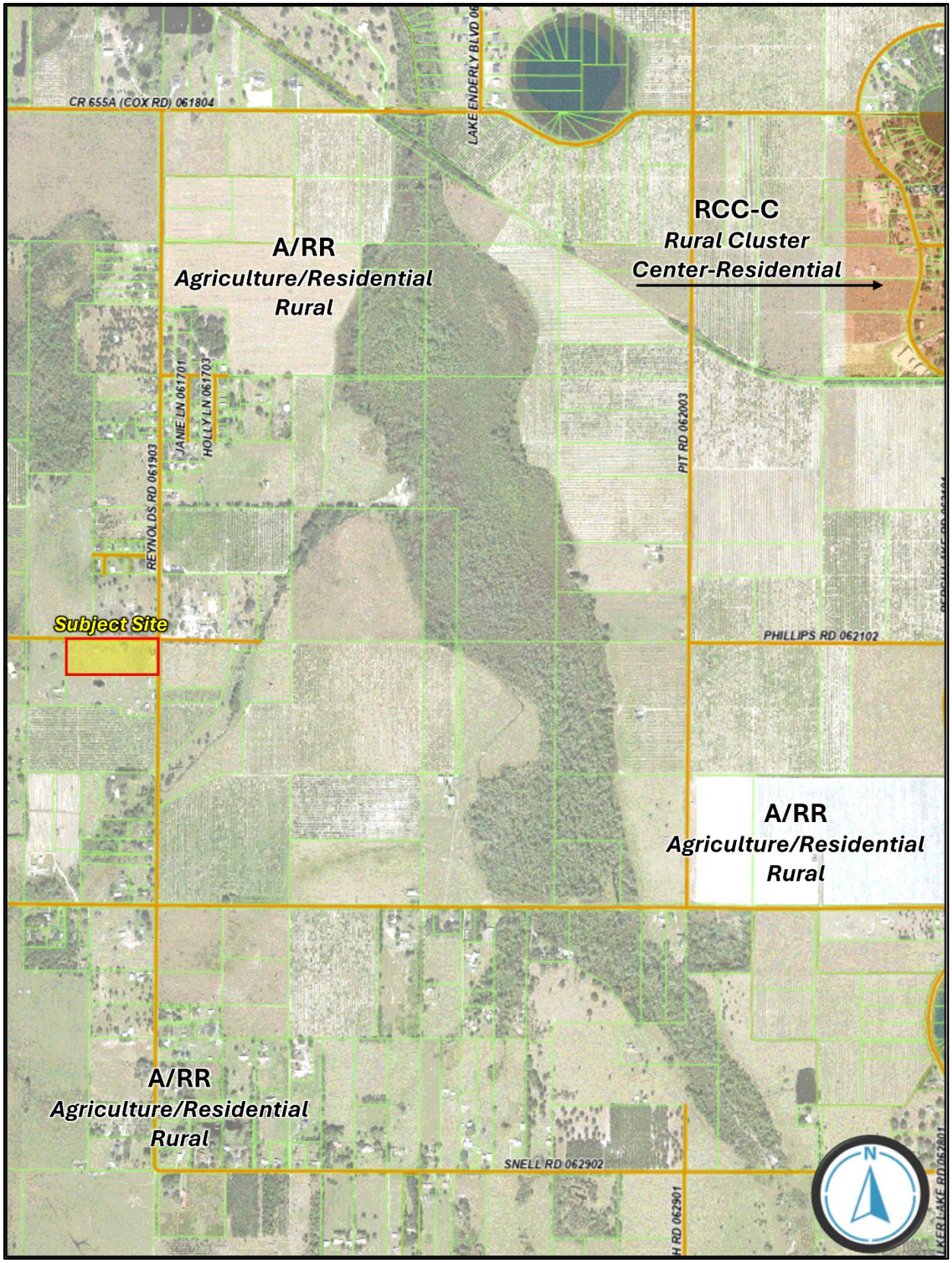
Comments from other Agencies: None.

Exhibits

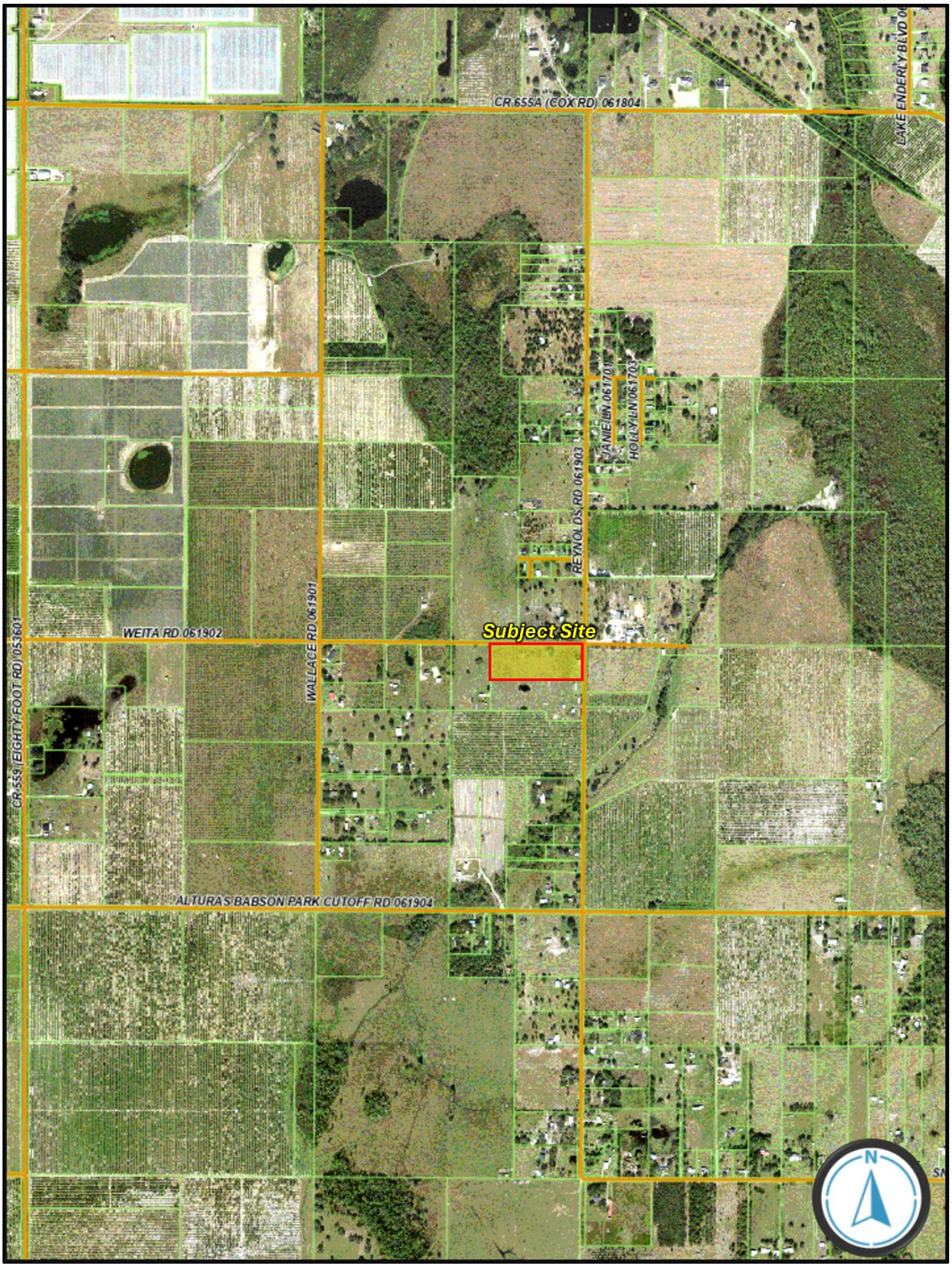
Exhibit 1 – Location Map
Exhibit 2 – Future Land Use Map
Exhibit 3 – 2024 Satellite Image (Context)
Exhibit 4 – 2023 Aerial Photo (Close-up)
Exhibit 5 – Event Facility Site Plan



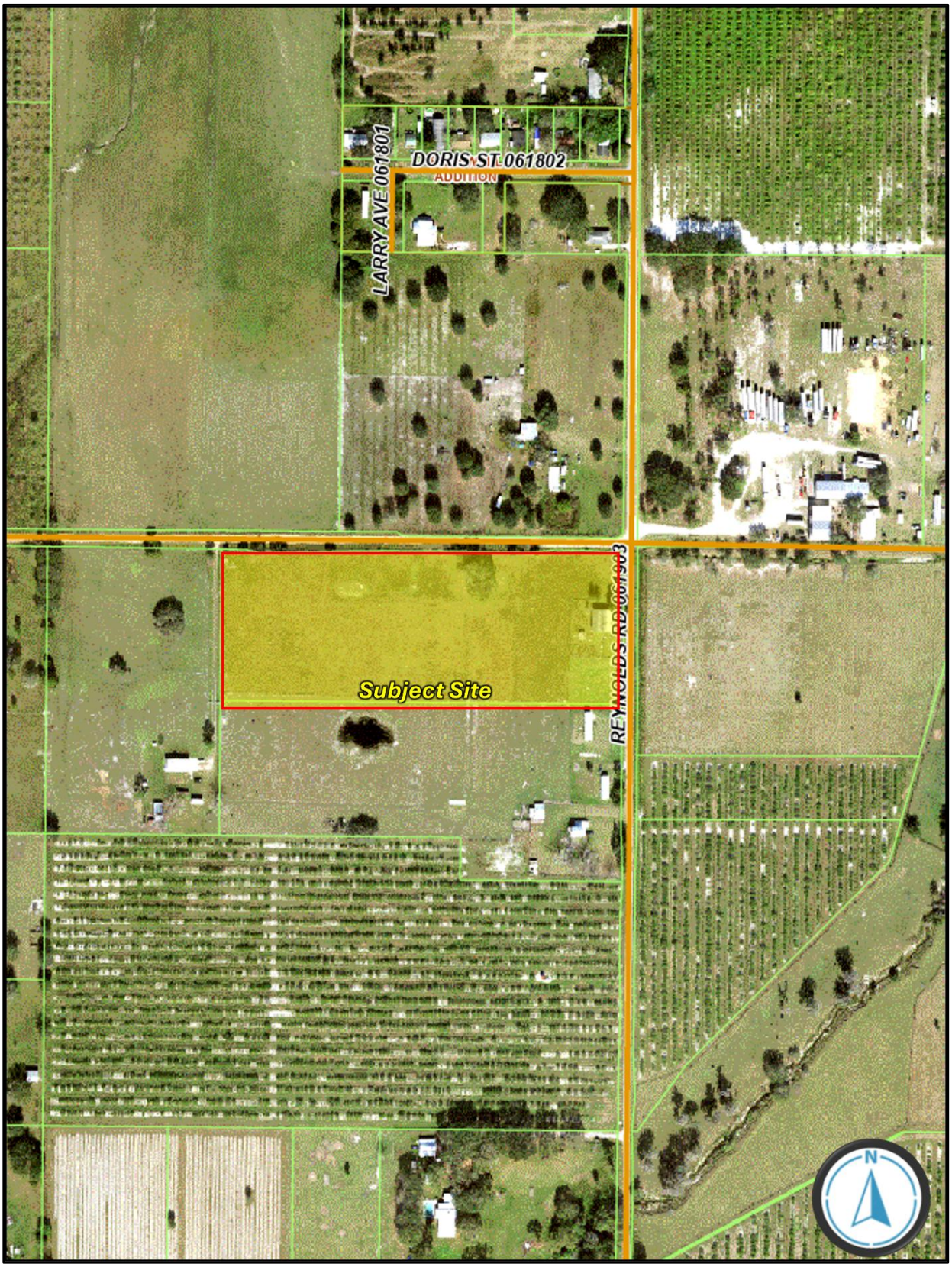
Location Map



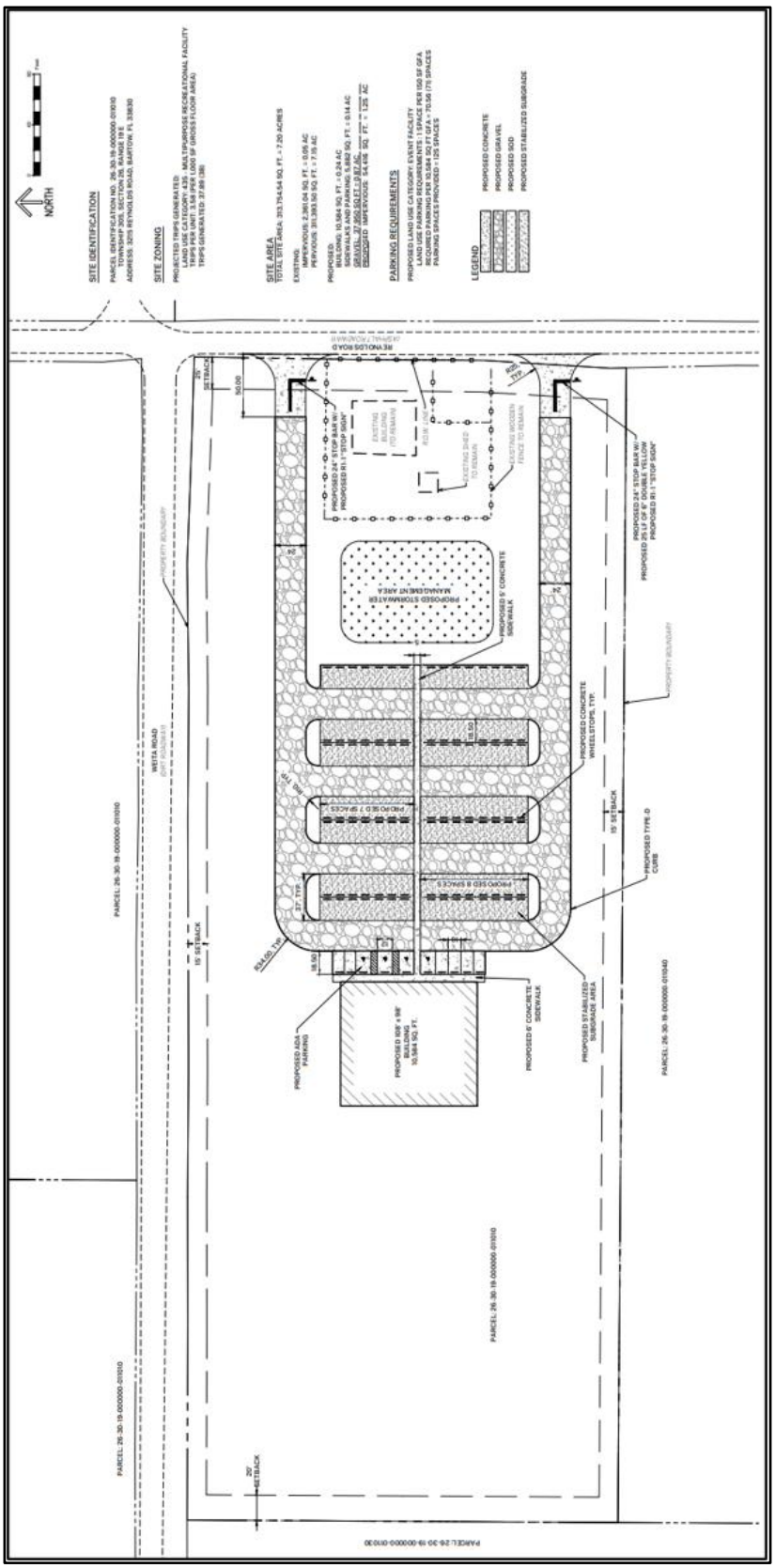
Future Land Use



2023 Aerial Photo (Context)



2023 Aerial Photo (Close-up)



Applicant's Site Plan

LDCU-2026-8 - Reynolds Rd Barn Events Venue

Menu Reports Help

Application Name: Reynolds Rd Barn Events Venue

File Date: 03/05/2026

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: This is a request for conditional use to allow a Special Events Venue to hold barn weddings, family events, reunions, and other similar events.

Application Detail: Detail

Address: 3215 REYNOLDS RD, BARTOW, FL 33830

Parcel No: 263019000000011010

Owner Name: BADCOCK BEN MACMILLAN JR

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: $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**	
Will This Project Be Phased	**Acreage** 7.2	
DRC Meeting 03/26/2026	**DRC Meeting Time**	
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** 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** 06/03/2026
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-00000-12770	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			05/19/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	03/10/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	03/16/2026	Kim Turner
Planning Review	Kyle Rogus	Approve	03/24/2026	Kyle Rogus
Surveying Review	Mike Benton	Approve	03/23/2026	Mike Benton
School Board Review	School District	Not Required	03/11/2026	School District
Roads and Drainage Review	Phil Irven	Approve	03/16/2026	Phil Irven
Review Consolidation	Lyndsay Rathke	Approved for...	03/24/2026	Lyndsay Rathke
Staff Report				
Public Notice				
Hearing				
BOCC Hearing				
Final Letter				
Archive				

Condition Status:

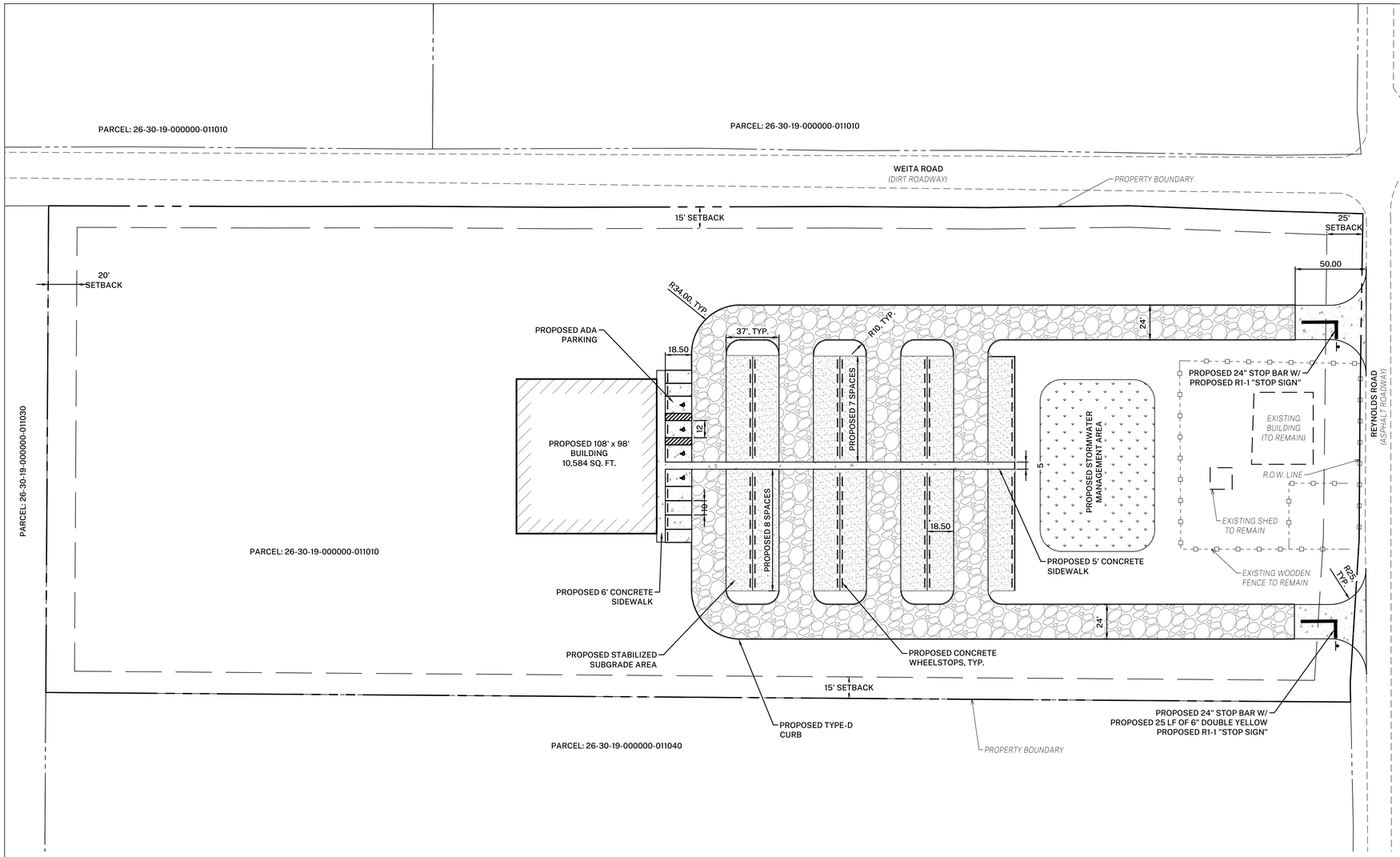
Name	Short Comments	Status	Apply Date	Severity	Action By

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments



NORTH

0 40 80 Feet

SITE IDENTIFICATION

PARCEL IDENTIFICATION NO. 26-30-19-000000-011010
TOWNSHIP 30S, SECTION 26, RANGE 19 E
ADDRESS: 3215 REYNOLDS ROAD, BARTOW, FL 33830

SITE ZONING

PROJECTED TRIPS GENERATED:
LAND USE CATEGORY: 435 - MULTIPURPOSE RECREATIONAL FACILITY
TRIPS PER UNIT: 3.58 (PER 1,000 SF GROSS FLOOR AREA)
TRIPS GENERATED: 37.89 (38)

SITE AREA

TOTAL SITE AREA: 313,754.54 SQ. FT. = 7.20 ACRES

EXISTING:
IMPERVIOUS: 2,361.04 SQ. FT. = 0.05 AC
PERVIOUS: 311,393.50 SQ. FT. = 7.15 AC

PROPOSED:
BUILDING: 10,584 SQ. FT. = 0.24 AC
SIDEWALKS AND PARKING: 5,882 SQ. FT. = 0.14 AC
GRAVEL: 37,950 SQ FT = 0.87 AC
PROPOSED IMPERVIOUS: 54,416 SQ. FT. = 1.25 AC

PARKING REQUIREMENTS

PROPOSED LAND USE CATEGORY: EVENT FACILITY
LAND USE PARKING REQUIREMENTS : 1 SPACE PER 150 SF GFA
REQUIRED PARKING PER 10,584 SQ FT GFA = 70.56 (71) SPACES
PARKING SPACES PROVIDED = 125 SPACES

LEGEND

- PROPOSED CONCRETE
- PROPOSED GRAVEL
- PROPOSED SOD
- PROPOSED STABILIZED SUBGRADE

GENERAL NOTES:

1. EXISTING CONDITIONS PRESENTED ARE BASED ON SITE INVESTIGATIONS, G.I.S. DATA AND AERIAL IMAGERY.
2. ALL ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
3. CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS, WHETHER SHOWN OR NOT, AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
4. THE HORIZONTAL AND VERTICAL LOCATIONS OF THE EXISTING UTILITIES SHOWN ARE APPROXIMATE ONLY AND ARE BASED ON FIELD OBSERVATION AND/OR AVAILABLE PLANS. THE EXACT LOCATION MAY VARY. IF UPON EXCAVATION, AN EXISTING UTILITY IS FOUND TO BE IN CONFLICT WITH THE PROPOSED CONSTRUCTION OR TO BE OF A SIZE OR MATERIAL DIFFERENT FROM THAT SHOWN ON THE PLANS, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER OF RECORD.
5. ALL EXISTING MANHOLES, VALVES, ETC. ARE TO BE ADJUSTED TO MATCH PROPOSED ELEVATIONS.
6. ANY EXISTING ITEM DISTURBED DURING CONSTRUCTION IS TO BE RESTORED TO EQUAL OR BETTER QUALITY.
7. PAVEMENT AND DRIVEWAY RESTORATION ARE TO MATCH EXISTING GRADE UNLESS OTHERWISE NOTED.
8. IT SHALL BE THE CONTRACTOR'S SOLE RESPONSIBILITY TO TAKE THE NECESSARY PRECAUTIONS TO ENSURE PROPER SAFETY AND WORKMANSHIP WHEN WORKING IN THE VICINITY OF EXISTING UTILITY LINES.
9. CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE WITH THE UTILITY COMPANY FOR ANY WORK IN THE VICINITY OF OVERHEAD OR UNDERGROUND POWER LINES.
10. CONTRACTOR SHALL VERIFY PROPER CLEARANCE BELOW EXISTING OVERHEAD POWER LINES PRIOR TO WORKING WITHIN THE VICINITY OF POWER LINES.
11. WHERE AMBIGUITY EXISTS, POLK COUNTY MANUAL OF STANDARDS AND STANDARD DETAILS TAKE PRECEDENCE OVER OTHER NOTES AND DETAILS PRESENTED IN THIS PLAN SET.

DOWNTOWN ENGINEERING
DOWNTOWN ENGINEERING LLC
LICENSE #36239
LAKELAND, FL (863) 732-8193

TDW LAND PLANNING

REYNOLDS ROAD EVENT VENUE
TDW LAND PLANNING
3215 REYNOLDS ROAD
UNINCORPORATED POLK COUNTY
FLORIDA

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

NO.	REVISION/ISSUE

DESIGNED BY R.J.	DRAWN BY N.H.
CHECKED BY C.M.	SCALE 1"=40'
PROJECT NO. 526306	

SHEET NAME
SITE PLAN

DRAWING NO.
SP-01

DATE	PAGE
3/3/2026	1 OF 1

www.polk-county.net

IMPACT ASSESSMENT STATEMENT FORM

Growth Management Department
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

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 ***(Note: N/A is an insufficient comment, if N/A an explanation must be included)***:

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:

This is a request for a conditional use to allow a Special Events Venue to hold barn weddings, family events, reunions, and other special events on a 7.2 acre lot south of Bartow. The surrounding rural area is the perfect place for a rural wedding or family event, and these types of venues are in high demand as a rural and picturesque location for special events. Barn weddings and events have become very popular over the past 15 years. According to The Knot Worldwide 2024 Global Wedding Report, 18% of U.S. couples who married in 2023 selected a barn as their venue. This is up from 2% back in 2009 and proof that this style is more than a passing trend.

The proposed 10,584 square foot barn structure will have an open floor plan, restrooms, and unpaved parking (with the exception of spaces required to meet ADA requirements). Only about half of the 7.2 acre site will be utilized for this event space conditional use, with the other half being left to open space along the western one-third of the site and an existing single-family home on the Reynolds Rd. Driveway access is proposed on Reynolds Road. The site plan has been designed to place the event space and parking in the center of the site, furthest away from surrounding properties, to ensure the level of activity is compatible with the surrounding uses in this area.

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

The site is located in a rural part of the County southeast of Bartow, designated A/RR in the RDA, and characterized by orange groves and a low-density of rural homesteads. The size of the site allows for sufficient separation between the proposed barn and the nearest home, which is approximately 500 feet between the venue's barn and the nearest adjacent residential property. The proposed use will have limited hours of operation, larger setbacks, buffering, and lighting

controls will help ensure compatibility between the proposed use and existing uses. In addition, the site has sufficient access to safely operate and is ideal for the proposed use because it is located on a rural minor collector road connecting ABC Cutoff Rd to CR 655A. In summary, the subject site has sufficient land area to mitigate impacts, excellent transportation access, and sufficient supporting infrastructure to accommodate the proposed use.

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

The proposed use is located on a property that is large enough to address any compatibility concerns. The site plan was designed to place the barn venue structure at the center of the site, approximately 500 feet away from the nearest offsite structure, and it will be buffered from surrounding residential uses. With the site design, buffering, and distancing from other uses, there are no incompatibilities or special efforts needed to minimize the differences in the proposed use with adjacent uses.

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

This use is not anticipated to substantially impact future development of the area. The barn structure will mimic the rural buildings found in A/RR and the venue will be intermittently used so that it will not impact existing or future development.

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 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[1] methodology and calculations.

The ITE Manual (11th ed) does not have Events Facility as a Land Use they evaluate. Since parking space requirements in Section 708 of the LDC are the same for event facilities and religious institutions (churches) and they have similar lower weekday impacts, the generation rates for churches are similar for this evaluation. However, the proposed events facility would likely have its peak usage on Saturdays instead of Sundays. The ITE Manual (11th ed) classifies Churches as Land Use Code 560 with 0.49 PM trips & 7.60 AADT/ 1,000sf. The proposed 10,584 sf building is estimated to generate 80 AADT and 5 PM Peak Trips.

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

[1]A minor traffic study will suffice for a detailed methodology and calculations for most applications.

The site generates a low level of traffic and has sufficient access to support the intended use. The total square footage is not anticipated to generate the need for improvements to the roadway network beyond the proposed commercial driveways for access to the site.

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

Section 708 of the LDC indicates that event facilities require 1 space per 3 seats or 150 sq ft GFA whichever is greater. The proposed 10,584 sf building would need approximately 71 parking spaces, and the site plan shows 125 parking spaces. The site has sufficient room to allow for the required parking spaces.

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

The site has direct frontage on Reynolds Road, a paved rural minor collector roadway, that connects ABC Cutoff Rd to CR 655A, two collector roads. A pair of commercial driveways along Reynolds Rd is proposed to ensure safe access and traffic flow. No other modifications are anticipated.

NOTE: Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for ***"Infrastructure Impacts"*** *items 3 through 9 above.*

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.F of the LDC*)

The proposed use is anticipated to have two bathrooms, similar to a religious institution. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", INST uses generate 0.24GPD/sf, this 10,584sf building could generate around 2,540GPD water demand. Wastewater generation is 80% of water demand, so this use could generate 2,032GPD of wastewater.

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?

The use will not be connected to sewer but will use a septic system instead. The property has ample room to accommodate the septic system needed to support the proposed use.

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

N/A

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)

N/A

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

N/A

6. What is the anticipated date of connection?

N/A

7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc.)*?

N/A

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 site is in the RDA where on-site well and septic systems support development.

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

The proposed use is anticipated to have two bathrooms, similar to a religious institution. Using the County's document "Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation", INST uses generate 0.24GPD/sf, this 10,584sf building could generate around 2,540GPD water demand.

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

The nearest water line is more than a mile from the site.

4. Who is the service provider?

N/A

5. What is the anticipated date of connection?

N/A

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

N/A

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

Yes, there is an existing well on-site to provide water to the existing single-family residence.

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);

There are no flood plains or wetlands on the site. The site is generally flat with little elevation change.

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

An on-site drainage and retention system will be provided to account for the new impervious surfaces. The retention pond system will likely be located in the center of the site.

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.

There are no significant environmental features of the site, nor any special accommodations needed to protect the surrounding properties. The soils and land features do not pose any significant limitations for the proposed use. There are no flood plains or wetlands on the site. Therefore, there are no significant environmental limitations of this site.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

There are no flood plains or wetlands on the site.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;

The nearest off-site wells are several hundred feet away, which is more than adequate separation required by the Health Department to issue a septic system permit for the propose use.

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).*

The proposed use will not impact any Airport Buffer Zones.

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

The development portion of site consists of Immokalee Sand, and although it is considered a poorly draining soil, the site has sufficient room to accommodate this use. The proposed site plan illustrates a well-designed drainage and retention system to allow for development of the proposed facility in compliance with the LDC standards.

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 proposed use will not impact any Parks or Recreation Areas.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

The proposed use will not impact any Educational Facilities.

3. Health Care (e.g., emergency, hospital);

The nearest Hospital (Bartow Regional Medical Center hospital) is 10 miles away. The proposed use will not adversely impact any Emergency or Health Care Facilities.

4. Fire Protection;

The nearest Fire station (Polk County Fire Rescue Station #19) is located approximately 5.7 miles from the site. The proposed use is not anticipated to adversely impact operations or service levels.

5. Police Protection and Security;

The nearest Police station (Polk County Sheriff's Office SE station) is located approximately 14.6 miles from the site. The proposed use is not anticipated to adversely impact operations or service levels.

6. Emergency Medical Services (EMS);

The nearest EMS station (Polk County Fire Rescue Station #19) is located approximately 5.7 miles from the site. The proposed use is not anticipated to adversely impact operations or service levels.

7. Solid Waste (collection and waste generation); and

The proposed accessory structure will not generate significant solid waste and therefore will not adversely impact solid waste collection.

8. How may this request contribute to neighborhood needs?

The proposed event facility will serve the surrounding region by providing a highly sought after type of gathering space in a genuinely rural location, distanced from existing residential uses on a main road connecting to the existing transportation network. Residents of the area will be able to hold events (weddings, family reunions, Quinceañeras, birthday parties etc) close to home and in a rural setting that matches their lifestyle.

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 overlaid on all maps.

The following **maps shall 8 1/2" x 11"** and 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: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy.** Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

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 and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

[2] See *Site Plan Standards* checklist form (GM LDD 11).

INSTR # 2025302526
BK 13825 Pgs 809-810 PG(s)2
RECORDED 12/30/2025 08:07:22 AM
STACY M. BUTTERFIELD, CLERK OF COURT
POLK COUNTY
DEED DOC $1,512.00
RECORDING FEES $18.50
RECORDED BY abigzamb

Prepared by and return to:
Sean R Parker
Attorney at Law
Boswell & Dunlap, LLP
245 S. Central Avenue
Bartow, FL 33830
863-533-7117
File Number: **254052**
Office Box

Parcel Identification No. **26-30-19-000000-011010**

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this **29th** day of **December, 2025** between **Jose F. Almaraz, a single man and Justin Aron Almaraz, a single man** whose post office address is **3215 Reynolds Rd. , Bartow, FL 33830** of the County of **Polk**, State of **Florida**, Grantor, and **Ben MacMillan Badcock, Jr., a married man** whose post office address is **916 Woodmont Lane, Lakeland, FL 33813** of the County of **Polk**, State of **Florida**, Grantee,

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 and assigns forever, the following described land, situate, lying and being in **Polk County Florida**, to-wit:

The North 356.60 feet of the North 1/2 of the NE 1/4 of the NE 1/4; LESS the West 396.00 feet thereof; AND LESS maintained right of way; all lying in Section 19, Township 30 South, Range 26 East, Polk County, Florida.
TOGETHER WITH 1992 Palm Harbor Mobile Home, Title# 64042713 / 64042714, VIN# PH068256AFL / PH068256BFL.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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 Name: Sean R. Parker
Witness Address : 245 S. Central Ave., Bartow, FL 33830

Witness Name: Dawn H. Chance
Witness Address : 245 S. Central Ave., Bartow, FL 33830

Jose F. Almaraz (Seal)

Witness Name: Sean R. Parker
Witness Address : 245 S. Central Ave., Bartow, FL 33830

Witness Name: Dawn H. Chance
Witness Address : 245 S. Central Ave., Bartow, FL 33830

Justin Aron Almaraz (Seal)

DoubleTime®

State of Florida
County of Polk

The foregoing instrument was acknowledged before me by means of ✓ physical presence or online notarization, this 29th day of December, 2025 by Jose F. Almaraz and Justin Aron Almaraz, who [_] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]

DAWN H. CHANCE
Notary Public - State of Florida
Commission # HH 503637
My Comm. Expires Jul 8, 2028
Bonded through National Notary Assn.

Dawn H Chance
Notary Public

Printed Name: Dawn H Chance

My Commission Expires: 7/8/2028

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDCU-2026-8 (Reynolds Road Event Facility)

Applicant: Tom Wodrich, TDW Land Planning

Property Owner: Ben Badcock, Jr.

Hearing Date: June 3, 2026

I. Request:

The applicant is requesting Conditional Use approval for a 10,584 sq. ft. Event Facility on approximately 7.17 acres within an Agriculture/ Residential Rural (A/RR) land use district. The subject site is located at 3215 Reynolds Road, north of Alturas Babson Park Cutoff Road, south of CR 655A, east of Wallace Road, west of Perch Lake Road in Section 19, Township 30, Range 26.

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 3rd day of June 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 June 3, 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:

Hi Kyle,

Below are the responses to the questions you sent:

a. All parking areas shall be identified; The Site Plan clearly shows the parking area for the venue.
b. A traffic circulation plan in narrative and graphic form shall be provided; The site plan shows the on-site circulation as well as ingress and egress - both on Reynolds Rd, a paved County road.
c. Security measures; The property owner (Mr. Badcock) has responded that there is an on-site property manager at the entrance to the site on Reynolds. If necessary, he is committed to providing security (Sheriff or Police) for security and ensuring orderly conduct during events.
d. Identification of public safety needs (i.e. EMS/Fire, Sheriff's Office, Florida Highway Patrol, etc.); Mr. Badcock is willing to providing security (Sheriff or Police) if necessary for security and ensuring orderly conduct during events.
e. The number of anticipated attendees; The use is not anticipated to have more than 300 attendees at any given time.
f. Hours of operation; and The hours of operation will be limited to 12:00pm until 11:00pm. That said, Mr. Badcock anticipates that there will only be a few events per week and that they will mainly be on Friday, Saturday and Sunday. This is not being planned as, or anticipated to be, a high volume venue. With the rural design of the barn venue, the unpaved parking looking like pasture, the limited number of events, and the limited hours of operation, this venue will not be a detriment to the surrounding community.
g. Signage There is anticipated to be a non-illuminated small sign for the venue on Reynolds Rd. The design has not been finalized, but we are willing to abide by the A/RR signage limitations of Section 760 (Agriculture/Residential Rural (A/RR) - 80 square feet, 15 foot height, 10 foot setback)

In addition, I've attached the signed letters of support from surrounding land owners. Please let me know if you need anything else.

Thanks,

Tom Wodrich
TDW Land Planning

From: Call, Planner On
To: Yannone, Lyndsay
Subject: Fw: PUBLIC HEARING ID#-51 CASE#-LDCU-2026-8
Date: Wednesday, May 27, 2026 12:30:23 PM

Hello,

Are you able to take the comments or where should I send it?

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

Aujanai Brown
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.*

From: Scott Maxwell <tatortwo@gmail.com>
Sent: Tuesday, May 26, 2026 10:30 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: PUBLIC HEARING ID#-51 CASE#-LDCU-2026-8

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.

I'm responding in regards too this planned Venue. I'm not available too attend meeting and would like too address my concerns.

1. I've expressed my concerns too neighbor about water. It's too wet for this situation and I don't want water pushed on me. The infrastructure can't handle it now when we get into rainy season. Been here 20 years seen that under water.

2. I signed a paper saying I was good with it,but I was under the impression it was gonna just be open Pole barn situation. Not a full complex. The roads can't handle it either.

That being said! Please send my concerns too the board.

SINCERELY!! RYAN MAXWELL

I _____ have been made aware, by Jose Almaraz and Ben Badcock Jr., of their intention to turn the property at 3215 Reynolds Road, Bartow Fl 33830 into a Wedding/Event space. I reside at _____ and I fully endorse their efforts and will not protest the construction of said property.

_____

Resident's Signature

I Sireen Mohamed have been made aware, by Jose Almaraz and Ben Badcock Jr., of their intention to turn the property at 3215 Reynolds Road, Bartow Fl 33830 into a Wedding/Event space. I reside at 3215 Reynolds Rd and I fully endorse their efforts and will not protest the construction of said property.

Sireen Mohamed

Resident's Signature

Agenda Item 12. 6/3/2026

SUBJECT

LDCU-2026-7 (West Cannon Heights Duplex)

DESCRIPTION

The applicant is requesting a Conditional Use (CU) approval for a single-family home to be converted to a duplex on ±0.40 acres within a Residential Low-3 (RL-3) future land use district. The subject site is located at 1210 NW 33rd St, North of Avenue K NW, south of Avenue M NW, west of the city of Winter Haven in Section 24, Township 28, Range 25.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

(863) 534-6764

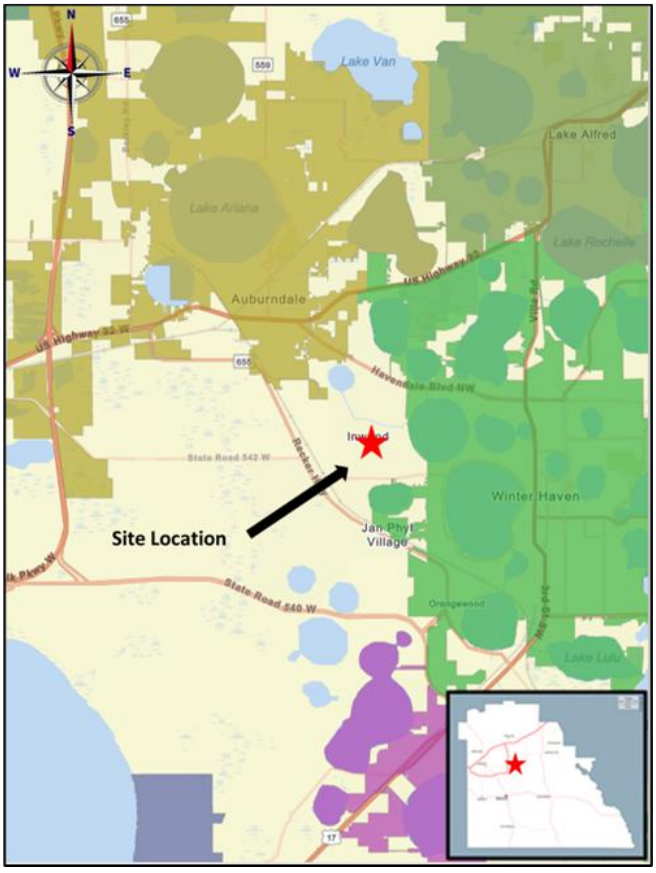
aleyainglima@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

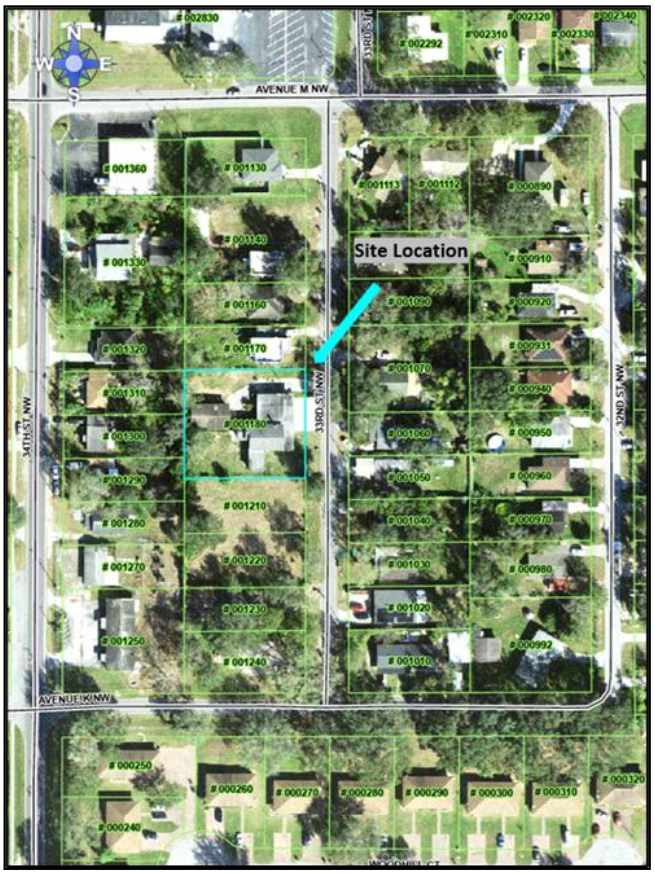
DRC Date:	March 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	June 3, 2026	**Type:**	Conditional Use
BoCC Date:	N/A	**Case Numbers:**	LDCU-2026-7
		Case Name:	West Cannon Heights Duplex
Applicant:	Angela Williamson	**Case Planner:**	Aleya Inglima, Planner II

Request:	The applicant is requesting a Conditional Use (CU) approval for a single-family home to be converted to a duplex on ±0.40 acres within a Residential Low-3 (RL-3) future land use district.
Location:	The subject site is located at North of Avenue K NW, south of Avenue M NW, west of the city of Winter Haven in Section 24, Township 28, Range 25.
Property Owners	KNA Real Estate Investments LLC
Parcel Number (Size):	±0.40 acres (#252824-353000-001180)
Future Land Use:	Residential Low-3 (RL-3)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Winter Haven
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Public Hearing

Site Location



Aerial Image



Summary of Analysis:

The applicant is requesting Conditional Use approval for a Duplex to be located in a Residential Low-3 (RL-3) future land use district within West Cannon Heights. Land Development Code (LDC) Table 2.1 requires Planning Commission approval for duplexes in RL-3. The existing single-family home will be converted to a duplex. The existing home will remain, just the inside of the structure is changing to convert it to a duplex.

The subject site is designated as Lot 118 and Lot 119 of the West Cannon Heights Subdivision recorded under Plat BK 12, PG 50. West Cannon Heights Subdivision was recorded on September 10, 1925, prior to the adoption of the Comprehensive Plan, Land Development Code. The RL-3 future land use designation is an accurate representation of the existing lot sizes. The subject property is part of the Inwood Redevelopment District. These overlays are areas with a revitalization plan as approved or accepted by the Board. These areas are identified as being low to moderate income as defined by the United States Department of Housing and Urban Development income standards and the County. It states that 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.

The surrounding homes were built between 1960 and 1970. While no duplex is located along the street, multiple are located just south approximately 300 feet away. The duplexes are located off of Woodhill Court and have been there since 1988. Access will be from NW 33rd St. Utilities are available from the City of Winter Haven and a private septic system. No additional buffering or screening will be required.

This is not a matter of density as this is a parcel comprised of two lots of record. This is about housing type, and this project will utilize an existing house. This is a formality necessary to be in compliance with the LDC. Given this information, staff finds the placement of a duplex at this site does not present any apparent incompatibilities. The existing home will remain, just the inside of the structure is changing. This parcel will not foreseeably place a strain on existing infrastructure, schools, or emergency services. Staff recommends approval.

Findings of Fact

- *LDCU-2026-7 is a Conditional Use request for a Single-Family Home to be converted to a Duplex in a Residential Low-3 (RL-3) land use district and Urban Growth Area (UGA) on Parcel ID# 252824-353000-001180 (+/- 0.40 acres).*

- *33rd St NW is a County Local Residential roadway. The roadway has a paved surface width of 20 feet.*

- *According to Land Development Code (LDC) Table 2.2, the minimum lot size in RL-3 is 10,000 sq. ft. Primary side setbacks are seven (7) feet; rear setbacks are ten (10) feet; and right-of-way setbacks from a Local Residential roadway are 15 feet. Setbacks for garages are 25 feet.*

- *The subject site is designated as Lot 118 and 119 of the West Cannon Heights subdivision recorded under Plat BK 12 PG 50. The West Cannon Heights Subdivision was recorded 1925, prior to the adoption of the Comprehensive Plan and Land Development Code.*

- *The subject site is in the Urban Growth Area (UGA).*

- *LDC Chapter 10 defines Duplex as, "A single structure containing two dwelling units connected by a common wall or other integral part of the principal building, such as a breeze way or carport, and situated either on a single lot or parcel (duplex) or two adjacent lots (single-family attached)."*

- *According to LDC Section 303, "Applications for duplexes in the RCC-R, RCC, RS, and RL residential districts shall undergo a Level 3 Review, pursuant to Section 906."*

  In addition to all applicable regulations, the following conditions shall apply:

  1. All duplex subdivisions shall comply with Chapter 8 requirements.

  2. Duplexes within a proposed subdivision and multiple duplex structures on a single lot shall comply with the following development standards:

  a. All streets shall be publicly or privately maintained. Roads shall be designed and constructed in accordance with the standards for private roads in Chapters 7 and 8, and Appendix A (Technical Standards Manual).

  b. Densities above the applicable district standard may be increased through a Planned Development to the maximum provided by the Comprehensive Plan.

  3. A duplex on an individual lot may be approved pursuant to the standards of Residential Infill Development.

  4. An application to increase the density for a single duplex structure on an individual legal lot ineligible for infill shall be granted through a Conditional Use approval. Measurements for density shall include the lot area and include 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.

- *The subject site is located the City of Winter Haven Utility Service Area.*

- *The property is comprised of 94.78% Myakka-Immokolee-Urban land complex, and 5.3% Sparr-Urban land complex, 0 to 5 percent slopes.*

- *Fire & EMS responses will be from Polk County Fire Rescue Station 5, 333 American Spirit Rd, Winter Haven.*

- *Sheriff's response to site is served by the Central District office, located at 3635 Avenue G NW, Winter Haven.*

- *The zoned schools for the site are Inwood Elementary, Westwood Middle, and Winter Haven Senior High.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of an endangered species.*

- *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.*

- *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 Sections 303 and 906 of the LDC.*

- *This request has been reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, 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-2026-7.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2026-7 with the following Conditions:

1. LDCU-2026-7 is approved for a single-family home to be converted into a duplex on the property as described under Parcel #252824-353000-001180.

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 following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: RL-3 Single family home +/- 0.16 acres	**North:** RL-3 Single family home +/- 0.16 acres	**Northeast:** RL-3 Single family home +/- 0.32 acres
West: RL-3 Single family home +/- 0.16 acres	**Subject Property:** RL-3 Single family home Convert to Duplex +/- 0.40 acres	**East:** RL-3 Single family home +/- 0.16 acres
Southwest: RL-3 Single family home +/- 0.16 acres	**Southwest:** RL3 Vacant +/- 0.20 acres	**Southeast:** RL-3 Single family home +/- 0.16 acres

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

The subject site is designated as Lot 118 and Lot 119 of the West Cannon Heights Subdivision recorded under Plat BK 12, PG 50. West Cannon Heights Subdivision was recorded on September 10, 1925, prior to the adoption of the Comprehensive Plan, Land Development Code.

Compatibility with the Surrounding Land Uses and Infrastructure:

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 request is compatible with surrounding land uses and available infrastructure. The RL-3 future land use designation is an accurate representation of the existing lot sizes. The subject property is part of the Inwood Redevelopment District. While Table 1, above, shows the immediate surrounding uses are single-family homes, multiple duplexes are located just south of the subject site. The impact of a duplex is minimal. The existing home will remain, just the inside of the structure is changing to convert it to a duplex. Access will be from NW 33rd St Utilities are available from the City of Winter

Haven and a private septic system. No additional buffering or screening will be required. The subject site also has an existing detached garage. Duplexes are not allowed to have accessory dwelling units. Two parking spaces per unit are required.

Urban Services and Infrastructure Analysis

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Placement of one duplex will not trigger school concurrency requirements. The site is within the City of Winter Haven Utilities Service Area. The site will be serviced by a private septic system.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Inwood Elementary, Westwood Middle, and Winter Haven Senior High.
Sheriff	Central District office, located at 3635 Avenue G NW, Winter Haven.
Fire/EMS	Fire & EMS responses will be from Polk County Fire Rescue Station 5, 333 American Spirit Rd, Winter Haven.
Water	City of Winter Haven
Sewer	Private septic system
Transportation	Access to 33rd St NW, a County Local Residential roadway.

Table 3, below, identifies the anticipated impact of the proposed duplex on water and sewer services. The placement of one duplex will have negligible impacts on the traffic using local roadways.

Table 3

Impact Analysis Summary Proposed Duplex (Two Dwelling Units)			
Potable Water Impact	**Wastewater Impact**	***AADT Impact**	***PHT Impact**
720 GPD	540 GPD	15.62 AADT	2.00 PHT
Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a single-family dwelling unit will consume 360 GPD and generate 270 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.			

Environmental Conditions Analysis

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). The subject property is not located within any of the County's identified wellhead protection areas. The subject site is not located within an identified protected species area. The soil on the property is not such that would limit compliance with applicable LDC regulations for the proposed use. The subject property is relatively flat and contains no surface water features. The highest elevation is 152 feet located at the southwest corner of the site. The lowest elevation is 151 feet located at the northeast corner of the site. No flood zones or wetlands are onsite. In addition, the subject property is not located within a Historical Preservation area.

Table 4

Environmental Conditions Summary	
Surface Water	None
Wetlands/Floodplains	No Wetlands or Flood Zones are onsite.
Soils	94.78% Myakka-Immokolee-Urban land complex, and 5.3% Sparr-Urban land complex, 0 to 5 percent slopes.
Protected Species	No protected species are found onsite.
Wellfield Protection	The site is not located within a wellfield protection area.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5 in accordance with Section 906.D.7 of the Land Development Code.

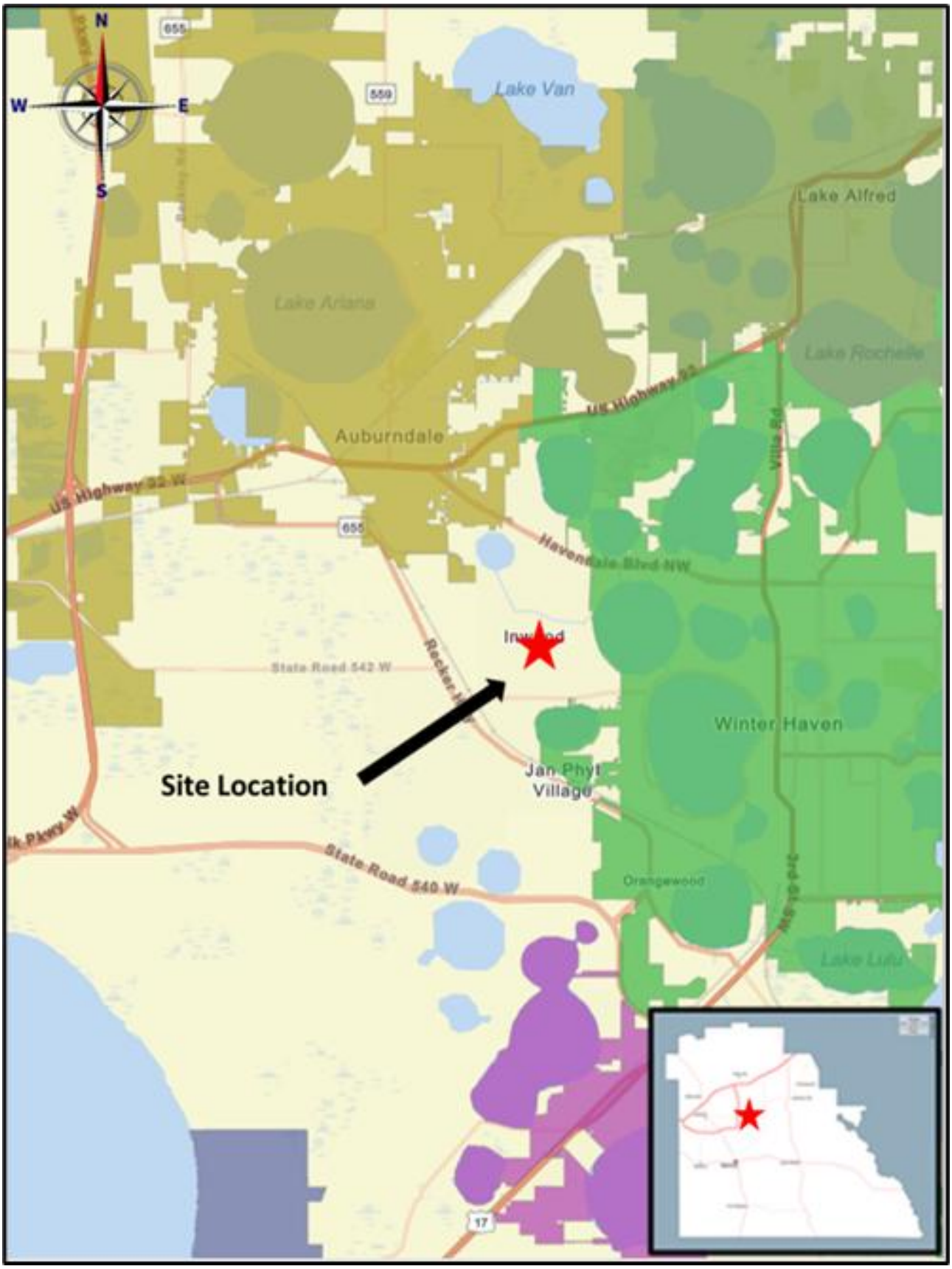
Table 5

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 and 906 which permits this use upon completion of a Level 3 Review.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*
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 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 not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found in the staff report.*

Comments from other Agencies: None

Exhibits:

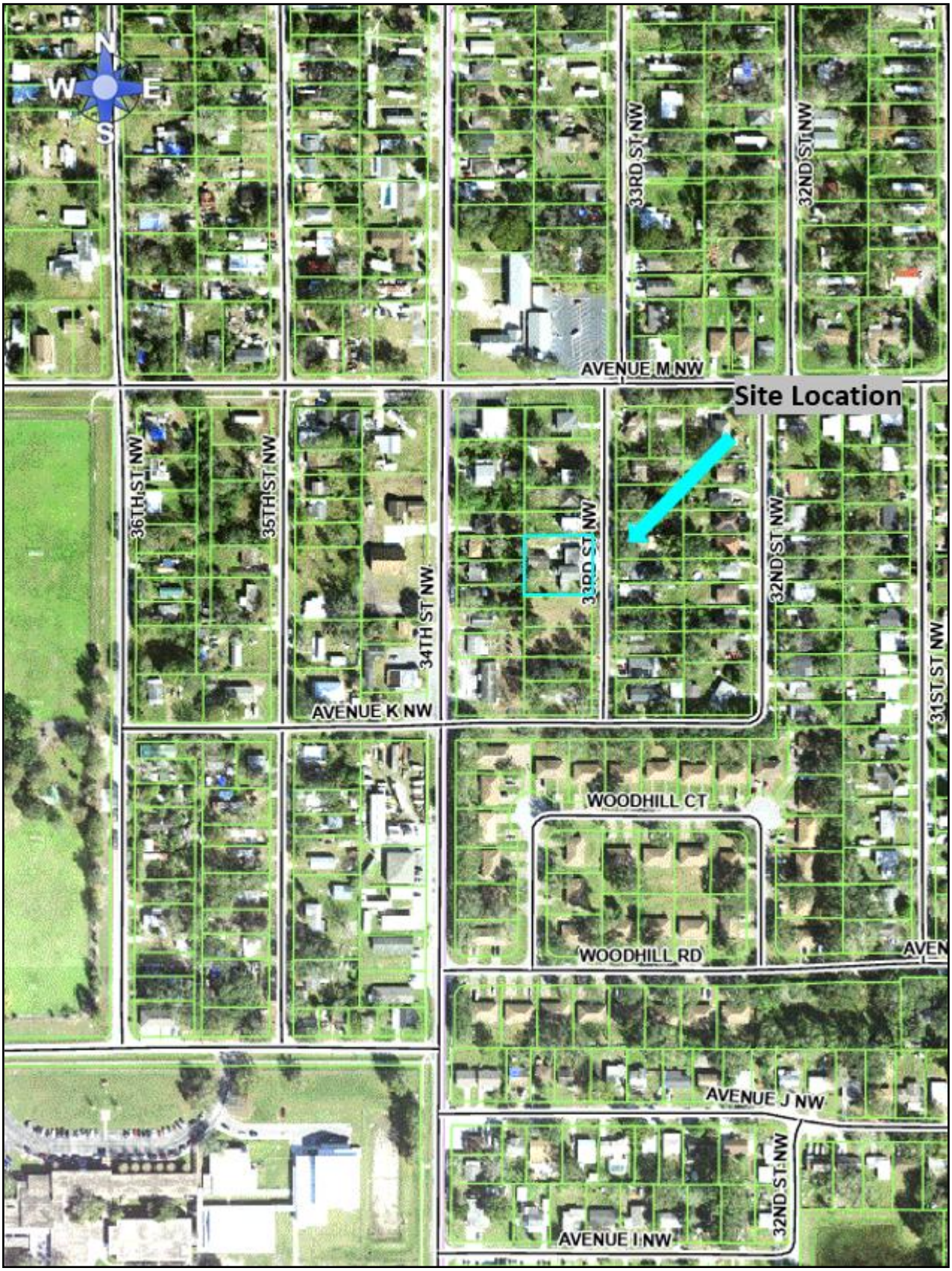
Exhibit 1 Location Map
Exhibit 2 Future Land Use Map
Exhibit 3 Aerial Image - Context
Exhibit 4 Aerial Image - Close
Exhibit 5 Site Plan



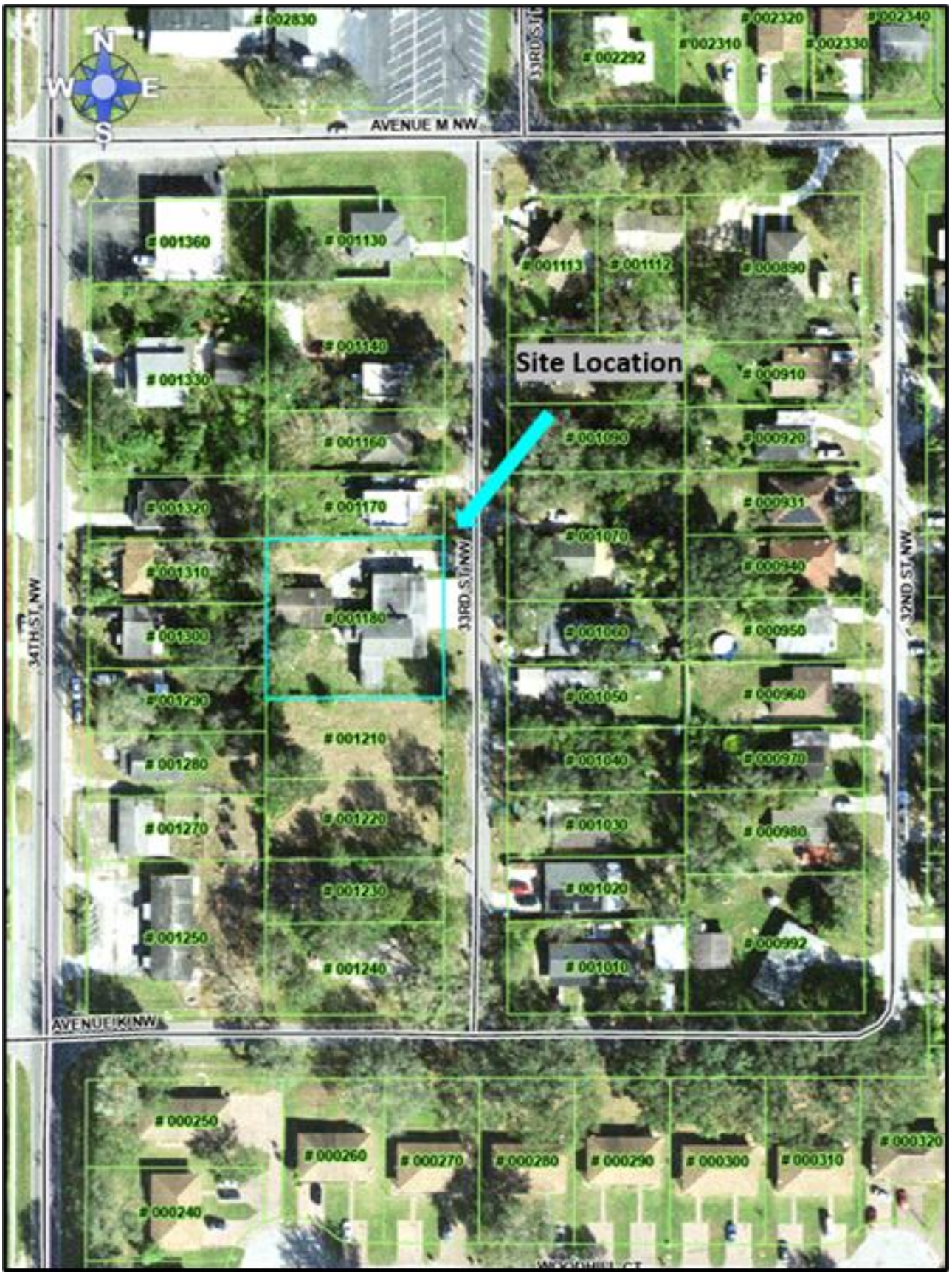
Location Map



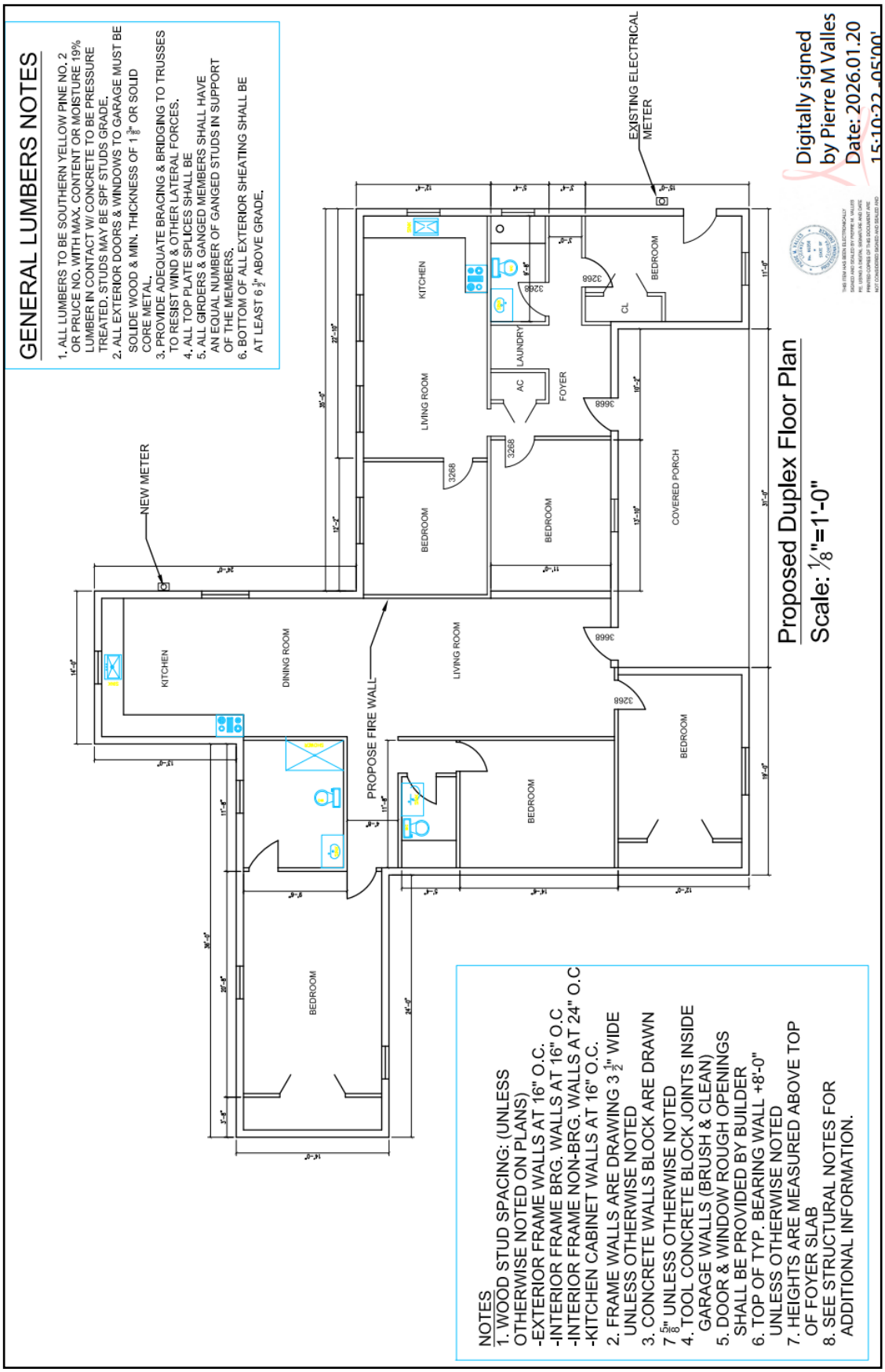
Future Land Use Map



Aerial Image - Context



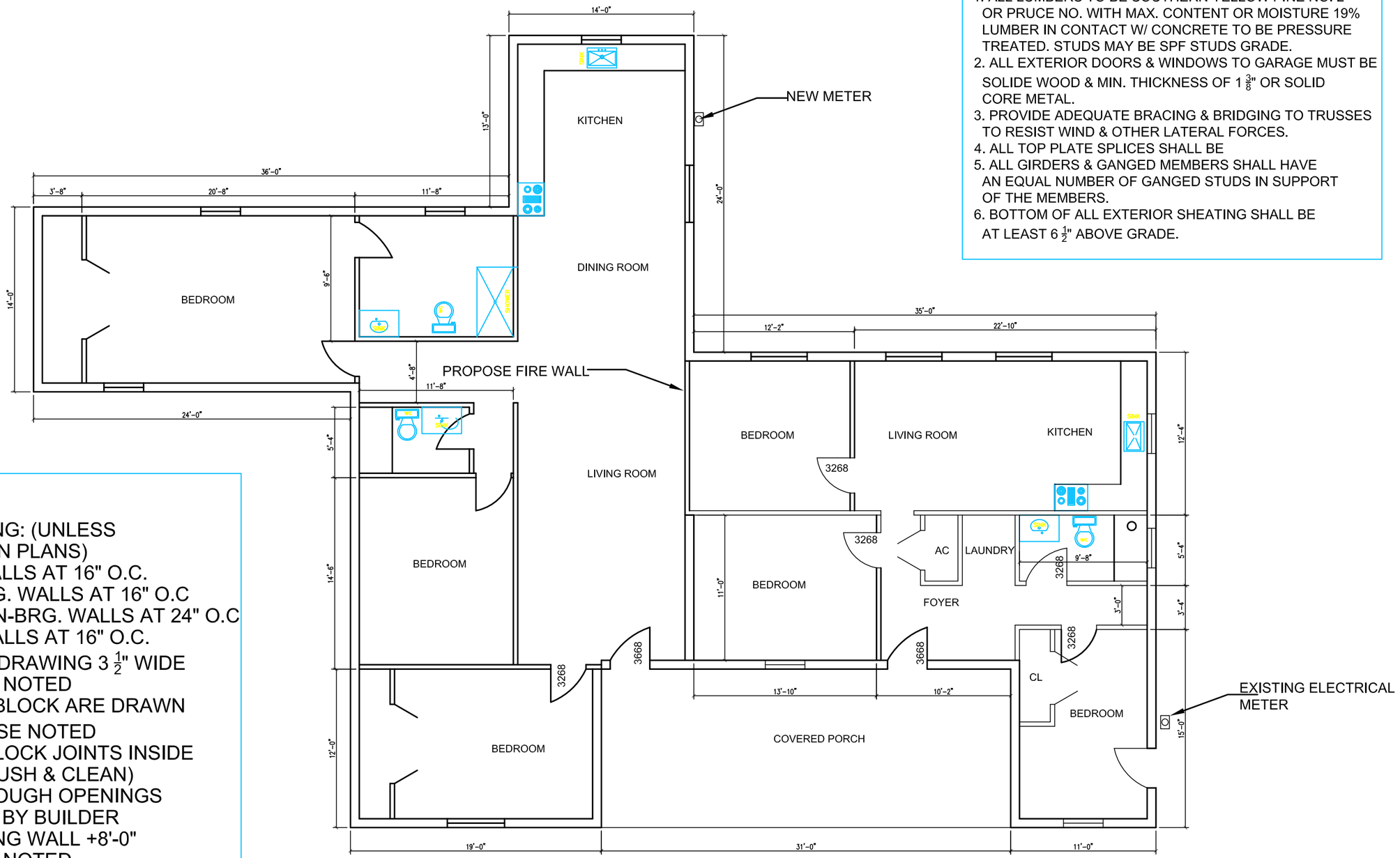
Aerial Image - Close


GENERAL LUMBERS NOTES
1. ALL LUMBERS TO BE SOUTHERN YELLOW PINE NO. 2 OR PRUCE NO. WITH MAX. CONTENT OR MOISTURE 19% LUMBER IN CONTACT W/ CONCRETE TO BE PRESSURE TREATED. STUDS MAY BE SPF STUDS GRADE.
2. ALL EXTERIOR DOORS & WINDOWS TO GARAGE MUST BE SOLIDE WOOD & MIN. THICKNESS OF 1 3/8" OR SOLID CORE METAL.
3. PROVIDE ADEQUATE BRACING & BRIDGING TO TRUSSES TO RESIST WIND & OTHER LATERAL FORCES.
4. ALL TOP PLATE SPLICES SHALL BE
5. ALL GIRDERS & GANGED MEMBERS SHALL HAVE AN EQUAL NUMBER OF GANGED STUDS IN SUPPORT OF THE MEMBERS.
6. BOTTOM OF ALL EXTERIOR SHEATING SHALL BE AT LEAST 6 1/2" ABOVE GRADE.
EXISTING ELECTRICAL METER
NEW METER
PROPOSE FIRE WALL
KITCHEN
DINING ROOM
LIVING ROOM
BEDROOM
BEDROOM
BEDROOM
KITCHEN
LIVING ROOM
LAUNDRY
AC
FOYER
BEDROOM
CL
BEDROOM
BEDROOM
COVERED PORCH
3268
3668
Proposed Duplex Floor Plan
Scale: 1/8"=1'-0"
NOTES
1. WOOD STUD SPACING: (UNLESS OTHERWISE NOTED ON PLANS)
-EXTERIOR FRAME WALLS AT 16" O.C.
-INTERIOR FRAME BRG. WALLS AT 16" O.C
-INTERIOR FRAME NON-BRG. WALLS AT 24" O.C
-KITCHEN CABINET WALLS AT 16" O.C.
2. FRAME WALLS ARE DRAWING 3 1/2" WIDE UNLESS OTHERWISE NOTED
3. CONCRETE WALLS BLOCK ARE DRAWN 7 5/8" UNLESS OTHERWISE NOTED
4. TOOL CONCRETE BLOCK JOINTS INSIDE GARAGE WALLS (BRUSH & CLEAN)
5. DOOR & WINDOW ROUGH OPENINGS SHALL BE PROVIDED BY BUILDER
6. TOP OF TYP. BEARING WALL +8'-0" UNLESS OTHERWISE NOTED
7. HEIGHTS ARE MEASURED ABOVE TOP OF FOYER SLAB
8. SEE STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.
Digitally signed by Pierre M Valles
Date: 2026.01.20 15:10:22 -05'00'

Site Plan

GENERAL LUMBERS NOTES

1. ALL LUMBERS TO BE SOUTHERN YELLOW PINE NO. 2 OR PRUCE NO. WITH MAX. CONTENT OR MOISTURE 19% LUMBER IN CONTACT W/ CONCRETE TO BE PRESSURE TREATED. STUDS MAY BE SPF STUDS GRADE.
2. ALL EXTERIOR DOORS & WINDOWS TO GARAGE MUST BE SOLIDE WOOD & MIN. THICKNESS OF 1 $\frac{3}{8}$" OR SOLID CORE METAL.
3. PROVIDE ADEQUATE BRACING & BRIDGING TO TRUSSES TO RESIST WIND & OTHER LATERAL FORCES.
4. ALL TOP PLATE SPLICES SHALL BE
5. ALL GIRDERS & GANGED MEMBERS SHALL HAVE AN EQUAL NUMBER OF GANGED STUDS IN SUPPORT OF THE MEMBERS.
6. BOTTOM OF ALL EXTERIOR SHEATING SHALL BE AT LEAST 6 $\frac{1}{2}$" ABOVE GRADE.



Proposed Duplex Floor Plan

Scale: $\frac{1}{8}$"=1'-0"

NOTES

1. WOOD STUD SPACING: (UNLESS OTHERWISE NOTED ON PLANS)
   -EXTERIOR FRAME WALLS AT 16" O.C.
   -INTERIOR FRAME BRG. WALLS AT 16" O.C
   -INTERIOR FRAME NON-BRG. WALLS AT 24" O.C
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6. TOP OF TYP. BEARING WALL +8'-0" UNLESS OTHERWISE NOTED
7. HEIGHTS ARE MEASURED ABOVE TOP OF FOYER SLAB
8. SEE STRUCTURAL NOTES FOR ADDITIONAL INFORMATION.

PIERRE M. VALLES LICENSE No. 66356 STATE OF FLORIDA PROFESSIONAL ENGINEER

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY PIERRE M. VALLES P.E. USING A DIGITAL SIGNATURE AND DATE PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Digitally signed by Pierre M Valles
Date: 2026.01.20 15:10:22 -05'00'

REVISED

514

Design Right/Schiller Mercier
1215 N PINE HILLS RD
ORLANDO, FL 32808

House Interior Renovation and Front Renovation
for:
KNA Real Estate Investments LLC
1210 33RD ST NW
Winter Haven, Florida 33881

DRAWN BY: SM
CHECKED
DATE
SCALE
JOB NO.
SHEET 004

Growth Management Department
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

www.polk-county.net

IMPACT ASSESSMENT STATEMENT FORM

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 ***(Note: N/A is an insufficient comment, if N/A an explanation must be included)***:

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?

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

3. How will the request influence future development of the 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:

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[1] methodology and calculations.

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

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[1]A minor traffic study will suffice for a detailed methodology and calculations for most applications.

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

Development Code?

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

NOTE: *Applications for projects attributing 50 or fewer Average Annual Daily Trips (AADT) according to the latest Institute of Transportation Engineers (ITE) manual may provide a written explanation and justification of why impacts will not be significant in lieu of the required information for* ***"Infrastructure Impacts"*** *items 3 through 9 above.*

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.F of the LDC*)

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?

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

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*)

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

6. What is the anticipated date of connection?

7. What improvements to the providers system are necessary to support the proposed request *(e.g., lift stations, line extensions/expansions, interconnects, etc.)*?

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?

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?

4. Who is the service provider?

5. What is the anticipated date of connection?

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

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

Yes What type? _____

Permit Capacity_____

No

Location: _____

Water Use Permit #: _____

Constructed prior to Water Management District Permitting: Yes _____ No _____

Type of Use: __Ag __Public __Industrial or Commercial

__Recreation or Aesthetic __Mining

Permitted Daily Capacity: _____

Average Peak Monthly Withdrawal Rate: _____

Location: _____

Casing Diameter: _____

Mainline Diameter: _____

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);

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

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.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).*

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

1. Parks and Recreation;

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

3. Health Care (e.g., emergency, hospital);

4. Fire Protection;

5. Police Protection and Security;

6. Emergency Medical Services (EMS);

7. Solid Waste (collection and waste generation); and

8. How may this request contribute to neighborhood needs?

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 overlaid on all maps. The following **maps shall 8 1/2" x 11"** and 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: Map depicting the site boundary (properties included in the request)

Map C: A site plan consistent with ***Site Plan Standards*** [2] (multiple sheets may be used). In addition to the required number of copies please **include an 8½" x 11" copy.** Applications for district changes alone are not required but are encouraged to submit a Development Plan; and

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 and the "Demonstration of Need" form as a guide for assessing the impact of a text amendment.*

[2] See *Site Plan Standards* checklist form (GM LDD 11).

LDCU-2026-7 - KNA REAL ESTATE INVESTMENTS LLC

Menu Reports Help

Application Name: KNA REAL ESTATE INVESTMENTS LLC

File Date: 03/02/2026

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Convert house into duplex - DEMO EXISTING WALL TO CREATE A FIRE WALL(1926 sfr)

Application Detail: Detail

Address: 1210 NW 33RD ST, WINTER HAVEN, FL 33881

Parcel No: 252824353000001180

Owner Name: KNA REAL ESTATE INVESTMENTS LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
ANGELA WILLIAMSON		Engineer	Mailing, 217 N Seminol...	Active
ANGELA WILLIAMSON		Contact	Mailing, 217 N Seminol...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $966.00

Total Fee Invoiced: $966.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Conditional Use
Mobile Home

Brownfields Request
_

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
1

Will This Project Be Phased

Acreage
2.49

DRC Meeting
03/26/2026

DRC Meeting Time
_

Rescheduled DRC Meeting
_

Rescheduled DRC Meeting Time
_

Green Swamp
Yes

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
06/03/2026

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-00000-11775	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	1			05/19/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	03/10/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	03/16/2026	Kim Turner
Planning Review	Aleya Inglima	Approve	03/23/2026	Aleya Inglima
Surveying Review	Mike Benton	Approve	03/24/2026	Mike Benton
School Board Review	School District	Not Required	03/11/2026	School District
Roads and Drainage Review	Phil Irven	Approve	03/11/2026	Phil Irven
Review Consolidation	Lyndsay Rathke	Approved for...	03/25/2026	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-2026-7 (West Cannon Heights Duplex)

Applicant: Angela Williamson

Property Owner: KNA Real Estate Investments LLC

Hearing Date: June 3, 2026

I. Request:

The applicant is requesting a Conditional Use (CU) approval for a single-family home to be converted to a duplex on ±0.40 acres within a Residential Low-3 (RL-3) future land use district. The subject site is located at 1210 NW 33rd St, North of Avenue K NW, south of Avenue M NW, west of the city of Winter Haven in Section 24, Township 28, Range 25.

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 3rd day of June 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 June 3, 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:

Agenda Item 13. 6/3/2026

SUBJECT

LDCU-2026-5 (CR 547 Short-Term Rental)

DESCRIPTION

The applicant is requesting Conditional Use approval for short-term rental on an un-platted residential lot located at 3119 North Highway 547, south of Ernie Caldwell Boulevard, west of US 17/92, north of Crescent Valley Ranch Road, in Section 22, Township 26, Range 27.

RECOMMENDATION

Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

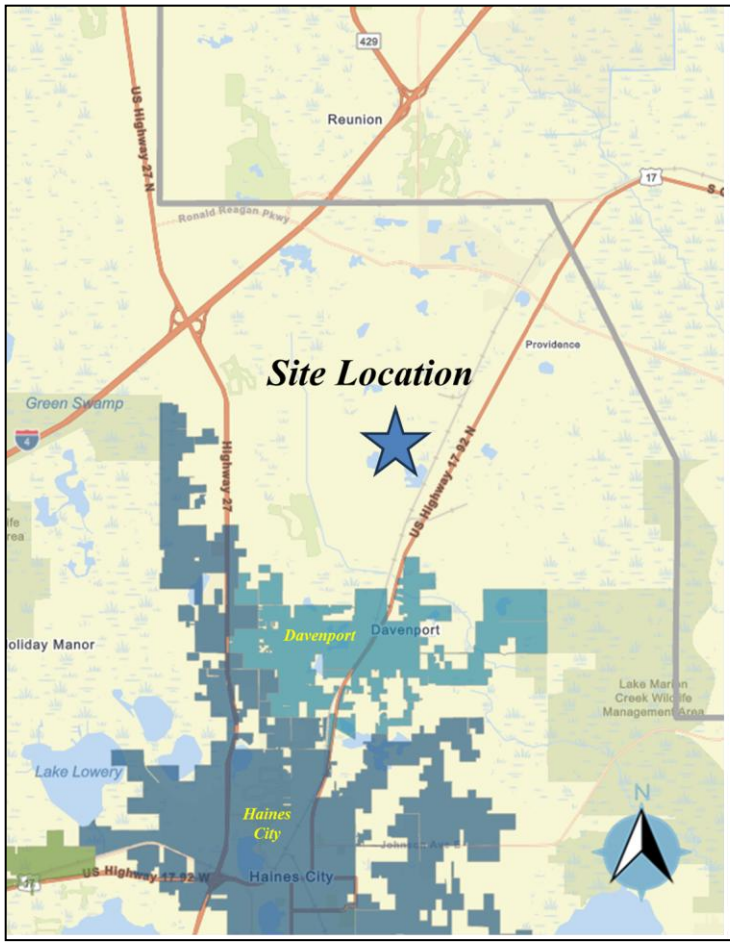
Ian Nance
Land Development
(863) 534-7621
ivannance@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	June 3, 2026	**Type:**	Conditional Use
BoCC Date:	N/A	**Case Numbers:**	LDCU-2026-5
		Case Name:	CR 547 Short-Term Rental
Applicant:	Laura Pizarro	**Case Planner:**	Ian Nance

Request:	Conditional Use approval for short-term rental on an un-platted residential lot.
Location:	3119 North Highway 547, south of Ernie Caldwell Boulevard, west of US 17/92, north of Crescent Valley Ranch Road, in Section 22, Township 26, Range 27.
Property Owners	Pizarro Real Estate Services, LLC
Parcel Number (Size):	272622-000000-024040 (+/- 2.63 Acres)
Future Land Use:	Residential Medium-X (RMX) North Ridge Selected Area Plan (SAP)
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Davenport
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	Pending Hearing

Site Location



Site Plan



Summary of Analysis:

The applicant is requesting Conditional Use (CU) approval to allow short-term rental on an individual, un-platted lot near Davenport. The subject property is in a Residential Medium (RMX) land use district in the North Ridge Selected Area Plan (SAP). According to LDC Table 4.16, "Short-Term Rental Unit" is a "C3" conditional use requiring a Level 3 Review and public hearing before the Planning Commission. LDC Section 303 outlines criteria that must be met by the applicant in order to gain approval of this use. These are listed in the following Findings of Fact.

Short-term rentals, also recognized by the State of Florida as "Vacation Rentals," are commonplace in the northeastern corner of the Polk County closer to the Disney attractions. Polk County is unique in that most municipalities are preempted by State law in allowing short-term rentals. Florida Statutes 509.032 states, "A local law, ordinance, or regulation may not prohibit vacation rentals or regulate the duration or frequency of rental of vacation rentals. This paragraph does not apply to any local law, ordinance, or regulation adopted on or before June 1, 2011." LDC Section 303, as it pertains to short-term rentals, was last revised on May 20, 2009 through Ordinance 09-023, thus predating the aforementioned clause referenced in FS 509.032. Its original adoption was in 1997.

According to the Property Appraiser, one single-family structure is listed onsite, a 3,617 sq. ft. single-family home built in 1993. A 2,400 sq. ft. accessory pole shed is also listed. Most short-term rental requests processed by Land Development are for an approval of an entire subdivision rather than an individual parcel. For an assessment of the compatibility of this location for a short-term rental unit, Staff reviewed nearby uses; the size of the subject parcel and its ability to handle demand for its use; and proximity to other residences.

For this request, no additional construction is being proposed. The short-term rental will utilize the exiting home. According to the applicant, the property is intended to operate full-time as a short-term rental, with the main house being the only unit offered. No accessory structures are planned for rental use. During rental periods, guests will not receive meals or additional services. The location is approximately 30 minutes from Disney, one of the region's primary tourism destinations. As a result, the property serves visitors seeking temporary accommodation in proximity to the area's attractions. The typical duration of stays ranges from 3 to 7 nights. Most bookings are vacation-oriented and do not exceed 14 days.

This property (+/- 2.63 acres) has ample room for parking, with the home set back approximately 250 from the CR 547 right-of-way. Direct access is from CR 547, and the property includes its own private gated entrance, which enhances privacy, security, and controlled access for guests. The home is approximately 60 feet from the home to the north. LDC Section 303 requires a Type "B" landscaping buffer along the northern and southern property lines. Existing trees and vegetation can be used to meet this requirement. This request will not create additional demands upon infrastructure, as an existing private septic and potable water well will be used. Finally, short-term rental was approved for LDPD-2025-2 to the west of the site. Staff finds the request compatible with surrounding uses and consistent with the LDC and Comprehensive Plan.

Findings of Fact

- *LDCU-2026-5 is a Conditional Use request to allow short-term rental on an individual, un-platted lot within a Residential Medium (RMX) land use district in the North Ridge Selected Area Plan. The subject parcel is #272622-000000-024040 (+/- 2.63 Acres) with an address of 3119 County Road 547, Davenport 33837.*

- *According to the Property Appraiser, one single-family structure is listed onsite, a 3,617 sq. ft. site-built home constructed in 1993. A 2,400 sq. ft. accessory pole shed is also listed.*

- *According to Land Development Code (LDC) Chapter 10, a Short-Term Rental Units is defined as, "A dwelling unit which is made available more than three times a year for periods of fewer than 30 days or one calendar month at a time, whichever is less, for use, occupancy or possession by the public, regardless of the form of ownership of the unit."*

- *According to LDC Table 4.16, Short-Term Rental Units are "C3" conditional uses requiring Planning Commission approval pursuant to Section 906 and the standards in Section 303.*

- *According to LDC Section 303, "For dwelling units located outside of subdivisions and Planned Developments, application for short-term rental authorization shall be made through a Level 3 Review on a dwelling-by-dwelling basis."*

- *According to LDC Section 303, "A Polk County occupational tax receipt shall be obtained annually by each management company involved in managing one or more short-term rentals. Only one receipt need be obtained for each management company, regardless of the number of properties managed under said receipt. In addition, each short-term rental shall be registered on an annual basis with the Polk County Land Development Division or its successor in function. To qualify for registration, the owner of a short-term rental or the owner's agent shall submit a registration fee, to be established by resolution of the Board of County Commissioners, and the following information:*

  i. The name, telephone number and mailing address of the owner of the unit;

  ii. The street address of the unit;

  iii. The name, telephone number and mailing address of the management company managing the unit;

  iv. A telephone number, pager number or any combination thereof at which a representative of the management company can be reached 24 hours a day (the number submitted shall be either a published local number or a toll free number); and

  v. A copy of the license required under Chapter 509, Florida Statutes, for the management company managing the unit.

  …"

- *According to LDC Section 303, "In addition to any other requirements contained herein, all short-term rentals, including those entitled to non-conforming status under Subsection 5, shall be operated in compliance with the following requirements:*

  i. Short-term rentals shall be operated in compliance with all applicable requirements for public lodging establishments under Chapter 509, Florida Statutes, and all other applicable local, state, and federal regulations. Short-term rentals shall be licensed under Chapter 509, Florida Statutes, and a copy of said license shall be displayed on the back of the main entrance/exit door to the unit.

ii. A copy of the County occupational tax receipt for the management company managing the unit shall be displayed on the back of the main entrance/exit door to the unit.

iii. Each management company operating within a subdivision shall post its 24-hour phone number on file with the Land Development Division in the clubhouse or another common building for the subdivision if space is made available in such building for posting notices or other public information.

iv. Each short-term rental shall be provided with at least two covered, watertight trash containers. Trash from a unit may not be stored in such a manner that it becomes deposited on public property, the property of another or in such a manner that it otherwise becomes a nuisance.

v. Loading and unloading of tour/charter buses, as well as the parking of tour/charter buses, shall not be allowed in the residential areas of a subdivision. For the purposes of this provision, any vehicle seating more than 15 adults shall be considered a bus. School buses and public buses are exempt from the provisions of this Section.

vi. The intent for the availability of short-term rentals shall be noted on the plat and on any documents relating to any homeowners association in compliance with this Section.

vii. Short-term rental units shall be responsible for all required hotel/motel taxes and fees.

viii. Short-term rental status shall apply to the entire subdivision. A note shall be placed on the construction plans, plat and all sales documents indicating the proposed subdivision to be utilized as short-term rentals.

ix. The applicant shall provide a vegetative buffer along all boundaries of the proposed project to separate the short-term rental units from single-family residential units not approved for short-term use. Short-term rental use shall be defined as a Class 3 use as outlined in Section 720 and shall conform with all buffer requirements of Section 720.

x. A notice in substantial conformance with the following shall be given to each group which will be occupying a short-term rental at the time of execution of the rental contract for the unit. A representative of the group shall sign and date a statement on the notice indicating that he or she has read and understands the regulations set forth on the notice. The notice provided shall be in the language of the representative to sign the notice. The notice shall also be posted on the back of the main entrance/exit door to each unit. The notice shall be in bold print, in no less than 12-point font and contain substantially the following language:"

- *The subject property is located within PCU/s Northeast Regional Utility Service Area for potable water and wastewater. The short-term rental unit utilizes a private water well and septic system.*
- *The subject property is not located within an Airport Impact Zone.*
- *The entirety of the property is composed of Tavares Fine Sand; Smyrna & Myakka Fine Sands; and Basinger Mucky Fine Sand, according to the United States Department of Agriculture Natural Resources Conservation Service.*
- *Ingress/egress to the existing home is from County Road 547, an Urban Collector roadway.*
- *Fire and EMS responses are from Polk County Fire Rescue Station 20, 4611 U.S. Hwy 17-92 North, Davenport.*

- *Sheriff's response to the site is served by the Northeast District, located at 1100 Dunson Road, Davenport.*

- *The zoned schools for the site are Loughman Oaks Elementary, Shelly S. Boone Middle, and Ridge Community Senior.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*

- *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.*

- *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 4.16 and Section 303 of the LDC.*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, a recent site visit, 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-2026-5.**

On June 3, 2026, the Planning Commission will vote on this application.

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDCU-2026-5 with the following Conditions:

1. LDCU-2026-5 is approved for short-term rental on the property as described under Parcel #272622-000000-024040. [PLG]

2. This approval shall run in perpetuity with the land. [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 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 following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: RL-4X Vacant LDPD-2025-2 (STR Approved)	**North:** RMX Single-Family Home +/-2.47 Acres	**Northeast:** Davenport CR 547 Pasture
West: RL-4X Vacant LDPD-2025-2 (STR Approved)	**Subject Property:** RMX Single-Family Home +/- 2.63 Acres	**East:** Davenport CR 547 Pasture
Southwest: RL-4X Vacant LDPD-2025-2 (STR Approved)	**South:** RMX Single-Family Home +/- 2.80	**Southeast:** BPC-2X CR 547 Single-Family Homes

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

The subject site is un-platted individual property within the Residential Medium-X (RMX) land use district in the North Ridge Selected Area Plan. Minimum lot sizes in RMX are typically 4,000 sq. ft. According to the Property Appraiser, one single-family structure is listed onsite, a 3,617 sq. ft. single-family home built in 1993. A 2,400 sq. ft. accessory pole shed is also listed.

Surrounding uses to the north and south are single-family homes. To the west is a vacant property associated with the Ridgewood Lakes DRI. A Planned Development (LDPD-2025-2) was approved on August 6, 2025, for a combined 1,599 single-family and multi-family units. It also allowed 40-foot-wide single-family detached lots, reduced lots sizes, and short-term rental.

The property is located near major roadways including U.S. Route 27, Interstate 4, and Ernie Caldwell Boulevard, which provide direct access to Central Florida's primary tourism and employment centers. This accessibility allows visitors to reach the property without creating congestion in local residential streets. In addition, the property is located within a short distance of established commercial services including shopping centers, restaurants, gas stations, and major healthcare facilities. This commercial infrastructure supports visitor needs and reduces pressure on purely residential areas.

Compatibility with the Surrounding Land Uses and Infrastructure:

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."

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.

For this request, no additional construction is being proposed. According to the applicant, the property is intended to operate full-time as a short-term rental, with the main house being the only unit offered. No accessory structures are planned for rental use. During rental periods, guests will not receive meals or additional services. The location is approximately 30 minutes from the Disney parks, the region's primary tourism destinations. As a result, the property serves visitors seeking temporary accommodation in proximity to the area's attractions. The typical duration of stays ranges from 3 to 7 nights. Most bookings are vacation-oriented and do not exceed 14 days.

Short-term rentals can impact neighborhoods through other means which are more difficult to gauge as temporary guests can disrupt the daily lives of full-time citizens with whom they share neighborhood space. For example, in areas of the northeast where vacationing families often occupy much smaller lots than the subject site, parking can become a concern as multiple vehicles will exhaust the limited space available. Often, vehicles park along the roadways. This property (+/- 2.63 acres) has ample room for parking, with the home set back approximately 250 from the CR 547 right-of-way. The property includes its own private gated entrance, which enhances privacy, security, and controlled access for guests.

From the garage and parking area, the home is approximately 49 feet from the northern property line and 60 feet from the home to the north. The home is approximately 40 feet from the southern property line. LDC Section 303 requires a vegetative buffer along these boundaries of the proposed project to separate the short-term rental units from single-family residential units not approved for short-term use. Short-term rental use is defined as a Class 3 use as outlined in Section 720 and shall conform with all buffer requirements of Section 720, necessitating a Type "B" landscaping buffer. Existing trees and vegetation can be used to meet this requirement.

Section 303 also requires the owner/operator of a short-term rental to post and provide a notice (to follow in italics) to the occupant that certain behaviors are unlawful. A representative of the group renting the property shall sign and date a statement on the notice indicating that he or she has read and understands the regulations set forth on the notice. The notice shall also be posted on the back of the main entrance/exit door to each unit.

"This unit is located within a residential community. Please be considerate of your neighbors. The following are some of the local laws and community restrictions that you should be aware of during your stay.

1. Trash. All trash shall be placed in a covered, watertight trash container. Trash may not be stored in such a manner that it becomes deposited on public property, the property of another or in such a manner that it otherwise becomes a nuisance. Trash shall be disposed of at least twice a week. Garbage collectors will pick up your trash on [management company shall verify days of collection and insert here]. To ensure that your trash is picked up, please place your trash containers by the road by 7:00 a.m. on these days. Once your trash has been picked up, you shall remove your containers from the roadside.

2. Noise. It is unlawful in Polk County to create noise at such a level or for such a duration that the noise unreasonably interferes with your neighbors' comfortable enjoyment of their property.

3. Animals. You may not allow your dogs to roam free outside of your unit. When outside, your dog shall either be leashed or under your direct control.

4. Clothing. You shall wear clothing while in public or in any other place where you are readily visible to the public or your neighbors. Females shall wear both a top and a bottom while males shall wear a bottom. G-strings and similar articles of clothing are insufficient for this purpose.

If you have any questions concerning these regulations, you may call [name of management company] at [list 24-hour phone number on file with Polk County Development Services]."

The Polk County Sheriff's Office is authorized to prepare incident reports concerning violations of this Section and to submit such reports to and testify before the Polk County Code Enforcement Board.

In summary, staff recommends approval of this application. The property is well-sited for visitors to use in proximity to the local attractions. Short-term rental has been approved throughout northeast Polk County for this reason, most often in subdivisions with much smaller lot sizes, including the PD to the west. The property is large enough to mitigate incompatibilities. No new construction is being proposed which would intensify the use of the site.

Urban Services and Infrastructure Analysis

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies, though the existing home utilizes a private well and septic system. The site is within PCU Northeast Regional Utility Service Area.

Table 2

Urban Services and Infrastructure Summary	
Schools (Zoned)	Loughman Oaks Elementary, Shelly S. Boone Middle, and Ridge Community Senior.
Sheriff	Northeast District office, located at 1100 Dunson Road. Response times for April 2026 were as follows: Priority 1 Calls – 12:35 minutes & Priority 2 Calls – 27:03 minutes.
Fire/EMS	Polk County Fire Rescue Station 20, 4611 U.S. Hwy 17-92 N, Davenport. The travel distance is 3.7 miles, and optimal response times are expected to be approximately 9–11 minutes.
Water	Private Well
Sewer	Private Septic
Transportation	Access to County Road 547; no sidewalks or mass transit in the area.

Table 3, below, identifies the anticipated impact of this request on water and sewer needs. The site will utilize a private well and septic. Utility lines are not located along CR 547 where this site is located.

Table 3

Impact Analysis Summary Existing Single-Family Home			
Potable Water Impact	**Wastewater Impact**	***AADT Impact**	***PHT Impact**
360 GPD	270 GPD	7.81 AADT	1.00 PHT
Source: Polk County Concurrency Manual. The proposed development assumes that the potable water rate for a single-family dwelling unit will consume 360 GPD and generate 270 GPD in wastewater. ITE 210-Single Family rate was used to determine similar AADT and PM Peak Hour rates. The AADT rate was 7.81 and the PM Peak Hour rates was 1.00 per unit.			

Environmental Conditions Analysis

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). No new construction is being proposed.

Table 4

Environmental Conditions Summary	
Surface Water	None
Wetlands/Floodplains	Flood Zone "A" located to the rear of the property.
Soils	Tavares Fine Sand; Smyrna & Myakka Fine Sands; and Basinger Mucky Fine Sand,
Protected Species	No protected species are found onsite.
Wellfield Protection	The site is not located within a wellfield protection area.
Historical Preservation	The subject property contains no historical resources as monitored by the State of Florida's Division of Historical Resources.

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 5 in accordance with Section 906.D.7 of the Land Development Code.

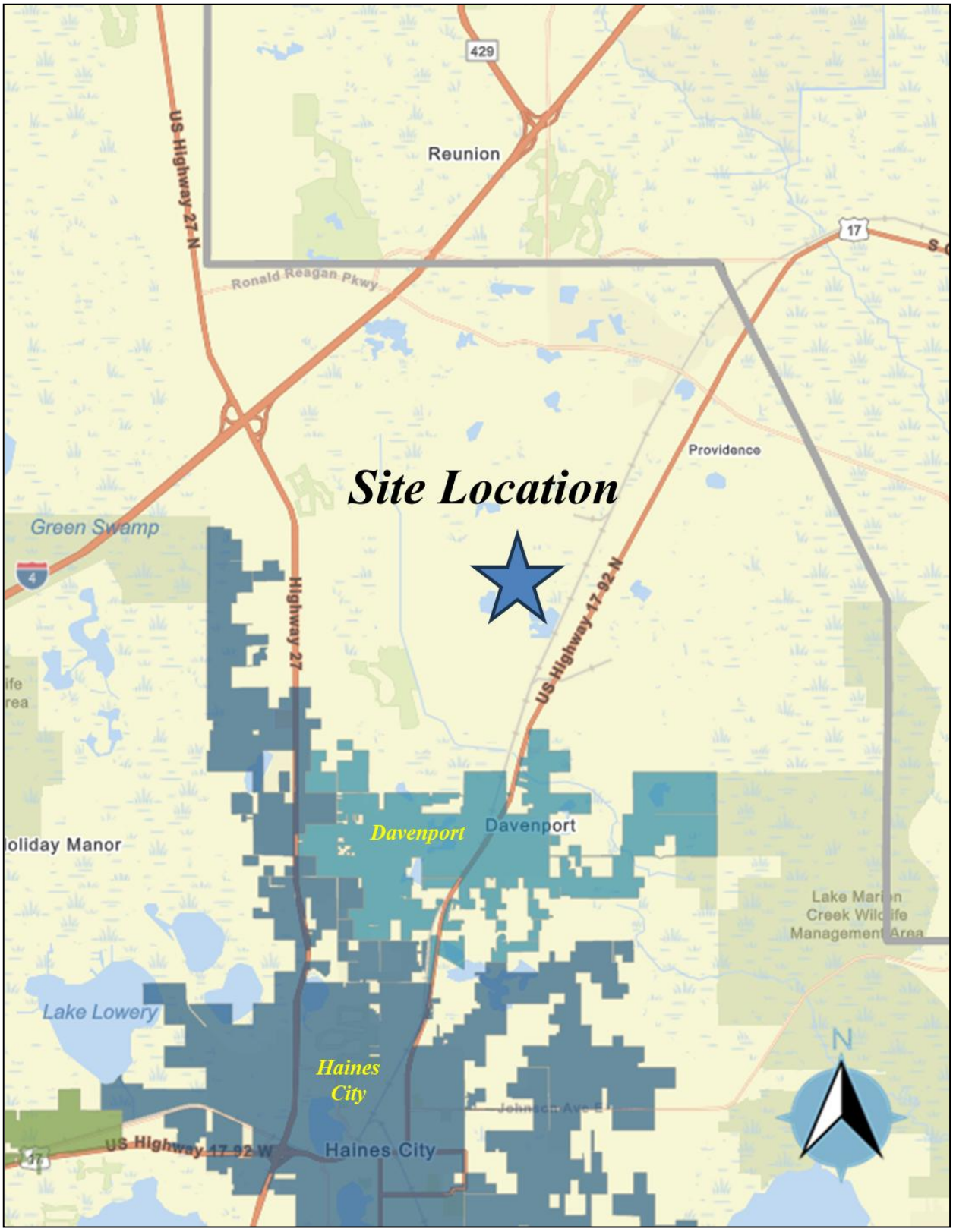
Table 5

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 and 906 which permits this use upon completion of a Level 3 Review.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this request is consistent with the Comprehensive Plan, as reviewed for consistency with SECTION 2.102 GROWTH MANAGEMENT and POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*
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 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 not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found in the staff report.*

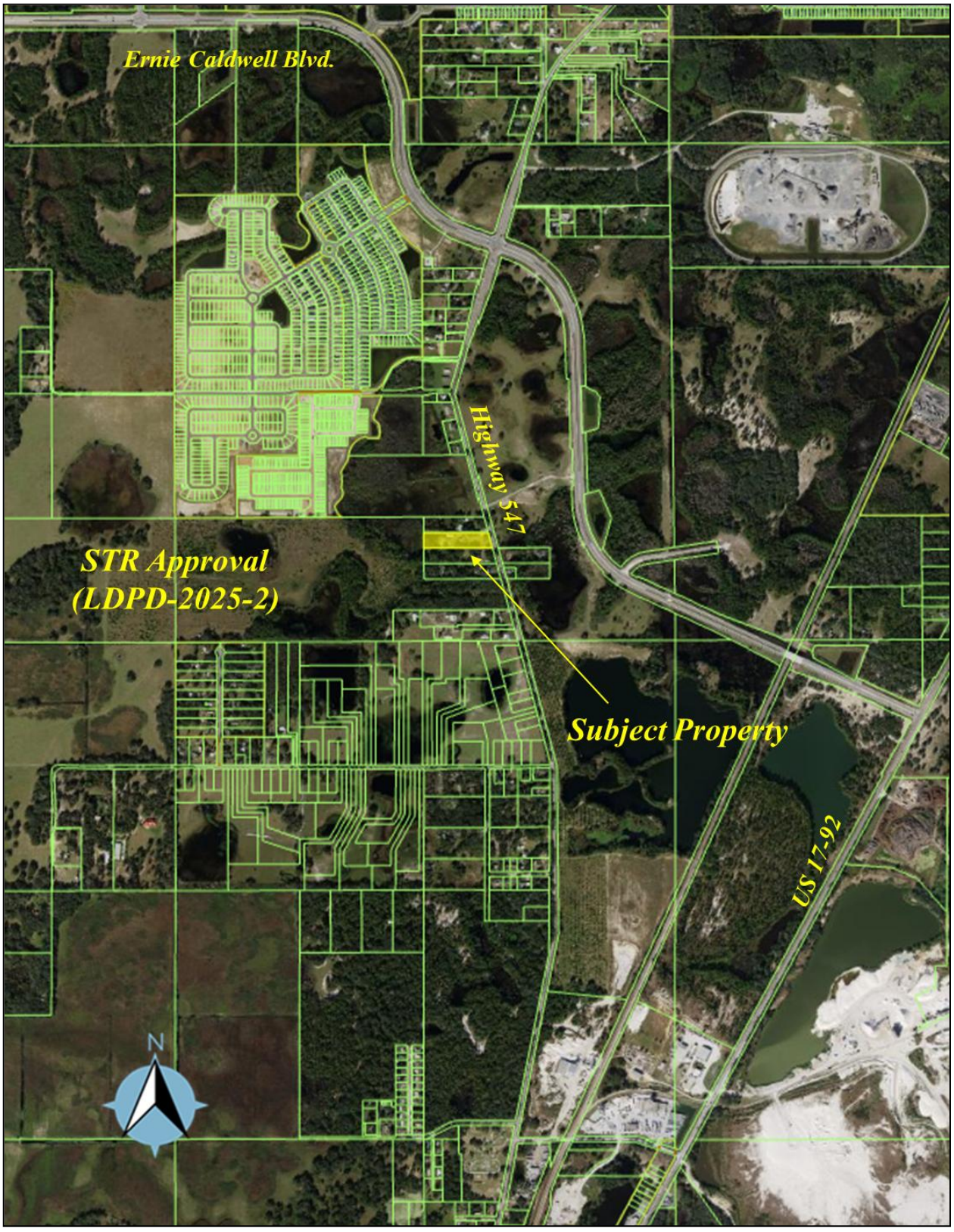
Comments from other Agencies: None

Exhibits:

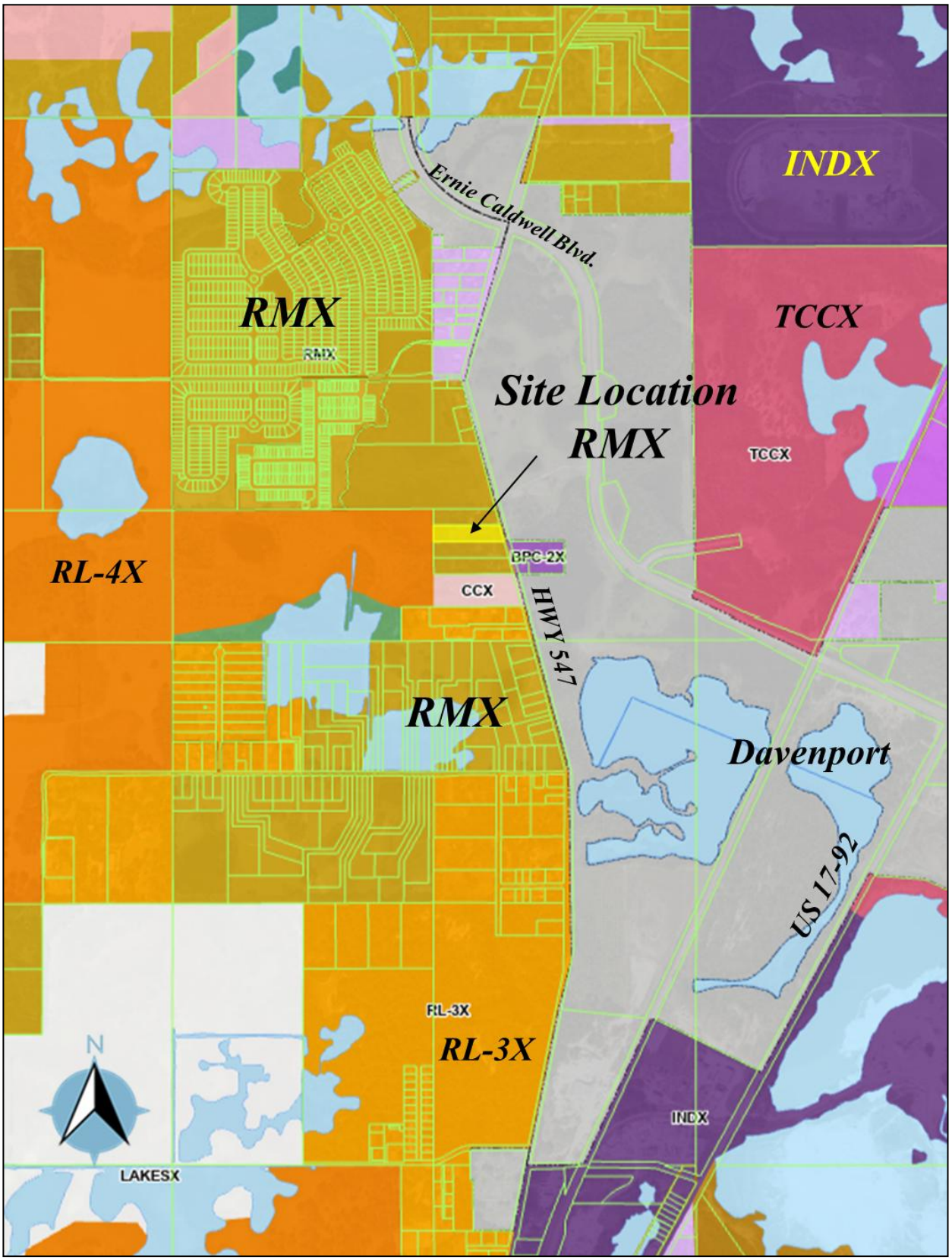
Exhibit 1	Location Map
Exhibit 2	Aerial Image - Context
Exhibit 3	Future Land Use Map
Exhibit 4	Aerial Image - Close
Exhibit 5	Site Plan



Location Map



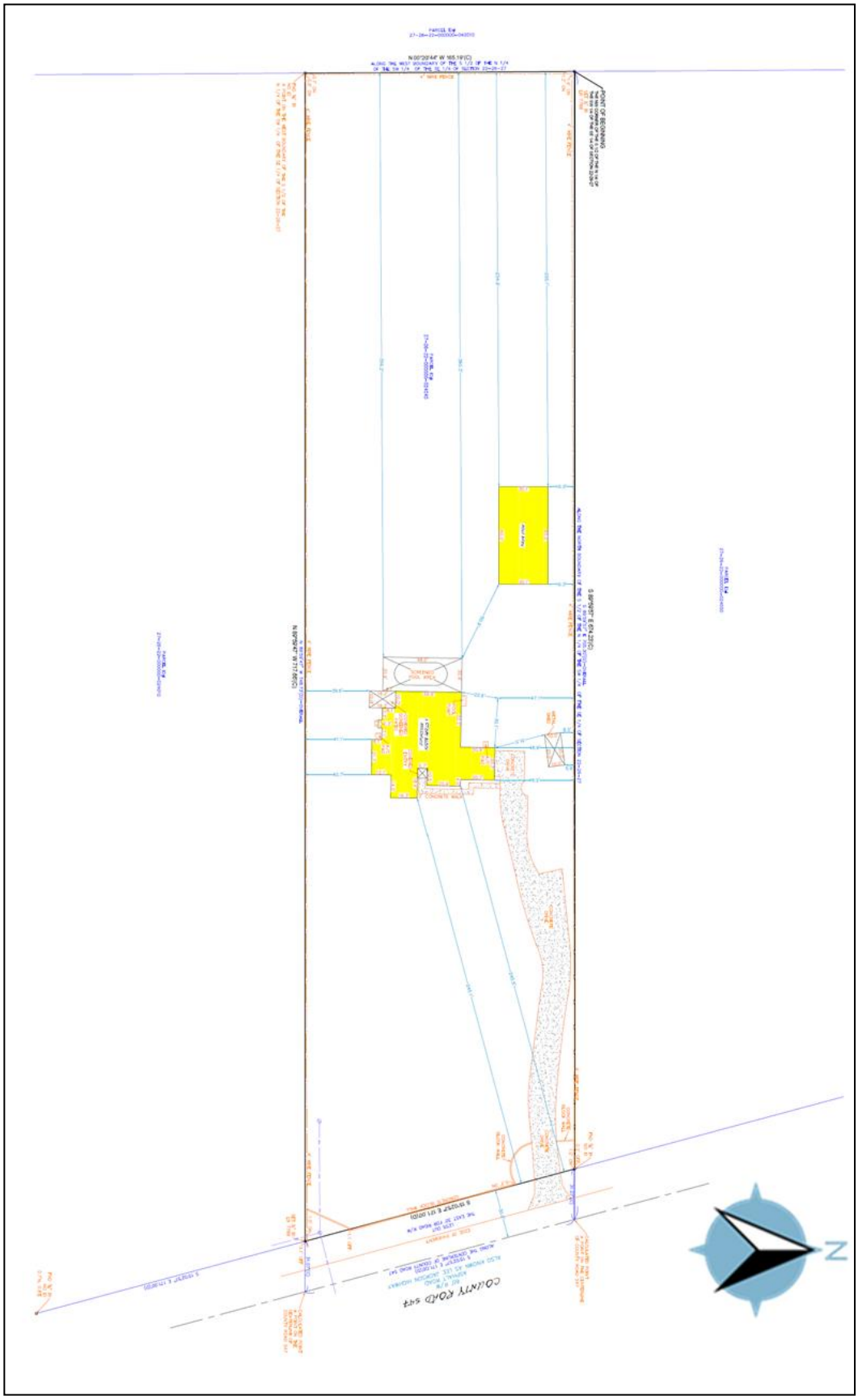
Aerial Image - Context



Future Land Use Map



Aerial Image - Close

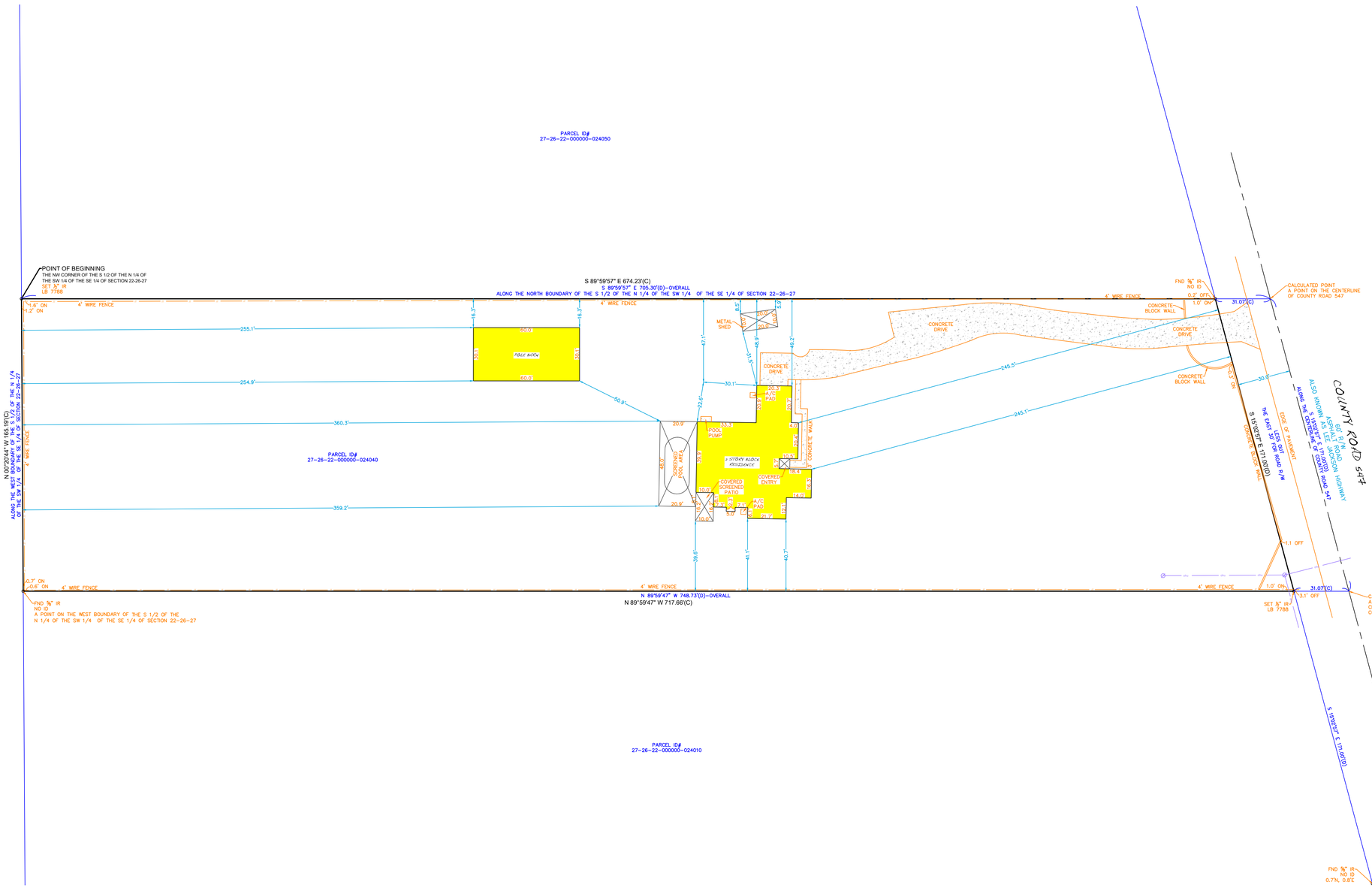


Site Plan

Boundary Survey



ADDRESS
3119 COUNTY ROAD 547
DAVENPORT, FL 33837



LEGEND

- □ = Concrete Monument (CM)
- ⊕ = Drill Hole (DH)
- ○ = Iron Pipe & Cap (IP)
- ○ = Iron Rod & Cap (IR)
- ⊙ = Nail & Disk (N&D)
- PCP = Permanent Control Point
- PRM = Permanent Reference Monument
- OR Book = Official Record Book
- PB = Plat Book
- Pg = Page
- CONC. = Concrete
- Δ = Central Angle
- L = Arc Length
- R = Radius
- CB = Chord Bearing
- CH = Chord Length
- FND = Found
- ID = Identification
- LB = Licensed Business
- LS = Licensed Surveyor
- PVC = Polyvinyl Chloride
- TYP. = Typical
- = Cable TV Riser
- = Catch Basin/Inlet
- = Drainage Manhole
- = Electric Box
- = Fire Hydrant
- = Guy Wire
- = Light Pole
- = Sanitary Cleanout
- = Sanitary Manhole
- = Sign
- = Telephone Riser
- = Transformer
- = Power Pole
- ohu = Overhead Utilities
- = Well
- = Water Meter
- = Water Valve
- (C) = Calculated Measurement
- (D) = Deed Measurement
- (F) = Field Measurement
- (R) = Radial
- (P) = Plat Measurement
- ons/offs = On Site/Off Site

JOB #:	VLSR25-76753
CLIENT #:	2144618
FIELD DATE:	07/07/2025
DRAFTER:	DJC
APPROVED:	EWD
SCALE:	1" = 30'

COPYRIGHT 2011

X
Borrower's Acknowledgment and Acceptance

X
Borrower's Acknowledgment and Acceptance

The Closing AGENT TITLE INSURANCE

Legal Description (per OR Book 13298, Page 1841)

That part of the South 1/2 of the North 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 22, Township 26 South, Range 27 East, Polk County, Florida, described as:

Commence at the Northwest corner of said South 1/2 of the North 1/4 of said Southwest 1/4 of the Southeast 1/4;run thence South 89 degrees 59 minutes 57 seconds East along the North boundary thereof, 705.30 feet to a point on the centerline of County Road 547; thence South 15 degrees 02 minutes 57 seconds East along said centerline, 171.00 feet; thence North 89 degrees 59 minutes 47 seconds West 748.73 feet to the West boundary of said Southwest 1/4 of the Southeast 1/4; thence North 00 degrees 20 minutes 44 seconds West along said West boundary, 165.69 feet to the Point of Beginning, LESS AND EXCEPT road right of way.

ADDITIONAL NOTES:
3. Additions or deletions to this survey by anyone other than the signing party or parties is prohibited without the written consent of the signing party or parties.
4. The property shown hereon is subject to all easements, restrictions and reservations which may be shown or noted on the record plat and within the public records of the county the subject property is located. This survey only depicts survey related information such as easements and setbacks that are shown on a record plat or have been furnished to the Surveyor.
5. Building ties and dimensions for improvements should not be used to reconstruct boundary lines.

CERTIFIED TO: (AS FURNISHED)
CHRISTOPHER ANDREWS, LLC
WESTCOR LAND TITLE INSURANCE COMPANY
THE CLOSING AGENT

FLOOD ZONE:
SUBJECT PROPERTY BASON HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "X", 500-YEAR FLOODPLAIN, PER F.E.M.A. PANEL NUMBER 12105C0535 J, EFFECTIVE DATE 9/26/2014. FLOOD ZONE DESIGNATIONS ARE SUBJECT TO CHANGE AND NO GUARANTEE AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.I.R.M. PANEL SHOULD BE CONSULTED FOR VERIFICATION.

LIST OF POSSIBLE ENCROACHMENTS:
CONCRETE WALL CROSS EASY PROPERTY LINE

BASIS OF BEARING:
BEARINGS ARE BASED ON THE WEST RIGHT-OF-WAY OF COUNTY ROAD 547 HAVING A BEARING OF S 15°02'57" E (171.00'D)

NOTES:
1. UNDERGROUND UTILITY INSTALLATIONS, UNDERGROUND IMPROVEMENTS AND FOOTERS FOR OTHER UNDERGROUND STRUCTURES WERE NOT LOCATED BY THIS SURVEY.
2. THE PURPOSE OF THIS SURVEY IS FOR USE IN OBTAINING TITLE INSURANCE AND THIS SURVEY IS FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON AND IS NOT TO BE RELIED UPON BY ANY OTHER PERSONS OR ENTITY OTHER THAN THE PARTIES LISTED. THIS SURVEY IS NOT TRANSFERRED FOR THE EXCLUSIVE USE AND BENEFIT OF THE PARTIES LISTED HEREON AND IS NOT TO BE RELIED UPON BY ANY OTHER PERSONS OR ENTITY OTHER THAN THE PARTIES LISTED. THIS SURVEY IS NOT TRANSFERRED OR ASSIGNED.

LB 7788
VISIONLAND
SURVEYING
941 S Pennsylvania Ave, Winter Park, FL 32789 | (689) 359-3474

I HEREBY CERTIFY THAT THIS SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION AND SUPERVISION AND THAT IT MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051, F.A.C. PURSUANT TO SECTION 472.027, F.S. AND THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF LAW AND SEAL MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

DATE	REVISION

DATED: 07-15-25

Ernest W. Duncan, PSM
FLORIDA REGISTRATION NO. 6162
ELECTRONIC SIGNATURE AND/OR ORIGINAL RAISED SEAL OF THE LISTED FLORIDA LICENSED SURVEYOR AND MAPPER

Impact Assessment Statement Form Answers

3119 County Road 547 N, Davenport, FL 33837

Land and Neighborhood Characteristics

1. The property is located in the unincorporated area of Davenport within Polk County, in a corridor that already supports tourism-related lodging due to its proximity to major transportation routes and regional attractions.

The property is conveniently located near major roadways including U.S. Route 27, Interstate 4, and Ernie Caldwell Boulevard, which provide direct access to Central Florida's primary tourism and employment centers. This accessibility allows visitors to reach the property without creating congestion in local residential streets.

In addition, the property is located within a short distance of established commercial services including shopping centers, restaurants, gas stations, and major healthcare facilities. This commercial infrastructure supports visitor needs and reduces pressure on purely residential areas.

The location is also approximately 30 minutes from Walt Disney World Resort, one of the region's primary tourism destinations. As a result, the property naturally serves visitors seeking temporary accommodations in proximity to the area's attractions.

The property includes its own private gated entrance, which enhances privacy, security, and controlled access for guests.

These characteristics help ensure the use is compatible with the surrounding area while maintaining orderly property management.

2. There are no incompatibilities between the proposed short-term rental and adjacent uses. The property remains residential in character, with private gated access and adherence to standard guest rules for parking, noise, and occupancy. No special mitigation measures are required.

3. Allowing this property to operate as a short-term rental provides several benefits to the county:

- Supports tourism economy: Visitors contribute to the local economy through spending at nearby restaurants, retail centers, and service providers.
- Tax revenue: Short-term rentals contribute to county and state revenues through tourist development taxes and sales taxes.
- Utilization of existing housing stock: The use does not require new development or additional infrastructure.
- Economic activity in nearby commercial corridors: Guests patronize nearby businesses along the US-27 and I-4 corridor.

Overall, the property's location, accessibility, proximity to tourism attractions, and surrounding commercial services make it suitable for short-term rental use while providing measurable economic benefits to Polk County.

Access to Roads and Highways

1. Rationale for Reduced Trip Generation

Occupancy duration: Airbnb/short-term rentals usually have guests staying multiple nights (3–7 days), so daily arrivals/departures are far fewer than a permanent resident household.

Limited vehicle use: Many guests share vehicles, use rental cars, or rely on rideshare, reducing actual trips.

Property limit: Your permit restricts occupancy to 2 vehicles, which caps maximum traffic regardless of ITE standard rates.

Methodology for a Conservative Estimate
ITE LUC 210 daily trip rate = 9.6 trips/day per dwelling unit.

Assume a typical short-term rental generates 50–60% of a permanent household's trips due to limited duration and shared stays.

$$\text{Adjusted daily trips} = 9.6 \times 0.5 = 4.8 \approx 5 \text{ trips/day}$$

PM peak hour trips scale proportionally:

$$\text{Adjusted PM peak} = 0.99 \times 0.5 = 0.495 \approx 0.5 \text{trips}$$

The standard ITE trip generation rates for a single-family home assume permanent occupancy. Because this property will operate as a short-term rental with multi-night stays and a maximum of two vehicles, the estimated daily trips are reduced to approximately 5 trips/day, with about 0.5 trips during the PM peak hour. This estimate reflects actual use patterns and ensures minimal impact on Ernie Caldwell Boulevard, US-27, and I-4, while still providing convenient access to local amenities and supporting the tourism economy.

2. The low trip volume and location on major roadways means no modifications to the existing transportation system are required. Roadways have sufficient capacity, and neighboring streets will not be impacted.

3. Required parking spaces: 2 per dwelling unit
Provided parking spaces: 2 (maximum allowed for property)
Conclusion: No additional parking spaces are needed.

4. The property will have direct access via its existing driveway to Ernie Caldwell Boulevard, a public arterial roadway. No additional intersecting streets or frontage roads are required. Access is gated and controlled, ensuring privacy and safe ingress and egress for guests. This arrangement provides convenient and direct access to regional roadways including US-27 and I-4 while maintaining minimal impact on neighboring properties.

Septic Tank / Sewage

1. The proposed short-term rental is served by an on-site well and septic system. Based on Section 703.F of the Polk County Land Development Code, the property is expected to generate approximately 600 gallons per day (gpd) of wastewater, assuming a maximum occupancy of 8 persons. The septic system is appropriately sized to accommodate this flow, and no connection to public sewer is required.

2. The property will utilize an on-site septic system for wastewater treatment. The system provides standard residential treatment consistent with Polk County Health Department and Land Development Code requirements.

Method of Treatment: Conventional septic tank and drain field system.

Level of Treatment: Primary treatment of solids in the septic tank, followed by secondary treatment via soil absorption in the drain field.

Method of Effluent Disposal: Treated effluent is dispersed through the approved on-site drain field, where it percolates into the soil, meeting all applicable environmental and public health standards.

The system is sized to accommodate a maximum occupancy of 8 persons (≈600 gpd) and is designed to ensure safe, compliant wastewater disposal without impact to neighboring properties or public infrastructure.

3. The property does not utilize offsite sewage treatment. All wastewater is managed on-site via a private septic system, and no external service provider is required.

4. The property is served by a private septic system. No public sewer lines are located within easements or rights-of-way per Section 702.E.3 of the Polk County LDC.

5. The property is served by a private septic system with capacity to accommodate up to 8 persons. This capacity is sufficient for the proposed short-term rental use.

6. No connection to public sewer is planned or required at this time.

7. No improvements to the septic system or public sanitary sewer are necessary.

Water Supply

1. The property's water is supplied by a private well. There is no municipal or utility service provider; the well fully serves the proposed short-term rental use.

2. The property has a private water/septic system designed for up to 8 persons. Using the standard domestic water usage rate of 75 gallons per person per day (Section 703, Polk County LDC) and assuming 50% occupancy typical for short-term rentals:

$$8 \times 75 \times 0.5 = 300 \text{ gallons per day (GPD)}$$

Conclusion: The estimated water consumption is approximately 300 GPD, which is within the capacity of the existing system.

3. There are no public reclaimed water lines on the property or within adjacent easements or rights-of-way.

4. The property's wastewater service is provided by the private septic system on-site, maintained by the property owner.

5. No connection to public sewer is planned.

6. The property's private septic system has capacity for up to 8 persons, which is sufficient for the proposed short-term rental use.

7. Existing Well: Yes, the property has a private well.
Type: Domestic/private well.
Permit Capacity: Not required for typical residential use; serves the short-term rental.
Location: Northeast side of the property.
Water Use Permit: Not applicable; private residential well.
Type of Use: Residential (not agricultural, public, or industrial/commercial).
Permit Daily Capacity: Not applicable; adequate for domestic use of the property.

Surface Water Management and Draingage

1. The property is primarily located in FEMA Flood Zone X, indicating minimal flood risk for the main structure. A portion of the rear yard lies within Flood Zone A due to the presence of wetland areas along the back property boundary, which function as a natural surface water storage and drainage feature.

   Surface water on the site generally drains toward the rear of the property, following the natural grade toward the wetland area. This helps convey and temporarily store runoff from surrounding land.

   Elevation data from the building measurement information indicates that the top of the bottom floor is approximately 1.067 ft above the highest adjacent grade (HAG) and 1.106 ft above the lowest adjacent grade (LAG). The attached garage slab is about 0.091 ft above HAG, and the top of equipment platform is about 0.503 ft above HAG (Elevation Certificate, Vision Land Service, Duncan, Ernest W, July 16, 2025). These elevations indicate the structure is slightly elevated relative to surrounding ground, helping reduce flood risk.

   Overall, no known flooding issues affect the primary structure, and flood risk is limited to the rear wetland area within Zone A, which primarily serves as a natural drainage and water retention feature.

2. No alterations to the site's natural drainage features or wetlands are necessary for the proposed short-term rental. The existing conditions will remain intact.

Environmental Analysis

1. The property is primarily residential with a single-family home and a wetland along the rear boundary, which contributes to natural stormwater drainage. The house and main yard are outside flood-prone areas (FEMA Flood Zone X). Surrounding properties are mostly residential or undeveloped, with similar wetland and natural drainage features.

2. No development or alterations are planned for these areas; the lot will remain in its original, natural condition, preserving existing wetlands and drainage patterns.

3. The property is served by a private well located on the northeast side of the lot, providing water for domestic use. There are no nearby public well fields that could be affected by the proposed short-term rental. The well's location ensures no impact on surrounding potable water supplies, and use is limited to the property's domestic needs.

4. The site is primarily sandy soils typical of Davenport, which drain well and are compatible with the existing private septic system. The property will remain in its natural condition, so the soils will not adversely affect the proposed short-term rental use.

Infraestructure Impact Information

1. **Parks and Recreation**
   - Tom Fellows Community Center / Wilson Park / Jamestown Park / Lewis W. Mathews Sports Complex – within ~3–4 miles (Davenport city parks).
   - Northeast Regional Park – about 4.5 miles northwest via US-27 (public recreational fields and open space).
   - Lake Eva Community Park (Winter Haven) – about 11–12 miles east (regional community park).

2. **Educational Facilities**
   - Davenport School of the Arts (K–8) – approximately 1.8 miles southwest.
   - Loughman Oaks Elementary School – approximately 2.1 miles southwest.

- Other nearby schools (middle & high) lie within ~4–7 miles.

3. Health Care

- AdventHealth Heart of Florida – primary hospital with emergency services located ~2.5–3 miles northwest on US-27.
- Additional care (urgent care, pharmacies) within ~2–5 miles.

4. Fire Protection

- Fire protection and EMS response are provided by Polk County Fire Rescue / Davenport Fire Department stations; the nearest staffed station (e.g., Station 20 – Loughman on US-17/92) is approximately 3–4 miles southwest.

5. Police Protection and Security

- Law enforcement is provided by the Polk County Sheriff's Office and local Davenport police. The nearest sheriff's district office for this part of unincorporated Polk County is generally within 5–7 miles.

6. Emergency Medical Services (EMS)

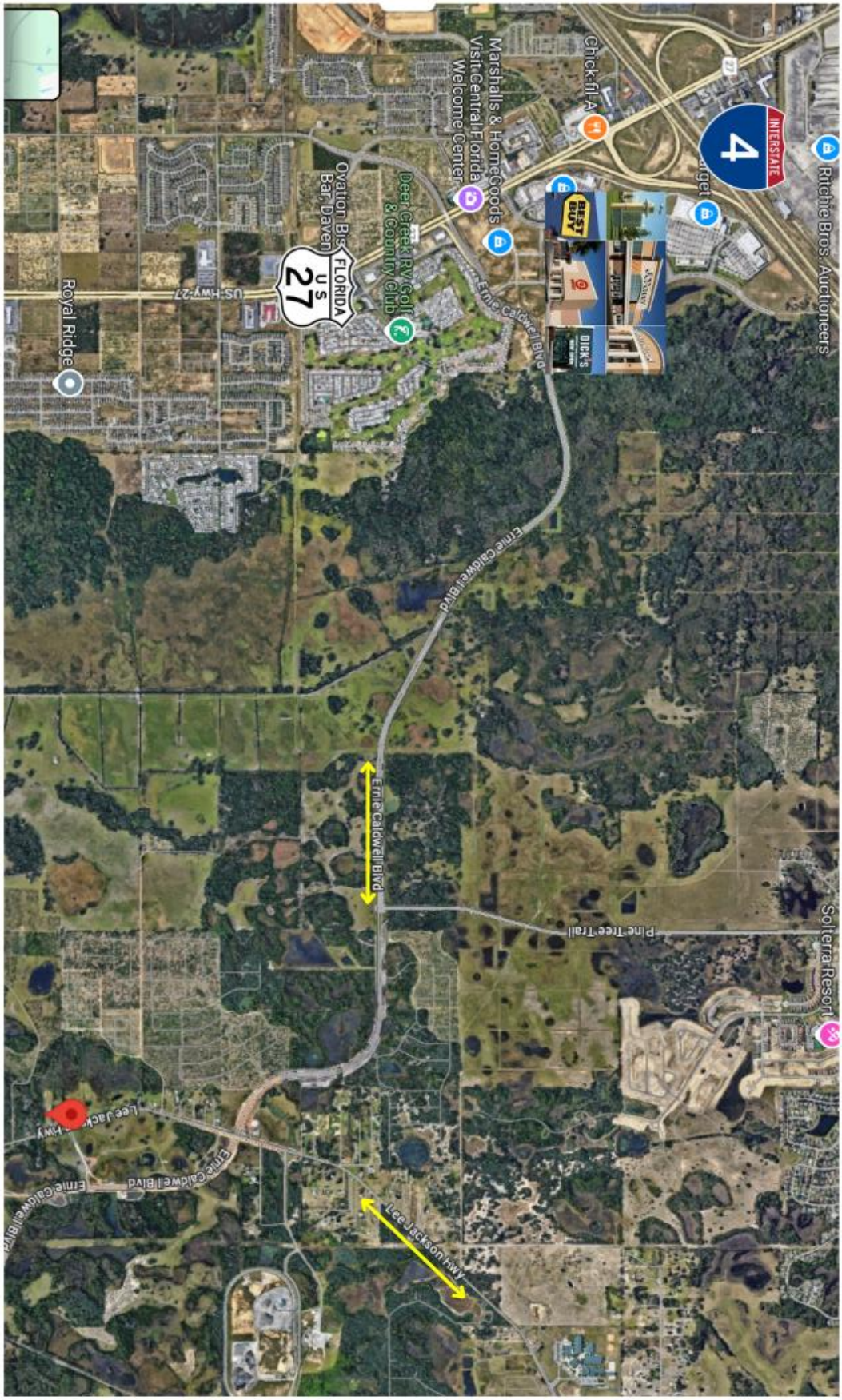
- EMS is integrated with Polk County Fire Rescue response units based in stations near Davenport (as noted above for fire protection). Standard EMS response coverage extends from these stations typically within ~3–6 miles.

7. Solid Waste

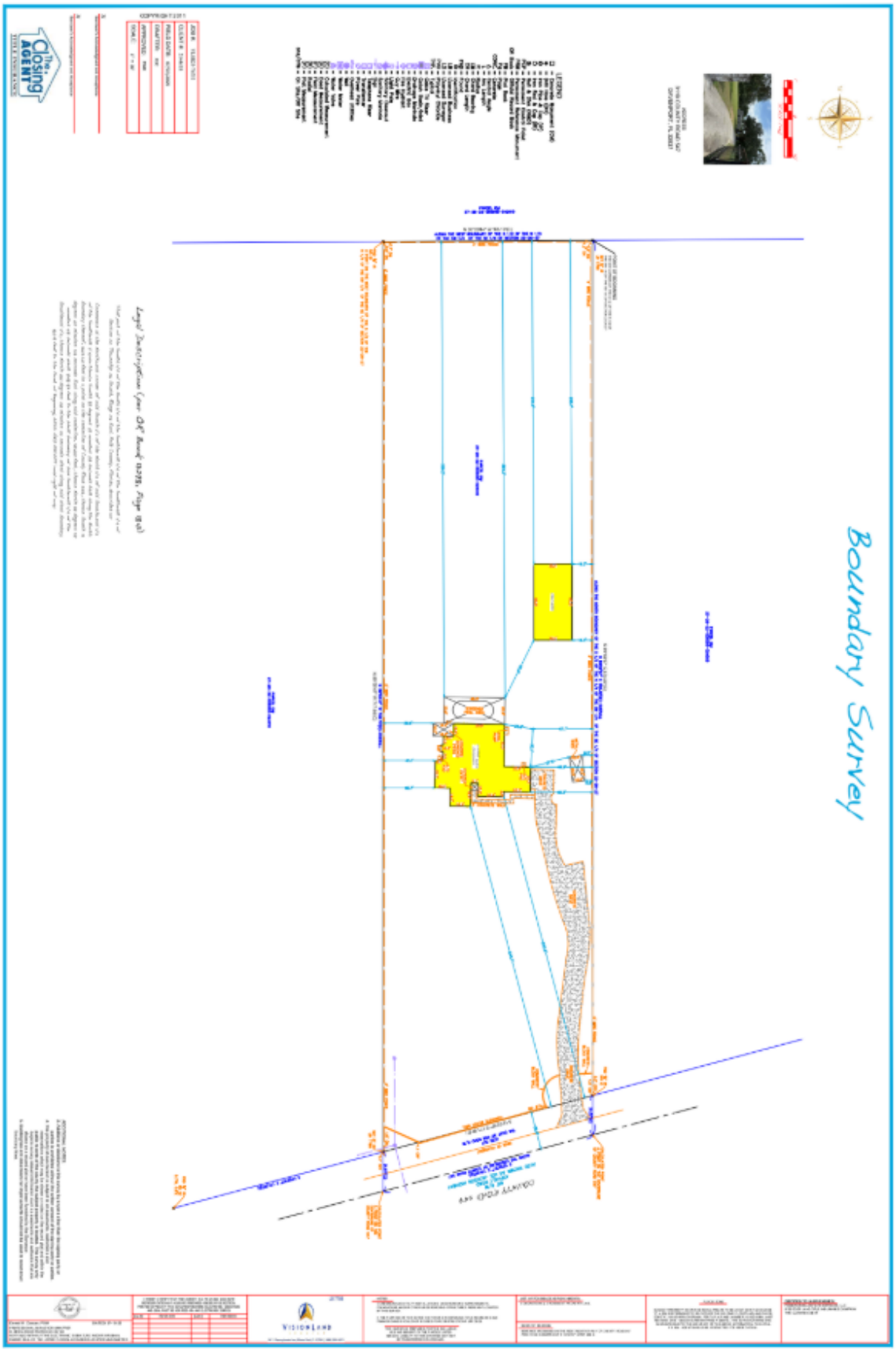
- Residential solid waste (trash/yard waste) is collected by Polk County Solid Waste Division; the nearest waste transfer station/landfill (North Central Landfill) is approximately 15–18 miles northeast of the property. Collection is curbside based on county schedule.

8. The proposed short-term rental provides additional lodging options in a highly accessible area near shopping, restaurants, medical facilities, and regional attractions. It supports tourism and local businesses, contributes to county tax revenue, and utilizes an existing residential property without creating new development or burdening infrastructure. This enhances the neighborhood's economic and service capacity while maintaining the residential character of the area.

Map A.


Chick-fil-A
Marshalls & HomeGoods
Visit Central Florida Welcome Center
Deer Creek RV Golf & Country Club
Ovation Bis
Bar, Daven
FLORIDA
27
US HWY 27
Royal Ridge
Ernie Caldwell Blvd
Ritchie Bros. Auctioneers
INTERSTATE
4
BEST BUY
DICK'S
Ernie Caldwell Blvd
Pine Tree Trail
Solterra Resort
Lee Jackson Hwy
Ernie Caldwell Blvd

Map B.



Map C.


171.0'
LARGE OAK TREEK
DRIVEWAY
SEPTIC TAN
GARAGE
HOUSE
WELL
POOL
SHED
PROPERTY LINE
705.30'
748.73'
165.19'

LDCU-2026-5 - 3119 COUNTY RD 547

Menu Reports Help

Application Name: 3119 COUNTY RD 547

File Date: 02/25/2026

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: Registration of existing single-family home (5BR/3BA) for Short-Term Rental use. No construction or alterations proposed. Property to operate in compliance with Polk Co Code and State of Florida requirements.

Application Detail: Detail

Address: 3119 N HWY 547, DAVENPORT, FL 33837

Parcel No: 272622000000024040

Owner Name:

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
LAURA PIZARRO		Engineer	Mailing, 5778 MARSH LA...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $966.00

Total Fee Invoiced: $966.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Conditional Use
Mobile Home

Brownfields Request
_

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
_

Will This Project Be Phased

Acreage
2.63

DRC Meeting
03/26/2026

DRC Meeting Time
_

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
06/03/2026

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-00000-10983

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
√

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 ...	03/10/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	03/16/2026	Kim Turner
Planning Review	Ivan Nance			
Surveying Review	Mike Benton			
School Board Review	School District	Not Required	03/11/2026	School District
Roads and Drainage Review	Phil Irven	Approve	03/11/2026	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-2026-5 (CR 547 Short-Term Rental)

Applicant: Laura Pizarro

Property Owner: Pizarro Real Estate Services, LLC

Hearing Date: June 3, 2026

I. Request:

The applicant is requesting Conditional Use approval for short-term rental on an un-platted residential lot located at 3119 North Highway 547, south of Ernie Caldwell Boulevard, west of US 17/92, north of Crescent Valley Ranch Road, in Section 22, Township 26, Range 27.

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 3rd day of June 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 June 3, 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:

Agenda Item 14. 6/3/2026

SUBJECT

LDPD-2026-7 (U.S. Hwy 27 Retail Center Modification)

DESCRIPTION

Cristian Mendez, on behalf of Walmart Stores East LP and Sams East Inc., requests a Planned Development to modify sign plan specifications for an existing Conditional Use approval of a large retail center with gas stations and a sign plan in the ECX district. The property is located on the west side of U.S. Highway 27, South of Holly Hill Grove Road #2, north of Ridgewood Lakes Boulevard, south of I-4, east and north of Haines City, in Section 30, Township 26, Range 27.

RECOMMENDATION

Approval with conditions.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

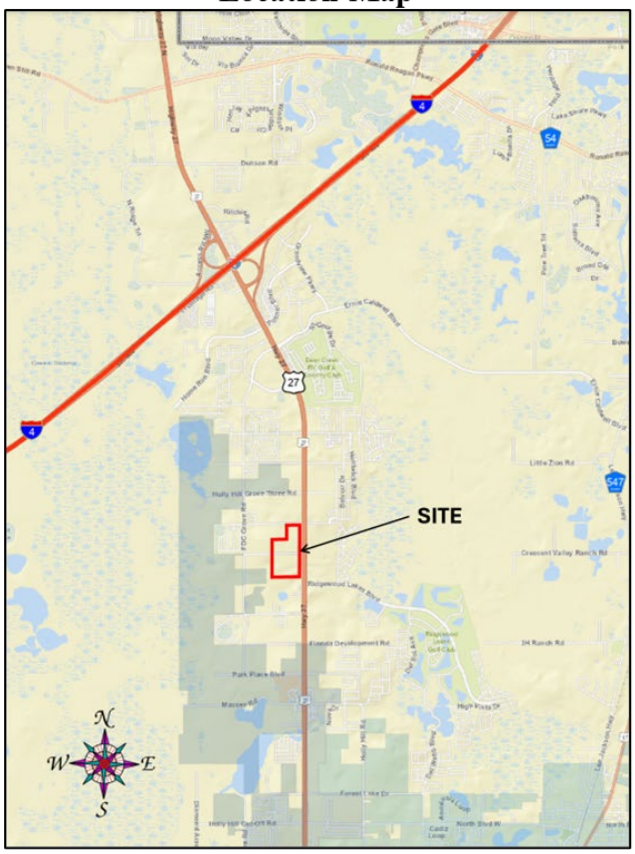
Erik Peterson, AICP
Planning Administrator
Land Development Division
(863) 534-6470
erikpeterson@polkfl.gov <mailto:erikpeterson@polkfl.gov>

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

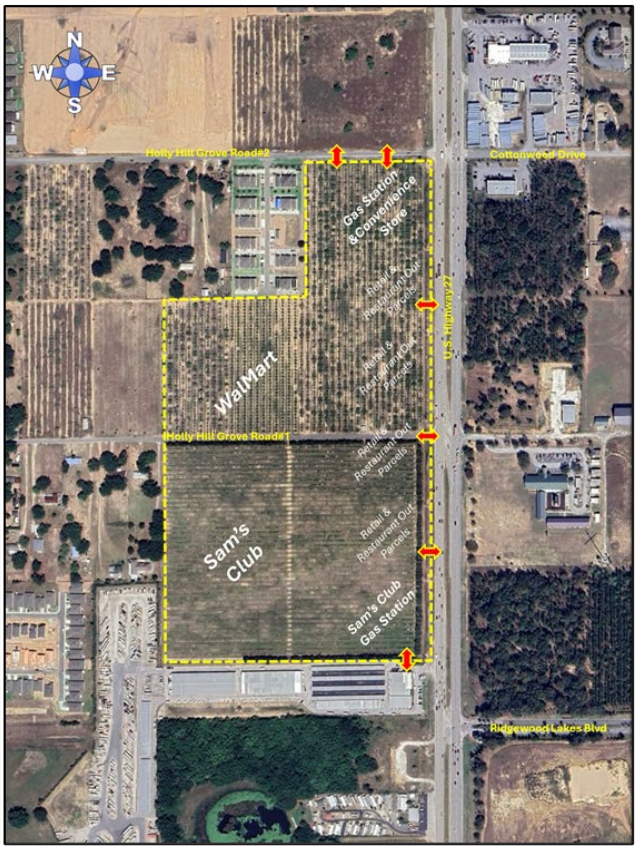
DRC Date:	April 30, 2026	**Level of Review:**	Level 3 Review
PC Date:	June 3, 2026	**Type:**	Planned Development Modification
BoCC Date:	n/a	**Case Numbers:**	**LDPD-2026-7**
		Case Name:	U.S. Hwy 27 Retail Center Modification
Applicant:	Cristian Mendez, CPH	**Case Planner:**	Erik Peterson, AICP

Request:	Planned Development to modify sign plan specifications for an existing Conditional Use approval of a large retail center with gas stations and a sign plan in the ECX district.
Location:	West side of U.S. Highway 27, South of Holly Hill Grove Road #2, north of Ridgewood Lakes Boulevard, south of I-4, east and north of Haines City, in Section 30, Township 26, Range 27.
Property Owners:	Walmart Stores East LP and Sams East Inc.
Parcel Size (Number):	±56.71 acres (272630-707510-010100 and 272630-000000-012010)
Future Land Use:	Employment Center-X (ECX), Green Swamp Area of Critical State Concern, Ridge Special Protection Area, Northridge Selected Area Plan
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Haines City (325 feet)
DRC Recommendation:	Pending Review
Planning Commission Vote:	Pending Public Hearing

Location Map



2024 Satellite Photo



Summary:

On October 2, 2024, the Planning Commission approved LDCU-2024-25 which was a conditional use (CU) approval for retail over 65,000 square feet and gas stations in an ECX district. The applicant also received approval for an exception to the district sign standards through a comprehensive sign plan. The sign plan approved with LDCU-2024-25 was for four multi-tenant signs and two free standing signs that are larger and taller than the code permits in the ECX district of the North Ridge SAP. This is a request to modify that sign plan in two ways: 1) adjusting the copy area on two of the proposed free-standing signs by shifting total area from one to another and 2) adding a fuel reader to one of the hybrid monument signs in the plan.

The sign plan approved includes five (5) plaza signs and two free-standing signs for the major retailers in exchange for pole or monument signs on the nine outparcels on nearly 57 acres. While this seems like a rather minor change for such a large sign plan, the previous conditional use approval was very specific. To avoid the potential for another adjustment that requires a public hearing and Planning Commission approval, a condition is recommended that provides some leeway for future minor adjustments. *(see condition 10 highlighted on page 6)*

The Employment Center (ECX) district is a hybrid land use designation in the North Ridge Selected Area Plan "intended to accommodate the employment and functional needs of the urbanizing northeast area of the County." The ECX generally contains office and support facilities, college and university use, commercial, light assembly, and limited warehousing use. Large retail outlets (*Big Box Retail*) and gas stations are not the norm in this district, which was why Conditional Use approval was necessary. Gas stations are also listed as C3 conditional uses in Table 4.16 Use Table for Standard Land Use Districts of the North Ridge Selected Area Plan. LDCU-2024-25 was approved for approximately 489,500 square feet of retail and two gas stations. This is not changing, just rolling the previous approval into a Planned Development (PD) designation. PDs are CUs that are mapped on the County's Geographical Information System (GIS). With this mapping, the sign plan and other conditions of the past approval will be easier to track in the future.

