Polk County Board of County Commissioners

Meeting Agenda - Final-revised

November 04, 2025 Regular BoCC meeting

In accordance with the American with Disabilities Act, persons with disabilities needing special accommodations to participate in this proceeding should contact the Communications Office not later than 48 hours prior to the proceeding. Their office is located in the County Administration Building, 330 West Church Street in Bartow. Telephone (863) 534-6090 or TTY (863) 534-7777. If hearing impaired dial 7-1-1 for Florida Relay services or call (800) 955-8771 (TTY); dial (800) 955-1339 if you are using a computer.

Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER - 9:00 a.m. (RICK WILSON, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Employee Recognition

B. PUBLIC COMMENTS CONCERNING AGENDA ITEMS

B.1. Comments.

C. APPROVE CONSENT AGENDA

C.1. Approve Consent Agenda.

D. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)

D.1. Disbursements.

D.2. Minutes of Regular Board meeting held on October 21, 2025.

E. REQUEST FROM ELECTED OFFICIAL and OTHER GOVERNMENTAL AGENCY

F. COUNTY ATTORNEY (RANDY MINK)

F.1. Adopt Resolution Calling for a School Board of Polk County Referendum on November 3, 2026, General Election Ballot on the School Board of Polk County, Florida authorization to impose an additional 1.0 mill ad valorem tax annually on taxable property in Polk County for School Operating Purposes beginning July 1, 2027, and ending June 30, 2031.

G. COUNTY MANAGER (BILL BEASLEY)

G.1. Approve the Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) Addendum No. 3 to Agreement 2023-074 with Wharton-Smith, Inc. for the Northeast Regional Wastewater Treatment Facility (NERWWTF). ($50,825,822.00 one-time expense)

G.2. Bargain Barn Road Realignment Infrastructure Agreement (cost not to exceed $3,756,473.49).

G.3. Approve Consultant Services Authorization (CSA) No. 2021-032-07 with CMHM Architects for Architectural and Engineering (A&E) services for a new Christina Fire Rescue EMS Station project. ($312,225.00 one-time expense)

G.4. Approve Consultant Services Authorization (CSA) No. 2021-032-08 with CMHM Architects for Architectural and Engineering (A&E) services for a new Willow Oak Fire Rescue EMS Station project. ($207,090.00 one-time expense)

H. COMMISSIONER DISTRICT 1 (BECKY TROUTMAN)

H.1. Commissioner Troutman Comments.

I. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

I.1. Commissioner Braswell Comments.

J. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

J.1. Commissioner Santiago Comments.

K. COMMISSIONER DISTRICT 5 (MICHAEL SCOTT)

K.1. Appoint Ashley Loute to the Polk County Lakes Access Advisory Committee for the three-year term, November 17, 2025, to November 16, 2028.

K.2. Commissioner Scott Comments.

L. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIR)

L.1. Chair Wilson Comments.

M. LAY BOARD APPOINTMENTS

N. EXPEDITED HEARINGS PURSUANT TO RESOLUTION NO. 2022-089

* County Attorney opening comments

N.1. Public Hearing (LDCPAL 2025-4-EAR Based Comp Plan, CPA) (Adoption Hearing) to consider a Large-Scale Comprehensive Plan Amendment to change several policies in all Comprehensive Plan elements per the requirements of Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR). (No Fiscal Impact)

N.2. Public Hearing (LDCPAS-2025-21 Old Tampa HWY CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 2.5 acres of a 2.87 acres +/- parcel from Residential Low (RL-4) to Industrial (IND). (No Fiscal Impact)

N.3. Public Hearing (LDCPAS-2025-22 Motor Vault East CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 2.28 +/- acres from Residential Low (RL) to Institutional (INST). (No Fiscal Impact)

N.4. Public Hearing (LDCPAL-2025-6 Poinciana Bayberry St CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 72.27 +/- acres from Development of Regional Impact (DRI) to Institutional (INST) in Poinciana Master Plan. (No Fiscal Impact)

N.5. Public Hearing (LDCPAL 2025-8 North Ridge SAP PIX Text Change, CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Text Amendment to Policy 2.131-Q4. L. c. (g) in the North Ridge Selected Area Plan (SAP) regarding limitations on commercial uses in the Professional Institutional-X (PIX) Future Land Use designation. This request is related to a Land Development Code text amendment (LDCT-2025-14). (No Fiscal Impact)

N.6. Public Hearing (LDCT-2025-14 North Ridge SAP PIX LDC Text) (First Reading) to consider the adoption of a Land Development Code text amendment to amend Chapter 4, Section 401.06.E in the North Ridge Selected Area Plan (SAP) relating to commercial use limitations in the Professional Institutional-X (PIX) Future Land Use designation. This case is related to LDCPAS-2025-8 a Comprehensive Plan Text Amendment. (No Fiscal Impact)

N.7. Public Hearing (LDCT-2025-7 Cargo Containers on Residential Property) (First Reading) to consider the adoption of an ordinance amending the Land Development Code to allow cargo containers on residentially developed properties meeting or exceeding one acre. (No Fiscal Impact)

N.8. Public Hearing (LDCT-2025-8 Pool Safety LDC Text) (First Reading) to consider the adoption of a Land Development Code text amendment to amend Chapter 2, Section 211, Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures. (No Fiscal Impact)

N.9. Public Hearing (LDCT-2025-9 SE Polk Mobile Homes) (First Reading) to consider the adoption of an ordinance amending the Land Development Code to remove conditional use standards for Individual Mobile Homes within the Southeast Polk Selected Area Plan to conform with the rest of the County. (No Fiscal Impact)

O. PUBLIC HEARINGS

O.1. Public Hearing to consider adoption of a resolution to vacate and close a portion of maintained right-of-way for Second Terrace a/k/a 1st Street North in the Eloise area near Winter Haven. (No fiscal impact) (Continued to December 2, 2025)

O.2. Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to a new business, Fort Meade DC, LLC, and approval of a Performance Agreement with the company.

O.3. Public Hearing to consider adoption of an ordinance requiring criminal history screening requirements.

O.4. Public Hearing to consider the adoption of an ordinance setting the yearly salary of Commissioners in accordance with Section 2.5 of the Polk County Charter.

P. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE AND OPPORTUNITY TO BE HEARD

P.1. Comments.

Q. WORK SESSION ITEMS

R. CONSENT AGENDA ITEMS

R. COMMISSIONER DISTRICT 1

R. COMMISSIONER DISTRICT 2

R. COMMISSIONER DISTRICT 3

R. COMMISSIONER DISTRICT 4

R. COUNTY COMPTROLLER

R.1. Report 2025-13 Building Permit Fees follow-up audit.

R.2. Removal of equipment from inventory as listed on Blanket Removal Form 2228.

R. COUNTY MANAGER

R.3. Approve 2026 State Legislative Priorities for Polk County.

R. ECONOMIC DEVELOPMENT

R. TOURISM/SPORTS MARKETING

R. OFFICE OF PLANNING & DEVELOPMENT

R.4. Accept Performance Surety in the amount of $45,260.60 in the form of Performance Bond No.101608415 for Commercial @ SWC SR 542 & Overlook Dr. (No Fiscal Impact)

R.5. Accept Performance Surety in the amount of $313,179.35 in the form of Performance Bond No.017263228 for Drane Field #3 Hamilton Trailer Site & Hamilton Industrial. (No Fiscal Impact)

R.6. Accept Performance Surety in the amount of $703,729.00 in the form of Performance Bond No. K41574896 for Eagle Lake Offsite Roadway Improvements. (No Fiscal Impact)

R.7. Accept Performance Surety in the amount of $70,000.00 in the form of Performance Bond No.101473177 for Mixed Use @ US Highway 192 & Town Center. (No Fiscal Impact)

R.8. Approve selection committee's recommendation to authorize staff negotiate agreements with Janet A. McDonald and Seth B. Claytor to serve as Land Use Hearing Officers. (No Fiscal Impact)

R. BUILDING

R. DEPUTY COUNTY MANAGER

R. BUDGET & MANAGEMENT SERVICES

R.9. Request Board to adopt a resolution accepting unanticipated revenue for Hurricane Milton Debris. (Estimated one-time federal and state revenue $10,970,795.00)

R. PROCUREMENT

R. COMMUNICATIONS

R. COOPERATIVE EXTENSION SERVICES

R. HEALTH & HUMAN SERVICES

R.10. Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program 1) Homeowner Assistance Agreement and 2) Grant Agreement for property located in Haines City, FL., for Case #RC24-SHIP-002. ($176,251.00 one-time expense).

R.11. Approve First Amendment to a Tri-Party Agreement for State Housing Initiatives Program (SHIP) Funding for Grove Manor II Apartments, Lake Wales. (No fiscal impact)

R. HUMAN RESOURCES

R. INFORMATION TECHNOLOGY

R. CODE ENFORCEMENT

R. COURT SERVICES

R. RISK MANAGEMENT

R.12. Approve Corporate Client Agreement with FEDlogic, LLC to provide comprehensive federal and state benefits navigation services for Board of County Commissioners and Constitutional office employees and their families. (December 1, 2025 - November 30, 2026; $203,700 annual cost)

R. COMMUNITY HEALTH CARE

R.13. Approve the contract with Polk Vision, Inc. (Polk Vision) to lead a public awareness campaign and organize and manage a Behavioral Health Summit. (Total amount not to exceed $178,530.)

R.14. Approve the second amendment to the contract with the School Board of Polk County for Traviss Technical College to provide dental services to eligible low-income county residents. (Total amount not to exceed $165,500 in FY 25/26 and $122,000 in FY 26/27 and subsequent years.)

R.15. Approve the contract with Tri-County Human Services, Inc. for the purchase of incidentals for Helping HANDS participants. (Total amount not to exceed $150,000.)

R.16. Approve Polk HealthCare Plan Medical Services Agreement with Florida Community Health Partners, LLC for primary care services. (estimated annual amount less than $100,000)

R. FACILITIES MANAGEMENT

R.17. Modification No. 01 to Consultant Services Authorization (CSA) No.2021-031-03 with SLAM Collaborative for the Polk County High Voltage Switchgear and Generator Study as a scope of services expansion to include additional Architectural Services, Electrical and Civil Engineering for property recently purchased at 222 East Main Street, Bartow, FL 33830 ($85,150.00 one-time expense)

R. FLEET MANAGEMENT

R.18. Approve budget amendment to transfer from reserves to capital expense in the Fleet Replacement Fund ($3.3 million one-time transfer)

R. PARKS & NATURAL RESOURCES

R.19. Approve Interlocal Agreement between Polk County and Central Florida Regional Planning Council (CFRPC) to implement Polk County Vulnerability Assessment Adaptation Plan ($300,000 one-time expense).

R.20. Approve Consultant Services Agreement (CSA) 22-061-01 with Chastain Skillman, Inc. to provide professional engineering services for East Central Park in Dundee Florida ($241,547.15 one-time expense.)

R. FIRE RESCUE

R. EMERGENCY MANAGEMENT

R. REAL ESTATE SERVICES

R.21. Adopt a resolution authorizing negotiations required by §73.015, Florida Statutes to be undertaken by the County Real Estate Services Director and his designated agents, subject to final Board approval, for acquisitions necessitated by new Roads and Drainage CIP Projects; various capacity, intersection, bridge and drainage projects.. (No fiscal impact)

R.22. Approve Subordination Agreement between Polk County and the City of Lakeland. (No fiscal impact)

R. ROADS & DRAINAGE

R.23. Approve a FY 24/25 unbudgeted fund transfer for expense incurred from Hurricane Milton ($1,702,926.00 one-time transfer)

R.24. Adopt a Resolution Setting Parking Restrictions on Bellview Drive, near Lake Wales ($1,035.76 one-time expense)

R.25. Adopt a Resolution Setting Parking Restrictions on Fourth Street, near Mulberry ($266.01 one-time expense)

R. UTILITIES

R.26. Approval of Year-End Budget Adjustments for Utilities FY 25, including a CIP Amendment and Operating-to-Capital and Operating-to-Debt Service Transfers ($1,589,454 one-time transfer from reserves; $928,723 transfer within existing operating funds)

R.27. Approve Amendment No. 2 to Agreement 2023-074, with Wharton-Smith, Inc., to revise the fee schedule. (No fiscal impact)

R. SOLID WASTE

R.28. Approve transfer from Operating to Capital in the Solid Waste Fund (one-time transfer of $357,495).

R.29. Approve a New Non-Exclusive Commercial Franchise for FY2025-26 by Noreast Services MBW Corp. dba 1-800 Got Junk. (No fiscal impact)

R.30. Approve a New Non-Exclusive Commercial Franchise for FY2025-26 by Williams Trucking Company, Inc. (No fiscal impact)

R. ELECTED OFFICIAL AND OTHER GOVERNMENTAL AGENCY

R. COURT RELATED

R. POLK COUNTY PROPERTY APPRAISER

R. POLK COUNTY SHERIFF

R. POLK COUNTY SUPERVISOR OF ELECTIONS

R. POLK COUNTY TAX COLLECTOR

R. WORKFORCE DEVELOPMENT BOARD

R. COUNTY ATTORNEY

R.31. SET HEARING to consider the adoption of an Ordinance of the Polk County Board of County Commissioners establishing the "Mandatory Milestone Inspection Program." SUGGESTED HEARING DATE: November 18, 2025 at 9:00 a.m.

R.32. Adopt Resolution approving issuance of Housing Finance Authority Multifamily Housing Revenue Bonds for Cypress Oaks Preservation, Ltd.in an aggregate face amount not to exceed $29,000,000.00. (No fiscal impact)

R.33. Adopt Resolution Adopting Policy for Legal Representation for County Officials and Employees of Polk County.

ANNOUNCEMENTS

Below are scheduled events and public meetings at which two or more County Commissioners or Planning Commissioners may appear to discuss issues that may come before the Board of County Commissioners.

- Monday, November 3, 2025 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.

- Tuesday, November 4, 2025 – 9:00 a.m. – Tourist Development Council's Arts, Culture, and Heritage Committee (ACH) will meet at Depot Arts District, 955 East Memorial Boulevard, Lakeland.

- Tuesday, November 4, 2025 – 6:00 p.m. – Stormwater Technical Advisory Committee (STAC) will meet in the Commissioners' Conference Room, Room 407.

- Wednesday, November 5, 2025 – 8:50 a.m. – Planning Commission will conduct a work session, prior to its regularly scheduled meeting, in the County Commissioner Boardroom.

- Wednesday, November 5, 2025 – 9:00 a.m. – Planning Commission meeting will be held in the County Commissioner Boardroom.

- Wednesday, November 5, 2025 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.

- Wednesday, November 5, 2025 – 1:00 p.m. – Selection Committee Interviews for RFP 25-599 Construction Manager at Risk – Medical Expansion & Renovation will convene in Room 407, Fourth Floor, County Administration Building.

- Wednesday, November 5, 2025 – 3:00 p.m. – Central Florida Development Council (CFDC) Board Meeting will be held at Citrus Connection, 1212 George Jenkins Boulevard, Lakeland.

- Wednesday, November 5, 2025 – 4:00 p.m. – Central Florida Development Council (CFDC) Investor Meeting will be held at Citrus Connection, 1212 George Jenkins Boulevard, Lakeland.

- Thursday, November 6, 2025 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

- Thursday, November 6, 2025 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.

- Friday, November 7, 2025 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.

- Monday, November 10, 2025 – 9:00 a.m. – Value Adjustment Board hearings will

be held in the Administration Building, Third Floor, Conference Room 341.

• Tuesday, November 11, 2025 – The offices of the Board of County Commissioners will be closed in observance of the Veteran's Day Holiday.

• Wednesday, November 12, 2025 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.

• Wednesday, November 12, 2025 – 8:30 a.m. – Citrus Connection Board Meeting will be held at 1212 George Jenkins Boulevard, Lakeland.

• Wednesday, November 12, 2025 – 9:00 a.m. – Appellate Special Magistrate of the Code Enforcement Unit will meet in the County Commission Boardroom.

• Wednesday, November 12, 2025 – 2:00 p.m. – Comprehensive Plan Review Advisory Committee will meet in Room 413, Fourth Floor, County Administration Building.

• Thursday, November 13, 2025 – 8:30 a.m. – Development Review Committee will meet in the Planning and Development Conference Room, Second Floor, County Administration Building.

• Thursday, November 13, 2025 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.

• Thursday, November 13, 2025 – 9:00 a.m. – Deferred Compensation Committee will meet in the Commissioners' Conference Room, Room 407, Fourth Floor, County Administration Building.

• Thursday, November 13, 2025 – 9:00 a.m. – Tourist Development Council's Marketing Committee will meet at the Aerospace Center for Excellence / SUN 'n FUN – Eickhoff Hospitality Room, Second Level, 4075 James C. Ray Drive, Lakeland.

• Friday, November 14, 2025 – 9:00 a.m. – Board/Staff Agenda Review meeting to discuss the Agenda and any other matters that may come before the Board will be held in the Commissioners' Conference Room, Room 407, Fourth Floor, County Administration Building.

• Monday, November 17, 2025 – 9:00 a.m. – Value Adjustment Board hearings will be held in the Administration Building, Third Floor, Conference Room 341.

Agenda Item A.1. 11/4/2025

SUBJECT

Employee Recognition

DESCRIPTION

Kristopher S. Price - Roads & Drainage - 40 years

Bryan T. Finder - Parks & Natural Resources - 30 years

Vannant A. Baker - Health & Human Services (Healthy Families) - 25 years

Thomas E. Elyard - Roads & Drainage - 25 years

Russell A. Sutherland - Information Technology - 25 years

Ana S. Bonilla - Building - 20 years

Bilie K. Williams - Fire Rescue - 20 years

RECOMMENDATION

Approve

FISCAL IMPACT

N/A

CONTACT INFORMATION

Amber Smith

Communications Division Director

ambersmith@polk-county.net <mailto:ambersmith@polk-county.net>

Agenda Item C.1. 11/4/2025

SUBJECT

Approve Consent Agenda.

DESCRIPTION

All items on the Consent Agenda are approved in one motion.

RECOMMENDATION

Approve Consent Agenda.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Erin Valle

erinvalle@polk-county.net

Agenda Item D.1. 11/4/2025

SUBJECT

Disbursements.

DESCRIPTION

Disbursements include payroll and invoice checks, and wire and electronic fund transfers. For detailed list, see Check Register on file in the Clerk's department of Comptroller to the Board.

RECOMMENDATION

Approve and ratify disbursements.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Erin Valle

erinvalle@polk-county.net

APPROVE AND RATIFY

Payroll Check Numbers	**04259**	**thru**	**04307**
In the Amount of	**$71,227.04**		
# of Direct Deposits	**3009**		
In the Amount of	**$5,222,066.37**		
Dated	**October 31, 2025**		
Wire and Electronic Fund Transfers	**$42,496,265.53**		
Dated	**October 21, 2025**	**thru**	**November 3, 2025**
Invoice Checks Numbered	**493312**	**thru**	**494074**
Totaling	**$14,915,645.75**		
Dated	**October 21, 2025**	**thru**	**November 3, 2025**

Request approval of minutes of Regular Board Meeting Held on October 21, 2025

Agenda Item D.2. 11/4/2025

SUBJECT

Minutes of Regular Board meeting held on October 21, 2025.

DESCRIPTION

At each Board meeting, minutes of the previous Board meeting are approved.

RECOMMENDATION

Approve minutes.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Erin Valle

erinvalle@polk-county.net

Polk County Board of County Commissioners

Meeting Minutes - Draft

October 21, 2025 Regular BoCC meeting

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If a person decides to appeal any decision made by the board with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER - 9:00 a.m. (RICK WILSON, CHAIR)

INVOCATION

Murphy Hanley, Polk County Fire Rescue Chaplain

PLEDGE OF ALLEGIANCE (RICK WILSON, CHAIR)

A. PRESENTATIONS and RECOGNITIONS

A.1. Employee Recognition

Minutes: The Board recognized Rodolfo Socorro with Fire Rescue, David Seeright, Jr. with Fire Rescue, Michele Sims with Procurement, Charles Blocker with Roads and Drainage, and Danny Tucker with Roads and Drainage for their years of service with the county.

B. PUBLIC COMMENTS CONCERNING AGENDA ITEMS

B.1. Comments.

Minutes: David Brown said he is in support of the round-a-bout on North Galloway Road. He thanked the Board for cleaning out the ditch to help with drainage. He said he is here to thank the Board.

Shannon Turbeville said he is in support of the round-a-bout. He said his concerns were addressed for stormwater. He said that he reached out to Commissioners Troutman and Braswell with his stormwater concerns and he said they did what they

were elected to do. He said they were accessible, sensitive to his concerns, and solution oriented. He said he cannot think of better representation from elected officials. He thanked the county manager and said that Hurricane Milton gave him a new respect for the importance of adequate and maintained stormwater infrastructure. He said he is appreciative of the efforts from Deputy County Manager John Bohde and the department directors that addressed this.

Commissioner Braswell said he went out to Mr. Turbeville's house and looking at it you would not think it would flood. He said that it flooded a foot and a half in the house, it was gone before the sun came up and destroyed the inside of his house. He said they are glad they helped him and there are so many places like that in the county.

C. APPROVE CONSENT AGENDA

C.1. Approve Consent Agenda.

RESULT:	**APPROVED**
MOVER:	Bill Braswell
SECONDER:	Martha Santiago
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

D. COUNTY COMPTROLLER (STACY M. BUTTERFIELD, CPA)

D.2. Disbursements.

RESULT:	**APPROVED**
MOVER:	Bill Braswell
SECONDER:	Becky Troutman
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

D.1. Minutes of Regular Board meeting held on October 7, 2025.

RESULT:	**APPROVED**
MOVER:	Martha Santiago
SECONDER:	Michael Scott
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G. COUNTY MANAGER (BILL BEASLEY)

G.1. Approve Agreement for Sale and Purchase between Texas Aquatic Harvesting, Inc. and Polk County for the construction of a new wastewater treatment facility to service the East Regional service area. ($8,530,000 one-time expense)

Minutes: Deputy County Manager Ryan Taylor discussed the agreement for sale and purchase with Texas Aquatic Harvesting, Inc., for the construction of a new wastewater treatment facility to service the east regional service area. He recommended approval.

Upon question, Mr. Taylor said studies will start soon and the facility will be completed within two years.

Commissioner Scott said he wants to thank the staff. He said this property allows us to tie this together with conservation areas. He said this is a great purchase.

Chair Wilson said we have been lucky and it has been great tying this into conservation. He said that is a great program.

RESULT:	**APPROVED**
MOVER:	Becky Troutman
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G.2. Approve and ratify the Letter of Agreement and IGT Provider Questionnaire from the State of Florida, Agency for Health Care Administration (AHCA) for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program ($4,989,893.04 not-to-exceed, one-time expense)

Minutes: Deputy County Manager Ryan Taylor discussed the ratification of the Letter of Agreement and IGT Provider Questionnaire from the State of Florida, Agency for Health Care Administration for the Public Emergency Medical Transportation Medicaid Managed Care Supplement Payment Program. He recommended approval.

RESULT:	**APPROVED**
MOVER:	Martha Santiago
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G.3. Approve construction contract with Ajax Paving Industries of Florida LLC for the roadway improvements for North Galloway Road at 10th Street, CIP Amendment and budget transfer. ($3,063,097.56 one-time expense - $1,063,098 one-time transfer)

Minutes: Deputy County Manager Ryan Taylor discussed the construction contract with Ajax Paving Industries of Florida LLC, for the roadway improvements for North Galloway Road at 10th Street, CIP Amendment and budget transfer. He recommended approval.

Roads and Drainage Director Jay Jarvis confirmed that there will be no road closures.

Commissioner Troutman thanked staff; she said everybody is doing this together and doing the right thing to get this started and completed.

RESULT:	**APPROVED**
MOVER:	Bill Braswell
SECONDER:	Michael Scott
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G.4. Approve the Local Agency Program (LAP) Agreement between Polk County and

the Florida Department of Transportation (FDOT) for the Kathleen Road Project Development and Environment (PD&E) Study, associated resolutions, Budget resolutions to establish budget ($2,000,000.00 one-time unanticipated revenue).

Minutes: Deputy County Manager Ryan Taylor discussed the Local Agency Program Agreement between Polk County and the Florida Department of Transportation for the Kathleen Road project development and environment study, associated resolutions, and budget resolutions to establish budget. He recommended approval.

RESULT:	**APPROVED**
MOVER:	Bill Braswell
SECONDER:	Martha Santiago
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

G.5. Approve agreement with Fleischman Garcia Maslowski (FG+M) for architectural & engineering services for the Polk County and City of Bartow Joint-Use Fire Rescue Station. ($799,930.85 onetime expense)

Minutes: Deputy County Manager Ryan Taylor discussed the agreement with Fleischman Garcia Maslowski (FG+M) for architectural & engineering services for the Polk County and City of Bartow joint-use fire rescue station. He recommended approval. He confirmed that the totals for the county will be 60% of the cost.

RESULT:	**APPROVED**
MOVER:	Becky Troutman
SECONDER:	Martha Santiago
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

H. COMMISSIONER DISTRICT 1 (BECKY TROUTMAN)

H.1. Commissioner Troutman Comments.

Minutes: Commissioner Troutman had no comments.

I. COMMISSIONER DISTRICT 3 (BILL BRASWELL)

I.1. Appoint Angelic Sims as a member (Seat 6) of the Polk County Planning Commission for the three-year term, November 4, 2025 through November 3, 2028.

RESULT:	**APPROVED**
MOVER:	Bill Braswell
SECONDER:	Becky Troutman
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

I.1. Commissioner Braswell Comments.

Minutes: Commissioner Braswell had no comments.

J. COMMISSIONER DISTRICT 4 (MARTHA SANTIAGO)

J.1. Commissioner Santiago Comments.

Minutes: Commissioner Santiago had no comments.

K. COMMISSIONER DISTRICT 5 (MICHAEL SCOTT)

K.1. Commissioner Scott Comments.

Minutes: Commissioner Scott said Highway 98 North construction is moving along. He said if there are any residents that have issues, concerns, or questions to reach out to their office.

L. COMMISSIONER DISTRICT 2 (RICK WILSON, CHAIR)

L.1. Chair Wilson Comments.

Minutes: Chair Wilson had no comments.

N. EXPEDITED HEARINGS PURSUANT TO RESOLUTION NO. 2022-089

Minutes: County Attorney Randy Mink reminded the audience of the procedures for expedited hearings and public hearings. He swore in those who plan to speak.

N.1. Public Hearing (LDCPAS-2025-15 Crescent Road CPA) (Adoption Hearing) to consider the adoption of an applicant-initiated Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation from Residential Medium (RMX) to Employment Center (ECX) on 17.42 +/- acres in the North Ridge Selected Area Plan. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed map amendment. He said that staff and the Planning Commission recommend approval.

The Chair opened a public hearing; no one spoke.

RESULT:	**APPROVED**
MOVER:	Bill Braswell
SECONDER:	Martha Santiago
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

N.2. Public Hearing (LDCD-2025-3 Hamilton Road Sub-district) (Adoption Hearing) to consider the adoption of a sub-district change from Business Park Center (BPC-1) to Business Park Center-2 (BPC-2) on 38+/- acres within in the Urban Growth Area (UGA) and Rural Development Area (RDA). (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed sub-district change. He said that staff and the Planning Commission recommend approval.

Upon question, Mr. Ziskal said that BPC-1 is the default BPC and then a sub-district change is required to move to BPC-2.

The Chair opened a public hearing; no one spoke.

RESULT:	**APPROVED**
MOVER:	Becky Troutman
SECONDER:	Martha Santiago
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

N.3. Public Hearing (LDCT-2025-13 Non-Phosphate Mining Exemption) (Adoption Hearing) to consider the adoption of an applicant-initiated ordinance amending the Land Development Code to allow an exemption for fill material excavation associated with approved phosphate mines and gypsum stacks. (No Fiscal Impact)

Minutes: Land Development Director Ben Ziskal reviewed the proposed text amendment. He said that staff and the Planning Commission recommend approval. He confirmed that Mosaic is the only one with a phosphate mining permit in the county.

The Chair opened a public hearing; no one spoke.

RESULT:	**APPROVED**
MOVER:	Michael Scott
SECONDER:	Becky Troutman
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

O. PUBLIC HEARINGS

O.1. Public Hearing to consider adoption of a Resolution to vacate and close deeded and maintained right-of-way for J Day Drive, Lakeland, Florida (No fiscal impact)

Minutes: Scott Lowery, Real Estate Services, reviewed the proposed request to vacate and close deeded and maintained right-of-way for J Day Drive. He said there are no objections to the proposed request.

Upon question, Mr. Lowery said the easement has been secured for the inter-connect facility. He said the easement is in place and will be recorded with these documents.

The Chair opened a public hearing; no one spoke.

RESULT:	**APPROVED**
MOVER:	Becky Troutman
SECONDER:	Bill Braswell
AYE:	Troutman, Wilson, Braswell, Santiago, and Scott

P. REQUEST FROM THE GENERAL PUBLIC/AUDIENCE AND OPPORTUNITY TO BE HEARD

P.1. Becky Bywater to discuss Polk County Animal Control

Minutes: Becky Bywater said she prepared a survey on animal wellness. She said out

of ten counties only two of them has the sheriff with the responsibility of the animal control program. She discussed TNRV and said Polk offers no services. She said only one other county has no-tethering. She said Polk is the only one who does not offer air conditioning. She said the website falls short to functionality and transparency. She discussed donations per animal and asked how can they not be embarrassed about this.

P.2. Comments.

Minutes: Eve Salimbene said when we were here last time that Commissioner Scott said he spoke to other counties that said TNVR did not work. She said they would need to get 4,000 - 5,000 cats for it to work. She discussed Hillsborough County and discussed how the euthanasia results can be lowered. She said that she sent an email to the Sheriff on September 30th and she has not had a reply. She asked them to talk to them about a reply.

Kay Bourque said efforts to talk to the Sheriff has yielded no results. She said the work is snowballing with the increasing pet population. She discussed TNVR and an ordinance for backyard breeding. She said it will take time to make a difference. She said the ordinance changes have been successful in other counties. She said she hopes they will be a part of the solution.

Ailigh Vanderbush showed slides comparing Hillsborough and Polk County. She discussed the income, time frame for informational responses, salaries, and operational expenses.

Betty Jean Ammarell said she goes out to Animal Control to check on the cats and dogs. She said when she was out there yesterday she was told that the volunteer program is gone. She said the only people that they have working out there are young and they are inmates. She said ceiling fans and wired fences have been installed. She said the adoption fees are waived and she wishes that they would advertise that. She said that Pasco County has 300 volunteers and we need some improvements.

Kristin Ahlberg said she did not see fans and there is not air conditioning. She discussed the animals in the cages. She said she did a walk-through and was horrified with the conditions. She said they had a rally and said that Animal Control was shut down that day. She said that she was banned from the facility. She said that the animals are suffering. She said for them to join the TNVR groups.

James Abercrombie said the meeting was finally productive. He said he was asking for a maintenance agreement. He said he wants to see where the fence went and what money was brought out of it. He showed an article from Commissioner Braswell on transportation challenges.

Commissioner Braswell responded to public comments. He stated that on the county's website every budget since 2016 is on there. He said it is broken down and it is a huge document.

Commissioner Troutman said when you are talking about Orange County and Polk County it is important to look at populations numbers. She said Orange County has

about double the number of people that live there in comparison to Polk. She said you would expect some of a difference because there is a vast difference of residents.

Chair Wilson said we talk about ten counties and he said what about the other 57 counties.

Meeting adjourned at 10:08 a.m.

Agenda Item F.1. 11/4/2025

SUBJECT

Adopt Resolution Calling for a School Board of Polk County Referendum on November 3, 2026, General Election Ballot on the School Board of Polk County, Florida authorization to impose an additional 1.0 mill ad valorem tax annually on taxable property in Polk County for School Operating Purposes beginning July 1, 2027, and ending June 30, 2031.

DESCRIPTION

The School Board of Polk County, Florida ("School Board") adopted Resolution No. 2025/2026-06 ("School Board Referendum Resolution") conditionally imposing an additional 1.0 mill ad valorem tax annually ("School Board Millage Tax") on taxable property in Polk County for school operating purposes, beginning July 1, 2027, and ending June 30, 2031. The School Board Referendum Resolution was adopted by the School Board as authorized by Sections 1011.71(9) and 1011.73, Florida Statutes (2024) ("School Board Millage Statute"). The School Board Referendum Resolution directs the Polk County Board of County Commissioners to place the referendum question stated therein on the general election ballot scheduled for November 3, 2026. The Second District Court of Appeal of Florida in the case of Hillsborough County v. School Board of Hillsborough, 395 So3d 1116 (Fla. 2d DCA 2024), held a board of county commissioners duty to set a referendum directed by a school board pursuant to the School Board Millage Statute is purely a ministerial task and the board of county commissioners must call for the referendum as directed by the school board.

RECOMMENDATION

Adopt Resolution Calling for a School Board of Polk County Referendum on November 3, 2026, General Election Ballot on the School Board of Polk County, Florida authorization to impose an additional 1.0 mill ad valorem tax annually on taxable property in Polk County for School Operating Purposes beginning July 1, 2027, and ending June 30, 2031.

FISCAL IMPACT

No Fiscal Impact.

CONTACT INFORMATION

Randy Mink, County Attorney
863-534-7679

RESOLUTION NO. 2025-____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, CALLING FOR A SCHOOL BOARD OF POLK COUNTY, FLORIDA REFERENDUM ON NOVEMBER 3, 2026, GENERAL ELECTION BALLOT ON THE SCHOOL BOARD OF POLK COUNTY, FLORIDA AUTHORIZATION TO IMPOSE AN ADDITIONAL 1.0 MILL AD VALOREM TAX ANNUALLY ON TAXABLE PROPERTY IN POLK COUNTY FOR SCHOOL OPERATING PURPOSES, BEGINNING JULY 1, 2027, AND ENDING JUNE 30, 2031; PROVIDING FOR SEVERABILITY; PROVIDING EFFECTIVE DATES.

WHEREAS, The School Board of Polk County, Florida ("School Board") adopted Resolution No. 2025/2026-06 ("School Board Referendum Resolution") conditionally imposing an additional 1.0 mill ad valorem tax annually ("School Board Millage Tax") on taxable property in Polk County for school operating purposes, beginning July 1, 2027, and ending June 30, 2031; and

WHEREAS, the School Board Referendum Resolution was adopted by the School Board as authorized by Sections 1011.71(9) and 1011.73, Florida Statutes (2024) ("School Board Millage Statute"); and

WHEREAS, the School Board Referendum Resolution is attached hereto as Attachment "A" and by reference made part hereof; and

WHEREAS, the School Board Referendum Resolution directs the Polk County Board of County Commissioners to place the referendum question stated therein on the general election ballot scheduled for November 3, 2026; and

WHEREAS, the Second District Court of Appeal of Florida in the case of Hillsborough County v. School Board of Hillsborough, 395 So3d 1116 (Fla. 2d DCA 2024), held a board of county commissioners duty to set a referendum directed by a school board pursuant to the School Board Millage Statute is purely a ministerial task and the board of county commissioners must call for the referendum as directed by the school board.

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

SECTION 1. RECITALS INCORPORATED. The above recitals are true and correct and are hereby incorporated herein by reference.

SECTION 2. REFERENDUM.

(A) A referendum election is called and ordered to be held in conjunction with the general election on November 3, 2026, as directed by the School Board pursuant to the School Board Referendum Resolution.

(B) The proposed levy of the School Board Millage Tax shall be presented to the Polk County electorate by placing the question on the ballot in substantially the form provided in the School Board Referendum Resolution.

(C) Said election shall be held at the same time and same polling places established in Polk County for the general election to be held on said date, and all persons eligible to vote in the general election shall be eligible to vote in the referendum election.

(D) Notice of the referendum, including its purpose and eligibility requirements for voting, shall be published by the School Board in accordance with applicable law.

(E) Absentee ballots for said referendum election shall be prepared and made available as provided by law.

(F) The election boards consisting of the clerks and inspectors appointed to serve for the general election in which the referendum is held, are hereby appointed to serve in the referendum election.

(G) Upon conclusion of the election, the election canvassing board shall deliver the certificates of results, in the manner prescribed by law and appropriate rules and

regulations, to the appropriate officials as designated in Section 101.5614, Florida Statutes.

(H) The School Board shall provide applicable notices to state agencies as required by law.

SECTION 3. SEVERABILITY. It is declared to be the intent of the Board that if any section, subsection, sentence, clause or provision of this Resolution be held invalid by a court of competent jurisdiction, it shall in no way affect the validity of the remaining portions of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall be effective upon adoption.

ADOPTED IN REGULAR SESSION DULY ASSEMBLED THIS 4th DAY OF NOVEMBER 2025.

ATTEST:	**BOARD OF COUNTY COMMISSIONERS**
STACY M. BUTTERFIELD, CLERK	**POLK COUNTY, FLORIDA**
By: _____	By: _____
Deputy Clerk	T. R. Wilson, Chair

ATTACHMENT "A"

RESOLUTION 2025/2026-06

RESOLUTION NO. 2025/2026-06

A RESOLUTION OF THE SCHOOL BOARD OF POLK COUNTY, FLORIDA, AUTHORIZING A REFERENDUM ON NOVEMBER 3, 2026, TO APPROVE AN ADDITIONAL MILLAGE LEVY FOR SCHOOL OPERATING PURPOSES; STATING THE INTENDED USES OF SUCH REVENUE; SETTING THE TERM OF THE LEVY; REQUESTING ACTION BY THE BOARD OF COUNTY COMMISSIONERS; AND PROVIDING FOR AN INDEPENDENT OVERSIGHT COMMITTEE.

WHEREAS, the School Board of Polk County, Florida (the "School Board"), is responsible for providing high-quality public education and supporting the operational needs of its students, teachers, and schools;

WHEREAS, pursuant to Article VII, Section 9(b) of the Florida Constitution and Sections 1011.71(9) and 1011.73, Florida Statutes (2024), the School Board is authorized to levy additional ad valorem millage for school operational purposes if approved by the voters at a general election;

WHEREAS, the School Board desires to submit to the electors of Polk County, Florida, a referendum authorizing the levy of an additional 1.0 mill ad valorem tax annually for a period of four years beginning July 1, 2027, and ending June 30, 2031;

WHEREAS, if approved by the voters, proceeds from this levy will be used to support school operational needs, with approximately 80% allocated to recruitment and retention of teachers and educational support staff with 20% allocated to support career and technical education (CTE), school safety, fine and performing arts, and early learning programs;

WHEREAS, as required by Section 1011.71(9), Florida Statutes, funds generated by this levy shall be shared proportionately with public charter schools based on unweighted full-time equivalent student enrollment, and used by charter schools in a manner consistent with the purposes approved by the voters;

WHEREAS, the School Board intends to establish an independent citizens' oversight committee to monitor and report on the expenditure of levy funds;

NOW, THEREFORE, BE IT RESOLVED by the School Board of Polk County, Florida, in a duly called and noticed public meeting:

1. Levy Authorization. Subject to voter approval, the School Board hereby conditionally imposes an additional 1.0 mill ad valorem tax annually on taxable property in Polk County for school operating purposes, beginning July 1, 2027, and ending June 30, 2031.

2. Ballot Language. The School Board adopts the following ballot title and summary for placement on the November 3, 2026, general election ballot:

Title: Millage for School Safety, Teachers, and Career Education
Ballot Summary: Shall the Polk County School District levy an additional 1.0 mill in ad valorem taxes annually from to fund school operations for teacher recruitment and retention and education support staff for career and technical education, school safety, arts, and early learning—with proceeds shared with charter schools as required by law and monitored by an independent citizens' oversight committee?

3. Direction to County. The School Board hereby requests and directs the Polk County Board of County Commissioners to place the above-stated referendum question on the general election ballot scheduled for November 3, 2026.
4. Notice of Election. The board attorney or designee is directed to coordinate with the Polk County Supervisor of Elections and ensure that the required notices of election are published in accordance with Section 100.342, Florida Statutes.
5. Oversight Committee. An independent citizens' oversight committee shall be established to monitor and publicly report on the expenditure of funds received from the additional millage levy.
6. Severability. If any portion of this resolution is held invalid, the remainder shall continue in full force and effect.
7. Effective Date. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED this 30th day of Sept., 2025, by the School Board of Polk County, Florida.

THE SCHOOL BOARD OF POLK COUNTY FLORIDA

William Allen

William Allen, Chair

Attestation

Agenda Item G.1. 11/4/2025

SUBJECT

Approve the Construction Manager at Risk (CMAR), Guaranteed Maximum Price (GMP) Addendum No. 3 to Agreement 2023-074 with Wharton-Smith, Inc. for the Northeast Regional Wastewater Treatment Facility (NERWWTF). ($50,825,822.00 one-time expense)

DESCRIPTION

On December 5, 2023, the Board entered into Agreement 2023-074, with Wharton-Smith, Inc., to provide pre-construction CMAR services for the NERWWTF expansion from 6 to 9 million gallons daily (MGD) project to be completed in 2 phases.

On September 17, 2024, the Board approved Amendment No. 1 to the agreement for additional pre-construction services in anticipation of the following 5 GMPs to be approved by the Board:

- GMP #1: Phase A-Deep Bed Filters, Chlorine Contact Chambers, Dewatering, Chemical Feed Building
- GMP #2: Phase A-Electrical and Communication Improvements, Phase E Other Plant-wide Improvements (e.g. generator replacements, switching from medium voltage to low voltage)
- GMP #3: Phase B-Headworks, Return Pump Station, Electrical Building No. 3
- GMP #4: Phase C-Biological Nutrient Removal, Equalization Tank, Splitter Box Blower/MCC Building
- GMP #5: Phase D-Ground Storage Reservoir, High Service Pump Station, Augmentation Wells

On December 17, 2024, the Board approved GMP No. 1 in the amount of $41,644,133.00, to construct Phase A - Deep Bed Filters, Chlorine Contact Chambers, Dewatering, and Chemical Feed Building.

On February 28, 2025, the Board approved GMP No. 2 in the amount of $30,421,036.00, to construct Phase A- Electrical and Communication Improvements, Phase E Other Plant-wide improvements (e.g. generator replacements, switching from medium voltage to low voltage).

Pre-construction services for Phase B-Headworks, Return Pump Station, Electrical Building No. 3, which includes design and bidding services, are now complete, and Wharton-Smith has provided the attached GMP No. 3 in the amount of $50,825,822.00 to construct these improvements.

The total contract time for GMP No. 3 is 758 calendar days. In accordance with Resolution 13-066, allowance time for this project is 60 calendar days.

Due to rapid growth in the service area, the construction of this GMP will increase capacity incrementally while the design and GMPs are being completed for the additional phases.

It is anticipated that GMP Addendum No.4, to provide for the construction of the biological nutrient removal, equalization tank, and splitter box blower/MCC building will be ready for Board approval in 2026.

RECOMMENDATION

Request Board approve GMP Addendum No.3 to Agreement 2023-074 with Wharton-Smith, Inc. for the Northeast Regional Wastewater Treatment Facility (NERWWTF) in the amount of $50,825,822.00.

FISCAL IMPACT

Funding is available in the Utilities Five-Year Community Investment Program Budget.

CONTACT INFORMATION

Brad Howard

Senior Procurement Analyst

863.534.6706

bradhoward@polk-county.net

GMP ADDENDUM NO. 3

to

Agreement 2023-074 between Polk County and Construction Manager at Risk

Northeast Regional Wastewater Treatment Facility Expansion from 6 to 9 MGD

Pursuant to the Master Services Agreement (the "Agreement") dated _____ between Polk County, a political subdivision of the State of Florida (the "County") and

Wharton-Smith, Inc. (the "Construction Manager"), with respect to the Project, as identified and described in the Pre-Construction Addendum, the County and the Construction Manager hereby establish a Guaranteed Maximum Price (GMP), Contract Time for the Work and amend the Agreement as set forth below.

1. The Construction Manager's (GMP) for the Work as defined in Section 6.1.3 and the Construction Manager's Fee as defined in Section 6.1.2, for the Construction Phase Services is $50,825,822.00.

2. This price is for the performance of the Work in accordance with the Schedules listed below and attached to this Addendum as follows:

Schedule 1 Construction Manager's Personnel.
Schedule 2 Contract Drawings, Specifications, and Addenda 1-2
Schedule 3 GMP Bid Breakdown.
Schedule 4 Clarifications, Assumptions, Exclusions and Allowances.

3. Pursuant to Article 2, Section 2.5, the Project critical dates are as follow:

A.	Construction Phase Commencement Date	equal to	Date Stated in the Notice To Proceed
B.	Project Substantial Completion Date	701	Calendar days from Notice to Proceed
C.	Project Final Completion Date	57	Calendar days after Substantial Completion
D.	Allowance time for this project is	60	Calendar days

4. In the event the Construction Manager does not achieve Substantial Completion within the Contract Time, including approved extensions, the Construction Manager shall pay the County, as liquidated damages and not as a penalty, the sum of $3,100 per day for each calendar day the actual time of performance exceeds the authorized Contract Time.

5. The Construction Manager shall not be due any additional Construction Phase Fee on increases in the GMP that do not exceed a cumulative total of N/A. Should the GMP be increased by more than N/A under the terms of Article 7 hereinafter due to no fault of the Construction Manager, the Construction Manager's additional Construction Phase Fee will be 5% percent of that portion of the accumulative increases in the GMP that exceed the GMP by more than N/A.

6. The Construction Manager's Fee for overhead, profit and general expenses of any kind, except as may be expressly included in Article 9, for services provided during and related to the construction phase, shall be 7.75% of the cost of work, as defined under section 6.1.3, and contingency. The Construction Manager's Fee shall be converted to a fix amount upon acceptance of the GMP, subject to changes as described herein, and shall be paid proportionally to the ratio of the work in place, including stored materials (see Article 8.1.3), as it bears on the latest estimate of the total construction cost and/or to the GMP, whichever is less.

7. Pursuant to Section 6.1.3.2.2, the cost of the premiums for all insurance and cost of premiums for all bonds, which the Construction Manager is required to procure by this Agreement specifically for the construction project. General Liability will be cost at a fixed rate of 1.23 % of the final Contract Amount and Construction Manager bonds will be cost at a fixed rate of 0.58 %. The premium stated will be substantiated with industry standard documentation.

The cost of the work shall include any subcontractor bonds the Construction Manager deems appropriate. There shall be no Construction Manager Overhead and profit fee on this item.

IN WITNESS WHEREOF, the parties have caused this amendment to be executed by their duly authorized representatives, as of the effective date.

POLK COUNTY, a political subdivision of the State of Florida

ATTEST:

STACY M. BUTTERFIELD, Clerk

By: _____
Deputy Clerk

By: _____
, Chairman
Board of County Commissioners

Date: _____

Approved as to form and legal sufficiency:

_____ 9/13/25
County Attorney's Office

Wharton-Smith, Inc.
a Florida corporation

Attest:

By: _____

_____
Corporate Secretary

Title: COO - Water

Northeast Regional WWTF Expansion

Polk County Utilities

Project No. 2021-2-20-0
Oracle No. 6822015

GMP #3 Proposal

Phase B Construction & Phase C/D Early Procurement

Prepared by Wharton-Smith (CMAR)

Issued October 2, 2025

Wharton-Smith Contact:
Brett Ardizone – Preconstruction Manager
bardizone@whartonsmith.com

Engineer: Wright-Pierce

EXECUTIVE SUMMARY

Presented herein is the Guaranteed Maximum Price (GMP) proposal prepared by Wharton-Smith, the Construction Manager at Risk (CMAR) for the Polk County Northeast Regional WWTF Expansions. This GMP was developed in accordance with the following *Issued for Bid Drawings and Specifications*: 90% Phase B Design Documents prepared by Wright-Pierce and dated April 2025, Phase C/D Early Procurement Design Documents prepared by Wright-Pierce and dated April 2025, and all revisions issued as part of Addendum No. 1 and Addendum #2. In the development of this GMP, Wharton-Smith identified work packages, generated a list of qualified bidders, and created detailed scope of work documents to solicit competitive bids. The proposed value of this GMP is **$50,825,822.00**.

A construction schedule was developed along with this GMP. The duration of the work is scheduled to take twenty-three (23) months to reach Substantial Completion and twenty-five (25) months to reach Final Completion. This information is summarized below:

GMP	**$50,825,822**
Days to Substantial Completion	**701 Days**
Days to Final Completion	**758 Days**

Below is a list of the work packages and the recommended low responsive bidder for each:

Subcontracts	
Demolition	SEAS
Sitework	Tucker Paving
Concrete	EastCoast Concrete
Precast Concrete Planks	Durastress
Masonry	Stonewall Masonry
Structural Steel	TBD
Roofing	TBD
Overhead Coiling Doors	TBD
Aluminum Doors and Windows	Weber Glass
Paint and Coatings	Universal
Canopies	Perfection Arch.
I&C	Revere
Electrical	Chinchor

Purchase Orders	
Misc. Metals	Dixie Metal
Slide Gates	Fontaine
Oxidation Ditch Equipment	Ovivo
Compressed Air Mixing System	Enviromix
Self Priming Non-Clog Centrifugal Pumps	Hudson
Submersible Non-Clog Centrifugal Pumps	Flygt
Screw Type Positive Displacement Blowers	Aerzen
Positive Displacement Blowers	Aerzen

The following Schedules are included within this GMP:

1) Schedule 1 – Construction Manager's Personnel
2) Schedule 2 – Contract Drawings & Specifications
3) Schedule 3 – GMP Bid Breakdown
4) Schedule 4 – Clarifications, Assumptions, Exclusions, and Allowances

Thank you for this opportunity to continue to serve Polk County Utilities. Should you have any questions or concerns, please let us know.

Very respectfully,

Brett Ardizone, P.E.
Preconstruction Services Manager
Wharton-Smith, Inc.

SCHEDULE 1 to the GMP-3 ADDENDUM

Northeast Regional Wastewater Treatment Facility Expansion from 6 to 9 MGD

Construction Manager's Personnel
During Construction Phase

Name	Title	Duration (Months)	Percentage
Off-Site Staff			
Billy Logan	Project Executive	25	20
Helia Baxley	Senior Project Manager	5	100
Luke Dieffenthaller	Project Manager	25	100
Pablo Mira	Project Engineer	25	100
TBD	Project Engineer	25	100
TBD	Project Engineer-Intern	25	100
Sherry Marshalls	Administrative Assistant	17	100
Justin Bartos	Project Accountant	25	40
On-Site Staff			
Ed Sly	General Superintent	25	10
Keghan Hickey	Senior Superintendent	5	100
Justin White	Superintendent	25	100
Grant Fields	Field Engineer	25	100
Chris Gayner	Quality Manager	17	40
Eloy Jimenez	Safety Manager	25	40

SCHEDULE 2 to the GMP-3 ADDENDUM

Northeast Regional Wastewater Treatment Facility Expansion from 6 to 9 MGD

Contract Drawings, Specifications, and Addenda 1-2

C:\Users\elliott.lagner\DC\ACCDocs\Wright-Pierce\FL-PolkCounty-21248-NERWWTF-Expansion\Project Files\Phase B\CAD\GEN\21248-B-GS-Cover.dwg

Plotted: 4/18/25 1:47pm elliott.lagner

LAST SAVED: 4/7/2025 2:43 PM ELLIOTT.LAGNER

POLK COUNTY UTILITIES, FLORIDA

UTILITIES COMMUNITY INVESTMENT PROJECT

NORTHEAST REGIONAL WASTEWATER TREATMENT FACILITY EXPANSION FROM 6.0 MGD TO 9.0 MGD

PHASE B

90% ISSUED FOR BID

APRIL 2025

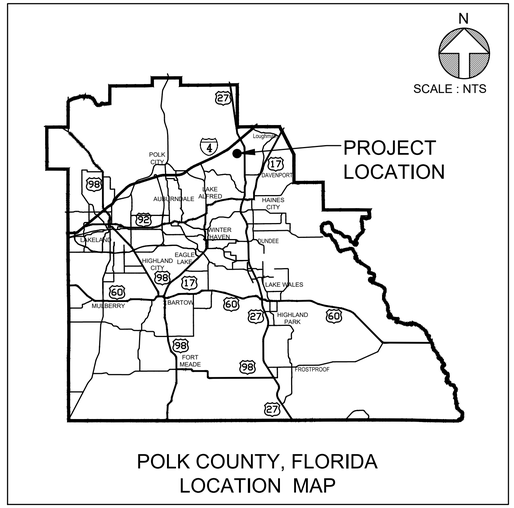
200 WESTVIEW RD. DAVENPORT, FL 33837

PARCEL ID #27-26-18-000000-034030

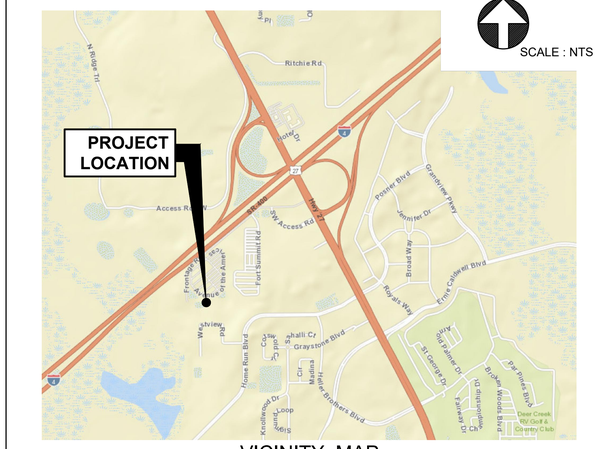
PCU PROJECT #2021-2-20-0

ORACLE #6822015

WRIGHT-PIERCE PROJECT #21248



POLK COUNTY, FLORIDA
LOCATION MAP



VICINITY MAP
200 WESTVIEW RD, DAVENPORT, FL 33837

WRIGHT-PIERCE
Engineering a Better Environment

407.906.1776 | www.wright-pierce.com

BOARD OF COUNTY COMMISSIONERS

	DISTRICT ONE:	BECKY TROUTMAN
	DISTRICT TWO:	RICK WILSON (CHAIR)
	DISTRICT THREE:	BILL BRASWELL
*	DISTRICT FOUR:	MARTHA SANTIAGO (VICE CHAIR)
	DISTRICT FIVE:	MICHAEL SCOTT
	*DISTRICT IN WHICH PROJECT IS LOCATED	
	COUNTY MANAGER:	BILL BEASLEY
	UTILITIES DIRECTOR:	TAMARA RICHARDSON, PE

PROJECT MANAGER :

JAMES TULLY, PE
CIP PROJECT MANAGER
POLK COUNTY UTILITIES DIVISION
1011 JIM KEENE BLVD
WINTER HAVEN, FL 33880
863.344.1848

ENGINEER OF RECORD:

BARTT C. BOOZ, PE
WRIGHT-PIERCE
601 SOUTH LAKE DESTINY ROAD
SUITE 290
MAITLAND, FL 32751
407.906.1776

CALL 48 HOURS BEFORE YOU DIG

IT'S THE LAW! DIAL 811

811. Know what's **below.** **Call** before you dig.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

RESERVED FOR COUNTY APPROVALS

DEP WATER PERMIT	#	
DEP SEWER PERMIT	#	
FDOT PERMIT	#	
FDOT R/W PERMIT	#	
FDOT UTILITY PERMIT	#	
COUNTY R/W PERMIT	#	
COUNTY BLDG PERMIT	#	
WMD PERMIT	#	
NPDES PERMIT	#	

☐ CONSTRUCTION DRAWING
☐ RECORD DRAWING

ENGINEER BARTT C. BOOZ, P.E.
print name
LICENSE # 76338

ENGINEER _____
signature
DATE _____

NORTHEAST REGIONAL WWTF EXPANSION FROM 6.0 MGD TO 9.0 MGD

WRIGHT PIERCE PROJECT #21248
200 WESTVIEW RD. DAVENPORT, FL 33837
PCU PROJECT #6822015

4/18/2025 1:45:43 PM

GENERAL

---	COVER SHEET
G-00-001	DRAWING INDEX 1
G-00-002	DRAWING INDEX 2
G-00-003	PROCESS CODES AND PHASING PLAN
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DWG TITLE	INDICATES DRAWING NOT YET DEVELOPED
DWG TITLE	INDICATES DRAWING IN PHASE A
DWG TITLE	INDICATES DRAWING IN PHASE B
DWG TITLE	INDICATES DRAWING IN PHASE C
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NO	REVISIONS	APP'D	DATE
1			
2			
3			
4			
5			

PROJECT NO: 21248
DESIGNED: B.BOOZ
CAD COORD: E.LAGNER
CAD: E.LAGNER
CHECKED: D.STILES
DATE: APRIL 2025
APPROVED:
DATE:
SUBMISSION: 90% ISSUED FOR BID

WRIGHT-PIERCE
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601 S LAKE DESTINY ROAD, SUITE 290, MAITLAND, FL 32751

POLK COUNTY, FLORIDA
NORTHEAST REGIONAL WWTF
EXPANSION FROM 6.0 MGD TO 9.0 MGD
PHASE A, B

DRAWING INDEX 1

DRAWING
G-00-001

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E-999-904	CONDUIT AND WIRING SCHEDULE 4
E-999-905	CONDUIT AND WIRING SCHEDULE 5

LEGEND:

DWG TITLE	INDICATES DRAWING IN ALL PHASES
DWG TITLE	INDICATES DRAWING NOT YET DEVELOPED
DWG TITLE	INDICATES DRAWING IN PHASE A
DWG TITLE	INDICATES DRAWING IN PHASE B
DWG TITLE	INDICATES DRAWING IN PHASE C
DWG TITLE	INDICATES DRAWING IN PHASE D

NO	REVISIONS	APP'D	DATE
1			
2			
3			
4			
5			

PROJECT NO: 21248
DESIGNED: B.BOOZ
CAD COORD: E.LAGNER
CAD: E.LAGNER
CHECKED: D.STILES
DATE: APRIL 2025
APPROVED:
DATE:
SUBMISSION: 90% ISSUED FOR BID

WRIGHT-PIERCE
407.906.1776 | www.wright-pierce.com
601 S LAKE DESTINY ROAD, SUITE 290, MAITLAND, FL 32751

POLK COUNTY, FLORIDA
NORTHEAST REGIONAL WWTF
EXPANSION FROM 6.0 MGD TO 9.0 MGD
PHASE A, B

DRAWING INDEX 2

DRAWING
G-00-002

Autodesk Docs://FL-PolkCounty-21248-NERWWTF-Expansion/21248-00-GeneralSheets.rvt

POLK COUNTY UTILITIES, FLORIDA

UTILITIES COMMUNITY INVESTMENT PROJECT

NORTHEAST REGIONAL WASTEWATER TREATMENT FACILITY EXPANSION FROM 6.0 MGD TO 9.0 MGD

GMP #3

PHASE B

90% ISSUED FOR BID

BIDDING/CONTRACT DOCUMENTS AND TECHNICAL SPECIFICATIONS

APRIL 2025

Project No. 2021-2-20-0
Oracle No. 6822015



PCU Project Manager: **James Tully, PE**
Wright-Pierce Project Manager: **Kathleen Gierok, PE**
Wright-Pierce Engineer of Record: **Bartt Booz, PE**

Construction Manager:
Wharton Smith, Inc

POLK COUNTY UTILITIES

POLK COUNTY, FLORIDA

BIDDING/CONTRACT DOCUMENTS AND TECHNICAL SPECIFICATIONS

FOR

NORTHEAST REGIONAL WASTEWATER TREATMENT FACILITY EXPANSION FROM 6.0 MGD TO 9.0 MGD

GMP #3

PHASE B

90% ISSUED FOR BID

APRIL 2025

Prepared By:

Wright-Pierce
122 E. Main Street, #238
Lakeland, FL 33801
Phone: 407-906-1776

SPECIFICATIONS CERTIFICATION

PROJECT SPECIFICATIONS DIVISION 1 – GENERAL REQUIREMENTS DIVISION 2 – SITE WORK (Except Sections 02000 through 02485) DIVISION 6 – WOOD AND PLASTICS DIVISION 11 – EQUIPMENT DIVISION 14 – CONVEYING SYSTEMS DIVISON 15 – MECHANICAL/HVAC (Except Sections 15400 through 15820)	Bartt C. Booz, PE License No. 76338
PROJECT SPECIFICATIONS DIVISION 2 – SITE WORK (Except Sections 02601 through 02755)	Michael K. Hoffman, PE License No. 91142
PROJECT SPECIFICATIONS – STRUCTURAL DIVISION 3 – CONCRETE DIVISION 5 – METALS	Mark W. Cunningham, PE License No. 81556

PROJECT SPECIFICATIONS – ARCHITECTURAL DIVISION 4 – MASONRY DIVISION 7 – THERMAL AND MOISTURE PROTECTION DIVISION 8 – DOORS AND WINDOWS DIVISION 9 – FINISHES DIVISION 10 – SPECIALTIES	
	Ronald Williams, AIA License No. 98225
PROJECT SPECIFICATIONS – INSTRUMENTATION DIVISION 13	
	James Papadimitriou, PE License No. 83447
PROJECT SPECIFICATIONS – MECHANICAL/HVAC DIVISION 15, SECTIONS: 15400 – Plumbing - General 15401 – Plumbing, Piping and Specialties 15450 – Plumbing Fixtures and Trim 15492 – Submersible Sump Pump 15600 – HVAC-General 15601 – HVAC Piping and Specialties 15605 – Fuel Transfer System 15652 – Refrigeration Piping and Specialties 15661 – VRF Heat Pump Units 15671 – Ductless Spilt System Heat Pump Units 15763 – Air Handling Units-Heating and Ventilating 15820 – Ventilation Fans	
	Rodney Greene, PE License No. 83842

PROJECT SPECIFICATIONS – ELECTRICAL DIVISION 16	
	Steven A, LaPrise, PE License No. 80909

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M	CMCE Lightning Protection

POLK COUNTY UTILITIES, FLORIDA

UTILITIES COMMUNITY INVESTMENT PROJECT

NORTHEAST REGIONAL WASTEWATER TREATMENT FACILITY EXPANSION FROM 6.0 MGD TO 9.0 MGD

GMP #3

PHASE C, D

PRE-PURCHASE

90% ISSUED FOR BID

BIDDING/CONTRACT DOCUMENTS AND TECHNICAL SPECIFICATIONS

APRIL 2025

Project No. 2021-2-20-0
Oracle No. 6822015



PCU Project Manager: James Tully, PE
Wright-Pierce Project Manager: Kathleen Gierok, PE
Wright-Pierce Engineer of Record: Bartt Booz, PE

Construction Manager:
Wharton Smith, Inc

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ADDENDUM #1

Polk County Utilities

Northeast Regional Wastewater Treatment Facility Expansion Project

Phase B Construction and Phase C/D Early Procurement

July 2, 2025

Notice to all Plan Holders: The following changes, additions, substitutions, clarifications, and/or deletions contained in this addendum shall become part of the Bid Documents & fully binding per the above referenced project. Provide acknowledgement of receipt as directed on the Bid Form.

General:

Bid date and time have been extended. **Bids are now due on 07/17/2025 at 2:00 PM EDT**.

The Question Deadline has not been modified. **Question Deadline was 06/26/2025 at 5:00 PM EDT.**

All bids must be submitted on the Bid Form provided within the bid manual to be considered responsive.

Attachments:

1. Addendum #1 – Attachment #1 – Questions and Answers
2. Addendum #1 – Attachment #2 – Wright-Pierce Directed Changes
3. Addendum #1 – Attachment #3 – Bid Package #3 Sitework Revised Bid Form
4. Addendum #1 - Attachment #4 - Bid Package #4 Concrete Revised Scope
5. Addendum #1 - Attachment #5 - Bid Package #15 VTP Revised Bid Form
6. Addendum #1 - Attachment #6 - Bid Package #19 Revised Blower Bid Form

CMAR Responses to Bid Requirements & Scoping Questions:

1. See Attachment #1. All open remaining open questions will be responded to via future addendum.

Bid Manual Clarifications:

1. ALL BID MANUALS
    a. Make special note of Attachment #1 and #2 as they impact multiple Bid Manuals.
2. Bid Manual #3 – Sitework
    a. Reference Addendum #1 – Attachment #3. Concrete and asphalt paving have been broken out on the bid form.
3. Bid Manual #4 – Concrete
    a. Reference Addendum #1 – Attachment #4. Supply and install of embedded trench drains have been added to the scope.
4. Bid Manual #15 – Vertical Turbine Pumps
    a. Reference Addendum #1 – Attachment #5. Extended non-use warranty has been added to the bid form.
5. Bid Manual #19 – Screw-Type Positive Displacement Blowers
    a. Reference Addendum #1 – Attachment #6. Extended non-use warranty has been added to the bid form.

All other terms and conditions of the bidding documents will remain the same.

Please review Addendum No. 1, which is now incorporated as a formal bidding document and is to be incorporated into All Bid Packages as applicable to the Scope of Work. Any changes or additions that are included as part of this addendum are to be incorporated into your bid.

Acknowledgement of this addendum must be listed on the Bid Form submitted with your bid.

END OF ADDENDUM #1

ADDENDUM #2

Polk County Utilities

Northeast Regional Wastewater Treatment Facility Expansion Project

Phase B Construction and Phase C/D Early Procurement

July 10, 2025

Notice to all Plan Holders: The following changes, additions, substitutions, clarifications, and/or deletions contained in this addendum shall become part of the Bid Documents & fully binding per the above referenced project. Provide acknowledgement of receipt as directed on the Bid Form.

General:

Bid date and time has not changed. **Bids are due on 07/17/2025 at 2:00 PM EDT**.

The Question Deadline has not been modified. **Question Deadline was 06/26/2025 at 5:00 PM EDT.**

All bids must be submitted on the Bid Form provided within the bid manual to be considered responsive.

Attachments:

1. Addendum #2 – Attachment #1 – Questions and Answers
2. Addendum #2 – Attachment #2 – Wright-Pierce Directed Changes
3. Addendum #2 – Attachment #3 – Bid Package #14 Ox Ditch Equipment Revised Scope
4. Addendum #2 - Attachment #4 - Bid Package #15 Vertical Turbine Pumps Revised Scope
5. Addendum #2 - Attachment #5 - Bid Package #15 Vertical Turbine Pumps Revised Bid Form
6. Addendum #2 - Attachment #6 - Bid Package #18 Submersible Non-Clog Centrifugal Pumps Revised Scope
7. Addendum #2 - Attachment #7 - Bid Package #18 Submersible Non-Clog Centrifugal Pumps Revised Bid Form

CMAR Responses to Bid Requirements & Scoping Questions:

1. See Attachment #1. All open remaining open questions will be responded to via future addendum.

Bid Manual Clarifications:

1. ALL BID MANUALS
    a. Any proposals or clarifications, provided in addition to the completed bid form, shall include all Polk County and State of Florida Sales Tax broken out as an individual line item.
    b. Make special note of Attachment #1 and #2 as they impact multiple Bid Manuals.
2. Bid Manual #14 – Oxidation Ditch Equipment

a. Reference Attachment #3. Scope of work has been revised to remove Gates 30-SG-1,2,3,4,11,21,31 from scope.

3. Bid Manual #15 – Vertical Turbine Pumps
    a. Reference Attachment #4 and #5. An additional spare pump has been added to the scope.
4. Bid Manual #18 – Submersible Non-Clog Centrifugal Pumps
    a. Reference Attachment #6 and #7. An additional spare pump has been added to the scope.

All other terms and conditions of the bidding documents will remain the same.

Please review Addendum No. 2, which is now incorporated as a formal bidding document and is to be incorporated into All Bid Packages as applicable to the Scope of Work. Any changes or additions that are included as part of this addendum are to be incorporated into your bid.

Acknowledgement of this addendum must be listed on the Bid Form submitted with your bid.

END OF ADDENDUM #2

SCHEDULE 3 to the GMP-3 ADDENDUM

Northeast Regional Wastewater Treatment Facility Expansion from 6 to 9 MGD

GMP Bid Breakdown

POLK COUNTY - POLK NERWRF EXPANSION GMP #3 - PHASE B & PHASE C/D PROCUREMENT

GMP

10/21/2025

COST SUMMARY

		LABOR	EQUIPMENT	MATERIALS	SUBS	TOTALS
Total Direct Costs		$ 130,171	$ 47,419	$ 428,285	$ 38,028,170	$ 38,634,045
Total GC's		$ 4,198,238	$ -	$ -	$ 127,065	$ 4,325,303
Risk Register Contingency					$ 3,435,069	$ 3,435,069
CONSTRUCTION COSTS		**$4,328,409**	**$47,419**	**$428,285**	**$41,590,304**	**$46,394,417**
Fee	**7.75%**				$ 3,595,567	$ 3,595,567
Bond					$ 266,588	$ 266,588
Insurance					$ 569,249	$ 569,249
PROJECT TOTAL COST		**$0**	**$0**	**$0**	**$46,021,709**	**$50,825,822**

Current	**Total w/o Cont.**	**Contingency**	**Total w/ Cont.**
GMP-1	$39,873,549	$1,770,584	$41,644,133
GMP-2	$27,618,427	$2,802,609	$30,421,036
GMP-3	$47,390,753	$3,435,069	$50,825,822

COST OF WORK

DESCRIPTION	QTY	UOM	LABOR $ AMOUNT	EQUIPMENT $ AMOUNT	MATERIALS $ AMOUNT	SUBS $ AMOUNT	$ TOTALS	COMMENTS
GENERAL REQUIREMENTS DIVISION 0							$ 694,688	
GENERAL REQUIREMENTS SUMMARY	1	LS	$ 130,171	$ 47,419	$ 428,285	$ 88,813	$ 694,688	
BID PACKAGES							$ 37,939,357	
PHASE B CONSTRUCTION								
BID PACKAGE #1 - Master Plant Contractor	1	LS	$ -	$ -	$ -	$ 12,946,886	$ 12,946,886	WHARTON SMITH
BID PACKAGE #2 - Demolition	1	LS	$ -	$ -	$ -	$ 239,200	$ 239,200	SEAS
BID PACKAGE #3 - Sitework	1	LS	$ -	$ -	$ -	$ 2,288,632	$ 2,288,632	TUCKER PAVING
BID PACKAGE #4 - CIP Concrete	1	LS	$ -	$ -	$ -	$ 2,055,451	$ 2,055,451	EAST COAST
BID PACKAGE #5 - Precast Concrete Planks	1	LS	$ -	$ -	$ -	$ 77,683	$ 77,683	DURA STRESS
BID PACKAGE #6 - Masonry	1	LS	$ -	$ -	$ -	$ 157,922	$ 157,922	STONEWALL MASONRY
BID PACKAGE #7 - Metals Supply	1	LS	$ -	$ -	$ -	$ 319,016	$ 319,016	DIXIE
BID PACKAGE #8 - Structural Steel	1	LS	$ -	$ -	$ -	$ -	$ -	NO BIDS - ALLOWANCE
BID PACKAGE #9 - Roofing	1	LS	$ -	$ -	$ -	$ -	$ -	WILLIS ROOFING - ALLOWANCE
BID PACKAGE #10 - Overhead Coiling Doors	1	LS	$ -	$ -	$ -	$ -	$ -	NO BIDS - ALLOWANCE
BID PACKAGE #11 - Aluminum Doors & Windows	1	LS	$ -	$ -	$ -	$ 110,235	$ 110,235	WEBER
BID PACKAGE #12 - Painting & Coatings	1	LS	$ -	$ -	$ -	$ 602,516	$ 602,516	UNIVERSAL
BID PACKAGE #13 - Canopies	1	LS	$ -	$ -	$ -	$ 289,250	$ 289,250	PERFECTION ARCH.
BID PACKAGE #20 - I&C	1	LS	$ -	$ -	$ -	$ 1,365,806	$ 1,365,806	REVERE
BID PACKAGE #21 - HVAC	1	LS	$ -	$ -	$ -	$ 91,939	$ 91,939	CT Mechanical
BID PACKAGE #22 - Plumbing	1	LS	$ -	$ -	$ -	$ -	$ -	NO BIDS - ALLOWANCE
BID PACKAGE #23 - Electrical	1	LS	$ -	$ -	$ -	$ 4,185,600	$ 4,185,600	CHINCHOR ELECTRI
BID PACKAGE #25 - Slide Gates	1	LS	$ -	$ -	$ -	$ 221,581	$ 221,581	FONTAINE
PHASE C/D EARLY PROCUREMENT								
BID PACKAGE #14 - Oxidation Ditch Equipment	1	LS	$ -	$ -	$ -	$ 7,370,710	$ 7,370,710	OVIVO (INCLUDES WEIR GATES)
BID PACKAGE #15 - Vertical Turbine Pumps	1	LS	$ -	$ -	$ -	$ 1,057,531	$ 1,057,531	FLOWSERVE
BID PACKAGE #16 - Compressed Air Mixing System	1	LS	$ -	$ -	$ -	$ 2,639,430	$ 2,639,430	ENVIROMIX
BID PACKAGE #17 - Self Priming Non-Clog Pumps	1	LS	$ -	$ -	$ -	$ 169,598	$ 169,598	HUDSON
BID PACKAGE #18 - Submersible Non-Clog Pumps	1	LS	$ -	$ -	$ -	$ 746,669	$ 746,669	FLYGT
BID PACKAGE #19 - Screw Type PD Blowers	1	LS	$ -	$ -	$ -	$ 847,161	$ 847,161	AERZEN
BID PACKAGE #24 - Positive Displacement Blowers	1	LS	$ -	$ -	$ -	$ 156,541	$ 156,541	AERZEN
TOTAL DIRECT COST			**$ 130,171**	**$ 47,419**	**$ 428,285**	**$ 38,028,170**	**$ 38,634,045**	

Wharton–Smith, Inc.
CONSTRUCTION GROUP

JOB NAME: POLK NERWRF EXPANSION GMP #3 – PHASE B & PHASE C/D PRO

ESTIMATE #: 0

October 2, 2025
2:58 PM

GENERAL CONDITIONS

DESCRIPTION	QTY	UNIT	MH/ UNIT	BASE RATE	LABOR U/P	LABOR TOTAL MH	LABOR $ AMOUNT	LABOR HR/UNIT	EQUIPMENT RATE	EQUIPMENT $ AMOUNT	MATERIAL U/P	MATERIAL $ AMOUNT	MATERIAL $ AMOUNT	SUBCONTRACTS U/P	SUBCONTRACTS $ AMOUNT	$ TOTALS	REMARKS SUB NAME
PROJECT MANAGEMENT TEAM													W/ 7% TAX				
FIELD STAFF																	108 WKS is FULL TIME GMP=3
General Superintendent	108	WK	4	$178.00	$712.00	433	$77,074			$0.00		$0	$0		$0	**$77,074**	
Senior Superintendent	22	WK	40	$176.00	$7,040.00	880	$154,880			$0.00		$0	$0		$0	**$154,880**	
Superintendent	108	WK	40	$161.00	$6,440.00	4,330	$697,126			$0.00		$0	$0		$0	**$697,126**	GMP-3 dedicated
Field Engineer	108	WK	40	$117.00	$4,680.00	4,330	$506,607			$0.00		$0	$0		$0	**$506,607**	GMP-3 dedicated
OFFICE STAFF				$0.00													
Senior Project Manager	22	WK	40	$172.00	$6,880.00	880	$151,360			$0.00		$0	$0		$0	**$151,360**	
Project Manager	108	WK	40	$161.00	$6,440.00	4,330	$697,126			$0.00		$0	$0		$0	**$697,126**	GMP-3 dedicated
Project Engineer	108	WK	40	$99.00	$3,960.00	4,330	$428,668			$0.00		$0	$0		$0	**$428,668**	GMP-3 dedicated
Project Engineer	108	WK	40	$99.00	$3,960.00	4,330	$428,668			$0.00		$0	$0		$0	**$428,668**	GMP-3 dedicated
Project Engineer-Intern	108	WK	40	$61.00	$2,440.00	4,330	$264,129			$0.00		$0	$0		$0	**$264,129**	GMP-3 dedicated
Administrative Assistant	49	WK	16	$97.00	$1,552.00	784	$76,048			$0.00		$0	$0		$0	**$76,048**	
Administrative Assistant	22	WK	40	$97.00	$3,880.00	880	$85,360			$0.00		$0	$0		$0	**$85,360**	GMP-3 dedicated
OTHER STAFF				$0.00													
Executive Management	108	WK	4	$191.00	$764.00	433	$82,703			$0.00		$0	$0		$0	**$82,703**	
Project Accountant	108	WK	16	$127.00	$2,032.00	1,732	$219,963			$0.00		$0	$0		$0	**$219,963**	
Quality Manager	49	WK	4	$172.00	$688.00	196	$33,712			$0.00		$0	$0		$0	**$33,712**	
Quality Manager	22	WK	12	$172.00	$2,064.00	264	$45,408			$0.00		$0	$0		$0	**$45,408**	
Safety Manager	108	WK	16	$144.00	$2,304.00	1,732	$249,407			$0.00		$0	$0		$0	**$249,407**	
RELATED MANAGEMENT COSTS																	
Software Costs	1	LS		$50.00	$0.00	0	$0			$0.00		$0	$0	$127,065	$127,065	**$127,065**	127065
Travel Expenses for On-Site Staff	1	LS		$50.00	$0.00	0	$0			$0.00	$0.00	$0	$0		$0	**$0**	Removed per contract
				$50.00	$0.00	0	$0			$0.00		$0	$0		$0	**$0**	
TOTAL GENERAL CONDITIONS						34,194	$4,198,238			$0		$0	$0		$127,065	$4,325,303	$4,325,303

Wharton–Smith, Inc.
CONSTRUCTION GROUP

JOB NAME: POLK NERWRF EXPANSION GMP #3 – PHASE B & PH
ESTIMATE #: 0

GENERAL REQUIREMENTS

DURATION = 25 MONTHS, PLANNED

0 DIRECT MANHOURS | 0 MANWEEKS | 0 MEN

DESCRIPTION	QTY	UNIT	MH/ UNIT	BASE RATE	LABOR U/P	LABOR TOTAL MH	LABOR $ AMOUNT	EQUIPMENT HR/UNIT	EQUIPMENT RATE	EQUIPMENT $ AMOUNT	MATERIAL U/P	MATERIAL $ AMOUNT	SUBCONTRACTS U/P	SUBCONTRACTS $ AMOUNT	$ TOTALS
TEMP.FACILITIES & UTILITIES															
WATER, INSTALL AND REMOVE TEMPORARY SYSTEM	1	LS	40	$50.00	$2,000.00	40	$2,000			$0.00	**$1,000.00**	$1,070		$0	**$3,070**
WATER, MONTHLY	6	MO		$50.00	$0.00	0	$0			$0.00	**$250.00**	$1,605		$0	**$1,605**
INTERNET/TELEPHONE, MONTHLY CHARGES – **W-S**	17	MO		$50.00	$0.00	0	$0			$0.00	**$500.00**	$9,095		$0	**$9,095**
INTERNET/TELEPHONE, MONTHLY CHARGES – **ENGINEER**	30	MO		$50.00	$0.00	0	$0			$0.00	**$75.00**	$2,408		$0	**$2,408**
FIELD OFFICE, WHARTON SMITH INC	6	MO	5	$50.00	$250.00	30	$1,500			$0.00	**$6,250.00**	$40,125		$0	**$41,625**
FIELD OFFICE, PLANNING ROOM	31	MO	5	$50.00	$250.00	155	$7,736			$0.00	**$2,500.00**	$82,771		$0	**$90,506**
FIELD OFFICE, RPR TRAILER	25	MO	5	$50.00	$250.00	125	$6,236			$0.00	**$1,050.00**	$28,023		$0	**$34,258**
FIELD OFFICE, RPR TRAILER – DELIVERY/RETURN	1	LS		$50.00	$0.00	0	$0			$0.00	**$3,500.00**	$3,745		$0	**$3,745**
FIELD OFFICE FURNISHINGS AND EQUIPMENT (RENTAL)	6	MO		$50.00	$0.00	0	$0			$0.00	**$1,150.00**	$7,383		$0	**$7,383**
FIELD OFFICE RPR FURNISHINGS AND EQUIPMENT (RENTAL)	14	MO		$50.00	$0.00	0	$0			$0.00	**$1,150.00**	$17,227		$0	**$17,227**
JOB OFFICE SUPPLIES	6	MO		$50.00	$0.00	0	$0			$0.00	**$2,000.00**	$12,840		$0	**$12,840**
COMPUTER EQUIPMENT FOR FIELD OFFICE – **W-S**	1	LS		$50.00	$0.00	0	$0			$0.00	**$17,500.00**	$18,725		$0	**$18,725**
COMPUTER EQUIPMENT FOR FIELD OFFICE – **ENGINEER**	1	LS		$50.00	$0.00	0	$0			$0.00	**$5,000.00**	$5,350		$0	**$5,350**
TOOL TRAILERS	6	MO		$50.00	$0.00	0	$0			$0.00	**$1,200.00**	$7,704		$0	**$7,704**
TEMPORARY TOILETS	6	MO		$50.00	$0.00	0	$0			$0.00	**$1,800.00**	$11,556		$0	**$11,556**
TEMPORARY TOILETS	25	MO		$50.00	$0.00	0	$0			$0.00	**$1,000.00**	$26,688		$0	**$26,688**
SITE SECURITY	6	MO		$50.00	$0.00	0	$0			$0.00		$0	$1,500.00	$9,000	**$9,000**
CONSTRUCTION EQUIPMENT & TOOLS															
SMALL TOOLS AND SUPPLIES	1	LS		$50.00	$0.00	0	$0			$0.00	**$20,000**	$21,400		$0	**$21,400**
ATV/SIDE-BY-SIDE	25	MO		$50.00	$0.00	0	$0	2	$700.00	$34,919.17	$100.00	$2,669		$0	**$37,588**
SAFETY & HEALTH & HOUSEKEEPING															
SAFETY MEETINGS	26	WK	5	$50.00	$250.00	130	$6,500			$0.00		$0		$0	**$6,500**
SAFETY DEVICES	1	LS		$50.00	$0.00	0	$0			$0.00	$18,000.00	$19,260		$0	**$19,260**
CLEAN-UP THROUGHOUT DURATION OF PROJECT	26	WK	6	$50.00	$300.00	156	$7,800			$0.00		$0		$0	**$7,800**
DUMPSTERS	25	MO		$50.00	$0.00	0	$0			$0.00	$2,000.00	$53,376		$0	**$53,376**
JANITORIAL – ENGINEER'S TRAILER	26	WK		$50.00	$0.00	0	$0			$0.00		$0	$150.00	$3,900	**$3,900**
MOWING/SITE MAINTENANCE	108	WK	16	$50.00	$800.00	1,728	$86,400	1	$9,500	$9,500	$50.00	$5,778		$0	**$101,678**
Haul Road/Trailer Compound Maintenance	6	MO	16	$50.00	$800.00	96	$4,800	4	$125.00	$3,000.00	$500.00	$3,210		$0	**$11,010**
PERMITS, FEES, INSURANCE, LEGAL, ETC.															
BUILDER'S RISK INSURANCE– INCLUDED W/ GMP #1	1	LS		$50.00	$0.00	0	$0			$0.00		$0	$0.00	$0	**$0**

Wharton–Smith, Inc.
CONSTRUCTION GROUP

JOB NAME: POLK NERWRF EXPANSION GMP #3 - PHASE B & PH
ESTIMATE #: 0

GENERAL REQUIREMENTS

DURATION = 25 MONTHS, PLANNED | 0 DIRECT MANHOURS | 0 MANWEEKS | 0 MEN

DESCRIPTION	QTY	UNIT	MH/ UNIT	BASE RATE	LABOR U/P	LABOR TOTAL MH	LABOR $ AMOUNT	EQUIPMENT HR/UNIT	EQUIPMENT RATE	EQUIPMENT $ AMOUNT	MATERIAL U/P	MATERIAL $ AMOUNT	SUBCONTRACTS U/P	SUBCONTRACTS $ AMOUNT	$ TOTALS
PROJECT DOCUMENTATION AND SERVICES															
PROJECT SIGNS	1	LS	32	$50.00	$1,600.00	32	$1,600			$0.00	$1,250.00	$1,338		$0	**$2,938**
PHOTOGRAPHS	6	MO	10	$50.00	$500.00	60	$3,000			$0.00	$250.00	$1,605		$0	**$4,605**
PRE-CONSTRUCTION AUDIO-VIDEO DOCUMENTATION	1	LS		$50.00	$0.00	0	$0			$0.00		$0	$2,500.00	$2,500	**$2,500**
DESIGN SERVICES (CADD) - AS-BUILTS	1	LS	40	$65.00	$2,600.00	40	$2,600			$0.00		$0		$0	**$2,600**
PLANS & SPECIFICATIONS REPRODUCTION COSTS	1	LS		$50.00	$0.00	0	$0			$0.00	$3,000.00	$3,210		$0	**$3,210**
REGISTERED SURVEYOR SERVICES	25	MO		$50.00	$0.00	0	$0			$0.00		$0	$1,500.00	$37,413	**$37,413**
VDC LAYOUT BY WHARTON-SMITH	1	LS		$50.00	$0.00	0	$0			$0.00		$0	$10,000.00	$10,000	**$10,000**
PROJECT START-UP & CLOSEOUT															
AS-BUILT DRAWINGS	1	LS		$50.00	$0.00	0	$0			$0.00	**$1,500.00**	$1,605		$0	**$1,605**
FINAL SITE SURVEY	1	EA		$50.00	$0.00	0	$0			$0.00		$0	**$6,000.00**	$6,000	**$6,000**
MISCELLANEOUS REQUIREMENTS															
BARNS for CONNEX LAYDOWN AREA	1	LS		$50.00	$0.00	0	$0			$0.00	$36,000.00	$38,520		$0	**$38,520**
3rd Party Testing for Headworks Coatings	1	LS		$50.00	$0.00	0	$0			$0.00		$0	$20,000.00	$20,000	**$20,000**
	1	LS		$50.00	$0.00	0	$0			$0.00		$0		$0	**$0**
TOTAL GENERAL REQUIREMENTS						2,591	$130,171			$47,419		$428,285		$88,813	$694,688

CONTINGENCIES

DESCRIPTION		
Site Utilities	$	897,733
Headworks	$	600,817
Electrical Building #3	$	588,316
Storm Preparations	$	100,000
Unforeseen Maintenance of Plant Operations	$	97,425
Maintenance of Plant Traffic and Access	$	100,000
Building Department Fees	$	8,000
Structural Steel Subcontractor	$	150,000
Overhead Coiling Doors	$	150,000
Plumbing Subcontractor	$	25,000
Final Asphalt Paving and Remediation	$	78,667
Early Procurement Equipment Upkeep	$	50,000
Frontage Road Additions	$	120,000
Independent Testing	$	100,000
Roofing Subcontractor	$	204,505
Pipe Insulation	$	50,000
Electrical Subcontractor Dewatering	$	57,750
Temporary Electrical Utility	$	36,419
Temporary Site Furnishings	$	20,437
TOTAL	**$**	**3,435,069**

SCHEDULE 4 to the GMP-3 ADDENDUM

Northeast Regional Wastewater Treatment Facility Expansion from 6 to 9 MGD

Clarifications, Assumptions, Exclusions and Allowances

COST ESTIMATE - CLARIFICATIONS, ASSUMPTIONS, EXCLUSIONS, AND ALLOWANCES

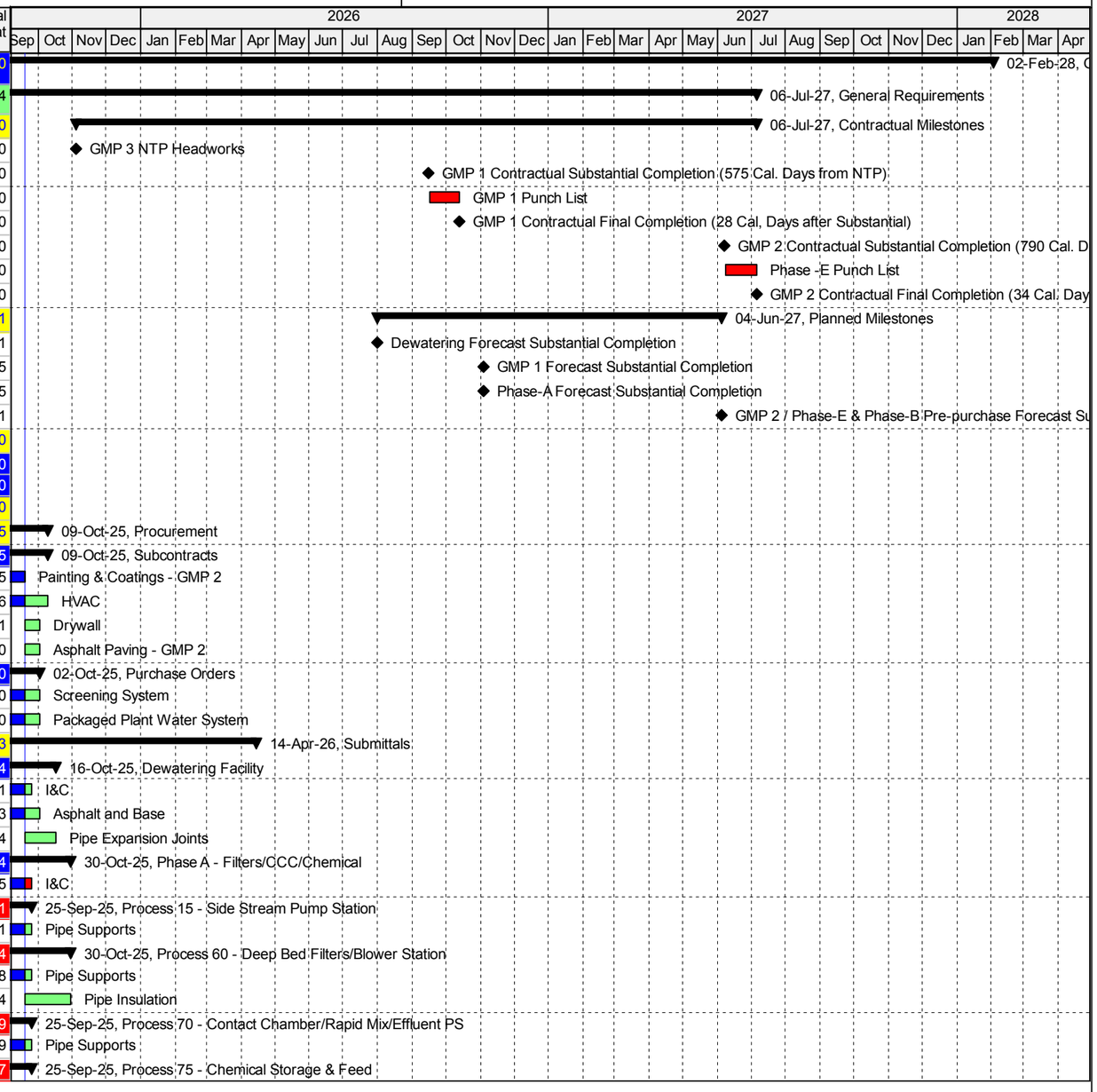
1. The project duration is contingent on receiving the Notice to Proceed (NTP) in November, 2025. If the NTP is issued prior to this, the total project duration will extend based on the prerequisite requirements related to permitting.
2. The project schedule was developed based on assumptions and best information available regarding permitting with the building department. If the building department is unable to facilitate concurrent review or the permitting review periods take longer than assumed, the project completion dates, and related general conditions costs will be impacted.
3. The project warranty will be one (1) year from substantial completion/beneficial use of the Project. At the time of the substantial completion/beneficial use date associated with this Phase, the Owner will take over operation, maintenance, and insurance for process and electrical equipment supplied by CMAR.
4. This GMP is based upon the following Issued for Bid Design Documents:
    a. NERWWTF GMP #3 Phase B 90% Issued for Bid Drawings, dated April 2025, produced by Wright-Pierce. Also referred to as “Phase B Drawings”.
    b. NERWWTF GMP #3 Phase B 90% Issued for Bid Specifications, dated April 2025, produced by Wright-Pierce.
    c. NERWWTF GMP #3 Phase C/D Pre-Purchase Bidding Documents and Technical Specifications, dated April 2025, and produced by Wright-Pierce.
    d. Addenda 1-2
5. The following process equipment associated with Phase B was included with GMP #2:
    a. Odor Control System
    b. Package Plant Water System
    c. Submersible Pumps at Return Pump Station
    d. Fine Screens
6. CMAR will provide redline drawings and surveyed as-builts to the EOR, CAD as-builts are not included.
7. Schedule durations assume that all permits shall be applied for and obtained within a 30-calendar day window.
8. Development of a Storm Water Pollution Prevention Plan (SWPPP) is included.
9. The CMAR has included a performance and payment bond, as well as insurance.
10. It is assumed that this work will be performed concurrently with the other phases of this project (Phases A-D and Dewatering Electrical).
11. A list of project contingencies has been included in Schedule 3 of this document.
12. Compliance with the American Iron & Steel Act (AIS) has been specifically included within each bid package. BABA requirements are specifically excluded.

13. Bidders included additional scope specific clarifications and exclusions within their proposals. These clarifications, and engineer responses received to date, are included within this section.
14. No modifications to existing electrical buildings are included in this GMP.
15. It is assumed that the Polk County USSM Standard Manual Details have been incorporated into the design documents and are shown on the bid documents. In the event that Polk County Utilities details are required, which are not included in the design documents, project contingency will need to be utilized.
16. The following scopes did not receive bids on Bid Day, and are therefore included as contingencies for future buyout: Structural Steel Subcontractor, Overhead Coiling Doors Subcontractor, and Plumbing Subcontractor.
17. All final paving has been included as contingency. It is anticipated that site-wide final paving will be completed at the end of Phase C construction.
18. Frontage Road modifications, including automated gates, pedestals, fencing, and gopher tortoise relocation are included as contingency.
19. Maintenance of plant traffic has been included as a contingency item.
20. All dewatering, including miscellaneous and nuisance dewatering of groundwater and after storms has been included in contingency. This work will be performed and billed through the contingency on a T&M basis.
21. Builder's Risk Insurance for this Phase has been included with GMP #1.
22. CMAR Contingency includes Material Escalation for the I&C Subcontractor. It is anticipated that the I&C materials for this project will be subject to escalation in January of 2026.
23. Electrical Subcontractor dewatering has been removed from direct costs and carried with contingency. It is anticipated that dewatering associated with the electrical scope of work will be completed on a time and materials (T&M) basis.
24. The following items were moved to contingency from the MPC Direct Costs after initial GMP Review:
    a. Electrical Contractor Dewatering
    b. Grit Discharge Accessories
    c. 2.5 Ton Chain Hoists at Headworks
    d. Pipe Insulation
    e. Roofing Subcontractor
25. The following Local Control Stations are specifically excluded from this GMP and will be included in GMP #4:
    a. 30-LCS-1 through 30-LCS-6
    b. 50-LCS-1 through 50-LCS-3

BIDDER CLARIFICATIONS

Package #	Scope Issues/Clarifications/Exceptions	Engineer Comments	Est. Value	Approved by Polk County
14 - Ox Ditch Equipment	Specification Section 11100 Paragraph 2.1.E: Please see Attachment B for Ovivo's Process Performance Guarantee.	Remove Item 12 of the Performance Guarantee per Wright-Pierce and Ovivo's discussion about the influent CBOD5 and TKN ratio referenced in Ovivo's email dated 2/14/2025.		
14 - Ox Ditch Equipment	Specification Section 11100 Paragraph 2.8.15: Protection relay is not required as there are no RTDs required for the motors.3	Acknowledged. No exceptions taken.		
14 - Ox Ditch Equipment	Plan Sheet PR-30-503: Side water depth in the re-aeration zone should be 18" below water elevation in the oxidation ditch to avoid backflow.	Wright-Pierce believes the existing hydrualic profile is acceptable		
16 - Compressed Air Mixing System	Spec 11223C Section 2.6.S The air control valves are factory tested by the manufacturer to 10 million cycles, this is not a test to failure. The expected useful life is >= 15 million cycles.	Acknowledged. No exceptions taken.		
16 - Compressed Air Mixing System	Spec 11223C Section 2.5.A.13 Replace "71" with "85".	Acknowledged. No exceptions taken.		
16 - Compressed Air Mixing System	Spec 11223C Section 2.5.B.1 Replace "cycling" with "non-cycling", as non-cycling is Atlas Copco standard.	Acknowledged. No exceptions taken; however we will review once shop drawings are submitted.		
16 - Compressed Air Mixing System	Spec 11223C Section 2.5.E.6 The power on button is touch slide button that allows for easy on/off control. The button is Atlas Copco standard.	Acknowledged. No exceptions taken; however we will review once shop drawings are submitted.		
16 - Compressed Air Mixing System	Spec 11223C Section 2.5.E.9.c Replace "WARNING" with "NO WARNING" per Atlas Copco standard.	Acknowledged. No exceptions taken; however we will review once shop drawings are submitted.		
16 - Compressed Air Mixing System	Spec 11223C Section 2.6.N The VMs with standard stanchions are above the 18-in envelope commonly identified as the hazardous area envelope for open top basins: -Replace Nema 7 with Nema 4X	Anything above 18-inches above finished floor (AFF) can be NEMA 4X, Anything below must be NEMA 7.		
16 - Compressed Air Mixing System	Spec 11223C Section 2.9.A.7 Pulleys and belts are not used in any equipment in this project scope, therefore no spares are required.	Acknowledged. WP has removed the statement "Spare set of pulleys and two sets of belts" in Specification Section 11223C 2.9. A.7.		
19 - Screw-Type Positive Displacement Blowers	Section 11373S; 2.2.A.16 As local control panel is being provided per subsection 18, gauges are not being provided. All monitoring parameters will be displayed on the local control panel's touchscreen HMI.	Acknowledged. No exceptions taken.		
19 - Screw-Type Positive Displacement Blowers	Section 11373S; 2.2.A.17 Aerzen is providing their standard Danfoss VLT Aqua VFDs with HMI.	Exception not accepted. VFDs are required per client standard to be SquareD Altivar Process 660 Drives.		
19 - Screw-Type Positive Displacement Blowers	Section 11373S; 2.2.A.18 Aerzen is supplying their standard 460V Aertronic CPU based blower local control panel that is designed specifically to monitor, protect and control the blower package for wastewater applications.	Acknowledged. No exceptions taken.		
19 - Screw-Type Positive Displacement Blowers	Section 11373S; 2.3.B.1.b Aerzen is only able to test down to 1025 SCFM should a minimum flow rate be required to be tested to PTC-13.	Acknowledged. No exceptions taken.		
19 - Screw-Type Positive Displacement Blowers	Section 11373S; 2.4 Aerzen is providing their standard paint system and protective coating which is in line with industry best practice.	Acknowledged. No exceptions taken.		
19 - Screw-Type Positive Displacement Blowers	Section 11373S; 2.5.B.6-10 Aerzen will be providing their spare consumable parts for one year operation. Additional spare parts requested (numbers 6-10) are not required for typical operation within typical one year operation and can be provided upon request.	Acknowledged. No exceptions taken.		
19 - Screw-Type Positive Displacement Blowers	Section 11373S; 3.2 Aerzen is providing their standard startup and field testing.	Acknowledged. No exceptions taken.		
25 - Slide Gates	Sect. 15124 1.4 C. Factory tests are proposed in the factory (Sherbrooke QC Canada) located 42 miles north of US Border. Test report may be provided, and field test will demonstrate the low leakage of the proposed gates.	Acknowledged. No exceptions taken.		

Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
GMP #3		759	594	27-Jan-25 A	02-Feb-28	0
General Requirements		615	450	27-Jan-25 A	06-Jul-27	144
Contractual Milestones		418	418	04-Nov-25	06-Jul-27	0
A1044	GMP 3 NTP Headworks	0	0	04-Nov-25*		40
A6380	GMP 1 Contractual Substantial Completion (575 Cal. Day:	0	0		15-Sep-26*	0
A1020	GMP 1 Punch List	20	20	16-Sep-26	13-Oct-26	0
A6600	GMP 1 Contractual Final Completion (28 Cal, Days after S	0	0		13-Oct-26*	0
A6470	GMP 2 Contractual Substantial Completion (790 Cal. Day:	0	0		07-Jun-27*	0
A5920	Phase -E Punch List	20	20	08-Jun-27	06-Jul-27	0
A6650	GMP 2 Contractual Final Completion (34 Cal. Days after S	0	0		06-Jul-27*	0
Planned Milestones		211	211	31-Jul-26	04-Jun-27	1
A1028	Dewatering Forecast Substantial Completion	0	0		31-Jul-26	31
A1030	GMP 1 Forecast Substantial Completion	0	0		03-Nov-26	-35
A1029	Phase-A Forecast Substantial Completion	0	0		03-Nov-26	-35
A6670	GMP 2 / Phase-E & Phase-B Pre-purchase Forecast Sub:	0	0		04-Jun-27	1
Preconstruction		0	0			0
Milestones		0	0			0
GMPs		0	0			0
Permits		0	0			0
Procurement		106	15	05-May-25 A	09-Oct-25	355
Subcontracts		62	15	03-Jun-25 A	09-Oct-25	355
A6830	Painting & Coatings - GMP 2	10	1	03-Jun-25 A	19-Sep-25	225
A5960	HVAC	10	15	23-Jul-25 A	09-Oct-25	196
A5950	Drywall	10	10	19-Sep-25	02-Oct-25	191
A7140	Asphalt Paving - GMP 2	10	10	19-Sep-25	02-Oct-25	360
Purchase Orders		48	10	05-May-25 A	02-Oct-25	150
A6010	Screening System	9	10	05-May-25 A	02-Oct-25	90
A6030	Packaged Plant Water System	10	10	12-Jun-25 A	02-Oct-25	150
Submittals		307	142	27-Jan-25 A	14-Apr-26	243
Dewatering Facility		167	20	21-Feb-25 A	16-Oct-25	124
A6330	I&C	60	5	21-Feb-25 A	25-Sep-25	31
A4420	Asphalt and Base	20	10	28-Jul-25 A	02-Oct-25	43
A4290	Pipe Expansion Joints	20	20	19-Sep-25	16-Oct-25	124
Phase A - Filters/CCC/Chemical		177	30	21-Feb-25 A	30-Oct-25	164
A6300	I&C	45	5	21-Feb-25 A	25-Sep-25	-35
Process 15 - Side Stream Pump Station		30	5	19-Jun-25 A	25-Sep-25	181
A1310	Pipe Supports	30	5	19-Jun-25 A	25-Sep-25	181
Process 60 - Deep Bed Filters/Blower Station		88	30	19-Jun-25 A	30-Oct-25	164
A1330	Pipe Supports	30	5	19-Jun-25 A	25-Sep-25	78
A1350	Pipe Insulation	30	30	19-Sep-25	30-Oct-25	164
Process 70 - Contact Chamber/Rapid Mix/Effluent PS		30	5	23-Jun-25 A	25-Sep-25	99
A1400	Pipe Supports	30	5	23-Jun-25 A	25-Sep-25	99
Process 75 - Chemical Storage & Feed		40	5	02-Jun-25 A	25-Sep-25	127

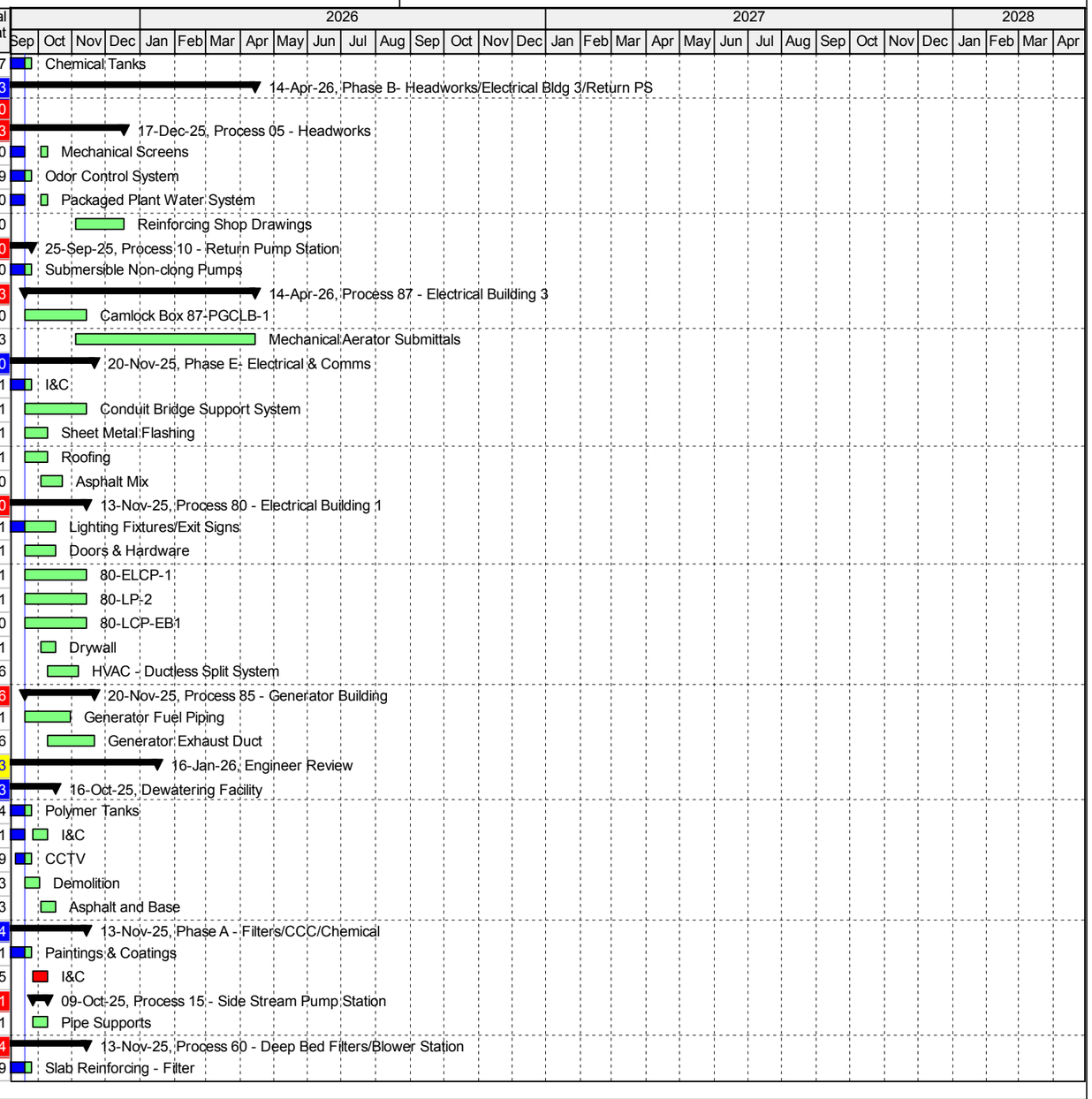


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NERWRF Improvements Project
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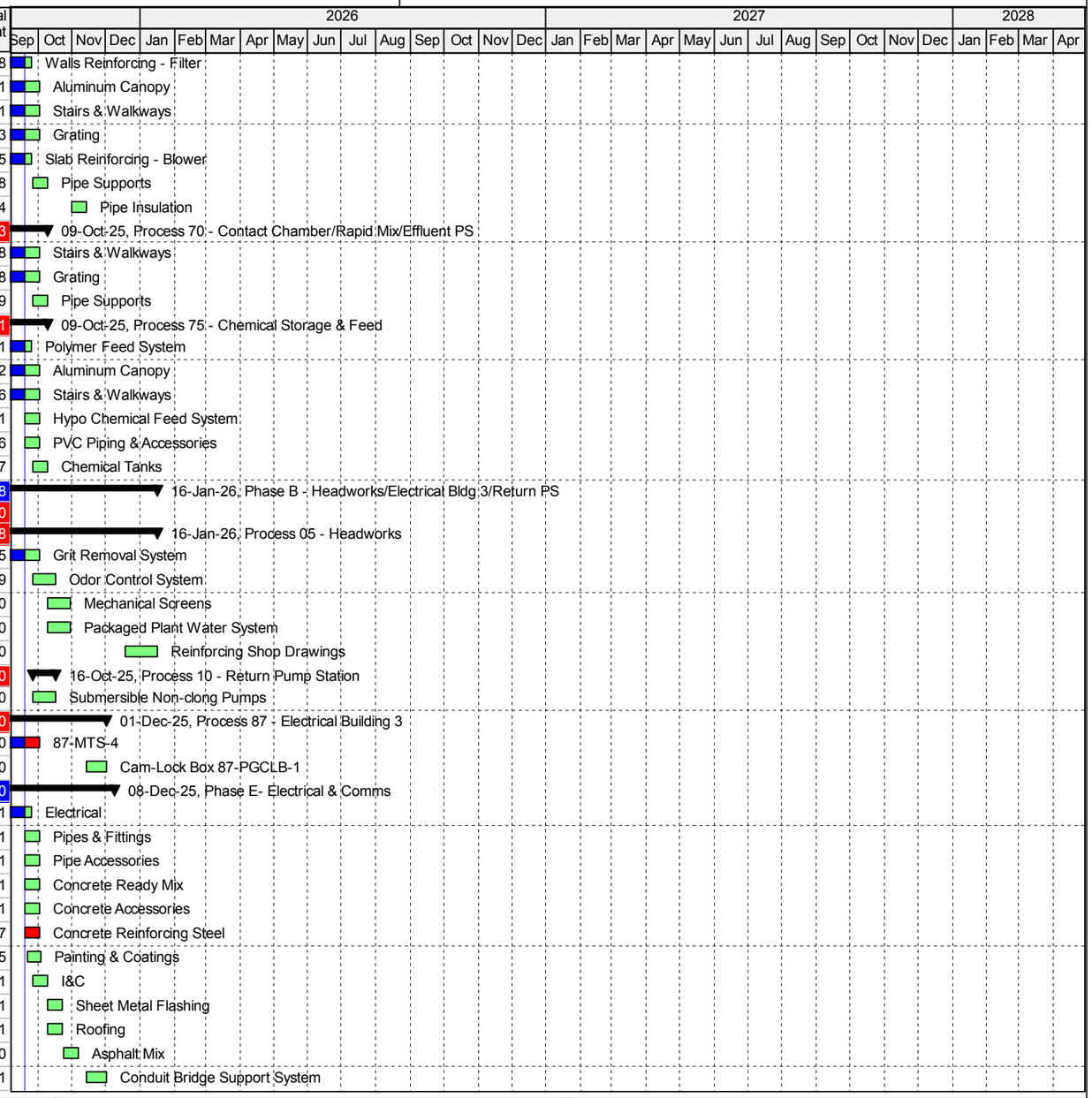
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A1250	Chemical Tanks	40	5	02-Jun-25 A	25-Sep-25	127
Phase B- Headworks/Electrical Bldg 3/Return PS		307	142	27-Jan-25 A	14-Apr-26	173
Process 03 - On-Site LS		0	0			0
Process 05 - Headworks		113	62	05-May-25 A	17-Dec-25	103
A6060	Mechanical Screens	50	5	05-May-25 A	09-Oct-25	90
A6070	Odor Control System	50	5	07-May-25 A	25-Sep-25	129
A6080	Packaged Plant Water System	10	5	12-Jun-25 A	09-Oct-25	150
A6660	Reinforcing Shop Drawings	30	30	04-Nov-25	17-Dec-25	40
Process 10 - Return Pump Station		30	5	27-Jan-25 A	25-Sep-25	310
A6090	Submersible Non-clong Pumps	30	5	27-Jan-25 A	25-Sep-25	310
Process 87 - Electrical Building 3		142	142	19-Sep-25	14-Apr-26	153
A6270	Camlock Box 87-PGCLB-1	40	40	19-Sep-25	13-Nov-25	60
A6710	Mechanical Aerator Submittals	110	110	04-Nov-25	14-Apr-26	153
Phase E- Electrical & Comms		103	45	01-May-25 A	20-Nov-25	340
A6790	I&C	20	5	01-May-25 A	25-Sep-25	281
A6810	Conduit Bridge Support System	40	40	19-Sep-25	13-Nov-25	1
A6771	Sheet Metal Flashing	15	15	19-Sep-25	09-Oct-25	141
A6772	Roofing	15	15	19-Sep-25	09-Oct-25	161
A6774	Asphalt Mix	15	15	03-Oct-25	23-Oct-25	360
Process 80 - Electrical Building 1		98	40	27-Jun-25 A	13-Nov-25	280
A6820	Lighting Fixtures/Exit Signs	20	20	27-Jun-25 A	16-Oct-25	191
A6420	Doors & Hardware	20	20	19-Sep-25	16-Oct-25	181
A6840	80-ELCP-1	40	40	19-Sep-25	13-Nov-25	131
A6850	80-LP-2	40	40	19-Sep-25	13-Nov-25	131
A6860	80-LCP-EB1	40	40	19-Sep-25	13-Nov-25	280
A6430	Drywall	10	10	03-Oct-25	16-Oct-25	191
A6490	HVAC - Ductless Split System	20	20	10-Oct-25	06-Nov-25	196
Process 85 - Generator Building		45	45	19-Sep-25	20-Nov-25	266
A6550	Generator Fuel Piping	30	30	19-Sep-25	30-Oct-25	281
A6540	Generator Exhaust Duct	30	30	10-Oct-25	20-Nov-25	246
Engineer Review		234	82	13-Feb-25 A	16-Jan-26	313
Dewatering Facility		129	20	16-Apr-25 A	16-Oct-25	163
A4570	Polymer Tanks	10	5	16-Apr-25 A	25-Sep-25	34
A6560	I&C	10	10	04-Aug-25 A	09-Oct-25	31
A6150	CCTV	10	5	11-Sep-25 A	25-Sep-25	159
A4640	Demolition	10	10	19-Sep-25	02-Oct-25	173
A4630	Asphalt and Base	10	10	03-Oct-25	16-Oct-25	43
Phase A - Filters/CCC/Chemical		192	40	13-Feb-25 A	13-Nov-25	164
A5500	Paintings & Coatings	10	5	13-Feb-25 A	25-Sep-25	181
A6320	I&C	10	10	26-Sep-25	09-Oct-25	-35
Process 15 - Side Stream Pump Station		10	10	26-Sep-25	09-Oct-25	181
A3810	Pipe Supports	10	10	26-Sep-25	09-Oct-25	181
Process 60 - Deep Bed Filters/Blower Station		167	40	21-Mar-25 A	13-Nov-25	164
A3630	Slab Reinforcing - Filter	10	5	21-Mar-25 A	25-Sep-25	9



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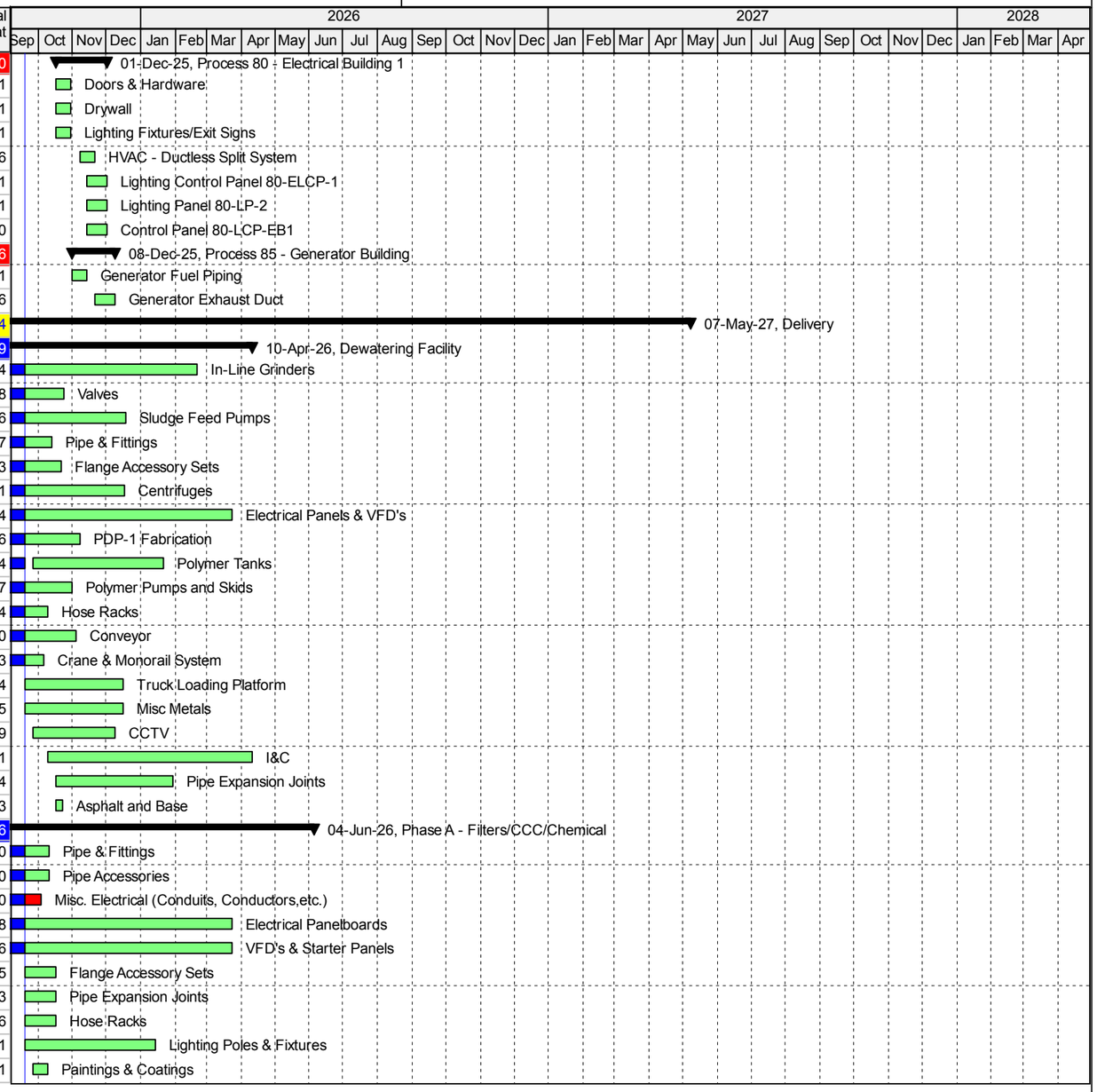
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A3640	Walls Reinforcing - Filter	10	5	21-Mar-25 A	25-Sep-25	48
A3860	Aluminum Canopy	10	10	16-May-25 A	02-Oct-25	91
A3600	Stairs & Walkways	10	10	21-May-25 A	02-Oct-25	141
A3610	Grating	10	10	21-May-25 A	02-Oct-25	23
A3850	Slab Reinforcing - Blower	10	5	03-Jul-25 A	25-Sep-25	185
A3820	Pipe Supports	10	10	26-Sep-25	09-Oct-25	78
A3840	Pipe Insulation	10	10	31-Oct-25	13-Nov-25	164
Process 70 - Contact Chamber/Rapid Mix/Effluent PS		153	15	21-Mar-25 A	09-Oct-25	183
A3660	Stairs & Walkways	10	10	21-Mar-25 A	02-Oct-25	188
A3870	Grating	10	10	21-Mar-25 A	02-Oct-25	188
A3880	Pipe Supports	10	10	26-Sep-25	09-Oct-25	99
Process 75 - Chemical Storage & Feed		115	15	29-Apr-25 A	09-Oct-25	141
A3890	Polymer Feed System	10	5	29-Apr-25 A	25-Sep-25	141
A3780	Aluminum Canopy	10	10	16-May-25 A	02-Oct-25	52
A3770	Stairs & Walkways	10	10	21-May-25 A	02-Oct-25	146
A3740	Hypo Chemical Feed System	10	10	19-Sep-25	02-Oct-25	111
A3760	PVC Piping & Accessories	10	10	19-Sep-25	02-Oct-25	146
A3750	Chemical Tanks	10	10	26-Sep-25	09-Oct-25	127
Phase B - Headworks/Electrical Bldg 3/Return PS		179	82	02-May-25 A	16-Jan-26	248
Process 03 - On-Site LS		0	0			0
Process 05 - Headworks		115	82	01-Aug-25 A	16-Jan-26	98
A6110	Grit Removal System	15	10	01-Aug-25 A	02-Oct-25	135
A6130	Odor Control System	15	15	26-Sep-25	16-Oct-25	129
A6120	Mechanical Screens	15	15	10-Oct-25	30-Oct-25	90
A6140	Packaged Plant Water System	15	15	10-Oct-25	30-Oct-25	150
A6680	Reinforcing Shop Drawings	20	20	18-Dec-25	16-Jan-26	40
Process 10 - Return Pump Station		15	15	26-Sep-25	16-Oct-25	310
A6230	Submersible Non-clong Pumps	15	15	26-Sep-25	16-Oct-25	310
Process 87 - Electrical Building 3		147	50	02-May-25 A	01-Dec-25	60
A7910	87-MTS-4	10	10	02-May-25 A	02-Oct-25	0
A7920	Cam-Lock Box 87-PGCLB-1	10	10	14-Nov-25	01-Dec-25	60
Phase E- Electrical & Comms		152	55	02-May-25 A	08-Dec-25	340
A6910	Electrical	10	5	02-May-25 A	25-Sep-25	61
A6879	Pipes & Fittings	10	10	19-Sep-25	02-Oct-25	31
A6880	Pipe Accessories	10	10	19-Sep-25	02-Oct-25	41
A6890	Concrete Ready Mix	10	10	19-Sep-25	02-Oct-25	191
A6900	Concrete Accessories	10	10	19-Sep-25	02-Oct-25	191
A6881	Concrete Reinforcing Steel	10	10	19-Sep-25	02-Oct-25*	-47
A6903	Painting & Coatings	10	10	22-Sep-25	03-Oct-25	225
A6920	I&C	10	10	26-Sep-25	09-Oct-25	281
A6901	Sheet Metal Flashing	10	10	10-Oct-25	23-Oct-25	141
A6902	Roofing	10	10	10-Oct-25	23-Oct-25	161
A6904	Asphalt Mix	10	10	24-Oct-25	06-Nov-25	360
A6940	Conduit Bridge Support System	10	10	14-Nov-25	01-Dec-25	1



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Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
Process 80 - Electrical Building 1		30	30	17-Oct-25	01-Dec-25	280
A6410	Doors & Hardware	10	10	17-Oct-25	30-Oct-25	181
A6460	Drywall	10	10	17-Oct-25	30-Oct-25	191
A7500	Lighting Fixtures/Exit Signs	10	10	17-Oct-25	30-Oct-25	191
A6500	HVAC - Ductless Split System	10	10	07-Nov-25	20-Nov-25	196
A7510	Lighting Control Panel 80-ELCP-1	10	10	14-Nov-25	01-Dec-25	131
A7520	Lighting Panel 80-LP-2	10	10	14-Nov-25	01-Dec-25	131
A7530	Control Panel 80-LCP-EB1	10	10	14-Nov-25	01-Dec-25	280
Process 85 - Generator Building		25	25	31-Oct-25	08-Dec-25	266
A6580	Generator Fuel Piping	10	10	31-Oct-25	13-Nov-25	281
A6530	Generator Exhaust Duct	10	10	21-Nov-25	08-Dec-25	246
Delivery		534	410	25-Feb-25 A	07-May-27	184
Dewatering Facility		264	140	25-Feb-25 A	10-Apr-26	109
A5550	In-Line Grinders	50	105	25-Feb-25 A	20-Feb-26	104
A4860	Valves	150	26	26-Mar-25 A	24-Oct-25	188
A4800	Sludge Feed Pumps	100	63	28-Mar-25 A	18-Dec-25	146
A4650	Pipe & Fittings	60	17	22-May-25 A	13-Oct-25	197
A4670	Flange Accessory Sets	30	23	02-Jun-25 A	21-Oct-25	213
A5440	Centrifuges	175	62	04-Jun-25 A	17-Dec-25	111
A6570	Electrical Panels & VFD's	200	126	05-Jun-25 A	23-Mar-26	44
A6572	PDP-1 Fabrication	200	36	05-Jun-25 A	07-Nov-25	36
A4780	Polymer Tanks	120	79	12-Jun-25 A	21-Jan-26	34
A4790	Polymer Pumps and Skids	90	31	12-Jun-25 A	31-Oct-25	87
A4720	Hose Racks	30	15	13-Jun-25 A	09-Oct-25	234
A4770	Conveyor	100	33	16-Jun-25 A	04-Nov-25	150
A4750	Crane & Monorail System	30	12	04-Aug-25 A	06-Oct-25	153
A4760	Truck Loading Platform	60	60	19-Sep-25	15-Dec-25	134
A4830	Misc Metals	60	60	19-Sep-25	15-Dec-25	175
A6200	CCTV	50	50	26-Sep-25	08-Dec-25	159
A6590	I&C	125	125	10-Oct-25	10-Apr-26	31
A4710	Pipe Expansion Joints	70	70	17-Oct-25	29-Jan-26	124
A4840	Asphalt and Base	5	5	17-Oct-25	23-Oct-25	43
Phase A - Filters/CCC/Chemical		282	178	05-May-25 A	04-Jun-26	416
A5690	Pipe & Fittings	20	16	05-May-25 A	10-Oct-25	200
A5700	Pipe Accessories	20	16	05-May-25 A	10-Oct-25	200
A5852	Misc. Electrical (Conduits, Conductors,etc.)	20	11	14-May-25 A	03-Oct-25	0
A5850	Electrical Panelboards	200	126	05-Jun-25 A	23-Mar-26	8
A5851	VFD's & Starter Panels	200	126	05-Jun-25 A	23-Mar-26	76
A5710	Flange Accessory Sets	20	20	19-Sep-25	16-Oct-25	115
A5750	Pipe Expansion Joints	20	20	19-Sep-25	16-Oct-25	103
A5760	Hose Racks	20	20	19-Sep-25	16-Oct-25	176
A5853	Lighting Poles & Fixtures	80	80	19-Sep-25	14-Jan-26	141
A5520	Paintings & Coatings	10	10	26-Sep-25	09-Oct-25	181

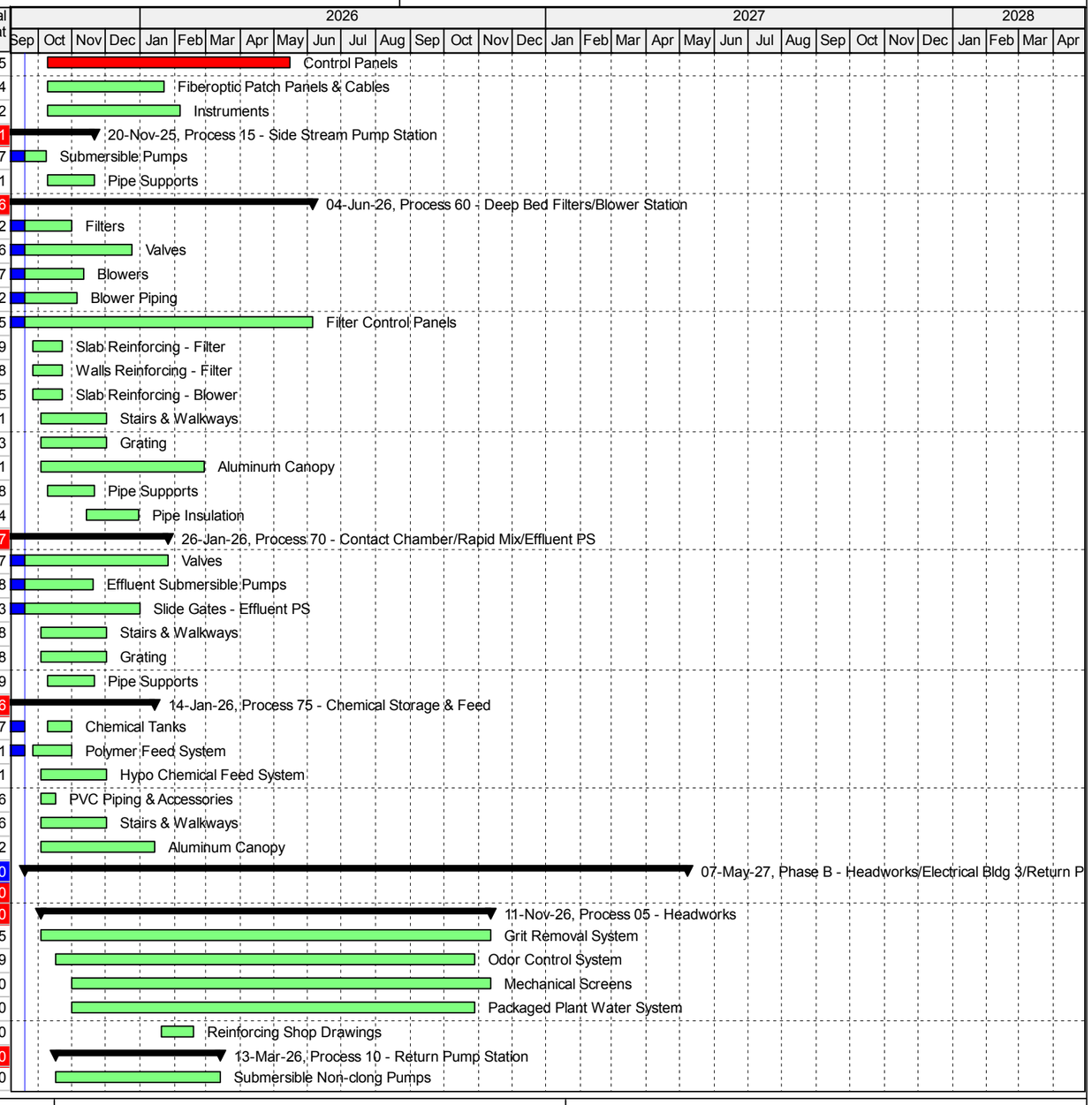


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A6620	Control Panels	150	150	10-Oct-25	15-May-26	-35
A6630	Fiberoptic Patch Panels & Cables	70	70	10-Oct-25	22-Jan-26	34
A6640	Instruments	80	80	10-Oct-25	05-Feb-26	112
Process 15 - Side Stream Pump Station		103	45	25-Jun-25 A	20-Nov-25	181
A4110	Submersible Pumps	100	14	25-Jun-25 A	08-Oct-25	197
A4120	Pipe Supports	30	30	10-Oct-25	20-Nov-25	181
Process 60 - Deep Bed Filters/Blower Station		282	178	22-May-25 A	04-Jun-26	56
A3930	Filters	100	31	22-May-25 A	31-Oct-25	92
A4890	Valves	150	67	22-May-25 A	24-Dec-25	56
A4000	Blowers	80	38	23-May-25 A	11-Nov-25	177
A4140	Blower Piping	40	34	18-Jul-25 A	05-Nov-25	192
A5450	Filter Control Panels	200	178	28-Aug-25 A	04-Jun-26	35
A3940	Slab Reinforcing - Filter	20	20	26-Sep-25	23-Oct-25	9
A3950	Walls Reinforcing - Filter	20	20	26-Sep-25	23-Oct-25	48
A4160	Slab Reinforcing - Blower	20	20	26-Sep-25	23-Oct-25	185
A3910	Stairs & Walkways	40	40	03-Oct-25	01-Dec-25	141
A3920	Grating	40	40	03-Oct-25	01-Dec-25	23
A4170	Aluminum Canopy	100	100	03-Oct-25	27-Feb-26	91
A4130	Pipe Supports	30	30	10-Oct-25	20-Nov-25	78
A4150	Pipe Insulation	30	30	14-Nov-25	30-Dec-25	164
Process 70 - Contact Chamber/Rapid Mix/Effluent PS		160	87	20-Jun-25 A	26-Jan-26	507
A4900	Valves	150	87	20-Jun-25 A	26-Jan-26	507
A3960	Effluent Submersible Pumps	100	44	02-Jul-25 A	19-Nov-25	38
A5600	Slide Gates - Effluent PS	80	71	19-Aug-25 A	31-Dec-25	523
A3970	Stairs & Walkways	40	40	03-Oct-25	01-Dec-25	188
A4180	Grating	40	40	03-Oct-25	01-Dec-25	188
A4190	Pipe Supports	30	30	10-Oct-25	20-Nov-25	99
Process 75 - Chemical Storage & Feed		81	75	08-Aug-25 A	14-Jan-26	116
A4060	Chemical Tanks	40	16	08-Aug-25 A	31-Oct-25	127
A4200	Polymer Feed System	70	26	15-Aug-25 A	31-Oct-25	141
A4050	Hypo Chemical Feed System	40	40	03-Oct-25	01-Dec-25	111
A4070	PVC Piping & Accessories	10	10	03-Oct-25	16-Oct-25	146
A4080	Stairs & Walkways	40	40	03-Oct-25	01-Dec-25	146
A4090	Aluminum Canopy	70	70	03-Oct-25	14-Jan-26	52
Phase B - Headworks/Electrical Bldg 3/Return PS		410	410	19-Sep-25	07-May-27	20
Process 03 - On-Site LS		0	0			0
Process 05 - Headworks		280	280	03-Oct-25	11-Nov-26	140
A6160	Grit Removal System	280	280	03-Oct-25	11-Nov-26	135
A6180	Odor Control System	260	260	17-Oct-25	28-Oct-26	129
A6170	Mechanical Screens	260	260	31-Oct-25	11-Nov-26	90
A6190	Packaged Plant Water System	250	250	31-Oct-25	28-Oct-26	150
A6700	Reinforcing Shop Drawings	20	20	20-Jan-26	17-Feb-26	40
Process 10 - Return Pump Station		100	100	17-Oct-25	13-Mar-26	310
A6210	Submersible Non-clong Pumps	100	100	17-Oct-25	13-Mar-26	310



Actual Work
Remaining Work
Critical Remaining Work
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Summary

NERWRF Improvements Project
Wharton-Smith Inc. Project # 23-182

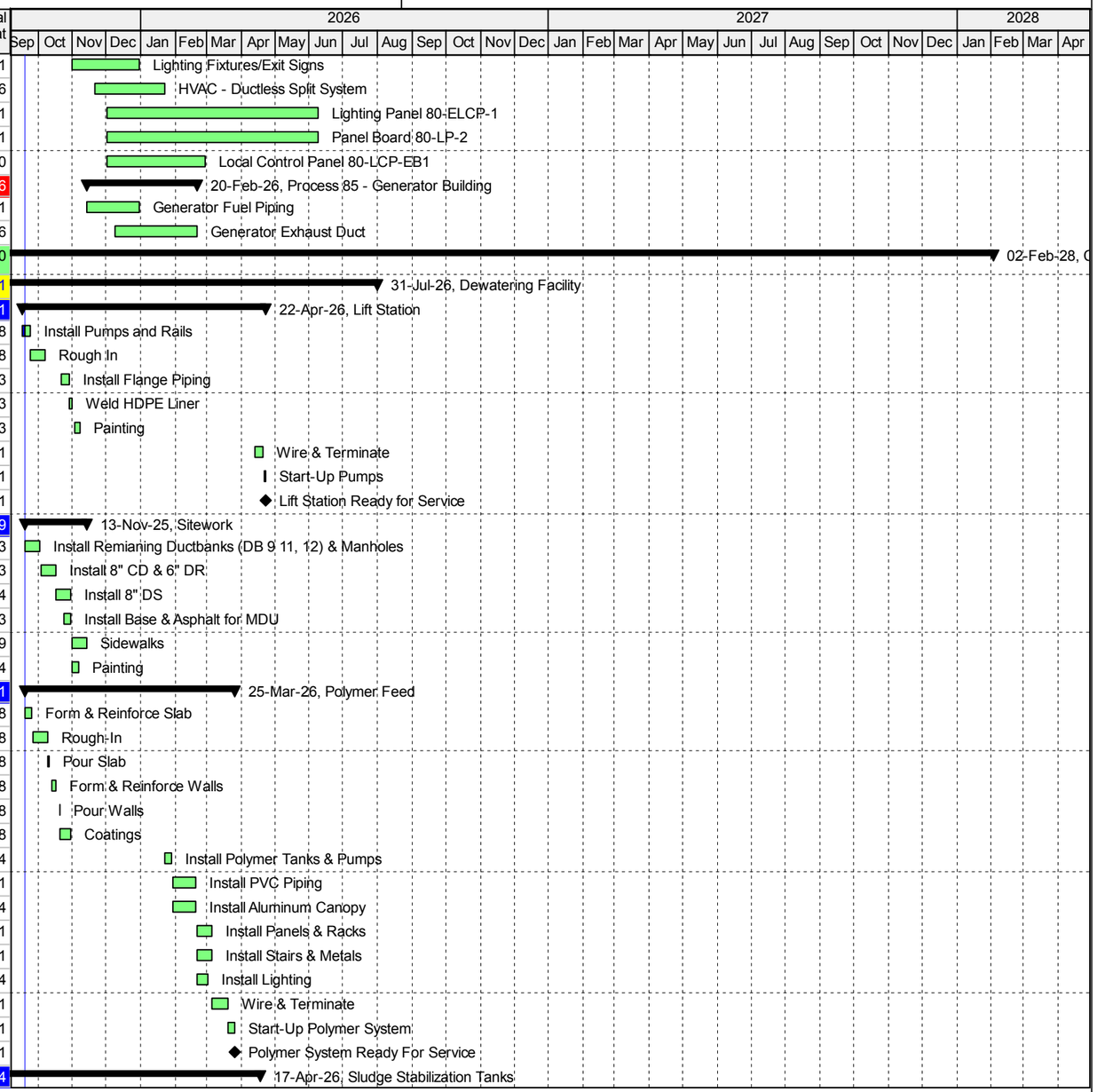
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
Process 87 - Electrical Building 3		410	410	19-Sep-25	07-May-27	20
A6340	Switchboard 87-SWBD-1	400	400	19-Sep-25	23-Apr-27	10
A6350	Panelboards 87-LP-1 & 87-PP-1	400	400	19-Sep-25	23-Apr-27	30
A6390	Transformer 87-T-1	400	400	19-Sep-25	23-Apr-27	10
A6360	87-MTS-4	400	400	03-Oct-25	07-May-27	0
A6720	Pipe and Valves	121	121	04-Nov-25	29-Apr-26	119
A6370	Cam-Lock Box 87-PGCLB-1	300	300	02-Dec-25	11-Feb-27	60
Phase E- Electrical & Comms		240	240	19-Sep-25	01-Sep-26	354
A7040	Electrical	30	30	26-Sep-25	06-Nov-25	61
A7009	Pipes & Fittings	30	30	03-Oct-25	13-Nov-25	31
A7020	Concrete Ready Mix	20	20	03-Oct-25	30-Oct-25	191
A7030	Concrete Accessories	20	20	03-Oct-25	30-Oct-25	191
A7011	Concrete Reinforcing Steel	40	40	03-Oct-25	01-Dec-25	156
A7033	Painting & Coatings	20	20	06-Oct-25	31-Oct-25	225
A7050	I&C	20	20	10-Oct-25	06-Nov-25	281
A7031	Sheet Metal Flashing	40	40	24-Oct-25	22-Dec-25	141
A7032	Roofing	20	20	24-Oct-25	20-Nov-25	161
A7034	Asphlat Mix	10	10	07-Nov-25	20-Nov-25	360
A7010	Pipe Accessories	20	20	02-Dec-25	30-Dec-25	1
A7070	Conduit Bridge Support System	50	50	02-Dec-25	12-Feb-26	236
Owner Pre-Purchased Equipment		240	240	19-Sep-25	01-Sep-26	354
A352880	Generator 85-GEN-1A	0	0		19-Sep-25*	-56
A352870	Load Bank GLB-1	240	240	19-Sep-25	01-Sep-26	83
A352830	Transformer 80-T-2A	70	70	19-Sep-25	30-Dec-25*	-73
A352810	Metering Cabinet	70	70	19-Sep-25	30-Dec-25	241
A352800	Riser Poles & Load Break Switches 1-4	70	70	19-Sep-25	30-Dec-25	246
A352900	Day Tank 85-DT-1	150	150	19-Sep-25	24-Apr-26	176
A352860	Load Bank CP 80-GLBCP-1	240	240	19-Sep-25	01-Sep-26	83
A352820	Transformer 80-T-1A	70	70	19-Sep-25	30-Dec-25	241
A352890	Generator 85-GEN-2A	0	0		19-Sep-25*	-56
A352910	Day Tank 85-DT-2	150	150	19-Sep-25	24-Apr-26	237
A352970	80-CP-ATS-1 (Controls for Main Switchgear Automatic Tr	240	240	19-Sep-25	01-Sep-26	354
A352920	80-MTS-1A	0	0		19-Dec-25*	0
A352930	80-MTS-2A	0	0		19-Dec-25*	0
A352950	80-MCC-1	0	0		12-Jan-26*	0
A352960	80-MCC-2	0	0		12-Jan-26*	0
A352850	Switchboard 80-ESWBD-1	0	0		06-Apr-26*	0
A352840	Switchboard 80-SWBD-1	0	0		17-Apr-26*	0
A352940	35-MTS-3	0	0		27-Apr-26*	0
Process 80 - Electrical Building 1		155	155	24-Oct-25	08-Jun-26	210
A6480	Roofing	20	20	24-Oct-25	20-Nov-25	161
A6400	Doors & Hardware	40	40	31-Oct-25	30-Dec-25	181
A6450	Drywall	20	20	31-Oct-25	01-Dec-25	191



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NERWRF Improvements Project
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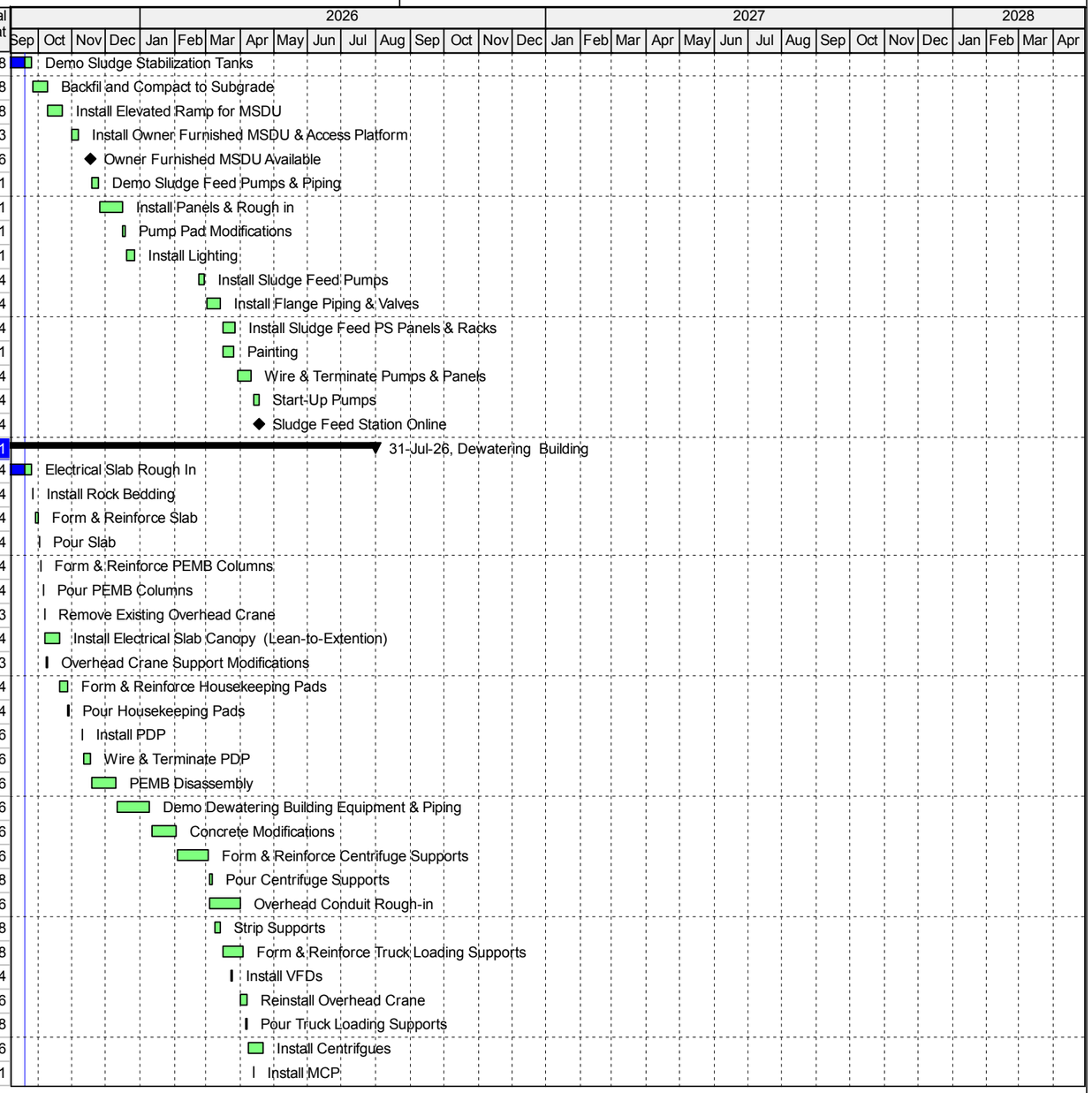
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A7540	Lighting Fixtures/Exit Signs	40	40	31-Oct-25	30-Dec-25	191
A6510	HVAC - Ductless Split System	40	40	21-Nov-25	22-Jan-26	196
A7550	Lighting Panel 80-ELCP-1	130	130	02-Dec-25	08-Jun-26	131
A7560	Panel Board 80-LP-2	130	130	02-Dec-25	08-Jun-26	131
A7570	Local Control Panel 80-LCP-EB1	60	60	02-Dec-25	27-Feb-26	280
Process 85 - Generator Building		65	65	14-Nov-25	20-Feb-26	246
A6610	Generator Fuel Piping	30	30	14-Nov-25	30-Dec-25	281
A6520	Generator Exhaust Duct	50	50	09-Dec-25	20-Feb-26	246
Construction		690	594	05-May-25 A	02-Feb-28	0
Dewatering Facility		251	218	04-Aug-25 A	31-Jul-26	31
Lift Station		148	148	17-Sep-25 A	22-Apr-26	101
A2800	Install Pumps and Rails	5	3	17-Sep-25 A	23-Sep-25	228
A2780	Rough In	10	10	24-Sep-25	07-Oct-25	228
A2810	Install Flange Piping	5	5	22-Oct-25	28-Oct-25	213
A2771	Weld HDPE Liner	3	3	29-Oct-25	31-Oct-25	213
A3520	Painting	5	5	03-Nov-25	07-Nov-25	213
A2811	Wire & Terminate	6	6	13-Apr-26	20-Apr-26	101
A3500	Start-Up Pumps	2	2	21-Apr-26	22-Apr-26	101
A3510	Lift Station Ready for Service	0	0		22-Apr-26	101
Sitework		40	40	19-Sep-25	13-Nov-25	209
A2591	Install Remianing Ductbanks (DB 9 11, 12) & Manholes	10	10	19-Sep-25	02-Oct-25	53
A2581	Install 8" CD & 6" DR	10	10	03-Oct-25	16-Oct-25	53
A2590	Install 8" DS	10	10	17-Oct-25	30-Oct-25	184
A2750	Install Base & Asphalt for MDU	5	5	24-Oct-25	30-Oct-25	43
A2740	Sidewalks	10	10	31-Oct-25	13-Nov-25	209
A2790	Painting	5	5	31-Oct-25	06-Nov-25	214
Polymer Feed		128	128	19-Sep-25	25-Mar-26	121
A2620	Form & Reinforce Slab	5	5	19-Sep-25	25-Sep-25	88
A2610	Rough-In	10	10	26-Sep-25	09-Oct-25	88
A2630	Pour Slab	1	1	10-Oct-25	10-Oct-25	88
A2640	Form & Reinforce Walls	5	5	13-Oct-25	17-Oct-25	88
A2650	Pour Walls	1	1	20-Oct-25	20-Oct-25	88
A2651	Coatings	8	8	21-Oct-25	30-Oct-25	88
A2660	Install Polymer Tanks & Pumps	5	5	22-Jan-26	28-Jan-26	34
A2670	Install PVC Piping	15	15	29-Jan-26	19-Feb-26	121
A3490	Install Aluminum Canopy	15	15	29-Jan-26	19-Feb-26	124
A2690	Install Panels & Racks	10	10	20-Feb-26	05-Mar-26	121
A2710	Install Stairs & Metals	10	10	20-Feb-26	05-Mar-26	131
A3480	Install Lighting	7	7	20-Feb-26	02-Mar-26	124
A2700	Wire & Terminate	10	10	06-Mar-26	19-Mar-26	121
A2760	Start-Up Polymer System	4	4	20-Mar-26	25-Mar-26	121
A3470	Polymer System Ready For Service	0	0		25-Mar-26	121
Sludge Stabilization Tanks		161	145	21-Aug-25 A	17-Apr-26	104



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Remaining Work
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NERWRF Improvements Project
Wharton-Smith Inc. Project # 23-182

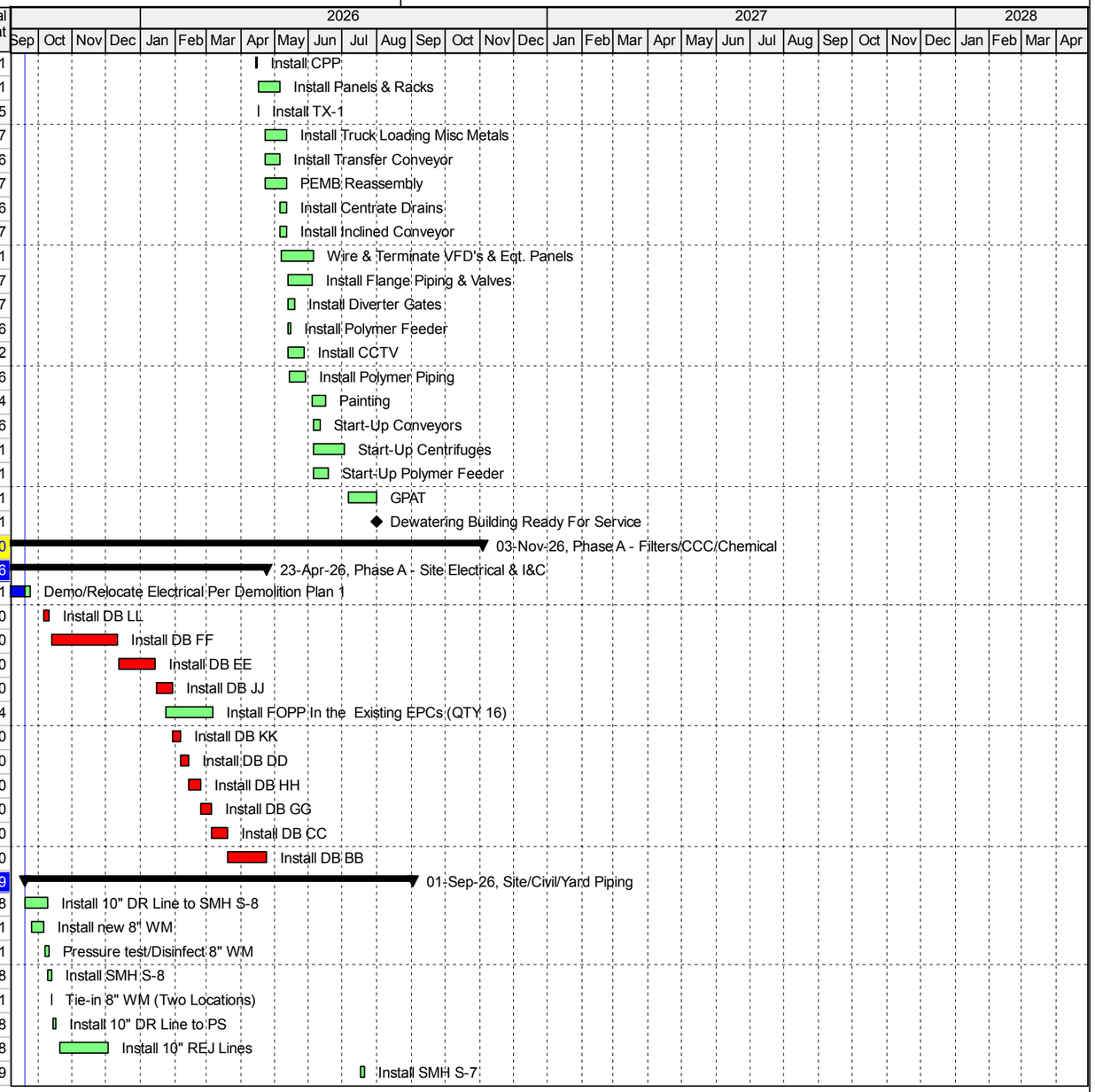
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A2980	Demo Sludge Stabilization Tanks	15	5	21-Aug-25 A	25-Sep-25	48
A353480	Backfil and Compact to Subgrade	10	10	26-Sep-25	09-Oct-25	48
A2981	Install Elevated Ramp for MSDU	10	10	10-Oct-25	23-Oct-25	48
A2991	Install Owner Furnished MSDU & Access Platform	5	5	31-Oct-25*	06-Nov-25	43
A2992	Owner Furnished MSDU Available	0	0		17-Nov-25	36
A2993	Demo Sludge Feed Pumps & Piping	5	5	18-Nov-25	24-Nov-25	141
A2994	Install Panels & Rough in	13	13	25-Nov-25	15-Dec-25	141
A2995	Pump Pad Modifications	3	3	16-Dec-25	18-Dec-25	141
a2996	Install Lighting	5	5	19-Dec-25	26-Dec-25	141
A3000	Install Sludge Feed Pumps	5	5	23-Feb-26	27-Feb-26	104
A3010	Install Flange Piping & Valves	10	10	02-Mar-26	13-Mar-26	104
A3030	Install Sludge Feed PS Panels & Racks	10	10	16-Mar-26	27-Mar-26	104
A5770	Painting	8	8	16-Mar-26	25-Mar-26	121
A3040	Wire & Terminate Pumps & Panels	10	10	30-Mar-26	10-Apr-26	104
A3050	Start-Up Pumps	5	5	13-Apr-26	17-Apr-26	104
A5570	Sludge Feed Station Online	0	0		17-Apr-26	104
Dewatering Building		251	218	04-Aug-25 A	31-Jul-26	31
A353010	Electrical Slab Rough In	15	5	04-Aug-25 A	25-Sep-25	44
A353020	Install Rock Bedding	1	1	26-Sep-25	26-Sep-25	44
A353021	Form & Reinforce Slab	3	3	29-Sep-25	01-Oct-25	44
A353022	Pour Slab	1	1	02-Oct-25	02-Oct-25	44
A353023	Form & Reinforce PEMB Columns	1	1	03-Oct-25	03-Oct-25	44
A353024	Pour PEMB Columns	1	1	06-Oct-25	06-Oct-25	44
A353040	Remove Existing Overhead Crane	1	1	07-Oct-25	07-Oct-25	153
A353026	Install Electrical Slab Canopy (Lean-to-Extention)	10	10	07-Oct-25	20-Oct-25	44
A353060	Overhead Crane Support Modifications	2	2	08-Oct-25	09-Oct-25	153
A353027	Form & Reinforce Housekeeping Pads	5	5	21-Oct-25	27-Oct-25	44
A353028	Pour Housekeeping Pads	1	1	28-Oct-25	28-Oct-25	44
A353029	Install PDP	1	1	10-Nov-25	10-Nov-25	36
A353030	Wire & Terminate PDP	5	5	11-Nov-25	17-Nov-25	36
A353037	PEMB Disassembly	15	15	18-Nov-25	10-Dec-25	36
A353038	Demo Dewatering Building Equipment & Piping	20	20	11-Dec-25	09-Jan-26	36
A353039	Concrete Modifications	15	15	12-Jan-26	02-Feb-26	36
A353090	Form & Reinforce Centrifuge Supports	20	20	03-Feb-26	03-Mar-26	36
A353140	Pour Centrifuge Supports	3	3	04-Mar-26	06-Mar-26	58
A353110	Overhead Conduit Rough-in	20	20	04-Mar-26	31-Mar-26	36
A353160	Strip Supports	5	5	09-Mar-26	13-Mar-26	58
A353210	Form & Reinforce Truck Loading Supports	15	15	16-Mar-26	03-Apr-26	58
A353031	Install VFDs	1	1	24-Mar-26	24-Mar-26	44
A353100	Reinstall Overhead Crane	5	5	01-Apr-26	07-Apr-26	36
A353280	Pour Truck Loading Supports	1	1	06-Apr-26	06-Apr-26	58
A353180	Install Centrifgues	10	10	08-Apr-26	21-Apr-26	36
A353032	Install MCP	1	1	13-Apr-26	13-Apr-26	31



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Wharton-Smith Inc. Project # 23-182

Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A353033	Install CPP	2	2	14-Apr-26	15-Apr-26	31
A353035	Install Panels & Racks	15	15	16-Apr-26	06-May-26	31
A353034	Install TX-1	1	1	16-Apr-26	16-Apr-26	45
A353310	Install Truck Loading Misc Metals	15	15	22-Apr-26	12-May-26	47
A353270	Install Transfer Conveyor	10	10	22-Apr-26	05-May-26	36
A353320	PEMB Reassembly	15	15	22-Apr-26	12-May-26	47
A353290	Install Centrate Drains	5	5	06-May-26	12-May-26	36
A353300	Install Inclined Conveyor	5	5	06-May-26	12-May-26	57
A353036	Wire & Terminate VFD's & Eqt. Panels	20	20	07-May-26	04-Jun-26	31
A353340	Install Flange Piping & Valves	15	15	13-May-26	03-Jun-26	47
A353350	Install Diverter Gates	5	5	13-May-26	19-May-26	57
A353360	Install Polymer Feeder	3	3	13-May-26	15-May-26	36
A353381	Install CCTV	10	10	13-May-26	27-May-26	52
A353370	Install Polymer Piping	10	10	14-May-26	28-May-26	36
A353430	Painting	8	8	04-Jun-26	15-Jun-26	64
A353380	Start-Up Conveyors	5	5	05-Jun-26	11-Jun-26	46
A353372	Start-Up Centrifuges	20	20	05-Jun-26	02-Jul-26	31
A353371	Start-Up Polymer Feeder	10	10	05-Jun-26	18-Jun-26	61
A353410	GPAT	20	20	06-Jul-26	31-Jul-26	31
A353420	Dewatering Building Ready For Service	0	0		31-Jul-26	31
Phase A - Filters/CCC/Chemical		380	284	05-May-25 A	03-Nov-26	310
Phase A - Site Electrical & I&C		245	149	05-May-25 A	23-Apr-26	76
A352300	Demo/Relocate Electrical Per Demolition Plan 1	15	4	05-May-25 A	24-Sep-25	221
A352281	Install DB LL	5	5	06-Oct-25	10-Oct-25	0
A352282	Install DB FF	42	42	13-Oct-25	11-Dec-25	0
A352283	Install DB EE	22	22	12-Dec-25	14-Jan-26	0
A352284	Install DB JJ	10	10	15-Jan-26	29-Jan-26	0
A352400	Install FOPP In the Existing EPCs (QTY 16)	30	30	23-Jan-26	06-Mar-26	34
A352285	Install DB KK	5	5	30-Jan-26	05-Feb-26	0
A352286	Install DB DD	5	5	06-Feb-26	12-Feb-26	0
A352287	Install DB HH	6	6	13-Feb-26	23-Feb-26	0
A352288	Install DB GG	8	8	24-Feb-26	05-Mar-26	0
A352289	Install DB CC	10	10	06-Mar-26	19-Mar-26	0
A352290	Install DB BB	25	25	20-Mar-26	23-Apr-26	0
Site/Civil/Yard Piping		240	240	19-Sep-25	01-Sep-26	9
FS1390	Install 10" DR Line to SMH S-8	15	15	19-Sep-25	09-Oct-25	198
FS1430	Install new 8" WM	8	8	25-Sep-25	06-Oct-25	221
FS1440	Pressure test/Disinfect 8" WM	4	4	07-Oct-25	10-Oct-25	221
FS1400	Install SMH S-8	2	2	10-Oct-25	13-Oct-25	198
FS1450	Tie-in 8" WM (Two Locations)	1	1	13-Oct-25	13-Oct-25	221
FS1410	Install 10" DR Line to PS	4	4	14-Oct-25	17-Oct-25	198
FS1460	Install 10" REJ Lines	30	30	20-Oct-25	02-Dec-25	198
FS1290	Install SMH S-7	2	2	17-Jul-26	20-Jul-26	9

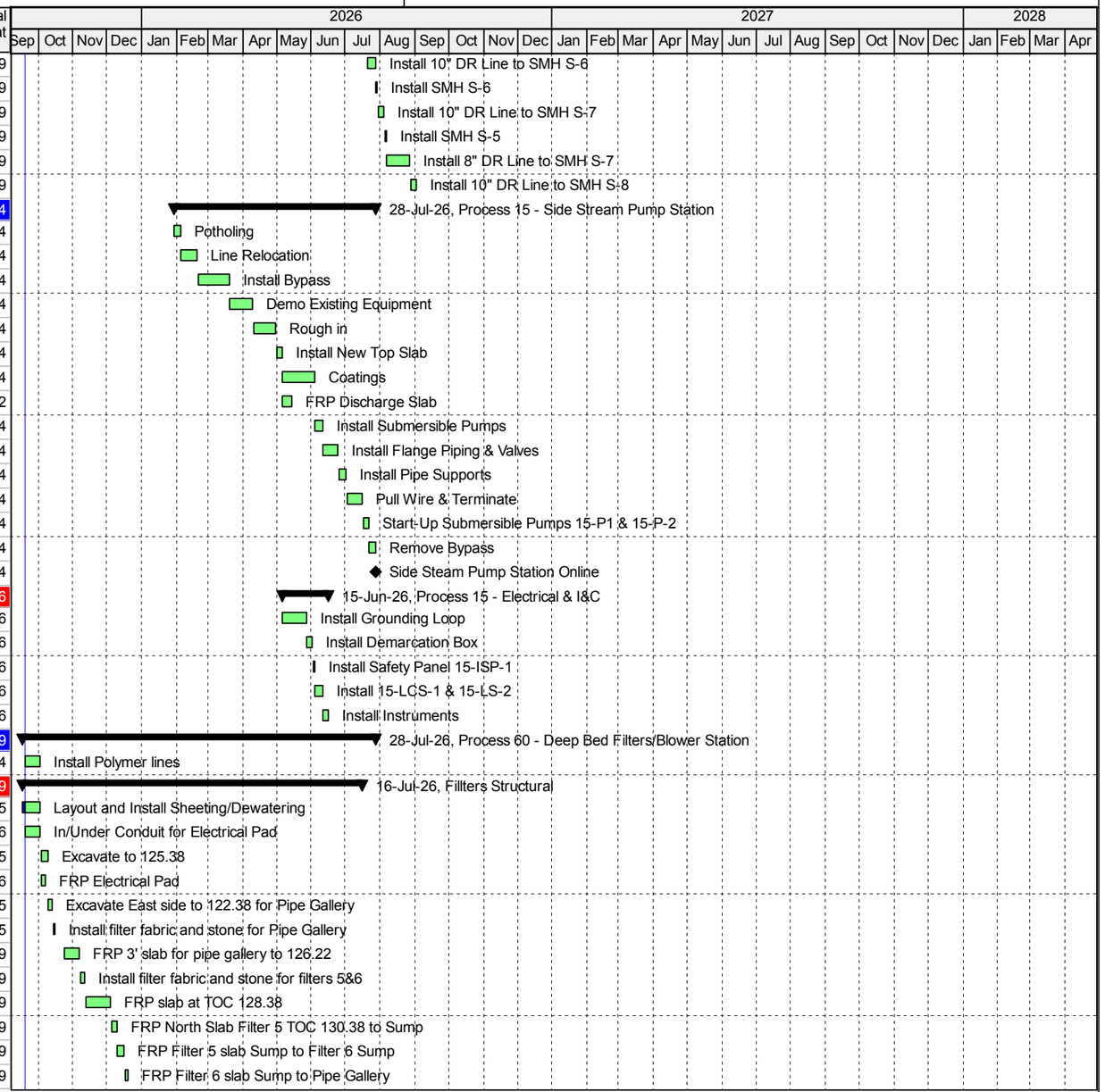


Actual Work
Remaining Work
Critical Remaining Work
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Data Date: 19-Sep-25
Print Date: 02-Oct-25

NERWRF Improvements Project
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Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
FS1330	Install 10" DR Line to SMH S-6	5	5	21-Jul-26	27-Jul-26	9
FS1340	Install SMH S-6	2	2	28-Jul-26	29-Jul-26	9
FS1350	Install 10" DR Line to SMH S-7	4	4	30-Jul-26	04-Aug-26	9
FS1360	Install SMH S-5	2	2	05-Aug-26	06-Aug-26	9
FS1420	Install 8" DR Line to SMH S-7	15	15	07-Aug-26	27-Aug-26	9
FS1370	Install 10" DR Line to SMH S-8	3	3	28-Aug-26	01-Sep-26	9
Process 15 - Side Stream Pump Station		126	126	29-Jan-26	28-Jul-26	34
A2238	Potholing	5	5	29-Jan-26	04-Feb-26	34
A2239	Line Relocation	10	10	05-Feb-26	19-Feb-26	34
A2240	Install Bypass	20	20	20-Feb-26	19-Mar-26	34
A2250	Demo Existing Equipment	15	15	20-Mar-26	09-Apr-26	34
A2251	Rough in	15	15	10-Apr-26	30-Apr-26	34
A2260	Install New Top Slab	3	3	01-May-26	05-May-26	34
A2262	Coatings	20	20	06-May-26	03-Jun-26	34
A2261	FRP Discharge Slab	7	7	06-May-26	14-May-26	52
A2263	Install Submersible Pumps	5	5	04-Jun-26	10-Jun-26	34
A2264	Install Flange Piping & Valves	10	10	11-Jun-26	24-Jun-26	34
A2265	Install Pipe Supports	5	5	25-Jun-26	01-Jul-26	34
A2310	Pull Wire & Terminate	10	10	02-Jul-26	16-Jul-26	34
A2320	Start-Up Submersible Pumps 15-P1 & 15-P-2	3	3	17-Jul-26	21-Jul-26	34
A2340	Remove Bypass	5	5	22-Jul-26	28-Jul-26	34
A2350	Side Steam Pump Station Online	0	0		28-Jul-26	34
Process 15 - Electrical & I&C		28	28	06-May-26	15-Jun-26	46
A352410	Install Grounding Loop	15	15	06-May-26	27-May-26	46
A352420	Install Demarcation Box	3	3	28-May-26	01-Jun-26	46
A352430	Install Safety Panel 15-ISP-1	2	2	02-Jun-26	03-Jun-26	46
A352440	Install 15-LCS-1 & 15-LS-2	5	5	04-Jun-26	10-Jun-26	46
A352450	Install Instruments	3	3	11-Jun-26	15-Jun-26	46
Process 60 - Deep Bed Filters/Blower Station		215	215	17-Sep-25 A	28-Jul-26	379
FS1320	Install Polymer lines	10	10	19-Sep-25	02-Oct-25	584
Fillters Structural		207	207	17-Sep-25 A	16-Jul-26	9
FS1020	Layout and Install Sheeting/Dewatering	15	10	17-Sep-25 A	02-Oct-25	15
FS1110	In/Under Conduit for Electrical Pad	10	10	19-Sep-25	02-Oct-25	186
FS1030	Excavate to 125.38	5	5	03-Oct-25	09-Oct-25	15
FS1150	FRP Electrical Pad	3	3	03-Oct-25	07-Oct-25	186
FS1040	Excavate East side to 122.38 for Pipe Gallery	2	2	10-Oct-25	13-Oct-25	15
FS1050	Install filter fabric and stone for Pipe Gallery	2	2	14-Oct-25	15-Oct-25	15
FS1060	FRP 3' slab for pipe gallery to 126.22	10	10	24-Oct-25	06-Nov-25	9
FS1070	Install filter fabric and stone for filters 5&6	3	3	07-Nov-25	11-Nov-25	9
FS1080	FRP slab at TOC 128.38	15	15	12-Nov-25	04-Dec-25	9
FS1100	FRP North Slab Filter 5 TOC 130.38 to Sump	3	3	05-Dec-25	09-Dec-25	9
FS1120	FRP Filter 5 slab Sump to Filter 6 Sump	5	5	10-Dec-25	16-Dec-25	9
FS1130	FRP Filter 6 slab Sump to Pipe Gallery	3	3	17-Dec-25	19-Dec-25	9



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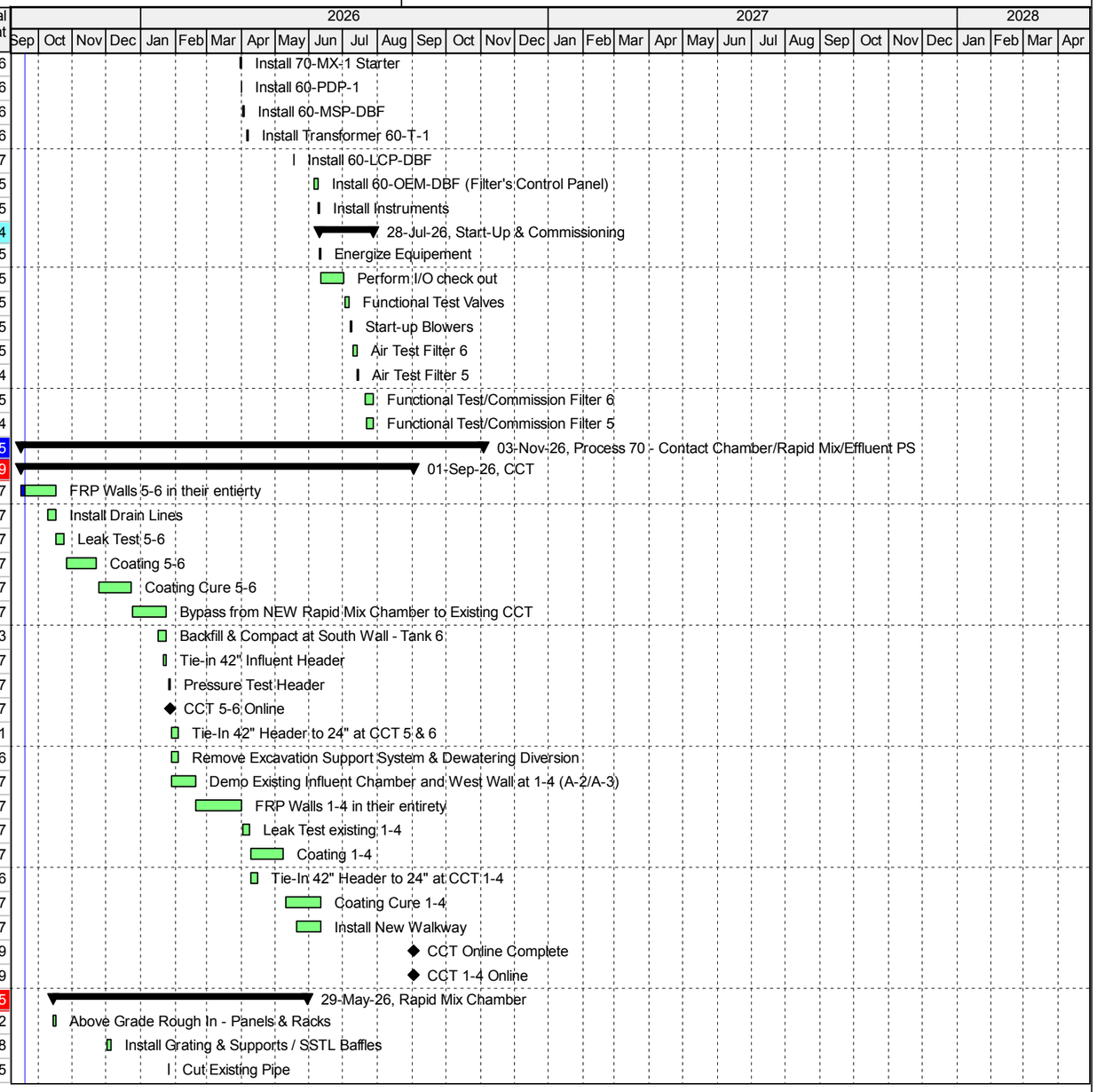
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
FS1140	FRP Walls Pipe Gallary/Filters/Influent Box (Block out Air H	40	40	22-Dec-25	19-Feb-26	9
FS1160	Demo North Wall in Pipe Gallery	5	5	20-Feb-26	26-Feb-26	82
FS1170	FRP Influent Channel/Weir Walls	10	10	20-Feb-26	05-Mar-26	9
FS1180	Install Grating/Walkways and Platforms	10	10	27-Feb-26	12-Mar-26	82
FS1210	Install Canopies	15	15	02-Mar-26	20-Mar-26	91
FS1190	Install Water stop and grout opening for Filter 6 10" Air He	2	2	10-Mar-26	11-Mar-26	9
FS1200	Leak Test Filter 6	20	20	12-Mar-26	08-Apr-26	9
FS1230	FRP New Wall for Filter 4 & 5 (Drill and Epoxy into Existin	20	20	09-Apr-26	06-May-26	9
FS1240	FRP Influent Channel/Weir Walls	5	5	07-May-26	13-May-26	9
FS1250	Install Water Stop and Grout Opening for Filter 5 10" Air H	2	2	18-May-26	19-May-26	9
FS1260	Leak Test Filter 5	20	20	20-May-26	17-Jun-26	9
FS1270	Coat Exterior Concrete	5	5	18-Jun-26	24-Jun-26	9
FS1280	Backfill & Remove Sheeting/Dewatering	15	15	25-Jun-26	16-Jul-26	9
Filters Process and Mechanical		172	172	12-Nov-25	21-Jul-26	34
FP&M100	Set Blowers	1	1	12-Nov-25	12-Nov-25	177
FP&M103	Install 10" Air Header in Filter to Flange external of filter (F	2	2	06-Mar-26	09-Mar-26	9
FP&M101	Grout Set Sump covers for (Filter 6)	2	2	09-Apr-26	10-Apr-26	83
FP&M102	Install Filter Bypass (MOPO Required)	10	10	09-Apr-26	22-Apr-26	40
FP&M104	Layout and Install Air Laterals/Anchors (Filter 6)	2	2	13-Apr-26	14-Apr-26	83
FP&M105	Install Underdrain Blocks (Filter 6)	10	10	15-Apr-26	28-Apr-26	83
FP&M106	Replace Existing Valves in Gallary	10	10	23-Apr-26	06-May-26	40
FP&M107	Place Grout on perimiter of Filter Blocks (Filter 6)	2	2	29-Apr-26	30-Apr-26	83
FP&M108	Install Filter 5&6 Piping in Gallery w/ Supports	20	20	07-May-26	04-Jun-26	40
FP&M114	Install 10" Air Header in Filter to Flange external of filter (F	2	2	14-May-26	15-May-26	9
FP&M109	Install New Air Header to Tie-In location	5	5	05-Jun-26	11-Jun-26	48
FP&M110	Remove Filter Bypass	1	1	05-Jun-26	05-Jun-26	40
FP&M120	Coatings	25	25	08-Jun-26	13-Jul-26	40
FP&M119	Insulation Air Piping	3	3	12-Jun-26	16-Jun-26	48
FP&M113	Grout Set Sump covers for (Filter 5)	2	2	18-Jun-26	19-Jun-26	34
FP&M115	Layout and Install Air Laterals/Anchors (Filter 5)	2	2	22-Jun-26	23-Jun-26	34
FP&M116	Install Underdrain Blocks (Filter 5)	10	10	24-Jun-26	08-Jul-26	34
FP&M117	Place Grout on perimiter of Filter Blocks (Filter 5)	2	2	09-Jul-26	10-Jul-26	34
FP&M111	Tie-in New Air Header	1	1	09-Jul-26	09-Jul-26	35
FP&M112	Install 6 layers of media (Filter 6)	5	5	14-Jul-26	20-Jul-26	35
FP&M118	Install 6 layers of media (Filter 5)	5	5	15-Jul-26	21-Jul-26	34
Blowers		102	102	08-Oct-25	06-Mar-26	106
B1000	Layout for Blower Pad	1	1	08-Oct-25	08-Oct-25	186
B1010	Install In/Under Conduit	10	10	09-Oct-25	22-Oct-25	186
B1020	FRP Blower Pad	5	5	24-Oct-25	30-Oct-25	185
B1030	Install Canopy	5	5	02-Mar-26	06-Mar-26	106
Process 60 - Electrical & I&C		90	90	23-Mar-26	28-Jul-26	34
EIC1000	Install Lighting @ Walkway, Pipe Gallery, & Canopy	23	23	23-Mar-26	22-Apr-26	96
EIC1010	Install VFD's 60-B-1 & 60-B-2	5	5	24-Mar-26	30-Mar-26	76



Actual Work
Remaining Work
Critical Remaining Work
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NERWRF Improvements Project
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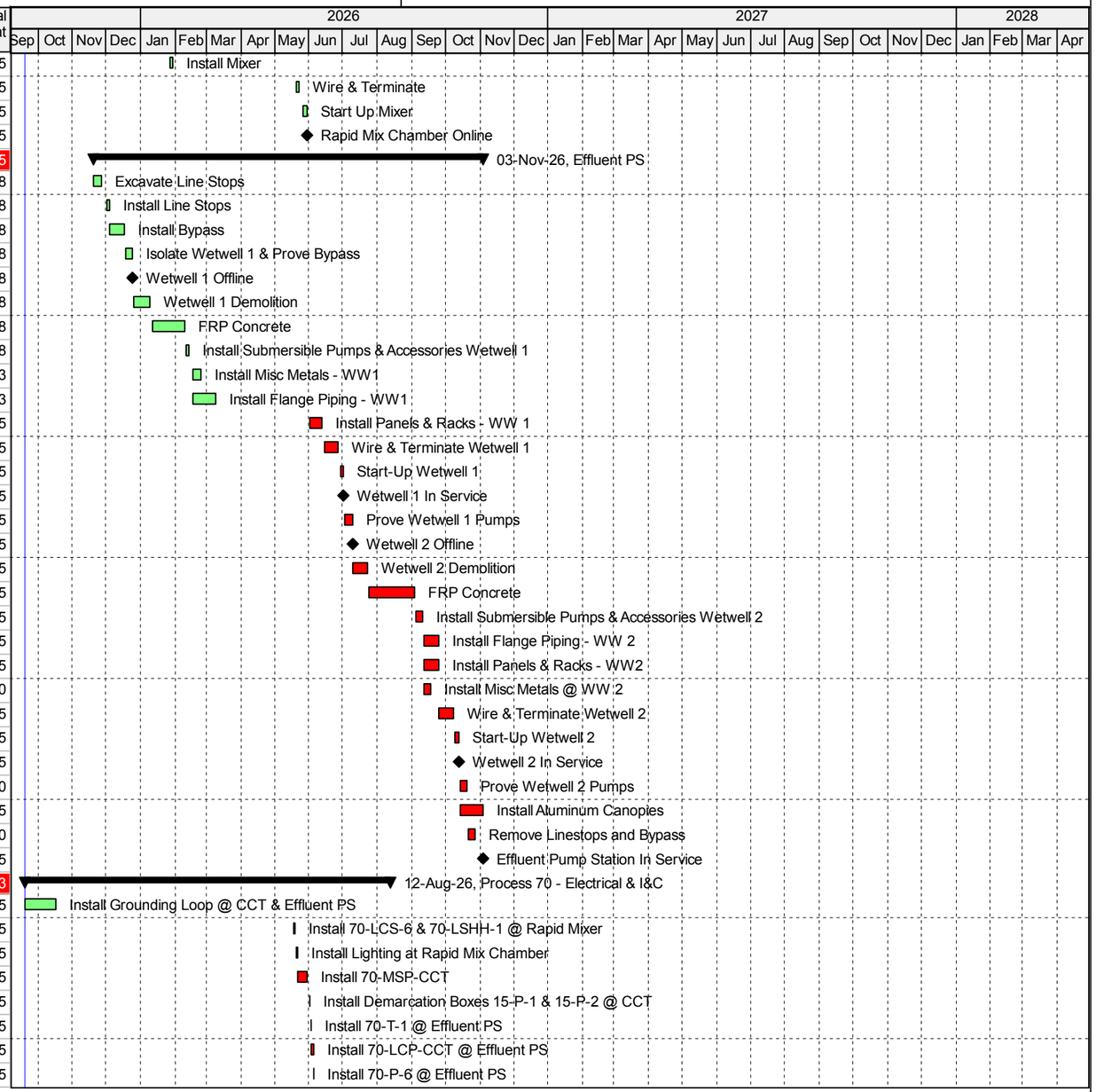
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
EIC1020	Install 70-MX-1 Starter	1	1	31-Mar-26	31-Mar-26	76
EIC1030	Install 60-PDP-1	1	1	01-Apr-26	01-Apr-26	76
EIC1040	Install 60-MSP-DBF	2	2	02-Apr-26	03-Apr-26	76
EIC1050	Install Transformer 60-T-1	1	1	06-Apr-26	06-Apr-26	76
EIC1060	Install 60-LCP-DBF	1	1	18-May-26	18-May-26	47
EIC1070	Install 60-OEM-DBF (Filter's Control Panel)	2	2	05-Jun-26	08-Jun-26	35
EIC1080	Install Instruments	1	1	09-Jun-26	09-Jun-26	35
Start-Up & Commissioning		34	34	10-Jun-26	28-Jul-26	34
SUC1(	Energize Equipement	1	1	10-Jun-26	10-Jun-26	35
SUC1(	Perform I/O check out	15	15	11-Jun-26	01-Jul-26	35
SUC1(	Functional Test Valves	2	2	02-Jul-26	06-Jul-26	35
SUC1(	Start-up Blowers	2	2	07-Jul-26	08-Jul-26	35
SUC1(	Air Test Filter 6	2	2	10-Jul-26	13-Jul-26	35
SUC1(	Air Test Filter 5	2	2	13-Jul-26	14-Jul-26	34
SUC1(	Functional Test/Commission Filter 6	5	5	21-Jul-26	27-Jul-26	35
SUC1(	Functional Test/Commission Filter 5	5	5	22-Jul-26	28-Jul-26	34
Process 70 - Contact Chamber/Rapid Mix/Effluent PS		284	284	15-Sep-25 A	03-Nov-26	-35
CCT		228	240	15-Sep-25 A	01-Sep-26	9
A2120	FRP Walls 5-6 in their entierty	20	20	15-Sep-25 A	16-Oct-25	67
A5030	Install Drain Lines	5	5	10-Oct-25	16-Oct-25	67
A5000	Leak Test 5-6	6	6	17-Oct-25	24-Oct-25	67
A5810	Coating 5-6	20	20	27-Oct-25	21-Nov-25	67
A5840	Coating Cure 5-6	20	20	24-Nov-25	23-Dec-25	67
A4850	Bypass from NEW Rapid Mix Chamber to Existing CCT	20	20	24-Dec-25	23-Jan-26	67
A5400	Backfill & Compact at South Wall - Tank 6	5	5	16-Jan-26	23-Jan-26	153
A2180	Tie-in 42" Influent Header	3	3	21-Jan-26	23-Jan-26	67
A2190	Pressure Test Header	2	2	26-Jan-26	27-Jan-26	67
A5300	CCT 5-6 Online	0	0		27-Jan-26	67
A5330	Tie-In 42" Header to 24" at CCT 5 & 6	5	5	28-Jan-26	03-Feb-26	151
A5410	Remove Excavation Support System & Dewatering Divers	5	5	28-Jan-26	03-Feb-26	156
A5460	Demo Existing Influent Chamber and West Wall at 1-4 (A-	15	15	28-Jan-26	18-Feb-26	67
A2200	FRP Walls 1-4 in their entirety	30	30	19-Feb-26	01-Apr-26	67
A5010	Leak Test existing 1-4	5	5	02-Apr-26	08-Apr-26	67
A5790	Coating 1-4	22	22	09-Apr-26	08-May-26	67
A353470	Tie-In 42" Header to 24" at CCT 1-4	5	5	09-Apr-26	15-Apr-26	106
A5820	Coating Cure 1-4	22	22	11-May-26	10-Jun-26	67
A5360	Install New Walkway	15	15	20-May-26	10-Jun-26	67
A2550	CCT Online Complete	0	0		01-Sep-26	9
A5310	CCT 1-4 Online	0	0		01-Sep-26	9
Rapid Mix Chamber		157	157	14-Oct-25	29-May-26	75
A2050	Above Grade Rough In - Panels & Racks	3	3	14-Oct-25	16-Oct-25	222
A2010	Install Grating & Supports / SSTL Baffles	4	4	02-Dec-25	05-Dec-25	188
A2420	Cut Existing Pipe	1	1	26-Jan-26	26-Jan-26	155



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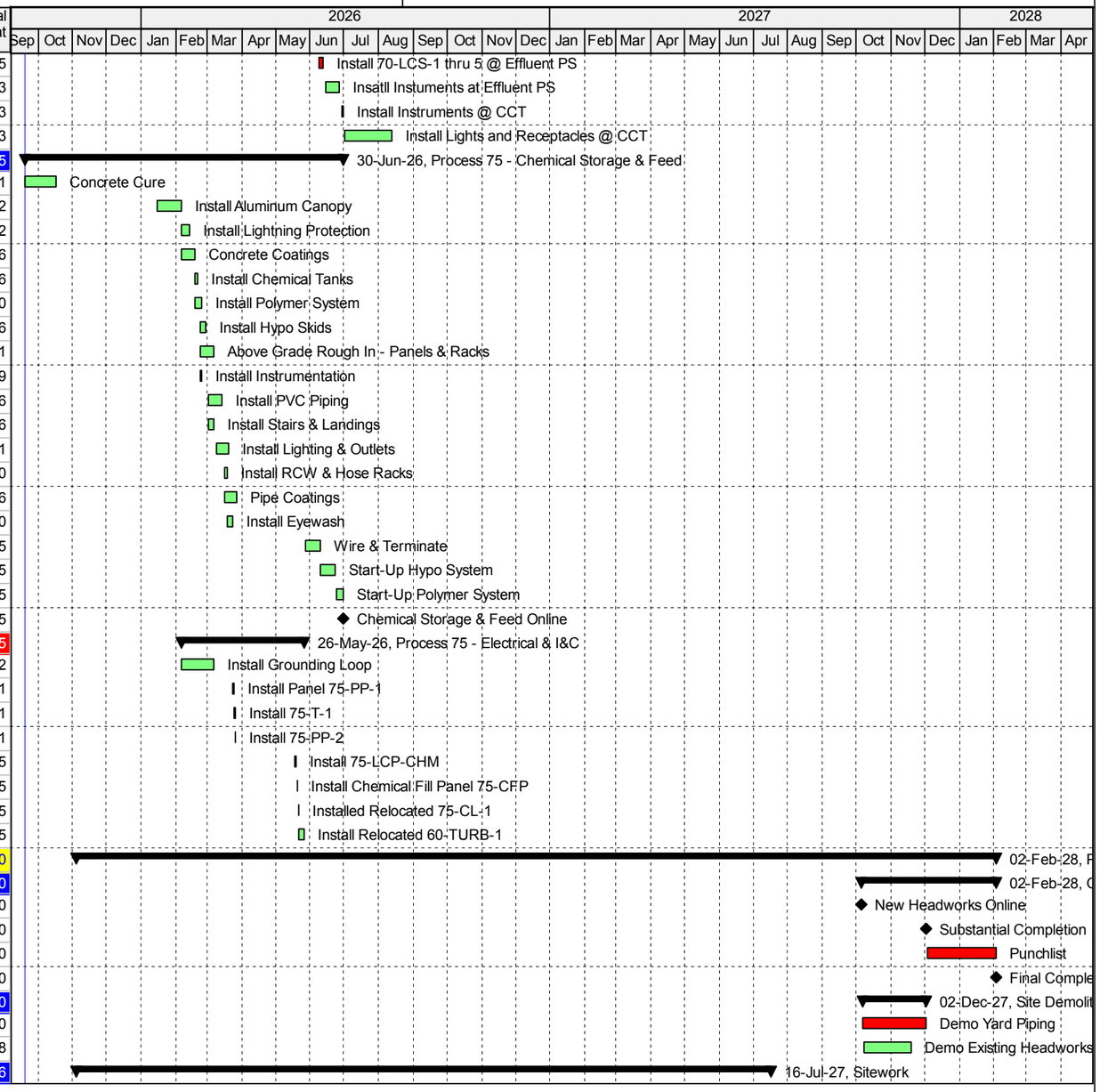
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A2020	Install Mixer	3	3	27-Jan-26	29-Jan-26	155
A2060	Wire & Terminate	3	3	20-May-26	22-May-26	75
A2410	Start Up Mixer	4	4	26-May-26	29-May-26	75
A2440	Rapid Mix Chamber Online	0	0		29-May-26	75
Effluent PS		240	240	20-Nov-25	03-Nov-26	-35
A2171	Excavate Line Stops	5	5	20-Nov-25	26-Nov-25	38
A5040	Install Line Stops	3	3	01-Dec-25	03-Dec-25	38
A5020	Install Bypass	10	10	04-Dec-25	17-Dec-25	38
A5050	Isolate Wetwell 1 & Prove Bypass	5	5	18-Dec-25	24-Dec-25	38
A5060	Wetwell 1 Offline	0	0		24-Dec-25	38
A5070	Wetwell 1 Demolition	10	10	26-Dec-25	09-Jan-26	38
A5080	FRP Concrete	20	20	12-Jan-26	09-Feb-26	38
A5090	Install Submersible Pumps & Accessories Wetwell 1	4	4	10-Feb-26	13-Feb-26	38
A5091	Install Misc Metals - WW1	5	5	17-Feb-26	23-Feb-26	53
A5390	Install Flange Piping - WW1	15	15	17-Feb-26	09-Mar-26	43
A5110	Install Panels & Racks - WW 1	10	10	01-Jun-26	12-Jun-26	-35
A5120	Wire & Terminate Wetwell 1	10	10	15-Jun-26	26-Jun-26	-35
A5130	Start-Up Wetwell 1	3	3	29-Jun-26	01-Jul-26	-35
A5150	Wetwell 1 In Service	0	0		01-Jul-26	-35
A5151	Prove Wetwell 1 Pumps	5	5	02-Jul-26	09-Jul-26	-35
A5160	Wetwell 2 Offline	0	0		09-Jul-26	-35
A5170	Wetwell 2 Demolition	10	10	10-Jul-26	23-Jul-26	-35
A5180	FRP Concrete	30	30	24-Jul-26	03-Sep-26	-35
A5190	Install Submersible Pumps & Accessories Wetwell 2	4	4	04-Sep-26	10-Sep-26	-35
A5192	Install Flange Piping - WW 2	10	10	11-Sep-26	24-Sep-26	-25
A5200	Install Panels & Racks - WW2	10	10	11-Sep-26	24-Sep-26	-35
A5191	Install Misc Metals @ WW 2	5	5	11-Sep-26	17-Sep-26	-20
A5210	Wire & Terminate Wetwell 2	10	10	25-Sep-26	08-Oct-26	-35
A5220	Start-Up Wetwell 2	3	3	09-Oct-26	13-Oct-26	-35
A5230	Wetwell 2 In Service	0	0		13-Oct-26	-35
A5280	Prove Wetwell 2 Pumps	5	5	14-Oct-26	20-Oct-26	-30
A5370	Install Aluminum Canopies	15	15	14-Oct-26	03-Nov-26	-35
A5240	Remove Linestops and Bypass	5	5	21-Oct-26	27-Oct-26	-30
A5380	Effluent Pump Station In Service	0	0		03-Nov-26	-35
Process 70 - Electrical & I&C		226	226	19-Sep-25	12-Aug-26	23
A352601	Install Grounding Loop @ CCT & Effluent PS	20	20	19-Sep-25	16-Oct-25	95
A352590	Install 70-LCS-6 & 70-LSHH-1 @ Rapid Mixer	2	2	18-May-26	19-May-26	-35
A352600	Install Lighting at Rapid Mix Chamber	2	2	20-May-26	21-May-26	-35
A352610	Install 70-MSP-CCT	5	5	22-May-26	29-May-26	-35
A352620	Install Demarcation Boxes 15-P-1 & 15-P-2 @ CCT	1	1	01-Jun-26	01-Jun-26	-35
A352630	Install 70-T-1 @ Effluent PS	1	1	02-Jun-26	02-Jun-26	-35
A352631	Install 70-LCP-CCT @ Effluent PS	2	2	03-Jun-26	04-Jun-26	-35
A352640	Install 70-P-6 @ Effluent PS	1	1	05-Jun-26	05-Jun-26	-35



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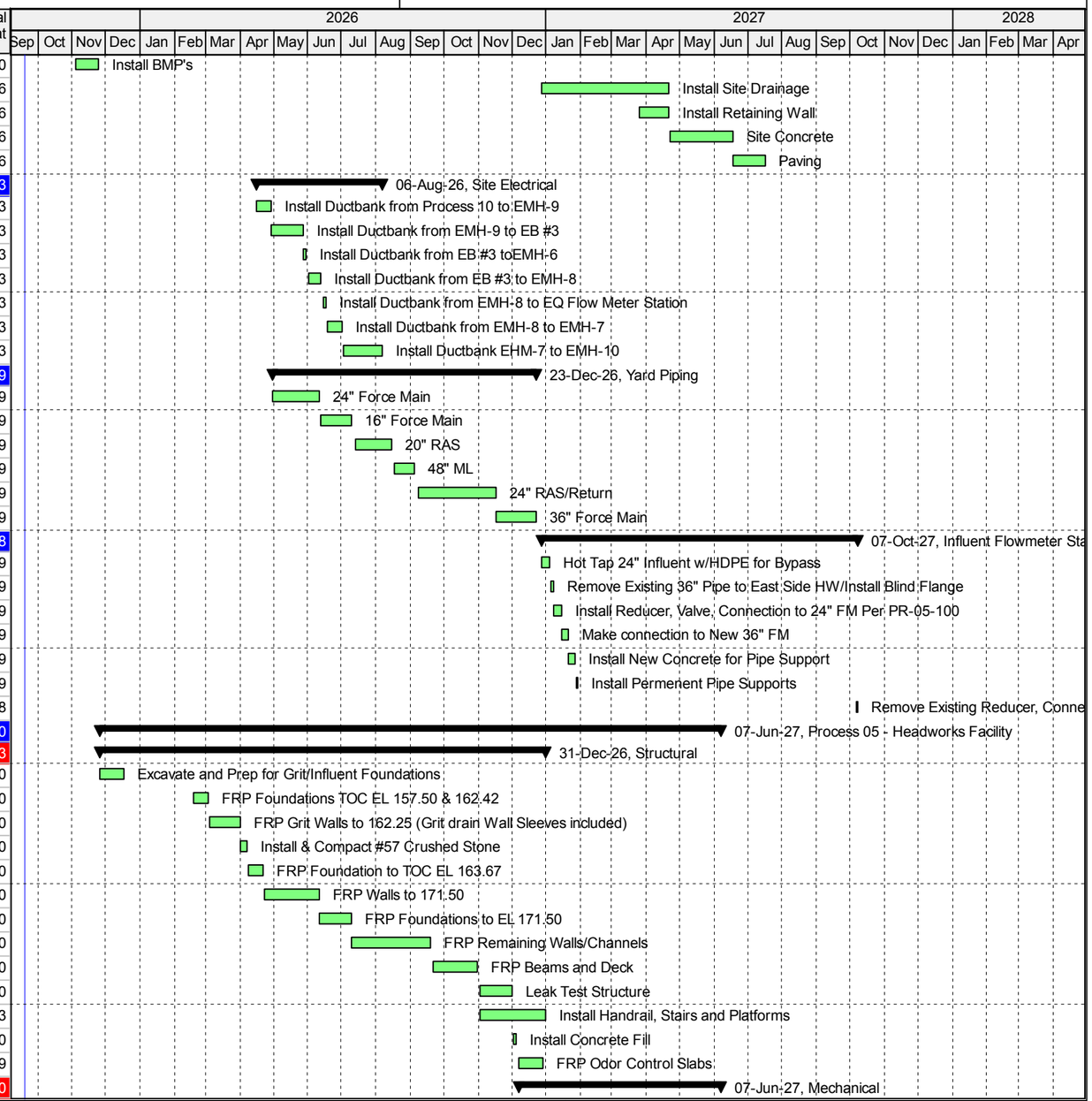
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A352641	Install 70-LCS-1 thru 5 @ Effluent PS	5	5	08-Jun-26	12-Jun-26	-35
A352642	Insatll Instuments at Effluent PS	10	10	15-Jun-26	26-Jun-26	23
A352650	Install Instruments @ CCT	2	2	29-Jun-26	30-Jun-26	23
A352670	Install Lights and Receptacles @ CCT	30	30	01-Jul-26	12-Aug-26	23
Process 75 - Chemical Storage & Feed		196	196	19-Sep-25 A	30-Jun-26	5
A3590	Concrete Cure	20	20	19-Sep-25 A	16-Oct-25	131
A1860	Install Aluminum Canopy	15	15	15-Jan-26	05-Feb-26	52
A1870	Install Lightning Protection	5	5	06-Feb-26	12-Feb-26	52
A2370	Concrete Coatings	7	7	06-Feb-26	17-Feb-26	56
A1800	Install Chemical Tanks	3	3	18-Feb-26	20-Feb-26	56
A2360	Install Polymer System	4	4	18-Feb-26	23-Feb-26	70
A1810	Install Hypo Skids	5	5	23-Feb-26	27-Feb-26	56
A1830	Above Grade Rough In - Panels & Racks	10	10	23-Feb-26	06-Mar-26	61
A1890	Install Instrumentation	2	2	23-Feb-26	24-Feb-26	69
A1820	Install PVC Piping	10	10	02-Mar-26	13-Mar-26	56
A1880	Install Stairs & Landings	5	5	02-Mar-26	06-Mar-26	86
A1850	Install Lighting & Outlets	10	10	09-Mar-26	20-Mar-26	61
A1930	Install RCW & Hose Racks	3	3	16-Mar-26	18-Mar-26	60
A1940	Pipe Coatings	10	10	16-Mar-26	27-Mar-26	56
A1920	Install Eyewash	3	3	19-Mar-26	23-Mar-26	60
A1840	Wire & Terminate	10	10	27-May-26	09-Jun-26	5
A1900	Start-Up Hypo System	10	10	10-Jun-26	23-Jun-26	5
A1910	Start-Up Polymer System	5	5	24-Jun-26	30-Jun-26	5
A2380	Chemical Storage & Feed Online	0	0		30-Jun-26	5
Process 75 - Electrical & I&C		76	76	06-Feb-26	26-May-26	5
A352680	Install Grounding Loop	20	20	06-Feb-26	06-Mar-26	52
A352690	Install Panel 75-PP-1	1	1	24-Mar-26	24-Mar-26	41
A352700	Install 75-T-1	1	1	25-Mar-26	25-Mar-26	41
A352710	Install 75-PP-2	1	1	26-Mar-26	26-Mar-26	41
A352720	Install 75-LCP-CHM	2	2	18-May-26	19-May-26	5
A352730	Install Chemical Fill Panel 75-CFP	1	1	20-May-26	20-May-26	5
A352740	Installed Relocated 75-CL-1	1	1	21-May-26	21-May-26	5
A352750	Install Relocated 60-TURB-1	2	2	22-May-26	26-May-26	5
Phase B - Headworks/Electrical Bldg 3/Return PS		562	562	04-Nov-25	02-Feb-28	0
GMP #3 Milestones		80	80	05-Oct-27	02-Feb-28	0
BMS1000	New Headworks Online	0	0		05-Oct-27	10
BMS1010	Substantial Completion	0	0		02-Dec-27	0
BMS1020	Punchlist	40	40	03-Dec-27	02-Feb-28	0
BMS1030	Final Completion	0	0		02-Feb-28	0
Site Demolition		40	40	06-Oct-27	02-Dec-27	0
BSD1010	Demo Yard Piping	40	40	06-Oct-27	02-Dec-27	0
BSD1000	Demo Existing Headworks	30	30	08-Oct-27	18-Nov-27	8
Sitework		426	426	04-Nov-25	16-Jul-27	96



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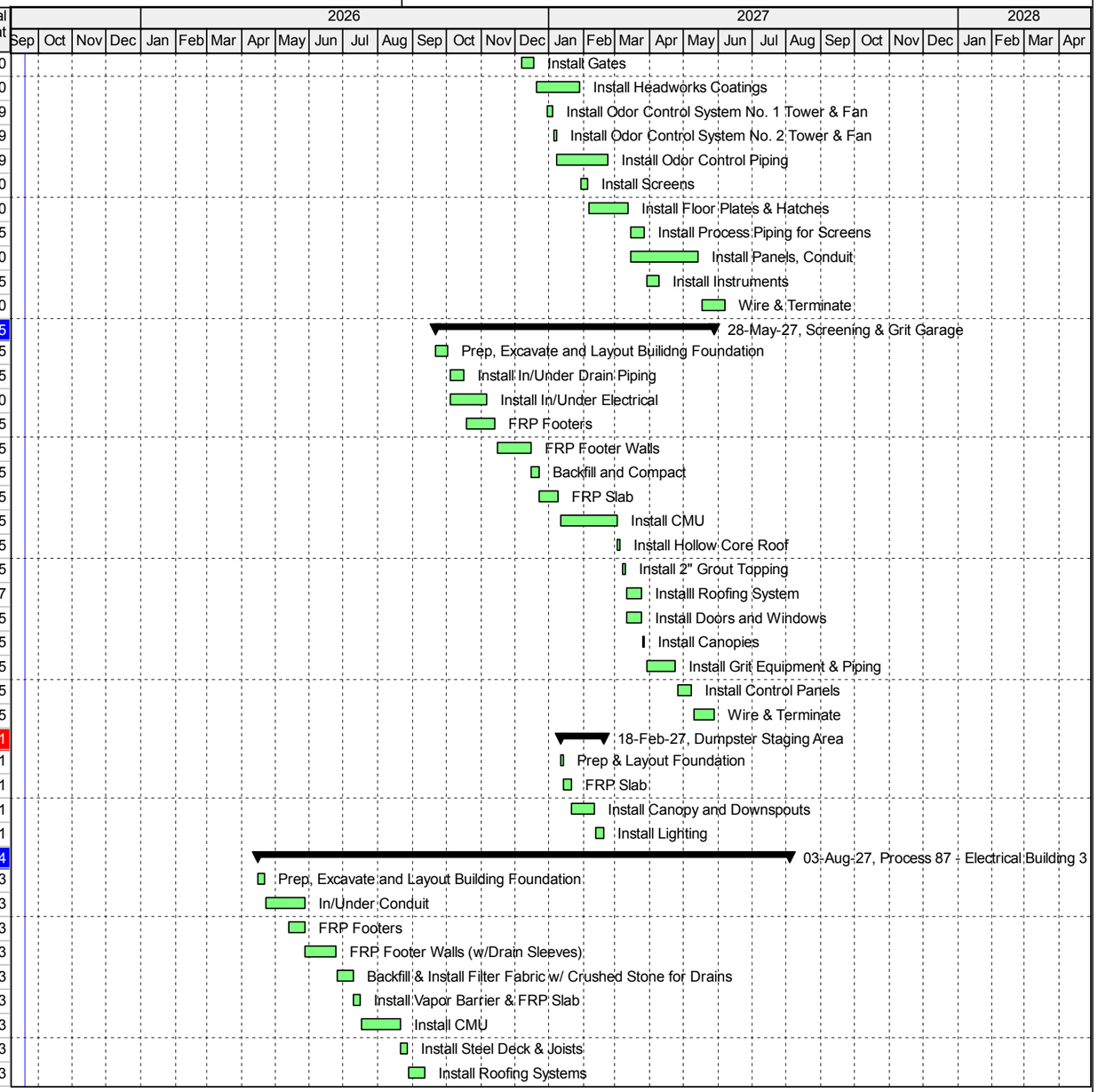
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
BS1040	Install BMP's	15	15	04-Nov-25	24-Nov-25	80
BS1000	Install Site Drainage	80	80	28-Dec-26	21-Apr-27	156
BS1010	Install Retaining Wall	20	20	25-Mar-27	21-Apr-27	96
BS1020	Site Concrete	40	40	22-Apr-27	17-Jun-27	96
BS1030	Paving	20	20	18-Jun-27	16-Jul-27	96
Site Electrical		80	80	15-Apr-26	06-Aug-26	233
BSE1000	Install Ductbank from Process 10 to EMH-9	10	10	15-Apr-26	28-Apr-26	233
BSE1010	Install Ductbank from EMH-9 to EB #3	20	20	29-Apr-26	27-May-26	233
BSE1020	Install Ductbank from EB #3 toEMH-6	2	2	28-May-26	29-May-26	233
BSE1030	Install Ductbank from EB #3 to EMH-8	10	10	01-Jun-26	12-Jun-26	233
BSE1040	Install Ductbank from EMH-8 to EQ Flow Meter Station	3	3	15-Jun-26	17-Jun-26	233
BSE1050	Install Ductbank from EMH-8 to EMH-7	10	10	18-Jun-26	01-Jul-26	233
BSE1060	Install Ductbank EHM-7 to EMH-10	25	25	02-Jul-26	06-Aug-26	233
Yard Piping		165	165	30-Apr-26	23-Dec-26	119
BYP1000	24" Force Main	30	30	30-Apr-26	11-Jun-26	119
BYP1010	16" Force Main	20	20	12-Jun-26	10-Jul-26	119
BYP1020	20" RAS	25	25	13-Jul-26	14-Aug-26	119
BYP1030	48" ML	15	15	17-Aug-26	04-Sep-26	119
BYP1040	24" RAS/Return	50	50	08-Sep-26	16-Nov-26	119
BYP1050	36" Force Main	25	25	17-Nov-26	23-Dec-26	119
Influent Flowmeter Station		198	198	28-Dec-26	07-Oct-27	8
BIFS1000	Hot Tap 24" Influent w/HDPE for Bypass	5	5	28-Dec-26	04-Jan-27	119
BIFS1010	Remove Existing 36" Pipe to East Side HW/Install Blind Fl	3	3	05-Jan-27	07-Jan-27	119
BIFS1020	Install Reducer, Valve, Connection to 24" FM Per PR-05-1	5	5	08-Jan-27	14-Jan-27	119
BIFS1030	Make connection to New 36" FM	3	3	15-Jan-27	20-Jan-27	119
BIFS1050	Install New Concrete for Pipe Support	5	5	21-Jan-27	27-Jan-27	119
BIFS1060	Install Permenent Pipe Supports	2	2	28-Jan-27	29-Jan-27	119
BIFS1040	Remove Existing Reducer, Connect to New Valve	2	2	06-Oct-27	07-Oct-27	8
Process 05 - Headworks Facility		383	383	25-Nov-25	07-Jun-27	40
Structural		275	275	25-Nov-25	31-Dec-26	123
BSH1000	Excavate and Prep for Grit/Influent Foundations	15	15	25-Nov-25	17-Dec-25	80
BSH1010	FRP Foundations TOC EL 157.50 & 162.42	10	10	18-Feb-26	03-Mar-26	40
BSH1020	FRP Grit Walls to 162.25 (Grit drain Wall Sleeves includec	20	20	04-Mar-26	31-Mar-26	40
BSH1030	Install & Compact #57 Crushed Stone	5	5	01-Apr-26	07-Apr-26	40
BSH1040	FRP Foundation to TOC EL 163.67	10	10	08-Apr-26	21-Apr-26	40
BSH1050	FRP Walls to 171.50	35	35	22-Apr-26	10-Jun-26	40
BSH1060	FRP Foundations to EL 171.50	20	20	11-Jun-26	09-Jul-26	40
BSH1070	FRP Remaining Walls/Channels	50	50	10-Jul-26	18-Sep-26	40
BSH1080	FRP Beams and Deck	30	30	21-Sep-26	30-Oct-26	40
BSH1090	Leak Test Structure	20	20	02-Nov-26	01-Dec-26	40
BSH1120	Install Handrail, Stairs and Platforms	40	40	02-Nov-26	31-Dec-26	123
BSH1100	Install Concrete Fill	3	3	02-Dec-26	04-Dec-26	40
BSH1110	FRP Odor Control Slabs	15	15	07-Dec-26	29-Dec-26	89
Mechanical		125	125	07-Dec-26	07-Jun-27	40



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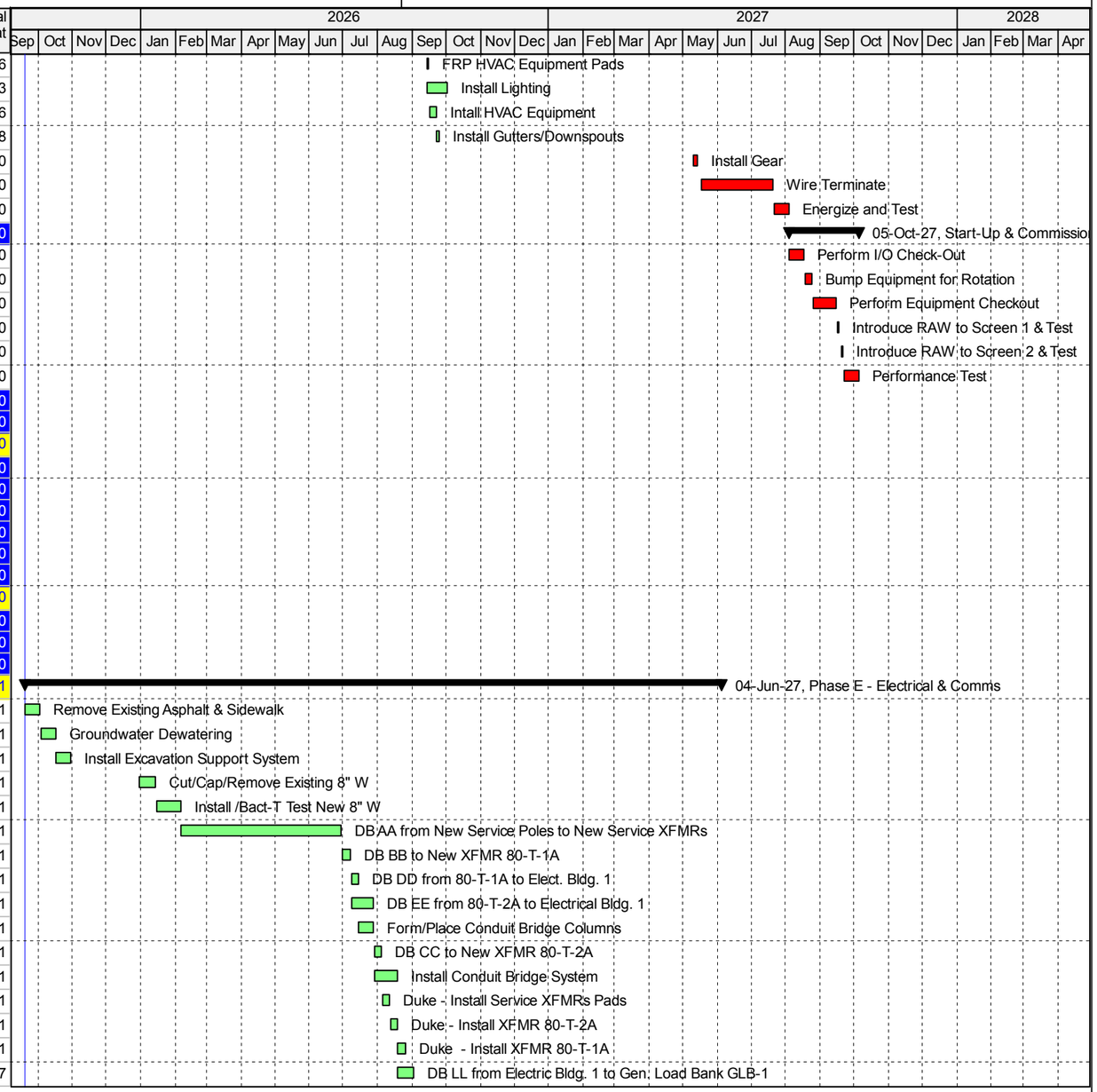
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
BHM1000	Install Gates	10	10	07-Dec-26	18-Dec-26	40
BHM1010	Install Headworks Coatings	25	25	21-Dec-26	28-Jan-27	40
BHM1050	Install Odor Control System No. 1 Tower & Fan	3	3	30-Dec-26	04-Jan-27	89
BHM1060	Install Odor Control System No. 2 Tower & Fan	3	3	05-Jan-27	07-Jan-27	89
BHM1070	Install Odor Control Piping	30	30	08-Jan-27	22-Feb-27	89
BHM1020	Install Screens	5	5	29-Jan-27	04-Feb-27	40
BHM1030	Install Floor Plates & Hatches	25	25	05-Feb-27	12-Mar-27	40
BHM1040	Install Process Piping for Screens	10	10	15-Mar-27	26-Mar-27	65
BHM1090	Install Panels, Conduit	45	45	15-Mar-27	14-May-27	40
BHM1080	Install Instruments	10	10	29-Mar-27	09-Apr-27	65
BHM1100	Wire & Terminate	15	15	17-May-27	07-Jun-27	40
Screening & Grit Garage		173	173	21-Sep-26	28-May-27	45
BSG1000	Prep, Excavate and Layout Builidng Foundation	10	10	21-Sep-26	02-Oct-26	45
BSG1010	Install In/Under Drain Piping	10	10	05-Oct-26	16-Oct-26	45
BSG1020	Install In/Under Electrical	25	25	05-Oct-26	06-Nov-26	70
BSG1030	FRP Footers	20	20	19-Oct-26	13-Nov-26	45
BSG1040	FRP Footer Walls	20	20	16-Nov-26	15-Dec-26	45
BSG1050	Backfill and Compact	5	5	16-Dec-26	22-Dec-26	45
BSG1060	FRP Slab	10	10	23-Dec-26	08-Jan-27	45
BSG1070	Install CMU	35	35	11-Jan-27	02-Mar-27	45
BSG1080	Install Hollow Core Roof	3	3	03-Mar-27	05-Mar-27	45
BSG1090	Install 2" Grout Topping	3	3	08-Mar-27	10-Mar-27	45
BSG1100	Installl Roofing System	10	10	11-Mar-27	24-Mar-27	67
BSG1110	Install Doors and Windows	10	10	11-Mar-27	24-Mar-27	45
BSG1120	Install Canopies	2	2	25-Mar-27	26-Mar-27	45
BSG1130	Install Grit Equipment & Piping	20	20	29-Mar-27	23-Apr-27	45
BSG1140	Install Control Panels	10	10	26-Apr-27	07-May-27	45
BSG1150	Wire & Terminate	15	15	10-May-27	28-May-27	45
Dumpster Staging Area		27	27	11-Jan-27	18-Feb-27	101
BDSA100	Prep & Layout Foundation	3	3	11-Jan-27	13-Jan-27	101
BDSA101	FRP Slab	4	4	14-Jan-27	20-Jan-27	101
BDSA102	Install Canopy and Downspouts	15	15	21-Jan-27	10-Feb-27	101
BDSA103	Install Lighting	5	5	11-Feb-27	18-Feb-27	101
Process 87 - Electrical Building 3		328	328	15-Apr-26	03-Aug-27	84
BEB31000	Prep, Excavate and Layout Building Foundation	5	5	15-Apr-26	21-Apr-26	153
BEB31010	In/Under Conduit	25	25	22-Apr-26	27-May-26	153
BEB31020	FRP Footers	10	10	13-May-26	27-May-26	153
BEB31030	FRP Footer Walls (w/Drain Sleeves)	20	20	28-May-26	24-Jun-26	153
BEB31040	Backfill & Install Filter Fabric w/ Crushed Stone for Drains	10	10	25-Jun-26	09-Jul-26	153
BEB31050	Install Vapor Barrier & FRP Slab	5	5	10-Jul-26	16-Jul-26	153
BEB31060	Install CMU	25	25	17-Jul-26	20-Aug-26	153
BEB31070	Install Steel Deck & Joists	5	5	21-Aug-26	27-Aug-26	153
BEB31080	Install Roofing Systems	10	10	28-Aug-26	11-Sep-26	153



Actual Work
Remaining Work
Critical Remaining Work
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NERWRF Improvements Project
Wharton-Smith Inc. Project # 23-182

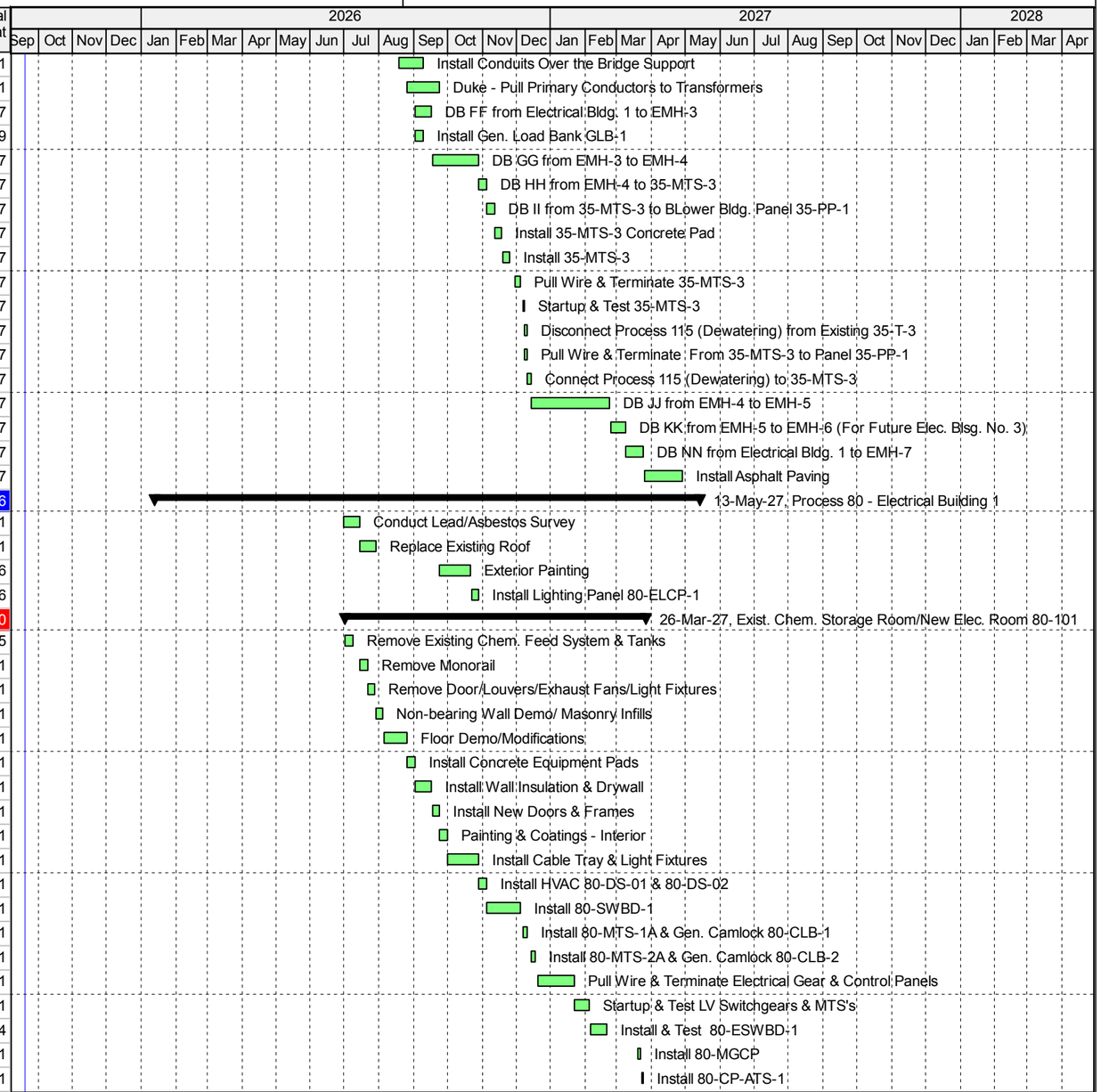
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
BEB31090	FRP HVAC Equipment Pads	2	2	14-Sep-26	15-Sep-26	156
BEB31100	Install Lighting	15	15	14-Sep-26	02-Oct-26	153
BEB31110	Intall HVAC Equipment	5	5	16-Sep-26	22-Sep-26	156
BEB31120	Install Gutters/Downspouts	2	2	23-Sep-26	24-Sep-26	298
BEB31130	Install Gear	5	5	10-May-27	14-May-27	0
BEB31140	Wire Terminate	45	45	17-May-27	20-Jul-27	0
BEB31150	Energize and Test	10	10	21-Jul-27	03-Aug-27	0
Start-Up & Commissioning		44	44	04-Aug-27	05-Oct-27	0
BSUC1000	Perform I/O Check-Out	10	10	04-Aug-27	17-Aug-27	0
BSUC1010	Bump Equipment for Rotation	5	5	18-Aug-27	24-Aug-27	0
BSUC1020	Perform Equipment Checkout	15	15	25-Aug-27	15-Sep-27	0
BSUC1030	Introduce RAW to Screen 1 & Test	2	2	16-Sep-27	17-Sep-27	0
BSUC1040	Introduce RAW to Screen 2 & Test	2	2	20-Sep-27	21-Sep-27	0
BSUC1050	Performance Test	10	10	22-Sep-27	05-Oct-27	0
Process 03 - On-Site LS		0	0			0
Process 10 - Return Pump Station		0	0			0
Phase C - BNR/EQ Tank/Aeration Basins		0	0			0
Process 25 - EQ Tank		0	0			0
Process 30 - BNR		0	0			0
Process 30D - Aeration Basins		0	0			0
Process 35 - Blower/MCC Building		0	0			0
Process 40 - Clarifier Splitter Box		0	0			0
Process 50 - RAS/WAS Pump Station		0	0			0
Phase D - GST/Sludge Holding/Reuse HSP		0	0			0
Process 90 - Reject GST		0	0			0
Process 100 - Reuse HSP		0	0			0
Process 110 - Sludge Stabilization Tanks		0	0			0
Phase E - Electrical & Comms		429	429	19-Sep-25	04-Jun-27	1
A7150	Remove Existing Asphalt & Sidewalk	10	10	19-Sep-25	02-Oct-25	41
A7160	Groundwater Dewatering	10	10	03-Oct-25	16-Oct-25	41
A7161	Install Excavation Support System	10	10	17-Oct-25	30-Oct-25	41
A7170	Cut/Cap/Remove Existing 8" W	10	10	31-Dec-25	14-Jan-26	1
A7180	Install /Bact-T Test New 8" W	15	15	15-Jan-26	05-Feb-26	1
A7181	DB AA from New Service Poles to New Service XFMRs	100	100	06-Feb-26	29-Jun-26	1
A7200	DB BB to New XFMR 80-T-1A	5	5	30-Jun-26	07-Jul-26	1
A7212	DB DD from 80-T-1A to Elect. Bldg. 1	5	5	08-Jul-26	14-Jul-26	1
A7201	DB EE from 80-T-2A to Electrical Bldg. 1	15	15	08-Jul-26	28-Jul-26	81
A7261	Form/Place Conduit Bridge Columns	10	10	15-Jul-26	28-Jul-26	1
A7210	DB CC to New XFMR 80-T-2A	5	5	29-Jul-26	04-Aug-26	81
A7262	Install Conduit Bridge System	15	15	29-Jul-26	18-Aug-26	1
A7213	Duke - Install Service XFMRs Pads	5	5	05-Aug-26	11-Aug-26	81
A7214	Duke - Install XFMR 80-T-2A	5	5	12-Aug-26	18-Aug-26	81
A7218	Duke - Install XFMR 80-T-1A	5	5	19-Aug-26	25-Aug-26	81
A7267	DB LL from Electric Bldg. 1 to Gen. Load Bank GLB-1	10	10	19-Aug-26	01-Sep-26	27



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NERWRF Improvements Project
Wharton-Smith Inc. Project # 23-182

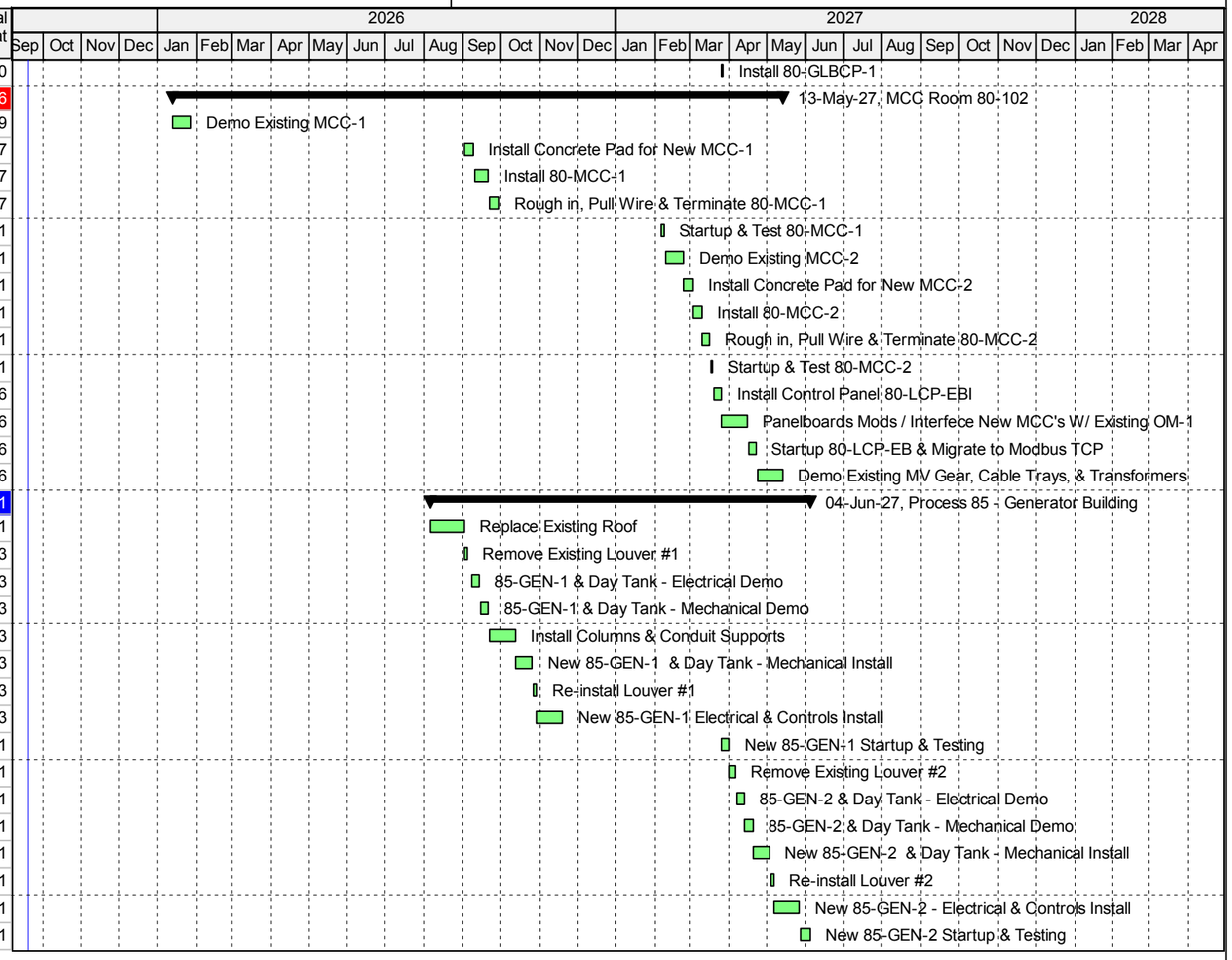
Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A7266	Install Conduits Over the Bridge Support	15	15	19-Aug-26	09-Sep-26	91
A7219	Duke - Pull Primary Conductors to Transformers	20	20	26-Aug-26	23-Sep-26	81
A7270	DB FF from Electrical Bldg. 1 to EMH-3	10	10	02-Sep-26	16-Sep-26	27
A7265	Install Gen. Load Bank GLB-1	5	5	02-Sep-26	09-Sep-26	119
A7280	DB GG from EMH-3 to EMH-4	30	30	17-Sep-26	28-Oct-26	27
A7281	DB HH from EMH-4 to 35-MTS-3	5	5	29-Oct-26	04-Nov-26	27
A7282	DB II from 35-MTS-3 to BLower Bldg. Panel 35-PP-1	5	5	05-Nov-26	11-Nov-26	27
A7291	Install 35-MTS-3 Concrete Pad	5	5	12-Nov-26	18-Nov-26	27
A7292	Install 35-MTS-3	5	5	19-Nov-26	25-Nov-26	27
A7293	Pull Wire & Terminate 35-MTS-3	5	5	30-Nov-26	04-Dec-26	27
a7294	Startup & Test 35-MTS-3	2	2	07-Dec-26	08-Dec-26	27
A7295	Disconnect Process 115 (Dewatering) from Existing 35-T-	2	2	09-Dec-26	10-Dec-26	27
A7296	Pull Wire & Terminate From 35-MTS-3 to Panel 35-PP-1	2	2	09-Dec-26	10-Dec-26	27
A7297	Connect Process 115 (Dewatering) to 35-MTS-3	2	2	11-Dec-26	14-Dec-26	27
A7298	DB JJ from EMH-4 to EMH-5	45	45	15-Dec-26	22-Feb-27	27
A7301	DB KK from EMH-5 to EMH-6 (For Future Elec. Blsg. No.	10	10	23-Feb-27	08-Mar-27	27
A7302	DB NN from Electrical Bldg. 1 to EMH-7	12	12	09-Mar-27	24-Mar-27	27
A7303	Install Asphalt Paving	25	25	25-Mar-27	28-Apr-27	27
Process 80 - Electrical Building 1		336	336	13-Jan-26	13-May-27	16
A7329	Conduct Lead/Asbestos Survey	10	10	30-Jun-26	15-Jul-26	1
A7359	Replace Existing Roof	10	10	15-Jul-26	29-Jul-26	1
A7339	Exterior Painting	20	20	24-Sep-26	21-Oct-26	36
A7349	Install Lighting Panel 80-ELCP-1	5	5	22-Oct-26	28-Oct-26	36
Exist. Chem. Storage Room/New Elec. Room 80-101		184	184	01-Jul-26	26-Mar-27	30
A7380	Remove Existing Chem. Feed System & Tanks	5	5	01-Jul-26	08-Jul-26	5
A7390	Remove Monorail	5	5	15-Jul-26	21-Jul-26	1
A7400	Remove Door/Louvers/Exhaust Fans/Light Fixtures	5	5	22-Jul-26	28-Jul-26	1
A7391	Non-bearing Wall Demo/ Masonry Infills	5	5	29-Jul-26	04-Aug-26	1
A7420	Floor Demo/Modifications	15	15	05-Aug-26	25-Aug-26	1
A7440	Install Concrete Equipment Pads	5	5	26-Aug-26	01-Sep-26	1
A7460	Install Wall Insulation & Drywall	10	10	02-Sep-26	16-Sep-26	1
A7450	Install New Doors & Frames	5	5	17-Sep-26	23-Sep-26	1
A7470	Painting & Coatings - Interior	5	5	24-Sep-26	30-Sep-26	1
A7471	Install Cable Tray & Light Fixtures	20	20	01-Oct-26	28-Oct-26	1
A7480	Install HVAC 80-DS-01 & 80-DS-02	5	5	29-Oct-26	04-Nov-26	1
A7490	Install 80-SWBD-1	20	20	05-Nov-26	04-Dec-26	1
A7600	Install 80-MTS-1A & Gen. Camlock 80-CLB-1	5	5	07-Dec-26	11-Dec-26	1
A7601	Install 80-MTS-2A & Gen. Camlock 80-CLB-2	5	5	14-Dec-26	18-Dec-26	1
A7760	Pull Wire & Terminate Electrical Gear & Control Panels	20	20	21-Dec-26	21-Jan-27	1
A7810	Startup & Test LV Switchgears & MTS's	10	10	22-Jan-27	04-Feb-27	1
A7814	Install & Test 80-ESWBD-1	10	10	05-Feb-27	19-Feb-27	24
A7811	Install 80-MGCP	2	2	19-Mar-27	22-Mar-27	1
A7812	Install 80-CP-ATS-1	2	2	23-Mar-27	24-Mar-27	1



Actual Work
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NERWRF Improvements Project
Wharton-Smith Inc. Project # 23-182

Activity ID	Activity Name	Original Duration	Remaining Duration	Start	Finish	Total Float
A7813	Install 80-GLBCP-1	2	2	25-Mar-27	26-Mar-27	30
MCC Room 80-102		336	336	13-Jan-26	13-May-27	16
A7576	Demo Existing MCC-1	10	10	13-Jan-26	27-Jan-26	239
A7577	Install Concrete Pad for New MCC-1	5	5	02-Sep-26	09-Sep-26	87
A7640	Install 80-MCC-1	8	8	10-Sep-26	21-Sep-26	87
A7641	Rough in, Pull Wire & Terminate 80-MCC-1	6	6	22-Sep-26	29-Sep-26	87
A7642	Startup & Test 80-MCC-1	2	2	05-Feb-27	08-Feb-27	1
A7653	Demo Existing MCC-2	10	10	09-Feb-27	23-Feb-27	1
A7663	Install Concrete Pad for New MCC-2	5	5	24-Feb-27	02-Mar-27	1
A7643	Install 80-MCC-2	5	5	03-Mar-27	09-Mar-27	1
A7644	Rough in, Pull Wire & Terminate 80-MCC-2	5	5	10-Mar-27	16-Mar-27	1
A7645	Startup & Test 80-MCC-2	2	2	17-Mar-27	18-Mar-27	1
A7647	Install Control Panel 80-LCP-EBI	5	5	19-Mar-27	25-Mar-27	16
A7648	Panelboards Mods / Interfece New MCC's W/ Existing OM	15	15	26-Mar-27	15-Apr-27	16
A7649	Startup 80-LCP-EB & Migrate to Modbus TCP	5	5	16-Apr-27	22-Apr-27	16
A7860	Demo Existing MV Gear, Cable Trays, & Transformers	15	15	23-Apr-27	13-May-27	16
Process 85 - Generator Building		209	209	05-Aug-26	04-Jun-27	1
A7659	Replace Existing Roof	20	20	05-Aug-26	02-Sep-26	111
A7660	Remove Existing Louver #1	3	3	02-Sep-26	04-Sep-26	83
A7670	85-GEN-1 & Day Tank - Electrical Demo	5	5	08-Sep-26	14-Sep-26	83
A7671	85-GEN-1 & Day Tank - Mechanical Demo	5	5	15-Sep-26	21-Sep-26	83
A7672	Install Columns & Conduit Supports	15	15	22-Sep-26	12-Oct-26	83
A7690	New 85-GEN-1 & Day Tank - Mechanical Install	10	10	13-Oct-26	26-Oct-26	83
A7691	Re-install Louver #1	3	3	27-Oct-26	29-Oct-26	83
A7700	New 85-GEN-1 Electrical & Controls Install	15	15	30-Oct-26	19-Nov-26	83
A7710	New 85-GEN-1 Startup & Testing	5	5	25-Mar-27	31-Mar-27	1
A7711	Remove Existing Louver #2	3	3	01-Apr-27	05-Apr-27	1
A7740	85-GEN-2 & Day Tank - Electrical Demo	5	5	06-Apr-27	12-Apr-27	1
A7750	85-GEN-2 & Day Tank - Mechanical Demo	5	5	13-Apr-27	19-Apr-27	1
A7770	New 85-GEN-2 & Day Tank - Mechanical Install	10	10	20-Apr-27	03-May-27	1
A7771	Re-install Louver #2	3	3	04-May-27	06-May-27	1
A7780	New 85-GEN-2 - Electrical & Controls Install	15	15	07-May-27	27-May-27	1
A7790	New 85-GEN-2 Startup & Testing	5	5	28-May-27	04-Jun-27	1



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Data Date: 19-Sep-25
Print Date: 02-Oct-25

NERWRF Improvements Project
Wharton-Smith Inc. Project # 23-182

PROJECT # 6822015 **PROJECT NAME:** NERWWTF Expansion from 6 to 9 MGD

GENERAL PROJECT DATA:		COMPREHENSIVE PLAN INFORMATION:		PROJECT NEED CRITERIA	
Project Name:	NERWWTF Expansion from 6 to 9 MGD	Project listed in CIE?	No	Safety	
Functional Area:	Wastewater Treatment & Disposal Facility Projects	Comp. Plan reference:		Mandate	x
Department:	Utilities	LOS/Concurrency Related:	Yes	Replace	
Location:	Northeast Region			Growth	x

PROJECT SCHEDULE	FY26				FY27				FY28				FY29				FY30			
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Design/Arch																				
Land/ROW																				
Construction																				
Other & Operating Exp																				

PROJECT DESCRIPTION:
Upgrading existing NERWWTF treatment capacity from 6.0 MGD to 9.0 MGD (NE_WW_62).

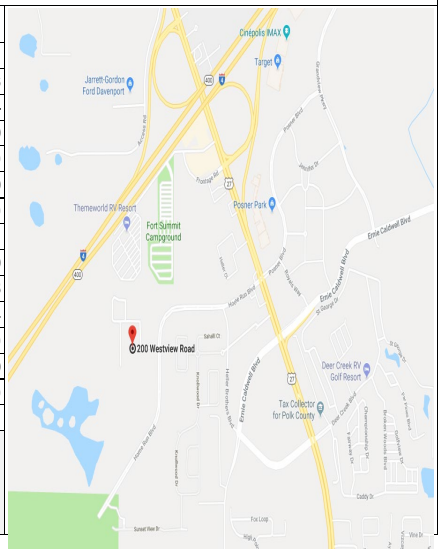
PROJECT RATIONALE (Include Additional LOS Detail, if necessary):
Current flow predictions indicate the wastewater flows will reach 6.0 MGD AADF max capacity in approximately 2027. The 2015 NERUSA Master Plan Update recommended PCU consider initiating design of improvements when flows reach 5.0 MGD AADF.

OPERATING BUDGET IMPACT:

	Fund	Cost Center
Fund 1	14501	300001109
Fund 2	42011	680536150
Fund 3	42111	680536150
Fund 4	42013	680536150
Fund 5	42113	680536150

REPLACEMENT COUNTY PROPERTY NO.: NA

	Prior Cum.	FY25	FY25 Projected	FY26	FY27	FY28	FY29	FY30	Future Years	Proposed Project Total
EXPENDITURE PLAN										
Design/Arch/Eng.	3,025,325	2,000,000	1,153,681	6,000,000	6,000,000	3,000,000				**19,179,006**
Land (or ROW)	2,125,034									**2,125,034**
Construction	428,145	500,000	39,571,855	60,000,000	60,000,000	40,000,000				**200,000,000**
Other-Operating Expense	208,419	1,774	94,081	275,000	220,000	100,000				**897,500**
Equipment/software										**0**
Total Project Cost	**5,786,923**	**2,501,774**	**40,819,617**	**66,275,000**	**66,220,000**	**43,100,000**	**0**	**0**	**0**	**222,201,540**
FUNDING PLAN										
42011 Water/Sewer Rates										**0**
42111 Water Connection Fees (Wa	2,829,765									**2,829,765**
42113 Connection Fees (Sewer)	2,957,158	2,501,774	40,819,617							**43,776,774**
42431, 42611, 42433 Bonds				66,275,000	66,220,000	43,100,000				**175,595,000**
42013 AWS Surcharge										**0**
Total Funding	**5,786,923**	**2,501,774**	**40,819,617**	**66,275,000**	**66,220,000**	**43,100,000**	**0**	**0**	**0**	**222,201,540**
OPERATING BUDGET IMPACT										
Personnel Services										
Non-Personnel										
Capital										
Total Operating				**0**	**0**	**0**	**0**	**0**	**0**	



Agenda Item G.2. 11/4/2025

SUBJECT

Bargain Barn Road Realignment Infrastructure Agreement (cost not to exceed $3,756,473.49).

DESCRIPTION

This is a request to enter into an Infrastructure Agreement for the realignment of Bargain Barn Road between Power Bargain 17, LLC (Developer) and Polk County. The proposed realignment of Bargain Barn Road will be in sync with current improvements being made at the intersection of Powerline Road at US Highway 17/92.

The Developer will be developing a convenience store on land adjacent to the intersection of Bargain Barn Road at US Highway 17/92. This is also the intersection in which improvements are currently being made for the Powerline Road extension at US Highway 17/92. The Developer has mutually agreed to design and construct improvements to Bargain Barn Road that go beyond the scope of their access requirements to assist the County with lining up improvements being made at this key intersection. This agreement will allow for these improvements to be made more rapidly by the Developer and at a reduced cost.

RECOMMENDATION

Approve the Bargain Barn Road Infrastructure Agreement with Power Bargain 17, LLC at a cost not to exceed $3,756,473.49.

FISCAL IMPACT

County agrees to reimburse Developer (in cash) for the actual costs of the Bargain Barn Road roadway improvement not to exceed a cost of $3,756,473.49. Funds are available via Roads & Drainage CIP fund for Development Agreements (Project# 5400230).

CONTACT INFORMATION

Thado N. Hays, CPM
Concurrency & Entitlements Manager
Thadohays@polk-county.net <mailto:Thadohays@polk-county.net>

INFRASTRUCTURE AGREEMENT
FOR
BARGAIN BARN ROAD

THIS INFRASTRUCTURE AGREEMENT ("**Agreement**") is made and entered into by and between POWER BARGAIN 17, LLC, a Florida limited liability company ("**Developer**") and POLK County, FLORIDA, a political subdivision of the State of Florida (the "**County**"). Developer and County, as and when each executes this AGREEMENT, are sometimes referred to collectively as the "**Parties**" and individually as a "**Party**."

WITNESSETH:

WHEREAS, the Developer is the contract purchaser and intends to be the master developer of certain real property located at the intersection of U.S. Highway 17-92 N and Bargain Barn Road in unincorporated Polk County, Florida identified as Parcel Number 27-27-03-717000-000032, and as legally described and generally depicted on **Exhibit A** hereto (the "**Property**"), which includes the Abandonment Parcel but excludes the Swap Parcel; and

WHEREAS, the Developer has processed, and the County and/or City of Davenport will review applications for certain approvals regarding the above-described Property to be developed as 7-Eleven Motor Fuels Facility and Convenience Store ("**Project**"); and

WHEREAS, the Developer is willing to construct certain offsite transportation, drainage and stormwater improvements concerning Bargain Barn Road, as generally depicted in the preliminary site plan attached hereto as **Exhibit B**, and as hereinafter described (the "**Transportation Improvements**"); and

WHEREAS, the Developer has requested, and the County has agreed, to reimburse the Developer for its actual costs incurred for the Transportation Improvements up to $3,756,473.49 (the "**Reimbursement Amount**"), which amount the County has previously approved and reflects the estimated cost of the Transportation Improvements based on the Opinion of Probable Costs attached hereto as **Exhibit C**; and

WHEREAS, in connection with constructing the Transportation Improvements, (i) a portion of Bargain Barn Road containing ± 0.39 acres legally described and depicted on **Exhibit D-1** (the "**Abandonment Parcel**") must be abandoned, vacated and conveyed by the City of Davenport (the "**City**") to Developer to be incorporated into the Property, (ii) County must acquire good, marketable and fee simple title to certain parcels of real property containing ± 0.54 acres, ± 0.10 acres, each as legally described and depicted on **Exhibit D-2** (collectively, the "**Additional ROW Parcel**"), (iii) a portion of the Property containing ± 0.51 acres legally described and depicted on **Exhibit D-3** (the "**Swap Parcel**") must be conveyed to the County by Developer following completion of the Transportation Improvements, and (iv) a portion of Bargain Barn Road legally described and depicted on **Exhibit D-4** (the "**Lift Station Parcel**") must be abandoned, vacated and conveyed by the City of Davenport (the "**City**") to the County to be incorporated into the Transportation Improvements; and

WHEREAS, the Parties desire to set forth in writing the terms and conditions of their understanding and agreement related to the Developer construction of the Transportation Improvements described herein; and

WHEREAS, this Agreement is in the best interest of the public health, safety and welfare of Polk County, Florida and provides a benefit to the residents of Polk County.

NOW, THEREFORE, in consideration of the mutual covenants, premises and promises hereinafter set forth, the receipt, adequacy and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Recitals. The foregoing recitals are acknowledged by the Parties as accurate representations of background facts and are incorporated herein for purposes of interpreting the intent of this Agreement.

2. Effective Date. The Effective Date of this Agreement shall be the date on which the County executes this Agreement.

3. Transportation Improvements. The County and the Developer agree to the following terms and conditions:

3.1 The Developer shall demolish and realign Bargain Barn Road, and install all associated curbing, turn lanes, directional markings, signage, paving, lighting, drainage lines, conduits and facilities, stormwater ponds, and related improvements in accordance with the Plans and Specifications (as defined below).

3.2 The Developer shall initially bear full responsibility for payment of all costs related to the construction of the Transportation Improvements in accordance with the Plans and Specifications. Subject to the terms of Section 6 below, County shall reimburse, in cash, Developer for all such costs, including, without limitation, all (i) debt service, financing and interest carry expenses on any associated loan to Developer to assist in financing the construction costs (collectively, "**Developer's Financing Costs**"), (ii) maintenance, surety and other related carrying costs associated with undertaking the work (the "**Carry Costs**"), (iii) all due diligence, design, permitting, legal, engineering and other soft costs of any kind associated with the Transportation Improvements (collectively, "**Soft Costs**"), and (iv) a construction management fee in an amount equal to 15% of the total costs (the "**Construction Management Fee**").

3.3 All construction activities and completed Transportation Improvements must be inspected by the County prior to acceptance and ownership in accordance with Section 7.2 below.

4. Plans, Specifications, and Permits

4.1 County acknowledges receipt and preliminary approval of the full civil drawings and construction plans for the Transportation Improvements prepared by Kimley Horn, the cover sheet of which is attached hereto as **Exhibit E** (the "**Plans and Specifications**"). The Plans and Specifications are a material part of this Agreement and have been used by Developer to establish the Reimbursement Amount. Once fully approved by the County and Developer through the permitting processes, the Plans and Specifications shall be used by Developer to obtain bids for construction of the Transportation Improvements as more particularly provided in Section 5.1 below.

4.2 The Plans and Specifications for the Transportation Improvements may be further modified through the mutual agreement of Developer and the County through the permitting processes, and by change order as actual construction of the Transportation Improvements progresses. Proposed modifications and change orders shall be submitted by Developer to the County for review. The County shall review and respond to such submissions within a reasonable time, not to exceed ten (10) business days (subject to an Event of Force Majeure). To be effective and binding against the County, all modifications and change orders must be in writing and executed by both the County and the Developer. Any modifications or change orders that increase, in the aggregate, the Reimbursement Amount by ten percent (10%) or less shall require written approval by the County's Roads and Drainage Division Director, which

approval shall not be unreasonably withheld, conditioned, or delayed. Any modifications or change orders that increase, in the aggregate, the Reimbursement Amount by more than ten percent (10%) shall require a fully executed amendment to this Agreement. All approved modifications and change orders shall correspondingly amend the Reimbursement Amount, as applicable.

4.3 Developer shall design and construct the Transportation Improvements in a manner sufficient to satisfy the applicable government permitting requirements. It will be the responsibility of Developer to obtain any permits from any other governmental entity required for the construction of Transportation Improvements.

4.4 It will be the responsibility of Developer, as part of the Reimbursement Amount, to obtain any and all environmental survey, environmental permits, and environmental mitigation for the Transportation Improvements, if necessary.

5. **Construction of Transportation Improvements**.

5.1 Developer agrees to use a competitive bidding process in retaining a contractor to construct the Transportation Improvements. The County will have the right, acting reasonably and in good faith, to review the competitive bidding process utilized by Developer and shall additionally have the right to review all bids received (acting reasonably and in good faith). Notwithstanding the foregoing, in no event may the County require more than three separate bids from qualified contractors or object to the proposed number of construction days to complete the Transportation Improvements if such number is not greater than 225 days after the later of the following: (i) Developer's pre-construction conference with the County regarding the Transportation Improvements, (ii) Developer's permit kick-off meeting with FDOT regarding the Transportation Improvements, (iii) receipt of all permits for the Transportation Improvements, or (iv) receipt of the written Notice to Proceed, unless a later date is mutually agreed to by the Parties, which agreement shall not be unreasonably withheld. If the lowest bid received by Developer exceeds the Reimbursement Amount by more than 10% in the aggregate, the County may, by written notice to Developer given within ten (10) business days following receipt of written notice from Developer that the bidding process is complete, require Developer to reject all bids and re-bid all or a portion thereof as applicable. If the County fails to timely deliver such written notice, the County will be deemed to have approved the bidding process and all bids received. If Developer refuses to reject the bids and re-bid following receipt of County's notice, the County shall have the option, as its sole and exclusive remedy, to terminate this Agreement (including terminating any obligation of the County to reimburse Developer) by written notice to Developer delivered within ten (10) business days following receipt of notice from Developer that Developer refuses to reject the bids and re-bid. After receipt of responsive bids, Developer shall select the lowest priced responsive and qualified, responsible bidder, notify the County of the bidder selected, and enter into a contract for construction of the Transportation Improvements (the "**Construction Contract**") with the selected contractor ("**Contractor**"). Upon execution of the final Construction Contract, Developer will provide a copy of the Construction Contract to the County's Roads and Drainage Division. If the County elects to terminate this Agreement pursuant to this Section 5.1, such termination shall be without penalty to Developer, and County shall, within thirty (30) days of such termination, reimburse Developer for all of its reasonable, out-of-pocket costs and expenses associated with this Agreement and the Transportation Improvements actually incurred through the date of termination, consistent with the costs eligible for reimbursement as described in Sections 3.2 and 11 hereof.

5.2 The County further acknowledges that the Construction Contract will include additional work relating to the Property and other offsite work beyond the scope of the Transportation Improvements, and Developer will use commercially reasonable efforts to separately allocate the cost of the Transportation Improvements from the overall contract sum due Contractor pursuant to the Construction Contract.

5.3 The Developer shall not begin construction on the Transportation Improvements until a written Notice to Proceed has been provided to Developer by the Polk County Roads and Drainage Division, which shall not be unreasonably withheld, conditioned, or delayed; provided, however, the County shall not issue the Notice to Proceed prior to the date that (i) Developer has acquired good, marketable, and indefeasible fee simple title to the Abandonment Parcel from the City, and (ii) the County has acquired good, marketable, and indefeasible fee simple title to the Lift Station Parcel from the City. The parties acknowledge that the County has, prior to the Effective Date, acquired the Additional ROW Parcel. If either Party fails to acquire their respective parcel as aforesaid within ninety (90) days following the Effective Date of this Agreement, the Parties shall meet within ten (10) business days to determine a mutually acceptable resolution, which may include an extension of time or alternative access arrangements.

5.4 Prior to the commencement of construction and after the written Notice to Proceed has been provided to the Developer, the Developer shall schedule, notice, and attend a pre-construction conference with the Developer's engineer, Developer's Contractor, Polk County Land Development Division, Polk County Roads and Drainage Division, and all involved utility companies. The Developer agrees to provide notice of the meeting at least seven (7) days in advance of such meeting to allow the relevant parties and entities to attend.

5.5 The County shall have the right to periodically inspect and monitor the work site during construction of the Transportation Improvements. The County agrees that any such entry onto the site by its employees, agents, or consultants shall be at the County's sole cost, risk, and liability. The County shall provide Developer with at least twenty-four (24) hours' prior written notice of any such inspection, except in the event of an emergency posing an imminent threat to public health or safety. As a condition of entry, all County personnel shall comply with all posted safety rules and the safety protocols of the Developer and its Contractor. Developer shall not be liable for any injury, loss, or damage to any County personnel or their property occurring during such inspections, except to the extent such injury, loss, or damage is caused by the negligence or willful misconduct of the Developer. If, during construction, the County reasonably determines that the work, materials, or equipment are defective, the County shall provide the Developer with written notice of the defect. The Developer shall use commercially reasonable efforts to cause the Contractor to correct the defective condition within thirty (30) days of receipt of such notice, or within such longer period as may be reasonably necessary, provided that the Contractor commences correction within the initial 30-day period and diligently prosecutes the correction to completion. If the Contractor fails to timely correct the deficiency, the County may, upon at least five (5) business days' advance written notice to the Developer, and after providing the Developer a reasonable opportunity to contest the County's determination, take reasonable corrective action, including engaging a third-party contractor. Any costs incurred by the County in connection with such corrective must be reasonable and documented out-of-pocket costs actually incurred by the County. Before any deduction from the Reimbursement Amount for such costs, the County shall provide the Developer with an itemized statement and all supporting documentation for review and written approval, which approval shall not be unreasonably withheld, conditioned, or delayed. Upon Developer's written approval of such costs, the County shall have the right to deduct such approved costs from the Reimbursement Amount. If the County takes such corrective action, the County and Developer shall promptly amend this Agreement to realign the remaining portions of the Transportation Improvements and the work required by Developer to reflect the County's corrective action and to avoid any duplication of effort or cost.

6. **Reimbursement; Maintenance during Construction**.

6.1 The schedule of qualifying improvements eligible for reimbursement by the County is set forth and described in the Opinion of Probable Costs set forth on **Exhibit C**. The Parties acknowledge and agree that the Reimbursement Amount of $3,756,473.49 includes the estimated cost of

the Transportation Improvements and a 10% contingency. Subject to the terms of Section 6.2 below, the County agrees to reimburse the Developer the Reimbursement Amount in cash, with any increases expressly provided for in this Agreement.

6.2 Developer shall submit invoices to the County, not more frequently than once every 30 days, in accordance with the County's Reimbursement Requirements attached hereto as **Exhibit F**. The County shall process all valid and complete invoices and render payment in accordance with Exhibit F (County Reimbursement Requirements), and in all events by no later than the applicable due date under Part VII, Ch. 218, Florida Statutes. To the extent **Exhibit F** prescribes shorter approval or payment timeframes, **Exhibit F** shall control.

6.3 For purposes of this Agreement, "maintenance" includes, but is not limited to, mowing, edging, trimming, and irrigating. After the Notice to Proceed is issued to the Developer and until the earlier of (i) formal written acceptance of the Transportation Improvements by the County or (ii) issuance of a certificate of completion by the County, the Developer or the Developer's Contractor shall be responsible for maintenance of Bargain Barn Road and maintenance of traffic, but only within the construction limits of the Transportation Improvements. The Developer or the Developer's Contractor shall also be responsible for maintaining the job site in a reasonably safe condition for access by vehicles, pedestrians, and bicycle traffic during construction. The County shall not unreasonably delay or withhold acceptance of the Transportation Improvements once completed in accordance with the Plans and Specifications.

7. **Completion; Acceptance and Ownership**.

7.1 Subject to delays resulting from an Event of Force Majeure, the Transportation Improvements shall be completed within 225 days after the later of the following: (i) Developer's pre-construction conference with the County regarding the Transportation Improvements, (ii) Developer's permit kick-off meeting with FDOT regarding the Transportation Improvements, (iii) receipt of all permits for the Transportation Improvements, or (iv) receipt of the written Notice to Proceed, unless a later date is mutually agreed to by the Parties, which agreement shall not be unreasonably withheld. The Developer shall provide the County a monthly construction management status report during the term of this Agreement. Upon completion of the Transportation Improvements, the Developer shall notify the County, in writing, of the completed construction.

7.2 Upon receipt of the Developer's completion notification described in Section 7.1, above, the County shall conduct or cause to be conducted, within ten (10) business days, such inspections of the Transportation Improvements as it may reasonably desire in good faith to determine whether the construction of the Transportation Improvements complies with applicable laws and conforms to the Plans and Specifications ("**Inspection**"), such determination to be made in County's good faith and reasonable discretion and not to be unreasonably withheld, conditioned or delayed. Upon completion of the Inspection, the County shall issue a letter to the Developer indicating whether the Transportation Improvements comply with the approved Plans and Specifications and whether the County accepts the Transportation Improvements. County's written notification of acceptance of the Transportation Improvements shall start the one-year warranty period set forth in Section 8.

7.3 Simultaneous with Developer's completion notification described in Section 7.1, above, Developer shall submit to the County all construction information necessary to ensure that the Transportation Improvements have been properly constructed in accordance with County standards and that the Contractor and all subcontractors having provided a Notice to Owner with respect to work relating to the Transportation Improvements (the "**Subcontractors**") have been paid in full (collectively referred to herein as the "**Documentation**"). The Documentation shall include the following items: (i) acceptable "as-

built" drawings, (ii) detailed construction costs and invoices, (iii) copies of payments to the Contractor, (iv) releases of lien from the Contractor and Subcontractors, and (v) any required certifications to permitting agencies. Upon receipt of all such Documentation, the County shall have ten (10) business days (the "**Review Period**") to review and approve the Documentation to ensure that it is complete (such approval not to be unreasonably withheld, conditioned or delayed). During this initial Review Period, the County must identify and request in good faith all reasonably necessary additional information solely for the purpose of verifying that the Transportation Improvements have been properly constructed in accordance with County standards and that the Contractor and all Subcontractors have been paid in full. If the County notifies Developer within the Review Period that the Documentation is incomplete, the Developer shall provide the additional Documentation reasonably requested by the County, and the same process shall be followed. No later than the due date required by §218.735, Florida Statutes (i.e., 20 or 25 business days, as applicable, after the Developer's proper final invoice is stamped as received pursuant to §218.74(1)), the County shall reimburse the Developer for the final cost of the Transportation Improvements not previously reimbursed, including all retainage. Retainage shall be withheld, reduced, and released in compliance with §255.078, Florida Statutes (not to exceed 5% per progress payment). For each progress or final pay application, the County shall mark the application 'received' on the date delivered to the County or its identified agent, as required by §218.74(1), and the applicable statutory due-date in §218.735 shall run from that stamped-received date.

