

LDCT-2024-18
Business Impact Estimate
(prepared in compliance with F.S Chapter 125.66)

Summary of the proposed ordinance:

An LDC text amendment to Chapter 2, Section 220, Compatibility Standards, to add Agricultural Residential Rural (A/RR) to the list Future Land Use designations in the introduction of Section 220 which states the applicability of the 50-foot compatibility zone; and add a new section H. to add screening and buffering standards for structures with four (4) or more loading/unloading areas and docking bays and; providing for severability; providing an effective date.

Public purpose to be served by the proposed ordinance:

Polk County has become a center for warehouse and distribution uses in central Florida. These warehouses have increasingly used larger buildings. As the population of Polk County and Florida has increased with online shopping, the construction of these warehouses has accelerated faster than the ability to determine the best buffering method adjacent and near residential uses. The development of the Dollar General at Duff Road and Kathleen Road lead to an amendment to Section 220 of the Land Development Code in 2018 to prohibit buildings within the 50-compatibility zone when adjacent to existing residential including additional lighting standards and additional buffering requirements. The 24-hour nature of warehouse uses have more light and noise issues beyond the 50-foot compatibility zone appropriate for a Dollar General, grocery store or big box retailers it was intended to address. Based on a random sampling of warehouse structures in the County and interviews of nearby residents, most impacts are noise and light even when the building is 100 feet away. The purpose is to augment the protection from headlights and noise for residents that will live next to a structure with four (4) or more loading/unloading facilities and docking bays.

Estimate of the direct economic impact of the proposed ordinance businesses in the county:

There will be higher upfront costs to the warehouse developer in finding appropriate land. However, there have been significant quality of life impacts to nearby residents who were present prior to the warehouse development or structures with four (4) or more loading/unloading and docking bays. It should be noted that many warehouse developers along Chestnut Road west of Lakeland on Memorial Boulevard, northeast Polk County, and near Saddle creek have all applied for text amendments to the Land Development Code that add development standards in Appendix E, Parcel Specific Future Land Use with buffer areas of 40 that include a berm with a Type C Buffer and a six (6) foot fence on the berm to a distance separation of 100 feet.

Estimate of direct compliance costs:

The most direct cost will be determined by the developer during the Level 2 Review (engineered construction plans).

New charge or fee:

No new charges or fees are estimated. Compliance with the new requirements will be determined with current submittal regulations for a Level 2 Review (engineered construction plans).

Estimate of the county's regulatory costs:

The County estimates no changes in the way they review Level 2 Review (engineered construction plans).

Estimate of the number of businesses likely to be impacted:

Any estimate of the number of businesses likely to be impacted is hard to gather. Warehouse and distribution are permitted in Linear Commercial Corridor (LCC), High Impact Commercial (HIC), Business Park Center (BPC), Industrial (IND), Employment Center (EC), and Mixed-Use (MU). Manufacturing uses also have loading/unloading facilities and docking bays. Manufacturing uses are also permitted in LCC, Tourist Commercial Centers (TCC), BPC and Phosphate Mining (PM). LCC, HIC, BPC, PM, IND, and TCC are permitted in the Rural Development Area (RDA).

The proposed changes will not be applicable to current business and only to businesses that have not yet developed.