There were weaknesses in key infrastructure to serve the site identified at the time of the original approval which included both transportation facilities and utilities. However, these deficiencies have been worked out. There is more interim capacity in the wastewater system while it is undergoing expansion. Traffic analyses have been reviewed, improvements have been identified, and the applicant has entered into an infrastructure agreement for the necessary improvements.

There are few environmental limitations onsite, and it will be developed to some of the highest environmental standards in the County because it is located in the Green Swamp Area of Critical State Concern. There are no wetlands or floodplains onsite, and the soil is well drained. The applicant has conducted an endangered species study to demonstrate compliance with the Florida Wildlife Commission (FWC) rules.

Findings of Fact

- *This is a request for Planned Development approval to modify the sign plan of a previous conditional use approval for retail above 65,000 Sq. Ft (489,500 SF) and Gas Stations in an ECX district along with a Sign Plan per LDC Section 760.K and time extension from the standard three (3) years in Section 906.G to five (5) years.*
- *The site is located in the Transit Supportive Development Area (TSDA), 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," according to POLICY 2.104-A1 of the Comprehensive Plan.*
- *The property is designated Employment Center (ECX) on the Future Land Use Map, is located in the North U.S. Highway Selected Area Plan, and the Green Swamp Area of Critical State Concern, Ridge Special Protection Area.*
- *Comprehensive Plan POLICY 2.131-Q4.M of the North Ridge SAP states that ECX districts are "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."*
- *Comprehensive Plan POLICY 2.131-Q4.M.b(c) states that Typical Tenants in ECX districts are "office parks, colleges and universities, research parks, services to offices, light assembly, distribution centers, research firms, development firms, convenience stores, restaurants, professional offices, financial institutions, recreational uses, communication facilities, medium density residential development, hotels and uses that support or directly relate to the college campuses and the development of a research park, including small-scale retail stores and other commercial uses."*
- *Retail and commercial uses are limited to 30 percent of the ECX district, according to POLICY 2.131-Q4.M.c(i), but the district is eligible for a greater percentage if approved by the Planning Commission.*
- *Land Development Code (LDC) Section 401.06 The North Ridge Selected Area Plan, Table 4.16 Use Table for Standard Land Use Districts, states that retail greater than 65,000 square feet in the Employment Center (ECX) district requires a Level 3 Review Conditional Use approval by the Planning Commission.*
- *LDC Section 401.06 The North Ridge Selected Area Plan, Table 4.16 Use Table for Standard Land Use Districts, states that gas stations in the Employment Center (ECX) district requires a Level 3 Review Conditional Use approval by the Planning Commission.*
- *Section 303, Gas Stations and all Gasoline Sales state that the following standards apply to this site:*
    1. *A minimum of 30 feet of stacking lane is required between a curb cut and the nearest gasoline pump.*
    2. *Gasoline pump islands and canopy supports shall be set back from the edge of the road right-of-way shall be 25 feet on both principal arterial and collector roads. The centerline setback shall be 85 on principal arterial roads and 55 feet on urban collector roads.*
    3. *Interior side and interior rear setbacks shall be the same as required for the principal building. No part of any canopy may extend into the right-of-way.*
    4. *Gasoline sales adjacent to residential property shall be limited to six pumps and five outdoor speakers.*

- *LDC Chapter 7, Section 760.K Signage Plans states "Unique mixed-use developments that have been planned to create a strong sense of place and community may have signage plans. Signage plan shall be permitted subject to the appropriate review, that implement a signage system that sets forth a strong identity for the overall development while at the same time allowing each business to communicate with the public in a consistent, community-building, coordinated manner. A balance of sign size to the overall environment, and overall enhancement of the development is a desired result of signage plans. To achieve this goal, a system of prescriptive and variable sign elements may be designed as part of a signage plan."*
- *LDC Chapter 10 Definitions categorizes Gasoline Stations as establishments "where gasoline and diesel fuel is supplied and dispensed at retail and where no servicing or repair of vehicles is permitted. Convenience goods may be sold at such facilities, but the sales shall be accessory to the sale of gasoline or diesel fuel."*
- *LDC Chapter 10 Definitions categorizes Gas Pumps as "any mechanism used for the dispensing of fuel for motor vehicles. For the purposes of this Code, a gas pump may have up to six dispenser nozzles."*
- *The surrounding Future Land Uses are Employment Center (ECX) and Professional Institutional (PIX). Both are primarily non-residential land use designations.*
- *This site abuts single-family residences on lots between 0.95 and 1.34 acres in size in a PIX district on the west and ECX district on the north. The site abuts a townhouse development of 40 units on originally five acres to the north.*
- *The nearest public school is approximately 2½ miles from the site.*
- *Fire and EMS response to this project is from Polk County Fire Rescue Station 38 located at 126 Cottonwood Drive which is less than ¼ mile from the site.*
- *There is no fire hydrant within roadway frontages but there are water lines with adequate pressure and size There is a 24-inch potable water distribution line on the opposite side of U.S. Highway 27. On the southeastern corner of the site, an 8-inch potable water line extends underneath U.S. Highway 27 connecting to the 24-inch distribution main.*
- *The site is served by the Polk County Sheriff's Office Northeast District Command at 1100 Dunson Road, approximately 3½ miles driving distance from the site.*
- *Polk County serves potable water, wastewater, and reclaimed water to this site through its Northeast Regional Utility Service Area (NERUSA). There are lines in the right-of-way of U.S. Highway 27 and Holly Hill Grove Road #2.*
- *The site has approximately 2,400 linear feet of direct frontage on U.S. Highway 27 a six-lane principal arterial, and approximately 590 feet of frontage on Holly Hill Grove Road #2, a two-lane urban collector.*
- *Holly Hill Grove Road #1 has been vacated through the property.*
- *According to the Transportation Planning Organization and FDOT, the generalized capacity of U.S. Highway 27 has exceeded the County's adopted level of service standard. A major traffic study based on current data will be required with any development approval on this site.*
- *Mass transit service is provided by roaute 20X, The Haines City/Davenport Express, and passes by the frontage of the site. A bus sto is included in the applicant's site design.*
- *There are no wetlands or floodplains on the site. The closest surface waters of any significance are in the Green Swamp Conservation Core to the west.*

- *The site is comprised of Candler Sand, a soil that has slight limitations to shallow excavations and small commercial buildings, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey.*
- *The site was within a mile radius of an endangered animal species sighting according to the Florida Natural Areas Inventory of 2002 but there has not been a nearby sighting in 2006 or later.* *Source: Florida Fish & Wildlife Conservation Commission (FWC).*
- *The site is not within the flight path and height restriction buffer zones of a public use airport. There is a heliport at the Heart of Florida Hospital approximately one mile to the south.*
- *There are similar large retail businesses (over 65,000 square feet) approximately five (5) miles to the south and two miles to the north.*
- *The closest gas station is approximately 1½ miles to the south and north. The Planning Commission recently approved a gas station on the ECX property opposite Holly Hill Grove Road #2 from the site.*
- *There has been a sign plan approved at the Posner Center 1 ½ miles to the north. No others have been approved on U.S. Highway 27 south of I-4 in Polk County.*

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 LDPD-2026-7.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the DRC recommends APPROVAL of LDPD-2026-7 with the following conditions:

1. The subject property is approved for 489,500 cumulative square feet of retail, personal service, and restaurant uses and two gas stations in an ECX district [PLG]

2. If a portion of Holly Hill Grove Road #1 is vacated, the property owner shall dedicate a utility easement from the eastern terminus of Holly Hill Grove Road #1 to U.S. Highway 27 that is a minimum 20 feet in width and the shortest practicable route between the beginning and end.

3. The property owner shall provide a cross-access easement to the abutting property to the south.

4. The number of access points directly connecting to U.S. Highway 27 may be reduced through a minor modification to the Conditional Use.

5. Prior to the submittal of any development approvals, a site walkover and protected species study shall be conducted by a registered environmental professional. The outcome shall be reported to the Florida Wildlife Commission, and their approval of proper avoidance, mitigation, and relocation procedures shall be enacted.

6. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDPD-2026-7, 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]

7. A sufficient Level 2 Review application for at least 65,000 square feet of retail commercial uses shall be submitted prior to the end of business on October 2, 2029 (5 years), or this approval shall expire. Level 2 Review on at least 65,000 square feet of retail shall be completed by end of business on December 2, 2031 (approximately 5½ years), or approval of retail above 65,000 square feet in the ECX district shall expire.

8. A sufficient Level 2 Review application for at least one gas station shall be submitted prior to the end of business on June 2, 2031 (5 years), or this approval shall expire. Level 2 Review on at least one gas station shall be completed by end of business on December 2, 2031 (approximately 5½ years), or the gas station approval shall expire.

9. The duration of the sign plan approval shall run with the approval of the first 65,000 or more square feet of retail development. Once construction commences on the first retail building above 65,000 square feet, the sign plan will be vested for the entire project.

10. Measurements depicted in the sign plan in Exhibits 7 and 8 and may be modified at building permit approval by up to five percent (5%) in area and height. Sign placement may be adjusted within the same right-of-way frontage. Individual tenant sign area may vary on multitenant signs.

11. This approval replaces and supersedes the conditions in LDCU-2024-25.

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 upon them.

Table 1

Northwest: Residential High Density (RHX) Large townhome development ECX – small townhome development and large lot single-family	**North:** Employment Center (ECX) Vacant former citrus grove planned for gas station two quick-serve restaurants and a self-storage facility (LDPD-2023-7)	**Northeast:** Professional/Institutional (PIX) Heavy Equipment Sales and Service (non-conforming) Retail store, vacant former citrus grove
West: ECX, RHX, PIX, City Vacant, former citrus grove, large lot single-family, and small lot single family	**Subject Property:** ECX Walmart Retail & Sam's Wholesale Club with gas stations under construction (LDNON-2925-41)	**East:** PIX, Neighborhood Activity Center (NACX) Religious Institution, vacant forested and former citrus lands
Southwest: PIX, City, RMX Self-storage, vehicle storage, large lot single-family	**South:** PIX, Self-storage facility	**Southeast:** NACX, RMX, RHX Ridgewood Lakes 55+ community, townhomes, mobile home, single-family, vacant commercial properties

Compact single-family and multifamily developments are covering what used to be citrus groves on properties that extend from U.S. Highway 27. Commercial developments are in the process of claiming the last available acreage along the U.S. Highway 27 corridor. Land is developing at a rapid pace in this area. The existing residential development on the west side of the site is how residential development settled in this area before the County began making substantial infrastructure investments to enable dense urban development. As a result of the market factors combined with the County's investment, this area is one of the fastest growing in the entire state.

Compatibility with the Surrounding Land Uses, Infrastructure, and Environment:

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 development is the largest retail request on U.S. Highway 27 since the Posner Center on the southeast corner of the I-4 interchange was approved in 2003. The property location is approximately equidistant between Haines City's northern highway commercial developments and the interstate. The surrounding area has seen some of Polk County's most rapid residential growth in the last 10 years. The market for large-scale retail is quickly catching up with the residential surge. The site has above average marketing presence with some environmental and infrastructure challenges that have been overcome. This modification is a relatively small change to the current site plan approval that can easily coexist with surrounding uses so that no use is unduly negatively impacted by it either directly or indirectly. In the site plan approved for construction (LDNON-2025-41), the immediate compatibility challenges with nearby existing residential development have been overcome through design, grading, buffering and screening.

A. Land Uses:

The greatest land use compatibility conflict with existing development was with the townhouses to the immediate northwest corner of the site. Suitable landscape buffering and an opaque fence or wall

is proposed consistent with the requirements in Section 220 of the LDC. Existing uses to the west are rural homesites of one acre or more. Ironically, these are designated for the same non-residential district as the subject property. The intent of the Future Land Use Plan for this area has been for those units to be redeveloped into office park uses. With the closure of their direct access to U.S Highway 27 through the applicant's vacation of Holly Hill Grove Road #1, there will need to be a reassessment of the highest and best use of these properties since the road has been closed to the east with a cul-de-sac terminus. The properties no longer have the same development potential under the ECX Future Land Use Map designation because it cut off their direct access to U.S. Highway 27. Some of the properties have been changed to Residential High (RHX).

The subject property is approved for an exception to the 65,000 square foot limitation on retail commercial development in the Employment Center (ECX) district of the North Ridge Selected Area Plan, gas stations, and a specialized sign plan. This request is to modify the sign plan which will convert the designation to a Planned Development. This way these approvals will be designated on the GIS system for easier recognition by the public and permitting staff.

The ECX district is "*intended for office parks, light assembly, commercial, and other business uses to serve the needs of the growing population in the northeast area of the County.*" Typical tenants include: "*office Parks, colleges and universities, research parks, services to offices, light assembly, distribution centers, research firms, development firms, convenience stores, restaurants, professional offices, financial institutions, recreational uses, communication facilities, medium density residential development, hotels and uses that support or directly relate to the college campuses and the development of a research park, including small-scale retail stores and other commercial uses*." This site was approved to deviate from these parameters to allow a 489,500 square foot shopping plaza on 36.5% of the current ECX district under case #LDCU-2024-25. The Planning Commission realized the ECX district has not performed as intended in the North Ridge Selected Area Plan. This amount of retail commercial is needed in this location in the next 10 years at our current rates of growth. This land use district is the only option for this property that allows retail commercial uses within it. The North Ridge Selected Area Plan has not undergone evaluation since it was adopted over 20 years ago. The needed mix of land uses today have outgrown the earlier vision of the area. The previous planning efforts may have missed the mark on the amount and type of retail commercial needs that would be present at the end of the plan's term as the planned residential development comes closer to full buildout.

The gas stations are located fronting the U.S. Highway 27 corridor in the most optimal places. One is at the intersection of Holly Hill Grove Road#2 and the other is on the southern end of the property and will be an exclusive fueling site for club members. These locations and their conceptual sketches on the site plan appear to meet all the requirements of the SAP and Section 303 of the LDC. The approved sign plan was for a greater number and sizes of plaza signage in exchange for no other ground signage on the out parcels. This modification is for a slight deviation from the original plan and provides some flexability so future modification of this type are not needed. Overall, this plan achieves a more consistent theme, reduces sign clutter, and achieves the intent of Section 760.K that is to create "*a balance of sign size to the overall environment, and overall enhancement of the development.*"

B. Infrastructure:

There were some infrastructure weaknesses in this portion of the County that affect the immediate development of the site. Fortunately, these have been overcome since the initial approval. Wastewater capacity is scheduled to be adequate to serve the site by the opening in 2027. The primary roadway connecting is under construction for a new signalized intersection design at Holly Hill

Grove Road #2 and U.S. Highway 27 with multiple turn lane additions both on U.S. Highway 27 and Holly Hill Grove Road #2/ Cottonwood Drive. This improvement will enable more efficient entrance and exit to the site, but it may also lower traffic capacity on U.S. Highway 27. If it coincides with other intersection improvements along U.S. Highway 27, it may only result in a subtle decline in capacity. Alternative roadway connections such as FDC Grove Road may draw more traffic off the highway, especially if there is a flyover connection across I-4 to the North Ridge Trail in the future which is currently under design.

Public safety services are excellent for this site since the fire rescue station is on Cottonwood Drive opposite U.S. Highway 27. Law enforcement services are relatively high with a command center just 3½ miles away. Schools and parks are not in conflict with this site in any way.

C. Environmental Limitations

Most environmental factors are favorable for the development of this property. There are no substantial limitations such as wetlands and 100-year flood zones that might limit the use of the site and pose site drainage problems. The grade changes are more than typical in Florida which is why the right-of-way closure was a necessity. In order to accommodate the size of the retail, structures proposed (±200,000 square feet each), The undulating grade will be flattened. This made rerouting the right-of-way to its continuing grade far too challenging. The only other environmental limitations were the standard species mitigation that often comes with the redevelopment of former citrus groves. These properties often contain Sand Skink and Gopher Tortoise habitats that have to be avoided, mitigated, or relocated. A species study was conducted prior to construction.

Sign Plan Comparison of Permitted and Proposed Request

The LDC requires Ground Sign area and height to be reduced by 15%, if the subject site is located in a Selected Area Plan (SAP). Table 2, below, identifies how the original approval and the new request deviates from the sign requirements outlined in Section 760 of the LDC.

Table 2 Applicant's Proposal

***±56.71** acres ECX* *2 parcels >5 acres* *8 parcels < 5 acres*	**North Ridge SAP** **15% reduction** **Area and Height for** **Free Standing Signs**	**Proposed Request**	**Percentage of Standard**
Multi-Tenant			
Height	30' & 5'	21', 15', 15', 11' & ~~11~~' 12.5'	~~208%~~ 212%
Face Area	240 & 120 sq. ft.	370, 136, 136, 91, & ~~91~~ 114 sq.ft.	~~229%~~ 236%
Number	2	5	250%
Free Standing Signs (on parcels >5 acres)			
Height	25½'	25'	98%
Face Area	212½ sq.ft.	~~288~~ 312.5 & ~~225~~ 100 sq.ft.	147% & 47%
Number	2	2	100%
Free Standing Signs (on parcels <5 acres)			
Height	17'	0'	0%
Face Area	127½ sq.ft.	0' square feet	0%
Number	8	0	0%
Monument Signs			
Height	5' (exclude base up to 3 feet)	0'	0%
Face Area	80 square feet	0 square feet	0%
Number	10	0' maximum	0%

The location and dimension details are shown in Exhibits 7 & 8. Table 2 shows that the applicant is sacrificing individual signage on the outparcels for consolidation on larger multitenant signs. While it allows much larger signage than the standard, it reduces potential sign clutter along U.S. Highway 27. Staff find this to be a beneficial trade-off and deserve an exception to the standards. Staff finds it is consistent with Section 760.K because it provides a "*A balance of sign size to the overall environment*" as the intent describes. The proposed changes to the original approval are minor but not minor enough to be a minor modification and avoid a new hearing since these specifics are part of the conditions of approval. New conditions of approval are proposed so that these minor modifications do not require a public hearing before the Planning Commission in the future.

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 far from any location that could have potential conflicts with any school's operation. Listed in the table to follow are the three closest schools to the site.

Table 3

Name of School	Average driving distance from subject site
Horizons Elementary	±2½ miles driving distance
Ridgewiew Global Studies Academy Middle School	±3½ miles driving distance
Ridge Community High School	±3½ miles driving distance

Source: Polk County School Board GIS

This location for a large shopping plaza poses no potential adverse impacts upon any nearby schools. A new elementary school is planned and approved for construction in Haines City at the corner of Park Place and FDC Grove Road. This will be within 1½ miles of the site. The area is seeing such rapid population growth that the school zones in this portion of the County are over capacity and so are adjacent school zones.

Nearest Sheriff, Fire, and EMS Station

Fire Rescue and EMS response to this project is from Polk County Fire Rescue Station 38, located at 126 Cottonwood Drive which is almost across the street (US 27). The travel distance is approximately ¼ mile from the main entrance on Holly Grove Hill Road #2, and response times can average three or more minutes depending on the type of call. More fire hydrants are being added with the construction of these retail buildings. There is a 24-inch potable water distribution line on the opposite side of U.S. Highway 27. On the southeastern corner of the site, an 8-inch potable water line extends underneath U.S. Highway 27 connecting to the 24-inch distribution main.

Table 4

	Name of Station	Distance	Response Time*
Sheriff	Northeast District Command (1100 Dunson Road)	±3½ miles	6 minutes
Fire	Station 38(126 Cottonwood Drive, Davenport)	±¼ mile	3 minutes
EMS	Station 38(126 Cottonwood Drive, Davenport)	±¼ mile	3 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, 3½ 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. Polk County's law enforcement staffing is highest in the northeast part of the County.

Water and Wastewater Demand and Capacity:

The proposed sign modification plan will not change the water and wastewater demand for the development that has been approved. Since the original approval there have been significant changes in the utility capacity. There will be wastewater capacity to serve the full buildout of the development by the time the stores are ready to open, the current plant will have completed its planned and funded expansion. All water needs can be met, both now and in the future. Additionally, the lines that serve the site will need to be relocated when the transportation system improvements are constructed.

A. Estimated Demand and Service Provider:

Polk County provides potable water, wastewater, and reclaimed water to this area. The site has direct access to an 8-inch water line in the right-of-way of Holly Hill Grove Road on the north side of the property along with a 6-inch wastewater line under the pavement and a 6-inch reclaimed water line on the opposite side of the right-of-way. Along the frontage of U.S. Highway 27, there is a 16-inch wastewater force main and a 16-inch reclaimed water line in the abutting right-of-way. There is a 24-inch potable water distribution line on the opposite side of U.S. Highway 27. On the southeastern corner of the site, an 8-inch potable water line extends underneath U.S. Highway 27 connecting to the 24-inch distribution main. Table 5, to follow, provides an estimate of the water and wastewater demands of the proposed development at full buildout.

Table 5

Subject Property	**Estimated Impact Analysis**		
56.71± acres ECX	**Demand as Currently Used ECX**	**Maximum Permissible in the district ECX administratively**	**Proposed Plan**
Permitted Intensity	Vacant (former citrus grove)	1,664,201 SF Office 65,000 SF Retail	489,500 SF Retail and 2 Gas Stations *(34 fuel sites)*
Potable Water Consumption (GPD)	0 GPD	399,408 + 14,300 = 413,708 GPD	107,690 + 720 = 108,410 GPD
Wastewater Generation (GPD)	0 GPD	330,966 GPD	86,728 GPD

Source: Polk County Concurrency Manual & Polk County Utilities: Retail: Department stores 0.22 GPD/sq.ft. Office 0.24 GPD/sq.ft., Gas Stations 1 ERC (360 GPD), wastewater=80% water consumption

It may take approximately 10 years for the proposed development to fully build out. Also, the estimates above may likely be on the high side if there is adequate capacity in the reclaimed water system to serve the development. A significant amount of water used in any development is landscape irrigation. The above numbers do not consider the County's dynamic reclaimed water system and the potential reduction in potable water use.

B. Available Capacity:

The Northeast Regional Utility Service Area is permitted for 12,940,000 GPD of water capacity. As of June of 2026, the current projected flow is approximately 11,175,000 GPD leaving approximately 1,765,000 GPD in system capacity. The system growth rate is approximately 962 gallons or 3.2

equivalent residential connections per day. There is still an adequate amount of potable water capacity remaining and connection to the PRWC is on the horizon.

The Northeast Regional Wastewater Treatment Plant is now permitted to treat 7,000,000 GPD. As of June of 2026, the flow was approximately 5,683,000 GPD leaving 1,317,000 GPD of capacity. The system growth rate is approximately 409 gallons or 3.1 equivalent residential connection per day. Based on the rate of growth, there is estimated to be an adequate amount of wastewater treatment capacity remaining until the planned improvements are completed in 2027.

Reclaimed water capacity is not tracked for concurrency. The capacity to serve reclaimed water is directly proportional to the amount of wastewater treatment. As more homes are connected to wastewater service, more are connected to reclaimed water for irrigation. This reduces demand for the potable water system which extends the capacity of the potable water facilities. If this request for expansion is not approved, there will be less water for expansion of the reclaimed water system.

C. Planned Improvements:

The Northeast Regional Wastewater Treatment plant is planned for expansion from 7,000,000 GPD to 9,000,000 GPD to be completed by 2027. The reclaimed water system production will expand as the plant flow increases. This will enable more development to use reclaimed water for irrigation that is currently being supported by the potable system.

The water system will be connected to the Polk Regional Water Cooperative (PRWC) in the near future. As master planned, one well field of the PRWC will eventually deliver up to 30 MGD of high-quality potable water to member governments. The first phase of construction, expected to begin in late 2024, will consist of a 7.5 MGD reverse osmosis treatment facility, 5 raw water wells, and 61 miles of transmission pipeline.

Roadways/ Transportation Network

The impact of the proposed development on the area transportation network will be substantial and the major roadway fronting the site is overly constrained according to generalized data at this time. Many improvements under construction at the intersection of Holly Hill Grove Road #2 and U.S. Highway 27 including new turn lanes and signalization. A traffic study was approved by both Polk County and the Florida Department of Transportation (FDOT) that called out for the improvements that have been designed and are now under construction.

A. Estimated Demand:

This modification to the sign plan will not significantly change the currently approved development plans. There will be a significant increase in traffic volume from once the stores open, and many improvements needed to accommodate it are underway. Some of it will not occur immediately because it is estimated that the full buildout of all the outparcels will take at least 10 years to accomplish.

The traffic volume of the proposed use is approximately 76% of the highest potential use that the district will allow by right. On the one hand this is less than what might be, but the demand for that type of use in the potential quantity is highly unlikely in this market. Table 6 below shows the predicted Average Annual Daily Trip (AADT) rates and how much traffic to expect during the PM peak hour (highest hour between 4PM and 7 PM).

Table 6

Subject Property	Estimated Impact Analysis		
56.71± acres ECX	**Demand as Currently Used ECX**	**Maximum Permissible in the district ECX administratively**	**Proposed Plan**
Permitted Intensity	Vacant (former citrus grove)	1,664,201 SF Office 65,000 SF Retail	489,500 SF Retail and 2 Gas Stations *(34 fuel sites)*
Average Annual Daily Trips (AADT)	0	18,421 + 1,588 = **20,009**	11,960 + 3,393 = **15,353**
PM Peak Hour Trips	0	1,991 + 168 = **2,159**	1,265 + 360 = **1,625**

Source: Polk County Concurrency Manual
Shopping Center = 24.43/1,000SF AADT, 3.4/ 1,000SF @peak (76% new)
Office = 11.07/1,000 SF, 1.3/1,000SF @ peak (92% new)
Gas Station =99.77/ fuel site AADT, 13.91/fuel site @peak (76% new)

A major traffic study was conducted by the applicant and analyzed by Polk County Land Development staff, the Transportation Planning Organization (TPO) and FDOT. Over 400 vehicles could be exiting northbound through the intersection at Holly Hill Grove Road #2 within an hour during peak. That could be as many as seven (7) vehicles per minute waiting to turn left of U.S. Highway 27. That is why intersection improvements and alternate travel routes such as FDC Grove Road are key to the success of the development.

Once the stores open, the amount of traffic entering the site during the peak hour will also be substantial (48% of peak), but it will be drawing some of the existing traffic off U.S. Highway 27 because of its ability to attract passerby traffic. Nearly 400 vehicles could be attempting to turn left into the site during the peak hour. Not only will new signalization be installed at the intersection of Holly Hill Grove Road #2 and Highway 27, but lengthy turn lanes to absorb the stacking in order to maintain traffic flow on U.S. Highway 27 will also be added.

B. Available Capacity:

The site has direct access to U.S. Highway 27, a six-lane major arterial roadway. According to 2025 trip counts by the Florida Department of Transportation (FDOT), approximately 75,225 vehicles travel that portion of the roadway each day on average. Approximately 38,365 are driving northbound and 36,860 southbound. There are approximately 3,456 northbound vehicles and 3,321 southbound vehicles passing through during the PM peak hour, but the estimated capacity is only 3,020 in either direction. Table 7, to follow, provides a good snapshot in time of the capacity on the surrounding road network. I-4 and U.S. Highway 27 are constrained facilities. I-4 is scheduled for improvements. U.S. Highway 27 is being reassessed for its predicted capacity. It is likely that this link (5110) will be split at Citrus Ridge Drive/Minute Maid Ramp Road #2 and the counts will be redistributed. This may improve the generalized capacity for a short period of time. But the current rate of growth will soon consume any surplus.

Table 7

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
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	1,194	D
8222W	Interstate-4 From: Osceola County Line To: CR 557	D	1,006	D
4053E	CR 547 From: US Highway 27 To: Lee Jackson Highway	C	285	E

Table 7

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4053W	CR 547 From: Lee Jackson Highway To: US Highway 27	C	305	E
8322E	North Boulevard From: US Highway 27 To: Holly Hill Road	C	601	E
8322W	North Boulevard From: Holly Hill Road To: US Highway 27	C	594	E
6906E	Ernie Caldwell Boulevard From: Heller Brothers Road To: Pine Tree Trail	C	1,336	D
6906W	Ernie Caldwell Boulevard From: Pine Tree Trail To: Heller Brothers Road	C	1,317	D
8406N	FDC Grove Road/Park Place Boulevard From: U.S. Highway 27 To: Heller Brothers Road	B	608	D
8406S	FDC Grove Road/Park Place Boulevard From: Heller Brothers Road To: U.S. Highway 27	B	613	D
8408E	Heller Brothers Road From: FDC Grove Road. To: U.S. Highway 27	B	1,493	D
8408W	Heller Brothers Road From: U.S. Highway 27 To: FDC Grove Road	B	1,488	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 13, 2026

Polk County Roads and Drainage Division cannot control state and federal facilities, but it can control the roadways that feed them and improve alternative routes such as FDC Grove Road to lessen the local demand on the state thoroughfares. The lateral links that consumers will feed into U.S. Highway 27 to reach the proposed shopping plaza are operating above the minimum level of service standards. As traffic increases, there will be longer wait times at the signalized intersections. This will reduce their level of service. Intersection improvements are necessary to maintain capacity. Additional turn lanes enable more vehicles to enter and exit U.S. Highway 27 in shorter duration.

C. Roadway Conditions

Roadway conditions are vastly improving in this area. This project will have direct impacts upon U.S. Highway 27, Holly Hill Grove Road #2, and FDC Grove Road. U.S. Highway 27 is maintained by FDOT and is in above average condition. Holly Hill Grove Road #2 has recently been improved to standard pavement width funded by the developer of Brentwood (Highlands-Cassidy) to the northwest. FDC Grove Road is also seeing pavement width and intersection improvements incrementally as residential developments are coming online throughout the length of the corridor.

D. Planned Improvements:

The North Ridge Trail has recently received funding in the upcoming budget year to begin construction on some of the legs between Dean Still and Florence Villa Grove Road. The state legislature has directed FDOT to prioritize the I-4 Expansion bringing the I-4 Ultimate buildout to the intersection of U.S. Highway 27. This will remedy the current traffic delays that stem from congestion between the Osceola County line.

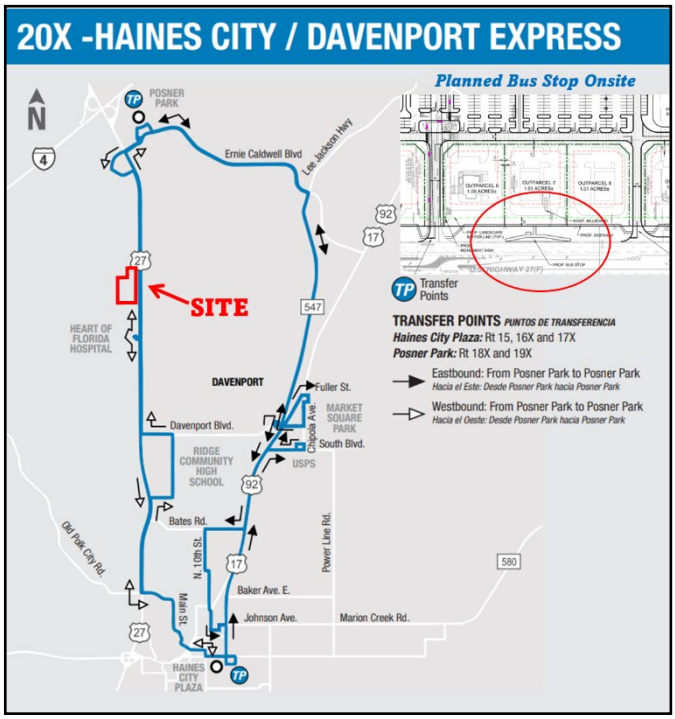
Table 7

Road	Fiscal Year CIP (Construction)	Project Description
North Ridge Trail	final design completed Construction underway	New roadway Dean Still Road to Legacy Park Boulevard (Florence Villa Grove Road connection)
Interstate 4 "Beyond the Ultimate"	2028	This project is part of FDOT's "Beyond the Ultimate" plan for improving I-4 which includes widening the Interstate to 10-Lanes from West of US 27 to Champions Gate at the Osceola County Line. The project will consist of three general use lanes, auxiliary lanes, and two special use lanes.
FDC Grove Road	Under construction	Intersection improvements between Massee Road and Minute Maid Ramp #2.
Citrus Ridge Drive @ US 27	Under construction	Intersection turn-lane additions and Signalization improvements (developer funded)
Minute Maid Ramp #2 @ US 27	Under construction	Intersection turn-lane additions and Signalization improvements (developer funded)

Numerous intersection improvements and new traffic signals are being installed on the U.S. Highway 27 corridor between Haines City and I-4. While these improvements are necessary to mitigate the adverse traffic impacts of various developments along the corridor, they will diminish the average trip speeds within the transportation links and their segments. This will reduce the capacity of U.S Highway 27. That is why County staff is focusing County resources on FDC Grove Road improvements to create an alternative for local travel on U.S. Highway 27. The County is also designing the connection of FDC Grove Road to the North Ridge Trail via a flyover to bridge I-4 and connection of Grandview Parkway east of the Posner Center to Dunson Road via flyover bridge which is funded through the "I-4 Beyond the Ultimate" plan.

E. Mass Transit

The Haines City/Davenport Express passes by the frontage of the site. The applicant proposes a bus stop to accommodate mass transit riders (see Exhibit 5). This route has one-hour-20-minute headways and runs weekdays from 5:45 am to 7:05 pm and Saturday 7:15 am to 4:05 pm. This level of service can accommodate the casual rider but is insufficient for fulltime employment usage in the retail of resturant sector. As the area population grows routes and times will improve which will make it more functional. It does connect to two separate transfer points that enable connections to five ther mass transit routes. These routes can conect riders to Poinciana, Kissimee, Winter Haven and Lake Wales. A bus stop is proposed in the development plans.



F. Sidewalks

The area currently lacks an adequate sidewalk network. This development and the ones to the west will provide sidewalks along their frontage. It will be up to the County to provide the missing

sidewalks that should have been provided by past development approvals. The townhouse development immediately to the west was required to install sidewalks and showed them on the approved plans but failed to construct them. Although the other multifamily development to the west was permitted after annexation into Haines City, the sidewalks are being constructed as required. Eventually, there will be a complete sidewalk network constructed along the entire length of Holly Hill Grove Road #2.

Park Facilities:

Non-residential development does not produce demand for parks and recreation facilities. However, they can benefit from them. There are many recreation and sports equipment products sold within the proposed uses.

A. Location:

The closest public park facilities are over seven (7) miles away in Davenport. The closest County facilities are in Loughman or north of Sand Mine Road on U.S. Highway 27 and over eight (8) miles to the north. There are no facilities within walking distance. Haines City and Davenport have several park facilities within easy driving distance.

B. Services:

There are six lighted soccer/football fields, five lighted baseball fields, basketball, tennis, and racquetball courts, concession facilities, boat access to Lake Davenport, as well as playground facilities for children and dog walks.

C. Environmental Lands:

The Lake Bonnet Marsh is to the west of the site. There is public access at the end of Sanders Road 2½ miles to the south.

E. Planned Improvements:

There are no further recreation improvements scheduled for this area by the County. However, with the number of annexations in the area, there may be City facilities in the near future.

Environmental Conditions

Conditions are ideal for commercial development on this property. There are few environmental limitations onsite. And it will be developed to some of the highest environmental standards in the County because it is located in the Green Swamp Area of Critical State Concern. No wetlands or floodplains onsite. The soil is well drained. The site will be designed to avoid discharge into any nearby wetlands or water bodies. There are no public use wells within 500 feet that would pose conflicts with the proposed gas stations. There are no conflicts with nearby airport facilities. There is no evidence of endangered species sightings but there are circumstances onsite that are consistent with some local habitation, but a species study was conducted and no mitigation was required.

A. Surface Water:

The closest surface waters of any significance are in the Green Swamp Conservation Core to the west. There are several manmade lakes created from sand mining in the 1990's and early 2000's The

site is likely to be graded such that the drainage flows towards stormwater retention ponds on the western and southern boundaries. Since this development is in the Green Swamp Area of Critical State concern, these ponds will be designed to hold a 25-year, 24-hour storm event for up to 14-days as a standard requirement. This provides ample time for absorption into the aquifer and evaporation prior to any outfall discharge in nearby waterbodies. Water collected on this site will reach nearby surface waters through the percolating into the aquifer rather than direct surface drainage systems.

B. Wetlands/Floodplains:

There are no wetlands or flood hazard areas onsite. Much of this site sits upon a hill. The closest wetland is in a depression to the west of the site. The site is likely to be graded such that the drainage flows towards stormwater retention ponds on the western and southern boundaries. Since this development is in the Green Swamp Area of Critical State concern, these ponds will be designed to hold a 25-year, 24-hour storm event for up to 14-days as a standard requirement. This provides ample time for absorption into the aquifer and evaporation prior to any outfall discharge in nearby wetlands.

C. Soils:

The entire site is comprised of Candler Fine Sand, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Candler Sand is very porous and well drained. Soil additives will be needed for road base stabilization and building foundations. Connection to reclaimed water for irrigation will assist in maintaining vegetation. The applicant plans to use xeric species in the landscaping to ensure sustainability.

Table 9

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Candler Sand	Slight	Slight	100%

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

D. Protected Species

According to Polk County Endangered Habitat Maps, the proposed PD is not located within a one-mile radius of an endangered species sighting. (Source: Florida Natural Areas Inventory, 2002, 2006 & 2011). However, given the nature of the soils onsite, a species study should be conducted prior to any land disturbance. Gopher Tortoises and Sand Skinks are rather common inhabitants of present and former citrus groves due to their malleable soils and abundant food supplies. A species study was conducted and no mitigation was required.

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 30, Township 26, Range 27. This is supported by the fact that it has been under citrus cultivation for the last 83 years, according to the 1941 aerial photos.

F. Wells (Public/Private)

There is a public use wellfield to the east just over 1,500 feet away from the development boundary. This is a significant distance, and the site drainage flows in the opposite direction towards the center of the property and U.S. Highway 27. This development will not conflict with those well sites. Gas

stations must be setback 500 feet from this facility, this is three times that distance. There are no other uses proposed at the site that could adversely affect this or any other public or private well.

G. Airports:

The site is not within the flight path and height restriction buffer zones of a public use airport. There is a heliport at the Heart of Florida Hospital approximately one mile to the south. This development will not conflict with it.

Economic Factors:

The northeastern corner of the County has been planned for urban growth since the early 1990s. Substantial investments have been made in water supplies and distribution networks (potable and reclaimed), wastewater treatment systems, roadway and sidewalk improvements, public safety (fire rescue, law enforcement, EMS), floodplain mitigation, parks and recreation facilities. There has also been a significant amount of job creation in the area. All of these investments, both private and public, have combined to enable a rapidly growing housing market for both single and multifamily developments. The result of which has created one of the fastest growing urban areas in the state. With all this residential growth comes the need for retail products and services. There was a time when the commercial land use needs were met with developments such as the Posner Center at I-4 and US 27 and around the greater Haines City area near US 27 and US 17/92. However, today those areas are fully built out and the demand for retail goods and services continues to grow at the same rapid rate as housing development.

The intent of the ECX district was to continue efforts to provide land uses that would stimulate local employment and bridge the gap in retail and residential needs by allowing small percentages of both to accompany employment uses. Based on more recent development patterns both in the state and nation, there is less demand for office space than the designers of the ECX district had envisioned. The rise in work from home professions and decline in office labor demands that have evolved over the last decade was not anticipated. Today staff have found a need for the ECX to provide for more retail and service needs than for places to work in offices because not only are their more workers in the residential areas, the retail and service establishments themselves contain much of the employment opportunities needed by the local population. This has been evident in the last four commercial use requests in the other ECX districts located throughout the planning area. While many have included such uses as quick-serve restaurants, gas, convenience, self-storage, and carwashes, there have also been other labor-intensive uses such as grocery stores, health clubs, personal services, and medical facilities developed within the districts creating more employment demands.

This property was the only one available that is suited for large-scale retail in the entire U.S. Highway 27 corridor from south of Haines City to U.S. Highway 192 (a distance of over 20 miles). With the closure of Holly Hill Grove Road #1 (underutilized substandard local road), the property is over 57 acres. There were no other commercial properties of that size under one ownership fronting U.S. Highway 27 from Lake Wales to the County line. There are none that can be found above 20 acres under one ownership, and the largest undeveloped commercial district falls short of what is demanded by over 10 acres. The policies within the Comprehensive Plan are too rigid to enable this property to have the proper land use category. Therefore, it was necessary for the applicant to request an exception to the ECX district at this location.

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

The site is located in the Transit Supportive Development Area (TSDA), 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,*" according to POLICY 2.104-A1 of the Comprehensive Plan. There are public water and wastewater services available for the proposed development. There is a mass transit route in the area. While there is limited traffic capacity on the most affected roadways, the applicant is designing an intersection improvement that will address how this may be mitigated. Public safety facilities are at urban service levels and within close proximity to the development.

The guidelines for developing this property are found in SECTION 2.131-Q of the Comprehensive Plan, the North Ridge Selected Area Plan (SAP). According to POLICY 2.131-Q4.M of the North Ridge SAP, Employment Center (ECX) areas are "*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*." Typical Tenants are "*office parks, colleges and universities, research parks, services to offices, light assembly, distribution centers, research firms, development firms, convenience stores, restaurants, professional offices, financial institutions, recreational uses, communication facilities, medium density residential development, hotels and uses that support or directly relate to the college campuses and the development of a research park, including small-scale retail stores and other commercial uses*" according to POLICY 2.131-Q4.M.b(c). Retail and commercial uses are limited to 30 percent of the ECX district according to POLICY 2.131-Q4.M.c(i). However, the conditional use process provided the Planning Commission with the ability to allow more retail within the district as needed at this location based on the criteria in Section 906.D.7.

Chapter 4, Section 401.06, Table 4.16, Use Table for Standard Land Use Districts in the North Ridge Selected Area Plan lists "Retail above 65,000 square feet" as a conditional use requiring a Level 3 Review. Section 401.06.E of the SAP standards for various uses specifies that there is a 30% limitation on commercial uses in the ECX, and that Level 3 Review is required to surpass it. The applicant is approved for a number of retail and restaurant uses on this site totaling approximately 489,500 square feet which is a 753% increase above the standard provided in the district. Chapter 3, Section 303, Criteria for Conditional Uses for "Retail" offers no specific development conditions or standards for retail in this location.

The current ECX district measures approximately 155.33 acres according to the County's GIS system. The approved 56.71-acre retail development encompasses 36.5% of the current ECX district. Other plans were approved within the ECX district for 8.38 acres to be developed under LDPD-2023-7 for a gas station, restaurant, and self-storage facility on the north side of Holly Hill Grove Road #2 opposite the entrance of this proposed retail outlet. Approval raised the percentage of commercial within the district to 41.85%. While this may seem like a significant deviation from the plan and code requirements, staff agreed with the applicant that were no better locations available in the North Ridge SAP for such a retail facility that is needed by the surrounding existing, developing, and permitted residential growth in the area.

The Planning Commission, in the approval of development plans, considered the following factors listed in Table 10 in accordance with Section 2.102 Growth Management of the Comprehensive Plan.

Table 10

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.	Staff found the proposed retail plaza design provided for buffering incompatible uses through landscaping, screening, use of stormwater management facilities, and grade separation. Its location along a major travel corridor is essential to the success of such a retail product and service delivery 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.	There are infrastructure and services available in this area to support the more urban development. There is a significant amount of surrounding residential development that is in need of the commerce that this proposed retail plaza will provide. This site is one of the last remaining of its size along the U.S. highway 27 corridor between Haines City and I-4. These proposed large retail outlets need a large property to develop.
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 has potable water, wastewater and reclaimed water services, fire rescue is very close by, and mass transit services will be stopping at the proposed use where the stop is indicated on the site plan.
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 surrounding residential development and a higher level of public services. While there is currently limited capacity on the roadway network, offsite improvements are planned to accommodate this development and the projected growth.
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. There is a fire rescue station less than ¼ mile driving distance from the retail site.

The Planning Commission, with the approval of development plans, considered the following factors listed in Table 11 in accordance with Section 906.D.7 of the Land Development Code.

Table 11

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;	*Staff found this this request is consistent with the LDC, specifically Sections 303,401.06, 706.K, and 906.D.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, POLICY 2.131-Q4.M of the North Ridge SAP, states that Employment Center (ECX) areas are "designed to allow office parks, light assembly,* ***commercial, and other***

Table 11

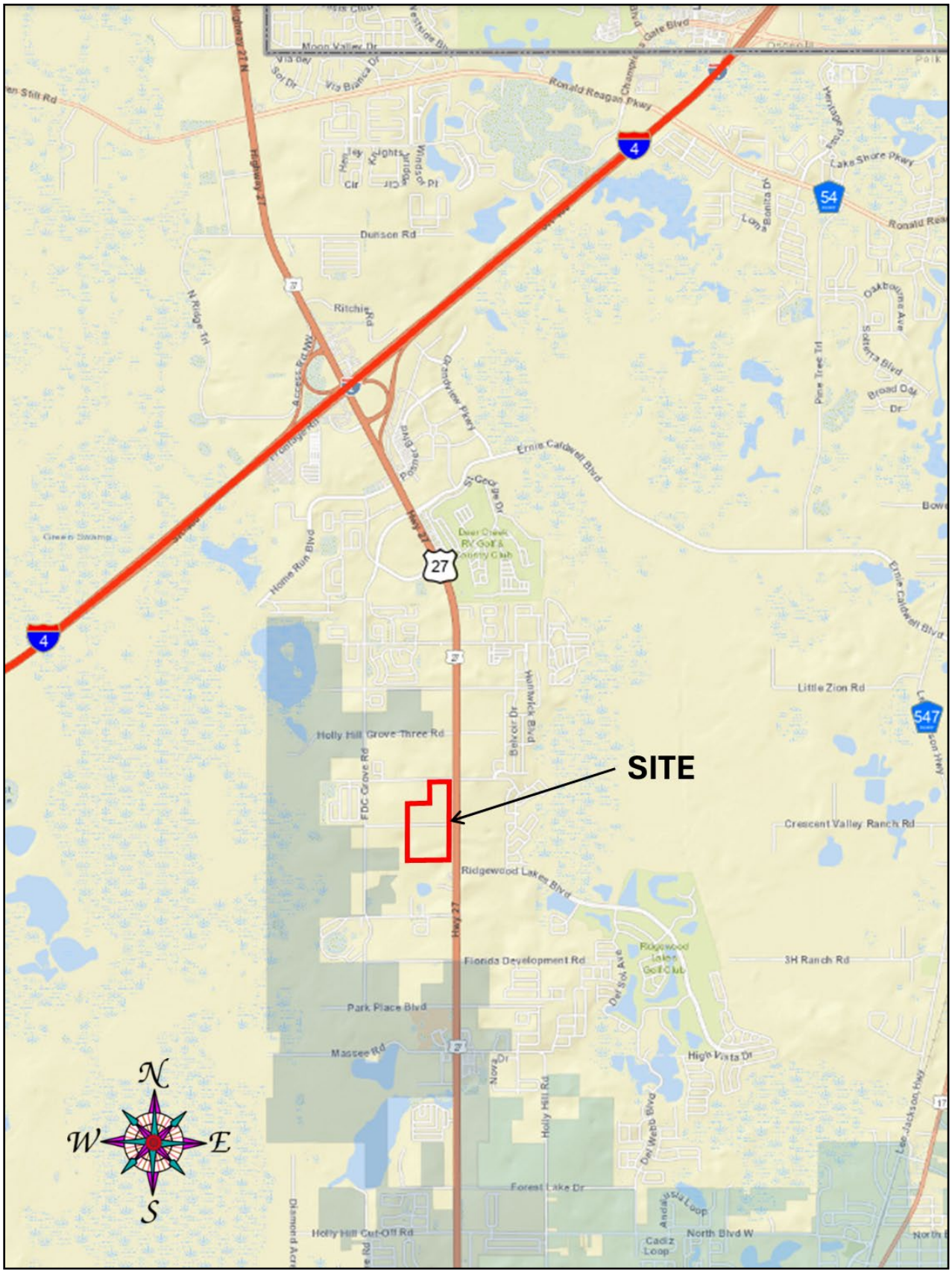
The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
	business uses *to serve the needs of the growing population in the northeast area of the County."*
Whether the proposed use is compatible with surrounding 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 7-9 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.	*There are currently deficiencies in transportation and wastewater concurrency. However, the applicant has requested and extension of the effective dates of the conditional use to allot more time for improvements to be designed, programed, and constructed.*

The previous conditional use approval met all the conditions in Section 303 of the LDC for gas stations. These included: a minimum of 30 feet of stacking lane between a curb cut and the nearest gasoline pump. Gasoline pump islands and canopy supports are set back from the edge of the road right-of-way by 25 feet or more on both principal arterial and collector roads. The centerline setback meets 85 on principal arterial roads and 55 feet on urban collector roads. Gasoline sales were not adjacent to residential property. There is an intervening entrance road and drainage tract shown on the site Plan (See Exhibit 5). The request meets all the conditions Section 706.K Sign Plans. The plan and the requested modification creates a strong sense of place and a balance of sign size to the overall environment, and overall enhancement of the development.

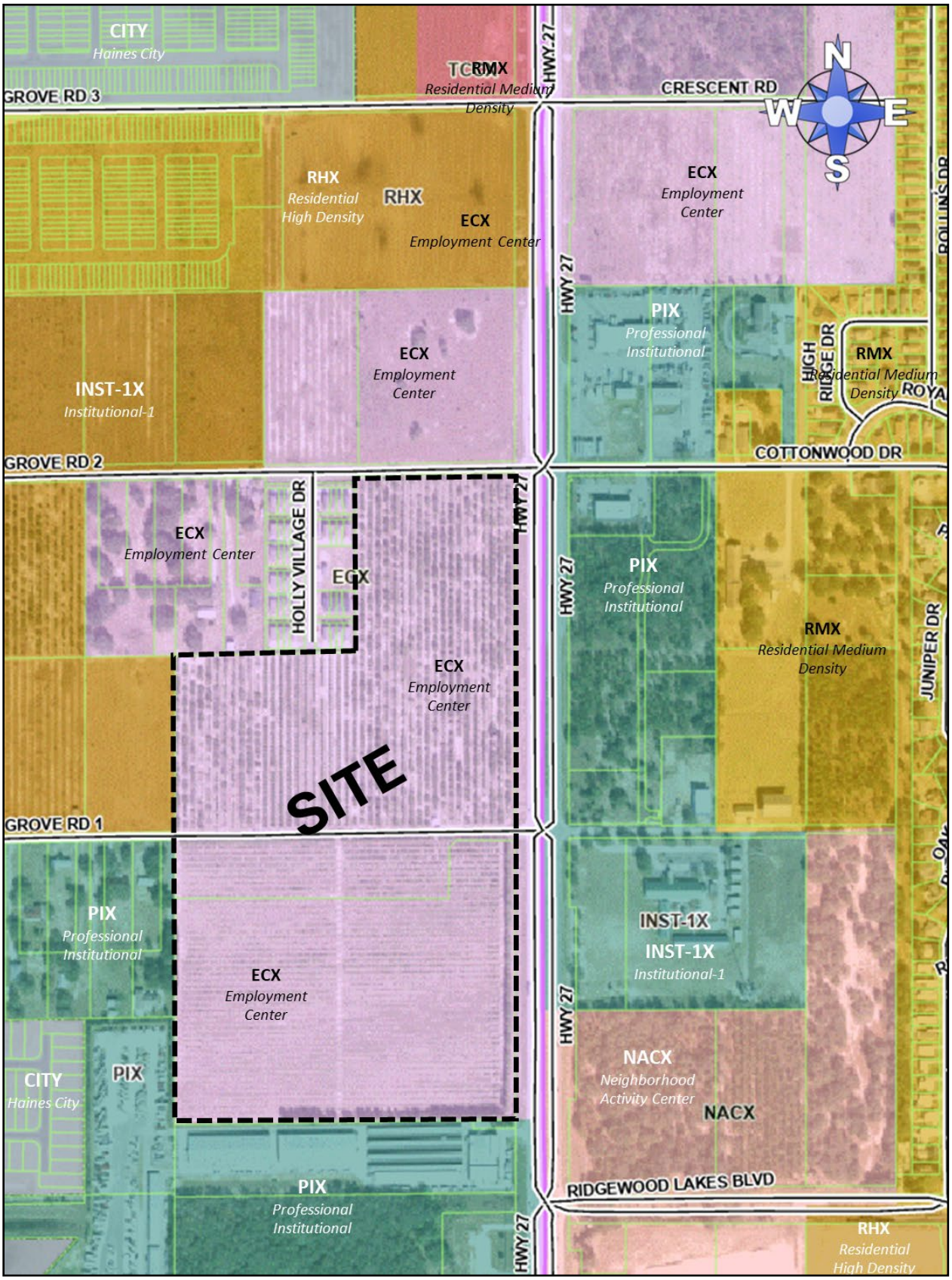
Comments from other Agencies: Polk County Land Development Engineering and the Polk County Public Safety Division contributed to the drafting of this report.

Exhibits:

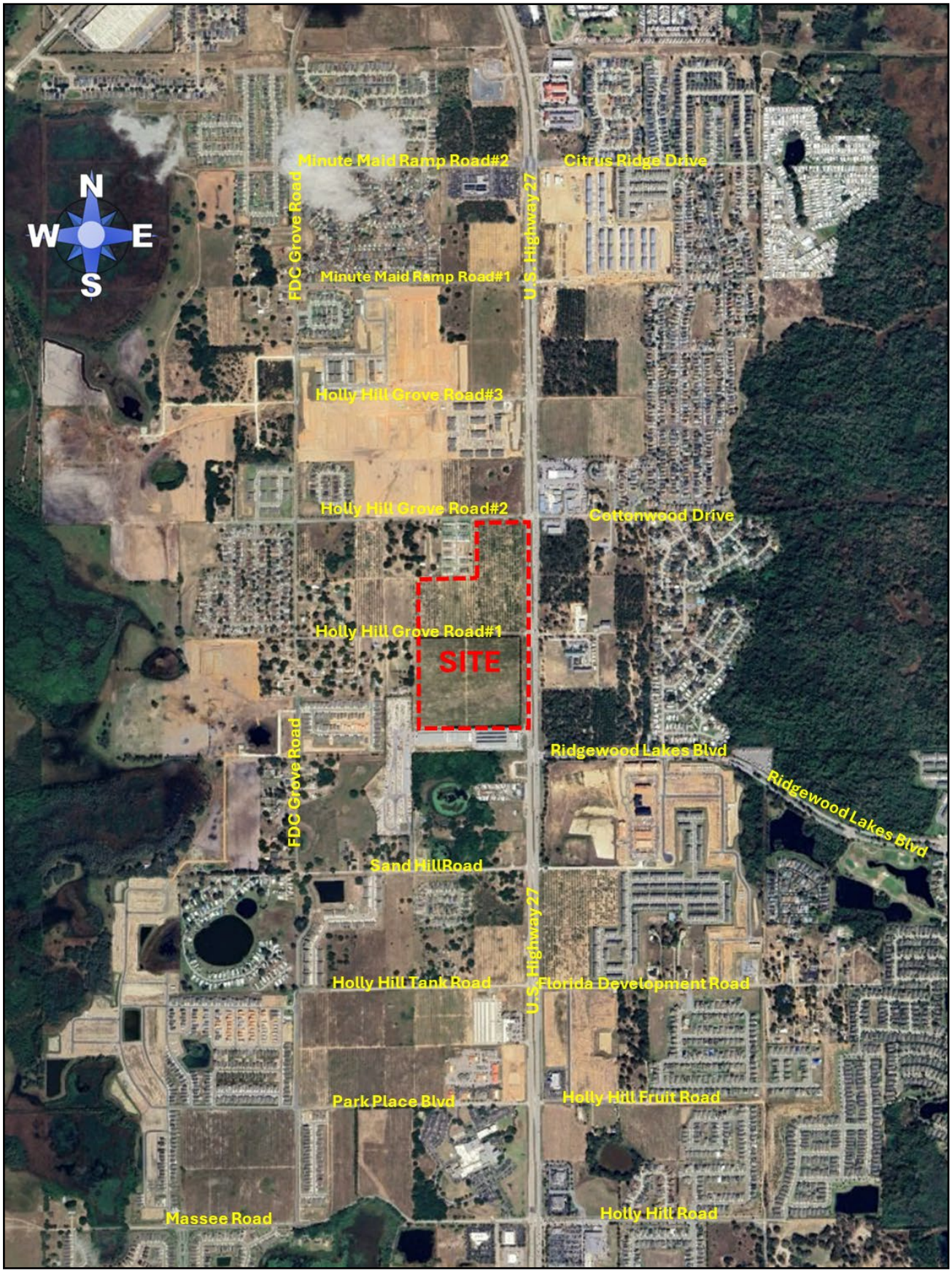
Exhibit – 1 Location Map
Exhibit – 2 Future Land Use Map
Exhibit – 3 2024 Satellite Photo (Context)
Exhibit – 4 2024 Satellite Photo with Site Plan Silhouette
Exhibit – 5 Site Plan
Exhibit – 6 Site Plan Details
Exhibit – 7 Sign Plan
Exhibit – 8 Sign Types



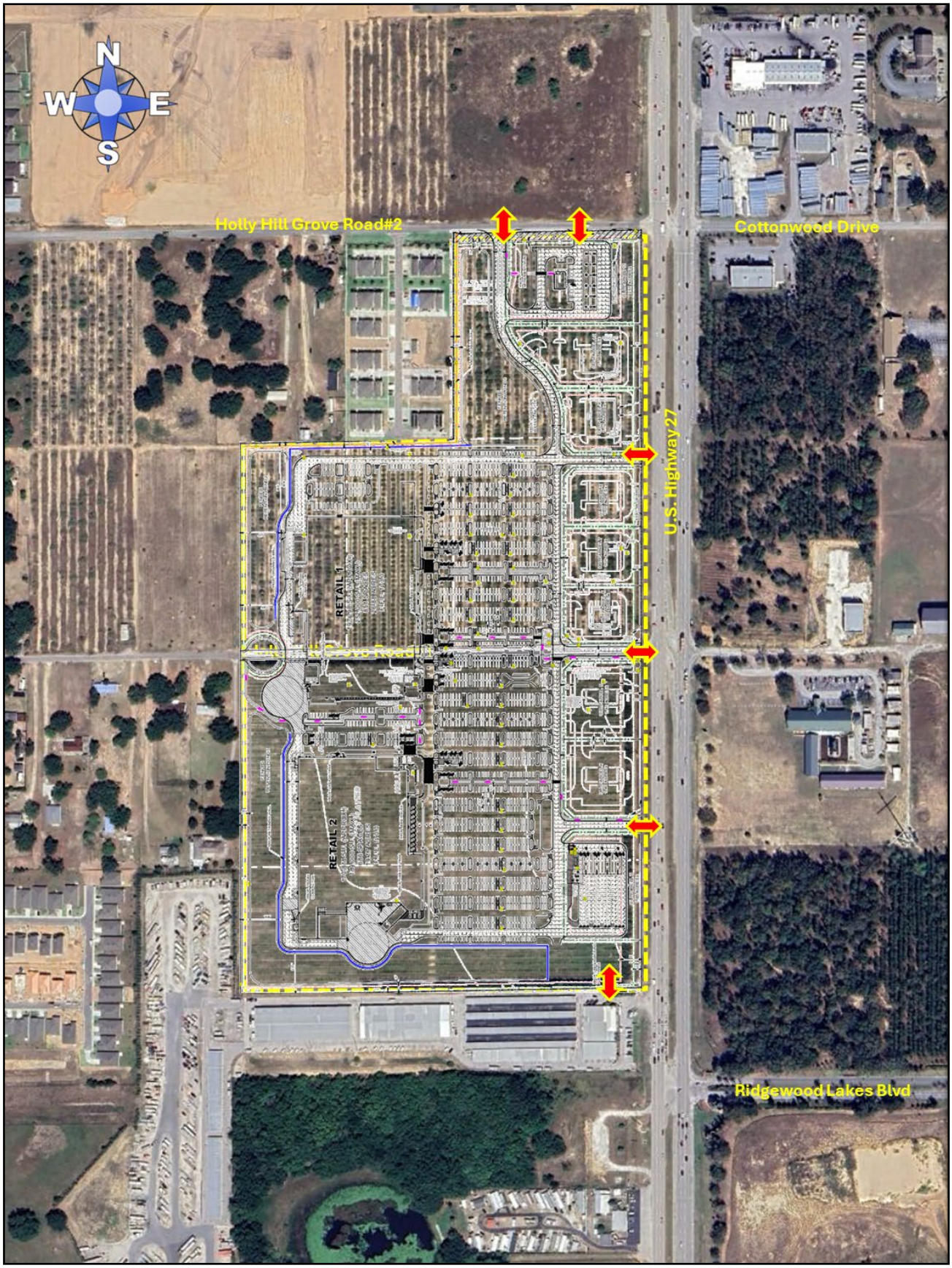
Location Map



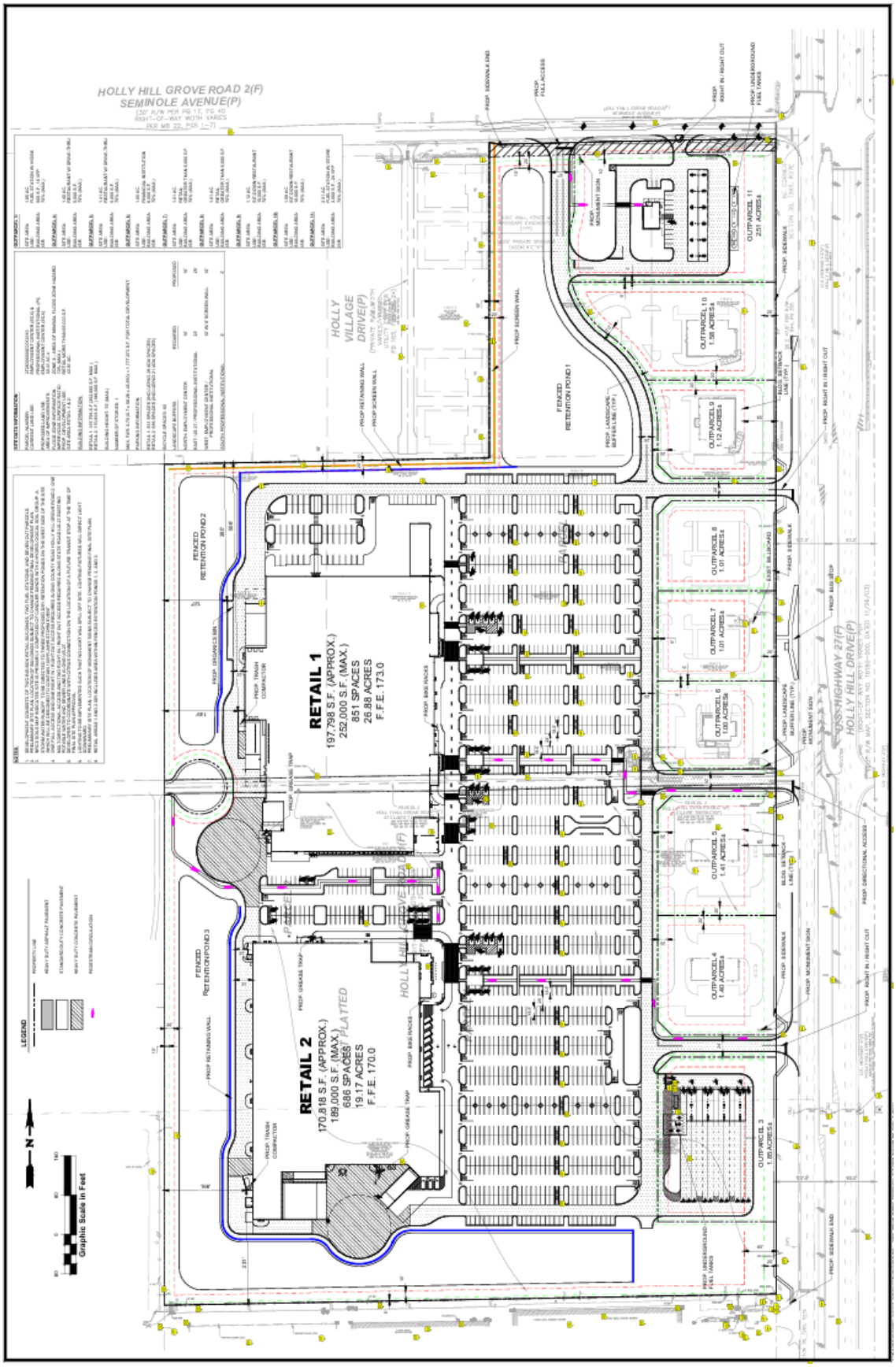
Future Land Use Map



2024 Satellite Photo (Context)



2024 Satellite Photo with Site Plan Silhouette


HOLLY HILL GROVE ROAD 2(F)
SEMINOLE AVENUE(P)
HOLLY VILLAGE DRIVE(P)
FENCED RETENTION POND 1
FENCED RETENTION POND 2
FENCED RETENTION POND 3
RETAIL 1
197,798 S.F. (APPROX.)
252,000 S.F. (MAX.)
851 SPACES
26.88 ACRES
F.F.E. 173.0
RETAIL 2
170,818 S.F. (APPROX.)
189,000 S.F. (MAX.)
686 SPACES
19.17 ACRES
F.F.E. 170.0
PLATTED
HOLLY HILL DRIVE(P)
US HIGHWAY 27(F)
OUTPARCEL 1
1.56 ACRES
OUTPARCEL 2
1.12 ACRES
OUTPARCEL 3
1.80 ACRES
OUTPARCEL 4
1.44 ACRES
OUTPARCEL 5
1.41 ACRES
OUTPARCEL 6
1.00 ACRES
OUTPARCEL 7
1.01 ACRES
OUTPARCEL 8
1.01 ACRES
OUTPARCEL 9
1.12 ACRES
OUTPARCEL 10
1.56 ACRES
OUTPARCEL 11
2.31 ACRES
LEGEND
N
Graphic Scale in Feet

Site Plan

SITE DATA INFORMATION:

PARCEL NUMBER:	272630000000012010
CURRENT LAND USE:	EMPLOYMENT CENTER (ECX) & PROFESSIONAL INSTITUTIONAL (PI)
PROPOSED LAND USE:	EMPLOYMENT CENTER (ECX)
AREA OF IMPROVEMENTS:	50.41 AC.±
FLOOD ZONE INFORMATION:	ZONE X - AREA OF MINIMAL FLOOD ZONE HAZARD
IMPERVIOUS SURFACE RATIO:	70% (MAX.)
PROP. DEVELOPMENT USE:	RETAIL MORE THAN 65,000 S.F.
SITE AREA RETAIL 1 & 2:	43.81 AC.

BUILDING INFORMATION:

RETAIL 1: 197,798 S.F (252,000 S.F. MAX.)
RETAIL 2: 170,818 S.F. (189,000 S.F. MAX.)

BUILDING HEIGHT: 75' (MAX.)

NUMBER OF STORIES: 1

MAX. FAR: 0.70 (0.7 x 58.28 x 43,560) = 1,777,073 S.F. FOR TOTAL DEVELOPMENT

PARKING INFORMATION:

RETAIL 1: 851 SPACES (INCLUDING 29 ADA SPACES)
RETAIL 2: 686 SPACES (INCLUDING 21 ADA SPACES)

BICYCLE SPACES: 60

LANDSCAPE BUFFERS:	REQUIRED	PROPOSED
NORTH: EMPLOYMENT CENTER	10'	10'
EAST: US-27 / PROFESSIONAL INSTITUTIONAL	25'	25'
WEST: EMPLOYMENT CENTER / PROFESSIONAL INSTITUTIONAL	10' W/ 6' SCREEN WALL	10'
SOUTH: PROFESSIONAL INSTITUTIONAL	5'	5'

NOTES:

1. DEVELOPMENT CONSISTS OF TWO BIG BOX RETAIL BUILDINGS, TWO FUEL STATIONS, AND SEVEN OUT PARCELS.
2. PRELIMINARY SITE PLAN, LOCATION OF BUILDINGS SUBJECT TO CHANGE PENDING FINAL DEVELOPMENT PLAN.
3. NRCS SOILS MAP INDICATES SITE IS PRIMARILY COMPOSED OF CANDLER SANDS WITH A HYDROLOGICAL SOIL GROUP: A. STORM WATER RUNOFF TO BE DIRECTED TO THREE PROPOSED DRY RETENTION PONDS ON THE WEST SIDE OF THE SITE WHICH WILL BE DESIGNED TO CONTAIN 100YR-24HR STORM EVENT.
4. ONE FULL ACCESS AND ONE RIGHT IN / RIGHT OUT ACCESS REQUIRED ALONG COUNTY ROAD HOLLY HILL GROVE ROAD 2. ONE MULTIDIRECTIONAL ACCESS AND TWO RIGHT IN / RIGHT OUT ACCESS REQUIRED ALONG STATE ROAD US-27.EXISTING POTABLE WATER AND SEWER LINES ALONG US-27.
5. DEVELOPER TO COORDINATE WITH CITRUS CONNECTION ON THE LOCATION OF A FUTURE TRANSIT STOP AT THE TIME OF FINAL SITE PLAN APPROVAL.
6. LIGHTING TO BE IMPLEMENTED SUCH THAT NO LIGHT WILL SPILL OFF SITE. LIGHTING FIXTURES WILL DIRECT LIGHT DOWNWARD.
7. PRELIMINARY SITE PLAN, LOCATION OF MONUMENT SIGNS SUBJECT TO CHANGE PENDING FINAL SITE PLAN.
8. RETAIL AREAS 1 AND 2 ISR INCLUDES AREA WITHIN FENCED RETENTION PONDS 1, 2, AND 3.

OUTPARCEL 3:

SITE AREA:	1.85 AC.
USE:	FUEL STATION W/ KIOSK
BUILDING AREA:	500 S.F., 16 VFP
ISR:	70% (MAX.)

OUTPARCEL 4:

SITE AREA:	1.40 AC.
USE:	RESTAURANT W/ DRIVE-THRU
BUILDING AREA:	5,000 S.F.
ISR:	70% (MAX.)

OUTPARCEL 5:

SITE AREA:	1.41 AC.
USE:	RESTAURANT W/ DRIVE-THRU
BUILDING AREA:	5,000 S.F.
ISR:	70% (MAX.)

OUTPARCEL 6:

SITE AREA:	1.00 AC.
USE:	FINANCIAL INSTITUTION
BUILDING AREA:	6,000 S.F.
ISR:	70% (MAX.)

OUTPARCEL 7:

SITE AREA:	1.01 AC.
USE:	RETAIL
BUILDING AREA:	GREATER THAN 5,000 S.F.
ISR:	70% (MAX.)

OUTPARCEL 8:

SITE AREA:	1.01 AC.
USE:	RETAIL
BUILDING AREA:	GREATER THAN 5,000 S.F.
ISR:	70% (MAX.)

OUTPARCEL 9:

SITE AREA:	1.12 AC.
USE:	SIT-DOWN RESTAURANT
BUILDING AREA:	10,000 S.F.
ISR:	70% (MAX.)

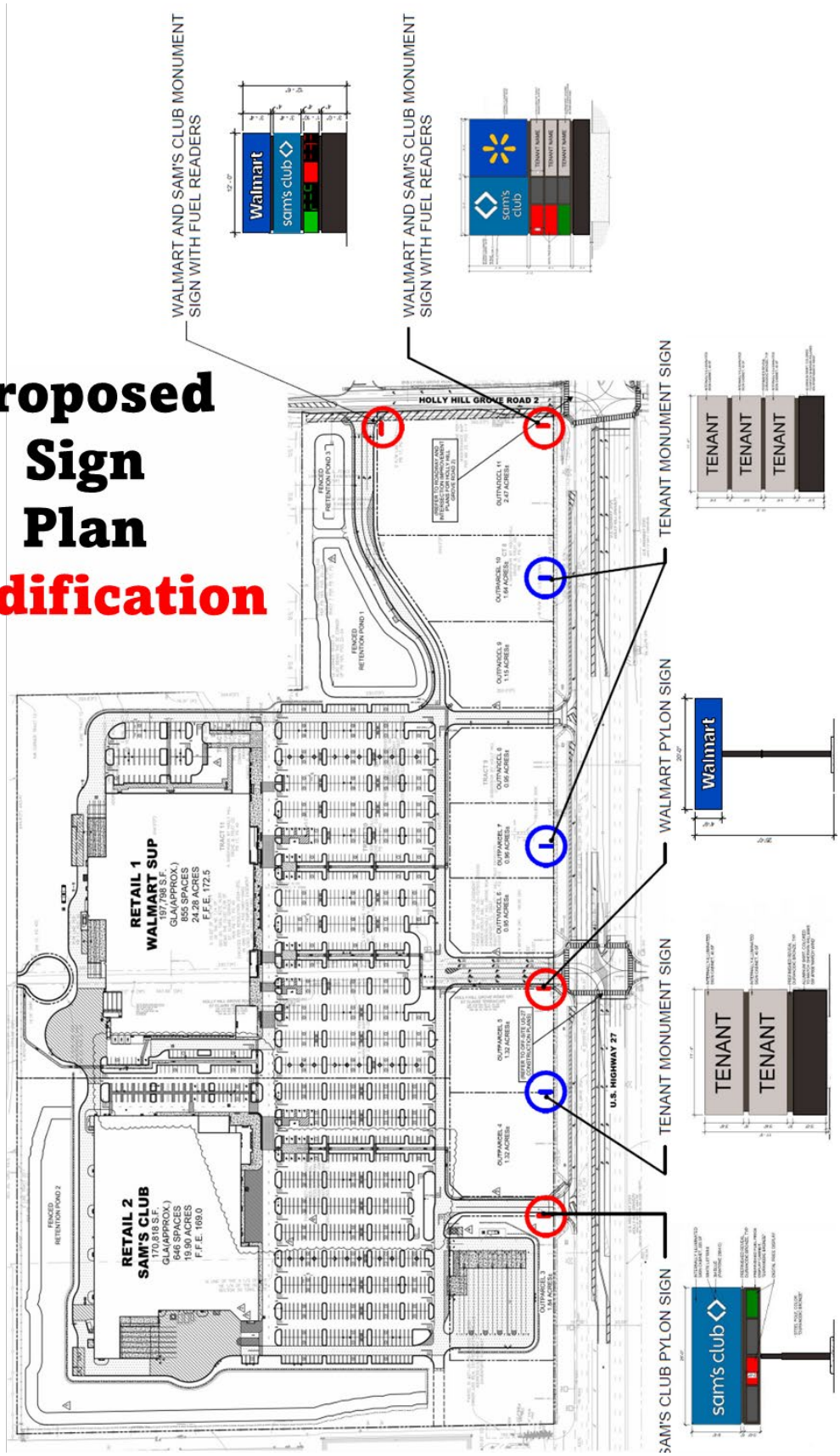
OUTPARCEL 10:

SITE AREA:	1.58 AC.
USE:	SIT-DOWN RESTAURANT
BUILDING AREA:	10,000 S.F.
ISR:	70% (MAX.)

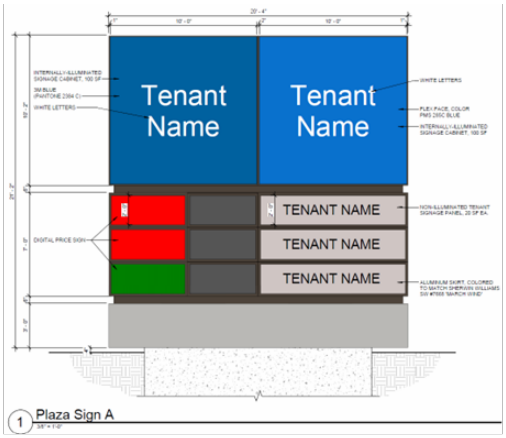
OUTPARCEL 11:

SITE AREA:	2.51 AC.
USE:	FUEL STATION W/ STORE
BUILDING AREA:	2,000 S.F., 24 VFP
ISR:	70% (MAX.)

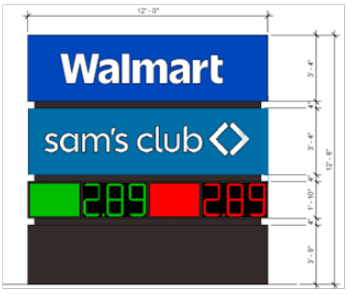
Site Plan Details


Proposed
Sign
Plan
Modification
WALMART AND SAM'S CLUB MONUMENT SIGN WITH FUEL READERS
WALMART AND SAM'S CLUB MONUMENT SIGN WITH FUEL READERS
HOLLY HILL GROVE ROAD 2
RETAIL 1
WALMART SUP
197,798 S.F.
GLA(APPROX.)
855 SPACES
24.28 ACRES
F.F.E. 172.5
RETAIL 2
SAM'S CLUB
170,816 S.F.
GLA(APPROX.)
464 SPACES
19.90 ACRES
F.F.E. 169.0
U.S. HIGHWAY 27
TENANT MONUMENT SIGN
WALMART PYLON SIGN
TENANT MONUMENT SIGN
SAM'S CLUB PYLON SIGN
TENANT
TENANT
TENANT
TENANT
TENANT
Walmart
sam's club

Sign Plan

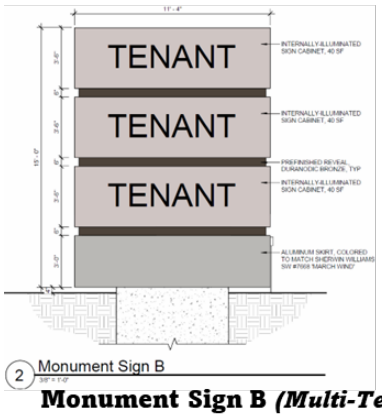


Plaza Sign A *(Multi-Tenant)*
21’ 2” high x 20.4’ wide (copy = 370 SF)

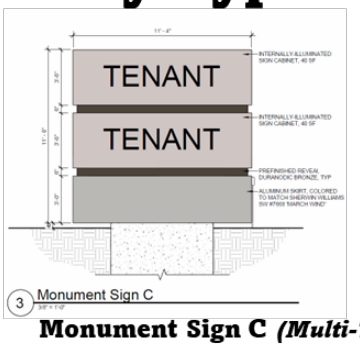


Monument Sign with Fuel Readers
12’ 6” high x 12’ wide (copy = 114 SF)

New Proposed Sign Plan Measurements By Type



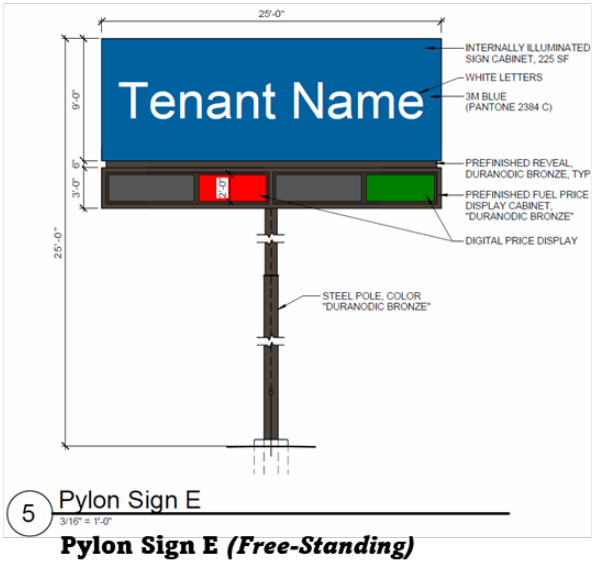
Monument Sign B *(Multi-Tenant)*
15’ high x 11.4’ wide (copy = 136 SF)



Monument Sign C *(Multi-Tenant)*
11’ high x 11.4’ wide (copy = 91 SF)



Pylon Sign D *(Free-Standing)*
~~25’ high x 15 wide (copy = 225 SF)~~
25’ high x 20 wide (copy = 100 SF)



Pylon Sign E *(Free-Standing)*
~~25’ high x 25 wide (copy = 288 SF)~~
25’ high x 25 wide (copy = 312.5 SF)

Sign Types

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDPD-2026-7 (U.S. Hwy 27 Big Box Retail Center Modification)

Applicant: Cristian Mendez, CPH

Property Owner: Walmart Stores East LP and Sams East Inc.

Hearing Date: June 3, 2026

I. Request:

This is a request for a Conditional Use for retail above 65,000 Sq. Ft (489,500 SF) and Gas Stations in an ECX district, Sign Plan, and time extension to five (5) years.

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 906D.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, 303, 401.08, 706.K, 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. Planning Commission's Decision:

Based upon the evidence and testimony presented to the Planning Commission and the foregoing findings, the Application is APPROVED, subject to the conditions, if any, set forth in the staff report.

IV. 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 with the Land Development Division within 7 calendar days after the Planning Commission hearing.

DONE AND ORDERED in Bartow, Polk County, Florida, in regular session this 3rd day of June 2026, by the Polk County Planning Commission.

Polk County Planning Commission **ATTEST:**

By:_____ By: _____
Merle Bishop, Chairman 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)

LDPD-2026-7 - U.S. Hwy 27 Big Box Retail Center - Conditional Use Modification

Menu Reports Help

Application Name: U.S. Hwy 27 Big Box Retail Center - Conditional Use Modification

File Date: 03/11/2026

Application Type: PC-Major Modifications

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: Refer to change narrative included with submittal.

Application Detail: Detail

Address: 41176 Hwy 27, W-mart Davenport, FL 33837

Parcel No: 272630707510010100

Owner Name:

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Cristian Mendez	CPH	Engineer	Mailing, 500 W Fulton ...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,471.00

Total Fee Invoiced: $4,471.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Conditional Use
Major Modification

Brownfields Request
N/A

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
56.71

DRC Meeting
04/30/2026

DRC Meeting Time
–

Rescheduled DRC Meeting
–

Rescheduled DRC Meeting Time
–

Green Swamp
Yes

Number of Units
–

Case File Number
LDCU-2024-25

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
07/08/2026

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-00000-12328	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
North Ridge

LAND USE

Selected Area Plan	LU Code
In an SAP	ECX Employment Center

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 ...	04/03/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Not Required	04/20/2026	Kim Turner
Planning Review	Erik Peterson			
Surveying Review	Mike Benton	Not Required	04/17/2026	Mike Benton
School Board Review	School District	Not Required	04/07/2026	School District
Roads and Drainage Review	Phil Irven	Approve	04/06/2026	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

Architects
Environmental
M/E/P
Surveyors
Engineers
Landscape Architects
Planners
Transportation/Traffic

500 West Fulton Street
Sanford, FL 32771
Phone: 407.322.6841
Fax: 407.330.0639

March 11th, 2026

Erik Peterson
Polk County Land Development Division – Office of Planning and Development
330 W. Church Street
Bartow, FL 33830

RE: U.S. Hwy 27 Big Box Retail Center – Conditional Use Amendment

Dear Mr. Peterson,

On behalf of our client, we are submitting this request to amend Conditional Use Permit LDCU-2024-25 – U.S. HWY 27 Big Box Retail Center. A summary of the requested changes is provided below and tabularized in Appendix A.

Background
Approved by the Planning Commission in October 2024, LDCU-2024-25 proposed the development of 489,500 cumulative square feet of retail, personal service, and restaurant uses as well as two gas stations in an ECX district within the North Ridge Selected Area Plan. LDCU-2024-25 also includes approval of a project sign plan which this amendment seeks to modify. The approved signage plans are included in Appendix B.

To date, two retail buildings totaling 368,616 square feet and one fuel station have received Level 2 approval and are currently under construction. The retail centers and fuel station are anticipated to be completed in early 2027.

Summary of Changes
This amendment proposes to modify the approved sign height and area for the monument sign at the project driveway connection to Holly Hill Grove Road 2. To support the addition of fuel readers, the sign height and area are requested to change from 11’ and 91 square feet to 12.5’ and 114 square feet. Refer to Appendix C for the revised project signage plan.

Additionally, this amendment serves to correct a discrepancy between the originally submitted project sign plan and the final staff report. The southernmost sign along US-27, the Sam’s Club pylon sign, should have an approved area of 313 square feet rather than 288 square feet as shown on page 10 of the LDCU-2024-25 staff report. There are no changes proposed to the dimensions of the sign by this amendment, only clarification of the area originally submitted.

Closing
We respectfully request your approval of this conditional use amendment. Please do not hesitate to contact us should you require any additional information.

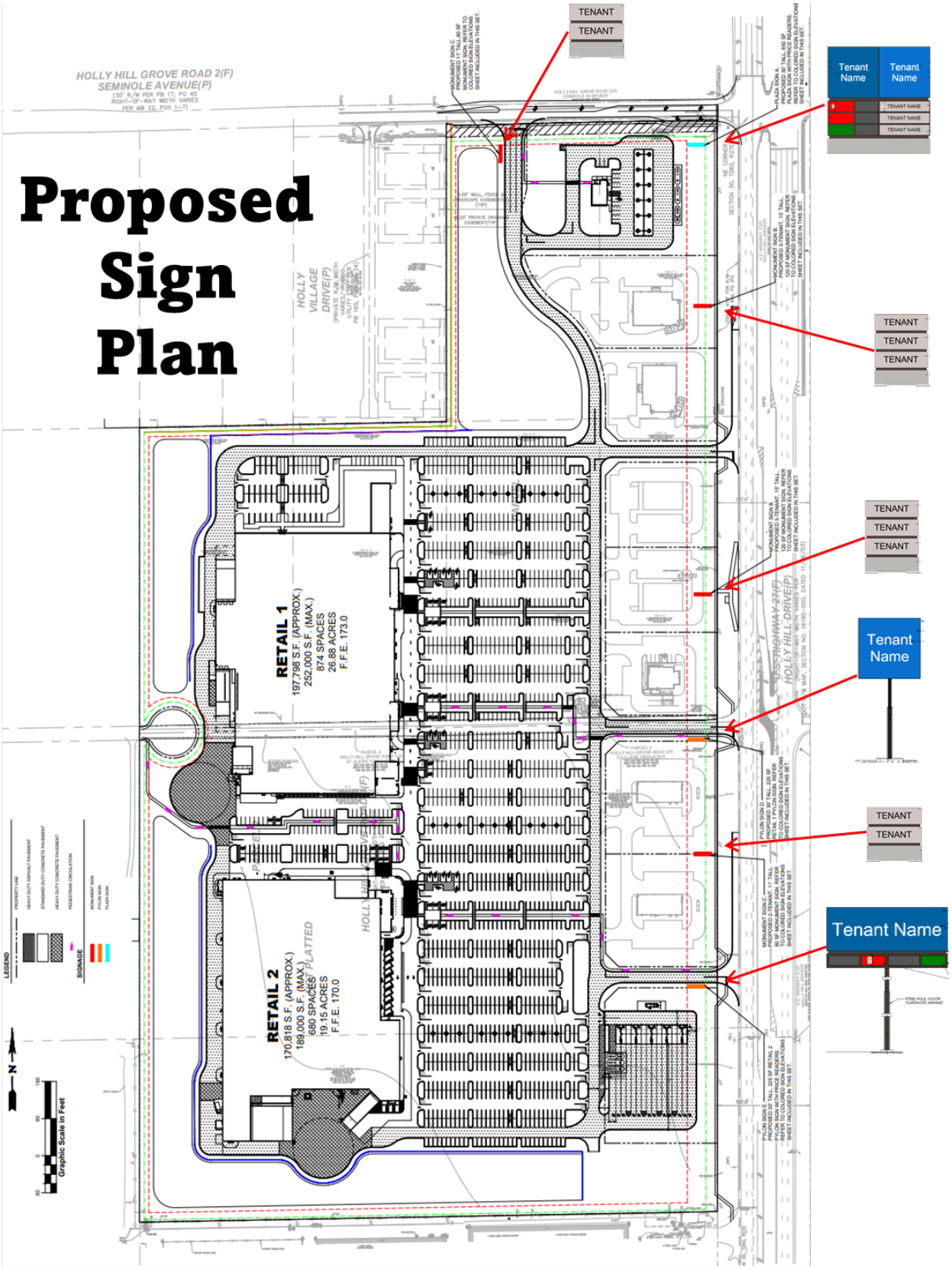
Sincerely,
CPH

APPENDIX A
SUMMARY OF CHANGES

±56.71 acres ECX 2 parcels> 5 acres 8 parcels < 5 acres	**Approved in LDCU-2024-25: Staff Report Table 2** [1]	**Proposed in Amendment**
Multi-Tenant		
Height	21', 15', 15', 11' & 11'	21', 15', 15', **12.5'** & 11'
Face Area	370, 136, 136, 91 & 91 sq ft	370, 136, 136, **114** & 91 sq ft
Number	5	5
Free Standing Sign (on parcels >5 acres)		
Height	25'	25'
Face Area	288 & 225 sq ft	**313** & 225 sq ft[2]
Number	2	2
Free Standing Sign (on parcels <5 acres)		
Height	0'	0'
Face Area	0 sq ft	0 sq ft
Number	0	0
Monument Signs		
Height	0'	0'
Face Area	0 sq ft	0 sq ft
Number	0	0

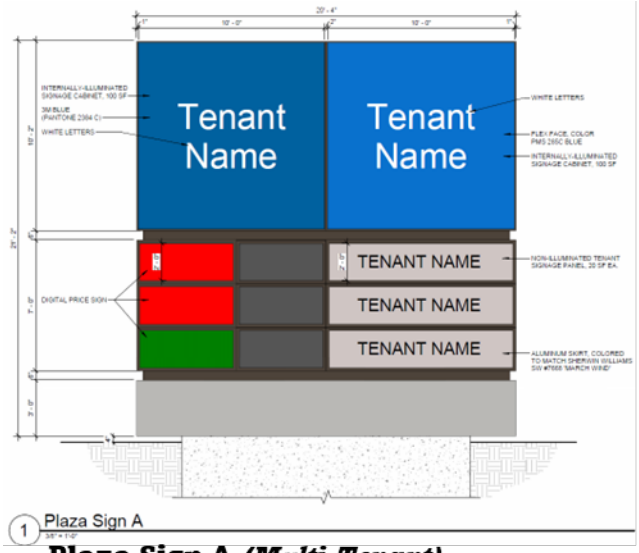
[1] Refer to Page 10 of LDCU-2024-25 Staff Report.
[2] No change; correction of discrepancy.
[3] Proposed modifications shown in red.

APPENDIX B
APPROVED PROJECT SIGNAGE PLANS – LDCU-2024-25
STAFF REPORT EXHIBITS 7 AND 8

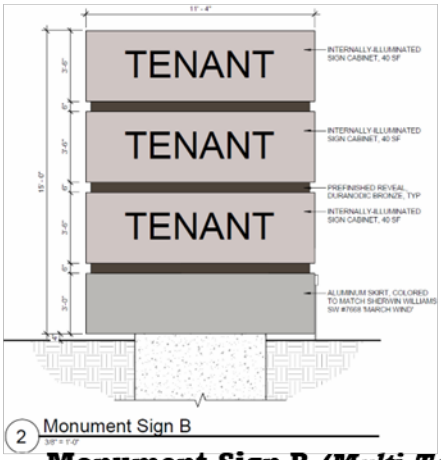

Proposed Sign Plan
HOLLY HILL GROVE ROAD 2(F)
SEMINOLE AVENUE(P)
HOLLY VILLAGE DRIVE(P)
RETAIL 1
197,798 S.F. (APPROX.)
252,000 S.F. (MAX.)
874 SPACES
26.88 ACRES
F.F.E. 173.0
RETAIL 2
170,818 S.F. (APPROX.)
189,000 S.F. (MAX.)
680 SPACES
19.15 ACRES
F.F.E. 170.0
TENANT
Tenant Name
LEGEND
SIGNAGE
Graphic Scale in Feet

Sign Plan

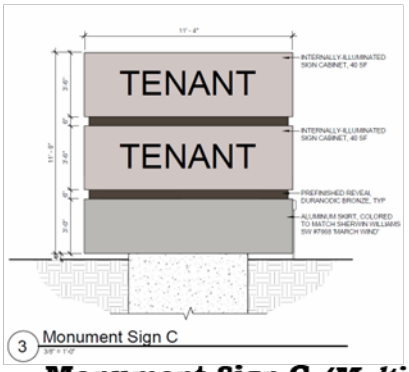
Proposed Sign Plan Measurements By Type



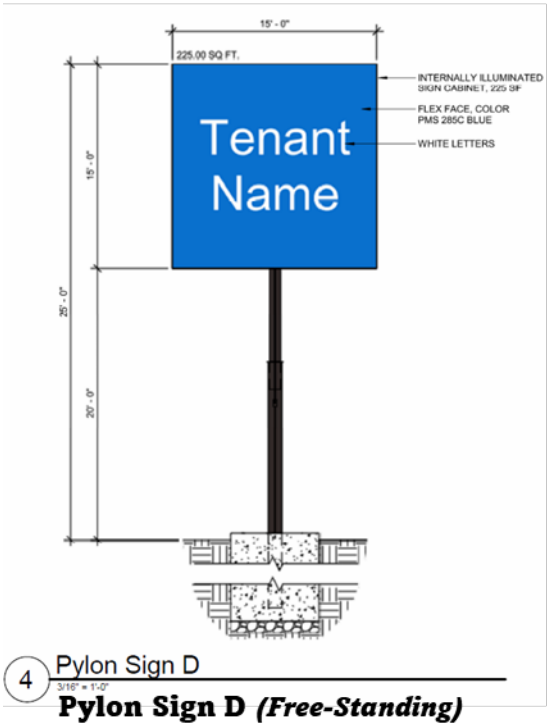
Plaza Sign A *(Multi-Tenant)*
21’ 2” high x 20.4’ wide (copy = 370 SF)



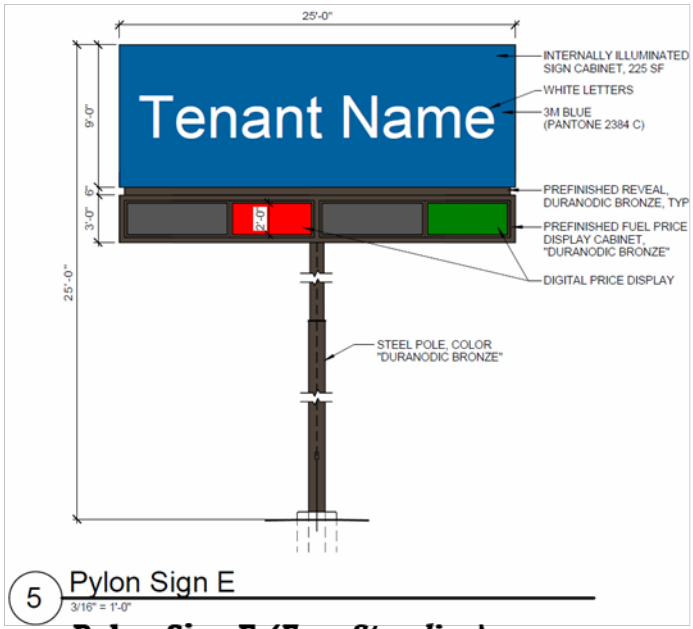
Monument Sign B *(Multi-Tenant)*
15’ high x 11.4’ wide (copy = 136 SF)



Monument Sign C *(Multi-Tenant)*
11’ high x 11.4’ wide (copy = 91 SF)

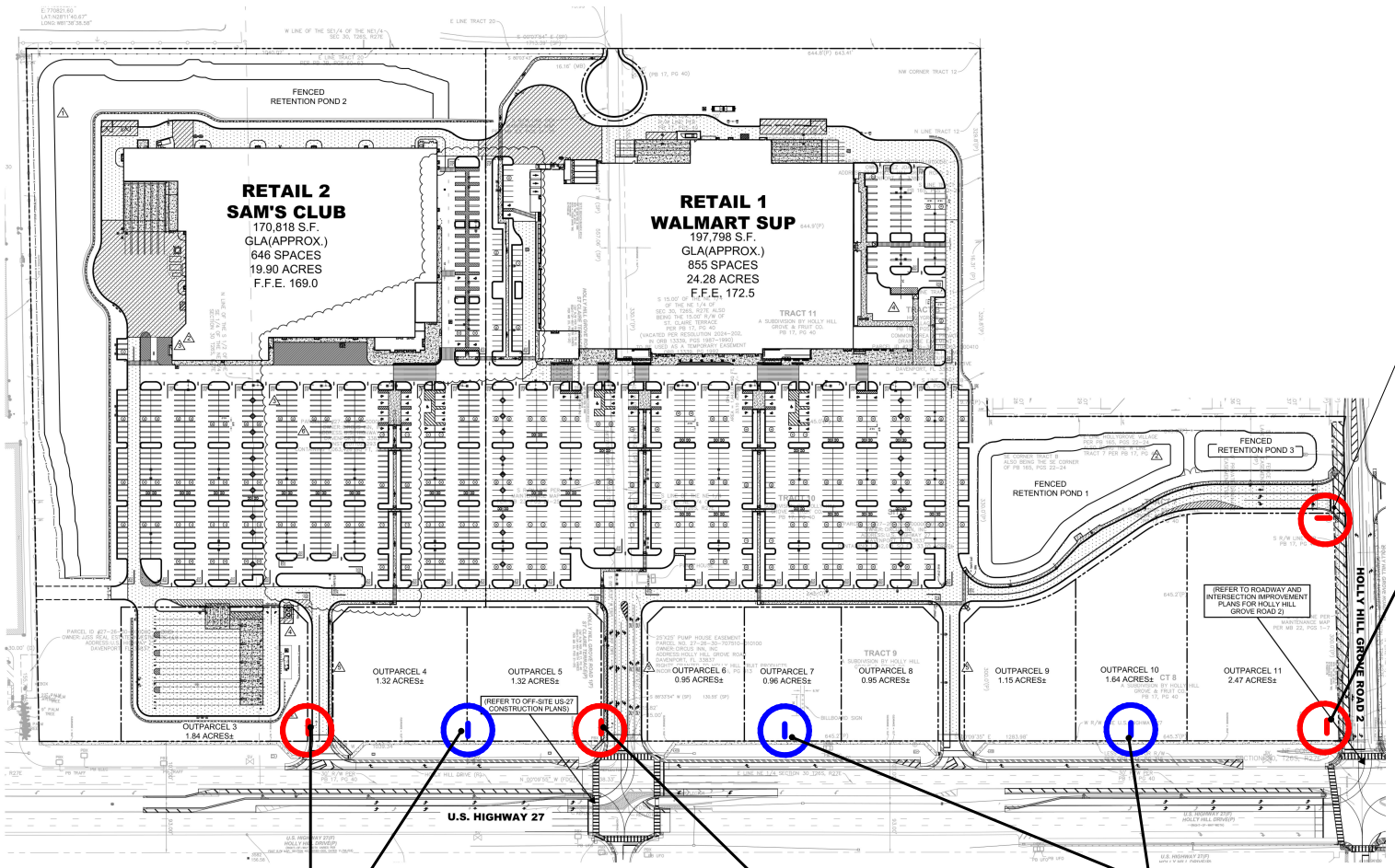


Pylon Sign D *(Free-Standing)*
25’ high x 15 wide (copy = 225 SF)

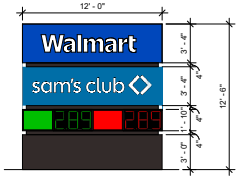


Pylon Sign E *(Free-Standing)*
25’ high x 25 wide (copy = 288 SF)

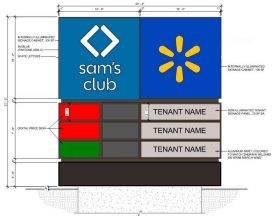
APPENDIX C
PROPOSED PROJECT
SIGNAGE PLANS



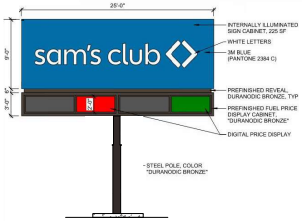
WALMART AND SAM'S CLUB MONUMENT SIGN WITH FUEL READERS



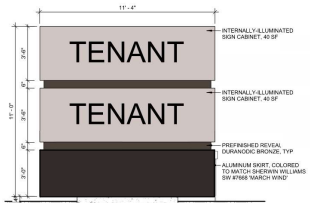
WALMART AND SAM'S CLUB MONUMENT SIGN WITH FUEL READERS



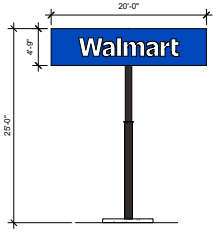
SAM'S CLUB PYLON SIGN



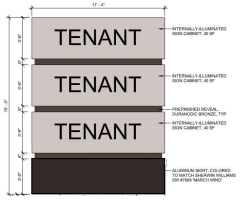
TENANT MONUMENT SIGN



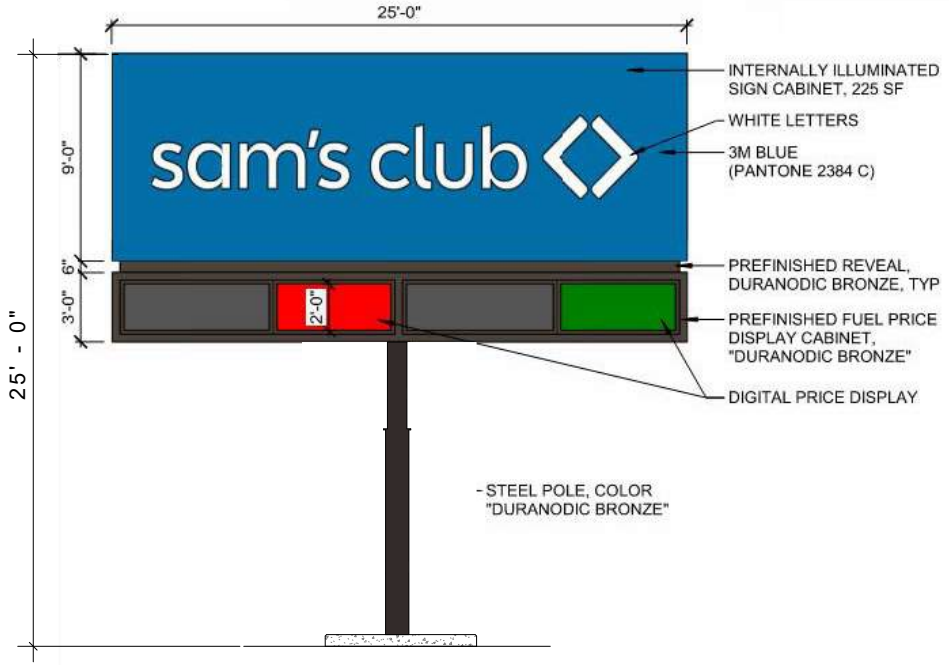
WALMART PYLON SIGN



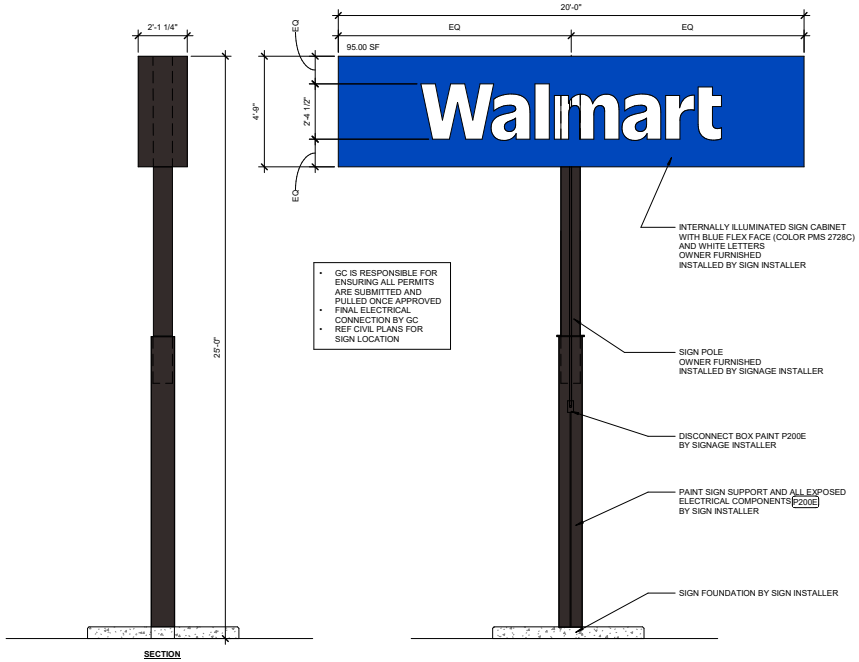
TENANT MONUMENT SIGN



CORE STATES GROUP	02/16/2026	# 02779	DAVENPORT, FL	CIVIL SITE PLAN	BD4

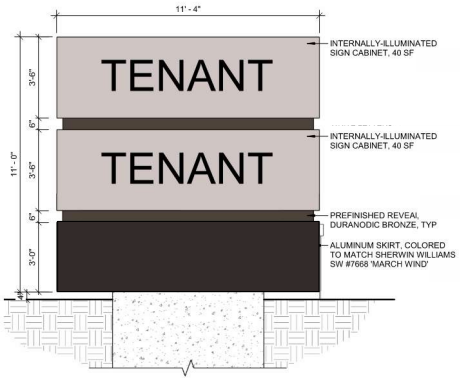


2 **25'-0" PYLON SIGN**
3/8" = 1'-0"

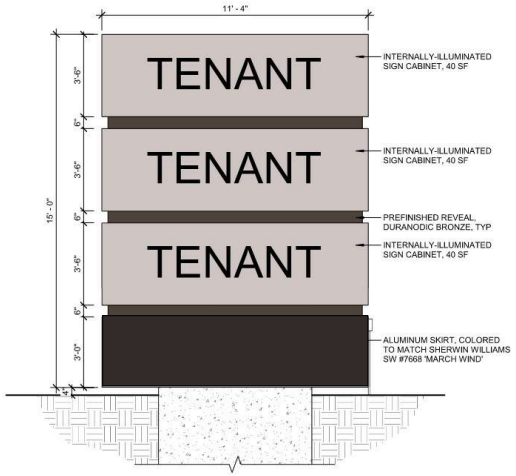


1 **25'-0" PYLON SIGN**
3/8" = 1'-0"

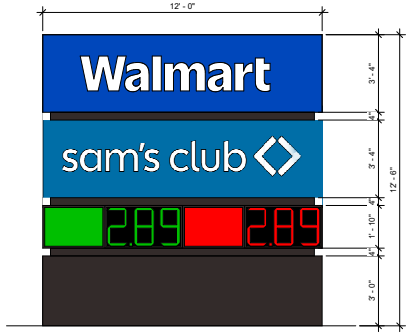
CORE STATES GROUP	02/16/2026	# 02779	DAVENPORT, FL	SITE SIGNAGE	BD5



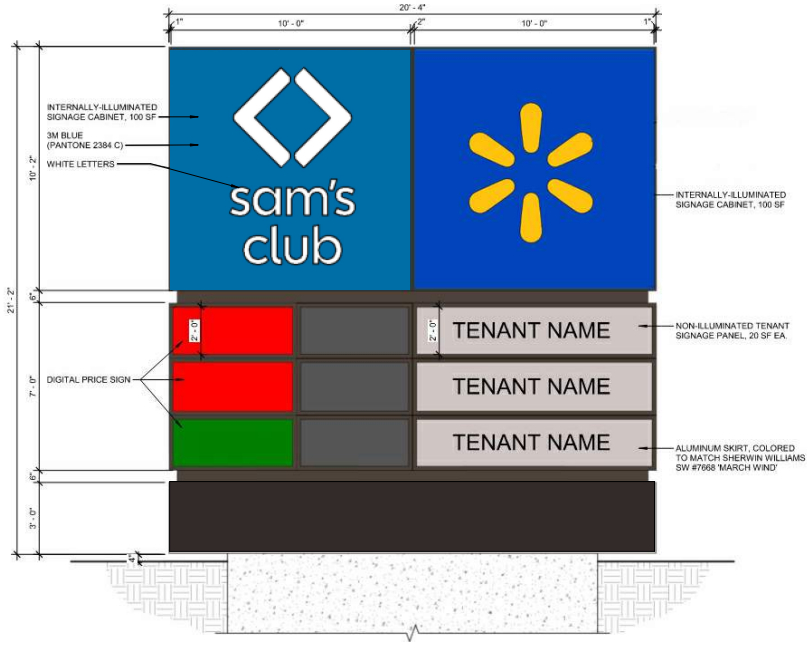
4 TENANT MONUMENT SIGN
3/8" = 1'-0"



3 TENANT MONUMENT SIGN
3/8" = 1'-0"



2 MONUMENT SIGN
3/8" = 1'-0"



1 MONUMENT SIGN
3/8" = 1'-0"

CORE STATES GROUP	02/16/2026	# 02779	DAVENPORT, FL	SITE SIGNAGE	BD5a

CIRCUS INN, INC.
CONDITIONAL USE APPLICATION FOR
COMMERCIAL DEVELOPMENT

Prepared For:

Circus Inn, Inc.
PO Box 65
Davenport, Florida 33836

Prepared By:

HOLTZMAN VOGEL, PLLC
119 SOUTH MONROE, SUITE 500
TALLAHASSEE, FLORIDA 32301

JULY 2024

CONDITIONAL USE APPLICATION FOR CIRCUS INN COMMERCIAL

SUPPORTING NARRATIVE INCLUDING JUSTIFICATION AND SUPPORTING PLANNING ANALYSIS

I. SUMMARY/INTRODUCTION

In accordance with Chapter 3 of the Polk County Land Development Code ("LDC"), this conditional use application requests the approval of a commercial conceptual site plan on 50.41 acres located on the westside of US Highway 27 south of Holly Hill Grove Road 2 in Davenport (unincorporated Polk County), Florida. The property is identified by the Polk County Property Appraiser as Parcel ID 272-630-0000000-120-10. (**SEE PROPERTY APPRAISER LOCATION MAP**). This property was recently the subject of a future land use map amendment (LDCPAL 2023-11). Polk County approved the re-designation of 30 acres from Professional Institutional (PIX) to Employment Center (ECX). The property had two future land use designations and the amendment ensured the entire parcel is designated ECX. The amendment also removed the 65,000 square foot cap on commercial buildings which applies to PIX but not ECX designated lands.

The applicant is seeking to build a commercial development consistent with the permitted land uses in the ECX land use and zoning. ECX permits a wide range of commercial development up to a maximum of 0.70 floor area ratio (FAR). The North Ridge Special Area Plan (Section 401.06, Table 4.16, LDC) requires any retail development 65,000 square feet or more to undergo Conditional Use 3 review (Section 906, LDC). This application demonstrates the project's consistency with these requirements.

The preliminary commercial site plan envisions approximately 416,000 square feet of development composed of two retail commercial buildings (approximately 200,000 square feet and 175,000 square feet) with outparcels fronting US 27 with commercial uses ranging from approximately 500 square feet to 10,000 square feet.

A separate application requests the vacation of a portion of Holly Hill Grove Road 1. This road bisects the parcel. The roadway closure is needed in order to develop the Project.

The Conditional Use Application and Preliminary Site Plan will allow for the following:

1. A range of commercial development types without exceeding the current maximum intensity permitted under the ECX zoning district which is 0.70 FAR;
2. Provides flexibility in development of individual outparcels;

3. Creates a master plan of development for the entire property rather than individual site plan approvals to ensure cohesive infrastructure and design;
4. Provides buffering from adjacent properties consistent with the North Ridge Selected Area Plan standards; and
5. Includes connecting sidewalks, both internally and externally, to US 27 and Holly Hill Grove Road 2. The Project will also include a transit stop and bicycle parking.

II. APPLICANT, AGENT AND CONSULTANT INFORMATION

Applicant/Property Owner	Circus Inn, Inc. PO Box 65 Davenport, Florida 33836
Agent	Robert Volpe and Darrin Taylor Holtzman Vogel, PLLC 119 South Monroe Street, Suite 500 Tallahassee, Florida 32301 Email: dtaylor@holtzmanvogel.com
Agent / Engineer	CPH, LLC 1117 E. Robinson Street Orlando, Florida 32801
Environmental	CPH, LLC 1117 E. Robinson Street Orlando, Florida 32801
Parcels	Parcel ID# 272-630-0000000-120-10

III. EXISTING CONDITIONS AND ENVIRONMENTAL ANALYSIS

A. NATURAL FEATURES ON THE PROPERTY

CPH conducted an environmental assessment review on the property. The analysis identified no wetlands on the property. There is potential for listed species on site including gopher tortoise and sand skink but this is not unusual for this portion of the State. Additional environmental analysis will be required as part of the permitting approvals for the site prior to development. There are also no surface water bodies on the site (**SEE ENVIRONMENTAL ANALYSIS**).

The County has already approved urban development for this site and all of the surrounding properties. CPH's onsite analysis further confirms the suitability of the site for development.

B. EXISTING CONDITIONS

The property is currently vacant but has been developed as orange groves. The adjoining properties are a combination of agricultural/undeveloped, mini-storage and residential. The residential development is mostly larger lot/rural residential except

for the homes along Holly Village Drive to the west of the Project.

The northern boundary of the Project is Holly Hill Grove Road 2. The eastern boundary is US 27. Adjacent to the southern boundary are mini-warehouses and rental supply company. Residential homes are located on the western boundary of the Project with the highest residential concentration in the northwest corner called the Holly Village neighborhood.

Significant new residential communities have been approved along both sides of US 27 in the larger vicinity of the Project, but little commercial has been constructed to support the residential.

The existing land uses surrounding the Project are identified below.

Existing Uses Surrounding the Property:

North:	Vacant/Undeveloped
South:	Mini-Storage
East:	US 27, Vacant/Undeveloped, the Champions Christian Academy School and a Dollar General
West:	Holly Village neighborhood, large lot residential, Outdoor Storage and Vacant/Undeveloped

IV. LAND USE SUMMARY AND COMPATIBILITY

The property is designated ECX on the County's Future Land Use Map (FLUM). ECX permits a wide range of non-residential uses including retail and office. All of the uses proposed for this commercial project are permitted in ECX. The property is also approved for a 0.70 FAR which means significant commercial development is permitted by right. For this parcel the maximum permitted development is 914,000 square feet based on the 0.70 FAR.

All of the parcels that adjoin this Project are either designated ECX or Professional Institutional (PIX). Both of these land uses are nearly identical regarding the uses permitted and the 0.70 FAR. The major difference between the two uses is the restriction on maximum retail buildings permitted in PIX, which is 70,000 square feet. This means all of the parcels adjoining the proposed Project have similar development potential.

On the eastern side of US 27 is property designated as Neighborhood Activity Center. This designation allows residential and smaller scale commercial.

The parcel is located within the US 27 Commercial Corridor. This Corridor runs from the I-4 intersection south to US Highway 17-92 W, a length of approximately 10 miles with land uses consisting of: Regional Activity Center (RAC), Employment Center (EC), Professional Institutional (PI), Convenience Center (CC), Residential, and Davenport City Limits. This corridor is designed to support urban densities and intensities. The County also encourages a mixture of land uses in order to shorten trip lengths and encourage multiple transportation modes. The addition of commercial development in this area furthers these goals.

Based on the County's future land use map, it is clear that this proposed development is compatible with what is planned for the surrounding area. Table 1 below identifies the future land use districts surrounding the Property (**SEE FUTURE LAND USE MAP**).

TABLE 1: SUMMARY OF ADJACENT FUTURE LAND USES

DIRECTION	FUTURE LAND USE
NORTH	ECX
SOUTH	PIX
EAST	PIX and Neighborhood Activity Center (NACX)
WEST	ECX and PIX

The County's Code requires the use of buffering to ensure compatibility and to enhance the site with open space and landscaping. The site plan identifies the location and size of buffers to be used including the construction of a six-foot sound wall adjacent the residential neighborhoods to the west of the site and the required buffering along US 27.

V. ADEQUACY OF PUBLIC FACILITIES TO SERVE THE PROJECT

There are adequate public facilities in place to serve the Project. The property is within the urban service area and central water and sewer are available. The Project also has direct frontage onto US 27.

The impacts of each public facility are analyzed below.

POTABLE WATER AND WASTEWATER

Based on the estimated square footage based on the projected uses and outparcels, the estimated potable water usage is 126,600 GPD as identified in Table 2 below.

TABLE 2: PROJECTED POTABLE WATER/WASTEWATER FLOW

USE	PROJECTED BUILDING AREA/SEATS	FLOW FACTOR (GPD)	PROJECTED FLOW
Big Box Retail (Building 1)	175,000 SF	0.22/SF	38,500GPD
Big Box Retail (Building 2)	200,000 SF	0.22/SF	44,000GPD
Outparcel 3: Fuel Station	500 SF	0.30/SF	150GPD
Outparcel 4: Restaurant/Fast Food	75 seats	100/Seat	7,500GPD
Outparcel 5 –Restaurant/Fast Food	75 seats	100/Seat	7,500 GPD

Outparcel 6 – Financial Institution	6,000 SF	0.30 SF	1,800 GPD
Outparcel 7 – Retail	5,000 SF	0.30/SF	1,500 GPD
Outparcel 8 – Retail	5,000 SF	0.30/SF	1,500 GPD
Outparcel 9 – Restaurant Conventional	200 seats	60/Seat	12,000 GPD
Outparcel 10 – Restaurant Conventional	200 seats	60/Seat	12,000 GPD
Outparcel 11 – Fuel Station	500 SF	0.30/SF	150 GPD
TOTAL			126,600 GPD

*- Use flow factors are based on Polk County Ordinance. Assumptions used in table above are projections. Actual buildings and uses will be determined at time of final development approvals.

Potable water is available to the site through Polk County Utilities (PCU). The project will connect to the PCU Northeast Public Water System.

Wastewater is also available to the site through PCU. Domestic wastewater produced by the proposed development will be discharged to an existing County maintained force main sewer within the right-of-way of US 27 via a proposed private or public on-site lift station of ultimate discharge to the local wastewater treatment plant.

TRANSPORTATION

This Project is supported by a detailed traffic analysis conducted by CPH. The analysis concludes that adequate capacity is available to support this Project (**SEE TRAFFIC ANALYSIS**).

The Project proposes the construction of three right-in-right-out access points which may potentially require right turn lanes based on FDOT standards. Signalization changes are also anticipated.

The Project will also encourage other modes of transportation. Currently there exist express transit connections along US 27. The Project would propose a transit stop. Coordination with the Citrus Connection transit agency would occur at the time of final site plan review regarding the feasibility of a transit stop. Sidewalks and bicycle parking would also be located on site to provide safe pedestrian and bicycle movements internally.

PARKS AND RECREATION

This Project will have no impact on parks and recreation facilities in the County since there is no residential component.

EDUCATIONAL FACILITIES

This Project will have no impact on parks and recreation facilities in the County since there is no residential component.

HEALTH CARE FACILITIES

This Project will not increase the demand for health care facilities in the County since there is no residential component.

FIRE PROTECTION

This Project will generate a similar amount of demand for fire protection as other conventional retail projects in the County. The development would be required to pay impact fees for fire protection at the time of development approval.

POLICE AND SECURITY

This Project will generate a similar amount of demand for police and security service as other conventional retail projects in the County. The development would be required to pay impact fees for law enforcement at the time of development approval.

ELECTRICAL POWER SUPPLY

This Project will generate a similar amount of electricity as other conventional retail projects in the County. No users are contemplated that would require significant electricity generation such as industrial or high technology users.

VI. PROPOSED PROJECT AND SITE PLAN COMPONENTS AND ANALYSIS

This Project Narrative and Site Plan includes the following:

1. A commercial project that will not exceed the maximum development permitted under the ECX land use category which is a 0.70 floor area ratio (FAR). The project acreage is divided as follows:

   TABLE 3: PROJECT ACRES BY USE

USE	**ACRES**
RETAIL 1	26.88
RETAIL 2	19.17
OUTPARCELS	4.36
TOTAL	**50.41 acres**

2. The Project is permitted the land uses allowed under the ECX land use category which includes but is not limited to the following: alcohol packaged sales, car wash (full service or incidental), clinics and medical offices, communication tower, convenience store and gas stations, financial institution (with or without drive through), medical marijuana dispensaries, office, restaurant (drive through or sit down), retail (with or without outdoor center). Uses with similar impacts if approved by County staff.
3. Existing site conditions including topography and soils (**SEE SOILS AND TOPOGRAPHY MAPS**);
4. Project Circulation Map

5. Drainage Map
6. A preliminary development plan (**SEE SITE PLAN**) with the following:
    a. Two big box retail buildings, a fuel center and out-parcels.
    b. Parking areas that provide at a minimum the required parking spaces under the Polk County Code.
    c. Access to the Project via existing curb cuts at Holly Hill Grove Road 1, signalized Holly Hill Grove Road 2, and access to US 27 via right-in right-out curb cuts.
    d. 25 ft. buffer or a wall along the western property as a visual separation between commercial and off-site residential; and
    e. Add the following notes on the preliminary development plan:
        - The location of buildings on the preliminary development plan are conceptual and subject to change. The final location will be established at the time of final site plan review and approval.
        - The Project and Site Plan must develop consistent with the Polk County environmental management regulations and Land Development Code.

VII. CONSISTENCY OF PROPOSED APPLICATION WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.

A. CONSISTENCY WITH COMPREHENSIVE PLAN

This Project Narrative and Conceptual Site Plan application is consistent with and furthers the following relevant policies from the Polk County Comprehensive Plan. Each section below provides the relevant Comprehensive Plan language along with a consistency analysis of this application.

The Polk County Comprehensive Plan contains the County's goals and strategies for its long-term development. This Project supports and furthers the following County goals and growth strategies:

- To generate quality economic development [Economic Element Objective 2.404-A]
- To direct development in areas suitable for urban development [Future Land Use Element Goal 2.103 and Objective 2.103-A]
- To direct development where urban facilities are in place [Future Land Use Element Goal 2.103 and Objective 2.103-A]
- To encourage mixed use development in order to reduce automobile trip lengths and a multiple modes of transportation [Future Land Use Element Goal 2.101A]
- To encourage new urban development that emphasizes multiple transportation modes and incentivizes mixed use development [Transportation Policies 3.202-B6 and 3.202-E2]
- To coordinate the multi-modal transportation system and future land use element

and planning concepts [Transportation Objective 3.206-A and Policy 3.206-A1]

CONSISTENCY: The Project generates quality economic development on lands that are suitable for development. The County has previously approved significant residential development in this general area but a lack of commercial to serve this area. The Project will introduce needed commercial that can help provide for the daily needs of residents and employment opportunities. The introduction of commercial provides a more mixed use development pattern than what is in place today. The introduction of commercial also provides an attraction for residents to make a shorter automobile trip or walk or bike to the location. Thus, this Project furthers the County's goals to shorten trip lengths and encourage other modes of transportation.

SECTION 2.104 TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA).

OBJECTIVE 2.104-A: The Polk County Plan shall provide areas for the development of urban-intensity growth through:

a. the designation and mapping of Transit Supportive Development Area, and

b. the establishment of policies to govern the development of land within the Transit Supportive Development Area.

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;

CONSISTENCY: The Proposed Project improves the ability of the US 27 to serve as a transit corridor and improve the transportation circulation system. Currently significant single use residential development has been approved in the general area with no commercial to serve the area. The lack of commercial results in long commutes with no destination for walking etc. This project creates a destination for residential to have a location for commercial goods and possibly employment. This location can also serve as a future location for a transit stop. Thus, this Project creates a more mixed use corridor and provides a destination for short distance pedestrian or bicycle activity.

POLICY 2.104-A5: DEVELOPMENT CRITERIA - Development within the Transit Supportive Development Areas shall conform to the following criteria as further specified by the Land Development Code:

a. provide access to transit facilities;

b. connect to centralized potable water and sanitary sewer systems;

c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;

d. implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;

e. integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;

f. provide access to civic space, parks, green areas, and open space and other amenities;

g. be supported by public safety (i.e., fire, EMS and law enforcement);

h. have access to public schools;

i. provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.

j. encourage the inclusion of a variety of housing choices, other than single family detached homes, townhomes, condominiums, and residential units in mixed use buildings by establishing minimum densities that preclude the exclusive use of single family detached units within designated areas as established in Policy 2.104-A7.

CONSISTENCY: The Project incorporates development criteria identified above as demonstrated in the preliminary site plan as follows:

1. A transit stop is proposed on site dependent on direction from the Citrus Connection;
2. The site plan incorporates sidewalks providing connections from the exterior roadways and connecting to the retail buildings on site.
3. Bicycle parking is provided on site; and
4. Development must connect to central water and sewer.

POLICY 2.104-A7: DENSITIES AND INTENSITIES - To promote energy efficient land use patterns and compact mixed-use development, the TSDA and the Transit Corridors and Centers Overlay (TCC Overlay) within the TSDA shall include higher densities and intensities of development. The maximum densities and intensities listed in Table 2.104.1 exceed those listed in Policy 2.109-A1 and Policy 2.119-A1 and the policies that include the description for each of the referenced land use category as provided for within this Element. The Mixed Use category within Tables 2.104.1 and 2.104.2 is for those non-residential land use categories that permit residential as provided for in this Element or the Appendices for the Selected Area Plans (SAP). The Transit Corridors and Centers Overlay includes three separate components that expand the residential density of selected Future Land Use Districts. These three components as depicted in Figure 1. include:

a. Transit Corridor - an area within ¼ mile of fixed route transit service;

b. Transit Center - an area within a one mile radius of the point of access for transit services; and

c. Transit Center Core - an area within ¼ mile of the point of access for transit services.

Within the TSDA and Transit Corridors and Centers Overlay portion of the TSDA, non-residential uses may be approved at the listed intensities. The Floor Area Ratios (FAR) listed in Table 2.104.2 exceed those listed in Policy 2.109-A1 and Policy 2.119-A1 and policies that include the description for each of the referenced land use category as provided for within this Element. The FARs listed in Table 2.104.2 for RL, RM and RH are for non-residential uses when permitted per this Comprehensive Plan. The Mixed Use category within Table 2.104.2 is for those land use categories that permit non-residential and residential uses as provided for in this Element or the Appendices for the Selected Area Plans (SAP). The listed maximum FARs are not guaranteed within the respective land use categories and shall only be permitted subject to the requirements established in Policy 2.104-A5 Development Criteria and Policy 2.124-A3 Design Principles. Table 2.104.2 includes recommended minimum FARs to support future investments in public transportation. These recommended minimum FARs may be required under the Land Development Code to coincide with planned public or private sector transit investments. Projects with less than the recommended minimum FAR will be encouraged to include a site design that allows for project phasing in order to preserve the maximum development potential of the subject parcel(s).

Table 2.104.2

INTENSITY SCHEDULE	Residential Low	Residential Medium	Residential High and non-residential districts	Mixed Use
Transit Supportive Development Area (TSDA)	0.25 FAR min 0.5 FAR max	0.35 FAR min 0.75 FAR	0.5 FAR min 1.5 FAR max	
Transit Corridor (TCO)	0.3 FAR min 1.0 FAR max	0.5 FAR min 1.5 FAR max	0.7 FAR min 2.0 FAR max	
Transit Center (TCE)	0.5 FAR min 1.5 FAR max	0.7 FAR min 2.0 FAR max	1.0 FAR min 2.5 FAR max	1.0 FAR min 3.0 FAR max
Transit Corridor w/in Transit Center	0.5 FAR min 1.5 FAR max	0.7 FAR min 2.0 FAR max	1.0 FAR min 2.5 FAR max	1.0 FAR min 3.0 FAR max
Transit Center Core (TCEC)	1.0 FAR min 3.0 FAR max	1.0 FAR min 3.0 FAR max	1.0 FAR min 3.0 FAR max	1.0 FAR min 3.0 FAR max

CONSISTENCY: The Proposed Project will not exceed the maximum development permitted within the ECX and Transit Corridor district.

SECTION 2.124-A TRANSIT CORRIDORS AND CENTERS OVERLAY.

OBJECTIVE 2.124-A: Polk County shall promote and support community investment in transit by:

a. the designation and mapping of a Transit Corridors and Centers Overlay;

b. the establishment of transit-supportive incentives and design standards applicable to development within the overlay;

c. the establishment of mobility strategies within corridors and centers; and

d. the coordinated implementation of design standards and mobility strategies consistent with other jurisdictions within the respective transit corridors.

POLICY 2.124-A1: PURPOSE - Core Transit Corridors and Centers, as identified in the Transportation Planning Organization's (TPO) 2060 Transportation Vision Plan, provide the basis for the Transit Corridor and Centers Overlay. The overlay will provide a framework for land use policies and mobility strategies that:

a. Connect our city centers;

b. Improve access to transit services including high speed rail service;

c. Improve transit access to/from rural areas;

d. Promote compact, mixed-use development;

e. Improve travel connections and access between land uses;

f. Provide a pedestrian-scale built environment and encourage pedestrian activity;

g. Promote the provision of public spaces and improved access to public spaces;

h. Implement reduced or flexible parking standards;

i. Increase travel options as part of a multi-modal transportation system;

j. Reduce reliance on single-occupant vehicles (SOV) and vehicle miles traveled; and

k. Reduce energy consumption and greenhouse gas emissions.

CONSISTENCY: The Proposed Project improves the ability of the US 27 to serve as a transit corridor and improve the transportation circulation system. Currently significant single use residential development has been approved in the general area with no commercial to serve the area. The lack of commercial results in long commutes with no destination for walking etc. This project creates a destination for residential to have a location for commercial goods and possibly employment. This location can also serve as a future location for a transit stop. Thus, this Project creates a more mixed use corridor and provides a destination for short distance pedestrian or bicycle activity.

POLICY 2.124-A3: DESIGN PRINCIPLES - Polk County shall implement site design principles in the form of development incentives and standards. These design principles shall address:

a. Convenient, direct and safe pedestrian connections to building entrances, existing and planned transit stops, parking facilities, mixed land uses and public spaces;

b. Pedestrian-scale blocks and interconnected street networks to promote pedestrian mobility;

c. Architecture and streetscape features, such as awnings, articulated facades, pedestrian lighting, sidewalk furniture, street trees and store front display windows to create a human-scale or pedestrian focused environment;

d. Orientation of buildings and entrances towards streets or public spaces to encourage and support pedestrian activity;

e. Discouragement of auto-dependent uses in close proximity to transit hubs;

f. Provision of complete streets to increase mobility for transportation system users;

g. Provision of parks, plazas and greenways to create community gathering places;

h. Provision of bicycle parking;

i. Incorporation of transit facilities and amenities into site design, e.g., shelters, benches, and lighting;

j. Provision of structured parking as part of mixed land uses; and

k. Reduced or shared parking.

CONSISTENCY: The Project incorporates development criteria identified above as demonstrated in the preliminary site plan as follows:

1. Pedestrian connections both internally and along US 27 and Holly Hill Grove Road 2;
2. The Project creates a mixed use pattern because there is currently a lack of commercial to serve this area;
3. 60 bicycle parking spaces are provided in the Project.
4. A Transit stop is proposed dependent on the needs of the Citrus Connection.

POLICY 2.124-A7: DEVELOPMENT STANDARDS - Polk County shall require, through the Land Development Code, transit-supportive standards to be applied to development within the Transit Corridors and Centers Overlay. These standards may include, but will not be limited to:

a. Provision of pedestrian infrastructure;

b. Provision of transit facilities and passenger amenities;

c. Building orientation, e.g. orientation towards a street or public space; and

d. Maximum parking requirements.

CONSISTENCY: The Project incorporates development criteria identified above as demonstrated in the preliminary site plan as follows:

1. Pedestrian connections both internally and along US 27 and Holly Hill Grove Road 2;
2. The Project creates a mixed use pattern because there is currently a lack of commercial to serve this area;
3. 60 bicycle parking spaces are provided in the Project.
4. A Transit stop is proposed dependent on the needs of the Citrus Connection.

POLICY 2.124-A8: COMPATIBILITY - The Land Development Code shall include appropriate design standards and other measures to ensure that new development within Transit Corridors and Centers is compatible with existing neighborhoods and uses.

CONSISTENCY: The Proposed Project ensures the compatibility of the development with the existing residential development on the western boundary. The County's Code requires 25 foot of buffering or a wall and 10 foot buffers. The Project includes a 6 ft high wall and a 10 foot buffer. The stormwater facilities are located adjacent the western boundary which provides a significant setback from the buildings and parking areas to the adjacent residential homes. The retail buildings are also oriented toward US 27 allowing for the buildings serve as a wall to help block the noise from the parking lots on the eastern half of the site where the most activity will occur. Finally, a site plan condition requires a lighting plan to be submitted at the time of final site plan approval which must demonstrate that lighting will not leak off site

and lighting fixtures will be used to direct light downward and not off-site.

SECTION 2.131-Q NORTH RIDGE SELECTED AREA PLAN.

This Selected-Area Plan is adopted in recognition that this area of Polk County; bounded on the east by the Providence Development and land to the south, on the north by the CR 54/Loughman SAP, on the west by the Core area of the Green Swamp Area of Critical State Concern and on the south by the City of Haines City; is expected to experience a high degree of development over the next twenty years. This urbanization will be caused by numerous external factors, most of which are occurring in adjacent Osceola and Orange Counties. This Selected Area Plan is a proactive response to these forces. It represents an initiative to shape this development into an organized and well-planned urban area.

VISION BASIC PRINCIPLES

The "Basic Principles" section has been included to serve as guiding principles to convey the concept and intent of the objectives and policies of the North Ridge Selected Area Plan. It contains fourteen fundamental principles as follows:

1. An efficient and highly desirable urban growth pattern requires a balance of residential and nonresidential uses, a range of housing opportunities, and short trips between housing, employment, and shopping.

   CONSISTENCY: The Project is intended to provide needed commercial development for this portion of the County. To date, significant residential development has been approved and this Project is intended to provide commercial to support this growing residential population. This can help reduce trip lengths and provide employment for nearby residents.

   The Project is needed to provide assurance that adequate access will be available commensurate to the level of development proposed.

2. The best way to achieve an efficient and highly desirable urban growth pattern in this area is through the interconnection of urban nodes, tourist activities, and medical and commercial centers.

   CONSISTENCY: The Project furthers this Goal by balancing residential, commercial and employment. The County has already approved significant residential development. This Project provides commercial development to support this population.

   Commercial development can not occur without assuring adequate roadway connections. The recent text amendment removed an arbitrary access standard and ensures that the Project will be reviewed consistent with all other commercial projects in the County not designated ECX.

3. The existing cities serve as the social, commercial, cultural, educational, and civic centers of the entire area. Their urban services and location are responsive to the needs of the neighborhoods.

   CONSISTENCY: The Project furthers this Goal be ensuring the full range of needed land uses are available in this area.

4. The I-4 US 27 intersection, as a major access to the area, will allow regional-type activities to develop in the adjacent area.

5. The existing medical facilities will serve as attractors for other medical services and office centers.

6. Tourist commercial uses, mixed with regional-type activities are better served in the vicinity of the intersection of I-4 and US 27 and at the terminus of the Ernie Caldwell Boulevard.

7. Neighborhood and community activity centers are needed to help serve not only the visitors but also the permanent residents to the area.

8. Environmentally sensitive development is an enhancement to the quality of life. Provisions for Green Swamp protection, aquifer protection, and reforestation are important components to this plan.

CONSISTENCY: This Project furthers this Goal by encouraging development on suitable land for development as demonstrated in the supporting environmental analysis.

9. Transportation efficiency is a desirable goal. This plan recognizes US 27 as the primary transportation corridor and the need for alternative North/South and East/West facilities to support urban growth.

CONSISTENCY: US 27 is the primary transportation corridor and there is a need for alternative North/South and East/West facilities to support urban growth. This Project requires the vacation of a portion of Holly Hill Grove Road 1 that is located within the boundary of this commercial development.

Vacating this right of way does not result in a lack of East/West facilities in this portion of the US 27 corridor. Holly Hill Grove Road 1 is an east-west road which does connect to FDC Grove Road 1 which is a parallel corridor to US 27. However, with the vacation of Holly Hill Grove Road 1 there are still nine other east-west roads that are all better long-term east-west corridor options when compared to Holly Hill Grove Road 1. Holly Hill Grove Road 1 does not meet minimum County standards and four of the nine east-west roads have signalized intersections including Holly Hill Grove Road 2. Holly Hill Grove Road 2 is approximately 0.2 miles to the north of Holly Hill Grove Road 1 so both roads are very close but it is Holly Hill Grove Road 2 where sidewalk and other infrastructure is in place.

Additionally, there is a significant need for commercial development to serve this area. Thus, there are numerous east-west alternatives including Holly Hill Grove Road 2 which is less than 0.2 miles to the north and the roadway vacation would provide much needed commercial development.

Finally, the provision above is the only direct reference to east/west facilities supporting US 27. This language recognizes the need for these facilities but does not prohibit the vacation of any one of these facilities. As mentioned above there are 9 other east-west facilities that serve this purpose. Many of these roadways are identified in other sections of the comprehensive plan or MPO plan identifying their critical role to US 27. Holly Hill Grove Road is a rarely used road that is not identified in the MPO transportation plan and no traffic counts are even kept for this facility by the County. The most recent estimates apply very few trips to this rarely used roadway.

For these reasons, the vacation of this roadway is consistent with and furthers the County's vision principles for the North Ridge area.

10. Multi-use transportation corridors and access management are key implementation tools to providing a safe and efficient movement of vehicular traffic.

CONSISTENCY: This Project will add needed commercial development and provide a mixture of

uses in this area. The project must also meet the County's requirements for access management and protection of the US 27 corridor.

11. This SAP has an important rural and agricultural component that needs to encourage agricultural activities and protection of these elements.

12. Mixing residential and non-residential uses along with interconnectivity between neighborhoods and commercial districts will support a more efficient transportation pattern in the area as well as help maintain the level of service on US 27.

CONSISTENCY: This Project will allow for new commercial development in an area where single family residential has been approved. It will help to provide a mixture of land uses and allow for interconnectivity between the residential and commercial uses as shown on the Preliminary Development Plan.

13. Mixed use developments that can provide a diverse mix of residential and non-residential uses are preferred within the SAP.

CONSISTENCY: As previously stated, the County has already approved significant residential development in this area. This Project is vital to providing needed commercial development that can provide for the daily needs of these new residents.

14. Provide a linked system of recreation by the establishment of an area-wide pedestrian and bikeway trail within rights-of-way and on sidewalks of collector and arterial roads with links to the Green Swamp.

15. This SAP area contains regionally important commercial sand resources. These raw materials are essential for future development in several central Florida Counties. Development standards must maximize long-term extraction of sand resources, and promote compatibility with adjoining uses, and promote and guide future conversion to developable land.

GOAL 2.131-Q: To develop an environmentally sensitive plan which encourages a high quality living environment through an efficient urban-growth pattern based on a balance of employment activities, residential and nonresidential uses, a range of housing opportunities, and short vehicle trips between housing, employment, and shopping in harmony with the special factors of the Green Swamp.

CONSISTENCY: This Project is located on property very suitable for urban development. There is currently a lack of commercial in this area and this Project will help meet that need and will help balance the need for housing but also employment and commercial goods and services for this area.

OBJECTIVE 2.131-Q: North Ridge Selected-Area Plan - Development within the North Ridge Selected Area Plan (SAP) shall occur in accordance with the policies stated within this section in addition to all other policies within the Future Land Use Element and other elements incorporated within the Polk County Comprehensive Plan not in conflict with these policies. Where there is a conflict in policy or standards, the more stringent standard shall apply.

POLICY 2.131-Q1: DESIGNATION AND MAPPING - The North Ridge Selected Area Plan is established as designated on the Future Land Use Map Series. Land use categories shall be designated on the Future Land Use Map Series and the North Ridge Selected Area Plan Map which is included as part of the Future Land Use Map Series.

POLICY 2.131-Q2: LAND USE CATEGORIES ESTABLISHED - The following land use categories shall apply:

A. Activity Centers

1. Tourist Commercial Center (TCCX);
2. Regional Activity Center (RACX);
3. Community Activity Center (CACX);
4. Neighborhood Activity Center (NACX);
5. Convenience Center (CCX);
6. Employment Center (ECX); and
7. Professional Institutional (PIX)

CONSISTENCY: The Project is designated ECX and the proposed development is consistent with and furthers the requirements for this land use category.

I. CONNECTION BETWEEN DEVELOPMENTS - Interconnectivity between developments will be encouraged to increase internal circulation as required in Policy 2.131-W4.

CONSISTENCY: The Project is designated ECX and the Preliminary Development Plan creates a master plan for multiple commercial buildings on site. The site plan demonstrates how the Project will interconnect with the larger transportation system and provide for internal circulation for pedestrian movements.

J. IMPERVIOUS SURFACE RATIO (ISR) - The ISRs for all land use categories are specified in the Land Development Code. The ISRs for all land uses within the Green Swamp Area of Critical State Concern shall meet the ISR requirements established by the Critical Area Resource Management Plan Policy 2.132-B10 d., of this plan.

CONSISTENCY: The Project meets the maximum impervious surface ratio permitted for the site which is 0.70 as demonstrated on the Preliminary Development Plan.

K. FLOOR AREA RATIO (FAR) - FAR ranges for each land use categories are established by Policy 2.131-Q4 of this SAP.

CONSISTENCY: The Project meets the maximum floor area ratio permitted for the site which is 0.70 as demonstrated on the Preliminary Development Plan.

L. GREEN SWAMP AREA OF CRITICAL STATE CONCERN - All development within the Green Swamp Area of Critical State Concern shall comply with the Critical Area Resource Management Plan within the Comprehensive Plan and the regulations in Chapter 5 of the Land Development Code.

CONSISTENCY: The Project meets the requirements of Section 401.06 (the North Ridge Selected Area Plan) and Section 504 (the Ridge Protection area) as explained in this consistency analysis.

POLICY 2.131-Q4: MODIFIED LAND USE CATEGORIES - Land within "modified land-use categories", as enumerated in Policy 2.131-Q2 shall be developed in accordance with the following criteria:

For properties within the Transit Supportive Development Area, higher densities and intensities can be achieved in accordance with the criteria established in Policy 2.104-A7.

M. EMPLOYMENT CENTER (ECX) - 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.

a. DESIGNATION AND MAPPING - The Employment Center is designated on the Future Land Use Map Series as "Employment Center X" (ECX).

b. CHARACTERISTICS - The ECX in this SAP is intended to accommodate the employment and functional needs of the urbanizing northeast area of the County. The ECX will generally contain

office and support facilities, college and university uses, commercial, light assembly, and limited warehousing uses. General (approximate) characteristics of the Employment Center Xs are:

(a) Minimum Population Support: 20,000,
(b) Market Area Radius: 3+ miles,
(c) Typical Tenants: Office Parks, colleges and universities, research parks, services to offices, light assembly, distribution centers, research firms, development firms, convenience stores, restaurants, professional offices, financial institutions, recreational uses, communication facilities, medium density residential development, hotels and uses that support or directly relate to the college campuses and the development of a research park, including small-scale retail stores and other commercial uses.

CONSISTENCY: All of the Project land uses are explicitly permitted within the ECX land use category.

c. 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.

CONSISTENCY: This Project must meet the access management requirements for Polk County. The recently adopted text amendment removes the prohibition for new individual driveways onto US 27 which is consistent with all other land use categories with frontage onto 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.

CONSISTENCY: The Preliminary Development Plan demonstrates how interior traffic circulation will be safely managed for the movement of vehicles, pedestrians and bicycles. Internal connections are provided to give pedestrians safe areas to walk within the site.

(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.

CONSISTENCY: The Project includes buffering along the western boundary to eliminate impacts from the development onto adjacent neighborhoods. A site plan conditions requires the inclusion of a lighting plan to ensure that no lighting emanates from the site into the neighborhood. Finally, the site plan places stormwater facilities adjacent the western boundary to further setback any commercial buildings from the western residential areas.

(f) Residential development, as a primary use 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. Residential development in excess of the 15% ECX designation may be permitted through a Planned Development. Alternatively, residential development may exceed the 15% ECX designation and be permitted a maximum density of 25 dwelling units per acre through a technical review performed by the Development Review Committee if the development provides parallel connector(s) between two or more roads intersecting with US 27 that connect residential and commercial development along the US 27 corridor, consistent with Policy 2.131-W4.

(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.

CONSISTENCY: This Project meets the required 0.70 FAR standard. The Project is the only retail and commercial project in this area but other sites remain undeveloped. The percentage standard is a district wide standard and not applied on an individual parcel basis.

(j) All development, when it is feasible, shall take advantage of any mass-transit facilities.

C. SIDEWALK ALONG US 27 AND US 17/92 - Sidewalks shall be required along the entire length and on both sides of US 27 and on both sides of US 17/92 within the North Ridge SAP as part of the multi-modal transportation system in the North Ridge SAP.

CONSISTENCY: The Preliminary Development Plan includes sidewalks along US 27 as required.

OBJECTIVE 2.131-S: Development within the North Ridge corridor shall conform to special buffering and landscape criteria to reduce potential incompatibility between land uses, negative visual impacts of development, and to help ensure reforestation.

POLICY 2.131-S1: BUFFERING - Buffering shall be utilized to reduce potential incompatibilities between adjacent land uses, create reforestation opportunities, and lessen the impact between residential and non-residential uses according to criteria of the Land Development Code.

POLICY 2.131-S2: PARKING LOT LANDSCAPING STANDARDS - Parking lots shall be landscaped to provide a visually appealing appearance that enhances the development in accordance with the criteria established by the Land Development Code.

POLICY 2.131-S3: XERISCAPE - Development shall be encouraged to incorporate xeriscape and native, water conserving, species into the landscape design to the greatest extent practicable.

POLICY 2.131-S4: ROADWAY LANDSCAPE DESIGN - Roadway Landscaping shall be provided to establish a visually appealing appearance that enhances development along collector and arterial roads within the North Ridge SAP, in accordance with the criteria established by the Land Development Code.

POLICY 2.131-S5: TREE PLANTING REQUIREMENTS - Tree planting shall be provided to establish a visually appealing appearance that enhances the development, in accordance with the criteria established by the Land Development Code.

CONSISTENCY: The Project includes landscaping and buffering consistent with the County's North

Ridge corridor design standards as demonstrated in the Preliminary Development Plan. Buffering and site planning is used to ensure adjacent residential properties are not impacted.

OBJECTIVE 2.131-T: Signage requirements shall be more restrictive than typical standards for Polk County.

POLICY 2.131-T1: All signs within this SAP shall conform to the standards within the Polk County Land Development Code in addition to the policies within this SAP.

POLICY 2.131-T2: The SAP shall generally use visually pleasing, lower height, and smaller signs to compliment the overall-selected-area site and building design. Flapping flags, banners, blinking lights, signs affixed to fencing or poles, and portable signs shall be prohibited.

CONSISTENCY: Signage on site must meet the requirements of Polk County and the North Ridge Special Area Plan.

OBJECTIVE 2.131-U: New development shall continue the provision of open space and the protection of native-plant and animal communities within the US 27 Corridor.

POLICY 2.131-U1: Ten percent (10%) of open space (30% for the area within the Green Swamp) shall be required of all development, to ensure an aesthetic and visually pleasing sense of place.

POLICY 2.131-U2: The developer shall design and locate proposed improvements to minimize the removal of native vegetative communities. However, it is not the intent of this provision to preclude the reasonable use of a lot or parcel of land consistent with the Comprehensive Plan and Land Development Code. For parcels containing significant native plant communities, the County shall identify these on the Resource Protection Maps and work with land owners to purchase them for preservation.

POLICY 2.131-U3: Wetlands, wet and dry retention, landscaped buffers, recreational areas and required buffers from environmentally sensitive areas may count for up to Ninety percent (90%) of the required open space, in accordance with the criteria established in the Land Development Code.

POLICY 2.131-U4: Restation shall be encouraged to enhance current wildlife areas and improve water quality within, and adjacent to, the Green Swamp and within the North Ridge SAP.

CONSISTENCY: The Project will meet the County's requirements for environmental protection and open space. The site is very suitable for development with no identified wetlands or listed species identified. Further analysis will be required prior to commencement of development as part of environmental permitting. The site also meets the required 30% open space standard for this area.

OBJECTIVE 2.131-W: The County shall optimize the capacity of US 27 and US 17/92 as the primary transportation roadways. (Section revised by CPA-2003A-04) July 9, 2003)

POLICY 2.131-W1: Access to new development or redevelopment will comply with FDOT access management guidelines for the US 27 transportation corridor.

CONSISTENCY: This Project will help optimize capacity on US 27 by providing needed commercial in an area where mostly single use residential has been approved to date. The lack of commercial results in longer vehicle miles traveled by residents. The lack of commercial also restricts pedestrian and bicycle trips in this area due to a lack of commercial destinations. The Preliminary Development Plan includes a proposed transit stops, bicycle parking and sidewalks to help encourage multiple transportation modes and maximize capacity for US 27.

POLICY 2.131-W2: New development and redevelopment is encouraged to increase internal-capture rate to reduce external trips by focusing compatible land uses which provide a full range of activities, thereby reducing external trips.

CONSISTENCY: This Project will help increase internal-capture rate and reduce vehicle miles traveled for this area. The combination of retail uses internally will allow for trips to remain on site allowing for grocery and restaurant or other services to occur on site. Also, since there is no commercial in this area, this use will provide needed retail and services for the surrounding area.

POLICY 2.131-W3: All new development and redevelopment fronting US 27 shall provide access via a frontage, parallel (back) road, or a side street. A cross access easement agreement, or a shared ingress/egress access easement agreement, or any other shared access method as approved by the Planning Division Director or his designee shall be required. Such easement agreements shall be recorded as in the public records of Polk County and shall constitute a covenant running with the land. As established by the Land Development Code, temporary right-in/right-out access may be granted.

CONSISTENCY: This Project's access must meet the requirements of FDOT and Polk County. Access will be consistent with other projects that have been approved along this corridor.

POLICY 2.131-W4: CONNECTION BETWEEN DEVELOPMENTS - All new development and redevelopment shall be encouraged to provide connection between developments and pedestrian/bikeway connections between adjacent parcels and roadway connections along existing and SAP proposed arterial and collector roads. All development adjacent to any of the proposed collector road systems shall be required to provide connections to the proposed roads. If conditions warrant, the County may require:

1. Service Roads;
2. Internal roadways/frontage roads;
3. Road connections that may extend beyond the SAP;
4. Shared ingress/egress access; and
5. Cross-access easements.

CONSISTENCY: The Preliminary Development Plan creates a master plan for multiple commercial buildings on site. The site plan demonstrates how the Project will interconnect with the larger transportation system and provide for internal circulation for pedestrian movements.

POLICY 2.131-W6: CURB CUTS AND JOINT ACCESS - The following curb cut and joint access criteria shall be implemented along US 27, US 17/92, and collector roadways consistent with the following:

A. Curb Cuts - Curb cuts for US 27 and US 17/92 shall be consistent with the requirements established by the Florida Department of Transportation.

CONSISTENCY: This Project's access must meet the requirements of FDOT and Polk County. Access will be consistent with other projects that have been approved along this corridor.

B. Unified Access and Joint-Use Driveways -

1. Unified Access and Circulation - All development shall be designed to incorporate unified access and circulation in accordance with the requirements described below.
2. Joint Use Driveways - The County shall require the establishment of a joint-use driveway serving abutting building sites, with cross-access easements.

C. Cross-Access Corridors - The County shall designate cross-access corridors on properties adjacent to roadways. Such designation may be made in connection with the approval of any subdivision or site plan within the affected area, or as part of an overall planning program.

D. Design of Cross-Access Corridors - Cross-access corridors shall be designed to provide unified access and circulation among parcels on each block of the thoroughfare, in order to assist in local traffic movement. Each corridor should be designed to include the following elements:

1. A continuous linear travel corridor extending the entire length of the block which it serves, or approximately 1,000 feet parallel to the thoroughfare and having a design speed of 10 mph. Final design of the facility shall be approved by the County Engineer.
2. Sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles.
3. Stub-outs and other design features which make it visually obvious that the abutting properties may be tied in to provide cross-access, shall be constructed at the time of development.
4. Linkage to other cross-access corridors in the area.