7.4 Upon the County's acceptance and approval of the completed Transportation Improvements and Developer's receipt of the Reimbursement Amount in full, the Developer will convey to the County by Special Warranty Deed, the Swap Parcel. County shall be solely responsible for all conveyance, title insurance, recording fees, transfer taxes, and other costs and expenses associated with the conveyance.

7.5 Either Party may be temporarily excused from performance if an Event of Force Majeure directly or indirectly causes its nonperformance. An "**Event of Force Majeure**" is defined as any event which results in the prevention or delay of performance by a party of its obligations under this Agreement and which is beyond the reasonable control of the nonperforming party. It includes, but is not limited to, delays caused by the other Party, fire, flood, earthquakes, storms, lightning, pandemic, epidemic, war, riot, civil disturbance, sabotage, material and/or labor shortages, and governmental actions. Neither party shall be excused from performance if non-performance is due to forces which are reasonably preventable, removable, or remediable and which the non-performing party could have, with the exercise of reasonable diligence, prevented, removed, or remedied prior to, during, or immediately after their occurrence. The non-performing party's obligations, so far as those obligations are affected by the Event of Force Majeure, shall be temporarily suspended during, but no longer than, the continuance of the Event of Force Majeure and for a reasonable time thereafter as may be required for the non-performing party to return to normal business operations. If excused from performing any obligations under this Agreement due to the occurrence of an Event of Force Majeure, the non-performing party shall promptly, diligently, and in good faith take all reasonable action required for it to be able to commence or resume performance of its obligations under this Agreement. During any such time period, the non-performing party shall keep the other party duly notified of all such actions required for it to be able to commence or resume performance of its obligations under this Agreement.

7.6 It is hereby agreed by the parties that this Agreement creates a permissive use only and all Transportation Improvements resulting from this Agreement shall become the property of County (other than the Abandonment Parcel). Neither granting permission to use County right-of-way nor the placing of facilities upon County property shall operate to create or vest any property right to or in the Developer. The Developer shall not acquire any right, title, interest or estate in County right of way, of any nature or kind whatsoever, by virtue of the execution, operation, effect, or performance of this Agreement including, without limitation, the Developer's use, occupancy or possession of County right of way.

7.7 After the County accepts the Transportation Improvements as provided in this Section 7, it shall thereafter be responsible for the operation and maintenance of the Transportation Improvements so conveyed to the County, as well as any associated stormwater ponds and related drainage facilities. Promptly after receipt of the Developer's completion notification described in Section 7.1, each Party shall execute, grant, and deliver to the other a perpetual, non-exclusive, appurtenant cross-easement over, across, under and upon the portion of the stormwater management pond and related drainage facilities (collectively, the "**Pond Facilities**") located on such granting Party's property as generally shown on **Exhibit G** hereto (each, a "**Stormwater Cross-Easement Area**"), as the Pond Facilities will remain divided between the Parties' respective properties following the transfers contemplated herein. Each cross-easement shall include the reciprocal rights to (i) accept and discharge stormwater flows to, from and through the Pond Facilities; (ii) construct, maintain, repair, replace and use pond embankments, inlets, pipes, outfalls, control structures and appurtenances located within the other Party's Stormwater Cross-Easement Area; and (iii) reasonable access over the granting Party's property for the foregoing, including temporary construction laydown within the Stormwater Cross-Easement Area. Each Party shall be solely responsible, at its own cost, for operation, routine and capital maintenance, and repair of the Pond Facilities located on its own property, in a manner that maintains functional capacity and compliance with all applicable permits and approvals, and does not unreasonably interfere with the other Party's use of the Pond Facilities. The Parties shall coordinate operation and maintenance so that the Pond Facilities function as an integrated system. Neither Party shall modify its portion of the Pond Facilities in a manner that reduces overall permitted capacity or impairs permit compliance without the other Party's prior written consent (not to be unreasonably withheld, conditioned or delayed). A Party that damages the other Party's Pond Facilities (or causes damage through its invitees/contractors) shall promptly repair at its cost (or reimburse the reasonable, documented costs of repair). If a Party fails to perform material operation or maintenance obligations on its portion of the Pond Facilities and such failure materially impairs the overall function or violates applicable permits after 10 business days' notice (or 2 business days in an emergency), the non-defaulting Party may enter, cure and recover its reasonable, documented out-of-pocket costs from the defaulting Party. The cross-easements shall be perpetual, run with the land, bind and benefit successors and assigns, be recorded in the Public Records of Polk County, be in form and substance reasonably acceptable to the Parties, and be subordinated to any existing or future mortgage(s) through commercially reasonable subordination, non-disturbance and attornment instruments. The final legal descriptions and sketches of the Stormwater Cross-Easement Area shall be attached to the cross-easements as exhibits after field verification/as-builts.

7.8 The County acknowledges that the Property may be subject to a mortgage and security agreement from Developer to its lender ("**Lender**"), to be recorded in the Public Records of Polk County, Florida, evidencing a loan from Lender to Developer (the "**Loan**"), and further acknowledges that Lender may make an additional loan to Developer to facilitate Developer's construction of the Transportation Improvements (the "**Additional Loan**") and may require that Developer execute and deliver to Lender a collateral assignment of this Agreement to Lender as security for the Additional Loan. County hereby consents to the foregoing collateral assignment and agrees to reasonably cooperate, at no expense to County, with Developer and Lender in facilitating the Loan and/or Additional Loan. Without limiting the foregoing, County agrees that it shall, from time to time, upon the reasonable request of Developer take actions as may be reasonably necessary or desirable to carry out the intent and purpose of this Section 7.8 and to effectuate the transactions contemplated herein. The terms of this Section 7.8 will govern, supersede and control over any conflicting terms and conditions contained in this Agreement.

8. **Warranty Period**. The Developer shall cause the Contractor to warrant the Transportation Improvements from any and all defects for a period of one (1) year from the date of the County's written acceptance described in Section 7 above. If the warranty period has not been completed prior to the

expiration of this Agreement, then this Section 8 shall survive the termination of this Agreement until the end of the warranty period.

9. **Notices.** Any notices required or permitted under this Agreement shall be in writing and shall be deemed duly given: (i) on the date of delivery if delivered personally; (ii) on the date of transmission if sent by email with confirmation of receipt; (iii) three (3) days after being deposited in the United States Postal Service, postage prepaid, by registered or certified mail, return receipt requested; or (iv) one (1) business day after being deposited with a nationally recognized overnight delivery service, with tracking and delivery confirmation. Notices shall be addressed as follows:

County: County Manager
Polk County Board of County Commissioners
330 West Church Street
Bartow, Florida 33830

Copy to: County Attorney
Polk County Board of County Commissioners
330 West Church Street
Bartow, Florida 33830

Polk County Office of Planning and Development
ATT: Concurrency & Entitlements Manager
330 West Church Street
Bartow, FL 33830

Polk County Roads & Drainage Division
Attn:: Roads & Drainage Director
3000 Sheffield Road
Winter Haven, FL 33880

Developer: Power Bargain 17, LLC
c/o: Blackfin Partners
4440 PGA Blvd., Ste 600
Palm Beach Gardens, Florida 33410

Either Party may change its address for notice purposes by providing written notice of such change to the other Party in accordance with this Section.

10. **No Third-Party Beneficiaries**. This Agreement is solely for the benefit of the Parties and their permitted successors/assignees, and there are no third-party beneficiaries.

11. **Expiration** With the exception of warranty requirements, this Agreement shall terminate upon satisfaction by the Parties hereto of their respective obligations contained herein. If Developer fails to begin construction of the Transportation Improvements on or before one (1) year from the Effective Date, the County may terminate this Agreement upon thirty (30) days' prior written notice, provided that the Developer shall have the opportunity to cure such failure within such notice period if the delay was due to an Event of Force Majeure. In connection with any termination of this Agreement by County due to delay of Developer's performance hereunder which was caused by an act or omission of County, County shall pay and reimburse Developer for all costs and expenses of any kind incurred by Developer and arising out of, or associated with, this Agreement and the Transportation Improvements through the date of such

termination, including, without limitation, all (i) Change Orders; (ii) Developer's Financing Costs, (iii) all Carry Costs, (iv) all Soft costs, and (v) the Construction Management Fee..

12. **Default and Remedy** If either Party materially defaults in its obligations under this Agreement and fails to cure the same within thirty (30) days after the date the Party receives written notice of the default from the other non-defaulting Party (the "**Cure Period**"), then the non-defaulting Party shall have the right to (i) immediately terminate this Agreement by delivering written notice to the materially defaulting Party, and (ii) pursue any and all remedies available in law, equity, and under this Agreement. Notwithstanding the foregoing, if the nature of the default is such that it cannot reasonably be cured within the Cure Period, the defaulting Party shall not be deemed in default if it commences to cure within the Cure Period and thereafter diligently and continuously prosecutes such cure to completion.

13. **Termination Following an Event of Default**. During the continuance of an Event of Default, either party may exercise all rights and remedies available hereunder, at law and/or in equity. Without limiting the foregoing, if Developer is the defaulting Party, then County may elect to terminate this Agreement by delivering written notice to the Developer while the Event of Default remains uncured. Upon receipt of such notice, Developer shall:

13.1 Immediately discontinue construction of all affected Transportation Improvements unless the notice directs otherwise; and

13.2 So long as Developer has received all portions of the Reimbursement Amount that have become due and payable hereunder from the County through the date of termination, deliver to County all data, reports, summaries, and any and all such other information and materials of whatever type or nature as may have been accumulated by the Developer in performing this Agreement, whether completed or in process.

13.3 Unless in dispute or subject to County's right of set-off or other remedy, Developer shall be paid for all costs associated with the Transportation Improvements actually rendered and/or incurred through the date of termination in accordance with the definition of reimbursable costs in Section 3.2.

13.4 The rights and remedies of County provided for in this Section 13 are in addition and supplemental to any and all other rights and remedies provided by law or under this Agreement

14. **Indemnification** Developer shall indemnify, defend (by counsel reasonably acceptable to County), protect and hold harmless County and its officers, employees and agents from and against any and all claims, demands, actions, causes of action, suits, liabilities, penalties, forfeitures, damages, losses, and expenses whatsoever (including, without limitation, attorneys' fees, costs, and expenses incurred during negotiation, through litigation and all appeals therefrom) to the extent caused by the negligence, willful misconduct, or material breach of this Agreement by Developer or its officers, employees, agents, or Contractor. The foregoing indemnification obligation shall not apply to the extent of the negligence, fraud, bad faith or willful misconduct of the County. The County is a political subdivision of the State of Florida that possesses sovereign immunity except for the limited waiver stated in Section 768.28, Florida Statutes. To the limited extent specified in Section 768.28, the County may be responsible for certain damages for injury or loss of property caused by negligent acts or omissions of its employees acting within the scope of the employee's office or employment. However, nothing stated in this Agreement is, or shall be deemed to be: (i) a waiver of the County's sovereign immunity as stated in Section 768.28; (ii) an extension of the limited waiver of its sovereign immunity as stated in Section 768.28; (iii) a waiver of any requirement or condition stated in Section 768.28; or (iv) the County's consent to be sued.

15. **Insurance.**

A. While this Agreement remains in effect, Developer shall maintain, or cause its Contractor to maintain the following types of insurance with at least the following minimum limits of liability:

Commercial General Liability:	$2,000,000.00 per occurrence
Comprehensive Automobile Liability	$1,000,000.00 per occurrence
Workers Compensation	Statutory Limits
Employers Liability	$1,000,000.00

B. All insurance must be provided by a carrier licensed to do business in the State of Florida having an A.M. Best rating of at least the "A-" category and size category of VIII. Developer shall cause each Commercial General Liability ("**CGL**") policy required under this Agreement to name the County as additional insureds solely with respect to ongoing operations performed by or on behalf of Developer in connection with the Transportation Improvements. Such status shall be provided by ISO endorsement CG 20 10 (or its equivalent) and shall expressly exclude any completed-operations coverage (including, without limitation, ISO endorsement CG 20 37 or any successor form). The County acknowledges and agrees that Developer shall have no obligation to procure or maintain additional-insured coverage in favor of the County after acceptance of the Transportation Improvements, and any such coverage carried by Developer shall inure solely to Developer's benefit. The General Liability and Workers' Compensation policies shall contain a waiver of subrogation in favor of County.

C. The Developer shall provide the County Certificates of Insurance evidencing the required coverage promptly following the execution of this Agreement and in any event prior to commencement of any work on the Transportation Improvements. The County must be identified on the Certificates as follows, "Polk County, a political subdivision of the State of Florida."

16. **Waiver**. A waiver by either Party of any breach of this Agreement shall not be binding upon the waiving Party unless such waiver is in writing. In the event of a written waiver, such a waiver shall not affect the waiving Party's rights with respect to any other or further breach of this Agreement. The making or acceptance of a payment by either Party with the knowledge of the other party's existing default or breach of this Agreement shall not waive such default or breach, or any subsequent default or breach of this Agreement, and shall not be construed as doing so.

17. **Release**. For and in consideration of the mutual agreements set forth herein, the Developer agrees the terms and conditions of this Agreement are reasonable under the totality of the circumstances, and Developer for itself, and on behalf of its successors, assigns or trustees, and anyone claiming by, through, or under any of them, do hereby fully waive, release and forever discharge the County from and against any claims for inverse condemnation, regulatory takings, U.S.C. Section 1983, or claims under Chapter 70, Florida Statutes, arising out of or resulting from the terms and conditions hereof. Developer acknowledges and agrees that its agreement to this release is a material inducement to the County to enter into this Agreement. The Parties agree that this release is to the specific causes of action listed and not be deemed a release of any non-listed causes of action to which the Developer may be entitled.

18. **Attorney's Fees and Costs**. Except as noted in Section 14 above, each Party shall be responsible for its own legal and attorneys' fees, costs and expenses incurred in connection with any dispute or any litigation arising out of, or relating to this Agreement, including attorneys' fees, costs, and expenses incurred for any appellate or bankruptcy proceedings.

19. **Modification**. This Agreement may only be modified by a written amendment properly executed by the Parties. No oral modifications will be effective or binding.

20. **Integration** This Agreement sets forth the entire agreement between the Parties with respect to its subject matter and that there are no promises or understandings other than those stated herein.

21. **Counterparts**. This Agreement may be executed in multiple counterparts each of which shall be an original, but which collectively shall form a single agreement.

22. **Attachments**. All attachments or exhibits attached hereto contain additional terms of this Agreement and are incorporated herein by reference.

23. **Governing Law; Venue**. This Agreement and the rights and obligations of the Parties hereunder shall be interpreted, governed by, construed under, and enforced in accordance with the applicable laws of the State of Florida, and the ordinances, rules and regulations of Polk County including, but not limited to the Polk County Comprehensive Plan, Land Development Code and Utility Code, and any amendments thereto in effect as of the Effective Date of this Agreement. The Parties hereby consent to the sole and exclusive jurisdiction and venue for any action relating to the construction, interpretation, or enforcement of this Agreement to be in or for the Tenth Judicial Circuit, in Polk County, Florida.

24. **Binding Effect; Assignment**. This Agreement shall be binding upon and inure to the benefit of all successors and/or assigns of the Parties hereto. Developer may, upon not fewer than ten (10) days' prior written notice to County (but without the need for County's consent), assign this Agreement, in whole or in part, to: (a) any affiliate of Developer that is under common control with, controls, or is controlled by Developer; and/or (b) any institutional lender, bond trustee, or other financing party (or their designee), including any successor in interest thereto, as collateral security for, or in connection with, any construction loan, permanent loan, refinancing, or other financing of the Project or the Transportation Improvements. Upon the effectiveness of any such assignment: (i) the assignee shall succeed to the rights and obligations of "Developer" under this Agreement to the extent of the interest assigned, and (ii) Developer shall be released from liability hereunder with respect to obligations first arising after the effective date of the assignment. The County shall, at Developer's or the assignee's request and expense, execute such reasonable consents, estoppels, or acknowledgments as may be required to evidence or effectuate any assignment permitted under this Section.

25. **Days**. The term days in this Agreement shall mean calendar days, unless otherwise so noted. If a date for performance falls on a Saturday, Sunday or legal State of Florida or federal holiday, the date for performance shall be extended until the next calendar day that is not a Saturday, Sunday or legal holiday. Time is of the essence with respect to the performance of all obligations under this Agreement.

26. **Severability**. If any section, phrase, sentence or portion of this Agreement is, for any reason, held to be invalid by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

27. **Public Records**. In accordance with Section 119.0701, Florida Statutes, Developer (the "Contractor" for purposes of this Section) agrees to comply with the following public records laws:

27.1 The Contractor acknowledges the County's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Agreement. The Contractor further acknowledges that the constitutional and statutory provisions control over the terms of this Agreement. In association with its performance pursuant to this Agreement, the Contractor shall not

release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

27.2 Without in any manner limiting the generality of the foregoing, to the extent applicable, the Contractor acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall keep and maintain public records required by the County to perform the services required under this Agreement;

i. upon request from the County's Custodian of Public Records or his/her designee, provide the County with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

ii. ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of this Agreement if the Contractor does not transfer the records to the County; and

iii. upon completion of this Agreement, transfer, at no cost, to the County all public records in possession of the Contractor related to this Agreement or keep and maintain public records required by the County to perform the service. If the Contractor transfers all public records to the County upon completion of this Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of this Agreement, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the County, upon request from the County's Custodian of Public Records, in a format that is compatible with the information technology systems of the County.

27.3 **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIAISON OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

28. **Employment Eligibility Verification (E-Verify)**.

A. Unless otherwise defined herein, terms used in this Section which are defined in Section 448.095, Florida Statutes, as may be amended from time to time, shall have the meaning ascribed in said statute.

B. Pursuant to Section 448.095(5), Florida Statutes, the Developer, and any subcontractor thereof, must register with and use the E-Verify system to verify the work authorization status of all new employees of the Developer or subcontractor. The Developer acknowledges and agrees that (i) County and the Developer may not enter into this Agreement, and the Developer may not enter into any subcontracts

hereunder, unless each party to this Agreement, and each party to any subcontracts hereunder, registers with and uses the E-Verify system; and (ii) use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this Certification and Section 448.095, Fla. Stat., is an express condition of this Agreement, and County may treat a failure to comply as a material breach of this Agreement only after providing the Developer with written notice and a reasonable opportunity to cure such noncompliance, not to exceed thirty (30) days.

C. B*y* entering into this Agreement, the Developer becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The Developer shall maintain a copy of such affidavit for the duration of this Agreement. In the event of a failure to comply, the County shall provide written notice to the Developer and allow a period of thirty (30) days to cure such noncompliance. If the noncompliance is not cured within such period, the County may terminate this Agreement by written notice to Developer delivered prior to the date the noncompliance is cured. If a subcontractor knowingly violates the statute or Section 448.09(1), Fla. Stat., Developer shall take reasonable steps to terminate the subcontract. If this Agreement is terminated pursuant to Section 448.095, Fla. Stat., such termination is not a breach of contract and may not be considered as such. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If this Agreement is terminated for a violation of Section 448.095, Fla. Stat., by the Developer, the Developer may not be awarded a public contract for a period of 1 year after the date of termination. The Developer shall be liable only for direct and documented additional costs incurred by County as a result of the termination of this Agreement pursuant to this Section 28. Nothing in this Section 28 shall be construed to allow intentional discrimination of any class protected by law.

29. **Development Approvals.** This Agreement shall in no manner constitute a development approval regarding the Property or Project. Developer must comply with all applicable provisions of the Polk County Land Development Code and conditions regarding the development of the Property and Project.

30. **Self-Help Provision**.

A. If Developer diligently proceeds with the Transportation Improvements in accordance with the terms of this Agreement, and the County determines, in its reasonable discretion, that it is necessary or beneficial to expedite the overall construction or completion of the Transportation Improvements, the County shall have the right, but not the obligation, to assume the Developer's responsibilities for all or any portion of the remaining construction of the Transportation Improvements. This right may be exercised by the County only upon delivery of written notice to Developer ("**Written Notice**"), which Written Notice shall specify with particularity the scope of the Transportation Improvements the County intends to assume responsibility for (the "**Assumed Work**"). The County's determination to expedite construction shall be based on objective criteria, such as, but not limited to, projected completion dates, funding availability, or unforeseen impacts to County infrastructure. The County's assumption shall not, by itself, constitute or be deemed an Event of Default by Developer.

B. Upon the County's delivery of the Written Notice, the following shall occur:

i. Developer shall be released from any further liability or obligation arising after the effective date of the Written Notice with respect to the Assumed Work, except for liabilities or obligations that accrued prior to such date or that arise from

Developer's breach of this Agreement prior to such date. This release shall not extend to any warranty obligations of Developer pursuant to Section 8 of this Agreement.

ii. The County shall be entitled to ownership of, and Developer shall promptly transfer and assign to the County, all right, title, and interest in and to the following, to the extent they relate to the Assumed Work: (A) the Plans and Specifications; (B) all permits (including environmental permits) granted to Developer; (C) all uninstalled materials and equipment located on the project site or in Developer's or its contractor's possession and designated for incorporation into the Assumed Work, provided that the County shall pay Developer's documented cost for such materials and equipment; and (D) all subcontracts related to the Assumed Work, to the extent such subcontracts are assignable and the subcontractors consent to such assignment. Developer shall use commercially reasonable efforts to obtain such consents.

iii. Developer shall use its diligent, good faith efforts to ensure the successful and orderly transfer of the items described in Section 30.2ii to the County, including, without limitation, providing the County with all information and documentation reasonably requested by the County.

C. Prior to the County's commencement of the Assumed Work, the County shall reimburse Developer for all costs related to construction of the Assumed Work performed by Developer prior to the effective date of the Written Notice, including, without limitation, the pro-rated development and construction management fees due to Developer as set forth in Section 3 of this Agreement.

D. Following the County's assumption of responsibility for the Assumed Work, the County shall have the right to complete the Assumed Work in accordance with the Plans and Specifications, subject to any modifications or changes thereto approved by the County. The County shall be solely responsible for the quality and timeliness of the Assumed Work.

31. **Approvals**. In those instances in which a Party's approval, consent, or satisfaction is required under this Agreement and no specific time period is provided, then it shall be implied that such action shall be exercised in a reasonable manner and within a reasonable time frame, not to exceed fifteen (15) business days.

32. **Limitation of Liability** IN NO EVENT, SHALL COUNTY OR DEVELOPER BE LIABLE TO THE OTHER FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES OF ANY KIND OR NATURE, INCLUDING LOSS OF PROFIT, WHETHER FORESEEABLE OR NOT, ARISING OUT OF OR RESULTING FROM THE NONPERFORMANCE OR BREACH OF THIS CONTRACT BY SUCH PARTY WHETHER BASED IN CONTRACT, COMMON LAW, WARRANTY, TORT, STRICT LIABILITY, CONTRIBUTION, INDEMNITY OR OTHERWISE.

33. **Financial Guaranty**. Within sixty (60) days of the Effective Date, Developer shall post a performance bond to Polk County in the amount of one hundred ten percent (110%) of the cost to construct the Transportation Improvements. The bond's initial expiration date must not be less than one year from the Effective Date of this AGREEMENT and must contain a provision for automatic renewal until the Transportation Improvements have been accepted for ownership and maintenance by Polk County. Polk

County shall release the performance bond upon Developer satisfactorily completing the Transportation Improvements and providing all record drawings to Polk County. In the event Developer fails to complete the Transportation Improvements in accordance with this Agreement beyond the expiration of any applicable Cure Period, Polk County shall have the right but not the obligation to file a claim against the bond. The surety on the bond shall be a surety company authorized to do business in the State of Florida. The bond shall be payable to "Polk County, a political subdivision of the State of Florida" and conditioned for the prompt, faithful, and efficient performance of this Agreement according to plans and specifications and within the time period specified, and for the prompt payment of all persons furnishing labor, material, equipment, and supplies for work provided under this Agreement.

34. **Obligations of the City of Davenport**. The Parties acknowledge that the performance of certain actions by the City is a condition precedent to the performance of the obligations under this Agreement. The City's agreement to be bound by the obligations set forth in this Section shall be evidenced by its execution of a Joinder attached hereto. The City shall be obligated to timely take all necessary and appropriate actions to duly and lawfully abandon, vacate, and convey fee simple title to the Abandonment Parcel to the Developer, and the Lift Station Parcel to the County. The City shall diligently and in good faith cooperate with the Developer and the County to fulfill its obligations herein. Such actions shall include, but are not limited to, holding all required public hearings, passing necessary resolutions or ordinances, and executing and delivering all deeds and other documents required to effectuate the conveyances described in this Section.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement on the respective dates under each signature: Polk County, Florida, through its Board of County Commissioners; the Developer, through its authorized representative.

Developer
Power Bargain 17, LLC, a Florida limited liability company

By: Blackfin Acquisitions, LLC, a Florida limited liability company, its Manager

Signed, sealed and delivered
in the presence of:

By: _____
Nathan Landers, its Manager

By: _____
Print Name: _____

Address: _____
_____

By: _____
Print Name: _____
Address: _____
_____

State of _____
County of _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ___ day of _____, 2025 by Nathan Landers, as Manager of Blackfin Acquisitions, LLC, the Manager of Power Bargain 17, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced _____ as identification.

_____
Notary Public
My Commission expires: _____

IN WITNESS WHEREOF, the Parties hereto, through their duly authorized representatives, have executed this Agreement on the day(s) and year set forth below.

DULY PASSED AND ADOPTED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS, THIS _____ DAY OF _____, 2025.

POLK COUNTY, a political subdivision of the state of Florida

(SEAL)

ATTEST:

By: _____
T.R. Wilson, Chairperson
Board of County Commissioners

Stacy M. Butterfield, County Clerk

By: _____
Deputy Clerk

Date: _____

Approved by County Attorney's Office
As To Form and Legal Sufficiency

By: _____

JOINDER OF THE CITY OF DAVENPORT

The City of Davenport, Florida (the "**City**") has reviewed this Infrastructure Agreement dated on or about _____ ___, 2025, by and between Polk County and Power Bargain 17, LLC (the "**Agreement**").

The City hereby agrees to be bound by and perform all obligations required of the City as set forth specifically in Section 34 of the Agreement.

This Joinder is governed by Florida law.

CITY OF DAVENPORT

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: City Clerk

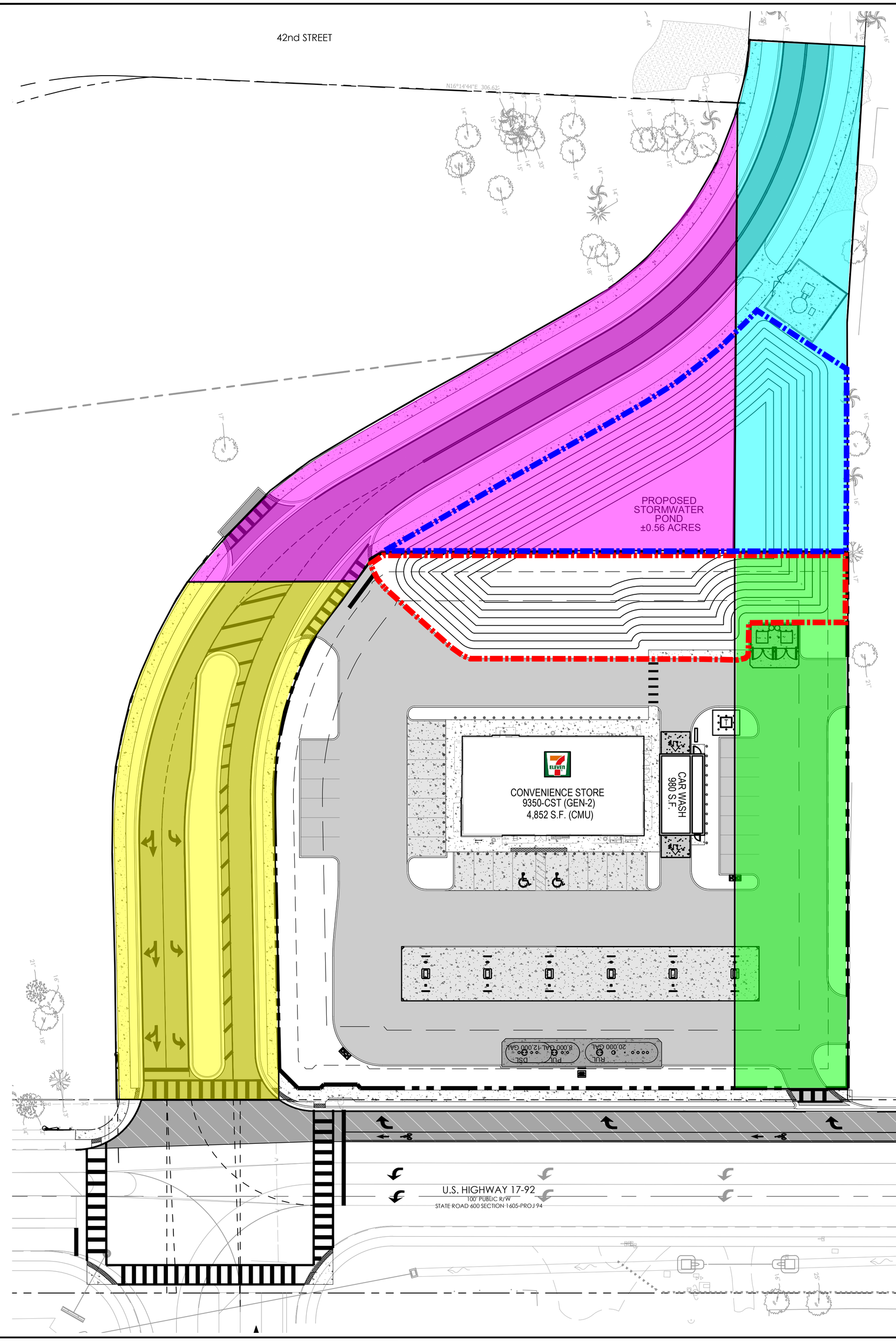
Exhibit A – Property

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, AND THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19”W A DISTANCE OF 317.89 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN, N77°21'37”W A DISTANCE OF 136.06 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 58°51'01”, WHOSE CHORD BEARS N47°56'06”W, A CHORD DISTANCE OF 167.04 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 174.61 FEET; THENCE N13°41'20”E A DISTANCE OF 240.99 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S76°18'40”E A DISTANCE OF 283.28 FEET TO THE POINT OF BEGINNING

Exhibit B – Transportation Improvements

See Attached



=Additional ROW Parcel

=Abandonment Parcel

=Lift Station Parcel

=Swap Parcel

=Easement for Pond (Developer to County)

=Easement for Pond (County to Developer)

NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

SITE DATA:

PROJECT NAME:	7-11 BARGAIN BARN RD
REQUIRED CODE:	CITY OF DAVENPORT UNIFIED LAND DEVELOPMENT REGULATIONS
PARCEL ID:	27-27-03-717000-000032
SITE AREA:	1.83 ACRES / 79,824 SF
FUTURE LAND USE:	INDUSTRIAL
EXISTING ZONING:	VACANT INDUSTRIAL
PROPOSED ZONING:	C-3 (HIGHWAY COMMERCIAL)
PROPOSED USE:	COMMERCIAL
MAXIMUM BUILDING HEIGHT:	70'
PROPOSED BUILDING HEIGHT:	24'-8" (1 STORY)

BUILDING SETBACKS (C-3)	REQUIRED	PROVIDED
FRONT:	30 FT	130.2 FT
STREET-SIDE:	25 FT	91.2 FT
SIDE:	25 FT	25 FT
REAR:	25 FT	37.1 FT

REQUIRED PARKING:	
GENERAL RETAIL (4 SPACES/1000 SF): 4 SPACES*(4,852 SF / 1000 SF):	20 SPACES
TOTAL PARKING SPACES REQUIRED:	20 SPACES

PROVIDED PARKING:	
REGULAR SPACES (10'x20'):	27 SPACES
HANDICAP SPACES (12'X20'):	2 SPACES
TOTAL SPACES PROVIDED:	29 SPACES

REQUIRED BICYCLE PARKING:	
1 SPACE FOR EVERY 10 PARKING SPACES (29/10 = 2.9)	3 SPACES
BICYCLE PARKING PROVIDED:	5 SPACES

IMPERVIOUS CALCULATIONS	
MAXIMUM ALLOWABLE IMPERVIOUS AREA (70%):	1.28 AC
BUILDING AREA:	0.13 AC
ASPHALT AREA:	0.80 AC
CONCRETE AREA:	0.32 AC
TOTAL IMPERVIOUS AREA:	1.25 AC (68.24%)

NOTES:

1. ALL CURB DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. REFER TO SIGNAGE PLANS FOR MONUMENT SIGN DETAILS.
5. SEE MEP PLANS FOR ELECTRICAL DRAWINGS.
6. ALL PROPOSED ON-SITE STRIPING AND PAVEMENT MARKING WILL BE PAINTED UNLESS OTHERWISE NOTED AND IN ACCORDANCE WITH FDOT INDEX 711-001.

LEGEND

- PROPERTY BOUNDARY
- BUILDING SETBACK
- LANDSCAPE SETBACK
- PROPOSED FENCE
- (X) PARKING SPACE COUNT
- PROPOSED STANDARD DUTY ASPHALT PAVEMENT (SEE SHEET C11.5)
- PROPOSED POLK COUNTY PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED FDOT PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED STANDARD DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED TANK SLAB CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED CONCRETE SIDEWALK

Always call 811 two full business days before you dig to have underground utilities located and marked.

Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
200 S. ORANGE AVENUE, SUITE 600, ORLANDO, FL
PHONE: (407) 898-1511
WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL ENGINEER DEREK E. RAMSBURG STATE OF FLORIDA
DEREK E. RAMSBURG, P.E.
License Number 88965
07/25/2025
DATE

KHA PROJECT	249188010
DATE	JULY 25, 2025
SCALE	AS SHOWN
DESIGNED BY	BMG
DRAWN BY	BMG
CHECKED BY	DER

OVERALL SITE PLAN

7-11 BARGAIN BARN RD

CITY OF DAVENPORT FLORIDA

SHEET NUMBER
C4.0

Plotted By:Guidry, Blake Sheet Set:7-11 BARGAIN BARN RD Layout:C4.0 July 24, 2025 09:29:50pm K:\ORL_Civil\249188010-7-11 Bargain Barn Rd\CADD\CONST\PlanSheets\C4.0 - SITE PLAN.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Exhibit C – Opinion of Probable Costs

See Attached

EXHIBIT C

BLACKFIN PARTNERS

Opinion of Probable Costs

Power Bargain 17, LLC (c/o Blackfin Partners, LLC)
4440 PGA Blvd, Suite #600
Palm Beach Gardens, Florida 33410
Ph: 561-299-0036

Project: **Bargain Barn Rd Realignment**
Permit No.: **TBD**

Date: 9/9/2025

Project Description: Opinion of Probable Construction Cost for the Project based on preliminary plans as of 5/14/2025 prepared by Kimley-Horn.
The hard cost unit price values used were obtained between the following sources: Contractor bids on recent projects, FDOT estimates - 6 month historical average (2024/09/01 to 2025/02/28), 12 month historical average (2024/03/01 to 2025/02/28), 12 month Market Area 08 (2024/03/01 to 2025/02/28).

HARD COSTS

MISCELLANEOUS ITEMS

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	101-1 - MOBILIZATION (10%)	1.0	LS	$134,544.69	$134,544.69
2	102-1 - MAINTENANCE OF TRAFFIC (MOT) (5%)	1.0	LS	$73,999.58	$73,999.58
3	104-11 - FLOATING TURBIDITY BARRIER	635.0	LF	$17.18	$10,909.30
4	110-1-1 - CLEARING & GRUBBING	2.12	AC	$54,675.19	$115,911.40
5	120-1 REGULAR EXCAVATION	4,317.0	CY	$13.08	$56,466.36
6	EXCAVATION / PREPARATION / DEMOLITION	1.0	LS	$60,000.00	$60,000.00
7	120-6 - EMBANKMENT	6,758.0	CY	$20.86	$140,971.88
8	104-10-3 - SEDIMENT BARRIER	950.0	LF	$2.46	$2,337.00
				Sub-Total	***$595,140.21***

ROADWORK & DRAINAGE ITEMS

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	0285711 - OPTIONAL BASE, BASE GROUP 11	1,115.0	SY	$31.96	$35,635.40
2	2" TYPE SP-12.5 ASPHALTIC CONCRETE	401.7	TN	$149.33	$59,978.39
3	SUPERPAVE ASPHALTIC CONCRETE, TRAFFIC C, PG76-22	296.2	TN	$180.44	$53,446.33
4	0520 1 7 - CONCRETE CURB, TYPE E	459.0	LF	$49.73	$22,825.13
5	520-1-10 - CONCRETE CURB & GUTTER, TYPE F	1,341.0	LF	$52.43	$70,308.63
6	PERFORMANCE TURF, SOD	593.0	SY	$4.43	$2,626.99
7	0425 1351 - INLETS, CURB, TYPE P-5, <10'	10.0	EA	$14,370.18	$143,701.80
8	0425 1362 - INLETS, CURB, TYPE P-6, >10'	2.0	EA	$14,500.00	$29,000.00
9	425-2-41 - STORM MANHOLE, P-7	2.0	EA	$9,509.04	$19,018.08
10	0425 2 72 - MANHOLES, J-7, <10'	1.0	EA	$21,451.29	$21,451.29
11	430982133 MITERED END SECTION, OPTIONAL ROUND, 30" CD	1.0	EA	$6,859.54	$6,859.54
11	0430174118 - PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 18"SD	170.0	LF	$232.69	$39,557.30
12	0430174124 - PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 24"SD	1,235.0	LF	$287.97	$355,642.95
13	0430174130 - PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 30"SD	50.0	LF	$433.28	$21,664.00
14	6" PVC PIPE	771.0	LF	$17.84	$13,754.64
15	12" PVC FORCEMAIN	708.0	LF	$115.00	$81,420.00
15	0522 2 - CONCRETE SIDEWALK AND DRIVEWAYS, 6" THICK	352.0	SY	$129.00	$45,408.00
16	0536 1 1 - GUARDRAIL -ROADWAY, GENERAL TL-3	76.0	LF	$23.46	$1,782.96
17	0536 85 26 - GUARDRAIL END TREATMENT- TYPE CRT	2.0	EA	$3,749.31	$7,498.62
				Sub-Total	***$1,031,580.05***

EXHIBIT C

BLACKFIN PARTNERS

Opinion of Probable Costs

Power Bargain 17, LLC (c/o Blackfin Partners, LLC)
4440 PGA Blvd, Suite #600
Palm Beach Gardens, Florida 33410
Ph: 561-299-0036

Project: **Bargain Barn Rd Realignment**
Permit No.: **TBD**

Date: 9/9/2025

SIGNING & MARKING ITEMS

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	0700 1 11 SINGLE POST SIGN, F&I GROUND MOUNT, UP TO 12 SF	3.0	EA	$580.36	$1,741.08
2	FOR CROSSWALK	721.5	LF	$13.22	$9,538.23
3	0711 14170 - THERMOPLASTIC, PREFORMED, WHITE, ARROW	14.0	EA	$173.96	$2,435.44
4	FOR STOP LINE AND CROSSWALK	663.0	LF	$8.05	$5,337.15
5	FOR DIAGONAL OR CHEVRONS	172.0	LF	$6.29	$1,081.88
6	711 15131 - THERMO., STD. - OG, WHITE, SKIP, 6" (10/30)	0.1	GM	$2,254.17	$135.25
7	WHITE, SOLID, 6"	0.5	GM	$6,002.47	$2,941.21
				Sub-Total	***$23,210.24***

SIGNALIZATION ITEMS

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	SIGNALIZATION ALLOWANCE	1.0	LS	$350,000.00	$350,000.00

LIGHTING ITEMS

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	LIGHTING ALLOWANCE	1.0	EA	$150,000.00	$150,000.00

SUBTOTAL - HARD COSTS	**$2,149,930.50**
GENERAL CONTRACTOR OH&P (12% OF HARD COSTS)	**$257,991.66**
CONTINGENCY - (10% OF HARD COSTS)	**$214,993.05**
TOTAL - HARD COSTS	**$2,622,915.21**

SOFT COSTS

PROFESSIONAL SERVICES, INSURANCE, ETC.

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	SURVEY SERVICES, SKETCH OF DESCRIPTION, AS-BUILTS	1.0	LS	$30,300.00	$30,300.00
2	ENVRIONMENTAL: WETLAND / SPECIES ASSESSMENTS	1.0	LS	$10,700.00	$10,700.00
3	UTILITY LOCATION / GPR / SUE / SOFT DIGS ALLOWANCE	1.0	LS	$10,000.00	$10,000.00
4	PROFESSIONAL SERVICES	1.0	LS	$15,000.00	$15,000.00
5	CIVIL ENGINEERING	1.0	LS	$169,000.00	$169,000.00
6	PERMIT REVIEW FEES	1.0	LS	$5,684.00	$5,684.00
7	INSURANCE / GENERAL LIABILITY (0.70% OF HARD COSTS)	0.70%	%	$2,149,930.50	$15,049.51
8	SURETY BOND (1.5% OF HARD COSTS)	1.50%	%	$2,149,930.50	$32,248.96
9	CONSTRUCTION OBSERVATION / CEI ALLOWANCE	1.0	LS	$35,000.00	$35,000.00
10	MATERIAL TESTING / CMT ALLOWANCE	1.0	LS	$50,000.00	$50,000.00
11	WETLAND MITIGATION ALLOWANCE	1.0	LS	$105,800.00	$105,800.00
12	INTEREST / CARRY COSTS	1.0	LS	$61,750.25	$61,750.25
13	DEVELOPMENT / CONSTRUCTION MANAGEMENT (15%)	15.0%	%	$3,266,498.68	$489,974.80
				Sub-Total	***$1,030,507.52***

SUBTOTAL - SOFT COSTS	**$1,030,507.52**
CONTINGENCY - SOFT COSTS (10%)	**$103,050.75**
TOTAL - SOFT COSTS	**$1,133,558.28**

TOTAL DEVELOPMENT / CONSTRUCTION COST	**$3,756,473.49**

Exhibit D-1 – Abandonment Parcel

See Attached

DESCRIPTION:

THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 60.00 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN N76°18'40"W A DISTANCE OF 283.22' FEET; THENCE N13°41'20"E A DISTANCE OF 60.00 FEET TO SAID NORTH RIGHT OF WAY LINE; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S76°18'40"E A DISTANCE OF 283.28 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 16995 SQUARE FEET.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

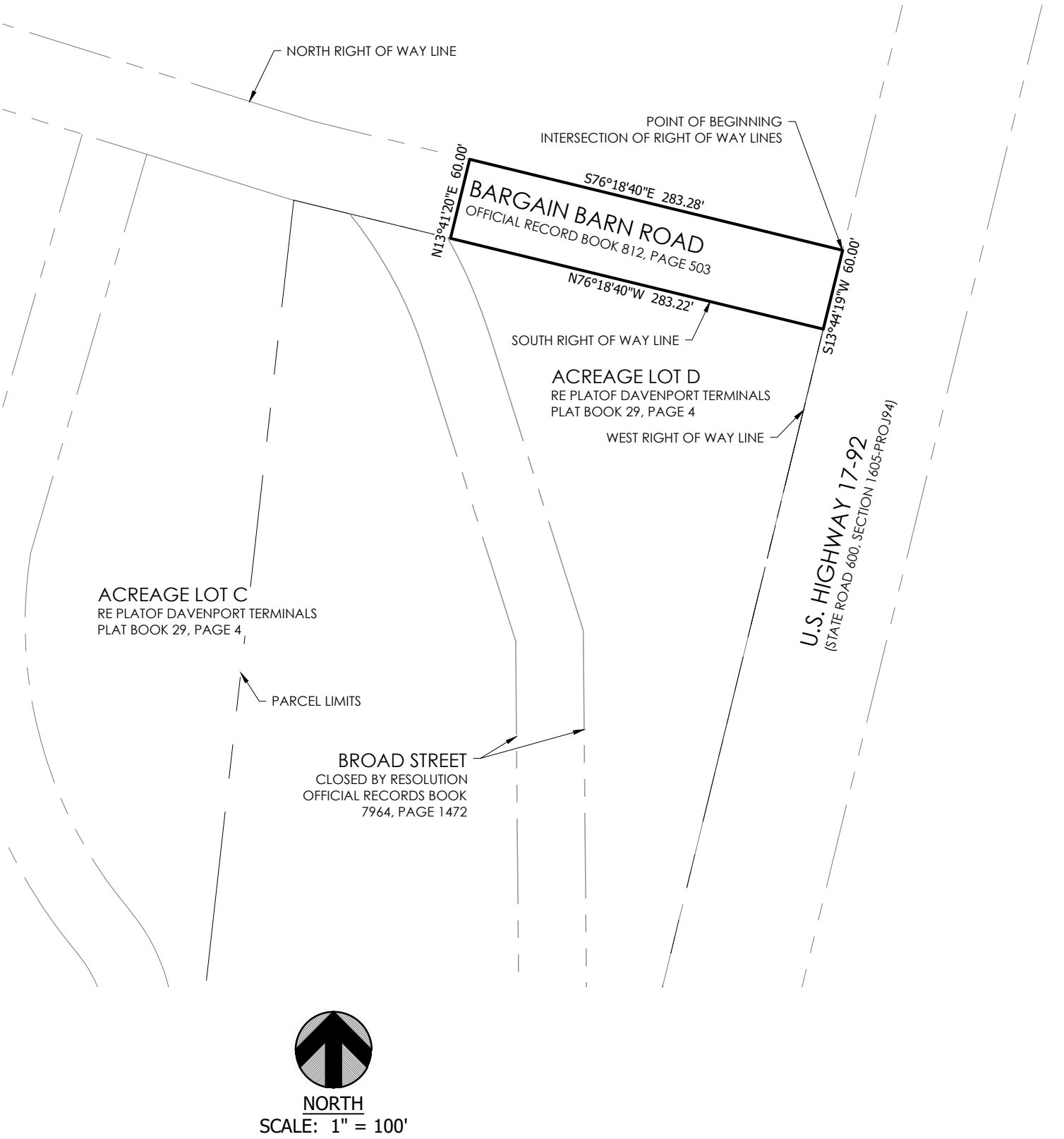
BASEPOINT SURVEYING, INC.
MAILING: P.O. BOX 253, BARTOW, FL 33831
OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #11



NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

BASEPOINT SURVEYING, INC.
MAILING: P.O. BOX 253, BARTOW, FL 33831
OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #11

Exhibit D-2 – Additional ROW Parcel

See Attached

DESCRIPTION:

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, AND THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 317.89 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN, N77°21'37"W A DISTANCE OF 136.06 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 58°51'01", WHOSE CHORD BEARS N47°56'06"W, A CHORD DISTANCE OF 167.04 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 174.61 FEET; THENCE N13°41'20"E A DISTANCE OF 180.99 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, N76°18'40"W A DISTANCE OF 119.10 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 13225, PAGE 2136 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AND THE POINT OF BEGINNING. RUN THENCE ALONG SAID EAST BOUNDARY S06°23'27"W A DISTANCE OF 121.13 FEET; THENCE N15°53'00"W A DISTANCE OF 50.22 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 45°31'30", WHOSE CHORD BEARS N38°38'45"W, A CHORD DISTANCE OF 131.55 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 135.08 FEET TO EAST RIGHT OF WAY LINE OF 42nd STREET AS DESCRIBED IN SAID OFFICIAL RECORD BOOK 13225, PAGE 2136; RUN THENCE ALONG SAID EAST RIGHT OF WAY LINE, N16°14'44"E A DISTANCE OF 3.24 FEET TO SAID SOUTH RIGHT OF WAY LINE OF BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING TWO COURSES: (1) S72°36'40"E A DISTANCE OF 110.78 FEET; (2) S76°18'40"E A DISTANCE OF 2.84 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS SQUARE 4516 FEET

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

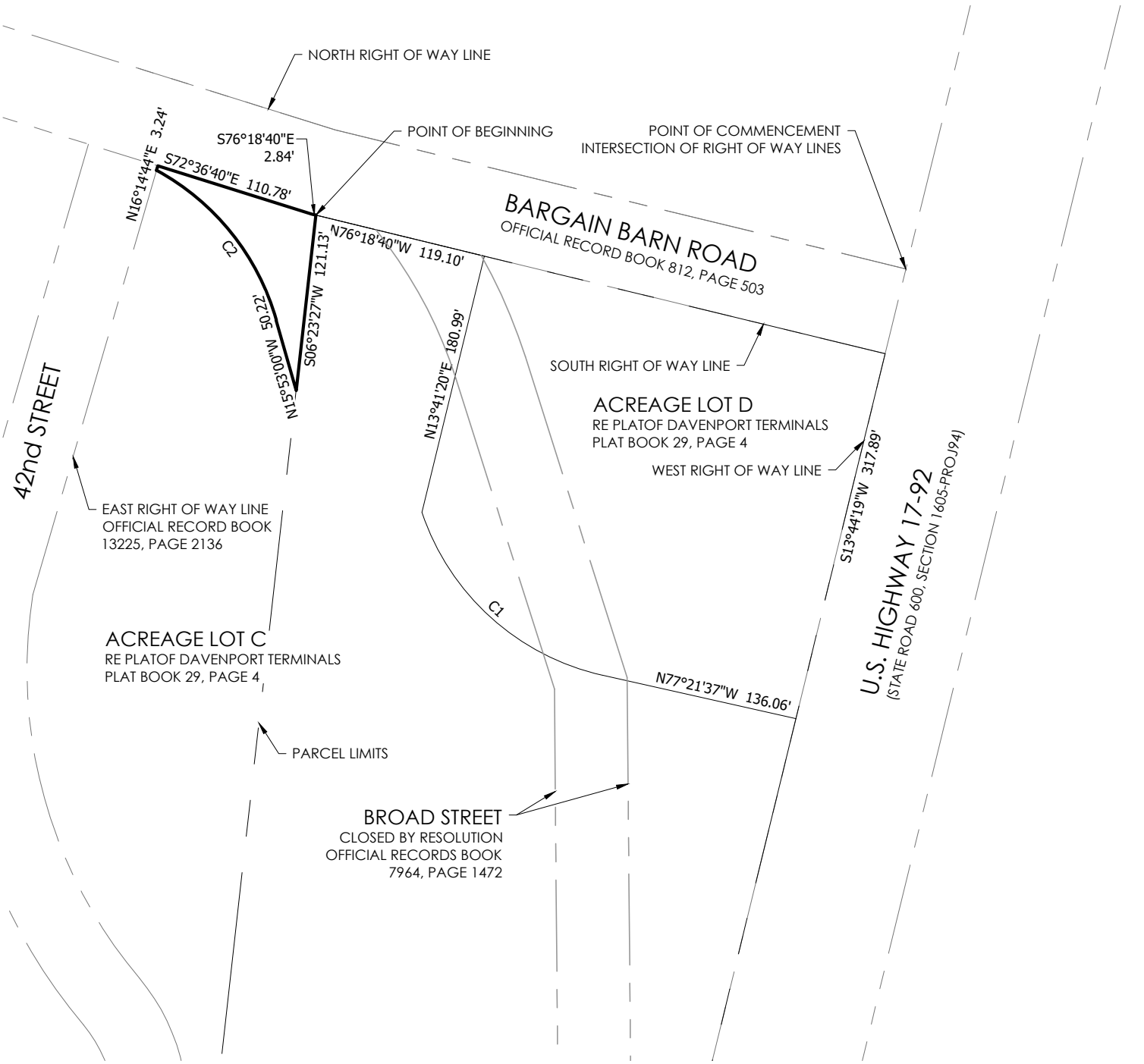
BASEPOINT SURVEYING, INC.
MAILING: P.O. BOX 253, BARTOW, FL 33831
OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #11



NORTH
SCALE: 1" = 100'

CURVE TABLE					
#	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	174.61'	170.00'	058°51'01"	167.04'	N47° 56' 06"W
C2	135.08'	170.00'	045°31'30"	131.55'	N38° 38' 45"W

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #11

DESCRIPTION:

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, AND THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 317.89 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN, N77°21'37"W A DISTANCE OF 136.06 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 50°11'13", WHOSE CHORD BEARS N52°16'00"W, A CHORD DISTANCE OF 144.19 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 148.91 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 08°39'49", A CHORD WHICH BEARS THENCE N22°50'30"W A CHORD DISTANCE OF 25.68 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 25.71 FEET; THENCE N13°41'20"E A DISTANCE OF 180.99 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, N76°18'40"W A DISTANCE OF 119.10 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 13225, PAGE 2136 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA. RUN THENCE ALONG SAID EAST BOUNDARY S06°23'27"W A DISTANCE OF 121.13 FEET; RUN THENCE S15°53'00"E A DISTANCE OF 96.31 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 230.00 FEET, A DELTA ANGLE OF 26°25'36", A CHORD WHICH BEARS S29°05'48"E, A CHORD DISTANCE OF 105.15 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 106.08 FEET; THENCE N13°43'29"E A DISTANCE OF 79.45 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 23452 SQUARE FEET.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

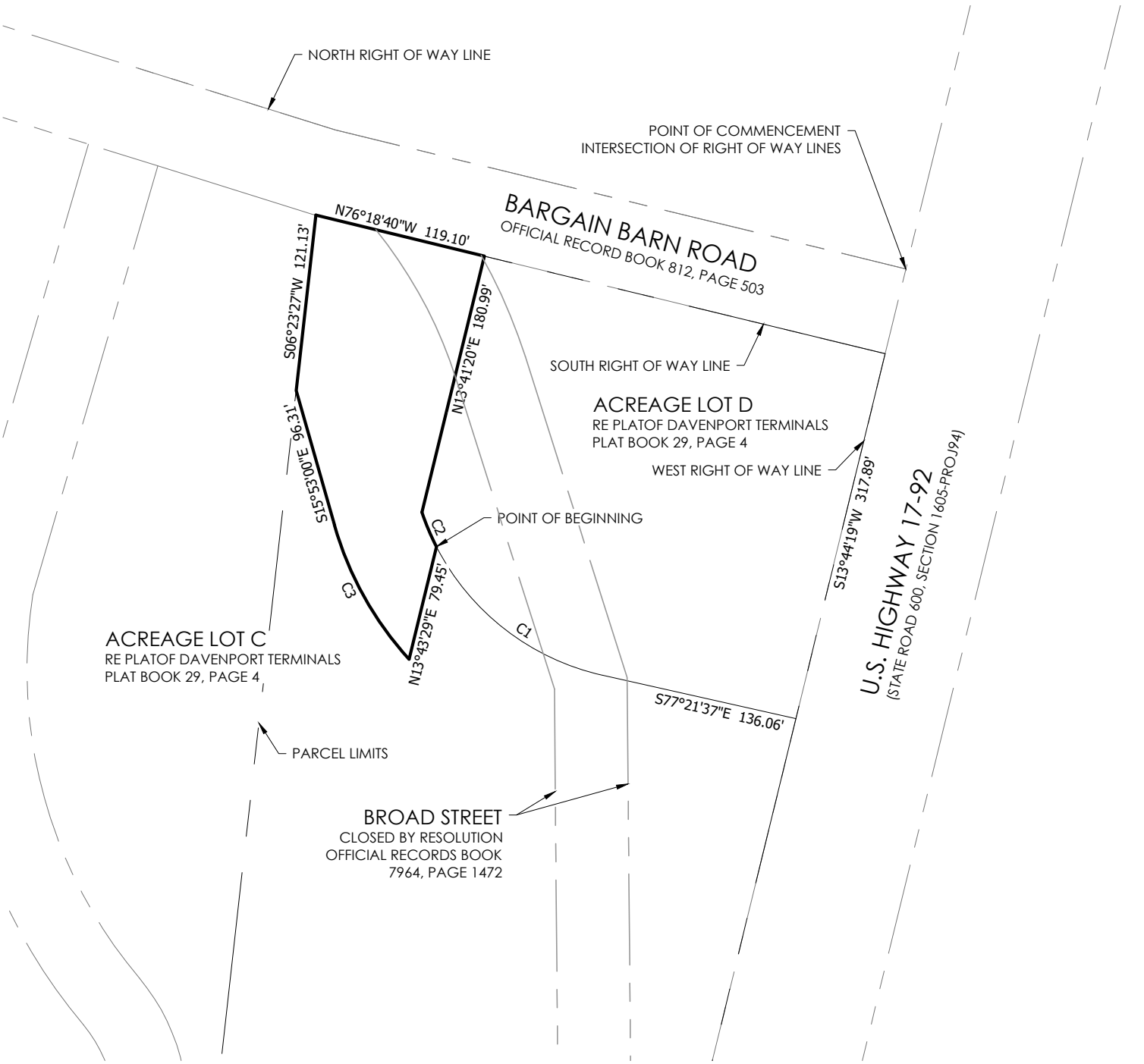
BASEPOINT SURVEYING, INC.
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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #11



NORTH
SCALE: 1" = 100'

CURVE TABLE					
#	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	148.91'	170.00'	050°11'13"	144.19'	N52° 16' 00"W
C2	25.71'	170.00'	008°39'49"	25.68'	N22° 50' 30"W
C3	106.08'	230.00'	026°25'36"	105.15'	S29° 05' 48"E

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #11

Exhibit D-3 – Swap Parcel

See Attached

DESCRIPTION:

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, SOUTH OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 293.83 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 84.06 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN N77°21'37"W A DISTANCE OF 134.91 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, A DELTA ANGLE OF 35°03'01", WHOSE CHORD BEARS N59°50'06"W, A CHORD DISTANCE OF 138.52 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 140.70 FEET; THENCE N13°43'29"E A DISTANCE OF 85.21 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 221.14 FEET, A DELTA ANGLE OF 08°50'42", A CHORD WHICH BEARS THENCE S41°16'36"E A CHORD DISTANCE OF 34.10 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 34.14 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 176.00 FEET, A DELTA ANGLE OF 29°28'05", A CHORD WHICH BEARS S62°37'34"E, A CHORD DISTANCE OF 89.53 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 90.52 FEET, TO A POINT OF TANGENCY; THENCE S77°21'37"E A DISTANCE OF 152.85 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 22273 SQUARE FEET.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

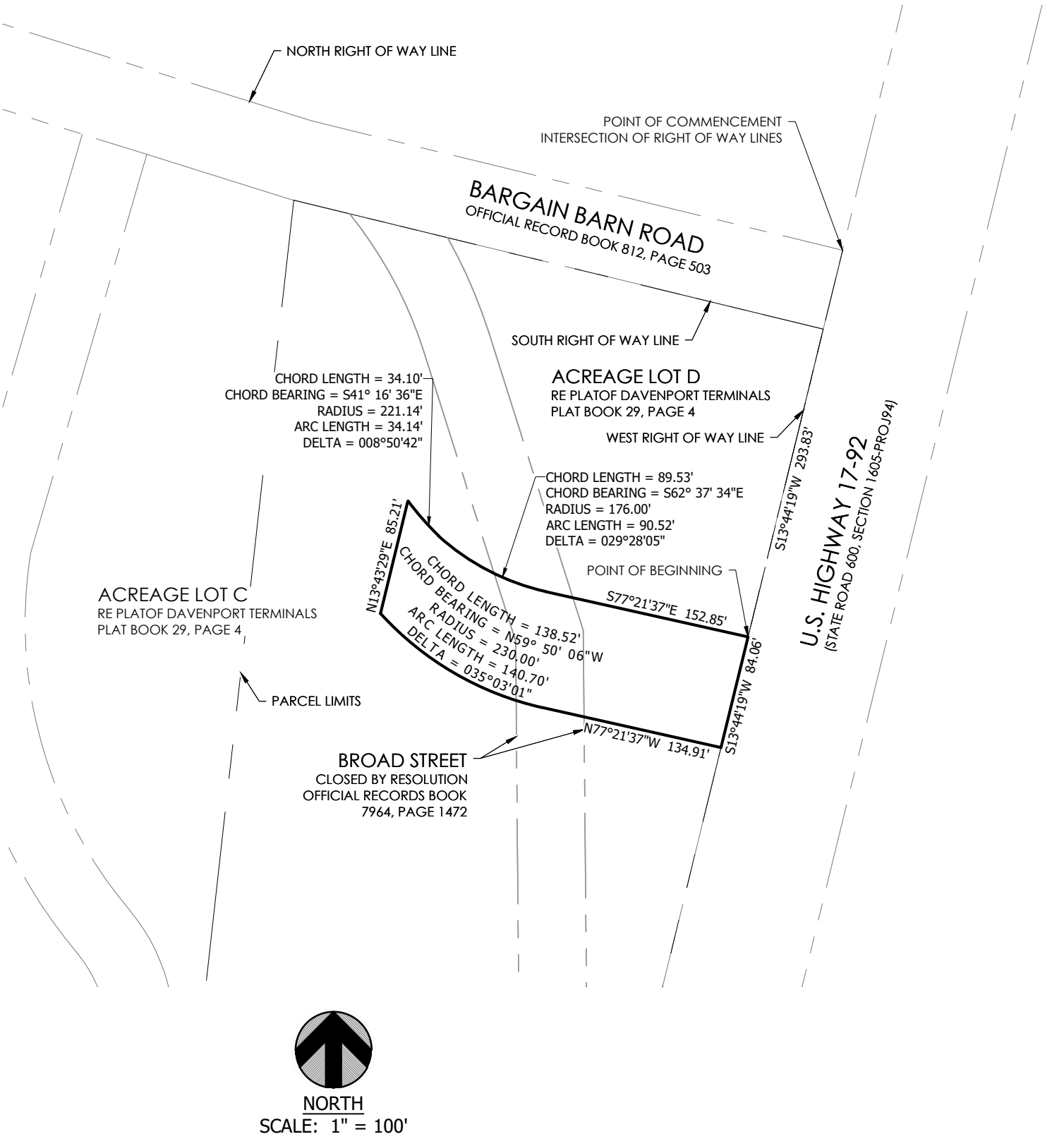
BASEPOINT SURVEYING, INC.
MAILING: P.O. BOX 253, BARTOW, FL 33831
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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #11



NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #11

Exhibit D-4 – Lift Station Parcel

See Attached

DESCRIPTION:

THAT PART OF BROAD STREET SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, LYING WITHIN THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812, PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 17-92 AND RUN THENCE ALONG SAID NORTH RIGHT OF WAY N76°18'40"W A DISTANCE OF 283.28 FEET TO THE POINT OF BEGINNING. CONTINUE THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING TWO COURSES: (1) N76°18'40"W A DISTANCE OF 120.01 FEET; (2) N72°36'40"W A DISTANCE OF 141.80 FEET; THENCE S17°23'32"W A DISTANCE OF 60.00 FEET TO THE SOUTH RIGHT OF WAY OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING TWO COURSES: (1) S72°36'40"E A DISTANCE OF 143.74 FEET; (2) S76°18'40"E A DISTANCE OF 121.94 FEET; THENCE N13°41'20"E A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

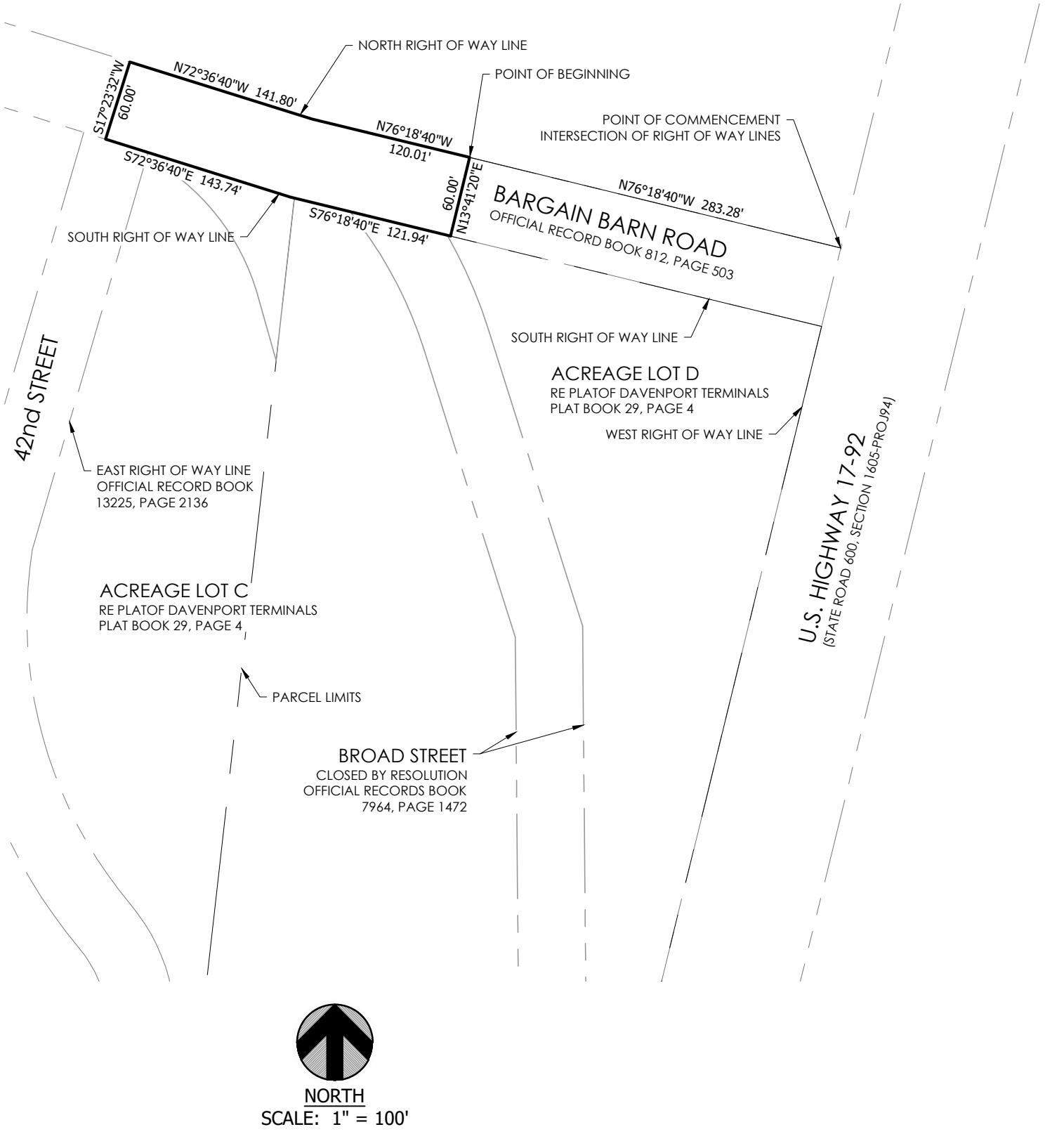
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BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #11



NORTH
SCALE: 1" = 100'

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

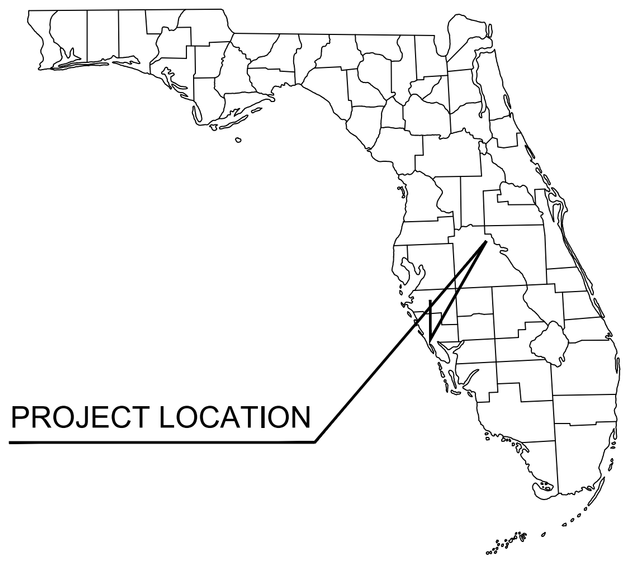
SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #11

Exhibit E – Plans and Specifications

See Attached



CONSTRUCTION PLANS

FOR

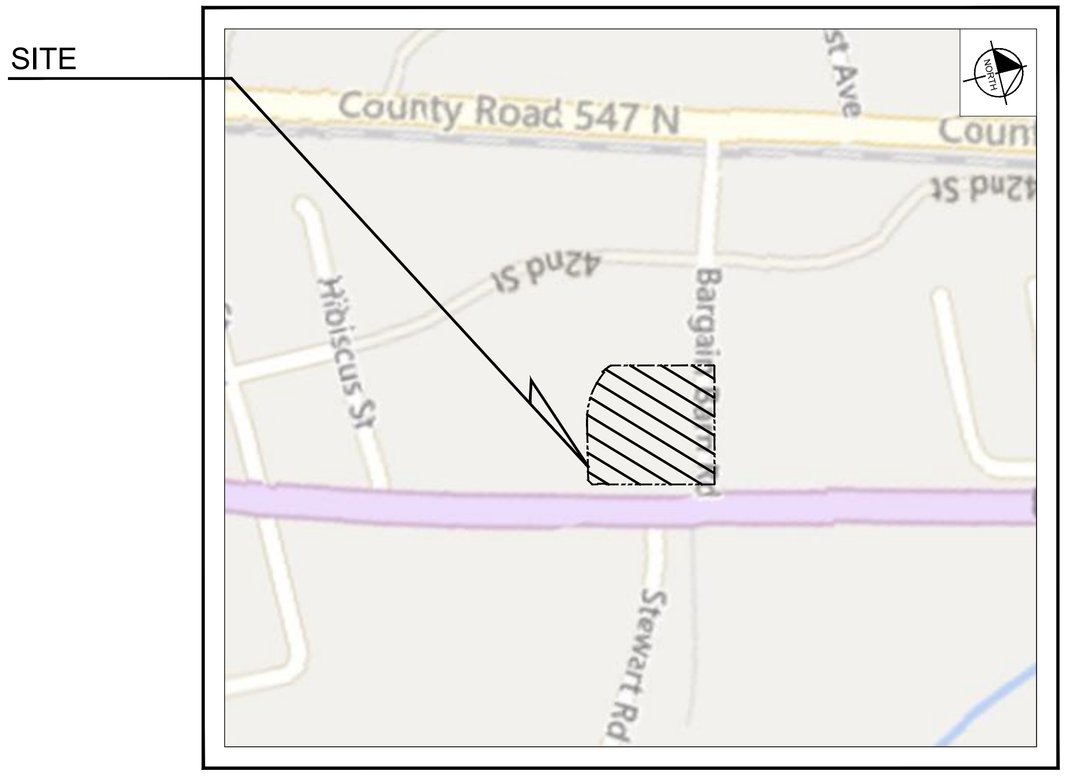
7-11 BARGAIN BARN RD

(7-ELEVEN SITE #1056916)

POLK COUNTY PARCEL ID NO:
27-27-03-717000-000032

DAVENPORT, FLORIDA

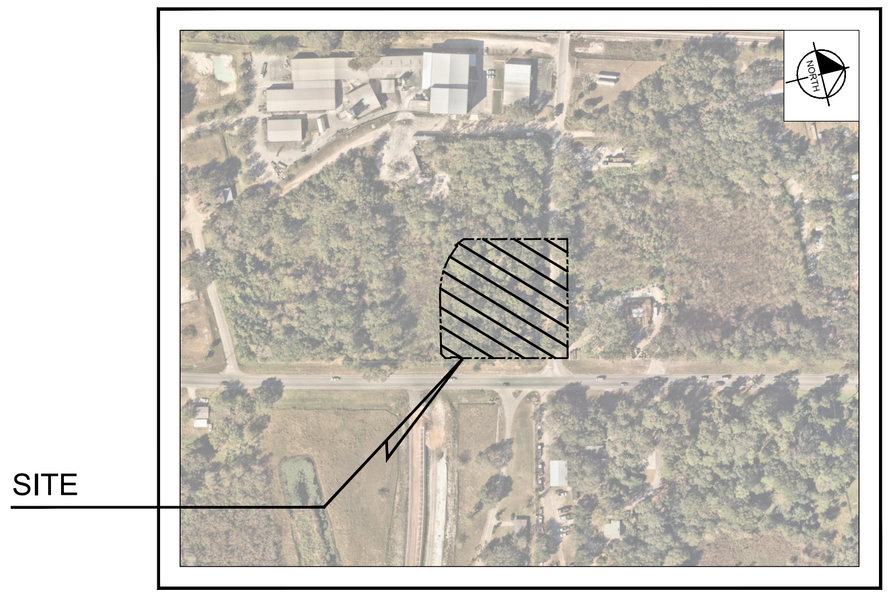
JULY 25, 2025



SECTION 03 , TOWNSHIP 27S, RANGE 27E

LOCATION MAP

N.T.S.



AERIAL PHOTOGRAPH

N.T.S.

Sheet List Table	
Sheet Number	Sheet Title
C0.0	COVER
C1.0–C1.1	GENERAL NOTES
C2.0	STORMWATER POLLUTION PREVENTION PLAN
C3.0–C3.1	EXISTING CONDITIONS & DEMOLITION PLAN
C4.0–C4.2	SITE PLAN
C5.0–C5.1	PAVING, GRADING, AND DRAINAGE PLAN
C6.0–C6.1	UTILITY PLAN
C7.0–C7.1	BARGAIN BARN ROAD PLAN & PROFILE
C8.0–C8.7	BARGAIN BARN ROAD CROSS SECTIONS
C9.0	U.S. HIGHWAY 17–92 TURN LANE PLAN
C10.0–C10.8	U.S. HIGHWAY 17–92 CROSS SECTIONS
C11.0–C11.2	STANDARD DETAILS
C11.3–C11.8	7–11 STANDARD DETAILS
C12.0–C12.5	CITY OF DAVENPORT STANDARD DETAILS
L1.00	LANDSCAPE PLAN
L1.50	LANDSCAPE DETAILS
L1.51	LANDSCAPE NOTES
L2.00	IRRIGATION PLAN
L2.50	IRRIGATION DETAILS
L2.51	IRRIGATION NOTES

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF POLK, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:
A PORTION OF:
COMMENCING AT THE INTERSECTION OF HIGHWAY U.S. 17–92 (100' RIGHT–OF–WAY) AS PER D.O.T. SHEET #12, PROJECT 94, FEDERAL ROAD DISTRICT 8 AND A POINT 5' SOUTH OF THE CENTERLINE OF HIBISCUS AVENUE (50' RIGHT–OF–WAY) AS PER THE REPLAT OF DAVENPORT TERMINALS, BOOK 29, PAGE(S) 4, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, WHICH POINT BEARS S 89°35'17"W, 975.94 FEET FROM THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE S 89°35'17"W, 51.49 FEET ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3, SAID FRACTIONAL LINE LYING 5' SOUTH OF THE CENTERLINE OF SAID HIBISCUS AVENUE TO A POINT AT THE SOUTHERLY PROJECTION OF THE WEST RIGHT–OF–WAY OF SAID HIGHWAY U.S. 17–92; THENCE N 14°13'24" E, 30.89 FEET ALONG SAID DESCRIBED SOUTHERLY PROJECTION OF HIGHWAY U.S. 17–92 TO THE INTERSECTION OF THE WEST RIGHT–OF–WAY LINE OF SAID HIGHWAY U.S. 17–92 AND THE NORTH RIGHT–OF–WAY OF SAID HIBISCUS AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 89°35'17" W 310.95 FEET ALONG THE NORTH LINE OF SAID HIBISCUS AVENUE TO A POINT ON THE EAST RIGHT–OF–WAY OF 42ND ST. (50' RIGHT–OF–WAY) AS SHOWN ON SAID REPLAT OF DAVENPORT TERMINALS; SAID LINE BEING PARALLEL WITH AND 30' NORTH OF SAID DESCRIBED FRACTIONAL LINE, ALSO BEING THE SOUTHERLY LINE OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON SAID REPLAT OF DAVENPORT TERMINALS; THENCE N 0°17'20" E, 163.00 FEET ALONG THE EAST RIGHT–OF–WAY OF SAID 42ND ST. TO A POINT OF CURVE, SAID LINE LYING ON THE WEST LINE OF SAID ACREAGE LOT C; THENCE NORTHWESTERLY 142.99 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 204.85 FEET AND A CENTRAL ANGLE OF 39°59'44" TO A POINT OF TANGENCY, SAID LINE BEING COINCIDENT WITH THE EAST RIGHT–OF–WAY OF SAID 42ND ST. AND SAID WEST LINE OF ACREAGE LOT C; THENCE N 39°42'44" W, 36.47 FEET ALONG THE LAST DESCRIBED LINE OF COINCIDENCE TO A POINT OF CURVE; THENCE NORTHEASTERLY, 191.57 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 194.32 FEET AND A CENTRAL ANGLE OF 56°29'10" TO A POINT OF TANGENCY, SAID ARC CONTINUING ALONG LAST DESCRIBED LINE OF COINCIDENCE; THENCE N 16°46'29" E, 321.09 FEET ALONG THE LAST DESCRIBED LINE OF COINCIDENCE TO A POINT ON THE SOUTH RIGHT–OF–WAY OF BARGAIN BARN ROAD (60' RIGHT–OF–WAY) AS SHOWN ON A QUIT–CLAIM DEED AND RECORDED IN DEED BOOK 812, PAGE 503, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, THENCE S 71°58'49" E, 65.88 FEET ALONG THE SOUTH RIGHT–OF–WAY OF SAID BARGAIN BARN ROAD; THENCE S 75°25'24" E, 449.58 FEET ALONG SAID SOUTH RIGHT–OF–WAY OF BARGAIN BARN ROAD TO A POINT ON THE WESTERLY RIGHT–OF–WAY OF SAID HIGHWAY U.S. 17–92; THENCE S 14°13'24" W, 621.49 FEET ALONG THE WESTERLY RIGHT–OF–WAY OF SAID HIGHWAY U.S. 17–92 TO A POINT OF CURVE; THENCE SOUTHWESTERLY 79.57 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 3951.19 FEET AND A CENTRAL ANGLE OF 01°09'14", ALONG THE SAID WESTERLY RIGHT–OF–WAY OF HIGHWAY U.S. 17–92 TO A POINT ON CURVE, SAID POINT BEING THE POINT OF BEGINNING.
LESS AND EXCEPT THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 13225, PAGE 2136 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

UTILITY PROVIDERS

WATER AND SEWER:
CITY OF DAVENPORT
1 SOUTH ALLAPAHA AVENUE
DAVENPORT, FL 33836
PHONE: (863) 419-3300

TELEPHONE/CABLE:
CENTURYLINK (LUMEN)
446 W PLANT ST
WINTER GARDEN, FL 34787

ELECTRIC :
DUKE ENERGY
452 E CROWN POINT RD
WINTER GARDEN, FL 34787
PHONE: (407) 938-6658

GAS:
FLORIDA PUBLIC UTILITIES
1705 SW 7TH STREET
WINTER HAVEN, FL 33880

PROJECT TEAM

ARCHITECT:
INTERPLAN LLC
200 E. CENTRAL PKWY, SUITE 4000
ALTAMONTE SPRINGS, FL 32701
CONTACT: NICOLE WEIR
PHONE: (407) 645-5008

DEVELOPER:
BLACKFIN PARTNERS INVESTMENTS, INC.
4440 PGA BOULEVARD, SUITE 600
PALM BEACH GARDENS, FL 33410
CONTACT: SETH SWISHER
PHONE: (727) 259-5729
EMAIL: SSWISHER@BLACKFINPARTNERS.COM

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
CONTACT: DEREK E, RAMSBURG, P.E.
PHONE: (407) 427-1642
EMAIL: DEREK.RAMSBURG@KIMLEY-HORN.COM

OWNER:
FRERICKS DUANE
7540 WAVERLY RD
LAKE WALES, FL 33859

SURVEYOR:
BASEPOINT SURVEYING, INC.
16 EAST PLANT STREET
LAKELAND, FL 33807
CONTACT: ROBERT LAZENBY IV
PHONE: (863) 537-7413
EMAIL: RLAZENBY@BASEPOINTSURVEYING.COM

LANDSCAPE ARCHITECT:
KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
CONTACT: JOHN GRIFFIN, PLA
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PREPARED BY

Kimley»Horn

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No.	REVISIONS	DATE	BY

Drawing name: K:\ORL_Civil\249188010–7–11 Bargain Barn Rd\CADD\CONST\PlanSheets\C0.0 – COVER.dwg C0.0 Jul 24, 2025 5:24pm by: Blake.Guidry
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley–Horn and Associates, Inc. shall be without liability to Kimley–Horn and Associates, Inc.

Exhibit F – Reimbursement Requirements

COUNTY REIMBURSEMENT REQUIREMENTS

1. The Developer will be required to register with the County as a Vendor to allow for payment. Registration can take place as the following website:
   www.polk-county.net/business/procurement/vendor-information/

2. The Developer must submit pay requests that match the fee schedule or exhibit that corresponds with the agreement.

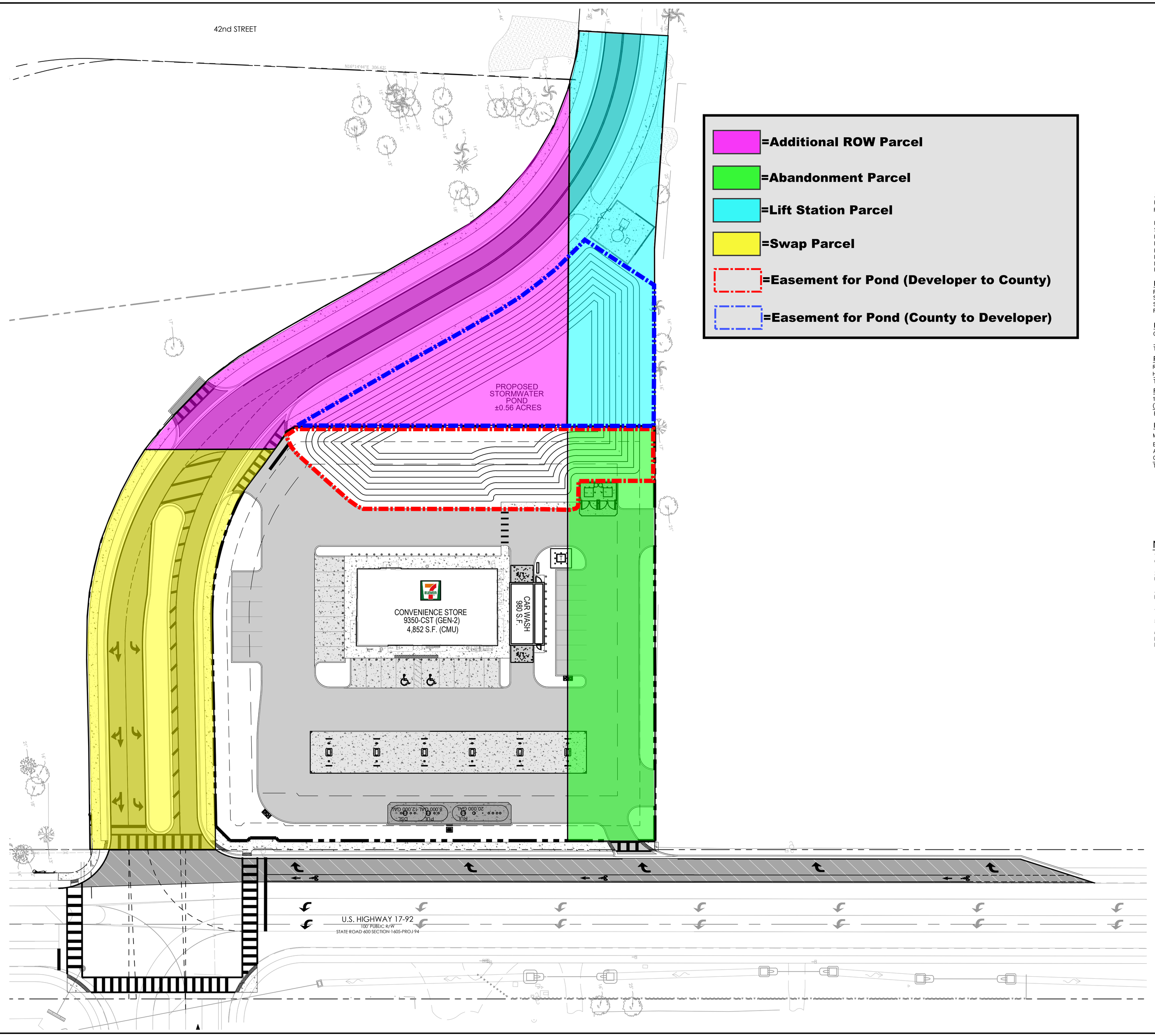
3. Developer's request for payment shall utilize an AIA G702 Application and Certificate for Payment evidencing the portion of the Transportation Improvements completed through the date of such request and the portion of the Reimbursement Amount incurred through the date of such request; and (i) copies of invoices substantiating the request for payment, and (ii) copies of interim progress lien waivers (which may be conditioned upon payment) from the Contractor and all Subcontractors meeting the requirements of applicable law to extinguish all lien rights of such parties in connection with Transportation Improvements as completed through the effective date of such lien waivers. Within five (5) business days after receipt of a request for payment, County shall either approve or deny (with specificity) the request, and, if denied, shall describe any additional documentation that is reasonably needed to ensure that the request for payment is complete, failing which the County's approval will be deemed given. Once the County determines (or is deemed to have determined) that the request for payment and backup documentation is complete, the County shall have ten (10) business days to remit payment to Developer. County shall not unreasonably withhold or delay approval of any draw requests. Final disbursement of the Reimbursement Amount will be made in accordance with the provisions of Section 7.3. Any untimely payment shall accrue interest as mandated under Part VII, Ch. 218, Florida Statutes, and nothing herein limits the Developer's rights to such interest

4. Any identifying bank information such as bank account numbers shall be blacked out prior to submission. If more than one invoice is paid out of one check or ACH transaction, the Developer shall provide an explanation that links the individual payments to the invoices being submitted i.e. via internal document or spreadsheet, so the payment is easily identifiable to the auditor. Any questions can be directed to the Roads and Drainage Fiscal Section by calling 863-535-2200 and asking for the Developer Agreement Reimbursement Coordinator.

5. Impact Fee Credits: If impact fee credits are included in the agreement, Roads and Drainage will initially review the pay application. Once review is complete, the pay application will be forwarded to the Office of Planning and Development Fiscal Manager for issuance of impact fee credits. For further information, the Office of Planning and Development Fiscal Manager can be reached at 863-534-6460.

Exhibit G – Stormwater Cross-Easement Area

See Attached



=Additional ROW Parcel

=Abandonment Parcel

=Lift Station Parcel

=Swap Parcel

=Easement for Pond (Developer to County)

=Easement for Pond (County to Developer)

NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

SITE DATA:

PROJECT NAME:	7-11 BARGAIN BARN RD
REQUIRED CODE:	CITY OF DAVENPORT UNIFIED LAND DEVELOPMENT REGULATIONS
PARCEL ID:	27-27-03-717000-000032
SITE AREA:	1.83 ACRES / 79,824 SF
FUTURE LAND USE:	INDUSTRIAL
EXISTING ZONING:	VACANT INDUSTRIAL
PROPOSED ZONING:	C-3 (HIGHWAY COMMERCIAL)
PROPOSED USE:	COMMERCIAL
MAXIMUM BUILDING HEIGHT:	70'
PROPOSED BUILDING HEIGHT:	24'-8" (1 STORY)

BUILDING SETBACKS (C-3)	REQUIRED	PROVIDED
FRONT:	30 FT	130.2 FT
STREET-SIDE:	25 FT	91.2 FT
SIDE:	25 FT	25 FT
REAR:	25 FT	37.1 FT

REQUIRED PARKING:	
GENERAL RETAIL (4 SPACES/1000 SF): 4 SPACES*(4,852 SF / 1000 SF):	20 SPACES
TOTAL PARKING SPACES REQUIRED:	20 SPACES

PROVIDED PARKING:	
REGULAR SPACES (10'x20'):	27 SPACES
HANDICAP SPACES (12'X20'):	2 SPACES
TOTAL SPACES PROVIDED:	29 SPACES

REQUIRED BICYCLE PARKING:	
1 SPACE FOR EVERY 10 PARKING SPACES (29/10 = 2.9)	3 SPACES
BICYCLE PARKING PROVIDED:	5 SPACES

IMPERVIOUS CALCULATIONS	
MAXIMUM ALLOWABLE IMPERVIOUS AREA (70%):	1.28 AC
BUILDING AREA:	0.13 AC
ASPHALT AREA:	0.80 AC
CONCRETE AREA:	0.32 AC
TOTAL IMPERVIOUS AREA:	1.25 AC (68.24%)

NOTES:

1. ALL CURB DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. REFER TO SIGNAGE PLANS FOR MONUMENT SIGN DETAILS.
5. SEE MEP PLANS FOR ELECTRICAL DRAWINGS.
6. ALL PROPOSED ON-SITE STRIPING AND PAVEMENT MARKING WILL BE PAINTED UNLESS OTHERWISE NOTED AND IN ACCORDANCE WITH FDOT INDEX 711-001.

LEGEND

- PROPERTY BOUNDARY
- BUILDING SETBACK
- LANDSCAPE SETBACK
- PROPOSED FENCE
- (X) PARKING SPACE COUNT
- PROPOSED STANDARD DUTY ASPHALT PAVEMENT (SEE SHEET C11.5)
- PROPOSED POLK COUNTY PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED FDOT PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED STANDARD DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED TANK SLAB CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED CONCRETE SIDEWALK

Always call 811 two full business days before you dig to have underground utilities located and marked.

Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn

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WWW.KIMLEY-HORN.COM REGISTRY No. 35106

LICENSED PROFESSIONAL ENGINEER DEREK E. RAMSBURG * STATE OF FLORIDA * No. 88965 * REGISTERED 07/25/2025

KHA PROJECT	249188010
DATE	JULY 25, 2025
SCALE	AS SHOWN
DESIGNED BY	BMG
DRAWN BY	BMG
CHECKED BY	DER

OVERALL SITE PLAN

7-11 BARGAIN BARN RD

CITY OF DAVENPORT FLORIDA

SHEET NUMBER
C4.0

Plotted By:Guidry, Blake Sheet Set:7-11 BARGAIN BARN RD Layout:C4.0 July 24, 2025 09:29:50pm K:\ORL_Civil\249188010-7-11 Bargain Barn Rd\CADD\CONST\PlanSheets\C4.0 - SITE PLAN.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

INFRASTRUCTURE AGREEMENT
FOR
BARGAIN BARN ROAD

THIS INFRASTRUCTURE AGREEMENT ("**Agreement**") is made and entered into by and between POWER BARGAIN 17, LLC, a Florida limited liability company ("**Developer**") and POLK County, FLORIDA, a political subdivision of the State of Florida (the "**County**"). Developer and County, as and when each executes this AGREEMENT, are sometimes referred to collectively as the "**Parties**" and individually as a "**Party**."

WITNESSETH:

WHEREAS, the Developer is the contract purchaser and intends to be the master developer of certain real property located at the intersection of U.S. Highway 17-92 N and Bargain Barn Road in unincorporated Polk County, Florida identified as Parcel Number 27-27-03-717000-000032, and as legally described and generally depicted on **Exhibit A** hereto (the "**Property**"), which includes the Abandonment Parcel but excludes the Swap Parcel; and

WHEREAS, the Developer has processed, and the County and/or City of Davenport will review applications for certain approvals regarding the above-described Property to be developed as 7-Eleven Motor Fuels Facility and Convenience Store ("**Project**"); and

WHEREAS, the Developer is willing to construct certain offsite transportation, drainage and stormwater improvements concerning Bargain Barn Road, as generally depicted in the preliminary site plan attached hereto as **Exhibit B**, and as hereinafter described (the "**Transportation Improvements**"); and

WHEREAS, the Developer has requested, and the County has agreed, to reimburse the Developer for its actual costs incurred for the Transportation Improvements up to $3,756,473.49 (the "**Reimbursement Amount**"), which amount the County has previously approved and reflects the estimated cost of the Transportation Improvements based on the Opinion of Probable Costs attached hereto as **Exhibit C**; and

WHEREAS, in connection with constructing the Transportation Improvements, (i) a portion of Bargain Barn Road containing ± 0.39 acres legally described and depicted on **Exhibit D-1** (the "**Abandonment Parcel**") must be abandoned, vacated and conveyed by the City of Davenport (the "**City**") to Developer to be incorporated into the Property, (ii) County must acquire good, marketable and fee simple title to certain parcels of real property containing ± 0.54 acres, ± 0.10 acres, each as legally described and depicted on **Exhibit D-2** (collectively, the "**Additional ROW Parcel**"), (iii) a portion of the Property containing ± 0.51 acres legally described and depicted on **Exhibit D-3** (the "**Swap Parcel**") must be conveyed to the County by Developer following completion of the Transportation Improvements, and (iv) a portion of Bargain Barn Road legally described and depicted on **Exhibit D-4** (the "**Lift Station Parcel**") must be abandoned, vacated and conveyed by the City of Davenport (the "**City**") to the County to be incorporated into the Transportation Improvements; and

WHEREAS, the Parties desire to set forth in writing the terms and conditions of their understanding and agreement related to the Developer construction of the Transportation Improvements described herein; and

WHEREAS, this Agreement is in the best interest of the public health, safety and welfare of Polk County, Florida and provides a benefit to the residents of Polk County.

NOW, THEREFORE, in consideration of the mutual covenants, premises and promises hereinafter set forth, the receipt, adequacy and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Recitals. The foregoing recitals are acknowledged by the Parties as accurate representations of background facts and are incorporated herein for purposes of interpreting the intent of this Agreement.

2. Effective Date. The Effective Date of this Agreement shall be the date on which the County executes this Agreement.

3. Transportation Improvements. The County and the Developer agree to the following terms and conditions:

3.1 The Developer shall demolish and realign Bargain Barn Road, and install all associated curbing, turn lanes, directional markings, signage, paving, lighting, drainage lines, conduits and facilities, stormwater ponds, and related improvements in accordance with the Plans and Specifications (as defined below).

3.2 The Developer shall initially bear full responsibility for payment of all costs related to the construction of the Transportation Improvements in accordance with the Plans and Specifications. Subject to the terms of Section 6 below, County shall reimburse, in cash, Developer for all such costs, including, without limitation, all (i) debt service, financing and interest carry expenses on any associated loan to Developer to assist in financing the construction costs (collectively, "**Developer's Financing Costs**"), (ii) maintenance, surety and other related carrying costs associated with undertaking the work (the "**Carry Costs**"), (iii) all due diligence, design, permitting, legal, engineering and other soft costs of any kind associated with the Transportation Improvements (collectively, "**Soft Costs**"), and (iv) a construction management fee in an amount equal to 15% of the total costs (the "**Construction Management Fee**").

3.3 All construction activities and completed Transportation Improvements must be inspected by the County prior to acceptance and ownership in accordance with Section 7.2 below.

4. Plans, Specifications, and Permits

4.1 County acknowledges receipt and preliminary approval of the full civil drawings and construction plans for the Transportation Improvements prepared by Kimley Horn, the cover sheet of which is attached hereto as **Exhibit E** (the "**Plans and Specifications**"). The Plans and Specifications are a material part of this Agreement and have been used by Developer to establish the Reimbursement Amount. Once fully approved by the County and Developer through the permitting processes, the Plans and Specifications shall be used by Developer to obtain bids for construction of the Transportation Improvements as more particularly provided in Section 5.1 below.

4.2 The Plans and Specifications for the Transportation Improvements may be further modified through the mutual agreement of Developer and the County through the permitting processes, and by change order as actual construction of the Transportation Improvements progresses. Proposed modifications and change orders shall be submitted by Developer to the County for review. The County shall review and respond to such submissions within a reasonable time, not to exceed ten (10) business days (subject to an Event of Force Majeure). To be effective and binding against the County, all modifications and change orders must be in writing and executed by both the County and the Developer. Any modifications or change orders that increase, in the aggregate, the Reimbursement Amount by ten percent (10%) or less shall require written approval by the County's Roads and Drainage Division Director, which

approval shall not be unreasonably withheld, conditioned, or delayed. Any modifications or change orders that increase, in the aggregate, the Reimbursement Amount by more than ten percent (10%) shall require a fully executed amendment to this Agreement. All approved modifications and change orders shall correspondingly amend the Reimbursement Amount, as applicable.

4.3 Developer shall design and construct the Transportation Improvements in a manner sufficient to satisfy the applicable government permitting requirements. It will be the responsibility of Developer to obtain any permits from any other governmental entity required for the construction of Transportation Improvements.

4.4 It will be the responsibility of Developer, as part of the Reimbursement Amount, to obtain any and all environmental survey, environmental permits, and environmental mitigation for the Transportation Improvements, if necessary.

5. **Construction of Transportation Improvements**.

5.1 Developer agrees to use a competitive bidding process in retaining a contractor to construct the Transportation Improvements. The County will have the right, acting reasonably and in good faith, to review the competitive bidding process utilized by Developer and shall additionally have the right to review all bids received (acting reasonably and in good faith). Notwithstanding the foregoing, in no event may the County require more than three separate bids from qualified contractors or object to the proposed number of construction days to complete the Transportation Improvements if such number is not greater than 225 days after the later of the following: (i) Developer's pre-construction conference with the County regarding the Transportation Improvements, (ii) Developer's permit kick-off meeting with FDOT regarding the Transportation Improvements, (iii) receipt of all permits for the Transportation Improvements, or (iv) receipt of the written Notice to Proceed, unless a later date is mutually agreed to by the Parties, which agreement shall not be unreasonably withheld. If the lowest bid received by Developer exceeds the Reimbursement Amount by more than 10% in the aggregate, the County may, by written notice to Developer given within ten (10) business days following receipt of written notice from Developer that the bidding process is complete, require Developer to reject all bids and re-bid all or a portion thereof as applicable. If the County fails to timely deliver such written notice, the County will be deemed to have approved the bidding process and all bids received. If Developer refuses to reject the bids and re-bid following receipt of County's notice, the County shall have the option, as its sole and exclusive remedy, to terminate this Agreement (including terminating any obligation of the County to reimburse Developer) by written notice to Developer delivered within ten (10) business days following receipt of notice from Developer that Developer refuses to reject the bids and re-bid. After receipt of responsive bids, Developer shall select the lowest priced responsive and qualified, responsible bidder, notify the County of the bidder selected, and enter into a contract for construction of the Transportation Improvements (the "**Construction Contract**") with the selected contractor ("**Contractor**"). Upon execution of the final Construction Contract, Developer will provide a copy of the Construction Contract to the County's Roads and Drainage Division. If the County elects to terminate this Agreement pursuant to this Section 5.1, such termination shall be without penalty to Developer, and County shall, within thirty (30) days of such termination, reimburse Developer for all of its reasonable, out-of-pocket costs and expenses associated with this Agreement and the Transportation Improvements actually incurred through the date of termination, consistent with the costs eligible for reimbursement as described in Sections 3.2 and 11 hereof.

5.2 The County further acknowledges that the Construction Contract will include additional work relating to the Property and other offsite work beyond the scope of the Transportation Improvements, and Developer will use commercially reasonable efforts to separately allocate the cost of the Transportation Improvements from the overall contract sum due Contractor pursuant to the Construction Contract.

5.3 The Developer shall not begin construction on the Transportation Improvements until a written Notice to Proceed has been provided to Developer by the Polk County Roads and Drainage Division, which shall not be unreasonably withheld, conditioned, or delayed; provided, however, the County shall not issue the Notice to Proceed prior to the date that (i) Developer has acquired good, marketable, and indefeasible fee simple title to the Abandonment Parcel from the City, and (ii) the County has acquired good, marketable, and indefeasible fee simple title to the Lift Station Parcel from the City. The parties acknowledge that the County has, prior to the Effective Date, acquired the Additional ROW Parcel. If either Party fails to acquire their respective parcel as aforesaid within ninety (90) days following the Effective Date of this Agreement, the Parties shall meet within ten (10) business days to determine a mutually acceptable resolution, which may include an extension of time or alternative access arrangements.

5.4 Prior to the commencement of construction and after the written Notice to Proceed has been provided to the Developer, the Developer shall schedule, notice, and attend a pre-construction conference with the Developer's engineer, Developer's Contractor, Polk County Land Development Division, Polk County Roads and Drainage Division, and all involved utility companies. The Developer agrees to provide notice of the meeting at least seven (7) days in advance of such meeting to allow the relevant parties and entities to attend.

5.5 The County shall have the right to periodically inspect and monitor the work site during construction of the Transportation Improvements. The County agrees that any such entry onto the site by its employees, agents, or consultants shall be at the County's sole cost, risk, and liability. The County shall provide Developer with at least twenty-four (24) hours' prior written notice of any such inspection, except in the event of an emergency posing an imminent threat to public health or safety. As a condition of entry, all County personnel shall comply with all posted safety rules and the safety protocols of the Developer and its Contractor. Developer shall not be liable for any injury, loss, or damage to any County personnel or their property occurring during such inspections, except to the extent such injury, loss, or damage is caused by the negligence or willful misconduct of the Developer. If, during construction, the County reasonably determines that the work, materials, or equipment are defective, the County shall provide the Developer with written notice of the defect. The Developer shall use commercially reasonable efforts to cause the Contractor to correct the defective condition within thirty (30) days of receipt of such notice, or within such longer period as may be reasonably necessary, provided that the Contractor commences correction within the initial 30-day period and diligently prosecutes the correction to completion. If the Contractor fails to timely correct the deficiency, the County may, upon at least five (5) business days' advance written notice to the Developer, and after providing the Developer a reasonable opportunity to contest the County's determination, take reasonable corrective action, including engaging a third-party contractor. Any costs incurred by the County in connection with such corrective must be reasonable and documented out-of-pocket costs actually incurred by the County. Before any deduction from the Reimbursement Amount for such costs, the County shall provide the Developer with an itemized statement and all supporting documentation for review and written approval, which approval shall not be unreasonably withheld, conditioned, or delayed. Upon Developer's written approval of such costs, the County shall have the right to deduct such approved costs from the Reimbursement Amount. If the County takes such corrective action, the County and Developer shall promptly amend this Agreement to realign the remaining portions of the Transportation Improvements and the work required by Developer to reflect the County's corrective action and to avoid any duplication of effort or cost.

6. **Reimbursement; Maintenance during Construction.**

6.1 The schedule of qualifying improvements eligible for reimbursement by the County is set forth and described in the Opinion of Probable Costs set forth on **Exhibit C**. The Parties acknowledge and agree that the Reimbursement Amount of $3,756,473.49 includes the estimated cost of

the Transportation Improvements and a 10% contingency. Subject to the terms of Section 6.2 below, the County agrees to reimburse the Developer the Reimbursement Amount in cash, with any increases expressly provided for in this Agreement.

6.2 Developer shall submit invoices to the County, not more frequently than once every 30 days, in accordance with the County's Reimbursement Requirements attached hereto as **Exhibit F**. The County shall process all valid and complete invoices and render payment in accordance with Exhibit F (County Reimbursement Requirements), and in all events by no later than the applicable due date under Part VII, Ch. 218, Florida Statutes. To the extent **Exhibit F** prescribes shorter approval or payment timeframes, **Exhibit F** shall control.

6.3 For purposes of this Agreement, "maintenance" includes, but is not limited to, mowing, edging, trimming, and irrigating. After the Notice to Proceed is issued to the Developer and until the earlier of (i) formal written acceptance of the Transportation Improvements by the County or (ii) issuance of a certificate of completion by the County, the Developer or the Developer's Contractor shall be responsible for maintenance of Bargain Barn Road and maintenance of traffic, but only within the construction limits of the Transportation Improvements. The Developer or the Developer's Contractor shall also be responsible for maintaining the job site in a reasonably safe condition for access by vehicles, pedestrians, and bicycle traffic during construction. The County shall not unreasonably delay or withhold acceptance of the Transportation Improvements once completed in accordance with the Plans and Specifications.

7. **Completion; Acceptance and Ownership**.

7.1 Subject to delays resulting from an Event of Force Majeure, the Transportation Improvements shall be completed within 225 days after the later of the following: (i) Developer's pre-construction conference with the County regarding the Transportation Improvements, (ii) Developer's permit kick-off meeting with FDOT regarding the Transportation Improvements, (iii) receipt of all permits for the Transportation Improvements, or (iv) receipt of the written Notice to Proceed, unless a later date is mutually agreed to by the Parties, which agreement shall not be unreasonably withheld. The Developer shall provide the County a monthly construction management status report during the term of this Agreement. Upon completion of the Transportation Improvements, the Developer shall notify the County, in writing, of the completed construction.

7.2 Upon receipt of the Developer's completion notification described in Section 7.1, above, the County shall conduct or cause to be conducted, within ten (10) business days, such inspections of the Transportation Improvements as it may reasonably desire in good faith to determine whether the construction of the Transportation Improvements complies with applicable laws and conforms to the Plans and Specifications ("**Inspection**"), such determination to be made in County's good faith and reasonable discretion and not to be unreasonably withheld, conditioned or delayed. Upon completion of the Inspection, the County shall issue a letter to the Developer indicating whether the Transportation Improvements comply with the approved Plans and Specifications and whether the County accepts the Transportation Improvements. County's written notification of acceptance of the Transportation Improvements shall start the one-year warranty period set forth in Section 8.

7.3 Simultaneous with Developer's completion notification described in Section 7.1, above, Developer shall submit to the County all construction information necessary to ensure that the Transportation Improvements have been properly constructed in accordance with County standards and that the Contractor and all subcontractors having provided a Notice to Owner with respect to work relating to the Transportation Improvements (the "**Subcontractors**") have been paid in full (collectively referred to herein as the "**Documentation**"). The Documentation shall include the following items: (i) acceptable "as-

built" drawings, (ii) detailed construction costs and invoices, (iii) copies of payments to the Contractor, (iv) releases of lien from the Contractor and Subcontractors, and (v) any required certifications to permitting agencies. Upon receipt of all such Documentation, the County shall have ten (10) business days (the "**Review Period**") to review and approve the Documentation to ensure that it is complete (such approval not to be unreasonably withheld, conditioned or delayed). During this initial Review Period, the County must identify and request in good faith all reasonably necessary additional information solely for the purpose of verifying that the Transportation Improvements have been properly constructed in accordance with County standards and that the Contractor and all Subcontractors have been paid in full. If the County notifies Developer within the Review Period that the Documentation is incomplete, the Developer shall provide the additional Documentation reasonably requested by the County, and the same process shall be followed. No later than the due date required by §218.735, Florida Statutes (i.e., 20 or 25 business days, as applicable, after the Developer's proper final invoice is stamped as received pursuant to §218.74(1)), the County shall reimburse the Developer for the final cost of the Transportation Improvements not previously reimbursed, including all retainage. Retainage shall be withheld, reduced, and released in compliance with §255.078, Florida Statutes (not to exceed 5% per progress payment). For each progress or final pay application, the County shall mark the application 'received' on the date delivered to the County or its identified agent, as required by §218.74(1), and the applicable statutory due-date in §218.735 shall run from that stamped-received date.

7.4 Upon the County's acceptance and approval of the completed Transportation Improvements and Developer's receipt of the Reimbursement Amount in full, the Developer will convey to the County by Special Warranty Deed, the Swap Parcel. County shall be solely responsible for all conveyance, title insurance, recording fees, transfer taxes, and other costs and expenses associated with the conveyance.

7.5 Either Party may be temporarily excused from performance if an Event of Force Majeure directly or indirectly causes its nonperformance. An "**Event of Force Majeure**" is defined as any event which results in the prevention or delay of performance by a party of its obligations under this Agreement and which is beyond the reasonable control of the nonperforming party. It includes, but is not limited to, delays caused by the other Party, fire, flood, earthquakes, storms, lightning, pandemic, epidemic, war, riot, civil disturbance, sabotage, material and/or labor shortages, and governmental actions. Neither party shall be excused from performance if non-performance is due to forces which are reasonably preventable, removable, or remediable and which the non-performing party could have, with the exercise of reasonable diligence, prevented, removed, or remedied prior to, during, or immediately after their occurrence. The non-performing party's obligations, so far as those obligations are affected by the Event of Force Majeure, shall be temporarily suspended during, but no longer than, the continuance of the Event of Force Majeure and for a reasonable time thereafter as may be required for the non-performing party to return to normal business operations. If excused from performing any obligations under this Agreement due to the occurrence of an Event of Force Majeure, the non-performing party shall promptly, diligently, and in good faith take all reasonable action required for it to be able to commence or resume performance of its obligations under this Agreement. During any such time period, the non-performing party shall keep the other party duly notified of all such actions required for it to be able to commence or resume performance of its obligations under this Agreement.

7.6 It is hereby agreed by the parties that this Agreement creates a permissive use only and all Transportation Improvements resulting from this Agreement shall become the property of County (other than the Abandonment Parcel). Neither granting permission to use County right-of-way nor the placing of facilities upon County property shall operate to create or vest any property right to or in the Developer. The Developer shall not acquire any right, title, interest or estate in County right of way, of any nature or kind whatsoever, by virtue of the execution, operation, effect, or performance of this Agreement including, without limitation, the Developer's use, occupancy or possession of County right of way.

7.7 After the County accepts the Transportation Improvements as provided in this Section 7, it shall thereafter be responsible for the operation and maintenance of the Transportation Improvements so conveyed to the County, as well as any associated stormwater ponds and related drainage facilities. Promptly after receipt of the Developer's completion notification described in Section 7.1, each Party shall execute, grant, and deliver to the other a perpetual, non-exclusive, appurtenant cross-easement over, across, under and upon the portion of the stormwater management pond and related drainage facilities (collectively, the "**Pond Facilities**") located on such granting Party's property as generally shown on **Exhibit G** hereto (each, a "**Stormwater Cross-Easement Area**"), as the Pond Facilities will remain divided between the Parties' respective properties following the transfers contemplated herein. Each cross-easement shall include the reciprocal rights to (i) accept and discharge stormwater flows to, from and through the Pond Facilities; (ii) construct, maintain, repair, replace and use pond embankments, inlets, pipes, outfalls, control structures and appurtenances located within the other Party's Stormwater Cross-Easement Area; and (iii) reasonable access over the granting Party's property for the foregoing, including temporary construction laydown within the Stormwater Cross-Easement Area. Each Party shall be solely responsible, at its own cost, for operation, routine and capital maintenance, and repair of the Pond Facilities located on its own property, in a manner that maintains functional capacity and compliance with all applicable permits and approvals, and does not unreasonably interfere with the other Party's use of the Pond Facilities. The Parties shall coordinate operation and maintenance so that the Pond Facilities function as an integrated system. Neither Party shall modify its portion of the Pond Facilities in a manner that reduces overall permitted capacity or impairs permit compliance without the other Party's prior written consent (not to be unreasonably withheld, conditioned or delayed). A Party that damages the other Party's Pond Facilities (or causes damage through its invitees/contractors) shall promptly repair at its cost (or reimburse the reasonable, documented costs of repair). If a Party fails to perform material operation or maintenance obligations on its portion of the Pond Facilities and such failure materially impairs the overall function or violates applicable permits after 10 business days' notice (or 2 business days in an emergency), the non-defaulting Party may enter, cure and recover its reasonable, documented out-of-pocket costs from the defaulting Party. The cross-easements shall be perpetual, run with the land, bind and benefit successors and assigns, be recorded in the Public Records of Polk County, be in form and substance reasonably acceptable to the Parties, and be subordinated to any existing or future mortgage(s) through commercially reasonable subordination, non-disturbance and attornment instruments. The final legal descriptions and sketches of the Stormwater Cross-Easement Area shall be attached to the cross-easements as exhibits after field verification/as-builts.

7.8 The County acknowledges that the Property may be subject to a mortgage and security agreement from Developer to its lender ("**Lender**"), to be recorded in the Public Records of Polk County, Florida, evidencing a loan from Lender to Developer (the "**Loan**"), and further acknowledges that Lender may make an additional loan to Developer to facilitate Developer's construction of the Transportation Improvements (the "**Additional Loan**") and may require that Developer execute and deliver to Lender a collateral assignment of this Agreement to Lender as security for the Additional Loan. County hereby consents to the foregoing collateral assignment and agrees to reasonably cooperate, at no expense to County, with Developer and Lender in facilitating the Loan and/or Additional Loan. Without limiting the foregoing, County agrees that it shall, from time to time, upon the reasonable request of Developer take actions as may be reasonably necessary or desirable to carry out the intent and purpose of this Section 7.8 and to effectuate the transactions contemplated herein. The terms of this Section 7.8 will govern, supersede and control over any conflicting terms and conditions contained in this Agreement.

8. **Warranty Period**. The Developer shall cause the Contractor to warrant the Transportation Improvements from any and all defects for a period of one (1) year from the date of the County's written acceptance described in Section 7 above. If the warranty period has not been completed prior to the

expiration of this Agreement, then this Section 8 shall survive the termination of this Agreement until the end of the warranty period.

9. **Notices.** Any notices required or permitted under this Agreement shall be in writing and shall be deemed duly given: (i) on the date of delivery if delivered personally; (ii) on the date of transmission if sent by email with confirmation of receipt; (iii) three (3) days after being deposited in the United States Postal Service, postage prepaid, by registered or certified mail, return receipt requested; or (iv) one (1) business day after being deposited with a nationally recognized overnight delivery service, with tracking and delivery confirmation. Notices shall be addressed as follows:

County: County Manager
Polk County Board of County Commissioners
330 West Church Street
Bartow, Florida 33830

Copy to: County Attorney
Polk County Board of County Commissioners
330 West Church Street
Bartow, Florida 33830

Polk County Office of Planning and Development
ATT: Concurrency & Entitlements Manager
330 West Church Street
Bartow, FL 33830

Polk County Roads & Drainage Division
Attn:: Roads & Drainage Director
3000 Sheffield Road
Winter Haven, FL 33880

Developer: Power Bargain 17, LLC
c/o: Blackfin Partners
4440 PGA Blvd., Ste 600
Palm Beach Gardens, Florida 33410

Either Party may change its address for notice purposes by providing written notice of such change to the other Party in accordance with this Section.

10. **No Third-Party Beneficiaries**. This Agreement is solely for the benefit of the Parties and their permitted successors/assignees, and there are no third-party beneficiaries.

11. **Expiration** With the exception of warranty requirements, this Agreement shall terminate upon satisfaction by the Parties hereto of their respective obligations contained herein. If Developer fails to begin construction of the Transportation Improvements on or before one (1) year from the Effective Date, the County may terminate this Agreement upon thirty (30) days' prior written notice, provided that the Developer shall have the opportunity to cure such failure within such notice period if the delay was due to an Event of Force Majeure. In connection with any termination of this Agreement by County due to delay of Developer's performance hereunder which was caused by an act or omission of County, County shall pay and reimburse Developer for all costs and expenses of any kind incurred by Developer and arising out of, or associated with, this Agreement and the Transportation Improvements through the date of such

termination, including, without limitation, all (i) Change Orders; (ii) Developer's Financing Costs, (iii) all Carry Costs, (iv) all Soft costs, and (v) the Construction Management Fee..

12. **Default and Remedy** If either Party materially defaults in its obligations under this Agreement and fails to cure the same within thirty (30) days after the date the Party receives written notice of the default from the other non-defaulting Party (the "**Cure Period**"), then the non-defaulting Party shall have the right to (i) immediately terminate this Agreement by delivering written notice to the materially defaulting Party, and (ii) pursue any and all remedies available in law, equity, and under this Agreement. Notwithstanding the foregoing, if the nature of the default is such that it cannot reasonably be cured within the Cure Period, the defaulting Party shall not be deemed in default if it commences to cure within the Cure Period and thereafter diligently and continuously prosecutes such cure to completion.

13. **Termination Following an Event of Default**. During the continuance of an Event of Default, either party may exercise all rights and remedies available hereunder, at law and/or in equity. Without limiting the foregoing, if Developer is the defaulting Party, then County may elect to terminate this Agreement by delivering written notice to the Developer while the Event of Default remains uncured. Upon receipt of such notice, Developer shall:

13.1 Immediately discontinue construction of all affected Transportation Improvements unless the notice directs otherwise; and

13.2 So long as Developer has received all portions of the Reimbursement Amount that have become due and payable hereunder from the County through the date of termination, deliver to County all data, reports, summaries, and any and all such other information and materials of whatever type or nature as may have been accumulated by the Developer in performing this Agreement, whether completed or in process.

13.3 Unless in dispute or subject to County's right of set-off or other remedy, Developer shall be paid for all costs associated with the Transportation Improvements actually rendered and/or incurred through the date of termination in accordance with the definition of reimbursable costs in Section 3.2.

13.4 The rights and remedies of County provided for in this Section 13 are in addition and supplemental to any and all other rights and remedies provided by law or under this Agreement

14. **Indemnification** Developer shall indemnify, defend (by counsel reasonably acceptable to County), protect and hold harmless County and its officers, employees and agents from and against any and all claims, demands, actions, causes of action, suits, liabilities, penalties, forfeitures, damages, losses, and expenses whatsoever (including, without limitation, attorneys' fees, costs, and expenses incurred during negotiation, through litigation and all appeals therefrom) to the extent caused by the negligence, willful misconduct, or material breach of this Agreement by Developer or its officers, employees, agents, or Contractor. The foregoing indemnification obligation shall not apply to the extent of the negligence, fraud, bad faith or willful misconduct of the County. The County is a political subdivision of the State of Florida that possesses sovereign immunity except for the limited waiver stated in Section 768.28, Florida Statutes. To the limited extent specified in Section 768.28, the County may be responsible for certain damages for injury or loss of property caused by negligent acts or omissions of its employees acting within the scope of the employee's office or employment. However, nothing stated in this Agreement is, or shall be deemed to be: (i) a waiver of the County's sovereign immunity as stated in Section 768.28; (ii) an extension of the limited waiver of its sovereign immunity as stated in Section 768.28; (iii) a waiver of any requirement or condition stated in Section 768.28; or (iv) the County's consent to be sued.

15. **Insurance.**

A. While this Agreement remains in effect, Developer shall maintain, or cause its Contractor to maintain the following types of insurance with at least the following minimum limits of liability:

Commercial General Liability:	$2,000,000.00 per occurrence
Comprehensive Automobile Liability	$1,000,000.00 per occurrence
Workers Compensation	Statutory Limits
Employers Liability	$1,000,000.00

B. All insurance must be provided by a carrier licensed to do business in the State of Florida having an A.M. Best rating of at least the "A-" category and size category of VIII. Developer shall cause each Commercial General Liability ("**CGL**") policy required under this Agreement to name the County as additional insureds solely with respect to ongoing operations performed by or on behalf of Developer in connection with the Transportation Improvements. Such status shall be provided by ISO endorsement CG 20 10 (or its equivalent) and shall expressly exclude any completed-operations coverage (including, without limitation, ISO endorsement CG 20 37 or any successor form). The County acknowledges and agrees that Developer shall have no obligation to procure or maintain additional-insured coverage in favor of the County after acceptance of the Transportation Improvements, and any such coverage carried by Developer shall inure solely to Developer's benefit. The General Liability and Workers' Compensation policies shall contain a waiver of subrogation in favor of County.

C. The Developer shall provide the County Certificates of Insurance evidencing the required coverage promptly following the execution of this Agreement and in any event prior to commencement of any work on the Transportation Improvements. The County must be identified on the Certificates as follows, "Polk County, a political subdivision of the State of Florida."

16. **Waiver**. A waiver by either Party of any breach of this Agreement shall not be binding upon the waiving Party unless such waiver is in writing. In the event of a written waiver, such a waiver shall not affect the waiving Party's rights with respect to any other or further breach of this Agreement. The making or acceptance of a payment by either Party with the knowledge of the other party's existing default or breach of this Agreement shall not waive such default or breach, or any subsequent default or breach of this Agreement, and shall not be construed as doing so.

17. **Release**. For and in consideration of the mutual agreements set forth herein, the Developer agrees the terms and conditions of this Agreement are reasonable under the totality of the circumstances, and Developer for itself, and on behalf of its successors, assigns or trustees, and anyone claiming by, through, or under any of them, do hereby fully waive, release and forever discharge the County from and against any claims for inverse condemnation, regulatory takings, U.S.C. Section 1983, or claims under Chapter 70, Florida Statutes, arising out of or resulting from the terms and conditions hereof. Developer acknowledges and agrees that its agreement to this release is a material inducement to the County to enter into this Agreement. The Parties agree that this release is to the specific causes of action listed and not be deemed a release of any non-listed causes of action to which the Developer may be entitled.

18. **Attorney's Fees and Costs**. Except as noted in Section 14 above, each Party shall be responsible for its own legal and attorneys' fees, costs and expenses incurred in connection with any dispute or any litigation arising out of, or relating to this Agreement, including attorneys' fees, costs, and expenses incurred for any appellate or bankruptcy proceedings.

19. **Modification**. This Agreement may only be modified by a written amendment properly executed by the Parties. No oral modifications will be effective or binding.

20. **Integration** This Agreement sets forth the entire agreement between the Parties with respect to its subject matter and that there are no promises or understandings other than those stated herein.

21. **Counterparts**. This Agreement may be executed in multiple counterparts each of which shall be an original, but which collectively shall form a single agreement.

22. **Attachments**. All attachments or exhibits attached hereto contain additional terms of this Agreement and are incorporated herein by reference.

23. **Governing Law; Venue**. This Agreement and the rights and obligations of the Parties hereunder shall be interpreted, governed by, construed under, and enforced in accordance with the applicable laws of the State of Florida, and the ordinances, rules and regulations of Polk County including, but not limited to the Polk County Comprehensive Plan, Land Development Code and Utility Code, and any amendments thereto in effect as of the Effective Date of this Agreement. The Parties hereby consent to the sole and exclusive jurisdiction and venue for any action relating to the construction, interpretation, or enforcement of this Agreement to be in or for the Tenth Judicial Circuit, in Polk County, Florida.

24. **Binding Effect; Assignment**. This Agreement shall be binding upon and inure to the benefit of all successors and/or assigns of the Parties hereto. Developer may, upon not fewer than ten (10) days' prior written notice to County (but without the need for County's consent), assign this Agreement, in whole or in part, to: (a) any affiliate of Developer that is under common control with, controls, or is controlled by Developer; and/or (b) any institutional lender, bond trustee, or other financing party (or their designee), including any successor in interest thereto, as collateral security for, or in connection with, any construction loan, permanent loan, refinancing, or other financing of the Project or the Transportation Improvements. Upon the effectiveness of any such assignment: (i) the assignee shall succeed to the rights and obligations of "Developer" under this Agreement to the extent of the interest assigned, and (ii) Developer shall be released from liability hereunder with respect to obligations first arising after the effective date of the assignment. The County shall, at Developer's or the assignee's request and expense, execute such reasonable consents, estoppels, or acknowledgments as may be required to evidence or effectuate any assignment permitted under this Section.

25. **Days**. The term days in this Agreement shall mean calendar days, unless otherwise so noted. If a date for performance falls on a Saturday, Sunday or legal State of Florida or federal holiday, the date for performance shall be extended until the next calendar day that is not a Saturday, Sunday or legal holiday. Time is of the essence with respect to the performance of all obligations under this Agreement.

26. **Severability**. If any section, phrase, sentence or portion of this Agreement is, for any reason, held to be invalid by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

27. **Public Records**. In accordance with Section 119.0701, Florida Statutes, Developer (the "Contractor" for purposes of this Section) agrees to comply with the following public records laws:

27.1 The Contractor acknowledges the County's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Agreement. The Contractor further acknowledges that the constitutional and statutory provisions control over the terms of this Agreement. In association with its performance pursuant to this Agreement, the Contractor shall not

release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

27.2 Without in any manner limiting the generality of the foregoing, to the extent applicable, the Contractor acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall keep and maintain public records required by the County to perform the services required under this Agreement;

i. upon request from the County's Custodian of Public Records or his/her designee, provide the County with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

ii. ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of this Agreement if the Contractor does not transfer the records to the County; and

iii. upon completion of this Agreement, transfer, at no cost, to the County all public records in possession of the Contractor related to this Agreement or keep and maintain public records required by the County to perform the service. If the Contractor transfers all public records to the County upon completion of this Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of this Agreement, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the County, upon request from the County's Custodian of Public Records, in a format that is compatible with the information technology systems of the County.

27.3 **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIAISON OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

28. **Employment Eligibility Verification (E-Verify).**

A. Unless otherwise defined herein, terms used in this Section which are defined in Section 448.095, Florida Statutes, as may be amended from time to time, shall have the meaning ascribed in said statute.

B. Pursuant to Section 448.095(5), Florida Statutes, the Developer, and any subcontractor thereof, must register with and use the E-Verify system to verify the work authorization status of all new employees of the Developer or subcontractor. The Developer acknowledges and agrees that (i) County and the Developer may not enter into this Agreement, and the Developer may not enter into any subcontracts

hereunder, unless each party to this Agreement, and each party to any subcontracts hereunder, registers with and uses the E-Verify system; and (ii) use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this Certification and Section 448.095, Fla. Stat., is an express condition of this Agreement, and County may treat a failure to comply as a material breach of this Agreement only after providing the Developer with written notice and a reasonable opportunity to cure such noncompliance, not to exceed thirty (30) days.

C. By entering into this Agreement, the Developer becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The Developer shall maintain a copy of such affidavit for the duration of this Agreement. In the event of a failure to comply, the County shall provide written notice to the Developer and allow a period of thirty (30) days to cure such noncompliance. If the noncompliance is not cured within such period, the County may terminate this Agreement by written notice to Developer delivered prior to the date the noncompliance is cured. If a subcontractor knowingly violates the statute or Section 448.09(1), Fla. Stat., Developer shall take reasonable steps to terminate the subcontract. If this Agreement is terminated pursuant to Section 448.095, Fla. Stat., such termination is not a breach of contract and may not be considered as such. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If this Agreement is terminated for a violation of Section 448.095, Fla. Stat., by the Developer, the Developer may not be awarded a public contract for a period of 1 year after the date of termination. The Developer shall be liable only for direct and documented additional costs incurred by County as a result of the termination of this Agreement pursuant to this Section 28. Nothing in this Section 28 shall be construed to allow intentional discrimination of any class protected by law.

29. **Development Approvals.** This Agreement shall in no manner constitute a development approval regarding the Property or Project. Developer must comply with all applicable provisions of the Polk County Land Development Code and conditions regarding the development of the Property and Project.

30. **Self-Help Provision**.

A. If Developer diligently proceeds with the Transportation Improvements in accordance with the terms of this Agreement, and the County determines, in its reasonable discretion, that it is necessary or beneficial to expedite the overall construction or completion of the Transportation Improvements, the County shall have the right, but not the obligation, to assume the Developer's responsibilities for all or any portion of the remaining construction of the Transportation Improvements. This right may be exercised by the County only upon delivery of written notice to Developer (**"Written Notice"**), which Written Notice shall specify with particularity the scope of the Transportation Improvements the County intends to assume responsibility for (the **"Assumed Work"**). The County's determination to expedite construction shall be based on objective criteria, such as, but not limited to, projected completion dates, funding availability, or unforeseen impacts to County infrastructure. The County's assumption shall not, by itself, constitute or be deemed an Event of Default by Developer.

B. Upon the County's delivery of the Written Notice, the following shall occur:

i. Developer shall be released from any further liability or obligation arising after the effective date of the Written Notice with respect to the Assumed Work, except for liabilities or obligations that accrued prior to such date or that arise from

Developer's breach of this Agreement prior to such date. This release shall not extend to any warranty obligations of Developer pursuant to Section 8 of this Agreement.

ii. The County shall be entitled to ownership of, and Developer shall promptly transfer and assign to the County, all right, title, and interest in and to the following, to the extent they relate to the Assumed Work: (A) the Plans and Specifications; (B) all permits (including environmental permits) granted to Developer; (C) all uninstalled materials and equipment located on the project site or in Developer's or its contractor's possession and designated for incorporation into the Assumed Work, provided that the County shall pay Developer's documented cost for such materials and equipment; and (D) all subcontracts related to the Assumed Work, to the extent such subcontracts are assignable and the subcontractors consent to such assignment. Developer shall use commercially reasonable efforts to obtain such consents.

iii. Developer shall use its diligent, good faith efforts to ensure the successful and orderly transfer of the items described in Section 30.2ii to the County, including, without limitation, providing the County with all information and documentation reasonably requested by the County.

C. Prior to the County's commencement of the Assumed Work, the County shall reimburse Developer for all costs related to construction of the Assumed Work performed by Developer prior to the effective date of the Written Notice, including, without limitation, the pro-rated development and construction management fees due to Developer as set forth in Section 3 of this Agreement.

D. Following the County's assumption of responsibility for the Assumed Work, the County shall have the right to complete the Assumed Work in accordance with the Plans and Specifications, subject to any modifications or changes thereto approved by the County. The County shall be solely responsible for the quality and timeliness of the Assumed Work.

31. **Approvals**. In those instances in which a Party's approval, consent, or satisfaction is required under this Agreement and no specific time period is provided, then it shall be implied that such action shall be exercised in a reasonable manner and within a reasonable time frame, not to exceed fifteen (15) business days.

32. **Limitation of Liability** IN NO EVENT, SHALL COUNTY OR DEVELOPER BE LIABLE TO THE OTHER FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES OF ANY KIND OR NATURE, INCLUDING LOSS OF PROFIT, WHETHER FORESEEABLE OR NOT, ARISING OUT OF OR RESULTING FROM THE NONPERFORMANCE OR BREACH OF THIS CONTRACT BY SUCH PARTY WHETHER BASED IN CONTRACT, COMMON LAW, WARRANTY, TORT, STRICT LIABILITY, CONTRIBUTION, INDEMNITY OR OTHERWISE.

33. **Financial Guaranty**. Within sixty (60) days of the Effective Date, Developer shall post a performance bond to Polk County in the amount of one hundred ten percent (110%) of the cost to construct the Transportation Improvements. The bond's initial expiration date must not be less than one year from the Effective Date of this AGREEMENT and must contain a provision for automatic renewal until the Transportation Improvements have been accepted for ownership and maintenance by Polk County. Polk

County shall release the performance bond upon Developer satisfactorily completing the Transportation Improvements and providing all record drawings to Polk County. In the event Developer fails to complete the Transportation Improvements in accordance with this Agreement beyond the expiration of any applicable Cure Period, Polk County shall have the right but not the obligation to file a claim against the bond. The surety on the bond shall be a surety company authorized to do business in the State of Florida. The bond shall be payable to "Polk County, a political subdivision of the State of Florida" and conditioned for the prompt, faithful, and efficient performance of this Agreement according to plans and specifications and within the time period specified, and for the prompt payment of all persons furnishing labor, material, equipment, and supplies for work provided under this Agreement.

34. **Obligations of the City of Davenport**. The Parties acknowledge that the performance of certain actions by the City is a condition precedent to the performance of the obligations under this Agreement. The City's agreement to be bound by the obligations set forth in this Section shall be evidenced by its execution of a Joinder attached hereto. The City shall be obligated to timely take all necessary and appropriate actions to duly and lawfully abandon, vacate, and convey fee simple title to the Abandonment Parcel to the Developer, and the Lift Station Parcel to the County. The City shall diligently and in good faith cooperate with the Developer and the County to fulfill its obligations herein. Such actions shall include, but are not limited to, holding all required public hearings, passing necessary resolutions or ordinances, and executing and delivering all deeds and other documents required to effectuate the conveyances described in this Section.

SIGNATURE PAGES TO FOLLOW

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement on the respective dates under each signature: Polk County, Florida, through its Board of County Commissioners; the Developer, through its authorized representative.

Developer
Power Bargain 17, LLC, a Florida limited liability company

By: Blackfin Acquisitions, LLC, a Florida limited liability company, its Manager

By: _____
Nathan Landers, its Manager

Signed, sealed and delivered
in the presence of:

By: _____
Print Name: Steven Lipofsky

Address: 440 PGA Blvd., Ste 600
Palm Beach Gardens, FL 33410

By: _____
Print Name: Chase Lasley
Address: 200 S. Orange Ave.
Orlando FL, 32801

State of Florida
County of Orange

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21st day of October, 2025 by Nathan Landers, as Manager of Blackfin Acquisitions, LLC, the Manager of Power Bargain 17, LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or who has produced FL Driver License as identification.

_____
Notary Public
My Commission expires: _____

SUSAN M. GREMONPREZ
Commission # HH 355784
Expires February 9, 2027

IN WITNESS WHEREOF, the Parties hereto, through their duly authorized representatives, have executed this Agreement on the day(s) and year set forth below.

DULY PASSED AND ADOPTED BY THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS, THIS _____ DAY OF _____, 2025.

POLK COUNTY, a political subdivision of the state of Florida

(SEAL)

ATTEST:

By: _____
T.R. Wilson, Chairperson
Board of County Commissioners

Stacy M. Butterfield, County Clerk

By: _____
Deputy Clerk

Date: _____

Approved by County Attorney's Office
As To Form and Legal Sufficiency

By: _____

JOINDER OF THE CITY OF DAVENPORT

The City of Davenport, Florida (the "**City**") has reviewed this Infrastructure Agreement dated on or about _____ ___, 2025, by and between Polk County and Power Bargain 17, LLC (the "**Agreement**").

The City hereby agrees to be bound by and perform all obligations required of the City as set forth specifically in Section 34 of the Agreement.

This Joinder is governed by Florida law.

CITY OF DAVENPORT

By: _____
Name: _____
Title: _____

ATTEST:

By: _____
Name: _____
Title: City Clerk

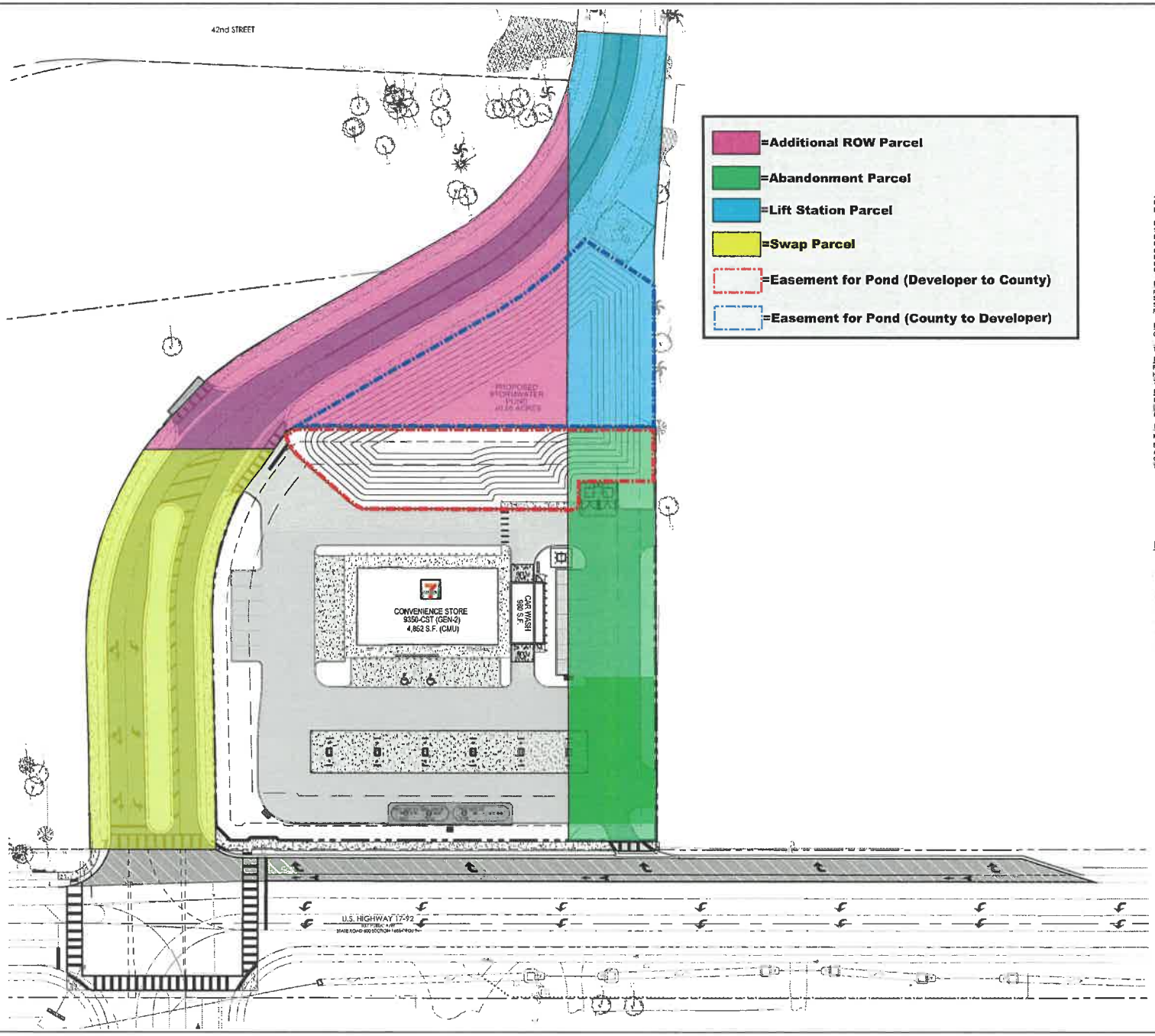
Exhibit A – Property

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, AND THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 317.89 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN, N77°21'37"W A DISTANCE OF 136.06 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 58°51'01", WHOSE CHORD BEARS N47°56'06"W, A CHORD DISTANCE OF 167.04 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 174.61 FEET; THENCE N13°41'20"E A DISTANCE OF 240.99 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S76°18'40"E A DISTANCE OF 283.28 FEET TO THE POINT OF BEGINNING

Exhibit B – Transportation Improvements

See Attached



NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

SITE DATA:

PROJECT NAME:	7-11 BARGAIN BARN RD
REQUIRED CODE:	CITY OF DAVENPORT UNIFIED LAND DEVELOPMENT REGULATIONS
PARCEL ID:	27-27-03-717000-000032
SITE AREA:	1.83 ACRES / 79,824 SF
FUTURE LAND USE:	INDUSTRIAL
EXISTING ZONING:	VACANT INDUSTRIAL
PROPOSED ZONING:	C-3 (HIGHWAY COMMERCIAL)
PROPOSED USE:	COMMERCIAL
MAXIMUM BUILDING HEIGHT:	70'
PROPOSED BUILDING HEIGHT:	24'-8" (1 STORY)

BUILDING SETBACKS (C-3)

	REQUIRED	PROVIDED
FRONT:	30 FT	130.2 FT
STREET-SIDE:	25 FT	91.2 FT
SIDE:	25 FT	25 FT
REAR:	25 FT	32.1 FT

REQUIRED PARKING:

GENERAL RETAIL (4 SPACES/1000 SF): 4 SPACES*(4,852 SF / 1000 SF)	20 SPACES
TOTAL PARKING SPACES REQUIRED:	20 SPACES

PROVIDED PARKING:

REGULAR SPACES (10'x20'):	27 SPACES
HANDICAP SPACES (12'X20'):	2 SPACES
TOTAL SPACES PROVIDED:	29 SPACES

REQUIRED BICYCLE PARKING:

1 SPACE FOR EVERY 10 PARKING SPACES (29/10 = 2.9)	3 SPACES
BICYCLE PARKING PROVIDED:	5 SPACES

IMPERVIOUS CALCULATIONS

MAXIMUM ALLOWABLE IMPERVIOUS AREA (70%):	1.28 AC
BUILDING AREA:	0.13 AC
ASPHALT AREA:	0.80 AC
CONCRETE AREA:	0.32 AC
TOTAL IMPERVIOUS AREA:	1.25 AC (68.24%)

NOTES:

1. ALL CURB DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. REFER TO SIGNAGE PLANS FOR MONUMENT SIGN DETAILS.
5. SEE MEP PLANS FOR ELECTRICAL DRAWINGS.
6. ALL PROPOSED ON-SITE STRIPING AND PAVEMENT MARKING WILL BE PAINTED UNLESS OTHERWISE NOTED AND IN ACCORDANCE WITH FDOT INDEX 711-001.

LEGEND

- PROPERTY BOUNDARY
- BUILDING SETBACK
- LANDSCAPE SETBACK
- PROPOSED FENCE
- (#) PARKING SPACE COUNT
- PROPOSED STANDARD DUTY ASPHALT PAVEMENT (SEE SHEET C11.5)
- PROPOSED POLK COUNTY PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED FDOT PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED STANDARD DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED TANK SLAB CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED CONCRETE SIDEWALK

Always call 811 two full business days before you dig to have underground utilities located and marked.
Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn

LEONARD PHILIP ROSENBERGER — STATE OF FLORIDA — PROFESSIONAL ENGINEER — 88888

KHA PROJECT 248180010
DATE: JULY 25, 2025
SCALE: AS SHOWN | DESIGNED BY: BMG | DRAWN BY: BMG | CHECKED BY: DER | DATE

OVERALL SITE PLAN

7-11 BARGAIN BARN RD

CITY OF DAVENPORT FLORIDA

SHEET NUMBER
C4.0

Printed by Bailey Bass Sheet Set:7-11 BARGAIN BARN RD Layout:C4.0 Jul 24, 2025 03:23pm User:BBass K:\ORL_Civil\248180010\7-11 BARGAIN BARN RD\Sheets\Plan Sheets\C4.0 - SITE PLAN.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

Exhibit C – Opinion of Probable Costs

See Attached

EXHIBIT C

BLACKFIN

Opinion of Probable Costs

Power Bargain 17, LLC (c/o Blackfin Partners, LLC)
4440 PGA Blvd, Suite #600
Palm Beach Gardens, Florida 33410
Ph: 561-299-0036

Project: **Bargain Barn Rd Realignment**
Permit No.: **TBD**

Date: 9/9/2025

Project Description: Opinion of Probable Construction Cost for the Project based on preliminary plans as of 5/14/2025 prepared by Kimley-Horn.
The hard cost unit price values used were obtained between the following sources: Contractor bids on recent projects, FDOT estimates - 6 month historical average (2024/09/01 to 2025/02/28), 12 month historical average (2024/03/01 to 2025/02/28), 12 month Market Area 08 (2024/03/01 to 2025/02/28).

HARD COSTS

MISCELLANEOUS ITEMS

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	101-1 - MOBILIZATION (10%)	1.0	LS	$134,544.69	$134,544.69
2	102-1 - MAINTENANCE OF TRAFFIC (MOT) (5%)	1.0	LS	$73,999.58	$73,999.58
3	104-11 - FLOATING TURBIDITY BARRIER	635.0	LF	$17.18	$10,909.30
4	110-1-1 - CLEARING & GRUBBING	2.12	AC	$54,675.19	$115,911.40
5	120-1 REGULAR EXCAVATION	4,317.0	CY	$13.08	$56,466.36
6	EXCAVATION / PREPARATION / DEMOLITION	1.0	LS	$60,000.00	$60,000.00
7	120-6 - EMBANKMENT	6,758.0	CY	$20.86	$140,971.88
8	104-10-3 - SEDIMENT BARRIER	950.0	LF	$2.46	$2,337.00
				Sub-Total	***$595,140.21***

ROADWORK & DRAINAGE ITEMS

Item No.	Item-Description	Quantity	Unit	Unit Price	TOTALS
1	0285711 - OPTIONAL BASE, BASE GROUP 11	1,115.0	SY	$31.96	$35,635.40
2	2" TYPE SP-12.5 ASPHALTIC CONCRETE	401.7	TN	$149.33	$59,978.39
3	SUPERPAVE ASPHALTIC CONCRETE, TRAFFIC C, PG76-22	296.2	TN	$180.44	$53,446.33
4	0520 1 7 - CONCRETE CURB, TYPE E	459.0	LF	$49.73	$22,825.13
5	520-1-10 - CONCRETE CURB & GUTTER, TYPE F	1,341.0	LF	$52.43	$70,308.63
6	PERFORMANCE TURF, SOD	593.0	SY	$4.43	$2,626.99
7	0425 1351 - INLETS, CURB, TYPE P-5, <10'	10.0	EA	$14,370.18	$143,701.80
8	0425 1362 - INLETS, CURB, TYPE P-6, >10'	2.0	EA	$14,500.00	$29,000.00
9	425-2-41 - STORM MANHOLE, P-7	2.0	EA	$9,509.04	$19,018.08
10	0425 2 72 - MANHOLES, J-7, <10'	1.0	EA	$21,451.29	$21,451.29
11	430982133 MITERED END SECTION, OPTIONAL ROUND, 30" CD	1.0	EA	$6,859.54	$6,859.54
11	0430174118 - PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 18"SD	170.0	LF	$232.69	$39,557.30
12	0430174124 - PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 24"SD	1,235.0	LF	$287.97	$355,642.95
13	0430174130 - PIPE CULVERT, OPTIONAL MATERIAL, ROUND, 30"SD	50.0	LF	$433.28	$21,664.00
14	6" PVC PIPE	771.0	LF	$17.84	$13,754.64
15	12" PVC FORCEMAIN	708.0	LF	$115.00	$81,420.00
15	0522 2 - CONCRETE SIDEWALK AND DRIVEWAYS, 6" THICK	352.0	SY	$129.00	$45,408.00
16	0536 1 1 - GUARDRAIL -ROADWAY, GENERAL TL-3	76.0	LF	$23.46	$1,782.96
17	0536 85 26 - GUARDRAIL END TREATMENT- TYPE CRT	2.0	EA	$3,749.31	$7,498.62
				Sub-Total	***$1,031,580.05***

EXHIBIT C

BLACKFIN

Opinion of Probable Costs

Power Bargain 17, LLC (c/o Blackfin Partners, LLC)
4440 PGA Blvd, Suite #600
Palm Beach Gardens, Florida 33410
Ph: 561-299-0036

Project: **Bargain Barn Rd Realignment**
Permit No.: **TBD**

Date: 9/9/2025

SIGNING & MARKING ITEMS					
Item No.	**Item-Description**	**Quantity**	**Unit**	**Unit Price**	**TOTALS**
1	0700 1 11 SINGLE POST SIGN, F&I GROUND MOUNT, UP TO 12 SF	3.0	EA	$580.36	$1,741.08
2	FOR CROSSWALK	721.5	LF	$13.22	$9,538.23
3	0711 14170 - THERMOPLASTIC, PREFORMED, WHITE, ARROW	14.0	EA	$173.96	$2,435.44
4	FOR STOP LINE AND CROSSWALK	663.0	LF	$8.05	$5,337.15
5	FOR DIAGONAL OR CHEVRONS	172.0	LF	$6.29	$1,081.88
6	711 15131 - THERMO., STD. - OG, WHITE, SKIP, 6" (10/30)	0.1	GM	$2,254.17	$135.25
7	WHITE, SOLID, 6"	0.5	GM	$6,002.47	$2,941.21
				Sub-Total	***$23,210.24***

SIGNALIZATION ITEMS					
Item No.	**Item-Description**	**Quantity**	**Unit**	**Unit Price**	**TOTALS**
1	SIGNALIZATION ALLOWANCE	1.0	LS	$350,000.00	$350,000.00

LIGHTING ITEMS					
Item No.	**Item-Description**	**Quantity**	**Unit**	**Unit Price**	**TOTALS**
1	LIGHTING ALLOWANCE	1.0	EA	$150,000.00	$150,000.00

SUBTOTAL - HARD COSTS	**$2,149,930.50**
GENERAL CONTRACTOR OH&P (12% OF HARD COSTS)	**$257,991.66**
CONTINGENCY - (10% OF HARD COSTS)	**$214,993.05**
TOTAL - HARD COSTS	**$2,622,915.21**

SOFT COSTS					
PROFESSIONAL SERVICES, INSURANCE, ETC.					
Item No.	**Item-Description**	**Quantity**	**Unit**	**Unit Price**	**TOTALS**
1	SURVEY SERVICES, SKETCH OF DESCRIPTION, AS-BUILTS	1.0	LS	$30,300.00	$30,300.00
2	ENVRIONMENTAL: WETLAND / SPECIES ASSESSMENTS	1.0	LS	$10,700.00	$10,700.00
3	UTILITY LOCATION / GPR / SUE / SOFT DIGS ALLOWANCE	1.0	LS	$10,000.00	$10,000.00
4	PROFESSIONAL SERVICES	1.0	LS	$15,000.00	$15,000.00
5	CIVIL ENGINEERING	1.0	LS	$169,000.00	$169,000.00
6	PERMIT REVIEW FEES	1.0	LS	$5,684.00	$5,684.00
7	INSURANCE / GENERAL LIABILITY (0.70% OF HARD COSTS)	0.70%	%	$2,149,930.50	$15,049.51
8	SURETY BOND (1.5% OF HARD COSTS)	1.50%	%	$2,149,930.50	$32,248.96
9	CONSTRUCTION OBSERVATION / CEI ALLOWANCE	1.0	LS	$35,000.00	$35,000.00
10	MATERIAL TESTING / CMT ALLOWANCE	1.0	LS	$50,000.00	$50,000.00
11	WETLAND MITIGATION ALLOWANCE	1.0	LS	$105,800.00	$105,800.00
12	INTEREST / CARRY COSTS	1.0	LS	$61,750.25	$61,750.25
13	DEVELOPMENT / CONSTRUCTION MANAGEMENT (15%)	15.0%	%	$3,266,498.68	$489,974.80
				Sub-Total	***$1,030,507.52***

SUBTOTAL - SOFT COSTS	**$1,030,507.52**
CONTINGENCY - SOFT COSTS (10%)	**$103,050.75**
TOTAL - SOFT COSTS	**$1,133,558.28**

TOTAL DEVELOPMENT / CONSTRUCTION COST	**$3,756,473.49**

Exhibit D-1 – Abandonment Parcel

See Attached

DESCRIPTION:

THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 60.00 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN N76°18'40"W A DISTANCE OF 283.22' FEET; THENCE N13°41'20"E A DISTANCE OF 60.00 FEET TO SAID NORTH RIGHT OF WAY LINE; THENCE ALONG SAID NORTH RIGHT OF WAY LINE, S76°18'40"E A DISTANCE OF 283.28 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 16995 SQUARE FEET.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

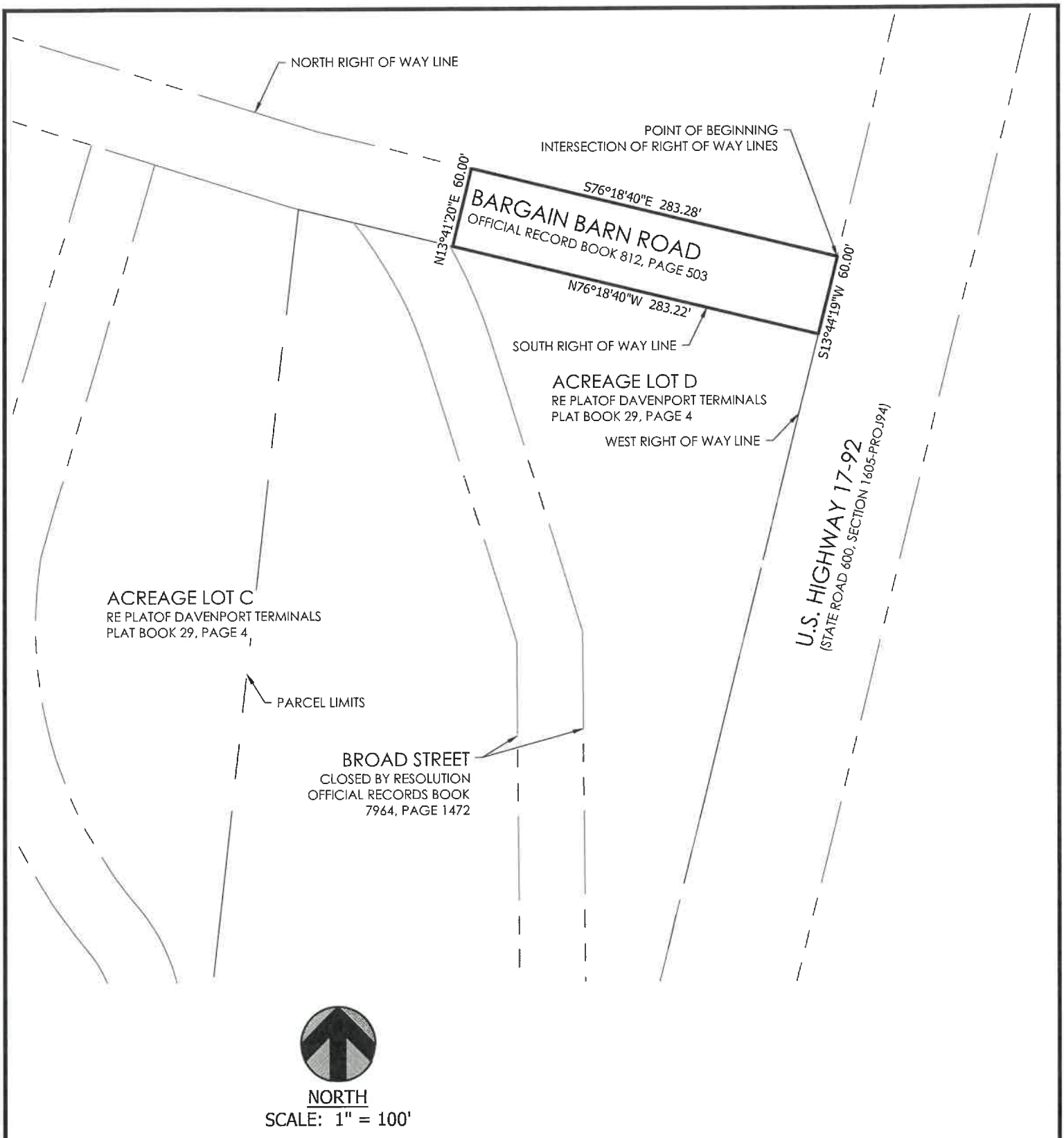
BASEPOINT SURVEYING, INC.
MAILING: P.O. BOX 253, BARTOW, FL 33831
OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #113



NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

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BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #11:

Exhibit D-2 – Additional ROW Parcel

See Attached

DESCRIPTION:

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, AND THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 317.89 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN, N77°21'37"W A DISTANCE OF 136.06 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 58°51'01", WHOSE CHORD BEARS N47°56'06"W, A CHORD DISTANCE OF 167.04 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 174.61 FEET; THENCE N13°41'20"E A DISTANCE OF 180.99 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, N76°18'40"W A DISTANCE OF 119.10 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 13225, PAGE 2136 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, AND THE POINT OF BEGINNING. RUN THENCE ALONG SAID EAST BOUNDARY S06°23'27"W A DISTANCE OF 121.13 FEET; THENCE N15°53'00"W A DISTANCE OF 50.22 FEET TO A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 45°31'30", WHOSE CHORD BEARS N38°38'45"W, A CHORD DISTANCE OF 131.55 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 135.08 FEET TO EAST RIGHT OF WAY LINE OF 42nd STREET AS DESCRIBED IN SAID OFFICIAL RECORD BOOK 13225, PAGE 2136; RUN THENCE ALONG SAID EAST RIGHT OF WAY LINE, N16°14'44"E A DISTANCE OF 3.24 FEET TO SAID SOUTH RIGHT OF WAY LINE OF BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING TWO COURSES: (1) S72°36'40"E A DISTANCE OF 110.78 FEET; (2) S76°18'40"E A DISTANCE OF 2.84 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS SQUARE 4516 FEET

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

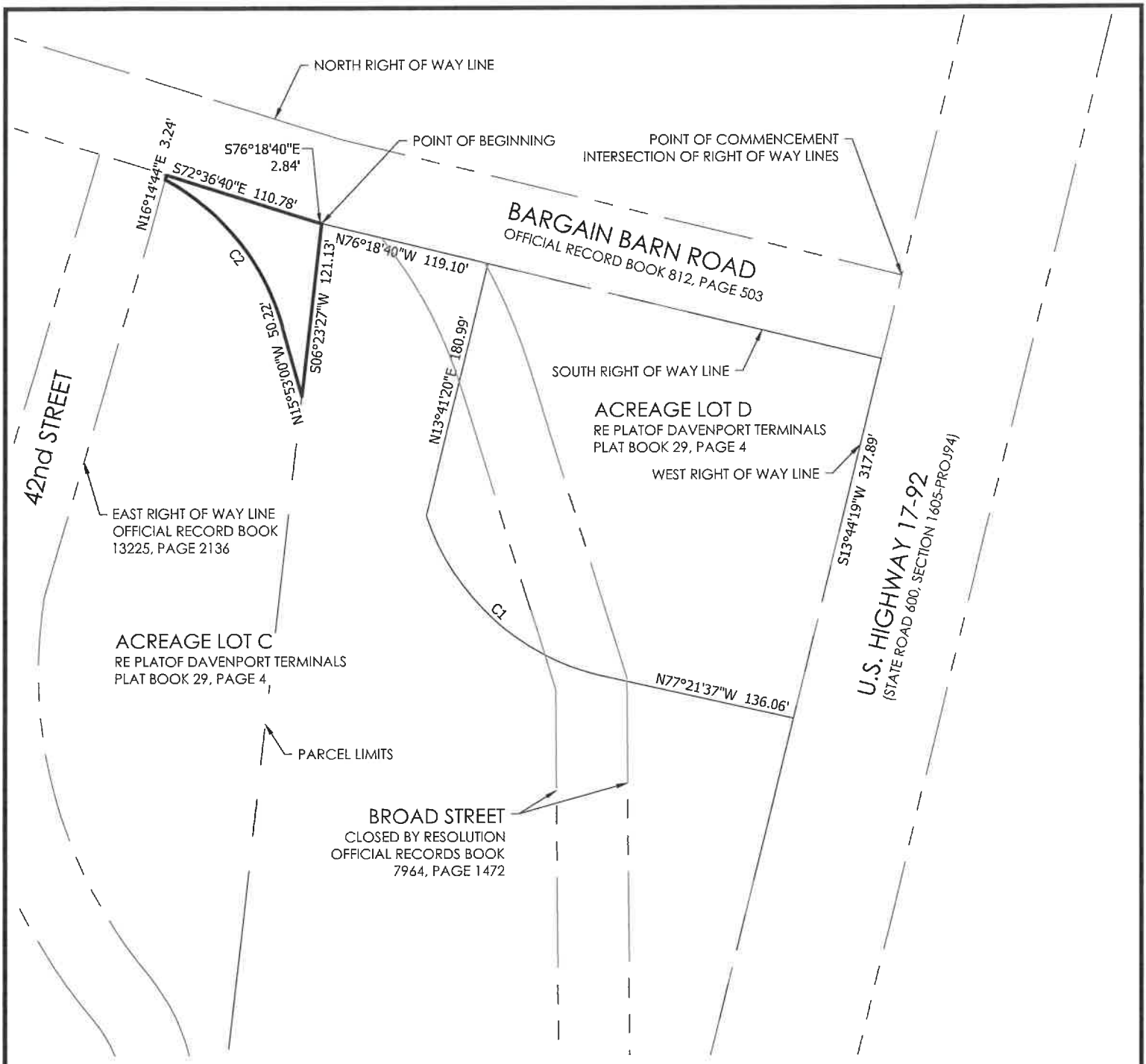
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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #113



NORTH
SCALE: 1" = 100'

CURVE TABLE					
#	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	174.61'	170.00'	058°51'01"	167.04'	N47° 56' 06"W
C2	135.08'	170.00'	045°31'30"	131.55'	N38° 38' 45"W

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

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BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #113

DESCRIPTION:

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, AND THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 317.89 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE RUN, N77°21'37"W A DISTANCE OF 136.06 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 50°11'13", WHOSE CHORD BEARS N52°16'00"W, A CHORD DISTANCE OF 144.19 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 148.91 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 170.00 FEET, A DELTA ANGLE OF 08°39'49", A CHORD WHICH BEARS THENCE N22°50'30"W A CHORD DISTANCE OF 25.68 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 25.71 FEET; THENCE N13°41'20"E A DISTANCE OF 180.99 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, N76°18'40"W A DISTANCE OF 119.10 FEET TO THE EAST LINE OF THAT PARCEL DESCRIBED IN OFFICIAL RECORD BOOK 13225, PAGE 2136 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA. RUN THENCE ALONG SAID EAST BOUNDARY S06°23'27"W A DISTANCE OF 121.13 FEET; RUN THENCE S15°53'00"E A DISTANCE OF 96.31 FEET TO A CURVE TO THE LEFT, HAVING A RADIUS OF 230.00 FEET, A DELTA ANGLE OF 26°25'36", A CHORD WHICH BEARS S29°05'48"E, A CHORD DISTANCE OF 105.15 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 106.08 FEET; THENCE N13°43'29"E A DISTANCE OF 79.45 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 23452 SQUARE FEET.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

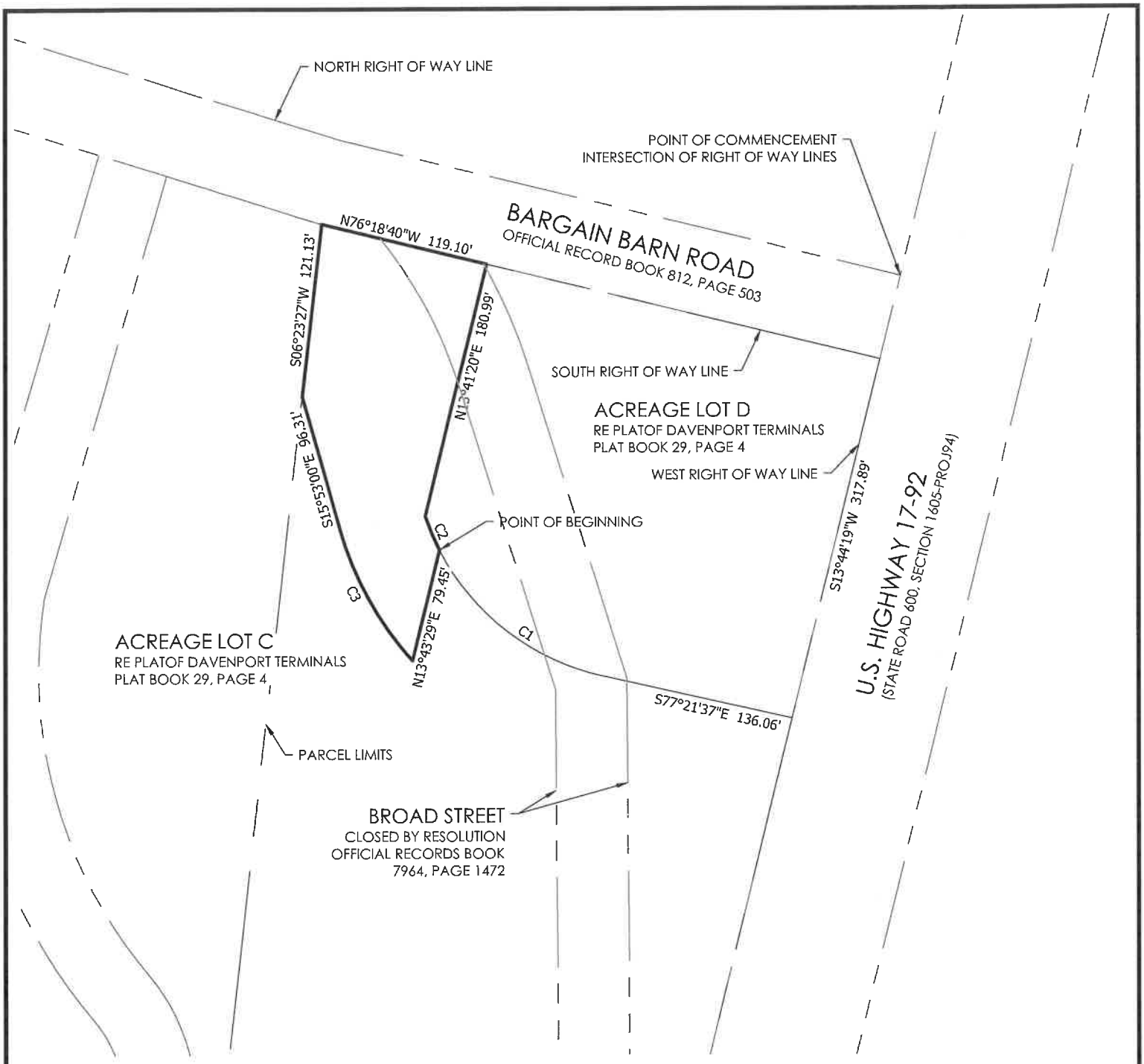
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FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #113



NORTH
SCALE: 1" = 100'

CURVE TABLE					
#	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	148.91'	170.00'	050°11'13"	144.19'	N52° 16' 00"W
C2	25.71'	170.00'	008°39'49"	25.68'	N22° 50' 30"W
C3	106.08'	230.00'	026°25'36"	105.15'	S29° 05' 48"E

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

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BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 2 OF 2

DRAWING: #####

JOB #11

Exhibit D-3 – Swap Parcel

See Attached

DESCRIPTION:

THAT PART OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, TOGETHER WITH THAT PART OF BROAD STREET, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, SOUTH OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812 , PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF SAID NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY OF SAID U.S. HIGHWAY 92 AND RUN THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 293.83 FEET TO THE POINT OF BEGINNING; CONTINUE THENCE ALONG SAID WEST RIGHT OF WAY LINE, S13°44'19"W A DISTANCE OF 84.06 FEET; THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, RUN N77°21'37"W A DISTANCE OF 134.91 FEET TO A POINT ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 230.00 FEET, A DELTA ANGLE OF 35°03'01", WHOSE CHORD BEARS N59°50'06"W, A CHORD DISTANCE OF 138.52 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 140.70 FEET; THENCE N13°43'29"E A DISTANCE OF 85.21 FEET TO A POINT ON A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 221.14 FEET, A DELTA ANGLE OF 08°50'42", A CHORD WHICH BEARS THENCE S41°16'36"E A CHORD DISTANCE OF 34.10 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 34.14 FEET TO A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 176.00 FEET, A DELTA ANGLE OF 29°28'05", A CHORD WHICH BEARS S62°37'34"E, A CHORD DISTANCE OF 89.53 FEET; RUN THENCE ALONG SAID CURVE AN ARC DISTANCE OF 90.52 FEET, TO A POINT OF TANGENCY; THENCE S77°21'37"E A DISTANCE OF 152.85 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS 22273 SQUARE FEET.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

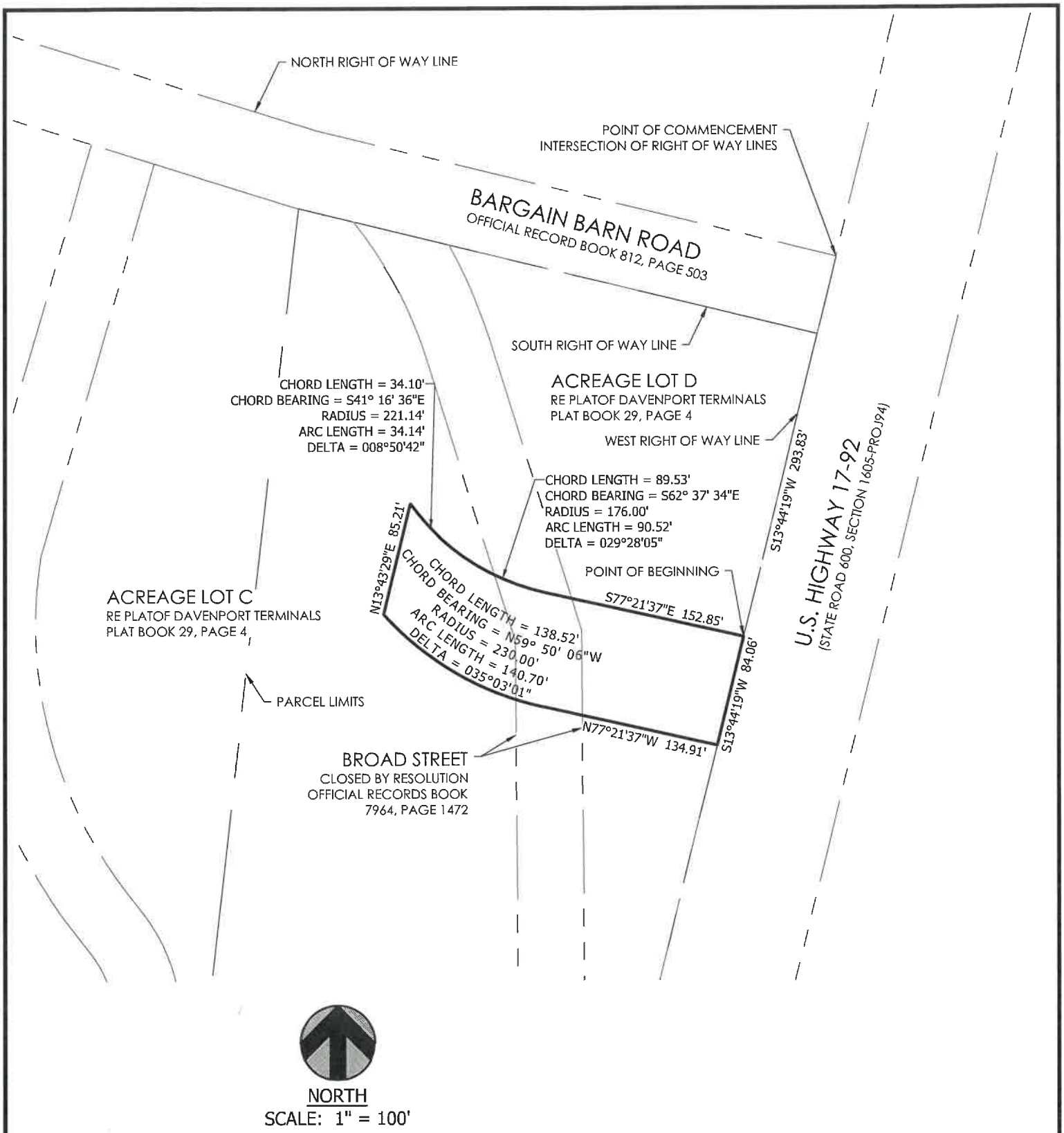
BASEPOINT SURVEYING, INC.
MAILING: P.O. BOX 253, BARTOW, FL 33831
OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #11:



NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

BASEPOINT SURVEYING, INC.
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OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION NOT A SURVEY SHEET 2 OF 2

DRAWING: #####

JOB #113

Exhibit D-4 – Lift Station Parcel

See Attached

DESCRIPTION:

THAT PART OF BROAD STREET SHOWN ON THE REPLAT OF DAVENPORT TERMINALS ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 29, PAGE 4, CLOSED BY RESOLUTION RECORDED IN OFFICIAL RECORDS BOOK 7964, PAGE 1472, LYING WITHIN THAT PART OF BARGAIN BARN ROAD AS DESCRIBED IN DEED BOOK 812, PAGE 503, ALL, LYING WEST OF U.S. HIGHWAY 17-92 (STATE ROAD 600, SECTION 1605-PROJ94), ALL OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID BARGAIN BARN ROAD WITH THE WEST RIGHT OF WAY LINE OF SAID U.S. HIGHWAY 17-92 AND RUN THENCE ALONG SAID NORTH RIGHT OF WAY N76°18'40"W A DISTANCE OF 283.28 FEET TO THE POINT OF BEGINNING. CONTINUE THENCE ALONG SAID NORTH RIGHT OF WAY THE FOLLOWING TWO COURSES: (1) N76°18'40"W A DISTANCE OF 120.01 FEET; (2) N72°36'40"W A DISTANCE OF 141.80 FEET; THENCE S17°23'32"W A DISTANCE OF 60.00 FEET TO THE SOUTH RIGHT OF WAY OF SAID BARGAIN BARN ROAD; RUN THENCE ALONG SAID SOUTH BOUNDARY THE FOLLOWING TWO COURSES: (1) S72°36'40"E A DISTANCE OF 143.74 FEET; (2) S76°18'40"E A DISTANCE OF 121.94 FEET; THENCE N13°41'20"E A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

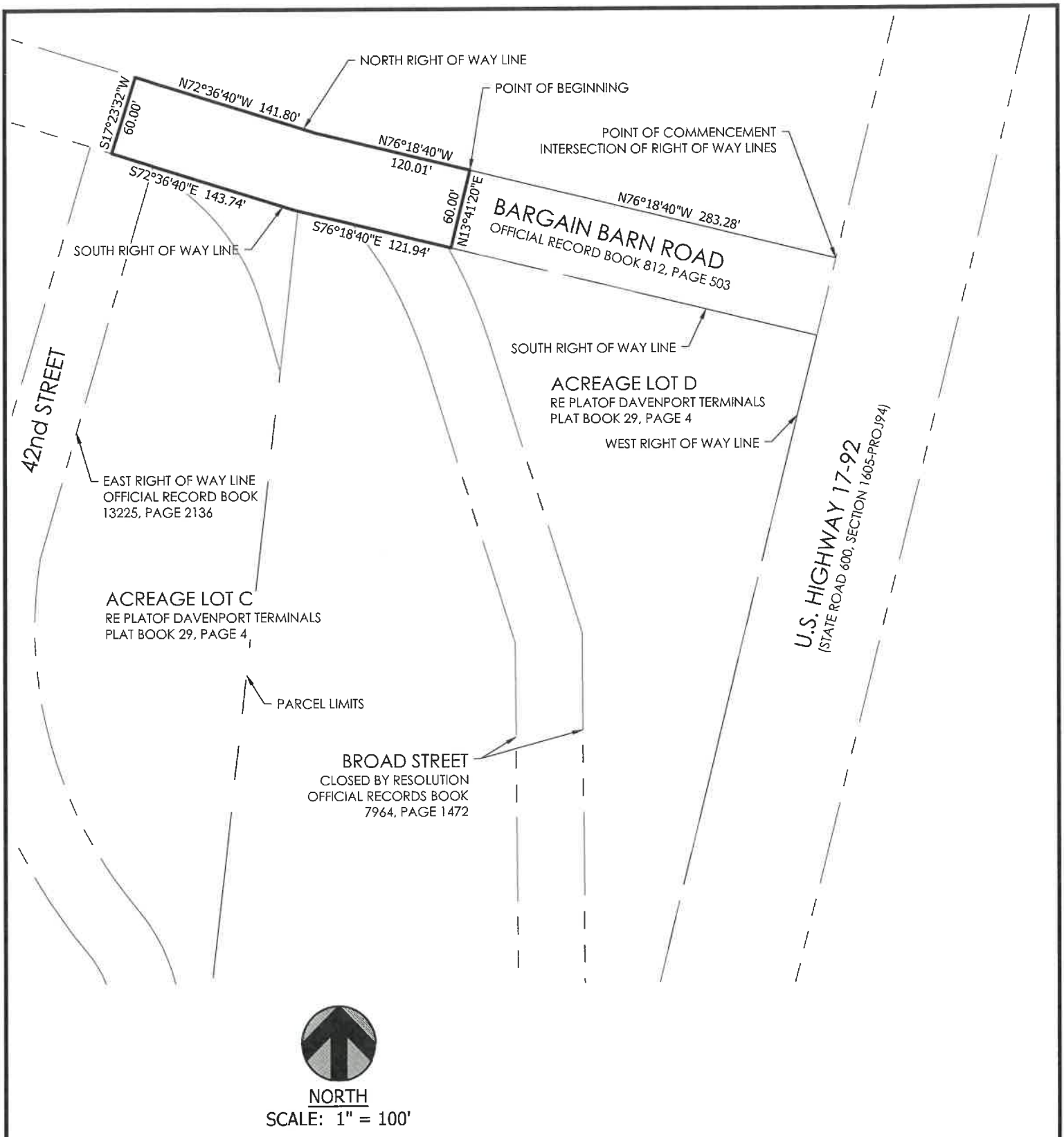
BASEPOINT SURVEYING, INC.
MAILING: P.O. BOX 253, BARTOW, FL 33831
OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION
NOT A SURVEY
SHEET 1 OF 2

DRAWING: #####

JOB #11[illegible]



NOT VALID WITHOUT A DIGITAL SIGNATURE OR A SIGNATURE AND RAISED SEAL

ROBERT E. LAZENBY, IV, P.S.M. # 6369

BASEPOINT SURVEYING, INC.

MAILING: P.O. BOX 253, BARTOW, FL 33831
OFFICE: 150 SOUTH WOODLAWN AVENUE, BARTOW, FL 33830
PHONE: (863) 537-7413 WWW.BASEPOINTSURVEYING.COM
FLORIDA CERTIFICATE OF AUTHORIZATION # LB 8112

BARGAIN BARN ROAD
Section 03, Township 27S, Range 27E

SKETCH OF DESCRIPTION NOT A SURVEY SHEET 2 OF 2

DRAWING: #####

JOB #11:

Exhibit E – Plans and Specifications

See Attached

CONSTRUCTION PLANS

FOR

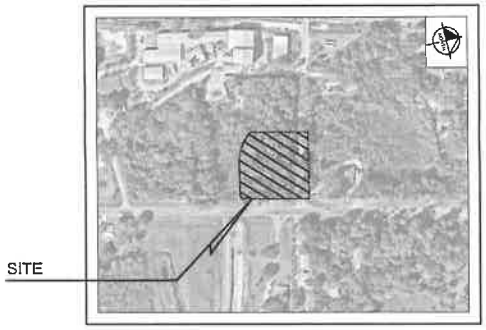
7-11 BARGAIN BARN RD

(7-ELEVEN SITE #1056916)

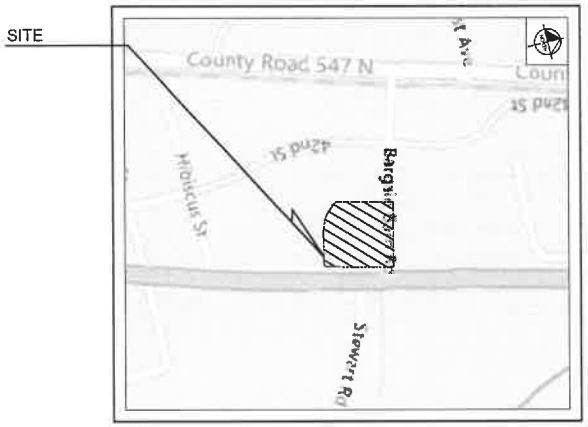
POLK COUNTY PARCEL ID NO:
27-27-03-717000-000032

DAVENPORT, FLORIDA
JULY 25, 2025





AERIAL PHOTOGRAPH
N.T.S.



SECTION 03 , TOWNSHIP 27S, RANGE 27E
LOCATION MAP
N.T.S.

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF POLK, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:
A PORTION OF:
COMMENCING AT THE INTERSECTION OF HIGHWAY U.S. 17-92 (100' RIGHT-OF-WAY) AS PER D.O.T. SHEET #12, PROJECT 94, FEDERAL ROAD DISTRICT 8 AND A POINT 5' SOUTH OF THE CENTERLINE OF HIBISCUS AVENUE (50' RIGHT-OF-WAY) AS PER THE REPLAT OF DAVENPORT TERMINALS, BOOK 29, PAGE(S) 4, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, WHICH POINT BEARS S 89°35'17"W, 979.94 FEET FROM THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3; THENCE S 89°35'17"W, 51.49 FEET ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 3, SAID FRACTIONAL LINE LYING 5' SOUTH OF THE CENTERLINE OF SAID HIBISCUS AVENUE TO A POINT AT THE SOUTHERLY PROJECTION OF THE WEST RIGHT-OF-WAY OF SAID HIGHWAY U.S. 17-92; THENCE N 14°13'24" E, 30.89 FEET ALONG SAID DESCRIBED SOUTHERLY PROJECTION OF HIGHWAY U.S. 17-92 TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID HIGHWAY U.S. 17-92 AND THE NORTH RIGHT-OF-WAY OF SAID HIBISCUS AVENUE, SAID POINT BEING THE POINT OF BEGINNING; THENCE N 89°35'17" W 310.85 FEET ALONG THE NORTH LINE OF SAID HIBISCUS AVENUE TO A POINT ON THE EAST RIGHT-OF-WAY OF 42ND ST. (30' RIGHT-OF-WAY) AS SHOWN ON SAID REPLAT OF DAVENPORT TERMINALS, SAID LINE BEING PARALLEL WITH AND 30' NORTH OF SAID DESCRIBED FRACTIONAL LINE, ALSO BEING THE SOUTHERLY LINE OF ACREAGE LOT C AND ACREAGE LOT D, AS SHOWN ON SAID REPLAT OF DAVENPORT TERMINALS; THENCE N 01°17'20" E, 163.00 FEET ALONG THE EAST RIGHT-OF-WAY OF SAID 42ND ST. TO A POINT OF CURVE, SAID LINE LYING ON THE WEST LINE OF SAID ACREAGE LOT C; THENCE NORTHWESTERLY 142.99 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 224.85 FEET AND A CENTRAL ANGLE OF 36°26'44" TO A POINT OF TANGENCY, SAID LINE BEING COINCIDENT WITH THE EAST RIGHT-OF-WAY OF SAID 42ND ST. AND SAID WEST LINE OF ACREAGE LOT C; THENCE N 35°42'44" W, 36.47 FEET ALONG THE LAST DESCRIBED LINE OF COINCIDENCE TO A POINT OF CURVE; THENCE NORTHEASTERLY, 191.97 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 194.32 FEET AND A CENTRAL ANGLE OF 56°36'10" TO A POINT OF TANGENCY, SAID ARC CONTINUING ALONG LAST DESCRIBED LINE OF COINCIDENCE; THENCE N 16°16'29" E, 321.09 FEET ALONG THE LAST DESCRIBED LINE OF COINCIDENCE TO A POINT ON THE SOUTH RIGHT-OF-WAY OF BARGAIN BARN ROAD (80' RIGHT-OF-WAY) AS SHOWN ON A QUIT-CLAIM DEED AND RECORDED IN DEED BOOK 812, PAGE 563, PUBLIC RECORDS OF POLK COUNTY, FLORIDA; THENCE S 71°56'49" E, 65.86 FEET ALONG THE SOUTH RIGHT-OF-WAY OF SAID BARGAIN BARN ROAD; THENCE S 78°28'24" E, 446.58 FEET ALONG SAID SOUTH RIGHT-OF-WAY OF BARGAIN BARN ROAD TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SAID HIGHWAY U.S. 17-92; THENCE S 14°13'24" W, 621.49 FEET ALONG THE WESTERLY RIGHT-OF-WAY OF SAID HIGHWAY U.S. 17-92 TO A POINT OF CURVE; THENCE SOUTHWESTERLY 79.57 FEET ALONG THE ARC OF A CURVE, CONCAVE TO THE EAST, HAVING A RADIUS OF 3851.19 FEET AND A CENTRAL ANGLE OF 01°09'14", ALONG THE SAID WESTERLY RIGHT-OF-WAY OF HIGHWAY U.S. 17-92 TO A POINT ON CURVE, SAID POINT BEING THE POINT OF BEGINNING.
LESS AND EXCEPT THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 13235, PAGE 2138 OF THE PUBLIC RECORDS OF POLK COUNTY, FLORIDA.

Sheet List Table	
Sheet Number	Sheet Title
C0.0	COVER
C1.0–C1.1	GENERAL NOTES
C2.0	STORMWATER POLLUTION PREVENTION PLAN
C3.0–C3.1	EXISTING CONDITIONS & DEMOLITION PLAN
C4.0–C4.2	SITE PLAN
C5.0–C5.1	PAVING, GRADING, AND DRAINAGE PLAN
C6.0–C6.1	UTILITY PLAN
C7.0–C7.1	BARGAIN BARN ROAD PLAN & PROFILE
C8.0–C8.7	BARGAIN BARN ROAD CROSS SECTIONS
C9.0	U.S. HIGHWAY 17–92 TURN LANE PLAN
C10.0–C10.8	U.S. HIGHWAY 17–92 CROSS SECTIONS
C11.0–C11.2	STANDARD DETAILS
C11.3–C11.8	7–11 STANDARD DETAILS
C12.0–C12.5	CITY OF DAVENPORT STANDARD DETAILS
L1.00	LANDSCAPE PLAN
L1.50	LANDSCAPE DETAILS
L1.51	LANDSCAPE NOTES
L2.00	IRRIGATION PLAN
L2.50	IRRIGATION DETAILS
L2.51	IRRIGATION NOTES

UTILITY PROVIDERS

WATER AND SEWER:
CITY OF DAVENPORT
1 SOUTH ALLAPAHA AVENUE
DAVENPORT, FL 33836
PHONE: (863) 419-3300

TELEPHONE/CABLE:
CENTURYLINK (LUMEN)
446 W PLANT ST
WINTER GARDEN, FL 34787

ELECTRIC :
DUKE ENERGY
452 E CROWN POINT RD
WINTER GARDEN, FL 34787
PHONE: (407) 629-5659

GAS:
FLORIDA PUBLIC UTILITIES
1765 SW 7TH STREET
WINTER HAVEN, FL 33880

PROJECT TEAM

ARCHITECT:
INTERPLAN LLC
238 E. CENTRAL PKWY, SUITE 4000
ALTAMONTE SPRINGS, FL 32701
CONTACT: NICOLE WEIR
PHONE: (407) 645-5008

DEVELOPER:
BLACKFIN PARTNERS INVESTMENTS, INC.
4449 PGA BOULEVARD, SUITE 600
PALM BEACH GARDENS, FL 33410
CONTACT: SETH SWISHER
PHONE: (727) 259-5729
EMAIL: SSWISHER@BLACKFINPARTNERS.COM

CIVIL ENGINEER:
KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
CONTACT: DEREK E. RAMSBURG, P.E.
PHONE: (407) 427-1842
EMAIL: DEREK.RAMSBURG@KIMLEY-HORN.COM

OWNER:
FRERICKS DUANE
7549 WAVERLY RD
LAKE WALES, FL 33859

SURVEYOR:
BASEPOINT SURVEYING, INC.
16 EAST PLANT STREET
LAKELAND, FL 33807
CONTACT: ROBERT LAZENBY IV
PHONE: (863) 537-7413
EMAIL: RLAZENBY@BASEPOINTSURVEYING.COM

LANDSCAPE ARCHITECT:
KIMLEY-HORN AND ASSOCIATES, INC.
200 SOUTH ORANGE AVENUE, SUITE 600
ORLANDO, FL 32801
CONTACT: JOHN GRIFFIN, PLA
PHONE: (407) 427-1830
EMAIL: JOHN.GRIFFIN@KIMLEY-HORN.COM

PREPARED BY
Kimley»Horn

© 2025 KIMLEY-HORN AND ASSOCIATES, INC.
200 S Orange Ave, Suite 600, Orlando, FL 32801
Phone: (407) 898-1511
WWW.KIMLEY-HORN.COM Registry No. 35106

No.	REVISIONS	DATE	BY

Drawing name: K:\ORL_Civil\249188010-7-11 Bargain Barn Rd\CADD\CONST\PlanSheets\C0.0 - COVER.dwg COLD Jul 24, 2025 5:24pm by: Blake.Gidory
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. and to without liability to Kimley-Horn and Associates, Inc.

Exhibit F – Reimbursement Requirements

COUNTY REIMBURSEMENT REQUIREMENTS

1. The Developer will be required to register with the County as a Vendor to allow for payment. Registration can take place as the following website:
   www.polk-county.net/business/procurement/vendor-information/

2. The Developer must submit pay requests that match the fee schedule or exhibit that corresponds with the agreement.

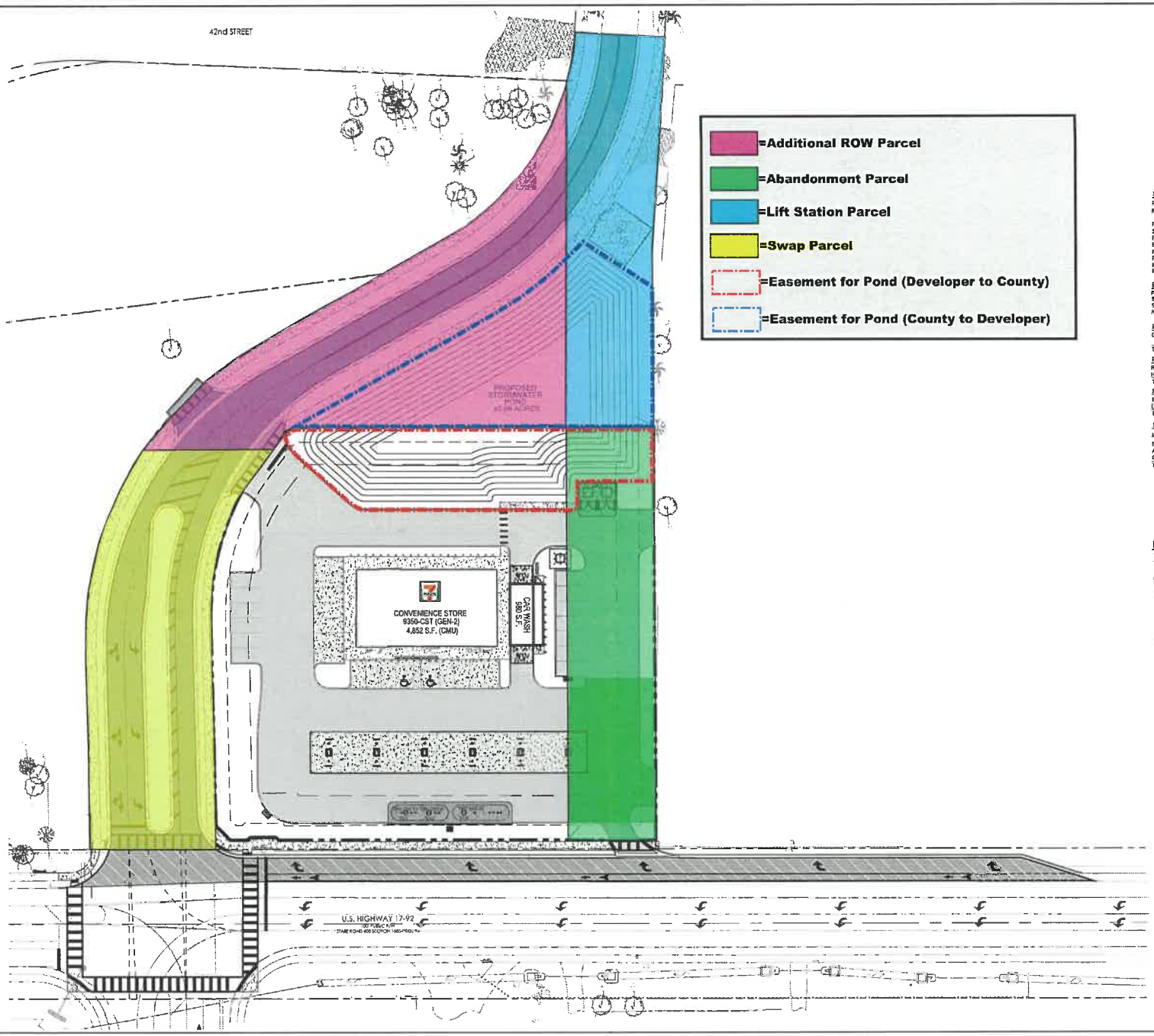
3. Developer's request for payment shall utilize an AIA G702 Application and Certificate for Payment evidencing the portion of the Transportation Improvements completed through the date of such request and the portion of the Reimbursement Amount incurred through the date of such request; and (i) copies of invoices substantiating the request for payment, and (ii) copies of interim progress lien waivers (which may be conditioned upon payment) from the Contractor and all Subcontractors meeting the requirements of applicable law to extinguish all lien rights of such parties in connection with Transportation Improvements as completed through the effective date of such lien waivers. Within five (5) business days after receipt of a request for payment, County shall either approve or deny (with specificity) the request, and, if denied, shall describe any additional documentation that is reasonably needed to ensure that the request for payment is complete, failing which the County's approval will be deemed given. Once the County determines (or is deemed to have determined) that the request for payment and backup documentation is complete, the County shall have ten (10) business days to remit payment to Developer. County shall not unreasonably withhold or delay approval of any draw requests. Final disbursement of the Reimbursement Amount will be made in accordance with the provisions of Section 7.3. Any untimely payment shall accrue interest as mandated under Part VII, Ch. 218, Florida Statutes, and nothing herein limits the Developer's rights to such interest

4. Any identifying bank information such as bank account numbers shall be blacked out prior to submission. If more than one invoice is paid out of one check or ACH transaction, the Developer shall provide an explanation that links the individual payments to the invoices being submitted i.e. via internal document or spreadsheet, so the payment is easily identifiable to the auditor. Any questions can be directed to the Roads and Drainage Fiscal Section by calling 863-535-2200 and asking for the Developer Agreement Reimbursement Coordinator.

5. Impact Fee Credits: If impact fee credits are included in the agreement, Roads and Drainage will initially review the pay application. Once review is complete, the pay application will be forwarded to the Office of Planning and Development Fiscal Manager for issuance of impact fee credits. For further information, the Office of Planning and Development Fiscal Manager can be reached at 863-534-6460.

Exhibit G – Stormwater Cross-Easement Area

See Attached



NORTH

GRAPHIC SCALE IN FEET
0 15 30 60

SITE DATA:

PROJECT NAME:	7-11 BARGAIN BARN RD
REQUIRED CODE:	CITY OF DAVENPORT UNIFIED LAND DEVELOPMENT REGULATIONS
PARCEL ID:	27-27-03-717000-000033
SITE AREA:	1.83 ACRES / 79,624 SF
FUTURE LAND USE:	INDUSTRIAL
EXISTING ZONING:	VACANT INDUSTRIAL
PROPOSED ZONING:	C-3 (HIGHWAY COMMERCIAL)
PROPOSED USE:	COMMERCIAL
MAXIMUM BUILDING HEIGHT:	70'
PROPOSED BUILDING HEIGHT:	24'-8" (1 STORY)

BUILDING SETBACKS (C-3)	REQUIRED	PROVIDED
FRONT:	30 FT	130.2 FT
STREET-SIDE:	25 FT	81.2 FT
SIDE:	25 FT	25 FT
REAR:	25 FT	37.1 FT

REQUIRED PARKING:

GENERAL RETAIL (4 SPACES/1000 SF):	
4 SPACES*4,852 SF / 1000 SF):	20 SPACES
TOTAL PARKING SPACES REQUIRED:	20 SPACES

PROVIDED PARKING:

REGULAR SPACES (10'x20'):	27 SPACES
HANDICAP SPACES (12'X20'):	2 SPACES
TOTAL SPACES PROVIDED:	29 SPACES

REQUIRED BICYCLE PARKING:

1 SPACE FOR EVERY 10 PARKING SPACES (29/10 = 2.9)	3 SPACES
BICYCLE PARKING PROVIDED:	5 SPACES

IMPERVIOUS CALCULATIONS

MAXIMUM ALLOWABLE IMPERVIOUS AREA (70%):	1.28 AC
BUILDING AREA:	0.13 AC
ASPHALT AREA:	0.80 AC
CONCRETE AREA:	0.32 AC
TOTAL IMPERVIOUS AREA:	1.25 AC (68.24%)

NOTES:

1. ALL CURB DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
2. BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF BUILDING UNLESS OTHERWISE NOTED.
3. REFER TO ARCHITECTURAL AND STRUCTURAL PLANS TO VERIFY ALL BUILDING DIMENSIONS.
4. REFER TO SIGNAGE PLANS FOR MONUMENT SIGN DETAILS.
5. SEE MEP PLANS FOR ELECTRICAL DRAWINGS.
6. ALL PROPOSED ON-SITE STRIPING AND PAVEMENT MARKING WILL BE PAINTED UNLESS OTHERWISE NOTED AND IN ACCORDANCE WITH FDOT INDEX 711-001.

LEGEND

- PROPERTY BOUNDARY
- BUILDING SETBACK
- LANDSCAPE SETBACK
- PROPOSED FENCE
- PARKING SPACE COUNT
- PROPOSED STANDARD DUTY ASPHALT PAVEMENT (SEE SHEET C11.5)
- PROPOSED POLK COUNTY PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED FDOT PAVEMENT SECTION (SEE SHEET C11.1)
- PROPOSED STANDARD DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED HEAVY DUTY CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED TANK SLAB CONCRETE PAVEMENT (SEE SHEET C11.5)
- PROPOSED CONCRETE SIDEWALK

Always call 811 two full business days before you dig to have underground utilities located and marked.
Sunshine811.com

No.	REVISIONS	DATE	BY

Kimley»Horn

KHA PROJECT 249186010
DATE JULY 25, 2025
SCALE AS SHOWN
DESIGNED BY BMG
DRAWN BY BMG
CHECKED BY DER

OVERALL SITE PLAN

7-11 BARGAIN BARN RD

CITY OF DAVENPORT, FLORIDA

SHEET NUMBER C4.0

Plotted By: Adam Blake Sheet Set: 7-11 BARGAIN BARN RD Layout: C4.0 Date & Time Plotted: 7/25/2025 10:19:58 AM Xrefs: Col2025\R25\C3-11 Bargain Barn\RACIVIL\CIVIL\Dwg\Sheets\C4.0 - SITE PLAN.dwg
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Agenda Item G.3. 11/4/2025

SUBJECT

Approve Consultant Services Authorization (CSA) No. 2021-032-07 with CMHM Architects for Architectural and Engineering (A&E) services for a new Christina Fire Rescue EMS Station project. ($312,225.00 one-time expense)

DESCRIPTION

CSA No. 2021-032-07 in the amount of $312,225.00 provides A&E services for a new Christina Fire Rescue EMS Station Building project to be constructed on County owned property located at 1145 County Road 540A, Lakeland, FL 33813.

RECOMMENDATION

Board approve CSA No. 2021-032-07 with CMHM Architects for A&E services for a new Christina Fire Rescue EMS Station project.

FISCAL IMPACT

Funds in the amount of $312,225.00 are available in the Impact Fees Fund.

CONTACT INFORMATION

Keith R. Tate, Director

Facilities Management Division

863-534-5511

keithtate@polk-county.net

Consultant Services Authorization

Firm Name:	CMHM Architects
Master Agreement No.:	2021-032
CSA No.:	2021-032-07
Project Name:	Christina Fire Rescue Station
Project Description:	Design & Construction of new Fire Rescue Station to house 8 personnel and Rescue Engines
Project Exhibits and Attachments	Exhibit "A"- Scope of Services for this CSA Exhibit "B"- Current Fee Schedule (Master Agreement) Exhibit "C"- Reimbursable Cost Schedule Exhibit "D"- Professional Liability (Project Specific)
Duration (in days)	Upon Project Completion
Compensation (Lump sum or Not to exceed to be identified in Exhibit "A")	$312,225.00 Lump Sum
Liquidated Damages (if applicable)	$0//Per Day
Budget Source/Availability	12252.280524070.5662030.2900041

IN WITNESS WHEREOF, the parties hereto have executed this CSA on this_____ day of _____, 20__.

Attest:

STACY M. BUTTERFIELD

By: _____

Deputy Clerk

Date Approved by County: _____

POLK COUNTY, a political subdivision of the State of Florida

By: _____

T.R. Wilson, Chairman

Board of County Commissioners

Review as to form and legal sufficiency

10/7/2025

County Attorney's Office Date

CMHM ARCHITECTS

CONSULTANT COMPANY NAME

Attest:

Sec 9/24/25

Corporate Secretary Date

V.P.

Authorized Corporate Officer

JOHN R. CURTIS V.P. 9/24/25

[Printed Name and Title] Date

SEAL

CMHM Architects CORPORATE SEAL 1981 FLORIDA

7.27.20(MS)

John R. Curtis AIA
Benjamin F. Mundy, Jr. AIA, LEED AP
C. Keith Hunnicutt AIA
Neil G. Melby AIA, LEED AP BD+C

September 19, 2025

Mr. Rob Williams, Project Manager
Polk County, Facilities Management Division
2160 Marshall Edwards Drive
Bartow, Florida 33830-9005

Re: Architectural Services – New Fire/Rescue Station – Christina
1145 County Road 540-A East – Lakeland
CMHM Job No. 25011

Dear Mr. Williams,

Curtis Mundy Hunnicutt Melby Architects Inc. (CMHM) appreciates the opportunity to present this proposal to provide architectural and related engineering services for the construction of a new FRS station located in Lakeland, Florida.

Our understanding is this project will be a re-use of the Lakeland Hills EMS station facility our office designed. Based on the planned location as indicated on the attached Schematic Site Plan, the 7,446 GSF building will remain largely the same as the Lakeland Hills building, except the apparatus bay will be enlarged to accommodate fire trucks and the truss bearing will be raised to 15'-4" AFF, providing 14'-0" high overhead doors. The IT Closet will be relocated, space for an extractor will be provided, and a fire gear storage room will be created. Based on the schematic site plan your office provided, rotating or mirroring the plan will not be required. This proposal includes a re-use fee, architectural and engineering revisions, site adaptation design, bidding, and construction phase services.

Architectural & Engineering Scope of Services
CMHM Architects will provide basic full-scope services that include architectural design development, construction documents, bid administration, and construction administration. Our proposal includes civil, limited ecological services, structural, mechanical, plumbing, fire protection, and electrical design.

Civil Engineering and Site Permitting:
CMHM will coordinate with the civil engineer in completing the required interface between building and site design. The sewer provider appears to be Polk County, and a lift station will be required and is included. The curb cut at Gladman Road and CR 540A will provide access to the site and this intersection will remain as constructed. Widening of Gladman Road to the project driveway(s) is included to accommodate normal two-way traffic.

The civil engineer will prepare geometry, access, grading, drainage, water and sewer utility plans, stormwater retention design, and calculations for a new stormwater system to serve the proposed building, drive, and associated parking. Landscaping will be "code minimum" within the area disturbed by construction activities, along with prescriptive irrigation design.

The following site permit applications will be submitted:

Polk County – Level II Site Plan Approval
SWFWMD or FDEP – Environmental Resource Permit
FDEP – Wastewater connection permit

Ecological Services:

The ecological assessment included in this proposal assumes that the site plan will not incur any wetland or surface water impacts. In the event the final site plan does impact wetland or surface water impacts, additional services will be required to cover additional tasks and permitting.

The following tasks are included:

Technical Information Review

a) Review publicly available databases for aerial photos, soil maps, quad maps, and existing literature on listed species that could occur within the project corridor, and other ecological constraints.
b) Search Florida's Water Permitting Portal to determine if any permits have been issued for the property.

Site Inspection

a) On-site inspection to determine the different land use and vegetative community types and wildlife use of the project site.
b) Locate any wildlife observations of significance i.e. gopher tortoise burrows. Additional services may be required if the initial site inspection documents the need for such surveys.
c) Delineate the on-site wetlands and produce a map depicting the approximate location of the wetland; this can be used by the project Surveyor to locate the wetland line in the field.

Ecological Assessment Report

a) Upon completion of the field work, an Ecological Assessment Report will be prepared to outline the results of the research and on-site inspection. This report will discuss any on-site land uses and wildlife observed and will outline any permits that may be required to facilitate the project development, with associated timeframes and cost.
b) A map series of the property will be prepared to accompany the report above and will include an aerial, soil map, land use map, and wildlife use map as applicable.

Environmental Resource Permitting

a) Our consultant will conduct a pre-application meeting with Southwest Florida Water Management District (SWFWMD) and project civil engineer. This meeting is recommended to facilitate the permitting process and to prevent issuance of extensive requests for additional information.
b) The consultant will also conduct a site inspecting with SWFWMD to review the wetland limits. Any changes to the jurisdictional wetland boundaries will be noted and provided to the project Surveyor.

Structural Engineering:
Structural engineering involves the re-use of the Lakeland Hills building structure including adapting the shallow pad foundation design to soil conditions found on the proposed site. If soil conditions are discovered that require a deep-foot design, additional fee may be required. The building will be designed to "Essential Facility Cat IV" standards.

Mechanical and Plumbing Engineering:
HVAC and plumbing systems will remain similar and will incorporate owner-approved plan revisions and adaptations to the site utilities.

Fire Protection:
A fire sprinkler system will be provided similar to the Lakeland Hills project. It is assumed the existing municipal water pressure will support this new project. Flow tests of the system will be obtained before design begins.

Electrical Engineering:
Electrical engineering includes preliminary power service coordination with the power company, and design of a permanent emergency generator sized appropriately for 100% emergency power to serve the proposed building, as well as a not-to-exceed 550-gallon fuel tank. Electrical services include general power and lighting throughout the building, site lighting, and powering HVAC equipment and other systems. Conduit and boxes for owner-installed data cabling and other systems are to be provided. Fire alarm performance design documents and performance specifications are also included.

Services Not Included

- Permit, recording and application fees
- Conditional Use Permit provided by others
- Construction layout, easement, and plating surveys
- Site boundary and topography survey (provided by owner)
- Environmental and/or threatened/endangered species assessments and permitting
- Major traffic studies and offsite road improvements
- Wetland permitting/mitigation and/or flood plain studies/FEMA permitting
- Special threshold and/or structural inspections
- Assessment of asbestos or other hazardous materials
- LEED or Green Building design project certification, commissioning and related services
- Furniture selection and layout provided to Architect by Owner's vendor
- Solar power and UPS system design
- Third party (engineer) building systems commissioning
- Site visits, inspections, meetings, or public hearings by our consulting Engineers and Architect beyond those specifically mentioned in this proposal
- Time spent documenting time/ wage/ employment required By Davis-Bacon Act or any other similar governmental program
- Document printing in excess of three sets of documents at each design stage
- Development and drafting of as-built drawings

Design Deliverables

Design Development

Design Development will involve the re-use of the design for the Lakeland Hills EMS Facility constructed in Lakeland, Florida, with floor plan revisions as authorized by the Owner. CMHM is prepared to proceed with the Design Development phase of the project and revise the architectural drawings, and incorporate revisions into the structural, mechanical, plumbing, fire protection, and electrical drawings. During this phase we will also develop civil drawings to interface with the building design.

Design Development Deliverables

- Architectural Site Plan will be developed to include all proposed site features.
- Floor Plan with dimensions will be provided with size and proposed use of all spaces, to include a preliminary layout of equipment and furniture. Structural elements such as columns and bearing walls to be shown.
- The Life Safety Plan shall identify all exits, fire or smoke-rated walls, emergency egress openings, emergency lighting, and any other life safety item/ feature relevant to the facility. All code related issues shall be addressed.
- Exterior Elevations will be developed.
- Building/ Wall Sections will include typical floor, ceiling and structural elevations; structural systems; and basic interior and exterior finish materials.
- Mechanical/ Electrical Drawings shall identify basic systems and locations for major pieces of equipment.
- Civil Site Plan will identify location of all proposed buildings, pavement, retention areas, swales, fire protection, and septic system.

At the conclusion of the design development phase, all major design decisions should have been made or alternative solutions identified.

Construction Documents

Based on the reviewed and approved design development documents, CMHM will develop a complete set of construction and permit documents that describe in detail all requirements necessary to complete the construction of the project. Drawings will include architectural plans, exterior elevations, details, specifications, and related engineering services (civil, structural, mechanical, plumbing, fire protection, and electrical systems) described in this proposal.

Construction Phase Services

Permitting/ Bidding:

CMHM will issue signed and sealed construction documents to the owner-selected Contractor for building permit purposes, and will respond to bidder/ contractor questions as well as questions and comments issued by the permitting agency as required.

Construction Administration:

Construction Phase Services will include responses to all questions that arise during construction, review of shop drawings, response to RFIs, and issuing ASIs in a timely manner. The Architect will attend regularly scheduled construction meetings (approximately two per month) and review construction progress through completion. The Architect will also make two on-site inspections, an above ceiling inspection, and a final punch list inspection at the conclusion of construction. A 300-day construction schedule is anticipated.

Schedule
CMHM is prepared to start work upon authorization to proceed, then work with you toward meeting your schedule as determined by all parties.

We anticipate the following schedule of work for this project:

Schematic Design	Completed
Design Development	60 days
Construction Documents	90 days
Bid Administration	60 days
Permitting	45 days
Construction Administration	300 days

Architect's Compensation
Invoicing shall be monthly as the work progresses, based on our Basic Design Services fee below:

Architectural and Related Engineering Services:

Design Reuse Fee	$25,000.00
Design Review Meetings	$4,000.00
Revisions (as described above)	$18,000.00
Site Coordination (Architectural & MPE)	$20,000.00
Reproduction Expenses	$ 2,500.00
Bidding/ Permitting	$ 6,500.00
Construction Phase Services	$40,000.00
Total Architectural and Related Engineering Services	$116,000.00

Sub-Consultant Services Include:

Civil Engineering	$61,525.00
Ecological Services	$19,600.00
Geotechnical Field Exploration	$15,100.00
Basic Design Services	**$212,225.00**
Estimated Undefined Add Service Reimbursable Expenses (if required)	$100,000.00
Total Lump Sum with Additional Service Allowance	**$312,225.00**

Other than the fees noted above, reimbursable expenses (if required) requested by the owner shall be performed for a pre-approved lump sum fee. The undefined reimbursable expenses may not be sufficient to cover all items excluded from this proposal.

Potential Add Service Reimbursable Expenses:
This list is not inclusive of all potential services and not limited to these described below.

- Environmental and/or threatened/endangered species assessments and permitting
- Wetland permitting/mitigation and/or flood plain studies/FEMA permitting
- Additional Geotechnical Field Exploration and surveying
- Deep foundation design
- Land Use changes or modifications
- Offsite utilities modifications or improvements
- Permitting fees paid directly to agencies to expedite permitting

Scope Limitations

- A land use change was recently submitted by Polk County to modify the existing land use to Institutional (INST). Our proposal does not include land use changes or modifications.

- The National Wetland Inventory (NWI) map indicates there are wetlands or surface waters onsite. This proposal assumes that the wetlands and/or surface waters can be avoided without impact. It is not known what special conditions the SWFWMD may include in their permit. Should additional tasks be required to respond to special conditions, these services will be pre-approved by Owner.

- Civil research concluded that portions of the site are located within a mapped FEMA flood zone. This proposal assumes that the flood zone will be avoided. No flood modeling or FEMA permitting is anticipated or included in this proposal.

- Polk County Real Estate Services informed us through Facilities Management that Gladman Road has a 30-foot easement that would allow for a driveway connection. However, the curb cut for Gladman Road at 540A appears to be mis-aligned with the anticipated easement (skews outside the easement). A site survey showing the 30-foot easement will determine if this is true. This proposal assumes that this intersection will remain as constructed and not require re-design or re-permitting. A major traffic study is not anticipated or included.

CMHM Architects and our consulting Engineers have included in our fees anticipated required services to complete the proposed project as a re-use design and will not impact wetlands, flood zones, or re-design of the Gladman Road curb cut at CR 540A. Should actions or judgments from jurisdictional agencies or design parameters require additional services, these services will be pre-approved by the Owner.

In conclusion, I trust this proposal addresses your needs related to architectural and engineering design services for your proposed Christina FRS Station. Again, thank you for this opportunity and please let me know if you have any questions.

Sincerely,

Neil G. Melby, AIA
NGM/ajd
Attachments: concept site plan, schematic building floor plan.

Andrea Dr
540A
GLADMAN RD
Elementary School
E County Rd 540A
E County Rd 540A
Quail Ridge Dr

CONSTRUCTION DOCUMENTS

CHRISTINA
NEW EMS RESCUE STATION
1145 COUNTY ROAD 540-A EAST
LAKELAND, FL

CMHA ARCHITECTS INC.
cmha architects

A101
25011

WALL TYPE LEGEND

FLOOR PLAN

AREA 9,171 G.S.F.

SEE ADDITIONAL DRAWINGS FOR CONCRETE BOLLARD LAYOUT

SEE ADDITIONAL DRAWINGS FOR CONCRETE BOLLARD LAYOUT

Exhibit B
Hourly Rate Schedule

cmhm architects

John R. Curtis AIA
Benjamin F. Mundy, Jr. AIA, LEED AP
C. Keith Hunnicutt AIA
Neil G. Melby AIA, LEED AP BD+C

HOURLY RATE SHEET

Job Classification	Column 1 Direct Labor Expense	Column 2 Labor Burden/ Overhead (%) (150% x Col. 1)	Column 3 Operating Markup (%) (10% x (Col. 1 + Col. 2)	Column 4 Billable Rate Total (Cols. 1+2+3)
Principal (Registered Architect)	$63.00	$96.00	$16.00	$175/hr.
Senior Project Architect	$49.00	$74.00	$12.00	$135/hr.
Project Architect	$42.00	$63.00	$10.00	$115/hr.
Intern Architect	$33.00	$49.00	$ 8.00	$90/hr.
Senior CADD Operator	$31.00	$46.00	$ 8.00	$85/hr.
CADD Operator	$27.00	$41.00	$ 7.00	$75/hr.
Clerical	$23.00	$36.00	$ 6.00	$65/hr.

1036 South Florida Avenue Lakeland, Florida 33803-1118 Ph 863.688.8882

www.ikldarch.com

POLK COUNTY

EXHIBIT C

SCHEDULE OF REIMBURSABLES

1.	Reproduction Cost		
	A. Regular Copying	Single Side	Double Sided
	8 ½ x 11 (black & white)	$ 0.15/page	$ 0.25/sheet
	8 ½ x 11 (color)	$ 0.30/page	$ 0.40/sheet
	8 ½ x 14 (black & white)	$ 0.15/page	$ 0.25/sheet
	8 ½ x 14 (color)	$ 0.30/page	$ 0.40/sheet
	11 x 17 (black & white)	$ 0.25/page	$ 0.35/sheet
	11 x 17 (color)	$ 0.40/page	$ 0.50/sheet
	9 ½ x 24 Single Side Only	$ 1.00/page	
	17 x 22 Single Side Only	$ 2.00/page	
	18 x 24 Single Side Only	$ 2.00/page	
	24 x 36 Single Side Only	$ 3.00/page	
	30 x 30 Single Side Only	$ 5.00/page	
	32 x 34 Single Side Only	$ 5.00/page	
	Other sizes-per square inch	$ 0.03/page	
	Compact Digital Disk	$ 6.00/disk	
	B. Blueprint Copy	$10.00/page	
2.	Subcontractor Services		Actual Costs
3.	Special Consultants		Actual costs
4.	Telecommunications		Non-reimbursable
5.	Computer Services		Non-reimbursable
6.	Pre-approved Travel Expenses In accordance with Chapter 112.061, F.S.; and further defined in the Polk County Employee Handbook		
7.	Postage, Fed Express, UPS		Actual Costs
8.	Pre-approved Equipment (includes purchase and rental of equipment used in project)		Actual Costs

Client#: 1051149 CMHMARC

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/23/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
USI Insurance Services, LLC 2502 N Rocky Point Drive Suite 400 Tampa, FL 33607	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS: TeamAECertificate@USI.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : XL Specialty Insurance Company	37885
INSURED CMHM Architects Inc. 1036 South Florida Avenue Lakeland, FL 33803	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	$
	OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	☐ ANY AUTO						BODILY INJURY (Per person)	$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	☐ UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE	$
	☐ EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE	$
	☐ DED ☐ RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						☐ PER STATUTE ☐ OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐	N / A					E.L. EACH ACCIDENT	$
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$
A	Professional Liability			DPR5040415	03/16/2025	03/16/2026	$3,000,000 per claim $3,000,000 annl aggr.	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Professional Liability coverage is written on a claims-made basis.

Re: CSA No. 2021-032-07. For Christina Fire Rescue Station.

CERTIFICATE HOLDER

Polk County, a political subdivision of the State of Florida
330 West Church Street Room 150
Bartow, FL 33830

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/24/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER The Baldwin Group Southeast LLC 1115 Bartow Rd Lakeland FL 33801 License#: L002281	**CONTACT NAME:** Small Business Center **PHONE (A/C, No, Ext):** 833-287-9378 **FAX (A/C, No):** **E-MAIL ADDRESS:** sbc.baldwin@baldwin.com
INSURED CMHM Architects Inc. 1036 S Florida Ave Lakeland FL 33803 CMHMARC-01	**INSURER(S) AFFORDING COVERAGE** — **NAIC #** **INSURER A :** Sentinel Insurance Company, Lt — 11000 **INSURER B :** Hartford Casualty Insurance Co — 29424 **INSURER C :** **INSURER D :** **INSURER E :** **INSURER F :**

COVERAGES **CERTIFICATE NUMBER:** 1093554907 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [X] LOC [ ] OTHER:	Y	Y	21 SBM VL6697	7/15/2025	7/15/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000 $
A	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY [X] HIRED AUTOS ONLY SCHEDULED AUTOS [X] NON-OWNED AUTOS ONLY	Y		21 SBM VL6697	7/15/2025	7/15/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$ 1,000,000 $ $ $ $
A	X UMBRELLA LIAB [X] OCCUR EXCESS LIAB [ ] CLAIMS-MADE DED [X] RETENTION $ 10,000			21 SBM VL6697	7/15/2025	7/15/2026	EACH OCCURRENCE AGGREGATE $	$ 3,000,000 $ 3,000,000 $
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? [ ] N / A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			21 WEC AR7376	9/1/2025	9/1/2026	X PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: For all work performed by the County.
CSA No. 2021-032-07 for Christina Fire Rescue Station, Polk County, a political subdivision.

Polk County, a political subdivision of the State of Florida is an Additional Insured under General Liability and Auto Liability Policies as per written contract and subject to the provisions of the policy.
Waiver of Subrogation applies to the General Liability in favor of the Additional Insured as per written contract and subject to the provisions of the policy.

CERTIFICATE HOLDER

Polk County, a political subdivision of the State of Florida
330 West Church Street, Room 150
Bartow, FL 33830

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Elizabeth Suttles

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QUICK REFERENCE
BUSINESS LIABILITY COVERAGE FORM
READ YOUR POLICY CAREFULLY

BUSINESS LIABILITY COVERAGE FORM	Beginning on Page
A. COVERAGES	1
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F. OPTIONAL ADDITIONAL INSURED COVERAGES	18
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BUSINESS LIABILITY COVERAGE FORM

Various provisions in this policy restrict coverage. Read the entire policy carefully to determine rights, duties and what is and is not covered.

Throughout this policy the words "you" and "your" refer to the Named Insured shown in the Declarations. The words "we", "us" and "our" refer to the stock insurance company member of The Hartford providing this insurance.

The word "insured" means any person or organization qualifying as such under Section **C.** - Who Is An Insured.

Other words and phrases that appear in quotation marks have special meaning. Refer to Section **G.** - Liability And Medical Expenses Definitions.

A. COVERAGES

1. BUSINESS LIABILITY COVERAGE (BODILY INJURY, PROPERTY DAMAGE, PERSONAL AND ADVERTISING INJURY)

Insuring Agreement

a. We will pay those sums that the insured becomes legally obligated to pay as damages because of "bodily injury", "property damage" or "personal and advertising injury" to which this insurance applies. We will have the right and duty to defend the insured against any "suit" seeking those damages. However, we will have no duty to defend the insured against any "suit" seeking damages for "bodily injury", "property damage" or "personal and advertising injury" to which this insurance does not apply.

We may, at our discretion, investigate any "occurrence" or offense and settle any claim or "suit" that may result. But:

(1) The amount we will pay for damages is limited as described in Section **D.** - Liability And Medical Expenses Limits Of Insurance; and

(2) Our right and duty to defend ends when we have used up the applicable limit of insurance in the payment of judgments, settlements or medical expenses to which this insurance applies.

No other obligation or liability to pay sums or perform acts or services is covered unless explicitly provided for under Coverage Extension - Supplementary Payments.

b. This insurance applies:

(1) To "bodily injury" and "property damage" only if:

(a) The "bodily injury" or "property damage" is caused by an "occurrence" that takes place in the "coverage territory";

(b) The "bodily injury" or "property damage" occurs during the policy period; and

(c) Prior to the policy period, no insured listed under Paragraph **1.** of Section **C.** – Who Is An Insured and no "employee" authorized by you to give or receive notice of an "occurrence" or claim, knew that the "bodily injury" or "property damage" had occurred, in whole or in part. If such a listed insured or authorized "employee" knew, prior to the policy period, that the "bodily injury" or "property damage" occurred, then any continuation, change or resumption of such "bodily injury" or "property damage" during or after the policy period will be deemed to have been known prior to the policy period.

(2) To "personal and advertising injury" caused by an offense arising out of your business, but only if the offense was committed in the "coverage territory" during the policy period.

c. "Bodily injury" or "property damage" will be deemed to have been known to have occurred at the earliest time when any insured listed under Paragraph **1.** of Section **C.** – Who Is An Insured or any "employee" authorized by you to give or receive notice of an "occurrence" or claim:

(1) Reports all, or any part, of the "bodily injury" or "property damage" to us or any other insurer;

© 2005, The Hartford

(2) Receives a written or verbal demand or claim for damages because of the "bodily injury" or "property damage"; or

(3) Becomes aware by any other means that "bodily injury" or "property damage" has occurred or has begun to occur.

d. Damages because of "bodily injury" include damages claimed by any person or organization for care, loss of services or death resulting at any time from the "bodily injury".

e. **Incidental Medical Malpractice**

(1) "Bodily injury" arising out of the rendering of or failure to render professional health care services as a physician, dentist, nurse, emergency medical technician or paramedic shall be deemed to be caused by an "occurrence", but only if:

(a) The physician, dentist, nurse, emergency medical technician or paramedic is employed by you to provide such services; and

(b) You are not engaged in the business or occupation of providing such services.

(2) For the purpose of determining the limits of insurance for incidental medical malpractice, any act or omission together with all related acts or omissions in the furnishing of these services to any one person will be considered one "occurrence".

2. **MEDICAL EXPENSES**

Insuring Agreement

a. We will pay medical expenses as described below for "bodily injury" caused by an accident:

(1) On premises you own or rent;

(2) On ways next to premises you own or rent; or

(3) Because of your operations;

provided that:

(1) The accident takes place in the "coverage territory" and during the policy period;

(2) The expenses are incurred and reported to us within three years of the date of the accident; and

(3) The injured person submits to examination, at our expense, by physicians of our choice as often as we reasonably require.

b. We will make these payments regardless of fault. These payments will not exceed the applicable limit of insurance. We will pay reasonable expenses for:

(1) First aid administered at the time of an accident;

(2) Necessary medical, surgical, x-ray and dental services, including prosthetic devices; and

(3) Necessary ambulance, hospital, professional nursing and funeral services.

3. **COVERAGE EXTENSION - SUPPLEMENTARY PAYMENTS**

a. We will pay, with respect to any claim or "suit" we investigate or settle, or any "suit" against an insured we defend:

(1) All expenses we incur.

(2) Up to $1,000 for the cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which Business Liability Coverage for "bodily injury" applies. We do not have to furnish these bonds.

(3) The cost of appeal bonds or bonds to release attachments, but only for bond amounts within the applicable limit of insurance. We do not have to furnish these bonds.

(4) All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or "suit", including actual loss of earnings up to $500 a day because of time off from work.

(5) All costs taxed against the insured in the "suit".

(6) Prejudgment interest awarded against the insured on that part of the judgment we pay. If we make an offer to pay the applicable limit of insurance, we will not pay any prejudgment interest based on that period of time after the offer.

(7) All interest on the full amount of any judgment that accrues after entry of the judgment and before we have paid, offered to pay, or deposited in court the part of the judgment that is within the applicable limit of insurance.

Any amounts paid under **(1)** through **(7)** above will not reduce the limits of insurance.

b. If we defend an insured against a "suit" and an indemnitee of the insured is also named as a party to the "suit", we will defend that indemnitee if all of the following conditions are met:

(1) The "suit" against the indemnitee seeks damages for which the insured has assumed the liability of the indemnitee in a contract or agreement that is an "insured contract";

(2) This insurance applies to such liability assumed by the insured;

(3) The obligation to defend, or the cost of the defense of, that indemnitee, has also been assumed by the insured in the same "insured contract";

(4) The allegations in the "suit" and the information we know about the "occurrence" are such that no conflict appears to exist between the interests of the insured and the interest of the indemnitee;

(5) The indemnitee and the insured ask us to conduct and control the defense of that indemnitee against such "suit" and agree that we can assign the same counsel to defend the insured and the indemnitee; and

(6) The indemnitee:

(a) Agrees in writing to:

(i) Cooperate with us in the investigation, settlement or defense of the "suit";

(ii) Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the "suit";

(iii) Notify any other insurer whose coverage is available to the indemnitee; and

(iv) Cooperate with us with respect to coordinating other applicable insurance available to the indemnitee; and

(b) Provides us with written authorization to:

(i) Obtain records and other information related to the "suit"; and

(ii) Conduct and control the defense of the indemnitee in such "suit".

So long as the above conditions are met, attorneys' fees incurred by us in the defense of that indemnitee, necessary litigation expenses incurred by us and necessary litigation expenses incurred by the indemnitee at our request will be paid as Supplementary Payments.

Notwithstanding the provisions of Paragraph **1.b.(b)** of Section **B. –** Exclusions, such payments will not be deemed to be damages for "bodily injury" and "property damage" and will not reduce the Limits of Insurance.

Our obligation to defend an insured's indemnitee and to pay for attorneys' fees and necessary litigation expenses as Supplementary Payments ends when:

(1) We have used up the applicable limit of insurance in the payment of judgments or settlements; or

(2) The conditions set forth above, or the terms of the agreement described in Paragraph **(6)** above, are no longer met.

B. EXCLUSIONS

1. Applicable To Business Liability Coverage

This insurance does not apply to:

a. Expected Or Intended Injury

(1) "Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to "bodily injury" or "property damage" resulting from the use of reasonable force to protect persons or property; or

(2) "Personal and advertising injury" arising out of an offense committed by, at the direction of or with the consent or acquiescence of the insured with the expectation of inflicting "personal and advertising injury".

b. Contractual Liability

(1) "Bodily injury" or "property damage"; or

(2) "Personal and advertising injury"

for which the insured is obligated to pay damages by reason of the assumption of liability in a contract or agreement.

This exclusion does not apply to liability for damages because of:

(a) "Bodily injury", "property damage" or "personal and advertising injury" that the insured would have in the absence of the contract or agreement; or

(b) "Bodily injury" or "property damage" assumed in a contract or agreement that is an "insured contract", provided the "bodily injury" or "property damage" occurs subsequent to the execution of the contract or agreement. Solely for the purpose of liability assumed in an "insured contract", reasonable attorneys' fees and necessary litigation expenses incurred by or for a party other than an insured are deemed to be damages because of "bodily injury" or "property damage" provided:

(i) Liability to such party for, or for the cost of, that party's defense has also been assumed in the same "insured contract", and

(ii) Such attorneys' fees and litigation expenses are for defense of that party against a civil or alternative dispute resolution proceeding in which damages to which this insurance applies are alleged.

c. Liquor Liability

"Bodily injury" or "property damage" for which any insured may be held liable by reason of:

(1) Causing or contributing to the intoxication of any person;

(2) The furnishing of alcoholic beverages to a person under the legal drinking age or under the influence of alcohol; or

(3) Any statute, ordinance or regulation relating to the sale, gift, distribution or use of alcoholic beverages.

This exclusion applies only if you are in the business of manufacturing, distributing, selling, serving or furnishing alcoholic beverages.

d. Workers' Compensation And Similar Laws

Any obligation of the insured under a workers' compensation, disability benefits or unemployment compensation law or any similar law.

e. Employer's Liability

"Bodily injury" to:

(1) An "employee" of the insured arising out of and in the course of:

(a) Employment by the insured; or

(b) Performing duties related to the conduct of the insured's business, or

(2) The spouse, child, parent, brother or sister of that "employee" as a consequence of **(1)** above.

This exclusion applies:

(1) Whether the insured may be liable as an employer or in any other capacity; and

(2) To any obligation to share damages with or repay someone else who must pay damages because of the injury.

This exclusion does not apply to liability assumed by the insured under an "insured contract".

f. Pollution

(1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of the actual, alleged or threatened discharge, dispersal, seepage, migration, release or escape of "pollutants":

(a) At or from any premises, site or location which is or was at any time owned or occupied by, or rented or loaned to any insured. However, this subparagraph does not apply to:

(i) "Bodily injury" if sustained within a building and caused by smoke, fumes, vapor or soot produced by or originating from equipment that is used to heat, cool or dehumidify the building, or equipment that is used to heat water for personal use, by the building's occupants or their guests;

(ii) "Bodily injury" or "property damage" for which you may be held liable, if you are a contractor and the owner or lessee of such premises, site or location has been added to your policy as an additional insured with respect to your ongoing operations performed for that additional insured at that premises, site or location and such premises, site or location is not and never was owned or occupied by, or rented or loaned to, any insured, other than that additional insured; or

(iii) "Bodily injury" or "property damage" arising out of heat, smoke or fumes from a "hostile fire";

(b) At or from any premises, site or location which is or was at any time used by or for any insured or others for the handling, storage, disposal, processing or treatment of waste;

(c) Which are or were at any time transported, handled, stored, treated, disposed of, or processed as waste by or for:

(i) Any insured; or

(ii) Any person or organization for whom you may be legally responsible;

(d) At or from any premises, site or location on which any insured or any contractors or subcontractors working directly or indirectly on any insured's behalf are performing operations if the "pollutants" are brought on or to the premises, site or location in connection with such operations by such insured, contractor or subcontractor. However, this subparagraph does not apply to:

(i) "Bodily injury" or "property damage" arising out of the escape of fuels, lubricants or other operating fluids which are needed to perform the normal electrical, hydraulic or mechanical functions necessary for the operation of "mobile equipment" or its parts, if such fuels, lubricants or other operating fluids escape from a vehicle part designed to hold, store or receive them. This exception does not apply if the "bodily injury" or "property damage" arises out of the intentional discharge, dispersal or release of the fuels, lubricants or other operating fluids, or if such fuels, lubricants or other operating fluids are brought on or to the premises, site or location with the intent that they be discharged, dispersed or released as part of the operations being performed by such insured, contractor or subcontractor;

(ii) "Bodily injury" or "property damage" sustained within a building and caused by the release of gases, fumes or vapors from materials brought into that building in connection with operations being performed by you or on your behalf by a contractor or subcontractor; or

(iii) "Bodily injury" or "property damage" arising out of heat, smoke or fumes from a "hostile fire"; or

(e) At or from any premises, site or location on which any insured or any contractors or subcontractors working directly or indirectly on any insured's behalf are performing operations if the operations are to test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of, "pollutants".

(2) Any loss, cost or expense arising out of any:

(a) Request, demand, order or statutory or regulatory requirement that any insured or others test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of, "pollutants"; or

(b) Claim or suit by or on behalf of a governmental authority for damages because of testing for, monitoring, cleaning up, removing, containing, treating, detoxifying or neutralizing, or in any way responding to, or assessing the effects of, "pollutants".

However, this paragraph does not apply to liability for damages because of "property damage" that the insured would have in the absence of such request, demand, order or statutory or regulatory requirement, or such claim or "suit" by or on behalf of a governmental authority.

g. Aircraft, Auto Or Watercraft

"Bodily injury" or "property damage" arising out of the ownership, maintenance, use or entrustment to others of any aircraft, "auto" or watercraft owned or operated by or rented or loaned to any insured. Use includes operation and "loading or unloading".

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage" involved the ownership, maintenance, use or entrustment to others of any aircraft, "auto" or watercraft that is owned or operated by or rented or loaned to any insured.

This exclusion does not apply to:

(1) A watercraft while ashore on premises you own or rent;

(2) A watercraft you do not own that is:

(a) Less than 51 feet long; and

(b) Not being used to carry persons for a charge;

(3) Parking an "auto" on, or on the ways next to, premises you own or rent, provided the "auto" is not owned by or rented or loaned to you or the insured;

(4) Liability assumed under any "insured contract" for the ownership, maintenance or use of aircraft or watercraft;

(5) "Bodily injury" or "property damage" arising out of the operation of any of the equipment listed in Paragraph **f.(2)** or **f.(3)** of the definition of "mobile equipment"; or

(6) An aircraft that is not owned by any insured and is hired, chartered or loaned with a paid crew. However, this exception does not apply if the insured has any other insurance for such "bodily injury" or "property damage", whether the other insurance is primary, excess, contingent or on any other basis.

h. Mobile Equipment

"Bodily injury" or "property damage" arising out of:

(1) The transportation of "mobile equipment" by an "auto" owned or operated by or rented or loaned to any insured; or

(2) The use of "mobile equipment" in, or while in practice or preparation for, a prearranged racing, speed or demolition contest or in any stunting activity.

i. War

"Bodily injury", "property damage" or "personal and advertising injury", however caused, arising, directly or indirectly, out of:

(1) War, including undeclared or civil war;

(2) Warlike action by a military force, including action in hindering or defending against an actual or expected attack, by any government, sovereign or other authority using military personnel or other agents; or

(3) Insurrection, rebellion, revolution, usurped power, or action taken by governmental authority in hindering or defending against any of these.

j. Professional Services

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of or failure to render any professional service. This includes but is not limited to:

(1) Legal, accounting or advertising services;

(2) Preparing, approving, or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications;

(3) Supervisory, inspection, architectural or engineering activities;

(4) Medical, surgical, dental, x-ray or nursing services treatment, advice or instruction;

(5) Any health or therapeutic service treatment, advice or instruction;

(6) Any service, treatment, advice or instruction for the purpose of appearance or skin enhancement, hair removal or replacement or personal grooming;

(7) Optical or hearing aid services including the prescribing, preparation, fitting, demonstration or distribution of ophthalmic lenses and similar products or hearing aid devices;

(8) Optometry or optometric services including but not limited to examination of the eyes and the prescribing, preparation, fitting,demonstration or distribution of ophthalmic lenses and similar products;

(9) Any:

(a) Body piercing (not including ear piercing);

(b) Tattooing, including but not limited to the insertion of pigments into or under the skin; and

(c) Similar services;

(10) Services in the practice of pharmacy; and

(11) Computer consulting, design or programming services, including web site design.

Paragraphs **(4)** and **(5)** of this exclusion do not apply to the Incidental Medical Malpractice coverage afforded under Paragraph **1.e.** in Section **A.** - Coverages.

k. Damage To Property

"Property damage" to:

(1) Property you own, rent or occupy, including any costs or expenses incurred by you, or any other person, organization or entity, for repair, replacement, enhancement, restoration or maintenance of such property for any reason, including prevention of injury to a person or damage to another's property;

(2) Premises you sell, give away or abandon, if the "property damage" arises out of any part of those premises;

(3) Property loaned to you;

(4) Personal property in the care, custody or control of the insured;

(5) That particular part of real property on which you or any contractors or subcontractors working directly or indirectly on your behalf are performing operations, if the "property damage" arises out of those operations; or

(6) That particular part of any property that must be restored, repaired or replaced because "your work" was incorrectly performed on it.

Paragraphs **(1)**, **(3)** and **(4)** of this exclusion do not apply to "property damage" (other than damage by fire) to premises, including the contents of such premises, rented to you for a period of 7 or fewer consecutive days. A separate Limit of Insurance applies to Damage To Premises Rented To You as described in Section **D.** - Limits Of Insurance.

Paragraph **(2)** of this exclusion does not apply if the premises are "your work" and were never occupied, rented or held for rental by you.

Paragraphs **(3)** and **(4)** of this exclusion do not apply to the use of elevators.

Paragraphs **(3)**, **(4)**, **(5)** and **(6)** of this exclusion do not apply to liability assumed under a sidetrack agreement.

Paragraphs **(3)** and **(4)** of this exclusion do not apply to "property damage" to borrowed equipment while not being used to perform operations at a job site.

Paragraph **(6)** of this exclusion does not apply to "property damage" included in the "products-completed operations hazard".

l. Damage To Your Product

"Property damage" to "your product" arising out of it or any part of it.

m. Damage To Your Work

"Property damage" to "your work" arising out of it or any part of it and included in the "products-completed operations hazard".

This exclusion does not apply if the damaged work or the work out of which the damage arises was performed on your behalf by a subcontractor.

n. Damage To Impaired Property Or Property Not Physically Injured

"Property damage" to "impaired property" or property that has not been physically injured, arising out of:

(1) A defect, deficiency, inadequacy or dangerous condition in "your product" or "your work"; or

(2) A delay or failure by you or anyone acting on your behalf to perform a contract or agreement in accordance with its terms.

This exclusion does not apply to the loss of use of other property arising out of sudden and accidental physical injury to "your product" or "your work" after it has been put to its intended use.

o. Recall Of Products, Work Or Impaired Property

Damages claimed for any loss, cost or expense incurred by you or others for the loss of use, withdrawal, recall, inspection, repair, replacement, adjustment, removal or disposal of:

(1) "Your product";

(2) "Your work"; or

(3) "Impaired property";

if such product, work or property is withdrawn or recalled from the market or from use by any person or organization because of a known or suspected defect, deficiency, inadequacy or dangerous condition in it.

p. Personal And Advertising Injury

"Personal and advertising injury":

(1) Arising out of oral, written or electronic publication of material, if done by or at the direction of the insured with knowledge of its falsity;

(2) Arising out of oral, written or electronic publication of material whose first publication took place before the beginning of the policy period;

(3) Arising out of a criminal act committed by or at the direction of the insured;

(4) Arising out of any breach of contract, except an implied contract to use another's "advertising idea" in your "advertisement";

(5) Arising out of the failure of goods, products or services to conform with any statement of quality or performance made in your "advertisement";

(6) Arising out of the wrong description of the price of goods, products or services;

(7) Arising out of any violation of any intellectual property rights such as copyright, patent, trademark, trade name, trade secret, service mark or other designation of origin or authenticity.

However, this exclusion does not apply to infringement, in your "advertisement", of

(a) Copyright;

(b) Slogan, unless the slogan is also a trademark, trade name, service mark or other designation of origin or authenticity; or

(c) Title of any literary or artistic work;

(8) Arising out of an offense committed by an insured whose business is:

(a) Advertising, broadcasting, publishing or telecasting;

(b) Designing or determining content of web sites for others; or

(c) An Internet search, access, content or service provider.

However, this exclusion does not apply to Paragraphs **a.**, **b.** and **c.** under the definition of "personal and advertising injury" in Section **G.** – Liability And Medical Expenses Definitions.

For the purposes of this exclusion, placing an "advertisement" for or linking to others on your web site, by itself, is not considered the business of advertising, broadcasting, publishing or telecasting;

(9) Arising out of an electronic chat room or bulletin board the insured hosts, owns, or over which the insured exercises control;

(10) Arising out of the unauthorized use of another's name or product in your e-mail address, domain name or metatags, or any other similar tactics to mislead another's potential customers;

(11) Arising out of the violation of a person's right of privacy created by any state or federal act.

However, this exclusion does not apply to liability for damages that the insured would have in the absence of such state or federal act;

(12) Arising out of:

(a) An "advertisement" for others on your web site;

(b) Placing a link to a web site of others on your web site;

(c) Content from a web site of others displayed within a frame or border on your web site. Content includes information, code, sounds, text, graphics or images; or

(d) Computer code, software or programming used to enable:

(i) Your web site; or

(ii) The presentation or functionality of an "advertisement" or other content on your web site;

(13) Arising out of a violation of any anti-trust law;

(14) Arising out of the fluctuation in price or value of any stocks, bonds or other securities; or

(15) Arising out of discrimination or humiliation committed by or at the direction of any "executive officer", director, stockholder, partner or member of the insured.

q. Electronic Data

Damages arising out of the loss of, loss of use of, damage to, corruption of, inability to access, or inability to manipulate "electronic data".

r. Employment-Related Practices

"Bodily injury" or "personal and advertising injury" to:

(1) A person arising out of any:

(a) Refusal to employ that person;

(b) Termination of that person's employment; or

(c) Employment-related practices, policies, acts or omissions, such as coercion, demotion, evaluation, reassignment, discipline, defamation, harassment, humiliation or discrimination directed at that person; or

(2) The spouse, child, parent, brother or sister of that person as a consequence of "bodily injury" or "personal and advertising injury" to the person at whom any of the employment-related practices described in Paragraphs **(a)**, **(b)**, or **(c)** above is directed.

This exclusion applies:

(1) Whether the insured may be liable as an employer or in any other capacity; and

(2) To any obligation to share damages with or repay someone else who must pay damages because of the injury.

s. Asbestos

(1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of the "asbestos hazard".

(2) Any damages, judgments, settlements, loss, costs or expenses that:

(a) May be awarded or incurred by reason of any claim or suit alleging actual or threatened injury or damage of any nature or kind to persons or property which would not have occurred in whole or in part but for the "asbestos hazard";

(b) Arise out of any request, demand, order or statutory or regulatory requirement that any insured or others test for, monitor, clean up, remove, encapsulate, contain, treat, detoxify or neutralize or in any way respond to or assess the effects of an "asbestos hazard"; or

(c) Arise out of any claim or suit for damages because of testing for, monitoring, cleaning up, removing, encapsulating, containing, treating, detoxifying or neutralizing or in any way responding to or assessing the effects of an "asbestos hazard".

t. Violation Of Statutes That Govern E-Mails, Fax, Phone Calls Or Other Methods Of Sending Material Or Information

"Bodily injury", "property damage", or "personal and advertising injury" arising directly or indirectly out of any action or omission that violates or is alleged to violate:

(1) The Telephone Consumer Protection Act (TCPA), including any amendment of or addition to such law;

(2) The CAN-SPAM Act of 2003, including any amendment of or addition to such law; or

(3) Any statute, ordinance or regulation, other than the TCPA or CAN-SPAM Act of 2003, that prohibits or limits the sending, transmitting, communicating or distribution of material or information.

Damage To Premises Rented To You – Exception For Damage By Fire, Lightning or Explosion

Exclusions **c.** through **h.** and **k.** through **o.** do not apply to damage by fire, lightning or explosion to premises rented to you or temporarily occupied by you with permission of the owner. A separate Limit of Insurance applies to this coverage as described in Section **D.** - Liability And Medical Expenses Limits Of Insurance.

2. **Applicable To Medical Expenses Coverage**

   We will not pay expenses for "bodily injury":

   a. **Any Insured**
   To any insured, except "volunteer workers".

   b. **Hired Person**

   To a person hired to do work for or on behalf of any insured or a tenant of any insured.

   c. **Injury On Normally Occupied Premises**

   To a person injured on that part of premises you own or rent that the person normally occupies.

   d. **Workers' Compensation And Similar Laws**

   To a person, whether or not an "employee" of any insured, if benefits for the "bodily injury" are payable or must be provided under a workers' compensation or disability benefits law or a similar law.

   e. **Athletics Activities**

   To a person injured while practicing, instructing or participating in any physical exercises or games, sports or athletic contests.

   f. **Products-Completed Operations Hazard**

   Included with the "products-completed operations hazard".

   g. **Business Liability Exclusions**

   Excluded under Business Liability Coverage.

C. WHO IS AN INSURED

1. If you are designated in the Declarations as:

   a. An individual, you and your spouse are insureds, but only with respect to the conduct of a business of which you are the sole owner.

   b. A partnership or joint venture, you are an insured. Your members, your partners, and their spouses are also insureds, but only with respect to the conduct of your business.

   c. A limited liability company, you are an insured. Your members are also insureds, but only with respect to the conduct of your business. Your managers are insureds, but only with respect to their duties as your managers.

   d. An organization other than a partnership, joint venture or limited liability company, you are an insured. Your "executive officers" and directors are insureds, but only with respect to their duties as your officers or directors. Your stockholders are also insureds, but only with respect to their liability as stockholders.

   e. A trust, you are an insured. Your trustees are also insureds, but only with respect to their duties as trustees.

2. Each of the following is also an insured:

   a. **Employees And Volunteer Workers**

   Your "volunteer workers" only while performing duties related to the conduct of your business, or your "employees", other than either your "executive officers" (if you are an organization other than a partnership, joint venture or limited liability company) or your managers (if you are a limited liability company), but only for acts within the scope of their employment by you or while performing duties related to the conduct of your business.

   However, none of these "employees" or "volunteer workers" are insureds for:

   (1) "Bodily injury" or "personal and advertising injury":

   (a) To you, to your partners or members (if you are a partnership or joint venture), to your members (if you are a limited liability company), or to a co-"employee" while in the course of his or her employment or performing duties related to the conduct of your business, or to your other "volunteer workers" while performing duties related to the conduct of your business;

   (b) To the spouse, child, parent, brother or sister of that co-"employee" or that "volunteer worker" as a consequence of Paragraph **(1)(a)** above;

   (c) For which there is any obligation to share damages with or repay someone else who must pay damages because of the injury described in Paragraphs **(1)(a)** or **(b)** above; or

   (d) Arising out of his or her providing or failing to provide professional health care services.

   If you are not in the business of providing professional health care services, Paragraph **(d)** does not apply to any nurse, emergency medical technician or paramedic employed by you to provide such services.

   (2) "Property damage" to property:

   (a) Owned, occupied or used by,

(b) Rented to, in the care, custody or control of, or over which physical control is being exercised for any purpose by you, any of your "employees", "volunteer workers", any partner or member (if you are a partnership or joint venture), or any member (if you are a limited liability company).

b. Real Estate Manager

Any person (other than your "employee" or "volunteer worker"), or any organization while acting as your real estate manager.

c. Temporary Custodians Of Your Property

Any person or organization having proper temporary custody of your property if you die, but only:

(1) With respect to liability arising out of the maintenance or use of that property; and

(2) Until your legal representative has been appointed.

d. Legal Representative If You Die

Your legal representative if you die, but only with respect to duties as such. That representative will have all your rights and duties under this insurance.

e. Unnamed Subsidiary

Any subsidiary and subsidiary thereof, of yours which is a legally incorporated entity of which you own a financial interest of more than 50% of the voting stock on the effective date of this Coverage Part.

The insurance afforded herein for any subsidiary not shown in the Declarations as a named insured does not apply to injury or damage with respect to which an insured under this insurance is also an insured under another policy or would be an insured under such policy but for its termination or upon the exhaustion of its limits of insurance.

3. Newly Acquired Or Formed Organization

Any organization you newly acquire or form, other than a partnership, joint venture or limited liability company, and over which you maintain financial interest of more than 50% of the voting stock, will qualify as a Named Insured if there is no other similar insurance available to that organization. However:

a. Coverage under this provision is afforded only until the 180th day after you acquire or form the organization or the end of the policy period, whichever is earlier; and

b. Coverage under this provision does not apply to:

(1) "Bodily injury" or "property damage" that occurred; or

(2) "Personal and advertising injury" arising out of an offense committed

before you acquired or formed the organization.

4. Operator Of Mobile Equipment

With respect to "mobile equipment" registered in your name under any motor vehicle registration law, any person is an insured while driving such equipment along a public highway with your permission. Any other person or organization responsible for the conduct of such person is also an insured, but only with respect to liability arising out of the operation of the equipment, and only if no other insurance of any kind is available to that person or organization for this liability. However, no person or organization is an insured with respect to:

a. "Bodily injury" to a co-"employee" of the person driving the equipment; or

b. "Property damage" to property owned by, rented to, in the charge of or occupied by you or the employer of any person who is an insured under this provision.

5. Operator of Nonowned Watercraft

With respect to watercraft you do not own that is less than 51 feet long and is not being used to carry persons for a charge, any person is an insured while operating such watercraft with your permission. Any other person or organization responsible for the conduct of such person is also an insured, but only with respect to liability arising out of the operation of the watercraft, and only if no other insurance of any kind is available to that person or organization for this liability.

However, no person or organization is an insured with respect to:

a. "Bodily injury" to a co-"employee" of the person operating the watercraft; or

b. "Property damage" to property owned by, rented to, in the charge of or occupied by you or the employer of any person who is an insured under this provision.

6. Additional Insureds When Required By Written Contract, Written Agreement Or Permit

The person(s) or organization(s) identified in Paragraphs **a.** through **f.** below are additional insureds when you have agreed, in a written

contract, written agreement or because of a permit issued by a state or political subdivision, that such person or organization be added as an additional insured on your policy, provided the injury or damage occurs subsequent to the execution of the contract or agreement, or the issuance of the permit.

A person or organization is an additional insured under this provision only for that period of time required by the contract, agreement or permit.

However, no such person or organization is an additional insured under this provision if such person or organization is included as an additional insured by an endorsement issued by us and made a part of this Coverage Part, including all persons or organizations added as additional insureds under the specific additional insured coverage grants in Section **F.** – Optional Additional Insured Coverages.

a. Vendors

Any person(s) or organization(s) (referred to below as vendor), but only with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business and only if this Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

(1) The insurance afforded to the vendor is subject to the following additional exclusions:

This insurance does not apply to:

(a) "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;

(b) Any express warranty unauthorized by you;

(c) Any physical or chemical change in the product made intentionally by the vendor;

(d) Repackaging, except when unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;

(e) Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;

(f) Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;

(g) Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or

(h) "Bodily injury" or "property damage" arising out of the sole negligence of the vendor for its own acts or omissions or those of its employees or anyone else acting on its behalf. However, this exclusion does not apply to:

(i) The exceptions contained in Subparagraphs **(d)** or **(f)**; or

(ii) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products.

(2) This insurance does not apply to any insured person or organization from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.

b. Lessors Of Equipment

(1) Any person or organization from whom you lease equipment; but only with respect to their liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person or organization.

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to any "occurrence" which takes place after you cease to lease that equipment.

c. Lessors Of Land Or Premises

(1) Any person or organization from whom you lease land or premises, but only with respect to liability arising out of the ownership, maintenance or use of that part of the land or premises leased to you.

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to:

(a) Any "occurrence" which takes place after you cease to lease that land or be a tenant in that premises; or

(b) Structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

d. Architects, Engineers Or Surveyors

(1) Any architect, engineer, or surveyor, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

(a) In connection with your premises; or

(b) In the performance of your ongoing operations performed by you or on your behalf.

(2) With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of or the failure to render any professional services by or for you, including:

(a) The preparing, approving, or failure to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

(b) Supervisory, inspection, architectural or engineering activities.

e. Permits Issued By State Or Political Subdivisions

(1) Any state or political subdivision, but only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to:

(a) "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality; or

(b) "Bodily injury" or "property damage" included within the "products-completed operations hazard".

f. Any Other Party

(1) Any other person or organization who is not an insured under Paragraphs **a.** through **e.** above, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

(a) In the performance of your ongoing operations;

(b) In connection with your premises owned by or rented to you; or

(c) In connection with "your work" and included within the "products-completed operations hazard", but only if

(i) The written contract or written agreement requires you to provide such coverage to such additional insured; and

(ii) This Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to:

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

(a) The preparing, approving, or failure to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

(b) Supervisory, inspection, architectural or engineering activities.

The limits of insurance that apply to additional insureds are described in Section **D.** – Limits Of Insurance.

How this insurance applies when other insurance is available to an additional insured is described in the Other Insurance Condition in Section **E.** – Liability And Medical Expenses General Conditions.

No person or organization is an insured with respect to the conduct of any current or past partnership, joint venture or limited liability company that is not shown as a Named Insured in the Declarations.

D. LIABILITY AND MEDICAL EXPENSES LIMITS OF INSURANCE

1. The Most We Will Pay

The Limits of Insurance shown in the Declarations and the rules below fix the most we will pay regardless of the number of:

a. Insureds;

b. Claims made or "suits" brought; or

c. Persons or organizations making claims or bringing "suits".

2. Aggregate Limits

The most we will pay for:

a. Damages because of "bodily injury" and "property damage" included in the "products-completed operations hazard" is the Products-Completed Operations Aggregate Limit shown in the Declarations.

b. Damages because of all other "bodily injury", "property damage" or "personal and advertising injury", including medical expenses, is the General Aggregate Limit shown in the Declarations.

This General Aggregate Limit applies separately to each of your "locations" owned by or rented to you.

"Location" means premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway or right-of-way of a railroad.

This General Aggregate limit does not apply to "property damage" to premises while rented to you or temporarily occupied by you with permission of the owner, arising out of fire, lightning or explosion.

3. Each Occurrence Limit

Subject to **2.a.** or **2.b** above, whichever applies, the most we will pay for the sum of all damages because of all "bodily injury", "property damage" and medical expenses arising out of any one "occurrence" is the Liability and Medical Expenses Limit shown in the Declarations.

The most we will pay for all medical expenses because of "bodily injury" sustained by any one person is the Medical Expenses Limit shown in the Declarations.

4. Personal And Advertising Injury Limit

Subject to **2.b.** above, the most we will pay for the sum of all damages because of all "personal and advertising injury" sustained by any one person or organization is the Personal and Advertising Injury Limit shown in the Declarations.

5. Damage To Premises Rented To You Limit

The Damage To Premises Rented To You Limit is the most we will pay under Business Liability Coverage for damages because of "property damage" to any one premises, while rented to you, or in the case of damage by fire, lightning or explosion, while rented to you or temporarily occupied by you with permission of the owner.

In the case of damage by fire, lightning or explosion, the Damage to Premises Rented To You Limit applies to all damage proximately caused by the same event, whether such damage results from fire, lightning or explosion or any combination of these.

6. How Limits Apply To Additional Insureds

The most we will pay on behalf of a person or organization who is an additional insured under this Coverage Part is the lesser of:

a. The limits of insurance specified in a written contract, written agreement or permit issued by a state or political subdivision; or

b. The Limits of Insurance shown in the Declarations.

Such amount shall be a part of and not in addition to the Limits of Insurance shown in the Declarations and described in this Section.

If more than one limit of insurance under this policy and any endorsements attached thereto applies to any claim or "suit", the most we will pay under this policy and the endorsements is the single highest limit of liability of all coverages applicable to such claim or "suit". However, this paragraph does not apply to the Medical Expenses limit set forth in Paragraph **3.** above.

The Limits of Insurance of this Coverage Part apply separately to each consecutive annual period and to any remaining period of less than 12 months, starting with the beginning of the policy period shown in the Declarations, unless the policy period is extended after issuance for an additional period of less than 12 months. In that case, the additional period will be deemed part of the last preceding period for purposes of determining the Limits of Insurance.

E. LIABILITY AND MEDICAL EXPENSES GENERAL CONDITIONS

1. Bankruptcy

Bankruptcy or insolvency of the insured or of the insured's estate will not relieve us of our obligations under this Coverage Part.

2. Duties In The Event Of Occurrence, Offense, Claim Or Suit

a. Notice Of Occurrence Or Offense

You or any additional insured must see to it that we are notified as soon as practicable of an "occurrence" or an offense which may result in a claim. To the extent possible, notice should include:

(1) How, when and where the "occurrence" or offense took place;

(2) The names and addresses of any injured persons and witnesses; and

(3) The nature and location of any injury or damage arising out of the "occurrence" or offense.

b. Notice Of Claim

If a claim is made or "suit" is brought against any insured, you or any additional insured must:

(1) Immediately record the specifics of the claim or "suit" and the date received; and

(2) Notify us as soon as practicable.

You or any additional insured must see to it that we receive a written notice of the claim or "suit" as soon as practicable.

c. Assistance And Cooperation Of The Insured

You and any other involved insured must:

(1) Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the claim or "suit";

(2) Authorize us to obtain records and other information;

(3) Cooperate with us in the investigation, settlement of the claim or defense against the "suit"; and

(4) Assist us, upon our request, in the enforcement of any right against any person or organization that may be liable to the insured because of injury or damage to which this insurance may also apply.

d. Obligations At The Insured's Own Cost

No insured will, except at that insured's own cost, voluntarily make a payment, assume any obligation, or incur any expense, other than for first aid, without our consent.

e. Additional Insured's Other Insurance

If we cover a claim or "suit" under this Coverage Part that may also be covered by other insurance available to an additional insured, such additional insured must submit such claim or "suit" to the other insurer for defense and indemnity.

However, this provision does not apply to the extent that you have agreed in a written contract, written agreement or permit that this insurance is primary and non-contributory with the additional insured's own insurance.

f. Knowledge Of An Occurrence, Offense, Claim Or Suit

Paragraphs **a.** and **b.** apply to you or to any additional insured only when such "occurrence", offense, claim or "suit" is known to:

(1) You or any additional insured that is an individual;

(2) Any partner, if you or an additional insured is a partnership;

(3) Any manager, if you or an additional insured is a limited liability company;

(4) Any "executive officer" or insurance manager, if you or an additional insured is a corporation;

(5) Any trustee, if you or an additional insured is a trust; or

(6) Any elected or appointed official, if you or an additional insured is a political subdivision or public entity.

This Paragraph **f.** applies separately to you and any additional insured.

3. **Financial Responsibility Laws**

   a. When this policy is certified as proof of financial responsibility for the future under the provisions of any motor vehicle financial responsibility law, the insurance provided by the policy for "bodily injury" liability and "property damage" liability will comply with the provisions of the law to the extent of the coverage and limits of insurance required by that law.

   b. With respect to "mobile equipment" to which this insurance applies, we will provide any liability, uninsured motorists, underinsured motorists, no-fault or other coverage required by any motor vehicle law. We will provide the required limits for those coverages.