E. Easements Required to be Dedicated - Where a cross-access corridor is designated by the County, no subdivision plat, site plan or other development shall be approved unless the property owner shall grant an easement, running with the land, allowing general cross-access to and from the other properties in the affected area. Such easement shall be recorded in the public records of Polk County and shall constitute a covenant running with the land.

F. Coordinated or Joint Parking Design - Wherever a cross-access corridor has been designated, the business sites within the affected area shall be so designed as to provide for mutually coordinated or joint access and circulation systems, and shall include stub-outs and other design features as necessary to make it visually obvious that the abutting properties may be tied in to create a unified system.

G. Development Prior to Abutting Use - In the event that the building site is developed prior to an abutting property, it shall be designed to ensure that its parking, access, and circulation may be easily connected to create a unified system at a later date.

H. Existing Abutting Uses - In the event that the building site abuts an existing developed property, it shall be so designed as to connect to the abutting parking, access and circulation to create a unified system unless the County Engineer finds that this would be impractical.

CONSISTENCY: The Preliminary Development Plan creates a master plan for multiple commercial buildings on site. The site plan demonstrates how the Project will interconnect with the larger transportation system and provide for internal circulation for pedestrian movements. Access and connections must be provided consistent with the requirements of FDOT and Polk County.

The master plan connects the site internally. The adjacent commercial project as designed does not allow for a safe location for an interconnection to the site. The site is developed as warehouses along the southern boundary of the property and a small driveway long US 27.

POLICY 2.131-W7: The County shall encourage mass-transit facilities consistent with the plans of the Polk Transportation Planning Organization and the Transportation Element of Comprehensive Plan.

CONSISTENCY: The Preliminary Development Plan includes a proposed transit stop on site and the developer will coordinate with Citrus Connection as part of the final site plan approval.

POLICY 2.131-W8: Pedestrian and bikeway systems shall be developed in accordance with standards in the Land Development Code and consistent with the Polk TPO 2025 Long Range Plan. The standards shall include guidelines for the location and type of improvements. The County shall encourage developers to provide for pedestrian/bikeway systems in all development.

CONSISTENCY: The Preliminary Development Plan includes sidewalks and bicycle parking to encourage other modes of transportation in the development.

B. CONSISTENCY WITH LAND DEVELOPMENT CODE

The Project is consistent with and furthers the following provisions in the Polk County Land Development Code:

Section 401.06 The North Ridge Selected Area Plan (Revised 03/06/02 - Ord. 02-13)

A. **Purpose and Intent**

This Selected Area Plan (SAP) was adopted in the Polk County Comprehensive Plan to recognize the anticipated high level of urbanization during the next twenty years along the US 27 corridor between Haines City and Interstate 4 and along US 17/92 north of Haines City and south of CR 54. The districts and performance standards that follow implement the public/private initiatives outlined in the Plan. In order to achieve an efficient and highly desirable urban growth pattern, a balance of residential and non-residential uses is required, as well as a range of housing opportunities and short trips between housing, employment, and shopping including access management. The approach utilized in the SAP districts include the creation of traditional neighborhood villages and access management standards while preserving sensitive environmental resources.

CONSISTENCY: The Project as proposed furthers the County's development strategies for the North Ridge SAP including creation of an efficient urban pattern by balancing commercial and residential uses and helping shorten trip lengths for citizens in this area.

B. **Applicability**

This section applies to development within the North Ridge SAP, the boundaries of which are shown on the FLUM.

C. **Allowable Uses and Intensity of Development, and Dimensional Regulations (Revised 6/21/16 - Ord. 16-031; 11/4/14 - Ord. 14-066; 05/07/08 - Ord. 08-013)**

The land use categories and uses allowable in this district are shown in Table 4.16. Land use categories and uses not shown are prohibited.

1. All development that is permitted (P) or permitted with density bonus points (B) shall require a Level 2 Review in accordance with Table 4.20 and Table 4.21.

2. Land uses shown with a C1, C2, C3 or C4 in Table 4.16 shall comply with applicable Criteria for Conditional Uses in the North Ridge SAP in addition to the requirements of Chapter 3 of the Land Development Code.

CONSISTENCY: The Project meets the requirements for a C3 conditional use as demonstrated in this supporting analysis. Table 4.16 requires retail projects over 65,000 square feet to meet the C3 requirements as established in Sections 303 and 906 of the County's LDC.
The Project is also consistent with Table 4.17 which establishes the minimum setbacks from roadways and Section 220 which is the Compatibility section of the LDC.

3. All development that is permitted with a Planned Development (PD) shall require a Level 3 Review in accordance with Table 4.20 and Table 4.21.

4. The dimensional regulations for these SAP districts are outlined in Table 4.17 for the North Ridge Selected Area Plan.

D. **Modified Land Use Requirements (Revised 12/6/16 - Ord. 16-076; 01/24/12 - Ord. 12-003; 05/07/08 - Ord. 08-013; 07/25/07 - Ord. 07-039)**

12. Employment Center (ECX) B Development shall be consistent with the following:

a. On-premises signs shall meet the requirements of the Community Activity Center (CAC) and shall be reduced by 15% for the SAP in accordance with Section 760 of the Land Development Code;

CONSISTENCY: The Project must meet the signage requirements of Polk County and the North Ridge Selected Area Plan design standards.

b. The setbacks and building height shall meet the requirements of Section F.5. and 6. of this SAP, Development Design Standards and Requirements;

CONSISTENCY: The Project meets the setback and maximum building height permitted for the North Ridge Selected Area Plan design standards.

K. **Open Space (Revised 07/25/07 - Ord. 07-039)**

Open space within the North Ridge SAP includes upland, wildlife habitat, dry and wet retention ponds, preserved native plant communities, and floodplains.

1. All development will be required to provide a minimum of ten percent open space in the SAP but shall provide a minimum of 30 percent open space if in the Green Swamp. Planned Developments must meet the open space standards found in Section 303.

2. Building setbacks are allowed to be used as part of the open space for non-residential development.

3. Lots of record are exempt from providing open space as required by this SAP.

CONSISTENCY: The Preliminary Development Plan includes the required 30% open space standard.

L. **Buffers (See Figure 4.2)**

1. A landscaped buffer, 25 feet in width, shall be required along arterial roads consistent with the planting requirements of a Type C buffer for all development. The required sidewalk may be incorporated into the landscape buffer provided an access easement is recorded at the time of Level 5 Review.

2. Developers of properties along US 27 shall plant Live Oak trees at a ratio of one tree for every 40 linear feet of right-of-way frontage.

3. A landscaped buffer 15 feet in width shall be required along all collector roads, consistent with the planting requirements of a Type A buffer, for all development. The sidewalk may be incorporated into the landscape buffer provided an access easement is recorded at the time of Level 5 Review.

4. A landscaped buffer consistent with the Type C buffer in Section 720 shall be required where non-residential development abuts any vacant or developed residential districts. This buffer may be reduced to ten feet if a masonry wall is incorporated into the buffer.

5. A five foot landscaped buffer consistent with the Type B Buffer, in accordance to Section 720, shall be required between all non-residential developments as follows:

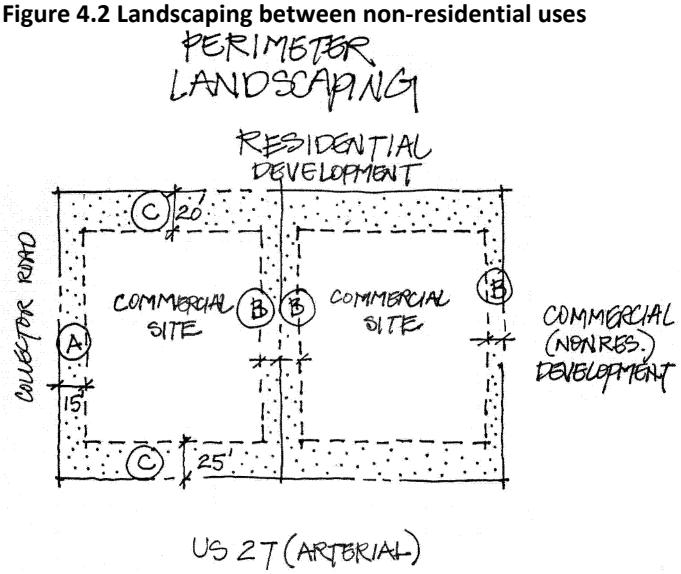
   a. Where a proposed non-residential use abuts an existing non-residential use, a Type B Buffer, in accordance to Section 720, is required, unless the existing use has an equivalent buffer.
   b. Where the proposed non-residential use abuts a non-residential district, that is vacant and without approved development plans from the County, the proposed use shall provide the equivalent of half of the required plantings of the Type B Buffer, in accordance to Section 720.
   c. If the abutting non-residential use, whether it is an existing use or received development approval from the County, has a clustered landscaped buffer, the abutting use shall cluster the landscaped buffer on-center between the proposed or existing clustered landscaping. The proposed non-residential use in this situation, cannot apply for a waiver from the required landscaping.
   d. The plantings of the required landscape buffer between non-residential uses may be clustered, provided the separation between clusters is no greater than 30 feet.
   e. Half of the required understory tree and shrub plantings, from the Type B Buffer between non-residential uses, may be transferred from the perimeter landscape to landscaping surrounding the building(s) for the development.
   f. Where the buildings abut each other and utilize shared parking areas, a landscape buffer shall not be required to separate the two uses.
   g. All landscaped buffers, including those within the building setbacks, are allowed to be counted toward the required Open Space for non-residential development.

6. Existing trees, including citrus trees, can be counted toward the buffer requirement per Section 721 and Table 4.17 of the Land Development Code. In non-residential uses, up to 50 percent of the citrus trees can be counted toward the buffer requirement per Section 721 and Table 4.17.

7. Only block with stucco, brick, or decorative precast masonry walls shall be permitted as part of the landscape buffer as required by Section 720. Privacy fences for residential and non-residential uses that are not part of the landscape buffer are allowed as permitted by Section 210.

8. Landscaped buffers within the rights-of-ways shall not count toward the required Open Space.

Figure 4.2 Landscaping between non-residential uses



CONSISTENCY: Landscaping is provided in the Project consistent with the North Ridge Selected Area Plan standards. Buffering is provided along the western boundary to ensure compatibility with the adjacent residential areas. Buffers are also provided along US 27 as required.

M. **Parking Lot Landscaping (See Figure 4.3)**

1. All parking lot landscaping and buffer requirements shall meet the requirements of this section; the landscaping requirements of Section 720 C. and D. shall not be applicable in this SAP.

2. Xeriscape landscaping and native plant materials are encouraged to be incorporated into the parking lot landscaping.

3. At least 30 percent of the required canopy trees in the parking lot landscaping shall be native to the ridge or drought resistant.

4. The minimum landscaping for each parking lot shall be provided within the interior of a required paved off-street parking area as follows:

   a. Each aisle of parking spaces shall be terminated by landscaped islands which measure not less than nine feet in width, as measured from face of curb to face of curb, and not less than 18 feet in length. At least one canopy tree shall be planted in each terminal island;
   b. Mandatory terminal islands shall be surrounded with a continuous, raised curb.
   c. Landscaped divider medians may be used to meet interior landscape requirements. If divider medians are used, they shall form a continuous landscaped strip between abutting rows of parking spaces. The minimum width of divider median shall be a minimum six foot wide divider median, as measured from face of curb to face of curb. One under story tree shall be planted for each 30 linear feet of divider median, or fraction thereof. Trees in a divider median may be planted singly or in clusters. The maximum spacing between clusters shall be 60 feet;
   d. A minimum six foot wide divider median, as measured from face of curb to face of curb, shall be required every fourth bay of parking as shown in Figure 4.2. A minimum of one understory tree shall be planted for each 30 linear feet of divider median. An alternative option, three diamond shaped islands may be substituted for the continuous six foot wide divider median, as shown in Figure 4.2;
   e. Optional interior islands and divider medians shall be protected by curbing or wheel stops; and
   f. Each parking bay shall have no more than ten continuous parking spaces unbroken by a landscape island that shall be the width of a parking space, as measured from face of curb to face of curb.

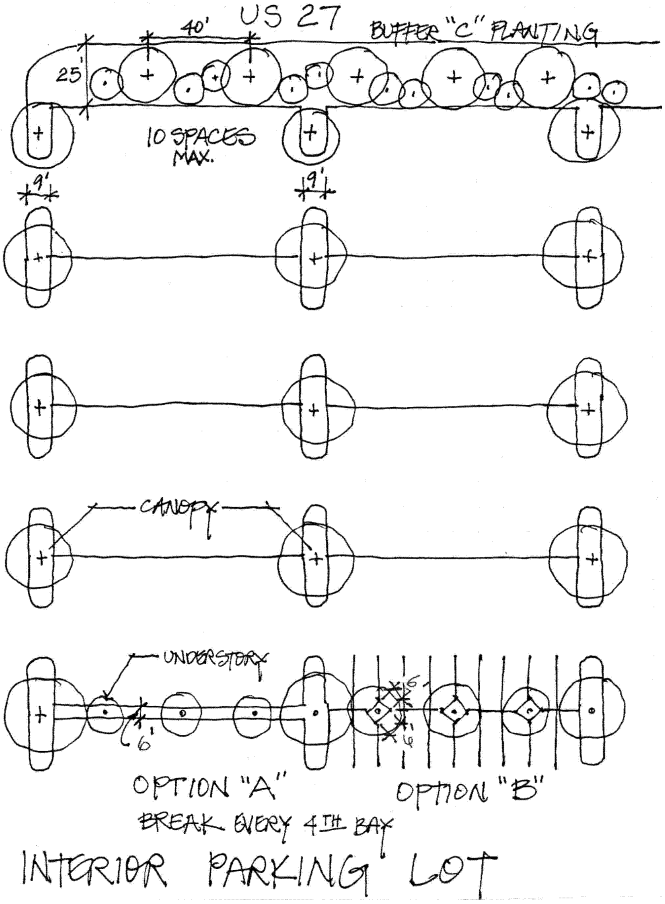
5. Location of landscaping - Landscaped areas shall be located in such a manner as to divide and break up the expanse of paving and to guide traffic flow.

6. A Type A buffer 15 feet in width shall be required between all frontage roads and parking lots in accordance with Section 720.

7. Required landscaping where off-street parking abuts public right-of-way: A landscaped strip of land shall be provided consistent with this section and Section 720 with at least one drought resistant, native to the ridge, tree for each 75 lineal feet, or fraction thereof shall be planted. Trees may be planted separately or in clusters.

8. No landscaping shall be provided in the right-of-way unless the County or FDOT gives the owner approval to do so. In addition, a completed agreement as to who will maintain the landscaping within the right-of-way shall be submitted by the developer and the owner of the right-of-way(s) prior to Level Review 2 approval.

Figure 4.3 Parking Lot Design



CONSISTENCY: Parking lot landscaping will be provided within the Project consistent with the North Ridge Selected Area Plan design standards.

N. **Tree Planting**

The minimum number of trees to be planted or preserved in addition to buffering and landscaping requirements is listed in Table 4.17.

Table 4.17 Number of Trees to Plant or Preserve for Development

Future Land Use	Minimum Trees Required
A/RRX, RSX, RLX, RMX	8 trees per developable acre
CCX	2 trees per developable acre
L/RX, TCCX, NACX, PIX, ECX	4 trees per developable acre
CEX, LCCX, CACX, RACX	6 trees per developable acre

O. **Credits for Existing Trees**

Credits for existing trees shall be consistent with Section 721.

CONSISTENCY: Trees will be provided on site consistent with the North Ridge Selected Area Plan requirements as identified above.

P. **Signs**

1. Off-Premises signs shall be prohibited except as temporary real estate signs advertising the availability of commercial space and special events as permitted per Section 760 of the Land Development Code.

2. On-premises signs shall be permitted in accordance with Section 760.

3. On-premises signs shall be permitted in the Professional Institutional (PIXX) and Employment Center (ECX) districts consistent with the Community Activity Center (CACX) standards per Section 760.

4. All other signs shall be permitted in accordance with Section 760.

CONSISTENCY: On site signage must meet the design requirements of the North Ridge Selected Area Plan design standards.

Q. **Transportation Network and Road Frontage Requirements (Rev. 08/15/08 - Ord. 08-041; Rev. 06/08/04 - Ord. 03-94)**

3. All access and subdivision of land shall comply with the following:

   a. All access to collector and local road shall be consistent with this Section and Chapter 8;
   b. Only one driveway shall be permitted along US 27 every 1,320 feet between any perpendicular roadway intersection with US 27, except as otherwise authorized in writing by FDOT.
   c. Any subdivision of property along all arterial roadways shall have a minimum frontage of 600 feet. This may be reduced if access is not from US 27 and access is gained from a shared driveway, consistent with item 2b above, internal road or cross access easement;
   d. The required frontage may be reduced if access is gained through a joint or shared access, a side road, or other internal road; and
   e. Where access is shared by more than one user, an easement shall be located on the site plan at Level 2 Review and any required plat. A completed access agreement shall be provided prior to any Level 2 Review approval.

4. In order to provide safe and efficient local traffic movement, the County shall designate cross-access corridors along US 27, US 17/92, all urban collector roads within the SAP, and other roads that may be designated in the future. Said corridors shall be designed to provide unified access and circulation among parcels on each block of the thoroughfare. Each corridor shall include the following elements:

   a. A continuous linear travel corridor extending the entire length of the block which it serves, or at least 1,000 feet of linear frontage along the thoroughfare, and having a design speed of ten mph. Final design of the facility shall be approved by the County Engineer;
   b. At a minimum, meet the County's local road requirements of Appendix A of the Land Development Code in order to have sufficient width to accommodate two-way travel aisles for automobiles, service vehicles, and loading vehicles;
   c. Stub-outs and other design features which make it visually obvious that the abutting properties may be tied in to provide cross-access, shall be constructed at the time of development;
   d. Linkage to other cross-access corridors in the area;
   e. Where a cross-access corridor is designated, no subdivision plat, site plan or other development shall be approved unless the property owner grants an easement allowing general cross-access to and from the other properties in the affected area. Such easement shall be recorded in the public records of Polk County and shall constitute a covenant running with the land;
   f. Wherever a cross-access corridor has been designated, the sites shall be so designed for coordinated or joint parking, access and circulation systems. These sites shall include stub-outs and other design features necessary to make it visually obvious that the abutting properties may be connected to a unified system;
   g. If a site is developed prior to an abutting property, it shall be designed to ensure that its parking, access, and circulation may be connected to a unified system at a later date; and

h. If a site abuts an existing developed property, it shall be so designed to connect to the abutting parking, access, and circulation unless the Planning Director and County Engineer determines this to be impractical.

CONSISTENCY: This Project's access must meet the requirements of FDOT and Polk County. Access will be consistent with other projects that have been approved along this corridor.

R. **Environmental Protection**

All development within this SAP shall be designed to protect upland wildlife habitats, native plant communities, wetlands, and other natural resources.

CONSISTENCY: The Project is supported by an environmental analysis that demonstrates that there are no wetlands and listed species on site. Further environmental analysis will be required designated ECX and the proposed development is consistent with and furthers the requirements for this land use category.

CHAPTER 9 - DEVELOPMENT REVIEW PROCEDURES

C. **Level 3 Review- Planning Commission Action (Revised 2/5/2019 - Ord. 19-008)**

All new development and modification to existing developments involving land uses listed as C-3 conditional uses within its respective future land use district or applications for Planned Development are required to successfully complete a Level 3 Review prior to application to Level 2 Review. Level 3 Review requires recommendation from the Development Review Committee and a public hearing before the Planning Commission. At the public hearing, the Planning Commission may approve, approve with conditions, or deny an application for Level 3 Review. Successful completion of Level 3 Review will enable the applicant to proceed with Level 2 Review in accordance with conditions placed upon the application by the Planning Commission and other regulatory requirements. Appeals of the Planning Commission's decision may be heard before the Board of County Commissioners through the De Novo Hearing process outlined in Section 922.

CONSISTENCY: This Project Narrative and Conceptual Site Plan meets the requirements for a Level 3 review as outlined in Sections 906 and 910 of the County's Land Development Code.

Section 906 Level 3 Review

A. **Purpose**

The Level 3 Review is a technical and compatibility review of development applications and plans which have limited issues to be reviewed by a citizen authority in a public hearing forum, in which affected parties can provide input and feedback to the applicant and the Planning Commission (PC). The Planning Commission shall determine whether the proposed development complies with the standards of this Code and the Comprehensive Plan regarding the following issues:

1. The compatibility of non-residential uses near or adjacent to residential land uses or vacant land designated as residential;

CONSISTENCY: This Project narrative includes a compatibility analysis demonstrating that the proposed Project is compatible with residential uses "near or adjacent" the property. The current land use and zoning already permits by right intensive commercial development. In addition, the project meets the buffering and landscaping requirements contained in the County's Code. The compatibility analysis is contained in Section IV of this Project narrative.

2. The compatibility of proposed residential uses in proximity to existing residential densities of a significantly different density;

THIS CRITERIA DOES NOT APPLY TO THIS PROJECT SINCE NO RESIDENTIAL COMPONENT IS INCLUDED.

3. Where there are specific characteristics of the proposal which may result in potential adverse off-site impacts. Site characteristics such as a dumpster, driveway, drive-through window, or buffer will be reviewed to determine compatibility and possible mitigation of impacts not deemed compatible;

CONSISTENCY: The Preliminary Development Plan includes the location of proposed site features including location of the dumpster, driveways and buffers. Any drive-through windows will be internal to the project. The site plan demonstrates how the location of the dumpsters and loading areas will not result in any off-site impacts. Additionally, the property is already approved by right for intense commercial uses. Finally, the Project meets the County's buffering requirements for such uses.

4. The effects of noise, vibration, air pollution, glare and odor may adversely impact the use of adjacent properties shall be reviewed, and if such effects can be mitigated and conditions for mitigation imposed;

CONSISTENCY: The Preliminary Development Plan includes the location of buildings and proposed site features including location of the dumpster and loading areas. The site plan and lighting plan demonstrate that the proposed project will not impact adjacent properties. Additionally, the property and the surrounding properties have the same or similar land use designations and are already approved by right for intense commercial uses. Finally, the project meets the County's buffering requirements for such uses.

5. Whether the requested development meets minimum development standards as stated in this Code, and other County development regulations; and

CONSISTENCY: This Project narrative demonstrates that this Project meets the minimum requirements established by the County. This includes the County's comprehensive plan, the North Ridge Selected Area Plan and the implementing land development regulations. The Code specifically site plan includes the location of proposed site features including location of the dumpster, driveways and buffers. Any drive-through windows will be internal to the project. The site plan demonstrates how the location of the dumpsters and loading areas will not result in any off-site impacts. Additionally, the property is already approved by right for intense commercial uses. The project meets the County's buffering requirements for such uses.

6. A development plan which mitigates impacts as outlined in an Impact Assessment Statement which has been prepared pursuant to Section 910.

B. **Performed By**

A Level 3 Review is performed by the Development Review Committee and Planning Commission (PC). The DRC and the Planning Commission may approve, deny or approve with conditions.

C. **Results**

A successful Level 3 Review will result in an approval, or approval with conditions, or an affirmative recommendation of the plans presented.

D. **Review Process for Level 3 Review (Rev. 2/5/19 - Ord. 19-008; 5/20/09 - Ord. 09-023; 3/8/06 - Ord. 06-12)**

1. A pre-application meeting is optional, but recommended.

2. Applications for development review shall be available from the Land Development Division. A complete application shall be signed by all owners, or their agent, of the property subject to the proposal, and notarized. Signatures by other parties will be accepted only with notarized proof of authorization by the owners. In a case of corporate ownership, the application shall be signed by an officer of the corporation. All applications shall comply with the following submittal requirements and additional submittal requirements that may be required by other Sections of this Code or by resolution adopted by the Polk County Board of County Commissioners.

   a. Applications shall include documents and drawings showing:
      i. Name of owner or contact, address, and phone number;
      ii. Description of intended use and Land Use District;
      iii. Preliminary Development Plan;
      iv. Location and linear dimensions and size of parcel;
      v. Legal description of property involved;
      vi. Access;
      vii. Boundary survey or scaled drawing as required by this Code; and,
      viii. Tax parcel sheets and aerial photos.
   b. There may be additional submittal requirements in other Sections of this Code. All plans submitted for review by the County and other review agencies shall be identical. Any revisions made at the request of one or more review agencies shall be resubmitted with the request number of copies.

CONSISTENCY: The Project Narrative and Preliminary Development Plan include all of the information required above.

   c. All preliminary plans shall include the following information:
      i. Location of the subject property in relation to surrounding and adjacent roadways and proposed access to the property street network;
      ii. General description of the project, illustrating the location of all proposed uses. Residential projects shall include the total number of units proposed and density. Non-residential projects shall include the floor area ratio (FAR) and impervious surface ratio (ISR);
      iii. Location and type of developments, land uses, and driveways or roads within 150 feet of the proposed project;
      iv. A drawing of the site (at a scale of one inch equals 60 feet) showing major geographical features including creeks, ditches, water bodies, other prominent topographic features (USGS, or tax maps may be used);
      v. Location of major tree stands and other large trees (this may be outlined on aerial maps, and need not be a tree survey);
      vi. Location, size and number of stories of proposed building and above ground transmission structures;
      vii. General parking lot layout with approximate number of spaces, basic traffic flow and proposed circulation patterns;
      viii. A statement indicating whether access will be required to a state, city, county or private road;
      ix. Generalized location of intended buffers;
      x. Proposed foot print of non-residential building indicating building setbacks and access points;
      xi. Typical and minimum lot size on residential projects;
      xii. A map identifying the location and elevation of any flood zones, wetlands and other Development Limitation or Resource Protection Areas;
      xiii. A general description of how drainage will be handled, including a soils statement (Natural Resources Conservation Service acceptable) and the general area of the site to be used for

stormwater management facilities;

xiv. Any special occupancies to be included on the site, which may include but are not limited to, underground storage tanks, a fireworks manufacturing site, a paint and body shop; or any other occupancy that includes a fire safety concern;

xv. Existing water and waste water services; (this may simply be a statement such as: "There are no water or wastewater service facilities on or near the site");

xvi. The gross floor area per floor of the building proposed;

xvii. The proposed use as listed in the appropriate use tables in Chapters 2, 3, and 4; and,

xviii. Current Property Appraiser parcel maps and aerials for the site.

CONSISTENCY: The Preliminary Development Plan includes all of the information identified above.

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;
2. Provide a site plan showing each type of existing and proposed land use;
3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;
4. Explain how the requested district may influence future development patterns if the proposed change is located in an area presently undeveloped; and
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; and
   d. The total area proposed for each type of use, including open space and recreation.

CONSISTENCY: The Project Narrative and Preliminary Development Plan address all of the issues identified above. The environmental analysis demonstrates that the site is very suitable for development and is already approved for intense commercial. The site plan identifies the location of uses as required. The site plan also identifies how buffering is used to ensure compatibility with the existing residential areas to the west of the property.

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;
2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;
3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

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

CONSISTENCY: The Project is supported with a detailed traffic analysis that demonstrates that adequate capacity is available to support this development. The analysis also presents the turn lane and traffic signalization improvements that are needed. Finally, the site plan identifies the location of sidewalks on site and the proposal for a transit stop in coordination with the Citrus Connection.

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;
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;
3. Indicate the relationship of the proposed sewage system to Polk County's plans and policies for sewage treatment systems;
4. Identify the service provider; and
5. Indicate the current provider's capacity and anticipated date of connection.

CONSISTENCY: The Project narrative addresses the availability of sewer service and the projected project demand.

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;
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.

CONSISTENCY: The Project narrative addresses the availability of potable water service and the projected project demand.

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;
2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;
3. Describe the impact of such alterations on the fish and wildlife resources of the site; and
4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

CONSISTENCY: The Project development plan and narrative addresses the plan for surface water and drainage on site.

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;
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;
3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and
4. Describe the proposed service area and the current population thereof.

CONSISTENCY: The Project narrative addresses the information required above.

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
2. Discuss the demand on the provision for the following services:
   a. Parks and Recreation;
   b. Educational Facilities (preschool/elementary/middle school/high school);
   c. Health Care (emergency/hospital); d Fire Protection;
   e. Police Protection and Security; and
   f. Electrical Power Supply.

CONSISTENCY: The Project narrative addresses the information required above.

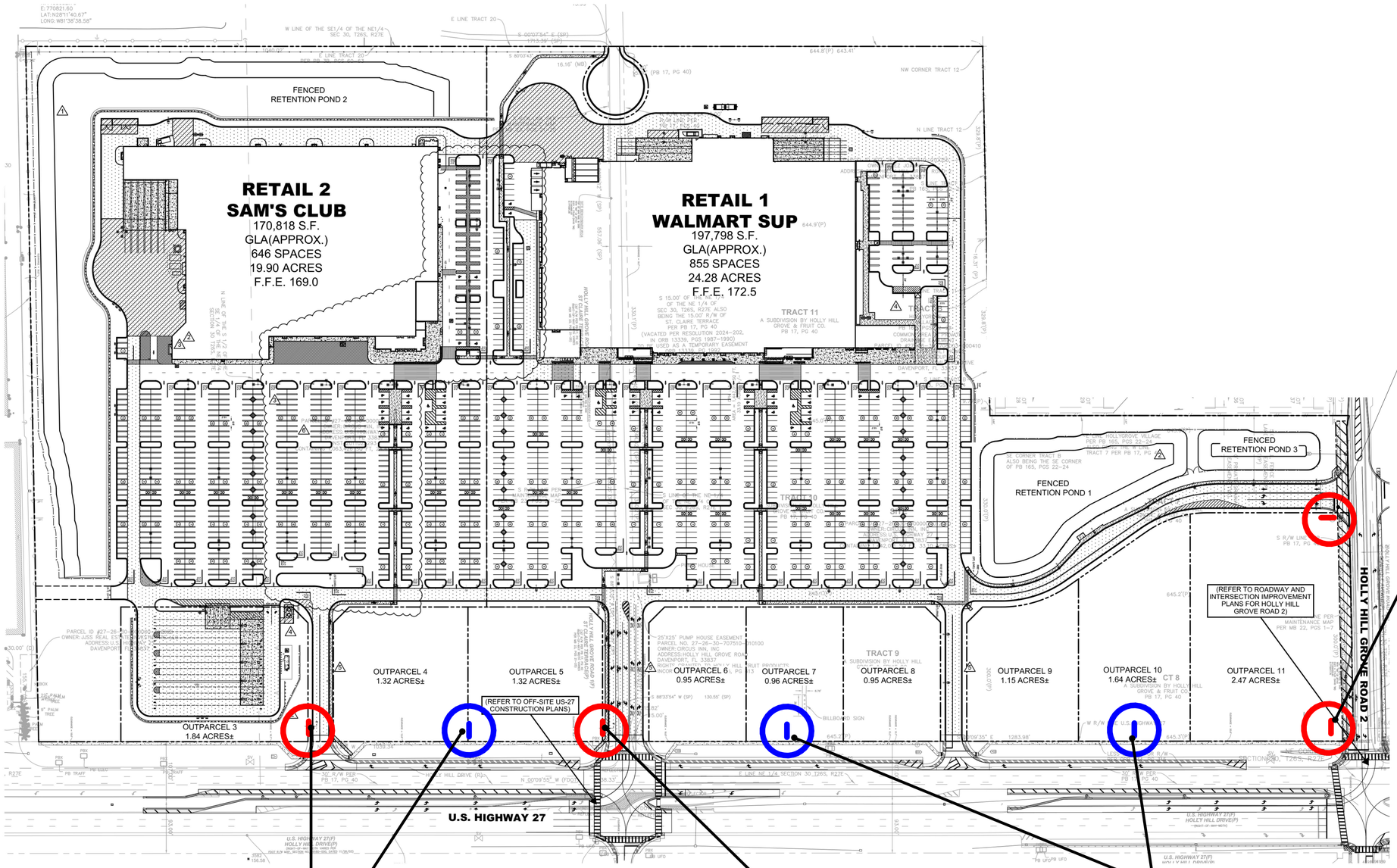
H. **Maps**

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-

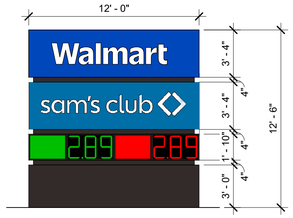
of-way widths.

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; and
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.

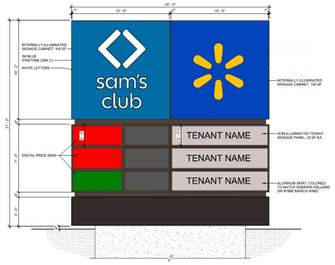
CONSISTENCY: All of the required maps are included in this submittal.

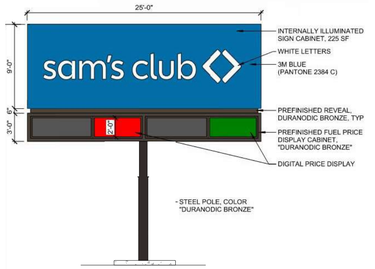


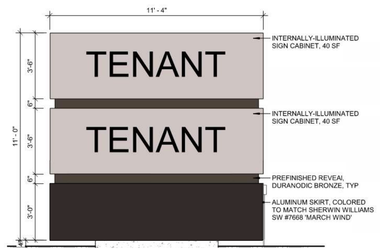
WALMART AND SAM'S CLUB MONUMENT SIGN WITH FUEL READERS

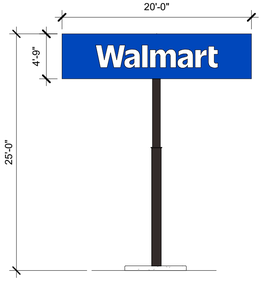


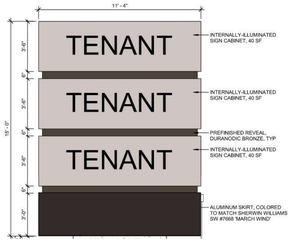
WALMART AND SAM'S CLUB MONUMENT SIGN WITH FUEL READERS











CORE STATES GROUP

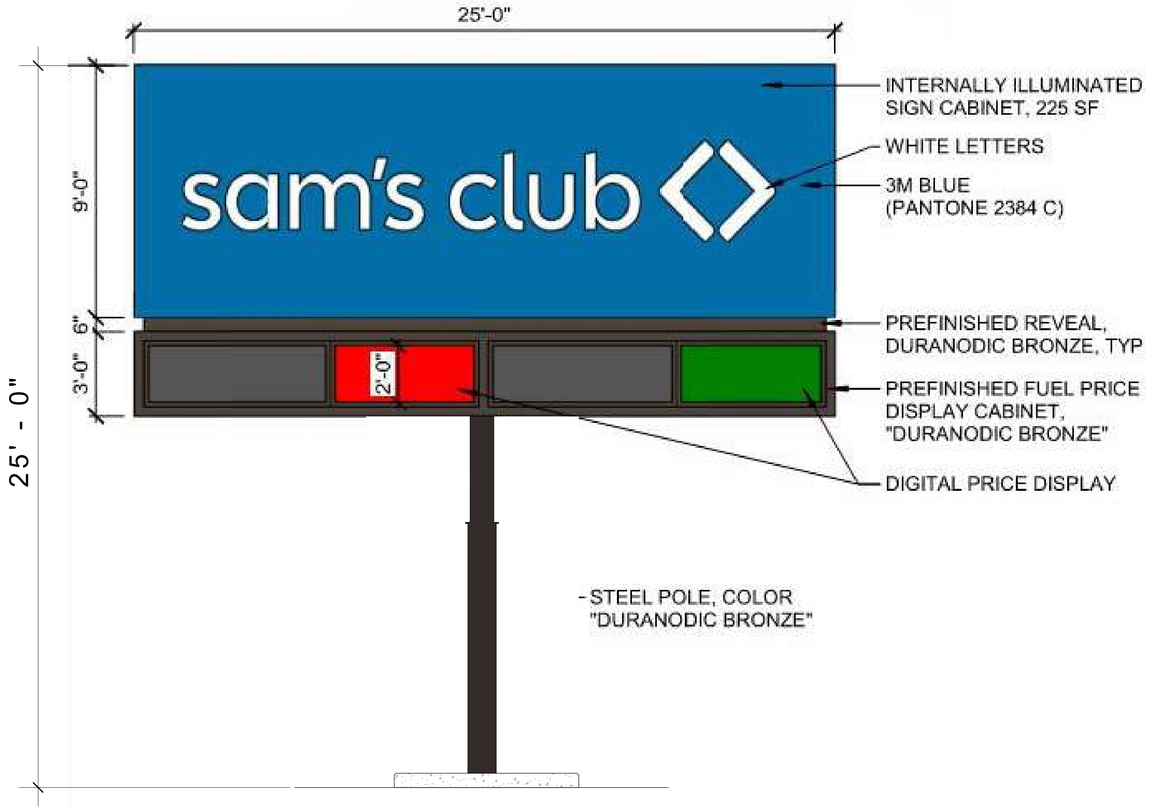
02/16/2026

02779

DAVENPORT, FL

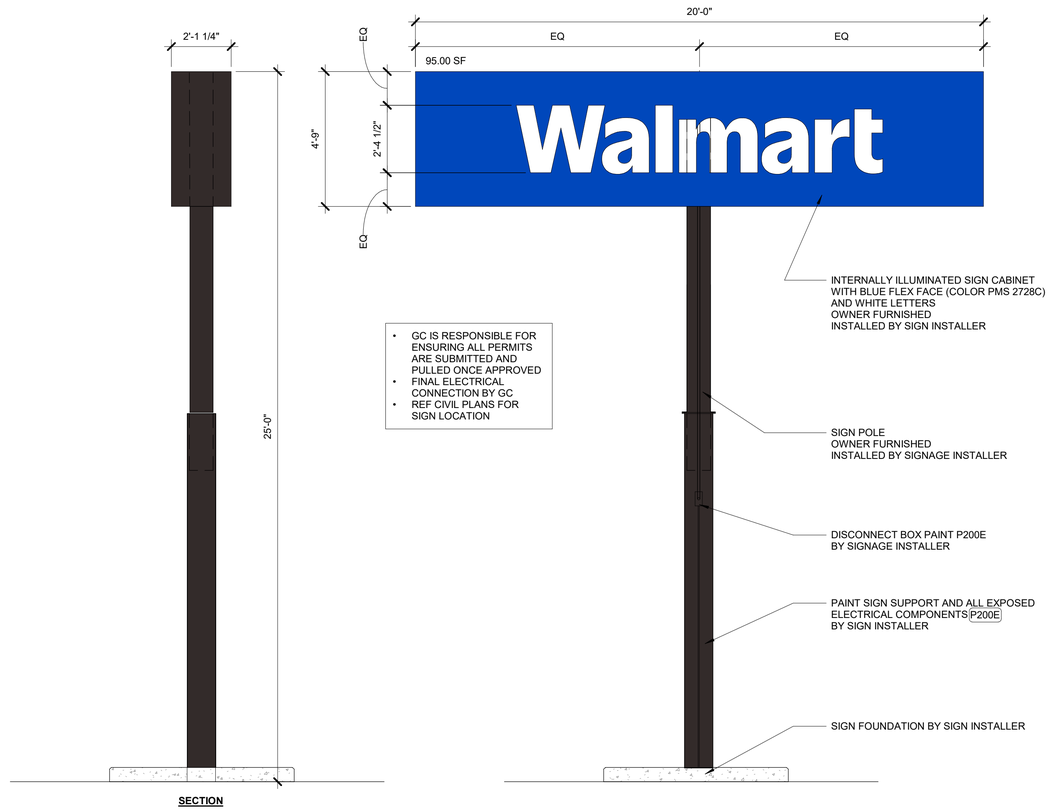
CIVIL SITE PLAN

BD4



2 25'-0" PYLON SIGN

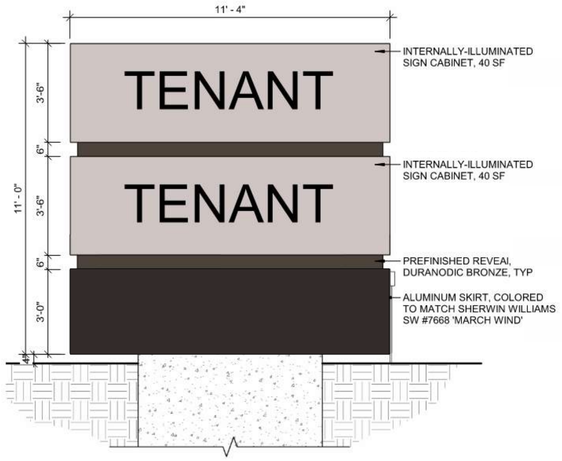
3/8" = 1'-0"



1 25'-0" PYLON SIGN

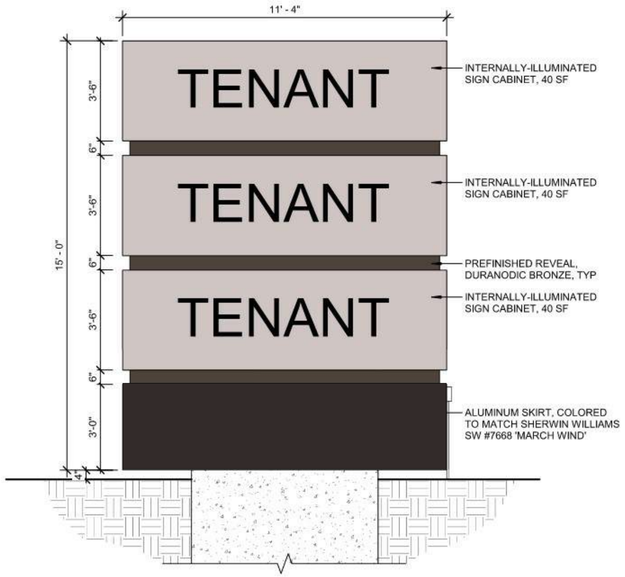
3/8" = 1'-0"

CORE STATES GROUP	02/16/2026	# 02779	DAVENPORT, FL	SITE SIGNAGE	BD5



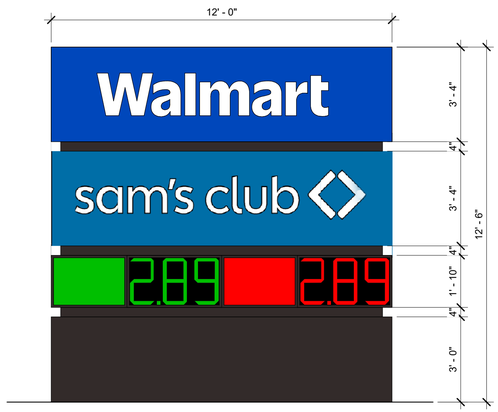
4 TENANT MONUMENT SIGN

3/8" = 1'-0"



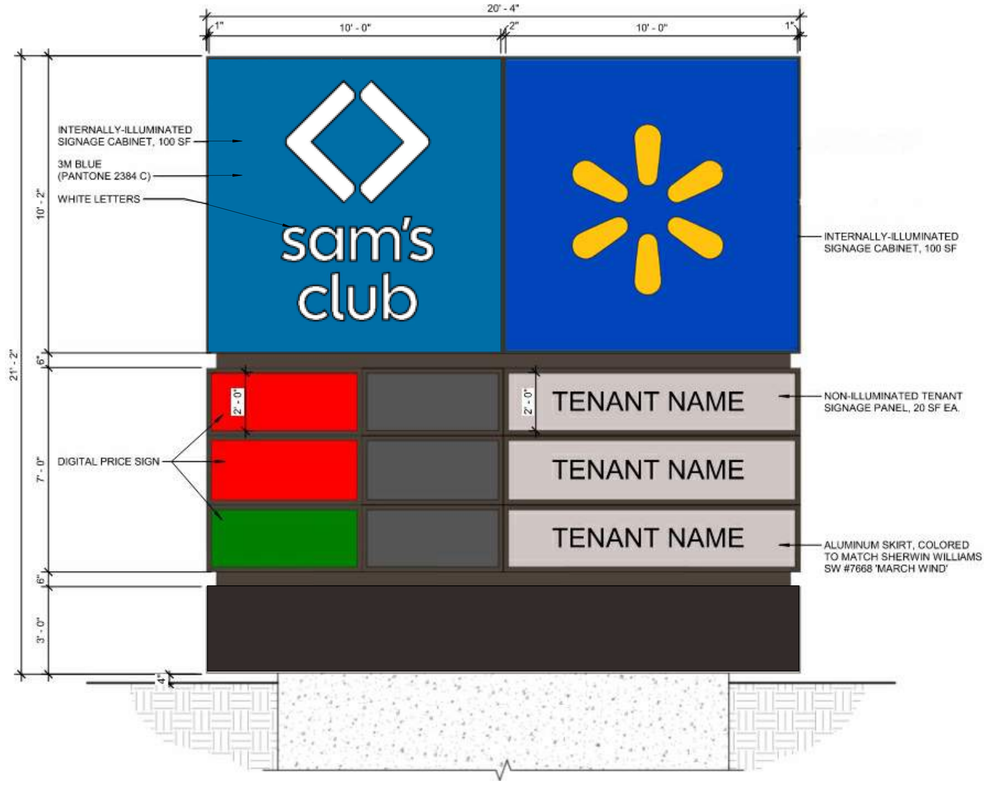
3 TENANT MONUMENT SIGN

3/8" = 1'-0"



2 MONUMENT SIGN

3/8" = 1'-0"



1 MONUMENT SIGN

3/8" = 1'-0"

CORE STATES GROUP	02/16/2026	# 02779	DAVENPORT, FL	SITE SIGNAGE	BD5a

Falls at Crescent Homes, LLC
GPK SE, LLC
GPK Sunrise, LLC
Lynnway Armstrong, LLC
MMH Development, LLC
7380 W. Sand Lake Road, Suite 605
Orlando, Florida 32819

June 2, 2026

SENT VIA EMAIL PlannerOnCall@polk-county.com

Polk County Board of County Commissioners
c/o Land Development Division
330 W. Church Street
Bartow, FL 33830

Polk County Land Development Division
Attn: Planner on Call
Drawer GM03, P.O. Box 9005
Bartow, FL 33831

RE: Support for LDPD-2026-7 – U.S. Hwy 27 Retail Center Modification

Dear Chair and Honorable Commissioners,

This letter is in regard to the upcoming public hearing scheduled for June 3, 2026, with respect to the above-refenced case number for the U.S. Hwy 27 Retail Center Modification (the "**Proposed Application**"). On behalf of **Lynnway Armstrong, LLC, GPK SE, LLC, GPK Sunrise, LLC, Falls at Crescent Homes, LLC** and **MMH Development, LLC** (the "**Companies**"), we respectfully submit this letter in **support** of the Proposed Application, a request to approve a Planned Development to modify an existing Conditional Use Permit for a large retail center with gas stations. The purpose of the Proposed Application is to modify a previously approved sign plan in the ECX district, allowing for an expansion to the previously approved sign variance for the Walmart/Sams Club monument sign with fuel readers, in addition to additional plaza and large monument signs.

The Companies **own several properties located in the vicinity of U.S. Highway 27,** including:

- East of US 27, located west of the subject project along Holly Hill Grove Road No. 2;
- East of US 27, located north of Minute Maid Ramp Road No. 1;
- East of US 27, located south of Minute Maid Ramp Road No. 1 and north of Holly Hill Grove No. 3;
- West of US 27, located south of Minute Maid Ramp Road No. 1; and
- West of US 27, located south of Crescent Road.

The properties are in various stages of entitlements and approvals, including several **mixed-use developments**, including multi-family residential, restaurant and retail development within close proximity to the site. As adjacent owners, the Companies are stakeholders in the community with a direct interest in the long-term success, functionality, and visual quality of the US 27 corridor. We have each carefully reviewed the Proposed Application and support approval.

We understand the request includes:

1. A reallocation of copy area between two previously approved freestanding signs; and
2. The addition of a fuel price reader integrated into one of the approved hybrid monument signs.

From both a neighboring property owner and active developer perspective, we find these modifications to be appropriate and beneficial for a number of reasons. The Proposed Application is minor in nature, focused on function, consistent and compatible with the other development in the vicinity. Moreover, the proposed conditions of approval include a commonsense allowance for minor deviations (of under 5%) to be approved by staff.

Specifically, we support the Proposed Application for the following reasons:

1. No Increase in Overall Signage Intensity.

The Proposed Application does not increase the total amount of signage permitted within the development, but instead reallocates previously approved sign area. The application ensures the overall visual impact remains consistent with what has already been reviewed and approved by the County, while improving efficiency in how that signage is utilized. The use of fewer, larger signs will be a major benefit to this rapidly growing corridor.

2. Enhanced Corridor Functionality and Traffic Safety.

As property owners within the vicinity of the U.S. 27 corridor, actively working to develop a number of mixed-use projects nearby, we recognize the importance of **clear, effective wayfinding** for both residents and visitors. The adjustment in sign copy will improve visibility and legibility for the signage, allowing motorists to make informed decisions in advance, which can reduce traffic congestion.

Additionally, the inclusion of a **fuel price reader** is an important and standard feature for gas stations, which will allow drivers to assess pricing prior to entering the site. This reduces unnecessary turning movements, hesitation, and internal circulation conflicts, supporting safer conditions along the corridor. Signage that supports efficient traffic decisions will better support the proposed development on both the east and west side of US 27.

3. Consistency with Modern Commercial Development Standards.

Fuel price readers and optimized sign layouts are standard elements of contemporary retail and mixed-use environments. The requested variance reflects **current market expectations** and contributes to the competitiveness and usability of the retail center, which in turn supports the overall vitality of the surrounding area.

4. Common Sense Flexibility within Conditions of Approval.

The Proposed Application includes a condition of approval which allows for staff level approval, without the need for a public hearing, for minor deviations of measurements up to five percent (5%) in area and height. It further permits movement within the right of way and changes to the individual tenants areas, so long as the overall area limits are respected. This condition is common sense and allows minor modifications to be approved at building permit level by staff, which support better use of public resources for such changes. The precise location of the signs could change due to site conditions which are not yet known. Moreover, the copy and area per tenant are likely to change throughout the life of the development. Support in this flexibility will allow for the long-term changes and success of the signage plan for the development.

5. Compatibility with Adjacent Properties and Planned Development Pattern.

The Proposed Application does not alter the approved land uses, site design, access, or intensity of the development. Additionally, the sign changes proposed reduce clutter with consolidation, which is more compatible with proposed development on surrounding properties, including our own mixed-use developments in the vicinity. Moreover, the application supports a more cohesive and functional commercial corridor rather than detracting from it.

6. Support for Long-Term Economic Success of the Area.

Well-functioning anchor retail developments are critical to the success of nearby properties. As both **landowners and developers in the immediate vicinity**, we support improvements that enhance operational efficiency, customer experience, and market viability. This request accomplishes those goals without introducing new impacts. For the last decade, Polk County development included rapid residential development. The Proposed Application encourages the type of commercial development along US 27 which these new and future Polk County residents will demand.

As requested, the Proposed Application represents a **minor, practical refinement to the previously approved sign plan** which improves signage effectiveness and site functionality while avoiding any adverse impacts. Accordingly, we respectfully urge the Board to **approve Application LDPD-2026-7**. Moreover, given the positive benefits outlined above and need for consistency throughout the US 27 corridor, we would appreciate support for future applications (including variances) made by landowners and future tenants of properties in proximity, to ensure successful signage accessibility.

Thank you for your consideration.

Sincerely,

Falls at Crescent Homes, LLC

By:_____
Name: Yilin Liu
Title: Manager

GPK SE Holding, LLC

By:_____
Name: Sen Zhang
Title: Manager

GPK Sunrise, LLC

By:_____
Name: Sen Zhang
Title: Manager

Lynnway Armstrong, LLC

By:_____
Name: Sen Zhang
Title: Manager

MMH Development, LLC

By:_____
Name: Zhan Li
Title: Manager

Cc: Erik Peterson, AICP, erikpeterson@polkfl.gov

Agenda Item 15. 6/3/2026

SUBJECT

LDSPD-2026-1 (Old Dixie Highway SPD)

DESCRIPTION

The applicant is proposing a Suburban Planned Development to develop eight single family lots on approximately 5.29 acres. The subject site is located at 2610 Old Dixie Highway, South of Saddle Creek Road, west of Old Dixie Highway, west of the city of Auburndale in Section 6, Township 28, Range 25.

RECOMMENDATION

Conditional Approval

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima

Land Development Division

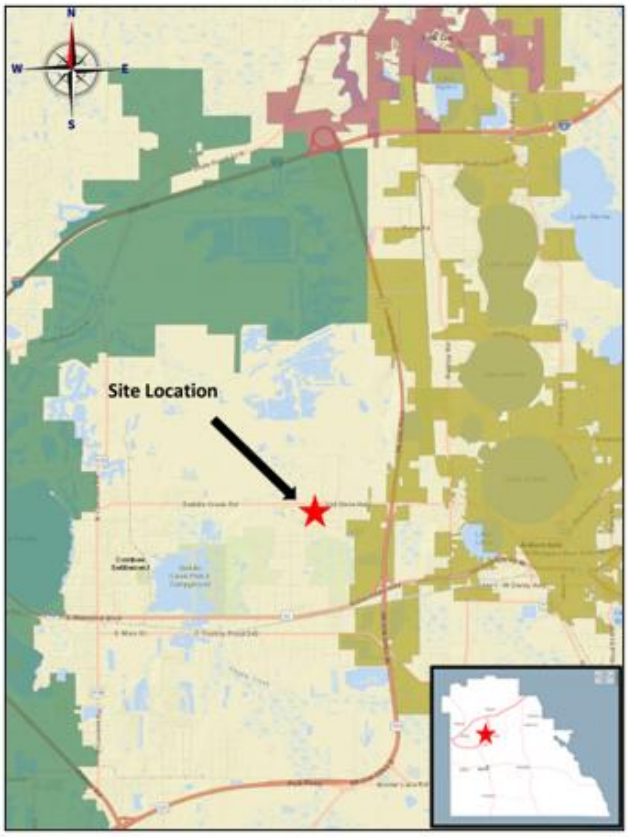
(863) 534-6764

aleyainglima@polkfl.gov

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	March 26, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	N/A
Applicant:	Charles Brooker
Level of Review:	Level 3 Review, Suburban Planned Development (SPD)
Case Number and Name:	LDSPD-2026-1 (Old Dixie Highway SPD)
Request:	Proposing a Suburban Planned Development to develop eight single family lots on approximately 5.29 acres.
Location:	2610 Old Dixie Highway, South of Saddle Creek Road, west of Old Dixie Highway, west of the city of Auburndale in Section 6, Township 28, Range 25.
Property Owners:	Xe T Maresca
Parcel Number (Size):	252806-000000-042090 (+/- 5.29 acres)
Development Area:	Suburban Development Area (SDA)
Future Land Use:	Residential Suburban (RS)
Case Planner:	Aleya Inglima, Planner II

Location



Aerial Image



Summary of Analysis:

This is a modification to a previously approved Suburban Planned Development (LDSPD-2025-1) to change the access from one driveway on Saddle Creek Road to two (2) driveways on Old Dixie Highway. This change is because of access issues on Saddle Creek Road. The parcels will utilize two easements with no more than 4 lots to an easement. SPDs require Level 3 Reviews in RS, according to Table 2.1 of the Land Development Code (LDC). The subject site is approximately 5.29 acres, and the density is 1.51 dwelling units per acre (DU/AC) with achieving 22 locational points. Maximum density permitted with 28 locational points within an SPD per Table 3.4 of the LDC is 3 dwelling units per acre (DU/AC). This site is one of many vacant properties along Saddle Creek Road. Local residential uses include generational site-built homes on large properties. Individual mobile homes are located nearby.

Single family homes are located to the north, south, and east. Tower Manor Mobile Home Park is located to the west of the subject site. The proposed site plan will add eight additional single-family homes to the area. Lots sizes range from 0.50 acres to 1.3 acres. The site is down the road from Tenoroc High and Saddle Creek Park & Campground, making it a prime location to live. 15% of the site is dedicated to open space at about +/- 0.79 acres. Buffers and landscaping will be constructed in accordance with Ch.7 of the LDC.

This site is located in a Suburban Development Area (RDA), and the services found within this development area include utilities, schools, transportation, parks, and emergency services. The site is situated along Saddle Creek Road and Old Dixie Highway. Saddle Creek Road is an urban collector roadway that runs west-east. It connects Combee Road (SR 659) to Old Dixie Highway. Old Dixie Highway (CR 546) is an urban collector roadway that runs north-south and leads to US 92.

In short, the only change is the points of access. Eight single family homes will not have adverse effects on public infrastructure. This development adds a bit more housing to the area and should fit seamlessly into the surrounding community. The request is consistent with the Polk County Comprehensive Plan and Section 303 of the LDC as it pertains to PDs. Staff recommends approval.

Findings of Fact

- *LDSPD-2026-1 is a Suburban Planned Development (SPD) to develop eight single family lots on Parcel No. 252806-000000-042090 (+/- 5.29 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*

- *LDSPD-2025-1 was approved by the Planning Commission June 2025 for eleven single family detached lots with access via easement.*

- *Minimum principal structure setbacks will be ten (10) feet from the sides and fifteen (15) feet from the rear. Minimum accessory structure setbacks will be five (5) from the sides and ten (10) at the rear. Front yard setback will be 20 feet from the right of way and 40 feet from centerline.*

- *This property is located in a Residential Suburban (RS) land use district. Section 204.A.3 of the LDC states, "The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities".*

- *According to Table 2.1 of the LDC, "Suburban Planned Development" is a "C3" conditional use in RS land use districts requiring a Level 3 Review approval from Polk County's Development Review Committee and a public hearing before the Planning Commission.*

- *Direct ingress/egress to the development is proposed from Saddle Creek Road and Old Dixie Highway. Saddle Creek Road (Road Number 840304) is a County-maintained Urban Collector roadway with a paved surface width of 24 feet. Old Dixie Highway (Road Number 12590) is an Urban Collector roadway with a paved surface width of 20 feet. It is not tracked for concurrency by Polk County's Transportation Planning Organization.*

- *Per Table 2.2 of the LDC, the RS district allows a maximum density of one (1) dwelling units per five (5) acres (du/ac). Interior side setbacks within RS 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. Setbacks from Local roadways are 20 feet from the right-of-way and 40 feet from the centerline.*

- *Table 3.4 SPD Density Conversion Table of the LDC, states that 22 points can achieve a density up to 2.25 (DU/AC).*

- *Per Section 303 of the LDC, Suburban Planned Developments (Revised 9/26/01 - Ord. 01-70)*

  Suburban Planned Developments (SPDs) are conditional uses in the RS land use district. SPDs may contain single-family detached and duplex units at a gross density of up to, and including, three dwelling units per acre based upon a Locational Eligibility Score as determined by Tables 3.3 and 3.4 under Planned Developments.

1. *For purposes of this Code, an SPD is:*

    a. *Land to be planned as a whole;*

    b. *To be built in a single phase or a programmed series of phases; and,*

    c. *To include uses and development substantially related to the character and purposes of the land use category.*

2. *A proposed SPD project shall not be approved if it is determined to be premature. When evaluating proposed SPD projects. in addition to Locational Criteria in Table 3.3. the following factors shall indicate whether it is premature:*

    a. *If the condition and adequacy of the collector and arterial road network is deficient;*

    b. *The availability of urban services. including but not limited to, police, fire, and EMS;*

    c. *If there is considerable displacement of ongoing economically viable agricultural activities; and,*

    d. *The degree of existing development surrounding the proposed SPD.*

3. *All SPDs shall:*

    a. *Be adjoining (touching) the right-of-way of an arterial, paved collector, or paved County-maintained local road meeting or exceeding adopted level-of service standards*

    b. *Be connected to public or a franchised water system which meets LOS standards established within this Plan.*

    c. *Meet Open Space and recreation standards for Planned Developments in Section 303.*

- This subject property is located in the Suburban Development Area (SDA). According to *POLICY 2.106-A1 of Polk County's Comprehensive Plan, "SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other*

urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services".

- *Fire and EMS Response is from Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland, FL 33801. This is located approximately 4.6 miles from the subject site with a response time of ten (10) minutes.*

- *The subject property is served by the Polk County Sheriff's Central District, located at 3635 Ave. G NW, Winter Haven.*

- *The development is zoned for Lena Vista Elementary, Jere L. Stambaugh Middle, and Tenoroc High. The site is 2.3 miles from Lena Vista Elementary; 4.4 miles from Jere L. Stambaugh Middle; and 0.7 miles from Tenoroc High.*

- *The subject parcel is not located within one of the County's Wellhead-Protection Areas.*

- *The property is composed of Pomona Sand and Kaliga Muck.*

- *The property has wetlands and flood hazard A zones.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*

- *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.*

- *There are no Citrus Connection mass transit stops located nearby.*

- *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."*

- *Midway Gardens Park is approximately 0.41 miles from the subject site.*

- *This request has been reviewed for consistency with Section 303 of the LDC.*

- *This request has been reviewed for consistency with Section 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN DEVELOPMENT AREA (SDA) AND POLICY 2.203-A2 HOUSING ELEMENT of the Comprehensive Plan.*

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, the findings of fact, 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 LDSPD-2026-1.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDSPD-2026-1 with the following Conditions:

1. LDSPD-2026-1 is approved for eight single family detached lots on Parcel # 252806-000000-042090 as indicated in the site plan and staff report.

2. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDSPD-2025-1, 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]

3. The open space shown on the site plan is binding. [PLG]

4. Minimum principal structure setbacks shall be ten (10) feet from the sides and fifteen (15) feet from the rear. Minimum accessory structure setbacks shall be five (5) from the sides and ten (10) at the rear. Front yard setback shall be 20 feet from the right of way. [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 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 following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: Tower Manor MHP Residential Suburban (RS)	**North:** Single Family Residential Residential Suburban (RS)	**Northeast:** Convenience Store Convenience Center (CC)
West: Tower Manor MHP Residential Suburban (RS)	**Subject Property:** Vacant Residential Suburban (RS)	**East:** Single Family Residential Residential Suburban (RS)
Southwest: Tower Manor MHP Residential Suburban (RS)	**South:** Single Family Residential Residential Suburban (RS)	**Southeast:** Single Family Residential Residential Suburban (RS)

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

According to aerial photos and satellite images available on Polk County's Data Viewer, this property has always been vacant. To the south, north, and east are single family homes. Some of these homes have been in the area since the 1960s. To the west is Tower Manor MHP.

Compatibility with the Surrounding Land Uses and Infrastructure:

The request is compatible with surrounding land uses and infrastructure.

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 request is compatible with surrounding land uses and available infrastructure. The proposed development is located near Tenoroc High. The dominant surrounding use is single-family homes. Single family homes are interspersed north, south, and east of the property. To the west is Tower Manor MHP. Please refer to Exhibit 4 for the layout of the single-family homes in relation to the surrounding area. Landscaping, street lighting, and sidewalks will be required for this development. Each home will be required to have a tree and 25-foot garage setback. The development meets the RS setbacks and the open space that is required. The development was able to achieve 22 locational points for the eight single family lots based on its location. This is a modification of LDSPD-2025-1. The site was reduced to eight lots because of access issues on Saddle Creek. The parcels will utilize two easements with no more than 4 lots to an easement.

B. Infrastructure

The surrounding area has public safety service facilities that are operating within their adopted Level-of-Service (LOS) standard with no deficiencies. Additions to the subject site will not trigger school concurrency requirements; however, there is available capacity for zoned schools. The subject property is located within the City of Auburndale service area for potable water and will use septic for wastewater.

Table 2, to follow, summarizes urban services and infrastructure for the surrounding area. Based upon the nature and size of the request, this proposal is not anticipated to create any significant demand on these services.

Nearest Elementary, Middle, and High School

According to information from the Polk County School Board's website, the zoned schools are Lena Vista Elementary (±2.3 miles), Jere L. Stambaugh Middle (±4.4 miles), and Tenoroc High (±0.7 miles). These zoned schools have the capacity to accommodate the proposed development.

Table 2, to follow, illustrates the driving distances from the site to the zoned schools, in addition to the annual estimated student demand generated by 8 additional single-family homes and available capacity for each school based on the 2025-26 utilization projections.

Table 2

Name of School	Annual Estimated Demand	% Capacity 2025-2026 School Year	Average driving distance from subject site
Lena Vista Elementary	1 student	79%	±2.3 miles driving distance
Jere L. Stambaugh Middle	1 student	85%	±4.4 miles driving distance
Tenoroc High	1 student	62%	±0.7 miles driving distance

Source: Polk County School Board, GIS, Google Maps

Nearest Sheriff, Fire, and EMS Station

Fire and EMS Response is from Polk County Fire Rescue Station 39 located at 3325 E Main St, Lakeland, FL 33801. This is located approximately 4.8 from the subject site with a response time of ten (10) minutes.

This property is served by the Polk County Sheriff's Office's Central District substation, located at 3635 Ave. G NW, Winter Haven. The response times for the Central District for April 2026 were: Priority 1 – 10:03 & Priority 2 – 30:05. 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. Sheriff's 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

[redacted]	Name of Station	Distance	Response Time*
Sheriff	PCSO Central District Substation 3635 Ave. G NW, Winter Haven	±7 miles	P1: 10:03 P2: 30:05
Fire	Polk County Fire Station 39 & Auburndale Fire Department 3325 E Main St, Lakeland, FL 33801 100 Ariana Ave, Auburndale, FL 33823	±4.8 miles	10 minutes
EMS	Polk County Fire Station 39 3325 E Main St, Lakeland, FL 33801	±4.8 miles	10 minutes

Source: Polk County Sheriff's Office and Public Safety

**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:

A. Estimated Demand and Service Provider:

Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands. Assuming other development standards could be met, the maximum density for Planned Developments in Residential Suburban land use districts within the Suburban Development Area is three (3) dwelling units/acre with 28 points achieved. At any rate, the number of units for either option would have a negligible impact.

Table 4

Subject Property ±5.29 acres – RS (1 DU/ 5AC)	**Maximum Permitted (SPD)**	**Proposed Plan (1.51 DU/AC)**
Permitted Intensity	15 Single Family Home	8 Single Family Homes
Potable Water Consumption (GPD)	5,400 GPD	2,000 GPD
Wastewater Generation (GPD)	4,050 GPD	1,600 GPD

B. Available Capacity:

The site will be using the City of Auburndale for potable water and septic systems for wastewater. Applicant will need to demonstrate capacity at Level 2 review.

C. Planned Improvements:

The site has no planned improvements.

Roadways/ Transportation Network

The surrounding roadway network is more than suitable for the proposed project. The roadway conditions are adequate, and there is ample available capacity. Sidewalks are existing.

A. Estimated Demand:

Single family housing generates 7.81 Average Annual Daily Trips (AADT) and 1.00 Peak PM Hour Trips per unit (ITE Code 210). The proposed ten single family homes will equate to 79 AADT and 10 PM Trips (ITE Code 210). Table 5 shows the traffic that is projected for the proposed seven single family homes versus what the maximum could be with a Planned Development, according to Section 303 of the LDC.

Table 5

Subject Property		
±5.29 acres – RS (1 DU/ 5AC)	**Maximum Permitted (SPD)**	**Proposed Plan (1.51 DU/AC)**
Permitted Intensity	15 Single Family Home	8 Single Family Homes
Average Annual Daily Trips (AADT)	117	62

Subject Property		
±5.29 acres – RS (1 DU/ 5AC)	**Maximum Permitted (SPD)**	**Proposed Plan (1.51 DU/AC)**
PM Peak Hour Trips	15	8

The plan is to have an easement for ten proposed single-family homes accessing Saddle Creek Road and the other lot accessing Old Dixie Highway. Generally, there will be approximately 8 vehicles exiting the site during the peak hour. The addition of eleven single family homes to the subject site will require a Minor Traffic Study during the Level 2 Review process because the AADT is estimated to be more than 50 trips.

B. Available Capacity:

There is currently more than adequate capacity to serve the proposed development. A development of this size has negligible impacts on the roadway system or function of traffic. Table 6, to follow, displays the generalized capacity on the adjacent transportation links. Direct ingress/egress is from Saddle Creek Road and Old Dixie Highway.

Table 6

Road Name	**Current Level of Service (LOS)**	**Available PM Peak Hour Capacity**	**Minimum LOS Standard**
CR 546 (SADDLE CREEK RD/OLD DIXIE HWY) From SR 659 (COMBEE ROAD) to LAKE ARIANA BLVD	B	755	D
CR 546 (SADDLE CREEK RD/OLD DIXIE HWY) From SR 659 (COMBEE ROAD) to LAKE ARIANA BLVD	B	736	D

These are trips that will be entering the roadways during a two-hour span during the evening when traffic is generally considered the most intense. These roadways have the capacity to assimilate all the peak hour traffic generation from this project and not fall below the Level of Service standard set by the Board.

C. Roadway Conditions:

The subject site has access through Saddle Creek Road and Old Dixie Highway. Saddle Creek Road and Old Dixie Highway are both County-maintained urban collector roadways. The nearest monitored link is CR 546. According to the 2025 Roadway Network Database, CR 546 (4050E) has approximately 755 available PM Peak Hour trips; CR 546 (4050W) has approximately 736 available PM Peak Hour trips. CR 546 current Level-of-Service (LOS) is “B” with an adopted LOS standard of “D”.

D. Sidewalk Network

A sidewalk is located nearby. Sidewalks exist on the frontage of the property.

E. Planned Improvements:

This proposed development will not depend upon any upcoming transportation system improvements, and none are currently found in the area.

F. Mass Transit

The site has no Citrus Connection Transit Routes nearby.

Park Facilities and Environmental Lands:

Environmental lands and multi-use trails are located within a reasonable distance of the property.

A. Location:

Saddle Creek Park is off Saddle Creek Park Road approximately 4.4 miles southwest of the subject site.

B. Services:

Saddle Creek Park features a playground, picnic tables and picnic shelters, softball field, walking trails and a gun range. In addition, it also offers a campground with water, electricity and restrooms, there are also boat launch sites and bank/pier fishing. This park is owned by Polk County.

C. Multi-use Trails:

Saddle Creek has multi-use trails are located near the subject site.

D. Environmental Lands:

Environmental and conservation lands of Saddle Creek are near the subject site. Saddle Creek Park is a 740-acre park located between Winter Haven and Lakeland in Polk County, Florida. It is on the site of three main lakes and a great many other abandoned phosphate pits, providing a large area of fishable shoreline.

E. Planned Improvements:

There is no further recreation improvements scheduled for this area by the County in the five-year Capital Investment Plan.

Environmental Conditions

There are no known conditions that should pose a threat to existing environmental resources based upon the proposed request (*See Table 4, below*). The parcel has flood hazard A zones. The subject site is not located within any of the County's identified Wellhead-Protection Areas. The subject property is not located within a one-mile radius of an endangered species, according to the Florida Natural Areas Inventory Biodiversity Matrix. The property is composed mostly of Pomona Sand. The soil is not such that it would limit compliance with applicable Land Development Code

regulations for the proposed use. The subject property is level with a slight slope from southwest to northeast with contour elevations ranging from 127 to 125. The subject property is not located within a Historical Preservation area. The subject site is not located within an Airport Height Notification or In-Flight Visual Interference Zones.

A. Surface Water:

There are no surface water ponds on the subject property. The subject property has contour elevations of 127 to 125 for the proposed location of the homes.

B. Wetlands/Floodplains:

There are wetlands and flood zone A northeast of the property.

C. Soils:

The property is composed mostly of Pomona Sand soils which provides some limitations for drainage, but the soil is not of such that would limit compliance with applicable LDC regulations for the proposed use.

Table 7

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site *(approximate)*
Pomona fine sand	Severe: wetness	Severe: wetness	85.9%
Kaliga muck	Severe: subsides, ponding	Severe: subsides, ponding	14.1%

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

The subject property is level with a slight slope from the southwest to northeast with contour elevations ranging from 127 to 125. The proposed development will meet all requirements from the LDC.

D. Protected Species

According to the Florida Natural Area Inventory (FNAI) Biodiversity Matrix, this site is not within one mile of a documented endangered species sighting.

E. Archeological Resources:

The property has no recorded archaeological resources or historical sites, according to the Florida Department of State's Division of Historical Resources.

F. Wells (Public/Private)

The property is not located within the Wellfield Protection District.

G. Airports:

The proposed PD is not within any Airport Impact District.

Economic Factors:

This area of Polk County has mostly single-family homes. Suburban level services make this area an attractive place to live. Demand for housing has come from two main markets: retirement and commuters to the greater Orlando metropolitan area. This is partially due to slightly lower land values in Polk compared to the other counties and convenient routes of travel to work and leisure opportunities. However, it is also related to the location of this portion of the County to the Orlando metro population center. This development is also close to the Polk Parkway which connects to the I-4 corridor.

Consistency with the Comprehensive Plan:

This project is consistent with the Comprehensive Plan. Table 8, to follow, outlines the pertinent Compressive Plan policies.

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 development is compatible with neighboring properties.
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 suburban development.
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.	Services are available such as parks and schools for the subject site. The proposal is along Old Dixie Highway.
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 capacity with potable water, traffic, and public schools. Emergency services are within a reasonable time and distance.
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.

Consistency with the LDC:

This request is consistent with the LDC. Development criteria for planned developments are detailed under Section 303 of the LDC. This section will be applied during the Level 2 Review. The proper landscaping has been proposed and will be constructed as set forth by Chapter Seven of the LDC.

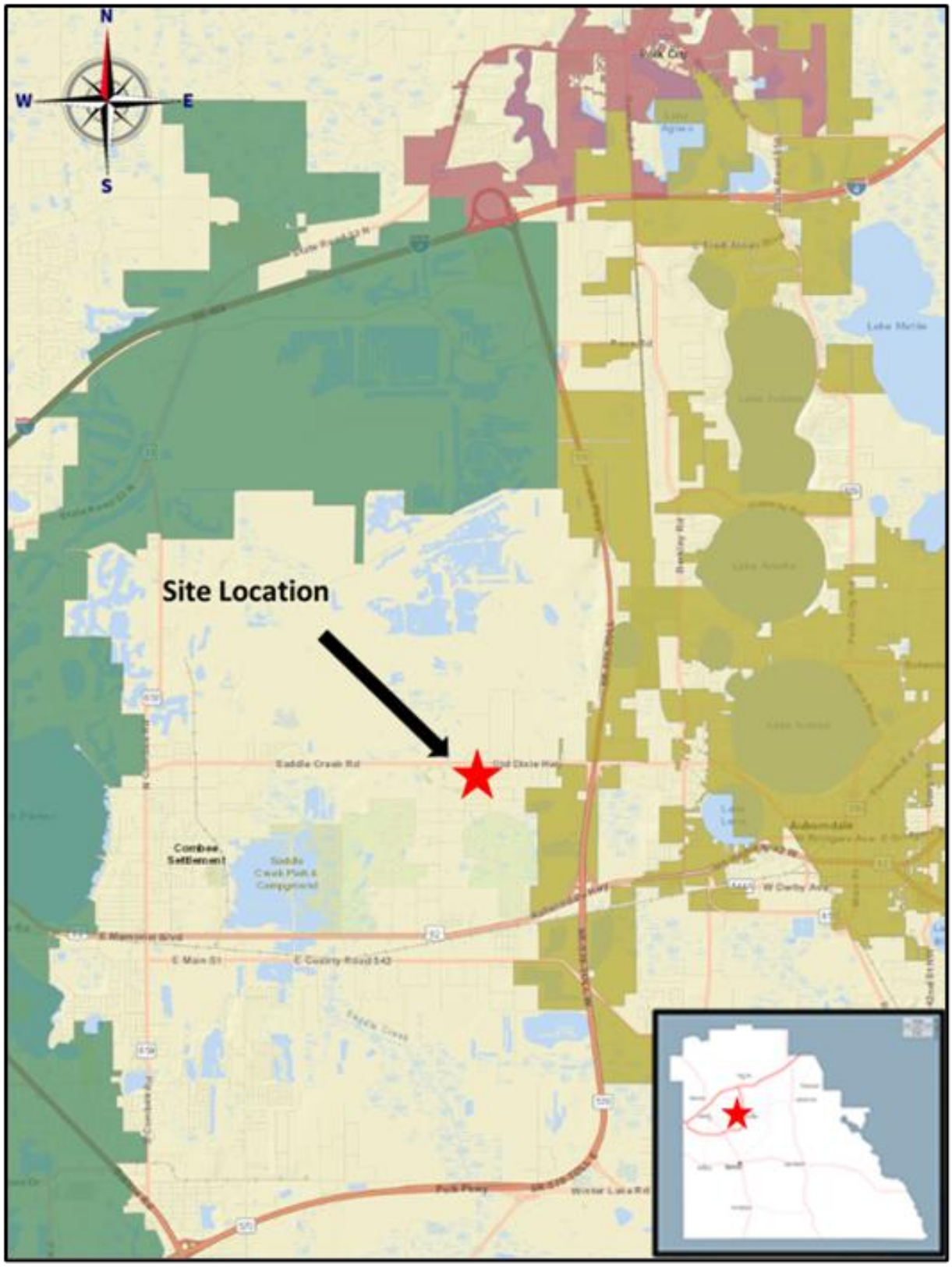
Table 10

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 906.D and Section 303.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*Yes, this development is consistent with the Comprehensive Plan because 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. Conditions are recommended to achieve better compatibility. See Pages 6&7 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 7-12 of this staff report for data and analysis.*

Comments from other Agencies: None

Exhibits:

Exhibit 1 Location Map
Exhibit 2 Future Land Use Map
Exhibit 3 Aerial Photograph (context)
Exhibit 4 Aerial Photograph (close-up)
Exhibit 5 Modified Site Plan
Exhibit 6 LDSPD-2025-1 Site Plan



Location Map



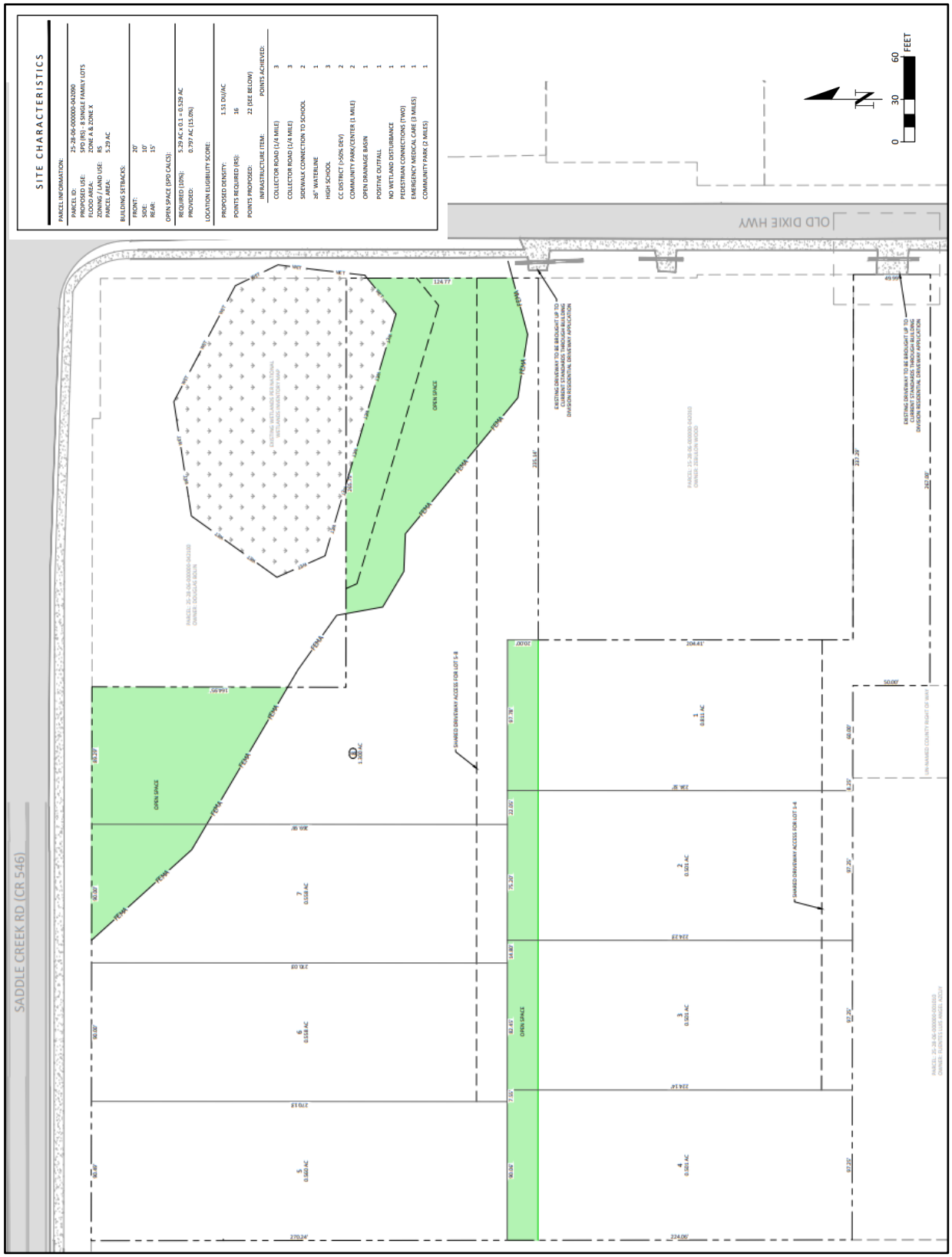
Future Land Use Map



Aerial Image (Context)



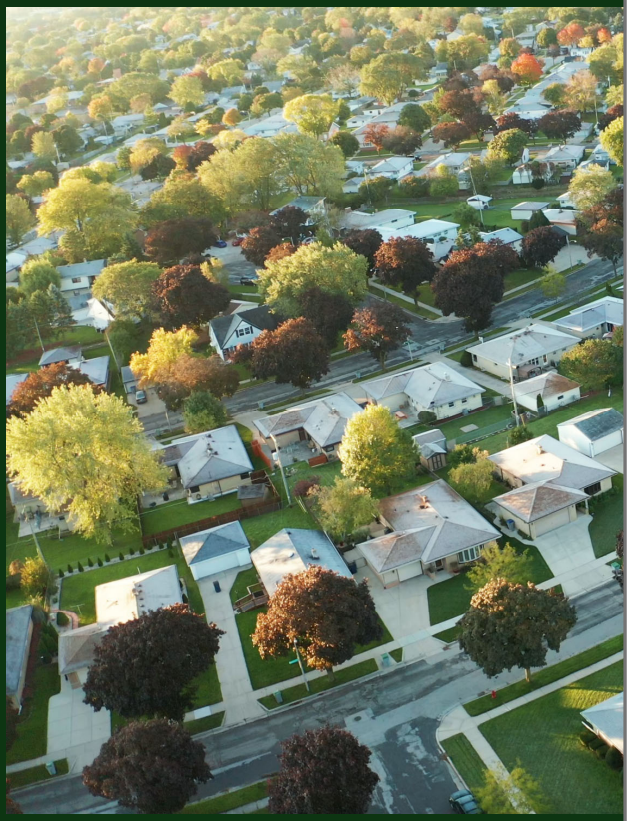
Aerial Image (Close)

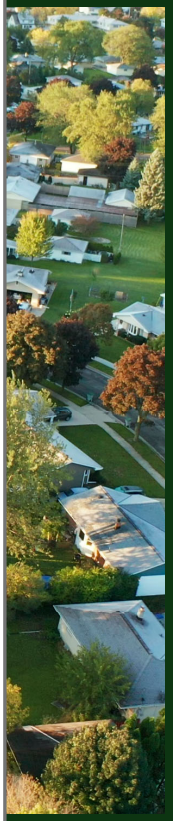


Modified Site Plan



LDSPD-2025-1 Site Plan





This comprehensive Impact Analysis Report addresses all comments and design considerations, ensuring compliance with regulatory standards while maintaining a commitment to responsible and sustainable land development practices.

Impact Analysis Report

Prepared By Traditions Engineering

Charles Brooker P.E.

TRADITIONS ENGINEERING

900 Orchid Springs Dr Unit 100,
Winter Haven, Fl 33884
(863) 397 – 1626
Cbrooker@traditions-eng.com

Impact Analysis

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.

Applicant Response: **Per ITE Code 210 (Single-Family), the maximum trips will be 63 daily trips and 8 peak hour trips generated by this project. Furthermore, this will be split between (2) driveways.**

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

Applicant Response: **Coordination with the County & City Engineer will determine what roadway improvements are required for this development. At this time is not likely that any road improvements will need to be made.**

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

Applicant Response: **The project will propose two residential connections directly to Old Dixie Highway. Access for each set of (4) lots will utilize the existing concrete driveways in the ROW.**

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.

Applicant Response: **Most of the sites surrounding the property have been developed or appear disturbed and thus do not have many environmental concerns. To the West there is a subdivision. To the South and East there are miscellaneous single-family homes. The subject site itself appears to be undisturbed and is currently vacant. The site appears to be lightly vegetated with short grass and a light density of trees. Other than existing vegetation, there are not any environmentally sensitive features on this site.**

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from the development of the site.

Applicant Response: **There are no floodplain or wetlands on the majority of the site. There are small portions of Flood Zone "A" at the east and northeast corner. See SPD Exhibits.**

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and:

Applicant Response: **There are no private wells or public well fields onsite. There are existing City utilities around the site, but these will not be impacted by the site's development other than the required connection to the utilities.**

4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts).*

Applicant Response: **There are no airports or airport zones within the vicinity of the site. The closest is Winter Haven Airport which is 6.4 miles away.**

Utility Supply

1. What is the proposed source of water supply and/or who is the service provider?

Applicant Response: **Potable Water utilities will be provided by the City of Auburndale. There is an existing water main near the site that will be connected to.**

2. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

Applicant Response: **8 Homes x 360 GPD/unit = 2,880 GPD**

3. What is the proposed source of wastewater supply and/or who is the service provider?

Applicant Response: **Wastewater utilities will be a private septic system**

4. What is the estimated volume of consumption in gallons per day (GPD)? (*Response may be based on Section 703 of the LDC*)

Applicant Response: N/A

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.

Applicant Response: **The site is within 1 mile of Midway Gardens Park. With the small size of the project, adverse impact to the parks is not expected.**

2. Educational Facilities (e.g., preschool, elementary, middle school, high school);

Applicant Response: **The site is approximately 1 mile of Childhood House Preschool, 2 ½ Miles from Lena Vista Elementary and Life Christian Academy, and 1 mile from Tenoroc High school. With multiple schools within the vicinity of the site, and the small size of the project, adverse impact to the capacity of these schools is not expected.**

3. Health Care (e.g., emergency, hospital);

Applicant Response: **The site is located 4 miles of the newly built Everest Hospital at the corner of 92 and Polk Parkway. Additionally, Winter Haven Hospital and Lakeland Regional Health are both located within 10 miles of the site.**

4. Fire Protection;

Applicant Response: **The site is approximately 5 miles or less from 3 Fire Stations which are Auburndale Fire Department, Polk County Fire Rescue Station 16, and Polk County Fire Rescue Station 39. With three fire rescue stations within the immediate vicinity of the site, fire protection for the project is not an issue.**

5. Police Protection and Security;

Applicant Response: **The subject site is located within 3 miles of three police stations. These include Auburndale Police Department, Lakeland Police Department, and the County Sheriff Policing Unit. As such police protection will not be an issue.**

6. Emergency Medical Services (EMS);

Applicant Response: **As stated in the "Fire Protection" section, the site is within five miles or less of three Fire Rescue Stations which also serve as EMS services.**

7. Solid Waste (collection and waste generation);

Applicant Response: **The site is approximately 7 miles or less from 3 Waste Management services. These include Polk County Land fill, Auburndale Sanitation Services, and Waste Management Polk County Hauling.**

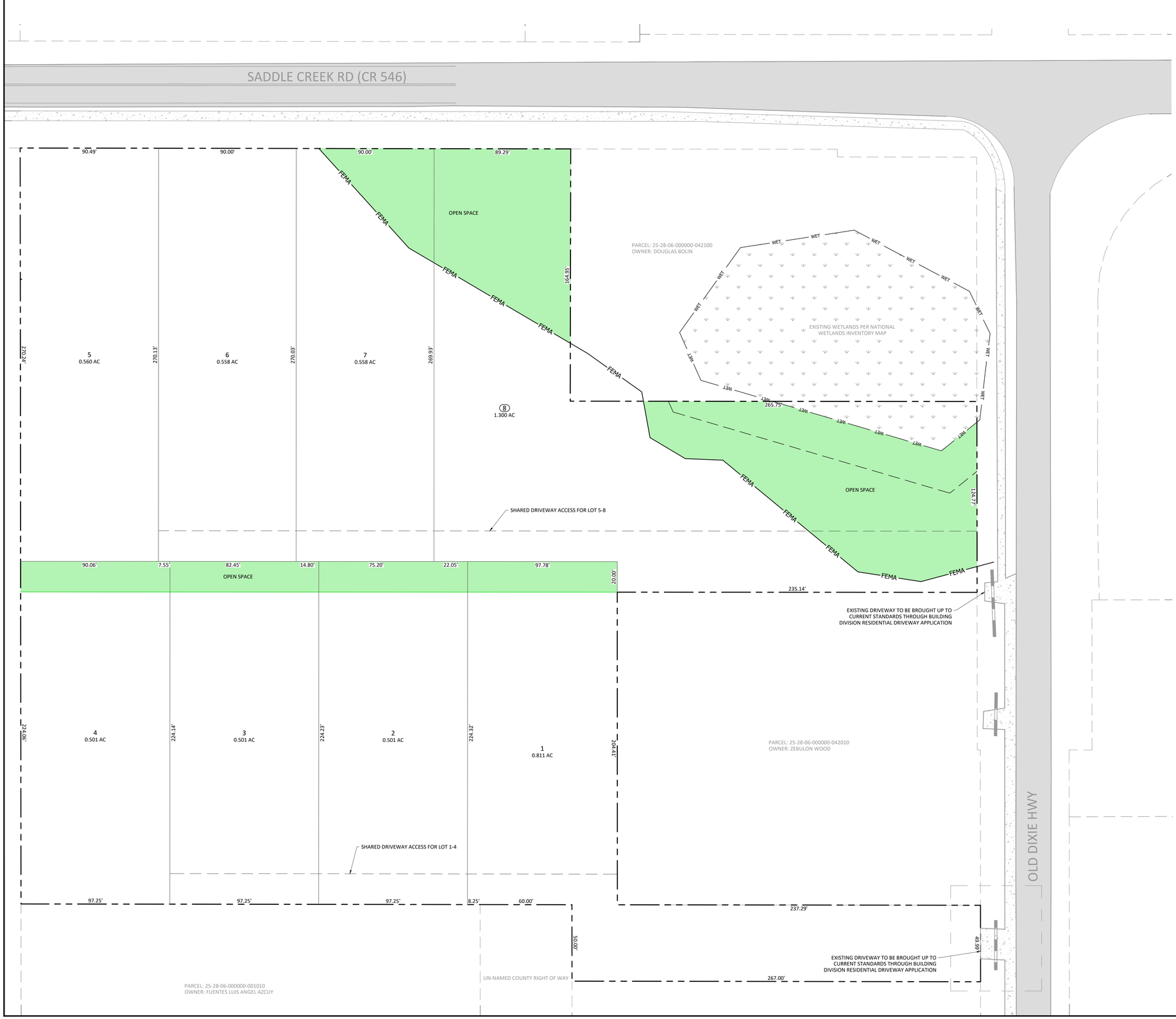
8. How may this request contribute to neighborhood needs?

Applicant Response: **This request will contribute to the surrounding neighborhood by providing additional single-family housing options for residents where single-family options are sparse in a consistently growing county.**

If you have any questions regarding this letter, please call me at (863) 397-1627 or email me at Cbrooker@traditions-eng.com

Sincerely,

Charles "Chad" Brooker, P.E.
Traditions Engineering, LLC



SITE CHARACTERISTICS

PARCEL INFORMATION:

PARCEL ID:	25-28-06-000000-042090
PROPOSED USE:	SPD (RS) - 8 SINGLE FAMILY LOTS
FLOOD AREA:	ZONE A & ZONE X
ZONING / LAND USE:	RS
PARCEL AREA:	5.29 AC

BUILDING SETBACKS:

FRONT:	20'
SIDE:	10'
REAR:	15'

OPEN SPACE (SPD CALCS):

REQUIRED (10%):	5.29 AC x 0.1 = 0.529 AC
PROVIDED:	0.797 AC (15.0%)

LOCATION ELIGIBILITY SCORE:

PROPOSED DENSITY:	1.51 DU/AC
POINTS REQUIRED (RS):	16
POINTS PROPOSED:	22 (SEE BELOW)

INFRASTRUCTURE ITEM:	POINTS ACHIEVED:
COLLECTOR ROAD (1/4 MILE)	3
COLLECTOR ROAD (1/4 MILE)	3
SIDEWALK CONNECTION TO SCHOOL	2
≥6" WATERLINE	1
HIGH SCHOOL	3
CC DISTRICT (>50% DEV)	2
COMMUNITY PARK/CENTER (1 MILE)	2
OPEN DRAINAGE BASIN	1
POSITIVE OUTFALL	1
NO WETLAND DISTURBANCE	1
PEDESTRIAN CONNECTIONS (TWO)	1
EMERGENCY MEDICAL CARE (3 MILES)	1
COMMUNITY PARK (2 MILES)	1

811 Know what's below. Call before you dig.

REVISION NO.	DATE	DESCRIPTION

CHARLES R. PROPST III, P.E.
LICENSE NO. 86542
STATE OF FLORIDA
Digitally signed by David W Faulkner
Date: 2024.07.09 09:49:15 -04'00'

CLIENT: TRADITIONS ENGINEERING, LLC
PROJECT NAME: OLD DIXIE HWY SINGLE FAMILY DEVELOPMENT

SUBURBAN PLANNED DEVELOPMENT PLAN

2610 OLD DIXIE HWY, AUBURNDALE, FL 33823

TRADITIONS ENGINEERING

PROJECT NUMBER
25-3

SHEET NUMBER
C-100

This item has been digitally signed and sealed by the engineer on the date indicated hereon. Printed copies of this document are not considered signed and sealed. Signature must be verified on any electronic copies.

LDSPD-2026-1 - Old Dixie 8 Lots SPD

Menu Reports Help

Application Name: Old Dixie 8 Lots SPD

File Date: 03/03/2026

Application Type: PC-Suburban Planned Development

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: SPD request for (8) single family lots on parcel 252806000000042090. Each "pod" of four lots will share access to the County ROW via an easement and existing driveway lots will be supplied by City of Auburndale Water and private septic systems.

Application Detail: Detail

Address: 2610 OLD DIXIE HWY, AUBURNDALE, FL 33823

Parcel No: 252806000000042090

Owner Name: MARESCA XE T

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Charles Brooker	Traditions Engi...	Engineer	Mailing, 6039 Cypress ...	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: Suburban Planned Development

Brownfields Request: –

Affordable Housing:

GENERAL INFORMATION

Expedited Review:

Number of Lots: –

Will This Project Be Phased:

Acreage: 5.28

DRC Meeting: 03/26/2026

DRC Meeting Time: –

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: 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: 06/03/2026

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-00000-12101

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
√

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			05/19/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	03/10/2026	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Approve	03/18/2026	Kim Turner
Planning Review	Aleya Inglima	Approve	03/23/2026	Aleya Inglima
Surveying Review	Mike Benton	Approve	03/24/2026	Mike Benton
School Board Review	School District	Approve	03/11/2026	School District
Roads and Drainage Review	Phil Irven	Approve	04/01/2026	Phil Irven
Review Consolidation	Lyndsay Rathke	Approved for...	04/02/2026	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: LDSPD-2026-1 (Old Dixie Highway SPD)

Applicant: Charles Brooker

Property Owner: Xe T Maresca

Hearing Date: June 3, 2026

I. Request:

The applicant is proposing a Suburban Planned Development to develop eight single family lots on approximately 5.29 acres. The subject site is located at 2610 Old Dixie Highway, South of Saddle Creek Road, west of Old Dixie Highway, west of the city of Auburndale in Section 6, Township 28, Range 25.

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 3rd day of June 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 June 3, 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:

Agenda Item 16. 6/3/2026

SUBJECT

LDPD-2026-6 (Deeson Road RRD)

DESCRIPTION

The applicant is requesting a Rural Residential Development (RRD) for 150 single-family lots. Request includes decreased lot sizes and increased density within the Residential Suburban future land use district. The subject property is located at 4235 Deeson Road, west of Kathleen Road, east of Payne Road, south of 1st Street NW, northwest of the city of Lakeland in Section 20, Township 27, Range 23.

RECOMMENDATION

Approval with conditions

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

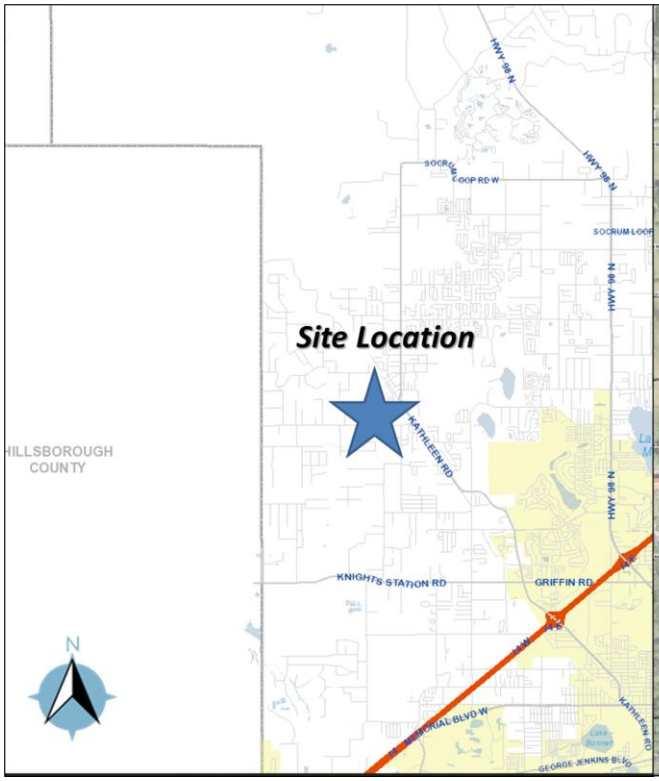
Ian Nance, Principal Planner
Land Development
(863) 534-7621
ivannance@polkfl.gov

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

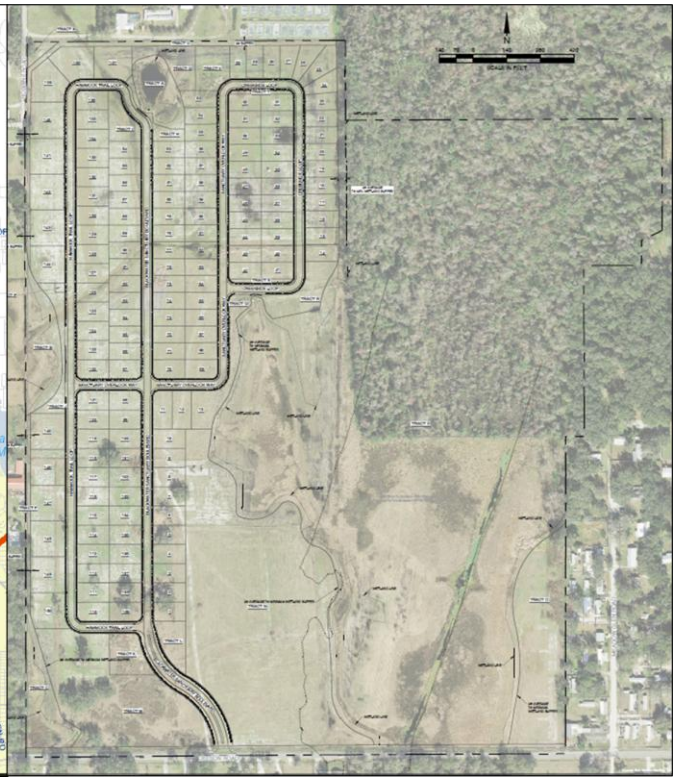
DRC Date:	March 26, 2026	**Level of Review:**	Level 3 Review
PC Date:	June 3, 2026	**Type:**	Rural Residential Development
BoCC Date:	N/A	**Case Number:**	LDPD-2026-6
		Case Name:	Deeson Road RRD
Applicant:	Eric Swanson, Swan Capital Partners, LLC	**Case Planner:**	Ian Nance

Request:	Rural Residential Development (RRD) for 150 single-family lots. Request includes decreased lot sizes and increased density within the Residential Suburban future land use district.
Location:	The site is located at 4235 Deeson Road, west of Kathleen Road, east of Payne Road, south of 1st Street NW, northwest of the city of Lakeland in Section 20, Township 27, Range 23.
Property Owners:	Deeson Road, LLC & SR Investments & Holding LLC
Parcel Number (Size):	232720-000000-032050; 232720-000000-024310; 232720-000000-023010 (153.23 +/- acres)
Future Land Use:	Residential Suburban (RS)
Development Area:	Suburban Development Area (SDA)
Nearest Municipality:	City of Lakeland
DRC Recommendation:	Conditional Approval
Planning Commission Vote:	N/A

Site Location



Site Plan



Summary of Analysis:

The applicant is requesting approval of a Rural Residential Development (RRD) for 150 single-family lots within a Residential Suburban (RS) Future Land Use district in a Suburban Development Area (SDA). Table 2.2 of the Land Development Code (LDC) requires residential lots in RS districts to be at least five (5) acres with a density of one (1) dwelling unit per five (5) acres. However, the RRD tool, as guided by the Comprehensive Plan and facilitated by Section LDC Section 303, allows for an increased density of up to one dwelling unit per acre across the entirety of the site with Planning Commission approval. A stipulation with the RRD process is to reserve, via a conservation easement, site plan approval condition, or other similar land reservation mechanism, no less than 50 percent of the development site as the pre-existing agricultural land use, open space, or habitat protection, which includes wetlands.

The proposed minimum lot sizes are 9,380 sq. ft. with minimum widths of 70 feet, though half-acre lots are proposed along the western property lines where adjacent to existing residential development. These will transition to 80-foot-wide lots with the 70-foot-wide lots located to the interior of the site. Setbacks will meet RS standards, except for a reduction to the right-of-way setback to internal roads for corner lots will be reduced from 20 to 10 feet. The site plan calls for approximately 60.88% of the site to be reserved for wetlands (+/- 73.16 acres), open space and habitat protection, agricultural open space, and floodplain storage and stormwater treatment. An additional 7.53 acres of open space is dedicated to amenities and stormwater management. 20-foot-wide landscaping buffers are planned along the northern and western property lines.

This site presents several challenges to residential development. The majority of Parcel #232720-000000-024310 and #232720-000000-023010 cannot be developed since it is comprised almost entirely of wetlands and flood hazard areas in association with a floodway. The subject parcels are located within the Kathleen Drainage Basin AKA North Blackwater Creek. This is a stressed basin where surface water accumulates after hard rains. The soils do not percolate well, and the outfall for this basin is constricted, which creates flooding. When dealt with environmental challenges such as these, clustering development on upland acreage with smaller lot sizes is encouraged by the Comprehensive Plan and LDC through the RRD tool to avoid environmentally sensitive areas, maximize stormwater management opportunities, as noted above, and to take advantage of centralized utilities.

Water and sewer are available to the site, the latter of which is not always present in the SDA, and connection to both will be required. There is available elementary, middle, and high school capacity. Fire Protection, Emergency Medical Services (EMS), and law enforcement are located within proximity of the subject site with adequate response times. Park facilities are available in the area. The development will access Deeson Road to the south. Deeson Road is an Urban Collector and has available capacity. No access is proposed onto Robbins Road to the north. Onsite retention ponds will be designed to a 100-year/24-hour standard to accommodate the poor drainage and in accordance with Southwest Florida Water Management District and Polk County requirements.

In terms of achieving the standards for development per the LDC and Comprehensive Plan, the project exceeds the necessary requirements. The proposed density is 0.98 DU/AC, below the 1 DU/AC maximum for an RRD. Residential properties and land uses are the norm of the surrounding area, and ample infrastructure is available for this proposed development. The applicant has proposed compatibility techniques, including enhanced buffering and screening, as well as comparable lot sizes, next to adjacent properties. Staff finds this request compatible with surrounding uses and the general area, consistent with the LDC and Comprehensive Plan, and

recommends approval.

Findings of Fact

- *The applicant is requesting approval of a Rural Residential Development (RRD) for 150 single-family lots within a Residential Suburban (RS) Future Land Use district in a Suburban Development Area (SDA) on +/- 153.23 acres. The proposed density is 0.98 DU/AC with minimum lot sizes of 9,380 sq. ft.*

- *The Future Land Use designation of the subject property is Residential Suburban (RS) within the Suburban Development Area (SDA). Table 2.2 of the Land Development Code (LDC) requires minimum lot sizes within RS districts to be a minimum of five (5) acres with a residential density of one (1) dwelling unit (du) per five (5) acres.*

- *On November 17, 1987, the Board granted Concept and Tentative Approval with conditions of Planned Unit Development 87-35 (PUD 87-35) on the subject site for a 256-unit manufactured home subdivision with a gross density of 2.52 units per acre. PUD 87-35 has expired and is no longer valid.*

- *Through LDCPAL-2021-17, Parcel #232720-000000-032050 (+/- 90.57 acres) was changed from an Agricultural/Residential Rural (A/RR) land use district and Rural Development Area (RDA) to RS and SDA by the BoCC on April 5, 2022.*

- *On July 19, 2022, the BoCC held a DeNovo Hearing for LDSPD-2022-1 and voted 4-1 to deny the application with prejudice. The request was for 242 single-family lots with reduced lot sizes, reduced setbacks, and increased density on the subject parcels. With a recommendation of approval from the Development Review Committee, the Planning Commission voted 4-3 to deny the application. This was upheld by the BoCC after an appeal by the applicant.*

- *On August 22, 2023, the BoCC held a DeNovo Hearing for LDSPD-2023-1 and voted 4-1 to deny the application with prejudice. The request was for 147 single-family lots with reduced lot sizes, reduced setbacks, and increased density on the subject parcels. With a recommendation of approval from the Development Review Committee, the Planning Commission voted 5-2 to approve this application, but this was overturned through an appeal by the public.*

- *According to LDC Table 2.1 , RRDs are "C3" conditional uses in RS districts which require a Level 3 Review. Per Section 302 of the LDC, "the review process is described in Section 906, Level 3 Reviews, and includes a site plan submittal for review by the Development Review Committee (DRC) and a public hearing before the Planning Commission (PC)."*

- *According to LDC Table 2.2, the following setbacks are required in RS land use districts:*

    - *Side Principal Structure: 10 feet*
    - *Rear Principal Structure: 15 feet*
    - *Local/Private Road Right-of-way: 20 feet*
    - *Garages: 25 feet*
    - *Urban Collector Road Right-of-way: 35 feet*
    - *Rear Detached Accessory Structures: 10 feet*
    - *Side Detached Accessory Structures: 5 feet*

- *Comprehensive Plan Policy 2.121-B2 states, RRDs may contain single-family dwelling units, duplexes, and limited low-intensity multi-family dwellings at a sliding-scale gross density (on the entire site) of one dwelling unit per 2.5 acres (1 DU/2.5 AC) up to, and including, one dwelling unit per acre (1 DU/AC), as determined by appropriate location and development criteria. Locational criteria include:*

  a. proximity to rural clusters, business parks, linear commercial corridors, commercial enclaves, and municipalities;

  b. proximity to isolated sewer systems.

  c. vehicular access to arterial, paved collector, and paved County-maintained local roads;

  d. level of public-safety protection, to include: fire and emergency medical service (EMS); and

  e. proximity to schools.

- *Comprehensive Plan Policy 2.121-B3 states, "A RRD shall:*

  a. be served by public potable water supply, provided by the property owner or developer;

  b. submit a binding site plan and undergo the development review and approval process;

  c. reserve, via a conservation easement, site-plan approval condition, or other similar land reservation mechanism, no less than 50 percent of the development site as the pre-existing agricultural land use, open space, or habitat protection;

  d. not exceed 160 acres.

  e. Limit points of access onto collector and arterial roads to no more than the minimum required for public safety purposes,

  f. Incorporate methods and site development features that promote sustainable development,

  g. Incorporate topographical features and scenic vistas into design of the development; and

  h. Provided amenities that create a sense of place and community within the development."

- *Comprehensive Plan Policy 2.106-A5 states, "all development within the Suburban Development Areas shall conform to the following guidelines:*

  a. support continued agricultural activities by requiring the implementation of compatibility techniques to limit land use conflicts;

b. protect and preserve open space, agricultural and environmentally sensitive lands by implementing clustering and other conservation development strategies as established in Section 2.1251 of this element;

c. incorporate design features that promote healthy communities, green building practices, conservation development principles, and other initiatives consistent with Section 2.1251 – Community Design, of this element;

d. provide access to civic space, parks, green areas, and open space and other amenities;

e. be supported by public safety (i.e., fire, EMS and law enforcement);

f. have access to elementary schools, and

g. Encourage connectivity between uses within the SDA, and between the SDA and other urban centers and the rural development areas.

h. In order to achieve higher densities and intensities allowed by each land use, development in the SDA shall be required to connect to centralized water system and incorporate clustering and other low impact design criteria as established under the Residential Suburban (RS) land use criteria, the Conservation Development Section (Section 2.1251), ***the Residential Rural Development (RRD)*** *or the Rural Mixed Used Development (RMD) sections (Section 2.1251) of this element."*

- *LDC Section 204.A.3 states, "the purpose of the RS district is to provide areas for suburban density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities."*

- *LDC Section 303, Tables 3.5, 3.6, 3.7, and 3.8 provide the criteria for establishing density within an RRD. 100 points are required to reach a density of 1 DU/AC.*

- *Polk County Utilities has a twelve-inch transmission main along Deeson Road that will provide potable water.*

- *Polk County Utilities has a twelve-inch force main along Deeson Road for wastewater service.*

- *Wetlands and flood zones are found along the eastern portion of the project area in association with the Blackwater Creek Tributary Floodway. This site is within the Kathleen Drainage Basin AKA North Blackwater Creek.*

- *According to the Florida Natural Areas Biodiversity Matrix, the subject site is not located within a one-mile radius of an endangered habitat community.*

- *The subject site is comprised of Pomona Fine Sand; Samsula Muck; Sparr Sand; Tavares Fine Sand; Placid & Myakka Fine Sands; Kaliga Muck; and Hontoon Muck.*

- *The subject site is not located within any of the County's Wellhead Protection Districts.*

- *There are no known historical or archeological resources onsite, according to the Secretary of State's Department of Historical Resources Florida Master Site File.*

- *The site has frontage along Deeson Road (Road No. 733008), an Urban Collector tracked for concurrency by Polk County's Transportation Planning Organization (TPO) (Links 8084 E/W).*

- *Fire and EMS services arrive from Polk County Fire Rescue Station 23, located at 6750 Kathleen Road, Lakeland 33810.*

- *The property is within the Polk County Sheriff's Office Northwest District, located at 1045 Wedgewood Estates Boulevard, Lakeland, 33809.*

- *The zoned schools for the proposed project are Roberts Elementary, Kathleen Middle, and Kathleen Senior High.*

- *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; SECTION 2.106 SUBURBAN DEVELOPMENT AREAS (SDA); and SECTION 2.121-B – Rural Residential Development (RRD).*

Development Review Committee Recommendation: Based on the information provided by the applicant, the findings of fact, 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 LDPD-2026-6.**

On June 3, 2026, at an advertised public hearing, the Planning Commission will vote on this application.

CONDITIONS OF APPROVAL

Based upon the findings of fact, the Development Review Committee recommends APPROVAL of LDPD-2026-6 with the following Conditions:

1. This Rural Residential Development (RRD) approval shall be for a 150-lot single-family detached dwelling unit subdivision. Minimum lot sizes will be reduced to 9,380 sq. ft. [PLG]

2. Setbacks shall be established as follows [PLG]:

    - Principal Side: 10 feet

- Principal Rear: 39 feet
- Front: 25 feet
- Corner Lot Right-of-way: 10 feet
- Accessory Side: 5 feet
- Accessory Rear: 10 feet

3. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDPD-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. [PLG]

4. 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]

5. At a minimum, the stormwater management plan standards shall comply with closed basin requirements (100-year/24-hour storm) pursuant to LDC Section 740 [ENG].

6. Open space presented in the application shall be binding for the purposes stated within the site plan. Open space may be modified through a Minor Modification to provide additional flood compensation, stormwater management, and/or other related purposes as determined through the Level 2 Review process. [PLG]

7. Drainage easements shall be provided as shown on the typical lot layout on the submitted site plan. [PLG]

8. A sidewalk shall be constructed along the frontage of Deeson that will connect to internal sidewalks. [PLG]

9. Buffers along the western and northern property lines shall be a minimum of 20 feet in width, as shown on the site plan, and planted with landscaping consistent with a Type "C" buffer. [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 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 following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: A/RR Site-Built Homes/Robbins Road (+/- 1.00 to 5.00 Acres)	**North: A/RR** Site-Built Home/Aquaculture (+/- 5.03 Acres)	**Northeast: RS** Single-Family Homes & Vacant Lots
West: A/RR Site-Built Homes/Pasture/MH (+/- 0.70 to 9.2 Acres)	**Subject Property: RS** Vacant/Wetlands/Pasture/Floodway	**East: RS** Wetlands/Site-Built Homes & MH (+/- 0.12 to 0.68 Acres)
Southwest: A/RR Deeson Road Site-Built & MH (+/- 0.88 to 1.77 Acres)	**South: A/RR** Deeson Road Site-Built & MH (+/- 0.38 to 0.88 Acres)	**Southeast: RS** Deeson Road Site-Built Homes (+/- 1.00 to 7.8 Acres)

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

Staff has reviewed aerial imagery dating back to 1941. This site has been mostly vacant and used as pastureland. It is the last of its size along Deeson Road that can be developed for residential purposes. The property has undergone multiple planning and environmental evaluations over time, including prior SPD concepts, Residential Infill evaluation efforts, and nomination and consideration through the County's CLASAC environmental lands program. On November 17, 1987, the Board granted Concept and Tentative Approval with conditions of Planned Unit Development 87-35 (PUD 87-35) on the subject site for a 256-unit manufactured home subdivision with a gross density of 2.52 units per acre. PUD 87-35 has expired and is no longer valid.

Through LDCPAL-2021-17, Parcel #232720-000000-032050 (+/- 90.57 acres) was changed from an Agricultural/Residential Rural (A/RR) land use district and Rural Development Area (RDA) to RS and SDA by the BoCC on April 5, 2022.

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On August 22, 2023, the BoCC held a DeNovo Hearing for LDSPD-2023-1 and voted 4-1 to deny the application with prejudice. The request was for 147 single-family lots with reduced lot sizes, reduced setbacks, and increased density on the subject parcels. With a recommendation of approval from the Development Review Committee, the Planning Commission voted 5-2 to approve this application, but this was overturned through an appeal by the public.

The Kathleen community is an area of northwest Polk County where growth often comes into conflict with residences and communities that have been in place over generations, prior to zoning, centralized utilities, and modern development standards, especially as those pertain to stormwater management and flooding. Large acreage properties are interspersed with smaller-lot subdivisions and neighborhoods. In many cases, the larger neighboring properties and subdivisions with larger lot sizes were developed before the extension of wastewater services, which limited residential density at that time. With the introduction of wastewater and the expansion of Kathleen Road over the last dozen years, developments have sought to take advantage of these urban-level services with increased density and smaller lot sizes.

Compatibility with the Surrounding Land Uses and Infrastructure:

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."

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 applicant is requesting approval of a Rural Residential Development (RRD) for 150 single-family lots within a Residential Suburban (RS) Future Land Use district in a Suburban Development Area (SDA). Table 2.2 of the Land Development Code (LDC) requires residential lots in RS districts to be at least five (5) acres with a density of one (1) dwelling unit per five (5) acres. However, the RRD tool, as guided by the Comprehensive Plan and facilitated by Section LDC Section 303, allows for an increased density of up to one dwelling unit per acre across the entirety of the site with Planning Commission approval. The proposed minimum lot sizes are 9,380 sq. ft. with minimum widths of 70 feet, though half-acre lots are proposed along the western property lines where adjacent to existing residential development. These will transition to 80-foot-wide lots with the 70-foot-wide lots located to the interior of the site. Setbacks will meet RS standards, except for a reduction to the right-of-way setback to internal roads for corner lots will be reduced from 20 to 10 feet.

A stipulation with the RRD process is to reserve, via a conservation easement, site plan approval condition, or other similar land reservation mechanism, no less than 50 percent of the development site as the pre-existing agricultural land use, open space, or habitat protection, which includes wetlands. The site plan calls for approximately 60.88% of the site to be reserved for wetlands (+/- 73.16 acres), open space and habitat protection, agricultural open space, and floodplain storage and stormwater treatment. An additional 7.53 acres of open space is dedicated to amenities and stormwater management. 20-foot-wide landscaping buffers are planned along the northern and western property lines.

Overall, the proposed density of the site is 0.98 DU/AC, below the 1 DU/AC cap permitted through the RRD process. Approximately 80.07 acres are designated uplands. Given the proposed units, the net density is approximately 1.87 DU/AC, well below the 3 DU/AC that could be approved through a Suburban Planned Development (SPD). The homes are clustered to the western side of the property to avoid wetland impacts and flood hazard areas.

Densities abutting the site vary, and most of the surrounding homes were developed prior to the adoption of the Comprehensive Plan and LDC. 10 homes within the unrecorded Mercer's Subdivision are located on approximately 8.56 acres east of Payne Road and the western property line for a density of 1.17 DU/AC. South of Desson Road are 12 homes on approximately 9.24 acres, including the Greenfield Acres Road right-of-way (1.3 DU/AC). Density to the northwest of the site is less intense, with seven residential properties on approximately 25 acres (0.28 DU/AC), though multiple homes can be found on at least one parcel. Robbins Road provides buffering from most of these units.

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

The site plan addresses these concerns through the following methods:

1. The site plan places larger proposed lots (0.50 acres) adjacent to existing residential units on the western and northwestern property lines. These will transition into 80- and 70-foot-wide lots towards the interior of the site.

2. No access is proposed from Robbins Road, a County Local Residential roadway.

3. 20-foot-wide landscaping buffers (Type “C”) are proposed along the western and northern property lines. The standard buffering would be ten-feet-wide (Type “B”).

4. Increasing rear setbacks for all lots to 39 feet. This provides a minimum of 59 feet of separation and transition from proposed homes and western and northern property lines where larger lots are present.

5. Open space tracts and existing wetlands are used to create buffering between residential properties on the western property line and along Deeson Road.

In addition to this, the LDC require that all street lighting be shielded. A sidewalk will be constructed along the frontage of Deeson Road that will connect to internal sidewalks. At the vehicular entrance to the site will be street lighting at the crosswalks for pedestrian safety. Each lot will be required to have two canopy trees.

B. Timing & Infrastructure:

POLICY 2.102-A1 of the Comprehensive Plan states, “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.”

Like the PD process where locational criteria relate to allowable densities, the RRD allows an increase in density based on proximity to public services, in addition to the required set-aside of open space and wetlands. Comprehensive Plan Section 2.121-B2 states, RRDs may contain single-family dwelling units, duplexes, and limited low-intensity multi-family dwellings at a sliding-scale gross density (on the entire site) of one dwelling unit per 2.5 acres (1 DU/2.5 AC) up to, and including, one dwelling unit per acre (1 DU/AC), as determined by appropriate location and development criteria. Locational criteria include:

a. proximity to rural clusters, business parks, linear commercial corridors, commercial enclaves, and municipalities;

b. proximity to isolated sewer systems.

c. vehicular access to arterial, paved collector, and paved County-maintained local roads;

d. level of public-safety protection, to include: fire and emergency medical service (EMS); and

e. proximity to schools.

To meet the requested density (0.98 DU/AC), 100 points are required. The applicant has provided a score sheet that demonstrates this location can attain 139 points. To meet the minimum, though, the site is within two miles of Lakeland (20 pts.); within five miles of Fire/EMS (40 pts.); adjacent to a Collector roadway (10 pts.); water connection (20 pts.); and within 2 miles of a public school (10 pts.).

Though the subject site is in the SDA, the availability of public services (especially wastewater) and surrounding residential development are more attuned to the Urban Growth Area (UGA), which could support densities up to 5 DU/AC.

Nearest Elementary, Middle, and High School

With the exception of the elementary school, the zoned schools are the closest schools to the subject property. It is zoned for Roberts Elementary and Kathleen Middle to the north and Kathleen Senior to the southeast. Kathleen Elementary is closer to the subject site. The estimated number of students which 150 single-family lots could produce is: 21 – Elementary; 13 – Middle; 18 - High School.

Table 2, to follow, shows the number of students the project is expected to generate, the capacity of the zoned schools, and the driving distance to these schools from the project entrance off Deeson Road.

Table 2

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Roberts Elementary	21 students	79%	±4.2 miles driving distance
Kathleen Middle	13 students	73%	±1.8 miles driving distance
Kathleen Senior	18 students	66%	±6.2 miles driving distance

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

This area of Polk County is projected to have school capacity for development. The applicant will need to apply for a binding school capacity determination at the time of the Level 2 Review submittal. Effective January 1, 2026, The impact fees generated from this development for the educational system are $11,124 per single-family unit ($1,668,600).

Nearest Sheriff, Fire, and EMS Station

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. It also provides fire suppression, rescue services, and fire prevention services to all of unincorporated Polk County and the municipalities of Eagle Lake, Polk City, Mulberry,

Lake Hamilton, and Hillcrest Heights. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Fire and EMS responses to this project are from the Polk County Fire Rescue Station 23, located at 6750 Kathleen Rd, Lakeland 33810. The travel distance is approximately 1.8 miles to the entrance subject site, and response times could average 6-8 minutes depending on the type of call.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Polk County Northwest District Command 1045 Wedgewood Estates Blvd., Lakeland 33809	±4.8 miles	P1 Calls: 9:34 P2 Calls: 27:03
Fire/EMS	PCFR Station 23 6750 Kathleen Rd, Lakeland 33810	±1.8 miles	6-8 minutes

Source: Polk County Sheriff's Office and Public Safety

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

The nearest Sheriff's substation is Polk County Northwest District Command, located at 1045 Wedgewood Estates Blvd. Lakeland, 33809. 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. 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. Sheriff's 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.

The PCSO is always trying to improve response times, especially for Priority 1 Calls, by employing new technologies such as Emergency 1 Dispatch (E1D) and Live911. E1D is a program designed to alert deputies at the earliest possible moment of a call for service that is being classified as a true emergency. E1D alert notifications are sent to deputies via their agency-issued smart phones as text messages, alerting deputies of the call type and address of the emergency. Similarly, Live911 technology allows deputies to hear emergency calls in real-time as the dispatcher is receiving the information. Both E1D and Live911 enable deputies to self-dispatch to these in-progress, high-risk incidents as dispatchers collect additional information about the call, thus reducing our response time to emergency situations.

Patrol staff in each district also monitors the response times for their areas and tries to manage their shifts according to manpower, hotspots, traffic obstructions/construction sites, etc. Areas that are more spread out tend to have slightly longer response times because of the vast land mass of their district and time of travel. Since patrol deputies are not sitting in the office waiting on a call, it is easier for patrol staff to assign them to certain sectors or beats based on areas with higher call volume to reduce response time; however, this cannot be predicted precisely.

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

The proposed development is for 150 single-family dwelling units. The estimated demand per unit is 360 gallons per day (GPD) for potable water and 270 GPD for wastewater. These services will be provided by Polk County.

Table 4, to follow, provides generalized estimates of the anticipated water and wastewater demands based on different levels of approval. The table shows the maximum GPD that would be generated by-right, and what could be possible through the Suburban Planned Development (SPD) process on the property. For this calculation, wetland density transfer was also added, which includes the 25-foot-wide upland buffers around the wetlands in the acreage calculations. The Comprehensive Plan and LDC allow one unit per five wetland acres to be transferred to upland areas, provided no wetlands are disturbed. The last column shows the demand on services that could be generated by the proposed RRD.

Table 4

Subject Property	**Estimated Impact Analysis**		
80.07 ± Upland Acres 73.16 ± Wetland Acres Residential Suburban	**Demand as Currently Permitted RS (1 DU/5 Acres) + Wetland Transfer**	**Maximum Allowed (3 DU/AC & Wetland Transfer 1 DU/5 AC)**	**Proposed Plan RS (0.99 DU/Acre)**
Permitted Intensity	30 single-family dwelling units	254 single-family dwelling units	150 single-family dwelling units
Potable Water Consumption (GPD)	10,800 GPD	91,440 GPD	54,000 GPD
Wastewater Generation (GPD)	8,130 GPD	68,580 GPD	40,500 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

The proposed RRD is approximately 60% of the units that could be permitted onsite through the LDC and Comprehensive Plan. A certificate of concurrency for utilities will be issued after a Level 2 Review approval. Connection to wastewater is imperative to the success of this project, and this is a service not typically found in the SDA. Without wastewater availability, lot sizes will need to increase to at least 10,890 sq. ft., and given the poor soils onsite, mounded septic systems or those with higher levels of treatment capability would be necessary, depending on a determination from the Department of Health. This would become costly for a development of this size and ultimately impractical for the proposed lot sizes. In addition, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks. Overall, septic systems in such an environment and close to a major floodway are undesirable.

Lift Station 215 is located approximately 0.38 miles to the east. A 12-inch wastewater force main is found here in the northern right-of-way of Deeson Road. Polk County Utilities extended this line west past the site along Deeson Road to the Briarwood Mobile Home Park (Project #6843022). The applicant can connect in coordination with PCU.

Potable water connection is mandated by the Comprehensive Plan and LDC in the SDA. A 12-inch main is located at the intersection of Deeson and Lewellyn Road. The applicant will be required to extend it to the subject site. Given the lack of water services around the site now, no fire hydrants are near the property. The extension of this water line by the applicant will provide a benefit to the surrounding neighbors with fire protection.

B. Available Capacity:

The site is in Polk County's Northwest Regional Utility Service Area (NWRUSA) for water and wastewater services. Polk County has ample water capacity to serve the site. The current working permit for the service area is 5.7 million gallons per day (MGD). The current average flow is 3.766 MGD. There is 1.934 MGD in uncommitted capacity. The system's growth rate was approximately 0.043 MGD from the prior year.

This system is in the Central Florida Water Initiative (CFWI) area, an area with on-going impacts to water resources. If the Southwest Florida Water Management District determines that adverse impacts to water resources or existing legal users are occurring or are projected to occur because of the authorized withdrawals, the District may reduce permitted quantities.

The County's Northwest Wastewater Service Area sends its flows to the Northwest Regional Wastewater Treatment Facility. The current working wastewater permit is for 3.082 MGD. There is 1.505 MGD in uncommitted capacity. The system's growth rate was 0.020 MGD from 2025.

C. Planned Improvements:

The subject site is located near a Utility Community Investment Project that was scheduled in the Adopted Comprehensive Investment Program, Fiscal Years 2022-26 (Project #6843022). The project that extended wastewater services to the Briarwood Mobile Home Park, located approximately 1.07 miles to the west of the subject site. According to the CIP summary, the Briarwood MHP collection system and wastewater treatment facility struggled to maintain regulatory compliance due to operational issues. This extension and connection to the County's wastewater system will correct the areas of concern.

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 proposed development is for 150 single-family dwelling units. Single-Family Detached Housing generates 7.81 Average Annual Daily Trips (AADT) and 1.00 PM Peak Hours Trips per unit (ITE Code 210). The proposed 150-lot development will likely generate 1,172 Average Annual Daily Trips and 150 PM Peak Hours Trips.

Table 5, to follow, provides generalized estimates of the AADT and Peak Hour demands based on different levels of approval. The table shows the maximum number of trips that would be generated by-right and through the SPD process. Fourteen lots have been added to this through what could be gained if density were transferred from the onsite wetlands at a rate of 1 DU/5 Acres, as permitted by the LDC. The acreage accounted for wetlands include upland buffers. The final column represents the proposed unit count and the traffic it could generate at full build-out.

Table 5

Subject Property	Estimated Impact Analysis		
80.07 ± Upland Acres 73.16 ± Wetland Acres Residential Suburban	**Demand as Currently Permitted RS (1 DU/5 Acres) + Wetland Transfer**	**Maximum Allowed (3 DU/AC & Wetland Transfer 1 DU/5 AC)**	**Proposed Plan RS (0.99 DU/Acre)**
Permitted Intensity	30 single-family dwelling units	254 single-family dwelling units	150 single-family dwelling units
Average Annual Daily Trips (AADT)	234 AADT	1,984 AADT	1,172 AADT
PM Peak Hour Trips	30 PM PH	254 PM PH	150 PM PH

Source: Polk County Concurrency Manual

The proposed RRD is approximately 60% of the units that could be permitted onsite through the LDC and Comprehensive Plan. Since the AADT will exceed 750 trips, a Major Traffic Study will be required during the Level 2 Review to thoroughly analyze the effects this development could have on the local roadways and identify what improvements are required.

Staff analyzes the impact on the roadways by the Peak PM trips which represent how much burden a development places on the traffic grid during the busiest time of day. Single-family uses are expected to mostly remove traffic from the roadway system during this time. 37% of Peak PM Trips, though, are estimated to enter the system at this time (55 trips). As Deeson dead-ends just beyond the Hillsborough County line to the west, most drivers will travel east towards Kathleen Road and diverge north or south along that roadway. A CSX railroad parallels Kathleen Road, and there is a crossing on Deeson before reaching the intersection with Kathleen where traffic can accumulate when there is a passing train.

B. Available Capacity:

There is currently capacity to serve the proposed development. The subject property has direct frontage along Deeson Road. The property also has frontage on Robbins Road, but no ingress or egress is planned here. Table 6, to follow, displays the generalized capacity on the affected transportation links.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	5-Year LOS
8084E	Deeson Road Hillsborough County Line to Kathleen Road	C	609	C
8084W	Deeson Road Kathleen Road to Hillsborough County Line	C	602	C
4167N	CR-35A (Kathleen Road) CR-542A to Duff Road	C	731	C
4167S	CR-35A (Kathleen Road) Duff Road to CR-542A	C	772	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database April 13, 2026

Deeson Road and Kathleen Road have the capacity to assimilate all 150 PM PH units and not fall below the Level of Service standard set by the Board.

C. Roadway Conditions:

Deeson Road (Road No. 733008) is an Urban Collector roadway tracked for concurrency by Polk County's Transportation Planning Organization (TPO) (Links 8084 E/W). It is a paved 20-

foot-wide roadway with approximately 55 feet of right-of-way along the subject property which is below the 80-foot minimum required by Table 8.2 of the LDC. The applicant will need to dedicate approximately 15 feet of right-of-way to make up the shortfall on their side of the road. Further improvements will be detailed in the Major Traffic Study during the Level 2 Review. Entrances are subject to LDC Section 705.C. Where an intersection occurs on a roadway that is identified to be below its designated level of service standard, intersection standards shall be increased as required by the County Engineer. Given the proposed AADT, a Type III intersection with a dedicated 100' right turn lane into the site is likely warranted.

Kathleen Road (Road No. 830203) is an Urban Collector roadway with a paved surface width of twenty-two feet and is tracked for concurrency by Polk Transportation Planning Organization by Link #4167 N/S. (See Table 6). These links are in excellent condition thanks to road improvement projects that took place along this segment in 2012-13.

D. Sidewalk Network

Sidewalks are not located along the frontage of the site but will be required per LDC Section 707. The nearest sidewalk link is located near the railroad to the east along Kathleen. Sidewalks are not located elsewhere along Deeson Road. The sidewalks on the east and west side of Kathleen run south past the Kathleen Road/North Galloway Road intersection and connect with the sidewalks within the City of Lakeland at Hanley Road near Griffin Elementary. The sidewalks run north and end at the intersection of Kathleen and Duff Road, with the sidewalk following Duff Road to the east to the Remington Oaks subdivision. Sidewalks on both sides of the internal roads will be required. At the vehicular entrance to site, two pedestrian safetly lights shall be required with recessed or shielded lighting.

E. Planned Improvements:

According to the CIP, signalization of Deeson Road and Kathleen Road is planned. As of May 13, 2026, the bidding process is underway to complete the work.

F. Mass Transit

Stop 1638 for the Blue Line 1 Route is located approximately 3.5 miles to the southeast of the subject property at the northwest corner of Kathleen Road and Mall Hill Drive. This route runs through from the Gow B. Fields Park & Ride at U.S. 98 N. to the Lakeland Downtown Terminal. Mass transit is not expected or anticipated in the SDA.

Park Facilities and Environmental Lands:

The closest public park facilities are located at the Hunt Fountain Sports Complex.

A. Location:

Hunt Fountain Sports Complex is located at 2020 Duff Road, approximately 4.5 miles driving distance to the northeast of the property.

B. Services:

Hunt Fountain Sports Complex includes baseball/softball fields, a tennis court, three basketball courts, two football fields, soccer fields, and an equestrian area with amenities.

C. Multi-use Trails:

The Tenoroc Trail is a proposed multi-use trail that is projected to run from Lake Parker Park near SR 33 to the Auburndale Trail at Braddock Road. The distance of this trail is expected to be 10.66 miles. This has only been identified as a possible use by 2035.

D. Environmental Lands:

The Upper Hillsborough Preserve and Wildlife Management Area (WMA) is located approximately 17.2 miles to the northwest by vehicle and constitutes a portion of the headwaters of the Hillsborough River. The property is open to the public for hiking, bicycling, hunting, and fishing.

Gator Creek Reserve is located at 9725 US Highway 98 North, approximately 8.6 miles to the northwest. This is a mosaic of cypress swamps, hardwood forests and marshes interspersed with slightly elevated areas. With a series of adjoining loop trails, one of which is paved, this 2,700-acre reserve offers hiking, biking, photography, and nature watching opportunities through several unique habitats. The Polk County Board of County Commissioners and the Florida Communities Trust jointly acquired this Environmental Land site for the purpose of protecting important water wildlife and wilderness resources. Gator Creek Reserve falls within the Green Swamp Area of Critical State Concern, a designation protecting a resource of major statewide significance.

Tenoroc Fish Management Area is located at 3755 Tenoroc Mine Road, approximately 15 miles to the east. This property is owned by the State of Florida and is home to a shooting range, sporting clays course, hiking and equestrian trails, and hunting and fishing opportunities.

Environmental Conditions

This development is shaped by the environmental challenges present onsite. It is located in a stressed basin associated with the headwaters of Blackwater Creek. Though the development will take place in the upland portions of the subject site, the soils present moderate to severe challenges to construction of any dwellings and preclude the use of septic systems.

A. Surface Water:

No surface water is located onsite, however, the Blackwater Creek Tributary Floodway runs through the eastern portion of the site. This site is within the Kathleen Drainage Basin AKA North Blackwater Creek, a stressed basin with a constrained outfall. The endemic soil types do not drain well. Natural barriers and manmade obstacles often hinder the release of water into larger river systems. These factors cause flooding from both a rapid, heavy rain-producing event such as a hurricane and the accumulation of water over a longer length of time from normal Florida summer rain showers. Aerial photography from 1941 shows manmade channels and ditches were dug across the northern half of the site in an effort to convey water to the wetlands and floodway to the east. The remnants of these channels exist today.

The project shall be designed to retain the difference in pre- and post-development runoff volumes from a 100 year/24-hour storm event, in accordance with standards in LDC Section 740 for closed basins. 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. The proposed

development will be designed in accordance with the Southwest Florida Water Management District and Polk County requirements.

B. Wetlands/Floodplains:

Wetlands and flood zones are found along the eastern portions of the project area in association with the Blackwater Creek Tributary Floodway in Parcel #232720-000000-024310 and #232720-000000-023010, which will not be developed, rather preserved for open space and conservation purposes. No development is allowed within the floodway, and no impacts are anticipated in the wetlands. The wetlands onsite are categorized as Freshwater Marshes.

All development must adhere to Section 620 of the LDC. Wetlands can only be impacted in limited scenarios. Access to the site and internal traffic circulation, where other alternatives do not exist, or for purposes of public safety, are permitted when properly mitigation with the agency having jurisdiction. Utility transmission and collection lines are also allowed as are pre-treatment stormwater management facilities. Lots are not permitted within wetlands, and development must maintain a 25-foot buffer from all wetlands. A final wetland delineation survey will be provided during the Level 2 Review to ensure these standards are met. No density transfer is being requested from the wetland acreage.

On the County's DataViewer, an "AE" Flood Zone with a Base Flood Elevation of 120 feet above sea level is located along the floodway. This flood zone is an area inundated by 100-yr flooding. This is a statistical concept referring to a 1% chance that the area floods in any given year. According to the U.S Geological Survey, the accuracy of the 1% AE flood zone "varies depending on the amount of data available, the accuracy of those data, land-use changes in the river drainage area, climate cycles, and how well the data fits the statistical probability distribution."

Section 630.L.3 of the LDC states, "All new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, are required to provide base flood and floodway data, developed through a FEMA accepted methodology. The current applicable FEMA publications shall be used as a guide. The results of this study shall be submitted to FEMA with all applicable fees and additional information requested. The applicant shall submit as-built certification information in support of a Letter of Map Revision (LOMR) upon completion of every significant phase of construction." Any impacts to the flood zone will require "cup-for-cup" onsite compensation.

A stipulation with the RRD process is to reserve, via a conservation easement, site plan approval condition, or other similar land reservation mechanism, no less than 50 percent of the development site as the pre-existing agricultural land use, open space, or habitat protection, which includes wetlands. The site plan calls for approximately 60.88% of the site to be reserved for wetlands (+/- 73.16 acres), open space and habitat protection, agricultural open space, and floodplain storage and stormwater treatment.

C. Soils:

Nearly 90% of the developable area of the project site is comprised of Pomona Fine Sand. The Pomona series consists of very deep, poorly, and very poorly drained soils that formed in sandy and loamy marine sediments. These soils are typically found in wet, flood-prone areas such as this site. Under natural conditions Pomona soils are used for water quality and wildlife habitat.

Cultivated areas are used for crops and pasture. The bulk of the rest of the site is characterized by mucks that are found in the wetlands and flood zones, and which are completely unsuitable for development. None of these soils are ideal for septic absorption, but the applicant intends to connect to an available sewer line.

Furthermore, Pomona soils present challenges to the construction of dwelling units. However, these challenges can be manipulated and mitigated through a sound lot grading plan. 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. The table below indicates the limitations of each soil type within the developable area.

Table 7

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Pomona Fine Sand	Severe: Wetness, Poor Filter	Severe: Cutbacks Cave	69.4%
Samsula Muck	Severe: Wetness, Poor Filter	Severe: Wetness	19.6%
Hontoon Muck	Severe: Wetness, Poor Filter	Severe: Wetness	8.2%
Sparr Sand	Severe: Wetness, Poor Filter	Severe: Cutbacks Cave	2.0%
Tavares Sand	Moderate: Wetness	Slight	0.4%
Placid & Myakka Sands	Severe: Poor Filter	Severe: Ponding	0.4%

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

D. Protected Species:

According to the Florida Natural Areas Inventory's Biodiversity Matrix, this site is not located within a recent sighting 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. Archeological Resources:

There are no known historical or archeological resources onsite, according to the Secretary of State's Department of Historical Resources Florida Site File.

F. Wells (Public/Private):

The subject site is not located in a Wellfield-Protection District. No private wells were noted in the application.

G. Airports:

This property is not within an Airport Impact Zone. Lakeland Linder Airport is located over eight miles to the south within the City of Lakeland.

Economic Factors:

This is an older part of the greater Lakeland area with generations of families having lived here. The development boom that took place in the late-1990's and early-2000's was not as intense here as in other unincorporated portions of the County surrounding Lakeland, notably South

Lakeland. As such, the housing stock is older, and the atmosphere is more rural than elsewhere around Lakeland. Since then, though, urban services have been extended into the area. Kathleen Road was widened in the early 2010's. This has encouraged further development at a higher density than what is presently found. Adding a variety of housing options to an area helps maintain economic stability, especially in a municipality such as Polk County that is reliant on commuters to nearby Tampa and Orlando.

For Polk County, the number of proposed homes represents a return on the investment in local roadways, potable water, and wastewater services. The sewer extension makes this project feasible.

Consistency with the Comprehensive Plan and Land Development Code:

As noted, this request is consistent with the Land Development Code. Development criteria for RRDs are detailed under LDC Section 303. Open space requirements are shown to have been met and will be analyzed again at the Level 2 Review. There are no indications that this development would be premature in the area.

In addition, this project is consistent with the Comprehensive Plan. Table 8, to follow, outlines the pertinent Comprehensive Plan policies.

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 RRD is surrounded by a residential land use district. There are residential subdivisions, residential lots and residential land use districts located adjacent to the subject site.
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 applicant has demonstrated that this development is not premature in the SDA. The project will connect to centralized potable water and wastewater. The cluster design promotes compact growth and contiguous growth.
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 RRD is being proposed in an area of the County that contains public utilities and community services which exceed what is typically found in a Suburban Development Area (SDA).
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.	There are existing services and physical infrastructure in place to accommodate such development therefore reducing the financial burden of the county. The development is in a location where adequate services are available and therefore reduces the impact on the environment as no new services and infrastructure has to be built.
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	The subject property is located within an area of the County that has adequate public safety services as identified in the Staff Report.

Comprehensive Plan Policy	Consistency Analysis
Management Service (EMS).	

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 Table 2.1 and Section 303 as detailed throughout the Staff Report.
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	Yes, this request is consistent with the Comprehensive Plan, specifically POLICIES 2.102 as described in Table 8. The request exceeds the required standards of the Suburban Development area as described in SECTION 2.106. The request exceeds the required standards of the Residential Suburban land use district as described in SECTION 2.120-A1 and SECTION 2.121-B.
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, as described within the staff report.
How the concurrency requirements will be met, if the development were built.	Yes, the request can meet concurrency requirements in the timeframe in which it will be constructed.