4. **Legal Action Against Us**

   No person or organization has a right under this Coverage Form:

   a. To join us as a party or otherwise bring us into a "suit" asking for damages from an insured; or

   b. To sue us on this Coverage Form unless all of its terms have been fully complied with.

   A person or organization may sue us to recover on an agreed settlement or on a final judgment against an insured; but we will not be liable for damages that are not payable under the terms of this insurance or that are in excess of the applicable limit of insurance. An agreed settlement means a settlement and release of liability signed by us, the insured and the claimant or the claimant's legal representative.

5. **Separation Of Insureds**

   Except with respect to the Limits of Insurance, and any rights or duties specifically assigned in this policy to the first Named Insured, this insurance applies:

   a. As if each Named Insured were the only Named Insured; and

   b. Separately to each insured against whom a claim is made or "suit" is brought.

6. **Representations**

   a. When You Accept This Policy

   By accepting this policy, you agree:

   (1) The statements in the Declarations are accurate and complete;

   (2) Those statements are based upon representations you made to us; and

   (3) We have issued this policy in reliance upon your representations.

   b. Unintentional Failure To Disclose Hazards

   If unintentionally you should fail to disclose all hazards relating to the conduct of your business at the inception date of this Coverage Part, we shall not deny any coverage under this Coverage Part because of such failure.

7. **Other Insurance**

   If other valid and collectible insurance is available for a loss we cover under this Coverage Part, our obligations are limited as follows:

   a. Primary Insurance

   This insurance is primary except when **b.** below applies. If other insurance is also primary, we will share with all that other insurance by the method described in **c.** below.

   b. Excess Insurance

   This insurance is excess over any of the other insurance, whether primary, excess, contingent or on any other basis:

   (1) Your Work

   That is Fire, Extended Coverage, Builder's Risk, Installation Risk or similar coverage for "your work";

   (2) Premises Rented To You

   That is fire, lightning or explosion insurance for premises rented to you or temporarily occupied by you with permission of the owner;

   (3) Tenant Liability

   That is insurance purchased by you to cover your liability as a tenant for "property damage" to premises rented to you or temporarily occupied by you with permission of the owner;

   (4) Aircraft, Auto Or Watercraft

   If the loss arises out of the maintenance or use of aircraft, "autos" or watercraft to the extent not subject to Exclusion **g.** of Section **A.** – Coverages.

   (5) Property Damage To Borrowed Equipment Or Use Of Elevators

   If the loss arises out of "property damage" to borrowed equipment or the use of elevators to the extent not subject to Exclusion **k.** of Section **A.** – Coverages.

(6) When You Are Added As An Additional Insured To Other Insurance

That is other insurance available to you covering liability for damages arising out of the premises or operations, or products and completed operations, for which you have been added as an additional insured by that insurance; or

(7) When You Add Others As An Additional Insured To This Insurance

That is other insurance available to an additional insured.

However, the following provisions apply to other insurance available to any person or organization who is an additional insured under this Coverage Part:

(a) Primary Insurance When Required By Contract

This insurance is primary if you have agreed in a written contract, written agreement or permit that this insurance be primary. If other insurance is also primary, we will share with all that other insurance by the method described in **c.** below.

(b) Primary And Non-Contributory To Other Insurance When Required By Contract

If you have agreed in a written contract, written agreement or permit that this insurance is primary and non-contributory with the additional insured's own insurance, this insurance is primary and we will not seek contribution from that other insurance.

Paragraphs **(a)** and **(b)** do not apply to other insurance to which the additional insured has been added as an additional insured.

When this insurance is excess, we will have no duty under this Coverage Part to defend the insured against any "suit" if any other insurer has a duty to defend the insured against that "suit". If no other insurer defends, we will undertake to do so, but we will be entitled to the insured's rights against all those other insurers.

When this insurance is excess over other insurance, we will pay only our share of the amount of the loss, if any, that exceeds the sum of:

(1) The total amount that all such other insurance would pay for the loss in the absence of this insurance; and

(2) The total of all deductible and self-insured amounts under all that other insurance.

We will share the remaining loss, if any, with any other insurance that is not described in this Excess Insurance provision and was not bought specifically to apply in excess of the Limits of Insurance shown in the Declarations of this Coverage Part.

c. Method Of Sharing

If all the other insurance permits contribution by equal shares, we will follow this method also. Under this approach, each insurer contributes equal amounts until it has paid its applicable limit of insurance or none of the loss remains, whichever comes first.

If any of the other insurance does not permit contribution by equal shares, we will contribute by limits. Under this method, each insurer's share is based on the ratio of its applicable limit of insurance to the total applicable limits of insurance of all insurers.

8. Transfer Of Rights Of Recovery Against Others To Us

a. Transfer Of Rights Of Recovery

If the insured has rights to recover all or part of any payment, including Supplementary Payments, we have made under this Coverage Part, those rights are transferred to us. The insured must do nothing after loss to impair them. At our request, the insured will bring "suit" or transfer those rights to us and help us enforce them. This condition does not apply to Medical Expenses Coverage.

b. Waiver Of Rights Of Recovery (Waiver Of Subrogation)

If the insured has waived any rights of recovery against any person or organization for all or part of any payment, including Supplementary Payments, we have made under this Coverage Part, we also waive that right, provided the insured waived their rights of recovery against such person or organization in a contract, agreement or permit that was executed prior to the injury or damage.

F. OPTIONAL ADDITIONAL INSURED COVERAGES

If listed or shown as applicable in the Declarations, one or more of the following Optional Additional Insured Coverages also apply. When any of these Optional Additional Insured Coverages apply, Paragraph **6.** (Additional Insureds When Required by Written Contract, Written Agreement or Permit) of Section **C.**, Who Is An Insured, does not apply to the person or organization shown in the Declarations. These coverages are subject to the terms and conditions applicable to Business Liability Coverage in this policy, except as provided below:

1. **Additional Insured - Designated Person Or Organization**

   WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

   a. In the performance of your ongoing operations; or

   b. In connection with your premises owned by or rented to you.

2. **Additional Insured - Managers Or Lessors Of Premises**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured - Designated Person Or Organization; but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Declarations.

   b. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

   This insurance does not apply to:

   (1) Any "occurrence" which takes place after you cease to be a tenant in that premises; or

   (2) Structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

3. **Additional Insured - Grantor Of Franchise**

   WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured - Grantor Of Franchise, but only with respect to their liability as grantor of franchise to you.

4. **Additional Insured - Lessor Of Leased Equipment**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Lessor of Leased Equipment, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person(s) or organization(s).

   b. With respect to the insurance afforded to these additional insureds, this insurance does not apply to any "occurrence" which takes place after you cease to lease that equipment.

5. **Additional Insured - Owners Or Other Interests From Whom Land Has Been Leased**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Owners Or Other Interests From Whom Land Has Been Leased, but only with respect to liability arising out of the ownership, maintenance or use of that part of the land leased to you and shown in the Declarations.

   b. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

   This insurance does not apply to:

   (1) Any "occurrence" that takes place after you cease to lease that land; or

   (2) Structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

6. **Additional Insured - State Or Political Subdivision – Permits**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the state or political subdivision shown in the Declarations as an Additional

Insured – State Or Political Subdivision - Permits, but only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.

b. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to:

(1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality; or

(2) "Bodily injury" or "property damage" included in the "product-completed operations" hazard.

7. Additional Insured – Vendors

a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) (referred to below as vendor) shown in the Declarations as an Additional Insured - Vendor, but only with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business and only if this Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

b. The insurance afforded to the vendor is subject to the following additional exclusions:

(1) This insurance does not apply to:

(a) "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;

(b) Any express warranty unauthorized by you;

(c) Any physical or chemical change in the product made intentionally by the vendor;

(d) Repackaging, unless unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;

(e) Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;

(f) Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;

(g) Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or

(h) "Bodily injury" or "property damage" arising out of the sole negligence of the vendor for its own acts or omissions or those of its employees or anyone else acting on its behalf. However, this exclusion does not apply to:

(i) The exceptions contained in Subparagraphs **(d)** or **(f)**; or

(ii) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products.

(2) This insurance does not apply to any insured person or organization from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.

8. Additional Insured – Controlling Interest

WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Controlling Interest, but only with respect to their liability arising out of:

a. Their financial control of you; or

b. Premises they own, maintain or control while you lease or occupy these premises.

This insurance does not apply to structural alterations, new construction and demolition operations performed by or for that person or organization.

9. **Additional Insured – Owners, Lessees Or Contractors – Scheduled Person Or Organization**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Owner, Lessees Or Contractors, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

      (1) In the performance of your ongoing operations for the additional insured(s); or

      (2) In connection with "your work" performed for that additional insured and included within the "products-completed operations hazard", but only if this Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

   b. With respect to the insurance afforded to these additional insureds, this insurance does not apply to "bodily injury", "property damage" or "personal an advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

      (1) The preparing, approving, or failure to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

      (2) Supervisory, inspection, architectural or engineering activities.

10. **Additional Insured – Co-Owner Of Insured Premises**

    WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or Organization(s) shown in the Declarations as an Additional Insured – Co-Owner Of Insured Premises, but only with respect to their liability as co-owner of the premises shown in the Declarations.

The limits of insurance that apply to additional insureds are described in Section **D.** – Limits Of Insurance.

How this insurance applies when other insurance is available to an additional insured is described in the Other Insurance Condition in Section **E.** – Liability And Medical Expenses General Conditions.

G. LIABILITY AND MEDICAL EXPENSES DEFINITIONS

1. "Advertisement" means the widespread public dissemination of information or images that has the purpose of inducing the sale of goods, products or services through:

   a. **(1)** Radio;
      (2) Television;
      (3) Billboard;
      (4) Magazine;
      (5) Newspaper;

   b. The Internet, but only that part of a web site that is about goods, products or services for the purposes of inducing the sale of goods, products or services; or

   c. Any other publication that is given widespread public distribution.

   However, "advertisement" does not include:

   a. The design, printed material, information or images contained in, on or upon the packaging or labeling of any goods or products; or

   b. An interactive conversation between or among persons through a computer network.

2. "Advertising idea" means any idea for an "advertisement".

3. "Asbestos hazard" means an exposure or threat of exposure to the actual or alleged properties of asbestos and includes the mere presence of asbestos in any form.

4. "Auto" means a land motor vehicle, trailer or semi-trailer designed for travel on public roads, including any attached machinery or equipment. But "auto" does not include "mobile equipment".

5. "Bodily injury" means physical:

   a. Injury;

   b. Sickness; or

   c. Disease

   sustained by a person and, if arising out of the above, mental anguish or death at any time.

6. "Coverage territory" means:

a. The United States of America (including its territories and possessions), Puerto Rico and Canada;

b. International waters or airspace, but only if the injury or damage occurs in the course of travel or transportation between any places included in **a.** above;

c. All other parts of the world if the injury or damage arises out of:

(1) Goods or products made or sold by you in the territory described in **a.** above;

(2) The activities of a person whose home is in the territory described in **a.** above, but is away for a short time on your business; or

(3) "Personal and advertising injury" offenses that take place through the Internet or similar electronic means of communication

provided the insured's responsibility to pay damages is determined in the United States of America (including its territories and possessions), Puerto Rico or Canada, in a "suit" on the merits according to the substantive law in such territory, or in a settlement we agree to.

7. "Electronic data" means information, facts or programs:

a. Stored as or on;

b. Created or used on; or

c. Transmitted to or from

computer software, including systems and applications software, hard or floppy disks, CD-ROMS, tapes, drives, cells, data processing devices or any other media which are used with electronically controlled equipment.

8. "Employee" includes a "leased worker". "Employee" does not include a "temporary worker".

9. "Executive officer" means a person holding any of the officer positions created by your charter, constitution, by-laws or any other similar governing document.

10. "Hostile fire" means one which becomes uncontrollable or breaks out from where it was intended to be.

11. "Impaired property" means tangible property, other than "your product" or "your work", that cannot be used or is less useful because:

a. It incorporates "your product" or "your work" that is known or thought to be defective, deficient, inadequate or dangerous; or

b. You have failed to fulfill the terms of a contract or agreement;

if such property can be restored to use by:

a. The repair, replacement, adjustment or removal of "your product" or "your work"; or

b. Your fulfilling the terms of the contract or agreement.

12. "Insured contract" means:

a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire, lightning or explosion to premises while rented to you or temporarily occupied by you with permission of the owner is subject to the Damage To Premises Rented To You limit described in Section **D.** – Liability and Medical Expenses Limits of Insurance.

b. A sidetrack agreement;

c. Any easement or license agreement, including an easement or license agreement in connection with construction or demolition operations on or within 50 feet of a railroad;

d. Any obligation, as required by ordinance, to indemnify a municipality, except in connection with work for a municipality;

e. An elevator maintenance agreement; or

f. That part of any other contract or agreement pertaining to your business (including an indemnification of a municipality in connection with work performed for a municipality) under which you assume the tort liability of another party to pay for "bodily injury" or "property damage" to a third person or organization, provided the "bodily injury" or "property damage" is caused, in whole or in part, by you or by those acting on your behalf. Tort liability means a liability that would be imposed by law in the absence of any contract or agreement.

Paragraph **f.** includes that part of any contract or agreement that indemnifies a railroad for "bodily injury" or "property damage" arising out of construction or demolition operations within 50 feet of any railroad property and affecting any railroad bridge or trestle, tracks, road-beds, tunnel, underpass or crossing.

However, Paragraph **f.** does not include that part of any contract or agreement:

(1) That indemnifies an architect, engineer or surveyor for injury or damage arising out of:

(a) Preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

(b) Giving directions or instructions, or failing to give them, if that is the primary cause of the injury or damage; or

(2) Under which the insured, if an architect, engineer or surveyor, assumes liability for an injury or damage arising out of the insured's rendering or failure to render professional services, including those listed in (1) above and supervisory, inspection, architectural or engineering activities.

13. "Leased worker" means a person leased to you by a labor leasing firm under an agreement between you and the labor leasing firm, to perform duties related to the conduct of your business. "Leased worker" does not include a "temporary worker".

14. "Loading or unloading" means the handling of property:

a. After it is moved from the place where it is accepted for movement into or onto an aircraft, watercraft or "auto";

b. While it is in or on an aircraft, watercraft or "auto"; or

c. While it is being moved from an aircraft, watercraft or "auto" to the place where it is finally delivered;

but "loading or unloading" does not include the movement of property by means of a mechanical device, other than a hand truck, that is not attached to the aircraft, watercraft or "auto".

15. "Mobile equipment" means any of the following types of land vehicles, including any attached machinery or equipment:

a. Bulldozers, farm machinery, forklifts and other vehicles designed for use principally off public roads;

b. Vehicles maintained for use solely on or next to premises you own or rent;

c. Vehicles that travel on crawler treads;

d. Vehicles, whether self-propelled or not, on which are permanently mounted:

(1) Power cranes, shovels, loaders, diggers or drills; or

(2) Road construction or resurfacing equipment such as graders, scrapers or rollers;

e. Vehicles not described in **a.**, **b.**, **c.**, or **d.** above that are not self-propelled and are maintained primarily to provide mobility to permanently attached equipment of the following types:

(1) Air compressors, pumps and generators, including spraying, welding, building cleaning, geophysical exploration, lighting and well servicing equipment; or

(2) Cherry pickers and similar devices used to raise or lower workers;

f. Vehicles not described in **a.**, **b.**, **c.**, or **d.** above maintained primarily for purposes other than the transportation of persons or cargo.

However, self-propelled vehicles with the following types of permanently attached equipment are not "mobile equipment" but will be considered "autos":

(1) Equipment, of at least 1,000 pounds gross vehicle weight, designed primarily for:

(a) Snow removal;

(b) Road maintenance, but not construction or resurfacing; or

(c) Street cleaning;

(2) Cherry pickers and similar devices mounted on automobile or truck chassis and used to raise or lower workers; and

(3) Air compressors, pumps and generators, including spraying, welding, building cleaning, geophysical exploration, lighting and well servicing equipment.

16. "Occurrence" means an accident, including continuous or repeated exposure to substantially the same general harmful conditions.

17. "Personal and advertising injury" means injury, including consequential "bodily injury", arising out of one or more of the following offenses:

a. False arrest, detention or imprisonment;

b. Malicious prosecution;

c. The wrongful eviction from, wrongful entry into, or invasion of the right of private occupancy of a room, dwelling or premises that the person occupies, committed by or on behalf of its owner, landlord or lessor;

d. Oral, written or electronic publication of material that slanders or libels a person or organization or disparages a person's or organization's goods, products or services;

e. Oral, written or electronic publication of material that violates a person's right of privacy;

f. Copying, in your "advertisement", a person's or organization's "advertising idea" or style of "advertisement";

g. Infringement of copyright, slogan, or title of any literary or artistic work, in your "advertisement"; or

h. Discrimination or humiliation that results in injury to the feelings or reputation of a natural person.

18. "Pollutants" means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals and waste. Waste includes materials to be recycled, reconditioned or reclaimed.

19. "Products-completed operations hazard";

a. Includes all "bodily injury" and "property damage" occurring away from premises you own or rent and arising out of "your product" or "your work" except:

(1) Products that are still in your physical possession; or

(2) Work that has not yet been completed or abandoned. However, "your work" will be deemed to be completed at the earliest of the following times:

(a) When all of the work called for in your contract has been completed.

(b) When all of the work to be done at the job site has been completed if your contract calls for work at more than one job site.

(c) When that part of the work done at a job site has been put to its intended use by any person or organization other than another contractor or subcontractor working on the same project.

Work that may need service, maintenance, correction, repair or replacement, but which is otherwise complete, will be treated as completed.

The "bodily injury" or "property damage" must occur away from premises you own or rent, unless your business includes the selling, handling or distribution of "your product" for consumption on premises you own or rent.

b. Does not include "bodily injury" or "property damage" arising out of:

(1) The transportation of property, unless the injury or damage arises out of a condition in or on a vehicle not owned or operated by you, and that condition was created by the "loading or unloading" of that vehicle by any insured; or

(2) The existence of tools, uninstalled equipment or abandoned or unused materials.

20. "Property damage" means:

a. Physical injury to tangible property, including all resulting loss of use of that property. All such loss of use shall be deemed to occur at the time of the physical injury that caused it; or

b. Loss of use of tangible property that is not physically injured. All such loss of use shall be deemed to occur at the time of "occurrence" that caused it.

As used in this definition, "electronic data" is not tangible property.

21. "Suit" means a civil proceeding in which damages because of "bodily injury", "property damage" or "personal and advertising injury" to which this insurance applies are alleged. "Suit" includes:

a. An arbitration proceeding in which such damages are claimed and to which the insured must submit or does submit with our consent; or

b. Any other alternative dispute resolution proceeding in which such damages are claimed and to which the insured submits with our consent.

22. "Temporary worker" means a person who is furnished to you to substitute for a permanent "employee" on leave or to meet seasonal or short-term workload conditions.

23. "Volunteer worker" means a person who:

a. Is not your "employee";

b. Donates his or her work;

c. Acts at the direction of and within the scope of duties determined by you; and

d. Is not paid a fee, salary or other compensation by you or anyone else for their work performed for you.

24. "Your product":

a. Means:

(1) Any goods or products, other than real property, manufactured, sold, handled, distributed or disposed of by:

(a) You;

(b) Others trading under your name; or

(c) A person or organization whose business or assets you have acquired; and

(2) Containers (other than vehicles), materials, parts or equipment furnished in connection with such goods or products.

b. Includes:

(1) Warranties or representations made at any time with respect to the fitness, quality, durability, performance or use of "your product"; and

(2) The providing of or failure to provide warnings or instructions.

c. Does not include vending machines or other property rented to or located for the use of others but not sold.

25. "Your work":

a. Means:

(1) Work or operations performed by you or on your behalf; and

(2) Materials, parts or equipment furnished in connection with such work or operations.

b. Includes:

(1) Warranties or representations made at any time with respect to the fitness, quality, durability, performance or use of "your work"; and

(2) The providing of or failure to provide warnings or instructions.

REQUEST FOR LEGAL SERVICES

To: County Attorney's Office Attention:
Noah Milov

From: **Rob Williams** **Drawer No.** **PW05**

Date: 10/02/2025 **Phone Ext.** **(863) 344-0661**

Request details:
Legal review of proposed CSA for design of new Christina Fire Rescue Station.
CSA#2021-032-07

Please indicate any time limits involved and attach all necessary documentation

For County Attorney Office use only:
Assign to: Noah Milov Date: 10/3/25

County Attorney Project No. 25-653
Logged Out: 10/7/2025

CONSULTANT APPROVAL FORM

CPO: If Consultant fee is under $50,000 & construction is under $250,000
CSA: If Construction is under $7,500,000;
OR for study activity if consultant fee is under $500,000- (FS 287.055 CCNA)

CPO/CSA #: 2021-032-07 (Assigned by Procurement)

To be completed by the requesting Division:

Date: 9/18/2025 Division: Facilities Management

Project Manager's Name: Rob Williams Phone #: (863) 344-0661

Project Name: Christina Fire Rescue Station

Total Project Budget: $5,398,971 Project # 2900041

Estimate of Construction Cost: $3,670,000

Proposed Consultant: CMHM Architects Fee: $312,225.00

Master Consultant Agreement #2021-032

Attach Scope of Services Proposed by the Consultant (Exhibit "A")

Approved By: _____ Date 9/22/25
Division Director/Designee

Procurement Division

Date Received: 9/30/25 Date Reviewed by Analyst: 10/2/25

Approved by: _____
(Procurement Director/Designee)

County Attorney's Office (Required for all CSA's)

Date Received: _____ Date Reviewed: 10/7/2025

Approved by: _____
(County Attorney Office Signature)

County Manager's Office (Required if consultant fee is greater than $100,000)

Date Received: _____ Date Reviewed: 10/9/25

Approved by: _____
(County Manager Office Signature)

Additional Attachments: number of days to complete project, not to exceed/lump sum amount, justification for consultant selected, fee schedule, and Professional Liability COI (COI applicable to CSA only, description field must be project specific (contract requirement)).

Revised: 6/28/24(KB)

Selection Procedure for Consultants with Continuing Contracts
CCNA Continuing Contracts Justification Form

Please submit this form along with any Original CSA/CPO Consultant Approval Form

Division: Facilities Management
Project Manager: Rob Williams

Step 1:

Review list for appropriate Expertise, Experience, and Personnel (List all consultants awarded a master agreement under the RFP)

Consultant	Expertise	Experience	Personnel	Elevated for Consideration (Y/N)
Borelli & Partners, Inc.	Yes	Yes	Yes	Yes
Clemons, Rutherford & Associates	Yes	Yes	Yes	Yes
Furr & Wegman	Yes	Yes	Yes	Yes
Heery International	Yes	Yes	Yes	Yes
Curtis Mundy Hunnicut Associates Architects, Inc. (CMHM)	Yes	Yes	Yes	Yes
Lunz Prebor & Fowler	Yes	Yes	Yes	Yes
Straughn Trout Architects	Yes	Yes	Yes	Yes

State justification for each firm NOT elevated and why:

Step 2:

Past performance on similar projects satisfactory (List all consultants elevated from Step 1)

Consultant	Has past performance been satisfactory (Y/N)	Elevated for Consideration(Y/N)
Borelli & Partners, Inc.	Yes	Yes
Clemons, Rutherford & Associates	Yes	Yes
Furr & Wegman	Yes	Yes
Heery International	Yes	Yes
Curtis Mundy Hunnicut Associates Architects, Inc. (CMHM)	Yes	Yes
Lunz Prebor & Fowler	Yes	Yes
Straughn Trout Architects	Yes	Yes

State justification for each firm NOT elevated and why:

Step 3:

Total amount of money the County has contracted with each Consultant elevated to Step 2 during the last 24 months.

Consultant	Contracted Amount	Elevated (Y/N)
Borelli & Partners, Inc.	$ 172,579.50	N
Clemons, Rutherford & Associates	$ 242,845.00	N
Furr & Wegman	$ 89,970.00	N
Heery International/SLAM	$ 267,670.00	N
Curtis Mundy Hunnicut Associates Architects, Inc. (CMHM)	$ 316,200.00	Y
Lunz Prebor & Fowler	$ 23,000.00	N
Straughn Trout Architects	$ 168,376.00	N

Step 4:

State justification, if the chosen consultant does not have the least amount of contract obligation.

Recommendation: Consider to approve CMHM to provide architectural and related engineering services for a new Fire Rescue Station building prototype due to re-use of Lakeland Hills EMS design, prior known experience and expertise of staff to provide practical, budget conscious, and comprehensive design.

Agenda Item G.4. 11/4/2025

SUBJECT

Approve Consultant Services Authorization (CSA) No. 2021-032-08 with CMHM Architects for Architectural and Engineering (A&E) services for a new Willow Oak Fire Rescue EMS Station project. ($207,090.00 one-time expense)

DESCRIPTION

CSA No. 2021-032-08 in the amount of $207,090.00 provides A&E services for a new Willow Oak Fire Rescue EMS Station Building project to be constructed on County owned property located at 4145 Willis Road, Mulberry, FL 33860.

RECOMMENDATION

Board approve CSA No. 2021-032-08 with CMHM Architects for A&E services for a new Willow Oak Fire Rescue EMS Station project.

FISCAL IMPACT

Funds in the amount of $207,090.00 are currently budgeted and available Emergency Medical Millage Fund.

CONTACT INFORMATION

Keith R. Tate, Director

Facilities Management Division

863-534-5511

keithtate@polk-county.net

Consultant Services Authorization

Firm Name:	CMHM Architects
Master Agreement No.:	2021-032
CSA No.:	2021-032-08
Project Name:	Willow Oak Fire Rescue Station
Project Description:	Design & Construction of new Fire Rescue Station to house 8 personnel and Rescue Engines
Project Exhibits and Attachments	Exhibit "A"- Scope of Services for this CSA Exhibit "B"- Current Fee Schedule (Master Agreement) Exhibit "C"- Reimbursable Cost Schedule Exhibit "D"- Professional Liability (Project Specific)
Duration (in days)	Upon Project Completion
Compensation (Lump sum or Not to exceed to be identified in Exhibit "A")	$207,090.00 Lump Sum
Liquidated Damages (if applicable)	$0//Per Day
Budget Source/Availability	14981.280524010.5662030.2900042

IN WITNESS WHEREOF, the parties hereto have executed this CSA on this_____ day of _____, 20__.

Attest:

STACY M. BUTTERFIELD

By: _____

Deputy Clerk

Date Approved by County: _____

POLK COUNTY, a political subdivision of the State of Florida

By: _____

T.R. Wilson, Chairman

Board of County Commissioners

Review as to form and legal sufficiency

Noah Wilson 10/7/25

County Attorney's Office Date

Attest:

CMHM ARCHITECTS

CONSULTANT COMPANY NAME

John R Curtis

Authorized Corporate Officer

Mark V SEC 9/24/25

Corporate Secretary Date

JOHN R. CURTIS V.P. 9/24/25

[Printed Name and Title] Date

SEAL

CMHM Architects CORPORATE SEAL 1981 FLORIDA

7.27.20(MS)

John R. Curtis AIA
Benjamin F. Mundy, Jr. AIA, LEED AP
C. Keith Hunnicutt AIA
Neil G. Melby AIA, LEED AP BD+C

September 16, 2025

Mr. Rob Williams, Project Manager
Polk County, Facilities Management Division
2160 Marshall Edwards Drive
Bartow, Florida 33830-9005

Re: Architectural Services – New Fire/Rescue Station – Willow Oak
4145 Willis Road – Mulberry, Florida
CMHM Job No. 25016

Dear Mr. Williams,

Curtis Mundy Hunnicutt Melby Architects Inc. (CMHM) appreciates the opportunity to present this proposal to provide architectural and related engineering services for the construction of a new FRS station located in Mulberry, Florida.

This project will be a re-use of the 7,446 GSF Christina FRS Station. Based on the schematic site plan your office provided, rotating or mirroring the plan will not be required. This proposal includes a re-use fee, minor architectural and engineering updates, site adaptation design, bidding, and construction phase services.

Architectural & Engineering Scope of Services
CMHM Architects will provide basic full-scope services that include architectural design development, construction documents, bid administration, and construction administration. Our proposal includes civil, structural, mechanical, plumbing, fire protection, and electrical design.

Civil Engineering and Site Permitting:
CMHM will coordinate with the civil engineer in completing the required interface between building and site design. The water provider appears to be Polk County Utilities, with an 8-inch line running along Willow Oak Road and Willis Road. Public sewer is 1.5 miles away from the site, an onsite septic system will be utilized. Access to the site is proposed off Willis Road. Widening of Willis Road to meet minimum width and sidewalk construction across the entire frontage is anticipated and included.

The civil engineer will prepare geometry, access, grading, drainage, water utility, stormwater retention design, and calculations for a new stormwater system to serve the proposed building, drive, and associated parking. Landscaping will be "code minimum" within the area disturbed by construction activities, along with prescriptive irrigation design.

The following site permit applications will be submitted:
Polk County – Level II Site Plan Approval & Minor Traffic Study
SWFWMD or FDEP – Environmental Resource Permit

Structural Engineering:
Structural engineering involves the re-use of the Christina building structure, including adapting the shallow pad foundation design to soil conditions found on the proposed site. If soil conditions are discovered that require a deep-footing design, additional fee may be required. The building will be designed to "Essential Facility Cat IV" standards.

Mechanical and Plumbing Engineering:
HVAC and plumbing systems will remain the same and will incorporate adaptations to the site utilities.

Fire Protection:
A fire sprinkler system will be provided as it was for the Christina project. It is assumed the existing municipal water pressure will support this new project. Flow tests of the system will be obtained before design begins.

Electrical Engineering:
Electrical engineering includes preliminary power service coordination with the power company, and design of a permanent emergency generator sized appropriately for 100% emergency power to serve the proposed building, as well as a not-to-exceed 550-gallon fuel tank. Electrical services include general power and lighting throughout the building, site lighting, and powering HVAC equipment and other systems. Conduit and boxes for owner-installed data cabling and other systems are to be provided. Fire alarm performance design documents and performance specifications are also included.

Services Not Included

- Permit, recording and application fees
- Conditional Use Permit provided by others
- Construction layout, easement, and plating surveys
- Site boundary and topography survey (provided by owner)
- Environmental and/or threatened/endangered species assessments and permitting
- Major traffic studies and offsite road improvements
- Wetland permitting/mitigation and/or flood plain studies/FEMA permitting
- Special threshold and/or structural inspections
- Assessment of asbestos or other hazardous materials
- LEED or Green Building design project certification, commissioning and related services
- Furniture selection and layout provided to Architect by Owner's vendor
- Revisions to the building plans or specifications
- Solar power and UPS system design
- Third party (engineer) building systems commissioning
- Site visits, inspections, meetings, or public hearings by our consulting Engineers and Architect beyond those specifically mentioned in this proposal
- Time spent documenting time/ wage/ employment required By Davis-Bacon Act or any other similar governmental program
- Document printing in excess of three sets of documents at each design stage
- Development and drafting of as-built drawings

Design Deliverables

Design Development

Design Development will involve the re-use of the design for the Christina FRS Facility constructed in Lakeland, Florida. CMHM is prepared to proceed with the Design Development phase and develop civil drawings to interface with the building design once we have an approved Christina FRS design.

Design Development Deliverables

- Architectural Site Plan will be developed to include all proposed site features.
- Floor Plan with dimensions will be provided with size and proposed use of all spaces, to include a preliminary layout of equipment and furniture. Structural elements such as columns and bearing walls to be shown.
- The Life Safety Plan shall identify all exits, fire or smoke-rated walls, emergency egress openings, emergency lighting, and any other life safety item/ feature relevant to the facility. All code related issues shall be addressed.
- Exterior Elevations will be developed.
- Building/ Wall Sections will include typical floor, ceiling and structural elevations; structural systems; and basic interior and exterior finish materials.
- Mechanical/ Electrical Drawings shall identify basic systems and locations for major pieces of equipment.
- Civil Site Plan will identify location of all proposed buildings, pavement, retention areas, swales, fire protection, and septic system.

At the conclusion of the design development phase, all major site design decisions should have been made or alternative solutions identified.

Construction Documents

Based on the reviewed and approved design development documents, CMHM will develop a complete set of construction and permit documents that describe in detail all requirements necessary to complete the construction of the project. Drawings will include architectural plans, exterior elevations, details, specifications, and related engineering services (civil, structural, mechanical, plumbing, fire protection, and electrical systems) described in this proposal.

Construction Phase Services

Permitting/ Bidding:

CMHM will issue signed and sealed construction documents to the owner-selected Contractor for building permit purposes and will respond to bidder/ contractor questions as well as questions and comments issued by the permitting agency as required.

Construction Administration:

Construction Phase Services will include responses to all questions that arise during construction, review of shop drawings, response to RFIs, and issuing ASIs in a timely manner. The Architect will attend regularly scheduled construction meetings (approximately two per month) and review construction progress through completion. The Architect will also make two on-site inspections, an above ceiling inspection, and a final punch list inspection at the conclusion of construction. A 300-day construction schedule is anticipated.

Schedule
CMHM is prepared to start work upon approval of the Christina FRS design, then work with you toward meeting your schedule as determined by all parties.

We anticipate the following schedule of work for this project:

Schematic Design	Completed
Design Development	60 days
Construction Documents	90 days
Bid Administration	60 days
Permitting	45 days
Construction Administration	300 days

Architect's Compensation
Invoicing shall be monthly as the work progresses, based on our Basic Design Services fee below:

Architectural and Related Engineering Services:

Design Reuse Fee	$25,000.00
Design Review Meetings	$4,000.00
Site Coordination (Architectural & MPE)	$20,000.00
Reproduction Expenses	$ 2,500.00
Bidding/ Permitting	$ 6,500.00
Construction Phase Services	$43,500.00
Total Architectural and Related Engineering Services	$101,500.00

Sub-Consultant Services Include:

Civil Engineering	$59,440.00
Geotechnical Field Exploration	$11,150.00
Basic Design Services	**$172,090.00**

Estimated Undefined Add Service Reimbursable Expenses (if required)	$35,000.00
Total Lump Sum with Additional Service Allowance	**$207,090.00**

Other than the fees noted above, reimbursable expenses (if required) requested by the owner shall be performed for a pre-approved lump sum fee.

Potential Add Service Reimbursable Expenses:
This list is not inclusive of all potential services and not limited to these described below.

- Environmental and/or threatened/endangered species assessments and permitting
- Major traffic studies and offsite road improvements
- Ground Penetrating Radar
- Building renderings
- Changes to the building plans or specifications
- Deep foundation design
- Land Use changes or modifications
- Offsite utilities modifications or improvements
- Permitting fees paid directly to agencies to expedite permitting

Scope Limitations

- The proposed improvements are within an existing parcel of land containing a single-family residence that will be demolished. Demolition of the existing residence is by others.

- The Land Use is Residential-Suburban (RS) in the Suburban-Development Area (SDS), within the Willow Oak Redevelopment District. Our understanding is that Polk County Facilities will prepare and submit a C3 Conditional Use application. Our proposal does not include land use changes or modifications.

- Septic system and drain field design will be by the General Contractor's subcontractor. It is assumed a septic system will be allowed by agencies having jurisdiction.

- No wetland/surface waters are known to exist within the project area. Therefore, no impact is anticipated. No wetland/surface water permitting is included.

- The site appears to be mapped Zone X and not located within a regulated FEMA flood zone. No flood modeling or FEMA permitting is anticipated or included in this proposal.

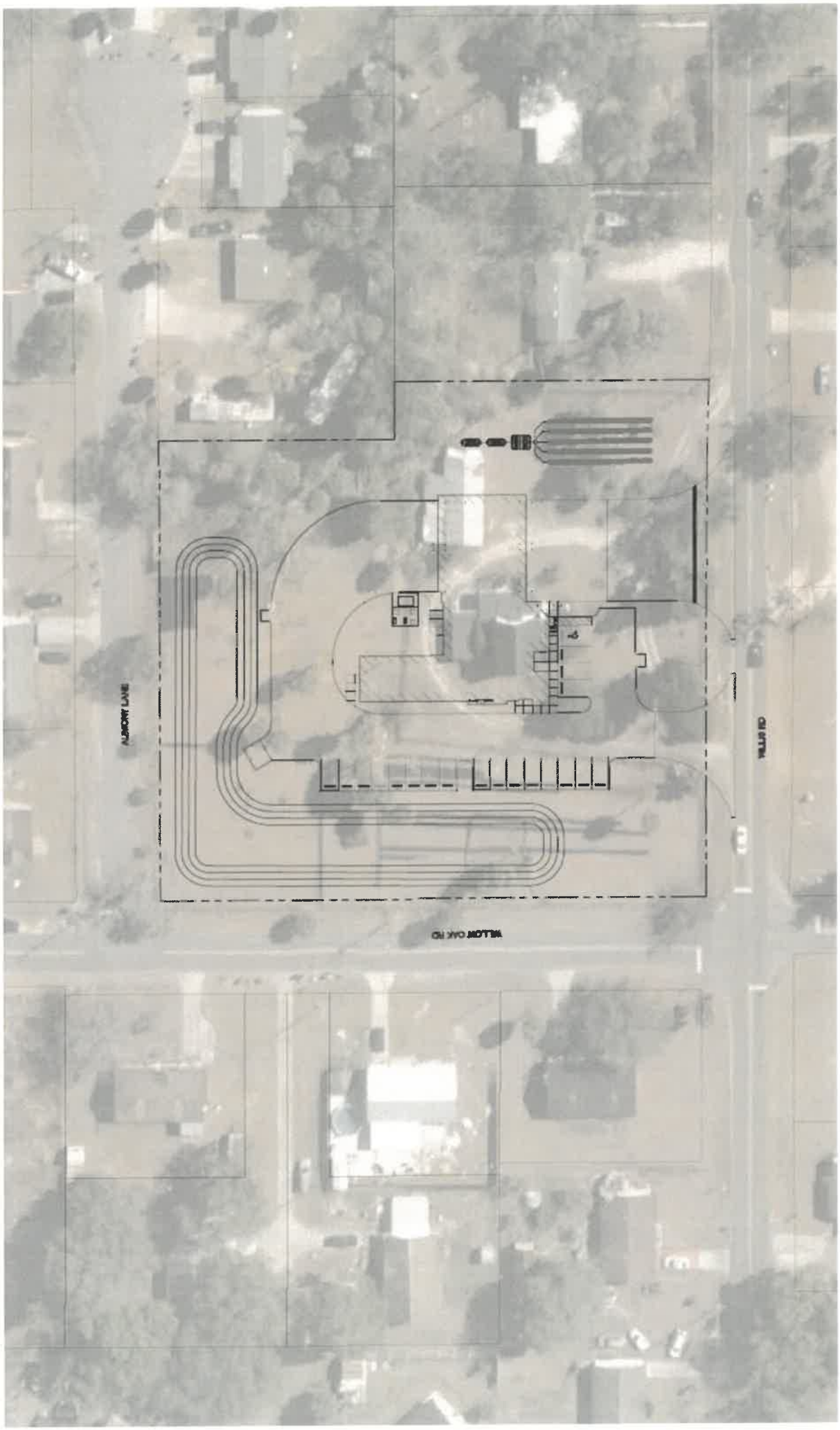
- It is assumed the 8-inch water main running along Willow Oak Road and Willis Road has adequate flow and capacity to provide potable water and fire protection to the proposed development without offsite modifications or improvements.

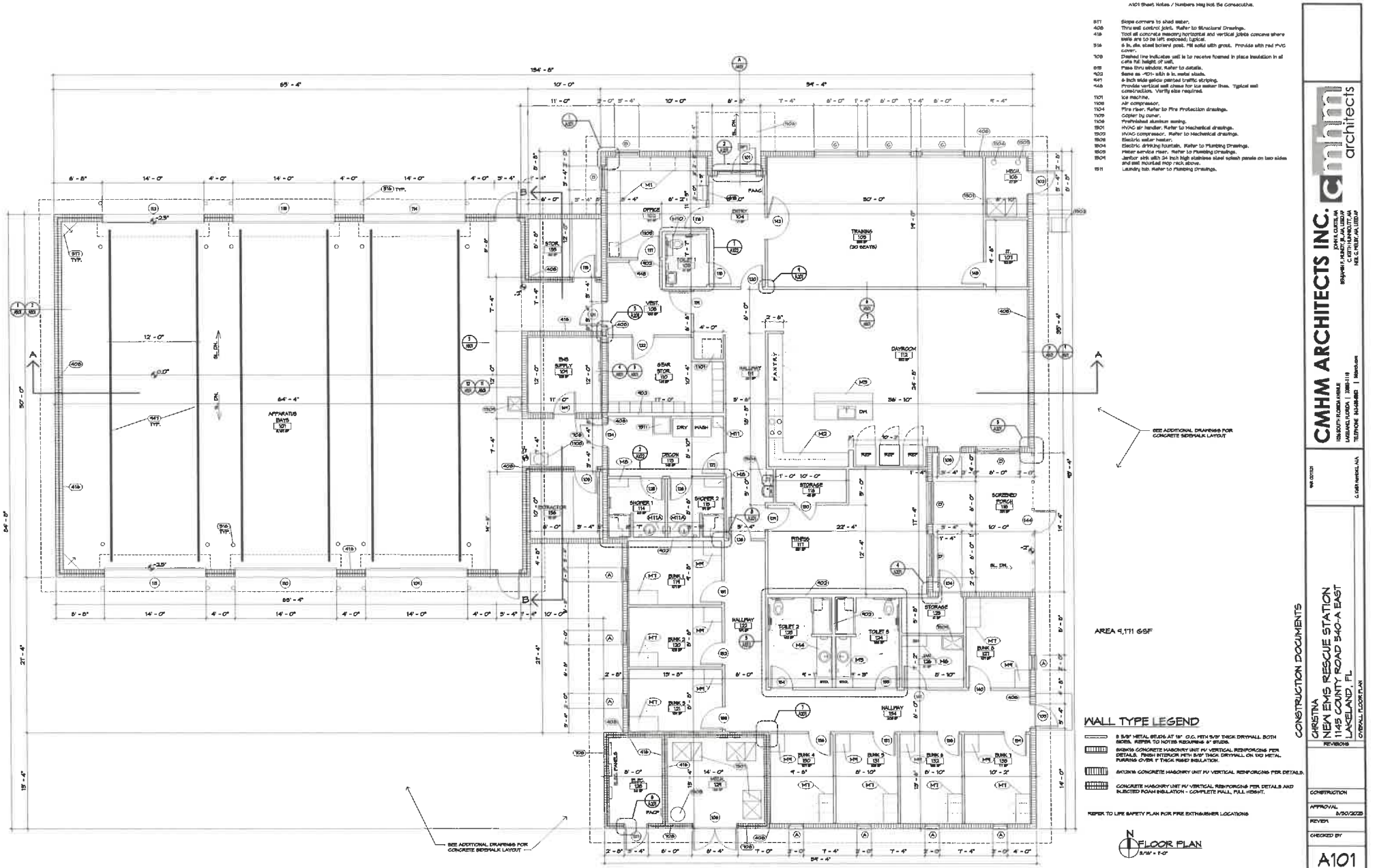
CMHM Architects and our consulting Engineers have included in our fees anticipated required services to complete the proposed project as a re-use design. Should actions or judgments from jurisdictional agencies require additional services, these services will be pre-approved by the Owner and performed as a reimbursable expense.

In conclusion, I trust this proposal addresses your needs related to architectural and engineering design services for your proposed Willow Oak FRS Station. Again, thank you for this opportunity and please let me know if you have any questions.

Sincerely,

Neil G. Melby, AIA
NGM/ngm
Attachments: concept site layout, schematic building floor plan.


AURORA LANE
YELLOW OAK RD
OLD ATTA



CONSTRUCTION DOCUMENTS

CHRISTINA
NEW EMS RESCUE STATION
1145 COUNTY ROAD 540-A EAST
LAKELAND, FL

OVERALL FLOOR PLAN

REVISIONS

CONSTRUCTION

APPROVAL 8/30/2025

REVIEW

CHECKED BY

A101

25011

CMHM ARCHITECTS INC.
1204 SOUTH FLORIDA AVENUE
LAKELAND, FLORIDA | 33803-1119
TELEPHONE 863-688-8823 | WEB cmhm.com

JOHN R. CURTIS, AIA
BENJAMIN F. HENRY, JR., AIA, LEED AP
C. CARR HARDELL, AIA, LEED AP
KEIL G. PRESLEY, AIA, LEED AP

C. CARR HARDELL, AIA

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Exhibit B
Hourly Rate Schedule

cmhm architects

John R. Curtis AIA
Benjamin F. Mundy, Jr. AIA, LEED AP
C. Keith Hunnicutt AIA
Neil G. Melby AIA, LEED AP BD+C

HOURLY RATE SHEET

Job Classification	Column 1 Direct Labor Expense	Column 2 Labor Burden/ Overhead (%) (150% x Col. 1)	Column 3 Operating Markup (%) (10% x (Col. 1 + Col 2))	Column 4 Billable Rate Total (Cols. 1+2+3)
Principal (Registered Architect)	$63.00	$96.00	$16.00	$175/hr.
Senior Project Architect	$49.00	$74.00	$12.00	$135/hr.
Project Architect	$42.00	$63.00	$10.00	$115/hr.
Intern Architect	$33.00	$49.00	$ 8.00	$90/hr.
Senior CADD Operator	$31.00	$46.00	$ 8.00	$85/hr.
CADD Operator	$27.00	$41.00	$ 7.00	$75/hr.
Clerical	$23.00	$36.00	$ 6.00	$65/hr.

EXHIBIT C

SCHEDULE OF REIMBURSABLES

1. Reproduction Cost

A. Regular Copying	Single Side	Double Sided
8 ½ x 11 (black & white)	$ 0.15/page	$ 0.25/sheet
8 ½ x 11 (color)	$ 0.30/page	$ 0.40/sheet
8 ½ x 14 (black & white)	$ 0.15/page	$ 0.25/sheet
8 ½ x 14 (color)	$ 0.30/page	$ 0.40/sheet
11 x 17 (black & white)	$ 0.25/page	$ 0.35/sheet
11 x 17 (color)	$ 0.40/page	$ 0.50/sheet
9 ½ x 24 Single Side Only	$ 1.00/page	
17 x 22 Single Side Only	$ 2.00/page	
18 x 24 Single Side Only	$ 2.00/page	
24 x 36 Single Side Only	$ 3.00/page	
30 x 30 Single Side Only	$ 5.00/page	
32 x 34 Single Side Only	$ 5.00/page	
Other sizes-per square inch	$ 0.03/page	
Compact Digital Disk	$ 6.00/disk	

B. Blueprint Copy $10.00/page

2. Subcontractor Services — Actual Costs

3. Special Consultants — Actual costs

4. Telecommunications — Non-reimbursable

5. Computer Services — Non-reimbursable

6. Pre-approved Travel Expenses
In accordance with Chapter 112.061, F.S.; and further defined in the Polk County Employee Handbook

7. Postage, Fed Express, UPS — Actual Costs

8. Pre-approved Equipment
(includes purchase and rental of equipment used in project) Actual Costs

Client#: 1051149 CMHMARC

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/23/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME:	
USI Insurance Services, LLC 2502 N Rocky Point Drive Suite 400 Tampa, FL 33607	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS: TeamAECertificate@USI.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : XL Specialty Insurance Company	37885
INSURED CMHM Architects Inc. 1036 South Florida Avenue Lakeland, FL 33803	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$
	☐ CLAIMS-MADE ☐ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$
							MED EXP (Any one person)	$
							PERSONAL & ADV INJURY	$
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$
	☐ POLICY ☐ PRO-JECT ☐ LOC						PRODUCTS - COMP/OP AGG	$
	☐ OTHER:							$
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$
	☐ ANY AUTO						BODILY INJURY (Per person)	$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
	UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE	$
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE	$
	DED ☐ RETENTION $							$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						☐ PER STATUTE ☐ OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ N / A						E.L. EACH ACCIDENT	$
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$
A	Professional Liability			DPR5040415	03/16/2025	03/16/2026	$3,000,000 per claim $3,000,000 annl aggr.	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Professional Liability coverage is written on a claims-made basis.

Re: CSA No. 2021-032-08. For Willow Oak Fire Rescue Station.

CERTIFICATE HOLDER

Polk County, a political subdivision of the State of Florida
330 West Church Street Room 150
Bartow, FL 33830

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/24/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
The Baldwin Group Southeast LLC
1115 Bartow Rd
Lakeland FL 33801

License#: L002281

CONTACT NAME: Small Business Center
PHONE (A/C, No, Ext): 833-287-9378 FAX (A/C, No):
E-MAIL ADDRESS: sbc.baldwin@baldwin.com

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A : Sentinel Insurance Company, Lt	11000
INSURER B : Hartford Casualty Insurance Co	29424
INSURER C :	
INSURER D :	
INSURER E :	
INSURER F :	

INSURED
CMHM Architects Inc.
1036 S Florida Ave
Lakeland FL 33803

CMHMARC-01

COVERAGES **CERTIFICATE NUMBER:** 56260596 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE [X] OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: [X] POLICY [ ] PRO-JECT [X] LOC OTHER:	Y	Y	21 SBM VL6697	7/15/2025	7/15/2026	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 1,000,000 $ 10,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY [X] HIRED AUTOS ONLY SCHEDULED AUTOS [X] NON-OWNED AUTOS ONLY	Y		21 SBM VL6697	7/15/2025	7/15/2026	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
A	X UMBRELLA LIAB [X] OCCUR EXCESS LIAB CLAIMS-MADE DED [X] RETENTION $ 10,000			21 SBM VL6697	7/15/2025	7/15/2026	EACH OCCURRENCE AGGREGATE	$ 3,000,000 $ 3,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N [ ] (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		21 WEC AR7376	9/1/2025	9/1/2026	[X] PER STATUTE [ ] OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	 $ 1,000,000 $ 1,000,000 $ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
RE: For all work performed by the County.
CSA No. 2021-032-08 for Willow Oak Fire Rescue Station, Polk County, a political subdivision.

Polk County, a political subdivision of the State of Florida is an Additional Insured under General Liability and Auto Liability Policies as per written contract and subject to the provisions of the policy.
Waiver of Subrogation applies to the General Liability in favor of the Additional Insured as per written contract and subject to the provisions of the policy.

CERTIFICATE HOLDER

Polk County, a political subdivision of the State of Florida
330 West Church Street, Room 150
Bartow, FL 33830

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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QUICK REFERENCE
BUSINESS LIABILITY COVERAGE FORM
READ YOUR POLICY CAREFULLY

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BUSINESS LIABILITY COVERAGE FORM

Various provisions in this policy restrict coverage. Read the entire policy carefully to determine rights, duties and what is and is not covered.

Throughout this policy the words "you" and "your" refer to the Named Insured shown in the Declarations. The words "we", "us" and "our" refer to the stock insurance company member of The Hartford providing this insurance.

The word "insured" means any person or organization qualifying as such under Section **C.** - Who Is An Insured.

Other words and phrases that appear in quotation marks have special meaning. Refer to Section **G.** - Liability And Medical Expenses Definitions.

A. COVERAGES

1. BUSINESS LIABILITY COVERAGE (BODILY INJURY, PROPERTY DAMAGE, PERSONAL AND ADVERTISING INJURY)

Insuring Agreement

a. We will pay those sums that the insured becomes legally obligated to pay as damages because of "bodily injury", "property damage" or "personal and advertising injury" to which this insurance applies. We will have the right and duty to defend the insured against any "suit" seeking those damages. However, we will have no duty to defend the insured against any "suit" seeking damages for "bodily injury", "property damage" or "personal and advertising injury" to which this insurance does not apply.

We may, at our discretion, investigate any "occurrence" or offense and settle any claim or "suit" that may result. But:

(1) The amount we will pay for damages is limited as described in Section **D.** - Liability And Medical Expenses Limits Of Insurance; and

(2) Our right and duty to defend ends when we have used up the applicable limit of insurance in the payment of judgments, settlements or medical expenses to which this insurance applies.

No other obligation or liability to pay sums or perform acts or services is covered unless explicitly provided for under Coverage Extension - Supplementary Payments.

b. This insurance applies:

(1) To "bodily injury" and "property damage" only if:

(a) The "bodily injury" or "property damage" is caused by an "occurrence" that takes place in the "coverage territory";

(b) The "bodily injury" or "property damage" occurs during the policy period; and

(c) Prior to the policy period, no insured listed under Paragraph **1.** of Section **C.** – Who Is An Insured and no "employee" authorized by you to give or receive notice of an "occurrence" or claim, knew that the "bodily injury" or "property damage" had occurred, in whole or in part. If such a listed insured or authorized "employee" knew, prior to the policy period, that the "bodily injury" or "property damage" occurred, then any continuation, change or resumption of such "bodily injury" or "property damage" during or after the policy period will be deemed to have been known prior to the policy period.

(2) To "personal and advertising injury" caused by an offense arising out of your business, but only if the offense was committed in the "coverage territory" during the policy period.

c. "Bodily injury" or "property damage" will be deemed to have been known to have occurred at the earliest time when any insured listed under Paragraph **1.** of Section **C.** – Who Is An Insured or any "employee" authorized by you to give or receive notice of an "occurrence" or claim:

(1) Reports all, or any part, of the "bodily injury" or "property damage" to us or any other insurer;

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(2) Receives a written or verbal demand or claim for damages because of the "bodily injury" or "property damage"; or

(3) Becomes aware by any other means that "bodily injury" or "property damage" has occurred or has begun to occur.

d. Damages because of "bodily injury" include damages claimed by any person or organization for care, loss of services or death resulting at any time from the "bodily injury".

e. **Incidental Medical Malpractice**

(1) "Bodily injury" arising out of the rendering of or failure to render professional health care services as a physician, dentist, nurse, emergency medical technician or paramedic shall be deemed to be caused by an "occurrence", but only if:

(a) The physician, dentist, nurse, emergency medical technician or paramedic is employed by you to provide such services; and

(b) You are not engaged in the business or occupation of providing such services.

(2) For the purpose of determining the limits of insurance for incidental medical malpractice, any act or omission together with all related acts or omissions in the furnishing of these services to any one person will be considered one "occurrence".

2. **MEDICAL EXPENSES**

Insuring Agreement

a. We will pay medical expenses as described below for "bodily injury" caused by an accident:

(1) On premises you own or rent;

(2) On ways next to premises you own or rent; or

(3) Because of your operations;

provided that:

(1) The accident takes place in the "coverage territory" and during the policy period;

(2) The expenses are incurred and reported to us within three years of the date of the accident; and

(3) The injured person submits to examination, at our expense, by physicians of our choice as often as we reasonably require.

b. We will make these payments regardless of fault. These payments will not exceed the applicable limit of insurance. We will pay reasonable expenses for:

(1) First aid administered at the time of an accident;

(2) Necessary medical, surgical, x-ray and dental services, including prosthetic devices; and

(3) Necessary ambulance, hospital, professional nursing and funeral services.

3. **COVERAGE EXTENSION - SUPPLEMENTARY PAYMENTS**

a. We will pay, with respect to any claim or "suit" we investigate or settle, or any "suit" against an insured we defend:

(1) All expenses we incur.

(2) Up to $1,000 for the cost of bail bonds required because of accidents or traffic law violations arising out of the use of any vehicle to which Business Liability Coverage for "bodily injury" applies. We do not have to furnish these bonds.

(3) The cost of appeal bonds or bonds to release attachments, but only for bond amounts within the applicable limit of insurance. We do not have to furnish these bonds.

(4) All reasonable expenses incurred by the insured at our request to assist us in the investigation or defense of the claim or "suit", including actual loss of earnings up to $500 a day because of time off from work.

(5) All costs taxed against the insured in the "suit".

(6) Prejudgment interest awarded against the insured on that part of the judgment we pay. If we make an offer to pay the applicable limit of insurance, we will not pay any prejudgment interest based on that period of time after the offer.

(7) All interest on the full amount of any judgment that accrues after entry of the judgment and before we have paid, offered to pay, or deposited in court the part of the judgment that is within the applicable limit of insurance.

Any amounts paid under **(1)** through **(7)** above will not reduce the limits of insurance.

b. If we defend an insured against a "suit" and an indemnitee of the insured is also named as a party to the "suit", we will defend that indemnitee if all of the following conditions are met:

(1) The "suit" against the indemnitee seeks damages for which the insured has assumed the liability of the indemnitee in a contract or agreement that is an "insured contract";

(2) This insurance applies to such liability assumed by the insured;

(3) The obligation to defend, or the cost of the defense of, that indemnitee, has also been assumed by the insured in the same "insured contract";

(4) The allegations in the "suit" and the information we know about the "occurrence" are such that no conflict appears to exist between the interests of the insured and the interest of the indemnitee;

(5) The indemnitee and the insured ask us to conduct and control the defense of that indemnitee against such "suit" and agree that we can assign the same counsel to defend the insured and the indemnitee; and

(6) The indemnitee:

(a) Agrees in writing to:

(i) Cooperate with us in the investigation, settlement or defense of the "suit";

(ii) Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the "suit";

(iii) Notify any other insurer whose coverage is available to the indemnitee; and

(iv) Cooperate with us with respect to coordinating other applicable insurance available to the indemnitee; and

(b) Provides us with written authorization to:

(i) Obtain records and other information related to the "suit"; and

(ii) Conduct and control the defense of the indemnitee in such "suit".

So long as the above conditions are met, attorneys' fees incurred by us in the defense of that indemnitee, necessary litigation expenses incurred by us and necessary litigation expenses incurred by the indemnitee at our request will be paid as Supplementary Payments.

Notwithstanding the provisions of Paragraph **1.b.(b)** of Section **B.** – Exclusions, such payments will not be deemed to be damages for "bodily injury" and "property damage" and will not reduce the Limits of Insurance.

Our obligation to defend an insured's indemnitee and to pay for attorneys' fees and necessary litigation expenses as Supplementary Payments ends when:

(1) We have used up the applicable limit of insurance in the payment of judgments or settlements; or

(2) The conditions set forth above, or the terms of the agreement described in Paragraph **(6)** above, are no longer met.

B. EXCLUSIONS

1. Applicable To Business Liability Coverage

This insurance does not apply to:

a. Expected Or Intended Injury

(1) "Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to "bodily injury" or "property damage" resulting from the use of reasonable force to protect persons or property; or

(2) "Personal and advertising injury" arising out of an offense committed by, at the direction of or with the consent or acquiescence of the insured with the expectation of inflicting "personal and advertising injury".

b. Contractual Liability

(1) "Bodily injury" or "property damage"; or

(2) "Personal and advertising injury"

for which the insured is obligated to pay damages by reason of the assumption of liability in a contract or agreement.

This exclusion does not apply to liability for damages because of:

(a) "Bodily injury", "property damage" or "personal and advertising injury" that the insured would have in the absence of the contract or agreement; or

(b) "Bodily injury" or "property damage" assumed in a contract or agreement that is an "insured contract", provided the "bodily injury" or "property damage" occurs subsequent to the execution of the contract or agreement. Solely for the purpose of liability assumed in an "insured contract", reasonable attorneys' fees and necessary litigation expenses incurred by or for a party other than an insured are deemed to be damages because of "bodily injury" or "property damage" provided:

(i) Liability to such party for, or for the cost of, that party's defense has also been assumed in the same "insured contract", and

(ii) Such attorneys' fees and litigation expenses are for defense of that party against a civil or alternative dispute resolution proceeding in which damages to which this insurance applies are alleged.

c. Liquor Liability

"Bodily injury" or "property damage" for which any insured may be held liable by reason of:

(1) Causing or contributing to the intoxication of any person;

(2) The furnishing of alcoholic beverages to a person under the legal drinking age or under the influence of alcohol; or

(3) Any statute, ordinance or regulation relating to the sale, gift, distribution or use of alcoholic beverages.

This exclusion applies only if you are in the business of manufacturing, distributing, selling, serving or furnishing alcoholic beverages.

d. Workers' Compensation And Similar Laws

Any obligation of the insured under a workers' compensation, disability benefits or unemployment compensation law or any similar law.

e. Employer's Liability

"Bodily injury" to:

(1) An "employee" of the insured arising out of and in the course of:

(a) Employment by the insured; or

(b) Performing duties related to the conduct of the insured's business, or

(2) The spouse, child, parent, brother or sister of that "employee" as a consequence of **(1)** above.

This exclusion applies:

(1) Whether the insured may be liable as an employer or in any other capacity; and

(2) To any obligation to share damages with or repay someone else who must pay damages because of the injury.

This exclusion does not apply to liability assumed by the insured under an "insured contract".

f. Pollution

(1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of the actual, alleged or threatened discharge, dispersal, seepage, migration, release or escape of "pollutants":

(a) At or from any premises, site or location which is or was at any time owned or occupied by, or rented or loaned to any insured. However, this subparagraph does not apply to:

(i) "Bodily injury" if sustained within a building and caused by smoke, fumes, vapor or soot produced by or originating from equipment that is used to heat, cool or dehumidify the building, or equipment that is used to heat water for personal use, by the building's occupants or their guests;

(ii) "Bodily injury" or "property damage" for which you may be held liable, if you are a contractor and the owner or lessee of such premises, site or location has been added to your policy as an additional insured with respect to your ongoing operations performed for that additional insured at that premises, site or location and such premises, site or location is not and never was owned or occupied by, or rented or loaned to, any insured, other than that additional insured; or

(iii) "Bodily injury" or "property damage" arising out of heat, smoke or fumes from a "hostile fire";

(b) At or from any premises, site or location which is or was at any time used by or for any insured or others for the handling, storage, disposal, processing or treatment of waste;

(c) Which are or were at any time transported, handled, stored, treated, disposed of, or processed as waste by or for:

(i) Any insured; or

(ii) Any person or organization for whom you may be legally responsible;

(d) At or from any premises, site or location on which any insured or any contractors or subcontractors working directly or indirectly on any insured's behalf are performing operations if the "pollutants" are brought on or to the premises, site or location in connection with such operations by such insured, contractor or subcontractor. However, this subparagraph does not apply to:

(i) "Bodily injury" or "property damage" arising out of the escape of fuels, lubricants or other operating fluids which are needed to perform the normal electrical, hydraulic or mechanical functions necessary for the operation of "mobile equipment" or its parts, if such fuels, lubricants or other operating fluids escape from a vehicle part designed to hold, store or receive them. This exception does not apply if the "bodily injury" or "property damage" arises out of the intentional discharge, dispersal or release of the fuels, lubricants or other operating fluids, or if such fuels, lubricants or other operating fluids are brought on or to the premises, site or location with the intent that they be discharged, dispersed or released as part of the operations being performed by such insured, contractor or subcontractor;

(ii) "Bodily injury" or "property damage" sustained within a building and caused by the release of gases, fumes or vapors from materials brought into that building in connection with operations being performed by you or on your behalf by a contractor or subcontractor; or

(iii) "Bodily injury" or "property damage" arising out of heat, smoke or fumes from a "hostile fire"; or

(e) At or from any premises, site or location on which any insured or any contractors or subcontractors working directly or indirectly on any insured's behalf are performing operations if the operations are to test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of, "pollutants".

(2) Any loss, cost or expense arising out of any:

(a) Request, demand, order or statutory or regulatory requirement that any insured or others test for, monitor, clean up, remove, contain, treat, detoxify or neutralize, or in any way respond to, or assess the effects of, "pollutants"; or

(b) Claim or suit by or on behalf of a governmental authority for damages because of testing for, monitoring, cleaning up, removing, containing, treating, detoxifying or neutralizing, or in any way responding to, or assessing the effects of, "pollutants".

However, this paragraph does not apply to liability for damages because of "property damage" that the insured would have in the absence of such request, demand, order or statutory or regulatory requirement, or such claim or "suit" by or on behalf of a governmental authority.

g. Aircraft, Auto Or Watercraft

"Bodily injury" or "property damage" arising out of the ownership, maintenance, use or entrustment to others of any aircraft, "auto" or watercraft owned or operated by or rented or loaned to any insured. Use includes operation and "loading or unloading".

This exclusion applies even if the claims against any insured allege negligence or other wrongdoing in the supervision, hiring, employment, training or monitoring of others by that insured, if the "occurrence" which caused the "bodily injury" or "property damage" involved the ownership, maintenance, use or entrustment to others of any aircraft, "auto" or watercraft that is owned or operated by or rented or loaned to any insured.

This exclusion does not apply to:

(1) A watercraft while ashore on premises you own or rent;

(2) A watercraft you do not own that is:

(a) Less than 51 feet long; and

(b) Not being used to carry persons for a charge;

(3) Parking an "auto" on, or on the ways next to, premises you own or rent, provided the "auto" is not owned by or rented or loaned to you or the insured;

(4) Liability assumed under any "insured contract" for the ownership, maintenance or use of aircraft or watercraft;

(5) "Bodily injury" or "property damage" arising out of the operation of any of the equipment listed in Paragraph **f.(2)** or **f.(3)** of the definition of "mobile equipment"; or

(6) An aircraft that is not owned by any insured and is hired, chartered or loaned with a paid crew. However, this exception does not apply if the insured has any other insurance for such "bodily injury" or "property damage", whether the other insurance is primary, excess, contingent or on any other basis.

h. Mobile Equipment

"Bodily injury" or "property damage" arising out of:

(1) The transportation of "mobile equipment" by an "auto" owned or operated by or rented or loaned to any insured; or

(2) The use of "mobile equipment" in, or while in practice or preparation for, a prearranged racing, speed or demolition contest or in any stunting activity.

i. War

"Bodily injury", "property damage" or "personal and advertising injury", however caused, arising, directly or indirectly, out of:

(1) War, including undeclared or civil war;

(2) Warlike action by a military force, including action in hindering or defending against an actual or expected attack, by any government, sovereign or other authority using military personnel or other agents; or

(3) Insurrection, rebellion, revolution, usurped power, or action taken by governmental authority in hindering or defending against any of these.

j. Professional Services

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of or failure to render any professional service. This includes but is not limited to:

(1) Legal, accounting or advertising services;

(2) Preparing, approving, or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications;

(3) Supervisory, inspection, architectural or engineering activities;

(4) Medical, surgical, dental, x-ray or nursing services treatment, advice or instruction;

(5) Any health or therapeutic service treatment, advice or instruction;

(6) Any service, treatment, advice or instruction for the purpose of appearance or skin enhancement, hair removal or replacement or personal grooming;

(7) Optical or hearing aid services including the prescribing, preparation, fitting, demonstration or distribution of ophthalmic lenses and similar products or hearing aid devices;

(8) Optometry or optometric services including but not limited to examination of the eyes and the prescribing, preparation, fitting,demonstration or distribution of ophthalmic lenses and similar products;

(9) Any:

(a) Body piercing (not including ear piercing);

(b) Tattooing, including but not limited to the insertion of pigments into or under the skin; and

(c) Similar services;

(10) Services in the practice of pharmacy; and

(11) Computer consulting, design or programming services, including web site design.

Paragraphs **(4)** and **(5)** of this exclusion do not apply to the Incidental Medical Malpractice coverage afforded under Paragraph **1.e.** in Section **A.** - Coverages.

k. Damage To Property

"Property damage" to:

(1) Property you own, rent or occupy, including any costs or expenses incurred by you, or any other person, organization or entity, for repair, replacement, enhancement, restoration or maintenance of such property for any reason, including prevention of injury to a person or damage to another's property;

(2) Premises you sell, give away or abandon, if the "property damage" arises out of any part of those premises;

(3) Property loaned to you;

(4) Personal property in the care, custody or control of the insured;

(5) That particular part of real property on which you or any contractors or subcontractors working directly or indirectly on your behalf are performing operations, if the "property damage" arises out of those operations; or

(6) That particular part of any property that must be restored, repaired or replaced because "your work" was incorrectly performed on it.

Paragraphs **(1)**, **(3)** and **(4)** of this exclusion do not apply to "property damage" (other than damage by fire) to premises, including the contents of such premises, rented to you for a period of 7 or fewer consecutive days. A separate Limit of Insurance applies to Damage To Premises Rented To You as described in Section **D.** - Limits Of Insurance.

Paragraph **(2)** of this exclusion does not apply if the premises are "your work" and were never occupied, rented or held for rental by you.

Paragraphs **(3)** and **(4)** of this exclusion do not apply to the use of elevators.

Paragraphs **(3)**, **(4)**, **(5)** and **(6)** of this exclusion do not apply to liability assumed under a sidetrack agreement.

Paragraphs **(3)** and **(4)** of this exclusion do not apply to "property damage" to borrowed equipment while not being used to perform operations at a job site.

Paragraph **(6)** of this exclusion does not apply to "property damage" included in the "products-completed operations hazard".

l. Damage To Your Product

"Property damage" to "your product" arising out of it or any part of it.

m. Damage To Your Work

"Property damage" to "your work" arising out of it or any part of it and included in the "products-completed operations hazard".

This exclusion does not apply if the damaged work or the work out of which the damage arises was performed on your behalf by a subcontractor.

n. Damage To Impaired Property Or Property Not Physically Injured

"Property damage" to "impaired property" or property that has not been physically injured, arising out of:

(1) A defect, deficiency, inadequacy or dangerous condition in "your product" or "your work"; or

(2) A delay or failure by you or anyone acting on your behalf to perform a contract or agreement in accordance with its terms.

This exclusion does not apply to the loss of use of other property arising out of sudden and accidental physical injury to "your product" or "your work" after it has been put to its intended use.

o. Recall Of Products, Work Or Impaired Property

Damages claimed for any loss, cost or expense incurred by you or others for the loss of use, withdrawal, recall, inspection, repair, replacement, adjustment, removal or disposal of:

(1) "Your product";

(2) "Your work"; or

(3) "Impaired property";

if such product, work or property is withdrawn or recalled from the market or from use by any person or organization because of a known or suspected defect, deficiency, inadequacy or dangerous condition in it.

p. Personal And Advertising Injury

"Personal and advertising injury":

(1) Arising out of oral, written or electronic publication of material, if done by or at the direction of the insured with knowledge of its falsity;

(2) Arising out of oral, written or electronic publication of material whose first publication took place before the beginning of the policy period;

(3) Arising out of a criminal act committed by or at the direction of the insured;

(4) Arising out of any breach of contract, except an implied contract to use another's "advertising idea" in your "advertisement";

(5) Arising out of the failure of goods, products or services to conform with any statement of quality or performance made in your "advertisement";

(6) Arising out of the wrong description of the price of goods, products or services;

(7) Arising out of any violation of any intellectual property rights such as copyright, patent, trademark, trade name, trade secret, service mark or other designation of origin or authenticity.

However, this exclusion does not apply to infringement, in your "advertisement", of

(a) Copyright;

(b) Slogan, unless the slogan is also a trademark, trade name, service mark or other designation of origin or authenticity; or

(c) Title of any literary or artistic work;

(8) Arising out of an offense committed by an insured whose business is:

(a) Advertising, broadcasting, publishing or telecasting;

(b) Designing or determining content of web sites for others; or

(c) An Internet search, access, content or service provider.

However, this exclusion does not apply to Paragraphs **a.**, **b.** and **c.** under the definition of "personal and advertising injury" in Section **G.** – Liability And Medical Expenses Definitions.

For the purposes of this exclusion, placing an "advertisement" for or linking to others on your web site, by itself, is not considered the business of advertising, broadcasting, publishing or telecasting;

(9) Arising out of an electronic chat room or bulletin board the insured hosts, owns, or over which the insured exercises control;

(10) Arising out of the unauthorized use of another's name or product in your e-mail address, domain name or metatags, or any other similar tactics to mislead another's potential customers;

(11) Arising out of the violation of a person's right of privacy created by any state or federal act.

However, this exclusion does not apply to liability for damages that the insured would have in the absence of such state or federal act;

(12) Arising out of:

(a) An "advertisement" for others on your web site;

(b) Placing a link to a web site of others on your web site;

(c) Content from a web site of others displayed within a frame or border on your web site. Content includes information, code, sounds, text, graphics or images; or

(d) Computer code, software or programming used to enable:

(i) Your web site; or

(ii) The presentation or functionality of an "advertisement" or other content on your web site;

(13) Arising out of a violation of any anti-trust law;

(14) Arising out of the fluctuation in price or value of any stocks, bonds or other securities; or

(15) Arising out of discrimination or humiliation committed by or at the direction of any "executive officer", director, stockholder, partner or member of the insured.

q. Electronic Data

Damages arising out of the loss of, loss of use of, damage to, corruption of, inability to access, or inability to manipulate "electronic data".

r. Employment-Related Practices

"Bodily injury" or "personal and advertising injury" to:

(1) A person arising out of any:

(a) Refusal to employ that person;

(b) Termination of that person's employment; or

(c) Employment-related practices, policies, acts or omissions, such as coercion, demotion, evaluation, reassignment, discipline, defamation, harassment, humiliation or discrimination directed at that person; or

(2) The spouse, child, parent, brother or sister of that person as a consequence of "bodily injury" or "personal and advertising injury" to the person at whom any of the employment-related practices described in Paragraphs **(a)**, **(b)**, or **(c)** above is directed.

This exclusion applies:

(1) Whether the insured may be liable as an employer or in any other capacity; and

(2) To any obligation to share damages with or repay someone else who must pay damages because of the injury.

s. Asbestos

(1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of the "asbestos hazard".

(2) Any damages, judgments, settlements, loss, costs or expenses that:

(a) May be awarded or incurred by reason of any claim or suit alleging actual or threatened injury or damage of any nature or kind to persons or property which would not have occurred in whole or in part but for the "asbestos hazard";

(b) Arise out of any request, demand, order or statutory or regulatory requirement that any insured or others test for, monitor, clean up, remove, encapsulate, contain, treat, detoxify or neutralize or in any way respond to or assess the effects of an "asbestos hazard"; or

(c) Arise out of any claim or suit for damages because of testing for, monitoring, cleaning up, removing, encapsulating, containing, treating, detoxifying or neutralizing or in any way responding to or assessing the effects of an "asbestos hazard".

t. Violation Of Statutes That Govern E-Mails, Fax, Phone Calls Or Other Methods Of Sending Material Or Information

"Bodily injury", "property damage", or "personal and advertising injury" arising directly or indirectly out of any action or omission that violates or is alleged to violate:

(1) The Telephone Consumer Protection Act (TCPA), including any amendment of or addition to such law;

(2) The CAN-SPAM Act of 2003, including any amendment of or addition to such law; or

(3) Any statute, ordinance or regulation, other than the TCPA or CAN-SPAM Act of 2003, that prohibits or limits the sending, transmitting, communicating or distribution of material or information.

Damage To Premises Rented To You – Exception For Damage By Fire, Lightning or Explosion

Exclusions **c.** through **h.** and **k.** through **o.** do not apply to damage by fire, lightning or explosion to premises rented to you or temporarily occupied by you with permission of the owner. A separate Limit of Insurance applies to this coverage as described in Section **D.** - Liability And Medical Expenses Limits Of Insurance.

2. **Applicable To Medical Expenses Coverage**

We will not pay expenses for "bodily injury":

a. **Any Insured**
To any insured, except "volunteer workers".

b. **Hired Person**

To a person hired to do work for or on behalf of any insured or a tenant of any insured.

c. **Injury On Normally Occupied Premises**

To a person injured on that part of premises you own or rent that the person normally occupies.

d. **Workers' Compensation And Similar Laws**

To a person, whether or not an "employee" of any insured, if benefits for the "bodily injury" are payable or must be provided under a workers' compensation or disability benefits law or a similar law.

e. **Athletics Activities**

To a person injured while practicing, instructing or participating in any physical exercises or games, sports or athletic contests.

f. **Products-Completed Operations Hazard**

Included with the "products-completed operations hazard".

g. **Business Liability Exclusions**

Excluded under Business Liability Coverage.

C. WHO IS AN INSURED

1. If you are designated in the Declarations as:

a. An individual, you and your spouse are insureds, but only with respect to the conduct of a business of which you are the sole owner.

b. A partnership or joint venture, you are an insured. Your members, your partners, and their spouses are also insureds, but only with respect to the conduct of your business.

c. A limited liability company, you are an insured. Your members are also insureds, but only with respect to the conduct of your business. Your managers are insureds, but only with respect to their duties as your managers.

d. An organization other than a partnership, joint venture or limited liability company, you are an insured. Your "executive officers" and directors are insureds, but only with respect to their duties as your officers or directors. Your stockholders are also insureds, but only with respect to their liability as stockholders.

e. A trust, you are an insured. Your trustees are also insureds, but only with respect to their duties as trustees.

2. Each of the following is also an insured:

a. **Employees And Volunteer Workers**

Your "volunteer workers" only while performing duties related to the conduct of your business, or your "employees", other than either your "executive officers" (if you are an organization other than a partnership, joint venture or limited liability company) or your managers (if you are a limited liability company), but only for acts within the scope of their employment by you or while performing duties related to the conduct of your business.

However, none of these "employees" or "volunteer workers" are insureds for:

(1) "Bodily injury" or "personal and advertising injury":

(a) To you, to your partners or members (if you are a partnership or joint venture), to your members (if you are a limited liability company), or to a co-"employee" while in the course of his or her employment or performing duties related to the conduct of your business, or to your other "volunteer workers" while performing duties related to the conduct of your business;

(b) To the spouse, child, parent, brother or sister of that co-"employee" or that "volunteer worker" as a consequence of Paragraph **(1)(a)** above;

(c) For which there is any obligation to share damages with or repay someone else who must pay damages because of the injury described in Paragraphs **(1)(a)** or **(b)** above; or

(d) Arising out of his or her providing or failing to provide professional health care services.

If you are not in the business of providing professional health care services, Paragraph **(d)** does not apply to any nurse, emergency medical technician or paramedic employed by you to provide such services.

(2) "Property damage" to property:

(a) Owned, occupied or used by,

(b) Rented to, in the care, custody or control of, or over which physical control is being exercised for any purpose by you, any of your "employees", "volunteer workers", any partner or member (if you are a partnership or joint venture), or any member (if you are a limited liability company).

b. Real Estate Manager

Any person (other than your "employee" or "volunteer worker"), or any organization while acting as your real estate manager.

c. Temporary Custodians Of Your Property

Any person or organization having proper temporary custody of your property if you die, but only:

(1) With respect to liability arising out of the maintenance or use of that property; and

(2) Until your legal representative has been appointed.

d. Legal Representative If You Die

Your legal representative if you die, but only with respect to duties as such. That representative will have all your rights and duties under this insurance.

e. Unnamed Subsidiary

Any subsidiary and subsidiary thereof, of yours which is a legally incorporated entity of which you own a financial interest of more than 50% of the voting stock on the effective date of this Coverage Part.

The insurance afforded herein for any subsidiary not shown in the Declarations as a named insured does not apply to injury or damage with respect to which an insured under this insurance is also an insured under another policy or would be an insured under such policy but for its termination or upon the exhaustion of its limits of insurance.

3. Newly Acquired Or Formed Organization

Any organization you newly acquire or form, other than a partnership, joint venture or limited liability company, and over which you maintain financial interest of more than 50% of the voting stock, will qualify as a Named Insured if there is no other similar insurance available to that organization. However:

a. Coverage under this provision is afforded only until the 180th day after you acquire or form the organization or the end of the policy period, whichever is earlier; and

b. Coverage under this provision does not apply to:

(1) "Bodily injury" or "property damage" that occurred; or

(2) "Personal and advertising injury" arising out of an offense committed

before you acquired or formed the organization.

4. Operator Of Mobile Equipment

With respect to "mobile equipment" registered in your name under any motor vehicle registration law, any person is an insured while driving such equipment along a public highway with your permission. Any other person or organization responsible for the conduct of such person is also an insured, but only with respect to liability arising out of the operation of the equipment, and only if no other insurance of any kind is available to that person or organization for this liability. However, no person or organization is an insured with respect to:

a. "Bodily injury" to a co-"employee" of the person driving the equipment; or

b. "Property damage" to property owned by, rented to, in the charge of or occupied by you or the employer of any person who is an insured under this provision.

5. Operator of Nonowned Watercraft

With respect to watercraft you do not own that is less than 51 feet long and is not being used to carry persons for a charge, any person is an insured while operating such watercraft with your permission. Any other person or organization responsible for the conduct of such person is also an insured, but only with respect to liability arising out of the operation of the watercraft, and only if no other insurance of any kind is available to that person or organization for this liability.

However, no person or organization is an insured with respect to:

a. "Bodily injury" to a co-"employee" of the person operating the watercraft; or

b. "Property damage" to property owned by, rented to, in the charge of or occupied by you or the employer of any person who is an insured under this provision.

6. Additional Insureds When Required By Written Contract, Written Agreement Or Permit

The person(s) or organization(s) identified in Paragraphs **a.** through **f.** below are additional insureds when you have agreed, in a written

contract, written agreement or because of a permit issued by a state or political subdivision, that such person or organization be added as an additional insured on your policy, provided the injury or damage occurs subsequent to the execution of the contract or agreement, or the issuance of the permit.

A person or organization is an additional insured under this provision only for that period of time required by the contract, agreement or permit.

However, no such person or organization is an additional insured under this provision if such person or organization is included as an additional insured by an endorsement issued by us and made a part of this Coverage Part, including all persons or organizations added as additional insureds under the specific additional insured coverage grants in Section F. – Optional Additional Insured Coverages.

a. Vendors

Any person(s) or organization(s) (referred to below as vendor), but only with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business and only if this Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

(1) The insurance afforded to the vendor is subject to the following additional exclusions:

This insurance does not apply to:

(a) "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;

(b) Any express warranty unauthorized by you;

(c) Any physical or chemical change in the product made intentionally by the vendor;

(d) Repackaging, except when unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;

(e) Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;

(f) Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;

(g) Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or

(h) "Bodily injury" or "property damage" arising out of the sole negligence of the vendor for its own acts or omissions or those of its employees or anyone else acting on its behalf. However, this exclusion does not apply to:

(i) The exceptions contained in Subparagraphs **(d)** or **(f)**; or

(ii) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products.

(2) This insurance does not apply to any insured person or organization from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.

b. Lessors Of Equipment

(1) Any person or organization from whom you lease equipment; but only with respect to their liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person or organization.

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to any "occurrence" which takes place after you cease to lease that equipment.

c. Lessors Of Land Or Premises

(1) Any person or organization from whom you lease land or premises, but only with respect to liability arising out of the ownership, maintenance or use of that part of the land or premises leased to you.

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to:

(a) Any "occurrence" which takes place after you cease to lease that land or be a tenant in that premises; or

(b) Structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

d. Architects, Engineers Or Surveyors

(1) Any architect, engineer, or surveyor, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

(a) In connection with your premises; or

(b) In the performance of your ongoing operations performed by you or on your behalf.

(2) With respect to the insurance afforded to these additional insureds, the following additional exclusion applies:

This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of or the failure to render any professional services by or for you, including:

(a) The preparing, approving, or failure to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

(b) Supervisory, inspection, architectural or engineering activities.

e. Permits Issued By State Or Political Subdivisions

(1) Any state or political subdivision, but only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to:

(a) "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality; or

(b) "Bodily injury" or "property damage" included within the "products-completed operations hazard".

f. Any Other Party

(1) Any other person or organization who is not an insured under Paragraphs **a.** through **e.** above, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

(a) In the performance of your ongoing operations;

(b) In connection with your premises owned by or rented to you; or

(c) In connection with "your work" and included within the "products-completed operations hazard", but only if

(i) The written contract or written agreement requires you to provide such coverage to such additional insured; and

(ii) This Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

(2) With respect to the insurance afforded to these additional insureds, this insurance does not apply to:

"Bodily injury", "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

(a) The preparing, approving, or failure to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

(b) Supervisory, inspection, architectural or engineering activities.

The limits of insurance that apply to additional insureds are described in Section **D.** – Limits Of Insurance.

How this insurance applies when other insurance is available to an additional insured is described in the Other Insurance Condition in Section **E.** – Liability And Medical Expenses General Conditions.

No person or organization is an insured with respect to the conduct of any current or past partnership, joint venture or limited liability company that is not shown as a Named Insured in the Declarations.

D. LIABILITY AND MEDICAL EXPENSES LIMITS OF INSURANCE

1. The Most We Will Pay

The Limits of Insurance shown in the Declarations and the rules below fix the most we will pay regardless of the number of:

a. Insureds;

b. Claims made or "suits" brought; or

c. Persons or organizations making claims or bringing "suits".

2. Aggregate Limits

The most we will pay for:

a. Damages because of "bodily injury" and "property damage" included in the "products-completed operations hazard" is the Products-Completed Operations Aggregate Limit shown in the Declarations.

b. Damages because of all other "bodily injury", "property damage" or "personal and advertising injury", including medical expenses, is the General Aggregate Limit shown in the Declarations.

This General Aggregate Limit applies separately to each of your "locations" owned by or rented to you.

"Location" means premises involving the same or connecting lots, or premises whose connection is interrupted only by a street, roadway or right-of-way of a railroad.

This General Aggregate limit does not apply to "property damage" to premises while rented to you or temporarily occupied by you with permission of the owner, arising out of fire, lightning or explosion.

3. Each Occurrence Limit

Subject to **2.a.** or **2.b** above, whichever applies, the most we will pay for the sum of all damages because of all "bodily injury", "property damage" and medical expenses arising out of any one "occurrence" is the Liability and Medical Expenses Limit shown in the Declarations.

The most we will pay for all medical expenses because of "bodily injury" sustained by any one person is the Medical Expenses Limit shown in the Declarations.

4. Personal And Advertising Injury Limit

Subject to **2.b.** above, the most we will pay for the sum of all damages because of all "personal and advertising injury" sustained by any one person or organization is the Personal and Advertising Injury Limit shown in the Declarations.

5. Damage To Premises Rented To You Limit

The Damage To Premises Rented To You Limit is the most we will pay under Business Liability Coverage for damages because of "property damage" to any one premises, while rented to you, or in the case of damage by fire, lightning or explosion, while rented to you or temporarily occupied by you with permission of the owner.

In the case of damage by fire, lightning or explosion, the Damage to Premises Rented To You Limit applies to all damage proximately caused by the same event, whether such damage results from fire, lightning or explosion or any combination of these.

6. How Limits Apply To Additional Insureds

The most we will pay on behalf of a person or organization who is an additional insured under this Coverage Part is the lesser of:

a. The limits of insurance specified in a written contract, written agreement or permit issued by a state or political subdivision; or

b. The Limits of Insurance shown in the Declarations.

Such amount shall be a part of and not in addition to the Limits of Insurance shown in the Declarations and described in this Section.

If more than one limit of insurance under this policy and any endorsements attached thereto applies to any claim or "suit", the most we will pay under this policy and the endorsements is the single highest limit of liability of all coverages applicable to such claim or "suit". However, this paragraph does not apply to the Medical Expenses limit set forth in Paragraph **3.** above.

The Limits of Insurance of this Coverage Part apply separately to each consecutive annual period and to any remaining period of less than 12 months, starting with the beginning of the policy period shown in the Declarations, unless the policy period is extended after issuance for an additional period of less than 12 months. In that case, the additional period will be deemed part of the last preceding period for purposes of determining the Limits of Insurance.

E. LIABILITY AND MEDICAL EXPENSES GENERAL CONDITIONS

1. Bankruptcy

Bankruptcy or insolvency of the insured or of the insured's estate will not relieve us of our obligations under this Coverage Part.

2. Duties In The Event Of Occurrence, Offense, Claim Or Suit

a. Notice Of Occurrence Or Offense

You or any additional insured must see to it that we are notified as soon as practicable of an "occurrence" or an offense which may result in a claim. To the extent possible, notice should include:

(1) How, when and where the "occurrence" or offense took place;

(2) The names and addresses of any injured persons and witnesses; and

(3) The nature and location of any injury or damage arising out of the "occurrence" or offense.

b. Notice Of Claim

If a claim is made or "suit" is brought against any insured, you or any additional insured must:

(1) Immediately record the specifics of the claim or "suit" and the date received; and

(2) Notify us as soon as practicable.

You or any additional insured must see to it that we receive a written notice of the claim or "suit" as soon as practicable.

c. Assistance And Cooperation Of The Insured

You and any other involved insured must:

(1) Immediately send us copies of any demands, notices, summonses or legal papers received in connection with the claim or "suit";

(2) Authorize us to obtain records and other information;

(3) Cooperate with us in the investigation, settlement of the claim or defense against the "suit"; and

(4) Assist us, upon our request, in the enforcement of any right against any person or organization that may be liable to the insured because of injury or damage to which this insurance may also apply.

d. Obligations At The Insured's Own Cost

No insured will, except at that insured's own cost, voluntarily make a payment, assume any obligation, or incur any expense, other than for first aid, without our consent.

e. Additional Insured's Other Insurance

If we cover a claim or "suit" under this Coverage Part that may also be covered by other insurance available to an additional insured, such additional insured must submit such claim or "suit" to the other insurer for defense and indemnity.

However, this provision does not apply to the extent that you have agreed in a written contract, written agreement or permit that this insurance is primary and non-contributory with the additional insured's own insurance.

f. Knowledge Of An Occurrence, Offense, Claim Or Suit

Paragraphs **a.** and **b.** apply to you or to any additional insured only when such "occurrence", offense, claim or "suit" is known to:

(1) You or any additional insured that is an individual;

(2) Any partner, if you or an additional insured is a partnership;

(3) Any manager, if you or an additional insured is a limited liability company;

(4) Any "executive officer" or insurance manager, if you or an additional insured is a corporation;

(5) Any trustee, if you or an additional insured is a trust; or

(6) Any elected or appointed official, if you or an additional insured is a political subdivision or public entity.

This Paragraph **f.** applies separately to you and any additional insured.

3. Financial Responsibility Laws

a. When this policy is certified as proof of financial responsibility for the future under the provisions of any motor vehicle financial responsibility law, the insurance provided by the policy for "bodily injury" liability and "property damage" liability will comply with the provisions of the law to the extent of the coverage and limits of insurance required by that law.

b. With respect to "mobile equipment" to which this insurance applies, we will provide any liability, uninsured motorists, underinsured motorists, no-fault or other coverage required by any motor vehicle law. We will provide the required limits for those coverages.

4. Legal Action Against Us

No person or organization has a right under this Coverage Form:

a. To join us as a party or otherwise bring us into a "suit" asking for damages from an insured; or

b. To sue us on this Coverage Form unless all of its terms have been fully complied with.

A person or organization may sue us to recover on an agreed settlement or on a final judgment against an insured; but we will not be liable for damages that are not payable under the terms of this insurance or that are in excess of the applicable limit of insurance. An agreed settlement means a settlement and release of liability signed by us, the insured and the claimant or the claimant's legal representative.

5. Separation Of Insureds

Except with respect to the Limits of Insurance, and any rights or duties specifically assigned in this policy to the first Named Insured, this insurance applies:

a. As if each Named Insured were the only Named Insured; and

b. Separately to each insured against whom a claim is made or "suit" is brought.

6. Representations

a. When You Accept This Policy

By accepting this policy, you agree:

(1) The statements in the Declarations are accurate and complete;

(2) Those statements are based upon representations you made to us; and

(3) We have issued this policy in reliance upon your representations.

b. Unintentional Failure To Disclose Hazards

If unintentionally you should fail to disclose all hazards relating to the conduct of your business at the inception date of this Coverage Part, we shall not deny any coverage under this Coverage Part because of such failure.

7. Other Insurance

If other valid and collectible insurance is available for a loss we cover under this Coverage Part, our obligations are limited as follows:

a. Primary Insurance

This insurance is primary except when **b.** below applies. If other insurance is also primary, we will share with all that other insurance by the method described in **c.** below.

b. Excess Insurance

This insurance is excess over any of the other insurance, whether primary, excess, contingent or on any other basis:

(1) Your Work

That is Fire, Extended Coverage, Builder's Risk, Installation Risk or similar coverage for "your work";

(2) Premises Rented To You

That is fire, lightning or explosion insurance for premises rented to you or temporarily occupied by you with permission of the owner;

(3) Tenant Liability

That is insurance purchased by you to cover your liability as a tenant for "property damage" to premises rented to you or temporarily occupied by you with permission of the owner;

(4) Aircraft, Auto Or Watercraft

If the loss arises out of the maintenance or use of aircraft, "autos" or watercraft to the extent not subject to Exclusion **g.** of Section **A.** – Coverages.

(5) Property Damage To Borrowed Equipment Or Use Of Elevators

If the loss arises out of "property damage" to borrowed equipment or the use of elevators to the extent not subject to Exclusion **k.** of Section **A.** – Coverages.

(6) When You Are Added As An Additional Insured To Other Insurance

That is other insurance available to you covering liability for damages arising out of the premises or operations, or products and completed operations, for which you have been added as an additional insured by that insurance; or

(7) When You Add Others As An Additional Insured To This Insurance

That is other insurance available to an additional insured.

However, the following provisions apply to other insurance available to any person or organization who is an additional insured under this Coverage Part:

(a) Primary Insurance When Required By Contract

This insurance is primary if you have agreed in a written contract, written agreement or permit that this insurance be primary. If other insurance is also primary, we will share with all that other insurance by the method described in **c.** below.

(b) Primary And Non-Contributory To Other Insurance When Required By Contract

If you have agreed in a written contract, written agreement or permit that this insurance is primary and non-contributory with the additional insured's own insurance, this insurance is primary and we will not seek contribution from that other insurance.

Paragraphs **(a)** and **(b)** do not apply to other insurance to which the additional insured has been added as an additional insured.

When this insurance is excess, we will have no duty under this Coverage Part to defend the insured against any "suit" if any other insurer has a duty to defend the insured against that "suit". If no other insurer defends, we will undertake to do so, but we will be entitled to the insured's rights against all those other insurers.

When this insurance is excess over other insurance, we will pay only our share of the amount of the loss, if any, that exceeds the sum of:

(1) The total amount that all such other insurance would pay for the loss in the absence of this insurance; and

(2) The total of all deductible and self-insured amounts under all that other insurance.

We will share the remaining loss, if any, with any other insurance that is not described in this Excess Insurance provision and was not bought specifically to apply in excess of the Limits of Insurance shown in the Declarations of this Coverage Part.

c. Method Of Sharing

If all the other insurance permits contribution by equal shares, we will follow this method also. Under this approach, each insurer contributes equal amounts until it has paid its applicable limit of insurance or none of the loss remains, whichever comes first.

If any of the other insurance does not permit contribution by equal shares, we will contribute by limits. Under this method, each insurer's share is based on the ratio of its applicable limit of insurance to the total applicable limits of insurance of all insurers.

8. Transfer Of Rights Of Recovery Against Others To Us

a. Transfer Of Rights Of Recovery

If the insured has rights to recover all or part of any payment, including Supplementary Payments, we have made under this Coverage Part, those rights are transferred to us. The insured must do nothing after loss to impair them. At our request, the insured will bring "suit" or transfer those rights to us and help us enforce them. This condition does not apply to Medical Expenses Coverage.

b. Waiver Of Rights Of Recovery (Waiver Of Subrogation)

If the insured has waived any rights of recovery against any person or organization for all or part of any payment, including Supplementary Payments, we have made under this Coverage Part, we also waive that right, provided the insured waived their rights of recovery against such person or organization in a contract, agreement or permit that was executed prior to the injury or damage.

F. OPTIONAL ADDITIONAL INSURED COVERAGES

If listed or shown as applicable in the Declarations, one or more of the following Optional Additional Insured Coverages also apply. When any of these Optional Additional Insured Coverages apply, Paragraph **6.** (Additional Insureds When Required by Written Contract, Written Agreement or Permit) of Section **C.**, Who Is An Insured, does not apply to the person or organization shown in the Declarations. These coverages are subject to the terms and conditions applicable to Business Liability Coverage in this policy, except as provided below:

1. **Additional Insured - Designated Person Or Organization**

   WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

   a. In the performance of your ongoing operations; or

   b. In connection with your premises owned by or rented to you.

2. **Additional Insured - Managers Or Lessors Of Premises**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured - Designated Person Or Organization; but only with respect to liability arising out of the ownership, maintenance or use of that part of the premises leased to you and shown in the Declarations.

   b. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

   This insurance does not apply to:

   (1) Any "occurrence" which takes place after you cease to be a tenant in that premises; or

   (2) Structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

3. **Additional Insured - Grantor Of Franchise**

   WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured - Grantor Of Franchise, but only with respect to their liability as grantor of franchise to you.

4. **Additional Insured - Lessor Of Leased Equipment**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Lessor of Leased Equipment, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person(s) or organization(s).

   b. With respect to the insurance afforded to these additional insureds, this insurance does not apply to any "occurrence" which takes place after you cease to lease that equipment.

5. **Additional Insured - Owners Or Other Interests From Whom Land Has Been Leased**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Owners Or Other Interests From Whom Land Has Been Leased, but only with respect to liability arising out of the ownership, maintenance or use of that part of the land leased to you and shown in the Declarations.

   b. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

   This insurance does not apply to:

   (1) Any "occurrence" that takes place after you cease to lease that land; or

   (2) Structural alterations, new construction or demolition operations performed by or on behalf of such person or organization.

6. **Additional Insured - State Or Political Subdivision – Permits**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the state or political subdivision shown in the Declarations as an Additional

Insured – State Or Political Subdivision - Permits, but only with respect to operations performed by you or on your behalf for which the state or political subdivision has issued a permit.

b. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to:

(1) "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the state or municipality; or

(2) "Bodily injury" or "property damage" included in the "product-completed operations" hazard.

7. Additional Insured – Vendors

a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) (referred to below as vendor) shown in the Declarations as an Additional Insured - Vendor, but only with respect to "bodily injury" or "property damage" arising out of "your products" which are distributed or sold in the regular course of the vendor's business and only if this Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

b. The insurance afforded to the vendor is subject to the following additional exclusions:

(1) This insurance does not apply to:

(a) "Bodily injury" or "property damage" for which the vendor is obligated to pay damages by reason of the assumption of liability in a contract or agreement. This exclusion does not apply to liability for damages that the vendor would have in the absence of the contract or agreement;

(b) Any express warranty unauthorized by you;

(c) Any physical or chemical change in the product made intentionally by the vendor;

(d) Repackaging, unless unpacked solely for the purpose of inspection, demonstration, testing, or the substitution of parts under instructions from the manufacturer, and then repackaged in the original container;

(e) Any failure to make such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products;

(f) Demonstration, installation, servicing or repair operations, except such operations performed at the vendor's premises in connection with the sale of the product;

(g) Products which, after distribution or sale by you, have been labeled or relabeled or used as a container, part or ingredient of any other thing or substance by or for the vendor; or

(h) "Bodily injury" or "property damage" arising out of the sole negligence of the vendor for its own acts or omissions or those of its employees or anyone else acting on its behalf. However, this exclusion does not apply to:

(i) The exceptions contained in Subparagraphs **(d)** or **(f)**; or

(ii) Such inspections, adjustments, tests or servicing as the vendor has agreed to make or normally undertakes to make in the usual course of business, in connection with the distribution or sale of the products.

(2) This insurance does not apply to any insured person or organization from whom you have acquired such products, or any ingredient, part or container, entering into, accompanying or containing such products.

8. Additional Insured – Controlling Interest

WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Controlling Interest, but only with respect to their liability arising out of:

a. Their financial control of you; or

b. Premises they own, maintain or control while you lease or occupy these premises.

This insurance does not apply to structural alterations, new construction and demolition operations performed by or for that person or organization.

9. **Additional Insured – Owners, Lessees Or Contractors – Scheduled Person Or Organization**

   a. WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or organization(s) shown in the Declarations as an Additional Insured – Owner, Lessees Or Contractors, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

      (1) In the performance of your ongoing operations for the additional insured(s); or

      (2) In connection with "your work" performed for that additional insured and included within the "products-completed operations hazard", but only if this Coverage Part provides coverage for "bodily injury" or "property damage" included within the "products-completed operations hazard".

   b. With respect to the insurance afforded to these additional insureds, this insurance does not apply to "bodily injury", "property damage" or "personal an advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

      (1) The preparing, approving, or failure to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

      (2) Supervisory, inspection, architectural or engineering activities.

10. **Additional Insured – Co-Owner Of Insured Premises**

    WHO IS AN INSURED under Section **C.** is amended to include as an additional insured the person(s) or Organization(s) shown in the Declarations as an Additional Insured – Co-Owner Of Insured Premises, but only with respect to their liability as co-owner of the premises shown in the Declarations.

The limits of insurance that apply to additional insureds are described in Section **D.** – Limits Of Insurance.

How this insurance applies when other insurance is available to an additional insured is described in the Other Insurance Condition in Section **E.** – Liability And Medical Expenses General Conditions.

G. LIABILITY AND MEDICAL EXPENSES DEFINITIONS

1. "Advertisement" means the widespread public dissemination of information or images that has the purpose of inducing the sale of goods, products or services through:

   a. **(1)** Radio;
      (2) Television;
      (3) Billboard;
      (4) Magazine;
      (5) Newspaper;

   b. The Internet, but only that part of a web site that is about goods, products or services for the purposes of inducing the sale of goods, products or services; or

   c. Any other publication that is given widespread public distribution.

   However, "advertisement" does not include:

   a. The design, printed material, information or images contained in, on or upon the packaging or labeling of any goods or products; or

   b. An interactive conversation between or among persons through a computer network.

2. "Advertising idea" means any idea for an "advertisement".

3. "Asbestos hazard" means an exposure or threat of exposure to the actual or alleged properties of asbestos and includes the mere presence of asbestos in any form.

4. "Auto" means a land motor vehicle, trailer or semi-trailer designed for travel on public roads, including any attached machinery or equipment. But "auto" does not include "mobile equipment".

5. "Bodily injury" means physical:

   a. Injury;

   b. Sickness; or

   c. Disease

   sustained by a person and, if arising out of the above, mental anguish or death at any time.

6. "Coverage territory" means:

a. The United States of America (including its territories and possessions), Puerto Rico and Canada;

b. International waters or airspace, but only if the injury or damage occurs in the course of travel or transportation between any places included in **a.** above;

c. All other parts of the world if the injury or damage arises out of:

(1) Goods or products made or sold by you in the territory described in **a.** above;

(2) The activities of a person whose home is in the territory described in **a.** above, but is away for a short time on your business; or

(3) "Personal and advertising injury" offenses that take place through the Internet or similar electronic means of communication

provided the insured's responsibility to pay damages is determined in the United States of America (including its territories and possessions), Puerto Rico or Canada, in a "suit" on the merits according to the substantive law in such territory, or in a settlement we agree to.

7. "Electronic data" means information, facts or programs:

a. Stored as or on;

b. Created or used on; or

c. Transmitted to or from

computer software, including systems and applications software, hard or floppy disks, CD-ROMS, tapes, drives, cells, data processing devices or any other media which are used with electronically controlled equipment.

8. "Employee" includes a "leased worker". "Employee" does not include a "temporary worker".

9. "Executive officer" means a person holding any of the officer positions created by your charter, constitution, by-laws or any other similar governing document.

10. "Hostile fire" means one which becomes uncontrollable or breaks out from where it was intended to be.

11. "Impaired property" means tangible property, other than "your product" or "your work", that cannot be used or is less useful because:

a. It incorporates "your product" or "your work" that is known or thought to be defective, deficient, inadequate or dangerous; or

b. You have failed to fulfill the terms of a contract or agreement;

if such property can be restored to use by:

a. The repair, replacement, adjustment or removal of "your product" or "your work"; or

b. Your fulfilling the terms of the contract or agreement.

12. "Insured contract" means:

a. A contract for a lease of premises. However, that portion of the contract for a lease of premises that indemnifies any person or organization for damage by fire, lightning or explosion to premises while rented to you or temporarily occupied by you with permission of the owner is subject to the Damage To Premises Rented To You limit described in Section **D.** – Liability and Medical Expenses Limits of Insurance.

b. A sidetrack agreement;

c. Any easement or license agreement, including an easement or license agreement in connection with construction or demolition operations on or within 50 feet of a railroad;

d. Any obligation, as required by ordinance, to indemnify a municipality, except in connection with work for a municipality;

e. An elevator maintenance agreement; or

f. That part of any other contract or agreement pertaining to your business (including an indemnification of a municipality in connection with work performed for a municipality) under which you assume the tort liability of another party to pay for "bodily injury" or "property damage" to a third person or organization, provided the "bodily injury" or "property damage" is caused, in whole or in part, by you or by those acting on your behalf. Tort liability means a liability that would be imposed by law in the absence of any contract or agreement.

Paragraph **f.** includes that part of any contract or agreement that indemnifies a railroad for "bodily injury" or "property damage" arising out of construction or demolition operations within 50 feet of any railroad property and affecting any railroad bridge or trestle, tracks, road-beds, tunnel, underpass or crossing.

However, Paragraph **f.** does not include that part of any contract or agreement:

(1) That indemnifies an architect, engineer or surveyor for injury or damage arising out of:

(a) Preparing, approving or failing to prepare or approve maps, shop drawings, opinions, reports, surveys, field orders, change orders, designs or drawings and specifications; or

(b) Giving directions or instructions, or failing to give them, if that is the primary cause of the injury or damage; or

(2) Under which the insured, if an architect, engineer or surveyor, assumes liability for an injury or damage arising out of the insured's rendering or failure to render professional services, including those listed in **(1)** above and supervisory, inspection, architectural or engineering activities.

13. "Leased worker" means a person leased to you by a labor leasing firm under an agreement between you and the labor leasing firm, to perform duties related to the conduct of your business. "Leased worker" does not include a "temporary worker".

14. "Loading or unloading" means the handling of property:

a. After it is moved from the place where it is accepted for movement into or onto an aircraft, watercraft or "auto";

b. While it is in or on an aircraft, watercraft or "auto"; or

c. While it is being moved from an aircraft, watercraft or "auto" to the place where it is finally delivered;

but "loading or unloading" does not include the movement of property by means of a mechanical device, other than a hand truck, that is not attached to the aircraft, watercraft or "auto".

15. "Mobile equipment" means any of the following types of land vehicles, including any attached machinery or equipment:

a. Bulldozers, farm machinery, forklifts and other vehicles designed for use principally off public roads;

b. Vehicles maintained for use solely on or next to premises you own or rent;

c. Vehicles that travel on crawler treads;

d. Vehicles, whether self-propelled or not, on which are permanently mounted:

(1) Power cranes, shovels, loaders, diggers or drills; or

(2) Road construction or resurfacing equipment such as graders, scrapers or rollers;

e. Vehicles not described in **a.**, **b.**, **c.**, or **d.** above that are not self-propelled and are maintained primarily to provide mobility to permanently attached equipment of the following types:

(1) Air compressors, pumps and generators, including spraying, welding, building cleaning, geophysical exploration, lighting and well servicing equipment; or

(2) Cherry pickers and similar devices used to raise or lower workers;

f. Vehicles not described in **a.**, **b.**, **c.**, or **d.** above maintained primarily for purposes other than the transportation of persons or cargo.

However, self-propelled vehicles with the following types of permanently attached equipment are not "mobile equipment" but will be considered "autos":

(1) Equipment, of at least 1,000 pounds gross vehicle weight, designed primarily for:

(a) Snow removal;

(b) Road maintenance, but not construction or resurfacing; or

(c) Street cleaning;

(2) Cherry pickers and similar devices mounted on automobile or truck chassis and used to raise or lower workers; and

(3) Air compressors, pumps and generators, including spraying, welding, building cleaning, geophysical exploration, lighting and well servicing equipment.

16. "Occurrence" means an accident, including continuous or repeated exposure to substantially the same general harmful conditions.

17. "Personal and advertising injury" means injury, including consequential "bodily injury", arising out of one or more of the following offenses:

a. False arrest, detention or imprisonment;

b. Malicious prosecution;

c. The wrongful eviction from, wrongful entry into, or invasion of the right of private occupancy of a room, dwelling or premises that the person occupies, committed by or on behalf of its owner, landlord or lessor;

d. Oral, written or electronic publication of material that slanders or libels a person or organization or disparages a person's or organization's goods, products or services;

e. Oral, written or electronic publication of material that violates a person's right of privacy;

f. Copying, in your "advertisement", a person's or organization's "advertising idea" or style of "advertisement";

g. Infringement of copyright, slogan, or title of any literary or artistic work, in your "advertisement"; or

h. Discrimination or humiliation that results in injury to the feelings or reputation of a natural person.

18. "Pollutants" means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals and waste. Waste includes materials to be recycled, reconditioned or reclaimed.

19. "Products-completed operations hazard";

a. Includes all "bodily injury" and "property damage" occurring away from premises you own or rent and arising out of "your product" or "your work" except:

(1) Products that are still in your physical possession; or

(2) Work that has not yet been completed or abandoned. However, "your work" will be deemed to be completed at the earliest of the following times:

(a) When all of the work called for in your contract has been completed.

(b) When all of the work to be done at the job site has been completed if your contract calls for work at more than one job site.

(c) When that part of the work done at a job site has been put to its intended use by any person or organization other than another contractor or subcontractor working on the same project.

Work that may need service, maintenance, correction, repair or replacement, but which is otherwise complete, will be treated as completed.

The "bodily injury" or "property damage" must occur away from premises you own or rent, unless your business includes the selling, handling or distribution of "your product" for consumption on premises you own or rent.

b. Does not include "bodily injury" or "property damage" arising out of:

(1) The transportation of property, unless the injury or damage arises out of a condition in or on a vehicle not owned or operated by you, and that condition was created by the "loading or unloading" of that vehicle by any insured; or

(2) The existence of tools, uninstalled equipment or abandoned or unused materials.

20. "Property damage" means:

a. Physical injury to tangible property, including all resulting loss of use of that property. All such loss of use shall be deemed to occur at the time of the physical injury that caused it; or

b. Loss of use of tangible property that is not physically injured. All such loss of use shall be deemed to occur at the time of "occurrence" that caused it.

As used in this definition, "electronic data" is not tangible property.

21. "Suit" means a civil proceeding in which damages because of "bodily injury", "property damage" or "personal and advertising injury" to which this insurance applies are alleged. "Suit" includes:

a. An arbitration proceeding in which such damages are claimed and to which the insured must submit or does submit with our consent; or

b. Any other alternative dispute resolution proceeding in which such damages are claimed and to which the insured submits with our consent.

22. "Temporary worker" means a person who is furnished to you to substitute for a permanent "employee" on leave or to meet seasonal or short-term workload conditions.

23. "Volunteer worker" means a person who:

a. Is not your "employee";

b. Donates his or her work;

c. Acts at the direction of and within the scope of duties determined by you; and

d. Is not paid a fee, salary or other compensation by you or anyone else for their work performed for you.

24. "Your product":

a. Means:

(1) Any goods or products, other than real property, manufactured, sold, handled, distributed or disposed of by:

(a) You;

(b) Others trading under your name; or

(c) A person or organization whose business or assets you have acquired; and

(2) Containers (other than vehicles), materials, parts or equipment furnished in connection with such goods or products.

b. Includes:

(1) Warranties or representations made at any time with respect to the fitness, quality, durability, performance or use of "your product"; and

(2) The providing of or failure to provide warnings or instructions.

c. Does not include vending machines or other property rented to or located for the use of others but not sold.

25. "Your work":

a. Means:

(1) Work or operations performed by you or on your behalf; and

(2) Materials, parts or equipment furnished in connection with such work or operations.

b. Includes:

(1) Warranties or representations made at any time with respect to the fitness, quality, durability, performance or use of "your work"; and

(2) The providing of or failure to provide warnings or instructions.

REQUEST FOR LEGAL SERVICES

To: County Attorney's Office Attention:
Noah Milov

From: Rob Williams **Drawer No.** PW05

Date: 10/02/2025 **Phone Ext.** (863) 344-0661

Request details:
Legal review of proposed CSA for design of new Willow Oak Fire Rescue Station.
CSA #2021-032-08

Please indicate any time limits involved and attach all necessary documentation

For County Attorney Office use only:
Assign to: Noah Milov Date: 10/3/25

County Attorney Project No. 25-652
Logged Out: 10/7/2025

CONSULTANT APPROVAL FORM

CPO: If Consultant fee is under $50,000 & construction is under $250,000
CSA: If Construction is under $7,500,000;
OR for study activity if consultant fee is under $500,000- (FS 287.055 CCNA)

CPO/CSA #: 2021-032-08 (Assigned by Procurement)

To be completed by the requesting Division:

Date: 9/18/2025 Division: Facilities Management

Project Manager's Name: Rob Williams Phone #: (863) 344-0661

Project Name: Willow Oak Fire Rescue Station

Total Project Budget: $4,436,000 Project # 2900042

Estimate of Construction Cost: $3,670,000

Proposed Consultant: CMHM Architects Fee: $207,090.00

Master Consultant Agreement #2021-032

Attach Scope of Services Proposed by the Consultant (Exhibit "A")

Approved By: _____ Date 9/22/25
Division Director/Designee

Procurement Division

Date Received: 9/30/25 Date Reviewed by Analyst: 10/2/25

Approved by: _____
(Procurement Director/Designee)

County Attorney's Office (Required for all CSA's)

Date Received: 9/30/25 Date Reviewed: 10/7/2025

Approved by: _____
(County Attorney Office Signature)

County Manager's Office (Required if consultant fee is greater than $100,000)

Date Received: _____ Date Reviewed: 10/9/25

Approved by: _____
(County Manager Office Signature)

Additional Attachments: number of days to complete project, not to exceed/lump sum amount, justification for consultant selected, fee schedule, and Professional Liability COI (COI applicable to CSA only, description field must be project specific (contract requirement)).

Revised: 6/28/24(KB)

Selection Procedure for Consultants with Continuing Contracts
CCNA Continuing Contracts Justification Form

Please submit this form along with any Original CSA/CPO Consultant Approval Form

Division: Facilities Management
Project Manager: Rob Williams

Step 1:

Review list for appropriate Expertise, Experience, and Personnel (List all consultants awarded a master agreement under the RFP)

Consultant	Expertise	Experience	Personnel	Elevated for Consideration (Y/N)
Borelli & Partners, Inc.	Yes	Yes	Yes	Yes
Clemons, Rutherford & Associates	Yes	Yes	Yes	Yes
Furr & Wegman	Yes	Yes	Yes	Yes
Heery International	Yes	Yes	Yes	Yes
Curtis Mundy Hunnicut Associates Architects, Inc. (CMHM)	Yes	Yes	Yes	Yes
Lunz Prebor & Fowler	Yes	Yes	Yes	Yes
Straughn Trout Architects	Yes	Yes	Yes	Yes

State justification for each firm NOT elevated and why:

Step 2:

Past performance on similar projects satisfactory (List all consultants elevated from Step 1)

Consultant	Has past performance been satisfactory (Y/N)	Elevated for Consideration(Y/N)
Borelli & Partners, Inc.	Yes	Yes
Clemons, Rutherford & Associates	Yes	Yes
Furr & Wegman	Yes	Yes
Heery International	Yes	Yes
Curtis Mundy Hunnicut Associates Architects, Inc. (CMHM)	Yes	Yes
Lunz Prebor & Fowler	Yes	Yes
Straughn Trout Architects	Yes	Yes

State justification for each firm NOT elevated and why:

Step 3:

Total amount of money the County has contracted with each Consultant elevated to Step 2 during the last 24 months.

Consultant	Contracted Amount	Elevated (Y/N)
Borelli & Partners, Inc.	$ 172,579.50	N
Clemons, Rutherford & Associates	$ 242,845.00	N
Furr & Wegman	$ 89,970.00	N
Heery International/SLAM	$ 267,670.00	N
Curtis Mundy Hunnicut Associates Architects, Inc. (CMHM)	$ 316,200.00	Y
Lunz Prebor & Fowler	$ 23,000.00	N
Straughn Trout Architects	$ 168,376.00	N

Step 4:

State justification, if the chosen consultant does not have the least amount of contract obligation.

Recommendation: Consider to approve CMHM to provide architectural and related engineering services for a new Fire Rescue Station building prototype due to re-use of Lakeland Hills EMS design, prior known experience and expertise of staff to provide practical, budget conscious, and comprehensive design.

Agenda Item K.1. 11/4/2025

SUBJECT

Appoint Ashley Loute to the Polk County Lakes Access Advisory Committee for the three-year term, November 17, 2025, to November 16, 2028.

DESCRIPTION

Purpose: To study how to increase public access to the lakes within Polk County, and report findings and recommendations back to the Board.

Creating Authority: Resolution No. 09-217 adopted November 17, 2009, creating the Polk County Lakes Access Advisory Committee as a standing committee; providing for staggered membership terms; repealing Polk County Resolution No. 08-057, adopted May 7, 2008; and providing for operation of the committee.

Appointments: The Committee shall consist of 10 members appointed by the Polk County Board of County Commissioners as follows: each Commissioner of the Board shall appoint two members to the Committee.

Term Limits: Members appointed to the Committee shall serve a term of three years. Reappointment for one additional term is permitted (Resolution 16.07-023). In the event of a vacancy of any member during a term of office, the Commissioner for the District assigned to make the appointment for that member's position shall appoint a successor member, subject to approval of the Board, to serve for the remainder of the unexpired term. Members shall serve at the pleasure of the Board and may be removed without cause at any time.

Reason for Appointment: Expiration of David Bannister's term.

RECOMMENDATION

Appoint Ashley Loute to the Polk County Lakes Access Advisory Committee for the three-year term, November 17, 2025, to November 16, 2028.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Ana C. Pereira, Executive Assistant of the Board

AnaPereira@polk-county.net <mailto:AnaPereira@polk-county.net>
(863)534-6049

ASHLEY LOUTE

ashleydloute@gmail.com | (863) 812-9238 | https://www.linkedin.com/in/ashley-loute/ | Lakeland, FL

PROFESSIONAL SUMMARY

To apply 10+ years of nonprofit executive leadership experience managing **$1M+** operations, supervising cross-functional teams of 10+, and **stewarding $10M+** in assets toward an Executive level role. Skilled in financial strategy, organizational culture, advocacy, and resource development, with a proven record of **reducing expenses over 10% annually, raising $500K+ annually**, and **securing $4M** in public funding to expand impact and sustainability.

WORK EXPERIENCE

Boys & Girls Clubs of Polk County | Mulberry, FL | October 2019 – September 2025
Vice President of Assets

- Navigated a **major organizational merger in 2019**, growing the organization from **$1.2M to $9M** in annual revenue within five years.
- Specialized in **turnaround leadership** by taking over underperforming departments (HR, Finance) and rebuilding them into efficient, high-performing teams.
- Overhauled HR operations, implementing new systems and leadership pipelines that **increased retention by 25%.**
- Reengineered Finance operations, instituting internal controls, modern reporting systems, and a full restructuring that **improved budget efficiency by 20%.**
- Secured **$4M in state appropriations** and managed **$10M+ in grants, tax credits, and campaigns** to fuel expansion and sustainability.
- **Directed $5M renovation and $3M new construction projects**, overseeing permitting, compliance, and community stakeholder alignment.

Director of Finance & Administration

- Directed all HR compliance, payroll, benefits administration, and risk management across a 175+ employee workforce.
- Implemented a self-insured benefits program and renegotiated vendor contracts, reducing insurance costs and **improving cash flow by 10%** annually.
- Built and deployed real-time HR and financial reporting systems, improving workforce analytics and executive decision-making.
- Oversaw leave management, FMLA compliance, and worker's compensation audits, achieving a **lower workers' comp rating** and improving compliance outcomes.
- Partnered with the Board to strengthen compensation governance and ensure alignment with strategic goals.

Director of Administration

- Led digital transformation efforts, **integrating HRIS (Paycom), Bloomerang Donor CRM, and QGiv payment processing** to streamline payroll, benefits, and donor transactions.
- Transitioned IT support to an outsourced MSP, ensuring secure, reliable systems that supported HR and finance compliance needs.
- Improved recruitment and onboarding pipelines, **reducing time-to-hire by 30%** and aligning compensation offers with market benchmarks.
- Coordinated benefits orientations, compliance reporting, and employee wellness campaigns to strengthen overall workforce experience.

Publix Supermarkets, Inc. | Lakeland, FL
Loss Prevention Specialist | 2017 – 2019

- Managed **inventory data, compliance reporting, and shrink analysis** for a multi-billion-dollar retailer, ensuring accuracy and accountability across multiple departments.
- Led **audits, internal investigations, and risk assessments**, reducing operational shrink and strengthening financial accountability.
- Conducted and **led CCTV investigations**, partnering with law enforcement to address theft, fraud, and security risks.
- Served as the **liaison between security, operations, IT, and administration**, coordinating responses to incidents and ensuring compliance with company policies and external regulations.
- Partnered with **fire and law enforcement agencies** on safety protocols, investigations, and crisis response planning.
- Strengthened organizational **loss prevention policies and internal controls**, increasing compliance and reducing risk exposure across multiple business units.

EDUCATION

Master's in Executive Leadership, Southeastern University — April 2026
- Robert W. Woodruff Scholar, Boys & Girls Clubs of America

Bachelor's in Humanitarian Compassion, Southeastern University — June 2024
- Deans List, 2022, 2023
- 2x published author in the Oracle Journal

EXECUTIVE LEADERSHIP EDUCATION & OPPORTUNITIES

LeadershipNEXT Emerging Leaders Cohort, Boys & Girls Clubs of America — 2023-2024

Advanced Women in Leadership Certificate, Florida Southern College — 2023

Southeast Regional Conference Committee, Boys & Girls Clubs of America — 2024-2025

Florida Regional All-Staff Training Committee, Boys & Girls Clubs of Florida — 2025

CERTIFICATIONS

Notary Public, State of Florida — 2028

COMMUNITY INVOLVEMENT

- **Lakeland South Rotary Club**
  - Board of Directors, Public Relations Chair
- **Sheriff's Office Advisory Council**
- **Lakeland Chamber of Commerce**
  - Chamber Ambassador, Advocacy Committee Member
- **United Way of Central Florida**
  - Directors Council, Young Leaders Society
- **Leadership Lakeland Class XLI**
- **Junior League of Greater Lakeland**
  - SPAC (Advocacy Committee), Funding Committee

Agenda Item N.1. 11/4/2025

SUBJECT

Public Hearing (LDCPAL 2025-4-EAR Based Comp Plan, CPA) (Adoption Hearing) to consider a Large-Scale Comprehensive Plan Amendment to change several policies in all Comprehensive Plan elements per the requirements of Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR). (No Fiscal Impact)

DESCRIPTION

This is a County-initiated request for a Comprehensive Plan text amendment required by Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR). The changes reflect a minimum planning period of at least ten (10) years; changes in state requirements since the County's last EAR adoption in 2010; updates to the Historic Preservation policies and Historical Resources Map; and updates to the Infrastructure Element for septic to sewer feasibility.

State law requires one Planning Commission hearing, which was held on June 4, 2025, with a recommendation for approval (Vote 6:0). This is the adoption hearing. This request was transmitted to the Florida Department of Commerce on July 15, 2025 with one objection and two comments provided with their Objections, Comments, and Recommendations Report dated September 23, 2025 (Polk CO. 25-04ER).

RECOMMENDATION

Adopt

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Chanda Bennett, AICP, CPM

Comprehensive Planning Administrator

Land Development Division

863-534-6484

chandabennett@polk-county.net <mailto:chandabennett@polk-county.net>

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

ID #:	N/A
DRC Date:	May 15, 2025
Planning Commission Date:	June 4, 2025
BoCC Dates:	July 15, 2025 (Transmittal), and November 4, 2025
Applicant:	Polk County Land Development Division
Level of Review:	Level 4 Review, Comprehensive Plan Text Amendment
Case Number and Name:	LDCPAL-2025-4 EAR Based Comp Plan Text Amendment
Request:	Change several policies in all Comprehensive Plan elements per the requirements of Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR), to reflect a minimum planning period of at least ten (10) years; to reflect changes in state requirements since the County's last EAR; update the Historic Preservation policies and Historical Resources Map; and, update the Infrastructure Element for septic to sewer feasibility.
Location:	N/A
Property Owner:	N/A
Parcel Size:	N/A
Development Area/Overlays:	N/A
Future Land Use:	N/A
Nearest Municipality	N/A
DRC Recommendation:	Approval
Planning Commission Vote:	Approval 6/0
Case Planner:	Chanda Bennett, Comprehensive Planning Administrator
Florida Commerce:	Polk CO. 25-4ER – 1 objection and 2 comments

Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR), requires updates to Comprehensive Plans every 7 years to reflect a minimum planning period of at least ten (10) years and to reflect changes in state requirements since the County's last EAR. The proposed changes are for all elements of the Comprehensive Plan except four because updates based on the EAR are not necessary. Additional changes to the Comprehensive Plan include an update of the Historic Preservation policies and Historical Resources Map and modifications to the Infrastructure Element for septic to sewer feasibility.

Summary of Analysis

This is a staff-initiated amendment, pursuant to the requirements of Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR), to reflect a minimum planning period of at least ten (10) years and to reflect changes in state requirements since the County's last EAR. In addition, the changes include modifications to the Historic Preservation policies and Septic to Sewer feasibility, in the Infrastructure Element. The changes have been made to the following elements.

Chapter 1 – General

- **Divisions 1.100 to 1.400 General**

Chapter 2 – Development Policies

- **Division 2.100 – Future Land Use designation**
- **Appendix 2.130 – DRI and Pre DRI Selected Area Plans**
- **Appendix 2.131 – Adopted Selected Area Plans**
- **Appendix 2.132 – Critical Area Resource Management Plan**
- **Appendix 2.133 - Individual Settlement Agreements**
- **Appendix 2.134 - Adopted Neighborhood Plans (**no changes**)**
- **Appendix 2.135 Parcel Specific Future Land Use Map Amendments (**no changes**)**

- **Division 2.200 – Housing Element**
- **Division 2.300 - Conservation Element**
- **Division 2.400 – Economic Element (**no changes**)**
- **Division 2.500 – Property Rights Element (**no changes**)**

Chapter 3 – Public Facilities Policies

- **Division 3.100 – Infrastructure Element (**Includes septic to sewer changes**)**
- **Division 3.200 – Transportation Element**
- **Division 3.300 - Mass Transit Element** (No longer part of Plan as it was combined with Transportation Element with first EAR**)**
- **Division 3.400 – Aviation Facilities Element (**No longer part Plan as combined with Transportation Element with first EAR**)**
- **Division 3.500 – Recreation and Open Space Element**
- **Division 3.600 – Public School Facilities Element**

Chapter 4 – Implementation

- **Division 4.100 – Intergovernmental Coordination Element**
- **Division 4.200 – Capital Improvements Element**
- **Division 4.300 – Administrative Provisions**
- **Division 4.400 – Glossary**

Findings of Fact

- This is a County-initiated request to amend the following elements of the Comprehensive Plan pursuant to the requirements of Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR), to reflect a minimum planning period of at least ten (10) years; to reflect changes in state requirements since the County's last EAR; update the Historic Preservation policies; and, update the Infrastructure Element for septic to sewer feasibility:

  - Chapter 1 – General
    - Divisions 1.100 to 1.400 General

  - Chapter 2 – Development Policies
    - Division 2.100 – Future Land Use designation
    - Appendix 2.130 – DRI and Pre DRI Selected Area Plans
    - Appendix 2.131 – Adopted Selected Area Plans
    - Appendix 2.132 – Critical Area Resource Management Plan
    - Appendix 2.133 - Individual Settlement Agreements

  - Division 2.200 – Housing Element
  - Division 2.300 - Conservation Element

  - Chapter 3 – Public Facilities Policies
    - Division 3.100 – Infrastructure Element (Includes septic to sewer changes)
    - Division 3.200 – Transportation Element
    - Division 3.500 – Recreation and Open Space Element
    - Division 3.600 – Public School Facilities Element

  - Chapter 4 – Implementation
    - Division 4.100 – Intergovernmental Coordination Element
    - Division 4.200 – Capital Improvements Element
    - Division 4.300 – Administrative Provisions
    - Division 4.400 – Glossary

- Florida Statutes 163.3191, Evaluation and Appraisal Report (EAR), requires a Comprehensive Plan to be updated every seven years to reflect a minimum planning period of at least ten (10) years and to reflect changes in state requirements since the County's last EAR.

- December 5, 2023, The Board of County Commissioners adopted Ordinance 2023-076, Certified Local Government for Historic Preservation.

- Pursuant to Section 163.3 l 77(6)(c)3, F.S., local governments are required to consider the feasibility of providing sanitary sewer services to any developments of more than 50 built or unbuilt lots with a density of more than one OSTDS per acre and identify the wastewater facilities (name and location) that could receive sanitary sewer flows after connection by

July 1, 2024. This section must address the current capacity of the identified wastewater facilities and any transmission facilities as well as the projected wastewater flows for the next 20 years, including expected future new construction and connections of OSTDSs to sanitary sewer. Additionally, the element must include a timeline for the construction of any sanitary sewer determined to be feasible.

- The County was unable to gather information from other city utilities providing wastewater in unincorporated Polk County by the July deadline. The Florida Department of Environmental Protection allowed the County to further meet this requirement by the time of the County's EAR transmittal.

- The County submitted a letter data October 22, 2024, stating that the County will accomplish the following with the submittal of the EAR:
    - Identify all communities with developments of more than 50 built or unbuilt lots with a density of more than one (1) OSTDS per acre;
    - Identify applicable utility service areas for these developments;
    - Identify the current and 10-year projected capacity of the wastewater treatment facilities managed by Polk County;
    - Evaluate feasibility to connect the identified developments to public sewer.

- Polk County submitted a letter to Florida Commerce on July 30, 2024 stating that the County is notifying the Florida Department of Commerce that Polk County intends to transmit an update to its Comprehensive Plan by August 1, 2025, to reflect an updated planning horizon and make changes based on changes in state law.

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-2025-4.**

Planning Commission Recommendation: On June 4, 2025, in an advertised public hearing, the Planning Commission voted (6:0) to **recommend APPROVAL of LDCPAL-2025-4.**

Department of Florida Commerce Objections, Comments and Recommendations Report (ORC) – Polk CO.25-4ER – Dated September 23, 2025: Florida Commerce has provided one objection and two comments. The ORC report is attached under separate cover. In addition, staff has worked with Inspire Placemaking Collective, Inc working with the County on the Comprehensive Plan update to provide a joint staff response to Florida Commerce. This is also attached under separate cover.

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:

All Elements except Appendix 2.135, Parcel Specific Future Land Use Map Amendments; Division 2.400, Economic Element; and, Division 2.5, Property Rights Element were amended to update the horizon year where appliable, dates, statutory references, and agency names. Specific changes by element are as follows:

- Chapter 1 – General
  - Divisions 1.100 to 1.400 General
    - **Changes to the General section** include population project updates horizon year, dates, statutory references, and agency names

- Chapter 2 – Development Policies
  - Division 2.100 – Future Land Use designation
  - Appendix 2.130 – DRI and Pre DRI Selected Area Plans
  - Appendix 2.131 – Adopted Selected Area Plans
  - Appendix 2.132 – Critical Area Resource Management Plan
  - Appendix 2.133 - Individual Settlement Agreements
    - **Changes to the Elements in Chapter 2** include updated reference to community vision, added references and policies for specialized uses (floating solar facilities, public utilities, fuel terminals), and added policies for historic preservation

- Division 2.200 – Housing Element
  - **Changes to Housing Element** include removing language on historic resources as covered in Future Land Use element.
- Division 2.300 - Conservation Element
  - **Changes to Conservation Element** are the general modifications previously mentioned.

- Chapter 3 – Public Facilities Policies
  - Division 3.100 – Infrastructure Element
    - **Changes to the Infrastructure Element** include removing historic solid waste capacity table (1990-2020) and added current level of service (8.25lbs/capita/day), and adding policies on the septic to sewer feasibility analysis. See separate attachment titled "Technical Memorandum" prepared by Dewberry Engineers Inc. regarding a Septic Remediation Plan with a detailed feasibility analysis.
  - Division 3.200 – Transportation Element
    - **Changes to the Transportation Element** include general modifications previously mentioned.

- Division 3.500 – Recreation and Open Space Element
  - **Changes to the Recreation and Open Space Element** include the general modifications previously mentioned.
- Division 3.600 – Public School Facilities Element
  - **Changes to the Public School Facilities Element** included added statutory language regarding proportionate share mitigation

- Chapter 4 – Implementation
  - Division 4.100 – Intergovernmental Coordination Element
    - **Changes to Intergovernmental Coordination Element** include general modifications previously mentioned.
  - Division 4.200 – Capital Improvements Element
    - **Changes to Capital Improvements Element** include removing outdated level-of-service language, statistics, and project references
  - Division 4.300 – Administrative Provisions
    - **Changes to Administrative Provisions** include general modifications previously mentioned.
  - Division 4.400 – Glossary
    - **Changes to the Glossary** include statutory updates to definitions.

Comparisons to other Jurisdictions:

The changes to the Comprehensive Plan are based on the experience of the consultant, Inspire Placemaking Consultant, in updating other jurisdictions throughout the state in regarding to the Evaluation and Appraisal Report.

Limits of the Proposed Ordinances

The scope of the amendment will apply to those elements of the Comprehensive Plan need updating due to changes in state law since the last EAR as well update the Historic Preservation policies due to the Certified Local Government Ordinance being adopted and the septic to sewer feasiblity analysis.

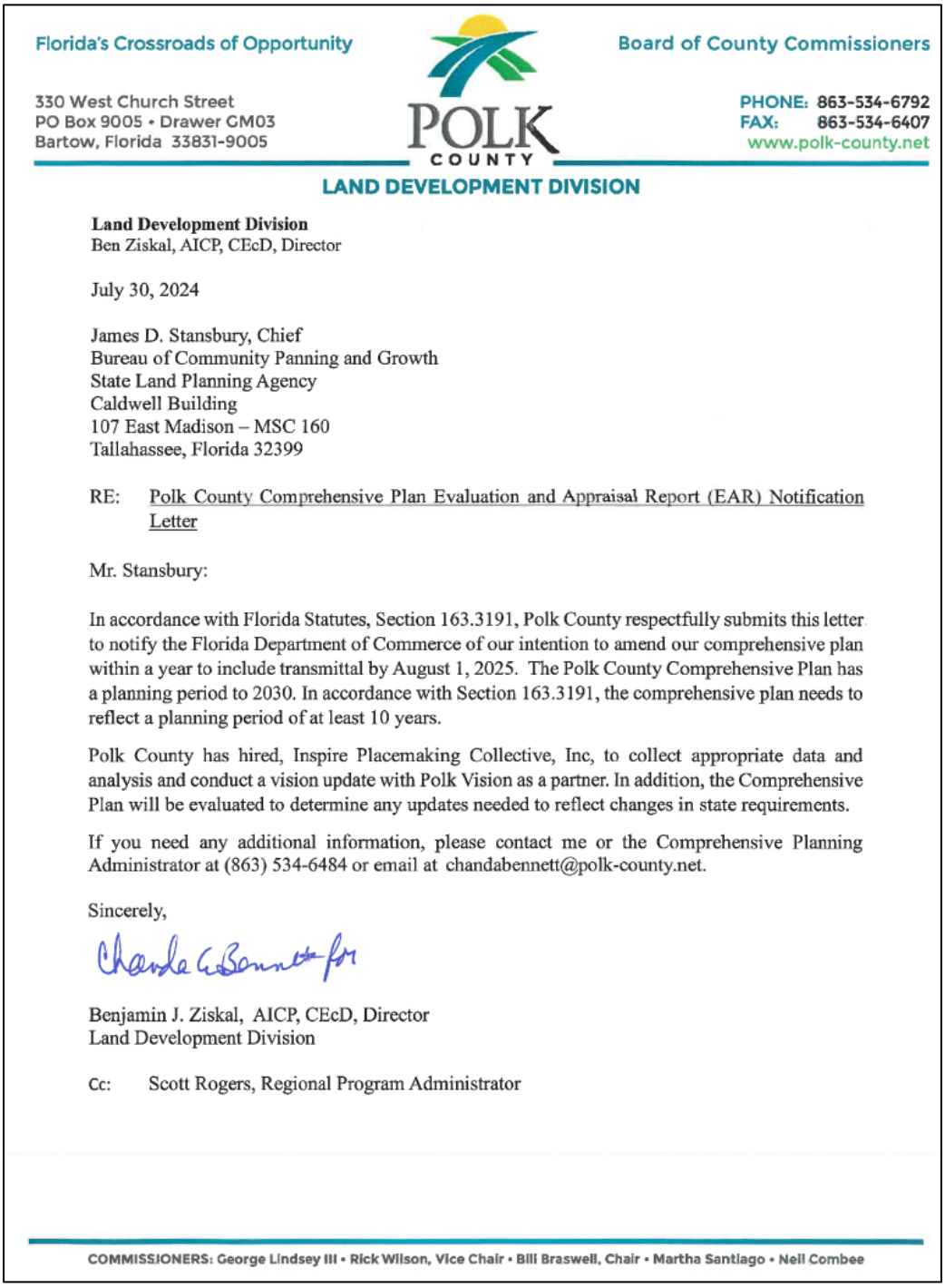
Comments from Other Agencies: None

Exhibits:

Exhibit 1 EAR Letter
Exhibit 2 Septic to Sewer Letter
Exhibit 3 Historic Preservation Map update

Separate attachment

- Draft Ordinance with proposed text
- Application information
- Polk County 2050 Comprehensive Plan Evaluation and Appraisal Report Data and Analysis Memorandum
- CLG Ordinance Separate attachment
- Polk County FL Statutes Matrix
- Technical Memorandum prepared by Dewberry Engineers Inc. regarding a Septic Remediation Plan



Florida's Crossroads of Opportunity

Board of County Commissioners

330 West Church Street
PO Box 9005 • Drawer GM03
Bartow, Florida 33831-9005

PHONE: 863-534-6792
FAX: 863-534-6407
www.polk-county.net

POLK COUNTY

LAND DEVELOPMENT DIVISION

Land Development Division
Ben Ziskal, AICP, CEcD, Director

July 30, 2024

James D. Stansbury, Chief
Bureau of Community Panning and Growth
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, Florida 32399

RE: Polk County Comprehensive Plan Evaluation and Appraisal Report (EAR) Notification Letter

Mr. Stansbury:

In accordance with Florida Statutes, Section 163.3191, Polk County respectfully submits this letter to notify the Florida Department of Commerce of our intention to amend our comprehensive plan within a year to include transmittal by August 1, 2025. The Polk County Comprehensive Plan has a planning period to 2030. In accordance with Section 163.3191, the comprehensive plan needs to reflect a planning period of at least 10 years.

Polk County has hired, Inspire Placemaking Collective, Inc, to collect appropriate data and analysis and conduct a vision update with Polk Vision as a partner. In addition, the Comprehensive Plan will be evaluated to determine any updates needed to reflect changes in state requirements.

If you need any additional information, please contact me or the Comprehensive Planning Administrator at (863) 534-6484 or email at chandabennett@polk-county.net.

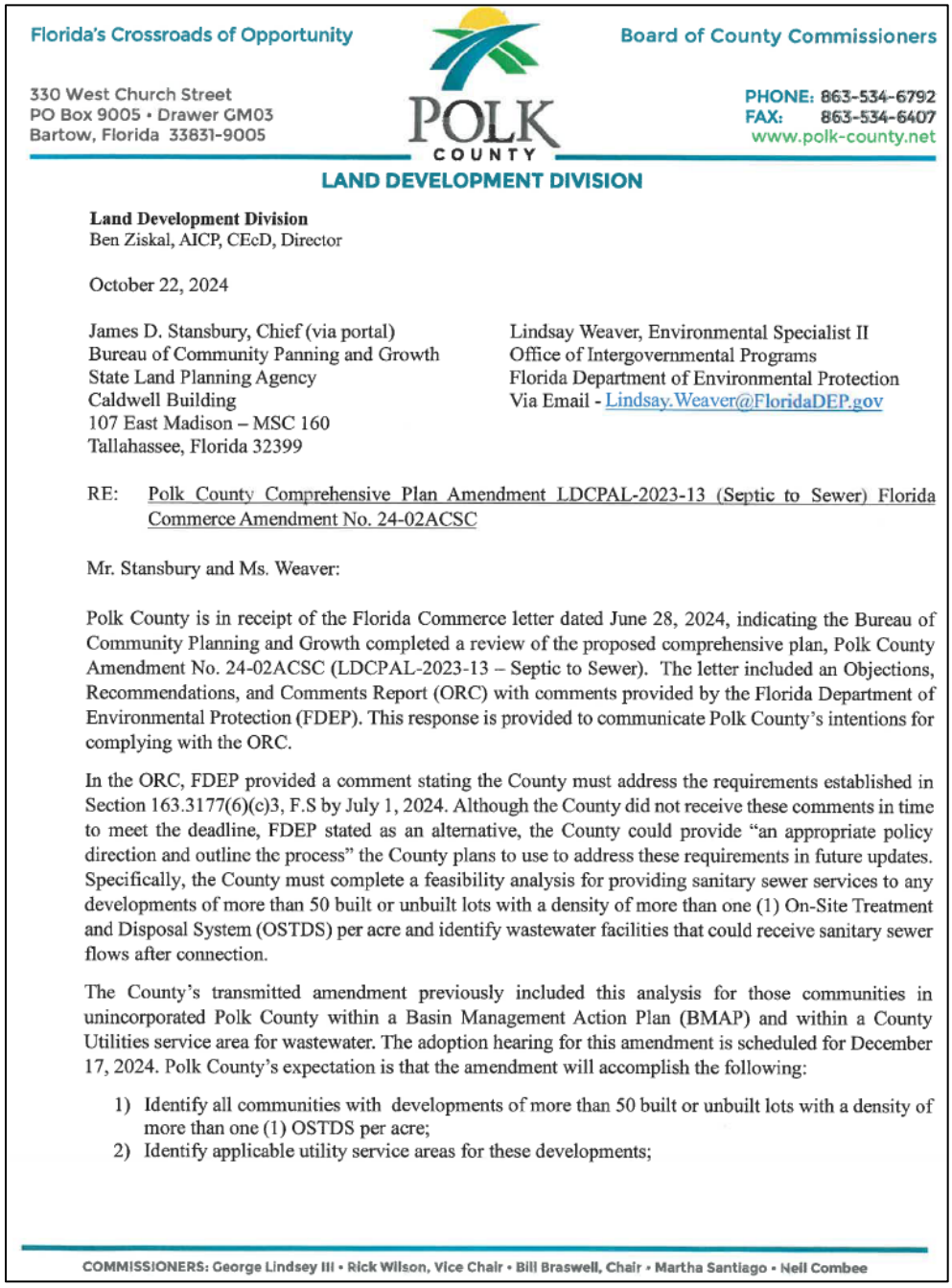
Sincerely,

Benjamin J. Ziskal, AICP, CEcD, Director
Land Development Division

Cc: Scott Rogers, Regional Program Administrator

COMMISSIONERS: George Lindsey III • Rick Wilson, Vice Chair • Bill Braswell, Chair • Martha Santiago • Neil Combee

EVALUTION AND APPRASIAL REPORT LETTER TO FLORIDA COMMERCE



Florida's Crossroads of Opportunity

Board of County Commissioners

330 West Church Street
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www.polk-county.net

POLK COUNTY

LAND DEVELOPMENT DIVISION

Land Development Division
Ben Ziskal, AICP, CEcD, Director

October 22, 2024

James D. Stansbury, Chief (via portal)
Bureau of Community Panning and Growth
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, Florida 32399

Lindsay Weaver, Environmental Specialist II
Office of Intergovernmental Programs
Florida Department of Environmental Protection
Via Email - Lindsay.Weaver@FloridaDEP.gov

RE: Polk County Comprehensive Plan Amendment LDCPAL-2023-13 (Septic to Sewer) Florida Commerce Amendment No. 24-02ACSC

Mr. Stansbury and Ms. Weaver:

Polk County is in receipt of the Florida Commerce letter dated June 28, 2024, indicating the Bureau of Community Planning and Growth completed a review of the proposed comprehensive plan, Polk County Amendment No. 24-02ACSC (LDCPAL-2023-13 – Septic to Sewer). The letter included an Objections, Recommendations, and Comments Report (ORC) with comments provided by the Florida Department of Environmental Protection (FDEP). This response is provided to communicate Polk County's intentions for complying with the ORC.

In the ORC, FDEP provided a comment stating the County must address the requirements established in Section 163.3177(6)(c)3, F.S by July 1, 2024. Although the County did not receive these comments in time to meet the deadline, FDEP stated as an alternative, the County could provide "an appropriate policy direction and outline the process" the County plans to use to address these requirements in future updates. Specifically, the County must complete a feasibility analysis for providing sanitary sewer services to any developments of more than 50 built or unbuilt lots with a density of more than one (1) On-Site Treatment and Disposal System (OSTDS) per acre and identify wastewater facilities that could receive sanitary sewer flows after connection.

The County's transmitted amendment previously included this analysis for those communities in unincorporated Polk County within a Basin Management Action Plan (BMAP) and within a County Utilities service area for wastewater. The adoption hearing for this amendment is scheduled for December 17, 2024. Polk County's expectation is that the amendment will accomplish the following:

1) Identify all communities with developments of more than 50 built or unbuilt lots with a density of more than one (1) OSTDS per acre;
2) Identify applicable utility service areas for these developments;

COMMISSIONERS: George Lindsey III • Rick Wilson, Vice Chair • Bill Braswell, Chair • Martha Santiago • Neil Combee

SEPTIC TO SEWER LETTER TO FLORIDA DEPARTMENT OF ENVIRONMNTAL PROTECTION

3) Identify the current and 10-year projected capacity of the wastewater treatment facilities managed by Polk County;
4) Evaluate feasibility to connect the identified developments to public sewer.

Additional time is necessary for Polk County to estimate the cost of connection for the identified developments including an evaluation of the connection scenarios that may exist. For instance, the development may be within a Polk County Utilities service area, a private utility service area or municipal utility service area, or maybe outside of any utility service area where connection is not feasible in the next ten (10) years. Polk County will include an evaluation of the estimated cost with the update to the Comprehensive Plan due to be transmitted to Florida Commerce in July 2025.

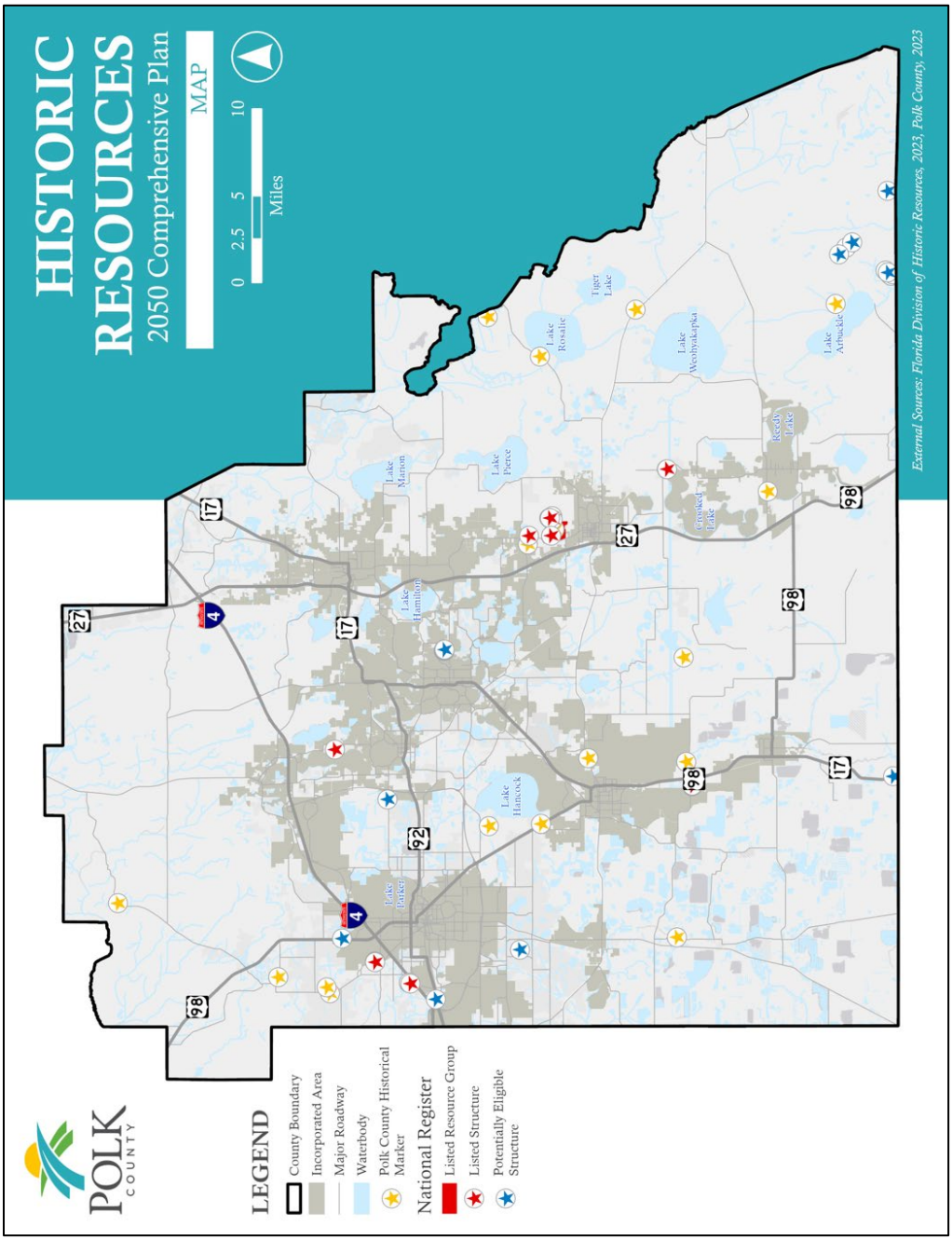
If you need any additional information, please contact me via information below or the Comprehensive Planning Administrator, Chanda Bennett, at (863) 534-6484 or email at chandabennett@polk-county.net.

Sincerely,

Benjamin J. Ziskal, AICP, CEcD, Director
Land Development Division
863.534.6473 / benjaminziskal@polk-county.net

Cc: Scott Rogers, Regional Program Administrator

SEPTIC TO SEWER LETTER TO FLORIDA DEPARTMENT OF ENVIRONMNTAL PROTECTION



HISTORIC PRESERVATION MAP

Ordinance No. 25 -____

AN ORDINANCE OF POLK COUNTY, FLORIDA ADOPTING **LDCPAL-2025-4**, AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN (ORDINANCE 92-36, AS AMENDED); MODIFYING CERTAIN POLICIES IN ALL ELEMENTS OF THE COMPREHENSIVE PLAN PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES 163.3191, EVALUATION AND APPRAISAL OF COMPREHENSIVE PLAN, TO REFLECT A MINIMUM PLANNING PERIOD OF AT LEAST TEN (10) YEARS AND TO REFLECT CHANGES IN STATE REQUIREMENTS SINCE THE COUNTY'S LAST EVALUATION AND APPRAISAL REPORT; MODIFYING SECTION 2.124-G HISTORIC-PRESERVATION SITES TO UPDATE POLICY BASED ON RECENT HISTORICAL DATA AND MORE PLANNING WORK TO BE PERFORMED BY POLK COUNTY; AND MODIFYING POLICIES UNDER OBJECTIVE 3.102-E TO REFERENCE THE FEASIBILITY ANALYSIS OF CONNECTING HOMES ON SEWER TO THE NEAREST WASTEWATER TREATMENT PLANT; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 2025-4 is a County-initiated application to modifying certain policies in all elements of the Comprehensive Plan pursuant to the requirements of Florida Statutes 163.3191, Evaluation and Appraisal of Comprehensive Plan, to reflect a minimum planning period of at least ten (10) years and to reflect changes in state requirements since the County's last Evaluation and Appraisal Report; modifying Section 2.124-G Historic-Preservation Sites to update policy based on recent historical data and more planning work to be performed by Polk County; and modifying policies under Objective 3.102-E to reference the feasibility analysis of connecting homes on sewer to the nearest wastewater treatment plant; (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 4, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on July 15, 2025, 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 September 23, 2025 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 November 4, 2025; 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 MAP AMENDMENT FOR HISTORIC RESOURCES

The Map Series of the Comprehensive Plan, Ordinance No. 92-36, as amended, (the "Polk County Comprehensive Plan") is hereby amended to reflect the changes to the Historic Resources Map depicted in Attachment "A".

SECTION 3: COMPREHENSIVE PLAN TEXT 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 "B".

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

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

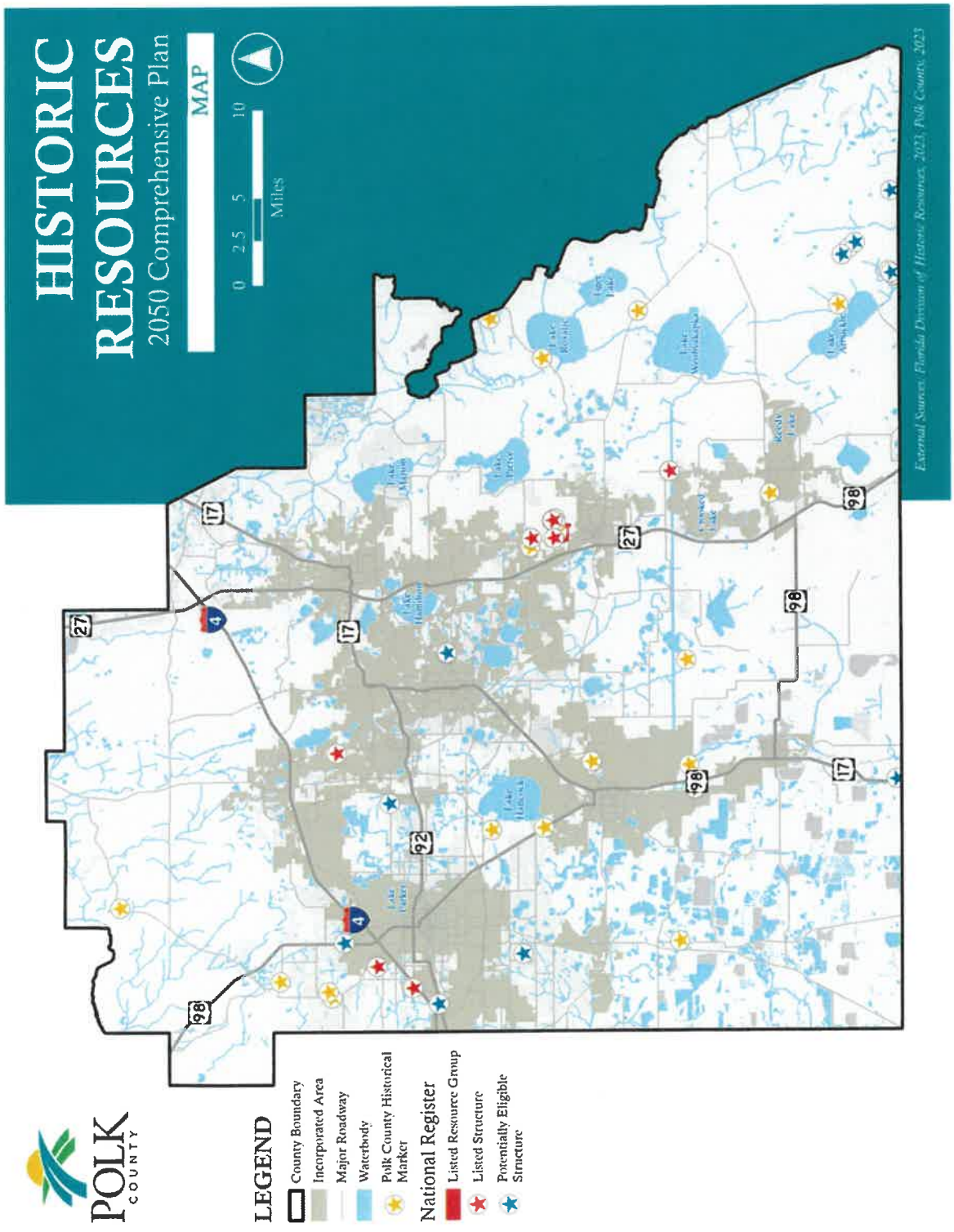
The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the Department of Florida Commerce posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining 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 4th day of November 2025.

ATTACHMENT "A"



ATTACHMENT "B"

Cover sheet for the modifications to the Comprehensive Plan Elements that follow

Chapter 1
GENERAL

DIVISION 1.100 GENERAL PROVISIONS

SECTION 1.101 TITLE.

This Article of the Polk County "Integrated Development Management System" shall be entitled and cited as the "Polk County Comprehensive Plan" or the "Plan."

SECTION 1.102 AUTHORITY.

This Comprehensive Plan is enacted pursuant to the requirements and authority of "Community Planning Act," which was once referred to as the "Local Government Comprehensive Planning and Land Development Regulation Act" (LGCPLDRA), Chapter 163, Florida Statutes (FS), and Chapter 125, FS [County Government].

SECTION 1.103 PURPOSE AND INTENT.

The Polk County Comprehensive Plan is developed pursuant to the requirements of the Community Planning Act. ~~LGCPLDRA, and "Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance," Chapter 9J-5, Florida Administrative Code (FAC).~~

While the Plan was developed in response to the State's growth-management mandate, it is also premised on Polk County's individual unique characteristics, historical trends, current conditions, and citizen aspirations for a future Polk County with a desirable quality of life. Division 1.200 of this Plan, enumerates the "Basic Principles" that formed the foundation of the planning process which resulted in the Polk County Comprehensive Plan.

SECTION 1.104 APPLICABILITY.

The provisions of this Plan shall be applicable throughout the unincorporated area of Polk County, Florida, and as otherwise provided by law.

SECTION 1.105 MAP SERIES INCORPORATED BY REFERENCE.

The "Comprehensive Plan Map Series" (Volume 2) designates the placement of land use categories and districts established within the Elements of this Comprehensive Plan, and is hereby incorporated by reference and made a part of this Comprehensive Plan ordinance as though fully set forth herein.

SECTION 1.106 DEFINITIONS.

Definitions of words and terms used within this Plan shall have meanings prescribed to them as enumerated in the following prioritized list:

A. as defined within the "Glossary" section of this Plan (Division 4.400); or

B. as commonly used and defined in accepted dictionaries. Words and phrases shall be construed according to the common usage of the language, but technical terms and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

SECTION 1.107 RULES OF INTERPRETATION.

A. GENERALLY: The interpretation and application of the provisions of this Plan shall be liberally construed in order that the true intent and meaning of the Board of County Commissioners (Board) may be fully carried out, and neither limits nor repeals any other powers granted the Board under state statutes. The interpretation and application of any provision of this Plan shall be held to be the minimum requirement adopted for the promotion of the public health, safety, comfort, convenience, and general welfare.

B. DELEGATION OF AUTHORITY: Whenever a provision appears requiring the County Administrator or some other County officer or employee to do some act or perform some duty, it is construed to authorize delegation to professional-level subordinates to perform the required act or duty, unless the terms of the provision or section specify otherwise.

C. GENDER: Words importing the masculine gender shall be construed to include the feminine and neuter.

D. NUMBER: A word importing the singular number only may extend and be applied to several persons and things as well as one person and thing. The use of the plural number may be deemed to include any single person or thing.

E. SHALL, MAY, INCLUDES: The word "shall" is mandatory and the word "may" is permissive. The word "includes" or "including" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

F. STATE, COUNTY, BOARD, PLAN, FS, FAC: The word "State" means the State of Florida and its authorized agents. The word "County" means the County of Polk, Florida and its authorized agents. The word "Board" means the Polk County Board of County Commissioners the word "Plan" means the Polk County Comprehensive Plan. The initials "FS" and "FAC" mean Florida Statutes, and Florida Administrative Code, respectively.

G. TENSE: Words used in the past or present tense include the future as well as past or present.

H. YEAR: The word "year" shall mean a calendar year, unless a fiscal year is indicated.

I. BOUNDARIES: Interpretations regarding boundaries of the Comprehensive Plan Map Series (CPMS) and the location of roads shall be made in accordance with the following:

1. Boundaries shown as following, or approximately following, any street shall be construed as following the centerline of the street.

2. Boundaries or roadways shown as following, or approximately following, any platted lot line or other property line shall be construed as following such line.

3. Boundaries shown as following, or approximately following, section lines, ~~halfsection~~ half section lines, or quarter-section lines shall be construed as following such lines.

4. Boundaries shown as following, or approximately following, any meandering, natural area shall be construed as following such natural feature as verified by field inspection.

5. Except where such interpretation is determined to be a significant expansion of a Linear Commercial Corridor, Commercial Enclave, or Utility Enclave, where a parcel or lot, existing as of May 1, 1991, is divided into two or more areas, by a Development-Area boundary line(s), and/or a land-use classification boundary line(s), either of the following applies:

(a) the subject rules shall be applied to each section of property separately; or

(b) at the owner's discretion, rules governing that portion of the largest area of the parcel or lot shall be applicable to the entire property.

J. INTERNAL CONFLICTS: More specific provisions of this Plan shall be followed in lieu of more general provisions that may be more lenient than, or in conflict with, the more specific provision. The specific shall control the general. The original Appendixes (Volumes 3—10) of the Comprehensive Plan and the updated information with the Evaluation and Appraisal Report (EAR) may be used to help interpret this Plan. Differences of meaning or implication between the text of the Plan and any caption, illustration, map, summary table, or illustrative table, may be clarified and/or interpreted through the Administrative Interpretation procedures specified in Section 4.303. Selected-Area Plans are a more specific detail of the generalized Future Land Use Map.

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 ~~; Adopted~~ 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.

SECTION 1.108 COMPREHENSIVE PLAN ORGANIZATIONAL FORMAT.

A. INTEGRATED DEVELOPMENT MANAGEMENT SYSTEM: The "Polk County Comprehensive Plan" is the first of three "articles" within Polk County's "Integrated Development Management System." The three articles are:

Article I: Comprehensive Plan

Article II: Capital Improvement Program (CIP)

Article III: Development Regulations

B. COMPREHENSIVE PLAN ORGANIZATION: Article I is organized into "Chapters" and "Divisions." "Chapters" are used to divide the Plan into units of similar material for ease of use. "Divisions" include either a specific Plan "Element," as required by Florida's growth management legislation, or specific information concerning a particular aspect of the entire Plan. The Plan is divided into the following chapters and divisions:

CHAPTER 1. GENERAL - This chapter includes information concerning the entire Plan and includes "divisions" of:

Division 1.100 General Provisions

Division 1.200 Basic Principles

Division 1.300 The Planning Process

Division 1.400 Population Projections

CHAPTER 2. DEVELOPMENT POLICIES - This chapter includes Plan "Elements" whose policies directly affect how the County will grow during the next 20 years. The following divisions are included within this chapter:

Division 2.100 Future Land Use Element

Division 2.200 Housing Element

Division 2.300 Conservation Element

Division 2.400 Economic Element

CHAPTER 3. PUBLIC FACILITIES POLICIES - This chapter includes "Elements" whose policies directly affect how the County's public facilities will develop during the next 20 years. The following divisions are included within this chapter:

Division 3.100 Infrastructure Element

Division 3.200 Transportation Element

Division 3.300 Mass Transit Element (Repealed)

Division 3.400 Aviation and Related Facilities Element (Repealed)

Division 3.500 Recreation and Open Space Element

Division 3.600 Public School Facilities Element

CHAPTER 4. IMPLEMENTATION - This chapter includes Plan "Elements" which address how the County is going to accomplish the public policies presented within Chapters 2 and 3, and how the entire plan will be administered. The following divisions are included within this chapter:

Division 4.100 Intergovernmental Coordination Element

Division 4.200 Capital Improvement Element

Division 4.300 Administrative Provisions

Division 4.400 Glossary

COMPREHENSIVE PLAN MAP SERIES

Future Land Use Map Series (FLUMS)

Development-Areas Map

Future Land Use Map (FLUM)

Development-Limitation Maps

Resource-Protection Maps

Selected-Area Plans (SAP) Maps

Selected-Area Plans (SAP) Vision Maps

Intergovernmental Coordination Map Series (ICMS)

Joint Planning Area Map

Transportation Element Map Series (TEMS)

Road System

Public Transit System

Bicycle and Pedestrian Ways

Airport Impact Districts

Natural Disaster Evacuation Routes

C. GOALS, OBJECTIVES, AND POLICIES: All divisions that contain an "element" list a "goal," and are further subdivided into "objectives" and "policies." A "goal" is defined by Chapter 163.3164 ~~9J-5, FAC~~, as the long-term end toward which programs or activities is ultimately directed. An "objective" is defined as a specific, measurable, intermediate end that is achievable and marks progress toward a goal. A "policy" means the way in which programs and activities are conducted to achieve an identified goal. (Non-element divisions are not subdivided into goals, objectives, or policies.)

D. MEASURABLE OBJECTIVES: Objectives in this Plan are often measurable. However, specific measures are not included where:

1. the establishment of a measurable objective would have required the selection of an arbitrary time frame, or other measurable parameter, which could result in the County placing itself in a judicially challengeable position by the arbitrariness of the measure; or

2. the inclusion of the objective's corresponding policies within the County's post-adoption development-review procedures and growth-management decisions negates the need for a "measure" since the objective is actually accomplished by the implementation of the policies.

E. SECTIONS and HEADINGS: All Divisions (elements and non-elements) are also divided into "Sections" to group objectives and policies, and/or information, under general headings for ease of use. All descriptive headings of goals, objectives, or policies, or other sections within the Plan, are inserted for convenience of reference only and shall not affect the construction or interpretation thereof.

F. APPENDIXES: At the time of the Comprehensive Plan Adoption, several appendixes accompanied the Plan for the purpose of providing background information, to include: data and analysis for each element (as required by F.S. Chapter 163.3177~~9J-5, FAC~~); general information to assist the reader in understanding each element; editorial information, such as footnotes, bibliography, an appendix index, etc.; and other required Plan background information such as supporting documentation for population projections and information pertaining to the County's Comprehensive Plan Public Participation Program. This information was included in Appendixes "A" through "N" (Volumes 5—10) which were not adopted as a part of the original ordinance and are not incorporated as part of the official Polk County Comprehensive Plan, although, this information is updated with each Evaluation and Appraisal Report (EAR). In addition, the FLU Parcel-Level Detail Maps of the Future Land Use Map (Volumes 3 and 4) were originally adopted with the Comprehensive Plan to help interpret the generalized Future Land Use Map, which did not include parcel boundaries. As improvements in technology are utilized, the generalized Future Land Use Map is able to depict the parcel boundaries. Therefore, Volumes 3 and 4 have become part of the supporting background documentation for the Comprehensive Plan. (Future Land Use Element Appendixes 2.130 and 2.131 [DRIs & Pre-DRI SAPs and Adopted Selected-Area Plans] are included as a part of the adopted Comprehensive Plan.)

SECTION 1.109 REPEAL OF PRIOR COMPREHENSIVE PLAN.

The "Polk County Comprehensive Plan" (Ordinance No. 91-06) adopted by the Board of County Commissioners April 19, 1991, is hereby repealed.

SECTION 1.110 SEVERABILITY.

If any section, subsection, paragraph, sentence, clause, or phrase of this Plan shall, for any reason, be held to be unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Plan, which shall continue in full force and effect.

SECTION 1.111 EFFECTIVE DATE.

This ordinance shall be effective on December 1, 1992.

DIVISION 1.200 BASIC PRINCIPLES

A "Basic Principles" document was adopted by the Comprehensive Plan Citizens' Advisory Committee (CAC) on April 25, 1989, and was approved by the Board of County Commissioners on May 2, 1989. This document served to establish guiding principles which were used during the planning process and provided a basic foundation on which to build the County's comprehensive plan. The "Basic Principles" document states: Polk County recognizes its responsibility to protect the health, safety, and welfare of its citizens and provide for the achievement and maintenance of a high quality-of-life for all residents by the provision of mechanisms to promote an orderly, efficient, economically sound, harmonious, safe, and healthful living environment. It is recognized that all persons have a right and a responsibility to share equally in the opportunities, benefits, and burdens of our society.

In accordance with this philosophy, and with the intent and requirements of Florida's growth management legislation, Polk County seeks to develop a Comprehensive Plan in accordance with the following "Basic Principles":

1. The most effective and efficient delivery of public services requires that development occur where appropriate levels of service are provided. Polk County shall manage future growth and development through a growth-management system which will direct urban-intensity development to areas where urban services are provided, or are programmed to be provided.
2. Growth and development shall be timed with the occurrence of, and in areas where there are, appropriate levels of publicly used services and adequate supporting publicly used facilities.
3. Cities are permitted to extend publicly-used facilities and provide publicly-used services to areas outside of municipal boundaries, when such facilities and services are not to be supplied by the County, and when such facility extensions and service provisions are not in conflict with the Polk County Comprehensive Plan.
4. Residential neighborhoods are collectively recognized as an important asset to be protected.
5. Business, agricultural, commercial, and industrial enterprises, are collectively recognized as vital to the providing of an economically sound living environment.
6. It is recognized that natural resources are vital to the County's future well-being.
7. Environmentally sensitive lands and endangered natural communities are recognized as valuable assets.
8. Property rights are to be protected. However, it is recognized that there are legitimate and often competing public and private interests in land-use regulation and other governmental action.
    a. There shall be compensation, or other appropriate relief as provided by law, to a landowner for any governmental action that is determined to be an unreasonable exercise of police power so as to constitute a taking.
    b. Compensation, or other appropriate relief, shall be determined by judicial proceeding rather than by administrative action.
    c. The acquisition of land by state or local government shall be encouraged in cases where regulation will severely limit practical use of real property.

DIVISION 1.300 THE PLANNING PROCESS

SECTION 1.301 WHAT IS A COMPREHENSIVE PLAN?

A local comprehensive plan is a review of the physical characteristics of an area and an evaluation of development trends leading to the establishment of goals, objectives, and policies to guide growth and change.

Although the work involved in producing a comprehensive plan is complex, the idea is simple. A comprehensive plan can be thought of as a guide to the orderly development of an area. It helps organize and coordinate the complex relationships between different land uses, such as: residential subdivisions, industrial parks, and agricultural areas. A comprehensive plan forms the foundation for specific policies dealing with land uses, parks and recreation, schools and other public buildings, roads, etc. It guides the placement and construction of public utilities such as water and sewer systems, and sanitary landfills. The plan is aimed at guiding the orderly physical growth of an area; including its economic and social development.

SECTION 1.302 FLORIDA'S GROWTH-MANAGEMENT REGULATIONS.

1975 Growth-Management Act C Chapter 163, FS C LGCPA

Faced with rapid population growth that creates all the problems associated with crowding, congested roads, overburdened government services, destruction of natural resources, etc., state legislators realized more than a decade ago that extraordinary measures were needed to plan for and control growth. The result was the Local Government Comprehensive Planning Act (LGCPA) of 1975.

The 1975 Act was significant for several reasons. It was the first time all municipalities and counties in the State were required to prepare comprehensive plans according to a standard format. These local governments were required to address certain critical subjects of "elements" in their plans and they had to give the general public opportunities to comment. The plans and land development regulations were required to be consistent with those of neighboring jurisdictions. Most significant was that the local comprehensive plans were required to be adopted by ordinance and, for the first time, were given the full force of law.

Unfortunately, the Act proved to be less effective than legislators had hoped. Flaws in the law became evident. The State had no power to force local plans to be consistent with the Act. The power of the plans to control development was limited. Also, enforcement provisions and development regulations were generally deficient.

1985 Growth-Management Act C Chapter 163, FS C ~~LGCPLDRA~~

The 1975 Act did not limit the number of times a comprehensive plan could be amended in the course of a year. Up to five percent of the land in a given area could be changed to a different land use classification without requiring a formal plan amendment. The State could only review and comment on the plans, it could not force local governments to rewrite incomplete, inconsistent, or ineffective plans. This made it easy to circumvent the intent of the law. In a sweeping revision, legislators moved to eliminate these weaknesses with the passage of the Local Government Comprehensive Planning and Land Development Act (LGCPLDRA) in 1985, Chapter 163, FS.

This LGCPLDRA expanded the scope and detail of mandated plan elements. It requires all local government plans to be examined by the state planning agency, the Department of Community Affairs (DCA)(now FloridaCommerce), and its respective regional planning council for consistency with state and regional comprehensive plans and for compliance with established minimum standards. The 1985 Act allows plans to be amended no more than twice each year (with certain exceptions) and reduces the five percent land area exemption to include only residential developments of five acres or less.

The LGCPLDRA strengthened the comprehensive planning process in other ways. It allows citizens to challenge provisions of local comprehensive plans and the ordinances designed to implement them, thus providing a means of enforcing local government compliance with the spirit and letter of the law. The Act requires all zoning, subdivision, and other land development regulations to be consistent with the plans. It also requires that proposed future land uses be mapped to clearly show the intent of the plans.

1986 Growth-Management Amendments - Chapter 163 "Glitch" Bill

Further refinements were necessary to remove several internal inconsistencies caused by its complexity and size, and the numerous amendments made to the LGCPLDRA during its passage in 1985. In 1986 the Legislature passed a "glitch" bill to address these inconsistencies and make further refinements. Although the 1986 glitch bill contained some substantial changes, as well as needed technical changes, the LGCPLDRA retained its essential structure and character.

~~**Chapter 9J-5, Florida Administrative Code (FAC)**~~

~~In March 1986, Chapter 9J-5, FAC, was adopted. This document, entitled "Minimum Criteria for Review of Local Government Comprehensive Plans and Determination of Compliance" became the standard for Plan review by the Department of Community Affairs (DCA). This Chapter established, as its title indicates, minimum criteria for the preparation, review, and determination of compliance of comprehensive plans pursuant to the LGCPLDRA. It established:~~

~~1. State Plan and Regional Plan consistency requirements for local Plans,~~

~~2. minimum criteria for Plan elements, and~~

~~3. the basic format of the Plan with regards to:~~

~~a. data requirements,~~

~~b. data analysis, and~~

~~c. requirements for Goals, Objectives, and Policies (GOPs).~~

Plan Consistency

All local governments in Florida (counties and municipalities) were, or will be, required to prepare and submit comprehensive plans to the State. In Polk County 18 plans will be prepared: one for the County and one for each of its 17 municipalities.

These local government plans must meet State guidelines to assure that they will agree with one another. ~~These guidelines require all local plans to be consistent with the State Comprehensive Plan and with their respective comprehensive regional policy plans. The Central Florida Regional Planning Council has the responsibility of reviewing Polk County's Plan. The Council is composed of representatives from DeSoto, Hardee, Highlands, Okeechobee and Polk Counties and the City of Lakeland, and is headquartered in Bartow. Both the State Comprehensive Plan and the Central Florida Regional Policy Plan have been completed.~~

The State guidelines also encourage local plans to be consistent with each other by requiring them to include an Intergovernmental Coordination Element. In Polk County, a work group of local government planners and planning consultants for local governments meet monthly to discuss mutual planning and growth-management issues.

Although it is clear that the State plan is to direct the regional plans which, in turn, are to direct the local plans, two State agencies were charged with developing the rules for writing these plans. One agency coordinated the development of the State Comprehensive Plan and the rules for writing regional policy plans, while the other drafted the rules for writing local comprehensive plans. As a result the format and content of local plans may differ from that of the State and regional plans. However, they still must be consistent with one another.

Local comprehensive plans are geared toward guiding physical land development, and establishing standards and budgeting in order to provide local government services such as utilities, garbage collection, road maintenance, etc. The state and regional plans address these and other issues, but in a much broader sense.

SECTION 1.302 POLK COUNTY'S PLANNING PROCESS.

Polk County has been involved in planning since the first zoning ordinance was adopted in 1971. However, up until the adoption of this Plan in April 1991, the County, while having produced its first Comprehensive Plan in 1979, in response to the State's 1975 growth-management act, had not produced a Future Land Use Map to assist in this Planning effort.

After the State enacted the 1985 "Local Government Comprehensive Planning and Land Development Regulation Act," which required a land-use map, the Planning Division painstakingly began to gather data and perform planning analysis necessary to produce Polk County's first land-use plan and map. Public-participation efforts began with Comprehensive Plan introductory workshops in February, 1988, and proceeded through the following steps:

1. In December, 1988, the Board appointed a 27-member Comprehensive Plan Citizen's Advisory Committee (CAC) to assist staff in the development of a revised Comprehensive Plan. Staff and the CAC, over a 15-month period, conducted 230 public meetings and public hearings involving over 3,800 volunteer hours. A public hearing was conducted for each of the eleven "elements" of the Plan, as well as a final hearing for the entire Plan, prior to the CAC submitting a recommended plan and map to the Board on April 3, 1990.
2. The Board of County Commissioners reviewed and revised the CAC-Recommended Plan and a Board-approved Plan was transmitted to FloridaCommerce~~the Florida Department of Community Affairs (DCA)~~ for state review September 4, 1990.
3. The County received a 138-page "Objections, Recommendations, and Comments (ORC) Report" from FloridaCommerce~~DCA~~ in mid-December.
4. The State's Growth-Management Act required the County to adopt a Comprehensive Plan in compliance with Florida's growth-management legislation within 60 days of receiving the ORC report. The Board of County Commissioners determined that since the Plan was of such significance that it would be in the best interest of the County to take additional time to prepare the final draft for adoption. Over a period of four months, the Board of County Commissioners held numerous workshops, including five public-participation workshops, on proposed revisions to the transmitted Plan. An adoption public hearing was conducted on Thursday, April 18, 1991, at 6:00 p.m. The Plan was adopted at 1:30 a.m., Friday, April 19, 1991.
5. FloridaCommerce~~DCA~~ issued a notice of intent (NOI) to find the adopted Plan in noncompliance with Florida's Growth-Management Act on June 13, 1991, because it was FloridaCommerce~~DCA~~'s opinion that the Plan did not fully meet the requirements of the law.
6. After many months of negotiations with FloridaCommerce~~DCA~~, the Board conducted a public hearing on March 23, 1992, and approved entering into a stipulated-settlement agreement to amend the Plan to address FloridaCommerce~~DCA~~'s objections. FloridaCommerce~~DCA~~ signed the agreement on April 22, 1992.
7. On May 19, 1992, the Board conducted a public hearing for the purpose of transmitting to FloridaCommerce~~DCA~~ proposed amendments to the Plan required by the stipulated-settlement agreement. At that time the County also transmitted additional proposed amendments to further correct and clarify the Plan.
8. An adoption public hearing was conducted on Tuesday, November 17, 1992, at 5:30 p.m. The entire Plan was readopted at 12:30 a.m., Wednesday, November 18, 1992. This adoption had an effective date of December 1, 1992.

9. Because of significant amendments and movement of entire Plan sections in the two amendment cycles in 1993 (CPA-93A and CPA-93B), the entire Plan was again readopted as a part of CPA-93B-15 for the purpose of clarification. That adoption occurred January 31, 1994, with an effective date of March 1, 1994, for CPA-93B amendments.

SECTION 1.303 IMPLEMENTATION.

The Plan will be realized through a number of implementation techniques, to include:

1. administrative processes and procedures conducted by County staff at the direction of the County Administrator,
2. legislative actions taken by the Board of County Commissioners, and
3. the adoption of the Land Development Code to implement the objectives and policies of this Element, as well as all of the other elements of the Polk County Comprehensive Plan.

The Land Development Code (LDC) was adopted. Adopted to implement the Polk County Comprehensive Plan will include provisions to address procedures and standards for the review of development, to include a concurrency-management system to ensure that development meets the locally established level-of-service standards, and that facilities and services are available concurrently with the impacts of that development.

The policies and land-use categories used within this Future Land Use Element of this Plan are not to be confused with "zoning" regulations or zoning districts. The Future Land-Use Map is not a zoning map.

DIVISION 1.400 POPULATION PROJECTIONS - RESIDENT AND SEASONAL

The success of the Polk County Comprehensive Plan depends to a great extent on the accuracy of population estimates and projections. Identifying the rate of population growth within the County assists the Planning Division staff in determining future requirements for public services in regards to: transportation, housing, recreation, solid waste, water, and sewer.

In addition, the viability of the Comprehensive Plan will be measured in terms of its ability to accommodate the increasing population and the impact of that growth on public services. Failure to plan for the new growth can render the Comprehensive Plan virtually ineffective as a growth management tool. Therefore, to plan for public service needs for County residents and seasonal visitors, the population projections will be updated annually.

The population projections have various applications within the Comprehensive Plan. As well as planning for future public services, the budgetary impacts of future levels of service must be considered. For example, large one-time expenditures (capital improvements) must be planned and budgeted. The capital improvements to support the population growth have had the revenues to be used identified, and their cost programmed within the Capital Improvements Element.

This same relationship of supporting the growth projections has been used within the Future Land Use Element. The population growth indicated by the projections has been accounted for by allocating future areas to be developed with a specific type of land use. For example, as past growth trends continued, the County's unincorporated resident population increased by 123,100 persons between the years of 1990 and 2010. Accounting for the needs of that number of people has afforded a proper balance of residential and business type of land area to support the increased population growth and related commercial, business, and industrial activity. It is this relationship of population growth and the ability of the Polk County government to provide adequate levels of service that has been addressed in all the Comprehensive Plan Elements.

In 1991, at the time of adoption of the Comprehensive Plan the County used the high-range population projections developed by the University of Florida, Bureau of Economic and Business Research (BEBR). BEBR produces annual

population estimates for state revenue sharing purposes, as well as providing annual population projections for 10 and 20 year periods.

BEBR identifies three levels of population projections for counties to use: low, medium, and high. The levels produce a range of an expected population increase. By 1991 the County had increased its resident population since 1970 by 183,000, or by an annual percent increase of greater than four. ~~The estimated population in 2009, 18 years later, is 584,343, a difference of 179,000 residents, or an annual percent increase of 2.4.~~ Since 1980 and until the mid to late 90's, the high-level population projections have historically been closer to the actual population increase within Polk County. The 2000 Census showed a smaller percentage of growth, and even though in the mid 2000's there was a small peak at above three percent, the growth rates have stayed somewhere between the medium and high and declining. ~~Because at the time of the EAR the historical data showed a slower growth rate overall, the Polk County Planning Division has used the mid-level BEBR population projections for planning of future public services and land-use allocations for the 2010-2030 Plan update instead of the high to medium level used at the time of the 1999 EAR.~~

The State of Florida (BEBR) and the Bureau of the Census do not provide seasonal population estimates or projections ~~(pursuant to Section 9J-5, Florida Administrative Code)~~. Because of this lack of statistical information in regard to seasonal populations, at the time of this update, the Polk County Long Range Planning Division used the seasonal population estimates and projections derived ~~from data from the University of Florida's Shimberg Center~~ ~~from utilities service analysis produced by the Southwest Florida Water Management District in 2009~~. The Population Projections Memorandum included in the EAR as an appendix ~~staff report for CPA 10B-04~~ includes the background and methodology on how the seasonal population estimates and projections were derived.)

~~DCA refers to seasonal populations as tourist, short and long term visitors (seasonal residents), and migrant farm workers (Chapter 9J-5.003(85), Florida Administrative Code). As with the resident population projections, the projected seasonal populations provide a means to approximate a "worst case scenario" wherein the county's capacity to accommodate additional use of public services is maximized. The seasonal population figures have been incorporated into the appropriate elements as an addition to the projected resident population to help in the analysis of public service provisions and future land-use allocations.~~

~~Although at the time of its initial adoption the County did not expect the indicated growth rates to continue to the year 2010, it did further the planning process by assuming a worse-case scenario regarding the provisions of public services. The indicated growth could have actually held true if large developments within the development review process had been and new residents and visitors had been attracted to the county. Using the mid-level BEBR population projections at this time allows the County to take a more conservative approach in lieu of the economic crisis that has at this point affected the County. Not only has the crisis slowed growth rate, but the negative growth reflects not only in the current economy of the County, but on the future availability of work force once the economy shows signs of recovery.~~

~~The mid-level BEBR population projections used within the Comprehensive Plan was used to determine the future need for transportation, recreation, infrastructure, as well as other public facilities. In addition, the population projections have been accepted by the state and the 17 County municipalities, which provide a basis for internal consistency between local governments within the county, and within the elements of the Polk County Comprehensive Plan.~~

~~**NOTE: IN 2011, SIGNIFICANT CHANGES WERE MADE TO THE GROWTH MANAGEMENT ACT AS PORTIONS OF RULE 9J-5 WAS INCORPORATED INTO FLORIDA STATUTES.**~~

POLK COUNTY POPULATION			
YEAR	**UNINCORPORATED POPULATION**	**TOTAL POPULATION**	**SOURCE**
1950	56,830	123,997	US CENSUS BUREAU COUNT

1960	74,489	195,139	US CENSUS BUREAU COUNT
1970	114,984	228,026	US CENSUS BUREAU COUNT
1971	122,946	238,531	BEBR ESTIMATE*
1972	130,907	249,035	BEBR ESTIMATE
1973	137,732	258,515	BEBR ESTIMATE
1974	145,825	268,343	BEBR ESTIMATE
1975	150,077	275,973	BEBR ESTIMATE
1976	151,659	275,078	BEBR ESTIMATE
1977	156,032	279,574	BEBR ESTIMATE
1978	159,965	284,388	BEBR ESTIMATE
1979	168,529	295,541	BEBR ESTIMATE
1980	190,071	321,652	US CENSUS BUREAU COUNT
1981	195,646	330,830	BEBR ESTIMATE
1982	200,937	338,865	BEBR ESTIMATE
1983	202,493	345,224	BEBR ESTIMATE
1984	209,631	355,413	BEBR ESTIMATE
1985	215,885	366,268	BEBR ESTIMATE
1986	221,960	377,583	BEBR ESTIMATE
1987	229,947	389,056	BEBR ESTIMATE
1988	238,634	400,426	BEBR ESTIMATE
1989	240,558	410,863	BEBR ESTIMATE
1990	242,195	405,382	US CENSUS BUREAU COUNT
1991	250,048	414,700	BEBR ESTIMATE
1992	254,469	420,885	BEBR ESTIMATE
1993	261,950	429,943	BEBR ESTIMATE
1994	267,742	437,204	BEBR ESTIMATE
1995	271,653	443,153	BEBR ESTIMATE
1996	279,542	452,707	BEBR ESTIMATE
2000	302,797	483,924	CENSUS 2000
~~2005~~	~~338,359~~	~~541,840~~	~~BEBR ESTIMATE~~
2010	~~365,351~~375,622	~~586,156~~ 602,095	~~BEBR ESTIMATE~~ CENSUS 2010
~~2015~~	~~392,711~~	~~630,052~~	~~BEBR ESTIMATE~~
2020	~~420,982~~ 444,898	~~675,408~~ 725,046	~~BEBR ESTIMATE~~ CENSUS 2020
~~2025~~	~~451,510~~	~~724,150~~	~~BEBR ESTIMATE~~
~~2030~~	~~483,774~~	~~776,150~~	~~BEBR ESTIMATE~~
Source: Polk County Board of County Commissioners, Planning Div. 1989, 1999, 2010 and the University of Florida, and the US Census Bureau.			
*Bureau of Economic and Business Research (BEBR), "Pop. Studies," Vol. 22, Num. 2, Bul. 88, "2010 Population Studies", Vol. U.S. Census Bureau.			

~~ANNUAL TOURIST PROJECTIONS~~			
~~YEAR~~	~~TOTAL POPULATION~~	~~UNINCORPORATED POPULATION~~	~~ANNUAL TOURIST POPULATION~~
~~1990~~	~~405,382~~	~~242,195~~	~~1,164,566~~

1995	443,153	271,653	1,164,566
2000	483,924	302,797	1,500,000
2005	338,359	338,359	1,500,000
2010	365,351	365,351	1,500,000
2015	392,711	392,711	1,500,000
2020	420,982	420,982	1,500,000
2025	451,510	451,510	1,500,000
2030	483,774	483,774	1,500,000
Source: Polk County Planning Division, 1997, Central Florida Development Council, 1997; Mid Florida Marketing and Research, Inc. 1997.			

SEASONAL SHORT- AND PERMANENTLONG-TERM RESIDENT POPULATION PROJECTIONS			
YEAR	TOTAL UNINCORPORATED POPULATION	PERMANENTUNINCORPORATED POPULATION	ANNUAL SEASONAL RESIDENT POPULATION
1990-2025	405,382-596,862	231,682-517,304	12,051-79,558
1995-2030	443,153-663,869	271,653-575,379	13,088-88,490
2000-2035	483,924-723,635	302,797-627,179	15,845-96,456
2005-2040	541,840-772,889	338,359-669,868	21,114-103,022
2010-2045	586,156-816,887	365,351-708,001	23,253-108,886
2015-2050	630,052-858,414	392,711-743,992	25,906-114,422
2020	675,408	420,982	28,667
2025	724,150	451,510	31,154
2020	776,150	483,774	33,072
Source: BEBR, 2023, UF Shimberberg Center, 20231990—2000 - Polk County Planning Division, 1990 and 1997.			
2005—2030, SWFWMD 2008 County PS Projection Summaries 2009-04-28.			
http://www.swfwmd.state.fl.us/data/demographics/estimating-population.php			
Note: There are developments that have been platted within the unincorporated county and that will have housing provided for seasonal residents (Polk County Planning and Development Review Divisions, 1997). Because of the growth and city annexation patterns, the current data for seasonal population projections illustrates a percent change that is expected to continue. Additionally, the cyclical cycle of the arrival-departure of seasonal residents in, however, the same as documented in 1989 (Polk County Planning Division, 1997). The patterns of seasonal resident migration are similar to that experienced within other counties within Florida (Hillsborough and Pinellas Counties, 1997).			

MIGRATORY FARM LABORERS AND FAMILY MEMBERS POPULATION PROJECTIONS			
YEAR	TOTAL POPULATION	UNINCORPORATED POPULATION	MIGRATORY POPULATION PROJECTIONS
1990	405,382	231,682	10,000
1995	443,153	271,653	16,000
2000	483,924	302,797	6,861
2005	541,840	338,359	11,000
2010	586,156	365,351	13,000—15,000

~~2015~~	~~630,052~~	~~392,711~~	~~13,000—15,000~~
~~2020~~	~~675,408~~	~~420,982~~	~~13,000—15,000~~
~~2025~~	~~724,150~~	~~451,510~~	~~13,000—15,000~~
~~2030~~	~~776,750~~	~~483,774~~	~~13,000—15,000~~
~~Source: Polk County Planning Division, 1997.~~			
~~1. 1999 adoption: This assumption is different than what was accepted in 1990 when local jurisdictions produced migrant population estimates and projections. The 1990 estimate and projections included seasonal counts, which were maintained through Florida Job Service. The difference in methodologies between 1990 and 1997 will reduce the expected population impact by approximately one-half.~~			
~~2. 2005—2020 estimates reported by Work Force Education of Polk County to the Florida Job Services to use in their Labor market Information database. The number of Migrant workers reported is higher because of the legal Temporary Visa Program. This program has increased the accountability of the employers to report the number of workers. Additional to this, 2,085 migrant children have been enrolled in Polk County schools during the 2009/2010 crop picking season. This data could potentially point to another unreported 4,000 migrant workers and household member.~~			

DIVISION 2.100 FUTURE LAND USE ELEMENT

SECTION 2.101 INTRODUCTION.

The purpose of the Future Land Use Element, as identified in Chapter 163 F.S.~~Section 9J-5.006, FAC~~, is the designation of future land use patterns as reflected in the goals, objectives, and policies of the local government comprehensive plan elements. Polk County's ~~20~~25-year land use designation is the result of a concentrated, detailed planning effort (see Appendix "B" in Volume Six (6) for the Land Use Element supporting documentation) involving a data-gathering and analysis process which, was not limited to, but included:

1. a survey and evaluation of existing land uses,
2. an evaluation of existing zoning and zoning patterns,
3. a survey of environmental constraints,
4. an evaluation of existing and future public facilities,
5. an assessment of projected economic trends and needs,
6. population projections, and
7. an analysis of projected land use needs for the next 20 years.

The future land use pattern developed by Polk County and depicted on the Future Land Use Map Series (see Appendixes "O" and "P") is the culmination of this technical planning effort, performed by Polk County's staff, mixed with the efforts of an extensive public participation program and FloridaCommerce~~the DCA~~ submittal and legislative-adoption process performed by the Board of County Commissioners.

THE PLAN'S FRAMEWORK - Three Levels

THE PLAN'S FRAMEWORK

The planning effort to produce this plan resulted in a 25~~20~~-year, land use plan whose framework is specified within the objectives and policies included within this Element and which is shown on the Future Land Use Map Series. Future development in Polk County will be controlled and guided through the Plan's three basic levels, or layers, of development controls:

1. "Development Areas" (broad, urban-form areas),
2. "Future Land Uses" (specifically delineated land use districts),
3. "Special-Area Overlay Districts and Areas," which include:
   a. "Development-Limitation Areas," and
   b. "Resource-Protection Districts."

DEVELOPMENT AREAS - The First Level

Polk County used the "multi-nodal, urban-cluster" concept (see Appendix "B") on which to base its urban form. This planning concept, as its name implies, manages urban growth by directing it to cluster around and near nodes, or centers, as opposed to undirected sprawl and/or corridor/linear development. Multi-nodal implies that there will be many urban centers in the patterning of development rather than a single, central core. The identified nodes or clusters will be part of a coordinated land use and transportation strategy that supports the provision of improved and expanded transit services. The development areas will support

existing and planned investments in public facilities and services including transit utilities, connectivity (complete streets), parks, libraries, and others.

In the macro sense, Development Areas do this. They continue an urban form that has naturally occurred within the County since it began developing, as indicated by its 17 widely scattered cities, and many unincorporated rural communities. To encourage and enhance the continuance of this urban form the County's Plan establishes the following base districts - which are not to be confused with land uses - to provide a foundation on which to fashion its urban form, construct its land use plan, and to base future infrastructure decisions:

1. Transit Supportive Development Area (TSDA) - Infrastructure and community services to support 10 year population growth and existing/planned community investment in transit.
2. Urban - Growth Areas (UGA) - Infrastructure and community services to support 25~~20~~ year population growth.
3. Suburban Development Area (SDA) - Sewer not planned.
4. Utility Enclave Areas (UEA) - Isolated potable water and sewer systems.
5. Rural Development Areas (RDA) - Remaining areas.

All districts are designed to be adjustable, as decisions to amend public and private investments evolve over time, through the Comprehensive Plan amendment process.

Development within both of the TSDA and UGA is generally required to connect to centralized sewer as it becomes available, and to provide for necessary sewerage infrastructure through the installation of "dry lines" if development is desired before required services are available. Also, the intensity and location criteria of many land uses are controlled by Development Areas.

LAND USES - The Second Level

After the County's general urban form was established through the designation of the base Development Areas, future land use designations were assigned in accordance with those Development Areas and existing land uses. Land use categories include:

a. Activity Centers
    1. Rural-Clusters Centers (RCC)
    2. Convenience Centers (CC)
    3. Neighborhood Activity Centers (NAC)
    4. Community Activity Centers (CAC)
    5. Regional Activity Centers (RAC)
    6. High-Impact Commercial Centers (HIC)
    7. Tourism-Commercial Centers (TCC)
    8. Employment Centers (EC)

b. Linear Commercial Corridor (LCC)

c. Commercial Enclave (CE)

d. 1. Industrial (IND)
    2. Business-Park Centers (BPC)
    3. Office Center (OC)

4. Professional Institutional (PI)

e. Phosphate Mining (PM)

f. Leisure/Recreation (L/R)

g. Institutional (INST)

h. Recreation and Open Space (ROS)

i. Preservation Areas (PRESV)

j. Residential

1. Urban

(a) Residential-Suburban (RS)

(b) Residential-Low (RL)

(c) Residential-Medium (RM)

(d) Residential-High (RH)

2. Agricultural/Residential-Rural (A/RR)

k. Mixed Use (MU)

The following land use features are especially noteworthy in this Plan:

1. **ACTIVITY CENTERS:** Clustering of urban uses is promoted through the use of "Activity Centers" and the prohibition of future expansions of existing "Linear Commercial Corridors." On the micro level, the "multi-nodal, urban-cluster" concept, on which the County has based its urban form, is a radical departure from the linear commercial corridors that have proliferated the County over the preceding decades. Clustering high-traffic generating commercial uses and employment facilities at properly spaced commercial and/or business centers provides a way of reducing the road-clogging practice of placing commercial drives every few feet along our arterial and collector streets.

   The County's activity-center framework also provides for the appropriate sizing and placement of needed commercial activities by designating general center sizes and market areas for different levels of centers, and the desirable distances between those centers.

2. **AGRICULTURE/RESIDENTIAL-RURAL (A/RR) LAND USE:** This land use category recognizes the importance of agriculture and provides for its protection and future continuance through the establishment of a base residential density of one dwelling unit per five acres (1 DU/5 AC).

   It also provides for the continued viability of agriculture by providing for appropriate quantities and distribution of low-density residential development within Rural-Development Areas in accordance with available support services, using a methodology to require clustering by a mandatory 50% land-reservation program, thus discouraging sprawl and enhancing Polk County's rural character. This is accomplished through permitted uses within the A/RR land use category:

   a. "Rural-Residential Development" (RRD)

   b. "Rural Mixed-Use Development" (RMD)

   A. **RURAL-RESIDENTIAL DEVELOPMENT (RRD):** The RRD is a point-generated, sliding-density-scale, residential "permitted use" within the A/RR land use category. While the Plan's A/RR land use classification provides for the protection of agriculture and rural areas through a base density of one dwelling unit per five acres (1 DU/5 AC), the RRD allows for greater residential densities (up

to 1 DU/AC) through a land-reservation/residential-density locational system. RRD developments:

(1) may not exceed 160 acres,

(2) must be served by public water,

(3) submit a binding site plan, and

(4) reserve no less than 50% (and up to 70%) of the development site.

This RRD system is designed to maximize the benefits of available residential-support facilities and services through the use of a sliding-scale density system which allows residential development to occur at gross densities from one dwelling unit per two-and-one-half acres (1 DU/2.5 AC) up to one dwelling unit per acre (1 DU/AC) with a mandatory land-reservation program. This RRD system awards points, which are later converted to maximum residential densities, by evaluating parcels within the rural development area on the following criteria:

(1) proximity to Rural-Cluster Centers, Business-Park Centers, Linear Commercial Corridors, and municipalities;

(2) level of public-safety protection, to include fire and emergency medical service (EMS);

(3) vehicular access to arterial, paved collector, and paved County-maintained local roads;

(4) proximity to, and use of, isolated sewer systems; and

(5) proximity to schools.

B. **RURAL MIXED-USE DEVELOPMENT (RMD):** This is a higher intensity "permitted use" within the A/RR land use category. RMDs are developments which:

(1) contain at least 160 acres,

(2) must be served by public sewer and water,

(3) have access to a paved collector or arterial road,

(4) submit a binding site plan,

(5) reserve no less than 50% of the development site

(6) provide for increased transportation internal capture,

(7) restrict vehicular access, and

(8) meet the conditions of a "Residentially Based, Mixed-Use Development" as specified in the Plan.

3. **TRANSFER OF DEVELOPMENT RIGHTS:** The County shall investigate techniques such as transfer of development rights that:

a. Target the TSDA as a "receiving area" for the transfer of development rights; and

b. Target the PolkGreen Overlay as a "sending area" for the transfer of development rights.

SPECIAL-AREA OVERLAY DISTRICTS AND AREAS - The Third Level

"Special-Area Overlay Districts and Areas" are the third layer of the County's growth-management three-layer strategy. These overlays do not establish or change land uses, however, they regulate the intensity of a given land use. The Plan establishes the general overlay categories of:

"Development-Limitation Areas." Areas where environmentally sensitive lands are especially subject to adverse impacts of development.

"Resource-Protection Districts." Areas where specific natural or man-made features, structures, or areas require protection for continued public benefit to be realized.

Generally, for the purposes of this Plan, "districts" are more specifically delineated by absolute boundaries, while the exact boundaries of overlay "areas" may not be determined until site-specific field inspections are conducted to authenticate those boundaries.

The County's Plan establishes the following special-area overlay districts and areas:

a. Development-Limitation Areas
    1. Floodplain-Protection Areas
    2. Wetland-Protection Areas
    3. Aquifer-Protection Areas
    4. Green Swamp Protection Area
    5. Local Hazard Mitigation Strategy

b. Resource-Protection Districts
    1. Transit Corridors and Centers Overlay
    2. Airport-Buffer Districts
    3. Mineral Resource-Protection Districts
    4. Wellhead-Protection Districts
    5. PolkGreen District
    6. Redevelopment Districts
    7. Historic-Preservation Sites
    8. SR 17 Ridge Scenic Highway
    9. Nutrient Restoration Plan Overlay

As stated above, overlay districts/areas within the Polk County Plan are not land use categories. The basic underlying land use designation - such as residential, industrial, activity center and etcetera - still exists under the overlay district/area.

For example, an area may be designated as "Residential-Low" (RL); however, the area may also lie within the overlay classification of wetland-protection. The RL classification would allow up to five dwelling units per acre (5 DU/AC), however, the Wetland-Protection overlay district would require that residential dwelling units be transferred out of the wetland area, or would set a maximum residential density of one dwelling unit per ten acres (1 DU/10 AC) where there were no non-wetland area on which to transfer the density. In this case, the overlay-area classification does not change the use from residential to another use - it only modifies development of the land to a less intense residential use because of its special constraints.

OTHER PLAN FEATURES:

A. **SELECTED AREAS.**

"Selected-Area Studies" and "Selected-Area Plans" are included in the Plan to provide enhanced planning tools for future detailed planning of areas that warrant special review and/or planning of

greater specificity than that included within the general guidelines of the Plan's objectives and policies or the Future Land Use Map Series.

SASs are detailed studies of specifically delineated areas designated by the Board of County Commissioners when it is deemed necessary that such a study is necessary to evaluate area issues in the process of making prudent growth-management and land use decisions. Such studies are not restricted with regards to size. The Plan specifies that several preselected SASs be performed after adoption of the Plan.

An SAP may result from an SAS. An SAP is a special, detailed land use plan for a specific area. SAPs include a land use map and accompanying objective and policies to provide special conditions, restrictions, or requirements for activities within the SAP. Two SAPS - the I-4/NE Parkway SAP and the CR 540/Loughman SAP - were developed and included with the initial adoption of this Plan (see Section 2.131).

B. **SPECIALIZED USES.**

"Specialized Uses" provides a planning mechanism with which to provide for a number of critical activities which need to be permitted in all or many land uses. Specialized Uses are not land uses, but are "permitted uses" within all, or specified land use districts. Specialized uses include:

1. Isolated Convenience Stores~~,~~
2. Transitional Areas~~,~~
3. Utilities~~,~~
4. Community Facilities~~,~~
5. Special Residential (over 15 DU/AC)~~,~~
6. Non-Phosphate Mining~~,~~
7. Residentially Based Mixed-Use Developments~~, And~~
8. Non-Certified Electric-Power Generation Facilities~~,~~
9. Certified Electric-Power Generation Facilities
10. Hazardous-Waste Treatment Facilities
11. Agricultural-Support Activities
12. Planned Development (PD)
13. Residential Infill Development
14. Solar Electric-Power Generation Facilities
15. Solid Waste Management Facilities
16. Fuel Terminals
17. Resiliency Facility

ISOLATED CONVENIENCE STORES are non-mapped, individual stores permitted in all land use categories, subject to County approval.

TRANSITIONAL AREAS are non-mapped areas to provide for the lessening of impacts between dissimilar uses by proving for transitional or "step-down" uses between intensive-use activities and low-density residential uses.

UTILITIES allows for certain utility facilities to be permitted in all land use categories, subject to County approval.

COMMUNITY FACILITIES allows for the placement of community facilities throughout the County. These facilities include: All public safety facilities, schools, libraries, churches, group living facilities, day care facilities, lodges and retreats, and recreation uses.

SPECIAL RESIDENTIAL allows residential development from 15 DU/AC up to 25 DU/AC within RACs and CACs.

NON-PHOSPHATE MINING allows the mining of lime rock, sand, peat, clay, and soil in all land use categories, subject to County approval.

RESIDENTIALLY BASED MIXED-USE DEVELOPMENT allows for the placement of mixed-uses development in all residential land use categories (except A/RR), subject to County approval. The use of mixed-use development land use districts, typically implemented through the use of Planned Unit Development (PUD) zoning districts, is a time-tested planning technique which, when used properly, can result in more desirable development patterns by providing a functional mix of commercial, office, retail, recreational, and housing uses. Mixed-use developments can assist in the reduction of off-site traffic congestion by the appropriate mixing of uses to promote high internal-trip capture rates and through the proper design of traffic-circulation plans to internally link the different uses.

Ideally, mixed-use developments should provide for the locating of residential and nonresidential uses within close proximity to each other - with proper buffering - so as to encourage non-motorized travel between uses, thus further reducing motorized traffic on the circulation system. Also, the nonresidential portions of the mixed-use development should be appropriately sized and of a nature to provide support primarily for the projected project's population, thereby, also reducing the number of outside trips into the development.

NON-CERTIFIED ELECTRIC-POWER GENERATION FACILITIES allows for the placement of "low-impact" and "high-impact" Non-Certified Electric-Power Generation Facilities in specific land use categories, subject to meeting certain criteria and County approval.

C. **NEW COMMUNITIES.**

The Plan encourages the development of self-contained new communities (sometimes referred to as "new towns") which exhibit design features that reduce many of the impacts associated with "urban sprawl" and other adverse impacts associated with conventional-suburban development such as excess automobile dependency. New towns that include neighborhoods using a "traditional-town" design and function are encouraged.

PLAN IMPLEMENTATION The Plan will be realized through a number of implementation techniques, to include:

1. Administrative processes and procedures conducted by County staff at the direction of the County Administrator,
2. Legislative actions taken by the Board of County Commissioners, and
3. The adoption of and the effective date of September 1, 2000 for the Land Development Code, to implement the objectives and policies of this Element, as well as all of the other elements of the Polk County Comprehensive Plan.

The Land Development Code was adopted to implement the Polk County Comprehensive Plan and includes provisions to address procedures and standards for the review of development, to include a concurrency-management system to ensure that development meets the locally established level-of-service standards, and that facilities and services are available concurrently with the impacts of that development.

The zoning regulations used by Polk County are implemented by the Land Development Code, which was adopted and effective on September 1, 2000, in accordance with Chapter 125, FAC and Chapter 163, FS. The Land Development Code further defines the specific uses as they relate to the land use districts described in the Polk County Comprehensive Plan. The Land Development Code utilizes the Future Land Use Map Series, which serves as the zoning map. The zoning map and policies relating to the Comprehensive Plan are subject to state review and approval with the exception of Future Land Use Subdistricts, which are delineated by the Land Development Code, Ordinance 00-09, as amended. The Future Land Use Element goal statement, which establishes the long-term end toward which land use programs and activities are directed, is:

SECTION 2.101A GENERAL.

GOAL: To achieve an economically viable, efficient, safe, and quality-living environment through balanced and compact growth, while encouraging the efficient use of land, community infrastructure and protecting and managing the community's natural resources by showing the proposed distribution, location, and extent of future land uses by type, density, and intensity; while providing essential services in a cost effective manner.

OBJECTIVE 2.101-A: Polk County will manage future growth and land development by implementing and enforcing the Land Development Regulations for properties within the unincorporated areas of the county; by enforcing and strengthening existing regulations; by eliminating confusing and unnecessary regulations. All land development regulations call for in this Plan shall be adopted and implemented in accordance with the provisions of S. 163, Florida Statutes.

POLICY 2.101A-A1: Polk County will implement and update the Land Development Code (LDC) whenever necessary to ensure the public health, safety, and welfare of the citizens of unincorporated Polk County.

POLICY 2.101A-A2: Maintain a set of specific and detailed Land Development Regulations, which implement and provide consistency with the goals, objective, and policies of the Polk County Comprehensive Plan.

POLICY 2.101A-A3: The land development regulations shall provide for land use districts which indicate the permitted, prohibited, or conditional uses in a matrix table that further represents the Polk County Comprehensive Plan and its goals, objectives and policies.

POLICY 2.101A-A4: The land development regulations shall include but not limited to standards for development such as, setback, maximum floor-to-area ratio, and maximum impervious surface ratio, landscaping and buffering requirements, and minimum open space requirements.

POLICY 2.101A-A5: The Future Land Use Map Series designates classifications of varying densities and intensities to provide a full range of development activities. The designations shall address current and projected development patterns, historic sites, environmentally sensitive areas, and existing and future availability of public facilities and services.

POLICY 2.101A-A6: The Future Land Use Map Series is a group of maps that may be amended from time to time. These maps shall be interpreted together and shall not be construed to be individual maps.

SECTION 2.102 GROWTH MANAGEMENT.

OBJECTIVE 2.102-A: Development within unincorporated Polk County shall occur in accordance with the policies stated within this Future Land Use Element and all other Goals, Objectives and Policies incorporated within the Polk County 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.

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 - 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 - 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.

POLICY 2.102-A5: DEVELOPMENT POLICIES - All development within unincorporated Polk County shall be subject to the goals, objectives and policies included within the Polk County Comprehensive Plan, including the following:

a. Future Land Use Element

b. Housing Element

c. Conservation Element

d. Economic Element

e. Infrastructure Element

f. Transportation Element

g. Recreation and Open Space Element

h. Public School Facility Element

i. Intergovernmental Coordination Element

j. Capital Improvements Element

k. Property Rights Element

POLICY 2.102-A6: DEVELOPMENT STANDARDS - All development within unincorporated Polk County shall conform to all County land development regulations, shall meet or exceed all applicable County construction standards, and shall comply with the level-of-service standards established within all elements of the Polk County Comprehensive Plan, including levels-of-service standards listed within the following elements:

a. Infrastructure Element

b. Transportation Element

c. Recreation and Open Space Element

d. Capital Improvements Element

e. Public School Facilities Element

POLICY 2.102-A7: TOPOGRAPHY CONSIDERATIONS - Polk County shall evaluate all development within unincorporated Polk County with regard for, and for impacts on, existing topography. The County's Land

Development Code shall specify necessary protection and/or mitigation requirements. Development standards shall include, but not be limited to, the following guidelines:

a. Encourage the preservation the natural topographic features by preserving floodplains, streams, sinkholes and other water bodies in accordance with policies of this Plan.

b. Where possible roads should be parallel to the contours and be placed on ridges or in valleys to minimize the need for cut and fill. All cut and fill banks should be stabilized with minimum maintenance materials to prevent continuing erosion problems.

c. Where possible, cluster development should be used whenever sites contain steep slopes or other physiographic characteristics which would increase development costs or disrupt the natural system of the site

d. Requirements to slow the erosion of a site during the construction stage, including but not limited to:

    1. the timely clearing of the site, and

    2. considerations of leaving existing seeding or providing temporary seedings until disturbance are necessary.

POLICY 2.102-A8: SOILS - Polk County shall evaluate all development within unincorporated Polk County with regard for, and for impacts on, soils. The County's Land Development Code shall specify development/construction standards necessary to protect against soil erosion, provide for sound engineering construction techniques, and/or mitigate adverse impacts due to soil conditions. These development standards shall be guided by DEP's best management practices cited in Florida Development Manual, Chapter Six, and the Polk County Soil and Water Conservation District's Best Management Practices manual. Criteria for Polk County's inspection of development sites during construction activities shall include erosion-control standards.

POLICY 2.102-A9: PUBLIC FACILITIES AND UTILITIES - Public facilities and utilities shall be located to:

a. maximize the efficiency of services provided,

b. minimize their cost, and

c. minimize their impacts on the natural environment.

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 2.102-A11: URBAN SPRAWL CRITERIA - In accordance with Chapter 163.3177 ~~Rule 9J-5.006(5)~~ of the Florida ~~Administrative Code~~Statutes, Polk County will discourage the proliferation of urban sprawl by use of the following criteria when determining the appropriateness of establishing or expanding any land use or development area. The analysis must ask whether or not the proposed plan amendment:

a. ~~a.~~ Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses ~~in excess of demonstrated need~~.

b. ~~b.~~ Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using ~~leaping over~~ undeveloped lands ~~which~~ that are available and suitable for development.

c. ~~c.~~ Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

d. ~~d.~~ Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakers, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

~~d. As a result of premature or poorly planned conversion of rural land to other uses, fails to adequately protect and conserve natural resources, such as, wetlands, floodplains, native vegetation, environmentally sensitive areas, natural shorelines, beaches, bays, estuarine systems, and other significant natural systems.~~

e. Fails to adequately protect adjacent agricultural areas and activities including silviculture and active agricultural and silvicultural activities, ~~as well as~~ passive agricultural activities, and dormant, unique, and prime farmlands and soils.

f. Fails to maximize use of existing public facilities and services.

g. Fails to maximize~~inimize the~~ use of future public facilities and services.

h. Allows for land use patterns or timing which ~~will~~ disproportionately increase the cost in time, money and energy~~,~~ of providing and maintaining ~~public~~ facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

i. Fails to provide a clear separation between rural~~urban~~ and urban~~rural~~ uses.

j. Discourages or inhibits in-fill development or the redevelopment of existing neighborhoods and communities.

k. Fails to encourage an attractive and functional mix of land uses.

l. Results in poor accessibility among linked or related land uses.

m. Results in the loss of a significant amounts of functional open space.

POLICY 2.102-A12: REDEVELOPMENT - Polk County shall encourage redevelopment through strategies that promote the integration of a mixture of uses without compromising the character, design and environmental quality of the surrounding area.

POLICY 2.102-A13: Polk County shall encourage redevelopment of existing development sites by implementing landscaping, buffering, and parking regulations that encourage innovative design consistent with Policy 2.124-F4.

POLICY 2.102-A14: COMMUNITY VISION - The Polk Vision was adopted on August 2, 2004 by Polk Vision, Inc. and updated in August 2024, following extensive and inclusive public participation

a. The Polk Vision Document, as adopted on August 2, 2004, with a refresh adopted in August 2024, is incorporated by reference in Polk County Comprehensive Plan to meet the requirements of Florida Statutes, Section 163.3177(13), F.S., for a community vision.

b. The Long-Term Vision and Mid-Term Strategies outlined in the Polk Vision shall be used as a guide in the implementation, evaluation, and amendment of the Plan.

c. The Transit Supportive Development Area and the PolkGreen and Transit Corridors and Centers Overlays (Section 2.124: Resource Protection Districts) include visual representations depicting desired land use patterns and the character of the community based on the Polk Vision and regional visions such as the Central Florida Regional Growth Vision.

d. Polk County has identified Quality Growth Strategies based on an extensive community outreach effort entitled "Polk Growth Matters." These strategies are based on, and consistent with, the Polk Vision and regional visions. Polk County shall work with other local governments, regional and state agencies, and community residents to implement the following Quality Growth Strategies:

- Direct Growth to City Centers;
- Invest in Multi-Modal Corridors:
- Provide a Network of Multi-Use Trails;
- Preserve and Acquire Green Areas;
- Preserve Agricultural Lands;
- Conserve Water;
- Establish Urban Service Areas;
- Promote Affordable Housing;
- Conduct Joint Planning; and
- Create "Smart Growth Zones."

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).

SECTION 2.103 DEVELOPMENT AREAS.

GOAL: To protect the public investment by encouraging compact community design that supports the efficient use of community infrastructure, reduces energy consumption and protects the community's natural resources by showing the proposed distribution, location, and extent of future land uses by type, density, and intensity; while providing essential services in a cost effective manner and discouraging unplanned, uncontrolled urban development into rural areas. Polk County shall implement the goals of the Polk Vision and MyRegion.org, a shared vision plan for Central Florida, as the basis for establishing higher densities for residential development, increased intensity in commercial development while promoting redevelopment strategies that encourage multi-modal transportation options and a mix of land uses.

OBJECTIVE 2.103-A: The Polk County Plan shall direct development within the County through a growth-management system which will guide urban-intensity development to areas where urban services are provided, or are scheduled to be provided, through:

a.the establishment and mapping of development areas on the Future Land Use Map Series, and

b.the establishment of criteria applicable to the development of land within development areas.

POLICY 2.103-A1: AREAS ESTABLISHED AND MAPPED - The following development areas shall be designated and mapped on the Polk County Future Land Use Map Series as base districts in accordance with the criteria established within Sections 2.104 through 2.108, on the Future Land Use Map Series as base districts:

a. Transit Supportive Development Area (TSDA)

b. Urban-Growth Areas (UGA)

c. Suburban-Development Areas (SDA)

d. Utility-Enclave Areas (UEA)

e. Rural-Development Areas (RDA)

POLICY 2.103-A2: BASE DISTRICTS - Development Areas are not land uses. They are base districts and serve as a foundation on which land use districts are placed. In this way the County establishes a general future urban pattern which serves as a guide to define the urban form as the County grows over the next 2520 years.

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;

POLICY 2.104-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map TSDAs for those areas of the County meeting the general characteristics of this Section 2.104.

POLICY 2.104-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria

a. ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.

b. RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts.

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

Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in the definitions in Section 2.109.

POLICY 2.104-A4: OVERLAY DISTRICTS - All overlay Districts shall be permitted within TSDAs and UGAs in accordance with applicable criteria.

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 2.104-A6: GENERAL INCENTIVES - Polk County shall encourage and promote compact, mixed-use by allowing:

a. increased densities and intensities within the Transit Corridors and Centers Overlay District subject to Policy 2.104-A7; and

b. increased densities for affordable or workforce housing subject to Policy 2.104-A7.

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.

Maximum densities are established within the TSDA and the respective components of the Transit Corridors and Centers Overlay as listed in Table 2.104.1. The maximum densities 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 2.104.1 also includes recommended minimum densities to support future investments in public transportation. These recommended minimum densities may be required under the Land Development Code to coincide with planned public or private sector transit investments. Residential projects with less than the recommended minimum density 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 2.104.1

DENSITY SCHEDULE	Residential Low	Residential Medium	Residential High	Mixed Use
Transit Supportive Development Area (TSDA)	3 du/ac min 7 du/ac max	5 du/ac min 10 du/ac max	7 du/ac min 15 du/ac max	
Transit Corridor	4 du/ac min 10 du/ac max	7 du/ac min 12 du/ac max	10 du/ac min 17 du/ac max	
Transit Center	6 du/ac min 12 du/ac max	10 du/ac min 15 du/ac max	12 du/ac min 18 du/ac max	10 du/ac min 18 du/ac max
Transit Corridor w/in Transit Center	8 du/ac min 15 du/ac max	12 du/ac min 18 du/ac max	15 du/ac min 20 du/ac max	10 du/ac min 20 du/ac max
Transit Center Core	10 du/ac min 25 du/ac max	15 du/ac min 30 du/ac max	20 du/ac min 40 du/ac max	15 du/ac min 40 du/ac max

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

To support the development of compact, mixed land uses and to ensure mobility within the Transit Corridors and Centers Overlay, Polk County shall implement the development incentives and standards enumerated in Policy 2.124-A6.

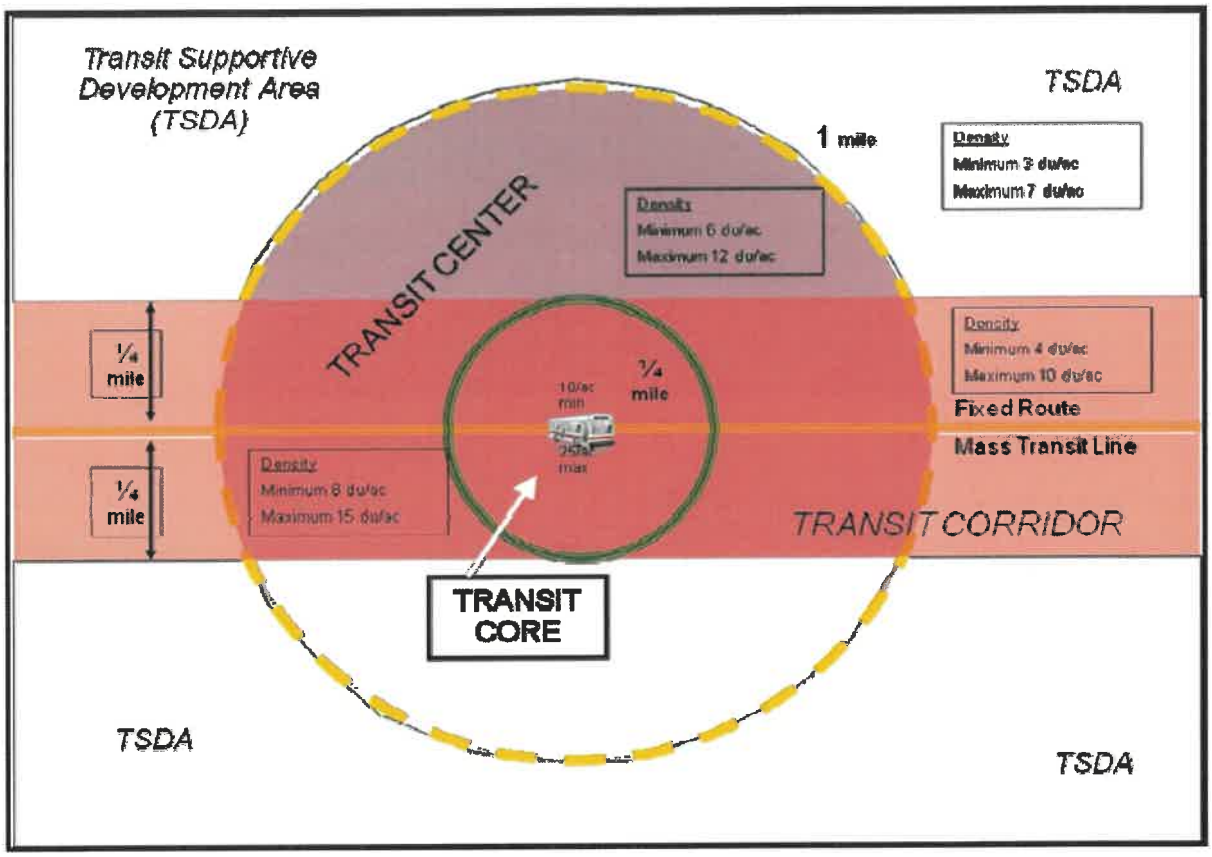


Figure 1 Residential Low (RL) densities within the TSDA and its Overlay Districts

POLICY 2.104-A8: URBAN SERVICE BOUNDARY - The Transit Supportive Development Area shall serve as an urban service boundary pursuant to Section 163.3177(14), F.S. to promote compact, contiguous urban development within a 10-year timeframe. This designation does not prevent or discourage development in other Development Areas, but rather serves as a focal point for the provision of community infrastructure and services needed to support compact, mixed-use development and energy efficient land use patterns.

POLICY 2.104-A9: TSDA ALLOCATION - The Transit Supportive Development Area should contain developable land having capacity to sustain a projected population and residential demand for a period of ten years.

SECTION 2.105 URBAN-GROWTH AREAS (UGA).

OBJECTIVE 2.105-A: The Polk County Plan shall provide areas for the future development of urban-intensity growth through:

a.the designation and mapping of Urban Growth Areas, and

b.the establishment of policies to govern the development of land within the Urban-Growth Areas.

POLICY 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:

a. complement the TSDA in guiding growth, while promoting orderly and compact development;

b. be located contiguous to the TSDAs or a municipality as they represent the expansion areas;

c. be supported by existing or planned urban type services that are programmed for the 2520-year planning horizon;

d. 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 in close proximity to the development in the adjacent TSDAs;

e. 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;

3. support the preservation of open space and natural areas;

4. reduce capital and operating cost for the provision of infrastructure and public services.

POLICY 2.105-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map UGAs for those areas of the County meeting the general characteristics of this Section 2.105.

POLICY 2.105-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UGAs:

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

b. RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts shall be permitted within UGAs in accordance with applicable criteria.

c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Professional Institutional, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, 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 2.105-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UGAs in accordance with applicable criteria.

POLICY 2.105-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS - Development within the Urban Growth Areas shall conform to the following criteria as further specified in the Land Development Code:

a. connect to centralized potable water;

b. connect to centralized sanitary sewer systems if available.

c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;

d. promote the implementation of "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;

e. promote the integration of 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. be encouraged to 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 and mixed uses; and

k. additional standards supporting transit if development is within the "Corridor and Center Overlay" (Section 2.124-A);

SECTION 2.106 SUBURBAN-DEVELOPMENT AREAS (SDA).

OBJECTIVE 2.106-A: The Polk County Plan shall provide areas for the development of suburban intensity growth through:

a.the designation and mapping of Suburban-Development Areas (SDAs), and

b.the establishment of policies to govern the development of land within SDAs.

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-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map SDAs, for those areas of the County meeting the general characteristics of this Section 2.106.

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-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within the SDA in accordance with applicable criteria.

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 2.106-A6: SEWER EXTENSIONS - Sanitary sewer shall not be extended into the SDA, except as allowed by Policy 2.132-C10 or the Board deems it necessary given one of the following circumstances:

a. It is in the interest of on site and/or nearby environmental features including the site's location within the Nutrient Restoration Plan overlay Areas;

b. It is in the interest of public health; or

c. The area has been designated a redevelopment district under Policy 2.124-F. Provided the development density of land served by the sewer lines does not exceed the amount allowed under the current land use designation.

POLICY 2.106-A7: TIMING OF DEVELOPMENT - When evaluating non-residential projects within the Suburban Development Area the relative timeliness of the proposal shall be considered. The following factors shall indicate whether a project is premature:

a. there is not functional and proximate relationship between the proposed development and other development;

b. there is considerable displacement of ongoing economically viable agricultural activities;

c. there is a lack of urban services, including but not limited to police, fire, and EMS; and

d. the condition and adequacy of the collector and arterial road network is deficient.

If a project is determined to be premature it shall not be approved.

SECTION 2.107 UTILITY-ENCLAVE AREAS (UEA).

OBJECTIVE 2.107-A: The Polk County Plan shall recognize existing isolated areas of urban development where centralized public, or franchised, or private potable water and sewer systems are in place through:

a.the designation and mapping of Utility-Enclave Areas (UEAs), and

b.the establishment of policies to govern the development of land within UEAs.

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 2.102-A10 ("locational criteria" for land use and development area expansions); and

c. 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:

a. 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.

b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.

c. 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:

a. 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. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay

b. 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.

c. Provide access to parks, green areas, and open space and other amenities.

d. 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 (Section 2.1251).

SECTION 2.108 RURAL-DEVELOPMENT AREAS (RDA).

OBJECTIVE 2.108-A: The Polk County Plan shall provide areas for rural activities such as agricultural uses, mining activities, and rural residential uses, and for areas to be available for future long-range urban-expansion activities through:

a.the designation and mapping of Rural-Development Areas (RDAs), and

b.the establishment of policies to govern the development of land within RDAs.

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-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Rural-Development Area base areas for those areas of the County meeting the general characteristics of this Section.

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 2.108-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within RDAs in accordance with applicable criteria.

POLICY 2.108-A5: DEVELOPMENT CRITERIA - Development within RDAs shall be guided by the following criteria:

a. The detailed criteria listed for each land use category permitted within the Rural-Development Area;

b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and

c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement).

d. Connect to public sewer as required by the Nutrient Restoration Plan Overlay.

POLICY 2.108-A6: MONITORING - The County shall monitor the amount and rate of development in the "Rural-Development Area." The Board of County Commissioners shall take action to amend the Comprehensive Plan to limit development in the Rural-Development Area should RMD development exceed 18 over a three year period. This evaluation shall occur once after the third year of Plan implementation and at every evaluation and appraisal report cycle. If the number of RMDs exceed 18 after the first three year period, or 6 for any year after the initial three year period, Polk County shall amend the Comprehensive Plan as follows:

a. adopt a cap on the number of RRDs and RMDs that can occur in the Rural-Development Area in any given year;

b. adopt locational and/or spacing criteria for RRDs and RMDs; or

c. provide FloridaCommerce~~DEO~~ with additional data and analysis to justify why development in the Rural-Development Area has exceeded historical trends.

SECTION 2.109 LAND USE CATEGORIES AND OVERLAY DISTRICTS.

OBJECTIVE 2.109-A: The Polk County Plan shall establish land use categories in order to promote the appropriate distribution of land uses with regard to the existing population and the projected population; while considering

issues of compatibility, sufficient quantities of land by type of land use concurrency management, and potential economic impacts.

POLICY 2.109-A1: LAND USE CATEGORIES ESTABLISHED - The following land use categories are hereby established for the Polk County Comprehensive Plan:

	Map Symbol	Maximum Standard Residential Density(1)	Maximum Planned Development Density(2)	Standard Non-residential FAR(3)	Maximum Planned Development FAR(4)
a. Activity Centers					
1. Rural-Cluster Centers	RCC	2.0	2.0	0.30	0.30
2. Convenience Centers	CC	0.0	0.0	0.25	0.50
3. Neighborhood Activity Centers	NAC	0.0	5.0	0.25	0.70
4. Community Activity Centers	CAC	25.0	25.0	0.30	1.00
5. Regional Activity Centers	RAC	25.0	25.0	0.35	1.50
6. High-Impact Centers	HIC	0.0	0.0	0.50	0.50
7. Tourism-Commercial Centers	TCC	0.0	0.0	0.50	1.00
b. Linear Commercial Corridor	LCC	0.0	0.0	0.35	0.35
c. Commercial Enclave	CE	0.0	0.0	0.35	0.35
d. Industrial/Business Park Center/Office Center					
1. Industrial	IND	0.0	0.0	0.75	1.50
2. Business Park Center	BPC	15.0	15.0	0.75	1.50
3. Office Center	OC	0.0	0.0	0.30	0.30
e. Phosphate Mining	PM	0.0	0.0	0.75	0.75
f. Leisure/Recreation	L/R	10.0	10.0	0.25	0.25
g. Institutional	INST	0.0	15.0	0.75	0.75
h. Recreation and Open Space	ROS	0.0	0.0	0.25	0.25
i. Preservation Areas	PRESV	0.0	0.0	0.0001	0.0001
j. Residential					
1. Urban					
(a) Residential-Suburban	RS	0.2	3.0	0.25	0.25
(b) Residential-Low	RL	5.0	5.0	0.25	0.25
(c) Residential-Medium	RM	7.0	10.0	0.25	0.25
(d) Residential-High	RH	15.0	15.0	0.25	0.25
2. Agricultural/Residential-Rural	A/RR	0.2	2.0	0.25	0.25
3. Rural Cluster Center	RCC-R	2.0	2.0	0.25	0.25
(1) Maximum Standard Residential Density is the highest number of dwelling units that may be achieved for residential development other than a Planned Development.					

(2) Maximum Planned Development Density is the highest number of dwelling units that may be achieved within a Planned Development.
(3) Standard Non-residential FAR is the most intense floor to area ratio for non-residential buildings within development proposals that are not within a Planned Development.
(4) Maximum Planned Development FAR is the most intense floor to area ratio for buildings within a Planned Development.
(5) Maximum Planned Development FAR of up to 0.75 is permitted for self-storage facilities in the OC land use in a Transitional Area.
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.

POLICY 2.109-A2: This Policy 2.109-A2 has been moved to Section 2.122 (Special Area Overlay Districts and Areas) by CPA 10B-03.

POLICY 2.109-A3: Land Development Regulations adopted to implement this comprehensive plan shall be based on, and consistent with, the following standards for uses, densities and intensity of the land use districts as described in this section.

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.

POLICY 2.109-A5: 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-A6: The purpose of the Commercial Enclave (CE) land use district is to recognize existing concentrations of commercial and office uses located outside of Activity Centers and Linear Commercial Corridors, whose future development or redevelopment is consistent with the Polk County Comprehensive Plan.

POLICY 2.109-A7: The purpose of the Community Activity Center (CAC) land use district is to provide for shopping needs of residents living within a surrounding community. The CAC district permits special residential development, non-residential uses such as offices, department stores, supermarkets, restaurants and community facilities. A typical CAC is approximately twenty (20) to sixty (60) acres with approximately 150,000 to 500,000 square feet.

POLICY 2.109-A8: The purpose of the Convenience Centers (CC) land use district is to provide for the convenience shopping needs of residents within an immediate surrounding area. The CC district permits nonresidential uses such as offices, convenience stores, gas stations, dry cleaners and community facilities.

POLICY 2.109-A9: The purpose of the Employment Center (EC) land use district is to allow for the development of activity centers to facilitate light assembly, office and research parks, low impact commercial and other businesses. This land use classification may be available in areas that serve the post-secondary education campuses of Polk County. The EC land use is only available in the adopted Selected Area Plans.

POLICY 2.109-A10: The purpose of the High Impact Commercial Center (HIC) land use district is to provide areas for non-retail businesses and service establishments that may generate substantial truck traffic, noise, odor, and visual impacts to adjacent properties. The HIC district permits a range of non-residential service establishments and general retail uses to support the businesses and activities.

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.

POLICY 2.109-A12: The purpose of the Interchange Activity Center (IAC) land use is to delineate a coordinated development area which, due to proximity to and/or direct access to the Polk Parkway and impact on surrounding uses, can achieve a high intensity of development activity necessitating the need for coordinated access, signage and other special development controls. The IAC land use is only available in the I-4/NE Parkway Selected Area Plan.

POLICY 2.109-A13: The purpose of the Leisure/Recreation (L/R) land use district is to provide for facilities and areas oriented primarily towards providing recreation-related services for residents and short-term visitors.

POLICY 2.109-A14: The purpose of the Linear Commercial Center (LCC) land use district is to recognize existing linear concentrations of commercial, office, institutional, and industrial uses along roadways. The LCC land use also allows for multi-family residential development on the second floor or higher of new or redeveloped buildings.

POLICY 2.109-A15: The Mixed Use land use district is intended to promote master planned developments of areas suited to a unified community including office, retail, and single family detached where minimum of two different uses have to be constructed rather than single use. The MU land use is only available in the I-4/NE Parkway Selected Area Plan.

POLICY 2.109-A16: The purpose of the Neighborhood Activity Center (NAC) land use district is to provide for the daily shopping needs of residents within neighborhoods surrounding the center. The NAC district nonresidential uses such as offices, grocery stores, drug stores, banks and community facilities. A typical NAC is approximately five (5) to twenty (20) acres with approximately 20,000 to 150,000 square feet of retail space.

POLICY 2.109-A17: The purpose of the Office Center (OC) land use district is to provide for areas for small, professional offices, other similar uses, and a small percentage of retail uses.

POLICY 2.109-A18: The purpose of the Phosphate Mining (PM) land use district is for phosphate mining operations, phosphate mining support facilities, and other uses that are compatible with and related to phosphate mining and its allied uses.

POLICY 2.109-A19: The purpose of the Preservation (PRESV) land use district is to provide for the preservation of public or privately owned preservation areas, either obtained for long-term protective purposes, containing sensitive and unique vegetative or animal habitats, or publicly accessible property intended for long-term open space purposes.

POLICY 2.109-A20: Professional/Institutional (PI) land use is intended to accommodate the employment and functional needs of the medical community, as well as associated retail and commercial uses to serve the employees within the PI land use and surrounding areas. The PI land use, generally, is approximately ten (10) acres or more with a support population of more than 2,500 people. The PI land use is only available in the adopted Selected Area Plans.

POLICY 2.109-A21: The purpose of the Recreation and Open Space (ROS) land use 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 County residents and visitors.

POLICY 2.109-A22: The purpose of the Regional Activity Centers (RAC) land use district is to provide for the regional shopping needs of residents. The RAC land use permits special residential development, regional shopping centers, other regional attractors and community facilities. A typical RAC is approximately sixty (60) or more acres with approximately 500,000 to 2,000,000 square feet.

POLICY 2.109-A23: The purpose of the Residential-High (RH) land use district is to provide areas for high density residential development within urban areas. The RH land use permits single-family dwelling units, duplex units, multi-family units, group living facilities, and community facilities.

POLICY 2.109-A24: The purpose of the Residential Low (RL) land use district is to provide areas for the low density residential development in the urban areas of unincorporated Polk County.

POLICY 2.109-A25: The purpose of the Residential-Medium (RM) is to provide areas for medium density residential development within urban areas. The RM district permits single-family dwelling units, duplex units, multi-family units, group living facilities, and community facilities.

POLICY 2.109-A26: The purpose of the Residential-Suburban (RS) 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.

POLICY 2.109-A27: The purpose of the Rural Cluster Center (RCC) land use district is to provide locations in the rural area for the placement of retail and service establishments to accommodate the daily shopping needs of rural residents. The RCC land use permits residential, commercial and office uses at an intensity and scale necessary to provide the immediate rural population with retail and personal services, agricultural support uses, and community facilities.

POLICY 2.109-A28: The purpose of the Tourism-Commercial Center (TCC) land use is to provide areas for tourism activities, recreation, and tourist-related commercial establishments. The TCC land use permits commercial amusement activities, lodging facilities, service stations, restaurants, gift shops, and ancillary non-residential uses to the tourism industry.

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.

OBJECTIVE 2.109-B: Polk County shall provide for the reduction and/or elimination of incompatible land uses, and shall further control land use intensities, through the establishment of revised land use regulations as a part of the Land Development Code the County under Section 163.3202(1), FS.

POLICY 2.109-B1: INCONSISTENCIES - Polk County shall encourage the elimination or reduction of uses inconsistent with the County's character and future land uses by implementing the provisions included in the "Implementation" section (2.129-A2.c.1).

POLICY 2.109-B2: LAND USE INTENSITIES - Polk County adopted the Land Development Code, in accordance with Section 163.3202(1), FS, to further define intensities of land use for the various land use categories permitted within the County.

(Ord. No. 2023-001, § 2(Att. A), 1-3-2023)

SECTION 2.110 ACTIVITY CENTERS.

OBJECTIVE 2.110-A: The Polk County Plan shall manage higher-intensity land use activities by the designation and mapping of Activity Centers on the Future Land Use Map Series.

POLICY 2.110-A1: The Polk County Plan shall locate and establish "Activity Centers" using the following categories:

a. Rural-Cluster Centers

b. Convenience Centers

c. Neighborhood Activity Centers

d. Community Activity Centers

e. Regional Activity Centers

f. High-Impact Commercial Centers

g. Tourism Commercial Centers

POLICY 2.110-A2: DESIGNATION AND MAPPING - Activity Centers shall be located as designated on the Future Land Use Map Series. Activity Centers shall be approved and designated on the Future Land Use Maps based on the efficient provision of urban services and such designation shall not create a "leap frog" development pattern.

POLICY 2.110-A3: ACTIVITY CENTERS CRITERIA - The characteristics, location criteria, and development criteria established within Section 2.110 shall be applicable to:

a. the expansion of existing Activity Centers; and

b. the development of new Activity Centers.

The size of an activity center, and the amount of gross leasable area (GLA) within a new Activity Center - or the expansion of an existing Activity Center - shall be proportionally related to that Activity Center's population support criteria.

POLICY 2.110-A4: DEVELOPMENT REVIEW - Development proposed within an Activity Center shall require review and approval through the County's development review procedures prior to the issuance of appropriate development orders.

POLICY 2.110-A5: BOUNDARY CRITERIA - The boundary of an Activity Center shall normally be placed so that a majority of the Center's area is located symmetrically around its center. The center of an Activity Center shall generally be considered to be the intersection point of the two major intersecting roads around which an Activity Center is typically located. A center may be officially designated for an Activity Center on the Future Land Use Map Series accompanying the optional Activity Center Plan referred to in Section 2.110-L.

OBJECTIVE 2.110-B: RURAL-CLUSTER CENTERS - The Polk County Plan shall provide locations within the Rural-Development Area for the placement of retail and service establishments to accommodate the daily-shopping needs of rural residents through:

a.the designation and mapping of Rural-Cluster Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Rural-Cluster Centers.

POLICY 2.110-B1: CHARACTERISTICS - At the adoption of the Comprehensive Plan in 1991 the Rural-Cluster Center (RCC) was to serve as a focus for the County's rural communities and was to generally contains public services, such as fire stations and schools, and retail-commercial uses at a level to serve the surrounding population that may or may not be included in the RCC. As rural uses have changed since the Comprehensive Plan adoption, there is a need based on the County's seasonal population and more trips on the County's regional roads to allow commercial nodes of RCC separate from the historical RCC communities designated at the time of the initial adoption of the Comprehensive Plan, including, but not limited to Alturas, Babson Park, Bowling Green, Bradley Junction, Crooked Lake Park, and Homeland. One commercial node of RCC exists at the intersection of Boy Scout Road and SR 60. This node does not include any residential. It is intended to allow some additional commercial nodes of RCC without any initial residential consistent with the location criteria listed in Policy 2.110-B3 at the time of application for a Future Land Use Map amendment.

POLICY 2.110-B2: DESIGNATION AND MAPPING - Rural-Cluster Centers shall be designated and mapped on the Future Land Use Map Series for those clusters of residential parcels located within the "Rural-Development Area" of the County, which also have a concentration of non-residential uses located within the immediate area. These centers shall be shown on the Future Land Use Map Series as "Rural-Cluster Center" (RCC). RCCs can also be designated for commercial nodes without any initial residential to serve a surrounding existing, tourist, or seasonal population in A/RR areas with significant traffic counts on the fronting roadways.

POLICY 2.110-B3: LOCATION CRITERIA - The establishment of new RCCs intended for both residential and commercial uses shall be located at the intersections of arterial and/or collector roads and shall be guided by the criteria established within Section 2.110-K Activity Center Establishment. The establishment of new RCCs, subject to Section 2.110-K, intended for rural commercial-support activity, shall be located at:

1. The intersections of arterial and/or collector roads whereby the intersection is central to seasonal, tourist, migratory population, or permanent residential population vehicle trips, this may include "t" intersections with safe access creating the appearance of a full intersection; or
2. On an intersection of arterials and collector roads that serve as part of the main vehicle trip route for clusters of neighborhoods and in areas with 2,500 people in a three (3) mile radius.
3. Not within 3 miles of another Activity Center or other RCC;
4. Can be at the same intersection with a developed CE;
5. The expansion of these isolated commercial nodes, in situations when the 80% developed standard cannot be met may be permitted according to the following:
    a. Up to the size of a Neighborhood Activity Center (NAC) with an Activity Center Plan (ACP) to be incorporated into Appendix E of the Land Development Code
    b. To ensure the increase of the node on as many corners as possible, and to ensure consistency with Policy 2.110-A5.

POLICY 2.110-B4: DEVELOPMENT CRITERIA - Development within Rural-Cluster Centers shall conform to the following standards:

a. Residential development within the Rural-Cluster Center shall be permitted at a density of up to two dwelling units per acre (2 DU/AC).
b. Non-residential development in the RCCs within the communities listed in Policy 2.110-B1, shall be permitted within a Rural Cluster as follows:
    1. Commercial uses shall be limited to an intensity and scale necessary to provide the immediate rural population with retail and personal services. Such determination should be based on the market-area radius and minimum population support criteria established for Convenience, Neighborhood, or Community Activity Centers. The maximum floor area ratio shall not exceed 0.30.
    2. Non-residential uses should be concentrated at the center of the cluster, with direct access to a collector or arterial intersection.
    3. Typical non-residential uses are grocery, pharmacy, medical offices, and personal services.
    4. The amount of non-residential uses for any cluster shall be based on the location and minimum population support criteria established for the applicable Activity Center.
c. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre.

OBJECTIVE 2.110-C: CONVENIENCE CENTERS - The Polk County Plan shall provide for the convenience-shopping needs of residents through:

a.the designation and mapping of Convenience Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Convenience Centers.

POLICY 2.110-C1: CHARACTERISTICS - Convenience Centers are intended to accommodate the convenience-shopping needs of residents living within the immediate surrounding area. General (approximate) characteristics of Convenience Centers are:

Usable Area: Up to 5 acres

Gross Leasable Area (GLA): 3,000 to 20,000 square feet

Minimum Population Support: 2,500 to 5,000 people

Market-Area Radius: 1 mile

Typical Leading Tenant: Convenience Store

Other Typical Tenants: Laundry, Dry Cleaning, Barber, Restaurant, Gas Station, Office

POLICY 2.110-C2: DESIGNATION AND MAPPING - Convenience Centers shall be located within TSDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Convenience Center" (CC).

POLICY 2.110-C3: LOCATION CRITERIA - Convenience Centers shall be located at the intersections of arterial and/or collector roads, and of collector and local roads in Redevelopment Areas consistent with Section 2.124-F. There shall be the following traveling distance, on public roads, between the center of a Convenience Center and the center of any other Convenience Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same convenience-shopping needs:

a. One (1) mile within the TSDA and UGA.

b. Two (2) 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 Convenience Center market-area radius, minimum population support is over 5,000 people.

POLICY 2.110-C4: DEVELOPMENT CRITERIA - Development within a Convenience Center shall conform to the following criteria:

a. Convenience 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 Convenience 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. Residential uses shall not be permitted in Convenience Centers.

f. Offices uses shall not exceed 40 percent of the total area within the convenience center. Commercial uses may constitute 100 percent of the convenience center.

g. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.

h. Planned Developments within the Convenience Center may be permitted a maximum floor area ratio up to 0.50. Intensity 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. Such Planned Developments shall also be designed to be compact and require less land area than other alternatives. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

OBJECTIVE 2.110-D: NEIGHBORHOOD ACTIVITY CENTERS - The Polk County Plan shall provide for the local-shopping needs of residents through:

a.the designation and mapping of Neighborhood Activity Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Neighborhood Activity Centers.

POLICY 2.110-D1: CHARACTERISTICS - Neighborhood Activity Centers are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are:

Usable Area: Over 5 acres to 20 acres

Gross Leasable Area (GLA): 20,000 to 150,000 square feet

Minimum Population Support: 5,000 to 10,000 people

Market-Area Radius: 1½ miles

Typical Leading Tenant: Supermarket

Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store

POLICY 2.110-D2: DESIGNATION AND MAPPING - Neighborhood Activity Centers shall be located within UDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Neighborhood Activity Center" (NAC).

POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs:

a. Two (2) miles within the TSDA and UGA.

b. Four (4) 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 Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.

POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Neighborhood Activity Center shall conform to the following criteria:

a. Neighborhood Activity Centers shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.

b. Different uses within a Neighborhood 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. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.

e. Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.

f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.

g. Planned Developments within the Neighborhood Activity Center may be permitted a maximum floor area ratio up to 0.70 and a maximum residential density of 5 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-D5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Neighborhood Activity Center may include the following uses: Office, Residential, Institutional, and Recreation and Open Space.

OBJECTIVE 2.110-E: COMMUNITY ACTIVITY CENTERS - The Polk County Plan shall provide for the community-shopping needs of residents through:

a.the designation and mapping of Community Activity Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Community Activity Centers.

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-E2: DESIGNATION AND MAPPING - Community Activity Centers shall be located within TSDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Community Activity Center" (CAC).

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.

OBJECTIVE 2.110-F: REGIONAL ACTIVITY CENTERS - The Polk County Plan shall provide for the regional-shopping needs of residents through:

a.the designation and mapping of Regional Activity Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Regional Activity Centers.

POLICY 2.110-F1: CHARACTERISTICS - Regional Activity Centers are intended to accommodate regional needs, and generally contain a regional shopping center, or other regional attractor, and other commercial and office uses within close proximity to compliment and take advantage of the regional nature of the center. General (approximate) characteristics of Regional Activity Centers are:

Usable Area: Over 60 acres

Gross Leasable Area (GLA): 500,000 to 2,000,000 square feet (40 or more stores)

Minimum Population Support: 150,000 or more people

Market-Area Radius: 20 miles or more

Typical Leading Tenant: One or more full-line department stores of at least 100,000 sq/ft

Other Typical Tenants: Same as Community Activity Center, with greater variety to include furniture and appliance stores, or other tenants with regional drawing capability or needs

POLICY 2.110-F2: DESIGNATION AND MAPPING - Regional Activity Centers shall be located within TSDAs and UGAs as designated on the Future Land Use Map Series as "Regional Activity Centers" (RAC).

POLICY 2.110-F3: LOCATION CRITERIA - Regional Activity Centers shall be located with consideration being given to regional transportation issues, and 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.

POLICY 2.110-F4: DEVELOPMENT CRITERIA - Development within a Regional Activity Center shall conform to the following criteria:

a. Regional 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 Regional 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 Regional 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 Regional Activity Center.

g. The maximum floor area ratio shall not exceed 0.35.

h. Planned Developments within the Regional Activity Center may be permitted a maximum floor area ratio up to 1.5 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-F5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Regional Activity Center may include the following uses: Office, High-Density Residential, Institutional, and Recreation and Open Space.

OBJECTIONS 2.110-G RESERVED

OBJECTIVE 2.110-H: HIGH-IMPACT COMMERCIAL CENTERS - The Polk County Plan shall provide for the clustered placement of a broad range of intensive, non-general retail and service establishments, including those generating substantial truck traffic, noise, odor, and visual impacts, by:

a.the designation and mapping of High-Impact Commercial Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within High-Impact Commercial Centers.

POLICY 2.110-H1: CHARACTERISTICS - High-Impact Commercial Centers are intended to accommodate specific commercial needs that, because of their intensity and/or particular aspect of their operation, can be expected to

have a measurable adverse impact upon adjacent and nearby properties. Generally, this land use category will include, but not be limited to, such uses as: new and used auto dealers, auto auctions, heavy machinery and equipment sales and services, storage yards, truck terminals, truck stops, freight yards, flea markets and welding shops. General (approximate) characteristics of High Impact Commercial areas are:

Usable Area: 40 to 100 acres

Gross Leasable Area (GLA): 500,000 to 2,000,000 sq. ft.

Minimum Population Support: 150,000 or more people

Market-Area Radius: 50 miles

Typical Uses: Sales and services of all types of vehicles and crafts, heavy machinery and equipment sales and services, outside storage yards, truck terminals, truck stops and freight yards, flea markets, welding shops.

POLICY 2.110-H2: DESIGNATION AND MAPPING - High-Impact Commercial Centers shall be located within TSDAs, UGAs, and SDAs as designated on the Future Land Use Map Series as "High-Impact Commercial Centers" (HIC).

POLICY 2.110-H3: LOCATION CRITERIA - High-Impact Commercial Centers shall be located in close proximity to existing industrial development so that an orderly "step-down" in uses can occur. Consideration shall be given to compatibility with surrounding land uses from development within the HIC and appropriate vehicle access.

POLICY 2.110-H4: DEVELOPMENT CRITERIA - Development within a High-Impact Commercial Center shall conform to the following criteria:

a. High-Impact Commercial 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 roadway.

b. Different uses within a High-Impact Commercial 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, exterior storage yards, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

e. No residential uses shall be permitted within a high-impact commercial center. General commercial uses shall be limited to those that support the workers within in the High-Impact Commercial Centers and under no circumstances shall general commercial uses be allowed to constitute over 5 percent of the gross acreage of the High-Impact Commercial Center.

POLICY 2.110-H5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a HIC may include the following uses: Office, Medium-Density Residential, Institutional, or Open Space.

OBJECTIVE 2.110-I: TOURISM COMMERCIAL CENTERS - The Polk County Plan shall provide for the establishment of mixed-use centers where the primary uses and activities shall be tourism activities, recreation, and tourist-related commercial by:

a.the designation and mapping of Tourism Commercial Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Tourism Commercial Centers.

POLICY 2.110-I1: CHARACTERISTICS - Tourism Commercial Centers are intended to provide for the tourist, recreational needs, and entertainment activities primarily for the short-term visitor to Polk County, and also the

residents of Polk County that accommodate large crowds and daily events. These include, but are not limited to: theme parks, resorts, hotels, motels, cultural centers, museums, and conference centers. Ancillary commercial uses necessary to support the activities within the center, such as restaurants, service stations, and convenience stores may also be permitted. General (approximate) characteristics of Tourism Commercial Centers are:

Usable Area: 10 acres or more

Gross Leasable Area (GLA): 10,000 to 2,000,000 sq. ft.

Typical Leading Tenant: Resorts, Museums, Historical Facilities, Theme park, Hotel, Motel, RV park.

Other Typical Tenants: All lodging facilities, restaurants, service stations, gift shops, miniature golf, and entertainment activities, bed and breakfasts, convention centers, expo halls, and uses that are part of a master planned development for a tourist use attraction such as a private airstrip, marina, or equestrian facility.

POLICY 2.110-I2: DESIGNATION AND MAPPING - Tourism Commercial Centers shall be located within TSDAs, UGAs, SDAs, UEAs, and RDAs as designated on the Future Land Use Map Series as "Tourism Commercial Center" (TCC).

POLICY 2.110-I3: LOCATION CRITERIA - Tourism Commercial Centers shall be located at the intersections of arterial or major collectors, preferably with the capability to accommodate a fixed-route mass transit line. The proximity to other recreational attractions, either existing or proposed, such as recreational water bodies, recreational facilities, natural amenities, or other regional tourist attractions, shall also be considered in the location of Tourism Commercial Centers.

POLICY 2.110-I4: DEVELOPMENT CRITERIA - Development within a TCC shall conform to the following criteria:

a. TCCs shall have direct access to an arterial roadway or have sufficient network of multiple collector roads to distribute traffic during peak periods of activity. Tourism Commercial Centers shall incorporate the use of frontage roads and 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, screening, and setbacks 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, screening, and setback provisions.

d. The maximum floor area ratio shall be limited to 0.50 unless developed as part of a Planned Development and may be permitted to go to 1.0 per the requirements in the Land Development Code.

e. Planned Developments within the TCC may be permitted a maximum floor area ratio up to 1.0 or an increase in square footage in order to promote attractive and economically viable tourist-oriented commercial development. Intensity increases shall only be available to parcels within the TSDA and UGA or those locations where urban infrastructure including adequate access to urban collector or arterial roads, public potable water and sewer, and public safety services are already available at appropriate levels. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

f. Tourism Commercial Center activities involving:

   1. Manufacturing uses such as confectionery, canneries and wineries where the products are part of the overall attraction, and

   2. Non-municipal airports may be approved in through terms and conditions stipulated in the Land Development Code.

g. Residential development shall only be permitted for tourists and employee housing for employees of the tourist use. Examples include but are not limited to timeshares, short term rentals, employee housing, lodges and retreats, cabins, recreational vehicle spaces. Residential uses for employees of the TCC use shall only be considered as an accessory use as part of a master planned development per the Land Development Code. Housing for the owner and/or family of the owner shall be addressed as per the Land Development Code.

POLICY 2.110-I5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a TCC may include the following uses: Office, Medium-Density Residential, Institutional, or Open Space.

OBJECTIVE 2.110-J: ACTIVITY-CENTER EXPANSIONS AND RECLASSIFICATIONS - The Polk County Plan shall provide for the expansion of existing Activity Centers through the establishment of procedures for the expansion or reclassification of Activity Centers.

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:

a. Expansion of an existing Activity Center may occur when eighty percent (80%) or more of the usable area within the center is developed, or has received approval of:

   1. a final engineered construction plan (with building-permit application); or

   2. a final PUD/PD/CU approval.

   If the remaining undeveloped usable area of an Activity Center is controlled by a single interest, items 1 and 2 above may be waived by the Board.

b. The expansion of an existing Activity Center shall generally be limited to the parameters established within the "general characteristics" for that class of Activity Center, unless it is being upgraded to the next classification. The expansion of an isolated commercial RCC may occur according to the criteria in Objective 2.110-B.

c. When the expansion of an existing Activity Center increases one or more of the "general characteristics" of the Center to those of the higher-level Activity Center classification, the expansion action may include reclassifying the Center to the next classification or consistent with Policy 2.110-J1.g.

d. An existing Activity Center may be expanded, or reclassified, when it is demonstrated that there are adequate facilities to support the proposed expansion or reclassification, or adequate facilities will be provided by the time the new Center is developed.

e. Expansion/reclassification review criteria shall include, but are not limited to, the locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.

f. The Board of County Commissioners or the Land Development Director or his designee may require that a "Selected-Area Study" and/or a proposed "Activity-Center Plan" be submitted by the property owners requesting expansion or reclassification of a Center.

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.

OBJECTIVE 2.110-K: ACTIVITY CENTER ESTABLISHMENT - The Polk County Plan shall provide for the establishment of new Activity Centers to support the continued growth of the County's economic base through the establishment of procedures and criteria for the establishment and location of additional Activity Centers.

POLICY 2.110-K1: Additional Activity Centers shall be established and mapped on the Future Land Use Map Series in accordance with the following criteria:

a. An additional Activity Center may be established, subject to approval by the Board of County Commissioners, through a comprehensive plan amendment when it is demonstrated that the proposed center will, at a minimum:

1. meet the Activity Center "location criteria" for the applicable Development Area in which the property is located; and

2. currently meet the "general characteristics" for the proposed classification, or will meet those attributes within the next five (5) years - particularly the minimum population support within the market-area/service-area radius.

b. An additional Activity Center may be established, subject to approval by the Board of County Commissioners, when it is demonstrated that there are adequate facilities to support the establishment of the proposed center, or adequate facilities will be provided concurrently with the center's development.

c. Activity center establishment review criteria shall include, but are not limited to, the locational criteria enumerated in Policy 2.102-A9; Policy 2.102-A10, and an Activity Center Plan required by the Land Development Director or his designee.

d. The Board of County Commissioners may require that a "Selected-Area Study" be submitted by the property owners requesting the establishment of an additional Activity Center.

OBJECTIVE 2.110-L: ACTIVITY-CENTER PLANS - The Polk County Plan shall provide procedures for the preparation of Activity-Centers Plans in order to ensure that Activity Centers develop in a manner consistent with sound planning principles, and in accordance with development objectives of the County.

POLICY 2.110-L1: ACTIVITY-CENTER PLANS - An Activity-Center Plan (ACP) is a special, detailed land use plan for a specific Activity Center. An ACP shall include a land use map and accompanying objective and policies to provide special conditions, restrictions, or requirements for activities within the ACP. ACPs shall be incorporated into the Land Development Code with reference to the Comprehensive Plan.