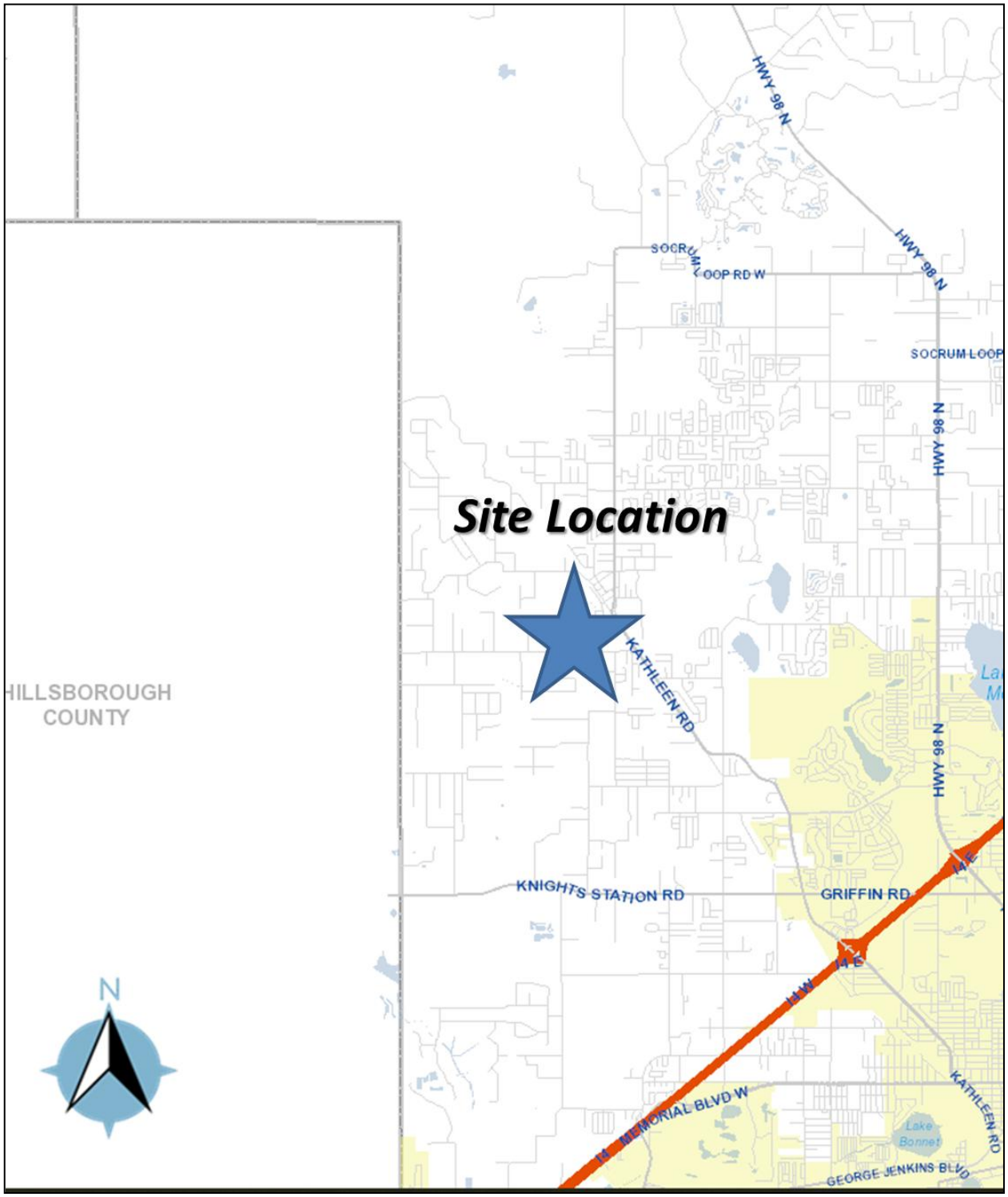
Comments from other Agencies:

Roads & Drainage – *Right-of-way dedication will be required. Turn lanes may be required.*

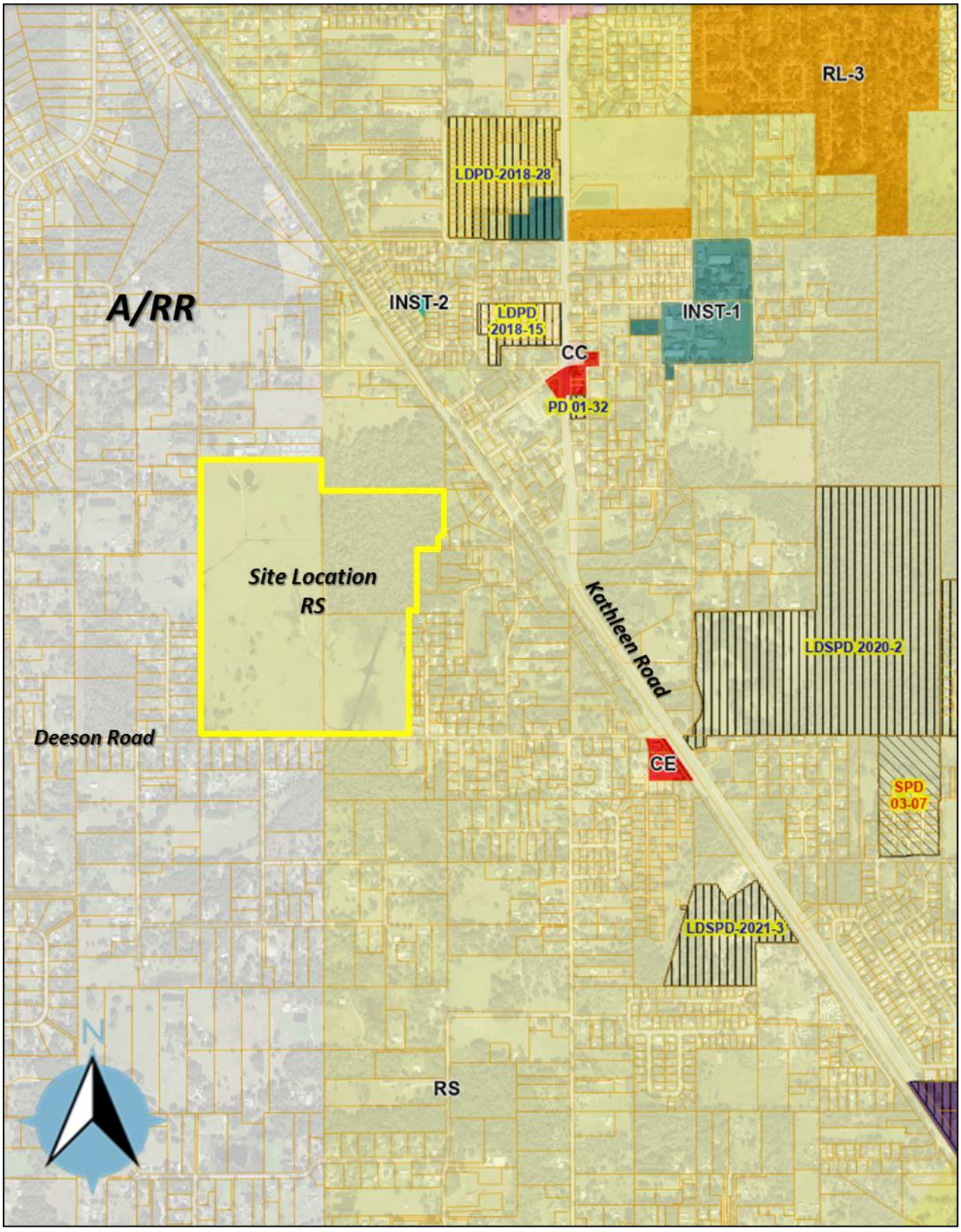
Polk County School Board - *This project will result in a demand for additional school student stations. Staff encourages the applicant to submit a non-binding concurrency application for the proposed development. If the request is approved, the development will need to apply for a binding school capacity determination letter prior to receiving Level 2 approval.*

Exhibits:

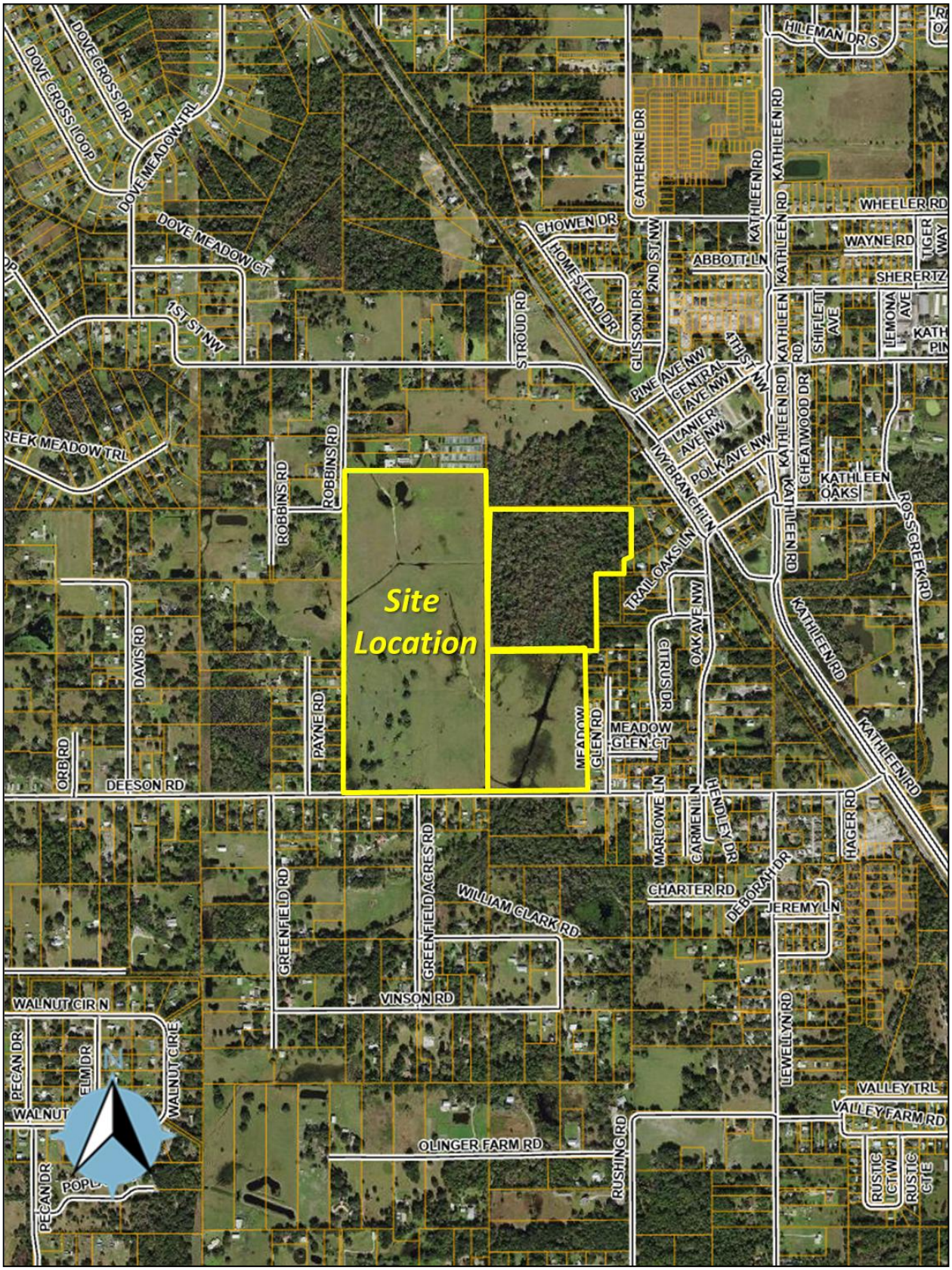
Exhibit 1 Location Map
Exhibit 2 Future Land Use Map
Exhibit 3 Aerial Image (Context)
Exhibit 4 Aerial Image (Close)
Exhibit 5 Site Plan
Exhibit 6 Lot Information
Exhibit 7 Tract Information



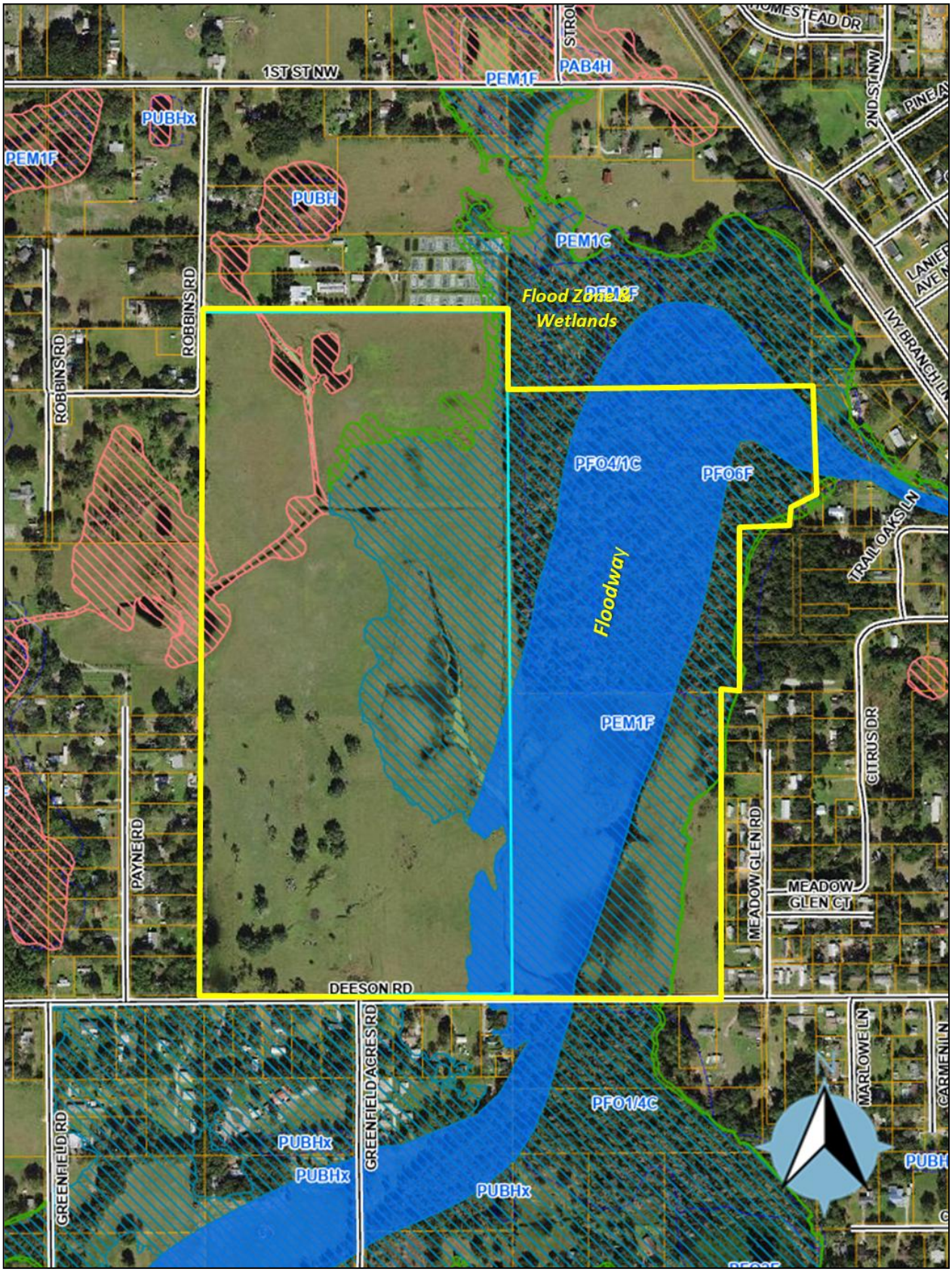
Location Map

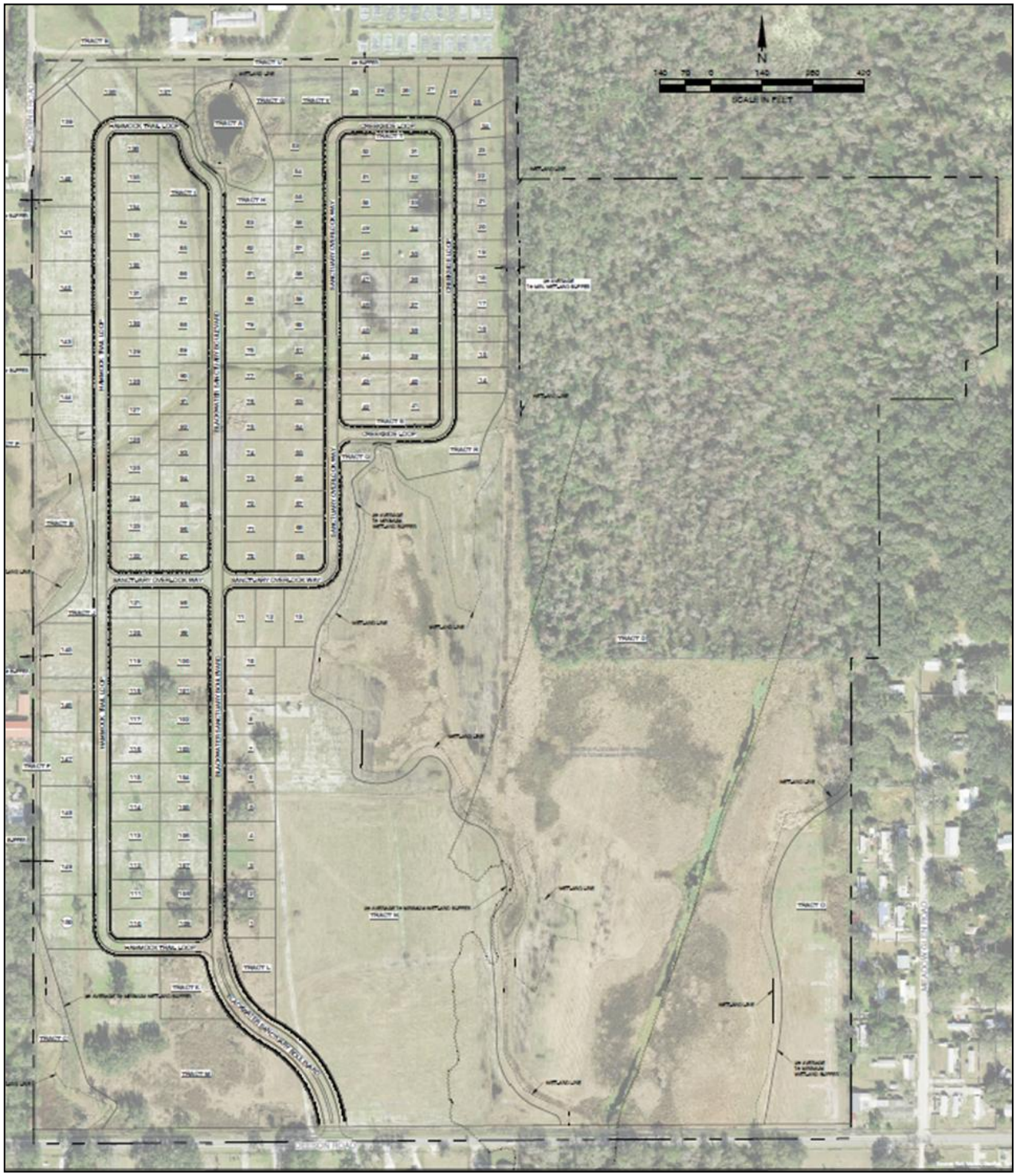


Future Land Use Map

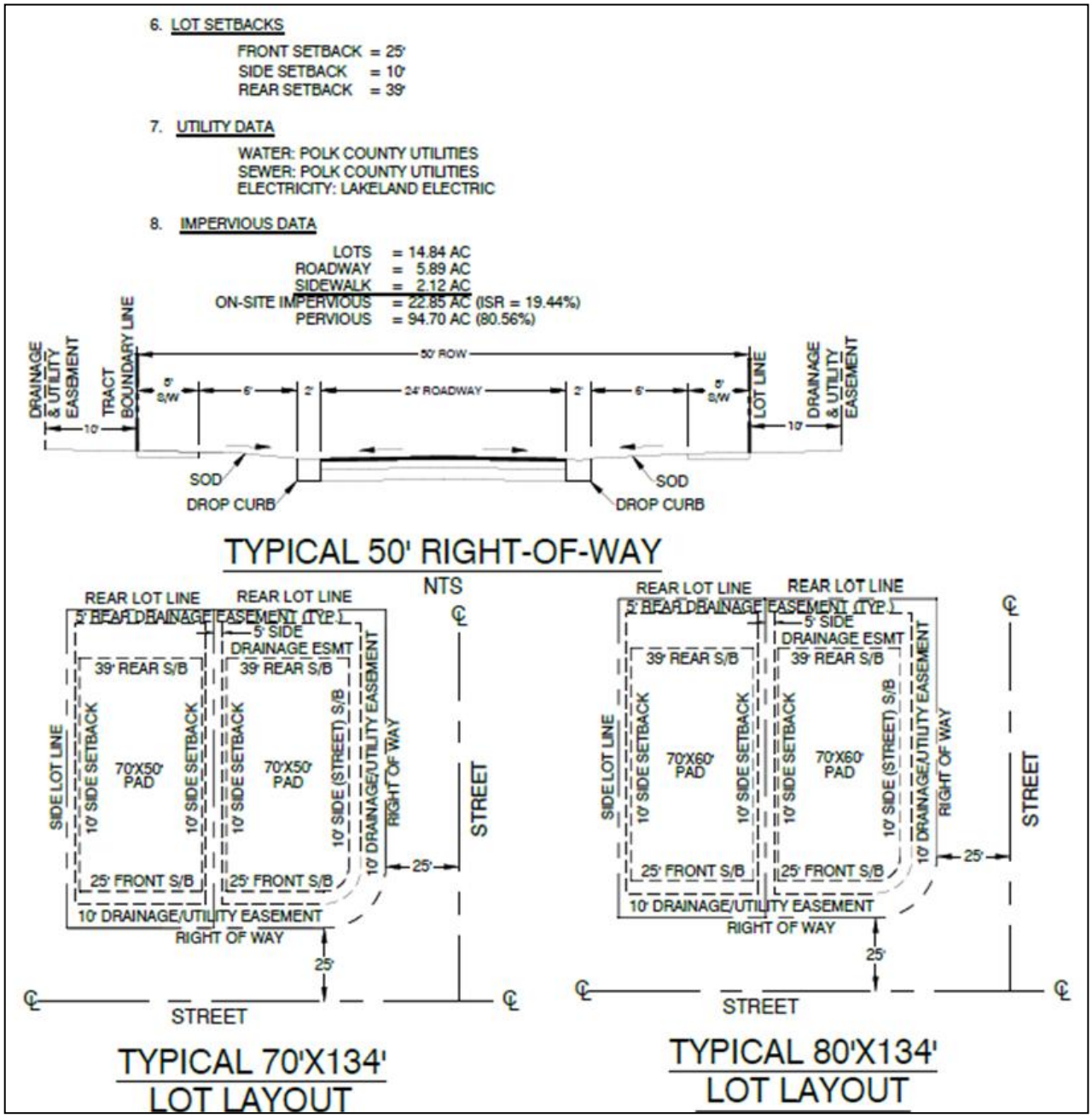


Aerial Image (Context)


1ST ST NW
PEM1F
PAB4H
PUBHx
PEM1F
PUBH
PEM1C
Flood Zone &
Wetlands
ROBBINS RD
ROBBINS RD
PF04/1C
PF06F
Floodway
PEM1F
PAYNE RD
DEESON RD
MEADOW GLEN RD
MEADOW GLEN CT
CITRUS DR
TRAIL OAKS LN
IVY BRANCH LN
2ND ST NW
GREENFIELD RD
GREENFIELD ACRES RD
PUBHx
PUBHx
PUBHx
PF01/4C
MARLOWE LN
CARMEN LN
PUBH



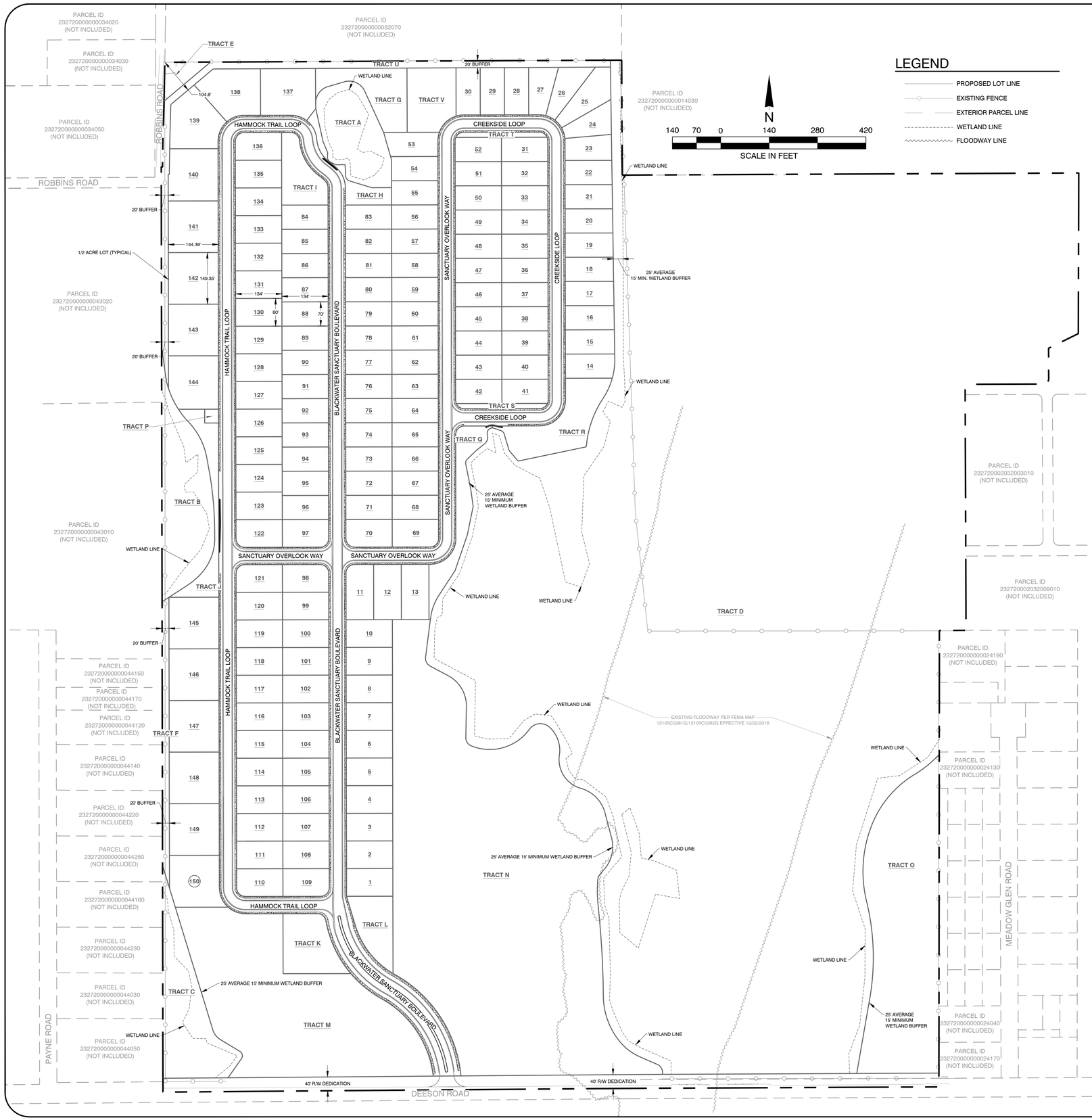
Site Plan



Lot Information

TRACT TABLE					
TRACT	USE	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
(N/A)	RIGHT-OF-WAY DEDICATION	POLK COUNTY	2.06 AC	1.35%	0.00 AC
(N/A)	INTERNAL RIGHT-OF-WAY	POLK COUNTY	10.56 AC	6.89%	0.00 AC
A	CONSERVATION EASEMENT	H.O.A.	1.07 AC	0.70%	1.07 AC
B	CONSERVATION EASEMENT	H.O.A.	1.60 AC	1.05%	1.60 AC
C	CONSERVATION EASEMENT	H.O.A.	1.42 AC	0.92%	1.42 AC
D	CONSERVATION EASEMENT	H.O.A.	69.07 AC	45.08%	69.07 AC
E	OPEN SPACE (RESERVED)	H.O.A.	0.17 AC	0.11%	0.17 AC
F	LANDSCAPE BUFFER	H.O.A.	0.37 AC	0.24%	0.00 AC
G	OPEN SPACE (RESERVED)	H.O.A.	0.61 AC	0.40%	0.61 AC
H	OPEN SPACE (RESERVED)	H.O.A.	0.26 AC	0.17%	0.26 AC
I	OPEN SPACE (AMENITY)	H.O.A.	0.44 AC	0.29%	0.00 AC
J	OPEN SPACE (RESERVED)	H.O.A.	0.48 AC	0.31%	0.48 AC
K	OPEN SPACE (AMENITY)	H.O.A.	0.59 AC	0.38%	0.00 AC
L	OPEN SPACE (AMENITY)	H.O.A.	0.45 AC	0.30%	0.00 AC
M	FLOODPLAIN / POND	H.O.A.	4.91 AC	3.20%	0.00 AC
N	OPEN SPACE (RESERVED) - FLOODPLAIN / HYDROLOGIC	H.O.A.	13.83 AC	9.03%	13.83 AC
O	OPEN SPACE (RESERVED) - FLOODPLAIN / HYDROLOGIC	H.O.A.	3.97 AC	2.59%	3.97 AC
P	LIFT STATION	POLK COUNTY	0.04 AC	0.02%	0.00 AC
Q	OPEN SPACE (AMENITY)	H.O.A.	0.57 AC	0.37%	0.00 AC
R	OPEN SPACE (RESERVED) - FLOODPLAIN / HYDROLOGIC	H.O.A.	0.80 AC	0.52%	0.80 AC
S	OPEN SPACE (AMENITY)	H.O.A.	0.09 AC	0.06%	0.00 AC
T	OPEN SPACE (AMENITY)	H.O.A.	0.09 AC	0.06%	0.00 AC
U	LANDSCAPE BUFFER	H.O.A.	0.96 AC	0.63%	0.00 AC
V	OPEN SPACE (AMENITY)	H.O.A.	0.57 AC	0.37%	0.00 AC

Tract Information



LEGEND

- PROPOSED LOT LINE
- EXISTING FENCE
- EXTERIOR PARCEL LINE
- WETLAND LINE
- FLOODWAY LINE

TRACT TABLE

TRACT	USE	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
(N/A)	RIGHT-OF-WAY DEDICATION	POLK COUNTY	2.06 AC	1.35%	0.00 AC
(N/A)	INTERNAL RIGHT-OF-WAY	POLK COUNTY	10.56 AC	6.89%	0.00 AC
A	CONSERVATION EASEMENT	H.O.A.	1.07 AC	0.70%	1.07 AC
B	CONSERVATION EASEMENT	H.O.A.	1.60 AC	1.05%	1.60 AC
C	CONSERVATION EASEMENT	H.O.A.	1.42 AC	0.92%	1.42 AC
D	CONSERVATION EASEMENT	H.O.A.	69.07 AC	45.08%	69.07 AC
E	OPEN SPACE (RESERVED)	H.O.A.	0.17 AC	0.11%	0.17 AC
F	LANDSCAPE BUFFER	H.O.A.	0.37 AC	0.24%	0.00 AC
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L	OPEN SPACE (AMENITY)	H.O.A.	0.45 AC	0.30%	0.00 AC
M	FLOODPLAIN / POND	H.O.A.	4.91 AC	3.20%	0.00 AC
N	OPEN SPACE (RESERVED) - FLOODPLAIN / HYDROLOGIC	H.O.A.	13.83 AC	9.03%	13.83 AC
O	OPEN SPACE (RESERVED) - FLOODPLAIN / HYDROLOGIC	H.O.A.	3.97 AC	2.59%	3.97 AC
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T	OPEN SPACE (AMENITY)	H.O.A.	0.09 AC	0.06%	0.00 AC
U	LANDSCAPE BUFFER	H.O.A.	0.96 AC	0.63%	0.00 AC
V	OPEN SPACE (AMENITY)	H.O.A.	0.57 AC	0.37%	0.00 AC

(76.62 AC REQ.) **93.28 AC**

SITE DATA

1. SITE AREA = 153.23 AC / 6,674,804 SF
2. SITE LOCATION

   DEESON ROAD
   LAKELAND, FLORIDA 33810
   SECTION 23, TOWNSHIP 27 SOUTH, RANGE 20 EAST
3. SITE DESCRIPTION

   PARCEL #: 232720000000032050, 232720000000024310, 232720000000023010
   FUTURE LAND USE: RS (RESIDENTIAL SUBURBAN)
   ZONING: SDA (SUBURBAN DEVELOPMENT AREA)
   PROPOSED RURAL RESIDENTIAL DEVELOPMENT (RRD)
4. SITE REQUIREMENTS

   MAXIMUM DENSITY: 1 DU/AC (153 DU)
   MINIMUM RESERVED AREA: 50% OF SITE (76.62 AC)
5. SUBDIVISION DATA

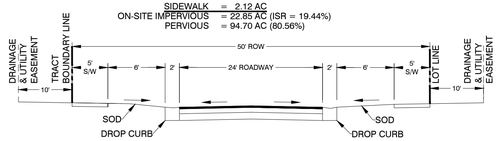
   USE TYPE: SINGLE-FAMILY RESIDENTIAL NUMBER OF LOTS: 150 (0.98 DU/AC)
   0.25 AC LOTS: 66 (70'X134' TYP.)
   0.22 AC LOTS: 70 (80'X134' TYP.)
   0.50 AC LOTS: 14

   RESERVED: 96.50 AC (62.98%)
   R/W WIDTH: 50'
   20' BUFFER PROPOSED AGAINST SINGLE FAMILY RESIDENTIAL TO THE NORTH AND NORTHWEST
6. LOT SETBACKS

   FRONT SETBACK = 25'
   SIDE SETBACK = 10'
   REAR SETBACK = 39'
7. UTILITY DATA

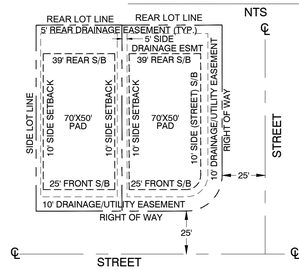
   WATER: POLK COUNTY UTILITIES
   SEWER: POLK COUNTY UTILITIES
   ELECTRICITY: LAKELAND ELECTRIC
8. IMPERVIOUS DATA

   LOTS = 14.84 AC
   ROADWAY = 5.89 AC
   SIDEWALK = 2.12 AC
   ON-SITE IMPERVIOUS = 22.85 AC (ISR = 19.44%)
   PERVIOUS = 94.70 AC (80.56%)



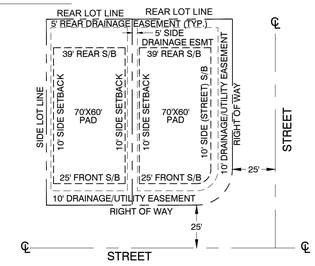
TYPICAL 50' RIGHT-OF-WAY

NTS



TYPICAL 70'X134' LOT LAYOUT

NTS



TYPICAL 80'X134' LOT LAYOUT

NTS

BINDING DEVELOPMENT PLAN
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
05-06-26

CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61682
ENGINEERING FIRM REGISTRY # 29279

DATE

REVISIONS

#

SUBDIVISION MASTER PLAN

KATHLEEN RESERVE

POLK COUNTY, FLORIDA

PROJECT # GE0462025

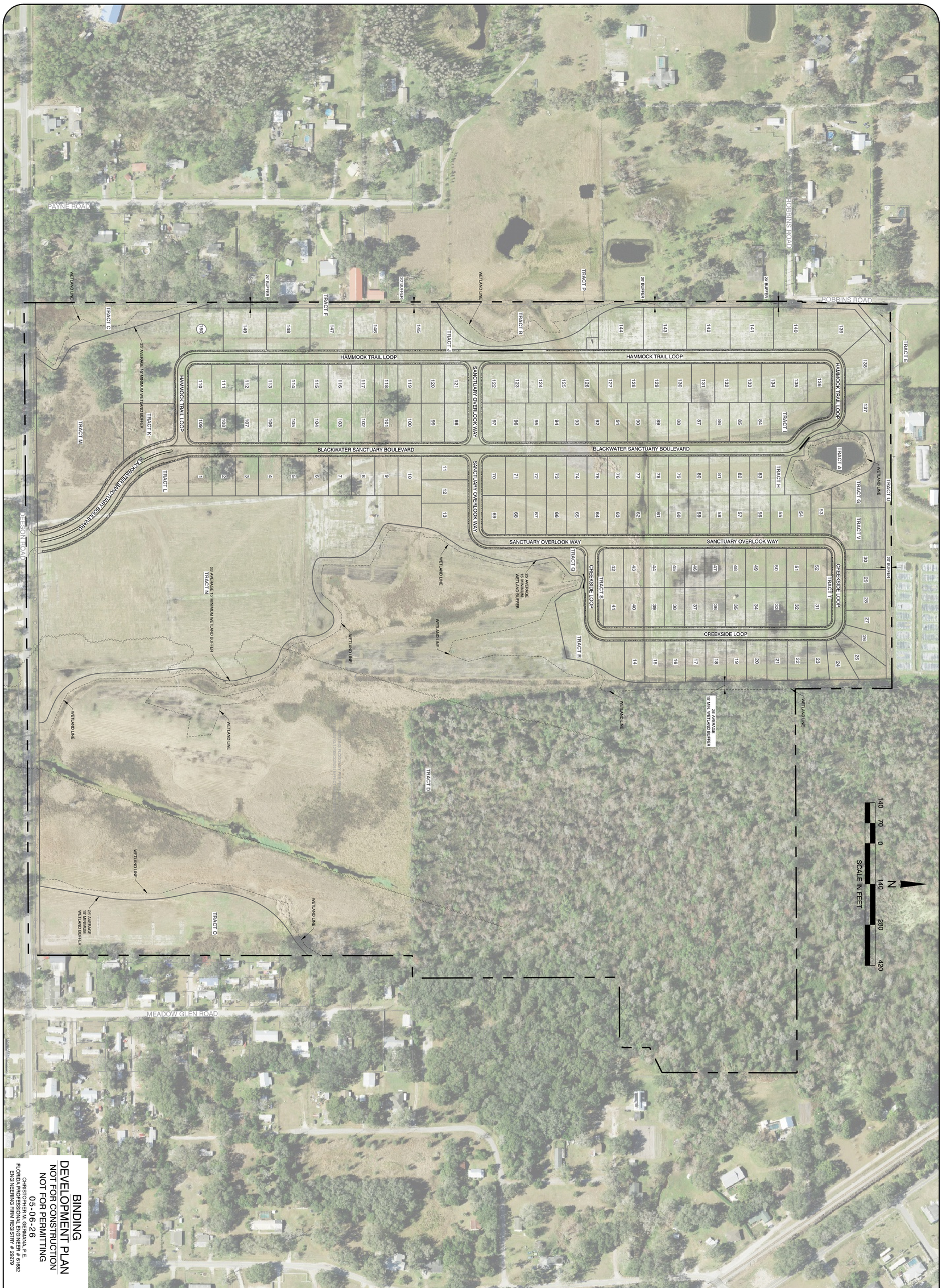
GERMANA ENGINEERING
AND ASSOCIATES, LLC
1120 WEST MINNEOLA AVENUE
CLERMONT, FL 34711
(352) 242-8295
WWW.GERMANAENGINEERING.COM
ENGINEERING FIRM REGISTRY # 29279

SCALE: 1" = 140'

DATE: -

SHEET

CONCEPT



BINDING
DEVELOPMENT PLAN
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
05-06-26

CHRISTOPHER M. GERMANA, P.E.
FLORIDA REGISTRATION # 81882
ENGINEERING FIRM REGISTRY # 29279

AERIAL

SHEET

DATE: -

SCALE: 1" = 140'

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AND ASSOCIATES, LLC
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CLERMONT, FL 34711
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ENGINEERING FIRM REGISTRY # 29279

KATHLEEN
RESERVE

POLK COUNTY, FLORIDA

PROJECT # GE0462025

AERIAL OVERVIEW
MASTER PLAN

#	REVISIONS	DATE



BINDING
DEVELOPMENT PLAN
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
05-06-26

CHRISTOPHER M. GERMANA, P.E.
FLORIDA REGISTRATION NO. 68282
ENGINEERING FIRM REGISTRY # 29279

SHEET	AERIAL
DATE:	-
SCALE:	1" = 140'

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AND ASSOCIATES, LLC
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KATHLEEN
RESERVE

POLK COUNTY, FLORIDA

PROJECT # GE0462025

AERIAL PLAN 1

#	REVISIONS	DATE

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DEVELOPMENT PLAN
NOT FOR CONSTRUCTION
NOT FOR PERMITTING
05-06-26

CHRISTOPHER M. GERMANA, P.E.
FLORIDA PROFESSIONAL ENGINEER # 61882
ENGINEERING FIRM REGISTRY # 29279

Source: Esri, Vantor, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Powered by Esri

#	REVISIONS	DATE

AERIAL PLAN 1

PROJECT # GE0462025

KATHLEEN
RESERVE

POLK COUNTY, FLORIDA

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AND ASSOCIATES, LLC
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CLERMONT, FL 34711
(352) 242-8329
WWW.GERMANA-ENGINEERING.COM
ENGINEERING FIRM REGISTRY # 29279

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DATE: -

SHEET
AERIAL



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CHRISTOPHER M. GERMANA, P.E. #73882
FLORIDA REGISTERED PROFESSIONAL ENGINEER
ENGINEERING FIRM REGISTRY # 29279

Source: Esri, Vantor, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID

GERMANA ENGINEERING
AND ASSOCIATES, LLC
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KATHLEEN
RESERVE

POLK COUNTY, FLORIDA

PROJECT # GE0462025

AERIAL PLAN 1

#	REVISIONS	DATE

SCALE: 1" = 140'

DATE: -

SHEET
AERIAL



Source: Esri, Vantor, Google, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

BINDING
DEVELOPMENT PLAN
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05-06-26

CHRISTOPHER M. GERMANA, P.E.
FLORIDA REGISTRATION # 61082
ENGINEERING FIRM REGISTRY # 29279

AERIAL

SHEET

DATE: -

SCALE: 1" = 140'

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CLERMONT, FL 34711
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KATHLEEN
RESERVE

POLK COUNTY, FLORIDA

PROJECT # GE0462025

AERIAL PLAN 1

#	REVISIONS	DATE

KATHLEEN RESERVE RRD
TRACT TABLE

TABLE 1 - LEGALLY RESTRICTED LAND
TRACTS: CONSERVATION, EXISTING AGRICULTURAL OPEN SPACE, AND HYDROLOGIC FUNCTION:

TRACT	USE (1)	USE (2)	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
A	CONSERVATION EASEMENT	WETLANDS	HOA	1.07	0.70%	1.07
B	CONSERVATION EASEMENT	WETLANDS	HOA	1.60	1.05%	1.60
C	CONSERVATION EASEMENT	WETLANDS	HOA	1.42	0.92%	1.42
D	CONSERVATION EASEMENT	WETLANDS	HOA	69.07	45.08%	69.07
E	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.17	0.11%	0.17
G	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.61	0.40%	0.61
H	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.26	0.17%	0.26
N	RRD RESERVED AGRICULTURAL OPEN SPACE [HYDROLOGIC]	AGRICULTURAL OPEN SPACE WITH FLOODPLAIN STORAGE, WATER QUALITY ENHANCEMENT & STORM ATTENUATION FUNCTION	HOA	13.83	9.03%	13.83
O	RRD RESERVED AGRICULTURAL OPEN SPACE [HYDROLOGIC]	AGRICULTURAL OPEN SPACE WITH FLOODPLAIN STORAGE, WATER QUALITY & NUTRIENT REDUCTION FUNCTION	HOA	3.97	2.59%	3.97
J	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.48	0.31%	0.48
R	RRD RESERVED AGRICULTURAL OPEN SPACE [HYDROLOGIC]	AGRICULTURAL OPEN SPACE WITH FLOODPLAIN STORAGE & HYDROLOGIC FUNCTION	HOA	0.80	0.52%	0.80
				93.28	**60.88%**	**93.28**

TABLE 2 - USABLE RESIDENTIAL SPACE
TRACTS: PROGRAMMED OPEN SPACE, PASSIVE RECREATION AND AMENITIES:

TRACT	USE (1)	USE (2)	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
I	OPEN SPACE	AMENITY	HOA	0.44	0.29%	0.00 AC
K	OPEN SPACE	AMENITY	HOA	0.59	0.38%	0.00 AC
L	OPEN SPACE	AMENITY	HOA	0.45	0.30%	0.00 AC
M	OPEN SPACE	STORM WATER MANAGEMENT	HOA	4.91	3.20%	0.00 AC
Q	OPEN SPACE	AMENITY	HOA	0.57	0.37%	0.00 AC
V	OPEN SPACE	AMENITY	HOA	0.57	0.37%	0.00 AC
				7.53	**4.91%**	**0.00 AC**

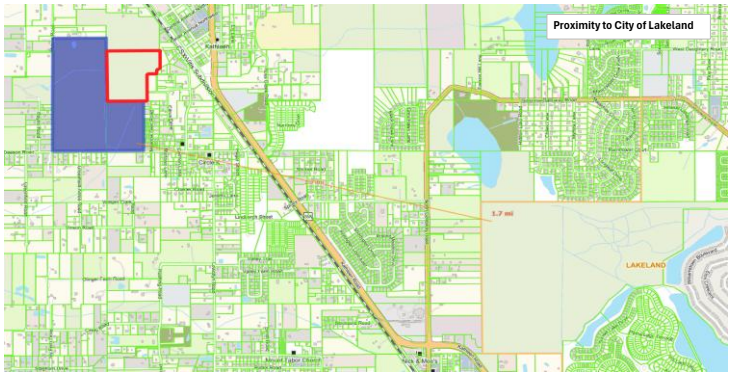
TABLE 3 - NON QUALIFYING TRACTS
TRACTS: RIGHT OF WAY, STREETS, LIFT STATION AND NON-QUALIFYING OPEN SPACE:

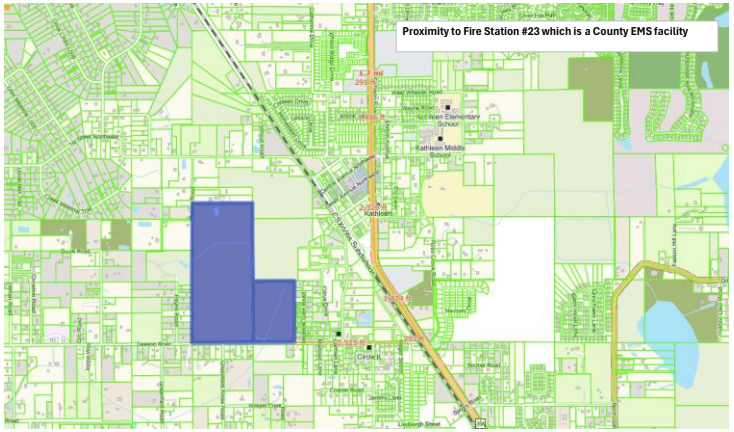
TRACT	USE (1)	USE (2)	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
(N/A)	RIGHT-OF-WAY DEDICATION	DEESON ROAD FRONTAGE	POLK COUNTY	2.06	1.35%	0.00 AC
(N/A)	INTERNAL RIGHT-OF-WAY	RURAL RESIDENTIAL STREETS	POLK COUNTY	10.56	6.89%	0.00 AC
F	20' PERIMETER LANDSCAPE BUFFER	OPEN SPACE	HOA	0.37	0.24%	0.00 AC
P	LIFT STATION	LIFT STATION	POLK COUNTY	0.04	0.02%	0.00 AC
S	10' ROW LANDSCAPE BUFFER	OPEN SPACE	HOA	0.09	0.06%	0.00 AC
T	10' ROW LANDSCAPE BUFFER	OPEN SPACE	HOA	0.09	0.06%	0.00 AC
U	20' PERIMETER LANDSCAPE BUFFER	OPEN SPACE	HOA	0.96	0.63%	0.00 AC
				14.17	**9.25%**	**0.00 AC**

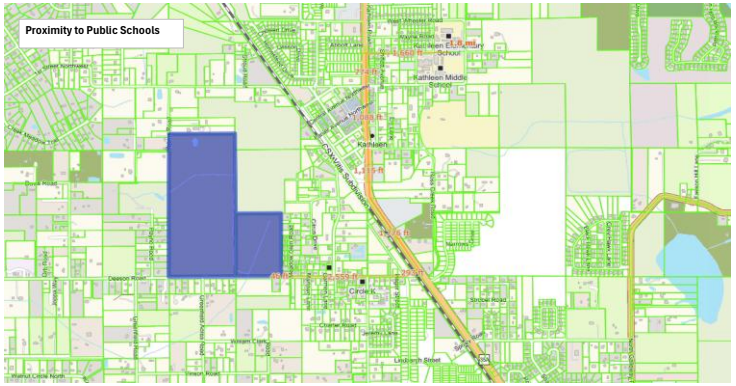
	ACREAGE	% OVERALL
TOTAL OPEN SPACE [RRD SCORE QUALIFYING & NON-QUALIFYING]	**114.98**	**75.04%**

KATHLEEN RESERVE – RRD SCORE SHEET

	CRITERIA / DESCRIPTION	POINTS AWARDED	QUALIFICATION / BASIS
	Density Category	Points Awarded	Qualification
a.)	Table 3.5: The site is within 0.01 to 2.00 miles of a designated land use classification (Rural Cluster Center, Business Park Center, Linear Commercial Corridor, or a Municipality)	20	The subject property is approximately 1.7-miles away from the City of Lakeland as measured from the nearest point of the subject property to the municipal boundary. The project is awared 20 points based on municipal proximity.
b.)	20 density bonus points are awarded to the development if the site is located within five (5) miles of a County operated fire station, or city operated fire station under contract to the County, having an Insurance Safety Organization (ISO) rating of six (6) or better as measured along the shortest driving distance to nearest point on the subject property and the facility or 10 density bonus points are awarded to the development if the [site] is located within five (5) miles of a County operated fire station, or city operated fire station under contract to the County, having an ISO rating of eight (8) or better.	20	The subject property is approximately 1.7-miles away from the Polk County Fire Station #23 which has an Insurance Safety Organization (ISO) rating of six (6) or better as measured along the shortest driving distance to nearest point on the subject property and the facility. The project is awared 20 points based on fire station proximity.
c.)	20 density bonus points are awarded to the development if the site is located within fine (5) miles of a County EMS facility as measured along the shortest driving distance to nearest point on the subject property and the facility or 10 density bonus points are awarded to the development if the site is located within eight (8) miles of a County EMS facility.	20	The subject property is well within the five (5) mile distance requirement of a County EMS facility. The subject property is approximately 1.7 from Fire Station #23 which is a County EMS facility. The project is awarded 20 points based on County EMS proximity.
d.)	20 density bonus points are awarded to the development if the site is adjacent to an arterial roadway or 10 density bonus points are awarded to the development if the site is adjacent to a collector roadway or five (5) density bonus points are awarded to the development if the site is adjacent to a local roadway.	10	The subject property is adjacent to Deeson Road which is classified as a Collector / Rural Minor Collector per Polk County Functional Classification. The project is awarded 10 points based off of adjacency to a collector roadway.
e.)	20 density bonus points are awarded to the development if all of it is connected to an existing public or franchised wastewater treatment system with planned capacity to serve the development.	20	The subject property shall connect to an existing public wastewater system with available capacity. The service lines already lead up and pass the site. The project is awarded 20 points based on its expected wastewater connection that is available at the site.
f.)	10 density bonus points are awarded to the development if the site is located within two (2) miles of a public school and requires no bussing as verified by the school board.	10	The subject property is located within 2 miles of public schools and does not require bussing (subject to school board confirmation). The project is awarded 10 points based on public school proximity.
g.)	Table 3.6: The following additional bonus points shall be awarded for reserving land in excess of the required 50 percent reservation	20	The legally restricted land (open space reservation) of the project totals 60.85% which is in excess of the required 50% requirement of the RRD. Per Table 3.6, this amounts to 20 points.
h.)	Table 3.7 Additional Density Bonus Points (no more than 20 points may be granted from Table 3.7)		
1	Placement of electric, telephone and cable TV utilities underground (4)	4	The project shall have all utilities underground. The project utilities include electric, telephone and cable tv.
2	Preservation of existing bona-fide agricultural uses and improvements (2)	2	The subject property is currently utilized as a bona-fide agricultural operation (sod farm) and a substantial portion of the site is preserved as agricultural/open space within the RRD land reservation areas. Agricultural classification (greenbelt exemption) will be maintained where applicable.
3	Shared or common access driveways (4)	0	N/A
4	Preservation of view sheds/scenic views through clustering or other design techniques (3)	3	The project utilizes a clustered development pattern to preserve large contiguous areas of open space, including agricultural and floodplain lands. The project will feature scenic views of open space and water shed across the property. Residential lots are concentrated in defined areas, allowing uninterrupted views across preserved open space tracts.
5	Restrictions on lot clearing (for undeveloped land) to either 50% of the lot, or 25,000 SQ FT, whichever is less (3)	0	N/A
6	Preservation/re-use of existing agricultural structures and improvements (4)	0	N/A. There are no existing agricultural structures as the subject property has/is operated as a sod farm.
7	Provision of neighborhood parks, tot lots, recreation facilities, etc. in common areas (4)	4	The project provides neighborhood parks, passive open space areas, a children's playground, and a trail system within common areas accessible to all residents. These amenities are integrated within the project's open space network and designed to serve a range of recreational needs.
8	Connected open space through either broad banding of reserved open space between parcels, open space corridors, or a combination (4)	4	The project provides a connected open space system through large contiguous preserved areas and linked floodplain and habitat corridors, creating continuous open space across the site. These areas function as an integrated network of conservation, agricultural, and hydrologic open space.







9	Project-wide Master Landscape Plan including specific tree preservation, shading techniques, etc. (2)	2	The project includes a coordinated, project-wide master landscape plan incorporating street trees, entry features, tree preservation, and shading techniques throughout the development.

2) Residential Rural Development Density Application Notes:

3) Density points shall only be awarded for only one item (the highest) in each Density Schedule Category (A-B). An RRD must achieve a minimum of 50 points.

4) Bonus points in Categories C-D shall only be awarded if the property first qualifies for density points under any of the items in Categories A-B.
In no case shall the density earned be greater than one dwelling unit to one acre.

QUALIFIES FOR DENSITY CATEGORY A-B CRITERIA

EXCEEDS MINIMUM 50-POINT THRESHOLD REQUIRED FOR RRD

DENSITY SHALL NOT EXCEED 1 UNIT/ACRE

Total Score =	**139**
Proposed Units (SF Lots) =	150
Parcel Area =	153.25 Ac
Proposed Density =	0.975 DU / Ac
Max Density Permitted (Per Table 3.8 RRD Density Conversion Table) based on total score of RRD points scored =	1.000 DU / Ac (CAPPED)

KATHLEEN RESERVE

RURAL RESIDENTIAL DEVELOPMENT (RRD)

MASTER REZONING & ADOPTION PACKAGE

Master Narrative + Findings + Conditions + Denial Rebuttal Matrix

Prepared For: Swan Capital Partners, LLC (Applicant)
Prepared By: Plan Florida LLC (Agent/Consultant)
Request: Rezoning to Rural Residential Development (RRD) with Binding Development Plan (BDP)
Location: Deeson Road corridor, west of Kathleen Road, unincorporated Polk County, Florida
Future Land Use: Residential Suburban (RS) within the Suburban Development Area (SDA)
Historic Entitlement Context: Prior SPD efforts; current request is a material downshift to address opposition and policy friction while remaining vertically consistent with the Comprehensive Plan.

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I. INTRODUCTION AND PURPOSE

This Master Rezoning & Adoption Package supports the request to rezone the KATHLEEN RESERVE property to the Rural Residential Development (RRD) zoning district, implemented through a Binding Development Plan (BDP), consistent with:

1. Residential Suburban (RS) Future Land Use (FLU);
2. Suburban Development Area (SDA) designation; and
3. The County's adopted implementation structure that recognizes clustering and low-impact design as appropriate mechanisms for SDA residential development.

The Applicant's objective is to secure a predictable, capped, and compatibility-focused development entitlement that is more responsive to prior opposition and County policy concerns than earlier proposals, while still lawfully implementing RS FLU in the SDA.

This document:

4. Demonstrates consistency with the Polk County Comprehensive Plan;
5. Integrates specific Future Land Use Element policy citations;
6. Aligns RS and RRD implementation mechanisms;
7. Addresses Suburban Development Area development criteria;
8. Establishes infrastructure timing and adequacy;
9. Provides ordinance-ready findings of fact; and
10. Strengthens the administrative record.

II. SUBJECT PROPERTY AND REQUEST

A. Subject Parcels / Location

The historic Deeson SPD staff report identifies the subject parcels (and the core development area) as:

- Parcel 232720-000000-032050 (+/- 90.57 acres)
- Parcel 232720-000000-024310 (+/- 27.11 acres)

Future Land Use: Residential Suburban (RS) | Development Area: Suburban Development Area (SDA).

Note: The overall project area is treated as a larger consolidated holding of 153.23 acres, with an updated yield and internal lot configuration. The purpose of this package is to provide the policy and quasi-judicial framework; the BDP governs the cap and configuration.

B. Requested Zoning Action

The Applicant requests approval of RRD rezoning with a Binding Development Plan, limiting development to an updated conceptual yield (as described herein) and incorporating compatibility buffering and open space preservation as the primary tools to bridge past objections.

C. Development Program Summary

Total Units	152 dwelling units
Overall Density	Approximately 0.9 dwelling units per acre
Total Acreage	153.23 acres (consolidated holding)
Lot Pattern Refinement	Internal lots adjusted from 83-foot width to 75-foot width; maintains reduced overall density vs. prior SPD; increases design flexibility for buffering and open space placement

III. FUTURE LAND USE STRUCTURE AND "VERTICAL CONSISTENCY"

A core issue in prior entitlement rounds is that analysis can become fragmented—RS density discussions, SDA "timing" discussions, utilities extension discussions, and neighborhood compatibility concerns can be treated as separate silos. The Comprehensive Plan is intended to be applied as a hierarchy.

A. Vertical Consistency Framework

For this site, the proper vertical alignment is:

SDA (broad scale) → RS (specific FLU) → RRD (zoning implementation tool) → BDP (binding cap + layout constraints)

This structure is consistent with the County's own recognition that:

- The site is within RS FLU and SDA;
- Utilities exist (water and sewer) and connection is required for the type/intensity being contemplated;
- Clustering / open space techniques are the appropriate mechanism where environmental constraints exist; and
- The County has already analyzed this corridor as one where modern subdivision design must be integrated carefully with older established patterns.

This hierarchy is critical: The SDA establishes the service and timing framework. The RS designation establishes allowable residential intensity. The RRD zoning district implements RS pursuant to Section 2.121-B of the LDC. The rezoning therefore aligns vertically: SDA → RS → RRD → Binding Development Plan.

B. Why RRD Is Not a "Workaround"

RRD is not being proposed to evade policy; it is being proposed to re-center the entitlement on the County's most common compatibility tools:

- A binding cap (fixed maximum units via BDP);
- Buffering;
- Graduated lot sizing; and
- Permanent open space preservation,

instead of relying on the SPD tool's broader intensity assumptions. RRD is therefore not a deviation — it is a contemplated implementation tool.

IV. ENTITLEMENT HISTORY AND LESSONS LEARNED

The County record reflects that this project has been under active entitlement effort for years and has encountered repeated friction.

A. Comprehensive Plan Change (RS/SDA)

The County staff report documents that, through LDCPAL-2021-17, a portion of the property was changed from Agricultural/Residential Rural (A/RR) and Rural Development Area (RDA) to RS and SDA by the BoCC on April 5, 2022.

B. Prior SPD Denial with Prejudice (2022 Round)

The County record further states that on July 19, 2022, the BoCC held a De Novo Hearing for LDSPD-2022-1 and voted 4-1 to deny with prejudice a request for 242 single-family lots with reduced lot sizes / setbacks and increased density.

C. 2023 SPD Round (Staff-Supported)

By 2023, the Applicant pursued a materially revised SPD concept for 147 lots, and County staff documented the environmental constraints and the logic of clustering on uplands while preserving wetlands/floodway areas. Staff also documented that the plan used 60-foot lots along the west and south edges, 25-foot landscape buffers, and over 20 acres of pasture open space to separate the development from nearby established residences.

The project has also undergone CLASAC nomination and denial, suburban planned development proposals, residential infill interpretations, administrative determinations, and public hearings.

D. Why the Present RRD Request Exists (Bridging Strategy)

The Applicant's RRD request is presented as a good-faith bridge to:

11. Reduce policy stress by lowering intensity from earlier proposals;
12. Improve predictability through BDP limits and recorded constraints;
13. Increase compatibility through edge buffering and lot graduation; and
14. Address the corridor's environmental and drainage realities with open space and low-impact design emphasis (without using density as the sole "solution").

This is not an attempt to relitigate prior SPD denials. It is a deliberate restructuring of the entitlement request so that the County and the community can evaluate a capped, compatibility-forward rezoning, rather than another flexible intensification request. The current RRD request:

- Reduces density from all prior proposals;
- Eliminates suburban intensification tools;
- Enhances buffering;
- Permanently preserves open space; and
- Fixes the development envelope via BDP.

This reflects responsiveness to community concerns while remaining policy compliant.

V. SDA FRAMEWORK: UTILITIES, "SEWER NOT PLANNED," AND WHY THIS REQUEST IS NOT A GROWTH-MANAGEMENT CONSTRAINT

A recurring risk in SDA rezonings is that staff may cite an SDA framework statement—often summarized as "sewer not planned"—as a growth-management constraint. This package addresses that risk directly.

A. The Record Establishes That Water and Sewer Are Present at the Corridor

County staff documented that water and sewer are available to the site. In the 2022 SPD staff report, County staff likewise documented that Polk County Utilities has a 12-inch transmission main for potable water and a 12-inch force main for wastewater service along Deeson Road.

Implication: whatever the generalized SDA narrative may say about sewer "not planned" in some SDA areas, the factual service condition along this corridor is different—and the County's own staff reports already acknowledge that difference.

B. The "Sewer Not Planned" SDA Concept Is Not a Blanket Prohibition

Policy 2.106-A1 describes SDA areas as predominantly residential, with potable water but historically lacking centralized sewer. The Kathleen Reserve area historically fit this description. However, the factual condition has materially changed:

- Centralized sewer has now been extended throughout the corridor.
- Public dollars have funded infrastructure expansion.
- Surrounding properties are connected or capable of connection.

This creates an inverted condition relative to Policy 2.106-A1's historical description. The Comprehensive Plan contemplates areas transitioning from water-only to sewer-served suburban environments. Once sewer infrastructure exists, the policy logic shifts toward supporting efficient utilization.

The 2023 staff report identifies a key policy mechanism: wastewater extension into the SDA is limited unless the BoCC deems it necessary based on enumerated factors, including environmental features or public health. This rezoning does not request a speculative, leapfrog sewer extension pattern. It relies on the already-documented presence of water and wastewater lines along Deeson Road (and, per staff, the corridor context of utilities expansion in northwest Polk).

C. Developer-Funded Service Connection and Limited Extension Footprint

The correct growth-management framing for this request is:

15. Connection to existing systems is required and expected where utilities exist;
16. Any last-mile extensions, internal collection, or service lateral improvements are developer-funded (normal utility extension practice) and are not being requested as a County capital expansion obligation;
17. The project's design does not require the County to build a broader westward sewer trunk "because of this project"; it is positioned as a service connection within an already served corridor, consistent with the staff-documented existence of force main infrastructure along Deeson Road.

Maintaining extremely low densities in a publicly sewer-served corridor:

- Promotes inefficient public service distribution;

- Raises per-unit cost burden on enterprise funds;
- Creates infrastructure underutilization; and
- Encourages leapfrog development elsewhere.

D. Why This Is the Opposite of Sprawl

County staff has recognized the planning logic that centralized wastewater + constrained soils + environmental constraints favor clustering and open space preservation in this corridor. Holding density to extremely low levels in a corridor that is already utility-served risks the very inefficiency and leapfrog patterns that growth management seeks to avoid (i.e., bypassing serviced areas). County staff expressly cites compact/contiguous growth principles as an infrastructure-efficiency goal in their analysis of the corridor.

The proposed RRD density accordingly:

- Supports efficient utilization of publicly funded infrastructure;
- Aligns with public health and safety objectives;
- Reduces per-unit infrastructure cost allocation; and
- Improves enterprise fund performance.

Therefore, the appropriate staff conclusion is not that "sewer not planned" blocks the request. The appropriate conclusion is that this request is structured to:

- Connect to existing utility infrastructure;
- Respect SDA timing/prematurity factors; and
- Implement RS through an approach that increases buffering and preserves substantial open space.

The rezoning therefore advances, rather than contradicts, Policy 2.106-A1.

VI. COMPREHENSIVE PLAN CONSISTENCY ANALYSIS (POLICY-KEYED)

This section is written to be findings-ready and to allow staff to lift language into a staff report.

A. RS + SDA: Existing Suburban Residential Pattern — Policy 2.106-A1

County staff describes the Kathleen community as a place where growth conflicts occur because older residential patterns predate modern standards, and newer utility expansions have encouraged development proposals with increased density. RRD rezoning is intended to reduce that conflict by lowering intensity and hard-binding the plan to a compatibility-forward layout. This policy is not a prohibition on rezoning—it establishes the contextual condition the County expects development to address. The RRD approach directly addresses it.

B. Policy 2.106-A5(h) — Development Criteria / Higher Densities in SDA

Policy 2.106-A5(h) states: "In order to achieve higher densities and intensities allowed by each land use, development in the SDA shall be required to connect to centralized water systems and incorporate clustering and other low impact design criteria as established under the Residential Suburban (RS), Conservation Development, RRD, or RMD sections."

This policy is pivotal. It expressly identifies RRD as an implementation mechanism for higher density within the SDA, conditioned upon:

18. Centralized water connection; and
19. Low-impact design / clustering.

The Kathleen Reserve RRD:

- Connects to centralized water and sewer;
- Preserves wetlands and open space;
- Utilizes clustering principles;
- Implements graduated lot sizing; and
- Preserves environmental corridors.

Thus, the rezoning directly complies with Policy 2.106-A5(h). Importantly, this policy does not discourage increased density — it conditions it on infrastructure and design. Those conditions are satisfied.

C. Environmental Constraints Favor Open Space + Clustering

County staff identified substantial wetlands/flood hazard constraints and described this as a closed basin with flooding realities; they expressly note that clustering development on uplands is encouraged to avoid sensitive areas and maximize stormwater management. RRD's binding plan and required open space tools are aligned with that logic.

D. Policy 2.106-A7 — Timing of Development / Prematurity Factors

Policy 2.106-A7 identifies factors indicating premature development:

20. Lack of functional relationship;
21. Displacement of viable agriculture;

22. Lack of urban services; and
23. Deficient road network.

County staff's SPD analysis articulates prematurity factors related to road adequacy, urban services (police/fire/EMS), and displacement of viable agriculture. Staff further documented that:

- Water and sewer are available;
- Schools have capacity;
- Fire/EMS and law enforcement are in close proximity; and
- Deeson Road is an urban collector with available capacity.

The Kathleen Reserve RRD does not meet any premature criteria:

Functional Relationship:

The site is contiguous to established residential development and located along an existing collector corridor.

Agricultural Displacement:

The property is not part of an ongoing, economically viable agricultural enterprise.

Urban Services:

Urban services now exist: centralized water and sewer; police, fire, and EMS service coverage; and proximity to arterial road network.

Road Adequacy:

Deeson Road functions as an established collector corridor. Traffic impacts are lower than previously proposed SPD intensities. RRD is less intense than the prior SPD concepts, and therefore prematurity risk is reduced, not increased, relative to earlier proposals.

Accordingly, the project is not premature under Policy 2.106-A7.

E. RS Future Land Use Implementation — Sections 2.120-A and 2.121-B

Section 2.120-A (Residential Suburban) permits suburban and rural residential development patterns. Section 2.121-B (RRD) provides a zoning mechanism implementing RS while:

- Allowing clustering;
- Preserving open space;
- Establishing graduated lot patterns; and
- Fixing maximum unit count via BDP.

RRD is therefore not a deviation — it is a contemplated implementation tool.

F. Infrastructure Economic Logic & Enterprise Fund Support

Public dollars extended sewer and water into the SDA corridor. If surrounding properties remain vacant, large-lot isolated, or low-density, then per-unit service cost remains high, enterprise fund recovery is delayed, and infrastructure underperforms financially. Moderate density increases within RS parameters:

- Distribute infrastructure cost across more users;

- Improve enterprise fund sustainability;
- Enhance tax base;
- Support police, fire, EMS coverage; and
- Improve fiscal efficiency.

Thus, the rezoning supports fiscal responsibility consistent with public investment.

VII. RRD IMPLEMENTATION + BINDING DEVELOPMENT PLAN COMPLIANCE

A. Why the BDP Is the Correct Legal Tool Here

The County's own SPD conditions describe the concept of a "binding site plan" and require major modifications to return for public process. RRD uses the same governance logic — bind the plan, cap the units, and make changes public and reviewable.

B. Binding Controls Offered by the Applicant

The Applicant's BDP structure is intended to bind, at minimum:

24. Maximum units (cap);
25. Open space / conservation tracts;
26. Edge buffering locations (especially west and south adjacency areas);
27. Access points / circulation concept; and
28. Utility commitment (connect to water/wastewater where available and developer-fund internal distribution).

C. Open Space / Buffering Commitments Track County Compatibility Tools

County staff explicitly listed buffering, limiting intensity, and transition techniques as the compatibility tools the Comprehensive Plan expects. The Applicant's design approach mirrors what staff previously recognized as effective mitigation:

- 60-foot-wide lots along western/southern edges for transition;
- 25-foot landscape buffers along Deeson and the west edge; and
- Substantial open space/pasture separation.

The updated RRD plan direction (wider edge lots, stronger buffers, more preserved area) is consistent with these same mitigation strategies — just placed within a rezoning framework that is less controversial than SPD because it is unit-capped and binding.

VIII. NEIGHBOR COMPATIBILITY AND TRANSITION STRATEGY

A. Established West-Side Neighborhood Pattern and the "Modern Standard" Problem

County staff recognized the corridor challenge: modern subdivision designs must adhere to standards not in place when surrounding development was approved, causing perceived incompatibility conflicts. RRD is presented specifically to bridge that mismatch by placing compatibility and transition ahead of maximum yield.

B. Edge Treatment and "Graduated Lot" Logic

County staff previously documented how the applicant proposed larger lots along the west edge to soften impacts and create a ratio-based transition to older lots. The updated RRD concept continues that transition logic and further tightens predictability by binding the edge condition in the BDP and (where needed) expanding preserved open space and buffering. Compatibility under the Comprehensive Plan requires reasonable transition, not identical lot sizes. The RRD provides that transition.

C. Lighting, Landscaping, and Streetscape Commitments

Staff previously identified shielded lighting, frontage sidewalk connection, crosswalk lighting, and tree requirements as standard compatibility commitments for the corridor. These items are appropriate to carry forward as BDP notes and conditions of approval (see Section XI).

D. Compatibility Findings Summary

The project achieves compatibility through:

- Enlarged western lots;
- Enhanced landscape buffer;
- Interior clustering;
- Fixed BDP envelope; and
- Wetland preservation tracts.

IX. PUBLIC FACILITIES / TRANSPORTATION / SCHOOLS / PUBLIC SAFETY

This section supports "competent substantial evidence" that the request is not premature and is supported by public service proximity.

A. Schools

Staff's 2023 report indicates school capacity exists and identifies expected student generation, capacity percentages, and distances. The project is not premature based on school capacity.

B. Fire / EMS / Sheriff

Staff documented proximity to Fire/EMS station service areas and response logic, including distance to Station 23 and sheriff district response information. Police, fire, and EMS service coverage exists and is available to the site.

C. Road Network

Staff documented Deeson Road as an Urban Collector with available capacity and that the project would access Deeson Road. Given that the RRD concept is less intense than the earlier SPD, transportation impact risk is reduced relative to prior proposals.

D. Utilities

County staff has documented that Polk County Utilities has a 12-inch transmission main for potable water and a 12-inch force main for wastewater service along Deeson Road. The property lies within the County's utility service area. All connections are developer-funded, and no broader trunk extension is required of the County.

X. REQUESTED ACTION, ADOPTION MOTION, AND ORDINANCE-READY FINDINGS

A. Requested Action

Approve rezoning of the Kathleen Reserve property to RRD, and approve the associated Binding Development Plan and conditions of approval.

B. Ordinance-Ready Findings of Fact (County Attorney Style)

1. Jurisdiction / Authority.

Polk County has authority to approve rezonings within the unincorporated area pursuant to its home rule powers and adopted Land Development Code.

2. Future Land Use Consistency.

The subject property's Future Land Use is Residential Suburban (RS) within the Suburban Development Area (SDA). The rezoning to RRD implements RS pursuant to Sections 2.120-A and 2.121-B.

3. Entitlement History / Reason for RRD.

The property has been subject to prior entitlement efforts, including a prior SPD denial with prejudice in 2022 for 242 lots. The present RRD request is a material reduction and restructuring intended to address prior opposition through binding caps, buffering, and open space commitments.

4. Utility Service Condition.

County staff has documented that water and sewer are available to the subject site. Staff has also documented utility infrastructure (12-inch water transmission main and 12-inch wastewater force main) along Deeson Road. The rezoning is consistent with Policy 2.106-A5(h).

5. SDA Timing / Not Premature.

The record supports that public services and infrastructure are available, including school capacity, public safety proximity, and roadway capacity. The project does not meet any of the four prematurity indicators under Policy 2.106-A7.

6. Environmental Constraints and Appropriate Design Response.

The record reflects wetlands/flood hazards and basin flooding constraints, and staff has recognized clustering on uplands and preservation of sensitive areas as appropriate planning responses. The RRD structure and BDP are aligned with that approach.

7. Compatibility / Mitigation.

The Applicant's approach is grounded in compatibility strategies previously recognized in the record, including larger edge lots, landscape buffers, and preserved open space separation. Compatibility requires reasonable transition, not identical lot sizes.

8. Binding Development Plan.

The BDP provides enforceable predictability by capping units and binding key design commitments, ensuring compatibility and limiting future intensification beyond what is approved. The rezoning is supported by competent substantial evidence.

C. Adoption Motion (Script)

> *"Move to approve the rezoning to Rural Residential Development (RRD) for Kathleen Reserve, adopt the Findings of Fact as set forth in the Master Adoption Package, and approve the Binding Development Plan and Conditions of Approval."*

XI. CONDITIONS OF APPROVAL (KEYED TO HISTORIC OBJECTIONS)

These are drafted to be staff-friendly, enforceable, and directly responsive to the recurring themes in the corridor record (density concern, compatibility, utilities, drainage/environment, and predictability).

Condition 1 — BDP Governs / Unit Cap.

Development shall be limited to the maximum unit count shown on the approved Binding Development Plan ("BDP"). No plat, site plan, or development order shall authorize units in excess of that cap.

Condition 2 — BDP Is Binding.

The approved BDP and these conditions shall be binding on the Applicant and successors. Any change that increases unit count, reduces required buffers/open space, relocates primary access, or materially changes the development envelope shall be processed as a major modification requiring public hearing. (Mirrors the County's "binding plan" logic used in prior PD/SPD approvals.)

Condition 3 — Edge Compatibility: West Buffer.

A continuous landscape buffer (minimum width per BDP) shall be installed and maintained along the western boundary adjacent to existing residences. No principal structure shall be located within the buffer.

Condition 4 — Edge Compatibility: Graduated Lots.

Lots adjacent to existing west-side residences shall reflect the graduated lot sizing shown on the BDP (larger edge lots / reduced intensity edge condition), consistent with the compatibility transition concept previously documented in the corridor record.

Condition 5 — Open Space / Conservation Tracts.

All wetlands, floodway areas, and designated conservation/open space tracts shown on the BDP shall be preserved in perpetuity through recordable instruments acceptable to the County (easement or tract language) and shall not be converted to lots.

Condition 6 — Stormwater / Drainage Compliance.

Stormwater facilities shall be designed to meet all applicable County and water management district requirements; post-development discharge shall not exceed pre-development discharge consistent with applicable standards described in the corridor record.

Condition 7 — Wetland Buffers.

Development shall maintain required wetland buffers, and no lots shall be placed within wetlands; any permitted impacts shall be limited to lawful circumstances (access/utility) and mitigated as required by agencies with jurisdiction, consistent with corridor record discussions.

Condition 8 — Utilities: Connection Required Where Available.

The project shall connect to centralized potable water and centralized wastewater where service is available, consistent with staff's documented utility availability to the site.

Condition 9 — Utilities: Developer-Funded Extensions / No Leapfrog Obligation.

Any internal distribution, lateral extensions, and on-site utility infrastructure required to serve the project shall be developer-funded. This approval does not obligate Polk County to extend trunk utilities beyond planned/installed segments; the project is designed to connect to existing corridor infrastructure already documented along Deeson Road.

Condition 10 — Lighting / Streetscape.

Shielded lighting, frontage sidewalk connectivity, and minimum tree planting requirements shall be provided consistent with the corridor compatibility commitments described in the record.

XII. QUASI-JUDICIAL TESTIMONY SCRIPT

Commissioners:

This request implements the Residential Suburban Future Land Use designation through the RRD zoning district.

Utilities have already been extended using public dollars. The question is not whether infrastructure exists — it does. The question is whether it will be efficiently utilized.

RRD provides moderate density, clustering, buffering, and permanent open space.

The project is consistent with Policies 2.106-A1, A5(h), and A7.

It is not premature.
It is not inconsistent.
It is not an intensification beyond RS.

It is a responsible implementation of the Comprehensive Plan.

We respectfully request approval.

XIII. ADOPTION MOTION

> *Motion to approve the rezoning to Rural Residential Development (RRD), adopt the Findings of Fact contained herein, and approve the Binding Development Plan and Conditions of Approval.*

XIV. SIGNATURE

Respectfully submitted,

PLAN FLORIDA LLC

By: _____

Jesse Anderson, PhD

Plan Florida LLC

Agent / Consultant for Swan Capital Partners, LLC

APPENDIX I

DENIAL REBUTTAL MATRIX

Kathleen Reserve — Rural Residential Development Rezoning

PURPOSE OF THIS MATRIX

This Denial Rebuttal Matrix is included to:

29. Anticipate potential bases for denial;
30. Tie each anticipated objection to specific Comprehensive Plan policies and Land Development Code sections;
31. Demonstrate competent substantial evidence supporting approval;
32. Provide structured findings for quasi-judicial review; and
33. Strengthen the administrative record.

This matrix is not argumentative in nature. It is structured to ensure that any decision rendered by the Board is grounded in adopted policy language and supported by the record.

SECTION A — DENSITY / "TOO INTENSE FOR THE AREA"

Anticipated Denial Statement:

"The proposed density is incompatible with surrounding development."

Applicable Policies:

- Future Land Use Element — Policy 2.106-A1 (SDA Description)
- Policy 2.106-A5(h) (Higher Densities in SDA)
- Residential Suburban (RS) Implementation — Section 2.120-A
- RRD Zoning District — Section 2.121-B

Record Evidence:

34. The property is designated Residential Suburban (RS).
35. RRD is an expressly authorized implementation mechanism.
36. Policy 2.106-A5(h) contemplates higher densities within the SDA when centralized water is provided.
37. Centralized water and sewer now serve the corridor.
38. Density is materially reduced from prior SPD proposals.
39. The Binding Development Plan fixes maximum unit count.

Rebuttal Conclusion:

Density is within the RS allowance and is implemented through an expressly permitted zoning mechanism (RRD). The Comprehensive Plan anticipates increased density in the SDA when infrastructure exists. The project complies with Policy 2.106-A5(h). A denial based solely on density would conflict with the adopted Future Land Use designation.

SECTION B — PREMATURE DEVELOPMENT (POLICY 2.106-A7)

Anticipated Denial Statement:

"The project is premature under the Suburban Development Area timing criteria."

Applicable Policy:

- Policy 2.106-A7 (Timing of Development — Prematurity Criteria)

Policy Criteria Analysis:

a. Functional and proximate relationship?

Yes. The property is contiguous to existing residential development along Deeson Road.

b. Displacement of viable agriculture?

No. The property is not an ongoing economically viable agricultural operation.

c. Lack of urban services?

No. Water, sewer, police, fire, and EMS services exist and serve the corridor.

d. Deficient road network?

No. Deeson Road functions as a collector corridor. Traffic impacts are lower than previously proposed SPD concepts.

Rebuttal Conclusion:

The project does not meet any of the four prematurity indicators under Policy 2.106-A7. Denial on premature grounds would not be supported by the policy's enumerated criteria.

SECTION C — SEWER NOT PLANNED IN SDA

Anticipated Denial Statement:

"Sewer is not planned in the Suburban Development Area."

Applicable Policies:

- Policy 2.106-A1 (SDA Description)
- Policy 2.106-A5(h) (Connection Requirement for Higher Density)

Record Evidence:

40. Sewer infrastructure has already been extended along Deeson Road.
41. The property lies within the County's utility service area.
42. Surrounding properties are served or capable of service.
43. All connections are developer-funded.
44. No outward expansion corridor is required.

Rebuttal Conclusion:

The policy language describing historical absence of sewer does not prohibit utilization where sewer exists. Policy 2.106-A5(h) explicitly anticipates connection to centralized systems to support higher density. Denial on this basis would contradict the Plan's conditional density framework.

SECTION D — COMPATIBILITY WITH WESTERN NEIGHBORS

Anticipated Denial Statement:

"The development is incompatible with adjacent established residences."

Applicable Policies:

- RS Compatibility Criteria — Section 2.120-A
- RRD Development Standards — Section 2.121-B
- Comprehensive Plan Compatibility Policies

Record Evidence:

45. Enlarged lots are placed along western boundary.
46. Enhanced landscaped buffering exceeds minimum standards.
47. Graduated lot sizing provides transition.
48. Wetland and open space tracts create physical separation.
49. Density reduced relative to prior proposals.

Rebuttal Conclusion:

Compatibility requires reasonable transition, not identical lot sizes. The Binding Development Plan provides enforceable transition measures. The record supports compatibility.

SECTION E — URBAN SPRAWL CONCERNS

Anticipated Denial Statement:

"The rezoning promotes sprawl."

Applicable Policies:

- SDA Framework — Policy 2.106
- Infrastructure Efficiency Principles within FLUE

Record Evidence:

50. Infrastructure is already extended using public funds.
51. Development occurs along an established corridor.
52. The project increases efficiency of existing infrastructure.
53. Low density would perpetuate underutilized public investment.
54. No leapfrog development is created.

Rebuttal Conclusion:

Moderate density within an already serviced corridor reduces per-unit infrastructure cost and improves fiscal efficiency. Denial based on "sprawl" would be inconsistent with the factual infrastructure condition.

SECTION F — PUBLIC OPPOSITION

Anticipated Denial Statement:

"The project is opposed by nearby residents."

Legal Standard:

Generalized public opposition does not constitute competent substantial evidence absent factual support contradicting adopted policy.

Record Evidence:

55. The project complies with the Future Land Use designation.

56. The project implements permitted zoning (RRD).
57. The Binding Development Plan addresses prior concerns.
58. Infrastructure exists and is adequate.

Rebuttal Conclusion:

While public comment is valued, denial must be grounded in adopted policy and supported by competent substantial evidence. The record supports approval.

SECTION G — ENTITLEMENT HISTORY AS BASIS FOR DENIAL

Anticipated Denial Statement:

"Prior proposals were denied; therefore this request should also be denied."

Record Evidence:

59. Initial PD was approved for 252 dwelling units.
60. More recent proposals were Suburban Planned Development (SPD).
61. The current request is RRD.
62. Density has been reduced.
63. Intensification tools have been removed.
64. Buffering has been enhanced.
65. BDP fixes development envelope.

Rebuttal Conclusion:

The current application is materially different. Prior denial does not predetermine the outcome of a distinct rezoning request.

MATRIX SUMMARY FINDING

The Kathleen Reserve RRD rezoning is consistent with FLUE Policies 2.106-A1, 2.106-A5(h), and 2.106-A7. The rezoning implements Residential Suburban (RS) pursuant to Sections 2.120-A and 2.121-B. Infrastructure exists and supports development. The project is not premature. Compatibility measures are enforceable through the Binding Development Plan. Denial on any of the anticipated bases above would require findings inconsistent with the adopted Comprehensive Plan and record evidence.

APPENDIX II

DENIAL REBUTTAL MATRIX

Staff-Packet Side-by-Side Format — Kathleen Reserve RRD

How to use: This table is drafted so staff can paste it directly into a packet. Each row ties (1) a likely denial rationale, (2) the applicable policy/standard hook, (3) what the record shows, and (4) what condition/BDP feature cures the concern.

POTENTIAL DENIAL BASIS	CORRECT POLICY / STANDARD LENS	RECORD EVIDENCE ALREADY IN FILE	BINDING RESPONSE (BDP / CONDITIONS)
"Too dense / incompatible with surrounding area."	Compatibility is achieved through buffering, limiting intensity at edges, and transition tools (as staff described). Policy 2.106-A5(h); Sections 2.120-A and 2.121-B.	Staff previously documented use of larger edge lots + buffers + substantial open space separation as compatibility tools. Density reduced from prior SPD proposals. BDP fixes maximum unit count.	Unit cap fixed in BDP; west edge lots graduated; mandatory west buffer; major modifications require hearing. Conditions 1–5.
"Premature development in SDA."	Prematurity factors focus on services/roads/ag displacement; staff documented services and road adequacy. Policy 2.106-A7(a-d).	Water & sewer available; school capacity confirmed; public safety proximity documented; Deeson Road collector capacity available.	RRD is less intense than prior SPD; utilities connect; no leapfrog extension obligation. Conditions 8–9.
"SDA says sewer not planned, so rezoning can't rely on sewer."	The proper inquiry is factual service condition + lawful extension criteria; staff documents sewer availability to site. Policies 2.106-A1 and 2.106-A5(h).	Deeson corridor has water and wastewater infrastructure documented (12" water transmission / 12" force main). Property within service area. Surrounding parcels served.	Developer-funded internal/lateral work; project connects to existing corridor infrastructure; no requirement for County to build broader extensions. Conditions 8–9.
"Flooding / closed basin / drainage risk makes it unsuitable."	Appropriate response is clustering on uplands, maximizing stormwater management, preserving sensitive areas; staff recognized this logic.	Environmental constraints described; staff explicitly supports clustering/open space/wetland preservation approach. Closed basin flooding realities documented.	Conservation/open space tracts recorded; stormwater designed per standards; wetland buffer protected; discharge limits met. Conditions 5–7.
"Modern subdivision design conflicts with older neighborhood patterns."	Compatibility tools: buffering + limiting intensity + transition techniques. Sections 2.120-A and 2.121-B.	Staff recognized corridor challenge integrating modern standards with older patterns. Prior record documents graduated lot approach.	Edge lots graduated; west buffer required; predictable BDP envelope; lighting/streetscape controls. Conditions 3–4, 10.
"Prior SPD was denied; this is just a re-try."	Proper legal lens is whether the current request is consistent with FLU and whether it materially addresses prior	Record shows 2022 SPD denial with prejudice for 242 lots. Current RRD request is substantially reduced in intensity and binding in nature.	Current request is materially reduced and binding; conditions convert key concerns into enforceable limits; BDP

POTENTIAL DENIAL BASIS	CORRECT POLICY / STANDARD LENS	RECORD EVIDENCE ALREADY IN FILE	BINDING RESPONSE (BDP / CONDITIONS)
	concerns. Sections 2.120-A and 2.121-B.		prevents intensification drift. Conditions 1–5.
"Utilities extension would create sprawl / inefficient service pattern."	Compact/contiguous growth is supported by using existing services and avoiding bypass patterns; staff cited this growth principle. Policy 2.106 SDA Framework.	Staff described corridor context of wastewater expansion encouraging development to utilize urban services. Infrastructure already present along Deeson Road.	Development connects to existing corridor utilities; internal work developer-funded; no broader trunk extension required. Conditions 8–9.
"Wetland impacts / buffers not adequately protected."	Wetlands protected; no lots in wetlands; buffers required; limited impacts only for access/utility with mitigation.	Staff record describes wetland/floodway restrictions and buffer expectations. Substantial wetlands documented on site.	Conservation tracts preserved via recorded instruments; wetland buffers required; impacts limited and mitigated. Conditions 5–7.
"No enforceable plan — future drift likely."	Binding plan concept requires that deviations be processed publicly; staff used this model in SPD conditions.	County already uses "binding plan" governance model for corridor PD/SPD approvals. Prior SPD approvals used same structure.	BDP is binding; major modifications require hearing; unit cap fixed. Conditions 1–2.

WHAT THIS PACKAGE ACCOMPLISHES (IN STAFF TERMS)

- It re-anchors the record to what County staff already documented: utilities exist, environmental constraints exist, and compatibility tools can solve adjacency concerns.
- It prevents the SDA "sewer not planned" shorthand from being misused as a denial crutch by showing the corridor's actual utility condition already in the record.
- It reframes the new RRD request as a material downshift and "bridge" after a documented denial history.
- It provides staff with lift-and-drop findings and conditions.

Swan Capital Partners
1600 East 8th Avenue, Suite A200
Tampa, FL 33605

To:

Development Services
Attention: Ian Nance, Principal Planner
330 West Church Street
Bartow, Florida 33830

SUBMITTAL PACKAGE
KATHLEEN RESERVE RURAL RESIDENTIAL DEVELOPMENT [RRD] REZONING REQUEST

Swan Capital Partners, LLC is proposing a Rural Residential Development (RRD) for the Kathleen Reserve property (formerly: Meadowbrook / Deeson Road) located along Deeson Road, west of Kathleen Road, east of Payne Road, and south of 1st Street NW, northwest of the City of Lakeland in Section 20, Township 27 South, Range 23 East, Polk County, Florida. The property consists of approximately 153.23 acres, which is within the 160-acre maximum permitted for an RRD.

The request proposes 150 single-family homesites, resulting in a gross density of approximately 0.98 dwelling units per acre. This density is significantly lower than the density previously approved under PUD #87-35 (256 homesites at 2.52 du/ac) and is also below the average density of adjacent parcels.

The development clusters homes on upland areas while preserving approximately 69 acres of wetlands, floodplain, and open space associated with the Blackwater Creek drainage basin, along with an additional 18 acres of upland open space reserved for stormwater storage and flood attenuation. Larger perimeter lots, landscape buffers, open space and stormwater ponds are incorporated to provide appropriate transitions to surrounding properties.

Additional information regarding environmental conditions, infrastructure capacity, and public services is provided in the attached master plan rezoning package, Impact Statement and supporting exhibits.

Regards,

Eric K. Swanson, Principal
Swan Capital Partners

Southwest Florida Water Management District
2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
WaterMatters.org

An Equal Opportunity Employer

Bartow Office
170 Century Boulevard
Bartow, Florida 33830-7700
(863) 534-1448 or
1-800-492-7862 (FL only)

Sarasota Office
78 Sarasota Center Boulevard
Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office
7601 U.S. 301 North (Fort King Highway)
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

August 27, 2022

Swan Capital Partners, LLC
Attn: Eric Swanson
6706 North Nebraska Avenue Suite 9886
Tampa, FL 33604

Subject: **Notice of Intended Agency Action - Approval**
Petition for Formal Determination of Wetlands and Other Surface Waters

Petition No.:	822697/42046171.000
Project Name:	Deeson Road
County:	Polk
Sec/Twp/Rge:	S20/T27S/R23E

Dear Permittee:

The Southwest Florida Water Management District (District) has completed its review of the petition for Formal Determination of Wetlands and Other Surface Waters. Based upon a review of the information you have submitted, the District hereby gives notice of its intended approval of the petition.

The File of Record associated with this application can be viewed at www18.swfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx and is also available for inspection Monday through Friday, except for District holidays, from 8:00 a.m. through 5:00 p.m. at the District's Tampa Service Office, 7601 U.S. Highway 301 North, Tampa, Florida 33637.

If you have any questions or concerns regarding the application or any other information, please contact Garrett Christ at the Tampa Service Office, at 8134456909.

Sincerely,

David Kramer, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

cc: Clementi Environmental Consulting
FDEP Formal JD's

Southwest Florida Water Management District
2379 Broad Street, Brooksville, Florida 34604-6899
(352) 796-7211 or 1-800-423-1476 (FL only)
TDD only: 1-800-231-6103 (FL only)
On the Internet at *WaterMatters.org*

An Equal Opportunity Employer

Bartow Service Office
170 Century Boulevard
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6750 Fruitville Road
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Tampa Service Office
7601 Highway 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
1-800-836-0797 (FL only)

August 27, 2022

Swan Capital Partners, LLC
Attn: Eric Swanson
6706 North Nebraska Avenue Suite 9886
Tampa, FL 33604

Subject: **Notice Agency Action Letter - Approval**
Petition for Formal Determination of Wetlands and Other Surface Waters

Petition No.:	822697/42046171.000
Project Name:	Deeson Road
County:	Polk
Sec/Twp/Rge:	S20/T27S/R23E

Dear Permittee:

The Southwest Florida Water Management District (District) is in receipt of your petition for Formal Determination of Wetlands and Other Surface Waters. Based upon a review of the information you submitted, the petition is approved. Please refer to the attached Notice of Rights to determine any legal rights you may have concerning the District's agency action on the petition described in this letter.

Approved surveys are available for viewing or downloading through the District's Application and Permit Search Tools located at www18.swfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx.

The District's action in this matter only becomes closed to future legal challenges from members of the public if such persons have been properly notified of the District's action and no person objects to the District's action within the prescribed period of time following the notification. The District does not publish notices of agency action. If you wish to limit the time within which a person who does not receive actual written notice from the District may request an administrative hearing regarding this action, you are strongly encouraged to publish, at your own expense, a notice of agency action in the legal advertisement section of a newspaper of general circulation in the county or counties where the activity will occur. Publishing notice of agency action will close the window for filing a petition for hearing. Legal requirements and instructions for publishing notices of agency action, as well as a noticing form that can be used, is available from the District's website at www.WaterMatters.org/permits/noticing. If you publish notice of agency action, a copy of the affidavit of publication provided by the newspaper should be sent to the District's Tampa Service Office for retention in this permit's File of Record.

If you have any questions or concerns regarding your permit or any other information, Garrett Christ at the Tampa Service Office, at 8134456909.

Sincerely,

David Kramer, P.E.
Bureau Chief
Environmental Resource Permit Bureau
Regulation Division

Enclosures:	Approved Formal Determination of Wetlands and Other Surface Waters
	Notice of Rights
cc:	Clementi Environmental Consulting
	FDEP Formal JD's

SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
FORMAL DETERMINATION OF WETLANDS AND OTHER SURFACE WATERS
No. 822697/42046171.000

EXPIRATION DATE:	**FORMAL DETERMINATION ISSUED DATE**
August 27, 2027	**August 27, 2022**

This Formal Determination of Wetlands and Other Surface Waters No. 822697/42046171.000 is issued under the provisions of Section 373.421, Florida Statutes, (F.S.), and 62-330.201, Florida Administrative Code, (F.A.C.). This Formal Determination consists of the District's determination of the locations on the property of the landward extent (boundaries) of wetlands and other surface waters based on the documentation consisting of a certified survey submitted by the Petitioner. This Formal Determination does not authorize any construction activities or constitute conceptual approval of any anticipated projects. Construction, alteration, operation, removal or abandonment of a surface water management system requires a permit from the District pursuant to Rule 62-330.020, Florida Administrative Code, (F.A.C.), and Section 373.413, Florida Statutes, (F.S.), unless exempt pursuant to 62-330.051 or 62-330.0511, F.A.C., or 373.406, F.S. This Formal Determination does not in any way establish boundaries of sovereign submerged lands.

PROJECT NAME: Deeson Road

GRANTED TO: Swan Capital Partners, LLC
Attn: Eric Swanson
6706 North Nebraska Avenue Suite 9886
Tampa, FL 33604

ABSTRACT:
The landward extent of wetlands and/or other surface waters were established by Rosanne Clementi of Clementi Environmental Consulting, LLC. These boundaries were identified by applying the rule criteria of Chapter 62-340, F.A.C. Agency review of the site for the potential presence of wetlands and surface waters and verification of the wetland and surface water boundaries, was conducted by Agency Environmental Scientist Garrett Christ, CWE during a site inspection with Rosanne Clementi of Clementi Environmental Consulting, LLC., on June 4, 2021. A certified survey, signed and sealed by Richard D. Brown, Professional Surveyor and Mapper, License #5700, State of Florida, which depicts the wetland and surface water boundaries, was received on August 15, 2022. To view the survey, please visit http://www18.swfwmd.state.fl.us/erp/erp/search/ERPSearch.aspx to locate the formal determination record and view the documents associated with this file.
The 118.84-acre site contains 36.24 acres of wetlands and surface waters.

COUNTY: Polk

SEC/TWP/RGE: S20/T27S/R23E

PROJECT ACRES: 118.84

WETLAND AND OTHER SURFACE WATER ACRES: **36.24**

CURRENT LAND USE: RESIDENTIAL

DATE PETITION FILED: April 06, 2021

Pursuant to Subsection 373.421 (4), F.S., the Governing Board may revoke the Formal Wetland Determination upon a finding that the Petitioner has submitted inaccurate information to the District.

The Formal Wetland Determination shall be binding for the stated duration provided physical conditions on the property do not change so as to alter the boundaries of wetlands and other surface waters during that period.

Documents depicting the landward extent (boundaries) of wetlands and other surface waters are hereby incorporated into this petition by reference and the Petitioner shall comply with them. These documents are available for viewing or downloading at www.WaterMatters.org.

David Kramer, P.E.

_____

Authorized Signature

Notice of Rights

Administrative Hearing

1. You or any person whose substantial interests are or may be affected by the District's intended or proposed action may request an administrative hearing on that action by filing a written petition in accordance with Sections 120.569 and 120.57, Florida Statutes (F.S.), Uniform Rules of Procedure Chapter 28-106, Florida Administrative Code (F.A.C.) and District Rule 40D-1.1010, F.A.C. Unless otherwise provided by law, a petition for administrative hearing must be filed with (received by) the District within 21 days of receipt of written notice of agency action. "Written notice" means either actual written notice, or newspaper publication of notice, that the District has taken or intends to take agency action. "Receipt of written notice" is deemed to be the fifth day after the date on which actual notice is deposited in the United States mail, if notice is mailed to you, or the date that actual notice is issued, if sent to you by electronic mail or delivered to you, or the date that notice is published in a newspaper, for those persons to whom the District does not provide actual notice.

2. Pursuant to Subsection 373.427(2)(c), F.S., for notices of intended or proposed agency action on a consolidated application for an environmental resource permit and use of sovereignty submerged lands concurrently reviewed by the District, a petition for administrative hearing must be filed with (received by) the District within 14 days of receipt of written notice.

3. Pursuant to Rule 62-532.430, F.A.C., for notices of intent to deny a well construction permit, a petition for administrative hearing must be filed with (received by) the District within 30 days of receipt of written notice of intent to deny.

4. Any person who receives written notice of an agency decision and who fails to file a written request for a hearing within 21 days of receipt or other period as required by law waives the right to request a hearing on such matters.

5. Mediation pursuant to Section 120.573, F.S., to settle an administrative dispute regarding District intended action is not available prior to the filing of a petition for hearing.

6. A request or petition for administrative hearing must comply with the requirements set forth in Chapter 28-106, F.A.C. A petition for a hearing must: (1) explain how the substantial interests of each person requesting the hearing will be affected by the District's intended action or proposed action, (2) state all material facts disputed by the person requesting the hearing or state that there are no material facts in dispute, and (3) otherwise comply with Rules 28-106.201 and 28-106.301, F.A.C. Chapter 28-106, F.A.C., can be viewed at www.flrules.org or at the District's website at www.WaterMatters.org/permits/rules.

7. A petition for administrative hearing is deemed filed upon receipt of the complete petition by the District Agency Clerk at the District's Tampa Service Office during normal business hours, which are 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding District holidays. Filings with the District Agency Clerk may be made by mail, hand-delivery or facsimile transfer (fax). The District does not accept petitions for administrative hearing by electronic mail. Mailed filings must be addressed to, and hand-delivered filings must be delivered to, the Agency Clerk, Southwest Florida Water Management District, 7601 US Hwy 301, Tampa, FL 33637-6759. Faxed filings must be transmitted to the District Agency Clerk at (813) 367-9776. Any petition not received during normal business hours shall be filed as of 8:00 a.m. on the next business day. The District's acceptance of faxed petitions for filing is subject to certain conditions set forth in the District's Statement of Agency Organization and Operation, available for viewing at www.WaterMatters.org/about.

Judicial Review

1. Pursuant to Sections 120.60(3) and 120.68, F.S., a party who is adversely affected by District action may seek judicial review of the District's action. Judicial review shall be sought in the Fifth District Court of Appeal or in the appellate district where a party resides or as otherwise provided by law.

2. All proceedings shall be instituted by filing an original notice of appeal with the District Agency Clerk within 30 days after the rendition of the order being appealed, and a copy of the notice of appeal, accompanied by any filing fees prescribed by law, with the clerk of the court, in accordance with Rules 9.110 and 9.190 of the Florida Rules of Appellate Procedure (Fla. R. App. P.). Pursuant to Fla. R. App. P. 9.020(h), an order is rendered when a signed written order is filed with the clerk of the lower tribunal.

REPORT OF
HYDRAULIC CONDUCTIVITY TESTING

DEESON SUBDIVISION

Polk County, Florida

PREPARED FOR:

SWAN CAMPBELL RD LLC

6706 North Nebraska Avenue #9797
Tampa, Florida 33604

FES PROJECT NO.: 21-5064.1

September 16, 2021

PREPARED BY:

FAULKNER
ENGINEERING SERVICES, Inc.

2734 Causeway Center Drive
Tampa, Florida 33619

September 16, 2021

Mr. Eric K. Swanson
Swan Campbell Rd LLC
6706 North Nebraska Avenue # 9797
Tampa, Florida 33604

RE: Report of Hydraulic Conductivity Testing
Deeson Subdivision
Lakeland, Polk County, Florida
FES Project No.: 21-5064.1

Dear Mr. Swanson:

Faulkner Engineering Services, Inc. (FES) has completed permeability testing for the referenced project. We provided our services in general accordance with Change Order # 1 dated July 26, 2021. The purpose of our testing was to measure the permeability rate of the shallow subsurface soils at the property to aid in drainage design. This report summarizes the field evaluation performed by FES and presents our findings.

PROJECT INFORMATION

Existing site

Deeson Subdivision is a planned residential development located at 4235 Deeson Road in Lakeland, Polk County, Florida within Section 20, Township 27 South, and Range 23 East.

Soil Survey Review

According to the "Soil Survey of Polk County, Florida", as prepared by the U.S. Department of Agriculture Natural Resource Conservation Service (formerly the Soil Conservation Service) the subject property is primarily underlain by:

- *Pomona fine sand (Map Unit Symbol 7)* – The NRCS describes this soil unit as poorly drained located on flatwoods on marine terraces. The NRCS indicates that this soil unit has a surface layer of fine sand to a depth of 48 inches below ground surface (bgs) followed by a layer of fine sandy loam from 48 to 73 inches bgs followed by a layer of loamy sand from 73 to 80 inches bgs. The NRCS indicates the seasonal high ground water table (SHGWT) is about 6 to 18 inches bgs.

- *Samsula muck, frequently ponded, 0 to 1 percent slopes (Map Unit Symbol 13)* – The NRCS describes this soil unit as very poorly drained located on depressions on marine terraces. The NRCS indicates that this soil unit has a surface layer of muck to a depth of 32 inches bgs followed by a layer of sand from 32 to 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

- *Tavares fine sand, 0 to 5 percent slopes (Map Unit Symbol 15)* – The NRCS describes this soil unit as moderately well drained located on ridges and knolls on marine terraces. The NRCS indicates that this soil unit has a surface layer of fine sand to a depth of 80 inches bgs. The NRCS indicates the SHGWT is about 42 to 60 inches bgs.

- *Placid and Myakka fine sands, depressional (Map Unit Symbol 25)* – The NRCS describes this soil unit as very poorly drained located on depressions on marine terraces. The NRCS indicates that this soil unit has a surface layer of fine sand to a depth of 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

- *Kaliga muck, frequently ponded, 0 to 1 percent slopes (Map Unit Symbol 32)* – The NRCS describes this soil unit as very poorly drained located on depressions on flatwoods on marine terraces. The NRCS indicates that this soil unit has a surface layer of muck to a depth of 25 inches bgs followed by a layer of fine sandy loam from 25 to 35 inches bgs underlain by a layer of sandy clay loam from 35 to 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

- *Hontoon muck, frequently ponded, 0 to 1 percent slopes (Map Unit Symbol 35)* – The NRCS describes this soil unit as very poorly drained located on depressions on marine terraces. The NRCS indicates that this soil unit has a surface layer of muck to a depth of 75 inches bgs followed by a layer of sandy loam from 75 to 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

The NRCS soil classifications are based on interpretation of a combination of factors including but not limited to aerial photographs and widely spaced hand auger borings. Borders shown on the map included in **Appendix A**, between mapping units are approximate, and the transitions between soil units will be gradual. In addition to various minor inclusions within a mapped soil unit, areas of dissimilar soils can also occur. However, the soil survey provides a good basis for an initial evaluation of shallow soil conditions in the area, and can provide an indication of various historic activities such as development, mining and filling operations at the site.

SUBSURFACE SOIL EVALUATION AND FINDINGS

Field Evaluation

During our field evaluation, nine (9) hand auger borings were advanced to a depth of approximately 2 to 5 feet bgs within the planned stormwater ponds (1 per pond) to sample soils for laboratory hydraulic conductivity testing and measure existing groundwater. The procedures used by FES for field sampling and testing were in general accordance with ASTM procedures, industry standards of care, and established geotechnical engineering practice.

The test locations were located in the field by FES personnel. The test locations were obtained by superimposing the provided site sketch over an aerial image using Google Earth. Because of the methods used in locating, the test locations shown on **Figure 1** should be considered approximate.

The hand auger borings were advanced by rotating a small diameter bucket auger into the subsurface soils. The cuttings brought to the surface were logged in the field and representative samples obtained at each change in soil stratigraphy. Upon completion, the boreholes were backfilled with cuttings to the surface.

Groundwater was encountered at depths ranging from 1.0 to 4.6 feet bgs at the time of fieldwork.

Soil Sample Handling, Classification, and Laboratory Testing

The soil samples obtained during our geotechnical engineering evaluation were placed in sealed containers to retain moisture and returned to our laboratory. The samples were visually classified by a geotechnical engineer in accordance with ASTM D2488, Standard Practice for Description and Identification of Soils (Visual-Manual Procedure) and reviewed by a senior professional engineer.

Nine (9) soil samples were collected within the planned stormwater ponds at depths of approximately 1-5 feet bgs for laboratory hydraulic conductivity testing. The soil samples were obtained from the hand auger borings and transported to our soils laboratory for testing. Hydraulic conductivity testing was performed on the collected soil sample in accordance with ASTM D2434, using constant head method. The results of the hydraulic conductivity tests are presented below.

Location	Soil Description	Groundwater Table (feet, bgs)	Depth Below Ground Surface (feet, bgs)	Laboratory Saturated Vertical Hydraulic Conductivity, kv (inches/hour)	Estimated Saturated Horizontal Hydraulic Conductivity, k_H (inches/hour)
PERM-1	Brown fine sand (SP)	1.0	1 - 2	6	8
PERM-2	Brown fine sand (SP)	2.3	2 - 3	3	4
PERM-3	Brown fine sand (SP)	3.3	3 - 4	8	11
PERM-4	Brown fine sand (SP)	4.1	2.5 – 3.5	3	4
PERM-5	Brown fine sand (SP)	4.6	3 - 4	1	1
PERM-6	Brown fine sand (SP)	4.1	2 – 3	3	4
PERM-7	Brown fine sand (SP)	3.1	2 – 3	5	7
PERM-8	Brown fine sand (SP)	2.3	2 – 3	3	4
PERM-9	Brown fine sand (SP)	2.4	2 – 3	7	10

Laboratory results indicated that the saturated vertical hydraulic conductivity of the collected soil samples were generally within or higher than the range of values presented by NRCS (0.2 – 1.98 in/hr) for the site soils. In addition, based on the measured vertical hydraulic conductivity and the composition of the soils encountered, we estimate the saturated horizontal hydraulic conductivity as shown above. We also estimate the soil porosity to be about 25 percent. It should be noted that the hydraulic conductivity values presented above are un-factored.

Use of Information

It should be noted that subsurface conditions can vary across this site. Conditions can also vary in areas not explored by our borings. FES cannot be responsible for interpretations made by others based on the information contained in this report and the attachments.

LIMITATIONS

This report has been prepared for the exclusive use of **Swan Campbell Rd LLC** for the specific application to the project previously discussed. No other warranty is expressed or implied.

Our results are based on the data obtained from the previously described subsurface evaluation, laboratory testing, and professional judgment. They do not reflect variations in the subsurface conditions that are likely to exist in the region of our borings and in unexplored areas of the site. These variations are due to the inherent variability of the subsurface conditions in this geologic region. Should variations become apparent during construction, it will be necessary to re-evaluate our conclusions and recommendations based upon our on-site observations of the conditions.

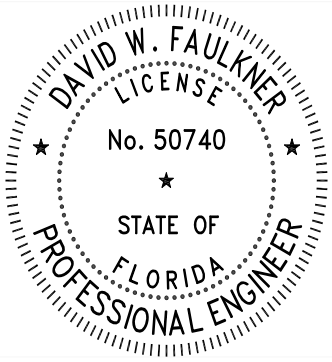
The scope of our services does not include any environmental assessments or studies for the possible presence of hazardous or toxic materials in the soil, groundwater or surface water within or in the general vicinity of the site studied. Any statements made in this report or shown on the test boring logs regarding unusual subsurface conditions and/or composition, odor, staining, origin or other characteristics of the surface and/or subsurface materials are strictly for the information of our client and may or may not be indicative of an environmental problem.

CLOSING

Faulkner Engineering Services, Inc. appreciates the opportunity to be of service to **Swan Campbell Rd LLC,** by providing these geotechnical consulting services and we look forward to assisting you through project completion. If you have any questions concerning this report, please do not hesitate to contact the undersigned.

Sincerely,

Faulkner Engineering Services, Inc.



Digitally signed by David W Faulkner
DN: c=US, o=Faulkner Engineering Services Inc., ou=A01427E0000016939EA31720000763B, cn=David W Faulkner
Date: 2021.06.17 16:54:27 -04'00'

Matthew J. Reinhart, E.I
Staff Geotechnical Engineer

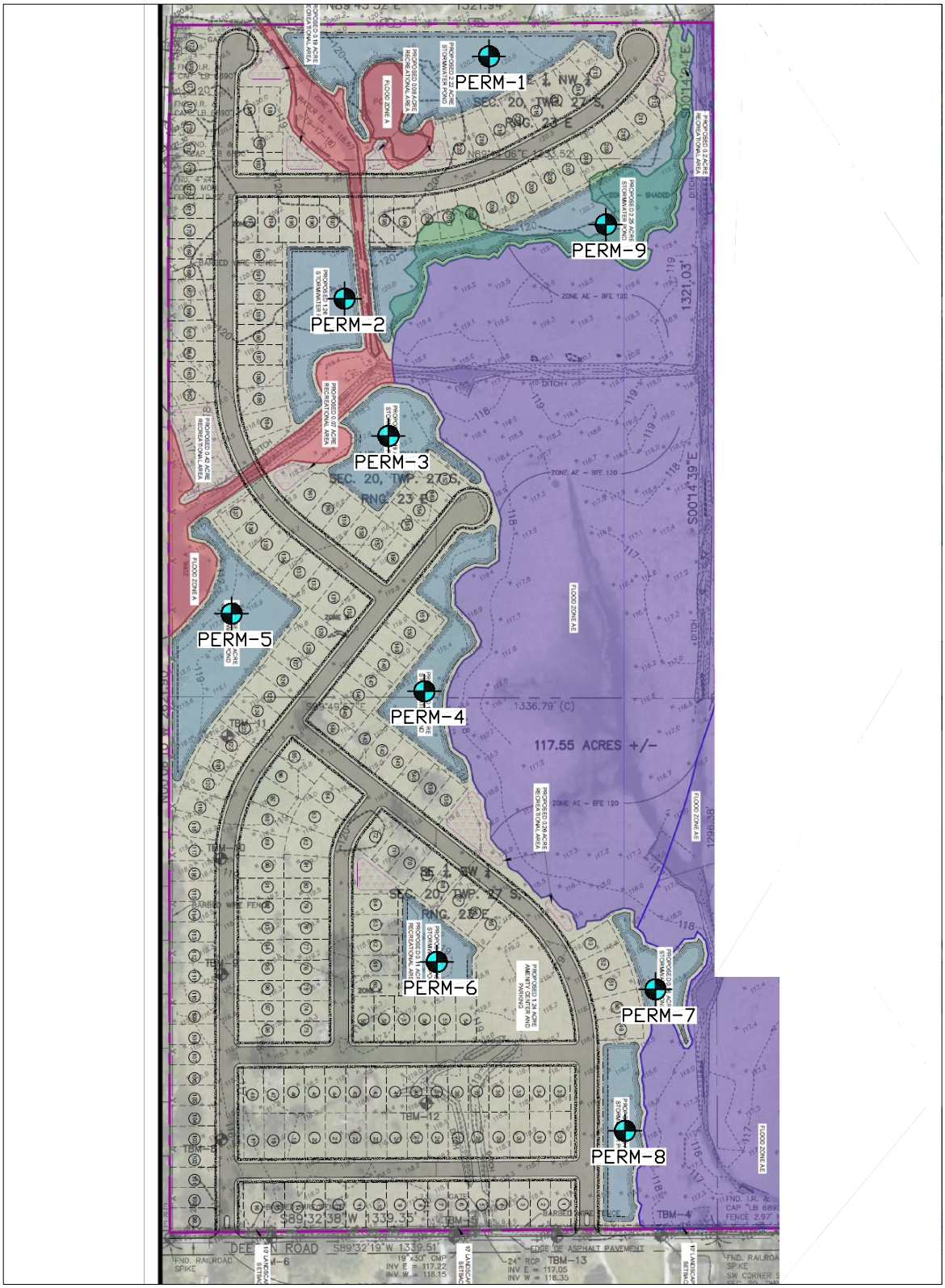
Pavan K. Kolukula, P.E.
Senior Geotechnical Engineer
Florida License No. 83670

This item has been digitally signed and sealed by Pavan K. Kolukula, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Attachments: Figure 1: Permeability Test Location Plan

Appendix A: Soil Survey

PERMEABILITY TEST LOCATION PLAN



LEGEND

PERMEABILITY TEST LOCATION

Note:
Basemap prepared by
Otero Engineering

FAULKNER ENGINEERING SERVICES, Inc.
Geotechnical Engineers
Construction Material Testing
2734 Causeway Center Dr
Tampa, Florida 33619
PHONE: 813.621.8168
FAX: 813.621.8232
www.faulknereng.com

Deeson Subdivision	N.T.S.	DATE 08.25.21	JOB NO. 21-5064
	DRAWN: MR	FIGURE 1	
	CHKD: PK		

1132

APPENDIX A

Soil Survey

Custom Soil Resource Report
Soil Map



Map Scale: 1:5,310 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 250 500 1000 1500

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 18, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 18, 2018—Feb 8, 2019

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
7	Pomona fine sand	81.0	86.5%
13	Samsula muck, frequently ponded, 0 to 1 percent slopes	9.1	9.8%
15	Tavares fine sand, 0 to 5 percent slopes	0.6	0.7%
25	Placid and Myakka fine sands, depressional	0.8	0.9%
32	Kaliga muck, frequently ponded, 0 to 1 percent slopes	0.4	0.5%
35	Hontoon muck, frequently ponded, 0 to 1 percent slopes	1.6	1.7%
Totals for Area of Interest		**93.6**	**100.0%**

REPORT OF
GEOTECHNICAL ENGINEERING EVALUATION

DEESON SUBDIVISION
Lakeland, Polk County, Florida

PREPARED FOR:

SWAN CAPITAL PARTNERS

6706 N. Nebraska Avenue
Tampa, Florida 33604

FES PROJECT NO.: 21-5064

June 17, 2021

PREPARED BY:

FAULKNER
ENGINEERING SERVICES, Inc.

2734 Causeway Center Drive
Tampa, Florida 33619

June 17, 2021

Mr. Eric K. Swanson
Swan Campbell Rd LLC
6706 North Nebraska Avenue # 9797
Tampa, Florida 33604

RE: Report of Geotechnical Engineering Evaluation
Deeson Subdivision
Lakeland, Polk County, Florida
FES Project No.: 21-5064

Dear Mr. Swanson:

Faulkner Engineering Services, Inc. (FES) has completed a geotechnical engineering evaluation of the referenced project. We provided our services in general accordance with our proposal No. P21-7664 dated March 23, 2021. The purpose of our geotechnical engineering evaluation was to analyze the subsurface soil and groundwater conditions at the property in order to provide information for stormwater pond design; assess the suitability and depth of subsurface soils for use as structural fill; and provide flexible pavement design recommendations. This report summarizes the field evaluation performed by FES and presents our findings, conclusions, and geotechnical engineering recommendations.

PROJECT INFORMATION

Existing Site

Deeson Subdivision is a planned residential development located at 4235 Deeson Road in Lakeland, Polk County, Florida within Section 20, Township 27 South, and Range 23 East. The property consists of open areas covered with grass and a few scattered trees. There were several low lying wetland/pond areas and ditches within the property. The site topography is generally level to slightly rolling with elevation changes of about five feet. A general site location map is included as **Figure 1**.

Proposed Construction

Based on our review of the Concept Site Plan prepared by Otero Engineering, we understand that the project will consist of constructing a 220 lot residential development with associated stormwater ponds and interior roadways. Our geotechnical engineering evaluation was limited to the planned stormwater pond areas and interior roadways and does not include a geotechnical engineering evaluation of the lots.

SUBSURFACE SOILS EVALUATION

Field Evaluation

A subsurface geotechnical evaluation consisting of twenty-six (26) standard penetration test (SPT) soil borings (PB-1 to PB-26) advanced to a depth of approximately 20 feet below ground surface (bgs) within the planned stormwater pond areas and thirty-five (35) auger borings (AB-1 to AB-35) advanced to depths of approximately 8 feet bgs at generally equal intervals along the planned roadway alignments was performed at the property. The fieldwork was performed on May 13 and 17-19, 2021 using an off road vehicle mounted CME 45 drill rig operated by J&R Precision Drilling, Inc. The procedures employed by FES for field sampling and testing were in general accordance with ASTM procedures, industry standards of care, and established geotechnical engineering practice.

A senior geotechnical engineering technician from FES, experienced in soil sampling and classifications, was onsite during the fieldwork to monitor the drilling and perform a brief cursory site reconnaissance, noting pertinent site and topographic features as well as surface indicators of soil conditions. SPT and auger borings were field located by FES personnel using a handheld GPS unit. The GPS coordinates of the boring locations were obtained by superimposing the site plan over an aerial image using Google Earth. The boring locations were field-adjusted based on field conditions and accessibility. Because of the methods used in locating the borings, the test locations shown on the boring location plan (**Figure 2**) should be considered approximate.

The SPT borings were performed utilizing continuous sampling methods within the first 10 feet and every 5 feet thereafter until the termination depths of the borings, employing wet rotary drilling techniques to keep the boreholes from collapsing. The drillers collected soil samples using a 1.4-inch I.D. split barrel sampler driven by an automatic hammer system with a 140-pound hammer falling a distance of 30 inches, in general accordance with standard penetration test procedures (ASTM D1586). Upon completion, each borehole was backfilled to surface with cuttings.

The auger borings were advanced by mechanically rotating an approximately 4-inch diameter continuous flight auger into the subsurface soils to a depth of approximately 8 feet bgs. The cuttings brought to the surface were logged in the field and representative samples obtained at each change in soil stratigraphy. Upon completion, each borehole was backfilled with cuttings to surface.

Detailed description of the soils encountered during our field exploration are presented on the attached boring logs and profiles in **Appendix A**.

Soil Sample Handling, Laboratory Testing, and Classification

FES field personnel classified the soils obtained from the field sampling using standard visual manual methods in accordance with ASTM D2488. The samples recovered from the SPT and auger borings were placed in sealed containers to retain moisture and transported to the FES soils laboratory accredited by Construction Materials Engineering Council, Inc., (CMEC) for further evaluation and testing. To further aid in classification and evaluation of geotechnical engineering properties, laboratory testing was performed on representative soil samples collected during the field sampling The laboratory testing performed was in general accordance with appropriate sections of ASTM D1140, material finer than the No. 200 sieve. The laboratory test results were in general accordance with field classification of the soils except some soils were reclassified based on the fines content from laboratory testing. The laboratory test results and the soil classifications were reviewed by a professional geotechnical engineer. The results from the laboratory testing are presented on the boring logs and profiles contained in **Appendix A**.

FINDING

Subsurface Conditions

General Soil Profile

The subsurface stratigraphy at the project site is illustrated in the soil boring logs and profiles shown in **Appendix A**. The logs and profiles were developed using field and laboratory data from the SPT and auger borings. The computer generated boring logs and profiles should imply no increased accuracy. Based on this data, three (3) subsurface units or strata, were identified at the site as described below.

Stratum 1	SAND, SAND with clay, SAND with silt; very loose to dense, fine grained quartz
	USCS classification = SP, SP-SC, SP-SM
Stratum 2	CLAYEY SAND; very loose to dense, fine grained quartz
	USCS classification = SC
Stratum 3	CLAY; medium to hard, variably sandy
	USCS classification = CL

Stratum 1 occurred as the surficial stratum at the site in all borings. This stratum extended from existing ground surface to auger boring depths ranging from about 2 feet bgs to boring termination at 8 feet bgs and to SPT borings depths ranging from 4 feet bgs to boring termination depths of 20 feet bgs. The SPT "N" values within this stratum ranged from 3 to 32 blows per foot indicating very loose to dense relative density. The results of laboratory testing performed on representative samples of this stratum indicated a fines content of 8.8 to 10.9 percent.

Stratum 2 was encountered below and occasionally interbedded with Stratum 1 extending to auger boring depths ranging from about 6 feet bgs to boring termination of about 8 feet bgs and to SPT boring depths ranging from about 18 feet bgs to boring termination depths of about 20 feet bgs. The SPT "N" values ranged from 3 to 36 blows per foot indicating very loose to dense relative density. The results of laboratory testing performed on representative samples of this stratum indicated a fines content of 12.5 to 43.4 percent.

Stratum 3 was encountered only in the SPT borings below Strata 1 and 2 extending to the termination of the borings at 20 feet bgs. The SPT "N" values ranged from 7 to 31 blows per foot indicating medium to hard consistency.

The conditions presented above highlight the major subsurface stratifications encountered during our field evaluation of the site. More detailed descriptions of the materials encountered are provided in **Appendix A**. A soil classification key sheet is also included as **Appendix B**. It should be understood that subsurface conditions will vary across this site and between boring locations. Changes in subsurface strata may be more gradual than indicated.

Groundwater

Groundwater was encountered in our SPT borings at depths ranging from 2.5 to not encountered within the depths explored at the time of drilling after which drilling fluid was introduced to keep the boreholes from collapsing. Groundwater was encountered in our auger borings at depths ranging from 3.9 to not encountered within the depths explored at the time of drilling. Groundwater levels will fluctuate with time due to seasonal rainfall and locally heavy precipitation events; therefore, future groundwater levels may be encountered at depths different from those indicated by our borings. The groundwater levels at each of the boring locations are shown on **Table 1**.

The SHGWT is typically encountered during late summer following the rainy season. Several factors can affect the seasonal high groundwater level such as drainage characteristics of the soils; land surface elevation; and relief points such as lakes, rivers and swamps. Based on our experience, evaluation of existing groundwater levels, observation of soil indicators (where encountered), and review of the soil survey for Polk County, we estimate the SHGWT at this site may likely be encountered at depths ranging from about 1.0 to 3.0 feet bgs (**Table 1**).

CONCLUSIONS

Our geotechnical engineering evaluation of this site and our recommendations with respect to the property are based on our site observations, the field exploratory data obtained from our borings, laboratory testing results, and our professional judgment.

We anticipate the soils excavated from the planned stormwater pond areas explored will be used for fill material onsite. The encountered soils consisted of Stratum 1, fine sand (SP), sand with clay (SP-SC) and fine sand with silt (SP-SM) and Stratum 2, clayey sand (SC) and Stratum 3, clay (CL) extending from ground surface to boring termination depths of approximately 20 feet bgs. Stratum 1 soils, if excavated will provide a good source for structural fill during site development. Stratum 2 soils can also be used as structural fill or backfill provided they conform to the criteria specified in the **Recommendations** section below. Stratum 3 soils are unsuitable for use as structural fill or backfill.

The auger borings performed along the planned roadway alignment generally encountered Stratum 1, fine sand (SP), fine sand with clay (SP-SC) and fine sand with silt (SP-SM) and Stratum 2, clayey sand (SC) from ground surface to the auger boring termination depths of approximately 8 feet bgs.

It appears that the shallow subsurface soils encountered in our borings performed within the planned roadway alignment will provide a suitable subgrade for roadway pavement after proper site preparation and in-place densification described in the **Recommendations** section below. The encountered Stratum 1 soils can be reused as backfill material for utility installation after drying back to the soils' optimum moisture content (ASTM D1557). Stratum 2 soils can also be used as backfill, provided these soils conform to the fill suitability criteria specified in the **Recommendations** section below. In addition, we recommend that suitable fill with fines contents of less than 15 percent be placed a minimum of 2 feet below the bottom of the base course (if the subgrade is un-stabilized) or a minimum of 2 feet below the bottom of the subgrade (if the subgrade is stabilized). The existing pavement section described previously in this report once removed can be stockpiled for reuse as roadway subgrade stabilizing material.

The groundwater was encountered in the roadway auger borings at depths of 3.9 feet bgs to not encountered within the depths explored at the time of drilling. We recommend a minimum separation of 18 inches between the bottom of the base course and the estimated SHGWT if a limerock base course is used. If the minimum separation between the bottom of the base course and the estimated SHGWT is less than 18 inches, a moisture tolerant base course such as soil cement or cemented coquina will be required in conjunction with underdrains as specified in the **Flexible Pavement Recommendations** section below. The underdrain system shall be designed by a professional engineer in accordance with the guidelines provided in the Polk County Land Development Code. Any additional fill required to bring the site to final design grades should conform to the fill suitability criteria presented below.

Use of Information

It should be noted that subsurface conditions can vary across this site and between boring locations. Conditions can also vary in areas not explored by our borings. Contractors bidding earthwork requirements are urged to conduct their own borings, test pits or other studies to determine those conditions that may affect their specific work requirements. FES cannot be responsible for interpretations made by others based on the information contained in this report and the attachments.

RECOMMENDATIONS

Site Preparation

Site Stripping / Undercutting

Before earthwork and construction activities begin, all existing topsoil, vegetation, large roots down to finger-size, surface debris, and any other deleterious material should be removed from within the construction limits. Site stripping should extend at least 10 feet beyond the construction area. Any pockets of organics, organic laden-soils and/or deleterious materials should be undercut to suitable soil. The resulting excavations should be backfilled with structural fill placed in maximum one-foot thick lifts. Backfill soils should be of the same composition and compacted to the same criteria as structural fill soils. This process should be observed by a representative of FES to check that organic and/or deleterious materials have been removed.

Proof-Rolling / In-Place Densification

Following site stripping and prior to any fill placement or beginning construction, proof-rolling / in-place densification of the exposed ground surface with a heavy vibratory roller compactor should be performed within the construction area. Based on experience, vibratory rollers should be operated in the static mode within 100 feet of existing structures to avoid transmission of vibrations that could cause structural distress.

Compaction within the construction area should continue until the soils appear relatively firm and unyielding and the soils have achieved a relative compaction of at least 95 percent of the modified Proctor maximum dry density (ASTM D1557) to a depth of at least 2 feet below the existing grade. The subgrade soil 1-foot below new pavement should be compacted to at least 98 percent. The moisture content of the fill soils during placement and compaction shall be maintained within 2 percent of the optimum moisture content (ASTM D1557).

Proof-rolling and densification efforts should be closely monitored by an FES engineering technician to observe any unusual or excessive deflection of the soils beneath the compacting equipment used. If unusual or excessive deflection is observed, then the areas should be undercut to firm soil and backfilled with compacted structural fill placed in maximum one-foot thick lifts.

Borrow Areas

Structural Fill Suitability

Definition

The preferred soil used for structural fill and backfill can be defined as clean fine sand containing less than 12 percent material by weight that is finer than a number 200 sieve (material conforming to SP to SP-SM or SP-SC in the Unified Soils Classification System).

Borrow soils containing up to 35 percent fines (materials conforming to SC, SM, or SC-SM in the Unified Soil Classification System) may also be utilized as structural fill, provided the working subgrade is above the existing groundwater level. However, Florida Building Code (Chapter 18, Section 1803.5.3) states that soils with plasticity index of 15 or greater are considered expansive and hence are unsuitable for use as structural fill. Please note that soils conforming to SC, SM, or SC-SM are difficult to work with and will require additional time and effort for either drying or moisture conditioning during placement and compaction.

Any muck or organic soil if encountered on site will not be suitable for fill and should be disposed of offsite or placed in landscape areas and used for planting purposes. Soils containing organic content, as determined by ASTM D2974, of more than 5 percent shall not be used as structural fill. Because of the variability of the subsurface soils encountered, additional laboratory testing should be performed on the excavated material during grading and earthwork activities to evaluate its suitability for use as fill material.

Soil Suitability

The SPT borings performed within the planned stormwater pond areas at the property suggests sands conforming to SP, SP-SC, SP-SM (Stratum 1) and SC (Stratum 2) are present from existing ground surface to depths ranging from 13 feet bgs to boring termination depth of approximately 20 feet bgs. The Stratum 1 soils can be used as structural fill or backfill. Stratum 2 soils can also be used as structural fill or backfill provided they conform to the criteria specified above.

Placement

Structural fill with less than 12 percent fines should be placed in lifts not to exceed one foot thick. Materials with fines content greater than 12 percent should be placed in maximum 6-inch loose lifts.

The fill material should be compacted to at least 95 percent of its modified Proctor maximum dry density (ASTM D1557) and the moisture content maintained within 2 percent of the optimum moisture content (ASTM D1557) during placement. The upper 1-foot below pavements should be compacted to 98 percent of modified Proctor maximum dry density. Confined areas, such as utility trenches, should be compacted with manually operated portable vibratory compaction equipment.

Field density testing to verify compaction should be performed for each lift of structural fill placed for each 2,500 square feet of area below structures and for each 5,000 square feet below pavements. In pavement areas, the subbase and base materials should be tested to the same frequency. Density tests should be performed for each lift of fill for every 100 lineal feet of backfill placed in utility excavations or other excavations that are within the paving areas.

Depending on the time of year construction occurs, materials excavated containing clay fines may exist in a saturated condition. These soils will require processing and drying to achieve a moisture content to allow placement and proper compaction. Spreading the clayey material in thin lifts (6 inches loose thickness) and aerating by disking can facilitate and hasten the drying process. Disking will also be useful to breakdown larger clods of clayey soils. Specialty equipment typically associated with clayey soils such as a sheep's foot roller will also be required to achieve proper compaction.

The placement and compaction of moisture sensitive soils of this type will require time and effort beyond that typically associated with sandy soils. A grading contractor experienced with placing and compaction of clayey soils can likely reduce costly project delays due to soil conditions.

Groundwater Control

Groundwater will likely be encountered during pond and utility excavation activities. Dewatering may be accomplished by either draining the water to sumps which can then be pumped away from the area or by the use of sanded, vacuum well points. Groundwater fluctuations can occur due to variations in rainfall and other site specific factors. These variations should be considered when planning earthwork activities.

An alternative to dewatering in shallow undercut areas where groundwater is encountered is to use clean sand classified as SP material (less than 5% fines) according to the Unified Soil Classification System as a first lift through any standing water. This first lift will create a platform to place and compact additional fill material upon.

Flexible Pavement Recommendations

The following minimum pavement sections are provided for consideration for this development. However, the project civil engineer should develop the actual minimum pavement thickness based on anticipated traffic loads and other considerations in accordance with Florida Department of Transportation (FDOT) and Polk County standards. A moisture-tolerant base material (cemented coquina, soil cement - no limerock) should be used if an underdrain is required to control groundwater.

Section Description	Light Duty (inches)	Heavy Duty (inches)
Surface Course Type SP-9.5 or SP-12.5 or SP-19.0 Asphaltic Concrete with minimum Marshall stability of 1500 lbs. Compacted to at least 95 percent of the maximum laboratory Marshall density.	1.5	2.0
Base Course Limerock (Section 230, FDOT) having a minimum LBR of 100 and compacted to at least 98 percent of its modified Proctor maximum dry density with a water content within 2 percent of the optimum water content (FM1 – T180). **If the bottom of the base is within 1.5 feet of the seasonal high groundwater level, then a moisture tolerant base will be required such as soil cement (Section 270) or cemented coquina (Section 250).**	6	8
Subbase FDOT Spec. Section No. 160-2 or 160-3. Type B Stabilization (FBV 75/LBR of 40) and compacted to at least 98 percent of the modified Proctor maximum dry density with a water content within 2 percent of the optimum water content (FM1 – T180).	12	12

Underdrains will be required in conjunction with moisture tolerant base course such as soil cement or cemented coquina if the estimated SHGWT or the high water elevation of any detention/retention area adjacent to or in close proximity to the road is less than 18 inches below the bottom of the proposed base course. The underdrains shall be designed by a professional engineer based on the final grades and the estimated SHGWT along the planned roadway alignments.
Methods and materials used for pavement construction should conform to applicable sections of the most recent edition of the Florida Department of Transportation Standard Specifications for Road and Bridge Construction. We further recommend that LBR testing be performed on subgrade / subbase soils to establish an LBR value to determine the level of stabilization required, if any.

Subgrade soils should be compacted as recommended above. Subgrade soils should also be free of ruts or disturbances caused by construction vehicles after compaction has been achieved.

TESTING AND MONITORING

Construction testing and monitoring are essential to proper site construction and performance. Observation and testing of site preparation and earthwork activities is an integral part of the engineering recommendations contained in this report. Having FES provide the construction materials testing and inspection services provides continuity and increases the potential that our recommendations will be properly implemented.

LIMITATIONS

This report has been prepared for the exclusive use of **Swan Campbell Rd LLC** for the specific application to the project previously discussed. Our conclusions and recommendations have been rendered using generally accepted standards of geotechnical engineering and geology practice in the state of Florida. No other warranty is expressed or implied.

Our conclusions and recommendations are based on the design information furnished to us, the data obtained from the previously described subsurface exploration, and our experience. They do not reflect variations in the subsurface conditions that are likely to exist in the region of our borings and in unexplored areas of the site. These variations are due to the inherent variability of the subsurface conditions in this geologic region. Should variations become apparent during construction, it will be necessary to re-evaluate our conclusions and recommendations based upon our on-site observations of the conditions.

Florida is underlain by limestone bedrock that is susceptible to dissolution and the subsequent development of karst features such as voids and sinkholes in the natural soil overburden. Construction in a sinkhole prone area is therefore accompanied by some risk that internal soil erosion and ground subsidence could affect new structures in the future. It is not possible to investigate or design to completely eliminate the possibility of future sinkhole related problems. In any event, the Owner must understand and accept this risk.

The scope of our services does not include any environmental assessments or studies for the possible presence of hazardous or toxic materials in the soil, groundwater or surface water within or in the general vicinity of the site studied. Any statements made in this report or shown on the test boring logs regarding unusual subsurface conditions and/or composition, odor, staining, origin or other characteristics of the surface and/or subsurface materials are strictly for the information of our client and may or may not be indicative of an environmental problem.

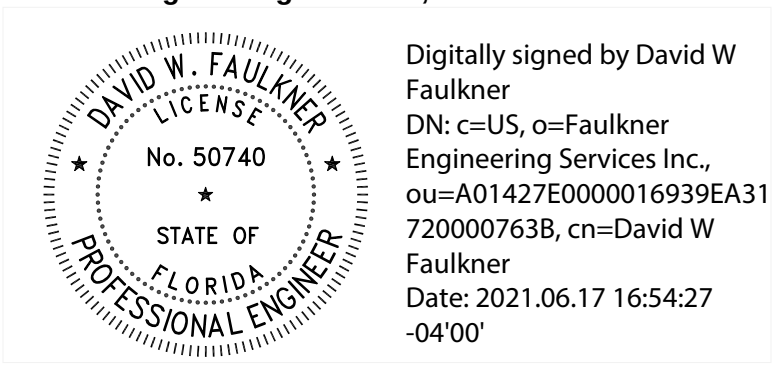
If changes are made in the overall design or the location of the planned stormwater pond areas or the planned roadway alignment, the recommendations presented in this report must not be considered valid unless the changes are reviewed by FES and recommendations modified or verified in writing. We should be given the opportunity to review the grading plan and the applicable portions of the project specifications when the design is finalized. This review will allow us to check whether these documents are consistent with the intent of our recommendations.

CLOSING

Faulkner Engineering Services, Inc. appreciates the opportunity to be of service to **Swan Campbell Rd LLC** by providing these geotechnical consulting services and we look forward to assisting you through project completion. If you have any questions concerning this report, please do not hesitate to contact the undersigned.

Sincerely,

Faulkner Engineering Services, Inc.



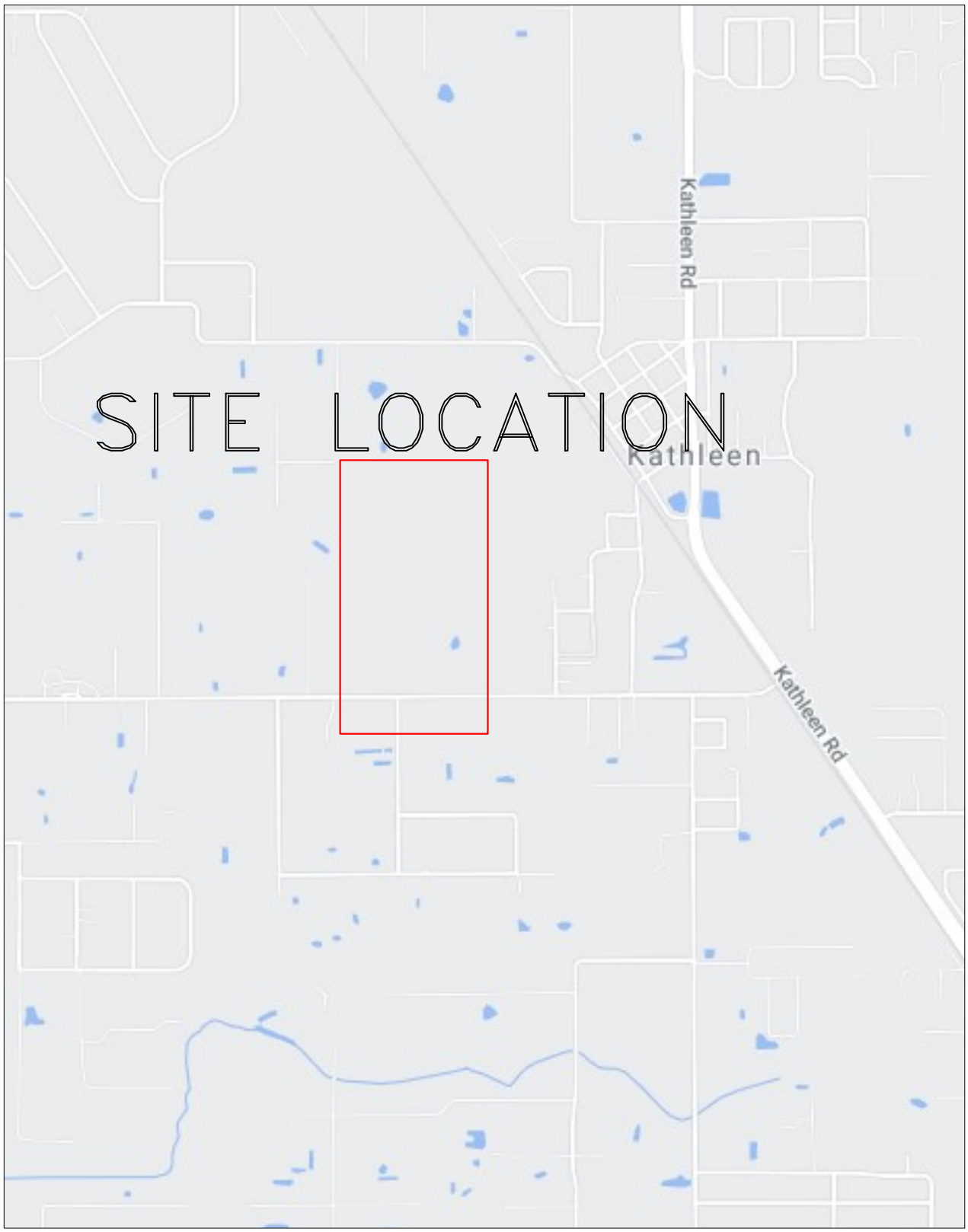
David W. Faulkner, P.E.
Geotechnical Engineer
Florida License No. 50740

This item has been digitally signed and sealed by David W. Faulkner, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Attachments: Figure 1: Site Location Map
Figure 2: Boring Location Plan
Table 1: Groundwater Data

Appendix A: Logs and Profiles of Soil Borings
Appendix B: Key to Soil Classification

SITE LOCATION MAP

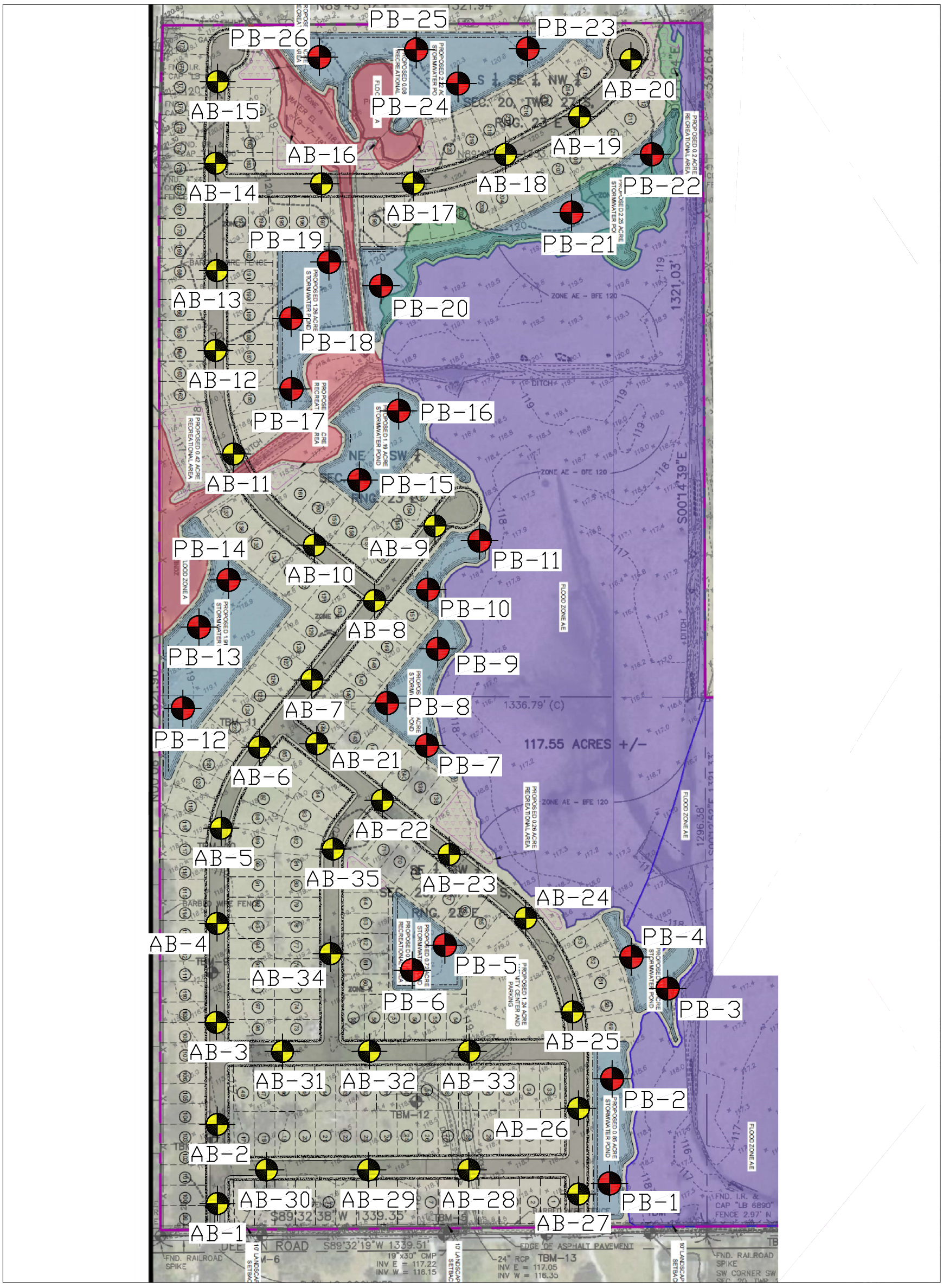


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FAX: 813.621.8232
www.faulknereng.com

Deeson Subdivision

N.T.S.	DATE 06.09.21	JOB NO. 21-5064
DRAWN: MR CHKD: DF	FIGURE 1	

BORING LOCATION PLAN



LEGEND

- POND SPT BORING
- AUGER BORING

Note:
Basemap prepared by
Otero Engineering

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Deeson Subdivision	N.T.S.	DATE 06.09.21	JOB NO. 21-5064
	DRAWN: MR	FIGURE 2	
	CHKD: DF		

Table 1 - Groundwater Data

Boring	Ground Elevation (feet, NAVD 1988)[1]	Existing Groundwater Table (feet, bgs)[2]	Estimated SHGWT[3] from Field Exploration (feet, bgs)[2]
PB-1	-	5.3	3.0
PB-2	-	5.0	3.0
PB-3	-	6.0	3.0
PB-4	-	5.9	3.0
PB-5	-	5.3	3.0
PB-6	-	5.5	3.0
PB-7	-	5.7	3.0
PB-8	-	5.9	3.0
PB-9	-	5.0	3.0
PB-10	-	5.5	3.0
PB-11	-	6.0	3.0
PB-12	-	5.5	3.0
PB-13	-	5.9	3.0
PB-14	-	6.0	3.0
PB-15	-	6.3	3.0
PB-16	-	6.0	3.0
PB-17	-	NE[4]	2.0
PB-18	-	NE[4]	2.0
PB-19	-	NE[4]	2.0
PB-20	-	4.5	2.0
PB-21	-	4.9	2.0
PB-22	-	5.0	3.0
PB-23	-	2.5	1.0
PB-24	-	3.7	1.5
PB-25	-	3.9	1.5
PB-26	-	4.0	1.5
AB-1	-	NE[4]	1.0
AB-2	-	NE[4]	1.0
AB-3	-	3.9	1.5
AB-4	-	NE[4]	1.5
AB-5	-	5.9	2.0
AB-6	-	6.0	2.5
AB-7	-	NE[4]	2.5
AB-8	-	5.3	2.5
AB-9	-	5.3	2.5
AB-10	-	NE[4]	2.5
AB-11	-	NE[4]	3.0
AB-12	-	NE[4]	2.0

Boring	Ground Elevation (feet, NAVD 1988)[1]	Existing Groundwater Table (feet, bgs)[2]	Estimated SHGWT[3] from Field Exploration (feet, bgs)[2]
AB-13	-	NE[4]	1.0
AB-14	-	6.0	3.0
AB-15	-	4.3	2.0
AB-16	-	4.2	2.0
AB-17	-	NE[4]	2.0
AB-18	-	4.3	2.0
AB-19	-	4.0	1.5
AB-20	-	4.0	2.0
AB-21	-	4.0	2.0
AB-22	-	5.3	2.5
AB-23	-	NE[4]	2.5
AB-24	-	4.5	2.5
AB-25	-	4.3	2.0
AB-26	-	5.2	2.5
AB-27	-	4.0	2.0
AB-28	-	4.9	2.0
AB-29	-	6.0	3.0
AB-30	-	6.3	3.0
AB-31	-	NE[4]	2.0
AB-32	-	4.9	2.5
AB-33	-	5.3	2.0
AB-34	-	NE[4]	3.0
AB-35	-	NE[4]	3.0

[1] - North American Vertical Datum, ground elevations not available at time of drilling

[2] - Below Ground Surface

[3] - Seasonal High Groundwater Table; Groundwater will perch over clayey sand, silty sand, and clay in some locations

[4] - NE - Groundater Not Encountered (at the time of drilling)

APPENDIX A

Logs and Profiles of Soil Borings

FAULKNER ENGINEERING SERVICES, Inc.

DRILL HOLE LOG
BORING NO.: PB-1

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ **:**

Elevation: NA
Logged By: MB
At Completion ▼ **:** 5.3'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0								
		SP	Loose, brown, fine SAND		1	2 3 3	6	
			Medium-Dense, light brown		2	4 5 7	12	
5		SP-SC	Medium-Dense, light brown, fine SAND with clay		3	3 4 8	12	
					4	4 6 6	12	
					5	5 10 9	19	
10								
		SC	Medium-Dense, light brown, clayey SAND (-200=28.6%)		6	7 9 10	19	
15								
			Loose		7	2 3 3	6	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-2

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ :

Elevation: NA
Logged By: MB
At Completion ▼ : 5.0'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0								
		SP-SM	Medium-Dense, brown, fine SAND with silt		1	2 3 8	11	
		SP	Medium-Dense, light brown, fine SAND		2	7 6 7	13	
5		SP-SC	Very Loose, brown, fine SAND with clay		3	2 2 2	4	
			Loose		4	2 3 3	6	
					5	2 3 2	5	
10								
		SC	Medium-Dense, gray, clayey SAND		6	6 6 8	14	
15								
		SP-SC	Loose, light brown, fine SAND with clay		7	3 4 2	6	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-3

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ : **At Completion** ▼ : 6.0'

Elevation: NA
Logged By: MB

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0		SP	Loose, light brown, fine SAND		1	3 4 4	8	
			Medium-Dense		2	3 5 6	11	
5		SP-SC	Loose, brown, fine SAND with clay		3	4 5 3	8	
					4	2 3 2	5	
		SC	Very Loose, brown, clayey SAND (-200=12.7%)		5	1 2 2	4	
10								
			Medium-Dense, light brown		6	3 5 6	11	
15								
			Very Loose		7	4 2 2	4	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-4

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ **:**

Elevation: NA
Logged By: MB
At Completion ▼ **:** 5.9'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0		SP	Loose, light brown, fine SAND		1	4 4 6	10	
			Medium-Dense		2	3 5 7	12	
5		SP-SC	Loose, brown, fine SAND with clay		3	4 5 5	10	
					4	2 3 3	6	
					5	2 2 3	5	
10								
15		SP-SM	Medium-Dense, brown, fine SAND with silt		6	4 6 9	15	
20		SP-SC	Medium-Dense, light brown, fine SAND with clay		7	10 13 14	27	
			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-5

FAULKNER ENGINEERING SERVICES, Inc.

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MB

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.3'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0								
		SP	Loose, brown, fine SAND		1	5 4 5	9	
			Medium-Dense		2	5 5 8	13	
5		SP-SC	Loose, light brown, fine SAND with clay		3	4 3 2	5	
			Very Loose		4	1 2 2	4	
			Loose		5	1 2 3	5	
10								
		SP-SM	Medium-Dense, brown, fine SAND with silt		6	3 5 7	12	
15								
					7	8 8 10	18	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-6

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MB

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.5'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance
0		SP	Medium-Dense, brown, fine SAND with fine roots		1	4 6 5	11	
			Medium-Dense, light brown		2	3 5 10	15	
5		SP-SC	Loose, brown, fine SAND with clay (-200=10.9%)		3	5 4 2	6	
		SC	Very Loose, brown, clayey SAND		4	1 1 2	3	
		SP-SC	Very Loose, light brown, fine SAND with clay		5	1 1 2	3	
10								
		SP-SM	Loose, brown, fine SAND with silt		6	2 4 4	8	
15								
			Medium-Dense		7	6 9 11	20	
20			End of Boring					
25								
30								
35								

Penetration Resistance scale: 10 20 30 40 60 80

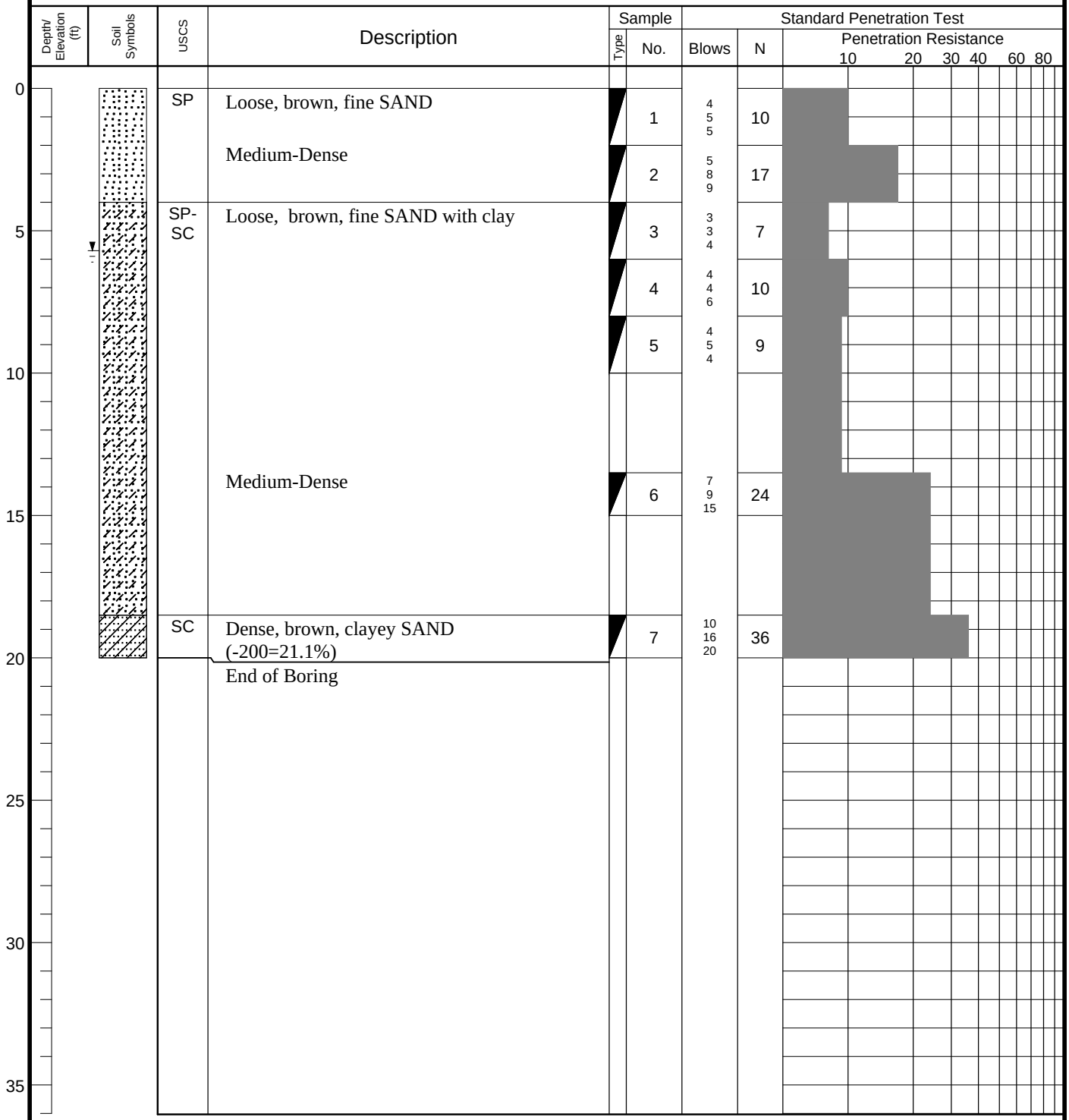
This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-7

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.7'

Elevation: NA
Logged By: MB



This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-8

FAULKNER ENGINEERING SERVICES, Inc.

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MB

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.9'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0		SP	Loose, brown, fine SAND		1	4 4 5	9	
			Medium-Dense, light brown		2	7 8 10	18	
5		SP-SC	Medium-Dense, light brown, fine SAND with clay		3	5 6 7	13	
			Loose		4	5 3 4	7	
			Very Loose		5	3 2 2	4	
10								
			Medium-Dense		6	6 8 13	21	
15								
		SC	Medium-Dense, brown, clayey SAND		7	9 14 15	29	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-9

Project No.: 21-5064
Date: 5/13/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MR

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.0'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0								
		SP	Loose, brown, fine SAND		1	5 5 5	10	
			Medium-Dense		2	7 6 7	13	
5		SP-SM	Loose, brown, fine SAND with silt		3	2 4 5	9	
					4	3 3 3	6	
			Medium-Dense		5	4 6 5	11	
10								
		SC	Medium-Dense, brown, clayey SAND (-200=19.3%)		6	12 13 17	30	
15								
					7	8 8 9	17	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-10

Project No.: 21-5064
Date: 5/14/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.5'

Elevation: NA
Logged By: MR

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0								
		SP	Loose, gray brown, fine SAND		1	4 4 6	10	
			Medium-Dense, brown		2	4 8 10	18	
5					3	4 6 6	12	
		SP-SM	Medium-Dense, brown, fine SAND with silt		4	5 7 9	16	
		SP-SC	Medium-Dense, light brown, fine SAND with clay		5	6 7 8	15	
10								
		CL	Stiff, gray, CLAY		6	2 4 8	12	
15								
			Medium		7	2 3 4	7	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-11

Project No.: 21-5064
Date: 5/14/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ : **At Completion** ▼ : 6.0'

Elevation: NA
Logged By: MR

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0		SP	Loose, brown, fine SAND		1	2 4 5	9	
			Medium-Dense, dark brown		2	4 7 11	18	
5		SP-SM	Loose, dark brown, fine SAND with silt		3	3 3 6	9	
		SC	Medium-Dense, gray brown, clayey SAND		4	4 8 12	20	
			(-200=24.9%)		5	7 9 6	15	
10								
			Loose, gray		6	3 3 4	7	
15								
					7	2 3 3	6	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-12

Project No.: 21-5064
Date: 5/17/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.5'

Elevation: NA
Logged By: MR

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0								
		SP	Loose, brown, fine SAND		1	2 4 5	9	
			Medium-Dense		2	5 5 6	11	
5		SP-SC	Loose, light brown, fine SAND with clay (-200=8.8%)		3	2 3 3	6	
		SC	Loose, light brown, clayey SAND		4	2 2 3	5	
			Very Loose		5	1 2 2	4	
10								
			Medium-Dense, gray		6	7 10 9	19	
15								
			(-200=17.8%)		7	5 7 10	17	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-13

Project No.: 21-5064
Date: 5/17/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MR

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.9'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0		SP	Loose, brown, fine SAND		1	2 2 3	5	
			Light brown		2	4 3 5	8	
5		SP-SC	Very Loose, light brown, fine SAND with clay		3	3 2 2	4	
		SC	Very Loose, light brown, clayey SAND		4	1 2 2	4	
			Medium-Dense, gray (-200=26.5%)		5	4 8 10	18	
10								
					6	6 7 7	14	
15								
					7	6 9 11	20	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-14

Project No.: 21-5064
Date: 5/17/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MB

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 6.0'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance
0		SP-SM	Loose, brown, fine SAND with silt		1	3 3 4	7	
			Medium-Dense		2	4 7 9	16	
5		SP-SC	Medium-Dense, brown, fine SAND with clay		3	4 5 7	12	
			Loose		4	4 3 3	6	
			Very Loose, gray		5	3 2 2	4	
10								
		SC	Medium-Dense, gray, clayey SAND		6	10 8 9	17	
15								
		CL	Stiff, gray, CLAY		7	4 6 8	14	
20			End of Boring					
25								
30								
35								

Penetration Resistance scale: 10 20 30 40 60 80

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-15

Project No.: 21-5064
Date: 5/14/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ : **At Completion** ▼ : 6.3'

Elevation: NA
Logged By: MR

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0		SP	Loose, dark brown, fine SAND		1	2 4 6	10	
			Medium-Dense, brown		2	3 5 7	12	
5		SP-SM	Medium-Dense, brown, fine SAND with silt		3	2 5 9	14	
	▽	SP	Loose, light brown, fine SAND		4	3 2 3	5	
		SC	Medium-Dense, gray, clayey SAND		5	2 9 7	16	
10								
			(-200=17.2%)		6	4 7 10	17	
15								
			Dense		7	15 16 20	36	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-16

Project No.: 21-5064
Date: 5/14/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MR

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 6.0'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0		SP	Loose, dark brown, fine SAND		1	2 4 4	8	
			Brown		2	2 2 4	6	
5		SP-SM	Loose, brown, fine SAND with silt		3	2 2 3	5	
			Very Loose		4	2 2 2	4	
		SP	Loose, brown, fine SAND		5	3 3 2	5	
10								
			Light brown		6	4 5 4	9	
15								
		SC	Medium-Dense, gray, clayey SAND with cementation		7	6 9 9	18	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-17

Project No.: 21-5064
Date: 5/14/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ :

Elevation: NA
Logged By: MR
At Completion ▼ : * NE

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0								
		SP	Loose, light brown, fine SAND		1	3 2 4	6	
		SP-SC	Loose, brown, fine SAND with clay		2	3 5 5	10	
5		SC	Medium-Dense, gray, clayey SAND (-200=41.2%)		3	7 8 7	15	
			Gray brown		4	4 7 10	17	
			Gray		5	8 11 12	23	
10								
					6	8 8 10	18	
15								
			(-200=26.6%)		7	9 12 15	27	
20			End of Boring					
25								
30								
35								

**Groundwater not encountered at first 10 feet*

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-18

Project No.: 21-5064
Date: 5/17/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MR

Depth to Water> **Initial** ▽ : **At Completion** ▼ : * NE

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0								
		SP	Loose, gray, fine SAND		1	2 4 4	8	
			Medium-Dense, light brown		2	5 6 7	13	
5		SC	Loose, gray, clayey SAND		3	3 4 5	9	
			Medium-Dense		4	3 6 9	15	
			(-200=26.1%)		5	9 11 13	24	
10								
					6	5 5 7	12	
15								
					7	4 9 12	21	
20			End of Boring					
25								
30								
35								

**Groundwater not encountered at first 10 feet*

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-19

Project No.: 21-5064
Date: 5/17/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ :

Elevation: NA
Logged By: MR
At Completion ▼ : * NE

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0		SP	Loose, gray brown, fine SAND		1	2 2 3	5	
		SP-SC	Medium-Dense, light brown, fine SAND with clay		2	3 6 8	14	
5		SC	Medium-Dense, gray, clayey SAND		3	4 9 10	19	
			(-200=22.3%)		4	5 10 11	21	
					5	9 14 16	30	
10								
					6	8 13 15	28	
15								
		CL	Hard, gray CLAY		7	11 14 17	31	
20			End of Boring					
25								
30								
35								

**Groundwater not encountered at first 10 feet*

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-20

Project No.: 21-5064
Date: 5/17/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MB

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 4.5'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance
0		SP	Loose, gray, fine SAND		1	3 4 4	8	
			Medium-Dense, brown		2	7 8 11	19	
5		SP-SC	Medium-Dense, brown, fine SAND with clay		3	6 10 11	21	
		SC	Medium-Dense, brown, clayey SAND		4	6 7 10	17	
			Gray (-200=36.0%)		5	11 12 15	27	
10								
					6	7 12 13	25	
15								
		CL	Very Stiff, gray, CLAY		7	10 13 14	27	
20			End of Boring					
25								
30								
35								

Penetration Resistance: 10 20 30 40 60 80

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-21

Project No.: 21-5064
Date: 5/17/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MB

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 4.9'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0		SP	Loose, light brown, fine SAND with fine roots		1	3 3 3	6	
			Medium-Dense		2	4 6 5	11	
5		SP-SC	Loose, gray, fine SAND with clay		3	3 3 2	5	
			Very Loose		4	1 1 2	3	
		SC	Very Loose, gray, clayey SAND (-200=34.1%)		5	2 2 2	4	
10								
		SP-SC	Medium-Dense, gray, fine SAND with clay		6	4 6 6	12	
15								
		SC	Medium-Dense, gray, clayey SAND		7	7 9 10	19	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

FAULKNER ENGINEERING SERVICES, Inc.