POLICY 2.110-L2: INITIATED BY THE COUNTY - An Activity-Center Plan may be adopted for an Activity Center and become incorporated into the Future Land Use Element by a Comprehensive Plan Amendment for all new Activity Centers proposed. The ACP, shall at a minimum, include land use, traffic, and market studies, or other appropriate studies to support the requested ACP.

POLICY 2.110-L3: INITIATED BY A PROPERTY OWNER - Any property owner applying for a new Activity Center shall prepare and submit an ACP for consideration by the Board of County Commissioners for inclusion within the Future Land Use Element through a Comprehensive Plan Amendment. The ACP can also be used as supporting documentation for a proposed expansion or reclassification. The Board may require that such submittal of a requested ACP include land use, traffic, and market studies, or other appropriate studies to support the requested ACP as outlined in L5 below.

POLICY 2.110-L4: PLAN REQUIRED - A developer shall be required to prepare and submit an ACP for the following:

a. a Development of Regional Impact (DRI) within an Activity Center;

b. a request to develop a residential development with a "Special Residential" classification (15 DU/AC or more) within an Activity Center; or

c. any new Activity Center proposed.

POLICY 2.110-L5: PLAN REQUIREMENTS - ACPs, at a minimum, shall include a map, or maps, and policies which establish:

a. Land uses designations for all property within the center;

b. development criteria;

c. development restrictions, if appropriate;

d. a traffic circulation plan for the activity center; and

e. special transportation restrictions, if appropriate.

f. identify environmentally sensitive lands and endangered natural communities and outline proposals for the preservation and/or conservation of these areas; and

g. any other information that the Land Development Director or his designee may request.

(Ord. No. 2024-026, § 2(Att. A), 4-16-2024)

SECTION 2.111 LINEAR COMMERCIAL CORRIDORS (existing).

OBJECTIVE 2.111-A: Polk County shall recognize existing "Linear Commercial Corridors" (strip commercial areas) by their designation and mapping on the Future Land Use Map Series as Linear Commercial Corridors (LCC), and shall promote the infilling of such areas in the TSDA with multifamily and mixed use buildings through the establishment of criteria for the development of lands within Linear Commercial Corridors.

POLICY 2.111-A1: CHARACTERISTICS - 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.

POLICY 2.111-A2: DESIGNATION AND MAPPING - Existing linear commercial areas shall be designated and mapped on the Future Land Use Map Series as "Linear Commercial Corridors" (LCC).

POLICY 2.111-A3: LOCATION CRITERIA - 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. Any such map-error corrections shall require that a Plan amendment be processed consistent with requirements of this policy and Chapter 163, FS. The following factors shall be taken into consideration when evaluating whether an error was made during the original mapping process:

a. USES OF THE LAND AND DEVELOPMENT OF THE PARCEL, AND SURROUNDING LAND, EXISTING AS OF APRIL 19, 1991: The use of the land and existing development of the subject parcel and the surrounding area as of the adoption of the Plan would be taken into consideration when determining an error. Land that was vacant, or developed in some other manner than that of the claimed error, would be determined not to be an error.

b. ZONING OF THE PARCEL, AND SURROUNDING LAND, AS OF APRIL 19, 1991: The existing zoning of a parcel and surrounding area, as of the Plan's adoption date, would be considered in determining an error. However, the property's zoning would not be a factor, in and of itself, when the subject property is vacant.

c. EXISTING PROPERTY LINES AS OF APRIL 19, 1991: Parcels existing as of the adoption date of the Plan would be considered in determining an error. Lands added to a parcel, or parcels under one ownership, since the adoption would not be considered.

d. CONSISTENCY WITH THE PLAN: Was the subject property consistent with the Plan's criteria for the claimed land use category at the time of Plan adoption? Is the claimed designation consistent with the Plan's overall objective to control urban sprawl and to not degrade the County's overall growth management program? Isolated development and/or spot zonings would not be considered an error.

e. RECORDS OF THE COMPREHENSIVE PLAN CITIZENS' ADVISORY COMMITTEE (CAC) FUTURE LAND USE SUBCOMMITTEE AND THE BoCC PRIOR TO APRIL 19, 1991: Information contained in the minutes and other records indicating the intention of those bodies were different than what was actually adopted would be used in determining mapping errors.

f. REZONING ACTIONS APPROVED BY THE BoCC BETWEEN JANUARY 1, 1990, AND APRIL 19, 1991: Rezoning actions approved by the BoCC after the initial staff mapping effort and the adoption of the Plan, which were not included in the final Plan map, would be considered in determining an error, whether the land was vacant or not.

g. OTHER FACTORS: Environmental constraints, availability of infrastructure at acceptable levels of service, and the Plan's Capital Improvement Program (CIP) at the time of adoption would be considered.

POLICY 2.111-A4: DEVELOPMENT CRITERIA - 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.

POLICY 2.111-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a LCC may include the following uses: Office, Residential, Institutional, or Open Space.

POLICY 2.111-A6: TRANSIT SUPPORTIVE DEVELOPMENT - For parcels with LCC land use designation in the TSDA or TCCO, development and redevelopment of these parcels may also include stand alone residential and residential development in mixed use projects according to the requirements of the Land Development Code. Stand alone residential development is limited to twenty-five (25) percent of the site.

The density and intensity shall be limited to the range provided in the Residential Medium (RM) land use designation described in Table 2.104.1 and Table 2.104.2 of this element. New development or redevelopment shall be encouraged to use energy-efficient building practices including site design and Florida friendly landscaping.

SECTION 2.112 COMMERCIAL ENCLAVES (existing).

OBJECTIVE 2.112-A: The Polk County Plan shall recognize existing isolated commercial/office areas that do not degrade the County's overall growth-management program by:

a.their designation and mapping on the Future Land Use Map Series as Commercial Enclaves, and

b.the establishment of criteria applicable to the development of land within Commercial Enclaves.

POLICY 2.112-A1: CHARACTERISTICS - Commercial Enclaves are those concentrations of commercial/office uses and zoning districts which are located outside of Activity Centers and/or Linear Commercial Corridors and whose future development or redevelopment will not degrade the County's growth management program. These enclaves are the result of past actions by the County, which may or may not have been previously developed, but are recognized through their designation on the Future Land Use Map Series.

POLICY 2.112-A2: DESIGNATION AND MAPPING - Existing commercial/office developments and zoning districts located outside of Activity Centers and/or Linear Commercial Corridors shall be designated and mapped on the Future Land Use Map Series as "Commercial Enclaves" (CE).

POLICY 2.112-A3: LOCATION CRITERIA - The expansion or establishment of new commercial enclaves shall not be permitted, except to recognized legitimate errors made during the original mapping process, as determined using the error-evaluation criteria established in Policy 2.111-A3.

POLICY 2.112-A4: DEVELOPMENT CRITERIA - Development within a Commercial Enclave shall conform to the following criteria:

a. Permitted uses include commercial, office, and institutional uses.

b. New development or redevelopment within a Commercial Enclave shall be limited to the intensities of uses at the same or less intensity as adjacent existing uses. New development or redevelopment 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 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. Commercial Enclave uses shall have frontage on, or direct access to, a roadway, or a frontage road or service drive which directly serves a roadway.

e. New development within, or the redevelopment of, a Commercial Enclave shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

f. Adequate parking shall be provided to meet the demands of the uses, and interior traffic circulation shall facilitate safe bicycle and pedestrian movement.

g. Where the CE 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 adjacent to residential areas shall be compatible with adjacent existing uses without allowing a higher intensity of development.

h. 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.

i. The maximum floor area ratio shall not exceed 0.35.

POLICY 2.112-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a CE may include the following uses: Office, Medium-Density Residential, Institutional, or Open Space.

SECTION 2.113 INDUSTRIAL AND BUSINESS PARK CENTER.

SECTION 2.113A INDUSTRIAL.

OBJECTIVE 2.113-A: The Polk County Plan shall provide for the development of industrial lands within the County through:

a.the establishment of an "Industrial" land use classification,

b.the designation of Industrial lands on the Future Land Use Map Series, and

c.through the establishment of development criteria applicable to the development and location of Industrial lands within the County.

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~~ agency with authority for water and wastewater usage, whichever allowed intensity is the lesser.

POLICY 2.113-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an Industrial may include the following uses: Office, Self-storage Facilities, Medium and High-Density Residential, Institutional, or Open Space.

SECTION 2.113B BUSINESS PARK CENTER.

OBJECTIVE 2.113-B: BUSINESS-PARK CENTERS - The Polk County Plan shall provide for the light-industrial, wholesale, and employment needs of residents through:

a.the designation and mapping of Business-Park Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Business-Park Centers.

POLICY 2.113-B-1: 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-B-2: DESIGNATION AND MAPPING - Business-Park Centers shall be located throughout Polk County as designated on the Future Land Use Map Series as "Business-Park Centers" (BPC).

POLICY 2.113-B-3: 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-B-4: 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 a 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~~ agency with authority for water and wastewater usage, whichever allowed intensity is the lesser.

POLICY 2.113-B-5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Business-Park Center may include the following uses: Office, Self-storage Facilities, Medium-density Residential, Institutional, and Recreation and Open Space.

OBJECTIVE 2.113-C: OFFICE CENTERS -The Polk County Plan shall provide for needs of residents through:

a.the designation and mapping of Office Centers on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land within Office Centers.

POLICY 2.113-C1: CHARACTERISTICS - Office Centers are intended to accommodate the office needs of the community they serve. They generally contain lawyer, real estate, engineering, and other professional offices. Medical offices and support offices are also allowable in this category.

Usable Area: 10 acres or less

Gross Leasable Area (GLA): 1,000 to 30,000 square feet

Minimum Population Support: 2,500 people

Service-Area Radius: 2 miles or more

Typical Leading Tenant: Professional offices

Other Typical Tenants: Medical offices

POLICY 2.113-C2: DESIGNATION AND MAPPING - Office Centers shall be located throughout Polk County as designated on the Future Land Use Map Series as "Office Centers" (OC).

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;

b. along a collector or arterial roadway adjacent to an existing Activity Center that contains 10% or less in land area developed with professional offices;

c. Policy 2.404-A1; and

d. the total acreage for Office Center Districts within a two mile radius shall not exceed ten (10) acres unless one of the following can be met:

1. the total land area of the existing Office Centers within the two mile radius are 60 percent (60%) developed and the total land area of the existing Activity Centers within the two miles radius are also at least 60 percent (60%) developed with less than 10 percent (10%) of the land area developed as professional office uses; or

2. the remaining undeveloped acreage of the Office Centers within the two mile radius are owned by a single interest or have final, valid engineered construction plans (with building-permit application) or have a valid CU/PD approval; or

3. when item b above is met.

When considering the establishment of a new Office Center designation or the expansion of an existing Office Center consideration shall be given to maximizing access to a collector or arterial road and to the guidelines outlined in Policy 2.404-A1. Polk County shall seek to minimize the routing of office traffic through residential areas.

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. Office Center expansions, new locations for Office Centers and development within Office Centers may front on or accessed via local roads if the subject parcel(s) is within a quarter mile of a collector or arterial road. If the local road is classified as residential then traffic from the OC shall not be permitted on the local road if there is residential traffic between the driveway for the OC and the collector roadway and until a waiver, per the requirements and standards in the LDC, is approved;

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, 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

e. 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 businesses.

POLICY 2.113-C5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to a Office Center may include the following uses: Medium and High Residential, Neighborhood Activity Centers, Institutional, and Recreation and Open Space.

SECTION 2.114 PHOSPHATE MINING.

OBJECTIVE 2.114-A: The Polk County Plan shall provide for the use and development of mining lands and non-reclaimed phosphate-mined areas within the County through:

a.The establishment of a "Phosphate Mining" land use classification;

b.The designation of Phosphate Mining lands on the Future Land Use Map Series; and

c.Through the establishment of development criteria applicable to the development and location of Phosphate Mining lands within the County.

d.Property not meeting the criteria under Policy 2.114-A2 (Designation and Mapping of Phosphate Mining Land) but designated as Phosphate Mining on the Polk County Future Land Use Map, may develop their property residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use. Agricultural/Residential-Rural (A/RR) development criteria specified under Section 2.121-A with the exception of Policy 2.121-A2.E.2 will be used (Rural Mixed Use Developments).

POLICY 2.114-A1: CHARACTERISTICS - Phosphate Mining areas are generally characterized by existing or proposed phosphate-mining operations, phosphate-mining support facilities, and non-reclaimed phosphate-mined areas.

POLICY 2.114-A2: DESIGNATION AND MAPPING - Phosphate Mining areas shall be designated and mapped on the Future Land Use Map Series as "Phosphate Mining" (PM), and shall include:

a. all existing phosphate-mining areas and support facilities for which a "Conceptual Mine Plan" has been accepted by the County, and

b. any non-reclaimed inactive mining areas for which foreseeable development is unlikely, as of the adoption date of the Comprehensive Plan.

Property not meeting the criteria under Policy 2.114-A2 (Designation and Mapping of Phosphate Mining Land) but designated as Phosphate Mining on the Polk County Future Land Use Map Series, may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use. Agricultural/Residential-Rural (A/RR) development criteria specified under Section 2.121-A with the exception of Policy 2.121-A2.E.2 (Rural Mixed Use Developments) will be used; and, the applicant must show documentation proving the property was not owned by a phosphate mining company prior to May 1, 1991, the Plan's adoption date. Property purchased from a phosphate company after this date will not be considered an error.

POLICY 2.114-A3: PERMITTED ACTIVITIES - The following activities shall be permitted within the Phosphate Mining land use category as mapped pursuant to Policy 2.114-A2:

a. Phosphate mining and allied industries;

b. Land reclamation;

c. Agriculture and Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre;

d. Other land uses with conditional approval which are compatible and related with the extraction and processing of phosphate; and

e. Subject to the adoption of a Comprehensive Plan amendment, any activities permitted within the following land use designations, which are appropriate for the redevelopment of lands formally utilized for phosphate mining operations and which demonstrate compliance with the Comprehensive Plan criteria for each use:

    1. Preservation.

    2. Recreation and Open Space.

    3. Leisure/Recreation.

    4. Institutional.

    5. Rural Cluster Centers.

6. Tourism Commercial Centers.
7. Business Park Centers.
8. Industrial.
9. Rural Mixed-Use Developments.
10. New Communities.
11. Agricultural/Residential Rural only.

POLICY 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources.

The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies:

Department of Environmental Protection, Bureau of Mine Reclamation

Central Florida Regional Planning Council

Phosphate Mining Industry

Florida Institute of Phosphate Mining Research

Florida Fish and Wildlife Conservation Commission

Polk County Planning

Polk County Natural Resources

Polk County Cooperative Extension Services, Soils Conservation

These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.

SECTION 2.114-B PHOSPHATE MINING USES.

POLICY 2.114-B1: DEVELOPMENT CRITERIA FOR PHOSPHATE MINING - Development within these districts shall conform to the following criteria:

a. All activities within lands designated as PM shall be conducted in a manner that will minimize adverse effects upon water quality, fish and wildlife, and adjacent land uses.

b. All mining activities shall require approval through the County's development review procedures. This review will require the approval of a "Conceptual Mine Plan," which shall include, at a minimum:

   1. a "Mine-Area Map" to include, at a minimum, the locations of the mine boundaries, public rights-of-way, existing structures, and environmental features (e.g. topography, watersheds, and any endangered wildlife habitats);

   2. a "Mine-Area Layout" to include, at a minimum, planned locations for beneficiation operations, waste-storage areas, and any proposed permanent structures and/or roads;

3. a "Reclamation Plan" to include, at a minimum, all information required by applicable state regulations; and

4. an "Operations Plan" to include, at a minimum:

   (a) phasing plans,

   (b) an Impact Mitigation Plan, and

   (c) a Traffic Circulation Plan showing major access routes to the mine site.

c. Once extraction activities are completed, the site shall be reclaimed (where reclamation is required by Chapter 16C-16, FAC) in accordance with the approved Reclamation Plan. Lands mined prior to reclamation requirements may be developed (reclaimed) without having to file a "reclamation plan."

POLICY 2.114-B2: ADJACENT DEVELOPMENT - New mining activities shall be setback and/or buffered from existing subdivisions a minimum of 250 feet, and 500 feet from a residential structure ("Polk County Phosphate Mining Ordinance" - Ordinance 88-19), or as otherwise required by applicable law. New residential development on property adjacent to areas designated "PM" on the Future Land Use Map Series shall be required to provide appropriate buffering, if applicable.

SECTION 2.115 LEISURE/RECREATION (L/R).

OBJECTIVE 2.115-A: The Polk County Plan shall provide for the use and development of retirement, tourist and commercial recreation lands within the County through:

a.the establishment of a "Leisure/Recreation" land use classification;

b.the designation of Leisure/Recreation lands on the Future Land Use Map Series; and

c.through the establishment of development criteria applicable to the development and location of Leisure/Recreation lands within the County.

POLICY 2.115-A1: CHARACTERISTICS - Leisure/Recreation (L/R) areas are grounds and facilities oriented primarily toward providing recreational-related services for residents and short-term visitors to Polk County. These include, but are not limited to: fish camps, lodges and retreats, recreational-vehicle (RV) parks, retirement mobile home parks, golf courses, and accessory minor commercial uses necessary to support these facilities, such as bait shops and convenience stores.

POLICY 2.115-A2: DESIGNATION AND MAPPING - Leisure/ Recreation lands shall be designated and mapped on the Future Land Use Map Series as "Leisure/Recreation" or "L/R"; and may include existing commercial recreation sites which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave. L/R shall also include recreation and retirement accommodations, resorts, and communities.

POLICY 2.115-A3: LOCATION CRITERIA - Retirement, recreation, leisure, and associated commercial development shall occur within designated L/R Areas. The following factors shall be taken into consideration when determining the appropriateness of establishing new L/R areas:

a. Accessibility to arterial or collector roadways, with consideration being given to regional transportation issues for L/R developments supported by a regional or national market.

b. Proximity to recreational attractions that would support the proposed development, to include, but not limited to: recreational water bodies, governmental recreational facilities, natural amenities, or other regional tourist attractions.

c. Economic issues, such as minimum population support and market area radius (where applicable).

d. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.

POLICY 2.115-A4: DEVELOPMENT CRITERIA - Development within a L/R area shall conform to the following criteria:

a. Permitted uses include, but are not limited to: retirement communities, marinas, fish camps, lodges and retreats, recreational-vehicle (RV) parks, golf courses, and accessory minor retail commercial uses necessary to support these facilities, such as bait shops and convenience stores.

b. Minor retail commercial uses within a L/R area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/R area. No more than 7% of the net usable land within a specific L/R area shall be used for commercial uses.

c. L/R sites shall be designed to provide:

   1. Adequate parking to meet the present and future demands of the use and overflow parking designated and maintained for peak season events so as to prevent parking from encroaching upon public thoroughfares;

   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; and

   3. Direct access to a paved publicly maintained road with adequate level-of-service (LOS) capacity.

d. Permitted lodging densities within the L/R are separated into three categories as follows:

   Type A Leisure/Recreation - Permitted in all development areas, lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Housing densities may reach two dwelling units per acre (2 du/ac.) if there is centralized community or public water provided. With central water and sewer, housing densities may reach four units per acre (4 du/ac.). A minimum of 50% open space is required within a Type A L/R development.

   Type B Leisure/Recreation - Permitted in TSDA, UGA, UEA and SDA, lodging structures may not exceed four (4) dwelling units attached. Lodging densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Lodging densities may reach three dwelling units per acre (3 du/ac.) if there is centralized community or public water provided. With central water and sewer, lodging may reach six units per acre (6 du/ac.).

   Type C Leisure/Recreation - Permitted only in TSDA and UGA. Community or public central water and sanitary sewer connection is mandatory. All types of lodging structures are permitted up to a maximum density of ten lodging units per acre (10 du/ac.) A minimum of 20% open space is required within a Type C L/R development. Type C recreational facilities are not permitted in the Green Swamp Area of Critical State Concern.

   RV parks permitting stays in excess of 30 days shall count each RV space as a unit in accordance with the density limits established above. Camping facilities that incorporate RV spaces within them shall not be considered as units towards the density calculations provided stays in excess of 30 days are prohibited within them.

POLICY 2.115-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an L/R may include the following uses: Residential, Institutional, or Open Space.

SECTION 2.116 INSTITUTIONAL.

OBJECTIVE 2.116-A: The Polk County Plan shall provide for the use and development of institutional facilities and areas within the County through:

a.the establishment of a "Institutional" land use classification;

b.the designation of Institutional lands on the Future Land Use Map Series; and

c.through the establishment of development criteria applicable to the development and location of Institutional lands within the County.

POLICY 2.116-A1: CHARACTERISTICS - Institutional areas are primarily characterized by private and public-service structures.

POLICY 2.116-A2: DESIGNATION AND MAPPING -Institutional areas shall be designated and mapped on the Future Land Use Map Series as "Institutional" (INST) and shall include all major existing institutional areas which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave.

POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:

a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.

b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).

c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.

d. Proximity to similar and compatible uses providing opportunities for shared facilities.

e. Plans of the School Board and other public service agencies with jurisdiction in the County.

The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.

Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.

POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria:

a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include:

1. public and private educational facilities;
2. government-administration buildings;
3. public-safety structures (e.g. police and fire);
4. cultural facilities (e.g. libraries, museums, and performing-arts theaters);
5. health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities[1].

[1] Where group living facilities, emergency shelters, and residential treatment facilities are developed in residential land use categories, the development density shall be comparable to the future land use density. To derive a comparable density, apply a ratio of 2.5 beds equals one dwelling unit. For Example, RL is five dwelling units

b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.

c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.

d. Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.

e. Institutional sites shall be designed to provide for:

1. Adequate parking to meet the present and future demands of the use.

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.

f. Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:

1. Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.

2. Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution

g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.

POLICY 2.116-A5: MISCELLANEOUS - Electric-Power Generating Facilities established for the purpose of implementing Polk County's Solid-Waste Management Plan, as the Polk County Board of County Commissioners, shall be specifically permitted in the Institutional land use category provided that all applicable federal, state, and local regulations, including Section 2.125-I are satisfied.

SECTION 2.117 RECREATION AND OPEN SPACE.

OBJECTIVE 2.117-A: The Polk County Plan shall provide for the use and development of recreation and open space lands and areas within the County through:

a.the establishment of a "Recreation and Open Space" land use classification;

b.the designation of Recreation and Open Space lands on the Future Land Use Map Series; and

c.through the establishment of development criteria applicable to the development and location of Recreation and Open Space lands within the County.

per acre, this equates to 12.5 beds per acre. A four (4) acre parcel can accommodate a fifty (50) bed group living facility. These facilities shall require appropriate setbacks and buffering to mitigate dissimilar scales and to ensure compatibility to adjacent residential development per the Land Development Code and Policy 2.204-B2.

Where group living facilities, emergency shelters, and residential treatment facilities are developed in non-residential land use categories, the density shall be similar to RH (maximum 15 units per acre/37.5 beds per acre).

POLICY 2.117-A1: CHARACTERISTICS - Recreation and open space areas are primarily sites and facilities which are accessible to the general public, and which are oriented toward providing recreation services for the resident and the short and long-term visitor to Polk County. A recreational activity included within recreation and open space areas may be motorized, allow for the discharge of firearms, accommodate nighttime use, and produce large crowds at events. Retail sales are limited to concessions at events or to enhance the quality of the recreation experience onsite unless combined with commercially designated lands.

POLICY 2.117-A2: DESIGNATION AND MAPPING - Recreation and open space areas shall be designated and mapped on the Future Land Use Map Series as "Recreation and Open Space" (ROS) and shall include all existing publicly accessible recreation and open space areas.

POLICY 2.117-A3: LOCATION CRITERIA - Designation of new Recreation and Open Space areas on the Future Land Use Map Series shall occur. Consider the following factors when determining the appropriateness of designating new Recreation and Open Space areas:

a. facilities meeting the recreation level-of-service standard (Policy 3.502-E2) and fulfilling the recreation and open space acquisition plan (Policies 3.502-E3, 3.502-E6, and 3.502-E9);

b. satisfying resident and seasonal visitor/tourist recreation demand;

c. impacts of the proposed uses on public facilities and services;

d. vehicle access relative to the size and planned intensity of a proposed ROS district;

e. distance to lake and river access, greenways, bicycle, pedestrian, and fixed route transit facilities, both existing and planned; and,

f. the locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.

POLICY 2.117-A4: DEVELOPMENT CRITERIA - Recreation and Open Space development shall conform to the following criteria:

a. provide for adequate parking to meet the present and future demands of the use;

b. provide buffering, screening or setbacks where the effects of lighting, noise, odors, and other such factors may adversely affect adjacent land uses. Parking lots, dumpsters, utilities and air handling units, signage, etc. are examples of activities that may require special buffering, screening or setbacks provision; and

c. incorporate water and energy conserving techniques.

d. in the Rural Special Protection Area of the Green Swamp Area of Critical State Concern Recreation and Open Space may not include the following:

   1. Motorized Recreation except when providing access for disabled persons and boat access for non-competitive recreation;

   2. Recreation activities that produce large crowds (more than 250 people); or,

   3. Facilities with lighting that accommodates nighttime use.

SECTION 2.118 PRESERVATION AREAS.

OBJECTIVE 2.118-A: The Polk County Plan shall provide for the use and preservation of publicly or privately owned or maintained preservation areas within the County through:

a.the establishment of a "Preservation" land use classification;

b.the designation of Preservation lands on the Future Land Use Map Series; and

c.through the establishment of use and acquisition criteria applicable to the development and location of Preservation lands within the County.

POLICY 2.118-A1: CHARACTERISTICS - Preservation Areas are generally characterized by property publicly or privately owned or managed for long-term protective purposes; and

a. sensitive and/or unique vegetative or animal habitats; or

b. publicly-accessible property intended for low impact open space purposes.

POLICY 2.118-A2: DESIGNATION AND MAPPING - Preservation areas shall be designated and mapped on the Future Land Use Map Series as "Preservation" (PRESV) and shall include all existing major properties purchased for long-term protection or acquired or dedicated for use as publicly accessible open-space areas.

POLICY 2.118-A3: LOCATION CRITERIA - Future designation as Preservation areas shall be evaluated, at a minimum, based upon the following unranked factors:

a. the general public benefit to be gained;

b. the ability to complete, or substantially enhance, an existing public protection and/or recreation system;

c. availability of the property for purchase;

d. the environmental quality or uniqueness of the property;

e. the amount of endangered or threatened plant or animal life found on the site; and

f. the ability of the property to serve more than one public function.

g. inclusion within the PolkGreen District.

POLICY 2.118-A4: DEVELOPMENT CRITERIA - Low impact development and uses permitted within a future or currently existing Preservation Area (PRESV) shall be restricted to the following:

a. Impervious surfaces shall be limited to structures required for the care and maintenance of the Preservation Areas or public safety;

b. Building floor area ratio (FAR) shall be limited within each PRESV area to 0.0001 FAR;

c. Environmentally non-damaging access points and trails;

d. Resource-based, non-motorized recreational uses which include:

1. Non-motorized boating access,

2. Hiking, bicycling, nature observation, and fishing/hunting where permitted, and

3. Overnight primitive tent camping where permitted.

SECTION 2.119 RESIDENTIAL.

OBJECTIVE 2.119-A: The Polk County Plan shall establish residential land use categories in order to promote the appropriate quantities and distribution of residential densities in accordance with land use compatibility, sufficient quantities for demand, and public-facility and services impacts.

POLICY 2.119-A1: The following residential land use categories are hereby established for Polk County Comprehensive Plan:

	Map Symbol	Maximum Standard	Maximum Planned	Standard Non-residential FAR

		Residential Density	Development Density	
Urban				
(a) Residential-Suburban	RS	0.20 du/a	3.00 du/a	0.25
(b) Residential-Low	RL	5.00 du/a	5.00 du/a	0.25
(c) Residential-Medium	RM	7.00 du/a	10.0 du/a	0.25
(d) Residential-High	RH	15.0 du/a	15.0 du/a	0.25
Agricultural/Residential-Rural	A/RR	0.20 du/a	2.00 du/a	0.25
Rural Cluster Center	RCC	2.00 du/a	2.00 du/a	0.25

For parcels located in the Transit Supportive Development Area, the minimum and maximum density and intensity in Table 2.104.1 and Table 2.104.2 shall apply.

POLICY 2.119-A2: LOCATION CRITERIA - Residential land use categories shall be established throughout the County with consideration being given to the following criteria:

a. Access to county-maintained roads or roads constructed to County standards.

b. Proximity to Activity Centers.

c. Adequacy of water and sewage disposal systems (public and private).

d. Adequacy and response time for public safety services - fire, police, and emergency medical service.

e. Adequacy of recreation facilities.

f. Proximity of incompatible land uses.

g. Development limitations, and,

h. Urban Sprawl Criteria set forth in POLICY 2.102-A10.

POLICY 2.119-A3: DEVELOPMENT CRITERIA - Residential development shall conform to the following criteria:

a. BUFFERING: Buffering, when provided to lessen the impact and friction between residential and non-residential land uses, may take the form of physical barriers, such as walls, fences, berms, landscaping, open spaces, or other similar design features.

b. DENSITY AND SCALE: New residential development, immediately adjacent to existing residential areas, should be designed so as to minimize any potential adverse impacts due to dissimilar densities or building scale.

c. HOUSING TYPES: Residential structures may include all various types, such as: conventionally built single-family dwelling units; attached or detached units; zero-lot-line structures; factory-built modular units; mobile homes; duplexes; townhouses; and apartment complexes, provided they meet appropriate location standards and meet adopted building codes and construction standards.

d. ACCESS TO STREETS: New residential development should have direct access to local streets, as specified in Policy 2.128-C3. Access to collector and arterial streets shall be provided by local streets at intervals meeting recognized safety standards. Private residential driveways should be discouraged on collector or arterial streets.

e. INTERNAL CIRCULATION: Residential developments should be designed to provide for an efficient internal circulation system to include the provision of collector streets and adequate parking in accordance to the scale of the development.

f. DENSITY COMPUTATIONS: Polk County shall use gross densities when determining residential densities. Gross density is determined by dividing the total number of dwelling units on the site by the total area of the residential site, exclusive of water bodies and wetlands except as permitted in Policy 2.123-C3. The area for computing gross density shall include all public and institutional land uses (e.g. internal streets, sewer plants, schools, parks, etc.) located within the site, as well as 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, for those areas not already owned by the public. In the Rural Development Area (RDA) and Suburban Development Area (SDA), outside of the Green Swamp Area of Critical State of Concern, one unit per five-acre (1 du/5ac) density may also be measured to the centerline of collector roads.

(Ord. No. 2023-062, § 2(Att. A), 10-3-2023)

SECTION 2.120 URBAN RESIDENTIAL.

SECTION 2.120-A RESIDENTIAL-SUBURBAN.

OBJECTIVE 2.120-A: The Polk County Plan shall provide for the suburban-density residential needs of residents through:

a.the designation and mapping of Residential-Suburban on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land designated Residential-Suburban.

POLICY 2.120-A1: CHARACTERISTICS - Densities 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.

POLICY 2.120-A2: DESIGNATION AND MAPPING - Residential-Suburban districts shall be located within the SDA as designated on the Future Land Use Map Series as "RS."

POLICY 2.120-A3: LOCATION CRITERIA - Residential-Suburban areas shall be located only within the SDA and new Residential-Suburban development shall not be located within Activity Centers.

POLICY 2.120-A4: DEVELOPMENT CRITERIA - Development within designated RS areas shall be limited to:

a. Residential development containing single-family dwelling units, duplex units, and family-care homes, at a density of up to, and including, one dwelling unit per five acres (1 DU/5 AC). Density may be adjusted based on the actual size of the section. A property outside of the Green Swamp Area of Critical State of Concern, may be considered five acres if it is one one-hundred and twenty-eighth (1/128) the section size for sections less than six hundred forty acres (640 acres). This includes counting to the centerline of local and collector roads.

b. The "permitted uses" of Suburban Planned Development (SPD), Rural-Residential Development (RRD), or Rural Mixed-Use Development (RMD). (See Sections 2.120-B, 2.121-B, and 2.121-C.)

c. Properties adjacent to SR 17 shall be allowed densities and/or intensities up to the maximum allowed in this land use category (3 dwelling units per acre) as a permitted use without requiring a public hearing provided the development meets all the criteria established in Section 2.124-H for Scenic Highways and the Scenic Highway development regulations within the Land Development Code. At a minimum, all development shall:

    1. Connect to a centralized potable water supply, and

2. Provide no less than 30% open space throughout the development with at least 70% of that open space dedicated to scenic vista preservation, either along the highway or through the property to a distant view beyond the property boundary. This open space shall be set aside as conservation in perpetuity via a binding legal instrument which prohibits future development within the established boundaries.

d. Community Facilities, in accordance with policies of this Plan and the provisions of the Land Development Code.

e. Residential Infill Development (RID) that contains single-family or duplex-style development and is located amongst an existing residential community (See Section 2.125-N).

f. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acres.

NOTE: All SDA policies also apply.

(Ord. No. 2023-062, § 2(Att. A), 10-3-2023)

SECTION 2.120-B SUBURBAN PLANNED DEVELOPMENT (SPD).

POLICY:2.120-B1: SPD PERMITTED USE - Suburban Planned Development (SPD) is a "permitted use" allowed within the Residential-Suburban (RS) land use classification, subject to:

a. receiving Planned Development (PD) approval, as specified within the County's Land Development Code and pursuant to Policy 2.125-M; and

b. meeting the use approval conditions, development criteria, and development conditions of this section.

POLICY:2.120-B2: SPD USE APPROVAL CONDITIONS - A proposed SPD project shall not be approved if it is determined to be premature. When evaluating proposed SPD projects the following factors shall indicate whether it is premature:

a. the condition and adequacy of the collector and arterial road network is deficient;

b. there is a lack of urban services, including but not limited to, police, fire, and EMS;

c. there is considerable displacement of ongoing economically viable agricultural activities; and the degree of existing development surrounding the proposed SPD, as determined by the LDC.

POLICY 2.120-B3: SPD DEVELOPMENT CRITERIA - SPDs may contain single-family and duplex units at a gross density (exclusive of water bodies and wetlands except as permitted in Policy 2.123-C3) of up to, and including, three dwelling units per acre (3 DU/AC).

POLICY 2.120-B4: SPD DEVELOPMENT CONDITIONS -

a. All SPDs shall:

1. 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.

2. restrict access from the development onto County and state roads to appropriate locations in order to address the maintenance of levels of service and public safety issues; and

3. submit a binding site plan demonstrating compliance with LDC standards and undergo the County's development review and approval process.

POLICY 2.120-B5: Land may not be developed as an SPD in an incremental fashion in order to avoid a stricter requirement of this Plan.

POLICY 2.120-B6: MONITORING - The County shall monitor the amount and rate of development (i.e. platted lots, site plans, and building permits) in the SDA and evaluate collected data once after the third year of Plan implementation and at every five-year evaluation and appraisal report cycle. If the evaluation indicates that development in the SDA exceeds 15% of the County's total growth then the County shall:

a. amend the Comprehensive Plan to ensure that future development does not exceed 15% of the County's total growth; or

b. justify the greater percentage of development with revised data and analysis.

(Ord. No. 2023-037, § 2(Att. A), 5-16-2023)

SECTION 2.120-C RESIDENTIAL-LOW.

OBJECTIVE 2.120-C: The Polk County Plan shall provide for the low-density residential needs of residents through:

a.the designation and mapping of Residential-Low on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land designated Residential-Low.

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.

SECTION 2.120-D RESIDENTIAL-MEDIUM.

OBJECTIVE 2.120-D: The Polk County Plan shall provide for the medium-density residential needs of residents through:

a.the designation and mapping of Residential-Medium on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land designated Residential-Medium.

POLICY 2.120-D1: CHARACTERISTICS - Densities up to, and including, 10.00 DU/AC. The Residential-Medium classification is characterized by single-family dwelling units, duplex units, and multi-family units.

POLICY 2.120-D2: DESIGNATION AND MAPPING - Residential-Medium districts shall be located throughout TSDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "RM."

POLICY 2.120-D3: LOCATION CRITERIA - Residential-Medium areas shall be located only within TSDAs, UGAs, SDAs, and UEAs and activity centers. The placement of Residential-Medium shall be evaluated based on the general criteria listed in Policy 2.119-A2.

POLICY 2.120-D4: DEVELOPMENT CRITERIA - Residential development may contain a variety of housing types as defined by the Land Development Code and shall be permitted at a density of up to 10 DU/AC. Additionally, community facilities are permitted in accordance with policies of this Plan.

SECTION 2.120-E RESIDENTIAL-HIGH.

OBJECTIVE 2.120-E: The Polk County Plan shall provide for the high-density residential needs of residents through:

a.the designation and mapping of Residential-High on the Future Land Use Map Series; and

b.the establishment of criteria applicable to the location and development of land designated Residential-High.

POLICY 2.120-E1: CHARACTERISTICS - Densities up to, and including, 15.00 DU/AC. The Residential-High classification is characterized by multi-story, multi-family units.

POLICY 2.120-E2: DESIGNATION AND MAPPING - Residential-High districts shall be located within TSDAs, UGAs, and UEAs as designated on the Future Land Use Map Series as "RH."

POLICY 2.120-E3: LOCATION CRITERIA - Residential-High areas shall be located only within TSDAs, UGAs, and UEAs and may be located within Activity Centers. The placement of Residential-High shall be evaluated based on the general criteria listed in Policy 2.119-A2.

POLICY 2.120-E4: DEVELOPMENT CRITERIA - Residential development may contain a variety of housing types as defined by the Land Development Code and shall be permitted at a density of up to 15 DU/AC. Multi-family structures may contain non-residential uses to provide support retail and personal services for the residents. Additionally, educational facilities are permitted in accordance with policies of this Plan.

SECTION 2.121 RURAL RESIDENTIAL.

SECTION 2.121-A AGRICULTURE/RESIDENTIAL-RURAL.

OBJECTIVE 2.121-A: Polk County recognizes the importance of the agriculture industry as a healthy and competitive force in the national and international marketplace and, therefore, shall encourage the continuation of productive agricultural uses and provide for the placement of low-density residential development within unincorporated rural areas through:

a.the establishment and mapping of Agriculture/Residential-Rural (A/RR), and

b.the establishment of policies to govern the development of land within the A/RR land use category.

POLICY 2.121-A1: DESIGNATION AND MAPPING - Agriculture/Residential-Rural may be located throughout Rural-Development Areas of the County and is designated on the Future Land Use Map Series as "A/RR."

POLICY 2.121-A2: DEVELOPMENT CRITERIA - Development within designated A/RR areas shall conform to:

a. Residential density of one dwelling unit per five acres (1 DU/5 AC). Density may be adjusted based on the actual size of the section. A property outside of the Green Swamp Area of Critical State of Concern, may be considered five acres if it is one one-hundred and twenty-eighth (1/128) the section size for sections less than six hundred forty acres (640 acres). This includes counting to the centerline of local and collector roads.

b. Farmworker housing under specific design parameters listed in the Land Development Code not to exceed sixteen (16) workers per acre.

c. Utility structures for the storage of farm equipment and to conduct normal farm operations, to include on-site packing and other on-site agricultural-support activities typical of those uses listed in Policy 2.125-L1.a-d, provided that such activity is subordinate and accessory to the principal agricultural use. (Agricultural equipment may be used off-site.)

d. Structures for the sale of agricultural products grown or raised on the premises, provided that such sales activity is subordinate and accessory to the principal agricultural use.

e. The permitted uses of:

    1. Rural Residential Development (RRD), and

    2. Rural Mixed-Use Development (RMD).

f. 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.

g. Properties adjacent to SR 17 shall be allowed densities and/or intensities up to the maximum allowed in this land use category (2 dwelling units per acre) as a permitted use without requiring a public hearing provided the development meets all the criteria established in Section 2.124-H for Scenic Highways and the Scenic Highway development regulations within the Land Development Code. At a minimum, all development shall:

    1. Connect to a centralized potable water supply, and

    2. Provide no less than 30% open space throughout the development with at least 70% of that open space dedicated to scenic vista preservation, either along the highway or through the property to a distant view beyond the property boundary. This open space shall be set aside as conservation in perpetuity via a binding legal instrument which prohibits future development within the established boundaries.

POLICY:2.121-A3: RRD & RMD PERMITTED USES - The permitted uses of RRD and RMD shall meet the development criteria and conditions of Sections 1.121-B and 1.121-C and receive development approval as specified within the County's land-development regulations which shall include the following guidelines for consideration of such approval:

a. When approving an RRD or RMD permitted use consideration shall be given to all relevant facts and circumstances, including, but not limited to:

    1. the functional and proximate relationship between the proposed development and other development,

    2. the compatibility of the development with existing agricultural activities,

    3. the displacement of on-going economically viable agricultural activities,

    4. whether the development is premature, and

    5. consistency with the goals and objectives of this Comprehensive Plan.

b. The County shall encourage design standards for RRDs and RMDs which promote development consistent with the rural character of the area.

c. RRD and RMD developments shall comply with the following:

    1. The maximum number of dwelling units to be approved for a RRD/RMD project shall be calculated based upon the entire RRD/RMD site area (including the minimum 50% reservation

area) with the total permitted dwelling units to be clustered on the non-reservation portion of the site.

2. RRD/RMD dwelling unit calculations shall not be affected by wetlands, or other lands having similar special-density designations, and therefore, special non-RRD/RMD on-site density transfers (such as for wetlands) shall not be permitted within an RRD/RMD project since the entire RRD/RMD concept is already based upon on-site density transfers to preserve no less than one-half of the project site.

3. The RRD/RMD binding site plan, approved through the development-review process specified in Policies 2.121-B3.b and 2.121-C3.d, shall first include in the reservation area environmentally sensitive lands, such as wetlands and scrub or other endangered habitats, before setting aside lands for other reasons such as open space or continued agricultural uses.

POLICY 2.121-A4: AGRICULTURE - The following Agricultural policies shall apply within Polk County:

a. Agricultural uses, unless further restricted by development regulations, shall be permitted within any future land use category, and a future land use designation shall not be grounds for denial of a "greenbelt" tax exemption claim if the property is used primarily for bona fide agricultural purposes in accordance with Section 193.461, FS.

b. Agricultural activities within an A/RR classification shall not be deemed inconsistent or incompatible with, or a nuisance to, development.

c. All development within an A/RR classification shall be designed in a manner compatible with adjacent agricultural activities, including the provision of adequate buffering.

d. Agricultural activities shall be given priority when making land use decisions within A/RR areas.

e. Polk County shall not duplicate the regulation of those aspects of agricultural activities that are adequately regulated by other governmental agencies, as determined by the Board of County Commissioners.

f. Land within areas designated as A/RR or Residential-Suburban (RS) may be used by family members of the property owner for use as a permanent residence at densities higher than that permitted by the A/RR or RS land use classification, upon approval by the Board of County Commissioners - but not to exceed a density of one dwelling unit per acre (1 DU/AC) and the minimum lot size shall be one acre. This provision is intended to promote the perpetuation of the family farm by making it possible for family members to both work and reside on the property devoted to agricultural uses.

g. In furtherance of Policy 2.402-A4, and to address the agricultural land use issues created by the devastating December 1989 freeze, the Polk County Land Development Division, and the Economic Development Council, shall work with organizations representing the commercial agricultural industry in Polk County, including, but not limited to, Florida Citrus Mutual, Florida Cattlemen's Association (Polk County), and Florida Farm Bureau Federation (Polk County) in order to coordinate the future land use needs of that industry.

(Ord. No. 2023-062, § 2(Att. A), 10-3-2023)

SECTION 2.121-B RURAL-RESIDENTIAL DEVELOPMENT (RRD).

POLICY 2.121-B1: PERMITTED USE - "Rural-Residential Development" (RRD) is a permitted use allowed within the A/RR land use classification upon approval of a Planned Development, as specified within the County's Land Development Code and pursuant to Policy 2.125-M.

POLICY 2.121-B2: DEVELOPMENT CRITERIA - 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.

POLICY 2.121-B3: DEVELOPMENT CONDITIONS - 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.

POLICY 2.121-B4: DEVELOPMENT REGULATIONS - Polk County shall implement land development standards adopted in the Land Development Code which further define the RRD Point System implementation policies and procedures.

SECTION 2.121-B5 "RURAL RESIDENTIAL DEVELOPMENT" DENSITY SCHEDULE.

SECTION 2.121-B6 RRD DENSITY-CONVERSION TABLE.

SECTION 2.121-C RURAL MIXED-USE DEVELOPMENT (RMD).

POLICY 2.121-C1: PERMITTED USE - "Rural Mixed-Use Development" (RMD) is a permitted use within the A/RR land use classification upon approval of a Planned Development, and subject to the policies within the County's Land Development Code and pursuant to Policy 2.125-M.

POLICY 2.121-C2: DEVELOPMENT CRITERIA - RMDs may contain single-family, duplex, and limited low-intensity multi-family dwelling units at a sliding-scale gross density (on the entire site) of one dwelling unit per two acres (1 DU/2 AC) up to, and including, two dwelling units per acre (2 DU/AC).

POLICY 2.121-C3: DEVELOPMENT CONDITIONS - A RMD shall:

a. contain 160 acres, or more;

b. be served by public sanitary sewerage system and potable water supply, provided by the property owner or developer and meeting LOS standards established in this Plan;

c. be adjacent to, or front on, a paved, public collector or arterial road;

d. submit a binding site plan and undergo the development review and approval process;

e. 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; and

f. provide for increased transportation internal capture by providing non-residential support uses meeting the general characteristics of a comparable Activity Center or Isolated Convenience Store, including, without limitation, minimum population support and market-area radius criteria.

g. restrict access from the development onto County and state roads to appropriate locations in order to address the maintenance of levels of service and public safety issues; and

h. meet the provisions and intent of Section 2.125-H.

i. limit points of access onto collector and arterial roads to no more than the minimum required for public safety purposes,

j. incorporate methods and site development features that promote sustainable development,

k. incorporate topographical features and scenic vistas into design of the development; and

l. provided amenities that create a sense of place and community within the development.

POLICY 2.121-C4: DEVELOPMENT REGULATIONS - Polk County shall implement land development standards adopted in the Land Development Code which further define the RMD implementation policies and procedures.

POLICY 2.121-C5: RMDs AS DEVELOPMENTS OF REGIONAL IMPACTS (DRIs) - All RMDs that are of sufficient size to qualify as DRIs shall also be required to meet the provisions of the New Communities Section 2.126.

SECTION 2.122 SPECIAL-AREA OVERLAY DISTRICTS AND AREAS.

OBJECTIVE 2.122-A: The Polk County Plan shall establish and utilize overlay districts or areas for the purpose of regulating development intensity where environmentally sensitive lands may be subject to adverse impacts of development, or where a specific natural or man-made feature, structure, or area requires protection.

POLICY 2.122-A1: DISTRICTS ESTABLISHED - The following "Special-Area Overlay Districts and Areas" land use classifications are hereby established:

a. Development-Limitation Areas: The Polk County Plan shall define those areas of the County that are subject to natural development limitations through the establishment and mapping of Development - Limitation Areas as part of the Future Land Use Map Series and described in Policy 2.123.

1. CHARACTERISTICS - Development-Limitation Areas are areas which contain natural or environmentally based development constraints, including, but not limited to:

(a) areas subject to 100 year flooding;

(b) environmentally sensitive lands;

(c) areas with on-site sewage disposal system restrictions due to severe percolation limitations, and/or

(d) areas requiring protection for the public's health, safety, and welfare.

2. DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Development-Limitation Area overlays. These overlay areas are generally shown on the Future Land Use Map Series. In most cases, the specific boundaries of these overlay areas may not be

determined until site-specific field inspections are conducted to verify those boundaries. It shall be the responsibility of the owner and/or developer to submit documentation (Exhibits, studies, etc.), for the purpose of establishing that properties should not be included within a Development-Limitation Area overlay when the adopted Future Land Use Map Series indicate that the property is within such an area. These areas shall include:

(a) Floodplain-Protection Areas.

(b) Wetland-Protection Areas.

(c) Aquifer-Protection Areas.

(d) Green Swamp Protection Areas.

(e) Local Hazard Mitigation Strategy.

b. Resource-Protection Districts: The Polk County Plan shall define those areas of the County that require special care in order to maintain, develop, or enhance an existing resource(s) through the establishment and mapping of Resource-Protection Districts as part of the Future Land Use Map Series and described in Policy 2.124.

1. CHARACTERISTICS - Resource-Protection Districts are characterized by areas which contain a man-made or natural resource which requires protection due to general public value.

2. DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map the boundaries for the following Resource-Protection Districts (if currently applicable):

(a) Transit corridors and Centers Overlay.

(b) Airport-Impact Districts.

(c) Mineral Resource-Protection Districts.

(d) Wellhead-Protection Districts.

(e) PolkGreen Districts.

(f) Redevelopment Districts.

(g) Historic-Preservation Sites.

(h) SR 17 Ridge Scenic Highway.

(i) Nutrient Restoration Plan Overlay

POLICY 2.122-A2: DEVELOPMENT CRITERIA - When an area is included within more than one special area overlay district or area, the most restrictive policies of the applicable special-area overlay district(s) or areas shall apply to any development within that area. Any development occurring on or within an area which is within a special-area overlay district or area shall be reviewed by the Land Development Division for compliance with the policies of that district or area, and the Land Development Code regulations.

SECTION 2.123 DEVELOPMENT-LIMITATION AREAS.

OBJECTIVE 2.123-A: The previous Objective and Policies for 2.123-A (Development Limitation Areas) was moved to section 2.122 by CPA 10B-003 (Ord. 11-038) Adopted by BoCC 12-8-11.

SECTION 2.123-B FLOODPLAIN-PROTECTION AREAS.

OBJECTIVE 2.123-B: The Polk County Plan shall limit development and redevelopment within areas subject to flooding, as designated in the Floodplain Protection Areas overlay, to development activities and intensities which will not enlarge the off-site floodplain, alter the natural function of the floodplain and for which the risk of loss of property and life is minimal by:

a.the designation and mapping of a Floodplain-Protection Area overlay;

b.the establishment of density-transfer provisions; and

c.the establishment of criteria applicable to the development of lands within the Floodplain-Protection Areas.

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-B3: LAND-DEVELOPMENT REGULATIONS - Polk County shall implement the land development standards adopted in the Land Development Code for establishing standards and procedures to:

a. provide for construction techniques which protect the planned and existing development from flood hazards, and maintain the floodplain's natural flow functions;

b. control unnecessary project-related site alteration, erosion, sedimentation, and storm-water runoff;

c. prohibit development activities that are incompatible with the Special Flood Hazard Area unless acceptable mitigation techniques are utilized, which may include utilizing FDEP's Florida Development Manual or the applicable water management district's mitigation standards;

d. require that all permits for an agency with jurisdiction (i.e. U. S. Corps of Engineers, Water Management Districts, Florida Department of Environmental Protection, etc.) be approved prior to, or concurrently with, the County issuing a final development order; and

e. provide development criteria for riverine, lake and other floodplains to specifically address encroachment and buffering.

POLICY 2.123-B4: TRANSFER OF DEVELOPMENT RIGHTS - The County shall investigate techniques - such as transfer of development rights THAT:

a. target the Floodplain Protection Areas as a "sending area" for the transfer of density or intensity to off-site locations, and/or

b. target the transfer of density or intensity to on-site locations further removed from the floodplain.

POLICY 2.123-B5: KISSIMMEE RIVER FLOOD-PROTECTION AREA - Polk County shall coordinate the development of specific land-development regulations for this area with Osceola County so that, as necessary or appropriate, uniform development standards can be adopted within each county.

SECTION 2.123-C WETLAND-PROTECTION AREAS.

OBJECTIVE 2.123-C: The Polk County Plan shall limit development and redevelopment within wetlands areas, as generally designated in the Wetland-Protection Areas overlay, to development activities and intensities which will have minimal impact upon the natural functions of the County's wetland areas by:

a.the designation and mapping of a Wetland-Protection Area overlay;

b.the establishment of density transfer provisions;

c.the establishment of criteria applicable to the development of lands within the Wetland Protection Areas; and

d.the establishment of cooperative arrangements with regulatory agencies to assist in wetlands protection and ensure the enforcement of permit terms and conditions.

POLICY 2.123-C1: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as "Wetland-Protection-Area" overlay those areas generally described as wetlands by the Florida Land Use, Cover and Forms Classification System (FLUCCS) and/or as determined to be jurisdictional by appropriate regulatory agencies. These agencies include the Water Management Districts, the Florida Department of Environmental Protection, the U.S. Army Corps of Engineers, and Polk County.

POLICY 2.123-C2: DEVELOPMENT CRITERIA - Development 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.

POLICY 2.123-C3: TRANSFER OF RESIDENTIAL DENSITIES - Residential densities may be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the following:

a. Residential densities shall be transferred from the wetland areas to non-wetland areas based on the wetland density of one unit per ten acres (1 DU/10 AC) where any development occurs within the wetland area of the project.

b. Residential densities shall be transferred from wetland areas to non-wetland areas at a density of one dwelling unit per acre (1 DU/AC), or at the base land use density if the base density is less than 1 DU/AC, and when there has been no disturbance to wetlands. The base density is one dwelling unit per five acres in A/RR and RS. Portions of lots may be platted into wetland areas and shall not be construed as having disturbed wetland areas for this density-transfer provision so long as that portion of the lot does not include any fill, construction, improvements, or other development, and a restriction is placed upon the plat to prohibit such future actions within wetland areas.

c. All such transfers of density shall:

1. be to contiguous property under the same ownership or control;

2. only be permitted within a subdivision platted and developed in accordance to the County's Land Development Code;

3. not result in lot sizes, or areas per dwelling unit, less than 65% of that required by the County's Land Development Code (the minimum lot/area size shall be exclusive of the wetland area); and

4. be noted on the face of the final plat as a restrictive covenant enforceable by the Board of County Commissioners.

POLICY 2.123-C4: LAND-DEVELOPMENT REGULATIONS - Polk County shall implement land development standards adopted in the Land Development Code, for establishing standards and procedures to:

a. provide for the transfer of residential and non-residential densities from the Wetland-Protection Area, pursuant to Policies 2.123-C2. and 2.123-C3.;

b. provide for construction techniques which will not alter the natural retention and filtering capacities of the wetland; and

c. require that all permits from an agency with jurisdiction (i.e. U. S. Corp of Engineers, Water Management District, Florida Department of Environmental Protection, etc.) be approved prior to, or concurrently with, the County issuing a final development order.

POLICY 2.123-C5: The County shall implement, through the land development regulations, the transfer of development rights which allows the transfer of density to off-site and on-site locations outside the wetland areas, and shall continue to investigate other techniques that promote and encourage the preservation of wetlands.

POLICY 2.123-C6: The County shall partner with resource and permitting agencies, other local governments, and the private sector to identify opportunities and evaluate the feasibility of establishing wetland mitigation banks within Polk County. These efforts shall include the evaluation of opportunities to establish mitigation banks to implement the Water Resource Sustainability Plan for the Peace Creek Watershed; to complement the Habitat Conservation Plan and the PolkGreen District; and protection of drainage basins of special concerns.

SECTION 2.123-D AQUIFER-PROTECTION AREAS.

OBJECTIVE 2.123-D: The Polk County Plan shall protect known Floridan Aquifer high recharge areas from direct contamination, and shall protect such areas' natural recharge functions by:

a.the future designation and mapping of a Aquifer-Protection Area overlay areas; and

b.the establishment of criteria applicable to the development of lands within Aquifer-Protection Areas.

POLICY 2.123-D1: DESIGNATION AND MAPPING - The Polk County Plan establishes the overlay-area category of "Aquifer-Protection Area" for those areas classified by Florida Department of Environmental Protection (FDEP) as being "high recharge areas" (above 12 inches of recharge per year) within the Florida Aquifer Vulnerability Assessment (FAVA) data model.

POLICY 2.123-D2: DEVELOPMENT CRITERIA - Development and redevelopment within Aquifer-Protection Areas shall conform to the Land Development Code and shall implement the following requirements:

a. Land uses shall be regulated so as to minimize the threat of contamination to the Floridan Aquifer, or other potable-water supplies, through restrictions on the storage, generation, and/or use of hazardous materials (as defined by applicable Federal or state regulations) within Aquifer-Protection Areas.

b. Aquifer recharge volumes shall be protected by requiring that post-development runoff volumes not exceed pre-development runoff volumes for a design storm at least as stringent as those determined by the applicable water management district and/or FDEP. Pervious ground cover shall be encouraged.

c. All surface waters and storm-water runoff shall be treated as required by the applicable water management district and the FDEP.

d. All new development and redevelopment within a "high recharge area" shall not reduce the aquifer recharge quality or quantity (volumes and rates). Subsurface storage and flow shall simulate predevelopment natural conditions.

POLICY 2.123-D3: PLAN AMENDMENT AND LAND-DEVELOPMENT REGULATIONS REVISIONS - Polk County shall transmit a Comprehensive Plan amendment if the applicable water management districts provide new delineation of prime recharge areas, recommended regulations for protecting those areas, and other information required by

Section 373.31770391, FS, and shall amend its development regulations after the adoption of the transmitted Plan amendment.

SECTION 2.123-E RESERVED.

OBJECTIVE 2.123-F: GREEN SWAMP PROTECTION AREA: The Polk County Plan shall limit development and redevelopment within Green Swamp Area of Critical State Concern, as designated in the Green Swamp Protection Area overlay, to development activities and intensities which will not alter the natural function of its wetlands and aquifer-recharge areas by:

a.the designation and mapping of a Green Swamp Protection Area overlay;

b.the establishment of density transfer provisions; and

c.the establishment of criteria applicable to the development of lands within the Green Swamp Protection Areas.

POLICY 2.123-F1: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as the "Green-Swamp Protection Area" those areas located within the unincorporated portions of Polk County, which are within the "Green Swamp Area" as defined by Chapter 28-26, FAC.

POLICY 2.123-F2: DEVELOPMENT CRITERIA - Development within the "Green-Swamp Protection Area" shall conform to the following requirements:

a. "Floodplain-Protection Areas" requirements under Policy 2.123-B2, where applicable;

b. "Wetland-Protection Areas" requirements under Policy 2.123-C2 where applicable; and

c. All development, as defined in Section 380.04, FS, shall be reviewed for consistency with the following objectives:

1. Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.
2. Protect or improve the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
3. Protect or improve the water available for aquifer recharge.
4. Protect or improve the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.
5. Protect or improve the normal supply of ground and surface water
6. Prevent further salt-water intrusion into the Floridan Aquifer.
7. Protect or improve existing ground and surface-water quality.
8. Protect or improve the water-retention capabilities of wetlands.
9. Protect or improve the biological-filtering capabilities of wetlands.
10. Protect or improve the natural flow regime of drainage basins.
11. Protect or improve the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

d. All development applications (except individual single-family residential units) in the Area of Critical State Concern (ACSC) must submit a written impact statement that demonstrates that the policies of this section are met. Non-residential developments, and residential developments of 50 lots or more,

shall also include certification (with supporting data) by a registered Professional Engineer that the requirements of the Green Swamp Overlay District are met.

e. Phosphate and peat mining shall not be allowed in the ACSC. All other mining must submit a written impact statement that demonstrates that the policies of the Comprehensive Plan are met and include a certification (with supporting data) by a registered engineer that the requirements of the Green Swamp Overlay District are met.

f. All development shall comply with the requirements and standards of - "Critical Area Resource Management Plan" (located at the end of Article I in Appendix 2.132) which is hereby incorporated by reference and made a part of this Comprehensive Plan as though fully set forth herein.

POLICY 2.123-F3: INTERGOVERNMENTAL COORDINATION - In addition, Polk County shall coordinate the development of specific land-development regulations for this area with Lake County so that, as necessary or appropriate, uniform development standards can be adopted within each county.

SECTION 2.123-G LOCAL HAZARD MITIGATION STRATEGY.

OBJECTIVE 2.123-G: Polk County shall coordinate future land use designations to eliminate or reduce inconsistencies with the goals, objectives, and recommendations of the adopted Local Mitigation Strategy.

POLICY 2.123-G1: The County, through the implementation of its land development regulation, will ensure that development approvals are consistent with the objectives and policies of the Local Mitigation Strategy. If the site is such that all beneficial use of the property is precluded due to the hazard identification/determination, then the County will consider purchasing the property for preservation purposes through the use of moneys from environmental lands preservation programs, grants or other similar sources of funding.

SECTION 2.124 RESOURCE-PROTECTION DISTRICTS.

The previous Objective and Policies for 2.124-A (Resource Protection Districts) was moved to section 2.122 by CPA 10B-003 (Ord. 11-038) Adopted by BoCC 12-8-11.

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.

POLICY 2.124-A2: DESIGNATION AND MAPPING - The Transit Corridors and Centers (TCC) Overlay shall be shown on the Future Land Use Map Series to include three separate components as follows:

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.

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.

POLICY 2.124-A4: OVERLAY WITHIN TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA) - The TSDA is an area where infrastructure and community services are available or planned to support higher densities and intensities of development. In areas where the TCC Overlay coincides with the TSDA, Polk County shall provide incentives for compact, mixed-use development. These incentives may include:

a. Project approval through an administrative and technical review process;

b. Expedited permit reviews;

c. Reduced impact or permitting fees.

POLICY 2.124-A5: OVERLAY IN OTHER DEVELOPMENT AREAS - Outside of the TSDA, Polk County shall implement site design principles and mobility strategies within the TCC Overlay to maximize access to existing or future transit services and promote the development of transit service and centers. The Transit Centers are intended to support transit ridership and service development and to improve transit access to/from rural areas.

POLICY 2.124-A6: CO-LOCATION OF CIVIC OR COMMUNITY USES - Polk County shall identify and promote opportunities to co-locate civic or community uses within the Transit Corridors and Centers Overlay including:

a. urban parks;

b. community recreation centers;

c. schools;

d. child care facilities;

e. libraries and medical facilities;

f. governmental buildings; and

g. police, fire and EMS facilities.

Buildings in these areas should be sited to form a green space or public common for community use. Site planning, building orientation, architectural design and landscaping should reflect the character of the community.

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.

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.

POLICY 2.124-A9: MOBILITY STRATEGIES - Polk County shall implement mobility strategies within the TCC Overlay to support non-motorized transportation and transit service development and to maximize access to existing and planned transit services. These strategies will be incorporated in the Multi-Modal Transportation Level of Service Standards and may include, but will not be limited to:

a. Provision of an extensive pedestrian system;

b. Elimination of gaps in sidewalk network;

c. Complete street treatment including improved pedestrian and bicycle crossings;

d. Provision of transit facilities and passenger amenities;

e. Provision of bicycle parking; and

f. Shared, reduced or maximum parking requirements.

POLICY 2.124-A10: COMMUNITY INVESTMENT - Polk County shall consider funding improvements as part of the annual update of the Capital Improvement Element to support the provision of complete streets, continuous sidewalk networks, transit facilities and passenger amenities, and public spaces. Candidate projects within the Transit Corridors and Centers Overlay shall receive priority consideration.

POLICY 2.124-A11: PUBLIC-PRIVATE PARTNERSHIPS - The County shall support the merging of public and private interests and resources for the purposes of facilitating transit-oriented development with the overlay. Particularly in Transit Centers or Hubs, public-private partnerships may be used to leverage transit enhancements and infrastructure, create mixed uses inclusive of civic and community spaces, and establishes redevelopment strategies.

POLICY 2.124-A12: REDEVELOPMENT STRATEGIES - Polk County shall establish strategies and incentives within the Land Development Code to facilitate the redevelopment of sites with mixed uses and pedestrian-oriented features.

POLICY 2.124-A13: BROWNFIELD REDEVELOPMENT - Polk County shall identify and map candidate brownfield sites within the Transit Corridors and Centers Overlay to promote the redevelopment of sites in close proximity to transit and other community services.

POLICY 2.124-A14: AFFORDABLE AND WORKFORCE HOUSING - Polk County shall identify and map existing and candidate sites for affordable and workforce housing within the Transit Corridors and Centers Overlay as part of a comprehensive strategy to promote sustainable housing and neighborhoods.

POLICY 2.124-A15: SEAMLESS TRANSPORTATION SYSTEM - The Transit Corridors and Centers Overlay includes transit corridors that extend into and through municipal jurisdictions. To ensure a seamless transportation system, Polk County will coordinate with the cities to encourage the implementation of consistent land use policies and mobility strategies within these corridors.

POLICY 2.124-A16: NEW TRANSIT CENTERS - Property owners that seek to establish a new Transit Center shall consult with the Polk Transportation Planning Organization and the Growth Management Department to determine the appropriate data and analysis needed to support a Comprehensive Plan Map Amendment. The consideration of a new center shall address land use trends and plans for transit service development.

POLICY 2.124-A17: Development in parcels that are located in the TSDA and inside the boundary of an adopted Selected Area Plan (SAP), may obtain higher densities or intensities as allowed by the TSDA-TCCO where applicable. Development must be otherwise consistent with the development criteria of the adopted SAP.

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.

SECTION 2.124-C MINERAL-RESOURCE PROTECTION DISTRICT.

OBJECTIVE 2.124-C: The Polk County Plan shall protect and manage mineral resources for the purpose of insuring their continued availability of these resources by through:

a.the establishment and mapping of a Mineral-Resource Protection District overlay; and

b.the establishment of development criteria for protecting known deposits from encroachment by land uses incompatible with excavation and associated mining operations.

POLICY 2.124-C1: PURPOSE - The Mineral-Resource Protection District (MRPD) overlay is established for the purpose of protecting for future mining those known deposits of minerals and soils that are in appropriate locations so as not to have adverse impacts on existing development.

POLICY 2.124-C2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as the "Mineral-Resource Protection District" the general location of known commercially viable mineral and soil deposits, including:

a. lime rock

b. sand

c. peat

d. clay

The decision as to whether to protect a mineral deposit by inclusion in an MRPD overlay shall include, but not be limited to, an evaluation of:

1. the deposit's compatibility with existing land uses within, and surrounding, the MRPD designation; and,

2. the ability to mitigate adverse impacts from the mining of the deposit, including: noise, visual, airborne and waterborne pollutants, and traffic impacts.

POLICY 2.124-C3: DEVELOPMENT CRITERIA - Development within the MRPD shall conform to the following criteria:

a. Land uses which are compatible with the extraction and processing of mineral resources shall be permitted as a use within Mineral Resource-Protection.

b. Land uses which may not be compatible, or which may cause future conflicts, with mineral excavation activities may be permitted within the MRPD through the issuance of a special limited-use permit such as a temporary-use permit.

c. Mineral extraction activities should be conducted in a manner which will minimize adverse effects to water quality, fish and wildlife, and adjacent land uses.

d. any mining activities shall comply with Section 2.124-C and the Land Development Code.

POLICY 2.124-C4: ADJACENT DEVELOPMENT - Development on property adjacent to a designated MRPD shall be required to provide proper buffering, if applicable.

POLICY 2.124-C5: RECLASSIFICATION - Owners of property located within a Mineral Resource-Protection District may apply to the Board of County Commissioners for removal of the overlay classification once proper reclamation of the property is completed. Removal of the property from the MRPD would allow the property to be developed in accordance to the land use policies applicable to the underlying land use district(s) designated for the property by the Future Land Use Map Series, or those policies applicable to any new land use district(s), or those policies applicable to any new land use classification established as a result of an approval of a Plan amendment that is processed at the request of the property owner in conjunction with the Mineral Resource-Protection District designation removal.

SECTION 2.124-D WELLHEAD-PROTECTION DISTRICTS.

OBJECTIVE 2.124-D: The Polk County Plan shall manage land use and development to protect public water supplies from direct contamination by:

a.the designation and mapping of a Wellhead-Protection District overlay; and

b.the establishment of criteria applicable to development of lands within the Wellhead-Protection District(s).

POLICY 2.124-D1: PURPOSE - The "Wellhead-Protection District" overlay is established for the purpose of protecting existing and future potable water wellheads and well fields from sources of ground water contamination.

POLICY 2.124-D2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map the overlay-district category of "Wellhead Protection District" and shall designate this overlay district for all Potable

Water Supply System (PWS). The Wellhead Protection District shall include a minimum 500 foot buffer for all PWS. Additional areas shall be included based on best available data or industry standards.

POLICY 2.124-D3: DEVELOPMENT CRITERIA - Development and redevelopment within Wellhead Protection Districts shall conform to Chapters 62-521 and 62-555, F.A.C. and the Land Development Code which shall implement the following requirements:

a. Land uses shall be regulated so as to prevent or minimize the threat of contamination of the potable water supply through restrictions on the storage, generation, or use of hazardous materials (as defined by applicable Federal or state regulations) within areas designated as Wellhead-Protection Districts.

b. Consistent with applicable law, all development or redevelopment occurring within Wellhead Protection Districts shall be processed through the County's development-review process.

c. Land uses shall be regulated so as to prohibit the handling or storage of hazardous wastes within the Wellhead Protection District.

d. All hazardous waste handling and storage within high-recharge areas shall meet all applicable federal and state requirements prior to issuance of any development orders.

SECTION 2.124-E POLKGREEN DISTRICTS.

OBJECTIVE 2.124-E: The Polk County Plan shall promote and integrate public and private investments in green infrastructure (interconnected network of open spaces, natural areas and agricultural lands) by:

a.the designation and mapping of a PolkGreen District overlay; and

b.the establishment of incentives and standards applicable to the development of lands within the PolkGreen.

POLICY 2.124-E1: PURPOSE - The PolkGreen District overlay is established to guide planning for, and the acquisition or conservation of, an interconnected network of open spaces, natural areas and agricultural lands.

The overlay will provide a framework for land use policies and community investments that provide:

a. protection of natural resources and wildlife habitat;

b. habitat corridors through linked open spaces;

c. protection of historic and cultural resources;

d. recreational opportunities;

e. community health benefits;

f. economic development opportunities; and

g. multi-use trails connecting population centers to natural areas.

POLICY 2.124-E2: DESIGNATION AND MAPPING - The PolkGreen shall be generally shown on the Future Land Use Map Series. It shall be based on best available data and at a minimum shall include, but not limited to:

a. parcels designated as Preservation or Recreation Open Space on the Future Land Use Map Series;

b. properties purchased under Polk County's Environmental Lands Program;

c. properties identified in the Polk County Habitat Conservation Plan;

d. properties acquired or pending acquisition under a Florida conservation or recreation land program such as Florida Forever and Save our Rivers;

e. properties identified at the latest Archbold Biological Station Scrub Conference as worthy of public acquisition;

f. the Florida Department of Environmental Protection's Integrated Habitat Network;

g. Florida's Statewide Trail and Ecological Greenway Network Opportunity Maps;

h. state, County and municipal parks and recreational facilities;

i. "greenway corridors" established within a Development of Regional Impact (Appendix 2.130), Selected Area Plan (Appendix 2.131), or the Critical Area Resource Management Plan (Appendix 2.132);

j. existing and proposed municipal greenway systems;

k. existing and proposed multi-use trails as identified in the Polk Transportation Planning Organization's (TPO) Long Range Transportation Plan; and

l. potential network connections and corridors between the open spaces, natural areas, and agricultural lands listed in this policy.

POLICY 2.124-E3: IMPLEMENTATION COORDINATION - Polk County shall coordinate with public and private agencies, municipalities, property owners of lands within PolkGreen and adjacent areas, and surrounding counties to establish a process for the maintenance and update of the PolkGreen overlay, as well as, the development and implementation of policies to acquire, conserve, manage or construct green infrastructure.

POLICY 2.124-E4: GREEN INFRASTRUCTURE ON PRIVATE PROPERTY - Polk County shall provide incentives to encourage conservation of green infrastructure assets located on private property in order to promote a network of public and privately-held open space and natural areas.

POLICY 2.124-E5: SENDING AREAS FOR TRANSFER OF DEVELOPMENT RIGHTS - The PolkGreen shall provide a basis for the identification of "sending areas" under existing and future provisions for the transfer of development rights.

POLICY 2.124-E6: CONSERVATION DEVELOPMENT - Polk County shall provide incentives to encourage the use of conservation planning principles in the development of land within the PolkGreen overlay. The Conservation Development Program established under Objective 2.1251-C shall include special incentives for parcels contiguous to existing environmental lands in order to promote an interconnected network of open space and to reduce fragmentation of wildlife habitat.

POLICY 2.124-E7: ANCIENT SCRUB - The Land Development Code shall include provisions to protect ancient scrub resources as identified by the Archbold Biological Station. These regulations shall require development to be clustered and located on the non-scrub portions of a site.

POLICY 2.124-E8: TOURISM - Polk County shall coordinate with the Central Florida Development Council to identify and implement incentives to promote the development of tourism and related activities within the PolkGreen overlay.

OBJECTIVE 2.124-E2: Polk County shall expand the PolkGreen network by 20,000 acres by the year 2030.

POLICY 2.124-E9: DEDICATION OF LAND - Conservation of lands intended to expand the PolkGreen network may be accomplished by either fee simple (sale) or less than fee simple (transfer of development rights and conservation easements) transfers of rights and/or ownership interests. In order to be included as part of the network, the follow shall apply:

1) The land to be dedicated shall be suitable for the intended purpose;

2) The dedication shall ensure the perpetual conservation of the lands;

3) Fee simple ownership, conservation easements, purchase of development rights, and transfer of development rights are suitable legal instruments and mechanisms to ensure the long term conservation;

4) Public access of lands within the PolkGreen is preferred, but not required;

5) Dedications shall be consistent with the Habitat Conservation Plan;

6) Allowable uses within less than fee simple transactions shall contain a clause which permanently restricts the land from future development or subdivision.

7) All dedications to the PolkGreen shall be consistent with the PolkGreen policies and standards, the Habitat Conservation Plan, and mitigation bank standards.

8) If listed endangered or threatened species are found on site, a mitigation plan shall accompany the proposed conservation easement;

POLICY 2.124-E10: MULTI-USE TRAILS - On an annual basis, Polk County shall provide the Polk TPO a prioritized list for the funding and construction of multi-use trails within the PolkGreen overlay. Special consideration will be given to multi-use trails that connect population centers to natural areas. The design of multi-use trails shall be consistent with State regulations as well as the Polk TPO long range transportation plan or "Transportation Improvement Plan" as amended. Motorized vehicles shall be prohibited on any multiuse trails within the Green Swamp Area of Critical State Concern except for necessary maintenance purposes.

SECTION 2.124-F REDEVELOPMENT DISTRICTS.

OBJECTIVE 2.124-F: The Polk County Plan shall address areas in need of revitalization within the County through the following:

a.the designation and mapping of "Redevelopment District" overlay areas, and

b.the development of "Redevelopment District Revitalization Plans" to preserve, rehabilitate, revitalize, and/or redevelop designated "Redevelopment Districts."

POLICY 2.124-F1: DESIGNATION AND PURPOSE - Redevelopment Districts, and Redevelopment District Revitalization Plans, are intended to:

a. utilize a comprehensive, strategic approach to identify the special needs of unincorporated communities comprised of predominantly low and moderate income residents;

b. involve neighborhood residents in every phase of the planning process;

c. develop action plans to meet the identified needs including, but not limited to, social and community services, infrastructure, transportation, economic development, law enforcement, and affordable housing;

d. promote an enhanced living environment for the community, and a higher quality of life for community residents;

e. promote the economic vitality of the community through the development of employment and business opportunities for community residents;

f. encourage multi-model transportation options, particularly pedestrian and bicycle travel; and

g. encourage community cohesion by promoting opportunities for the interaction of community residents, thereby engendering community pride, empowerment of residents, identification with, ownership of and participation in revitalization efforts, and a "sense of place."

POLICY 2.124-F2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as "Redevelopment District" overlay those 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. The non-prioritized "Redevelopment District" overlays include but are not limited to the following:

Adams Grove

Babson Park/Highland Park

Bradley Junction

Crystal Lake

Davenport

Eaton Park

Echo Terrace

Eloise

Florence Villa

Fuller Heights

Fussells Corner (Carters)

Griffin Quarters

Highland City

Highland Park Manor

Inwood

Jamestown

K-Ville

Kathleen

Lakeview Park

Lakewood Park

Mammoth Grove

Maxi-Quarters

Medulla

Mullinsville

Nichols

North Florida Heights

Old Polk City Road

Loughman

Lynchburg

Rolling Hills

Wabash

Wahneta

Washington Park

Waverly

Winston

The "Redevelopment District" overlay shall be reviewed, at least annually, and amended, if necessary, to include any additional predominantly low and moderate income areas determined by the United States Department of Housing and Urban Development income standards and the County to be disproportionately in need of social and/or community services, infrastructure, transportation, economic development assistance, law enforcement, and/or affordable housing, based on an analysis of demographics, land use, crime, housing, infrastructure, and other physical and social conditions.

POLICY 2.124-F3: REDEVELOPMENT DISTRICT REVITALIZATION PLANS - The County shall develop a "Redevelopment District Revitalization Plan" in accordance with the goals and objectives of the programs described the Polk County Consolidated Plan and Five Year Strategy Plan, for designated "Redevelopment District," to guide implementation of the Community Development Block grant, HOME Investment Partnership Program and the emergency Shelter Grant. The Redevelopment Plans will be prioritized based on a variety of factors that include but are not limited: funding availability, need, physical and economic conditions, level of neighborhood district revitalization plans will be coordinated with other planning initiatives.

The Redevelopment District Revitalization Plans shall contain strategies developed with public input from those areas affected to preserve, rehabilitate, revitalize, and/or redevelop those areas. These strategies shall include, but not be limited to:

a. targeting housing rehabilitation and code enforcement activities within designated Redevelopment Districts;

b. removing dilapidated structures to create space for infill development;

c. coordinating infrastructure improvements with rehabilitation and redevelopment activities;

d. providing economic opportunities and neighborhood support services to encourage economic independence and self-sufficiency of residents;

e. implementing programs to facilitate the development of affordable housing;

f. developing special incentives, provisions, restrictions, or requirements in order to ensure that redevelopment and revitalization activities occur in accordance with sound planning principles and local community objectives;

g. encouraging design features which promote public safety, create inviting streetscapes along public roadways, and emphasize a pedestrian-oriented environment;

h. developing or providing incentives for development of needed community facilities such as neighborhood centers, day care centers, churches, schools, and community-oriented policing substations; and

i. most importantly, empowering residents so as to rekindle community pride and developing lasting partnerships between government and the community.

POLICY 2.124-F4: REDEVELOPMENT ACTIVITIES - Redevelopment District Revitalization Plans shall implement the purpose and intent of Policy 2.124-F1 and shall conform to the following requirements:

a. PERMITTED USES: In keeping with the purpose and intent of this section, the following uses may be permitted within a Redevelopment District Revitalization Plan:

1. Residential (single-family and multi-family)
2. Commercial
3. Institutional
4. Recreation and Open Space
5. Preservation
6. Specialized Uses, subject to the provisions of Section 2.125
7. Housing for workers (agricultural, industrial, construction and hospitality trades)

b. DEVELOPMENT CRITERIA:

1. Non-residential 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. Where permitted by the Redevelopment District Revitalization Plan, non-residential uses may include, but are not limited to, grocery stores, personal service shops, gas stations, restaurants, specialized and general retail, medical and professional offices, and community facilities such as neighborhood centers, churches, schools, community-oriented policing substations, and day care centers.
2. Non-residential uses should be centrally located within the community and within comfortable walking distance for a majority of the area's residents.
3. Non-residential uses shall have direct access to a collector or arterial roadway.
4. 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. Such incentives shall include, but not be limited to:
   (a) Density and intensity increases up to 150% of the district standards,
   (b) Expedited permitting; and
   (c) Design flexibility, additionally
   (d) May include special impact fee consideration in such circumstances as adopted and codified by the BoCC.

   Such incentives shall be linked directly to the provision of affordable, workforce or special needs housing on a case-by-case basis, and require that the housing remain dedicated to the particular housing type for which the incentive was awarded for a minimum of twenty years through a deed restriction or similar measure. Furthermore, no increase in density or intensity can occur unless adequate water, sewer, roadway and public school capacity exists or are planned to be available to meet the need of the additional development.
5. Commercial and office uses shall be permitted in Redevelopment District Revitalization Plans. Redevelopment District Revitalization Plans may include up to 10% of the total area of redevelopment district for commercial and office uses. Designation of an area exceeding the additional 10% shall require a Comprehensive Plan amendment.
6. It is fundamental to all revitalization plans that commercial uses, if included in the land use design, shall be oriented toward the historically established town center, main street, or placed in isolated neighborhood market sites that are restricted to a very limited scale of commercial activity and located only at the intersection of major collector roads. Linear commercial

development shall not be allowed, unless it is clearly evident that it is consistent with the traditional development pattern of the community.

7. Appropriate buffering shall be provided between non-residential uses and residential uses.

POLICY 2.124-F5: ADOPTION OF REDEVELOPMENT DISTRICT REVITALIZATION PLANS - Upon completion of a "Redevelopment District Revitalization Plan," as defined in Policy 2.124-F3, and upon its approval by the Board of County Commissioners, such plan shall become the official revitalization plan for the designated Redevelopment District.

SECTION 2.124-G HISTORIC-PRESERVATION SITES.

OBJECTIVE 2.124-G: HISTORIC PRESERVATION –Consistent with Chapter 96-462, Laws of Florida, Polk County shall commit to the preservation of its historical, archeological, and architectural resources by:~~The Polk County Plan shall identify and protect historically significant resources by~~:

a.the designation and mapping of identified historic sites, and

b.the establishment of development review criteria to protect designated historic sites from encroachment by incompatible land uses.

POLICY 2.124-G1: DESIGNATION AND MAPPING - The Future Land Use Map Series shall identify, designate, and map as "Historic-Preservation Sites" those historic properties listed on the National Register of Historic Places and the Florida Master Site File. The Future Land Use Map Series shall be amended, at least annually, to include or exclude any properties added to or removed from these listings.

POLICY 2.124-G2: DEVELOPMENT-REVIEW CRITERIA - Polk County shall review new development or redevelopment projects which may impact designated "Historic-Preservation Sites" by:

1. enforcing~~establishing development~~ historic property guidelines within its Land Development Code, which shall encourage the preservation and rehabilitation of these resources in accordance with state and federal historic preservation guidelines.
2. including a historic preservation evaluation within its development review process to ensure that development projects occur in a manner which minimizes impacts to historic resources; and
3. cooperating in enforcing state and federal historic preservation legislation by fulfilling preservation requirements in the impact review of federal grant projects.

POLICY 2.124-G3: SURVEY OF HISTORIC STRUCTURES - Polk County shall consider updating the survey of historic resources for submittal to the Florida Master Site File.

POLICY 2.124-G4: PUBLIC EDUCATION - Polk County shall seek to educate the public on the importance, value, process, and benefits of preserving the historic and cultural resources of Polk County.

SECTION 2.124-H SR 17 RIDGE SCENIC HIGHWAY.

The SR 17 Ridge Scenic Highway overlay recognizes the importance of protecting and enhancing a key community asset of scenic, environmental, historic and archeological importance.

OBJECTIVE 2.124-H: The Polk County Plan shall identify, protect and enhance the scenic environmental, historic and archeological character of the SR 17 Ridge Scenic Highway through:

a.the designation and mapping of the general location of the Ridge Scenic Highway overlay boundary,

b.the establishment of development criteria to protect the Ridge Scenic Highway from encroachment by incompatible land uses,

c.the establishment of quality design standards beyond those required countywide that unify development along the highway aesthetically and help enhance its unique characteristics, and,

d.the establishment of incentives to encourage increased open space abutting the SR 17 Ridge Scenic Highway, the construction of a multi-modal trail along the length of SR 17 Ridge Scenic Highway and the construction of scenic pull-off areas in appropriate locations along Ridge Scenic Highway.

POLICY 2.124-H1: DESIGNATION AND MAPPING - The SR 17 Ridge Scenic Highway Resource Protection overlay shall be generally shown on the Future Land Use Map Series. The SR 17 Ridge Scenic Highway Resource Protection overlay applies to parcels and proposed development abutting the SR 17 Ridge Scenic Highway.

POLICY 2.124-H2: QUALITY DEVELOPMENT STANDARDS - Polk County shall establish quality development standards within its Land Development Code that protect and enhance the scenic, environmental, historic and archeological character of the SR 17 Ridge Scenic Highway. These standards shall include provisions that address roadway and development landscaping, screening, open space, street lighting, walls and fences, building height, location and orientation, signage, non-compatible uses or other development features that will help protect and enhance the SR 17 Ridge Scenic Highway.

POLICY 2.124-H3: INCENTIVES - Polk County shall establish incentives within its Land Development Code to encourage increased open space abutting the SR 17 Ridge Scenic Highway and in areas identified as scenic vistas or viewsheds through properties, the construction of a multi-modal trail along the length of SR 17 Ridge Scenic Highway and the construction of scenic pull-off areas in appropriate locations along SR 17 Ridge Scenic Highway. These incentives may include an expedited review process, increased densities and/or intensities up to the maximum allowed in each land use category as a permitted use without requiring a public hearing (in accordance with the policies established for the Scenic Highways within each land use district and the regulations with the Land Development Code), and modified dimensional regulations to encourage the protection and enhancement of key community asset of scenic, environmental, historic and archeological importance.

POLICY 2.124-H4: INTERGOVERNMENTAL COORDINATION - Polk County shall continue to coordinate with the municipalities (Frostproof, Hillcrest Heights, Highland Park, Lake Wales, Dundee, Lake Hamilton and Haines City) and other established communities within the Ridge Scenic Highway Overlay to coordinate the implementation of the quality development standards and recreational opportunities along the SR 17 Ridge Scenic Highway to ensure the continued protection and enhancement of key community asset of scenic, environmental, historic and archeological importance.

SECTION 2.124-I AVON PARK AIRFORCE RANGE MILITARY COMPATIBILITY ZONE.

OBJECTIVE 2.124-I: In compliance with Chapter 163.3177(6)(a) F.S., Polk County shall support the role of Avon Park Air Force Range (APAFR) by ensuring that adjacent future development is compatible with and will not negatively impact range operations.

POLICY 2.124-I1: PURPOSE AND DESIGNATION - In compliance with Florida Statutes and the recommendations of the APAFR Joint Land Use Study (JLUS), Polk County establishes the APAFR Military Compatibility Zone Overlay (MCZ) of the Comprehensive Plan Map Series, to identify those areas where compatibility criteria will be implemented to ensure development in this area and the military operations of the APAFR are compatible. The County will address public health and safety issues by minimizing conflicts between Range operations and surrounding land uses. All development within the MCZ shall be in conformance with standards as established in the Polk County Land Development Code as per the compatibility criteria pursuant to this Section.

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.

POLICY 2.124-I3: Compatibility criteria applied within the MCZ, shall consider the safety and noise standards contained in any APAFR Air Installation Compatible Use Zone Study (AICUZ), Range Installation Compatible Use Zone Study (RAICUZ), or Noise Study, and the recommendations of the APAFR JLUS.

POLICY 2.124-I4: Polk County shall coordinate with the CFRPC and the APAFR to find effective disclosure procedures making current and potential land owners aware of the APAFR and potential compatibility conflicts.

POLICY 2.124-I5: Polk County shall protect the viability of the APAFR by continuing the coordination and communication between the range commanding officer or his designee and the Development Review Committee (DRC). The DRC will provide the range commanding officer or his designee information on proposed changes to the County's Comprehensive Plan and Land Development Code which, if approved, would affect the density, intensity, or use on land within the MCZ or proposed changes to the compatibility criteria. Additionally, the DRC will forward applications for development orders requesting a variance or waiver from height or lighting standards within the MCZ to APAFR representatives for review and comment as such development applications may potentially generate uses that could hinder range operations.

POLICY 2.124-I6: Polk County shall maintain an ex-officio position, for the APAFR range commanding officer or designee, to serve on the Planning Commission.

POLICY 2.124-I7: Polk County shall coordinate with the Central Florida Regional Planning Council and other agencies to support the efforts to protect and preserve environmentally sensitive areas located adjacent to the military installation. These strategies may include programs to purchase conservation lands, establishment of conservation or agricultural easements and encourage the use of transfer or purchase of development rights as part of the Development Review process, among others.

POLICY 2.124-I8: Polk County shall continue to coordinate with the other affected local governments (the cities of Frostproof, Avon Park and Sebring, and Highlands, Okeechobee and Osceola Counties), the CFRPC and the APAFR to implement the guidelines and standards as established in this section of the Comprehensive Plan and the Land Development Code.

SECTION 2.125-J NUTRIENT RESTORATION PLAN OVERLAY

OBJECTIVE 2.124-J: The Polk County Plan shall manage land use and development to protect surface waters from nutrient impairment by septic tanks by:

- **a. the designation and mapping of Nutrient Plan Overlay (NRP); and**
- **b. the establishment of criteria applicable to development of lands and use of septic tanks within the NRP(s).**

POLICY 2.124-J1: In compliance with Florida Statures, Polk County shall support plans to reduce nutrient loads from onsite sewage treatment and disposal systems (septic tanks) in areas covered by Basin Management Action Plans (BMAP). Reasonable Assurance Plans (RAP), and Pollution Reduction Plans (PRP) for nutrients.

POLICY 2.124-J2: DESIGNATION AND MAPPING – Polk County establishes Nutrient Restoration Plan Overlay (NRPO) of the Comprehensive Plan Map Series, to identify those areas where additional permitting requirements shall be established to reduce nutrient loads from septic tanks. The map overlay for the NRP shall include:

a. Basin Management Action Plans for nutrients adopted by the Florida Department of Environmental Protection (FDEP).

b. Reasonable Assurance Plans for nutrients adopted by FDEP; and

c. Pollution Reduction Plan areas approved by FDEP.

POLICY 2.124-J3: DEVELOPMENT CRITERIA- Permitting of septic tanks within the Nutrient Restoration Plan Overlay shall conform to the Land Development Code and shall implement the following requirements:

a. New onsite sewage disposal systems shall be prohibited within Nutrient Restoration Plan Overlay where connection to a publicly owned or investor-owned sewer is available, as defined in Section 702, E.

b. If sewer lines are not available in these areas, new onsite sewage disposal systems on lots one acre or less shall be an enhanced nutrient reducing system that achieves at least a 50 percent reduction in total nitrogen before discharge to the drain field or at lease a 65 percent nitrogen reduction combined after leaving the field.

c. Enhanced nutrient reduction systems must either be types approved by the Florida Department of Environmental Protection (Aerobic Treatment Units and Performance Based Treatment Systems) or meet the standards for In-Ground Nitrogen-Reducing Biofilters in Rule 62-6.009(7), Florida Administrative Code.

SECTION 2.125 SPECIALIZED USES.

OBJECTIVE 2.125-A: The Polk County Plan shall provide for additional controls applicable to certain identified and specialized types of development through:

a.the identification of certain specialized uses requiring development controls;

b.the establishment of the land use classifications within which such specialized uses may be located pursuant to the Plan; and

c.the establishment of specific development controls tailored to address the needs of the identified specialized uses.

POLICY 2.125-A1: IDENTIFICATION OF SPECIALIZED USES - The Polk County Plan hereby identifies the following specialized uses, which are to be developed in accordance with the Land Development Code:

a. isolated convenience stores

b. transitional areas

c. utilities

d. community facilities

e. special residential uses (greater than 15 DU/AC)

f. non-phosphate mining

g. residentially based mixed-use developments

h. non-certified electric-power generating facilities

i. certified electric-power generation facilities

j. hazardous-waste treatment facilities

k. agricultural-support activities

l. Planned Development (PD)

m. residential infill development

n. solar electric-power generation facilities

o. solid waste management facilities

p. fuel terminals

q. Resiliency Facility

POLICY 2.125-A2: PERMITTED LAND USE CATEGORIES FOR SPECIALIZED USES - The land use classifications within which the identified specialized uses may be permitted, subject to the approval of Polk County, are:

SPECIALIZED USE	AUTHORIZED LAND USE LOCATION*
Isolated Convenience Stores	All Residential
Transitional Areas	All**
Utilities	All **
Community Facilities	Type A, B, C, and D in all except Preservation; Type E in all
Special Residential	CACs and RACs
Non-Phosphate Mining	All**
Residentially Based Mixed-Use Developments	All Residential except A/RR
Non-Certified Electric-Power Generation Facilities	Low Impact - IND, BPC, INST, PM, & HIC High Impact - PM, IND, and INST
Certified Electric-Power Generation Facilities	PM, IND and INST
Hazardous-waste Treatment Facilities	PM
Agricultural-Support Activities	A/RR, RS, and RL within the UGA
Planned Development	All***
Residential Infill Developments	RS and RL
Solar Electric-Power Generation Facility	A/RR, RCC, RS, HIC, BPC, IND, PM, and INST
Solid Waste Management Facilities	INST****
Fuel Terminals	All
Resiliency Facility	CC, NAC, CAC, RAC, HIC, BPC, IND, PM, and INST
Floating Solar Facilities	A/RR, RCC, RS, HIC, BPC, IND, PM, and INST

Approved sites for these stated uses (in the table) shall not be specifically designated nor mapped on the Future Land Use Map Series.

* Authorized Land Use Locations are subject to conformance with other policies as expressed elsewhere in this Plan. Authorized Land Use Locations include all land uses within SAPs, unless specifically excluded by the SAP.

** Except Preservation Areas.

*** Must be a permitted use, conditional use or accessory use to that district.

**** Must be a conditional use.

SECTION 2.125-B ISOLATED CONVENIENCE STORES AND VILLAGE STORES.

POLICY 2.125-B1: ISOLATED CONVENIENCE STORE DEVELOPMENT CONTROLS - Isolated convenience stores (ICS) shall be permitted in all residential land use categories, subject to County approval, and subject to meeting the following locational and development criteria:

a. ICSs shall generally be located on parcels up to two (2) acres in size and shall generally contain no more than 4,000 square feet of gross leasable area (GLA).

b. ICSs shall be located on a collector or arterial street, with preference given to locations at the intersection of such streets, and shall be located no closer to another ICS, Activity Center, Linear Commercial Corridor, or Commercial Enclave, providing for similar convenience-shopping needs as the proposed ICS, than the following distances along a public, vehicular right-of-way:

1. One (1) mile within an TSDA or UGA
2. Two (2) miles within an SDA or UEA
3. Three (3) miles within an RDA

c. ICSs shall be permitted, subject to County Approval, at locations that have no less than a support population of 1,500 within a market-area radius of one (1) mile.

d. ICSs shall conform to the following development criteria:

1. Points of ingress and egress for ICSs shall be designed to minimize traffic hazards and decreases in highway capacity; provide adequate parking with safe internal traffic circulation; and provide safe bicycle and pedestrian access.
2. 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.
3. The Land Development Code defines location and development criteria for ICSs

POLICY 2.125-B2: APPLICABILITY OF ICS DEVELOPMENT CONTROLS -

a. All legally established convenience stores in existence at the time of the Comprehensive Plan's initial effective date of May 1, 1991, which are located within a residential land use district, are recognized as Isolated Convenience Stores.

b. The development controls specified in Policy 2.125-B1 shall be applicable to:

1. The expansion of existing ICSs (except for distance separation criteria), and
2. The development of new ICSs.

POLICY 2.125-B3: VILLAGE STORE DEVELOPMENT CONTROLS - Village stores (VS) shall be permitted in only Agricultural/Residential Rural (A/RR) and Residential Suburban (RS) residential land use categories, subject to County approval, and subject to meeting the following locational and development criteria:

a. VSs shall generally be located on parcels no larger than one (1) acre in size and shall generally contain no more than 3,000 square feet of gross leasable area (GLA).

b. VSs shall be located on a collector or arterial street, adjacent to a non-residential use(s), with preference given to locations at the intersection of such streets, and shall be located no closer to another VS, ICS, Activity Center, Linear Commercial Corridor, or Commercial Enclave, providing for similar convenience-shopping needs as the proposed VS, than the following distances along a public, vehicular right-of-way:

1. Two (2) miles within an SDA
2. Three (3) miles within an RDA

c. VSs shall be permitted, subject to County Approval, at locations that have no less than a support population of 500 persons within a market-area radius of one (1) mile.

d. VSs shall conform to the following development criteria:

1. Points of ingress and egress for VSs shall be designed to minimize traffic hazards and decreases in highway capacity; provide adequate parking with safe internal traffic circulation; and provide safe bicycle and pedestrian access.

2. 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.

3. The Land Development Code defines location and development criteria for VSs.

POLICY 2.125-B4: APPLICABILITY OF VS DEVELOPMENT CONTROLS -

a. All legally established village stores in existence at the time of the Comprehensive Plan's initial effective date of May 1, 1991, which are located within an A/RR or RS land use district, are recognized as Village Stores.

b. The development controls specified in Policy 2.125-B3 shall be applicable to:

   1. The expansion of existing VSs (except for distance separation criteria), and

   2. The development of new VSs.

SECTION 2.125-C TRANSITIONAL AREAS.

POLICY 2.125-C1: TRANSITIONAL AREA LOCATIONAL CONTROLS - Transitional Areas are nonmapped areas to provide for the lessening of impacts between dissimilar uses by providing for transitional or "step-down" uses between intensive-use activities and low-density residential uses, subject to the following controls:

a. Transitional Areas shall be permitted in all land use categories within the TSDA, UGA, and SDA (except as prohibited herein), subject to County approval, adjacent to the following intensive-use land use categories:

   1. All Activity Centers, except Convenience Centers and Rural Clusters;

   2. Linear Commercial Corridors;

   3. Commercial Enclaves, except in the SDA;

   4. Industrial; and

   5. Utilities as defined in Section 2.125-D.

b. Transitional Areas shall only be located on that portion of the vacant, undeveloped residentially designated tract immediately adjacent to the higher-intensity use (not to exceed 660 feet from the property line of that use).

c. Transitional Areas shall be contiguous to an intensive-use land use, and cannot be separated from that use by an arterial road, or a natural or man-made barrier which makes the Transitional Area unnecessary.

d. Transitional Areas may not be established until such time as the adjacent intensive-use area is developed with a use for which transitioning is needed. However, a transitional area may be established concurrently with the adjacent intensive-use area when both areas are under the control of one developer.

e. Transitional Areas shall be established through the approval of a Planned Development (PD), pursuant to Policy 2.125-M.

f. Transitional Areas shall not intrude into developed areas of existing residential neighborhoods, except where such Transitional Area is made a part of a Redevelopment District Plan, as provided for in Policies 2.124-F2 and F3.

g. Transitional Areas shall not be permitted within RDAs, UEAs, and the Green Swamp Area of Critical State Concern.

POLICY 2.125-C2: TRANSITIONAL AREA USE LIMITATIONS - Transitional Areas shall be limited to the following uses:

LAND USE WITHIN THE INTENSIVE-USE AREA **	MAXIMUM PERMITTED TRANSITIONAL LAND USE			
	RES.* MEDIUM	RES.* HIGH	OFFICE	SELF-STORAGE
Industrial (including BPC)	X	X	X	X
Commercial	X	X	X	X
Office	X	X		
Special Residential	X			
High-Density Residential	X			
Utilities			X	X
Where: X = Permitted Transitional Use.				
* Residential uses shall only be permitted next to intensive non-residential uses with proper buffering between the non-residential use and the transitioning residential use. Residential densities - for this policy only - shall be based upon "net" densities (computed by dividing the total number of dwelling units on a site by only the area devoted solely to residential uses).				
NOTE: When the adjacent residential use is Residential-Low, or lower, the highest residential use the Transitional Area can contain is Residential-Medium.				
** See Policy 2.125-C1a for intensive-use land use area categories.				

POLICY 2.125-C3: TRANSITIONAL AREA DEVELOPMENT CONTROLS - Transitional Areas shall be limited to the following:

a. Transitional Areas shall generally have the following attributes:

   1. normal-business hours (Monday-Saturday, 7 a.m. to 6 p.m.);

   2. low-traffic generation (40 trips per 1,000 square feet per day, or less); and

   3. non- or low-external lighting glare, noise, odors, etc.

b. Development within a Transitional Area shall be responsible for providing appropriate buffering from the less-intensive use and shall meet, at a minimum, the development criteria applicable to the intensive-use area for which the Transitional Area is being established. Also, other Plan policies, such as Policies 2.102-A1, 2.119-A3.a., and 2.119-A3.b. still are applicable to Transitional Areas.

c. FAR may be increased in OC, RL, RM and RH with an approved Planned Development associated with a Self-Storage Facility.

(Ord. No. 2023-001, § 2(Att. A), 1-3-2023)

SECTION 2.125-D UTILITIES.

POLICY 2.125-D1: UTILITIES PERMITTED USES - The following utility facilities shall be permitted throughout the County in all land use classifications with the exception that electrical substations are not permitted in Preservation, subject to County approval, to support existing and proposed development:

a. water and sewer transmission and treatment facilities, including, without limitation, collection and distribution mains, water and sewerage-treatment facilities, and pumping facilities;

b. electrical-transmission and distribution facilities including, without limitation, electrical transmission lines, substations, and related electrical-distribution facilities. Both new and existing electrical substations shall not be subject to size limitations pursuant to Chapter 163.3208;

c. communications facilities, including, without limitation, radio towers and microwave transmission facilities, (subject to other restrictions within the Plan or the County's Land Development Code);

d. public potable wells and temporary or permanent package treatment plants; and

e. natural-gas and liquefied-fuel pipelines.

POLICY 2.125-D2: UTILITIES' DEVELOPMENT CONTROLS - Utility facilities shall be subject to the following criteria:

a. Utility facilities shall generally be limited to the non-Rural-Development Areas, as designated on the Future Land Use Map Series. The scale of such facilities should be related to surrounding land uses and designed to preserve the character of residential neighborhoods, when so located.

b. The provisions of Policy 2.125-D2(a) notwithstanding, it may be in the best interest of public health, safety, and welfare to provide utilities in locations which are potentially incompatible with adjacent land uses. In such cases, these facilities will be buffered from adjacent incompatible land uses through the provision of open space, landscaping berms, site design or other suitable means.

c. The development of utility facilities shall be permitted in the Rural-Development Area, as designated on the Future Land Use Map Series, only when such developments provides regional services, or is incompatible with urban uses, or services the existing needs of the immediate area in which it is located.

d. Polk County adopted the Land Development Code in accordance with Section 163.3202(1), F.S., to further define appropriate development controls to govern the locational and site criteria for utilities.

POLICY 2.125-D3: PRIVATE UTILITY COORDINATION - The County shall require applicants/developers to submit plans and plats to the power companies at the same time plans are submitted to the county for review to assist in the planning and programming of utility service.

SECTION 2.125-E COMMUNITY FACILITIES.

POLICY 2.125-E1: COMMUNITY FACILITIES' PERMITTED USES - Community Facilities shall be allowed in all land use classifications, unless specifically prohibited elsewhere in this Comprehensive Plan, as a conditional use subject to the location and development controls established in Policy 2.125-E2 and as further regulated by the Land Development Code. The types of community facilities are as follows:

a. Type A facilities are governmental facilities necessary to support existing and proposed development, and shall include, but are not limited to:

1. police, fire, and emergency medical facilities,

2. cultural facilities, and libraries; and

3. government-owned cemeteries.

b. Type B facilities are non-governmental facilities which provide needed public services, and shall include, but are not limited to:

1. churches, cemeteries, and related facilities;

2. residential-treatment facilities and emergency shelters;

3. convents and monasteries;

4. day care and other child-care facilities; and,

5. lodges and retreats;

c. Type C facilities are temporary facilities necessary to the improvement of public facilities by private contractors and shall include but are not limited to:

1. temporary asphalt or concrete mixing plants limited to less than a nine (9) month operation. (Note: Asphalt and concrete mixing plants are prohibited within the Green Swamp Area of Critical State Concern.)

d. Type D facilities are elementary, middle and high schools, both public and private.

e. Type E facilities are all types of recreation activities and associated infrastructure.

POLICY 2.125-E2: COMMUNITY FACILITIES' DEVELOPMENT CONTROLS - Community Facilities shall be subject to the following criteria:

Type A facilities may be permitted pursuant to the following:

a. Type A community facilities shall generally be limited to the non-Rural-Development Areas, as designated on the Future Land Use Map Series. The scale of such facilities should be related to surrounding land uses and designed to preserve the character of residential neighborhoods, when so located.

b. The provisions of Policy 2.125-E2(a) notwithstanding, it may be in the best interest of public health, safety, and welfare to provide Type A community facilities in locations which are potentially incompatible with adjacent land uses. In such cases, these facilities will be buffered from adjacent incompatible land uses through the provision of open space, landscaping berms, site design or other suitable means.

c. The development of type A community facilities shall be permitted in the Rural areas, as designated on the Future Land Use Map Series, only when such developments provides regional services, or is incompatible with urban uses or services the existing needs of the immediate area in which it is located.

d. Polk County shall implement the locational and site criteria for Type A Community Facilities as established in the Land Development Code pursuant to this section of the plan.

Type B facilities may be permitted in all areas of Polk County in accordance with the policies of this Plan and in accordance with the Land Development Code adopted by the County in accordance with Section 163.3201(1), F.S.

Type C facilities may be permitted provided the applicant can demonstrate the following:

a. There are no suitable sites located within an Industrial (IND) land use designation that is available in closer proximity to the public work project than the site proposed;

b. Adequate mitigation measures will be implemented to buffer the site from any existing residential land uses in the area of the proposed site;

c. There is suitable infrastructure in place to support the level of activity generated by the Type C facility; and,

d. Adequate mitigation measures will be implemented to protect existing infrastructure from premature deterioration or restitution may be granted to the County to remedy such premature deterioration.

f. The use/activity is setback, at a minimum, five hundred feet (500') away from any environmentally sensitive land feature or existing residential land use.

Type D facilities shall be permitted in all areas of Polk County in accordance with the policies of this Plan and the Land Development Code adopted by the County in accordance with Section 163.3201(1), F.S.

Type E facilities may be permitted in all Future Land Use designations in accordance with the policies of this plan and the Land Development Code in accordance with Section 163.3201(1), F.S.

SECTION 2.125-F SPECIAL RESIDENTIAL.

POLICY 2.125-F1: SPECIAL RESIDENTIAL PERMITTED USES - Special Residential Uses are residential developments with densities in excess of 15 DU/AC, but no greater than 25 DU/AC. Special Residential Uses shall be permitted within CACs and RACs subject to:

a. meeting residential-compatibility requirements,

b. locations where there are appropriate support services,

c. not adversely impacting public-facilities and services,

d. County approval via a special-use permit or its functional equivalent, and

e. County approval of an Activity Center Plan (ACP) as per Policy 2.110-L4.

POLICY 2.125-F2: SPECIAL RESIDENTIAL DEVELOPMENT CRITERIA - Special Residential Uses may contain multi-story, multi-family units, and group-living facilities, at densities of 15 DU/AC up to and including 25 DU/AC. Structures may also contain non-residential uses.

SECTION 2.125-G NON-PHOSPHATE MINING.

POLICY 2.125-G1: NON-PHOSPHATE MINING PERMITTED USES - Mining of the following minerals shall be permitted throughout the County in all land use classifications, subject to County approval:

a. lime rock

b. sand

c. peat

d. clay

e. soil

POLICY 2.125-G2: NON-PHOSPHATE MINING ACTIVITY DEVELOPMENT CRITERIA - Nonphosphate mining shall be subject to the following criteria:

a. Mineral extraction activities shall be conducted in a manner which will minimize adverse effects to water quality, fish and wildlife, and adjacent land uses. Non-phosphate mining shall be permitted only where compatible with existing land uses and Future Land Use designation.

b. All mining activities shall require Board approval through the County's development review procedures. This review will require the approval of a "Mine Plan" which shall include, at a minimum:

1. a "Mine-Area Map" to include, at a minimum, the locations of the mine boundaries, public rights-of-way, existing structures, and environmental features to include topography, watersheds, and any endangered wildlife habitats;
2. a "Mine-Area Layout" to include, at a minimum, planned locations for beneficiation operations, waste-storage areas, and any proposed permanent structures and/or roads;
3. a "Reclamation Plan" to include, at a minimum, all information required by applicable state regulations; and
4. an "Operations Plan" to include, at a minimum, any phasing plans, an Impact Mitigation Plan, and a Traffic Circulation Plan showing major access routes to the mine site.

c. The decision to permit the mining activity shall be based on an evaluation of the compatibility of the use with surrounding land uses; and the ability to mitigate adverse impacts, including noise, visual, airborne and waterborne pollutants, and traffic impacts.

d. Mineral extraction activities shall not be conducted so as to make the property impractical or impossible for other future uses. Once extraction activities are completed, the site shall be reclaimed in accordance with the approved Reclamation Plan.

POLICY 2.125-G3: DEVELOPMENT REGULATIONS - Polk County shall implement the evaluation criteria for determining when non-phosphate mining is compatible with existing land uses and proposed land use classifications as established within the Land Development Code. At a minimum, these criteria shall include the following standards:

a. minimize adverse impact on environmentally sensitive lands;

b. maximize the ability to restore or mitigate environmentally sensitive lands;

c. minimize the adverse impacts of truck and heavy machinery traffic on residential streets; and

d. minimize the extent of adverse external impacts, such as noise, dust, and visual impacts on nonindustrial areas.

SECTION 2.125-H RESIDENTIALLY BASED, MIXED-USE DEVELOPMENTS.

POLICY 2.125-H1: RESIDENTIALLY BASED, MIXED-USE DEVELOPMENT PERMITTED USES - The use of residentially based, mixed-use developments are permitted in all residential land use categories, subject to County approval, and shall be encouraged in accordance with the following policies:

a. appropriate mixes of housing types shall be permitted where such mixes will be compatible with immediate adjacent existing residential development;

b. commercial and office uses shall be permitted provided:
   1. appropriate buffering is provided between the non-residential use and residential uses; and
   2. one of the following situations are met:
      (a) if the commercial is intended to serve the proposed development only, then it shall be sized according to the population standard parameters established for the various commercial activity center in Sections 2.110-C through 2.110-E, or
      (b) if the commercial is intended to serve other customers than contained in the residential portion of the development, it must meet the minimum population support, market area radius, and spacing criteria for the type of activity center that it most closely represents but in no instances shall non-residential uses exceed the size of a Neighborhood Activity Center.

3. office and commercial uses may be located anywhere within the residentially based, mixed-use development. However, if these uses are located at the entrance or along the perimeter, the developer must provide design features which visually and functionally integrate the residential and nonresidential uses.

c. mixed-use developments should be designed to provide, where appropriate, an integrated, multi-modal (vehicular, pedestrian, and bicycle) transportation system between the non-residential and residential areas; and

d. the gross densities of the residential portion(s) of mixed-use developments shall not exceed the densities permitted for the residential district within which the property is located, unless allowed through a County-approved density-transfer or density-bonus program.

POLICY 2.125-H2: RESIDENTIALLY BASED, MIXED-USE LAND DEVELOPMENT REGULATIONS - Polk County shall implement the Land Development Code regulations that encourage innovative land development through the use of Planned Development (PD) pursuant to Policy 2.125-M, or other similar mixed-use planning techniques, that:

a. incorporate a mix of land uses and housing densities, ownership patterns, and building types;

b. include specific public uses as an integral part of the projects design;

c. utilize design commitments which establish pleasant, safe, and inviting public spaces along streets within the Mixed-Use Development:

d. incorporate design features that enhance the use of non-motorized travel for routine trips between various land uses;

e. are designed so that buildings are more directly accessible from non-motorized pathways along streets and in other locations;

f. employ a network of on-site roadways that reduce travel time and increase the potential for local streets to handle vehicular movement between all uses and consequently reduces the need for traffic generated by the development to use or cross the major collector and arterial streets in the vicinity; and

g. provide visual amenities that use a range of techniques, including landscapes and streetscapes.

SECTION 2.125-I NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITIES.

POLICY 2.125-I1: NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY LOCATIONAL QUALIFICATIONS - The location of Non-certified Electric-Power Generating Facilities shall be qualified as follows:

a. Low-Impact Non-Certified Electric-Power Generating Facilities shall be permitted as a conditional use in land-use categories that allow the thermal host facility and also in the following land-use categories:

1. Industrial
2. Business-Park Center
3. Institutional
4. Phosphate Mining
5. High Impact Commercial

b. High-Impact Non-Certified Electric-Power Generating Facilities shall be permitted as a conditional use in:

1. Phosphate Mining; and

2. Industrial and Institutional where it can be demonstrated that there exists a significant public benefit for the project.

POLICY 2.125-I2: NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY ENVIRONMENTAL CRITERIA - All Non-certified Electric-Power Generating Facilities shall meet the following environmental criteria:

a. Environmentally sensitive areas shall be specifically detailed on the submitted site plan.

b. Non-Certified Electric-Power Generating Facilities shall protect environmentally sensitive areas through buffering and/or other mitigating techniques imposed pursuant to Sections 403.501 - 403.518, F.S. (1990).

c. The location of all Non-Certified Electric-Power Generating Facilities shall comply with all applicable environmental, federal, state, and local laws, rules, and regulations pertaining to the site, certification, permitting and operation, and maintenance requirements.

POLICY 2.125-I3: NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY DEVELOPMENT CRITERIA - Polk County recognizes that the locational criteria are not exhaustive, therefore, Polk County shall require proposed Non-Certified Electric-Power Generating Facilities to obtain site approval by the Board of County Commissioners prior to the commencement of construction of the facility which approval shall demonstrate compliance with all applicable County ordinances and these policies. Specific review criteria for assessing the appropriateness of the facility for the proposed site shall include, but is not limited to:

a. that the delivery, and storage of the fuel source will not threaten the safety or health of residents;

b. that the combustion of the fuel will not significantly degrade the surrounding air quality; and

c. that height, bulk, noise, and other factors associated with the facility are compatible with other land uses in the area.

POLICY 2.125-I4: Polk County shall implement land development regulations outlining approval procedures and standards for Non-Certified Electric-Power Generating Facilities that will at a minimum require Noncertified Electric-Power Generating Facilities to be in compliance with the applicable laws and regulations. For Non-certified Electric-Power Generating Facilities, the right to operate shall be conditioned on verification of compliance, with whichever of the laws, rules or regulations are applicable, before a final development order or operating permit is issued.

SECTION 2.125-J CERTIFIED ELECTRIC-POWER GENERATION FACILITIES.

POLICY 2.125-J1: LOCATION CRITERIA FOR CERTIFIED ELECTRIC-POWER GENERATION FACILITIES - The construction, operation, and maintenance of Certified Electric-Power Generating facilities consistent with the requirements of the Polk County Comprehensive Plan, Polk County Land Development Code and approved by the County via a conditional-use permit, shall occur within designated IND, INST, and PM areas. The following factors shall be taken into consideration when determining the appropriateness of a location for a Certified Electric-Power Generating Facility within the Industrial, Institutional, and Phosphate Mining area:

a. The location of Certified Electric-Power Generating Facilities shall comply with all federal, state, and local laws, rules, and regulations pertaining to the siting, certification, permitting, and environmental requirements attendant thereto.

b. The power block and fuel storage facilities that are part of a Certified Electric-Power Generating Facility in IND or INST districts shall be located:

1. Where the effects of power plant noise can be adequately minimized through a combination of preserving existing vegetation, distance from property boundaries or within the physical plant design;

2. Where visual impacts can be minimized through existing topography, vegetation, power plant design or distance from property boundaries;

3. Where adverse impacts can be optimally minimized to natural resources such as waterbodies and natural ecosystem communities;

4. Where it can be sufficiently demonstrated that the proposed fuel types used in the facility will not significantly degrade the air quality in the immediate vicinity and the County as a whole;

5. Where there are multiple water sources available for plant operation or it can be demonstrated that the demand for ground water will be significantly less than typically needed by power plant facilities currently in operation within the County;

6. Where connection to the existing power grid can be accomplished in the most effective manner considering existing infrastructure;

7. Where there is an existing fuel transportation and delivery system available within relatively close proximity such that impacts to adjacent properties en route are minimized; and,

8. Where residential development is relatively sparse to other feasible locations in the County and it can be demonstrated that there is adequate separation between the power block and fuel storage facilities and existing residential units.

c. Certified Electric-Power Generating Facilities shall be served by existing or new transportation systems comprised of collector or arterial roads of sufficient size so as to insure that no degradation to the level of service of the road network below the adopted standard will occur.

d. The power block and fuel-storage facilities that are part of a Certified Electric-Power Generating Facility shall not be located within 500 feet of the one hundred year floodplain of the Peace River, the Alafia River or any "Outstanding Florida Waters" listed in Section 403.061(27) (b), F.S. (1990) and Chapter 62-302, F.A.C., as of the date of initial application for the conditional-use permit.

POLICY 2.125-J2: ENVIRONMENTAL CRITERIA - Development of Certified Electric-Power Generating Facilities within Phosphate Mining Districts shall conform to the following environmental criteria:

a. Environmentally sensitive areas shall be specifically detailed on the "Conceptual Electric-Power Generating Facility Site Plan" submitted as part of the conditional-use permit process.

b. Certified Electric-Power Generating Facilities shall protect environmentally sensitive areas through buffering and/or other mitigating techniques imposed pursuant to Sections 403.501—403.518, F.S.

c. The location of all Certified Electric-Power Generating Facilities shall comply with all applicable environmental, federal, state, and local laws, rules, and regulations pertaining to the site, certification, permitting, and operation and maintenance requirements.

POLICY 2.125-J3: CERTIFIED ELECTRIC-POWER GENERATION FACILITIES DEVELOPMENT APPROVAL CRITERIA - All Certified Electric-Power Generation Facilities shall meet the development approval criteria as established within the Polk County Land Development Code. At a minimum the following development approval criteria shall apply:

a. Polk County recognizes that the locational criteria are not exhaustive, therefore, Polk County shall require proposed Certified Electric-Power Generating Facilities to obtain approval as a Conditional Use Permit, or its functional equivalent, prior to the commencement of construction of the facility which approval shall demonstrate compliance with the County's Land Development Code and these policies. Additional review criteria shall include, but not be limited to, the following:

1. that the delivery, and storage of the fuel source will not threaten the safety or health of residents;

2. that height, bulk, and noise factors associated with the facility are compatible with other land uses in the area.

b. Notwithstanding the Condition Use Permitting process, Polk County shall, at its sole discretion, remain a party to the Electrical Power-Plant Siting Act certification process.

POLICY 2.125-J4: ADJACENT DEVELOPMENT - Certified Electric-Power Generating Facilities shall be set back and/or buffered from existing adjacent residential areas. Subsequent residential development on property designated as "PM" on the Future Land Use Map Series shall be required to provide appropriate buffering, if applicable.

SECTION 2.125-K HAZARDOUS-WASTE TREATMENT FACILITIES.

OBJECTIVE 2.125-K: In an effort to reduce illegal disposal of hazardous wastes in Polk County and to induce an improvement in the County's overall management of hazardous wastes, Polk County will carefully balance the need for commercial facilities to treat hazardous wastes regulated by the Resource Conservation and Recovery Act (RCRA) against the need to protect the health, safety and welfare of the citizens and the environment of the County by applying the following siting criteria policies when considering applications to construct Commercial Hazardous-Waste Treatment Facilities (Facilities) in the County.

POLICY 2.125-K1: Disposal facilities, as defined by RCRA, shall be prohibited, and facilities which generate and/or store RCRA regulated wastes shall be subject to industrial/commercial requirements, as regulated by Section 2.310 of this Plan.

POLICY 2.125-K2: Polk County shall require a minimum parcel size of at least 200% of the size of the development envelope to permit setbacks, to avoid flood prone areas, and to allow proper stormwater management, building separation, internal buffers, and ingress/egress design.

POLICY 2.125-K3: Polk County shall prohibit the siting, development, and/or expansion of Facilities:

a. which have a development envelope within 1,000 feet of surface waters of the State of Florida;

b. located within 2,500 feet of an Outstanding Florida Water; Class I Waters of the State; lands acquired under the Save Our Rivers/Save Our Lakes, Conservation and Recreation, and Environmentally Endangered Lands Programs; areas designated as Recreation/Open Space and Conservation land uses in the Polk County Comprehensive Plan; and areas designated as Critical wildlife areas as provided for by Chapter 39-1, FAC;

c. located within one mile of a recorded or unrecorded sub-division, hospital or school;

d. located within five (5) miles of an incorporated municipality;

e. located within one (1) mile of a potable or livestock water-supply well. This does not pertain to development or use of on-site wells to support the treatment process or supply potable water or to offsite wells which the applicant elects to purchase and either use for its own purposes or properly abandon in accordance with applicable water management district regulations;

f. located within the 100-year floodplain as defined by the Federal Emergency Management Agency (FEMA). Applicants shall be allowed to petition FEMA to revise the Flood Insurance Rate Maps and if a revision is granted and the 100-year floodplain is revised before issuance of Final PUD Approval (or its functional equivalent), development will not be prohibited on that basis;

g. located on wetlands as defined by the Florida Department of Environmental Protection, the applicable Water Management District and/or the US Army Corps of Engineers, unless the applicant obtains a permit or variance, or is allowed to mitigate the wetlands in accordance with the rules and regulations of each of the above referenced agencies;

h. on lands where the recharge rate to the Floridan Aquifer exceeds 10 inches per year as determined by the applicable Water Management District;

i. located on lands where the land surface is less than two feet above the seasonal high groundwater level. Applicants shall be allowed to mitigate this criteria by supplying plans to import low permeability fill materials;

j. located on land where the soil percolation rate exceeds 20 inches per hour as determined by percolation test methods (ASTM Method D3385-75) performed on a site-specific basis;

k. within hydric or wetland soils associations as defined by Polk County Land Development Code, the Florida Department of Environmental Protection, the applicable water management agency and/or the U.S. Army Corps of Engineers, unless the applicant obtains a permit or variance, or is allowed to mitigate the wetlands in accordance with the rules and regulations of each of the above referenced agencies;

l. located on land where the Floridan Aquifer is present at depths of less than 50 feet below the surface of the land;

m. located on lands identified as having a high potential for groundwater pollution of the Floridan Aquifer (Categories 3—11) as illustrated by the map series 87-88-1 published by the Florida Sinkhole Research Institute. Site specific hydrogeological investigations will be required to confirm or rebut the data found on the Sinkhole Research Institute's "screening map";

n. located where the distance to an Interstate Highway or Arterial Road exceeds five road miles;

o. located on, or at the end of, a dead end road, or where there exists less than two (2) paved access routes to/from residential properties within a one (1) mile radius of the proposed site

p. located within non-attainment areas for particulate matter and/or ozone;

q. located within five (5) miles of PSD Class I area, as designated by the Florida Department of Environmental Protection in Chapter 62-600, F.A.C.;

r. within 1,500 feet of lands containing endangered species listed by the U.S. Fish and Wildlife Service or Florida Game and Freshwater Fish Commission where it is determined by that agency that the impact on the endangered species cannot be satisfactorily mitigated or where the permanent loss of critical habitat occurs.

s. located on lands possessing a known site of historical significance or a unique finding of archeological significance without having first mitigating the sites to the satisfaction of the State Historical Preservation Officer;

t. if the Board of County Commissioners determines the proposed use is inconsistent or incompatible with the existing or planned contiguous land uses;

u. if more than 100 dwelling units exist within a one (1) mile radius of the proposed site;

v. where the primary ingress/egress is to roadways with an existing or projected, upon build out of all other approved developments, Level of Service "C" or lower as defined by the Florida Department of Transportation. Applicants shall be permitted to fund transportation improvements prior to operation of a proposed Facility to mitigate this criteria;

w. which will not be accessible by rail at the time of completion of construction of the Facility;

x. if ingress/egress points are located within one mile of an intersection, rail crossing, or stretch of roadway which ranks in the top 15 percentile of County accident frequency as measured by the number of annual accidents divided by the average daily vehicle traffic counts. Applicants shall be permitted to fund transportation improvements prior to the operation of the proposed Facility to

mitigate this criteria. However, if the Facility is located such that there are no intersections of arterial or collector roads within one mile of the site, then this criteria shall apply to the closest intersections in each direction, proposed as primary transport routes to and from the Facility; or

y. in areas where there are known sinkholes or where sinkhole probability is high.

POLICY 2.125-K4: Locational criteria contained in Policy 2.125-K3 a, b, c, d, e, p, q, u, v, and x shall be evaluated at the time of the application for Future Land Use, if necessary for subdistricts within the Future Land Use classification.

POLICY 2.125-K5: Polk County recognizes that these locational criteria are not exhaustive, therefore, Polk County shall require proposed Facilities to obtain approval as a Planned Unit Development, or its functional equivalent, prior to the commencement of construction of Facilities, which approval shall demonstrate compliance with the County's Land Development Code and these policies. Additional review criteria shall include, but is not limited to:

a. the primary ingress/egress points of the Facility shall not create vehicular or rail access safety hazards according to generally accepted engineering standards and practices,

b. the existence of multiple paved entrances to the proposed Facility to insure adequate emergency ingress/egress, and

c. a determination by the Florida Department of Environmental Protection in the Florida Capacity Assurance Plan, or other appropriate submittals to the Environmental Protection Agency, that sufficient commercial capacity does not exist within Florida for the types of hazardous waste treatment proposed by the Facility.

SECTION 2.125-L AGRICULTURAL-SUPPORT ACTIVITIES.

POLICY 2.125-L1: DESCRIPTION - Agricultural-Support Activities are facilities and operations which are located on areas other than at the agricultural-production site for which they provide services (often referred to as "agricultural support activities, off-site"). These support activities are beneficial to these agricultural operations and/or the farmer. Typical agricultural-support facilities include, but are not limited to:

a. Specialized agricultural service establishments performing: storage and maintenance of grove equipment and farm machinery (not to include sales), fertilizer application, grove installation and service, and farm-management services.

b. Specialized animal service establishments performing breeding, sheltering, training, and veterinary care of horses, cattle, and other farm animals.

c. Agricultural bulk products collection, weighing, storage, and/or transfer facilities, such as citrus scale houses. (This does not include manufacturing, processing, or canning facilities.)

d. Specialized forestry-related facilities such as sawmills, mulching operations, and firewood sales.

NOTE: Policy 2.121-A2.c. addresses agricultural-support uses which are accessory to a principal on-site agricultural use.

POLICY 2.125-L2: PERMITTED - Agricultural-Support Activities shall be permitted, subject to County approval through a Conditional Use Permit (CUP), or its functional equivalent, and as limited by this Section, in the following land use categories:

a. Agricultural/Residential-Rural (A/RR).

b. Residential-Suburban (RS)*.

c. Residential-Low (RL) within the Urban Growth Area (UGA)*.

* Agricultural-Support Activity approval within RS shall not exceed a 10-year time period, and within RL shall not exceed a 5-year time period; however, this approval may be renewed via the processing of another CUP, or its functional equivalent. Such renewal shall comply with the standards in Policies 2.125-L3 and 2.125-L4.

POLICY 2.125-L3: APPROVAL CONDITIONS WITHIN THE RS AND RL LAND USE CATEGORIES - A proposed Agricultural-Support Activity within the RS and RL land use categories shall be approved only if it is determined not to impede the normal and orderly development of the surrounding area for residential uses. Such determination shall be based on the following:

a. There shall be a minimum distance of two miles between two agricultural-support facilities, measured at the closest points from property line to property line.

b. Agricultural-support facilities shall not be permitted abutting a platted single-family subdivision.

c. Agricultural-support facilities shall not be permitted in areas characterized by residential development. An area shall be considered residential if at least 40% of the developable area within a one-mile radius of a proposed agricultural-support site is residentially developed or has had a final development order issued for residential development.

POLICY 2.125-L4: DEVELOPMENT STANDARDS - Agricultural-Support Activities approved pursuant to this Section shall conform to the following standards:

a. The area approved for the agricultural-support facilities and operations may not exceed 5 acres within the RS and RL land use categories.

b. The maximum floor area ratio for agricultural-support facilities shall not exceed 0.25. Within the RS and RL land use categories, building coverage may not exceed 10,000 square feet.

c. The agricultural-support activity may not generate more than 100 daily vehicle trips.

d. Buffering shall be provided where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses.

e. Agricultural-Support Activities within the RS and RL land use categories shall have frontage on, or direct access to, an arterial or collector roadway. Agricultural-Support Activities within the A/RR land use category shall meet Policy 2.128-C3.

POLICY 2.125-L5: APPROVAL CRITERIA - Polk County adopted the Land Development Code to review requests for Agricultural-Support Activities, using, at a minimum, the following criteria for determining when Agricultural-Support Activities are appropriate as a Specialized Use:

a. COMPATIBILITY: Compatibility of the proposed use and facilities with surrounding land uses, to include, but not be limited to, adverse impacts on adjacent properties such as noise, vibration, odor, glare, and physical incompatibilities, such as size and scale of structure.

b. ENVIRONMENT: Effects of the proposed use on water, air, soil, wildlife habitat, and other natural resources.

c. NEED: The need for the use to be located in the proposed area, and the availability of alternative locations which would allow the proposed use without it being approved as a Specialized Use. The relation of the size and scale of proposed Agricultural-Support facilities and operations to the agricultural-generated need within the general support service area.

SECTION 2.125-M PLANNED DEVELOPMENT (PD).

The Polk County Comprehensive Plan establishes the Planned Development as a mechanism for increasing densities and intensities that may be permitted under certain circumstances, or using innovative design

techniques, or providing a mixture of land uses. Planned Development may also be used to gain project design flexibility and to attach conditions where warranted. Planned Development shall comply with density bonus points as outlined in the Land Development Code. Planned Development also exists under different names in certain districts for different purposes such as:

a. Suburban Planned Development (SPD) in the Residential Suburban Land Use designation pursuant to Policy 2.120-B;

b. Rural-Residential Development (RRD) in the Agricultural/Residential-Rural (A/RR) Land Use designation pursuant to Policy 2.121-B;

c. Rural Mixed-Use Development (RMD) in the Agricultural/Residential-Rural (A/RR) Land Use designation pursuant to Policy 2.121-C;

d. Transitional Areas, pursuant to Policy 2.125-C; and

e. Residentially Based, Mixed-Use Developments pursuant to Policy 2.125-H.

SECTION 2.125 N RESIDENTIAL INFILL DEVELOPMENT.

POLICY 2.125-N1: RESIDENTIAL INFILL DEVELOPMENT DEFINED -

a. The development and/or subdivision of land that recognizes the current land development patterns within the immediate vicinity. This land development and/or subdivision may be below the minimum dimensional requirements of the land use district in which they are located. Developments shall not exceed the maximum allowable density as established by the Comprehensive Plan.

b. A Residential Infill Development is a mechanism for promoting redevelopment and revitalization within the County by relaxing the dimensional requirements of the land use district(s) and expediting the government review process.

c. Residential Infill Developments are not intended to promote the premature subdivision of land that exceeds the average densities and produces excessively smaller lots than those found on surrounding parcels or tracts.

d. Residential Infill Developments are not intended for areas with public service deficiencies or to increase the urban service burden upon nearby municipalities.

e. A Residential Infill Development is intended to be located within the Residential Suburban and Residential Low land use districts where favorable conditions exist.

POLICY 2.125-N2: RESIDENTIAL INFILL DEVELOPMENT LOCATION CRITERIA - Residential Infill Developments shall be consistent with the following locational standards:

a. Developments shall be located in areas with a defined development pattern.

b. Developments shall be located within one or more of the following land use districts:

   1. Residential Suburban

   2. Residential Low

c. Developments shall be located in areas with sufficient services and will not result in public service deficiencies. Proposals shall consider availability of schools, public water, public sewer, road capacities, sheriff protection, County fire protection and EMS service. Proposals shall consider reasonable proximity to public parks.

POLICY 2.125-N3: COMPATIBILITY -

a. Residential Infill Developments may be allowed on parcels that are adjacent to similar development.

b. Lots within a Residential Infill Development shall be equal to or greater than the average lot size in the immediate vicinity.

c. Building setbacks may be greater than or equal to the average building setback found on abutting parcels. Building setbacks may also be consistent with the dimensional requirements of the land use district as specified in the Land Development Code.

d. Roads shall continue the existing roadway pattern in the immediate vicinity. Where the parcel abuts roadway stub outs, new roadways shall provide connections to existing developments.

e. Stormwater retention facilities may not be constructed in a manner that will degrade or adversely affect the existing character of the immediate vicinity.

POLICY 2.125-N4: DEVELOPMENT REGULATIONS - The Land Development Code shall establish development regulations for Residential Infill Developments. The LDC shall establish rules and procedures for their review.

SECTION 2.125-O SOLAR ELECTRIC-POWER GENERATION FACILITIES.

POLICY 2.125-O1: LOCATION - The construction, operation, and maintenance of Solar Electric-Power Generation Facilities, consistent with the requirements of the Polk County Comprehensive Plan and Polk County Land Development Code, may be approved via a conditional-use approval as outlined in the Land Development Code in the following land use designations:

a. Agricultural-Residential/Rural

b. Residential Suburban

c. Rural Cluster Center

d. High Impact Commercial

e. Business Park Center

f. Industrial

g. Institutional

h. Phosphate Mining

POLICY 2.125-O2: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of the location for a Solar Electric-Power Generation Facility:

a. The overall size of the property shall be of sufficient size to accommodate the number of solar panels being proposed.

b. Appropriate height and setbacks as determined by the Land Development Code shall be provided.

c. The property characteristics (i.e. configuration, topography, size, etc.) shall be taken in consideration when evaluating Solar Electric-Power Generation Facilities in an effort to minimize visual impacts of solar energy systems, panels, etc., and to reduce the potential for nuisance to adjacent properties. Considerations such as the height of the solar energy systems and setbacks shall be considered.

SECTION 2.125-P FLOATING SOLAR FACILITY

POLICY 2.125-P1: DESCRIPTION - Floating solar facilities, also known as "floatovoltaics," can be effective tools in harnessing energy in bodies of water that have been permitted for storage. Pursuant to Section 163.32051.

POLICY 2.125-P2: LOCATION CRITERIA - A floating solar facility shall be a permitted use inA/RR, RCC, RS, HIC, BPC, IND, PM, and INST. Polk County shall amend their land development regulations to promote expanded use of floating solar facilities. Additionally, Polk County may specify buffer and landscaping requirements, which may not

exceed the requirements for similar uses involving the construction of other solar facilities permitted in agricultural land use categories and zoning districts.

POLICY 2.125-O43: OTHER REGULATIONS - Solar Electric-Power Generation Facilities shall comply with the Florida Electrical Power Plant Siting Act when determined to be a Certified Electric-Power Generation Facility pursuant to Florida Statues. Additionally, all other state and federal laws pertaining to electric-power generation facilities specific to solar power shall be met.

SECTION 2.125-QP SOLID WASTE MANAGEMENT FACILITIES.

POLICY 2.125-QP1: SOLID WASTE MANAGEMENT FACILITIES PERMITTED USES - Solid Waste Management Facilities including the following uses shall only be permitted in the Institutional Future Land Use designation per the standards in the Land Development Code, subject to County approval:

a. solid waste disposal facility;

b. solid waste transfer station;

c. materials recovery facility; and

d. volume reduction facility.

POLICY 2.125-QP2: SOLID WASTE MANAGEMENT FACILITIES DEVELOPMENT CRITERIA - In order for proposed solid waste management facilities to address compatibility with surrounding uses and mitigate off-site impacts, the Land Development Code shall include regulations that allow for conditions of approval to mitigate the impacts of the proposed facility and minimize off site impacts.

POLICY 2.125-QP3: GREENSWAMP AREA OF CRITICAL STATE CONCERN - Solid Waste Management Facilities shall be prohibited in any areas within the Green Swamp Area of Critical State Concern.

SECTION 2.125-R RELIABLE FUEL SOURCES FOR PUBLIC UTILITIES

POLICY 2.125-R2: DESCRIPTION - Public facilities shall maintain, encourage, and ensure adequate and reliable fuel sources.

POLICY 2.125-R2: LOCATION CRITERIA - Pursuant to Section 163.3210, F.S., a resiliency facility is a permitted use in CC, NAC, CAC, RAC, HIC, BPC, IND, PM, AND INST resiliency facility must comply with the setback and landscape criteria for other similar uses.

POLICY 2.125-R3: DEVELOPMENT CRITERIA - Polk County may adopt an Ordinance specifying buffer and landscaping requirements for resiliency facilities, provided such requirements do not exceed the requirements for similar uses involving the construction of other facilities that are permitted uses in CC, NAC, CAC, RAC, HIC, BPC, IND, PM, and INST.

SECTION 2.125-S FUEL TERMINALS

POLICY 2.125-S2: DESCRIPTION - "Fuel terminal" means a storage and distribution facility for fuel, supplied by pipeline or marine vessel, which has the capacity to receive and store a bulk transfer of fuel, is equipped with a loading rack through which fuel is physically transferred into tanker trucks or rail cars, and is registered with the Internal Revenue Service as a terminal.

POLICY 2.125-S2: LOCATION CRITERA - Pursuant to Section 163.3206 fuel terminals shall be permitted in all future land uses.

POLICY 2.125-S3: DEVELOPMENT CRITERIA - Polk County may adopt, implement, modify, and enforce applicable federal and state requirements for fuel terminals, including safety and building standards, and local safety and

building standards. However, the exercise of local authority may not conflict with federal or state safety and security requirements for fuel terminals.

SECTION 2.1251 COMMUNITY DESIGN.

Goal: To support healthy, sustainable communities and implement development practices that conserve land and natural resources, reduce energy use, water consumption and waste generation.

OBJECTIVE 2.1251-A: SUSTAINABLE DEVELOPMENT PROGRAM - Polk County shall establish a Sustainable Development Program to encourage "green building" and sustainable development practices and establish land development regulations to incentivize these practices.

POLICY 2.1251-A1: PURPOSE AND INTENT - The purpose of the Sustainable Development Program is to establish policies, procedures and incentives to assist Polk County in becoming a more sustainable community and satisfy the requirements of Florida Statues. This program shall include policies and procedures to recognize and reward "green building" practices that meet standards established by third-party organizations as specified in the Land Development Code.

POLICY 2.1251-A2: GOVERNMENT LEADERSHIP - In order to demonstrate its program commitment, Polk County shall continue to implement economic and environmentally-sound practices in the design, construction, operation and deconstruction of County-owned and leased building and facilities. Polk County shall meet or exceed the requirements of Florida Statutes for sustainable building practices.

POLICY 2.1251-A3: PUBLIC/PRIVATE PARTNERSHIPS - Polk County shall partner with appropriate trade organizations to promote community awareness and education regarding "green building" and sustainable development practices.

POLICY 2.1251-A4: PROGRAM APPLICABILITY - The Sustainable Development Program established herein and within the Land Development Code shall be incentive-based and voluntary. It shall be applicable to the following:

a. New residential construction;

b. Residential retrofitting/remodeling;

c. New commercial/non-residential construction;

d. Existing Commercial/non-residential construction;

e. Land developments.

POLICY 2.1251-A5: BUILDING STANDARDS - In addition to the minimum requirements of the Florida Building Code, the Sustainable Development Program shall incorporate regional and nationally-recognized building standards and certification programs as the basis for program incentives. This may include standards or certifications established by U.S. Green Building Council, the National Association of Home Builders or the Florida Green Building Coalition.

POLICY 2.1251-A6: LOW IMPACT DEVELOPMENT STANDARDS - Polk County shall incentivize the use of Low Impact Development practices for stormwater to:

a. promote economically efficient provision of infrastructure;

b. manage stormwater as close to its source as possible in a manner that treats stormwater as a resource rather than a waste product;

c. reduce the impact of built areas and promote the natural movement of water within an ecosystem or watershed; and

d. restore hydrologic and ecological functions of watersheds.

POLICY 2.1251-A7: PROGRAM INCENTIVES - The Sustainable Development Program shall include incentives to reduce the impact of development on the natural and built environment. These incentives may include:

a. Expedited permit reviews;

b. Reduced impact or permitting fees; and

c. Community Recognition and Awards.

OBJECTIVE 2.1251-B: HEALTHY COMMUNITIES INITIATIVE - Polk County shall partner with the Polk County Health Department on Healthy Communities Initiative to improve public health and implement "healthy community design" in order to achieve the purpose and intent stated in Policy 2.1251-B1.

POLICY 2.1251-B1: PURPOSE AND INTENT - Community design impacts the public health, quality of life, and sustainability of our cities, towns, suburbs, and countryside. The purpose of this initiative is to introduce a comprehensive, formal, and systemic integration of local public health considerations into the community design and development review processes in order to protect and enhance the health of the citizens of Polk County. This initiative shall include policies and procedures to recognize and reward development practices to support "healthy community design" and increases in physical activity, social interaction, air quality, water quality, access to fresh fruits and vegetables, public safety, and multimodal accessibility.

POLICY 2.1251-B2: COORDINATION WITH HEALTH DEPARTMENT - Polk County shall work with the Polk County Health Department to improve health indicators for Polk County. Under the Healthy Communities Initiative, Polk County will:

a. Coordinate with the Polk County Health Department to identify key health indicators which require attention and improvement;

b. Meet at least biannually with the Polk County Health Department to determine if the indicators, priorities, or strategies to achieve the objectives of this section should change;

c. Partner with the Polk County Health Department to develop a "Healthy Community Design" Standard; and

d. Incorporate a "Healthy Community Design" Standard into the Land Development Code to include incentives and minimum standards for healthier design.

POLICY 2.1251-B3: COORDINATION WITH THE POLK COUNTY SCHOOL BOARD - Polk County shall coordinate with the Polk County School Board to increase public access to programs and facilities which allow for increased physical activity within the community. At a minimum, Polk County shall:

a. Continue to pursue joint use agreements with School Board to maximize of the availability of recreational facilities; and

b. Coordinate with the School Board to ensure the siting, design, construction and renovation of public schools will allow safe access for pedestrians, bicyclists, motorists, and transit riders.

POLICY 2.1251-B4: INCREASED ACCESS TO FRESH PRODUCE - Polk County shall establish incentives and guidelines which encourage the availability of fresh produce and vegetables. This shall include allowing farm-to-market produce stands to be permitted in all land use designations.

POLICY 2.1251-B5: COMMUNITY GARDENS - Polk County recognizes the value of community gardens as a recreation activity that can contribute to community development, environmental awareness, positive social interaction, and community education. Polk County shall coordinate with other local governments and community stakeholders to identify and establish incentives, guidelines and potential funding for the development of community gardens.

POLICY 2.1251-B6: COMPLETE STREETS - Polk County shall consider "Complete Street" principles in the construction, maintenance and reconstruction of arterial and collector roads to ensure safe access and travel for roadway users - pedestrians, bicyclists, motorists and transit riders of all ages and abilities. At a minimum, Polk County shall:

a. Define and identify "Complete Street Corridors" to include collector roads with high levels of population and employment.

b. Evaluate existing "Complete Street Corridors" to identify candidate projects that will improve:

   1. motor vehicle safety;

   2. pedestrian and bicycle safety;

   3. non-motorized access to mixed land uses, schools, community parks and multi-use trails; and,

   4. access to transit services.

c. Consider funding "Complete Street Corridor" improvements as part of the annual update to its Capital Improvement Element.

POLICY 2.1251-B7: HEALTHY COMMUNITY DESIGN INCENTIVES - Polk County shall establish incentives to encourage development to meet or exceed the Healthy Community Design standard. These incentives may include:

1. Expedited permit reviews;

2. Reduced impact or permitting fees; and

3. Community Recognition and Awards.

OBJECTIVE 2.1251-C: CONSERVATION DEVELOPMENT PROGRAM - Polk County shall establish a Conservation Development Program to encourage the efficient use of land, conserve natural resources and agricultural lands, and reduce the cost of providing infrastructure.

POLICY 2.1251-C1: PURPOSE AND INTENT - The purpose of the Conservation Development Program is to conserve land and natural resources by establishing policies that incentivize and result in:

a. the preservation of natural and historic resources;

b. the continued viability of agricultural lands;

c. the clustering of development to permanently preserve and integrate open space into neighborhoods;

d. the provision of habitat corridors through linked open space networks;

e. the creation of usable, accessible open space and passive recreational areas; and

f. the more efficient use of land, streets and utilities.

POLICY 2.1251-C2: PROGRAM APPLICABILITY - The Conservation Development Program established herein and within the Land Development Code shall be incentive-based and voluntary. It shall be applicable to new residential construction and limited commercial uses as may be needed to serve the residents of a Conservation Development or surrounding agriculture.

POLICY 2.1251-C3: PROGRAM REQUIREMENTS - The Conservation Development Program shall incorporate conservation planning principles to include, at a minimum, the following requirements:

a. the permanent preservation of at least 50% of the land area as open space (natural resource or conservation-compatible agricultural land) which may be provided as part of a separate non-contiguous parcel subject to the requirements of the Land Development Code;

b. a collaborative process for the applicant, County staff and adjacent property owners to identify potential conservation areas and areas most suitable for development; and

c. the submission of a Site Analysis Map; binding site plan and Conservation Management Plan.

POLICY 2.1251-C4: SITE ANALYSIS MAP - At a minimum, a Site Analysis Map prepared under the Conservation Development Program shall identify property and parcel boundaries in relation to and include data on:

a. wetlands, floodplains, and existing water bodies;

b. known land cover, habitat or ecological linkages;

c. adjacent agricultural lands;

d. species listed for protection by the United States Fish and Wildlife Service or the Florida Fish and Wildlife Conservation Commission;

e. historic sites listed on the State Master Site Files;

f. the location of significant attractive features such as scenic views or potential linkages to open space or multi-use trail networks; and

g. the PolkGreen established pursuant to Objective 2.124-E.

POLICY 2.1251-C5: PROJECT OPEN SPACE - Permanently preserved open space may be set-aside for wildlife habitat, agriculture, passive recreational uses, historic preservation, or civic uses.

POLICY 2.1251-C6: MANAGEMENT PLAN - The Management Plan for a Conservation Development, at a minimum, shall address the following:

a. project features that will support the objectives and policies established for the PolkGreen;

b. the protection of the natural and cultural resources delineated on the Site Analysis Map;

c. the ownership, use, development and maintenance of the land to be set-aside or conserved.

POLICY 2.1251-C7: PARCELS CONTIGUOUS TO ENVIRONMENTAL LANDS - The Conservation Development Program shall include incentives to encourage the use of conservation planning principles on parcels contiguous to public or privately-owned environmental lands. It shall provide an attractive alternative to large lot subdivisions in order to minimize fragmentation of wildlife habitat. The program incentives shall also encourage the use of other sustainable development practices such as Low Impact Development, Dark Skies, WaterStar and Firewise.

POLICY 2.1251-C8: POLKGREEN - The Conservation Development Program shall include incentives to encourage the use of conservation planning principles in order to promote the formation of linked open space networks consistent with the objectives and policies established for the PolkGreen.

POLICY 2.1251-C9: PROGRAM INCENTIVES - The Conservation Development Program shall include incentives as provided in the Land Development Code. These incentives will reflect the benefits enumerated in Policy 2.1251-C1. These incentives may include, but will not be limited to, the following:

a. Project approval through an administrative and technical review process;

b. Expedited permit reviews;

c. Reduced impact or permitting fees; and

d. Community Recognition and Awards.

POLICY 2.1251-C10: FLEXIBLE DESIGN STANDARDS - The Land Development Code shall include flexible design standards to further the objective of the Conservation Development Program. These standards shall promote Low Impact Development practices and at a minimum address:

a. the elimination or reduction of minimum lot sizes and setbacks;

b. roadway design and drainage; and

c. stormwater facilities.

POLICY 2.1251-C11: DENSITY NEUTRAL PLANNED DEVELOPMENTS - Conservation Developments shall qualify as Planned Developments under Section 2.125-M and shall be eligible to receive the densities allowed under Policy 2.119-A1 for the listed residential land use categories subject to the other development criteria and conditions in Section 2.119.

POLICY 2.1251-C12: RURAL-RESIDENTIAL DEVELOPMENT - Rural-Residential Development meeting the development criteria and conditions of Section 2.121-B1 may be approved through an administrative and technical review process if it meets the program requirements for a Conservation Development.

POLICY 2.1251-C13: RURAL MIXED-USE DEVELOPMENT - Rural Mixed-Use Development meeting the development criteria and conditions of Section 2.121-C1, may be approved through an administrative and technical review process if it meets the program requirements for a Conservation Development. Projects may meet the requirements for non-residential support uses under Policy 2.121-C3 if deemed to be located within a 1 mile radius of an existing Rural-Cluster Center as measured from the outside boundary of the center.

OBJECTIVE 2.1251-D: ENERGY CONSERVATION AND EFFICIENCY - Through enabling state law, Polk County shall encourage the use of renewable energy devices and energy management programs that promote energy conservation and efficiency, energy security and the reduction of greenhouse gases.

POLICY 2.1251-D1: ENERGY DEVICES BASED ON RENEWABLE RESOURCES - In accordance with Section 163.04 F.S., Polk County shall permit the installation of solar panels, solar energy systems, or other energy devices based upon renewable resources as accessory structures or uses. These devices shall be allowed on all types of structures, lots, or parcels in accordance with the provisions outlined in the Land Development Code. This policy does not include Solar Electric-Power Generation Facilities as defined in this Plan.

POLICY 2.1251-D2: PROPERTY ASSESSED CLEAN ENERGY IMPROVEMENTS - In accordance with Section 163.08 F.S., Polk County shall evaluate the use of Property Assessed Clean Energy (PACE) improvements to existing properties through the levy of non-ad valorem assessments to assist property owners in funding renewable energy improvements.

SECTION 2.126 NEW COMMUNITIES.

OBJECTIVE 2.126-A: Polk County shall permit the establishment of new communities at locations where appropriate infrastructure and services can be economically provided and maintained, and where impacts of such new community establishments can be demonstrated not to adversely impact existing communities or neighborhoods.

POLICY 2.126-A1: The establishment of a New Community shall require the amendment of the Polk County Future Land Use Map Series to designate an SAP for the project. Such amendment shall be considered only in conjunction with the sufficiency of an "Application for Development Approval" (ADA) for a Development of Regional Impact (DRI) or Florida Quality Development (FQD) in accordance with Sections 380.06 and 380.061, F.S.

POLICY 2.126-A2: New communities shall meet the following requirements:

a. New communities shall include a well-balanced variety of land uses, which may include urban residential, commercial, industrial, recreational, and institutional in quantities appropriate to meet the expected population;

b. New Communities shall provide, as necessary, infrastructure and service systems, to include, but not limited to:

   1. central sanitary-sewer and potable-water systems;

   2. public-safety facilities meeting or exceeding adopted level of service for law enforcement, fire, EMS, etc.;

3. an appropriate internal circulation system to meet the multi-modal needs of the community; and

4. other public facilities, such as developed parks, school sites, etc. to meet the public demands created by the community.

c. Since New Communities exhibit design features which reduce many of the impacts associated with "urban sprawl," they may be proposed and approved within any area of Polk County, including those areas shown as either Suburban-Development Area or Rural-Development Area base districts on the Future Land Use Map Series, provided that the necessary infrastructure is available, or is programmed to be available, to handle both internal and external impacts generated by the project.

POLICY 2.126-A3: New Communities shall be designed and developed as reasonably self-contained communities to reduce automobile dependency and other adverse impacts of conventional-suburban development. New Communities which use design features that include neighborhoods using a "traditional town" design and function shall be encouraged. It shall be determined that a proposed New Community meets this policy when it:

a. includes employment, shopping, institutional, and recreational opportunities for the residents of the community;

b. incorporates a mix of housing densities, ownership patterns, and building types;

c. includes specific public uses as an integral part of the project's design, with inclusion of public uses in each phase of the project's development. Public uses may include: pedestrian plazas, town halls or community buildings, and non-commercial recreation facilities and libraries;

d. utilizes design commitments which establish pleasant and inviting public spaces along streets within the New Community;

e. incorporates design features that enhance the use of pedestrian travel for routine trips between various land uses within, and external to, the New Community. These may include the intermingling of uses and the limiting of each neighborhood's size so that uses at the fringe of each neighborhood are within convenient walking distance of each use in the neighborhood;

f. is developed so that buildings are more directly accessible from pedestrian pathways along streets and in other locations;

g. employs a network of on-site roadways that reduces travel time and increases the potential for local streets to handle vehicular movement between all uses within the New Community, and consequently reduces the need for traffic generated by the New Community to use or cross the major collector and arterial streets within the vicinity; and

h. is designed using a range of techniques to provide visually interesting landscapes and streetscapes to pedestrians.

SECTION 2.127 SELECTED AREAS - STUDIES AND PLANS.

OBJECTIVE 2.127-A: SELECTED AREAS - An area undergoing rapid development and/or land use transition, or which exhibits other characteristics that indicates that the area warrants special review or consideration due to unusual conditions or events, may be subject to special study, plan adoption, and growth-management policies.

POLICY 2.127-A1: SELECTED-AREAS STUDIES (SAS) - A Selected-Area Study to analyze a portion of the County may be conducted by the County if directed by the Board of County Commissioners. These studies may be as small as an intersection, or as large as a planning area. These studies shall evaluate those issues which the Board of County Commissioners deem necessary for making prudent growth-management and land use decisions.

POLICY 2.127-A2: SAS EXPENSE RESPONSIBILITY - If the need to conduct a SAS is the result of a Comprehensive Plan Amendment (CPA) request by a private property owner(s) (or agent), or the result of a request to conduct an SAS

by a private property owner(s) (or agent), a pro-rata portion, or less, of the SAS expense may be incurred, at the discretion of the Board of County Commissioners, by the party who's request is causing the study to be conducted. Such pro-rata portion shall be based upon the size of the proposed CPA impact area or requesting party's "benefit area" in relation to the entire study area.

POLICY 2.127-A3: SELECTED-AREA PLANS (SAP) - A Selected-Area Plan (SAP) is a special, detailed land use plan for a specific area that provides special conditions, restrictions, or requirements for activities within the SAP in accordance with the following:

a. The Board of County Commissioners may choose, upon completion of a SAS, to amend the Comprehensive Plan, in accordance with Section 163.3187, F.S., to include within the Land Use Element a "Selected-Area Plan," with accompanying policies, for the study area, or a portion of the study area. Such adopted SAPs shall be a part of the Future Land Use Element and Future Land Use Map Series. See APPENDIX 2.131: "Adopted Selected-Area Plans," for specific SAPs.

b. A SAP is a more specific provision of the Comprehensive Plan, and, therefore, in accordance with Section 1.107.J., shall be followed in lieu of more general provisions of the Plan that may be more lenient than, or in conflict with, the SAP.

POLICY 2.127-A4: SAP NOTICE - When a SAS results in the processing of a Comprehensive Plan Amendment (CPA) in the form of a SAP, the affected property owners shall be notified in accordance to the notice requirements stated in Section 125.66(25), FS. The expenses resulting from the SAS-notice procedure shall be considered a part of the SAS expense noted within Policy 2.127-A2.

POLICY 2.127-A5: FUTURE SELECTED-AREA STUDIES - The County shall coordinate future Selected Area Studies (SAS) with input from those areas affected, with input from nearby cities, and other public and private agencies and stake holder according to the best management planning practices. To aide in identifying potential SASs areas, the County may use the following strategies:

a. a multi-location study designed to allocate land uses for economic development within targeted cluster industries;

b. implementation of the Polk Green Overlay;

c. community concerns;

d. scenic view sheds; and

e. infrastructure provisions.

POLICY 2.127-A6: DRIs - All approved non-mining mixed-use DRI plans - and the Poinciana New Township and Indian Lake Estates pre-DRI PUDs - shall be recognized as specially designated SAPs, and noted on the Future Land Use Map Series as "Development of Regional Impacts" (DRI) or "Pre DRI-Scale Projects" (PRE-DRI). See Appendixes 2.130 for specific DRI and PRE-DRI SAPs.

SECTION 2.128 MISCELLANEOUS.

OBJECTIVE: 2.128-A SIGNAGE - Polk County shall regulate the placement and appearance of signs in order to protect the safety and welfare of its citizens.

POLICY 2.128-A1: Polk County shall implement the Land Development Code to regulate the placement of signs based on legibility, functionality, safety, and proper location of signs.

OBJECTIVE: 2.128-B SURFACE-WATER MANAGEMENT - Polk County shall provide for the appropriate management of drainage and stormwater for all development.

POLICY 2.128-B1: Polk County shall implement the Land Development Code to address the drainage and stormwater-management requirements established within the Infrastructure Element.

OBJECTIVE 2.128-C SUBDIVISION OF LAND - Polk County shall manage the subdivision of land to ensure development and compliance with the Comprehensive Plan.

POLICY 2.128-C1: STANDARDS - Through the implementation of its Land Development Code, Polk County shall regulate the subdivision of land in a manner consistent with the requirements of Florida Statutes to ensure:

a. Legal access to public rights-of-way;

b. Proper designation of rights-of-way and easements for roads, public utilities, and other public uses;

c. The orderly provision of community services including police, fire, and emergency medical services, and;

d. Compliance with local land use policies and regulations.

POLICY 2.128-C2: All tracts of land to be developed for non-residential or residential purposes shall have legal access to a paved public road. Non-residential development shall have direct frontage on a paved public road except as otherwise provided herein. Non-residential and multi-family residential developments may gain access to a paved public road through a county approved, private internal service road. Residential development may gain access to a paved public road via a public or private road meeting County standards or via a legally established easement as prescribed in the Land Development Code.

POLICY 2.128-C3: All tracts of land to be developed for non-residential and residential purposes shall have sufficient ingress and egress for fire trucks, ambulances, police cars and other emergency vehicles.

POLICY 2.128-C4: Unrecorded subdivisions do not provide for the safe, orderly development of land or provision of community services. Access to lots in large unrecorded subdivisions via an easement shall be restricted under the Land Development Code.

POLICY 2.128-C5: Except for multiple-family structures either under one ownership or as a condominium or plat or detached residential structures under one management company used for rental purposes, there shall be no more than one dwelling unit permitted per parcel or lot.

POLICY 2.128-C6: Land may be subdivided consistent with Section 163.3179, F.S., for the purpose of allowing a parcel of property to be subdivided and used solely as a homestead, regardless of the density assigned to the property by the Comprehensive Plan, provided:

a. the recipient of a subsequent parcel is the grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the person who conveyed the parcel to said individual pursuant to Section 163.3179, F.S.;

b. the individual receiving the subdivided parcel for a homestead had not previously been the recipient of a parcel created under this same homestead provision;

c. all resulting parcels created under this provision must meet all other provisions of the Plan and the Land Development Code.

d. the parent parcel and subsequent parcels shall be encouraged to have one shared point of ingress and egress.

OBJECTIVE 2.128-D: The previous text of Objective and Policies for 2.128-D, Military Compatibility, was moved to section 2.124-I by CPA 12A-03 (Ord. 12-018) 6/5/12.

(Ord. No. 2023-008, § 2(Att. A), 1-17-2023)

SECTION 2.129 IMPLEMENTATION.

OBJECTIVE 2.129-A: Polk County shall implement the policies and objectives of the Future Land Use Element through all appropriate techniques and mechanisms. Polk County shall implement adopted objectives and policies by:

a.designating responsible County agencies or departments to execute appropriate strategies and programs;

b.adopting and enforcing applicable development regulations;

c.evaluating all development proposals for conformance to policies and compliance with regulations; and

d.considering all objectives and policies when making growth management decisions.

POLICY 2.129-A1: The Board of County Commissioners shall be responsible for implementing the Future Land Use Element through legislative processes and procedures. The County Administrator, or designee(s), shall be responsible for implementing the Future Land Use Element through administrative processes and procedures.

POLICY 2.129-A2: Polk County adopted the Land Development Code in accordance with Section 163.3202(1), F.S., to consolidate all existing development regulations into a unified development code. Pursuant to Section 163.3202(1), Polk County shall adopt, amend, and enforce land development regulations that are consistent with and implement the Comprehensive Plan within one year after submission of the Comprehensive Plan or amended Comprehensive Plan pursuant to Section 163.3191, F.S. The Land Development Code shall implement the policies and requirements of this Element, as well as all of the other elements of the Polk County Comprehensive Plan, and shall incorporate regulations, procedures, and standards which include:

a. procedures for the review of development, to include, at a minimum:
    1. Future Land Use Element compliance determination;
    2. level-of-service determination (concurrency management system); and
    3. the review of the subdivision of land;

b. standards for the review of development, to include:
    1. performance standards and/or zoning districts to implement the Future Land Use classifications of this Plan;
    2. standards for the regulation of the subdividing of land;
    3. standards for the regulation of on-site development, to include, but not limited to:
        (a) structure size;
        (b) setbacks, buffer requirements between adjacent incompatible land uses;
        (c) internal circulation and parking requirements;
        (d) access;
        (e) signage;
        (f) lighting;
        (g) fencing; and
        (h) exterior storage of materials;
    4. standards for the regulation of off-site development, to include, but not limited to:

(a) acceleration and deceleration lanes, and

(b) the placement of off-site signs;

5. enabling regulations to encourage the use of innovative development and construction techniques to benefit Polk County to include, but not limited to:

(a) water-use reduction techniques, to include the use of xeriscape plant materials;

(b) construction techniques to reduce the amount of on-site soil loss through water and wind erosion; and

(c) innovative techniques for the short and long term protection of environmentally sensitive lands, desirable open spaces, and bona fide agricultural areas, to include on-site density transfers and off-site transfer of development rights (TDR), if determined to be appropriate by the Board of County Commissioners.

c. regulations and procedures to address existing development and potential development, to include, but not limited to:

1. existing non-conformities, including: uses, lots, structures, and site characteristics (parking, signage, access, etc.). Such regulations shall include provisions for the elimination or reduction of such non-conformities through abandoned or destroyed "grandfathered" discontinuance provisions and through the elimination of non-conforming zoning districts; and

2. recognition of legal non-conformities to include: rebuilding rights; expansion rights; and use changes.

d. regulations and administrative procedures to address:

1. variances and appeals;

2. development and performance agreements;

3. interpretation of the Comprehensive Plan and Land Development Code and;

4. field confirmation of "development-limitation areas."

POLICY 2.129-A3: When property is affected by several conflicting land use policies - due to differences in standards or requirements of land use classification, special-area overlay district, and/or other policy requirements - the more restrictive policy, standard, or requirement shall apply.

POLICY 2.129-A4: When the Future Land Use Map Series comes in conflict with policies within the Comprehensive Plan, the provisions of Sections 1.107.I and J shall apply.

POLICY 2.129-A5: The County shall ensure that development meets the locally established level-of-service standards, and facilities and services are available concurrently with the impacts of development, or that development orders are specifically conditioned upon the availability of the facilities and services necessary to serve the proposed development; and that facilities that provide utility service to the various land uses are authorized at the same time as the land uses are authorized;

POLICY 2.129-A6: A compendium of goals, objectives, and policies (GOP) shall be distributed to all County agencies participating in the Future Land Use Element implementation. County agencies shall incorporate GOP's under their authority into their annual work programs and to request appropriations for operations and capital facilities necessary to implement the GOP's during the annual operating and capital-programming process of the Polk County Office of Management and Budget (OMB).

POLICY 2.129-A7: The Future Land Use Element shall be monitored on a continuous basis, and shall include:

a. continuous monitoring, by the Land Development Division, of the data and analysis on which the goals, objectives, and policies (GOP's) and maps are based; with recommendations being presented to the Board of County Commissioners, no less frequently than once every two years, to amend and/or add new GOP's and maps to reflect needed modifications due to changing County conditions;

b. continuous monitoring of the Future Land Use Element and Future Land Use Map Series to ensure that they are consistent with every other Plan component - specifically the Capital Improvements Element (CIE) and Program (CIP);

c. continuous coordination of Element objectives, policies, and maps with other affected local governments; and

d. preparation and submittal to the Planning Commission (PC) and the Board of County Commissioners, of an "Evaluation and Appraisal Report" (EAR) for submittal by the County to the Florida Department of ~~Economic~~ Commerce ~~Opportunity (DEO)~~ as required by Florida Statutes.

POLICY 2.129-A8: When a property's municipal-incorporated status changes due to a de-annexation or disincorporation, it shall be recognized as having the Polk County land use designation(s) as that most closely corresponding to the classification it had under its former municipality's plan until such time as its classification can be reviewed and amended through a Comprehensive Plan Amendment.

POLICY 2.129-A9: Notwithstanding the requirements of Policy 2.129-A6 above, and during the period commencing with the adoption of the Comprehensive Plan and concluding September 1, 1991, it shall be the policy of the Polk County Board of County Commissioners to consider final development approval ~~and permitting~~ of a Development of Regional Impact (DRI) which has undergone the extensive expenditures and rigor of development review pursuant to Section 380.06, F.S., without subjecting the development to subsequent concurrency review, if the DRI development meets the following three criteria:

a. An Application for Development Approval shall have been received by Polk County prior to adoption of the Comprehensive Plan;

b. Prior to adoption of a concurrency-management system the developer of a DRI shall have submitted public-facility and public-service impact analysis and proposed mitigation sufficient for final review pursuant to Section 380.06, F.S., using methodologies approved by Polk County and the Central Florida Regional Planning Council (CFRPC), and the methodologies shall have been applied in accordance with the policies of the County, the CFRPC and the Florida Department of Commerce ~~Economic Opportunity (DEO);~~ and

c. A DRI development order of approval, with conditions, shall have been issued prior to September 1, 1991.

If, at any time after comprehensive plan adoption, a DRI development approved pursuant to the above three criteria is found to be in violation of an approved development order or any proposed change in development has been determined to be a substantial deviation, in regard to public-facility or public-service impact/mitigation, pursuant to Section 380.06(19), FS, the DRI development shall then be subject to all applicable laws, rules, and regulations, including Policy 2.129-A6 and any concurrency management system in effect at the time the development-order violation or substantial deviation was determined.

POLICY 2.129-A9: Pursuant to Section 163.3177(6)(a)(8), future land use map amendments shall be based upon the following analyses:

a. An analysis of the availability of facilities and services.

An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.

APPENDIX 2.130 DRI & PRE-DRI SELECTED-AREA PLANS

SECTION 2.130 DRI & PRE-DRI SELECTED-AREA PLANS.

As specified in Policy 2.127-A6 this PRE-DRI & DRI SAP Section includes a brief summary of each of the County's two PRE-DRI projects - Poinciana New Township and Indian Lake Estates - and all non-phosphate DRIs. This summary contains a description of the approved land uses, along with the number of dwelling units and any other applicable information, and shall be the maximum densities and intensities allowed within the subject DRI. More detailed information on these projects is available through the Polk County Office of Planning and Development, or with the Florida Department of Commerce.~~Economic Opportunity (DEO).~~ All DRIs except Poinciana, Indian Lake Estates, and Grenelefe have approved Development Orders on file with the Polk County Land Development Division. The tables below provide general development totals. The Development Orders for each DRI detail the specific amount of development permitted in each DRI.

SECTION 2.130-A POINCIANA (PRE-DRI #1).

The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under ~~Sections 830.06~~ Section 380.06 ~~and 120.57,~~ F.S., which vested this project from the Development of Regional Impact (DRI) review process.

The approved master development plan for Poinciana and subsequent modifications to various portions of this development are on file in the offices of the Polk County Land Development Division. Approved land uses are also detailed in the Poinciana Binding Letter of Interpretation of Vested Rights Status, date May 17, 1983, and subsequent Binding Letters of Modification to a Development of Regional Impact with Vested Rights (BLIVR), issued by and on file with the Florida Department of Commerce. ~~Economic Opportunity (DEO).~~ Additional copies are also available through the Polk County Land Development Division. In 2018, the Florida legislature modified Section 380.06 that local governments may modify the BLIVRs instead of DEO. The Land Development Code includes processes and procedures to determine if property is within the boundaries of Poinciana and how development will be implemented. This also includes Future Land Use changes adjacent to proposed roadways.

(Ord. No. 2021-031, § 2(Att. A), 7-6-2021)

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, whichever comes first and, amend the plan for Indian Lake Estates as needed.

POLICY 2.130-B1.1: No lot subdivided from an existing lot 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. With regard to utilities, the following table lists the maximum intensities and densities allowed given the availability 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	na/	0.25
* Residential only permitted in NACX and CACX in connection with retail as a mixed use or live-work unit.						

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.

SECTION 2.130-C RIDGEWOOD LAKES (DRI #1).

SECTION 2.130-D OAK HILLS ESTATES (DRI #2).

This is a mixed-use DRI, consisting of residential, commercial, and recreational open space on 2,215 acres southeast of Loughman. Development will occur in three five-year phases. The breakdown of uses is as follows:

LAND USE	ACREAGE	UNITS

Low Density Residential (3 units/acre)		1,082
Medium Density Residential (6 units/acre)		2,535
High Density Residential (12 units/acre)		1,245
Community Shopping Centers	19.60	
Neighborhood Shopping Centers	22.20	
Specialty Shopping Area	7.40	
Hotel (Including 10,000 square feet of Specialty Shopping Area)		300 Rooms
Sales Center/Office/B&B/Day Care	11.10	
Institutional (Utilities/School/Sheriff)	53.50	
Recreational Open Space/Conservation (Including 36 Holes of Golf)	1,056.90	
TOTAL	2215	4,862

SECTION 2.130-E1 GRENELEFE UTILITY ENCLAVE AREA.

The Grenelefe Utility Enclave Area (UEA) is adopted to recognize the existing developed Grenelefe DRI and to update and revitalize the community by allowing for redevelopment and growth. The Grenelefe Resort and Convention Center is a mixed-use DRI, primarily oriented towards retirees, tourists, and conventions. The approved Grenelefe DRI consists of 971 acres and 1,359 units (as indicated in the approved PUD73-19) and is considered to be built-out. There is an "Essentially Built-Out Agreement" that is currently being negotiated between the Department of Community Affairs and the property owner (of the convention center and golf courses) that will show the DRIs development obligation. This shall be executed prior to any new development. The table below represents the existing DRI use, acreages, and number of units at the time of the Comprehensive Plan adoption:

Existing Grenelefe DRI		
LAND USE	**ACREAGE**	**UNITS**
Rental Condominiums	243	780
Condominiums	14	94
Townhouses	42	161
Single Family Houses	67	118
Country Homes	43	92
Golf & Lake Villas	38	114
Golf Courses	467	54 holes
Clubhouse/Recreation/Marina	33	N/A
Maintenance Area	24	N/A
TOTAL	971	1,359

The existing resort is to be redeveloped as a premier tourist/convention destination; therefore the DRI Future Land Use category is no longer appropriate. The Grenelefe UEA will combine the original DRI acreages and existing DRI units with 276 acres of Additional Property (located adjacent to the south). Any further development or redevelopment within the Grenelefe UEA shall follow the guidelines of the elements of this section of the Comprehensive Plan and shall be reviewed according to the County's Land Development Code, any applicable state, and local laws. Additional development shall be subject to the following overall limitations applicable to the total new development within the Grenelefe UEA:

USE	Maximum Limitation
Resort Residential Units	1,753
Multi-Family (Workforce Housing)	120
Hotel Rooms	300
Convention Center	*50,000 gross square feet
Other Non-Residential Uses (Commercial-Retail)	60,000 gross square feet
*Does not include existing 50,000 square foot convention center.	

The density limitations set forth above apply only to new development after the date of adoption of CPA 08A-14, and do not include existing platted vacant lots within the Grenelefe UEA as of the date of the adoption of the Comprehensive Plan Amendment.

GOAL 2.130-E1: Provide for the redevelopment of Grenelefe Resort development and Additional Property as a premier Resort/Convention Community in Polk County.

OBJECTIVE 2.130-E1.1: Development within the Grenelefe Utility Enclave Area (UEA) 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 of the Comprehensive Plan not in conflict with these policies.

POLICY 2.130-E1.1A: The Grenelefe UEA is established as designated on the Future Land Use Map Series. Land use categories shall be designated on the Future Land Use Map (FLUM) which is included as part of the Future Land Use Map Series. The Grenelefe UEA includes the historic area of Grenelefe (DRI) as well as the Additional Property as shown in the FLUM. All development within the historic area of the Grenelefe DRI shall be reviewed as part of a Planned Development. Any development of the Additional Property that is either (1) in excess of four (4) dwelling units per acre or (2) has lot widths less than 50 feet wide that cannot meet the requirements of Section 822. B of the Land Development Code, shall require a Planned Development approval.

POLICY 2.130-E1.1B: Land Uses within the Grenelefe UEA will be a mix of uses to provide a diversity of residential and commercial tourist/vacation oriented uses. Uses allowed will consist of low, medium, and high density residential, resort residential, hotel, restaurant, retail, recreation, marina, utilities accessory and ancillary uses, and be further defined in the Land Development Regulations. Land Use Designations are to include:

Development of Regional Impact (DRIX): The DRI designation remains on the majority of the golf course due to the impacts on water and sewer. Once the existing water and wastewater plant has been expanded and has the permitted and plant capacities to handle additional development, then the applicant may request to change the land use for those portions designated DRI.

Preservation "X" (PRESVX): This land use shall be as provided in Section 2.118 except that the following additional permitted development and uses shall be allowed: (1) when necessary for golf course routing and circulation, which shall only include elevated golf cart paths allowing motorized golf carts and which otherwise meet the development criteria for Wetland-Protection Areas set forth in Section 2.125-C2 as not impacting the wetlands and the permitting criteria imposed by SWFWMD for such structures located in wetland areas; and (2) roadways for internal traffic circulation, where other alternatives do not exist, or for purposes of public safety. The PRESVX boundary lies in its general location on the FLUM but shall be finally determined by a wetlands delineation survey.

Residential Low "X" (RLX): RLX includes single family detached and attached residential units that may be included in the rental pool (resort residential). Any resort residential shall be requested as a conditional use Level 3 (C3) Review per the requirements of the Land Development Code. Development within RLX shall have a maximum density of five (5) dwelling units per gross acre.

Residential Medium "X" (RMX): RMX includes single family detached and attached and multifamily units that may be included in the rental pool (resort residential). Any resort residential shall be requested as a conditional use

Level 3 (C3) Review per the requirements of the Land Development Code. Development within RMX shall have a maximum density of seven (7) units per gross acre.

Residential High "X" (RHX): RHX includes multi-family units that may be included in the rental pool (resort residential). Any resort residential shall be requested as a conditional use Level 3 (C3) Review per the requirements of the Land Development Code. Development shall have a maximum density of 10 units per gross acre.

Tourist Commercial Center "X" (TCCX): The purpose of the TCCX is to provide for the tourist, recreational needs and activities for short term, seasonal and second home visitor to Polk County. The TCCX includes attached and detached residential resort dwelling units as well as non-residential uses such as hotel, convention, golf, tennis, pools, shops, restaurants, employee housing (workforce) and convenience shops. General characteristics of the development in the TCCX are:

Usable area: 10 acres or more.

Typical Uses: Hotel, convention center, golf course, restaurants, entertainment, shops, tennis, pools, marinas, low, medium and high density resort residential units and supportive workforce housing.

FAR: The FAR applicable to the TCCX shall be 1.0.

POLICY 2.130-E1.1C: Development within the existing Grenelefe, approved as part of the Preexisting Planned Unit Development (PEPUD), shall be processed as an amendment to a PEPUD. The Additional Property is not subject to the PEPUD. Nevertheless, Residential densities and nonresidential intensities within the Grenelefe UEA will be designated in accordance with the Future Land Use Map (FLUM), the Comprehensive Plan, and the Land Development Code.

POLICY 2.130-E1D: Pursuant to Policy 2.107-A5, development with the Grenelefe UEA will be consistent with the following criteria:

a. Non-Residential and Residential Development - All new development shall be required to connect to centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met.

b. The area known as the Grenelefe DRI is currently served by an existing water and sewer plant. The existing water and wastewater plant currently serve approximately 1,500 existing residential units including single family homes, townhomes and condominiums as well as the existing resort conference center and golf courses. Any additional development (excluding the additional property) other than that described above shall not be permitted until the existing water and wastewater plant has permitted and plant capacity to provide services for additional development; and

c. The Additional Property is located in its general terms as south of SR 546 and south of the developed portion of Grenelefe and is within the Utility Service Area for the City of Haines City. The provision of water and wastewater services for the area of the Grenelefe UEA that is within the Utility Service Area for the City of Haines City shall be consistent with the Interlocal Agreement between the Polk County and the City of Haines City. This Agreement provides that the City of Haines City has the right to serve the development with water and wastewater services to development within their Utility Service Area. If Haines City is unable to provide service then public water and wastewater service shall be provided according to applicable law.

(Ord. No. 2024-047, 2(Att. A), 8-6-2024)

SECTION 2.130-E2 IMPERIALAKES (DRI #4).

Imperialakes is a 1,700 acre DRI primarily residential containing commercial property and a golf course. Listed below are the land uses.

LAND USE	ACREAGE	UNITS
EXISTING DEVELOPED AREA		
Phase I, Section I	199	480
Phase I, Section II	41.4	71
Phase I, Section III "Woodcrest"	9.4	19
Phase I, Sections IA & IB	105	255
Phase I, Section IV "Double Eagle"	6.1	57
Phase II, Section II "Meadow Oaks"	14	104
Phase II, Section III "Creek Woods"	8.5	47
Phase I, Section VII "Pine Run"	5	31
Phase I, Section VIII "Imperial Place"	5.5	50
Phase I, Section IX "Fairwoods"	16.5	231
Phase I, Section V Sparky's/Office Park	6.4	
Phase I, Section VI Sun Bank/Commercial	5.4	
Phase I, Section IX Sales/Main Office	4.5	
Community Service	2	
Open/Golf/Lakes	185.1	
Total:	613.8	1,348
PROPOSED DEVELOPMENT AREA		
Multi-Family A	14.97	224
Multi-Family B	4	48
Multi-Family C	13.6	163
Village A	109.3	651
Village B	111.2	549
Village C	189.5	996
Commercial A	12.05	
Commercial B	12.75	
Open/Golf/Lakes	576.08	
Proposed County Utility/Water Utility	36	
Existing Utilities	4	
Recreation	2.75	
Total:	1,086.22	2,631
FINAL TOTAL	1,700	3,979

SECTION 2.130-F WINTERSET (DRI #5).

SECTION 2.130-G STATE FARM (DRI #7).

The State Farm DRI is an office development on 109 acres. It will contain 445,000 sq. ft. of office-space, and serves as a regional headquarters for the State Farm Insurance Company.

SECTION 2.130-H RIVER RANCH (DRI #8).

The River Ranch DRI is a mixed-use DRI. Primarily containing RV sites, it also has residential and commercial uses. Portions of the development are exempt from the DRI review process. The breakdown of land uses for the site is as follows:

LAND USE	ACREAGE	UNITS
Estates		100
Single-Family		90
Multi-Family (Includes motel units)		322
Recreational Vehicle		2,086
Welcome Center/Administration	2.5	
Retail Commercial	3.67	
Community Facility (Wilderness Camping for Community organizations)		300 Spaces
Service Commercial	1.4	

SECTION 2.130-I BOARDWALK & BASEBALL (DRI #9).

APPENDIX 2.131 ADOPTED SELECTED-AREA PLANS

SECTION 2.131-A ADOPTED SELECTED-AREA PLANS.

GOAL 2.131-A: I-4/NE PARKWAY SELECTED-AREA PLAN - is a vision based developed from area property owners around 1990. This vision leads to the creation of the Polk Commerce Centre Community Redevelopment Area (CRA) and the Polk Commerce Centre Development of Regional Impact. The objective of this planning effort is to provide an area of mixed uses where people can live, work, and play.

OBJECTIVE 2.131-A: I-4/NE PARKWAY SELECTED-AREA PLAN - Development within the I-4/NE Parkway Selected-Area Plan (SAP) shall occur in accordance with the set of Future Land Use designations and development parameters that enhance the quality of life for residents of unincorporated Polk County and surrounding cities. All development shall comply 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.

POLICY 2.131-A1: DESIGNATION AND MAPPING - The I-4/NE Parkway SAP is established as designated on the Future Land Use Map Series. Land-use categories shall be designated on the I-4/NE Parkway SAP Map which is included as part of the Future Land Use Map Series.

POLICY 2.131-A2: LAND-USE CATEGORIES - The following land-use categories shall apply:

a. Activity Centers
    1. Tourist Activity Centers (TCCX)
    2. Interchange Activity Centers (IACX)
b. Linear Commercial Corridors (existing)
c. Industrial Park and Business Park Center (BPCX)
d. Recreation and Open Space (ROSX)
e. Preservation (PRESVX)
f. Residential
    1. Residential-Low (RLX)
    2. Residential-Medium (RMX)
    3. Residential-High (RHX)
g. Preservation (PRESVX)

POLICY 2.131-A3: DEVELOPMENT CRITERIA - Development shall be permitted within this SAP as specified within this Section 2.131-A.

a. POLK COMMERCE CENTRE DEVELOPMENT OF REGIONAL IMPACT (DRI) - The DRI was approved for Phase I development in 2013 as follows: RL 376 units; RM 1060 units; RH 624 units; and BPC 861,880 square feet. In the MUX area the uses approved are RL 236 units; RH 50 units; Retail 17,969 square feet; and BPC 84,092 square feet. In the IACX area the uses approved are 294 units; Retail 106,692 square feet; and BPC 281,679 square feet. Therefore, development within the DRI and SAP is limited to the development impacts from Phase I including the total Annual Average Daily Trips (AADT) of 41,832 and shall comply with the conditions in the Development Order. Based on school impact, initial

residential development shall be limited to the number of units that will generate no more than 171 elementary school students until such time that there is adequate capacity in the zoned schools per the Educational Facilities Element and the LDC. Prior to this level of development, Polk County shall coordinate with the Polk County School Board to develop a strategy to ensure adequate school facilities are provided to serve Phase I of the DRI. This strategy shall incorporate school concurrency monitoring as part of the DRI Biannual Report. Phase II development may be permitted after completing appropriate DRI amendments pursuant to Section 380.06 Florida Statutes and any corresponding amendments to the I-4 NE/Parkway SAP, which shall include a facility impact analysis that identifies the cumulative impact on public facilities, including schools.

b. BASIC LAND-USE CATEGORIES - Development shall be permitted for the following land use categories as specified by the policies applicable to the corresponding land-use categories as listed elsewhere in this Element:

    1. Linear Commercial Corridors.
    2. Residential-Low.
    3. Residential-Medium.
    4. Residential-High.

c. MODIFIED LAND-USE CATEGORIES - Due to the specific characteristics of this SAP, development shall be more specifically defined and may vary from those allowed under the general provisions of that land-use category. Development within the following land-use categories shall be permitted as specified within this section:

    1. Tourist Commercial Center
    2. Business Park Center
    3. Recreation and Open Space
    4. Mixed Use
    5. Interchange Activity Center
    6. Preservation

d. SPECIAL-PROVISION AREAS - Due to the specific characteristics of this selected area, the uses permitted in land-use classifications shall be more specifically defined and may vary from those allowed under the general provisions of that land use, as defined within the following special categories:

    1. Special-Provision Area I-a (SPA I-a).
    2. Special-Provision Area I-b (SPA I-b).
    3. Special-Provision Area II (SPA II).
    4. Special-Provision Area III (SPA III).

POLICY 2.131-A4: Land within "modified land-use categories", as enumerated in Policy 2.131-A3 shall be developed in accordance with the following criteria:

a. TOURIST COMMERCIAL CENTER - Areas designated Tourist Commercial Center (TCC) within this SAP are grounds and facilities primarily oriented toward providing services for the Interstate Traveler. In addition to these policies, the policies under Objective 2.110-I shall apply to TCCX within this SAP. The following uses shall be prohibited:

    - Campgrounds

- Recreational vehicle parks

- Fish camps

- Regional malls

- Theme parks

b. BUSINESS PARK CENTER (BPCX) - The following provisions shall apply to BPCX within this SAP and alter policies under Objective 2.113-B as specified below:

1. CHARACTERISTICS: The purpose of BPCX within this SAP is intended for a mixture of uses including professional office, limited amount light industrial, research and development, light assembly, commercial and retail, and multi-family uses. The office and light industrial uses shall have operational characteristics that have limited or no off-site impacts with regards to noise, particulate matter, vibrations, odor, fumes, glare, and fire hazard. BPC areas may be comprised of a single or mixed uses of manufacturing, assembly, fabrication, packaging, storage, distribution, and other activities for industrial purposes; may be permitted per the Land Development Code and this SAP. The minimum population support and service area radius shall be taken into consideration when increasing the size of this designation in the SAP as well as establishing any new locations of BPCX. The usable area, Gross Leasable Area, Minimum Population Support, Service-Area Radius, and typical leading tenants as listed in Policy 2.113-B1 shall apply to the PBCX areas within this SAP.

2. LOCATION CRITERIA - An internal local service road that is not used for residential traffic and intersects with a collector or arterial road can also be used to meet Policy 2.113-B3., c. New BPCX or expansions of existing BPCX will be evaluated based on the direct connections to collector and arterial roads that limit routing of traffic through mostly residential areas where the mixing of BPCX and residential traffic does not currently exist.

3. DEVELOPMENT CRITERIA:

   i. Development within BPCX 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 roadway. Business-Park Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

   ii. Retail sale of goods manufactured or assembled on the site of a business located within the BPCX is allowed without needing to exchange land uses per the Exchange Matrix of the Development Order for the Polk Commerce Centre DRI provided the operation is incidental and subordinate to the primary BPCX 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.

   iii. Commercial activities may be permitted within the BPCX designation for no more than 15% of total developable area which shall be the group of contiguous parcels designated as BPCX not bisected by collector or arterial roads or any physical natural barriers.

   iv. New residential development within the BPCX shall be limited to Medium Density and High Density Residential (with proper buffering) limited to 20% of the BPCX designation.

   v. 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.

   vi. Floor Area Ratios are as defined per policy 2.131-A10.

vii. Outdoor storage shall be prohibited forward of the building's main facade. All development shall incorporate safe pedestrian oriented and multi-modal design to allow access from surrounding parking areas and adjacent parcels per the requirements of the Land Development Code.

viii All development shall provide adequate access and amenities to support existing and the potential for future mass transit per the requirements of the Land Development Code.

c. RECREATION AND OPEN SPACE - Areas designated as Recreation and Open Space (ROS) within this SAP are areas permitted by Section 2.117 and to help the Sport Park near Lake Myrtle.

d. MIXED USE (MUX) - The Mixed Use land use district is intended to promote well planned development of areas suited to a combination of non-residential and residential uses. This land use was created due to its location within the Polk Commerce Centre DRI. These uses are developed together or in phases in a manner that allows interaction and interconnectivity between the uses and allows each use to support the other use. It is intended that MUX includes relatively large, contiguous land areas that can be developed according to a unified plan in a high-quality, master-planned setting rather than on a parcel by parcel or lot by lot basis. The uses and standards for MUX are intended to promote flexibility and innovative design and enhance the environmental quality and attractiveness of the area and protect the public health and safety. The following criteria is established to create and maintain developments with a compatible mix of uses:

1. DESIGNATION AND MAPPING - The MUX is established on the I-4/NE Parkway SAP Future Land Use Map.

2. GENERAL CHARACTERISTICS - Development within the MUX in this SAP is intended to provide a mix of at least two or more land uses including, but not limited to office, a variety of commercial, warehouse/distribution, institutional, and residential (single and multifamily) uses. Mixed uses shall be accomplished horizontally, with different uses in separate buildings; and/or vertically, with different uses within the same building. The MU District is intended to permit new or innovative concepts in land utilization not permitted by other land use districts.

3. LOCATION CRITERIA - The MUX shall be located as shown on the Future Land Use Map Series. New MUX areas and expansions of the MUX may be permitted according to the following:

   i. The New and expansion areas shall have direct access to a collector or arterial road. Frontage on a collector [road] may be considered necessary depending on what kind of property or development the expansion is connected to; and

   ii. The New and expansion areas are ~~is~~ needed to ensure that two or more uses are the required development standards as listed in this SAP.

4. SITE PLAN REVIEW- To ~~insure~~ ensure compatibility between uses and consistency with the Comprehensive Plan and Land Development Code, a site plan for developments within the Mixed Use district must be approved by the Development Review Committee in accordance with procedures established in the Land Development Code.

5. DEVELOPMENT CRITERIA:

   i. Access to individual parcels within the master project or master parcel as part of an overall project, either requested for approval at one time or over a cumulative basis, shall be by an internal road system, frontage roads, cross-access easements, shared ingress/egress access easements, or some combination of these, off of a main access to a collector or arterial road.

   ii. Different uses shall incorporate the use of shared ingress/egress facilities even if on the same parcel.

iii. 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 as shared parking and permeable surface parking per the requirements of the Land Development Code.

iv. Structured parking is not required; however, if a developer chooses to construct structured parking, it shall incorporate the following per the requirements of the Land Development Code:

a) All structured parking shall be architecturally integrated or designed with an architectural theme similar to the main building.

b) Structured parking, starting on the first floor, may include retail, office, personal, and professional uses.

v. Internal traffic circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

vi. All development shall incorporate pedestrian oriented design by providing on-site pedestrian pathway connections to allow safe access from all surrounding parking areas and any adjacent residential uses where appropriate.

vii. All development shall provide adequate access and amenities for mass-transit services per the requirements of the Land Development Code.

viii. All residential uses including Low Density, Medium Density, and High Density (single family detached, single family attached and multifamily) are allowed uses within the MU designation consistent with the permitting and conditions of the Land Development Code.

ix. Light industrial uses which include at least 50% office space, assemble products, or conduct research and development, but do not manufacture any products are intended to be a primary use in MU.

x. The Floor Area Ratio shall be as listed in Policy 2.131-A10.

e. INTERCHANGE ACTIVITY CENTER (IACX) - The IACX is a special category of activity center that has been created to address the unique opportunities associated with land development at the Pace Road and Polk Parkway Interchange because this is a gateway into Polk County, Lakeland, Auburndale, and Polk City and within the Polk Commerce Centre DRI. This Interchange Activity Center is intended to delineate a coordinated development area which, due to proximity to and/or direct access to the Polk Parkway and impact on surrounding uses, can achieve a high intensity of development activity necessitating the need for coordinated access, signage and other special development controls consistent with the Special Provision Area - II (SPA - II - see Policy 2.131-A5, c). The Polk Commerce Centre DRI anticipates another interchange south along the Parkway, however, this interchange has not been properly analyzed and not included in any capital improvement programs. Therefore, this area is to remain as BPC within the SPA III.

1. DESIGNATION AND MAPPING: Interchange Activity Centers "X" are established as designated on the Future Land Use Map Series for this SAP.

2. GENERAL CHARACTERISTICS: Development in the IAC caters to regional business and tourist travelers, employees and students at the USF campus, and includes lodging and eating establishments. However, an Interchange Activity Center may also be oriented toward a single tourist or other retail destination, an office or office park or employment center, High Density Residential, or some other activity appropriate to an interchange location. Residential uses located above the first floor of non-residential uses shall not count against the residential limitation within the DRI as long as the transportation and school impacts are not increased from the overall IAC transportation impact analyzed as part of the DRI.

3. LOCATION CRITERIA: There is one IACX in this SAP which is the intersection of the Polk Parkway and Pace Road. The IACX is intended to be located at intersections with the Polk Parkway. If an IACX location is requested, the text of this SAP shall be updated to ensure the policies that apply to the IACX are appropriate to each location of the IACX.

4. DEVELOPMENT CRITERIA: Development within the IACX shall conform to the following:

   i. The architectural design of the buildings shall be consistent throughout the IACX land use as this is considered a gateway into not only Polk County, but also Lakeland, Auburndale, and Polk City. The Land Development Code shall set standards for architectural designs.

   ii. Loading docks, utility facilities, car washes and storage areas shall not be visible from any abutting rights-of-way.

   iii. Pace Road shall be lined with pedestrian-oriented features which are constructed in a uniform arrangement.

   iv. Pedestrian walkways shall be integrated into every development including appropriate pedestrian shelters or awnings.

   v. Coordinated signage and access shall be required and further defined per the Land Development Code.

   vi. Prohibited uses shall include free standing liquor stores, adult entertainment uses, used motor vehicle sales, motor vehicle rentals, boat sales and rentals, heavy truck and equipment rental and sales, motor vehicle repair, mobile home or RV sales, outdoor retail sales of new and used merchandise.

   vii. Access to individual parcels within a master development shall be by an internal road system, frontage roads, cross-access easements, shared ingress/egress access easements, or some combination of these.

   vii. Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

f. PRESERVATION (PRESVX) - The wetland and other similar features are designated as Preservation "X" (PRESVX) on the Future Land Use Map series for this SAP. They are depicted in their general terms. The size can be adjusted by no more than 10% if associated with a jurisdictional wetland survey and this shall not permit any increase in development without proceeding through any required Comprehensive Plan amendments or DRI amendments.

POLICY 2.131-A5: Land within "special-provision areas" as enumerated in Policy 2.131-A3 shall be developed in accordance with the following criteria:

a. SPECIAL-PROVISION AREA I-a - In addition to the other applicable provisions, Special Provision Area I-a shall be governed by the following provisions:

   1. DESIGNATION AND MAPPING - The Special Provision Area I-a (SPA I-a) is established as designated on the I-4/NE Parkway SAP map. This area is located on the north side of CR 559-A and extends north to a depth of approximately five hundred feet. It also extends north to Interstate 4 between Mt. Olive Road on the west and an existing wetland on the east.

   2. PURPOSE - The purpose of this area is to establish an "intensive-use mitigation area" as defined by Section 2.112 to lessen the impact of the proposed Business Park area on the residential area located on the southern side of CR 559-A.

   3. DESIGN - Architectural and site design shall be consistent with the following:

i. All buildings within SPA I-a shall be restricted to a two-story height limitation, designed to achieve an office-front appearance, and shall have front pedestrian entrances.

ii. Truck bay facilities shall be permitted only at the rear of buildings.

iii. All access from CR 559-A to this SPA shall be via five shared ingress/egress points. Three of these driveways shall be on the east/west straight section of existing CR 559-A and the remaining two drives shall provide access to the properties located on the north/south leg connecting with Mt. Olive Road. Vehicular access to individual lots shall not be permitted via CR 559-A by other than these shared driveways. A variance to this may be granted by the Planning Commission via a Planned Development per the requirements of the Land Development Code.

iv. To promote a more pleasing streetscape and to further assist in the transition from nonresidential uses to residential uses, setbacks of no less than 35 feet shall be maintained for all street frontages, and variations in individual building setbacks, of no less than five feet, shall be required on that portion of CR 559-A which is straight for distances greater than 1,000 feet. The minimum-setback area shall be landscaped in accordance with the Land Development Code and parking areas shall not be allowed to intrude into these setback areas.

v. An SAP site plan showing the overall setback plan and driveway access points shall be required prior to the issuance of development orders. An architectural elevation plan shall be required in the initial design stages for any primary building to be located within this SPA.

4. Development within this SAP shall only be permitted when the cost and timing of necessary improvements to CR 559-A have been agreed to by the land owner (or designee) and the County or capacity including safety improvements are available as determined through the appropriate Traffic Study as required per the Land Development Code.

b. SPECIAL-PROVISION AREA I-b - In addition to the other applicable provisions, Special Provision Area I-b shall be governed by the following provisions:

1. DESIGNATION AND MAPPING - The Special Provision Area I-b (SPA I-b) is established as designated on the I-4/NE Parkway SAP map. This area is located on the north side of CR 559-A, behind area I-a and extends north to Interstate 4.

2. PURPOSE - The purpose of this SPA is to allow Business Park development to occur while protecting the visual integrity of I-4 which is subject to unusual impacts due to extreme topographical variations in this area. Modification to the requirements for SPA I-b in this section will be considered by the County provided the visual integrity of the design is maintained.

3. All outside storage of materials, products, and production equipment, shall be prohibited.

4. Development within this SAP shall only be permitted when the cost and timing of necessary improvements to CR 559-A have been agreed to by the ~~land owner~~ landowner (or designee) and the County or capacity including safety improvements are available as determined through the appropriate Traffic Study as required per the Land Development Code.

c. SPECIAL-PROVISION AREA II - In addition to the other applicable provisions, Special Provision Area II shall be governed by the following provisions:

1. DESIGNATION AND MAPPING - The Special Provision Area II (SPA II) is established as designated on the I-4/NE Parkway SAP map. This area is located along Pace Road and at the intersection of Pace Road with the Polk Parkway.

2. PURPOSE - At the time this SAP was first adopted in 1991, it was the purpose of this SPA to restrict development in the vicinity of on existing eagle's nest so that construction and future land-use activities disturb the site as minimally as possible while still realizing appropriate development potential. To accomplish this purpose, development shall be limited to low-impact uses until such time as the nest has abandoned. Uses shall be more restrictive than those allowed by the Business Park Center land-use provisions of Policy 2.131-A4.b until such time as the nest has been abandoned or development is outside of bald-eagle nesting zones.

d. SPECIAL-PROVISION AREA III - In addition to the other applicable provisions, Special Provision Area III shall be governed by the following provisions:

1. DESIGNATION AND MAPPING - The Special Provision Area III (SPA III) is established as designated on the I-4/NE Parkway SAP map. SAP III is located at a potential intersection of the Polk Parkway. The specific boundaries of this SAP are not delineated so as to allow for flexibility in its development. It is shown on the Future Land Use map for this SAP in its general location. However, this SAP should develop so that a majority of the SPA is located symmetrically around the intersection and, generally, it shall not extend more than 2,000 feet from the where the centerlines intersect.

2. PURPOSE - It is the specific intent of this SAP to cluster commercial uses, if chosen to be developed by the property owners, at appropriate locations. This area is intended to serve as a commercial node in which to concentrate those commercial uses normally allowed throughout areas designated as Business Park in accordance with Section 2.110-G. These commercial uses shall be permitted per the regulations in the Land Development Code at the time an intersection with the Polk parkway is programmed within the first three years of the FDOT's work program.

3. PERMITTED USES - Uses permitted include:

- All uses permitted within an Interchange Activity Center as specified in this SAP; and

- All uses permitted within a Business Park Center (BPC) as specified in Section 2.110-G and this SAP.

POLICY 2.131-A6: BUFFERING - Buffering shall be required to lessen the impact between residential and non-residential uses. This buffering shall be a physical barrier of such design so as to lessen visual and sound impacts which may adversely affect the residential area. This buffer may take the form of a wall, solid fence, berm, or densely placed plant material, or any combination of these. Future development regulations may further define buffer requirements.

POLICY 2.131-A7: LANDSCAPING - Special landscaping standards shall apply to all public rights-of-way requiring landscape buffers and private lands used for buffering and parking as required pursuant to the Land Development Code.

POLICY 2.131-A8: SIGNAGE - Signage will be more restrictive than typical standards for Polk County.

a. In addition to "a." above, SPA's I-a, I-b, and II shall generally use visually pleasing, lower and smaller signs to compliment the overall selected-area site and building design.

b. The construction of any billboards along the Polk County Parkway and new billboards along Interstate 4 shall be specifically prohibited except for temporary billboards advertising the availability of industrial and commercial space located within the SAP for the respective property(ies).

c. Future development regulations may further define signage limitations.

POLICY 2.131-A9: ROADWAY DESIGN AND MULTI MODAL COLLECTOR ROADWAYS - Improvements to existing roadways and the construction of new roadways shall increase travel efficiency and enhance public safety. Proposed roadway network within this SAP are depicted on the SAP FLUM in terms of their general location as

dashed lines. Their final placement may deviate somewhat from these general locations without the necessity of processing a Comprehensive Plan Amendment (CPA) provided that the access and capacity provided by that transportation corridor are generally maintained. The following provisions shall apply:

a. Roadway projects for, arterial or collector roads shall be funded consistent with the Polk County Capital Improvement Program.

b. Right-of-way shall be provided at time of development to the County to implement the collector roadways proposed on the I-4 NE SAP FLUM and consistent with the Land Development Code.

c. The right-of-way provided shall incorporate bike lanes, sidewalks, and shall be a minimum of 80 foot right-of-way for an urban section collector.

d. Construction of appropriate bike and pedestrian facilities shall be provided in accordance with the Land Development Code to connect the Auburndale TECO Trail to Tenoroc Fish Management Area on using Braddock Road.

e. Sidewalks, bike lanes or appropriate paved shoulder, or multi use trails shall be required along the multi-modal collector road system. Their placement shall be in accordance with the Land Development Code.

f. A minimum 35'-wide landscape/buffer area shall be provided on the North side of CR 559-A in SPA I-a. This landscape/buffer area shall be landscaped with trees and shrubs to achieve a 25% coverage after one year of planting and shall conform to the landscape requirements pursuant to Policy 2.131-A5.a.4. A cross section of the referenced design standards is depicted in the Future Map Series.

g. Provided that acquisition of right-of-way is obtained on the South side of CR 559-A, adjacent to SPA I-a, landscaping shall be provided within a 10'-wide buffer. The developer shall plant trees at a ratio of one tree for every 40 linear feet of right-of-way frontage.

h. Buffer areas do not include any of the street right-of-way and no landscaping shall occur within the right-of-way.

i. County Road 559-A shall be improved in order to prevent traffic causing the operational conditions to deteriorate below an County-wide adopted level-of-service standards, to provide an additional buffer feature between residential and non-residential areas, and to provide an attractive major transportation corridor for the northern part of the SAP.

    1. This improvement shall include a 120' foot-wide right-of-way containing a 50' foot-wide landscaped median. The 120' foot-wide right-of-way shall extend from the park entrance at S.R. 559 through the site to the western boundary at SR 33. The 50' foot-wide landscaped median will apply to the portion of this road between S.R. 559 and a point approximately 7,500 feet to the west of the Polk County Parkway interchange. Road improvements may be done in phases.

    2. Rights-of-way dedication from adjacent parcels, and road improvements shall be required at the time of development approval for that parcel. Improvements may be done in phases. Improvements shall also be made to provide safe and efficient access onto C.R 559-A.

    3. Neither improvements to, nor right-of-way acquisition for, CR 559-A shall be the responsibility of the County. However, the County is not prohibited from participating in either of these activities.

j. The following road segments shall be considered as limited-access roads and shall be constructed so that distances between access points are no closer than 300 feet and average no less than 400 feet:

    1. CR 559-A from S.R. 559 to S.R. 33 (access also limited by Policy 2.131-A5.a.4.c).

    2. Gapway Road extension to CR 559-A.

    3. Road AA as designated on the SAP map.

4. Mount Olive Road.

POLICY 2.131-A10: PERFORMANCE STANDARDS - Impervious Surface Ratio (ISR), Density and Floor Area Ratio (FAR), and Bonus Point Schedule shall apply according to the following:

a. The ISRs for all land use categories are specified in the Land Development Code.

b. The maximum densities for RLX, RMX, and RHX are established within appropriate policies as part of the Future Land Use Element. The maximum nonresidential Floor Area Ratios (FAR) for nonresidential land use designations are according to the table below for those land uses within this SAP and the Polk Commerce Centre DRI. The land uses within this SAP and outside the DRI shall comply with the development standards in Policy 2.109-A1.

The lowest number in the table for each Future Land Use designation is the maximum FAR permitted without providing additional quality development components as specified in the Land Development Code. However, FARs up to the highest number shown in the table for each Future Land use designation may be achieved through implementing quality development standards and/or a Planned Development (PD) pursuant to the Land Development Code and staying consistent with the overall traffic generation analyzed through the Polk Commerce Centre DRI. FAR may be limited in SPA II due to an Eagle's Nest as dependent on state a federal law.

	Future Land Use Designations			
	TCCX	**BPCX**	**IACX**	**MUX**
FAR	0.35—0.75	0.75—1.50	0.35—0.75	0.75—1.50

c. As established in the Land Development Code, alternative Densities and higher FARs will be given to development that provides for several of the following items at levels above the minimum requirements established in the Comprehensive Plan and Land Development Code. The method for achieving the maximum densities and higher FARs shall be as established in the Land Development Code:

1. Public infrastructure and service such as dedication of public safety sites, installation of sidewalks, and dedication of right-of-way;
2. Special design features such as internal street lighting, vertical and mixed use development, varying lot sizes, incorporating neo-traditional or village elements such as recessed garages, and providing landscaped areas above the requirement;
3. Alternative transportation options such as vehicular and pedestrian interconnectivity, bus stops, demonstrated internal capture of vehicular trips, curb and gutter, providing connector roads from one public road to another, pedestrian connections between residential and commercial centers;
4. Internal recreation facilities, and vehicular or pedestrian connections to public recreation within or adjacent to the SAP and to educational and other community facilities;
5. Increased protection for wetlands, wildlife habitat and upland vegetative communities, and open space;
6. Preservation or conservation easements for native plant and animal communities;
7. Provision of services and commercial areas within walking distance of the residential areas;
8. Provision of affordable or workforce housing;
9. Use of green building elements in building construction; and

10. Other criteria, as defined in the Land Development Code, which might enhance the quality of development, the quality of life for the community, and the protection of unique historical or environmental features that may occur in the area.

Transit Supportive Development Area Density and Intensity - For those areas of the County located within the I-4/NE Parkway SAP and that are in the Transit Supportive Development Areas (TSDA), if there is a conflict between the density or intensity incentives established in the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities established within the I-4/NE Parkway SAP, the densities and intensities in Policy 2.104-A7 for the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this SAP are more stringent than the development criteria found within the TSDA or TSDA with the TCCO, the development criteria for this SAP shall take precedence.

POLICY 2.131-A11: WATER AND SEWER SERVICES - Water and sewer services are to be provided by the City of Auburndale or the City of Polk City due to the fact that these Cities have designated this SAP as being within their Utility Service Area and connection to water and sewer shall be required per the Transit Supportive Development Area (TSDA) and the Urban Growth Area (UGA) policies.

POLICY 2.131-A12: PARKING LOT REQUIREMENTS FOR POTENTIAL LAND-USE CONVERSIONS - All uses shall incorporate parking lot requirements consistent pursuant to the Land Development Code.

POLICY 2.131-A13: ROADWAY LOCATIONS - Future roadways within the I-4/NE Parkway SAP are depicted on the SAP map in terms of their general location. Their final placement may deviate somewhat from these general locations without the necessity of processing a Comprehensive Plan Amendment (CPA) provided that the transportation service provide by that transportation corridor is generally maintained.

POLICY 2.131-A14: BALD EAGLE NESTING ZONES - Bald eagle nesting zones are not designated on the SAP map. However, the following policies - based on the United States Fish and Wildlife Service's Management Guidelines for the Bald Eagle in the Southeast Region apply to all nests, whether active or inactive, unless such inactive nest has been specifically declassified by the U.S. Fish and Wildlife:

a. Primary Zone - A zone extending a radius distance of 750 feet from the nesting tree. Activity, including the clearing of land, shall be prohibited within this zone, except for the continuance of an existing bona fide agricultural use, or as provided in Section c. below.

b. Secondary Zone - A zone, lying outside of the Primary Zone, extending a radius distance of 1,500 feet from the nesting tree. Development within this zone shall be discouraged through the provision of transfer of development rights to contiguous property through the use of a Planned Unit Development or other similar plan implementation technique. Generally, development within this zone should be limited to very low density residential development or other similar low-impact land use.

c. While these policies are designed to protect the bald eagle some flexibility may be available under federal guidelines and may be considered by the Board of County Commissioners on a case by case basis. Any action by the Board of County Commissioners to relax these standards, through the issuance of a Special Use Permit, shall only be taken after consultation with the Florida Game and Fresh-Water Fish Commission. Particular attention shall be taken to preventing human disturbance during the eagles nesting season - generally from October 1st to May 15th.

POLICY 2.131-A15: TIMING OF DEVELOPMENT - Development of non-residential land uses adjacent to, and ~~dependant~~ dependent on, the development of the Polk County Parkway shall be permitted only in conjunction with the construction of the Parkway, or if the construction for the interchanges or any widening are within the Polk Commerce Centre Community Redevelopment Plan (CRA), is within five years of the County's Capital Improvement Plan, or some other similar funding consistent with the Comprehensive Plan, Land Development Code, and as approved by the County.

POLICY 2.131-A16: DEVELOPMENT REVIEW - All development within the I-4/NE Parkway SAP shall be reviewed and receive approval through the County's development review procedures for conformance with County development regulations, the Comprehensive Plan, and the Land Development Code.

POLICY 2.131-A17: DEVELOPMENT REGULATIONS - Development regulations to further develop and refine the development criteria for the I-4/NE Parkway SAP shall be developed, as a part of the Land Development Code adopted by the County in accordance with Section 163.3202(1), F.S. These regulations may also address areas not covered, and impose greater restrictions than are specified, within Section 2.131-A.

OBJECTIVE 2.131-AB: RECREATION OPPORTUNITIES WITHIN AND SURROUNDING AREA AND THIS SAP - The Cities of Auburndale and Lakeland, the County, and the Southwest Florida Water Management District along with area property owners have worked to create a system of passive and active recreational opportunities. This includes the new County Sports Park that is within the City of Auburndale, the Auburndale TECO Trail, and the Tenoroc ~~Perserve~~ Preserve. Development within the I-4/NE Parkway Selected-Area Plan (SAP) shall occur to provide appropriate connections to these facilities as well as develop compatible uses near and adjacent to these facilities.

Policy 2.131-AB: Auburndale TECO Trail - The Land Development Code will include opportunities to encourage participation in providing recreational amenities associated with the Trail.

(Ord. No. 23-023, § 2(Att.), 4-4-2023)

Revision History Section 2.131-A I-4 SAP	
GOAL 2.131-A	CPA 09DRI-02 (Ord.10-033) 6/16/10
OBJECTIVE 2.131-A	CPA 09DRI-02 (Ord.10-033) 6/16/10
POLICY 2.131-A1	CPA 11B-06 (Ord. 11-038) 12/8/11
POLICY 2.131-A2	CPA 09DRI-02 (Ord.10-033) 6/16/10; CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A3	CPA 09DRI-02 (Ord.10-033) 6/16/10
POLICY 2.131-A4	CPA 09DRI-02 (Ord.10-033) 6/16/10; CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A5	CPA 09DRI-02 (Ord.10-033) 6/16/10; CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A6	CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A7	CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A8	CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A9	CPA 09DRI-02 (Ord.10-033) 6/16/10; CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A10	CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 09DRI-02 (Ord. 10-033) 6/16/10; CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A11	CPA-10B-01 (Ord. 10-039) 8/4/10; CPA 09DRI-02 (Ord. 10-033) 6/16/10; CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A12	CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A15	CPA 07DRI-01 (Ord. 07-066) 10/31/07
POLICY 2.131-A16	CPA 09DRI-02 (Ord. 10-033) 6/16/10
POLICY 2.131-A17	CPA 07DRI-01 (Ord. 07-066) 10/31/07; CPA 02A-01 (Ord. 02-38) 7/10/02
OBJECTIVE 2.131-AB	CPA 09DRI-02 (Ord. 10-033) 6/16/10
POLICY 2.131-AB	CPA 09DRI-02 (Ord. 10-033) 6/16/10

SECTION 2.131-B RONALD REAGAN PARKWAY SELECTED AREA PLAN.

Introduction

The area that is described within the Ronald Reagan Parkway Selected Area Plan (f.ka. County Road 54/Loughman Selected Area Plan) was included as part of a strategic planning effort over 10 years ago in order to ensure the region would be developed in a rational, functional, efficient, and well-designed manner. Over the years, the area has rapidly suburbanized with a predominance of master planned communities. A significant amount of homes function as time share or short-term rental units for vacationers from outside the area. The housing stock is of a higher density relative to the rest of the County. However, commercial development has not occurred at a rate sufficient to support the steadily accelerating residential growth, leaving the area under served by retail and service development. The area also includes an abundance of preservation lands that have been set aside to remain in their natural state.

The original vision for this area emphasized a Town Center on Lake Wilson Road that could function as the social, entertainment and retail node for the area. Over the years, a mix of apartments, a number of single-family subdivisions, and only one commercial structure has been assembled along Lake Wilson Road clouding the original vision for a Town Center. Today, market constraints and regional positioning have combined to raise serious questions about the commercial viability of the Town Center. Therefore, the former Town Center has been divided into standard land uses, Community Activity Center and Residential Medium, to ~~reflected~~ reflect the predicted development pattern consistent with current market forces and existing development.

The former CR 54/Loughman plan envisioned a large commercial and retail center at US Highway 27 and Interstate 4. This area was originally intended to attract a premier regional mall as the western edge of the Orlando Metropolitan area continued to suburbanize. In recent years, a heavy equipment auction settled on a sloped parcel adjacent to the freeway and consumed much of the viable commercial land. Other commercial land remains vacant near the intersection of US Highway 27 and the Ronald Reagan Parkway.

In January 2003, the Polk County Planning Division embarked on a Selected Area Study in order to evaluate the Plan's implementation, development trends, and appropriateness and success of the Plan's original community vision. During this evaluation, the Planning Division created a steering committee that included residents, developers, land owners, investors, realtors and land planners. Together the steering committee agreed to update the original plan to reflect a modern vision for the future.

Individual, separate communities were identified and established within the committee in order to recognize the uniqueness, development styles, and housing preferences of the residents and landowners on a micro community level. Each subcommittee developed a future vision unique to a geographic area. Each overlay district committee identified a common goal with subsequent smaller goals for neighborhoods that contribute to an overall community. The overlay districts shall be as follows:

1. Western Overlay District - This overlay district included land within the Selected Area Plan that is located northwest of Interstate 4 and in the vicinity of US Highway 27 and Dunson Road.
2. Central Overlay District - This overlay district included land within the Selected Area Plan that is located eastward of Interstate 4 along the Ronald Reagan Parkway and westward of Old Lake Wilson Road.
3. Loughman Overlay District - This overlay district included land within the Selected Area Plan that is located within and around the Loughman Community and specifically situated between Old Lake Wilson Road and US Highway 17/92. It also included land eastward of US Highway 17/92 and north of the Ronald Reagan Parkway. The Selected Area Study identified the need for a Loughman Historic District Redevelopment Plan. To date, no such plan has been composed and the original Loughman Area has seen little changes. Several developments have gained preliminary approvals in the general vicinity that may have a positive effect on the future revitalization of this community.

4. Providence Overlay District - This overlay district included land within the Selected Area Plan that is located eastward of US Highway 17/92 and south of the Ronald Reagan Parkway and primarily the Providence (f.k.a. Oak Hills Estates Development of Regional Impact).

5. ChampionsGate Overlay District - This is including the area, plus an additional parcel, within the ChampionsGate Development of Regional Impact (DRI) and is located east of Westside Drive, north of Ronald Reagan Parkway, on both sides of ChampionsGate Boulevard and south of Osceola County.

GOAL 2.131.B.1: FUTURE VISION.

The Ronald Reagan Parkway/Loughman Selected Area Plan Vision is to create a series of urban communities and neighborhoods interspersed within the natural environment while creating commerce nodes and villages to foster community interaction and public gathering spaces. The vicinity is envisioned to poses a wide residential spectrum, commercial centers, corporate centers and natural preserves arranged in a manner to ensure an environmental, economic, and socially sustainable community.

GOAL 2.131-B.2: SELECTED AREA PLAN GOALS.

The Ronald Reagan SAP is envisioned to develop as a more urban community relative to the rest of Polk County. Studies have shown that this community serves three main residential markets; Orlando Metro Area Commuter, Extended Stay Tourist, and Empty Nesters. Retail and employment uses must be granted flexibility to meet the needs of these three different markets. Within the selected area plan there is a mix of regional retail, regional employment centers, and residential neighborhoods that form an interconnected hierarchy of streets, public spaces and vistas. The following are specific goals for the types of development within the SAP:

A. Light Industrial and Warehousing - The future vision for the area does not include an increase in light industrial uses, warehousing or other structures that rely on semi-truck traffic. The vision does include modest expansions of the existing establishments located on the west side of U.S. Highway 27. General building design standards to prevent unsightly metal or solid block masonry buildings are envisioned to maintain the integrity light industrial uses. Over time there will be an evolution from a warehousing to more light industrial and assembly uses that will provide more local employment opportunities to meet demand of future populations that will come from an increase in the amount of permanent residential habitation in the future. This premise assumes that warehousing is a beginning that leads to distribution and assembly operations and later to regional headquartering of larger corporations and more employment opportunities.

B. Office - A corporate multi-use office park is envisioned at the Ronald Reagan Parkway and Champions Gate Boulevard intersection and extending southward along the Dunson Road extension and Interstate-4. The office park, in conjunction with its retail and convention facility components, contributes to a diverse employment base in the immediate area. This office park is intended to be accessed primarily from internal boulevards rather than individual driveways along the Ronald Reagan Parkway. Buildings are envisioned to be situated uniformly along the boulevards and include similar architectural styles so as to result in a cohesive streetscape.

C. The anticipated increase in long-term residential housing growth will generate a need for medical and professional office uses throughout the area. Several locations along Ronald Reagan Parkway and the other collector roads are appropriate for low impact office developments.

D. U.S. Highway 27 Retail - A regional shopping center is envisioned on the large commercial tract located east of US Highway 27, north of Dunson Road, south of the Ronald Reagan Parkway and immediately adjacent to the West Haven neighborhood. The development is envisioned to be designed as a traditional village center bound by a cohesive architectural-style. This village center is expected to include a road network that would interconnect surrounding neighborhoods and create a southern extension of Loma Del Sol Drive to connect with Dunson Road. Commercial buildings within the village center should be oriented towards residential neighborhoods and should include outdoor gathering spaces such as squares, plazas or parks.

E. Highway/Community Retail Mix - A community shopping destination is envisioned near the southeast corner of Interstate 4 and County Road 532. It's proximity to multiple communities will enable it to support retail establishments that serve a larger community market such as furniture stores, discount centers, restaurants, hotel/motel, gasoline stations, and professional offices. This area is also envisioned to include attached residential and multi-family complexes to surround and complement the retail centers. The district is specifically envisioned to be functional and include interconnections with neighboring districts. Commercial development in this area should interface with the surrounding residential developments (both single and multi-family) that will utilize this area for their primary form of commerce more than the traveling consumers.

F. Community Retail - Shopping centers are envisioned at and near the intersection of U.S. Highway 17/92 and the Ronald Reagan Parkway. The land is envisioned to serve larger populations outside the planning area since the site is located along a major transportation corridor. Development upon these parcels will also accommodate major retailers and other big-box developments such as furniture stores, houseware dealers, discount centers, and office suppliers. Retail is envisioned to include grocery stores, restaurants, financial institutions, drug stores and other establishments to meet the weekly needs for the community residents. Shopping center design will be of high quality and include an outdoor plaza, attractive building facades, pedestrian amenities and screened service bays. Offices will complement development in this area. Building scale and design will be consistent and harmonious with surrounding structures.

G. Neighborhood Retail - Modestly-sized shopping centers are envisioned in several areas interspersed within residential neighborhoods in order to meet daily retail needs. These neighborhood retail centers are intended to include grocery stores, restaurants, dry cleaning, offices and apartments. The design and scale of neighborhood retail shall be in character with surrounding residential and be located at primary neighborhood entrances. These areas shall be easily accessible to pedestrian and bicycle traffic. Neighborhood retail is envisioned at Old Lake Wilson Road and CR 532, and at Ronald Reagan Parkway and Heritage Pass.

H. Multi-family Residential - As part of promoting a more urban environment, multi-family development is essential. Multi-family developments should be sustainable and promote a more pedestrian behavior by providing ample amenities to residents and directly connecting to commercial development nearby. Multi-family developments should also incorporate low scale commercial facilities within them to complement the urban living environment for their residents as well as form a transition to adjacent or nearby commercial areas and reduce the need for vehicle travel between uses.

I. Residential - Future neighborhoods are envisioned to be incorporated into the existing community by providing similar design features. Community walls and entrance features are expected to match adjacent neighborhoods and continue to create a uniform street appearance along principal travel routes. Neighborhoods will include internal recreational amenities such as parks, playgrounds, nature trails, and community swimming pools. Future neighborhoods shall be designed with interconnected street patterns and direct pedestrian connections to allow for residents to traverse between communities with ease, safety, and comfort.

J. Live-Work Residential - It is anticipated that the percentage of commuter residents in this area will increase. The proliferation of long-term residents is vital to the sustainability and stability of the area, specifically the economy and property values. Therefore, it is imperative that greater accommodation be made for residents who choose to conduct business at their residence to reduce their amount of commuting as well as bring more commerce to Polk County. It is envisioned that residential developments will designate more areas and design more residences to enable this land use activity. In addition, greater latitude should be given to isolated properties along collector roads to develop live-work units through minimized or expedited permitting.

K. Small-Scale Multifamily Residential - The future vision for the SAP includes the promotion townhouse-style developments in single-family districts. Attached residential developments shall be planned in areas that can accommodate higher densities such as activity nodes near retail, adjacent to parks, and near the community entrances. Townhouse-style development adjacent to single-family will act as a transition from retail and apartment development.

L. Historic Neighborhoods - It is envisioned that the original residential neighborhood found within the historic Loughman area be a catalyst for redevelopment and property reinvestment. The vision for this area includes promoting the diversity in homesites and housing structures. Standards for lot size, building envelope and structure type is to remain flexible for the neighborhoods between the Old Lake Wilson Road and U.S. Highway 17/92 as a means to provide incentives for reinvestment.

M. Services - The future vision is to provide sound and efficient public services maintained at a pace equal to existing and new development. Water supplies and pressure should function at sufficient levels to accommodate development. Emergency response such as from police, fire and emergency management services is envisioned to be fast and efficient to reduce and eliminate crime and death. A library and middle school is also envisioned in this area possibly on Dunson Road, adjacent to Ridgeview Global Studies Academy or in historic Loughman.

N. Parks - The future vision includes an abundance of parks and open space facilities present in neighborhoods and commercial districts. The vision includes natural conservation areas with paths and trails to maintain ecological biodiversification and to offer public access to the beauty of this area. A centrally-located public park is envisioned for the area around the existing elementary school (Ridgeview Global Studies Academy) as are future schools churches, and community centers to allow for public congregation and social activities. Future shopping centers are hoped to include outdoor plazas and squares to allow for social interaction and eating. A community park can be built in the area around a man-made water body located on the west side of Lake Wilson Road and just south of CR 532. The existing community park in the center of Loughman in envisioned to be renovated, improved, and integrated into the surrounding community. A centrally-located park is envisioned for the area around Lake Gain and should serve as the community focal point.

O. ChampionsGate Development of Regional Impact (DRI) — At the adoption of the revision to this SAP in 2005, there were two DRIs in this SAP. The first was Providence approved as Oak Hills Estates in 1990 and already mentioned in this SAP. The other is the ChampionsGate DRI. The entitlements include a mixture of uses as referenced in the Development Order for the DRI and further restricted by the Future Land Use designations and this SAP. This DRI was also approved in Osceola County; however, it was rescinded by Osceola County Resolution #17-175R on December 6, 2017. The development limitations in the Osceola County DRI and the Polk DRI have not yet been completed. Moreover, the northeast portion of the County is experiencing high density apartments as seen at the southeast corner of 1-4 and US 27 at densities higher than the Future Land Use designations of the ECX and the RL- 4X permit. The Future Land Use designation within the boundaries of the ChampionsGate DRI include Employment Center-X, Office Center-X and Residential Low-4X. See Proposed Policy 2.131-B.2.A16 for modified land uses within the ChampionsGate Overlay.

OBJECTIVE 2.131-B.2.1: FUTURE LAND USE DISTRICTS - Ronald Reagan Selected Area Plan (SAP) establishes modified future land use districts that include urban uses and urban design aspects that more specifically target the positive market forces attracting development to the area. These vary from those allowed under the general provisions for each specific land use category in with the Comprehensive Plan because of the differences in development styles and urban perspective that this area of the County embodies. Where plan language is in conflict between the standards and characteristics of this Selected Area Plan and other areas of the Comprehensive Plan the provisions of this Selected Area Plan shall apply.

POLICY 2.131-B.2.A1: FUTURE LAND USE DISTRICTS ESTABLISHED - The following future land use districts with subsequent land development intensities shall be established within the Ronald Reagan Selected Area Plan and

activity centers (i.e., RACX, CACX, NACX, CCX, and TCCX) in the Ridge SPA shall be located at the intersection of arterials and collectors.

LAND USE	MAXIMUM FAR	MAXIMUM PLANNED DEVELOPMENT FAR**	DENSITY (min/max) By Right	MAXIMUM PLANNED DEVELOPMENT DENSITY
1. Business Park Center (BPCX)	0.75	1.50	0	n/a
2. Industrial (INDX)	0.75	1.50	0	n/a
3. Employment Center (ECX)	0.80	1.25	10/15 du/a	20 du/a
4. Regional Activity Center (RACX)	0.40	1.25	15/25 du/a	25 du/a
5. Community Activity Center (CACX)	0.40	1.00	15/25 du/a	25 du/a
6. Neighborhood Activity Center (NACX)	0.25	0.35	5/10 du/a[2]	n/a
7. Convenience Center (CCX)	0.25	0.30	5/10 du/a[2]	n/a
8. Office Center (CCX)	0.30	0.40	5/10 du/a[2]	n/a
9. Residential Medium (RMX)	0.30	n/a	6/15 du/a[3]	20 du/a
10. Residential Low (RLX)	0.25	n/a	3/5 du/a[3]	8 du/a
11. Institutional (INSTX)	0.40	n/a	15 du/a	15 du/a
12. Preservation (PRESVX)	0.0001	n/a	0 du/a	n/a
13. Recreation/Open Space (ROSX)	0.40	n/a	0 du/a	n/a
14. Town Center (TCX)	0.50	0.50	15/25 du/ac	n/a
15. Mixed Use (MUX)	0.75	n/a	35 du/ac	35 du/ac
Notes:				
FAR = Floor Area Ratio				
Density is based on acres above the 100 year flood prone area				
[1] Only when accessory to commercial or office				
[2] FAR may be increased for projects which obtain approval via a Planned Development				
[3] In the RMX and RLX land use designations, the minimum density will only be required within the Center and Core of the Transit Center and Corridors overlay. Outside these areas, lower densities can be achieved in compliance with the requirements of the Land Development Code.				

The maximum Impervious Surface Ratios (ISR) for all land use categories outside the Green Swamp Area of Critical State Concern (GSACSC) are specified in the Land Development Code. Those properties in the GSACSC, shall meet the requirements established by the Critical Area Resource Management Plan (CARMP) Policy 2.132-B10 d., of this plan.

Transit Supportive Development Area Density and Intensity - for those areas of the County located within the Ronald Reagan Parkway SAP and that are in the Transit Supportive Development Areas (TSDA), if there is a conflict between the density or intensity incentives established in Policy 2.104-A7 for the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities within the Ronald Reagan parkway SAP, the densities and intensities of the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this SAP are more stringent than the development criteria found within the TSDA or TSDA with TCCO, the development criteria for this SAP shall take precedence.

POLICY 2.131-B.2.A2 - BUSINESS PARK CENTER (BPCX)

(a) DESCRIPTION - Areas designated as Business-Park Center within this SAP may contain a combination of uses consisting of office and light industrial which have operational characteristics that limit or create

no off-site impacts with regard to noise, particulate matter, vibrations, odor, fumes, glare, and fire hazard. BPC areas may be comprised of a single or mixed uses of light manufacturing, assembly, fabrication, packaging, storage, distribution, and other activities for industrial purposes.

(b) DESIGNATION AND MAPPING - One Business Park Center district is located on the west side of US Highway 27 in the state designated Green Swamp Area of Critical State Concern (ACSC). Because of the Green Swamp Area of Critical State Concern designation, this business park is further regulated in Appendix 2.132 of the Comprehensive Plan. The other district of Business Park Center is located between US Highway 17/92 and the railroad corridor in the southeast area of the SAP. Business Park Center is prohibited on the Ronald Reagan Parkway and CR 532.

(c) PURPOSE - The purpose of the BPCX district is the development of carefully planned projects that have direct access to arterial roads and exposure to Interstate 4. BPCX districts shall incorporate a mix of compatible uses with attention given to open-space preservation, landscaping, and employment opportunities.

(d) DEVELOPMENT STANDARDS -

(i) PERMITTED USES - Business Park Center of the SAP shall permit the uses that are permitted in Section 2.113-B of the comprehensive plan with the following exception: multi-family development shall be permitted as a conditional use in areas where the BPC abuts residential communities and would result in a more compatible[1] land use than light industrial or office development.

(ii) DEVELOPMENT GUIDELINES - Development within the Business Park Center district shall be consistent with the following:

a. outdoor storage and assembly areas shall not be permitted forward of the front building facade;

b. outdoor storage, assembly areas, commercial vehicle parking, loading and unloading shall not be conducted in areas that directly abut single-family and townhouse-style development.

c. building facades that are oriented to US Highway 27 or US Highway 17/92 shall include architectural relief or details to eliminate the potential of large blank walls as seen by passer-by traffic.

POLICY 2.131-B.2.1.A3: INDUSTRIAL (INDX) - The characteristics of the Industrial future land use district shall be in conformance with Policies 2.113-A1-5 of the Comprehensive Plan with the following exceptions:

(a) New development conducting external activities beyond loading and unloading shall be screened from off site view; and,

(b) Expansion of the district or the creation of a new district shall not be eligible for a Small Scale Map Amendment.

POLICY 2.131-B.2.1.A4: EMPLOYMENT CENTER (ECX)

(a) DESCRIPTION - Areas designated as Employment Center within this SAP may contain a combination of uses that contribute to the economic sustainability of the area such as: office, flex-space development, corporate parks, convention centers, medical facilities and group homes or assisted living facilities, and accessory retail services. The EC district is also intended to support apartment-style multi-family to place housing nearby to employment functions. The EC districts may be comprised of single or mixed

[1]Similar intensity and scale with regard to off-site impacts and visual performance.

uses of office and research operations but specifically prohibit single-use warehousing and distribution operations that solely rely on semi-truck traffic for daily operations. Employment Centers are intended to complement other retail-based activity centers and serve as a transition between differing land use districts.

(b) PURPOSE - The purpose of the Employment Center district is to facilitate the development of office-based employment areas with complementing housing for employees and business visitors. The ECX district also provide limited retail sales and restaurant functions in order to cater to office workers and residents. The ECX is intended to be a large single district within the SAP, and not located in small, isolated areas.

(c) DESIGNATION AND MAPPING - The ECX district shall be depicted and designated on the Future Land Use Map. The ECX district shall be mapped and designated adjacent to other activity center developments and along principal roadways. The primary ECX is located adjacent to Champions Gate resort and may be expanded farther south along the Dunson Road extension and Interstate-4. The MUX for the ChampionsGate DRI divides the ECX at the intersection of ChampionsGate Boulevard and Ronald Reagan Parkway and the portion of the ECX with a multi-family development. All of this ECX is considered to be contiguous for the purpose of implementing the Development Standards.

(d) DEVELOPMENT STANDARDS - Development standards shall be established in order to facilitate appropriate development within the Employment Center district that is specific and consistent with the ideas expressed in the future vision.

(i) PERMITTED USES - The following uses shall be allowed:

a. office operations;

b. flex space buildings with a minimum of 15% of building area developed as office or retail store front and the remainder being storage for large retail items, product assembly or light fabrication;

c. research and development establishments that resemble office buildings;

d. retail sales and services that accommodate typical office functions;

e. restaurants that include indoor, sit-down service;

f. financial institutions;

g. apartment and townhouse-style resort and corporate housing developments when limited to 50% of the entire district unless incorporated in a vertical mixed-use building. The 50% cap may be increased with a Conditional Use or its functional equivalent.

h. technical or trade schools, colleges, and conference centers;

i. extended stay lodging facilities;

j. convention centers, recreational facilities, or assembly halls; and,

(ii) DEVELOPMENT GUIDELINES - Development within the Employment Center district shall be consistent with the following:

a. lands shall only be divided as part of a master subdivision plan and lots shall be accessible via internal local roadways;

b. parcels shall not obtain direct driveway and parking access onto Ronald Reagan Parkway (CR 54) unless parcels are in excess of 200 feet in frontage width;

c. development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas;

d. buildings entrances shall be oriented towards abutting rights-of-way and non-residential buildings shall be construction with uniform structural setbacks with other properties within the same subdivision;

e. parking lots for non-residential uses shall not be permitted forward of the building front facade in order to emphasize the building appearance and its relationship to abutting rights-of-way, however, on-street parking shall not be applicable to this standard;

f. building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;

g. residential structures shall be apartment or townhouse style structures;

h. time share, extended stay lodging, and other short term rental units shall include a centralized management office on the same site as the individual units;

i. loading docks, utility facilities, and storage areas shall not be oriented or visible from any abutting rights-of-way.

POLICY 2.131-B.2.1.A5: REGIONAL ACTIVITY CENTER (RACX)

(a) PURPOSE - It is the purpose of this RACX to encourage short-term and long-term development of this vital area for business uses, highway commercial, and employee housing. The district is intended to develop as a shopping center village with retail tenants to serve a regional market, but also to provide goods and services that address even broader markets and act as an attractor to commerce in the area. Development is intended to appear unified in design and individual phases planned as part of a comprehensive site design. The district is not intended to develop with isolated stand-alone buildings. The district shall support home interior, furniture, clothing and electronics department stores in addition to full service restaurants and indoor entertainment establishments. The district shall also include businesses that sell atypical items that apply to interstate and international markets.

(b) DESIGNATION AND MAPPING - One RACX is established as designated on the selected area plan Future Land Use Map. This area is located along US 27 north of Interstate 4. New, separate RACX districts shall not be permitted within the SAP; whereas, expansions of the existing district may be warranted by demonstrated market demands.

(c) DEVELOPMENT STANDARDS - Development standards shall be established in order to facilitate appropriate development within the Regional Activity Center that is specific and consistent with the ideas expressed in the future vision for the district.

(i) PERMITTED USES - The following uses shall be permitted: All uses permitted in the RACX including the uses listed in Section 2.110-F, and the following: research and development facilities; motel/hotel; convenience stores, including pump islands for gasoline sales; service stations; retail commercial uses; auctions; industrial uses which include at least 50% office space and do no outdoor manufacturing, but assemble products and conduct research and development; or other similar and compatible uses as approved by the Land Development Director or his designee.

(ii) PROHIBITED USES - The following uses shall be specifically prohibited: outdoor storage of raw materials forward of the rear building line; vehicle sales north of Dunson Road; and pawn stores.

(iii) DEVELOPMENT GUIDELINES - Development within the Regional Activity Center district shall be consistent with the following:

a. lands shall only be divided as part of a master subdivision plan and lots shall be accessible via internal local roadways;

b. development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas;

c. developments shall provide internal roadways that contribute to a local roadway system (Loma Del Sol Drive Extension) between Ronald Reagan Parkway and Dunson Road as generally depicted on the future land use map; such roadway shall be designed to allow a connection to Buckingham Drive;

d. surface parking lots shall be minimized for areas located between buildings facades and the Loma Del Sol Drive extension;

e. buildings facades shall be oriented towards abutting rights-of-way with special consideration given to Ronald Reagan Parkway, Dunson Road and the Loma Del Sol Drive extension;

f. all retail goods and services buildings including offices shall provide arcades or awnings for at least 75% of the front facade to ensure pedestrian shelter and comfort;

g. shopping centers that provide over 85,000 square feet of total tenant space shall provide an outdoor plaza for pedestrian congregation of not less than 2,500 square feet;

h. residential structures shall be apartment or townhouse style structures;

i. loading docks, utility facilities, car washes and storage areas shall not be oriented or visible from any abutting rights-of-way.

POLICY 2.131-B.2.1.A6: COMMUNITY ACTIVITY CENTER (CACX)

(a) DESCRIPTION - The Community Activity Center (CACX) located at the intersection of Ronald Reagan Parkway (CR54) and US Highway 17/92 shall support a Community Retail Village for the Loughman Community. The Community Activity Center (CACX) located at Lake Wilson Road and CR 532 that extends to Interstate 4 shall support a mixture of Community Retail, Highway Retail, and interface with multi-family developments adjoining and nearby. The CACX districts are intended to support a mixed-use shopping that includes major anchors and subsequent specially shops. The CACX is intended to serve as the community focal area and include site and building designs that reinforce the community's traditional character.

(b) DESIGNATION AND MAPPING - Two CACX districts are established and designated on the selected area plan Future Land Use Map. One district is located at the intersection of the Ronald Reagan Parkway and US Highway 17/92. The other is located at Lake Wilson Road and CR 532 that extends to Interstate 4.

(c) DEVELOPMENT STANDARDS - Development standards shall be established in order to facilitate appropriate development within the Community Activity Center that is specific and consistent with the ideas expressed in the future vision for the district.

(i) PERMITTED USES - The Community Activity Center district shall permit retail and service, restaurant, indoor entertainment, bars/taverns, cinemas, attached-residential, office, hotel/motel, gasoline sales and social establishments.

(ii) PROHIBITED USES - The following uses shall be specifically prohibited: warehousing, manufacturing, outdoor storage forward of the front building line; single-family detached dwellings, mobile home sales; heavy equipment sales; vehicle sales; vehicle repair; adult uses; and pawn stores.

(iii) DEVELOPMENT GUIDELINES - Development within the Community Activity Center district shall be consistent with the following:

a. a defined local street system shall be established and specifically arranged as a modified grid pattern. New roadways shall be linked to abutting residential neighborhoods;

b. development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas;

c. all buildings shall provide arcades or awnings for at least 80% of the front facade to ensure pedestrian shelter and comfort;

d. building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;

e. residential development shall be apartment-style or townhouse-style and specifically integrated into retail portions of the CACX district;

f. residential developments that contain short-term rental or time-share units shall contain an on-site management office for check and security purposes;

g. loading docks, utility facilities, car washes and storage areas shall not be oriented or visible from any abutting rights-of-way or residential developments;

h. US Highway 17/92 and the Ronald Reagan Parkway shall be lined with a pedestrian-oriented buildings or outbuildings which are constructed in a uniform arrangement. Parking shall be screened of any views as seen from the Ronald Reagan Parkway. Shopping centers shall use out parcels as a means to reach this standard;

i. signs shall be monument-style or building-mounted; pole signs shall be specifically prohibited.

POLICY 2.131-B.2.1.A7 - NEIGHBORHOOD ACTIVITY CENTER (NACX)

(a) DESCRIPTION - The Neighborhood Activity Center district is intended to accommodate a grocery or drug store anchor and small retail and entertainment establishments that are oriented to surrounding residential neighborhoods, office communities, and vacation-home developments. The Neighborhood Activity Center is intended to serve populations of the immediate neighborhood and are envisioned to be of appropriate scale to blend with surrounding buildings. Low scale commercial land uses in need of large amounts of space are prohibited.

(b) DESIGNATION AND MAPPING - The Neighborhood Activity Center designation may be given to individual properties that are located within Planned Developments and have been given a commercial designation on development plans when it is determined to be in harmony with the surrounding neighborhood. NACXs may also be established at intersections where there is at least a two mile separation from other NACX districts.

(c) DEVELOPMENT STANDARDS -

i. PERMITTED USES - The following uses shall be allowed: retail establishments, restaurants, offices, churches, attached residential, hotel/motel and bars/pubs.

ii. PROHIBITED USES - The following uses shall be specifically prohibited: truck stops, large-scale gasoline stations, mini-storage warehouses, vehicle repair, vehicle sales, pawn shops, adult uses, and tattoo parlors.

iii. Carwash facilities shall not be oriented towards and adjacent right-of-way;

iv. Building facades shall be oriented to all abutting rights-of-way.

v. Building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;

vi. development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas;

POLICY 2.131-B.2.1.A8: CONVENIENCE CENTER (CCX) - The characteristics of the Convenience Center future land use district shall be in conformance with Policies 2.110-C1-4 of the Comprehensive Plan with the following exceptions:

(a) The one mile minimum separation requirement in Policy 2.110-C3 applies only to other Convenience Center districts and not to higher level activity center districts;

(b) Residential uses are permitted when combined with commercial or office and are developed at a minimum of five units per acre to a maximum of ten units per acre; and,

(c) Off-street parking is to be minimized and placed to the rear of the front building lines whenever practicable.

(d) Building facades shall include architectural interest and not constructed of entirely blank walls and/or metal siding;

(e) Development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential areas;

POLICY 2.131-B.2.1.A9 - OFFICE CENTER (OCX)

(a) DESCRIPTION - The Office Center district is intended to accommodate medical and professional offices with a low scale design that is consistent with the residential character of nearby neighborhoods.

(b) DESIGNATION AND MAPPING - The Office Center designations may be given to individual properties that are located within Planned Developments or on individual outparcels separated from platted developments along Ronald Reagan Parkway. Office Center districts shall have frontage on urban collector roads or at intersection of collector and local roads.

(c) DEVELOPMENT STANDARDS - The characteristics of the Office Center future land use district shall be in conformance with Policies 2.110-G1-4 of the Comprehensive Plan with the following exceptions:

i. Parking may be shared or utilize on-street parking if available;

ii. The maximum floor area ratio (FAR) may be 0.40 through a planned development process; and,

iii. Residential development may be allowed through a mixed use planned development at a minimum of five dwelling units per acre and a maximum of ten dwelling units per acre.

iv. Planned Development approval is not required for all uses.

v. Development shall include internal pedestrian pathways along roadways and drives, between buildings and to adjacent residential and commercial areas.

POLICY 2.131-B.2.1.A10 - RESIDENTIAL MEDIUM (RMX)

(a) PURPOSE - The purpose of the Residential Medium District is to accommodate multi-family residential developments adjacent to activity centers, schools, public institutions, and retail centers in order to create an active urban environment. The Residential Medium district is created for the purpose of accommodating apartments, townhouses and small-lot houses in areas between activity centers and low density residential neighborhoods.

(b) DESIGNATION AND MAPPING - The Residential Medium district shall be established and designated on the selected area plan Future Land Use Map. This district shall be located adjacent to mixed use activity centers and where external land uses and infrastructure is not conducive to single family suburban style development.

(c) DEVELOPMENT STANDARDS - Development standards shall be established in order to facilitate appropriate development within the Residential Medium district that is specific and consistent with the ideas expressed in the future vision.

i. Developments shall be designed for self sustainability with regard to recreation facilities and cultural facilities;

ii. Developments shall incorporate or connect to retail commercial and service facilities.

iii. PERMITTED USES - This classification is the same as defined in Section 2.120-D, except:

a. Maximum density shall be 15 dwelling units per acre and that the minimum residential density within the Center and Core of the Transit Corridor and Center Overlay (TCCO), shall be six dwelling units per acre (6 DU/AC). Densities outside the Center and Core of the TCCO may only occur below the base through the density bonus system in compliance with requirements of the Land Development Code.

b. Live-work units and recreational uses are encouraged, but shall be limited to units with at-grade access.

c. Accessory retail establishments may be developed within residential developments with respect to their size, not to exceed 20,000 square feet.

iv. All developments shall provide internal pedestrian pathways along roadways, between buildings and to adjacent commercial areas;

v. Developments and neighborhoods that contain short-term rental or time-share units shall provide for an on-site management company with security provisions.

POLICY 2.131-B.2.1.A11: RESIDENTIAL LOW (RLX)

(a) PURPOSE - It is the purpose of the Residential Low district to protect existing and promote future urban single-family residential subdivisions and townhouse style development. The district is intended to include a harmonious development pattern that is dominated by houses on small lots and open space tracts. The purpose of the district is not to support apartment-style or commercial style development.

(b) DESIGNATION AND MAPPING - The Residential Low district shall be established and designated on the selected area plan Future Land Use Map. This district shall be located within developed single-family neighborhoods that include lot sizes that are generally associated with single-family development.

(c) DEVELOPMENT STANDARDS - Development standards shall be established in order to facilitate appropriate development within the Residential Low district that is specific and consistent with the ideas expressed in the future vision.

i. PERMITTED USES - This classification is the same as defined in Section 2.120-C. except the minimum residential density within the Center and Core of the Transit Corridor and Center Overlay (TCCO), shall be three dwelling units per acre (3 DU/AC) and outside the Center and Core of the TCCO may only occur below this base through the density bonus system in compliance with requirements of the Land Development Code. The maximum density is eight dwelling units per acre (8 DU/AC). Single-family houses shall be the predominate building type within the RL district. Townhouse-style development shall be permitted adjacent to an activity center, school, park (in excess of one acre), collector and arterial roadways, and in instances where such building will act as a transitional use to single-family. Apartment-style development shall be permitted only when adjacent to activity centers or external land uses and infrastructure is not conducive to single family development.

ii. Development within the Residential Low district shall be consistent with the following:

a. lands shall only be divided as part of a master subdivision plan and lots shall be accessible via internal local roadways;

b. new neighborhoods shall provide for vehicular and pedestrian cross access to adjacent residential neighborhoods;

c. developments and neighborhoods that contain short-term rental or time-share units shall provide for an on-site management company with security provisions.

iii. The primary focus of development design shall be home placement, protecting views and providing adequate recreational amenities. Lot sizes, lot lines, and setbacks shall be the least important factor in development design.

iv. Development shall include internal pedestrian pathways along roadways and streets and connect internally to adjacent residential and commercial districts;

POLICY 2.131-B.2.1.A12: INSTITUTIONAL (INSTX)

(a) DESCRIPTION - The Institutional district is intended to accommodate schools, parks, community centers and modestly-sized government institutions. The institutional district is also intended to cluster multiple public institutions together in order to function as a unified campus that is directly accessible to surrounding neighborhoods.

(b) DESIGNATION AND MAPPING - The primary Institutional district shall be located on Dunson Road. Two other isolated Institutional districts are located along Ronald Reagan Parkway in order to recognize the fire station and an electrical substation. New institutional districts may be permitted when there is a need for utilities, communication towers, schools or public safety facilities.

(c) PURPOSE - The purpose of the Institutional district is to guide future schools, community centers, and recreational development to areas that are central to residential neighborhoods. Additionally, the purpose of the Institutional district is to predetermine sites for future school development.

(d) DEVELOPMENT STANDARDS -

i. PERMITTED USES - The following uses shall be allowed: schools, colleges, utilities, public safety facilities, community centers, libraries, parks, communication towers, modestly-sized government facilities and housing if accessory to educational institutions.

ii. PROHIBITED USES - The following uses shall be specifically prohibited: power plants, jails, and drug treatment centers.

iii. schools shall be designed to be integrated into surrounding residential neighborhoods;

iv. school buildings shall not contain entirely blank facades for the portions that face any abutting roadway;

v. parking areas shall be minimized between the building facade and any abutting roadway in order to orient buildings towards streets.

vi. all developments shall provide internal pedestrian pathways along roadways, between buildings and to adjacent residential and commercial areas;

POLICY 2.131-B.2.1.A13: PRESERVATION (PRESVX) - The characteristics of the Preservation future land use district shall be in conformance with Section 2.118 of the Comprehensive Plan.

(a) DESIGNATION AND MAPPING - All wetland areas deemed under the jurisdiction of the Army Corps of Engineers, Florida Department of Environmental Protection or the Water Management District (South or Southwest Florida) shall be designated PRESVX regardless of their appearance on the generalized Future Land Use Map.

(b) PURPOSE - The purpose of the preservation district is to offset and mitigate the impact upon the regional environmental system that is anticipated to result from the urbanization of the area.

(c) DEVELOPMENT STANDARDS -

i. PERMITTED USES - The following uses shall be allowed:

1. access to the site where other alternatives do not exist;
2. internal traffic or pedestrian circulation, where other alternatives do not exist, or for purposes of public safety;
3. utility transmission and collection lines;
4. passive recreation facilities; and,
5. pre-treated storm-water management.

ii. PROHIBITED USES - All uses not listed as permitted.

POLICY 2.131-B.2.1.A14: RECREATION/OPEN SPACE (ROSX) - The characteristics of the Recreation/Open Space future land use district shall be in conformance with Section 2.117 of the Comprehensive Plan. Open space or recreation parcels within platted residential subdivisions are considered to be under the ROS designation.

POLICY 2.131-B.2.1.A15: TOWN-CENTER (TCX) - Land within the Special Town Center Area shall be developed in accordance with the following criteria:

a. DESIGNATION AND MAPPING - One TCX is established as designated on the Ronald Reagan Parkway SAP map. This TC should develop in a manner which will focus density and intensities typically found in an urban core.

b. PURPOSE - It is the specific intent of this TCX to cluster commercial uses as appropriate to create a "Town Center" for the entire SAP area. This area is intended to serve as a commercial node of concentrated uses which are focused on man-made lakes, central to residents and tourists, and provide short and long-term accommodation of, and encouragement to, development related to Walt Disney World, Interstate 4, the Inter-county Beltway and a burgeoning system of arterial streets.

The primary purpose of the TCX is to serve as the focal center for the area. It will encompass multiple uses and activities. The TCX will serve as the primary core and will complement the activities and uses proposed for the SAP. The TCX will be an employment center and a location for major retail, commercial, and hotel opportunities. The TCX will be the SAP hub for cultural, educational, and civic activities. The TCX should be unique in its diversity of uses set in an environment designed around the pedestrian as opposed to the automobile. Greater attention will be given to providing an environment where it is more convenient and pleasant to walk or bicycle than drive between activities.

c. DEVELOPMENT REVIEW CRITERIA - In addition to the typical review standards, development projects within the TCX shall be evaluated on the following factors:

1. Consistency of the architectural, streetscape, local road, pedestrian and bicycle network scheme with overall TCX guidelines.
2. the integration of pedestrian walkways;
3. establishment of a street grid system; and
4. residential development pursuant to lot configuration guidelines.

d. GUIDELINES FOR COORDINATED DEVELOPMENT OF TCX - Polk County shall encourage and promote a harmonious scale and character, according to the following guidelines:

1. Guideline I - The TCX shall be the focus of commercial, civic, social, and residential functions.

2. Guideline II - The TCX shall become integral to the community for which it serves.

   IMPLEMENTATION STRATEGIES:

   (a) New development shall contain road networks which connects the TCX directly with roads leading into the adjacent residential areas.

   (b) New development shall contain pedestrian and bicycle systems which connect to the SAP linked open space system.

   (c) New development shall consider the incorporation landmarks and focal points into the TCX which visually connect to the residential areas.

   (d) New developments shall be evaluated for design components that emphasize formal design approaches, using grid street alignment, with views terminated by focal points.

3. Guideline III - Encourage and promote a diverse mix of uses, as well as the highest intensities and densities in the SAP to be located within the TCX.

   IMPLEMENTATION STRATEGY: Polk County shall adopt, as part of its Land Development Code, a Traditional Neighborhood/Town Center which shall contain but not be limited to the following concepts: flexible land use districts to provide for mixed-use village and town center development, a variety of housing types and densities, provisions to allow street vendors in appropriate retail locations, buildings which combine residential and commercial/office uses, and flexible parking regulations to encourage mixed-use development.

4. Guideline IV - Create a sense of public identity by defining and placing public spaces and facilities in the TCX.

   IMPLEMENTATION STRATEGIES:

   (a) New development shall consider the incorporation of public spaces that will reinforce the planned open-space network and enhance the pedestrian environment.

   (b) Develop a consistent architectural theme for all civic and private buildings and maintain a pedestrian scale, friendly environment.

   (c) As part of the ROS master plan for the SAP, a public open space network shall be developed throughout the TCX to tie into the adjacent residential areas.

   (d) As part of the Traditional Neighborhood/Town Center Ordinance, landscape design standards shall be developed for all rights-of-way, parking area, plazas and public open space to integrate them with each other and strengthen the overall image of the TCX.

5. Guideline V - Develop a transportation system which provides balanced vehicular, bicycle, and pedestrian access into and within the TCX.

   IMPLEMENTATION STRATEGIES:

   (a) New development shall be evaluated for its local road network as a circulator system to connect the TCX to the adjacent residential areas. Good local road networks shall contain a hierarchy of streets based on pedestrian usage.

   (b) All new development shall provide facilities for bicycle access.

   (c) Pedestrian crossings on all major roads shall be clearly identified.

   (d) Alternative parking approaches shall be utilized to improve traffic flow and foster street-oriented commercial activities including street vendors pursuant to the Traditional Neighborhood/Town Center Ordinance.

(e) Parking ratios shall be developed based on shared parking supply by non-competing uses.

(f) The location and need for structured parking shall be established in conjunction with the phased build-out of the TCX.

(g) A system of pedestrian walkways shall be defined in conjunction with the street classification system.

(h) The ambience of the pedestrian environment shall be enhanced with an extensive streetscape program.

6. Guideline VI - The TCX shall have a unified scale, character, and image.

IMPLEMENTATION STRATEGIES:

(a) Proposed developments shall contain architectural themes and character for different areas within the TCX which will vary scale and mass according to location and use.

(b) The CR 54 Property Owners Association shall facilitate the long term provision of a complete palette of street furnishings to enhance the walking experience. Such furnishings shall include benches, trash receptacles, bus shelters, information kiosks, telephone stands, and appropriately scaled lighting.

(c) Special sign districts shall be considered by the CR 54 Property Owners Association to reinforce the identity of certain streets and set a design theme for all signs within the TCX.

e. PERMITTED USES - Uses permitted in the TCX include:

1. All uses permitted within a Neighborhood Activity Center (NACX), as specified in Section 2.110-D;

2. All uses permitted in the Regional Activity Center (RACX), as specified in Section 2.110-F and Policy 2.131-B.2.1.A5;

3. Residential Special as specified in Section 2.125-F.

f. PROHIBITED USES - The following uses shall be specifically prohibited:

1. Campgrounds.

2. Recreational vehicle parks.

3. Fish camps.

PROPOSED POLICY 2.131-B.2.1.A16 — CHAMPIONSGATE MIXED USE (MUX)

(a) PURPOSE - The purpose of the Mixed Use-X (MUX) Future Land Use designation is to recognize the ChampionsGate DRI and its vested development not yet constructed and to increase those entitlements for multi-family apartment and/or condominium areas between activity centers and lower density residential neighborhoods to accommodate the anticipated increase in density demand. It is also to allow a mix of retail and commercial uses along with resort residential units in order to create an active urban and resort environment.

(b) DESIGNATION AND MAPPING - The MUX Future Land Use designation shall be established as designated on the Selected Area Plan Future Land Use Map. This district shall be located adjacent to the mixed use commercial and residential areas already existing in ChampionsGate on the east side of ChampionsGate Boulevard and in Osceola County and where external land uses and infrastructure is not conducive to single family suburban style development. The total number of residential units consistent with those listed in Policy 2.131-B.2.1.A16, (c) below is 2,139 and total 150,000 square of commercial development consistent with Policy 2.131-B.2.1.A16 and all pursuant to the Land Development Code.

(c) DEVELOPMENT STANDARDS - The following development standards shall be established in order to facilitate appropriate development within the MUX Future Land Use designation for the ChampionsGate DRI that is specific and consistent with the ideas expressed in the future vision and to allow flexibility with the final placement of the uses.

i. Developments shall be designed for self-sustainability with regard to recreation facilities and cultural facilities.

ii. Developments shall incorporate or connect to retail and service facilities by means of pedestrian and vehicle methods other than main connector roads.

iii. RESIDENTIAL USES - Residential densities shall be permitted at a maximum of 35 dwelling units per acre and may include the following:

a. multi-family structures.

b. support retail and services provided they are incorporated in vertical mixed-use buildings.

c. extended stay lodging facilities including hotels; condo hotels; fractional ownership units; short term rental units; assisted living facilities; retirement units and vacation homes may also be permitted consistent with the Land Development Code.

d. accessory retail establishments may be developed within residential developments with respect to their size, located along main connector roads, and have appropriate buffers consistent with the Land Development Code.

e. Any accessory retail and services shall be included in the 150,000 square feet cap as listed in Policy 2.131 B.2.A1 and not to exceed a Floor Area Ratio (FAR) of 0.75 FAR.

iv. COMMERCIAL USES - Commercial uses are intended to accommodate the shopping needs of residents living within the ChampionsGate DRI and the surrounding community and generally contain a shopping center and other commercial and office uses within close proximity. Typical commercial uses include variety and discount stores, department stores, supermarkets, theaters, offices, restaurants including indoor sit-down service, drug store, or professional services. The total square footage of commercial uses shall be included in the 150,000 square feet cap as listed in Policy 2.131 B.2.A1 and not to exceed a Floor Area Ratio (FAR) of 0.75.

v. All developments shall provide internal pedestrian pathways along roadways, between buildings and to adjacent commercial areas.

GOAL 2.131.B.3: Transportation Future Vision - To accommodate the urban densities and intensities intended for this planning area, a network of collector roads is needed to provide multiple routes to the major transportation corridors that connect this area with the Orlando Metropolitan Area. Ronald Reagan Parkway (CR 54), US Highway 27, Lake Wilson Road, and U.S. Highway 17/92 alone cannot provide the needed capacity in the long run. Parallel routes must be created to divert traffic seeking a multitude of destinations. Employment, retail, and residential development must be interconnected to mitigate the burden of growth upon this area.

GOAL 2.131.B.4: Roadway Network - The Ronald Reagan Parkway/ Loughman Selected Area Plan shall have a dynamic and interconnected network of collector and arterial roads to increase travel efficiency and enhance public safety. The following describes the individual links in this road network:

A. Dunson Road Extension - A future route to be extended from Dunson Road northeastward to Ronald Reagan Parkway is envisioned to connect Champions Gate Boulevard to US Highway 27. The road extension will also allow for a Buckingham Place connection and create interconnected neighborhoods with access to the Ridgeview Global Studies Academy. The road extension is also contributes to maintaining adequate traffic capacity on US Highway 27 and Ronald Reagan Parkway.