DRILL HOLE LOG
BORING NO.: PB-22

Project No.: 21-5064
Date: 5/18/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45

Elevation: NA
Logged By: MB

Depth to Water> **Initial** ▽ : **At Completion** ▼ : 5.0'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0		SP-SM	Loose, brown, fine SAND with silt		1	3 2 3	5	
					2	2 3 2	5	
5		SP-SC	Loose, brown, fine SAND with clay		3	2 4 3	7	
			Very Loose		4	1 2 1	3	
					5	1 1 2	3	
10								
		SC	Medium-Dense, gray, clayey SAND (-200=36.2%)		6	7 6 6	12	
15								
					7	5 8 9	17	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-23

Project No.: 21-5064
Date: 5/18/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ **:**

Elevation: NA
Logged By: MB
At Completion ▼ **:** 2.5'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0		SP	Very Loose, brown, fine SAND		1	1 1 2	3	
			Loose		2	2 3 3	6	
5			Very Loose, light brown		3	1 2 1	3	
		SP-SC	Very Loose, light brown, fine SAND with clay		4	1 2 2	4	
					5	1 1 2	3	
10								
		SC	Medium-Dense, light brown, clayey SAND		6	4 5 7	12	
15								
		CL	Very Stiff, gray, CLAY		7	3 6 10	16	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-24

Project No.: 21-5064
Date: 5/18/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ :

Elevation: NA
Logged By: MB
At Completion ▼ : 3.7'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance (10 20 30 40 60 80)
0								
		SP	Very Loose, brown, fine SAND		1	1 1 2	3	
			Medium-Dense, gray		2	5 7 9	16	
5					3	3 7 10	17	
			Loose		4	5 3 3	6	
		SP-SC	Very Loose, brown, fine SAND with clay		5	3 2 2	4	
10								
		CL	Stiff, gray, CLAY		6	8 5 6	11	
15								
					7	4 4 8	12	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

DRILL HOLE LOG
BORING NO.: PB-25

Project No.: 21-5064
Date: 5/18/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ :

Elevation: NA
Logged By: MB
At Completion ▼ : 3.9'

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0								
		SP-SM	Very Loose, brown, fine SAND with silt		1	2 2 1	3	
		SP-SC	Loose, gray, fine SAND with clay		2	3 3 7	10	
5					3	3 5 5	10	
			Very Loose		4	1 1 2	3	
					5	2 2 1	3	
10								
			Medium-Dense		6	10 11 10	21	
15								
			Dense, brown		7	12 14 18	32	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

FAULKNER ENGINEERING SERVICES, Inc.

DRILL HOLE LOG
BORING NO.: PB-26

Project No.: 21-5064
Date: 5/18/2021

Project: Deeson Subdivision
Client: Swan Capital Partners
Location: Lakeland, Polk County, Florida
Driller: J&R Precision Drilling, Inc.
Drill Rig: CME 45
Depth to Water> **Initial** ▽ : **At Completion** ▼ : 4.0'

Elevation: NA
Logged By: MB

Depth/ Elevation (ft)	Soil Symbols	USCS	Description	Sample Type	Sample No.	Standard Penetration Test Blows	N	Penetration Resistance 10 20 30 40 60 80
0								
		SP-SM	Loose, brown, fine SAND with silt		1	3 4 6	10	
		SP-SC	Loose, brown, fine SAND with clay		2	9 6 3	9	
5			Very Loose		3	1 2 2	4	
		SC	Very Loose, brown, clayey SAND (-200=12.5%)		4	1 1 2	3	
					5	1 2 2	4	
10								
			Medium-Dense, gray		6	7 9 14	23	
15								
			(-200=23.3%)		7	10 15 13	28	
20			End of Boring					
25								
30								
35								

This information pertains only to this boring and should not be interpreted as being indicative of the site.

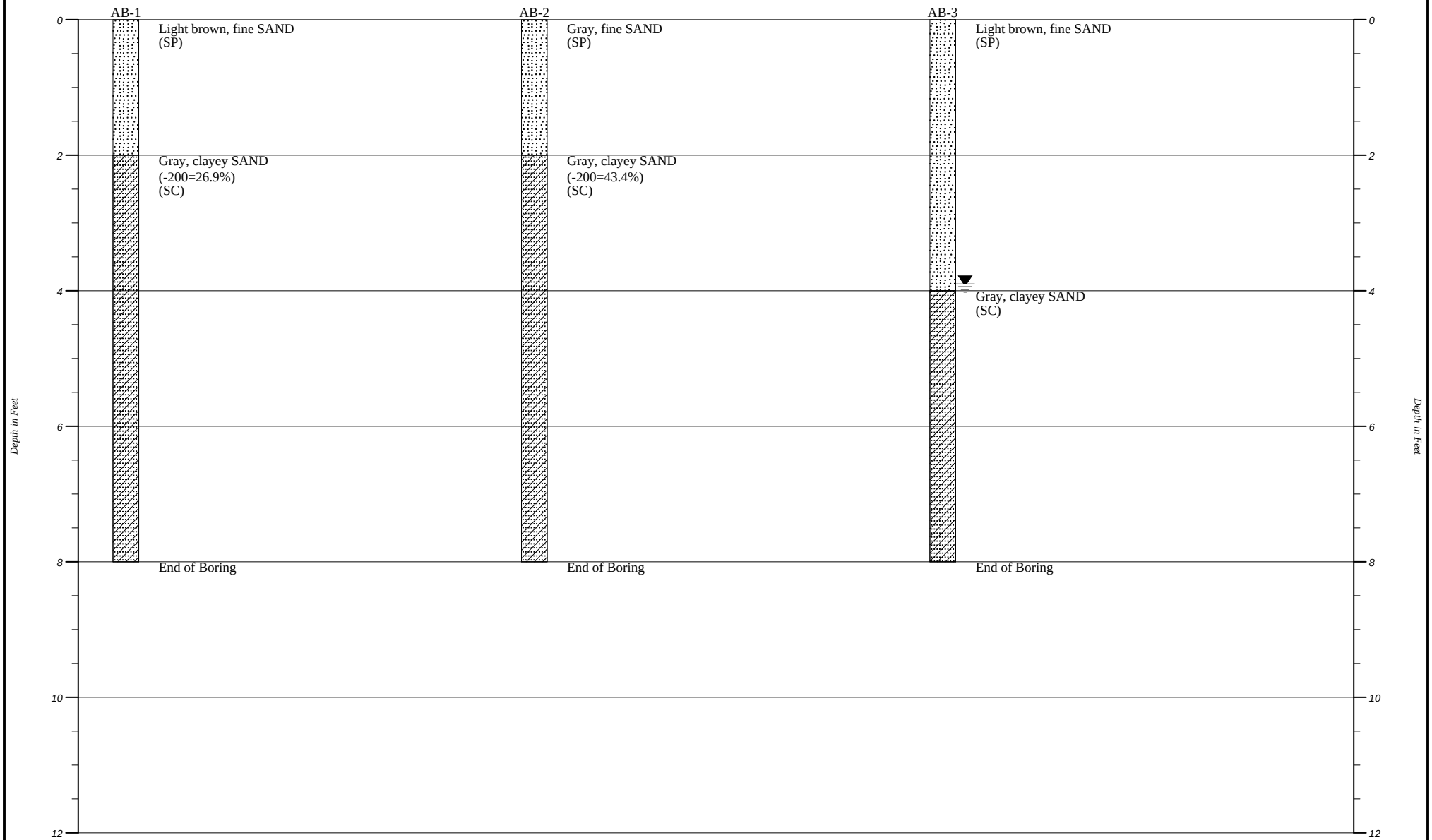
KEY TO SYMBOLS

Symbol	Description
Strata symbols	
	Poorly graded sand
	Poorly graded sand with clay
	Clayey sand
	Poorly graded sand with silt
	Low plasticity clay
Misc. Symbols	
	Water table at boring completion
Soil Samplers	
	Standard penetration test

Notes:

1. Exploratory boring were performed using a 2-inch diameter split barrel sampler driven by a 140 lbs hammer (In accordance with ASTM D1586)

2. These logs are subject to the limitations, conclusions, and recommendations in this report.



Plan View

Strata symbols

Poorly graded sand

Clayey sand

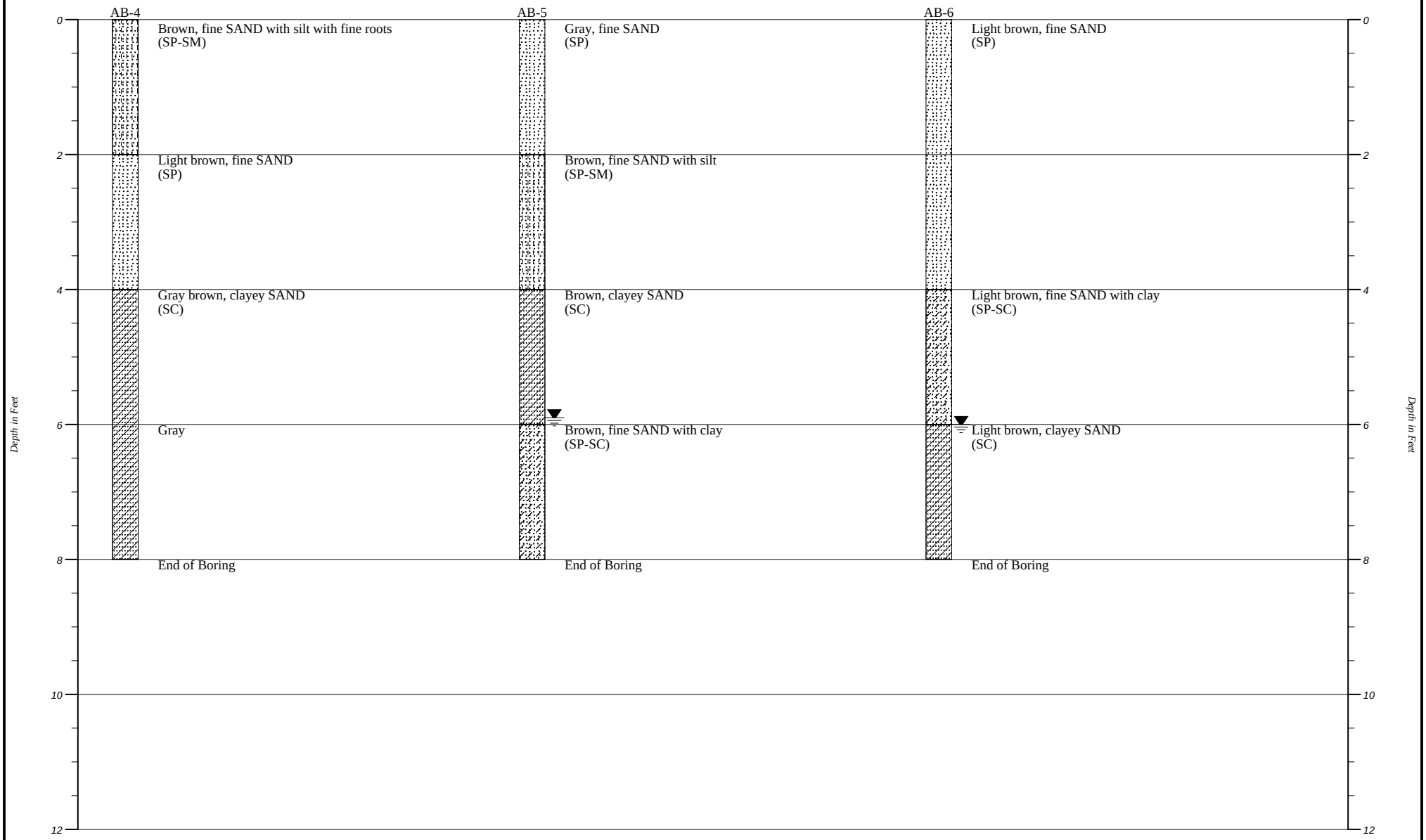
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

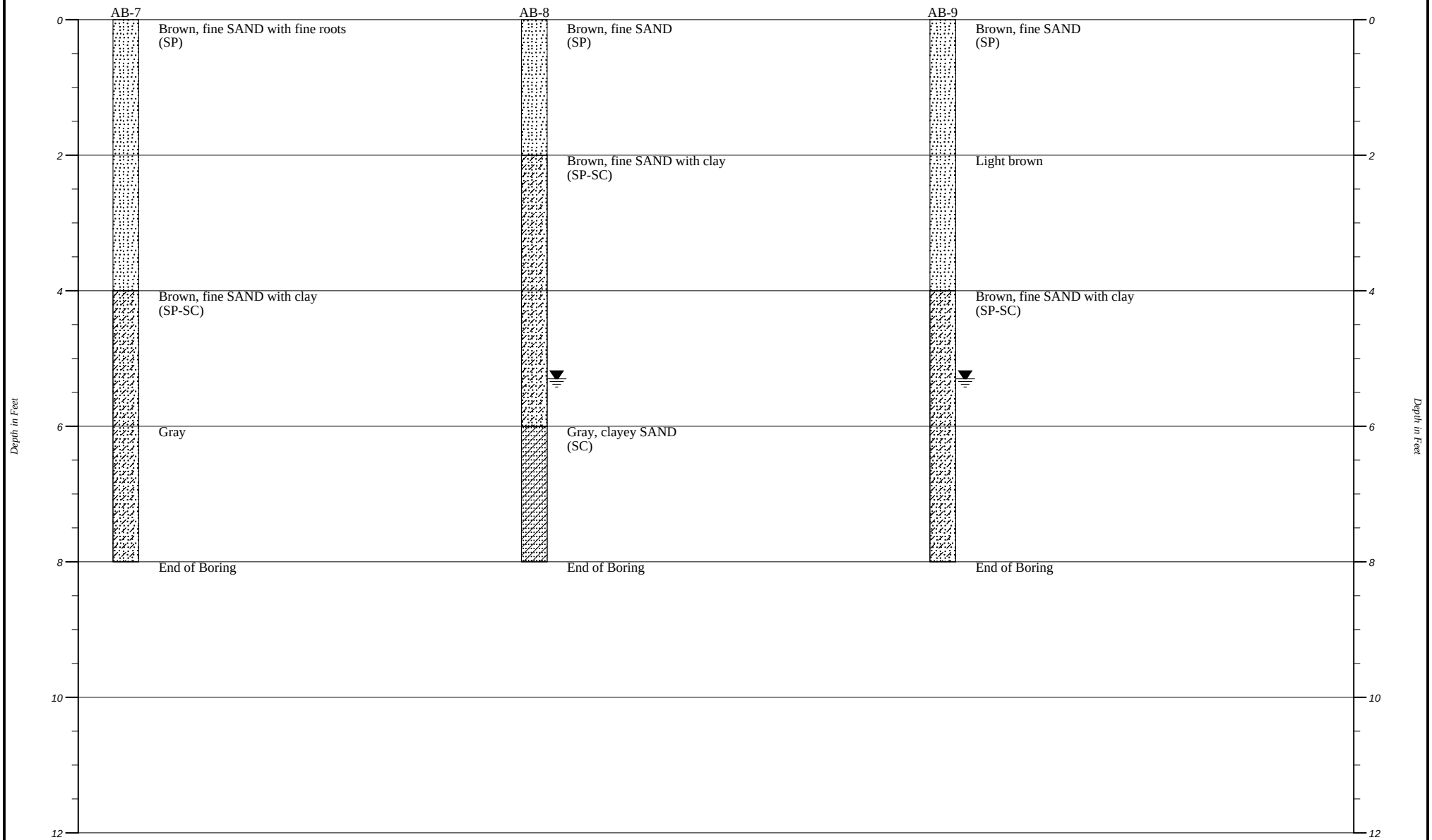
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

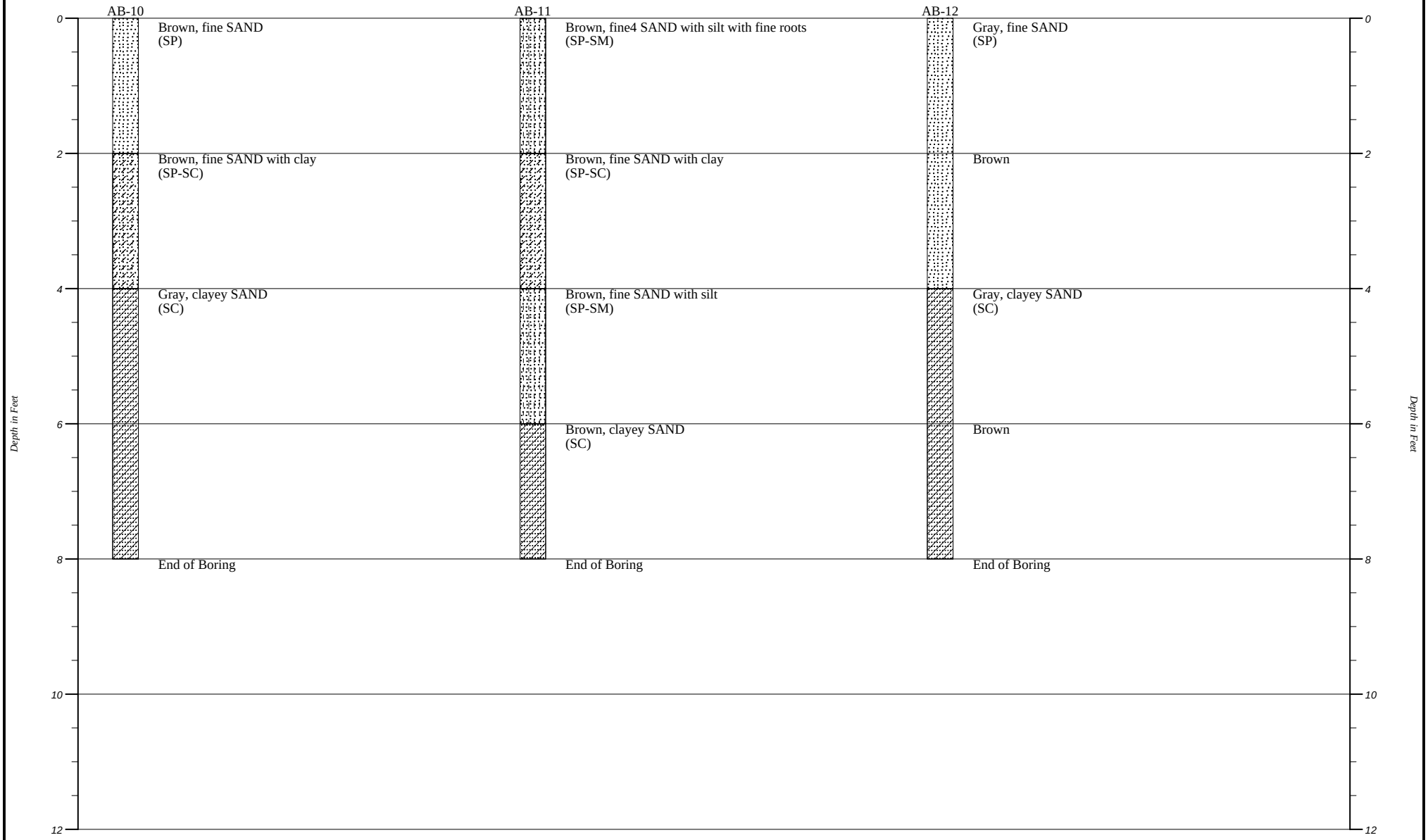
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

Faulkner Engineering Services, Inc.

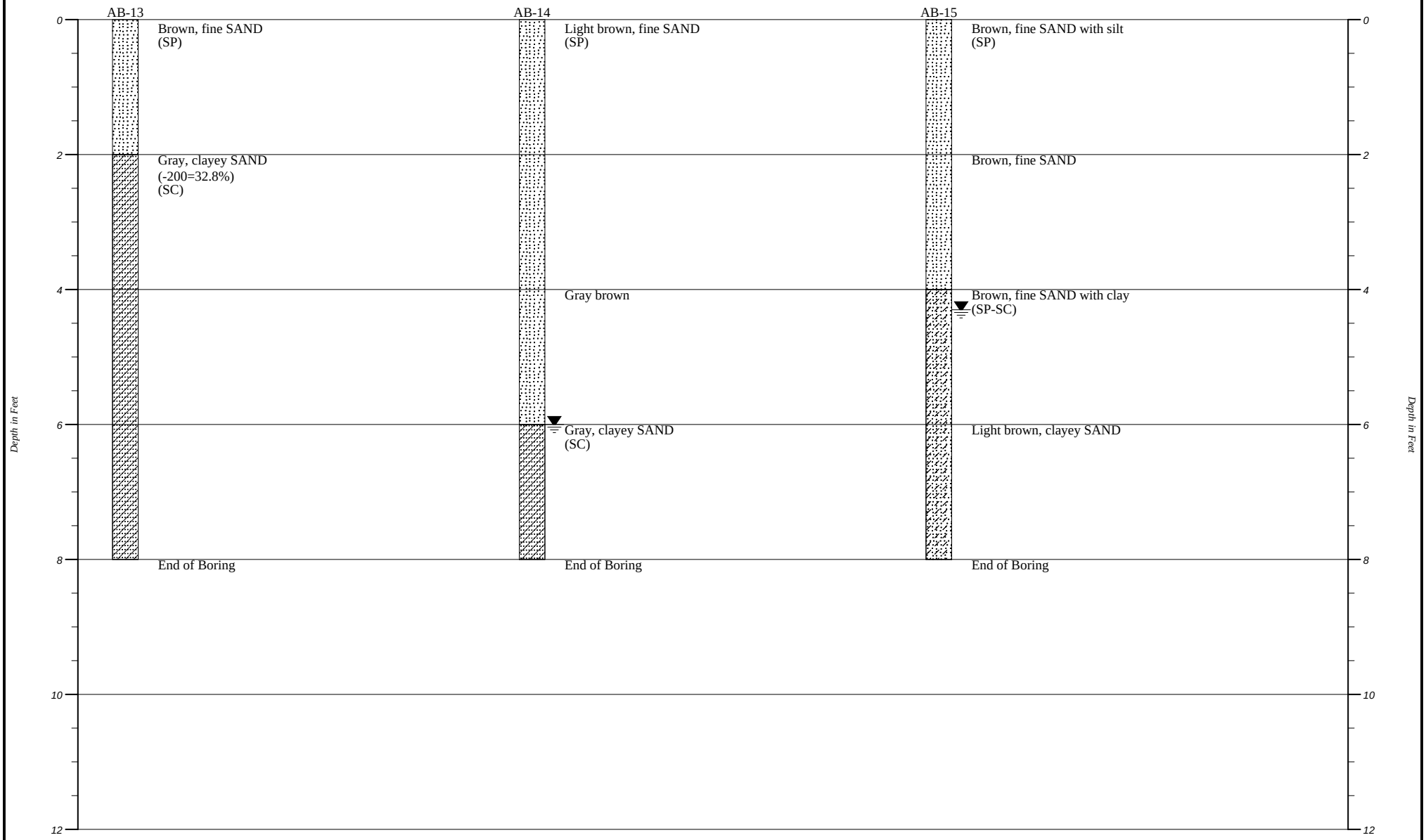
AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064

800



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

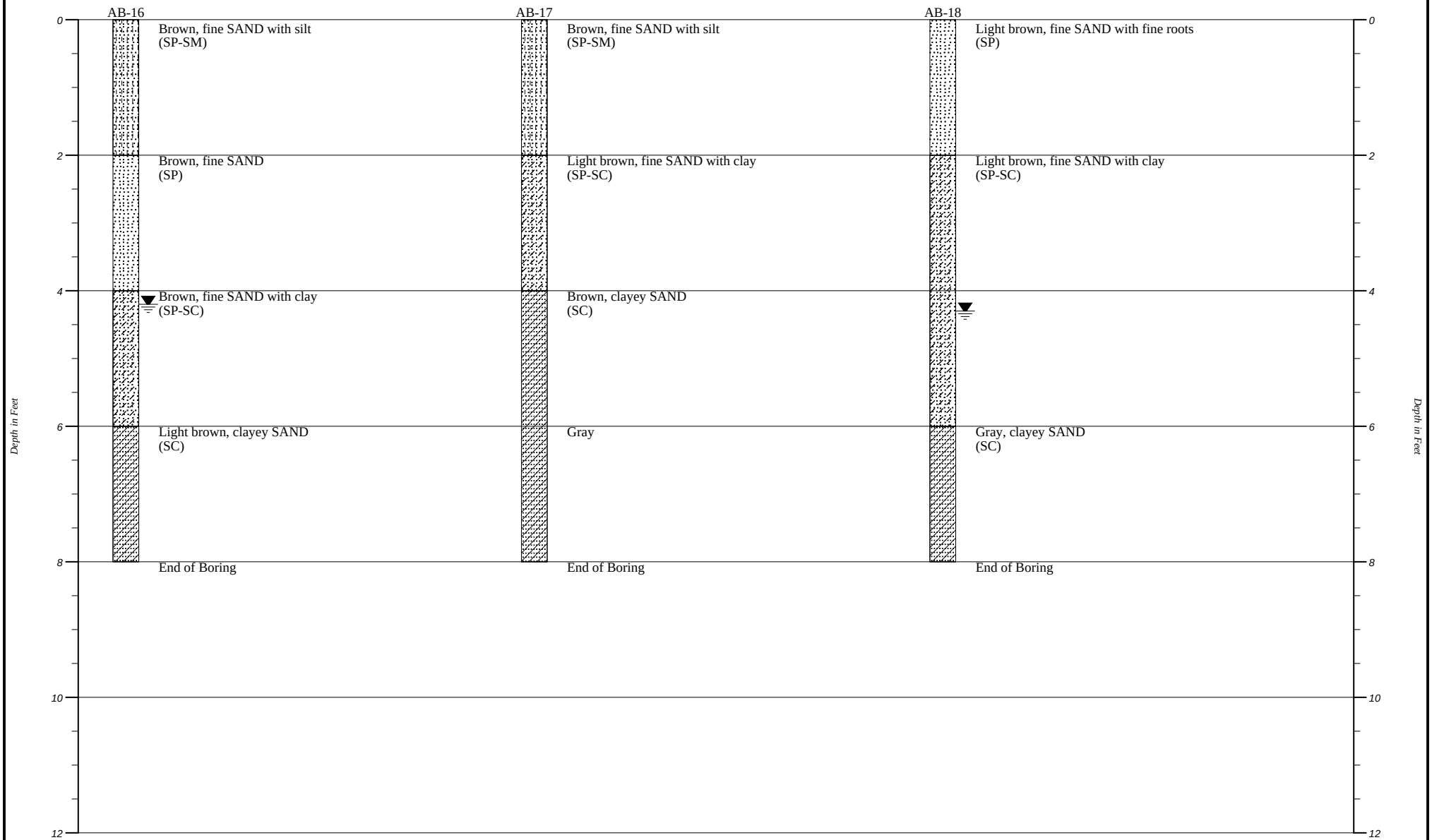
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

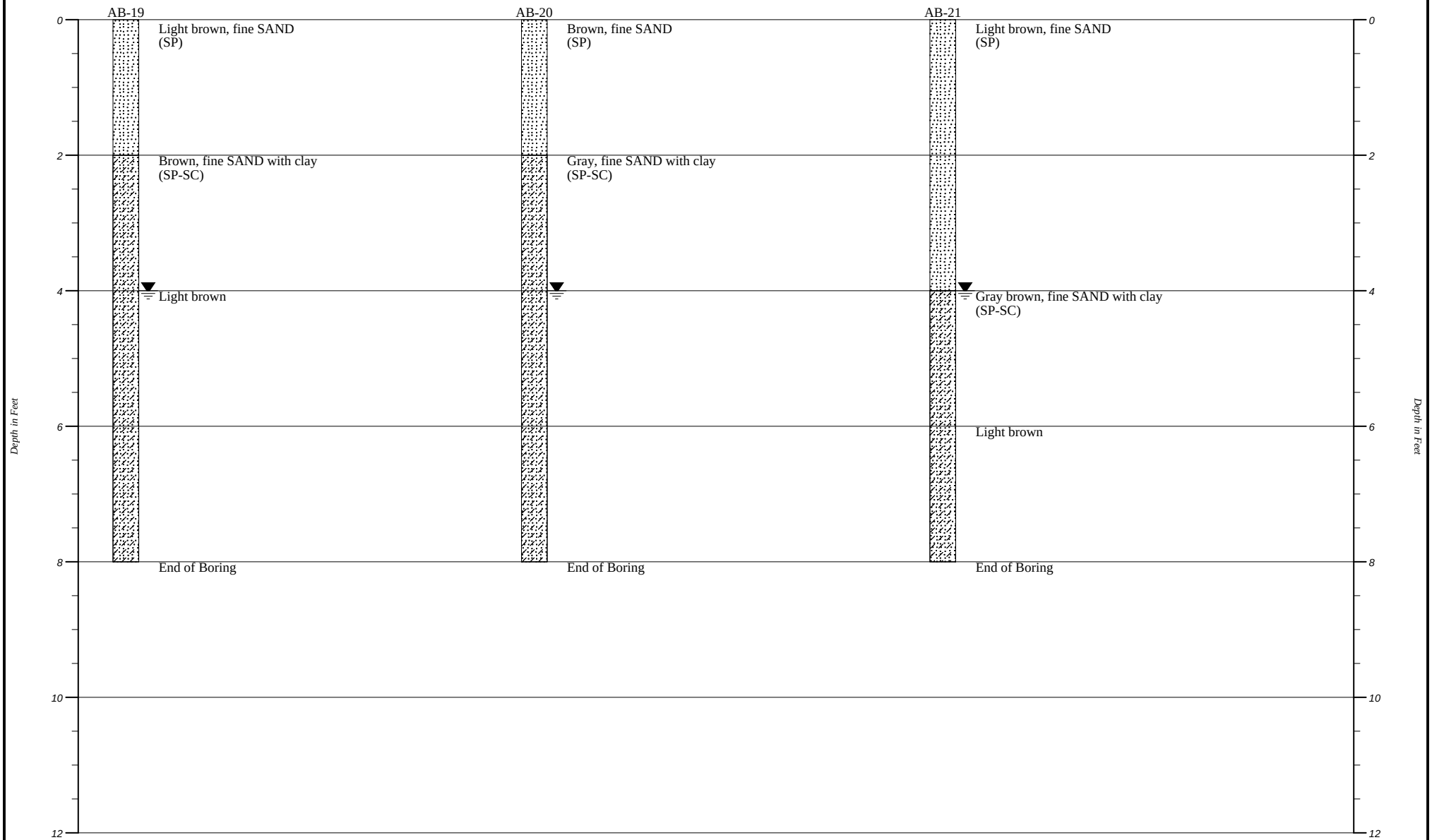
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

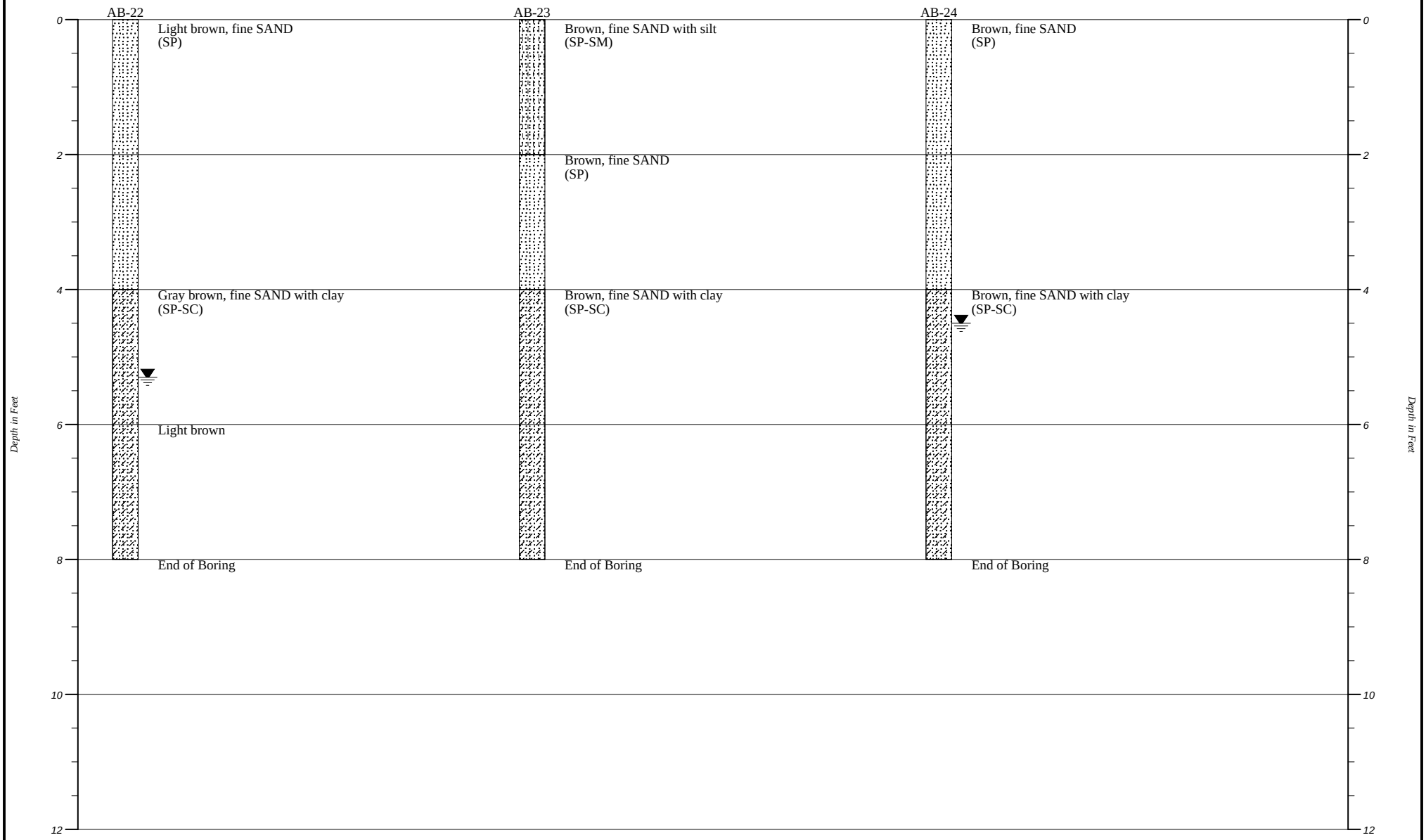
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY	DATE PERFORMED
VERTICAL SCALE: 1"=2'	MS/PK	5/18/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

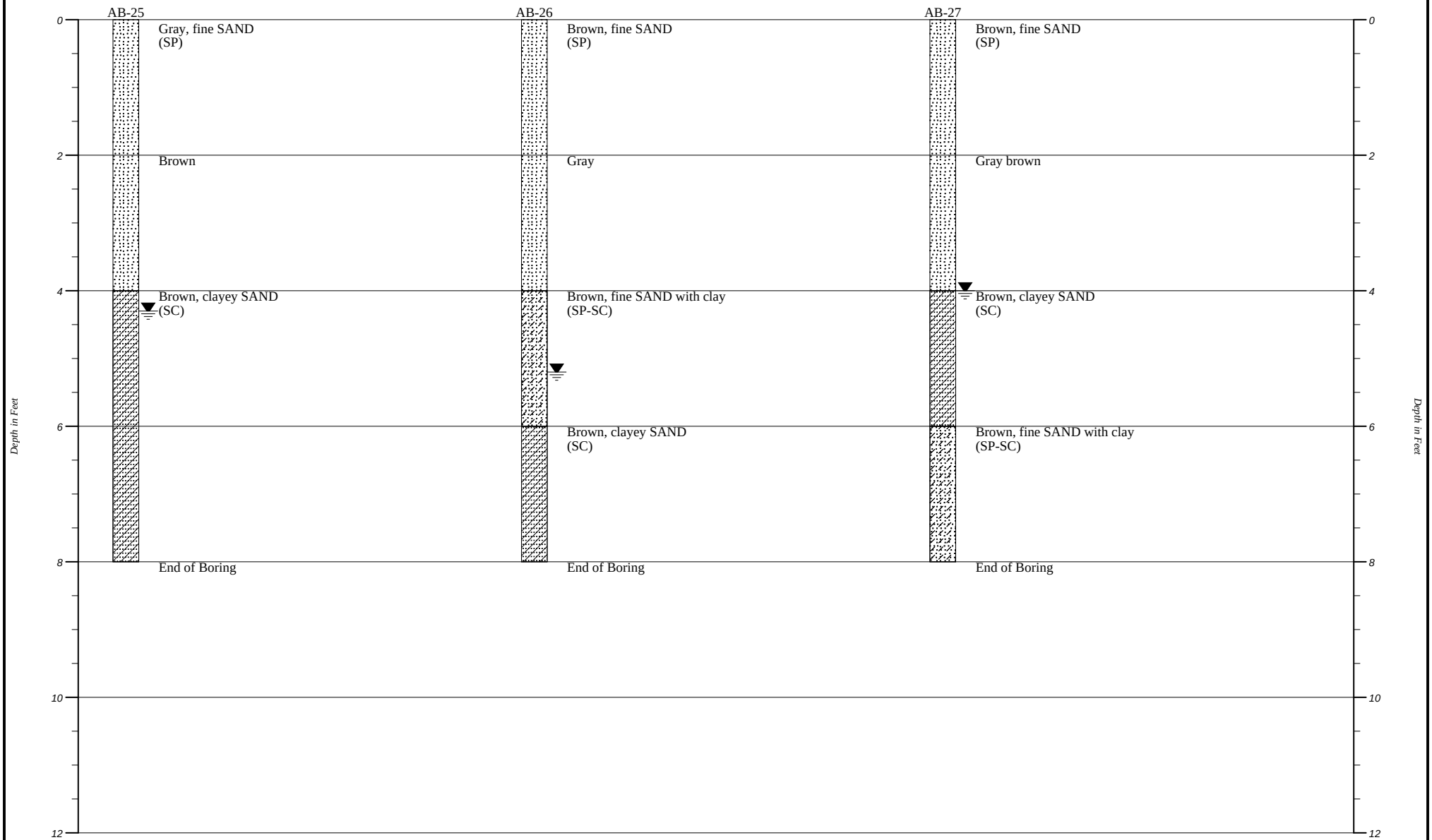
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

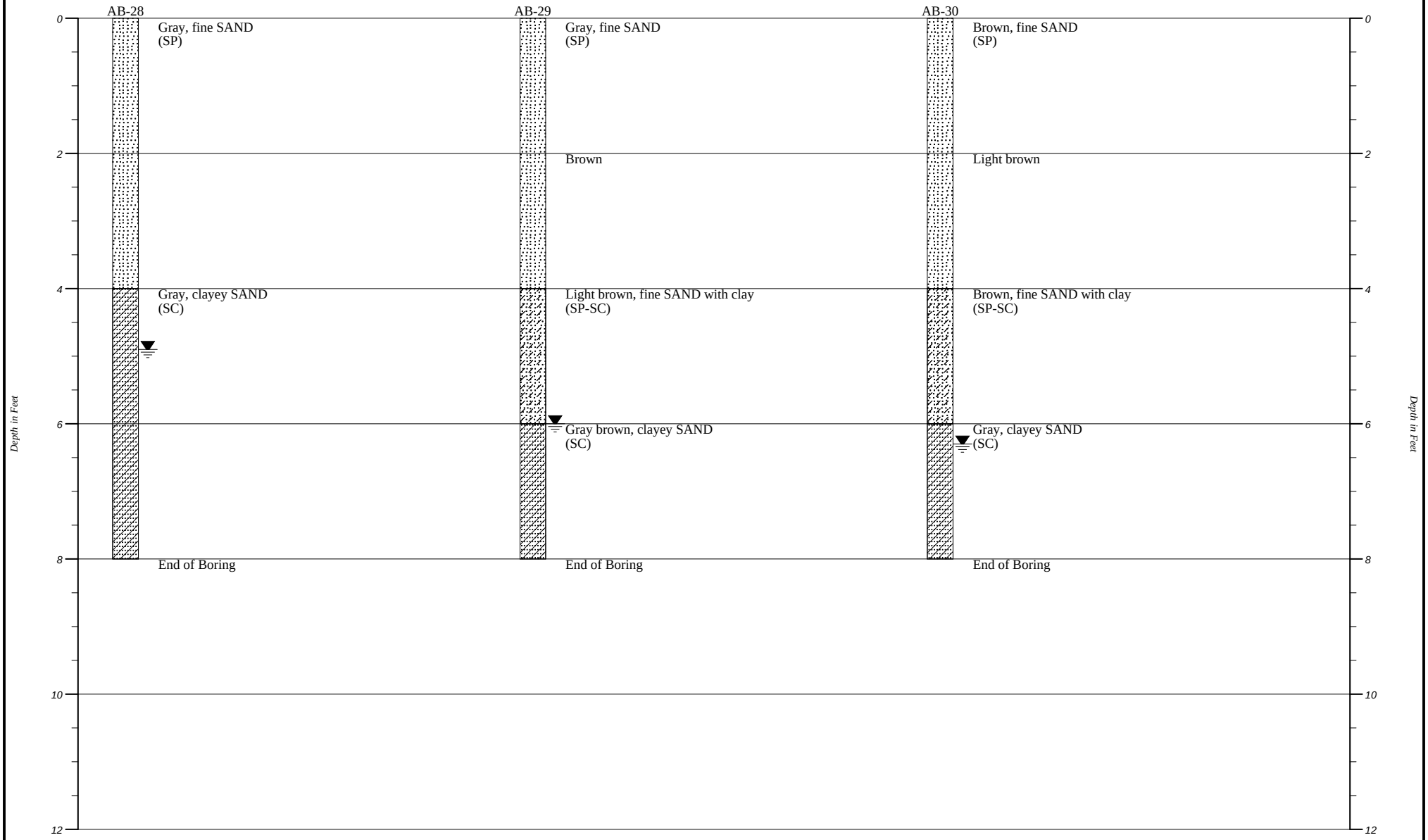
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

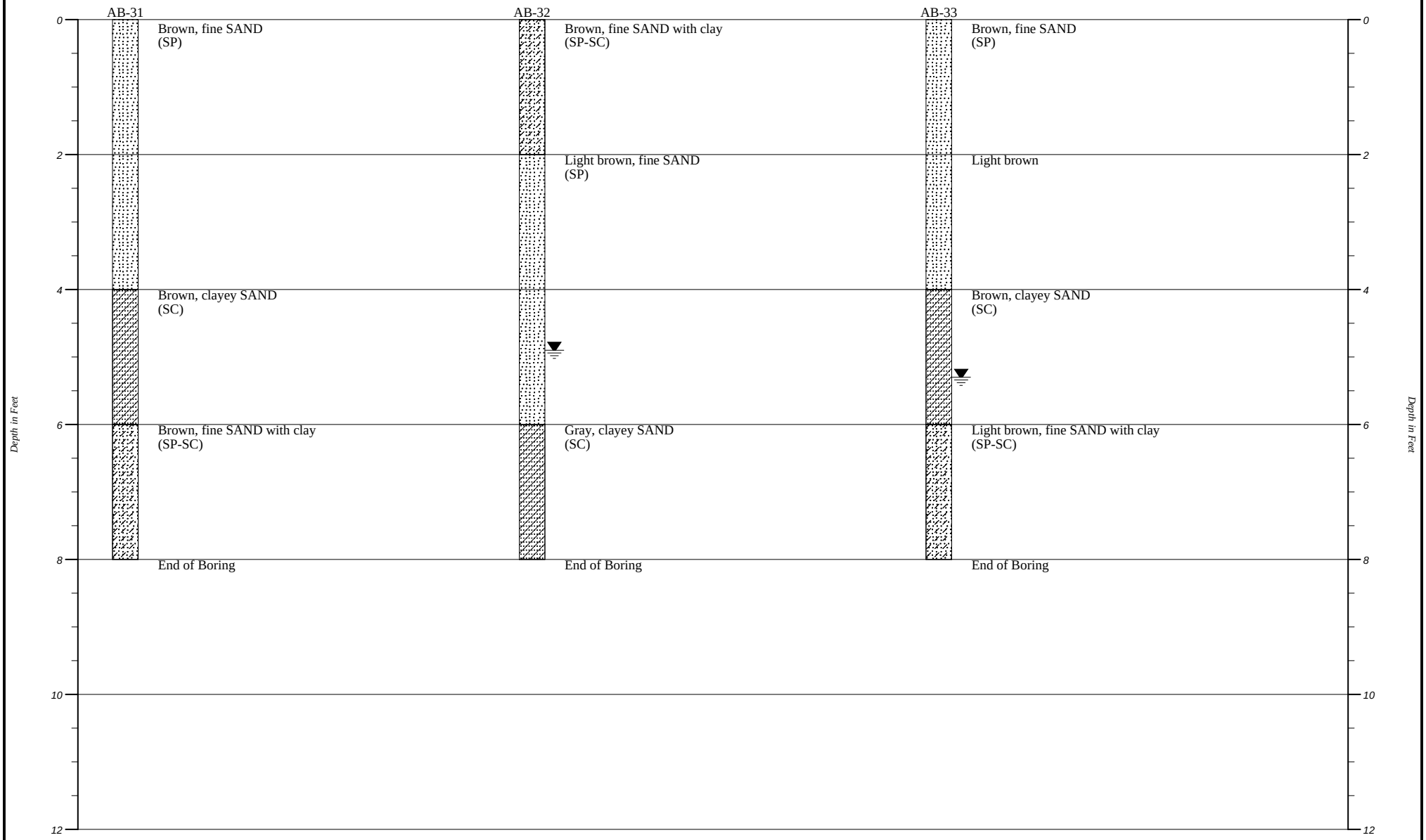
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

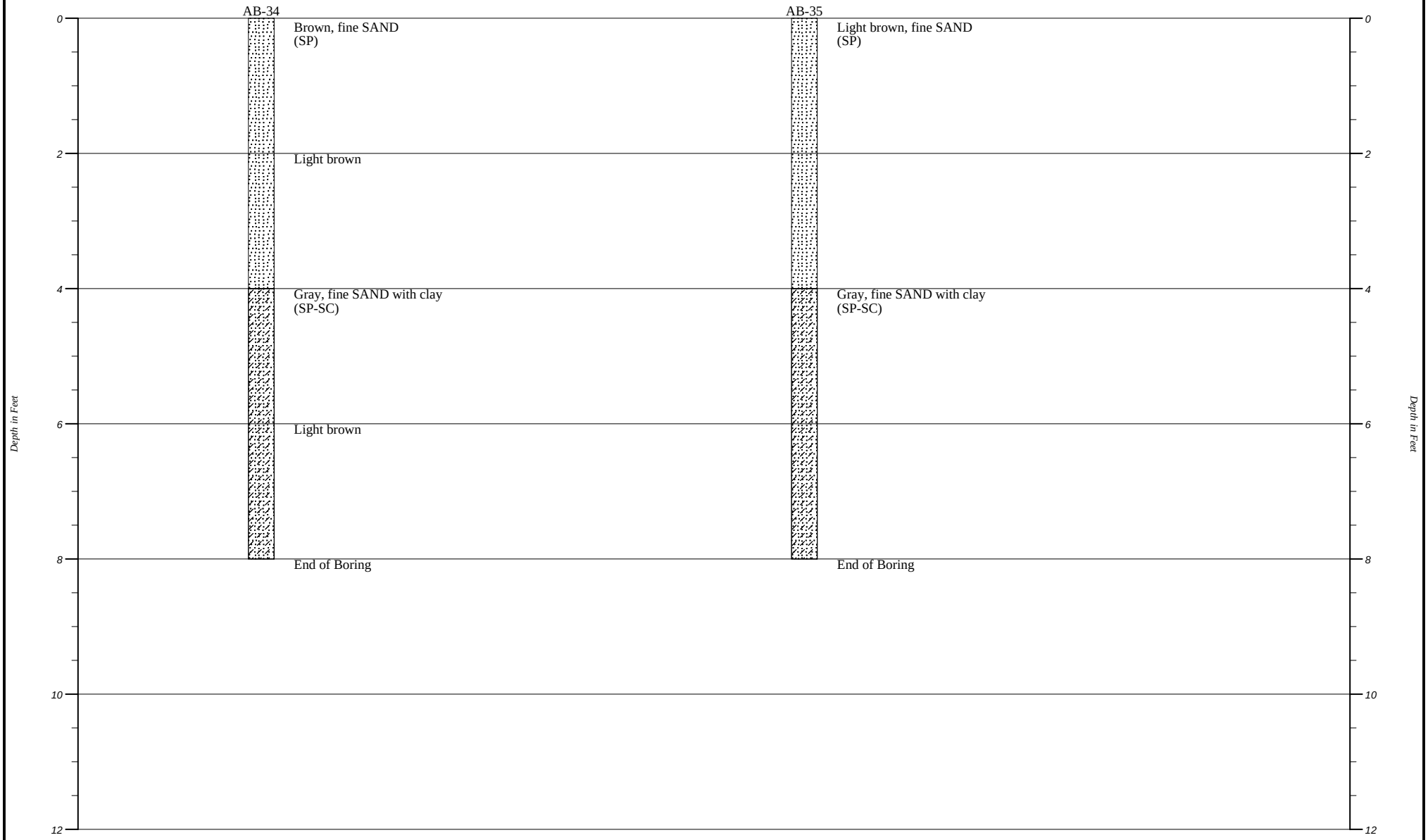
Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064



Plan View

Strata symbols

- Poorly graded sand
- Clayey sand
- Poorly graded sand with silt
- Poorly graded sand with clay

Faulkner Engineering Services, Inc.

AUGER BORING PROFILES

HORIZONTAL SCALE:	DRAWN BY/APPROVED BY MS/PK	DATE PERFORMED
VERTICAL SCALE: 1"=2'		5/19/2021

Deeson Subdivision

PROJECT NO. 21-5064

APPENDIX B

Key to Soil Classification

UNIFIED SOIL CLASSIFICATION SYSTEM (USCS)

Major Division		Group Symbol	Laboratory Classification Data		Soil Description
			Finer than No. 200 Sieve %	Supplementary Requirements	
Coarse-Grained (Over 50% by Weight Coarser than No. 200 Sieve)	Gravelly Soils (Over Half of Coarse Fraction Larger than No. 4 Sieve)	GW	0 - 5*	$C_u \geq 4$ and $1 \leq C_c \leq 3$	Well-Graded Gravels, Sandy Gravels
		GP	0 - 5*	$C_u < 4$ and / or $1 > C_c > 3$	Gap-Graded or Uniform Gravels, Sandy Gravels
		GM	12 or More*	PI < 4 or Below A-Line	Silty Gravels, Silty Sandy Gravels
		GC	12 of More*	PI ≥ 7 and On or Above A-Line	Clayey Gravels, Clayey Sandy Gravels
	Sandy Soils (Over Half of Coarse Fraction Larger than No. 4 Sieve)	SW	0 - 5*	$C_u \geq 6$ and $1 \leq C_c \leq 3$	Well-Graded Sands, Gravelly Sands
		SP	0 - 5*	$C_u < 6$ and / or $1 > C_c > 3$	Gap-Graded or Uniform Sands, Gravelly Sands
		SM	12 or More*	PI < 4 or Below A-Line	Silty Sands, Silty Gravelly Sands
		SC	12 of More*	PI ≥ 7 and On or Above A-Line	Clayey Sands, Clayey Gravelly Sands
Fine-Grained (Over 50% by Weight Finer than No. 200 Sieve)	LOW Compressibility (Liquid Limit Less Than 50)	ML	Plasticity Chart		Silts, Very Fine Sands, Silty or Clayey Fine Sands, Micaceous Silts
		CL	Plasticity Chart		Low Plasticity Clays, Sandy or Silty Clays
		OL	Plasticity Chart, Organic Odor or Color		Organic Silts and Clays of Low Plasticity
	HIGH Compressibility (Liquid Limit Greater Than 50)	MH	Plasticity Chart		Micaceous Silts, Diatomaceous Silts, Volcanic Ash
		CH	Plasticity Chart		Highly Plastic Clays and Sandy Clays
		OH	Plasticity Chart, Organic Odor or Color		Organic Silts and Clays of High Plasticity
Soils with Fibrous Organic Matter		PT	Fibrous Organic Matter, Will Char, Burn, or Glow		Peat, Sandy Peats, and Clayey Peat

*For Soils having 5 to 12 percent passing the No. 200 Sieve, use a dual symbol such as GW-GC.

POLK COUNTY PLANNING COMMISSION

FINAL ORDER

Case Number: LDPD-2026-6 (Deeson Road RRD)

Applicant: Eric Swanson, Swan Capital Partners, LLC

Property Owner: Deeson Road, LLC & SR Investments & Holding LLC

Hearing Date: June 3, 2026

I. Request:

The applicant is requesting a Rural Residential Development (RRD) for 150 single-family lots. Request includes decreased lot sizes and increased density within the Residential Suburban future land use district on property located at 4235 Deeson Road, west of Kathleen Road, east of Payne Road, south of 1st Street NW, northwest of the city of Lakeland in Section 20, Township 27, Range 23.

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 3rd day of June 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 June 3, 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:

LDPD-2026-6 - Kathleen Reserve RRD

Menu Reports Help

Application Name: Kathleen Reserve RRD

File Date: 03/05/2026

Application Type: BOCC-Planned Development

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Swan Capital Partners, LLC is proposing a Rural Residential Development (RRD) for the Kathleen Reserve property (formerly: Meadowbrook / Deeson Road) located alo Deeson Road, west of Kathleen Road, east of Payne Road, and south of 1st Street NW, northwest of the City of Lakeland in Section 20, Township 27 South, Range 23 E County, Florida. The property consists of approximately 153.23 acres, which is within the 160-acre maximum permitted for an RRD. The request proposes 150 single-fam homesites, resulting in a gross density of approximately 0.98 dwelling units per acre. This density is significantly lower than the density previously approved under PUD # (256 homesites at 2.52 du/ac) and is also below the average density of adjacent parcels. The development clusters homes on upland areas while preserving approximate acres of wetlands, floodplain, and open space associated with the Blackwater Creek drainage basin, along with an additional 18 acres of upland open space reserved for stormwater storage and flood attenuation. Larger perimeter lots, landscape buffers, open space and stormwater ponds are incorporated to provide appropriate transitions surrounding properties. Additional information regarding environmental conditions, infrastructure capacity, and public services is provided in the attached master plan rezo package, Impact Statement and supporting exhibits.

Application Detail: Detail

Address: 4235 DEESON RD, LAKELAND, FL 33809

Parcel No: 232720000000032050

Owner Name: DEESON ROAD LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Eric Swanson	Swan Capital Pa...	Engineer	Mailing, 1600 East 8th...	Active
Eric Swanson	Swan Capital Pa...	Developer		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
Planned Development New

Variance Type
_

Brownfields Request
N/A

Affordable Housing

Type of Acreage
_

GENERAL INFORMATION

Expedited Review

Number of Lots
150

Will This Project Be Phased

Acreage
153.25

DRC Meeting
03/26/2026

DRC Meeting Time
_

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
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
06/03/2026

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-00000-12865

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
√

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	5			05/19/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	03/06/2026	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	03/23/2026	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	03/09/2026	Phil Irven
Fire Marshal Review	Kim Turner	Approve	03/16/2026	Kim Turner
Planning Review	Ivan Nance	Approve	03/20/2026	Ivan Nance
School Board Review	School District	Approve	03/09/2026	School District
Review Consolidation	Lyndsay Rathke	Approved for...	03/23/2026	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

Yannone, Lyndsay

From: Eric Swanson <eric@swancapitalpartners.com>
Sent: Friday, May 29, 2026 9:25 AM
To: Yannone, Lyndsay
Cc: Ziskal, Benjamin; Nance, Ivan; Jesse Anderson; Robert Gidel, Jr
Subject: Kathleen Reserve RRD [Case No. LDPD-202606] – Pre-Hearing Supplemental Submittal Materials for Wednesday, June 3rd, 2026
Attachments: 1 PC Memo - Kathleen Reserve RRD - LDPD-2026-6 - 06.2026.pdf; 1 PC Memo - Kathleen Reserve RRD - LDPD-2026-6 - 06.2026.pdf; 2 PC Supplemental - Kathleen Reserve RRD - LDPD-2026-6 - 06.2026.pdf; 3 Executive Submittal - Kathleen Reserve RRD - LDPD-2026-6 - 06.2026.pdf; 4 SwanCP Responses - Kathleen Reserve RRD - LDPD-2026-6 - 06.2026.pdf

You don't often get email from eric@swancapitalpartners.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 Lyndsay,

Attached are several supplemental materials for Kathleen Reserve / Deeson Road RRD (LDPD-2026-6) that I would like included in the public record prior to the upcoming Planning Commission hearing.

These materials are intended to supplement the original application package, provide additional planning and compatibility analysis, address a number of technical and public concerns raised throughout the review process, and provide additional context regarding the project, surrounding development patterns, infrastructure, and proposed development conditions.

The supplemental materials include the following:

1. **Kathleen Reserve RRD – Planning Commission Memorandum**
   A memorandum summarizing the evolution of the project, compatibility considerations, environmental preservation approach, stormwater strategy, Comprehensive Plan consistency, surrounding development pattern analysis, and overall public benefit framework associated with the proposed RRD.

2. **Kathleen Reserve RRD – Supplemental Planning & Development Pattern Analysis**
   A contextual planning analysis containing supporting exhibits, surrounding development pattern evaluations, historical entitlement references, infrastructure and public investment context, adjacent density evaluations, compatibility transition analysis, and comparable development examples within the Kathleen area and SDA corridor.

3. **Executive Pre-Hearing Submittal**
   An executive summary outlining the procedural and conditional approval framework associated with the RRD request, including discussion of enforceable development conditions, transportation review, stormwater permitting, concurrency, utilities, environmental review, and final engineering requirements.

4. **Swan Capital's Responses to Staff / Public / Agency Report Comments**
   A formal response-to-comments matrix prepared to address common staff, agency, and public concern categories typically associated with rural residential development applications, including compatibility,

density, traffic, stormwater, utilities, environmental resources, neighborhood transitions, agricultural interfaces, and enforceable development conditions.

Collectively, these materials further document the project's low-density development pattern, compatibility measures, preservation strategy, clustered design approach, infrastructure considerations, and overall consistency with the Rural Residential Development (RRD) framework and Comprehensive Plan.

I respectfully request that these materials be incorporated into the public record for Case LDPD-2026-6 and included as part of the hearing materials associated with this application. Please let me know if there are any issues opening the files or if anything further is needed prior to the hearing.

Thank you,

Eric K. Swanson
Swan Capital Partners
Cell: 813-462-8682

TO:	Polk County's Planning Commission
FROM:	Eric Swanson, Swan Capital Partners
RE:	Kathleen Reserve Rural Residential Development (RRD) Planning Commission Supplemental Material Polk County, FL
DATE:	Wednesday, June 3rd, 2026

MEMORANDUM

This memo supplements the Kathleen Reserve RRD application and provides additional context on the evolution of the project, compatibility considerations, environmental preservation, stormwater management, and consistency with the Polk County Comprehensive Plan and RRD framework.

Kathleen Reserve consists of approximately 153 acres located within the Suburban Development Area (SDA) in northwest Polk (Kathleen area) along Deeson Road. The project utilizes the RRD framework to cluster residential development on upland portions of the property while preserving substantial wetland, floodplain, open space, and agricultural areas.

Key Components of Kathleen Reserve:

- Reduced development intensity and enhanced perimeter transitions;
- Significant preservation of wetlands, floodplain, pasture, and open space areas;
- Centralized utility connections and managed stormwater design;
- Clustered development intended to minimize impacts on environmentally sensitive areas;
- Consistency with Polk County's RRD policies.

EVOLUTION OF THE DEVELOPMENT PLAN

Kathleen Reserve is the product of multiple years of planning, engineering analysis, environmental evaluation, and coordination efforts.

Throughout the evolution of the project, responsiveness to the prior SPD (2023) de novo denial findings influenced development intensity, buffering, preservation areas, compatibility measures, and overall site design. The resulting plan reflects a deliberate balance between private property rights, environmental stewardship, compatibility, and sound planning principles.

COMPATIBILITY & DEVELOPMENT PATTERN ANALYSIS

The surrounding area contains a mixture of existing residential subdivisions, single- and multi-family residential parcels, legacy lot patterns, agricultural/aquacultural uses, and environmentally constrained lands.

Importantly, the area has experienced substantial residential growth over time, including multiple approved and developed clustered residential projects within the SDA. The proposed Kathleen Reserve RRD reflects a lower overall density and development intensity than the approved Planned Developments (PDs) and Suburban Planned Developments (SPDs) within the immediate surrounding area, while also incorporating enhanced perimeter transitions and preservation-oriented design features.

In evaluating compatibility and establishing the perimeter lot transition strategy, the applicant utilized methodologies consistent with Polk County's Residential Infill Development (RID) policies to analyze surrounding development patterns, including an evaluation of density averages of adjacent parcels, lot and unit configurations, and general development characteristics within the immediate area. This evaluation assisted in establishing transitional perimeter lot dimensions and a project density framework intended to better integrate the proposed development with the surrounding neighborhood fabric while reducing visual- and intensity-related impacts along project edges.

As part of prior entitlement and compatibility evaluations within Polk County, the applicant also considered the County's former "density, significantly different" compatibility tool previously referenced within Chapter 10 definitions and related planning interpretations. This compatibility methodology was intended to assist evaluations regarding proportionality, transitional compatibility, and the avoidance of materially disproportionate density relationships within developing areas.

Based upon those surrounding development patterns and historical compatibility methodologies utilized within Polk County, the proposed RRD density was intentionally calibrated to remain substantially aligned with the broader surrounding development context and below density levels that could reasonably be characterized as significantly different from surrounding residential patterns.

Compatibility Measures of Kathleen Reserve:

- Half-acre perimeter lots adjacent to existing residential areas;
- Landscape buffering;
- Preservation/open space/stormwater separation areas;
- Clustering of development away from sensitive boundaries;
- Reduced visual intensity along perimeter areas and public roads; and
- Internalization of density toward the center of the project.

ENVIRONMENTAL PRESERVATION AND STORMWATER CONSIDERATIONS

Kathleen Reserve contains significant wetlands, floodplain, and environmentally constrained areas associated with the Kathleen Drainage Basin/North Blackwater Creek system. The proposed RRD intentionally clusters development on upland portions of the property to minimize impacts to sensitive environmental areas; preserve substantial open space; reduce development encroachment into constrained areas; and maximize opportunities for stormwater management, flood attenuation, and water quality.

Kathleen Reserve reflects an understanding of the basin-specific flooding sensitivities that exist within this portion of the Kathleen Drainage Basin. The applicant's intent is not merely to satisfy minimum compliance standards with Polk County and SWFWMD, but to implement a managed and engineered stormwater system that responsibly addresses onsite and downstream conditions through coordinated attenuation, water quality treatment, floodplain compensation, and preservation-oriented stormwater strategies designed to responsibly manage discharge rates and downstream conditions.

Substantial portions of the property (approximately 93.28 Acres, or roughly 61% of the site) will remain undeveloped as wetlands, floodplain, agricultural/open space, and stormwater-related areas.

CONSISTENCY WITH POLK COUNTY'S COMPREHENSIVE PLAN AND RRD FRAMEWORK

Kathleen Reserve is consistent with the goals, objectives, and policies of the Polk County Comprehensive Plan and the intent of the County's Rural Residential Development (RRD) framework.

The RRD framework specifically encourages clustered residential design, preservation of open space, efficient infrastructure utilization, environmental protection, and compatibility-sensitive development patterns.

The proposed plan advances these objectives by concentrating development on upland areas; preserving substantial portions of the site; utilizing centralized utilities; minimizing impacts to wetlands and floodplain areas; and incorporating compatibility measures responsive to surrounding development patterns.

The proposal also aligns with broader Comprehensive Plan policies related to compact and contiguous growth; infrastructure efficiency; environmental stewardship; and compatibility mitigation through buffering and transitional design techniques.

The submitted RRD scoring analysis further demonstrates that the project achieves a high level of consistency with the intent and scoring structure established under the County's RRD policies.

PUBLIC BENEFIT CONSIDERATIONS

Kathleen Reserve provides several public and planning-related benefits, including preservation of wetlands and floodplain areas, centralized utility connections, managed stormwater infrastructure, reduced development footprint through clustering, and preservation-oriented site planning within the SDA.

The environmental and hydrological significance of the property and surrounding basin has been recognized through prior public-sector and environmental discussions regarding long-term preservation, flood attenuation, and regional watershed considerations.

CONCLUSION

The Kathleen Reserve RRD reflects a refined and compatibility-sensitive development plan shaped through extensive planning, engineering, and environmental evaluation efforts. The proposed binding development plan incorporates reduced development intensity, enhanced buffering and perimeter transitions, substantial preservation areas, and a managed stormwater approach responsive to the Kathleen Drainage Basin and surrounding development context.

The applicant respectfully submits that the proposed Kathleen Reserve RRD is compatible with the surrounding development context and consistent with the Polk County Comprehensive Plan, Land Development Code, and the intent of the County's RRD framework.

Respectfully submitted,

Eric K. Swanson, Principal
Swan Capital Partners
1600 East 8th Avenue, Suite A200
Tampa, FL 33605

Note: In addition to the exhibits provided, the applicant has prepared a separate Supplemental Planning & Development Pattern Analysis document containing supporting contextual materials, surrounding development pattern evaluations, infrastructure context exhibits, and historical entitlement references relevant to the Kathleen Reserve RRD application and broader SDA planning framework.

Exhibit 1 – Binding Development Plan (BDP)
Exhibit 2 – Lot & Use Type Colorization (Full Site & Quadrants)
Exhibit 3 – Kathleen Reserve RRD Open Space Inventory
Exhibit 4 – Kathleen Reserve RRD Score Sheet Narrative

EXHIBIT 1
BINDING DEVELOPMENT PLAN (BDP)

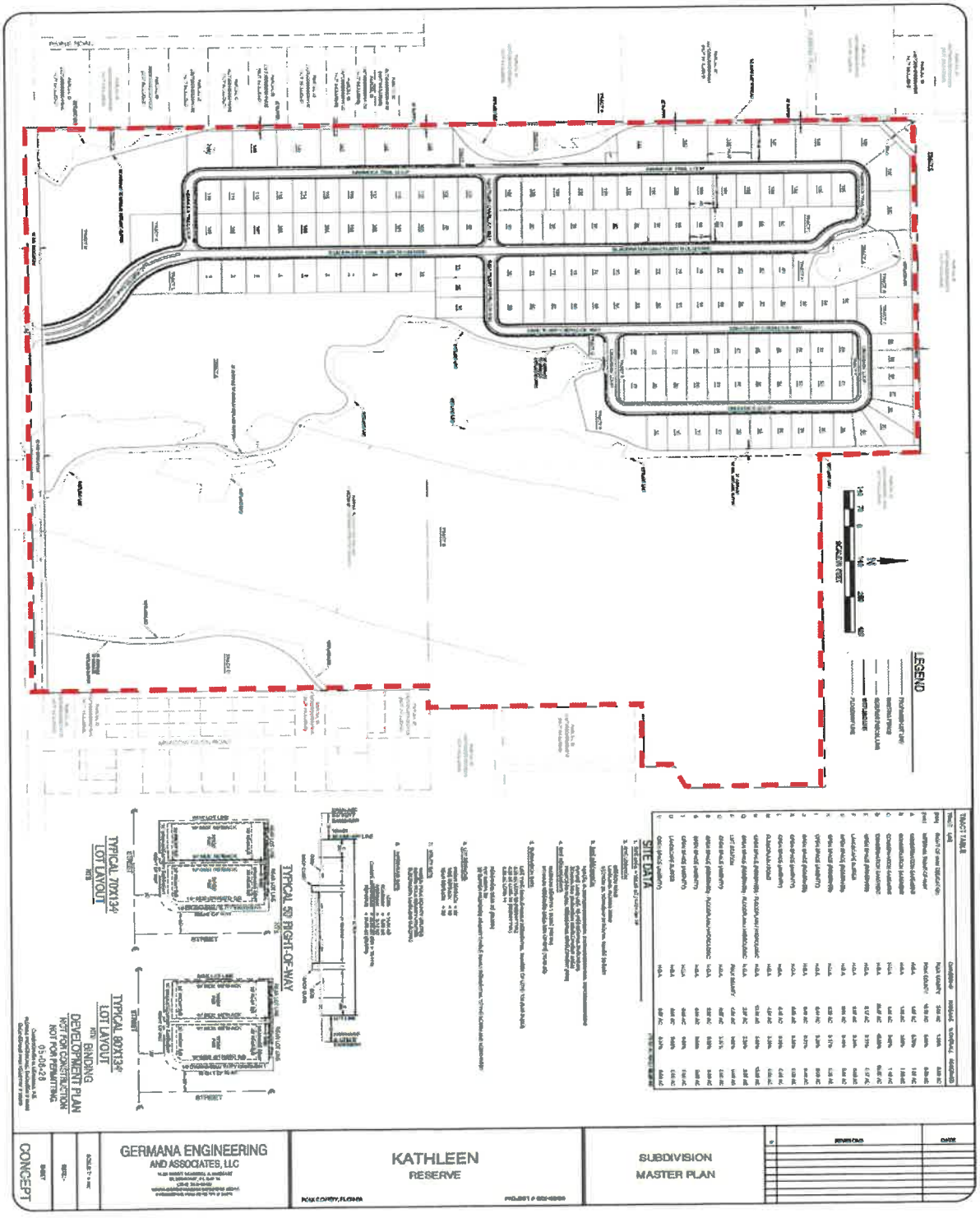
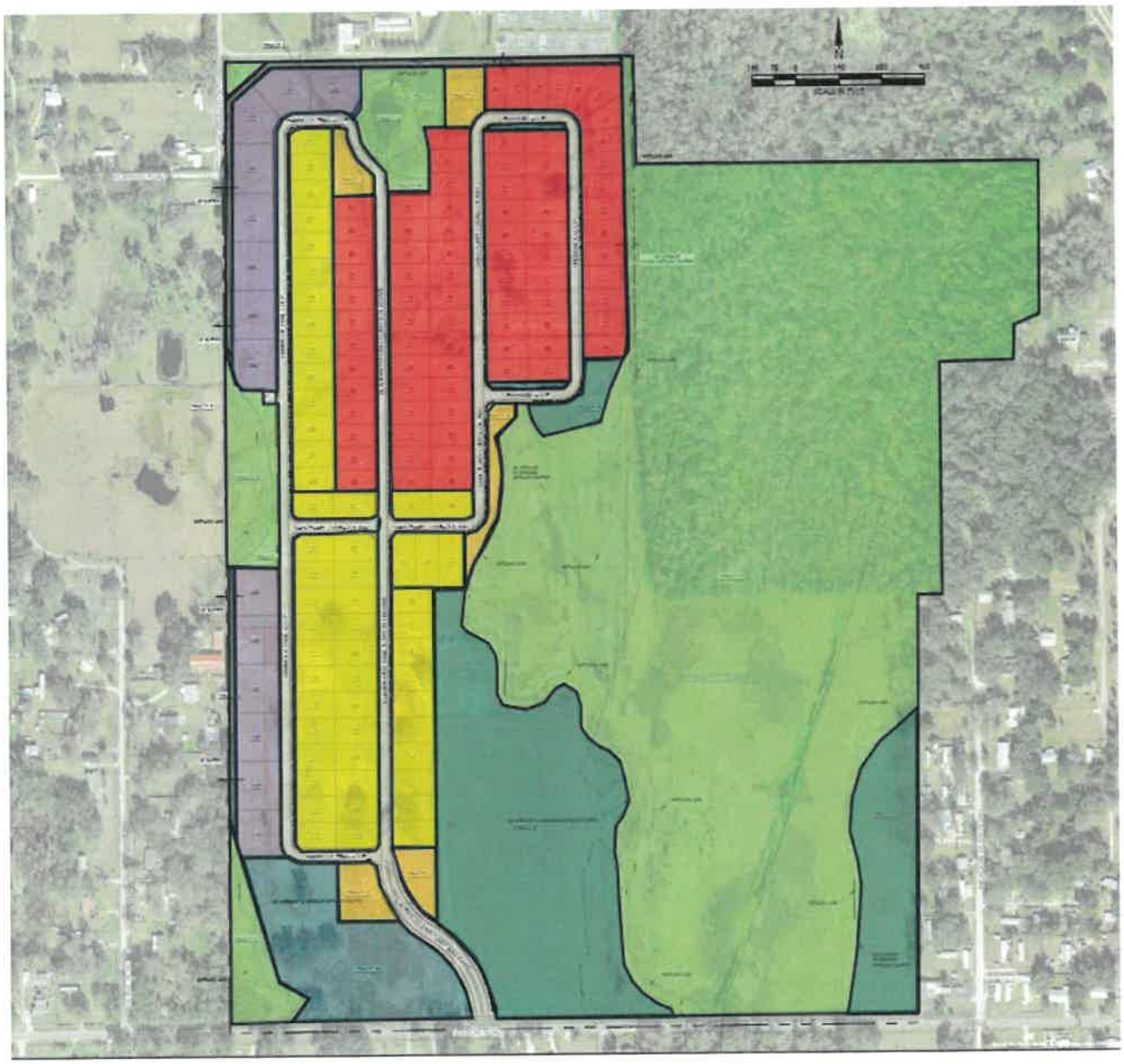


EXHIBIT 2
LOT & USE TYPE COLORIZATION (FULL SITE)

GRADUATED DENSITY • SOFT EDGES • INTERNALIZED INTENSITY



COLOR CODE:

- Purple = Largest Perimeter Transition Lots - 0.50 Acre
- Yellow = Intermediate Transition Lots - 0.25 Acre
- Red = Interior Clustered Lots (Minimum RRD Lot Size) - 0.215 Acre
- Green/Blue = Open Space, Wetlands, Floodplain, Preservation/Stormwater Tracts
- Orange = Amenity Tracts

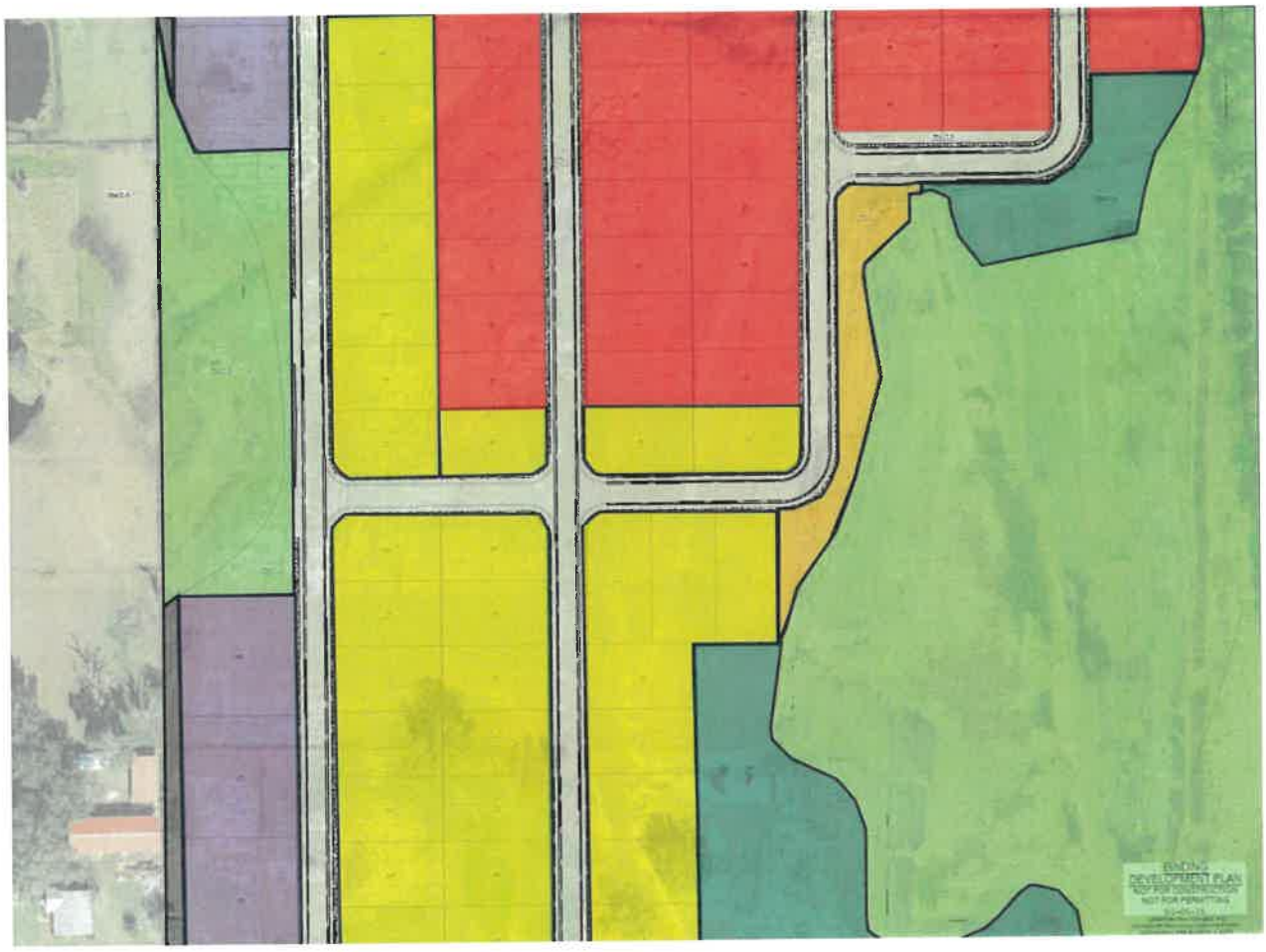
EXHIBIT 2a
NORTH QUADRANT



COLOR CODE:

- Purple = Largest Perimeter Transition Lots - 0.50 Acre
- Yellow = Intermediate Transition Lots - 0.25 Acre
- Red = Interior Clustered Lots (Minimum RRD Lot Size) - 0.215 Acre
- Green/Blue = Open Space, Wetlands, Floodplain, Preservation/Stormwater Tracts
- Orange = Amenity Tracts

EXHIBIT 2b
MIDDLE QUADRANT



COLOR CODE:

- Purple = Largest Perimeter Transition Lots - 0.50 Acre
- Yellow = Intermediate Transition Lots - 0.25 Acre
- Red = Interior Clustered Lots (Minimum RRD Lot Size) - 0.215 Acre
- Green/Blue = Open Space, Wetlands, Floodplain, Preservation/Stormwater Tracts
- Orange = Amenity Tracts

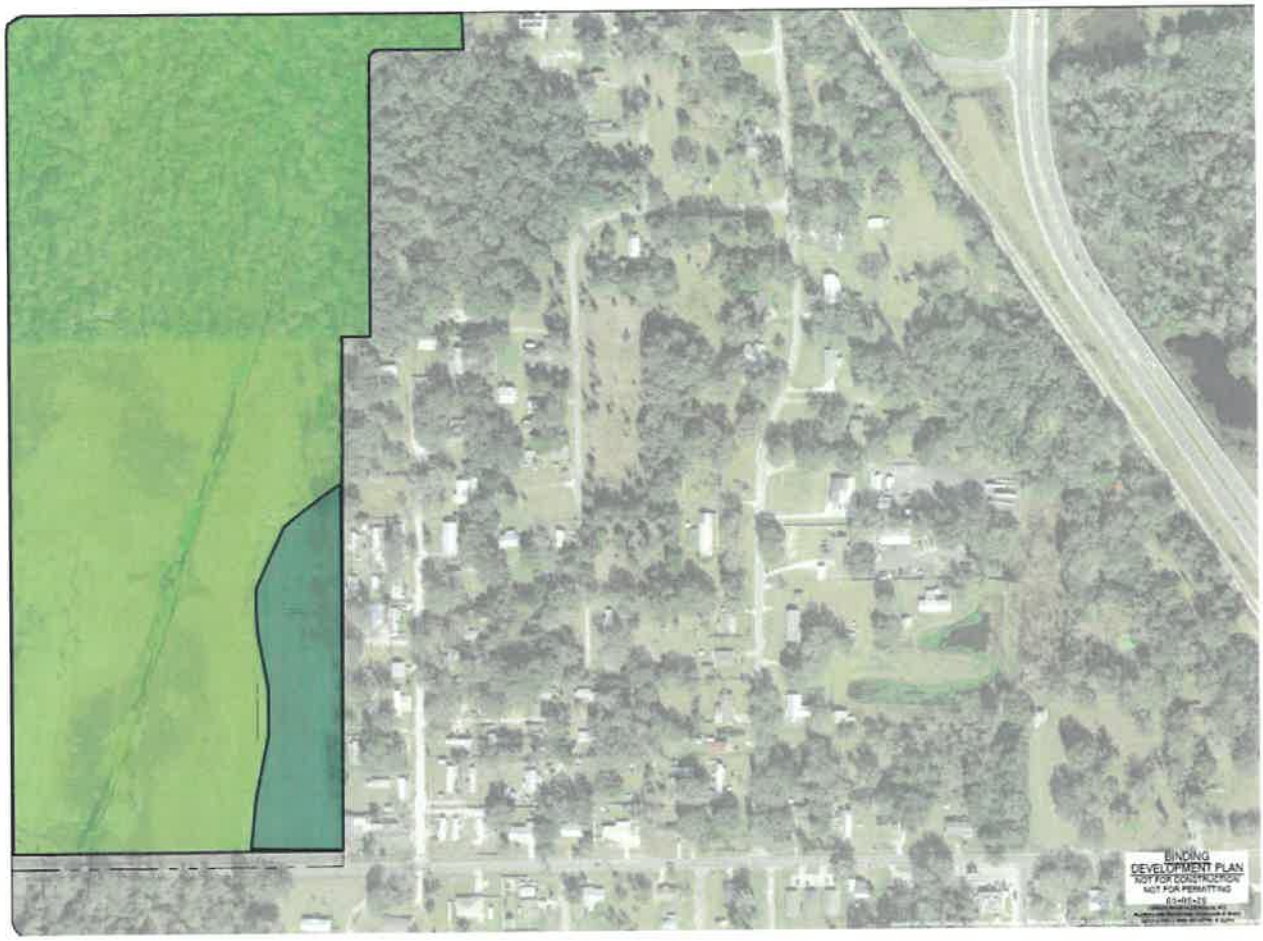
EXHIBIT 2c
SOUTHWEST QUADRANT



COLOR CODE:

- Purple = Largest Perimeter Transition Lots - 0.50 Acre
- Yellow = Intermediate Transition Lots - 0.25 Acre
- Red = Interior Clustered Lots (Minimum RRD Lot Size) - 0.215 Acre
- Green/Blue = Open Space, Wetlands, Floodplain, Preservation/Stormwater Tracts
- Orange = Amenity Tracts

EXHIBIT 2d
SOUTHEAST QUADRANT



COLOR CODE:

- Purple = Largest Perimeter Transition Lots - 0.50 Acre
- Yellow = Intermediate Transition Lots - 0.25 Acre
- Red = Interior Clustered Lots (Minimum RRD Lot Size) - 0.215 Acre
- Green/Blue = Open Space, Wetlands, Floodplain, Preservation/Stormwater Tracts
- Orange = Amenity Tracts

EXHIBIT 3
OPEN SPACE & PRESERVATION INVENTORY

KATHLEEN RESERVE RRD
TRACT TABLE

TABLE 1 - LEGALLY RESTRICTED LAND
TRACTS: CONSERVATION, EXISTING AGRICULTURAL OPEN SPACE, AND HYDROLOGIC FUNCTION:

TRACT	USE (1)	USE (2)	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
A	CONSERVATION EASEMENT	WETLANDS	HOA	1.07	0.70%	1.07
B	CONSERVATION EASEMENT	WETLANDS	HOA	1.60	1.05%	1.60
C	CONSERVATION EASEMENT	WETLANDS	HOA	1.42	0.92%	1.42
D	CONSERVATION EASEMENT	WETLANDS	HOA	69.07	45.08%	69.07
E	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.17	0.11%	0.17
G	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.61	0.40%	0.61
H	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.26	0.17%	0.26
N	RRD RESERVED AGRICULTURAL OPEN SPACE [HYDROLOGIC]	AGRICULTURAL OPEN SPACE WITH FLOODPLAIN STORAGE, WATER QUALITY ENHANCEMENT & STORM ATTENUATION FUNCTION	HOA	13.83	9.03%	13.83
O	RRD RESERVED AGRICULTURAL OPEN SPACE [HYDROLOGIC]	AGRICULTURAL OPEN SPACE WITH FLOODPLAIN STORAGE, WATER QUALITY & NUTRIENT REDUCTION FUNCTION	HOA	3.97	2.59%	3.97
J	RRD RESERVED AGRICULTURAL OPEN SPACE	OPEN SPACE / HABITAT PROTECTION AREA	HOA	0.48	0.31%	0.48
R	RRD RESERVED AGRICULTURAL OPEN SPACE [HYDROLOGIC]	AGRICULTURAL OPEN SPACE WITH FLOODPLAIN STORAGE & HYDROLOGIC FUNCTION	HOA	0.80	0.52%	0.80
				93.28	60.88%	93.28

TABLE 2 - USABLE RESIDENTIAL SPACE
TRACTS: PROGRAMMED OPEN SPACE, PASSIVE RECREATION AND AMENITIES:

TRACT	USE (1)	USE (2)	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
I	OPEN SPACE	AMENITY	HOA	0.44	0.29%	0.00 AC
K	OPEN SPACE	AMENITY	HOA	0.59	0.38%	0.00 AC
L	OPEN SPACE	AMENITY	HOA	0.45	0.30%	0.00 AC
M	OPEN SPACE	STORM WATER MANAGEMENT	HOA	4.91	3.20%	0.00 AC
Q	OPEN SPACE	AMENITY	HOA	0.57	0.37%	0.00 AC
V	OPEN SPACE	AMENITY	HOA	0.57	0.37%	0.00 AC
				7.53	4.91%	0.00 AC

TABLE 3 - NON QUALIFYING TRACTS
TRACTS: RIGHT OF WAY, STREETS, LIFT STATION AND NON-QUALIFYING OPEN SPACE:

TRACT	USE (1)	USE (2)	OWNERSHIP	ACREAGE	% OVERALL	RESERVED
(N/A)	RIGHT-OF-WAY DEDICATION	DEESON ROAD FRONTAGE	POLK COUNTY	2.06	1.35%	0.00 AC
(N/A)	INTERNAL RIGHT-OF-WAY	RURAL RESIDENTIAL STREETS	POLK COUNTY	10.56	6.89%	0.00 AC
F	20' PERIMETER LANDSCAPE BUFFER	OPEN SPACE	HOA	0.37	0.24%	0.00 AC
P	LIFT STATION	LIFT STATION	POLK COUNTY	0.04	0.02%	0.00 AC
S	10' ROW LANDSCAPE BUFFER	OPEN SPACE	HOA	0.09	0.06%	0.00 AC
T	10' ROW LANDSCAPE BUFFER	OPEN SPACE	HOA	0.09	0.06%	0.00 AC
U	20' PERIMETER LANDSCAPE BUFFER	OPEN SPACE	HOA	0.96	0.63%	0.00 AC
				14.17	9.25%	0.00 AC

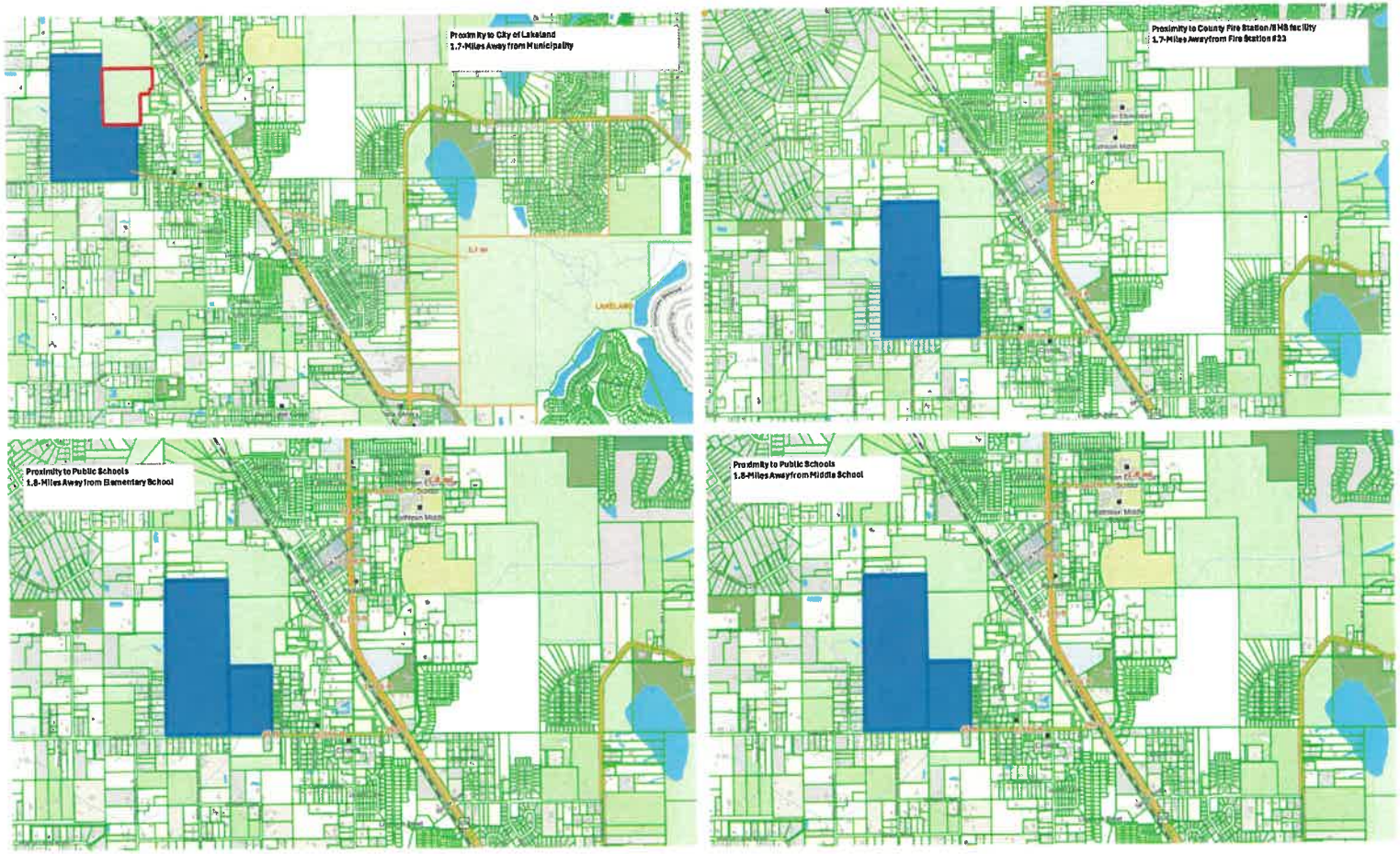
	ACREAGE	% OVERALL
TOTAL OPEN SPACE [RRD SCORE QUALIFYING & NON-QUALIFYING]	114.98	75.04%

EXHIBIT 4
RRD SCORESHEET NARRATIVE

ATTACHED

KATHLEEN RESERVE RRD - SCORE SHEET
PARCELS: 232720-000000-032050; 232720-000000-024310; 232720-000000-023010

	CRITERIA / DESCRIPTION	POINTS AWARDED	QUALIFICATION / BASIS
	Density Category	Points Awarded	Qualification
a.)	Table 3.5: The site is within 0.01 to 2.00 miles of a designated land use classification (Rural Cluster Center, Business Park Center, Linear Commercial Corridor, or a Municipality) (Up to 40)	20	The subject property is approximately 1.7-miles away from the City of Lakeland as measured from the nearest point of the subject property to the municipal boundary. The project is awared 20 points based on municipal proximity.
b.)	20 density bonus points are awarded to the development if the site is located within five (5) miles of a County operated fire station, or city operated fire station under contract to the County, having an Insurance Safety Organization (ISO) rating of six (6) or better as measured along the shortest driving distance to nearest point on the subject property and the facility or 10 density bonus points are awarded to the development if the [site] is located within five (5) miles of a County operated fire station, or city operated fire station under contract to the County, having an ISO rating of eight (8) or better.	20	The subject property is approximately 1.7-miles away from the Polk County Fire Station #23 which has an Insurance Safety Organization (ISO) rating of six (6) or better as measured along the shortest driving distance to nearest point on the subject property and the facility. The project is awared 20 points based on fire station proximity.
c.)	20 density bonus points are awarded to the development if the site is located within five (5) miles of a County EMS facility as measured along the shortest driving distance to nearest point on the subject property and the facility or 10 density bonus points are awarded to the development if the site is located within eight (8) miles of a County EMS facility.	20	The subject property is well within the five (5) mile distance requirement of a County EMS facility. The subject property is approximately 1.7 from Fire Station #23 which is a County EMS facility. The project is awarded 20 points based on County EMS proximity.
d.)	20 density bonus points are awarded to the development if the site is adjacent to an arterial roadway or 10 density bonus points are awarded to the development if the site is adjacent to a collector roadway or five (5) density bonus points are awarded to the development if the site is adjacent to a local roadway.	10	The subject property is adjacent to Deeson Road which is classified as a Collector / Rural Minor Collector per Polk County Functional Classification. The project is awarded 10 points based off of adjacency to a collector roadway.
e.)	20 density bonus points are awarded to the development if all of it is connected to an existing public or franchised wastewater treatment system with planned capacity to serve the development.	20	The subject property shall connect to an existing public wastewater system with available capacity. The service lines already lead up and pass the site. The project is awarded 20 points based on its expected wastewater connection that is available at the site.
f.)	10 density bonus points are awarded to the development if the site is located within two (2) miles of a public school and requires no bussing as verified by the school board.	10	The subject property is located within 2 miles of public schools and does not require bussing (subject to school board confirmation). The project is awarded 10 points based on public school proximity.
g.)	Table 3.6: The following additional bonus points shall be awarded for reserving land in excess of the required 50 percent reservation	20	The legally restricted land (open space reservation) of the project totals 60.85% which is in excess of the required 50% requirement of the RRD. Per Table 3.6, this amounts to 20 points.
h.)	Table 3.7 Additional Density Bonus Points (no more than 20 points may be granted from Table 3.7)		
	1 Placement of electric, telephone and cable TV utilities underground (4)	4	The project shall have all utilities underground. The project utilities include electric, telephone and cable tv.
	2 Preservation of existing bona-fide agricultural uses and improvements (2)	2	The subject property is currently utilized as a bona-fide agricultural operation (sod farm) and a substantial portion of the site is preserved as agricultural/open space within the RRD land reservation areas. Agricultural classification (greenbelt exemption) will be maintained where applicable.
	3 Shared or common access driveways (4)	0	N/A
	4 Preservation of view sheds/scenic views through clustering or other design techniques (3)	3	The project utilizes a clustered development pattern to preserve large contiguous areas of open space, including agricultural and floodplain lands. The project will feature scenic views of open space and water shed across the property. Residential lots are concentrated in defined areas, allowing uninterrupted views across preserved open space tracts.
	5 Restrictions on lot clearing (for undeveloped land) to either 50% of the lot, or 25,000 SQ FT, whichever is less (3)	0	N/A
	6 Preservation/re-use of existing agricultural structures and improvements (4)	0	N/A. There are no existing agricultural structures as the subject property has/is operated as a sod farm.
	7 Provision of neighborhood parks, tot lots, recreation facilities, etc. in common areas (4)	4	The project provides neighborhood parks, passive open space areas, a children's playground, and a trail system within common areas accessible to all residents. These amenities are integrated within the project's open space network and designed to serve a range of recreational needs.
	8 Connected open space through either broad banding of reserved open space between parcels, open space corridors, or a combination (4)	4	The project provides a connected open space system through large contiguous preserved areas and linked floodplain and habitat corridors, creating continuous open space across the site. These areas function as an integrated network of conservation, agricultural, and hydrologic open space.
	9 Project-wide Master Landscape Plan including specific tree preservation, shading techniques, etc. (2)	2	The project includes a coordinated, project-wide master landscape plan incorporating street trees, entry features, tree preservation, and shading techniques throughout the development.
2)	Residential Rural Development Density Application Notes:		
3)	Density points shall only be awarded for only one item (the highest) in each Density Schedule Category (A-B). An RRD must achieve a minimum of 50 points.		QUALIFIES FOR DENSITY CATEGORY A-B CRITERIA
4)	Bonus points in Categories C-D shall only be awarded if the property first qualifies for density points under any of the items in Categories A-B. In no case shall the density earned be greater than one dwelling unit to one acre.		EXCEEDS MINIMUM 50-POINT THRESHOLD REQUIRED FOR RRD DENSITY SHALL NOT EXCEED 1 UNIT/ACRE
	Total Score =	139	
	Proposed Units (SF Lots) =	150	
	Parcel Area =	153.25 Ac	
	Proposed Density =	0.975 DU / Ac	
	Per Table 3.8 RRD Density Conversion Table based on total score of RRD points scored = Max Density Permitted	1.000 DU / Ac (CAPPED)	


Proximity to City of Lakeland
1.7-Miles Away from Municipality
Proximity to County Fire Station /EMS facility
1.7-Miles Away from Fire Station #23
Proximity to Public Schools
1.8-Miles Away from Elementary School
Proximity to Public Schools
1.8-Miles Away from Middle School

KATHLEEN RESERVE RRD

SUPPLEMENTAL PLANNING & DEVELOPMENT PATTERN ANALYSIS

Contextual Planning Analysis Supporting the Kathleen Reserve Rural Residential Development (RRD)

Polk County, Florida

Prepared For:
Polk County Planning Commission

June 2026

CONTENTS INCLUDE:

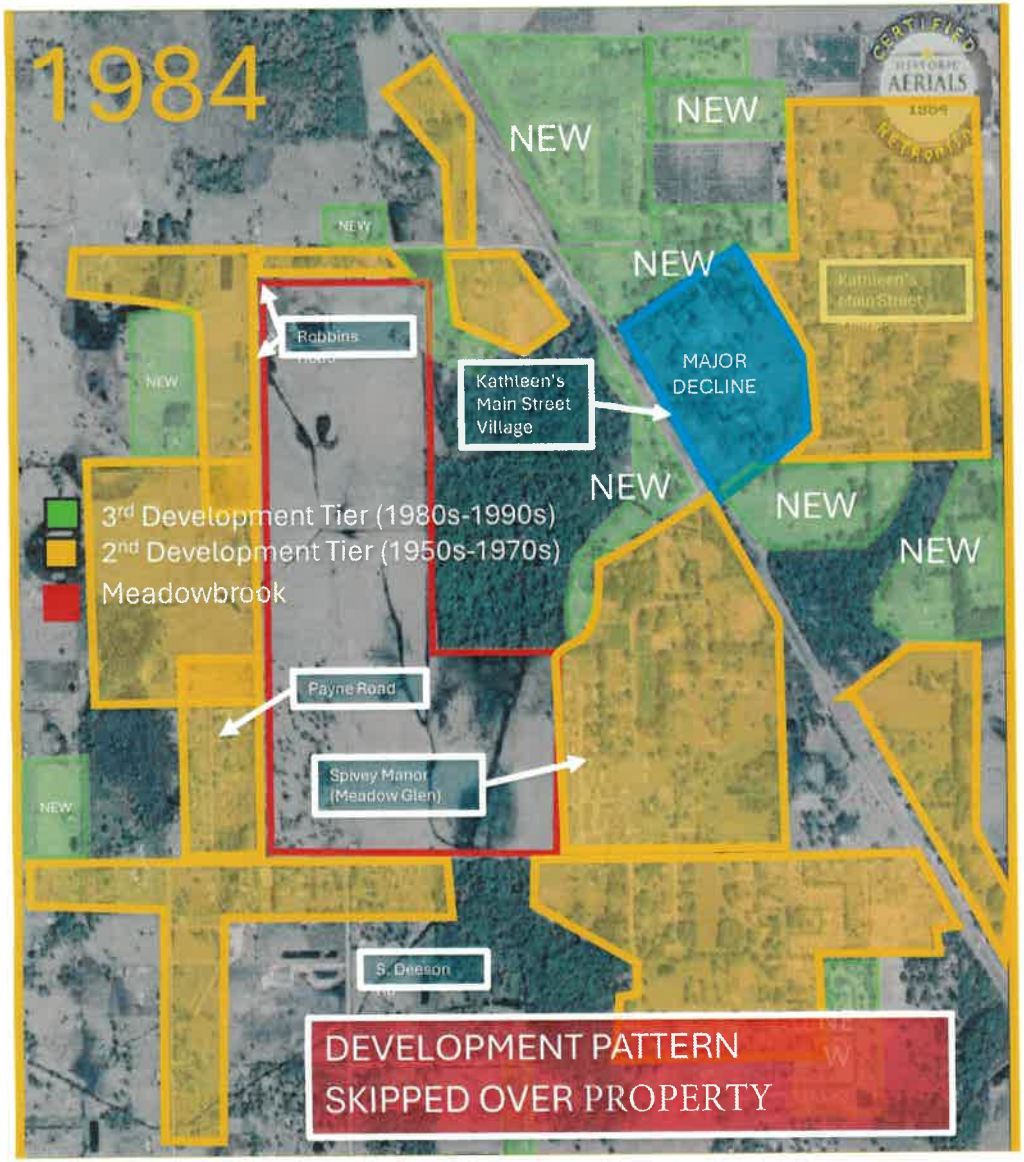
- Surrounding Development Pattern Analysis
- Historical Planned Development (PD/SPD/RID) Context
- SDA Infrastructure & Public Investment Context
- Compatibility & Transitional Development Analysis
- Historical Entitlement & Development Pattern References
- Supporting Planning Research & Contextual Exhibits

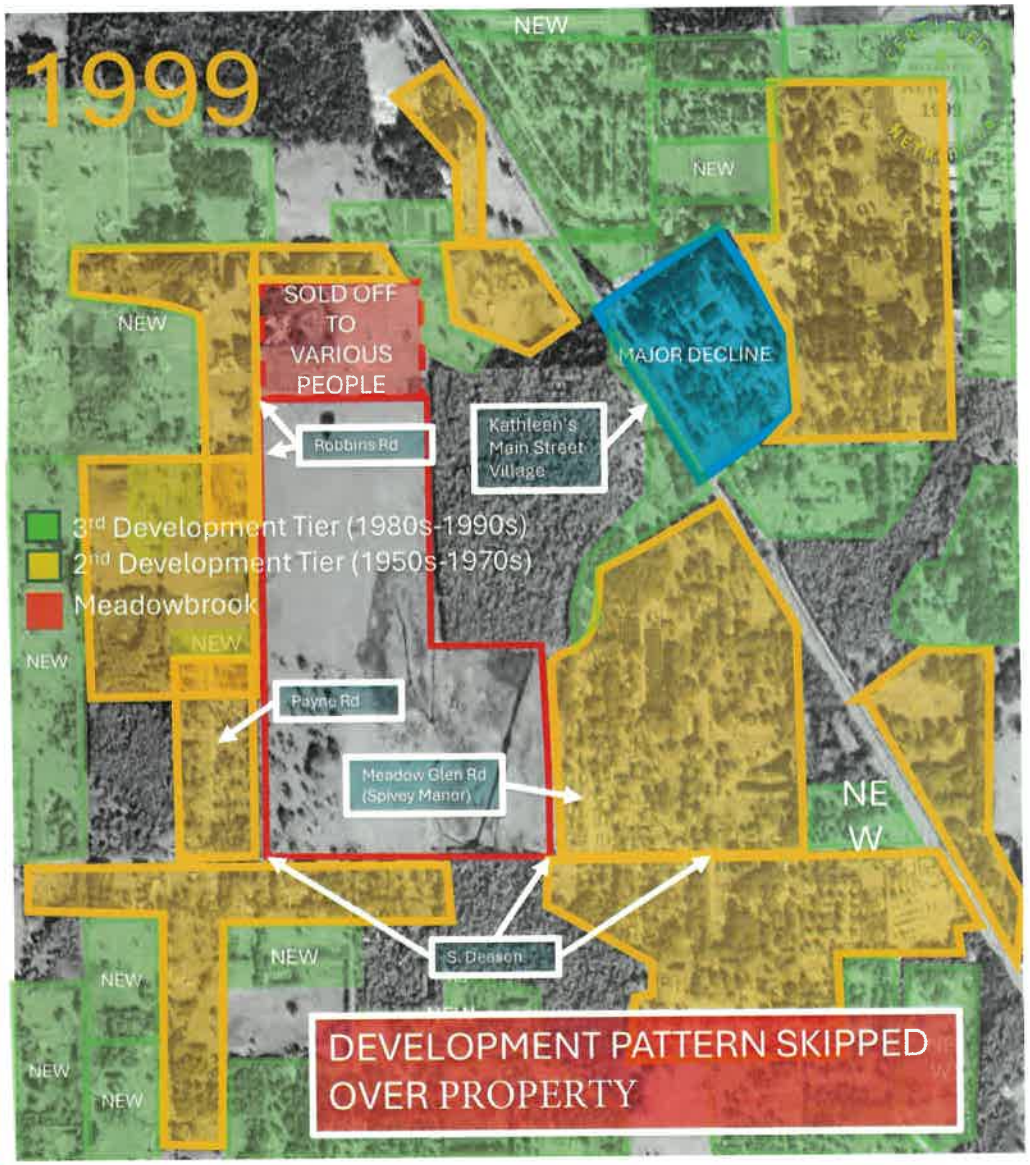
This document is intended to supplement the Kathleen Reserve RRD Planning Commission Memorandum and provide additional contextual planning analysis, development pattern evaluations, infrastructure context, and supporting reference materials relevant to the proposed Rural Residential Development (RRD) application.

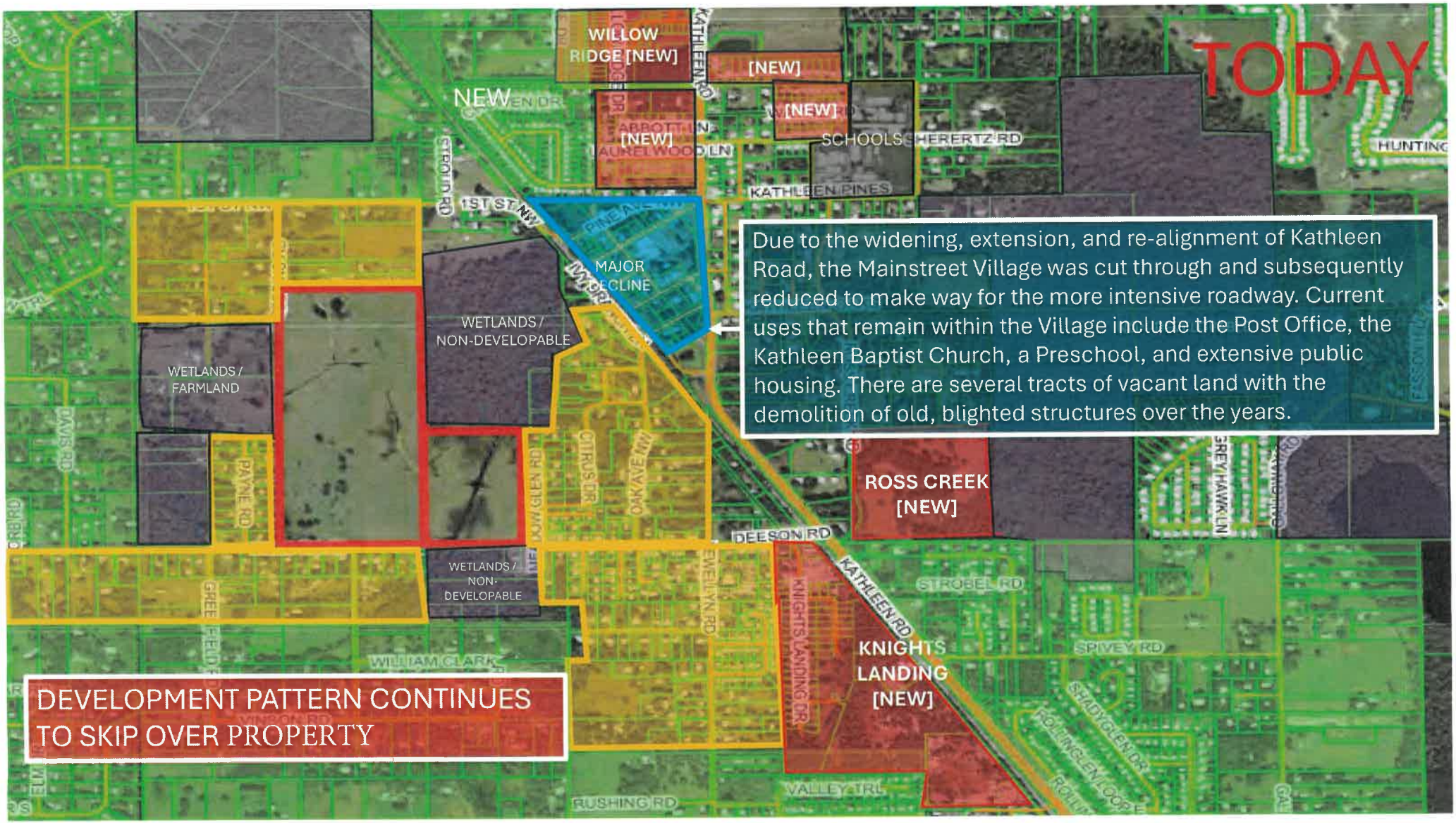
KATHLEEN RESERVE RRD

SECTION 1

HISTORICAL DEVELOPMENT PATTERNS


1984
NEW
NEW
NEW
NEW
NEW
NEW
NEW
NEW
NEW
NEW
Robbins
Kathleen's Main Street Village
MAJOR DECLINE
3rd Development Tier (1980s-1990s)
2nd Development Tier (1950s-1970s)
Meadowbrook
Payne Road
Spivey Manor (Meadow Glen)
S. Deeson
DEVELOPMENT PATTERN SKIPPED OVER PROPERTY


1999
NEW
NEW
NEW
NEW
NEW
NEW
NEW
NEW
NEW
NEW
SOLD OFF TO VARIOUS PEOPLE
Robbins Rd
Kathleen's Main Street Village
MAJOR DECLINE
3rd Development Tier (1980s-1990s)
2nd Development Tier (1950s-1970s)
Meadowbrook
Payne Rd
Meadow Glen Rd (Spivey Manor)
S. Deeson
DEVELOPMENT PATTERN SKIPPED OVER PROPERTY


TODAY
NEW
WILLOW RIDGE [NEW]
[NEW]
[NEW]
[NEW]
KATHLEEN RD
STROUD RD
1ST ST NW
PINE AVE NW
MAJOR DECLINE
WETLANDS / NON-DEVELOPABLE
WETLANDS / FARMLAND
WETLANDS / NON-DEVELOPABLE
KATHLEEN PINES
SCHOOLS
HERERTZ RD
HUNTING
Due to the widening, extension, and re-alignment of Kathleen Road, the Mainstreet Village was cut through and subsequently reduced to make way for the more intensive roadway. Current uses that remain within the Village include the Post Office, the Kathleen Baptist Church, a Preschool, and extensive public housing. There are several tracts of vacant land with the demolition of old, blighted structures over the years.
ROSS CREEK [NEW]
DEESON RD
KATHLEEN RD
STROBEL RD
SPIVEY RD
KNIGHTS LANDING [NEW]
KNIGHTS LANDING DR
ROLLINGLEN LOOP E
SHADYGLEN DR
VALLEY TRL
RUSHING RD
DAVIS RD
PAYNE RD
CITRUS DR
OAK AVE NW
DOW GLEN RD
EVELYN RD
WILLIAM CLARK
GREYHAWK LN
DEVELOPMENT PATTERN CONTINUES TO SKIP OVER PROPERTY






CONCLUSION – ANALYSIS OF DEVELOPMENT PATTERNS AROUND PROPERTY

- The development pattern is clearly defined by various roads, densities, residential lot sizes, and residential developments that abut the subject site. Roads define the subject site on the north and NW by Robbins Road, south by Deeson Road and east by a deeded road and easements in the adjacent Meadow Glen mobile home park. Large wetland tracts exist due west, south, and NE that further define the subject site.

- The subject site was skipped over/leap frogged by suburban sprawl. There are examples of residential in the A/RR that are greater than 3 du/ac that are proximate to the site and lots as small as 7,500 SF [legal lot of record] that is adjacent to the site in the A/RR. There are examples in the RS that are greater than 5 du/ac such as Meadow Glen (and others) which is adjacent to the site. Multiple dwelling units on individual lots are also prevalent in the A/RR, in most cases on lots smaller than 1-ac that abut the site.

- Development at this location is generally compatible as determined by Polk County staff per the subject site's CPA report (analysis based on maximum allowed density) and multiple SPD reports. This Residential Infill supports the intent of the RS land use district to serve as the proper transition of land from rural to urban areas.

- Due to the disinvestment of surrounding lots that occurred over time and resulted in blighted, low quality housing stock, this residential infill development will revitalize the neighborhood and promote reinvestment and cure blighted parcels around the subject site. It also provides new stock to the failing and aged housing stock in the area.

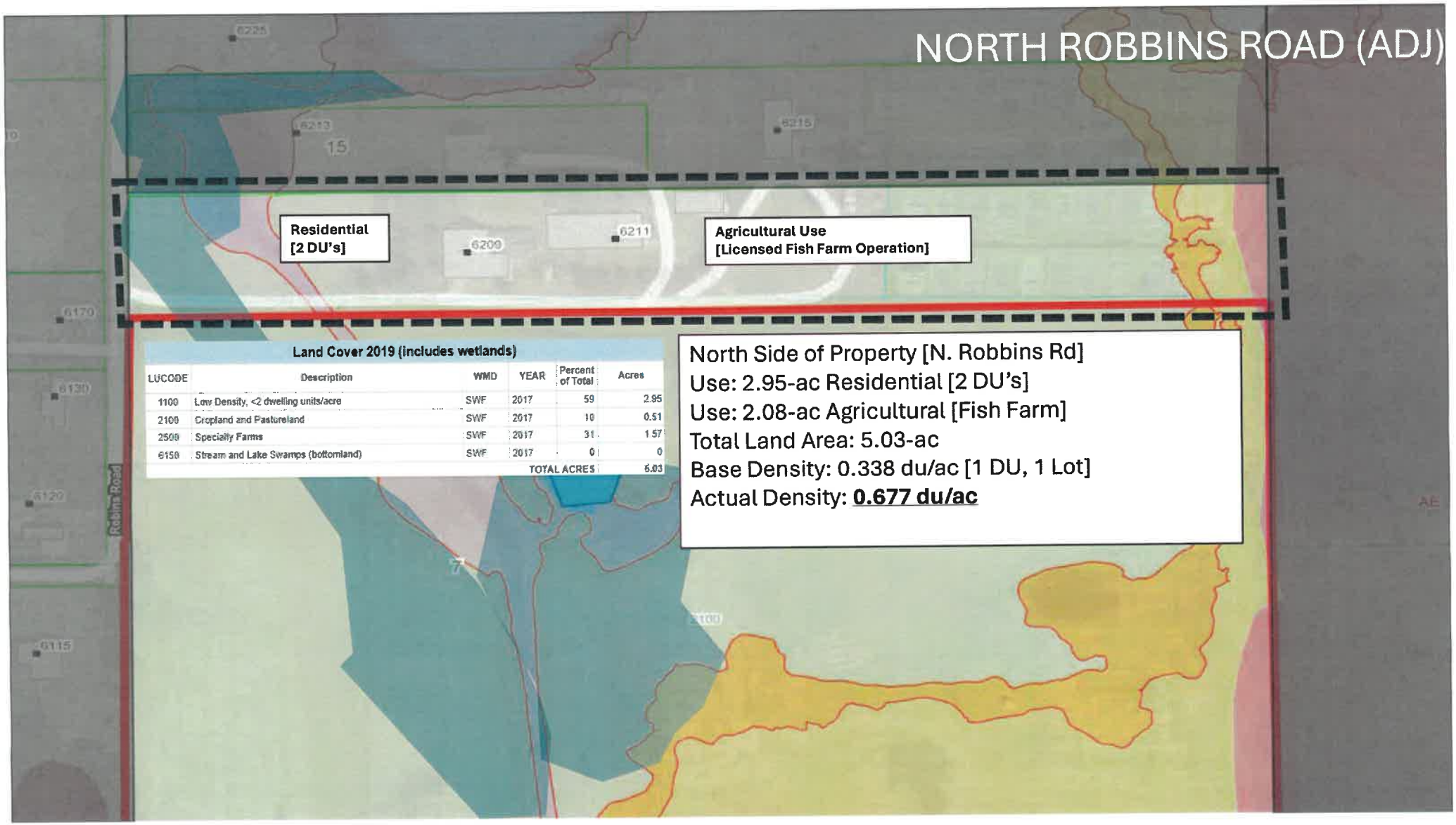
- According to Polk County, density is not considered significantly different if it is at or below 50% of the surrounding density. Averaged densities around the property are 1.33 du/ac. Adding 49% to the surrounding averaged density equates to 2.07 du/ac. Density between 1.33 du/ac to 2.07 du/ac is consistent with the surrounding density average of lots abutting the subject site.

- This is 0.47 miles away from another Residential Infill Development known as Knights Landing which is supported by the same service standards at the subject site.

KATHLEEN RESERVE RRD

SECTION 2

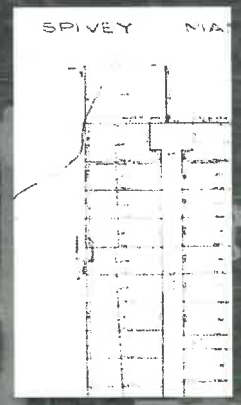
ADJACENT DEVELOPMENT PATTERN ANALYSIS


NORTH ROBBINS ROAD (ADJ)
Residential
[2 DU's]
Agricultural Use
[Licensed Fish Farm Operation]
Land Cover 2019 (includes wetlands)
LUCODE | Description | WMD | YEAR | Percent of Total | Acres
1100 | Low Density, <2 dwelling units/acre | SWF | 2017 | 59 | 2.95
2100 | Cropland and Pastureland | SWF | 2017 | 10 | 0.51
2500 | Specialty Farms | SWF | 2017 | 31 | 1.57
6150 | Stream and Lake Swamps (bottomland) | SWF | 2017 | 0 | 0
TOTAL ACRES 5.03
North Side of Property [N. Robbins Rd]
Use: 2.95-ac Residential [2 DU's]
Use: 2.08-ac Agricultural [Fish Farm]
Total Land Area: 5.03-ac
Base Density: 0.338 du/ac [1 DU, 1 Lot]
Actual Density: 0.677 du/ac
Robbins Road


NORTHEAST CORNER (ADJ.)
WETLANDS /
NON-DEVELOPABLE
LANIER AVE NW
1ST ST NW
IVY BRANCH LN
OAK AVE NW
TRAIL OAKS LN
CITRUS DR
OAK AVE NW

EAST SIDE (ADJ.)

East Side of Property [Meadow Glen Rd]
Use: Residential
Lot Sizes: 0.12-ac to 0.43-ac
Typical Lot Size: 0.12-ac (4 of 6 adj. lots)
Smallest Adj. Lot: 0.12-ac
Largest Adj. Lot: 0.43-ac
Total Land Dev Area: 1.33 Acres [8 DU's]
Unweighted Density: 4.51 du/ac [6 du, 6 lots]
Actual Density: **6.01 du/ac**



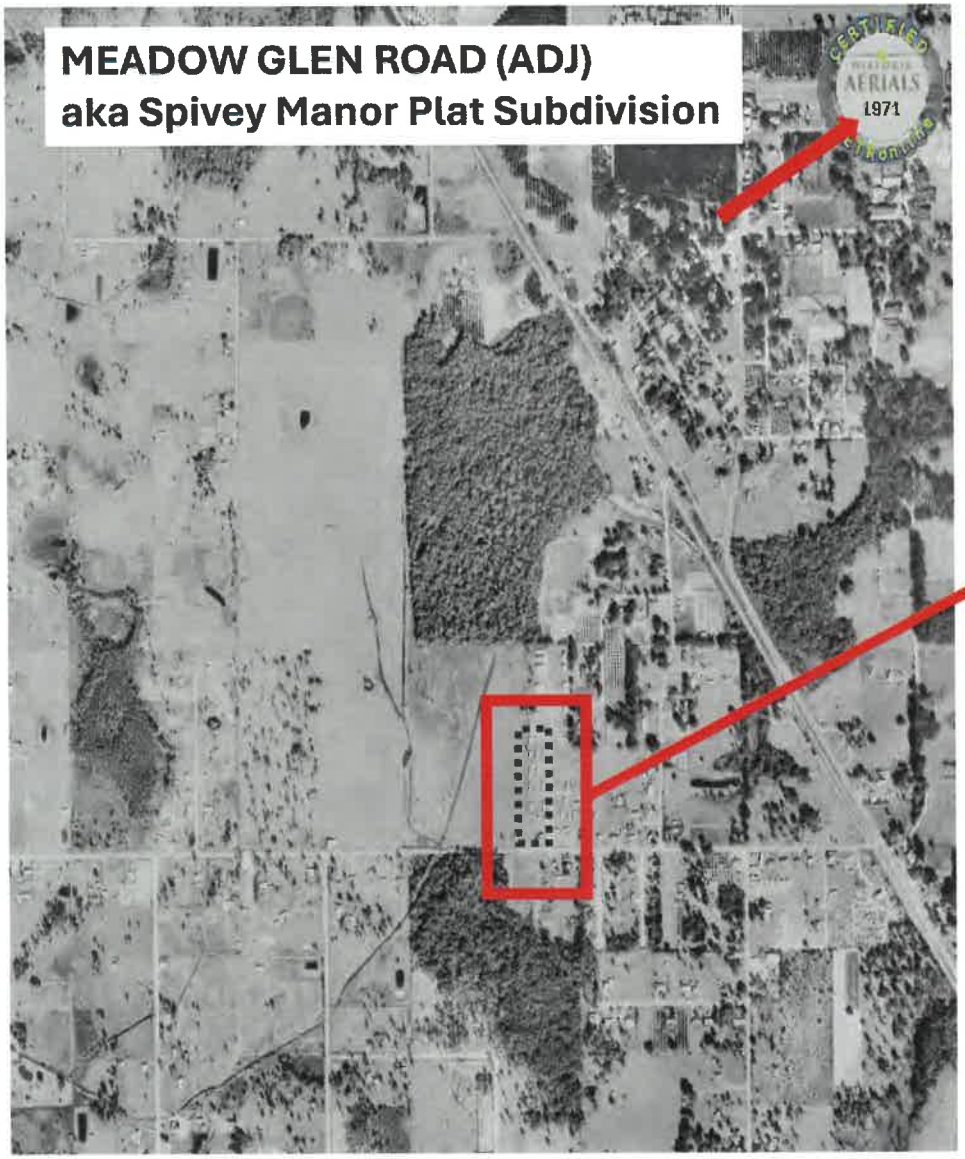
The Spivey Manor Estates exchanged hands between 1944 to 1968 and were all sold off after Lease to Own Agreements were satisfied. Between 1966 to 1971, adjacent subdivided lots (.12-ac) were built with mobile homes.

There were six Spivey Manor Lots that were subdivided into smaller 0.12 lots, all built out between 1966 - 1971 per certified aerial maps. Many of the Spivey Manor (or Pendry Park) lots are compromised due to the appearance of unsafe structures and blight. There are some homesites that have been or are in the process of being acquired by various investment groups for redevelopment.

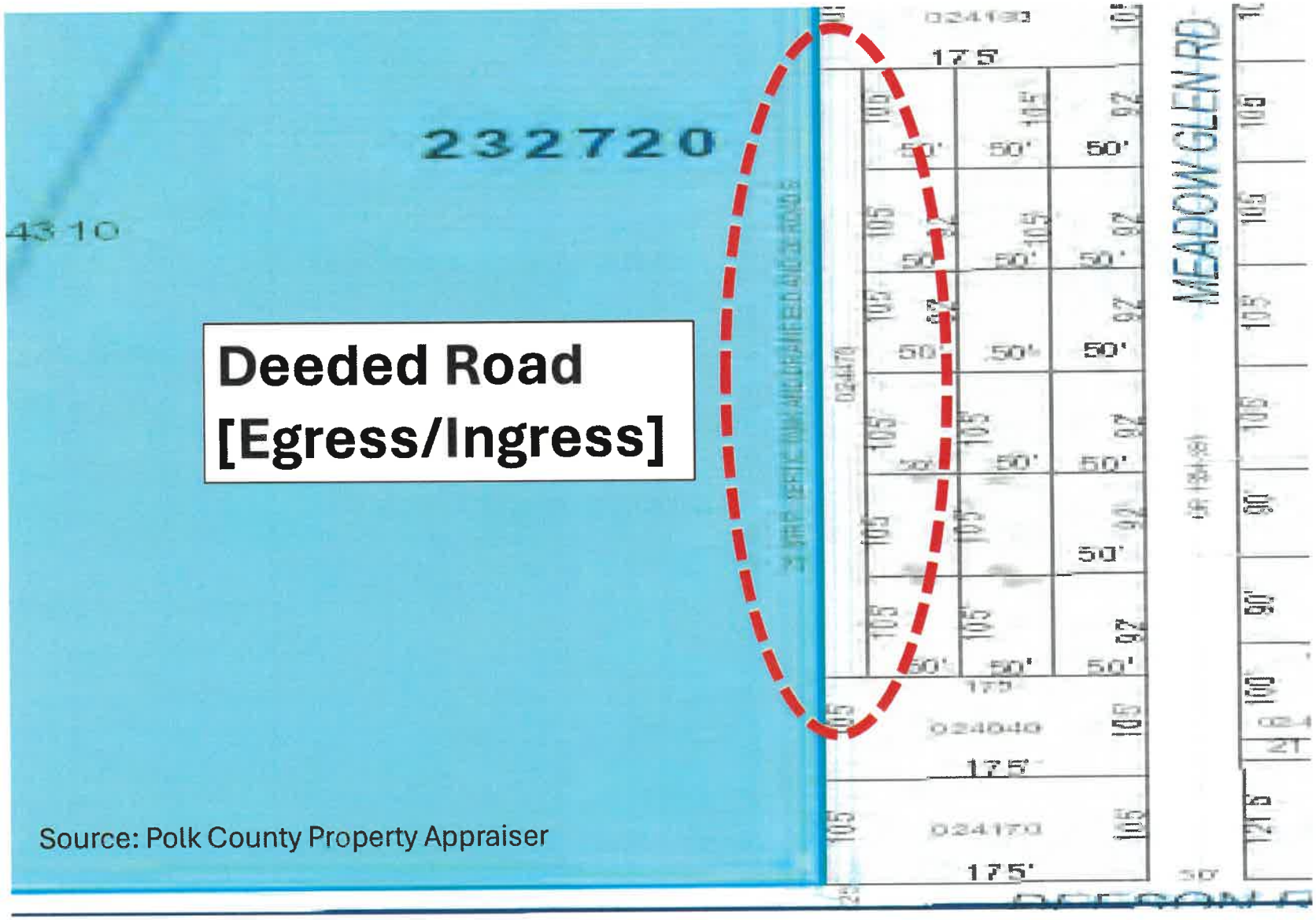
Deeded Road [Egress/Ingress]

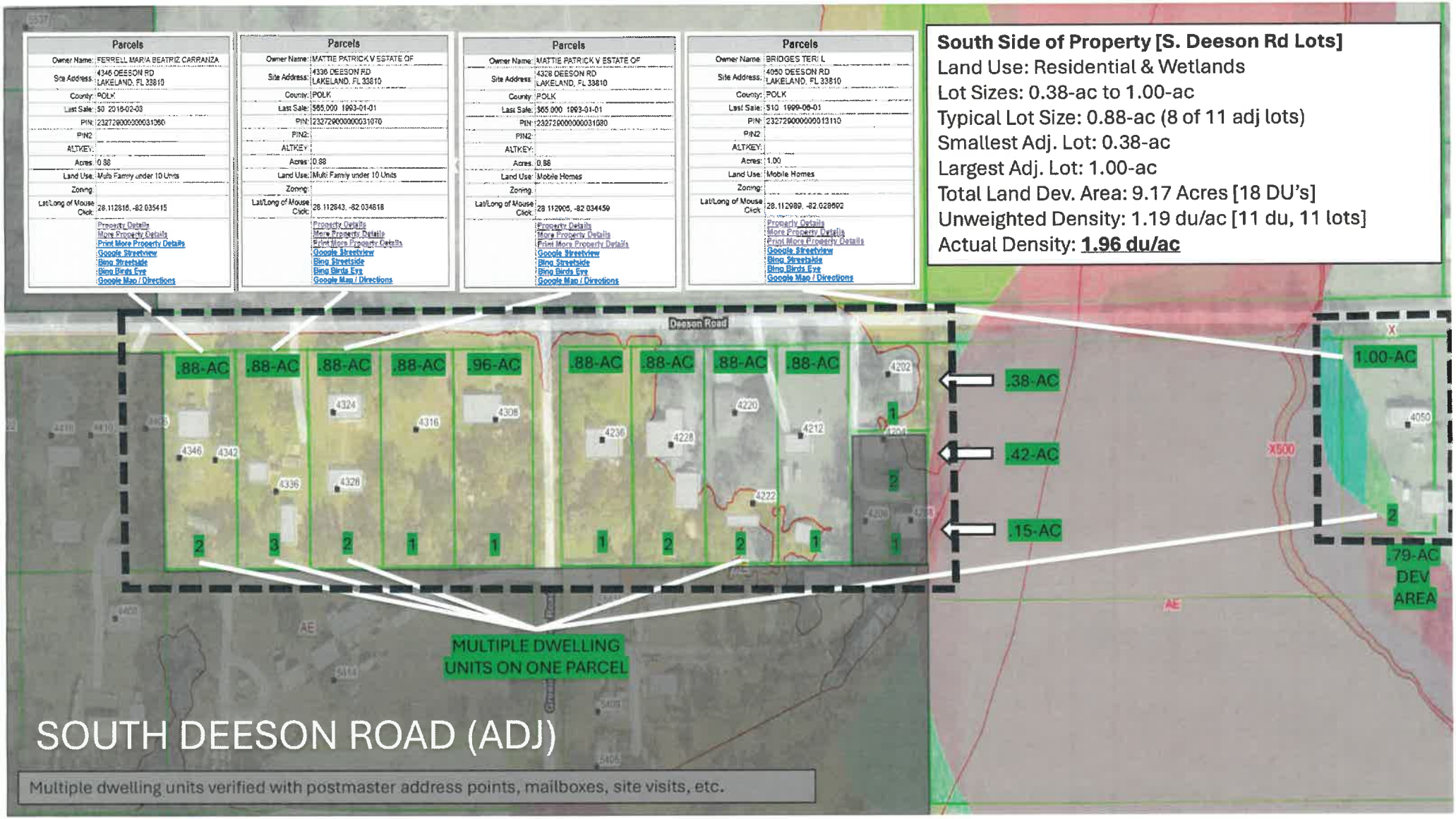
Deeded Access Easements [Egress/Ingress]

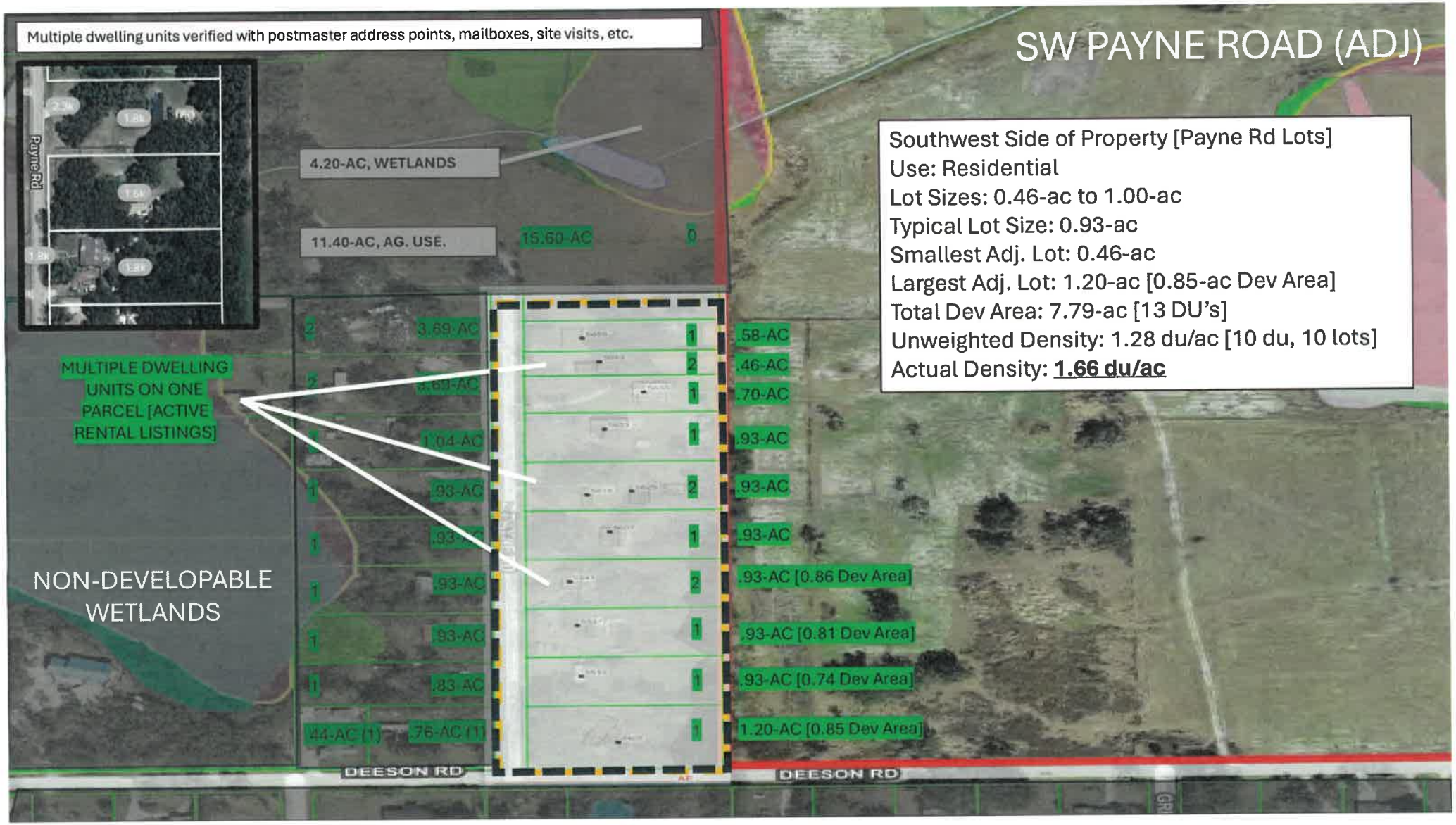
Multiple dwelling units verified with postmaster address points, mailboxes, site visits, etc.

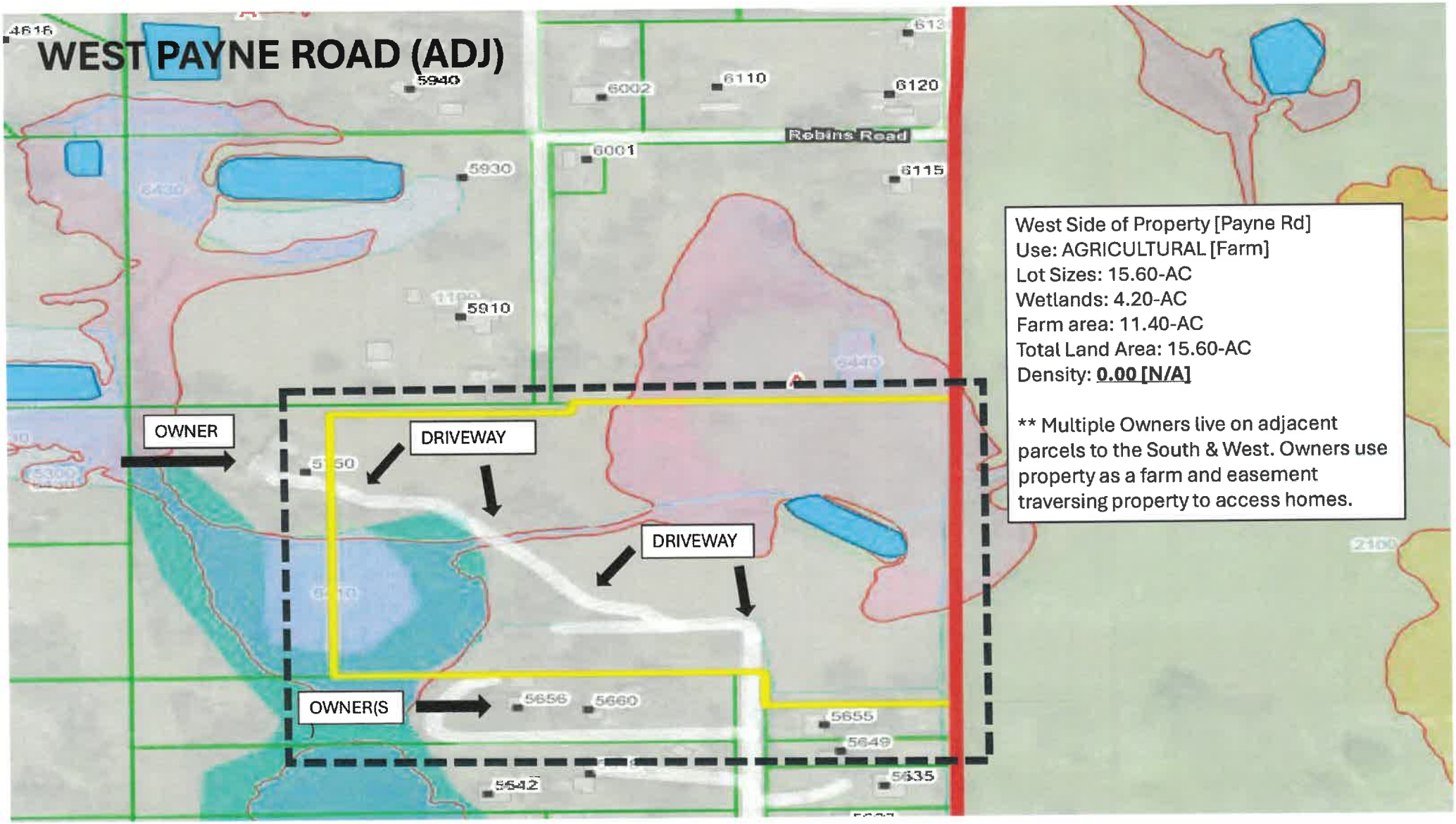


Adjacent lots to the east were subdivided with mobile homes built between 1966 - 1971 as evidenced in historic certified aerials and Polk Co. records.


232720
43 10
Deeded Road
[Egress/Ingress]
MEADOW GLEN RD
024180
175'
024040
175'
024170
175'
Source: Polk County Property Appraiser


Parcels
Owner Name: FERRELL MARIA BEATRIZ CARRANZA
Site Address: 4346 DEESON RD LAKELAND, FL 33810
County: POLK
Last Sale: $0 2018-02-03
PIN: 232729000000031060
PIN2:
ALTKEY:
Acres: 0.88
Land Use: Multi Family under 10 Units
Zoning:
Lat/Long of Mouse Click: 28.112818, -82.035415
Property Details
More Property Details
Print More Property Details
Google Streetview
Bing Streetside
Bing Birds Eye
Google Map / Directions
Parcels
Owner Name: MATTIE PATRICK V ESTATE OF
Site Address: 4336 DEESON RD LAKELAND, FL 33810
County: POLK
Last Sale: $65,000 1993-01-01
PIN: 232729000000031070
PIN2:
ALTKEY:
Acres: 0.88
Land Use: Multi Family under 10 Units
Zoning:
Lat/Long of Mouse Click: 28.112843, -82.034618
Property Details
More Property Details
Print More Property Details
Google Streetview
Bing Streetside
Bing Birds Eye
Google Map / Directions
Parcels
Owner Name: MATTIE PATRICK V ESTATE OF
Site Address: 4328 DEESON RD LAKELAND, FL 33810
County: POLK
Last Sale: $65,000 1993-01-01
PIN: 232729000000031080
PIN2:
ALTKEY:
Acres: 0.88
Land Use: Mobile Homes
Zoning:
Lat/Long of Mouse Click: 28.112905, -82.034459
Property Details
More Property Details
Print More Property Details
Google Streetview
Bing Streetside
Bing Birds Eye
Google Map / Directions
Parcels
Owner Name: BRIDGES TERI L
Site Address: 4050 DEESON RD LAKELAND, FL 33810
County: POLK
Last Sale: $10 1999-06-01
PIN: 232729000000013110
PIN2:
ALTKEY:
Acres: 1.00
Land Use: Mobile Homes
Zoning:
Lat/Long of Mouse Click: 28.112989, -82.028692
Property Details
More Property Details
Print More Property Details
Google Streetview
Bing Streetside
Bing Birds Eye
Google Map / Directions
South Side of Property [S. Deeson Rd Lots]
Land Use: Residential & Wetlands
Lot Sizes: 0.38-ac to 1.00-ac
Typical Lot Size: 0.88-ac (8 of 11 adj lots)
Smallest Adj. Lot: 0.38-ac
Largest Adj. Lot: 1.00-ac
Total Land Dev. Area: 9.17 Acres [18 DU's]
Unweighted Density: 1.19 du/ac [11 du, 11 lots]
Actual Density: 1.96 du/ac
Deeson Road
.88-AC
.88-AC
.88-AC
.88-AC
.96-AC
.88-AC
.88-AC
.88-AC
.88-AC
.38-AC
.42-AC
.15-AC
1.00-AC
.79-AC DEV AREA
MULTIPLE DWELLING UNITS ON ONE PARCEL
SOUTH DEESON ROAD (ADJ)
Multiple dwelling units verified with postmaster address points, mailboxes, site visits, etc.


Multiple dwelling units verified with postmaster address points, mailboxes, site visits, etc.
SW PAYNE ROAD (ADJ)
Payne Rd
4.20-AC, WETLANDS
11.40-AC, AG. USE.
15.60-AC
0
MULTIPLE DWELLING UNITS ON ONE PARCEL [ACTIVE RENTAL LISTINGS]
NON-DEVELOPABLE WETLANDS
2 3.69-AC
2 3.69-AC
2 1.04-AC
1 .93-AC
1 .93-AC
1 .93-AC
1 .93-AC
1 .83-AC
.44-AC (1) .76-AC (1)
1 .58-AC
2 .46-AC
1 .70-AC
1 .93-AC
2 .93-AC
1 .93-AC
2 .93-AC [0.86 Dev Area]
1 .93-AC [0.81 Dev Area]
1 .93-AC [0.74 Dev Area]
1 1.20-AC [0.85 Dev Area]
DEESON RD
DEESON RD
Southwest Side of Property [Payne Rd Lots]
Use: Residential
Lot Sizes: 0.46-ac to 1.00-ac
Typical Lot Size: 0.93-ac
Smallest Adj. Lot: 0.46-ac
Largest Adj. Lot: 1.20-ac [0.85-ac Dev Area]
Total Dev Area: 7.79-ac [13 DU's]
Unweighted Density: 1.28 du/ac [10 du, 10 lots]
Actual Density: 1.66 du/ac


WEST PAYNE ROAD (ADJ)
Rebins Road
OWNER
DRIVEWAY
DRIVEWAY
OWNER(S
West Side of Property [Payne Rd]
Use: AGRICULTURAL [Farm]
Lot Sizes: 15.60-AC
Wetlands: 4.20-AC
Farm area: 11.40-AC
Total Land Area: 15.60-AC
Density: 0.00 [N/A]
** Multiple Owners live on adjacent parcels to the South & West. Owners use property as a farm and easement traversing property to access homes.

Northwest Side of Property [Robbins Rd]
Use: Residential / Agricultural / Wetlands
Lot Sizes: 0.17-ac to 9.20-ac
Smallest Adj. Legal Lot: 0.17-ac
Largest Adj. Lot: 9.20-ac [7.84-ac Dev Area]
Total Land Dev Area: 11.80-ac [5 DU's]
Unweighted Density: 0.25 du/ac [3 du, 3 lots]
Actual Density: **0.42 du/ac**

CRAWFORD FAMILY FARM

0.17-ac (7,500 SF) Legal Lot of Record

1.00-AC 1

3 2.96-AC

Robins Road

1.37-AC, NON-DEV. WETLANDS

SIZE: 7.84-AC A/RR
SIZE: 1.37-AC WETLAND
USE: RESIDENTIAL & ARGRICULTURE

9.20-AC 1

Multiple dwelling units verified with postmaster address points, mailboxes, site visits, etc.

474613

This Indenture,

Made this 7th day of August 1970.

R. EARL ROBBINS and LEONA ROBBINS, his wife

of the County of Polk, State of Florida, grantor, and

CHARLES O. CRAWFORD and RUBY R. CRAWFORD, his wife

whose post-office address is P.O. Box 135, Kathleen, Florida

of the County of Polk, State of Florida, grantee,

Witnesseth: That said grantor, for and in consideration of the sum of Ten (10) and O.V.C. --Dollars, 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:

Begin at SE corner of the S½ of the SE¼ of the SW¼ of the NW¼ of Section 20, Township 27 S, Range 23 E, run thence West along the quarter line 100 feet for Point of Beginning - run thence N 75 feet thence West 100 feet thence S 75 feet thence East 100 feet to Point of Beginning.

N.B. The consideration for this Deed is Love and Affection.

STATE OF FLORIDA DOCUMENTARY STAMP TAX $00.30

FLORIDA DOCUMENTARY SURTAX $00.55

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

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:

R. Earl Robbins (Seal)

Leona Robbins (Seal)

FILED, RECORDED AND RECORD VERIFIED PAUL VAUGHN, CLK. CIR. CT. POLK COUNTY, FLA. BY D.C. D.C.

STATE OF FLORIDA
COUNTY OF POLK

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared R. EARL ROBBINS and LEONA ROBBINS, his wife

to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me the execution of same.

WITNESS my hand and official seal in the County and State last aforesaid this 7th day of August

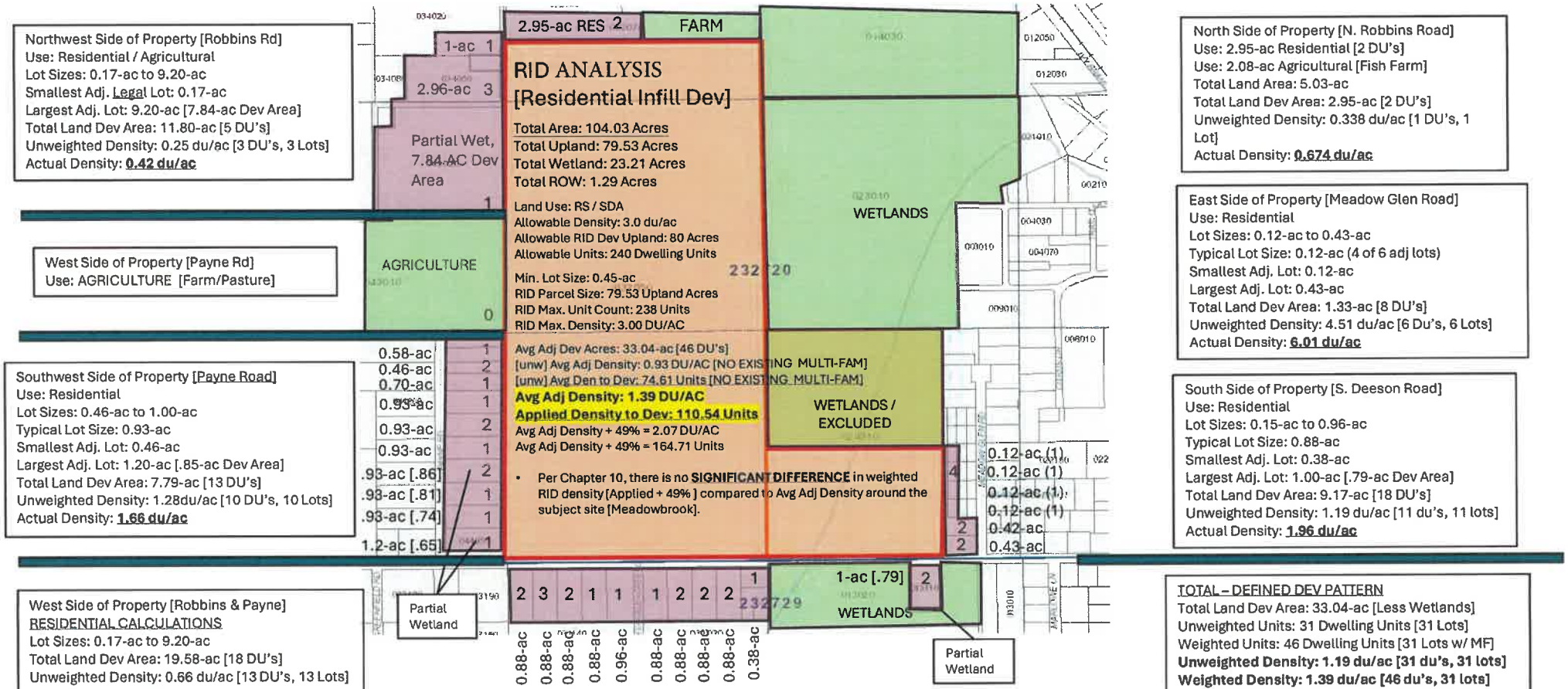
Notary Public

My commission expires:

474613

Defined - Adjacent Land Development Pattern

Density, Significantly Different [Ch. 10] – A density which is 50 percent or greater than the surrounding density.



Northwest Side of Property [Robbins Rd]
Use: Residential / Agricultural
Lot Sizes: 0.17-ac to 9.20-ac
Smallest Adj. Legal Lot: 0.17-ac
Largest Adj. Lot: 9.20-ac [7.84-ac Dev Area]
Total Land Dev Area: 11.80-ac [5 DU's]
Unweighted Density: 0.25 du/ac [3 DU's, 3 Lots]
Actual Density: **0.42 du/ac**

West Side of Property [Payne Rd]
Use: AGRICULTURE [Farm/Pasture]

Southwest Side of Property [Payne Road]
Use: Residential
Lot Sizes: 0.46-ac to 1.00-ac
Typical Lot Size: 0.93-ac
Smallest Adj. Lot: 0.46-ac
Largest Adj. Lot: 1.20-ac [.85-ac Dev Area]
Total Land Dev Area: 7.79-ac [13 DU's]
Unweighted Density: 1.28du/ac [10 DU's, 10 Lots]
Actual Density: **1.66 du/ac**

West Side of Property [Robbins & Payne]
RESIDENTIAL CALCULATIONS
Lot Sizes: 0.17-ac to 9.20-ac
Total Land Dev Area: 19.58-ac [18 DU's]
Unweighted Density: 0.66 du/ac [13 DU's, 13 Lots]
Actual Density: **0.92 du/ac**

North Side of Property [N. Robbins Road]
Use: 2.95-ac Residential [2 DU's]
Use: 2.08-ac Agricultural [Fish Farm]
Total Land Area: 5.03-ac
Total Land Dev Area: 2.95-ac [2 DU's]
Unweighted Density: 0.338 du/ac [1 DU's, 1 Lot]
Actual Density: **0.674 du/ac**

East Side of Property [Meadow Glen Road]
Use: Residential
Lot Sizes: 0.12-ac to 0.43-ac
Typical Lot Size: 0.12-ac (4 of 6 adj lots)
Smallest Adj. Lot: 0.12-ac
Largest Adj. Lot: 0.43-ac
Total Land Dev Area: 1.33-ac [8 DU's]
Unweighted Density: 4.51 du/ac [6 Du's, 6 Lots]
Actual Density: **6.01 du/ac**

South Side of Property [S. Deeson Road]
Use: Residential
Lot Sizes: 0.15-ac to 0.96-ac
Typical Lot Size: 0.88-ac
Smallest Adj. Lot: 0.38-ac
Largest Adj. Lot: 1.00-ac [.79-ac Dev Area]
Total Land Dev Area: 9.17-ac [18 DU's]
Unweighted Density: 1.19 du/ac [11 du's, 11 lots]
Actual Density: **1.96 du/ac**

TOTAL – DEFINED DEV PATTERN
Total Land Dev Area: 33.04-ac [Less Wetlands]
Unweighted Units: 31 Dwelling Units [31 Lots]
Weighted Units: 46 Dwelling Units [31 Lots w/ MF]
Unweighted Density: 1.19 du/ac [31 du's, 31 lots]
Weighted Density: 1.39 du/ac [46 du's, 31 lots]
Weighted Density + 49% = 2.07 DU/AC

KATHLEEN RESERVE RRD

SECTION 3

INFRASTRUCTURE & SDA ANALYSIS

Polk County GOVERNMENT CENTER ACQUISITION & PUBLIC INVESTMENT CONTEXT

KATHLEEN AREA PUBLIC INFRASTRUCTURE & COMMUNITY RESPONSE - Polk County's acquisition and expansion of the Kathleen Government Center highlight ongoing public investment, suburban growth, and rising infrastructure demands in the Kathleen area and SDA corridor. Discussions on the Government Center expansion included public testimony on area conditions and infrastructure issues such as: Regional flooding and drainage problems; Transportation and roadway capacity; Lack of sidewalks and pedestrian infrastructure; Utility and service expansion needs; and Residential growth pressures.

These discussions reflect broader trends of suburban development, infrastructure expansion, and the need for coordinated planning to manage growth, stormwater, and infrastructure efficiency in the SDA. Unlike past fragmented low-density development, the Kathleen Reserve RRD proposes a master-planned framework that: Concentrates development intensity; Preserves wetlands, floodplains, and open spaces; Uses centralized utilities; Incorporates managed stormwater systems; and Provides sensitive transitions to surrounding residential areas.

The Kathleen Reserve RRD preserves about 93.28 acres (61% of the site) as wetlands, floodplain, open space, agricultural/ preservation, and stormwater tracts, focusing residential development on upland areas via a clustered RRD design. Public discussions on the Government Center acquisition underscore growing awareness of basin-wide infrastructure, flooding, and land planning challenges in the Kathleen area and the importance of coordinated development and preservation within the SDA framework.





Polk County Fire Rescue provides Advanced Life Support to all residents and visitors. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Fire and EMS responses to this project are from the new Polk County Fire Rescue Station 23, located at 6750 Kathleen Road, Lakeland 33810. The travel distance is approximately 1.8 miles to the entrance subject site and response times are estimated by Polk County Development Services to be three (3) minutes or more depending on the type of call.



Lakeland Regional Health (LRH) built a medical care center that is 5-minutes from the site at I-4 and Kathleen Road.

The new location will help Lakeland Regional Health meet local health needs through the expansion of comprehensive healthcare service with 50 patient care room and 4 surgical rooms. In a recent press release, LRH CEO Danielle Drummond cited US Census data and said, "Polk County is one of the fastest-growing areas in the nation" and "expanding comprehensive healthcare services to meet the local health needs of our area is one of our community objectives".

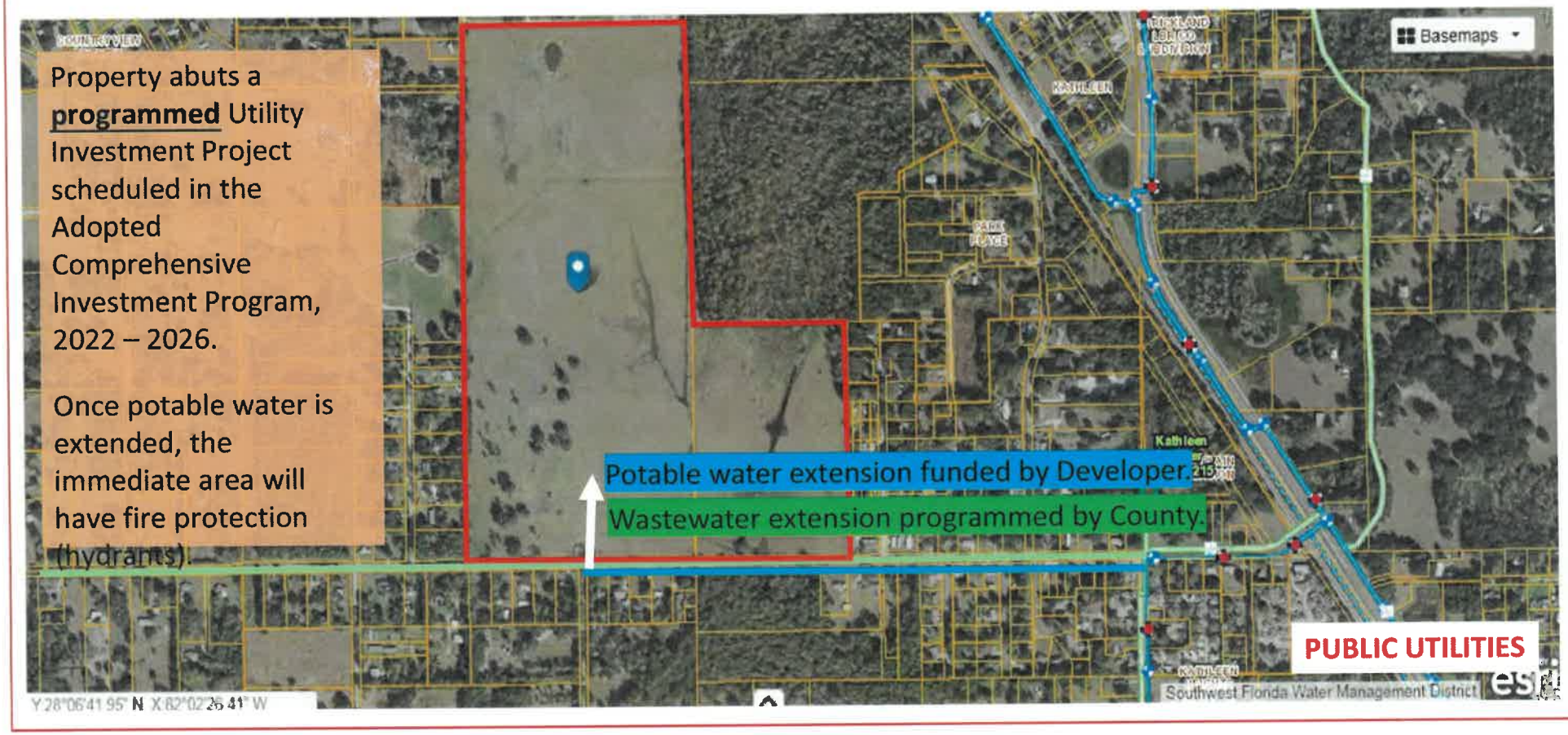


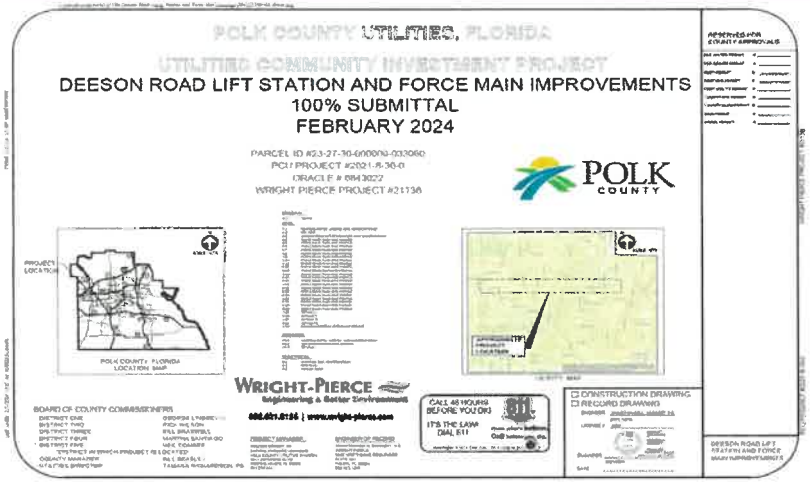




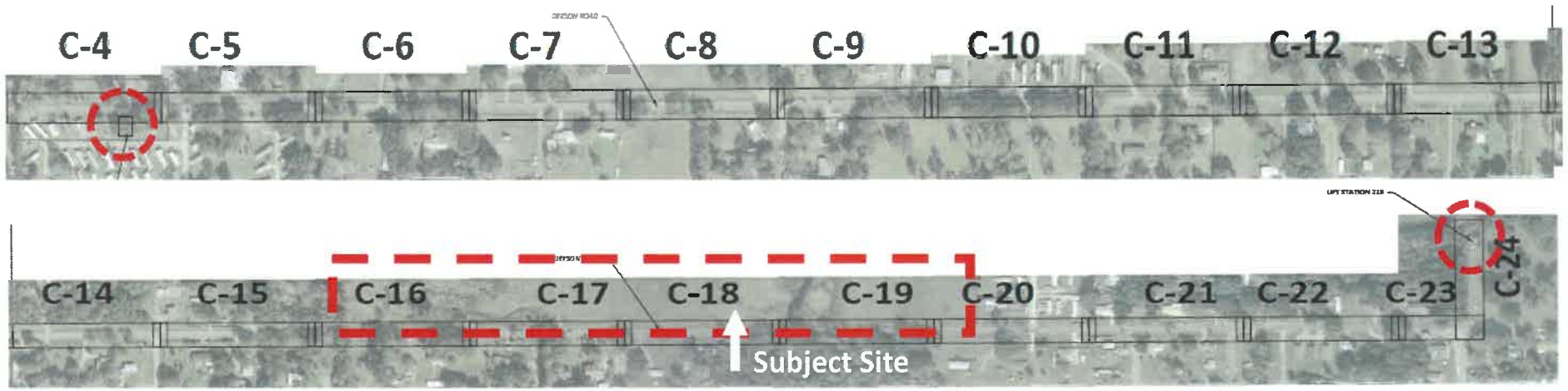
Lakeland Regional Health's Kathleen Road facility, which opened on Monday, Nov. 6, 2023. | Kimberly C. Moore. LkldNow.com

POLK COUNTY UTILITIES EXTENDED ALONG DEESON RD.





POLK COUNTY WILL HAVE TWO PUBLIC LIFT STATIONS ON EITHER SIDE OF DEESON ROAD. THE SUBJECT SITE WILL BE CENTERED BETWEEN BOTH PUBLIC LIFT STATIONS.



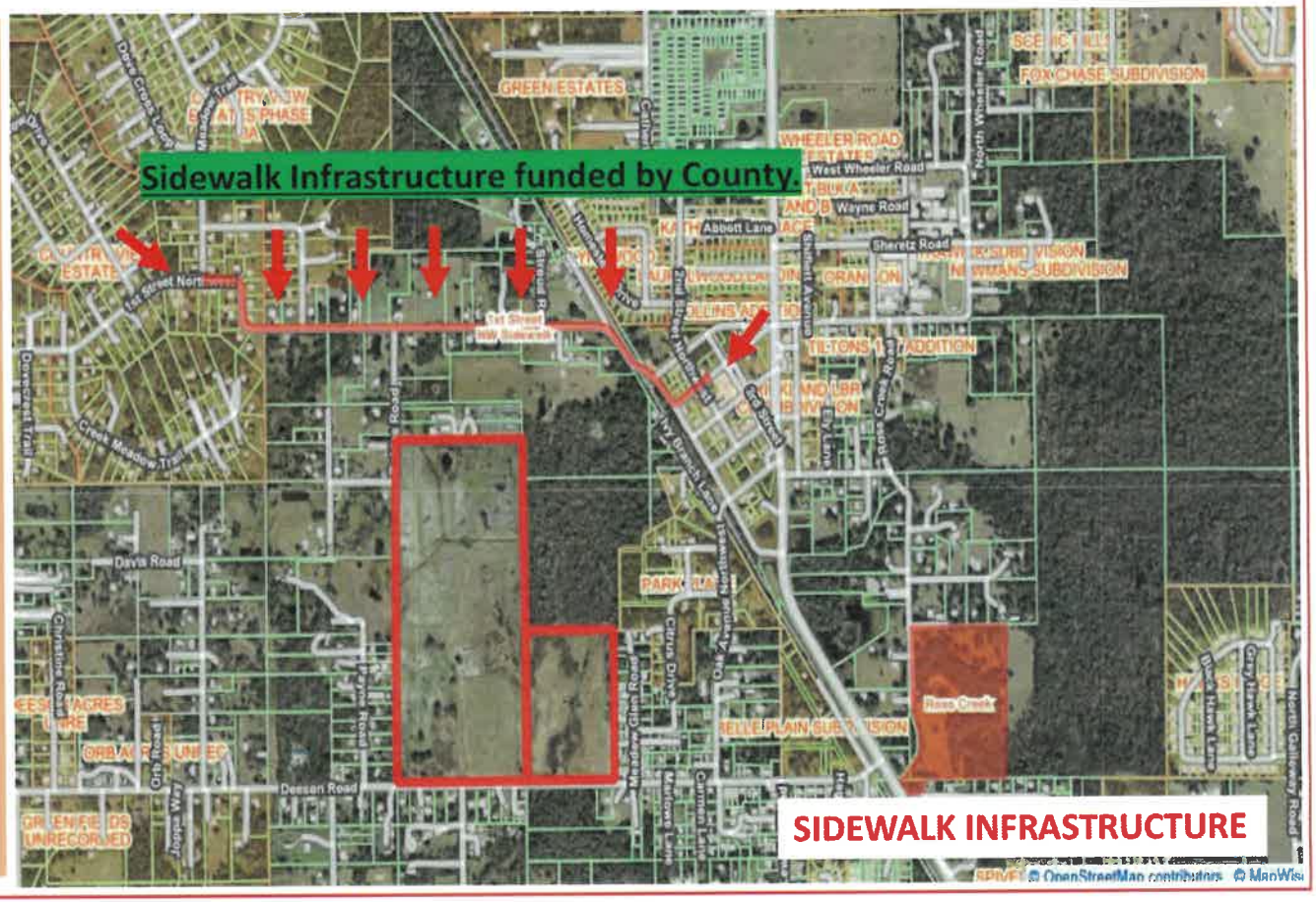
POLK COUNTY SIDEWALK INFRASTRUCTRE BEING BUILT

Property is due south (walking distance) from a **programmed** sidewalk Infrastructure Investment that is under construction.

The sidewalk segment will connect Kathleen's Historic Main Street Village with a high-density subdivision in the A/RR district known as Country View Estates.

The need for sidewalks on 1st Street NW resulted from two pedestrian fatalities in 2022 occurring on either side of Robbins Road.

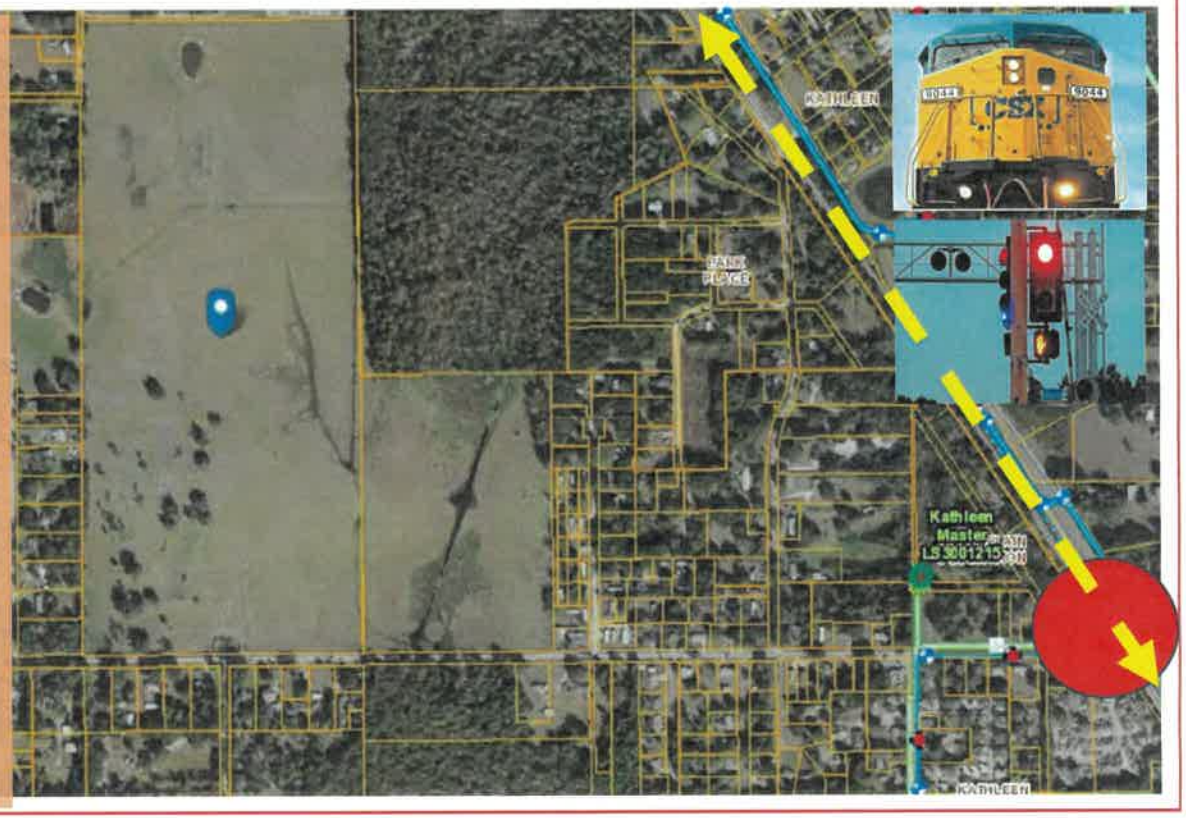
There is a real need for private investment to unify disconnected and fragmented public investments like this Capital Improvement Project. This is a $1.5 Million Public Investment.



1. KATHLEEN AREA CSX RAIL LINE IMPROVEMENTS
2. NEW TRAFFIC LIGHT AT DEESON RD/KATHLEEN RD INTERSECTION

In 2023, the CSX rail line underwent improvements in the 13 intersections of the Kathleen area, including Deeson Road. Rail line improvements included signalization, pedestrian crossings and rail line upgrades. The purpose of modernizing the CSX rail line is to improve efficiency and safety in areas with projected higher density development patterns.

Due to high traffic trip generation caused by more intensive, higher density development patterns, there was a need for a traffic light (per Polk County) at the intersection of Deeson Rd and Kathleen Rd. Polk County has funded and is in the process of installing a new traffic light.

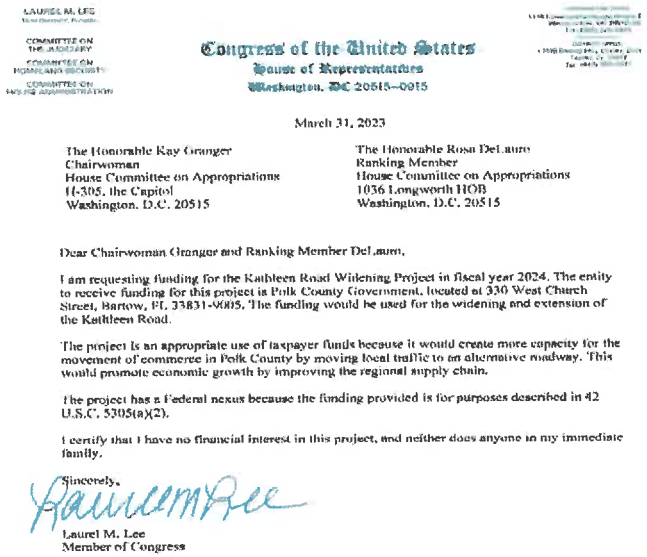


KATHLEEN AREA ROADWAY IMPROVEMENTS INCLUDES NEW TURN LANES AND NEW STORM PONDS TO IMPROVE DRAINAGE & MAKE WAY FOR NEW DEVELOPMENT.



Kathleen Road widened to four (4) lane divided principal road. Kathleen Road is scheduled to be widened in the near future extending the road from Duff Road to US 98.





Congress of the United States
House of Representatives
Washington, DC 20515–0915

March 31, 2023

The Honorable Kay Granger
Chairwoman
House Committee on Appropriations
H-305, the Capitol
Washington, D.C. 20515

The Honorable Rosa DeLauro
Ranking Member
House Committee on Appropriations
1036 Longworth HOB
Washington, D.C. 20515

Dear Chairwoman Granger and Ranking Member DeLauro,

I am requesting funding for the Kathleen Road Widening Project in fiscal year 2024. The entity to receive funding for this project is Polk County Government, located at 330 West Church Street, Bartow, FL 33831-9005. The funding would be used for the widening and extension of the Kathleen Road.

The project is an appropriate use of taxpayer funds because it would create more capacity for the movement of commerce in Polk County by moving local traffic to an alternative roadway. This would promote economic growth by improving the regional supply chain.

The project has a Federal nexus because the funding provided is for purposes described in 42 U.S.C. 5305(a)(2).

I certify that I have no financial interest in this project, and neither does anyone in my immediate family.

Sincerely,

Laurel M. Lee
Member of Congress



Work on widening Kathleen Road from Galloway Road to Duff Road was approximately $52 million in cost. The intent of the project was to relieve traffic congestion for commuters traveling to and from Lakeland's northern suburbs.

The three-mile project came after the widening of a 2.4-mile section of Kathleen Road from Interstate 4 to Galloway Road, which was completed in 2007. The Galloway Road to Duff Road portion was completed by August 2013.

Kathleen Rd Widening and Extension Project Summary:
Due to congestion on U.S. Hwy 98 and increasing development in the north Lakeland/Kathleen area, Polk County needs and is planning for a parallel roadway to U.S. Hwy 98 to move traffic north and south. The County and its transportation partners have determined that Kathleen Rd needs to be widened and extended. This project will reduce congestion on an already failing roadway.

The county is already looking at intersection improvements and widening Kathleen Road north of Duff Road to add a roundabout at the Campbell Road intersection. The current thinking is the future four-lane extension of Kathleen Road would go to Rockridge Road and then onto U.S. 98. That widening and extension project would take an estimated $100 million, and it could take more than eight years before cars and trucks will be able to drive it. And that's if the funding is approved sooner rather than later.

KATHLEEN RESERVE RRD

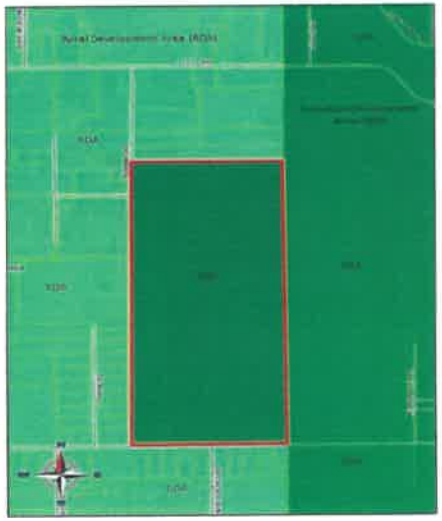
SECTION 4

COMP PLAN / DRC FINDINGS

Request: APPROVED	Future Land Use designation change from Agricultural/Residential-Rural (A/RR) in the Rural Development Area (RDA) to Residential Suburban (RS) in the Suburban Development Area (SDA).
Location:	Located on the north side of Deeson Road, west of Kathleen Road, east of Payne Road and south of 1st Street NW, Lakeland, in Section 20, Township 27, Range 23
Property Owner:	LBF Ranch, LLC
Parcel Size:	90.57 +/- acres (232720-000000-032050)
Development Area/Overlays:	Rural Development Area (RDA)
Nearest Municipality:	Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Recommended Approval 12-1-2021 Vote: 6:0
Public Comment:	None
DEO Recommendation:	None (DEO No. 22-01-ESR) Department of Economic Opportunity



PROPOSED FUTURE LAND USE MAP
RESIDENTIAL SUBURBAN (RS)



PROPOSED DEVELOPMENT AREA
SUBURBAN DEVELOPMENT AREA (SDA)

Comprehensive Plan Amendment (CPA)

- CPA (LDCPAL 2021-17) on the 90-acre parcel of Meadowbrook adopted on 04/05/2022.
  - DRC Recommendation: APPROVAL
  - Planning Commission Recommendation: UNANIMOUS APPROVAL
  - County Commissioners Vote:
    - **Transmittal:** UNANIMOUS APPROVAL
    - **Adoption:** UNANIMOUS APPROVAL

Deeson Road
Comprehensive Plan Amendment [CPA]

"Is COMPATIBLE with surrounding land uses and general character of the area."

"Is CONSISTENT with the Polk County Comprehensive Plan and the Land Development Code."

- Polk County Development Services

Development Review Committee (DRC) statements on the approved/adopted Comprehensive Plan Amendment (CPA) for the Property which was unanimously approved by the Polk BOCC:

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 as this is a mapping error of a land use and it is permitted in the designated area.** Table 9 depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl."

- Polk County Development Services

Development Review Committee (DRC) statements on the approved/adopted Comprehensive Plan Amendment (CPA) for the Property which was unanimously approved by the Polk BOCC:

"... not anticipated to degrade the Level-of-Service (LOS) standard for transportation, the locally zoned schools, fire, EMS, and sheriff public safety resources."

"The subject site will connect to the County's water and wastewater through the Polk County NW Regional Utility Service Area."

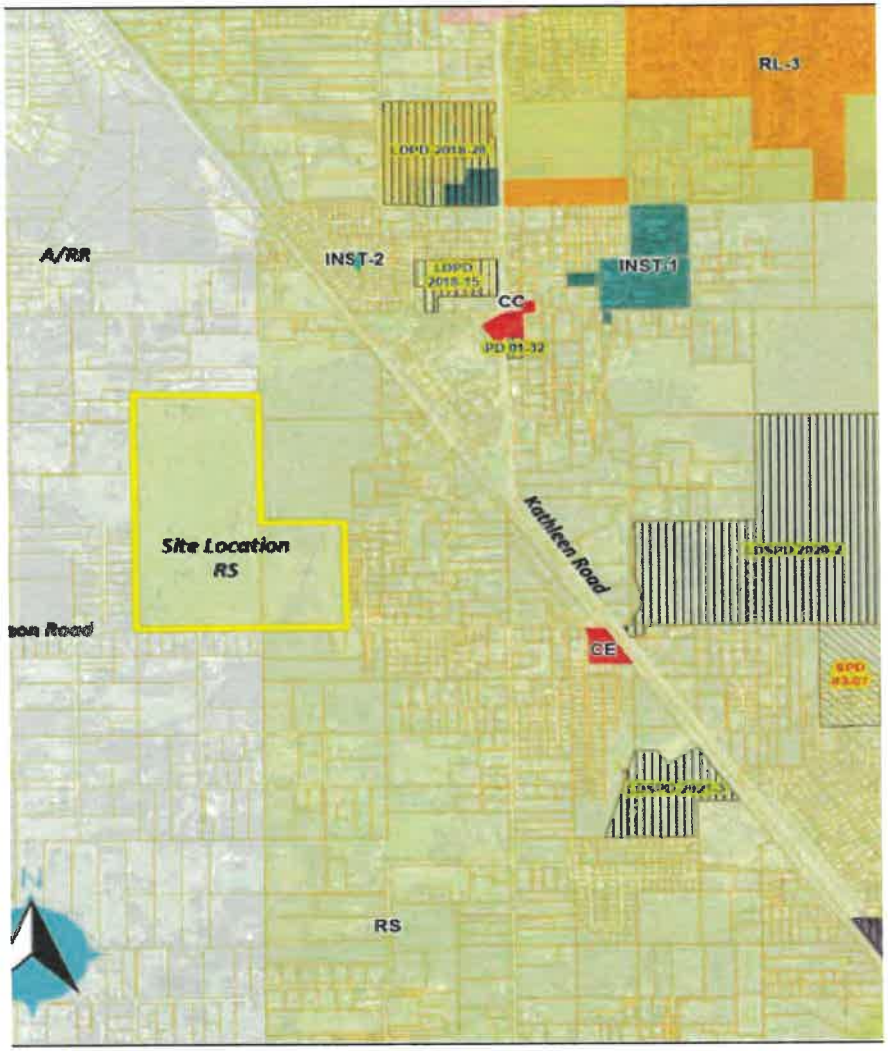
Development Review Committee – Key Findings:

- "The applicant has demonstrated that this development is not premature in the SDA. The project will connect to centralized potable water and wastewater".
  Policy 2.102-A1: Development Location.

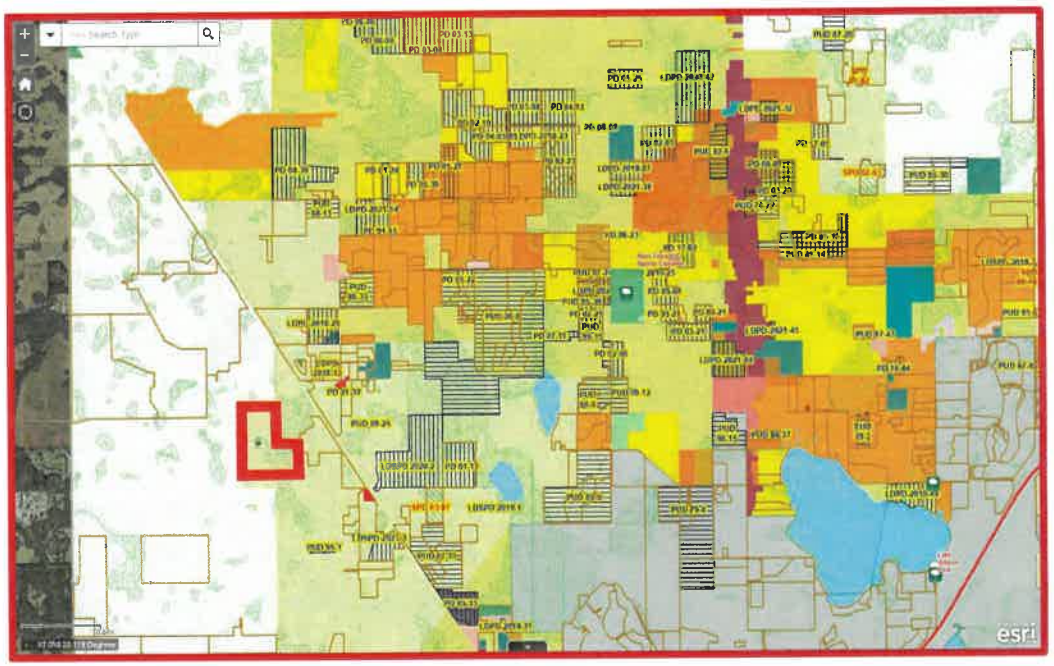
- "... surrounded by a residential land use district. There are residential subdivisions, residential lots and residential land use districts located adjacent to the subject site".
  Policy 2.102-A2: Compatibility.

- "The proposed development is in an area of the County that contains public utilities and community services which exceed what is typically found in the Suburban Development Area (SDA)".
  Policy 2.102-A3: Distribution.

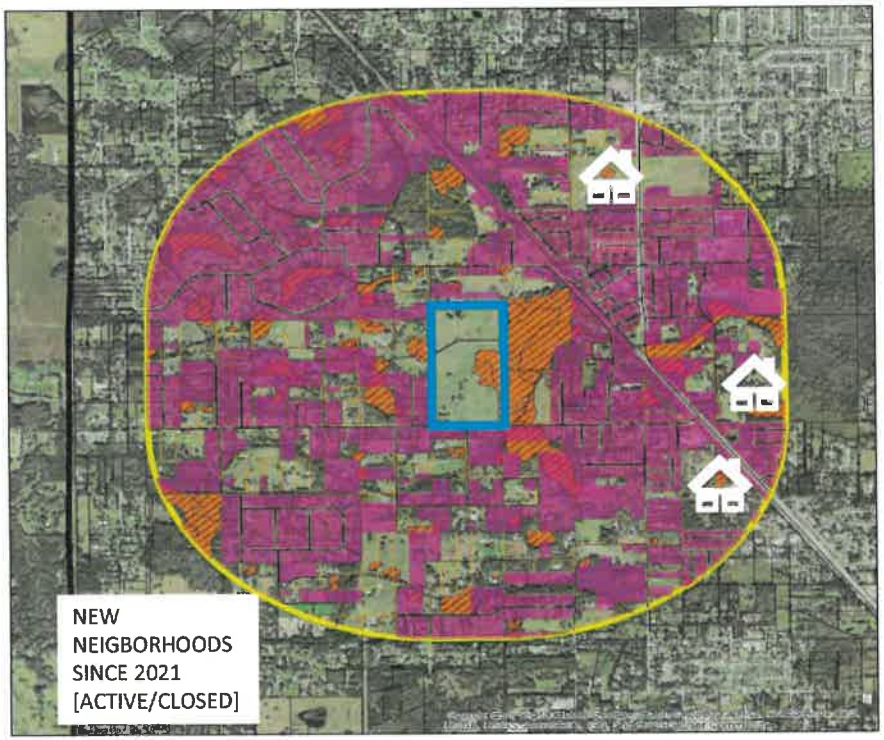
- "... located within an area that has significant amount of urban infrastructure and services with ample capacity to serve it".
  Policy 2.102-A4: Timing



Residential Suburban (RS) – The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban areas. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities.



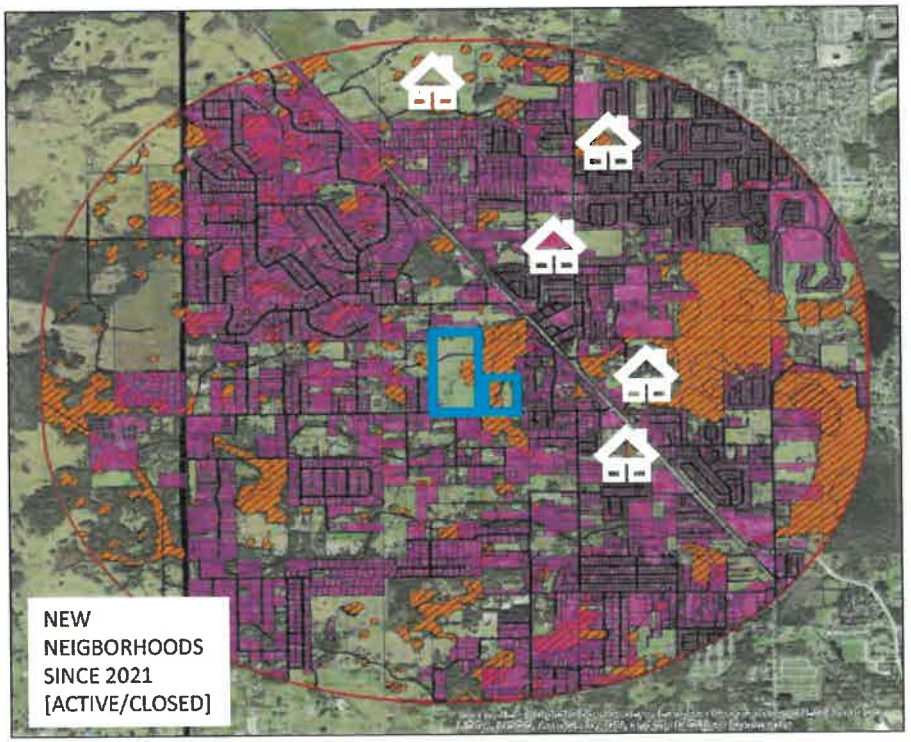
1-Mile Dev. Ratio Test



CPA Requirement: Above 40% Developed

Ratio Results: 68% Developed [2021]

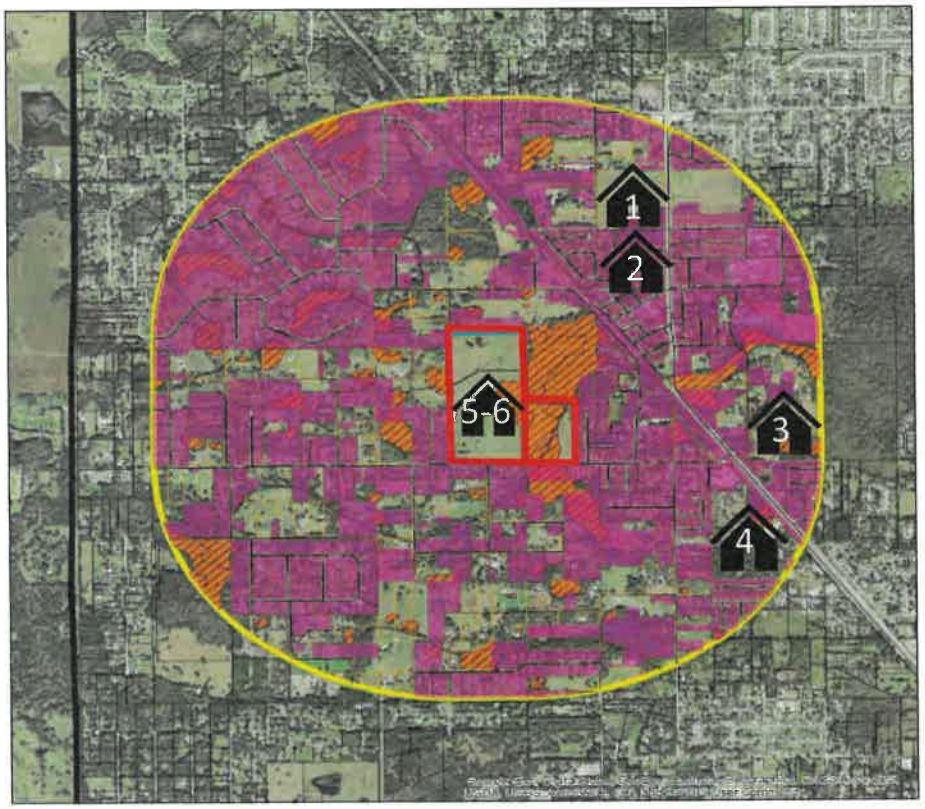
2-Mile Dev. Ratio Test



CPA Requirement: Above 60% Developed

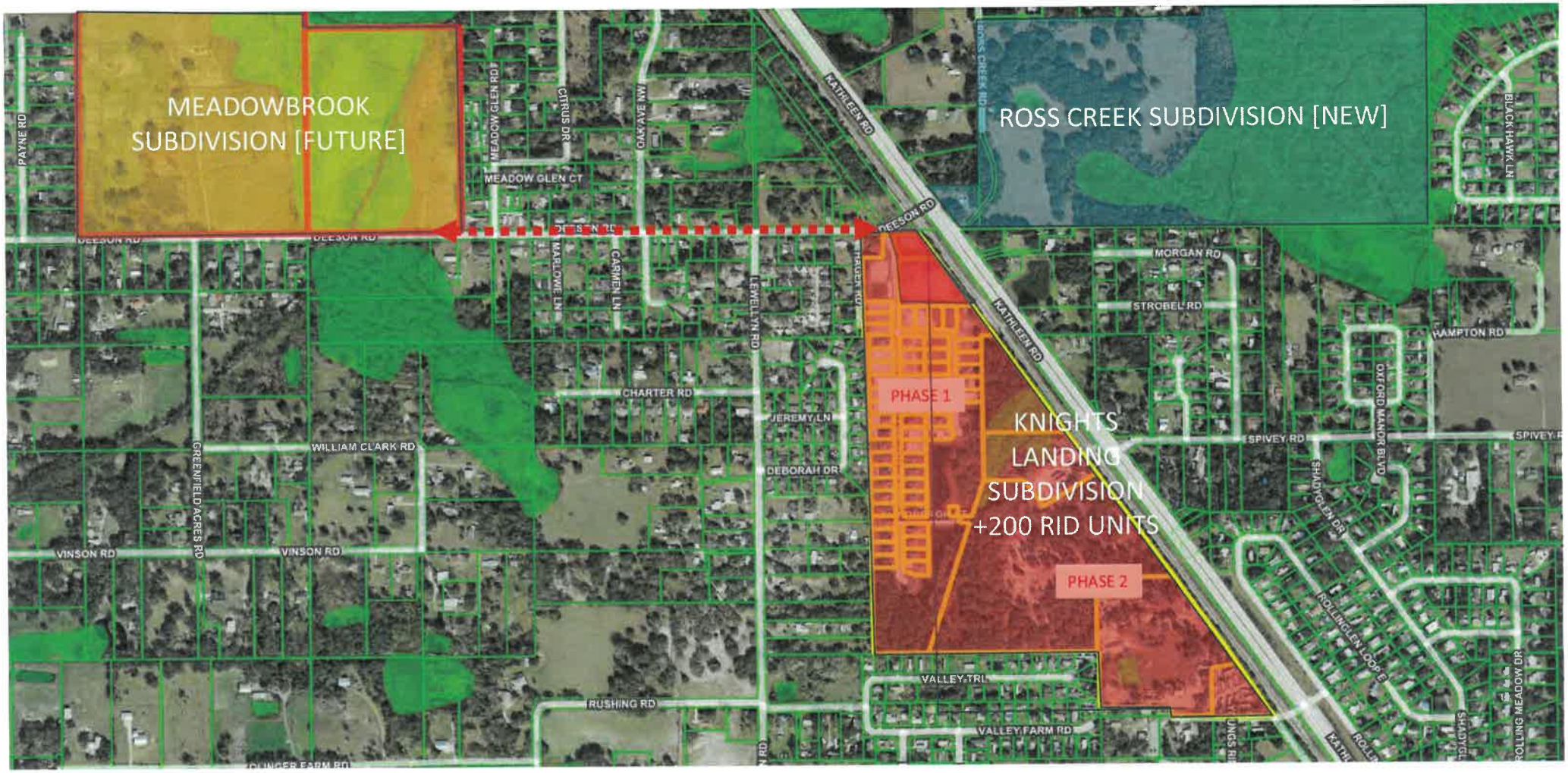
Ratio Results: 62% Developed [2021]

1-Mile Comparables – Nearby New Home Communities

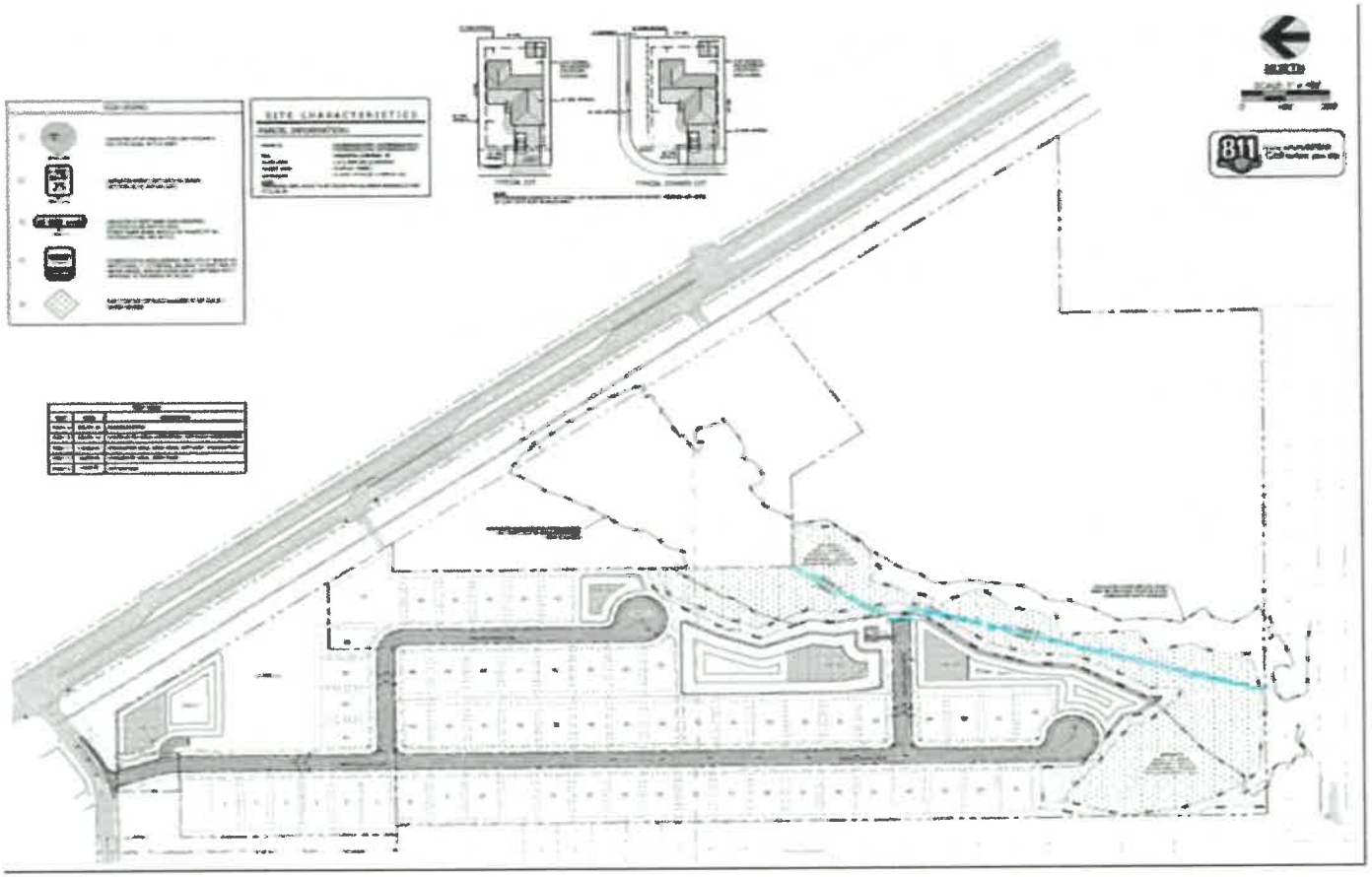


No.	Project Name	Case No.	Approval	Density	Open Space	Distance
1	Baker Road SPD [aka Willow Ridge]	LDPD-2018-28	09/03/18	4.24	20%	3,572 Ft.
2	Laurelwood Lane [RID/SPD]	LDPD- 2018-18	08/15/18	2.61	20%	3,400 Ft.
3	Ross Creek SPD	LDSPD-2020-2	09/15/20	1.95	60%	3,300 Ft.
4	Knights Landing [RID/SPD]	LDSPD-2021-3	11/3/21	2.99	35.2%	2,500 Ft.
5	**PRIOR – Meadowbrook SPD no. 1**	**LDSPD-2022-1**	**Denied**	**2.56**	**55%**	**SUBJECT SITE**
6	**PRIOR – Meadowbrook SPD no. 2**	**LDSPD- 2023-1**	**Denied**	**1.51**	**69.6%**	**SUBJECT SITE**
	Kathleen, 1-Mile Development Ratio	-	-	-	32%	-
	Kathleen, 2-Mile Development Ratio	-	-	-	38%	-

KNIGHTS LANDING SUBDIVISION IS A RESIDENTIAL INFILL DEVELOPMENT [RID] LOCATED AT DEESON RD AND KATHLEEN RD, 0.47-MILES FROM THE SUBJECT SITE [MEADOWBROOK]



KNIGHTS LANDING [RID] SUBDIVISION CONTAINS THE SAME INFRASTRUCTURE LEVEL OF SERVICE THAT ARE AVAILABLE AT THE SUBJECT SITE. THERE ARE 3 PHASES OF KNIGHTS LANDING. PHASE II IS ACTIVELY GOING THROUGH A RESIDENTIAL INFILL REQUEST DUE TO THE RESISTANCE OF LOCAL RESIDENTS TO APPROVE THE PROJECT THROUGH A LEVEL3 PLAN REVIEW PROCESS.



- RS land use
- 33.2± acres (57.7 acres)
- 61 lots (107 lots)
- Density Provided
  - 1.83 du/ac
- Density Allowed w/ SPD
  - 3.0 du/ac
- Min. lot size provided:
  - 11,850 sq.ft
- Min. lot size allowed:
  - 11,761.20 sq.ft.
- Infrastructure LOS Met
  - Sewer not required
  - Water under 70%
  - Fire w/in 1 mile (3)
  - EMS w/in mile 3 miles (5)
  - Schools ≤ 100%
  - Roads less than LOS D



- Side One (Smallest
  - 0.23 acres
  - 10,018.8 sq.ft.
- Side Two (Largest)
  - 0.31 acres
  - 13,503.6 sq.ft.
- Average of two
  - 0.27 acres
  - 11,761.2 sq.ft.

Land Development Division
330 W. Church Street
Bartow, FL 33830

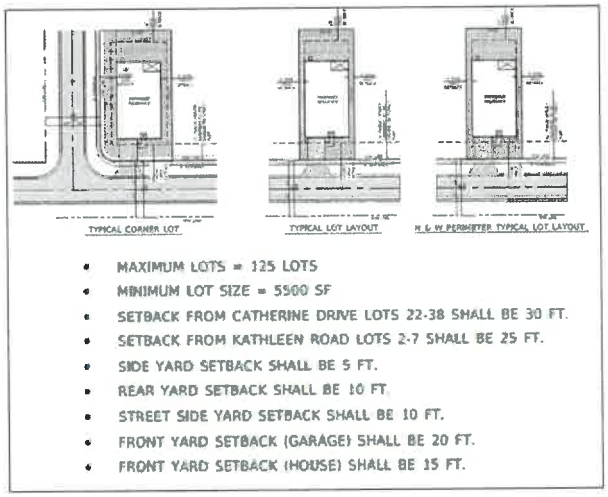
Application Comment Report

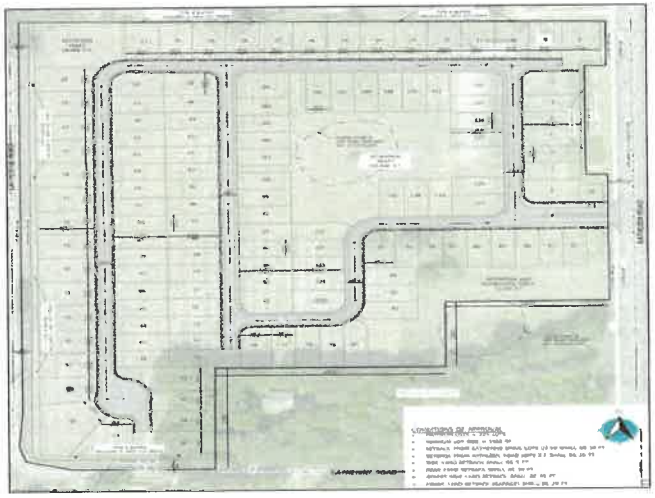
Application Number: LDRES-2024-20

Report Date: 04/29/2024
Description : The developer is proposing Phase 2 of the Knights Landing development which will consist of 70-lot single family lots with site & storm water improvements, located in Lakeland, FL off of Deeson Road. The project area totals 23.6 acres and is located within the jurisdictional limits of the Polk County. The project's parcel id number is 23-27-28-011021-000610.
Address : 0 KNIGHTS LANDING DR, LAKELAND, FL, 33810
Record Type : DRC-Residential Site Review
Reviewer Contact Information:

Reviewer Name	Reviewer Email	Reviewer Phone
Steve McQuaig	stevemcquaig@polk-county.net	-
Karen Murphy	KarenMurphy@polk-county.net	863-298-4228
Diane Miller	dianemiller@polk-county.net	-
Mark Bennett	markbennett@polk-county.net	863-534-6455
School District	planning@polk-fl.net	8635340620
Richard K. Benton	richardkbenton@polk-county.net	863-534-6765
Kim Turner	kimturner@polk-county.net	-







BAKER ROAD [KNOWN AS WILLOW RIDGE]

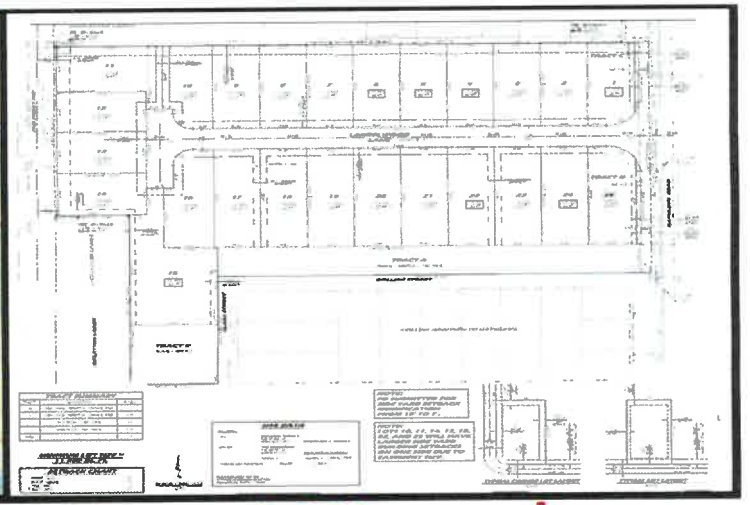
Summary of Analysis:

On May 21, 2019, the BOCC has two days of public testimony for a DeNovo Hearing for LDPD-2018-28. At the time, this allowed the applicant an opportunity to address issues and concerns relayed by citizens at the hearing regarding the compatibility of this project to surrounding development. The applicant submitted a new site plan that reduced the number of lots from 137 to 125 units (4.24 dwelling units/acre). Perimeter lots were set to 70 feet wide (50 feet for internal lots), and a "Type B" landscaping buffer was constructed along the northern property with a six-foot PVC fence to address compatibility issues. Additional right-of-way along for Catherine Drive (40 feet from the centerline of pavement) were dedicated.

The Planned Development (PD) for a 125-lot single-family residential subdivision had a density of 4.24 dwelling units/acre. To reach this density, the achieved (9) nine density bonus points as described in Table 3.3 of the Land Development Code. The Meadowbrook SPD in its last iteration for 147-lot single-family residential subdivision had a density of 1.51 dwelling units/acre. The Meadowbrook SPD achieved (34) thirty-four density bonus points. Meadowbrook is less than 1-mile away.







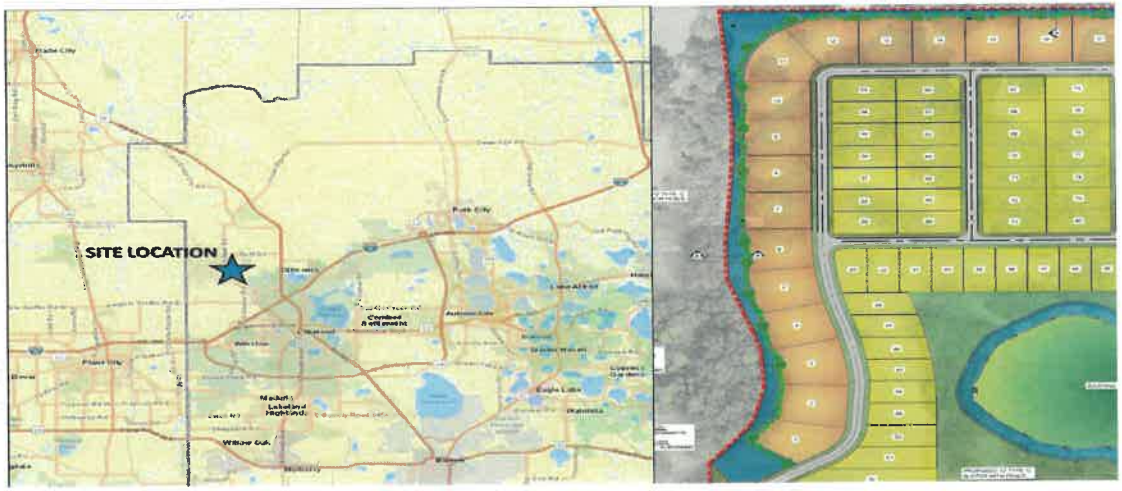
LAURELWOOD LANE RID/SPD

Summary of Analysis:
The above Planned Development (PD) for 25 single-family lots on 9.56 +/- acres had a density of 2.61 du/ac. The project was located within the Residential Suburban (RS) and the Suburban Development Area (SDA) just like Meadowbrook. This project was undergoing a Level 2 Review for Residential Infill Development [RID] until issues arose with side setbacks which prompted the Level 3 Review. The site plan dedicates additional right-of-way to what is presently available; however, this dedication encroaches into the requisite setbacks for structures along an Urban Collector road such as Kathleen Road. The site plan also called for a wall to be constructed between Lots 1 & 25 and Kathleen Road.

The request was also deemed compatible with the surrounding neighborhood. As noted above, this project was being reviewed for Residential Infill Development. Though in a RS district, the lot sizes for this project and within surrounding neighborhoods are smaller than the minimum five-acre residential lot sizes as mandated by Table 2.2 of the Land Development Code. For this reason, the request was for a PD rather than a Suburban Planned Development (SPD). The development did not need the density reduction of the SPD process because it met Residential Infill criteria.

SITE DATA

PARCEL INFORMATION	
PARCEL ID	232721-000000-023000
DEVELOPMENT INFORMATION	
PROJECT AREA	±120 ACRES
WETLAND PRESERVATION AREA	±72 ACRES
PROPOSED USE	SINGLE FAMILY RESIDENTIAL
DWELLING UNITS	94 LOT
DENSITY	0.78 DU/AC
SETBACKS	SEE TYPICAL LOT
UTILITIES	
WATER/SEWER	POLK COUNTY
UTILITIES	UNDERGROUND



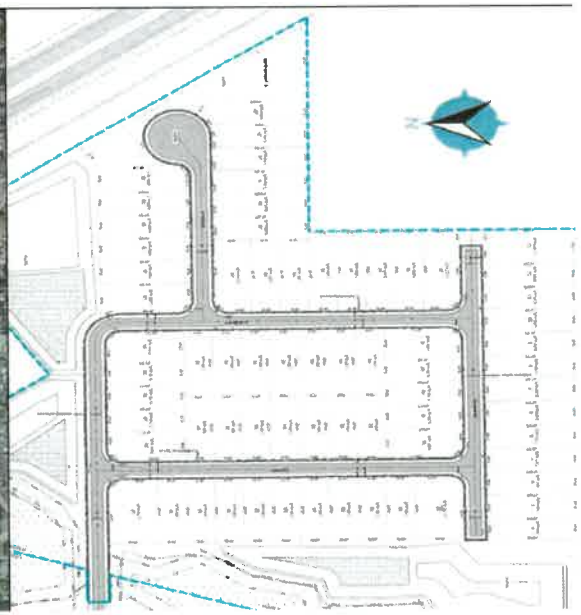
ROSS CREEK

Summary of Analysis:
Similar proposed projects on this site - LDSPD-2018-2 and LDSPD-2018-4 with 139 units and 100 units, respectively – were rejected after DeNovo Hearings. LDSPD-2019-3 (94 units) was denied 5:1 by the Planning Commission during a public hearing held on January 8, 2020. LDSPD-2020-2 was eventually approved with the above site plan and was challenged in court by members of the public. The BOCC decision was upheld after years of litigation.

The project featured a 10-foot-wide Type "C" landscaping buffer with an eight-foot opaque fence. The breakdown of the number of lots were 1) 73, 60' x 120' lots and, 2) 21, 100' x 135' lots. The density for the site is detailed as 0.78 du/ac but that was based on gross acreage with wetland preservation area. This has since changed and the qualified density for the site is 1.94 du/ac which is based on 48 upland acres. The Meadowbrook SPD in its last iteration for 147-lot single-family residential subdivision had a density of 1.51 dwelling units/acre. The Meadowbrook SPD achieved (34) thirty-four density bonus points. Meadowbrook is less than 1-mile away.

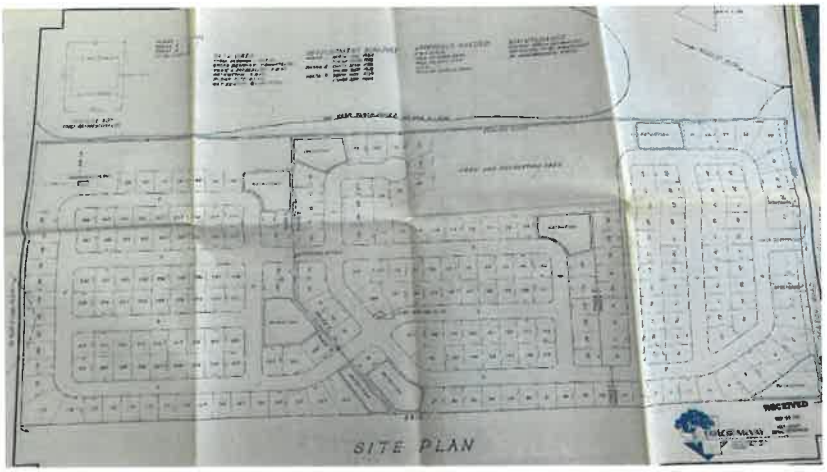


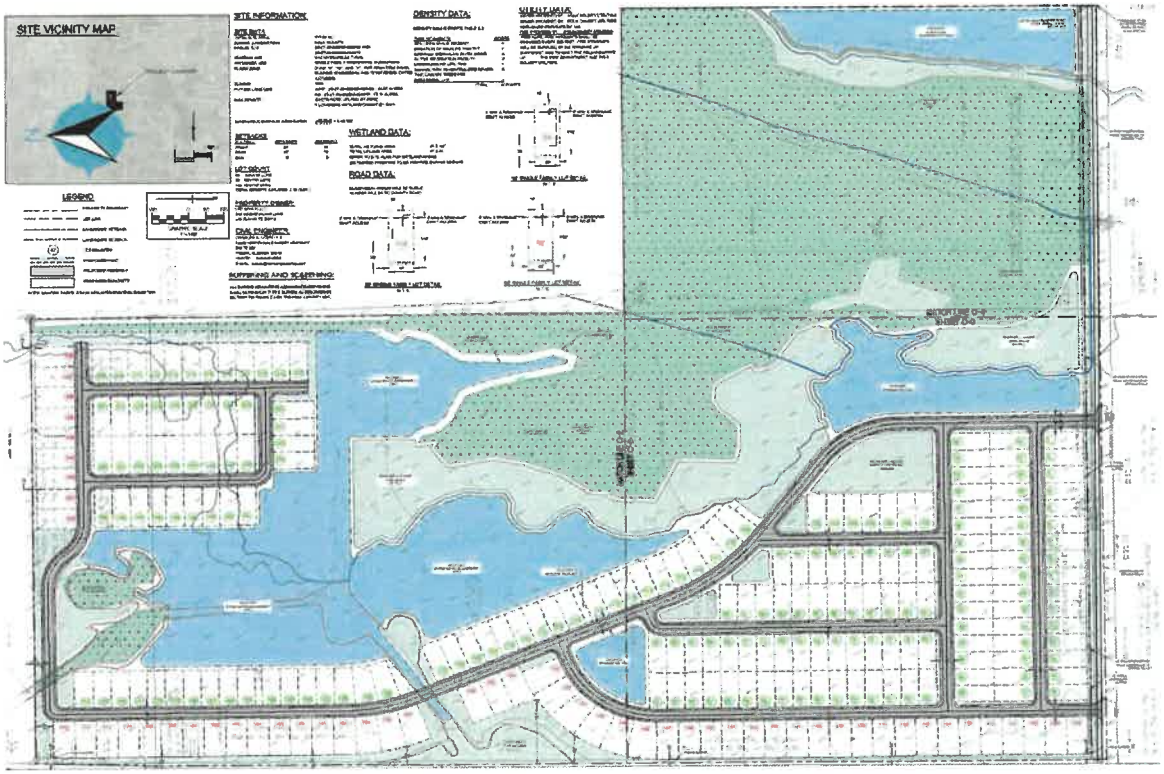




Summary of Analysis:
This Phase II of Knights Landing, was a Suburban Planned Development (SPD) for 68 single-family lots within a Residential Suburban (RS). The project area consists of approximately 22.69 upland acres and 1.39 acres of wetlands. The gross density requested was 2.99 dwelling units per upland acre (DU/AC). The minimum lot size were 6,750 sq. ft. This request for Phase II was originally approved as a Residential Infill Development [RID] through a Level 2 Review and Section 303 (LDRES-2020-90). The adjustment of this area from infill to an SPD was described as doing nothing to adversely impact the approval of Phase I. Concurrency was issued for traffic and utilities for both phases. The Knights Landing (Phase I, Phase II, and Phase II) project is less than 0.50-miles away.

KNIGHTS LANDINGRID to SPD [PH II]

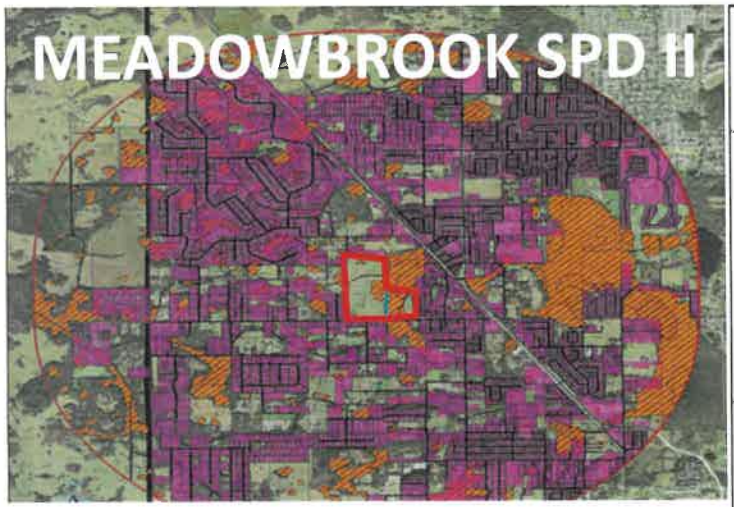




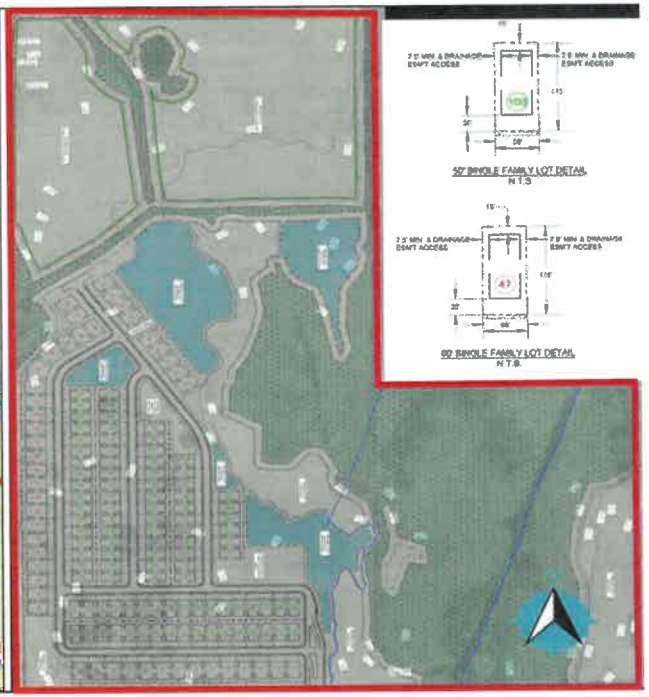
MEADOWBROOK SPD I

Summary of Analysis:
This Suburban Planned Development (SPD) was for 242 single-family lots within a Residential Suburban (RS) Future Land Use district in a Suburban Development Area (SDA). There was 97.3 acres as estimated to be upland areas with 21.5 acres of wetlands. The gross density for this project was approximately 2.49 dwelling units per upland acre (DU/AC). The minimum lot size will be reduced to 5,500 sq. ft. Side principal structure setbacks will be reduced to five (5) feet, and rear detached accessory structure setbacks will be reduced to five (5) feet. The setback from the Deeson Road right-of-way will be reduced to 20 feet after the dedication of right-of-way.

It is the last of its size along Deeson Road that can be developed for residential purposes. Through LDCPAL-2021-17, Parcel #232720-000000-032050 (+/- 90.57 acres) was changed from an Agricultural/Residential Rural (A/RR) land use district and Rural Development Area (RDA) to RS and SDA by the BoCC on April 5, 2022. On November 17, 1987, the Board granted Concept and Tentative Approval with conditions of Planned Unit Development 87-35 (PUD 87-35) on the subject site for a 256-unit manufactured home subdivision with a gross density of 2.52 units per acre. PUD 87-35 has expired and is no longer valid.







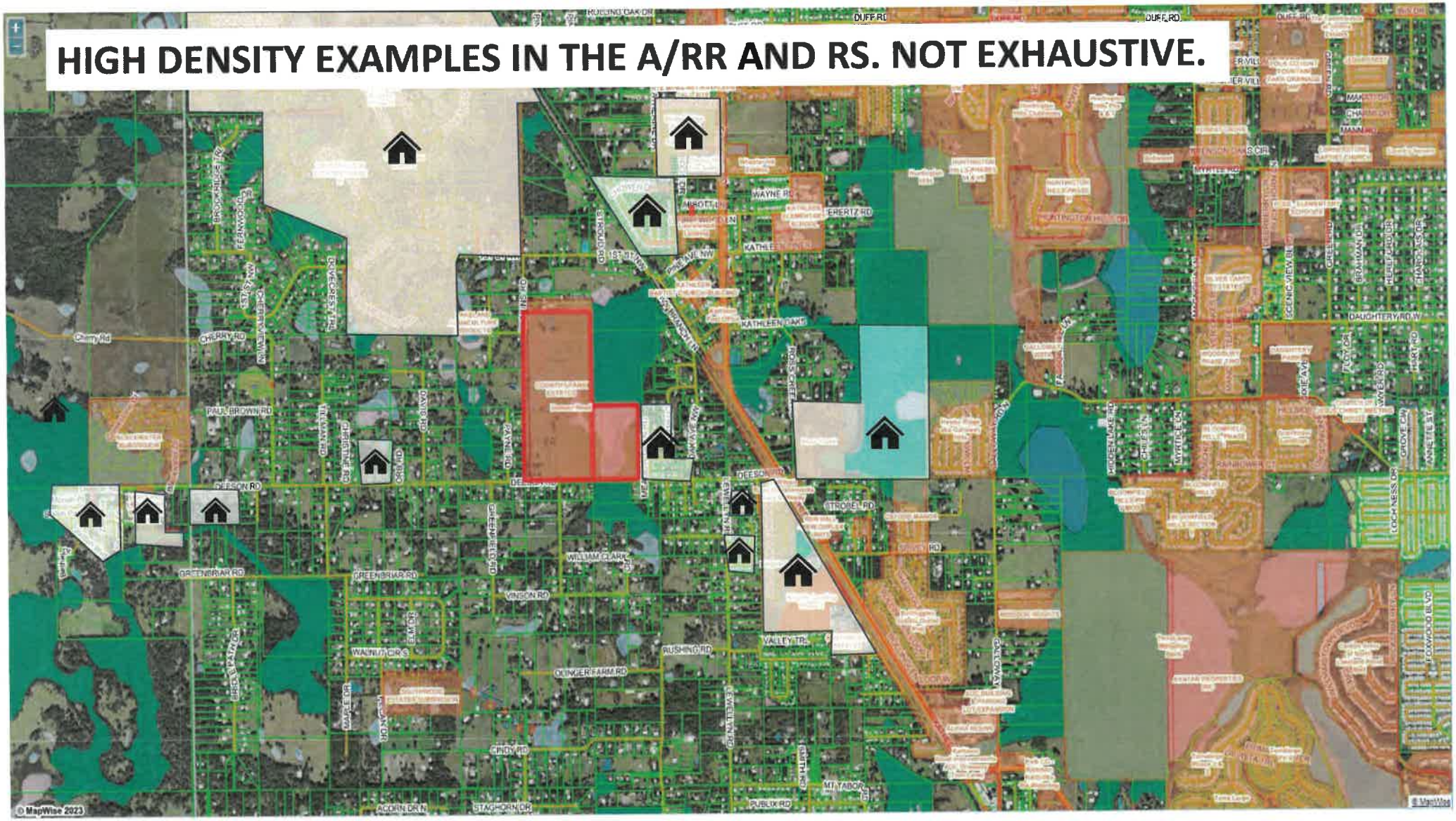
Summary Analysis:
The denied SPD was approximately 49.7% of the units that could be permitted onsite through the LDC and Comprehensive Plan. The submitted site plan demonstrated approximately 69.5% open space or 67.66 acres, which did not include wetlands. Of this amount, landscaped and curvilinear stormwater ponds accounted for 8.03 acres; 20.79 acres will be for remaining pasture to the north of the homes; and 26.17 acres will be dedicated towards wetland buffers and 25-foot-wide landscaping buffers. The balance were to be utilized for amenities, which include a community center and park areas. Internal sidewalks were to connect the lots to these recreation areas.

While the minimum lot size proposed at 5,750 sq. ft., the project showed a mixture of lot sizes arranged to lessen the impact on neighbors. The site plan calls out 60 x 115' (6,900 sq. ft.) lots along the western and southern property lines, closest to existing residences. To the west, these 60-foot-wide lots abutted nine (9) residential properties with a mixture of site-built and mobile homes on 100-foot-wide and 130-foot-wide lots approaching one (1) acre on the east side of Payne Road. These lots are within the unrecorded LE Mercers subdivision and a few of these had multiple dwelling units. Aerial photographs show this neighborhood under construction in 1964. These lots predate any zoning or County development standards. The proposed 60-foot-wide lots present a transition between these lots with a lot-width ratio of slightly over 2:1 (proposed lots versus existing lots). A 25-foot-wide landscaping buffer was proposed along this property line, which, along with the 15-foot-setback, provide 40 feet of relief from the back of proposed structures to the neighboring property line. Homes on un-platted parcels to the north of the subject site will be buffered from the proposed development by over 20 acres of pasture. These properties range in acreage from approximately one acre to around five acres. No access is proposed on Robbins Road. This all speaks to the appropriate timing of this development in the area, and Section 303 of the LDC requires that the timing of SPDs shall be considered appropriate where the existing development of the surrounding area is sixty percent or greater – the surrounding developable area within 2-miles equated to 62% developed and 38% open space.

KATHLEEN RESERVE RRD

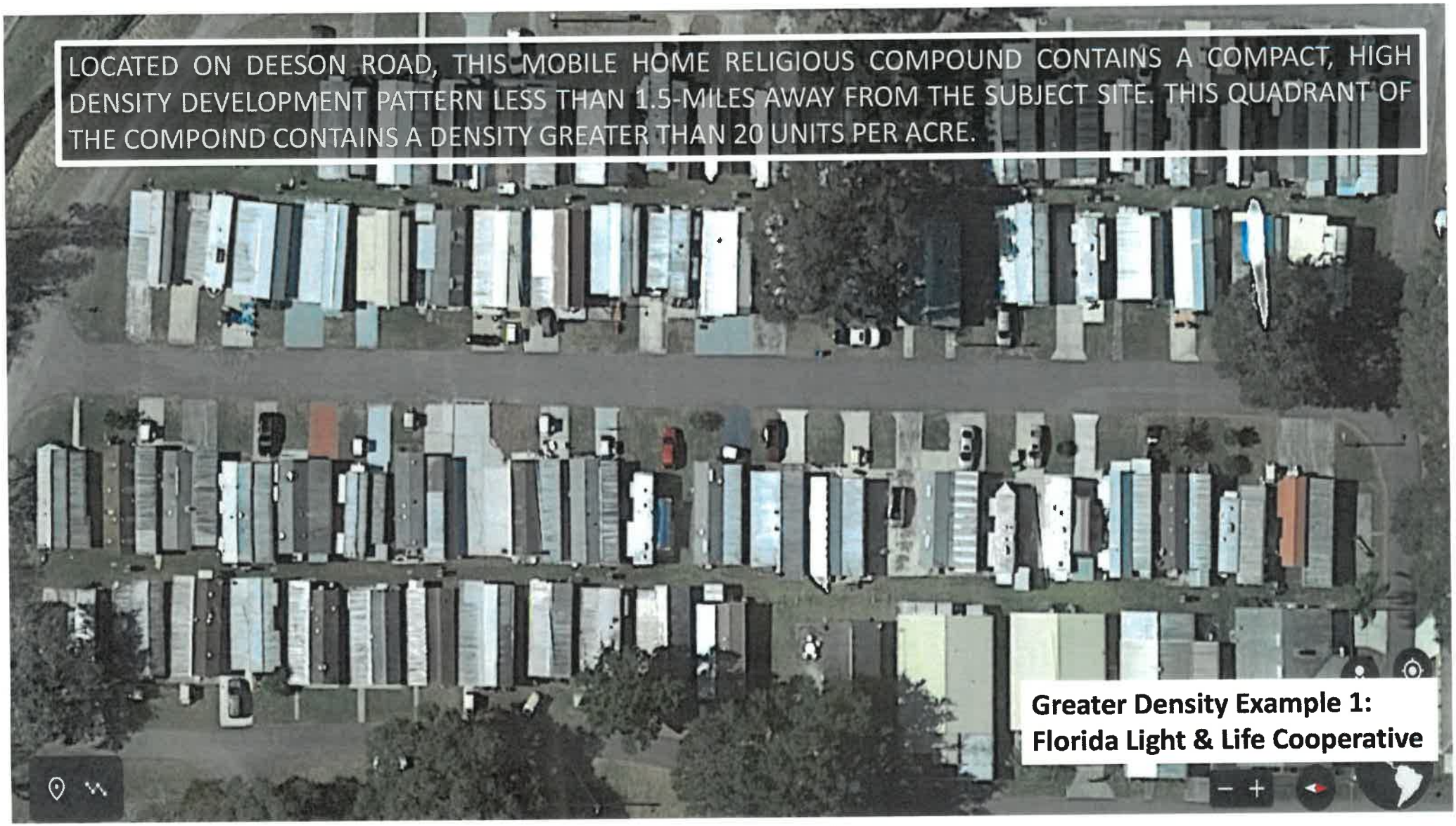
SECTION 5

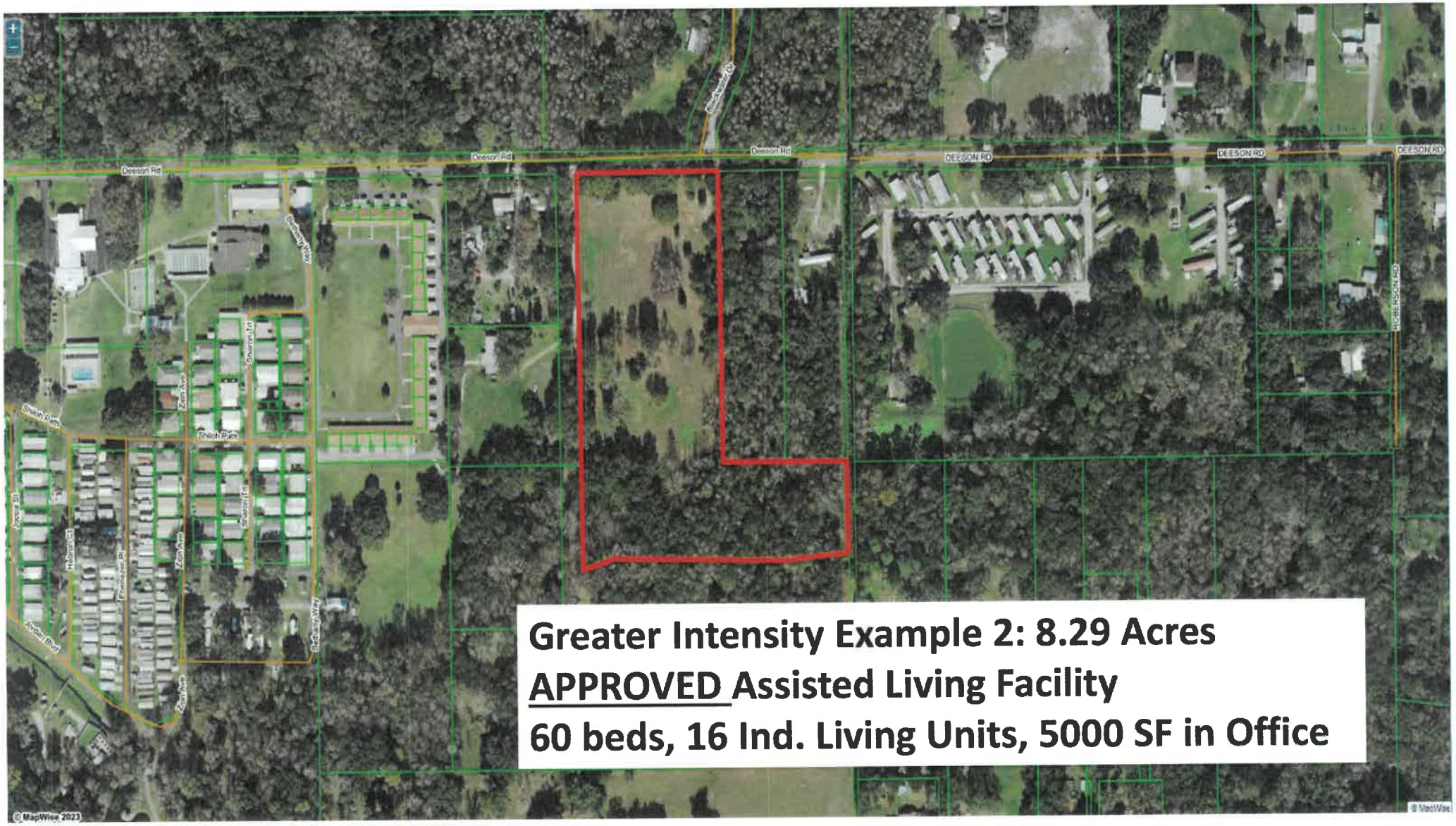
HIGHER DENSITY / HIGHER INTENSITY EXAMPLES IN AREA


HIGH DENSITY EXAMPLES IN THE A/RR AND RS. NOT EXHAUSTIVE.
DUFF RD
WAYNE RD
ERERTZ RD
KATHLEEN OAK
PAUL BROWN RD
DEESON RD
GREENBRIAR RD
VINSON RD
OKINGER FARM RD
RUSHING RD
WALLEY TR
MITABOR
PUBLIX RD
STAGHORN DR
ACORN DR N
CHERRY RD
DAUGHTERY RD W
© MapWise 2023

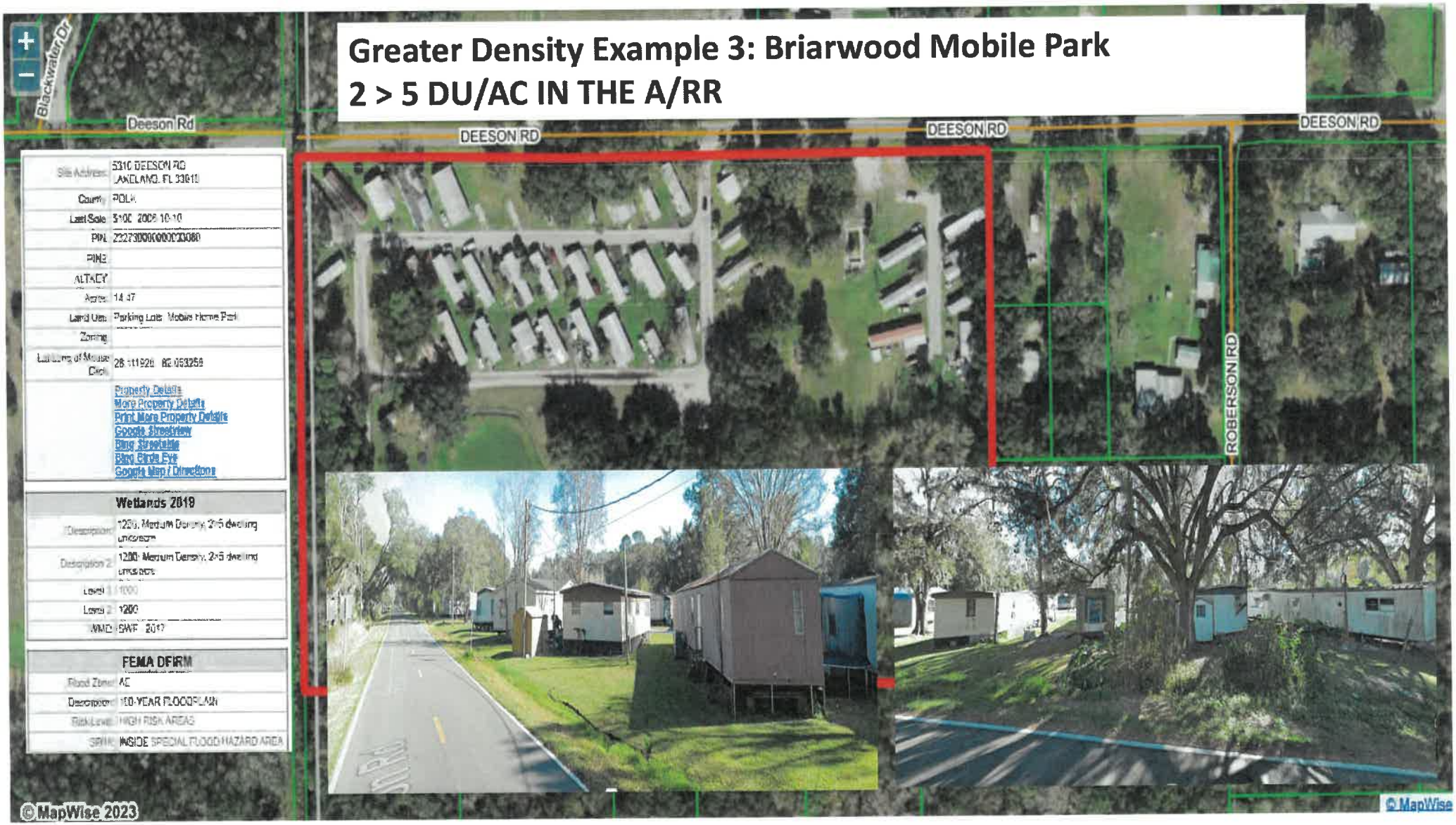
LOCATED ON DEESON ROAD, THIS MOBILE HOME RELIGIOUS COMPOUND CONTAINS A COMPACT, HIGH DENSITY DEVELOPMENT PATTERN LESS THAN 1.5-MILES AWAY FROM THE SUBJECT SITE.



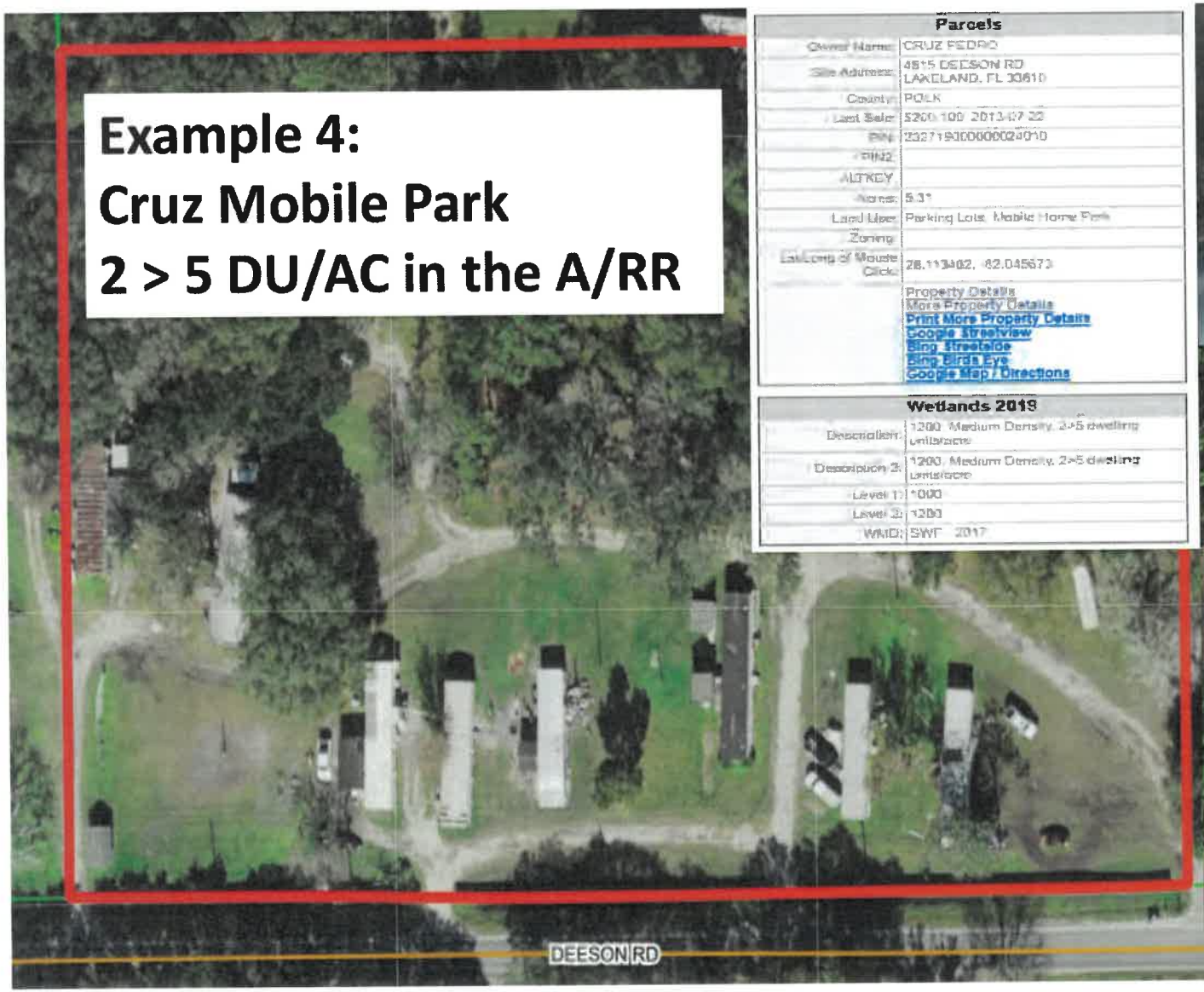

LOCATED ON DEESON ROAD, THIS MOBILE HOME RELIGIOUS COMPOUND CONTAINS A COMPACT, HIGH DENSITY DEVELOPMENT PATTERN LESS THAN 1.5-MILES AWAY FROM THE SUBJECT SITE. THIS QUADRANT OF THE COMPOIND CONTAINS A DENSITY GREATER THAN 20 UNITS PER ACRE.
Greater Density Example 1:
Florida Light & Life Cooperative


Deeson Rd
DEESON RD
Greater Intensity Example 2: 8.29 Acres
APPROVED Assisted Living Facility
60 beds, 16 Ind. Living Units, 5000 SF in Office
© MapWise 2023

Greater Density Example 3: Briarwood Mobile Park
2 > 5 DU/AC IN THE A/RR



Example 4:
Cruz Mobile Park
2 > 5 DU/AC in the A/RR



Parcels	
Owner Name:	CRUZ PEDRO
Site Address:	4515 DEESON RD LAKELAND, FL 33810
County:	POLK
Last Sale:	5200 100 2013407 22
PIN:	232719300000024010
FIN2:	
ALTKEY:	
Acres:	5.31
Land Use:	Parking Lots, Mobile Home Park
Zoning:	
Lat/Long of Mouse Click:	28.113402, -82.045673
	Property Details More Property Details Print More Property Details Google Streetview Bing Streetside Bing Birds Eye Google Map / Directions

Wetlands 2019	
Description:	1200 Medium Density 2-5 dwelling units/acre
Description 2:	1200 Medium Density 2-5 dwelling units/acre
Level 1:	1000
Level 2:	1200
WMD:	SWF 2017







High Density Example 5:
Country View
2>5 DU/AC in the A/RR





Permittee:	Country View Partnership
Project Name:	Country View Estates
Project Acres:	416.1
Application #:	2783
Permit #:	1040
Permit Type:	MSSW INDIVIDUAL PERMIT
Permit Status:	Approved
Application Date:	1986-03-14
Appl. Decision Date:	1986-09-02
Expire Date:	1989-09-02
	Permit Details

Wetlands 2019

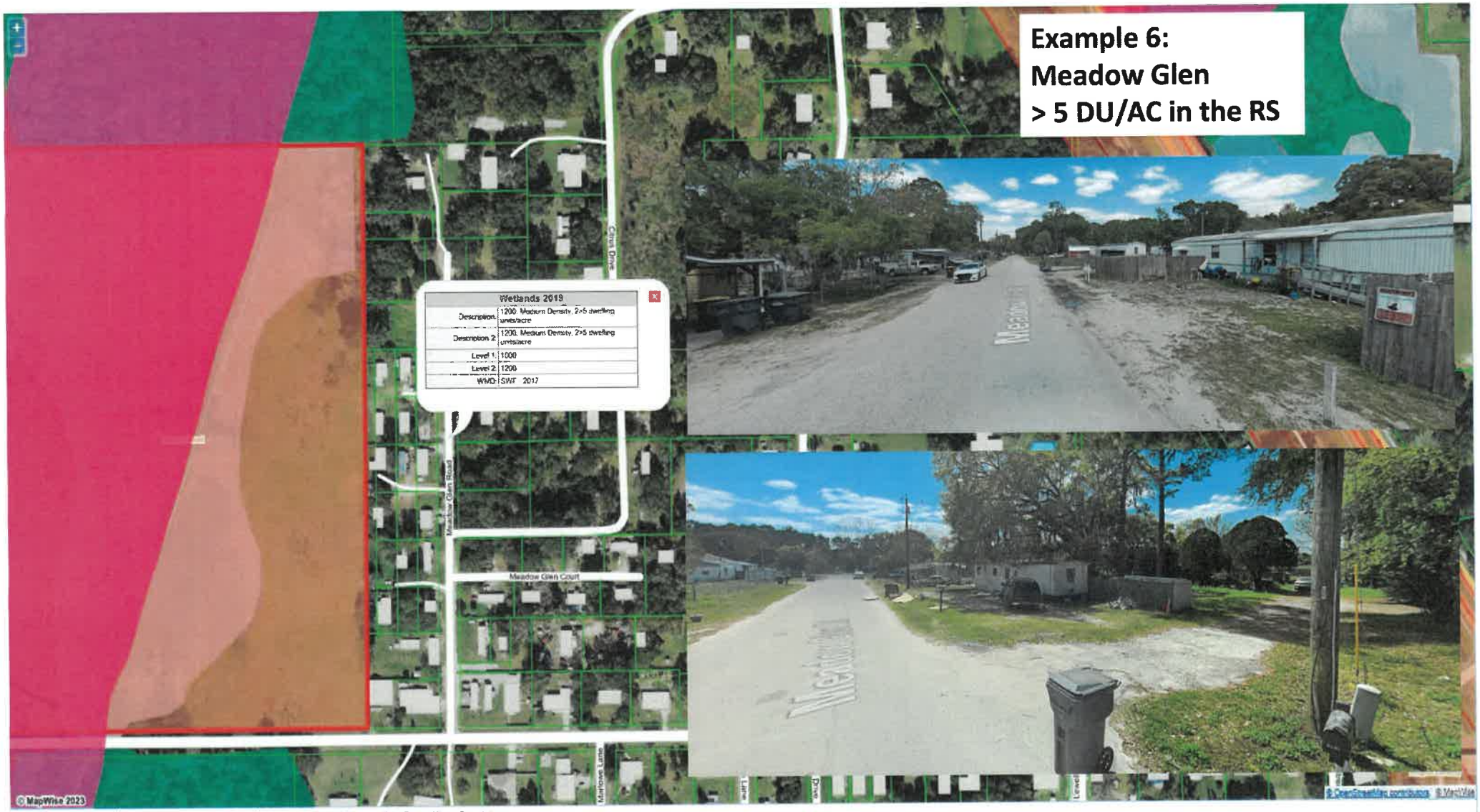
Description:	1200: Medium Density, 2>5 dwelling units/acre
Description 2:	1200: Medium Density, 2>5 dwelling units/acre
Level 1:	1000
Level 2:	1200
WMD:	SWF - 2017

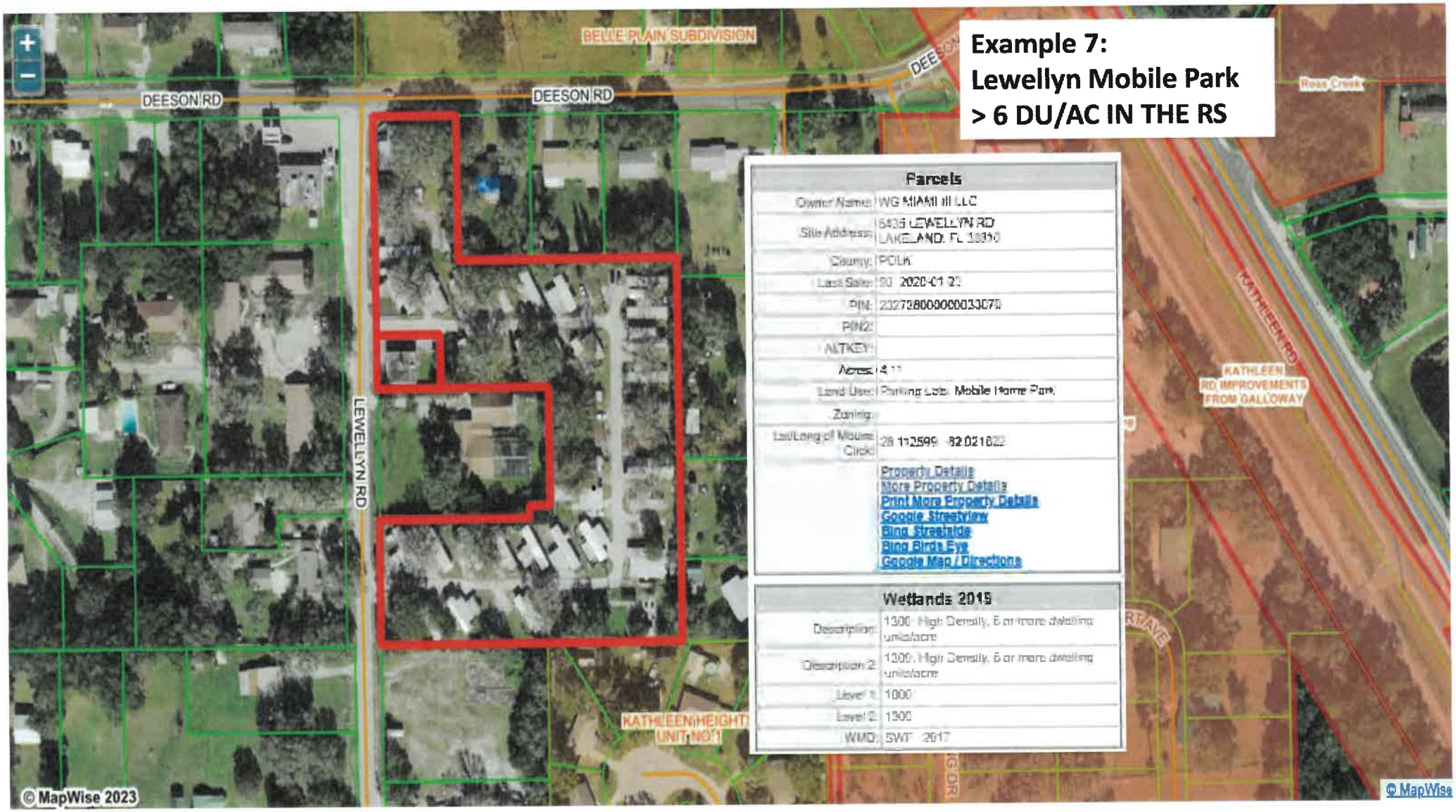
Future Land Use

FLU Code:	A/RR
FLU Code2:	
Description:	Agricultural/Residential Rural
Generalized Code:	AG
Jurisdiction:	UNINCORPORATED
County:	POLK
Notes:	Rural Development Area
DCA Number:	
Extended Description:	POLICY 2.109-A4: The purpose of the Agriculture/Residential Rural (A/RR) land use district is to provide lands for the continuation of productive agricultural uses and for compatible residential development within unincorporated rural areas. The A/RR district permits agricultural activities, agricultural support facilities, single family dwelling units, farm labor housing, group living facilities, and community facilities.

Long/Lat Decimal Degrees (x, y): -82.02873, 28.11169

Lat/Long Degrees Minutes Seconds (y,x): 28° 06' 42.1" N 82° 01' 43.4" W


Example 6:
Meadow Glen
> 5 DU/AC in the RS
Wetlands 2019
Description 1: 1200, Medium Density, 2>5 dwelling units/acre
Description 2: 1200, Medium Density, 2>5 dwelling units/acre
Level 1: 1000
Level 2: 1200
WMD: SWF 2017
Citrus Drive
Meadow Glen Road
Meadow Glen Court
Marlowe Lane
Meadow Glen
© MapWise 2023
Scale = 1 : 1693
Long/Lat Decimal Degrees (x, y): -82.02731, 28.11305
Lat/Long Degrees Minutes Seconds (y,x): 28° 06' 47" N 82° 0' 38.3" W


Example 7:
Lewellyn Mobile Park
> 6 DU/AC IN THE RS
DEESON RD
DEESON RD
BELLE PLAIN SUBDIVISION
LEWELLYN RD
KATHLEEN HEIGHTS UNIT NO 1
KATHLEEN RD
KATHLEEN RD IMPROVEMENTS FROM GALLOWAY
Ross Creek
Parcels
Owner Name: WG MIAMI III LLC
Site Address: 5435 LEWELLYN RD LAKELAND, FL 33810
County: POLK
Last Sale: 50 2020-01-22
PIN: 232728000000033070
PIN2:
ALTKEY:
Land Use: Parking Lots, Mobile Home Park
Zoning:
Lat/Long of Mouse Click: 28.112599 -82.021822
Property Details
More Property Details
Print More Property Details
Google Streetview
Bing Streetside
Bing Birds Eye
Google Map / Directions
Wetlands 2019
Description: 1300 High Density, 6 or more dwelling units/acre
Description 2: 1300, High Density, 6 or more dwelling units/acre
Level 1: 1000
Level 2: 1300
WMD: SWT 2017
© MapWise 2023
© MapWise

EXECUTIVE LEVEL PRE-HEARING SUBMITTAL

Kathleen Reserve / Deeson Road RRD
Case LDPD-2026-6 | Polk County, Florida

Prepared for submittal to Polk County prior to public hearing
Prepared by Plan Florida LLC | June 3rd, 2026

Transmittal Statement

On behalf of the Applicant, this memorandum is respectfully submitted for inclusion in the public record for the Kathleen Reserve / Deeson Road Rural Residential Development, Case LDPD-2026-6. The Applicant requests approval of the RRD subject to clear, enforceable conditions addressing the issues customarily reviewed in the County development process, including compatibility, density, traffic, stormwater, utilities, environmental resources, and construction management.

Approval of this application does not constitute approval of final construction plans. Instead, approval establishes the conditional land-use framework under which the Applicant must still satisfy County engineering, utilities, transportation, floodplain, environmental, and agency permitting requirements before any site construction can proceed.

Executive Summary

The application is appropriately framed as a low-density, single-family Rural Residential Development rather than a high-intensity subdivision. The publicly indexed case notice identifies a request for 150 single-family lots on approximately 153.23 acres, which equates to approximately 0.98 dwelling units per gross acre. The RRD process is the correct vehicle for a strictly residential project of this scale in the Agricultural/Residential-Rural context, and it gives Polk County the ability to attach binding conditions to mitigate impacts and ensure compatibility.

The Applicant recognizes that Deeson Road and the Kathleen area have generated public concern regarding drainage, traffic, rural character, and cumulative growth. Those concerns should be addressed directly through technical review and enforceable conditions. A denial is not necessary where the County can require traffic review, stormwater design, environmental permitting, utility capacity, buffers, buyer disclosures, and construction management before construction authorization.

In addition, approximately 93.28 acres, representing roughly 61% of the property, will remain as wetlands, floodplain, open space, agricultural areas, and stormwater-related tracts, concentrating development on suitable uplands through a clustered RRD design.

Requested Action

Approve Case LDPD-2026-6 for the Kathleen Reserve / Deeson Road RRD, subject to the condition framework included in this submittal and any reasonable technical conditions recommended by County staff that are tied to adopted review criteria.

Project and Procedural Overview

Item	Summary
Case	LDPD-2026-6
Project name	Kathleen Reserve / Deeson Road RRD
Applicant / owners	Eric Swanson, applicant; Deeson Road, LLC and SR Investments & Holding, LLC, owners, per publicly indexed notice.
Request	Rural Residential Development for 150 single-family lots on approximately 153.23 +/- acres.
Gross density	Approximately 0.98 dwelling units per gross acre, calculated from 150 lots divided by 153.23 acres.
Primary issue set	Compatibility, transportation, stormwater/flooding, utilities, environmental resources, public facilities, and enforceable conditions.

Approval Rationale

1. The RRD process is the proper review tool.

Polk County materials describe Rural-Residential Development as the planned-development mechanism in the Agricultural/Residential-Rural context for strictly residential developments under 160 acres. The public notice identifies this request as an RRD for approximately 153.23 acres and 150 single-family lots. The request therefore fits the structure of the RRD review framework and should be evaluated under that framework, including the County ability to impose project-specific conditions.

2. The project is low-density and single-family in character.

The proposed 150-lot program over approximately 153.23 gross acres is approximately 0.98 dwelling units per acre. The Applicant is not requesting townhomes, multifamily, commercial, or mixed-use development. The County can further ensure compatibility by limiting the approval to single-family detached residential use and capping the lot count in the approval conditions.

3. Conditions can directly address rural compatibility.

Planned development is most effective when it replaces uncertainty with enforceable obligations. The Applicant is prepared to accept conditions related to perimeter buffering, open-space tract maintenance, preservation of existing vegetative edges where feasible, rural/agricultural buyer disclosures, HOA maintenance of common areas, and substantial compliance with the approved RRD plan.

4. Transportation concerns can be tied to final engineering & concurrency.

The Applicant should be required to satisfy all County transportation requirements before final plat or construction authorization, including access, sight distance, turn-lane analysis, traffic impacts, proportionate share where applicable, and site circulation. County public records also show a County-approved construction agreement with CSX for the CR 35A Kathleen Road @ Deeson Road Intersection Improvement Project, reflecting that the area is already within an active public infrastructure review context. The project should be required to coordinate with those requirements, with mitigation measures evaluated and implemented through the County's transportation review process rather than be denied before technical mitigation is finalized.

5. Drainage & flood concerns should be resolved through permit-level engineering.

The Applicant should accept a condition that no construction may occur until final stormwater engineering demonstrates compliance with County drainage and floodplain criteria, water-quality treatment requirements, legal outfall requirements, no adverse offsite impact, and applicable SWFWMD Environmental Resource Permit requirements. This approach directly responds to drainage concerns while preserving the normal engineering sequence for a conditional land-use approval.

6. Utilities, schools, emergency services, and environmental resources remain protected.

Approval should be conditioned on utility availability, fire-flow confirmation, school/public-facility review, impact-fee obligations, emergency-access compliance, wetland and listed-species review, and all required local, regional, state, and federal permits. These requirements ensure that approval of the RRD does not bypass any later technical review.

Proposed Condition Framework for Inclusion in Approval Motion

The following conditions are intentionally written as hearing-ready language that can be revised by County staff or counsel:

- The approval shall be limited to a maximum of 150 single-family detached residential lots unless amended through the applicable public hearing process.

- The approval shall not authorize townhome, multifamily, commercial, industrial, or nonresidential development, except for customary accessory/common area uses serving the single-family residential project.
- Development shall occur in substantial compliance with the approved RRD plan, subject only to minor engineering adjustments approved by County staff that do not increase density, reduce required buffering, or materially alter the approved access framework.
- No construction activity shall commence until Polk County has approved final construction plans and the Applicant has obtained all required local, regional, state, and federal permits.
- Prior to final construction plan approval, the Applicant shall satisfy County transportation, access, site-distance, turn-lane, and proportionate-share requirements, if any.
- Final stormwater design shall demonstrate compliance with County drainage and floodplain criteria and applicable SWFWMD ERP requirements, including no adverse offsite impact.
- The final plan shall include perimeter buffering and/or existing vegetative preservation where feasible adjacent to existing rural residential or agricultural properties.
- The Applicant shall demonstrate lawful potable water, wastewater, and fire-flow service prior to construction plan approval.
- The Applicant shall complete required environmental review, wetland delineation, listed-species coordination, and agency permitting before land disturbance in affected areas.
- A homeowner's association or other County-approved entity shall maintain private common areas, stormwater tracts, landscape/buffer areas, and open-space tracts.
- Construction plans shall include erosion control, dust control, stabilized construction access, and construction management notes.
- Project covenants or buyer disclosures shall acknowledge the rural/agricultural context of the surrounding area and the potential continuation of lawful rural or agricultural activities nearby.

Response to Principal Public Concerns

Concern	Applicant Response
Rural character	The project is single-family only and can be conditioned with buffers, open space, and rural/agricultural disclosures.
Flooding and drainage	Construction should be prohibited until permit-level stormwater engineering proves no adverse offsite impact and satisfies County/SWFWMD criteria.
Traffic safety	Approval can require traffic review, access improvements, turn-lane or proportionate-share obligations, and County engineering acceptance before final plat/construction.
Cumulative growth	The application should be evaluated under adopted criteria and conditioned specifically; generalized concern cannot replace evidence-based review.
Public accountability	A condition sheet tied to the approved plan creates enforceability and gives County staff clear benchmarks during construction plan review.

Conclusion

The Applicant respectfully requests that Polk County approve the Kathleen Reserve / Deeson Road RRD, Case LDPD-2026-6, subject to reasonable conditions. This approach honors the County review process, directly addresses neighborhood concerns, and ensures that no construction can proceed until final engineering, concurrency, utilities, stormwater, environmental, and agency approvals are obtained.

Closing Request

For the reasons stated above, the Applicant requests that the Planning Commission approve the application, or recommend approval as applicable, with the condition framework attached to this submittal and any additional reasonable staff conditions supported by the record.

References Used for Case-Control Fact

Polk County public notice search result: Case File LDPD-2026-6; Eric Swanson, applicant; Deeson Road, LLC and SR Investments & Holding, LLC, owners; Rural Residential Development (RRD) for 150 single-family lots on approximately 153.23 +/- acres; property north of Deeson Road. https://polkcounty.column.us/search

Polk County GIS Planned Developments layer: Describes Rural-Residential Development (RRD) in the Agricultural/Residential-Rural (A/RR) designation pursuant to Policy 2.121-B and identifies RRD as the planned-development mechanism for strict residential developments under 160 acres.

https://gis.polkcounty.net/hosting/rest/services/Accela/APO_Layer_Map/MapServer/13

Polk County Land Development Division: Describes the division role in coordinating engineers, surveyors, attorneys, planners, the Comprehensive Plan, Land Development Code, Utilities Code, county engineer, and floodplain management.

https://www.polkfl.gov/government/planning-and-development/land-development/

Polk County Legistar, Board of County Commissioners May 20, 2025: Approved construction agreement with CSX for CR 35A Kathleen Road @ Deeson Road Intersection Improvement Project. https://polkcountyfl.legistar.com/MeetingDetail.aspx?GUID=BFB36344-0D01-4447-A340-233D2C9F81E3&ID=1230997&Options=&Search=

SWAN CAPITAL'S RESPONSES TO STAFF / PUBLIC / AGENCY COMMENTS

Kathleen Reserve RRD

Polk County, Florida | Case LDPD-2026-6

Prepared for inclusion in the record before the Polk County Planning Commission
Prepared by Plan Florida LLC | June 2026

Purpose and Requested Action

The Applicant respectfully submits this response-to-comments package for the Kathleen Reserve / Deeson Road RRD application, Case LDPD-2026-6. The requested action is approval of the Rural Residential Development with reasonable, enforceable conditions that address compatibility, stormwater, transportation, utility, and environmental review criteria while allowing a low-density single-family project to proceed through final engineering and agency permitting.

Project Control Facts

Item	Current Draft Control Fact	Response Significance
Case number	LDPD-2026-6	Provides a stable reference for staff, public notice, and hearing materials.
Applicant / owners	Eric Swanson, applicant; Deeson Road, LLC and SR Investments & Holding, LLC, owners.	Identifies the applicant team and property ownership record cited in public notice.
Request	Rural Residential Development (RRD) for 150 single-family lots on approximately 153.23 +/- acres.	The request is for single-family residential use at an approximate gross density of 0.98 dwelling units per acre.
Location	North of Deeson Road, within the Kathleen area of unincorporated Polk County.	Frames the compatibility, traffic, drainage, and neighborhood-transition analysis.
Review framework	RRD is a planned-development mechanism in the Agricultural/Residential-Rural context for strict residential developments under 160 acres.	The requested process is not a loophole; it is the county framework for conditional and site-specific rural residential review.

Response-to-Comments Matrix

The following matrix is formatted to be conformed directly to the staff report. Replace bracketed placeholders with exact page numbers, plan sheet references, agency letter dates, and final consultant exhibits before submittal.

#	Staff / Public / Agency Comment	Applicant / Developer Response	Supporting Exhibit / Commitment
1	Staff recommendation /sufficiency of the RRD request	The application should be reviewed as a site-specific Rural Residential Development under the applicable Comprehensive Plan and Land Development Code criteria. The RRD process exists to attach binding conditions, evaluate compatibility, and require final engineering, concurrency, environmental, and agency review before construction. The Applicant requests approval subject to the conditions in this matrix.	Revised RRD plan; proposed conditions; final engineering to be reviewed before construction plan approval.
2	Compatibility with the Kathleen rural residential context	The project is limited to single-family detached residential use and is not requesting townhomes, apartments, commercial development, or industrial use. At 150 lots over approximately 153.23 acres, the gross density is approximately 0.98 dwelling units per acre excluding stormwater, open space, roads, and environmental tracts. The plan can be conditioned to provide perimeter transitions, preservation of existing vegetation where feasible, and buffering adjacent to existing rural homes and agricultural uses.	Condition 1: maximum 150 lots; Condition 2: single-family only; Condition 5: perimeter buffering/open space transition.
3	Alleged excessive density or overdevelopment	A lot-count objection must be evaluated against the adopted Comprehensive Plan and LDC criteria, together with the applicable Comprehensive Plan, compatibility, environmental, and infrastructure criteria. The proposal remains low-density on a gross-acre basis and uses the RRD framework to cluster lots and preserve meaningful common/open-space and stormwater areas. Final density and dimensional standards should be locked by the approved plan and conditions.	Approved RRD plan; lot-count cap; open-space and stormwater tract schedule.
4	Consistency with A/RR and RRD policy framework	The publicly indexed case information identifies the request as an RRD. Polk County materials describe RRD as the planned-development vehicle in the Agricultural/Residential-Rural context for strictly residential projects under 160 acres. The project acreage is approximately 153.23 acres, and the proposed use is single-family residential, bringing the request within the correct review mechanism.	Staff report policy analysis; LDC/Comp Plan consistency table; final RRD plan.
5	Prior application history / prior	Any prior action should not substitute for the required review of the current application, plan, evidence, and proposed conditions. The current record should focus	Revised plan narrative; comparison table of prior

	denial concerns	on whether this specific 150-lot RRD plan can satisfy the County criteria through enforceable conditions, final engineering, and agency permitting. If the Board has concerns from prior proceedings, those concerns can be addressed with conditions rather than a categorical denial.	and current proposals, if available.
6	Traffic, Deeson Road, Kathleen Road, and operational safety	The Applicant should commit to the required traffic methodology, operational analysis, site-access design, turn-lane analysis, proportionate-share obligations, and construction plan review required by Polk County and any reviewing transportation agency. The project should not receive plat or construction approval until required access improvements are accepted by the County. The public record also shows County attention to the CR 35A Kathleen Road @ Deeson Road intersection improvement area, which should be acknowledged in the project concurrency analysis.	Traffic Impact Analysis; access-management plan; County transportation conditions; proportionate-share agreement, if required.
7	Drainage, flooding, and Kathleen drainage basin concerns	Approval of the RRD should be conditioned on a final stormwater design that demonstrates no adverse offsite impact, meets County floodplain and drainage criteria, and obtains all required permits. The Applicant should state clearly that final engineering will attenuate post-development discharge, provide water-quality treatment, preserve legal drainage outfalls, and comply with SWFWMD Environmental Resource Permit requirements where applicable.	Preliminary drainage narrative; master stormwater plan; SWFWMD ERP or exemption; floodplain analysis.
8	Wetlands, surface waters, natural resources, and listed species	The Applicant should commit to wetland delineation, avoidance/minimization, agency coordination, listed-species review, and required state/federal permits prior to construction. The RRD approval should not authorize wetland impacts or land clearing until those reviews are complete.	Environmental assessment; wetland survey; listed-species report; agency permits.
9	Water, wastewater, and utility capacity	Utility service must be addressed through the County Utilities Code, final utility design, availability letters, and construction plan approval. The Applicant should accept a condition requiring demonstration of potable water, wastewater, and fire-flow service before plat/construction authorization. If offsite utility extensions or easements are required, those should be shown on the final engineering plans.	Utility availability letter; utility construction plans; easement documents; fire-flow confirmation.
10	Fire, EMS, law enforcement, and emergency access	The final plan will be required to meet County emergency access, road width, turn-around, hydrant spacing, addressing, and fire-flow requirements. A condition can require Fire Marshal approval before construction plan approval and before final plat acceptance.	Fire Marshal comments; emergency access exhibit; hydrant/fire-flow plan.
11	Schools and public facilities	Residential concurrency and school capacity should be evaluated under applicable County and School District procedures. The Applicant should commit to payment of lawfully applicable impact fees and compliance with any school concurrency or	School capacity letter; impact fee acknowledgement;

		capacity determination applicable at the time of final approval.	concurrency documentation.
12	Neighborhood transition, privacy, and construction impacts	Adjacent residents can be protected with perimeter buffers, tree preservation where feasible, construction-hour controls, stabilized construction access, dust control, erosion control, and HOA maintenance obligations for common tracts. These commitments are appropriate conditions for a planned development.	Buffer exhibit; tree save plan; construction management condition; HOA documents.
13	Roadway frontage, access design, and pedestrian safety	The Applicant should accept final access location, driveway spacing, sight-distance, signage, internal street, sidewalk/pathway, and pedestrian-safety requirements as determined by County engineering staff. Where sidewalks are not contextually appropriate, the final plan should identify the County-approved rural alternative.	Access plan; roadway cross-sections; site-distance exhibit; pedestrian circulation plan.
14	Agricultural interface and right-to-farm expectations	A rural residential project adjacent to agricultural or large-lot property should include appropriate buffering, drainage protection, and buyer disclosures/HOA documents acknowledging nearby rural and agricultural activities. This reduces future conflict and improves compatibility.	Agricultural interface note; HOA/deed disclosure; buffer plan.
15	Public opposition and community concerns	Public concerns are part of the record and should be addressed with evidence and enforceable mitigation. However, generalized opposition does not by itself establish inconsistency where the project complies with adopted criteria and conditions can address impacts. The Applicant should continue outreach, provide a concise project fact sheet, and make the technical commitments easy for residents to understand.	Community meeting summary; FAQ; written outreach record; revised condition package.
16	Need for enforceable approval conditions	The Applicant agrees that any approval should be tied to the final RRD plan, maximum lot count, transportation requirements, stormwater permitting, utility capacity, environmental permitting, and construction management. These conditions create accountability while allowing the project to proceed through the ordinary engineering process.	Condition sheet to be included with approval motion.

Proposed Developer Conditions for Approval

- Maximum development program: Approval shall be limited to no more than 150 single-family detached residential lots unless a subsequent public hearing amendment is approved by Polk County.

- Use limitation: The RRD shall be limited to single-family detached residential uses and customary accessory/common area uses; no townhomes, apartments, commercial, industrial, or nonresidential end uses are approved by this RRD.

- Final engineering: No construction activity shall commence until final construction plans are approved by Polk County and all required local, regional, state, and federal permits are obtained.
- Transportation: Prior to final plat or construction plan approval, the Applicant shall satisfy County transportation review, site-access, turn-lane, sight-distance, traffic-impact, and proportionate-share requirements, if applicable.
- Stormwater/no adverse impact: Final engineering shall demonstrate compliance with County drainage/floodplain criteria and applicable SWFWMD ERP requirements, including no adverse offsite impact and legally adequate discharge.
- Perimeter transition: The final plan shall include perimeter buffering and/or preservation of existing vegetative edges where feasible adjacent to existing rural residential/agricultural properties, with final location and width to be shown on the approved construction plans.
- Utilities: Prior to construction plan approval, the Applicant shall demonstrate lawful potable water, wastewater, and fire-flow service and obtain all necessary utility approvals, easements, and connection permissions.
- Environmental compliance: Wetlands, listed species, and protected natural resources shall be addressed through required surveys and agency permits before site clearing or construction in affected areas.
- Construction management: Construction access, hours, erosion control, dust control, and stabilization measures shall be shown on construction plans and maintained during development.
- HOA/common tract maintenance: Stormwater, open space, landscape, buffer, and common areas shall be maintained by a homeowners association or other County-approved entity.
- Buyer disclosures: Covenants or closing disclosures shall acknowledge the project location within a rural/agricultural area and the potential for nearby agricultural and rural residential activities.
- Substantial compliance: Development shall occur in substantial compliance with the approved RRD plan, subject to minor engineering adjustments approved by County staff that do not increase density or materially reduce required mitigation.

Requested Staff / Planning Commission Action

Based on the low-density single-family nature of the request, the availability of the RRD process to condition rural residential development, and the Applicant commitments described above, the Applicant respectfully requests approval of Case LDPD-2026-6 subject to reasonable conditions and final technical review.

Sources Used for Case-Control Facts

Polk County public notice search result: Case File LDPD-2026-6; Eric Swanson, applicant; Deeson Road, LLC and SR Investments & Holding, LLC, owners; Rural Residential Development (RRD) for 150 single-family lots on approximately 153.23 +/- acres; property north of Deeson Road. https://polkcounty.column.us/search

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Polk County Legistar, Board of County Commissioners May 20, 2025: Approved construction agreement with CSX for CR 35A Kathleen Road @ Deeson Road Intersection Improvement Project. https://polkcountyfl.legistar.com/MeetingDetail.aspx?GUID=BFB36344-0D01-4447-A340-233D2C9F81E3&ID=1230997&Options=&Search=

From: Jeffery Bellinger
To: Yannone, Lyndsay
Subject: ID # 55, Case # LDPD-2026-6 (Deeson Road RRD)
Date: Wednesday, May 27, 2026 7:58:08 AM

You don't often get email from jbellinger13@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.

Dear Friends,

I wanted to make you aware of my deep concern over the potential planned development on Deeson Rd in Kathleen. I live at the end of Deeson Rd along Blackwater Creek, the very creek that receives the water that runs off this property that is under discussion for development. In 2024 we experienced the flooding of 169 homes in our community just a mile downstream from this location. The creek swelled from 10 ft wide to over 1000 ft wide destroying homes that have been there for nearly 100 years..

In the over 50 years that we have occupied this property we have never experienced flooding like we have in the last few years. It seems to get worse year after year as there is more and more development upstream. My home is set at an elevation that was supposed to be able to survive a 500 year flood yet we had 8 inches of water inside of our house that caused $40,000 in damage. We cannot afford to have more development causing more run-off that ultimately runs off into our neighborhood.
Please see the attached pictures of the last flood in 2024.

Jeff Bellinger
Lead Pastor
jbellinger13@gmail.com
llfmc.org






















5425
EDGE



Yannone, Lyndsay

From: Suggs, Kay
Sent: Tuesday, June 2, 2026 10:40 AM
To: Yannone, Lyndsay; Simons-Irizarry, Lisa
Subject: FW: Oppose Deeson Road Development
Attachments: 2024flooding.MOV; flooding2024.jpeg; hurricaneflooding.jpeg; 2024hurricaneflooding.MOV

Please Note: Florida has a very broad Public Records Law. Most written communications to or from state and local officials regarding state or local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

From: Taylor Landefeld <taylor_landefeld@yahoo.com>
Sent: Tuesday, June 2, 2026 10:30 AM
To: Braswell, Bill <BillBraswell@polkfl.gov>
Subject: Oppose Deeson Road Development

You don't often get email from taylor_landefeld@yahoo.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.

I am writing concerning the proposed development, LDPD-2026-6 on Deeson Road.

This development was denied by the Planning Commission last summer and again denied (with prejudice) by the County Commissioners during a De Novo appeal on July 19, 2022. It was denied with prejudice by the BoCC for a second time during a De Novo appeal filed by Deeson Rd. residents on August 22, 2023.

This development should again be denied for the same reasons it was denied previously. It is not compatible with the rural area around it and no material changes have been made to the original plan that make it any more compatible. This property should stay zoned as one residence per five acres without an increase in density.

This development does not fit this area, it is simply not compatible with the surrounding rural area and the neighbors and taxpayers are opposed to the development. The road infrastructure cannot handle this level of traffic and there are many concerns about floodwater management. I have attached photos and video of the flooding that occurred during the 2024 hurricane on my property as well as the property being considered for this development. This is not the right time nor place for this type of development.

This email should be made part of the public record and considered as you render your vote.

Sincerely,

Taylor Mucherera

4212 Deeson Road
Lakeland, Florida 33810





Agenda Item 17. 6/3/2026

SUBJECT

LDCU-2025-35 (Crossed Paws Rescue CU)

DESCRIPTION

The applicant is requesting Conditional Use (CU) approval to allow a Kennels and Boarding use on approximately 4.63 acres. The subject site is located 3656 K Ville Ave, south of Hwy 92 W, west of the city of Auburndale in Section 18, Township 28, Range 25.

RECOMMENDATION

Denial

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:	January 8, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	N/A
Applicant:	Sarah Case
Level of Review:	Level 3 Review, Conditional Use
Case Number and Name:	LDCU-2025-35 Crossed Paws Rescue CU
Request:	The applicant is requesting Conditional Use (CU) approval to allow a Kennels and Boarding use on approximately 4.63 acres.
Location:	North of K Ville Ave, south of Hwy 92 W, west of the city of Auburndale in Section 18, Township 28, Range 25.
Property Owner:	Crossed Paws Pet Rescue Inc
Parcel Size:	252818-347000-003500 (+/- 4.63 acres)
Development Area/Overlays:	Residential Suburban Area (SDA)
Future Land Use:	Residential Suburban (RS)
Nearest Municipality	Auburndale
DRC Recommendation:	Denial
Planning Commission Vote:	Pending

Location



2023 Aerial



Summary of Analysis:

LDCU-2025-35 is a Conditional Use (CU) request to allow a Kennels and Boarding use on approximately 4.63 acres. A pet rescue operation has been established at the site. Based on site inspections and case records, multiple animals are being housed on the property in three 30 x 40 sheds associated with the rescue operation. The subject property is located within a Residential Suburban (RS) land use district intended for residential uses of 1 du/5ac. This use is not listed as a permitted use within the applicable zoning district without a Level 3 conditional use approval. The use is operating without County approval and has a citizen complaint codes case (CMA-2025-1417). The property owner is pursuing the case to bring the use into compliance with local regulations. The building being used for kennels do not meet the required 50-foot setback from residential. The presence of the rescue has resulted in observable increases in on-site activity, including regular animal-related noise and frequent visits associated with the operation, according to Code Enforcement.

The codes case was created March 17, 2025. A Code Enforcement inspection of the property found an older residential structure, two newer accessory structures, and a concrete slab behind them. No active animal rescue operations were observed during the initial visit on March 18, 2025, though a neighbor reported upcoming rescue events. Permit records confirmed active permits for the rear buildings, and online searches identified Crossed Paws Pet Rescue advertising the property as a new facility. During a follow-up codes inspection on July 15, 2025, staff observed multiple buildings with attached outdoor kennels at the rear of the property and heard continuous barking coming from inside the buildings. The buildings do not meet the 50-foot setback.

From a land use perspective, Residential Suburban districts are generally intended to accommodate low-intensity residential uses, where activity levels, noise, and traffic are consistent with single-family or comparable residential development. An animal rescue operation may introduce impacts that exceed typical residential conditions, including increased vehicle trips associated with staff, volunteers, and animal intake activities, as well as potential noise related to animal care and handling. These impacts affect surrounding residential properties.

Animal rescues are typically found in heavy commercial land use districts within the County, where sufficient space is available to address compatibility concerns. Polk County Bully Project, SPCA Florida, and Humane Society of Polk County are all within Business Park Center (BPC-2) land use districts.

In contrast, kennels, boarding, and breeding within the Residential Suburban (RS) district require a case-by-case evaluation to address compatibility concerns. The only category that permits kennels, boarding, and breeding by right is Agricultural/Rural Residential (A/RR), which is generally intended for larger parcels of at least five acres to help mitigate potential impacts. They are not allowed in any other residential category.

Section 303 requires kennels to have a minimum square footage of one acre for the site and to be 50 feet away from property lines. Currently, the kennels are located towards the front of the property in close proximity to the neighboring homes. The applicant has built an 8-foot fence and has proposed new kennels to the rear of the property that meet the 50-foot compatibility buffer. This is a minimum standard and not necessarily prescriptive with C3 uses. The existing sheds will be used for storage according to the applicant. Staff cannot prove that this will reduce the impacts to surrounding residential properties. Relocating operations toward the rear of the parcel could still

create impacts severe enough that neighboring owners can no longer reasonably use or enjoy their property as they previously could, given the narrow width of the subject property.

Florida law and County Code do not set a limit on the number of dogs a person can own. When the number of animals becomes excessive, then the activity functions in a manner consistent with commercial use. Florida law differentiates between private pet ownership and animal-related operations involving dogs, such as boarding, breeding, or sheltering, primarily through regulations addressing health standards, liability, and operational requirements. Individual pet ownership is governed by liability provisions (§ 767.01), whereas commercial or higher-intensity animal uses are subject to health standards (§ 828.29) and licensing requirements. The applicant has not stated a commitment to any persons residing on site. This request is a non-residential use.

Part of the review is to ensure compatibility with surrounding uses. Given the shape of the property and operation of the kennel relative to surrounding uses, Staff finds this use incompatible and recommends denial.

Findings of Fact

- *LDCU-2025-35 is a Conditional Use request to allow a Kennels and Boarding use on approximately 4.63 acres on Parcel No. 252818-347000-003500 (+/- 4.63 acres) within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*

- *CMA-2025-1417 is a codes case for an operation of a kennel in a RS Land Use District, which requires a Level C3 review from Polk County Planning Commission.*

- *BR-2025-296, BR-2025-297, and BR-2025-298 were Residential Accessory Permits for detached 30X40 Metal Garages with new concrete and no electric.*

- *LDC Section 209 does not limit the number of accessory structures a property can have.*

- *Kennels, Boarding and Breeding (Revised 01/30/03 - Ord. 03-14)*

  In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

  1. *All new structures shall be a minimum of 50 feet from any side or rear property boundary line.*

  2. *At a minimum, a visual buffer equal to a Type "C" buffer (see Section 720) shall be provided between all new facilities and adjacent residential properties and public roads.*

  3. *All kennel sites shall be, at a minimum, 40,000 square feet (0.92 acres).*

  4. *All dogs more than four months of age shall be kept in pens designed and maintained for secure confinement. All sanitary facilities shall be approved by the health department. Kennels shall minimize adverse noise or odor impacts detectable off-site. Such features shall be noted on the site plan.*

- *The site is within the Suburban Development Area (SDA). According to SECTION 2.106-A1 of the Comprehensive Plan, "SDAs shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers. These areas have developed predominately residential, in a suburban pattern with County-owned, municipal or County-franchised potable-water systems, but without centralized sewer facilities and very little, if any, supporting public facilities and non-residential uses. Other urban services typically found to accompany a suburban area include, but are not limited to multimodal transportation facilities, public safety, recreational and educational services."*

- *The purpose of the Residential Suburban (RS) land use district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities.*

- *"Kennels, Boarding and Breeding" is a "C3" use, according to Table 2.1 of the LDC.*

- *The subject site is served by well and septic.*

- *The subject property is not located within an Airport Impact Zone.*

- *The soil types for the site are Pomona fine sand and Pomona-Urban land complex.*

- *Direct ingress/egress to the development is proposed from K-Ville Avenue. K-Ville Avenue is listed as a Rural Major Collector (RMC) in Polk County's Road Inventory.*

- *There are no sidewalks fronting the subject site.*

- *Fire and ambulance response is from Fire Station 39, located at 3325 E Main St, Lakeland.*

- *Sheriff's response to the site is served by the North Central District, located at 3635 Ave. G NW, Winter Haven. The response times for April 2026 were: P1-10:03 minutes, P2-30:05 minutes.*

- *The zoned schools for the site are Clarence Boswell Elementary, Jere L. Stambaugh Middle, and Tenoroc High.*

- *The nearest regional Park is Saddle Creek Park 3.4 miles northwest of the site.*

- *The environmental land that is closest to the subject site is Saddle Creek Park.*

- *The site does contain flood zone A in the center of the parcel.*

- *The site is not within a well-field protection district.*

- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of endangered species.*

- *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.*

- *The site is not located within the Polk Green Potential Network Connections District.*

- *The closest mass transit stop is Citrus Connection Purple Line LAK/WH, approximately 0.2 miles west of the site.*

- *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 SECTION 2.102 GROWTH MANAGEMENT; SECTION 2.106 SUBURBAN DEVELOPMENT AREAS (SDA); and OBJECTIVE 2.120-A: RESIDENTIAL SUBURBAN of the Comprehensive Plan.*

- *This request has been reviewed for consistency with Section 303 and 906 of the LDC.*

RECOMMENDATION OF DENIAL

Based upon the findings of fact, the Development Review Committee recommends DENIAL of LDCU-2025-35.

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 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 Suburban (RS) Kossuthville Subdivision Lot 34F Single family home	**North:** Commercial Enclave (CE) Kossuthville Subdivision Lot 40F Vacant	**Northeast:** Residential Suburban (RS) Kossuthville Subdivision Lot 36F Single family homes
West: Residential Suburban (RS) Kossuthville Subdivision Lot 34F Single family home	**Subject Property:** Residential Suburban (RS) Kossuthville Subdivision Lot 35F Crossed Paws Pet Rescue	**East:** Residential Suburban (RS) Kossuthville Subdivision Lot 36F Single family homes
Southwest: City of Auburndale Pasture	**South:** City of Auburndale Pasture	**Southeast:** City of Auburndale Pasture

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

The adjacent lots are within Residential Suburban land use districts and are occupied with site-built single-family homes. BR-2025-296, BR-2025-297, and BR-2025-298 were Residential Accessory Permits for detached 30X40 Metal Garages with new concrete and no electric. The codes case was created March 17, 2025, based on a citizen complaint. A Code Enforcement inspection of the property found an older residential structure, two newer rear structures, and a concrete slab behind them. No active animal rescue operations were observed during the initial visit on March 18, 2025, though a neighbor reported upcoming rescue events. Permit records confirmed active permits for the rear buildings, and online searches identified Crossed Paws Pet Rescue advertising the property as a new facility. During a follow-up codes inspection on July 15, 2025, staff observed multiple buildings with attached outdoor kennels at the rear of the property and heard continuous barking coming from inside the buildings

Compatibility with the Surrounding Land Uses and Infrastructure:

A. Land Uses:

Comprehensive Plan POLICY 2.102-A2 states, "Land shall be developed so that adjacent uses are compatible with each other." In terms of compatibility between uses, the details of the site plan in relation to the existing conditions of surrounding development make this project unfit at this location and is inconsistent with the above policy.

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 purpose of the RS district is to provide areas for suburban density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. The only category that permits kennels, boarding, and breeding by right is Agricultural/Rural Residential (A/RR), which is generally intended for larger parcels of at least five acres to help mitigate potential impacts. They are not allowed in any other residential category. In contrast, kennels, boarding, and breeding within the Residential Suburban (RS) district require a C3 review and are evaluated on a case-by-case basis to address compatibility concerns.

An animal rescue operation may introduce intensity and impacts that exceed typical residential conditions, including increased vehicle trips associated with staff, volunteers, and animal intake

activities, as well as potential noise related to animal care and handling. These impacts may affect surrounding single-family properties, particularly within established neighborhoods. Compatible sites include Polk County Bully Project, SPCA Florida, and Humane Society of Polk County within Business Park Center (BPC-2) land use districts.

The LDC requires all new structures shall be a minimum of 50 feet from any side or rear property boundary line. At a minimum, a visual buffer equal to a Type C buffer shall be provided between all new facilities and adjacent residential properties and public roads. The applicant has addressed this but the current kennel buildings will remain and be use for storage. All kennel sites shall be, at a minimum, 40,000 square feet (0.92 acres). Additionally, all dogs more than four months of age shall be kept in pens designed and maintained for secure confinement. All sanitary facilities shall be approved by the health department. Kennels shall minimize adverse noise or odor impacts detectable off-site. Such features shall be noted on the site plan. These are the minimum standards across all land use districts that allow kennels, but not necessarily prescriptive to RS. Please see Exhibit 8 for the sheds in relation to the surrounding residential homes.

Crossed Paws Pet Rescue is a Florida Not For Profit Corporation, which is a state-registered business entity. It advertises its rescue and adoptions through social media. The subject property is 4.63 acres and 157’ in width and 1282.5’ in length. While similar to adjacent properties and the kennel can be setback, the County cannot regulate the number of dogs, whose noise and other external effects create disruption for neighbors. Overall, the use is not compatible at this location in relation to the surrounding residential property (See Exhibit 9).

B. Infrastructure:

The subject site is not within a service area and will rely on septic and well. The road that the property accesses, K-Ville Avenue, Rural Major Collectors, have available capacity. Mass transit is available nearby, and there is a stop nearby to the site. The closest mass transit is Citrus Connection Purple Line LAK/WH, with the closest stop at Payne Street approximately 0.2 miles west of the site. Public safety response times are normal for this part of the County. School capacity is not anticipated to be an issue with the site to develop with commercial use.

Nearest and Zoned Elementary, Middle, and High School

The property is zoned for Clarence Boswell Elementary, Jere L. Stambaugh Middle, and Tenoroc High. However, the applicant does not need to address School Board capacity for the anticipated project. The proposed use is not expected to have any impact on school concurrency as the use will not generate the need for children to attend school. Therefore, the proposed use is not likely to have any adverse impacts upon school operations.

Table 2

Name of School	Distance from subject site
Clarence Boswell Elementary	±1.2 miles driving distance
Jere L. Stambaugh Middle	±5.1 miles driving distance
Tenoroc High	±3.1 miles driving distance

Source: Polk County School Board

Nearest Sheriff, Fire, and EMS Station

Fire and EMS response to this project is from Polk County Fire Rescue Station 39, located at 3325 E Main St, Lakeland. The travel distance is approximately 3.1 miles from the site with an average response time of 7-9 minutes. This is a plus because fire rescue and emergency medical services are the most utilizes services of event facilities.

Sheriff's response to the site is served by the North Central District, located at 3635 Ave. G NW, Winter Haven. Response times for NC in April 2026 were: Priority 1 Calls – 10:03 and Priority 2 Calls – 30:05. 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. Sheriff's 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

	Name of Station	Distance	Response Time*
Sheriff	North Central District (3635 Ave. G NW, Winter Haven)	±4.8 miles	Priority 1 – 10:03 Priority 2 – 30:05
Fire **EMS**	Station #39 (3325 E Main St, Lakeland)	±3.1 miles	7-9 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.*

Water and Wastewater Demand and Capacity:

A. Estimated Demand and Service Provider:

The site will utilize well and septic as the site does not have access to water and wastewater lines.

B. Available Capacity:

Information is not available for capacity as water and wastewater are not available for this site.

C. Planned Improvements:

Staff is unaware of any improvements that will provide or alter services to this 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). This project is not expected to have a significant influence on the capacity of the nearest relevant road links.

A. Estimated Demand:

The estimated demand for the parcel will vary with the proposed use.

B. Available Capacity:

The roads surrounding the subject site have sufficient PM Peak capacity available. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

Table 4 Roadway Link Concurrency

Link #	Road Name	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
4169E	CR 542 (K-VILLE AVE)	C	296	D	C
4169W	THORNHILL ROAD to SR 655 (RECKER HIGHWAY)		276		

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

C. Roadway Conditions:

The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review.

D. Sidewalk Network:

There are no sidewalks fronting the subject site. The nearest sidewalk is located at Clarence Boswell Elementary.

E. Planned Improvements:

There are no plans for improvements in this area.

F. Mass Transit

The closest mass transit is Citrus Connection Purple Line LAK/WH. The closest stop is at Payne Street and K-Ville Ave approximately 0.2 miles west of the site.

Park Facilities and Environmental Lands:

The following analysis is based on public recreation facilities.

A. Location

The nearest park is the K Ville Community Center 0.2 miles west of the site, and the nearest regional park is Saddle Creek Park, 3.4 miles to the northwest of the subject site

B. Services

Saddle Creek is one of the largest parks in Central Florida. In addition to offering a campground there are also boat launch sites and pier fishing. The park includes a playground, picnic tables and picnic shelters, softball field, walking trails

C. Multi-use Trails

The closest hiking trail is in Tenoroc Public Use Area.

D. Environmental Lands

The closest environmental land to the site is the Tenoroc Public Use Area approximately 10 miles from the subject site.

E. Planned Improvements:

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

Environmental Conditions

The following environmental conditions apply to the subject site.

A. Surface Water:

There is no surface water on the subject site. The site's elevation is relatively flat with an elevation of 122-124 throughout the site. There are no surface waters on the site.

B. Wetlands/Floodplains:

The subject site is located within a flood zone A and has no wetlands indicated.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 7 following this paragraph. According to the soil survey of Polk County, the site soils have limitations for septic tank absorption.

Table 7

Soil Name	Septic Tank Absorption Field Limitations	% of Site *(approximate)*
Pomona fine sand	Severe: wetness	72.6%
Pomona-Urban land complex	Severe: wetness	27.4%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service, 1985

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, 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. 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.

F. Wells (Public/Private)

This site is not within any of the County's Wellhead Protection Districts.

G. Airports:

The site is not within any Airport Impact Zones.

Economic Factors:

The proximity of existing surrounding single-family homes and the narrowness of the parcel make this project incompatible with the surrounding area. The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities. A non-residential animal rescue operation may introduce intensity and impacts that exceed typical residential conditions, including increased vehicle trips associated with staff, volunteers, and animal intake activities, as well as potential noise related to animal care and handling. These impacts may affect surrounding single-family properties, particularly within established neighborhoods.

Consistency with the Comprehensive Plan and Land Development Code:

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 7 in accordance with Section 906.D.7 of the Land Development Code.