B. Loma Del Sol Drive Extension - A new local roadway is envisioned to extend from the intersection of Ronald Reagan Parkway at the Loma Del Sol entrance southward to Dunson Road. This new roadway provides a connection to Buckingham Place and residential neighborhoods to the east. This roadway will also improve traffic circulation by reducing vehicle trips on the Ronald Reagan Parkway and US Highway 27 for routine visits to Ridgeview Global Studies Academy and adjoining neighborhoods. Additionally, this roadway will provide access to a future retail village that is anticipated to occur between Ronald Reagan Parkway and Dunson Road.

C. Ronald Reagan Parkway - The future vision for Ronald Reagan Parkway includes a four-lane divided highway. Landscaped medians with uniform tree planting and wide sidewalks lining each side of the roadway, shaded with canopy trees, is desired for the design so that the roadway is comparable to the design CR 532 in Osceola County. This roadway improvement will have a significant impact upon exiting development along the corridor and change the style of new development as well. Land uses have been altered to react to impending transformation of this roadway corridor. Land development code requirements will be modified to accommodate the transition of land uses as well.

D. Heritage Pass - The future vision for Heritage Pass includes a two-lane roadway with landscaped medians near major intersections. Wide sidewalks shall line each side of the roadway and be shaded with canopy trees. The roadways shall be neighborhood in scale and support on-street parking when adjacent to retail and attached residential. The roadway shall serve as a community connection between County Road 532 and the Ronald Reagan Parkway.

E. Lake Wilson Road - The future vision for Lake Wilson Road includes a four-lane roadway with landscaped medians near major intersections. Wide sidewalks shall line each side of the roadway and be shaded with canopy trees. The roadway shall be neighborhood in scale and may support on-street parking when adjacent to retail and attached residential. The roadway shall serve as a community connection between County Road 532 and the Ronald Reagan Parkway.

F. Oakmont Avenue - Oakmont Avenue is envisioned to become a two-lane roadway linking the Ronald Reagan Parkway to future extensions of an east-west connector to the south. The avenue shall include sidewalks along each side of the roadway and be shaded with live oak trees planted in the abutting landscape buffer.

G. East-West Connector - A new roadway is envisioned to serve as an east-west connection between U.S. Highway 27 and U.S. Highway 17/92. The roadway is intended to be a two-lane undivided and built to resemble a rural section.

H. U.S. Highway 17/92 - The future vision of U.S. Highway 17/92 includes a four-lane divided roadway with landscaped medians near major intersections. Wide sidewalks shall line each side of the roadway and be shaded with canopy trees from landscaping provided within developments in the vicinity directly around the intersection with the Ronald Reagan Parkway. The other sections of the roadway are envisioned to include a separate, paved multi-model trail to parallel the vehicular travel lanes. Native trees and plant material shall be installed between the multi-model trail and the travel lanes. Access to the highway is envisioned to be restricted to roadways with few exceptions for individual driveways. Finally, it is envisioned that the roadway be renamed in order to create a community identity other than a regional numbered highway.

I. Old Davenport Road (CR 547) - The future vision for Old Davenport road includes a two-lane roadway that resembles a country drive. The roadway is envisioned to remain as a rural section. The existing tree canopy is envisioned to be preserved in order to reinforce a rural character.

J. Old School House Road - The future vision for Old School House road includes a two-lane roadway that resembles a country drive. The roadway shall be paved concurrent with development that surrounds it.

K. Parker Highway (a.k.a. Poinciana Parkway) - The future vision for the planning area shall include the construction of Parker Highway, an arterial road between US 17/92 and the Polk County/Osceola County Line. This roadway is part of the larger regional road that extends in a southeasterly direction to Marigold Avenue in Osceola County and provides improved access to Poinciana. Parker Highway is planned as an ultimate six-lane facility, but it may be stage-constructed as a two-lane or four-lane facility.

L. Providence Boulevard - The future vision for the Providence DRI includes a new boulevard to be referred to as Providence Boulevard. This boulevard shall be built eastward from its beginning at US Highway 17/92 and just north of the Loughman Oaks Elementary School. The boulevard shall ultimately be a four lane, divided roadway with a center landscaped median. Individual neighborhoods shall be sited along side this new roadway.

OBJECTIVE 2.131-B.4.A: Dunson Road - Polk County shall ensure that Dunson Road is expanded to link the Ronald Reagan Parkway to US Highway 27.

POLICY 2.131-B.4.A1: DUNSON ROAD DESIGN - Dunson Road shall be designed as a two-lane, collector roadway that includes sidewalks and bicycle lanes along each side of the pavement. Such roadway shall align with Champions Gate Boulevard at its intersection with the Ronald Reagan Parkway.

POLICY 2.131-B.4.A2: DUNSON ROAD ALIGNMENT - The Dunson Road extension shall be depicted on the County Future Land Use Map. Such alignment may vary contingent on wetlands and site constraints. Developments that abut this alignment shall include site design to allow for this roadway extension.

OBJECTIVE 2.131-B.4.B: Loma Del Sol Drive Extension - Polk County shall ensure that Loma Del Sol Drive be expanded to link the Ronald Reagan Parkway to Dunson Road.

POLICY 2.131-B.4.B1: LOMA DEL SOL DRIVE EXTENSION DESIGN - Loma Del Sol Drive shall be designed as a two-lane roadway that includes sidewalks and bicycle lanes along each side of the pavement. This roadway may function as a main street design for retail development within the adjacent Regional Activity Center and may include on-street parking. Such roadway shall align with the existing Loma Del Sol Drive at its intersection with the Ronald Reagan Parkway.

POLICY 2.131-B.4.B2: LOMA DEL SOL DRIVE EXTENSION ALIGNMENT - The Loma Del Sol Drive extension shall be depicted on the County Future Land Use Map. Such alignment may vary contingent on site constraints and environmental features. Developments that abut this alignment shall include site design to allow for this roadway extension and shall specifically allow for a connection to Buckingham Drive.

OBJECTIVE 2.131-B.4.C: Ronald Reagan Parkway - Polk County shall ensure that the Ronald Reagan Parkway is a four-lane divided roadway and include pedestrian and bicycle facilities.

POLICY 2.131-B.4.C1: RONALD REAGAN PARKWAY DESIGN - Ronald Reagan Parkway shall be designed as a four-lane, divided collector roadway that includes sidewalks and bicycle lanes along each side of the pavement. Canopy trees shall line each side of the right-of-way as to ensure a wooded community appearance. Street lighting shall be appropriate for the surrounding community; whereas, large highway lighting should not be used.

OBJECTIVE 2.131-B.4.D: Heritage Pass - Polk County shall ensure that Heritage Pass be expanded to link the Ronald Reagan Parkway to CR 532 to become a publicly-maintained north-south connector.

POLICY 2.131-B.4.D1: HERITAGE PASS DESIGN - Heritage Pass shall be designed to be at least a two-lane roadway that includes sidewalks and bicycle lanes along each side of the pavement and specifically built as an urban section. The roadway should function as a main street design for retail development within the adjacent Community Activity Center and may include on-street parking.

POLICY 2.131-B.4.D2: HERITAGE PASS ALIGNMENT - The Heritage Pass extension shall be depicted on the County Future Land Use Map. Such alignment may vary contingent on site constraints and environmental features.

Developments that abut this alignment shall include site design to allow for this roadway extension and shall specifically allow for a connection to CR 532.

OBJECTIVE 2.131-B.4.E: Lake Wilson Road - Lake Wilson Road shall become a premier gateway roadway connection between the Ronald Reagan Parkway and CR 532. Lake Wilson Road shall become the gateway into the Town Center and include pedestrian infrastructure and aesthetic treatments.

POLICY 2.131-B.4.E1: LAKE WILSON ROAD DESIGN - Lake Wilson Road shall be designed to be a four-lane, divided roadway that includes sidewalks and bicycle lanes along each side of the pavement and specifically built as an urban section. The roadway shall include a center median that is landscaped with canopy trees and ground cover. The roadway shall be designed as a gateway to Polk County in a manner so as not to distinguish a difference between CR 532 in Osceola County including buried power lines and landscaping.

Objective 2.131-B.4.F: Oakmont Avenue - Oakmont Avenue shall be created as a north-south roadway leading south from the Ronald Reagan Parkway to the East-West Connector.

POLICY 2.131-B.4.F1: OAKMONT AVENUE DESIGN - Oakmont Avenue shall be designed to be at least a two-lane roadway that includes sidewalks and bicycle lanes along side of the pavement. The avenue shall be an urban section for the portions near the Ronald Reagan Parkway; whereas, the roadway shall be come a rural section in the areas further to the south.

POLICY 2.131-B.4.F2: OAKMONT AVENUE ALIGNMENT - The Oakmont Avenue alignment shall be depicted on the County Future Land Use Map. Such alignment may vary contingent on site constraints and environmental features. Developments that abut this alignment shall include site design to allow for this roadway extension and shall specifically allow for a connection to a future east-west connector to the south.

OBJECTIVE 2.131-B.4.G: North Ridge Parkway - Polk County shall ensure the creation of an North Ridge Parkway to link US Highway 17/92 to US Highway 27 with an alignment south of the Ronald Reagan Parkway.

POLICY 2.131-B.4.G1: NORTH RIDGE PARKWAY DESIGN - The North Ridge Parkway shall have urban, suburban and rural sections and be designed as at least a two-lane, collector roadway that includes sidewalks and bicycle lanes along each side of the pavement.

POLICY 2.131-B.4.G2: NORTH RIDGE PARKWAY CONNECTOR ALIGNMENT - The North Ridge Parkway alignment shall be depicted on the County Future Land Use Map and shall specifically link US Highway 27 to US Highway 17/92. Such alignment may vary contingent on site constraints and environmental features. Developments that abut this alignment shall include site design to allow for this roadway extension. Accommodation shall be made for the connection of Oakmont Avenue.

OBJECTIVE 2.131-B.4.H: US Highway 17/92 - Polk County shall ensure that US Highway 17/92 is a four-lane divided roadway that includes pedestrian and bicycle facilities; while contributing to the Loughman community character.

POLICY 2.131-B.4.H1: US HIGHWAY 17/92 DESIGN - U.S. Highway 17/92 shall be designed to be a four-lane roadway that includes sidewalks and bicycle lanes along each side of the pavement and specifically built as an urban section for the portions around the Ronald Reagan Parkway. The roadway should function as a main street design for retail development within the adjacent Community Activity Center. The remainder roadway sections shall resemble a rural highway and specifically include a separate paved multi-model path to parallel vehicular travel lanes. Native trees and plant material shall be installed between the multi-model trail and the travel lanes. Access to the highway is envisioned to be restricted to roadways with few exceptions for individual driveways.

POLICY 2.131-B.4.H2: US HIGHWAY 17/92 PROPER NAME - Polk County shall ensure that US Highway 17/92 be given a proper road name in order to reinforce an identity for the Loughman community.

POLICY 2.131-B.4.H3: US HIGHWAY 17/92 INTERGOVERNMENTAL COORDINATION - Polk County shall coordinate with the Florida Department of Transportation in order to ensure that improvements to US Highway 17/92 are in keeping with the goals and intent of the Loughman Overlay District.

GOAL 2.131.B.5: INTERCONNECTED ROADWAY AND PEDESTRIAN NETWORK - Completion of the Roadway Network called for in GOAL 2.131.B.4. is vital to meeting the infrastructure demands of the land uses provided in the SAP. Creating alternative routes alone will not maintain a desired level of service on all of the roadways in the planning area. Development must be internally connected to reduce potential local vehicle trips and pedestrian movement needs to be promoted throughout. Where practicable vehicle connections should be planned and implemented between developments. If vehicle connections cannot be accommodated pedestrian access shall be the minimum.

OBJECTIVE 2.131-B.5.A Roadway Network Completion - The ~~roadway network plan shall be completed by 2015 or the~~ County shall reassess future land use designations and implement modifications when the roadway network plan is completed.~~.~~

POLICY 2.131-B5.1.A: TRANSPORTATION IMPROVEMENTS - Future roadways within the Ronald Reagan Selected Area Plan are depicted on the Future Land Use Map in terms of their general location. Their final placement may deviate somewhat from these general locations without the necessity of processing a Comprehensive Plan Amendment (CPA) provided that the transportation service provide by that transportation corridor is generally maintained.

(a) Right-of-way dedications from project parcels, and road improvements shall be required at the time of development approval for that parcel. Improvements may be done in phases. Compensation for those additional improvements and right-of-way not attributed to impacts of the project shall be compensated through other funding mechanisms.

(b) Roads built by Developers on part of their projects shall conform to the Plan and shall include sidewalks.

(c) Rights-of-way for designated roads shall be established in the Land Development Code.

(d) New developments shall be designed so that internal roads provide for connections with adjacent properties.

(e) Within developments that have a grid system, streets will be designed to be as narrow as possible, without compromising auto safety and access to public service vehicles. The following schedule shall be used as a guide:

TYPE OF ROADWAY	ROW	TRAFFIC LANES	FRONT SETBACK	MIN. SIDEWALK WIDTH	MIN. PLANTER WIDTH	SIDE W/PARALLEL PARKING
RESIDENTIAL STREETS						
Residential Alley	14'	2	5'	N/A	[1]	N/A
Parkside Neighborhood street	24'-32'	2	15'	4'-5'	5'	[2]
Frontage Road	24'-32'	2	15'	4'-5'	5'3	1[6]
Minor Neighborhood St.	24'-32'	2	15'	4'-5'	5'	2[6]
Neighborhood Collector	30'-38'	2	7' or 15'[4]	4'-5'	5'	2[6]
Mid-Block Green	46' min.	2 one-way loop	15'	4'-5'	5'& 10' min.	2
Neighborhood Boulevard	56' min	2	15'	4'-5'	8'[5]	2[9] &[6]
COMMERCIAL STREETS						

Commercial Main Street	34'	2	10'	15'	8'[6]	2[6]
Commercial Street	36'	2	10'	15'	6'	2
Collector	58'	4	20'	6' Bike (opt.)	7'	N/A
Arterial	112'	6	20'	6' Bike (opt.)	7'	N/A
NOTES:						
[1] 5' planter within rear yard setback.						
[2] See CR 54/Loughman Development Handbook.						
[3] Tree wells at 40' on-center in parking areas.						
[4] 7' setback at side yard.						
[5] Parallel parking and planter share same 7 foot width of ROW and alternative.						

GOAL 2.131.B.6 - SUSTAINABILITY - The Ronald Reagan Selected Area Plan shall strive to be civically and environmentally sustainable and concurrent with planned as well as existing infrastructure.

OBJECTIVE 2.131-B.6.A Retail Development and Area Marketing - Polk County will attract quality investors to construct a premier shopping center development within all Activity Center districts as described as part of the Selected Area Plan Goals. Polk County shall pursue such private investors as part of its economic development activities and marketing program.

POLICY 2.131-B.6.A1: DEVELOPMENT STANDARDS - Polk County shall consider the description, purpose, and development standards for all Activity Center future land use districts when soliciting private investors so that final developments are in harmony with the goals of the Selected Area Plan.

POLICY 2.131-B.6.A2: PUBLIC FACILITIES IN RACX - Polk County shall not consider the placement of any sizable public facility (greater than two acres) within the Regional Activity Center in order to conserve all viable land for retail and shopping center development.

POLICY 2.131-B.6.A3: PUBLIC FACILITIES IN CACX - Polk County shall only consider the placement of a governmental institution such as a library, a school or a sheriff substation within the Community Activity Center in order to conserve all viable land for retail and residential development. Polk County shall ensure all site design and buildings are consistent with the provisions of the Community Activity District. Such designs shall be integrated into the overall community.

POLICY 2.131-B.6.A4: PUBLIC FACILITIES IN NACX - Polk County shall not consider the placement of any sizable public facility (greater than two acres) within the Neighborhood Activity Center district in order to conserve all viable land for retail and shopping center development.

OBJECTIVE 2.131-B.6.B: Office Development and Area Marketing -Polk County will attract quality investors to construct office developments within the Business Park Center, Employment Center and Office Center districts. Polk County shall pursue such private investors as part of its economic development activities and marketing.

POLICY 2.131-B.6.B1: DEVELOPMENT STANDARDS - Polk County shall consider the description, purpose, and development standards for the Employment Center future land use district when soliciting private investors so that final developments are in harmony with the goals of the Selected Area Plan.

OBJECTIVE 2.131-B.6.C: Warehousing and Light Industrial Development - Polk County will attract quality investors to ultimately build out the existing Business Park Center District located westward of US Highway 27 as described as part of the Selected Area Plan goals. Polk County shall pursue such private investors as part of its economic development activities and marketing.

POLICY 2.131-B.6.C1: BUSINESS PARK CENTER - Polk County shall not designate any land eastward of US Highway 27 as Industrial or Business Park Center in order to prevent warehousing and manufacturing development from occurring near residential and retail communities.

OBJECTIVE 2.131-B.6.E: Parks and Recreation Facilities - It is imperative that recreational opportunities be available to meet the demand required of urban development. The planning area began with a significant deficit of recreation facilities. As new development occurs, it is vital that the deficit not worsen. It is desired that the minimum level of service standard for recreational facilities (6.95 acres/ 1000 population) be reached within ten years. However, the general public cannot bear the entire burden. Development must meet a portion of the local need.

POLICY 2.131-B.6.E1-LEVEL-OF-SERVICE (LOS) STANDARD - The minimum standard shall be 6.95 acres per 1,000 population. Fifty percent (50%) of park and recreation space requirements shall be provided within each residential development and related specifically to that development. Each dwelling unit shall be within ¼ mile of park or recreation facility within the residential development. The following types of land shall be allowed to meet the park-and recreation space requirements:

(a) right-of-way over-sizing with accommodation for pedestrian sidewalks, bicycle pathways and pocket parks.

(b) stormwater retention/detention provided it is designed in an aesthetically pleasing manner that creates a sense of place and opportunities for community gatherings and includes a pedestrian/bicycle path that is connected to a linked system;

(c) passive recreation areas; and

(d) active recreation areas.

POLICY 2.131-B.6.E2: SCHOOL AND PARK JOINT USE - Polk County Parks Division shall pursue a joint use park facility within the Polk County School Board at the existing elementary school or at any future school within the planning area.

POLICY 2.131-B.6.E3: CONNECTION TO PUBLIC PARKS - Development that is within walking distance shall provide for logical pedestrian and bicycle pathways to public parks. Such pathways shall be short in distance and provide for safe travel from moving motor vehicles.

POLICY 2.131-B.6.E4: PARK DESIGN - Any future public park shall be developed in a manner that is visually apparent from roadways. Such parks shall be visually welcoming as to minimize large fencing that is out of scale with surrounding neighborhoods. At a minimum public parks shall include, shelter, canopy trees, water fountains and playground equipment.

OBJECTIVE 2.131-B.6.F: Public Safety - In order to provide adequate public safety services concurrent with development permitted in this plan, a Sheriff's precinct, an additional full-time professional fire station and EMS facility will be needed. ~~By 2015, t~~There shall be:

1. A minimum of two deputies per 1,000 population on patrol at all times within boundaries of the plan and a precinct within a five mile radius and seven mile driving distance of all development occurring in the planning area.
2. One full-time fire station within a three mile radius and five mile driving distance of all development occurring in the planning area.
3. One EMS station within a five mile radius and seven mile driving distance of all development occurring in the planning area.

OBJECTIVE 2.131-B.6.E: Pedestrian Facilities and Greenways - In order to ensure adequate safety for the non-motorized public in an area developed to an urban intensity, it is imperative that stabilized pedestrian facilities are provided internally and externally in all development to create an efficient, effective and safe circulation

throughout the plan's area. A comprehensive non-motorized travel network shall be established ~~by 2010~~ and completed upon full buildout of the developable area.

POLICY 2.131-B.6.E1: SIDEWALKS REQUIRED - All development shall include an internal pedestrian network into that links directly to adjacent development and to existing or planned external pedestrian facilities.

OBJECTIVE 2.131-B.6.F: Potable Water Facilities - The Ronald Reagan Parkway SAP lies within a larger utility service area known as the Northeast Regional Utility Service Area (NERUSA). The Water Plan for the NERUSA involves new water production wells, conversions of existing agricultural wells to potable water use, and new and upgraded water treatment facilities. Also, the plan includes the incorporation of interconnect agreements between the County and both the Toho Water Authority in Osceola County and the City of Haines City.

The land uses proposed within Ronald Reagan SAP have the potential to demand 22,250,000 gallons per day (GPD) at full buildout under the most extreme case. ~~As of March of 2004 the NERUSA had a permitted capacity of 8,361,367 GPD. By 2010, the NERUSA will have a permitted capacity of 18,834,041 GPD in accordance with Objective 4.206 Capital Improvements Plan (CIP).~~

POLICY 2.131-B.6.F1: WATER FACILITY PLANNING - Polk County shall plan five years in advance to seek new water production wells, conversions of existing agricultural wells to potable water use, new and upgraded water treatment facilities and interconnect agreements with adjoining potable water providers to meet the demands of development within the Ronald Reagan Parkway SAP.

OBJECTIVE 2.131-B.6.G: Wastewater Facilities - The Ronald Reagan Parkway SAP lies within a larger utility service area known as the Northeast Regional Utility Service Area (NERUSA). Presently, wastewater collected in the NERUSA is treated at three (3) wastewater treatment facilities; the Northeast Regional Wastewater Treatment Facility (near I-4 and US 27), the Polo Park Wastewater Treatment Facility (near US 192 and US 27) and the Oak Hills Wastewater Treatment Facility (near CR 54 and US 17/92). ~~**Under the currently funded Capital Improvements Program, the Polo Park Wastewater Treatment Facility will be taken offline by the end of February 2005, and all of the wastewater flow from the plant will be pumped (via a new lift station) to the Northeast Regional Wastewater Treatment Facility. The design for the lift station is completed and will be bid within the next month. The force main between the proposed lift station and the Northeast Regional Wastewater Treatment Facility is presently under construction. Currently the wastewater flows to the Polo Park facility average approximately 450,000 gallons per day. Once diverted to the Northeast Wastewater Treatment Facility, this volume will immediately become available as re-use.**~~

~~The Oak Hills Wastewater Treatment Facility will be taken offline by the end of December 2005, and all of the wastewater flow from the plant will be pumped (via a new lift station) to the Northeast Regional Wastewater Treatment Facility. The lift station and force main between the Oak Hills Wastewater Treatment Facility and Northeast Regional Wastewater Treatment Facilities are presently under design. Currently the wastewater flows to the Oak Hills Wastewater Treatment Facility average approximately 130,000 gallons per day. Once diverted to the Northeast Wastewater Treatment Facility, this volume also will immediately become available as re-use.~~

The Polk County Board of County Commissioners on March 17, 2004, authorized changes in the County's re-use program to further encourage the use of this type of water. The Board of County Commissioners authorized:

- Removal of some irrigation restrictions for re-use water in NERUSA;
- Polk County Utilities to contract plumbing services to connect customers to the re-use delivery system and allow the customers to re-pay the connection costs back over a 12-month period on their utility bill; and
- Reduced the re-use water rates by approximately 80 %.

As a result of these changes, Polk County Utilities has implemented an aggressive public education program, particularly to those users north of Interstate 4, where the re-use water main has been constructed and is operable.

Currently, the Northeast Regional Wastewater Treatment Facility is averaging approximately 908,000 gallons of re-use water daily. The connection rates are averaging 1.3 users per day.

POLICY 2.131-B.6.G1: WASTEWATER FACILITY PLANNING - Polk County shall plan five years in advance to seek new and upgraded wastewater treatment facilities and interconnect agreements with adjoining wastewater providers to meet the demands of development within the Ronald Reagan Parkway SAP.

POLICY 2.131-B.6.G2: WASTEWATER RE-USE FACILITY PLANNING - Polk County shall plan five years in advance to seek new and upgraded wastewater re-use facilities to meet the demands of development within the Ronald Reagan Parkway SAP and minimize over use of the groundwater aquifers.

OBJECTIVE 2.131-B.6.H: Public School Facilities - The land uses proposed within Ronald Reagan SAP have the potential to demand facilities to serve over 17,000 students Kindergarten through 12th grade at full buildout under the most extreme case. ~~**By the year 2010, two new elementary schools and one middle school will be needed in the area to serve the projected permanent residential development. By 2015 a new high school will be needed.**~~

POLICY 2.131-B.6.H1: INNOVATIVE SCHOOL SITING - The County Commissioners and School Board shall continue to implement comprehensive school siting practices. In an effort to provide an efficient public educational services, urban standards shall be applied to school siting and design such as reduced land, vertical construction, and joint use facilities with both public agencies and private organizations.

POLICY 2.131-B.6.H2: EDUCATIONAL FACILITY PLANNING - Polk County shall plan five years in advance to seek potential sites, joint ventures, and interlocal agreements with land developers, private school organizations, and the Osceola County School Board as well as the Polk County School Board to meet the demands of development within the Ronald Reagan Parkway SAP.

GOAL 2.131.B.7: Landscaping, Reforestation and Ecological Protection - It is essential when creating an urban environment to replenish and protect the natural landscape. The benefits are: reduction of ambient temperatures, creation a more drought tolerant environment, mitigation of the hardscape of urban areas, restoration of wildlife habitat, reduction of noise pollution, and the reduction of light pollution. It is also vital that wetland areas be protected as the uplands are developed. The Ronald Reagan selected Area Plan shall be both ecologically sustainable as well civically sustainable.

Objective 2.131.B.7.A: As development matures (within the 25~~0~~ year planning period) parking lots and pedestrian ways shall be become predominantly (greater than 50%) shaded. All streets shall be lined with canopy trees and collector roads shall be lined with landscaped buffers.

POLICY 2.131-B.7.A1: PARKING LOT LANDSCAPING STANDARDS - Parking lots shall be landscaped pursuant to the following provisions:

(a) Parking lots shall be required to be landscaped so that no less than 50% of the parking is underneath a canopy at tree maturity.

(b) Minimum Landscaped Area - A minimum area not less than 5% of the total off-street parking area shall be devoted to landscaping.

(c) Location - Not more than 20% of the parking area landscaping requirement may be provided adjacent to the building it is intended to serve. All other landscaping shall be provided in the form of interior islands, divider medians, and perimeter landscape strips. Landscaped areas shall be located in such a manner as to divide and breakup the expanse of paving and to guide traffic flow. Landscape islands and divider medians shall measure not less than 5 feet in width. At least 1 tree shall be provided in each landscaped area. The remainder of the area shall be landscaped using grass, ground cover, mulch, shrubs, trees, or other landscaping material excluding sand or pavement. All landscaped areas shall avoid overhang encroachment with curb stops or bumpers. If curbing is used abutting landscaped areas, it shall be perforated to permit drainage where necessary.

(d) Required Landscaping Adjacent to Public ROWs - Where a paved off-street parking area is abutting a public right-of-way, landscaping shall be provided between the off-street parking area and the right-of-way in accordance with the following:

(i) Landscaped strip of land, a minimum of five feet in width, shall extend along the length of the boundary between the parking area and the abutting right-of-way except at point of access. This landscaped strip shall contain at least one (1) tree for each 75 lineal feet, or fraction thereof. Trees may be planted separately or in clusters.

(ii) The required landscaped strip shall contain a hedge, wall, fence, berm, or other opaque screen, a minimum of 3 feet high, but no more than 6 feet high attained within one year of installation. If non-living barriers are used, one shrub or vine shall be planted along the street side for each 15 lineal feet of screen. The remainder of the landscaped strip shall be landscaped with grass, ground cover, or other appropriate landscaped treatment.

(iii) Planting of trees within 30 feet of the vertical plane of an existing power line shall conform to the guidelines contained in the technical appendix.

POLICY 2.131-B.7.A2: ROADWAY LANDSCAPE DESIGN - Roadway Landscape Design shall conform to the following:

(a) A 25'-wide landscape/buffer area shall be provided on both sides of all arterial roads and major collector roads. This landscape/buffer area shall be landscaped with trees and shrubs to achieve a 25% coverage after one year of planting. Landscape/Buffer areas are in addition to the street right-of-way.

(b) Landscaping shall be encouraged within road rights-of-way but must be based on a plan approved by the County.

(c) Developers of properties shall plant Live Oak trees along collector and arterial roadways at a ratio of one tree for every 40 linear feet of right-of-way frontage.

(d) A site plan showing the easement landscape plan and driveway access points shall be required prior to the approval of horizontal plans.

POLICY 2.131-B.7.A3: CANOPY TREE PLANTING REQUIREMENTS - Tree Species shall be a mixture of deciduous and non-deciduous trees and the minimum number of canopy trees, exclusive of buffers, to be planted or preserved upon each lot is as follows.

(a) Residential Low (RLX) - 1 tree shall be planted or preserved for every 5,000 square feet of developable residential land area or fraction thereof, up to a maximum of 8 trees.

(b) Residential Medium (RMX) and Residential High (RHX) - 8 trees per gross developable acre shall be planted or preserved.

(c) Activity Centers (RACX, CACX, NACX, CCX, OCX, ECX, and MUX) and Institutional (INSTX) — 6 trees per gross developable acre shall be planted or preserved.

(d) Industrial (INDX), Business Park Center (BPCX) - 4 trees per gross developable acre shall be planted or preserved.

POLICY 2.131-B.7.A4: GREEN SWAMP GREENWAY CORRIDOR - The Greenway Corridor on the Future Land Use Map indicates land within the Ronald Reagan Boulevard SAP and within the Ridge SPA bordering the CORE area of the Green Swamp Area of Critical State Concern as a Greenway Corridor, and as further defined in this section, shall be developed pursuant to the following:

(a) PURPOSE - The Greenway Corridor is intended to become a linear, meandering preservation/conservation and wildlife corridor bordering the Green Swamp CORE and Ridge Special Protection Area. This area will serve as a buffer with no development permitted within this area. This buffer area shall connect to the Greenway Corridor that is required as part of the Ronald Reagan

Boulevard SAP and shall remain undisturbed except for the accommodation of pedestrian/bicycle traffic, underground utilities, and limited access. This corridor shall be a minimum of 50 feet wide on each side of the jurisdictional wetland boundary.

(b) IMPLEMENTATION METHODS - The Greenway Corridor shall be created as follows:

(i) New development and redevelopment bordering the jurisdictional wetlands of the Green Swamp shall designate 50 feet east of the jurisdictional wetland boundary and 50 feet west of the jurisdictional wetland boundary as a conservation easement for the Greenway Corridor.

(ii) Developments located along the Greenway Corridor shall be required to locate other recreation amenities and stormwater retention areas adjacent to the corridor in order to further enhance it. All retention areas shall be designed in a manner that minimizes disturbance to the land.

GOAL 2.131.B.8: Visual blight - The Ronald Reagan Selected Area Plan covers one of the main gateways to Polk County. It is imperative economic development and civic pride that the County promote a positive impression upon visitors entering and leaving the County. Therefore, the county shall limit and discourage visual blight including, but not limited to, signage, distressed properties, and unappealing views.

OBJECTIVE 2.131.B.8.A: ~~By 2012 t~~There shall be no off-premises signs (billboards) within the boundaries of the Ronald Reagan Parkway Selected Area Plan.

POLICY 2.131-B.8.A1: SIGNAGE - Signage shall be more restrictive than typical standards for Polk County.

a. The SAP shall use visually pleasing, lower height and smaller signs to compliment the overall selected-area site and building design. Flapping flags, blinking lights, and portable signs shall be prohibited.

b. The construction of billboards along the arterial roadways and new billboards along Interstate 4 shall be specifically prohibited except for temporary billboards advertising the availability of industrial and commercial space located within the SAP for the respective property(ies).

c. It shall be the responsibility of the CR 54 Property Owners, in conjunction with the Polk County Division of Planning, to develop signage standards ~~by January 1, 1992~~ to be incorporated into the County's signage ordinance, or includes signage provisions within its development regulations, which includes special signage regulations specifically applicable to this SAP.

d. Signage shall conform to the guidelines contained in the CR 54/Loughman Development Handbook pursuant to Policy 2.131-B21.

(Ord. No. 23-018, § 2(Att. B), 3-21-2023)

Revision History Section 2.131-B Ronald Reagan Parkway SAP	
APPENDIX 2.131	CPA 05A-10 (Ord. 05-039) 7/13/05
POLICY 2.131 B.2.1.A1	CPA 15D-02 (Ord 15-063) 10/6/15; CPA 10B-01 (Ord. 10-039) 8/4/10
POLICY 2.131-B.2.A1	CPA 16B-09 (Ord. 16-020) 4/19/2016; CPA 15B-04 (Ord 15-032) 6/2/15
POLICY 2.131 B.2.1.A5	CPA-10B-09 (Ord. 10-050) 8/4/10
POLICY 2.131 B.2.1.A15	CPA 02A-01 (Ord. 02-38) 7/10/02
POLICY 2.131 B.7.A2	CPA 00B-16 (Ord. 00-99) 12/19/00
POLICY 2.131-B.2.A1	CPA 15B-04 (Ord. 15-032) 6/2/15
POLICY 2.131-B.2.1.A4	CPA 12E-02 (Ord. 12-038)
POLICY 2.131-B.2.1.A10	CPA 15D-02 (Ord. 15-063) 10/6/15
POLICY 2.131-B.2.1.A11	CPA 15D-02 (Ord. 15-063) 10/6/15

SECTION 2.131-C NORTH US 27 SELECTED-AREA PLAN.

This Selected-Area Plan is adopted in recognition that this area of Polk County; bounded on the east by Osceola County, on the north by Lake County, the west by the core area of the Green Swamp Area of Critical State Concern and the south by County Road 54; will over the next twenty years experience a high degree of urbanization. This urbanization will be caused by numerous external factors, most of which are occurring in surrounding Lake, Orange, and Osceola Counties. (See the land-use support document for details.) This Selected-Area Plan is a proactive response to these forces. It represents a private-public initiative to shape this development into an organized and well-planned urban area.

VISION - BASIC PRINCIPLES - A "Basic Principles" section has been included to serve as guiding principles to convey the concept and intent of the objective and policies of the North US 27 Selected-Area Plan. It contains fundamental principles as follows:

a. 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.

b. For areas remote from the US 27/192 interchange, which is suitable for a Regional Activity Center (RAC), the best way to achieve an efficient and highly desirable urban growth pattern is through the establishment of two central town centers and activity center area surrounded by traditional neighborhood villages.

c. The town center and activity centers serves as the social, commercial, cultural, educational, and civic center of the entire area. It's location is central to the neighborhoods.

d. Other areas have been designated for professional office use and unique locations at collector roads that intersect with US Highway 27 for activity center developments that compliment town centers.

e. Traditional neighborhood villages and activity centers share the following conventions:

    1. The village or activity center is limited in size with a distinct boundary edge.

    2. Residences, shops, workplaces, and civic buildings are located in the neighborhood - all within close proximity to each other.

    3. A hierarchy of streets to serve the needs of the pedestrian and the automobile equitably.

    4. Physically defined squares and parks to provide places for informal social activity and recreation.

    5. Private buildings form a clear edge, delineating the public street space and the block interior.

    6. Civic buildings and squares reinforce the identity of the village, becoming symbols of community identity and providing places of purposeful assembly for social, cultural, and religious activities.

f. Traditional neighborhood villages pursue certain social objectives:

    1. By bringing within walking distance most of the activities of daily living, including dwelling, shopping and working, the elderly and the young gain independence of movement.

    2. By reducing the number and length of automobile trips, traffic congestion is minimized and road construction is limited. By organizing, appropriate building densities, public transit becomes a viable alternative to the automobile.

    3. By providing defined public spaces such as streets and squares, citizens come to know each other and to watch over their collective security.

    4. By providing a full range of housing types and workplaces, age and economic class are integrated and the bonds of an authentic community are formed.

5. By providing suitable civic buildings, democratic initiatives are encouraged and the balanced evolution of society is secured.

6. By providing for higher development densities, market conditions will change to enable these objectives to occur.

g. 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.

h. Transportation efficiency is a desirable goal. This plan recognizes US 27 as the primary inter- regional traffic arterial and the need for alternative North/South facilities to support urban growth.

GOAL 2.131-C: 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.

OBJECTIVE 2.131-C: U.S. 27 Selected-Area Plan - Development within the North US 27 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-C1: DESIGNATION AND MAPPING - The North US 27 Selected-Area Plan is established as designated on the Future Land Use Map Series. Land use categories shall be designated on the US 27 Selected-Area Plan Map which is included as part of the Future Land Use Map Series.

POLICY 2.131-C2: LAND-USE CATEGORIES ESTABLISHED - The Following land-use categories shall apply:

a. Town Center (TC).

b. Regional Activity Centers (RAC).

c. Neighborhood Activity Center (NAC).

d. Recreation Open Space (ROS).

e. Residential Low (RLX), minimum 30 percent set-aside of parcel as open space unless the lots are within a master planned residential community that maintains 30% set-aside for open space.

f. Residential Medium (RMX), minimum 30 percent set-aside of parcel as open space unless the lots are within a master planned residential community that maintains an overall 30% set-aside for open space.

g. Residential High (RHX), minimum 30% percent set-aside as open space.

h. Leisure/Recreation (L/RX).

i. Institutional (INST).

j. Professional Institutional (PIX).

k. Office Center (OCX).

POLICY 2.131-C3 GENERAL DEVELOPMENT CRITERIA - Development shall be permitted within this SAP as follows:

a. BASIC LAND-USE CATEGORIES - Development shall be permitted for the following land- use categories as specified by the applicable policies in the general land-use element section of the Comprehensive Plan:

1. Recreation and Open Space.

2. Institutional.

b. MODIFIED LAND-USE CATEGORIES - Due to the specific characteristics of this SAP, development shall be more specifically defined and may vary from those allowed under the general provisions of that land-use category within the Plan. Development within the following land-use categories shall be permitted as specified within this section:

1. Residential-Low (RLX).
2. Residential-Medium (RMX) - When and if conditions warrant, a land use plan amendment could be sought in accordance with County policies to convert some or all of adjacent land to an appropriate commercial land use. A marketing study would be required as part of the data and analysis to support the change. In the interim, the land would be designated residential medium.
3. Residential-High (RHX) - This classification is the same as defined in Section 2.120-E of this Plan, except that the minimum and maximum residential density shall be according to the North US 27 SAP density schedule as established by Policy 2.131.C7 of this SAP and per the requirements of the Land Development Code.
4. Leisure/Recreation (L/RX).
5. Professional Institutional (PIX).
6. Office Center (OCX).
7. Neighborhood Activity Center (NACX).

c. MODIFIED SPECIAL USES - Special uses within the SAP shall be governed as follows:

1. The following special uses shall be permitted pursuant to the general provisions in Section 2.125 pertaining to these uses:
   (a) Utilities
   (b) Community Facilities
   (c) Non-certified Electric-Power Generation Facilities
2. Isolated Convenience Stores, adult uses/nude dancing, and mining shall be prohibited within the SAP.
3. Policies governing residentially based, mixed-use Developments shall be modified in accordance with Policy 2.131-C5(a).
4. Recreation and Open Space shall also be considered a special use within the SAP in accordance with Policy 2.131-D1.
5. Multi-family on the east side of US 27 and the Non-Green Swamp portion of the US 27 SAP.

d. BASIC OVERLAY DISTRICTS AND AREAS - Development limitations and resource protection rules shall be applied as specified by the applicable policies in the Future Land Use Element of the Comprehensive Plan Sections 2.122, 2.123, and 2.124.

e. SPECIAL-PROVISION AREA - Due to the specific characteristics of this selected area, the uses permitted in land-use classifications shall be more specifically defined and may vary from those allowed under the general provisions of a land use classification, and/or basic overlay district, as defined within the following special categories:

1. Town Center (TC).
2. Green Swamp Protection Area (GSPA).
3. Greenway Corridor.

f. OTHER USES - Uses not specifically permitted or prohibited under the general provisions of the Basic Land-Use Categories or Modified Land-Use Categories of this SAP may only be permitted upon approval by the Board of County Commissioners when it is determined that the proposed use can be developed in accordance with the policies contained within this SAP and all other policies within the Polk County Plan not in conflict with these policies.

g. Transit Supportive Development Area Density and Intensity - For those areas of the County located within the US 27 SAP and that are in the Transit Supportive Development Areas (TSDA), if there is a conflict between the density or intensity incentives established in Policy 2.104-A7 for the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities established within the US 27 SAP, the densities and intensities of the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this SAP are more stringent than the development criteria found within the TSDA or TSDA with the TCCO, the development criteria for this SAP shall take precedence.

POLICY 2.131-C4: MODIFIED LAND-USE CATEGORIES - Land within "modified land-use categories", as enumerated in Policy 2.131-C3 shall be developed in accordance with the following criteria:

The maximum Impervious Surface Ratios (ISR) for all land use categories outside the Green Swamp Area of Critical State Concern (GSACSC) are specified in the Land Development Code. Those properties in the GSACSC, shall meet the requirements established by the Critical Area Resource Management Plan (CARMP) policy 2.132-B10 d., of this plan.

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.

a. LEISURE/RECREATION (L/RX) - The areas designated L/RX within this SAP are primarily oriented toward providing recreational-related services for highway travelers and Polk County tourists. The following provisions shall apply:

1. DESIGNATION AND MAPPING - The L/RX area is established as designated on the US 27 SAP - 2052~~2~~0 Future Land Use Map. It is located in the northern most sections of planning area.

2. PURPOSE - The purpose of this district is to encourage the creation of carefully planned and designed projects which serve the needs of tourist and highway travelers.

3. PERMITTED USES - The following uses shall be specifically permitted:

(a) Motels/Hotels,

(b) Convenience stores, including pump islands for gasoline sales,

(c) Carwash facilities,

(d) Service stations,

(e) Restaurants,

(f) Uses as designated within policies and regulations pertaining to CC, NAC, and CAC Activity Centers to include: offices, banks, and retail establishments,

(g) Time-Share Residential Units,

(h) Commercial recreation activities such as miniature golf,

(i) Golf courses,

(j) Commercial camp grounds, and

(k) recreational-vehicle (RV) parks.

4. PROHIBITED USES - The following uses shall be specifically prohibited: Fish camps.

5. INTENSITY - The maximum floor area ratio shall be 0.35.

b. REGIONAL ACTIVITY CENTER (RAC) - In addition to the other applicable provisions, the RAC shall be governed by the following provisions:

1. DESIGNATION AND MAPPING - One RAC is established as designated on the US 27 SAP Future Land Use Map. This area is located in the southeast and southwest corners of the intersection of US 27 and US 192.

2. PURPOSE - It is the purpose of this RAC to encourage short-term and long-term development of this vital area for business uses, commercial, and employee housing.

3. PERMITTED USES - The following uses shall be permitted:

All uses permitted in the RAC including the uses listed in Section 2.110-F, and the following:

- research and development facilities;
- helicopter landing facilities;
- motel/hotel;
- convenience stores, including pump islands for gasoline sales;
- service stations;
- retail commercial uses;
- other similar and compatible uses as approved by the Land Development Director or his/her designee.

4. DEVELOPMENT GUIDELINES - All development activity shall be coordinated so as to maximize the use of frontage roads to connect US 27 with US 192. Frontage roads may include interconnecting spine roads that can be phased with the development. Access other than through frontage roads requires a project traffic report to analyze the extra access needs. Pedestrian intermodal access shall be provided between different uses.

5. PROHIBITED USES - The following uses shall be specifically prohibited:

- outdoor storage forward of the rear building line.

c. RESIDENTIAL-LOW (RLX) - This classification is the same as defined in Section 2.120-C, except higher densities (up to a maximum of 8 du/ac) may be achieved through greater development standards, the transfer of development rights, or a combination of both; and multi-family is allowed.

d. RESIDENTIAL-MEDIUM (RMX) - This classification is the same as defined in Section 2.120-D, higher densities (up to a maximum of 15 du/ac) may be achieved through greater development standards, the transfer of development rights, or a combination of both.

e. RESIDENTIAL-HIGH (RHX) - The Residential High land use district is intended to provide areas for high density residential and mixed-use residential within highly concentrated urban areas. The Residential High (RHX) land use district as it appears in the US 27 SAP functions as a transitional land use district from the primarily residential land uses contained in the Residential Low (RLX) and Residential Medium (RMX) land use districts to the highly concentrated residential, civic, office, retail and commercial land uses found within the Regional Activity Center (RACX) and Town Center (TCX) land use districts. The RHX land use district provides opportunities for high density residential to complement and support the office, civic, commercial and retail uses contained within the TCX and RACX. Providing high density residential adjacent to TCX and RACX uses results in an increased internal capture rate that in-turn

reduces vehicular trips on the surrounding roadway network. Also, there is a potential for increased pedestrian activities and compulsory interconnectivity as an outcome of providing such uses in proximity to one another.

1. DESIGNATION AND MAPPING - Residential High is designated on the Future Land Use Map and specifically within the boundaries of the North US 27 Selected Area Plan.

2. CHARACTERISTICS - The features and development which characterize the Residential High district are high density residential uses within multi-story, multi-unit buildings. Single-family detached dwelling units, duplexes or triplexes are prohibited within the RHX. In addition, a limited amount of commercial, office, and civic land uses, not to exceed the intensity of a CC or NAC (Objectives 2.110-C and 2.110-D), may be allowed in mixed-use structures as part of a Residentially Based, Mixed-Use Developments. Residentially Based Mixed Use Developments shall not be limited by the minimum acreage and location of non-residential development per Policy 2.131-C5. Non-residential uses shall be specific to providing convenience and services directly to the high density residential uses within the RHX. The non-residential uses shall not be of the same intensity allowed within the TCX and RACX. The development scale is urban in character with a limited service radius and concentrated market area. All development activity shall be coordinated so as to maximize the proximity of Town Center and RACX land uses.

3. PERMITTED USES - The following uses shall be permitted:

   - All uses permitted in the RHX including the uses listed in Section 2.120-E4.

4. DEVELOPMENT GUIDELINES:

   (a) Usable Area: Minimum 5 acres.

   (b) When an RHX district is contiguous to a TCX and/or RACX district and all contiguous parcels meet the density bonus criteria listed in Section 2.131.C8, the overall density for all of the contiguous parcels shall not be less than 15 units/ac nor exceed 25 units/ac.

   (c) Location of residential units above non-residential uses shall be encouraged by not considering such units, up to a maximum of 150 units, against the maximum residential percentages and densities.

f. PROFESSIONAL INSTITUTIONAL (PIX) - The Professional Institutional land use district is intended to function as an Activity Center. The purpose and intend of the Professional Institutional Land Use District is to provide areas for the establishment of office uses and retail related support uses. The Professional Institutional Land Use District is intended to serve surrounding neighborhoods with professional medical, financial, educational, legal, government, property management and other similar professional office uses. The Professional Institutional Land Use District is also intended to accommodate limited retail operations which complement the primary office uses of the district. Attached residential dwellings, intended to complement primary professional office uses within the Professional Institutional district are declared to be consistent with the District's purpose and intent. Residential units shall be permitted with mixed-use structures provided that office or retail occupies the majority of the first floor.

   1. DESIGNATION AND MAPPING - Professional Institutional is designated on the Future Land Use Map and specifically within the boundaries of the North US 27 Selected Area Plan.

   2. CHARACTERISTICS The features and development which characterize the Professional Institutional district are professional office uses: limited support retail; and attached residential development to complement professional office functions. The development scale is neighborhood in scope and character with a limited service radius and concentrated market area. The general (approximate) characteristics of the Professional Institutional district are as follows:

(a) Usable Area: 10 acres to 40 acres.

(b) Gross Leasable Area (GLA): More than 3,000 square feet.

(c) Minimum Population Support: 2,500 people.

(d) Market-Area Radius: 2 miles.

(e) Location Standards: The Professional Institutional district shall be oriented towards surrounding residential neighborhoods and not towards regional markets. A PI district shall have frontage on two collector roadways or intersection of an arterial and collector road. If the PIX is located on the west side of US 27, the PIX can be located adjacent to an arterial roadway without an intersecting collector road as long as the district is able to achieve direct access to the connector roadway system as contemplated by Objectives 2.131-G, L and N.

(f) Typical Uses: The primary uses within the district are office-based service and professional establishments that specifically include medical offices and clinics, financial institutions, educational institutions, legal offices, publishing centers, government offices, and real estate-related offices. Not more than twenty-five (25) percent of the district may be used for secondary retail-type uses that complement office establishments. Attached residential units are also typical uses within the district.

3. DEVELOPMENT CRITERIA - Development within the Professional Institutional district shall be according to the following criteria:

(a) Non-residential Floor Area Ratio (FAR) shall not exceed 0.70;

(b) Residential densities shall not exceed 10 dwelling units per gross acre.

(c) Lands shall only be divided as part of a master subdivision plan and all individual lots shall be accessible via internal local roadways;

(d) All developments shall provide on-site pedestrian pathways connections to provide access from all parking areas and abutting residential development where appropriate, to the primary uses of the district;

(e) Non-residential building entrances shall be oriented towards abutting rights-of-way in order to create a village like appearance along primary streets; furthermore, no more than two rows of parking shall be placed forward of the front building facade.

(f) Off street parking areas for non-residential uses shall be designed to complement the building facade and emphasize the building appearance and relationship to abutting rights-of-way;

(g) Single occupancy, detached residential dwellings and duplexes are prohibited in the Professional Institutional district;

(h) Time-share and short-term rental units shall include a management office on the same site as the individual units;

(i) Loading docks, drive-thru facilities, utility facilities, and storage areas shall be designed to minimize their visibility from abutting collector and/or arterial rights-of-way without diminishing their utility of intended function.

g. OFFICE CENTER (OCX) - Polk County shall provide for needs of residents of the US 27 SAP through:

(a) the designation and mapping of OCX on the Future Land Use Map Series; and

(b) the establishment of criteria applicable to the location and development of land within OCX.

1. DESIGNATION AND MAPPING - Office Centers shall be located throughout US 27 SAP as designated on the Future Land Use Map Series as "Office Centers " (OCX).

In addition to other applicable provisions, the following shall apply:

2. CHARACTERISTICS - Office Centers are intended to accommodate the office needs of the community they serve. They generally contain lawyer, real estate, engineering, and other professional services/offices. Medical offices and support offices are also allowable in this category.

   (a) Gross Leasable Area (GLA): More than 3,000 square feet

   (b) Separation from other OCX districts: 1 mile

   (c) Other Typical Uses: The primary uses within the OCX district are, office-based service and professional office establishments that specifically include accounting firms, architects, personal services, medical offices/clinics, dental offices, veterinary services, financial institutions, educational institutions, legal offices, printing/copying services, publishing centers, government offices and real estate related offices. Residential units located above the office and retail are also typical uses and are encouraged within the OCX district. Live-work units shall also be encouraged.

3. DEVELOPMENT CRITERIA - Development within an OCX shall conform to the following criteria:

   (a) Non-residential Floor-Area-Ratio (FAR) shall not exceed 0.75. Residential uses located over non-residential uses shall not count towards the FAR;

   (b) Residential densities shall be based on the total square footage of any proposed development. One dwelling unit per 1,000 square feet of gross floor area of office or retail uses.

   (c) A minimum 50% of the square footage of the total FAR in any OCX district shall be for office uses;

   (d) Retail uses that complement office center establishments, within an OCX shall not exceed 15% of the total acreage of the OCX. If residential uses are located over non- residential uses, an additional 5% of retail uses shall be permitted;

   (e) Prohibited uses: Convenience stores, Gas Stations, Fast-food Establishments w/ Drive-thru/Drive-in, Non-phosphate mining, Truck Stops, Class III Utilities;

   (f) Residential uses shall be located over non-residential uses;

   (g) Live-work units shall be encouraged within the OCX. Live-work units shall not count towards the allowed 15% of retail uses or overall density. Live-work units shall not exceed more than 15% of the total OCX acreage;

   (h) Detached residential dwellings and duplexes are prohibited in the OCX district; and

   (i) Development in OCX 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 OCX shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical;

(j) OCX expansions, new locations for OCX and development within OCX may front on or be accessed via local roads if the subject parcel(s) is within a one-half mile of a collector or arterial road;

(k) 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. Shared parking facilities shall be encouraged between office and retail uses;

(l) 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 additional buffering provisions;

(m) Lands shall only be divided as part of a master subdivision plan and all individual lots shall be accessible via internal local roadways;

(n) No direct access to US Highway 27 shall be permitted for either driveway connections or parking areas located within the district;

(o) All developments shall provide on-site pedestrian pathways connections to provide access from all parking areas and abutting residential development where appropriate, to the primary uses of the district;

(p) Non-residential building entrances shall be oriented towards abutting rights-of-way in order to create a village like appearance along primary streets; furthermore, no more than two rows of parking shall be placed forward of the front building façade;

(q) Off street parking areas for non-residential uses shall be designed to complement the building facade and emphasize the building appearance and relationship to abutting rights-of-way; and

(r) Loading docks, utility facilities, and storage areas shall be designed to minimize their visibility from abutting collector and/or arterial rights-of-way without diminishing their utility of intended function.

4. ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125- C relating to Transitional Areas, development adjacent to an OCX may include the following uses: Office, Residential, Institutional, and Recreation and Open Space.

h. Neighborhood Activity Center (NACX) - In addition to the other applicable provisions in this SAP and the Future Land Use Element, the location criteria has been amended as follows:

1. Neighborhood Activity Centers shall have direct frontage on US Highway 27 and

2. The required separation distance to other Neighborhood Activity Centers, LCC, CE and other Activity Centers may be reduced if the proposed Neighborhood Activity Center market radius, minimum population support is over 10,000 people.

POLICY 2.131-C5: MODIFIED SPECIAL USES - Modified Special Uses shall include Residentially Based, Mixed-Use Developments and Recreation and Open Space as enumerated in Policy 2.131-C3 and shall be developed in accordance with the following criteria:

a. RESIDENTIALLY BASED, MIXED-USE DEVELOPMENTS - For this SAP, Residentially Based, Mixed-Use developments shall be referred to as "villages" as defined in the glossary and shall meet the requirements of Section 2.125-H (Residentially Based, Mixed-use Developments) and the following provisions:

1. RESIDENTIALLY BASED, MIXED-USE "VILLAGE" - This special use shall be permitted in the Residential Low, Residential Medium, and Residential High land use. It is encouraged in the SAP by offering the developer the following incentives:

   (a) commercial uses at the center of the village,

   (b) narrower streets and street rights-of-way throughout the village, and

   (c) higher densities.

2. Minimum-Acreage Requirement - A minimum of 40 acres, singly or jointly owned under one village master plan, are required in order to establish a Residentially Based, Mixed-Use Development. This acreage requirement is amended by Policy 2.131-C4 for RHX Land Use, which allows for Residentially Based Mixed Use Developments per the vision of this Selected Area Plan with respect to intensity and density.

3. Non-Residential Uses Permitted - The village shall allow the location of commercial uses provided that specific design criteria are met. The Commercial uses allowed shall be restricted to those that fit the size, scale, and intensity of the village setting.

   (a) Deleted but 1, 2, 3, and 4 below were not deleted. (CPA 16B-09, Ord. 16-020)

      (1) The personal service shop - hairstyling, tailoring, shoe repair, and dry cleaning.

      (2) General retail of a small scale such as bakeries, hardware stores, convenience stores excluding gasoline services.

      (3) Business or professional offices - real estate, insurance, travel agency, medical, dental, and veterinary offices, banks and other financial institutions.

   (b) Encouraged quasi-commercial, civic, and institutional uses:

      (1) studios for art, dance, music, and photography

      (2) churches and day-care centers

      (3) neighborhood libraries and post offices

      (4) a village common

4. Design Standards Required - In order to qualify as a village the following standards shall be met:

   (a) The development must be residentially based, and the design, configuration, and mix of uses shall emphasize a pedestrian-oriented environment. The village center should be within comfortable walking distance for a majority of the village residents (one-third mile).

   (b) The street pattern shall resemble a grid, allowing, where possible, connections to adjacent properties.

   (c) Commercial uses within the village center shall be encouraged to include second-story apartments.

   (d) Village developments shall reserve sites in the village center and street vistas for churches, public buildings, parks, and natural features.

   (e) Village developments shall contain a village common or park/plaza to serve as a "public-activity" center.

   (f) Polk County shall adopt as part of its Land Development Code, additional standards for "village" developments.

b. RECREATION AND OPEN SPACE - In addition to the specific Recreation and Open Space land depicted on the SAP land-use map, Recreation and Open Space (ROS) is treated as a special use in order that a linked park and open-space system can be created. Its central purpose is to tie all the villages, the town center, and activity centers together through a network of bikeways and pedestrian walkways. It will also provide open space, recreation space, and special ambience to this part of Polk County by ensuring that the natural amenity is preserved, enhanced, and made useable for the natural and man-made environment. In order to achieve the open-space provisions, all new development shall be required to meet the recreation and open-space development provisions set forth in Policy 2.131-D1.

POLICY 2.131-C6: SPECIAL PROVISION AREAS - Land within "Special Provision Areas" as enumerated in Policy 2.131-C3 shall be developed in accordance with the following criteria:

a. TOWN CENTER (TC) - In addition to the other applicable provisions, the TC shall be governed by the following provisions:

1. DESIGNATION AND MAPPING - The TC is established as designated on the US 27 SAP map. The TC is located at Sand Mine Road and US 27. This TC should develop in a manner which will focus density and intensities typically found in an urban core.

2. PURPOSE - It is the specific intent of this TC to cluster commercial, other non-residential, and multi-family uses as appropriate to create "Town Centers" for the entire SAP area. These areas are intended to serve as a commercial node of concentrated uses, central to residents and tourists, and provide short- and long-term accommodation of, and encouragement to, development related to Walt Disney World.

   The primary purpose for the TC is to serve as the focal point for the area encompassing multiple uses and activities. The TC will serve as the primary core and will compliment the activities and uses proposed for the SAP. The TC will be an employment center and a location for major retail, commercial, and hotel opportunities. The TC will be the hub for cultural, educational, and civic activities. The TC should be unique in its diversity of uses set in an environment designed around the pedestrian, as opposed to the automobile. Greater attention will be given to providing an environment where it is more convenient and pleasant to walk or bicycle, than drive, between activities.

   The TC future land use designation is a mixed use district that carries with it development rights of both ten dwelling units per acre (10 du/ac) and a commercial floor-area-ratio of 30% (0.35 FAR).

3. DEVELOPMENT REVIEW CRITERIA - In addition to the typical review standards, development projects within the TC shall be based on a consistent architectural, streetscape, local road, and bicycle network scheme developed through an urban-design component. The urban design component may be developed by the Property Owners Association, Polk County, or the individual developer, consistent with the Traditional Neighborhood Design section of Polk County's Land Development Code.

4. GUIDELINES FOR COORDINATED DEVELOPMENT OF TC's - Polk County shall encourage and promote a harmonious scale and character according to the following guidelines:

   (a) Guideline I - The TC shall be the focus of commercial, civic, social, and residential functions.

   CRITERIA:

   (1) Develop a retail strategy that caters to the demographics of the potential residential and tourist population.

   (2) Develop a program and development plan to strategically locate cultural and governmental facilities within the Town Center Area.

(3) Establish a development program for the location of higher-level educational facilities within the TC.

(b) Guideline II - The TC shall become integral to the community for which it serves.

CRITERIA:

(1) Develop a road system which connects the TC roads directly with roads leading into the adjacent residential areas.

(2) Incorporate the TC into an overall community pedestrian and bicycle system.

(3) Develop a streetscape design that is consistent with the entire community.

(4) Incorporate landmarks and focal points into the TC which visually connect to the residential areas.

(5) Emphasize formal design approaches, using grid street alignment, with views terminated by focal points.

(c) Guideline III - Encourage and promote the most diverse mix of uses, as well as the highest intensities and densities, to be located within the TC.

CRITERIA:

(1) Provide for mixed-use development and a variety of housing types and densities.

(2) Designate different areas within the TC for different types of retail.

(3) Encourage vendors in appropriate retail locations.

(4) Residential development within the TC shall be encouraged to integrate with other uses such as retail and office development.

(5) Establish flexible parking regulations to encourage mixed-use development and minimize impervious surfaces in the TC.

(d) Guideline IV - Create a sense of public identity by defining and placing public spaces and facilities in the TC.

CRITERIA:

(1) Encourage private development to incorporate public spaces that will reinforce an open-space network and enhance the pedestrian environment.

(2) Develop architectural characteristics for all civic and private buildings to maintain a low-scale pedestrian-friendly environment.

(3) A public open-space network shall be developed throughout the TC to tie into the adjacent residential areas.

(4) Landscape-design standards shall be developed for all rights-of-way, parking area, plazas, and public open space to integrate them with each other and strengthen the overall image of the TC.

(e) Guideline V - Develop a transportation system that provides balanced vehicular, bicycle, and pedestrian access into, and within, the TC.

CRITERIA:

(1) Encourage the development of a circulator system to connect the TC to the adjacent residential areas.

(2) All new development shall provide facilities for bicycle access.

(3) Pedestrian crossings on all major roads shall be clearly identified.

(4) Alternative parking approaches shall be utilized to calm traffic flow and foster street-oriented commercial activities including street vendors.

(5) Parking ratios shall be developed based on shared parking supply.

(6) The location and need for structured parking shall be established in conjunction with the phased build-out of the TC.

(7) A system of pedestrian walkways shall be defined in conjunction with the street-classification system.

(8) The ambience of the pedestrian environment shall be enhanced with an extensive streetscape program.

(f) Guideline VI - The TC shall have a unified scale, character, and image.

CRITERIA:

(1) Create design standards which establish the scale, mass, and forms of development throughout various areas of the TC.

(2) Establish a design review process to make decisions on all development and determine its impact on adjacent properties.

(3) Develop architectural themes and character for different areas within the TC which will vary scale and mass according to location and use.

(4) Bonuses and incentives which will result in higher densities shall be incorporated in the land development regulations.

(5) Develop a hierarchy of streets based on pedestrian usage and criteria for adjacent building design.

(6) Provide a complete palette of street furnishings to enhance the walking experience. Such furnishings shall include benches, trash receptacles, bus shelters, information kiosks, telephone stands, and appropriately scaled lighting.

5. PERMITTED USES - Uses permitted include:

(a) All uses permitted within a Neighborhood Activity Center (NAC) as specified in Policy 2.110-D1; and

(b) All commercial uses permitted within the Tourist Commercial Center (TCC) as specified in Objective 2.110-I.

(c) Special Residential in accordance with Section 2.125-F of the Comprehensive Plan and consistent with the TC Guidelines.

b. GREEN SWAMP PROTECTION AREA (GSPA) - In addition to the other applicable provisions, land within the Green Swamp Protection Area shall be developed in accordance with the following criteria:

1. DESIGNATION AND MAPPING - The GSPA is established as designated on the US 27 SAP map. The GSPA includes all land west of US 27 within the boundaries of the Green Swamp Area of Critical State Concern.

2. PURPOSE - It is the specific intent of this GSPA to allow environmentally responsible development to occur provided that the integrity of the Green Swamp is preserved and the high-recharge nature of the land is protected.

3. GSPA CONSIDERATIONS - The designated area currently consists of citrus groves and pasture lands on high sandy soils. Soils maps indicate this area to be a high-recharge area for the Floridan Aquifer.

4. DEVELOPMENT CRITERIA - Development within the North US 27 SAP shall adhere to the requirements for limited impervious surface cover and wetland protection as required by the Green Swamp Area of Critical State Concern Resource Management Plan. However, densities and intensities may be greater when consistent with the Basic Principals, Guidelines, policies and objectives of the SAP.

c. GREENWAY CORRIDOR - The Greenway Corridor on the Future Land Use Map indicates land within the US 27 SAP and within the Ridge SPA bordering the CORE area of the Green Swamp Area of Critical State Concern as a Greenway Corridor, and as further defined in this section, shall be developed pursuant to the following:

1. PURPOSE - The Greenway Corridor is intended to become a linear, meandering preservation/conservation and wildlife corridor bordering the Green Swamp CORE and Ridge Special Protection Area. This area will serve as a buffer with no development permitted within this area. This buffer area shall connect to the Greenway Corridor that is required as part of the US 27 SAP and shall remain undisturbed except for the accommodation of pedestrian/bicycle traffic, underground utilities, and limited access. This corridor shall be a minimum of 50 feet wide on each side of the jurisdictional wetland boundary.

2. IMPLEMENTATION METHODS - The Greenway Corridor shall be created as follows:

(a) New development and redevelopment bordering the jurisdictional wetlands of the Green Swamp shall designate 50 feet east of the jurisdictional wetland boundary and 50 feet west of the jurisdictional wetland boundary as a conservation easement for the Greenway Corridor.

(b) Developments located along the Greenway Corridor shall be required to locate other recreation amenities and stormwater retention areas adjacent to the corridor in order to further enhance it. All retention areas shall be designed in a manner that minimizes disturbance to the land.

POLICY 2.131-C7: DENSITY SCHEDULE - Through the Polk County Land Development Code, a density bonus system shall be developed to be used in the North US 27 Selected Area to encourage development designs consistent with the intent of the plan. Within the Center and Core of the Transit Corridor and Center Overlay (TCCO), the base density for RLX shall be 4 dwelling units per acre (4 du/ac) with the base density for RMX established at 6 dwelling units per acre (6 du/ac) and the base density for RHX established at 15 dwelling units per acre (15 du/ac). Densities outside the Center and Core of the TCCO may only occur below the base through the density bonus system within the Land Development Code.

Based on the density bonus system development within RLX can receive up to 8 dwelling units per acre (8 du/ac) while development within RMX can receive up to 15 dwelling units per acre (15 du/ac) development within RHX that meets the density bonus criteria and the development criteria identified in Policy 2.131-C4(e)(4)(a-b) can receive up to 25 dwelling units per acre (25 du/ac). Development within RHX that meets the density bonus criteria but does not meet the development criteria identified in Policy 2.131-C4(e)(4)(a-b) can receive up to 20 dwelling

units per acre (20 du/ac). Lands within the TC designation are entitled to 10 units per acre and 0.35 non-residential floor to area ratio by right. Higher densities may be achieved through a density bonus system provided in the Land Development Code not to exceed 25 dwelling units per acre (25 du./ac.).

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.

POLICY 2.131-C8: DENSITY BONUS CRITERIA - Greater densities shall be granted to applicants for development approval that incorporates resource protection, recreation, and innovative design techniques into the development plan along with the provision of public infrastructure dedication and improvements to enable better growth management throughout the SAP. The following items are to be specifically targeted through land development code regulations:

US 27 Density Bonus Point Criteria
RESOURCE PROTECTION
Wetland Buffers: Greater density should be awarded to developments that leave the upland areas around wetlands undisturbed.
Upland Conservation: Greater density should be awarded to developments that conserve upland area for the restoration of protected species habitat.
Xeriscaping: Greater density should be awarded to developments that incorporate drought tolerant indigenous plants into a majority of the landscape.
Preservation or restoration of natural vegetation: Where natural vegetation is kept or restored to its original state greater development density should be awarded.
Maintain Original Hydrologic Pattern: Where a development does not disturb the existing slopes and drainage patterns, greater development density should be awarded.
RECREATION
Where community recreation facilities are provided within a development, greater development density should be awarded. These include, but are not limited to pools, athletic courts or ballfields, tot lots, clubhouses, golf courses, horseback riding stables, and passive recreation facilities. Such facilities should be centrally located within the development. If public recreation facilities are located nearby, greater densities should be granted for developments that provide sidewalks connecting to them.
INNOVATIVE DESIGN
Pursuant to the Land Development Code greater densities may be permitted to projects that incorporate innovative, unique, and more aesthetically pleasing designs into the development plans such as decorative streetlights, canopy trees in common areas, vertical development, mixed use buildings, lot size and width variations, traffic calming devices on local roads, shared alleys, rear entrances, common parking, zero lot line or cluster development, landscaping of storm water ponds and external walls, and decorative connections between different land use activities.
INFRASTRUCTURE AND SERVICES
Greater density should be awarded to developments that donate useable land for public services such as public safety facilities, schools, and parks.
Greater density should be awarded to developments that extend sidewalks beyond their collector and/or arterial road frontage or incorporate internal sidewalks into the development plan.
Greater density should be awarded to developments that dedicate Right-of-Way for Planned Connectors such as the Green Swamp Parkway and its collector road connections to US Highway 27.
TRANSPORTATION
Greater density should be awarded to developments that provide access to more than one collector road or better (includes Green Swamp Parkway).
Greater density should be awarded to developments that promote internal capture (mixtures of uses that prevent potential automobile traffic from exiting the site or entering collector or arterial roads).

PROXIMITY AND TRANSITION TO COMPLIMENTARY LAND USES
Greater density should be awarded to developments that provide an urban environment (compact building design that supports a mix of uses and within a close proximity that supports pedestrian accessibility) that discourages a suburban pattern of development and provides for an appropriate residential to non-residential mix.
Greater density should be awarded to developments that provide a significant physical and functional integration of project components, including uninterrupted pedestrian connections (mixture of residential and non-residential uses that support the commercial viability of the area, pedestrian connectivity, shared parking and consolidation of trips).
Greater density should be awarded to developments that provide an appropriate transition of density/intensity between different land uses and districts (a density pattern that transitions from primarily high intensity commercial and high density residential to low intensity commercial and low density residential).

POLICY 2.131-C9: TRANSFER OF DEVELOPMENT RIGHTS - Excess density credit, earned above actual constructed density[2], may be transferred off-site throughout the SAP so long as the gross density of the receiving area does not exceed the maximum permitted density within the district. To receive density transfers, a minimum number of bonus points are required of the receiving development. Town Center (TC) is a mixed-use district that has both a density by right as well as a floor-area-ratio, both of which can be transferred. A minimum of 20 points is required of the receiving development for the transfer of FAR.

OBJECTIVE 2.131-D: Within the north US 27 selected area, a linked recreation-and-open-space system shall be established as development occurs.

POLICY 2.131-D1: LINKED RECREATION-AND-OPEN-SPACE (ROS) SYSTEM - The ROS system shall be governed by the following provisions:

a. DESCRIPTION: The linked open-space system shall be comprised of:

   1. existing designated ROS land uses within the Selected Area, and

   2. land dedicated for the linked open-space system by individual land owners/developers.

b. PURPOSE - The ROS is intended to provide open space, recreation space and special ambience to this part of Polk County by ensuring that the natural amenity is preserved, enhanced, and made useable for the natural and man-made environment.

c. LEVEL OF SERVICE STANDARD - A higher LOS than is adopted county-wide shall be applicable to the US 27 SAP. This standard shall be six (6) acres per 1,000 people until such time as the county-wide standard surpasses this level - at which time the higher standard shall apply.

d. POLK COUNTY COMMITMENTS - Polk County shall commit to holding land put into the system in its undeveloped state until such time as funding mechanisms are established to pay for the improvement and maintenance of the system. This can be accomplished comprehensively through the establishment of an area-wide funding mechanism or at the individual village level - provided a village-based system is established.

e. DEVELOPMENT STANDARDS - All new development shall be required to meet the Level-of-Service standard as follows:

   1. All development shall contribute to the creation of a park system which includes:

[2] Actual constructed density must be above the density permitted by right to qualify for TDRs.

(a) 330 acres of community and regional parks at-build-out, and

(b) linked open-space system consisting of a connected bikeway/pedestrian trail system to connect residential areas to each other and to the overall park system.

2. Fifty percent (50%) of Park and Recreation space requirements shall be provided within specific developments and related specifically to that development, i.e. small neighborhood tot lots, village commons, upland linear connectors, access through or adjacent to private golf courses, etc. The linkage shall be made possible by inclusion of a pedestrian path or sidewalk. However, exceptions may be necessary when it is demonstrated by the developer that linkage is not possible.

3. Developer Credits: Developer credits shall be provided for ROS land in accordance with the following provisions, if and only if the developer has first agreed to layout the development in a grid pattern pursuant to the appropriate criteria:

(a) North US 27 SAP impact fee credits, excluding county-wide park impact fees, shall be given for upland open space reserved for a village common, and land set aside for the Greenway Corridors. These credits shall be on a dollar-for-dollar basis with improvement cost and land cost being calculated toward determining impact-fee credits.

(b) Commercial use bonuses pursuant to (a)(3)(c) shall also be granted for creation of a village common, and

(c) Additional commercial-use bonuses shall be available, up to 10,000 square feet, if appropriate land acreage adjacent to the village common is reserved for a church or public facility, and is offered at a sale price 30 percent below market value.

OBJECTIVE 2.131-E: Development within the North US 27 corridor shall conform to special buffering and landscape criteria to help ensure reforestation.

POLICY 2.131-E1: PARKING LOT LANDSCAPING STANDARDS - Parking lots shall be landscaped pursuant to the following provisions:

a. Parking lots shall be required to landscape the parking lot so no less than 50% of the parking lot is underneath a canopy at tree maturity.

b. Minimum Landscaped Area - A minimum area of not less that 5% of the total off-street parking area shall be devoted to landscaping.

c. Location - Not more than 20% of the parking area landscaping requirement may be provided adjacent to the building it is intended to serve. All other landscaping shall be provided in the form of interior islands, divider medians, and perimeter landscape strips. Landscaped areas shall be located in such a manner as to divide and breakup the expanse of paving and to guide traffic flow. Landscape islands and divider medians shall measure not less than five (5) feet in width. At least one (1) tree shall be provided in each landscaped area. The remainder of the area shall be landscaped using grass, ground cover, mulch, shrubs, trees, or other landscaping material excluding sand or pavement. All landscaped areas shall avoid overhang encroachment with curb stops or bumpers. If curbing is used abutting landscaped areas, it shall be perforated to permit drainage where necessary.

d. Required Landscaping Adjacent to Public ROWs - Where a paved off-street parking area is abutting a public right-of-away (ROW), landscaping shall be provided between the off-street parking area and the right-of-way in accordance with the following:

1. A landscaped strip of land, a minimum of five (5) feet in width, shall extend along the length of the boundary between the parking area and the abutting right-of-way, except at point of access.

This landscaped strip shall contain at least one (1) drought resistant, native to the ridge, tree for each 75 lineal feet, or fraction thereof. Trees may be planted separately or in clusters.

2. The required landscaped strip shall contain a hedge, wall, fence, berm, or other opaque screen, a minimum of three (3)-feet high, but not more than six (6)-feet high attained within one year of installation. If non-living barriers are used, one (1) shrub or vine shall be planted along the street side for each 15 lineal feet of screen. The remainder of the landscaped strip shall be landscaped with grass, ground cover, or other appropriate landscaped treatment.

3. Planting of trees within utility easement or that may effect an existing overhead power line shall be permitted upon the submittal of proof that all utility providers using the easement approve of the landscape plan. The proof must be submitted with the landscape plan.

POLICY 2.131-E2: XERISCAPE - Xeriscape is a set of landscape design and maintenance principles which promote good horticultural practice and the economic and efficient use of water. The term Xeriscape is the registered trademark of the National Xeriscape Council and means water-conserving, drought-tolerant landscaping or simply the use of appropriate plant materials that do not require special attention and which require little supplemental water to grow properly. Xeriscape designs do not resemble desert landscapes, but reflect the lush traditional appearance of Florida gardens. Because water restrictions have become a common occurrence in Central Florida, water-conserving-landscape standards shall be developed for the north US 27 corridor.

POLICY 2.131-E3: ROADWAY LANDSCAPE DESIGN - Roadway Landscape Design shall conform to the following:

a. A 25'-wide landscape/buffer area shall be provided on both sides of all arterial and collector roads. This landscape/buffer area shall be landscaped with trees and shrubs to achieve a 25% coverage after one year of planting. Landscape/Buffer areas are in addition to the street right-of-way.

b. Landscaping shall be encouraged within road rights-of-way, but must be based on a plan approved by the County.

c. Developers of properties shall plant Live Oak trees along collector and arterial roadways at a ratio of one tree for every 40 linear feet of right-of-way frontage.

d. A site plan showing the easement landscape plan, other trees, plants, and driveway access points, shall be required prior to the approval of subdivision pre-construction plans or tentative level PUD approval, or their functional equivalent.

POLICY 2.131-E4: TREE PLANTING REQUIREMENTS - Tree planting shall conform to the following:

a. Minimum Number of Trees Required - The minimum number of trees, exclusive of buffers, to be planted or preserved upon each lot is as follows:

1. Residential Low (RLX) - 1 tree shall be planted or preserved for every 5,000 square feet of developable residential lot, or fraction thereof. The maximum number of trees required to be planted or preserved shall be eight (8).

2. Residential Medium (RMX) - 8 trees per gross developable acre shall be planted or preserved.

3. Residential High (RHX) - 6 trees per gross developable acres shall be planted or preserved.

4. Town Center (TC) - 6 trees per gross developable acre shall be planted or preserved.

5. Leisure/Recreation (L/RX) - 4 trees per gross developable acre shall be planted or preserved.

6. The following types of trees are prohibited:

(a) Australian Pine (casuarina species)

(b) Cajeput or Punk Tree (melaleuca quinquenervia)

(c) Chinaberry (melia azedarch)

(d) Ear Tree (Enterlobium cyclocarpum)

(e) Eucalyptus species

(f) Brazilian Pepper (schinus terebinthi folius)

(g) Paper Mulberry (broussonetia papyrifora

(h) Silk Oak (grevilla robusta)

It shall be the responsibility of the property owners to maintain approved landscaping and provide replacement for dead plant material.

OBJECTIVE 2.131-F:*[Deleted by CPA-2001B-09 (Ord. 01-101); Adopted by BoCC 19 DEC 2001]*

OBJECTIVE 2.131-G: The County shall optimize the capacity of US 27 as the primary transportation roadway.

POLICY 2.131-G1: New development and redevelopment shall increase internal-capture rate to reduce external trips by focusing compatible land uses which provide a full range of activities, thereby reducing external trips.

POLICY 2.131-G2: All new development and redevelopment shall provide and build pedestrian/bike connections between adjacent parcels and roadway connections between adjacent parcels and to proposed arterial and collector roads. If the proposed development is adjacent to an approved development with connections, the proposed development must be designed to connect to the previously approved development. If conditions warrant, the County shall require:

a. Service Roads.

b. Internal roadways.

c. External connections to east/Osceola County.

POLICY 2.131-G3: Roadway Design for Landscape shall utilize the following options/considerations:

a. Urban sections with curb and gutter for 200 feet from intersections in all directions

b. Other roadways (internal)

1. Landscaping

2. Water Feature

3. Visual Termini

4. Emphasize scale of landscape to scale of location based on intensity of activity center.

POLICY 2.131-G4: TRANSPORTATION IMPROVEMENTS - Future roadways within the North US 27 SAP are depicted on the SAP map in terms of their general location. Their final placement may deviate somewhat from these general locations without the necessity of processing a Comprehensive Plan Amendment (CPA) provided that the transportation service provide by that transportation corridor is generally maintained.

a. Improvements to, and rights-of-way acquisition for, arterial roadways shall be funded consistent with the Polk County Capital Improvement Program that shall identify revenue sources for these projects.

b. The arterial roads shall be considered controlled-access roads and shall be constructed so that distances between access points are no closer than 300 feet.

c. Arterial and collector roads built by Developers on part of their projects shall conform to the adopted road plan for the North US 27 SAP. Polk County shall amend the following transportation maps in the Comprehensive Plan Map Series to reflect the designed road plan for the US 27 SAP:

1. Lakeland and Winter Haven Urbanized Areas/Small Urban Areas (Figure GF-3.214-3),
2. 20520 Future Roadway Laneage (Figure GF-3.214-4), and
3. 20520 Future Roadway Functional Classification (Figure GF-3.214-5).

POLICY 2.131-G5: RIGHT-OF-WAY WIDTH - The rights-of-way shall have the following widths:

Arterial: 120 feet

Collectors: 80 feet or 60 feet where designed and built with urban standards (curb and gutter)

POLICY 2.131-G6: CURB CUTS AND JOINT ACCESS - The following curb cut and joint access criteria shall be implemented on the following roadways:

a. Curb Cuts

US 27 Median Opening (full access)2640' o.c.

Median Opening (directional)1320' o.c.

Curb Cuts Right in/Right out660' o.c.

Major Arterial Streets - 4 Lane Divider

Median Opening600' o.c.

Curb Cuts300' o.c.

Major Collectors

Curb Cuts200' o.c.

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 two abutting building sites, with cross-access easements provided in accordance with the criteria below.

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 with 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 that it serves, or at least 500 feet linear frontage along 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 with the affected area shall be so designed as to provide for mutually coordinated or joint parking, 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 tied in 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 tie into the abutting parking, access and circulation to create a unified system unless the Land Development Director finds that this would be impractical.

POLICY 2.131-G7: The County shall prepare a pedestrian/bikeway-system plan as a component of the Recreation and Open Space plan. The plan shall include guidelines for the location and type of improvements. The County shall encourage developers to provide for pedestrian/bikeway systems in all development.

POLICY 2.131-G8: Sand Mine Road shall be utilized as an urban collector road, and as a primary access point to US Highway 27. The use of this road shall not be restricted for any purpose including, but not limited to, agricultural, industrial, mining, commercial, or residential traffic.

OBJECTIVE 2.131-H: Signage requirements shall be more restrictive than typical standards for Polk County.

POLICY 2.1 31-H1:The SAP shall generally use visually pleasing, lower height, and smaller signs to compliment the overall-selected-area site and building design.

POLICY 2.131-H2: The construction of billboards along the arterial roadways shall be specifically prohibited, except for temporary billboards advertising the availability of commercial space located within the SAP for the respective property(ies).

OBJECTIVE 2.131-I: All new development and redevelopment shall be sensitive to the unique upland wildlife habitat within the North US 27 Corridor.

POLICY 2.131-I1: New road rights-of way shall be routed to avoid traversing significant upland wildlife habitat, unless there is no feasible and prudent alternative and the roadway design incorporates design features for the safe passage of wildlife.

POLICY 2.131-I2: Improvements to existing roads (i.e., road reconstruction or widening) within upland significant wildlife habitat shall incorporate design features for the safe passage of wildlife.

OBJECTIVE 2.131-J: New development shall continue the protection of native-plant communities within the North US 27 Corridor by developing policies within the Comprehensive Plan or Land Development Code. ~~by December 1994.~~

POLICY 2.131-J1: The developer shall design and locate proposed improvements to minimize the removal of native plant community vegetation. However, it is not the intent of this provision to preclude the reasonable use of a lot or parcel of land consistent with the Land Development Code.

POLICY 2.131-J2: Reforestation shall be encouraged to enhance current wildlife areas and improve water quality within, and adjacent to, the Green Swamp.

OBJECTIVE 2.131-K: All land alteration activities shall be sensitive to the unique natural resources within the North US 27 Corridor and shall permit development in a manner which maintains and/or improves recharge to the aquifer.

POLICY 2.131-K1: Land alteration activity that destroys, reduces, impairs, or otherwise adversely impacts a wetland or natural body of water, shall be prohibited, unless there is no recourse in order to allow reasonable use of the land.

POLICY 2.131-K2: Building setbacks shall be 50 feet from environmentally sensitive areas. Wider setbacks may be required by the County depending on the environmental sensitivity of the area and the intensity of the development proposed adjacent to the area. For example, a 200-foot wide or wider setback may be required for a large excavation proposed adjacent to a wetland in order to prevent dewatering of the wetland.

POLICY 2.131-K3: No filling, excavating, or placement of permanent structures or other impervious surfaces shall be allowed within setbacks required in Policy 2.131-K2 except for the installation of a sprinkler system, utility line, or landscaping; or except as specially approved by the County for the construction of a road essential for access, construction of a stormwater retention or detention basis or stormwater conveyance, construction of a boardwalk or their stilted structure, grade finishing to provide a gradual slope between the setback line and the environmentally sensitive area, or the limited use of pervious paving material.

POLICY 2.131-K4: No underground petroleum storage tanks shall be allowed within the North US 27 SAP, unless the tanks are double walled and provide for monitoring of the interstitial space between the two tanks.

OBJECTIVE 2.131-L: CONNECTOR ROADWAYS - It shall be the responsibility of all new development to provide connection to neighboring developments or connect to alternate collector roads connecting to other development without accessing US 27.

POLICY 2.131-L1:

a. As of January 1, 1994, the County shall limit the total number of platted residential lots within the SAP to 550 until funding mechanisms are implemented for these public improvements.

b. Developments that deed road rights-of-way to the County for proposed new arterial and/or collector roads, shall be allowed to develop even if the development exceeds the lot cap. The lots within the development will count towards the cap.

c. The right-of-way of a collector road parallel to and on the west side of US 27 has mostly been donated north of Poitras One Road where the majority of the parcels along the corridor have dedicated all or half of the required right-of-way that is needed to help establish a parallel corridor and maintain the Level of Service on US 27. Prior to development of property along this collector road corridor, any remaining right-of-way associated with the development shall be donated prior to issuance of a building permit.

OBJECTIVE 2.131-M: Polk County shall address the impacts of development proposed in the local Comprehensive Plan upon development in adjacent jurisdictions, the region, and the state.

POLICY 2.131-M1: Polk County shall approach adjacent county governments to negotiate interlocal agreements for planning review of all development proposals in adjacent counties within one mile of their respective borders of any development that will impact another county. The agreements, shall require staff cooperation at the technical and administrative levels to review the relationship of proposed development to the existing comprehensive plans, address impacts of development, and to achieve compatibility with the comprehensive plans of the respective jurisdictions plan amendments, the Land Development Code, and infrastructure management. Nothing in this review shall result in a delay in the hearing process.

POLICY 2.131-M2: Polk County shall coordinate with the Florida Game and Freshwater Fish Commission and the U.S. Fish and Wildlife Service to prevent loss of endangered or threatened species.

POLICY 2.131-M3: Using data from the state and federal agencies, Polk County shall establish and maintain an inventory of areas supporting endangered or threatened plants or wildlife species.

POLICY 2.131-M4: Polk County shall cooperate with adjacent local governments to identify unique vegetative communities located within more than one jurisdiction, and to plan for the appropriate use and protection of those areas.

POLICY 2.131-M5: Polk County shall coordinate with the TPO to continue implementing the Transportation Master Plan for the North US 27 area.

OBJECTIVE 2.131-N: The North US 27 Selected-Area Plan shall identify the necessary capital improvements to support the proposed development, and shall identify funding sources.

POLICY 2.131-N1: CAPITAL IMPROVEMENTS - The following capital improvements are projected for the North US 27 SAP:

	5-YEARS	20-YEARS	BUILD OUT	TOTAL
Schools:				
Elementary	1	2	1	4
Middle	1	1	0	2
High	0	1	0	1
Regional Parks (acres)	30	100	200	330
EMS	0	1	0	1
Fire Station	0	1	1	2

COLLECTOR ROADS	LENGTH	IMPROVEMENT
Arterial #1: Originally the east branch of the Green Swamp Parkway	7.5 miles	New 2—4 lanes
Segment A: west from U.S. Hwy. 27 on Dean Still Road to the proposed Green Swamp Parkway		
Segment B[2]: north from Dean Still Road, along the proposed path to Poitras Road #1		
Segment C: east on Poitras Road #1 to U.S. Hwy. 27		
SAND MINE ROAD	1.42 miles	New 2—4 lanes
Segment A: west from U.S. Hwy. 27 on Sand Mine Road to the proposed Green Swamp Parkway		
Segment B: east from U.S. Hwy 27 (extension of Sand Mine Road to the east) to County Line Road #1		
North Connector	Approx. 1.5 miles	New 2—4 lanes
Segment A: north from Poitras Road #1 (proposed Green Swamp Parkway) to the Polo Park Boulevard		

INTERSECTIONS	IMPROVEMENT
Poitras Roads #1 & U.S. Hwy. 27	Signal & Turn Lane(s)
Sand Mine Road #1 & U.S. Hwy. 27	Signal & Turn Lane(s)
Section Line Road & U.S. Hwy. 27	Signal & Turn Lane(s)
Central Grove Road & U.S. Hwy. 27	Signal & Turn Lane(s)
Tri-County Road #1 & U.S. Hwy. 27	Signal & Turn Lane(s)
Tri-County Road #2 & U.S. Hwy. 27	Signal & Turn Lane(s)

[2] Once the Green Swamp Parkway reaches the Town Center (TC) land use district at Sand Mine Road, a grid plan roadway network forms with multiple routes connecting throughout the district to Jacks Road. These multiple connectors shall be classified as Local Commercial roads and designed to an urban standard.

a. All capital improvements, including right-of-way acquisition, shall be financed substantially from development within the North US 27 SAP either through impact fees or other appropriate funding strategy such as the establishment of a Municipal Service Benefit Unit or a Community Development District.

b. Impact fees proposed for the US 27 SAP shall be in addition to other fees which may be relevant to meet county-wide needs. It is not the intent of this SAP to create excessive impact fees for this area so as to eliminate the competitive advantage of locating in Polk County rather than neighboring counties.

c. Means of providing for impact-fee credits for contributions made in lieu of fees for school sites, parks, land for government buildings, and other facilities provided by developers or property owners shall be established. Credits and timing of payment, if required, shall be negotiated and established in a development agreement.

d. Actual development shall be monitored to assure that fees levied remain sufficient to support the necessary infrastructure and, if necessary, be adjusted relative to real demand.

e. The construction of schools requires special attention. Their development could be expedited by the imposition of county-wide impact fees and is recommended. Donation of sites, with public-facility impact-fee credits being given, is encouraged. Polk County shall adopt a school-site dedication ordinance for the US 27 SAP, in conjunction with the School Board, and the CR 54 Property Owners Association ~~no later than December 31, 1994~~.

~~f. The County shall consider the establishment of a separate transportation impact-fee zone for the US 27 SAP. At least 80 percent of these transportation impact fees shall be applied to transportation projects within the US 27 SAP.~~

~~g~~f. Roads that principally benefit site-specific development shall be the responsibility of the land owner or developer, as shall relevant off-site transportation improvements. Rights-of-way and improvement costs associated 100% with a development shall not offset impact fees, if imposed. Rights-of-way costs and construction costs deemed necessary to satisfy "area-wide" transportation needs shall offset impact fees, if imposed.

~~h~~i. Full-cost recovery for the operation and maintenance of water and sewer systems is necessary. Future connection and monthly use charges shall reflect these total costs.

~~i~~h. More flexible revenue sources may be developed to complement other capital resources. These revenue sources could be pledged as revenue streams to support bonded indebtedness for selected capital projects.

Revision History Section 2.131-C North US 27 SAP	
SECTION 2.131-C	CPA 14C-04 (Ord. 14-050); CPA 01B-09 (Ord. 01-101) 12/19/01; CPA 01A-10 (Ord. 01-44) 11 JUL 2001
OBJECTIVE 2.131-C	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-C1	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-C2	CPA 16B-09 (Ord. 16-020) 4/19/16; CPA 14C-04 (Ord. 14-050); CPA 07B-17 (Ord. 07-091) 12/19/07; CPA 07B-07 (Ord. 07-087) 12/19/07; CPA 03B-04 (Ord. 03-99) 12/17/03; CPA 01A-10 (Ord. 01-44) 11 JUL 2001; CPA 96B-15 (Ord. 96-81) 12/19/96

POLICY 2.131-C3	CPA 15D-02 (Ord 15-063) 10/06/15; CPA 14C-04 (Ord. 14-050); CPA 10B-03 (Ord. 10-042) 9/1/10; CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 07B-11 (Ord. 07-091) 12/19/07; CPA 07B-07 (Ord. 07-087) 12/19/07; CPA 03B-04 (Ord. 03-99) 12/17/03; CPA 99A-02 (Ord. 99-19) 5/25/99
POLICY 2.131-C4	CPA 16B-09 (Ord. 16-020) 4/19/16; CPA 14C-04 (Ord. 14-050); CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 10A-07 (Ord. 10-023) 6/2/10; CPA 08B-06 (Ord. 08-071) 12/5/08; CPA 07B-07 (Ord. 07-087) 12/19/07; CPA 03B-04 (Ord. 03-99) 12/17/03; CPA 01B-09 (Ord. 01-101) 12/19/01; CPA 01A-10 (Ord. 01-44) 7/11/01; CPA 99B-33 (Ord. 99-81) 12/15/99; CPA 99A-02 (Ord. 99-19) 5/25/99; CPA 95A-18 (Ord. 95-46) 10/17/95
POLICY 2.131-C5	LDCPAL 2018-14 (Ord. 19-007) 01/23/2019; CPA 16B-09 (Ord. 16-020) 4/19/16; CPA 08B-06 (Ord. 08-071) 12/3/08; CPA 02A-01 (Ord. 02-38) 7/10/02; CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-C6	CPA 02B-13 (Ord. 02-104) 12/18/02; CPA 02A-01 (Ord. 02-38) 7/10/02; CPA 01B-09 (Ord. 01-101) 12/19/01; CPA 00A-13 (Ord. 00-43) 6-20-2000
Policy 2.131-C7	CPA 15D-02 (Ord 15-063) 10/06/15; CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 07B-11 (Ord. 07-091) 12/19/07; CPA 01B-09 (Ord. 01-101) 12/19/01
Policy 2.131-C8	LDCPAL 2018-14 (Ord. 19-007) 01/23/2019; CPA 07B-11 (Ord. 07-091) 12/19/07; CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-C9	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-D1	CPA 06B-02 (Ord. 06-85) 12/6/06; CPA 01B-09 (Ord. 01-101) 12/19/01
OBJECTIVE 2.131-E	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-E1	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-E2	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-E3	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-E4	CPA 07B-11 (Ord. 07-091) 12/19/07; CPA 01B-09 (Ord. 01-101) 12/19/01
OBJECTIVE 2.131-F	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-G2	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-G4	CPA 01B-09 (Ord. 01-101) 12/19/01; CPA 99B-33 (Ord. 99-81) 12/15/99; CPA 99B-32 (Ord. 99-80) 12/15/99
POLICY 2.131-G5	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-G6	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-G7	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-G8	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-H1	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-H2	CPA 01B-09 (Ord. 01-101) 12/19/01
OBJECTIVE 2.131-I	CPA 01B-09 (Ord. 01-101) 12/19/01
OBJECTIVE 2.131-J	CPA 02A-01 (Ord. 02-38) 7/10/02
POLICY 2.131-J1	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-J2	CPA 01B-09 (Ord. 01-101) 12/19/01
OBJECTIVE 2.131-K	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-K1	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-K2	CPA 96B-15 (Ord. 96-81) 12/19/96
POLICY 2.131-K3	CPA 01B-09 (Ord. 01-101) 12/19/01; CPA 96B-15 (Ord. 96-81) 12/19/96
POLICY 2.131-K4	CPA 01B-09 (Ord. 01-101) 12/19/01
OBJECTIVE 2.131-L	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-L1	CPA 10A-07 (Ord. 10-023) 6/2/10; CPA 01B-09 (Ord. 01-101) 12/19/01
OBJECTIVE 2.131-M	CPA 01B-09 (Ord. 01-101) 12/19/01

POLICY 2.131-M1	CPA 02A-01 (Ord. 02-38) 7/10/02; CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-M5	CPA 99B-32 (Ord. 99-80) 12/15/99
OBJECTIVE 2.131-N	CPA 01B-09 (Ord. 01-101) 12/19/01; CPA 96A-09 (Ord. 96-53) 12/3/96
POLICY 2.131-N1	CPA 01B-09 (Ord. 01-101) 12/19/01
POLICY 2.131-C4	CPA 12E-02 (Ord 12-038)
POLICY 2.131-G6	CPA 12E-02 (Ord 12-038)

SECTION 2.131-G OLD FLORIDA PLANTATION NEW COMMUNITY SELECTED-AREA PLAN (SAP)

Also DRI #11 (Appendix 2.1.)

The Sap was annexed into the City of Bartow

SECTION 2.131-O BANANA LAKE SELECTED AREA PLAN.

This Selected Area Plan (Section 2.131-O) was repealed and incorporated into the US Highway 98 Selected Area Plan by the Board of County Commissioners on November 30, 2004. The US Highway 98 Selected Area Plan is in Appendix 2.131-R in this Comprehensive Plan.

SECTION 2.131-P STATE ROAD 559 SELECTED-AREA PLAN (SAP).

This Selected-Area Plan (SAP) is adopted in recognition that this area of Polk County will experience a high degree of urbanization over the next ten to twenty years. The SAP is bounded on the south by Interstate 4, on the west by State Road 559, and on the north by County Road 557A, and is located at the midpoint between Tampa and Orlando. This project is also located within the boundaries of the Green Swamp Area of Critical State Concern. This SAP is a proactive response to this expected urbanization. It represents a private-public initiative to shape this development into an organized and well-planned urban area while, at the same time, protecting the natural features within and beyond the SAP boundary. This urbanization will be supported by the availability of major urban services.

There are numerous internal and external factors which will affect growth in this area. There will be an influx of tourists drawn by existing and planned entertainment and attractions. There will also be short term visitors to Polk County who will be attracted by the proposed amenities and attractions within the boundary of this SAP. This project is also located just east of the Polk Parkway and Interstate 4 interchange and is immediately north of the Polk Commerce Center Community Redevelopment Area. Both of these projects will lead to expansion of the trucking industry in Polk County, which serves both the Tampa and Orlando area markets.

VISION - BASIC PRINCIPLES

A "Basic Principles" section has been included to serve as guiding principles to convey the concept and intent of the objective and policies of the SR559 SAP. It contains six fundamental principles as follows:

1. The purpose of the Capital Improvements Element (CIE) is to tie the capital improvement needs identified in the other elements to the County's budgeting and development review processes. The goals, objectives and policies section and the implementation section of the CIE establish the framework as follows:
    a. identifies the required capacity of capital improvements to serve existing and future development based on level-of-service (LOS) standards;
    b. establishes a system of priorities to determine which capital improvements are funded to satisfy the LOS;

c. provides guidance on funding the projects;

d. outlines mechanisms to assure provision of the required capital improvement;

e. ties land development decisions to the availability of capital facilities and improvements; and

f. outlines implementation programs.

The SR559 SAP is proposed as a capital improvements driven plan that is based on concurrency of services and infrastructure.

2. The most effective and efficient delivery of public services requires that development occur where appropriate levels of service are provided. Connections to water and wastewater services are available to the land area within the SAP. Potable water, wastewater treatment and transportation infrastructure are available and meet appropriate LOS. Other public services in place or available are schools, fire protection, law enforcement and solid waste services.

3. The City of Auburndale and the City of Lakeland have extended their potable water and sewer services to existing urban development within the SAP through use of the interlocal agreement process with Polk County. These services are provided to these developments by the cities because the County was not in a position financially to provide such services.

4. The area within the SAP contains businesses, commercial entertainment/attractions, recreation, tourist housing, single-family residential and low intensity industrial activities, all of which contribute to the economic stability and well being of Polk County.

5. The natural resources and lands within the SAP, such as lakes and wetlands, are recognized as valuable assets and are therefore protected by the development requirements of the SAP. Wetlands and areas lying within the 100-year floodplain will not be developed. It should be noted that the location of wetlands identified within this SAP are preliminary and may change at the time of agency jurisdictional determination and final permitting.

6. If drainage basins are used as a part of the development process, no drainage shall be directed to Lake Agnes and Little Lake Agnes.

7. Environmentally sensitive development is an enhancement to the quality of life. Provisions for Green Swamp and aquifer protection are important components of this SAP therefore the Critical Area Resource Management Plan will supersede all conflicting policies within this SAP.

8. Transportation efficiency is a desirable goal. This plan recognizes Interstate 4 as the primary traffic arterial and the need for alternative North/South facilities along State Road 559 to support urban growth. Funding for needed roadway improvements is also addressed.

9. Development approvals within the SAP will not be issued if any level of service capacity falls below an adopted standard.

10. Urban sprawl criteria are addressed and mitigated.

11. Uses that are inconsistent with provisions and regulations of the Green Swamp Area of Critical State Concern (ACSC) are not permitted.

GOAL 2.131-P: To develop an environmentally sensitive plan which encourages a high quality environment through an efficient urban-growth pattern at a major Interstate interchange based on a balance of employment activities including entertainment/attractions and related tourist facilities, shopping, a range of tourist housing opportunities, leisure/recreational activities, light manufacturing/warehousing, low density residential and nonresidential use, and short vehicle trips between the facilities within the SAP and major traffic routes, in harmony with the special factors of the Green Swamp.

OBJECTIVE 2.131-PA: SR559 Selected-Area Plan - Development within the SR559 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-PA1: DESIGNATION AND MAPPING - The State Road 559 Selected-Area Plan is established as designated on the Future Land Use Map Series (Quad 8). Land-use categories shall be designated on the SR559 Selected-Area Plan Map which is included as part of the Future Land Use Map Series.

POLICY 2.131-PA2: LAND-USE CATEGORIES ESTABLISHED - The Following land-use categories shall apply:

a. Residential Low (RLX);

b. Business Park Center (BPCX);

c. Preservation (PRESVX);

d. Tourist Commercial Center (TCCX);

e. Leisure/Recreation (L/RX),

f. Neighborhood Activity Center (NACX); and,

g. Institutional (INSTX).

POLICY 2.131-PA3: GENERAL DEVELOPMENT CRITERIA - Development shall be permitted within this SAP as follows:

a. MODIFIED LAND-USE CATEGORIES - Due to the specific characteristics of this SAP, development shall be more specifically defined and may vary from those allowed under the general provisions of that land-use category within the Comprehensive Plan. Development within the following land-use categories shall be permitted as specified within this section:

   1. Residential-Low (RLX);
   2. Business Park Centers (BPCX);
   3. Preservation (PRESVX);
   4. Tourist Commercial Center (TCCX);
   5. Leisure/Recreation (L/RX),
   6. Neighborhood Activity Center (NACX); and,
   7. Institutional (INSTX).

b. MODIFIED SPECIAL USES - Special uses within the SAP shall be governed as follows:

   1. The following special uses shall be permitted pursuant to the general provisions in Section 2.125 pertaining to these uses:
      (a) Public and Private Utilities; and,
      (b) Community Facilities.
   2. Adult uses/nude dancing, and mining shall be prohibited within the SAP.
   3. The policies contained in Section 2.132, Critical Area Resource Management Plan, shall govern development within the SR559 SAP.
   4. The provision contained in Policy 2.132-C4 shall apply to development which occurs within all land uses in the SAP.

5. The construction of billboards shall be prohibited except for temporary billboards advertising the availability of industrial or commercial space located within the SAP. Signs which show residential property for sale or lease shall be allowed. Existing billboards shall be allowed access for maintenance and repair.

6. A Neighborhood Activity Center (NACX) shall be allowed as a land use category within the Polk City Special Protection Area.

c. BASIC OVERLAY DISTRICTS AND AREAS - Development limitations and resource protection rules shall be applied as specified by the applicable policies in the Future Land Use Element of the Comprehensive Plan Sections 2.122, 2.123, and 2.124.

d. SPECIAL-PROVISION AREA - Due to the specific characteristics of this selected area, the uses permitted in land-use classifications shall be more specifically defined and shall vary from those allowed under the general provisions of a land use classification, and/or basic overlay district, only as defined within the following special categories:

1. Polk City Special Protection Area (PCSPA); and,

2. Green Swamp Area of Critical State Concern (GSACSC).

e. OTHER USES - Uses not specifically permitted or prohibited under the general provisions of the Basic Land-Use Categories or Modified Land-Use Categories of this SAP may only be permitted upon approval by the Board of County Commissioners when it is determined that the proposed use can be developed in accordance with the policies contained within this SAP and all other policies within the Polk County Plan not in conflict with these policies. Where there is a conflict in policy or standards, the more stringent standard shall apply.

POLICY.131-PA4: MODIFIED LAND-USE CATEGORIES - All final development approvals within the TCCX land-use designation shall be approved by the Polk County Board of County Commissioners. Noise levels shall be a factor in the approval process. Land within "modified land-use categories, as enumerated in Policy 2.131-PA3 shall be developed in accordance with the following criteria:

a. RESIDENTIAL-LOW X (RLX) - The areas designated RLX are located primarily in the northwestern portion of the SAP adjacent to the Town of Polk City in a location already substantially developed. Densities up to four (4) dwelling units per acre are permitted, provided each dwelling unit, irrespective of density, is connected to public water and sewer. The Residential-Low classification is characterized by single-family dwelling units, including cluster building arrangements. The following provisions shall apply:

1. DESIGNATION AND MAPPING - Residential-Low X districts shall be located within the SAP as designated on the Future Land Use Map Series as "RLX."

2. LOCATION CRITERIA - The placement of Residential-Low X shall be evaluated based on the general criteria listed in Policy 2.119-A2.

3. PERMITTED USES - The following uses shall be permitted within the RLX:

(a) Single family detached dwellings;

(b) Single family dwellings with structures arranged in clusters, including zero lot line arrangements; and,

(c) Accessory uses normally associated with single family dwellings such as utility buildings, pools, cabanas and the like but not limited to only these accessory uses.

4. PROHIBITED USES - The following uses shall be prohibited within the RLX:

(a) Manufactured housing parks and subdivisions;

(b) Duplexes;

(c) Multiple family dwellings; and,

(d) Any other uses not in keeping with single family residential areas.

5. DEVELOPMENT CRITERIA - Residential development shall be permitted at a density of up to, and including, 4 DU/AC. Development within the RLX shall conform to the following additional criteria:

(a) All development must be connected to public potable water and sewer systems.

(b) All residential development must provide a minimum open space set-aside of no less than 30% of total land area.

(c) Single family lots shall not exceed an impervious surface ratio of 50% unless the lots are within a master planned residential community which maintains an overall Impervious Surface Ratio of 50%.

(d) Residential uses shall only have direct access to the internal street system.

(e) Different uses within the residential area shall incorporate the use of shared ingress/egress facilities wherever practical.

(f) Parking shall be provided to meet the needs of the uses in an efficient manor that best suits the community through optional methods such as shared parking and permeable surface parking design.

(g) Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

(h) Buffering of higher density residential from lower density residential shall be provided where there are adverse effects from lighting, noise, odors, and other factors. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

(i) Recreation facilities will be provided to meet the recreation level-of-service standard (Policy 3.502-E2).

b. BUSINESS PARK CENTERS (BPCX) - The areas designated BPCX within the SAP are intended to promote employment opportunities within the region by allowing for the establishment of office parks, research and development parks, distribution centers, and mixed-use employment parks, provided land use activities do not violate Policy 2.132-C4. These centers are not intended to accommodate major commercial or other similar high-traffic producing facilities but are to be restricted to a variety of light industrial uses whose operational characteristics limit the extent of their external impacts to the immediate vicinity. 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 X within the SAP are:

Usable Area: 5—10 acres or more

Gross Leasable Area (GLA): 100,000 to 500,000 sq. ft.

Minimum Population Support: 100,000 or more people

Service-Area Radius: 20 miles or more

Typical Leading Tenant: Warehouse distribution facilities

Other Typical Tenants: Offices, distribution centers, research and development firms, wholesaling activities

1. DESIGNATION AND MAPPING - Business-Park Centers X shall be located within the SAP as designated on the Future Land Use Map Series as "Business-Park Centers X" (BPCX).

2. LOCATION CRITERIA - Business-Park Centers X shall be located with consideration being given to regional transportation issues, and should be located at the intersections of arterial roads and as designated on the SAP. Business Park Centers X shall be located on upland sites free of sensitive environmental features.

3. PERMITTED USES - The following uses shall be permitted:

   (a) Office parks, including research and development facilities.

   (b) Wholesaling and distribution centers.

   (c) Any outside storage shall be effectively screened from view of any residential or commercial uses by a solid wall or solid fence a minimum of 6 feet in height.

   (d) Warehousing including self-storage facilities.

   (e) Commercial uses are also permitted which support the businesses and activities within the Business Park.

   (f) Golf courses and accessory minor commercial uses necessary to support these facilities, such as club house, driving range and/or pro shop. Golf courses shall be required to meet the conditions of the Critical Area Resource Management Plan, CARMP.

4. PROHIBITED USES - The following uses are prohibited:

   (a) Shopping centers

   (b) Junk yards, unscreened and non-buffered outdoor storage

   (c) Unless specifically allowed above, and with the exception of general construction activities, facilities engaged in industrial activities, as defined in EPA's National Pollution Discharge and Elimination System for Stormwater Associated with Industrial Activity (NPDES) (Chapter 40, CFR Part 122), shall not be permitted. In addition, the following activities are prohibited:

      (1) Petroleum pipelines

      (2) Wholesale chemical operations

      (3) Petroleum related industries and fuel dealers (with the exception of gas stations and truck stops which may be permitted)

      (4) Dry cleaning plants, and

      (5) Chemical research operations.

   (d) General construction activities may be permitted, however, prior to the County issuing a development permit, the County will require all such activities, regardless of threshold exemptions, to provide evidence that the criteria within the following permit requirements have been met: EPA's NPDES, State and regional water management district stormwater criteria for preventing erosion and sediment from being discharged off-site [Rule 17-25.025(7)], as well as the Pollution Source Control on Construction Sites requirements specified in Stormwater BMP 2.04 of the Florida Development Manual (DER, 1988, chapter 6).

5. DEVELOPMENT CRITERIA - Development within a BPCX shall conform to the following criteria:

   (a) Business-Park Centers X shall have frontage on, or direct access to, an arterial roadway, or a frontage road or service drive which directly serves an arterial roadway. Business-Park Centers X shall incorporate the use of 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 within a Business Park Center X 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.

   (f) All development shall be limited to a maximum of 60% impervious lot/parcel coverage with buildings, streets, driveways, parking lots, walkways and similar surface improvements.

   (g) All development within the BPCX shall be required to be connected to public water and sewer services at the time of development.

c. PRESERVATION AREAS (PRESVX) - The areas designated PRESVX within the SAP are generally characterized by property publicly or privately owned, with or without access, for long-term protective purposes which contain sensitive and/or unique vegetative or animal habitats.

   1. DESIGNATION AND MAPPING - Preservation areas shall be designated and mapped on the Future Land Use Map Series as "Preservation" (PRESVX) and shall include all existing major properties purchased for long-term protection or acquired or dedicated for use as publicly accessible open-space areas and all privately owned wetland areas designated as PRESVX within the SAP.

   2. PERMITTED USES - The following uses are permitted within the PRESVX:

      (a) Docks, boardwalks and foot trails for public access to publicly owned preservation areas; and,

      (b) Docks, boardwalks and foot trails for private access to privately owned preservation areas.

   3. DEVELOPMENT CRITERIA - Development within a PRESVX shall conform to the following:

      (a) Passive recreational uses shall be allowed after approval by the Florida Department of Environmental Protection.

      (b) In obtaining the necessary approvals for passive recreation uses in the Preservation areas, consideration will be given to ensuring that any intrusion into the heart of a preservation area will be given careful consideration and analysis so as to minimize any adverse impacts.

d. TOURISM COMMERCIAL CENTERS (TCCX) - Tourism Commercial Centers X within the SAP are intended to provide for the tourist, recreational needs, entertainment/attraction facilities for the short-term visitors to Polk County and the residents of Polk County and service centers for intrastate and interstate commerce. These include theme parks, hotels, motels, fast food restaurants, gift shops and gasoline sales. Ancillary commercial uses necessary to support the activities within the center, such as restaurants, service stations, and convenience stores may also be permitted. General (approximate) characteristics of Tourism Commercial Centers X are:

Usable Area and Gross Leasable Area (GLA): Varies based on ISR and FAR policies of the Green Swamp Area of Critical State Concern

Typical Leading Tenant: Resorts, Museums, Theme park, Hotel, Motel, RV park

Other Typical Tenants: Lodging facilities such as hotels and motels, restaurants, gasoline stations/convenience stores, gift shops, golf courses and supporting uses, miniature golf, and related entertainment activities, sales in support of tourist and recreation uses, bed and breakfasts, convention centers, expo halls, and uses that are part of a master planned development for a tourist use attraction such as a private airstrip, marina, or equestrian facility.

1. DESIGNATION AND MAPPING - Tourism Commercial Centers X within the SAP shall be designated on the Future Land Use Map Series as "Tourism Commercial Center X" (TCCX).

2. LOCATION CRITERIA - Tourism Commercial Centers X shall be located in four areas within the SAP as follows: 1) at the northwest intersection of Interstate 4 and State Road 559, 2) just south of I-4 on the east side of SR 559 as displayed on the SAP FLUM map: 3) northeast corner of I-4 and CR 557A; and 4) at the southwest intersection of SR 559 and Broadway Boulevard (SR 559 as it turns west). The proximity to other recreational attractions, either existing or proposed, such as recreational water bodies, governmental recreational facilities, natural amenities, or other regional tourist attractions, shall also be considered in the size of Tourism Commercial Centers X.

3. PERMITTED USES - The following uses are permitted within the TCCX:

   (a) Theme parks, entertainment/attractions;

   (b) Motels, hotels, time share residential units, RV parks, apartments;

   (c) Service stations/convenience stores;

   (d) Boat sales

   (e) Restaurants, gift shops, miniature golf, driving range;

   (f) Golf courses and accessory minor commercial uses necessary to support these facilities, such as club house, driving range and/or pro shop. Golf courses shall be required to meet the conditions of the Critical Area Resource Management Plan, CARMP.

   (g) Uses similar in character to those listed herein.

4. PROHIBITED USES - The following uses are prohibited within the TCCX:

   (a) Industrial, manufacturing, warehousing;

   (b) Shopping center, malls;

   (c) Junk yards;

   (d) With the exception of general construction activities, facilities engaged in industrial activities, as defined in EPA's National Pollution Discharge and Elimination System for Stormwater Associated with Industrial Activity (NPDES) (Chapter 40, CFR Part 122), shall not be permitted. In addition, the following activities are prohibited:

      (1) Petroleum pipelines,

      (2) Wholesale chemical operations,

      (3) Petroleum related industries and fuel dealers (with the exception of gas stations and truck stops which may be permitted),

      (4) Dry cleaning plants, and

(5) Chemical research operations; and,

(e) General construction activities may be permitted, however, prior to the County issuing a development permit, the County will require all such activities, regardless of threshold exemptions, to provide evidence that the criteria within the following permit requirements have been met: EPA's NPDES, State and regional water management district stormwater criteria for preventing erosion and sediment from being discharged off-site [Rule 17-25.025(7)], as well as the Pollution Source Control on Construction Sites requirements specified in Stormwater BMP 2.04 of the Florida Development Manual (DER, 1988, chapter 6).

5. DEVELOPMENT CRITERIA - Development within a TCCX shall conform to the following criteria:

(a) TCCX's shall have frontage on, or direct access to, an arterial roadway, or a frontage road or service drive which directly serves an arterial roadway. Tourism Commercial Centers X shall incorporate the use of frontage roads and 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) All development shall be limited to a maximum of 60% impervious lot/parcel coverage with buildings, streets, driveways, parking lots, walkways and similar surface improvements.

(e) All development shall be limited to a maximum of 40% lot/parcel coverage with buildings.

(f) The maximum floor area ratio for commercial activities shall not exceed 0.25.

(g) Planned Developments within the TCCX may be permitted a maximum floor area ratio up to 1.0 and a higher gross leasable square footage in order to promote attractive and economically viable tourist-oriented commercial development. Intensity increases shall only be available to parcels within the UGA or those locations where urban infrastructure including adequate access to urban collector or arterial roads, public potable water and sewer, and public safety services are already available at appropriate levels. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

(h) An individual tourist use such as including but not limited to a winery where the product is grown and/or produced, and then sold on site and marketed as a tourist attraction related to the nostalgia and experience of that industry may be permitted as an individual use.

(i) Activities associated with a uses such as but not including a main tourist attraction like a resort, historical structure(s), museum(s) may include but not be limited to:

(1) Light industrial uses such as confectionery, canneries and wineries where the products are part of the overall attraction and are used for consumption by the user of the facility;

(2) Recreation based facility;

(3) Equestrian facility; and/or

(4) Non-municipal airports for bringing tourists to the facilities

(5) These uses shall only be reviewed with a Planned Development. These specific uses and the intensity at which the Planned Development shall be required shall be further defined in the Land Development Code.

(j) Residential development shall only be permitted for tourists and employee housing for employees of the tourist use. Examples include but are not limited to timeshares, short term rentals, employee housing, camp grounds, cabins, recreational vehicle spaces. Residential uses for employees of the TCC use shall only be considered as an accessory use as part of a master planned development per the Land Development Code. Housing for the owner and/or family of the owner shall be addressed as per the Land Development Code.

(k) All development in the TCCX Future Land Use designation located along Holy Cow Road is subject to a settlement agreement recorded at the official records Book 3769, pages 0609—0615, Public Records of Polk County.

e. LEISURE/RECREATION X (L/RX) - Leisure/Recreation X (L/RX) areas are grounds and facilities oriented primarily toward providing recreational-related services and facilities for residents and short-term visitors to Polk County.

1. DESIGNATION AND MAPPING - Leisure/Recreation X lands shall be designated and mapped on the Future Land Use Map Series as Leisure/Recreation X, (L/RX) as shown on the SAP map.

2. LOCATION CRITERIA - Active recreation, leisure, and accessory development shall occur within the designated L/RX areas as shown on the SAP map. The following factors shall be taken into consideration when determining the appropriateness of establishing L/RX areas:

(a) Accessibility to arterial or collector roadways, with consideration being given to regional transportation issues for L/RX developments supported by a regional or national market.

(b) Proximity to recreational attractions that would support the proposed development, to include, but not limited to: recreational water bodies, governmental recreational facilities, natural amenities, or other regional tourist attractions.

(c) Economic issues, such as minimum population support and market area radius.

(d) The locational criteria enumerated in Policy 2.102-A9.

3. PERMITTED USES - The following uses are permitted within the L/RX:

(a) Fish camps, commercial campgrounds, recreational vehicle (RV) parks.

(b) Time-share residential units.

(c) Golf courses and accessory minor commercial uses necessary to support these facilities, such as club house and/or pro shop. Golf courses shall be required to meet the conditions of the Critical Area Resource Management Plan, CARMP.

(d) Outdoor educational facilities and attractions.

4. PROHIBITED USES - The following are uses prohibited within the L/RX:

(a) Motels, hotels

(b) Service Stations

(c) Restaurants, including fast food types.

5. DEVELOPMENT CRITERIA - Development within an area designated L/RX within the SAP shall conform to the following criteria:

(a) Retail commercial uses within an L/RX area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/RX area. No more than seven percent (7%) of the net usable land within a specific L/RX area shall be used for commercial uses.

(b) L/RX sites shall be designed to provide:

(1) Adequate parking to meet the present and future demands of the use;

(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.

f. NEIGHBORHOOD ACTIVITY CENTER X (NACX) - Neighborhood Activity Centers X (NACX) are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhoods. General (approximate) characteristics of Neighborhood Activity Centers are:

Usable Area: 5 to 20 acres

Gross Leasable Area (GLA): 20,000 to 150,000 sq. ft.

Minimum Population Support: 5,000 to 10,000 people

Market Area Radius: 2 miles

Typical Leading Tenant: Supermarket

Other Typical Tenants: Drug store, restaurant, bakery, office, convenience store, neighborhood services (i.e., hair salon, shoe repair)

1. DESIGNATION AND MAPPING - Neighborhood Activity Centers X lands shall be designated and mapped on the Future Land Use Map Series as Neighborhood Activity Centers X, (NACX) as shown on the SAP map.

2. LOCATION CRITERIA - Neighborhood Activity Center X development shall occur within the designated NACX areas as shown on the SAP map. Neighborhood Activity Centers shall be located at the intersections of arterial roads, arterial and collector roads, or at the intersection of major collectors.

3. PERMITTED USES - The following uses are permitted within the NACX:

(a) Supermarkets, drug stores, restaurants, bakery, offices, convenience stores, banks and other community facilities and services.

4. DEVELOPMENT CRITERIA - Development within an area designated NACX within the SAP shall conform to the following criteria:

(a) Neighborhood Activity Centers X shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial roadway.

(b) Different uses within the Neighborhood 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) Residential uses shall not be permitted.

(e) Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity Center. Commercial uses may constitute 100 percent of the Neighborhood Activity Center.

(f) The maximum floor area ratio shall not exceed 0.25.

g. INSTITUTIONAL X (INSTX) - Institutional areas are primarily characterized by private and public service structures.

1. DESIGNATION AND MAPPING - Institutional areas shall be designated and mapped on the Future Land Use Map Series as Institutional X, (INSTX) as shown on the SAP map.

2. LOCATION CRITERIA - Institutional development shall occur within the designated INSTX areas as shown on the SAP map.

3. PERMITTED USES - The following uses are permitted within the INSTX:

(a) Permitted uses include, but are not limited to: private and public service structures. These commonly include:

(1) public and private educational facilities;

(2) government administration buildings;

(3) public-safety structures (e.g. police and fire);

(4) cultural facilities (e.g. libraries, museums and performing arts theaters);

(5) health-care facilities (e.g. hospitals, medical centers, clinics, nursing homes, congregate living facilities (but not family care homes or group homes).

4. DEVELOPMENT CRITERIA - Development within an area designated INSTX within the SAP shall conform to the following criteria:

(a) Commercial uses within the institutional areas mapped on the Future Land Use Map series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.

(b) Institutional sites shall be designed to provide for:

(1) Adequate parking to meet the present and future demands of the use.

(2) Buffering where the effects of lights, noise, odors and such other 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.

POLICY 2.131.PA5: GREEN SWAMP AREA OF CRITICAL STATE CONCERN (GSACSC) - In addition to the other applicable provisions, land within the Green Swamp Area of Critical State Concern shall be developed in accordance with the following criteria:

1. PURPOSE - It is the specific intent of this GSACSC to allow environmentally responsible development to occur provided that the integrity of the Green Swamp is preserved and the recharge nature of the land is protected.

2. DEVELOPMENT CRITERIA - All the provisions governing the Green Swamp Area of Critical State Concern in Section 2.123-F 2 of the Polk County Comprehensive Plan shall be followed except as herein amended:

(a) New development shall not be allowed to use septic tanks for disposal of wastewater.

(b) Development must connect to a regional sewer system, defined as a public central sewer system having a capacity of at least 100,000 gallons per day or greater.

(c) New development and redevelopment bordering the wetlands and flood plains of the Green Swamp shall designate as open space a minimum area of 50 feet upland from the wetlands and flood plains. Passive recreation shall be allowed in the open space area. Any encroachment into the 50' setback or passive use will be subject to the approval of Polk County and the appropriate regulatory agency at the time of development approval.

(d) All applications for development shall prepare and submit a Green Swamp Impact Assessment Statement in compliance with Policy 2.132-E19. All development applications for non-residential and residential developments of 50 or more lots shall prepare and submit a Polk County impact statement that demonstrates that the policies of Objective 2.123-F, except as provided above, are met. Such development shall also include certification (with supporting data) by a registered Professional Engineer that the requirements of the Green Swamp Overlay District are met.

(e) All development shall comply with the requirements and standards of Section 2.132E "Critical Area Resource Management Plan.

POLICY 2.131-PA6: BUFFERING AND LANDSCAPING - All buffering and landscaping of the area adjoining other properties shall meet the standards set forth in the Polk County Comprehensive Plan and the Land Development Code. On all parcels within the SR559 SAP that either abut SR559 or abut CR557A, landscaping shall be provided between the off-street parking areas and rights-of-way in accordance with the following:

1. A landscaped strip of land, a minimum of twenty-five (25) feet in width, shall extend along the length of the boundary between parking areas and abutting internal rights-of-way except at the point of access. This landscaped strip shall contain one (1) tree for each 75 linear feet, or fraction thereof. Trees may be planted separately or in clusters. Existing trees may be left and credited to meet this standard.

2. The required landscaped strip shall be constructed to minimize water use and contain indigenous plants and/or grassed berms. The strip will achieve a 25% coverage within two (2) years. The remainder of the landscaped strip shall be landscaped with xeriscaping techniques, or other appropriate landscape treatment. It shall be the responsibility of the property owner(s) to maintain approved landscaping and provide replacement for dead plant material.

3. Planting of trees within utility easements or that may effect an existing overhead power line shall be permitted upon the submittal of proof that all utility providers using the easement approve of the landscape plan. Proof of acceptance must be submitted with the landscape plan.

POLICY 2.131-PA7: DEVELOPMENT OF REGIONAL IMPACT (DRI) MONITORING - In order to provide closer monitoring of this project by Polk County, the Regional Planning Council, and the Florida Department of Commerce ~~Economic Opportunity~~, this Selected Area Plan will be submitted for impact review when the development meets the then current criteria and thresholds of Chapter 380 of the Florida Statutes and Rule 28-24 or its replacement.

OBJECTIVE 2.131-PB: Development which occurs within the SR559 SAP shall proceed consistent with the applicable goals and objectives of the Polk County Comprehensive Plan as it relates to water, wastewater and solid waste services.

POLICY 2.131-PB1: PUBLIC WATER CONNECTION - Future development shall be consistent with the following guidelines:

1. Connection to public water facilities shall be required. All developments shall use water conservation equipment in accordance with the "Water Conservation Act" of 1983 (Ch. 553.14(1) and (2), F.S.).

2. Water-main over sizing shall be provided consistent with the public provider's overall plans for the area.

3. The developer shall pay for line extensions sufficient for the development's need. The provider may pay the incremental cost for any required over-sizing.

4. All proposed development within the Selected Area Plan shall coordinate with the utility provider to ensure that water facilities are extended in accordance with the Polk County/Auburndale or Polk County/Lakeland interlocal agreement, as applicable.

POLICY 2.131-PB2: PUBLIC SEWER CONNECTION - Future development shall be consistent with the following guidelines:

1. Connection to public sewer facility shall be required.

2. Sewer main over sizing shall be provided consistent with the City of Auburndale's overall plans for the area.

3. The developer shall pay for line extensions sufficient for the development's need. The provider may pay the incremental cost for any required over sizing.

4. All proposed development within the Selected Area Plan shall coordinate with the utility provider to ensure that sewer facilities are extended in accordance with the Polk County/Auburndale interlocal agreement, as applicable.

POLICY 2.131-PB3: SOLID WASTE - The development within the SAP shall comply with Section 3.103 Solid Waste of the County's Infrastructure Element.

POLICY 2.131-PB4: JOINT ACCESS - The following curb cut and joint access criteria shall be approved by the County Engineer and implemented on the following roadway types:

1. Unified Access and Joint-Use Driveways:

   (a) Unified Access and Circulation - All development shall be designed to incorporate unified access and circulation in accordance with the requirements described below.

   (b) Joint Use Driveways - The County shall require the establishment of a joint-use driveway serving two abutting building sites, with cross-access easements provided in accordance with the criteria below.

2. 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 of the affected area, or as part of an overall planning program.

3. 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:

   (a) A continuous linear travel corridor extending the entire length of the block, which it serves, or at least 500 feet linear frontage along the thoroughfare.

   (b) Sufficient width to accommodate two-way travel aisles designed to accommodate 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.

4. 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.

5. Coordinated or Joint Parking Design - Wherever a cross-access corridor has been designated, the business sites with the affected area shall be so designed as to provide for mutually coordinated or joint parking, 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.

6. 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 tied in to create a unified system at a later date.

7. Existing Abutting Uses - In the event that the building site abuts an existing developed property, it shall be so designed as to tie into the abutting parking, access and circulation to create a unified system unless the County Engineer finds that this requirement to be impractical.

OBJECTIVE 2.131-PC: All land alteration activities shall be sensitive to the unique natural resources within the SR 559 SAP and shall permit development in a manner which maintains and/or improves recharge and maintains and/or lessens susceptibility to the Floridan Aquifer.

POLICY 2.131-PC1: LAND ALTERATION - Land alteration activity which destroys, reduces, impairs, or otherwise adversely impacts a wetland or natural body of water, shall be prohibited, with the exception of seaplane and/or boat ramps which have been permitted prior to January 1, 1998.

POLICY 2.131-PC2: BUILDING SETBACKS - Building setbacks shall be 50 feet from environmentally sensitive areas. Wider setbacks may be required by the County depending on the wetlands, lakes and other environmental sensitivity of the area and the intensity of the development proposed adjacent to the area.

POLICY 2.131-PC3: VEGETATION REMOVAL - Removal of vegetation within a setback as required in Policy 2.131-PC2 is prohibited. The County shall require that all of the vegetation within a setback be retained to provide natural filtration of surface water run-off or to prevent soil erosion and downstream sedimentation.

POLICY 2.131-PC4: DEVELOPMENT WITHIN SETBACKS - No filling, excavating, or placement of permanent structures (other than those required to maintain existing drainage patterns) or other impervious surfaces shall be allowed within setbacks required in Policy 2.131-PC2 except for the installation of sprinkler systems, utility lines, or landscaping; or except as specially approved by the County for the construction of a boardwalk or other stilted structure, with the exception of seaplane and/or boat ramps which have been permitted prior to January 1, 1998.

POLICY 2.131-PC5: UNDERGROUND PETROLEUM TANKS - No underground petroleum storage tanks shall be allowed within the SR 559 SAP, unless the tanks are double walled and provide for monitoring of the interstitial space between the two tanks.

POLICY 2.131-PC7: FLOODPLAINS, WETLANDS, LISTED SPECIES, HABITAT - All applications for development shall comply with Policies 2.132-E1, 2.132-E2, 2.132-E3, 2.132-E4 and 2.132-E5 of the Critical Area Resource Management Plan.

OBJECTIVE 2.131-PD: STORMWATER MANAGEMENT - With plan adoption, Polk County shall adopt the following minimum design criteria for stormwater management systems as the level-of-service (LOS) standards:

POLICY 2.131-PD1: DRAINAGE LEVEL-OF-SERVICE STANDARDS -

Facility	Drainage Structures
LOS I	Ability to handle 100-year, 24 hour storm event with 1 foot freeboard at allowed velocity.
LOS II	Ability to handle 50-year, 24 hour storm event with 1 foot freeboard at allowed velocity. 100-year, 24 hour storm event with no freeboard at allowed velocity.

LOS III	Ability to handle 25-year, 24 hour storm event with 1 foot freeboard at allowed velocity. 50-year 24 hour storm event with no freeboard at allowed velocity.
LOS IV	Ability to handle 10-year, 24 hour storm event with 1 foot freeboard at allowed velocity. 25-year, 24 hour storm event with no freeboard at allowed velocity.
LOS V	Ability to handle 3-year, 24 hour storm event with 1 foot freeboard at allowed velocity. 10-year, 24 hour storm event with no freeboard at allowed velocity.

Facility	**Stormwater Facilities**
LOS I	100-year, 24 hour storm event at top of bank or berm.
LOS II	50-year, 24 hour storm event at top of bank or berm.
LOS III	25-year, 24 hour storm event at top of bank or berm.
LOS IV	10-year, 24 hour storm event at top of bank or berm.
LOS V	3-year, 24 hour storm event at top of bank or berm.

Facility	**Storm Sewers**
LOS I	Capacity to handle a 100-year storm event.
LOS II	Capacity to handle a 50-year storm event.
LOS III	Capacity to handle a 25-year storm event.
LOS IV	Capacity to handle a 10-year storm event.
LOS V	Capacity to handle a 3-year storm event.

POLICY 2.131-PD2: All applicable federal, state, regional, and local regulations pertaining to flood control and water quality preservation shall continue to be met in public and private project design.

POLICY 2.131-PD3: The following facilities shall meet Level-of-Service IV: Existing man-made stormwater facilities (i.e. canals, ditches, detention/retention ponds), and existing drainage structures (i.e. culverts and bridges).

POLICY 2.131-PD4: Existing roads shall be maintained above the 10 year flood elevation; and new roads shall be constructed and maintained above the 100-year flood elevations.

POLICY 2.131-PD5: All development within the SAP area will be constructed at a LOS of no greater than LOS III. All drainage requirements and improvements will be accomplished by private development with development funds. No capital outlay for drainage improvements will be required by Polk County.

POLICY 2.131-PE1: Funding mechanisms for FIRE and EMS facilities beyond the scope of what is currently available will be proposed at the time of development approval and may consist of assessments and or voluntary impact fees.

POLICY 2.131-PF1: The developers of the SR559 SAP will be responsible for the following needed roadway improvements:

1. Internal roadways to the project will be funded by the developer.
2. A traffic signal at the intersection of CR557A and SR559 when warranted. The signal will be funded by the developer through voluntary impact fees when signal warrants are met based on the Manual of Uniform Traffic Control Devices (MUTCD) or LOS issues.
3. Four (4) laning of SR559 from the northern terminus of the planned FDOT four-laning of SR559 (approximately 1/10 mile) to the intersection of CR557A and SR559. This improvement will be funded through voluntary impact fees or a special assessment to be exacted by the developer.

4. Right-of-way required for the four laning of SR559 from the Interstate 4 interchange north will be dedicated by the developer along the eastern edge of SR559. This right-of-way dedication shall not include land required for deceleration and acceleration lanes on the north side of Interstate 4 and SR559 related to interchange improvements.

POLICY 2.131-PG1: SITE SPECIFIC STANDARDS -

1. For all parcels located in the SAP with the exception of one parcel located on the southeast corner of Interstate 4 and SR 559 the following standards will apply:

    a. Lighting.

        1. Cut-off/non glare fixtures are required.
        2. The maximum height of the light sources should be 40'.
        3. Illumination onto adjacent properties should not exceed 0.5-foot candles.
        4. The minimum setback of the light source from the property line should be a horizontal distance of 20', except when adjoining a right-of-way. If the property adjoins a right-of-way, the lighting can be placed within the 10' landscape buffer.

    b. Signage.

        1. Two freestanding identification signs are allowed per site. This limitation does not apply to directional, regulatory or temporary signs.
        2. Parcels located further than 3 miles from an exit ramp of the Interstate shall utilize ground-mounted signs with a maximum square foot area of 50' per sign face. Maximum height of ground signage shall be no more than 16-feet from grade.
        3. Illumination of any sign shall be so lighted and maintained as to not throw a glare or blinding light into any street, highway, or other public thoroughfare, which would be likely to impair the vision of any motorist upon the street, highway or thoroughfare.
        4. Temporary signs, which show property for sale or lease, shall be allowed.

    c. Landscape.

        1. 10' shade trees 50' on center shall be planted along all public right-of-way frontages. 50% of required shade trees should be Live Oaks (Quercus virginiana).
        2. All vehicular use areas fronting on public right-of-way will be screened by a shrub mass. Shrubs are to attain a height of 3' within 1 year of planting and have 80% opacity at time of planting.
        3. A 10' landscape buffer shall be present around all property boundaries located along public right-of-way and along property edges that are the boundaries of the Selected Area Plan. These buffers are to include a minimum of two canopy trees of 10' in height and two under-story trees of 6' in height per 100 lineal feet. 50% of required shade trees should be Live Oaks (Quercus virginiana). Buffers are not required around wetlands.
        4. The developer of the property shall provide a landscape, which meets the above buffer requirement, between SR 559 and the frontage roads to be constructed by FDOT. This buffer must meet all FDOT standards.
        5. A minimum of one 10' shade tree is required for each 3 acre or fraction thereof of gross site area. Existing trees may be counted towards this total.

    d. Pedestrian Access.

1. A sidewalk 5' in width shall be provided along public right-of-way by the developer of each site, if not already in place.
2. Connectivity of sidewalks from each site must be provided to enhance pedestrian accessibility.
3. A pedestrian connection must be provided between the sidewalk and the entrance to the building. This connection must make limited use of vehicular surfaces.

2. For one parcel located on the southeast corner of Interstate 4 and SR 559 the following standards will apply:
   a. Lighting.
      1. Cut-off/non glare fixtures are required.
      2. The maximum height of the light sources should be 40'.
      3. Illumination onto adjacent properties should not exceed 0.5-foot candles.
      4. The minimum setback of the light source from the property line should be a horizontal distance of 20', except when adjoining a right-of-way. If the property adjoins a right-of-way, the lighting can be placed within the 10' landscape buffer.
   b. Signage.
      1. Two freestanding identification signs are allowed per site. This limitation does not apply to directional, regulatory or temporary signs.
      2. Illumination of any sign shall be so lighted and maintained as to not throw a glare or blinding light into any street, highway, or other public thoroughfare, which would be likely to impair the vision of any motorist upon the street, highway or thoroughfare.
      3. Temporary signs, which show property for sale or lease, shall be allowed.
   c. Landscape.
      1. 10' shade trees 50' on center shall be planted along all public right-of-way frontages. 50% of required shade trees should be Live Oaks (Quercus Virginiana).
      2. All vehicular use areas fronting on public right-of-way will be screened by a shrub mass. Shrubs are to attain a height of 3' within 1 year of planting and have 80% opacity at time of planting.
      3. A 10' landscape buffer shall be present around all property boundaries located along public right-of-way and along property edges that are the boundaries of the Selected Area Plan. These buffers are to include a minimum of two canopy trees of 10' in height and two under-story trees of 6' in height per 100 lineal feet. 50% of required shade trees should be Live Oaks (Quercus Virginiana). Buffers are not required around wetlands.
      4. The developer of the property shall provide a landscape, which meets the above buffer requirement, between SR 559 and the frontage roads to be constructed by FDOT. This buffer must meet all FDOT standards.
      5. A minimum of one 10' shade tree is required for each 3 acres or fraction thereof of gross site area. Existing trees may be counted towards this total.

3. When the BPCX parcel located north of CR 557A and east of SR 559 (Tax Parcel ID # 042725-000000-011020) is developed, a 50' building setback will apply along the northern property boundary and a 6' barrier wall will be constructed running east and west along the northern property line.

POLICY 2.131-PH1: ARCHEOLOGICAL AND HISTORICAL RESOURCES - Prior to initiating any project related land clearing or ground disturbing activities within undisturbed upland portions of the project area, a systematic, professional archeological and historical survey will take place within sites identified by the State Division of Historical Resources. At the time of development approval, we will follow all state guidelines and not proceed with development without state approval of our recommended approach.

Revision History Section 2.131-P SR 559 SAP	
POLICY 2.131-PA3	CPA 10B-03 (Ord. 10-042) 9/1/10
POLICY 2.131-PA4	CPA 17C-02 (Ord. 17-039) 9/5/17; CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 07B-05 (Ord. 07-086) 12/19/07; CPA 00A-13 (Ord. 00-43) 6/20/00
POLICY 2.131-PA6	CPA 02A-01 (Ord. 02-38) 7/10/02
POLICY 2.131-PA7	CPA 12E-02 (Ord 12E-038)

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.
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.
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.
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.
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.

10. Multi-use transportation corridors and access management are key implementation tools to providing a safe and efficient movement of vehicular traffic.

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.

13. Mixed use developments that can provide a diverse mix of residential and non-residential uses are preferred within the SAP.

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.

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)

B. Non-Residential
    1. Linear Commercial Corridor (LCCX);
    2. Recreation and Open Space (ROSX);

3. Preservation (PRESVX);
4. Business Park Center (BPCX);
5. Leisure Recreation (L/RX);
6. Industrial (INDX);
7. Institutional (INSTX);
8. Commercial Enclave (CEX)

C. Residential

1. Agricultural/Rural Residential (A/RRX);
2. Residential Suburban (RSX);
3. Residential Low (RLX)
4. Residential Medium (RMX); and
5. Residential High (RHX).

POLICY 2.131-Q3: (Mistakenly deleted with CPA 16C-01. Needs to be added back in the future)

A. BASIC LAND USE CATEGORIES - Development shall be permitted for the following land-use categories as specified by the applicable policies in the general land -use element section of the Comprehensive Plan:

1. Recreation and Open Space (ROSX);
2. Agricultural/Rural Residential (A/RRX);
3. Residential Suburban (RSX);
4. Tourist Commercial Center (TCC).

B. MODIFIED LAND USE CATEGORIES - Due to the specific characteristics of this SAP, development shall be more specifically defined and may vary from those allowed under the general provisions of that land use category within the Comprehensive Plan. Development within the following land use categories shall be permitted as specified within this section:

1. Convenience Center (CC);
2. Neighborhood Activity Center (NAC);
3. Community Activity Center (CAC);
4. Regional Activity Center (RAC);
5. Linear Commercial Corridor (LCC);
6. Commercial Enclave (CE);
7. Business Park Center (BPC);
8. Residential Low (RL);
9. Residential Medium (RM);
10. Professional Institutional (PI);
11. Employment Center (EC);
12. Preservation (PRESVX);

13. Industrial (INDX);

14. Leisure Recreation (L/RX); and

15. Residential High (RHX).

C. MODIFIED SPECIAL USES - Special uses within the SAP shall be governed as follows:

1. The following special uses shall be permitted pursuant to the general provisions in Future Land Use Element of the Comprehensive Plan pertaining to these uses:

(a) Village Stores (Convenience Store, Village Store);

(b) Transitional Area;

(c) Utilities;

(d) Community Facilities;

(e) Non-Phosphate Mining;

(f) Residentially-Based Mixed Use Development;

(g) Non-Certified Electric-Power Generation Facilities;

(h) Certified Electric Power Generation Facilities;

(i) Hazardous Waste Treatment Facility; and

(j) Agricultural Support Activities.

2. Residential is not permitted as a primary use, but is permitted above the non-residential uses as an accessory use at the Medium-Density Residential (5.01 dwelling units/acre to 10.0 dwelling units/acre) for the following Future Land Use districts within the North Ridge SAP: Neighborhood Activity Center (NAC), Community Activity Center (CAC), and Linear Commercial Corridor (LCC). Convenience Center (CC) and Commercial Enclave (CE) land use districts shall be limited to residential above commercial for a total of two stories of residential and one story of commercial (total of 3 story mixed-use building).

3. Outdoor storage forward of the rear building line shall be permitted, with appropriate buffering/screening from public view, in the Industrial and Business Park Center land use districts only.

4. Isolated Convenience Stores and adult uses shall be prohibited uses.

D. BASIC OVERLAY DISTRICTS AND AREAS - Development limitations and resource protection rules shall be applied as specified by the applicable policies in the Future Land Use Element of the Comprehensive Plan Sections 2.122, 2.123 and 2.124.

E. SPECIAL-PROVISION AREA - Due to the specific characteristics of this selected area, the uses permitted in land use classifications shall be more specifically defined and may vary from those allowed under the general provisions of a land use classification, and/or basic overlay district, as defined within the following special categories:

1. Green Swamp Protection Area (GSPA).

2. Greenway Corridor.

3. Recreational Trail Corridor.

4. Horse Creek Corridor.

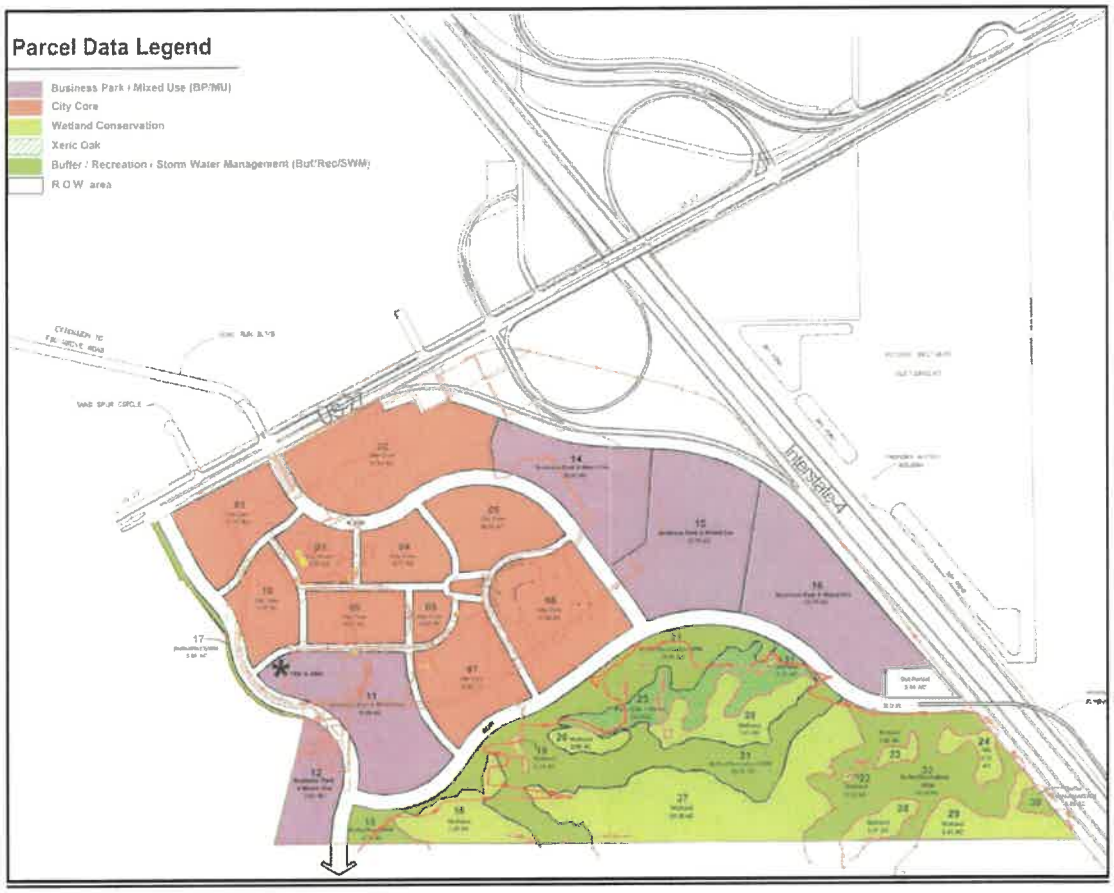
5. Transfer/Purchase of Development rights (TDRs).

F. JOINT PLANNING AREA - The area included within the City of Haines City Service Area will be defined as a Joint Planning Area (JPA) for the purposes of implementing Development review and permitting guidelines in accordance with an executed interlocal agreement. The basic principles and goals of the JPA will include the following:

1. Encourage business and commercial development that are complimentary but not competing to the Haines City downtown;
2. Encourage economic growth and new job creation;
3. Encourage high quality development which serves as the northern entrance in to Haines City; and
4. Provide balance of land uses with functional relationships to one another; and
5. Improve the overall land values of the area.

G. DEVELOPMENT OF REGIONAL IMPACTS (DRI) - At the adoption of this SAP in 2001, there were two DRIs titled Circus World/Boardwalk and Baseball and Ridgewood Lakes. Other DRIs were subsequently approved including Four Corners, Stoney Brook and Westridge. In addition, the Victor Posner City Center DRI was created in 2003 when it separated from the Circus World/Boardwalk and Baseball DRI and become a separate DRI. However, in 2016 the Victor Posner City Center DRI was rescinded according to Section 380.115, Florida Statutes, and development within the Victor Posner City Center site at the southeast corner of I 4 and US 27 shall be entitled to the following stipulations and liabilities when development occurs during Level 2 Review process:

1. Business Park Center Uses (BPC) - The Development Order previously permitted BPC uses on the Master Development Plan (Map H) of the Victor Posner City Center DRI.
   (a) Permitted uses - The following BPC uses shall be permissible provided they are developed consistent with their definitions and regulatory guidelines found in the North Ridge SAP, Polk County Comprehensive Plan, and the Polk County Land Development Code: research and development center, light assembly/manufacturing light facilities, or any combination thereof with distribution/warehousing as an accessory component.
   (b) Location - To continue to provide for the allowance provided by Section 380.115, F.S., the BPC uses described in subsection (a) above shall be permitted as accessory uses on all parcels, as primary uses anywhere the applicant can demonstrate compliance with the Business Park Center location criteria enumerated in Policy 2.113-A3, and as primary uses on areas identified as parcels 11 and 12 of Map H shown in the exhibit below. This allowance does not limit the development of the referenced parcels for all other uses allowed within the SAP.
   (c) Map H - For illustrative purposes only.



2. Transit Center (TC) - The developer shall provide the TC with all amenities as required by the DRI Development Order condition. The TC may be expanded by the transit provider as provided by the Land Development Code and Development Agreement.

H. OTHER USES - Uses not specifically permitted or prohibited under the general provisions of the Basic Land-Use Categories or Modified Land Use Categories of this SAP may only be permitted upon approval by the Board of County Commissioners when it is determined that the proposed use can be developed in accordance with the policies contained within this SAP and all other policies within the Polk County Plan not in conflict with these policies.

I. CONNECTION BETWEEN DEVELOPMENTS - Interconnectivity between developments will be encouraged to increase internal circulation as required in Policy 2.131-W4.

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.

K. FLOOR AREA RATIO (FAR) - FAR ranges for each land use categories are established by Policy 2.131-Q4 of this SAP.

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.

M. Transit Supportive Development Area Density and Intensity - For those areas of the County located within the North Ridge SAP and that are in the Transit Supportive Development Areas (TSDA), if there is a conflict between the density or intensity incentives established in Policy 2.104-A7 for the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities established within the North Ridge SAP, the densities and intensities as established of the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this SAP are more stringent than the development criteria found within the TSDA or TSDA with the TCCO, the development criteria for this SAP shall take precedence.

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.

A. CONVENIENCE CENTER (CCX) - In addition to the other applicable provisions, the following provisions apply:

   a. Residential is not permitted as a primary use, but is permitted above commercial as an accessory use for a total of two stories of residential over one story of commercial (total of three story mixed-use building).

   b. The maximum FAR shall be 0.25. Higher FARs, not to exceed 0.50, will be allowed through bonus points per the Land Development Code.

B. NEIGHBORHOOD ACTIVITY CENTER (NACX) - In addition to the other applicable provisions, the following provisions apply:

   a. Residential is not permitted as a primary use, but is permitted above commercial as an accessory use at the Medium-Density Residential (5.01 dwelling units/acre to 10.0 dwelling units/acre).

   b. The maximum FAR shall be 0.35. Higher FARs, not to exceed 0.70, will be allowed through bonus points per the Land Development Code.

C. COMMUNITY ACTIVITY CENTER (CACX) - In addition to the other applicable provisions, the following provisions apply:

   a. Residential is not permitted as a primary use, but is permitted above commercial as an accessory use at the Medium-Density Residential (5.01 dwelling units/acre to 10.0 dwelling units/acre).

   b. The maximum FAR shall be 0.50. Higher FARs, not to exceed 1.0, will be allowed through bonus points per the Land Development Code.

D. REGIONAL ACTIVITY CENTER (RACX) - In addition to other applicable provisions as defined in Policy 2.110F, the following requirements shall apply:

   a. Special Residential shall be permitted at 10 dwelling units/acre up to 50 dwelling units/acre, for up to twenty five percent (25%) of the entire RACX.

   b. The maximum FAR shall be 1.0. Higher FARs, not to exceed 1.5, will be allowed through bonus points per the Land Development Code.

E. LINEAR COMMERCIAL CORRIDOR (LCCX) - In addition to the other applicable provisions, the LCC shall be governed by the following provisions:

   a. PERMITTED USES -All uses permitted in the LCC as described in the Future Land Use Element of the Comprehensive Plan and the following:

      - New development in infill areas shall be limited to office and professional, and retail uses.

- Residential is not permitted as a primary use, but is permitted above commercial in a mixed-use building as an accessory use at the Medium Density Residential density.
- Non-conforming uses cannot be intensified.
- Mixed use buildings are permitted uses.

b. PROHIBITED USES - The following uses shall be specifically prohibited:

- New Industrial (IND) and High Impact Commercial (HIC) development shall not be permitted.

c. The maximum FAR shall be 0.35. Higher FARs, not to exceed 0.75, will be allowed through bonus points per the Land Development Code.

F. COMMERCIAL ENCLAVE (CEX) - In addition to the other applicable provisions, the following provisions apply:

a. Residential is not permitted as a primary use, but is permitted above commercial as an accessory use for a total of two stories of residential over one story of commercial (total of 3 story mixed-use building).

b. The maximum FAR shall be 0.35. Higher FARs, not to exceed 0.6, will be allowed through bonus points per the Land Development Code.

G. BUSINESS PARK CENTERS (BPCX) - In addition to the other applicable provisions, the following provisions apply:

a. The BPCX shall be prohibited from having outdoor storage forward of the rear building line, unless screened from off-site view. Residential development shall also be prohibited.

b. The maximum FAR shall be 0.75. Higher FARs, not to exceed 1.25, will be allowed through bonus points per the Land Development Code.

H. INDUSTRIAL (INDX) - In addition to the other applicable provisions, the following provisions apply:

a. This classification is the same as defined in Section 2.113. Additional restrictions, established in the CARMP and the Land Development Code, shall apply to the IND located on the west side of US 27, in the Green Swamp. No additional land, within the Green Swamp Area of Critical State Concern, shall be designated as IND in this SAP.

b. The maximum FAR shall be 0.75. Higher FARs, not to exceed 1.25, will be allowed through bonus points per the Land Development Code.

I. RESIDENTIAL-LOW (RLX) - This classification is the same as defined in Section 2.120- C, except that the maximum residential density shall be according to the North Ridge SAP density credit table in the Land Development Code.

J. RESIDENTIAL-MEDIUM (RMX) - This classification is the same as defined in Section 2.120-D of this Plan, except that the minimum and maximum residential density shall be according to the North Ridge SAP density credit table as established by Policy 2.131-Q7 of this SAP and per the Land Development Code.

K. RESIDENTIAL HIGH (RHX) - This classification is the same as defined in Section 2.120- E of this Plan, except that the minimum and maximum residential density shall be according to the North Ridge SAP density credit table as established by Policy 2.131-Q7 of this SAP and per the Land Development Code

L. PROFESSIONAL INSTITUTIONAL (PIX) - The Professional Institutional is an Activity Center designated only within this SAP that is designed to allow health related and other professional facilities and other support businesses.

a. DESIGNATION AND MAPPING - Professional Institutional is designated on the North Ridge SAP Future Land Use Map.

b. CHARACTERISTICS - The PIX is intended to accommodate the employment and functional needs of the medical community as well as associated uses and retail and commercial uses to serve the employees within the PIX and surrounding areas. The PIX will generally contain medical and other professional offices and support facilities including uses to support the employee population. General (approximate) characteristics of the Professional Institutional Xs are:

(a) Usable Area: 10 acres or more

(b) Minimum Population Support: More than 2,500 people

(c) Market-Area Radius: More than 2 miles

(d) Typical Tenants: Services to persons needing medical and other specialty services such as administrative, clerical, or professional offices, doctors offices, hospitals, pharmacies, medical supply and other specialty retail stores, assisted living facilities, nursing homes, and small scale retail stores and services for the clients and employees of the land use category. Hotels and motels are also permitted to serve the users of the districts.

c. DEVELOPMENT CRITERIA - Development within a PIX 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. New driveways to US 27 may be permitted during the Level 3 Review for the Planned Development.

(b) Different uses shall incorporate the use of shared ingress/egress facilities wherever practical.

(c) Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

(d) 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. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

(e) Residential development, as primary or accessory, will be permitted in up to fifteen percent (15%) of the PIX designation at Medium Densities.

(f) The FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.25.

(g) Retail and commercial uses are limited to 25 percent of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

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.

c. DEVELOPMENT CRITERIA - Development within an ECX shall conform to the following criteria:

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.

(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.

(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.

(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.

(j) All development, when it is feasible, shall take advantage of any mass-transit facilities.

N. PRESERVATION - Areas designated as Preservation within this SAP are major wetland areas on which development does not currently exist. Designations are approximate. Development shall not be permitted except for the following:

a. stormwater retention/detention,

b. passive recreation,

c. vehicular access for internal circulation as required for proper access, and

d. bicycle and pedestrian corridors to achieve the Recreational Trails pursuant to Policy 2.131-Q6(C).

O. LEISURE RECREATION - Areas designated as L/R within the North Ridge SAP are the same as defined in Section 2.115 of this Plan, except that up to 15% of the net usable land within a parcel or project can be retail commercial uses when developed as a mixed use project.

POLICY 2.131-Q5: SPECIAL USES - Modified Special Uses shall include Residentially-Based Mixed-Use Developments (RBMD) that shall be developed in accordance with the following criteria:

A. The development shall provide a mix of residential and non-residential uses that will serve the needs of residential uses within and up to one-half mile around the development; this shall be permitted within the Residential Low (RLX), Residential Medium (RMX) districts, and Residential High (RHX).

B. All development shall provide for integration of pedestrian access, parks, internal traffic, and interconnection of subdivisions in the design of the combined residential and non-residential uses.

C. Non-residential development is not restricted to specific locations within the development in order to provide market share that is outside of the development.

D. Public access to the development's commercial uses is required.

E. Adequate buffering shall be required where the non-residential uses within and outside the development abuts residential uses.

POLICY 2.131-Q6: SPECIAL PROVISION AREAS - Land within "Special Provision Areas" as enumerated in Policy 2.131-Q3 shall be developed in accordance with the following criteria:

A. GREEN SWAMP PROTECTION AREA (GSPA) - Land within the Green Swamp Protection Area shall be developed in accordance with Objective 2.123-F and Appendix 2.132 of the Comprehensive Plan and with the appropriate chapters and sections of the Land Development Code.

B. MULTI-MODAL COLLECTOR ROAD SYSTEM - Is included as part of the proposed transportation network within this SAP and is further defined in this section and shall be developed pursuant to the following:

1. DESIGNATION AND MAPPING - The Multi-Modal Collector Road System is designated on the Future Land Use Map. A minimum of 40 feet from the centerline of the road shall be designated as right-of-way to ensure a continuous corridor along the designated collector within the SAP.

2. PURPOSE - The Multi-Modal Collector Road System is intended to establish safe vehicular, bicycle, and pedestrian circulation (including sidewalks) in the area to promote alternative modes of transportation within the North Ridge SAP.

3. IMPLEMENTATION METHODS - The Multi-Modal Collector Road System shall be created as follows:

(a) The County will coordinate planning for the Multi-Modal Collector Road System with the Transportation Planning Organization and other County divisions. Alternative routes may be planned.

(b) Development along the Multi-Modal Collector Road System shall be required to provide a vegetative buffer in accordance with the Land Development Code for this SAP.

(c) The County shall review a variety of options for funding the development of the Multi-Modal Collector Road System that may include, but not be limited to impact fees, density credits, bonus points for dedications, government funding (federal, state, local), and other sources of funding.

(d) If additional right-of-way is required or if the Multi-Modal Collector Road System must be constructed prior to development, the County shall look into acquiring land as needed.

(e) Sidewalks shall be required along both sides of the Multi-Modal Collector Road System as designated on the SAP FLUM. Sidewalks shall be required on other collector roads that are not part of the Multi-Modal Collector Road System on either one side or both sides consistent with the sidewalk location section of the Land Development Code.

(f) Sidewalks shall be required on at least one side of roads that will connect the proposed collector road network to US 27 and US 17/92.

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.

D. GREENWAY CORRIDOR - The Greenway Corridor on the North Ridge SAP Future Land Use Map indicates land within the North Ridge SAP bordering the CORE area of the Green Swamp Area of Critical State Concern as a Greenway Corridor, and as further defined in this section, shall be developed pursuant to the following:

1. PURPOSE - The Greenway Corridor is intended to become a linear, meandering preservation/conservation and wildlife corridor bordering the Green Swamp CORE and Ridge Special Protection Area. This area will serve as a buffer with no development permitted within this area. This buffer area shall connect to the Greenway Corridor that is required as part of the US 27 North SAP and shall remain undisturbed except for the accommodation of pedestrian/bicycle traffic, underground utilities, and limited access. This corridor shall be a minimum of 50 feet wide on each side of the jurisdictional wetland boundary.

2. IMPLEMENTATION METHODS - The Greenway Corridor shall be created as follows:

(a) New development and redevelopment bordering the jurisdictional wetlands of the Green Swamp shall designate 50 feet east of the jurisdictional wetland boundary as a conservation easement for the Greenway Corridor.

(b) Developments located along the Greenway Corridor shall be required to locate other recreation amenities and stormwater retention areas adjacent to the corridor in order to further enhance it consistent with the requirements of the Land Development Code. All retention areas shall be designed in a manner which minimizes disturbance to the land.

E. HORSE CREEK CORRIDOR - Development shall be restricted to help protect Horse Creek as follows:

1. DESIGNATION AND MAPPING - The Horse Creek Corridor is designated on the Future Land Use Map. The corridor follows the Horse Creek toward the Reedy Creek Swamp.

2. PURPOSE - The Horse Creek Corridor is intended to become a linear, preservation/conservation corridor following Horse Creek. This area will provide a conservation/preservation area and maintain open space along the Horse Creek.

3. IMPLEMENTATION METHODS - The Horse Creek Corridor shall be created as follows:

(a) A minimum 50 foot drainage and conservation easement shall be established on each side of the Horse Creek centerline and shall be designated Preservation (PRESVX) for the Horse Creek.

(b) Passive recreational uses shall be permitted in accordance with the Land Development Code.

F. TRANSFER/PURCHASE OF DEVELOPMENT RIGHTS (TDRS) - In order to encourage the preservation and conservation of natural or man-made environmentally sensitive areas, the County shall evaluate the applicability of utilizing transferable development right (TDR) programs or purchased development right (PDR) programs as possible mechanisms to preserve land for environmental resources, or specific plant or animal habitats, while encouraging development in more environmentally appropriate areas. To accomplish this, the County will:

(a) coordinate with the applicable agencies (e.g. Florida Department of Environmental Protection [DEP], Florida Fish and Wild Life Commission, Water Management Districts, etc.) to identify potential areas of concern, habitats and other environmental resources for consideration to be included in a TDR program, and

(b) create and overlay district as part of the FLUM identifying the sending and receiving areas within the Selected Area Plan.

(c) established development regulations that creates the necessary tools to implement the adopted program(s).

G. FDC GROVE ROAD CORRIDOR/NORTHWEST QUADRANT - Nonresidential Future Land Use designations in the NW Quadrant of the FDC Grove Road corridor shall limit their impact to the FDC Grove Road and surrounding properties according to the following:

1. DESIGNATION - The NW Quadrant designation on the Future Land Use Map. This corridor runs between Minute Maid Ramp Road 3 and just south of Holly Hill Grove Road 2 on the west side of FDC Grove Road.

2. PURPOSE - The identified corridor shall help establish requirements for non-residential development as it relates to land use compatibility and transportation impacts to FDC Grove road and the east-west roads within the vicinity:

(a) Any warehouse use that develops within the identified BPCX Land Use designation as defined above shall not be permitted to develop at an FAR greater than 0.34.

(b) Non-residential truck traffic generated from a Non-residential Future Land Use designation - Shall not be permitted on any east-west road intersecting FDC Grove Road and US 27 where the north and south sides are both a residential Future Land Use designation. Truck traffic from BPCX, ECX, and PIX shall have access to Homerun Boulevard and/or FDC Grove Road. Access from FDC Grove Road shall be from a point no further south then six hundred feet of Minute Maid Ramp Road #3 and have a direct or close connection into the FDC Grove Road Connector. Truck traffic related to residential deliveries shall be permitted on FDC Grove Road and the east-west roads. These deliveries include, but not limited to US postal packages, large deliveries for items similar to furniture, and Home Occupations are permitted to use FDC Grove Road.

(c) Prohibited Future Land Use Designations - The industrial Future Land Use designation should be prohibited on the west side of FDC Grove Road.

(d) Building Design Standards - The building design shall incorporate an office front architecture design that helps minimize any visual impacts to surrounding properties and

residential land uses. The design standards shall also minimize the potential noise and light impacts.

(e) Buffering Standards - All non-residential land uses shall at a minimum provide a buffer that is consistent with the requirements in the North Ridge Selected Area Plan or Chapter 7 of the LDC, whichever is more restrictive. However, when non- residential development is adjacent to residential the non-residential development shall provide a buffer that is more restrictive then what is required in the North Ridge Selected Area Plan or Chapter 7 of the LDC. When referring to residential this includes short-term rental development.

(f) Lighting Standards - Outdoor lighting fixtures shall be arranged to direct light down and away from adjacent residential land uses.

(g) Noise Abatement Standards - There shall be no outdoor public sound (address) system, bell ringers, loud speakers, or any similar noise generator when adjacent to residential land uses.

POLICY 2.131-Q7: DENSITY AND FAR SCHEDULE - Density and FAR bonuses are used in the North Ridge Selected Area Plan to encourage development designs consistent with the intent of the plan. Within the Center and Core of the Transit Corridor and Center Overlay (TCCO), the base density for RMX is established at six dwelling units per acre (6 du/ac), and for RHX at ten dwelling units per acre (10 du/ac). Based on a density point system development within RLX can be permitted at densities of up to eight dwelling units per acre (8 du/ac) from the established sub-district while development within RMX can be permitted at densities of up to 15 dwelling units per acre (15 du/ac) and within the RHX, they can be permitted at densities of up to 20 dwelling units per acre (20 du/ac). Densities in the RMX and RHX outside the Center and Core of the TCCO may only occur below the base through the density bonus system within Land Development Code.

As establish in Policy 2.131-Q4, the FAR ranges for land use districts where bonuses apply are as follows:

	Land Use										
	CCX	**CEX**	**LCCX**	**NACX**	**ECX**	**PIX**	**INDX**	**BPCX**	**TCCX**	**CACX**	**RACX**
FAR	.25-.65	.35B.75	.35-.75	.35-1.0	.7-2.00	.7-1.25	.75-1.25	.75-1.25	.5-1.0	.5-1.0	1.0-1.5

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.

As established in the Land Development Code, Density and FAR Bonus Schedule, bonus points will be given for development that provides, at a minimum:

a. Public infrastructure and service such as public safety sites, sidewalks above the required, and right-of-way dedication, etc.;

b. Special design criteria such as internal street lighting, vertical and mixed use development and structures, varying lot sizes and mixed housing types, incorporating neo-traditional or village elements such as recessed garages, and providing landscaped areas above the requirement, etc.;

c. Alternative transportation opportunities such as vehicular and pedestrian interconnectivity, demonstrated internal capture of vehicular trips, curb and gutter, providing connector roads from one public road to another, connecting residential and commercial centers via sidewalks, etc.;

d. Internal recreation facilities, and connection to public recreation facilities via sidewalks or multi-use trails;

e. Increased protection for wetlands, wildlife habitat and upland vegetative communities, open space above minimum requirements and transfer of development rights.

f. Preservation or conservation easements for native vegetative/plant communities.

g. Development of self-sufficient villages, affordable housing, and no short-term rental units in residential districts.

h. Other criteria, as defined in the Land Development Code, which might enhance the quality of the development, the quality of life for the community, and the protection of unique historical or environmental features that may occur in the area.

The applicant will be required to provide points from at least three different categories and in some cases obtain an approval for a conditional use permit, before an increase (or decrease) is allowed.

The Impervious Surface Ratio (ISR) shall be consistent with the requirements of the Critical Area Resource Management Plan, Policy 2.131-B9, of this plan.

Except where stated in this Plan, if the property is in the Green Swamp Area of Critical State Concern, more restrictive guidelines in Section 2.132, Critical Area Resource Management Plan of this Plan will apply.

OBJECTIVE 2.131-R: Within the North Ridge SAP, Recreation and Open Space shall be established as development occurs to meet the needs within the area.

POLICY 2.131-R1: RECREATION SYSTEM - Within the North Ridge SAP, a Recreation and Open Space system shall be established as development occurs, governed by the following provisions:

A. DESIGNATION AND MAPPING - Recreation and Open Space shall be incorporated into the Future Land Use Map when suitable sites for County parks are identified.

B. PURPOSE - The ROS is intended to provide open space, recreation space, and special ambience to this part of Polk County by ensuring that the natural amenity is preserved, enhanced, and made useable for the natural and man-made environment.

C. LEVEL OF SERVICE STANDARD - The County-wide adopted LOS of 6.95 acres per 1,000 people for Recreation and Open Space (ROS), in accordance with Policy 3.502-E2 of this Plan, shall be applied to the North Ridge SAP.

D. POLK COUNTY COMMITMENTS - Polk County shall commit to holding land acquired by the County for the creation of parks and open space in its undeveloped state until such time as funding mechanisms are established to pay for the improvement and maintenance of them. This can be accomplished comprehensively through the establishment of an area-wide funding mechanism or other appropriate means developed by the County.

E. DEVELOPMENT STANDARDS - All new development shall be required to meet the Level-of-Service standard to contribute to the creation of a park system which includes:

1. 300 acres of community and regional parks at-build-out;

2. Recreation Trail Corridor within the North Ridge SAP;

3. A Park Impact fee and other funding mechanisms will be implemented in order to meet the needs of the area;

4. Fifty percent (50%) of park and recreation space requirements shall be provided within the development and related specifically to that development, to include such spaces as: village commons, waterfront acres for public access, upland linear connectors, access through or adjacent to private golf courses, etc.

5. All new development and redevelopment shall provide pedestrian/bikeway connections.

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.

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.

POLICY 2.131-T3: The construction of any new billboards along any roadway within this SAP shall be specifically prohibited, except for temporary billboards advertising the availability of commercial space located within the SAP for the respective property(ies). The relocation of any billboard existing at the time of adoption of this SAP is specifically prohibited except in the case of a taking due to roadway improvements.

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.

POLICY 2.131-U5: Polk County shall evaluate the applicability of utilizing transferable development right (TDR) programs or purchased of development right (PDR) programs as possible mechanisms to preserve land for

environmental resources, or specific plant or animal habitats, while encouraging development in more environmentally appropriate areas within this SAP.

OBJECTIVE 2.131-V: All land alteration activities shall be sensitive to the unique natural resources within the North Ridge Corridor.

POLICY 2.131-V1: Where disturbance of a wetland or wetlands is unavoidable, mitigation shall be completed in accordance with the guidelines of the appropriate regulatory agencies. Receiving zones, within Polk County, will be identified to assist these agencies in providing options for off-site mitigation in order to protect, enhance, or restore local environmentally sensitive systems. This wetland mitigation project shall occur in Polk County as approved by the regulatory agencies.

POLICY 2.131-V2: Building setbacks shall be 50 feet from environmentally sensitive areas. Wider setbacks may be required by the County depending on the environmental sensitivity of the area and the intensity of the development proposed adjacent to the area.

POLICY 2.131-V3: In order to prevent soil erosion and protect water quality by providing natural filtration of surface water runoff, a natural undisturbed vegetative buffer shall be required around all surface water bodies and wetlands, in accordance with the Land Development Code.

POLICY 2.131-V4: Underground petroleum storage tanks shall be allowed within the North Ridge SAP in accordance with this Comprehensive Plan and the Federal and State requirements.

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.

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.

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.

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.

POLICY 2.131-W5: MULTI-MODAL COLLECTOR ROAD SYSTEM - Future collector roadways within the North Ridge SAP are depicted on the SAP FLUM in terms of their general location. Their final placement may deviate somewhat from these general locations without the necessity of processing a Comprehensive Plan Amendment (CPA)

provided that the transportation access and capacity provided by that transportation corridor is generally maintained.

A. Improvements to, and rights-of-way acquisition for, arterial or collector roadways shall be funded consistent with the Polk County Capital Improvement Program which shall identify revenue sources for these projects.

B. Right-of-way shall be provided at time of development to the County to implement the collector roadways proposed on the North Ridge SAP FLUM and consistent with the Land Development Code.

C. The right-of-way provided shall incorporate bike lanes and sidewalks.

D. Arterial and collector roads built by developers shall conform to the adopted road plan for the North Ridge SAP. Polk County shall amend the following transportation maps in the Comprehensive Plan Map Series to reflect the designed road plan for the North Ridge SAP:

1. Lakeland and Winter Haven Urbanized Areas/Small Urban Areas (Figure GF-3.214-3),

2. 2052~~2~~0 Future Roadway Laneage (Figure GF-3.214-4), and

3. 2052~~2~~0 Future Roadway Functional Classification (Figure GF-3.214-5).

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.

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.

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.

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 2050~~25~~ 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.

POLICY 2.131-W9: Road projects in the North Ridge SAP shall be funded by adopting and implementing a Municipal Service Benefit Unit (MSBU), Municipal Service Taxing Unit (MSTU), ASSESSMENT DISTRICT, Community Redevelopment Area (CRA), or similar financial instrument.

OBJECTIVE 2.131-X: The North Ridge Selected Area Plan shall identify the necessary capital improvements to support the proposed development and the funding sources to implement these improvements for regional parks, EMS, Fire and Sheriff's facilities, Fire station, Sheriff's facility, arterial roads, collector roads, intersections, and recreational trails.

POLICY 2.131-X1: Roadway, utility, parks and open space, and public safety improvements that benefit the SAP landowners shall be the responsibility of all landowners within the SAP.

A. All land owners shall be responsible for the funding of all mechanisms to finance all public improvements such as, but not limited to, transportation and recreation/open space improvements.

B. A Transportation Concurrency Management Area (TCMA), in accordance with Section 163.3180(7) F.S./~~Rule 9J-5.0055(5)~~, or alternative long-term transportation management programs that are acceptable to Polk County and the Florida Department of Commerce ~~Economic Opportunity (DEO)~~, to include the North Ridge, US 27, and C.R. 54/Loughman Selected Area Plans shall be established.

POLICY 2.131-X2: CAPITAL IMPROVEMENTS - The following capital improvements are projected for the North Ridge SAP:

	~~2000~~	~~2005~~	~~2010~~	~~2015~~	~~2020~~
	~~(student stations)~~				
~~Schools:~~					
~~Elementary~~	~~146~~	~~781~~	~~1,708~~	~~2,641~~	~~3,575~~
~~Middle~~	~~33~~	~~494~~	~~954~~	~~1,418~~	~~1,883~~
~~High~~	~~625~~	~~1,039~~	~~1,454~~	~~1,871~~	~~2,288~~
Regional Parks (acres)	200 acre park is currently needed - buildout of this SAP will require an additional 300 acres				

EMS and Fire	An EMS and Fire station facility will be needed within this SAP, approximately near the intersection of US 27 and CR 547.
Sheriff	The nearest station is located on Thompson Nursery Road near Lake Wales. A Sheriff's facility is needed near the center of all the SAPs in northeast Polk County.

COLLECTOR ROADS	APPROXIMATE LENGTH	IMPROVEMENT[1]
		U 2 lanes[2]
Collector I North-South west parallel to US 27	6.3 miles	30.9 Million
Collector II North-South east parallel to US 27	8 miles	23.5 Million
Collector III East-West	10.8 miles	10.8 Million
[1] The improvement estimates only include right-of-way and construction cost, not maintenance costs. These cost estimates are based on current 2000 dollars.		
[2] Multi-modal corridor - Two lane undivided plus bicycle path and sidewalks on both sides of the road.		

A. All capital improvements, including right-of-way acquisition, shall be financed substantially from development within the North Ridge SAP either through impact fees or other appropriate funding instruments such as the establishment of a Municipal Service Benefit Unit or a Community Redevelopment Area.

B. Impact fees proposed for the North Ridge SAP may be in addition to other fees which may be relevant to meet County-wide needs. It is not the intent of this SAP to create excessive impact fees for this area so as to eliminate the competitive advantage of locating in Polk County rather than neighboring counties.

C. A means of providing for impact-fee credits for contributions made in lieu of fees for school sites, parks, land for government buildings, and other facilities provided by developers or property owners shall be established. Credits, if required, shall be negotiated and established in a development agreement.

D. Development shall be monitored to assure that fees levied remain sufficient to support the necessary infrastructure and, if necessary, be adjusted relative to actual demand.

E. The construction of schools requires special attention. Donation of sites, with credit from existing public-facility impact-fees being given, is encouraged.

F. The County shall consider the establishment of a separate transportation impact-fee zone for the North Ridge SAP in conjunction with the US 27 and CR 54/Loughman SAPs. All proceeds from this impact fee shall be applied to transportation projects within the SAPs in addition to historical funding rates.

G. Roads which principally benefit site-specific development shall be the responsibility of the land owner or developer, as shall relevant off-site transportation improvements. Rights-of-way and improvement costs associated 100% with a development shall not offset impact fees, if imposed. Rights-of-way costs and construction costs deemed necessary to satisfy "area-wide" transportation needs shall offset impact fees, if imposed.

H. Full-cost recovery for the operation and maintenance of water and sewer systems is necessary. Future connection and monthly use charges shall reflect these total costs.

I. More flexible revenue sources may be developed to complement other capital resources. These revenue sources could be pledged as revenue streams to support bonded indebtedness for selected capital projects.

J. The North East Polk County TCMA, or alternative long-term transportation management programs that are acceptable to Polk County and the Florida Department of Commerce~~DCA~~, shall include a 10 year plan to address backlog problems. The plan shall include interim level of service standards, schedule of capital improvements to correct existing deficiencies, funding sources, and provisions for facilities required to accommodate new development.

k. Polk County will work with Polk County Public Schools to ensure proper planning of school facilities consistent with the Public Schools Element and the interlocal agreement.

(Ord. No. 2022-066, § 2(Att. A), 9-6-2022; Ord. No. 2024-049, § 2(Att. B), 9-3-2024)

Revision History Section 2.131-Q North Ridge SAP	
APPENDIX 2.131	CPA 01B-17 (Ord. 01-110) 12/19/01
SECTION 2.131-Q	CPA 06B-01 (Ord. 06-089) 12/6/06
OBJECTIVE 2.131-Q	CPA 06B-01 (Ord. 06-089) 12/6/06
POLICY 2.131-Q1	CPA 11B-06 (Ord. 11-038) 12/8/11
POLICY 2.131-Q2	CPA 06B-01 (Ord. 06-089) 12/6/06
POLICY 2.131-Q3	CPA 16C-01 (Ord. 16-075) 12/6/16; CPA 10B-04 (Ord. 10- 043) 8/4/10; CPA 10B-03 (Ord. 10-042) 9/1/10; CPA 06B-01 (Ord. 06-089) 12/6/06; CPA 03A-04 (Ord. 03-42) 7/9/03
POLICY 2.131-Q4	LDCPAL 2018-20 (Ord. 19-045); CPA 16B-09 (Ord. 16-20) 4/19/16; CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 06B-01 (Ord. 06-089) 12/6/06; CPA 03A-04 (Ord. 03-42) 7/9/03
POLICY 2.131-Q4	CPA 16B-09 (Ord. 16-020) 4/19/2016
POLICY 2.131 Q6	CPA 09A-11 (Ord. 09-036) 6/17/09; CPA 06B-01 (Ord. 06-089) 12/6/06; CPA 03A-04 (Ord. 03-42) 7/9/03
POLICY 2.131-Q7	CPA 15D-02 (Ord 15-063) 10/06/15; CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 06B-01 (Ord. 06-089) 12/6/06
POLICY 2.131-R1	CPA 06B-02 (Ord. 06-85) 12/6/06
POLICY 2.131-S3	CPA 06B-01 (Ord. 06-089) 12/6/06
OBJECTIVE 2.131-U	CPA 06B-01 (Ord. 06-089) 12/6/06; CPA 03-A-04 (Ord. 03-42) 7/9/03
POLICY 2.131-U5	CPA 06B-01 (Ord. 06-089) 12/6/06
POLICY 2.131-X1	CPA 12E-02 (Ord 12-038)

SECTION 2.131-R US HIGHWAY 98 SELECTED AREA PLAN.

This Selected Area Plan (SAP) is generally bounded on the north by the city limits of Lakeland, on the east by Lake Hancock, on the south by the city limits of Bartow and on the west by various parcel boundaries. This SAP is adopted in recognition that this area of Polk County is anticipated to:

* continue to grow in population and development;
* experience higher traffic volumes on US Highway 98;
* maintain an identity separate from the Cities of Lakeland and Bartow; and
* obtain more urban services such as centralized water and sewer;

* be affected by higher water levels within Lake Hancock which may affect existing floodplains and wetlands.

In the future, parts of this SAP may be annexed into the Cities of Lakeland or Bartow. The SAP provides a transition for these areas if annexation does occur. The SAP also represents an initiative to maintain, and where appropriate, improve the character of Highland City as a distinct neighborhood with traditional features, and provides a means to incorporate the planned improvements to US Highway 98 in this area.

VISION BASIC PRINCIPLES The "Basic Principles" section is included to serve as framework to convey the concept and intent of the objectives and policies of the US Highway 98 Selected Area Plan (SAP). It contains fundamental principles based on Land Use, Intergovernmental Cooperation, Environment and Recreation, and Transportation, as follows:

Land Use

* Encourage an efficient and desirable urban-growth pattern by establishing interconnected land use districts that allow for a balance of residential and nonresidential uses, a range of housing opportunities, short vehicle trips between housing, employment, and shopping.
* Enhance the sense of place and viability of the Highland City community by protecting the existing neighborhood, encourage economic development, and promote civic spaces.
* Improve the sense of place for the Eaton Park community by protecting the existing neighborhood through limiting the intrusion of incompatible land uses, and encouraging economic redevelopment.
* Provide for a range of uses related to research based industries compatible to career paths offered by the University of South Florida, Polk Community College, Florida Southern College, Travis Vocational Technical School, and other educational facilities in the surrounding area.
* Encourage uses that are complimentary to the function of the cities of Bartow and Lakeland as centers of social, commercial, cultural, educational, and civic activities.
* Emphasize existing communities as activity centers to serve the residents of the area.

Intergovernmental Cooperation

* Continue cooperative planning efforts with the cities of Lakeland and Bartow to improve the quality of life for the residents.
* Coordinate with the cities of Lakeland and Bartow to develop policies and standards for those areas of the SAP that are expected to be annexed by each city which may include the adoption of Joint Planning Area Agreements.

Environment and Recreation

* Recognize the environmental importance of Lake Hancock, public lands, and other natural systems as contributors to quality of life standards.
* Protect the function of the Ft. Fraser Trail as a multi-modal corridor and recreational trail.
* Promote a linked recreation system by encouraging an area-wide pedestrian and bikeway system within rights-of-way of collector and arterial roads with links to public lands, natural systems within and adjacent to the SAP, and to the Ft. Fraser Trail.

Transportation

* Enhance the intersection of the Polk Parkway and US Highway 98 as a significant entrance into Polk County and the City of Lakeland.

* Recognize US Highway 98 as the primary transportation corridor and address the need for an alternative north/south and east/west collector roadway network to provide more opportunities for motorists and pedestrians.
* Protect US Highway 98 as a Transportation Corridor as agreed to in the Memorandum of Understanding between the cities of Lakeland and Bartow, Polk County, and the Florida Department of Transportation.
* Promote a mix of residential and non-residential uses, along with interconnectivity between neighborhoods, educational facilities, and commercial districts to support a more efficient transportation pattern in the area as well as help maintain the level of service on US Highway 98.
* Implement tools that provide safe and efficient movement of vehicular and pedestrian traffic within Multi-use transportation corridors.
* Expand mass transit infrastructure throughout SAP.

GOAL 2.131-R: To encourage environmentally sensitive and efficient development patterns along the US Highway 98 corridor based on a balance of uses compatible with the expansion of the cities of Lakeland and Bartow which promotes maximum utilization of existing and anticipated infrastructure.

OBJECTIVE 2.131-RA: Polk County shall designate and establish Future Land Use categories and development criteria that are specific to this Selected Area Plan (SAP).

POLICY 2.131-RA1: DESIGNATION AND MAPPING - The US Highway 98 SAP 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 US Highway 98 Selected Area Plan Map which is included as part of the Map Series.

POLICY 2.131-RA2: LAND USE CATEGORIES ESTABLISHED - The following land use categories shall apply:

A. Residential
   1. Agricultural/Rural Residential (A/RR);
   2. Residential Suburban (RS);
   3. Residential Low (RL);
   4. Residential Medium (RM); and
   5. Residential High (RH).

B. Activity Centers
   1. Neighborhood Activity Center (NAC);
   2. Town Center (TC);
   3. Office Center (OC); and
   4. Employment Center (EC).

C. Non-Residential
   1. Linear Commercial Corridor (LCC);
   2. Recreation and Open Space (ROS);
   3. Preservation (PRESV);
   4. Business Park Center (BPC);
   5. Leisure Recreation (L/R);

6. Industrial (IND);
7. Institutional (INST);
8. Commercial Enclave (CE).

POLICY 2.131-RA3: GENERAL DEVELOPMENT CRITERIA - Development shall be permitted within this SAP as follows:

A. BASIC LAND USE CATEGORIES - Development shall be permitted for the following overlay districts based on the land use categories assigned to the parcel and as specified by the applicable policies in the general land use element section of the Comprehensive Plan:

1. Recreation and Open Space (ROSX);
2. Leisure Recreation (L/RX);
3. Agricultural/Rural Residential (A/RRX);
4. Institutional (INSTX); and
5. Residential Suburban (RSX).

B. MODIFIED LAND USE CATEGORIES - Due to the specific characteristics of this SAP, development shall be more specifically defined and may vary from those allowed under the general provisions of that land use category within the Comprehensive Plan. Development within the following land use categories shall be permitted as specified within this section:

1. Neighborhood Activity Center (NACX);
2. Linear Commercial Corridor (LCCX);
3. Commercial Enclave (CEX);
4. Business Park Center (BPCX);
5. Industrial (IND);
6. Employment Center (ECX);
7. Office Center (OCX);
8. Town Center (TCX);
9. Residential Low (RLX);
10. Residential High (RHX);
11. Residential Medium (RMX);
12. Preservation (PRESVX).

C. RESIDENTIAL USES IN NON-RESIDENTIAL LAND USE DESIGNATIONS - Residential development is permitted in accordance with the regulations in the Land Development Code for this SAP in the Employment Center (ECX), and Town Center (TCX) Future Land Use designations. The following Future Land Use designations allow residential only as an accessory use in mixed use buildings pursuant to the Land Development Code; Neighborhood Activity Center (NACX), Linear Commercial Corridor (LCCX), Commercial Enclave (CEX), and Business Park Center (BPCX).

D. ARCHAEOLOGICAL SITES - The study document identified some archaeological sites within the SAP based on the Florida Master Site file. Land development regulations shall be adopted to ensure the protection and preservation of archaeological sites in addition to state and federal regulations.

E. OTHER USES - Uses not specifically permitted or prohibited under the general provisions of the Basic Land Use Categories or Modified Land Use Categories of this SAP may only be permitted upon approval by the Board of County Commissioners when it is determined that the proposed use can be developed in accordance with the provisions of this SAP.

F. COORDINATION WITH MUNICIPALITIES - Development review will be coordinated with the planning staff of the cities of Bartow and Lakeland if the project is within the utility service area of either city. The County will implement and update, as needed, the interlocal agreement with the City of Lakeland for those areas within the city's service area, and pursue approval and implementation of a similar interlocal agreement with the City of Bartow.

G. CONNECTION BETWEEN DEVELOPMENTS - Interconnectivity between developments is encouraged as defined by the Land Development Code for this SAP.

H. PEDESTRIAN, SIDEWALK, BIKEWAY AND TRAIL FACILITIES - A sidewalk and trail system shall be required as part of development plans to provide safe pedestrian and bicycle access throughout the SAP in accordance with the Land Development Code and consistent with the Polk TPO 2025~~2~~0 Long Range Plan, as amended. The standards within the Land Development Code shall include guidelines for the location and type of improvements.

I. IMPERVIOUS SURFACE RATIO (ISR) - The ISRs for all land use categories are specified in the Land Development Code.

J. DENSITY AND FAR SCHEDULE - This criteria defines the general ranges for the density and FAR requirements and the Land Development Code for this SAP provides more specificity:

1. DENSITY - The maximum density for RLX is established at up to and included six dwelling units per acre (6 du/ac). The minimum density for RMX is established at five dwelling units per acre (5 du/ac) and the maximum density is ten dwelling units per acre (10 du/ac). The minimum density for RHX is established at eight dwelling units per acre (8 du/ac) and the maximum is established at 15 dwelling units per acre (15 du/ac). The densities and types of units specifically allowed within RLX, RMX, and RHX shall be permitted as defined in the Land Development Code through a bonus point schedule and planned development requirement. The permitted density for A/RRX and RSX is the same as contained in the Future Land Use Element.

2. NON-RESIDENTIAL FLOOR AREA RATIOS - The maximum FAR ranges for non-residential land use designations are according to the table below. The lowest number in the table for each Future Land Use designation is the maximum FAR permitted. However, FARs up to the highest shown in the table, for each Future Land Use designation, may be achieved through bonus points and/or a Planned Development (PD) pursuant to the Land Development Code. FAR standards will not apply to residential development.

	Future Land Use Designations										
	CEX	**LCCX**	**NACX**	**ECX**	**INSTX**	**INDX**	**BPCX**	**TCX**	**LRX**	**OCX**	**CCX**
FAR	.30-.75	.35-.75	.35-.70	.70-1.50	.50-1.00	.65-1.50	.60-1.50	.50-1.0	.50-1.0	.35-.70	.25-.65

For those areas of the County located within the US Highway 98 SAP and that are in the Transit Supportive Development Areas (TSDA), if there is a conflict between the density or intensity incentives established in the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities established within the US Highway 98 SAP, the densities and intensities established in Policy 2.104-A7 for the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this SAP are more stringent than

the development criteria found within the TSDA or TSDA with the TCCO, the development criteria for this SAP shall take precedence.

3. BONUS POINT SCHEDULE - As established in the Land Development Code, within the Density and FAR Bonus Schedule, bonus points will be given for development that provides one or more of the following items at levels above the minimum requirements established in the Comprehensive Plan and Land Development:

   a. Public infrastructure and service such as dedication of public safety sites, installation of sidewalks, and dedication of right-of-way;

   b. Special design features such as internal street lighting, vertical and mixed use development, varying lot sizes, incorporating neo-traditional or village elements such as recessed garages, and providing landscaped areas above the requirement;

   c. Alternative transportation options such as vehicular and pedestrian interconnectivity, bus stops, demonstrated internal capture of vehicular trips, curb and gutter, providing connector roads from one public road to another, pedestrian connections between residential and commercial centers;

   d. Internal recreation facilities, and connection to public recreation, educational and other community facilities via sidewalks;

   e. Increased protection for wetlands, wildlife habitat and upland vegetative communities, and open space;

   f. Preservation or conservation easements for native plant and animal communities;

   g. Provision of services and commercial areas within walking distance of the residential areas;

   h. Provision of affordable housing; and

   i. Other criteria, as defined in the Land Development Code, which might enhance the quality of development, the quality of life for the community, and the protection of unique historical or environmental features that may occur in the area.

   The applicant will be required to provide points from at least three different bonus categories before an increase (or decrease), is permitted.

POLICY 2.131-RA4: DEVELOPMENT CRITERIA FOR MODIFIED LAND USE CATEGORIES - Land within "modified land-use categories", as enumerated in Policy 2.131- RA2 shall be developed in accordance with the following criteria:

For properties within the Transit Supportive Development Area, higher densities and intensities can be achieve in accordance with the criteria established in Policy 2.104-A7.

A. NEIGHBORHOOD ACTIVITY CENTER (NACX) - In addition to applicable provisions in the Future Land Use Element of this plan, the following provisions apply:

   1. Residential development is not permitted as a primary use, but is permitted above commercial development as an accessory use for up to four stories of residential over non-residential uses (office and commercial).

   2. Development within this land use designation shall incorporate safe pedestrian oriented design to allow access from the adjacent parcels.

   3. All development shall provide adequate access and amenities to support mass-transit services.

B. LINEAR COMMERCIAL CORRIDOR (LCCX) - In addition to applicable provisions in the Future Land Use Element of this plan, the LCC shall be governed by the following provisions:

1. PERMITTED USES -All uses permitted in the LCC as described in the Future Land Use Element of the Comprehensive Plan and the following:

   - New development in infill areas shall be limited to office, professional and retail uses.
   - Residential development is not permitted as a primary use, but is permitted above commercial development in a mixed-use building as an accessory use for up to two stories of residential over non-residential uses (office and commercial).
   - Non-conforming uses cannot be intensified.
   - Mixed use buildings are permitted uses.

2. New development and redevelopment within this land use designation shall incorporate safe pedestrian oriented design to allow access from the surrounding parcels.

3. All development shall provide adequate access and amenities to support mass-transit services.

C. COMMERCIAL ENCLAVE (CEX) - In addition to applicable provisions in the Future Land Use Element of this plan, the following provisions apply:

1. Residential development is not permitted as a primary use, but is permitted above commercial development as an accessory use for up to a total of one story of residential over one story of commercial development (total of 2 story mixed-use building).

2. New development and redevelopment within this land use designation shall incorporate safe pedestrian oriented design to allow access from the surrounding parking area and adjacent parcels.

3. All development shall provide adequate access and amenities to support mass-transit services.

D. BUSINESS PARK CENTERS (BPCX) - In addition to applicable provisions in the Future Land Use Element of this plan, the following provisions apply:

1. The BPCX shall be prohibited from having outdoor storage forward of the building's main facade, unless screened from off-site view.

2. Development within this land use designation shall incorporate safe pedestrian oriented design to allow access from the surrounding parking area and adjacent parcels.

3. All development shall provide adequate access and amenities to support mass-transit services.

4. Buffering and screening standards shall be required as specified in the Land Development Code and when adjacent to property designated with a residential Future Land Use designation or adjacent to existing residential.

E. INDUSTRIAL (INDX) - In addition to applicable provisions in the Future Land Use Element of this plan, the following provisions apply:

1. All development shall provide adequate access and amenities to support mass-transit services.

2. Buffering and screening standards shall be required as specified in the Land Development Code and when adjacent to property designated with a residential Future Land Use designation or adjacent to existing residential.

F. EMPLOYMENT CENTER (ECX) - The Employment Center is an Activity Center designed to allow light assembly, office and research parks, low impact commercial, and other business uses to serve southeastern Lakeland and northwestern Bartow populations, as well as the educational campuses of the University of South Florida, Polk Community College, and Travis Vocational Technical Center.

1. DESIGNATION AND MAPPING - The Employment Center is designated on the Future Land Use Map Series as "Employment Center X" (ECX).

2. GENERAL CHARACTERISTICS - The ECX in this SAP is intended to accommodate the employment and functional needs of the college and vocational school campuses and the residents living within the area between the cities of Bartow and Lakeland along the US Highway 98 corridor. The ECX will generally contain uses that will generate employment as well as support facilities for the users and employees of the area. General (approximate) characteristics of the Employment Center Xs are:

   (a) Gross Leasable Area (GLA): 100,000—500,000 square feet, on average,

   (b) Minimum Population Support: 20,000,

   (c) Market Area Radius: 3+ miles,

   (d) Typical Tenants: Services to the universities and colleges, bookstores, offices, light assembly, warehousing, distribution centers, research firms, development firms, medical clinics, convenience stores, restaurants, professional offices, financial institutions, recreational uses, communication facilities, High-Density Residential, hotel/motel, and uses that support or directly relate to the college campuses and the development of a research park, including personal services.

3. 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. New individual driveways accessing US Highway 98 will be permitted in compliance with FDOT requirements for this facility (US Highway 98 CAMP).

   (b) Different uses shall incorporate the use of shared ingress/egress facilities consistent with this SAP.

   (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 as shared parking and permeable surface parking design.

   (d) Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

   (e) Buffering that meets the County development standards as set forth in the Land Development Code shall be provided where effects of lighting, noise, odors, and other such factors would adversely impact adjacent land uses.

   (f) Light industrial uses which include at least 50% office space, assemble products, and conduct research and development, but do not manufacture any products shall be permitted without a Local Planning Agency review.

   (g) The maximum FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.5.

   (h) Commercial and personal services are limited to 30 percent of the ECX district. The maximum floor area ratio for commercial uses shall be 0.60 but higher FARs may be allowed for a total of 75 percent with bonus points.

   (i) All development shall provide adequate access and amenities for mass-transit services.

   (j) Development within this land use designation shall incorporate pedestrian oriented design to allow safe access from the surrounding parking area and adjacent residential.

(k) Residential uses shall be limited to High-Density Residential as a primary use up to 25 percent of the ECX 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.

(l) Warehouse uses which include at least 50 percent office space or office is the principal use shall be permitted without a Local Planning Agency review.

G. OFFICE CENTERS - The Office Center is an Activity Center designed to allow professional offices and support uses to serve southeastern Lakeland and northwestern Bartow populations.

1. DESIGNATION AND MAPPING - Office Centers are designated on the Future Land Use Map Series as "Office Centers" (OCX) for this SAP.

2. GENERAL CHARACTERISTICS - Office Centers are intended to accommodate the office needs of the community they serve. They generally contain lawyer, real estate, engineering, and other professional offices. Medical offices and support offices are also allowable in this category.

Usable Area: 10 acres or less on average

Gross Leasable Area (GLA): 1,000 to 30,000 square feet

Minimum Population Support: 2,500 people

Service-Area Radius: 2 miles or more

Typical Leading Tenant: Professional offices

Other Typical Tenants: Medical offices, delis, cafes

3. LOCATION CRITERIA - Office Centers shall be located in accordance with Policy 2.113-C3, with consideration being given to regional and local transportation issues and preferably on a fixed-route mass-transit line or within walking distance of the transit line.

4. DEVELOPMENT CRITERIA - Development within an Office Center shall conform to the following criteria:

(a) 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 a collector or arterial roadway. Office Centers shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical. The requirements of Policy 2.113-C4, b shall also apply.

(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.

(d) Retail and commercial activities to support activity within an Office Center shall not exceed ten (10) percent of the total area of the Office Center and shall be limited to specialized retail stores as the OC is meant for professional employment.

(e) The maximum floor area ratio for commercial activities shall not exceed 0.10 FAR.

H. TOWN CENTER - The Town Center is the primary cultural and entertainment district for the overall community especially for Highland City. It is not intended for any other town Centers to be located within this SAP.

1. DESIGNATION AND MAPPING - Town Centers are established as designated on the Future Land Use Map Series as - Town Center@ (TCX) for this SAP.

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.

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.

I. ALL RESIDENTIAL FUTURE LAND USE DESIGNATIONS - In addition to applicable provisions in the Future Land Use Element of this plan, the following provisions apply:

1. Densities shall be as specified in Policy 2.131-RA3, J.

2. All development shall provide adequate access and amenities to support mass-transit services.

3. Residential uses shall only have direct access to the internal street system.

4. Different uses within the residential area shall incorporate the use of shared ingress/egress facilities wherever practical.

5. Parking shall be provided to meet the needs of the uses in an efficient manner that best suits the community through optional methods such as shared parking and permeable surface parking design.

6. Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

7. Buffering of higher density residential from lower density residential shall be provided where there are adverse effects from lighting, noise, odors, and other factors. Parking lots, loading

areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

J. PRESERVATION (PRESVX) - Preservation Area Established: Banana Lake is part of the SWIM Restoration Program. It is the intent of this SAP to protect Banana Lake. Therefore the jurisdictional area around Banana Lake and along the Banana Creek Canal, as well as some of the surrounding area, shall be mapped and designated as Preservation on the Future Land Map series for this SAP.

POLICY 2.131-RA5: SPECIAL USES - Modified Special Uses shall include and shall be developed in accordance with the following criteria:

A. RESIDENTIALLY-BASED MIXED USE DEVELOPMENT (RBMD) -

1. The development shall provide a mix of residential and non-residential uses that will serve the immediate needs of residential uses within the development and the immediate vicinity; this shall be permitted within the Residential Low (RLX), Residential Medium (RMX), and Residential High (RHX), Residential Suburban.
2. All development shall provide for integration of pedestrian access, parks, internal traffic, and interconnection of subdivisions in the design of combined residential and non-residential uses.
3. Non-residential development is not restricted to specific locations within the development to provide flexibility on access, connectivity design, and other site-specific development characteristics.
4. The non-residential portion of the development must meet the minimum population support, market area radius, and spacing criteria for the type of activity center that it most closely represents but in no instances shall non-residential uses exceed the size and function of a Neighborhood Activity Center.
5. Commercial areas of an RBMD shall provide public access to the adjacent area.
6. Adequate buffering shall be required where the non-residential uses abut residential uses.
7. Additional standards may apply per the Land Development Code.

POLICY 2.131-RA6: IMPLEMENTATION AND INTERNAL CONFLICTS - Development within the US Highway 98 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 of the Polk County Comprehensive Plan not in conflict with these policies. Where there is a conflict in policy or standards, the provisions of this SAP shall apply.

OBJECTIVE 2.131-RB: Within the US Highway 98 SAP, recreation and open space areas shall be enhanced and expanded as development occurs to meet the needs within the area.

POLICY 2.131-RB1: RECREATION SYSTEM - Recreation and Open Space system shall be established as development occurs, governed by the following provisions:

A. DESIGNATION AND MAPPING - Recreation and Open Space (ROS) sites shall be designated in the Future Land Use Map.

B. PURPOSE - Recreation and open space is intended to provide open space, recreation space, and connecting greenways, which will ensure preservation, enhancement, and usefulness of the natural and man-made environment and connect recreation facilities through bike lanes, sidewalks, greenways or other methods as established by the Land Development Code.

C. LEVEL OF SERVICE STANDARD - The County-wide adopted LOS of 6.95 acres per 1,000 people for Recreation and Open Space (ROS), in accordance with Policy 3.502-E2 of this Plan, shall be applied to the US Highway 98 SAP.

D. DEVELOPMENT STANDARDS - All new development and redevelopment shall be required to meet the Level-of-Service standard to contribute to the creation of a park system which includes:

1. Improving existing recreational facilities and adding public areas to achieve the needed acreage of community and regional parks at-build-out;
2. Connecting proposed development with the Ft. Fraser Trail within the US Highway 98 SAP;
3. Designating ten (10) percent open space for each development as defined in the Land Development Code.
4. Providing areas for greenways based on the PolkGreen District; and
5. Creating safe pedestrian/bikeway connections from all new development and redevelopment to existing and proposed parks, schools, trails, environmental lands, and other community facilities.
6. The County, through the Housing and Neighborhood Division, Neighborhood Revitalization Office, and the Leisure Services Division shall work to identify funding sources and available properties in the Lake Littleton area and in other central parts of the Eaton Park community as well as in Highland City ~~by 2010~~, to provide additional park or other common recreation areas to be enjoyed by the community as identified in County approved plans.

POLICY 2.131-RB2: FT. FRASER TRAIL - The Ft. Fraser Trail is designated as ROS on the FLUM. Uses consistent with and expected within the Ft. Fraser Trail Master Plan shall be permitted and may include the following:

A. Multi-modal transportation facilities such as public transit routes, pedestrian, bicycle, equestrian, and similar facilities;

B. Trail head facilities consistent with the Ft. Fraser Trail Master Plan;

C. Other uses deemed appropriate by the Florida Department of Transportation, the Polk Transportation Planning Organization Director or his designee, and the Polk County Planning Division Director or his designee.

D. Any expansions of the PCC/USF and Travis Vocational campuses shall incorporate at a minimum safe pedestrian interconnection to each campus, the Ft. Fraser Trail and other community service features, and adjoining parcels.

POLICY 2.131-RB3: WETLANDS/FLOODPLAINS - In addition to the other policies within this Comprehensive Plan, the wetlands between SR 540 and Maine Street on the east side of Reynolds Road shall be protected by incorporating the wetlands into a system of recreation or open space.

OBJECTIVE 2.131-RC: Development within the SAP 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 in areas adjacent to the Ft. Fraser Trail, Lake Hancock, and Circle Bar AB@ Reserve.

POLICY 2.131-RC1: BUFFERING - Buffering and screening shall be required according to criteria of the Land Development Code.

POLICY 2.131-RC2: PARKING LOT LANDSCAPING STANDARDS - Parking lots shall be landscaped in accordance with the criteria established by the Land Development Code.

POLICY 2.131-RC3: WATER CONSERVATION - Development shall be required to incorporate water conservation features into the landscape and building design to the greatest extent practicable and consistent with the Land Development Code requirements.

POLICY 2.131-RC4: ROADWAY LANDSCAPE DESIGN - Landscaping along roadways shall be required to establish a visually appealing appearance that enhances development along collector and arterial roads within the US

Highway 98 SAP, in accordance with the criteria established by the Land Development Code and the design requirements of the FDOT.

POLICY 2.131-RC5: TREE PLANTING REQUIREMENTS - Tree preservation and planting in residential lots, and common areas both for residential and non-residential development, shall be encouraged to preserve a natural appearance that enhances the development, in accordance with the criteria established by the Land Development Code.

OBJECTIVE 2.131-RD: New development shall provide open space for the protection of native-plant communities within the US Highway 98 Corridor.

POLICY 2.131-RD1: REMOVAL OF VEGETATIVE COMMUNITIES - 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-RD2: REFORESTATION - Reforestation shall be encouraged to enhance current wildlife areas and improve water quality within, and adjacent to, Banana Lake, Banana Creek, Lake Hancock, and Saddle Creek and within the US Highway 98 SAP.

OBJECTIVE 2.131-RE: Off-Premise and On-Premise Signage requirements shall be more restrictive than typical standards for Polk County.

POLICY 2.131-RE1: SIGNS - 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-RE2: ON-SITE SIGNS - 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.

POLICY 2.131-RE3: OFF-SITE SIGNS (BILLBOARDS) - The construction of any new billboards may only be permitted along US 98 and no other roadway within this SAP. The billboards shall maintain at least a minimum of 1,000 feet separation in any direction and shall have appropriate buffering in accordance with the Land Development Code.

OBJECTIVE 2.131-RF: The County shall optimize the capacity of US Highway 98 as the primary north-south transportation corridor.

POLICY 2.131-RF1: ACCESS ALONG US HIGHWAY 98 - Access to new development or redevelopment along US Highway 98 shall comply with the US Highway 98 CAMP.

POLICY 2.131-RF2: INTERNAL-CAPTURE - 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.

POLICY 2.131-RF3: CONNECTION BETWEEN DEVELOPMENTS - Interconnection of non-residential areas of mixed-use development with adjacent parcels will be required. In addition, development along existing and proposed arterial, collector, and local roads shall be required to provide connections to adjacent parcels consistent with the US Highway 98 Corridor Access Management Plan in accordance with the following:

1. Service Roads;
2. Conveyance of right-of-way;
3. Internal roadways/frontage roads;
4. Road connections that may extend beyond the SAP;
5. Shared ingress/egress access; and
6. Cross-access easements.

POLICY 2.131-RF4: US 98 ACCESS AND JOINT ACCESSES - Access to US Highway 98 and the use of joint access shall be required to meet standards established in the Land Development Code. This shall include the use of joint access easements, standards for lot frontage along US Highway 98, standards for design of the joint access and design of parking with joint access, standards for using joint access abutting vacant and developed uses.

POLICY 2.131-RG5: MULTI-MODAL COLLECTOR ROAD SYSTEM - Proposed roadway network within the US Highway 98 SAP are depicted on the SAP FLUM in terms of their general location. Their final placement may deviate somewhat from these general locations without the necessity of processing a Comprehensive Plan Amendment (CPA) provided that the access and capacity provided by that transportation corridor are generally maintained and consistent with the US Highway 98 CAMP.

A. Roadway projects for, arterial or collector roads shall be funded consistent with the Polk County Capital Improvement Program.

B. Right-of-way shall be provided at time of development to the County to implement the collector roadways proposed on the US Highway 98 SAP FLUM and consistent with the Land Development Code.

C. The right-of-way provided shall incorporate bike lanes, sidewalks, and shall be a minimum of 80 foot right-of-way for an urban section collector.

D. Connections of proposed development with Lake Hancock and Clubhouse Roads shall be required to create a local and collector roadway network within the SPA.

E. Sidewalks, bike lanes or appropriate paved shoulder, or multi-use trails shall be required along the multi-modal collector road system. Their placement shall be in accordance with the Land Development Code.

POLICY 2.131-RG6: DEVELOPMENT NORTH OF CR 540A - All new development and redevelopment fronting US Highway 98 shall provide:

A. Access to adjoining parcels - This is to ensure that all parcels have access to a full median opening via cross access corridors/easements or shared ingress/egress accesses as established by the US Highway 98 CAMP. Frontage, parallel (back) road, or a side street or other service roads may be used to meet this requirement. A cross access corridor/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 completed to ensure access. Such easement agreements shall be recorded in the public records of Polk County and shall constitute a covenant running with the land. As established by the Land Development Code for this SAP, and requirements for the US Highway 98 Corridor Access Management Plan as approved by the Florida Department of Transportation. Temporary right-in/right-out access to US Highway 98 may be granted.

POLICY 2.131-RG7: DEVELOPMENT SOUTH OF CR 540A - All new development and redevelopment fronting US Highway 98 shall provide access via a frontage, parallel (back) road, or a side street or other service road on both sides of US Highway 98 south of County Road 540A. This is to ensure that all parcels have access to a full median opening as established by the US Highway 98 CAMP.

POLICY 2.131-RG8: MASS-TRANSIT FACILITIES - The County shall encourage mass-transit facilities consistent with the plans of the Polk Transportation Planning Organization and the Transportation Element of Comprehensive Plan.

OBJECTIVE 2.131-RH: The County shall optimize the capacity of CR 540-A and US Highway 98 as the primary east-west and north-south transportation corridor by implementing the Technical Memorandum on Travel Conditions in the Vicinity of Crews Lake Drive (Technical Memorandum) dated July 11, 2003.

POLICY 2.131-RH1: EAST-WEST COLLECTOR ROAD - Developers of lands within this SAP shall construct and donate right-of-way to connect E.F. Griffin Road to US 98 based on the road alignment and intent within the Technical Memorandum.

Revision History Section 2.131-R US 98 SAP	
POLICY 2.131-RA3	CPA 10B-01 (Ord. 10-039) 8/4/10
POLICY 2.131-RA4	CPA 16B-09 (Ord. 16-020) 4/19/2016; CPA 12A-03 (Ord. 12-018) 6/5/12;CPA 10B-01 (Ord. 10-039) 8/4/10
POLICY 2.131-RA5	CPA 08A-09 (Ord. 08-028) 6/18/08
POLICY 2.131-RB1	CPA 10B-03 (Ord. 10-042) 9/1/10

SECTION 2.131-S BREWSTER SELECTED AREA PLAN.

The Brewster Selected Area Plan (SAP) is generally bounded on the north by County Road 630, on the south by the Polk/Hardee County Line, on the east by District Line Road and on the west by Fort Green Road. This SAP is adopted in recognition that the area:

- is located within a large Phosphate Mining (PM) Future Land Use district;
- is undergoing active mining operations, including ore extraction and reclamation;
- consists of approximately 55% open water bodies, wetlands, clay settling areas, and other areas not suitable for building structures;
- is included in an on-going larger Selected Area Study (SAS), known as the Bone Valley SAS, and is intended to contribute to the overall implementation strategy developed by the larger SAS; and
- is partially located within the Hookers Prairie Palmetto DRI and subject to a Development Order.

VISION - BASIC PRINCIPLES

The "Basic Principles" section is included to serve as a framework to convey the concept and intent of the objectives and policies of the Brewster Selected Area Plan (SAP).

- Establish an activity center within the core of the SAP to permit a mix of tourist commercial uses which includes a hotel/conference center and a variety of support uses for visitors engaged in recreation and open space activities available within the SAP that will appeal to a regional, national and international market base.
- Establish a sustainable resource-based recreational development which creates long-term value, minimizes waste, promotes a healthy and diverse ecosystem, and recognizes the interdependence of the environmental elements and the development design of uses constructed within the SAP.
- Enable the continuation of permitted mining activities within the SAP as a temporary use and enable the transition of these activities to quality open space, environmental lands, recreation, and wildlife habitat areas through land reclamation.
- Establish a SAP which is consistent with and furthers the intent of Policy 2.114-A4, which encourages reclamation of mined lands and the future development of these lands.
- Promote the conservation, preservation, enhancement and management of environmental resources, including any environmentally sensitive lands. Provide for large, contiguous expanses of open space which includes a variety of land forms and environmental features, such as wetlands, lakes and upland areas. These areas are recognized as valuable assets for the success of a resource-based recreational development and provide a quality of life consistent with a high quality outdoor recreation experience.
- Preserve the intent of the Integrated Habitat Network (IHN) where it contributes to the overall quality of open space and environmental features of the SAP.

- Provide a variety of housing types for residents, employees and visitors, which will be integrated into the overall resource-based recreational development.
- Limit access to the resort from adjacent public roads and provide for internal circulation and connection among different land uses through the use of roads, golf cart paths, and pedestrian trails.

GOAL 2.131-S: To develop an environmentally sensitive recreation focused plan, which provides activity center based eco-tourism opportunities that incorporate a variety of outdoor sporting venues, recreation activities, and promotes the establishment of open space and preservation areas through land reclamation.

OBJECTIVE 2.131-S.A: Polk County shall designate and establish Future Land Use categories and development criteria that are specific to this Selected Area Plan (SAP) that implement the goals of this SAP.

POLICY 2.131-S.A1: DESIGNATION AND MAPPING - The Brewster Selected Area Plan (SAP) 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 Brewster SAP which are included as part of the Map Series.

POLICY 2.131-S.A2: LAND USE CATEGORIES ESTABLISHED - The following land use categories shall apply:

A. Agriculture/Rural Residential (A/RRX).

B. Tourist Commercial Center (TCCX).

C. Recreation and Open Space (ROSX).

D. Preservation (PRESVX).

E. Leisure Recreation (L/RX).

F. Phosphate Mining (PMX).

POLICY 2.131-S.A3: GENERAL DEVELOPMENT CRITERIA - Development shall be permitted within this SAP as follows:

A. BASIC LAND USE CATEGORIES - Development shall be permitted for the Agriculture/Rural Residential (A/RR) Future Land Use designation based on the applicable policies in the Future Land Use Element of the Comprehensive Plan.

B. MODIFIED LAND USE CATEGORIES - Due to the specific characteristics of this SAP, development shall be more specifically defined and may vary from those allowed under the general provisions of that land use category within the Comprehensive Plan. Development within the following land use categories shall be permitted as specified within this SAP:

1. Tourism Commercial Center (TCCX).
2. Leisure Recreation (L/RX).
3. Recreation and Open Space (ROSX).
4. Preservation (PRESVX).
5. Phosphate Mining (PMX).

C. PHOSPHATE MINING ACTIVITY - This SAP includes existing phosphate mining operations which were permitted by Phosphate Mine Operating permits per Ordinance 88-19 and were consistent with the Phosphate Mine (PM) land use designation. These mining activities are considered temporary uses and will transition to other, permanent uses. The purpose of this SAP is to establish land uses which will allow the permitted mining operations to continue and enable mining uses and activity to transition into a resource-based recreational development which is dependent on large expanse of open space, environmental resources, wildlife habitat, and conservation areas. In order to allow the transition from mining operation to the uses permitted under the Future Land Use designations established by this

SAP, activities which support phosphate mining, such as pipelines, transmission lines, reclamation activity, etc. shall be permitted within all land use classifications in the SAP. Mosiac is finishing mining activity in the southern half of Section 20, and northern half of Sections 28 and 29, in Township 32, Range 24. This area is not designated as Phosphate Mining "X" due to the fact that mining will cease within six months. If mining has not ceased within six months, the property owner shall submit a Comprehensive Plan amendment in the next available amendment cycle according to the processes listed in Section 163, Florida Statutes, the Polk County Comprehensive Plan and the Land Development Code.

D. DEVELOPMENT OF REGIONAL IMPACT - A portion of the SAP, approximately 4,936 acres, is included within the Hookers Prairie Palmetto Tract Development of Regional Impact (DRI). The DRI Development Order, which was initially approved in 1988 and amended on October 4, 1994, and all of the conditions of the Development Order shall apply to the areas of the SAP that are also within the DRI. The DRI shall take precedent over the implementation of any of these SAP policies. Any changes to the DRI which would include re-mining or intensification in mining (ore extraction) shall only be permitted in the PMX.

E. FLOOR AREA RATIO (FAR) - The maximum FAR ranges for the TCCX, PMX, L/RX, and PRESVX shall be in accordance with the table below. The lowest number in the table for each Future Land Use designation is the maximum FAR permitted based on an administrative and technical review. However, FARs up to the highest number shown in the table, for each Future Land Use designation, may be achieved through a Planned Development (PD) pursuant to the Land Development Code. FAR standards shall not apply to residential development. The Land Development Code shall provide more specificity.

	Future Land Use Designations				
	TCCX	**PMX**	**L/RX**	**ROSX**	**PRESVX**
FAR	0.03—0.05	0	0.05—0.10	0.01—0.002	0.00005

F. UTILITY SERVICE - At a minimum, development within the TCCX and L/RX shall be served by central potable water and sanitary sewer service which are sized with sufficient capacity to serve these areas, including minimum water flow requirements for fire protection in accordance with the Infrastructure Element of the Polk County Comprehensive Plan and Land Development Code with the following exceptions:

1. County owned recreational facilities shall not be required to connect per this policy and shall follow the other relevant Elements of this Comprehensive Plan
2. Non-residential isolated and ancillary uses such as maintenance structures, facilities used for shooting ranges, water sports, ecotourisim, fishing, and golf course or other recreation concessions that are not located in proximity to the principle uses within the SAP, which generates a demand of less than 1,000 gallons per day of potable water or wastewater treatment, shall not be required to connect to central potable water and sanitary sewer service.

The amount of development connected to public water and sewer systems shall be limited to the approved through a Consumptive Use Permit modification or other provider.

G. IMPLEMENTATION AND INTERNAL CONFLICTS - Development within the Brewster Selected Area Plan (SAP) shall occur in accordance with other policies within the Polk County Comprehensive Plan except where policies are modified by this section. The SAP polices are designed to modify specific polices within the Polk County Comprehensive Plan. Where there is a conflict in policy or standards between these SAP policies and the specific Polk County Comprehensive Plan, the provisions of this SAP shall apply.

H. DEVELOPABLE ACREAGE - The development intensity (FAR and density) within the SAP shall be calculated based on the net usable land area rather than the total acreage displayed on the FLUM. The net usable land area excludes any water bodies or wetland areas or clay settling areas.

POLICY 2.131-S.A4: DEVELOPMENT CRITERIA FOR MODIFIED LAND USE CATEGORIES - Land within "modified land-use categories", as enumerated in Policy 2.131-S.A2, shall be developed in accordance with the Future Land Use Element except as modified according to the following criteria:

A. TOURISM COMMERCIAL CENTER (TCCX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. CHARTERISTICS -TCCX are intended to provide for the tourist, recreation needs and entertainment activities for the visitor and resident within the SAP, and include, but are not limited to, the following typical uses: hotels, restaurants, lounges, business centers, meeting/conference rooms, retail sales, spas, fitness centers, etc.

2. DESIGNATION AND MAPPING - The TCCX is designated on the Future Land Use Map Series as TCCX.

3. LOCATION AND DEVELOPMENT CRITERIA-

a. Uses within this land use designation shall be designed as a harmonious grouping of uses and buildings that have a unified scale, character and image, including cohesive architecture and linked through internal traffic circulation.

b. The TCCX shall have a minimum frontage of 100 feet on a paved collector road. The main access for the TCCX shall be on a paved collector roadway meeting county standards.

c. The TCCX activity center and permitted uses shall be located within the interior of the SAP in order to be centrally oriented to other recreational amenities within the SAP.

d. The development intensity (FAR) within the TCCX shall be calculated based on the net usable land. The net usable land area excludes any water bodies or wetland areas or clay settling areas.

B. LEISURE/RECREATION (L/RX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. LOCATION CRITERIA - Access to L/RX may also be provided with a paved road designed to meet traffic safety and fire protection requirements that has a direct connection to an Activity Center.

2. DESIGNATION AND MAPPING - The L/RX is designated on the Future Land Use Map Series as L/RX.

3. DEVELOPMENT CRITERIA -

a. All Type A Leisure/Recreation uses, facilities and development intensities shall be permitted as outlined in Policy 2.115-A4, which includes criteria for housing structures, open space requirements, resource-based recreation and passive recreation. Densities shall be limited as stated in Policy 2.131-S.A4, B, 2, c.

b. Any types of recreation activities and associated infrastructures may be permitted through the approval of a Conditional Use (CU) as specified in the Land Development Code.

c. Residential densities shall be limited and permitted as part of a Planned Development (PD) in accordance with the following criteria:

i. The maximum gross residential densities may not exceed 1du/5 acres;

ii. Residential development shall utilize conservation subdivision design techniques and be clustered in a compact, cohesive manner in order to create a more efficient design of land, natural resources and infrastructure;

iii. Residential development shall utilize Low Impact Development (LID) design techniques as used in industry standards to manage storm water, maintain or restore a watershed's hydrologic and ecological functions and minimize impacts to Little Payne Creek;

iv. The maximum residential lot size shall be one acre (43,560 square feet);

v. Residential development shall be required to provide a minimum of 50% total open space and a minimum of 25% upland open space. Golf courses and active recreation shall not be permitted within the open space;

vi. All residential units shall be connected to central water and sewer;

vii. The access of residents to daily shopping needs including retail, medical, and personal services shall be demonstrated prior to approval of a PD. This requirement could be met by existing services within the SAP TCCX; and,

viii. A maximum of 50% of the residential units shall be allowed to be used as a primary residence.

d. Residential density and Floor Area Ratios shall be calculated based on the total usable land area that excludes any water bodies or wetlands or clay settling areas rather than using the total acreage of 3,168.

e. Permanent residential shall not be permitted within the floodplain.

f. Development shall be setback a minimum of 100 feet from the boundary of any PRESV site.

C. RECREATION AND OPEN SPACE (ROSX) - ROSX is intended to provide open space and recreation areas which can either be publicly or privately owned and managed. These areas include recreation areas accessible to the general public or privately managed with access provided for a fee. In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. CHARACTERISTICS - ROSX are intended to provide for the open space and recreation needs for the visitor or resident within the SAP, and include, but are not limited to, the following typical uses: public and private golf courses and associated amenities such as a clubhouse, gift/pro shop, bar and lounge, etc.

2. DESIGNATION AND MAPPING - The ROSX is designated on the Future Land Use Map Series as ROSX. Designation of the ROSX within this SAP will occur on lands which are no longer undergoing phosphate mining and are suitable for recreational use through reclamation efforts. Floor Area Ratios shall be calculated based on the total usable land area excluding any open water bodies or wetlands or clay settling areas.

3. LOCATION CRITERIA - Access to ROSX may also be provided with a paved road designed to meet traffic safety and fire protection requirements that has a direct connection to an Activity Center.

4. DEVELOPMENT CRITERIA - Development and uses permitted within the ROSX shall be limited to low impact development and may include the following:

a. Private owned or operated outdoor sporting and recreational activities, or

b. Privately owned and managed open spaces.

D. PHOSPHATE MINING (PMX) - The PMX is intended to be temporary and to transition into other Future Land Use categories, therefore no intensification of mining operations are allowed nor is the development of uses. Mining and reclamation is only permitted rather than any allied industry, therefore, FARs do not apply to this PMX within this SAP. In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. CHARACTERISTICS - PMX is intended to allow the continuation of existing permitted mining operations, including phosphate mining (ore extraction), support uses and facilities, reclamation activity and non-reclaimed lands. Since no intensification of mining operations are allowed the following uses are prohibited, including, but are not limited to, industrial uses, gypsum stacks, motor freight terminals, and power plants.

2. DESIGNATION AND MAPPING - The PMX is designated on the Future Land Use Map Series as PMX. PMX areas shall be designated and mapped on the Future Land Use Map Series for lands which contain existing phosphate mining areas and support facilities, including land currently undergoing reclamation, completed reclamation or non-reclaimed inactive mining areas

E. PRESERVATION (PRESVX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions apply:

1. DESIGNATION AND MAPPING - The PRESVX is designated on the Future Land Use Map Series as PRESVX. At a minimum, the following areas shall be designated on the Future Land Use Map Series as PRESVX.

   a. The 261 acre site identified as Conservation Easement 11 (CE-11) by the Florida Department of Environmental Protection (FDEP) located near the intersection of CR 630 and District Line Road,

   b. The 145 acre site along the Little Payne Creek identified as Coastal Settlement 8 (CS-8) by the Florida Department of Environmental Protection (FDEP), and

   c. The 385 acre site, which includes a buffer area for the CS-8 property and an area connecting the CS-8 property with the western boundary of the SAP to provide for continuity of the Integrated Habitat Network (IHN) within the SAP and to provide additional buffer area to the CS-8 area.

2. LOCATION CRITERIA - Privately purchased PRESVX may be located to enhance or protect the IHN as described in POLICY 2.131-S.D3 or Recreational System as established in POLICY 2.131-S.C1.

3. DEVELOPMENT CRITERIA - Development and uses permitted within the PRESVX shall be limited to low impact development and may include the following:

   a. Limited vehicular crossings for internal paths to accommodate golf carts; bicycles, and pedestrian traffic, and

   b. Construction of walking trails, timber boardwalks, observation decks, or other similar structures.

   c. Vehicular crossings for automobiles, trucks, etc. and utility lines for water and sewer service shall be limited to one crossing located immediately west of property owned by the State of Florida, known as Coastal Settlement 8, in the vicinity of an existing crossing.

OBJECTIVE 2.131-S.B: Development within the SAP shall minimize the impacts to the capacity of County Road 630, County Road 663 (Fort Green Road), and District Line Road.

POLICY 2.131-S.B1: INTERNAL CAPTURE - Development within the SAP shall maximize the internal capture and reduce the volume of external vehicle trips by provide an appropriate mix of uses which will provide a full range of activities and services.

POLICY 2.131-S.B2: CONNECTION BETWEEN USES - Development within the SAP shall maximize interconnection of recreational uses and activities with the services available within the SAP. The TCCX activity center shall serve as the central multi-modal location for access and connection to services.

POLICY 2.131-S.B3: MULTI-MODAL ACCESS - Development within the SAP shall encourage multi-modal components through an internal roadway design that allows for multi-passenger bus access and/or internal paths to accommodate bicycles and pedestrian traffic. Additional multi-modal facilities may be provided by other methods such as air transportation per the Land Development Code.

POLICY 2.131-S.B4: ACCESS TO DISTRICT LINE ROAD - District Line Road includes sections that are substandard in pavement surface and right-of-way width for a collector roadway. Approval of additional development utilizing this roadway segment may incur greater maintenance costs upon the County and/or result in a decline in its structural ability to perform its intended and limited purpose. Therefore, if any development is requested with access to District Line Road from this SAP it shall be limited per the standards in the Land Development Code with consideration being given to the following:

A. The development requesting access from District Line Road also has access to the main resort;

B. The land use activity is estimated (according to accepted data sources) to produce a low number of Peak Vehicle Trips as well as a low number of Average Annual Daily Trips (AADT) consistent with the Comprehensive Plan and Land Development Code;

C. District Line Road is paved to county standards from the access point on District Line Road to a paved road meeting county standard in the northern direction.

POLICY 2.131-S.B5: ACCESS TO C.R. 663 (FT. GREEN ROAD) - At such time that development within the SAP generates more than 700 PM Peak Hour trips onto C.R. 663 (Ft. Green Road), no more development shall be permitted to generate traffic onto C.R. 663 until such time that C.R. 633 is improved to generate more capacity for any additional development requested. When the 700 PM Peak Hour trip rate is reached a second access shall be provided other than C.R. 663 for development within the SAP.

OBJECTIVE 2.131-S.C: A system of recreation and open space areas within the entire SAP shall be preserved and enhanced to provide a variety of outdoor recreation and sporting opportunities.

POLICY 2.131-S.C1: RECREATION SYSTEM - A Recreation and Open Space system shall be established within the SAP, based on the following provisions:

A. A minimum of seventy percent (70%) of the SAP shall be maintained or preserved for recreation and open space. Golf courses may account for a maximum of 25% for this requirement.

B. Recreational uses will be provided to support a central activity center, which is developed within a Tourist Commercial Center (TCCX) Future Land Use category, and will have a functional relationship to the activity center through access connectivity.

C. Storm water areas shall be integrated into the site design for the development. Careful consideration shall be given to the layout of basins and storm water management areas to optimize treatment and aesthetics. Basins and storm water management systems shall be designed to blend into open spaces and shall resemble natural areas to the standards provided in the Land Development Code.

D. Development within the SAP shall promote sustainable development and design practices which protect and enhance the environmental resources and features within the area. This will be achieved by minimizing impacts to surface and ground water; the use of native, drought tolerant vegetation; enhancement of wildlife habitat areas; energy conservation; and designing infrastructure and buildings that are responsive to the environment and minimize carbon dioxide output.

E. The Recreation System shall be included in the Open Space Plan as established in Policy 2.131-S.D5.

OBJECTIVE 2.131-S.D: Areas which provide important environmental functions, such as wetlands, floodplains, and wildlife habitat, will be identified and protected.

POLICY 2.131-S.D1: FLOODPLAINS - Floodplain areas will be identified using actual field data and analysis and mapped as development and reclamation of mined areas occur within the TCCX and L/RX Future Land Use designations. Habitable structures will not be placed within an identified floodplain area.

POLICY 2.131-S.D2: WETLANDS - Wetland areas within the SAP were created and altered through mining and reclamation, therefore, limited impacts to wetland areas may occur and will be regulated by applicable state regulations regarding wetland impacts and mitigation and in accordance with the Future Land Use element of the Polk County Comprehensive Plan.

POLICY 2.131-S.D3: INTEGRATED HABITAT NETWORK (IHN) - The Management Plan for the Integrated Habitat Network/Coordinated Development Area: Lease Nos. 3963, 3995 and 4236 developed and updated by the Florida Department of Environmental Protection (FDEP) Bureau of Mine Reclamation (BOMR) will serve as a guide for reclamation and conservation within the SAP by the following methods:

A. Areas with conservation agreements based on the IHN will be assigned a Future Land Use designation of Preservation.

B. Additional areas within the IHN or adjacent to the IHN may be preserved through Future Land Use designations, inclusion in the Recreation System (Policy 2.131-S.C.1), or by development limitations per the Land Development Code.

C. The areas protected under this policy shall be included in the Open Space Plan as established in Policy 2.131-S.D5.

D. Applications for development that include any portion of the IHN will be reviewed by the FDEP BOMR and the Florida Fish and Wildlife Conservation (FFWCC) as to that development plan's consistency with the IHN. If either of these agencies determine that the property includes areas that contribute to the IHN, those areas shall be protected by one of the methods listed in Policy 2.131-S.D3 (B) or per the Land Development Code.

POLICY 2.131-S.D4: SOILS - Development of habitable structures within the SAP shall be in accordance with acceptable engineering practices and shall include the submission of subsurface soil analysis to determine the appropriate method of construction.

POLICY 2.131-S.D5: OPEN SPACE PLAN (Plan) - An Open Space Plan shall be developed per the Land Development Code for the IHN areas preserved under Policy 2.131-S.D3, the Recreation System established under Policy 2.131-S.C1, and any additional open spaces provided.

Revision History - Section 2.131-S Brewster Selected Area Plan	
Policy 2.131-S.A3	CPA 13B-04 (Ord. 13-025)
Policy 2.131-S.A4	CPA 13B-04 (Ord. 13-025)
Policy 2.131-S.B3	CPA 15B-04 (Ord. 15-032) 6/2/15; CPA 15A-01 (Ord 15-003) 1/6/15
Policy 2.131-S.B5	Deleted CPA 15A-01 (Ord 15-003) 1/6/15
Policy 2.131-SB6	Replaced 2.131-S.B5 by CPA 15A-01 (Ord 15-003) 1/6/15
Policy 2.131-S.C1	CPA 15B-04 (Ord. 15-032) 6/2/15; CPA 15A- 01 (Ord 15-003) 1/6/15

SECTION 2.131-T GATEWAY SELECTED AREA PLAN.

Introduction

This Selected Area Plan (SAP) is generally depicted as US Highway 27 being the eastern boundary, Alturas-Babson Park Cutoff Road and Sand Lake Road as the southern boundary, the City Limits of Bartow and Gerber Dairy Road as the western boundary, and Eagle Lake Loop Road, Eloise Loop Road, and Thompson Nursery Road as the northern boundary.

This SAP is a proactive approach in planning for future growth anticipated to occur within this area. Some of the economic drivers that are anticipated to spur ancillary development include: the CSX Intermodal Logistics Center, the Clear Springs Sector Plan, the Polk State Corporate College, the Lake Wales Municipal Airport, and the Lake Wales Longleaf Business Park. In addition, this SAP is designed to help protect the valuable environmental resources of the area such as the Peace Creek Drainage Canal, identified wetland boundary areas, and endangered wildlife and other ecological communities, and encourage future growth to occur in a manner in which the character of rural/agricultural communities is not lost.

The Gateway SAP is different from prior adopted SAP's in that in its inception phase, it does not involve changes to the Future Land Use designations, and it contains a Vision Map for the area. The Vision Map is a tool that helps depict the general location of future growth based on identified issues of concern that were received from comments and feedback gathered from the public, the Gateway SAS Focus Group, and other governmental agencies; and recommendations that came out of the Gateway Selected Area Study process. The Gateway SAP Vision Map identifies urban and rural areas; it identifies general locations of future urban centers, employment centers, and transit hubs; it identifies future roadway systems needed for future growth; and it identifies environmentally sensitive areas. Although the Vision Map is not a Future Land Use (FLU) Map and is conceptual in nature, it should be taken under consideration when determining the compatibility of proposed changes to the land use designations within the SAP boundary. In addition, the establishment of this SAP is the first step of the implementation of the study process. This SAP is anticipated to be amended not only by private property owners, but also local government to further implement the vision.

Gateway SAP Goal:

The goal of the Gateway SAP is to promote economic development opportunities; centralize urban development patterns in key areas where infrastructure and urban services are available (or planned); encourage transit supportive development patterns that will be key to the economic vitality of this area; to provide a balance between preserving the rural/agrarian character of the area and providing for future areas of urban growth; and to help protect/restore some of the area's most unique environmental features. The SAP is divided into sections that address the basic vision principles, goals, objectives, and policies in the area of Land Use, Economic Development, Transportation, Rural Development, Environmental Preservation, Sustainability, and Intergovernmental Coordination.

Gateway SAP Vision - Basic Principles

Land Use

- Encourage appropriate compatible land use designations that prove to help stimulate economic development opportunities and job creation within the SAP boundary.
- Provide for a Transfer of Development Rights System (or functional equivalent) to be implemented throughout the SAP boundary. This system should identify the confines of sending and receiving areas as well as provide options for a wetland mitigation banking system.
- Provide a mix of rural development options that encourage clustering of uses and services; offer flexible lot sizes that foster conservation planning principles; and encourage the protection of agricultural lands and environmentally sensitive areas through prescriptive entitlements.
- Implement sustainable development practices to support the preservation and restoration of natural systems while achieving the maximum density allowed in the A/RR land use district; and support the implementation of conservation planning principles including the set-aside of land with natural resources and the clustering of housing units and services in rural areas.

- Develop a strategy for establishing new Rural Cluster Centers (RCC) to include the conveyance of conservation easements to preserve/restore natural systems; require the connectivity between new residential development and existing development; and strengthen the role to be served by RCC's in providing goods and services for rural communities as part of a sustainable development strategy.
- Require or incentivize motorized and non-motorized connections to Rural Cluster Centers.

Economic Development

- Encourage appropriate land use designations that include prescriptive entitlements supporting jobs in the County's identified seven cluster targets. These targeted cluster areas include: Logistics and Chain Supply Management; Research and Engineering Services; Agriculture and Agribusiness; Financial Services; Business Services; Life Sciences and Medical Services; and Construction and Real Estate.
- Consider developing Foreign Trade Zones and Enterprise Zones.
- Pursue an overall strategy that will help fund the infrastructure/urban services needed to support and sustain economic development in this area. This strategy should help insure that the funds collected for improvements stay within the SAP boundary.
- Develop a transit and roadway network to effectively access employment centers and the regional roadway system through the use of transit hubs and alternative roadways.
- Pursue economic development opportunities related to logistics and supply chain management. Explore opportunities to create a synergy between the CSX ILC, Lake Wales Airport, Bartow Airport and PSC Corporate College.
- Incentivize manufacturing land uses and activities that provide value-add products for rail trips originating at the CSX Rail Terminal Facility (return trip for rail cars bringing products into the ILC).
- Establish uniform or compatible architectural design standards for Industrial, Business Park Center, Office Center, and Employment Center land uses within the Gateway SAP boundary.

Transportation

- Encourage alternative North/South and East/West facilities to help protect the future efficiency of the State Road 60 corridor while supporting urban growth and sustaining the future economic vitality of this area.
- Promote an efficient multi-modal transportation system that encourages: an investment strategy to help sustain existing transportation infrastructure as well as help fund future needs within the SAP boundary; "Transit Oriented Design" techniques needed to help support economic development throughout the SAP boundary; safe pedestrian/bicycle access to and from employment centers, public facilities, and residential neighborhoods; and the protection of State Road 60 as an efficient congestion free corridor.
- Encourage safe pedestrian access along local and collector roadways and a linked system of safe pedestrian and bikeway trails throughout the SAP boundary.
- Expand Mass Transit infrastructure and services throughout the SAP boundary needed to help support the economic development and the area's workforce.
- Encourage safe and efficient access/connections to identified economic cluster targets and Urban Centers (such as, but not limited to, the Wahneta area, the Lake Wales Airport, and the CSX ILC).
- Encourage the protection and efficiency of local roads by limiting access of thru truck traffic based on weight limits. This should include identifying key local roads that would restrict through-truck traffic (ex. Old Bartow-Lake Wales Road).

- Prioritize Regional Transportation Improvements that serve the movement of freight and improve collector road access to the regional road network.
- Invest in corridor alignment studies to identify the location of future collector roads to improve access to existing and future land uses.
- Require applicants to dedicate rights-of-way (ROW) and/or construct new collector roads to accommodate project-related traffic.
- Invest/Provide a multi-modal typical roadway section on CR 655 (Rifle Range Road) to improve pedestrian and bicycle safety.
- Provide motorized and non-motorized access to existing and future activity centers, schools, and employment centers.
- Develop and implement an investment strategy to fund future transportation infrastructure including a proposed multi-use trail network (part of green infrastructure).
- Require or incentivize developments to provide access to the Multi-Use Trail Network and Transit Hubs.

Environmental Preservation

- Preserve and protect unique environmental features that are located throughout the SAP boundary such as the Peace Creek Drainage Canal, significant wetland boundaries, agricultural lands, and other endangered species/habitat areas.
- Encourage the protection/restoration efforts of the Peace Creek Drainage Canal with the use of incentives and/or exploring public and private funding options or mechanisms.
- Encourage the protection of significant wetland areas through Intergovernmental Coordination and the development of a wetland mitigation system. This wetland mitigation system should be geared at benefiting the area within the Gateway SAP boundary, and may require identifying significant wetland boundary receiving areas and incentives to help foster its success.
- Consider the creation of a regional water storage system throughout the SAP boundary in conjunction with the Peace Creek Watershed Water Sustainability Plan. Incentives for increased density/intensity could be granted to those who participate. A regional water storage system with strategic receiving locations may be more beneficial than individual storage ponds located on properties at the time of development.
- Capitalize upon recreational opportunities by outlining and supporting a series of nature water parks connected by greenways or trails, while improving the water storage capacity of the Peace Creek floodplain. Require or incentivize the provision of multi- use trail access as part of this nature water park system.
- Provide opportunities for off-site wetlands mitigation consistent with the Peace Creek restoration efforts.
- Coordinate with the Florida Department of Transportation (FDOT) regarding potential environmental impacts associated with the proposed Central Polk Parkway to explore mitigation options that support local efforts to preserve or restore area natural systems.
- Support the implementation of the Peace Creek Watershed Water Sustainability Plan.

Sustainability

- Encourage emergency respondents such as Fire Services, Sheriff Services, and Emergency Medical Services to be strategically located throughout the area so that response times are faster and more efficient.
- Consider locating additional middle schools, high schools, and a public library within the Gateway SAP boundary.

- Encourage the use of timing policies to ensure that urban development occurs where infrastructure and urban services are available (or planned to be available as part of a CIP) and can function at sufficient levels to support existing and proposed development.
- Encourage the vitality of existing rural communities through design strategies and by promoting opportunities for economic development.

Long-Term Vision

Intergovernmental coordination is envisioned as a key component in the successful implementation of this SAP. Although the policies within this SAP are only enforceable within unincorporated Polk County's jurisdiction, the cooperation of neighboring governmental agencies that have jurisdictions within portions of the SAP boundary is warranted. The following objectives and policies are intended to promote cooperation between the County and other governmental agencies in order to help bring the vision for this area to fruition.

OBJECTIVE 2.131-TA: Develop a shared long-term vision for land use and desired development patterns, environmental resources, and community infrastructure within the Gateway Study Area.

POLICY 2.131-TA1: VISION IMPLEMENTATION - Polk County shall partner with the cities of Bartow, Eagle Lake, Lake Wales and Winter Haven (hereinafter referred as the "area cities") to develop and implement a shared vision for the Gateway Area. These efforts may include the preparation and implementation of the following:

a. a sustainable land use strategy that provides a mix of development options that complement efforts to protect and enhance natural resources and quality of life;

b. a long-term strategy for the provision of community infrastructure and services including public safety services, roads, transit, sidewalks, multi-use trails, parks and recreation opportunities, and natural areas and open space.

c. common land use designations and regulations;

d. economic development strategies; and

e. a Joint Planning Area Agreement(s).

POLICY 2.131-TA2: GATEWAY VISION MAP - The Gateway Vision Map as depicted in the Future Land Use Map Series is incorporated as part of the Plan to serve as a guide for the consideration of land use strategies, the efficient provision of infrastructure, and the conservation of natural resources. The vision map, in and of itself, should not be the sole determining factor for approving or denying Future Land Use changes within the SAP boundary.

POLICY 2.131-TA3: BASIC PRINCIPLES - Polk County shall work with area cities to implement the Basic Principles as necessary and desired in the form of common land use policies, designations or regulations.

POLICY 2.131-TA4: OVERLAY DISTRICTS - The County shall seek to create objectives and policies that are consistent with the County's overlay districts located within the SAP boundary. Examples of such overlay districts include, but are not limited to: the Wahneta Neighborhood Plan; the Sidewalk overlay; the Development Areas overlay; and the Integrated Habitat Network overlay.

Land Use

The compatibility of land uses within this area was a major issue of concern during the Gateway SAS process. The assignment of Future Land Use designations should be carefully considered with the overall vision of this area. The following policies seek to provide for the continued viability of agriculture and rural communities while promoting compatible land use designations that support diverse economic development opportunities.

OBJECTIVE 2.131-TB: Polk County shall designate and establish Future Land Use categories and development criteria that are specific to this SAP.

POLICY 2.131-TB1: DESIGNATION AND MAPPING - The Gateway Selected Area Plan is established as designated on the Future Land Use Map Series. The designation and mapping of Future Land Use categories may be approved on land(s) within the boundary of this SAP if the Board of County Commissioners find that a proposed request (primarily):

1. meets the purpose, applicable characteristics, location criteria, and expansion criteria (if applicable) of the proposed designation;
2. provides evidence that the subject site can be designed to meet applicable development criteria of the proposed designation;
3. is of a size/scale that is compatible with surrounding communities and surrounding land use designations as not to create unduly offsite impacts and degrade the character of those surrounding communities;
4. can be adequately buffered from adjacent uses via distance separation, vegetative berms, and/or by limiting the size/scale of the proposed request in an effort to mitigate potential offsite impacts; and
5. is of a substantiated economic value to maintaining the area's economic base.

POLICY 2.131-TB2: LAND USE CATEGORIES ESTABLISHED AND GENERAL DEVELOPMENT CRITERIA - All Future Land Use districts and development shall be permitted as specified by the applicable policies in the general land use and Future Land Use elements of the Comprehensive Plan, unless otherwise specified in the Gateway Selected Area Plan within the Comprehensive Plan. These land uses include:

a. Activity Centers:
    1. Rural-Cluster Centers.
    2. Convenience Centers.
    3. Neighborhood Activity Centers.
    4. Community Activity Centers.
    5. Regional Activity Centers.
    6. High Impact Centers.
    7. Tourism Commercial Centers.
b. Linear Commercial Corridor.
c. Commercial Enclave.
d. Industrial/Business Park Center/Office Center:
    1. Industrial.
    2. Business Park Center.
    3. Office Center.
    4. Employment Center.
e. Leisure/Recreation.
f. Institutional.
g. Recreation and Open Space.
h. Preservation Areas.
i. Residential:

1. Urban:
    a. Residential Suburban.
    b. Residential Low.
    c. Residential Medium.
    d. Residential High.
2. Rural:
    a. Agricultural/Residential Rural.
    b. Rural Cluster Center-Residential.

j. Phosphate Mining.

POLICY 2.131-TB3: GATEWAY SAP MODIFIED LAND USE CATEGORIES - Due to the specific characteristics of this SAP, modified Future Land Use designations shall be specifically defined in terms of their purpose, characteristics, mapping and location criteria, and development standards. These standards may vary from those allowed under the general provisions of that land use category within the Comprehensive Plan. The following Future Land Use designations are identified as modified land use categories within this SAP:

COMMERCIAL ENCLAVE (CEX)

POLICY 2.131-TB4(a): COMMERCIAL ENCLAVE PURPOSE - The purpose of the Commercial Enclave (CEX) designation is to recognize small concentrations or nodes of historical non-residential uses located outside of an Activity Center or Linear Commercial Corridor. Development and/or redevelopment within this designation should be consistent with the overall goal of the Polk County Comprehensive Plan and the vision, objectives, and goals of the Gateway Selected Area Plan. The establishment of new CEX designations (or expansions thereof) may be evaluated with consideration given to preserving non-conforming uses that have a history of providing a positive, non-threatening impact to surrounding communities in terms of economics, public safety, and compatibility with the character of surrounding communities. The following policies shall apply to the Commercial Enclave (CEX) land use designations within the Gateway Selected Area Plan boundary.

POLICY 2.131-TB4(b): COMMERCIAL ENCLAVE CHARACTERISTICS - Commercial Enclaves are characterized as small concentrations (or nodes) of historical non-residential uses with low development intensity. These enclaves may be the result of past approvals by the County; an attempt to recognize non-conforming uses (that have existed in harmony and in good standing with the surrounding community) with a more appropriate land use designation; or an effort to revitalize economic development through redevelopment and/or expansion. The general characteristics of the CEX designation are identified in Table 2.131.T1.

POLICY 2.131-TB4(c): COMMERCIAL ENCLAVE LOCATION CRITERIA - Commercial Enclaves shall be located with consideration being given to maximizing access to the arterial and collector roadway systems. Commercial Enclaves shall be located according to the following:

1. Be located along an arterial or collector roadway;
2. Be located on a local roadway if within a ¼ mile of an intersecting arterial or collector roadway within the TSDA, UGA, or RDA only;
3. The total acreage of Commercial Enclave districts within a one mile radius of a proposed site shall not exceed ten (10) acres unless one of the following can be met:
    a. the total land area of the existing CEX districts within a one mile radius are 60 percent (60%) developed; or
    b. the remaining undeveloped acreage of the CEX districts within a one mile radius are owned by a single interest, or have final development approval (ex. CU, PD, or Level 2 Review approval).

4. The CE designation may be expanded to a property (and/or parcel) that is adjacent to an existing CE designation if direct access to an arterial or collector roadway exists; and the subject site must be evaluated based upon its history of providing a positive, non-threatening impact to surrounding communities.

POLICY 2.131-TB4(d): COMMERCIAL ENCLAVE DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Commercial Enclave (CEX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Encourage Commercial Enclave development to have direct frontage on (or direct access via a frontage road or service drive to) an arterial or collector roadway. CEX developments may contain ingress or egress access to local roadways (via an approved waiver) if the proposed site is located within a ¼ mile of an intersecting arterial or collector roadway within the TSDA, UGA, or RDA.
2. Require internal access to neighboring non-residential parcels along State Road 60 via an internal road system, frontage roads, cross-access easements, shared access easements, or some combination thereof.
3. Allow for flexible parking strategies to meet the needs of proposed CEX uses in an efficient manner that best suits the surrounding community and CEX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 35% and 150% of the gross site area. F.A.R. limits should be scaled depending upon the applicable development area (ex. RDA, SDA, UGA, or TSDA).
5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
6. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

OFFICE CENTER (OCX)

POLICY 2.131-TB5(a): OFFICE CENTER PURPOSE - The purpose of the Office Center (OCX) land use designation is to provide for areas of small and large professional office development with limited ancillary uses. Small scale designations of OCX are less than 10 acres in size and are compatible to neighboring urban residential land uses (RLX, RMX, and RHX) because they often accommodate the office needs of the residential population and communities they serve. Small scale OCX designations can also be transitional areas found on the fringes of Activity Centers near the nodes of major intersections. Large scale designations of OCX, which are 10 acres or more, may locate in areas where there is a regional market and a regional transportation network system in place to help facilitate such large scale development.

POLICY 2.131-TB5(b): OFFICE CENTER CHARACTERISTICS - The scale of development within any given OCX designation should be consistent with the surrounding community and development area in which it is located. The general characteristics of the OCX designation are identified in Table 2.131.T1.

POLICY 2.131-TB5(c): OFFICE CENTER LOCATION CRITERIA - Office Centers shall be located with consideration being given to maximizing access to the arterial and collector roadway systems. Office Centers shall be located according to the following:

1. Be located along an arterial or collector roadway;
2. Be located on a local roadway (via an approved waiver) if within a ¼ mile of an intersecting arterial or collector roadway within the TSDA or UGA only;

3. The total acreage of Office Center districts within a two mile radius of a proposed site shall not exceed twenty (20) acres unless one of the following can be met:

    a. The total land area of the existing OCX districts within a two mile radius are 60 percent (60%) developed; or

    b. The remaining undeveloped acreage of the OCX districts within a two mile radius are owned by a single interest, or have final development approval (ex. CU, PD, or Level 2 Review approval); or

    c. The proposed request is a large scale request involving 10 or more acres (such a request must include an approved Activity Center Plan).

POLICY 2.131-TB5(d): OFFICE CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Office Center (OCX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Encourage office center development to have direct frontage on (or direct access via a frontage road or service drive to) an arterial or collector roadway. OCX developments may contain ingress/egress access on local roadways (via an approved waiver) if the proposed site is located within a ¼ mile of an intersecting arterial or collector roadway within the TSDA or UGA only.
2. Require internal access to neighboring non-residential parcels via an internal road system, frontage roads, cross-access easements, shared access easements, or some combination.
3. Allow for flexible parking strategies to meet the needs of proposed OCX uses in an efficient manner that best suits the surrounding community and OCX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 35% and 150% of the gross site area. F.A.R. limits should be scaled depending upon the applicable development area (ex. RDA, SDA, UGA, or TSDA).
5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
6. Limit retail uses within an OCX district to ten (10) percent of the total land area of a proposed development.
7. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

INSTITUTIONAL (INSTX)

POLICY 2.131-TB6(a): INSTITUTIONAL PURPOSE - The purpose of the Institutional (INSTX) Future Land Use designation of this SAP is to provide for the placement of community facilities and utility structures needed to help complement and sustain the area's neighborhoods, communities, and businesses. Such uses may include public and/or private service structures or facilities with minimal external impacts. This designation can also be limited in intensity based upon the surrounding area and a substantiated demonstration of need.

POLICY 2.131-TB6(b): INSTITUTIONAL CHARACTERISTICS - The Institutional designation is typically characterized as small concentrations of community facilities or utility services; however, there are instances where large tracts of land may be designated INSTX to facilitate uses such as, but not limited to, schools (K-12 and colleges/universities), large religious facilities (such as mega-churches), utility service structures (such as Class I—III utilities or solar/power generation facilities), and Solid Waste Management facilities that require large tracts of land. The general characteristics of the INSTX designation are identified in Table 2.131.T1.

POLICY 2.131-TB6(c): INSTITUTIONAL LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriate location for INSTX areas:

1. Requests for the INSTX designation on areas greater than 10 acres shall only be located on properties that have direct ingress and egress onto arterial or collector roadways.
2. A minimum population support of 1,000 persons located within a 2 mile radius of a proposed INSTX site shall be demonstrated.
3. Plans of the Polk County School Board as well as other governmental agencies with jurisdiction in Polk County shall be taken into consideration when determining the appropriate location of an INSTX designation;
4. INSTX designations intended to be used for the purpose of providing Solid Waste Management Facilities shall not be located within 1,000 feet of the Peace Creek Drainage Canal or other environmentally sensitive areas identified within this SAP.

POLICY 2.131-TB6(d): INSTITUTIONAL DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Institutional (INSTX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Encourage internal access to neighboring INSTX parcels (as well as to adjacent non- residential parcels) via an internal road system, frontage roads, cross-access easements, shared access easements, or some combination.
2. Allow for flexible parking strategies to meet the needs of proposed INSTX uses in an efficient manner that best suits the community and INSTX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
3. Encourage interior traffic-circulation patterns that facilitate the safe movement of vehicular, bicycle, and pedestrian traffic. Encourage the incorporation of "complete street" design for pedestrian safety.
4. Encourage large institutional areas to locate intense uses near the center of the property and less intensive uses near the fringes of the property.
5. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 50% and 150% of the gross site area. F.A.R. limits should be scaled depending upon the applicable development area (ex. RDA, UGA, SDA, or TSDA).
6. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
7. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.
8. Allow for accessory retail uses by limiting such uses to 15% of the gross area of the INSTX site designation.
9. Allow for multi-family development not to exceed a density of 15 units per acre. Such development shall only be established: (1) to meet the housing needs of students and faculty members of nearby educational institutions; or (2) as an approved affordable housing or workforce housing development project.

EMPLOYMENT CENTER (ECX)

POLICY 2.131-TB7(a): EMPLOYMENT CENTER PURPOSE - The purpose of the Employment Center designation is to cater to those economic drivers that exhibit a high potential to create and sustain economic growth within the

boundaries of this Selected Area Plan. Special consideration for the establishment of new Employment Center designations shall be given to those who exhibit a substantiated demonstrated need (via a business plan or other forms of marketing analysis) with an accompanying Activity Center Plan.

POLICY 2.131-TB7(b): EMPLOYMENT CENTER CHARACTERISTICS - The Employment Center land use designation is intended to be one of the major generators of employment within this SAP. The ECX district will generally contain uses that are geared towards high-skill, high-wage employment, as well as, auxiliary facilities needed to help support the continuation of successful businesses. The ECX designation is generally intended for light assembly, manufacturing and distribution facilities, office and research parks, low impact commercial, and other business uses that will help create employment opportunities for Polk County and the surrounding area. The County's Land Development Code shall contain a complete list of uses permitted and/or conditioned within this district. The ECX district is not to exceed a total of 200 acres within the boundaries of this SAP unless:

1. 75% of the existing designated ECX lands are developed or contain approved development plans; or
2. The remaining undeveloped ECX lands are controlled by a single interest. General characteristics of the ECX designation are identified in Table 2.131.T1.

POLICY 2.131-TB7(c): EMPLOYMENT CENTER LOCATION CRITERIA - Employment Centers shall be located with consideration being given to maximizing access to the arterial and collector roadway systems. Employment Centers shall:

1. Be primarily located on an arterial road;
2. Be located on a collector road if the proposed site is within 3 miles of an intersecting arterial road;
3. Be located on a local commercial road or private road if the road has full median access onto an arterial road, or collector road that is within three (3) miles of an intersecting arterial road. All roads must have a structural integrity and design characteristics suitable for commercial truck traffic.

POLICY 2.131-TB7(d): EMPLOYMENT CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Employment Center (ECX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Require internal access to neighboring ECX parcels (as well as to adjacent non-residential parcels) via an internal road system, frontage roads, cross-access easements, shared access easements, or some combination.
2. Allow for flexible parking strategies to meet the needs of proposed ECX uses in an efficient manner that best suits the community and ECX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
3. Encourage interior traffic-circulation patterns that facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 50% and 150% of the gross site area. FAR limits should be scaled depending upon the applicable development area (ex. RDA, UGA, SDA, or TSDA).
5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
6. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

7. Encourage retail uses and ancillary uses by limiting such uses to 20% of the total gross area of the entire ECX district cluster or parcel (whichever is stipulated by the Activity Center Plan). Retail establishments that are incorporated within the design of an office or mixed- use building shall not be limited to the 20% criteria, but rather the total F.A.R. allowed by the proposed project.
8. Encourage the incorporation of "Complete Street" design for pedestrian safety.
9. Allow for residential uses not to exceed a density of 20 units per acre, and be limited to 25% of the total gross ECX district cluster or parcel (whichever is stipulated by the Activity Center Plan).
10. Encourage the clustering of residential uses above non-residential uses within the Transit Centers overlay. Such residential units shall not be limited to 25% of the total gross ECX district cluster, but rather the FAR of limit of the district.
11. General manufacturing uses shall only be allowed within enclosed structures.
12. Encourage the expedited review of warehouses that are an ancillary use to office parks.

HIGH IMPACT COMMERCIAL (HICX)

POLICY 2.131-TB8(a): HIGH IMPACT COMMERCIAL PURPOSE - The purpose of the High Impact Commercial Center land use designation is to cluster large-scale commercial uses. Because of the intensity and unique aspects of potential uses, this designation is anticipated to have a measurable adverse impact upon adjacent and nearby properties in terms of traffic generation and noise.

POLICY 2.131-TB8(b): HIGH IMPACT COMMERCIAL CHARACTERISTICS - The establishment of new HICX designations shall include an Activity Center Plan and a minimum acreage requirement of 40 acres to help provide adequate separation and buffering from adjacent properties. The minimum acreage requirement does not pertain to expansions of existing HICX districts. The general characteristics of the HICX designation are identified in Table 2.131.T1.

POLICY 2.131-TB8(c): HIGH IMPACT COMMERCIAL LOCATION CRITERIA - High Impact Commercial Centers shall be located with consideration being given to maximizing access to arterial roadway systems. This designation shall be created as cluster and not expanded along an arterial roadway in a linear manner. High Impact Commercial Center designations shall:

1. Only be located along an arterial roadway or frontage road (or service road) which directly serves an arterial road;
2. Only be located within the TSDA, UGA, or SDA; and
3. Only be located in an area where there is a minimum population support of 20,000 persons within a ten (10) mile radius of a proposed HICX site.