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;	*No, this request is inconsistent with the LDC, specifically Table 2.1 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact on Pages 2-5 of the staff report.*
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	*No, this request is not consistent with the Comprehensive Plan.*
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	*No, the request is not compatible with surrounding uses and the general character of the area. See Page 6 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 not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 6-7 of the staff report*

Comments from other Agencies: None

Exhibits:

Exhibit 1 Location Map
Exhibit 2 Future Land Use Map
Exhibit 3 Aerial Image (Context)
Exhibit 4 Aerial Image (Close)
Exhibit 5 Site Plan
Exhibit 6 Google Earth Aerials
Exhibit 7 Building permit site plan
Exhibit 8 Distance to homes
Exhibit 9 Kennel Locations



LOCATION MAP



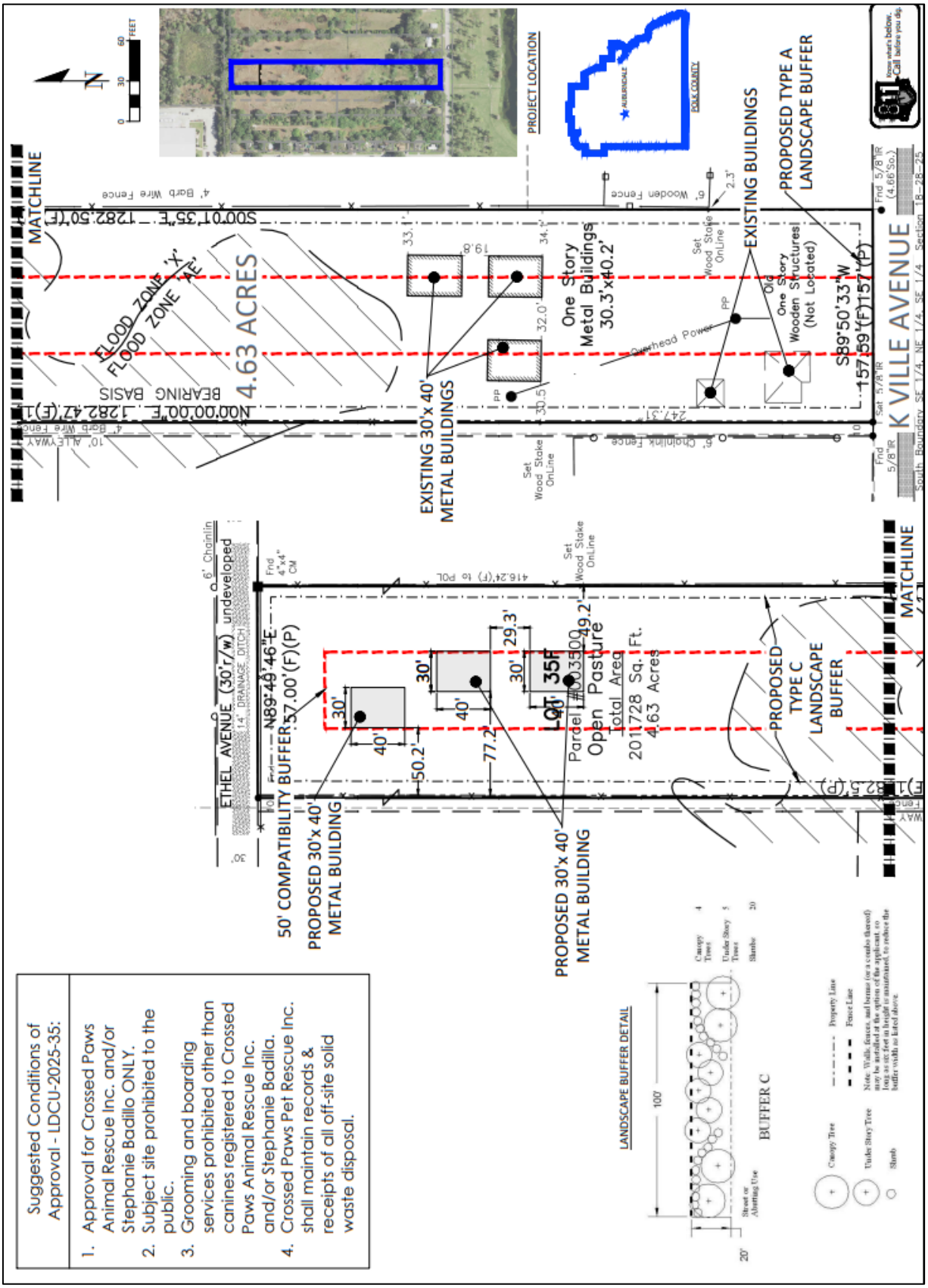
FUTURE LAND USE



2023 AERIAL PHOTO (Context)



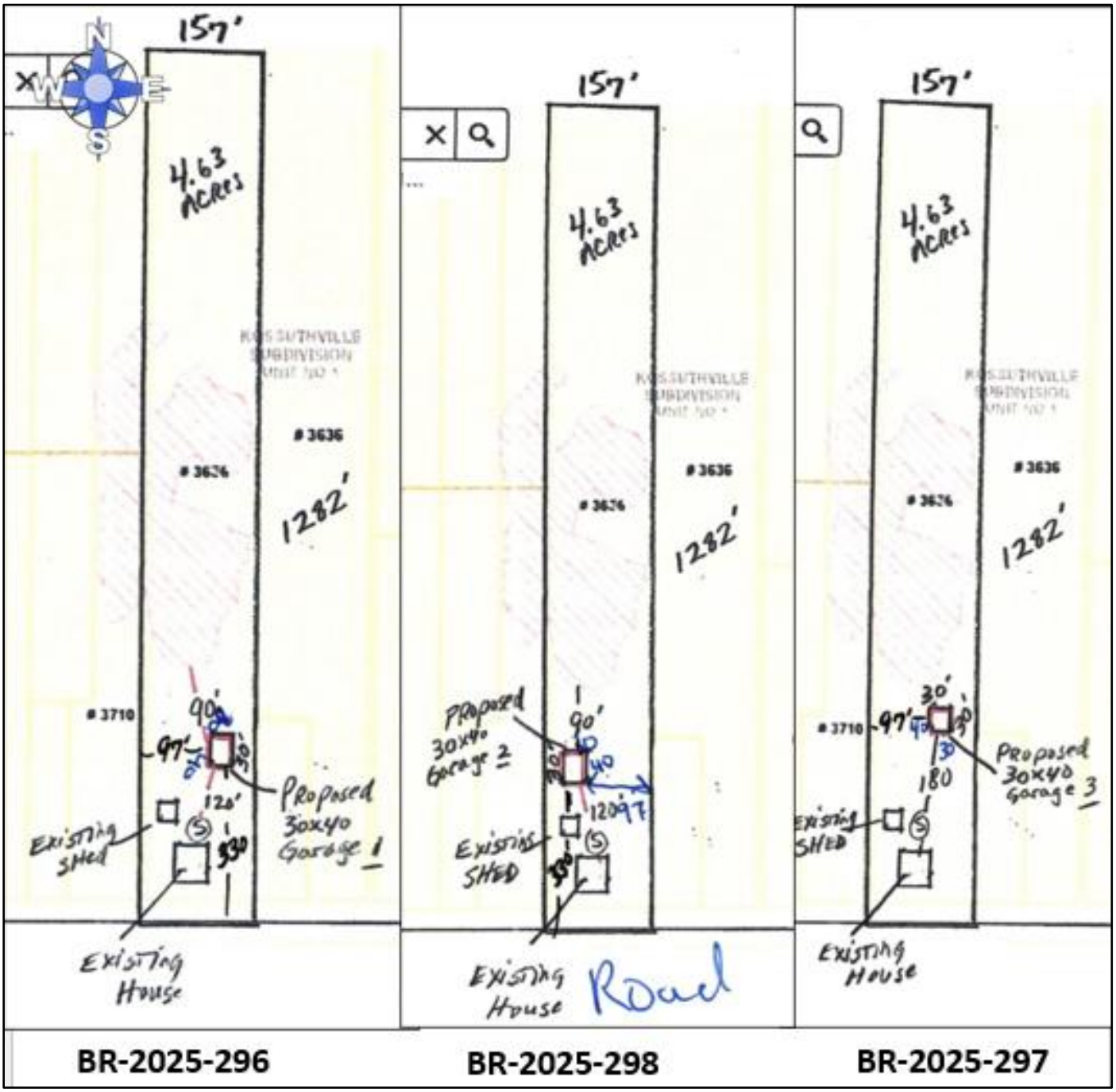
2023 AERIAL PHOTO (Close-Up)


Suggested Conditions of Approval - LDCU-2025-35:
1. Approval for Crossed Paws Animal Rescue Inc. and/or Stephanie Badillo ONLY.
2. Subject site prohibited to the public.
3. Grooming and boarding services prohibited other than canines registered to Crossed Paws Animal Rescue Inc. and/or Stephanie Badilla.
4. Crossed Paws Pet Rescue Inc. shall maintain records & receipts of all off-site solid waste disposal.
PROJECT LOCATION
MATCHLINE
4.63 ACRES
FLOOD ZONE 'X'
FLOOD ZONE 'AE'
BEARING BASIS
EXISTING 30'x 40' METAL BUILDINGS
One Story Metal Buildings 30.3'x40.2'
EXISTING BUILDINGS
PROPOSED TYPE A LANDSCAPE BUFFER
Old One Story Wooden Structures (Not Located)
S89°50'33"W 157.59'(F)157'(P)
K VILLE AVENUE
ETHEL AVENUE (30'r/w) undeveloped
50' COMPATIBILITY BUFFER
PROPOSED 30'x 40' METAL BUILDING
Parcel #003500
Open Pasture
Total Area
201728 Sq. Ft.
4.63 Acres
PROPOSED TYPE C LANDSCAPE BUFFER
LANDSCAPE BUFFER DETAIL
BUFFER C

SITE PLAN



GOOGLE EARTH AERIALS



BUILDING PERMIT SITE PLANS



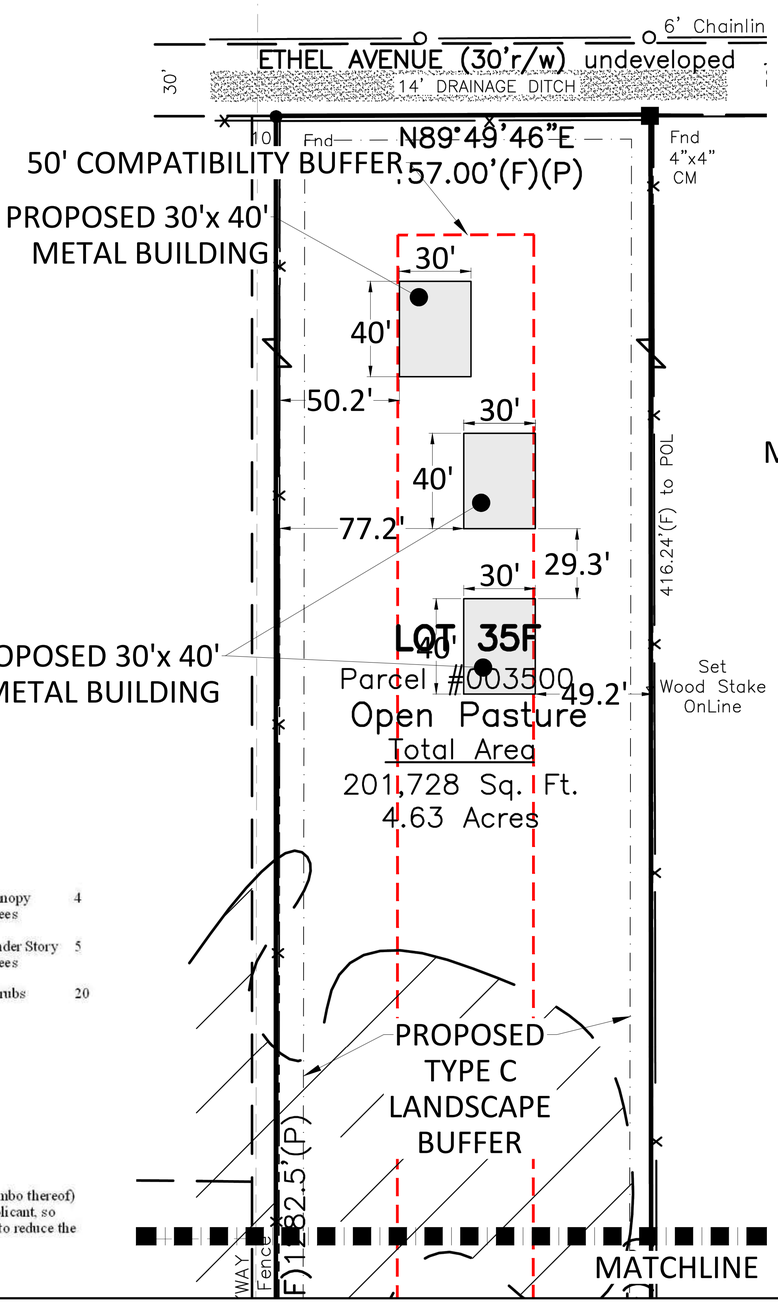
EXISTING KENNEL DISTANCE TO HOMES

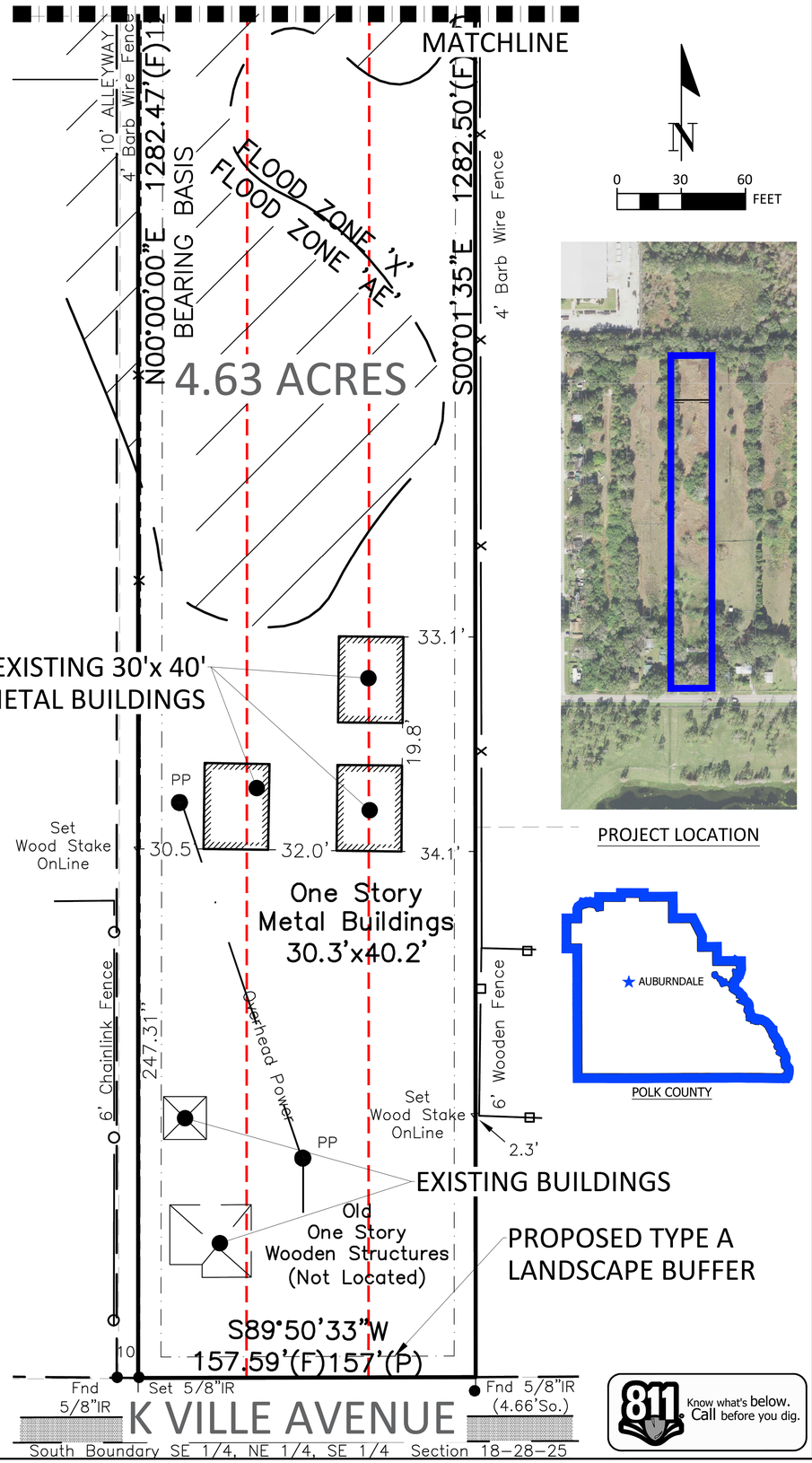


KENNEL LOCATIONS

Suggested Conditions of Approval - LDCU-2025-35:

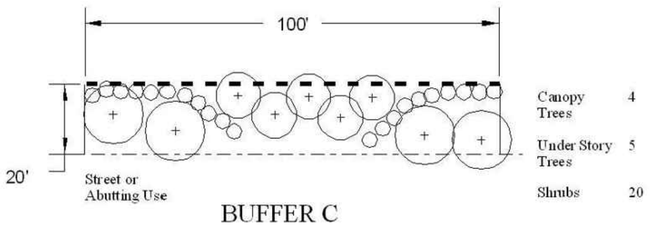
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2. Subject site prohibited to the public.
3. Grooming and boarding services prohibited other than canines registered to Crossed Paws Animal Rescue Inc. and/or Stephanie Badilla.
4. Crossed Paws Pet Rescue Inc. shall maintain records & receipts of all off-site solid waste disposal.



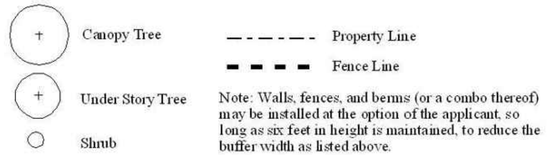


PROJECT LOCATION

LANDSCAPE BUFFER DETAIL



BUFFER C



811 Know what's below. Call before you dig.

REVISION NO.	DATE	DESCRIPTION

CLIENT: NEXT LEVEL PLANNING & PERMITTING
PROJECT NAME: CROSSED PAWS PET RESCUE CU

LDCU-2025-35 PLAN

3656 K VILLE AVE, AUBURNDALE, FL 33823

NEXT LEVEL PLANNING & PERMITTING

PROJECT NUMBER 25-49

SHEET NUMBER C-100

NEXT LEVEL
PLANNING & PERMITTING

CrossedPaws
Pet Rescue Inc.

IMPACT ASSESMENT STATEMENT

SUMMARY OF REQUEST

The subject application is to request Conditional Use Approval to allow a FL Not For Profit Corporation to board rescued domestic pets on private property. The subject parcel is designated RS Land Use. The subject site is identified as Polk County Parcel 252818-347000-003500, consisting of 4.6+/- acres.

STATEMENT OF OPERATIONS – CROSSED PAWS PET RESCUE

Crossed Paws Pet Rescue, Inc. Is a 501(c)(3) non-profit pet rescue organization. Founder, Stefanie Badillo purchased the subject property in December 2024 and built three 30' x 40' sheds (Polk County Building Division Permits BR-2025-296, BR-025-297, and BR-2025-298) in May 2025 to house rescues until they are brought back to health and adoptable. The pets rescued are abandoned, mistreated, and in need of medical attention. All the rescues are attended by an off-site licensed Veterinarian. Crossed Paws Pet Rescue, Inc. provides vaccinations, spay/neutering, deworming and microchipping. All rescues are registered to Stefanie Badillo, Crossed Paws Pet Rescue, inc.

While the pets are eventually adopted to suitable homes, the subject site is PRIVATE. It is not open to the public. Through the Conditional Use process, Crossed Paws Pet Rescue, Inc. would like to host future special events, meeting all the Polk County Building Division requirements through a Special Exception Permit, when appropriate.

A. 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 use?

   The subject site is RS Land Use, which allows the category 'Kennels, Boarding, Breeding' with a Conditional Use (Level III CU approval.) The subject location historically is a single-family home, built in 1923, and is currently inhabitable. The principal use of the site is for the single-family residence (construction/repair needs completion.) The actual use of the site differs from Commercial Kennels and the specific Polk County definition(s):

KENNEL, BREEDING: Land or structures where any number of animals that are not personal pets of the property owner are kept for the purpose of sale, rental, breeding, hire as guard animals on other property, or other commercial purposes. A breeding kennel shall not include pet stores or commercial kennels used for boarding purposes only.

KENNEL, BOARDING: A commercial establishment where any number of personal pets (typically dogs and cats) are kept for boarding or lodging purposes for a fee. Pet grooming may be provided as an accessory use.

Differences:

1. **The rescued pets are personal property of the owner of Crossed Paws Pet Rescue.**
2. **No breeding.**
3. **No sale of the Rescues.**
4. **No sale or hiring of Rescues.**
5. **No boarding of pets/animals other than the Rescues that are registered to the non-profit.**
6. **Not commercial property; owner's single-family residence.**
7. **Only owner and owner's family have access to the property.**
8. **All required medical procedures take place off-site.**
9. **Crossed Paws Pet Rescue Inc.'s terminology for 'rehabilitation' entails food, rest, and shelter.**

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

   Please see Conceptual Site Plan.

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

   The site is currently enclosed with an opaque fence and gate, as this is a private residence.

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

   T**he CU request is to bring legal conformity to the existing site.**

B. 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 is 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.

   Site is a SF Residence – PM Peak Hour trips is 1.01.

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

   No modifications anticipated.

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

   According to Table 7.10 in the Land Development Code, Minimum Off-Street Parking Requirements for SF Residence is Two (2) off-street parking spaces.

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

   The subject site currently K-Ville Avenue, classified as an Urban Major Collector.

C. Sewage – **ONE (1) ERC = 270 gpd (80%) of Water**

SITE IS A SINGLE-FAMILY RESIDENCE

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)*

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?

On-site Disposal System (OSDS)

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

On-site Disposal System (OSDS)

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*)

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

Not Applicable

6. What is the anticipated date of connection?

Not applicable

7. What improvements to the providers system are necessary to support the proposed request *(e.g. lift stations, line extensions/expansions, interconnects, etc.)?*

On-site Disposal System (OSDS)

D. Water Supply **ONE (1) ERC = 360 gpd for S.F. Residence**

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?
2. What is the estimated volume of consumption in gallons per day (GPD)? *(Response may be based on Section 703 of the LDC)*
3. Where is the nearest potable water connection and re-claimed water connection, including the distance and size of the line?
4. Who is the service provider?
5. What is the anticipated date of connection?
6. What is the provider's general capacity at the time of application?
7. Is there an existing well on the property(ies)?

E. 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 subject land will not impact floodplain. Impervious Surface Ratio is De Minimus.

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

   There are no alterations to the existing site's infrastructure anticipated.

F. 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.

   Copart Logistics Storage Yard replaced the former Trans-Phos, Inc. that historically resided on the site. Per the Conceptual Site Plan, Copart will not be expanding existing areas Trans-Phos developed.

2. What are the wetland and floodplain conditions? Discuss the changes to these features which would result from development of the site.

   Refer to Exhibits F & G)

3. Discuss location of potable water supplies, private wells, public well fields *(discuss the location, address potential impacts)*, and;
4. Discuss the location of Airport Buffer Zones (if any) *(discuss the location and address, potential impacts)*.

   The subject site is not within an Airport Impact District (AID).

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

   Please refer to Exhibit D – Soil Map.

G. Infrastructure Impact Information **Not Applicable – SF HOME/**

PRIVATE PROPERTY

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;
2. Educational Facilities (e.g., preschool, elementary, middle school, high school)
3. Health Care (e.g., emergency, hospital);
4. Fire Protection
5. Police Protection and Security
6. Emergency Medical Services (EMS)
7. Solid Waste (collection and waste generation); and

How may this proposed project contribute to the neighborhood needs?

Copart will not contribute to neighborhoods, per se, rather contribute a community need to avoid euthanizing pets.

LDCU-2025-35 - Crossed Paws Pet Rescue CU

Menu Reports Help

Application Name: Crossed Paws Pet Rescue CU

File Date: 12/04/2025

Application Type: PC-Conditional Use-New Or Mobile Home

Application Status: Approved For Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Applicant requests Conditional Use Approval to allow a FL Not For Profit Corporation to board rescued domestic pets on private property. The subject parcel is designated Land Use.

Application Detail: Detail

Address: 3656 K VILLE AVE, AUBURNDALE, FL 33823

Parcel No: 252818347000003500

Owner Name: CROSSED PAWS PET RESCUE INC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Sarah Case	Next Level Plan...	Engineer	Mailing, 3825 S. Flori...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $8,496.00

Total Fee Invoiced: $8,496.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Planning Commission

Application Type
Conditional Use
New

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
4.63

DRC Meeting
01/08/2026

DRC Meeting Time
11:45 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
Yes

One Year Extension
–

FS 119 Status
Non-Exempt

Code Violation Case Number
CMA-2025-1417

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-25EST-00000-71395

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
√

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	1			05/19/2026	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	12/08/2025	Lyndsay Rathke
Engineering Review				
Fire Marshal Review	Kim Turner	Conditional ...	12/08/2025	Kim Turner
Surveying Review	Noelle S Colaianni	Approve	12/17/2025	Noelle S Colaianni
School Board Review	School District	Not Required	12/08/2025	School District
Roads and Drainage Review	Phil Irven	Approve	12/08/2025	Phil Irven
Planning Review	Aleya Inglima	Approve	05/12/2026	Aleya Inglima
Review Consolidation	Lyndsay Rathke	Approved for...	05/12/2026	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-2025-35 (Crossed Paws Rescue CU)

Applicant: Sarah Case

Property Owner: Crossed Paws Pet Rescue Inc

Hearing Date: June 3, 2026

I. Request:

The applicant is requesting Conditional Use (CU) approval to allow a Kennels and Boarding use on approximately 4.63 acres. The subject site is located at 3656 K Ville Ave, south of Hwy 92 W, west of the city of Auburndale in Section 18, Township 28, Range 25.

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 inconsistent with all relevant requirements of the LDC, including without limitation, Sections 303 and 906.

3. The Application is inconsistent with all applicable policies of the Comprehensive Plan.

4. The Application is not compatible with surrounding uses and the general character of the area.

5. Concurrency requirements can be met if the development is built.

II. 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.

III. Planning Commission's Decision:

Based upon the record and the foregoing findings, the Application is DENIED, 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.

IV. 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 3rd day of June 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 June 3, 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:

MEMO

To: Whom it May Concern

From: Nicolle Peterson

Date: May 26, 2026

Re: Crossed Paws Pet Rescue

COMMENTS:

This memo is to inform you that I, Nicolle Peterson, have used Crossed Paws Pet Rescue for many years. I worked at Auburndale Police Department, and we called her on numerous occasions to help with trapping, scanning for a cheap or placing the dog in rescue until the owners were found. I have also worked with her personally and have adopted and fostered. She is a great human being and works wonders for animals in need.

Nicolle Peterson

Sarah Case

From: Erin Golotko <eringolotko@gmail.com>
Sent: Friday, April 3, 2026 8:08 AM
To: Sarah Case
Subject: Fwd: Fw: Letter of recommendation

Davenport police

---------- Forwarded message ---------
From: **Stefanie Badillo** <crossedpaws2018@hotmail.com>
Date: Sun, Jan 25, 2026 at 8:05 PM
Subject: Fw: Letter of recommendation
To: Erin Golotko <eringolotko@gmail.com>

Get Outlook for iOS

From: James Britto <jbritto@mydavenport.org>
Sent: Sunday, January 25, 2026 8:04:53 PM
To: Crossedpaws2018@hotmail.com <Crossedpaws2018@hotmail.com>
Subject: Letter of recommendation

To Whom It May Concern,

I am writing this letter in strong support of Crossed Paws Pet Rescue and to recognize the extraordinary dedication and compassion demonstrated by its owner, Stephanie.

Crossed Paws Pet Rescue has repeatedly shown an unwavering commitment to the welfare of animals, particularly through its ongoing support of law enforcement agencies such as the Winter Haven Police Department and the Davenport Police Department. Whenever lost, abandoned, or displaced pets are located, Crossed Paws Pet Rescue consistently answers the call for help, providing immediate assistance when animals have nowhere else to go.

What truly sets Crossed Paws Pet Rescue apart is Stephanie's reliability and sense of urgency. Even in the most difficult circumstances—when resources are stretched and space is extremely limited—she continues to step forward to ensure animals are not left without care, safety, or compassion. There have been numerous occasions when she has responded to requests from the Winter Haven Police Department and the Davenport Police Department despite already being at full capacity. Even when she states she has no additional room for pets, she still finds a way by rearranging space, coordinating foster placements, or personally taking animals in to make sure no animal in need is turned away.

Stephanie's actions reflect a rare level of selflessness, responsibility, and dedication. Officers and community members alike have come to rely on Crossed Paws Pet Rescue, knowing that when animals are vulnerable and options are limited, she will show up and do whatever is necessary to help.

I wholeheartedly recommend Stephanie and Crossed Paws Pet Rescue and rely on her support. The impact of her work is profound and deeply appreciated by both the animals she saves and the law enforcement agencies and community she serves.

Sincerely,

Sergeant J. Britto D191S
Davenport Police Department
16 W Bay Street
Davenport FL 33837

Money sent **-$500**

"For minka again sorry"



NCOURT *FLPOLKBOCCSWP

Jan 10, 2026

Payment **-$17.94**



NCOURT *FLPOLKBOCCSWP

Jan 10, 2026

Payment **-$26.68**



NCOURT *FLPOLKBOCCSWP

Dec 24, 2025

Payment **-$34.50**



NCOURT *FLPOLKBOCCSWP

Dec 24, 2025

Payment **-$36.34**



NCOURT *FLPOLKBOCCSWP

Dec 24, 2025

Payment **-$27.60**



NCOURT *FLPOLKBOCCSWP

Dec 24, 2025

Payment **-$28.52**

Activity

"Merry Christmas 🎁"

Add tracking



NCOURT *FLPOLKBOCCSWP

Dec 21, 2025

Payment **-$28.06**



NCOURT *FLPOLKBOCCSWP

Dec 21, 2025

Payment **-$35.42**

Donation received **+$97.52**



NCOURT *FLPOLKBOCCSWP

Dec 4, 2025

Payment **-$34.50**

1:30

Wallet **Activity**

Donation received **+$24.01**

NCOURT *FLPOLKBOCCSWP
Oct 23, 2025

Payment **-$10.12**

Payment **-$103.24**

NCOURT *FLPOLKBOCCSWP
Oct 18, 2025

Payment **-$43.24**

Tax Estimator | Portability Calculator | Property Record Card | Proposed Tax Notice | Tax Bill

Parcel Details: 25-28-02-308800-000130

Owners *Recently purchased this property? Click here.*

BADILLO VALENTIN C	50%
BADILLO STEFANIE N	50%

Mailing Address *(Address Change form)*

106 MARGARET ST
AUBURNDALE FL 33823-2612

Physical Street Address *Why postal city and municipality? Click here.*

106 MARGARET ST

Postal City and Zip

AUBURNDALE FL 33823

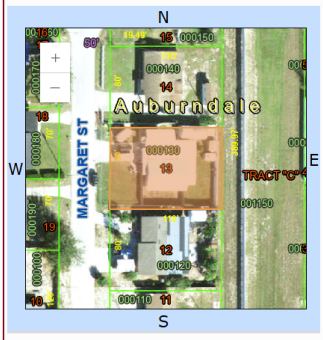
Parcel Information

Municipality	**AUBURNDALE (Code: 90330)**
Neighborhood	**330123.00** Search Recent Sales in this Neighborhood
Subdivision	**EVYLN HEIGHTS UNIT 02 REPLAT PB 44 PG 0**
Property (DOR) Use Code	**SFR up to 2.49 AC (Code: 0100)**
Acreage	**0.20**

Property Desc [Open/Print Property Desc]

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map [Open Interactive Map]



Recorded Plat

Recorded Plat for this parcel

Section Maps for 252802

Sales History

Important Notice: If you wish to obtain a copy of a deed for this parcel, click on the blue OR Book/Page number. If the Book/Page number does not have a blue link or if the document is restricted, it may not be available online. Please contact the Polk County Clerk Indexing Department at 863-534-4516. If the Type Inst is an "R", please contact the Property Appraiser at 863-534-4765 to order "R" type instruments.

OR Book/Page	Date	Type Inst	Vacant/ Improved	Grantee	Sales Price
3937/0727	11/1997	W	I		$99,500
2396/1868	02/1986	W	I		$39,400
1719/0447	10/1976	W	E		$20,000

Exemptions

Note: The drop down menus below provide information on the amount of exemption applied to each taxing district. The HX—first $25,000 homestead exemption may be allocated to one or more owners. The HB second amended homestead exemption reflects the name of the first owner only.

Code	Bld. #	Description	% Ownership	Renew Cd	Year Name	Note	Value
⊞ HX		HX-HOMESTEAD-FS196.031(1)(A)-01-26	50%		1998 BADILLO VALENTIN C		$25,000
⊞ HB		AMENDED HOMESTEAD	100%		1998 BADILLO VALENTIN C		$15,106
⊞ HX	1	HX-HOMESTEAD-FS196.031(1)(A)-01-26	50%		1998 BADILLO STEFANIE N		$0
Total Exemption Value (County)							**$40,106**

Buildings

BUILDING 1 (SF - Single Family)

Building Characteristics **106 MARGARET ST**

Living Area: 1,426 sqft

CODE ENFORCEMENT SPECIAL MAGISTRATE
IN AND FOR POLK COUNTY, FLORIDA

CASE: CMA-2025-1417
IN RE: 3656 K VILLE AVE, AUBURNDALE, FL 33823
252818347000003500

POLK COUNTY,
Petitioner,
vs.

CROSSED PAWS PET RESCUE INC

Respondent(s)

FIRST OFFENSE ORDER

THIS CAUSE, having come before the Special Magistrate on 10/16/2025, upon Code Enforcement's request for a First Offense Order, and the Special Magistrate, after due notice to Respondent(s), having heard testimony, argument, and receiving evidence, issues this Order pursuant to §162.07(4) and §162.08(5), Florida Statutes, as follows:

FINDINGS OF FACT

1. On or about 7/24/2025 , there existed at or on the captioned real property the following conditions in violation of the Polk County Code of Ordinances and/or the Polk County Land Development Code, and/or the Florida Building Code (collectively "Codes and/or Ordinances"); such conditions constitute a nuisance and/or a serious threat to the public health, safety, and welfare within the meaning of §162.07(4), Florida Statutes:

   VIOLATION(S) OF:

   1 LDC Section 205, Table 2.1 Use Tables for Standard Land Use Districts: Standard Districts

2. Such conditions continued and existed beyond the time specified for correction pursuant to §162.06(2), Florida Statutes, or were corrected and recurred, and a Notice of Violation and Notice of Hearing ("Notice") documenting same has been submitted to the Special Magistrate for consideration.

3. Captioned real property is located and exists within the unincorporated limits of Polk County, Florida.

4. Respondent(s), as owner(s) of captioned real property are responsible for maintaining the same in accordance with the Codes and/or Ordinances.

5. All required notices pursuant to §162.12, Florida Statutes and Polk County Ordinance 07-058, as amended, have been sent.

CONCLUSION OF LAW

6. The Special Magistrate has personal jurisdiction over the Respondent(s) and this matter is otherwise properly before the Special Magistrate. Further, the Special Magistrate has subject matter jurisdiction over the matter pursuant to Polk County Ordinance 07-058, as amended.

7. The above stated facts constitute a violation of the specific section(s) of the Codes and/or Ordinances cited in paragraph 1 herein.

ORDER

Based on the foregoing Findings of Facts and Conclusion of Law, and upon consideration of (i) testimony, argument, and evidence presented under oath, (ii) the gravity of the violation(s), (iii) any actions taken by the Respondent(s) to correct the violation(s), (iv) previous violation(s) committed by the Respondent(s), and/or (v) stipulation(s) signed by both Polk County and Respondent(s), it is hereby, ORDERED that:

( ) The stipulation of the parties attached hereto as Exhibit "A" is hereby approved by the Special Magistrate.

( ) The Respondent(s) are in violation of the Codes and/or Ordinances as fully set forth in the Notice filed in this case. Furthermore, the Respondent(s) shall comply with those Codes and/or Ordinances referred to in the Notice within: _____ Days (on or before) _____.

( ) In the event the violation(s) are not corrected by the date set forth herein, a fine of $ _____ per day, plus applicable administration cost shall be imposed and shall continue until the date of compliance.

( ) In addition to the other fines imposed herein, costs of enforcement of $_____ plus applicable administrative cost is hereby imposed to cover all costs incurred by Polk County in enforcing those Codes and/or Ordinances.

( ) The violation(s) of _____ are irreparable or irreversible in nature and a one-time fine of $_____ (per violation), plus applicable administrative cost shall be imposed for total fine of $_____.

( ) All persons are to **cease and desist** _____ at the location stated above. **Notice: It is a violation of the Polk County Ordinance 07-058, as amended prosecuted in same manner as misdemeanors in accordance with Section §125.69, Florida Statute for any person to violate a cease-and-desist order issued by a Special Magistrate or Appellate Special Magistrate.**

( ) The violation(s) of _____ are found to present a serious threat to the public health, safety and welfare. In the event the violation(s) are not corrected by the date set forth herein, it is further ordered, that the County is hereby authorized to make all reasonable repairs which are required to bring the property into compliance. **If the violation is corrected by Polk County pursuant to this Order, the Respondent(s) shall be responsible for the costs to correct the violation(s) incurred by Polk County, all fine amounts, and for administrative costs listed herein.**

(✓) The case is continued for_____ days or until the 13th day of November 2025 scheduled at **9:00 A.M. in the County Commission Board Room located at 330 W. Church Street, Bartow FL.**

( ) The Respondent(s) **were** in violation of the listed Codes and/or Ordinances and did not come into compliance within the time given by Polk County, but are now in compliance. Future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such. Costs of enforcement of $_____, plus applicable administrative cost is hereby imposed to cover all costs incurred by Polk County in enforcing its Codes and/or Ordinances in this case.

( ) The case was **withdrawn** from the hearing agenda and not heard by the Special Magistrate. No further action is required by the Respondent(s). At the discretion of the Polk County and with proper notice as required in §162.12 and Ordinance 07-058, as amended, the case may be presented at a later date.

( ) The evidence did not support the violation cited and the case was dismissed with no finding of a violation.

( ) Other _____

The order imposing the fine shall be recorded in the public records and thereafter shall constitute a lien against the real and personal property of Respondent(s). THE BURDEN SHALL REST UPON THE RESPONDENT(S) TO REQUEST A REINSPECTION, BY CALLING CODE ENFORCEMENT AT 863-534-6054, to determine whether the property is brought into compliance. Polk County may institute foreclosure proceedings if the lien remains unpaid for three months.

DATED this 16th day of October 2025

Tiffany Stanton Hawks

Tiffany Hawks, Special Magistrate

APPEAL PROCEDURES

Respondent(s) shall have ten (10) days from the date of the Certificate of Service below to appeal this Order by filing a Notice of Appeal detailing the reason(s) for the appeal. The Notice of Appeal must be received by the Polk County Special Magistrate Office (330 West Church Street, or Drawer CS04, P. O. Box 9005, Bartow, Florida 33831-9005) within ten (10) days of the Certificate of Service below. If an appeal is filed, you will receive written notice informing you of the date, time, and location of that hearing on that matter. If an appeal is filed and is denied by the Code Enforcement Appellate Special Magistrate, the date for compliance will continue to be that date designated in this First Offense Order.

CERTIFICATE OF SERVICE:

I certify that the foregoing was sent via U.S. mail on this 17th day of October 2025 to Respondent(s) at 106 Margaret Street. Auburndale, FL 33823-2612 and Richard Taylor McKendrick, Esq (McKendrick Law) at 206 Easton Drive, Lakeland, FL 33803-2936.

Victoria Starling

Victoria Starling, Special Magistrate Paralegal

CODE ENFORCEMENT SPECIAL MAGISTRATE
IN AND FOR POLK COUNTY, FLORIDA

CASE: CMA-2025-1417
IN RE: 3656 K VILLE AVE, AUBURNDALE, FL 33823
252818347000003500

POLK COUNTY,
Petitioner,
vs.

CROSSED PAWS PET RESCUE INC

Respondent(s)

FIRST OFFENSE ORDER

THIS CAUSE, having come before the Special Magistrate on 12/18/2025, upon Code Enforcement's request for a First Offense Order, and the Special Magistrate, after due notice to Respondent(s), having heard testimony, argument, and receiving evidence, issues this Order pursuant to §162.07(4) and §162.08(5), Florida Statutes, as follows:

FINDINGS OF FACT

1. On or about 7/24/2025 , there existed at or on the captioned real property the following conditions in violation of the Polk County Code of Ordinances and/or the Polk County Land Development Code, and/or the Florida Building Code (collectively "Codes and/or Ordinances"); such conditions constitute a nuisance and/or a serious threat to the public health, safety, and welfare within the meaning of §162.07(4), Florida Statutes:

   VIOLATION(S) OF:

   1 LDC Section 205, Table 2.1 Use Tables for Standard Land Use Districts: Standard Districts

2. Such conditions continued and existed beyond the time specified for correction pursuant to §162.06(2), Florida Statutes, or were corrected and recurred, and a Notice of Violation and Notice of Hearing ("Notice") documenting same has been submitted to the Special Magistrate for consideration.

3. Captioned real property is located and exists within the unincorporated limits of Polk County, Florida.

4. Respondent(s), as owner(s) of captioned real property are responsible for maintaining the same in accordance with the Codes and/or Ordinances.

5. All required notices pursuant to §162.12, Florida Statutes and Polk County Ordinance 07-058, as amended, have been sent.

CONCLUSION OF LAW

6. The Special Magistrate has personal jurisdiction over the Respondent(s) and this matter is otherwise properly before the Special Magistrate. Further, the Special Magistrate has subject matter jurisdiction over the matter pursuant to Polk County Ordinance 07-058, as amended.

7. The above stated facts constitute a violation of the specific section(s) of the Codes and/or Ordinances cited in paragraph 1 herein.

ORDER

Based on the foregoing Findings of Facts and Conclusion of Law, and upon consideration of (i) testimony, argument, and evidence presented under oath, (ii) the gravity of the violation(s), (iii) any actions taken by the Respondent(s) to correct the violation(s), (iv) previous violation(s) committed by the Respondent(s), and/or (v) stipulation(s) signed by both Polk County and Respondent(s), it is hereby, ORDERED that:

( ) The stipulation of the parties attached hereto as Exhibit "A" is hereby approved by the Special Magistrate.

( ) The Respondent(s) are in violation of the Codes and/or Ordinances as fully set forth in the Notice filed in this case. Furthermore, the Respondent(s) shall comply with those Codes and/or Ordinances referred to in the Notice within: _____ Days (on or before) _____.

( ) In the event the violation(s) are not corrected by the date set forth herein, a fine of $ _____ per day, plus applicable administration cost shall be imposed and shall continue until the date of compliance.

( ) In addition to the other fines imposed herein, costs of enforcement of $_____ plus applicable administrative cost is hereby imposed to cover all costs incurred by Polk County in enforcing those Codes and/or Ordinances.

( ) The violation(s) of _____ are irreparable or irreversible in nature and a one-time fine of $_____ (per violation), plus applicable administrative cost shall be imposed for total fine of $_____.

( ) All persons are to **cease and desist** _____ at the location stated above. **Notice: It is a violation of the Polk County Ordinance 07-058, as amended prosecuted in same manner as misdemeanors in accordance with Section §125.69, Florida Statute for any person to violate a cease-and-desist order issued by a Special Magistrate or Appellate Special Magistrate.**

( ) The violation(s) of _____ are found to present a serious threat to the public health, safety and welfare. In the event the violation(s) are not corrected by the date set forth herein, it is further ordered, that the County is hereby authorized to make all reasonable repairs which are required to bring the property into compliance. **If the violation is corrected by Polk County pursuant to this Order, the Respondent(s) shall be responsible for the costs to correct the violation(s) incurred by Polk County, all fine amounts, and for administrative costs listed herein.**

(✓) The case is continued for_____ days or until the 16th day of April 2026 scheduled at **9:00 A.M. in the County Commission Board Room located at 330 W. Church Street, Bartow FL.**

( ) The Respondent(s) **were** in violation of the listed Codes and/or Ordinances and did not come into compliance within the time given by Polk County, but are now in compliance. Future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such. Costs of enforcement of $_____, plus applicable administrative cost is hereby imposed to cover all costs incurred by Polk County in enforcing its Codes and/or Ordinances in this case.

( ) The case was **withdrawn** from the hearing agenda and not heard by the Special Magistrate. No further action is required by the Respondent(s). At the discretion of the Polk County and with proper notice as required in §162.12 and Ordinance 07-058, as amended, the case may be presented at a later date.

( ) The evidence did not support the violation cited and the case was dismissed with no finding of a violation.

( ) Other _____

The order imposing the fine shall be recorded in the public records and thereafter shall constitute a lien against the real and personal property of Respondent(s). THE BURDEN SHALL REST UPON THE RESPONDENT(S) TO REQUEST A REINSPECTION, BY CALLING CODE ENFORCEMENT AT 863-534-6054, to determine whether the property is brought into compliance. Polk County may institute foreclosure proceedings if the lien remains unpaid for three months.

DATED this 18th day of December 2025

Tiffany Stanton Hawks

Tiffany Hawks, Special Magistrate

APPEAL PROCEDURES

Respondent(s) shall have ten (10) days from the date of the Certificate of Service below to appeal this Order by filing a Notice of Appeal detailing the reason(s) for the appeal. The Notice of Appeal must be received by the Polk County Special Magistrate Office (330 West Church Street, or Drawer CS04, P. O. Box 9005, Bartow, Florida 33831-9005) within ten (10) days of the Certificate of Service below. If an appeal is filed, you will receive written notice informing you of the date, time, and location of that hearing on that matter. If an appeal is filed and is denied by the Code Enforcement Appellate Special Magistrate, the date for compliance will continue to be that date designated in this First Offense Order.

CERTIFICATE OF SERVICE:

I certify that the foregoing was sent via U.S. mail on this 18th day of December 2025 to Respondent(s) at 106 Margaret Street, Auburndale, FL 33823-2612.

Victoria Starling

Victoria Starling, Special Magistrate Paralegal

CODE ENFORCEMENT SPECIAL MAGISTRATE
IN AND FOR POLK COUNTY, FLORIDA

CASE: CMA-2025-1417
IN RE: 3656 K VILLE AVE, AUBURNDALE, FL 33823
252818347000003500

POLK COUNTY,
Petitioner,
vs.

CROSSED PAWS PET RESCUE INC

Respondent(s)

FIRST OFFENSE ORDER

THIS CAUSE, having come before the Special Magistrate on 11/13/2025, upon Code Enforcement's request for a First Offense Order, and the Special Magistrate, after due notice to Respondent(s), having heard testimony, argument, and receiving evidence, issues this Order pursuant to §162.07(4) and §162.08(5), Florida Statutes, as follows:

FINDINGS OF FACT

1. On or about 7/24/2025 , there existed at or on the captioned real property the following conditions in violation of the Polk County Code of Ordinances and/or the Polk County Land Development Code, and/or the Florida Building Code (collectively "Codes and/or Ordinances"); such conditions constitute a nuisance and/or a serious threat to the public health, safety, and welfare within the meaning of §162.07(4), Florida Statutes:

   VIOLATION(S) OF:

   1 LDC Section 205, Table 2.1 Use Tables for Standard Land Use Districts: Standard Districts

2. Such conditions continued and existed beyond the time specified for correction pursuant to §162.06(2), Florida Statutes, or were corrected and recurred, and a Notice of Violation and Notice of Hearing ("Notice") documenting same has been submitted to the Special Magistrate for consideration.

3. Captioned real property is located and exists within the unincorporated limits of Polk County, Florida.

4. Respondent(s), as owner(s) of captioned real property are responsible for maintaining the same in accordance with the Codes and/or Ordinances.

5. All required notices pursuant to §162.12, Florida Statutes and Polk County Ordinance 07-058, as amended, have been sent.

CONCLUSION OF LAW

6. The Special Magistrate has personal jurisdiction over the Respondent(s) and this matter is otherwise properly before the Special Magistrate. Further, the Special Magistrate has subject matter jurisdiction over the matter pursuant to Polk County Ordinance 07-058, as amended.

7. The above stated facts constitute a violation of the specific section(s) of the Codes and/or Ordinances cited in paragraph 1 herein.

ORDER

Based on the foregoing Findings of Facts and Conclusion of Law, and upon consideration of (i) testimony, argument, and evidence presented under oath, (ii) the gravity of the violation(s), (iii) any actions taken by the Respondent(s) to correct the violation(s), (iv) previous violation(s) committed by the Respondent(s), and/or (v) stipulation(s) signed by both Polk County and Respondent(s), it is hereby, ORDERED that:

( ) The stipulation of the parties attached hereto as Exhibit "A" is hereby approved by the Special Magistrate.

( ) The Respondent(s) are in violation of the Codes and/or Ordinances as fully set forth in the Notice filed in this case. Furthermore, the Respondent(s) shall comply with those Codes and/or Ordinances referred to in the Notice within: _____ Days (on or before) _____.

( ) In the event the violation(s) are not corrected by the date set forth herein, a fine of $ _____ per day, plus applicable administration cost shall be imposed and shall continue until the date of compliance.

( ) In addition to the other fines imposed herein, costs of enforcement of $_____ plus applicable administrative cost is hereby imposed to cover all costs incurred by Polk County in enforcing those Codes and/or Ordinances.

( ) The violation(s) of _____ are irreparable or irreversible in nature and a one-time fine of $_____ (per violation), plus applicable administrative cost shall be imposed for total fine of $_____.

( ) All persons are to **cease and desist** _____ at the location stated above. **Notice: It is a violation of the Polk County Ordinance 07-058, as amended prosecuted in same manner as misdemeanors in accordance with Section §125.69, Florida Statute for any person to violate a cease-and-desist order issued by a Special Magistrate or Appellate Special Magistrate.**

( ) The violation(s) of _____ are found to present a serious threat to the public health, safety and welfare. In the event the violation(s) are not corrected by the date set forth herein, it is further ordered, that the County is hereby authorized to make all reasonable repairs which are required to bring the property into compliance. **If the violation is corrected by Polk County pursuant to this Order, the Respondent(s) shall be responsible for the costs to correct the violation(s) incurred by Polk County, all fine amounts, and for administrative costs listed herein.**

(✓) The case is continued for_____ days or until the 18th day of December 2025 scheduled at **9:00 A.M. in the County Commission Board Room located at 330 W. Church Street, Bartow FL.**

( ) The Respondent(s) **were** in violation of the listed Codes and/or Ordinances and did not come into compliance within the time given by Polk County, but are now in compliance. Future offenses of the same nature as cited in this case will be considered repeat offenses and subject to fines as such. Costs of enforcement of $_____, plus applicable administrative cost is hereby imposed to cover all costs incurred by Polk County in enforcing its Codes and/or Ordinances in this case.

( ) The case was **withdrawn** from the hearing agenda and not heard by the Special Magistrate. No further action is required by the Respondent(s). At the discretion of the Polk County and with proper notice as required in §162.12 and Ordinance 07-058, as amended, the case may be presented at a later date.

( ) The evidence did not support the violation cited and the case was dismissed with no finding of a violation.

( ) Other _____

_____

The order imposing the fine shall be recorded in the public records and thereafter shall constitute a lien against the real and personal property of Respondent(s). THE BURDEN SHALL REST UPON THE RESPONDENT(S) TO REQUEST A REINSPECTION, BY CALLING CODE ENFORCEMENT AT 863-534-6054, to determine whether the property is brought into compliance. Polk County may institute foreclosure proceedings if the lien remains unpaid for three months.

DATED this 13th day of November 2025

Tiffany Stanton Hawks

Tiffany Hawks, Special Magistrate

APPEAL PROCEDURES

Respondent(s) shall have ten (10) days from the date of the Certificate of Service below to appeal this Order by filing a Notice of Appeal detailing the reason(s) for the appeal. The Notice of Appeal must be received by the Polk County Special Magistrate Office (330 West Church Street, or Drawer CS04, P. O. Box 9005, Bartow, Florida 33831-9005) within ten (10) days of the Certificate of Service below. If an appeal is filed, you will receive written notice informing you of the date, time, and location of that hearing on that matter. If an appeal is filed and is denied by the Code Enforcement Appellate Special Magistrate, the date for compliance will continue to be that date designated in this First Offense Order.

CERTIFICATE OF SERVICE:

I certify that the foregoing was sent via U.S. mail on this 13th day of November 2025 to Respondent(s) at 106 Margaret Street, Auburndale, FL 33823-2612 and Richard Taylor McKendrick, Esq (McKendrick Law) at 206 Easton Drive, Lakeland, FL 33803-2936.

Victoria Starling

Victoria Starling, Special Magistrate Paralegal

POLK COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE
NOTICE OF VIOLATION AND NOTICE OF HEARING

Polk County,
Petitioner,
vs.

CROSSED PAWS PET RESCUE INC

Respondent(s)./

Case Number: CMA-2025-1417

Code Investigator: David Lambert

Phone #: 863-271-3835

Sent Via: Certified Mail

9589 0710 5270 1779 2724 97

Date: 07/31/2025

Owner:
CROSSED PAWS PET RESCUE INC
C/O STEFANIE N BADILLO, RA
106 MARGARET ST
AUBURNDALE, FL 33823

Violation Address: 3656 K VILLE AVE, AUBURNDALE, FL 33823 **Parcel ID#:** 252818347000003500

NOTICE IS HEREBY GIVEN OF VIOLATION(S) OF THE POLK COUNTY FLORIDA LAND DEVELOPMENT CODE (LDC) AND/OR ORDINANCE (ORD), AND/OR FLORIDA BUILDING CODE (FBC), AS FOLLOWS:

County Code	Description	Corrective Action
LDC Section 205, Table 2.1 Use Tables for Standard Land Use Districts: Standard Districts	Violating the permitted and conditional uses for the standards set forth in this Code. (The use of land listed in the Use Tables in Section 205, Chapter 4 (SAP's), or Chapter 5 (ACSC) as permitted or conditional are prohibited). **Operation of a kennel in Land Use District RS, requires a Level C-3 review from Polk County Land Development.**	Make necessary corrections to the use in accordance with this Code. Contact the Land Development Division Planner on Call at (863) 534-6084 for further information.

When contacting agencies as part of the "Required Remedy" **you must refer to the Case Number** listed in the upper right corner of this letter.

IT IS YOUR RESPONSIBILITY TO CALL YOUR INVESTIGATOR David Lambert AT 863-271-3835 AND REQUEST A RE-INSPECTION. If the above described violation(s) is corrected and then recurs or the above described violation(s) is not corrected by the date shown (in red), the case shall be presented to the Special Magistrate as stated below even if the violations(s) has been corrected prior to the Special Magistrate hearing, AND PROSECUTION FEES SHALL BE ASSESSED AGAINST YOU AT THAT TIME.

The violations must be corrected by 08/21/2025. It shall be the violator's responsibility to contact the Code Enforcement Office after the violation(s) are corrected.

If the violation is corrected and then recurs after the hearing date stated below, upon notifying you of the recurrence of the violation and hearing date, the case shall be presented to the Special Magistrate, without any additional time to correct the violation AND COST OF PROSECUTION SHALL BE ASSESSED AGAINST YOU AT THAT TIME. In those instances where the violation is corrected and then recurs within five (5) years on any property owned or occupied by the alleged violator, the County shall be entitled to recover all costs reasonably and necessarily incurred by the County for the original violation and recurrence of the violation, including without limitation, all vendor, administrative, and operating costs, and such costs shall be imposed against the violator at a hearing in which notice has been sent to the violator even if the violation is corrected prior to the hearing.

PLEASE TAKE NOTICE that a Hearing will be conducted by the Special Magistrate in the above styled cause at 8:30 a.m. on **10/16/2025**, in the Commissioner's Board Room at the Polk County Administration Building, 330 W. Church Street, Bartow, Florida. The Special Magistrate will receive testimony and evidence pertaining to the matters alleged in this Notice of Violation. Your failure to appear may result in a judgment being entered against you.

In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the Polk County Board of County Commissioners, Equal Opportunity Administrator, 330 West Church Street, Bartow, Florida, 33830, (863)534-6075 at least four (4) days prior to the hearing or immediately upon receiving this notification if the time before the scheduled hearing is less than four (4) days. If hearing impaired call: (TDD) (863)534-7777 or 1-800-955-8771, or voice impaired call: 1-800-955-8770, via Florida Relay Service.

***If you will be represented by a Florida-licensed attorney, then the attorney shall file a notice of appearance with the magistrate's clerical staff.**

***If you will be represented by someone other than a Florida-licensed attorney, then you must prepare a notarized statement that authorizes such person to speak as a representative and file the statement with the magistrate's clerical staff.**

PLEASE GOVERN YOURSELF ACCORDINGLY.



_____

David Lambert, Code Investigator 863-271-3835 Signature of Person Served, Owner/Occupant Date

In accordance with the Americans with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the Board of County Commissioners, Public Information Office, at 330 West Church Street, First Floor, Bartow or call (863) 534-6090 no later than four (4) days prior to the proceeding. If hearing impaired call (TDD) (863) 534-7777 or 1-800-955-8771. If voice impaired call 1-800-955-8770, via Florida Relay Service.



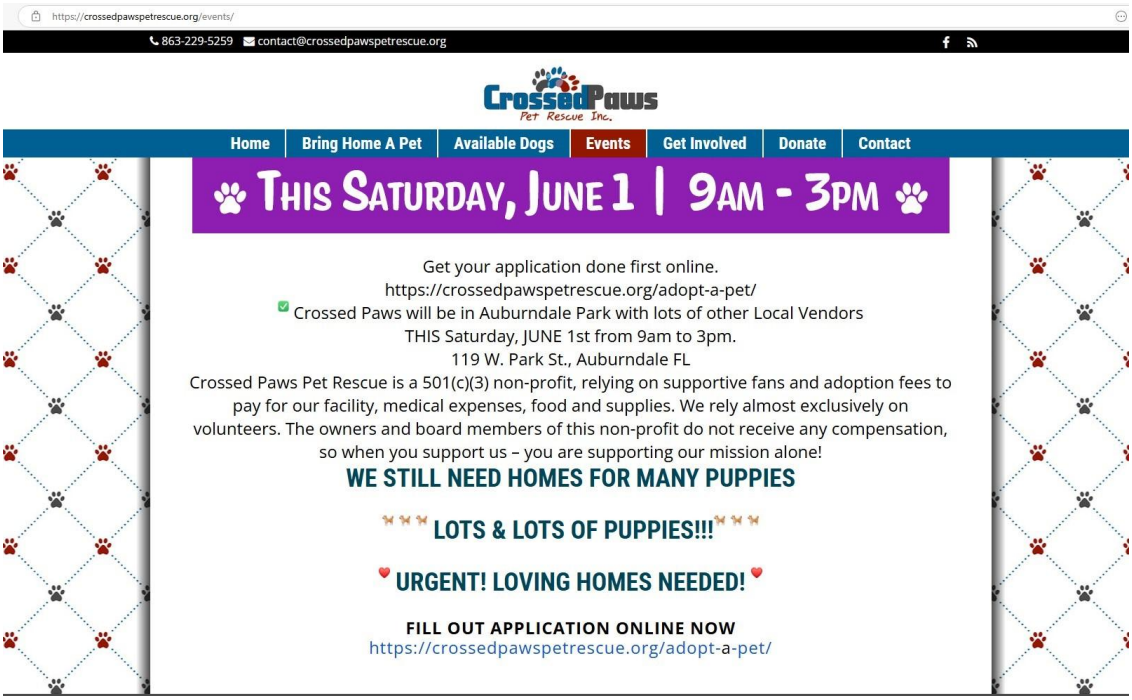
Inspection photos 03/18/2025



Inspection photos 03/18/2025



Inspection photos 03/18/2025



Crossed Paws Event flyer



Inspection photos 04/11/2025



Inspection photos 04/11/2025



Inspection photos 04/11/2025



Inspection photos 05/06/2025



Inspection photos 05/06/2025



Inspection photos 05/06/2025



Inspection photos 07/15/2025



Inspection photos 07/15/2025



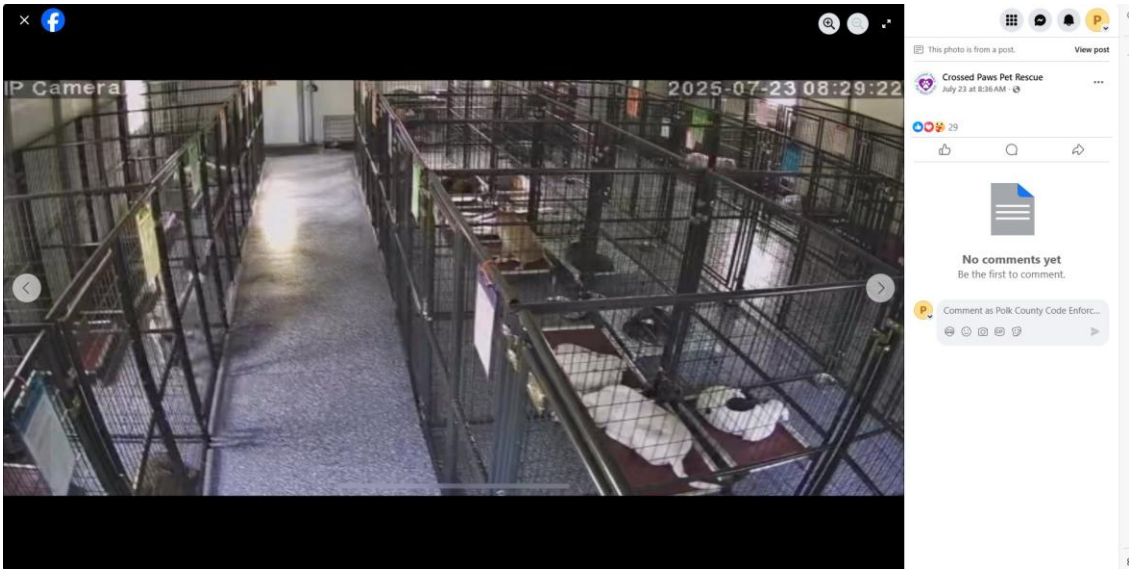
Inspection photos 07/15/2025



Inspection photos 07/15/2025



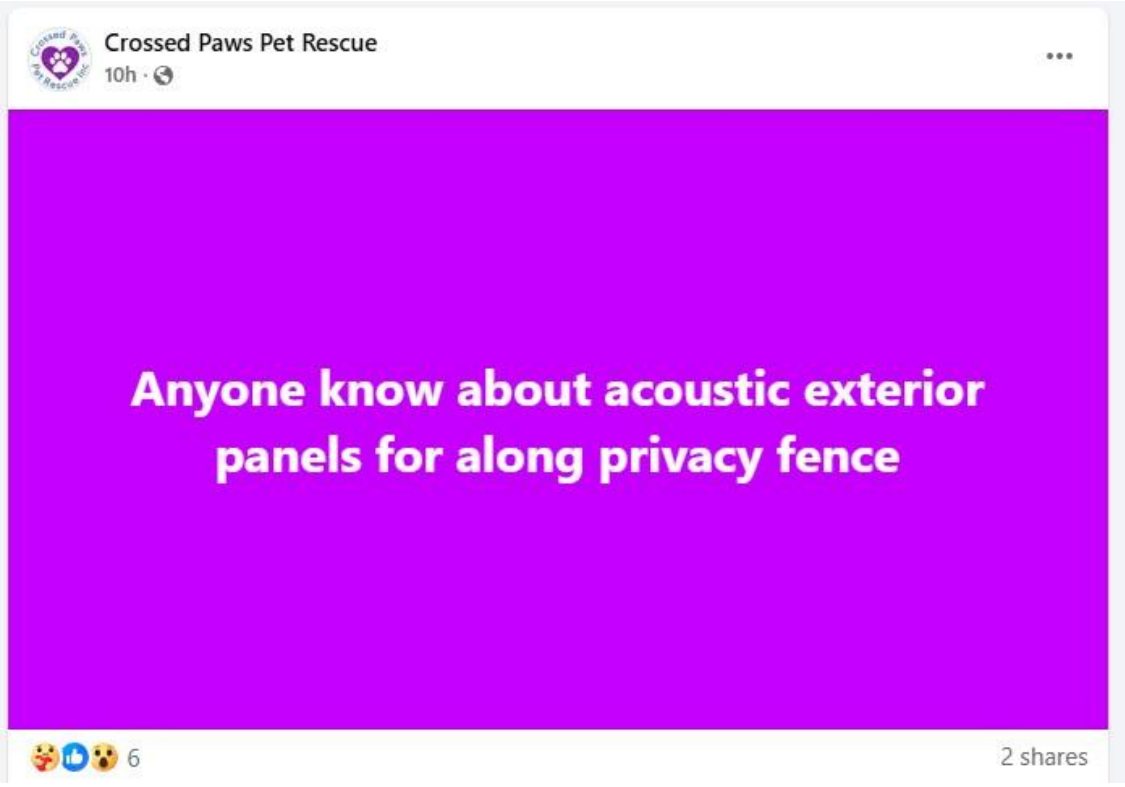
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Inspection photos 07/31/2025



Inspection photos 07/31/2025



Inspection photos 07/31/2025



Inspection photos 07/31/2025



Inspection photos 07/31/2025



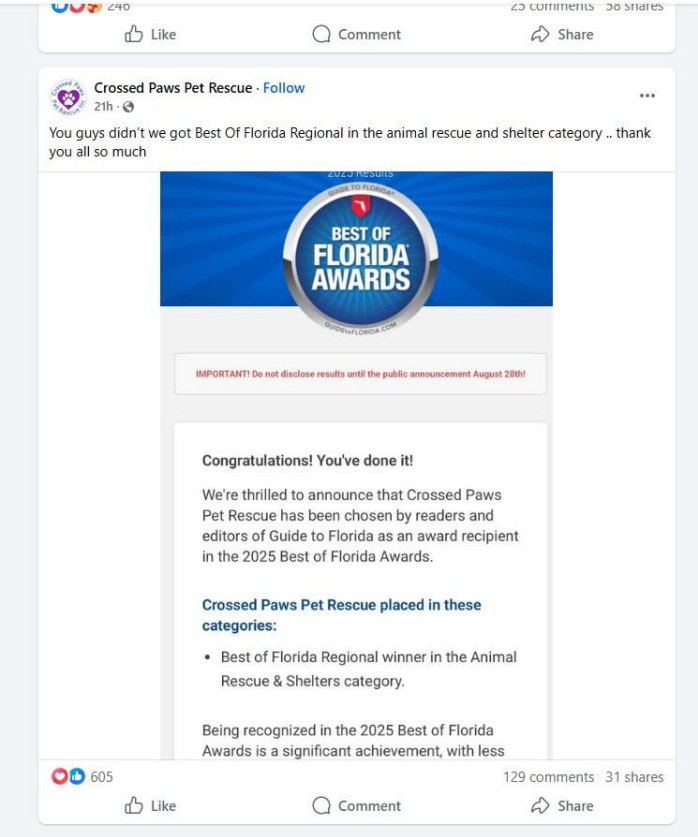
Inspection photos 07/31/2025



Inspection photos 08/22/2025



Inspection photos 08/22/2025



Crossed Paws 2025 Award



Inspection photos 09/22/2025



Inspection photos 09/22/2025



Inspection photos 09/22/2025



Inspection photos 09/22/2025



Inspection photos 02/18/2026



Inspection photos 02/18/2026



Inspection photos 02/18/2026



Inspection photos 02/18/2026



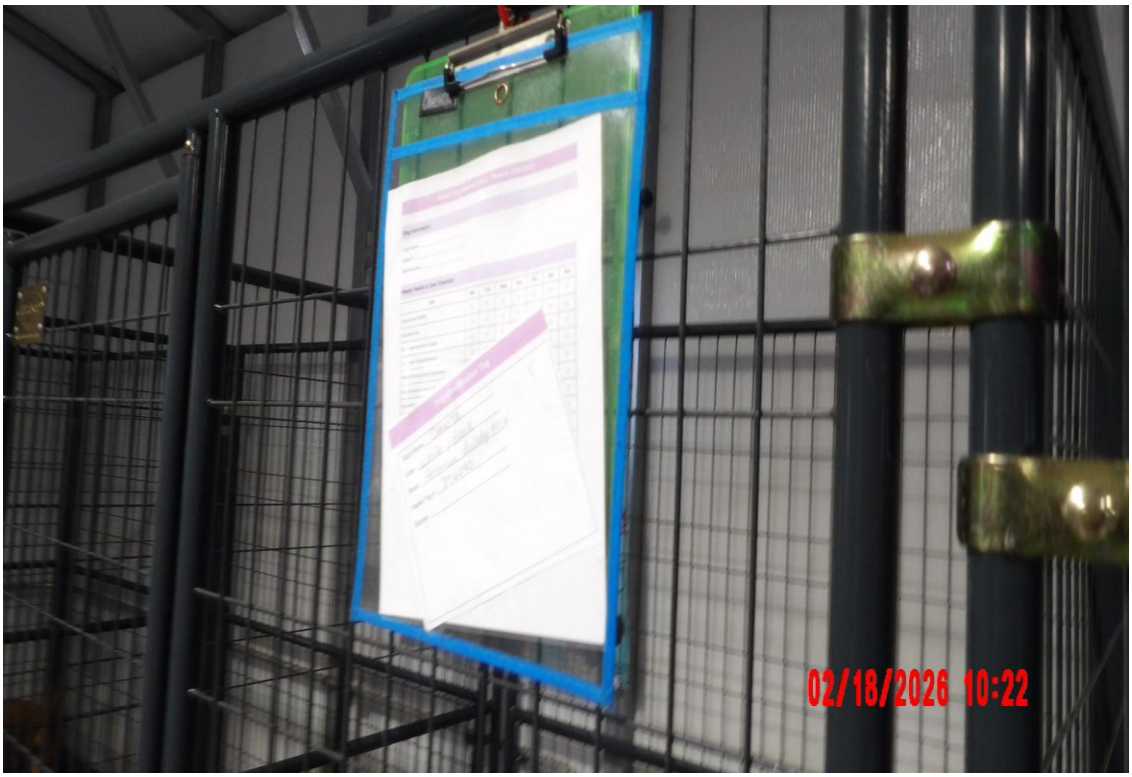
Inspection photos 02/18/2026



Inspection photos 02/18/2026



Inspection photos 02/18/2026



Inspection photos 02/18/2026



Inspection photos 02/18/2026



Inspection photos 02/18/2026



Inspection photos 04/06/2026



Inspection photos 04/06/2026

Tucker, Tanya

From: Tucker, Tanya
Sent: Tuesday, March 18, 2025 11:34 AM
To: Suggs, Kay; Fenton, Autumn; Ford, Danielle; Long, Tonya; Phillips , Jessica; Woodard, Kimberly
Cc: Braswell, Bill; Craver, Stacy; Halman, Joe; Lambert, David
Subject: RE: CE Complaint - 3656 K Ville Ave, Auburndale

Good morning Kay,
CEC-2025-834 has already been generated for this complaint. This case is assigned to investigator Lambert.

Respectfully,

Tanya L. Tucker, CPM

Polk County Board of County Commissioners

Code Enforcement Support & Demolition Manager | Code Enforcement Division | Public Safety Group

Mailing: P. O. Box 9005/Drawer CS03, Bartow, FL 33831-9005

Physical: 330 W. Church Street, Bartow, FL 33830

Office Phone (863)534-6472 Fax (863)534-6073

E-mail: TanyaTucker@polk-county.net ; Web: www.polk-county.net

---

From: Suggs, Kay <KaySuggs@polk-county.net>
Sent: Tuesday, March 18, 2025 11:27 AM
To: Fenton, Autumn <autumnfenton@polk-county.net>; Ford, Danielle <DanielleFord@polk-county.net>; Long, Tonya <TonyaLong@polk-county.net>; Phillips , Jessica <JessicaPhillips@polk-county.net>; Tucker, Tanya <tanyatucker@polk-county.net>; Woodard, Kimberly <kimberlywoodard@polk-county.net>
Cc: Braswell, Bill <BillBraswell@polk-county.net>; Craver, Stacy <StacyCraver@polk-county.net>; Halman, Joe <JoeHalman@polk-county.net>
Subject: CE Complaint - 3656 K Ville Ave, Auburndale

Good morning all,

On behalf of Commissioner Braswell, please open a case for the property at 3656 K Ville Ave, Auburndale (Parcel Details: 25-28-18-347000-003500). He said there are about 50 kennels with dogs yapping constantly.

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
Phone: 863-534-6450; 863-534-6434; 863-534-6050
KaySuggs@polk-county.net www.polk-county.net

CMA-2025-1417 - Codes

Menu Save Reset Cancel Help

Contact Type (•) Individual ( ) Organization

Type *
Complainant

Primary
Yes

Reference Contact ID

Notes

check spelling

First Name *
Garry

Middle Name

Last Name *
Bozeman

Required Day Contact Phone ((XXX)XXX-XXXX)
(863) 412-3700

Mobile Phone ((XXX)XXX-XXXX)

Organization Name

Business Phone ((XXX)XXX-XXXX)

E-mail

Business Name

Address Line 1 *
3636 Kville Ave

City *
Auburndale

State *
FL

Zip Code *
33823

ADDITIONAL OWNER INFORMATION

Additional Information

check spelling

CERTIFICATION NUMBER Add Delete

[ ] Certified Mail No. Date of Notice

Contact Address

New Look Up Remove Deactivate

CMA-2025-1417

Contact Address ID	Address Type	Address Line 1	City	State	Zip	Primary	Recipient	Status	Start Date	End Date

0 record(s) found.

CMA-2025-1417 - Codes

Menu Save Reset Cancel Help

Contact Type (•) Individual ( ) Organization

Type *
Attorney

Primary
No

Reference Contact ID

Notes

check spelling

First Name *
RICHARD

Middle Name
TAYLOR

Last Name *
MCKENDRICK

Required Day Contact Phone ((XXX)XXX-XXXX)
(863) 688-3000

Mobile Phone ((XXX)XXX-XXXX)

Organization Name

Business Phone ((XXX)XXX-XXXX)

E-mail
mckendricklaw@gmail.com

Business Name
MCKENDRICK LAW

Address Line 1 *
206 EASTON DRIVE

City *
LAKELAND

State *
FL

Zip Code *
33803-2936

ADDITIONAL OWNER INFORMATION

Additional Information

check spelling

CERTIFICATION NUMBER Add Delete

[ ] Certified Mail No. Date of Notice

Contact Address

New Look Up Remove Deactivate

CMA-2025-1417

Contact Address ID	Address Type	Address Line 1	City	State	Zip	Primary	Recipient	Status	Start Date	End Date

0 record(s) found.

Florida's Crossroads of Opportunity

Board of County Commissioners

330 West Church Street
PO Box 9005 • Drawer CS03
Bartow, Florida 33831-9005

PHONE: 863-534-6054
FAX: 863-534-6073
www.polk-county.net

POLK COUNTY

CODE ENFORCEMENT

March 28, 2025

Crossed Paws Pet Rescue
3656 KVille Avenue
Auburndale, FL 33823

RE: CEC-2025-834

To Whom It May Concern:

Our Code Enforcement Office has received complaints regarding the use of this property for kennels, boarding and breeding. The Land Use designation for this property is RS (Residential Suburban), which is defined as follows:

The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities.

Because this property is residentially zoned, you would not be permitted to operate a kennel or boarding and breeding facility without a Level 3 review. Please contact the Planner-On-Call (planneroncall@polk-county.net or 863-534-6084) to inquire further about what options may exist.

At this time, any events or business held at this location will be a violation of the Land Development code. If you have any questions, please contact Investigator David Lambert at (863) 271-3835.

Sincerely,

David Lambert
Certified Code Investigator

Fenton, Autumn

From: Ziskal, Benjamin
Sent: Thursday, March 6, 2025 11:12 AM
To: Suggs, Kay; McKean, Kayla
Cc: Braswell, Bill; Dunn, Benjamin; Fenton, Autumn
Subject: RE: 3656 K Ville Ave, Auburndale

Kay,

This property was purchased by Crossed Paws Pet Rescue, Inc in December 2024.

The property has a Residential Suburban (RS) land use designation. The operation of a pet rescue constitutes a "Kennels, Boarding and Breeding" use in the Land Development Code. That use is a Conditional Use Level 3 (C-3) requiring Planning Commission approval in an RS district, which has not occurred.

As a C3 use, while there are no specific limitations on the number of dogs/kennels, there are conditions related to setbacks, buffering and noise/odor controls in Section 303 of the Land Development Code.

Kennels, Boarding and Breeding (Revised 01/30/03 - Ord. 03-14)
In addition to the applicable district regulations in Table 2.2, the following standards shall apply:
1. All new structures shall be a minimum of 50 feet from any side or rear property boundary line.
2. At a minimum, a visual buffer equal to a Type C buffer (see Section 720) shall be provided between all new facilities and adjacent residential properties and public roads.
3. All kennel sites shall be, at a minimum, 40,000 square feet (0.92 acres).
4. All dogs more than four months of age shall be kept in pens designed and maintained for secure confinement. All sanitary facilities shall be approved by the health department. Kennels shall minimize adverse noise or odor impacts detectable off-site. Such features shall be noted on the site plan.

With this info, I have cc'd Autumn on this response so her team can make contact with the property owner and advise them of these requirements and the need for Planning Commission approval.

Ben Z

Benjamin J. Ziskal, AICP, CEcD
Director | Land Development Division
Polk County Board of County Commissioners
330 W. Church Street | 863-534-6473 | 863-534-6407 (fax)
P.O. Box 9005, Drawer GM03 | Bartow, FL 33831-9005
BenjaminZiskal@polk-county.net

POLK COUNTY

Land Development –

KENNEL, BREEDING: Land or structures where any number of animals that are not personal pets of the property owner are kept for the purpose of sale, rental, breeding, hire as guard animals on other property, or other commercial purposes. A breeding kennel shall not include pet stores or commercial kennels used for boarding purposes only.

KENNEL, BOARDING: A commercial establishment where any number of personal pets (typically dogs and cats) are kept for boarding or lodging purposes for a fee. Pet grooming may be provided as an accessory use.

Webster Dictionary –

KENNEL – an establishment for the breeding or boarding of dogs or cats

Crossed Paws Pet Rescue

2720 Havendale Blvd NW, Winter Haven, FL 33881 · 11 mi

(863) 229-5259

CMA-2025-1417 - Codes

Save Add Delete CSV Export Help

Table Subgroup MAGISTRATE | Filter table...

	Magistrate Violation Type *	Violation Sub-Type *	Magistrate Violation *	Description(Text Area)	Corrective Action Comments(Text Area)	Status *	Disposition
☐	LDC Violations	LDC Chapter 2 – Land Use Dis	Use Tables for Standard Land	Operation of a kennel in Land Use District RS, requires a Level C-3 review from Polk County Land Development.		Open	--Select--
				check spelling	check spelling		

Prepared By and Return To:
Kimberly Grooms
United Title Group of Lakeland, LLC
2000 E. Edgewood Dr., Suite # 107
Lakeland, FL 33803
File # 3656 KVILLE

INSTR # 2024277611
BK 13359 Pgs 1743-1744 PG(s)2
12/09/2024 09:47:51 AM
STACY M. BUTTERFIELD,
CLERK OF COURT POLK COUNTY
RECORDING FEES 18.50
DEED DOC 1,050.00

Property Appraiser's ID #: 252818-347000-003500

WARRANTY DEED

This Warranty Deed is executed this 2 **day of December, 2024**, by **Robert Mitchell Paulk and Ashley Paulk, his wife,** whose post office address is 2260 Eastmeadows Rd, Lakeland, FL 33812, **("Grantor")** to **CROSSED PAWS PET RESCUE INC, a Florida Not for Profit Corporation**, whose post office address is 106 Margaret St, Auburndale, FL 33823 **("Grantee")**

"Grantor" and "Grantee" are used for singular or plural, as context requires.

Witnesseth, that Grantor, for the sum of $10 and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the following described property:

Lot 35-F, Kossuthville Florida Townsite and Farm Unit No. 1, according to the map or plat thereof, as recorded in Plat Book 17, Page(s) 50, of the Public Records of Polk County, Florida.

More commonly known as: **3656 K-ville Ave, Auburndale, FL 33823**

This conveyance is subject to easements, restrictions, reservations, and limitations of record, if any, **and 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, Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby fully warrants the title to said land; and that Grantor will defend the same against the lawful claims of all persons whomever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2024.

In Witness Whereof, Grantor has signed and sealed these presents the day and year above written.

[signature page(s) to follow]

Signed, sealed and delivered in the presence of:

Signature of Witness 1

Eleonora M Valdes

Print Name of Witness 1
Address of Witness 1:
2000 E Edgewood Dr, #107, Lakeland, FL 33803

Robert Mitchell Paulk

Ashley Paulk

Signature of Witness 2

Erin K Chartier

Print Name of Witness 2
Address of Witness 2:
2000 E Edgewood Dr, #107, Lakeland, FL 33803

State of FLORIDA
County of Polk

The foregoing instrument was acknowledged before me by means of ✓ physical presence or ___ online notarization, this 2 day of Decembe4r, 2024 by **Robert Mitchell Paulk and Ashley Paulk,** who is/are personally known to me or who has produced FL D/L as identification.

(SEAL)

ELEONORA MICHELLE VALDES
Commission # HH 488676
Expires April 16, 2028

Notary Public
My Commission Expires: April 16, 2028

Stacy M. Butterfield POLK
CFN# 2024277611 OR BK 13359 PG 1744 Pgs 1743-1744 12/09/2024 09:47:51 AM

SENDER: *COMPLETE THIS SECTION*

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CMA-2025-1417 (DL) SM 10/16
CROSSED PAWS PET RESCUE INC
C/O STEFANIE N BADILLO, RA
106 MARGARET ST
AUBURNDALE, FL 33823

9589 0710 5270 1779 2724 97

2. Article Number *(Transfer from service label)*
9589 0710 5270 1779 2724 97

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X James Ford ☐ Agent ☐ Addressee

B. Received by *(Printed Name)* C. Date of Delivery
X James Ford 8-4-25

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

RECEIVED
AUG 11 2025
POLK COUNTY
CODE ENFORCEMENT

3. Service Type
- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☐ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

Mail
Mail Restricted Delivery
00)

PS Form 3811, July 2020 PSN 7530-02-000-9053 Domestic Return Receipt

1002

CMA-2025-1417 - Codes

Menu | Manage Inspection | Delete | Search | Select Record To Copy From | Edit Flow | View Log | Help

(•) "Record Inspections" ( ) Related Records Inspections

Department	Sched Date	Inspection Type	Status	Insp Date	Inspector	Result Comment	Request Comment	Required/Optional	Record ID	I
Code...	06/30/2026	Prehearing ReInspection	Scheduled		David Lambert			Optional	REC25-00000-00VD2	6
Code...	04/06/2026	Prehearing ReInspection	Violation Remains	04/06/2026	David Lambert			Optional	REC25-00000-00VD2	6
Code...	02/18/2026	Inspection	Monitoring	02/18/2026	David Lambert			Optional	REC25-00000-00VD2	6
Code...	09/08/2025	Prehearing ReInspection	Violation Remains	09/22/2025	David Lambert			Optional	REC25-00000-00VD2	6
Code...	08/22/2025	Re-Inspection	Violation Remains	08/22/2025	David Lambert	COE		Optional	REC25-00000-00VD2	6
Code...	07/31/2025	Post Property	Posted Property	07/31/2025	David Lambert	COE		Optional	REC25-00000-00VD2	6

Parcel Details: 25-28-18-347000-003500

Owners *Recently purchased this property? Click here.*

CROSSED PAWS PET RESCUE INC 100%

Mailing Address *(Address Change form)*

106 MARGARET ST
AUBURNDALE FL 33823-2612

Physical Street Address *Why postal city and municipality? Click here.*

3656 K VILLE AVE

Postal City and Zip

AUBURNDALE FL 33823

Parcel Information

Municipality	**Unincorporated Polk County (Code: 90000)**
Neighborhood	**330165.00** Search Recent Sales in this Neighborhood
Subdivision	**KOSSUTHVILLE SUB UNIT NO 1 PB 17 PG 50**
Property (DOR) Use Code	**Multiple Residences SFR & MH (Code: 0803)**
Acreage	**4.63**
Community Redevelopment Area	**NOT IN CRA**

Property Desc

DISCLAIMER: The property description provided is a summary of the original legal description and should not be used for conveying property, as it may render the deed invalid.

Area Map



Recorded Plat

Recorded Plat for this parcel

Section Maps for 252818

HTML (opens in new tab)
Printable PDF

Sales History

Important Notice: If you wish to obtain a copy of a deed for this parcel, click on the blue OR Book/Page number. If the Book/Page number does not have a blue link or if the document is restricted, it may not be available online. Please contact the Polk County Clerk Indexing Department at 863-534-4516. If the Type Inst is an "R", please contact the Property Appraiser at 863-534-4765 to order "R" type instruments.

OR Book/Page	Date	Type Inst	Vacant/ Improved	Grantee	Sales Price
13359/01743	12/2024	W	I	CROSSED PAWS PET RESCUE INC	$150,000
13123/02054	05/2024	Q	I	PAULK ROBERT MITCHELL	$1

13055/01724	07/2018	Q	I	CHERRY CHRISTINA NICHOLE	$100
13055/01725	07/2018	Q	I	CHERRY CHRISTINA NICHOLE	$100
13055/01723	06/2018	Q	I	CHERRY CHRISTINA NICHOLE	$100
13123/02055	09/2017	M	I	PAULK ROBERT MITCHELL	$100
3621/1265	08/1995	W	I	SCHRITTER RITA COX	$38,000
2543/1189	06/1987	W	I		$100
2274/0433	08/1984	Q	E		$100

Exemptions

Note: The drop down menus below provide information on the amount of exemption applied to each taxing district. The HX—first $25,000 homestead exemption may be allocated to one or more owners. The HB second amended homestead exemption reflects the name of the first owner only.

Code	Bld. #	Description	% Ownership	Renew Cd	Year	Name	Note	Value

Buildings

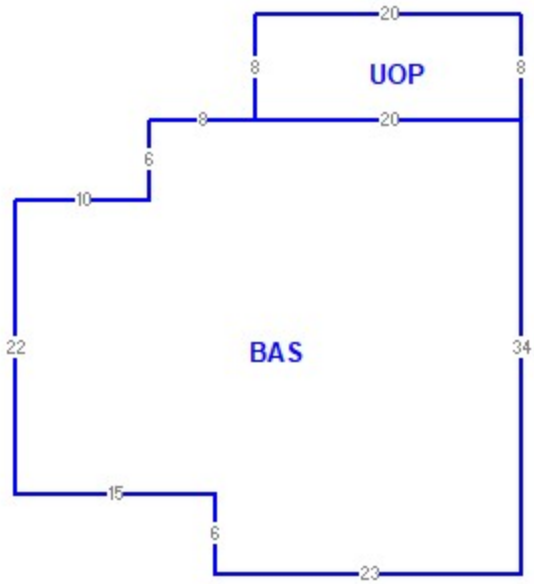
BUILDING 1 (SF - Single Family)

Building Characteristics

3656 K VILLE AVE

Living Area: 1,142 sqft
Total Under Roof: 1,302 sqft
Actual Year Built: 1923
Building Value: $75,602

Element	Units	Information
BEDROOM	2	
FULL BATH	1	
HALF BATH	0	
FIREPLACE	N	
CNTRL HEATING / AC	N	
STYLE		SINGLE FAMILY
UNITS		1 UNIT
STORY HEIGHT INFO ONLY		1 STORY FOR INFO ONLY
SUBSTRUCT		PIERS
FRAME / CONST TYPE		WOOD FRAME
EXTERIOR WALL		SHINGLE
ROOF STRUCTURE		GABLE



View Larger: Double - Quadruple
Effective Year: 1923

Building Subareas

Code/Description	Heated	Total
BASE AREA	Y	1,142
UOP UNFIN. OPEN PORCH		160
Total Under Roof		**1,302 SQ FT**
Total Living Area		**1,142 SQ FT**

BUILDING 2 (MH - Mobile Home/Manufactured Home)

Building Characteristics

3652 K VILLE AVE

Living Area: 1,120 sqft
Total Under Roof: 1,120 sqft
Actual Year Built: 1997

1005

Building Value: $49,572

Element	Units	Information
EXTERIOR WALL		NONE
UNITS		1 UNIT

View Larger: Double - Quadruple
Effective Year: 1997

Extra Features (Current)

LN	Code	Description	BLD	Length	Width	Units	Year Built
1	GAR	GARAGE DETACHED	1	18	14	252	1952

PERMITS

Please contact the appropriate permit issuing agency to obtain information. This property is located in the **Unincorporated Polk County** taxing district.

Land Lines

LN	Land Description	Ag/GreenBelt	Land Unit Type	Front	Depth	Units
1	* RESIDENTIAL	N	ACREAGE	0	0	4.63

* For Zoning/Future Land Use contact Polk County or the Municipality the parcel is located in.

NOTICE: All information ABOVE this notice is current (as of Wednesday, July 30, 2025 at 2:09:24 AM). All information BELOW this notice is from the 2024 Tax Roll, except where otherwise noted.

Value Summary (2024)

Desc	Value
LAND VALUE	$60,933
BUILDING VALUE	$130,628
EXTRA FEATURES VALUE	$4,430
JUST MARKET VALUE	$195,991
AG CLASSIFIED LAND VALUE	$0
AGRICULTURE CLASSIFICATION SAVINGS	$0
*HOMESTEAD CAP AND SOH PORTABILITY SAVINGS	$96,468
ASSESSED VALUE	$99,523
EXEMPTION VALUE (COUNTY)	$0
TAXABLE VALUE (COUNTY)	$99,5

*This property contains a Non Homestead Cap with a differential of $96,468.

Values by District (2024)

District Description	Just Market Value	Assessed Value	Exemption	Final Tax Savings	Taxable Value	Final Tax Rate	Final Taxes
BOARD OF COUNTY COMMISSIONERS	$195,991	$99,523	$0	$0.00	$99,523	6.634800	$660.32
POLK COUNTY PARKS MSTU	$195,991	$99,523	$0	$0.00	$99,523	0.528600	$52.61
POLK COUNTY LIBRARY MSTU	$195,991	$99,523	$0	$0.00	$99,523	0.198500	$19.76
POLK COUNTY STORMWATER MSTU	$195,991	$99,523	$0	$0.00	$99,523	0.094100	$9.37
POLK COUNTY SCHOOL BOARD - STATE	$195,991	$195,991	$0	$0.00	$195,991	3.048000	$597.38
POLK COUNTY SCHOOL BOARD - LOCAL	$195,991	$195,991	$0	$0.00	$195,991	2.248000	$440.59
SOUTHWEST FLA WATER MGMT DIST	$195,991	$99,523	$0	$0.00	$99,523	0.190900	$19.00
				Tax Savings:	**$0.00**	**Total Taxes:**	**$1,799.03**

Non-Ad Valorem Assessments (2024)

LN	Code	Desc	Units	Rate	Assessment
1	SW001	POLK SOLID WASTE-COLLECTION	2.00	264.21	$528.42
2	SW002	POLK SOLID WASTE-DISPOSAL	2.00	73.00	$146.00
3	FI000	POLK COUNTY FIRE SERVICES	1.00	281.00	$281.00
4	FI000	POLK COUNTY FIRE SERVICES	1.00	281.00	$281.00
5	FI000	POLK COUNTY FIRE SERVICES	1.00	16.00	$16.00
Total Assessments					**$1,252.42**

Taxes

Desc	Last Year (2023)	2024 Final
Taxing District	UNINCORP/SWFWMD (Code: 90000)	UNINCORP/SWFWMD (Code: 90000)
Millage Rate	13.1187	12.94
Ad Valorem Assessments	$1,572.77	$1,799.03

Non-Ad Valorem Assessments	$964.00	$1,252.42
Total Taxes	**$2,536.77**	**$3,051.45**

Your final tax bill may contain Non-Ad Valorem assessments which may not be reflected on this page, such as assessments for roads, drainage, garbage, fire, lighting, water, sewer, or other governmental services and facilities which may be levied by your county, city or any other special district. Visit the Polk County Tax Collector's site for Tax Bill information related to this account. Use the Property Tax Estimator to estimate taxes for this account.

Prior Year Final Values

The Final Tax Roll is the 1st certification of the tax rolls by the Value Adjustment Board, per Florida Statute 193.122(2), F.S. This is the date all taxable property and tax rolls are certified for collection to the Tax Collector. Corrections made after this date are not reflected in the Final Tax Roll Values.

DESCRIPTION	2023	2022	2021	2020
LAND VALUE	$31,711.00	$27,811.00	$25,861.00	$25,081.00
BUILDING VALUE	$125,685.00	$112,305.00	$47,709.00	$42,366.00
EXTRA FEATURES VALUE	$4,430.00	$4,430.00	$4,430.00	$4,430.00
JUST MARKET VALUE	$161,826.00	$144,546.00	$78,000.00	$71,877.00
HOMESTEAD CAP AND SOH PORTABILITY SAVINGS	$71,351.00	$62,296.00	$3,227.00	$3,902.00
ASSESSED VALUE	$90,475.00	$82,250.00	$74,773.00	$67,975.00
EXEMPTION VALUE (COUNTY)	$0.00	$0.00	$0.00	$0.00
TAXABLE VALUE (COUNTY)	$90,475.00	$82,250.00	$74,773.00	$67,975.00

DISCLAIMER:
The Polk County Property Appraiser makes no representations or warranties regarding the completeness and accuracy of the data herein, its use or interpretation, the fee or beneficial/equitable title ownership or encumbrances of the property, and assumes no liability associated with its use or misuse. See the posted Site Notice.

Last Updated: Wednesday, July 30, 2025 at 2:09:24 AM

CMA-2025-1417 - Codes

Menu | List View | Clone Sgl | Clone Mult | Update Related Records | Search | Look Up | Create a Set | Delete | Help

Sort By: Create Date

Filter

- CEC-2025-834;Complaint [Enforcement,Complaint,NA,NA] ;Violation Case Generated;Codes;3656 K VILLE AVE, AUBURNDALE, FL 33823;
- CMA-2025-1417;Magistrate Violation [Enforcement,Magistrate Violation,NA,NA] ;Magistrate Hearing Pending;Codes;3656 K VILLE AVE, AUBURNDALE, FL 33823;

Showing 1 to 2 of 2

- «
- 1
- »

10

Polk County
Board of County Commissioners
Code Enforcement Division

I Garry Bozeman, the owner, agent or occupant of premises at 362 K-Ville Ave, do hereby consent to the inspection of said premises by Code Investigator Davis Comfort, of the Code Enforcement Division of Polk County, without any further notice.

Dated this day of 20

Time: A.M/P.M.

Signature of Owner, Agent or Occupant

Code Investigator

863-412-3700
Phone Number

REMARKS:

POLK COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

Polk County,

Petitioner,

vs.

CROSSED PAWS PET RESCUE INC

Respondent(s)./

Case Number: CMA-2025-1417

AFFIDAVIT OF MAILING

STATE OF FLORIDA
POLK COUNTY

BEFORE ME, the undersigned authority personally appeared, Nicole Vega, who, after being duly sworn, did state as follows:

1. My name is Nicole Vega. I am over the age of eighteen (18) and I make this Affidavit based upon personal knowledge.
2. I am a Code Specialist for the Polk County Code Enforcement Unit.
3. On 07/31/2025, I, mailed the original Notice of Violation/Notice of Hearing (NOV/NOH) issued in this matter. A copy of the NOV/NOH is attached hereto and by reference made part hereof.
4. I mailed the NOV/NOH to the above named respondents by certified mail with article number 9589 0710 5270 1779 2724 97.
5. I sent the notice to the following address which was on record with the Polk County Property Appraiser's Office at the time of the violation 106 MARGARET ST, AUBURNDALE, FL 33823.

Signature of Staff

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 31st day of July, 2025, by Nicole Vega, who ☒ is personally known to me or ☐ has produced _____ as identification.

(AFFIX NOTARY SEAL)

Bilynda J Chandler
Notary Public
Print Name Bilynda J Chandler

My Commission Expires 10/09/2025

BILYNDA J. CHANDLER
Notary Public-State of Florida
Commission # HH 151886
My Commission Expires
October 09, 2025

POLK COUNTY, FLORIDA
CODE ENFORCEMENT SPECIAL MAGISTRATE

Polk County,

Petitioner,

vs.

CROSSED PAWS PET RESCUE INC

Respondent(s)./

Case Number: CMA-2025-1417

AFFIDAVIT OF POSTING

STATE OF FLORIDA
POLK COUNTY

BEFORE ME, the undersigned authority personally appeared, David Lambert, Code Enforcement Investigator, who, after being duly sworn, did state as follows:

1. On 07/31/2025, I, David Lambert, posted a copy of the attached notice at the following described property: 3656 K VILLE AVE, AUBURNDALE, FL 33823.

2. On 07/31/2025, I, Nicole Vega, posted a copy of the attached notice in the lobby of the Polk County Administration Building, and mailed a copy of the same by certified mail to the Respondent's last known address.

3. Said notice is for the Special Magistrate Hearing on 10/16/2025 at 8:30 a.m.

Signature of Staff (Statement 1)

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 31st day of July, 2025, by David Lambert, who ☒ is personally known to me or ☐ has produced _____ as identification.

Notary Public
Print Name Nicole Vega
My Commission Expires 6/26/26

(AFFIX NOTARY SEAL)

NICOLE VEGA
Notary Public, State of Florida
My comm. expires June 26, 2026
Commission Number HH 280552

Signature of Staff (Statement 2)

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 31st day of July, 2025, by Nicole Vega, who ☒ is personally known to me or ☐ has produced _____ as identification.

Notary Public
Print Name Bilynda J Chandler
My Commission Expires 10/09/2025

(AFFIX NOTARY SEAL)

BILYNDA J. CHANDLER
Notary Public-State of Florida
Commission # HH 151886
My Commission Expires
October 09, 2025

Florida's Crossroads of Opportunity

Board of County Commissioners

330 West Church Street
PO Box 9005 • Drawer CS03
Bartow, Florida 33831-9005

POLK COUNTY
CODE ENFORCEMENT

PHONE: 863-534-6054
FAX: 863-534-6073
www.polk-county.net

Administrative Cost of Enforcement
AFFIDAVIT

Date: 10/13/2025
Case # CMA-2025-1417
Property Address: 3656 K-ville Ave Auburndale, Florida 33823
Parcel ID # 252818347000003500

I, David Lambert, Code Investigator with Polk County Code Enforcement, do hereby certify that I have reviewed the record and that based on the record, the below costs accurately reflect the administrative costs incurred by Polk County in processing the above identified case.

Number		Total
4	Trips after 10/1/21 @ $54.00/per trip	$216.00
1	Certified mail after 1/19/25 @ $9.64	$9.64
	Regular mail after 1/19/25 @ $.69	$0.00
	Registered after 1/19/2054 @ $29.50	$0.00
	Registered mail b/t 1/24/2024 tp 1/18/25 @ $26.55	$0.00
	Certified mail b/t 01/24/2024 to 1/18/25 @ $8.73	$0.00
	Regular mail b/t 1/24/2024 to 1/18/2025 @ $.68	$0.00
	Registered mail b/t 1/22/23 to 1/23/24 @ $25.80	$0.00
	Certified mail b/t 1/22/23 to 1/23/24 @ $8.10	$0.00
	Regular mail b/t 1/22/23 to 1/23/24 @ $.63	$0.00
	Trips prior to 09/30/21 @ $20.00/per trip	$0.00
	Certified mail b/t 7/11/22 to 1/21/23 @ $7.85	$0.00
	Registered mail b/t to 7/11/22 to 1/21/23 @ $24.40	$0.00
	Regular mail b/t 7/11/22 to 1/21/23 @ $.60	$0.00
	TOTAL:	**$225.64**

Signature

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notorization, this 13th day of October, 2025, by David Lambert, who ☒ is personally known to me or ☐ has produced _____ as identification.

(AFFIX NOTARY SEAL)

NICOLE VEGA
Notary Public, State of Florida
My comm. expires June 26, 2026
Commission Number HH 280552
2025_04_07

Notary Public
Print Name Nicole Vega
My Commission Expires 6/26/26

CMA-2025-1417 - Codes

Menu Reports Help

File Date: 07/24/2025

Application Status: Magistrate Hearing Pending

Description of Work:

Case Detail: Detail

Case Type: Magistrate Violation

Address: 3656 K VILLE AVE, AUBURNDALE, FL 33823

Owner Name: CROSSED PAWS PET RESCUE INC, C/O Stefanie N Badillo, RA

Application Name: Codes

Parcel No: 252818347000003500

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Garry Bozeman		Complainant		Active
RICHARD MCKENDRICK		Attorney		Active

Custom Fields: **CE_MAGISTRAT**

GENERAL

Service Rep
Nicole

Case Assign To
Lambert, David

Follow Up Date
–

Additional Information
–

Recurring Violation

Invoice Date
–

Invoice Due
–

Lien Dates
–

Lien Date
–

Appealed

Hearing Date
10/16/2025

Sent Via
Certified Mail

Certified Mail No
9589 0710 5270 1779 2724 97

Date of Notice
07/31/2025

Correction Date
08/21/2025

Inspection Date
–

Re-inspection Date
–

Delivery Date
–

Lien Hearing Date
–

Correction Days
–

FS 119 Status
–

MAGISTRATE

Repeat Violation

Magistrate Correct By Date
–

Daily Fine Fee
–

Compliance Date
–

SM Imposition Date
–

COMCATE HISTORY

Comcate Case Status
–

Program
–

Comcate Lien Type

Billing

CE_MAGISTRAT_DNAV
DigEplan Navigate

MAGISTRATE

Magistrate Violation Type	Violation Sub-Type	Magistrate Violation	Description	Corrective Action Comments	Status	Disposition
LDC Violations	LDC Chapter 2 – Land Use Districts and Regulations	Use Tables for ...	Operation of a kennel in Land Use District RS, requires a Level C-3 review from Polk County Land Development.		Open	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Case Generated	David Lambert	Continued	07/24/2025	David Lambert
Notice of Violation	Nicole Vega	Mailed	07/31/2025	Nicole Vega
Re-Inspection	David Lambert	In Violation	08/28/2025	David Lambert
Amended Nov/Noh	Nicole Vega			
Post Property	David Lambert	Posted	08/01/2025	David Lambert
File Processing	Nicole Vega	Complete	09/04/2025	Nicole Vega
Prehearing Re-Inspection	David Lambert	Magistrate H...	04/09/2026	David Lambert
Hearing Stage	David Lambert	Continue	12/22/2025	David Lambert
Admin Fees	Rhonda Culpepper			
Magistrate Re-Inspection	David Lambert			
Affidavit	Nicole Vega			
Imposition Notice	Victoria Starling			
Pre-Imposition Inspection	David Lambert			
Imposition Hearing	Victoria Starling			
Post-Imposition Inspec...	David Lambert			
Post Affidavit	Nicole Vega			
County Abatement	Tabitha Miller			
Appeal Or Imposition H...	Victoria Starling			

Condition Status:

Name	Short Comments	Status	Apply Date	Severity	Action By

Case Comments:

Date	Comment	View ID
07/24/2025	2025/03/17 CASE CREATED BY JAMILA VAUGHN	DAVI.LAMB
07/24/2025	2025/03/21 On 03/18/2025, I inspected this prop...	DAVI.LAMB
07/24/2025	2025/03/28 On 03/28/2025, I continued to monito...	DAVI.LAMB
07/24/2025	2025/03/28 Owner Stephanie @ 863-514-0131 calle...	DAVI.LAMB
07/24/2025	2025/03/31 Phone Call Received 03/31/2025: Spok...	DAVI.LAMB
07/24/2025	2025/04/04 Mary Motola came into the office tod...	DAVI.LAMB
07/24/2025	2025/04/14 On 04/11/2025, I continued to monito...	DAVI.LAMB
07/24/2025	2025/05/07 On 05/06/2025, I continued to monito...	DAVI.LAMB
07/24/2025	2025/05/12 Ronald Aranguren @ 4074888791 has qu...	DAVI.LAMB
07/24/2025	2025/07/07 MARIAN BOZEMAN @ 1*863*665*0502 call...	DAVI.LAMB
07/24/2025	2025/07/10 Phone Call Received 05/28/2025: Step...	DAVI.LAMB
07/24/2025	2025/07/10 Text Message Sent and Received 05/29...	DAVI.LAMB
07/24/2025	2025/07/14 Marian Bozeman@863-665-0502 called i...	DAVI.LAMB
07/24/2025	2025/07/24 On 07/15/2025, Supervisor Tonya Long...	DAVI.LAMB
07/24/2025	2025/07/24 Violation Case Generated - David Lam...	DAVI.LAMB
07/24/2025	Service Rep will prepare a Notice of Violation/...	DAVI.LAMB
07/30/2025	Notice drafted for review. Nicole Vega	NICO.VEGA
07/30/2025	(Certified mail x1) NOV/NOH prepared to post/ma...	NICO.VEGA
08/01/2025	On 07/31/2025, I posted this property with a No...	DAVI.LAMB
08/01/2025	Phone Call Received 08/01/2025: Mary Ann called...	DAVI.LAMB

Date	Comment	View ID
08/05/2025	AOM and AOP attached. Nicole Vega	NICO.VEGA
08/14/2025	Green card attached. Nicole Vega	NICO.VEGA
08/22/2025	GARRY BOZEMAN@863-412-3700 CALLED ABOUT THE SME...	CODETEMP
08/28/2025	Text Message Received 08/12/2025: Stephanie req...	DAVI.LAMB
08/28/2025	On 08/22/2025, I conducted a reinspection of th...	DAVI.LAMB
08/28/2025	Service Rep will prepare a Magistrate packet fo...	DAVI.LAMB
08/29/2025	08/29 Added photo the case from Facebook showin...	JESS.PHIL
09/04/2025	SM folder/packet created and documents attached...	NICO.VEGA
09/24/2025	On 09/22/2025, I conducted a Pre-hearing inspec...	DAVI.LAMB
10/14/2025	COE attached and placed in SM mailbox. Nicole Vega	NICO.VEGA
10/17/2025	ATTORNEY MAILING INFORMATION: Richard Taylor Mc...	SHAM.BABE
10/20/2025	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPOND...	SHAM.BABE
11/03/2025	Mary Ann Motola@407-414-5651 called into the of...	CODETEMP
11/04/2025	SM Hearing 10/16/2025: The SM agreed to continu...	DAVI.LAMB
11/04/2025	Phone Call Received 11/03/2025: Mary Ann called...	DAVI.LAMB
11/10/2025	Meeting with property owner and her assistant 1...	DAVI.LAMB
11/10/2025	Meeting with Randal and Tonya Long 11/10/2025: ...	DAVI.LAMB
11/10/2025	Phone Call Made 11/10/2025: Notified Mr. Everet...	DAVI.LAMB
11/19/2025	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPOND...	SHAM.BABE
12/03/2025	Meeting with Sarah Case from Next Level Plannin...	DAVI.LAMB
12/19/2025	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPOND...	SHAM.BABE
12/22/2025	SM Hearing 12/18/2025: The SM agreed to continu...	DAVI.LAMB
02/20/2026	On 02/18/2026, I attended a walk-through of thi...	DAVI.LAMB
02/20/2026	2/20/2026. InspectionResult: Monitoring. Inspec...	DAVI.LAMB
04/09/2026	During the April Polk County Planning Commissio...	DAVI.LAMB
04/09/2026	On 04/06/2026, I conducted a pre-hearing inspec...	DAVI.LAMB
04/09/2026	4/9/2026. InspectionResult: Violation Remains. ...	DAVI.LAMB
04/09/2026	4/9/2026, Inspection Prehearing ReInspection, S...	DAVI.LAMB

Scheduled/Pending Inspections:

Inspection Type	Scheduled Date	Inspector	Status	Comments
Prehearing ReInspection	06/30/2026	David Lambert	Scheduled	

Resulted Inspections:

Inspection Type	Inspection Date	Inspector	Status	Comments
Prehearing ReInspection	04/06/2026	David Lambert	Violation Remains	
Inspection	02/18/2026	David Lambert	Monitoring	
Prehearing ReInspection	09/22/2025	David Lambert	Violation Remains	
Re-Inspection	08/22/2025	David Lambert	Violation Remains	COE
Post Property	07/31/2025	David Lambert	Posted Property	COE



Detail by Entity Name

Florida Not For Profit Corporation
CROSSED PAWS PET RESCUE INC

Filing Information

Document Number	N18000003915
FEI/EIN Number	82-5118869
Date Filed	04/09/2018
Effective Date	04/07/2018
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	01/30/2019
Event Effective Date	NONE

Principal Address

2720 Havendale Blvd
Winter haven, FL 33881

Changed: 08/16/2021

Mailing Address

106 Margaret st
Auburndale, FL 33823

Changed: 03/17/2020

Registered Agent Name & Address

Badillo, Stefanie N
106 Margaret st
Auburndale, FL 33823

Name Changed: 03/17/2020

Address Changed: 03/17/2020

Officer/Director Detail

Name & Address

Title P

BADILLO, STEFANIE N
106 MARGARET ST
AUBURNDALE, FL 33823

Title V

Sheets, Lori G
2720 Havendale Blvd
Winter haven, FL 33881

Title S

MOTOLA, MARIANN
2265 PALMVIEW CIRCLE
AUBURNDALE, FL 33823

Annual Reports

Report Year	Filed Date
2023	01/29/2023
2024	04/04/2024
2025	03/21/2025

Document Images

03/21/2025 -- ANNUAL REPORT	View image in PDF format
04/04/2024 -- ANNUAL REPORT	View image in PDF format
01/29/2023 -- ANNUAL REPORT	View image in PDF format
01/29/2022 -- ANNUAL REPORT	View image in PDF format
08/16/2021 -- AMENDED ANNUAL REPORT	View image in PDF format
01/27/2021 -- ANNUAL REPORT	View image in PDF format
03/17/2020 -- ANNUAL REPORT	View image in PDF format
06/13/2019 -- ANNUAL REPORT	View image in PDF format
01/30/2019 -- Amendment	View image in PDF format
12/17/2018 -- Reg. Agent Change	View image in PDF format
04/13/2018 -- Amendment	View image in PDF format
04/09/2018 -- Domestic Non-Profit	View image in PDF format

JOE G. TEDDER, TAX COLLECTOR
POLK COUNTY, FLORIDA

2024 REAL ESTATE PROPERTY TAX BILL

ACCOUNT NUMBER
252818-347000-003500

PAY, SEARCH OR PRINT RECEIPT AT
polktaxes.com
(863) 534-4700

07/30/2025 10:16:52

NOTICE OF AD VALOREM TAXES AND NON-AD VALOREM ASSESSMENTS

CROSSED PAWS PET RESCUE INC
106 MARGARET ST
AUBURNDALE,FL 33823

3656 K VILLE AVE
KOSSUTHVILLE SUB UNIT 1 PB 17 PG 50 LOT 35-F

RETAIN THIS PORTION FOR YOUR RECORDS

AD VALOREM TAXES

TAXING AUTHORITY	ASSESSED VALUE	EXEMPTION	TAXABLE VALUE	MILLAGE RATE	TAXES LEVIED
C101 POLK COUNTY TRANSPORTATION	99,523	0	99,523	1.2000	$119.43
C100 POLK COUNTY GENERAL FUND	99,523	0	99,523	4.9848	$496.10
C102 POLK COUNTY EMERGENCY MEDICAL	99,523	0	99,523	0.2500	$24.88
C103 POLK COUNTY ENV LANDS MGMT	99,523	0	99,523	0.0500	$4.98
C104 POLK COUNTY ENV LANDS ACQUISITION	99,523	0	99,523	0.1500	$14.93
200 POLK COUNTY PARKS	99,523	0	99,523	0.5286	$52.61
210 POLK COUNTY LIBRARY	99,523	0	99,523	0.1985	$19.76
220 POLK COUNTY STORMWATER	99,523	0	99,523	0.0941	$9.37
110 SCHOOL GENERAL FUND	195,991	0	195,991	3.7960	$743.98
100 SCHOOL LOCAL CAPITAL IMPROVEMENT	195,991	0	195,991	1.5000	$293.99
360 SOUTHWEST FLA WATER MGMT DIST	99,523	0	99,523	0.1909	$19.00
TOTAL				12.9429	$1,799.03

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	UNITS	AMOUNT
FI000 - POLK COUNTY FIRE SERVICES	0.00	3.00	$578.00
SW001 - POLK SOLID WASTE-COLLECTION	264.21	2.00	$528.42
SW002 - POLK SOLID WASTE-DISPOSAL	73.00	2.00	$146.00
TOTAL NON-AD VALOREM ASSESSMENTS			$1,252.42

COMBINED TAXES AND ASSESSMENTS	$3,051.45

If Paid By	**Jul 30, 2025**
Please Pay	**0.00**

JOE G. TEDDER, TAX COLLECTOR
POLK COUNTY, FLORIDA

2024 REAL ESTATE PROPERTY TAX BILL

1149120

ACCOUNT NUMBER
252818-347000-003500

CROSSED PAWS PET RESCUE INC
106 MARGARET ST
AUBURNDALE,FL 33823

3656 K VILLE AVE
KOSSUTHVILLE SUB UNIT 1 PB 17 PG 50 LOT 35-F

PAY ONLY ONE AMOUNT

PAY IN U.S. FUNDS ON A U.S. BANK TO JOE G. TEDDER, TAX COLLECTOR -

If Paid By	**Jul 30, 2025**
Please Pay	**0.00**

PAID 12/10/2024 $2,959.91 RECEIPT # 2997691

CASE FIELD REPORT

Assigned to:Lambert, David

CMA-2025-1417

Polk County/ Code Enforcement

Magistrate Hearing Pending

Location of Violation: 3656 K VILLE AVE
AUBURNDALE, FL 33823

APN# 252818347000003500

Custom Location Field
Land Use Code: RS

Custom Field

Service Rep: Nicole
Active Case: Yes
Hearing Date: 10/16/2025
Correction Date: 08/21/2025
Sent Via: Certified Mail
Date of this Notice: 07/31/2025

Property Owner	Address	Phone:
Name: CROSSED PAWS PET RESCUE INC, C/O Stefanie N Badillo, RA	AUBURNDALE, FL 33823	106 MARGARET ST

Open Violaton(s)	Code Section
LDC Violations	Land Development Code Section 205, Table 2.1 Use Tables for Standard Land Use Districts: Standard Districts

Entry Date	Status	Type	Officer	Note/Activity
07/24/2025	Notes	Post Property	David Lambert	
07/24/2025	Notes	Notice of Violation	David Lambert	
07/24/2025	Notes	Notice of Violation	David Lambert	
07/24/2025	Continued	Case Generated	David Lambert	
07/24/2025	Note	Case Comment	David Lambert	2025/07/24 Violation Case Generated - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/24 On 07/15/2025, Supervisor Tonya Long and I met up with Mr. Everett at 3710 K-Ville Road to investigate this case further. We observed several buildings with attached outside kennels toward the rear of this property. We also observed continuous barking coming from inside the buildings. Due to this property being zoned RS, they are required to obtain a Level C-3 review from Polk County Land Development prior to operating a kennel from this location. Inspection photos 07/15/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/14 Marian Bozeman@863-665-0502 called in and wanted to check the status of her complaint. She stated that she has been trying to reach out to the investigator but she has not received a response from him. I advised that I would email that investigator and let him know that she has been trying to contact him. Email has been sent to investigator---Jvaughn

07/24/2025	Note	Case Comment	David Lambert	2025/07/10 Text Message Sent and Received 05/29/2025: After checking with my supervisor ref the electric permit issue, I advised her that the 3 requirements for her electric permit have been met. I also ask her if she would like to come in and meet with my manager to discuss why we still have an open case. Per the text message, her issue ended up being with the building department. She then asks me questions reference the building department and land development; I explained to her the difference. I also explained to her that it would be better to apply for a review from Land Development at the beginning of the process as it would be more cost effective. I also offered another opportunity to come in and speak with my manager, she said she would schedule it. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/10 Phone Call Received 05/28/2025: Stephanie left voice mail inquiring about her case and advised due to open case her electric cannot be turned on. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/07 MARIAN BOZEMAN @ 1*863*665*0502 called today concerning the Dog Kennel. They put some of the dogs on the property on Sunday 4/6/2025 also put wooden fence up. P. Clay
07/24/2025	Note	Case Comment	David Lambert	2025/05/12 Ronald Aranguren @ 4074888791 has questions concerning the complaint on the property. P. Clay
07/24/2025	Note	Case Comment	David Lambert	2025/05/07 On 05/06/2025, I continued to monitor this property based on a request from management reference a possible business moving into this location. I did not observe any changes to the property, and it does not appear anyone has moved onto the property as of my inspection. I will continue to monitor for now. Inspection photos 05/06/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/04/14 On 04/11/2025, I continued to monitor this property based on a citizen's complaint. I observed that the RV has been disconnected from utilities. I did not observe a any animals on the premise at the time and no signs of a business at this time. Inspection photos 04/11/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/04/04 Mary Motola came into the office today wanting to speak with David today. Advised that he was not in the office and provided her with contact information for him--Jvaughn

07/24/2025	Note	Case Comment	David Lambert	2025/03/31 Phone Call Received 03/31/2025: Spoke with Mary Ann reference this property. She is the business partner and was inquiring some information about the letter that was given to Stephanie on Friday. I advised her she needed to contact Land Development to ascertain if what they are doing meets the requirements of Polk County Land Development. According to her the property is a private residence and will be occupied as such and the dogs that will be on the property will be their personal pets. She also said she would be coming down to speak with Land Development. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/03/28 On 03/28/2025, I continued to monitor this property based on a request from management. I observed a recreational vehicle has been moved onto the property and is currently hooked to utilities. I did not observe any signs of an event or preparations for such. I did not observe any tents or signage advertising the event. In addition, I did not observe any dogs on the property. Per Code Enforcement management, a letter was drafting advising the property owner of her requirements with Polk County Land Development and I was advised to deliver the letter to the property owner. During the research of this property, it was discovered that the pet rescue had two other possible locations. I placed one copy of the letter on the RV at this location and then visited the following locations: 1. 106 Margaret St in Auburndale, Florida 2. 2720 Havendale Blvd. Winter Haven, Florida I investigated both of these locations and eventually located an unknown female who I was able to give letter to. Once I delivered the letter, I received a call from the property owner, and we met in person in front of Auburndale Diner. Property Owner Stephanie Badillo advised me she spoke with Polk County, and they told her if she lived on site she could have as many dogs as she wanted if they were her personal pets. She advised me she doesn't breed, board, sell animals from this location and doesn't plan to. She stated her adoption events are held at a different location. I advised property owner to check with Land Develpment to confirm she is not in violation with the Land Development Code. In addition, I advised her she could not have an RV hooked to utilities and she said she would take care of it immediately. Inspection photos 03/28/2025. Snip of alternate location, copy of the letter, and a copy of the flyer uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/03/28 Owner Stephanie @ 863-514-0131 called stating she has questions about this complaint, I read her the notes and also gave her investigators contact information for further information. -Bethany Porreca

07/24/2025	Note	Case Comment	David Lambert	2025/03/21 On 03/18/2025, I inspected this property based on a citizen's complaint. I observed a residential property that has an older structure and two newer structures in the rear part of property. I also observed a concrete slab behind the new structures. I was given access to the neighboring property via signed consent for photos. I did not observe any signs of an animal rescue facility at the time of my visit but was told by neighbor that they are having an animal rescue event on Saturday 03/22/2025. A search of the Acella database did indicate permits were active for the construction of the buildings in the rear of the property. A search of the internet did indicate a facebook page for Crossed Paws Pet Rescue with pictures of the buildings mentioned above. In addition, a website was found online also advertising the new facility. WWW.crossedpawspetrescue.org A search of the Polk County Land Development Code does indicate a level C3 review is required in this land use but since they have not officially opened their business, I will be contacting my supervisor as to how to proceed. This property is zoned RS and sits on 4.6 acres. Inspection photos 03/18/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/03/17 CASE CREATED BY JAMILA VAUGHN
07/24/2025	Note	Case Comment	David Lambert	Service Rep will prepare a Notice of Violation/Notice of Hearing NOV/NOH for posting and mailing on 07/31/2025 - David Lambert
07/30/2025	Note	Case Comment	Nicole Vega	Notice drafted for review. Nicole Vega
07/30/2025	Note	Case Comment	Nicole Vega	(Certified mail x1) NOV/NOH prepared to post/mail 7/31 CBD 8/21 SM 10/16. Nicole Vega
07/31/2025	Mailed	Notice of Violation	Nicole Vega	
08/01/2025	Posted	Post Property	David Lambert	Inspection result: Posted Property
08/01/2025	Note	Case Comment	David Lambert	On 07/31/2025, I posted this property with a Notice of Violation/Notice of Hearing (NOV/NOH). I observed the violation remains. Inspection photos 07/31/2025 uploaded. - David Lambert
08/01/2025	Note	Case Comment	David Lambert	Phone Call Received 08/01/2025: Mary Ann called ref the violation notice. I informed her the case is being taken to court reference the operation of a kennel without proper approval. If she had questions to call my supervisor. - David Lambert
08/05/2025	Note	Case Comment	Nicole Vega	AOM and AOP attached. Nicole Vega
08/14/2025	Note	Case Comment	Nicole Vega	Green card attached. Nicole Vega
08/22/2025	Note	Case Comment	Code Temp	GARRY BOZEMAN@863-412-3700 CALLED ABOUT THE SMELL THAT IS COMING FROM THE DOG KENNEL THAT IS BEING RUN ON THIS PROPERTY. I ADVISED THAT HE REACH OUT TO THE INVESTIGATOR FOR THE CASE--JVAUGHN
08/28/2025	Notes	File Processing	David Lambert	
08/28/2025	In Violation	Re-Inspection	David Lambert	Inspection result: Violation Remains

08/28/2025	Note	Case Comment	David Lambert	Text Message Received 08/12/2025: Stephanie request information in reference to her neighbor's fence being on her property. She was advised this is a civil issue and not a code enforcement issue. - David Lambert
08/28/2025	Note	Case Comment	David Lambert	On 08/22/2025, I conducted a reinspection of this property. I observed the violation remains. A search of Accela database indicates a review from Land Development has not been applied for as of this date. Inspection photos 08/22/2025 uploaded. - David Lambert
08/28/2025	Note	Case Comment	David Lambert	Service Rep will prepare a Magistrate packet for the SM Hearing. - David Lambert
08/29/2025	Note	Case Comment	Jessica Phillips	08/29 Added photo the case from Facebook showing an award they received. - Jessica Phillips
09/04/2025	Complete	File Processing	Nicole Vega	
09/04/2025	Note	Case Comment	Nicole Vega	SM folder/packet created and documents attached. Nicole Vega
09/24/2025	Magistrate Hearing	Prehearing Re-Inspection	David Lambert	Inspection result: Violation Remains
09/24/2025	Note	Case Comment	David Lambert	On 09/22/2025, I conducted a Pre-hearing inspection on this property. I observed the violation remains. Inspection photos 09/22/2025 uploaded. - David Lambert
10/14/2025	Note	Case Comment	Nicole Vega	COE attached and placed in SM mailbox. Nicole Vega
10/17/2025	Note	Case Comment	Shamika Babers	ATTORNEY MAILING INFORMATION: Richard Taylor McKendrick McKendrick Law 206 Easton Dr Lakeland, FL 33803-2936 Office: 863-688-3000 Fax: 863-680-2641 Email: mckendricklaw@gmail.com
10/20/2025	Note	Case Comment	Shamika Babers	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPONDENT ON 10/17/2025 - SHAMIKA BABERS
11/03/2025	Note	Case Comment	Code Temp	Mary Ann Motola@407-414-5651 called into the office to speak with investigator Lambert. I advised that Mr. Lambert was not in the office. She wanted to leave a message. Email has been sent to Investigator--Jvaughn
11/04/2025	Continue	Hearing Stage	David Lambert	
11/04/2025	Note	Case Comment	David Lambert	SM Hearing 10/16/2025: The SM agreed to continue the case until the 11/13/2025 SM Hearing. – David Lambert
11/04/2025	Note	Case Comment	David Lambert	Phone Call Received 11/03/2025: Mary Ann called requesting a meeting with Code Enforcement and Land Development. - David Lambert
11/10/2025	Note	Case Comment	David Lambert	Meeting with property owner and her assistant 11/06/2025: Met with property owner Stephanie, her assistant Ana, Eric from Land Development, Supervisor Tonja Long, and county attorney Randal reference the steps to become compliant. Eric shared the process with her should the magistrate rule in the county's behalf. - David Lambert

11/10/2025	Note	Case Comment	David Lambert	Meeting with Randal and Tonya Long 11/10/2025: Had a meeting reference a request to continue the case for 30 days due to the property managers illness. It was decided the case would be continued this last time. - David Lambert
11/10/2025	Note	Case Comment	David Lambert	Phone Call Made 11/10/2025: Notified Mr. Everett and Mr. Bozeman (Complainants) reference the magistrate case being continued. - David Lambert
11/19/2025	Note	Case Comment	Shamika Babers	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPONDENT ON 11/13/25 - SHAMIKA BABERS
12/03/2025	Note	Case Comment	David Lambert	Meeting with Sarah Case from Next Level Planning & Permitting. She was requesting a copy of the site plan for this property. She was aware of the public records request but stated she didn't have time as deadline is tomorrow for application. Supervisor Tonya Long printed the site plan for her. - David Lambert
12/19/2025	Note	Case Comment	Shamika Babers	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPONDENT ON 12/18/25 - SHAMIKA BABERS
12/22/2025	Continue	Hearing Stage	David Lambert	
12/22/2025	Note	Case Comment	David Lambert	SM Hearing 12/18/2025: The SM agreed to continue the case until the 04/16/2026 SM Hearing - David Lambert

02/20/2026	Note	Case Comment	David Lambert	On 02/18/2026, I attended a walk-through of this property with members of Land Development, Code Enforcement Supervision, the property owner and several board members of Crossed Paws Pet rescue. The following members were present: 1. Stephanie Bodillo - Owner 2. Board members, Mary Ann, Peter Golotko, Erin Golotko 3. Sarah Case 4. Jessica Phillips - Code Enforcement Supervisor 5. Myself 6. Land Development Members - Kyle, Andrew, Chondra, Iglena I observed another wooden fence has been constructed around the dog kennels further securing them on property. We were given access to the inside of one of three buildings used for storing dogs. Inside the building I observed 5 x 5 pens with approximately 27 dogs. We were told all three buildings are the same. With that being said approximately 90 dogs are on site. Each pen was labeled with a sheet of paper identifying each dog by name and tag number. A strong smell of ammonia was smelled inside the building. On this date, I did not observe a strong odor of feces or urine outside of the structure, but I have observed that in the past. I also did not observe any dogs barking until we physically went inside the building. I have also witnessed this in thapast as well. During our visit one of the board members inquired if the violation would go away if the property was put in Stephanie's name instead of the Rescues name. They were told that would have to be researched. Inspection photos 02/18/2026 uploaded. - David Lambert
02/20/2026	Note	Case Comment	David Lambert	2/20/2026. InspectionResult: Monitoring. Inspection Result Comment: No comments
04/09/2026	Magistrate Hearing	Prehearing Re-Inspection	David Lambert	Inspection result: Violation Remains
04/09/2026	Note	Case Comment	David Lambert	During the April Polk County Planning Commission meeting, this property's request for LDC review was continued until the June Planning Commission Meeting. I will be requesting this case be continued until July for codes case. - David Lambert
04/09/2026	Note	Case Comment	David Lambert	On 04/06/2026, I conducted a pre-hearing inspection, I observed the violation remains. as per the last comment I will be requesting this case be continued until July hearing. Inspection photos 04/06/2026 uploaded. - David Lambert
04/09/2026	Note	Case Comment	David Lambert	4/9/2026. InspectionResult: Violation Remains. Inspection Result Comment: No comments
04/09/2026	Note	Case Comment	David Lambert	4/9/2026, Inspection Prehearing ReInspection, Scheduled on 6/30/2026

Follow-up

INVESTIGATION:

CMA-2025-1417 - Codes

Menu Help

Showing 1-10 of 13

Task	Status	Status Date	Action By	Record Date/Time	Start Date/Time	End Date/Time	Hours Spent	Billable	OverTime	Comments	Time Tracking Start Date	Est. C
Prehearing Re-Inspection	Magistrate Hearing	04/09/2026	David Lam...	04/09/2026 12:03:34			0.0			Inspectio...		
Hearing Stage	Continue	12/22/2025	David Lam...	12/22/2025 08:46:02			0.0	No	No			
Hearing Stage	Continue	11/04/2025	David Lam...	11/04/2025 09:13:43			0.0	No	No			
Prehearing Re-Inspection	Magistrate Hearing	09/24/2025	David Lam...	09/24/2025 11:38:20			0.0			Inspectio...		
File Processing	Complete	09/04/2025	Nicole Vega	09/04/2025 16:43:18			0.0	No	No			
File Processing	Notes	08/28/2025	David Lam...	08/28/2025 09:47:52			0.0	No	No			
Re-Inspection	In Violation	08/28/2025	David Lam...	08/28/2025 09:47:35			0.0			Inspectio...		
Post Property	Posted	08/01/2025	David Lam...	08/01/2025 09:51:33			0.0	No	No	Inspectio...		
Notice of Violation	Mailed	07/31/2025	Nicole Vega	07/30/2025 12:15:51			0.0	No	No			
Post Property	Notes	07/24/2025	David Lam...	07/24/2025 15:19:37			0.0	No	No			

Page 1 of 2

CASE FIELD REPORT

Assigned to:Lambert, David

CMA-2025-1417

Polk County/ Code Enforcement

Continued

Location of Violation: 3656 K VILLE AVE
AUBURNDALE, FL 33823

APN# 252818347000003500

Custom Location Field
Land Use Code: RS

Custom Field

Service Rep: Nicole
Active Case: Yes
Hearing Date: 10/16/2025
Correction Date: 08/21/2025
Sent Via: Certified Mail
Date of this Notice: 07/31/2025

Property Owner	Address	Phone:
Name: CROSSED PAWS PET RESCUE INC, C/O Stefanie N Badillo, RA	AUBURNDALE, FL 33823	106 MARGARET ST

Open Violaton(s)	Code Section
LDC Violations	Land Development Code Section 205, Table 2.1 Use Tables for Standard Land Use Districts: Standard Districts

Entry Date	Status	Type	Officer	Note/Activity
07/24/2025	Continued	Case Generated	David Lambert	
07/24/2025	Notes	Notice of Violation	David Lambert	
07/24/2025	Notes	Notice of Violation	David Lambert	
07/24/2025	Notes	Post Property	David Lambert	
07/24/2025	Note	Case Comment	David Lambert	2025/07/24 Violation Case Generated - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/24 On 07/15/2025, Supervisor Tonya Long and I met up with Mr. Everett at 3710 K-Ville Road to investigate this case further. We observed several buildings with attached outside kennels toward the rear of this property. We also observed continuous barking coming from inside the buildings. Due to this property being zoned RS, they are required to obtain a Level C-3 review from Polk County Land Development prior to operating a kennel from this location. Inspection photos 07/15/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/14 Marian Bozeman@863-665-0502 called in and wanted to check the status of her complaint. She stated that she has been trying to reach out to the investigator but she has not received a response from him. I advised that I would email that investigator and let him know that she has been trying to contact him. Email has been sent to investigator---Jvaughn

07/24/2025	Note	Case Comment	David Lambert	2025/07/10 Text Message Sent and Received 05/29/2025: After checking with my supervisor ref the electric permit issue, I advised her that the 3 requirements for her electric permit have been met. I also ask her if she would like to come in and meet with my manager to discuss why we still have an open case. Per the text message, her issue ended up being with the building department. She then asks me questions reference the building department and land development; I explained to her the difference. I also explained to her that it would be better to apply for a review from Land Development at the beginning of the process as it would be more cost effective. I also offered another opportunity to come in and speak with my manager, she said she would schedule it. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/10 Phone Call Received 05/28/2025: Stephanie left voice mail inquiring about her case and advised due to open case her electric cannot be turned on. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/07/07 MARIAN BOZEMAN @ 1*863*665*0502 called today concerning the Dog Kennel. They put some of the dogs on the property on Sunday 4/6/2025 also put wooden fence up. P. Clay
07/24/2025	Note	Case Comment	David Lambert	2025/05/12 Ronald Aranguren @ 4074888791 has questions concerning the complaint on the property. P. Clay
07/24/2025	Note	Case Comment	David Lambert	2025/05/07 On 05/06/2025, I continued to monitor this property based on a request from management reference a possible business moving into this location. I did not observe any changes to the property, and it does not appear anyone has moved onto the property as of my inspection. I will continue to monitor for now. Inspection photos 05/06/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/04/14 On 04/11/2025, I continued to monitor this property based on a citizen's complaint. I observed that the RV has been disconnected from utilities. I did not observe a any animals on the premise at the time and no signs of a business at this time. Inspection photos 04/11/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/04/04 Mary Motola came into the office today wanting to speak with David today. Advised that he was not in the office and provided her with contact information for him--Jvaughn

07/24/2025	Note	Case Comment	David Lambert	2025/03/31 Phone Call Received 03/31/2025: Spoke with Mary Ann reference this property. She is the business partner and was inquiring some information about the letter that was given to Stephanie on Friday. I advised her she needed to contact Land Development to ascertain if what they are doing meets the requirements of Polk County Land Development. According to her the property is a private residence and will be occupied as such and the dogs that will be on the property will be their personal pets. She also said she would be coming down to speak with Land Development. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/03/28 On 03/28/2025, I continued to monitor this property based on a request from management. I observed a recreational vehicle has been moved onto the property and is currently hooked to utilities. I did not observe any signs of an event or preparations for such. I did not observe any tents or signage advertising the event. In addition, I did not observe any dogs on the property. Per Code Enforcement management, a letter was drafting advising the property owner of her requirements with Polk County Land Development and I was advised to deliver the letter to the property owner. During the research of this property, it was discovered that the pet rescue had two other possible locations. I placed one copy of the letter on the RV at this location and then visited the following locations: 1. 106 Margaret St in Auburndale, Florida 2. 2720 Havendale Blvd. Winter Haven, Florida I investigated both of these locations and eventually located an unknown female who I was able to give letter to. Once I delivered the letter, I received a call from the property owner, and we met in person in front of Auburndale Diner. Property Owner Stephanie Badillo advised me she spoke with Polk County, and they told her if she lived on site she could have as many dogs as she wanted if they were her personal pets. She advised me she doesn't breed, board, sell animals from this location and doesn't plan to. She stated her adoption events are held at a different location. I advised property owner to check with Land Develpment to confirm she is not in violation with the Land Development Code. In addition, I advised her she could not have an RV hooked to utilities and she said she would take care of it immediately. Inspection photos 03/28/2025. Snip of alternate location, copy of the letter, and a copy of the flyer uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/03/28 Owner Stephanie @ 863-514-0131 called stating she has questions about this complaint, I read her the notes and also gave her investigators contact information for further information. -Bethany Porreca

07/24/2025	Note	Case Comment	David Lambert	2025/03/21 On 03/18/2025, I inspected this property based on a citizen's complaint. I observed a residential property that has an older structure and two newer structures in the rear part of property. I also observed a concrete slab behind the new structures. I was given access to the neighboring property via signed consent for photos. I did not observe any signs of an animal rescue facility at the time of my visit but was told by neighbor that they are having an animal rescue event on Saturday 03/22/2025. A search of the Acella database did indicate permits were active for the construction of the buildings in the rear of the property. A search of the internet did indicate a facebook page for Crossed Paws Pet Rescue with pictures of the buildings mentioned above. In addition, a website was found online also advertising the new facility. WWW.crossedpawspetrescue.org A search of the Polk County Land Development Code does indicate a level C3 review is required in this land use but since they have not officially opened their business, I will be contacting my supervisor as to how to proceed. This property is zoned RS and sits on 4.6 acres. Inspection photos 03/18/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	2025/03/17 CASE CREATED BY JAMILA VAUGHN
07/24/2025	Note	Case Comment	David Lambert	Service Rep will prepare a Notice of Violation/Notice of Hearing NOV/NOH for posting and mailing on 07/31/2025 - David Lambert
07/30/2025	Note	Case Comment	Nicole Vega	Notice drafted for review. Nicole Vega
07/30/2025	Note	Case Comment	Nicole Vega	(Certified mail x1) NOV/NOH prepared to post/mail 7/31 CBD 8/21 SM 10/16. Nicole Vega
07/31/2025	Mailed	Notice of Violation	Nicole Vega	
08/01/2025	Posted	Post Property	David Lambert	Inspection result: Posted Property
08/01/2025	Note	Case Comment	David Lambert	On 07/31/2025, I posted this property with a Notice of Violation/Notice of Hearing (NOV/NOH). I observed the violation remains. Inspection photos 07/31/2025 uploaded. - David Lambert
08/01/2025	Note	Case Comment	David Lambert	Phone Call Received 08/01/2025: Mary Ann called ref the violation notice. I informed her the case is being taken to court reference the operation of a kennel without proper approval. If she had questions to call my supervisor. - David Lambert
08/05/2025	Note	Case Comment	Nicole Vega	AOM and AOP attached. Nicole Vega
08/14/2025	Note	Case Comment	Nicole Vega	Green card attached. Nicole Vega
08/22/2025	Note	Case Comment	Code Temp	GARRY BOZEMAN@863-412-3700 CALLED ABOUT THE SMELL THAT IS COMING FROM THE DOG KENNEL THAT IS BEING RUN ON THIS PROPERTY. I ADVISED THAT HE REACH OUT TO THE INVESTIGATOR FOR THE CASE--JVAUGHN
08/28/2025	In Violation	Re-Inspection	David Lambert	Inspection result: Violation Remains
08/28/2025	Notes	File Processing	David Lambert	

08/28/2025	Note	Case Comment	David Lambert	Text Message Received 08/12/2025: Stephanie request information in reference to her neighbor's fence being on her property. She was advised this is a civil issue and not a code enforcement issue. - David Lambert
08/28/2025	Note	Case Comment	David Lambert	On 08/22/2025, I conducted a reinspection of this property. I observed the violation remains. A search of Accela database indicates a review from Land Development has not been applied for as of this date. Inspection photos 08/22/2025 uploaded. - David Lambert
08/28/2025	Note	Case Comment	David Lambert	Service Rep will prepare a Magistrate packet for the SM Hearing. - David Lambert
08/29/2025	Note	Case Comment	Jessica Phillips	08/29 Added photo the case from Facebook showing an award they received. - Jessica Phillips
09/04/2025	Complete	File Processing	Nicole Vega	
09/04/2025	Note	Case Comment	Nicole Vega	SM folder/packet created and documents attached. Nicole Vega
09/24/2025	Magistrate Hearing	Prehearing Re-Inspection	David Lambert	Inspection result: Violation Remains
09/24/2025	Note	Case Comment	David Lambert	On 09/22/2025, I conducted a Pre-hearing inspection on this property. I observed the violation remains. Inspection photos 09/22/2025 uploaded. - David Lambert
10/14/2025	Note	Case Comment	Nicole Vega	COE attached and placed in SM mailbox. Nicole Vega
10/17/2025	Note	Case Comment	Shamika Babers	ATTORNEY MAILING INFORMATION: Richard Taylor McKendrick McKendrick Law 206 Easton Dr Lakeland, FL 33803-2936 Office: 863-688-3000 Fax: 863-680-2641 Email: mckendricklaw@gmail.com
10/20/2025	Note	Case Comment	Shamika Babers	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPONDENT ON 10/17/2025 - SHAMIKA BABERS
11/03/2025	Note	Case Comment	Code Temp	Mary Ann Motola@407-414-5651 called into the office to speak with investigator Lambert. I advised that Mr. Lambert was not in the office. She wanted to leave a message. Email has been sent to Investigator--Jvaughn
11/04/2025	Continue	Hearing Stage	David Lambert	
11/04/2025	Note	Case Comment	David Lambert	SM Hearing 10/16/2025: The SM agreed to continue the case until the 11/13/2025 SM Hearing. – David Lambert
11/04/2025	Note	Case Comment	David Lambert	Phone Call Received 11/03/2025: Mary Ann called requesting a meeting with Code Enforcement and Land Development. - David Lambert
11/10/2025	Note	Case Comment	David Lambert	Meeting with property owner and her assistant 11/06/2025: Met with property owner Stephanie, her assistant Ana, Eric from Land Development, Supervisor Tonja Long, and county attorney Randal reference the steps to become compliant. Eric shared the process with her should the magistrate rule in the county's behalf. - David Lambert

11/10/2025	Note	Case Comment	David Lambert	Meeting with Randal and Tonya Long 11/10/2025: Had a meeting reference a request to continue the case for 30 days due to the property managers illness. It was decided the case would be continued this last time. - David Lambert
11/10/2025	Note	Case Comment	David Lambert	Phone Call Made 11/10/2025: Notified Mr. Everett and Mr. Bozeman (Complainants) reference the magistrate case being continued. - David Lambert
11/19/2025	Note	Case Comment	Shamika Babers	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPONDENT ON 11/13/25 - SHAMIKA BABERS
12/03/2025	Note	Case Comment	David Lambert	Meeting with Sarah Case from Next Level Planning & Permitting. She was requesting a copy of the site plan for this property. She was aware of the public records request but stated she didn't have time as deadline is tomorrow for application. Supervisor Tonya Long printed the site plan for her. - David Lambert
12/19/2025	Note	Case Comment	Shamika Babers	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPONDENT ON 12/18/25 - SHAMIKA BABERS
12/22/2025	Continue	Hearing Stage	David Lambert	
12/22/2025	Note	Case Comment	David Lambert	SM Hearing 12/18/2025: The SM agreed to continue the case until the 04/16/2026 SM Hearing - David Lambert

02/20/2026	Note	Case Comment	David Lambert	On 02/18/2026, I attended a walk-through of this property with members of Land Development, Code Enforcement Supervision, the property owner and several board members of Crossed Paws Pet rescue. The following members were present: 1. Stephanie Bodillo - Owner 2. Board members, Mary Ann, Peter Golotko, Erin Golotko 3. Sarah Case 4. Jessica Phillips - Code Enforcement Supervisor 5. Myself 6. Land Development Members - Kyle, Andrew, Chondra, Iglena I observed another wooden fence has been constructed around the dog kennels further securing them on property. We were given access to the inside of one of three buildings used for storing dogs. Inside the building I observed 5 x 5 pens with approximately 27 dogs. We were told all three buildings are the same. With that being said approximately 90 dogs are on site. Each pen was labeled with a sheet of paper identifying each dog by name and tag number. A strong smell of ammonia was smelled inside the building. On this date, I did not observe a strong odor of feces or urine outside of the structure, but I have observed that in the past. I also did not observe any dogs barking until we physically went inside the building. I have also witnessed this in thapast as well. During our visit one of the board members inquired if the violation would go away if the property was put in Stephanie's name instead of the Rescues name. They were told that would have to be researched. Inspection photos 02/18/2026 uploaded. - David Lambert
02/20/2026	Note	Case Comment	David Lambert	2/20/2026. InspectionResult: Monitoring. Inspection Result Comment: No comments
04/09/2026	Magistrate Hearing	Prehearing Re-Inspection	David Lambert	Inspection result: Violation Remains
04/09/2026	Note	Case Comment	David Lambert	During the April Polk County Planning Commission meeting, this property's request for LDC review was continued until the June Planning Commission Meeting. I will be requesting this case be continued until July for codes case. - David Lambert
04/09/2026	Note	Case Comment	David Lambert	On 04/06/2026, I conducted a pre-hearing inspection, I observed the violation remains. as per the last comment I will be requesting this case be continued until July hearing. Inspection photos 04/06/2026 uploaded. - David Lambert
04/09/2026	Note	Case Comment	David Lambert	4/9/2026. InspectionResult: Violation Remains. Inspection Result Comment: No comments
04/09/2026	Note	Case Comment	David Lambert	4/9/2026, Inspection Prehearing ReInspection, Scheduled on 6/30/2026
04/21/2026	Note	Case Comment	Shamika Babers	ATTACHED FIRST OFFENSE ORDER. MAILED TO RESPONDENT ON 4/16/26 - SHAMIKA BABERS
04/22/2026	Continue	Hearing Stage	David Lambert	

04/22/2026	Note	Case Comment	William Smith	SM Hearing on April 16, 2026: The SM agreed to continue the case until the July 16, 2026 SM Hearing. – David Lambert
04/22/2026	Note	Case Comment	William Smith	4/22/2026. Workflow Task: Hearing Stage. Result Comment: No comments
Follow-up				
INVESTIGATION:				

CASE FIELD REPORT

Assigned to:

CEC-2025-834

Polk County/ Code Enforcement

Violation Case Generated

Location of Violation: 3656 K VILLE AVE
AUBURNDALE, FL 33823

APN# 252818347000003500

Custom Location Field
Land Use Code: RS

Custom Field

Service Rep:
Active Case: Yes
Hearing Date:
Correction Date:
Sent Via:
Date of this Notice:

Property Owner	Address	Phone:
Name: CROSSED PAWS PET RESCUE INC	106 MARGARET ST AUBURNDALE, FL 33823	

Entry Date	Status	Type	Officer	Note/Activity
03/17/2025	Assigned	Complaint	Code Temp	
03/17/2025	Note	Case Comment	Code Temp	CASE CREATED BY JAMILA VAUGHN
03/21/2025	In Process	Investigation	David Lambert	
03/21/2025	Note	Case Comment	David Lambert	On 03/18/2025, I inspected this property based on a citizen's complaint. I observed a residential property that has an older structure and two newer structures in the rear part of property. I also observed a concrete slab behind the new structures. I was given access to the neighboring property via signed consent for photos. I did not observe any signs of an animal rescue facility at the time of my visit but was told by neighbor that they are having an animal rescue event on Saturday 03/22/2025. A search of the Acella database did indicate permits were active for the construction of the buildings in the rear of the property. A search of the internet did indicate a facebook page for Crossed Paws Pet Rescue with pictures of the buildings mentioned above. In addition, a website was found online also advertising the new facility. WWW.crossedpawspetrescue.org A search of the Polk County Land Development Code does indicate a level C3 review is required in this land use but since they have not officially opened their business, I will be contacting my supervisor as to how to proceed. This property is zoned RS and sits on 4.6 acres. Inspection photos 03/18/2025 uploaded. - David Lambert
03/28/2025	In Process	Investigation	David Lambert	

03/28/2025	Note	Case Comment	Bethany Porreca	Owner Stephanie @ 863-514-0131 called stating she has questions about this complaint, I read her the notes and also gave her investigators contact information for further information. -Bethany Porreca
03/28/2025	Note	Case Comment	David Lambert	On 03/28/2025, I continued to monitor this property based on a request from management. I observed a recreational vehicle has been moved onto the property and is currently hooked to utilities. I did not observe any signs of an event or preparations for such. I did not observe any tents or signage advertising the event. In addition, I did not observe any dogs on the property. Per Code Enforcement management, a letter was drafting advising the property owner of her requirements with Polk County Land Development and I was advised to deliver the letter to the property owner. During the research of this property, it was discovered that the pet rescue had two other possible locations. I placed one copy of the letter on the RV at this location and then visited the following locations: 1. 106 Margaret St in Auburndale, Florida 2. 2720 Havendale Blvd. Winter Haven, Florida I investigated both of these locations and eventually located an unknown female who I was able to give letter to. Once I delivered the letter, I received a call from the property owner, and we met in person in front of Auburndale Diner. Property Owner Stephanie Badillo advised me she spoke with Polk County, and they told her if she lived on site she could have as many dogs as she wanted if they were her personal pets. She advised me she doesn't breed, board, sell animals from this location and doesn't plan to. She stated her adoption events are held at a different location. I advised property owner to check with Land Develpment to confirm she is not in violation with the Land Development Code. In addition, I advised her she could not have an RV hooked to utilities and she said she would take care of it immediately. Inspection photos 03/28/2025. Snip of alternate location, copy of the letter, and a copy of the flyer uploaded. - David Lambert
03/31/2025	Note	Case Comment	David Lambert	Phone Call Received 03/31/2025: Spoke with Mary Ann reference this property. She is the business partner and was inquiring some information about the letter that was given to Stephanie on Friday. I advised her she needed to contact Land Development to ascertain if what they are doing meets the requirements of Polk County Land Development. According to her the property is a private residence and will be occupied as such and the dogs that will be on the property will be their personal pets. She also said she would be coming down to speak with Land Development. - David Lambert

04/04/2025	Note	Case Comment	Code Temp	Mary Motola came into the office today wanting to speak with David today. Advised that he was not in the office and provided her with contact information for him--Jvaughn
04/14/2025	In Process	Investigation	David Lambert	
04/14/2025	Note	Case Comment	David Lambert	On 04/11/2025, I continued to monitor this property based on a citizen's complaint. I observed that the RV has been disconnected from utilities. I did not observe a any animals on the premise at the time and no signs of a business at this time. Inspection photos 04/11/2025 uploaded. - David Lambert
05/07/2025	In Process	Investigation	David Lambert	
05/07/2025	Note	Case Comment	David Lambert	On 05/06/2025, I continued to monitor this property based on a request from management reference a possible business moving into this location. I did not observe any changes to the property, and it does not appear anyone has moved onto the property as of my inspection. I will continue to monitor for now. Inspection photos 05/06/2025 uploaded. - David Lambert
05/12/2025	Note	Case Comment	Code Temp	Ronald Aranguren @ 4074888791 has questions concerning the complaint on the property. P. Clay
07/07/2025	Note	Case Comment	Code Temp	MARIAN BOZEMAN @ 1*863*665*0502 called today concerning the Dog Kennel. They put some of the dogs on the property on Sunday 4/6/2025 also put wooden fence up. P. Clay
07/10/2025	Note	Case Comment	David Lambert	Phone Call Received 05/28/2025: Stephanie left voice mail inquiring about her case and advised due to open case her electric cannot be turned on. - David Lambert
07/10/2025	Note	Case Comment	David Lambert	Text Message Sent and Received 05/29/2025: After checking with my supervisor ref the electric permit issue, I advised her that the 3 requirements for her electric permit have been met. I also ask her if she would like to come in and meet with my manager to discuss why we still have an open case. Per the text message, her issue ended up being with the building department. She then asks me questions reference the building department and land development; I explained to her the difference. I also explained to her that it would be better to apply for a review from Land Development at the beginning of the process as it would be more cost effective. I also offered another opportunity to come in and speak with my manager, she said she would schedule it. - David Lambert
07/14/2025	Note	Case Comment	Code Temp	Marian Bozeman@863-665-0502 called in and wanted to check the status of her complaint. She stated that she has been trying to reach out to the investigator but she has not received a response from him. I advised that I would email that investigator and let him know that she has been trying to contact him. Email has been sent to investigator---Jvaughn
07/24/2025	In Violation	Investigation	David Lambert	

07/24/2025	Note	Case Comment	David Lambert	On 07/15/2025, Supervisor Tonya Long and I met up with Mr. Everett at 3710 K-Ville Road to investigate this case further. We observed several buildings with attached outside kennels toward the rear of this property. We also observed continuous barking coming from inside the buildings. Due to this property being zoned RS, they are required to obtain a Level C-3 review from Polk County Land Development prior to operating a kennel from this location. Inspection photos 07/15/2025 uploaded. - David Lambert
07/24/2025	Note	Case Comment	David Lambert	Violation Case Generated - David Lambert

Follow-up

INVESTIGATION:

To Whom It May Concern,

My name is Kamie Scarborough, and I worked for Polk County Animal Control for eleven years. During my time in the field, I worked closely with many rescue organizations and individuals involved in animal welfare efforts throughout the community.

I am writing this letter in support of Crossed Paws Pet Rescue and the work they do for animals in need. On numerous occasions, I personally contacted Stefanie Badillo at Crossed Paws Pet Rescue when assistance was needed with trapping dogs, coordinating rescue support, and helping animals in difficult situations. She was always willing to step in and help, often on short notice and in challenging circumstances.

Crossed Paws Pet Rescue and Stefanie Badillo consistently demonstrated professionalism, compassion, and dedication to animal welfare. Their organization has been a valuable resource to the community and to the Polk County Animal Control efforts by assisting with stray and abandoned animals, rescue coordination, and providing support when other resources were limited.

In my experience, Stefanie and Crossed Paws Pet Rescue have always acted in the best interest of the animals and worked cooperatively with others involved in animal rescue and public safety. Their commitment to helping animals and supporting the community is evident in the countless situations where they have stepped up to assist.

I fully support Crossed Paws Pet Rescue and believe they are an important asset to the community.

Sincerely,
Kamie Scarborough
Former Polk County Animal Control Officer
Contact: kamie7076@gmail.com

(1)

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 5:55 AM
To: Yannone, Lyndsay
Subject: Fw: support/LLDCU-2025-35

Good morning Lyndsay,

Please see Mr. Sanz's email below.

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

Please let us know if we can be of any further assistance.

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.*

From: TROY A SANZ <sanz79@verizon.net>
Sent: Friday, May 29, 2026 10:21 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: support/LLDCU-2025-35

[You don't often get email from sanz79@verizon.net. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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.

Just wanted to correct the subject line. My previous email did not have the correct subject.

Thank you!
Amy Sanz
Sent from my iPhone

2

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 5:53 AM
To: Yannone, Lyndsay
Subject: Fw: LDCU-2025-35

Good morning Lyndsay,

Please see Mr. Sanz's email below.

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

Please let us know if we can be of any further assistance.

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

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From: TROY A SANZ <sanz79@verizon.net>
Sent: Friday, May 29, 2026 10:11 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: LDCU-2025-35

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I have been following Stefanie with Crossed Paws for years. Her life is all about the weak, abused, unwanted animals. She goes out at all hours of the night and day to rescue an animal. She knows what she is doing and she does it

good. She has saved so many animals, mainly dogs. She loves them and they love her. She gives them a chance that someone else didn't. She is a no nonsense person because she is fighting for the animals. She does all of this either using her own money or donations. I only wish I could do what she does. She is an awesome rescue and I am so glad she is in this county. We need her.

Amy Sanz

Sent from my iPhone

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 5:52 AM
To: Yannone, Lyndsay
Subject: Fw: LDCU-2025-35

Good morning Lyndsay,

Please see Ms. Hodges's email below.

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

Please let us know if we can be of any further assistance.

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

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From: Tori Hodges <torihodges0227@gmail.com>
Sent: Friday, May 29, 2026 9:01 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: LDCU-2025-35

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Whom It May Concern,

I am writing to provide a character reference for Stefanie and Crossed Paws Pet Rescue.

I have been involved with Crossed Paws Pet Rescue as both a volunteer and foster for approximately ten years. During that time, I have had the opportunity to work closely with Stefanie and observe firsthand the dedication, compassion, and integrity she brings to animal rescue every day.

Animal rescue is often a challenging and emotionally demanding field, requiring countless hours of work, difficult decisions, and an unwavering commitment to the welfare of the animals in care. Throughout the years I have known her, Stefanie has consistently demonstrated that commitment. She has always prioritized the health, safety, and well-being of the dogs entrusted to her rescue.

As a foster and volunteer, I have personally witnessed the level of care provided to the animals. Stefanie works tirelessly to ensure dogs receive appropriate veterinary care, proper nutrition, safe housing, and the opportunity to find loving, permanent homes. She takes the responsibility of caring for these animals seriously and approaches every situation with compassion and professionalism.

What has always stood out to me most is her willingness to go above and beyond for animals in need. Whether dealing with medical cases, behavioral challenges, or emergency situations, she consistently puts the dogs' best interests first. Her dedication extends not only to the animals but also to the volunteers, fosters, adopters, and supporters who help make the rescue's mission possible.

Over the past decade, I have seen firsthand the positive impact Crossed Paws Pet Rescue has had on countless animals and families. Stefanie's leadership, work ethic, and genuine compassion are a large part of that success.

I am grateful for the opportunity to have worked alongside her and would confidently recommend Stefanie and Crossed Paws Pet Rescue. If additional information is needed, I would be happy to provide further details regarding my experience with the organization.

Sincerely,

Tori Thompson
Volunteer and Foster

4

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 5:50 AM
To: Yannone, Lyndsay
Subject: Fw: Support/LDCU-2025-35

Good morning Lyndsay,

Please see Ms. Chapman's email below.

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

Please let us know if we can be of any further assistance.

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

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From: ginniechapmanfl@gmail.com <ginniechapmanfl@gmail.com>
Sent: Friday, May 29, 2026 6:07 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: Support/LDCU-2025-35

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To Whom It May Concern,

I am pleased to provide this letter of recommendation for Stefanie Badillo of Crossed Paws Pet Rescue.

My family has had the privilege of working with Stefanie through the adoption of our dog, and my mother also adopted a dog through her rescue organization. Through these experiences, we have seen firsthand the exceptional care, dedication, and integrity Stefanie brings to animal rescue.

Stefanie is deeply committed to the well-being of every animal in her care. She goes above and beyond to ensure that rescued pets receive proper veterinary care, including vaccinations, spaying or neutering, and any other necessary medical treatment before adoption. Her attention to detail and commitment to responsible rescue practices are evident in every step of the adoption process.