POLICY 2.131-TB8(d): HIGH IMPACT COMMERCIAL DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the High Impact Commercial Center (HICX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Require internal access to neighboring HICX parcels (as well as to adjacent non-residential parcels) via an internal road system, frontage roads, cross-access easements, shared access easements, or some combination.
2. Allow for flexible parking strategies to meet the needs of proposed HICX uses in an efficient manner that best suits the community and HICX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
3. Encourage interior traffic-circulation patterns that facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 60% and 150% of the gross site area. FAR limits should be scaled depending upon the applicable development area (ex. SDA, UGA, or TSDA).

5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.

6. Require buffering, setback, and height limitation requirements to help offset the effects of lighting, noise, odors, and other such factors that would adversely impact adjacent properties.

INDUSTRIAL (INDX)

POLICY 2.131-TB9(a): INDUSTRIAL PURPOSE - The purpose of the Industrial (INDX) land use designation is to provide for major large-scale industrial uses that may emit a high level of noise, dust, odor, vibrations, and other pollutants. These uses may also produce a significant amount of truck traffic. The INDX land use designation requires a significant separation from developed residential, schools, agricultural, or other sensitive uses. New industrial designations within this SAP should only be considered for the expansion of existing INDX areas or for major industrial activities encompassing a multitude of proposed industrial uses. Such requests should include consideration from the County's Central Florida Economic Development Council. This designation shall also ensure that the appearance of new and/or redeveloped industrial buildings and lands are of a high aesthetic quality as not to degrade the character of surrounding communities and vision of this SAP. Claimed mapping errors for the Industrial designation prior to the date of this ordinance shall not be considered.

POLICY 2.131-TB9(b): INDUSTRIAL CHARACTERISTICS - The establishment of new INDX designations shall include an Activity Center Plan that focuses on: shared ingress/egress, interconnectivity, traffic circulation, and parking. New INDX designations shall include a minimum of 40 acres to help provide adequate separation and buffering of future INDX uses from adjacent properties, as well as, to allow for the expansion of future INDX uses on the site. The minimum acreage requirement does not pertain to expansions of existing INDX designations; however, Small Scale Map Amendments requesting the INDX designation (which are not expansions of existing INDX clusters) shall be prohibited. The general characteristics of the INDX designation are identified in Table 2.131.T1.

POLICY 2.131-TB9(c): INDUSTRIAL LOCATION CRITERIA - Industrial designations shall be located with consideration given to maximizing the efficient movement of goods/services along arterial/collector roadways while creating the least intrusion upon schools, residential neighborhoods, and agricultural areas within this SAP.

New Industrial designations (and/or expansions thereof) shall:

1. Be located a significant distance (defined in these instances as 1,000 feet) from developed and/or planned schools (K-12) and residential areas that are developed and/or planned;

2. Have a minimum population support of 10,000 persons within a five (5) mile radius of the proposed site;

3. Have direct access to State Road 60, US Highway 27, or Alturas Babson Park Cutoff Road; or on a collector roadway if the collector roadway intersects one of the above listed roadways within two (2) miles (traveling distance) of the proposed INDX property; or be allowed on a local commercial roadway that adjoins INDX properties with direct access to one of the roadways listed above.

POLICY 2.131-TB9(d): INDUSTRIAL DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Industrial (INDX) designations of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Direct access of new Industrial districts to State Road 60, US Highway 27, and/or Alturas Babson Park Cutoff Road. INDX properties/uses that are located on collector roadways within 2 miles of intersecting one of the above listed roadways may also be permitted.

2. Encourage interconnectivity and cross-access within INDX districts and adjacent non-residential designations.
3. Encourage flexible parking requirements based upon site specific uses. Parking areas should be primarily located to the rear or internal to proposed development. Shared parking, permeable parking surfaces, and other environmentally friendly techniques are strongly encouraged.
4. Encourage outdoor storage uses and areas to maintain a neat uniform appearance.
5. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 35% and 150% of the gross site area. F.A.R. limits should be scaled depending upon the applicable development area (ex. RDA, SDA, UGA, or TSDA).
6. Accessory Retail uses shall not exceed 15% of the F.A.R. allowed for the proposed development within the INDX district unless such development is incorporated within an office building or building proposed for multiple uses. In this instance, the total allowable F.A.R. may be achieved, but not exceeded.
7. Allow for a maximum Impervious Surface Ratio (I.S.R) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
8. Require buffering, setback, and height limitation requirements to help offset the effects of lighting, noise, odors, and other such factors that would adversely impact adjacent properties.

BUSINESS PARK CENTER (BPCX)

POLICY 2.131-TB10(a): BUSINESS PARK CENTER PURPOSE - The purpose of the Business Park Center (BPCX) land use designation within this SAP is to provide for the establishment of businesses that promote employment opportunities in both high-wage and high-skilled jobs. Special consideration shall be given to those businesses that are consistent with the County's targeted cluster areas (See Objective 2.131-TC). This designation will primarily conduct land use activities entirely within enclosed structures and will encourage development criteria that creates a functional, aesthetically pleasing, and pedestrian friendly atmosphere for businesses and surrounding communities.

POLICY 2.131-TB10(b): BUSINESS PARK CENTER CHARACTERISTICS - Business Park Center land use designations should be clustered and/or adjacent to like uses/designations. The establishment of new Business Park Center designations (clusters) shall include an Activity Center Plan (ACP) that focuses on: shared ingress/egress and parking, interconnectivity, efficient traffic circulation, and a marketing and/or branding plan to promote/attract business development. The amount of undeveloped BPCX lands within the SAP boundary should also be considered when evaluating the appropriateness of creating new BPCX designations or expansions thereof.

This SAP shall not exceed one thousand acres of BPCX within its boundary. BPCX designations mapped after the creation of this ordinance that remain undeveloped for a time period of ten (10) years, after its adoption, shall be re-evaluated and re-mapped to its prior (or more appropriate) Future Land Use designation if determined by the County's Office of Planning and Development Director to be appropriate for the successful implementation of the goals and visioning principles of this SAP.

The minimum acreage requirement for establishing a new BPCX cluster is 20 acres. Expansions of existing BPCX designations shall not include a minimum acreage requirement; however, it shall include an Activity Center Plan (when absent) or provide updates to an existing ACP. The general characteristics of the BPCX designation are identified in Table 2.131.T1.

POLICY 2.131-TB10(c): BUSINESS PARK CENTER LOCATION CRITERIA - Business Park Centers shall be located with consideration being given to maximizing access to the SAP's arterial roadway systems. Business Park Center designations shall:

1. Be located, at the greatest extent possible, near existing BPCX and INDX areas;
2. Be located along (with direct access to) an arterial roadway; or
3. Be located along a collector roadway that intersects an arterial road if the subject site is located within 3 miles of the intersecting arterial-collector roadway; or
4. Be located along a local commercial road, frontage road, or private road that has full median access onto an arterial roadway;
5. Be located in an area where there is a substantiated minimum population support of 10,000 persons within a five (5) mile radius of a proposed BPCX site;

POLICY 2.131-TB10(d): BUSINESS PARK CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Business Park Center (BPCX) land use designations of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Direct primary access of new BPCX developments to arterial or collector roadways; or local commercial or private roads that have full median access onto to an arterial roadway and do not traverse thru or serve existing residential traffic from surrounding areas.
2. Encourage interconnectivity and cross-access within BPCX clusters and adjacent non-residential designations. The overall design of the BPCX cluster should include both an internal and external pedestrian network and Transit Oriented Design (TOD) features.
3. Encourage flexible parking requirements based upon site specific uses. Parking areas should be primarily located to the rear or internal of proposed development. Shared parking, permeable parking surfaces, and other environmentally friendly techniques are strongly encouraged.
4. Limit outdoor storage areas and encourage such uses to maintain a neat uniform appearance. All outdoor storage areas should be screened from view with the exception of stacked freight storage containers. Outdoor stacking of freight storage containers beyond the limits of the crane span shall be a maximum of three (3) containers high with no materials being stacked over thirty-five (35) feet in height. Containers should be clustered to the greatest extent feasible.
5. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 35% and 150% of the gross site area. F.A.R. limits should be scaled depending upon the applicable development area (ex. RDA, SDA, UGA, or TSDA). Retail commercial uses shall not exceed 15% of the F.A.R. allowed for the proposed development within the BPCX district.
6. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
7. Manufacturing uses shall only be allowed within enclosed structures.
8. Accessory Commercial uses shall not exceed 15% of the F.A.R. allowed for the proposed development within the BPCX district unless such development is incorporated within an office building or building proposed for multiple uses. In this instance, the total allowable F.A.R. may be achieved, but not exceeded.
9. Require buffering, setback, and height limitations to help offset the effects of lighting, noise, odors, and other such factors that would adversely impact adjacent properties.

RURAL CLUSTER CENTER (RCCX)

POLICY 2.131-TB11(a): RURAL CLUSTER CENTER PURPOSE - The purpose of the Rural Cluster Center (RCCX) land use designation is to provide a centralized node of rural uses that will accommodate the needs of nearby rural residents, while allowing for non-traditional development options to help stimulate the rural economy.

POLICY 2.131-TB11(b): RURAL CLUSTER CENTER CHARACTERISTICS - The Rural Cluster Center designation is an Activity Center and is also intended to recognize, reserve, and protect the location of rural residential development and/or neighborhoods. The general characteristics of the RCCX land use designation are identified in Table 2.131.T1.

POLICY 2.131-TB11(c): RURAL CLUSTER CENTER LOCATION CRITERIA - The establishment of new RCCX designations shall adhere to the following location criteria:

1. New RCCX designations (clusters) and expansions shall only be allowed within the Rural Development Area (RDA).
2. New RCCX designations shall be located at the intersection of arterial roads, collector roads, local commercial roads, or a combination thereof. Expansions shall be adjacent to existing RCCX designations.
3. No Level-of-Service (LOS) standard deficiency may exist on the link of roadway directly accessed by the proposed RCCX site. If such a deficiency does exist but is identified to be improved as part of the County's (or other municipalities) Community Investment Program (CIP), then the LOS standard (in and of itself) shall not deter the establishment of an RCCX designation.
4. There shall be a two mile (2) separation distance (traveling on public roads) between the center of an RCCX cluster and the center of an NACX, CACX, RACX, or other RCCX cluster. This separation rule shall not include those listed Activity Centers that are proven to be 75% developed (which also includes the existence of development approvals), or instances where the remaining undeveloped parcel(s) involved is (are) owned by a single controlling interest.
5. A minimum population support of 1,000 persons within a two (2) mile radius of the proposed RCCX site shall be taken into consideration when determining the appropriateness of designating and mapping RCCX sites. Data sources may include existing or projected population data and analysis gathered from the U.S. Census Bureau, the Bureau of Economic and Business Research, the County's Transportation Planning Organization (TPO), Claritas Reports, or other reputable sources approved by the County's Development Review Committee.

POLICY 2.131-TB11(d): RURAL CLUSTER CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Rural Cluster Center (RCCX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Limit residential development to a density of two (2) units per acre unless residential development is proposed as part of a mixed-use structure. The residential density achieved by these mixed-use structures shall not exceed a maximum density of four (4) units per acre. Achievement of this density shall be determined by the Land Development Code and based upon the rural character of the district.
2. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development of 60% of the gross site area.
3. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 50% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts.
4. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

CONVENIENCE CENTER (CCX)

POLICY 2.131-TB12(a): CONVENIENCE CENTER PURPOSE - The purpose of the Convenience Center land use designation is to provide for small centralized nodes of commercial development that will facilitate consumer needs at a scale and intensity reflective of surrounding residential developments. Since this designation requires a minimum population support of 1,000 persons per two (2) mile market area radius, it is anticipated to be compatible with all surrounding residential land use designations if located at the intersection of arterial and collector roadways.

POLICY 2.131-TB12(b): CONVENIENCE CENTER CHARACTERISTICS, LOCATION CRITERIA, AND EXPANSION CRITERIA - The general characteristics of the CCX land use designation are identified in Table 2.131.T1. The Location Criteria and Expansion Criteria shall be the same as established within the general policies of the Comprehensive Plan for the Convenience Center Future Land Use designation.

POLICY 2.131-TB12(c): CONVENIENCE CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Convenience Center (CCX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Allow for flexible parking strategies to meet the needs of proposed CCX uses in an efficient manner that best suits the community and CCX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
2. Require Interior traffic-circulation patterns that facilitate the safe movement of automobile, bicycle, and pedestrian traffic.
3. Require decorative building facades and Transit Oriented Design (TOD) techniques to help create a sense of place and character for the node.
4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 35% and 150% of the gross site area. FAR limits should be scaled depending upon the applicable development area (ex. UEA, SDA, UGA, or TSDA).
5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
6. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

NEIGHBORHOOD ACTIVITY CENTER (NACX)

POLICY 2.131-TB13(a): NEIGHBORHOOD ACTIVITY CENTER PURPOSE - The purpose of the Neighborhood Activity Center land use designation is to provide for areas of land that will facilitate a mix of consumer needs at a scale and intensity reflective of surrounding neighborhoods. Since this designation requires a minimum population support of 5,000 persons per 1½ mile market area radius, it is anticipated to be compatible with all surrounding residential land use designations if located at the intersection of arterial and collector roadways.

POLICY 2.131-TB13(b): NEIGHBORHOOD ACTIVITY CENTER CHARACTERISTICS, LOCATION CRITERIA, AND EXPANSION CRITERIA - The general characteristics of the NACX land use designation are identified in Table 2.131.T1. The Location Criteria and Expansion Criteria shall be the same as established within the general policies of the Comprehensive Plan for the Neighborhood Activity Center Future Land Use designation.

POLICY 2.131-TB13(c): NEIGHBORHOOD ACTIVITY CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Neighborhood Activity Center (NACX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Allow for flexible parking strategies to meet the needs of proposed NACX uses in an efficient manner that best suits the community and NACX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
2. Require Interior traffic-circulation patterns that facilitate the safe movement of automobile, bicycle, and pedestrian traffic.
3. Require decorative building facades and Transit Oriented Design (TOD) techniques to help create a sense of place and character for the node.
4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 35% and 150% of the gross site area. FAR limits should be scaled depending upon the applicable development area (ex. UEA, SDA, UGA, or TSDA).
5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
6. Allow for residential uses not exceed a maximum density of ten (10) units per acre. Such residential units shall only be permitted as part of mixed-use project in which the units are located above non-residential NACX uses.
7. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

COMMUNITY ACTIVITY CENTER (CACX)

POLICY 2.131-TB14(a): COMMUNITY ACTIVITY CENTER PURPOSE - The purpose of the Community Activity Center land use designation is to provide for areas of land (of moderate size) that will facilitate a mix of consumer needs at a scale and intensity reflective of surrounding communities. Since this designation requires a minimum population support of 20,000 persons per two (2) mile market area radius, it is anticipated to be compatible with all surrounding residential land use designations if located at the intersection of arterial and collector roadways.

POLICY 2.131-TB14(b): COMMUNITY ACTIVITY CENTER CHARACTERISTICS, LOCATION CRITERIA, AND EXPANSION CRITERIA - The general characteristics of the CACX land use designation are identified in Table 2.131.T1. The Location Criteria and Expansion Criteria shall be the same as established within the general policies of the Comprehensive Plan for the Community Activity Center Future Land Use designation.

POLICY 2.131-TB14(c): COMMUNITY ACTIVITY CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Community Activity Center (CACX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Allow for flexible parking strategies to meet the needs of proposed CACX uses in an efficient manner that best suits the community and CACX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
2. Require interior traffic-circulation patterns that facilitate the safe movement of automobile, bicycle, and pedestrian traffic.
3. Require decorative building facades and Transit Oriented Design (TOD) techniques to help create a sense of place and character for the node.
4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 35% and 150% of the gross site area. FAR limits should be scaled depending upon the applicable development area (ex. UEA, SDA, UGA, or TSDA).

5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.

6. Allow for residential uses not exceed a maximum density of twenty-five (25) units per acre. Such residential uses shall not exceed 30% of the project's gross developable area unless designed as part of mixed-use project in which the units are located above non-residential CACX uses.

7. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

REGIONAL ACTIVITY CENTER (RACX)

POLICY 2.131-TB15(a): REGIONAL ACTIVITY CENTER PURPOSE - The purpose of the Regional Activity Center land use designation is to provide for large areas of land that can facilitate a mix of consumer needs on a regional scale.

POLICY 2.131-TB15(b): REGIONAL ACTIVITY CENTER CHARACTERISTICS, LOCATION CRITERIA, AND EXPANSION CRITERIA - The general characteristics of the RACX land use designation are identified in Table 2.131.T1. The Location Criteria and Expansion Criteria shall be the same as established within the general policies of the Comprehensive Plan for the Regional Activity Center Future Land Use designation.

POLICY 2.131-TB15(c): REGIONAL ACTIVITY CENTER DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Regional Activity Center (RACX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Allow for flexible parking strategies to meet the needs of proposed RACX uses in an efficient manner that best suits the community and RACX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.

2. Require Interior traffic-circulation patterns that facilitate the safe movement of automobile, bicycle, and pedestrian traffic.

3. Require decorative building facades and Transit Oriented Design (TOD) techniques to help create a sense of place and character for the node.

4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development to range between 70% and 150% of the gross site area. FAR limits should be scaled depending upon the applicable development area (ex. SDA, UGA, or TSDA).

5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.

6. Allow for residential uses not exceed a maximum density of twenty-five (25) units per acre. Such residential uses shall not exceed 30% of the project's gross developable area unless designed as part of mixed-use project in which the units are located above non-residential RACX uses.

7. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

LINEAR COMMERCIAL CORRIDOR (LCCX)

POLICY 2.131-TB16(a): LINEAR COMMERCIAL CORRIDOR PURPOSE - The primary purpose of the Linear Commercial Corridor land use designation is to acknowledge historical linear commercial corridor development patterns that exist along major arterial or collector roadways. These existing uses have a history of contributing to the economic base of the area and the preservation of surrounding communities. Although these corridors are no longer

consistent with the County's current growth pattern of locating commercial centers at key nodal locations, they are an attempt to recognize and preserve the economic functionality of such uses at their existing location. The establishment of new LCCX districts shall be prohibited regardless of mapping errors made during the original mapping process.

POLICY 2.131-TB16(b): LINEAR COMMERCIAL CORRIDOR CHARACTERISTICS - The general characteristics of the LCCX designation are identified in Table 2.131.T1.

POLICY 2.131-TB16(c): LINEAR COMMERCIAL CORRIDOR LOCATION CRITERIA - The Linear Commercial Corridor designation shall only be given to those properties/parcels that have primary access on arterial or collector roadways.

POLICY 2.131-TB16(d): LINEAR COMMERCIAL CORRIDOR EXPANSION CRITERIA - Expansion of existing LCCX designations shall only be for the purposes of recognizing expansions of existing LCCX uses as infill development. The establishment of new LCCX districts shall be prohibited regardless of mapping errors made during the original mapping process.

POLICY 2.131-TB16(e): LINEAR COMMERCIAL CORRIDOR DEVELOPMENT CRITERIA - The establishment of development regulations and the implementation of such regulations within the Linear Commercial Corridor (LCCX) areas of this SAP shall be by the County's Land Development Code; however, such development regulations shall seek to:

1. Allow for flexible parking strategies to meet the needs of proposed LCCX uses in an efficient manner that best suits the community and LCCX district collectively. Shared parking and permeable surface parking designs are strongly encouraged.
2. Require Interior traffic-circulation patterns that facilitate the safe movement of automobile, bicycle, and pedestrian traffic.
3. Require decorative building facades and Transit Oriented Design (TOD) techniques to help create a sense of place and character for the node.
4. Allow for a maximum Floor Area Ratio (F.A.R.) for non-residential development not to exceed 35% of the gross site area.
5. Allow for a maximum Impervious Surface Ratio (I.S.R.) not to exceed 70% of the gross site area. Permeable surface materials are strongly encouraged as part of site plan design in an effort to reduce potential environmental impacts. I.S.R. limits should be scaled depending upon the applicable development area.
6. Require buffering, setbacks, height requirements, and performance standards to help alleviate potential issues of incompatibility.

Table 2.131.T1

Summary of Characteristics for Gateway SAP FLU Designations					
FLU Designation	***Usable Area**	**Gross Leasable Area**	**Minimum Population Support/Market Area Radius**		**General Uses***
CEX	10 Acres or Less	0.35 to 1.50 FAR	1,000 persons	2 miles	Commercial, Retail, Offices, Medical Facilities, Personal Services, Community Facilities, Light Manufacturing,

					Recreational, Schools, Utilities, Agricultural Support, and Agricultural Uses.
OCX	20 Acres or Less	0.35 to 1.50 FAR	2,500 persons	2 miles	Office and Office Parks, Medical Facilities, Personal Services, Community Facilities, Recreational, Retail, Schools, Utilities, and Agricultural Uses.
INSTX	Based on Demonstrated Need	0.50 to 1.50 FAR	1,000 persons	2 miles	Community Facilities, Utilities, Retail, Residential, Offices, Medical Facilities, Personal Services, Recreational, Schools, and Agricultural Uses.
ECX	80 Acres or Less	0.50 to 1.50 FAR 10 to 20 units per Acre	5,000 persons	5 miles	Logistics and Supply Chain Management, Research and Development, Engineering and High Tech Industries, Personal Services, Retail, Restaurants, Offices, Residential, Community Facilities, Utilities, Manufacturing, and Agricultural Uses.
HICX	Minimum of 40 Acres up to a Max. of 80 Acres	0.60 to 1.50 FAR	20,000 persons	10 miles	Warehousing, Commercial, Retail, Office, Personal Services, Community Facilities, Recreational, Schools, Utilities, and Agricultural Uses.
INDX	Minimum of 40 Acres up to	0.35 to 1.50 FAR	10,000 persons	5 miles	Manufacturing, Warehousing, Commercial, Retail,

	a Max. of 100 Acres				Office, Personal Services, Community Facilities, Recreational, Schools, Utilities, Agriculture Support, and Agricultural Uses.
BPCX	Minimum of 20 Acres; Max. of 1,000 acres within the SAP	0.35 to 1.50 FAR	10,000 persons	5 miles	Manufacturing, Warehousing, Commercial, Retail, Office, Personal Services, Community Facilities, Recreational, Schools, Utilities, Agriculture Support, and Agricultural Uses.
RCC-X	250 Acres or Less	0.30 to 0.60 FAR 2 units per Acre	1,000 persons	2 miles	Commercial, Community Facilities, Office, Personal Services, Recreational, Retail, Restaurants, Residential, Schools, Utilities, and Agricultural Uses.
CCX	10 Acres or Less	0.35 to 1.50 FAR	1,000 persons	2 miles	Commercial, Retail, Offices, Medical Facilities, Personal Services, Community Facilities, Recreational, Schools, Utilities, Agricultural Support, and Agricultural Uses.
NACX	20 Acres or Less	0.35 to 1.50 FAR Up to 10 units per Acre	5,000 persons	1½ miles	Commercial, Retail, Offices, Medical Facilities, Personal Services, Community Facilities, Recreational, Residential, Schools,

					Utilities, Agricultural Support, and Agricultural Uses.
CACX	60 Acres or Less	0.35 to 1.50 FAR Up to 25 units per Acre	20,000 persons	2 miles	Commercial, Retail, Offices, Medical Facilities, Personal Services, Community Facilities, Recreational, Residential, Schools, Utilities, Agricultural Support, and Agricultural Uses.
RACX	60 Acres or More	0.50 to 1.50 FAR Up to 25 units per Acre	150,000 persons	20 miles	Commercial, Retail, Offices, Medical Facilities, Personal Services, Community Facilities, Recreational, Residential, Schools, Utilities, Agricultural Support, and Agricultural Uses.
LCCX	N/A	0.35 FAR	N/A	N/A	Warehousing, Commercial, Retail, Office, Personal Services, Community Facilities, Recreational, Schools, Utilities, Agriculture Support, and Agricultural Uses.
RLX	N/A	Up to 5 units per Acre 0.25 FAR	N/A N/A	Residential, Community Facilities, Utilities, and Agriculture.	
RMX	N/A	Up to 7 units per Acre 0.25 FAR	N/A	N/A	Residential, Community Facilities, Utilities, and Agriculture.

RHX	N/A	Up to 15 units per Acre 0.25 FAR	N/A	N/A	Residential, Community Facilities, Retail, Utilities, and Agriculture.
L/RX	N/A	Up to 10 units per Acre 0.25 FAR	N/A	N/A	Commercial, Office, Personal Services, Community Facilities, Recreational, Retail, Residential, Utilities, Agriculture Support, and Agricultural Uses.
ROSX	N/A	0.25 FAR	N/A	N/A	Commercial, Community Facilities, Office, Personal Services, Recreational, Retail, Schools, Utilities, and Agricultural Uses.
PRESVX	N/A	0.0001 FAR	N/A	N/A	Community Facilities, Recreation, Utilities, and Agricultural Uses.
* Note: The "general uses" identified for FLU designations is an attempt to define the land use category in terms of uses included as required by Florida Statutes 163.3177(6)(a)(1.). A detailed breakdown of the types of retail, community facilities, residential (etc.) uses permitted, conditioned, and/or prohibited, as well as the scaling of F.A.R. limits based upon respective development areas shall be identified and regulated via the County's Land Development Code. The "usable area" refers to the maximum acreage that can be achieved per cluster of a designation, including expansions thereof. The HICX, INDX, and BPCX designations have minimum acreage requirements for new designations. These minimum acreage requirements do not apply to expansions of existing clusters; however, the maximums per cluster may not be exceeded.					

Economic Development

Agriculture and agribusiness have historically been recognized as major contributors to this area's economy; however, employment in the County has experienced a shift from these traditional industry jobs to higher skilled service industries. The following objectives and policies (in conjunction with other sections of this SAP) seek to promote the creation of quality jobs for current and future populations; maintain local economic stability; and build a diverse economic and employment base while recognizing the importance of agriculture and agribusiness within the SAP boundary.

OBJECTIVE 2.131-TC: The County shall encourage the designation and mapping of appropriate Future Land Use (FLU) districts that support the creation of jobs in the County's identified cluster targets. These targeted cluster areas include: Logistics and Chain Supply Management; Research and Engineering Services; Agriculture and Agribusiness; Financial Services; Business Services; Life Sciences and Medical Services; and Construction and Real Estate.

POLICY 2.131-TC1: SUPPORTIVE LAND USES - Polk County shall partner with area cities to modify current land use categories and designations as necessary to provide a mix of land uses that support economic development within the targeted industries.

OBJECTIVE 2.131-TD: The County shall seek a variety of methods to finance needed improvements to infrastructure and services throughout the SAP boundary that will help support and sustain economic development.

POLICY 2.131-TD1: COMMUNITY INVESTMENT STRATEGY - Polk County shall partner with area cities to identify and implement opportunities to fund investments in community infrastructure and services. These strategies may include, but are not limited to, the following:

a. the creation of a benefit district that directs taxes, fees and developer contributions collected within the area towards needed improvements;

b. the creation of an Enterprise Zone or Foreign Trade Zone;

c. a Brownfield area designation(s); or

d. joint application for discretionary grants.

OBJECTIVE 2.131-TE: The County shall promote the retention and expansion of existing businesses and promote the diversification of the area's economic base.

POLICY 2.131-TE1: The expansion and/or redevelopment of non-conforming development (existing prior to the adoption of this SAP) within the SAP boundary shall be required to adhere to buffering and architectural design standards of its current (or in some cases its adjacent) FLU designation. The intent of this policy is to ensure that such businesses continue to be a vital component of the areas economic base while becoming compatible with the SAP vision.

Multi-Modal Transportation System

In order to sustain existing development and accommodate future growth, multi-modal transportation system is needed to provide adequate mobility and access to employment centers and residential areas. State Road 60, County Road 655 (Rifle Range Road), County Road 653, and County Road 655A (Alturas Road North) form the existing highway network. Additional roadway capacity, to include widened and new roads, is needed to serve the forecasted travel demand. This SAP also seeks to focus on additional elements of multi-modal transportation systems including transit service development, improved access to transit, connectivity between land uses and the development of a multi-use trail network.

OBJECTIVE 2.131-TF: Provide a safe, efficient transportation system that ensures adequate mobility for the movement of people and freight, expands travel options, improves user access and supports economic development.

POLICY 2.131-TF1: MOBILITY STRATEGY - Polk County shall partner with area cities ~~on or before March 1st, 2015~~ to develop a mobility strategy that includes measures to:

a. Minimize traffic congestion on State Road 60 and preserve its ability to serve regional through-traffic as a Strategic Intermodal Facility;

b. Provide additional arterial road capacity;

c. Provide a roadway grid system that improves land access including collector road(s) parallel to State Road 60;

d. Expand transit services and access to service;

e. Construct multi-use trails; and

f. Provide "Complete Streets" to ensure safe access and travel for roadway users - pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

POLICY 2.131-TF2: ADEQUATE TRANSPORTATION INFRASTRUCTURE - Polk County shall work with area cities to incorporate a long-term approach in providing adequate transportation infrastructure as part of the mobility strategy prepared pursuant to Policy 2.131-TF1. This approach should support both job creation and the development of a multi-modal transportation system.

POLICY 2.131-TF3: PRIORITY AND TIMING OF CAPACITY ROAD IMPROVEMENTS - The mobility strategy shall include a prioritized list of capacity road projects, as well as, milestones for the completion of these projects or project phases in relation to future growth and development.

POLICY 2.131-TF4: NEW COLLECTOR ROADS - Polk County shall work with area cities to identify the location of future collector roads to form a roadway grid system and maximize land access consistent with the Gateway Vision. As necessary and feasible, these efforts shall include the programming of corridor alignment studies.

POLICY 2.131-TF5: ROAD RIGHT-OF-WAY - Polk County shall work with area cities to implement common requirements and procedures to obtain the right-of-way needed to implement the roadway improvements identified as part of the Gateway Vision. New development and redevelopment located along existing or proposed collector or arterial roads shall be required to dedicate the appropriate right-of-way needed for roadway improvements.

POLICY 2.131-TF6: Polk County shall work with area cities to establish Transit Corridors and Centers consistent with the TPO 2060 Transportation Vision Plan and the Gateway Vision. These corridors and centers shall provide a framework for land use policies and mobility strategies that improve access to existing and future transit services and promote compact, mixed-use development.

POLICY 2.131-TF7: Polk County shall encourage area cities to amend their land use policies and regulations to incorporate provisions of Section 2.124-I Transit Corridors and Centers Overlay as applicable.

POLICY 2.131-TF8: Polk County shall work with area cities to develop and adopt "Complete Street" principles in the construction, maintenance and reconstruction of arterial and collector roads within the study area to ensure safe access and travel for roadway users - pedestrians, bicyclists, motorists and transit riders of all ages and abilities.

POLICY 2.131-TF9: ~~By 2012,~~ Polk County shall evaluate CR 655 (Rifle Range Road) using "Complete Street" principles to identify candidate improvements for future programming.

POLICY 2.131-TF10: All new development and redevelopment located along local and collector roads shall be required to include facilities for pedestrian, bicycle, and mass transit access at the time of development. Such improvements, at a minimum, shall include sidewalks, dedicating the appropriate right-of-way for bicycle lanes, and providing right-of-way or stops or shelters for mass transit in accordance with the Land Development Code. The dedication of mass transit facilities may be provided in lieu of the right-of-way if approved by the provider of the services.

Rural Development:

This SAP recognizes the importance of agriculture and rural communities and seeks to provide for their continued protection through the use of innovative design, incentives, and other planning strategies. The following objectives and policies provide for rural development guidance.

OBJECTIVE 2.131-TG: This SAP shall be required to provide for a mix of rural development options that seek to preserve the rural character of existing rural communities as well as protect the unique environmental features of this area.

POLICY 2.131-TG1: The County shall seek innovative ways to address urban and rural compatibility by including within the Land Development Code development standards for buffering, setbacks, lot sizes, parking, internal road

design, and other design criteria, especially in areas where infrastructure/services exist to support future urban development.

At a minimum, development shall incorporate natural features (rolling hills, meadows, canals, wetland areas, etc.), conservation easements, farming/agricultural areas, or existing forested areas as buffers; alternative parking strategies (such as shared parking, the use of alternative paving materials, or a reduction in the number of required spaces); tailored setbacks to address the protection of natural features/agricultural uses; and flexible design standards for internal roadways (such as varying roadway widths and/or the use of safe structural materials in order to protect recharge to the aquifer and maintain the rural character).

POLICY 2.131-TG2: The designation and mapping of Future Land Use designations that allow for urban densities/intensities within primarily rural areas outside of the vision for future urban areas should only be considered if existing urban service facilities (such as schools, parks, and public safety services) and infrastructure (potable water/wastewater facilities; transportation roadway system) are adequate and currently available.

POLICY 2.131-TG3: In an effort to encourage the protection of agricultural lands and environmentally sensitive lands in rural areas, new development in Rural Cluster Center's (RCC), Rural Cluster Center-Residential (RCC-R), Rural Residential Development's (RRD), and Rural Mix Use Development's (RMD) shall be developed in a manner that supports conservation planning principles and may receive incentives for developing as such. The County shall create additional development criteria, bonus points, and incentives, to be implemented by the Land Development Code, for RCC, RCC-R, RRD, and RMD developments within the Gateway SAP boundary.

POLICY 2.131-TG4: The County shall implement development standards as adopted in the Land Development Code that supports and incentivizes rural conservation planning principles within the Gateway SAP. These incentives shall include:

a. the creation of a density incentive system that encourages the preservation of agricultural and environmentally sensitive lands. Bonus density incentive will be given for developments that provide two or more of the following items at levels above the minimum requirements established in the Comprehensive Plan and Land Development Code:

    1. Special design features that configure development around existing landscapes or environmentally sensitive areas
    2. Developments that reserve more than 50% of the property for open space
    3. Increased protection of wetlands, wildlife habitat, and upland vegetative communities
    4. Developments that contain a variety of housing types such as the combination of market rate housing with affordable and/or workforce housing; and/or the combination of single-family units and multi-family units.

b. expedited permitting review;

c. reduced impact fees for developments that possess workforce, affordable, or farmworker housing components; and/or

d. community recognition awards.

Environmental Preservation

The environmental analysis conducted as part of the Gateway SAS process revealed that there are a vast number of environmental features unique to this area such as the Peace Creek Drainage Canal; significant wetland boundaries; the geography of the area which contains rolling hills and scenic viewsheds; it's an important area of recharge to the aquifer; and the area has a high number of endemic species. The following objectives and policies are guides to help future development protect/preserve environmentally sensitive areas within the SAP boundary.

OBJECTIVE 2.131-TH: All new development and redevelopment shall be sensitive to the unique upland wildlife habitat within the Gateway SAP boundary; and shall seek to exceed applicable policies within the County's Conservation Element.

POLICY 2.131-TH1: New road rights-of-way shall be routed to avoid traversing significant upland wildlife habitat, unless there is no feasible alternative and the roadway design incorporates design features for the safe passage of wildlife.

POLICY 2.131-TH2: Improvements to existing roads (i.e., road reconstruction or widening) within upland significant wildlife habitat shall incorporate design features for the safe passage of wildlife.

OBJECTIVE 2.131-TI: All land alteration activities shall be sensitive to the unique natural resources within the Gateway SAP and shall permit development in a manner which maintains and/or improves recharge to the aquifer.

POLICY 2.131-TI1: Land alteration activity that destroys, reduces, impairs, or otherwise adversely impacts a wetland or natural body of water, shall be prohibited, unless there is no recourse in order to allow reasonable use of the land.

POLICY 2.131-TI2: Building setbacks shall be a minimum of 50 feet from environmentally sensitive areas. Wider setbacks in accordance with the criteria established for the Gateway SAP in the Land Development Code may be required by the County depending on the environmental sensitivity of the area and the intensity of the development proposed adjacent to the area. For example, a 200-foot wide or wider setback may be required for a large excavation proposed adjacent to a wetland in order to prevent dewatering of the wetland at the time of development review.

OBJECTIVE 2.131-TJ: Polk County shall coordinate with area cities to develop and implement the Water Resources Sustainability Plan for the Peace Creek Watershed.

POLICY 2.131-TJ1: IMPLEMENTATION STRATEGY - Polk County shall partner with area cities to develop an implementation strategy for the Water Resources Sustainability Plan that includes development incentives and actions supporting the creation of:

a. a regional water storage system equivalent to or greater than the current water storage capacity;

b. series of nature water parks connected by greenways or trails; and

c. opportunities for off-site wetlands mitigation consistent with the Peace Creek restoration efforts.

POLICY 2.131-TJ2: CENTRAL POLK PARKWAY - Polk County shall coordinate with the Florida Department of Transportation to identify opportunities for any environmental mitigation associated with the future construction of the Central Polk Parkway to contribute to Peace Creek restoration efforts.

POLICY 2.131-TJ3: The County shall implement mechanisms to preserve environmentally sensitive lands through acquisition and/or conservation easements as adopted in the Land Development Code.

Sustainability

In a sustainable community, resource consumption is balanced by resources assimilated by the ecosystem. The sustainability of a community is largely determined by the web of resources providing its food, fiber, water, and energy needs and by the ability of natural systems to process its wastes. A community is often thought of as unsustainable if it consumes resources faster than they can be renewed, produces more wastes than natural systems can process or, relies upon distant sources for its basic needs. The Gateway SAS process identified that in order for the area to remain sustainable for future generations to come, development will have to occur in a way that does not compromise those generations through the depletion of resources. The following policies are intended to promote sustainable development throughout the SAP boundary.

OBJECTIVE 2.131-TK: The County shall seek to ensure that future development within this SAP occurs in a manner that promotes the efficient use of land, infrastructure, services, and other natural resources.

POLICY 2.131-TK1: TIMING AND LOCATION OF GROWTH - All new development/redevelopment within the Gateway SAP shall adhere to all applicable policies located within the Future Land Use Element's General Section: 2.102 of the Polk County Comprehensive Plan.

POLICY 2.131-TK2: PUBLIC SAFETY - When considering the establishment of new development in primarily rural areas, the following public safety services should exist or be planned for as part of the County's CIP:

a. An operating Full time/volunteer Fire station within a five mile radius of proposed development.

b. An operating Emergency Medical Service station within a five mile radius of proposed development.

c. A police substation within a five mile radius of proposed development with a minimum of two deputies per 1,000 population on patrol at all times.

This policy, in and of itself, should not preclude development from occurring in rural areas, but should be taken into consideration when evaluating the timing and appropriateness of establishing new development in areas with limited services/infrastructure.

POLICY 2.131-TK3: The County shall seek to locate a future Police substation, Fire station, and EMS station within the Alturas Rural Cluster Center whether through public or private initiatives.

POLICY 2.131-TK4: POTABLE WATER AND WASTEWATER FACILITIES - Polk County shall continue the efforts outlined within the County's Water Supply Plan and will coordinate with adjoining providers to help meet the demands of future development within the Gateway SAP.

POLICY 2.131-TK5: SCHOOL FACILITIES - The County shall continue its coordination efforts with the Polk County School Board in implementing comprehensive school siting practices. In an innovative effort to provide for the efficient use of space, infrastructure, and services, urban design standards (ex. less acreage, vertical construction, the use of joint facilities, etc.) should be applied to school design when possible. Such designs should be consistent with the Department of Education's (DOE) Florida Safe School Design criteria.

POLICY 2.131-TK6: GREEN BUILDING - Polk County shall include incentives, to be provided in the Land Development Code and may change over time as determined by the Board of County Commissioners, that incorporate regionally and nationally recognized building standards and certification programs as the basis for the incentives. This may include standards or certifications established by U.S. Green Building Council, the National Association of Home Builders, or the Florida Green Building Coalition. These incentives will reflect the reduced impact of sustainable development practices on the natural and built environment. These incentives may include, but not be limited to, the following:

a. Expedited permit reviews;

b. Reduced Impact or permitting fees; and

c. Community Recognition and Awards

Implementation

OBJECTIVE 2.131-TL: Polk County shall implement the objectives and policies of the Gateway SAP through appropriate techniques and mechanisms. Polk County shall implement adopted objectives and policies by: designating responsible County agencies or departments to execute appropriate strategies and programs; adopting and enforcing applicable development regulations; evaluating all development proposals for conformance to policies and compliance with regulations; and considering all objectives and policies when making growth management decisions.

Revision History Section 2.131-T Gateway Selected Area Plan

POLICY 2.131-TB1	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB3	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB4(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB4(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB4(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB4(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB5(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB5(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB5(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB6(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB6(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB6(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB6(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB7(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB7(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB7(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB7(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB8(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB8(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB8(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB8(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB9(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB9(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB9(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB9(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB10(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB10(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB10(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB10(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
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POLICY 2.131-TB11(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB11(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
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POLICY 2.131-TB12(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
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POLICY 2.131-TB12(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB13(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB13(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB13(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
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POLICY 2.131-TB14(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB14(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB15(a)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB15(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB15(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
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POLICY 2.131-TB16(b)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB16(c)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB16(d)	CPA 15A-02 (Ord. 16-004) 2/16/2016
POLICY 2.131-TB16(e)	CPA 15A-02 (Ord. 16-004) 2/16/2016
TABLE 2.131.T1	CPA 15A-02 (Ord. 16-004) 2/16/2016

SECTION 2.131-U SOUTHEAST POLK SELECTED AREA PLAN (SE POLK SAP).

Introduction

The Southeast Polk Selected Area Plan (SE Polk SAP) is generally located south of State Road 60, north of the Polk/Hardee/Highlands County line, east of Lake Buffum Road East and west of Tiger Creek Preserve/Avon Park Air Force Range. The purpose of the SE Polk SAP is to develop a vision and supporting plan that encourage quality future growth that recognizes and protects existing community resources. The SE Polk SAP is adopted in recognition that this area of Polk County contains:

- significant amounts of environmentally sensitive lands;
- significant amounts of agricultural lands;
- water bodies worthy of special protection;
- transportation facilities that make this area of Polk County unique on a local and regional level;
- several jurisdictions/communities, each of which has its own rural character and sense of place; and
- an adjacent military installation that warrants special attention concerning adjacent uses and compatibility.

In order to achieve the vision defined by the guiding principles, Future Land Use Map, and the Vision Map adopted as part of this selected area Plan, development within the SE Polk SAP as depicted in the Comprehensive Plan shall occur in accordance with the parameters established by the goals objectives and policies 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.

Vision - Guiding Principles

The guiding principles, along with the Vision Map, are not intended to be controls, but rather "guides" to develop a plan that recognizes the unique features of Southeast Polk County and encourages growth in a way that is beneficial to residents, businesses, visitors, and the environment. The guiding principles will be the foundation for future map and text amendments to the Comprehensive Plan, but will not restrict property owners from seeking Comprehensive Plan map and/or text amendments in response to market conditions that may change over time.

The guiding principles are as follows:

- Ensure the protection of property rights and land use options under the Polk County Comprehensive Plan.
- Recognize the rural character and quality of life of communities located in Southeast Polk County.
- Encourage sustainable growth, development and design that meets the needs of the present without compromising the needs of future generations.
- Promote the conservation, preservation, and management of the natural resources found on the Lake Wales Ridge and surrounding areas.

- Provide voluntary, incentive-based options to support the conservation of open space, wildlife habitat, natural resources and agricultural areas, and to promote connected systems of natural and agricultural lands.
- Encourage future land uses that are compatible with the continued operation of Avon Park Air Force Range and ensure the safety and well-being of the public at large.

GOAL: Develop a growth management plan for Southeast Polk County that protects the rural character of communities in the area; recognizes private property rights; encourages sustainable development and the conservation of environmentally sensitive lands and open space by providing incentive based options for development; and supports increased intergovernmental coordination with neighboring jurisdictions.

OBJECTIVE 2.131-UA: Promote development strategies that embrace the rural character of communities within the SE Polk SAP.

POLICY 2.131-UA1: PRIVATE PROPERTY RIGHTS - Polk County shall recognize the existing private property rights, including the right to farm and carry out other agricultural activities, as well as existing entitlements granted under the Comprehensive Plan and Land Development Code regulations.

POLICY 2.131-UA2: RURAL CHARACTER - Polk County shall develop quality development standards within its Land Development Code that maintain and enhance the rural character of communities located within the SE Polk SAP. The term "rural character" within this SAP generally refers to communities that are characterized as having historical appeal, lands that support agricultural uses, undeveloped or undisturbed open space, natural water bodies, and outdoor recreational opportunities. Such development standards may include but are not limited to provisions that address:

a. architectural design;

b. buffering (landscaping and screening);

c. open space and design;

d. lighting;

e. location and orientation of development;

f. building height; and

g. other features that will maintain the rural character of communities within this SAP.

POLICY 2.131-UA3: INCENTIVES - Polk County shall establish voluntary incentives within its Land Development Code to maintain and enhance the rural character of communities within this SAP. Such incentives may include but are not limited to:

a. expedited review processes;

b. increased densities (not to exceed those established in Table 2.131U-2 in Policy 2.131- UE2);

c. flexible dimensional regulations.

POLICY 2.131-UA4: AGRICULTURAL OPERATIONS - Bona fide agricultural operations (classified as such for ad valorem tax purposes) existing prior to residential or non-residential development on adjacent property(ies) shall not be hindered by such development. In order to prevent compatibility issues that may result from activities such as spraying and burning, residential development will be required to be placed on site in such a manner to provide adequate spacing and buffering from adjacent agriculture uses.

POLICY 2.131-UA5: AGRITOURISM - Due to the significance of agricultural activities/operations in Southeast Polk County, agritourism (as defined in the Land Development Code) shall be promoted within the SE Polk SAP. Land Development Code regulations shall be developed that promote the following:

a. profitability of agricultural "value added" activities;

b. education concerning the importance of agriculture and its economic impact;

c. agriculture as a means to conserve natural resources; and

d. increasing the demand for locally grown produce.

POLICY 2.131-UA6: CONSERVATION AND ENVIRONMENTAL LANDS - Environmental Lands and recreation and other conservation and preservation areas existing prior to residential or non-residential development on adjacent property(ies) shall not be hindered by such development. In order to prevent compatibility issues that may result from activities such as spraying and burning, residential development will be required to be placed on site in such a manner to provide adequate spacing and buffering from adjacent preservation and conservation uses.

OBJECTIVE 2.131-UB: Polk County shall encourage sustainable growth within the SE Polk SAP by enhancing intergovernmental coordination with neighboring jurisdictions; recognizing prior planning efforts; establishing Village Centers around existing and/or proposed Activity Centers; promoting development in areas with adequate infrastructure; and promoting connectivity.

POLICY 2.131-UB1: INTERGOVERNMENTAL COORDINATION - The SE Polk SAP encompasses or is contiguous to several jurisdictions and/or recognized communities including: Lake Wales, Highland Park, Babson Park, Hillcrest Heights, and Frostproof. Although policies identified by the SE Polk SAP are only enforceable within unincorporated Polk County, intergovernmental coordination is a key component to producing a quality growth management plan for this area of the County. Therefore, Polk County will coordinate with the above mentioned jurisdictions/communities concerning growth management strategies/plans and encourage the development of Joint Planning Agreements (JPA) when applicable.

POLICY 2.131-UB2: VISION MAP - The SE Polk SAP Vision Map as adopted in the Comprehensive Plan Map Series, is a tool that helps depict the general location and types of future growth based on identified issues of concern that were received from comments and feedback gathered from the public, the SE Polk Selected Area Study (SAS) Focus Group, other governmental agencies, and recommendations that came out of the SE Polk Selected Area Study process. The Vision Map is not intended to deter development in particular areas of the SAP, and is conceptual in nature. Instead, it will serve as a visual representation of where opportunities exist to develop at higher densities/intensities and/or receive incentives for the preservation and set-aside of environmental lands or open space.

POLICY 2.131-UB3: SR 17 - RIDGE SCENIC HIGHWAY OVERLAY DISTRICT - A significant portion of the Ridge Scenic Highway Overlay District (as described in Section 2.124-H of the Polk County Comprehensive Plan) is located within the SE Polk SAP boundary. The SE Polk SAP goals, objectives, and policies seek to enhance this planning effort, which aims to protect and enhance this key community asset of scenic, environmental, historic and archeological importance. As a result, incentives for this SAP shall be developed to encourage the clustering of densities and intensities in ways consistent with those established in Section 2.124-H, SR 17 - Ridge Scenic Highway Overlay District. Development Standards applicable to this SAP shall be consistent with those adopted in the SR 17 - Ridge Scenic Highway Overlay District section of the Land Development Code (LDC). If there is a conflict, other than the higher densities allowed per Policy 2.131-UB6, between goals, objectives or policies within this SAP and those under Section 2.124-H, Ridge Scenic Highway Overlay District, the ones under Section 2.124-H will prevail.

POLICY 2.131-UB4: VIBRANT CENTERS - Polk County shall promote vibrant centers within the SE Polk SAP to encourage sustainable development by:

a. supporting existing NACs, RCCs, and CEs (commercial nodes);

b. establishing Village Center Overlay Areas (and Village Center Core Areas) where higher density, intensity and mixed uses shall be encouraged;

c. designating these centers as receiving areas for transfer of development rights;

d. encouraging the revitalization of city centers;

e. preserving local history and creating a "sense of place";

f. providing for a mixture of land uses; and

g. providing a focal point for transit services.

POLICY 2.131-UB5: CONNECTIVITY - Polk County shall promote connectivity in the communities located in the SE Polk SAP by encouraging strategies and Land Development Code regulations consistent with the Transportation Planning Organization (TPO) 2060 Transportation Vision Plan and Polk LRTP ~~2035 Mobility Vision Plan~~. These strategies include but are not limited to:

a. connecting city/rural centers;

b. improving access to transit services;

c. improving access to/from rural areas;

d. encouraging pedestrian activities;

e. multi-use trail connections to natural areas;

f. pedestrian and bicycle connections between mixed land uses;

g. increasing travel options as part of a multi-modal transportation system; and

h. encouraging the preservation of right-of-way for future construction of roadway networks as identified in the Polk LRTP ~~2035 Mobility Vision Plan~~.

POLICY 2.131-UB6: OVERLAY AREAS - Polk County shall develop Village Center Overlay Areas (Villages) and Village Center Core Overlay Areas (Cores) within the Southeast Polk SAP. The Village and Core overlays are established as designated in the Comprehensive Plan Future Land Use Maps Series. These overlays will include those areas, as shown in the Vision Map, that surround existing Rural Cluster Centers (RCCs), Neighborhood Activity Centers (NACs), or significant existing commercial nodes (CEs and municipal commercial districts) located at intersections of arterial or collector roads, and where infill development and additional density/intensity shall be encouraged. Polk County shall establish quality development standards within its Land Development Code that include maximum densities to be achieved within Village Centers Overlay Areas and Village Center Core Areas through administrative and technical reviews.

A. VILLAGE CENTER OVERLAY AREAS (Villages): Village Center Overlay Areas shall be those areas surrounding existing RCCs, NACs, or significant existing commercial nodes (CEs and municipal commercial districts), generally within the one to one and a half Market Area Radii described in Table 2.131U - 1 of this SAP. An exception to this is the intersection of US 27 and SR 17 Ridge Scenic Highway which is about one and three-quarter miles from the activity center. Development Code regulations shall be developed that will allow densities (as described in Table 2.131U - 2 of this SAP) through administrative and technical reviews if certain development/design standards are met. These standards may include but are not limited to:

1. walkable development;

2. a mix of complementary land uses and activities;

3. a range of housing opportunities;

4. improved vehicular and pedestrian access to adjacent uses; transportation services, and/or other Village centers; and

5. access to community/public water and sewer service.

Table 2.131U - 1 - Village Center Market Radii

Village Center Market Area Radii		
Activity Centers	**Acreage**	**Market Area Radius**
CE	1—5	1 mile
NAC	5—20	1.5 miles
RCC	1—60*	*1.5 miles
Municipal Commercial Nodes	Varies	1.5 miles
* Pursuant to Comprehensive Plan Policy 2.110-B4, the size of the RCC is determined by using the market-area radius and minimum population support criteria established for Convenience, Neighborhood, or Community Activity Centers.		

B. VILLAGE CENTER CORE OVERLAY AREAS (Core): Core areas of Village Center Overlay Areas located within a quarter (¼) mile radius of existing RCCs, NACs, or CEs (Activity Centers) will be identified and allow for increased densities/ intensities (as outlined in Table 2.131U - 2 of this SAP) via an administrative and technical review and meeting the design standards listed in Policy 2.131-UB6-A. above.

Comprehensive Plan Amendments (CPA) that expand the existing Rural Cluster Centers (RCCs), Neighborhood Activity Centers (NACs), or significant existing commercial nodes (CEs and municipal commercial districts) do not automatically expand the Village or Core. A request to expand these overlay areas submitted with any CPA must meet the initial criteria as outlined in the supporting Vision Plan and the adopted Guiding Principles and Vision Map. Additionally, prior to any expansion, the existing overlay areas must be at least 80% developed.

POLICY 2.131-UB7: VILLAGES AND CORES AS RECEIVING AREAS - Villages and Cores shall be designated as "receiving areas" for transfers of development rights from areas designated as "sending areas" on the SE Polk SAP Vision Map (as per policies in Section 2.132-UC1).

POLICY 2.131-UB8: INFRASTRUCTURE - Polk County shall develop Land Development Code regulations that encourage development in those areas of the SE Polk SAP that are currently served or scheduled to be served by infrastructure (community facilities/services), which includes but is not limited to:

a. transportation (roadways and transit);

b. utilities;

c. drainage;

d. safety services (fire, EMS, and law enforcement); and

e. schools.

POLICY 2.131-UB9: EXTENSION OF SEWER - Sewer lines may be extended into the Suburban Development Area (SDA) without approval from the Board of County Commissioners if a site is located within a Village or Core areas.

OBJECTIVE 2.131-UC: Promote the conservation, preservation, and effective management of environmentally sensitive lands, water bodies, greenways (and corridors), and natural resources.

POLICY 2.131-UC1: TRANSFER OF DEVELOPMENT RIGHTS - Land Development Code regulations shall be developed for this SAP that permit development rights (density) to be transferred from designated "sending areas" to designated "receiving areas" within the SE Polk SAP boundary and identified on the SE Polk SAP Vision Map.

POLICY 2.131-UC2: POLK GREEN - Polk Green Districts (established pursuant to Objective 2.124-E and depicted in the Comprehensive Plan Map Series) were used in the development of the SE Polk Vision Map to identify those areas within the SE Polk SAP where the voluntary set side of open space and conservation of land and natural resources is encouraged through the use of incentives.

POLICY 2.131-UC3: POLK GREEN SENDING AREAS - For the purposes of this SAP, the Polk Green areas within this SAP shall be designated as the "Sending Areas" on the SE Polk SAP Vision Map. Conservation easements or similar mechanisms shall be encouraged to promote the set-aside of open space and connected corridors.

POLICY 2.131-UC4: CONSERVATION DEVELOPMENTS - Residential and mixed use developments including Conservation Developments (as per Section 2.1251 of this Comprehensive Plan), Rural Residential Developments (RRDs), and Rural Mixed- Use Developments (RMDs) will be encouraged within the SE Polk SAP to conserve land and natural resources.

POLICY 2.131-UC5: COMPATIBILITY OF DEVELOPMENT WITH ADJACENT NATURAL AREAS - The development of properties adjacent to natural areas (environmental lands, water bodies, Recreation and Open Space [ROS], or Preservation [PRESV] districts) shall attempt to minimize impacts to such areas by taking into consideration factors including but not limited to:

a. location and orientation of development;

b. existing wildlife corridors;

c. movement of wildlife;

d. existing native vegetative buffers;

e. wetlands and floodplains;

f. drainage/ storm water runoff;

g. noise and light pollution; and

h. fire management of natural areas.

POLICY 2.131-UC6: ECOTOURISM - Ecotourism (as defined in the Land Development Code) shall be encouraged within the SE Polk SAP through the development of Land Development Code regulations that promote:

a. nature-based activities;

b. the education of residents and visitors about the importance of the conservation of biodiversity; and

c. supporting local participation, ownership and opportunities related to ecotourism.

POLICY 2.131-UC7: OPEN SPACE/AQUIFER PROTECTION - In order to preserve open space and recognize the importance of aquifer recharge within the SE Polk SAP, impervious surface ratios (ISR) shall not exceed 0.60 for non-residential development and 0.50 for residential development that occurs outside of Village and Core areas.

OBJECTIVE 2.131-UD: Promote land uses and development strategies that are compatible with the continued operation of the Avon Park Air Force Range.

POLICY 2.131-UD1: COORDINATION - The Avon Park Air Force Range is located along the southeastern border of the SE Polk SAP. Therefore, in accordance with Objective 2.128-D of the Comprehensive Plan, Polk County will coordinate with representatives of the Avon Park Air Force Range (APAFR), the Central Florida Regional Planning Council, and property owners concerning growth management related issues and strategies.

POLICY 2.131-UD2: JOINT LAND USE STUDY (JLUS) - Polk County shall implement the Land Development Code regulations within the Military Compatibility Zones (MCZs) to address the following issues and strategies identified in the Avon Park Air Force Range Joint Land Use Study:

a. compatibility of development with the APAFR;

b. impacts of proposed development on Range operations;

c. noise attenuation;

d. maximum height;

e. lighting standards;

f. effective disclosure procedures; and

g. Military Compatibility Zones.

OBJECTIVE 2.131-UE: Polk County shall designate and establish Future Land Use categories and development criteria that are specific to this Selected Area Plan (SAP).

POLICY 2.131-UE1: DESIGNATION AND MAPPING - The SE Polk SAP is established as designated on the Comprehensive Plan Map Series. Land use categories shall be designated on the Future Land Use Map Series and the SE Polk SAP Map which is included as part of the Future Land Use Map Series.

POLICY 2.131-UE2: FUTURE LAND USE DISTRICTS ESTABLISHED - In recognition of the goals, objectives, and policies of this SAP, the following Future Land Use districts and associated land development densities and intensities may be permitted within the SE Polk SAP as listed below. The ranges for Floor Area Ratios (FAR) and number of dwelling units per acre (du/ac) are listed in Table 2.131U-2 according to the Future Land Use designation and location in or out of the Village and Core areas. The lowest number in the table represents the FAR or density that may be achieved without any additional bonus points, implementation of special development standards, or Planned Development approvals outside the overlays. Development above the lowest number may be approved through a combination of bonus points, special development standards meeting the policies of this SAP especially Policies 2.131-UA2 and 2.131-UC5, or a Planned Development review. The maximums listed in the last two columns of Table 2.131U-2 are for development meeting all the design criteria within the Village and Core areas.

POLICY 2.131-UE3: GENERAL DEVELOPMENT CRITERIA - Development shall be permitted with this SAP as follows:

a. BASIC LAND USE CATEGORIES - Development shall be permitted for the following Future Land Use districts based on the applicable policies in the Future Land Use Element of the Comprehensive Plan:

   1. Convenience Center (CCX).

b. MODIFIED LAND USE CATEGORIES - Due to specific characteristics of this SAP, development may be more specifically defined and may vary from those allowed under the general provisions of the land use category within the Future Land Use Element of the Comprehensive Plan:

   1. Residential Low (RLX);
   2. Residential Medium (RMX);
   3. Linear Commercial Corridor (LCCX);
   4. Commercial Enclave (CEX);
   5. Agriculture/Residential-Rural (A/RRX);
   6. Residential Suburban (RSX);
   7. Rural Cluster Center (RCCX);
   8. Tourism Commercial Center (TCCX);
   9. Neighborhood Activity Center (NACX);
   10. Office Center (OCX);
   11. Business Park Center (BPCX);
   12. Industrial (INDX);
   13. Institutional (INSTX);
   14. Recreation and Open Space (ROSX); and

15. Preservation (PRESVX

16. Leisure Recreation (LRX).

Table 2.131U - 2 - Future Land Use Districts (Density/Intensity)

FUTURE LAND USE DISTRICTS[3]	MAXIMUM RANGES OUTSIDE VILLAGE AND CORE[4]		MAXIMUM RANGES IN VILLAGE AND CORE[1], [4]	
	MAXIMUM NON-RES FAR RANGES	MAXIMUM DENSITY RANGES du/ac	MAXIMUM NON-RES FAR RANGES	MAXIMUM DENSITY RANGES du/ac
1. Agriculture/Residential-Rural (A/RRX)	0.15 - 0.25	0.20 - 2.0	0.15 - 0.25[4]	1.0 - 3.0
2. Residential Suburban (RSX)	0.15 - 0.25	0.40 - 3.0[5]	0.15 - 0.25[4]	1.0 - 4.0
3. Residential Low (RLX)[6]	0.00- 0.25	1.0 - 45.0	0.15 - 0.25[4]	1.0 - 6.0
4. Residential Medium (RMX)	0.00 - 0.25	4.0 - 8.0	0.15 - 0.25[4]	6.0 - 10.0
5. Rural Cluster Center (RCCX)	0.10 - 0.30	1.0 - 2.0	0.45 - 0.60	1.0 - 4.0
6. Convenience Center (CCX)	0.25 - 0.50	n/a	0.35 - 0.50	n/a
7. Neighborhood Activity Center (NACX)	0.25 - 0.70	0.0 - 5.0	0.5 - 0.70	2.5 - 6.0[4]
8. Tourism Commercial Center (TCCX)	0.50 - 1.0	n/a	0.70 - 1.0	n/a
9. Linear Commercial Corridor (LCCX)	0.20 - 0.35	n/a	0.35 - 0.60	n/a
10. Office Center (OCX)	0.20 - 0.30	n/a	0.3 - 0.60	n/a
11. Business Park Center (BPCX)	0.75 - 1.0	n/a	0.75 -1.0	n/a
12. Industrial (INDX)	0.75 - 1.5	n/a	0.75 - 1.5	n/a
13. Commercial Enclave (CEX)	0.20 - 0.35	n/a	0.35 - 0.60	n/a/
14. Institutional (INSTX)	0.30 - 0.75	6.0 - 15.0	0.50 - 0.75	0.0 - 15.0
15. Leisure Recreation (L/RX)	0.07 - 0.25	7.0 - 10.0	0.20 - 0.35[4]	7.0 - 10.0[4]
16. Recreation and Open Space (ROSX)	0.07 - 0.25	n/a	0.15 - 0.25	n/a
17. Preservation (PRESVX)	0.0001 - 0.0001	n/a	0.0001 - 0.0001	n/a
Notes: FAR = Floor Area Ratio; PD = Planned Development;				
(1) Maximum densities in the Village and Core Areas can only be achieved if design standards are met;				
(2) Allowed with Mixed-use development;				
(3) ISR shall not exceed 0.50 for residential development and 0.60 for non-residential outside of the Village and Core Areas;				
(4) Except for parcels within the Ridge Scenic Highway Overlay District.				
(5) Maximum Density Permitted outright in the RSX will be 0.40 if the parcel is 5 acres or smaller				
(6) Maximum Densities permitted in the RLX Land Use Designation outside and within the Village and Core range from 1 to 5 and from 1—6 respectively based on the Land Use District as identified in the Land Use District Map of the Polk County Land Development Code.				

POLICY 2.131-UE4: DEVELOPMENT CRITERIA FOR MODIFIED FUTURE LAND USE DISTRICTS - Land within the Modified Future Land Use districts permitted within the SE Polk SAP shall be developed in accordance with the densities/intensities described in Table 2.131U - 2. Additionally to promoting walkability and the use of transit, and requiring that development adjacent to conservation, preservation and agricultural uses be placed in a manner to reduce impacts to those areas, the following criteria be implemented within each land use district:

A. AGRICULTURE RESIDENTIAL RURAL (A/RRX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to A/RR districts within this SAP:

1. Farm Worker Housing, Barrack Style shall be permitted within A/RRX Future Land Use districts through an administrative and technical review as long as conditions of such use listed in Section 303 of the Land Development Code are met.

2. Development rights may be transferred from properties within A/RRX districts designated on the SE Polk SAP Vision Map as "sending areas" to any Future Land Use district that permits residential or mixed use development that is located within an area designated as a "receiving" area.

B. RESIDENTIAL SUBURBAN (RSX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to RSX districts within this SAP:

1. Residential uses shall be permitted at a maximum density of one dwelling unit per two and one-half acres (1 du/2.5 ac or 0.40 du/a) through an administrative and technical review for parcels five (5) acres or less existing as of the effective date of this SAP; Five acre parcels created after the effective date of adoption of this SAP will need approval via a Suburban Plan Development to be further subdivided.

2. Centralized sewer services may be extended into RSX districts without approval from the Board of County Commissioners.

C. RURAL CLUSTER CENTER (RCCX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, mixed uses shall be encouraged in RCCX districts through incentives including but not limited to expedited reviews and project approval through administrative and technical reviews;

D. RESIDENTIAL LOW (RLX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to RLX districts within this SAP:

1. Outside the Village and Core, residential uses shall be permitted, consistent with Section 2.119, Future Land Use Element, in compliance with all other requirements of this SAP.

2. Inside the Village and Core, residential uses shall be permitted at a maximum density of six dwelling unit per acre (6 du/ac) in compliance with all other requirements of this SAP.

E. RESIDENTIAL MEDIUM (RMX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to RMX districts within this SAP:

1. Outside the Village and Core, residential uses shall be permitted at a maximum density of eight dwelling units per acre (8 du/ac) in compliance with all other requirements of this SAP.

2. Inside the Village and Core, residential uses shall be permitted at a maximum density of ten dwelling unit per acres (10 du/ac) in compliance with all other requirements of this SAP.

F. TOURISM COMMERCIAL CENTER (TCCX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to TCCX districts within this SAP:

1. Agritourism and ecotourism (as defined in the Land Development Code) shall be encouraged within TCCX districts in the SE Polk SAP;

2. Development occurring within TCCX districts adjacent to environmental lands and/or water bodies shall be placed on site in such a manner to reduce the effects of light, noise, and odors that may adversely impact such areas; and

3. Development within TCCX districts that highlights or complements the rural character of communities and/or unique environmental qualities of the SE Polk SAP shall be encouraged.

G. NEIGHBORHOOD ACTIVITY CENTER (NACX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, mixed uses shall be encouraged in NACX districts through incentives including but not limited to expedited reviews and project approval through administrative and technical reviews.

H. OFFICE CENTER (OCX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to OCX districts within this SAP:

1. Location criteria - OCX districts shall have frontage on collector or arterial roads and be located within one (1) mile of an intersecting collector or arterial roadway; and

2. Design standards that promote transit, walkability, connectivity, and architectural consistency with existing development shall be developed in the Land Development Code.

I. BUSINESS PARK CENTER (BPCX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to BPCX districts within this SAP:

1. Business Park Centers shall be encouraged in locations consistent with those areas designated as "Business Commercial" on the SE Polk SAP Vision Map;

2. Location criteria - BPCX districts shall have frontage on and direct access to arterial or collector roads within a one-half (½) mile of an intersecting arterial or collector roadway;

3. Residential development is not a permitted use within BPCX districts (regardless of sub-district) located within the SE Polk SAP, except for security residences as permitted by Section 206.B of the Land Development Code;

4. All BPCX districts, regardless of the sub-district, shall be required to screen outdoor storage from off-site view;

5. Additional buffering standards will be established in the Land Development Code for development adjacent to conservation, preservation, and residential districts; and

6. Development occurring in these districts shall promote transit when applicable.

J. INDUSTRIAL (INDX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to INDX districts within this SAP:

1. Industrial districts shall be encouraged to develop in locations consistent with those areas designated as Village Centers on the SE Polk SAP Vision Map;

2. Location criteria - INDX districts shall have frontage on and direct access to arterial or collector roads within a one-half (½) mile of an intersecting arterial or collector road.

3. All development within INDX districts shall be required to screen outdoor storage from off-site view;

4. Development occurring within INDX districts that are adjacent to conservation or preservation areas shall be placed on site in such a manner to reduce impacts to such areas; and

5. Additional buffering standards will be established in the Land Development Code for development adjacent to conservation, preservation, and residential districts.

K. INSTITUTIONAL (INSTX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, environmental educational uses and ecotourism shall be promoted within INSTX Future Land Use districts within this SAP.

L. RECREATION AND OPEN SPACE (ROSX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to ROSX districts within this SAP:

1. In addition to providing recreational areas and facilities to the general public, ROSX districts within the SE Polk SAP shall also serve as districts that preserve open space.

2. Agricultural uses shall be encouraged in ROSX districts as a means to preserve open space and promote connected corridors.

3. Recreational, High Intensity uses shall not be permitted in ROSX districts within the SE Polk SAP.

4. Nature-based uses/activities and environmental education shall be encouraged in ROSX districts.

5. Controlled burns and other land management techniques shall be permitted with these districts to effectively manage natural areas.

6. Parks and open space facilities existing prior to residential or non-residential development on adjacent property(ies) shall not be hindered by such development. In order to prevent compatibility issues that may result from activities such as spraying and burning, residential development will be required to be placed on site in such a manner to provide adequate spacing and buffering from adjacent preservation and conservation uses.

M. PRESERVATION (PRESVX) - In addition to applicable provisions in the Future Land Use Element of the Comprehensive Plan, the following provisions shall apply to PRESVX districts within this SAP:

1. Nature-based uses/activities and environmental education shall be encouraged in PRESVX districts.

2. Agricultural uses shall be permitted in PRESVX districts as a means to preserve open space and promote connected corridors.

3. Controlled burns and other land management techniques shall be permitted with these districts to effectively manage natural areas.

Preservation Areas existing prior to residential or non-residential development on adjacent property(ies) shall not be hindered by such development. In order to prevent compatibility issues that may result from activities such as spraying and burning, residential development will be required to be placed on site in such a manner to provide adequate spacing and buffering from adjacent preservation and conservation uses.

APPENDIX 2.132 CRITICAL AREA RESOURCE MANAGEMENT PLAN

SECTION 2.132 CRITICAL AREA RESOURCE MANAGEMENT PLAN.

In 1974, the Florida Legislature designated the Green Swamp Area of Critical State Concern. The area consists of approximately 322,690 acres with portions lying in northern Polk and southern Lake Counties. The designation recognizes its valuable hydrologic functions and the need to specifically regulate encroaching development that imperils these functions. The Floridan Aquifer reaches its highest elevation within the Green Swamp, providing groundwater pressure to help maintain free-flowing springs, rivers, and abundant high quality drinking water. Additionally, the wetlands in the swamp coalesce to form the headwaters of four major rivers in central Florida: The Withlacoochee, Oklawaha, Peace, and Hillsborough Rivers. The Peace and Hillsborough Rivers are potable water sources for large population centers such as Tampa and Sarasota, and the Oklawaha, Withlacoochee and Hillsborough Rivers are designated Outstanding Florida Waters. The wetlands in the Green Swamp retain the seasonal flood for extended periods of time beyond the rainy season which reduces peak flows and flooding, increases aquifer recharge, and helps maintain seasonal river levels. The flatwoods and sandhill uplands that exist throughout the swamp provide moderate to high recharge to the aquifer. Moreover, within some areas of the western portion of the swamp, the limestone aquifer outcrops to the surface of the land, making it susceptible to pollution. For the reasons noted, the Green Swamp is considered an important hydrological area second only to that of the Everglades.

STATEMENT: The Critical Area Resource Management Plan is comprised of the Green Swamp Area of Critical State Concern as designated by the State Legislature. The following policies are intended to comply with statutory requirements.

OBJECTIVE 2.132: Development within the Critical Area Resource Management Plan 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 standard, the more stringent shall apply.

SECTION 2.132-A GENERAL PROVISIONS.

POLICY 2.132-A1: DESIGNATION AND MAPPING - The Critical Area Resource Management Plan is established as designated on the Future Land Use Map Series and is the Green Swamp Area of Critical State Concern. Development-Areas and land use categories shall be designated on the Critical Area Resource Management Plan Maps which are included as part of the Future Land Use Map Series.

POLICY 2.132-A2: SPECIAL PROTECTION AREAS ESTABLISHED AND MAPPED - The following special protection areas shall be designated and mapped on the Polk County Future Land Use Map Series in accordance with the criteria established within Sections 2.132-B, 2.132- C, and 2.132-D on the Future Land Use Map Series:

a. Ridge Area Special Protection Area (RIDGE-SPA).

b. Polk City/Urban Growth Special Protection Area (PC-SPA).

c. Rural Special Protection Area (RURAL-SPA).

POLICY 2.132-A3: TRANSIT SUPPORTIVE DEVELOPMENT AREA DENSITY AND INTENSITY - For those areas of the County located within the Green Swamp Area of Critical State Concern and that are in the Transit Supportive Development Areas (TSDA), if there is a conflict between the density or intensity incentives established in Policy 2.104-A7 for the TSDA or the Transit Corridors and Centers Overlay (TCCO) and the densities and intensities

established within the CARMP, the densities and intensities of the TSDA or TSDA with the TCCO shall take precedence. However, where the development criteria established within this Management Plan are more stringent than the development criteria found within the TSDA or TSDA with the TCCO, the development criteria of this Management Plan shall take precedence.

SECTION 2.132-B RIDGE SPECIAL PROTECTION AREA (RIDGE-SPA).

POLICY 2.132-B1: DESCRIPTION AND MAPPING - The Future Land Use Map Series shall designate and map the Ridge Area Special Protection Area.

POLICY 2.132-B2: DEVELOPMENT AREAS - The RIDGE-SPA shall have the following Development Areas as depicted on the County's Development Area Map:

a. Transit Supportive Development Area.

b. Urban-Growth Area.

POLICY 2.132-B3: LAND-USE CATEGORIES - The following land-use categories shall be permitted within the RIDGE-SPA except that the activity centers listed below in the Ridge SPA shall be located at the intersection of arterials and collectors or two arterials:

A. Activity Centers:

1. Business-Park Center[1] X (BPCX).
2. Tourist Commercial Center[1] X (TCCX).
3. Town Center (TC).
4. Office Center[1] X (OCX).
5. Employment Center[1] X (ECX).
6. Neighborhood Activity Center (NACX).
7. Professional Institutional[1] X (PIX).
8. Community Activity Center[1] X (CACX).
9. Regional Activity Center [1]X (RACX).

b. Residential:

1. Residential-Low (RL).
2. Residential-Medium (RM).
3. Residential-High (RH).

c. Other:

1. Linear Commercial Corridor (existing) (LCC).
2. Commercial Enclave (existing) (CE).
3. Leisure/Recreation (L/R).
4. Institution (INST).

[1] Modified - see Policy 2.132-B4.

5. Recreation and Open Space (ROS).

6. Preservation (PRES).

7. Industrial 1X (INDX).

POLICY 2.132-B4: MODIFIED LAND USES - Development which occurs within the Business-Park Center X or within the Tourist Commercial Center X shall comply with the provisions of Section 2.110-G and 2.110-I of the Comprehensive Plan and shall comply with the following provisions:

A. With the exception of general construction activities, facilities engaged in industrial activities, as defined in EPA's National Pollution Discharge and Elimination System for Stormwater Associated with Industrial Activity (NPDES) (Chapter 40, CFR Part 122), shall not be permitted. In addition, the following activities are prohibited:

   1. petroleum pipelines,

   2. wholesale chemical operations,

   3. petroleum related industries and fuel dealers (with the exception of gas stations which may be permitted),

   4. dry cleaning plants, and

   5. chemical research operations.

B. General construction activities may be permitted. However, prior to the County issuing a development permit, the County will require all such activities, regardless of threshold exemptions, to provide evidence that the criteria within the following permit requirements have been met: EPA's NPDES, State and regional water management district stormwater criteria for preventing erosion and sediment from being discharged offsite (Rule 17- 25.025(7)), as well as the Pollution Source Control on Construction Sites requirements specified in Stormwater BMP 2.04 of the Florida Development Manual (DEP, 1988, Chapter 6).

POLICY 2.132-B5: MODIFIED SPECIAL USES - Residentially-based, Mixed-Use Developments shall meet the standards listed in Policies 2.125-H1 and 2.125-H2, with the exception of Policy 2.125-H1(b)(2). Commercial uses within a Residentially-based, Mixed-Use Development shall meet the minimum population support, market area radius, and spacing criteria for a Convenience Center (CC) but in no instances shall non-residential uses exceed those listed below:

a. Permitted Commercial Uses:

   1. The personal service shop - hairstyling, tailoring, and shoe repair.

   2. General retail of a small scale such as bakeries, hardware stores, convenience stores excluding gasoline services.

   3. Business or professional offices - real estate, insurance, travel agency, medical, dental, and veterinary offices, banks and other financial institutions minus the drive-in window.

b. Encouraged quasi-commercial, civic, and institutional uses:

   1. studios for art, dance, music, and photography.

   2. churches and day-care centers.

   3. neighborhood libraries and post offices.

   4. a village common.

POLICY 2.132-B6: SPECIAL USES - The following special uses are prohibited or limited within the RIDGE-SPA:

a. Transitional Areas are prohibited.

b. Non-Certified Electric-Power Generation Facilities are prohibited.

c. Type E Community Facilities, as specified in the Land Development Code, may be approved with certain conditions, parameters, and limitations which may include a Conditional Use review according to the following:

1. Passive and active recreational uses not requiring the use of motorized vehicles or field lighting and not likely to attract a large attendance may be allowed in all Future land use designations.

2. Active recreation facilities with field lighting, event level attendance, motorized vehicles, with incidental concession sales and informal instructions may be allowed in all Future Land Use designations with approval of a Conditional Use or functional equivalent except that Golf Courses may only be allowed in land uses consistent with Policy 2.132-B10.

3. Recreational uses dependent on continual retail sales of products and services may only be allowed in non-residential districts.

d. Solid Waste Management Facilities are prohibited.

POLICY 2.132-B7: OVERLAY DISTRICTS - All overlay districts shall be permitted within RIDGE-SPA in accordance with applicable criteria.

POLICY 2.132-B8: EXISTING SAPS - As of the adoption of this CARMP, there were two existing SAPs (CR 54/Loughman SAP and North 27 SAP) and a SAP (North Ridge SAP) adopted after the CARMP located, in part, within the Ridge-SPA. If there is a conflict between the land uses established in the SAPs and the land uses established within the CARMP, the land uses of the SAP shall take precedence. However, where the development criteria established within this Management Plan are more stringent than the development criteria found within the SAP, the development criteria of this management plan shall take precedence.

POLICY 2.132-B9: DENSITY BONUSES - Density bonuses are used in the CARMP to encourage development designs consistent with the intent of the plan. These extra criteria will allow for higher densities and shall at a minimum address the following:

a. Public infrastructure such as public safety sites, sidewalks above the required, and right-of-way dedication;

b. Flexible subdivision design through internal street lighting, vertical and mixed development, varying lot sizes, access management, and providing landscaping and open space above the required;

c. Alternative transportation opportunities such as vehicular and pedestrian interconnectivity, internal capture of vehicular trips, curb and gutter, providing connector roads from one public road to another rather than a local road, connecting residential and commercial centers via sidewalks;

d. Internal recreation facilities, and connection to public recreation facilities via sidewalks; and

e. Increased protection for wetlands, and uplands.

f. Preservation or conservation easements for native vegetative communities.

POLICY 2.132-B10: DEVELOPMENT CRITERIA - Development within the RIDGE-SPA shall conform to the following:

a. Residential development shall not exceed a gross density per parcel of eight dwelling units per acre, within the RL land use category. Residential development within the US 27 SAP and North Ridge SAP shall be as adopted. Development of the RM parcels shall be subject to the following restrictions:

1. Commercial development shall be prohibited unless permitted in conjunction with a Residentially-based, Mixed-Use Development. If a Residentially-based, Mixed-Use development is approved, then commercial restrictions shall be as set forth in the Ridge-SPA.

2. Consistent with the objectives and goal of making shorter the average daily trip lengths, and the goal of providing affordable housing in close proximity to places of employment and major transportation corridors, residential development within the RM parcel shall be allowed as follows:

   (a) Up to or equal to 15 units per acre, providing the development meets the terms and conditions of this CARMP and the comprehensive plan as well as the required density bonus points listed within the Land Development Code.

3. New septic tanks on parcels one acre or smaller are required to utilize an Enhanced Nutrient Reduction System within the Nutrient Restoration Plan Overlay consistent with Section 2.124-J and the Land Development Code if sewer is not available.

b. Development of RH parcels shall be subject to the following restrictions:

   1. Commercial development shall be prohibited unless permitted in conjunction with a Residentially-Based, Mixed-Use Development or a Residentially-Based Mixed-Use Structure. If a Residentially-based, Mixed-Use Development or Residentially-Based, Mixed-Use Structure is approved, then commercial restrictions shall be as set forth in the Ridge-SPA and the North US 27 SAP.

   2. Consistent with the objectives and goal of making shorter the average daily trip lengths, and the goal of providing affordable housing in close proximity to places of employment and major transportation corridors, residential development within the RH parcel shall be allowed a maximum of 20 du/ac, providing the development meets the terms and conditions of this CARMP and Comprehensive Plan.

c. Golf courses shall be considered to be recreational and commercial in nature and shall be permitted in the following land uses:

   1. Tourist Commercial Center [2]X (TCCX).
   2. Leisure/Recreation (L/R).
   3. Recreation and Open Space (ROS).
   4. Residential-Low (RL).
   5. Residential-Medium (RM).

d. Development shall comply with the following Open Space (OS) and Impervious Surface Ratio (ISR) Standards:

   1. All residential development must provide a minimum open space set-aside of no less than 30% of total land area.
   2. Single-family lots shall not exceed an impervious surface ratio of 50% unless the lots are within a master planned residential community which maintains an overall Impervious Surface Ratio of 50%.
   3. Commercial development within Residentially-based Mixed-Use projects shall not exceed an impervious surface ratio of 60% unless the lots are within a master planned residential community which maintains an overall Impervious Surface Ratio of 50%.

[2] Modified - see Policy 2.132-B4.

4. Development within the TC, BPC, EC, LCC, CE, NAC, CAC, RAC, TCC, PI, and IND land use categories shall not exceed an impervious surface ratio of 70% for the entire project.

POLICY 2.132-B11 GREENWAY CORRIDOR - The Greenway Corridor on the Future Land Use Map indicates land within the US 27, CR 54, North Ridge SAPs, and the Ridge SPA bordering the CORE area of the Green Swamp Area of Critical State Concern as a Greenway Corridor, and as further defined in this section, shall be developed pursuant to the following:

a. PURPOSE - The Greenway Corridor is intended to become a linear, meandering preservation/conservation and wildlife corridor bordering the Green Swamp CORE and Ridge Special Protection Area. This area will serve as a buffer with no development permitted within this area. This buffer area shall connect to the Greenway Corridor that is required as part of the Ridge SPA and Rural SPA and shall remain undisturbed except for the accommodation of pedestrian/bicycle traffic, underground utilities, and limited access. This corridor shall be a minimum of 50 feet wide on each side of the boundary between the CORE land use district and the Ridge Special Protection Area.

   1. IMPLEMENTATION METHODS - The Greenway Corridor shall be created as follows:

   2. New development and redevelopment bordering the CORE land use district shall designate 50 feet on both sides of the boundary as a conservation easement for the Greenway Corridor.

b. Developments located along the Greenway Corridor shall be required to locate other recreation amenities and stormwater retention areas adjacent to the corridor in order to further enhance. All retention areas shall be designed in a manner that minimizes disturbance to the land.

SECTION 2.132-C POLK CITY/URBAN GROWTH SPECIAL PROTECTION AREA (PC-SPA).

POLICY 2.132-C1: DESCRIPTION AND MAPPING - The Future Land Use Map Series shall designate and map the Polk City/Urban Growth Special Protection Area as that area of the Green Swamp Area of Critical State Concern which is located between the cities of Polk City and Lakeland and is further defined as being those areas which are depicted on the County's Development Area Maps as Urban-Growth Area, Utility-Enclave Area and Suburban-Development Area.

POLICY 2.132-C2: DEVELOPMENT AREAS - The PC-SPA shall have the following Development Areas as depicted on the County's Development Area Map:

a. Urban-Growth Area.

b. Utility-Enclave Area.

c. Suburban-Development Area.

POLICY 2.132-C3: LAND-USE CATEGORIES - The following land-use categories shall be permitted within the PC-SPA:

a. Activity Centers:

   1. Business-Park Center [3]X (BPCX).

   2. Convenience Center (CC).

   3. Office Center (OCX).

B. Residential:

[3]Modified - see Policy 2.132-B4.

1. Residential-Suburban [4]X (RSX).
2. Residential-Low[1] (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).

POLICY 2.132-C4: MODIFIED LAND USES - Development which occurs within the Business-Park Center X shall comply with the provisions of Section 2.110-G of the Comprehensive Plan and shall comply with the following provisions:

a. With the exception of general construction activities, facilities engaged in industrial activities, as defined in EPA's National Pollution Discharge and Elimination System for Stormwater Associated with Industrial Activity (NPDES) (Chapter 40, CFR Part 122), shall not be permitted. In addition, the following activities are prohibited:

1. petroleum pipelines,
2. wholesale chemical operations,
3. petroleum related industries and fuel dealers (with the exception of gas stations which may be permitted),
4. dry cleaning plants, and
5. chemical research operations.

b. General construction activities may be permitted. However, prior to the County issuing a development permit, the County will require all such activities, regardless of threshold exemptions, to provide evidence that the criteria within the following permit requirements have been met: EPA's NPDES, State and regional water management district stormwater criteria for preventing erosion and sediment from being discharged offsite (Rule 17- 25.025(7)), as well as the Pollution Source Control on Construction Sites requirements specified in Stormwater BMP 2.04 of the Florida Development Manual (DER, 1988, Chapter 6).

POLICY 2.132-C5: MODIFIED SPECIAL USES - Residentially-based Mixed-Use Developments shall meet the standards listed in Policies 2.125-H1 and 2.125-H2, with the exception of Policy 2.125-H1(b)(2). Commercial uses within a Residentially-based, mixed-use development shall meet the requirements for commercial development under Policy 2.132-B5.

POLICY 2.132-C6: SPECIAL USES - The following special uses are prohibited or limited within the PC-SPA:

a. Transitional Area are prohibited.
b. Special Residential are prohibited.
c. Non-Certified Electric-Power Generation Facilities are prohibited.

[4]Modified - see Policy 2.132-B4.

d. Type E Community Facilities, as specified in the Land Development Code, may be approved with certain conditions, parameters, and limitations which may include a Conditional Use review according to the following:

1. Passive resource-based recreational sites, and leisure recreation activities not requiring the use of motorized vehicles or field lighting and not likely to attract a large attendance may be allowed in all Future land use designations.

2. Golf Courses may only be allowed in land uses consistent with Policy 2.132-C8.

3. Recreational uses shall be limited within the Preservation Future Land Use designation per Section 2.118 as there are guiding standards within this land use.

e. Solid Waste Management Facilities are prohibited.

POLICY 2.132-C7: OVERLAY DISTRICTS - All overlay districts shall be permitted within PC-SPA in accordance with applicable criteria.

POLICY 2.132-C8: DEVELOPMENT CRITERIA - Development within the PC-SPA shall conform to the following:

a. Golf courses shall be considered to recreational and commercial in nature and shall be permitted in the following land uses:

1. Leisure/Recreation.

2. Recreation and Open Space.

3. Residential-Low.

4. Residential-Suburban.

b. Residential densities shall be modified as follows:

1. Densities within the PC-SPA shall not exceed a gross density per parcel of 3 dwelling units per acre.

2. Within the PC SPA the use of septic tanks shall only be permitted within the SDA. If septic tanks are to be utilized, the maximum net density shall be 1 dwelling unit per 40,000 square feet. New septic tanks on parcels one acre or smaller are required to utilize an Enhanced Nutrient Reduction System within the Nutrient Restoration Plan Overlay consistent with Section 2.124-J and the Land Development Code if sewer is not available.

c. Development shall comply with the following Open Space (OS) and Impervious Surface Ratio (ISR) standards:

1. All residential development shall provide a minimum open space set-aside of no less than 30% of total land area unless the lots are within a master planned residential community that maintains an overall ISR of 50% and 30% set-aside for open space.

2. Single family lots shall not exceed an impervious surface ratio of 50% unless the lots are within a master planned residential community that maintains an overall ISR of 50% and 30% set-aside for open space.

3. Commercial development shall not exceed an impervious surface ratio of 60%.

4. Development within the BPC shall not exceed an impervious surface ratio of 70%.

POLICY 2.132-C9: Municipalities or other entities may apply for a Comprehensive Plan Amendment to exchange the SDA designation to TSDA, UGA, or UEA if the following are met:

a. They demonstrate they have the capacity at existing central regional sewer plants to provide service for the area, or they demonstrate through a capital improvements plan that within a ten year (TSDA) or twenty-year (UGA) period they will have capacity in a central regional sewer plant to provide service for the area; and

b. An interlocal agreement (or similar conveyance) is in place which indicates that the municipality or entity will commit to serve to the area.

POLICY 2.132-C10: Sewer may be extended into the Suburban Development Area to serve existing or previously approved development that meets the following standards:

a. The development has:

   1. entered into a settlement agreement or developer's agreement with ~~DCAFloridaCommerce~~Florida Commerce, and

   2. received a Vested Rights Special Use Permit from Polk County, or

   3. received Engineering Services and Planning Division approval of Engineering Plans prior to the adoption date of this policy;

b. The developer pays all costs of line extensions, including oversizing, and capacity to serve the development;

c. The provider is a municipal or county facility; and

d. Within the Nutrient Restoration Plan Overlay areas.

The allowed density of land adjacent to the sewer lines remains the same as allowed under Section 2.132 A.

SECTION 2.132-D RURAL SPECIAL PROTECTION AREA (RURAL-SPA).

POLICY 2.132-D1: DESCRIPTION AND MAPPING - The Future Land Use Map Series shall designate and map the Rural Special Protection Area as all the unincorporated areas within the Green Swamp Area of Critical State Concern located within Polk County which is not located within RIDGE-SPA or PC-SPA.

POLICY 2.132-D2: DEVELOPMENT AREAS - The RURAL-SPA shall incorporate the Rural-Development Area as depicted on the County's Development Area Map.

POLICY 2.132-D3: LAND-USE CATEGORIES - The following land-use categories shall be permitted within the RURAL-SPA:

a. RESIDENTIAL: Agriculture/Residential-Rural [5]X (A/RRX).

b. OTHER:

   1. Institution (INST).

   2. Leisure/Recreation (L/R).

   3. Recreation and Open Space (ROS).

   4. Preservation (PRES).

   5. Commercial Enclave (CE).

[5]Modified - see Policy 2.132-B4.

6. Conservation-Core (CORE).

X Modified - See Policy 2.132-D5.

POLICY 2.132-D4: CONSERVATION-CORE LAND USE - Within this Management Plan a land use category of "Conservation-Core" (CORE) is created. This land use district includes the most ecologically sensitive and intact natural resources in the Green Swamp Area of Critical State Concern as described in this first section of this CARMP, and it shall establish additional standards to protect water quantity and quality and wildlife habitat in this land use. Within the Conservation-Core land-use category, residential development may occur at up to one dwelling unit per twenty acres (1 DU/20 AC). Measurement of density shall include to the centerline of a local and collector roads. Twenty acres is one 32nd (1/32) of the size of a section. Measurement of the 20 acres per unity density may also be relative to the size of the Section for which the property lies when the Section is less than 640 acres. Density may be transferred to the upland portion of the site from the wetlands at a ratio of one dwelling unit per twenty acres (1 DU/20 AC).

The Future Land Use Map series depicts the boundary of the CORE. The eastern boundary of the CORE was revised based on a 2015 study entitled "Defining the Eastern Boundary of the CORE Land Use Designation" which is incorporated into this Policy and Plan by reference. The study evaluated the science and purpose of the eastern boundary location.

POLICY 2.132-D5: MODIFIED LAND USES - Within this Management Plan the development criteria of Policy 2.121-A2 applies with the exception of Policy 2.121-A2:a and that Rural Mixed-Use Developments and Rural Residential Developments are prohibited.

POLICY 2.132-D6: SPECIAL USES - The following special uses are prohibited or limited within the Rural-SPA:

a. Transitional Area is prohibited.

b. Special Residential are prohibited.

c. Non-Certified Electric-Power Generation Facilities are prohibited.

d. Type E Community Facilities are limited, as specified in the Land Development Code; additionally:

   1. Motorized recreation is prohibited except when providing access for disabled persons and boat access for non-competitive recreation.

   2. Golf courses are prohibited in the Rural SPA.

   3. Recreational uses shall be limited within the CORE and Preservation Future Land Use designation as listed in the CARMP, and per Section 2.118 as there are guiding standards within this land use.

e. Solid Waste Management Facilities are prohibited.

POLICY 2.132-D7: OVERLAY DISTRICTS - All overlay districts shall be permitted within Rural-SPA in accordance with applicable criteria.

POLICY 2.132-D8: DEVELOPMENT CRITERIA - Development within the Rural-SPA shall conform to the following:

a. The following residential densities shall apply within the A/RRX:

   1. One dwelling unit per ten acres (1 DU/10 AC).

   2. Wetland density shall be transferred to uplands.

   3. Measurement of density shall include the centerline of local and collector roads. Ten acres is on 64th (1/64) of the size of a section. Measurement of 10 acres per unit density may also be relative to the size of the Section for which the property lies when the Section is less than 640 acres.

b. The impact of golf courses in the Rural-SPA shall be studied. If it is determined golf courses can be operated without significant degradation of surface or groundwater, then the plan shall be amended to permit golf courses upon such conditions as are appropriate, including a limitation on the use of chemical pesticides and non-organic fertilizers.

c. Golf Courses are expressly prohibited from the Conservation-Core.

d. New roads (designed and built after the adoption of this Management Plan) within the RURAL-SPA shall be subject to the following:

1. New roads, unless determined to be necessary for the health or safety of the general population, shall not be constructed by the public nor shall public funds be used for the construction of new roads.

2. The County shall not utilize public dollars to maintain new private roads. A maintenance agreement and/or a taxing district may be established by the developer /~~land owners~~ landowners association and the County to maintain the roads at private expense.

3. New subdivision roads shall be required to meet County construction standards.

4. The County's Land Development Code shall address minimizing the crossing of new roads over rivers and major named tributaries. Construction of new roads over rivers and major tributaries shall be required to:

a. minimize adverse impacts to water quality,

b. prevent adverse impacts to the free flow of water through natural channels, and

c. prevent the creation of major obstacles to the movement of aquatic and wetland ~~dependant~~ dependent species.

e. Unless determined to be a health and/or safety issue, the County shall place the paving of roads within the RURAL-SPA as the lowest paving priority for the County. This shall not be construed to include the maintenance of roads already paved in this area.

f. The vegetative communities and habitat found in the RURAL-SPA shall be protected by requiring:

1. development which is started on or after the adoption of this Management Plan shall be required to conserve (no structures to be built in this area) at least 80% of the land within the A/RR land use category and at least 90% of the land within the Core-Conservation land use category. This shall be accomplished by indicating on the plat:

(a) that portion of the land which is to be conserved, and

(b) clearly stating on the plat that no clearing and no structures of any kind, except for family agricultural purposes, are to placed in this area.

2. for land which is being subdivided, clustering is encouraged by:

(a) permitting lots as small as 40,000 sq. ft., as long as the overall gross density of is not exceeded, and

(b) permitting the reservation to occur outside of the individual lots. Privately owned lakes shall receive 100% credit toward meeting the open space requirement of this policy.

3. lots which were created prior to the adoption of this Management Plan which are less than five acres in size and have direct access onto a County-approved road shall be permitted to construct one house.

g. In the Rural Special Protection Area of the Green Swamp Area of Critical State Concern Recreation and Open Space may not include the following:

1. Motorized Recreation except when providing access for disabled persons and boat access for non-competitive recreation;

2. Recreation activities that produce large crowds;

3. Facilities with lighting that accommodates nighttime use.

h. New septic tanks on parcels one acre or smaller are required to utilize an Enhanced Nutrient Reduction System within the Nutrient Restoration Plan Overlay consistent with Section 2.124-J and the Land Development Code if sewer is not available.

POLICY 2.132-D9: PDR PROGRAM

POLICY 2.132-D10: E.R. Jahna Ranch Sand Mine Settlement Agreement - This Comprehensive Plan Settlement Agreement and related agreements are recognized by being recorded in O.R. Book 4137, Pages 1143 through 1171, inclusive; 1172 through 1183, inclusive; and 1184 through 1197, inclusive, are hereby made a part of and incorporated by reference in their entirety and part of the Public Records of Polk County, Florida.

SECTION 2.132-E GENERAL DEVELOPMENT CRITERIA.

STATEMENT: The following policies apply to development occurring throughout Critical Area as defined by this Management Plan.

POLICY 2.132-E1: FLOODPLAINS - Development within a "Floodplain-Protection Area," as defined in Section 2.123-B, shall conform to the development criteria listed in Policy 2.123-B2(b) and (c) and conform to the following criteria:

a. Development shall locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas, under the same ownership, within the same platted subdivision, provided:

1. residential densities shall be transferred from the 100-year floodplain to the area outside the 100-year floodplain based on a density of 1 dwelling unit per 10 acres (1 DU/10 AC); and

2. such transfer does not result in lot sizes, or areas per dwelling unit, less than 65% of that required by the County's land development regulations (the minimum lot/area size shall be exclusive of the floodplain area) with lots in the SDA and RDA no less than 40,000 sq. ft.

b. If, within a parcel, there is no land located outside the 100-year floodplain, then the highest density allowed would be 1 dwelling unit per 20 acres (1 DU/20 AC).

c. No parcel shall be created after December 1, 1993, which consists entirely of 100-year floodplains, unless accompanied by a deed restriction which prohibits any future development on the parcel.

d. The development criteria listed in Policy 2.132-E1 (a), (b) and (c), above, shall be included in the County's Land Development Code.

e. A detailed flood insurance study shall be performed for all subdivision proposals and other proposed development which have five (5) acres or more in the 100-year floodplain. The construction of a single-family residence on a parcel of land containing five (5) or more acres which is not part of a subdivision or which is part of a subdivision in existence on the effective date of this plan is exempt from this requirement. Phases of a larger development, if the larger development meet the five (5) acre criterion, are not exempt from this requirement. If existing subdivisions are proposed for replatting, the replatted portion shall be required to comply with this requirement if the replatted portion meets the five (5) acre criterion. Subdivisions which contain 10 lots or less shall be exempt from these

requirements. The study shall be performed in accordance with the Flood Insurance Study Guidelines and Specifications for Flood Contractors (FEMA Publication 37).

POLICY 2.132-E2: WETLAND DEVELOPMENT CRITERIA - Development 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. Development in wetlands is prohibited with the following exceptions:

   1. If all beneficial use of land is precluded due to wetland restrictions, then only 1 dwelling unit can be developed on the property. No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits any future development on the parcel.

   2. Where impacts to wetlands cannot be avoided, impacts shall be minimized and shall be mitigated by wetland compensation or wetland enhancement. Where impacts to wetlands are unavoidable and when properly mitigated, as determined by agencies having jurisdiction, after the issuance of a development order, the following shall be allowed:

      (a) access to the site;

      (b) internal traffic circulation, where other alternatives do not exist, and for purposes of public safety;

      (c) utility transmission and collection lines;

      (d) pre-treated storm-water management;

      (e) mining that meets state and federal regulations; and

      (f) for the purpose of preventing all beneficial use of the property from being precluded, as provided by Policy 2.132-E2.a.1.

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

c. Where impacts to wetlands cannot be avoided, all permits for an agency with jurisdiction shall be approved prior to the County issuing a final development order. An "intent to issue a final development order" may be issued in writing prior to the issuance of said order if pre-approval is required by an agency with jurisdiction.

d. Development regulations shall permit residential densities to be transferred from wetland areas to contiguous non-wetland areas within the same development subject to the following:

   1. Residential densities shall be transferred from wetland areas to non-wetland areas at a density of one dwelling unit per 20 acres (1 DU/20 AC). Wetlands shall be shown as preservation areas on the plat and it shall be noted that the wetlands shall be retained in their natural and unaltered state.

   2. All such transfers of density shall:

      (a) be to contiguous property under the same ownership or control;

      (b) only be permitted within a subdivision platted and developed in accordance to the County's Land Development Code;

      (c) not result in lot sizes per dwelling unit less than 14,500 sq. ft. in the TSDA, UGA, and UEA. The minimum lot size in the SDA and RDA shall be 40,000 sq. ft. the minimum lot/area size shall be exclusive of the wetland area; and

(d) be noted on the face of the final plat as a restrictive covenant enforceable by the Board of County Commissioners.

3. Wetlands shall be maintained in their natural and unaltered state. However, controlled burns, selective thinning, and ecosystem restoration and maintenance are permissible activities within the wetlands, provided they are performed in accordance with current Silviculture Best Management Practices published by the Division of Forestry. Any isolated wetlands of less than one acre shall be exempt from these requirements.

POLICY 2.132-E3: PROTECTION OF LISTED SPECIES - To protect listed species (fauna and flora identified by the US Fish and Wildlife Service (USFWS) and/or the Florida Game and Freshwater Fish Commission (FGFWFC) as being endangered, threatened, and/or species of special concern), the County shall do the following:

a. The County shall require that any residential development consisting of 100 acres or more, more than 10 lots, or any non-residential development in excess of five (5) acres, shall be required to conduct a study for listed species. If it is determined that listed species are located on the site, a habitat management plan must be prepared using guidelines and protocols of the FGFWFC and/or USFWS. The County must receive a letter from FGFWFC stating that the proposed Management Plan meets and/or exceeds the standards placed on Management Plans by the FGFWFC.

b. ~~By July 1, 1994, t~~The County shall contact the FGFWFC and USFWS and shall work with them in developing an overall habitat management plan for the Green Swamp. ~~This plan shall be completed no later than July 1, 1995.~~

POLICY 2.132-E4: Habitat, for the purpose of this Management Plan, shall be defined as habitat for endangered, threatened, and/or species of special concern, as generally indicated on the Florida Natural Area Inventory (FNAI) map. In most cases, the specific boundaries of these areas may not be determined until site-specific field inspections are conducted to verify those boundaries. It shall be the responsibility of the owner and/or developer to submit documentation, exhibits, studies, etc., for the purpose of establishing that properties should not be classified as Habitat when the FNAI map indicates that the property is within such an area.

POLICY 2.132-E5: Those properties identified as containing Habitat shall comply with the following requirements:

a. Development shall be required to locate on the non-habitat portions of a development site unless such requirement would result in a net loss of density. Residential densities shall be transferred from habitat areas to contiguous non-habitat areas within the same subdivision, subject to the following:

1. Residential densities shall be transferred from the habitat areas to non-habitat areas based on the underlying residential land-use density where development does not occur within the habitat area of the project.

2. Residential densities shall be transferred from habitat areas to non-habitat areas at the underlying density and shall be clustered to the greatest extent possible to protect habitat. Any transfer of density to facilitate clustering shall not result in lot sizes, or areas per dwelling unit less than 65% of that required by the County's Land Development Code (the minimum lot/area size shall be exclusive of the wetland area), with lots utilizing septic tanks no less than 40,000 sq. ft. Portions of lots may be platted into habitat areas and shall not be construed as having disturbed the habitat area for this density-transfer provision so long as that portion of the lot does not include any fill, construction, improvements, or other development, and a restriction is placed upon the plat to prohibit such future actions within habitat areas.

3. All such transfers of density shall:

(a) be to contiguous property under the same ownership or control;

(b) only be permitted within a subdivision platted and developed in accordance to the County's Land Development Code;

(c) be noted on the face of the final plat as a restrictive covenant enforceable by the Board of County Commissioners.

b. Land uses shall be regulated, and development shall be clustered and designed, to ensure that the smallest possible area of habitat be utilized to allow no net loss of density.

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

d. Polk County shall notify the Florida Game and Freshwater Fish Commission and/or the US Fish and Wildlife Service of proposed development which affects habitat areas.

POLICY 2.132-E6: STORMWATER MANAGEMENT - Stormwater management systems shall meet the following requirements:

a. Post-development peak rate of discharge shall not exceed the pre-development peak rate of discharge for the 25 year/24 hour storm event.

b. A stormwater management system may not cause a net reduction in flood storage within the 100-year floodplain.

c. Systems shall be designed to retain and infiltrate the total run-off generated by a ~~25 year~~ 25-year frequency, 24 hour duration storm event. This volume shall be recovered within 14 days.

d. Stormwater management facilities shall be designed to accommodate maintenance equipment access and shall facilitate regular operational maintenance such as underdrain replacement, unclogging filters, sediment removal, mowing and vegetation control.

e. Monitoring and operational maintenance requirements include:

1. periodic inspections of the system (with a written inspection report to the appropriate water management district) to ensure that the system is functioning as designed and permitted.

2. inspection reports will be submitted 1 year after construction and every year thereafter to the relevant water management district.

3. a registered professional engineer must sign and seal the report certifying the stormwater management system is operational as designed.

4. the County shall require that the following activities shall occur on a regular basis:

(a) removal of trash and debris,

(b) inspection of inlets and outlets,

(c) removal of accumulated sediments and decaying organic matter from pond bottom and sediment sumps,

(d) stabilization and restoration of eroded areas,

(e) mowing and removal of grass clipping, and

(f) aeration, tilling, or replacement of topsoil as needed to restore percolation capacity. If the topsoil is tilled or replaced, vegetation must be established on the disturbed surface.

f. Pollution abatement requirements shall be the first 1 inch (or 2.5 inches times the impervious area) of runoff for the developed site, or as per the regulations of SWFWMD and SJWMD, with this volume being recovered within 72 hours.

g. The County's Land Development Code shall require that runoff be discharged from impervious surfaces through retention areas, detention devices, filtering and cleansing devices, and/or selected DEP Best

Management Practices (BMP) for projects which include substantial paved areas. These regulations shall make provisions for the removal of oil, grease, and sediment from stormwater discharges.

h. Prior to platting, the developer shall ensure that a designated responsible entity, approved by the County for the maintenance of the stormwater management system has been established and is listed on the plat.

i. Prior to issuing a construction permit, the County shall require evidence that all required federal, state, and water management district stormwater permits have been obtained.

j. Recharge Standard: Projects or portions of projects in Most Effective Recharge Areas must retain three inches of runoff from directly connected impervious areas within the project. Applicants may instead demonstrate that the-post-development recharge will be equal to or greater than the pre-development recharge. Most Effective Recharge Areas are those areas with soils classified by the Soil Conservation Service as Type "A" Hydrologic Soil Group. Directly connected impervious areas are those impervious areas which are connected to the surface water management system by a drainage improvement such as a ditch, storm sewer, paved channel, or other man-made conveyance. Stormwater that is retained must be infiltrated into the soil or evaporated such that the storage volume is recovered within 14 days following a storm event.

POLICY 2.132-E7: WELL FIELDS - The County shall not permit or approve additional regional well fields.

RESERVEDPOLICY 2.132-E8: ~~By July 1, 1994, the County shall petition SJRWMD/SWFWMD to conduct a groundwater basin resource availability inventory pursuant to Chapter 373.095 FS to assist in limiting growth to the available groundwater or other available supplies. The County shall further petition the districts to establish pursuant to Chapter 373.042, FS the minimum flows and levels of water courses and groundwater for the purpose of the districts establishing a safe withdrawal amount including groundwater and surface water sources.~~

RESERVEDPOLICY 2.132-E9: SEPTAGE/SLUDGE STUDY GROUP ~~By July 15, 1994, the County shall establish a Septage/Sludge Study Group. This group shall, no later than November 1, 1994, produce a report making recommendations on when, where, and how the spreading of septage and/or sludge within the Green Swamp Area of Critical State Concern should occur.~~

RESERVEDPOLICY 2.132-E10: SEPTAGE/SLUDGE ~~By January 31, 1995, the County shall adopt regulations which address the recommendations made by the Septage/Sludge Study Group. After May 1, 1994, the disposing of sludge from wastewater treatment plants or land spreading of septage from septic tanks shall be prohibited until these regulations are adopted.~~

POLICY 2.132-E11: SEPTIC TANKS -

a. All septic tanks and all drainfields shall be set back a minimum of 75 feet from the furthest upland extent of any wetland.

b. The County shall adopt a septic tank maintenance and inspection ordinance ~~by July 31, 1995~~, which, as a minimum, shall be applicable to all new septic tanks permitted within the Green Swamp Area of Critical State Concern. The ordinance shall require that:

1. Septic tanks shall be inspected by a qualified inspector on a regular, recurring basis. The initial inspection schedule shall be once every five years.

2. Data on sludge and scum accumulation should be collected from each tank serviced during the first ~~five year~~ five-year period. Only those tanks with excess sludge and/or scum accumulation, as defined in Chapter 10D-6, FAC, should be pumped out.

3. The County Engineer, or other qualified individual, shall review the accumulated data and suggest modifications to the schedule consistent with the results. If the data show that few, if any, tanks need to be pumped on a five-year schedule, or if the data show household characteristics which accurately predict those limited households which need more frequent pumping, the schedule should be modified accordingly.

4. In addition to inspecting for sludge and scum accumulation, the septic tank system shall be checked to ensure that the mound, drainfield, and septic tank are in good working order and in compliance with the requirements of Rule 10D-6, F.A.C.

5. The lot owner shall make all repairs that are necessary to bring the septic tank system into compliance with the requirements of Rule 10D-6, F.A.C.

c. The County shall investigate the feasibility of making the septic-tank-maintenance-and-inspection program applicable to all septic-tank owners in the Green Swamp Area of Critical State Concern.

POLICY 2.132-E12: SANITARY SEWER - All development within the TSDA, UGA, and UEA shall be required to connect to a centralized regional sewer system at the time of development, with lots of record being exempt from this requirement. Where septic tanks are permitted within the CARMP, the minimum lot size shall be no smaller than 40,000 sq. ft.

POLICY 2.132-E13: SILVICULTURE - The County shall require that silviculture follow the BMPs as outlined in the latest edition of "Silviculture Best Management Practices" by the Florida Department of Agriculture and Consumer Services, Division of Forestry. The landowner and/or his/her agent shall notify the County that timber harvesting will be occurring.

POLICY 2.132-E14: IRRIGATION/LANDSCAPING - The County's land development regulations shall include the following:

a. encourage the use of stormwater runoff to irrigate landscaped areas,

b. encourage the use of xeriscaping,

c. encourage the saving of existing trees and natural vegetation,

d. encourage existing development to install xeriscaping and irrigate using stormwater runoff,

e. encourage the use of re-use water where feasible and systems are designed to meet DER (or its successor agency) regulations,

f. encourage the use of computer operated landscape/golf course systems which use rain or soil-moisture sensors, and

g. referencing limitation of the hours that lawn sprinkling may occur based upon the water management districts' rules.

POLICY 2.132-E15: GOLF COURSE LOCATIONAL CRITERIA - Golf courses shall be permitted in the Ridge-SPA and Polk City-SPA within the land uses identified in Policies 2.132-B10 and 2.132-C8.

POLICY 2.132-E16: GOLF COURSE DEVELOPMENT CRITERIA - As part of the approval process a Golf Course Management Plan shall be developed which, at a minimum contains:

a. An Integrated Pest Management Plan designed to prevent contamination of ground and surface waters from pesticides, herbicides, and fertilizers.

b. A water quality and quantity monitoring plan, with emphasis on impacts to adjacent wetlands.

c. Best Management Practices which as a minimum identify procedures to be followed for the construction, irrigation, operation and maintenance of the golf course.

d. Golf courses shall be equipped with computer operated irrigation systems using rain or soil-moisture sensors to override the irrigation system in the event of significant rainfall.

e. Landscaping for golf courses shall be designed in accordance with xeriscape principles; and

f. Golf courses may not be used to satisfy open space requirements.

POLICY 2.132-E17: SITE ALTERATION - The County's Land Development Code shall require that the recharge or storage characteristics of the development site not be significantly altered.

POLICY 2.132-E18: INTERGOVERNMENTAL COORDINATION - In addition, Polk County shall coordinate the development of specific standards within the Land Development Code for this area with Lake County so that, as necessary or appropriate, uniform development standards can be adopted within each county.

POLICY 2.132-E19: GREEN SWAMP IMPACT ASSESSMENT STATEMENT - All development, as defined in Section 380.04, FS, with the exception of a single-family dwelling unit and accessory uses, shall complete a Green Swamp Impact Assessment Statement which shall, at a minimum, address the following requirements:

a. Floodplain development criteria requirements under Policy 2.132-E1, where applicable;

b. Wetland development criteria requirements under Policy 2.132-E2, where applicable; and

c. All development, as defined in Section 380.04, FS, shall be reviewed for consistency with the following objectives:

1. Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.

2. Protect or improve the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.

3. Protect or improve the water available for aquifer recharge.

4. Protect or improve the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.

5. Protect or improve the normal supply of ground and surface water

6. Prevent further salt-water intrusion into the Floridan Aquifer.

7. Protect or improve existing ground and surface-water quality.

8. Protect or improve the water-retention capabilities of wetlands.

9. Protect or improve the biological-filtering capabilities of wetlands.

10. Protect or improve the natural flow regime of drainage basins.

11. Protect or improve the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.

POLICY 2.132-E20: The following shall be exempt from the applicable residential building densities established by the Critical Area Resource Management Plan (CARMP):

Those projects listed on Appendix A.

Residential building density exemptions relate to density only and all other requirements of the Comprehensive Plan shall apply. However, adjustment of the development criteria of the CARMP may be granted for lots

exempted pursuant to this section if the application of development criteria would result in the inability to develop lots with a single-family residence. Any adjustment shall be applied on a case-by-case basis only to the particular lot which could not otherwise be developed with a typical single-family residence, and then only to the minimum extent necessary to provide a reasonable beneficial use of the lot.

POLICY 2.132-E21: The Polk County Comprehensive Plan includes policies which discourages development from occurring in certain environmentally sensitive areas (for example, wetlands, floodplains, habitat for listed species, etc.) and encourage development to occur in "uplands". Within the Green Swamp ACSC these "uplands" are often scattered and may not be contiguous. Development may, if all other requirements have been met, occur on these scattered "uplands."

APPENDIX A - Vested Residential Projects

GREEN SWAMP AREA OF CRITICAL STATE CONCERN
RESIDENTIAL DEVELOPMENTS - POLK COUNTY
Existing Developments
(Developments with Final Development Order; Infrastructure approved and constructed)

Name	Total Lots	Unoccupied		Roads		Protection Area
		Number	Percent	Paved	Dirt	
Buckhorn Run	24	4	16	X		Rural
Cedar Knoll	44	5	11	X		Polk City
Citrus Hill	52	11	21	X		Polk City
Clearwater Lake Estates	161	23	14	X		Polk City
Costine Meadows	49	12	24		X	Rural
Country Estates	26	10	38	X		Polk City
Country Haven	49	15	30		X	Rural
Country Meadows	26	10	38	X		Rural
Country Trails, Phases I—V	447	248	55	X		Polk City/Rural
Country Trails Addition	5	5				Rural
Country Woods	29	12	41		X	Rural
Country World Village	21	13	61		X	Rural
Countryside	26	8	31	X		Polk City
Deer Trails	30	3	10	X		Polk City
Deer Trails North	58	31	53	X		Polk City
Double Diamond	40	30	75		X	Rural
Evans Acres	48	7	14		X	Rural
Evergreen Trails	35	25	71		X	Rural
Flanders Station	18	5	27	X		Rural
Forest Glen	8	3	37		X	Polk City
Gibson Oaks	45	10	22		X	Rural
Greenwood Estates	66	52	78	X		Polk City
Halmac Heights	28	2	7	X		Polk City
Hunters Run, Phase I	81	0	0	X		Polk City

Kent Acres	25	8	32	X		Polk City
KO Estates	25	21	84		X	Rural
Lake Agnes Shores	26	3	11	X		Polk City
Lake Gum Estates	33	25	75		X	Rural
Lake Mattie	10	2	20	X		Rural
Lexington Green	58	2	0.03	X		Polk City
Manors of Nottingham	54	13	24	X		Polk City
Martin Estates, Phases I—III	121	76	62	X		Polk City
Mt. Olive Estates	96	23	23	X		Polk City
Mt. Olive Heights	150	31	20	X		Polk City
Mt. Olive Heights, Unit 2	100	25	25	X		Polk City
North Forty	38	25	65	X		Polk City
Nottingham	84	0	0	X		Polk City
Oakland Heights	51	19	37	2	2	Polk City
Pine Glen	110	20	18	2	2	Rural
Pine Haven	6	6	100	X		Rural
Plantation Ridge	55	9	16	X		Polk City
Plantation Ridge West	49	23	46		X	Rural
Ponderosa Ranchettes	43	15	34		X	Rural
Ranchland Acres	49	19	38		X	Rural
Ranchland Acres Addition	91	39	42		X	Rural
Ridge Meadows	40	12	3	2	2	Rural
Robson Acres	50	19	38		X	Rural
Robson Acres (Unrecorded)	73	33	45		X	Rural
Rockridge Acres	33	8	24		X	Rural
Rockridge Farmettes, All Phases	101	32	31		X	Rural
Rockridge Ranchettes	51	23	45		X	Rural
Sugarbush	13	8	61		X	Rural
Sunny Acres	9	5	55		X	Rural
Timberidge, Phases I—V	293	33	11	X		Polk City
Van Fleet Acres	9	4	44		X	Rural
Woods # 1—5	242	61	25	X		Rural
Woods Ranchettes	49	20	40	2	2	Rural
Woods Ranching & Farming Tr.	201	127	63		X	Rural
Wood View	31	7	22		X	Rural
TOTALS	3886	1337	34			

GREEN SWAMP AREA OF CRITICAL STATE CONCERN
RESIDENTIAL DEVELOPMENTS - POLK COUNTY
Vesting Certificate from County
Approved by ~~DCA~~FloridaCommerce by Settlement Agreement, Developers Agreement or Other Written Approval from ~~DCA~~FloridaCommerce

Name	Total Lots	Unoccupied		Roads		Protection Area
		Number	Percent	Paved	Dirt	
Bay Lakes Resorts RV Park*	368	368	100		X	Rural
Buck Hill*	55	55	100	X		Rural
Country Trails, Phases VI & VII	202	202	100	X		Rural
Deer Trails North, Phases II*	64	58	90	X		Polk City
Double Diamond, Phases I—III	17	17	100		X	Rural
Gator Creek Campground, Glenridge, Phases I—III	99	51	50	X		Polk City
Hunters Ridge*	49	42	86	X		Polk City
Hunters Run, Phases II & III	125	86	69	X		Polk City
Lake Littleton Estates*	110	110	100	X		Polk City
Lake Margaret Shores*	597	597	100	X		Polk City
LeLynn RV Resort	366	366	100	X		Rural
Lucky World*	48	48	100		X	Core
Manors of Nottingham Addition, Mt. Olive Shores, Phases I—V	332	215	64	X		Polk City
Nottingham Trails*	59	59	100	X		Polk City
Paradise Country Estates*	166	166	100		X	Rural
Polo Park West, Phases I—III	725	170	23	X		Ridge
Saddlewood Est., Phase I	116	87	75	X		Rural
Scandinavia USA, Unit III	136	136	100	X		Polk City
Scandinavia, Excl. I & II	833	833	100	X		Polk City
Scandinavia/Lake Finlandia	157	126	80	X		Polk City
Sherwood Estates	75	75	100	X		Polk City
Sonora Heights	25	15	60	X		Rural
T & J Estates*	5	5	100		X	Rural
Turkey Creek*	57	57	100	X		Rural
Westridge, Phases I & II*	170	62	36	X		Ridge
Westwood	224	224	100	X		Ridge
Yearling Trace*	74	48	62	X		Rural
TOTALS	5556	4573	82			

* Indicates those developments under Settlement/Developer's Agreement with ~~DCA~~ FloridaCommerce in addition to having Vesting certificate with County. All others have been reviewed by ~~DCA~~FloridaCommerce but not appealed.

** Came in after cutoff date for vesting certificates but has County and ~~DCA~~FloridaCommerce approval.

GREEN SWAMP AREA OF CRITICAL STATE CONCERN RESIDENTIAL DEVELOPMENTS - POLK COUNTY						
Vesting Certificate from County Not Reviewed by ~~DCA~~FloridaCommerce						
		Unoccupied		Roads		
	Total Lots	Number	Percent	Paved	Dirt	Protection Area
Holly Cove MHP	188	188	100	X		Polk City
Plano Verde	41	41	100	X		Rural
Plano Verde North	12	12	100		X	Rural
Saddlewood Estates, Phases II—V	264	264	100	X		Rural
TOTALS	**505**	**505**	**100**			

APPENDIX 2.133 INDIVIDUAL SETTLEMENT AGREEMENTS

STATEMENT: This portion of the Comprehensive Plan is dedicated to settlement agreements between the County, FloridaCommerce~~DCA~~, and individual applicants. These policies pertain to site specific restrictions that apply to a particular land use designation.

SECTION 2.133-A CPA-97B SETTLEMENT.

OBJECTIVE 2.133-A: Through stipulated settlement agreement of CPA 97B-03 this section of the plan enable this specific property to be developed with L/R land uses in a limited fashion. This agreement fulfills the objectives of FloridaCommerce~~DCA~~, the applicant and the County.

POLICY 2.133-A1: DESIGNATION AND MAPPING - Leisure/Recreation lands for this settlement agreement shall be designated and mapped on the Future Land Use Map Series as ~~ALeisure/Recreation X@ or AL/RX.@~~ Leisure/Recreation X or L/RX to denote that there are further restrictions on this particular L/R designated property.

POLICY 2.133-A2: LOCATION CRITERIA - These policies apply to the property legally described as Lots 9 through 13, inclusive, LAKEVIEW MEADOWS, according to the plat map thereof recorded in Plat Book 103, pages 20 and 21, public records of Polk County, Florida

POLICY 2.133-A3: DEVELOPMENT CRITERIA - Development within this L/R area shall conform to the following criteria:

a. Permitted uses include, but are not limited to: fish camps, commercial campgrounds, recreational-vehicle (RV) parks, golf courses, and accessory minor commercial uses necessary to support these facilities, such as bait shops and convenience stores.

b. Retail commercial uses within the project area shall be sized primarily for the purpose of serving the short-term visitor to Polk County, or supporting the active-recreational or leisure uses within the L/R area. No more than 7% of the net usable land within a specific L/R area shall be used for commercial uses.

c. The project shall be designed to provide:

    1. Adequate parking to meet the present and future demands of the use and overflow parking designated and maintained for peak season events so as to prevent parking from encroaching upon public thoroughfares;

    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; and

    3. Direct access to a paved publicly maintained road with adequate Level-of-Service (LOS) capacity.

d. Permitted land uses are intended for resource-based recreation and passive recreation including but not limited to golfing, horseback riding, water-sports, and fishing. Residential structures are limited to detached single dwelling family units and RVs. Residential development densities may not exceed one dwelling unit per five acres (1 du/5 ac.) if there is no centralized community or public potable water system. Residential densities may reach two dwelling units per acre (2 du/ac.) if there is centralized community or public water provided. With central water and sewer, residential development may reach three units per acre (3 du/ac.) and up to four units per acre (4 du/ac.) if development is clustered

in order to provide an optimal amount of natural resource protection. A minimum of 50% open space is required within the development. Event facilities may be permitted through the Conditional Use Permit (CUP) process or its functional equivalent.

e. Golf courses located near lakes designated as Outstanding Florida Waters must have a Chemical and Pest Management Plan approved by the Florida Department of Environmental Protection.

f. No habitable structures or stormwater retention/detention ponds may be located within one hundred and fifty feet (150') of the mean high water mark of any surface water body, lake, river, cypress dome, or jurisdictional wetland. Furthermore, all development activities must adhere to all requirements of the Polk County Surface Water Protection Ordinance.

DIVISION 2.200 HOUSING ELEMENT

SECTION 2.201 INTRODUCTION.

A. **Purpose.** The purpose of the Housing Element is to establish the goal, objectives, and policies to guide housing development within Polk County to the year 2050. ~~over the next twenty years~~. This element addresses such critical issues as eliminating substandard housing conditions within the County and providing increased opportunities for all of Polk County's current and future residents to obtain safe, affordable housing in quality residential neighborhoods.

B. **Element Organization.** The Housing Element is divided into four main sections: the conservation of existing housing; the provision of future housing; housing for special needs groups; and an implementation section. The first three sections contain objectives and policies designed to identify and address the following housing issues:

1. Conservation of Existing Housing
    a. eliminating substandard housing conditions
    b. providing relocation housing
    c. redeveloping blighted areas
    d. protecting historically significant housing
2. Provision of Future Housing
    a. improving the regulatory process
    b. providing adequate sites for new residential development
    c. establishing location and development criteria
3. Housing for Special Needs Groups
    a. increasing affordable housing opportunities for low income residents and others with special housing needs
    b. developing nondiscriminatory criteria for locating group living facilities
    c. supporting housing programs for the homeless

The implementation section summarizes the actions necessary to accomplish the objectives and policies of this element, including:

a. designating responsible County agencies or departments to execute appropriate strategies and programs;
b. adopting and enforcing applicable development regulations;
c. seeking funding for code enforcement, rehabilitation, construction of low- and moderate income housing, and programs to aid the homeless; and

d. ~~appointment of a "Housing Task Force"~~ use of the Affordable Housing Advisory Committee to assess the housing needs of low-income households.

GOAL: Polk County shall promote the provision of an adequate supply of safe, sanitary, affordable, decent housing in quality residential neighborhoods, for all of its current and future residents through the conservation of existing housing stock and neighborhoods, and the promotion of well-planned residential developments.

SECTION 2.202 CONSERVATION OF EXISTING HOUSING.

OBJECTIVE 2.202-A: Polk County shall conserve its existing housing stock through the rehabilitation of no less than 40 substandard dwelling units per year.

POLICY 2.202-A1: An updated survey of housing conditions shall be conducted in where that the County completes and adopts a Redevelopment District Revitalization Plan to determine the number and general location of substandard dwelling units. Results of this survey shall be made part of the Redevelopment District Revitalization Plan.

POLICY 2.202-A2: Polk County shall increase minimum housing code enforcement activities in areas where high concentrations of substandard dwelling units are found. This will be accomplished through a systematic housing inspection program.

POLICY 2.202-A3: Polk County shall continue to seek federal, state, and local funding at a level adequate to meet this objective.

POLICY 2.202-A4: Polk County shall commit, at a minimum, an amount equivalent to twenty-five percent of its annual Community Development Block Grant funds to be spent directly for housing rehabilitation and demolition activities.

POLICY 2.202-A5: Polk County shall establish criteria when allocating rehabilitation funds. These criteria shall include, but not be limited to:

a. income level;

b. program guidelines; and

c. households within Revitalization Target Areas as determined by the County.

POLICY 2.202-A6: Polk County Human Service Department shall continue to implement a program designed to educate recipients of public rehabilitation funds concerning basic home repair and maintenance so that rehabilitated units remain in standard condition.

POLICY 2.202-A7: Polk County shall, through its housing rehabilitation programs, provide technical and financial assistance to leverage private sector financing of rehabilitation activities.

OBJECTIVE 2.202-B: Polk County shall make a consistent effort to implement development and redevelopment activities that do not require displacement. If displacement, as a result of public action, should occur, Polk County shall ensure that standard, affordable relocation housing is available prior to displacement.

POLICY 2.202-B1: Polk County shall provide relocation assistance to displaced persons consistent with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24, and Section 104(d) of the Housing and Community Development Act of 1974, as amended, and implementing regulations at 24 CFR 570.606.

OBJECTIVE 2.202-C: The Polk County Plan shall address areas in need of revitalization within the County through the following:

a.the designation and mapping of "Redevelopment District" overlay areas, and

b.the development of "Redevelopment District Revitalization Plans" to preserve, rehabilitate, revitalize, and/or redevelop designated "Redevelopment Districts."

POLICY 2.202-C1: PURPOSE AND INTENT - Redevelopment Districts, and Redevelopment District Revitalization Plans, are intended to:

a. utilize a comprehensive, strategic approach to identify the special needs of unincorporated communities comprised of predominantly low and moderate income residents;

b. involve neighborhood residents in every phase of the planning process;

c. develop action plans to meet the identified needs including, but not limited to, social and community services, infrastructure, transportation, economic development, law enforcement, and affordable housing;

d. promote an enhanced living environment for the community, and a higher quality of life for community residents;

e. promote the economic vitality of the community through the development of employment and business opportunities for community residents;

f. encourage multi-model transportation options, particularly pedestrian and bicycle travel; and

g. encourage community cohesion by promoting opportunities for the interaction of community residents, thereby engendering community pride, empowerment of residents, identification with, ownership of and participation in revitalization efforts, and a "sense of place."

POLICY 2.202-C2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map as "Redevelopment District" overlays those 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. The non-prioritized "Redevelopment District" overlays include but are not limited to the following:

Adams Grove

Babson Park/Highland Park

Bradley Junction

Crystal Lake

Davenport

Eaton Park

Echo Terrace

Eloise

Florence Villa

Fuller Heights

Fussells Corner (Carters)

Griffin Quarters

Highland City

Highland Park Manor

Inwood

Jamestown

K-Ville

Kathleen

Lakeview Park

Lakewood Park

Mammoth Grove

~~Maxi Quarters~~ Maxcy Quarters

Medulla

Mullinsville

Nichols

North Florida Heights

Old Polk City Road

Loughman

Lynchburg

Rolling Hills

Wabash

Wahneta

Washington Park

Waverly

Winston

The "Redevelopment District" overlay shall be reviewed, at least annually, and amended, if necessary, to include any additional predominantly low and moderate income areas determined by the United States Department of Housing and Urban Development income standards and the County to be disproportionately in need of social and/or community services, infrastructure, transportation, economic development assistance, law enforcement, and/or affordable housing, based on an analysis of demographics, land use, crime, housing, infrastructure, and other physical and social conditions.

POLICY 2.202-C3: REDEVELOPMENT DISTRICT PLANS - The County shall develop a "Redevelopment District Revitalization Plan" in accordance with the goals and objectives of the programs described in the Polk County Consolidated Plan and Five Year Strategy Plan, for designated "Redevelopment Districts," to guide implementation of the Community Development Block grant, HOME Investment Partnership Program and the emergency Shelter Grant. The Redevelopment Plans will be prioritized based on a variety of factors that include but are not limited: funding availability, need, physical and economic conditions, level of neighborhood or community support for a plan. To the greatest extent possible, neighborhood district revitalization plans will be coordinated with other planning initiatives.

The Redevelopment District Revitalization Plans shall contain strategies developed with public input from those areas affected to preserve, rehabilitate, revitalize, and/or redevelop those areas. These strategies shall include, but not be limited to:

a. targeting housing rehabilitation and code enforcement activities within designated Redevelopment Districts;

b. removing dilapidated structures to create space for infill development;

c. coordinating infrastructure improvements with rehabilitation and redevelopment activities;

d. providing economic opportunities and neighborhood support services to encourage economic independence and self-sufficiency of residents;

e. implementing programs to facilitate the development of affordable housing;

f. developing special incentives, provisions, restrictions, or requirements in order to ensure that redevelopment and revitalization activities occur in accordance with sound planning principles and local community objectives;

g. encouraging design features which promote public safety, create inviting streetscapes along public roadways, and emphasize a pedestrian-oriented environment;

h. developing or providing incentives for development of needed community facilities such as neighborhood centers, day care centers, churches, schools, and community-oriented policing substations; and

i. most importantly, empowering residents so as to rekindle community pride and developing lasting partnerships between government and the community.

POLICY 2.202-C4: ADOPTION OF REDEVELOPMENT DISTRICT REVITALIZATION PLANS - Upon completion of a "Redevelopment District Revitalization Plan", as defined in Policy 2.124-F3, and upon its approval by the Board of County Commissioners, such plan shall become the official revitalization plan for the designated Redevelopment District. Redevelopment District Revitalization Plans that exceed the amount of commercial and office uses as permitted in Policy 2.124-F4 shall obtain approval through a comprehensive plan amendment.

POLICY 2.202-C5: REDEVELOPMENT DISTRICT PLAN FUNDING SOURCES - Federal, state and local funding sources, including, but not limited to, Community Development Block Grant, the HOME Investment Partnerships program, the State Housing Initiatives Program, and the Emergency Shelter Grant, shall be sought and utilized to implement an approved "Redevelopment District Revitalization Plan."

RESERVED~~OBJECTIVE 2.202-D: The Polk County Plan shall identify and protect historically significant resources by:~~

~~a.the designation and mapping of identified historic resources, and~~

~~b.the establishment of development review procedures to protect designated historic resources from encroachment by incompatible land uses.~~

~~POLICY 2.202-D1: The Future Land Use Map Series shall identify, designate, and map as "Historic Preservation Sites" those properties listed on the National Register of Historic Places and the Florida Master Site File. The Future Land Use Map series shall be amended, at least annually, to include or exclude any properties added to or removed from these listings.~~

~~POLICY 2.202-D2: Polk County shall review new development or redevelopment projects that may impact designated "Historic Preservation Sites" by:~~

~~a. establishing development guidelines, within its Land Development Code that shall promote the preservation and rehabilitation of historic resources in accordance with state and federal historic preservation standards;~~

~~b. including a historic preservation evaluation within its development review process to ensure that development projects occur in a manner which minimizes impacts to historic resources; and~~

~~c. cooperating in enforcing state and federal historic preservation legislation by fulfilling preservation requirements in the impact review of federal grant projects.~~

~~POLICY 2.202-D3: Polk County, through the Polk County Historical Commission, shall educate the public regarding local historic preservation activities through newsletters, brochures, exhibits, etc., and shall provide assistance to the private sector in nominating eligible properties to the National Register of Historic Places.~~

SECTION 2.203 PROVISION OF FUTURE HOUSING.

OBJECTIVE 2.203-A: Polk County shall work in cooperation with private and non-profit participants involved in housing production to provide the dwelling units to meet the projected 205~~2~~0 housing need for the population by:

a.the designation of adequate areas for new residential development on the Future Land Use Map Series,

b.the establishment of location and development criteria applicable to residential development, including rural and farm-worker housing, low-income housing, and mobile homes, and

c.the improvement of the local development review process.

POLICY 2.203-A1: Areas for new residential development shall be provided throughout the Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, and Rural-Development Area of the County, as reflected on the Future Land Use Map Series, with consideration being given to the following criteria:

a. Access to county-maintained roads or roads constructed to County standards.

b. Proximity to Activity Centers or Rural-Cluster Centers.

c. Adequacy of water and sewage disposal systems (public and private).

d. Adequacy and response time for public safety services - fire, police, and emergency medical service.

e. Adequacy of recreation facilities.

f. Proximity of incompatible land uses.

g. Development limitations.

POLICY 2.203-A2: Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County's Land Development Code.

POLICY 2.203-A3: Farm-worker housing shall be allowed in Rural-Development Areas when in conformance with applicable HRS rules and regulations, and upon approval of the conditional use by the County.

POLICY 2.203-A4: Polk County shall establish, through its Land Development Code, criteria for locating publicly assisted housing for low-income households to locate such units in areas other than where there may now be a disproportionate concentration. Criteria shall include, but not be limited to: Accessibility to shopping, services, and employment.

POLICY 2.203-A5: Polk County shall continue to review, and amend its development review and approval process for the purposes of increasing efficiency and eliminating unnecessary requirements in order to increase private sector participation in meeting the identified housing needs while continuing to ensure the health, safety, and welfare of residents. Improvements to this process shall include, but not be limited to, the following:

a. improving communication between developers and County agencies through printed guidelines for development review and pre-application meetings,

b. coordinating development review by County agencies through the County's Development Review Committee,

c. establishing a maximum time limit for review of development proposals, and

POLICY 2.203-A6: Polk County shall discourage the use of recreational vehicles as year-round, permanent housing by prohibiting permanent additions to recreational vehicles.

POLICY 2.203-A7: Polk County shall ensure that there are sufficient lands designated on the adopted Future Land Use Map Series for residential uses within the Transit Supportive Development Area (TSDA) to accommodate the housing needs for existing and future residents, including very low, low, and moderate income households through the year 205~~3~~0.

POLICY 2.203-A8: MIX OF HOUSING TYPES - Polk County shall encourage residential communities to include a variety of housing types, such as single family detached homes, townhomes, multi-family units, and residential units in a mixed use building.

POLICY 2.203-A9: Polk County shall adopt procedures to ensure that entities receiving County funds for the development of new affordable housing units consider the following provisions when designing new affordable housing projects. Preference will be given to projects based on the extent to which these criteria are met:

1. Transit-oriented development, where applicable;
2. Maximization of the highest density available in a designated land use category;
3. The proximity to transit bus service;
4. Proximity to employment and shopping centers;
5. Availability of parks and open space; and
6. Proximity to schools.

POLICY 2.203-A10: Polk County shall provide monetary incentives, such as mitigation or waiver of impact fees, and regulatory incentives, such as streamlined processing, to encourage the private sector to develop cost saving and innovative techniques for affordable housing initiatives.

POLICY 2.203-A11: ~~By 2012, t~~The County shall adopt an ordinance providing developer incentives for the provision of workforce (low and moderate income) housing opportunities within new developments or at nearby off-site locations. Priority shall be given to developments locating within the Transit Supportive Development Area and/or Transit Corridors and Centers Overlay, especially developments locating in areas where urban infrastructure currently exists with adequate capacity to support new development. This ordinance shall specify all applicable implementation details, including, but not limited to: available developer incentives; criteria for granting incentives; eligible household recipient qualifications and applicable restrictions; exemptions as may be applicable; and periodic review and monitoring of the implementation.

SECTION 2.204 HOUSING FOR SPECIAL NEEDS GROUPS.

OBJECTIVE 2.204-A: Polk County shall continue to assess the existing public, private, and nonprofit housing delivery systems and continue to evaluate and implement programs and policies to increase affordable housing for low and very low income households and others with special housing needs through the Consolidated Plan (CP) and the Local Housing Assistance Plan (LHAP).

POLICY 2.204-A1: Polk County shall actively pursue federal and state funding sources for the construction of low and very-low income housing.

POLICY 2.204-A2: The Board of County Commissioners shall keep a Housing Task Force comprised of public, non-profit, and private representatives of the housing delivery system, and Polk County municipal representatives, for the purpose of assessing low and very low-income housing needs in Polk County.

POLICY 2.204-A3: The Housing Task Force shall continue to make recommendations for a plan for action by the Board of County Commissioners to implement the objectives and policies of this section.

POLICY 2.204-A4: Polk County shall review its development ordinances, codes, and regulations, and implement the use of innovative site design, building materials, and construction techniques which will reduce housing costs while maintaining quality.

POLICY 2.204-A5: Polk County, with review assistance by a lay advisory board such as the Affordable Housing Advisory Committee (AHAC), shall continue to evaluate impacts to the cost of housing in its economic impact evaluation of proposed County ordinances, resolutions, and policies adopted by the Board of County Commissioners and recommend amendments as appropriate.

POLICY 2.204-A6: Polk County shall develop, within its Land Development Code, an administrative site plan review process for residential developments which incorporate innovative approaches to site design (clustering, zero-lot-line, etc.) as a technique to reduce housing costs.

POLICY 2.204-A7: Polk County shall continue to exempt affordable housing for low and very low income households and others with special housing needs from the payment of impact fees.

POLICY 2.204-A8: Polk County shall provide adequate locations for mobile home developments, with supporting infrastructure.

POLICY 2.204-A9: Polk County shall implement the housing programs established by the Cranston-Gonzalez National Affordable Housing Act of 1990 and the Sadowski Affordable Housing Act of 1992, including private and non-profit partnerships involved in the production and operation of housing affordable to low and very-low income households and others with special housing needs, including farmworker households.

POLICY 2.204-A10: Polk County shall provide regulatory and other incentives to encourage the development of housing for the special needs populations including but not limited to impact fee waivers, density bonus points, and bonus scoring points on applications submitted by public, private, and non-profits applying for funds to construct housing for special needs populations including farmworkers.

OBJECTIVE 2.204-B: Polk County shall implement provisions within the Future Land Use Element and the Land Development Code to ensure that opportunities are available to provide adequate sites in residential areas for group living facilities licensed by the Florida Department of Children and Families.

POLICY 2.204-B1: Licensed "family care homes" and "group homes" shall be located within residential areas throughout the County in accordance with the Florida Statutes. "Adult congregate-living facilities" may be located within all Future Land Use designations, in accordance with policies within the Future Land Use Element, standards within the County's land development regulations, and upon issuance of a conditional use permit or functional equivalent by the County.

POLICY 2.204-B2: Group-living facilities located immediately adjacent to existing residential areas shall be designed so that the group-living facilities have a similar scale and intensity as the residential land use designation or adjacent existing residential dwellings units, otherwise, the group living facilities shall be setback and/or buffered to mitigate dissimilar scales. See Policy 2.116-A4.

OBJECTIVE 2.204-C: Polk County shall continue to implement programs to address the housing needs of the County's homeless population.

POLICY 2.204-C1: Polk County shall continue to seek state and federal sources of funding, including funds available under Title IV of the Stewart B. McKinney Homeless Assistance Act, to assist in providing emergency shelter, transitional housing, and support services to serve the homeless.

SECTION 2.205 IMPLEMENTATION.

OBJECTIVE 2.205-A: Polk County shall implement the objectives and policies of the Housing Element through appropriate techniques and mechanisms. Polk County shall implement adopted objectives and policies by: Designating responsible County agencies or departments to execute appropriate strategies and programs; adopting and enforcing applicable development regulations; evaluating all development proposals for conformance to policies and compliance with regulations; and considering all objectives and policies when making growth management decisions.

POLICY 2.205-A1: The County Administrator, or designee, shall be responsible for implementing the housing objectives and policies included within the Polk County Comprehensive Plan.

POLICY 2.205-A2: Polk County shall implement the objectives and policies of the Housing Element through the Land Development Code. in accordance with the intent of Section 163.3202(1), F.S.

POLICY 2.205-A3: Polk County shall seek federal, state, and local funding sources at levels adequate to meet the objectives and policies of the Housing Element for the following activities:

a. minimum housing code enforcement (refer to Policies 2.202-A2 and 2.202-A3);

b. rehabilitation and demolition of substandard housing units (refer to Policies 2.202-A3, 2.202-A4, and 2.202-A7);

c. construction of low-income housing units (refer to Policy 2.204-A1);

d. housing for the homeless (refer to Policy 2.204-C1).

POLICY 2.205-A4: The Polk County Board of County Commissioners Housing Task Force shall continue to assess low and very low-income housing needs in Polk County, and making recommendations for programs for action by the Board of County Commissioners to implement the County's affordable housing objectives and policies (refer to Policies 2.204-A2 and 2.204-A3).

DIVISION 2.300 CONSERVATION

SECTION 2.301 INTRODUCTIONS.

The Conservation Element of the Comprehensive Plan is intended to guide the protection and use of the County's natural resources. This document was prepared in accordance with the requirements of Chapter 163, F.S.~~9J-5, FAC.~~

Polk County is 2048 square miles of land and water. Its central cities, Lakeland and Winter Haven, form the heart of the developing area as a Standard Metropolitan Area. The majority of the County's land is undeveloped and is the basis of the rural setting for many of its 17 municipalities.

Polk County's natural resources such as surface waters, groundwater, floodplains, wetlands, minerals, soils, air quality, and vegetative communities, have played a large part in the area's development through their abundance and potential for use, in terms of the aesthetic value they provided, or by the constraints to development they necessitated.

The County contains the headwaters of six Florida rivers, and contributes water to those rivers via 22 major streams. Polk County also contains a large portion of the Green Swamp (an Area of Critical State Concern). The groundwater levels measured in the County form the potentiometric high for the state.

Sand Pine Scrub, a rare and endangered vegetative community, endemic to central Florida, is found insignificant quantities in Polk County. Air quality is in compliance with Federal standards due to the low level of industrialization for the size of the County as well as the dispersion of motor vehicle traffic. Mineral resources are abundant here and have historically been significant to the local economy.

The goal, objectives, and policies of the Conservation Element are designed to protect the natural resources which make Polk County a special place while preventing degradation of the environment and allowing development and economic expansion to occur.

Polk County contains the Hillsborough Bay Watershed, Alafia River Basin, Lake Okeechobee Watershed, and Upper Ocklawaha Basin. These are areas of the County that are more acceptable to poor quality nutrient levels. These areas are part of the Nutrient Restoration Plan Overlay and Basin Management Action Plan (BMAP).

GOAL: To protect, manage, and enhance the natural resources and environmental quality of Polk County.

SECTION 2.302 AIR QUALITY.

OBJECTIVE 2.302-A: Air quality within Polk County shall continue to meet the minimum air quality levels established by the Environmental Protection Agency and the Florida Department of Environmental Protection.

POLICY 2.302-A1: During Polk County's review of proposed Developments of Regional Impact (DRI), the County shall review air quality impacts of the project and the air-quality mitigative measures for the project both to be provided by the applicant for the DRI.

POLICY 2.302-A2: Polk County shall, at least annually, review the existing placement of DEP/EPA ambient air monitoring stations in the County and shall request that the Florida Department of Environmental Protection provide for placement of temporary or permanent stations to monitor air quality for specific areas determined by the County to be in need of such monitoring based on population and location of air pollutant emission sources.

POLICY 2.302-A3: Polk County shall implement development regulations adopted in the Land Development Code to provide for buffer areas between land uses where hazardous air emissions from one land use may adversely affect adjacent land uses.

POLICY 2.302-A4: At that time when the Florida Department of Commerce~~Economic Opportunity (DEO)~~ promulgates standards addressing radon gas Polk County shall initiate implementation of the standards within its development regulations.

OBJECTIVE 2.302-B: Polk County shall assist the FDEP with enforcement of its asbestos control program by ensuring that contractors are informed of the requirements and processes related to the state's asbestos abatement program prior to issuing a demolition or reroofing permit.

POLICY 2.302-B1: Polk County shall, before issuing a County structure demolition permit, require verification that FDEP has been notified of intent to demolish or remodel buildings containing asbestos, except for those structures exempt from FDEP notification.

SECTION 2.303 SOILS.

OBJECTIVE 2.303-A: Polk County shall require all construction/development sites to implement best management practices in accordance to the Land Development Code.

POLICY 2.303-A1: Polk County's development regulations shall require all construction/development sites to implement best management practices based on FDEP's Florida Development Manual, Chapter Six.

POLICY 2.303-A2: Criteria for Polk County's inspection of development sites during construction activities shall include erosion-control standards.

OBJECTIVE 2.303-B: Polk County shall establish a funding mechanism(s) to support the Polk Soil and Water Conservation District in order for the District to provide technical assistance with the use of best management practices for development (including mining) and agriculture.

POLICY 2.303-B1: Polk County shall annually review the funding source to the Polk Soil and Water Conservation District to ensure provision of sufficient monies to allow the District to provide consistent technical assistance and development review.

POLICY 2.303-B2: Polk County shall, through its Legislative Delegation Position Statement, request that the State provide funding to the Polk Soil and Water Conservation District in at least an amount to match the funding provided by the County.

SECTION 2.304 MINERAL RESOURCES.

OBJECTIVE 2.304-A: Polk County shall continue to promote the efficient utilization of mineral resources in a manner which will lend itself to reclamation and limit significant impact to the natural environment.

POLICY 2.304-A1: Polk County shall require mining operations to submit permits from state and federal regulatory agencies prior to, or concurrent with, final development approval.

POLICY 2.304-A2: Polk County shall support research to determine uses of phosphate mining and processing waste products such as phosphogypsum and clay, and shall support the use of those materials if such use is determined by Federal and State agencies to not pose a hazard to human health.

POLICY 2.304-A3: Lands designated as Preservation on the Future Land Use Map Series, and/or through development regulations, shall not be disturbed by mining or mining support operations.

POLICY 2.304-A4: Polk County shall require that use of reclaimed land be consistent with Future Land Use Element policies and land use designations.

POLICY 2.304-A5: Polk County's development regulations shall include minimum setbacks for all mining operations between the mine site and adjoining properties not owned by the mine operator.

POLICY 2.304-A6: Polk County shall protect the availability and mineability of its mineral resources by implementing a Mineral Resource Overlay District, as defined within the Future Land Use Element of this plan. The overlay will delineate areas intended for mining through the time frame of the Comprehensive Plan. (See Objective 2.124-C and accompanying policies.) Mining activities (excluding phosphate) shall be allowed in those areas which are identified on the Mineral Resource Overlay District and/or where the mineral resources occur and where extraction is compatible with the surrounding land uses to be defined in the Land Development Code.

SECTION 2.305 SURFACE WATER.

OBJECTIVE 2.305-A: Polk County shall develop a program of activities to maintain the quality of public waterbodies and their drainage basins and improve the quality of waterbodies determined by FDEP to not be functioning at their designated classification.

POLICY 2.305-A1: Polk County shall continue to coordinate with FDEP to update through the surface water ambient monitoring program, the 305(b) list of priority water bodies which is submitted to EPA.

POLICY 2.305-A2: Polk County shall establish a funding mechanism(s) to maintain or improve existing surface water quality when needed.

POLICY 2.305-A3: Existing stormwater management systems reconstructed by the County on recommendation of the County Parks and Natural Resources Division, and requiring stormwater permits from a water management district, shall be retrofitted where those systems drain into surface waters on the County's Retrofitting CIP referenced in Policy 2.305-A8.

POLICY 2.305-A4: The County shall, where applicable, attempt to coordinate stormwater system retrofit activities with municipalities within the County.

POLICY 2.305-A5: Polk County shall use best management practices determined appropriate for the project to mitigate impacts on surface water.

POLICY 2.305-A6: Polk County shall continue to ensure proper disposal of waste products as described in Policy 3.102-C3.

POLICY 2.305-A7: Polk County's development regulations shall require setbacks of septic tanks (i.e. OSTDS, Enhanced nutrient reduction systems), from waterbodies and setbacks of structures from lakes.

POLICY 2.305-A8: Polk County shall prioritize the retrofit project list based on problems identified within watersheds in the priority list of impaired water bodies developed by FDEPs 303(d) report.

POLICY 2.305-A9: Polk County shall continue to protect the natural flow of streams within the County by enforcing the floodway protection provisions of the Land Development Code.

POLICY 2.305-A10: The wetlands protection standards shall be enforced through the Land Development Code.

POLICY 2.305-A11: Polk County shall require:

a. all new and replacement water supply systems shall be designed so as not to allow infiltration of flood waters into the systems and discharge from the systems into flood waters;

b. all new and replacement sanitary sewage systems shall be designed so as not to allow infiltration of flood waters into the system and discharge from the systems into flood waters; and

c. on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

POLICY 2.305-A12: Polk County shall implement watershed management plans to address regional flooding and water quality along major water courses.

POLICY 2.305-A13: The County shall continue to participate in the Charlotte Harbor National Estuary Program to protect and conserve the Peace River and its tributaries.

POLICY 2.305-A14: The County will coordinate with the water management districts in their efforts to restore and maintain surface water and aquifer levels.

POLICY 2.305-A15: Polk County shall continue acquisition of land for the protection of surface water as part of Policy 2.309-A5.

OBJECTIVE 2.305-B: Polk County shall continue and increase its monitoring of surface water quality and investigate for sources of chemical and bacterial pollution in public waterbodies.

POLICY 2.305-B1: The Polk County Parks and Natural Resources Division shall continue its monitoring of public lakes and shall expand the program to include public lakes determined to be of environmental significance with the voluntary compliance of any landowner adjacent to the lake.

POLICY 2.305-B2: The Polk County Parks Natural Resources Division shall continue to provide water quality data to the State's water-quality database.

POLICY 2.305-B3: Polk County shall continue to implement bacteriological monitoring as needed for surface water quality analysis.

POLICY 2.305-B4: The Polk County Parks and Natural Resources Division shall maintain and update a list of streams that should be monitored for water quality based on population and the likelihood of pollution and, if necessary, shall implement a monitoring network on those streams.

POLICY 2.305-B5: Polk County shall work with FDEP to reduce nutrients in surface water system in Polk County. This shall include the following:

a. maintaining the Nutrient Restoration Plan Overlay as part of the Future Land Use Map series and include it on the County's GIS mapping software used for permitting,
b. work to connect areas with a one septic tank per acre density to public wastewater within Polk County's wastewater utility service areas,
c. coordinate with other jurisdictions that have a utility service area in unincorporated Polk County to connect transfer homes on septic tanks to public wastewater.

POLICY 2.305-B6: Polk County shall require an enhanced nitrogen-reducing septic system in the Nutrient Restoration Plan Overlay areas when central sewer is not available.

SECTION 2.306 GROUNDWATER.

OBJECTIVE 2.306-A: DEVELOPMENT REGULATIONS C Polk County shall develop a groundwater protection program.

POLICY 2.306-A1: Polk County shall implement land development regulations and performance standards as established in the Land Development Code providing for:

a. impervious-surface cover requirements,
b. balanced water-budget requirements,
c. vegetation preservation,
d. stormwater-retention design consideration, and
e. control of point and non-point pollution of ground and surface waters (including but not limited to contact with sinkholes and the use of vegetative buffered and proper design of stormwater management systems).

f. no reduction by new development and redevelopment within a "high recharge area" in the aquifer recharge quality or quantity (volumes and rates) and for subsurface storage and flow to simulate pre-development natural conditions.

POLICY 2.306-A2: Polk County shall continue to implement a wellhead protection program which shall:

a. provide for coordination with Polk County's local municipalities to identify current and future public-supply wellhead sites; and

b. implement wellhead protection strategies for those sites and their Wellhead Protection Area where those sites are currently in use or purchased for that purpose to serve Polk County residents. The County shall use FDEP standards for wellhead protection areas within the program.

POLICY 2.306-A3: The County shall continue coordination with the Health Department, DEP, and other applicable agencies to implement a program where Polk County Health Department staff inspects, identifies, and takes action, within existing regulatory parameters, to correct the deficiencies found in onsite disposal systems (e.g. septic tanks) and private wastewater treatment and disposal facilities that are polluting ground or surface waters or otherwise creating health hazards including the review and coordination with other utility providers in the conversion of septic tanks to sewer in the Nutrient Restoration Plan overlay areas.

POLICY 2.306-A4: Polk County shall continue to coordinate with agencies involved with potable waterwell and septic-tank permitting and require site inspections of water wells as they are installed to ensure proper setback from on-site disposal systems

POLICY 2.306-A5: Private on-site disposal systems (e.g. septic tanks) shall be designed and located in accordance to standards established by the Department of ~~Health~~ Environmental Protection using USDA Soil Conservation Services' determinations as to the adequacy of each type of soil to support septic tank use and the depth of the wet-season water table level.

POLICY 2.306-A6: Development shall be limited in accordance to the policies stated within the Future Land Use Element "Aquifer-Protection Areas" Section 2.120-D, and "Wellhead Protection" Section 2.121-D.

POLICY 2.306-A7: All new development and redevelopment within a "high-recharge area" shall not reduce the aquifer recharge quality or quantity (volumes and rates). Subsurface storage and flow shall simulate pre-development natural conditions.

POLICY 2.306-A8: PLAN AMENDMENT AND LAND-DEVELOPMENT CODE REVISIONS C - Polk County shall update its Land Development Code according to the Well Head Protection Standards adopted by the State.

POLICY 2.306-A9: Polk County shall coordinate with the Water Management Districts to obtain completion reports for all new public wells above 100,000 gallons and update the wellhead map when needed.

OBJECTIVE 2.306-B: Polk County shall continue to implement a water conservation and reuse program for development and redevelopment in accordance with Water Management districts.

POLICY 2.306-B1: Polk County shall provide for enforcement of water use restrictions declared by applicable water management districts during district-declared water shortages.

POLICY 2.306-B2: Polk County shall continue to develop and implement water conservation techniques to minimize use or conserve more water. Connection to reclaimed water, and planting of drought tolerant and Florida-friendly plants should be required when available and feasible.

POLICY 2.306-B3: Polk County's development regulations shall include landscaping requirements for residential, commercial and industrial development that stress water conservation techniques such as Florida-friendly landscaping or use of drought-tolerant native vegetation.

POLICY 2.306-B4: As part of the County's 10-year Water Supply Plan, potable water conservation measures shall be established in the Land Development Code consistent with the rules and recommendations of the SWFWMD and

other members of the Central Florida Water Initiative (CFWI) formerly Central Florida Coordination Area, to include:

a. reclaimed and non-potable water systems:

   i. To facilitate the use of reclaimed water in new developments, master reclaimed or nonpotable water distribution systems shall be installed during the construction of the development in accordance with the Land Development Code.

   ii. As part of the process for implementing new developments, developers shall be required to identify and use alternative water sources to meet irrigations and aesthetic. Such master systems shall be dedicated to the County in accordance with the Land Development Code.

b. requiring low-water demand landscaping;

c. requiring low-volume plumbing fixtures as outlined by State Law;

d. maintaining and implementing a water-conservation educational program;

e. requiring development to be consistent with the Southern Water Use Caution Area (SWUCA);

f. implementing a water-conservation program (Policy 3.105-D2);

g. implementing conservation rate structures designed to promote water conservation by all customer types;

h. adoption of watering restrictions and requirement that reclaimed (non-potable) water be used by all customers when made available by the water utility;

i. enforcement of water restrictions by customers, monitoring of excessive water uses and other active measures to ensure that water is conserved and noncompliance is corrected; and

j. coordination between Polk County and its municipal partners to develop county-wide initiatives that efficiently incentivizes water conservation efforts in the region.

SECTION 2.307 FLOODPLAINS.

OBJECTIVE 2.307-A: Polk County shall continue its floodplain protection measures.

POLICY 2.307-A1: The Polk County Engineer shall prioritize floodplains associated with watercourses, based on the floodplains' development potential, and shall routinely perform hydrologic studies of selected floodplains to determine floodplain and floodway limits. The results of these studies shall be submitted to FEMA for review and revision of existing FIRM and floodway maps.

POLICY 2.307-A2: Polk County shall continue to enforce floodplain regulations to ensure the protection of floodplains' natural functions.

POLICY 2.307-A3: Polk County shall require that new development in the form of structures and structural improvements be placed one foot or more above the 100-year flood elevation.

POLICY 2.307-A4: Polk County shall continue to request inclusion of County public lakes in SWFWMD's Minimum Flows and Lake Levels Project.

POLICY 2.307-A5: Development within floodplains shall be limited in accordance to the policies stated in the Future Land Use Element "Floodplain-Protection Areas" Section 2.123-B.

SECTION 2.308 WETLANDS.

OBJECTIVE 2.308-A: Polk County shall continue its protection of natural wetlands.

POLICY 2.308-A1: Polk County shall use a combination of the best available information to develop a wetlands database and shall revise that database regularly as additional information becomes available.

POLICY 2.308-A2: Polk County shall, to the greatest extent that is financially feasible, enhance degraded wetland systems found on the site of any County public works project undertaken.

POLICY 2.308-A3: Polk County's development regulations shall encourage wetland species diversification and re-vegetation by natural or cultural means.

POLICY 2.308-A4: Polk County shall enforce its existing wetlands regulations through the implementation of the land development code.

POLICY 2.308-A5: Development within wetlands shall be limited in accordance to the policies stated in the Future Land Use Element "Wetland-Protection Areas" Section 2.123-C.

POLICY 2.308-A6: Application for development near wetlands shall include a wetland delineation report to identify if a wetland is either isolated or within a wetlands system and provide for a mitigation strategy.

SECTION 2.309 ECOLOGICAL COMMUNITIES.

OBJECTIVE 2.309-A: Per Section 163.3202(1), F.S., Polk County shall continue to promote conservation of wildlife and native vegetative communities.

POLICY 2.309-A1: Polk County's development regulations shall:

a. include design criteria and provide incentives to conserve native vegetative communities, as defined;

b. allow for an on-site density transfer to preserve native vegetative communities;

c. implement the policies of the Recreation and Open Space Element for protection of such communities; and,

d. require development to conserve or mitigate damage to endangered and threatened species through the development review process.

POLICY 2.309-A2: Polk County shall coordinate with applicable local governments, water management districts, the Florida Fish and Wildlife Conservation Commission, and other state and local agencies to identify and protect unique environmental resources.

POLICY 2.309-A3: Polk County shall protect the natural functions of fisheries by maintaining and improving surface water quality as described in the policies of the Surface Water, Floodplains, and Wetlands Sections of this element.

POLICY 2.309-A4: Polk County shall coordinate with other governments or governmental agencies to preserve the PolkGreen Districts, as defined in the Future Land Use Element of this plan.

POLICY 2.309-A5: Development within areas that contain listed species, shall conform to the following criteria:

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

b. impacts to areas containing listed species shall first be avoided; secondly, where they cannot be avoided, impacts shall be minimized and shall be mitigated by compensation and/or enhancement.

POLICY 2.309-A6: Polk County shall continue to implement a land acquisition program. This program shall include, but not be limited to:

a. development and solicitation of funding sources from various local, state, and federal funding source(s) such as the Polk County Environmental Lands Acquisition and Management ad valorem tax and matching funds;

b. site selection and management based on the recommendations of the Conservation Land Acquisition Selection Advisory Committee (CLASAC); and

c. coordination with other acquisition programs.

OBJECTIVE 2.309-B: Polk County shall coordinate with the Florida Fish and Wildlife Conservation Commission and the US Fish and Wildlife Service to prevent loss of endangered or threatened species.

POLICY 2.309-B1: Polk County shall continue to implement the following:

a. as part of the PolkGreen District, maintain and update the inventory of areas supporting endangered or threatened plants or wildlife species. The inventory shall be maintained using data available from local, State and Federal agencies.

b. require development, excluding individually owned single-family dwelling units, that contains property identified in the inventory to conserve or mitigate damage to areas supporting endangered or threatened plants or wildlife species.

c. require mining operations to demonstrate compliance with this policy by submitting all applicable regulatory agencies' permits and/or exemptions.

POLICY 2.309-B2: Polk County shall, at least annually, prioritize those areas identified according to Policy 2.309-B1 and shall continue to submit those areas for inclusion in state acquisition programs.

POLICY 2.309-B3: Polk County shall coordinate with state and other governmental agencies in the conservation of endangered plant and wildlife species.

POLICY 2.309-B4: Polk County shall continue to protect federally or state listed endangered or threatened plants as part of the Objective 2.124-E2 of the PolkGreen District and Policy 2.309-A5. In addition, development regulations shall provide for transfer of density to protect endangered or threatened wildlife. Purchased land shall be coordinated with the purchase of land for recreational and open space when appropriate. Funding shall be solicited from various local, state, and federal funds.

POLICY 2.309-B5: [Policy Deleted by CPA 10B-0]

SECTION 2.310 HAZARDOUS WASTE/MATERIALS.

OBJECTIVE 2.310-A: Polk County shall continue to implement mechanisms to minimize the risks associated with hazardous materials.

POLICY 2.310-A1: Polk County's hazardous-materials inventory shall be updated annually to identify locations where hazardous materials are used, processed, stored, or transported as required by EPA.

POLICY 2.310-A2: Polk County shall require all commercial and industrial operations that handle hazardous materials to report their storage and usage of such materials annually. The County shall randomly inspect facilities to determine their compliance with the reporting requirements. The information received from these reports shall be used to annually update the Hazardous Materials Plan prepared by the Polk County Emergency Management Division.

POLICY 2.310-A3: Polk County shall investigate the potential for implementing a County occupational license fee or other fees to be paid to the County by industrial and commercial organizations that are known to handle hazardous materials and for which the County would need to develop emergency procedures within the Hazardous Materials Plan. This fee would be in an amount to cover the cost of compiling the annual reports, the inspections required in Policy 2.310-A2, and any extraordinary measures the County would have to take to implement emergency procedures.

POLICY 2.310-A4: The County's development regulations shall include standards for the location and relocation of commercial and industrial facilities which use, handle, or store hazardous materials in excess of 1,000 kilograms or as established by the Code of Federal Regulations, Chapter 40, Part 355, Appendix A, such as:

a. access from the site to major transportation routes for ease and safety of transporting hazardous materials;

b. access and response time to the site for properly-trained and equipped personnel to service potential hazardous materials accidents;

c. the nearness and degree of sensitivity of surrounding land uses;

d. the compatibility of the proposed use with respect to the nature of hazardous materials stored or used on adjacent sites;

e. the existence of surface water features, including drainage patterns and basin characteristics;

f. the location of potable water supplies, private wells, public well fields, sinkholes and other conduits for potential migration of contaminants; and

g. atmospheric conditions, including but not limited to, prevailing wind patterns.

OBJECTIVE 2.310-B: Polk County shall maintain and update as necessary a mechanism to provide for the proper management of hazardous wastes produced within Polk County.

POLICY 2.310-B1: A hazardous wastes inventory shall be conducted which identifies locations where hazardous wastes are produced, stored, or transported. Once the inventory is compiled a random sample of the identified locations will be inventoried regularly.

POLICY 2.310-B2: Polk County shall review continually the State and Federal regulations pertaining to handling, transportation, and storage of hazardous wastes to determine the adequacy of these regulations and their enforcement. Polk County will continue to monitor new regulations pertaining to hazardous waste to assure continued adequacy and compliance with the new regulations.

POLICY 2.310-B3: Polk County shall investigate the potential for implementing a County occupational license fee to be paid to the County by industrial and commercial organizations for those operations that are known to produce hazardous waste, as determined by their SIC code. Inspections shall occur at least annually and shall be used to determine if the facilities are disposing of hazardous wastes in the proper manner. The fee would be in an amount to cover the cost of compiling the annual reports, the inspections required in Policy 2.310-B1, and any extraordinary measures the County would have to take to monitor hazardous wastes.

POLICY 2.310-B4: Polk County shall, in conjunction with applicable agencies or organization's, develop an educational program concerning the proper management of hazardous waste produced by households, small-quantity commercial and industrial generators, and large-quantity commercial and industrial generators.

POLICY 2.310-B5: Polk County shall levy and collect taxes on the annual gross receipts of privately owned commercial hazardous waste treatment facilities as specified in Chapter 403.7315 F.S., and shall use that tax to meet public safety needs and other costs arising from existence of such a facility.

POLICY 2.310-B6: Polk County shall continue to evaluate the costs and benefits associated with:

a. the biannual mobile collection event;

b. providing permanent collection points to residents for household hazardous waste; and

c. other possible hazardous waste collection programs.

POLICY 2.310-B7: Polk County shall not allow hazardous wastes to be disposed of within County landfills.

POLICY 2.310-B8: If a hazardous waste incinerator for the State of Florida were to be located in Polk County, the Board of County Commissioners should press FDEP to provide full time personnel for the purpose of monitoring aforesaid facility. If FDEP fails to perform in this manner, Polk County will secure funds from County budget to maintain necessary monitoring personnel.

SECTION 2.311 GENERAL CONSERVATION.

OBJECTIVE 2.311-A: Polk County shall continue to support enforcement of all local, state and federal air and water quality regulations.

POLICY 2.311-A1: Polk County shall coordinate with state agencies to determine which agency regulations are not being adequately enforced and shall determine and implement a method(s) to support those state agencies.

POLICY 2.311-A2: The County shall study the financial requirements, potential funding sources, and practical results of developing and implementing a County Environmental Protection Program or other means of better enforcing air and water quality standards.

POLICY 2.311-A3: The following areas have the potential of being environmentally sensitive and the County shall identify them by designating the areas on overlay maps within the Future Land Use Map Series and/or through policies of the Future Land Use and/or Conservation Elements of this plan:

a. wetlands,

b. floodplains,

c. areas supporting endangered or threatened plant or wildlife species,

d. areas supporting unique vegetative communities,

e. areas providing prime and/or high recharge to the Floridan Aquifer,

f. Wellhead Protection Area of public water wells,

g. waterbodies, and

h. the Green Swamp Area of Critical State Concern.

SECTION 2.312 IMPLEMENTATION.

OBJECTIVE 2.312-A: Polk County shall implement the objectives and policies of the Conservation Element.

POLICY 2.312-A1: The County Manager, or designee, shall be responsible for implementing the conservation objectives and policies included in the Polk County Comprehensive Plan.

POLICY 2.312-A2: Polk County shall implement development regulations as adopted in the Land Development Code to implement the objectives and policies of the Conservation Element.

POLICY 2.312-A3: Polk County shall establish appropriate funding mechanisms to finance the capital, operational, and maintenance costs related to the implementation of objectives and policies of each Conservation section.

POLICY 2.312-A4: Polk County shall maintain intergovernmental agreements with other local governments in order to attain common objectives within the Conservation Element.

POLICY 2.312-A5: Polk County shall establish contact with other governmental agencies, as needed, to carry out Conservation objectives and policies.

POLICY 2.312-A6: Polk County shall revise permitting or permit-related procedures, as necessary, to carry out the objectives and policies of the Conservation Element.

POLICY 2.312-A7: Polk County shall abide by the objectives and policies within the Conservation Element which specifically affect County operations.

POLICY 2.312-A8: Polk County shall develop and implement programs or methodology, and conduct any studies required by the Conservation Element.

POLICY 2.312-A9: Polk County shall maintain the inventories required by the Conservation Element.

POLICY 2.312-A10: Polk County shall continue to enforce existing regulations where specified within the Conservation Element.

POLICY 2.312-A11: Polk County shall coordinate with the South Florida Water Management District the local implementation of the Lake Okeechobee SWIM Plan.

DIVISION 3.100 INFRASTRUCTURE ELEMENT

SECTION 3.101 INTRODUCTION.

The purpose of the Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (Infrastructure Element) is to serve as a guide to Polk County in providing for necessary public facilities and services. The Infrastructure Element must be correlated with future land use projections.

The Infrastructure Element consists of five sections, one for each sub-element: Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element. Each sub element contains objectives designed to provide for the identification and correction of deficiencies, the management and protection of existing facilities and resources, and planning for the expansion of existing systems or the design of new systems to satisfy future demands. The sub-elements also include policies to address implementation activities leading to the accomplishment of the established goal and objectives.

The Infrastructure Element is only one part of the Polk County Comprehensive Plan. It must be used in conjunction with all other elements of the Plan.

The goal, objectives, and policies were developed based on the analysis and discussion of the existing conditions and future projections in the County. The element encompasses a review of local standards and criteria and a review of state statutes and plans, the Central Florida Regional Planning Council's policy plan, and guidelines of water management districts, and state regulatory agencies. This element was developed following the guidelines of Chapter 1639J-5 of the Florida ~~Administrative Code~~Statutes.

Polk County will continue in its role of providing for public services that adequately meet the needs of the residents of the County's unincorporated area. Considering this, all objectives and policies are intended to accomplish the proposed goal for the Infrastructure Element.

GOAL: Polk County shall provide for the safe and efficient treatment and disposal of sanitary sewage (both public and private), the disposal of solid waste generated within its jurisdiction, the efficient management of stormwater, the adequate supply of safe, clean potable water, and the protection of natural groundwater aquifer recharge areas.

SECTION 3.102 SANITARY SEWER.

OBJECTIVE 3.102-A: Polk County shall provide for safe and efficient sanitary sewer service (public or private) to the County's unincorporated area.

POLICY 3.102-A1: Installation, operation, and maintenance of sanitary sewer treatment and disposal facilities shall, at a minimum, meet the requirements of the Water Quality act of 1987, Chapter 17-6, FAC, Chapter 10D-6, FAC, Polk County Utility Code, Ordinance No. 89-38.

POLICY 3.102-A2: Sanitary sewer facilities shall, at a minimum, meet the following level-of-service (LOS) standards:

a. Sanitary sewer treatment and disposal facilities shall be designed to provide:
    1. average daily-flow capacity of 270 gallons per equivalent residential connection (GPERC),
    2. maximum daily-flow capacity of two times the average daily-flow, and
    3. maximum hourly capacity of 4.0 times the average daily-flow;

b. Minimum capacity for a new private or public sanitary sewer treatment plants shall be 100,000 gallons per day. At the discretion of the County, smaller, interim plants may be allowed for industrial and commercial uses within the Transit Supportive Development and Urban Growth Areas as designated in the Future Land Use Element and Map Series. These interim systems must be connected to the public regional or sub-regional system within a year of it becoming available. Isolated industrial sites in the suburban or rural areas may be allowed to use smaller plants as long as they satisfy the County's requirements as to effluent disposal capability and implement a groundwater monitoring program (GWMP) in accordance with FDEP rules for wastewater treatment facilities with capacities of 100,000 gallons per day; and

c. Sites for the disposal of effluent shall be provided in an amount equivalent to, or greater than, treatment plant capacity. Design shall meet all requirements and shall be supported by hydro geological evaluation; signed and sealed by a registered hydrologist and professional engineer.

d. Treated reclaimed water (recycled) distribution system shall be incorporated in the design of all new wastewater treatment systems and, as feasible, in any existing plant capacity upgrades.

e. As part of the process for implementing new developments, developers shall be required to identify and use treated reclaimed water as an alternative water source to meet irrigation and aesthetic needs, where available or planned within the five-year schedule of capital improvements, consistent with the Land Development Code.

POLICY 3.102-A3: Discharge effluent from new sanitary sewer treatment facilities shall, at a minimum, meet water quality standards established in Chapter 17-6 (FAC) and the Water Quality Act of 1987, as amended, such that effluent may be reused for non-drinking purposes.

POLICY 3.102-A4: Polk County shall provide sewer to all new development within the County's utility service area, occurring as of the adoption of this plan, within the Transit Supportive Development Areas (TSDA) within ten years of plan adoption as specified in Policy 2.104-A1(a) of the Land Use Element unless it is determined by the Polk County Utilities Division that the extension of the centralized public sewer is not economically feasible. For parcels within the TSDA and not in the County's utility service area, Polk County shall ensure that concurrency is met prior to the issuance of a development order.

POLICY 3.102-A5: The priority for the expenditures of public funds on sanitary sewer capital improvements shall be as follows:

a. The first priority shall be given to services in areas where the lack of public facilities threatens the health and safety of the community. However, in no case shall the Polk County Utility Division be required to spend funds for improvements where there is not a reasonable expectation that the expenditure of funds will be recovered through connection fees or other normal charges within a five (5) year period.

b. The second priority shall be given to services in the Transit Supportive Development Area (TSDA) that are lacking adequate public facilities to meet the needs of existing development and to encourage infill development.

c. The third priority shall be given to new service in the Urban Growth Areas (UGA) which are part of an adopted Selected-Area Plan (SAP) to encourage growth.

d. The fourth priority shall be given to new services in those Urban Growth Areas (UGA) for which a Selected Area Plan has not yet been completed.

e. The fifth priority shall be given to the extension of individual service to meet the demands created by a specific development.

OBJECTIVE 3.102-B: Polk County shall continue to upgrade existing public wastewater treatment and disposal facility deficiencies and plan extension or increase of facility capacity in order to maximize the use of existing facilities and discourage urban sprawl.

POLICY 3.102-B1: The County shall implement the Community Investment Program (CIP) to provide sanitary sewer service within the unincorporated urban development areas, as establish by the Future Land Use Element.

POLICY 3.102-B2: The County has updated and adopted as reference into the Comprehensive Plan the Polk County Water and Wastewater Master Plan. The update shall be modified as required to ensure compatibility with the County's Comprehensive Plan and Community Investment Program.

POLICY 3.102-B3: All improvements of existing sanitary sewer, expansion, replacement, or increase in capacity shall meet or exceed established LOS standards.

POLICY 3.102-B4: Any new private sanitary sewer treatment and disposal system (e.g. package treatment plants), shall make the necessary provision, as approved by County's Utilities Division, for future incorporation into a public regional or sub-regional collection, treatment, and disposal system within 365 days of such system becoming available, as mandated by Section 381.00655~~272~~, FS~~, and Rule 10D-6.41(2), FAC.~~

POLICY 3.102-B5: The County shall continue to collect a user's fee to cover the operation and maintenance expenses and design a funding mechanism for capital improvement of sanitary sewer treatment and disposal facilities.

POLICY 3.102-B6: Where service-area agreements exist, the County shall continue coordination efforts with the municipalities to assure availability of service, to ascertain potential for revision in boundaries, and to ensure cooperation rather than competition.

POLICY 3.102-B7: Where service-area agreements do not exist, the County shall initiate coordination efforts, to set standards, define or modify service-area boundaries, and estimate capability of providing the service to unincorporated areas adjoining municipalities' or private utilities' service areas.

OBJECTIVE 3.102-C: Polk County shall continue to implement through the County's Health Department, a management program to ensure proper installation, use, and maintenance of on-site treatment and disposal systems (i.e. septic tanks, enhanced nutrient reduction systems), in accordance with ~~Section 163.3202(1), F.S.~~Florida Statutes.

POLICY 3.102-C1: Private on-site disposal systems shall, at a minimum, meet the requirements set by the Department of Environmental Protection ~~Health~~ in Chapter 64E-6, FAC as amended.

POLICY 3.102-C2: The County shall coordinate with Department of ~~Health~~Environmental Protection ~~FDEP,~~ and other applicable agencies to develop and implement a program where the Polk County Health Department staff inspects, and identifies and takes action to correct the deficiencies found in on-site disposal systems (e.g. septic tanks) and private wastewater treatment and disposal facilities (e.g. package treatment plants) that are polluting ground or surface waters or otherwise creating health hazards as shown in the results of investigations by any County's Divisions, FDEP, water management district, or any other related agency, or by public complaint. Such inspection shall be financed by a fee which must not exceed the cost of the inspection. (Any cost incurred to correct any deficiencies found in private systems shall be paid by the owner(s) of such system.)

POLICY 3.102-C3: The Polk County Utilities Division, Parks and Natural Resources Division, and Waste and Recycling Division shall coordinate with ~~Department of Health,~~ DEP, EPA, and other concerned agencies, to ensure the proper disposal of sludge and septage, from treatment plants and onsite wastewater disposal systems.

POLICY 3.102-C4: Private on-site disposal systems (e.g. septic tanks) shall be designed and located in accordance to standards established by Chapter 64E-6, FAC, for the Department of ~~Health~~ Environmental Protection using USDA Soil Conservation Services' determinations as to the adequacy of each type of soil to support septic-tank use, and the depth of the wet-season water-table level.

POLICY 3.102-C5: Density and intensity of on-site treatment and disposal systems will be evaluated for impact on ground and surface water during development review process.

OBJECTIVE 3.102-D: Polk County has adopted regulations consistent with adopted LOS for sanitary sewer management in accordance with ~~Section 163.3202(1), F.S.~~Florida Statutes.

POLICY 3.102-D1: The County shall coordinate with FDEP when conducting reviews, inspections or approvals on the project design and construction of both private and sanitary sewer treatment and disposal facilities to ensure, at a minimum, that they meet the requirements of the Water Quality Act of 1987, Chapter 62-600 (FAC), Chapter 64E-6, (FAC), Polk County Utility Code, and Ordinance No. 89-38.

POLICY 3.102-D2: The County shall coordinate with FDEP in regulating the design and operation of private sanitary sewer treatment and disposal systems (e.g. package treatment plants) in private or public development in order to ensure that proper and efficient systems are installed.

POLICY 3.102-D3: The County shall establish and implement policies, regulations, and programs in the Future Land Use and Capital Improvement Elements of this Comprehensive Plan, and in the Polk County Land Development Code, which guide development to occur in existing service areas where the increase will not overburden capacity of existing or planned facilities within these service areas.

POLICY 3.102-D4: The County shall establish measures and regulations to implement the reuse of treated wastewater from new sanitary sewer facility located in the unincorporated area, for non-drinking purposes.

POLICY 3.102-D5: The County shall coordinate with the FDEP ~~and the Department of Health~~ to require that all buildings served by on-site sewage disposal systems, except approved on-site grey-water systems developed under the provisions of law and administrative rules, meet at a minimum, the requirements of Chapter 64E-6 (FAC).

OBJECTIVE 3.102-E: Reduce nutrient loads in the Nutrient Restoration Plan Overlay areas.

POLICY 3.102-E1: Polk County shall coordinate with FDEP and other appropriate state and regional agencies to implement the 2024 OSTD Remediation Plan and any updates. The OSTD Remediation Plan was required by Subparagraph 403.067(7)(a)9., Florida Statutes because FDEP identified domestic wastewater treatment facilities or onsite sewage treatment and disposal systems as contributors of at least 20 percent of point source or nonpoint source nutrient pollution.

POLICY 3.103-E2: Per the requirements of Subparagraph 403.067(7)(a)9., Florida Statutes and the Florida Department of Environmental Protection's Final Order for OGC Case No. 23-0112 to 0135 dated June 12, 2023, Polk County shall prepare an On-Site Disposal Treatment System Remediation Plan (The OSTDS Plan).

OBJECTIVE 3.102-F: Identify areas with high concentrations of existing septic systems and assess the feasibility to convert the identified septic systems to a public wastewater treatment facility. This shall include at a minimum existing developments of at least 50 residential lots containing more than one onsite sewage treatment and disposal system (OSTDS) per one acre.

POLICY 3.102-F1: Pursuant to § 163.3177(6)(c)3, Florida Statutes, the County has evaluated existing developments of at least 50 residential lots containing more than one onsite sewage treatment and disposal system (OSTDS) per one acre to consider the feasibility of providing sanitary sewer services within a 10-year planning horizon (2034). Feasibility is dependent on the State providing funding to convert OSTDS to sewer and, where necessary, funding to expand the capacity of the collection systems and the existing wastewater treatment facilities. An assessment of these communities and identification of the wastewater treatment facility (including the capacity of the facility and the collection system) is provided in the table after Policy 3.102-F23.

~~The County has not been able to identify a timeline for connections within a 10-year or 20-year time frame. In conjunction with the appropriate agencies with jurisdiction, additional feasibility studies for connections in the~~

~~next 10-year and 20-year timelines and potential funding sources will be completed with the update of the Comprehensive Plan in 2025 which is anticipated to be transmitted in July of 2025.~~

POLICY 3.10-2-F2: In 2025, the County requested from the providers of utilities listed in the table after Policy 3.102F3 to provide current wastewater collection system GIS infrastructure data, projected wastewater flows for both the 10-and 20-year planning periods, and wastewater treatment plant capacity(s) for both the 10- and 20-year planning periods. Due to the limited response, from many of the municipalities, wastewater flow projections were estimated based on Discharge Monitoring Report 3(DMR) data submitted to the FDEP and the Southwest Florida Water Management District's (SWFWMD) parcel-level population projection model.

The Table following this paragraph titled Septic to Sewer Conversion, Infrastructure and Facility Improvement Cost per wastewater treatment facility summarizes the projected wastewater flows, estimated facility capacities, and compares facility capacity versus projected flow both before and after full build out of septic to sewer conversions. Based on this comparison, it appears some WWTFs may need future increased capacity. The cost for plant upgrades was estimated utilizing $40 per gallon. Note that these flow projections do not include any planned septic to sewer conversions anticipated by the local municipality or other WWTF upgrades due to age, biological loading, or other factors.

Septic to Sewer Conversion, Infrastructure and Facility Improvement Cost per WWTF

WWTF PERMIT NO	FACILITY NAME	Estimated Infrastructure Cost Including 25% Contingency ($)	*Estimated WWTF Improvement Cost Including 25% Contingency ($)	Total Estimated Cost Including 25% Contingency ($)
FL0021466	City of Auburndale Allred WWTF	$ 47,523,830		$ 47,523,830
FLA016559	City of Auburndale Regional WWTF	$ 37,091,275		$ 37,091,275
FL0A00002	Polk County Northeast Regional WWTF	$ 35,012,755		$ 35,012,755
FLA010979	TWA-Lake Marion WWTF	$ 15,890,595		$ 15,890,595
FLA012949	Sun Ray WWTF	$ 11,042,377		$ 11,042,377
FLA012954	Polk County Southwest Regional WWTF	$ 118,464,280		$ 118,464,280
FLA012976	City of Bartow WRF	$ 47,961,634		$ 47,961,634
FLA012977	City of Haines City WWTF	$ 27,933,558		$ 27,933,558
FLA012983	City of Frostproof WWTF	$ 44,421,634		$ 44,421,634
FLA012985	City of Lakeland - Northside WRF	$ 104,092,344	$ 36,002,500	$ 140,094,844
FL0039772	City of Lakeland - Glendale WRF	$ 365,018,017	$ 195,370,500	$ 560,388,517
FLA013016	Grenelefe Resort WWTF	$ 5,033,983		$ 5,033,983
FL0036048	City of Winter Haven WWTF #3	$ 174,415,810		$ 174,415,810
FLA129747	City of Winter Haven - WWTF #2	$ 71,960,171	$ 46,495,392	$ 118,455,563
FLA129844	City of Lake Wales WWTF	$ 120,229,475	$ 653,671	$ 120,883,146
FLA178667	Polk County Northwest Regional WWTF	$ 155,083,203	$ 10,812,481	$ 165,895,684
FLA377392	City of Davenport WWTF	$ 12,884,325		$ 12,884,325
FLA489093	Cardinal Hill WWTF	$ 22,824,959	$ 6,459,431	$ 29,284,390
FLAB07302	Lake Hamilton WWTF	$ 5,826,260		$ 5,826,260
	TOTAL	$ 1,422,710,487	$ 295,793,975	$ 1,718,504,462

Note:

*The proposed improvements outlined in this column have not been coordinated with the local municipalities. The provided estimates were determined at a planning level based on the anticipated flow and the facility's current or expected capacity as reported to the FDEP. Additional improvements may already be planned or may be needed for each facility to receive the anticipated flow generated by the septic tank conversions outlined in this report.

POLICY 3.102-F23: The County will coordinate with all non-county utility providers to coordinate OSTDS conversations to sanitary sewer through Basin Management Plan updates, Watershed Management Plans, and Utility Master Plans for the County's Utility Service Areas.

SUBDIVSION NAME (DISSOLVE)	UTILITY NAME	NO. OSTDS	WWTF PERMIT NO.	FACILITY NAME	ADDRESS 1	ADDRESS 2	WWTF PERMITTED QUANTITY (mgd)	DMR AVE FLOW (mgd)	DMR Mo/Year	PEAK FLOW (gpm)	ESTIMATED CONVERSION COST W/ CONTINGENCY ($)
AUBURNDALE LAKESIDE PARK313000	CITY OF AUBURNDALE	61	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	45.8	$ 2,322,975
AZALEA PARK	CITY OF AUBURNDALE	115	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	86.3	$ 3,225,925
CALDWELL ESTATES	CITY OF AUBURNDALE	89	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	66.8	$ 2,311,475
FLAMINGO HTS SUBDIVISION	CITY OF AUBURNDALE	86	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	64.5	$ 3,174,950
KOSSUTHVILLE SUBDIVISION UNITS 1—2	CITY OF AUBURNDALE	75	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	56.3	$ 3,408,825
KOSSUTHVILLE TOWNSITE SUBDIVISION	CITY OF AUBURNDALE	84	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	63.0	$ 3,430,900
LAKEDALE SUBDIVISION	CITY OF AUBURNDALE	68	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	51.0	$ 2,266,300
LENA VISTA SUBDIVISION	CITY OF AUBURNDALE	116	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	87.0	$ 2,930,100
MARIANA HEIGHTS UNITS 1—2	CITY OF AUBURNDALE	64	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	48.0	$ 3,199,600
MARIANA WOODS PH 1-4	CITY OF AUBURNDALE	172	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	129.0	$ 4,704,300
MIDWAY GARDENS	CITY OF AUBURNDALE	88	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	66.0	$ 3,742,700
RAINBOW RIDGE UNIS 1—5	CITY OF AUBURNDALE	86	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	64.5	$ 2,701,550
SHADOW LAWN	CITY OF AUBURNDALE	60	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	45.0	$ 2,138,700
WHISTLER WOODS	CITY OF AUBURNDALE	57	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	1.400	0.74	9/2024	42.8	$ 2,785,875
BERGEN POINTE ESTATES PH 1—3	CITY OF AUBURNDALE	57	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	42.8	$ 3,217,075
DOVES VIEW	CITY OF AUBURNDALE	60	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	45.0	$ 3,078,800
LAKE JULIANA RESERVE	CITY OF AUBURNDALE	85	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	63.8	$ 3,195,075
MEADOW OAK ACRES PH 1—2	CITY OF AUBURNDALE	55	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	41.3	$ 2,792,425
REFLECTIONS OF JULIANA PH 1—2	CITY OF AUBURNDALE	64	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	48.0	$ 3,094,200
SUTTON PLACE PH 1—2	CITY OF AUBURNDALE	100	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	75.0	$ 3,731,900
GANDY GROVE ESTATES PH 1—3	CITY OF BARTOW	116	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	87.0	$ 3,986,800
FLORIDA DEVELOPMENT CO SUBDIVISION 730000	CITY OF DAVENPORT	56	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	0.788	0.471	7/2024	42.0	$ 2,257,400
FLORIDA DEVELOPMENT CO SUBDIVISION 734500	CITY OF DAVENPORT	98	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	0.788	0.471	7/2024	73.5	$ 3,640,150
JAMESTOWN SUBDIVISION	CITY OF DAVENPORT	53	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	0.788	0.471	7/2024	39.8	$ 2,078,175
LAKEWOOD PARK UNITS 1—6	CITY OF DAVENPORT	85	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	0.788	0.471	7/2024	63.8	$ 3,124,075
MADERA PARK SUBDIVISION	CITY OF EAGLE LAKE	62	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	46.5	$ 5,023,550
LAKE CALOOSA LANDING PH 1-4	CITY OF FROSTPROOF	51	FLA012983	City of Frostproof WWTF	98 N Lake Reedy Blvd	Frostproof, FL 33843-2114	0.250	0.179	9/2024	38.3	$ 4,371,625
FLORIDA DEVELOPMENT CO SUBDIVISION 726500	CITY OF HAINES CITY	68	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	2.970	3.317	10/2024	51.0	$ 4,531,300
FLORIDA DEVELOPMENT CO SUBDIVISION 739500	CITY OF HAINES CITY	52	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	2.970	3.317	10/2024	39.0	$ 1,864,100
HOLLIDAY MANOR PH 1—2	CITY OF HAINES CITY	59	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	2.970	3.317	10/2024	44.3	$ 5,556,925
LAKE HENRY HILLS SUBDIVISION	CITY OF HAINES CITY	56	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	2.970	3.317	10/2024	42.0	$ 3,535,000
POSSUM TROT PH 1—3	CITY OF HAINES CITY	67	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	2.970	3.317	10/2024	50.3	$ 2,212,825
SNELL CREEK MANOR	CITY OF HAINES CITY	65	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	2.970	3.317	10/2024	48.8	$ 2,329,675
COUNTRY CLUB VILLAGE CONDOMINIUM	CITY OF LAKE WALES	96	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	72.0	$ 4,317,200

COUNTRY CLUB VILLAGE PH 2—3	CITY OF LAKE WALES	113	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	84.8	$ 4,434,875
COUNTRY OAKS ESTATES UNITS 1—8	CITY OF LAKE WALES	251	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	188.3	$ 9,011,325
CROOKED LAKE	CITY OF LAKE WALES	94	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	70.5	$ 4,725,250
EAST PARK HEIGHTS	CITY OF LAKE WALES	57	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	42.8	$ 3,322,975
GOLF VIEW PARK	CITY OF LAKE WALES	288	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	216.0	$ 8,549,200
HIGHLAND PARK MANOR	CITY OF LAKE WALES	174	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	130.5	$ 5,414,650
HOWEY W J LAND SUBDIVISION OF STARR LAKE	CITY OF LAKE WALES	88	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	66.0	$ 4,698,700
MAMMOTH GROVE	CITY OF LAKE WALES	68	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	51.0	$ 4,297,400
MORNINGSIDE PARK	CITY OF LAKE WALES	147	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	110.3	$ 4,553,425
OAKWOOD GOLF CLUB PHASE 02	CITY OF LAKE WALES	69	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	51.8	$ 4,287,575
RIDGE MANOR UNITS 1—2	CITY OF LAKE WALES	159	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	119.3	$ 3,746,925
ALAMO VILLAGE	CITY OF LAKELAND ELECTRIC AND WATER	94	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	70.5	$ 6,978,350
ARIANAS WEST	CITY OF LAKELAND ELECTRIC AND WATER	59	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	44.3	$ 5,444,425
AVON VILLA SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	121	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	90.8	$ 7,343,775
BEVERLY RISE PH 1-4	CITY OF LAKELAND ELECTRIC AND WATER	146	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	109.5	$ 8,622,050
BLACKWATER CREEK ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	50	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	37.5	$ 4,296,850
CASA LOMA CONDOMINIUM	CITY OF LAKELAND ELECTRIC AND WATER	96	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	72.0	$ 7,750,600
CIMARRON SOUTH	CITY OF LAKELAND ELECTRIC AND WATER	71	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	53.3	$ 7,174,025
CLUBHILL ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	50	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	37.5	$ 6,977,250
CLUBHOUSE HERITAGE PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	107	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	80.3	$ 7,742,125
COLONY PARK	CITY OF LAKELAND ELECTRIC AND WATER	83	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	62.3	$ 7,715,125
COMBEE ACRES	CITY OF LAKELAND ELECTRIC AND WATER	71	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	53.3	$ 2,949,225
COUNTRY CLUB ESTATES SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	421	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	315.8	$ 9,857,875
COUNTRY KNOLL	CITY OF LAKELAND ELECTRIC AND WATER	98	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	73.5	$ 5,272,150
COUNTRY RIDGE PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	97	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	72.8	$ 3,493,175
CREEK SIDE	CITY OF LAKELAND ELECTRIC AND WATER	59	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	44.3	$ 6,890,425
CREEKBEND PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	59	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	44.3	$ 6,437,125

CREEKS CROSSING	CITY OF LAKELAND ELECTRIC AND WATER	112	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	84.0	$ 5,314,600
CRYSTAL HILLS SUBDIVISION UNITS 1—2	CITY OF LAKELAND ELECTRIC AND WATER	64	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	48.0	$ 5,083,400
DOVE HOLLOW	CITY OF LAKELAND ELECTRIC AND WATER	119	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	89.3	$8,320,825
EASTMEADOWS	CITY OF LAKELAND ELECTRIC AND WATER	61	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	45.8	$ 6,179,775
EATON PARK	CITY OF LAKELAND ELECTRIC AND WATER	283	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	212.3	$ 10,189,425
EDGEWOOD PARK SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	179	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	134.3	$ 6,939,425
EMERALD RIDGE	CITY OF LAKELAND ELECTRIC AND WATER	72	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	54.0	$ 7,301,500
FAIRFIELD	CITY OF LAKELAND ELECTRIC AND WATER	50	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	37.5	$ 7,029,650
FALCONS LANDING	CITY OF LAKELAND ELECTRIC AND WATER	57	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	42.8	$ 7,409,175
FORESTGREEN PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	219	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	164.3	$ 12,646,825
GARDEN HOMES	CITY OF LAKELAND ELECTRIC AND WATER	58	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	43.5	$ 4,887,150
GREENTREE TWO	CITY OF LAKELAND ELECTRIC AND WATER	53	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	39.8	$ 6,897,975
HASKELL	CITY OF LAKELAND ELECTRIC AND WATER	262	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	196.5	$ 13,149,400
HIDDEN OAKS	CITY OF LAKELAND ELECTRIC AND WATER	51	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	38.3	$ 7,239,225
HIGHLAND GARDENS	CITY OF LAKELAND ELECTRIC AND WATER	81	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	60.8	$ 8,016,375
HIGHLAND HEIGHTS UNITS 1—2	CITY OF LAKELAND ELECTRIC AND WATER	80	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	60.0	$ 7,899,500
HIGHLANDS SOUTH	CITY OF LAKELAND ELECTRIC AND WATER	100	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	75.0	$ 7,001,500
HIGHLANDS THE PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	111	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	83.3	$ 7,928,025
HIGHLANDS WEST	CITY OF LAKELAND ELECTRIC AND WATER	115	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	86.3	$ 5,996,825
HIGHLANDS-BY-THE-LAKE PH 1—3	CITY OF LAKELAND ELECTRIC AND WATER	108	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	81.0	$ 7,697,800
HILL-N-DALE	CITY OF LAKELAND ELECTRIC AND WATER	82	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	61.5	$ 7,583,150
HILLSIDE HEIGHTS	CITY OF LAKELAND ELECTRIC AND WATER	61	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	45.8	$ 7,660,875

HOWENOCA HILLS SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	95	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	71.3	$ 4,694,125
HYDE PARK ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	57	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	42.8	$ 7,448,575
IDLEWILD SUBDIVISION UNITS 1—3	CITY OF LAKELAND ELECTRIC AND WATER	93	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	69.8	$ 5,221,175
INDIAN TRAILS PH 1—3	CITY OF LAKELAND ELECTRIC AND WATER	175	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	131.3	$ 9,598,625
ISLAND WALK	CITY OF LAKELAND ELECTRIC AND WATER	144	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	108.0	$ 8,349,500
LAKE BONNY HEIGHTS UNITS 1—3	CITY OF LAKELAND ELECTRIC AND WATER	208	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	156.0	$ 5,965,900
LAKE CRYSTAL HEIGHTS	CITY OF LAKELAND ELECTRIC AND WATER	55	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	41.3	$ 4,344,125
LAKE GIBSON VILLAGE PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	100	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	75.0	$ 3,682,900
LAKE GIBSON VILLAS PH 1—3	CITY OF LAKELAND ELECTRIC AND WATER	62	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	46.5	$ 3,108,350
LAKE HOLLOWAY HEIGHTS	CITY OF LAKELAND ELECTRIC AND WATER	51	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	38.3	$ 3,439,825
LAKE POINT	CITY OF LAKELAND ELECTRIC AND WATER	122	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	91.5	$ 8,245,550
LAKE VICTORIA SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	55	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	41.3	$ 7,253,125
LAKESIDE HERITAGE PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	100	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	75.0	$ 7,502,000
LAKEWOOD PARK	CITY OF LAKELAND ELECTRIC AND WATER	188	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	141.0	$ 4,990,000
LINDEN TRACE	CITY OF LAKELAND ELECTRIC AND WATER	66	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	49.5	$ 4,726,050
MEADOWLAWN UNITS 1—2	CITY OF LAKELAND ELECTRIC AND WATER	138	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	103.5	$ 4,966,550
MISSION HILLS	CITY OF LAKELAND ELECTRIC AND WATER	56	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	42.0	$ 7,618,500
OAKFORD ESTATES PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	83	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	62.3	$ 7,628,825
PIONEER TRAILS PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	98	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	73.5	$ 5,311,850
RAWLS PARK UNITS 1—2	CITY OF LAKELAND ELECTRIC AND WATER	136	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	102.0	$ 4,285,100
ROANOKE HILLS SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	113	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	84.8	$ 5,262,575
ROBINSON PINES	CITY OF LAKELAND ELECTRIC AND WATER	79	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	59.3	$ 5,290,425

ROYAL CREST	CITY OF LAKELAND ELECTRIC AND WATER	90	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	67.5	$ 7,902,750
ROYAL OAK MANOR	CITY OF LAKELAND ELECTRIC AND WATER	179	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	134.3	$ 6,484,525
SEVILLA ON THE LAKE	CITY OF LAKELAND ELECTRIC AND WATER	76	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	57.0	$ 3,864,300
SKYLINE ACRES	CITY OF LAKELAND ELECTRIC AND WATER	126	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	94.5	$ 5,483,350
SLEEPY HILL OAKS	CITY OF LAKELAND ELECTRIC AND WATER	63	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	47.3	$ 4,798,225
SOUTHGROVE SUBDIVISION PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	55	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	41.3	$ 7,091,925
STONEWOOD SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	78	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	58.5	$ 4,760,150
SUMMERLAND HILLS	CITY OF LAKELAND ELECTRIC AND WATER	88	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	66.0	$ 7,606,200
SUMMIT VIEW PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	62	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	46.5	$ 7,246,050
SUNRISE PARK	CITY OF LAKELAND ELECTRIC AND WATER	164	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	123.0	$ 4,096,300
SUNSET VISTA	CITY OF LAKELAND ELECTRIC AND WATER	51	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	38.3	$ 7,513,125
SUNSHINE ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	66	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	49.5	$ 4,249,850
SWEETWATER	CITY OF LAKELAND ELECTRIC AND WATER	55	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	41.3	$ 8,622,525
VILLAGE PLACE	CITY OF LAKELAND ELECTRIC AND WATER	59	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	44.3	$ 3,096,625
VINTAGE VIEW PH 1—2	CITY OF LAKELAND ELECTRIC AND WATER	184	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	138.0	$ 9,217,700
W. F. HALLAM AND COS CLUB COLONY TRACT 278500	CITY OF LAKELAND ELECTRIC AND WATER	92	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	69.0	$ 6,929,100
W. F. HALLAM AND COS CLUB COLONY TRACT 285500	CITY OF LAKELAND ELECTRIC AND WATER	67	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	50.3	$ 7,566,025
W. F. HALLAM AND COS FARMING AND TRUCKING LANDS 282500	CITY OF LAKELAND ELECTRIC AND WATER	56	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	42.0	$ 7,460,100
W. F. HALLAM AND COS FARMING AND TRUCKING LANDS 285000	CITY OF LAKELAND ELECTRIC AND WATER	60	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	45.0	$ 7,354,200
W. F. HALLAM AND COS LAKELAND HIGHLANDS CLUB ACRE* 280000	CITY OF LAKELAND ELECTRIC AND WATER	89	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	66.8	$ 7,334,375
W. F. HALLAM AND COS SUBDIVISION FARMING AND TRUC*242500	CITY OF LAKELAND ELECTRIC AND WATER	193	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	144.8	$ 7,102,575
WALES GARDENS UNITS 1—2	CITY OF LAKELAND ELECTRIC AND WATER	74	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	55.5	$ 4,424,250

WEBSTER AND OMOHUNDRO SUBDIVISION085500	CITY OF LAKELAND ELECTRIC AND WATER	79	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	59.3	$ 5,086,725
WEST END FARMS091000	CITY OF LAKELAND ELECTRIC AND WATER	104	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	78.0	$ 5,853,000
WEST OAKS	CITY OF LAKELAND ELECTRIC AND WATER	75	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	56.3	$ 7,686,025
WESWEGO SUBDIVISION UNITS 3—4	CITY OF LAKELAND ELECTRIC AND WATER	80	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	60.0	$ 4,439,100
WINDWOOD	CITY OF LAKELAND ELECTRIC AND WATER	52	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	39.0	$ 7,174,800
WINSTON HEIGHTS UNITS 1—4	CITY OF LAKELAND ELECTRIC AND WATER	181	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	135.8	$ 7,127,575
WOODLAND ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	87	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	65.3	$ 3,397,525
WOODWIND HILLS	CITY OF LAKELAND ELECTRIC AND WATER	52	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	39.0	$ 7,009,300
COUNTRY TRAILS	CITY OF POLK CITY	97	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	0.300	0.212	9/2024	72.8	$ 3,528,075
DEER TRAILS NORTH PH 1—2	CITY OF POLK CITY	85	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	0.300	0.212	9/2024	63.8	$ 1,937,475
GREENWOOD ESTATES	CITY OF POLK CITY	66	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	0.300	0.212	9/2024	49.5	$ 2,936,150
MOUNT OLIVE ESTATES	CITY OF POLK CITY	90	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	0.300	0.212	9/2024	67.5	$ 2,751,050
MOUNT OLIVE HEIGHTS UNITS 1—2	CITY OF POLK CITY	137	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	0.300	0.212	9/2024	102.8	$ 3,623,375
POLK CITY	CITY OF POLK CITY	118	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	0.300	0.212	9/2024	88.5	$ 3,680,950
CEDAR COVE PH 1—2	CITY OF WINTER HAVEN	58	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	43.5	$ 1,966,350
ELOISE WOODS	CITY OF WINTER HAVEN	60	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	45.0	$ 3,532,000
ELOISE WOODS EAST LAKE FLORENCE UNIT	CITY OF WINTER HAVEN	79	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	59.3	$ 3,831,925
ELOISE WOODS EAST LAKE MARIAM UNIT	CITY OF WINTER HAVEN	270	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	202.5	$ 8,208,550
ELOISE WOODS LAKE MARIAM UNIT	CITY OF WINTER HAVEN	268	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	201.0	$ 8,238,100
ELOISE WOODS LAKE ROY UNIT	CITY OF WINTER HAVEN	250	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	187.5	$ 7,491,400
FLORIDA HIGHLAND CO SUBDIVISION589000	CITY OF WINTER HAVEN	84	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	63.0	$ 5,024,500
FLORIDA HIGHLAND CO SUBDIVISION663000	CITY OF WINTER HAVEN	289	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	216.8	$ 9,000,825
FOXHAVEN PH 1—3	CITY OF WINTER HAVEN	165	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	123.8	$ 5,933,375
GARDEN GROVE UNITS 1—4	CITY OF WINTER HAVEN	110	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	82.5	$ 4,417,750
HILLS OF LAKE ELBERT UNIT NO. 1	CITY OF WINTER HAVEN	52	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	39.0	$ 4,596,600

LAHA WA MANOR UNITS 1—3	CITY OF WINTER HAVEN	50	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	37.5	$ 3,239,550
LAKE ELBERT HEIGHTS	CITY OF WINTER HAVEN	97	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	72.8	$ 5,266,975
LAKE MARIAM HILLS	CITY OF WINTER HAVEN	86	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	64.5	$ 4,580,550
LAKE REGION ESTATE UNIT 1	CITY OF WINTER HAVEN	80	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	60.0	$ 4,964,100
LAKE SHIPP HEIGHTS UNITS 1—9	CITY OF WINTER HAVEN	260	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	195.0	$ 8,020,000
LAKE WINTERSET ACRES UNITS 1—2	CITY OF WINTER HAVEN	52	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	39.0	$ 2,745,000
OVERLOOK ESTATES PH 1—3	CITY OF WINTER HAVEN	73	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	54.8	$ 4,360,375
SOUTH ROY SHORES	CITY OF WINTER HAVEN	64	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	48.0	$ 3,382,200
SOUTH WINTER HAVEN EXTENSION OF	CITY OF WINTER HAVEN	52	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	39.0	$ 3,174,200
SUMMERHAVEN SHORES	CITY OF WINTER HAVEN	65	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	48.8	$ 4,311,175
WINTERSET GARDENS	CITY OF WINTER HAVEN	80	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	60.0	$ 2,716,700
WINTERSET NORTH PH 1—5	CITY OF WINTER HAVEN	68	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	51.0	$ 3,112,100
BILTMORE SHORES UNITS 1—2	CITY OF WINTER HAVEN	176	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	132.0	$ 4,742,900
BRYSON R H SUBDIVISION	CITY OF WINTER HAVEN	61	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	45.8	$ 3,351,475
BUCKEYE HILLS	CITY OF WINTER HAVEN	50	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	37.5	$ 1,923,450
CAREFREE COVE UNITS 1—3	CITY OF WINTER HAVEN	154	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	115.5	$ 3,304,150
CHESTNUT CREEK	CITY OF WINTER HAVEN	82	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	61.5	$ 3,366,950
DEER LAKE TERRACE SUBDIVISION UNITS 1—3	CITY OF WINTER HAVEN	106	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	79.5	$ 3,941,250
DEERWOOD OR HARRIBEN INVESTMENT CO	CITY OF WINTER HAVEN	56	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	42.0	$ 3,181,900
HARTRIDGE MANOR	CITY OF WINTER HAVEN	61	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	45.8	$ 1,653,875
INWOOD UNITS 1—7	CITY OF WINTER HAVEN	1287	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	965.3	$ 25,534,375
ROCHELLE GARDENS UNITS 1—2	CITY OF WINTER HAVEN	55	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	41.3	$ 1,736,025
ROSEWOOD MANOR	CITY OF WINTER HAVEN	74	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	55.5	$ 3,163,650
WEST CANNON HEIGHTS	CITY OF WINTER HAVEN	105	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	78.8	$ 3,755,975
WESTWOOD SUBDIVISION	CITY OF WINTER HAVEN	120	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	1.700	2.122	9/2024	90.0	$ 3,983,400
ORANGE HILLS SUBDIVISION	FLORIDA GOVERNMENTAL UTILITY AUTHORITY	144	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	108.0	$ 8,422,500
HILLTOP HEIGHTS	FLORIDA GOVERNMENTAL UTILITY AUTHORITY	67	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	50.3	$ 3,535,125
LAKE GIBSON ESTATES UNITS 1—2	FLORIDA GOVERNMENTAL UTILITY AUTHORITY	86	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	8.000	5.775	9/2024	64.5	$ 3,649,650

GRENELEFE COND CORNER LK	GRENELEFE RESORT UTILITY, INC.	67	FLA013016	Grenelefe Resort WWTF	Abbey Street in Grenelefe	Haines City, FL 32819	0.340	0.144	9/2024	50.3	$ 2,076,725
SPRING PINES SUBDIVISION UNITS 1—6	GRENELEFE RESORT UTILITY, INC.	109	FLA013016	Grenelefe Resort WWTF	Abbey Street in Grenelefe	Haines City, FL 32819	0.340	0.144	9/2024	81.8	$ 2,569,175
ELLISON PARK SUBDIVISION	KEEN UTILITIES	66	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	2.970	3.317	10/2024	49.5	$ 2,451,450
LAKE REGION PARADISE IS	KEEN UTILITIES	108	FLAB07302	Lake Hamilton WWTF	Water Tank Road at Detour Road	Lake Hamilton, FL 33851	0.500	0.02	9/2024	81.0	$ 3,735,000
NORTH POINTE	NORTH POINTE HOA	63	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	47.3	$ 3,244,125
ORCHID SPRINGS CONDOMINIUM	ORCHID SPRINGS DEVELOPMENT	177	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	132.8	$ 6,226,675
CROOKED LAKE PARK TRACTS 1—5	PARK WATER COMPANY	86	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	64.5	$ 4,871,250
SOUTH LAKE WALES UNITS 1—6	PARK WATER COMPANY	255	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	191.3	$ 8,716,125
SOUTH LAKE WALES YACHT CLUB SEC 1 REVISED	PARK WATER COMPANY	56	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	42.0	$ 4,474,400
COUNTRY WALK PH 1—3	PCU (CRUSA)	53	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	39.8	$ 5,865,375
GORDONVILLE	PCU (CRUSA)	55	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	41.3	$ 3,538,825
JAN PHYL VILLAGE ADDITION UNITS 1—17	PCU (CRUSA)	400	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	300.0	$ 15,238,300
LAKE THOMAS WOODS	PCU (CRUSA)	221	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	165.8	$ 11,861,725
SHADOW WOOD UNITS 1—3	PCU (CRUSA)	98	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	73.5	$ 6,959,450
TANAMORA	PCU (CRUSA)	81	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	60.8	$ 7,443,975
THORNHILL ESTATES PH 1—2	PCU (CRUSA)	57	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	42.8	$ 5,888,275
WOLF RUN	PCU (CRUSA)	53	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	39.8	$ 6,876,775
LAKE PIERCE HEIGHTS	PCU (ERUSA)	91	FLA012968	Waverly WWTF	SR 540, 1/2 Mile East of US Hwy 27	Waverly, FL 33877	0.130	0.038	9/2024	68.3	$ 5,273,325
LAKE PIERCE RANCHETTES ADD1—5	PCU (ERUSA)	439	FLA012968	Waverly WWTF	SR 540, 1/2 Mile East of US Hwy 27	Waverly, FL 33877	0.130	0.038	9/2024	329.3	$ 11,762,625
TIMBERLANE SUBDIVISION PH1—2	PCU (ERUSA)	97	FLA012968	Waverly WWTF	SR 540, 1/2 Mile East of US Hwy 27	Waverly, FL 33877	0.130	0.038	9/2024	72.8	$ 4,962,275
BENTLEY OAKS	PCU (NERUSA)	100	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	75.0	$ 4,045,500
BRIARGROVE ADD 1—3	PCU (NERUSA)	239	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	179.3	$ 7,167,625
LOMA DEL SOL PH A,B,C,D,E	PCU (NERUSA)	387	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	290.3	$ 9,034,825
LOMA LINDA PH 1—3	PCU (NERUSA)	222	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	166.5	$ 6,755,950
LOMA VISTA SECTION 1—2	PCU (NERUSA)	151	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	113.3	$ 4,331,525
OAKPOINT	PCU (NERUSA)	71	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	53.3	$ 4,690,725
ROBBINS REST	PCU (NERUSA)	71	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	53.3	$ 4,374,925
SUNRIDGE WOODS PHASE 01-03	PCU (NERUSA)	436	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	327.0	$ 11,044,000

WESTRIDGE PHASE 01 AND 02	PCU (NERUSA)	170	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	6.000	5.51	8/2024	127.5	$ 6,297,050
BLOOMFIELD HILLS PH 1—5	PCU (NWRUSA)	253	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	189.8	$ 7,780,375
BUCKINGHAM	PCU (NWRUSA)	124	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	93.0	$ 6,144,300
CHERRY HILL	PCU (NWRUSA)	68	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	51.0	$ 1,723,700
COUNTRY OAKS OF LAKELAND	PCU (NWRUSA)	111	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	83.3	$ 5,657,725
COUNTRY VIEW ESTATES PH 1—4	PCU (NWRUSA)	432	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	324.0	$ 10,255,300
DERBYSHIRE	PCU (NWRUSA)	81	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	60.8	$ 5,335,975
FOREST LAKE	PCU (NWRUSA)	77	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	57.8	$ 5,340,175
FOX CHASE SUBDIVISION	PCU (NWRUSA)	57	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	42.8	$ 2,679,475
FOX LAKES	PCU (NWRUSA)	82	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	61.5	$ 3,786,350
GLENRIDGE PH 1—3	PCU (NWRUSA)	148	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	111.0	$ 5,578,000
HAMPTON CHASE PH 1—2	PCU (NWRUSA)	130	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	97.5	$ 6,189,950
HAWKS RIDGE	PCU (NWRUSA)	76	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	57.0	$ 3,613,600
HIGHLAND GROVE EAST	PCU (NWRUSA)	90	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	67.5	$ 3,230,450
HOMESTEAD THE PH 1—2	PCU (NWRUSA)	80	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	60.0	$ 3,354,000
HUNTERS RUN PH 1—3	PCU (NWRUSA)	205	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	153.8	$ 6,898,575
INDIAN HEIGHTS SUBDIVISION	PCU (NWRUSA)	131	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	98.3	$ 3,248,825
INDIAN WOODS	PCU (NWRUSA)	109	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	81.8	$ 2,632,775
LEISURE ESTATES	PCU (NWRUSA)	55	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	41.3	$ 3,988,525
LEXINGTON GREEN	PCU (NWRUSA)	58	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	43.5	$ 4,540,850
LOST LAKE PARK PH 1—3	PCU (NWRUSA)	113	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	84.8	$ 5,806,975
MANORS OF NOTTINGHAM	PCU (NWRUSA)	119	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	89.3	$ 5,965,325

MARTIN ESTATES PH 1—3	PCU (NWRUSA)	120	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	90.0	$ 5,142,400
MT. TABOR ESTATES UNRE	PCU (NWRUSA)	175	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	131.3	$ 6,274,225
NOTTINGHAM	PCU (NWRUSA)	82	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	61.5	$ 5,276,850
OAKS OF LAKELAND THE	PCU (NWRUSA)	107	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	80.3	$ 5,468,525
PINE GLEN (UNREC) PH 1—2	PCU (NWRUSA)	82	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	61.5	$ 5,142,250
PLANTATION RIDGE	PCU (NWRUSA)	101	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	75.8	$ 4,156,275
QUAIL TRAIL	PCU (NWRUSA)	68	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	51.0	$ 3,023,300
RIDGEMONT	PCU (NWRUSA)	62	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	46.5	$ 2,751,650
ROLLING OAK ESTATES UNRE	PCU (NWRUSA)	99	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	74.3	$ 3,352,525
ROLLINGLEN PH 1—4	PCU (NWRUSA)	177	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	132.8	$ 5,646,875
SCENIC HILLS	PCU (NWRUSA)	84	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	63.0	$ 3,122,200
SHEFFIELD	PCU (NWRUSA)	87	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	65.3	$ 3,292,025
SHERWOOD LAKES	PCU (NWRUSA)	119	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	89.3	$ 6,471,325
TANGERINE TRAILS UNITS 1—4	PCU (NWRUSA)	282	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	211.5	$ 6,327,200
TIMBERCREEK SUBDIVISION PH 1—2	PCU (NWRUSA)	212	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	159.0	$ 12,967,150
TIMBERIDGE PH 1—5	PCU (NWRUSA)	278	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	208.5	$ 9,747,600
TROPICAL MANOR	PCU (NWRUSA)	51	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	38.3	$ 2,159,325
UNRE PALMORE ESTATES	PCU (NWRUSA)	147	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	110.3	$ 4,842,925
WELLINGTON GREEN	PCU (NWRUSA)	50	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	37.5	$ 4,725,750
WILLOW WISP PH 1—2	PCU (NWRUSA)	100	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	75.0	$ 2,934,900
WOODBURY SUBDIVISION PH 1—2	PCU (NWRUSA)	108	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	81.0	$ 4,179,100
YELLOW PINE SUBDIVISION	PCU (NWRUSA)	59	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	44.3	$ 3,653,825

YORKSHIRE	PCU (NWRUSA)	81	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	60.8	$ 5,319,675
BABSON PARK HEIGHTS PH 1—2	PCU (SERUSA)	94	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	1.000	0.413	9/2024	70.5	$ 8,847,250
OAKRIDGE ESTATES PHASE 01, 02, 08, 11	PCU (SERUSA)	80	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	1.000	0.413	9/2024	60.0	$ 2,524,600
STEPHENSONS ADDITION	PCU (SERUSA)	166	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	1.000	0.413	9/2024	124.5	$ 9,200,750
SUN RAY HOMES NO 3	PCU (SERUSA)	92	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	1.000	0.413	9/2024	69.0	$ 2,209,900
SUN RAY HOMES PLAT NO. 1, 2, 4	PCU (SERUSA)	220	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	1.000	0.413	9/2024	165.0	$ 4,650,500
WEST FROSTPROOF	PCU (SERUSA)	89	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	1.000	0.413	9/2024	66.8	$ 3,580,975
WALK IN WATER LAKE ESTATES PHASE 1, 2, 3, 5	PCU (SERUSA; SFWMD)	145	FLA012983	City of Frostproof WWTF	98 N Lake Reedy Blvd	Frostproof, FL 33843-2114	0.250	0.179	9/2024	108.8	$ 8,498,875
BRADLEY JUNCTION	PCU (SWRUSA)	92	FL0020338	City of Mulberry WWTF	500 Southwest Second Street	Mulberry, FL 33860	0.750	0.5	9/2024	69.0	$ 6,348,000
ROLLING HILLS SUBDIVISION	PCU (SWRUSA)	100	FL0020338	City of Mulberry WWTF	500 Southwest Second Street	Mulberry, FL 33860	0.750	0.5	9/2024	75.0	$ 5,143,300
ALAMANDA	PCU (SWRUSA)	71	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	53.3	$ 6,111,625
ARROWHEAD	PCU (SWRUSA)	50	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	37.5	$ 4,431,850
BRISTOL OAKS	PCU (SWRUSA)	56	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	42.0	$ 2,984,500
CESARA ESTATES	PCU (SWRUSA)	68	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	51.0	$ 3,739,900
CHERRY LANE ESTATES PH 1—2	PCU (SWRUSA)	87	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	65.3	$ 3,948,925
CHRISTINA GROVES SUBDIVISION UNITS 1—2	PCU (SWRUSA)	100	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	75.0	$ 6,336,900
CREEKSIDE	PCU (SWRUSA)	184	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	138.0	$ 5,197,700
CREWS LAKE HILLS ESTATES PH 1—2	PCU (SWRUSA)	60	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	45.0	$ 4,694,200
DEER BROOKE & SOUTH	PCU (SWRUSA)	494	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	370.5	$ 12,470,050
ENGLELAKE SUBDIVISION	PCU (SWRUSA)	74	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	55.5	$ 4,635,150
FORESTWOOD SUBDIVISION	PCU (SWRUSA)	117	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	87.8	$ 4,188,975
HAMPTON POINTE	PCU (SWRUSA)	54	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	40.5	$ 6,075,250
HATCHER ROAD ESTATES PH 1—3	PCU (SWRUSA)	87	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	65.3	$ 3,841,125
HIGHLANDS AT CREWS LAKE	PCU (SWRUSA)	113	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	84.8	$ 6,751,275
HIGHLANDS CROSSING PH 1—2	PCU (SWRUSA)	122	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	91.5	$ 6,811,350

INDIAN OAKS	PCU (SWRUSA)	54	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	40.5	$ 3,105,050
LONGWOOD OAKS PH 1—3	PCU (SWRUSA)	60	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	45.0	$ 3,050,200
MAGNOLIA TRAILS	PCU (SWRUSA)	84	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	63.0	$ 3,865,400
MEADOW RIDGE ESTATES PH 1—3	PCU (SWRUSA)	124	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	93.0	$ 4,248,300
OAK HAMMOCK ESTATES PH 1—4	PCU (SWRUSA)	238	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	178.5	$ 6,944,650
OAK MEADOWS ESTATES	PCU (SWRUSA)	108	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	81.0	$ 2,654,400
PINEVIEW ESTATES PHASE 01	PCU (SWRUSA)	55	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	41.3	$ 2,035,425
PINEVIEW ESTATES PHASE 02	PCU (SWRUSA)	65	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	48.8	$ 2,028,275
RAMBLEWOOD SUBDIVISION	PCU (SWRUSA)	75	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	56.3	$ 3,367,425
RIVERLAKE ADDITION	PCU (SWRUSA)	52	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	39.0	$ 6,940,600
SHADY BROOKE	PCU (SWRUSA)	90	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	67.5	$ 2,368,150
SHADY HAMMOCK	PCU (SWRUSA)	105	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	78.8	$ 3,056,575
SHEPHERD SOUTH	PCU (SWRUSA)	156	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	117.0	$ 4,852,100
SOUTHWIND	PCU (SWRUSA)	61	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	45.8	$ 3,467,875
SUNNY GLEN PH 1—4	PCU (SWRUSA)	107	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	80.3	$ 6,905,125
W. F. HALLAM AND COS FARMING AND TRUCKING LANDS 284000	PCU (SWRUSA)	63	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	47.3	$ 4,950,525
WATERWOOD ADDITION	PCU (SWRUSA)	72	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	54.0	$ 7,186,300
WILLOW RUN	PCU (SWRUSA)	64	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	48.0	$ 3,343,100
WILL-O-WOODS	PCU (SWRUSA)	77	FLA012954	Polk County Southwest Regional WWTF	2000 - 4th Street	Mulberry, FL 33860	4.000	2.568	9/2024	57.8	$ 2,558,975
CITRUS HIGHLANDS PH 2—4	PINECREST UTILITIES, LLC	116	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	87.0	$ 4,692,600
MCLEOD GARDENS PH 1—3	TEVALO INC	89	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	4.000	2.984	9/2024	66.8	$ 5,342,075
PINEDALE SUBDIVISION	UNINCORPORATED	67	FL0020338	City of Mulberry WWTF	500 Southwest Second Street	Mulberry, FL 33860	0.750	0.5	9/2024	50.3	$ 3,157,325
BEECH HAVEN ESTATES	UNINCORPORATED	55	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	41.3	$ 2,061,925

GARDENS PH 1—3	UNINCORPORATED	150	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	112.5	$ 3,465,050
LAKE ELOISE POINTE	UNINCORPORATED	107	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	80.3	$ 2,625,625
PALMETTO RIDGE	UNINCORPORATED	99	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	74.3	$ 2,582,025
RIDGE ACRES UNITS 1—4	UNINCORPORATED	163	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	122.3	$ 3,898,125
SOLIS GARDENS	UNINCORPORATED	61	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	45.8	$ 1,870,175
WAHNETA FARMS	UNINCORPORATED	799	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	7.500	4.953	9/2024	599.3	$ 15,301,425
INDIAN LAKE ESTATES UNITS 1—16	UNINCORPORATED	564	FLA012983	City of Frostproof WWTF	98 N Lake Reedy Blvd	Frostproof, FL 33843-2114	0.250	0.179	9/2024	423.0	$ 22,990,500
SOUTH SHORE RESORT AN RV CONDOMINIUM	UNINCORPORATED	90	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	67.5	$ 7,353,950
TIOTIE BEACH ESTATES UNITS 1—3	UNINCORPORATED	174	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	2.190	1.152	9/2024	130.5	$ 10,894,550
SADDLEWOOD ESTATES PHASE 01	UNINCORPORATED	50	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	3.000	1.259	9/2024	37.5	$ 5,275,450
VILLAGE ESTATES UNITS 1—2	UNINCORPORATED	52	FLAB07302	Lake Hamilton WWTF	Water Tank Road at Detour Road	Lake Hamilton, FL 33851	0.500	0.02	9/2024	39.0	$ 1,574,800
VAN LAKES PH 1—3	VAN LAKES HOMEOWNERS ASSOCIATION	79	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	4.000	1.395	9/2024	59.3	$ 3,713,025

SECTION 3.103 SOLID WASTE.

OBJECTIVE 3.103-A: With adoption of this plan, Polk County shall implement programs to ensure proper management of all solid waste generated within its boundaries.

POLICY 3.103-A1: Polk County shall provide the ~~following~~ Level of Service of 8.25 lbs/capita/day in the collection and management of the solid waste generated within its boundaries.~~:~~

~~YEAR COUNTY AVERAGE~~

~~(lbs/capita/day) FACILITY*~~

~~NORTH-CENTRAL~~

~~LANDFILL~~

~~(lbs/capita/day)~~

~~1990 5.63 5.81~~

~~1996 5.50 6.35~~

~~2000 12.66 12.66~~

~~2010 8.00 8.00~~

~~2020 8.25 8.26~~

~~*Note: The Northeast Landfill stopped receiving solid waste in 1995.~~

POLICY 3.103-A2: The County shall implement programs and coordinate with municipalities and the private sector to:

a. review the effectiveness of the countywide mandatory collection ordinance for all solid waste and adjust as necessary;

b. provide adequate sites for the disposal and transfer of solid waste in the future;

c. implement effective programs to collect, treat, and dispose or recycle household and other "small-quantity" generated hazardous waste;

d. address solid waste management issues including funding, disposal, recycling, refuse-to-energy; and

e. encourage education regarding solid waste management.

POLICY 3.103-A3: The County shall implement procedures and review criteria for the approval of new or expanded solid waste management facilities in the Land Development Code.

OBJECTIVE 3.103-C: Polk County shall minimize environmental impacts resulting from handling or disposing of solid waste in the County.

POLICY 3.103-C1: The County shall review and strengthen regulations to prevent illegal dumping of solid waste within the County's jurisdiction and implement effective enforcement programs.

POLICY 3.103-C2: The County shall develop and implement mechanisms to cooperate with FDEP and CFRPC in executing programs to monitor handling and disposal of hazardous and bio-hazardous waste.

POLICY 3.103-C3: The County's Waste Resources Management Division shall assist the Department of ~~Health~~ Environmental Protection ~~and FDEP~~ in developing control measures to ensure the proper disposal of treated septage from septic tanks and sludge from wastewater-treatment plants.

POLICY 3.103-C4: The County shall continue to monitor solid waste disposal sites to prevent pollution to the aquifers and surface water bodies.

SECTION 3.104 STORMWATER MANAGEMENT.

OBJECTIVE 3.104-A: With plan adoption, Polk County shall require the design of Stormwater Management systems that at a minimum do not increase the impact of discharges more than that occurring in predevelopment, attempt to improve poorly designed systems, encourage Low Impact development, and support Conservation Development while maintaining minimum Level of Service Standards.

DRAINAGE MINIMUM LEVEL OF SERVICE STANDARDS					
LOS I	**LOS II**	**LOS III**	**LOS IV**	**LOS V**	**LOS VI**
Capacity: 100-year, 24-hour storm event with freeboard	Capacity: 50-year, 24-hour storm event with freeboard	Capacity: 25-year, 24-hour storm event with freeboard	Capacity: 10-year, 24-hour storm event with freeboard	Capacity: 5-year, 24-hour storm event with freeboard	Capacity: 3-year, 24-hour storm event with freeboard

POLICY 3.104-A1: All applicable federal, state, regional, and local regulations pertaining to flood control and water quality preservation shall continue to be met in public and private project design.

POLICY 3.104-A2: At the time of development or redevelopment, Polk County shall require a Drainage Level of Service Standard based on requirements as established in the Land Development Code (LDC). At a minimum, no system shall be designed at less than Level of Service VI.

OBJECTIVE 3.104-B: Polk County shall continue to identify and evaluate the Drainage Facilities Network (DFN) within the County, determine deficiencies and causes of deficiencies, develop programs for stormwater management improvement and maintenance through development of a Regional Drainage and Water Quality (RDWQ) management work plan to replace the Surface Water Management Plan (SWMP), and update the Polk County Comprehensive Plan (PCCP) accordingly.

POLICY 3.104-B1: The County shall continue a County-wide inventory to determine its Drainage Facility Network (DFN) to include:

a. drainage patterns in each sub-basin,

b. structures in place (culverts, etc.),

c. natural and man-made drainage features (watercourses, streams, rivers, canals, ditches, etc.),

d. connectivity,

e. functional integrity,

f. easements,

g. capacities,

h. other features that may influence stormwater quantity and quality characteristics in each subbasin, and the EPA's NPDES permit requirements.

POLICY 3.104-B2: Polk County shall identify deficiencies, develop corrections and improvement programs, and begin implementing the corresponding correction and improvement program for items (a) through (h) in Policy 3.104-B1.

POLICY 3.104-B3: The County shall develop and implement a program, which shall include funding sources, to accept the maintenance responsibilities of existing and proposed subdivision stormwater facilities associated with County-maintained roads.

POLICY 3.104-B4: The County shall develop and implement a routine-maintenance plan for County controlled stormwater facilities.

POLICY 3.104-B5: The County shall evaluate current funding mechanisms to finance the implementation of improvement, upgrading, retrofitting, and construction and maintenance programs related to the County's DFN. In this regard, the County shall consider alternative funding mechanisms within those problem areas.

POLICY 3.104-B6: Where a special taxing district or other privately funded drainage district exists, the County shall evaluate the drainage needs affected by those entities and work with those entities to meet the established LOS.

POLICY 3.104-B7: Polk County shall implement EPA's NPDES permit requirements for stormwater discharge as mandated by the Federal government.

OBJECTIVE 3.104-C: Polk County shall, in conjunction with Objective 3.104-B, implement the strategies developed in the Regional Drainage and Water Quality Management Work Plan (RDWQ).

POLICY 3.104-C1: The County has developed and will continue to develop basin specific watershed management plans in accordance with the RDWQ and the DFN plans to address new drainage projects.

POLICY 3.104-C2: The County shall coordinate with federal, state, regional, and local agencies to implement basin specific watershed management plans.

POLICY 3.104-C3: The County shall continue to analyze DFN structural deficiencies, stormwater quantity and quality problems, and incorporate them in the priority programs.

OBJECTIVE 3.104-D: Polk County shall continue to update regulations which implement design criteria for water quantity and quality consistent with adopted level-of-service (LOS) standards for stormwater runoff management; and, within these development regulations, the County will address the requirements and measures necessary for the preservation or restoration of natural systems.

POLICY 3.104-D1: The County's Land Development Division shall coordinate with the County's Parks and Natural Resources Division in the permitting of all stormwater system projects so that water quality concerns will be addressed during the design and reconstruction of stormwater systems.

POLICY 3.104-D2: Polk County shall implement development regulations in support of Objective 3.104-D which require the preservation and restoration of natural flood control and conveyance systems within the County.

POLICY 3.104-D3: The County shall amend existing regulations, and work with the water management districts, so the regulations will evaluate the cumulative impact of development on the existing system's capacity.

POLICY 3.104-D4: The County has developed and will continue to develop basin specific criteria to:

a. Mitigate the impacts on existing facilities that cannot meet adopted LOS; and

b. Avoid adverse impacts of future development on identified potential flood prone areas.

POLICY 3.104-D5: Polk County shall continue to implement the retrofit of drainage systems through a process of prioritization based upon the extent to which non-point sources pollute surface and/or groundwaters.

POLICY 3.104-D6: Polk County shall determine on a project basis the feasibility of implementing regional detention and/or retention systems.

POLICY 3.104-D7: Polk County shall continue to develop and implement the necessary inter-local agreements with the County's incorporated areas, and with all appropriate state and federal regulatory agencies, for cooperation and coordination which will allow the implementation of a compatible and integrated stormwater-management program.

OBJECTIVE 3.104-E: Polk County shall continue to maintain and update the DFN and watershed management plan.

POLICY 3.104-E1: The County shall develop and implement a maintenance plan to keep the watershed management plan and DFN routinely updated and revised.

POLICY 3.104-E2: Polk County shall develop a priority program to detail and upgrade the studies performed in the watershed management plan. Pursuant to the Land Development Code, flood studies may be required for development within areas subject to flooding. The results of these studies and updates will be submitted for incorporation into federal and state programs related to floodplain and stormwater management (e.g. FEMA).

POLICY 3.104-E3: The County shall update future development flood scenarios, based on the Comprehensive Plan's projected growth patterns, to identify potential flood prone areas.

SECTION 3.105 POTABLE WATER.

OBJECTIVE 3.105-A: Polk County shall adopt level-of-service (LOS) standards to ensure the provision of safe and efficient potable water service (public or private) to the County's unincorporated area.

POLICY 3.105-A1: Installation, operation, and maintenance of potable water supply systems shall, at a minimum, meet the requirements of the Safe Drinking Water Act (SDWA) of 1974, as amended, Sections 403.850—403.864, F.S., Chapters 62.550, 62.555, and 62.560 (FAC), and the Polk County Utility Code, Ordinance No. 03-21.

POLICY 3.105-A2: Public and private potable water supply systems (15 or more connections or 25 people) shall meet or exceed design criteria to provide for:

a. Average daily-flow capacity of 360 gallons per equivalent-residential connection (GPERC);

b. Maximum daily-flow capacity of 2.0 times the average daily flow;

c. Maximum hourly-flow capacity of 4.5 times the average daily-flow for systems serving less than 0.1 million gallon per day (MGD); 4.0 times the average daily-flow for systems serving 0.1 to 0.5 MGD; and 3.2 times the average daily-flow for systems serving more than 0.5 MGD.

d. Storage capacity shall be provided to meet domestic demands, and where fire protection is provided, fire flow demands as established by the appropriate State Insurance Agency Office (ISO). Minimum storage capacity for systems not providing fire protection shall be equal to the average daily consumption. This requirement may be reduced when the supply facilities have sufficient capacity with a stand-by power to supplement peak demand of the system.

e. Capacity to support peaks caused by fire flow demands as established by the appropriate State ISO.

POLICY 3.105-A3: Sites for the location of potable, surface and other alternative and supplementary water sources shall be evaluated as set forth in the Federal Clean Water Act, as amended, and Chapters 17-4 and 17-22 (FAC), in order to minimize the potential for contamination of the potable water supply.

POLICY 3.105-A4: The County shall review effectiveness of the County utilities ordinance to enforce or implement the requirements of this Comprehensive Plan and make the necessary amendments.

OBJECTIVE 3.105-B: Polk County shall implement the 10-Year Water Supply Plan adopted as part of this element (Section 3.150) to ensure the adequate provision of potable water within the service areas. As part of this plan, the County will continue to monitor and correct any deficiencies found in existing public potable water treatment and distribution facility and planned extensions and increases of facility capacities in order to maximize the use of existing facilities and discourage urban sprawl.

POLICY 3.105-B1: Per Section 163.3202(1), F.S., the County shall continue to implement the Community Investment Program (CIP) to provide potable water service within the unincorporated Transit Supportive Development Areas, as establish by the Future Land Use Element.

POLICY 3.105-B2: In compliance with Section 163.3177(1)(b), Florida Statutes (F.S.), the County shall update the 10-Year Water Supply Facilities Work Plan within 18 months of the approval of the corresponding Water Management District Regional Water Supply Plan (RWSP). The Water Supply Facilities Work Plan shall be consistent with the RWSP and the policies of the Polk County Comprehensive Plan maximize the use of existing facilities and provide for future needs.

POLICY 3.105-B3: All improvements of existing potable water system, expansion, replacement, or increase in capacity shall be completed in accordance to the 10-Year Water Supply Plan and shall meet or exceed established LOS standards.

POLICY 3.105-B4: Private development within the planned unincorporated Transit Supportive Development areas or urban growth areas, served by private potable water supply systems, shall make the necessary infrastructure and Home Owner's Association documents, as approved by the County's Utilities Department to allow incorporation into a public regional or sub-regional system within 365 days of such system becoming available. All infrastructure improvements that are not to be owned by a municipality or an existing Florida Public Service Commission regulated utility shall be constructed to Polk County Utilities standards and specifications.

POLICY 3.105-B5: The County shall coordinate with Department of Health, FDEP, SWFWMD, and other applicable agencies to develop and implement a program where the Polk County Health Department staff inspect, identify and take action to correct the deficiencies found in private residential, commercial, or industrial potable water systems that are suspected health hazards. Such inspection shall be financed by a fee which must not exceed the cost of the inspection, and any cost incurred in to correct any deficiency found in the private systems shall be paid by the owner(s) of such system.

POLICY 3.105-B6: The County shall evaluate on a regular basis the effectiveness of the Polk County Water and Wastewater Master Plan for each regional utility service area and if necessary, amend the 10-Year Water Supply Plan.

POLICY 3.105-B7: [Deleted by CPA 08WSP-01 (Ord. 08-02) 18 JUN 2008]

POLICY 3.105-B8: Where service-area agreements exist, the County shall continue coordination efforts with the municipalities to assure availability of service, to ascertain potential for revision in boundaries, and to ensure cooperation rather than competition.

POLICY 3.105-B9: Where service-area agreements do not exist, the County shall initiate coordination efforts, to set standards, define or modify service-area boundaries, and estimate capability of providing the service to unincorporated areas adjoining municipal's or private utilities' service areas.

POLICY 3.105-B10: The County shall continue to collect a user's and collection fees to cover the operation and maintenance expenses and design a funding mechanism for capital improvement of potable water facilities. User's and collection fees shall be updated periodically in accordance with the recommendation of studies completed by the County or its consultants.

OBJECTIVE 3.105-C: Polk County shall implement adopted regulations consistent with the adopted LOS for potable water facility management in accordance with Section 163.3202(1), F.S.

POLICY 3.105-C1: All applicable federal, state, regional, and local regulations pertaining to the potable water supply shall continue to be met in public and private project design, construction, and operation.

POLICY 3.105-C2: The County shall improve and continue implementing mechanisms to assist in the coordination of permitting and monitoring processes between the County, and FDEP~~, Department of Health~~, water management districts, and CFRPC to ensure the proper operation and maintenance of the existing potable water supply facilities and installment of adequate future facilities.

POLICY 3.105-C3: The County shall develop and implement the policies, regulations, and programs in the Future Land Use and Capital Improvement Elements of this Comprehensive Plan, and in the Polk County Land

Development Code, which guide development to occur in existing service areas where the increase will not overburden capacity of existing or planned facilities within these service areas.

POLICY 3.105-C4: The County shall coordinate with the utility provider(s) and water management district(s) to prevent the impact of development on potable water supplies and areas identified by the water management districts as prime and high recharge to the Florida aquifer by establishing:

a. density limits,

b. impervious-surface cover requirements,

c. balanced water-budget requirements,

d. vegetation preservation,

e. stormwater retention design consideration, and

f. control of point and non-point pollution of ground and surface waters.

POLICY 3.105-C5: The County shall coordinate with the utility providers and water management districts having jurisdiction in Polk County to require all new development to use water-conservation techniques.

POLICY 3.105-C6: The County has adopted, as a part of the Land Development Code, written notification to surrounding property of proposed new public water wells to notify all property owners within 1,000 feet of the well.

OBJECTIVE 3.105-D: Polk County shall preserve existing water supplies (potable, industrial, and agricultural) to meet the demands for future growth.

POLICY 3.105-D1: The County shall continue to coordinate with the water management districts to establish and assess existing water supplies, and work with the appropriate jurisdictions to complete alternative water supply studies when initiated by such jurisdiction having authority.

POLICY 3.105-D2: As part of the 10-Year Water Supply Plan, the County shall adopt and implement, in coordination with the water managements districts and FDEP, programs which incorporate strategies and techniques to implement water-conservation, reclaimed water-use, and any other activity equivalent to a consumption rate of 110 gallons per capita per day with the intent of reducing the need for additional demand on the hydrological system.

POLICY 3.105-D3: The County, in partnership with the municipalities within Polk County, formed the Polk Regional Water Cooperative (PRWC) in 2016. The purpose was to develop projects that are environmentally sound, sustainable and include adequate alternative water supplies within the region. Alternative water supplies may be sold to end users or retail and/or wholesale distributors as permitted by the appropriate water management district. Members of the PRWC within Polk County shall have first priority on alternative water supply production ~~in accordance with the provisions of Section 373.1961 (5), FS.~~

POLICY 3.105-D4: Polk County shall incorporate into the Future Land Use Map Series the specific locations of future groundwater, surface water, alternative water, and supplemental water supply sources. Existing and future wellhead protection areas shall be mapped in the Future Land Use Map Series as they are identified by the water management districts.

POLICY 3.105-D5: The County has adopted regulations for wellhead protection zones and prohibited uses in those zones based on flat distance and continued travel time.

POLICY 3.105-D6: The County, as part of the 10-year Water Supply Plan, shall develop and implement a program to implement the use of properly treated wastewater (reclaimed) for agricultural and residential irrigation, industrial coolant, and other activities which do not required the use of potable water in all of its utilities service areas.

POLICY 3.105-D7: The County shall continue to develop and implement educational programs to promote the value of potable water sources and the importance of conservation of water usage in order to protect and preserve potable water resources.

(Ord. No. 22-053, § 2(Att. A), 7-5-2022)

SECTION 3.106 NATURAL GROUNDWATER AQUIFER RECHARGE.

OBJECTIVE 3.106-A: Polk County shall assist in the completion of the identification, classification, and mapping of natural and man-made groundwater aquifer recharge areas.

POLICY 3.106-A1: The County shall assist the Southwest Florida Water Management District (SWFWMD) and the South Florida Water Management District (SFWMD) in delineating prime recharge areas for the Floridan Aquifer within the County upon completion of the water management districts study on prime recharge areas, as required by Section 373.0395, F.S.

POLICY 3.106-A2: The County, upon receiving results from updated analysis of aquifer recharge studies by the Water Management Districts with jurisdiction and in coordination with the municipalities within Polk County's jurisdiction, shall:

a. update the County's Comprehensive Plan data and analysis, and

b. amend the Plan's objectives and policies where the revised data and analysis may so indicate.

POLICY 3.106-A3: The County is maintaining mapped areas of the aquifer system that are highly susceptible to pollution, in addition to those identified in this Comprehensive Plan, based on the results of:

a. Polk County's current cooperative program with US Geological Survey to determine areas prone to pollution of the aquifer,

b. State of Florida Department of ~~Health~~ Environmental Protection on-site Sewage Disposal System Research in Florida, and,

c. Any other study that might be pertinent to the issue of natural groundwater aquifer recharge susceptibility to contamination.

The results of the updating shall be incorporated into the Comprehensive Plan, by amending it, as necessary.

OBJECTIVE 3.106-B: Polk County shall implement adopted development regulations that will ensure adequate protection to the functions of natural groundwater aquifer recharge areas and the aquifer systems in accordance with Section 163.3202(1), F.S.

POLICY 3.106-B1: The County shall coordinate its development regulations and regulatory processes with the water management districts, DOH, and FDEP, to standardize rules, procedures, and monitoring mechanisms for the protection and utilization of natural groundwater aquifer recharge areas and shall coordinate the 10-Year Water Supply Plan with the Regional Water Supply Plans adopted by the corresponding water management district.

POLICY 3.106-B2: The County shall implement established development regulations that prohibit the location of incompatible uses, such as solid waste handlers, storage tanks, etc, in those areas that have been determined as highly susceptible to pollution of the aquifer system. As new areas are identified, the Plan will be amended to reflect these changes.

POLICY 3.106-B3: The County shall implement established development regulations that limit the use of septic tanks in areas where percolation might be detrimental to the aquifer system as establish by the USDA Soil Conservation Services Soil Survey, and the water management districts' Groundwater Resource Availability Inventory for Polk County.

POLICY 3.106-B4: The County shall implement adopted development regulations following the guidelines established in Section 2.123-D of the Future Land Use Element and Section 2.306 of the Conservation Element of this Comprehensive Plan for aquifer protection areas and groundwater protection, that guarantee the preservation and restoration of the functions of recharge areas to maintain quantity and quality of the water available for recharge to the aquifer system.

POLICY 3.106-B5: The County shall implement established development regulations that will ensure the protection of the Floridan Aquifer from direct pollution through sinkholes, other natural features, and deep-injection wells.

POLICY 3.106-B6: The County shall implement established development regulations that promote the use of reclaimed water and treated waste water for industrial and agricultural uses in areas identified as high or prime recharge areas.

SECTION 3.107 GENERAL.

OBJECTIVE 3.107-A: Polk County shall coordinate sewer and water extensions with its Future Land Use Element and Map Series.

POLICY 3.107-A1: The Growth Management Department shall review and issue a written "Administrative Decision", as specified within Section 4.303-A, for any improvements made to all potable-water or sanitary-sewer systems which are located, or which extension is located, within the unincorporated area and are not already included as part of an approved site plan, and which meet or exceed the following thresholds:

a. extension of a sewerage transmission or collection line having a diameter of six (6) inches or greater;

b. extension of a water transmission or distribution line having a diameter of four (4) inches or greater;

c. development of new community water and/or sewerage system;

d. expansion of an existing sewerage treatment facility which increases its capacity to above .05 MGD; or

e. development of a new sewage treatment facility having a minimum treatment capacity of .05 MGD.

POLICY 3.107-A2: Review of the proposed utility extension shall specifically include the following:

a. The improvement shall be consistent with the County's growth-management objectives, as reflected within the Comprehensive Plan, and shall conform to the objectives and policies contained within the Future Land Use Element with specific consideration being given to the sewer and water utility facet of Development Areas.

b. The improvement shall be included within the County's CIP or, if a non-County facility, approved as part of the County's Utilities Plan and Ordinance.

c. The improvement shall not be permitted if the impacts of the proposed utility expansion provides for the development of land-use intensities or densities which will cause other public facility level-of-service standards to be violated.

POLICY 3.107-A3: Review by the Growth Management Department required by Policy 3.107-A1 shall not be required for routine maintenance of facilities.

POLICY 3.107-A4: An appeal to an Administrative Decision shall be in accordance Section 4.303-B.

POLICY 3.107-A5: For the purpose of coordinating the expansion of municipal water and/or sewer systems into the unincorporated areas of the County, agreements shall be required. These agreements shall include, at a minimum:

a. level of service to be provided, and

b. timing, adequacy, and location of improvements.

SECTION 3.108 IMPLEMENTATION.

OBJECTIVE 3.108-A: Polk County shall implement the objectives and policies of the Infrastructure Element.

POLICY 3.108-A1: The County Manager, or designee, shall be responsible for implementing the infrastructure objectives and policies included in the Polk County Comprehensive Plan.

POLICY 3.108-A2: The County shall implement development regulations as adopted in the Land Development Code, to implement the objectives and policies of the Infrastructure Element in accordance with Section 163.3202(1), F.S.

POLICY 3.108-A3: The County shall establish appropriate funding mechanisms to finance capital, operational, and maintenance costs related to the implementation of objectives and policies of each Infrastructure Sub-Element.

POLICY 3.108-A4: The County shall establish priority programs designed to attain objectives and policies of the Infrastructure Element in a timely and economically feasible manner.

POLICY 3.108-A5: The County shall maintain and upgrade all County-owned infrastructure facilities in a routine basis.

POLICY 3.108-A6: The County shall provide at a minimum the level-of-service as established for each facility type in the Infrastructure Element.

POLICY 3.108-A7: The County shall maintain intergovernmental agreements with municipalities within its jurisdiction and all adjacent counties in order to attain common goals, objectives, and policies in the Infrastructure Element.

POLICY 3.108-A8: The County shall implement the Capital Improvement Element in order to meet the adopted levels-of-service standards established for each facility type.

SECTIONS 3.109—3.149 RESERVED.

SECTION 3.150 10-YEAR WATER SUPPLY PLAN.

OBJECTIVE 3.150-A: To meet the estimated potable water needs in each Polk County Utility Regional Service Area for the ~~2020-2030~~2025-2045 planning period, strategic actions are scheduled to be completed as scheduled in the County's CIP and the corresponding Polk County Utilities Service Area Master Plans.

POLICY 3.150-A1: The County will implement, in coordination with the SWFWMD, the SFWMD and the County's Municipalities, the strategies and recommendations of the Polk Regional Water Cooperative (established on March 1, 2016) and the associated comprehensive water supply assessment (dated September 13, 2016) which identified and quantified viable additional public water supply sources, particularly alternative water supply sources, and determined the feasibility and cost effectiveness of alternative water supply projects, as needed to meet the future potable and non-potable water needs of various public utility systems within Polk County.

POLICY 3.150-A2: Central Regional Utility Service Area

- The Water Production Facilities Capital Facilities Upgrade to regionalize production to 1.6 MGD with the development of a new Central Regional Water Projection Facility capable of supplying 4.0 MGD, with four new wells, a new 0.5 MG ground storage tank, and new high service pumps was completed in 2019. Four existing WPFs are scheduled to be taken out of service by FY22/23.
- Potable Water Transmission System Upgrades are scheduled to be completed by FY22/23 to improve the service reliability within the service area.
- Complete project construction for the Peace Creek Water Supply Project by 2040.

Funds, as shown in the 5-year Schedule of Capital Improvements of the CIE and the County's CIB are allocated in the CIP for that purpose.

POLICY 3.150-A3: Northeast Regional Utility Service Area

- Water Production Facilities Capital Facilities Upgrades to improve system efficiency by FY23/24.
- Potable Water Transmission System Upgrades are scheduled to be completed by FY24/25 to improve the service reliability within the service area.
- Reclaimed Water Transmission Line Upgrades to improve coverage and reliability within the service area are scheduled to be completed by FY22/23.
- Complete construction of the Cypress Lake (Brackish Wellfield) by FY24/25 and the associated Cypress Lake Water Treatment Plant/Raw Water Main by FY26/27 for 15 MGD (Polk County Utilities' share is 10%) and 5 MGD from the Southeast Wellfield (Lower Floridan Aquifer) Projects by 2026 for regional supplies.

Funds, as shown in the 5-year Schedule of Capital Improvements of the CIE and the County's CIB are allocated in the CIP for these purposes.

POLICY 3.150-A4: Northwest Regional Utility Service Area

- Water Production Facilities Capital Facilities (WPF) Upgrades to regionalize production in this service area with the development of two new Regional WPFs in North Lakeland, the Cherry Hill and Gibson Oaks WPF, capable of supplying 2.9 MGD and 5.9 MGD, respectively by FY21/22. The Sherwood Lakes WPF is scheduled to be taken out of service and the raw water wells routed to the new regional WPFs by FY21/22.
- Potable Water Transmission System Upgrades are scheduled to be completed by FY21/22 to improve the service reliability within the service area.
- Reclaimed Water Transmission Line Upgrades to improve coverage within the service area are scheduled to be completed by FY20/21.
- Initiate project construction for Phase I of the West Polk Lower Floridan Aquifer Wellfield Project by FY21/22.

Funds as shown in the 5-year Schedule of Capital Improvements of the CIE are allocated in the CIP for that purpose.

POLICY 3.150-A5: Southwest Regional Utility Service Area

- Potable Water Transmission System Upgrades are scheduled to be completed by FY23/24 to improve the service reliability within the service area.
- Initiate project construction for Phase I of the West Polk Lower Floridan Aquifer Wellfield Project by FY21/22.

Funds as shown in the 5-year Schedule of Capital Improvements of the CIE are allocated in the CIP for that purpose.

POLICY 3.150-A6: East Regional Utility Service Area

- Complete project construction for 5 MGD from the Southeast Wellfield (Lower Floridan Aquifer) Project by 2026 for regional supplies.

POLICY 3.150-A7:> Southeast Regional Utility Service Area

- Water Production Facilities Capital Facilities Upgrades to improve system storage and efficiency by FY23/24.

- Complete project construction for 5 MGD from the Southeast Wellfield (Lower Floridan Aquifer) Project by 2026 for regional supplies.

POLICY 3.150-A8: Other Utility Service Areas - Consistent with concurrency requirements in the County's Land Development Code (LDC), in those service areas where Polk County has no commitments to provide potable water, the County will coordinate with the corresponding provider to ensure the availability of adequate service prior to issuing a development order.

DIVISION 3.200 TRANSPORTATION ELEMENT

SECTION 3.201 INTRODUCTIONS.

A viable transportation system is needed to serve the existing and future needs of Polk County. Transportation improvements are needed in response to a growing population and economy. To meet the County's transportation needs, it is necessary to have an integrated, multi-modal transportation system. Different modes of transportation, both motorized and non-motorized, should be viewed as integral parts of an overall system.

Within the Transportation Element, there is an increased emphasis on the development of alternate modes of transportation and the integration of these modes with highway travel as part of a multi-modal transportation system. These strategies are intended to support energy efficient land use patterns and reduce greenhouse gas emissions. To encourage the development of transit services as a viable travel option, the multi-modal transportation level-of-service (LOS) standards allow lower highway LOS where urban transit services are available or planned and provide incentives for developments to include transit and pedestrian-friendly design features.

Traffic safety and adequate roads are a major concern. Polk County will continue to monitor safety conditions on the County's roads, and safety improvements will be programmed, within financial constraints, for high-crash locations.

Aviation-related objectives and policies have been included in the Transportation Element to safeguard the existing and future viability of Polk County's public use airports. An Airport Impact District (AID) overlay is established to ensure that the operation of public use airports is compatible with surrounding land uses with minimal conflicts between the two.

GOAL: To provide a safe, efficient and financially feasible transportation system which is multimodal, responsive to community needs, consistent with land-use policies, environmentally sound and which promotes economic opportunity.

OBJECTIVE 3.201-A: Polk County shall provide a Transportation Element Map Series (TEMS) which includes existing and future transportation features identified within Section 163.3177 of the F.S. The map series shall identify the following items and shall be consistent with objectives and policies identified within the Transportation Element:

Transportation Element Map Series (TEMS):

1. Road System
    - Collector, Arterial, and Limited and Controlled Access Facilities
    - Existing Roads
    - Future Roads
    - Functional Classification and Maintenance Responsibility
2. Public Transit System
    - Transit Routes/Service Areas - Existing/Future
    - Intermodal Terminal - Existing/Future
    - Freight and Passenger Rail Lines and Terminals - Existing and Future
    - Truck Routes
    - Major Public Transit Generators - Existing/Future

3. Bicycle and Pedestrian Ways
    - Bike/Ped Facilities - Existing/Future
    - Greenways/Multi-Use Trails - Existing/Future
4. Airport Impact Districts
5. Natural Disaster Evacuation Routes

SECTION 3.202 MULTI-MODAL TRANSPORTATION SYSTEM AND LEVEL OF SERVICE STANDARDS.

OBJECTIVE 3.202-A: ~~By 2020,~~ ~~P~~provide Category I or II Fixed-Route Transit Service to all areas identified as having a "High Transit Potential" within the defined Transit Supportive Development Area (TSDA). (Refer to the Public Transit System map in the TEMS.)

POLICY 3.202-A1: Polk County shall establish categories of transit service for the classification of existing and future fixed-route and demand-responsive transit services as defined in Exhibit 1.

POLICY 3.202-A2: Polk County, in conjunction with the Polk Transportation Planning Organization (TPO), will maintain a Transit Potential Analysis for Polk County using the latest Census Data. Areas identified as having a "High Transit Potential" will be targeted for transit service improvements or expansion.

POLICY 3.202-A3: Polk County will maintain coordination efforts with the Lakeland Area Mass Transit District and the Winter Haven Area Transit Policy Board regarding the benefit of a countywide transit system as identified from the 2003 Countywide Transit Study. Polk County will support the Polk Transit Authority (PTA) and potential future funding mechanisms for transit capital and operations needed to implement a countywide transit system within the Urban and Rural Transit Service Areas.

POLICY 3.202-A4: Polk County shall work with the Lakeland Area Mass Transit District (LAMTD), or its successors, to coordinate service area expansion and the annexation of areas served by LAMTD. Requests for final development approvals for property located outside, but within one (1) mile of the transit district boundaries, or within ¾ mile of an existing or proposed transit route with service into the district (LAMTD), shall require evidence of submission of a petition for voluntary inclusion into the transit district prior to the County's approval of the request. This policy is not intended to apply to individual single-family home building permit requests. Nothing in this policy shall bind the LAMTD to accept such petition. The buyers of properties affected by this tax shall be notified of the tax at the time of closing.

OBJECTIVE 3.202-B: Polk County shall implement peak hour level-of-service standards and mobility strategies for arterial and collector roads to support the development of an integrated multi-modal transportation system within the Transit Supportive Development Area (TSDA). (Refer to the Road System and Bicycle and Pedestrian Ways maps in the TEMS.)

POLICY 3.202-B1: Polk County shall continue to maintain a database on current travel conditions that addresses highway, transit and non-motorized modes of transportation.

POLICY 3.202-B2: Polk County will coordinate with, and participate in, the TPO's Congestion Management System. Under this system, a screening process will be employed to identify roadway segments with potential level-of-service deficiencies followed by more detailed analyses for those segments identified as such. When a level-of-service deficiency is confirmed, Polk County will coordinate with other jurisdictions and agencies, including the Florida Department of Transportation (FDOT) to develop and implement, as feasible, low-cost traffic operation improvements or transportation demand management strategies intended to maximize the use of the existing roadway capacity.