What impresses me most is her genuine concern for finding the right match between pets and their new families. Stefanie takes the time to learn about both the animals and prospective adopters to help ensure successful, lasting placements. She clearly prioritizes the long-term welfare of the animals rather than simply placing them as quickly as possible.

Stefanie's compassion, professionalism, and dedication have made a positive impact on countless animals and families, including ours. We are grateful for the care she provided and the wonderful pets she helped bring into our lives.

I wholeheartedly recommend Stefanie Badillo and Crossed Paws Pet Rescue. She is a person of outstanding character who consistently demonstrates responsibility, kindness, and a genuine commitment to animal welfare.

Sincerely,
Ginnie Chapman

5

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 5:52 AM
To: Yannone, Lyndsay
Subject: Fw: support/ LDCU-2025-35

Good morning Lyndsay,

Please see Ms. Singletary's email below.

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

Please let us know if we can be of any further assistance.

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

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From: Kim Singletary <ksingletary75@gmail.com>
Sent: Friday, May 29, 2026 7:52 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: support/ LDCU-2025-35

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Good Evening,

This letter is to support Crossed Paws Pet Rescue (Stefanie Badillo)

I've known Ms. Stefanie since 2016. I followed the rescue page on Facebook, and quickly became a supporter. The endless hours, love, and care that Ms. Stefanie gives to ALL of her animals, is like no other. I donated personally, and even had a "give back to the community fundraiser" at my employer (Coca-Cola, Auburndale) where Crossed Paws was nominated and chosen to receive a donation, from money raised amongst the employees.

My father's health isn't the best, and unfortunately he had to make the decision to let his fur baby cross the rainbow bridge. After a some time of healing, Ms. Stefanie helped him find his perfect companion.

She doesn't just place dogs in homes, she thoroughly finds the right home, to assure the dogs won't end up back on the streets.

My previous partner and I, also adopted 2 dogs from Crossed Paws. These dogs are all very well taken care of, up to date on their vaccines, and spayed/neutered. Their kennels are always clean, and if there's something in particular a dog needs, she gets it!

Ms. Stefanie Badillo, always does the best for all the animals in her care. Ive seen her in the swamps, under houses,.in traffic, in the dark..(some places, I wouldn't go in, in daylight) just to save a dog.
She's truly "The dog whisperer"

Kimberly Singletary

10

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 5:47 AM
To: Yannone, Lyndsay
Subject: Fw: support/LDCU-2025-35

Good morning Lyndsay,

Please see Ms. Binns's email below.

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

Please let us know if we can be of any further assistance.

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

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From: Bonnie Binns <BBinns@CoveCommunities.Com>
Sent: Friday, May 29, 2026 4:21 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Cc: contact@crossedpawspetrescue.org <contact@crossedpawspetrescue.org>
Subject: support/LDCU-2025-35

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Good Afternoon,
Please find noted below a letter regarding Stefanie Badillo owner/operator of Crossed Paws Pet Rescue:

Bonnie M. Binns
9513 Fountain Terrace
Lakeland, Florida 33810
863-209-2887

May 29, 2026

SUBJECT: support/LDCU-2025-35

ATTN: PlannerOnCall@polk-county.net

To Whom It May Concern,

I am writing to provide a character reference for Stefanie Badillo owner of Crossed Paws Pet Resue and her organization that I have had the privilege of knowing and supporting since 2018.

Based on my adoption of my fox terrier, Foxy Joy in November 2018, I found her rescue to be compassionate, ethical, and committed to each pet's welfare. Her motto is: "My dogs come first, every time." Her efforts extend beyond basic shelter, encompassing medical care, behavioral assistance, and nurturing foster placements to maximize each animal's prospects for a healthy, fulfilling life. Stefanie's expertise in this area was highlighted on local news after she successfully caught a dog that had been on the loose for an extended period, even though Polk County authorities had been unable to do so.

The team, under Stefanie's leadership at Crossed Paws Pet Rescue, exhibits outstanding diligence in their adoption procedures by thoughtfully pairing dogs and pets with suitable families to promote enduring compatibility. Through transparent operations, adherence to ethical standards, and consistent advocacy for animal welfare, they have established credibility and garnered respect within the community. She has a fantastic policy where she will immediately take back a dog from her adoption that needs to be rehomed and has helped several senior residents in the Cypress Lakes Retirement Community.

I have observed dogs and pets entering in a state of fear, neglect, or injury and subsequently departing healthy, confident, and well cared for, demonstrating the organization's dedication and expertise. She never gives up on a dog!

I confidently endorse Stefanie Badillo and Crossed Paws Pet Rescue as reputable, reliable, and compassionate. I recommend them for partnership, grant consideration, or community support should the opportunities arise.

If you require further information, please feel free to contact me at 863-209-2887.

Sincerely,

Bonnie Binns

Satisfied Adopter since 2018

"Together we are better..."
John Paul Warren
Bonnie Binns, Courtesy Patrol Manager
Cypress Lakes Village
Gate: 863-859-7475
Cell: 863-209-2887
bbinns@covecommunities.com

OUR MISSION:
To own and operate communities in prime destinations that offer a lifestyle guests and residents love to live.
OUR VISION:
To create a world where exceptional customer service and generosity are second nature and hospitality is a passion.
OUR CORE VALUES:
Hospitality, Excellence, Passion, Trustworthiness, Stewardship, Kindness

Yannone, Lyndsay

9

From: Call, Planner On
Sent: Monday, June 1, 2026 5:45 AM
To: Yannone, Lyndsay
Subject: Fw: Support/ LDCU-2025-35

Good morning Lyndsay,

Please see Ms. Gallagher's email below.

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

Please let us know if we can be of any further assistance.

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

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From: Jean Gallagher <gallagherjean9@gmail.com>
Sent: Friday, May 29, 2026 3:51 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: Support/ LDCU-2025-35

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attachments unless you recognize the sender and know the content is safe.

Hello, my name is Jean Gallagher.
I have been a Polk County resident since 2001. I wanted to take this time to let you know what a gem you have residing in this county (if you' re not already aware).
Stefanie Badillo, founder of the Crossed Paws Pet Rescue, and her crew, have been doing an outstanding job helping stray, abandoned, and harmed animals. She and her helpers go out of their way to help these animals out of true love and respect for life. I have never met a more determined and fearless woman in all my days. I have seen her crawl under some of the scariest places, not concerned for herself, but concerned for the dogs, puppies and occasional cats. She doesn' t hesitate driving miles to desolate areas to trap an animal in need.
Stefanie shows these animals the love they need, sometimes on their last days on earth. I don' t know if the county can provide resources and assistance for her in any way, but she surely can use any help she can get.
She is truly an Angel on Earth!
Thank you for your time,
Jean Gallagher

Sent from my iPad

Yannone, Lyndsay

From: Call, Planner On
Sent: Friday, May 29, 2026 3:28 PM
To: Simons-Irizarry, Lisa; Yannone, Lyndsay
Subject: Re: support/ LDCU-2025-35

Hello,

Please see attached thread. Please and thanks!

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Aujanai Brown
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

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From: Jenna Caley <millerslegacydogrescue@gmail.com>
Sent: Friday, May 29, 2026 3:23 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: support/ LDCU-2025-35

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Hi there, I am writing in support of Stephanie Badillo, and her business, Crossed Paws Pet Rescue. Stephanie is a wonderful human being and not only cares immensely for dogs, but for humans and her community. She has saved countless dogs over the years and helped countless people with their pets. She directly helps with the pet overpopulation crisis in the area through her mission of saving, vetting, and rehabilitating dogs. I have been partnered with her for several years and have been able to see her amazing work and heart first hand.

Jenna Snowman-Caley
Owner/Founder
Miller's Legacy Dog Rescue and Rehab
207-322-8742

9

Yannone, Lyndsay

From: Call, Planner On
Sent: Friday, May 29, 2026 3:32 PM
To: Simons-Irizarry, Lisa; Yannone, Lyndsay
Subject: Fw: SUPPORT/ LDCU-2025-35 (STEFANIE BADILLO)

Hello,

Please see thread below. Please and thanks !

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



Aujanai Brown
Planning Technician
Office of Planning and Development
Mailing: P. O. Box 9005/Drawer GM01, Bartow, FL 33831-9005
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From: Dollie Jenkins <dolliesjenkins@gmail.com>
Sent: Friday, May 29, 2026 2:51 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: SUPPORT/ LDCU-2025-35 (STEFANIE BADILLO)

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To Whom It May Concern,

It is my pleasure to write this letter of recommendation for Stefanie Badillo.
I have had the privilege of knowing Stefanie through her work in animal rescue, and I can confidently say that she is one of the most dedicated, compassionate, and hardworking individuals I have ever met. Her commitment to helping dogs in our community goes far beyond what most people would consider a volunteer effort, it is truly her life's passion.
Stefanie is honest, reliable, selfless, and fiercely dedicated to the animals in her care. She works tirelessly day and night to rescue, rehabilitate, and advocate for dogs that often have nowhere else to turn. Whether she is coordinating rescues, fundraising, educating the public, or providing direct care to animals in need, she consistently gives 100 percent of herself to the cause.
One of the most remarkable things about Stefanie is the trust and support she has earned within the community. She has built a strong network of thousands of followers and donors on social media who have witnessed firsthand her determination, integrity, and unwavering commitment to animal welfare. In addition, numerous businesses and organizations have chosen to support her rescue efforts through donations and fundraisers, which speaks volumes about the confidence others have in both her character and her mission.
Stefanie has a unique ability to make people feel like family. She is straightforward and honest, never afraid to speak the truth, but always does so from a place of genuine care and concern. Her authenticity, loyalty, and passion inspire those around her and have helped create a community of supporters who share her dedication to saving lives.
Without hesitation, I recommend Stefanie Badillo. She is a person of exceptional character whose compassion, work ethic, and devotion to helping animals make a meaningful difference in the lives of countless dogs and the people who support her mission.
Sincerely,
Dollie Jenkins

--



LaDawna "Dollie" Jenkins
Wife | Mother | Friend

Facebook | Instagram | Tiktok

"Above all, be the heroine of your life, not the victim."

10

Yannone, Lyndsay

From: Inglima, Aleya
Sent: Monday, June 1, 2026 11:26 AM
To: Yannone, Lyndsay
Subject: FW: support/ LDCU-2025-35

Aleya Perreira-Inglima
Planner II
Land Development Division
330 W. Church Street
Bartow, FL 33830
(863) 534-6764 Phone
(863) 534-6407 Fax
aleyainglima@polkfl.gov

POLK COUNTY

From: Call, Planner On <PlannerOnCall@polkfl.gov>
Sent: Monday, June 1, 2026 9:34 AM
To: Inglima, Aleya <AleyaInglima@polkfl.gov>
Subject: Fw: support/ LDCU-2025-35

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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

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From: Jennifer Breton <jen112568@yahoo.com>
Sent: Saturday, May 30, 2026 11:19 AM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: support/ LDCU-2025-35

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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.

Dear Sir/Madam, I am writing to express my support for Stephanie Badillo and Crossed Paws Rescue. I have been acquainted with Stephanie and her exceptional work with animals since before the establishment of her 501(c)(3) organization. Her unwavering commitment to the well-being of animals and residents in Polk County is truly commendable. Stephanie not only rescues dogs and cats from Polk County, but she also provides essential resources such as food, veterinary care, and education to pet owners to help them care for their animals. Her efforts in educating Polk County residents on proper dog and cat care are invaluable. Having been the founder and director of a rescue in Polk County for many years, I can personally attest to the level of care, dedication, and advocacy that Stephanie extends to the animals in Polk County, Florida. When my circumstances led me to relocate to Maine, I knew that Crossed Paws Rescue, under Stephanie's leadership, was the one organization we would continue to support. Stephanie ensures that the animals in her care are well-maintained, well-fed, and receive necessary veterinary attention and enrichment activities. Due to my confidence in Stephanie and Crossed Paws Rescue, I have facilitated networking opportunities with rescues in Maine to transfer dogs from Polk County. The feedback from Maine rescues who have collaborated with Stephanie has been consistently positive, highlighting the excellent condition and veterinary care of the animals. The closure of Crossed Paws Rescue would have a significant impact on Polk County, which is currently facing an animal crisis with one of the highest euthanasia rates in the state. Losing this vital resource would only exacerbate the existing challenges.

Should you require any further assistance or information, please feel free to contact me at your convenience.

Thank you for your time and consideration. Sincerely,

Jennifer White
jen112568@yahoo.com
207-991-1435

Yahoo Mail: Search, Organize, Conquer

11

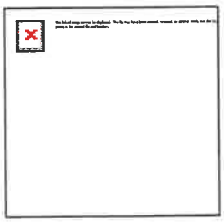
Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 10:01 AM
To: Simons-Irizarry, Lisa; Yannone, Lyndsay
Subject: Fw: Support LDCU-2025-35

Hello,

Please see attached thread.
Thanks!

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



Aujanai Brown
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

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From: Marsha Tynon <landonsnana2010@gmail.com>
Sent: Sunday, May 31, 2026 11:11 AM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: Support LDCU-2025-35

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attachments unless you recognize the sender and know the content is safe.

I am writing in support of Crossed Paws Pet Rescue in Polk County owned by Stefani Badillo. I have known Stefani over 15 years as we share a common love of animals. Her dedication to the rescue of injured, abandoned, dumped & surrendered dogs & cats on occasion is inspiring. She will stop at nothing to care for these animals, they receive vet care & nutritious food. Bottle feeding if required & any other special needs. She started small but as the need grew, she began searching for land to meet the needs of her rescue. She worked for months to build the proper space needed for her rescues. She works hard making sure each dog in her care is rehabilitated & healed from any injury & fed properly so they can be adopted to a loving home. The dogs are not given away, she has a contract & does background checks to make sure the dogs will have a safe home & will be loved & cared for. The dogs come first, always. Crossed Paws was even featured on a local television station. I am honored to know & support Stefani in her mission to ADOPT dogs who are rescued, NOT boarded. She is strictly non profit. I hope Polk County will recognize she is a non profit rescue not a boarding facility.
Thank you for your consideration.

Marsha Tynon
-Lifelong resident of Polk County
-Retiree from Polk County Clerk of Court (35 years serving the people of Polk Couty)
Sent from my iPhone

12

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 10:00 AM
To: Simons-Irizarry, Lisa; Yannone, Lyndsay
Subject: Fw: support/ LDCU-2025-35

Hello,

Please see attached thread.

Thanks!

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



Aujanai Brown
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.*

From: Jan and Katie Blessed Be the Bullies <bbtboffice@gmail.com>
Sent: Sunday, May 31, 2026 5:14 AM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: support/ LDCU-2025-35

You don't often get email from bbtboffice@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.

To whom it concerns:

Our rescue has been working with Stephania Badillo at Crossed Paws Rescue for five years now. In that time, we have found her to be professional and caring. She saves the lives of countless dogs every year. Here in Maine, we have to follow very strict guidelines for importing animals and have never had any issues with any of the animals we receive from her. They are healthy and taken care of. Above all of that, they are loved. If there are specific questions or concerns that we can address, please do not hesitate to reach out to us.

Sincerely,

Jan E Clark
Administrative Assistant to Katie Liberty
Blessed Be the Bullies Rescue

13

Yannone, Lyndsay

From: Call, Planner On
Sent: Monday, June 1, 2026 9:59 AM
To: Simons-Irizarry, Lisa; Yannone, Lyndsay
Subject: Fw: Support / LDCU-2025-35

Hello,

Please see attached thread.

Thanks!

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



Aujanai Brown
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

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From: David Douglas <destinysdaddy0418@gmail.com>
Sent: Saturday, May 30, 2026 6:10 PM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: Support / LDCU-2025-35

[You don't often get email from destinysdaddy0418@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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.

I have personally known Stefanie Badillo for the better part of 20 years.
When she first started rescuing and helping abandoned and mistreated dogs she only figured it would be just a few and be temporary.
Unbeknownst to her and her family it would turn out to be a mission to save as many dogs as possible. She is putting her time and tears into this rescue and loves it all!!
It is sad to see that so many of these dogs have been mistreated, beat, starved or just left abandoned out in the middle of nowhere.
I myself, have 5 dogs. 4 of them have been adopted from Stefanie (Crossed Paws Rescue). These are now my family and I wouldn't have it any other way.
Please understand that she is needed for these helpless animals that others had just thrown away.
Thank you!!

David Douglas
863-514-4074

Sent from my iPhone

Yannone, Lyndsay

From: Call, Planner On
Sent: Tuesday, June 2, 2026 9:07 AM
To: Yannone, Lyndsay
Subject: Fw: support/LDCU-2025-35

Good morning Lyndsay,

Please see email below.

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

Please let us know if we can be of any further assistance.

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

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From: Limo0627 <limo0627@aol.com>
Sent: Monday, June 1, 2026 11:20 AM
To: Call, Planner On <PlannerOnCall@polkfl.gov>
Subject: support/LDCU-2025-35

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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.

To Whom It May Concern:

My name is Lisa Moon and I am this email as a character reference for Stefanie Badillo with Crossed Paws Animal Rescue.

I first heard of Stefanie many years ago when she started helping abandoned or lost pets. I thought she was a superstar back then, but she has far exceeded any human being's display of concern, care, love and compassion for animals. I have met her several times in person after assisting in rescues. Once, when a dog was dumped on a 34 degree night in the woods. I was out searching for this poor animal and she immediately came with a trap and we saved the dog in just a few hours. Polk County has so many desperate dogs, cats and other animals that are abandoned by their owners. She is their only hope. I support her 100 percent.
I have known her to go out in the middle of the night, in the freezing cold rain and to some pretty awful places to save a poor animal.
Animal Control is overrun, all rescues are full and the situation is dire! Stefanie tries her very best to help every animal in need. She has worked so hard over the years to create a safe place for these poor abandoned dogs. I am in awe of her. I have also seen her help people KEEP their dogs. She is kind and compassionate. She will always do what is best for the dogs. Stefanie is an angel on earth and one day in heaven she will be surrounded by thousands of souls that she has saved and loved.

Sincerely,
Lisa Moon

Agenda Item 18. 6/3/2026

SUBJECT

LDCPAL-2026-5 (Text amendment to Section 2.130-B Indian Lakes Estates for Sewer and Duplex units)

DESCRIPTION

This is a County-initiated Large Scale Comprehensive Plan Text Amendment to Policies in Section 2.130 modifying sewer connection requirements to allow septic tanks for duplexes in Residential Low -X (RL-X). This case is related to LDC-2026-12, a companion Land Development Code Text Amendment. ILE is located south of SR 60, north of CR 640 and east of the City of Lake Wales.

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

ID #:	**N/A**
DRC Date:	April 30, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	June 16, 2026, Transmittal, and August 16, 2026, Adoption
Applicant:	County Initiated
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAL-2026-5 ILE Comp Plan Text CPA
Request:	Large Scale Comprehensive Plan Text Amendment to Policies in Section 2.130 modifying sewer connection requirements to allow septic tanks for duplexes in Residential Low-X (RL-X). This case is related to LDC-2026-12, a companion Land Development Code Text Amendment.
Location:	Indian Lakes Estates is located east of Lake Walk in the Water, south of SR 60 and north of CR 630 between Lake Walk in the Water and the intersection of SR 60 and CR 630.
Property Owner:	Various property owners in Indian Lakes Estates
Parcel Size:	N/A
Development Area:	Neighborhood Utility Service Area (NUSA) and the Suburban Development Area (SDA)
Future Land Use:	Office Center-X (OCX), Community Activity Center-X (CAC-X), Neighborhood Activity Center-X (NAC-X), Recreation and Open Space-X (ROS-X), Residential Low-X (RL-X) and Residential Suburban-X (RS-X).
Nearest Municipality	Frostproof
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce	Pending transmittal
Case Planner:	Chanda Bennett, Comprehensive Planning Administrator

The Comprehensive Plan policy changes are to Section 2.130-B Indian Lakes Estates to:

1) POLICY 2.130-B3.4 –
    a. Adding a foot note to the table in said policy in the row for "RLX" and "RMX" stating "See Policy 2.130B3.4;"
    b. Adding a lead in sentence allowing for bullets to be added stating "The following densities and intensities shall apply related to utility provision."
    c. Correcting a typo by adding "of;"
    d. Made the lead sentence before the table in Policy 2.130-B3.4 a bullet labeled "a."
    e. Added a new bullet "b." stating "Duplex units may be allowed on a single lot or parcel, as the lot or parcel existed on August 16, 2026, without the connection to public sewer in the RL and RM Future Land Use designation per the requirements in the land development regulations."

Summary of Analysis

This is a County-initiated amendment revising Comprehensive Plan policies in Section 2.130-B Indian Lakes Estates. The request modifies the sewer connection requirements to allow one septic tank per duplex structure in Residential Low-X (RL-X). This case is related to LDCT-2026-12, a companion Land Development Code Text Amendment. Connection to centralized sewer is required per Comprehensive Plan Policy 2.130-B3.4 for anything over two (2) dwelling units per acre in the RLX. Table 2.1 of the Land Development Code requires a Level 3 Review for duplex structures in the RLX. However, there is no sewer available in ILE and none is anticipated. The lot sizes in the RLX in ILE are mostly half an acre. The LDC text amendment also proposes duplex units in RLX in ILE to be a "C1."

ILE Background – Indian Lake Estates (ILE) is a platted subdivision of residential & non-residential lots recorded in the official records of Polk County, Florida, consisting of 8,000 ± lots (approx. 5,000 acres). ILE is not a vested development from the DRI statute. On November 30, 2004, the Board of County Commissioners approved a Comprehensive Plan map and text amendment for ILE (CPA 04B-09) based on a request from area property owners because there were no officially recognized land use designations in the Polk County Comprehensive for ILE. Prior to this amendment the Future Land Use designation was Pre-Development of Regional Impact #2. Development approvals were based on the Pre-Planned Unit Development and the subdivision documentation in Building. ILE is also governed by restrictive covenants of which the County does not enforce.

Relevant Sections, Policies, and/or Regulations to Consider:
Policy 2.102-A1: Development Location
Policy 2.102-A2: Compatibility
ILE Goals

Findings of Fact

Request and Legal Status

- This is a County-initiated request to amend Policies 2.130-B3.4 to modify the sewer connection requirements to allow one septic tank per duplex structure in Residential Low-X (RL-X) in Section 2.130-B Indian Lakes Estates (ILE). This case is related to LDCT-2026-12, a companion Land Development Code Text Amendment.

- The companion Land Development Code text amendment (LDCT-2026-12) is proposed to add a use table similar to Table 2.1, and a condition that a duplex is permitted in RLX using a septic tank with only one septic tank per duplex unit on parcels as they existed on August 16, 2026. The use table proposed to be added to Chapter 4 for ILE, part of LDCT-2026-12, will make duplex units a Conditional Use Level 2 Review.

- Two building permits were issued for duplex units in Indian Lakes Estates in error, as follows:

A. BR-2025-8850 on a half-acre parcel ID# 303109-994110-034548 in the RLX on a paved road;
B. BR-2025-6542 on a half-acre parcel ID# 303109994110034803 in Residential Medium-X (RMX) on an unpaved road.
C. The builders have converted the units to a single-family home and may convert the units back to a duplex at some point in the future.

- ILE is a platted subdivision of residential & non-residential lots recorded in the official records of Polk County, Florida, consisting of 8,000 ± lots (approx. 5,000 acres).

- All roads in ILE are privately owned and maintained by ILE.

- On November 30, 2004, the Board of County Commissioners approved a Comprehensive Plan map and text amendment for ILE (CPA 04B-09) based on a request from area property owners because there were no officially recognized land use designations in the Polk County Comprehensive for ILE. Prior to this amendment the Future Land Use designation was Pre-Development of Regional Impact #2.

- Development approvals were based on the Pre-Planned Unit Development and the subdivision documentation in Building.

- The table in Policy 2.130-B3.4 states the maximum density in RLX that can be on centralized water, but no sewer is two (2) dwelling units to the acre and the maximum density in RLX of (5) five dwelling units to the acre must be on public water and sewer. Therefore, any density over two (2) dwelling units per acre require centralized water and sewer connections.

- The use of septic tanks is permitted for densities less than five (5) dwelling units to the acre in other areas of unincorporated Polk County.

- Duplex units in Table 2.1 are currently listed as a Conditional Use Level 3 Review.

- ILE is in the Military Compatibility Zone 1 and Zone 2 for the Avon Park Airforce Range.

Compatibility and Infrastructure

- The Board of County Commissioners denied a Comprehensive Plan amendment (LDCPAL-2024-15) in February of 2025 modifying Policy 2.130-B3.4 to allow densities over two (2) dwelling units per acre to be on septic and to allow duplex units in the Office Center-X (OCX) Future Land Use designation.

- The Board of County Commissioners also denied a companion Land Development Text amendment (LDCT-2024-24) to add a use table to the ILE section in Chapter 4 of the LDC and to reference the allowance for septic.

- ILE is for the most part an isolated community surrounded predominantly by Agriculture/Residential Rural (A/RR) land use. Also surrounding ILE to the north is the Sumica, a 4,031-acre County owned Environmental Lands property. To the west is Lake Walk-in-Water.

- Canopy Oaks, a Recreational Vehicle Park community, is to the south of ILE.

- Water is provided by ILE Utilities, a private, independent company. There is no current active sewer within ILE.

- Approximately 10 percent of ILE is wetland, and approximately 35 percent is shown to contain Federal Emergency Management Area (FEMA) Flood Zones. The majority of the wetland areas lie on the shoreline of Lake Walk-in-Water. Some isolated wetlands appear in the interior of the development along the shoreline of the ponds. Almost all of the known wetlands are located within lands owned by the ILE Homeowners Association and not planned or approved for development.

- The nearest active airport facility is the airfield at River Ranch, a Development of Regional Impact (DRI) seven miles to the east. Airspace for the Avon Park Bombing Range is within closer proximity to the development. Neither of these facilities will be adversely impacted by the fulfillment of the ILE development plan.

- There have been protected plant and community sightings in the eastern part of ILE and there have been protected animal sightings in the eastern and western parts of ILE.

- ILE has a community golf course, several small community parks, an extensive system of greenway trails, community boat ramp, marina, beach and pier onto Lake Walk-In-Water. Additionally, there are several ponds located throughout ILE and to the north is the 4,031 acre Sumica County owned Natural Area.

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.

- The goals of the ILE development in the Comprehensive Plan include:
    - GOAL 2.130-B1: Remain a secure and sustainable suburban resort-oriented community.
    - GOAL 2.130-B2: Preserve the natural beauty, wildlife and solitude of ILE and the surrounding area.
    - GOAL 2.130-B3: Encourage sustainable growth by promoting a mixture of residential and non-residential uses outside the gate; and allowing only single-family residential and amenities with services inside the gate.
    - GOAL 2.130-B4: For Indian Lake Estate to continue to develop at the same quality as it has in the past.

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-2026-5.**

Planning Commission Recommendation: On June 3, 2026, at an advertised public hearing, the Planning Commission recommend ?:?, to **APPROVE/DENY LDCPAL-2026-5.**

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:

Exhibits 2, 3, and 4 display parcels staff have been asked to allow duplex structures in ILE in 2024. Moreover, a building permit has been issued for a duplex unit in the Residential Low-X (RLX) at the south end of Fort Myers Drive on a parcel that is half an acre and a duplex building permit for a property in the Residential Medium-X (RMX) on a half an acre on an unpaved road. Both parcels are connected to public water and on septic. The roads in ILE are all private. The duplex makes the density four (4) dwelling units per acre. Policy 2.130-B3.4 includes a table providing maximum densities and intensities given the availability of centralized water and sewer. This table states the maximum density in Residential Low-X (RLX) as displayed below with the recommended text modification highlighted in yellow.

FLU	Without Central Water or Sewer		With Central Water, but not Sewer		With Central Water & Sewer*	
	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR
RLX	1 du/ac	0.05	2 du/ac **	0.1	5 du/ac	0.25
RMX	1 du/ac	0.05	4 du/ac	0.15	10 du/ac	0.25
OCX	1 du/ac	0.1	2 du/ac	0.2	5 du/ac	0.30
NACX*	1 du/ac	0.1	4 du/ac	0.2	10 du/ac	0.25
CACX*	1 du/ac	0.15	4 du/ac	0.2	10 du/ac	0.35
INSTX	n/a	0.1	n/a	0.2	n/a	0.25
* Residential only permitted in NACX and CACX in connection with retail as a mixed use or live-work unit. ** See Policy 2.130-B3.4						

Most lots in the RL-4X and the RMX in ILE are half acre which is a density of two (2) dwelling units to the acre, if a single-family home is constructed on each. A subdivision of these lots or a duplex on any of these lots makes the density four (4) dwelling units per acre. However, the table in the Comprehensive Plan displayed above does not permit densities above two (2) dwelling units per acre on septic tanks. Other areas in RL-4 in unincorporated Polk County outside of ILE have the option to develop at three (3) and (4) dwelling units per acre with septic tanks if permitted by the Health Department. However, duplex units in RL-4 is a Level 3 Review per Table 2.1 of the Land Development Code.

The LDC text amendment (LDCT-2026-12) is being proposed to add a use table in Chapter 4 for ILE like Table 2.1 in Chapter 2 for just the Future Land Use designations within ILE which are listed below. The only difference will be that duplex units in ILE is proposed a Conditional Use Level 1 Review (C1 - administrative staff level review) versus Table 2.1 that requires a Conditional Use Level 3 Review for all duplex units in RL. Duplex units in RM are a permitted use "P" in Table 2.1.

- Residential Suburban (RS)
- Residential Low (RL)
- Neighborhood Activity Center (NAC)
- Community Activity Center (CAC)
- Institutional (INST)

- Recreation and Open Space (ROS)

Infrastructure Impacts - This does remove some barriers to development that can lead to more growth. However, ILE is a vested development. These changes will encourage development in an area already planned for such. Any infrastructure impacts will be implemented and required per the concurrency standards listed in Chapter 7 of the LDC.

Avon Park Airforce Range Military Compatibility Zone (Range)

ILE is in both Compatibility Zones for the Range. There is a Military Compatibility Zone 1 and Zone 2 (See Exhibit 5). Section 2.124-I of the Comprehensive Plan has policies for the Range.

https://library.municode.com/fl/polk_county/codes/comprehensive_plan?nodeId=CH2DEPO_DIV2.100FULAUSEL_S2.124-IAVPAAIRAMICOZO

These policies address coordination and implementation of the Joint Land Use Study prepared by the Central Florida Regional Planning Council (CFRPC). Chapter 6 of the Land Development Code includes standards for the Range.

https://library.municode.com/fl/polk_county/codes/land_development_code?nodeId=CH6REPR_S642MICOZORE251RD19-008092112OR12-028

The proposed changes will make development in ILE easier which is of a concern for the Range. However, all the lots in ILE are vested lots that are eligible for some type of development.

Comparisons to other Jurisdictions:

Special policies and development code regulations are common in other jurisdictions throughout Florida. The current section for ILE is equivalent to the County's section of the Comprehensive Plan and Land Development Code regarding Selected Area Plans. Section 2.130 of the Comprehensive Plan was created for Developments of Regional Impact (DRI). It seems appropriate to make these changes to the policy related to ILE allow infill development and the potential for more residential development to accommodate the growing population of Polk County rather than creating new residential communities.

Limits of the Proposed Ordinances

The scope of the amendment will impact new development within the RL-4X designation only ILE. The Comprehensive Plan text amendment and the Land Development Code text amendment will allow duplex units in RLX at four dwelling units to the acre on public water and septic.

Consistency with the Comprehensive Plan

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 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 8 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 are a small change to allow for duplex units and allow some growth without sewer. The request is consistent with this policy and with the existing development allowances elsewhere in Polk County.
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 policy text changes along with the other requirements in the Land Development Code such as Section 220 ensure compatibility with the new uses.

Policy	Consistency
GOAL 2.130-B1: Remain a secure and sustainable suburban resort-oriented community. **GOAL 2.130-B2:** Preserve the natural beauty, wildlife and solitude of ILE and the surrounding area. **GOAL 2.130-B3:** Encourage sustainable growth by promoting a mixture of residential and non-residential uses outside the gate; and allowing only single-family residential and amenities with services inside the gate. **GOAL 2.130-B4:** For Indian Lake Estate to continue to develop at the same quality as it has in the past.	The proposed amendment related to sewer exemption will allow duplex units at no more than four (4) units per acre on public water and sewer.
POLICY 2.124-I2: In compliance with section 163.3175(5), F.S., Polk County shall continue to coordinate with range representatives and the Central Florida Regional Planning Council (CFRPC) to adopt and implement development standards and guidelines that minimize impacts of development on the operations of the military installation. The Land Development Code shall address land use, lighting, height, noise, and communication frequency spectrums in defining the criteria for compatibility within the MCZ.	Polk County has reached out to the Central Florida Regional Planning Council and the Avon Park Airforce Range base representative. The Avon Park Airforce Range did submit a letter of opposition to a similar type of request from January of 2025. This letter is provided under separate cover. An updated letter will be provided if received prior to the Planning Commission hearing.

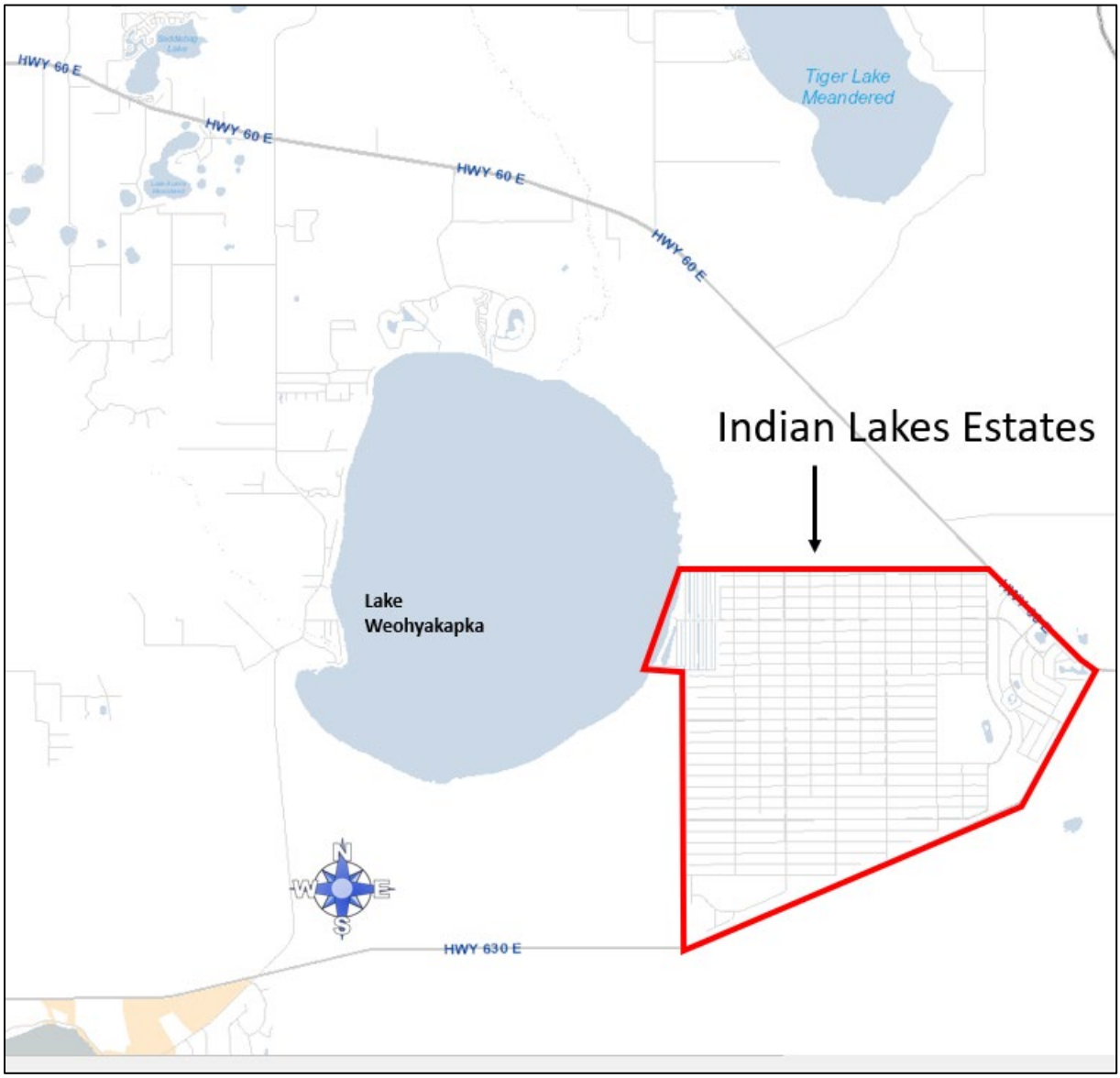
Comments from Other Agencies: None

Exhibits:

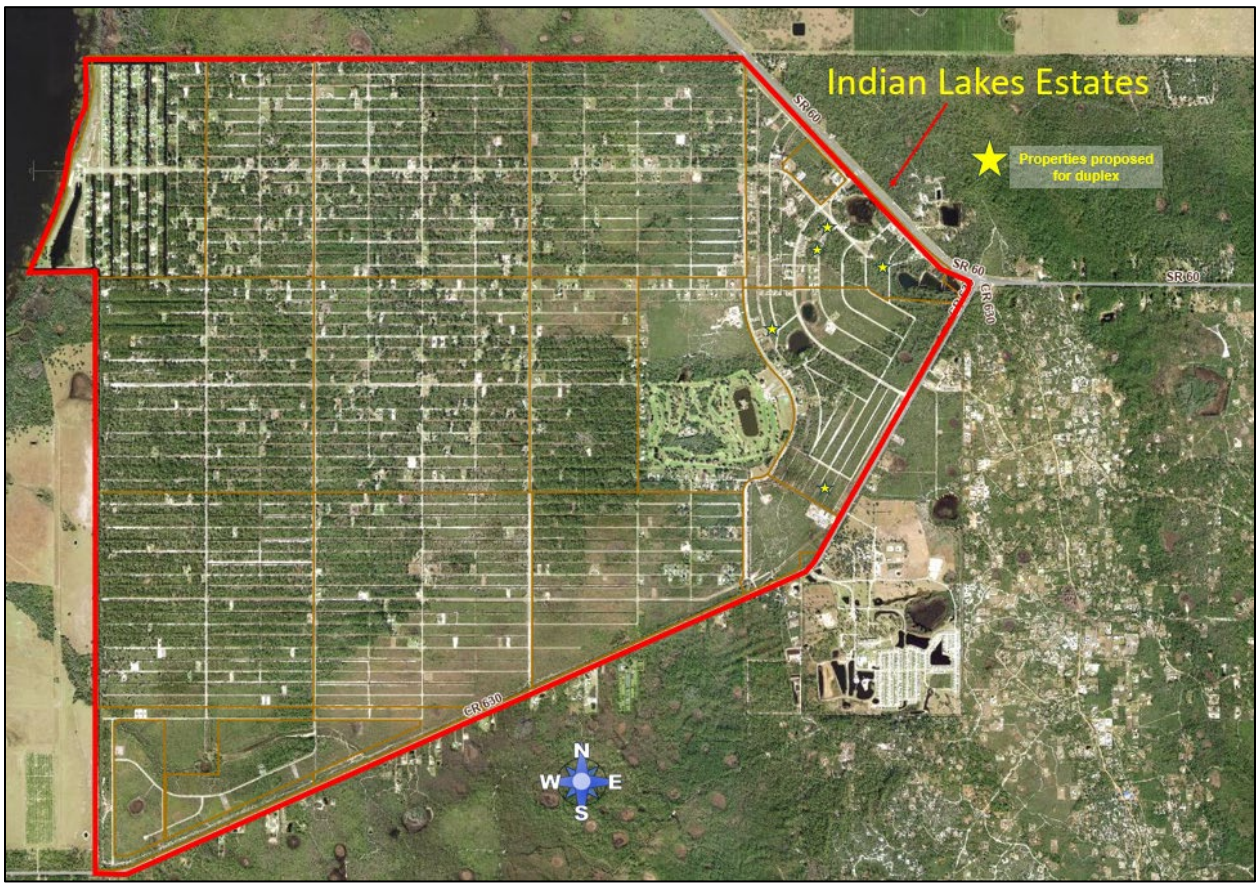
Exhibit 1	Location of the Indian Lakes Estates
Exhibit 2	Context Aerial
Exhibit 3	Close Up Aerial
Exhibit 4	Current Future Land Use Map
Exhibit 5	Military Compatibility Zones Avon Park Airforce Range

Under separate attachment

- Draft Ordinances with proposed text
- Application information



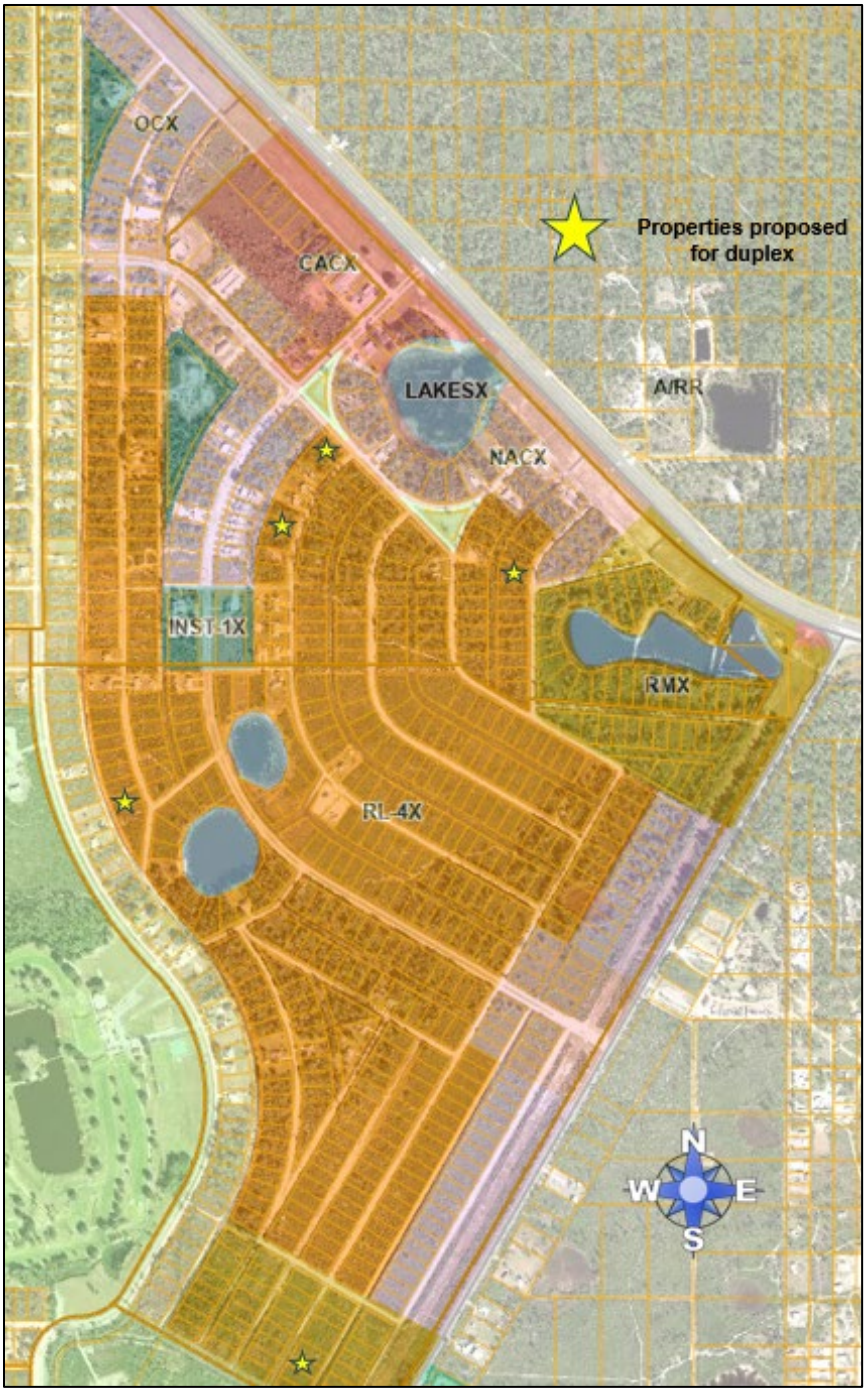
LOCATION MAP



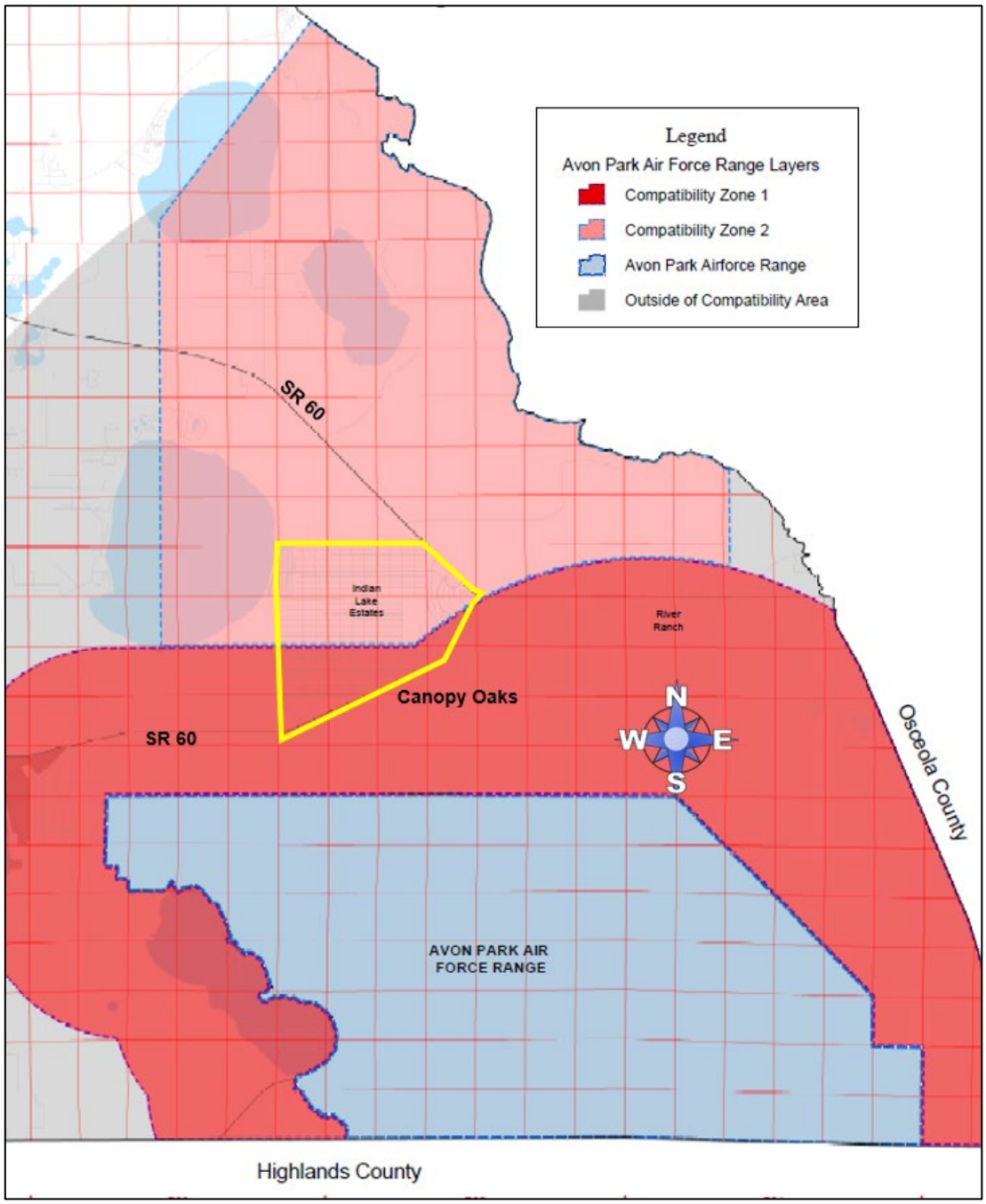
AERIAL (2023 CONTEXT)



AERIAL (2023 CLOSE UP)



CURRENT FUTURE LAND USE MAP



Military Compatibility Zones Avon Park Airforce Range

Draft

Ordinance No. 26 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL 2026-5;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, MODIFYING POLICY 2.130-B3.4 REMOVING THE SEWER CONNECTION REQUIREMENT FOR DUPLEX UNITS IN RESIDENTIAL LOW IN INDIAN LAKES ESTATES (ILE). ILE IS LOCATED SOUTH OF SR 60, NORTH OF CR 640 AND EAST OF THE CITY OF LAKE WALES; 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 2026-5 is a County-initiated application to amend Policies 2.130-B3.3 and 2.130B3.4 regarding sewer connection in Section 2.130-B Indian Lakes Estates 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 June 3, 2026; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on June 16, 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 August 16, 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 16th day of August 2026.

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

SECTION 2.130-B INDIAN LAKE ESTATES (PRE-DRI #2).

GOAL 2.130-B1: Remain a secure and sustainable suburban resort-oriented community.

OBJECTIVE 2.130-B1: Polk County shall review level of service for roadways, traffic, utilities, educational facilities, public safety, and recreation after 500 new dwelling units are constructed or in five years from the date this amendment becomes effective, which ever comes first and, amend the plan for Indian Lake Estates as needed.

POLICY 2.130-B1.1: No lot subdivided from an existing lots of record or new lot created will be eligible to obtain a building permit.

POLICY 2.130-B1.2: Multi-Family (larger than quadruplex); Group Living Facilities, Family Care Home, Group Home and Congregate; Retail, more than 50,000 square feet; Manufacturing; and Junkyards are prohibited in all ILE land use districts.

POLICY 2.130-B1.3: Commercial Vehicle parking is prohibited within all ILE residential areas. RV and boat parking within all ILE residential areas shall be required to follow County's parking buffer and setback regulations to be outlined in the LDC.

GOAL 2.130-B2: Preserve the natural beauty, wildlife and solitude of ILE and the surrounding area.

POLICY 2.130-B2: No roadway, Greenway, Parkway, canal, lake or other right-of-way shall be closed or vacated within ILE.

GOAL 2.130-B3: Encourage sustainable growth by promoting a mixture of residential and non-residential uses outside the gate; and allowing only single-family residential and amenities with services inside the gate.

OBJECTIVE 2.130-B3: Pursuant to the Polk County Comprehensive Plan Policy 2.110-E1, an area with a population of approximately 20,000 persons (figured at 8,000± lots by 2.5 persons per household) is recommended to have between 20 and 60 acres of Usable Area and 150,000 to 500,000 square feet of Gross Leasable Area (GLA) for commercial and office space. This assumes there are other convenient commercial activity centers within close proximity. Currently there are no other commercial activity centers within close proximity and therefore a greater, approximately 95± acres of commercial and office may be needed in ILE.

POLICY 2.130-B3.1: All land uses for ILE will be modifications in the Polk County Land Development Code (LDC) and Comprehensive Plan (COMP) and contain extra-criteria (X).

POLICY 2.130-B3.2: Uses inside the ILE gate shall consist of single-family conventionally built homes in Residential-Suburban "X" (RSX) district or Recreation and Open Space (ROSX) districts containing community amenities and services.

POLICY 2.130-B3.3: Uses outside the gate will consist of a mixture of low to medium density residential, community services, small scale service retail and professional commercial, and be further defined in the Land Development Code. Examples of these non-residential uses include, but are not limited to; bakery, restaurant, florist, jeweler, arts & crafts/gift shop, motel and/or hotel, grocery store, pharmacy, hardware store, appliance/furniture, electric sales, strip mall, auto and boat service (with sales and leasing), beauty shop/barber, dry cleaner/laundry, electrician, plumber, home improvement (lawn, paint, roof, gutter), child and adult care facility, medical facility (doctor and dentist), attorney office, accountant/financial advisor office, insurance office, and real estate office. Land Use Designations are to include:

Residential Low "X" (RLX): Single family and duplex homes upon review.

Residential Medium "X" (RMX): Single family, duplex and quadruplex homes upon review.

Office Center "X" (OCX): The purpose of the OCX district is to provide areas for small offices. The OC district permits professional offices and some retail uses.

Lots 31—43 in Block 325 and Lots 1—10 in Block 324 along Deland Avenue and Lots 17—28 in Block 334 and Lots 28—46 in Block 335 along St. Petersburg Drive require a Conditional Use Level 3 (C3) review.

Neighborhood Activity Center "X" (NACX): The purpose of the NACX district is to provide for the daily shopping needs of residents within neighborhoods surrounding the center. The NACX district includes non-residential uses such as offices, grocery stores, drug stores banks and community facilities.

Community Activity Center "X" (CACX): The purpose of the CACX district is to provide for shopping needs of residents living within the surrounding community. The CACX district permits special residential development, non-residential uses such as offices, department stores supermarkets, restaurants and community facilities.

Institutional "X" (INSTX): The purpose of the INSTX district is to provide for the use and development of lands for private and public service structures with minimal external impacts such as government facilities, cultural facilities, and Class I and Class II utilities.

Recreation and Open Space "X" (ROSX): The purpose of the ROSX district is to provide for the use and development of lands and areas which are accessible to the public, and which are oriented towards providing recreational activities and services for residents and visitors.

POLICY 2.130-B3.4: Uses outside the gate will have limited intensity if adequate infrastructure and services are not provided. The following densities and intensities shall apply related to utility provision:

a. With regard to utilities, the following table lists the maximum intensities and densities allowed given the availability of centralized water and sewer service:

FLU	Without Central Water or Sewer		With Central Water, but not Sewer		With Central Water & Sewer*	
	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR
RLX	1 du/ac	0.05	2 du/ac **	0.1	5 du/ac	0.25
RMX	1 du/ac	0.05	4 du/ac	0.15	10 du/ac	0.25
OCX	1 du/ac	0.1	2 du/ac	0.2	5 du/ac	0.30
NACX*	1 du/ac	0.1	4 du/ac	0.2	10 du/ac	0.25
CACX*	1 du/ac	0.15	4 du/ac	0.2	10 du/ac	0.35
INSTX	n/a	0.1	n/a	0.2	n/a	0.25

* Residential only permitted in NACX and CACX in connection with retail as a mixed use or live-work unit.
** See Policy 2.130-B3.4, B

b. Duplex units may be allowed on a single lot or parcel, as the lot or parcel existed on August 16, 2026, without the connection to public sewer in the RL Future Land Use designation per the requirements in the land development regulations.

POLICY 2.130-B3.5: Uses desired in all areas of ILE include single-family residential, preserve, open space, recreation area, park, and walking area (greenway). Therefore, additional Recreation and Open Space "X" (ROSX) is to be designated to all parks, Greenways, Parkways, lakes and canals in addition to areas shown on map.

POLICY 2.130-B3.6: Undesired uses in any and all areas of ILE include, but are not limited to; industrial/production, high impact commercial, big box, any new use producing heavy truck traffic, half-way house/"drop-in" center, junkyard, large scale apartment complex. There were additional uses that were not desired that do not appear on this list because the use can not be legally regulated. These uses include, but are not limited to, bar/tavern, pool hall, and adult entertainment/business.

POLICY 2.130-B3.7: Uses that have debated desire amongst the community include, but are not limited to; gas station, light manufacturing/assemblage, clinic, additional churches, religious retreat, school, size of housing; RV, mobile and/or manufactured home areas; RV, truck and boat parking on residential lots. Since these uses have been identified as a mixed desire, they will be conditional uses and require a Level 3 (C3) review.

Table 1.1: Future Land Use Map (FLUM) Acreage

FLU	***Approximate Acreage (of recorded lots)**	****Number of Recorded Lots**	*****Percent (%)**
Residential Suburban (RSX)	3,700	7,500	74
Residential Low (RLX)	200	391	4
Residential Medium (RMX)	40	83	<1
Office Center (OCX)	30 (permitted) 10 (conditional)	87	<1
Neighborhood Activity Center (NACX)	40	71	<1
Community Activity Center (CACX)	15	24	<1
Institutional (INSTX)	15	12	<1
Recreation and Open Space (ROSX)/Right-of-Way	1,000	N/A	20
Total	5,000	8,168	100
* The acreage is an approximate rounded amount and is not an accurate measurement. In order for an accurate measurement an engineer survey is needed.			
** Numbers are a rough count and subject to change.			
*** Percentages have been rounded to nearest positive percent.			

POLICY 2.130-B3.8: Indian Lake Estates (ILE) is a platted subdivision of residential and non-residential lots recorded in the official records of Polk County, Florida, consisting of 8,000± lots (approx. 5,000 acres). ILE is not a vested development from the DRI statute. In addition to assigned land uses, ILE is governed by a set of restrictive covenants. Land use is in addition to, and does not supersede ILE covenants. However, covenants do not supersede County Ordinances. The more restrictive apply, but the County does not enforce covenants.

UNIT #	**PLAT BOOK #/ PAGE #**	***LOTS**	**FLU**
1	PB 39, PG 1	864	RSX
2	PB 39, PG 14	864	RSX
3	PB 39, PG 18	432	RSX
4	PB 39, PG 30	432	RSX
5	PB 39, PG 31	864	RSX
6	PB 40, PG 41	868	RSX
7	PB 39, PG 46	418	RSX
8	PB 39, PG 47	137	RSX

9	PB 40, PG 42	864	RSX
10	PB 40, PG 14	308	See Below
11	PB 40, PG 15	429	See Below
12	PB 40, PG 19	N/A	ROSX
13	PB 40, PG 20	544	RSX (See ROSX Below)
14	PB 40, PG 21	844	RSX (See ROSX Below)
15	PB 40, PG 48	24	RSX
16	PB 40, PG 14	79	RSX
17	PB 40, PG 50	26	See Below
Woodlands	PB 87, PG 34	171 (Stormwater management area exempt and designated ROSX)	RSX
		TOTAL LOTS = 8,168	
* Numbers are a rough count and subject to change. Also, there are additional non-buildable parcels that have been created as parks, Greenways, Parkways, lakes and canals. Therefore, additional Recreation and Open Space "X" (ROSX) is to be designated to all parks, Greenways, Parkways, lakes and canals in addition to areas shown on map and listed in table.			

Except for certain lots in Units 10, 11, 12, 13, 14 and 17, the permitted use of all lots within this development is single-family residential. The following lots in Units 10 and 11 are designated as RLX:

Block 322	Lots 1—4 (All)
Block 323	Lots 1—6, 11—13
Block 324	Lots 15—22
Block 325	Lots 1—20
Block 326	Lots 25—44
Block 327	Lots 1—10, 22—30
Block 328	Lots 1—10 (All)
Block 329	Lots 1—10 (All)
Block 330	Lots 6—10
Block 331	Lots 1—5
Block 332	Lots 6—10
Block 334	Lots 5—16
Block 335	Lots 1—19
Block 336	Lots 1—29 (All)
Block 337	Lots 1—41 (All)
Block 338	Lots 1—34 (All)
Block 339	Lots 1—30 (All)
Block 340	Lots 1—12, Parcel 034013 (All)
Block 341	Lots 1—34 (All)
Block 342	Lots 1—9 (All)
Block 343	Lots 1—14 (All)
Block 344	Lots 1—15 (All)
Block 345	Lots 40—69

The following lots in Units 10 and 11 are designated as RMX:

Block 317	Lots 1—26 (All)

Block 318	Lot 1, Parcel 031801
Block 333	Lots 1—15 (All)
Block 346	Lots 9—16
Block 347	Lots 1—16 (All)
Block 348	Lots 1—16 (All)

The following lots in Units 10 and 11 are designated as OCX:

Block 320	Lots 3—8
Block 321	Lots 21—25, 29—38
Block 323	Lots 7—10
Block 324	Lots 1—10, 13—14
Block 325	Lots 21, 22, 31—43
Block 326	Lots 23, 24
Block 327	Lots 20, 21
Block 334	Lots 17—28
Block 335	Lots 28—46

The following lots in Units 10 and 17 are designated as NACX:

Block 318	Lots 2—6
Block 319	Lots 1—14
Block 320	Lots 1, 2, 9, 10, 12—28, Parcels 032038 and 000380
Block 321	Lots 26—28
Block 324	Lots 11, 12
Block 325	Lots 23—30
Block 327	Lots 11—19
Block 334	Lots 1—4, 29—32
Block 335	Lots 20—27

The following lots in Units 10 and 17 are designated as CACX:

Block 319	Lots 15—19
Block 320	Lots 29—37, Parcel 000380

The following lots in Units 10 and 11 are designated as INSTX:

Block 321	Parcel 032140
Block 325	Parcel 032544
Block 330	Lots 1—5
Block 331	Lots 6—10

The following lots in Units 10, 13 and 14 are designated as ROSX:

Block 319	Parcels 031920 and 031921
Block 359	Parcel 035917
Block 383	Parcel 038317

Additionally, ROSX is to be designated to all parks, Greenways, Parkways, lakes and canals.

GOAL 2.130-B4: For Indian Lake Estate to continue to develop at the same quality as it has in the past.

OBJECTIVE 2.130-B4: To recognize the Indian Lake Estates Restatement of Residential and Commercial Building Standards in the Polk County Land Development Code.

POLICY 2.130-B4.1: Polk County shall recognize the Indian Lake Estates Restatement of Residential and Commercial Building Standards when developing Land Development Code regulations for ILE.

LDCPAL-2026-5 - Text amendment to Section 2.130-B Indian Lakes Estates

Menu Reports Help

Application Name: Text amendment to Section 2.130-B Indian Lakes Estates

File Date: 04/09/2026

Application Type: BOCC-CPA Large

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: County initiated Comprehensive Plan text amendment to Section 2.130-B Indian Lakes Estates amending the central sewer requirements and use of septic tanks

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
POLK COUNTY		Engineer	Mailing, 330 W Church ...	Active
POLK COUNTY		Contact	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: $850.00

Total Fee Invoiced: $0.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
Government Project

Variance Type
_

Brownfields Request
_

Affordable Housing

Type of Acreage
_

GENERAL INFORMATION

Expedited Review

Number of Lots
_

Will This Project Be Phased

Acreage
0

DRC Meeting
04/30/2026

DRC Meeting Time
12:15 PM

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
06/03/2026

Land Use Hearing Officer 3
_

1st BOCC Date
06/16/2026

2nd BOCC Date
08/18/2026

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-REC26-00000-00E65	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 ...	04/09/2026	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	04/23/2026	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	04/16/2026	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	04/24/2026	Kim Turner
Planning Review	Chanda Bennett			
School Board Review	School District	Not Required	04/10/2026	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

Polk County

Planning Commission

Agenda Item 19. 6/3/2026

SUBJECT

LDCT-2026-12 (Text amendment to Chapter 4, Section 402 C - Indian Lakes Estate for sewer, duplex units and adding a use table)

DESCRIPTION

This is a County-initiated Land Development Code text amendment to Chapter 4, Section 402, c. Indian Lakes Estates (Pre-DRI #2) to add a use table and conditions for duplex units on septic tanks, minimum septic tank requirements, and prohibiting parcel subdivision. This case is related to LDCPAL-2026-5, a companion Comprehensive Plan text amendment.

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

ID #:	**N/A**
DRC Date:	April 30, 2026
Planning Commission Date:	June 3, 2026
BoCC Dates:	June 16, 2026, 1st reading, and August 16, 2026, Adoption
Applicant:	County Initiated
Level of Review:	Level 4 Review, Land Development Code Text Amendment
Case Number and Name:	LDCT-2026-12 ILE LDC Text Amendment
Request:	Land Development Code text amendment to Chapter 4, Section 402, c. Indian Lakes Estates (Pre-DRI #2) to add a use table and conditions for duplex units on septic tanks, minimum septic tank requirements, and prohibiting parcel subdivision. This case is related to LDCPAL-2026-5, a companion Comprehensive Plan text amendment.
Location:	Indian Lakes Estates is located east of Lake Walk in the Water, south of SR 60 and north of CR 630 between Lake Walk in the Water and the intersection of SR 60 and CR 630.
Property Owner:	Various property owners in Indian Lakes Estates
Parcel Size:	N/A
Development Area:	Neighborhood Utility Service Area (NUSA) and the Suburban Development Area (SDA)
Future Land Use:	Office Center-X (OCX), Community Activity Center-X (CAC-X), Neighborhood Activity Center-X (NAC-X), Recreation and Open Space-X (ROS-X), Residential Low-X (RL-X) and Residential Suburban-X (RS-X).
Nearest Municipality	Frostproof
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce	Pending transmittal
Case Planner:	Chanda Bennett, Comprehensive Planning Administrator

The changes to Chapter 4, section 402, c, Indian Lakes Estates (PRE-DRI #2) are:

1) POLICY 2.130-B3.4 –
    a. Adding two conditions that allow duplex units on septic tanks in the Residential Low-4X (RL-4X) at four dwelling units to the acre. The conditions are summarized as follows:
        i. Each duplex unit in RL-4X shall be limited to one septic tank per duplex unit on a parcel as it existed on August 16, 2026;
        ii. Adding minimum requirements for septic tank design.

Summary of Analysis

This is a County-initiated amendment revising the regulations in Chapter 4, Section 401, c, Indian Lakes Estates (Pre-DRI #2) in the Land Development Code adding a use table and conditions for duplex units on septic tanks, minimum septic tank requirements and prohibiting parcel subdivision. This case is related to LDCPAL-2026-5, a companion Comprehensive Plan text amendment.

These requests modify the sewer connection requirements to allow one septic tank per duplex structure in Residential Low-X (RL-X) at densities over two dwelling units per acre. Connection to centralized sewer is required per Comprehensive Plan Policy 2.130-B3.4 for anything over two (2) dwelling units per acre in the RLX. Table 2.1 of the Land Development Code requires a Level 3 Review for duplex structures in the RLX. However, there is no sewer available in ILE and none is anticipated. The lot sizes in the RLX in ILE are mostly half an acre. This request includes a proposal to make duplex units a Conditional Use Level 1 Review (C1-administrative review). The need for this amendment is due to the two building permits that were issued for duplex units in Indian Lakes Estates in error, as follows:

- BR-2025-8850 on a half-acre parcel ID# 303109-994110-034548 in the RLX on a paved road;
- BR-2025-6542 on a half-acre parcel ID# 303109994110034803 in Residential Medium-X (RMX) on an unpaved road.
- The builders have converted the units to a single-family home and may convert the units back to a duplex at some point in the future.

ILE Background – Indian Lake Estates (ILE) is a platted subdivision of residential & non-residential lots recorded in the official records of Polk County, Florida, consisting of 8,000 ± lots (approx. 5,000 acres). ILE is not a vested development from the DRI statute. On November 30, 2004, the Board of County Commissioners approved a Comprehensive Plan map and text amendment for ILE (CPA 04B-09) based on a request from area property owners because there were no officially recognized land use designations in the Polk County Comprehensive for ILE. Prior to this amendment the Future Land Use designation was Pre-Development of Regional Impact #2. Development approvals were based on the Pre-Planned Unit Development and the subdivision documentation in Building. ILE is also governed by restrictive covenants of which the County does not enforce.

Relevant Sections, Policies, and/or Regulations to Consider:
Policy 2.102-A1: Development Location
Policy 2.102-A2: Compatibility
ILE Goals

Findings of Fact

Request and Legal Status

- This is a Land Development Code text amendment (LDCT-2026-12) proposed to add a use table similar to Table 2.1, conditions that a duplex is permitted in RLX using a septic tank with only one septic tank per duplex unit on parcels as they existed on August 16, 2026, and minimum requirements for the septic tanks. The use table proposed to be added to Chapter 4 for ILE, part of LDCT-2026-12, will make duplex units a Conditional Use Level 2 Review rather than as listed in Table 2.1 for the rest of the County as a Conditional Use Level 3 Review.

- This is a County-initiated request to amend Policies 2.130-B3.4 to modify the sewer connection requirements to allow one septic tank per duplex structure in Residential Low-X (RL-X) in Section 2.130-B Indian Lakes Estates (ILE). This case is related to LDCT-2026-12, a companion Land Development Code Text Amendment.

- Two building permits were issued for duplex units in Indian Lakes Estates in error, as follows:

    A. BR-2025-8850 on a half-acre parcel ID# 303109-994110-034548 in the RLX on a paved road;
    B. BR-2025-6542 on a half-acre parcel ID# 303109994110034803 in Residential Medium-X (RMX) on an unpaved road.
    C. The builders have converted the units to a single-family home and may convert the units back to a duplex at some point in the future.

- ILE is a platted subdivision of residential & non-residential lots recorded in the official records of Polk County, Florida, consisting of 8,000 ± lots (approx. 5,000 acres).

- All roads in ILE are privately owned and maintained by ILE.

- On November 30, 2004, the Board of County Commissioners approved a Comprehensive Plan map and text amendment for ILE (CPA 04B-09) based on a request from area property owners because there were no officially recognized land use designations in the Polk County Comprehensive for ILE. Prior to this amendment the Future Land Use designation was Pre-Development of Regional Impact #2.

- Development approvals were based on the Pre-Planned Unit Development and the subdivision documentation in Building.

- The table in Policy 2.130-B3.4 states the maximum density in RLX that can be on centralized water, but no sewer is two (2) dwelling units to the acre and the maximum density in RLX of (5) five dwelling units to the acre must be on public water and sewer. Therefore, any density over two (2) dwelling units per acre require centralized water and sewer connections.

- The use of septic tanks is permitted for densities less than five (5) dwelling units to the acre in other areas of unincorporated Polk County.

- Duplex units in Table 2.1 are currently listed as a Conditional Use Level 3 Review.

- ILE is in the Military Compatibility Zone 1 and Zone 2 for the Avon Park Airforce Range.

Compatibility and Infrastructure

- The Board of County Commissioners denied a Comprehensive Plan amendment (LDCPAL-2024-15) in February of 2025 modifying Policy 2.130-B3.4 to allow densities over two (2) dwelling units per acre to be on septic and to allow duplex units in the Office Center-X (OCX) Future Land Use designation.

- The Board of County Commissioners also denied a companion Land Development Text amendment (LDCT-2024-24) to add a use table to the ILE section in Chapter 4 of the LDC and to reference the allowance for septic.

- ILE is for the most part an isolated community surrounded predominantly by Agriculture/Residential Rural (A/RR) land use. Also surrounding ILE to the north is the Sumica, a 4,031-acre County owned Environmental Lands property. To the west is Lake Walk-in-Water.

- Canopy Oaks, a Recreational Vehicle Park community, is to the south of ILE.

- Water is provided by ILE Utilities, a private, independent company. There is no current active sewer within ILE.

- Approximately 10 percent of ILE is wetland, and approximately 35 percent is shown to contain Federal Emergency Management Area (FEMA) Flood Zones. The majority of the wetland areas lie on the shoreline of Lake Walk-in-Water. Some isolated wetlands appear in the interior of the development along the shoreline of the ponds. Almost all of the known wetlands are located within lands owned by the ILE Homeowners Association and not planned or approved for development.

- The nearest active airport facility is the airfield at River Ranch, a Development of Regional Impact (DRI) seven miles to the east. Airspace for the Avon Park Bombing Range is within closer proximity to the development. Neither of these facilities will be adversely impacted by the fulfillment of the ILE development plan.

- There have been protected plant and community sightings in the eastern part of ILE and there have been protected animal sightings in the eastern and western parts of ILE.

- ILE has a community golf course, several small community parks, an extensive system of greenway trails, community boat ramp, marina, beach and pier onto Lake Walk-In-Water.

Additionally, there are several ponds located throughout ILE and to the north is the 4,031 acre Sumica County owned Natural Area.

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.

- The goals of the ILE development in the Comprehensive Plan include:
    - GOAL 2.130-B1: Remain a secure and sustainable suburban resort-oriented community.
    - GOAL 2.130-B2: Preserve the natural beauty, wildlife and solitude of ILE and the surrounding area.
    - GOAL 2.130-B3: Encourage sustainable growth by promoting a mixture of residential and non-residential uses outside the gate; and allowing only single-family residential and amenities with services inside the gate.
    - GOAL 2.130-B4: For Indian Lake Estate to continue to develop at the same quality as it has in the past.

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 LDCT-2026-12.**

Planning Commission Recommendation: On June 3, 2026, at an advertised public hearing, the Planning Commission recommend ?:?, to **APPROVE/DENY LDCT-2026-12.**

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:

Exhibits 2, 3, and 4 display parcels staff have been asked to allow duplex structures in ILE in 2024. Moreover, a building permit has been issued for a duplex unit in the Residential Low-X (RLX) at the south end of Fort Myers Drive on a parcel that is half an acre and a duplex building permit for a property in the Residential Medium-X (RMX) on a half an acre on an unpaved road. Both parcels are connected to public water and on septic. The roads in ILE are all private. The duplex makes the density four (4) dwelling units per acre. Policy 2.130-B3.4 includes a table providing maximum densities and intensities given the availability of centralized water and sewer. This table states the maximum density in Residential Low-X (RLX) as displayed below with the recommended text modification highlighted in yellow.

FLU	Without Central Water or Sewer		With Central Water, but not Sewer		With Central Water & Sewer*	
	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR	Maximum Density	Maximum FAR
RLX	1 du/ac	0.05	2 du/ac **	0.1	5 du/ac	0.25
RMX	1 du/ac	0.05	4 du/ac	0.15	10 du/ac	0.25
OCX	1 du/ac	0.1	2 du/ac	0.2	5 du/ac	0.30
NACX*	1 du/ac	0.1	4 du/ac	0.2	10 du/ac	0.25
CACX*	1 du/ac	0.15	4 du/ac	0.2	10 du/ac	0.35
INSTX	n/a	0.1	n/a	0.2	n/a	0.25
* Residential only permitted in NACX and CACX in connection with retail as a mixed use or live-work unit. ** See Policy 2.130-B3.4						

Most lots in the RL-4X and the RMX in ILE are half acre which is a density of two (2) dwelling units to the acre, if a single-family home is constructed on each. A subdivision of these lots or a duplex on any of these lots makes the density four (4) dwelling units per acre. However, the table in the Comprehensive Plan displayed above does not permit densities above two (2) dwelling units per acre on septic tanks. Other areas in RL-4 in unincorporated Polk County outside of ILE have the option to develop at three (3) and (4) dwelling units per acre with septic tanks if permitted by the Health Department. However, duplex units in RL-4 is a Level 3 Review per Table 2.1 of the Land Development Code.

The LDC text amendment (LDCT-2026-12) is being proposed to add a use table in Chapter 4 for ILE like Table 2.1 in Chapter 2 for just the Future Land Use designations within ILE which are listed below. The only difference will be that duplex units in ILE is proposed a Conditional Use Level 1 Review (C1 - administrative staff level review) versus Table 2.1 that requires a Conditional Use Level 3 Review for all duplex units in RL. Duplex units in RM are a permitted use "P" in Table 2.1.

- Residential Suburban (RS)
- Residential Low (RL)
- Neighborhood Activity Center (NAC)
- Community Activity Center (CAC)
- Institutional (INST)

- Recreation and Open Space (ROS)

Infrastructure Impacts - This does remove some barriers to development that can lead to more growth. However, ILE is a vested development. These changes will encourage development in an area already planned for such. Any infrastructure impacts will be implemented and required per the concurrency standards listed in Chapter 7 of the LDC.

Avon Park Airforce Range Military Compatibility Zone (Range)

ILE is in both Compatibility Zones for the Range. There is a Military Compatibility Zone 1 and Zone 2 (See Exhibit 5). Section 2.124-I of the Comprehensive Plan has policies for the Range.

https://library.municode.com/fl/polk_county/codes/comprehensive_plan?nodeId=CH2DEPO_DIV2.100FULAUSEL_S2.124-IAVPAAIRAMICOZO

These policies address coordination and implementation of the Joint Land Use Study prepared by the Central Florida Regional Planning Council (CFRPC). Chapter 6 of the Land Development Code includes standards for the Range.

https://library.municode.com/fl/polk_county/codes/land_development_code?nodeId=CH6REPR_S642MICOZORE251RD19-008092112OR12-028

The proposed changes will make development in ILE easier which is of a concern for the Range. However, All the lots in ILE are vested lots that are eligible for some type of development.

Comparisons to other Jurisdictions:

Special policies and development code regulations are common in other jurisdictions throughout Florida. The current section for ILE is equivalent to the County's section of the Comprehensive Plan and Land Development Code regarding Selected Area Plans. Section 2.130 of the Comprehensive Plan was created for Developments of Regional Impact (DRI). It seems appropriate to make these changes to the policy related to ILE allow infill development and the potential for more residential development to accommodate the growing population of Polk County rather than creating new residential communities.

Benefit-Cost Analysis of the Amendment

Who does it help?
This amendment directly benefits the affected landowners in Residential Low by allowing more flexibility in duplex construction. The removal of sewer connection makes duplex unit an obtainable housing type in RL in ILE. In addition, by restricting one septic tank per duplex unit, it does not increase impacts to the environment because each parcel in RL in ILE would receive a septic tank per lot.

Who does it hurt?
There is the potential for existing single-family residents to live adjacent to lots that will receive a duplex unit without a public hearing. Not all property owners consider a mixture of housing types

in a community beneficial. Moreover, the residents of duplex units living on an unpaved road may experience dust and negative impacts on their vehicles. Section 705 of the Land Development Code (LDC) requires all residential structures to access a county paved and maintained road or a private paved road meeting County standard. Chapter 9 of the LDC does permit a waiver to this requirement. Staff will have to determine how these two building permits impact issuing unpaved road frontage waivers for additional building permits.

What is the cost?
There are some roadways in ILE that are not paved. The roads are private, however. Changing duplex units to a C1 instead of a Conditional Use 3 Review has the potential to increase the costs to ILE in terms of road maintenance which does in turn increase the costs to the new residents.

Limits of the Proposed Ordinances

The scope of the amendment will impact new development within the RL-4X designation only ILE. The Comprehensive Plan text amendment and the Land Development Code text amendment will allow duplex units in RLX at four dwelling units to the acre on public water and septic.

Consistency with the Comprehensive Plan

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 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 8 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 are a small change to allow for duplex units and allow some growth without sewer. The request is consistent with this policy and with the existing development allowances elsewhere in Polk County.
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 policy text changes along with the other requirements in the Land Development Code such as Section 220 ensure compatibility with the new uses.

Policy	Consistency
GOAL 2.130-B1: Remain a secure and sustainable suburban resort-oriented community. **GOAL 2.130-B2:** Preserve the natural beauty, wildlife and solitude of ILE and the surrounding area. **GOAL 2.130-B3:** Encourage sustainable growth by promoting a mixture of residential and non-residential uses outside the gate; and allowing only single-family residential and amenities with services inside the gate. **GOAL 2.130-B4:** For Indian Lake Estate to continue to develop at the same quality as it has in the past.	The proposed amendment related to sewer exemption will allow duplex units at no more than four (4) units per acre on public water and sewer.
POLICY 2.124-I2: In compliance with section 163.3175(5), F.S., Polk County shall continue to coordinate with range representatives and the Central Florida Regional Planning Council (CFRPC) to adopt and implement development standards and guidelines that minimize impacts of development on the operations of the military installation. The Land Development Code shall address land use, lighting, height, noise, and communication frequency spectrums in defining the criteria for compatibility within the MCZ.	Polk County has reached out to the Central Florida Regional Planning Council and the Avon Park Airforce Range base representative. The Avon Park Airforce Range did submit a letter of opposition to a similar type of request from January of 2025. This letter is provided under separate cover. An updated letter will be provided if received prior to the Planning Commission hearing.

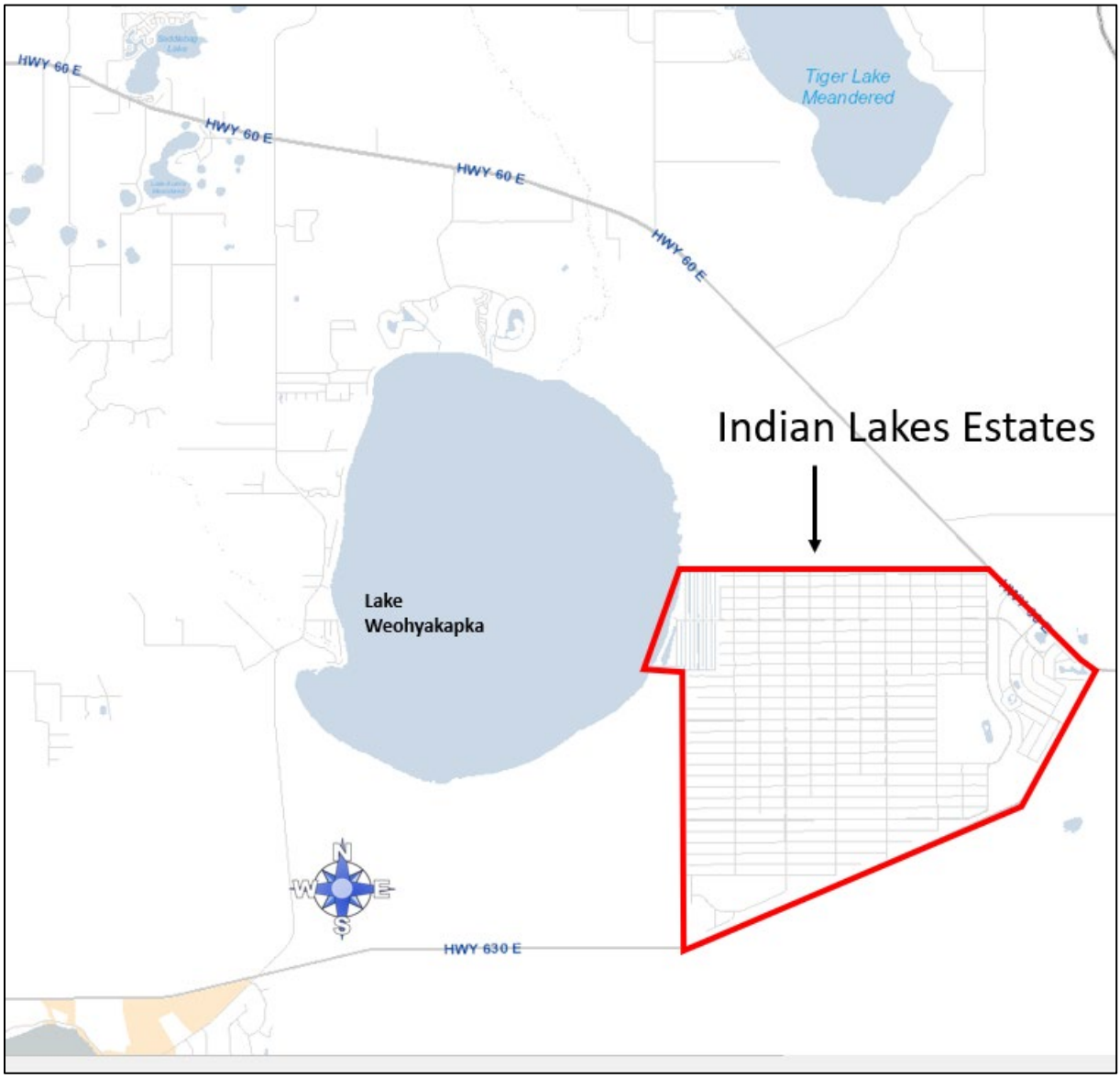
Comments from Other Agencies: None

Exhibits:

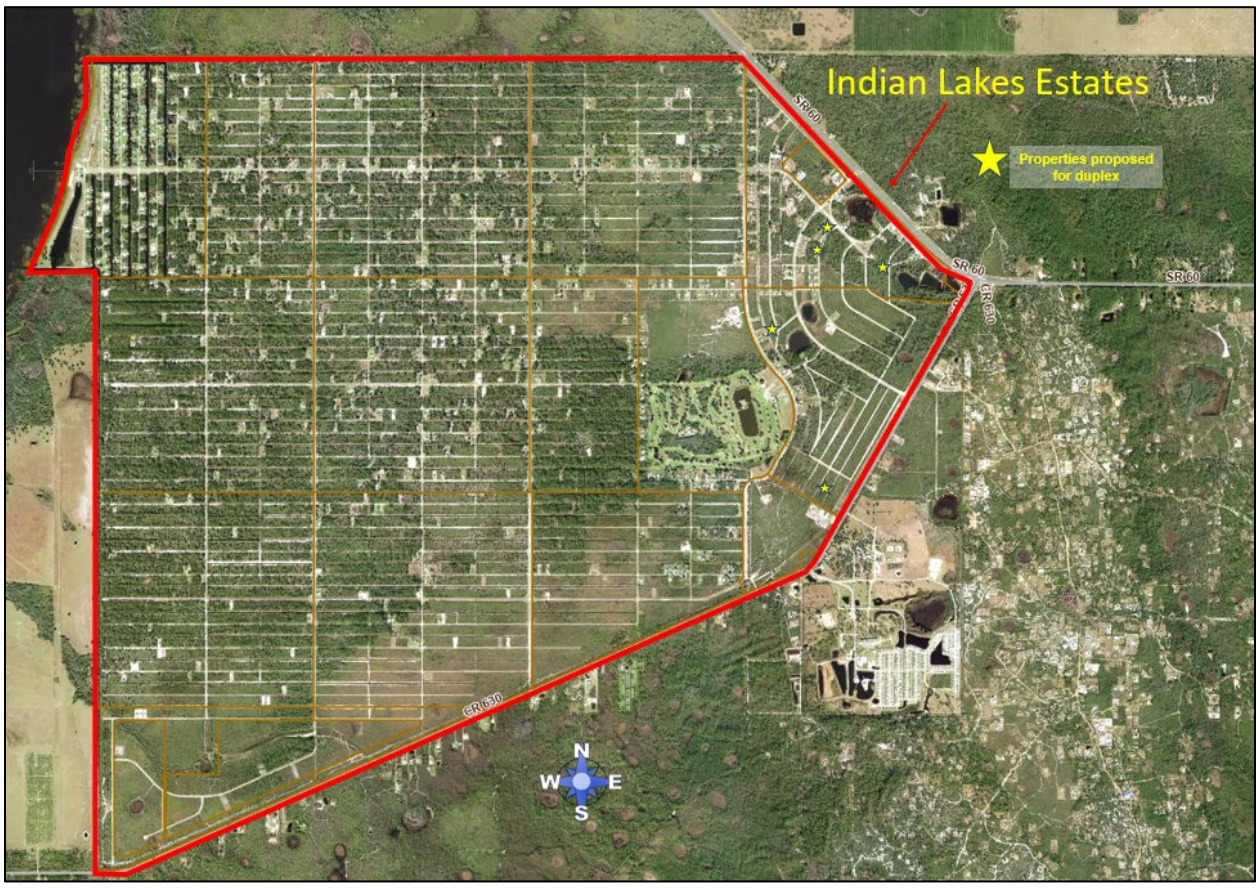
Exhibit 1	Location of the Indian Lakes Estates
Exhibit 2	Context Aerial
Exhibit 3	Close Up Aerial
Exhibit 4	Current Future Land Use Map
Exhibit 5	Military Compatibility Zones Avon Park Airforce Range

Under separate attachment

- Draft Ordinances with proposed text
- Application information



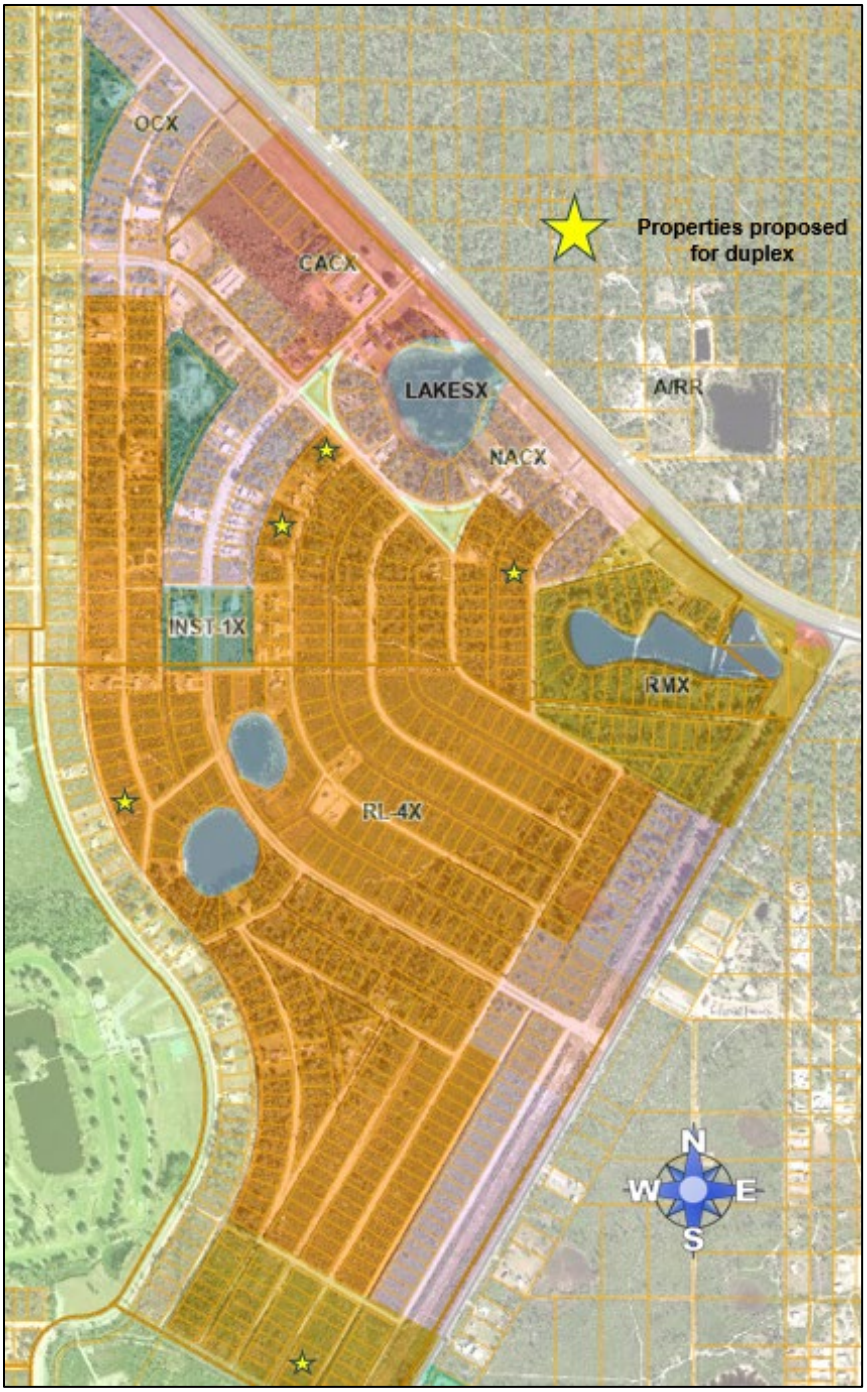
LOCATION MAP



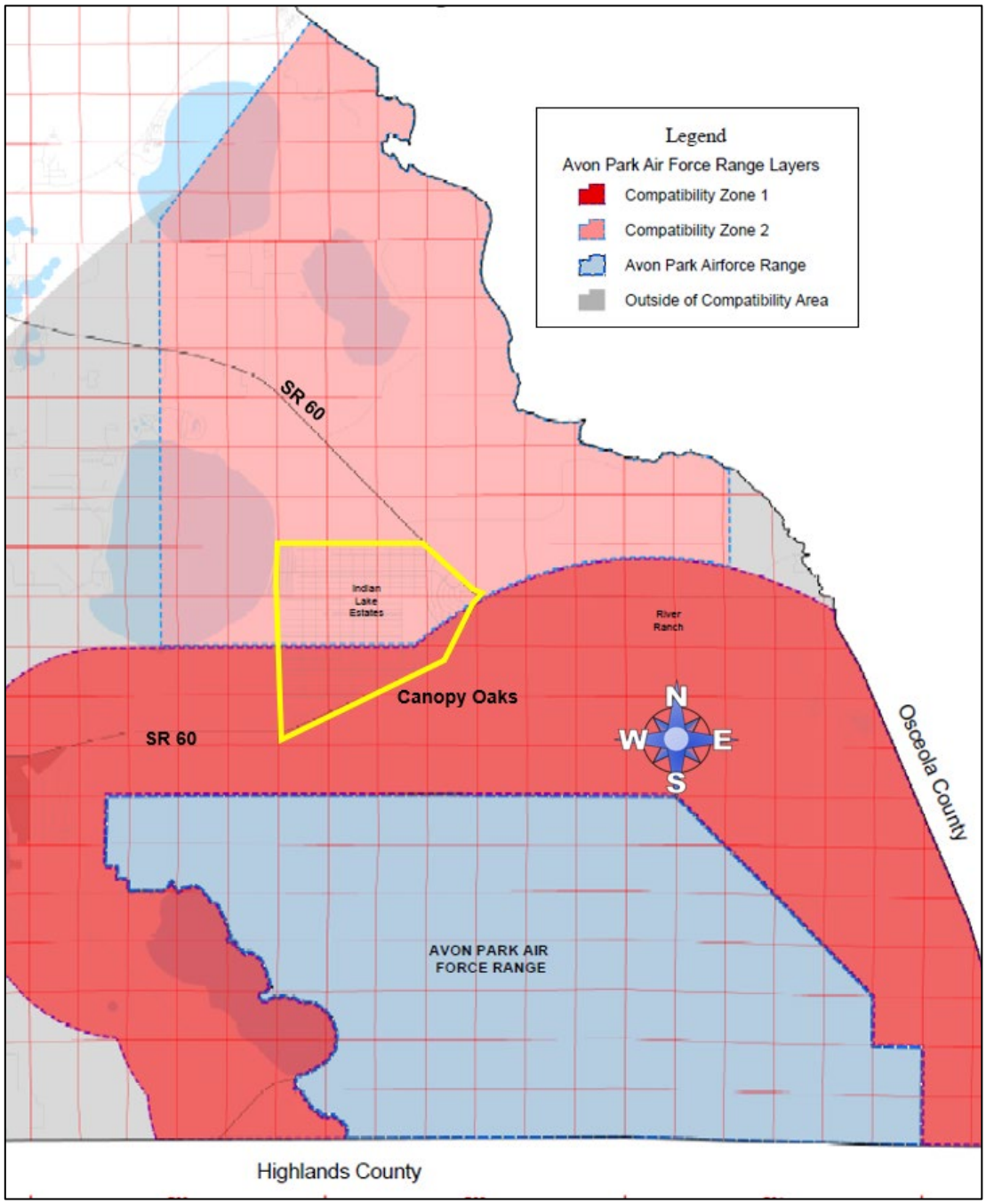
AERIAL (2023 CONTEXT)



AERIAL (2023 CLOSE UP)



CURRENT FUTURE LAND USE MAP



Military Compatibility Zones Avon Park Airforce Range

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT **LDCT-2026-12**, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE; MODIFYING CHAPTER 4, SECTION 402.C, TO ADD CONDITIONS FOR WHEN DUPLEX STRUCTURES CAN USE SEPTIC TANKS; TO ADD A USE TABLE; ADD A REFERENCE TO THE ZONING ORDINANCE; DELETE A REFERENCE TO THERE BEING NO LAND USE MAP FOR INDIAN LAKE ESTATES (PRE-DRI #2) ; 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 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 proposed text amendment to the Polk County Land Development Code shall clarify standards as they pertain to Section 220, Chapter 2 Compatibility Standards, to add Agricultural Residential Rural (A/RR) to the list of Future Land Use designations where 50-foot compatibility zones apply; and add a new Subsection H. to add screening and buffering standards for structures with four (4) or more loading/unloading areas and docking bays; and

WHEREAS, the Board of County Commissioners held two public hearings on June 16, 2026 and August 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 June 3, 2026, to consider the LDC text amendments contained within Application LDCT-2026-12 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2026-12.

c) The adoption of LDCT-2026-12 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 4, Section 402.C, Development of Regional Impact and Pre-Development of Regional Impact, and Utility Enclave Areas, Indian Lake Estates (Pre-DRI #2) of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

C. **Indian Lake Estates (PRE-DRI #2)**

The following shall apply to Indian Lakes Estates:

1. Description - The Indian Lake Estates development comprises more than 5,000 acres and of the zoning designation of Pre-Existing Planned Unit Development (P.E. PUD) under the repealed zoning ordinances. ~~There is no approved land use map for Indian Lake Estates.~~ Indian Lake Estates is not a vested development from the DRI statute like Poinciana. This development is a platted subdivision, recorded in the official public records of Polk County, Florida as follows:

UNIT #	PLAT BOOK #/PAGE #	LOTS
1	PB 39, PG 1	864
2	PB 39, PG 14	864
3	PB 39, PG 18	432
4	PB 39, PG 30	432
5	PB 39, PG 31	864
6	PB 40, PG 41	847
7	PB 39, PG 46	420
8	PB 39, PG 47	137
9	PB 40, PG 42	864
10	PB 40, PG 14	305
11	PB 40, PG 15	426

12	PB 40, PG 19	(Recreation Area)
13	PB 40, PG 20	544
14	PB 40, PG 21	844
15	PB 40, PG 48	24
16	PB 40, PG 14	78
17	PB 40, PG 50	(Commercial)
		TOTAL LOTS = 7,942

2. Block uses - Except for certain lots in Units 10 and 11, the permitted use of all lots within this development is single-family residential in residential districts. The following lots in Unit 10 are designated as commercial:

Block 318	Lots 1, 5, 6
Block 319	Lots 1-19
Block 320	Lots 9-11
Block 321	Lots 26-28
Block 325	Lots 23-28
Block 327	Lots 14, 15, 17

The following lots in Unit 11 are permitted for single-family or duplex residential structures:

Block 346	Lots 9-16
Block 347	All
Block 348	All

3. Duplexes – Duplex units may be permitted on septic tanks without the requirement to connect to public sewer only in the RL-4 under the following conditions:

a. Each duplex unit, in Residential Low-4, shall be limited to one (1) on-site sewage treatment and disposal system (OSTDS) to serve the duplex structure located on a single parcel as the parcel existed on August 16, 2026. Separate septic systems for individual dwelling units shall not be permitted. The system shall be designed, permitted and installed in accordance with all applicable requirements of the Florida Department of Health and/or Department of Environmental Protection (DEP).

b. The required capacity of the on-site sewage treatment and disposal system shall be based on estimated wastewater flows calculated at a minimum rate of 100 gallons per day per bedroom. The total design flow for the duplex shall be the cumulative total of all bedrooms within both dwelling units. Final system sizing, design, and permitting shall be subject to review and approval by the Florida Department of Health and/or Department of Environmental Protection (DEP) and must meet or exceed all applicable state standards.

4. Standard use table for Indian Lakes Estates

Table ILE Use table for Standard Land Use Districts (								
	RSX	RL-4X	RMX	NACX	CACX	OCX	INST-1X	ROSX

Key to Table: P = Permitted Use; C = Conditional Use/Level of Review								
Residential Uses								
Duplex, Two-family Attached	C3	C1	P					
Family Farm	C1							
Fly-in Community	C3							
Group Home, Small (6 or less residents)	C1	C1	C1					
Group Home, Large (7-14 residents)	C3	C3	C1				C1	
Group Living Facility (15 or more residents)	C3	C3	C3				C2	
Farm Worker Dormitory, Apartment Style	C2							
Farm Worker Dormitory, Barrack Style	C3							
Mobile Home Park	C3	C3	C3					
Mobile Home Subdivision	C3	C3	C3					
Mobile Homes, Individual	C1	C1	C1					
Multi-family		C3	C2	C3	C3	C3	C3	
Recreational camping								C2
Residential Infill Development	C2	C2						
Rural Residential Development (RRD)	C3							
Short-Term Rental Unit		C3	C3					
Single-family Detached Home & Subdivision	P	P	P					
Suburban Planned Development	C3							
Mixed Uses								
Planned Development	C3	C3	C3	C3	C3	C3	C3	C3
Residentially Based Mixed Development (RBMD)	C3	C3	C3					
Rural Mixed Development (RMD)	C3							
Transitional Area Development	C3	C3	C3	C3	C3			
All Other Uses								
Adult Day Care Center (7 or more clients)	C3	C3	C3				C2	
Adult Use					C1			
Agricultural Support, Off-Site	C3					C3		
Airport								
Airstrip, Private								
Alcohol Package Sales				C1	C1			
Animal Farm, Intensive	C1							

Bars, Lounges, and Taverns				C3	C1			
Bed and Breakfast	C3	C3	C2					
Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic								
Car Wash, Full Service					P			
Car Wash, Incidental				C2	P			
Car Wash, Self Service					P			
Cardboard & Shredded Paper Collection								
Cemetery	C3			C3	C2		C2	
Childcare Center	C3	C3	C3	P	P	C3	P	
Clinics & Medical Offices				C2	P	P	C2	
Commercial Vehicle Parking					C2			
Communication Towers, Guyed and Lattice	C3	C3	C3		C3		C2	C3
Communication Tower, Monopole	C3	C3	C3		C2		C2	C3
Community Center	C3	C3	C3	C2	C2	C2	C2	C2
Construction Aggregate Processing								
Construction Aggregate Storage								
Convenience Stores, Isolated	C2							
Correctional Facility								
Crematorium								
Cultural Facility	C3	C3	C3	C2	C2	C2	C2	C2
Emergency Shelter, Small (6 or less residents)	C1	C1	C1					
Emergency Shelter, Medium (7-14 residents)	C3		C1				C1	
Emergency Shelter, Large (15 or more residents)	C3	C3	C3				C2	
Event Facility	C3							
Fish Camp								
Farming General	P	P	P	P	P	P	P	P
Financial Institution				P	P	C2		
Financial Institution, Drive Through				C2	C2	C3		
Flea Market/Enclosed					C1			
Flea Market/Open					C4			
Funeral Home & Related Facilities					C2			
Gas Station				P	P		C3	
Golf Course	C1	C1	C3				C1	C1

Government Facility	C3	C3	C3	P	P	C3	P	C3
Gypsum Stack								
Hazardous Waste Transfer, Storage								
Hazardous Waste Treatment Facilities								
Heavy Machinery Equipment Sales and Services								
Heliports					C2		C2	
Helistops	C3	C3	C3	C3	C3	C3	C2	C2
Hospitals					P	C3	C3	
Hotels and Motels					P			
Kennels, Boarding and Breeding	C3				C1			
Lime Stabilization Facility	C3						C3	
Livestock Sale, Auction	C1							
Lodges and Retreats	C3						P	P
Manufacturing, Explosives/Volatile Material								
Manufacturing, General								
Manufacturing, Light								
Marinas and Related Facilities				C1	C1			
Medical Marijuana Dispensaries				C2	C2	C3		
Mining, Non-phosphate	C3	C3	C3	C3	C3	C3	C3	C3
Mining, Phosphate								
Motor Freight Terminal								
Nightclubs and Dance Halls					C3			
Nurseries, Retail				P	P			
Nurseries and Greenhouses	C1			P	P			
Nursing Home			C2		C2		C2	
Office				C2	P	P	C2	
Office Park						C2	C2	
Outdoor Concert Venue	C3							C3
Personal Service				C2	P	C2		
Power Plants Non-Certified, Low								
Power Plants, Non-Certified, High								
Power Generation, Certified								
Printing & Publishing						C2		
Railroad Yard								

Recreation, Passive	C1	C1	C1	C1	C1	C1	C1	C1
Recreation, High Intensity	C3	C3	C3				C1	C1
Recreation, Low-Intensity	C2	C2	C2				C1	C1
Recreation & Amusement General				C2	C2			
Recreation & Amusement Intensive								
Recreation, Vehicle Oriented	C3	C3	C3				C2	C2
Recreational Vehicle Park								
Recreational Vehicle Storage								
Religious Institution	C3	C3	C3	C2	C2	C2	C2	C2
Research & Development						C3	C2	
Residential Treatment Facility					C4		C4	
Restaurant, Drive-thru/Drive-in				C2	C2			
Restaurant, Sit-down/Take-out				P	P			
Retail, 10,000 - 34,999 sq. ft.				P	P	C3		
Retail, 35,000 - 64,999 sq. ft				P	P			
Retail, More than 65,000 sq. ft.				C3	P			
Retail, Home Sales Offsite								
Retail, Less than 10,000 sq. ft.				P	P	C3		
Retail, Outdoor Sales/Display					C3			
Riding Academies	C1							C1
Salvage Yard								
School, Elementary	C2	C2	C2				P	
School, Middle	C3	C2	C2				P	
School, High	C3	C3	C2				C3	
School, Leisure/Special Interest	C3	C3	C3	C2	P	C3	P	P
School, Technical/Vocational/Trade & Training				C3	C2	C2	C3	
School, University/College		C3	C3	C3	C3		C3	
Seaplane Base	C3						C3	
Self-storage Facility				C2	C2			
Solid Waste Management Facility								
Studio, Production						P	P	

Solar Electric-Power Generation Facility	C3						C2	
Transit, Commercial								
Transit, Facility				P	P		P	
Transitional Area Development	C4	C4	C4	C4	C4	C4		
Truck Stop								
Utilities, Class I	P	P	P	P	P	P	P	P
Utilities, Class II	C1	C1	C1	P	P	C1	P	P
Utilities, Class III	C3	C3	C3	C3	C3	C3		C3
Vehicle Recovery Service/Agency								
Vehicle Repair, Auto Body								
Vehicle Service, Mechanical				P	P			
Vehicle Sales, Leasing					C2			
Veterinary Service	C2			P	P	C2		
Warehousing/Distribution								
Water Ski Schools	C4			C3	C3		C3	C3

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 4th day of February 2025.

LDCT-2026-12 - Text amendment to Chapter 4, Section 402 C - Indian Lakes Estate

Menu Reports Help

Application Name: Text amendment to Chapter 4, Section 402 C - Indian Lakes Estate

File Date: 04/09/2026

Application Type: BOCC-LDC Text Change

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: County initiated Land Development Code text amendment to Chapter 4, Section 402 C - Indian Lakes Estates relating to uses and use of septic tank

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
POLK COUNTY		Engineer	Mailing, 330 W Church ...	Active
POLK COUNTY		Contact	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: $850.00

Total Fee Invoiced: $0.00

Balance: $0.00

Custom Fields: **LD_PUBL_HEAR**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
Government Project

Variance Type
_

Brownfields Request
_

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
_

Will This Project Be Phased

Acreage
0

DRC Meeting
04/30/2026

DRC Meeting Time
12:30 PM

Rescheduled DRC Meeting
_

Rescheduled DRC Meeting Time
_

Number of Units
_

Green Swamp
No

Is this Polk County Utilities

Case File Number
_

FS 119 Status
Non-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
06/03/2026

BOA Hearing Date
_

1st BOCC Date
06/16/2026

2nd BOCC Date
08/18/2026

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

Open

PLAN REVIEW FIELDS

TMPRecordID	DocumentGroupforDPC	RequiredDocumentTypes
POLKCO-REC26-00000-00E6A	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	

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 ...	04/09/2026	Lyndsay Rathke
Engineering Review				
Surveying Review	Mike Benton	Not Required	04/23/2026	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	04/16/2026	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	04/24/2026	Kim Turner
Planning Review	Chanda Bennett			
School Board Review	School District	Not Required	04/10/2026	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

REPORT OF
HYDRAULIC CONDUCTIVITY TESTING

DEESON SUBDIVISION

Polk County, Florida

PREPARED FOR:

SWAN CAMPBELL RD LLC

6706 North Nebraska Avenue #9797
Tampa, Florida 33604

FES PROJECT NO.: 21-5064.1

September 16, 2021

PREPARED BY:

FAULKNER
ENGINEERING SERVICES, Inc.

2734 Causeway Center Drive
Tampa, Florida 33619

September 16, 2021

Mr. Eric K. Swanson
Swan Campbell Rd LLC
6706 North Nebraska Avenue # 9797
Tampa, Florida 33604

RE: Report of Hydraulic Conductivity Testing
Deeson Subdivision
Lakeland, Polk County, Florida
FES Project No.: 21-5064.1

Dear Mr. Swanson:

Faulkner Engineering Services, Inc. (FES) has completed permeability testing for the referenced project. We provided our services in general accordance with Change Order # 1 dated July 26, 2021. The purpose of our testing was to measure the permeability rate of the shallow subsurface soils at the property to aid in drainage design. This report summarizes the field evaluation performed by FES and presents our findings.

PROJECT INFORMATION

Existing site

Deeson Subdivision is a planned residential development located at 4235 Deeson Road in Lakeland, Polk County, Florida within Section 20, Township 27 South, and Range 23 East.

Soil Survey Review

According to the "Soil Survey of Polk County, Florida", as prepared by the U.S. Department of Agriculture Natural Resource Conservation Service (formerly the Soil Conservation Service) the subject property is primarily underlain by:

- *Pomona fine sand (Map Unit Symbol 7)* – The NRCS describes this soil unit as poorly drained located on flatwoods on marine terraces. The NRCS indicates that this soil unit has a surface layer of fine sand to a depth of 48 inches below ground surface (bgs) followed by a layer of fine sandy loam from 48 to 73 inches bgs followed by a layer of loamy sand from 73 to 80 inches bgs. The NRCS indicates the seasonal high ground water table (SHGWT) is about 6 to 18 inches bgs.

- *Samsula muck, frequently ponded, 0 to 1 percent slopes (Map Unit Symbol 13)* – The NRCS describes this soil unit as very poorly drained located on depressions on marine terraces. The NRCS indicates that this soil unit has a surface layer of muck to a depth of 32 inches bgs followed by a layer of sand from 32 to 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

- *Tavares fine sand, 0 to 5 percent slopes (Map Unit Symbol 15)* – The NRCS describes this soil unit as moderately well drained located on ridges and knolls on marine terraces. The NRCS indicates that this soil unit has a surface layer of fine sand to a depth of 80 inches bgs. The NRCS indicates the SHGWT is about 42 to 60 inches bgs.

- *Placid and Myakka fine sands, depressional (Map Unit Symbol 25)* – The NRCS describes this soil unit as very poorly drained located on depressions on marine terraces. The NRCS indicates that this soil unit has a surface layer of fine sand to a depth of 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

- *Kaliga muck, frequently ponded, 0 to 1 percent slopes (Map Unit Symbol 32)* – The NRCS describes this soil unit as very poorly drained located on depressions on flatwoods on marine terraces. The NRCS indicates that this soil unit has a surface layer of muck to a depth of 25 inches bgs followed by a layer of fine sandy loam from 25 to 35 inches bgs underlain by a layer of sandy clay loam from 35 to 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

- *Hontoon muck, frequently ponded, 0 to 1 percent slopes (Map Unit Symbol 35)* – The NRCS describes this soil unit as very poorly drained located on depressions on marine terraces. The NRCS indicates that this soil unit has a surface layer of muck to a depth of 75 inches bgs followed by a layer of sandy loam from 75 to 80 inches bgs. The NRCS indicates the SHGWT is about 0 inches bgs.

The NRCS soil classifications are based on interpretation of a combination of factors including but not limited to aerial photographs and widely spaced hand auger borings. Borders shown on the map included in **Appendix A**, between mapping units are approximate, and the transitions between soil units will be gradual. In addition to various minor inclusions within a mapped soil unit, areas of dissimilar soils can also occur. However, the soil survey provides a good basis for an initial evaluation of shallow soil conditions in the area, and can provide an indication of various historic activities such as development, mining and filling operations at the site.

SUBSURFACE SOIL EVALUATION AND FINDINGS

Field Evaluation

During our field evaluation, nine (9) hand auger borings were advanced to a depth of approximately 2 to 5 feet bgs within the planned stormwater ponds (1 per pond) to sample soils for laboratory hydraulic conductivity testing and measure existing groundwater. The procedures used by FES for field sampling and testing were in general accordance with ASTM procedures, industry standards of care, and established geotechnical engineering practice.

The test locations were located in the field by FES personnel. The test locations were obtained by superimposing the provided site sketch over an aerial image using Google Earth. Because of the methods used in locating, the test locations shown on **Figure 1** should be considered approximate.

The hand auger borings were advanced by rotating a small diameter bucket auger into the subsurface soils. The cuttings brought to the surface were logged in the field and representative samples obtained at each change in soil stratigraphy. Upon completion, the boreholes were backfilled with cuttings to the surface.

Groundwater was encountered at depths ranging from 1.0 to 4.6 feet bgs at the time of fieldwork.

Soil Sample Handling, Classification, and Laboratory Testing

The soil samples obtained during our geotechnical engineering evaluation were placed in sealed containers to retain moisture and returned to our laboratory. The samples were visually classified by a geotechnical engineer in accordance with ASTM D2488, Standard Practice for Description and Identification of Soils (Visual-Manual Procedure) and reviewed by a senior professional engineer.

Nine (9) soil samples were collected within the planned stormwater ponds at depths of approximately 1-5 feet bgs for laboratory hydraulic conductivity testing. The soil samples were obtained from the hand auger borings and transported to our soils laboratory for testing. Hydraulic conductivity testing was performed on the collected soil sample in accordance with ASTM D2434, using constant head method. The results of the hydraulic conductivity tests are presented below.

Location	Soil Description	Groundwater Table (feet, bgs)	Depth Below Ground Surface (feet, bgs)	Laboratory Saturated Vertical Hydraulic Conductivity, kv (inches/hour)	Estimated Saturated Horizontal Hydraulic Conductivity, k_H (inches/hour)
PERM-1	Brown fine sand (SP)	1.0	1 - 2	6	8
PERM-2	Brown fine sand (SP)	2.3	2 - 3	3	4
PERM-3	Brown fine sand (SP)	3.3	3 - 4	8	11
PERM-4	Brown fine sand (SP)	4.1	2.5 – 3.5	3	4
PERM-5	Brown fine sand (SP)	4.6	3 - 4	1	1
PERM-6	Brown fine sand (SP)	4.1	2 – 3	3	4
PERM-7	Brown fine sand (SP)	3.1	2 – 3	5	7
PERM-8	Brown fine sand (SP)	2.3	2 – 3	3	4
PERM-9	Brown fine sand (SP)	2.4	2 – 3	7	10

Laboratory results indicated that the saturated vertical hydraulic conductivity of the collected soil samples were generally within or higher than the range of values presented by NRCS (0.2 – 1.98 in/hr) for the site soils. In addition, based on the measured vertical hydraulic conductivity and the composition of the soils encountered, we estimate the saturated horizontal hydraulic conductivity as shown above. We also estimate the soil porosity to be about 25 percent. It should be noted that the hydraulic conductivity values presented above are un-factored.

Use of Information

It should be noted that subsurface conditions can vary across this site. Conditions can also vary in areas not explored by our borings. FES cannot be responsible for interpretations made by others based on the information contained in this report and the attachments.

LIMITATIONS

This report has been prepared for the exclusive use of **Swan Campbell Rd LLC** for the specific application to the project previously discussed. No other warranty is expressed or implied.

Our results are based on the data obtained from the previously described subsurface evaluation, laboratory testing, and professional judgment. They do not reflect variations in the subsurface conditions that are likely to exist in the region of our borings and in unexplored areas of the site. These variations are due to the inherent variability of the subsurface conditions in this geologic region. Should variations become apparent during construction, it will be necessary to re-evaluate our conclusions and recommendations based upon our on-site observations of the conditions.

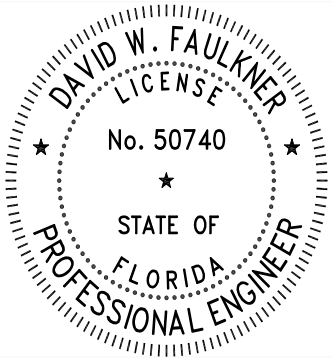
The scope of our services does not include any environmental assessments or studies for the possible presence of hazardous or toxic materials in the soil, groundwater or surface water within or in the general vicinity of the site studied. Any statements made in this report or shown on the test boring logs regarding unusual subsurface conditions and/or composition, odor, staining, origin or other characteristics of the surface and/or subsurface materials are strictly for the information of our client and may or may not be indicative of an environmental problem.

CLOSING

Faulkner Engineering Services, Inc. appreciates the opportunity to be of service to **Swan Campbell Rd LLC,** by providing these geotechnical consulting services and we look forward to assisting you through project completion. If you have any questions concerning this report, please do not hesitate to contact the undersigned.

Sincerely,

Faulkner Engineering Services, Inc.



Digitally signed by David W Faulkner
DN: c=US, o=Faulkner Engineering Services Inc., ou=A01427E0000016939EA31720000763B, cn=David W Faulkner
Date: 2021.06.17 16:54:27 -04'00'

Matthew J. Reinhart, E.I
Staff Geotechnical Engineer

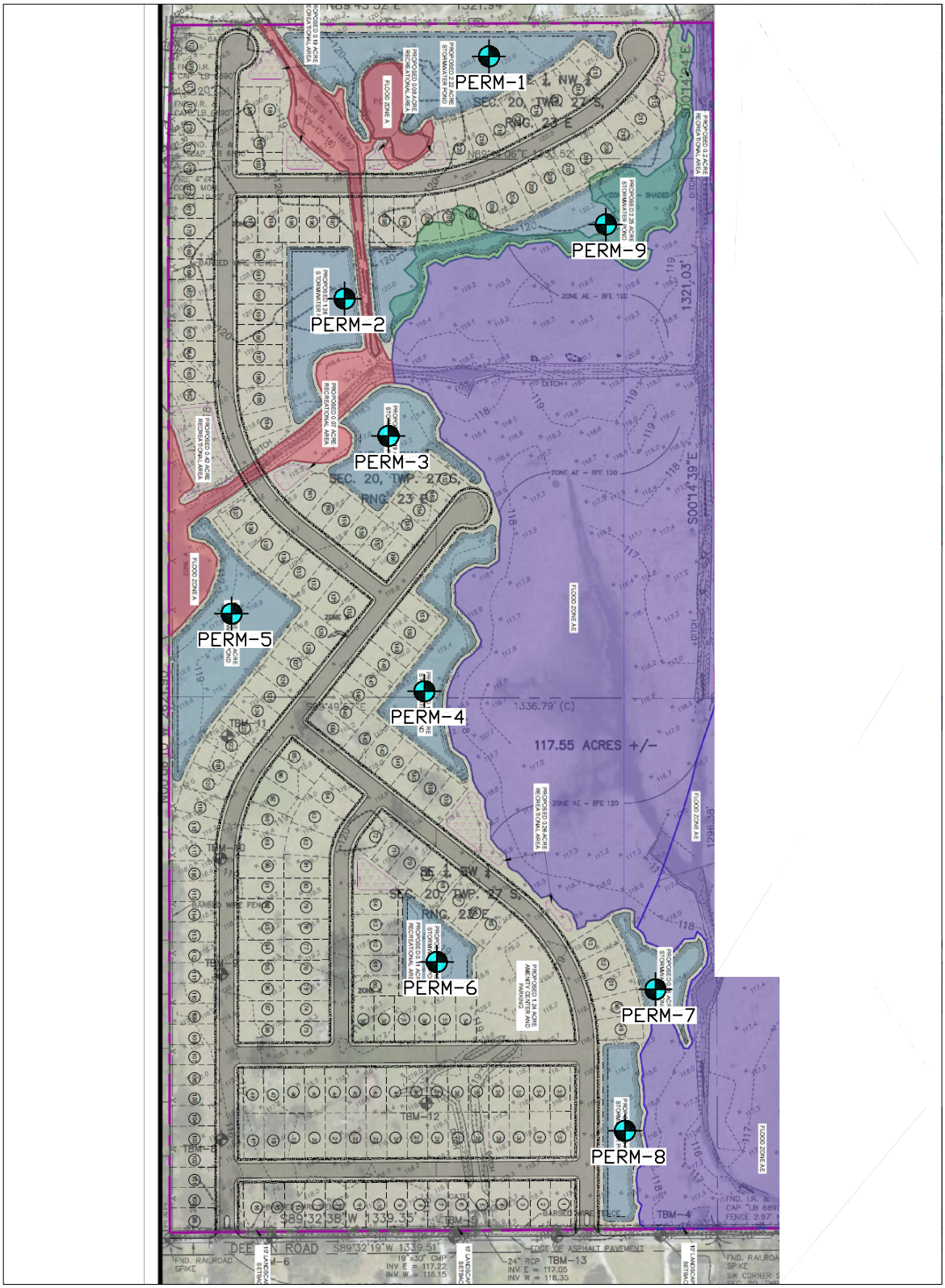
Pavan K. Kolukula, P.E.
Senior Geotechnical Engineer
Florida License No. 83670

This item has been digitally signed and sealed by Pavan K. Kolukula, P.E. on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

Attachments: Figure 1: Permeability Test Location Plan

Appendix A: Soil Survey

PERMEABILITY TEST LOCATION PLAN



LEGEND

PERMEABILITY TEST LOCATION

Note:
Basemap prepared by
Otero Engineering

FAULKNER ENGINEERING SERVICES, Inc.
Geotechnical Engineers
Construction Material Testing
2734 Causeway Center Dr
Tampa, Florida 33619
PHONE: 813.621.8168
FAX: 813.621.8232
www.faulknereng.com

Deeson Subdivision	N.T.S.	DATE 08.25.21	JOB NO. 21-5064
	DRAWN: MR	FIGURE 1	
	CHKD: PK		

1132

APPENDIX A

Soil Survey

Custom Soil Resource Report
Soil Map



Map Scale: 1:5,310 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 50 100 200 300

Feet: 0 250 500 1000 1500

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 18, Jun 11, 2020

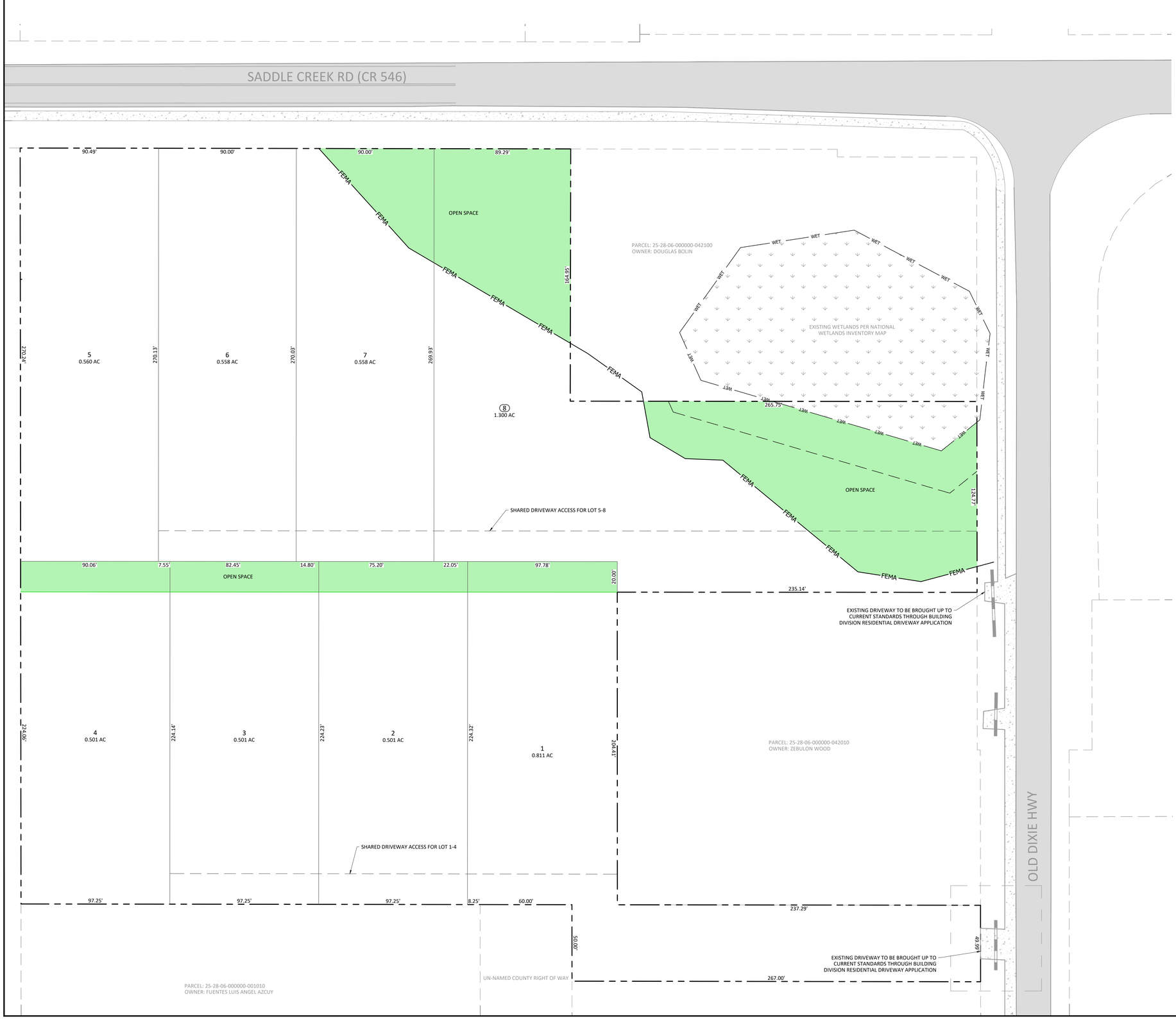
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 18, 2018—Feb 8, 2019

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
7	Pomona fine sand	81.0	86.5%
13	Samsula muck, frequently ponded, 0 to 1 percent slopes	9.1	9.8%
15	Tavares fine sand, 0 to 5 percent slopes	0.6	0.7%
25	Placid and Myakka fine sands, depressional	0.8	0.9%
32	Kaliga muck, frequently ponded, 0 to 1 percent slopes	0.4	0.5%
35	Hontoon muck, frequently ponded, 0 to 1 percent slopes	1.6	1.7%
Totals for Area of Interest		**93.6**	**100.0%**



SITE CHARACTERISTICS

PARCEL INFORMATION:

PARCEL ID:	25-28-06-000000-042090
PROPOSED USE:	SPD (RS) - 8 SINGLE FAMILY LOTS
FLOOD AREA:	ZONE A & ZONE X
ZONING / LAND USE:	RS
PARCEL AREA:	5.29 AC

BUILDING SETBACKS:

FRONT:	20'
SIDE:	10'
REAR:	15'

OPEN SPACE (SPD CALCS):

REQUIRED (10%):	5.29 AC x 0.1 = 0.529 AC
PROVIDED:	0.797 AC (15.0%)

LOCATION ELIGIBILITY SCORE:

PROPOSED DENSITY:	1.51 DU/AC
POINTS REQUIRED (RS):	16
POINTS PROPOSED:	22 (SEE BELOW)

INFRASTRUCTURE ITEM:	POINTS ACHIEVED:
COLLECTOR ROAD (1/4 MILE)	3
COLLECTOR ROAD (1/4 MILE)	3
SIDEWALK CONNECTION TO SCHOOL	2
≥6" WATERLINE	1
HIGH SCHOOL	3
CC DISTRICT (>50% DEV)	2
COMMUNITY PARK/CENTER (1 MILE)	2
OPEN DRAINAGE BASIN	1
POSITIVE OUTFALL	1
NO WETLAND DISTURBANCE	1
PEDESTRIAN CONNECTIONS (TWO)	1
EMERGENCY MEDICAL CARE (3 MILES)	1
COMMUNITY PARK (2 MILES)	1

811 Know what's below. Call before you dig.

REVISION NO.	DATE	DESCRIPTION

CHARLES R. PROPST III, P.E.
LICENSE NO. 86542
STATE OF FLORIDA
Digitally signed by David W Faulkner
Date: 2024.07.09 09:49:15 -04'00'

CLIENT: TRADITIONS ENGINEERING, LLC
PROJECT NAME: OLD DIXIE HWY SINGLE FAMILY DEVELOPMENT

SUBURBAN PLANNED DEVELOPMENT PLAN

2610 OLD DIXIE HWY, AUBURNDALE, FL 33823

TRADITIONS ENGINEERING

PROJECT NUMBER
25-3

SHEET NUMBER
C-100

This item has been digitally signed and sealed by the engineer on the date indicated hereon. Printed copies of this document are not considered signed and sealed. Signature must be verified on any electronic copies.

PARCEL "A"

LEGAL DESCRIPTIONS (AS PREPARED BY SURVEYOR)

PARCEL 1:
THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, VIZ:

TRACT F OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53 AT PAGES 4 THROUGH 18, INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LESS AND EXCEPT ANY PORTIONS THEREOF WHICH HAVE BEEN PREVIOUSLY CONVEYED, REPLATTED OR VACATED BY RESOLUTION.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, VIZ:

A PORTION OF TRACT "F", POINCIANA NEIGHBORHOOD 4, VILLAGE 7, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGE(S) 4 THROUGH 18, INCLUSIVE OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EASTERN MOST CORNER OF SAID TRACT "F", SAID POINT LYING ON THE ARC OF A CURVE CONCAVE SOUTHEASTERLY; THENCE ALONG THE SOUTHEASTERLY LINE OF TRACT "F", ALSO BEING THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY, 934.59 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 2002.86 FEET, A CENTRAL ANGLE OF 26°44'09" AND A CHORD BEARING AND DISTANCE OF S 67°11'59" W, 926.14 FEET TO A POINT OF TANGENCY; THENCE CONTINUE ALONG SAID SOUTHEASTERLY LINE OF TRACT "F" AND THE NORTHERLY RIGHT OF WAY OF POINCIANA PARKWAY, S 53°49'54" W, 73.98 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S 53°49'54" W, 174.96 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY; THENCE 35.35 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 5795.58 FEET, A CENTRAL ANGLE OF 00°20'58" AND A CHORD BEARING AND DISTANCE OF S 53°39'25" W, 35.35 FEET TO A POINT OF REVERSE CURVATURE; THENCE 38.89 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 89°08'37" AND A CHORD BEARING AND DISTANCE OF N 81°57'11" W, 35.09 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID TRACT "F"; THENCE ALONG SAID SOUTHWESTERLY LINE OF SAID TRACT "F", SAID LINE ALSO BEING THE NORTHERLY RIGHT OF WAY OF HEMLOCK AVENUE, N 37°23'03" W, 9.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY; THENCE 206.99 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT HAVING A RADIUS OF 3075.00 FEET, A CENTRAL ANGLE OF 03°51'25" AND A CHORD BEARING AND DISTANCE OF N 39°18'45" W, 206.95 FEET; THENCE DEPARTING SAID SOUTHWESTERLY LINE OF TRACT "F" AND NORTHERLY LINE OF HEMLOCK AVENUE, N 53°49'54" E, 247.00 FEET; THENCE S 36°10'06" E, 240.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, TO-WIT:

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF SAID TRACT "F" OF SAID POINCIANA NEIGHBORHOOD 4, VILLAGE 7, SAID CORNER LYING ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2002.86 FEET; THENCE FROM A TANGENT BEARING OF S 80°34'02" W RUN WESTERLY ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY A DISTANCE OF 146.26 FEET THROUGH A CENTRAL ANGLE OF 04°11'02" TO A POINT; THENCE FROM A TANGENT BEARING OF S 76°23'00" W AND LEAVING SAID RIGHT OF WAY LINE RUN THENCE N 08°17'09" E 49.56 FEET TO THE NORTH LINE OF AFORESAID TRACT "F"; THENCE RUN S 81°42'51" E ALONG SAID NORTH LINE 137.57 FEET TO THE POINT OF BEGINNING. CONTAINING THEREIN 3,279 SQUARE FEET MORE OR LESS.

LESS AND EXCEPT THAT CERTAIN TRACT OF LAND SITUATED IN POLK COUNTY, FLORIDA, TO-WIT:

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT "F" FOR THE POINT OF BEGINNING: THENCE, ALONG THE NORTH LINE OF SAID TRACT "F", SOUTH 81°42'51" EAST, A DISTANCE OF 1942.23 FEET; THENCE DEPARTING THE NORTH LINE OF SAID TRACT "F", SOUTH 08°17'09" WEST, A DISTANCE OF 49.56 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "F", THE NORTH RIGHT OF WAY LINE OF MARIGOLD AVENUE AND A POINT ON A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY HAVING A RADIUS DISTANCE OF 2002.86 FEET, CENTRAL ANGLE OF 14°00'08", A CHORD BEARING OF SOUTH 69°22'55" WEST, A CHORD DISTANCE OF 488.26 FEET; THENCE SOUTHWESTERLY ALONG ARC OF SAID CURVE, NORTH RIGHT OF WAY LINE AND SOUTH LINE OF SAID TRACT"F", AN ARC DISTANCE OF 489.47 FEET; THENCE DEPARTING ARC OF SAID CURVE NORTH 08°17'09" EAST, A DISTANCE OF 265.56 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 632.61 FEET; THENCE SOUTH 08°17'09" WEST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 200.00 FEET; THENCE NORTH 08°17'09" EAST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 635.04 FEET TO THE EAST RIGHT OF WAY OF HEMLOCK AVENUE AND WEST LINE OF SAID TRACT "F"; THENCE NORTH 58°43'36" WEST, ALONG SAID EAST RIGHT OF WAY LINE AND WEST LINE OF SAID TRACT "F", A DISTANCE OF 51.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.0436 ACRES OR 1325808 SQUARE FEET, MORE OR LESS.

PARCEL 2: (NON-EXCLUSIVE EASEMENT ESTATE)

TOGETHER WITH NON-EXCLUSIVE EASEMENT(S) AS SET FORTH AND CREATED BY THAT CERTAIN EASEMENT AGREEMENT BETWEEN AVATAR PROPERTIES, INC., A FLORIDA CORPORATION, AND BOO-HEMLOCK, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED APRIL 17, 2015, RECORDED APRIL 29, 2015 IN OFFICIAL RECORDS BOOK 9513, PAGE 687, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, OVER, UNDER AND ACROSS THE LANDS DESCRIBED THEREIN.

FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, COMMITMENT No. 12657163, DATED AUGUST 22, 2025, SCHEDULE B, PART II PLOTTABLE ITEMS:

4. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, RECORDED IN PLAT BOOK 53, PAGE 4 THROUGH 18, INCLUSIVE, OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AS AFFECTED BY THE AFFIDAVIT CONFIRMING ERROR ON PLAT RECORDED IN OFFICIAL RECORDS BOOK 1828, PAGE 461.

   SHOWN HEREON

5. RESOLUTION NO. 723 BY SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT REALIGNING THE BOUNDARIES OF THE PEACE RIVER BASIN RECORDED IN OFFICIAL RECORDS BOOK 1833, PAGE 1383.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

6. AGREEMENT BETWEEN AVATAR PROPERTIES INC., A FLORIDA CORPORATION, F/K/A GAC PROPERTIES, INC., A FLORIDA CORPORATION AND POLK COUNTY ATTACHED AS EXHIBIT "A" TO AFFIDAVIT RECORDED IN OFFICIAL RECORDS BOOK 2049, PAGE 1086.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

7. DELEGATION OF POWER AND AUTHORITY TO LEVY AND ENFORCE ASSESSMENTS AS SET FORTH IN RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 2797, PAGE 1193.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

8. UTILITY & ACCESS EASEMENT IN FAVOR OF THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY, RECORDED JULY 12, 2002, IN OFFICIAL RECORDS BOOK 5057, PAGE 899.

   SHOWN HEREON

9. RESTRICTIONS, COVENANTS, CONDITIONS AND EASEMENTS, WHICH INCLUDE PROVISIONS FOR A. AN EASEMENT ON THE LAND; B. A LIEN FOR LIQUIDATED DAMAGES; C. A PRIVATE CHARGE OR ASSESSMENTS; AS CONTAINED IN THAT CERTAIN AMENDED AND RESTATED POINCIANA SUBDIVISION DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 12634, PAGE 1844; AS AMENDED BY THE AMENDMENT TO THE AMENDED AND RESTATED POINCIANA SUBDIVISION DECLARATION REGARDING SELF HELP RECORDED IN OFFICIAL RECORDS BOOK 13025, PAGE 902 AND AMENDMENTS TO THE AMENDED AND RESTATED POINCIANA SUBDIVISION DECLARATION RECORDED IN OFFICIAL RECORDS BOOK 13442, PAGE 573, AS MAY BE SUBSEQUENTLY AMENDED.

   ADMINISTRATIVE IN NATURE NOTHING TO PLOT

10. FGUA TRANSFER AGREEMENT BETWEEN THE TOHOPEKALIGA WATER AUTHORITY AND FLORIDA GOVERNMENT UTILITY AUTHORITY RECORDED IN OFFICIAL RECORDS BOOK 7075, PAGE 1099, AS AFFECTED BY THE TRANSFER, ASSIGNMENT AND ASSUMPTION AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 7278, PAGE 139.

    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

11. EASEMENT RIGHTS FOR THE POINCIANA SYSTEM AND UTILITY ASSETS IN FAVOR OF FLORIDA GOVERNMENT UTILITY AUTHORITY (THE "FGUA"), A LEGAL ENTITY AND PUBLIC BODY CREATED BY INTERLOCAL AGREEMENT PURSUANT TO SECTION 163.01(7)(G), FLORIDA STATUTES, AS ASSIGNED TO THE TOHOPEKALIGA WATER AUTHORITY, AN INDEPENDENT SPECIAL DISTRICT, ESTABLISHED AND CREATED PURSUANT TO CHAPTER 189, FLORIDA STATUTES BY VIRTUE OF DEED RECORDED IN OFFICIAL RECORDS BOOK 7278, PAGE 105, AS AFFECTED BY THE BILL OF SALE RECORDED IN OFFICIAL RECORDS BOOK 7278, PAGE 121.

    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

12. TERMS AND CONDITIONS OF THAT CERTAIN EASEMENT AGREEMENT BETWEEN AVATAR PROPERTIES, INC., A FLORIDA CORPORATION, AND BOO-HEMLOCK, LLC, A FLORIDA LIMITED LIABILITY COMPANY, DATED APRIL 17, 2015, RECORDED APRIL 29, 2015 IN OFFICIAL RECORDS BOOK 9513, PAGE 687.

    SHOWN HEREON, NO SPECIFIC SIZE STATED

13. NOTICE OF SETTLEMENT RECORDED NOVEMBER 30, 2018, IN OFFICIAL RECORDS BOOK 10684, PAGE 320.

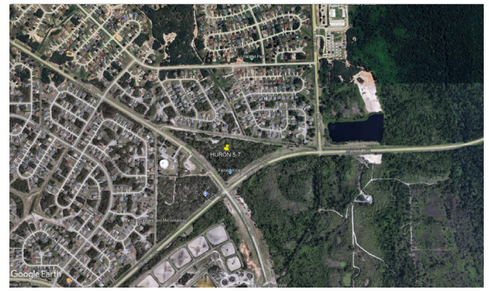
    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

14. SUPPLEMENTAL GRANT OF RIGHTS TO USE PLATTED EASEMENTS RECORDED DECEMBER 6, 2018, IN OFFICIAL RECORDS BOOK 10690, PAGE 1987.

    ADMINISTRATIVE IN NATURE NOTHING TO PLOT

SURVEYOR'S NOTES

1. THIS IS A BOUNDARY SURVEY OF THE SUBJECT PARCELS.
2. THE SURVEYOR HAS REVIEWED THE COMMITMENT FOR TITLE INSURANCE, COMMITMENT No. 12657163, ISSUED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED AUGUST 22, 2025. ALL PLOTTABLE MATTERS OF RECORD TITLE IDENTIFIED IN THAT COMMITMENT THAT ARE PERTINENT TO THE SUBJECT PARCEL AND ITS ACCESS AND UTILITY EASEMENT, IF APPLICABLE, HAVE BEEN SHOWN OR NOTED HEREON. THE SURVEYOR HAS RELIED SOLELY UPON THAT REPORT WITH RESPECT TO EASEMENTS, RIGHTS OF WAY, SETBACK LINES, AGREEMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS. NO FURTHER RESEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY THE SURVEYOR.
3. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTHERLY LINE OF TRACT "F", POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AS BEING SOUTH 81°42'51" EAST
4. UNDERGROUND UTILITIES AND IMPROVEMENTS HAVE NOT BEEN LOCATED.
5. AFTER REVIEW OF FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 12105C0405G, DATED SEPTEMBER 28, 2012 THE SUBJECT PARCEL DEPICTED HEREON LIES IN ZONE "X".
6. (D) DENOTES DESCRIPTION;(F) DENOTES FIELD MEASURED;(P) DENOTES PLAT; (C) DENOTES CALCULATED.



VICINITY MAP

NEAR 0 MARIGOLD AVENUE, POINCIANA, FL 34759
(NOT TO SCALE)

LEGAL DESCRIPTIONS (AS PREPARED BY SURVEYOR)

PARCEL "B"

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT "F" FOR THE POINT OF BEGINNING: THENCE, ALONG THE NORTH LINE OF SAID TRACT "F", SOUTH 81°42'51" EAST, A DISTANCE OF 1942.23 FEET; THENCE DEPARTING THE NORTH LINE OF SAID TRACT "F", SOUTH 08°17'09" WEST, A DISTANCE OF 49.56 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "F", THE NORTH RIGHT OF WAY LINE OF MARIGOLD AVENUE AND A POINT ON A CURVE, SAID CURVE BEING CONCAVE SOUTHERLY HAVING A RADIUS DISTANCE OF 2002.86 FEET, CENTRAL ANGLE OF 14°00'08", A CHORD BEARING OF SOUTH 69°22'55" WEST, A CHORD DISTANCE OF 488.26 FEET; THENCE SOUTHWESTERLY ALONG ARC OF SAID CURVE, NORTH RIGHT OF WAY LINE AND SOUTH LINE OF SAID TRACT"F", AN ARC DISTANCE OF 489.47 FEET; THENCE DEPARTING ARC OF SAID CURVE NORTH 08°17'09" EAST, A DISTANCE OF 265.56 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 632.61 FEET; THENCE SOUTH 08°17'09" WEST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 200.00 FEET; THENCE NORTH 08°17'09" EAST, A DISTANCE OF 180.00 FEET; THENCE NORTH 81°42'51" WEST, A DISTANCE OF 635.04 FEET TO THE EAST RIGHT OF WAY OF HEMLOCK AVENUE AND WEST LINE OF SAID TRACT "F"; THENCE NORTH 58°43'36" WEST, ALONG SAID EAST RIGHT OF WAY LINE AND WEST LINE OF SAID TRACT "F", A DISTANCE OF 51.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.0436 ACRES OR 1325808 SQUARE FEET, MORE OR LESS.

PARCEL "C"

A TRACT OF LAND BEING A PORTION OF TRACT "F" OF POINCIANA NEIGHBORHOOD 4, VILLAGE 7, AS RECORDED IN PLAT BOOK 53, PAGE 12 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERLYMOST CORNER OF SAID TRACT "F" OF SAID POINCIANA NEIGHBORHOOD 4, VILLAGE 7, SAID CORNER LYING ON A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 2002.86 FEET; THENCE FROM A TANGENT BEARING OF S 80°34'02" W RUN WESTERLY ALONG THE ARC OF SAID CURVE AND THE NORTHERLY RIGHT OF WAY LINE OF POINCIANA PARKWAY A DISTANCE OF 146.26 FEET THROUGH A CENTRAL ANGLE OF 04°11'02" TO A POINT; THENCE FROM A TANGENT BEARING OF S 76°23'00" W AND LEAVING SAID RIGHT OF WAY LINE RUN THENCE N 08°17'09" E 49.56 FEET TO THE NORTH LINE OF AFORESAID TRACT "F"; THENCE RUN S 81°42'51" E ALONG SAID NORTH LINE 137.57 FEET TO THE POINT OF BEGINNING. CONTAINING THEREIN 3,279 SQUARE

CONTAINING 0.0753 ACRES OR 3279 SQUARE FEET, MORE OR LESS.

CERTIFIED TO AND FOR THE EXCLUSIVE BENEFIT OF:

GRAY ROBINSON, P.A.
FIDELITY NATIONAL TITLE INSURANCE COMPANY
TOHOPEKALIGA WATER AUTHORITY
ITS AFFILIATES, SUBSIDIARIES AND LENDERS.

KIRK MITCHELL CERTIFICATE No. 5682 STATE OF FLORIDA REGISTERED SURVEYOR & MAPPER

Digitally signed by Kirk Mitchell
DN: c=US, o=Advanced Land Surveying and Mapping Inc., dnQualifier=A01410C00000188B4BCAAB100084A05, cn=Kirk Mitchell
Date: 2026.02.04 12:13:33 -05'00'

THIS DOCUMENT HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY KIRK BRIAN MITCHELL 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.

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY PERFORMED ON AUGUST 27, 2025, IS IN ACCORDANCE WITH THE TECHNICAL STANDARDS AS REQUIRED BY CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, STANDARDS OF PRACTICE PURSUANT TO SECTION 472.023, FLORIDA STATUTES AND WAS PREPARED UNDER MY RESPONSIBLE CHARGE.

KIRK B.MITCHELL P.S.M. L.S.No.5682

CERTIFICATE OF AUTHORIZATION No. L.B.6885 HARD COPIES NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REVISIONS								
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

ADVANCED LAND SURVEYING
AND MAPPING, INC.
371 BRIGHTWATERS DRIVE COCOA BEACH, FLORIDA 32931
PH: (407) 509-2305

BOUNDARY SURVEY
PREPARED FOR
TOHOPEKALIGA WATER AUTHORITY
TOHO PROJECT HURON 5-7
A PORTION OF SECTION 2, TOWNSHIP 28 SOUTH, RANGE 28 EAST
POLK COUNTY, FLORIDA

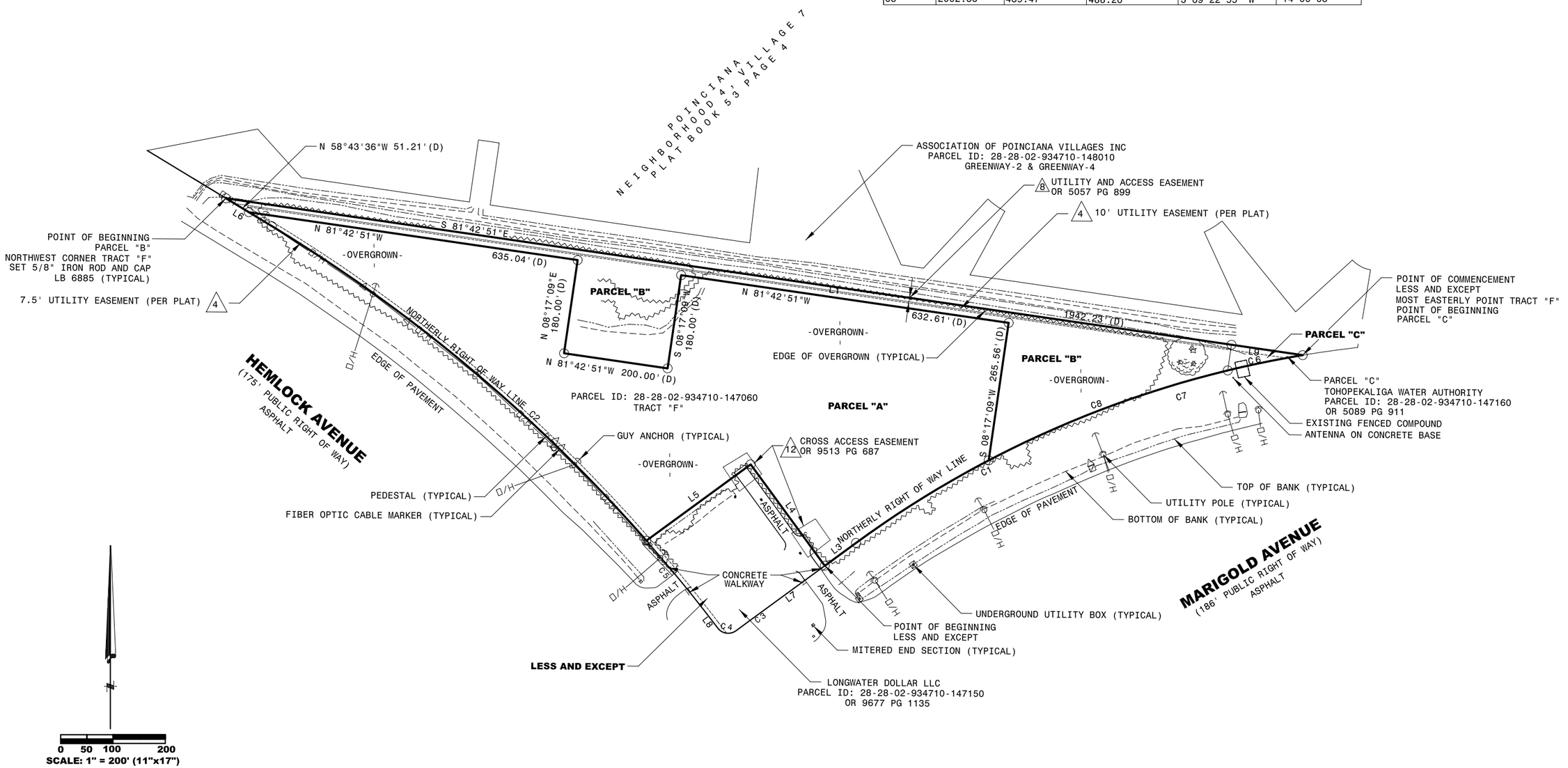
DRAWN	S. PETRAROLI
FIELD DATE	AUGUST 27, 2025
FIELD BOOK	PRINT
SCALE	NO SCALE
PROJECT NO.	X
FILE NAME	HURON 5-7.DWG
SHEET	1 OF 2

LINE DATA (FIELD)		
LINE	BEARING	DISTANCE
L1	S 82°10'02" E	1942.23'
L2	S 07°49'58" W	49.56'
L3	S 53°23'07" W	73.98'
L4	N 36°37'17" W	240.00'
L5	S 53°22'43" W	247.00'
L6	N 59°10'47" W	102.53'

LINE DATA (RECORD)		
LINE	BEARING	DISTANCE
L1	S 81°42'51" E	1942.23'(C)
L2	N 08°17'09" E	49.56'(D)
L3	S 53°49'54" W	73.98'(D)
L4	S 36°10'06" E	240.00'(D)
L5	N 53°49'54" E	247.00'(D)
L6	N 58°43'36" W	102.53'(P)
L7	S 53°49'54" W	174.96'
L8	N 37°23'03" W	9.00'
L9	S 81°42'51" E	137.57'

CURVE DATA (FIELD)					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2002.86'	788.33'	783.26'	S 64°39'16" W	22°33'07"
C2	3075.00'	938.44'	934.79'	N 50°26'13" W	17°29'08"

CURVE DATA (RECORD)					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	2002.86'(P)	788.33'(C)	783.26'(C)	S 65°06'27" W(C)	22°33'07"(C)
C2	3075.00'(P)	938.44'(C)	934.59'(C)	N 49°59'02" W(C)	17°29'08"(C)
C3	5795.58'	35.35'	35.35'	S 53°39'25" W	0°20'58"
C4	25.00'	38.89'	35.09'	N 81°57'11" W	89°08'37"
C5	3075.00'	206.99'	206.95'	N 39°18'45" W	3°51'25"
C6	2002.86'	146.26'	146.22'	S 78°28'38" W	4°11'02"
C7	2002.86'	934.59'	926.14'	S 67°11'59" W	26°44'09"
C8	2002.86'	489.47'	488.26'	S 69°22'55" W	14°00'08"



REVISIONS								
DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION	DATE	BY	DESCRIPTION

ADVANCED LAND SURVEYING
AND MAPPING, INC.
371 BRIGHTWATERS DRIVE COCOA BEACH, FLORIDA 32931
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BOUNDARY SURVEY
PREPARED FOR
TOHOPEKALIGA WATER AUTHORITY
TOHO PROJECT HURON 5-7
A PORTION OF SECTION 2, TOWNSHIP 28 SOUTH, RANGE 28 EAST
POLK COUNTY, FLORIDA

DRAWN	S. PETRAROLI
FIELD DATE	AUGUST 27, 2025
FIELD BOOK	PRINT
SCALE	1" = 200'
PROJECT NO.	X
FILE NAME	HURON 5-7.DWG
SHEET	2 OF 2

1139