POLICY 3.202-B3: Polk County shall implement traffic study procedures for proposed development that address the needs of a multi-modal transportation system. The required traffic study methodologies when deemed warranted shall evaluate:

a. the need for road or intersection improvements;

b. access to existing or proposed transit services;

c. the need for sidewalk network improvements;

d. the need for "complete street" treatment; and

e. the potential for access to the multi-use trail component of the PolkGreen.

EXHIBIT 1. CATEGORIES OF TRANSIT SERVICE

FIXED-ROUTE TRANSIT SERVICES

Category	Frequency of Service	Geographic Coverage
I	Headway # 30 Minutes	Fixed-route services operated within the urbanized areas and providing access to central business district and intense commercial corridors. Routes serve densely populated areas (densities typically greater than 2,000 persons/mile^2). Emphasis placed on providing local circulation and land access.
II	30 Min < Headway # 60 Min.	Routes operated within urbanized areas with service to densely populated residential areas and outlying commercial districts.
III	Headway > 60 Minutes	Service to/through rural and small urban areas with connection to urbanized areas and transit services available therein. Emphasis placed on mobility and express service.

DEMAND-RESPONSIVE (DOOR-TO-DOOR) TRANSIT SERVICES

Category	Description	Services
IV	ADA Complementary Paratransit Service	Door-to-door service provided to individuals residing within ¾ mile of a fixed transit route who are unable to use the regular routed service. Level-of-service must be comparable that provided on fixed-route.
V	Other Demand-Responsive Services	Demand-responsive services provided countywide, with emphasis on service to the transportation disadvantaged. This category includes agency-sponsored and nonsponsored transportation services provided under the Coordinated Transportation System.
VI	Flex Service	Curb-to-Curb Demand-Resource Service that functions as a hybrid service of fixed-route bus service for service that is open to the public, particularly in areas not served by fixed-route bus service.

POLICY 3.202-B4: Polk County will coordinate with the Lakeland Area Mass Transit District, Winter Haven Area Transit Policy Board, FDOT and TPO to establish strategies to reduce reliance on single occupancy automobile trips, such as encouraging large employers to develop commuter assistance incentives for employees that carpool/vanpool, use transit or use non-motorized modes for work commute trips. Polk County will also coordinate

with regional commuter assistance programs, such as Bay Area Commuter Services, to publicize such travel alternatives and to assist with data collection efforts that might be needed to address regional commuter patterns.

POLICY 3.202-B5: Polk County shall allow lower level-of-service standards for highway travel in the TSDA Area, and particularly, in those areas currently served by fixed-route transit. Additional consideration for a lower highway standard will be given to areas with an extensive sidewalk network that provides access to transit services.

POLICY 3.202-B6: Polk County shall encourage new urban development strategies that provide an emphasis on transit, bicycle, and walkable neighborhoods. These development strategies will incentivize compact, mixed-use development to reduce vehicle miles of travel (VMT) and greenhouse gas emissions.

POLICY 3.202-B7: Within the TSDA, and particularly the Transit Corridors and Centers Overlay, Polk County shall implement mobility strategies to support non-motorized transportation and transit service development and to maximize access to existing and planned transit services. These will include, but not be limited to:

a. Provision of an extensive pedestrian system;

b. Elimination of gaps in the sidewalk network;

c. Complete street treatment including improved pedestrian and bicycle crossings;

d. Provision of transit facilities and passenger amenities;

e. Provision of bicycle parking; and

f. Shared, reduced or maximum parking requirements.

POLICY 3.202-B8: Polk County shall encourage public-private partnerships and the establishment of new funding mechanisms for transportation and transit improvements in the TSDA.

OBJECTIVE 3.202-C: ~~By 2020, p~~Provide acceptable multi-modal levels-of-service for travel on arterial and collector roads based on the future transportation system. (Refer to the Road System map in the TEMS.)

POLICY 3.202-C1: The multi-modal level-of-service standards in Exhibit 2 shall be the minimum acceptable levels-of-service on arterial and collector roads. These standards apply to County roadway segments, and to roadway segments on the State Highway System that are not a part of the Florida Intrastate Highway System, unless a facility-specific standard is adopted herein.

POLICY 3.202-C2: Due to the anticipated community and environmental impacts associated with a four-lane improvement, State Road 542 (Dundee Road) from SR 549 (1st Street, SE) to Buckeye Loop Road is considered a constrained facility. Polk County shall support a three-lane improvement or intersection improvements on this road segment. The minimum acceptable level-of-service for this segment of SR 542 shall be Level-of-Service "E" peak hour.

POLICY 3.202-C3: The minimum acceptable level-of-service standard for roadways on the Strategic Intermodal System, the Florida Intrastate Highway System, and those funded under the Transportation Regional Incentive Program, shall be in accordance with the Statewide Minimum Level-of-Service Standards for the State Highway System published in Rule 14-94 of the Florida Administrative Code, or any rule variance issued by the Florida Department of Transportation.

EXHIBIT 2. Multi-Modal Transportation Level of Service Standards

Base Highway Level-of-Service (LOS) Standards[1]

Area	Minimum Standard (Peak Hour/Dir)
Transit Supportive Development Area (TSDA)	LOS "D"[2]
Transitioning Urbanized Area Outside the TSDA[3]	LOS "D"
Other	LOS "C"

Multi-Modal Transportation Districts Within TSDA Minimum LOS Standards.

The Multi-Modal Transportation Districts, located within the Transit Supportive Development Area, coincide with the service area (¾ mile Americans with Disabilities Act complementary paratransit service area) of the identified fixed-route transit service.

District	Highway[1, 2, 4]	Transit	Mobility Strategies
Multi-Modal (MM)[5]	LOS "D"	≤ 60 minute headway	• Provision of extensive pedestrian system • Elimination of gaps in sidewalk network • Complete street treatment including improved pedestrian and bicycle crossings • Provision of transit facilities and passenger amenities • Provision of bicycle parking • Shared, reduced or maximum parking requirements
Transit Corridors and Centers Overlay	LOS "E"		

1. The minimum standard for roadways on the Strategic Intermodal System, the Florida Intrastate Highway System, and for those funded under the Transportation Regional Incentive Program, are established under Policy 3.202-C3.
2. LOS is measured for the peak hour/peak direction using the average of the two highest peak hours.
3. Transitioning Urbanized Area Boundary as the Polk Transportation Planning Organization on August 9, 2007.
4. LOS may be measured on an average corridor basis for roadway corridors (more than one facility) serving common trip ends.
5. Road with transit service that is located outside of the Transit Corridors and Centers Overlay.

POLICY 3.202-C4: Development orders, including permits, will not be issued on projects served by an arterial or collector road operating, or projected to operate, below the minimum acceptable level-of-service, based on a generalized level-of-service assessment (Phase 1). If a Phase 1 assessment identifies a level-of-service deficiency, proposed projects have the option of providing a more detailed level-of-service analysis based on a Travel Speed and Delay Study following the procedures outlined by the Florida Department of Transportation in its Manual for Uniform Traffic Studies or a Highway Capacity Analysis as outlined in the 2000 Highway Capacity Manual as published by the Transportation Research Board (Phase 2). If the more detailed analyses, after verification by Polk County staff, indicate an acceptable level-of-service, development orders may be issued. If the results of the analyses indicate a level-of-service below the minimum acceptable standard, then one of the following three options must occur prior to development order approval: 1) the programming of an appropriate improvement in the first three years of the County's Community Investment Program (CIP), 2) the programming of an appropriate improvement in the first three years of the Florida Department of Transportation's Five Year Work Program must occur prior to development order approval, or 3) adoption of a proportionate fairshare agreement by the Board of County Commissioners, pursuant to Polk County's Transportation Proportionate Fair-Share Program.

POLICY 3.202-C5: Polk County will reduce level-of-service deficiencies on roadway segments, as financially feasible, by implementing transportation demand management strategies, transit service improvements, or roadway capacity projects, e.g., addition of lanes.

OBJECTIVE 3.202-D: Ensure adequate mobility and increase travel options for the transportation disadvantaged. ~~By 2015,~~The County shall strive to increase the number of passenger trips provided to the transportation disadvantaged~~. by 25% compared to the total reported for FY 2000/01.~~

POLICY 3.202-D1: In its role as Community Transportation Coordinator, Polk County/Polk County Transportation System (PCTS) shall maintain a transportation brokerage system. Under this system, PCTS shall coordinate, arrange, and dispatch passenger trips, as well as provide direct service.

POLICY 3.303-D2: Polk County shall maximize resources served under the transportation brokerage system through the administration of the Non-Sponsored Trip Program.

POLICY 3.202-D3: Polk County shall work with the Transportation Disadvantaged Coordinating Board to identify and pursue opportunities to utilize fixed route system to the Transportation Disadvantaged.

OBJECTIVE 3.202-E: On an annual basis, increase the linear feet of routes for non-motorized travel by approximately 12,500 feet. (Refer to the Bicycle and Pedestrian Ways map in the TEMS.)

POLICY 3.202-E1: Polk County shall consider the need for bicycle and sidewalk improvements in conjunction with road projects in order to provide for a safe, convenient and efficient motorized and nonmotorized transportation system. The County will work with the Transportation Planning Organization and Florida Department of Transportation to identify locations where pedestrian and bicycle features should be included on State highway improvements including intersection projects, e.g., pedestrian signals, and raised concrete pedestrian refuges.

POLICY 3.202-E2: Polk County shall adopt and maintain regulations requiring sidewalks on arterial and collectors which address non-motorized access for residential and commercial developments.

POLICY 3.202-E3: Polk County shall work with the County School Board to identify sidewalk improvements needed for safe passage to schools.

POLICY 3.202-E4: The prioritization of candidate sidewalk and multi-use trail projects for inclusion in the Polk County Community Investment Program shall address safety support transit use and the development of the PolkGreen. The following factors or criteria shall be used to prioritize candidate projects:

a. a critical public safety concern or emergency;

b. specific pedestrian needs identified by elementary schools;

c. sidewalk needs within the Transit Corridors and Centers Overlay, e.g., the connection of neighborhoods and commercial areas to Transit Centers;

d. the elimination of sidewalk gaps within the Transit Supportive Development Area especially along or in close proximity to existing transit routes;

e. pedestrian needs identified in neighborhood improvement plans, including improved access to parks; and

f. multi-use trail improvements identified as part of the proposed PolkGreen.

POLICY 3.202-E5: Polk County will coordinate efforts with the Transportation Planning Organization (TPO) and the Florida Department of Transportation in the implementation of the TPO's Multi-Use Trails Master Plan as a component of the PolkGreen.

OBJECTIVE 3.202-F: ~~By 2015,~~The County shall provide adequate surface transportation access to airports and intermodal connections based on the future transportation system. (Refer to the Public Transit System and Airport Impact Districts maps in the TEMS.)

POLICY 3.202-F1: Polk County shall address the need for surface transportation access, including transit, to airports in its transportation planning (Refer to Policy 3.202-B1.). The County will identify candidate projects for the Florida Department of Transportation's Intermodal Development Program that improve surface access to airports and fund applications, as financially feasible.

POLICY 3.202-F2: Polk County will coordinate with the Lakeland Area Mass Transit District, Winter Haven Area Transit Policy Board, Transportation Planning Organization (TPO) and Florida Department of Transportation to implement plans for park-and-ride lots, as identified in the TPO's ~~2035 Mobility Vision Plan (aka: Long-Range Transportation Plan (LRPT~~LRTP~~))~~.

POLICY 3.202-F3: Polk County will work with the Florida Department of Transportation and Transportation Planning Organization, and municipalities to plan and program enhanced surface access (e.g., transit, automobile, non-motorized) to any station that is intended to serve Florida's intrastate highspeed rail system.

POLICY 3.202-F4: If the decision is made to build a segment of the high speed rail line in Polk County, the County shall work cooperatively with the High Speed Rail Authority as well as the State and private agencies involved in the development of the system to ensure that environmental impacts associated with the system are fully assessed and evaluated and that reasonable attempts are made to mitigate the impacts and that development of the system is consistent with the County's adopted Comprehensive Plan.

POLICY 3.202-F5: The County shall coordinate with the Lakeland Area Transit Authority, Winter Haven Mass Transit District, and Polk County Transit Services to provide appropriate types and level of public transit service to interconnect with the high speed rail system if stations are located within the County.

POLICY 3.202-F6: The County shall promote and support programs to capture and enhance the technological benefits of high speed rail projects including educational programs and centers, design and manufacturing firms, and research and development projects.

SECTION 3.203 TRANSPORTATION SAFETY.

OBJECTIVE 3.203-A: ~~By 2015,~~The County shall maintain the current total number of crashes thereby reducing the number of crashes per vehicle miles traveled, as well as identify evacuation routes for natural disasters that may occur. (Refer to the Natural Disaster Evacuation Routes map in the TEMS.)

POLICY 3.203-A1: Polk County will monitor all crash records on a yearly basis to determine accident patterns and high accident locations.

POLICY 3.203-A2: Based on the analysis of crash records, Polk County will identify candidate traffic safety improvements and program these improvements in the Capital Improvements Program as financially feasible. Polk County shall coordinate with the Florida Department of Transportation regarding the programming of candidate projects on the State Highway System.

POLICY 3.203-A3: Based on analyses of applicable crash data, Polk County annually shall identify and prioritize substandard roads to be improved to standard width and specifications to improve safety conditions.

POLICY 3.203-A4: Polk County will continue to participate in the Polk County Community Traffic Safety Team.

POLICY 3.203-A5: Polk County will continue to designate evacuation routes to support evacuation during a natural disaster event.

OBJECTIVE 3.203-B: The Polk County Transportation System (PCTS) shall continue to maintain and follow a System Safety Program Plan, pursuant to all applicable Federal and State regulations, which provides for the safe operation of service.

POLICY 3.203-B1: PCTS shall annually review and modify, as necessary, its System Safety Program Plan.

POLICY 3.203-B2: PCTS shall meet all safety inspection standards for vehicles.

POLICY 3.203-B3: PCTS shall provide adequate passenger assistance training for its drivers.

POLICY 3.203-B4: Polk County shall consider the safety of bus stop amenities, shelter placements, safe access, and lighting. Other safety elements shall be considered for all bus stop and shelter locations as set forth in the FDOT District 1 Bus Passenger Facilities Guidelines.

SECTION 3.204 TRANSPORTATION AND LAND USE COMPATIBILITY.

OBJECTIVE 3.204-A: In the expansion of existing roads or construction of new roads, Polk County shall minimize adverse impacts on the environment and established residential areas.

POLICY 3.204-A1: Major road construction projects shall be reviewed for environmental impacts and consistency with the Conservation Element.

POLICY 3.204-A2: The cohesion and integrity of existing neighborhood environments shall be considered in the development of major road construction projects, and arterial roads shall be planned/designed to prohibit traffic intrusion into adjacent neighborhoods.

OBJECTIVE 3.204-B: Provide citizens with adequate and appropriate access to the multi-modal transportation system while protecting residential areas from increased traffic.

POLICY 3.204-B1: Polk County will continue to evaluate local residential roadways with increased traffic to consider if traffic calming is appropriate. Any traffic calming techniques shall be consistent with Polk County's adopted Traffic Calming Policies.

OBJECTIVE 3.204-C: Develop and maintain a multi-modal transportation system that supports economic growth and diversity by providing adequate access to agricultural, commercial, industrial, and office locations throughout the County. Polk County shall develop strategies to connect existing and future city centers with a multi-modal transportation system consistent with the TPO's 2060 Vision Plan and ~~2035 Mobility Vision Plan (aka:~~ LRTP~~)~~.

POLICY 3.204-C1: In the development of the Community Investment Program, Polk County shall, where feasible, program road improvements that enhance access to the overall transportation network for residential, agricultural, commercial, industrial, and office activities.

POLICY 3.204-C2: Polk shall consider "Complete Street" principles in the construction, maintenance and reconstruction of arterial and collector roads pursuant to Policy 2.133-B6 (Community Design).

POLICY 3.204-C3: Polk County shall evaluate the potential to structure or tier transportation impact fees as a means to promote compact mixed-use development and a reduction in vehicle miles traveled.

POLICY 3.204-C4: Polk County shall identify candidate projects to improve transportation access to non-residential land uses and employment centers and seek project funding through discretionary grant programs such as the Florida Department of Transportation's County Incentive Grant Program and Intermodal Development Program.

POLICY 3.204-C5: Polk County shall coordinate with the operators of public use airports to ensure that airport master plans and any planned airport expansions are consistent with the Polk County Comprehensive Plan. The County shall provide comments on updates to airport master plans to ensure that they are consistent with the Future Land Use, Conservation and Transportation Elements. The following airports shall be subject to review:

a. Bartow Municipal Airport,

b. Chalet Suzanne Airport,

c. Brown Seaplane Base,

d. Lakeland Linder Regional Airport,

e. Lake Wales Municipal Airport,

f. River Ranch Resort Airport,

g. South Lakeland Airpark, and

h. Winter Haven Municipal Airport.

POLICY 3.204-C6: Polk County's review of airport master plan updates and proposed airport expansions shall include an analysis of the compatibility of planned airport improvements with surrounding natural resources and land uses. Such analyses shall be:

a. Based on the land-use compatibility criteria contained within the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board; and

b. Coordinated with the applicable standards of the agency with jurisdiction (i.e., US Corps of Engineers, Water Management Districts, Department of Environmental Regulation, etc.).

POLICY 3.204-C7: Polk County shall:

a. Identify the mitigation required to prevent adverse impacts of planned airport improvements on surrounding natural resources and land uses through the analyses referenced in Policy 3.204-C4; and

b. Effect required mitigation through:

1. The requirement that all permits for an agency with jurisdiction (i.e., US Corps of Engineers, Water Management Districts, Department of Environmental Regulation, etc.) be approved prior to the County issuing a final development order; and

2. The implementation of the Polk County Airport Zoning Regulations.

POLICY 3.204-C8: Polk County shall support feasible airport expansions necessary to ensure the commercial viability of the airports identified in Policy 3.204-B3.

POLICY 3.204-C9: Polk County shall coordinate with the Polk TPO and FDOT to evaluate the potential for new limited access roads to relieve traffic congestion and promote the efficient movement of freight. The County shall coordinate with the FDOT or other applicable entities regarding the design and construction of new corridors to evaluate the feasibility of designating new interchange locations as "receiving areas" for the transfer of development rights or functional equivalent.

OBJECTIVE 3.204-D: The Polk County Plan shall provide for aviation-compatible land uses for 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), through: (Refer to the Airport Impact Districts map in the TEMS.)

a. the establishment of an Airport Impact District overlay pursuant to the provisions of Objective 2.124-A; and

b. the establishment of development criteria providing for aviation-compatible land uses and activities in the Airport Impact District.

POLICY 3.204-D1: PURPOSE - The Airport Impact District (AID) overlay is established to ensure that land uses and the operation of public use airports are compatible. The County will address public health and safety issues by minimizing conflicts between airport operations and surrounding land uses. All development shall be in conformance with the Polk County Airport Zoning Regulations of the Joint Airport Zoning Board.

POLICY 3.204-D2: DESIGNATION - The Polk County portion of the Airport Height Notification Zones Map, including Subzones 1 and 2, as the Joint Airport Zoning Board on November 20, 1997, shall serve as the Airport Impact District until updated pursuant to Policy 3.204-D3.

POLICY 3.204-D3: Polk County will continue to update the Airport Impact District map for consistency with the Airport Master Plans to include the following zones:

a. Airport Height Notification Zones

b. Airport Noise Zones

c. Airport Overflight Zones

d. Educational Facilities Restriction Zones

e. Inflight Visual Interference Zones

The Airport Impact District map will be based on the current airport master plans or airport records for the public-use airports identified in Policy 3.204-C3.

POLICY 3.204-D4: DEVELOPMENT CRITERIA - The County's Land Development Code shall refer to the Airport Impact District (AID) and the Polk County Airport Zoning Regulations to address height, noise and land use compatibility issues relative to the protection and operation of public use airports.

POLICY 3.204-D5: DEVELOPMENT REVIEW - Consistent with applicable law, all development within an AID shall be subject to the County's development-review procedures.

OBJECTIVE 3.204-E: Develop strategies to protect existing and future transportation rights-of-way from encroachment by development.

POLICY 3.204-E1: Polk County shall continue its current practice of preserving existing and future transportation rights-of-way by requiring appropriate minimum building setback lines and land dedication through the plat and site plan review and approval process.

POLICY 3.204-E2: Polk County will participate in the Transportation Planning Organization's periodic updates to its ~~2035 Mobility Vision Plan (aka~~ LRTP~~)~~ and identify the future need for capacity related improvements to the County Road Network, e.g., widening roads from two to three or four lanes or providing for new/upgraded transit facilities and amenities. These improvements to include new roads, widening of existing roads, and transit improvements shall be identified as "Future Capacity Road Needs."

POLICY 3.204-E3: Polk County shall conduct engineering studies to determine the preferred corridor alignment for new roads identified as "Future Capacity Road Needs." New development that is contiguous to an identified corridor alignment will be required to dedicate the land necessary to construct the new road to provide access to the larger road network.

POLICY 3.204-E4: The County's Land Development Code shall include appropriate provisions for minimum building setback lines and land dedication through the plat and site plan review and approval process for county roads identified as "Future Capacity Road Needs."

POLICY 3.204-E5: Polk County will evaluate strategies that could potentially stabilize the cost of right-of-way acquisition for construction of transportation improvements. Implementation efforts must consider the legal issues and constraints posed by taking concerns.

POLICY 3.204-E6: Polk County will coordinate efforts with the Florida Department of Transportation to ensure right-of-way protection on State roads.

SECTION 3.205 ACCESS MANAGEMENT.

OBJECTIVE 3.205-A: Polk County shall coordinate access point, median opening, and street lighting and street intersection locations associated with adjacent existing and future development to promote safety for pedestrian movement and orderly pattern of access and preserve the capacity of arterial and collector roads.

POLICY 3.205-A1: Polk County shall adopt and maintain regulations to control access from adjacent development onto arterial and collector roads.

POLICY 3.205-A2: Polk will review development proposals to ensure safe and convenient on-site motorized and non-motorized traffic flow/access and the availability of adequate parking and other facilities for motorized and non-motorized vehicles.

POLICY 3.205-A3: Polk County shall coordinate with the Florida Department of Transportation (FDOT) to ensure efficient access from adjacent development of onto the State Highway System. The County will also coordinate with the FDOT on the need for, and preparation of, Corridor Access Management Plans in high-growth transportation corridors.

POLICY 3.205-A4: US 98/Bartow Road from SR 60A (Van Fleet Drive in Bartow) to East Main Street in Lakeland is designated as a "Transportation Corridor", pursuant to Section 337.273 F.S., and as agreed upon through an Interlocal Agreement with the City of Bartow, the City of Lakeland and Florida Department of Transportation.

POLICY 3.205-A5: Upon the completion of a Corridor Access Management Plan, Polk County will consider corridor-specific access management standards or strategies for the US 98 Transportation Corridor for incorporation in its Land Development Code.

SECTION 3.206 COORDINATION WITH FUTURE LAND USE ELEMENT AND INTERGOVERNMENTAL COORDINATION.

OBJECTIVE 3.206-A: Polk County shall coordinate its multi-modal transportation system with the Future Land Use Element of the Comprehensive Plan and with the plans of adjacent jurisdictions.

POLICY 3.206-A1: The Transportation Element shall support the future land-use planning concepts and designations as contained in the Future Land Use Element.

POLICY 3.206-A2: Polk County shall coordinate with the Polk Transportation Planning Organization (TPO) to ensure consistency between the Polk County Comprehensive Plan and the TPO's plans and programs. Polk County will review the following items for consistency with the Comprehensive Plan and provide comments as appropriate:

a. the TPO's long-range transportation plan (while under development) and any proposed amendments;

b. the TPO's Transportation Improvement Program; and

c. the TPO's annual priority transportation projects.

POLICY 3.206-A3: Polk County shall coordinate its Transportation Element with those of adjacent municipalities and counties.

POLICY 3.206-A4: Polk County shall coordinate with the public transportation providers operating in the areas identified as "Transit Coordination Areas" (Figure GF-3.214-3.) regarding future transit service development.

POLICY 3.206-A5: Polk County shall obtain, review, and provide comment on, where appropriate, all plans relevant to aviation in Polk County, as they become available.

POLICY 3.206-A6: Polk County shall participate in the Continuing Florida Aviation System Planning Process.

POLICY 3.206-A7: Polk County will coordinate with Hillsborough County, the City of Plant City, the City of Lakeland, and the Polk Transportation Planning Organization to address concurrency and access management issues concerning County Line Road.

POLICY 3.206-A8: Polk County shall coordinate with the Polk TPO, FDOT, METROPLAN ORLANDO, and the Hillsborough County MPO to support a potential extension of a commuter rail system into Polk County.

SECTION 3.207 IMPLEMENTATION.

OBJECTIVE 3.207-A: Polk County shall implement the objectives and policies of the Transportation Element through appropriate techniques. Polk County shall designate responsible agencies or departments and program strategies, evaluate development proposals as to conformance with the policies of the Transportation Element, and consider all objectives and policies within the Comprehensive Plan in making growth management decisions.

POLICY 3.207-A1: The County Manager, or designee, shall be responsible for implementing the transportation objectives and policies included within the Polk County Comprehensive Plan.

DIVISION 3.500 RECREATION AND OPEN SPACE ELEMENT[1]

SECTION 3.501 INTRODUCTION.

A. **Recreation and Open Space Themes.** The purpose of the Recreation and Open Space Element is to provide opportunities to enhance recreation and open space resources to meet the needs of residents and visitors of the County. Through its goals, objectives, and policies, this element establishes criteria for recreation and open spaces to meet the needs of Polk County's residents and visitors.

The combined goals, objectives, and policies constitute an approach in fulfilling the County's recreation and open space needs through programs, the requirements of development regulations, and other techniques. The approach revolves around four central themes:

1. Preserve and Protect Unique-Environmental Features.
2. Encourage High-Quality Recreation Resources.
3. Emphasize Efficiency and Cost Effectiveness.
4. Promote the Coordination of Recreation and Open Space Planning, Implementation, and Development.

1. **Preserve and Protect Unique Environmental Features.** Polk County has been recognized for a variety of unique natural features and characteristics. The northern area is known for the Green Swamp (designated as an area of Critical State Concern), the eastern area for the Kissimmee River, the central areas for the ancient sand ridges, and the whole area for the abundance of creek corridors and the many pristine lakes and rivers. These natural features are also noted for their importance as habitats for a variety of biological species. The County needs to respect the importance of these unique resources and provide for their preservation when planning for recreation and open space.

2. **Encourage High-Quality Recreation Resources.** In addition to the protection of natural resources, there is a great need to promote proper utilization of parklands, facilities, and open spaces. Resources and facilities that are safe, functional and well maintained are essential to the success of a good recreation and open space system. Aesthetics are also important in a broader perspective since the recreation and open space system has a significant influence on the overall character of the County.

3. **Emphasize Efficiency and Cost Effectiveness.** A quality recreation and open space system is dependent on the prudent use of available resources - natural, human, and economic. Efficient implementation of operations-and-maintenance standards, and the effective administration of recreation and open space programs will provide for effective allocation of funds needed to insure that public recreation and open space opportunities are maximized.

4. **Promote the Coordination of Recreation and Open Space Planning, Implementation, and Development.** Recreation and open space resources in Polk County are controlled and operated by a variety of public and private entities. Improved coordination between and among these various entities can yield a more efficient and effective recreation system that maximizes recreation potential. Clear

[1]Division 3.5 renumbered to letter "H" due to the adoption of Division 3.6 Public School Facility Element in November 2007.

and consistent policies will help to insure a more equitable distribution of recreation resources and opportunities.

B. **Recreation and Open Space Issues.** This Element contains six broad "Section Objectives" which are related to six specific operational issues needed to reach the long-range goals of the Recreation and Open Space Element. These issues are:

1. Planning,
2. Funding,
3. Development,
4. Maintenance and Protection,
5. Open Space, and
6. Implementation.

There are eleven elements within the Polk County Comprehensive Plan. The Recreation and Open Space Element is only one part of the County's Plan to provide for the needs of its residents and visitors. It is intended that this Element be used in conjunction with the other elements of the Plan as an entirety - not as an individual, discrete set of policies. It is the intent of the County in adopting this Element that it be readily merged with the other elements of the Plan into an integrated development management system, which includes the Plan, the development regulations, and the development standards.

C. **Recreation and Open Space Goals.** The approach in fulfilling resident and visitor recreation and open space needs parallels the conceptual framework, which is oriented to the broad recreation and open space goals that respond to the long-range needs directed by the Polk County Comprehensive Plan.

RECREATION GOAL: Polk County shall provide outdoor recreation systems composed of areas, facilities, and programs that will serve all residents and visitors by providing opportunities for the healthful and constructive use of leisure time in a natural environment; by protecting and maintaining the substantial investment in public facilities that already exist; and by planning and financing the new facilities to serve residents in a timely, orderly and efficient manner.

OPEN SPACE GOAL: Polk County shall provide for the preservation of open space for the purpose of: separating and providing buffers between incompatible land uses; preserving significant natural lands in order to protect native plants and animals, areas for the retention and absorption of floodwaters, air and water quality, and aesthetic natural landscapes.

SECTION 3.502 PLANNING.

OBJECTIVE 3.502: Polk County shall provide a park system that is responsive to the needs and values of Polk County's citizens and park users.

OBJECTIVE 3.502-A: The Parks and Natural Resources Division shall develop a Master Plan that will guide all County park and open space planning decisions to provide recreation services to Polk County residents and visitors.

POLICY 3.502-A1: Polk County shall implement and update, as necessary, the adopted Parks and Recreation Master Plan (Master Plan).

POLICY 3.502-A2: (The previous language for this policy was removed and the remainder of this section renumbered.) The Master Plan shall establish programs to correct any recreation deficiencies identified through its development, and to meet any additional future recreation demands as identified.

POLICY 3.502-A3: The level-of-service standards of Policy 3.502-E2, shall be used within the Master Plan to assess adequacy of recreation services. These standards shall reference the provision of recreation services by municipalities in Polk County.

OBJECTIVE 3.502-B: Polk County shall annually allocate funding and personnel for specific site programs.

POLICY 3.502-B1: The Annual Budget and Capital Improvements Element (CIP) shall be consistent with the Master Plan.

POLICY 3.502-B2: The Annual Budget and CIP shall establish a sequence of projects and programs for the year to meet indicated recreation demand and the budget for operation, maintenance, and personnel.

OBJECTIVE 3.502-C: Polk County shall continue to implement a citizens' assessment program to provide accurate data with regard to planning recreation areas and facilities.

POLICY 3.502-C1: Polk County shall establish and maintain Advisory Committee(s) that will assist the Parks and Natural Resources Division in assessing the demands and needs of the County's residents and visitors.

POLICY 3.502-C2: Polk County shall coordinate park planning activities with community organizations and/or known affected groups.

POLICY 3.502-C3: Polk County shall continue to implement a feedback process to allow park users to assist in the park planning process.

OBJECTIVE 3.502-D: Polk County shall develop a system for coordinating planning among public and private entities in the provision of recreation services.

POLICY 3.502-D1: Polk County shall, where appropriate, coordinate with the proper public and private agencies to integrate County recreation resources and school playgrounds with pedestrian walkways, bike trails and public transportation.

POLICY 3.502-D2: Polk County shall use information and data resources available through the Department of Health and Rehabilitative Services, the Department of Human Resources, the Division of Community Development, and the Transportation Planning Organization when establishing recreation services for the disadvantaged populations in Polk County.

POLICY 3.502-D3: The Parks and Natural Resource Division shall use, and where appropriate, update the recreation inventories provided through the Florida Department of Environmental Protection in assessing recreation resources provided by public and private organizations.

POLICY 3.502-D4: Polk County shall provide opportunities for public and private participation in creating and operating designated County-owned recreation facilities and programs within the County's park system.

POLICY 3.502-D5: Polk County may coordinate with the appropriate agencies when planning for new park sites, which may include:

a. United States Government ~~(with regard to the Avon Park Wild Life Management Area),~~
b. Florida Fish and Wildlife Conservation Commission,
c. Florida Department of Environmental Protection,
d. Appropriate Florida Water Management Districts,
e. Florida Department of Transportation,
f. Florida Forest Service
g. Polk County Transportation Planning Organization,
h. Polk County Economic Development Council,

i. Polk County Tourist Development Council,

j. Polk County School Board,

k. Seventeen municipalities within the County's jurisdiction,

l. Municipal utility departments (with regard to use of available easements and open spaces),

m. Appropriate private utility companies (with regard to use of available easements and open spaces), and

n. U.S. Fish and Wildlife Service.

OBJECTIVE 3.502-E: Polk County shall establish a long-range parkland acquisition program to provide safe and adequate open space, and recreation facilities to all residents and visitors.

POLICY 3.502-E1: Polk County shall identify areas for future recreation and open space land acquisitions based on existing and projected demand for community and regional parks.

POLICY 3.502-E2: Polk County shall maintain a minimum recreation level-of-service standard of 6.95 acres per 1, 000 persons:

*Note: This figure is calculated using a static aggregate total of passive and active recreational land divided by the population projection for 2020. ~~Regardless of a static total of passive and active recreational land being used, county parks and open space lands LOS standards in 2020 should be adequate.~~ It is expected that passive and active recreational space will increase in relation to further development and population increase.

POLICY 3.502-E3: Polk County shall acquire recreation lands to satisfy the County's adopted minimum recreation level-of-service standard (Policy 3.502-E2).

POLICY 3.502-E4: Polk County shall evaluate all park areas to be acquired by the County through purchase, dedication and/or gift. The evaluation will consider at least the following:

a. applicability in being applied to a recreation level-of-service standard;

b. impacts of operation and maintenance cost on the Parks and Recreation budget;

c. impacts of needed facilities on the Capital Improvements Budget;

d. accessibility by the general public; and

e. mined lands that could serve as designated open space area as an alternative to reclamation for commercial or other uses; and

f. suitability of the sites for recreational uses.

POLICY 3.502-E5: Polk County shall purchase recreation areas to be used for resource-based recreation. Purchase of these properties shall be evaluated and prioritized on the following considerations:

a. sites with river and lake frontage,

b. sites that include water bodies or wetlands,

c. sites designated as conservation protection,

d. sites needed to buffer or otherwise benefit public parklands, and

e. potential as a preservation and a recreation area.

POLICY 3.502-E6: Polk County's development plans for parks shall include facilities to provide access and recreation opportunities for the elderly and the handicapped.

POLICY 3.502-E7: Polk County shall acquire and improve park sites based, upon the revised Parks and Recreation Master Plan.

POLICY 3.502-E8: Polk County shall ensure the provision of outdoor-recreation facilities and outdoor recreation in a natural environment for every County resident.

OBJECTIVE 3.502-F: Polk County shall improve access to public recreation sites through improving existing parking conditions and continued maintenance for designated special-parks and within those recreation areas as identified within the: Parks and Recreation Master Plan, Recreation and Open Space Element, "Future Land Use Map Series," and Capital Improvements Element.

POLICY 3.502-F1: Polk County shall coordinate with the appropriate public agencies to ensure that County-owned or maintained parks allow access by motorized and non-motorized transportation.

POLICY 3.502-F2: Polk County shall provide signs that clearly identify County park entrances, and site appropriate park regulations.

POLICY 3.502-F3: Polk County shall provide access to rivers and lakes that are immediately adjacent to County-owned or managed recreation areas.

OBJECTIVE 3.502-G: Polk County shall develop procedures to annually update its recreation information database.

POLICY 3.502-G1: Polk County shall continue to update a database that identifies costs associated with providing recreation services, and which will be used in developing the annual budget identifies in Objective 3.502-B.

SECTION 3.503 FUNDING.

OBJECTIVE 3.503: Polk County shall base recreation services on actual demand characteristics, and the services shall make proper use of all potential sources of funding.

OBJECTIVE 3.503-A: Polk County shall develop procedures and techniques pursuant to Section 163.3202(1), F.S., for translating data on recreation demand into an information system that can provide financial projections and guide funding decisions.

POLICY 3.503-A1: The Parks and Natural Resources Division shall maintain cost expenditures for recreation facilities, maintenance cost by park site, utility cost by park site, to be used in developing the Parks and Natural Resources annual budget.

POLICY 3.503-A2: Polk County shall continue to use programs to promote gifts, sponsorships and donations to the recreation and open space system from private organizations or citizens.

POLICY 3.503-A3: Polk County shall continue to use procedures to allow community groups the opportunity to pledge funding support to the operating and capital budget proposals.

POLICY 3.503-A4: Polk County shall continue to implement the Park Impact Fee Ordinance and the MSTU as a funding mechanism(s) for establishing new parks and recreation facilities and for the maintenance and operation of County recreation and open space facilities.

POLICY 3.503-A5: Polk County shall allow for sharing of capital improvement costs with municipalities and other government agencies for recreation services.

SECTION 3.504

OBJECTIVE 3.504: Polk County shall ensure that parks and recreation services are designed and developed to be sensitive to the needs of the public, and in a timely and cost effective manner.

OBJECTIVE 3.504-A: The Polk County shall create guidelines for the design and development of park and recreation resources.

POLICY 3.504-A1: The Parks and Natural Resources shall continue to implement and develop new safety standards for County-owned or managed park facilities and implement such standards with new construction, and retrofit existing facilities as funds permit.

POLICY 3.504-A2: Polk County shall continue to implement intergovernmental project review procedures to ensure all new County community and regional park development plans achieve the following:

a. conform to the County's adopted Comprehensive Plan,

b. provide public access for more than one mode of transportation,

c. provide opportunities and access for the elderly and handicapped, and

d. conform to established safety, design and construction standards.

POLICY 3.504-A3: The Parks and Natural Resources Division shall continue to evaluate carrying capacities for its recreation resources and use seasonal personnel when peak season overuse of the resources occurs and established maintenance levels cannot be maintained.

POLICY 3.504-A4: Polk County development regulations shall ensure that new developments meet adopted recreation standards.

OBJECTIVE 3.504-B: Polk County shall protect its natural and cultural heritage in the development of recreation and open space resources.

POLICY 3.504-B1: Polk County shall implement land development regulations as adopted in the Land Development Code, to protect designated recreation resources, historical features, and scenic corridors and/or view sheds. All protected areas shall be publicly owned or managed, or have private ownership authorization for protection. Areas within private ownership that have been requested to be protected shall comply with Section 193.501, F.S., and shall be entitled to all benefits as stated.

POLICY 3.504-B2: Polk County shall develop and implement a program to protect the natural and historical features identified in the Comprehensive Plan that can be used as recreation resources.

POLICY 3.504-B3: Polk County shall implement development regulations to include impacts to adjacent recreation resources.

OBJECTIVE 3.504-C: Polk County shall use energy-saving, resource-conserving, and cost effective techniques in the design and development of park and open space resources.

POLICY 3.504-C1: The Parks and Natural Resources Division shall establish a Florida Friendly landscape program within the parks system.

POLICY 3.504-C2: The Park and Natural Resources Division shall provide an appropriate balance between aesthetics and low maintenance building standards at all County facilities.

POLICY 3.504-C3: The Parks and Natural Resources Division shall install water-conserving irrigation systems on a priority basis within activity-based parks where irrigation systems are needed.

OBJECTIVE 3.504-D: Polk County shall improve the visual character of recreation and open space resources.

POLICY 3.504-D1: The Parks and Natural Resources Division shall improve the overall aesthetic character of parks by encouraging the donation of artistic works.

POLICY 3.504-D2: Polk County shall use native plants when replanting is needed along designated County-maintained scenic corridors.

POLICY 3.504-D3: The Parks and Natural Resources Division shall continue to use a computerized system to ensure that signs and other visual features are maintained or replaced as needed.

SECTION 3.505 MAINTENANCE AND PROTECTION.

OBJECTIVE 3.505: Polk County shall adequately maintain all parklands and recreation facilities.

OBJECTIVE 3.505-A: Polk County shall establish and implement an effective program which includes standards for maintaining and protecting recreation resources.

POLICY 3.505-A1: The Parks and Natural Resources Division shall continue to use Deputy Sheriffs and caretaker programs for recreation resource protection.

POLICY 3.505-A2: The Parks and Natural Resources Division shall give community organizations the opportunity to pledge and provide support for recreation areas.

POLICY 3.505-A3: The Parks and Natural Resources Division shall continue to implement minimum maintenance and protection standards by park type for all County-owned recreation resources, and identify the funds needed to maintain the minimum standards and the annual budget process.

SECTION 3.506 OPEN SPACES.

OBJECTIVE 3.506: Polk County shall use open spaces to protect its natural recreational resources for the general health, safety, and welfare of County residents and visitors.

OBJECTIVE 3.506-A: Polk County shall protect its open-space resources and designated historic features from the future intrusion of incompatible land uses.

POLICY 3.506-A1: Polk County shall protect designated conservation areas, scenic corridors, scenic view sheds, and historical sites that can be used as a recreation resources on private property(ies) through the authorization of the respective property owner(s). An incentive may be granted for authorization such as:

a. In-parcel transfer-development rights with a density credit;

b. Section 193.501, F.S., "Assessment of environmentally endangered lands used for outdoor recreational or park purposes when land development rights have been conveyed or conservation restrictions have been covenanted";

c. Fee-simple purchase;

d. Purchase-of-development rights; or

e. Out-of-parcel transfer-development rights, designated development rights recipient area(s) shall be consistent with policies established within the Future Land Use Element.

POLICY 3.506-A2: Polk County shall provide incentives to property owners to give authorization for the use of easements or open spaces for access to designated resource-recreation areas. An incentive may be granted for authorization such as:

a. In-parcel transfer-development rights with a density credit;

b. Section 193.501, F.S., "Assessment of environmentally endangered lands used for outdoor recreational or park purposes when land development rights have been conveyed or conservation restrictions have been covenanted";

c. Fee-simple purchase;

d. Purchase-of-development rights; or

e. Out-of-parcel transfer-development rights, designated development rights recipient area(s) shall be consistent with policies established within the Future Land Use Element.

POLICY 3.506-A3: For the purposes of the Recreation and Open Space Element, "incompatible land uses" shall mean: Land uses which, in close proximity, may interfere with the normal operations of a recreation site or recreation facility accessible to the general public, or those land uses which may adversely affect the purpose for which the site was acquired. The impacts may be, but not limited to visual, noise, fumes or smoke.

OBJECTIVE 3.506-B: Polk County shall protect its natural-recreation resources.

POLICY 3.506-B1: Polk County shall coordinate with community organizations to identify and designate (as needed) scenic corridors and scenic view sheds that can be used as recreation resources.

POLICY 3.506-B2: Polk County shall coordinate with public agencies to establish publicly accessible greenways that can be used for resource-recreation opportunities. Agencies identified in Policy 3.502-D5 shall be used in the coordination of appropriate areas for the greenways.

POLICY 3.506-B3: Polk County shall implement a program for identifying and acquiring desirable open space areas in accordance with Objective 3.502-E. Such areas may be acquired by purchase, gift, transfer from other governments, easements, or other means. No County-owned land shall be sold or otherwise alienated without first being reviewed for inclusion in this program.

OBJECTIVE 3.506-C: Polk County shall separate and provide buffers between incompatible land uses, and provide for the retention and absorption of floodwaters through open-space areas.

POLICY 3.506-C1: Polk County shall continue to implement development review procedures which shall encourage the use of open space as a buffering technique to separate incompatible land uses. The review procedures shall provide incentives, as defined in Policy 3.506-A3, to property owners not to develop within a designated open-space area(s).

POLICY 3.506-C2: Polk County shall continue to implement development review procedures which encourage designated floodplains to be used as open space. The review procedures shall provide incentives, as defined in Policy 3.506-A2, to property owners not to develop within floodplains.

POLICY 3.506-C3: Polk County shall continue to implement development review procedures which include agencies as specified in Policy 3.502-D5, in the development review process when a future development indicates an impact to a designated recreation or open space resource.

SECTION 3.507 IMPLEMENTATION.

OBJECTIVE 3.507-A: Polk County shall implement the objectives and policies of the Recreation and Open Space Element through all appropriate techniques. Polk County shall designate responsible agencies or departments and program strategies, adopt and enforce development regulations that enhance and protect recreation resources, evaluate development proposals as to conformance with the policies in the Recreation and Open Space Element, and consider all principles and policies in the Comprehensive Plan when making decisions concerning new or expanded recreation resources.

POLICY 3.507-A1: The County Manger, or designee, shall be responsible for implementing the recreation and open space objectives and policies in the Polk County Comprehensive Plan.

POLICY 3.507-A2: Polk County shall implement development regulations as adopted in the Land Development Code, to implement the objectives and policies of the Recreation and Open Space Element.

POLICY 3.507-A3: Polk County shall establish a County park system program which includes the following:

a. Master Plan (Objective 3.502-A),

b. Annual Budget (Objective 3.502-B),

c. Citizen Assessment Program (Objective 3.502-C),

d. Planning Coordination (Objective 3.502-D),

e. Acquisition Program (Objective 3.502-E),

f. Access Program (Objective 3.502-F), and

g. Informational Database Updates (Objective 3.502-G).

POLICY 3.507-A4: Polk County shall establish a funding system program for recreation resources which includes a Financial Information System, and Appropriate Funding Mechanisms (Objective 3.503).

DIVISION 3.600 PUBLIC SCHOOL FACILITIES ELEMENT

SECTION 3.601 INTRODUCTION.

The coordination of Polk County public school facility planning and comprehensive land use planning is in the best interests of the citizens of Polk County. Land use and public school facility planning should be coordinated and based on consistent population, enrollment, Capital Outlay Full Time Equivalent (COFTE), independent forecasts and development trend data. New schools and the provision of additional school capacity should be coordinated with land development, so additional school capacity is in place prior to, or concurrent with, additional student enrollment.

New schools should be located to take advantage of existing and planned infrastructure including roads, water, sewer and parks. Where possible, capital investments in schools should support existing neighborhoods and serve to reduce urban sprawl. Infill sites shall be sought for new schools in an effort to minimize urban sprawl and maximize the utilization of existing infrastructure. Relocatables or portables should be reduced or eliminated as permanent class rooms ~~pursuant to 1013.21(1)(a), Florida Statues~~ as much as possible.

The Public School Facilities Element includes objectives and policies intended to improve the coordination between land planning and the provision of school facilities. These measures will provide the following benefits:

(1) Better coordination of new schools in time and place with land development;

(2) Greater efficiency for the school board and local governments by the reduction of student travel times and the placement of schools to take advantage of existing and planned roads, water, sewer, and parks;

(3) Improved student access and safety by coordinating the construction of new and expanded schools with the road and sidewalk construction programs of the local governments;

(4) The location and design of schools so that they serve as community and neighborhood focal points; and

(5) The location of new schools and expansion and rehabilitation of existing schools so as to reduce pressures contributing to urban sprawl and support existing neighborhoods.

Within the Public School Facilities Element, the term "schools" refers to public elementary schools, middle schools, and high schools or any combination thereof.

SECTION 3.602 COORDINATION TO MAINTAIN A HIGH QUALITY OF EDUCATION.

GOAL: Coordinate with the Polk County School Board (School Board) and other jurisdictions to ensure quality educational facilities and superior educational opportunities which in turn encourage economic growth for individuals, families and communities in Polk County.

OBJECTIVE 3.602-A: Polk County shall implement the approved Interlocal Agreement for Public School Facility Planning (hereafter referred to as the Interlocal Agreement) as amended to maximize opportunities to share information.

POLICY 3.602-A1: Elected Officials Annual Meeting (aka "Schools Summit") - Polk County shall meet at least annually with the School Board and other jurisdictions to review issues related to the Public School Facilities Element and the Interlocal Agreement and to determine the need to revise these documents.

POLICY 3.602-A-2: Planners Working Group Annual Meetings - The Planners Working Group as established in the Interlocal Agreement shall meet at least twice a year to set direction, plan for the annual meeting as described in Policy 3.602-A1, formulate recommendations and discuss issues related to this element and the Interlocal Agreement as well as ancillary infrastructure improvements needed to support schools and ensure safe access to school facilities.

POLICY 3.602-A3: Population Projections - Polk County shall coordinate with the School Board and other jurisdictions to base plans on consistent projections, including population projections that are developed in coordination with the School Board, and student enrollment projections district-wide and by planning areas which are agreed upon by the Planners Working Group. The School Board's student enrollment projections shall consider the impacts of development trends and data required to be reported in accordance with the Interlocal Agreement.

POLICY 3.602-A4: Polk County shall at least annually report on growth and development trends within its jurisdiction to the School Board. Polk County shall provide the information as specified in the Interlocal Agreement. The School Board will use the information to distribute student enrollment by concurrency service area to make the most efficient use of public school facilities.

POLICY 3.602-A5: Support School Board efforts to identify long-range school site needs and select sites based on the criteria established in this element and the Interlocal Agreement.

POLICY 3.602-A6: Polk County shall seek and consider School Board comments on relevant comprehensive plan amendments and other land use decisions which may impact schools, as provided for in Florida Statute.

POLICY 3.602-A7: Polk County shall review their annually updated copy of the Polk County School Board's Five Year Work Plan and other reports from the School Board including a general educational facilities report with information outlined in the Interlocal Agreement.

POLICY 3.602-A8: Polk County shall appoint a representative selected by the School Board to serve at a minimum as an ex-officio member of their local planning agency but could be a full member with voting rights.

OBJECTIVE 3.602-B: Encourage partnerships that will ensure adequate educational facilities which in turn will encourage economic growth and provide for a trained and stable labor force, resulting in a higher quality of life.

POLICY 3.602-B1: Support and encourage community and business partnerships for educational support services, to include, but not be limited to, magnet programs, work training, and job placement in order to improve productivity, earning potential, standard of living, and retention of labor force.

POLICY 3.602-B2: Consider the economic impact of school locations on neighborhoods such as, but not limited to the following factors: infrastructure, property and housing values, as well as surrounding land uses.

POLICY 3.602-B3: Encourage public/private partnerships between schools, business community, and other employers through mentoring programs, and Adopt-A-School programs with employees.

OBJECTIVE 3.602-C: Polk County shall establish new and review existing coordination mechanisms relating to school facility planning that evaluates and addresses the comprehensive plan's effects on adjacent local governments, the school board, and other units of local government providing services but not having regulatory authority over use of land and the State.

POLICY 3.602-C1: Polk County shall cooperate with the School Board and other local jurisdictions to implement the Interlocal Agreement, as required by Section 1013.33, Florida Statutes, which includes procedures for:

a. Coordination and Sharing of Information.

b. Planning Processes.

c. School Siting Procedures.

d. Site Design and Development Plan Review.

e. School Concurrency Implementation.

f. Implementation and Amendments.

g. Resolution of Disputes.

POLICY 3.6021-C2: The coordination of school siting shall be conducted in accordance with the Interlocal Agreement taking into consideration the needs identified in the current School Board Five Year Work Plan and the annual general education facilities report.

POLICY 3.602-C3: In order to coordinate the effective and efficient provision and siting of public educational facilities with associated infrastructure and services within the Polk County School District, the Board of County Commissioners, School Board, and Commissions from other jurisdictions shall meet jointly to develop mechanisms for coordination. Such efforts may include:

a. Coordinated submittal and review of the annual Community Investment Program of Polk County, the annual educational facilities report and Five Year Work Plan of the School Board.

b. Coordinated review and assessment of the associated costs and expenditures of siting and developing schools with needed public infrastructure.

c. Coordinated review of residential planned developments or mixed use planned developments involving residential development.

d. Use of a unified data base including population (forecasts of student population), land use and facilities.

e. Use of the Parks/Schools Planning Group (with representatives from each of the entities) to review coordinated siting of schools with parks for multi-functional use. Directives resulting from the joint meeting shall be incorporated into the Comprehensive Plan, Land Development Regulations, and other appropriate mechanisms as deemed necessary.

SECTION 3.603 IMPLEMENTATION OF SCHOOL CONCURRENCY.

GOAL: Polk County will implement public school facilities concurrency uniformly with other local jurisdictions in order to ensure the availability of public school facilities consistent with an adopted level of service providing adequate school capacity and eliminating overcrowded conditions in existing and future schools.

OBJECTIVE 3.603-A: Establish a minimum level of service for schools and consider school capacity within development impact reviews, e.g. for Planned Developments, rezoning requests, site plans, DRIs, or where there are specific development plans proposed.

POLICY 3.603-A1: Polk County shall establish development plan review procedures ~~with an effective date of March 1, 2008~~ for all residential and mixed use development proposals in order to implement school concurrency.

POLICY 3.603-A2: The Level of Service for Polk County Schools shall be 100% of Florida Inventory of School Houses (FISH). An annual Utilization Analysis will be conducted by the Polk County School Board Facilities Division to determine the operation and efficiency of each school as compared to the Department of Education's standards determined by the Florida Inventory of School Houses (FISH). Per Section 163.3180, F.S., any proportionate-share mitigation directed toward a school capacity improvement that is not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement is formally identified.

POLICY 3.603-A3: Polk County shall collaborate with the School Board to identify methods to achieve targeted utilization that include:

a. Improvements to existing school facilities (shared facilities, redistricting, expansion or remodeling, etc.)

b. Retrofitting of existing structures

c. New school construction

d. Encouraging multi-story school facilities in an urban environment

e. Exploring re-use of former non-residential centers as potential urban school sites.

OBJECTIVE 3.603-B: LEVEL OF SERVICE STANDARDS. Polk County shall ensure that the capacity of schools is sufficient to support students at the adopted level of service (LOS) standards within the period covered by the Five Year Work Plan. These standards shall be consistent with the Interlocal Agreement.

POLICY 3.603-B1: Polk County shall apply the LOS standards set forth herein consistently with all local jurisdictions and the School Board on a district-wide basis within the adopted concurrency service areas for each school type.

POLICY 3.603-B2: Consistent with the Interlocal Agreement, the uniform district-wide level-of-service standards are established as a percent of Florida Inventory of School Houses (FISH) capacity. Permanent capacity cannot be increased by adding relocatables. The LOS standards are set as follows:

a. Magnet and School of Choice: One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.

b. Other: K—8, 6th grade centers, 9th grade centers, 6—12th grade schools are at one hundred percent (100%) of permanent DOE FISH capacity.

c. Special: Including alternative education or special programmatic facilities are designed to serve a specific segment of the student population on a countywide basis or for a temporary need and are not zoned to any specific area. Therefore, they are not available or used for concurrency determinations.

d. Conversion Charter Schools: The capacity is set during contract negotiations and the School Board has limited control over how many students the schools enroll.

POLICY 3.603-B3: Polk County shall identify those schools operating below their respective LOS standard as of the adoption of the Public School Facilities Element.

POLICY 3.603-B4: Polk County shall coordinate with the School Board to achieve an acceptable LOS at all schools as part of the School Board's financially feasible Five Year Work Plan concurrency management program. The student population shall not exceed the core dining capacity at any time.

OBJECTIVE 3.603-C: SCHOOL CONCURRENCY SERVICE AREAS - Polk County, in coordination with other jurisdictions and the School Board, shall establish School Concurrency Service Areas within which a determination is made of whether adequate school capacity is available based on the adopted level of service standards.

POLICY 3.603-C1: The School Concurrency Service Areas (CSAs) for the Polk County School District, as agreed in the Interlocal Agreement, shall be school attendance zones (excluding attendance "spot zones"). When a proposed adjustment to the established school attendance zones is to be considered by the School Board, Polk County shall coordinate with the School Board to provide technical and public input prior to an official public hearing. The school attendance CSAs are hereby adopted by reference and included in the Public Schools Facility Element data and analysis.

POLICY 3.603-C2: Concurrency service areas shall be established and subsequently modified to maximize available school capacity and make efficient use of new and existing public schools in accordance with the level of service standards, taking into account minimizing transportation costs, limiting maximum student travel times, the effect of desegregation plans, achieving socioeconomic and diversity objectives as required by the Florida Department of Education, and recognizing the capacity commitments resulting from the local governments' within Polk County's development approvals for the CSA and for contiguous CSAs.

POLICY 3.603-C3: Concurrency service areas shall be designed so that the adopted level-of-service will be able to be achieved and maintained within the bounds of the School Board's requirement for a financially feasible five year capital facilities plan.

OBJECTIVE 3.603-D: PROCESS FOR SCHOOL CONCURRENCY IMPLEMENTATION: In coordination with the School Board, Polk County will establish a process for implementation of school concurrency which includes capacity determinations and availability standards. Polk County shall manage the timing of residential subdivision approvals and site plans to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

POLICY 3.603-D1: Final subdivision and site plan approvals for residential development shall be conditioned upon the availability of adequate school capacity as per the adopted level-of-service standards (LOS) of this element and as required by Section 163.3180(13) F.S.

POLICY 3.603-D2: School concurrency shall apply only to residential development or a phase of residential development that generate students requiring a final development approval including subdivision plat approval, site plan, or its functional equivalent, proposed or established after the effective date of this element.

POLICY 3.603-D3: Polk County shall prepare a report on the development projects not subject to school concurrency at the time of the adoption of the Public School Facilities Element.

POLICY 3.603-D4: Polk County, in consultation with Polk County School Board staff, will develop and adopt land development regulations which establish application procedures and processes for evaluating school capacity and making concurrency determinations consistent with the Interlocal Agreement.

POLICY 3.603-D5(a): Polk County may provide a non-binding schools concurrency decision earlier in the approval process, such as at the time of preliminary plan approvals, if requested by the applicant. The School Board must approve the concurrency determination, allocations of capacity, and proportionate share mitigation commitments, as provided herein.

POLICY 3.603-D5(b): School concurrency decisions should support and not be in conflict with the local goals and objectives of the comprehensive plan regarding growth management, as articulated in the other elements of the local comprehensive plan.

POLICY 3.603-D6: Polk County will issue a concurrency determination based on the School Board's concurrency review findings and recommendations consistent with the Interlocal Agreement. The School Board's findings and recommendations shall address whether adequate capacity exists for elementary, middle, and high schools, based on the level of service standards, or if adequate capacity does not exist, whether appropriate mitigation can be accepted, and if so, acceptable options for mitigation consistent with the policies set forth herein.

POLICY 3.603-D7: Polk County shall only issue a concurrency approval for a subdivision plat or site plan for residential development where:

a. The School Board's findings indicate adequate school facilities will be in place or under actual construction within three (3) years after the issuance of the subdivision plat or site plan for each level of school;

b. Adequate school facilities are available in the relevant CSA or adjacent CSA where the impacts of development can be shifted to that area; or

c. The developer executes a legally binding commitment to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan.

POLICY 3.603-D8: In the event that there is not sufficient capacity in the affected concurrency service area based on the adopted level of service standard to address the impacts of a proposed development, and the availability standard for school concurrency cannot be met, one of the following shall apply:

a. The project shall provide capacity enhancement(s) sufficient to meet its impact through proportionate share or other school board approved mitigation; or,

b. The project shall be delayed to a date when the level of service can be ensured through capital enhancement(s) or planned capacity increases; or,

c. A condition of approval of the subdivision or site plan shall be that the project's impact shall be phased and each phase shall be delayed to a time when capacity enhancement and level of service can be ensured; or,

d. The project shall not be approved.

POLICY 3.603-D9: If the impact of the project will not occur until years 2 or 3 of the School Board's financially feasible Five Year Work Plan, then any relevant programmed improvements in those years shall be considered available capacity for the project and factored into the level of service analysis. If the impact of the project will not be felt until years 4 or 5 of the Five Year Work Plan, then any relevant programmed improvements shall not be considered available capacity for the project unless funding of the improvement is ensured through School Board funding to accelerate the project, through proportionate hare mitigation, or some other means.

OBJECTIVE 3.603-E: PROPORTIONATE SHARE MITIGATION. Polk County shall allow for mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the adopted School Board's financially feasible Five Year Work Plan.

POLICY 3.603-E1: Mitigation shall be allowed where the adopted level of service standards cannot be met. Mitigation options shall include options listed below for which the School District assumes operational responsibility through incorporation in the adopted School Board's financially feasible Five Year Work Plan and which will maintain adopted level of service standards.

a. The donation, construction, or funding of school facilities sufficient to offset the demand for public school facilities created by the proposed development; and,

b. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits.

POLICY 3.603-E2: Mitigation shall not be required if the needed capacity for the development is available in one or more contiguous concurrency service areas and the impacts of the development can be shifted to that concurrency service area and where such is consistent with the other provisions of this Element.

POLICY 3.603-E3: Mitigation shall be directed to permanent capacity improvement projects on the School Board's financially feasible Five Year Work Plan that will satisfy the demand created by that development approval consistent with the adopted level of service standards, and shall be assured by a legally binding development agreement between the School Board, Polk County, and the applicant executed prior to the issuance of the subdivision plat or the site plan as required by the local government. If the School Board agrees to the mitigation, the School Board must commit in the agreement to placing the improvement required for mitigation in its Five Year Work Plan in a timely manner. However, if a new development triggers the need for additional capacity which can only be met by a new school and such new school would not otherwise be needed for more than five years, the mitigation agreement shall not trigger concurrency nor a change to the Five Year Work Plan until the time at which conditions for the agreement are acceptable to the School Board. The development agreement shall include the landowner's commitment to continuing renewal of the development agreement upon its expiration. Relocatable classrooms will not be accepted as mitigation.

POLICY 3.603-E4: The amount of mitigation required for each school level shall be determined by multiplying the number of new student stations required to serve the new development by the average costs per student station applicable to the Polk County School District. The average cost per student station shall include school facility development costs and land costs.

POLICY 3.603-E5: As provided in the Interlocal Agreement, the student generation rates used to determine the impact of a particular development application on public schools, shall be reviewed and updated as apparent and necessary in accordance with professionally accepted methodologies at a minimum of five (5) years.

OBJECTIVE 3.603-F: Polk County, in coordination with other jurisdictions, shall ensure existing deficiencies and future needs are addressed consistent with the adopted level of service standards for public schools.

POLICY 3.603-F1: Polk County, in coordination with other jurisdictions, shall ensure that future development pays a proportionate share of the costs of the capital facility capacity needed to accommodate new development and to assist in maintaining adopted level of service standards, via impact fees and other legally available and appropriate methods in development conditions.

POLICY 3.603-F2: Polk County hereby incorporates by reference as listed in Policy 4.205-A16 the School Board's financially feasible Five Year Work Plan.

POLICY 3.603-F3: Polk County shall continue to investigate the feasibility of additional funding sources for additional public schools.

SECTION 3.604 SCHOOL SITING, DESIGN AND PLANNING, CO-LOCATION AND SHARED USE OF PUBLIC FACILITIES.

GOAL: Partner with the school board and other jurisdictions to promote schools as focal points of existing and future neighborhoods through siting for new schools, redevelopment of existing school facilities, and co-location and shared use of facilities and services.

OBJECTIVE 3.604-A: Polk County, in collaboration with the School Board and other jurisdictions, shall provide for the location and expansion of existing schools in a coordinated manner ensuring the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure, and to ensure compatibility and consistency with the Comprehensive Plan.

POLICY 3.604-A1: Polk County will provide the School Board with potential sites for consideration when notified by the School Board of the need for new school facilities in accordance with the Interlocal Agreement.

POLICY 3.604-A2: Polk County will coordinate with the School Board to ensure that proposed public school facility sites are consistent with the applicable land use categories and policies of the comprehensive plan and will consider each site as it relates to environmental, health, safety and welfare concerns, effects on adjacent property and other guidelines as outlined in the Interlocal Agreement.

POLICY 3.604-A3: Polk County shall coordinate with the School Board and other jurisdictions on the planning and siting of new schools facilities to ensure appropriate timing of necessary services and infrastructure and are compatible and consistent with the Comprehensive Plan.

POLICY 3.604-A4: Polk County will include sufficient allowable land use designations for schools approximate to residential development to meet the projected needs for schools. Schools are an allowable land use in all future land use plan categories, except heavy industrial and conservation or preservation type land uses designating environmentally sensitive areas. Polk County shall clearly identify in the Future Land Use Element and Land Development Regulations the land use and zoning categories in which schools are allowable uses.

POLICY 3.604-A5: The siting and location of new schools within the Green Swamp Area of Critical State Concern (ACSC) in unincorporated Polk County shall be limited to parcels located in the Transit Supportive Development and Urban Growth Areas (TSDA and UGA, respectively) within the Polk City and the Ridge Special Protection Areas.

POLICY 3.604-A6: Polk County will collaborate with the School Board and other jurisdictions to jointly determine the need for and timing of on-site and off-site improvements necessary to support each new school or the proposed renovation, expansion or closure of an existing school, and will enter into a written agreement, if

necessary, as to the timing, location, and the party or parties responsible for constructing, operating and maintaining the required improvements.

POLICY 3.604-A7: Polk County shall protect schools from the intrusion of incompatible land uses by providing the School Board representatives the opportunity to participate in the review process for all proposed developments adjacent and in proximity to schools.

POLICY 3.604-A8: The preferred locations for public schools, whether elementary, middle or high schools are within the Urban Service Areas for utility services and expansions.

POLICY 3.604-A9: Polk County shall automatically process amendments to the Future Land Use Map upon the approval of a new school site, where necessary. The processing of any amendments shall be at no cost to the School Board.

POLICY 3.604-A10: Polk County shall participate in the School Site Selection process following the terms and limitations established in the Interlocal Agreement.

POLICY 3.604-A11: Polk County shall collaborate with the School Board and other jurisdictions to ensure the provision of supporting infrastructure as required by the Interlocal Agreement and applicable Florida Statutes.

POLICY 3.604-A12: Polk County shall establish an effective process for reserving, with conceptual School Board staff approval, school sites which could include:

a. Consideration of school siting during the completion of area wide studies,

b. Encouragement to developers to contribute towards the provision of school facilities.

OBJECTIVE 3.604-B: Enhance community and neighborhood design through effective school educational facility design, school siting standards, compatibility with surrounding land uses, schools as focal points for community planning, and making schools a central component, geographically or otherwise, to neighborhood-level planning.

POLICY 3.604-B1: Work with the School Board to identify new school sites that would be in locations to provide logical focal points for community activities and serve as the cornerstone for innovative urban design standards.

POLICY 3.604-B2: Provide school sites and facilities within planned neighborhoods, unless precluded by existing development patterns.

POLICY 3.604-B3: Support and encourage the location of new elementary and middle schools internal to residential neighborhoods and/or near other civic land uses, within the limits of School Board mandated desegregation.

POLICY 3.604-B4: Coordinate with the School Board to identify locations for new high schools based upon need and availability of viable properties within the search area identified by the School Board.

POLICY 3.604-B5: Support and coordinate with School Board efforts to locate new elementary schools within reasonable walking distance to residential neighborhoods.

POLICY 3.604-B6: In cooperation with the School Board, develop and adopt design standards for school bus stops and turnarounds in new developments.

POLICY 3.604-B7: Support the School Board in its efforts to locate appropriate school services, such as administrative offices, night classes and adult education on-site or in alternative locations, such as but not limited to commercial plazas, shopping malls, and community centers.

POLICY 3.604-B8: Polk County shall coordinate closely with School Board staff on preliminary design plans for new schools, generally seeking to maximize land via multi-story facilities, incorporating design elements which are community-friendly such as allowing for a shared media and/or meeting center and/or play fields on campus, respecting environmental features of a site, respecting the need to provide noise or visual buffers from adjacent

owners, providing connectivity for pedestrians at multi-school properties, pedestrian, bicycle and other connectivity to the surrounding residential community.

POLICY 3.604-B9: Reduce capital expenditures for Polk County and the School Board via cost effective design criteria and shared facilities.

OBJECTIVE 3.604-C: Plan for the expansion and/or rehabilitation of existing school facilities to maintain and improve neighborhoods and communities.

POLICY 3.604-C1: Where existing schools are proposed to be expanded, substantially renovated or new schools are proposed to be built, Polk County shall request that school board staff, local school-based faculty, and advisory councils coordinate with County staff and relevant neighborhood groups/leaders, and residents to integrate school facilities and activities with neighborhood planning and community development activities.

POLICY 3.604-C2: Coordinate with the School Board, Florida Department of Transportation (FDOT), the Transportation Planning Organization (TPO), and other jurisdictions to ensure that both existing educational facilities and proposed public school sites are accessible from, and integrated into, a planned system of sidewalks, trails, and bikeways and observe adopted local access management principles. Seek or assist the School Board in seeking grant funding to enhance access and inter-modal connectivity to and between schools, their co-located facilities, neighborhoods, and proximate community facilities such as parks.

OBJECTIVE 3.604-D: Implement provisions of the Interlocal Agreement by coordinating the location of educational facilities and the co-location of other public facilities.

POLICY 3.604-D1: Polk County will review future school and ancillary facility plans and identify opportunities for future co-location or joint use projects. The School Board will be notified of potential projects in a timely manner.

POLICY 3.604-D2: Encourage the location of parks, recreation and community or civic facilities in new and existing communities in conjunction with school sites. Seek out other colocation and joint use opportunities as outlined in the Interlocal Agreement that will benefit existing neighborhoods or redevelopment efforts.

POLICY 3.604-D3: Polk County will provide funding within their Capital Improvements Element to allow for identified and potential co-location projects.

OBJECTIVE 3.604-E: Strengthen existing neighborhoods and enhance community and neighborhood design through the co-location and joint use of educational facilities.

POLICY 3.604-E1: Polk County, in cooperation with the School Board and other jurisdictions, shall whenever possible coordinate the co-location and shared use of school facilities, parks, community facilities, and other facilities compatible with schools.

POLICY 3.604-E2: Polk County and other jurisdictions in cooperation with the School Board shall jointly plan jurisdictional co-location or joint use projects which overlap boundaries within areas defined for civic purposes. Civic uses near or adjacent to schools shall be a preferred land use in regard to land use decision making.

POLICY 3.604-E3: Continue to exercise joint use agreements between the School Board, Polk County, and other relevant agencies regarding shared use of facilities, including schools, community centers, libraries, parks, and other compatible facilities. Agreements shall include shared costs where feasible.

POLICY 3.604-E4: Support and encourage community-based programs for children's athletics, performing arts, and after-school enrichment in conjunction with school facilities. This may include exploring and supporting economically feasible multi-modal transportation system options that will enhance such opportunities.

POLICY 3.604-E5: Each year upon adoption of the School Board's Five Year Work Plan, County staff shall assist the School Board as needed in bringing together relevant agencies to discuss planning and budgeting for possible co-located facilities. The coordination may include staff from the affected County and/or City planning, parks and recreation, library, police/law enforcement, civic groups, and other government agencies as necessary. The

coordination meeting should occur several years prior to commencement of school construction in order to achieve maximum co-location opportunities.

POLICY 3.604-E6: Encourage the business community, developers, and other private organizations to coordinate with Polk County and the School Board to jointly fund and design community-based services and facilities in conjunction with existing and proposed school sites.

SECTION 3.605 INTERGOVERNMENTAL COORDINATION IN A MULTIJURISDICTIONAL ENVIRONMENT.

GOAL: Maintain and enhance intergovernmental coordination and joint planning efforts with the school board and other jurisdictions to ensure public infrastructure and other necessary services are available in a multi-jurisdictional environment for public school facilities.

OBJECTIVE 3.605-A: Integrate land use and school facility planning in Polk County through a series of planning, coordination and implementation activities which ensure capital facilities and infrastructure necessary for school facilities are available to public schools.

POLICY 3.605-A1: Through development review processes, consider the possible need for expansion of existing school facilities or the provision of new facilities with land use planning.

POLICY 3.605-A2: Develop a process for an annual joint review of the capital plans for the school board and the local government.

POLICY 3.605-A3: Plan and locate new school facilities in areas where student population growth is expected due to new development approvals and/or agreed-upon area specific population projections.

POLICY 3.605-A4: Polk County shall coordinate with the efforts of the School Board to provide emergency shelter, in accordance with Florida Statutes, when the construction of new facilities or rehabilitation or expansion of existing facilities is being considered.

OBJECTIVE 3.605-B: Support School Board programs to effectively and efficiently manage existing capital and operational funds and resources.

POLICY 3.605-B1: Polk County shall cooperate with the School Board and other local jurisdictions and agencies to address and resolve multi-jurisdictional public school issues.

POLICY 3.605-B2: Support School Board efforts to ensure sufficient capacity and operational resources for current and future school enrollment by partnering in the identification of capital needs, operational needs, and available funding sources for various campuses and school programs.

POLICY 3.605-B3: Support the School Board and encourage the State Legislature to allow flexibility in state, local and private sector participation in capital and operational funding of public school facilities.

POLICY 3.605-B4: Give priority in scheduling County programs and capital improvements which are consistent with and which meet the capital needs identified in the school facility planning program(s).

POLICY 3.605-B5: Coordinate with the School Board to ensure the appropriate methodology is utilized to evaluate the impact of different types of residential units on student populations, school facilities, and fiscal impacts to schools.

POLICY 3.605-B6: Consider joint funding for expanding appropriate school facilities to function as community service centers.

POLICY 3.605-B7: Encourage the private sector to identify and implement creative solutions in developing adequate school facilities in residential developments.

POLICY 3.605-B8: Polk County in consultation with the School Board on a case by case basis shall consider incentives such as, but not limited to, density bonus points, tax credits, waiver of fees, or other innovative means to encourage developers to contribute to the provision of school facilities by:

- donating school site(s),
- reserving or selling sites at pre-development prices,
- constructing new facilities or renovating existing facilities, and
- providing access to public transit.

POLICY 3.605-B9: Support School Board efforts to allow the private sector to construct school facilities and/or lease land or facilities to the School Board.

POLICY 3.605-B10: Polk County shall identify infrastructure projects within Polk County's Community Investment Program which will permanently or temporarily impact an existing campus due to proximity or serviceability to a campus.

SECTION 3.606 MONITORING, EVALUATION AND IMPLEMENTATION.

GOAL: Monitor and evaluate efforts to coordinate school facility planning to ensure successful implementation of the Public School Facilities Element.

OBJECTIVE 3.606-A: Polk County shall implement the objectives and policies of the Public School Facilities Element in coordination with the School Board and local municipalities.

POLICY 3.606-A1: The Polk County Manager, or designee, shall be responsible for implementing the educational facilities objectives and policies included in Polk County Comprehensive Plan.

POLICY 3.606-A2: Polk County shall adopt development regulations as necessary to implement the objectives and policies of the Public School Facilities Element.

POLICY 3.606-A3: Polk County shall maintain intergovernmental agreements with other local governments in order to attain common objectives within the Public School Facilities Element.

POLICY 3.606-A4: Polk County shall establish contact with other governmental agencies and private organizations, as needed, to carry out Public School Facilities Element objectives and policies.

POLICY 3.606-A5: Polk County shall revise permitting or permit-related procedures, as necessary, to carry out the objectives and policies of the Public School Facilities Element.

POLICY 3.606-A6: Polk County shall develop and implement programs or methodology, and conduct any studies required by the Public School Facilities Element.

POLICY 3.606-A7: Polk County shall determine from the School Board the inventories required by the Public School Facilities Element.

POLICY 3.606-A8: Polk County shall continue to enforce existing regulations where specified within the Public School Facilities Element.

POLICY 3.606-A9: Any conflicts related to issues covered by the Public School Facilities Element and Interlocal Agreement shall be resolved in accordance with governmental conflict resolution procedures specified in Florida Statute.

DIVISION 4.100 INTERGOVERNMENTAL COORDINATION ELEMENT

SECTION 4.101 INTRODUCTIONS.

Intergovernmental coordination is simply the coordination between two or more governmental entities on one or more issues. A governmental entity may include: local governments (County and municipal), school boards, State agencies/departments, and independent special districts. Therefore, the Polk County Intergovernmental Coordination Element is a mechanism for establishing the guidelines for cooperation between Polk County and other governmental units to ensure the smooth operation of the County government and to minimize the overlap of services. It should be noted that this element addresses only intergovernmental issues and not intra-governmental coordination although many of these policies indirectly affect intra-governmental coordination. This element has four sections containing objectives and policies:

a. General Coordination Issues (section 4.102),

b. Coordination of Planning Issues (section 4.103),

c. Conflict Mediation (section 4.104), and

d. Implementation (section 4.105).

The General Coordination Issues section provides the foundation for the element. These policies address the basic methods by which the County intends to address existing and future coordination.

The Coordination of Planning Issues section establishes mechanisms to coordinate development, and the impacts of that development, with other affected governmental entities.

The Conflict Mediation section outlines how the County will resolve any conflicts that arise between the County and another governmental entity. The last section, Implementation, explains how the element will be carried out.

The goal, objectives and policies of this element were developed cooperatively with the Polk County planning staff and the members of the CAC intergovernmental Coordination Subcommittee. The members of this subcommittee are listed in the acknowledgment section at the beginning of the Comprehensive Plan. The research used to draft this element included: interviewing representatives from both the County and those people who work with other governmental agencies that interact with Polk County (this included Mayors, City Managers, and staff), studying existing inter-local agreements, studying ~~both~~ the Central Florida Regional Policy Plan ~~and the State Comprehensive Plan~~, and reviewing the policies in the other elements of the Polk County Comprehensive Plan.

The Intergovernmental Coordination Element is not intended for use as an independent document and should always be considered as part of the entire Plan. Because of the nature of intergovernmental coordination, each element addresses, in some form, coordination between Polk County and the agencies that most directly affect that element or issue. It is, therefore, essential that the Intergovernmental Coordination Element be viewed as part of the whole.

This element was written to be consistent with the following documents:

a. other elements within the Polk County Comprehensive Plan;

b. the requirements set forth in Chapter ~~9J-5, FAC~~ 163, F.S.;

c. the Central Florida Regional Planning Council's Regional Policy Plan; and

d. the State Comprehensive Plan (Chapter 187, F.S

The purpose of every element within the Comprehensive Plan is identified by the goal statement. The Intergovernmental Coordination Element's goal is:

GOAL: To improve governmental efficiency and effectiveness and resolve conflicts and incompatibilities through cooperation, communication, and flexible relationships between Polk County and all other forms of government which have issues that affect Polk County.

SECTION 4.102 GENERAL COORDINATION ISSUES.

OBJECTIVE 4.102-A: Polk County shall coordinate with appropriate government entities including special districts, all municipalities within the county, adjacent counties, and adjacent municipalities to maintain and improve intergovernmental coordination and collaborative planning.

POLICY 4.102-A1: Polk County shall continue to maintain a database of inter-local agreements, the purpose of which is to provide a listing of active formal agreements and their expiration dates, so those formal agreements may be renewed on a timely basis.

POLICY 4.102-A2: Polk County shall maintain and periodically update the inventory of all formal agreements completed as part of the Interlocal Service Delivery Agreements Report and those completed as part of Joint Planning Area Agreements.

POLICY 4.102-A3: Polk County will coordinate with the municipalities within the County's jurisdiction to draft a local hazard mitigation strategy and will review all final recommendations for incorporation into the County's plans.

POLICY 4.102-A4: Polk County will coordinate with municipalities within the County and the School Board to develop county-wide demographics including population projections and expected growth for incorporated and unincorporated areas.

POLICY 4.102-A5: Polk County shall continue to share information between the County and other governmental entities. The types of information to be considered include, but are not limited to, building permits, zoning cases, engineering plans, planned annexation, comprehensive plan amendments, Geographic Information Systems, demographics, socio-economic information, and utility service areas and capacity, and other concurrency related data. The methods of transferring information include, but are not limited to: computer network(s) and/or modem connection (electronic mail or other), facsimile transfers, exchange of computer storage media (e.g. tape or floppy disk), maps on paper or other media, and hard copy (paper).

POLICY 4.102-A6: The Polk County Board of County Commissioners shall conduct an intergovernmental coordination/cooperation workshop to which all Polk County city commissioners, city managers, School Board members and constitutional officers shall be invited. The workshop will be designed to enhance intergovernmental coordination among all entities in Polk County.

POLICY 4.102-A7: The County will continue to work with municipalities within the County and other local governmental entities to identify appropriate joint planning areas (JPA), and to enter into and implement inter-local agreements dealing with issues of mutual concern. The following items shall be discussed with each jurisdiction to determine their relevance for incorporating into a JPA:

a. future annexations and municipal incorporation;

b. establishing infrastructure service areas for all franchised, municipal, and County-owned and/or maintained potable water treatment systems and sanitary sewer treatment systems;

c. collection and reduction of hazardous and solid waste;

d. development within, and maintenance of, stormwater drainage systems;

e. water quality and quantity studies;

f. conservation uses as defined by Chapter ~~163.3177 F.S.~~ ~~9J-5.003(19) FAC~~;

g. recreational and open space efforts including:

1. location of new facilities,
2. maintenance of facilities,
3. provision of services, and
4. establishing greenway systems.

h. coordination for the provision of establishing and maintaining transportation systems, including aviation, mass transit, and traffic circulation.

i. coordination for the provision of group homes and adequate and affordable very low-, low- and median-income housing;

j. identification, appropriate use, and protection of unique vegetative communities;

k. prevention of the loss of endangered or threatened species populations;

l. coordination for the provision of the following services:

1. fire protection,
2. law enforcement,
3. emergency medical,
4. animal control,
5. emergency management, and
6. libraries.

The Intergovernmental Coordination Map Series herein shall contain a map depicting the boundaries of all such current Joint Planning Areas, entitled "Joint Planning Area Agreement Map," which shall be updated as necessary to ensure its accuracy.

POLICY 4.102-A8: The Polk County ~~Growth Management Department~~ Office of Planning and Development as the County Manager's designee shall be responsible for the coordination and timely exchange of information concerning annexed properties between the County and the affected municipality.

POLICY 4.102-A9: The County shall request that the municipalities and areas considering municipal incorporation within its boundaries coordinate with County officials prior to annexation or incorporation to discuss joint planning issues regarding:

a. land-uses;

b. impacts on infrastructure systems;

c. impacts on established level-of-service standards; and

d. impacts on other urban services as appropriate.

POLICY 4.102-A10: Polk County shall coordinate the adopted County Comprehensive Plan with the plans of the Polk County School Board to address issues pertaining to the siting and development of schools and school facilities.

POLICY 4.102-A11: [Deleted by CPA 10B-04 (Ord. 10-043); adopted by BoCC 8/4/10]

POLICY 4.102-A12: Polk County Long Range Planning Division shall continue to identify and implement all planning activities mandated in the Polk County Comprehensive Plan that affect County agencies and other governmental entities.

SECTION 4.102 GENERAL COORDINATION ISSUES.

POLICY 4.102-A13: CITY OF LAKELAND SECTOR PLANNING PROGRAM - The City of Lakeland has instituted a sector planning program to help identify strategic issues and a vision for land that may be annexed or receive city services in the future. Polk County will participate in the City of Lakeland's Sector Planning Program as it pertains to unincorporated lands. Upon the completion of a sector plan, Polk County shall consider said plan in its land use and facility planning for the subject area. The sector plans shall serve as a shared resource and guide for planning efforts and shall not be binding in any manner upon the County. Sector Plans that include unincorporated areas are:

a. Southwest, Sector 8 (complete);

b. Northwest, Sector 7 (complete);

c. East, Sector 4 (future);

d. Southeast, Sector 9 (future);

e. North, Sector 6 (future);

f. Northeast, Sector 5 (future);

g. South Central, Sector 3 (future).

Once drafted, proposed Sector Plans that include unincorporated areas as per above will be shared with the Polk County Planning Commission and Board of County Commissioners for their information and input prior to the City of Lakeland's adoption of same.

SECTION 4.103 COORDINATION OF PLANNING ISSUES.

OBJECTIVE 4.103-A: Polk County shall establish and implement mechanisms to ensure uniform and timely coordination of planning and development issues with municipalities within the County, adjacent counties, the School Board, independent special districts and other governmental entities.

POLICY 4.103-A21: Polk County shall forward copies of applications for Comprehensive Plan Amendments or major development orders that fall within a municipality's planning area to the affected community to allow the municipality time to review these proposed changes with regards to consistency with their comprehensive plan.

POLICY 4.103-A32: The staff report for zone change requests and other development orders shall include a section for other entities' comments. These other entities may include, but not be limited to: Polk County School Board, municipalities located within Polk County, and other entities which provide services but do not have regulatory authority of the use of the land.

POLICY 4.103-A43: The Polk County Planners' Forum shall continue to meet on a regular basis to coordinate planning efforts throughout the County.

POLICY 4.103-A54: The County will identify and describe joint processes for collaborative planning on population projections, school siting, facilities subject to concurrency, facilities with countywide significance, the potential for sharing facilities, the 10-year water supply plan, unwanted land uses, and other issues of mutual concern.

POLICY 4.103-A~~65~~: Polk County shall maintain and implement an Interlocal Agreement for Public School Facility Planning with the School Board and municipal jurisdictions to ensure appropriate coordination on the following issues:

a. coordinated land use and school facility planning;

b. coordination and sharing of information related to the need for additional school capacity;

c. the siting of new schools;

d. infrastructure needed to support new schools;

e. the co-location and shared use of schools and other public facilities; and

f. the implementation of school concurrency.

POLICY 4.103-A~~76~~: The County will continue to participate in the Technical Advisory Committee, Land Use and Transportation Forum, and Mass Transit Steering Committee for the Polk County Transportation Planning Organization (TPO), as well as on the TPO Board, to ensure coordination regarding transportation issues.

POLICY 4.103-A~~87~~: The County shall coordinate with municipalities within the County, adjacent counties, adjacent municipalities, and other concerned public agencies to establish a joint review committee(s) for the siting of facilities with multi-jurisdictional impacts including locally unwanted land uses.

POLICY 4.103-A~~98~~: The County shall coordinate with the Central Florida Regional Planning Council and the Avon Park Air Force Range to ensure that when feasible, military operations have a minimal impact on the residents and businesses in the adjacent areas.

POLICY 4.103-A~~109~~: The County shall coordinate with the Central Florida Regional Planning Council, the Department of Environmental Protection, the corresponding water management districts, and other public or private agencies dedicated to the protection of the environment and the Avon Park Air Force Range to ensure the protection of natural environments while at the same time preserving the military mission.

POLICY 4.103-A11~~0~~: The County will coordinate its 10-Year Water Supply Plan with those of other service providers in the unincorporated area to ensure the availability of water within those areas.

OBJECTIVE 4.103-B: Polk County shall cooperate in efforts to obtain consistency between the Polk County Comprehensive Plan and the plans of the Polk County School Board, campus master plans, other units of municipal, county, regional, and state governments providing services but not having regulatory authority over the use of land, and with comprehensive plans of adjacent municipalities and counties.

POLICY 4.103-B1: Polk County shall forward population projections and other pertinent information used in its comprehensive plan to the School Board so they can consider projected growth and development as it relates to the future need for schools in the School Board's facility plans.

POLICY 4.103-B2: The Polk County ~~Planning~~ Land Development Division shall continue to implement procedures for the review of comprehensive plans and comprehensive plan amendments. These reviews shall include:

a. identifying intergovernmental issues and conflicts;

b. identifying the impacts of capital projects listed in the Capital Improvements Element of the Polk County Comprehensive Plan upon the provision of basic services within Polk County's Area of Concern; and

c. determining the relationship of development proposed within the Polk County Comprehensive Plan to the development proposed in the comprehensive plans and/or comprehensive plan amendments of the following entities:

1. municipalities within Polk County,

2. adjacent counties, and
3. adjacent municipalities,
4. Polk County School Board,
5. campus master plans, and
6. special districts.

POLICY 4.103-B3: Polk County shall implement the procedures established in Policy 4.103-B2. If any issues or negative impacts are identified, Polk County shall implement Policy 4.104-A1.

POLICY 4.103-B4: Polk County shall, invite and encourage participation from the Polk County School Board, Central Florida Regional Planning Council, Transportation Planning Organization, and municipalities on the Planners' Forum.

OBJECTIVE 4.103-C: Polk County shall continue to coordinate any change in established level-of-service standards for public facilities with service providers, municipalities and other government agencies.

POLICY 4.103-C1: Polk County shall continue to inform all governmental entities within Polk County's Area of Concern of proposed changes in its Level-of-Service standards and solicit comments.

POLICY 4.103-C2: Polk County shall, when notified by other governmental entities of changes in their level-of-service standards, review and comment on these changes.

POLICY 4.103-C3: The County shall coordinate with municipalities within the County and the Transportation Planning Organization (TPO) to establish uniform levels-of-service for the County's roadway network wherever practical.

POLICY 4.103-C4: The County shall coordinate with municipalities within the County and the Transportation Planning Organization, utility companies and other service providers to establish joint concurrency review processes for those projects with multi-jurisdictional impacts.

POLICY 4.103-C5: Consistent with policies of this element, Polk County shall coordinate with municipalities within the County for the establishment of uniform level-of-service standards and concurrency review processes for those areas that have been identified as joint planning and infrastructure service areas.

OBJECTIVE 4.103-D: Polk County shall coordinate with the Polk County Builders Association, the County's Parks and Natural Resources Division, and other related agencies to ensure that all new development and redevelopment includes features that further the reduction of greenhouse gas emission and increase energy conservation in accordance with the requirements of Cchapter ~~9J-5 FAC~~163, F.S.

POLICY 4.103-D1: Polk County shall continue to implement development review procedures that provide information about the ongoing projects to members of the community and community groups in order to obtain their input and oversight.

(Ord. No. 22-053, § 2(Att. A), 7-5-2022)

SECTION 4.104 CONFLICT MEDIATION.

OBJECTIVE 4.104-A: Polk County shall implement a mediation process to resolve, in a timely manner, any conflicts which arise between itself and other governmental entities with which it interacts as set forth by Section 163.3185(5) – (7).

POLICY 4.104-A1: For those governmental entities that have agreements with Polk County that address settling conflicts, the County shall use the procedures set forth in that agreement. For those governmental entities that do

not have an agreement with Polk County addressing settling conflicts, the County Manager, or designee, shall initially attempt to resolve any conflicts.

POLICY 4.104-A2: The Polk County Board of County Commissioners, or their designee shall, upon receipt of a written request from either an aggrieved governmental entity, or from the County Manager, attempt to settle any disputes within 60 days.

POLICY 4.104-A3: If an agreement cannot be reached then the County shall, with the consent of the other party, utilize the Central Florida Regional Planning Council's informal, non-binding mediation process ~~per Florida Statute 189.509~~ Nothing contained herein, however, shall preclude immediate resort to a judicial or administrative remedy when it is deemed necessary and appropriate by the Board of County Commissioners.

SECTION 4.105 IMPLEMENTATION.

OBJECTIVE 4.105-A: Polk County shall designate the appropriate agencies and/or departments to implement the goal, objectives, and policies of the Intergovernmental Coordination Element.

POLICY 4.105-A1: The County Manager, or designee, shall be responsible for implementing the goal, objectives, and policies within the Intergovernmental Coordination Element of the Polk County Comprehensive Plan.

POLICY 4.105-A2: The County Manager, or designee, shall establish and implement the programs and policies set forth within the Intergovernmental Coordination Element.

DIVISION 4.200 CAPITAL IMPROVEMENTS ELEMENT

SECTION 4.201 INTRODUCTION.

The purpose of the Capital Improvements Element (CIE) is to tie the capital improvement needs identified in the other elements to the County's budgeting and development review processes. The goal, objective and policies section and the implementation section of the CIE establish the framework that:

1. identifies the required capacity of capital improvements to serve existing and future development based on level-of-service (LOS) standards;
2. establishes a system of priorities to determine which capital improvements are funded to satisfy the LOS;
3. provides guidance on funding the projects;
4. outlines mechanisms to assure provision of the required capital improvement;
5. ties land development decisions to the availability of capital facilities and improvements; and
6. outlines implementation programs.

Implementation: The Capital Improvements Element requires the County to develop a concurrency management system, a Capital Improvements Program known as Polk County's Community Investment Program (CIP), and a capital budget. The concurrency management system will monitor the quantity and quality of public facilities and the impacts of development on those facilities. The CIP lists a 5-year schedule of the capital improvement projects required, for concurrency and the County's natural and environmental infrastructure, to maintain the LOS standards and repair/replace obsolete or worn out facilities and negatively impacted water systems. The projects in the CIP are listed by construction date, costs and revenue sources. The CIP will lists County, State, Federal, and private resources required to provide the programmed facilities and shall be reviewed on an annual basis, and modified as necessary, in order to maintain a 5-year schedule of capital improvements. The County will annually prepare a Capital Improvements Budget (CIB), which will include appropriations for the County's projects.

To fulfill the above requirements Polk County adopts the following goal:

GOAL: Polk County shall provide for, in a timely manner, and maintain capital facilities which meet or exceed adopted County standards consistent with available fiscal resources.

SECTION 4.202 COORDINATION.

OBJECTIVE 4.202-A: Polk County shall coordinate the provision of capital improvements with other agencies and jurisdictions and ensure that the CIE is consistent with the other elements of the Comprehensive Plan.

POLICY 4.202-A1: All capital improvements and facilities shall be evaluated to identify any plans of State agencies, the Polk County Transportation Planning Organization, and/or the Southwest Florida, or South Florida Water Management Districts that affect, or will be affected by, the proposed County capital improvement.

POLICY 4.202-A2: Polk County shall coordinate the provision of public facilities with the municipalities in Polk County, the Polk County School Board, and surrounding counties.

POLICY 4.202-A3: The Capital Improvements Element (CIE) shall be consistent with other elements of the Comprehensive Plan and the planning efforts of Polk County and its departments.

POLICY 4.202-A4: All public facility capital improvements shall be consistent with the other elements of the Comprehensive Plan.

SECTION 4.203 LEVEL-OF-SERVICE STANDARDS.

OBJECTIVE 4.203-A: Polk County shall define types of public facilities, and establish the standards for level of service (LOS) by facility type. [Section 163.3177 F.S.]

POLICY 4.203-A1: Polk County shall define public facilities in the following manner:

a. Category "A" public facilities are arterial and collector roads, drainage systems, potable water, sanitary sewer, solid waste, and park and open space facilities owned and operated by the County, and are addressed in other elements of this Comprehensive Plan, and required for concurrency;

b. Category "B" public facilities are arterial and collector roads, drainage systems, potable water, sanitary sewer, and parks and open space facilities owned and operated by Federal and/or State governments, independent districts, entities other than the County or a municipality that provide support to a designated Selected Area Plan (SAP) listed in Appendix B of this Comprehensive Plan, and private organizations, and required for concurrency; and

c. Category "C" public facilities are preservation lands owned and operated by the County, which are not required for concurrency.

POLICY 4.203-A2: Category "A" public facilities: Polk County shall adopt level-of-service standards for Category "A" public facilities, include the capital improvements to Category "A" public facilities in the Community Investment Program (CIP), and require the public facilities for the issuance of final building orders (concurrency). The level-of-service standards for Category "A" public facilities shall be the following:

a. County arterial and collector roads LOS standards.

1. The multi-modal transportation level-of-service standards, established in Exhibit 1 below. shall be the minimum acceptable levels-of-service on arterial and collector roads. These standards apply to County roadway segments, unless a facility-specific standard is adopted herein.

EXHIBIT 1. Multi-Modal Transportation Level of Service Standards

Base Highway Level-of-Service (LOS) Standards[1]

Area	Minimum Standard (Peak Hour/Dir)
Transit Supportive Development Area (TSDA)	LOS "D"[2]
Transitioning Urbanized Area Outside the TSDA[3]	LOS "D"
Other	LOS "C"

Multi-Modal Transportation Districts Within TSDA Minimum LOS Standards

The Multi-Modal Transportation Districts, located within the Transit Supportive Development Area, coincide with the service area (¾ mile Americans with Disabilities Act complementary paratransit service area) of the identified fixed-route transit service.

District	Highway[1, 2, 4]	Transit	Mobility Strategies
Multi-Modal (MM)[5]	LOS "D"	≤ 60 minute headway	• Provision of extensive pedestrian system
			• Elimination of gaps in sidewalk network

			• Complete street treatment including improved pedestrian and bicycle crossings
Transit Corridors and Centers Overlay	LOS "E"		• Provision of transit facilities and passenger amenities
			• Provision of bicycle parking
			• Shared, reduced or maximum parking requirements

1. The minimum standard for roadways on the Strategic Intermodal System, the Florid Intrastate Highway System, and for those funded under the Transportation Regional Incentive Program, are established under Policy 3.202-C3.
2. LOS is measured for the peak hour/peak direction using the average of the two highest peak hours.
3. Transitioning Urbanized Area Boundary as adopted by the Polk Transportation Planning Organization on August 9, 2007.
4. LOS may be measured on an average corridor basis for roadway corridors (more than one facility) serving common trip ends.
5. Road with transit service that is located outside of the Transit Corridors and Centers Overlay.

b. County parks and open space lands LOS standards - Polk County shall adopt, as a minimum recreation level-of-service standard:

6.95 acres per 1,000 persons*

*Note: This figure is calculated using a static aggregate total of passive and active recreational land of 5,017 acres divided by the population projection for 2020. ~~Regardless of a static total of passive and active recreational land being used, county parks and open space lands LOS standards in 2020 should be adequate.~~ It is expected that passive and active recreational space will increase in relation to further development and population increase.

c. Public potable-water supply-systems LOS standard of ~~360~~250 gallons per equivalent-residential connection (GPERC).

d. Sanitary sewer facilities LOS standard of ~~270~~200 gallons per equivalent residential connection (GPERC) and an effluent disposal site which is sufficient to handle the plant capacity. The site must have an hydrogeological evaluation which is signed and sealed by a registered hydrologist and professional engineer.

e. Drainage systems LOS standards are:

DRAINAGE MINIMUM LEVEL OF SERVICE STANDARDS					
LOS I	**LOS II**	**LOS III**	**LOS IV**	**LOS V**	**LOS V1**
Capacity: 100 year, 24 hour storm event with freeboard	Capacity: 50 year, 24 hour storm event with freeboard	Capacity: 25 year, 24 hour storm event with freeboard	Capacity: 10 year, 24 hour storm event with freeboard	Capacity: 5 year, 24 hour storm event with freeboard	Capacity: 3 year, 24 hour storm event with freeboard

f. Solid waste LOS standard of 8.25~~s~~ (pounds/capita/day).~~:~~

~~Year Facility~~

~~North Central Landfill (lbs/capita/day~~

~~2000 12.66~~

~~2010 8.00~~

~~2020 8.26~~

~~g. Polk County Transportation System LOS standard of 50,000 passenger trips in 1991 and 60,000 passenger trips in 1996.~~

POLICY 4.203-A3: Category "B" public facilities: Polk County shall adopt level-of-service standards for Category "B" public facilities, and require that they be met prior to the issuance of final development orders (concurrency). The level-of-service standards for Category "B" public facilities shall be the following:

a. Federal and state arterial and collector roads LOS standards:

1. The multi-modal transportation level-of-service standards established in Policy 4.203-A2, Exhibit 1 above, shall be the minimum acceptable levels-of-service on arterial and collector roads. These standards apply to roadway segments on the State Highway System that are not a part of the Florida Intrastate Highway System, unless a facility-specific standard is adopted herein.

2. The minimum acceptable level-of-service standard for roadways on the Strategic Intermodal System, the Florida Intrastate Highway System, and those funded under the Transportation Regional Incentive Program, shall be in accordance with the Statewide Minimum Level-of-Service Standards published by the Florida Department of Transportation.

~~3. Due to the anticipated community and environmental impacts associated with a four-lane improvement, State Road 542 (Dundee Road) from SR 549 (1st Street, SE) to Buckeye Loop Road is considered a constrained facility. Polk County shall support a three-lane improvement or intersection improvements on this road segment. The minimum acceptable level-of-service for this segment of SR 542 shall be Level of Service "E" peak hour.~~

b. Public potable water supply systems LOS standard of 360 gallons per equivalent residential connection (GPERC).

c. Sanitary sewer facilities LOS standard of 270 gallons per equivalent residential connection (GPERC) and an effluent disposal site which is sufficient to handle the plant capacity. The site must have hydrogeological evaluation which is signed and sealed by a registered hydrologist and professional engineer.

d. Drainage systems LOS standards are:

DRAINAGE MINIMUM LEVEL OF SERVICE STANDARDS					
LOS I	**LOS II**	**LOS III**	**LOS IV**	**LOS V**	**LOS V1**
Capacity: 100 year, 24 hour storm event with freeboard	Capacity: 50 year, 24 hour storm event with freeboard	Capacity: 25 year, 24 hour storm event with freeboard	Capacity: 10 year, 24 hour storm event with freeboard	Capacity: 5 year, 24 hour storm event with freeboard	Capacity: 3 year, 24 hour storm event with freeboard

e. Public School Facilities LOS standards: Consistent with Policies 3.603-B1 and 3.603-B2 of the Public School Facilities Element and the Interlocal Agreement for Public School Facilities Planning, the uniform district-wide level-of-service standards are established as a percent of Florida Inventory of School

Houses (FISH) capacity. Permanent capacity cannot be increased by adding relocatables. The LOS standards are set as follows:

1. Magnet and School of Choice: One hundred percent (100%) of enrollment quota as established by the School Board or court ordered agreements and as adjusted by the school board annually.
2. Other: K-8, 6th grade centers, 9th grade centers, 6-12th grade schools are at one hundred percent (100%) of permanent Department of Education (DOE) FISH capacity.
3. Special: Including alternative education or special programmatic facilities are designed to serve a specific segment of the student population on a countywide basis or for a temporary need and are not zoned to any specific area. Therefore, they are not available or used for concurrency determinations.
4. Conversion Charter Schools: The capacity is set during contract negotiations and the School Board has limited control over how many students the schools enroll.

Polk County shall apply the LOS standards set forth herein consistently with all local jurisdictions and the School Board on a district-wide basis within the adopted concurrency service areas for each school type in accordance with the policies of the School Facilities Element and the Interlocal Agreement for Public School Facilities Planning.

POLICY 4.203-A4: Category "C" public facilities: Polk County shall adopt level-of-service standards for Category "C" public facilities, and include them in the CIP. The level-of-service standards for Category "C" public facilities and other related projects shall be the following:

a. Preservation lands LOS standard of County acquisition of a minimum of 500 acres for protection of federally- or state-listed endangered or threatened plant or animal species in fiscal year 1993/94 and County acquisition of a minimum of 200 acres for protection of federally or state listed endangered or threatened plant or animal species in each fiscal year from 1994 to 1996.

b. The following is a list of projects in the CIP that will help make progress towards achieving necessary pollutant load reductions:

   1. Kissimmee Watershed Project
   2. Small Scale Surface Water Enhancement/Treatment Project Plan
   3. Peace Creek Canal
   4. Peace River Corridor
   5. Crooked Lake West Hydrologic Restoration and Water Quality Improvement Project
   6. Stormwater Ridge to River Corridor Projects

SECTION 4.204 DETERMINING NEEDED CAPITAL IMPROVEMENTS.

OBJECTIVE 4.204-A: Polk County shall establish a methodology for determining the capital improvements required to achieve and maintain adopted standards and to repair and replace public facilities under their fiscal jurisdiction, and shall enter into an interlocal agreement with those agencies having jurisdiction over the rest (e.g. schools, state roads).

POLICY 4.204-A1: Polk County shall use the formula Q (S x D) - I to determine the capital improvements required to eliminate existing deficiencies and serve future growth.

Where:

Q is the quantity of capital improvements needed to insure maintenance of the LOS standard (Example: An additional 180 acres of community park land, or a new 7,000,000 gallon wastewater treatment plant);

S is the standard for level of service;

D is the demand (population); and

I is the inventory of existing facilities.

POLICY 4.204-A2: The capital improvements needed to repair, renovate, or replace obsolete or worn out facilities under the County's jurisdiction shall be determined by the Board of County Commissioners upon the recommendation of the County Administrator. For those facilities under the fiscal responsibility of another public agency, said agency shall determine needed capital improvements consistent with the guidelines of an applicable interlocal agreement(s).

POLICY 4.204-A3: Polk County shall set the relative priorities among types of public facilities as follows:

a. Projects in the Community Investment Program do not reflect a priority order, since the projects in the schedule of capital improvements are financially feasible and will be provided.

b. Capital improvements within a type of public facility are to be evaluated on the following criteria and considered in the order of priority listed below:

Priority 1 - New public facilities and improvements to existing public facilities that eliminate public hazards.

Priority 2 - The repair, remodeling, renovation, or replacement of obsolete or worn out facilities that contribute to achieving or maintaining adopted level-of-service standards.

Priority 3 - New and expanded facilities that reduce or eliminate deficiencies in levels of service for existing demand.

Priority 4 - New or expanded facilities, including land acquisition, that provide the adopted level of service for new development and redevelopment during the next five years. In the event that the planned capacity of public facilities is insufficient to serve all applicants for development orders, the priorities for capital improvements shall be as follows:

Priority A - Capital improvements in areas that are being redeveloped and where development orders were issued prior to plan adoption;

Priority B - Capital improvements in areas of new development and where development orders were issued prior to plan adoption;

Priority C - Capital improvements where new development orders were issued in areas that are being redeveloped;

Priority D - Capital improvements where new development orders were issued for new development; and

Priority E - Improvements to existing facilities, and new facilities that reduce the operating costs of providing a service or facility.

POLICY 4.204-A4: Polk County shall allocate revenue, whose use is restricted by law or rule, to the highest priority project eligible for that revenue.

POLICY 4.204-A5: Polk County shall maintain a data base of the impacts of development (See Policy 4.207-A2.c.5.f) which has been determined to be vested through the Polk County Vested Rights ordinance. This information will be used in concurrency determinations, the annual update of the public facility needs assessment, the Capital Improvements Element, Community Investment Program, and Capital Improvements Budget, and to provide facilities for the vested development.

POLICY 4.204-A6: Polk County shall continue the development of its impact fee program to provide facilities for development which has been determined to be vested through the Polk County Vested Rights ordinance.

SECTION 4.205 ASSESSING THE FINANCIAL FEASIBILITY OF PROJECTS.

OBJECTIVE 4.205-A: Polk County shall plan for and provide needed capital facilities that are within the fiscal capability of the County through the annual adoption and review of a Community Investment Program (CIP). For those needed capital facilities that are under the fiscal responsibility of another public agency, Polk County shall adopt by reference the applicable agency's 5-year capital improvement program or work plan.

POLICY 4.205-A1: Polk County shall demonstrate that the CIP is financially feasible by adopting into the CIE a 5-year schedule of capital improvements which includes publicly funded projects, and which may include privately funded projects for which the local government has no fiscal responsibility, necessary to ensure that adopted level-of-service standards are achieved and maintained. Financial feasibility of the 5-year schedule of capital improvements shall mean that sufficient revenues are currently available, or will be available from committed funding sources, for the first three (3) years, or will be available from committed or planned funding sources for years four (4) and five (5), which are adequate to fund the projected costs of the capital improvements listed in the CIP. Committed and/or planned revenue sources for financing programmed capital improvements may include, but are not limited to, ad valorem taxes, bonds, state and federal funds, other tax revenues, impact fees, and developer contributions. Projects necessary to ensure that any adopted LOS standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level or priority for funding.

a. If the CIP relies on planned revenue sources in the 5-year schedule that require referenda or other actions to secure the planned revenue source, the CIE must, in the event the referenda are not passed or actions do not secure the planned revenue source, identify other existing revenue sources that will be used to fund the capital projects or otherwise amend the CIE to ensure financial feasibility;

b. Polk County will adopt and maintain a financially feasible 5-year schedule of capital improvements. Updates to the 5-year schedule of capital improvements which reflect proportionate fair-share contributions ~~shall be deemed financially feasible~~, if the CIE identifies additional contributions, payments or funding sources reasonably anticipated during a period not to exceed 10 years to fully mitigate impacts on the transportation facilities.

POLICY 4.205-A2: The existing population and owners of real property in Polk County shall pay for some or all of the capital improvements which reduce or eliminate existing deficiencies. These capital improvements may be financed with user fees, special assessments, debt, and taxes. The existing population and owners of real property in Polk County may pay for capital improvements required by future development.

POLICY 4.205-A3: Polk County shall require developers and owners of future development to pay their proportionate share of capital improvements required to service future development and~~. For capital improvements that will be funded by the developer, financial feasibility shall~~ be demonstrated by being guaranteed in an enforceable development agreement or interlocal agreement, or other enforceable agreement. These development agreements and/or interlocal agreements shall be reflected in the 5-year schedule of capital improvements if the capital improvement is necessary to serve development within the period covered by the 5-year schedule. Payments, which must be approved by the County in form and amount, may take the form of the following:

a. voluntary contributions for the benefit of any public facility;

b. impact fees;

c. capacity reservation fees;

d. dedication of land;

e. provision of public facilities; and

f. future payments of user fees, special assessments and/or taxes.

POLICY 4.205-A4: The existing and future population and owners of real property shall pay for the replacement of obsolete and worn out facilities.

POLICY 4.205-A5: Future development shall not pay impact fees for the portion of any capital improvement that reduces or eliminates existing deficiencies.

POLICY 4.205-A6: Grants, entitlements, or public facilities from other levels of government, and independent districts may pay part of the costs attributed to existing and future development.

POLICY 4.205-A7: Polk County shall finance capital improvements to potable water, sanitary sewer, and solid waste facilities (utilities) with current assets, revenue bonds to be repaid by user fees or charges for services, or a combination of current assets and debt.

POLICY 4.205-A8: Polk County shall finance other capital improvements (non-utility) with current assets, and/or debt.

POLICY 4.205-A9: Polk County shall consider which asset, or group of assets, will be cost effective, appropriate to the useful life of the improvement, and an efficient use of the County's debt capacity when financing capital improvement projects with debt.

POLICY 4.205-A10: The County shall not accept:

a. responsibility for operating-and-maintenance costs for which it does not have funding capability; and

b. responsibility for any private or public facility whose acquisition would prevent the County from completing a project or restrict the County's capability to maintain or increase LOS standards, except where a public hazard exists.

POLICY 4.205-A11: Polk County shall continue to review the costs and benefits of developing an alternative funding mechanism for stormwater management projects.

POLICY 4.205-A12: If the option sales tax, or the utility tax is not approved by the legislature or by voter referendum, Polk County shall:

a. amend the Plan and CIP to identify alternative funding sources, or

b. amend the plan to revise the level-of-service standard to the existing LOS standard.

POLICY 4.205-A13: Polk County shall manage its debt by establishing the following standards:

a. the maximum percentage of net overlapping bonded debt to assessed value of 4%;

b. the maximum of net bonded debt per capita of $500, and

c. the maximum percentage of annual debt service to general expenditures of 10%.

POLICY 4.205-A14: Polk County shall increase user fees and issue the bonds required to implement the Community Investment Program. The timing of the increases in fees and the issuance of bonds will be based on market timing, need for the funds, and project timing.

POLICY 4.205-A15: Polk County shall provide needed capital improvements for water and sewer facilities as referenced within the Community Investment Plan of the Update to the Utility Master Plan as adopted by the Board of County Commissioners on 16 August 1996 or as modified by the Board of County Commissioners through the annual budget and Community Investment Program adoption process. Any modification to the "Water and Wastewater Master Plan Update," currently existing as individual Regional Service Area Water and Wastewater master Plan Updates, or to the geographic service areas to be serviced by water and/or sewer that will eliminate, defer, or modify funding or placement of improvements shall be implemented through an amendment to the Comprehensive Plan.

POLICY 4.205-A16: *(Revised 3/21/17 - Ord. 17-015):* Polk County adopts by reference the School Board's Five-Year Work Plan annually which includes the needed capital improvements to achieve and maintain the adopted Level of Service Standards.

POLICY 4.205-A17: COMMUNITY INVESTMENT STRATEGY: As part of future updates to the Capital Improvement Element, Polk County shall identify and implement measures intended to encourage public and private investments in the Transit Supportive Development Area and the Transit Corridors and Centers Overlay. These measures should support redevelopment and revitalization of existing communities and may be included, but are not limited to, the siting of community facilities, reduced impact fees and an expedited review process for development.

POLICY 4.205-A18: ALTERNATIVE FUNDING TOOLS - Polk County shall consider the use of alternative methods for funding sources to encourage development and redevelopment within the Transit Supportive Development Area and Transit Corridors and Centers Overlay. Such sources may include, but are not limited to: improvement taxing districts, such as, Municipal Service Benefit Units (MSBU), Municipal Service Tax Unit (MSTU), Community Development Districts (CDD); state funding sources such as, Community Development Block Grants (CDBG); and public-private partnerships to establish redevelopment funds.

POLICY 4.205-A19: TRANSPORTATION IMPROVEMENT PROGRAM (TIP) *(Added 3/21/17, Ord. 17-015)*- Polk County adopts, by reference, the Transportation Improvement Program Five-Year Work Plan annually which includes a list of all prioritized transportation projects in Polk County funded from federal and state sources. The Transportation Improvement Program (TIP) is a financially feasible program and displays the priorities of multi-modal transportation improvement projects as adopted by state, local governments and transit agencies in Polk County.

SECTION 4.206 PROVIDING NEEDED CAPITAL IMPROVEMENTS.

OBJECTIVE 4.206-A:*(Revised 3/21/17 - Ord. 17-015)*Polk County shall provide needed capital improvements, as listed in the 5-year schedule of capital improvements, Community Investment Program (CIP) and the Capital Improvements Budget (CIB), to repair and replace obsolete or worn out facilities, for the elimination of existing LOS deficiencies, for development orders issued prior to the adoption of the Plan, and for future development. For those facilities under the fiscal responsibility of another public agency, Polk County shall coordinate with said agency to ensure that necessary capital improvements are in the agency's five-year capital improvement program.

POLICY 4.206-A1: Polk County shall review the Capital Improvements Element, which includes a 5-year schedule of capital improvements, and the Community Investment Program annually, and they may be modified as follows:

a. The Capital Improvements Element shall be reviewed on an annual basis and modified as necessary in order to maintain a financially feasible 5-year schedule of capital improvements.

b. Polk County adopts, by reference, the Capital Improvement Program's Five-Year Work Plan also known as the Community Investment Program (CIP) annually, to consider the need for the location of public facilities. Pursuant to Florida Statutes, the CIE together with the CIP reflect the time, location and funding of capital projects to achieve and maintain adopted level of service standards for public facilities that are necessary to implement the comprehensive plan. The five-year capital improvements schedule shall be updated by separate ordinance and may not be deemed an amendment to the comprehensive plan.

POLICY 4.206-A2: Polk County shall prepare as part of the annual budget process a Capital Improvements Budget (CIB) which lists appropriations for the capital improvements projects in the first year of the CIP and projects for the repair, renovation, or replacement of obsolete or worn out facilities per Policy 4.204-A2.

POLICY 4.206-A3: If a CIP project cannot be completed within the fiscal year stated within the CIP, one, or a combination of the following, shall occur:

a. An alternate capital project(s) may be completed which will maintain the level of service within the service area of the original project, if that LOS is expected to decline below an adopted LOS standard.

b. The scope or timing of private development projects may change to mitigate the impacts on the public facility. This is an option only if the development orders were conditionally issued on the availability of the delayed public facility.

c. Private development may implement alternative projects or programs to mitigate the impacts of development on public facilities. (For example, Traffic Management which includes ride sharing, remote parking with shuttle bus, locker rooms and bike racks, subsidized bus passes, and staggered work hours.)

d. The Comprehensive Plan may be amended to establish a lower level-of-service standard for the affected service area if the absence of the programmed capital improvement project causes the LOS to decline below the current adopted standard.

e. Polk County may not issue development orders that rely on the delayed capital project to meet concurrency requirements until the situation delaying the project is remedied.

POLICY 4.206-A4: Polk County shall provide, or require others to provide, the capital improvements listed in the Community Investment Program by the following:

a. annually prepare and adopt a Capital Improvements Budget (CIB) which includes appropriations for the capital projects listed in the first fiscal year of the Community Investment Program as well as projects to repair, renovate, or replace obsolete or worn out facilities pursuant to Policy 4.204-A2.

b. execute binding agreements with others, which requires others to provide facilities listed in the CIP, but not in the CIB.

Polk County shall maintain an Interlocal Agreement for School Facilities Planning with the Polk County School Board and the non-exempt municipalities to ensure that the School Board's Five-Year Program of Work include the needed capital improvements to achieve and maintain the adopted Level of Service Standards.

SECTION 4.207 CONCURRENCY MANAGEMENT.

OBJECTIVE 4.207-A: Polk County shall implement a development review process to insure that development occurs where public facilities have sufficient capacity to serve existing population and the needs of the development, based on level-of-service standards as established by the Land Development Code.

POLICY 4.207-A1: Prior to the issuance of a development order, which establishes binding densities and intensities of development, the County shall require the availability of sufficient capacity of Categories "A" and "B" public facilities to maintain adopted LOS standards for the existing population and the new development concurrent with the new development.

POLICY 4.207-A2: A development order (final concurrency determination), which establishes density and intensity of development shall not be issued unless the following conditions are met:

a. for public or private potable water, sanitary sewer, drainage, and solid waste facilities:

   1. are currently in place or will be in place when the development order is issued;

   2. the development order is issued with the condition that the necessary facilities and services will be in place when the impacts of the development occur;

   3. are under construction at the time of development order; or

4. are guaranteed by an enforceable development agreement to be in place concurrent with the impacts of the development occur.

b. for recreation and open space public facilities:

1. are currently in place or will be in place when the development order is issued;

2. are a condition of the development order and are guaranteed to be provided concurrent with the impacts of the development;

3. are under construction; or

4. are guaranteed in an enforceable development agreement, which provides for the commencement of construction of the required facilities and services within one (1) calendar year of the issuance of the development approval.

c. for roads and mass transit:

1. are currently in place or will be in place when the development order is issued;

2. are a condition of the development order and are guaranteed to be provided concurrent with the impacts of the development;

3. are under construction;

4. are guaranteed in an enforceable development agreement, which provides for the commencement of construction of the required facilities and services within one (1) calendar year of the issuance of the development order; or

5. are guaranteed in an enforceable proportionate fair-share transportation mitigation agreement; or

6. are included in the 5-year Polk County Community Investment Program, which includes the first 3 years of the FDOT District One Work Program and Polk County adopts and implements a concurrency management system and regulations which meet the following minimum standards:

(a) roads or mass transit facilities identified in the Community Investment Program (CIP) are financially feasible;

(b) limits the facilities used for concurrency determinations to those facilities scheduled to begin construction in the first 3 years of the CIP;

(c) the CIP provides for the construction of facilities within a Transit Supportive Development Area or Urban Growth Area that are necessary to maintain the adopted level-of-service standards and for the elimination of existing deficiencies which are a priority to be eliminated during the five-year period of the Community Investment Program (CIP);

(d) the CIP contains a realistic, financially feasible funding system based on currently available revenue sources which are adequate to fund the public facilities required to serve the development authorized by the development approval and the public facilities are included in the CIP;

(e) the applicable provisions of the CIP show (1) the estimated date of the commencement of construction and (2) the estimated date of project completion for the capital improvements; and if the road or mass transit facilities are clearly designated in the Transportation Element Map Series (TEMS);

(f) the delay or deferment of construction or elimination of the mass transit or road facility required to maintain the adopted level-of-service standard will require an amendment of

the Comprehensive Plan which may be accomplished as part of the annual update to the Capital Improvements Element;

(g) the County maintains a concurrency data-base and monitoring system which includes sufficient data to ensure that projects approved subject to minimum criteria for public facilities requiring a concurrency determination do not result in a reduction of the level of service below the adopted level-of-service standard. Such data shall include standard trip generation rates, an estimate of the average daily trips and peak hour trips generated by projects approved subject to minimum requirements for roadway and mass transit capacity, and vested development, and an estimate of the capacity of existing and planned roadway, roadway intersection and mass transit improvements absorbed by projects approved subject to above minimum requirements; and

(h) the concurrency database and monitoring system includes the annual collection of traffic counts and updated level-of-service estimates to document the cumulative effect of all projects. Polk County does not grant exceptions for de minimis impacts.

d. Public School Facilities:

1. shall be based upon the Polk County School Board's ability to maintain the minimum level of service standards.

2. the applicant for a Development Order or Development Permit which includes any residential component provides a determination of capacity by the Polk County School Board showing that the proposed development will meet the public school facilities level of service standards. A determination by the School District is not required for any residential development or project exempt from concurrency in accordance with the Interlocal Agreement for Public School Facility Planning.

POLICY 4.207-A3: Applicants for development orders which do not establish binding densities and intensities of development may request conditional concurrency determination, or the County may determine, as part of the development review process, the availability of capacity of capital facilities for development. If the proposed development meets the standards in Policy 4.207-A3, then available capacity of Category "A" and "B" public facilities shall be reserved for the development in accordance with procedures described in the Land Development Code and the development will have a right to final development orders provided that:

a. the applicant secures:

1. irrevocable letters of capacity commitment,

2. contracts to build the necessary facilities,

3. obtain assurances similar to those in Policy 4.207-A3.d from sources other that the applicant, or

4. other guarantees, approved in form and amount by the County Manager or designee, of capacity of required facilities to be provided by the applicant and/or others;

b. determination of capacity is valid only for the uses and densities of development stated in the preliminary development permit application;

c. determination of available capacity is valid for all development for a length of time to be established by the Land Development Code, or a period of time negotiated by the County and developer, which is set forth in a binding development agreement pursuant to Section 163.3220, F.S.;

d. applicant guarantees the development's share of the cost of needed capital improvements with one or more the following, acceptable to the County in form and amount:

1. performance bond,

2. irrevocable letter of credit issued by a financial institution certified to do business in Florida,
3. prepayment of impact fees,
4. prepayment of water and wastewater connection fees,
5. formation of a Community Development District pursuant to Chapter 190, F.S., or a special assessment district; and

e. Polk County may do one of the following if the applicant's pro-rata share of a public facility is less than the full cost of the facility:

1. contract with the applicant for the full cost of the facility, including terms to reimburse the applicant for all cost above the pro-rata share,
2. obtain assurances similar to those in Policy 4.207-A3d from other sources, or
3. amend the Comprehensive Plan to modify the adopted level-of-service standard to allow the applicant's development.

POLICY 4.207-A4: If the applicant does not request a determination of capacity when applying for preliminary development orders, the following shall apply:

a. The County shall determine the available capacity of Category "A" and Category "B" public facilities prior to approving a final development order, as required by Policy 4.207-A3; and

b. No rights to obtain final development orders, nor any other rights to develop the subject property, will have been granted or implied by the County's approval of the preliminary development order without determining the capacity of Category "A" and "B" public facilities.

POLICY 4.207-A5: Polk County shall design a solution and do the following, as necessary, when a public facility LOS has fallen below the adopted standard and a moratorium on final development orders is declared for that public facility. (The following are not listed in priority order.)

a. solicit state and federal resources to minimize or eliminate the moratorium;

b. review the CIP and the CIB for available projects and resources which may be available to maintain the LOS standard;

c. advertise and hold a public meeting with persons affected by the moratorium and determine private resources available to maintain the LOS and/or mitigate the impacts;

d. exempt from the moratorium development which has been determined to be vested (the exemption is valid only for development uses and densities stated in the final development order).

POLICY 4.207-A6: Polk County shall integrate its concurrency management system and land-use planning and decisions with its plans for public facility capital improvements by using the Implementation section of the Capital Improvements Element. The Community Investment Program shall maintain adopted levels-of-service standards for all development consistent with the Future Land Use Element.

POLICY 4.207-A7: The following additional guidelines will apply to concurrency determinations:

a. ROADWAYS

1. County will maintain and provide level of services information as set forth in the Comprehensive Plan and the support documentation. If the preliminary level of service information indicates a level-of-service failure, the developer has two alternatives:

(a) Accept the level of service information as set forth in the Comprehensive Plan;

(b) Prepare a more detailed capacity analysis, which is outlined in Policy 3.204-C2.

2. If the developer chooses to do a more detailed analysis, the following procedure will be followed:

   (a) Land Development Division staff will provide the developer with the acceptable methodology for preparing the alternative analysis.

   (b) The developer will submit the completed alternative analysis to planning staff for review.

   (c) Planning staff will review the alternative analysis for accuracy and appropriate application of the methodology.

3. If the alternative methodology, after review and acceptance by the Land Development Division staff, indicates an acceptable level of service where the comprehensive plan indicates a level-of-service failure, the alternative methodology will be used.

4. If the developer is at the application stage for the project, this alternative methodology can be used to obtain a concurrency determination. This determination is a non-binding determination that, at the date of application, adequate roadway facility capacity and levels of service are available.

5. If the developer is at the final approval stage for the project, this alternative methodology can be used to obtain a Certificate of Concurrency, the specifics of which are set forth in the Land Development Code.

b. MASS TRANSIT, RECREATION AND OPEN SPACE, AND SOLID WASTE

1. The County will provide level of service information as set forth in the Comprehensive Plan.

2. If the level of service information indicates that the proposed project would not result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was available at the date of application or inquiry.

3. If the level of service information indicates that the proposed project would result in a level of service failure, the concurrency determination would be that adequate facility capacity at acceptable levels of service was not available at the date of application or inquiry. Procedures to notice the applicants of inadequate capacity shall be performed in accordance with the Land Development Code.

c. POTABLE WATER, SANITARY SEWER

1. In order to guarantee provision of more than the minimum level-of-service, the County shall take the following steps:

   (a) begin planning and preliminary design for expansion when a plant's Average Annual Daily Flow is equal to 60% of the permitted capacity;

   (b) prepare plans and specifications for expansion when a plant's Average Annual Daily Flow is equal to 70% of the permitted capacity;

   (c) submit a complete construction permit application to the Florida Department of Environmental Protection for expansion when a plant's Average Annual Daily Flow is equal to 80% of the permitted capacity;

   (d) submit an application for an operation permit for the expanded facility to all appropriate regulatory agencies when a plant's Average Annual Daily Flow is equal to 90% of the permitted capacity.

   (e) include upgrades to allow the use of reclaimed treated waste water for non-potable water uses as part of the planned plant expansions.

(f) include the necessary analysis during the facility expansion planning to determine the most financially feasible way of including the use of other alternative water sources to increase the available groundwater resources.

2. Public facility and service capacity, consistent with public health and safety standards, shall be in place and available to serve new development no later than the issuance of a certificate of occupancy.

POLICY 4.207-A8: The process for concurrency determinations shall be performed in accordance with Objective 4.207 and subsequent policies of the Comprehensive Plan, and with the procedures described in the Land Development Code.

POLICY 4.207-A9: INFRASTRUCTURE CAPACITY - The size of the TSDA is related to the infrastructure capacity of Polk County and surrounding jurisdictions to provide urban type services. An assessment of the conditions will occur during the required seven year Evaluation and Appraisal Report. The scheduling of capital improvements shall consider the locational boundary of the TSDA and the implementation of policies that discourage premature development or development that does not meet the minimum requirements established to maintain transit supportive development.

SECTION 4.208 IMPLEMENTATION.

OBJECTIVE 4.208-A: Polk County shall implement the objectives and policies of the Capital Improvements Element through all appropriate techniques. Polk County shall designate responsible agencies or departments, develop program strategies, adopt and enforce development regulations that maintain or improve the level of service provided by public facilities, evaluate development proposals for compliance with the policies in the Capital Improvements Element, and consider all principles and policies in the Comprehensive Plan when making decisions concerning the provision of public facilities.

POLICY 4.208-A1: The County Manager, or designee, shall be responsible for implementing the objectives and policies in the Capital Improvements Element.

POLICY 4.208-A2: Polk County shall implement development regulations as adopted in the Land Development Code, to implement the objectives and policies of the Capital Improvements Element in accordance with Florida Statutes.

POLICY 4.208-A3: Polk County shall adopt and annually update the Capital Improvements Element (CIE), the Community Investment Program (CIP), and the Capital Improvements Budget (CIB) by December 1 of each year.

POLICY 4.208-A4: Polk County shall provide, or require others to provide, the capital improvements listed in the Community Investment Program (CIP).

POLICY 4.208-A5: Polk County shall, as a part of the Land Development Code adopted by the County in accordance with Florida Statutes, establish a concurrency-management system which will:

a. monitor the level of service of public facilities,

b. monitor the impact of development on public facilities,

c. maintain the established level of service,

d. prevent the issuance of a final development order whose impact on a Category "A" or "B" public facility would reduce the level of service below the standard, and

e. provide a public facility capacity reservation program for applicants of preliminary development orders.

POLICY 4.208-A6: Polk County shall develop a program(s) to minimize the impacts of moratoriums and eliminate moratoriums.

POLICY 4.208-A7: Polk County in coordination with the Polk County School Board, shall implement mechanisms by which the impacts of development on public school facilities can be mitigated by the cooperative efforts of the public and private sector as outlined in the Interlocal Agreement for Public School Planning.

POLICY 4.208-A8: Polk County shall implement the adopted Proportionate Fair-Share Program that provides a method to mitigate the impacts of development on transportation facilities by the cooperative efforts of the public and private sectors. This methodology for assessing proportionate fair-share mitigation options and shall provide for the following:

a. A developer may apply for approval to satisfy all transportation concurrency requirements by contributing or paying proportionate fair-share mitigation if transportation facilities or facility segments identified as mitigation for traffic impacts are specifically identified for funding in the 5-year schedule of capital improvements, or the Board of County Commissioners approve adding the facility or facility segments to the next annual update and adoption of the 5-year schedule of capital improvements;

b. Proportionate fair-share mitigation shall be applied as a credit against impact fees to the extent that all or a portion of the proportionate fair-share mitigation is used to address the same capital infrastructure improvements contemplated by Polk County's impact fee ordinances;

c. Mitigation for development impacts to facilities on the Strategic Intermodal System made pursuant to an approved proportionate fair-share agreement requires the concurrence of the Florida Department of Transportation;

d. The requirement that level-of-service standards be achieved and maintained shall not apply if the proportionate fair-share process set forth in Florida Statutes is used; and

e. Nothing in the ordinance shall require Polk County to approve a development that is not otherwise qualified for approval pursuant to Polk County's Concurrency Management system

Revision History Division 4.200 Capital Improvements Element	
SECTION 4.200	CPA 17-A03 (Ord. 17-14) 3/21/17
SECTION 4.201	CPA 07CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.202-A1	CPA 07CIE-01 (Ord. 07-080) 12/5/07
OBJECTIVE 4.203-A	CPA 17 CIE-01 (Ord, 18-053)
POLICY 4.203-A2	CPA 17 CIE-01 (Ord. 18-053); CPA 13C-03 (Ord. 13-060) 12/3/13; CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 07CIE-01 (Ord. 07-080) 12/5/07; CPA 01B-01 (Ord. 01-94) 12/19/01; CPA 99B-34 (Ord. 99-82) 12/15/99;
POLICY 4.203-A3	CPA 17 CIE-01 (Ord. 18-053); CPA 13C03 (Ord 13-060) 12/3/13; CPA 14CIE-01 (Ord. 15-046); CPA 07CIE-01 (Ord. 07-080) 12/5/07; CPA 07SCH-01 (Ord. 07-079) 11/20/07; CPA 01B-01 (Ord. 01-94) 12/19/01
OBJECTIVE 4.204-A	CPA 07SCH-01 (Ord. 07-079) 11/20/07
POLICY 4.204-A2	CPA 17 CIE-01 (Ord, 18-053); CPA 07SCH-01 (Ord. 07-079) 11/20/07
POLICY 4.204-A3	CPA 17 CIE-01 (Ord, 18-053); CPA 07CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.204-A5	CPA 07 CIE-01 (Ord. 07-080) 12/5/07
SECTION 4.205	CPA 96A-12 (Ord. 96-70) 12/19/96
OBJECTIVE 4.205-A	CPA 07 CIE-01 (Ord. 07-080) 12/5/07 CPA 07SCH-01 (Ord. 07-079) 11/20/07
POLICY 4.205-A1	CPA 17 CIE-01 (Ord. 18-053); CPA 07CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.205-A3	CPA 07 CIE-01 (Ord. 07-080) 12/5/07;
POLICY 4.205-A11	CPA 07 CIE-01 (Ord. 07-080) 12/5/07; CPA 99B-32 (Ord. 99-80) 12/15/99;
POLICY 4.205-A14	CPA 07 CIE-01 (Ord. 07-080) 12/5/07;

POLICY 4.205-A15	CPA 09 CIE-01 (Ord. 09-067) 11/17/09; CPA 07CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.205-A16	CPA 17 CIE-01 (Ord. 18-053); CPA 16 CIE-01 (Ord. 17-015) 3/21/17; CPA 14 CIE-01 (Ord. 15-046) CPA 13CIE-01 (Ord. 14-010); CPA 11 CIE-01 (Ord. 11-028) 11/8/11; CPA 10 CIE-01 (ORD. 10-071) 10/6/10; CPA 09 CIE-01 (Ord. 09-067) 11/17/09; CPA 08 CIE-01 (Ord. 08-064) 11/18/08; CPA 07 SCH-01 (Ord. 07-079) 11/20/07
POLICY 4.205-A17	CPA 10B-01 (Ord. 10-039) 8/4/10
POLICY 4.205-A18	CPA 10B-01 (Ord. 10-039) 8/4/10
POLICY 4.205-A19	CPA 17 CIE-01 (Ord. 18-053); Added 3/21/17 CPA 16 CIE-01 (Ord. 17-015)
OBJECTIVE 4.206-A	CPA 17 CIE-01 (Ord. 18-053); CPA 16 CIE-01 (Ord. 17-015) 3/21/17; CPA 14 CIE-01 (Ord. 15-046); CPA 13 CIE-01 (Ord. 14-010); CPA 11 CIE-01 (Ord. 11-028) 11/8/11; CPA10 CIE-01 (ORD. 10-071) 10/6/10; CPA 09 CIE-01 (Ord. 09-067) 11/17/09; CPA 08 CIE-01 (Ord. 08-064) 11/18/08; CPA 07 CIE-01 (Ord. 07-080) 12/5/07; CPA 07 SCH-01 (Ord. 07-079) 11/20/07; CPA 05B-06 (Ord. 05-086) 12/7/05; CPA 05A-08 (Ord. 05-037) 13 July 05; CPA 02B-14 (Ord. 02-15) 12/18/03;
POLICY 4.206-A1	CPA 17 CIE-01 (Ord. 18-053); CPA 07CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.206-A4	CPA 07 CIE-01 (Ord. 07-080) 12/5/07; CPA 07SCH-01 (Ord. 07-079) 11/20/07
OBJECTIVE 4.207-A	CPA 17 CIE-01 (Ord. 18-053); CPA 05B-10 (Ord. 05-089) 12/7/06; CPA 02A-01 (Ord. 02-38) 7/10/02
POLICY 4.207-A2	CPA 11B-06 (Ord. 11-038) 12/06/11; CPA 10B-01 (Ord. 10-039) 8/4/10; CPA 07 CIE-01 (Ord. 07-080) 12/5/07; CPA 07SCH-01 (Ord. 07-079) 11/20/07; CPA 05B-10 (Ord. 05-089) 12/7/05; CPA 96A-13 (Ord. 96-56); 12/3/96
POLICY 4.207-A3	CPA 10B-04 (Ord. 10-043); 8/4/10; CPA 05B-10 (Ord. 05-089) 12/7/05
POLICY 4.207-A6	CPA 07 CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.207-A7	CPA 08 WSP-01 (Ord. 08-023) 6/8/08; CPA 05B-10 (Ord. 05-089) 12/7/05
POLICY 4.207-A8	CPA 05B-10 (Ord. 05-089) 12/7/05
POLICY 4.207-A9	CPA 17 CIE-01 (Ord. 18-053); CPA 10B-01 (Ord. 10-039) 8/4/10
OBJECTIVE 4.208-A	CPA 07 CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.208-A1	CPA 05 B-10 (Ord. 05-089) 12/7/05
POLICY 4.208-A2	CPA 17 CIE-01 (Ord. 18-053); CPA 10B-04 (Ord. 10-043); 8/4/10
POLICY 4.208-A3	CPA 07CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.208-A4	CPA 07CIE-01 (Ord. 07-080) 12/5/07
POLICY 4.208-A5	CPA 17 CIE-01 (Ord. 18-053); CPA-2002A-01 (Ord. 02-38); 7/10/02
POLICY 4.208-A7	CPA 07SCH-01 (Ord. 07-079) 11/20/07;
POLICY 4.208-A8	CPA 17 CIE-01 (Ord. 18-053); CPA 10 CIE-01 (Ord. 10-071) 10/6/10; CPA 09 CIE-01 (Ord. 09-067) 11/17/09; CPA 08 CIE-01 (Ord. 08-064) 11/18/08; CPA 07CIE-01 (Ord. 07-080) 12/5/07
SECTION 4.201	CPA 12 CIE-01 (Ord. 13-003)
POLICY 4.205-A16	CPA 12 CIE-01 (Ord. 13-003)
OBJECTIVE 4.206-A	CPA 12 CIE-01 (Ord. 13-003)
POLICY 4.207-A7	CPA 12 CIE-01 (Ord. 13-003)
TABLES CI-1.A to X	CPA 14 CIE-01 (Ord. 15-046); CPA 13 CIE-01 (Ord. 14-010); CPA 12CIE-01 (Ord. 13-003)
SECTION 4.205-A16	CPA 13 CIE-01 (Ord. 14-010)

TABLES CI-1.A to U	CPA 17A-03 (Ord. 17-014) 3/22/17; 16 CIE-01 (Ord. 17-015) 3/21/17

DIVISION 4.300 ADMINISTRATIVE PROVISIONS

SECTION 4.301 IMPLEMENTATION.

A. LEGISLATIVE IMPLEMENTATION RESPONSIBILITY: The Board of County Commissioners shall be responsible for implementing the Polk County Comprehensive Plan through legislative processes and procedures.

B. ADMINISTRATIVE IMPLEMENTATION RESPONSIBILITY: The County Manger, or designee(s), shall be responsible for implementing the Polk County Comprehensive Plan through administrative processes and procedures.

C. DEVELOPMENT REGULATIONS: Polk County shall implement development regulations adopted in the Land Development Code in accordance with Section 163.3202(1), F.S. This code shall implement the policies and requirements of the Polk County Comprehensive Plan, and shall incorporate regulations, procedures, and standards which include:

1. procedures and standards for the review of development;
2. performance standards or development criteria to implement adopted future land use classifications;
3. standards for the regulation of the subdividing of land;
4. Procedures to address existing development and potential development, to include:
    a. existing non-conformities; and
    b. vesting determination;
5. Administrative procedures to address:
    a. variances,
    b. appeals,
    c. development agreements, and
    d. performance agreements.

D. CONCURRENCY MANAGEMENT SYSTEM: The County shall ensure that development meets the locally established level-of-service standards, and facilities and services are available concurrently with the impacts of development, or that development orders are specifically conditioned upon the availability of the facilities and services necessary to serve the proposed development; and that facilities that provide utility service to the various land uses are authorized at the same time as the land uses are authorized;

E. WORK PROGRAM IMPLEMENTATION: A compendium of goals, objectives, and policies (GOP) shall be distributed to all County agencies participating in the Comprehensive Plan implementation. County agencies shall incorporate GOP's under their authority into their annual work programs and to request appropriations for operations and capital facilities necessary to implement the GOP's during the annual operating and capital programming process of the Polk County Office of Management and Budget (OMB).

F. LEGAL STATUS OF THE COMPREHENSIVE PLAN:

1. After a comprehensive plan, or element or portion thereof, has been adopted in conformity with this act [Chapter 163, F.S.], all development undertaken by, and all actions taken in regard to development orders by, governmental agencies in regard to land covered by such plan of element shall be consistent with such plan or element as adopted.

2. The Land Development Code shall be consistent with the adopted comprehensive plan, or element or portion thereof, and any development regulations existing at the time of the adoption which are not consistent with the adopted comprehensive plan, or element or portion thereof, shall be amended so as to be consistent.

3. During the interim period when the provisions of the most recently adopted comprehensive plan, or element or portion thereof, and the Land Development Code 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. [Source: Section 163.3194, F.S.]

G. PRE-APPLICATION REVIEW: Persons seeking amendments to this Plan shall be required to undergo a pre-application review in accordance with the Land Development Code.

SECTION 4.302 RELATIONSHIP OF ELEMENTS.

It is intended that growth-management decisions made by the County use all elements, goals, objectives, and policies of this Plan as an entirety and that the Plan shall be considered as a whole. However, in the application of this Plan to specific issues and situations certain Plan sections and policies may become more significant and apply more directly to that specific case.

SECTION 4.303 ADMINISTRATION AND INTERPRETATION.

A. ADMINISTRATIVE INTERPRETATION: During the course of administering the Plan it may be necessary for County personnel to interpret the objectives, policies, and maps of the Plan as they relate to specific applications for development approval, or as they relate to a proposed activity of the public sector. It shall be the responsibility of the Land Development Director to resolve interpretation of conflicting objectives, policies, and maps and disputes regarding the interpretation of provisions of the Plan with a written "administrative decision", and maintain a permanent record of decisions.

The objective of any such interpretation shall be to obtain a result which maximizes the degree of consistency between the proposed development or public sector activity and this Plan, considered as a whole. Administrative decisions shall be binding only upon the specific case for which the decision is issued. However, interpretive decisions shall be consistent and non-arbitrary. Any such administrative decision shall be subject to "interpretation appeals" as described in Section 4.303-B (below).

B. INTERPRETATION APPEALS: Any person aggrieved or adversely affected by an administrative decision made by the Land Development Director shall be entitled to a review of the decision by a Land Use Hearing Officer by filing an application for hearing with the Land Development Director within 7 calendar days of the administrative determination. A final decision of the appeal is rendered by the Land Use Hearing Officer. The Land Use Hearing Officer shall have 30 calendar days to respond to appeal requests.

The Land Use Hearing Officer shall have the authority and duty to weigh the relative importance and relevance of various Plan elements, sections, goals, objectives, and policies. Interpretive decisions by the Land Use Hearing Officer shall include findings of fact. A written record of these findings and the final decision shall be made available to the appellant.

C. DEVELOPMENT ORDERS: Decisions of the Board with respect to any development order shall be presumed to be consistent with the Polk County Comprehensive Plan. Formal, written findings shall not be required with respect as to whether a development order is consistent with the Plan. No decision of the Board shall be overturned on the grounds of consistency with the Plan unless a court of competent jurisdiction determines that it is not at least fairly debatable that such decision is consistent with the Plan.

SECTION 4.304 MONITORING.

The Comprehensive Plan shall be monitored on a continuous basis, and shall include:

A. continuous monitoring, by the Land Development Division, of the data and analysis on which the goals, objectives, and policies (GOPs) and maps are based; with recommendations being presented to the Board of County Commissioners, no less frequently than once every two years, to amend and/or add new GOP's and maps to reflect needed modifications due to changing County conditions;

B. continuous monitoring of all Elements and Comprehensive Plan Map Series to ensure that they are consistent with every other Plan component C specifically the Capital Improvements Element (CIE) and Program (CIP);

C. continuous coordination of Plan objectives, policies, and maps, with other affected local governments; and

D. preparation and submittal Planning Commission (PC) and the Board of County Commissioners, of an "Evaluation and Appraisal Report" (EAR) for submittal by the County to the Florida Department of Commerce (FloridaCommerce) ~~Economic Opportunity (DEO)~~ as required by Florida Statutes. Such EAR preparation shall include, over the course of the five years prior to the actual submittal of an EAR to FloridaCommerce ~~DEO~~, the following:

1. incorporation of the above monitoring procedures specified in items 4.304.A—C into the EAR preparation process;

2. the inclusion of citizen participation into the EAR-preparation process to review and comment on:

    a. accomplishments of the Plan within the first five years period of the Plan, and the degree to which goals, objectives, and policies (GOPs) where reached;

    b. obstacles and problems which resulted in the under achievement of GOPs; and

    c. recommendations of how the County might add or amend the Plan's GOPs to correct any shortcomings or problems.

3. Polk County shall maintain a Comprehensive Plan data base to be used in updating the Plan and the preparation of the Evaluation and Appraisal Report. This data base shall be used to monitor the implementation of the Plan.

4. Pursuant to Section 163.3177(6)(c)(3), F.S., when Polk County notifies the state land planning agency of a determination regarding whether EAR-based plan amendments are needed, the notification must include a separate affidavit signed by the Chair or Mayor of the governing body. This affidavit must attest that all elements of the Comprehensive Plan comply with Section 163.3191, Florida Statutes. The affidavit must also certify that the adopted plan covers the minimum 10-year planning period and cite the source and date of the population projections used in establishing the 10-year planning period.

SECTION 4.305 PLAN AMENDMENTS.

The Polk County Comprehensive Plan may be amended in accordance with Section 163, F.S., with the process detailed in the Polk County Land Development Code. The County shall not be limited as to the scope of Plan amendments, and such amendments may affect any adopted portion of the Plan including the goals, objectives, and policies of each element and the Comprehensive Plan Map Series. In addition, other amendments may be processed as follows:

~~A. The Plan may undergo "emergency amendments" in accordance to the provisions of Section 163.3187(1)(a), F.S. Emergency amendments may be made more than twice a year if the additional Plan amendment receives the approval of all of the members of the Board of County Commissioners. "Emergency" means, as defined by Section 163.3187(1)(a), F.S., any occurrence or threat thereof, whether accidental, natural, or caused by man, in war or peace, which results, or may result, in substantial injury or harm to the population, or substantial damage to, or loss of property or public funds.~~

~~B~~A. The County may process amendments per Chapter 163 of the Florida Statutes, as amended, and this Plan.

~~C~~B. The County shall also process Plan amendments directly related to a proposed "Development of Regional Impact (DRI), including changes which have been determined to be substantial deviations, and including "Florida Quality Developments" pursuant to Florida Statutes.

C. Plan amendments that qualify as small scale development amendments may follow the small scale review process in Section 163.3187, F.S.

SECTION 4.306 VARIANCES.

In circumstances where a property owner considers implementation or application of this Plan will deny him or her of all beneficial use of the subject property, the property owner may apply to the County for a variance from such provision(s) in order to preserve valid existing property rights. All petitions for a variance shall be submitted in writing by the property owner, and shall include the following information:

A. the property owners name, address, and telephone number;

B. the parcel number;

C. the year the property was purchased or acquired;

D. a specific and complete description of the valid existing right involved, including the date when such right was acquired and any action of the County creating such right; and

E. the specific Plan policy or policies from which a variance is sought, and the minimum variance necessary to preserve such valid existing right.

The Board shall schedule and hold a public hearing to consider such request, and make a final determination within 30 days of receipt of a written request for variance. This section shall not operate to enlarge any time period which may be established by the County within which vested property rights may be perfected.

SECTION 4.307 ADMINISTRATIVE FEES.

The County may adopt by resolution application fees for the processing of Plan administrative procedures, including, but not limited to: Comprehensive Plan Amendments (CPA), Selected-Area Studies (SAS), Plan administrative decision appeals, and variance requests.

SECTION 4.308 ENFORCEMENT.

This Plan shall be enforced in accordance to the provisions of Section 163.3215, F.S.

DIVISION 4.400 GLOSSARY

AASHTO: American Association of State Highway and Transportation Officials.

ACT: Means Section 163.01 and Part II of Chapter 163, Florida Statutes as amended from time to time. *[Added by CPA-07SCH01 (Ord. 07-79); Adopted by BoCC 11/20/07]*

ACTIVITY CENTER: An area containing a planned or existing cluster of related land-use activities, Including but not limited to commercial, industrial, and tourist/recreational activities. For further definition see Section 2.110.

ADJACENT COUNTIES: Those Counties which either share a common boundary with Polk County or whose boundary comes within one (1) mile of Polk County's boundary. The following is a list of these Counties: Hillsborough, Hardee, Highlands, Osceola, Orange, Lake, Sumter, Pasco, Manatee, and Okeechobee.

ADJACENT MUNICIPALITIES: Those municipalities that are located outside Polk County's boundary that could have an immediate affect on land-use decisions within Polk County. These municipalities are: Plant City, Kissimmee, Avon Park, and Bowling Green.

ADJACENT SCHOOL SERVICE AREAS: School Service Areas which have a contiguous (coterminous) boundary. *[Added by CPA-07SCH01 (Ord. 07-79); Adopted by BoCC 11/20/07]*

ADMINISTRATIVE DETERMINATION: A written interpretation by a Division Director, upon written request and payment of a fee, which serves to resolve interpretation of conflicting objectives, policies, maps and disputes regarding the interpretation of the Polk County Comprehensive Plan or Land Development Code. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

ADULT DAY CARE CENTER: Any building, buildings, or part of a building, whether operated for profit or not, in which is provided through its ownership or management, for a part of a day, basic services for one (1) or more persons who are 18 years of age or older, who are not related to the owner or operator by blood or marriage, and who require such services. *[Added by CPA2009B-13 (Ord. 09-072) Adopted by BoCC 12/01/09]*

ADULT FAMILY CARE HOME: A full-time, family-type living arrangement, in a private home, under which a person who owns or rents the home provides room, board, and personal care, on a 24-hour basis, for no more than five disabled adults or frail elders who are not relatives, per Chapter 429, F.S. The following family-type living arrangements are not required to be licensed as an Adult Family Care Home: *[Added by CPA2009B-13 (Ord. 09-072) Adopted by BoCC 12/01/09]*

1. An arrangement whereby the person who owns or rents the home provides room, board, and personal services for not more than two adults who do not receive optional state supplementation under Section 409.212, F.S. The person who provides the housing, meals, and personal service/care must own or rent the home and resides therein.
2. An arrangement whereby the person who owns or rents the home provides room, board, and personal services only to his or her relatives.
3. An establishment that is licensed as a Congregate/Assisted Living Facility pursuant to Chapter 429, F.S. and this Code. (See: GROUP HOME)

ADVERSE AVIATION IMPACTS: Detrimental consequences of land-use activities associated with aviation facilities on other nearby land uses, which may be disaggregated into the following types:

a. Structural: Any physical construction that impinges upon land uses adjacent to aviation facilities, e.g. runway extension or modifications.

b. Non-Structural: Undesirable byproducts of aviation facilities operations unrelated to construction activities, including: noise, light, odors, turbulence, vibrations, and electronic interference.

AFFECTED LOCAL GOVERNMENT:*[Added by CPA-07SCH01 (Ord. 07-79); Adopted by BoCC 11/20/07]*

a. in the case of a proposed School Facility or school site, any party hereto who has land development jurisdiction over the proposed Facility or site, or provides water or wastewater utility service to the service area encompassing the Facility or site,

b. in the case of Residential Development, any party hereto who has land development jurisdiction over the property upon which the Residential Development is proposed, and

c. in the case of any proposed modification of a School Service Area, any party hereto who has land development jurisdiction over all or a portion of the School Service Area or an adjacent School Service Area.

AFFORDABLE HOUSING: Monthly rents or monthly mortgage payments, including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjustment gross annual income for the households (extremely low-income, very low-income, low-income, and moderate-income). Pursuant to the Polk County SHIP program guidelines and Chapter 420, Florida Statutes, eligible housing developed for owner-occupants shall have a sales price not to exceed 90% of the median area purchase price, as established by the U.S. Department of Treasury. ~~Eligible rental housing shall have monthly rents not to exceed 30% of the median gross income for low, very low, and moderate income households as specified by current Polk County SHIP guidelines. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*~~

AGRICULTURAL USES: Lands used primarily for bona fide commercial farming purposes as defined by Section 193.461, F.S.

AIRPORT: A facility licensed, designed, and used for the taking-off and landing of aircraft. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

AIRPORT, ACTIVE: A public use or private use airport that has an active and valid airport license from the State of Florida. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

AIRPORT, PRIVATE USE: Any airport licensed by the State of Florida as a Private Airport, used primarily by the airport licensee, but available for use by others upon specific invitation of the licensee. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

AIRPORT, PUBLIC USE: Any publicly or privately owned airport licensed by the State of Florida as a Public Airport, which meets minimum safety and service standards and is open for use to the general flying public. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

AIRPORT CLEAR ZONE: A designated area of land subject to peak aircraft noise and on which there is the highest potential of danger from aircraft operations.

AIRPORT FACILITY: Any area of land or water improved, maintained, or operated by a governmental agency for the landing and takeoff of aircraft, or privately owned paved runways of 4,000 or more feet in length, and any appurtenant area which is used for airport buildings, or other airport facilities or rights-of-way.

AIRPORT OBSTRUCTION: Any structure, object of natural growth, existing condition, or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off at an airport or which otherwise increases the risk of danger to aircraft operations.

AIRPORT OPERATION: An aircraft arrival at or departure from an airport.

AMBIENT AIR QUALITY: The attributes of that portion of the atmosphere near ground level and external to buildings or other structures.

ANNEXATION: The incorporation of land area into an existing community resulting in an expansion of boundaries of that community. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

ANNUAL MINE REPORT: Refers to a report submitted annually by an operator of a mine. The report is reviewed by Polk County to determine whether the operator has followed the BoCC-approved Minin Site Plan and is therefore in compliance with the conditions of the Operating Permit for the preceding year and whether the operator's plan for the coming year varies from those approved in the BoCC-approved Mining Site Plan. *[Added by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

ANTIQUATED SUBDIVISION: A subdivision that was recorded or approved more than 20 years ago and that has substantially failed to be built and the continued buildout of the subdivision in accordance with the subdivision's land use purposes would cause an imbalance of land uses and would be detrimental to the local and regional economies and environment, hinder current planning practices, and lead to inefficient and fiscally irresponsible development patterns as determined by the respective jurisdiction in which the subdivision is located.

APARTMENT: An independent housekeeping unit (room or suite of rooms used exclusively for permanent or seasonal residential occupancy as a home or residence of one (1) individual, family or household, and not including hotel rooms, motel rooms, lodging rooms, or other living units used for short-term occupancy of less than six (6) months and one (1) day). Each apartment unit shall contain a kitchen area with sink, and the unit shall contain a bathroom with bath and toilet facilities. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

APARTMENT BUILDING: A residential multi-family structure containing greater than four units attached with separate housekeeping units and certain mechanical conveniences such as heat, light, or elevator service in common. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

AQUIFER: Water bearing layer of permeable rock, sand, or gravel that will yield water in usable quantity to a well or a spring. (SWFWMD)

AREA OF CONCERN (for counties): All municipalities within the county, adjacent counties, and adjacent municipalities. (Per Chapter 163.3177, F.S.~~9J-5.015, F.A.C.~~) *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

AREA OF CONCERN (for municipalities): Adjacent municipalities, the county and counties adjacent to the municipality. (Per Chapter 163.3177, F.S.~~9J-5.015, F.A.C.)~~ *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

ASSESSED VALUE: The value of all land and improvements as determined by the Polk County Property Appraiser. The value of both taxable and tax exempt property is included in assessed value.

AVAILABLE SCHOOL CAPACITY: A circumstance in which there is sufficient school capacity based on adopted LOS standards to accommodate the demand created by a proposed development. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

AVERAGE DAILY-FLOW: Average daily flow shall be calculated on the basis of ultimate development at 270 gallons of wastewater or 360 of potable water per day per equivalent residential connection. *[Revised by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012]*

BACKLOGGED ROADWAY FACILITY: A road segment on the Concurrency Determination Network operating below the Adopted Level-of-Service which does not have prohibitive physical, environmental or policy constraints, but is not scheduled for a major capacity improvement within the first three years of the Florida Department of Transportation's Five-Year Schedule of Capital Improvements. Backlogged facilities are recognized as such through

their adoption as part of the Traffic Circulation Element. *[Revised by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

BEACH: Lake, river, or creek shores accessible to the general public.

BENEFICIATION: The process of separating phosphate ore from the other materials of approximately the same size, generally sand, with which the phosphate was mined.

BIO-HAZARDOUS WASTE: Solid waste, or combination of solid wastes, which, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

BLIGHTED AREAS: Developed areas which are found by the Board of County Commissioners to have deteriorated through neglect or abandonment and which could benefit the community if redeveloped.

BONA FIDE AGRICULTURAL PURPOSE: Per Section 193.461, F.S., good faith commercial agricultural use of land. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

BUFFER AREAS: [Revised by CPA-2002A-01 (Ord. 02-38); *Adopted by BoCC 10 JUL 2002*] Any structure, earthen berm, or vegetated open space used to minimize the adverse impact of on-site activities and uses to surrounding less intense land uses. (Buffer area standards shall be established within the Land Development Code.)

BUILDING: Any structure that encloses a space used for sheltering any occupancy, including a gas or liquid storage tank; and shall include manufactured homes. The term building shall not be deemed to include any "restricted vehicles." *[Revised by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

CAMPUS MASTER PLAN: The identification of general land uses and the need and plans for provision of roads, parking, public transportation, solid waste, drainage, sewer, potable water, and recreation and open space for a 10 to 20 year period pursuant to Section 240.155, F.S. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

CAPACITY: Defined in the FISH (Florida Inventory of School Houses) Manual as: The number of students that may be housed in a facility at any given time based on a utilization percentage of the total number of existing satisfactory student stations. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

CAPITAL IMPROVEMENT: Physical assets constructed or purchased to provide, improve or replace a public facility and which are large scale and high in cost. The cost of a capital improvement is generally nonrecurring and may require multi-year financing. For the purposes of this rule, physical assets which have been identified as existing or projected needs in the individual Comprehensive Plan elements shall be considered capital improvements. Capital improvements have a life expectancy of at least five years and costs more than $25,000.

CAPITAL IMPROVEMENTS BUDGET (CIB): The section of the County's budget that lists the appropriations for capital improvements listed in the next fiscal year of the CIP and the capital improvements required to replace obsolete and worn out facilities. The portion of each local government's budget which reflects capital improvements scheduled for a fiscal year.

CAPITAL IMPROVEMENT PROGRAM (CIP): A five-year listing of capital improvement projects (including the Capital Improvements Budget), by fiscal year, of capital projects the County intends to provide. The CIP includes project name, location, year of construction, cost, and source of funds.

CARDBOARD: Clean corrugated material made from cellulose fiber (such as wood pulp) like paper but usually thicker.

CARDBOARD & SHREDDED PAPER COLLECTION: Collection, compaction, bailing, and transfer of discarded cardboard and shredded paper materials such as boxes, containers, office paper, card stock, cotton bond paper, and parcel packing materials.

CARL: Conservation and Recreation Lands. *[Added by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

CERTIFIED ELECTRIC-POWER GENERATING FACILITIES: (See: POWER GENERATION FACILITIES, ELECTRIC (POWER PLANTS)) *[Revised by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

CFRPC: Central Florida Regional Planning Council.

CHANGES TO CAPACITY: Additions, deletions, remodeling, or change of use to the physical plant which increase or decrease the FISH student stations. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

CITIES: All municipalities in Polk County except those exempt from the Public School Facilities Element, pursuant to Section 163.31777(1~~2~~), F.S. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

CLASS SIZE AMENDMENT: A provision to ensure that no later than the 2010 school year, there are a sufficient number of classrooms in a public school so that: *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

a. The maximum number of students assigned to each teacher teaching in a public school classroom(s) for pre-kindergarten through grade 3 does not exceed 18 students.

b. The maximum number of students assigned to each teacher teaching in a public school classroom(s) for grades 4 thought 8 does not exceed 22 students; and

c. The maximum number of students assigned to each teacher teaching in a public school classroom(s) for grades 9 through 12 does not exceed 25 students.

CO-LOCATION: The placing of two (2) or more public use facilities such as but not limited to schools, libraries, parks, fire, police, EMS, on the same or adjacent parcel(s) of land. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

COMMERCIAL WASTE: All types of solid waste generated by commercial enterprises, including stores, offices, restaurants, warehouses, and other nonmanufacturing activities. *(Added by CPA 14C-05, Ord. 14-024, Adopted 05/20/14)*

COMMITTED PARATRANSIT TRIPS: Trips which are scheduled for pick-up when placed (in a demand responsive system).

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM: A program, administered by the US Department of Housing and Urban Development (HUD), in which federal funds are transferred to local governments to provide decent housing, suitable living environments, and economic opportunities, primarily for persons of low-income. Funding is based on a formula established at the federal level.

COMMUNITY RESIDENTIAL HOME: A dwelling unit licensed to serve residents as defined in Section 419.001(1)(d), F.S. who are clients of the Department of Children and Familiesy ~~Services~~, Department of Elderly Affairs, Department of Juvenile Justice, the Agency for Persons with Disabilities or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents per Section 419.001, F.S. (See: GROUP HOME) [*Added by CPA2009B-13 (Ord. 09-072) Adopted by BoCC 12/01/09*]

COMMUNITY TRANSPORTATION COORDINATOR: A transportation entity recommended by a MPO and approved by the Transportation Disadvantaged Commission to ensure that coordinated transportation services are provided to serve the transportation disadvantaged population in a service area.

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. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

COMPREHENSIVE PLAN MAP SERIES (CPMS): A group of maps adopted by ordinance that are part of this Comprehensive Plan. The CPMS may include a map series for each Element of the Comprehensive Plan. The CPMS maps should delineate the boundaries identified within the policies of the Comprehensive Plan as they pertain to the un-incorporated area of Polk County. Each map within the CPMS must be interpreted in conjunction with all other maps of the CPMS and the objectives and policies of the Polk County Comprehensive Plan as adopted and amended by the Polk County Board of County Commissioners. *[Added by CPA 11B-06 (Ord. 11-038) 12/06/11]*

CONCURRENCY SERVICE AREA: The designation of an area within which the level of service will be measured when an application for a residential subdivision or site plan is reviewed. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

CONDUIT: Pipe-like void through which material can be transported.

CONE OF INFLUENCE: The land area surrounding a well on which a present or future land use has potential to negatively impact an aquifer as a result of that well's cone of depression.

CONFINED AQUIFER: An aquifer bounded above and below by impermeable beds or by beds of distinctly lower permeability than that of the aquifer.

CONGESTED-ROADWAY LINK: A road segment, defined by intersecting roads on both ends, that operates below the established level-of-service standard.

CONGREGATE-LIVING FACILITY: Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services exceeding 24 hours to one or more adults who are not relatives to the owner or administrator, per Chapter 429, F.S. (See: GROUP HOME & GROUP LIVING FACILITY) *[Revised by CPA2009B-13 (Ord. 09-072) Adopted by BoCC 12/01/09]*

CONNECTIVITY: Continuity between drainage features.

CONSISTENCY: Compatible with and furthering the goals, objectives and policies of the Comprehensive Plan Elements and this agreement. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

CONSTRAINED-ROADWAY FACILITY: A road, regardless of transportation needs, which is constrained from adding at least two additional through-lanes. Prevailing constraints may be physical, environmental or policy constraints. Physical constraints primarily involve intensive land-use development adjacent to the road making expansion cost prohibitive. *[Added by CPA-11B-06 (Ord. 11-038) 12/8/11]*

CONSTRUCTION AND DEMOLITION DEBRIS: Materials generally considered to be not water soluble and nonhazardous in nature, including, but not limited to, steel, glass, brick, concrete, asphalt roofing material, pipe, gypsum wallboard, and lumber, from the construction or destruction of a structure as part of a construction or demolition project, and including rock, soils, tree remains, trees, and other vegetative matter which normally results from land clearing or land development operations for a construction project, including such debris from construction of structures at a site remote from the construction or demolition project site. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

CONSTRUCTION AGGREGATE: Materials consisting of crushed stone, gravel, crushed gravel, pebbles, limestone, dolomite, lime rock, shell rock, cemented coquina, sand for use as a component of mortars, concrete, bituminous mixtures, or underdrain filters, recycled or inorganic mineral material previously used in construction, and other resources providing the basic material for concrete, asphalt, road base. *(Added by CPA 17D-08 - Ord. 17-049)*

CONSTRUCTION AGGREGATE PROCESSING: Any parcel of land and structures thereon, that are used or devoted to processing construction aggregate (see Construction Aggregate definition) through crushing, screening, rolling, vibrating, or other similar process, and includes the transportation of construction aggregate to and from the site. *(Added by CPA 17D-08 - Ord. 17-049)*

CONSTRUCTION AGGREGATE STORAGE: Any parcel of land and structures thereon, that are used or devoted to storing or stockpiling construction aggregate (see Construction Aggregate definition), and includes the transportation of construction aggregate to and from the site. *(Added by CPA 17D-08 - Ord. 17-049)*

CONTIGUOUS: Immediately adjacent to a particular parcel. When a public right-of-way is immediately adjacent to a parcel, the parcel directly across the right-of-way may be considered contiguous.

CONTIGUOUS SCHOOL SERVICE AREAS: School Service Areas which have an adjacent (conterminous) boundary. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

CONTINUING FLORIDA AVIATION SYSTEM PLANNING PROCESS (CFASPP): A continuous and comprehensive evaluation of statewide aviation system development. One product of CFASPP is area aviation system plans that describe the consensus of short-, medium-, and long-term aviation system needs for nine regions statewide. These needs are contained in regional reports such as CFASPP's planning document for the Central Florida Regional Study Area (Central Regional Area). (Consensus Plan, Central Florida Regional Aviation System Plan, June, 1988)

CONTROLLED ACCESS FACILITY: A non-limited access highway whose access connections, median, openings, and graphic signals are highly regulated. *[Added by CPA-11B-06 (Ord. 11-038) 12/8/11]*

CONVENIENCE STORE: A small retail store which sells convenience goods as its primary sales. A convenience store may include the sale of gasoline and diesel fuel, but such sales shall be accessory to the primary sale of convenience goods. A proposed convenience store must meet commercial site plan requirements. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

CONVENIENCE STORE, ISOLATED (ICS): A non-residential establishment (under 4,000 square feet) serving the convenience shopping needs of residents largely outside urban service areas. By definition, these Isolated Convenience Stores are located outside of the normal commercial areas associated with similar retail establishments, and are generally associated with residential land use categories, though a commercial land use or commercial designation within a Development of Regional Impact (DRI) is required. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]; [Revised by CPA-2002A-01 (Ord. 02-38); Adopted by BoCC 10 JUL 2002]*

COORDINATING BOARD (FOR TRANSPORTATION SERVICES): An entity formed pursuant to Rule 41-2, Florida Administrative Code, to provide assistance to the Community Transportation Coordinator relative to the coordination of transportation services.

CORE: Common area(s) used by all occupants. For purposes of this agreement, it will be limited to the reading room stacks portion of the media center, dining area, and kitchen. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

COUNTY MANAGER: The chief County administrative official of Polk County, bearing the title of "County Manager," as provided for in the Polk County Charter and appointed by the Polk County Board of County Commissioners. *[Added by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

COUNTY ROAD SYSTEM: Roads maintained by Polk County pursuant to Chapter 334, F.S.

CURRENT ASSET: Cash from impact fees, taxes, bonds, license fees, permits and other revenue sources that the County can spend on capital facilities.

DEEP-INJECTION WELLS: Deep wells into confined non-potable groundwater zones, designed to dispose of wastewater.

DENSITY: An objective measurement of the number of people or residential units allowed per unit of land, such as residents or employees per acre.

DETENTION POND: Natural or man-made stormwater facility that collects and temporarily stores stormwater for gradual release to surface waters for purposes of flood control.

DEVELOPER: Any person or entity, including a governmental agency, undertaking any development. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

DEVELOPMENT: [From Chapter 380.04, F.S.]

1. The term "development" means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels.
2. The following activities or uses shall be taken for the purposes of this chapter to involve "development" as defined in this section.
    a. A reconstruction, alteration of the size, or material change in the external appearance of a structure on land.
    b. A change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on land or a material increase in the number of businesses, manufacturing establishments, offices, or dwelling units in a structure or on land.
    c. Alteration of a shore or bank of a seacoast, river, stream, lake, pond, or canal, including any "coastal construction" as defined in section 161.021.
    d. Commencement of drilling, except to obtain soil samples, mining, or excavation on a parcel of land.
    e. Demolition of a structure.
    f. Clearing of land as an adjunct of construction.
    g. Deposit of refuse, solid or liquid waste, or fill on a parcel of land.
3. The following operations or uses shall not be taken for the purpose of this chapter to involve "development" as defined in this section:
    a. Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way.
    b. Work by any utility and other persons engaged in the distribution or transmission of gas or water, for the purpose of inspecting, repairing, renewing, or constructing on established rights-of-way any sewers, mains, pipes, cables, utility tunnels, power lines, towers, poles, tracks, or the like.
    c. Work for the maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure.

d. The use of any structure or land devoted dwelling uses for any purpose customarily incidental enjoyment of the dwelling.

e. The use of any land for the purpose of growing plants, crops, trees, and other agricultural or forest products; raising livestock; or for other agricultural purposes.

f. A change in use of land or structure from a use within a class specified in an ordinance or rule to another use in the same class.

g. A change in the ownership or form of ownership of any parcel or structure.

h. The creation or termination of rights of access, riparian rights, easements, covenants concerning development of land, or other rights in land.

4. "Development," as designated in an ordinance, rule, or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the resulting development. Reference to any specific operation is not intended to mean that the operation or activity, part of other operations or activities, is not development. Reference to particular operations is not intended to limit the generality of subsection (1), as defined by Chapter 380.04, F.S.

DEVELOPMENT AGREEMENT: A local development agreement authorized pursuant to Section 163.3221 of the Act, a participation agreement or reimbursement agreement, or other legally enforceable agreement to be entered into among the School Board, an Affected Local Government, and a developer pursuant to Article VI, hereof. *[Revised by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007] [Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

DEVELOPMENT ENVELOPE: That portion of the site that encompasses the footprint of buildings, and any other improvements on the site to including but not limited to: parking, drainage improvements, equipment and material storage areas, secondary containment areas and rail yards.

DEVELOPMENT OF REGIONAL IMPACT: Any development which, because of its character, magnitude, or location, (as defined by Florida Statutes), would have a substantial effect upon the health, safety, or welfare of citizens of more than one county. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

DEVELOPMENT ORDER: Any approval by the Board of County Commissioners or County Staff of proposed development, which includes a development plan that establishes density and intensity of development or development approvals issued pursuant to Chapter 380, F.S. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

DEVELOPMENT PERMIT: Any amendment to the text of a Local Government's Land Development Code or Official Zoning Map (rezoning), conditional use, special use, planned development, site plan/final subdivision plan, subdivision, building permit, special exception, preliminary plat, plat or any other official action of a Local Government having the effect of permitting the development of land or the specific use of the land. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

DEVELOPMENT REGULATION: Any rule or set of rules which regulate the development of land. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

DILAPIDATED STRUCTURE: A substandard building that is structurally unsound and cannot be economically rehabilitated to a standard condition.

DISPLACED PERSON: Persons displaced as a direct result of Community Development Block Grant activities.

DOH: Department of Health. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

DRAINAGE BASIN: Geographical area defined by topographic ridges, from which stormwater runoff flows down gradient to a receiving water body, including all man-made features added to the basin.

DRAINAGE FACILITIES: Means a system of man-made structures designed to collect, convey, hold, divert, or discharge stormwater. It may include, but not be limited to, stormwater sewers, canals, detention/retention structures.

DRAINAGE FEATURES: Features of an area which accommodate the flow of stormwater, such as streams, rivers, canals, and wetlands.

DRAINAGE PATTERN: The configuration of a drainage system including man-made and natural features within a drainage basin.

DRAINAGE STRUCTURES: Structure constructed with the purpose of diverting, passing, conveying, storing, or carrying storm water (i.e. culverts and bridges).

DU: Dwelling Unit.

DUPLEX/SINGLE FAMILY ATTACHED: 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). *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

DUPLEX/TWO-FAMILY ATTACHED: A detached building 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 on a single lot or parcel. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

DWELLING UNIT: A unit in which occupant(s) live and eat separately from anyone else, and have direct access to the outside (e.g. to a hallway or street) of the unit. (U.S. Bureau of the Census)

DWELLING, SINGLE FAMILY ATTACHED: A principal structure that is divided into at least three one-family dwellings, each of which has at least its own front yard and is attached by a vertical masonry party or partition wall(s) integrated into the building from the ground to the roof, thus creating distinct and non-communicating dwellings intended for fee-simple ownership. The minimum height of the attaching wall between attached structures shall be at least 8 feet, and the space on either side of this wall shall contain heated living space and/or a garage. This term includes townhouse development and rowhouse development. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

DWELLING, SINGLE-FAMILY DETACHED: A structure containing one dwelling unit, and not attached to any other dwelling unit by any means. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

EASEMENTS: Interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

ECOLOGICAL COMMUNITY: A grouping of plants that generally occur together, usually supporting a particular association of wildlife and supported by a particular soil type.

ECONOMIC BASE: The structure of the local economy in terms of basic and non-basic industries, major employers, employment growth trends, demographic growth trends, and business conditions.

EDUCATIONAL FACILITY: The public buildings and equipment, structures and special educational use areas constructed, installed or established to serve educational purposes only. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

EDUCATIONAL PLANT SURVEY: A systematic study of educational and ancillary plants of an educational agency conducted at least every five (5) years, to evaluate existing facilities and to plan for future facilities to meet proposed program needs. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

EFFLUENT: Treated wastewater discharged from a sanitary sewer facility.

ELECTRIC-POWER GENERATING FACILITIES: Any electrical generating facility using any process or fuel (except nuclear) and includes associated facilities which directly support the construction and operation of the electrical power plant.

EMERGENCY SHELTERS: Facilities operated by a public or private nonprofit, charitable, or religious organization providing boarding and/or lodging, on a day-to-day basis, and ancillary services on its premises for indigent, needy, runaway, homeless, or transient persons. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

ENDANGERED PLANT SPECIES: Any of those species as defined by the Florida Game and Freshwater Fish Commission and/or the U. S. Fish and Wildlife Service.

ENDANGERED WILDLIFE: Any species listed by the US Fish and Wildlife Service or the Florida Game and Freshwater Fish Commission as being depleted in number or restricted in range or habitat such that it is in imminent danger of becoming extinction within the State.

ENHANCED NITROGREN-REDUCTING SEPTIC SYSTEMS: Any domestic sewage treatment and disposal facility that achieves at least a 50 percent reduction in total nitrogen before discharge to the drainfield or at least a 65 percent nitrogen reduction combined after leaving the drainfield..

ENVIRONMENTALLY SENSITIVE LANDS: Areas comprised of:

1. quality habitat and endangered or threatened species that cannot be successfully relocated; or
2. Archbold scrub.

ENVIRONMENTAL SIGNIFICANCE: A lake will be considered to have environmental significance if it is in excess of 100 acres and not wholly under one ownership, or if it constitutes a pollution source to waters of the state.

EPA: Environmental Protection Agency.

EQUIVALENT RESIDENTIAL CONNECTION: Volume of water and/or sewer utilized by a model single-family dwelling unit used as a standard for determining the anticipated consumption for water and/or sewer facilities.

EROSION: The wearing or washing away of materials of the land surface by wind or water.

EXEMPT LOCAL GOVERNMENT: A municipality which is not required to participate in school concurrency when meeting all the requirements for having no significant impact on school attendance, per Section 163.3177(3)~~(b),~~ F.S. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

EXISTING SCHOOL FACILITIES: School facilities constructed and operational at the time a School Concurrency Application is submitted to Polk County. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

EXPANSION: An increase in the size of the development envelope, or the processing volume of more than 10%. [This definition pertains to Policy 2.114-D3 only.]

FAA: Abbreviation for the Federal Aviation Administration *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

FAC: Florida Administrative Code.

FAMILY:*[Revised by CPA 09A-07 (Ord. 09-032) Adopted by BoCC 17 JUN 09]* An association of persons that are either related by birth, marriage, adoption, guardianship, or duly-authorized custodial relationship; or no more than six (6) unrelated people that are living together by sharing common living, sleeping, cooking, and eating facilities and with at least one person who had attained the legal age of 18.

For purpose of implementing Policy 2.131-A4.f only the following definition shall apply: An association of persons by direct lineage or adoption which includes only the individual(s) owning the parcel of land, their parents, their children, their grandchildren, and their brothers or sisters.

FAMILY FARM: Land within areas designated as A/RR or Residential-Suburban (RS) which may be used by family members of the property owner for use as a permanent residence at densities higher than that permitted by the A/RR or RS land use classification, upon approval by the Board of County Commissioners. However, densities may not exceed one dwelling unit per acre (1 DU/AC) and the minimum lot size shall be one acre. This provision is intended to promote the perpetuation of the family farm by making it possible for family members to both work and reside on the property devoted to agricultural uses. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

FAMILY HOMESTEAD: Land subdivided consistent with Section 163.3179, FS, for the purpose of allowing a parcel of property to be subdivided and used solely as a homestead for a relative (defined as a grandparent, parent, stepparent, adopted parent, sibling, child, stepchild, adopted child, or grandchild of the person who conveyed the parcel to said individual, regardless of the density or intensity assigned to the property by the Comprehensive Plan, providing the parcel was in existence prior to May 1, 1992. Subject to minimum lot sizes, as provided for by the County's Land Development Code. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]; [Revised by CPA-2002A-01 (Ord. 02-38); Adopted by BoCC 10 JUL 2002]*

F.A.R.: (See Floor Area Ratio.)

FARM-WORKER HOUSING: [*Revised by CPA 09A-07 (Ord. 09-032) Adopted by BoCC 17 JUN 09*] Habitable structures that are intended to be occupied by farm employees.

FARMING, GENERAL: The growing of crops, plants, and trees. The term also includes the maintaining of horses, livestock, or poultry solely for the residents' needs or use; the sale of agricultural products grown on the premises, provided that such sales are conducted from accessory farm structures or from temporary displays and are not the principal use; and accessory utility structures for the storage of farm equipment, on-site packing, pump houses, shelters for farm animals, etc., necessary to conduct normal farm operations. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

FCC: Abbreviation for the Federal Communications Commission. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

FDEP: The Florida Department of Environmental Protection. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

FDOT: Florida Department of Transportation.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA): Agency responsible for delineating flood zones including Special Flood Hazard Areas throughout the nation as part of the National Flood Insurance Program. *[Revised by CPA 12A-02 (Ord. 12-017) Adopted by BoCC 6/5/12]*

FEMA: (See Federal Emergency Management Agency.)

FINAL DEVELOPMENT APPROVAL: The approval of a final plat, site plan, or building permit for development. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

FINAL PLAT: A recorded map or representation of the subdivision of lands, being a complete exact representation of the subdivision and other information in compliance with the requirements of all applicable sections of Chapter 177, F.S.

FINANCIAL FEASIBILITY: An assurance that sufficient revenues are readily available or will be available from committed funding sources for the first 3 years, or will be available from committed or planned funding sources for

years 4 and 5, of a 5 year capital improvement schedule. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

FIRM: (Federal Insurance Rate Map): Maps produced by the Federal Emergency Management Agency for the purpose of delineating areas of special flood hazard.

FISCAL YEAR (FY): An accounting period of the 12 months between October 1st, of one year, to September 30th of the following year.

FISH CAMP: The area adjacent to a water body used for sport fishing and other recreational purposes and opened to the general public on a commercial basis, not including hatchery facilities or operations.

FIVE YEAR PROGRAM OF WORK: The financially feasible Five Year School District Facilities Work Program adopted pursuant to section 1013.35, F.S. Financial feasibility shall be determined using professionally accepted methodologies. The financially feasible plan excludes the unfunded portion of the Five Year Program of Work. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

FIXED-ROUTE TRANSIT SERVICE: Transit service provided on a repetitive scheduled basis along a designated route, with transit vehicles stopping to pick-up and discharge passengers at the same locations each time they traverse the route (American Public Transit Association).

FLOODPLAIN: Any normally dry land area susceptible to a general and temporary condition of partial or complete inundation from either the overflow of inland waters or the unusual and rapid accumulation of run-off of surface waters from any source. For the purposes of this Plan, the Floodplain is the Special Flood Hazard Area. *[Revised by CPA 12A-02 (Ord. 12-017) Adopted by BoCC 6/5/12]*

FLOODPRONE AREAS: Areas inundated during a 100-year flood event or areas identified by the National Flood Insurance Program as an A Zone on flood insurance rate maps or flood hazard boundary maps.

FLOODWAY: Streams and other watercourses where FEMA has provided Base Flood Elevations (BFEs), but no official floodway has been designated. *[Revised by CPA 12A-02 (Ord. 12-017) Adopted by BoCC 6/5/12]*

FLOODWAY, REGULATORY: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. *[Revised by CPA 12A-02 (Ord. 12-017) Adopted by BoCC 6/5/12]*

FLOOR AREA RATIO: A non-residential land-use intensity measure analogous to density. It compares the floor area of a building with the total area of the site. Floor area is the sum of all floor areas of a building or structure, not just the ground floor area. *[Definition revised by CPA-95A-18 (Ord. 95-46); Adopted by the BoCC 17 OCT 95]*

FLORIDA INVENTORY OF SCHOOL HOUSES (FISH) CAPACITY: The report of the permanent capacity of existing public school facilities. The FISH capacity is the number of students that may be housed in a facility (school) at any given time as determined by the Florida Department of Education, Office of Educational Facilities. In Polk County, permanent capacity does not include temporary classrooms unless they meet the standards for long-term use pursuant to Section 1013.20, Florida Statues. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

FRONTAGE ROAD: A road designed to parallel an arterial or collector roadway, thereby allowing the major roadway to function as a limited-access facility while providing access to lands adjacent to the roadway (sometimes designated a "service road"). *[Added by CPA-11B-06 (Ord. 11-038) 12/8/11]*

F.S.: Florida Statutes.

FWCC: An abbreviation for Florida Fish and Wildlife Conservation Commission. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

FY: (See Fiscal Year.)

GENERAL AVIATION: The portion of the aviation industry covering all personal and corporate aircraft, flight instruction, charter flights, air taxi service, and all supporting facilities of these activities.

GENERAL EXPENDITURES: All expenditures from the County's General Fund, Special Revenue, Debt Service, Capital Projects, and Expendable Trust Funds minus operating transfers out of the funds.

GEOGRAPHIC INFORMATION SYSTEM (GIS): A computerized mapping system used to manage information (attributes) in reference to specific geographic locations.

GOAL: The long-term end toward which programs or activities are ultimately directed.

GPD: Gallons per Day.

"GREEN-BELT" TAX EXEMPTION: A property tax exemption allowed by state law for lands used for bona-fide agricultural purposes as defined in Section 193.461, F.S.

GREENWAY: An open space established along either a natural corridor, such as a riverfront, stream, valley, or ridgeline, or over land along a railroad right-of-way converted to recreational use, a canal, a Scenic road, or other route; any natural or landscaped course for pedestrian or bicycle passage; an open space connector linking parks, nature preserves, cultural features, or historic sites with each other and populated areas; or a local strip or linear park designated as a parkway or greenbelt. *[Added by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

GROUNDWATER: Water found beneath the surface, in soils or geologic formations that are saturated.

GROUNDWATER DISCHARGE: A groundwater, a discharge area is an area that the direction of waterflow is from the ground to the surface.

GROUP HOME: A full time living arrangement in a private residential home where room, board, and personal care is provided, on a 24 hour basis for no more than 14 unrelated persons along with a maximum of two full-time supervisors or houseparents. This category includes, but is not limited to, congregate/assisted living facilities, community residential homes, adult family care homes, foster homes, and other similar group living homes. Such homes, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division. *[Revised by CPA2009B-13 (Ord. 09-072); Adopted by BoCC 12/01/09]*

GROUP-LIVING FACILITIES: Any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, which undertakes through its ownership or management to provide housing, meals, and one or more personal services on a 24 hour basis for 15 or more unrelated persons. This category includes, but is not limited to, congregate/assisted living facilities, emergency shelters, which include displaced youth and adult shelters, care of the developmentally disabled, residential treatment facilities and other similar group living facilities. Such facilities, when required, shall be licensed by either the Department of Children and Families, Department of Elderly Affairs, Department of Juvenile Justice, Agency for Health Care Administration, Agency for Persons with Disabilities or other applicable state agency, department or division. *[Revised by CPA2009B-13 (Ord. 09-072); Adopted by BoCC 12/01/09]*

HAZARDOUS AIR EMISSIONS: Emissions from sources as listed in Chapter 17-2.670, FAC.

HAZARDOUS SUBSTANCES: Any substance on the list defined in Section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended.

HAZARDOUS WASTE: Any hazardous substances which is a by-product of chemical or industrial processes; which is no longer usable for the purpose originally intended; and which may pose a potential hazard to human health or the environment when improperly transported, disposed of, stored, treated, or otherwise managed.

HIGH-DENSITY RESIDENTIAL: Residential development from 10.01 dwelling units per acre (10.01 DU/AC) up to, and including, 15 dwelling units per acre (15 DU/AC). [This is not the same as the land use category of Residential-High (RH) which allows from 0.0 DU/AC up to, and including, 15 DU/AC.]

HIGH-IMPACT NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY: (See Non-Certified Electric-Power Generating Facility.)

HIGH-RECHARGE AREA: Geographic areas designated by a Florida Water Management District where, generally, water enters the aquifer system at a rate of greater than ten inches per year.

HIGHLY SUSCEPTIBLE TO POLLUTION: Land area which is readily susceptible to the passage of contaminants due to natural conditions or to alterations to the natural system (e.g. depth to water table, porous soils, presence of fractures, etc.).

HISTORIC PRESERVATION: The identification, evaluation, recordation, documentation, analysis, recovery, interpretation, acquisition, protection, management, rehabilitation, restoration, stabilization, maintenance, or reconstruction of properties containing historic resources.

HISTORIC RESOURCES: All areas, districts, or sites which are either listed in the Florida Master Site File, the National Register of Historic Places, or are designated by a local government as historically, architecturally, or archaeologically significant.

HISTORIC STRUCTURES: All areas, districts, or sites which contain or include structures which are either listed in the Florida Master Site File, the National Register of Historic Places, or are designated by a local government as historically significant.

HUD: The US Department of Housing and Urban Development.

IMPACT FEE: Any fee levied by appropriate governmental agencies, by referendum, or other publicly accepted method upon the issuance of Certificate of Occupancy for new Development in order to fund School Facilities needed to serve such Development. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

INCINERATORS: A facility, or any part thereof, designed or intended solely for the volume reduction of solid waste, hazardous waste, biohazardous waste, or biological waste by incineration. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

INDUSTRIAL WASTE: Solid waste generated by manufacturing or industrial processes that is not a hazardous waste. Such waste may include, but is not limited to, waste resulting from the following manufacturing processes: electric power generation; fertilizer/agricultural chemicals; food and related products or byproducts; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing or foundries; organic chemicals; plastics and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay, and concrete products; textile manufacturing; transportation equipment; and water treatment. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

INFILL DEVELOPMENT: Development of vacant, skipped-over parcels of land in otherwise built-up areas. The reuse or change of use of a previously developed parcel(s); or the intensification of use or change of use by remodeling or renovation of a structure. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

INGRESS/EGRESS FACILITIES: Structures, such as driveways, acceleration lanes, and deceleration lanes, to accommodate access to and from a parcel from a public right-of-way.

INSTITUTIONAL: Public, quasi-public, or private facilities providing services essential to the function of a community and facilities providing for social wellbeing such as religious and fraternal organizations. *(Added: CPA 14A-05 (Ord. 14-058) 09/16/14)*

INTENSITY: An objective measurement of the extent to which land may be developed or used, including the consumption or use of the space above, on, or below ground; the measurement of the use of or demand on natural resources; and the measurement of the use of or demand on facilities and services.

INTERLOCAL AGREEMENT: The Interlocal Agreement for Public Schools Facilities Planning executed by the Polk County School Board, Polk County Board of County Commissioners, and all nonexempt local governments with in Polk County. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

INTERNAL TRIP CAPTURE: Trips generated by a mixed-use project that travel from one onsite land use to another onsite land use without using the external road network.

JOINT AIRPORT ZONING BOARD (JAZB): An inter-governmental legislative body created in 1978 pursuant to Chapter 333, F.S., by resolutions of the following governments: the City of Auburndale, the City of Bartow, the Hillsborough County Board of County Commissioners, the City of Lake Alfred, the City of Lakeland, the City of Lake Wales, the Polk County Board of County Commissioners, and the City of Winter Haven. The JAZB adopts and administers airport zoning regulations relative to the height of structures and objects of natural growth, the uses of land in areas subject to airport noise, the uses of land in areas subject to aircraft overflight potential, the establishment of educational facilities of public and private schools, the uses of land which result in the generation of in-flight visual or electronic interference, and the uses of land which result in aircraft bird strike hazard. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

LANDFILLS: Any solid waste land disposal area for which a permit, other than a general permit, is required by Chapter 403, Florida Statutes or Chapter 62, Florida Administrative Code and which receives solid waste for disposal in or upon land. The term does not include a land-spreading site, an injection well, or a surface impoundment. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

LARGE-QUANTITY HAZARDOUS WASTE GENERATOR: One who generates more than 1,000 kg (2,200 lbs.) of hazardous waste in a calendar month, as defined by Chapter 40C-FR, parts 260-63 and 270, 271, FAC.

LEGISLATIVE DELEGATION POSITION STATEMENT: A statement of position with regard to pending or proposed state legislation that the County has historically delivered to its legislative representation before each legislative session.

LEVEL OF SERVICE LOS: An indicator of the extent or degree of service provided by, or proposed to be provided by, a facility based on and related to the operational characteristics of the facility. Level of service shall indicate the capacity per unit of demand for each public facility. ~~A standard established to measure utilization within a School Service Area Boundary or Concurrency Service Area. *[Revised by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*~~

LIMITED ACCESS FACILITY: A multilane, divided highway with at least two (2) lanes for exclusive use of traffic in each direction and full control of ingress and egress. *[Added by CPA 11B-06 (Ord. 11-038) 12/8/11]*

LISTED SPECIES: Species that generally include endangered and threatened species at the Federal level and endangered species, threatened species, and species of special concern at the State level.

LODGES AND RETREATS: Gathering places, such as a company retreat or a fraternal lodge, which are not open to the general public and whose use is limited to the membership, and their guests, of the owning organization. These sites are intended to provide a meeting place and resource based recreational site for the organization, and typically provide lodging and kitchen facilities, as well as meeting rooms. These facilities may be rented to other similar private organizations *(Added by CPA 14A-05 (Ord. 14-058) 09/16/14)*

LOS: (See Level of Service.)

LOT OF RECORD: A parcel of land, or a platted lot, zoned for residential use, the boundaries of which have been established and which has had a deed filed with the Clerk of the Circuit Court and has been recognized by the Polk

County Property Appraiser as a separate parcel prior to May 1, 1991, and which, at the time of creation, was a legally established parcel or lot, having been created consistent with Polk County Zoning Ordinance, and which otherwise meets the requirements necessary to obtain a building permit, or mobile home set-up permit, including, but not limited to, the requirement of frontage on a publicly maintained road. Lots created after May 1, 1991, would also need to have complied with the Polk County Comprehensive Plan and zoning ordinance at the time of creation to be considered a lot of record. Lots created after December 1, 1992, would also need to have complied with Section 2.128-C of the Plan to be considered a lot of record. Parcels or lot created after September 1, 2000 shall be in compliance with the Land Development Code. *[Added by 95R-01 (ORD 95-09); Adopted by BoCC May 2 95]; [Revised by CPA-2002A-01 (Ord. 02-38); Adopted by BoCC 10 JUL 2002]*

LOW-DENSITY RESIDENTIAL: Residential development from 0.01 dwelling units per acre (0.01 DU/AC) up to, and including, five dwelling units per acre (5 DU/AC).

LOW-INCOME HOUSEHOLDS: Households whose annual income does not exceed 80 percent of the median annual household income for Polk County as established by the US Department of Housing, and Urban Development for the HUD Section 8 Program.

LOW-IMPACT NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY: (See Non-Certified Electric-Power Generating Facility.)

LOW-VOLUME PLUMBING: Devices including, but not limited to, toilets and shower heads which efficiently use less water than older fixtures. ~~and which meet the specifications of Section 553.14, F.S.~~

MAJOR-ROADWAY CONSTRUCTION PROJECT: A road improvement project which involves at least the addition of two through-lanes.

MAJOR TRIP GENERATOR: For transit planning, a use which generates in excess of 200 person trips on a daily basis.

MANUFACTURING, SOIL (Added 4/19/16 - Ord. 16-012): A facility that makes soil and soil related products using natural products as the primary ingredients. The manufacturing process utilizes various waste product streams including but not limited to: yard waste, tree trimmings, other plant materials, preconsumer food waste, post-consumer food waste, septage, bio-solids, and sludge. These materials are then treated and processed using the natural aerobic and anaerobic decomposition process to create a soil product that is sold and removed from the facility.

MARKET AREA: The defined geographic area that provides the steady customers necessary to support a commercial venture.

MASS-TRANSIT LINE: A route along which a public fixed-route bus or light-rail car or tram travels.

MATERIALS RECOVERY FACILITY *(Revised 10/3/17 - Ord. 17-049; 4/19/16 - Ord. 16-012 Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*: A solid waste management facility that provides for the extraction from solid waste of recyclable materials, materials suitable for re-use, repurposing, use as a fuel or soil amendment, or any combination of such materials including without limitation a Soil Manufacturing facility. Excluded from this definition are Salvage Yard, Construction Aggregate Processing, and Construction Aggregate Storage as defined in this Plan.

MAXIMUM DAILY-FLOW: Maximum daily wastewater flow shall be calculated utilizing the appropriate peaking factors as specified below:

Flow Range	Maximum Day to Average Day Ratio
Flow to 100,000 GPD	2.5
100,000 GPD to 500,000 GPD	2.0
Flows Greater than 500,000 GPD	1.5

MAXIMUM HOURLY-FLOW CAPACITY: Maximum hourly wastewater flow shall be calculated utilizing the appropriate peaking factor as specified below:

Flow Range	Maximum Hour to Average Day Ratio
Flow to 100,000 GPD	4.5
100,000 GPD to 500,000 GPD	4.0
Flows Greater than 500,000 GPD	3.2

MEDIUM-DENSITY RESIDENTIAL: Residential development from 5.01 dwelling units per acre (5.01 DU/AC) up to, and including, 10 dwelling units per acre (10 DU/AC). [This is not the same as the land use category of Residential-Medium (RM) which allows from 0.0 DU/AC up to, and including, 10 DU/AC.]

METROPOLITAN PLANNING ORGANIZATION FOR THE LAKELAND/WINTER HAVEN URBANIZED AREAS (MPO): A policy board of local elected officials, established under the federal requirement of 23 USC 134, to maintain a transportation planning process for the Lakeland/Winter Haven Urbanized areas. The MPO area includes the entirety of Polk County. The duties of the MPO pursuant to Section 339.175, F.S., include the development of a comprehensive transportation plan which includes: consideration of long-range goal and transportation system management measures; an annual Unified planning work program; and an annually updated, five year transportation improvement program.

MGD: Millions of gallons per day.

MINING SITE PLAN: A plan which delineates the mining site by showing the location of all mining operations and related activities and facilities. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

MINING WASTE-STORAGE AREAS: Clay-settling areas where clays, mixed with water from the mining of phosphate ores, are deposited for dewatering.

MINOR COMMERCIAL SITE: *[Revised by CPA 12A-02 (Ord. 12-017); Adopted by BoCC 6/5/12; CPA-97A-07 (Ord. 97-26); Adopted by the BoCC 09 SEPT 97]* Any land development project, which has received either:

a. An exemption or letter from the appropriate Water Management District indicating a permit will not be required; or,

b. A Notice General Permit for Minor Activity from the appropriate Water Management District, may be considered for an exemption from the Stormwater Run-off Policies of the Polk County Comprehensive Plan provided all the following criteria are met:

   1. The parcel or parcels of land within the development do not contain Special Flood Hazard Areas;
   2. The proposed activity will not intrude into or otherwise impact wetlands by rim-ditching, dredging, draining, filling, or excavating;
   3. The total impervious surface area of the site does not exceed 25% of the parcel or parcels;
   4. The increase in run-off rate does not exceed 0.25 cubic feet per second (cfs); and,
   5. The applicant provides sufficient detail to demonstrate the improvement will not cause an adverse impact to the adjacent property owner.

   Minor commercial sites are not exempt from meeting Level of Service Standards for stormwater management.

MINOR SUBDIVISION: Any subdivision of land containing not more than ten (10) lots fronting on an existing road, not involving any new street or road and not part of a larger phased subdivision or master plan.

MITIGATION-AREA USES: A medium-intensity use, placed between a high-intensity use and a low intensity use, to make the transition from the high-intensity use to the low-intensity use less abrupt.

MOBILE HOME: Per Section 320.01, F.S., means a structure, transportable in one or more sections, which is eight body feet or more in width, and which is built on an integral chassis and designed to be used as a dwelling when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

MOBILE HOME PARK: A single tract(s) of land under a single ownership where lots are offered for lease or rent for placement of three or more mobile homes or where mobile homes are offered for lease or rent, and which is developed with all necessary facilities and services for park residents in accordance with an approved site development plan. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

MODEL AIRPORT ZONING ORDINANCE: The archetype for local airport zoning ordinances. It provides technical guidance in determining whether or not a local airport zoning ordinance conforms with the requirements of Chapter 333, F.S. It contains sound level reduction (SLR) standards, and land use restrictions relative to noise zones. If requested, it is provided to local units of government by the Florida Department of Transportation Aviation.

MODIFIED LAND USE CATEGORIES: Due to the specific characteristics of Selected Area Plans or the Green Swamp ACSC, development limitations are more specifically defined, and generally vary from those allowed under the general provisions (or "Standard Land Use Categories") of that specific land-use category within the Comprehensive Plan. Typically, these categories are indicated by the addition of an "X" suffix to the Land Use Category, which is specific to each individual Land Use Category within each specific SAP or the Green Swamp. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

MPO's PRIORITY ROAD PROJECTS: Major road construction projects, listed in rank-order by the MPO, that represent the most important needs. This list of priority projects is given to the FDOT as input to the development of their Five-Year Work Program.

MULTI-FAMILY UNITS: A residential structure containing greater than four units attached with no restrictions on height or number of stories. *[Definition revised by CPA-99A-02 (Ord. 99-19); Adopted by the BoCC 25 MAY 99.]*

MULTI-MODAL TRANSPORTATION SYSTEM: A transportation system that includes a number of different modes, or means, of transportation. These modes of transportation may be either motorized, (e.g., automobiles, buses, or airplanes) or non-motorized, (e.g., bicycles or walking).

MUNICIPAL PLANNING AREA: The area in unincorporated Polk County surrounding a municipality. This area shall be defined through an formal agreement defined by an inter-local agreement.

NATIONAL FLOOD INSURANCE PROGRAM (NFIP): The program of flood insurance coverage and floodplain management administered under the Act and applicable Federal regulations promulgated in Title 44 of the Code of Federal Regulations. *[Revised by CPA 12A-02 (Ord. 12-017); Adopted by BoCC 6/5/12]*

NATIVE VEGETATIVE COMMUNITIES: Those naturally-occurring associations of plant species currently found within Polk County. Specifically:

1. Freshwater Marshes
2. Wet Prairies and Sloughs
3. Swamp Hardwood and Hardwood Swamps

4. Cutthroat Seeps
5. South Florida Flatwoods
6. Longleaf Pine and Turkey Oak Hills
7. Upland Hardwood and Oak Hammocks
8. Sand Pine Scrubs

NATURAL FLOOD CONTROL: Preservation of the natural channel, banks, and overflow areas of a water body for the storage and conveyance of surface waters.

NATURAL RESERVATIONS: Areas designated for conservation purposes, which are owned [and] operated by contractual agreement with, or managed by, a federal, state, regional or local government or nonprofit agency. Natural reservations areas include national parks, state parks, land purchases under the Save Our Coast, Conservation and Recreation Lands or Save Our Rivers programs, sanctuaries, preserves, monuments, archaeological sites, historical sites, wildlife management areas, national seashores, Outstanding Florida Waters.

~~NATURAL RESOURCE OF REGIONAL SIGNIFICANCE: Per Section 27E-5.002(4), 9J-5.015, F.A.C., a natural resource or system of interrelated natural resources, that due to its function, size, rarity or endangerment retains or provides benefit of regional significance to the natural or human environment, regardless of ownership. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*~~

NET BONDED DEBT: Debt incurred by the Polk County Board of County Commissioners, including all long term general bonded debt minus the balance of sinking funds to retire the debt. It does not include debt to be retired with revenue from special assessments, gas tax revenue, or enterprise funds (Utilities or Solid Waste).

NET OVERLAPPING BONDED DEBT: Debt incurred by the Polk County Board of County Commissioners and the Polk County School Board, including all long term general bonded debt and Certificates of Participation minus the balance of sinking funds to retire the debt. It does not include debt to be retired with revenue from special assessments, gas tax revenue, or enterprise funds (Utilities or Solid Waste).

NEW TOWN: An urban activity center and community designated on the future land use map of sufficient size, population, and land use composition to support a variety of economic and social activities consistent with an urban area designation. New towns shall include basic economic activities; all major land use categories, with the possible exception of agricultural and industrial; and a centrally provided full range of public facilities and services that demonstrate internal trip capture.

NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY: Non-certified Electric-Power Generating Facilities shall consist of two types:

a. LOW-IMPACT NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY meet the definition of a cogeneration facility pursuant to Section 210 of the Public Utility Regulation Policy Act of 1978 (PURPA) and are certified as "Qualifying Facilities" from the Federal Energy Regulatory Commission;

b. HIGH-IMPACT NON-CERTIFIED ELECTRIC-POWER GENERATING FACILITY include both small power producers defined pursuant to Section 210 of PURPA and independent power producers which do not meet the "qualifying facility" standards of PURPA.

NON-CONFORMING DEVELOPMENT: Development that does not conform to the Polk County Comprehensive Plan (Article I) and/or the development design and improvement standards in the Polk County Development Regulations (Article III). *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

NON-MOTORIZED ACCESS: Access to accommodate pedestrians, wheelchairs and bicycles; e.g., sidewalks with ramped curbs.

NON-MOTORIZED TRANSPORTATION: Bicycling and walking.

NON-POINT SOURCE POLLUTION: Any source of water pollution that is not centralized at one point.

NON-TRADITIONAL INDUSTRY: An industry which has not previously constituted a notable portion of the County's economic base.

NRCS: Natural Resources Conservation Services. *[Added by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

OFFICE: A place in which professional or clerical business is conducted. This term shall not include a financial institution. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

OFFICE PARK: A large tract of land that has been planned, developed, and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses with special attention given to circulation, parking, utility needs, aesthetics, and compatibility. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

ON-SITE DISPOSAL SYSTEM: Any domestic sewage treatment and disposal facility, including standard subsurface systems, gray-water systems, laundry wastewater systems, alternative system, or experimental system, installed or proposed to be installed on land of the owner(s) or on other land to which owner(s) have the legal right to install a system. (Chapter 10D-6 FAC) (e.g. septic tank, holding tank, aerobic treatment unit, organic composting (i.e.. spectic tanks, enhanced nitrogen reducing septic systems).

ORDINARY HIGH WATER LINE: The line determined by examining the bed and banks of a water body and ascertaining where the presence and action of the water has marked upon the bed a character distinct from that of the banks with respect to vegetation or the nature of the soil itself.

PACKAGE TREATMENT PLANT: Commercially available prefabricated or easily assemble standard component waste water treatment plant. Prefabricated package plants, although available with capacities up to 1 MGD, are most commonly used for flows below .2 MGD.

PARATRANSIT: Those elements of a public transit system that provide service between specific origins and destinations selected by the individual user with such service being provided at a time that is agreed upon by the user and provider of the service. Paratransit service is provided by taxi, limousines, "dial-a-ride," buses, and other demand-responsive operations that are characterized by their nonscheduled, nonfixed-route nature. (Section 427.011, F.S.)

PARK: A designated area that is classified into recreation systems such as mini, local, neighborhood, community, regional or specialty park.

PARK, COMMUNITY: Are intended to serve suburban areas adjacent to two or more urban or Census Designated Areas 10 to 249-acre, activity-based park located near major roadways. Community parks may have both active and passive recreation.

PARK, NEIGHBORHOOD: Are primarily active parks and range in size from less than acre to 10 acres or more. A neighborhood park provides close-to-home opportunities for recreation and social interaction. Neighborhood parks serves the population of one or more neighborhoods and is generally accessible by bicycle or pedestrian ways.

PARK, REGIONAL: 250 to 1,000-acre park which is designated to serve the County-wide population, and which provides both resource-based and activity-based recreation. The regional park provides areas and facilities which often draw people from outside the County, due to its size, recreation opportunities and /or special events. Regional parks generally provide a variety of passive and active amenities.

PARK, SPECIALTY: Have a primary function and provide amenities for a specific recreational or education activity and may give access to larger open space areas.

PARKLAND: An open space and recreation area utilized as a recreation resource.

PEAK-FLOW: The maximum momentary flow demand placed on the system. Peak flow shall be equal to the maximum hourly flow rate of a system.

PEAK TRAVEL PERIODS: Periods during a day when the travel demand for person trips is higher than the average hourly demand. Normally, a.m. and p.m. peak travel periods usually experience a large number of trips for travel-to-work.

PERMANENT CLASSROOM: A permanent not movable area, within a school designed and constructed to provide instructional space for the maximum number of students in core-curricula courses assigned to a teacher, based on the constitutional amendment for class size reduction (including, but not limited to, classroom additions which have received covered walkways and technology upgrades). *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

PERMANENT CORE CAPACITY: Common area(s) used by all occupants. For purposes of this agreement, it will be limited to the reading room stacks portion of the media center, dining area, and kitchen with capacity as determined by the State Requirements for Educational Facilities. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

PERMANENT STUDENT STATION CAPACITY (PSSC): Capacity based on the State mandated square footage per student of permanent classroom space required to house a student in an instructional program. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

PLANNED DEVELOPMENT: A land use or uses prepared, constructed, and maintained according to a binding plan as a single entity containing one or more structures and accessory uses. Strict adherence to land use district standards may be relaxed for the purpose of accomplishing a greater objective such as increased internal vehicle trip capture, resource protection, further compatibility with adjacent use, and more efficient use of public infrastructure. Multiple land uses contained within Planned Development shall have a functional relationship with each other as well as consistency with the land use district. *[Added by CPA-2012A-06 (Ord. 12-010); Adopted by BoCC 17 APR 2012]*

PLANNED UNIT DEVELOPMENT (PUD): The use of mixed-use development land use districts, which represents a planning technique which, when used properly, can result in more desirable development patterns by providing a functional mix of commercial, office, retail, recreational, and housing uses. Such mixed-use developments can assist in the reduction of off-site traffic congestion by the appropriate mixing of uses to promote high internal-trip capture rates and through the proper design of traffic-circulation plans to internally link the different uses. *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

PLANNED SCHOOL FACILITIES: School facility capacity that will be in place or under actual construction within three (3) years after the issuance of final subdivision or site plan approval, pursuant to the School Board's adopted Five Year Program of Work. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

PLANNERS FORUM: An existing group of local planners which meets informally once a month to discuss common planning issues. This group is comprised of the "Director of Planning" for each municipality within Polk County and the Central Florida Regional Planning Council. The "Director of Planning" may actually be the head of the planning division/department of that entity or an appointed representative.

PLANT SURVEY: A systematic study of educational and ancillary plants of an educational agency conducted at least every five (5) years, to evaluate existing facilities and to plan for future facilities to meet proposed program needs. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

PLAYGROUND: Recreation area with play apparatus.

POINT SOURCE POLLUTION: Any source of water pollution that constitutes a discernible, confined, and discrete conveyance, including, but not limited to, any pipe, ditch, channel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

POLICY: The way in which programs and activities are conducted to achieve an identified goal.

POLLUTION: The presence of any substance, contaminants, or man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of water or air in quantities which are or might be potentially harmful to the health of plant, animal or human life.

POLK COUNTY RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN: A plan adopted by the Board of County Commissioners and in effect as of April 1, 1989, which outlines guidelines for providing relocation assistance to persons displaced as a direct result of Community Development Block Grant activities.

POP-OVER AREA: That area of a drainage system that is designed to accommodate the overflow of a retention or detention area when their design capacity is reached.

POTABLE WATER: Water suitable for human consumption and which meets water quality standards determined by the Polk County Health Department provided through a potable water supply system or by private water well. *[Revised by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012]*

POTABLE WATER FACILITIES: Structures or systems designed to collect, treat, or distribute potable water. It may include, but not be limited to, water wells, treatment plants, reservoirs, and distribution mains.

POTABLE WATER SUPPLY SYSTEM (PWS): Either a "Community Water System" or a "Non-Transient Non-Community Water System." A "Community Water System" is a water supply system providing service to 15 or more connections or regularly serves 25 or more year-round residents. A "Non-Transient Non-Community Water System" means a public water system that is not a community water system and that regularly serves at least 25 of the same persons over 6 months per year. *[Revised by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012]*

POWER GENERATION FACILITIES, ELECTRIC (POWER PLANTS): *[Revised by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

1. CERTIFIED: Electric power generating facilities that are required to be certified pursuant to Sections 403.501 thru 403.518, F.S.
2. NON-CERTIFIED: Non-certified Electric Power Generating Facilities consist of two types:
    a. LOW IMPACT NON-CERTIFIED ELECTRIC POWER GENERATING FACILITIES meet the definition of a co-generation facility pursuant to Section 210 of the Public Utility Regulation Policy Act of 1978 (PURPA) and are certified as "Qualifying Facilities" from the Federal Energy Regulatory Commission;
    b. HIGH IMPACT NON-CERTIFIED ELECTRIC POWER GENERATING FACILITIES include both small power producers defined pursuant to Section 210 of PURPA and independent power producers which do not meet the "qualifying facility" standards of PURPA which do not meet the "qualifying facility" standards of PURPA.

PRESERVATION AREA: Areas that are designated by state, federal, private, and regional agencies or organizations for the protection of environmentally sensitive land.

PRIME RECHARGE AREA: Those areas of high recharge, having the greatest quality and quantity recharge potential. The term has not been further defined in law or by rule, particularly in terms of assigning quantitative values, but

the water management districts have been assigned the responsibility to define and map these areas in Chapter 163, F.S.

PRIVATE LODGES AND RETREATS: Non-commercial facilities (e.g. a company retreat or a fraternal lodge), which is not open to the general public and whose use is limited to the membership, and their guests, of the owning organization. These sites are intended to provide a meeting place and/or resource-based recreational site for the organization, and typically provide lodging and kitchen facilities, as well as meeting rooms. These facilities may be rented to other similar private organizations. The following are not private lodges or retreats: commercial hotel/motel-like facilities, intended to accommodate individual or family rentals, or provide commercial conference-center facilities, and commercial fish camps.

PRIVATE ON-SITE DISPOSAL SYSTEM: See On-Site Disposal System

PROGRAM OF WORK: See Five Year Program of Work. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

PROPORTIONATE-SHARE MITIGATION: A developer improvement or contribution identified in a binding and enforceable agreement between the Developer, the School Board and the local government with jurisdiction over the approval of the development order to provide compensation for the additional demand on deficient public school facilities created through the residential development of the property, as set forth in Section 163.3180(~~6~~13)(he)1.c. F.S. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

PSD CLASS I AIR QUALITY ZONE:

1. All areas of the State shall be classified as Class I, Class II, or Class III.
    a. Class II Areas - All areas of the State are designated Class II except for those areas specified in subsection (1)(b), below.
    b. Class I Areas - The following areas are designated as Class I areas and shall not be reclassified.
        (1) Everglades National Park.
        (2) Chassahowitzka National Wilderness Area.
        (3) St. Marks National Wilderness Area.
        (4) Bradwell Bay National Wilderness Area.
2. Federally designated Class I Areas outside of Florida but within 100 kilometers of the State are as follows:
    a. Okefenokee National Wilderness Area.
    b. Wolf Island National Wilderness Area.

PUBLIC FACILITIES: Improvements which include, but are not limited to, facilities for transportation, sanitary sewer, solid waste, drainage, potable water, educational, parks and recreational, and health buildings or systems.

PUBLIC LAKES: Lakes determined by the state to be public.

PUBLIC RECREATION SITES: Sites owned or leased on a long-term basis by a government agency for the purpose of recreational use.

PUBLIC SCHOOL: A facility owned and maintained by the Polk County School District. [*Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007*]

PUBLIC UTILITY: An enterprise providing an essential service authorized and regulated by state or federal public utility commissions, or services owned, franchised, or permitted by Polk County. Included are facilities necessary to

provide the service such as water towers, well houses, utility poles, transmission towers, substations and peaking units, sewerage, communication equipment, street lighting, and other similar equipment.

PUBLIC WATERBODIES: Natural streams and any permanent body of water in excess of 10 acres and not wholly under one private ownership.

REALISTIC ESTIMATE: Estimates of revenues available to the County under present law. If a revenue source requires a referendum and the referendum has been rejected, then the revenue source can not be included in estimated revenues.

RECHARGE AREA: Area which allows the replenishment of groundwater supplies.

RECHARGE POTENTIAL: Average amount of water recharged to an aquifer within a specified area based on current climatic, vegetation, soil and sub-strata characteristics. The recharge potential of an area may be changed by the natural or human induced changes in one or more of the above listed factors.

RECREATION: Leisure activities and/or the active sport participation of programs, parkland, and facilities available to the general public.

RECREATION, ACTIVE: A general term used to imply recreation activities beyond merely passive recreation, but not intended to include all forms of recreation. Such recreational activities are further defined within the Land Development Code. *(Added CPA 14A-05 (Ord. 14-058) 09/16/14)*

RECREATION OPEN SPACE: Vacant land accessible by the general public that is provided by a public agency, non-profit organization, or some other private entity, that can be used as a recreational resource.

RECREATION, PASSIVE: Non-competitive recreation facilities such as picnic pavilions, tot-lots, playgrounds, public beaches, hiking/jogging trails, walking tracks, dog parks, and public gardens. At these facilities there are no bleachers, theaters, or grand stands or any other structures intended to accommodate large crowds or sports competitions. Passive uses or activities, include, but are not limited to, walking, jogging, hiking, fishing, and bicycle paths/trails. *(Added: CPA 14A-05 (Ord. 14-058) 09/16/14)*

RECREATIONAL VEHICLE (RV): Per Section 320.01 F.S., type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Recreational vehicle-type units, when traveling on the public roadways of this state, must comply with the length and width provisions of Section 316.515, as that section may hereafter be amended. Recreational vehicle types include: Travel trailers, camping trailers, truck campers, motor homes, private motor coaches, van conversions, park trailers, and fifth wheel trailers. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

RECREATIONAL-VEHICLE (RV) PARK: Land divided into lots for sale, lease or rent for the placement of recreational vehicles. RV parks are not intended to accommodate year-round residential use.

RECYCLED: Process by which solid waste or materials which would otherwise become solid waste are collected, separated, processed and reused or returned to use in the form of raw materials or products.

REGIONAL ATTRACTOR: Any facility or activity that has a regional market area.

RELOCATABLE CLASSROOM: A movable, temporary classroom facility also known as a portable. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

RESIDENTIAL-TREATMENT FACILITY: A facility providing residential care and treatment to individuals exhibiting symptoms of mental illness, as defined by Florida Statutes, who are in need of a 24-hour-per-day, 7-day-a-week structured living environment, respite care, or long-term community placement. *[Revised by CPA 2009B-13 (Ord. 09-072); Adopted by BoCC 12/01/09]*

RESIDENTIAL WASTE: Any solid waste, including garbage, and trash, derived from households, including single and multiple residences, hotels and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

RESOURCE-BASED RECREATIONAL USES: Activities associated with natural resources and passive recreation activities that typically involves individual or small-group activities such as hiking, fishing, and bird watching.

RESOURCE-BASED RECREATIONAL SITES: Sites associated with passive recreation that have facilities centered on or around particular natural resources and that may provide opportunities for picnicking, hiking, hunting, bird watching, water sports, fishing, or simply enjoying nature.

RESOURCE-RECOVERY: Process of recovering materials or energy from solid waste.

RETENTION POND: Natural or man-made storm-water facility that prevents the discharge of a given volume of stormwater runoff into surface waters.

RETROFITTING: The retroactive implementation of stormwater regulations on existing development sites, improving water quality of the basin where the site is located.

REVERSE INVESTMENT OPPORTUNITIES: Recruiting internationally for firms to establish businesses in the County.

RIDE-SHARING: A method of transportation where more than one person shares a ride with another to a common destination.

RIGHTS-OF-WAY NEEDS MAP: Map(s) that delineate the limits of a transportation corridor or of the proposed rights-of-way for the eventual widening of an existing or proposed transportation facility.

ROAD: A general term used to describe a facility which provides for vehicular movement. Polk County roads are classified by function as follows: *[Revised by CPA-99B-38 (Ord. 99-86); Adopted by BoCC 15 DEC 99]*

ARTERIAL ROAD: This category primarily serves through traffic and provides access to abutting properties as a secondary function. Arterial roads provide the highest degree of mobility and serve the largest proportion of total travel. This system is composed of interstate highways, other principal arterials, and minor arterials. Arterials have two (2) categories: Principal Arterials and Minor Arterials.

> PRINCIPAL ARTERIAL: An arterial road interconnecting the large activity centers within an urban area as well as important rural routes. Principal arterial roads generally have greater than 25,000 average daily trips.
>
> MINOR ARTERIAL: An arterial road which interconnects with and augments the principal arterial system, distributes travel to smaller activity centers and geographic areas with the urban area, and connects to major collector roads. Minor arterial roads generally have between 10,000 and 25,000 average daily trips.

COLLECTOR ROAD: This category provides land access and traffic circulation within residential neighborhoods, commercial, and industrial areas. These roads provide a mix of mobility and land access functions; however, the main function of collectors is to conduct traffic from residential streets to arterials. Collectors do not serve long through trips, and are not continuous for any great length. Collectors have three (3) categories: Urban Collectors, Rural Major Collectors, and Rural Minor Collectors.

> URBAN COLLECTOR: A collector road serving internal traffic movements within an area of the city, such as a subdivision, an connect this area with the arterial system. Urban collector roads generally have between 1,500 and 10,000 average daily trips.

RURAL MAJOR COLLECTOR: A collector road serving as a generator of intracounty importance, e.g. important to mining and agricultural areas, and link these places with nearby larger towns and cities. Rural major collector roads generally have between 1,500 and 10,000 average daily trips.

RURAL MINOR COLLECTOR: A collector road which provides service to the remaining small communities and links locally important generators with remote rural areas. Rural minor collector roads generally have less 1,500 average daily trips.

LOCAL ROAD: This category contains all roadways not on the arterial or collector system. Local streets primarily provide direct access to abutting land uses, such as homes, and through traffic movement is generally discouraged. These streets make up a large percentage of the total street mileage but carry a small proportion of vehicle miles in travel. Local roads have (2) sub-categories: Local Residential and Local Commercial.

LOCAL RESIDENTIAL: A local road that connects residences to roads serving longer trips, e.g., roads within a residential subdivision. Local residential roads generally have less than 1,500 average daily trips.

LOCAL COMMERCIAL: A local road that connects clusters of commercial, industrial, agricultural or mixed-residential land uses to the roads serving longer trips, e.g., roads within an industrial park. Local commercial roads generally have less than 1,500 average daily trips.

SCS: Soil Conservation Service.

SALVAGE YARDS: (*Added 10/3/17 - Ord. 17-049*) Any parcel of land and structures thereon, that are used or devoted to storing, dismantling, reconditioning, collecting, purchasing, or processing of wastepaper, rags, scrap metal, other scrap or discarded goods, materials, machinery, operable and inoperable vehicles, or other types of goods, for sale or storage where such activities are conducted outside the confines of a fully enclosed building. This term shall specifically include the customary terms "Disposal Yard," "Junk Yard," "Scrap Yard," "Auto Salvage", and "Auto Grave Yards." This term shall specifically exclude Construction Aggregate Processing and Construction Aggregate Storage as defined by this Comprehensive Plan.

SANITARY HAZARD: A physical condition which involves or affects any part of a drinking water system or the raw water source, and that creates an imminent or potentially serious risk to the health of any person who consumes water from the system.

SANITARY SEWER FACILITIES: Structures or systems designed for the collection, transmission, treatment, or disposal of sewage. It may include but not be limited to, trunk mains, interceptors, treatment plants, and disposal systems.

SCENIC CORRIDORS: Areas free from, or almost free from, man-made visual obstructions which are: accessible from trails, easements, roads, and/or water bodies; and publicly owned or managed, or are designated for such use by a property owner(s).

SCENIC-VIEW SHEDS: Vista(s) free from, or almost free from, man-made visual obstructions, are visible from trails, easements, roads, and/or water bodies, and extend over designated publicly owned or managed areas, or over those areas designated for such use by a property owner(s).

SCHOOL BOARD: The Polk County School Board [*Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007*]

SCHOOL DISTRICT FACILITIES WORK PROGRAM: Polk County School District's annual comprehensive planning document, that includes long range planning for facility needs over a five-year, ten-year and twenty-year planning horizon. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

SCHOOL LEVEL: The grade make up of a school, usually K-5 elementary, 6-8 middle, and 9-12 senior high. There could be various combinations of the K-12 or Pre K-12 grades. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

SCHOOL TYPE: Schools providing the same level of education, i.e. elementary, middle, or high school. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

SCHOOLS (AND ACADEMIES): An institution of learning for minors, either public or private and includes nursery schools, kindergarten, elementary school, junior high school, senior high school, or any special institution of learning under the jurisdiction of the State Department of Education, but it does not include an institution of higher education such as a professional or vocational institution, community or junior college, college or university. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

SEASONAL POPULATION: Part-time inhabitants who use, or may be expected to use, public facilities or services, but are not residents and includes tourists, migrant farmworkers, and other short-term and long-term visitors.

SELECTED AREA PLAN (SAP): A detailed, integrated land use plan for an area of the County that includes a Future Land Use designation with objectives and policies establishing a mix of land uses, the densities and intensities of the land uses, a capital improvements plan for roads, potable water, sanitary sewer and parks and recreation facilities. The purposes of the SAP are to incorporate features that discourage the proliferation of urban sprawl, promote urban design criteria, establish landscaping requirements, identify the hierarchy of road networks, protect natural, historical and archaeological resources, and preserve useable open space. *[Revised by CPA 11B-06 (Ord. 11-038) 12/06/11; CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

SEPTAGE: Semi-solid waste material that accumulates in septic tanks.

SEPTIC TANK: See On-Site Disposal System.

SERVICE ROAD: (See "road".)

SERVICES, BASIC: Free or minimal fee services provided through general revenue funds with little or no support from fees for maintenance.

SERVICES, ENTERPRISE: Fees provide most of the funding requirements. Services are provided through vendors under contract with the County with little or no support from taxes.

SERVICES, PRIVATIZATION: Fees provide all the support for a given service. Polk County receives money from a vendor (as through a lease) that provides a recreational service.

SERVICES, SUPPLEMENTAL: Fees supplement tax support. Services are primarily supported through general revenue funds, but are supplemented by collected fees.

SFWMD: South Florida Water Management District.

SHARED USE: Two or more governmental agencies using all or part of a facility under the terms set forth in an interlocal agreement. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

SHREDDED PAPER: Clean high-grade printing and writing papers from offices that have been cut into small strips and bundled or bagged. High-grade printing and writing papers includes printed white ledger and computer printout paper. Shredded paper does not include wet or processed paper pulp.

SIC CODE: Standard Industrial Classification - the standard Federal system of classification designating economic activities and industries according to type or nature.

SILVICULTURE: The branch of forestry dealing with the development and care of forests and forest products. *[Revised by CPA-2000A-03 (Ord. 00-39); Adopted by BoCC 20 JUN 2000]*

SINKHOLE: Closed depressions in the land surface formed by solution of near-surface limestone and similar rocks and by subsidence or collapse of overlying material into resultant cavities.

SJRWMD: St. John's River Water Management District.

SLUDGE: Treated solid residual derived from processes carried out at a wastewater treatment plant.

SMALL-QUANTITY HAZARDOUS WASTE GENERATOR: One who generates up to 1,000 kg (2,200 lbs.) of hazardous waste in a calendar month. This group may be further broken down into 100—1,000 kg/mo. generators and less than 100 kg/mo. generators, as defined by Chapter 40C-FR, parts 260-63 and 270, 271, FAC.

SMALL-SCALE MULTI-FAMILY UNIT: A residential dwelling containing up to four units and not over two stories high.

SOLAR ARRAY: A packaged interconnected assembly of solar panels. *[Revised by CPA 11B-03 (Ord. 11-034); Adopted by BoCC 06 DEC 2011]*

SOLAR ENERGY SYSTEM: Equipment whose primary purpose is to collect, store, and distribute solar or radiant energy received from the sun to be used for the generation of electricity. Devices could include solar collector panels, films, shingles, or other solar components. The equipment could be used for water heating, space heating or cooling, or other applications which normally require or would require a conventional source of energy such as petroleum products, natural gas, or electricity. *[Revised by CPA 11B-03 (Ord.11-034); Adopted by BoCC 06 DEC 2011]*

SOLAR ELECTRIC-POWER GENERATION FACILITY: A type of electric power generation facility that includes a collection of solar arrays mounted on the ground that are utilized in the production of solar electric power as the primary or principal use of the property and whereby the power being produced is being sold to an electric utility provider or being produced directly by an electric utility provider. *[Revised by CPA 11B-03 (Ord.11-034); Adopted by BoCC 06 DEC 2011]*

SOLAR PANEL: A device comprised of solar cells, also known as photovoltaic cells, whereby the device converts sunlight into electricity. *[Revised by CPA 11B-03 (Ord.11-034); Adopted by BoCC 06 DEC 2011]*

SOLID WASTE: Commercial waste, industrial waste, residential waste, construction and demolition debris, Class III waste as defined by the Florida Administrative Code, or sludge that is not regulated under the Federal Clean Water Act or Clean Air Act, as well as sludge from a waste treatment works, water supply treatment plant, or air pollution control facility; or garbage, rubbish, refuse, special waste, or other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from domestic, industrial, commercial, or governmental operations. This term does not include phosphogypsum. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

SOLID WASTE DISPOSAL FACILITY: Any solid waste management facility which is the final resting place for solid waste, including landfills and incinerators that produce ash from the process of incinerating solid waste. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

SOLID WASTE MANAGEMENT FACILITY *(Revised 10/3/17 - Ord. 17-049; 4/19/16 - Ord. 16-012; Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014):* Any solid waste disposal facility, solid waste transfer station, materials recovery facility, volume reduction facility, other facility, or combination thereof, the purpose of which is resource recovery or the disposal, recycling, processing or storage of solid waste. Salvage Yards, Cardboard & Shredded Paper Collection, Construction Aggregate Processing, and Construction Aggregate Storage are excluded from this definition, but may be accessory uses to a solid waste management facility.

SOLID WASTE TRANSFER STATION: Facilities where solid waste is unloaded from collection vehicles and is reloaded onto larger transport vehicles for shipment to other solid waste management facilities. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

SOUND PLANNING PRINCIPLES: Principles of planning which are generally accepted by the American Institute of Certified Planners; which are proven to be logical and implementable; and which further the goals, objectives, and policies of the Comprehensive Plan.

SUITABILITY: The degree to which the existing characteristics and limitations of land and water are compatible with a proposed use or development.

SPECIAL FLOOD HAZARD AREA (SFHA): The land area covered by the floodwaters of the base flood on the Flood Insurance Rate Maps (FIRM). The SFHA includes Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE and V. The SFHA is the area where the National Flood Insurance Program's floodplain management regulations and mandatory flood insurance purchase requirements apply. *[Revised by CPA 12A-02 (Ord. 12-017) Adopted by BoCC 6/5/12]*

SPECIAL TRANSPORTATION AREA (STA): Compact geographic areas in which growth management considerations outweigh the FDOT's policy of operating the State Highway System at established minimum acceptable levels of service. Conceptually, STA's may include central business districts, outlying business districts, Area-wide Developments of Regional Impact and regional activity centers. Special Transportation areas do not apply to whole cities or to strip development along individual highway corridors.

SPOT ZONE: An area zoned to a particular school that is not in the immediate neighborhood of that school facility in order to facilitate desegregation and balance socio-economic diversity. *[Added by CPA- 2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

STANDARD HOUSING: Dwelling units which meet the federal Minimum Housing Quality Standards (HQS) as established for the HUD Section 8 Program.

STATE ROAD SYSTEM: Principal and minor arterials maintained by the State pursuant to Chapter 334, F.S.

STORMWATER: Water which runs off the surface after a rainfall.

STORMWATER FACILITIES: The designed and natural features of a system which includes, weirs, canals, ditches, culverts, impoundments, retention/detention areas which collect, convey, channel, hold, inhibit, or divert the movement of stormwater.

STRATEGIC MARKETING PLAN: A program which outlines missions, objectives, and strategies that build on strengths, correct weaknesses, take advantage of opportunities, and deal with threats.

STRUCTURE: A walled and roofed building that is principally above ground, as well as a manufactured home.

SUBSTANDARD DWELLING UNITS: Dwelling units lacking some or all plumbing facilities and/or with one or more critical defects in sufficient number to require extensive rehabilitation or demolition.

SUBSTANDARD HOUSING: Dwelling units lacking some or all plumbing facilities and/or with one or more critical defects in sufficient number to require extensive rehabilitation or demolition.

SURFACE WATER: Includes, but not limited to, rivers, lakes, streams, springs, impoundments and all other waters upon the surface of the earth, whether contained in bounds created naturally or, artificially or diffused. On site stormwater, wastewater, or process water retention or treatment facilities which are not connected to other surface waters shall not be included in the definition of surface waters. Also, refer to Chapter 363.0065(2)(m), Florida Statutes. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

SWFWMD: Southwest Florida Water Management District.

SWIMMING AREAS: Natural or man-made areas for swimming.

SWMP: Polk County Surface Water Management Plan.

TARGETED INDUSTRY: An industry which the County, using certain criteria, chooses to seek out for recruitment to the County.

TEMPORARY CLASSROOM: A movable classroom facility also known as relocatable or portable. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

THREATENED ANIMAL SPECIES: Any of those species as defined by the Florida Game and Freshwater Fish Commission and/or the U. S. Fish and Wildlife Service.

THREATENED PLANT SPECIES: Any of those species as defined by the Florida Game and Freshwater Fish Commission and/or the U. S. Fish and Wildlife Service.

TIERED LEVEL OF SERVICE: A graduated level of service, used to achieve an adequate and desirable level of service at the end of a specified period of time, as permitted by the Florida Statutes. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

TIP: (See Transportation Improvement Program.)

TRADITIONAL INDUSTRY: An industry which has in the past constituted a notable portion of the County's economic base.

TRAFFIC MANAGEMENT PROGRAM: A program that employs one or more techniques to maximize the number of people and goods transported while constraining the number of motorized vehicles used during a defined period. Traffic management techniques include, but are not limited to: staggered work hours, ride-sharing, remote parking with shuttle buses, mass transit usage, bicycle parking and shower facilities to encourage employees to bicycle or walk to work/school, reduced automobile parking, and incentives to use traffic management techniques.

TRAILS: Any easement or path which is open to travel and from which motor vehicles are excluded. Per Section 260.013, F.S., linear corridors and any adjacent support parcels on land or water providing public access for recreation or authorized alternative modes of transportation. *[Revised by CPA-2001A-13 (Ord. 01-46); Adopted by BoCC 11 JUL 2001]*

TRAILS, MOTORIZED VEHICULAR: Any easement or path which is used by off-road motorized vehicles.

TRANSPORTATION IMPROVEMENT PROGRAM (TIP): A list of transportation projects for which funding will be sought over a five-year period. The TIP is prepared and updated annually by the MPO, pursuant to Section 339.175, F.S.

TRANSIT-ORIENTED DEVELOPMENT: A project or projects, in areas identified in a local government comprehensive plan, that is or will be served by existing or planned transit service. These designated areas shall be compact, moderate to high density developments, of mixed-use character, interconnected with other land uses, bicycle and pedestrian friendly, and designed to support frequent transit service operating through, collectively or separately, rail, fixed guideway, streetcar, or bus systems on dedicated facilities or available roadway connections.

TRANSPORTATION SYSTEMS MANAGEMENT (TSM): Short-range, low-cost road improvements that are warranted by safety and/or traffic operations/capacity considerations. These projects involve traffic operations improvements, e.g., installation of new traffic signals, designation of one-way pairs, and addition/lengthening of left-turn or right-turn only lanes.

TRANSPORTATION DISADVANTAGED: Those individuals who, because of physical or mental disability, income status, age ~~, other reasons,~~ are unable to transport themselves or to purchase transportation and are, therefore, dependent upon others to obtain access to health care, employment, education, shopping, social activities, or other life-sustaining activities, or children who are handicapped or high-risk or at-risk as defined in F.S. 411.202. (Section~~s~~ 427.011~~—427.017,~~ F.S.)

TSM: (See Transportation Systems Management.)

URBANIZED AREA: A geographical region comprising as a minimum an incorporated place and surrounding densely settled areas, as designated by the US Bureau of the Census, with a population of 50,000 or more persons, expanded to include adjacent areas as provided for by Federal Highway Administration regulations.

URBAN SERVICE AREA: Areas identified in the comprehensive plan where public facilities and services, including, but not limited to, central water and sewer capacity and roads, are already in place or are identified in the capital improvements element. The term includes any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation.

URBAN SPRAWL: A development pattern characterized by low density, automobile-dependent development with either a single use or multiple uses that are not functionally related, requiring the extension of public facilities and services in an inefficient manner, and failing to provide a clear separation between urban and rural uses.

USGS: United States Geological Survey.

UTILIZATION: The comparison of the total number of students enrolled to the total number of student stations (FISH) at a facility within a School Concurrency Service Area. *[Added by CPA-2007A-07 (Ord. 07-029); Adopted by BoCC 20 JUN 2007]*

VILLAGE: A predominantly residential area with supporting commercial and public activities lying near its center. A village typically includes a post office, church, meeting places, and public open space. It is compact relative to traditional suburban tract development, and is easily distinguishable from the surrounding undeveloped land. The density mix and arrangement of land uses encourages pedestrian movement among local origins and destinations.

VOLUME REDUCTION FACILITY: A facility using incinerators, pulverizers, compactors, shredding, demanufacturing, and baling plants, and other plants that accept and process solid waste for recycling and disposal. *(Added by CPA 14C-05, Ord No. 14-024, Adopted 5/20/2014)*

WAREHOUSING: A building or group of buildings used for the storage of goods belonging either to the owner of the facility or to one or more lessees of space in the facility or both, but not including mini-warehouses. Warehousing includes distribution centers. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

WASTEWATER TREATMENT AND DISPOSAL FACILITIES: Systems used for the collection and treatment of liquid and water-carried pollutants from residences, commercial buildings, industrial plants and institutions to comply with regulatory parameters and the proper discharge of effluent. The disposal characteristics may include the use of percolation/evaporation ponds, leechate fields, low-pressure injection fields, limited-access/above-ground irrigation and above-ground public contact irrigation.

WATER OR WATERS: Includes, but is not limited to, water on or beneath the surface of the ground or in the atmosphere, including natural or artificial watercourses, streams, rivers, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

WATER BODY: Any natural or artificial pond, lake, reservoir, or other area which ordinarily or intermittently contains water and which has a discernable shoreline. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

WATERCOURSE: A channel, having defined banks, which is cut by erosion of running water through turf, soil, rock or other material and over the bottom of which water flows for substantial periods of the year. The term "watercourse" shall include both the upstream and downstream portions of a watercourse which is lost in a swamp or a lake, if it emerges from such swamp or lake in a well defined channel; and it shall include any watercourse which has been improved by confining it in an artificial channel. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

WATERCOURSE, NATURAL: A natural channel, having defined banks, which is formed by the erosion from running water through turf, soil, rock, or other material and over the bottom of which water flows for substantial periods of the year. The term "watercourse" shall include both the upstream and downstream portions of a watercourse which is lost in a swamp (excluding the swamp) or a lake, if it emerges from such swamp or lake in a well defined channel. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

WATER WELLS: Any excavation that is drilled, dug, cored, washed, driven, dug, jetted, or otherwise constructed when the intended use is to conduct ground water from a source bed to the surface, by pumping or natural flow, for the supply of industrial, agricultural or potable water. *[Revised by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012]*

WELL FIELD: Land area containing two or more interconnected water wells of an aggregate capacity of 100,000 G.P.D. or greater, under the ownership or control of a public or private utility whose principal purpose is to provide potable water for domestic use. *[Revised by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012; CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

WELLHEAD: The specific location of a ground water source for a potable water well including the surface and subsurface area surrounding the well. *[Added by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012]*

WELLHEAD RESOURCE PROTECTION AREAS: *[Deleted by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012]*

WELLHEAD RESOURCE PROTECTION AREA MAP: *[Deleted by CPA-2012A-01 (Ord. 12-016); Adopted by BoCC 05 JUN 2012]*

WET DETENTION: A water quality treatment system that utilizes water-tolerant vegetation and which removes pollutants through settling, absorption by soils, and nutrient uptake by vegetation, and in which a permanent water pool is maintained which has a capacity to provide extended detention for the required storm water treatment volume. *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

WETLANDS: [*Revised by CPA 10B-03 (Ord. 10-042); Adopted by BoCC 9/1/10*] As defined in subsection 373.019(17), F.S., means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

WHITE GOODS: Includes inoperative and discarded refrigerators, ranges, water heaters, freezers, and other similar domestic and commercial appliances.

WILDLIFE HABITAT BUFFER: A wildlife/vegetative preserve established in riverine and lake floodplains. (See Policy 2.123-B2.c.)

WORKFORCE HOUSING: *[Added by CPA 09A-07 (Ord. 09-032) Adopted by BoCC 17 JUN 09]* Housing affordable to persons or families affordable to a person who earns less than 120 percent of the area median income, or less than 140 percent of the area median income if located in a county in which the median purchase price for a single-family existing home exceeds the statewide median purchase price of a single-family existing home~~whose total annual household income does not exceed 140 percent of the area median income, adjusted for household size, or 150 percent of area median income, adjusted for household size, in areas of critical state concern designated~~

~~under F.S. 380.05, for which the Legislature has declared its intent to provide affordable housing, and areas what were designated as area of critical state concern for at least 20 consecutive years prior to removal of the designation.~~

WRD (PCWRD): Polk County Water Resources Division.

X YR FLOOD ELEVATION: Flood elevation having a Y percentage chance of being equaled or exceeded in any given year. Y percentage being equaled to the inverse of the year (e.g. 100 yr. = 1%, 25 yr. = 4%). *[Revised by CPA-2000B-04 (Ord. 00-80); Adopted by BoCC 12 DEC 2000]*

YARD WASTE: Plant clippings, prunings, and other discarded material from yards and gardens.

XERISCAPE: Set of landscape design and maintenance principles which promote good horticultural practice and the economic and efficient use of water. The term Xeriscape is the registered trademark of the National Xeriscape Council and means water-conserving, drought-tolerant landscaping, or simply the use of appropriate plant materials that do not required special attention and which require little supplemental water to grow properly. Xeriscape design does not resemble desert landscape, but reflect the lush appearance of Florida gardens. *[Adopted by CPA-2001b-17 (Ord. 01-110); Adopted by BoCC 19 DEC 2001]*

XERISCAPING: A form of landscaping which allows conservation of the water resource by providing for planting of drought-tolerant native vegetation in conjunction with other plantings, arranged in such a way as to make maximum usage of existing water supplies, therefore reducing the need for watering.

24-HOUR STORM EVENT: The distribution of the total rainfall amount over a 24 hour period.

105% MAINTAIN: A standard that establishes that the number of vehicle trips on a road segment shall not exceed 105% of the vehicle trips on that segment at such time it is identified as a backlogged or constrained facility.

110% MAINTAIN: A standard that establishes that the number of vehicle trips on a road segment shall not exceed 110% of the vehicle trips on that segment at such time it is identified as a backlogged or constrained facility.

100-YEAR FLOOD: The flood having a one percent (1%) chance of being equaled or exceeded within any given year.

(Ord. No. 2022-078, § 2(Att. A), 12-6-2022

LDCPAL-2025-4 - EAR Comp Plan Policy Changes

Menu Reports Help

Application Name: EAR Comp Plan Policy Changes

File Date: 04/25/2025

Application Type: BOCC-CPA Large

Application Status: In Review

Application Comments:

View ID	Comment	Date

Description of Work: EAR Comp Plan policy changes/Evaluation and Appraisal Report (EAR)

Application Detail: Detail

Address: FL

Parcel No: 253006393000000172

Owner Name: POLK COUNTY

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Chanda Bennett		Engineer	Mailing, 330 West Chur...	Active
Chanda Bennett		Contact	Mailing, 330 West Chur...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $1,150.00

Total Fee Invoiced: $0.00

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Not In Selected Area Plan

Variance Type
_

Brownfields Request
N/A

Affordable Housing
No

Type of Acreage
_

GENERAL INFORMATION

Expedited Review

Number of Lots
_

Will This Project Be Phased

Acreage
0

DRC Meeting
05/15/2025

DRC Meeting Time
11:00 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
Board of County Commissioners

MEETING DATES

Community Meeting
_

Planning Commission Date
06/04/2025

Land Use Hearing Officer 3
_

1st BOCC Date
07/15/2025

2nd BOCC Date
11/04/2025

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-REC25-00000-00HA3	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 ...	05/01/2025	Margo White
Surveying Review				
Roads and Drainage Review	Phil Irven	Approve	05/02/2025	Phil Irven
Engineering Review		Not Required	05/01/2025	Margo White
Fire Marshal Review	Kim Turner	Not Required	05/14/2025	Kim Turner
Planning Review	Chanda Bennett			
School Board Review	School District	Not Required	05/05/2025	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

2050 Comprehensive Plan EAR

Data and Analysis Memorandum

INTRODUCTION

This memorandum supplies Data and Analysis for necessary amendments to Polk County's Comprehensive Plan to be consistent with recent changes to the Florida Statutes. The most significant change proposed within this amendment package is the update to the plan's horizon year from 2025 to 2050 – establishing 10 and 25 year planning periods, with a 2050 planning horizon. The purpose of this report is to demonstrate that Polk County has successfully taken into consideration its projected 2050 population within its updated comprehensive plan. Therefore, only certain subjects are included, and others like Public Safety, Schools, and major environmental issues will be addressed in the larger rewrite effort.

POPULATION

In 2020, the United States Census Bureau estimated that unincorporated Polk County had 444,898 permanent residents. In 2023, the University of Florida's Bureau of Economic & Business Research (BEBR) estimated that unincorporated Polk County's permanent population had reached 481,262 people.

Projected Population

Considering the growth in the past ten years and BEBR's population projections for Polk County into 2050, unincorporated Polk County anticipates continued population growth into the 2050 planning horizon. **Table 1** shows the permanent and seasonal projected population for the coming decades, based on an average between BEBR medium and high population projections. Based on these projections, unincorporated Polk County will have estimated 858,414 residents by the year 2050.The methodology and sources utilized in these population projections for unincorporated Polk County through the 2050 planning horizon are explained in **Appendix A**.

Table 1: Unincorporated Polk County Population Projections

Population	2025	2030	2035	2040	2045	2050
Permanent Population	517,304	575,379	627,179	669,868	708,001	743,992
Seasonal Population	79,558	88,490	96,456	103,022	108,886	114,422
Total Population	596,862	663,869	723,635	772,889	816,887	858,414
Net Gain from Estimated 2024 Population (565,966)						**292,448**
Note: these projections have been rounded to their nearest full number						

Source: BEBR, 2023

Projected 2050 Growth

Florida Statutes §163.3177(1)(f)3 states that comprehensive plans shall be based upon the jurisdiction's projected permanent and seasonal populations within the identified planning horizon. Consistent with state statutes, Polk County's updated comprehensive plan accounts for the anticipated impacts that this growth will have on land use, housing, transportation, public utilities, conservation, recreation and open space, intergovernmental coordination, and the public school system.

IMPACTS ON LAND USE

One common planning tool utilized to understand a community's ability to successfully accommodate its anticipated growth is a carrying capacity analysis. This analysis requires a close examination of the spatial relationships between existing land uses, environmentally significant features, and future land use map designations. To perform this analysis, the County utilized the following four-step process:

1. Using the Department of Revenue (DOR) use codes included within the latest Polk County Property Appraiser's parcel data, each property within unincorporated Polk County was assigned a generalized land use designation (e.g., low density residential, commercial, vacant, etc.). The result of this effort is shown in **Map 1**.
2. Isolated the undeveloped lands or lands with a 'vacant', 'passive agriculture', or 'active agriculture' generalized existing land use designation.
3. Performed a separate carrying capacity for the portions of any undeveloped lands which contained a wetlands feature (as determined by the latest National Wetlands Inventory (NWI) shapefile which shown on **Map 2**, as the County's Comprehensive Plan allows for a density transfer of up to 1 dwelling unit per acre from wetlands.
4. Finally, the carrying capacity of the non-wetland, undeveloped lands was determined by assuming each remaining property will develop to the maximum density permitted by its underlying future land use designation. These designations are shown on **Map 3**.

Assumptions

The carrying capacity analysis is based on several assumptions listed below:

1. Undeveloped (vacant or agricultural) lands would be developed to the maximum density permitted by their current future land use designation.
2. Non-residential future land uses that allow residential development would have an assumed maximum residential share based on current development patterns, which are shown on **Table 2**.
3. Every undeveloped property would have a development factor based on their underlying density with densities 5 du/ac or less having a development factor of 75%, densities between 5 and 10 du/ac having a development factor of 80% and densities greater than 10du/ac having a development factor of 90%. These

development factors were applied to recognize that due to land development code requirements, few properties will ever develop to their maximum future land use density.

4. Undeveloped lands located within a DRI would cumulatively achieve the maximum residential units permitted by the DRI's development agreement.

5. Undeveloped lands located within a wetland would use a density transfer at a maximum of one dwelling unit per acre or the maximum density allowed by their future land use category if it is below one dwelling unit per acre.

The results of the carrying capacity analysis are summarized below in **Table 2**.

Table 2: Carry Capacity Analysis

Future Land Use	All Parcels		Undeveloped Parcels		Undev. Wetland	Density	Percent Res.	Dev. Factor	Carrying Capacity
	(ac)	(% of Uninc.)	(ac)	(% of FLU)		DU/AC	(%)	(%)	DU
Agriculture/ Rural Residential	461,207.4	44.9%	259,983.8	56.4%	57,408.7	0.2	100%	-	-
Business Park Center	9,288.1	0.9%	3,947.7	42.5%	927.9	15	-	0%	
Commercial Enclave	462.4	0.0%	154.6	33.4%	22.3	-	-	0%	-
Community Activity Center	708.9	0.1%	249.4	35.2%	43.4	25	50%	90%	2361
Convenience Centers	114.3	0.0%	38.0	33.2%	2.9			0%	
High Impact Commercial Center	224.8	0.0%	69.2	30.8%	6.5	-	-	0%	
Industrial	7,827.8	0.8%	3,446.1	44.0%	552.4	-	-	0%	
Institutional	9,519.8	0.9%	2,188.6	23.0%	915.4	-	-	0%	-
Leisure/Recreation	11,488.2	1.1%	5,974.3	52.0%	1,791.0	10	-	80%	1791
Linear Commercial Corridor	1,597.6	0.2%	371.1	23.2%	39.3	-	-	0%	-
Neighborhood Activity Center	727.2	0.1%	429.6	59.1%	32.1	-	-	0%	-
Office Center	211.2	0.0%	132.9	62.9%	5.8	-	-	0%	-
Phosphate Mining	144,941.5	14.1%	61,581.4	42.5%	14,030.5	-	-	0%	-
Preservation	35,201.4	3.4%	3,711.4	10.5%	2,132.4	-	-	0%	-
Recreation and Open Space	111,690.4	10.9%	50,899.4	45.6%	19,398.7	-	-	0%	-
Residential-Suburban	45,078.0	4.4%	17,032.4	37.8%	2,232.3	0.2	100%	75%	2667
Rural Cluster Center	1,340.6	0.1%	365.5	27.3%	26.3	2	100%	75%	535
Residential Low	62,954.4	6.1%	20,133.3	32.0%	3,779.4	5	100%	75%	65107
Residential-Medium	9,983.6	1.0%	3,543.3	35.5%	470.9	10	100%	80%	25050
Residential-High	1,330.8	0.1%	748.1	56.2%	58.3	15	100%	90%	9371
Rural Cluster Center	175.4	0.0%	57.2	32.6%	2.1	-	-	0%	-
Tourism-Commercial Center	1,283.7	0.1%	830.8	64.7%	181.8	-	-	0%	-
CORE	52,341.2	5.1%	29,088.2	55.6%	13,386.2		-	0%	-
Employment Center	965.5	0.1%	473.5	49.0%	36.6	20	30%	90%	2003
Interchange Activty Center	20.1	0.0%	20.1	100.0%		15	50%	90%	136

Future Land Use	All Parcels		Undeveloped Parcels		Undev. Wetland	Density	Percent Res.	Dev. Factor	Carrying Capacity
	(ac)	(% of Uninc.)	(ac)	(% of FLU)		DU/AC	(%)	(%)	DU
Mixed Use	115.0	0.0%	64.9	56.4%	5.8	35	50%	90%	935
Professional / Institutional	186.5	0.0%	107.3	57.6%	1.5	10	50%	80%	425
Regional Activity Center	1,286.3	0.1%	484.2	37.6%	1.8	50	30%	90%	2715
Town Center	288.4	0.0%	84.9	29.4%	7.3	25	50%	90%	880
Lake	37,765.4	3.7%	6,481.1	17.2%	5,680.0	-	-	0%	-
Development of Regional Impact	16,043.1	1.6%	6,374.6	39.7%	1,998.9	-	-	0%	20,798
Total	**1,026,369**	**100.0%**	**472,692.5**	**46.1%**	**123,179.9**	**-**	**-**	**-**	**134,773**
								2050 Carrying Capacity[1]	**382,755**
								BEBR Medium/High Population Projection	**292,448**
								Population Surplus	**90,307**
								Unit Surplus	**31,798**

[1]Calculated by multiplying the total dwelling units by 2.84, the persons per household determined in Appendix A.

Sources: Polk County Property Appraiser, 2024; Polk County, 2023

The results of this analysis indicate the County's inventory of undeveloped lands available for residential development have enough permitted capacity to accommodate the unincorporated area's projected 292,448 additional residents within the 10 and 20 planning horizons and with a surplus of 90,307 residents or 31,798 dwelling units for the 2050 horizon.

IMPACTS ON HOUSING

Polk County's housing market is likely to change with an increase in 292,448 new residents moving to unincorporated Polk County by 2050. If left unanswered, the demand generated by prospective residents would likely exacerbate the local housing supply—potentially increasing the costs of owning or renting a home and thus, pricing out some residents. Alternatively, the County can utilize the 2050 Comprehensive Plan to sufficiently accommodate future populations with a safe, affordable, and diverse housing stock. As such, improving the mix of housing products and increasing the supply should provide more options for future residents and in turn drive down housing costs. **Table 3** displays the projected demand for housing in unincorporated Polk County through the 2050 planning horizon below.

Table 3: Projected Housing Demand

Year	Permanent Population		Seasonal Population		Total Population	
	Projected Residents	*Housing Units Needed[1]*	*Projected Residents*	*Housing Units Needed[1]*	*Projected Residents*	*Housing Units Needed[1]*
2025	517,304	182,149	79,558	28,013	596,862	210,163
2030	575,379	202,598	88,490	31,158	663,869	233,757
2035	627,179	220,838	96,456	33,963	723,635	254,801
2040	669,868	235,869	103,022	36,275	772,889	272,144
2045	708,001	249,296	108,886	38,340	816,887	287,636
2050	743,992	261,969	114,422	40,289	858,414	302,258

[1]*Assuming an average 2.84 persons per household, as discussed within the Population Projections Memorandum (Appendix A).*

Sources: UF Shimberg Center, 2024; BEBR, 2023

A more detailed analysis of how this demand will impact housing supply, affordability, and diversity is provided below.

Housing Supply

According to the most recent American Community Survey in 2022, unincorporated Polk County is estimated to have a total of 193,025 housing units, with 157,828 of them being occupied. To accommodate the projected population, the County will need an additional 109,233 residential units by 2050, which represents a 56.6 % increase. In order to sufficiently accommodate this projected demand, the Polk County Comprehensive Plan has lands designated with an assortment of future land use categories that provide for the full spectrum of housing types, from single family detached to high-density multifamily.

Housing Affordability

While housing supply has the biggest influence on keeping local housing costs affordable, the additional expense (e.g. utility payments, property taxes, insurance, HOA fees, etc.) fortify the barrier to entry for potential homeowners and renters, alike. As such, finding affordable housing within the County may be challenging for the very low, low, and moderate income households living below the area median income (AMI). Therefore, Polk County will need to continue working with housing developers to increase the inventory of assisted housing units through subsidies and other programs. A list of Polk County's existing assisted housing inventory is provided in **Table 4** below.

Table 4: Assisted Housing Inventory

Development Name	Housing Program	Year Built	Subsidy End	HUD/Rental Assistance Units	Assisted Units
Colton Meadow	Exchange; Housing Credits 9%; State HOME; Tax Credit Assistance Program	1981	2062	-	72
Country Manor Apts	Rental Assistance/RD; Section 515	2000	2043	48	48
Highland Apartments	Rental Assistance/RD; Section 515	1986	2030	32	50
Highland Apartments II	Rental Assistance/RD; Section 515	1980	2036	13	28
Jersey Commons	Housing Credits 9%; National Housing Trust Fund (NHTF); State HOME	Not Available	2074	-	68
Plateau Village	Extremely Low Income; Housing Credits 9%; SAIL	Not Available	2072	-	72
Taro Pakemi	Rental Assistance/RD; Section 515	1974	2041	16	18
Village Apts	Rental Assistance/RD; Section 515	1976	2040	7	7

Development Name	Housing Program	Year Built	Subsidy End	HUD/Rental Assistance Units	Assisted Units
Village Green Apt II	Rental Assistance/RD; Section 515	1978	2047	49	54
Village Green Apts	Rental Assistance/RD; Section 515	1978	2047	46	54
Wahneta Palms	Exchange; Housing Credits 9%	1970	2062	-	64
Whispering Pines – Bartow	Housing Credits 9%; Rental Assistance/RD; SAIL; Section 515	1976	2054	45	64
Wilmington	Extremely Low Income; Housing Credits 4%; Local Bonds; SAIL	2003	2044	-	200
			Total	**256**	**799**

Source: Shimberg Center for Housing Studies, 2024

As detailed above, there are currently 799 assisted housing units within unincorporated Polk County. As the County's population continues to grow, so will the demand for more units and subsequently, the demand for more subsidized units. The County will need to continue encouraging developers to include subsidized units in future development projects in order to keep pace with the growing need.

Polk County has multiple policies in their comprehensive plan related to affordable housing which are summarized below:

- Increased density bonuses for affordable or workforce housing.
- Utilizes Redevelopment District Revitalization Plans to meet community needs including affordable housing.
- Exempts affordable housing for low and very low income households and others with special housing needs from the payment of impact fees.

Housing Diversity

Increasing supply in overall housing units, including those subsidized units, is a priority for Polk County going into the 2050 planning horizon. To successfully reach that goal, the County must understand the composition of housing types within its limits. As the majority of housing units in Polk County are single family residences, the County will need to focus on increasing the diversity of housing types when increasing supply. The distribution of housing types in unincorporated Polk County is shown below, in **Table 5**.

Table 5: Housing Types

Housing Type	Unit Count	Percent
Single Family (Detached or Attached)	125,537	65.4%
Mobile Home	49,579	25.8%
Multi-family (Two or more units)	16,981	8.8%
Total	**192,097**	**100.0%**

Source: Shimberg Center for Housing Studies, 2024

Though the table above shows the existing disparity in housing unit types in unincorporated Polk with a large deficiency of non-single family housing units, the County will increase its efforts to identify and implement measures that will decrease this gap. By promoting more 'missing-middle housing' like duplexes, triplexes, or quadplexes, the County can encourage lower-cost, alternative housing options for current and future residents alike.

IMPACTS ON TRANSPORTATION

Polk County's transportation system is essential in facilitating the movement of people, goods, and services efficiently across the region. It also ensures access to vital community resources, including schools, healthcare facilities, parks, and recreational spaces, all contributing to the County's high quality of life. As Polk County continues to experience growth, with projections indicating significant population increases in the coming decades, it is essential that the County's transportation infrastructure evolves to meet future needs and demands.

Roadway Network

Functional Classifications

The Florida Department of Transportation (FDOT) uses the Federal Functional Classification System, which is common to all states. Each functional classification is based on the type of service the road provides to the motoring public. Design standards are tied to functional classifications. Each classification has a range of allowable lane widths, shoulder widths, curve radii, etc. The functional classifications used by Polk County are detailed in **Appendix B** and Map 4 displays the functional classifications for Polk County roadways.

Maintenance Responsibility

There are numerous entities responsible for the maintenance of roadways in Polk County. These include municipalities, Polk County, private entities, and the Florida Department of Transportation. When addressing transportation concerns for the residents of Polk County, it is important to understand the parties responsible for roadway maintenance. The roadway maintenance and responsibility for most roadways within Polk County is shown on **Map 5**.

Level of Service

Roadway performance within Polk County is measured using Level of Service (LOS) standards, which identify the minimum acceptable operating conditions of a roadway. LOS conditions are generally classified into six categories which are displayed in **Table 6**.

Table 6: Level of Service Descriptions

Level of Service	Descriptions
LOS A	Users are practically unaffected by the presence of other vehicles on a road section. The choice of speed and the maneuverability are free. The level of comfort is excellent, as drivers need minimal attention.

LOS B	The presence of other vehicles begins to affect the behavior of individual drivers. The choice of the speed is free, but the maneuverability has somewhat decreased. The comfort is excellent, as drivers simply need to keep an eye on nearby vehicles.
LOS C	The presence of other vehicles affects drivers. The choice of speed is affected and maneuvering requires vigilance. The level of comfort decreases quickly at this level, because drivers have a growing impression of being caught between other vehicles.
LOS D	The speed and the maneuverability are severely reduced. Low level of comfort for drivers, as collisions with other vehicles, must constantly be avoided. A slight increase in the traffic risks causing some operational problems and saturating the network.
LOS E	Low but uniform speed. Maneuverability is possible only under constraint for another vehicle. Users are in a state of frustration.
LOS F	Unstable speed with the formation of waiting lines at several points. Cycles of stop and departure with no apparent pattern because created by the behavior of other drivers. A high level of vigilance is required for the user with practically no comfort.

Source: Transportation Research Board, 2024

Polk County's currently adopted level of service standards are determined by the roadway location within the Transit Corridors and Centers Overlay. The adopted level of service standards for arterials and collectors in Polk County are summarized below in **Table 7**. The adopted level of service for individual roadways can be found in **Appendix C** and on **Map 6**.

Table 7: Adopted Level of Service Standards

Area	Level of Service
Transit Supportive Development Area (TSDA)	D
Transitioning Urbanized Area Outside the TSDA	D
Other	C
Multi-modal Transportation Districts	
Multi-Modal[1]	D
Transit Corridors and Centers Overlay	E
[1]Road with transit service that is located outside of the Transit Corridors and Center Overlay.	

Source: Polk County, 2024

Current and Projected Level of Service

If a roadway segment's performance does not meet the adopted LOS standards identified above in **Table 8,** the segment is considered to be failing. As discussed in the following subsections of this report, some roadway segments are projected to fall below their adopted LOS standard as a result of the County's anticipated population growth through 2050 and thus, will require improvements to maintain an acceptable performance. The current and projected LOS for 2035 and 2050 can be found in **Appendix C** and on **Map 7**, Map 8, and Map 9 respectively. These numbers were determined using LOS standards from the Florida Department of Transportation (FDOT). Based on the LOS analysis there are currently four roadway segments with a failing level of service. 32 roadway segments will have a failing LOS by 2035 and 92 roadway segments will have a failing level of service by 2050. These roadways will require improvements in roadway capacity to maintain their adopted level of service.

Public Transportation

Public transportation provides a sustainable alternative to automobile travel and an essential transportation service to people unable to use other forms of transportation due to physical, mental, or financial reasons. Public transportation in Polk County is provided by the Lakeland Area Mass Transit District, operating as Citrus Connection. Citrus Connection provides over 30 fixed bus routes and a paratransit service to the residents of Polk County.

Fixed Route Bus Service

All fixed bus routes are available Monday through Friday, and there are multiple routes available with adjusted hours on Saturday and the route servicing Legoland is available on Sunday. The fixed route buses are divided into three different systems: East County, West County, and Squeeze Service. The descriptions of these three services are summarized in **Table 8**. The East and West County services are connected via Route 12 or the Purple Line which ensures Polk County residents have access to a county wide transit system. These three fixed route bus systems can be seen on **Map 9**.

Table 8: Polk County Transit

Service	Description
West County	Provides fixed bus routes centered in Lakeland but provides transit services to Highland City, Bartow, Mulberry, and Lake Wales.
East County	Provides fixed bus routes centered in Winter Haven but provides transit services to Auburndale, Lake Hamilton, Lake Wales, Fort Meade, Haines City, Davenport, Dundee, Bartow.
Squeeze Service	Provides fast, frequent and free shuttle service at lunchtime on three routes to Downtown Lakeland, Lake Wales, and Bartow. The Lakeland downtown Squeeze service also operates at night on Friday and Saturday.

Source: Citrus Connection, 2024

Paratransit

In compliance with the Polk County Transportation Disadvantaged Service Plan, Citrus Connection provides call ahead, door to door service for people who are not able to use regular transit services. This service is available to senior citizens, disadvantaged citizens, and citizens with disabilities throughout all of Polk County. The paratransit fleet has smaller buses equipped with wheelchair lifts to better meet needs of the residents it is meant to serve.

Pedestrian and Bicycle Travel

Pedestrian and bicycle facilities include sidewalks, crosswalks, multi-use trails, and bikeways. These facilities provide recreational opportunities, increased accessibility for those who are unable to use an automobile, accessibility to public transportation, and

more sustainable transportation choice. Polk County prioritizes the development of pedestrian facilities and bikeways based on safety concerns, proximity to elementary schools, and proximity to public transportation. The Polk Transportation Planning Organization has developed the Polk TPO Bicycle and Pedestrian Safety Action Plans to address bicycle and pedestrian safety concerns. **Map 10** shows the presence of sidewalks while **Map 11** shows the presence of bike lanes. There are a significant number of roadways with partial sidewalk presence and many roadways with no bike lanes present. This indicates that there are many opportunities for increasing the pedestrian and bicycle network for Polk County residents.

Trails

Trails provide recreational opportunities for walking, biking, and interacting with the natural environment. The development of trails in Polk County is guided by the Polk Transportation Planning Organization's Multi-Use Trails Master Plan. Polk County has a total of 109.7 miles of existing trails, 27.8 miles of trails that are committed to being developed and 275.5 miles proposed trails. The breakdown of trail milage and pavement type are in **Table 9** and the location of all existing, committed, and proposed trails is on **Map 12**.

Table 9: Polk County Trails

Trail Type	Miles
Existing	
Paved	86.6
Unpaved	23.1
Total	109.7
Proposed	
Paved	205.8
Unpaved	69.7
Total	275.5
Committed	
Paved	19.5
Unpaved	8.3
Total	27.8

Source: Polk Transportation Planning Organization, n.d.

Future Needs

The Polk Transportation Planning Organization (TPO) is responsible for coordinating transportation within Polk County. The Polk TPO's Momentum 2045 Plan facilitates a countywide, cooperative planning process that serves as the basis for spending county, state, and federal funds for improvements to the County's transportation facilities. Momentum 2045 covers improvements to roads, bridges, public transit, freight routes, trails, bicycle networks, and pedestrian networks. The tables below cover the needs assessment in the Momentum 2045 for Strategic Intermodal System roadways (**Table 10**), State Highway System roadways (**Table 11**), local roadways (**Table 12**), and the transit system (**Table 13**).

Table 10: Strategic Intermodal System Roadway Needs

Strategic Intermodal System (SIS) Roadways		
Road	**From/To**	**Improvement**
US 27	Highlands Co/L to CR 630A	4 lane to 6 lane
I-4	at SR 33 Interchange Modification	Intersection improvements
I-4	at US 27	Intersection improvements
I-4	West of US 27 / SR 25 to Polk/Osceola County Line	4 lane to 10 lane
US 27	CR 630A to Presidents Drive	4 lane to 6 lane
I-4	West of SR 570/Polk Parkway West to West of US 27 / SR 25	4 lane to 10 lane
SR 60	E of CR 630 to Osceola Co/L	2 lane to 4 lane
SR 60	Hillsborough Co/L to CR 555 / Agricola Rd	4 lane to 6 lane
SR 60	SR 60 (Van Fleet Drive E) to SR 25 / US 27	4 lane to 6 lane
US 17/98	Mann Rd to Main St	4 lane to 6 lane
US 17/98 (East Ave)	Main St to SR 60A / Auto Zone Ln	4 lane to 6 lane

Source: Polk Transportation Planning Organization, 2020

Table 11: State Highway System Roadway Needs

State Highway System (SHS) Roadways		
Road	**From/To**	**Improvement**
SR 33	Old Combee Road to Firstpark Blvd / University Blvd	2 lane to 4 lane
US 17/92 (Hinson Ave)	1st St to 17th St	2 lane to 4 lane
US 92 (New Tampa Hwy)	Hillsborough Co/L to Wabash Ave	2 lane to 4 lane
SR 544 (Lucerne Park Rd)	MLK Blvd to Lucerne Loop Rd	2 lane to 4 lane
SR 544 (Lucerne Park Rd)	Lucerne Loop Rd to SR 17	2 lane to 4 lane
US 17/92	at CR 557	Intersection Improvement
SR 700 (US 98) Peace River (John Singletary Bridge)	at BR #0064	Bridge
SR 572 (Airport Road)	Drane Field Road to 1 Mile N of Polk Pkwy	2 lane to 4 lane
US 17/92	Central Polk Parkway to Osceola Co/L	2 lane to 4 lane
US 17/92	US 17/92 (Hinson Ave) to Central Polk Parkway	2 lane to 4 lane
SR 572 (Airport Road)	Drane Field Road to S of Polk Pkwy	2 lane to 4 lane
SR 572 (Airport Road)	1 mile N. of Polk Pkwy to US 92 (New Tampa Hwy)	2 lane to 4 lane
US 17	SR 60A Connector to Crystal Beach Road	4 lane to 6 lane
US 17 (6th St NW)	E Central Ave to SR 544 (Avenue T)	4 lane to 6 lane
US 17/92	Rochelle Avenue to US 27	4 lane to 6 lane
US 92 (Memorial Blvd)	Gary Rd to SR 655 (Recker Hwy)	4 lane to 6 lane
US 98 (N Florida Ave)	US 92 (Memorial Blvd) to CR 582 (Griffin Road)	4 lane to 6 lane

State Highway System (SHS) Roadways		
Road	**From/To**	**Improvement**
US 98	Edgewood Dr to Sylvester Rd	4 lane to 6 lane
US 98	Sylvester Rd to Main St	Operations

Source: Polk Transportation Planning Organization, 2020

Table 12: Local Roadway Needs

Local Roadways		
Road	**From/To**	**Improvement**
Crews Lake Road/E.F. Griffin Road Connector	Crews Lake Road to E.F. Griffin Road	New 2 lane
Wabash Ave Extension	Harden Blvd to Ariana St	New 2 lane
North Ridge Trail	Deen Still Road to Four Corners Blvd	New 4 lane
North Ridge Trail	Four Corners Blvd to Sand Mine Road	New 4 lane
Ewell Rd	Lund Rd to Old 37	2 lane to 4 lane
Holly Hill Rd	CR 547 (Bay St) to Ridgewood Lakes Blvd.	New 2 lane
Wabash Ave	Ariana St to US 92 (New Tampa Hwy)	2 lane to 4 lane
Alford Road Extension	CR 542 to CR 546	New 2 lane
Bannon Loop Road (Unpaved Road)	Huges Road Extension to Bannon Island Road	2 lane Improvement
CR 544	SR 17 to Central Polk Parkway	2 lane to 4 lane
New E-W Road	E.F. Griffin Road to US 98	New 2 lane
New Silver Development Rd (New E-W Rd to US 98)	New E-W Road to US 98	New 2 lane
Holly Hill Rd	Patterson Road to CR 547 (Bay St)	New 2 lane
CR 547	US 27 to US 17/92/CSX Line	2 lane to 4 lane
FDC Grove Road	Massee Rd to Ernie Caldwell Blvd	New 2 lane
Grandview Parkway Extension	Grandview Parkway Dead End to Dunson Road	New 2 lane
Thompson Nursery Rd/Eloise Loop Road	CR 653 (Rattlesnake Rd) to US 27	2 lane to 4 lane
Thompson Nursery Road Extension	US 17 to CR 653	New 4 lane
Marigold Avenue	Poinciana Parkway to Coyote Rd	2 lane to 4 lane
FDC Grove Road	US-27 to Massee Rd	New 2 lane
Holly Hill Rd	Ridgewood Lakes Blvd. to Ernie Caldwell Blvd	New 2 lane
Hughes Road (Unpaved Grove Road)	Hughes Road E-W to CR 546	2 lane Improvement
Hughes Road Extension	Existing Hughes Road to Bannon Loop Road	New 2 lane
I-4 Crossover Rd	FDC Grove Rd to NW Access Road	New 2 lane
I-4 Crossover Rd	Waverly Barn Rd to Deen Still Rd	New 4 lane
Powerline Road	CR 580-Johnson Avenue to South Boulevard	2 lane to 4 lane
Powerline Road	Hinson to CR 580-Johnson Avenue	2 lane to 4 lane
Powerline Road Extension	Bannon Island Road to CR 544	New 4 lane
Powerline Road Extension	CR 544 to Hinson Avenue E	New 4 lane

Local Roadways		
Road	**From/To**	**Improvement**
Powerline Road Extension	South Boulevard to 0.55 Miles S of US 17/92	New 4 lane
Spirit Lake Rd	US 17 to Thornhill Rd	2 lane to 4 lane
Spirit Lake Rd	Thornhill Rd to SR 540 (Winterlake Rd)	2 lane to 4 lane
Powerline Road Ext (Temples Lane)	0.55 Miles S of US 17/92 to US 17/92	2 lane to 4 lane
Wabash Ave	US 92 (Memorial Blvd) to 10th St	2 lane to 4 lane
Waring Road Phase II	West Pipkin Road to Drane Field Road	2 lane to 4 lane
Spirit Lake Rd/42nd NW	CR 542 to SR 544	2 lane to 4 lane
Snell Creek Road	Pink Apartment Road to Warner Road	2 lane Improvement
T. S. Wilson/Kelly Road	Hopson Road to Old Avon Park Cutoff Road	2 lane Improvement
T.S. Wilson/Kelly Road N Extension	Hopson Road to US 27	New 2 lane
Tillery Rd/Yarborough Ln/Crews Lake Rd Connector	Crews Lake Drive to Crews Lake Road Ext	2 lane Improvement
Tillery Road/McCall Road Extension	CR 540A to New E W Road	New 2 lane
Waverly Barn Road	North Ridge Trail to US 27	2 lane to 4 lane
West Frostproof North Connector	West Frostproof Road to US 27	New 2 lane
West Frostproof North Connector Extension	West Frostproof Road to US 98	New 2 lane
Williams N/S Connector	Lakeland E-W Road to Old Polk City Road	New 2 lane
Willowbrook Connector	Lucerne Park Road (SR 544) to Avenue T/NE Buckeye Loop	New 2 lane

Source: Polk Transportation Planning Organization, 2020

Table 13: Transit Needs

Route / Geographical Area	Improvement
Gold Line	Increase Frequency, Hours of Service, Sunday Service
Pink Line	Increase Frequency, Hours of Service, Sunday Service
Green Line	Increase Frequency, Hours of Service, Sunday Service
Purple Line	Increase Frequency, Hours of Service
Orange Line	Increase Frequency, Hours of Service
Blue Line	Increase Frequency, Hours of Service, Sunday Service
Silver Line	Increase Frequency, Hours of Service
Route 22XW	Increase Frequency, Hours of Service
Route 30	Increase Frequency, Hours of Service
Route 40/44	Increase Frequency, Hours of Service
Yellow Line	Increase Frequency, Hours of Service, Sunday Service
Route 50	Increase Frequency, Hours of Service
Haines City/Eagle Ridge Mall	Add New Fixed-Route Service
Lakeland/Florida Polytechnic (Phase I)	Add New Fixed-Route Service

Route / Geographical Area	Improvement
3X -Lakeland/Florida Polytechnic (Phase II)	Increase Frequency
4X Lakeland Park Center	Maintain Existing Fixed Route Service
Mulberry Circulator	Add New Fixed-Route Service
Bartow Circulator	Add New Fixed-Route Service
Lake Wales Circulator	Add New Fixed-Route Service
Haines City Circulator	Add New Fixed-Route Service
Auburndale/Florida Polytechnic (Phase I)	Add New Fixed-Route Service
Auburndale/Florida Polytechnic (Phase II)	Add New Fixed-Route Service
North Lakeland Circulator	Add New Fixed-Route Service
Carter Rd Walmart/Bradley	Add New Fixed-Route Service
Bartow/Fort Meade	Add New Flex Service
Lake Wales/Frostproof	Add New Flex Service
Eagle Ridge Mall/Lake Wales	Add New Flex Service
Davenport/North Ridge (LYNX 427)	Maintain Existing Fixed Route Service
Davenport-North Ridge Flex (LYNX 427)	Maintain Existing Fixed Route Service
Poinciana/Haines City (LYNX 416)	Maintain Existing Fixed Route Service
Lakeland/Bartow Express	Express Add New Express Service
Lakeland/Winter Haven Express	Express Add New Express Service
Lakeland/SunRail Terminal Express	Express Add New Express Service
Lakeland to TIA Express (Phase I)	Add New Express Service
Lakeland to TIA Express (Phase II)	Increase Frequency
Lakeland to Orlando Airport Express (Phase I)	Add New Express Service
Lakeland to Orlando Airport Express (Phase II)	Increase Frequency
Fort Meade	Add New Call and Ride Service
Frostproof	Add New Call and Ride Service
Ridge	Add New Call and Ride Service
Poinciana	Add New Call and Ride Service
Davenport	Add New Call and Ride Service
Winter Haven Logistics Center	Add New Call and Ride Service
ADA Service	Maintain Existing ADA Paratransit Service
Commuter Services/Taxi Access Program	Maintain Existing Fixed Route Service
Miscellaneous	Add and Maintain Existing Fixed Route Service

Source: Polk Transportation Planning Organization, 2020

IMPACTS ON INFRASTRUCTURE

Polk County Utilities provides services such as wastewater collection/treatment and potable water distribution to nearly 68,000 accounts in the unincorporated area of the County. The unincorporated area is further broken down into six separate regions of service (shown in **Map 14** and **Map 15**) Central, Northeast, Northwest, Southwest, East, and Southeast. The analysis for these regional systems is provided in further detail below.

Wastewater Service

Polk County Utilities provides sanitary sewer service through seven Wastewater Treatment Facilities (WWTFs) and two Wastewater Collection Systems (WWCS) in the six regions of service as shown in **Map 14**. Polk County requires new sanitary sewer treatment plants to have a minimum capacity of 100,000 gallons per day (GPD). The current level of service (LOS) for Polk County sanitary sewer facilities is 270 gallons per equivalent residential

connection (GPERC) per day. **Table 14** displays the capacities of each facility in the County below.

Table 14: Wastewater Capacity

Facility Name	Region of Service	Current Working Permit Limit[1] (MGD)	Percent of Current Limit Used (2022)
Central Regional WWCS	Central	1.00000	84%
Heritage Place WWTF	Central	0.06000	63%
Combeewood WWTF	Central	0.052000	76%
Northeast Regional WWTF	Northeast	[6]6.000[2]	78%
Northwest Regional WWTF	Northwest	3.08000	43%
Southwest Regional WWTF	Southwest	4.00000	53%
Waverly WWTF	East	0.13000	38%
Sun Air WWCS	East	0.250[3]	137%
Sun Ray WWTF	Southeast	1.00000	46%
TOTAL		15.58005	
Northeast Regional WWTF (planned increase)	*Northeast*	*+1.25000*	-
TOTAL (including planned increases)		16.83005	

[1] The Current Working Permit Limit is the lesser of (A) the existing permitted water use permit (WUP) withdrawal quantity, or (B) Department of Environmental Protection operating permits.
[2] Northeast Regional WWTF capacity limit planned increase to 9.0 MGD
[3] Sun Air WWCS is currently being treated by the Toho Water Authority

Source: Polk County Utilities Water & Wastewater Capacity Summary, 2022

As of 2022, all facilities apart from the Sun Air WWCS are operating under their current permitted capacity. The Northeast Regional WWTF had an additional capacity of 1.250 mgd planned for 2023, bringing its working permit limit to 9.0 mgd. Total wastewater capacity across all facilities, including planned improvements is 16.83005mgd.

The projected wastewater demand, based on population projections for the unincorporated county that accounts for permanent and seasonal population, is shown below in **Table 15**.

Table 15: Wastewater Demand

Year	Projected Total Residents[1]	Projected Total Households[2]	Projected Wastewater Demand (mgd)[3]	Projected Wastewater Demand (mgd) (adjusted)[4]
2025	596,862	210,163	56.74	25.07
2030	663,869	233,757	63.11	27.89
2035	723,635	254,801	68.80	30.40
2040	772,889	272,144	73.48	32.47
2045	816,887	287,636	77.66	34.32
2050	858,414	302,258	81.61	36.06

[1] Total unincorporated residents as projected in Appendix A
[2] Assuming an average household size of 2.84 as shown in Appendix A
[3] Projected Total Households x LOS (270 gallons per equivalent residential connection (GPERC))
[4] Demand adjusted based on population of areas served by Polk County Utilities.

Sources: Polk County, 2024; BEBR, 2023

According to this analysis, Polk County will need 68.80 mgd capacity to accommodate the population's growth by 2035. This projected demand exceeds the current wastewater capacity of Polk County Utilities. However, this discrepancy is partly due to the significant number of residential structures not being connected to the wastewater system. As the County identifies large portions of the County transitioning from septic to sewer, additional capacity will need to be developed. Additionally, as shown on Map 14, many non-Polk County Utility providers serve areas that extend beyond municipal boundaries and into the unincorporated area.

Polk County's wastewater service areas serve approximately 44.19% of the unincorporated population. By adjusting demand figures to only account for this portion of the population, the projected demand for 2025 and beyond is markedly reduced, as shown in **Table 15**. However, it still exceeds the current working permit limit, including planned improvements, of 16.83005 mgd.

To address these capacity limitations, Polk County Utilities will need to plan strategically for future wastewater infrastructure expansion. This will involve upgrading existing facilities to increase capacity and prioritizing connection initiatives in areas currently served by septic systems. Additionally, coordination with non-Polk County Utilities utility providers will be essential to ensure service area expansions align with anticipated growth across both incorporated and unincorporated areas. Given the projected shortfall by 2035, these efforts will be critical to sustaining wastewater level of service and supporting Polk County's long-term growth needs.

Potable Water Service

Polk County relies on a combination of surface and groundwater sources to meet its potable water demands. As the County continues to grow, the demand for potable water increases, placing added pressure on vital water resources. Polk County Utilities currently provides potable water, as well as wastewater collection and treatment systems to nearly 68,000 accounts in unincorporated areas throughout the county and produces and distributes 18.9 million gallons of potable water each day. Areas not served by Polk County

Utilities are served by municipal systems, private suppliers, or through private potable water wells.

Polk County Utilities provides potable water service through 12 Public Water Systems (PWS), shown in **Table 16**, in the six regions of service as shown on **Map 15**. As of 2022, all Polk County Utilities PWSs are operating within their permitted limit. Additional capacity of 3.070 mgd is planned for the Northeast PWS in 2027, and another expansion of 0.070 mgd is planned for the Southeast PWS in 2028. Polk County's potable water capacity is summarized below in **Table 16**.

Table 16: Potable Water Capacity

Facility Name[1]	Region of Service	Current Working Permit Limit[2] (MGD)	Percent of Current Limit Used (2022)
Central PWS	Central	1.91920	68%
Lake Garfield PWS	Central	0.08420	34%
Northeast PWS[3]	Northeast	12.94044[4]	65%
Northwest PWS	Northwest	5.700	66%
Country Class PWS	Northwest	0.11000	26%
Southwest PWS	Southwest	6.78020	56%
Bradley Junction PWS	Southwest	0.12780	66%
Waverly PWS	East	0.48900	30%
East PWS	East	0.88400	44%
Southeast PWS	Southeast	0.93785[5]	55%
Babson Park PWS	Southeast	0.37010	51%
Walk-in-Water PWS	Southeast	0.09420	51%
Total		30.4370	
Northeast PWS (planned increase)	*Northeast*	*3.07000*	-
Southeast PWS (planned increase)	*Southeast*	*0.07000*	-
Total (including planned increases)		33.5770	

[1] These facilities are in the Central Florida Water Initiative (CFWI) area. If the Southwest Florida Water Management District determines that there are adverse impacts to water resources occurring because of authorized withdrawals, the District may reduce permitted quantities.
[2] The Current Working Permit Limit is the lesser of (A) the existing permitted water use permit (WUP withdrawal quantity, or (B) Department of Environmental Protection operating permits.
[3] This PWS has constraints on available capacity imposed by the South Florida Water Management District Consumptive Use Permit due to aquifer recharge quantities.
[4] Northeast PWS capacity limit planned increase to 17.0104 MGD
[5] Southeast PWS capacity limit planned to increase to 1.0078 MGD

Source: Polk County Utilities Water & Wastewater Capacity Summary, 2022

Polk County requires all public and private water supply systems (with 15 or more connections or 25 people) to meet or exceed design criteria to provide for an average daily-flow capacity of 360 gallons per equivalent-residential connection (GPERC). The projected potable water demand, based on population projections for the unincorporated county that accounts for permanent and seasonal population, is shown in **Table 17**.

Table 17: Potable Water Demand

Year	Projected Total Residents[1]	Projected Total Households[2]	Projected Water Demand (mgd)[3]	Projected Water Demand (mgd) (adjusted)[4]
2025	596,862	210,163	75.66	32.06
2030	663,869	233,757	84.15	35.66
2035	723,635	254,801	91.73	38.87
2040	772,889	272,144	97.97	41.52
2045	816,887	287,636	103.55	43.88
2050	858,414	302,258	108.81	46.11

[1] Total unincorporated residents as projected in Appendix A.
[2] Assuming an average household size of 2.84 as shown in Appendix A.
[3] Projected Total Households x LOS (360 GPERC).
[4] Demand adjusted based on population of areas served by Polk County Utilities.

Sources: Polk County, 2024; BEBR, 2023

According to this analysis, Polk County will need 91.73 mgd capacity to accommodate the projected population growth by 2035. This projected demand exceeds the current potable water capacity of Polk County Utilities. However, this discrepancy is due to the significant number of residential structures not being connected to the potable water system. Additionally, as shown in **Map 15**, many non-Polk County Utilities utility providers serve unincorporated areas.

Polk County's potable water service areas serve about 42.38% of the unincorporated population. With this population share accounted for, the projected demand for 2025 is within Polk County Utilities current capacity, but the demand by 2035, 38.87 mgd, exceeds the current capacity.

The County works closely with the South Florida Water Management District (SFWMD), the Southwest Florida Water Management District (SWFWMD), the Florida Department of Environmental Protection (FDEP), and other municipalities to accommodate future demand. In 2016, Polk County and 16 of its municipalities formed the Polk Regional Water Cooperative (PRWC) to collaboratively plan and develop conservation efforts, system interconnections, and new alternative water supply (AWS) sources. Managing a balance between growth and sustainable water use is essential to maintain the health and longevity of the County's water resources.

Solid Waste Collection

Adequate collection and disposal of solid waste is a significant factor in protecting the public health and wellbeing of a community. Along with collecting one zone with County trucks and staff, Polk County contracts with GFL Environmental and FCC Environmental for unincorporated household waste collection. The fees for the once-a- week trash collection services are billed through annual assessments by the County.

Polk County has one active landfill site in the North Central region of the County. The North Central Landfill is solely accessible to commercial haulers; however, residents may dispose of their waste materials at the North Central Transfer Station located on the north

side of the landfill. The County's current adopted LOS standard is 8.25 pounds per capita per day. **Table 18** provides the projected solid waste demand according to the population projections.

Table 18: Solid Waste Demand

Year	Projected Total Residents[1]	Projected Solid Waste Demand (mpd)
2025	596,862	4.92
2030	663,869	5.48
2035	723,635	5.97
2040	772,889	6.38
2045	816,887	6.74
2050	858,414	7.08
[1]Total unincorporated residents as projected in Appendix A		

Sources: Polk County, 2024; BEBR, 2023

An initial projection of remaining total site capacity completed in October of 2017 by the Polk County Solid Waste Division indicated there are 84.5 million tons (169 billion pounds) of remaining capacity at the North Central Landfill. Due to settlement and other positive factors, the County projects 150 years of remaining capacity. Based on the population projections above, the County should anticipate 57.98 billion pounds of solid waste to be generated between 2025 and 2050. This aligns with the County's findings that there is ample space for disposal of the unincorporated population's solid waste through the 2050 planning horizon.

According to a 2020 Florida Department of Environmental Protection (FDEP) report, Polk County recycled approximately 31% of its total municipal solid waste collected. However, under new contracts, Polk County discontinued its curbside recycling collection in October 2024 citing rising costs of recycling and high degrees of contamination as primary reasons for this decision. The landfill continues to provide designated drop off containers for items that are typically recycled curbside, and the landfill will continue to recycle concrete, yard trash, appliances, scrap metals, electronics, and household hazardous wastes.

Polk County's Solid Waste Division is exploring green initiatives to further improve its environmental stewardship. A new constructed wetlands leachate treatment system ~~facility~~ has been developed and constructed in collaboration with the University of Florida's Sustainable Materials Management Research Laboratory at the North Central Landfill. The facility will begin operation during the first quarter of 2025. Additionally, a renewable natural gas plant has begun converting garbage-produced landfill biogas into renewable natural gas in early October 2024.

Drainage and Stormwater Management

Polk County's stormwater management system is essential for mitigating flood risks and protecting water quality. Polk County manages their stormwater through a series of pipes, drains, and watercourses known as a Municipal Separate Storm Sewer System (MS4) which is regulated by the National Pollutant Discharge Elimination System (NPDES). Polk

County determines deficiencies and causes of deficiencies and develops programs for stormwater management improvement and maintenance through a Regional Drainage and Water Quality work plan (to replace the Surface Water Management Plan) and basin-specific watershed management plan. The County is required to maintain Basin Management Action Plans (BMAPS) where areas of the county have a higher than standard load of nutrients from identified sources such as wastewater systems and stormwater flow into the County's streams and rivers. Based on these plans the Polk County is considering new standards in their Land Development Code for stressed basins.

Polk County requires the design of stormwater management systems to, at minimum, not increase the impact of discharges beyond the predevelopment condition. These systems shall maintain the minimum Level of Service (LOS) standards as set below in **Table 19** and shall not be designed at less than Level of Service VI.

Table 19: Drainage Minimum LOS Standards

LOS Tier	Capacity[1]
LOS I	100-year
LOS II	50-year
LOS III	25-year
LOS IV	10-year
LOS V	5-year
LOS VI	3-year
[1] All capacities set to 24-hour storm events with freeboard.	

Source: Polk County Comp Plan, 2023

IMPACTS ON PARKS AND RECREATION

Polk County currently owns, operates, and maintains 119 parks and recreational facilities, which are shown on Map 16. Per the County's Master Parks Plan, Polk County classifies parks into five categories based on size, location, and service capacity detailed below in **Table 20**.

Table 20: Park Categories

Park Category	General Description
Neighborhood Parks	Neighborhood Parks are designed to serve Polk County residents within a half-mile radius and should be accessible via cycling or walking. Most Neighborhood Parks in the County provide opportunities for active recreation with facilities such as playgrounds, multi-purpose fields, and athletic courts. Parks of this classification generally range between less than an acre in size to 10 acres.
Community Parks	Community Parks are designed to serve at least two urban areas and are larger in size compared to Neighborhood Parks. Acreage generally ranges from 10 to 249 acres. Most Community Parks have active recreational facilities, including playgrounds, multi-purpose fields, and athletic courts; passive recreational facilities such as walking trails; and other amenities such as picnic areas and restrooms.
Regional Parks	Regional Parks are intended to serve the entire County. They are generally large in size and are capable of accommodating large crowds and large events. In general, Regional Parks are 250 to 1,000 acres in size. Like Community Parks, Regional Parks provide both active and passive recreational opportunities. Typical amenities may

Park Category	General Description
	include ball diamonds, multiuse fields, tennis and basketball courts, spectator and concession areas, and other amenities.
Specialty Parks	Specialty Parks provide specialized recreational opportunities. Most Specialty Parks in the County have a boat launch area, but other amenities may include horseback riding areas, historic exhibits, disc golf, or ATV trails.
Resource Centers	In addition to these parks, Polk County has five Resource Centers that have community meeting / multi-purpose rooms.
Preserves	Preserves are intended to conserve natural areas and many include passive recreational opportunities such as walking trails and wildlife viewing areas.

Source: Polk County, 2024

Polk County has established a county-wide regulatory level of service for parks and recreation of 6.95 acres per 1,000 persons. All parks maintained by the Polk County Parks and Recreation Section, including Neighborhood, Community, Regional, and Specialty Parks, as well as Resource Centers, are included in LOS calculations, which currently totals 3,809.4 acres. Preserves are not included as part of this analysis.

The population in unincorporated Polk County is projected to increase to 858,414 when accounting for permanent and seasonal population by 2050. **Table 21** shows the current and projected demand for parks and recreation based on the current LOS standards and compares this to the acreage of parks that is currently provided. The results of this analysis show that Polk County will face a deficit of 339 acres by 2025, and it is projected to grow to a deficit of 2,156.6 acres by 2050, absent the acquisition of additional park land.

Table 21: Total Parks and Recreation Demand

Year	Population	Demand (6.95 ac/1,000 pop)	Acreage	Surplus/Deficit
2025	596,862	4,148.2	3,809.4	-338.8
2030	663,869	4,613.9	3,809.4	-804.5
2035	723,635	5,029.3	3,809.4	-1,219.9
2040	772,889	5,371.6	3,809.4	-1,562.2
2045	816,887	5,677.4	3,809.4	-1,868.0
2050	858,414	5,966.0	3,809.4	-2,156.6

Sources: Polk County, 2024; BEBR, 2023

While Polk County is projected to face a deficit in park space, it is important to consider the significant amount of passive recreation provided by preserves (11,696 acres), as well as regional, state, and federal parks within the County (68,698 acres). Although these areas do not count toward LOS calculations, they provide valuable recreational spaces for the public to enjoy. Still, the County will need to continue to explore ways to increase their inventory of park space to meet minimum LOS standards.

Proposed Amendments

Since the County's Comprehensive Plan was last updated, several statutory changes have been made. The Comprehensive Plan goals, objectives, and policies update will reflect these changes, including updating references to agencies, outdated statutory references, and updating the planning horizon to 2050. These changes will make the Plan compliant with the current Florida Statutes and Florida Administrative Code.

Future Land Use Map Series

The County has determined that no specific changes to future land use categories or designations on the map are needed to accommodate the growth of the County. None of the maps presented in this data memorandum are proposed to be adopted and only serve as supplemental information for the preparation of this analysis.

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POLK COUNTY

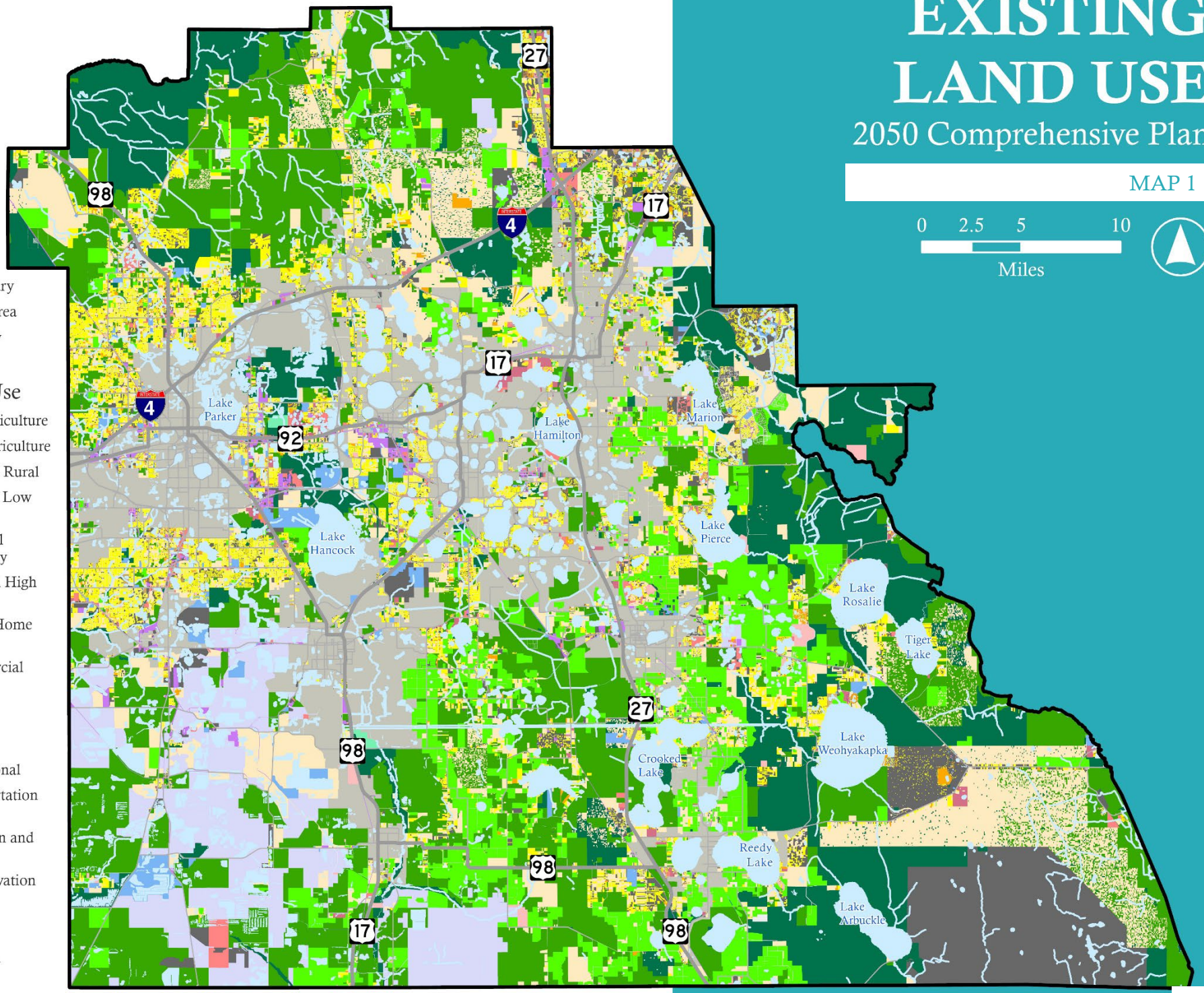
EXISTING LAND USE

2050 Comprehensive Plan

MAP 1

0 2.5 5 10

Miles



LEGEND

- County Boundary
- Incorporated Area
- Major Roadway
- Waterbody

Existing Land Use

- AA: Active Agriculture
- AP: Passive Agriculture
- RR: Residential Rural
- RL: Residential Low Density
- RM: Residential Medium Density
- RH: Residential High Density
- MHP: Mobile Home Park
- COM: Commercial
- COMF:
- IND: Industrial
- MIN: Mining
- INST: Institutional
- ROW: Transportation ROW
- ROS: Recreation and Open Space
- CONS: Conservation
- VAC: Vacant
- Lake
- No Designation

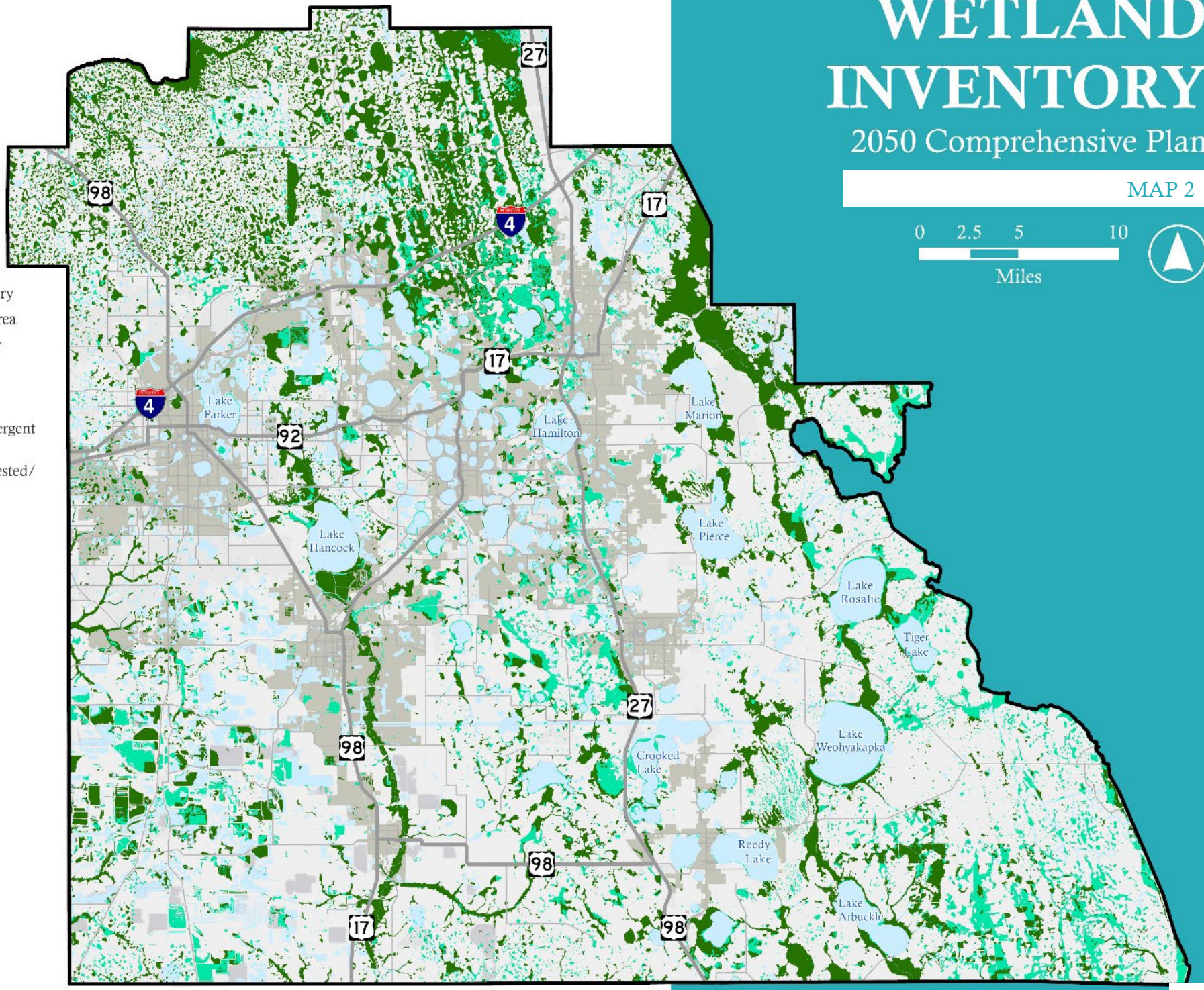
External Sources: Polk County Property Appraiser

POLK COUNTY

WETLAND INVENTORY

2050 Comprehensive Plan

MAP 2



External Sources: US Fish and Wildlife Services

POLK COUNTY

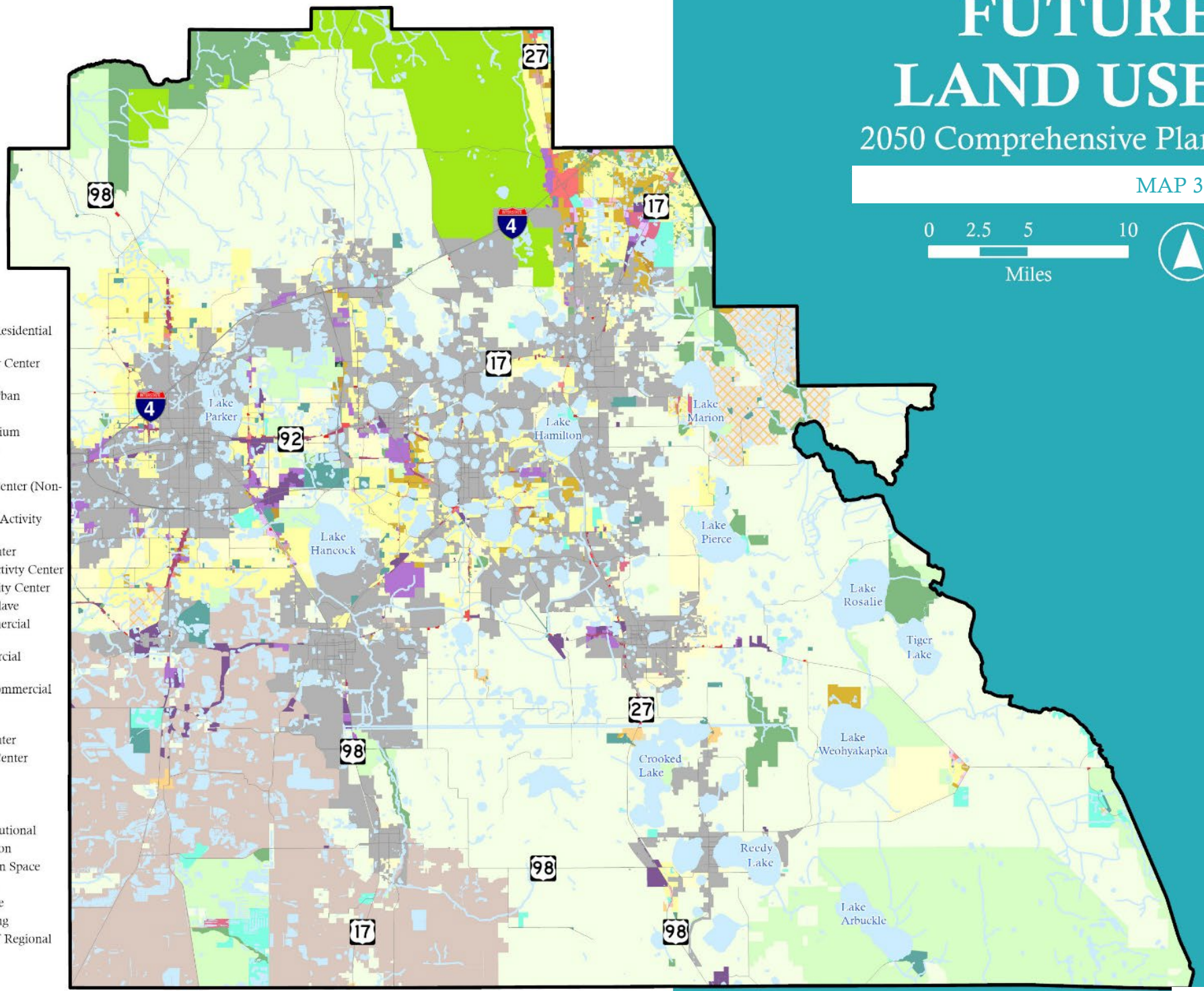
FUTURE LAND USE

2050 Comprehensive Plan

MAP 3

0 2.5 5 10

Miles



LEGEND

- County Boundary
- Major Roadway

Future Land Use

- A/RR: Agriculture/Residential Rural
- RCC-R: Rural Cluster Center (Residential)
- RS: Residential Suburban
- RL: Residential Low
- RM: Residential Medium
- RH: Residential High
- MU: Mixed Use
- RCC: Rural Cluster Center (Non-residential)
- NAC: Neighborhood Activity Center
- CC: Convenience Center
- CAC: Community Activty Center
- RAC: Regional Activity Center
- CE; Commercial Enclave
- TCC: Tourism Commercial Center
- LCC: Linear Commercial Corridor
- HIC: High-Impact Commercial Center
- TC: Town Center
- EC: Employment Center
- BPC: Business Park Center
- OC: Office Center
- IND: Industrial
- INST: Institutional
- PI: Professional Institutional
- LR: Leisure/Recreation
- ROS: Recreation Open Space
- PRESV: Preservation
- CORE: CARMP Core
- PM: Phosphate Mining
- DRI: Development of Regional Impact
- Municipality
- Waterbody

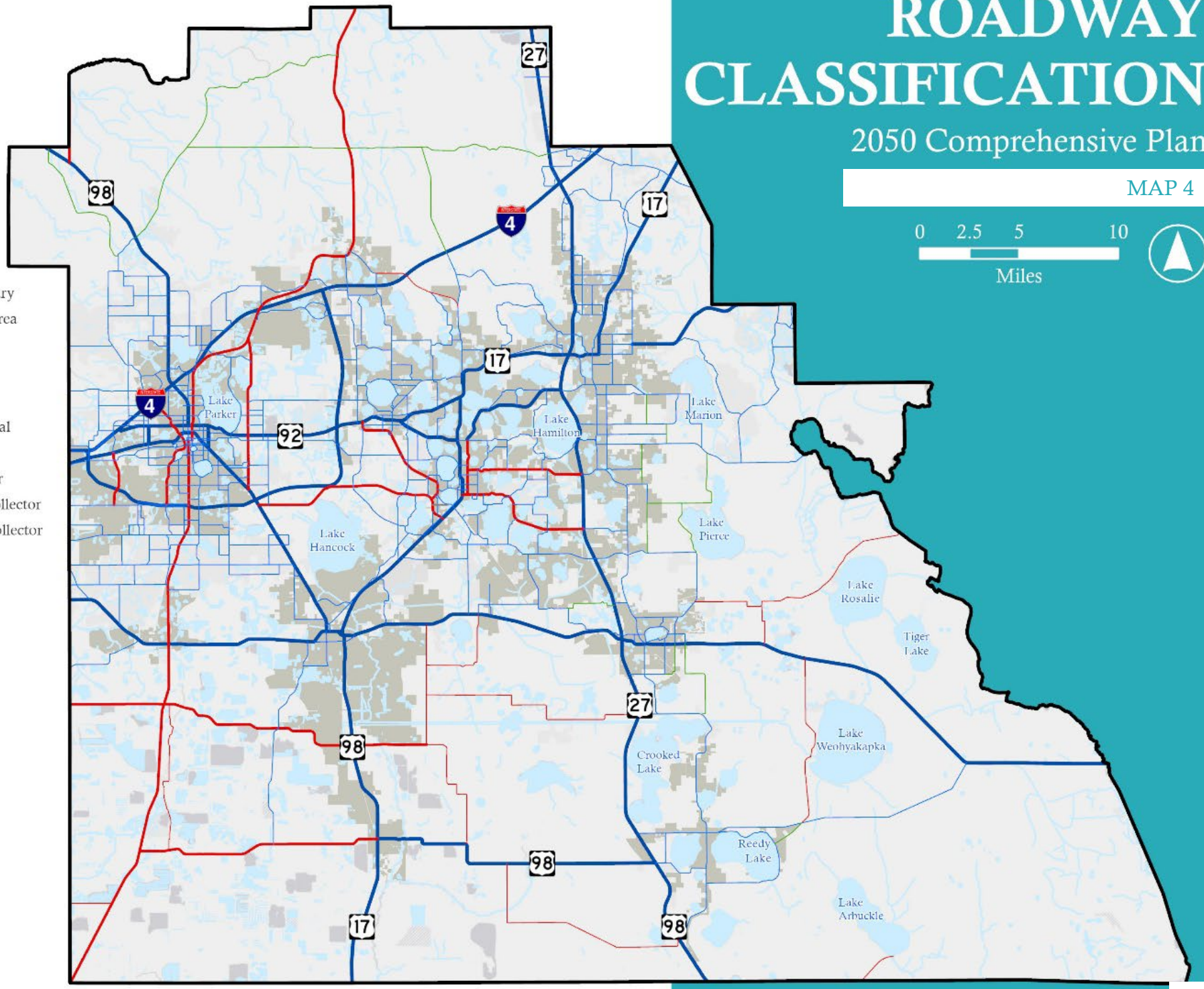
External Sources: Polk County

POLK COUNTY

ROADWAY CLASSIFICATION

2050 Comprehensive Plan

MAP 4



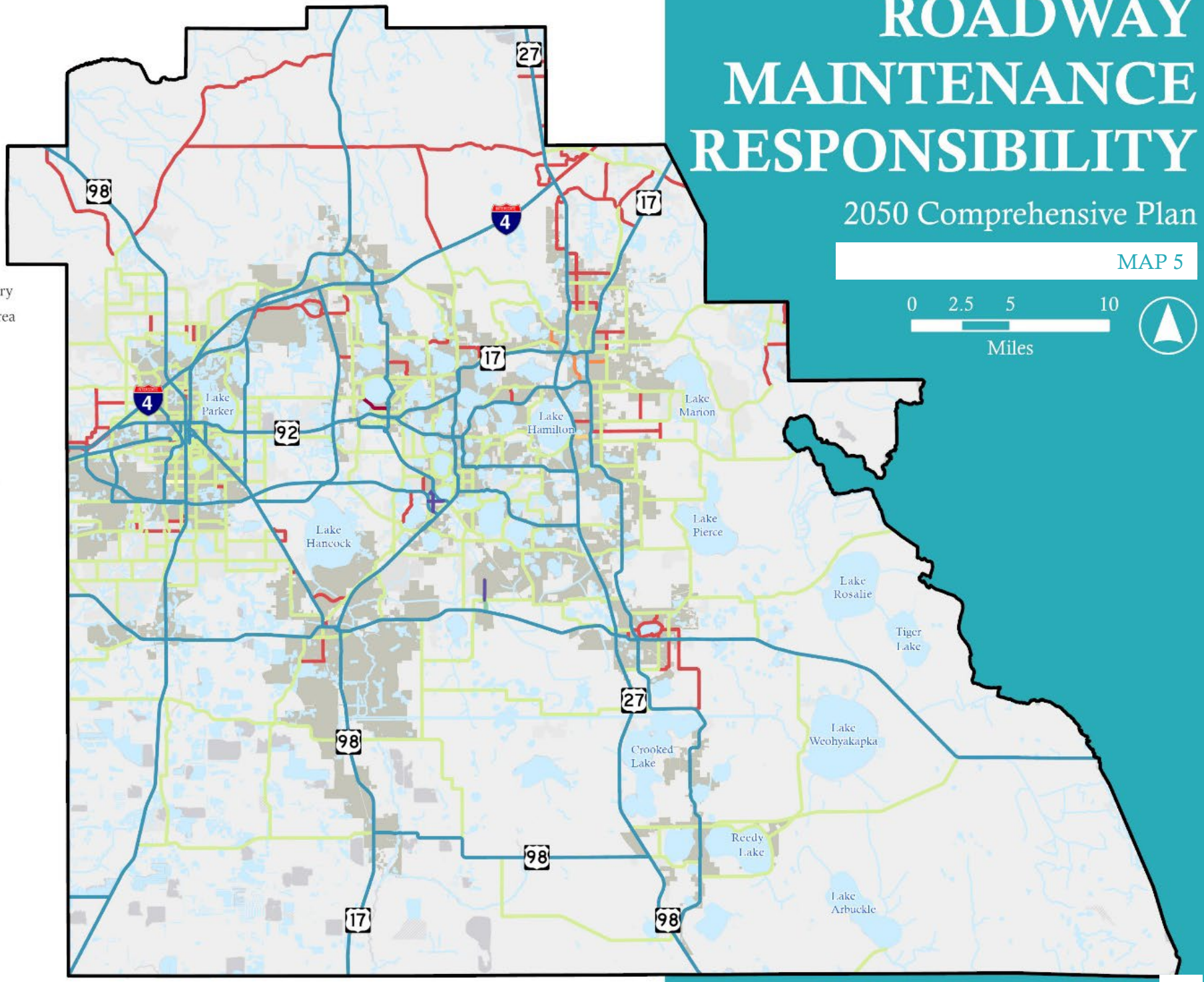
External Sources: Polk Transportation Planning Organi

POLK COUNTY

ROADWAY MAINTENANCE RESPONSIBILITY

2050 Comprehensive Plan

MAP 5

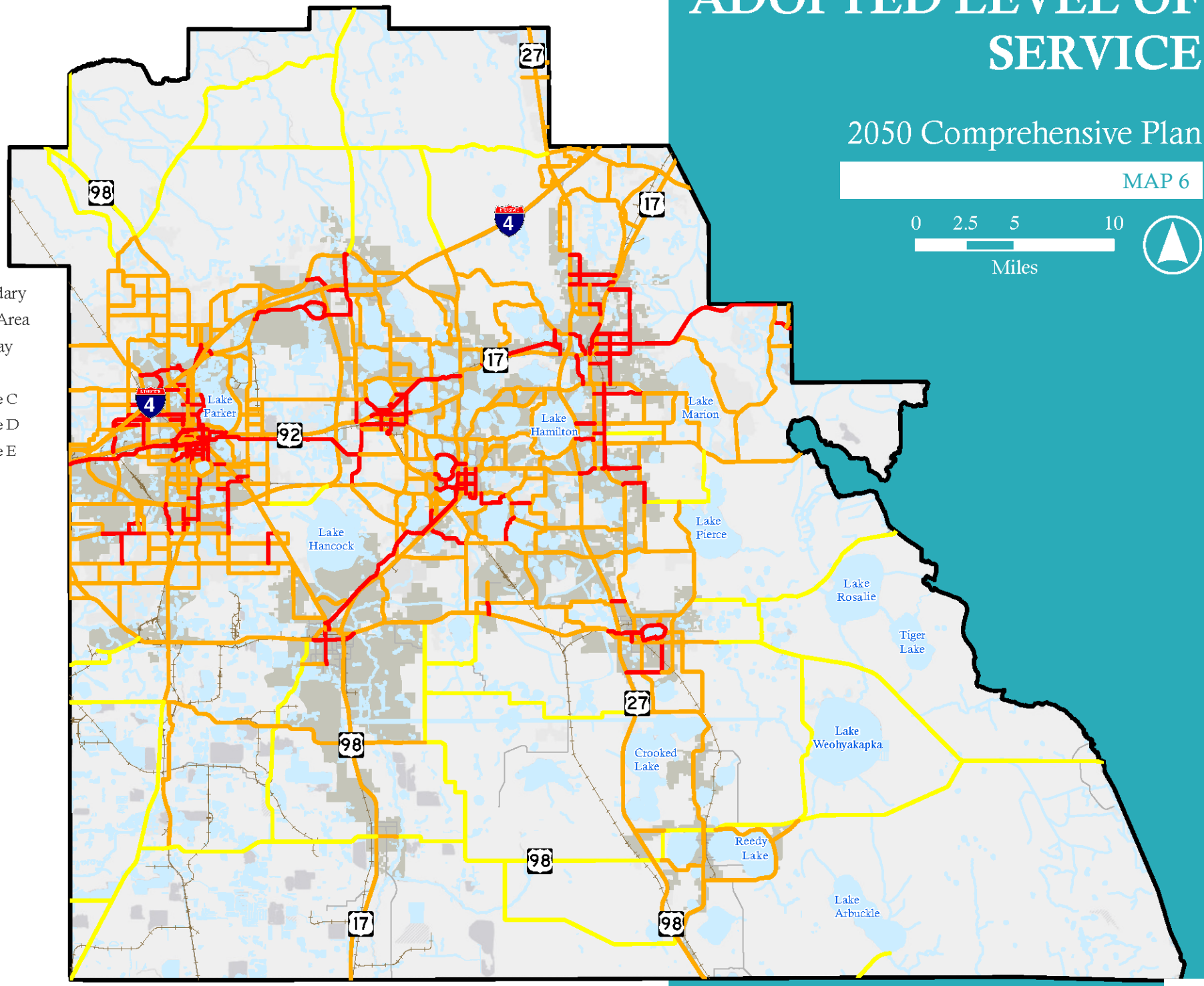


External Sources: Polk Transportation Planning Organi

ADOPTED LEVEL OF SERVICE

2050 Comprehensive Plan

MAP 6



External Sources: Polk County Travel Demand

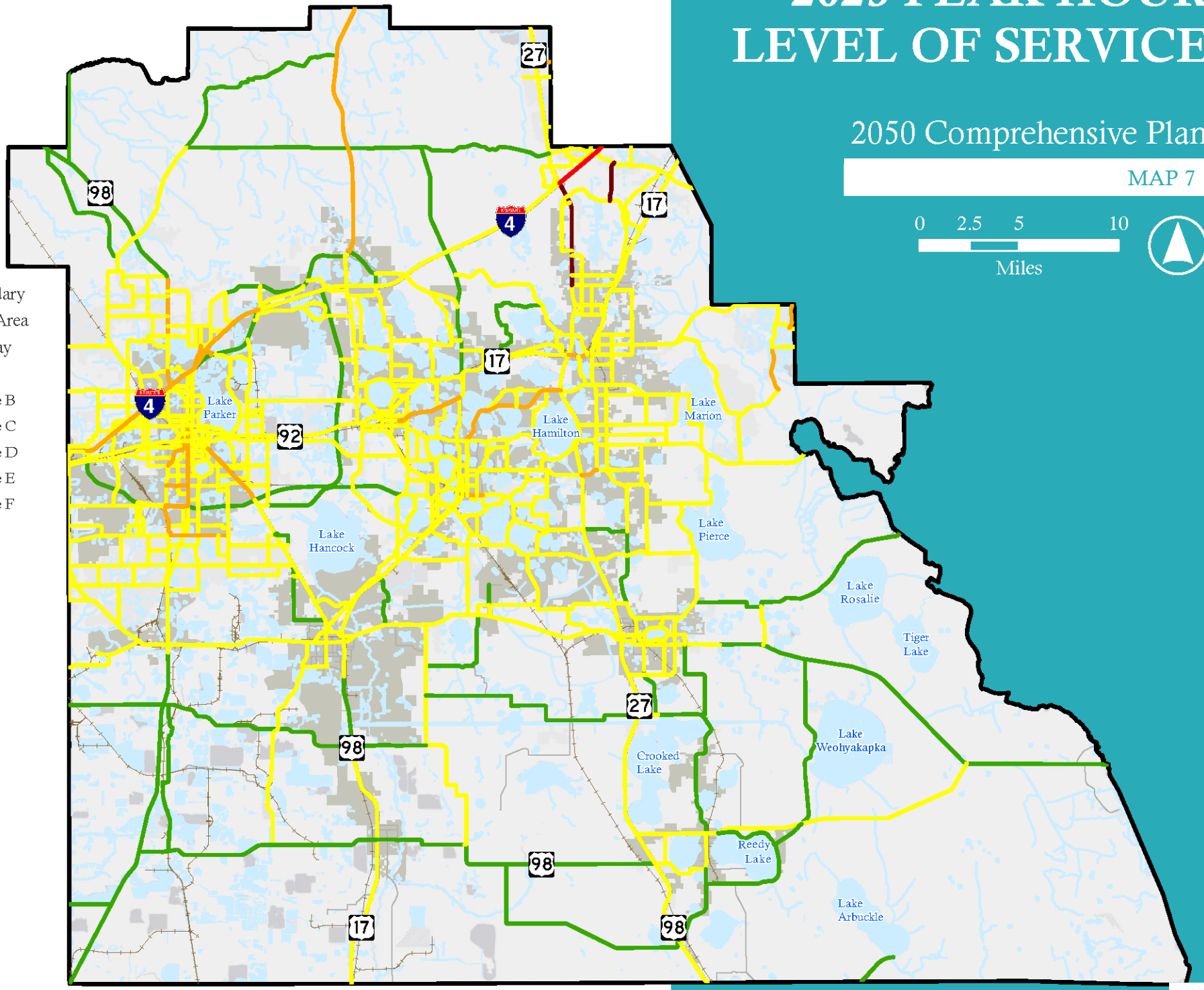
2023 PEAK HOUR LEVEL OF SERVICE

2050 Comprehensive Plan

MAP 7

0 2.5 5 10

Miles



External Sources: Polk County Travel Demand

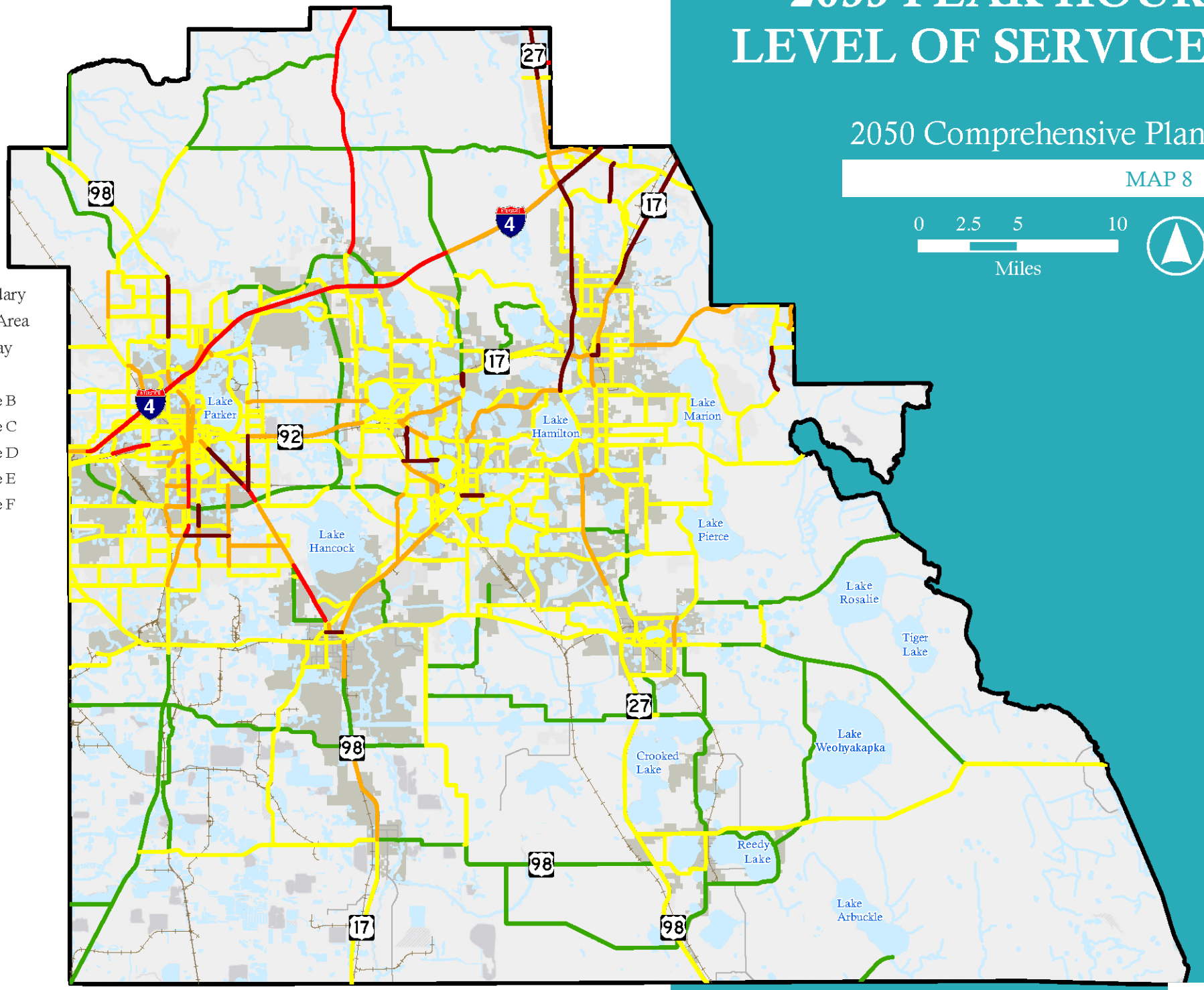
2035 PEAK HOUR LEVEL OF SERVICE

2050 Comprehensive Plan

MAP 8

0 2.5 5 10

Miles



External Sources: Polk County Travel Demand

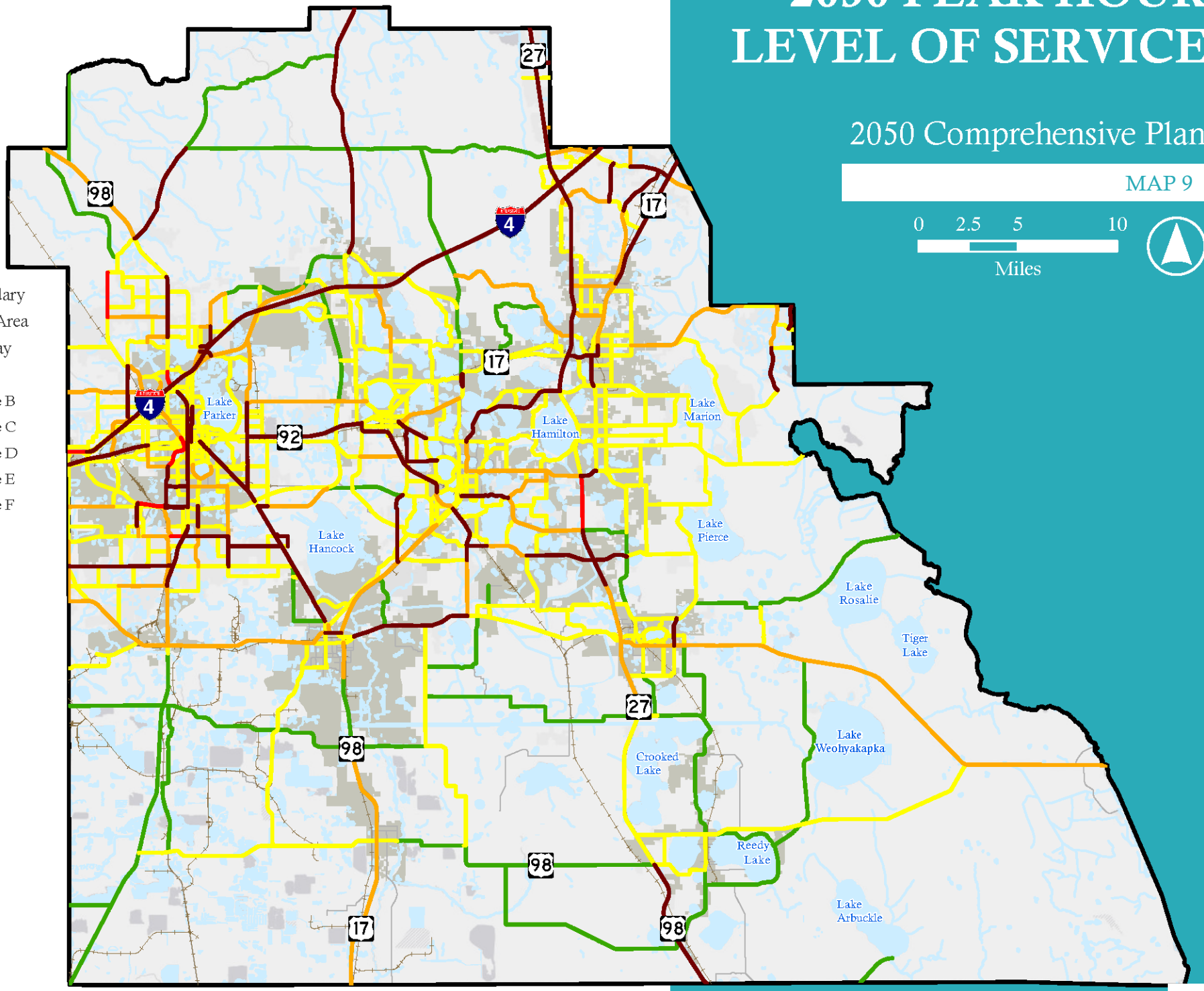
2050 PEAK HOUR LEVEL OF SERVICE

2050 Comprehensive Plan

MAP 9

0 2.5 5 10

Miles



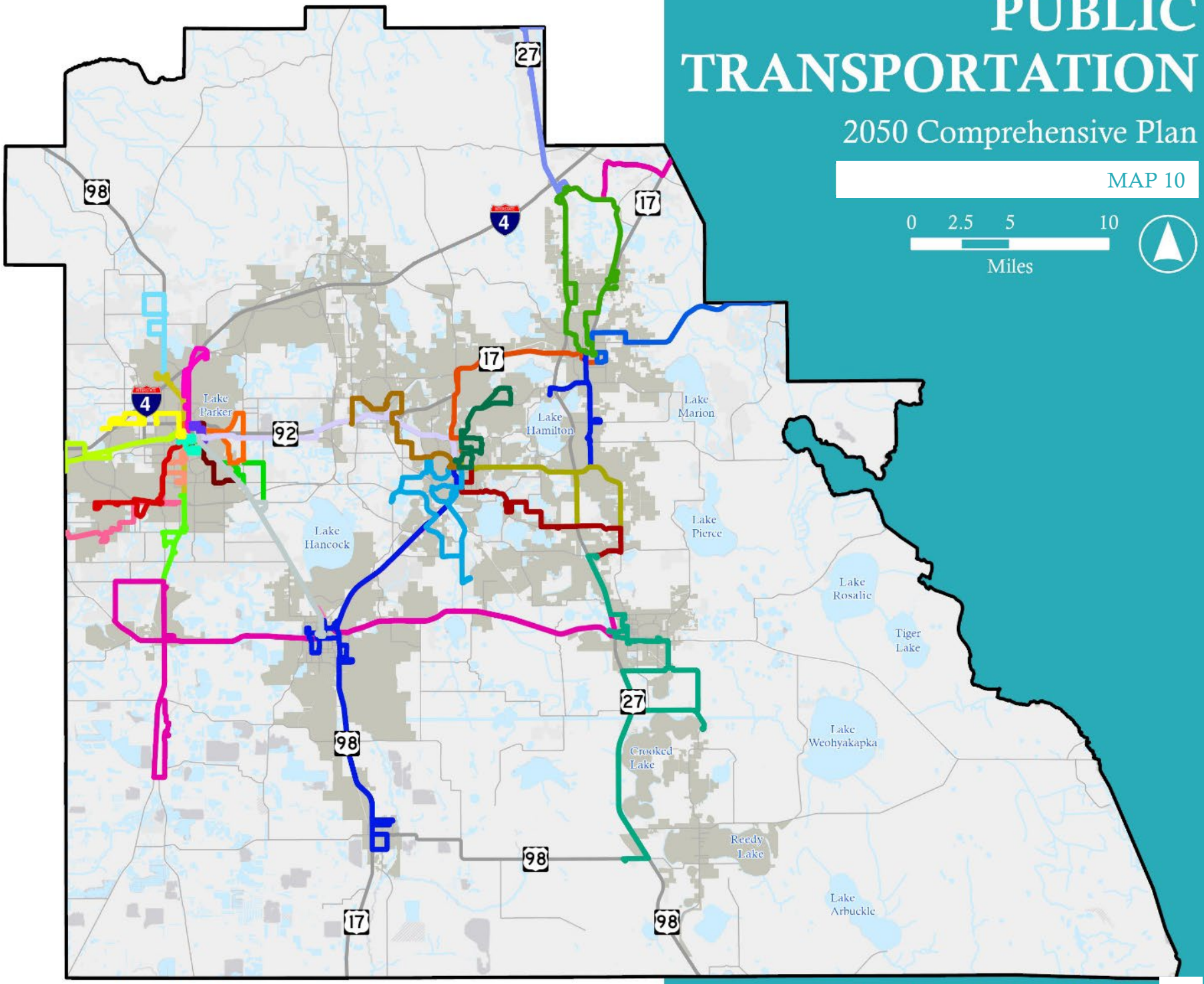
External Sources: Polk County Travel Demand

POLK COUNTY

PUBLIC TRANSPORTATION

2050 Comprehensive Plan

MAP 10



External Sources: Florida Transit Data Exchange

POLK COUNTY

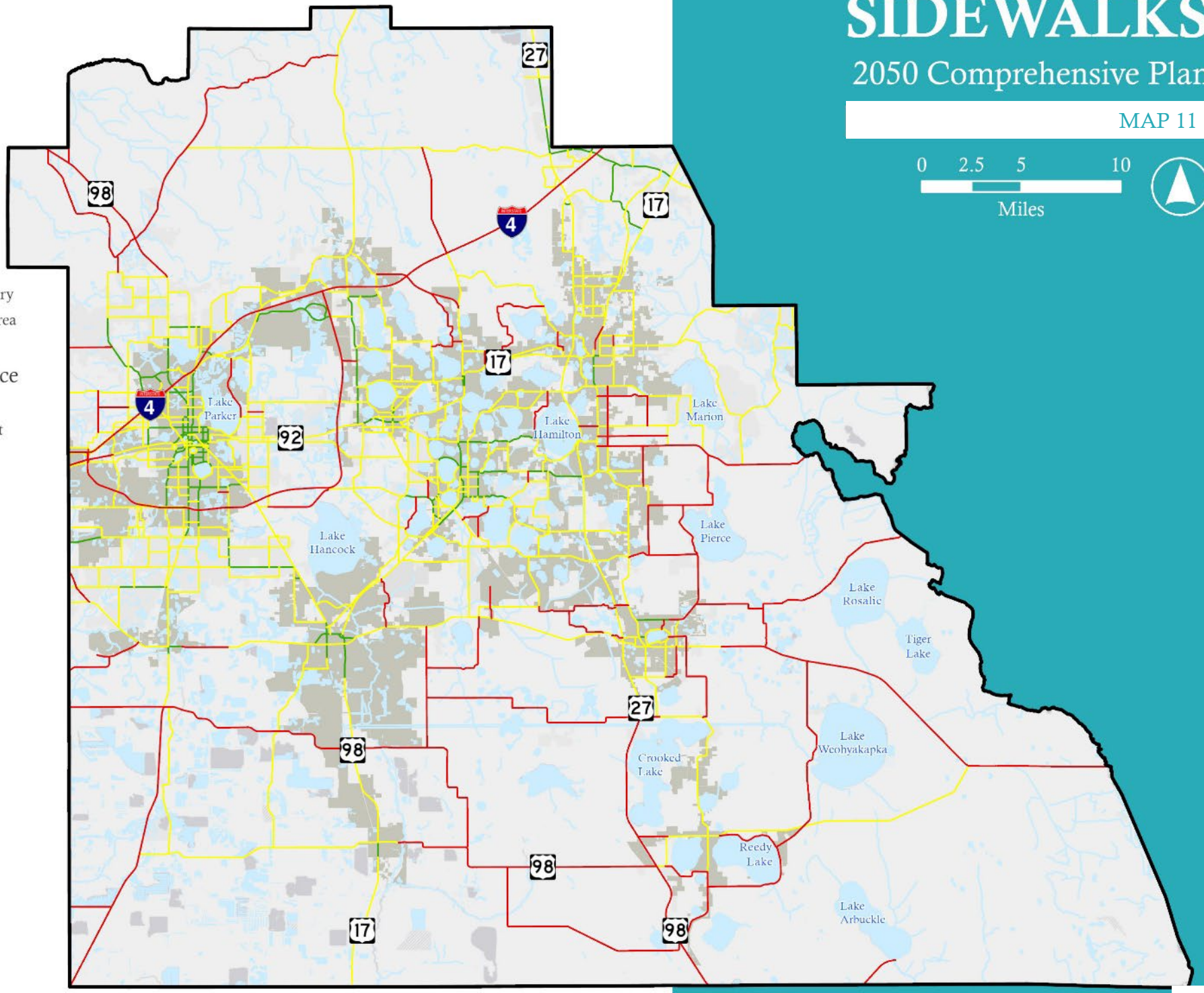
SIDEWALKS

2050 Comprehensive Plan

MAP 11

0 2.5 5 10

Miles



External Sources: Polk Transportation Planning Organ

POLK COUNTY

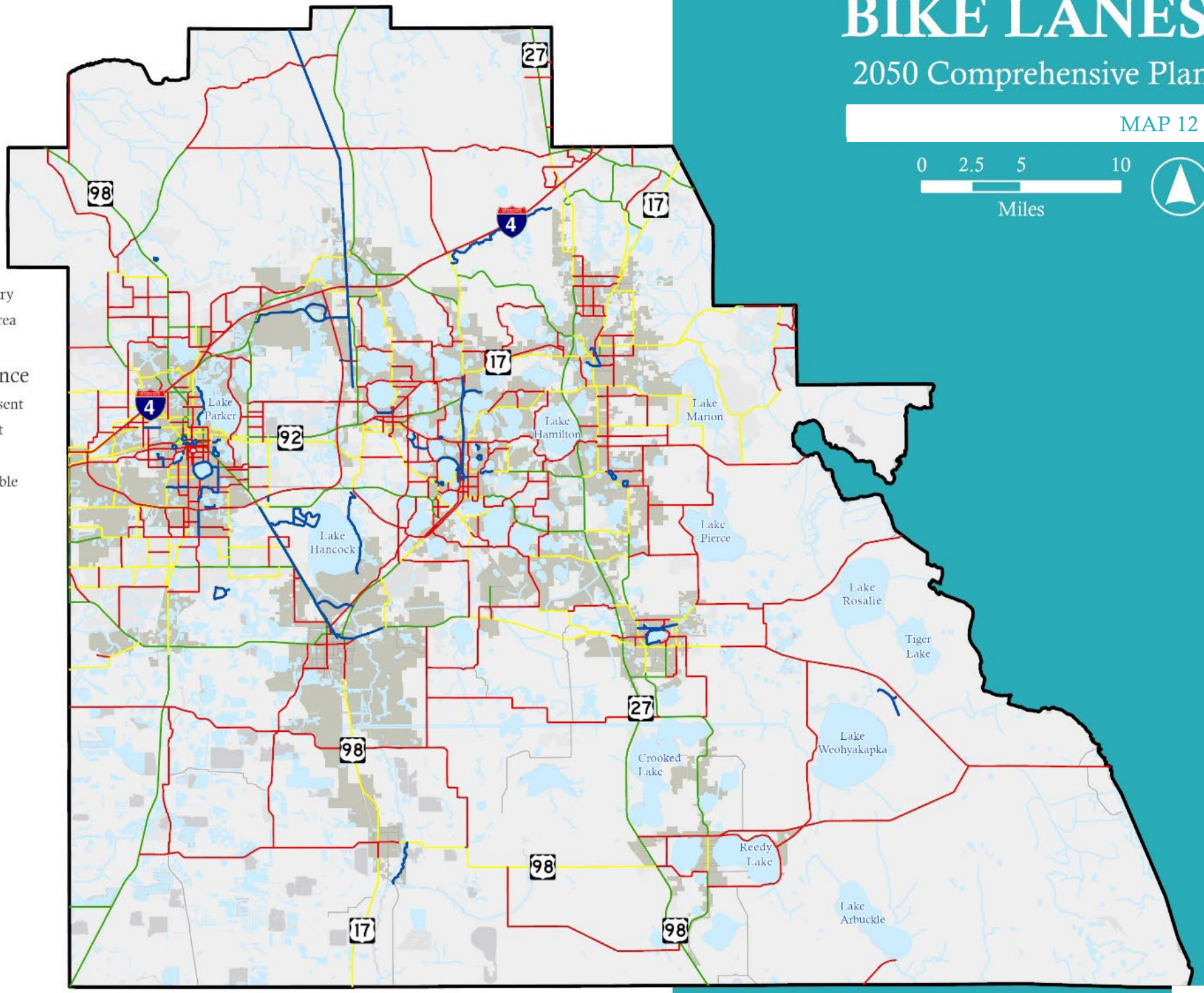
BIKE LANES

2050 Comprehensive Plan

MAP 12

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Miles



External Sources: Polk Transportation Planning Organi

POLK COUNTY

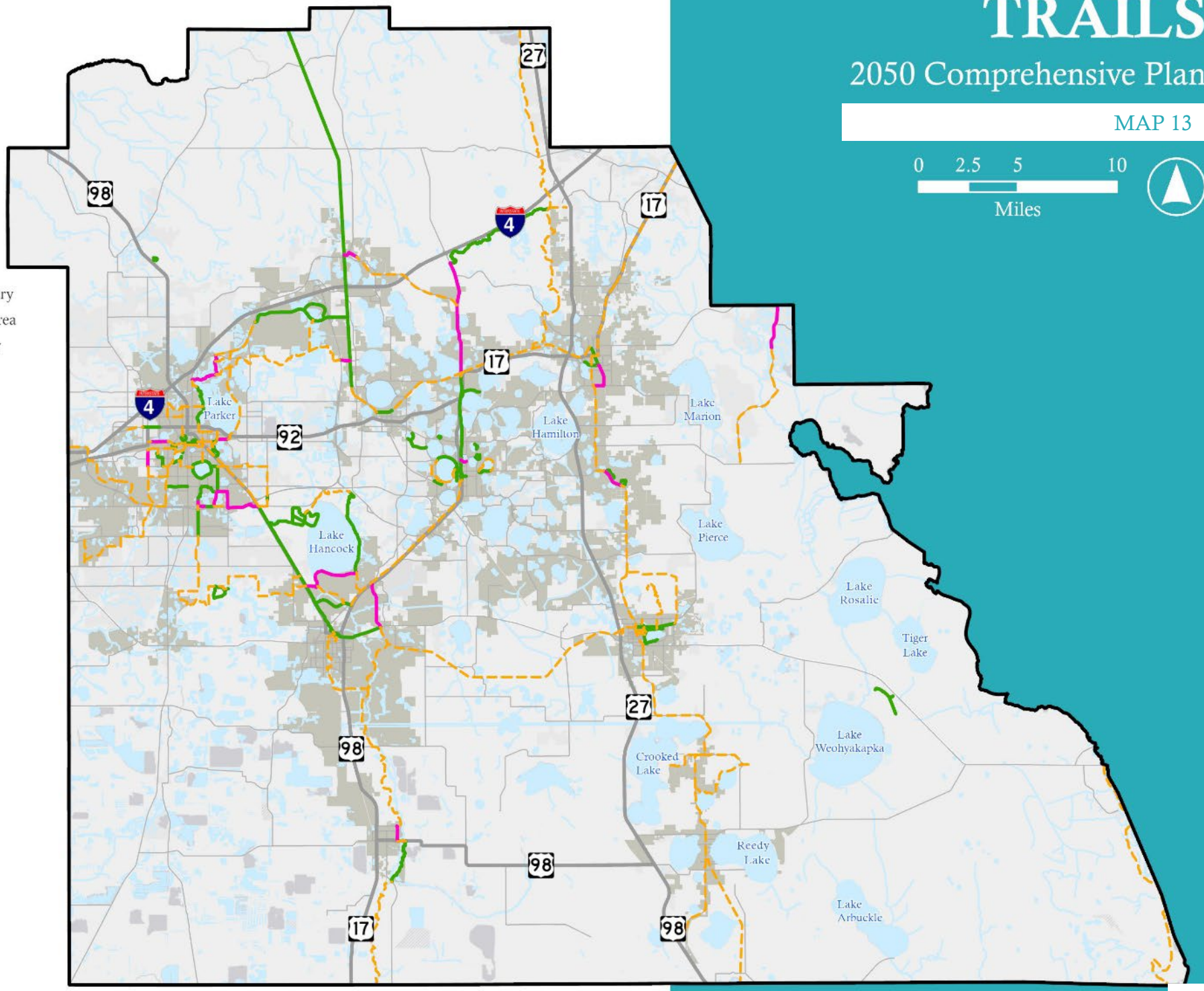
TRAILS

2050 Comprehensive Plan

MAP 13

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Miles



External Sources: Polk Transportation Planning Organi

POLK COUNTY

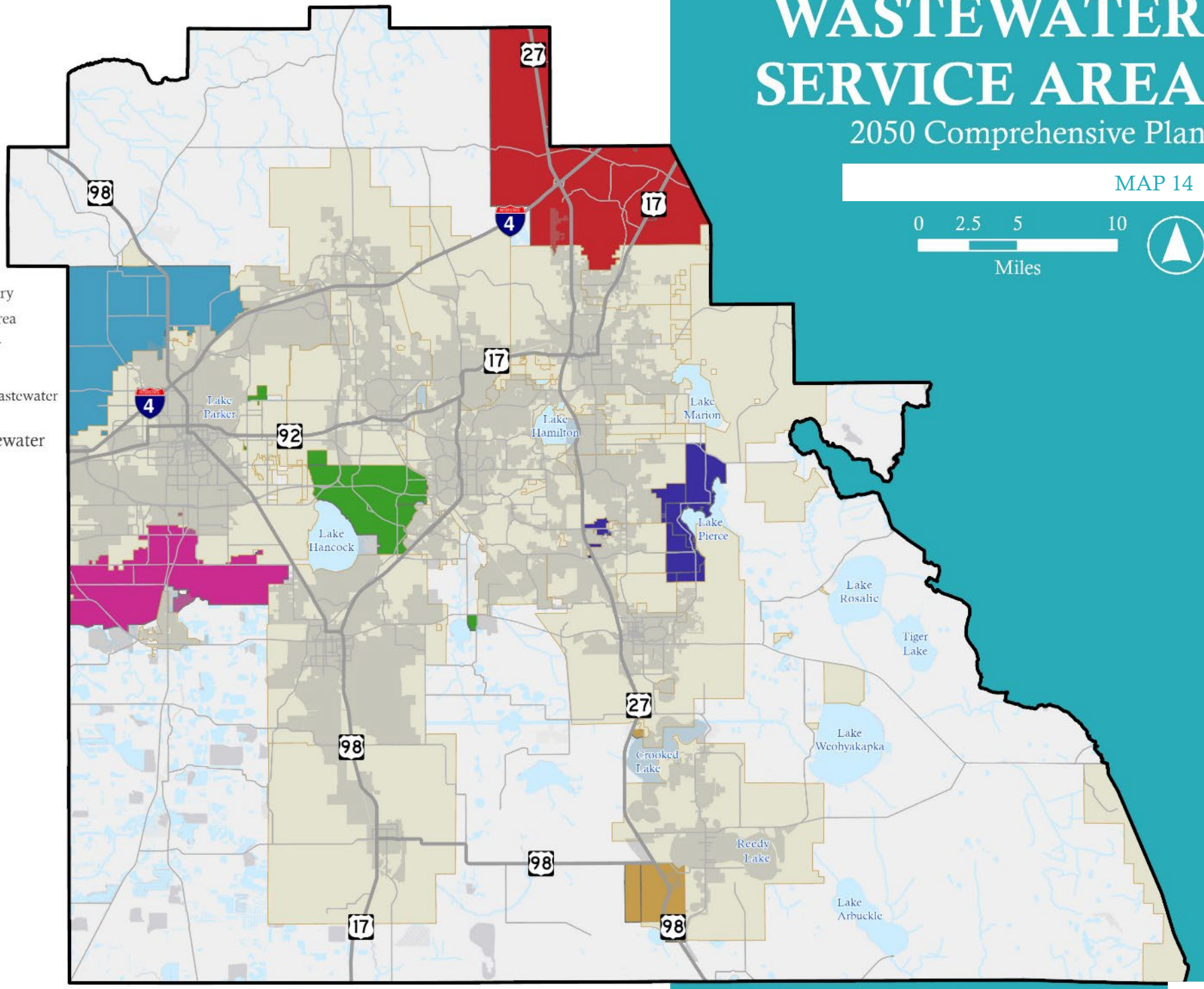
WASTEWATER SERVICE AREA

2050 Comprehensive Plan

MAP 14

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Miles



External Sources: Polk County

POLK COUNTY

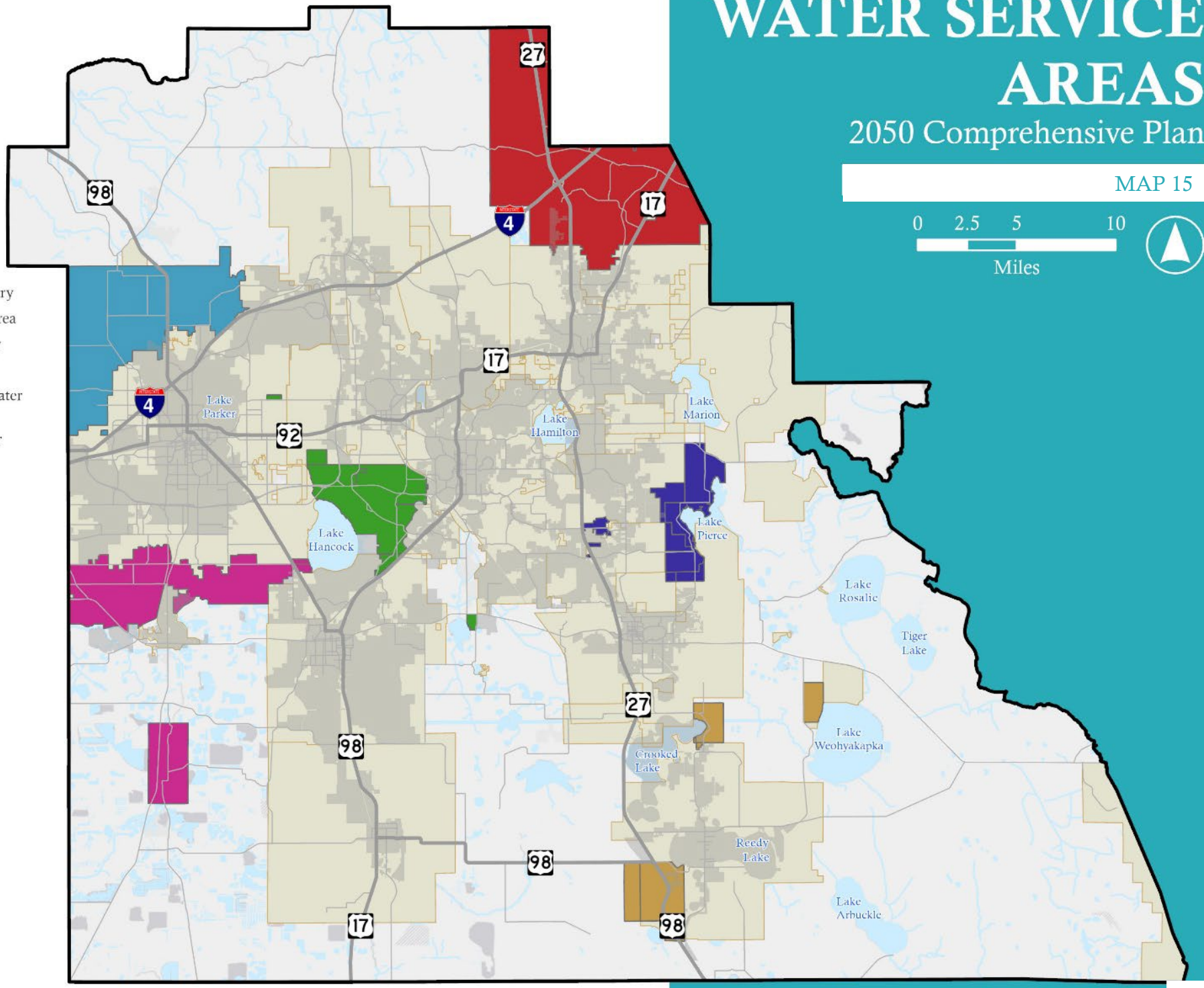
WATER SERVICE AREAS

2050 Comprehensive Plan

MAP 15

0 2.5 5 10

Miles



External Sources: Polk County

POLK COUNTY

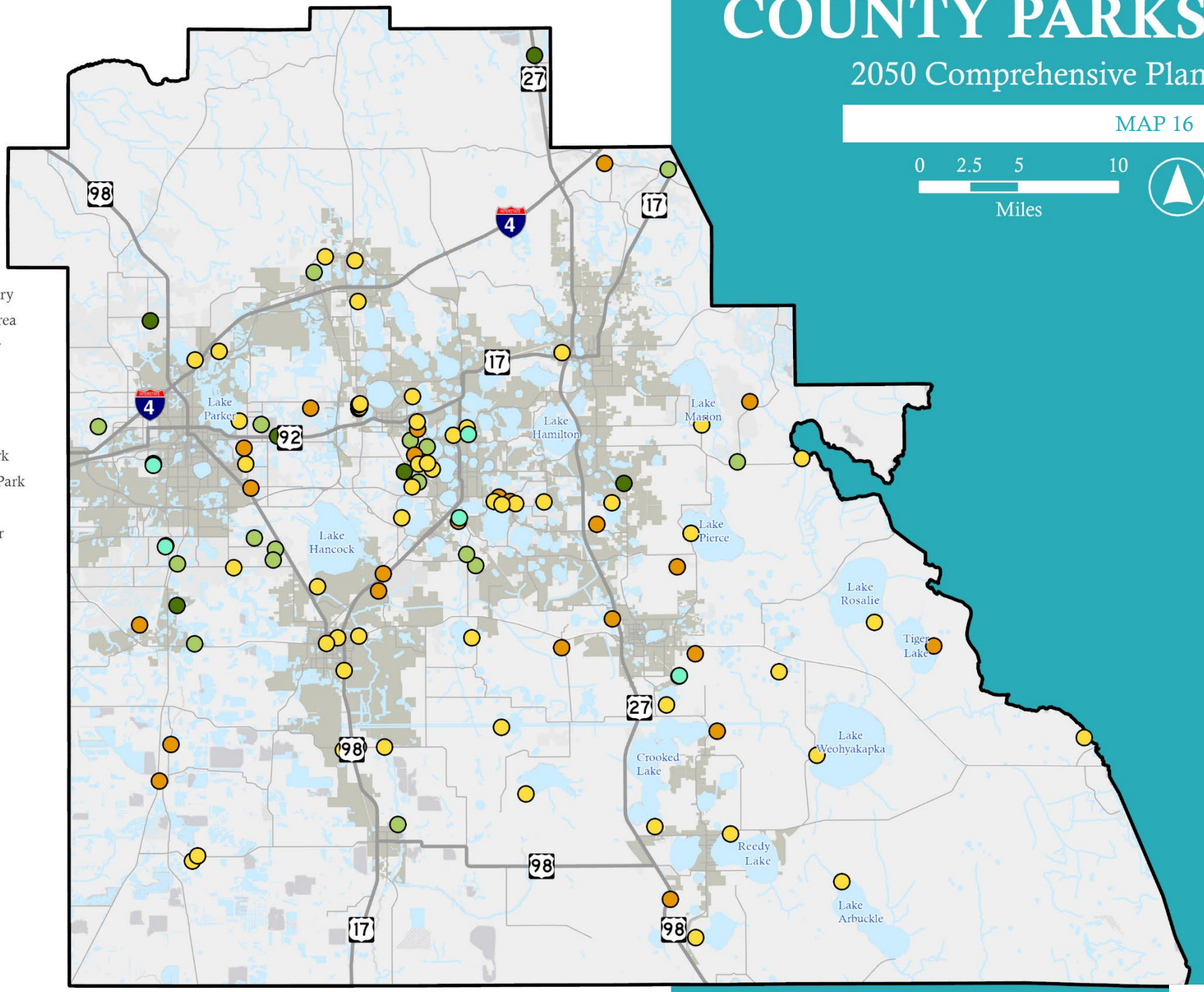
COUNTY PARKS

2050 Comprehensive Plan

MAP 16

0 2.5 5 10

Miles



External Sources: Polk County Parks & Natural Resources D

Appendix A: Population Projections

Summary Memorandum

PURPOSE

This memorandum is intended to provide a brief overview of the professionally accepted sources and methodologies utilized to develop population projections for unincorporated Polk County through the year 2050. This document concludes with Inspire's professional recommendation for selecting a projection model suitable for Polk County's 2050 Comprehensive Plan Update that would be likely to: (1) sufficiently reflect the unincorporated area's anticipated population growth through the planning horizon, and (2) be accepted by the Department of Florida Commerce (the State's reviewing agency for major comprehensive plan amendments).

Florida Statutes Section §163.3177 identifies the State's requirements for local governments establishing population projections as part of the comprehensive planning process:

"The comprehensive plan shall be based upon permanent and seasonal population estimates and projections, which shall either be those [produced by the Bureau of Economic Business Research (BEBR)] or generated by the local government based upon a professionally acceptable methodology. The plan must be based on at least the minimum amount of land required to accommodate the medium projections ... [for] the unincorporated area within a county [and] must, at a minimum, be reflective of each area's proportional share of the total county population and the total county population growth."

As such, the four-step process utilized to meet this requirement is as follows:

1. Identify the latest population projections for Polk County provided by BEBR for the 2050 planning horizon. *Please note: BEBR does not project populations for unincorporated areas*.
2. Determine the unincorporated area's estimated population share of the County.
3. Determine the unincorporated area's seasonal population share.
4. Apply the unincorporated area's estimated population share and seasonal population share to BEBR's Countywide population projection models through the 2050 planning horizon.

Step 1: Identify the Latest Population Projections

Table 1. BEBR Countywide Population Projections for Polk County

	2025	2030	2035	2040	2045	2050
Low	782,400	817,400	838,800	845,700	846,100	844,100
Medium	832,400	908,200	972,600	1,022,000	1,064,300	1,103,400
Medium/High [1]	857,350	953,600	1,039,450	1,110,200	1,173,400	1,233,050
High	882,300	999,000	1,106,300	1,198,400	1,282,500	1,362,700

[1] This projection method is not an official projection model provided BEBR, but rather an average of the Bureau's 'Medium' and 'High' population projections.

Source: BEBR, 2023.

Step 2: Determine the Unincorporated Area's Population Share

There are two ways to determine the population share of the unincorporated area within a County.

Option 1: Averaging the proportional share experienced by the unincorporated area over the last 20 years, using historical Census data. Table 2a displays this strategy and produces a value of **59.3%** for the population share of unincorporated Polk County population.

Table 2a. Historical Population Share of Unincorporated Polk County to Countywide Total

Year	Countywide	Incorporated[1]	Unincorporated[2]	Population Share
1970	228,515	113,042	115,473	50.5%
1980	321,652	131,581	190,071	59.1%
1990	405,382	163,259	242,123	59.7%
2000	483,924	181,127	302,797	62.6%
2010	602,095	226,473	375,622	62.4%
2020	725,046	280,148	444,898	61.4%
Average				59.3%

[1] The incorporated population was determined by summing the population of all incorporated areas in Polk County, the disaggregate version of this table can be seen in table A.1.
[2]The unincorporated population was determined by subtracting the incorporated population from the Countywide population.

Source: United States Census Bureau, 1970-2020.

Option 2: Identify the percentage of population in the unincorporated area for the countywide population. Table 2b displays this strategy and produces a value of **60.3%** for the population share of unincorporated Polk County population.

Table 2b. Current Population Share of Unincorporated Polk County to Countywide Total

Year	Countywide	Incorporated[1]	Unincorporated[2]	Pop Share
April 2023	797,616	316,354	481,262	60.3%

[1] The incorporated population was determined by summing the population of all incorporated areas in Polk County, the disaggregate version of this table can be seen in table A.2
[2]The unincorporated population was determined by subtracting the incorporated population from the countywide population.

Source: BEBR, 2023

Step 3: Determine the Unincorporated Area's Seasonal Population Share

BEBR does not include seasonal population share in their countywide population projection models. Additionally, there is currently no state-recognized database which provides contemporary seasonal population data at the county level. As such, it is up to each jurisdiction to determine an appropriate methodology for estimating current and projected seasonal populations.

One state-approved method for estimating seasonal population share and projections is to extrapolate this information from the "Total Vacant Units for Seasonal, Recreation, or Occasional Use" housing data provided by the most recent American Community Survey. Similar to projecting the unincorporated areas proportional share of countywide population growth, Inspire recommends applying the estimated seasonal population share (13.3%) calculated in Table 3 as a constant through the planning horizon.

Table 3. Unincorporated Polk County's Seasonal Population Share

Total Permanent Population	447,571
Total Housing Units	193,025
Total Occupied Units	157,828
Total Vacant Units	35,197
Total Vacant Units for Seasonal, Recreation, or Occasional Use	24,273
Persons Per Household [1]	2.84
Total Seasonal Population [2]	68,834
Total Population (Permanent + Seasonal) [3]	516,405
Seasonal Population Share [4]	13.3%
Permanent Population Share [5]	87.7%

[1] As determined by dividing 'Total Permanent Population' by 'Total Occupied Units'
[2] As determined by multiplying 'Total Vacant Units for Seasonal, Recreation, or Occasional Use' and 'Persons per Household'
[3] As determined by adding 'Total Permanent Population' and 'Total Seasonal Population'
[4] As determined by dividing 'Total Seasonal Population'' by 'Total Population (Permanent + Seasonal)
[5] As determined by subtracting the "Seasonal Population Share" from one.

Source: American Community Survey, 2017-2021.

Step 4: Apply the Unincorporated & Seasonal Population Share to the Projections

To determine the total population growth in unincorporated Polk County through the 2050 planning horizon there are three calculations that must occur for all BEBR countywide population projections identified in step one.

A. Determine the unincorporated permanent population by multiplying the countywide permanent population by the unincorporated population share (59.3% or 60.3%), identified in step two.

B. Determine the unincorporated total population by dividing the unincorporated permanent population by the population share of the unincorporated permanent population (87.7%), identified in step three.

C. Determine the unincorporated seasonal population by multiplying the unincorporated total population by the unincorporated seasonal population share (13.3%) identified in step three.

Table 4a. BEBR Low Projections for Unincorporated Polk County (59.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	**Unincorporated Total**
2025	782,400	463,793	71,329	**535,122**
2030	817,400	484,540	74,519	**559,060**
2035	838,800	497,226	76,470	**573,696**
2040	845,700	501,316	77,099	**578,416**
2045	846,100	501,553	77,136	**578,689**
2050	844,100	500,368	76,954	**577,321**

Table 4b. BEBR Medium Projections for Unincorporated Polk County (59.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	**Unincorporated Total**
2025	832,400	493,432	75,887	**569,319**
2030	908,200	538,365	82,797	**621,162**
2035	972,600	576,540	88,668	**665,209**
2040	1,022,000	605,824	93,172	**698,996**
2045	1,064,300	630,898	97,028	**727,927**
2050	1,103,400	654,076	100,593	**754,669**

Table 4c. BEBR Med./High Projections for Unincorporated Polk County (59.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	**Unincorporated Total**
2025	857,350	508,222	78,162	**586,384**
2030	953,600	565,277	86,936	**652,214**
2035	1,039,450	616,168	94,763	**710,931**
2040	1,110,200	658,107	101,213	**759,320**
2045	1,173,400	695,571	106,975	**802,546**
2050	1,233,050	730,931	112,413	**843,343**

Table 4d. BEBR High Projections for Unincorporated Polk County (59.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	**Unincorporated Total**
2025	882,300	523,012	80,436	**603,448**
2030	999,000	592,190	91,075	**683,265**
2035	1,106,300	655,795	100,857	**756,653**
2040	1,198,400	710,391	109,254	**819,644**
2045	1,282,500	760,244	116,921	**877,165**
2050	1,362,700	807,785	124,232	**932,017**

Table 5a. BEBR Low Projections for Unincorporated Polk County (60.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	**Unincorporated Total**
2025	782,400	472,081	72,603	**544,684**
2030	817,400	493,199	75,851	**569,050**
2035	838,800	506,111	77,837	**583,948**
2040	845,700	510,275	78,477	**588,752**
2045	846,100	510,516	78,514	**589,030**
2050	844,100	509,309	78,329	**587,638**

Table 5b. BEBR Medium Projections for Unincorporated Polk County (60.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	**Unincorporated Total**
2025	832,400	502,250	77,243	**579,493**
2030	908,200	547,986	84,277	**632,263**
2035	972,600	586,843	90,253	**677,096**
2040	1,022,000	616,650	94,837	**711,487**
2045	1,064,300	642,173	98,762	**740,935**
2050	1,103,400	665,765	102,391	**768,155**

Table 5c. BEBR Med./High Projections for Unincorporated Polk County (60.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	Unincorporated Total
2025	857,350	517,304	79,558	**596,862**
2030	953,600	575,379	88,490	**663,869**
2035	1,039,450	627,179	96,456	**723,635**
2040	1,110,200	669,868	103,022	**772,889**
2045	1,173,400	708,001	108,886	**816,887**
2050	1,233,050	743,992	114,422	**858,414**

Table 5d. BEBR High Projections for Unincorporated Polk County (60.3% Population Share)

Year	Countywide Permanent	Unincorporated Permanent	Unincorporated Seasonal	**Unincorporated Total**
2025	882,300	532,358	81,874	**614,232**
2030	999,000	602,772	92,703	**695,475**
2035	1,106,300	667,514	102,660	**770,174**
2040	1,198,400	723,085	111,206	**834,291**
2045	1,282,500	773,829	119,010	**892,839**
2050	1,362,700	822,220	126,452	**948,672**

RECOMMENDATION

Per Florida Statutes, the Polk County 2050 Comprehensive Plan Update must accommodate for a permanent and seasonal population at or above BEBR's medium projection model. Based upon discussions with County Staff and Inspire's understanding of historic and contemporary growth trends, Inspire recommends that the County utilize the 'unincorporated population share' determined in option 2 and the 'BEBR Medium / High' (**Table 5c**) to project the unincorporated area's population for the 2050 Plan Update. Please note that the County will need to re-evaluate these projections every seven years as part of the evaluation and appraisal process.

Appendix

Table A.1 Historical Population Share of Unincorporated Polk County to Countywide Total

Year	County	Auburndale	Bartow	Davenport	Dundee	Eagle Lake	Fort Meade	Frostproof	Haines City	Highland Park	Hillcrest Heights	Lake Alfred	Lake Hamilton	Lake Wales	Lakeland	Mulberry	Polk City	Winter Haven	Unincorporated	Percent Share
1970	228,515	5,386	12,891	1,303	1,660	1,373	4,374	2,814	8,956	88	154	2,847	1,165	8,240	42,803	2,701	151	16,136	115,473	50.5%
1980	321,652	6,501	14,780	1,509	2,227	1,678	5,546	2,995	10,799	184	177	3,134	1,552	8,466	47,406	2,932	576	21,119	190,071	59.1%
1990	405,382	8,846	14,716	1,529	2,335	1,758	4,993	2,875	11,683	155	221	3,622	1,128	9,670	70,576	2,988	1,439	24,725	242,123	59.7%
2000	483,924	11,032	15,340	1,924	2,912	2,496	5,691	2,975	13,174	244	266	3,890	1,304	10,194	78,452	3,230	1,516	26,487	302,797	62.6%
2010	602,095	13,507	17,298	2,888	3,717	2,255	5,626	2,992	20,560	230	254	5,015	1,231	14,225	97,422	3,817	1,562	33,874	375,622	62.4%
2020	725,046	15,616	19,309	9,043	5,235	3,008	5,100	2,877	26,669	251	243	6,374	1,537	16,361	112,641	3,952	2,713	49,219	444,898	61.4%
50 Year AVG. Share																				59.30%

Source: US Census Bureau, 2020

Table A.2 Current Population Share of Unincorporated Polk County to Countywide Total

Date	County	Auburndale	Bartow	Davenport	Dundee	Eagle Lake	Fort Meade	Frostproof	Haines City	Highland Park	Hillcrest Heights	Lake Alfred	Lake Hamilton	Lake Wales	Lakeland	Mulberry	Polk City	Winter Haven	Unincorporated	Percent Share
1-Apr-23	797,616	19,298	19,969	12,413	5,653	3,863	5,006	3,029	35,285	251	240	7,342	1,571	121,968	17,384	4,345	2,973	55,764	481,262	60.3%

Source: BEBR, 2023

Appendix B: County Road Functional Classification

COUNTY ROAD FUNCTIONAL CLASSIFICATION **EXHIBIT A.**

Adopted 08/05/97

ROAD SYSTEM	DEFINITION *Definition, volume, spacing and % mileage are used as presumptive guide in assigning functional class.*	TRIP PURPOSES *These trip purposes are used to determine functional classification. Road class is assigned where one or more of listed criteria is met.*	ROAD CLASS	VOLUME/ SPACING	% MILEAGE	
					Urban	Rural
ARTERIAL	The arterial road system primarily serves through-traffic and provides access to abutting properties as a secondary function. Arterial roads provide the highest degree of mobility and serve the largest proportion of total travel, i.e. vehicle miles traveled (traffic volume x mileage). This system is composed of interstate highways, other principal arterials and minor arterials. Arterial roads serve trips between and through cities. Arterials should form a reasonably integrated system to handle trips between different areas of a city, and the length of a typical trip on the system should exceed one mile. Principal arterials interconnect the large activity centers within an urban area as well as important rural routes. Minor arterials interconnect with and augment the principal arterial system, distribute travel to smaller activity centers and geographic areas with the urban area, and connect to major collector roads. ***Travel Movement:*** Main Movement (Principal Arterial) Distributor (Minor Arterial)	**(a) Travel to and through urbanized areas.** A primary route that connects one urbanized area to another. **(b) Travel to and through small urban areas.** The Primary route connecting one small urban area to an adjacent small urban area, an adjacent urbanized area, or to the network of roads connecting urbanized areas to each other. **(c) Interstate and regional commerce.** A route which has a United States Route designation granted by the American Association of State Highway Transportation Officials is considered to serve the primary purpose of interstate commerce. Those roads which serve the purpose of travel to and through urbanized areas are considered to serve the needs of regional commerce and thus meet both trip purposes. **(d) Access to municipal airports and major rail terminals or intermodal transfer facilities.** **(e) Access to major public facilities.** The primary route providing access to the major point of entrance to a major public facility. Major public facilities are defined to include: universities or community colleges; regional medical centers; natural attractions, such as state parks, that draw from a regional area and serve an average daily attendance of 1,000 persons in a single area; manmade attractions, such as theme parks, that attract audiences from a regional area; publicly-owned cultural and historic facilities, such as performing arts centers, civic center, and museums, that attract from a regional area. **(f) Interconnection of major thoroughfares.** A route that provides a high volume cross-connection between roads that meet at least two of the above listed purposes. For this trip purpose, the term "high-volume" is defined as a road with at least 25% of the volume observed on the connected roads at a point within one-half mile of the applicable intersections.	Principal Arterial Trip Purposes: (a) - (c)	≥ 25,000 ADT	5-10%	2-4%
			Minor Arterial Trip Purposes: (d) - (f)	≥ 10,000 and < 25,000 —— ½ mile (cbd) to 1 mile	15 - 25% (Principal + Minor)	6-10% (Principal + Minor)
COLLECTOR	The collector road system provides land access and traffic circulation within residential neighborhoods - commercial and industrial areas. Collectors provide a mix of mobility and land access functions; however, the main function of collectors is to conduct traffic from local residential streets to arterials. Collectors do not handle long through- trips and are not, of necessity, continuous for any great length. This system is composed rural major collector roads, rural minor collector roads, and urban collectors (differentiation between major and minor classes is not made in urban areas). In urban areas, collectors serve internal traffic movements within an area of the city, such as a subdivision, and connect this area with the arterial system. In rural areas, major collectors serve generators of intracounty importance, e.g. important mining and agricultural areas, and link these places with nearby larger towns or cities. Rural minor collectors provide service to the remaining small communities and link locally important generators with rural hinterland. ***Travel Movement:*** Collection; Access	**(g) Access to minor public facilities.** The primary route providing access to the major point of entrance to a minor public facility. Minor public facilities are those which do not meet the requirements listed in Paragraph (e), above, and include manmade attractions and publicly-owned cultural and historical facilities that attract local audiences. **(h) Interconnection of minor thoroughfares.** A route that provides cross-connection between roads that meet at least one of the above listed purposes. **(i) Access to concentrated land use areas.** A route that connects major thoroughfares to concentrations of land use, such as the primary connection to a community, large residential subdivision, neighborhood shopping center, or a public facility serving a local audience. **(j) Access to diffuse land use areas.** A route that connects major thoroughfares to diffuse areas of a single or mixed land use, such as the primary connection to a farming area consisting of large acreage tracts or scattered small residential developments.	Urban Collector Trip Purposes: (g) - (i)	≥ 1,500 and < 10,000 —— ½ mile	5-10%	20 - 25%
			Rural Major Collector Trip Purposes: (g) - (i)	≥ 1,500 and < 10,000		
			Rural Minor Collector Trip Purpose: (j)	< 1,500		
LOCAL	This road system comprises all roadways not on the arterial or collector system. Local streets primarily provide direct access to abutting land uses, such as homes, and through-traffic movement is deliberately discouraged. These streets make up a large percentage of the total street mileage but carry a small proportion of the vehicle miles in travel. ***Travel Movement:*** Access; Termination	**(k) Travel between home and the nearest road on the primary road network composed of arterial and collector roads.** A route that connects residences to the roads serving longer trips, e.g., roads within a residential subdivision. **(l) Travel between commercial, industrial, and agricultural areas and the nearest road on the primary road network composed of arterial and collector roads.** A route that connects clusters of commercial, industrial, agricultural or mixed-residential land uses to the roads serving longer trips, e.g., roads within an industrial park.	Local Residential Trip Purpose: (k)	< 1,500	65 - 80%	65 - 75%
			Local Commercial Trip Purpose: (l)	< 1,500		

Appendix C: Roadway Level of Service Analysis

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
ADAMS ROAD/MOHAWK RD	BOLENDER ROAD to CR 559	2U	URBAN COLLECTOR	D	C	C	C
ALAMO DRIVE	SR 563 (HARDEN BLVD S) to OLD HIGHWAY 37	2U	URBAN COLLECTOR	D	C	C	C
ALAMO DRIVE	OLD HIGHWAY 37 to SR 37	2U	URBAN COLLECTOR	E	C	C	C
ALTURAS-BABSON PARK CUTOFF RD	CR 559 to US 27	2U	RURAL MAJOR COLLECTOR	C	B	B	B
AMERICAN SUPERIOR BLVD/HOOVER RD/SHELL RD/LK ELOISE DR W	CR 655 (SNIVELY AVE) to AVE Z SE	2U	URBAN COLLECTOR	D	C	C	C
ARIANA ST	WABASH AVE S to SR 563 (HARDEN BLVD)	2U	URBAN COLLECTOR	D	C	C	D
ARIANA STREET	SR 563 (HARDEN BLVD) to SR 37 (FLORIDA AVENUE S)	2U	URBAN COLLECTOR	D	C	C	C
AVENUE C SE	1ST STREET SOUTH to 6TH STREET	2U	URBAN COLLECTOR	E	C	C	C
AVENUE C SW	1ST STREET SOUTH to US 17 (6TH STREET NW)	2U	URBAN COLLECTOR	E	C	C	C
AVENUE K SE	1ST STREET SOUTH to 6TH STREET SE	2U	URBAN COLLECTOR	E	C	C	C
AVENUE K SW	US 17 (3RD STREET SW) to 1ST STREET SOUTH	2U	URBAN COLLECTOR	E	C	C	C
AVENUE O SW	7TH STREET SW to 1ST STREET SOUTH	2U	URBAN COLLECTOR	E	C	C	C
AVENUE T NE/COUNTRY CLUB RD N	SR 544 to LAKE HAMILTON DR W	2U	URBAN COLLECTOR	D	C	C	C
AVON PARK CUTOFF RD	US 98 to US 27/98	2U	RURAL MAJOR COLLECTOR	C	B	B	B
BAILEY ROAD	SR 60 to SHEPHERD ROAD	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
BAKER AVENUE E/BAKER DAIRY RD	US 17/92 to POWER LINE ROAD	2U	URBAN COLLECTOR	E	C	C	C
BANANA ROAD	CAMPBELL ROAD N to US 98	2U	URBAN COLLECTOR	D	C	C	C
BANNON ISLAND ROAD	SR 17 (SCENIC HIGHWAY) to CR 544 (LAKE MARION ROAD)	2U	URBAN COLLECTOR	E	C	C	C
BATES ROAD	US 27 to US 17/92	2U	URBAN COLLECTOR	D	C	C	D
BEACON ROAD	SR 563 (HARDEN BLVD) to LAKE HOLLINGSWORTH DRIVE	2U	URBAN COLLECTOR	D	C	C	C
BELLA CITTA BOULEVARD	US 27 to OSCEOLA COUNTY LINE	2B	URBAN COLLECTOR	D	C	D	D
BELLA VISTA STREET	WALKER ROAD to CR 542A	2U	URBAN COLLECTOR	D	C	C	C
BELLA VISTA STREET	MARTIN LUTHER KING JR AVENUE to LAKE PARKER DRIVE W	2U	URBAN COLLECTOR	E	C	C	C
BELLA VISTA STREET W/KENDRICK LN	CR 542A (GALLOWAY RD N) to SR 539 (KATHLEEN ROAD)	2U	URBAN COLLECTOR	E	C	C	C
BICE GROVE ROAD	CR 544 to CR 546	2U	RURAL MINOR COLLECTOR	D	C	C	C
BLUE JORDAN ROAD	LAKE REEDY BLVD N to CR 630	2U	RURAL MINOR COLLECTOR	D	B	B	B
BOLENDER RD	CR 559 (POLK CITY ROAD) to LAKE ALFRED RD	2U	URBAN COLLECTOR	D	C	C	C
BRADDOCK ROAD	SR 570 (POLK PARKWAY) to SR 655 (BERKLEY RD)	2U	URBAN COLLECTOR	D	C	C	C
BRIDGERS AVE	US 92 to US 92 (MAGNOLIA AVENUE)	2U	URBAN COLLECTOR	E	C	C	C
BROADWAY AVE N	MAIN ST to SR 60 (VAN FLEET DRIVE)	4D	URBAN COLLECTOR	E	C	C	C
BROADWAY AVENUE SOUTH	STUART AVE to MAIN STREET	2U	URBAN COLLECTOR	E	C	C	C
BROADWAY AVENUE	CLOWER STREET to STUART AVE	4U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
SOUTH/SHUMATE DR							
BUCKEYE LOOP RD	SR 542 (DUNDEE RD) to AVE T NE	2U	URBAN COLLECTOR	D	C	C	C
BUCKEYE RD	11TH ST NE to BUCKEYE LOOP RD	2U	URBAN COLLECTOR	D	C	C	C
BUCKINGHAM DRIVE/MAY FAIR BLVD	DUNSON ROAD to CR 54 (RONALD REAGAN PARKWAY)	2U	URBAN COLLECTOR	D	C	C	C
CAMELLIA DRIVE	SR 540 to LAKE SHIPP DR S	2U	LOCAL ROAD	D	C	C	C
CAMPBELL RD N	CR 35A (KATHLEEN RD) to CR 35A (SOCRUM LOOP RD W)	2U	URBAN COLLECTOR	D	C	C	C
CANAL AVE/LAKE PARKER DR E/IDLEWILD ST/MORGAN COMBEE RD	CR 542 (MAIN STREET E) to FISH HATCHERY RD	2U	URBAN COLLECTOR	D	C	C	C
CANAL AVENUE/WATKINS ROAD	LAKE MABEL LOOP ROAD to CR 542 (LAKE HATCHINEHA ROAD)	2U	RURAL MINOR COLLECTOR	C	C	C	C
CARL FLOYD ROAD	CR 550 (OVERLOOK DRIVE SE) to SR 542 (DUNDEE ROAD)	2U	URBAN COLLECTOR	D	C	C	C
CARPENTER'S WAY/WEDGEWOOD ESTATES BLVD	US 98 to CR 582 (FLORIDA AVENUE N)	2U	URBAN COLLECTOR	E	C	C	C
CARTER ROAD	SR 37 to CR 540A	2U	URBAN COLLECTOR	D	C	C	C
CASS ROAD	ADAMS BARN RD to CR 557A (OLD LAKE ALFRED RD)	2U	URBAN COLLECTOR	D	C	C	C
CENTRAL AVENUE	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	E	C	C	C
CENTRAL AVENUE	SR 60 to US 27	2U	URBAN COLLECTOR	E	C	C	C
CENTRAL AVENUE EAST	STATE ROAD 17 (SCENIC HIGHWAY) to LAKESHORE BOULEVARD	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
CHAMPIONS GATE BOULEVARD	CR 54 to OSCEOLA COUNTY LINE	4U	URBAN COLLECTOR	D	C	C	D
CHAMPIONS GATE BOULEVARD WEST	BUCKINGHAM DRIVE to CR 54 (RONALD REAGAN PARKWAY)	2U	URBAN COLLECTOR	D	C	C	C
CHARLOTTE RD/DAIRY RD	SR 544 (HAVENDALE BLVD) to LAKE ALFRED RD	2U	URBAN COLLECTOR	E	C	C	C
CHERRY LANE	LUNN ROAD to OLD HIGHWAY 37	2U	URBAN COLLECTOR	D	C	C	C
CHESTNUT RD N	US 92 (NEW TAMPA HWY) to 10TH ST W	2U	URBAN COLLECTOR	E	C	C	C
CLARK ROAD	CR 542 (OLD TAMPA HWY) to NORTH FRONTAGE ROAD	2U	URBAN COLLECTOR	D	C	C	C
CLEVELAND HEIGHTS BLVD	WESTOVER STREET to HALLAM DRIVE	2U	URBAN COLLECTOR	E	C	F	F
CLEVELAND HEIGHTS BLVD	WESTOVER STREET to LAKE HOLLINGSWORTH DRIVE	4U	URBAN COLLECTOR	E	C	C	C
CLOWER STREET	CR 555 to SHUMATE DR	2U	URBAN COLLECTOR	D	C	C	C
CLUBHOUSE ROAD EAST	US 98 to FIRST STREET	2U	URBAN COLLECTOR	D	C	C	C
COLBERT ROAD	CR 540 (CLUBHOUSE ROAD) to US 98	2U	URBAN COLLECTOR	E	C	C	C
COLEMAN RD/AVE C SW	SPIRIT LAKE RD to 21ST ST SW	2U	URBAN COLLECTOR	D	C	C	C
COMMERCE POINT DR	US 98 to SR 659 (COMBEE RD S)	2U	URBAN COLLECTOR	E	C	C	C
COOLEY ROAD	SR 540 to SR 655 (RECKER HIGHWAY)	2U	URBAN COLLECTOR	D	C	C	C
CORONET RD	SR 60 to COUNTY LINE ROAD	2U	URBAN COLLECTOR	D	C	C	C
COUNTRY CLUB RD S	SR 542 (DUNDEE RD) to LAKE HAMILTON DR W	2U	URBAN COLLECTOR	D	C	C	C
COUNTRY CLUB ROAD	WALNUT STREET to POLK CO/L (CADDY DRIVE)	2U	URBAN COLLECTOR	D	D	D	F

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
COUNTY LINE RD	SR 60 to PIPKIN ROAD WEST	4D	URBAN COLLECTOR	D	C	C	D
COUNTY LINE RD	PIPKIN ROAD WEST to I-4	4D	URBAN COLLECTOR	D	C	C	C
COUNTY LINE ROAD/NORTH FRONTAGE ROAD	INTERSTATE 4 to CR 542A	2U	URBAN COLLECTOR	D	C	C	C
CR 17	CR 557 to US 27	2U	URBAN COLLECTOR	D	C	C	D
CR 17A (BURNS AVE)	SR 17 to BRENTWOOD DRIVE	4U	URBAN COLLECTOR	D	C	C	C
CR 17A (BURNS AVE)	BRENTWOOD DRIVE to MAMMOTH GROVE RD	2U	URBAN COLLECTOR	D	C	C	C
CR 17A (CHALET SUZANNE RD)	SR 17 (SCENIC HIGHWAY) to US 27	2U	URBAN COLLECTOR	D	C	C	F
CR 17A (MASTERPIECE GARDENS RD/MASTERPIECE RD)	MAMMOTH GROVE RD to SR 17	2U	URBAN COLLECTOR	D	C	C	C
CR 17B (BUCK MOORE RD)	SR 60 to CR 17A (BURNS AVE)	2U	URBAN COLLECTOR	D	C	D	F
CR 17B (ELEVENTH ST S/HUNT BROTHERS RD)	US 27 to SR 60	2U	URBAN COLLECTOR	E	C	C	C
CR 35A (KATHLEEN RD)	DUFF RD to CR 35A (SOCRUM LOOP RD W)	2U	URBAN COLLECTOR	D	C	D	E
CR 35A (KATHLEEN RD)	I-4 to CR 542A (GALLOWAY RD N)	4D	URBAN COLLECTOR	D	C	D	D
CR 35A (KATHLEEN RD)	CR 542A (GALLOWAY RD N) to DUFF RD	4D	URBAN COLLECTOR	D	C	C	C
CR 35A (SOCRUM LOOP RD W)	CR 35A (KATHLEEN RD) to US 98	2U	URBAN COLLECTOR	D	C	C	C
CR 37A (SCOTT LAKE RD)	CR 540A to HALLAM DR	2D	URBAN COLLECTOR	D	C	D	D
CR 37B (LAKELAND HIGHLANDS RD)	CR 540A to LAKE MIRIAM DR	4D	URBAN COLLECTOR	D	C	D	F
CR 37B (LAKELAND HIGHLANDS RD)	SR 570 (POLK PARKWAY) to EDGEWOOD DR E	4D	URBAN COLLECTOR	E	C	D	D

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
CR 37B (LAKELAND HIGHLANDS RD)	LAKE MIRIAM DR to SR 570 (POLK PARKWAY)	4D	URBAN COLLECTOR	E	C	D	D
CR 54 (RONALD REAGAN PKWY)	LAKE WILSON RD to US 17/92	4D	URBAN COLLECTOR	D	C	C	F
CR 54 (RONALD REAGAN PKWY)	US 27 to CHAMPIONS GATE BLVD	4D	URBAN COLLECTOR	D	C	D	D
CR 54 (RONALD REAGAN PKWY)	CHAMPIONS GATE BLVD to LAKE WILSON RD	4D	URBAN COLLECTOR	D	C	C	C
CR 540 (CLUBHOUSE RD)	CR 37B (LAKELAND HIGHLANDS RD) to US 98	2U	URBAN COLLECTOR	D	C	D	F
CR 540A (CENTRAL BARN RD)	SR 37 (FLORIDA AVENUE S) to CR 37B (LAKELAND HIGHLANDS ROAD)	5U	URBAN COLLECTOR	D	C	C	C
CR 540A (CENTRAL BARN RD)	CR 37B (LAKELAND HIGHLANDS RD) to US 98	5U	URBAN COLLECTOR	D	C	C	C
CR 540A (ELOISE LOOP RD)	POLLARD RD to CR 653 (RATTLESNAKE ROAD)	2U	URBAN COLLECTOR	D	C	C	D
CR 540A (LAKE RUBY DR W)	THOMPSON NURSERY RD to SR 540 (CYPRESS GARDENS BLVD)	2U	URBAN COLLECTOR	D	C	C	C
CR 542 (AVE G NW)	LAKE HOWARD DR NW to SR 655 (RECKER HIGHWAY)	2U	URBAN COLLECTOR	D	C	F	F
CR 542 (K-VILLE AVE)	THORNHILL ROAD to SR 655 (RECKER HIGHWAY)	2U	URBAN COLLECTOR	D	C	C	D
CR 542 (LAKE HATCHINEHA RD)	SR 17 (SCENIC HIGHWAY) to LAKE HATCHINEHA	2U	URBAN COLLECTOR	D	C	C	C
CR 542 (MAIN ST E)	US 98 (LAKE PARKER AVE) to SR 659 (COMBEE ROAD)	2U	URBAN COLLECTOR	E	C	C	C
CR 542 (MAIN ST E/K-VILLE AVE)	SR 659 (COMBEE ROAD) to THORNHILL RD	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
CR 542 (OLD TAMPA HWY)	COUNTY LINE RD to WABASH AVE S	2B	URBAN COLLECTOR	E	C	C	C
CR 542A (GALLOWAY RD N)	US 92 (NEW TAMPA HWY) to 10TH ST W	2U	URBAN COLLECTOR	E	C	C	D
CR 542A (GALLOWAY RD)	10TH ST W to CR 35A (KATHLEEN ROAD)	2U	URBAN COLLECTOR	D	C	C	F
CR 544/LAKE MARION RD W/JIM EDWARDS RD	SR 17 (SCENIC HIGHWAY) to CR 542 (LAKE HATCHINEHA ROAD)	2U	URBAN COLLECTOR	D	C	C	C
CR 544A (DERBY AVE W)	SR 655 (RECKER HIGHWAY) to SR 544 (HAVENDALE BLVD)	2U	URBAN COLLECTOR	E	C	C	C
CR 546 (KOKOMO RD)	SR 17 (SCENIC HIGHWAY) to CR 544	2U	URBAN COLLECTOR	D	C	C	C
CR 546 (KOKOMO RD)	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	E	C	C	C
CR 546 (SADDLE CREEK RD/OLD DIXIE HWY)	SR 659 (COMBEE ROAD) to LAKE ARIANA BLVD	2U	URBAN COLLECTOR	D	C	D	D
CR 547 (JACKSON HWY/BAY ST)	US 27 to CR 547 (LEE JACKSON HWY)	2U	URBAN COLLECTOR	E	C	C	D
CR 547 (JACKSON HWY/RAILROAD AVE)	ERNIE CALDWELL BOULEVARD to CR 54 (RONALD REAGAN PKWY)	2U	URBAN COLLECTOR	D	C	C	F
CR 547 (JACKSON HWY/RAILROAD AVE)	CR 547 (BAY ST) to ERNIE CALDWELL BOULEVARD	2U	URBAN COLLECTOR	D	C	C	D
CR 550 (OVERLOOK DR)	SR 540 (CYPRESS GARDENS BLVD) to SR 542 (DUNDEE ROAD)	2U	URBAN COLLECTOR	D	C	C	D
CR 555 (AGRICOLA RD)	CR 630 to SR 60 (MAIN STREET W)	2U	URBAN COLLECTOR	C	C	C	C
CR 557/POMELO ST	US 17/92 to I-4	4D	URBAN COLLECTOR	D	B	B	B
CR 557A (POLK CITY RD)	SR 559 to CR 557	2U	RURAL MAJOR COLLECTOR	D	C	C	C
CR 559	GAPWAY ROAD to I-4	2U	URBAN COLLECTOR	D	C	C	D
CR 559 (BOMBER RD)	US 17 to CR 655 (RIFLE RANGE RD)	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
CR 559/LAKE ARIANA BLVD	LAKE STELLA DRIVE to GAPWAY ROAD	2U	URBAN COLLECTOR	D	C	C	C
CR 580 (JOHNSON AVE E)	US 17/92 to POWER LINE ROAD	2U	URBAN COLLECTOR	E	C	C	C
CR 580 (JOHNSON AVE E/CYPRESS PKWY/MARION CREEK RD)	POWER LINE ROAD to RHODODENDRON AVE	2B	PRINCIPAL ARTERIAL	E	C	D	D
CR 580 (JOHNSON AVE E/CYPRESS PKWY/MARION CREEK RD)	RHODODENDRON AVE to OSCEOLA COUNTY LINE	4D	PRINCIPAL ARTERIAL	E	C	C	C
CR 582 (FLORIDA AVE N)	GRIFFIN RD to SR 33 (LAKLAND HILLS BLVD)	2U	URBAN COLLECTOR	D	C	C	C
CR 582 (GRIFFIN RD)	US 98 to SR 33 (LAKLAND HILLS BLVD)	4D	URBAN COLLECTOR	D	C	C	C
CR 582 (GRIFFIN RD)	CR 35A (KATHLEEN RD) to US 98	4D	URBAN COLLECTOR	E	C	C	C
CR 582 (KNIGHTS STATION RD)	HILLSBOROUGH COUNTY LINE to CR 35A (KATHLEEN ROAD)	2U	URBAN COLLECTOR	D	C	C	D
CR 582 (SOCRUM LOOP RD N)	SR 33 to DAUGHTERY RD E	4D	URBAN COLLECTOR	E	D	D	D
CR 582 (SOCRUM LOOP RD N)	DAUGHTERY RD E to OLD POLK CITY RD	4D	URBAN COLLECTOR	D	C	C	C
CR 630 (BREWSTER RD)	SR 37 to US 17/98	2B	MINOR ARTERIAL	C	B	C	C
CR 630 (INDIAN LAKES CUTOFF)	US 27 to SR 60	2U	URBAN COLLECTOR	C	C	C	C
CR 630A (FORT MEADE ROAD)	CR 630 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	D	C	C	C
CR 630A (FROSTPROOF CONNECTOR)	US 27 to CR 630	2U	URBAN COLLECTOR	D	C	C	C
CR 64 (ARBUCKLE RD)	HIGHLANDS COUNTY LINE to LAKE ARBUCKLE	2U	RURAL MAJOR COLLECTOR	C	B	B	B
CR 640	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	D	C	C	C
CR 640	SR 37 to US 17/98	2B	MINOR ARTERIAL	D	B	B	B

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
CR 640 (HOMELAND GARFIELD RD)	US 17/98 to CR 559 (80 FOOT RD)	2B	MINOR ARTERIAL	D	B	B	B
CR 640 (PINECREST RD)	HILLSBOROUGH COUNTY LINE to SR 37	2B	MINOR ARTERIAL	C	B	B	B
CR 653 (RATTLESNAKE RD)/OLD BARTOW LAKE WALES ROAD	SR 60 to CR 540A (ELOISE LOOP RD)	2U	URBAN COLLECTOR	D	C	C	C
CR 655 (BERKLEY RD)	SR 559 (C FRED JONES BLVD) to SR 33 (COMMON WEALTH AVE SW)	2U	URBAN COLLECTOR	E	C	C	C
CR 655 (RIFLE RANGE RD)	SR 60 to CR 559 (BOMBER RD)	2U	URBAN COLLECTOR	D	C	C	D
CR 655 (RIFLE RANGE RD/SNIVELY AVE)	CR 559 (BOMBER RD) to US 17	2U	URBAN COLLECTOR	D	C	C	F
CR 655A (COX RD/ALTURAS RD N)	CR 559/CR 655A (80 FOOT RD) to SR 60	2U	RURAL MAJOR COLLECTOR	C	B	B	B
CR 676 (NICHOLS RD)	HILLSBOROUGH COUNTY LINE to SR 60	2U	URBAN COLLECTOR	C	C	C	C
CRESAP STREET/LAKE HUNTER DRIVE	SR 563 (SIKES BLVD) to SR 37 (FLORIDA AVENUE S)	2U	URBAN COLLECTOR	E	C	C	C
CREWS LAKE DRIVE/CREWSLAKE ROAD/LAKELAND HIGHLANDS ROAD	CR 540A to CR 540A	2U	URBAN COLLECTOR	D	C	C	C
CRUMP RD	COUNTRY CLUB RD S to US 27	2U	URBAN COLLECTOR	D	C	C	C
CRUTCHFIELD RD	SR 546 (SWINDELL RD) to WABASH AVE N	2U	URBAN COLLECTOR	E	C	C	C
CRYSTAL BEACH RD/THORNHILL RD	OLD BARTOW EAGLE LAKE RD to SR 540	2B	URBAN COLLECTOR	D	C	C	C
CRYSTAL BEACH ROAD	THORNHILL ROAD to SR 540 (WINTER LAKE RD)	2U	URBAN COLLECTOR	D	C	C	C
CRYSTAL LAKE DR N	US 98 (BARTOW RD) to SR 659 (COMBEE ROAD)	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
CRYSTAL LAKE DR S	US 98 to SR 659 (COMBEE ROAD)	2U	URBAN COLLECTOR	D	C	C	C
CRYSTAL LAKE DRIVE	LAKE HOLLINGSWORTH DRIVE to US 98 (BARTOW RD)	2U	URBAN COLLECTOR	E	C	C	C
CYPRESS GARDENS RD	LAKE NED ROAD to SR 540 (CYPRESS GARDENS BLVD SE)	2U	URBAN COLLECTOR	D	C	C	C
CYPRESS GARDENS RD	SR 540 (CYPRESS GARDENS BLVD SE) to LAKE NED RD	2U	URBAN COLLECTOR	E	C	C	C
DAUGHTERY ROAD EAST	US 98 to CR 582 (SOCRUM LOOP ROAD N)	2U	URBAN COLLECTOR	D	C	C	C
DAUGHTERY ROAD WEST	GIBSONIA-GALLOWAY RD to US 98	2U	URBAN COLLECTOR	D	C	C	D
DEEN STILL ROAD	ROCK RIDGE ROAD to SR 33	2U	RURAL MINOR COLLECTOR	C	B	B	B
DEEN STILL ROAD	SR 33 to US 27	2U	RURAL MINOR COLLECTOR	C	B	B	B
DEESON ROAD	HILLSBOROUGH COUNTY LINE to CR 35A (KATHLEEN ROAD)	2U	URBAN COLLECTOR	D	C	C	C
DENTON AVE	SR 655 (BERKLEY ROAD) to LAKE ARIANA BLVD	2U	URBAN COLLECTOR	D	C	C	C
DETOUR ROAD	CR 542 (HATCHINEHA RD) to CR 544	2U	URBAN COLLECTOR	E	C	C	C
DRANE FIELD RD	COUNTY LINE RD to SR 572 (AIRPORT RD)	2U	URBAN COLLECTOR	D	C	C	D
DUFF RD	CR 35A (KATHLEEN RD) to US 98	2U	URBAN COLLECTOR	D	C	C	D
DUNDEE ROAD	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	E	D	D	F
DUNSON ROAD	US 27 to DEAD END EAST	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
EAGLE LAKE LOOP RD	CR 655 (RIFLE RANGE ROAD) to POLLARD RD	2U	URBAN COLLECTOR	D	C	C	F
EAGLE LAKE LOOP RD/EAGLE AVE E	US 17 (4TH STREET) to CR 655 (RIFLE RANGE RD)	2U	URBAN COLLECTOR	E	C	C	C
EDGEWOOD DRIVE E	SR 37 (FLORIDA AVENUE S) to CR 37B (LAKELAND HIGHLANDS ROAD)	2D	URBAN COLLECTOR	D	C	C	D
EDGEWOOD DRIVE E	US 98 to CR 37B (LAKELAND HIGHLANDS ROAD)	4D	URBAN COLLECTOR	E	C	C	C
EIGHTH ST/DETOUR ROAD	LAKE MARIE BLVD to CR 542 (LAKE HATCHINEHA ROAD)	2U	URBAN COLLECTOR	E	C	C	C
ELEVENTH STREET SOUTH	STATE ROAD 60 to LAKESHORE BLVD SOUTH	2U	URBAN COLLECTOR	D	C	C	C
ELOISE LOOP ROAD	CR 655 (RIFLE RANGE ROAD) to EAGLE LAKE LOOP ROAD	2U	URBAN COLLECTOR	D	C	C	C
ERNEST M SMITH BLVD	US 98 to US 17	4U	URBAN COLLECTOR	D	C	C	C
ERNIE CALDWELL ROAD	HELLER BROTHERS BLVD to PINE TREE TRAIL	4D	URBAN COLLECTOR	D	C	C	D
ERNIE CALDWELL ROAD	PINE TREE TRAIL to US 17/92	4D	URBAN COLLECTOR	D	C	C	C
EVENHOUSE ROAD	CR 557 (BUENA VISTA DRIVE) to EXPERIMENT STATION ROAD	2U	URBAN COLLECTOR	D	C	C	C
EWELL ROAD	COUNTY LINE ROAD to SR 37 (S FLORIDA AVE)	2U	URBAN COLLECTOR	D	C	C	F
EXPERIMENT STATION ROAD	OLD HAINES CITY - LAKE ALFRED ROAD to EVENHOUSE ROAD	2U	URBAN COLLECTOR	D	C	C	C
FDC GROVE RD/PARK PLACE BLVD	US 27 to HELLER BROTHERS BLVD	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
FIFTEENTH STREET SW	LAKE SHIPP DRIVE to LAKE HOWARD DRIVE SW	2U	URBAN COLLECTOR	E	C	C	C
FIFTH STREET	SR 539 (KATHLEEN ROAD) to US 98 (FLORIDA AVENUE N)	2U	URBAN COLLECTOR	E	C	C	C
FIRST STREET SOUTH	SR 542 CENTRAL AVE to SR 540 (CYPRESS GARDENS BLVD SE)	4D	MINOR ARTERIAL	E	C	C	C
FIRST STREET SOUTH	STATE ROAD 60 to CENTRAL AVENUE	4U	URBAN COLLECTOR	E	C	C	C
FISH HATCHERY RD	CR 542 to CR 546 (SADDLE CREEK RD)	2U	URBAN COLLECTOR	D	C	C	C
FITZGERALD ROAD	SR 37 (FLORIDA AVENUE S) to CR 37A (SCOTT LAKE ROAD)	2U	URBAN COLLECTOR	D	C	C	C
FLORENCE VILLA GROVE ROAD	US 27 to OSCEOLA COUNTY LINE	2U	URBAN COLLECTOR	D	D	E	F
FLORIDA AVENUE N/PINEHURST ST	US 98 to CR 582 (GRIFFIN ROAD)	2U	URBAN COLLECTOR	E	C	C	C
FORTY-SECOND ST NW	CR 542 (AVENUE G NW) to SR 544 (HAVENDALE BLVD NW)	2U	URBAN COLLECTOR	D	C	F	F
GAPWAY ROAD	SR 655 (BERKLEY ROAD) to CR 559	2U	URBAN COLLECTOR	D	C	C	C
GARY ROAD N/GARY ROAD E	CR 542 (MAIN STREET E) to US 92 (MEMORIAL BLVD)	2U	URBAN COLLECTOR	E	C	C	C
GEORGE JENKINS BLVD	SLOAN AVE N to SR 35 (FLORIDA AVE N)	4D	PRINCIPAL ARTERIAL	E	C	C	C
GIBSONIA-GALLOWAY ROAD	CR 35A (KATHLEEN ROAD) to US 98	2U	URBAN COLLECTOR	D	C	C	C
GLENDALE STREET	NEW JERSEY ROAD to LAKELAND HIGHLANDS ROAD	2U	URBAN COLLECTOR	E	C	C	C
GOLFVIEW CUTOFF/FRIEDLA	STATE ROAD 17 (SCENIC	2U	RURAL MINOR COLLECTOR	D	B	B	B

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
NDER/LEWIS GRIFFIN ROAD	HIGHWAY) to STATE ROAD 60						
GRACE AVENUE E/HORNET DRIVE	SR 17/TENTH STREET to 30TH STREET	2U	URBAN COLLECTOR	E	C	C	C
GRANADA STREET	FLORIDA AVENUE N to WEST LAKE PARKER DRIVE	2U	URBAN COLLECTOR	D	C	C	C
GREEN ROAD	DAUGHTERY RD W to DUFF RD	2U	URBAN COLLECTOR	D	C	C	C
H.L. SMITH ROAD S	LAKE MABEL LOOP ROAD to CR 542 (HATCHINEHA ROAD)	2U	RURAL MINOR COLLECTOR	D	C	C	C
HALLAM DRIVE	CLEVELAND HEIGHTS BLVD to CR 37B (LAKELAND HIGHLANDS ROAD)	2U	URBAN COLLECTOR	D	C	C	C
HARDEN BLVD	PIPKIN ROAD W to SR 570 (POLK PARKWAY)	3B	URBAN COLLECTOR	E	D	D	D
HARDIN COMBEE ROAD	SR 659 (COMBEE ROAD) to FISH HATCHERY ROAD	2U	URBAN COLLECTOR	D	C	C	C
HARTSELL ROAD	LAKE BEULAH DRIVE to SR 563 (SIKES BLVD)	2U	URBAN COLLECTOR	E	C	C	C
HATCHER ROAD	SHEPHERD ROAD to EWELL ROAD	2U	URBAN COLLECTOR	D	C	C	C
HELENA RD	CR 540A (ELOISE LOOP RD) to SR 540 (CYPRESS GARDENS BLVD SE)	2U	URBAN COLLECTOR	E	C	C	C
HELLER BROTHERS BLVD	FDC GROVE ROAD to US 27	4D	URBAN COLLECTOR	D	C	C	C
HIGHLAND DRIVE W	OLD HIGHWAY 37 to SR 37 (FLORIDA AVENUE S)	2U	URBAN COLLECTOR	E	C	C	C
HIGHLAND ST W/GREENWOOD ST W	CR 542 (OLD TAMPA HWY) to SR 563 (SIKES BLVD)	2U	URBAN COLLECTOR	D	C	C	C
HIGHLANDS DRIVE	SR 37 (FLORIDA AVENUE S) to CLEVELAND HEIGHTS BLVD	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
HINSON AVENUE/POWER LINE ROAD	US 17/92 to CR 580 (JOHNSON AVENUE)	2U	URBAN COLLECTOR	E	C	C	C
HOLLINGSWORTH ROAD	LAKE HOLLINGSWORTH DRIVE to US 98 (BARTOW RD)	2U	URBAN COLLECTOR	E	C	C	C
HOLLY HILL ROAD	CR 547 to US 27	2U	URBAN COLLECTOR	E	C	C	C
HUNT BROTHERS ROAD	11TH STREET SOUTH to STATE ROAD 60	2U	RURAL MINOR COLLECTOR	D	C	C	C
INGRAHAM AVENUE	US 98 to US 92 (MEMORIAL BLVD)	2D	URBAN COLLECTOR	E	C	C	C
INGRAHAM AVENUE	LAKE HOLLINGSWORTH DRIVE to US 98	2U	URBAN COLLECTOR	E	C	C	C
INTERSTATE 4	US 27 to OSCEOLA COUNTY LINE	6F	PRINCIPAL ARTERIAL	D	E	F	F
INTERSTATE 4	SR 570 (POLK PARKWAY) to SR 33	6F	PRINCIPAL ARTERIAL	D	D	E	F
INTERSTATE 4	SR 33 to CR 557	6F	PRINCIPAL ARTERIAL	D	C	E	F
INTERSTATE 4	CR 557 to US 27	6F	PRINCIPAL ARTERIAL	D	C	D	F
INTERSTATE 4	HILLSBOROUGH COUNTY LINE to SR 570 (POLK PARKWAY)	8F	PRINCIPAL ARTERIAL	D	D	D	E
KENTUCKY ST/JOHNSON AVE W/PRADO GRANDE AVE	OLD HAINES CITY - LAKE ALFRED ROAD to CR 17 (POLK CITY ROAD)	2U	URBAN COLLECTOR	E	C	C	C
KING ROAD	SR 540 (WINTER LAKE RD) to COLEMAN ROAD	2U	URBAN COLLECTOR	D	C	C	C
LAKE ARIANA BLVD W	CR 546 (OLD DIXIE HWY) to CR 559 (POLK CITY ROAD)	2U	URBAN COLLECTOR	D	C	C	C
LAKE BEULAH DR	OLIVE ST to OLIVE ST	2U	URBAN COLLECTOR	E	C	C	C
LAKE ELBERT DRIVE/11TH STREET NE	SR 542 (CENTRAL AVE E) to AVENUE T NE	2U	URBAN COLLECTOR	D	C	C	C
LAKE HAMILTON DR W	COUNTRY CLUB RD N to SR 544 (LUCERNE PARK ROAD)	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
LAKE HANCOCK RD/1ST STREET SE	CLUBHOUSE ROAD EAST to US 98	2U	URBAN COLLECTOR	D	B	C	F
LAKE HENDRY RD/STOKES RD/CR 559/CR 655A	US 98 to SR 60	2U	RURAL MAJOR COLLECTOR	C	C	C	C
LAKE HOLLINGSWORTH DRIVE (NORTH)	BELMAR STREET to CRYSTAL LAKE DRIVE	2U	URBAN COLLECTOR	D	C	C	C
LAKE HOLLINGSWORTH DRIVE (SOUTH)	BELMAR STREET to CRYSTAL LAKE DRIVE	2U	URBAN COLLECTOR	D	C	C	D
LAKE HOWARD DRIVE	21ST STREET SW to AVENUE D NW	2U	URBAN COLLECTOR	E	C	C	C
LAKE HOWARD DRIVE/AVE D NW	AVENUE G NW to SR 549 (1ST STREET)	2U	URBAN COLLECTOR	E	C	C	C
LAKE LOWERY RD	OLD HAINES CITY-LAKE ALFRED RD to CR 17 (POLK CITY ROAD)	2U	URBAN COLLECTOR	D	B	B	B
LAKE MABEL LOOP RD	CR 17A (MASTERPIECE ROAD) to CANAL AVENUE	2U	RURAL MINOR COLLECTOR	D	C	C	C
LAKE MABEL LOOP RD/LAKE TRASK ROAD	CANAL AVENUE to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	E	C	C	C
LAKE MARIE BLVD	SR 17 (SCENIC HIGHWAY) to H.L. SMITH ROAD	2U	URBAN COLLECTOR	E	C	C	C
LAKE MARION CREEK DR/MCMAN RD/EASTYWAY RD/ MIDWAY RD/LK MARION CREEK RD	POINCIANA PARKWAY to CR 580 (CYPRESS PARKWAY)	2U	URBAN COLLECTOR	D	C	C	C
LAKE MATTIE ROAD/ADAMS BARN ROAD	CR 559 (POLK CITY ROAD) to LAKE ALFRED ROAD	2U	URBAN COLLECTOR	D	C	C	C
LAKE MIRIAM DR	SR 37 (FLORIDA AVENUE S) to CR 37B (LAKELAND HIGHLANDS ROAD)	2U	URBAN COLLECTOR	D	D	F	F
LAKE MORTON DRIVE	MASSACHUSETTS AVE to	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
	MASSACHUSETTS AVE						
LAKE NED/LAKE DAISY RD	CYPRESS GARDENS RD to CR 550 (OVERLOOK DRIVE SE)	2U	URBAN COLLECTOR	D	C	C	C
LAKE PARKER DRIVE EAST	IDLEWILD STREET to OLD COMBEE ROAD	2U	URBAN COLLECTOR	D	C	C	C
LAKE REEDY BOULEVARD N	CR 630 to LAKE ARBUCKLE RD	2U	URBAN COLLECTOR	D	B	B	B
LAKE SHIPP DR N/AVE N SW/AVE O SW	SR 655 to 7TH STREET SW	2U	URBAN COLLECTOR	E	C	C	C
LAKE SHORE DRIVE/WEST LAKE PARKER DRIVE	PARKER STREET to GRANADA STREET	2U	URBAN COLLECTOR	E	C	C	C
LAKE STELLA DR	SHELBY ST to SR 559	2O	URBAN COLLECTOR	D	C	C	C
LAKE STELLA DR	SR 559 to SHELBY ST	2O	URBAN COLLECTOR	E	C	C	C
LAKE WILSON ROAD	CR 54 (RONALD REAGAN PKWY) to OSCEOLA COUNTY LINE	4D	URBAN COLLECTOR	D	C	C	D
LAKESHORE BOULEVARD	ELEVENTH STREET SOUTH to ELEVENTH STREET SOUTH	2U	URBAN COLLECTOR	E	C	C	C
LIME STREET	LAKE BEULAH DRIVE to SR 37 (FLORIDA AVENUE S)	4U	URBAN COLLECTOR	E	C	C	C
LIME STREET	SR 37 (FLORIDA AVENUE S) to INGRAHAM AVENUE S	2U	URBAN COLLECTOR	E	C	C	C
LIME STREET	INGRAHAM AVENUE S to US 98 (BARTOW RD)	2U	URBAN COLLECTOR	E	C	C	C
LINCOLN AVENUE S/OPPITZ LANE	LAKE HUNTER DRIVE to SR 37 (FLORIDA AVENUE S)	2U	URBAN COLLECTOR	D	C	C	C
LIVE OAK ROAD/LAKE SEWARD DRIVE	CR 37B (LAKELAND HIGHLANDS RD) to LAKE MARIAM DRIVE	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
LOGISTICS PARKWAY	SR 60 to OLD BARTOW LAKE WALES RD	2U	URBAN COLLECTOR	E	C	C	C
LOGISTICS PARKWAY	OLD BARTOW LAKE WALES RD to INTERMODAL DRIVE	2U	URBAN COLLECTOR	D	B	B	B
LONGFELLOW BLVD	CRYSTAL LAKE DR N to CR 542 (MAIN ST E)	2U	URBAN COLLECTOR	D	C	C	C
LUCERNE LOOP ROAD NE	SR 544 (LUCERNE PARK ROAD) to OLD LUCERNE PARK ROAD	2U	URBAN COLLECTOR	D	C	C	C
LUNN ROAD	EWELL ROAD to PIPKIN ROAD W	2U	URBAN COLLECTOR	D	C	C	C
LUNN ROAD	SHEPHERD ROAD to EWELL ROAD	2U	URBAN COLLECTOR	D	C	C	C
LYLE PKWY/E.F. GRIFFIN RD	US 98 to US 98	2U	URBAN COLLECTOR	D	B	B	B
LYNCHBURG ROAD/MYERS LANE	US 92 to LAKE ALFRED ROAD	2U	URBAN COLLECTOR	D	C	C	C
M.L. KING BLVD/TENTH STREET W	US 92 (MEMORIAL BLVD W) to US 98 (FLORIDA AVENUE N)	2U	URBAN COLLECTOR	E	C	C	C
MAIN STREET	US 92 to LAKE STELLA DRIVE	2U	URBAN COLLECTOR	D	C	C	C
MAIN STREET E	SR 548 (BARTOW ROAD) to US 98 (LAKE PARKER AVE S)	2U	URBAN COLLECTOR	E	C	C	C
MAIN STREET E/FLAMINGO DRIVE E	SR 60 to SR 60	2U	URBAN COLLECTOR	E	C	C	C
MAIN STREET W	LAKE BEULAH DRIVE to SR 33 (MASSACHUSETTES AVE)	2U	URBAN COLLECTOR	D	C	C	C
MAIN STREET/SECOND STREET/SMITH AVENUE	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	E	C	C	C
MAINE AVE	SR 659 (COMBEE ROAD S) to REYNOLDS RD	2U	URBAN COLLECTOR	D	C	C	C
MALL HILL DRIVE	CR 582 (GRIFFIN ROAD) to HAMPTON HILLS DRIVE	2U	URBAN COLLECTOR	E	C	C	D

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
MALL HILL DRIVE	CR 35A (KATHLEEN ROAD) to CR 582 (GRIFFIN ROAD)	2U	URBAN COLLECTOR	E	C	C	C
MALL HILL DRIVE	HAMPTON HILLS DRIVE to SLEEPY HILL ROAD	2D	URBAN COLLECTOR	E	C	C	C
MAMMOTH GROVE RD	SR 60 to CAMP MACK RD	2U	RURAL MAJOR COLLECTOR	C	C	C	C
MAMMOTH GROVE RD/CAMP MACK RD	CR 17A (MASTERPIECE GARDENS ROAD) to KISSIMMEE RIVER	2U	RURAL MAJOR COLLECTOR	C	B	B	B
MARCUM RD/SOCRUM LOOP RD N	OLD POLK CITY RD to US 98	4U	URBAN COLLECTOR	D	C	C	C
MARIGOLD AVENUE	POINCIANA PARKWAY to PALMETTO STREET	2U	URBAN COLLECTOR	D	D	F	F
MARIGOLD AVENUE	PALMETTO STREET to CR 580 (CYPRESS PARKWAY)	4D	URBAN COLLECTOR	D	C	C	D
MASSACHUSETTS AVENUE	LAKE MORTON DRIVE to MAIN STREET E	4U	URBAN COLLECTOR	E	C	C	C
MCDONALD STREET	SR 37 (FLORIDA AVENUE S) to INGRAHAM AVENUE S	2U	URBAN COLLECTOR	E	C	C	C
MCKEAN ST	SR 655 (RECKER HIGHWAY) to BRIDGERS AVE W	2U	URBAN COLLECTOR	E	C	C	C
McNICHOLS AVE/KEYSTONE RD	LAKE ARIANA BLVD to LAKE ALFRED RD	2U	URBAN COLLECTOR	D	C	C	C
MEDULLA ROAD	COUNTY LINE ROAD to PIPKIN ROAD W	2U	URBAN COLLECTOR	D	C	C	C
MINEOLA DR	SR 659 (COMBEE ROAD N) to FISH HATCHERY RD	2U	URBAN COLLECTOR	D	C	C	C
MISSOURI AVENUE	HIGHLAND STREET W to PINE STREET E	2U	URBAN COLLECTOR	E	C	C	C
MOUNT OLIVE ROAD	SR 33 to CR 655 (BERKELY ROAD)	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
MOUNTAIN LAKE CUTOFF ROAD	OLD BARTOW ROAD to US 27	2U	RURAL MINOR COLLECTOR	D	C	C	C
MOUNTAIN LAKE CUTOFF ROAD	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	E	C	C	C
NEW JERSEY ROAD	GLENDALE STREET to US 98 (BARTOW RD)	2U	URBAN COLLECTOR	D	C	C	C
NICHOLS MINE RD/OLD NICHOLS RD	NICHOLS PLANT to CR 676 (NICHOLS ROAD)	2U	LOCALCOMMERCIAL	C	C	C	C
NINETY-ONE MINE RD	SR 60 to US 17	2U	URBAN COLLECTOR	D	B	B	B
NINTH ST SE/AVE Z SE/LAKE ELOISE DR W/LAKE SUMMIT DR W	SR 540 (CYPRESS GARDENS BLVD SE) to SR 540 (CYPRESS GARDENS BLVD SE)	2U	URBAN COLLECTOR	E	C	C	C
NORTH BLVD	US 27 to HOLLY HILL ROAD	2U	URBAN COLLECTOR	E	C	C	C
NORTH BLVD	HOLLY HILL ROAD to CR 547 N	2U	URBAN COLLECTOR	E	C	C	C
NORTH PARKWAY FRONTAGE ROAD	SR 563 (HARDEN BLVD) to SR 37 (S FLORIDA AVE)	2U	URBAN COLLECTOR	D	D	D	F
NORTH PARKWAY FRONTAGE ROAD	WARING ROAD to SR 563 (HARDEN BLVD)	2O	URBAN COLLECTOR	D	C	C	E
NORTH RIDGE TRAIL/NW ACCESS RD/WAVERLY BARN RD	US 27 to US 27	2U	URBAN COLLECTOR	D	C	C	C
ODOM ROAD	DAUGHTERY ROAD E to MARCUM ROAD	2U	URBAN COLLECTOR	D	C	C	C
OLD BARTOW EAGLE LAKE RD/CRYSTAL BEACH RD	US 98 to US 17	2B	URBAN COLLECTOR	E	C	C	C
OLD BARTOW ROAD/OLD BARTOW LAKE WALES ROAD	SR 60 to CR 653 (RATTLESNAKE ROAD)	2U	URBAN COLLECTOR	D	C	C	C
OLD BERKLEY ROAD	GAPWAY ROAD to SR 559 (C FRED JONES BLVD)	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
OLD COMBEE ROAD	CR 582 (SOCRUM LOOP ROAD N) to SR 33	2U	URBAN COLLECTOR	E	D	D	F
OLD COMBEE ROAD	SR 33 to SR 659 (COMBEE RD N)	2U	URBAN COLLECTOR	D	C	C	C
OLD DADE CITY RD/ROCK RIDGE RD	CR 35A (SOCRUM LOOP RD W) to US 98	2U	URBAN COLLECTOR	D	C	C	C
OLD DADE CITY ROAD	ROCK RIDGE ROAD to US 98	2U	RURAL MINOR COLLECTOR	C	B	B	B
OLD GRADE ROAD	INTERSTATE 4 to DEEN STILL ROAD	2U	RURAL MINOR COLLECTOR	C	B	B	B
OLD HAINES CITY LAKE ALFRED ROAD/KENTUCKY STREET	US 17/92 to US 17/92	2U	URBAN COLLECTOR	E	C	C	C
OLD HIGHWAY 37	SHEPHERD RD to PIPKIN RD W	2U	URBAN COLLECTOR	D	C	C	D
OLD HIGHWAY 37	PIPKIN ROAD W to SR 570 (POLK PARKWAY)	2U	URBAN COLLECTOR	E	C	C	C
OLD HIGHWAY 37	CR 630 to CR 640	2U	RURAL MAJOR COLLECTOR	D	B	B	B
OLD LAKE ALFRED RD	LAKE ARIANA BLVD to STADIUM RD/LAKE ALFRED RD	2U	URBAN COLLECTOR	E	C	C	C
OLD LAKE ALFRED ROAD	CR 557 to CR 557A	2U	URBAN COLLECTOR	D	C	C	C
OLD LUCERNE PARK ROAD	SR 544 (LUCERNE PARK ROAD) to SR 544 (LUCERNE PARK ROAD)	2U	URBAN COLLECTOR	D	C	C	C
OLD MEDULLA ROAD	PIPKIN ROAD W to PIPKIN ROAD SOUTH	2U	URBAN COLLECTOR	E	C	C	C
OLD NINE FOOT RD/EAGLE DR/GILBERT STREET	3RD ST N to SR 540	2U	URBAN COLLECTOR	E	C	C	C
OLD POLK CITY RD	CR 582 (SOCRUM LOOP ROAD N) to WALT WILLIAMS RD	2U	URBAN COLLECTOR	D	C	C	D
OLD POLK CITY RD	WALT WILLIAMS RD to SR 33	2U	URBAN COLLECTOR	D	B	B	B

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
OLIVE STREET	WABASH AVENUE S to LAKE BEULAH DRIVE	2U	URBAN COLLECTOR	E	C	C	C
ORANGE STREET	NEW YORK AVENUE S to US 98 (LAKE PARKER AVE S)	2U	URBAN COLLECTOR	E	C	C	C
ORCHID DRIVE	BATES ROAD to PATTERSON ROAD	2U	URBAN COLLECTOR	D	C	C	C
ORCHID DRIVE	PATTERSON ROAD to CR 547	2U	URBAN COLLECTOR	D	C	C	C
PACE ROAD	SR 570 (POLK PARKWAY) to SR 655 (BERKELY ROAD)	4D	URBAN COLLECTOR	E	C	C	C
PALMETTO STREET	MARIGOLD AVENUE to OSCEOLA COUNTY LINE	2U	URBAN COLLECTOR	D	C	C	C
PALMETTO STREET	LAKE MORTON DRIVE to HOLLINGSWORTH ROAD	2U	URBAN COLLECTOR	E	C	C	C
PARK BYRD RD	DUFF RD to CR 35A (SOCRUM LOOP RD W)	2U	URBAN COLLECTOR	D	C	C	C
PARKER STREET	SR 563 (MARTIN L KING JR AVENUE) to US 98 (LAKE PARKER AVE N)	2D	URBAN COLLECTOR	E	C	C	C
PARKVIEW PLACE	US 98 (FLORIDA AVENUE N) to LAKE PARKER DRIVE W	4U	URBAN COLLECTOR	E	C	C	C
PATTERSON ROAD	US 27 to 10TH STREET N	2U	URBAN COLLECTOR	D	C	C	C
PATTERSON ROAD	10TH STREET N to BATES ROAD	2U	URBAN COLLECTOR	E	C	C	C
PEARCE RD	DAUGHTERY RD W to SOCRUM LOOP RD N/MARCUM ROAD	2U	URBAN COLLECTOR	D	C	C	C
PENINSULAR DRIVE	US 17/92 (HINSON AVENUE) to SR 544	2U	URBAN COLLECTOR	E	C	C	C
PINE STREET	LAKE WIRE DRIVE to MASSACHUSETTS AVENUE N	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
PINE TREE TRAIL	ERNIE CALDWELL ROAD to CR 54	2U	URBAN COLLECTOR	D	F	F	F
PINELLAS ST/ROBIN RD	SR 37 (FLORIDA AVENUE S) to CLEVELAND HEIGHTS BLVD	2U	URBAN COLLECTOR	E	C	C	C
PIPKIN ROAD SOUTH	PIPKIN ROAD WEST to SR 572 (DRANE FIELD ROAD)	2U	URBAN COLLECTOR	D	C	C	C
PIPKIN ROAD WEST	HARDEN BLVD to SR 37 (FLORIDA AVENUE S)	3B	URBAN COLLECTOR	D	D	D	E
PIPKIN ROAD WEST	PIPKIN RD SOUTH to HARDEN BLVD	4D	URBAN COLLECTOR	D	C	C	D
PIPKIN ROAD WEST	COUNTY LINE ROAD to MEDULLA ROAD	4D	URBAN COLLECTOR	D	C	C	C
PIPKIN ROAD WEST	MEDULLA ROAD to PIPKIN ROAD SOUTH	4D	URBAN COLLECTOR	E	C	C	C
POINCIANA PARKWAY	CR 542 (LAKE HATCHINEHA ROAD) to MARIGOLD AVENUE	2U	URBAN COLLECTOR	D	C	C	C
POLK CITY ROAD/PALMETTO ROAD/FIFTH STREET	US 27 to US 17/92 (HINSON AVENUE E)	2U	URBAN COLLECTOR	E	C	C	C
POWERLINE ROAD/SOUTH BLVD E	CR 580 (JOHNSON AVENUE E) to US 17/92	2U	URBAN COLLECTOR	E	C	C	C
PROVIDENCE ROAD	SR 539 (KATHLEEN ROAD) to CR 582 (GRIFFIN ROAD)	2U	URBAN COLLECTOR	D	C	C	C
RAMSGATE RD/PILAKLAKAHA AVE/BOBBY GREEN PLZ	DIXIE HIGHWAY to MAIN STREET	2U	URBAN COLLECTOR	E	C	C	C
RESEARCH WAY	UNIVERSITY BLVD to UNIVERSITY BLVD	4D	URBAN COLLECTOR	E	C	C	C
REYNOLDS RD	SR 540 (WINTER LAKE ROAD) to US 92	2U	URBAN COLLECTOR	D	C	C	C
ROBSON ST	US 98 to CR 582 (FLORIDA AVENUE N)	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
ROCK RIDGE RD/GREEN POND ROAD	DEEN STILL ROAD to SR 33	2U	RURAL MINOR COLLECTOR	C	B	B	B
ROCK RIDGE ROAD	US 98 to DEEN STILL ROAD	2U	RURAL MINOR COLLECTOR	C	C	C	F
RONALD REAGAN PARKWAY	US 17/92 to OSCEOLA COUNTY LINE	2U	URBAN COLLECTOR	D	C	C	D
ROSE STREET E	SR 600 (MAIN STREET E) to GARY ROAD N	2U	URBAN COLLECTOR	E	C	C	C
SAND MINE ROAD	US 27 to OSCEOLA COUNTY LINE	2U	URBAN COLLECTOR	D	C	C	C
SAND MINE ROAD	CARIBBEAN DRIVE to US 27	2U	URBAN COLLECTOR	D	C	C	C
SCHOOLHOUSE ROAD	OLD HIGHWAY 37 to SR 37 (FLORIDA AVENUE S)	2U	URBAN COLLECTOR	D	C	C	C
SHEPHERD RD	BAILEY RD to SR 37	4D	URBAN COLLECTOR	D	C	C	D
SHEPHERD RD	COUNTY LINE RD to BAILEY RD	2U	URBAN COLLECTOR	D	C	C	C
SIXTH STREET SE	SR 542 (CENTRAL AVE E) to SR 540 (CYPRESS GARDENS BLVD SE)	2U	URBAN COLLECTOR	E	C	C	C
SIXTH STREET SW	AVENUE K SW to US 17	2U	URBAN COLLECTOR	E	C	C	C
SKYVIEW DR	SR 659 (COMBEE ROAD S) to REYNOLDS RD	2U	URBAN COLLECTOR	D	C	C	C
SLEEPY HILL ROAD	CR 35A (KATHLEEN ROAD) to US 98	4D	URBAN COLLECTOR	E	C	C	C
SMITH LANE	E.F. GRIFFIN RD to US 98	2U	URBAN COLLECTOR	D	C	C	C
SOCRUM LOOP RD N/SOCRUM LOOP RD W	MARCUM RD to US 98	2U	URBAN COLLECTOR	D	C	C	C
SOUTH BLVD	BELMAR STREET to LAKE MORTON DRIVE	2U	URBAN COLLECTOR	E	C	C	C
SOUTH FRONTAGE ROAD	COUNTY LINE ROAD to CR 542A	2U	URBAN COLLECTOR	D	C	C	C
SOUTH PARKWAY FRONTAGE ROAD	SR 563 (HARDEN BLVD) to OLD HIGHWAY 37	2U	URBAN COLLECTOR	D	D	D	F

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
SPIRIT LAKE RD	US 17 to SR 540	2U	URBAN COLLECTOR	D	C	D	F
SPIRIT LAKE RD	SR 540 to CR 542 (AVENUE G NW)	4D	URBAN COLLECTOR	D	C	C	C
SR 17 (SCENIC HIGHWAY)	MAIN ST @ CENTER ST to SR 544	2B	URBAN COLLECTOR	D	C	C	C
SR 17 (SCENIC HIGHWAY)	CR 630A (FORT MEADE ROAD) to CR 630	2B	URBAN COLLECTOR	D	C	C	C
SR 17 (SCENIC HIGHWAY)	WAVERLY RD to MAIN ST @ CENTER ST	2B	URBAN COLLECTOR	D	C	C	C
SR 17 (SCENIC HIGHWAY)	PASSION PLAY RD to MOUNTAIN LAKE CUTOFF	2B	URBAN COLLECTOR	D	C	C	C
SR 17 (SCENIC HIGHWAY)	CR 630 to SEMINOLE AVE	2B	URBAN COLLECTOR	D	B	B	B
SR 17 (SCENIC HIGHWAY)	SEMINOLE AVE to PASSION PLAY RD	2B	URBAN COLLECTOR	D	B	B	B
SR 17 (SCENIC HIGHWAY)	MOUNTAIN LAKE CUTOFF to WAVERLY RD	2B	URBAN COLLECTOR	D	B	B	B
SR 17 (SCENIC HIGHWAY)	US 27 to CR 630A (FORT MEADE ROAD)	2B	URBAN COLLECTOR	D	B	B	B
SR 17 (TENTH STREET S)	SR 544 to US 17/92 (HINSON AVENUE E)	2B	URBAN COLLECTOR	D	C	D	F
SR 33	SR 559 (BROADWAY BLVD SE) to LAKE COUNTY LINE	2U	MINOR ARTERIAL	C	D	E	F
SR 33	I-4 to OLD POLK CITY RD	2B	MINOR ARTERIAL	D	C	C	D
SR 33	I-4 @ SOCRUM LOOP RD N to I-4	2B	MINOR ARTERIAL	D	B	C	D
SR 33	OLD POLK CITY ROAD to SR 559 (BROADWAY BLVD SE)	2B	MINOR ARTERIAL	D	B	B	B
SR 33 (LAKELAND HILLS BLVD)	BELLA VISTA ST E to I-4 @ SOCRUM LOOP RD N	4D	MINOR ARTERIAL	D	C	C	C
SR 33 (MASSACHUSETTS AVE)	MAIN ST to BELLA VISTA ST E	4D	MINOR ARTERIAL	D	C	D	F
SR 35 (BARTOW RD)	LAKE PARKER AVE S to MAIN ST E	4D	PRINCIPAL ARTERIAL	D	C	D	F

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
SR 35 (FLORIDA AVE N)	MAIN ST E to MEMORIAL BLVD E	4D	URBAN COLLECTOR	D	D	D	F
SR 37	MANATEE COUNTY LINE to SR 674	2B	MINOR ARTERIAL	C	B	B	B
SR 37	SR 674 to CR 640	2B	MINOR ARTERIAL	C	B	B	B
SR 37	CR 640 to ALAFIA RIVER (NORTH PRONG)	2B	MINOR ARTERIAL	D	B	B	B
SR 37 (CHURCH AVE N)	SR 60 (CANAL STREET E) to SHEPHERD RD	4D	MINOR ARTERIAL	D	C	C	D
SR 37 (CHURCH AVE S)	ALAFIA RIVER (NORTH PRONG) to SR 60 (CANAL STREET E)	4D	MINOR ARTERIAL	D	C	C	C
SR 37 (FLORIDA AVE S)	SR 570 (POLK PARKWAY) to ARIANA ST	4D	MINOR ARTERIAL	D	D	E	F
SR 37 (FLORIDA AVE S)	PIPKIN RD W to ALAMO DR W	4D	MINOR ARTERIAL	D	C	E	F
SR 37 (FLORIDA AVE S)	ARIANA ST to MAIN ST E	4D	MINOR ARTERIAL	D	D	D	F
SR 37 (FLORIDA AVE S)	SHEPHERD RD to PIPKIN RD W	4D	MINOR ARTERIAL	D	C	D	F
SR 37 (FLORIDA AVE S)	ALAMO DR W to SR 570 (POLK PARKWAY)	6D	MINOR ARTERIAL	D	C	C	C
SR 471	US 98 to SUMTER COUNTY LINE	2B	MINOR ARTERIAL	C	B	B	B
SR 539 (KATHLEEN RD)	SR 563 (MARTIN L KING JR AVENUE) to I-4	4D	MINOR ARTERIAL	D	C	C	D
SR 540 (CYPRESS GARDENS BLVD)	US 17 to 9TH ST SE	4D	MINOR ARTERIAL	D	D	F	F
SR 540 (CYPRESS GARDENS BLVD)	9TH ST SE to CR 550 (OVERLOOK DRIVE SE)	4D	MINOR ARTERIAL	D	C	C	F
SR 540 (CYPRESS GARDENS BLVD)	CYPRESS GARDENS RD to US 27	4D	MINOR ARTERIAL	D	C	C	D
SR 540 (CYPRESS GARDENS BLVD)	CR 550 (OVERLOOK DRIVE SE) to CYPRESS GARDENS ROAD	4D	MINOR ARTERIAL	D	C	C	D
SR 540 (WINTER-LAKE RD)	US 98 to REYNOLDS RD	2U	MINOR ARTERIAL	D	C	C	F

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
SR 540 (WINTER-LAKE RD)	REYNOLDS RD to SR 570 (POLK PARKWAY)	2U	MINOR ARTERIAL	C	B	C	D
SR 540 (WINTER-LAKE RD)	SPIRIT LAKE RD to US 17 (FIFTH STREET N)	4D	MINOR ARTERIAL	D	C	C	C
SR 540 (WINTER-LAKE RD)	SR 570 (POLK PARKWAY) to SPIRIT LAKE RD	4D	MINOR ARTERIAL	D	B	B	B
SR 542 (CENTRAL AVE E)	SR 549 (FIRST STREET N) to BUCKEYE LOOP RD	2U	MINOR ARTERIAL	D	C	C	D
SR 542 (DUNDEE ROAD)	BUCKEYE LOOP RD to CARL FLOYD RD	4D	MINOR ARTERIAL	D	C	C	D
SR 542 (DUNDEE ROAD)	CARL FLOYD RD to US 27	4D	MINOR ARTERIAL	D	C	C	D
SR 544 (AVE T NW)	US 17 (LAKE ALFRED ROAD) to 1ST ST N	4D	URBAN COLLECTOR	D	C	C	C
SR 544 (HAVENDALE BLVD NW)	US 92 to TWENTY SIXTH STREET NW	6D	PRINCIPAL ARTERIAL	D	C	D	F
SR 544 (HAVENDALE BLVD NW)	TWENTY SIXTH STREET NW to US 17 (LAKE ALFRED ROAD)	6D	PRINCIPAL ARTERIAL	D	C	C	C
SR 544 (LUCERNE PARK RD)	1ST ST N to US 27	2U	PRINCIPAL ARTERIAL	D	D	D	F
SR 544 (SCENIC HWY S)	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	D	C	C	C
SR 546 (MEMORIAL BLVD W)	I-4 to WABASH AVE N	4D	PRINCIPAL ARTERIAL	D	C	C	C
SR 548 (BARTOW ROAD)	SR 35 (FLORIDA AVE N) to MAIN STREET E	4D	PRINCIPAL ARTERIAL	D	C	C	C
SR 549 (FIRST ST N)	CENTRAL AVE E to AVE T NE	4D	MINOR ARTERIAL	D	C	C	D
SR 559	I-4 to SR 33	2U	URBAN COLLECTOR	D	B	B	C
SR 559 (BERKLEY RD)	CR 546 (OLD DIXIE HWY) to PACE ROAD	4D	URBAN COLLECTOR	D	C	C	C
SR 559 (BERKLEY RD)	US 92 to CR 546 (OLD DIXIE HWY)	4D	URBAN COLLECTOR	E	C	C	C
SR 559 (BERKLEY RD)	PACE ROAD to SR 559 (C FRED JONES BLVD)	4D	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
SR 559 (C FRED JONES BLVD)	SR 655 (BERKLEY ROAD) to CR 559	4D	URBAN COLLECTOR	D	C	C	C
SR 559 (MAIN STREET)	SR 655 (RECKER HIGHWAY) to US 92 (MAGNOLIA AVENUE)	2U	URBAN COLLECTOR	E	C	C	C
SR 563 (HARDEN BLVD)	SR 570 (POLK PARKWAY) to ARIANA ST	4D	MINOR ARTERIAL	D	C	C	F
SR 563 (MARTIN L KING JR AVENUE)	SR 539 (KATHLEEN ROAD) to US 92 (MEMORIAL BLVD W)	4D	URBAN COLLECTOR	D	C	C	C
SR 563 (SIKES BLVD)	LIME ST to SR 539 (KATHLEEN ROAD)	4D	MINOR ARTERIAL	D	D	D	E
SR 563 (SIKES BLVD)	ARIANA ST to LIME ST	4D	MINOR ARTERIAL	D	D	D	E
SR 570 (POLK PARKWAY)	US 98 to CR 546 (OLD DIXIE HIGHWAY)	4F	PRINCIPAL ARTERIAL	D	B	B	C
SR 570 (POLK PARKWAY)	I-4 to US 98	4F	PRINCIPAL ARTERIAL	D	B	B	C
SR 570 (POLK PARKWAY)	CR 546 (OLD DIXIE HIGHWAY) to I-4	4F	PRINCIPAL ARTERIAL	D	B	B	B
SR 572 (AIRPORT RD)	US 92 (NEW TAMPA HWY) to DRANE FIELD RD	2U	MINOR ARTERIAL	D	C	C	C
SR 572 (DRANE FIELD RD)	AIRPORT RD to PIPKIN CREEK ROAD	2U	URBAN COLLECTOR	D	C	C	C
SR 60	SR 60 (FLAMINGO DRIVE E) to CR 655 (RIFLE RANGE RD)	4D	PRINCIPAL ARTERIAL	D	C	C	F
SR 60	CR 630 to OSCEOLA COUNTY LINE	2U	PRINCIPAL ARTERIAL	C	B	C	D
SR 60	BONNIE MINE RD to VAN FLEET DRIVE W	4D	PRINCIPAL ARTERIAL	D	C	C	D
SR 60	12TH AVE NE to BONNIE MINE RD	4D	PRINCIPAL ARTERIAL	D	C	C	D
SR 60	SR 37 (CHURCH AVENUE N)\ to 12TH AVE NE	4D	PRINCIPAL ARTERIAL	D	C	C	D
SR 60	CR 676 (NICHOLS ROAD) to SR 37	4D	PRINCIPAL ARTERIAL	D	C	C	D

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
	(CHURCH AVENUE N)						
SR 60	HILLSBOROUGH COUNTY LINE to CR 676 (NICHOLS ROAD)	4D	PRINCIPAL ARTERIAL	D	C	C	D
SR 60	US 27 to SR 17 (SCENIC HIGHWAY)	4D	PRINCIPAL ARTERIAL	D	C	C	D
SR 60	STOKES RD to CR 630	4D	PRINCIPAL ARTERIAL	C	B	B	D
SR 60	VAN FLEET DR E to FLAMINGO DR E	4D	PRINCIPAL ARTERIAL	D	C	C	C
SR 60	CR 655 (RIFLE RANGE ROAD) to US 27	4D	PRINCIPAL ARTERIAL	D	C	C	C
SR 60 (HESPERIDES RD)	SR 17 (SCENIC HIGHWAY) to STOKES RD	4D	PRINCIPAL ARTERIAL	D	C	C	D
SR 60 (VAN FLEET DR E)	BROADWAY AVE to US 17	4D	PRINCIPAL ARTERIAL	D	C	F	F
SR 60 (VAN FLEET DR W)	MAIN STREET W to BROADWAY AVE N	4D	PRINCIPAL ARTERIAL	D	C	C	D
SR 600 (GEORGE JENKINS BLVD)	WABASH AVE N to LAKE BEULAH DR	4D	PRINCIPAL ARTERIAL	D	C	C	C
SR 600 (MAIN ST)	MASSACHUSETTS AVE N to SR 548 (BARTOW ROAD)	2U	URBAN COLLECTOR	D	C	C	C
SR 655 (LAKE SHIPP DR)	US 17 to SR 655 (RECKER HIGHWAY)	2U	URBAN COLLECTOR	D	C	C	D
SR 655 (RECKER HWY)	ORANGEWOOD AVE SW to CR 542 (AVENUE G NW)	2U	MINOR ARTERIAL	D	C	D	F
SR 655 (RECKER HWY)	CR 542 (AVENUE G NW) to US 92	2U	MINOR ARTERIAL	D	C	C	F
SR 655 (RECKER HWY)	SR 540 to ORANGEWOOD AVE SW	4D	MINOR ARTERIAL	D	C	C	C
SR 659 (COMBEE RD)	US 98 to US 92	2U	MINOR ARTERIAL	D	C	F	F
SR 659 (COMBEE RD)	US 92 to CR 546 (SADDLE CREEK RD)	2U	MINOR ARTERIAL	D	C	C	F
SR 659 (COMBEE RD)	CR 546 (SADDLE CREED RD) to SR 33	2U	MINOR ARTERIAL	D	C	C	D

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
SR 674	HILLSBOROUGH COUNTY LINE to SR 37	2B	RURAL MAJOR COLLECTOR	C	B	B	B
STADIUM RD/PIERCE ST/LAKE ALFRED RD	MAIN STREET N to US 17/92 (SHINN BLVD)	2U	URBAN COLLECTOR	E	C	C	C
SUCCESS AVENUE	LAKE HOLLINGSWORTH DRIVE to LAKE MORTON DRIVE	2U	URBAN COLLECTOR	D	C	C	C
SUNSET DRIVE	LAKESHORE BOULEVARD to CR 17B (BUCK MOORE RD)	2U	URBAN COLLECTOR	D	C	C	C
SUNSET/EVERGREEN DRIVE	CR 17B (BUCK MOORE RD) to STATE ROAD 60	2U	URBAN COLLECTOR	D	C	C	C
SWINDELL ROAD	NORTH FRONTAGE ROAD to CR 542A	2U	URBAN COLLECTOR	D	C	C	C
SWINDELL ROAD	CR 542A (GALLOWAY ROAD N) to SR 546 (MEMORIAL BLVD W)	2U	URBAN COLLECTOR	E	C	C	C
SYLVESTER ROAD	NEW JERSEY ROAD to US 98	2U	URBAN COLLECTOR	D	C	C	C
T.S. WILSON ROAD/LAKE REEDY BOULEVARD S	SR 17 (SCENIC HIGHWAY) to LAKE ARBUCKLE RD	2U	URBAN COLLECTOR	D	B	B	B
TENTH ST W	CR 542A (GALLOWAY ROAD N) to SR 539 (KATHLEEN ROAD)	2U	URBAN COLLECTOR	E	C	C	C
TENTH STREET	SR 539 (KATHLEEN ROAD) to SR 563 (MARTIN L KING JR AVENUE)	2U	URBAN COLLECTOR	E	C	C	C
TENTH STREET N	BATES ROAD to CR 547	2U	URBAN COLLECTOR	D	C	C	C
TENTH STREET N/LILY AVENUE E	US 17/92 (HINSON AVE) to 12TH STREET	2U	URBAN COLLECTOR	E	C	C	C
THIRD ST SE/LAKE LULU DR N/SIXTH ST SE	SR 540 (CYPRESS GARDENS BLVD SE) to SR 540 (CYPRESS	2U	URBAN COLLECTOR	E	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
	GARDENS BLVD SE)						
THIRD ST/OLD EAGLE LAKE-WINTER HAVEN RD/7TH ST SW/AVE M SW/6TH ST SW/AVE K SW	CRYSTAL BEACH RD to US 17 (THIRD STREET SW)	2U	URBAN COLLECTOR	E	C	C	C
THIRTIETH ST	CR 544 (LAKE MARION ROAD) to HINSON AVENUE E	2U	URBAN COLLECTOR	E	C	C	C
THIRTIETH ST N	CR 580 to BAKER AVENUE E	2U	URBAN COLLECTOR	E	C	C	C
THIRTIETH ST N	HINSON AVE E to CR 580 (JOHNSON AVENUE E)	2U	URBAN COLLECTOR	E	C	C	C
THIRTY-FOURTH ST NW	CR 542 (AVENUE G NW) to SR 544 (HAVENDALE BLVD NW)	2U	URBAN COLLECTOR	D	C	C	C
THOMPSON NURSERY RD/ELOISE LOOP ROAD	CR 653 (RATTLESNAKE RD) to US 27	2U	URBAN COLLECTOR	D	C	C	F
THORNHILL ROAD	SR 540 to SR 655 (RECKER HIGHWAY)	2U	URBAN COLLECTOR	E	C	C	C
TIMBERLANE ROAD	CR 17A (MASTERPIECE ROAD) to CANAL ROAD	2U	RURAL MINOR COLLECTOR	D	C	C	C
TOMKOW ROAD	SR 33 to OLD POLK CITY ROAD	2U	URBAN COLLECTOR	D	C	C	C
TOWER BOULEVARD	LAKESHORE BOULEVARD to CR 17A (BURNS AVENUE)	2U	URBAN COLLECTOR	D	C	C	C
TWELFTH ST/LEE JACKSON HIGHWAY N	STUART AVE to US 17/92	2U	URBAN COLLECTOR	E	C	C	C
TWENTY FIRST STREET SW, LAKE HOWARD DRIVE	SR 655 (RECKER HIGHWAY) to CR 542 (AVE G NW)	2U	URBAN COLLECTOR	D	C	C	C
TWENTY-FIRST ST NW	SR 544 (HAVENDALE BLVD NW) to US 92	2U	URBAN COLLECTOR	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
TWENTY-THIRD ST NW/LAKE CANNON DR W/TWENTY-SIXTH ST NW	CR 542 (AVENUE G NW) to SR 544 (HAVENDALE BLVD NW)	2U	URBAN COLLECTOR	D	C	C	C
TYNER ROAD	CR 542 (HATCHINEHA RD) to CR 546	2U	RURAL MINOR COLLECTOR	D	C	C	C
UNIVERSITY BLVD	SR 33 to SR 570 (POLK PARKWAY)	4D	URBAN COLLECTOR	E	C	C	C
US 17	VAN FLEET DRIVE W to SPIRIT LAKE RD	4D	PRINCIPAL ARTERIAL	D	C	D	D
US 17	SPIRIT LAKE RD to CRYSTAL BEACH RD	4D	PRINCIPAL ARTERIAL	D	C	D	D
US 17	HARDEE COUNTY LINE to 9TH STREET SE	4D	PRINCIPAL ARTERIAL	D	C	C	D
US 17	GILBERT ST to SR 655 (LAKE SHIPP DRIVE S)	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 17	SR 655 (LAKE SHIPP DRIVE S) to SR 540 (CYPRESS GARDENS BLVD SW)	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 17 (CHARLESTON AVE S)	9TH STREET to US 98 (BROADWAY STREET E)	4D	PRINCIPAL ARTERIAL	D	C	C	D
US 17 (EIGHTH ST NW)	SR 544 (AVENUE T NW) to US 92	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 17 (FIFTH ST)	CRYSTAL BEACH RD to GILBERT ST	3O	PRINCIPAL ARTERIAL	D	C	D	D
US 17 (FOURTH ST)	GILBERT ST to CRYSTAL BEACH RD	3O	PRINCIPAL ARTERIAL	D	C	C	D
US 17 (SIXTH ST NW)	AVE C SW to SR 544 (AVENUE T NW)	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 17 (THIRD ST SW)	SR 540 to AVE C SW	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 17/92	CR 547 to OSCEOLA COUNTY LINE	2U	PRINCIPAL ARTERIAL	D	C	F	F
US 17/92	POMELO ST to US 27	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 17/92 (HINSON AVE)	10TH ST to 17TH ST S	2D	PRINCIPAL ARTERIAL	D	C	F	F
US 17/92 (HINSON AVE)	US 27 to 10TH ST N	4D	PRINCIPAL ARTERIAL	D	D	D	F

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
US 17/92 (LAKE SHORE WAY N)	ECHO ST to POMELO ST	3O	PRINCIPAL ARTERIAL	D	C	F	F
US 17/92 (LAKE SHORE WAY S)	US 17 to ECHO ST	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 17/92 (SEVENTEENTH ST)	HINSON AVE to CR 580 (JOHNSON AVENUE E)	2U	PRINCIPAL ARTERIAL	D	C	F	F
US 17/92 (SEVENTEENTH ST)	CR 580 (JOHNSON AVENUE E) to CR 547	2U	PRINCIPAL ARTERIAL	D	C	D	D
US 17/92 (SHINN BLVD)	POMELO ST to ECHO ST	3O	PRINCIPAL ARTERIAL	D	C	F	F
US 17/98	CLEAR SPRINGS MINE RD to MAIN ST	4D	PRINCIPAL ARTERIAL	D	C	D	D
US 17/98	CR 640 (HOMELAND GARFIELD ROAD) to CLEAR SPRINGS MINE RD	4D	PRINCIPAL ARTERIAL	D	B	B	B
US 17/98 (CHARLESTON AVE)	US 17 @ US 98 (BROADWAY STREET E) to CR 640	4D	PRINCIPAL ARTERIAL	D	C	D	D
US 17/98 (EAST AVE)	MAIN STREET to VAN FLEET DRIVE W	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 27	CR 547 to I-4	6D	PRINCIPAL ARTERIAL	D	F	F	F
US 27	SAND MINE ROAD to US 192	6D	PRINCIPAL ARTERIAL	D	C	F	F
US 27	BATES ROAD to CR 547	6D	PRINCIPAL ARTERIAL	D	C	F	F
US 27	US 17/92 to CR 17 (POLK CITY ROAD)	6D	PRINCIPAL ARTERIAL	D	C	F	F
US 27	SR 544 to US 17/92	6D	PRINCIPAL ARTERIAL	D	C	F	F
US 27	CR 17 (POLK CITY ROAD) to BATES ROAD	6D	PRINCIPAL ARTERIAL	D	C	F	F
US 27	I-4 to CR 54 (RONALD REAGAN PARKWAY)	6D	PRINCIPAL ARTERIAL	D	C	D	F
US 27	CR 54 (RONALD REAGAN PARKWAY) to SAND MINE ROAD	6D	PRINCIPAL ARTERIAL	D	C	D	F

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
US 27	TOWERVIEW BLVD to SR 540 (CYPRESS GARDENS BLVD SE)	6D	PRINCIPAL ARTERIAL	D	C	D	F
US 27	SR 540 (CYPRESS GARDENS BLVD SE) to SR 542 (DUNDEE ROAD)	6D	PRINCIPAL ARTERIAL	D	C	D	E
US 27	CR 640 (ALTU9RAS BABSON PARK CUTOFF ROAD) to SR 60	4D	PRINCIPAL ARTERIAL	D	C	C	D
US 27	SR 60 to TOWERVIEW BLVD	6D	PRINCIPAL ARTERIAL	D	C	C	D
US 27	SR 542 (DUNDEE RD) to SR 544	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 27	CR 630 (FORT MEADE ROAD) to CR 640 (ALTURAS BABSON PARK CUTOFF ROAD)	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 27/98	HIGHLANDS COUNTY LINE to CR 630 (FORT MEADE ROAD)	4D	PRINCIPAL ARTERIAL	D	C	C	F
US 92	SR 659 (COMBEE ROAD N) to SR 655 (RECKER HIGHWAY)	4D	PRINCIPAL ARTERIAL	D	C	D	F
US 92	SR 544 (HAVENDALE BLVD NW) to US 17 (LAKE ALFRED ROAD)	4D	PRINCIPAL ARTERIAL	D	D	D	D
US 92 (MAGNOLIA AVE)	SR 655 (RECKER HIGHWAY) to SR 544 (HAVENDALE BLVD NW)	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 92 (MEMORIAL BLVD W)	WABASH AVE N to FLORIDA AVE N	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 92 (NEW TAMPA HWY)	SR 572 (AIRPORT ROAD) to WABASH AVE N	2U	PRINCIPAL ARTERIAL	D	C	E	F
US 92 (NEW TAMPA HWY)	COUNTY LINE ROAD to SR 572 (AIRPORT ROAD)	2U	PRINCIPAL ARTERIAL	D	C	C	F
US 92 (WABASH AVE N)	GEORGE JENKINS BLVD to SR 546	4D	PRINCIPAL ARTERIAL	D	C	C	C

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
US 92/98 (MEMORIAL BLVD E)	LAKE PARKER AVENUE N to SR 659 (COMBEE RD N)	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 92/98 (MEMORIAL BLVD E)	FLORIDA AVE N to LAKE PARKER AVE N	4D	PRINCIPAL ARTERIAL	D	C	C	C
US 98	DAUGHTERY RD W to SOCRUM LOOP RD W	4D	PRINCIPAL ARTERIAL	D	D	F	F
US 98	EDGEWOOD DR E to LAKE PARKER AVE S	4D	PRINCIPAL ARTERIAL	D	D	F	F
US 98	SR 570 (POLK PARKWAY) to EDGEWOOD DR E	6D	PRINCIPAL ARTERIAL	D	D	E	F
US 98	LYLE PKWY to CR 540A	6D	PRINCIPAL ARTERIAL	D	C	E	F
US 98	CR 540A to SR 540 (WINTER LAKE ROAD)	6D	PRINCIPAL ARTERIAL	D	C	D	F
US 98	MEMORIAL BLVD to CR 582 (GRIFFIN ROAD)	4D	PRINCIPAL ARTERIAL	D	C	D	F
US 98	I-4 to SLEEPY HILL RD	8D	PRINCIPAL ARTERIAL	D	D	D	E
US 98	ROCK RIDGE RD to SR 471	4U	PRINCIPAL ARTERIAL	C	B	C	D
US 98	SR 471 to PASCO COUNTY LINE	4U	PRINCIPAL ARTERIAL	C	B	C	D
US 98	SLEEPY HILL RD to DAUGHTERY RD W	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 98	CR 582 (GRIFFIN ROAD) to I-4	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 98	SR 540 (WINTER LAKE ROAD) to SR 570 (POLK PARKWAY)	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 98	SOCRUM LOOP RD W to ROCK RIDGE RD	4U	PRINCIPAL ARTERIAL	D	B	C	C
US 98	EDGEWOOD DR N to US 17 (CHARLESTON AVENUE N)	2U	PRINCIPAL ARTERIAL	D	B	B	C
US 98	AVON PARK CUTOFF ROAD to EDGEWOOD DR N	2U	PRINCIPAL ARTERIAL	C	B	B	B

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
US 98	US 27 to AVON PARK CUTOFF ROAD	2U	PRINCIPAL ARTERIAL	C	B	B	B
US 98 (BROADWAY AVE N)	SR 60 (VAN FLEET DRIVE W) to LYLE PKWY	6D	PRINCIPAL ARTERIAL	D	C	C	C
US 98 (LAKE PARKER AVE S)	BARTOW RD to MEMORIAL BLVD E	4D	PRINCIPAL ARTERIAL	D	C	C	C
WABASH AVE N	SR 546 (MEMORIAL BLVD W) to TENTH ST W	2U	URBAN COLLECTOR	D	C	C	C
WABASH AVE S	ARIANA ST to US 92 (GEORGE JENKINS BLVD)	2U	URBAN COLLECTOR	D	C	C	D
WALKER ROAD	SWINDELL ROAD to CR 582 (KNIGHTS STATION RD)	2U	URBAN COLLECTOR	D	C	C	C
WALK-IN-WATER RD	CR 630 to SR 60	2U	RURAL MAJOR COLLECTOR	C	B	B	B
WALNUT STREET	MARIGOLD AVENUE to OSCEOLA COUNTY LINE	2U	URBAN COLLECTOR	E	C	C	C
WALT LOOP ROAD	CR 582 (SOCRUM LOOP ROAD) to OLD POLK CITY ROAD	2U	URBAN COLLECTOR	D	C	C	F
WALT WILLIAMS ROAD	WALT LOOP ROAD to OLD POLK CITY ROAD	2U	URBAN COLLECTOR	D	C	C	C
WARING ROAD	OLD MEDULLA ROAD to SR 570 (POLK PARKWAY)	2U	URBAN COLLECTOR	D	C	C	F
WARING ROAD	PIPKIN ROAD WEST to OLD MEDULLA ROAD	2U	URBAN COLLECTOR	D	C	C	D
WATER TANK ROAD	DETOUR ROAD to BICE GROVE ROAD	2U	URBAN COLLECTOR	C	C	C	C
WATER TANK ROAD	BICE GROVE ROAD to TYNER ROAD	2U	URBAN COLLECTOR	C	C	C	C
WATER TANK ROAD	SR 17 (SCENIC HIGHWAY) to DETOUR ROAD	2U	URBAN COLLECTOR	E	C	C	C
WAVERLY RD	US 27 to SR 17 (SCENIC HIGHWAY)	2U	URBAN COLLECTOR	D	B	B	B

Road Name	From/To	Lane Type	Functional Class.	Adopted LOS	Current LOS	LOS 2035	LOS 2050
WEST EDGEWOOD DRIVE	SR 563 to SR 37 (S FLORIDA AVE)	2U	URBAN COLLECTOR	D	D	D	F
WEST LAKE ELOISE DRIVE	ELOISE LOOP ROAD to SHELL ROAD	2U	URBAN COLLECTOR	D	C	C	C
WESTSIDE BLVD	CR 54 (RONALD REAGAN PARKWAY) to OSCEOLA COUNTY LINE	2U	URBAN COLLECTOR	D	C	C	C
WILSON AVENUE	STATE ROAD 60 (VAN FLEET DRIVE) to OLD BARTOW EAGLE LAKE ROAD	2U	URBAN COLLECTOR	E	C	D	D
YARBOROUGH LANE	CR 540A to CR 540 (CLUBHOUSE ROAD)	2U	URBAN COLLECTOR	E	C	C	C
YATES ROAD	EWELL ROAD to PIPKIN ROAD W	2U	URBAN COLLECTOR	E	C	C	C

Appendix D: Previously Adopted Ordinances that were not Reflected in the Transmittal

Please note that due to an error, a number of policies that were previously adopted by the Polk Board of County Commissioners and accepted by FloridaCommerce were not properly displayed in the transmitted version of the Comprehensive Plan. Staff held a call with James Stansbury and Adam Sieracki with FloridaCommerce on October 30, 2025 to explain the oversite. Per the discussion, the table below provides a strikethrough / underline for the policies that were modified to correct the error. This is just a correction to reflect the policies that were previously adopted by the Board of County Commissioners and accepted by FloridaCommerce during previous amendment cycles. These policies are shown without strikethrough / underline in the current adopted version, as they were previously adopted and accepted, and changes are not being pursued under the current amendment. The following table shows the element affected, the specific policy, the ordinance that adopted the change, the FloridaCommerce number, and the language that was corrected after the original transmittal.

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
Recreation and Open Space	POLICY 3.502-C1	19-052	19-06ASC	POLICY 3.502-C1: Polk County shall establish and maintain Advisory Committee(s) that will assist the Parks and Natural Resources Division in assessing the demands and needs of the County's residents and visitors. ~~including, but not limited to:~~ ~~a. Friends of the park Foundation and the Parks~~ ~~b. Municipal Services Taxing Unit Advisory Board~~ ~~c. Lake Access Advisory Committee~~
Recreation and Open Space	POLICY 3.502-D5	19-052	19-06ASC	POLICY 3.502-D5: Polk County ~~shall~~ may coordinate with the appropriate ~~at least the following~~ agencies when planning for new park sites, which may include: a. United States Government ~~(with regard to the Avon Park Wild Life Management Area)~~, b. Florida Fish and Wildlife Conservation Commission, c. Florida Department of Environmental Protection, d. appropriate Florida Water Management Districts, e. Florida Department of Transportation, f. ~~Florida Division of Forestry~~ Florida Forest Service, g. Polk County Transportation Planning Organization, h. Polk County Economic Development Council,

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				i. Polk County Tourist Development Council, j. Polk County School Board, k. seventeen municipalities within the County's jurisdiction, l. municipal utility departments (with regard to use of available easements and open spaces), ~~and~~ m. appropriate private utility companies (with regard to use of available easements and open spaces), and n. U.S. Fish and Wildlife Service.
Recreation and Open Space	POLICY 3.502-E2	19-052	19-06ASC	POLICY 3.502-E2: Polk County shall maintain a minimum recreation level-of-service standard of 6.95 acres per 1, 000 persons: *Note: this figure is calculated using a static aggregate total of passive and active recreational land ~~of 5,017 acres~~ divided by the population projection for 2020. Regardless of a static total of passive and active recreational land being used, county parks and open space lands LOS standards in 2020 should be adequate. It is expected that passive and active recreational space will increase in relation to further development and population increase.
Recreation and Open Space	POLICY 3.502-E4	19-052	19-06ASC	POLICY 3.502-E4: Polk County shall evaluate all park areas to be acquired by the County through purchase, dedication and/or gift. The evaluation will consider at least the following: a. applicability in being applied to a recreation level-of-service standard; b. impacts of operation and maintenance cost on the Parks and Recreation budget; c. impacts of needed facilities on the Capital Improvements Budget; d. accessibility by the general public; and ~~e. potential as a preservation and a recreation area~~. e. mined lands that could serve as a designated open space as an alternative to reclamation for commercial or other uses; and f. suitability of the sites for recreational uses.
Recreation and Open Space	POLICY 3.502-E4	19-052	19-06ASC	POLICY 3.502-E5: Polk County shall purchase recreation areas to be used for resource-based recreation. Purchase of these properties shall be evaluated and prioritized on the following considerations: a. sites with river and lake frontage, b. sites that include water bodies or wetlands,

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				c. sites designated as conservation protection, d. sites needed to buffer or otherwise benefit public parklands., (and) ~~e. mined lands that could serve as a designated open space area as an alternative to reclamation for commercial or other uses; and~~ ~~f. suitability of the sites for recreational uses.~~ f. potential as a preservation and a recreation area.
Recreation and Open Space	**OLD** POLICY 3.502-E6	19-052	19-06ASC	~~POLICY 3.502-E6: Polk County may apply lands acquired under Policy 2.309-A5 and Policy 2.124E towards satisfying the County's adopted minimum recreation acreage level-of-service standard (Policy 3.502-E2)~~ ~~The use of preservation land for recreation shall be limited to lands that are suitable for passive recreation uses.~~
Recreation and Open Space	POLICY 3.502-E6	19-052	19-06ASC	POLICY 3.502-~~E7~~ E6: Polk County's development plans for parks shall include facilities to provide access and recreation opportunities for the elderly and the handicapped.
Recreation and Open Space	POLICY 3.502-E7	19-052	19-06ASC	POLICY 3.502-~~E8~~ E7: Polk County shall acquire and improve park sites based, ~~but not limited to, the following facility selection criteria:~~ upon the revised Parks and Recreation Master Plan. ~~a. Community Parks shall provide two or more of the following selected items to satisfy the recreation facility needs of Polk County residents and visitors:~~ ~~1. open play areas,~~ ~~2. court play areas,~~ ~~3. trails,~~ ~~4. swimming areas,~~ ~~5. community centers, and/or~~ ~~6. playgrounds.~~ ~~b. Regional Parks shall include areas for both activity-based recreation and resource-based recreation. These areas shall provide activity(s) as stipulated for community parks, and one or more of the following within the resource-based area to satisfy the recreation facility needs of Polk County residents and visitors:~~

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				~~1. boardwalks,~~ ~~2. nature study, and/or~~ ~~3. land buffers.~~ ~~c. Open Space areas shall be used for resource-based recreation. These areas shall provide at least~~ ~~one of the activities stipulated below in satisfying the recreation acreage needs for Polk County~~ ~~residents and visitors. The resource-based areas within regional parks can be attributed to~~ ~~fulfilling acreage needs for open space.~~ ~~1. boardwalks,~~ ~~2. nature study,~~ ~~3. trails,~~ ~~4. picnic areas,~~ ~~5. boat ramps,~~ ~~6. scenic vistas,~~ ~~7. preservation/conservation areas,~~ ~~8. land buffers for land use, wildlife and/or vegetative protection, and/or~~ ~~9. playgrounds.~~
Recreation and Open Space	POLICY 3.502-E8	19-052	19-06ASC	POLICY 3.502-~~E9~~ E8: Polk County shall ensure the provision of outdoor-recreation facilities and outdoor recreation in a natural environment for every County resident.
Recreation and Open Space	POLICY 3.502-F2	19-052	19-06ASC	POLICY 3.502-F2: Polk County shall provide signs that clearly identify County park entrances, and site appropriate park regulations~~, and penalties~~.
Recreation and Open Space	POLICY 3.503-A1	19-052	19-06ASC	POLICY 3.503-A1: The Parks and Natural Resources Division shall maintain cost expenditures for recreation facilities, maintenance cost by park site, utility cost by park site~~, and the number and cost of Division personnel by park program and park site~~ to be used in developing the Parks and Natural Resources annual budget.
Recreation and Open Space	POLICY 3.503-A2	19-052	19-06ASC	POLICY 3.503-A2: Polk County shall continue to use programs to promote gifts, sponsorships and donations to the recreation and open space system from private organizations or citizens.

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
Recreation and Open Space	POLICY 3.504-C1	19-052	19-06ASC	POLICY 3.504-C1: The Parks and Natural Resources Division shall establish a Florida Friendly landscape program ~~to retain, replace, and introduce native plant materials for all activity-based parks~~ within the parks system.
Recreation and Open Space	**OLD** POLICY 3.504-D1	19-052	19-06ASC	~~POLICY 3.504-D1: The Parks and Natural Resources Division shall develop and implement a forestry plan for County owned resource-based parks where forestation is determined to be needed.~~
Recreation and Open Space	POLICY 3.504-D1	19-052	19-06ASC	POLICY 3.504-~~D2~~D1: The Parks and Natural Resources Division shall improve the overall aesthetic character of parks by encouraging the donation of artistic works.
Recreation and Open Space	POLICY 3.504-D3	19-052	19-06ASC	~~POLICY 3.504-D3: The Parks and Natural Resources Division shall use native plants extensively when replanting is needed for County-owned parks.~~
Recreation and Open Space	POLICY 3.504-D2	19-052	19-06ASC	POLICY 3.504-~~D4~~D2: Polk County shall use native plants when replanting is needed along designated County-maintained scenic corridors.
Recreation and Open Space	POLICY 3.504-D3	19-052	19-06ASC	POLICY 3.504-~~D5~~D3: The Parks and Natural Resources Division shall continue to use a computerized system to ensure that signs and other visual features are maintained or replaced as needed.
Recreation and Open Space	**OLD** POLICY 3.507-A5	19-052	19-06ASC	~~POLICY 3.507-A5: Polk County shall provide a recreation service program which includes the following:~~ ~~a. park and recreation resource development guidelines (Objective 3.504-A),~~ ~~b. natural and cultural heritage protection techniques (Objective 3.504-B),~~ ~~c. recreation and design and development techniques (Objective 3.504-C), and~~ ~~d. recreation visual character improvement techniques (Objective 3.504-D).~~
Recreation and Open Space	**OLD** POLICY 3.507-A6	19-052	19-06ASC	~~POLICY 3.507-A6: Polk County shall maintain all parklands and recreation facilities in a manner consistent with Objective 3.505-A.~~
Recreation and Open Space	**OLD** POLICY 3.507-A7	19-052	19-06ASC	~~POLICY 3.507-A7: Polk County shall establish a recreation resources protection system which includes:~~ ~~a. recreation resource land-use protection techniques (Objective 3.506-A),~~ ~~b. natural recreation resource areas protection techniques (Objective 3.506-B), and~~ ~~c. separate and protect against incompatible land uses and flooding (Objective 3.506-C).~~

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
Recreation and Open Space	**OLD** POLICY 3.507-A8	19-052	19-06ASC	~~POLICY 3.507-A8: Polk County shall provide at a minimum the established recreation acreage level-of service standard and recreation services to the residents of Polk County.~~
Appendix: Adopted Selected Area Plans	**OLD** POLICY 2.131-C4.3	2020-015	19-11ESR	3. DEVELOPMENT CRITERIA - Development within the Professional Institutional district shall be according to the following criteria: (a) Non-residential Floor Area Ratio (FAR) shall not exceed 0.70; (b) Residential densities shall not exceed 10 dwelling units per gross acre. (c) Lands shall only be divided as part of a master subdivision plan and all individual lots shall be accessible via internal local roadways; ~~(d) No direct access to US Highway 27 shall be permitted for either driveway connections or parking areas located within the district except at full median openings along US 27 that complement access to the connector roadways identified by this SAP;~~ d ~~(e)~~ All developments shall provide on-site pedestrian pathways connections to provide access from all parking areas and abutting residential development where appropriate, to the primary uses of the district; e ~~(f)~~ Non-residential building entrances shall be oriented towards abutting rights-of-way in order to create a village like appearance along primary streets; furthermore, no more than two rows of parking shall be placed forward of the front building facade. f ~~(g)~~ Off street parking areas for non-residential uses shall be designed to complement the building facade and emphasize the building appearance and relationship to abutting rights-of-way; g ~~(h)~~ Single occupancy, detached residential dwellings and duplexes are prohibited in the Professional Institutional district; h ~~(i)~~ Time-share and short-term rental units shall include a management office on the same site as the individual units; i ~~(j)~~ Loading docks, drive-thru facilities, utility facilities, and storage areas shall be designed to minimize their visibility from abutting collector and/or arterial rights-of-way without diminishing their utility of intended function.
Future Land Use	POLICY 2.119-A3.f	20-047	20-05ESR	f. DENSITY COMPUTATIONS: Polk County shall use gross densities when determining residential densities. Gross density is determined by

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				dividing the total number of dwelling units on the site by the total area of the residential site, exclusive of water bodies and wetlands except as permitted in Policy 2.123-C3. The area for computing gross density shall include all public and institutional land uses (e.g. internal streets, sewer plants, schools, parks, etc.) located within the site, as well as 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, for those areas not already owned by the public. In the Rural Development Area (RDA) and Suburban Development Area (SDA), outside of the Green Swamp Area of Critical State of Concern, one unit per five-acre (1 du/5ac) density may also be measured to the centerline of collector roads.
Future Land Use	POLICY 2.120-B3	20-047	20-05ESR	POLICY 2.120-B3: SPD DEVELOPMENT CRITERIA - SPDs may contain single-family and duplex units at a gross density (exclusive of water bodies and wetlands except as permitted in Policy 2.123-C3) of up to, and including, three dwelling units per acre (3 DU/AC).
Future Land Use	POLICY 2.123-C3.b	20-047	20-05ESR	b. Residential densities shall be transferred from wetland areas to non-wetland areas at a density of one dwelling unit per acre (1 DU/AC), or at the base land use density if the base density is less than 1 DU/AC, and ~~only~~ when there has been no disturbance to wetlands. The base density is one dwelling unit per five acres in A/RR and RS. Portions of lots may be platted into wetland areas and shall not be construed as having disturbed wetland areas for this density-transfer provision so long as that portion of the lot does not include any fill, construction, improvements, or other development, and a restriction is placed upon the plat to prohibit such future actions within wetland areas.
Appendix: Adopted Selected Area Plans	POLICY 2.131-B.2.1.A12.b	21-028	21-03ACSC	(b) DESIGNATION AND MAPPING - The primary Institutional district shall be located on Dunson Road. Two other isolated Institutional districts are located along Ronald Reagan Parkway in order to recognize the fire station and an electrical substation. ~~New isolated institutional districts shall only be permitted when recognizing existing public facilities such as utilities, schools or~~

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				~~public safety facilities.~~ New institutional districts may be permitted when there is a need for utilities, communication towers, schools or public safety facilities.
Appendix: Adopted Selected Area Plans	POLICY 2.131-B.2.1.A12.d.i	21-028	21-03ACSC	i. PERMITTED USES - The following uses shall be allowed: schools, colleges, utilities, public safety facilities, ~~housing that is accessory to an educational institution,~~ community centers, libraries, parks, communication towers, modestly-sized government facilities and housing if accessory to educational institutions.
Future Land Use	POLICY 2.108-A3	2022-052	22-04ACSC	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, ~~Agri-related~~ Business-Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional.
Future Land Use	POLICY 2.113-B-4.j	2022-052	22-04ACSC	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 a mile of a transit route. The Land Development Code

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				shall establish development standards and criteria for Planned Developments within the BPC district.
Future Land Use	SECTION 2.101	2024-086	24-02ACSC	SECTION 2.101 INTRODUCTION SPECIAL-AREA OVERLAY DISTRICTS AND AREAS - The Third Level "Special-Area Overlay Districts and Areas" are the third layer of the County's growth management three-layer strategy. These overlays do not establish or change land uses, however, they regulate the intensity of a given land use. The Plan establishes the general overlay categories of: " Development-Limitation Areas ." Areas where environmentally sensitive lands are especially subject to adverse impacts of development. " Resource-Protection Districts ." Areas where specific natural or man-made features, structures, or areas require protection for continued public benefit to be realized. Generally, for the purposes of this Plan, "districts" are more specifically delineated by absolute boundaries, while the exact boundaries of overlay "areas" may not be determined until site-specific field inspections are conducted to authenticate those boundaries. The County's Plan establishes the following special-area overlay districts and areas: a. Development-Limitation Areas 1. Floodplain-Protection Areas 2. Wetland-Protection Areas 3. Aquifer-Protection Areas 4. Green Swamp Protection Area 5. Local Hazard Mitigation Strategy b. Resource-Protection Districts 1. Transit Corridors and Centers Overlay 2. Airport-Buffer Districts 3. Mineral Resource-Protection Districts 4. Wellhead-Protection Districts 5. PolkGreen District 6. Redevelopment Districts

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				7. Historic-Preservation Sites 8. SR 17 Ridge Scenic Highway 9. Nutrient Restoration Plan Overlay
Future Land Use	Policy 2.106-A6	2024-086	24-02ACSC	POLICY 2.106-A6: SEWER EXTENSIONS - Sanitary sewer shall not be extended into the SDA, except as allowed by Policy 2.132-C10 or the Board deems it necessary given one of the following circumstances: a. It is in the interest of on site and/or nearby environmental features including the site's location within the Nutrient Restoration Plan Overlay Areas; b. It is in the interest of public health; or c. The area has been designated a redevelopment district under Policy 2.124-F. Provided the development density of land served by the sewer lines does not exceed the amount allowed under the current land use designation.
Future Land Use	POLICY 2.107-A5	2024-086	24-02ACSC	POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code: a. 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. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay b. 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. c. Provide access to parks, green areas, and open space and other amenities. d. 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 (Section 2.1251).
Future Land Use	POLICY 2.108-A5	2024-086	24-02ACSC	POLICY 2.108-A5: DEVELOPMENT CRITERIA - Development within RDAs shall be guided by the following criteria:

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				a. The detailed criteria listed for each land use category permitted within the Rural- Development Area; b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). d. Connect to public sewer as required by the Nutrient Restoration Plan Overlay.
Future Land Use	POLICY 2.113-A4.f	2024-086	24-02ACSC	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.
Future Land Use	POLICY 2.113-B-4.i	2024-086	24-02ACSC	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.
Future Land Use	POLICY 2.122-A1.b	2024-086	24-02ACSC	b. Resource-Protection Districts: The Polk County Plan shall define those areas of the County that require special care in order to maintain, develop, or enhance an existing resource(s) through the establishment and mapping of Resource-Protection Districts as part of the Future Land Use Map Series and described in Policy 2.124. 1. CHARACTERISTICS - Resource-Protection Districts are characterized by areas which contain a man-made or natural resource which requires protection due to general public value. 2. DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map the boundaries for the following Resource-Protection Districts (if currently applicable): (a) Transit corridors and Centers Overlay. (b) Airport-Impact Districts. (c) Mineral Resource-Protection Districts. (d) Wellhead-Protection Districts.

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				(e) PolkGreen Districts. (f) Redevelopment Districts. (g) Historic-Preservation Sites. (h) SR 17 Ridge Scenic Highway. (i) Nutrient Restoration Plan Overlay.
Future Land Use	OBJECTIVE 2.124-J	2024-086	24-02ACSC	OBJECTIVE 2.124-J: The Polk County Plan shall manage land use and development to protect surface waters from nutrient impairment by septic tanks by: a. the designation and mapping of Nutrient Restoration Plan Overlay (NRP); and b. the establishment of criteria applicable to development of lands and use of septic tanks within the NRP(s).
Future Land Use	POLICY 2.124-J1	2024-086	24-02ACSC	POLICY 2.124-J1: In compliance with Florida Statutes, Polk County shall support plans to reduce nutrient loads from onsite sewage treatment and disposal systems (septic tanks) in areas covered by Basin Management Action Plans (BMAP), Reasonable Assurance Plans (RAP), and Pollution Reduction Plans (PRP) for nutrients.
Future Land Use	POLICY 2.124-J2	2024-086	24-02ACSC	POLICY 2.124-J2: DESIGNATION AND MAPPING - Polk County establishes Nutrient Restoration Plan Overlay (NRPO) of the Comprehensive Plan Map Series, to identify those areas where additional permitting requirements shall be established to reduce nutrient loads from septic tanks. The map overlay for the NRP shall include: a. Basin Management Action Plans for nutrients adopted by the Florida Department of Environmental Protection (FDEP); b. Reasonable Assurance Plans for nutrients adopted by FDEP; and c. Pollution Reduction Plan areas approved by FDEP.
Future Land Use	POLICY 2.124-J3	2024-086	24-02ACSC	POLICY 2.124-J3: DEVELOPMENT CRITERIA – Permitting of septic tanks within the Nutrient Restoration Plan Overlay shall conform to the Land Development Code and shall implement the following requirements: a. New onsite sewage disposal systems shall be prohibited within Nutrient Restoration Plan Overlay where connection to a publicly owned or investor-owned sewer is available, as defined in Section 702, E. b. If sewer lines are not available in these areas, new onsite sewage disposal systems on lots one acre or less shall be an enhanced nutrient-reducing

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				system that achieves at least a 50 percent reduction in total nitrogen before discharge to the drainfield or at least a 65 percent nitrogen reduction combined after leaving the drainfield. c. Enhanced nutrient reduction systems must either be types approved by the Florida Department of Environmental Protection (Aerobic Treatment Units and Performance- Based Treatment Systems) or meet the standards for In-Ground Nitrogen-Reducing Biofilters in Rule 62-6.009(7), Florida Administrative Code.
Appendix Critical Area Resource Management Plan	POLICY 2.132-B10.a	2024-086	24-02ACSC	POLICY 2.132-B10: DEVELOPMENT CRITERIA - Development within the RIDGE-SPA shall conform to the following: a. Residential development shall not exceed a gross density per parcel of eight dwelling units per acre, within the RL land use category. Residential development within the US 27 SAP and North Ridge SAP shall be as adopted. Development of the RM parcels shall be subject to the following restrictions: 1. Commercial development shall be prohibited unless permitted in conjunction with a Residentially-based, Mixed-Use Development. If a Residentially-based, Mixed- Use development is approved, then commercial restrictions shall be as set forth in the Ridge-SPA. 2. Consistent with the objectives and goal of making shorter the average daily trip lengths, and the goal of providing affordable housing in close proximity to places of employment and major transportation corridors, residential development within the RM parcel shall be allowed as follows: (a) Up to or equal to 15 units per acre, providing the development meets the terms and conditions of this CARMP and the comprehensive plan as well as the required density bonus points listed within the Land Development Code. 3. New septic tanks on parcels one acre or smaller are required to utilize an Enhanced Nutrient Reduction System within the Nutrient Restoration Plan Overlay consistent with Section 2.124-J and the Land Development Code if sewer is not available.
Appendix Critical Area Resource	POLICY 2.132-C8.b	2024-086	24-02ACSC	b. Residential densities shall be modified as follows: 1. Densities within the PC-SPA shall not exceed a gross density per parcel of 3 dwelling units per acre.

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
Management Plan				2. Within the PC SPA the use of septic tanks shall only be permitted within the SDA. If septic tanks are to be utilized, the maximum net density shall be 1 dwelling unit per 40,000 square feet. New septic tanks on parcels one acre or smaller are required to utilize an Enhanced Nutrient Reduction System within the Nutrient Restoration Plan Overlay consistent with Section 2.124-J and the Land Development Code if sewer is not available.
Appendix Critical Area Resource Management Plan	POLICY 2.132-C10	2024-086	24-02ACSC	POLICY 2.132-C10: Sewer may be extended into the Suburban Development Area to serve existing or previously approved development that meets the following standards: a. The development has: 1. entered into a settlement agreement or developer's agreement with DCA, and 2. received a Vested Rights Special Use Permit from Polk County, or 3. received Engineering Services and Planning Division approval of Engineering Plans prior to the adoption date of this policy; b. The developer pays all costs of line extensions, including oversizing, and capacity to serve the development; and c. The provider is a municipal or county facility~~.~~; and d. Within the Nutrient Restoration Plan Overlay areas.
Appendix Critical Area Resource Management Plan	POLICY 2.132-D8.h	2024-086	24-02ACSC	h. New septic tanks on parcels one acre or smaller are required to utilize an Enhanced Nutrient Reduction System within the Nutrient Restoration Plan Overlay consistent with Section 2.124-J and the Land Development Code if sewer is not available.
Conservation	SECTION 2.301	2024-086	24-02ACSC	SECTION 2.301 INTRODUCTIONS The Conservation Element of the Comprehensive Plan is intended to guide the protection and use of the County's natural resources. This document was prepared in accordance with the requirements of Chapter 9J-5, FAC. Polk County is 2048 square miles of land and water. Its central cities, Lakeland and Winter Haven, form the heart of the developing area as a Standard Metropolitan Area. The majority of the County's land is undeveloped and is the basis of the rural setting for many of its 17 municipalities. Polk County's natural resources such as surface waters, groundwater, floodplains, wetlands, minerals, soils, air quality, and vegetative communities, have played a large part in the area's

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				development through their abundance and potential for use, in terms of the aesthetic value they provided, or by the constraints to development they necessitated. The County contains the headwaters of six Florida rivers, and contributes water to those rivers via 22 major streams. Polk County also contains a large portion of the Green Swamp (an Area of Critical State Concern). The groundwater levels measured in the County form the potentiometric high for the state. Sand Pine Scrub, a rare and endangered vegetative community, endemic to central Florida, is found insignificant quantities in Polk County. Air quality is in compliance with Federal standards due to the low level of industrialization for the size of the County as well as the dispersion of motor vehicle traffic. Mineral resources are abundant here and have historically been significant to the local economy. The goal, objectives, and policies of the Conservation Element are designed to protect the natural resources which make Polk County a special place while preventing degradation of the environment and allowing development and economic expansion to occur. Polk County contains the Hillsborough Bay Watershed, Alafia River Basin, Lake Okeechobee Watershed, and Upper Ocklawaha Basin. These are areas of the County that are more acceptable to poor quality nutrient levels. These areas are part of the Nutrient Restoration Plan Overlay and Basin Management Action Plan (BMAP).
Conservation	Policy 2.305-A7	2024-086	24-02ACSC	Policy 2.305-A7: Polk County's development regulations shall require setbacks of septic tanks (i.e. OSTDS, Enhanced nutrient reduction systems), from waterbodies and setbacks of structures from lakes.
Conservation	POLICY 2.305-B5	2024-086	24-02ACSC	POLICY 2.305-B5: Polk County shall work with FDEP to reduce nutrients in surface water system in Polk County. This shall include the following: a. maintaining the Nutrient Restoration Plan Overlay as part of the Future Land Use Map series and include it on the County's GIS mapping software used for permitting, b. work to connect areas with a one septic tank per acre density to public wastewater within Polk County's wastewater utility service areas,

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				c. coordinate with other jurisdictions that have a utility service area in unincorporated Polk County to connect transfer homes on septic tanks to public wastewater.
Conservation	POLICY 2.306-A3	2024-086	24-02ACSC	POLICY 2.306-A3: The County shall continue coordination with the Health Department, DEP, and other applicable agencies to implement a program where Polk County Health Department staff inspects, identifies, and takes action, within existing regulatory parameters, to correct the deficiencies found in onsite disposal systems (e.g. septic tanks) and private wastewater treatment and disposal facilities that are polluting ground or surface waters or otherwise creating health hazards including the review and coordination with other utility providers in the conversion of septic tanks to sewer in the Nutrient Restoration Plan Overlay areas.
Conservation	POLICY 2.305-B6	2024-086	24-02ACSC	POLICY 2.305-B6: Polk County shall require an enhanced nitrogen-reducing septic system in the Nutrient Restoration Plan Overlay areas when central sewer is not available.
Infrastructure	OBJECTIVE 3.102-C	2024-086	24-02ACSC	OBJECTIVE 3.102-C: Polk County shall continue to implement through the County's Health Department, a management program to ensure proper installation, use, and maintenance of on-site treatment and disposal systems (i.e. septic tanks, enhanced nutrient reduction systems), in accordance with Section 163.3202(1), F.S.
Infrastructure	POLICY 3.102-C3	2024-086	24-02ACSC	POLICY 3.102-C3: The Polk County Utilities Division, Parks and Natural Resources Division, and Waste and Recycling ~~Resource Management~~ Division shall coordinate with Department of Health, DEP, EPA, and other concerned agencies, to ensure the proper disposal of sludge and septage, from treatment plants and onsite wastewater disposal systems.
Infrastructure	POLICY 3.102-F2	2024-086	24-02ACSC	POLICY 3.102-F2: The County will coordinate with all non-county utility providers to coordinate OSTDS conversations to sanitary sewer through Basin Management Plan updates, Watershed Management Plans, and Utility Master Plans for the County's Utility Service Areas.
Capital Improvements	SECTION 4.201	2024-086	24-02ACSC	SECTION 4.201 INTRODUCTION. The purpose of the Capital Improvements Element (CIE) is to tie the capital improvement needs identified in the other elements to the County's budgeting and development review processes. The goal, objective and policies section and the implementation section of the CIE establish the

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				framework that: 1. identifies the required capacity of capital improvements to serve existing and future development based on level-of-service (LOS) standards; 2. establishes a system of priorities to determine which capital improvements are funded to satisfy the LOS; 3. provides guidance on funding the projects; 4. outlines mechanisms to assure provision of the required capital improvement; 5. ties land development decisions to the availability of capital facilities and improvements; and 6. outlines implementation programs. Implementation: The Capital Improvements Element requires the County to develop a concurrency management system, a Capital Improvements Program known as Polk County's Community Investment Program (CIP), and a capital budget. The concurrency management system will monitor the quantity and quality of public facilities and the impacts of development on those facilities. The CIP lists a 5-year schedule of the capital improvement projects required, for concurrency and the County's natural and environmental infrastructure, to maintain the LOS standards and repair/replace obsolete or worn out facilities and negatively impacted water systems. The projects in the CIP are listed by construction date, costs and revenue sources. The CIP will lists County, State, Federal, and private resources required to provide the programmed facilities and shall be reviewed on an annual basis, and modified as necessary, in order to maintain a 5-year schedule of capital improvements. The County will annually prepare a Capital Improvements Budget (CIB), which will include appropriations for the County's projects.
Capital Improvements	POLICY 4.203-A4	2024-086	24-02ACSC	POLICY 4.203-A4: Category "C" public facilities: Polk County shall adopt level-of-service standards for Category "C" public facilities, and include them in the CIP. The level-of-service standards for Category "C" public facilities and other related projects shall be the following: a. Preservation lands LOS standard of County acquisition of a minimum of 500 acres for protection of federally- or state-listed endangered or threatened plant or animal species in fiscal year 1993/94 and County acquisition of a minimum of 200 acres for protection of federally or state listed endangered or threatened plant or animal species in each

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				fiscal year from 1994 to 1996. b. The following is a list of projects in the CIP that will help make progress towards achieving necessary pollutant load reductions: 1. Kissimmee Watershed Project 2. Small Scale Surface Water Enhancement/Treatment Project Plan 3. Peace Creek Canal 4. Peace River Corridor 5. Crooked Lake West Hydrologic Restoration and Water Quality Improvement Project 6. Stormwater Ridge to River Corridor Projects
Glossary	DIVISION 4.400 GLOSSARY	2024-086	24-02ACSC	ENHANCED NITROGREN-REDUCTING SEPTIC SYSTEMS: Any domestic sewage treatment and disposal facility that achieves at least a 50 percent reduction in total nitrogen before discharge to the drainfield or at least a 65 percent nitrogen reduction combined after leaving the drainfield.. ON-SITE DISPOSAL SYSTEM: Any domestic sewage treatment and disposal facility, including standard subsurface systems, gray-water systems, laundry wastewater systems, alternative system, or experimental system, installed or proposed to be installed on land of the owner(s) or on other land to which owner(s) have the legal right to install a system. (Chapter 10D-6 FAC) (e.g. septic tank, holding tank, aerobic treatment unit, organic composting, (i.e.. septic tanks, enhanced nitrogen-reducing septic systems). Septic Tank: See On-Site Disposal System. Private On-Site Disposal System: See On-Site Disposal System
Appendix Critical Area Resource Management Plan	POLICY 2.132-D4	2024-077	24-07ACSC	POLICY 2.132-D4: CONSERVATION-CORE LAND USE - Within this Management Plan a land use category of "Conservation-Core" (CORE) is created. This land use district includes the most ecologically sensitive and intact natural resources in the Green Swamp Area of Critical State Concern as described in this first section of this CARMP, and it shall establish additional standards to protect water quantity and quality and wildlife habitat in this land use. Within the Conservation-Core land-use category, residential development may occur at up to one dwelling unit per twenty acres (1 DU/20 AC). Measurement of density shall include to the centerline of a local and collector roads. Twenty acres is one 32nd (1/32) of the size of a

Element	Comprehensive Plan Location	Ordinance Number	Florida Commerce Number	Previously Adopted Ordinance Change
				section. Measurement of the 20 acres per unity density may also be relative to the size of the Section for which the property lies when the Section is less than 640 acres. Density may be transferred to the upland portion of the site from the wetlands at a ratio of one dwelling unit per twenty acres (1 DU/20 AC).
Appendix Critical Area Resource Management Plan	POLICY 2.132-D8.a	2024-077	24-07ACSC	a. The following residential densities shall apply within the A/RRX: 1. ~~Uplands~~ One dwelling unit per ten acres (1 DU/10 AC). ~~2. Wetlands one dwelling unit per twenty ten acres (1-DU/2010 AC.~~ ~~32~~. Wetland density shall be transferred to uplands. 3. Measurement of density shall include the centerline of local and collector roads. Ten acres is on 64th (1/64) of the size of a section. Measurement of 10 acres per unit density may also be relative to the size of the Section for which the property lies when the Section is less than 640 acres.

ORDINANCE NO. 2023-076

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, ESTABLISHING A HISTORIC PRESERVATION PROGRAM; RECOGNIZING THE POLK COUNTY HISTORICAL COMMMISSION AS THE HISTORICAL RESOURCES ADVISORY BOARD; CREATING A LOCAL DATABASE OF HISTORIC PLACES; ESTABLISHING CRITERIA, STRUCTURES AND DISTRICTS; REGULATING CONSTRUCTION, RECONSTRUCTION, ALTERATION AND DEMOLITION OF HISTORIC SITES; PROVIDING FOR APPLICABILITY; PROVIDING FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION AT PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Polk County, Florida, has recognized the need for the continued use of the Polk County Historical Commission to collect and preserve historical materials relating to the history of Polk County and Florida, as set forth in the Laws of Florida, Chapter 2011-250.; and

WHEREAS, the Polk County Historical Commission has maintained its commitment to develop a partnership between Federal, State, and local governments to identify, evaluate, and protect historic properties; and

WHEREAS, the Polk County Historical Commission has continued to work towards approval as a Certified Local Government, which would improve the eligibility of Polk County for State historical preservation grants, and

WHEREAS, a Historical Preservation Ordinance is desired to assist with the County's eligibility as a Certified Local Government with the State;

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Polk County, Florida, that:

SECTION 1. APPLICABILITY, INTENT AND PURPOSE.

A. It is hereby declared a matter of public policy that the protection, enhancement, perpetuation and use of improvements or sites of special character or special architectural, archaeological, or historic interest or value is in the interest and general welfare of the public.

B. Applicability. This ordinance shall apply to the unincorporated areas of Polk County, Florida and properties owned by the County.

C. The purpose of this Ordinance is to:

1. Effect and accomplish the protection, enhancement and preservation of such improvements, sites and districts which represent or reflect elements of the County's cultural, social,

economic, political and architectural history;

2. Safeguard the County's historic, prehistoric and cultural heritage, as embodied and reflected in such historic structures, sites and districts;

3. Protect and enhance the County's attraction to residents, tourists, and visitors, and serve as a support and stimulus to business and industry.

SECTION 2. DEFINITIONS.

"Advisory Board" means the Polk County Historical Commission sitting as the Historical Resources Advisory Board.

"Applicant" means the property owner of record who makes application for a nomination for a certificate of appropriateness.

"Certificate of Appropriateness" means the certificate issued by the Historical Resources Advisory Board approving alteration, rehabilitation, construction, reconstruction or demolition of a Historic Structure, Historic Site, or any Improvement in a Historic District according to the guidelines referenced in Section 7.

"Certified Local Government" means designated local government meeting the requirements of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470, which extends some aspects of the federal and state responsibilities for historic preservation to qualified local governments. Under the program, local governments are certified to review and make recommendations to the Florida National Register Review Board concerning nominations to the National Register of Historic Places of properties located within the confines of their local jurisdictions.

"Board of County Commissioners" means the Polk County Board of County Commissioners.

"County" means Polk County, a political subdivision of the State of Florida.

"Historic District" means an area designated by the Board of County Commissioners upon recommendation of the advisory board, which contains two or more historic improvements or sites.

"Historic Resources" means any prehistoric or historic district, site, building, structure, object included in, or eligible for inclusion on the National Register, including artifacts, records, and material remains related to such a property or resource,

"Historic Resources Database" means the compilation of data gathered on historical and archaeological sites in Polk County, Florida.

"Historic Site" means any parcel of land of historic significance due to a substantial value in tracing the history or prehistory of man, or upon which a historic event has occurred and which has been designated as a Historic Site under this section, or an

Improvement parcel, or part thereof, on which is situated a Historic Structure and any abutting Improvement parcel, or part thereof, used as and constituting part of the premises on which the Historic Structure is situated.

"Historic Structure" means any improvement which has a special character or special historic interest or value as part of the development, heritage or cultural characteristics of the county, state, or nation and which has been designated as a historic structure pursuant to the provisions of this Ordinance.

"Improvement" means any building, structure, place, work of art or other object constituting a physical betterment of real property, or any part of such betterment, including streets, alleys, sidewalks, curbs, lighting fixtures, signs, and the like.

SECTION 3. HISTORICAL RESOURCES ADVISORY BOARD.

Establishment. The Polk County Historical Commission ("Historical Commission") is hereby established as the Historical Resources Advisory Board ("Advisory Board"). The Advisory Board is vested with the power, authority, and jurisdiction to review and make recommendations to the Board of County Commissioners on matters related to the designation, regulation, and administration of cultural, architectural, and historical resources in the County, as prescribed by this Ordinance, under the direct jurisdiction and control of the Board of County Commissioners. The Advisory Board will comply with the Bylaws and Policy of the Historical Commission, particularly referencing (1) membership; (2) terms and vacancies of members; (3) officers; (4) chairperson; and (5) vice-chairperson.

Composition. The Advisory Board will consist of all nine (9) members of the Historical Commission appointed by the Board of County Commissioners. To the extent available in the community, the Board shall appoint professional members from the disciplines of architecture, history, architectural history, planning, prehistoric and historic archaeology, folklore, cultural anthropology, curation, conservation, landscape architecture or related disciplines.

Vacancies. Vacancies will be filled within 60 days according to Florida Statute, Chapter 2011-250, Section 2 governing the Polk County Historical Commission and further detailed in the Polk County Historical Commission By-laws.

Meetings. Advisory Board meetings will be held according to Florida Statute, Chapter 2011-250, Section 5 governing the Polk County Historical Commission.

Duties. The Advisory Board will review and recommend designation of Historic Structures, Historic Sites and Historic Districts within unincorporated Polk County. Each Advisory Board member will attend at least one (1) State Historic Preservation Office training program. The Advisory Board members will also participate in survey and planning activities of Polk County upon the County's recognition as a Certified Local Government. Such recommendations will be made based on the criteria set forth in this Ordinance. Once designated by the Board of County Commissioners, such Historical Structures, Sites, and Districts will be subject to all the provisions of this Ordinance. The Board of County Commissioners will assign staff members and/or

outside consultants, as appropriate, to provide assistance with the conduct of these duties.

SECTION 4. LOCAL DATABASE OF HISTORIC RESOURCES. A local database of historic resources is hereby created as a means of identifying and classifying various sites, buildings, structures, or districts as historic and/or architecturally significant. The local database will be compatible with the Florida Master Site File to ensure that the data produced can be integrated into the statewide comprehensive historic preservation planning process and should include at a minimum a completed Florida Master Site File form with an assigned Florida Master Site File number. The local database will be made available to the public through the County's website.

SECTION 5. HISTORIC SITE, STRUCTURE AND DISTRICT DESIGNATION CRITERIA

A. For purposes of this Ordinance the criteria for designation of historic resources as a historic structure, historic site, or historic district shall be based on and consistent with the criteria for evaluation as listed in the National Historic Preservation Act of 1966, as amended, 16 U.S.C 470 *et seq.* and E.O. 11593.

B. For purposes of this Ordinance, a Historic Structure, Historic Site or Historic District designation may be placed on any site, natural or improved, including any building, improvement or structure located thereon, or any area of historic, archeological, or cultural significance to the county which:

1. Exemplify or reflect the broad cultural, political, economic, or social history of the nation, state, or community; or

2. Are identified with historic personages or with important events in national, state, or local history; or

3. Embody the distinguishing characteristics of an architectural type or specimen inherently valuable for a study of a period, style, method of construction, or of indigenous materials or craftsmanship; or

4. Are representative of the notable work of a master builder, designer or architect who influenced his age; or

5. Have yielded, or may be likely to yield, information important to prehistory or history.

C. Properties Generally Not Considered. Cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years are not considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria of if they fall withing the following categories:

1. A religions property deriving primary significance from architectural or artistic

distinction or historical importance, or

2. A building or structure removed from its original location, but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event; or
3. A birthplace or grave of a historical figure of outstanding importance if there is not appropriate site or building directly associated with his productive life.
4. A cemetery which derives its primary significance from graves of person of transcendent importance, from age, from distinctive design features, or from association with historic events; or
5. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
6. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
7. A property achieving significance within the past 50 year if it is of exceptional importance.

D. The Advisory Board will recommend, for the approval by the Board of County Commissioners, specific operating guidelines for Historic Structure, Historic Site and
Historic District designation providing such are in conformance with the provisions of this Ordinance.

E. The Advisory Board will review and provide recommendations for any nominations of properties and districts to the National Register of Historic Places.

SECTION 6. HISTORIC SITE, STRUCTURE, AND DISTRICT DESIGNATION AND REMOVAL OF DESIGNATION PROCEDURES

A. Eligible Applicants. Applications for historic designation will be initiated by only the following:

1. Property owner(s) of the affected property.

2. The Advisory Board or the Board of County Commissioners, but only upon consent of the property owner.

3. A majority of property owners within a proposed Historic District under consideration for designation; but only for properties where the property owners have consented.

B. Completed Application. An application is considered complete when:

1. An applicant or property owner submits a written statement of the historical, cultural, architectural, archaeological, or other significance of the building, structure, or site, with
supporting evidence.

C. Advisory Board Agenda. Following staff determination that an application for

designation is complete; the application shall be scheduled for a public hearing by the Advisory Board.

D. Designation of Historic Structures and Historic Sites

1. Review and Adoption Procedure

a. Advisory Board. The Advisory Board may, after notice and public hearing, recommend certain properties be designated as Historic Structures or Historic Sites. At least ten (10) days prior to such hearing, the Advisory Board shall notify the owners of record, as listed in the office of the Property Appraiser, who are owners of property in whole or in part within five hundred (500) feet of the boundaries of the property affected. Following the public hearing, the Advisory Board shall vote to recommend approval or denial of the proposed designation by the Board of County Commissioners.

b. Board of County Commissioners. After receiving the recommendation, the Board of County Commissioners shall hold a public hearing, notice to be given as outlined in Florida Statutes, and shall, following the public hearing, approve or deny the designation of the Historic Structure or Historic Site.

E. **REMOVAL OF DESIGNATION**

1. The removal of historic designation may be initiated in one of three ways: (a) by written request of the property owner; (b) by majority vote of the Advisory Board; or (c) at the request of the Board of County Commissioners.

2. Removal of designation by owner. The owner must file a written request for removal of designation or change in status. The request must state with specificity the reason for the request and include sufficient information to support investigation of the property in response to the request.

3. Advisory Board Agenda. Following a request for removal of designation, the request shall be scheduled for a public hearing by the Advisory Board.

4. At the conclusion of the public hearing, the Advisory Board shall vote to recommend approval or denial of the request for removal of historic designation to the Board of County Commissioners.

5. Board of County Commissioners. After receiving the recommendation, the Board of County Commissioners shall hold a public hearing, notice to be given as outlined in Florida Statutes, and shall, following the public hearing, approve or deny the removal of the designation of the Historic Structure or Historic Site.

6. Appeal. Any person aggrieved by a decision rendered by the Board of County Commissioners may appeal the decision to Circuit Court within thirty (30) days from the date a written decision by the Board of

County Commissioners is rendered.

F. **CREATION OF HISTORIC DISTRICT.**

1. Historic Preservation Plan. Along with a complete application supported by a majority of property owners within a proposed Historic District, the property owners shall prepare a historic preservation plan for the proposed District. Each historic preservation plan shall include a cultural and architectural analysis supporting the historic significance of the area, the specific guidelines for development, a statement of preservation objectives and an exemption for those property owners within the proposed Historic District that are opposed to such designation.

2. Review and Adoption Procedure.

   a. Historical Resources Advisory Board. The Advisory Board may, after notice and public hearing, recommend select geographically defined areas within the County be designated as Historic Districts. At least ten (10) days prior to such hearing, the Advisory Board shall notify the owners of record, as listed in the office of the Property Appraiser, who are owners of the property within the proposed Historic District or are situated in whole or in part within five hundred (500) feet of the boundaries of the proposed Historic District. Following the public · hearing, the Advisory Board shall vote to recommend approval or denial of the proposed designation by the Board of County Commissioners.

   b. Board of County Commissioners. After receiving the recommendation, the Board of County Commissioners shall hold a public hearing, notice to be given as noted in subparagraph a. above and shall, following the public hearing, designate or reject the Historic District. Designation of the Historic District shall constitute adoption of the plan prepared for the District and direct the implementation of said plan.

3. Appeal. Any person aggrieved by a decision rendered by the Board of County Commissioners may appeal the decision of Circuit Court within thirty (30) days from the date a written decision by the Board of County Commissioners is rendered.

G. **NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES.**

1. The general public, owners of record, and applicants shall be given a minimum of thirty (30) calendar days and not more than seventy-five (75) calendar days prior notice to Advisory Board meetings in which to comment on or object to the listing of a property in the National Register of Historic Places.

2. Objections to being listed in the National Register of Historic Places by

property owners must be notarized and filed with the State Historic Preservation Officer. Within thirty (30) days after its meeting, the Advisory Board shall forward to the State Historic Preservation Officer its recommendation on the nomination. The owner and the applicant shall be notified of the Advisory Board's action.

SECTION 7. REGULATION OF CONSTRUCTION, RECONSTRUCTION, ALTERATION AND DEMOLITION OF HISTORIC SITES OR STRUCTURES. The Advisory Board will use and which are hereby adopted by reference, the U.S. Secretary of the Interior's Standards for Rehabilitation, 36 CFR 67 (1983), as such standards may be amended, renumbered or replaced, for the issuance of a Certificate of Appropriateness.

A. No owner or person in charge of a Historic Structure, Historic Site of structure within a Historic District shall reconstruct, alter or demolish all or any part of the exterior of such property or construct any improvement upon such designated property or properties or cause or permit any such work to be performed upon such property or demolish such property unless a Certificate of Appropriateness has been granted by the Advisory Board.

1. The Advisory Board may, after notice and public hearing, review applications for a Certificate of Appropriateness. At least ten (10) days prior to such hearing, the Advisory Board shall notify the owners of record, as listed in the office of the Property Appraiser, who are owners of the property.

B. Upon filing of any application for a Certificate of Appropriateness with the Advisory Board, the Advisory Board will approve the application unless:

1. In the case of a designated Historic Structure or Historic Site, the proposed work would detrimentally change, destroy or adversely affect any exterior feature of the Improvement or site upon which said work is to be done;

2. In the case of the construction of a new Improvement upon a Historic Site, or within a Historic District, the exterior of such Improvement will adversely affect or not harmonize with the external appearance of other neighboring Improvements on such site or within the district.

3. In the case of any property located in a Historic District, the proposed construction, reconstruction, exterior alteration or demolition does not conform to the purpose and intent of this section and to the objectives and design criteria of the historic preservation plan for said district;

4. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of

the county and state; or

5. In the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self- created or is the result of any failure to maintain the property in good repair. The Advisory Board may issue a Certificate of Appropriateness for demolition which may contain a delayed effective date, determined by the Advisory Board, to allow time required to arrange a possible alternative to demolition for up to three (3) months. During this delay period, the Advisory Board may take such steps as it deems necessary to preserve the resource, including, but not limited to, consultation with community groups, public agencies and interested citizens or an exploration of the possibility of moving the building or structure.

C. If the Advisory Board determines that the application for a Certificate of Appropriateness and the proposed changes are consistent with the character and features of the property or district, it shall issue the Certificate of Appropriateness. The Advisory Board will make this decision within forty-five (45) days of the filing of the application.

D. The issuance of a Certificate of Appropriateness shall not relieve the applicant from obtaining other permits and approvals required by the County and/or the State of Florida.

E. Ordinary maintenance and repairs may be undertaken without a Certificate of Appropriateness provided that the work involves repairs to existing features of a Historic Structure or Historic Site with pieces identical in appearance and provided that the work does not change the exterior appearance (including color) of the structure or site.

F. Should the Advisory Board deny the issuance of a Certificate of Appropriateness due to the failure of the proposal to conform to the guidelines of the U.S. Secretary of the Interior's Standards for Rehabilitation, 36 CFR 67 (1983), as such standards may be amended, renumbered or replaced-the applicant may appeal such decision to the County Commission within thirty (30) days. In addition, if the Advisory Board fails to issue a Certificate of Appropriateness, the Advisory Board will, with the cooperation of the applicant, work with the applicant to obtain a Certificate of Appropriateness within the guidelines of this Ordinance.

G. When a historic structure, site or district has been properly designated, the applicant may cause to be prepared and erected on such property a suitable plaque declaring that such property is a historic structure, site, or district.

SECTION 8. STATE HISTORIC PRESERVATION OFFICER

The State Historic Preservation Officer will be provided within thirty (30) calendar days prior notice of all meetings of the Advisory Board. Copies of minutes, a record of attendance, and public attendance figures for each Advisory Board meeting will be provided to the State Historic Preservation Officer within thirty (30) calendar days after each meeting. The State Historic Preservation Officer will be provided with a notice of any change in Advisory Board membership or any amendment to this ordinance within thirty (30) calendar days of action. All new historic designations or alterations to existing designations will also be provided to the State Historic Preservation Officer.

Upon recognition as a Certified Local Government, an annual report will be provided by November 1st of each year covering the activities of the Advisory Board for the previous October 1st through September 30th to include:

1. Copy of the rules of Procedure
2. Copy of historic preservation ordinance
3. Resume of commission members
4. Changes to the commission
5. New local designations
6. New National Register listings
7. Review of survey and inventory activity with a description of the system used
8. Program report on each grant-assisted activity
9. Number of projects reviewed

SECTION 9. PENALTIES FOR VIOLATION. A County's code enforcement officer or any other person authorized to enforce county ordinances may enforce the provisions of this Ordinance.

When enforced by a code enforcement officer, the enforcement provision and procedures contained in the Polk County Code Enforcement Special Magistrate Ordinance, as may be amended, are incorporated herein by reference and will apply. The Polk County Code Enforcement Special Magistrates are hereby authorized to impose a fine up to $1,000 per day per violation for a first violation of this Ordinance, up to $5,000 per day per violation for a repeat violation of this Ordinance and up to $15,000 er violation if the Special Magistrate finds a violation of this Ordinance to be irreparable or irreversible in nature. In determining the amount of the fines for violation for this Ordinance, the Polk County Code Enforcement Special Magistrate shall consider: 1) the gravity of the violation; 2) any actions taken by the violator; and 3) any previous violations committed by the violator. Nothing contained herein shall prevent the County from taking such other lawful action in law and equity as may be necessary to remedy any violation of any part of this Ordinance, including but not limited to:

1. Pursuit of injunctive and/or declaratory relief in court of competent jurisdiction; or
2. Utilizing any other action or enforcement method permitted by law.

SECTION 10. CODIFICATION IN THE CODE OF ORDINANCES. It is the intention of the Polk County Board of County Commissioners, and it is hereby ordained that the provisions of this Ordinance shall become and be made part of the Polk County Code of Ordinances and that the sections of this Ordinance may be renumbered to accomplish such intent.

SECTION 11. SEVERABILITY. Should any section or provision of this Ordinance, or any portion thereof; or any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

SECTION 12. EFFECTIVE DATE. A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after its enactment by the Polk County Board of Commissioners and shall be effective upon filing with the Department of State.



STATE OF FLORIDA)
)
COUNTY OF POLK)

I Stacy M. Butterfield, County Clerk and Comptroller for Polk County, Florida, hereby certify that the foregoing is a true and correct copy of Ordinance No. 2023-076` adopted by the Board on December 5, 2023

WITNESS my hand and official seal on this 5th day of December 2023.

STACY M. BUTTERFIELD, CLERK

By: Yolanda Harris
Yolanda Harris
Deputy Clerk

FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

December 12, 2023

Stacy M. Butterfield
Clerk of the Circuit Court and Comptroller
Polk County
Post Office Box 988
Bartow, FL 33831-0988

Attention: Yolanda Harris

Dear Stacy Butterfield,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Polk County Ordinance No. 2023-076, which was filed in this office on December 6, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

RECEIVED
DEC 12 2023
BY: Yolanda Harris

Polk County

Florida Statutes, Chapter 163, Part II: Growth Policy; County and Municipal Planning; Land Development Regulation

Legend: Blue shading: Comprehensive Plan change needed; Green shading: amendment needed, but recommend addressing in the LDC; Grey shading: Needed.

Years	Source	Title	Description	Recommended Action
General				
	NA	Statute & Florida Admin. Code References	Sever references to 9J which has been repealed. As such the County should remove these citations.	*Remove all citations to 9J.*
	NA	Statute & Florida Admin. Code References	Several Florida Statutes and Rules within the Florida Administration Code have been moved, consolidated, or deleted. As such, the County should update its Comp. Plan to reflect these changes.	*There are several references in the GOPs to F.S. which may need to be updated to reference the correct chapter.*

Years	Source	Title	Description	Recommended Action
	NA	Obsolete Timeframes and References	There are several outdated entities, projects, and reports that are discussed in the plan.	*Completed projects should generally be eliminated. Inspire will need help identifying these items.Incomplete projects should be re-evaluated as part of the visioning process.*
2024	Section 163.3164 (32) and (33)	Alternative Mobility Funding Systems and Impact Fees (Chapter 2024-266)	Adds "mobility fee" and "mobility plan" definitions	*Consider adding definitions related to the transportation element*
	Section 163.3180(5)c	Alternative Mobility Funding Systems and Impact Fees (Chapter 2024-266)	- Modifies the conditions for allowing an applicant for a DRI DO, rezoning, or other land use development permit to satisfy the transportation concurrency requirements. It clarifies that if an applicant makes its contribution or constructs its proportionate share pursuant to the requirements stated, the project shall be considered to have mitigated its transportation impacts and be allowed to proceed. - Changes the language from "encourage" to "may" when it comes to a government transitioning from concurrency to mobility or an alternate system. - If the governemtn charges for transportation capacity, there must be an agreement to coordinate mitigation. Includes agreement requirements.	*Ensure consistency of new transportation element with these changes.*
	Section 163.3180(5)c	Alternative Mobility Funding Systems and Impact Fees (Chapter 2024-266)	- Inlcudes language to ensure an impact fee study uses recent data and is adopted within 12 months from initation of the study if increasing fees; the holder of impact fee credits granted in existence before the adoption of the alternative transportation system is entitled to the full benefit of the intensity and density prepaid by the credit balance as of the date the alternative transportation system was first established.	*Not part of the comprehensive plan, but staff will need to ensure the code of ordinances is consistent with this statute.*
	Section 163.3164 (44)	Chapter 2024-6, Laws of Florida (SB 82)	Changed Department of Economic Opportunity to Department of Commerce	*Update DEO and DCA references to Florida Department of Commerce*
	Section 163.3221 (14)	Chapter 2024-6, Laws of Florida (SB 82)	Changed Department of Economic Opportunity to Department of Commerce	*See above*

Years	Source	Title	Description	Recommended Action
	Section 163.3251 (1)	Chapter 2024-6, Laws of Florida (SB 82)	Changed Department of Economic Opportunity to Department of Commerce	*See above*
	Section 163.3175	Ch. 2024-22, Laws of Florida (SB 1720)	Changes to requiring local governments to cooperate with certain major military installations and ranges to encourage compatible land use in associated areas	*No change necessary already compliant with Section 2.124-I*
	Section 163.3202(6)	Ch. 2024-2, Laws of Florida (SB 72)	Fixes cross-reference regarding Flrorida College System	*Statutory change does not appear to necessitate any amendments to the county's Comprehensive Plan. Clerical in nature.*
	Section 163.32051(6)	Ch. 2024-2, Laws of Florida (SB 72)	Deletes the requirement for the Office of Energy to develop and provide recommendations to the legisature regarding a regulatory framework for private and public entities that implement solar floating facilities.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. In regards to DOE.*
	Section 163.3210 (NEW)	Ch. 2024-186	Creates a new section to maintain, encourage, and ensure adequate and reliable fuel sources for public utilities. A resiliency facility is a permitted use in all commercial, industrial, and manufacturing land use categories in a local government comprehensive plan and all commercial, industrial, and manufacturing districts. A resiliency facility must comply with the setback and landscape criteria for other similar uses. A local government may adopt an ordinance specifying buffer and landscaping requirements for resiliency facilities, provided such requirements do not exceed the requirements for similar uses involving the construction of other facilities that are permitted uses in commercial, industrial, and manufacturing land use categories and zoning districts. After July 1, 2024, a local government may not amend its comprehensive plan, land use map, zoning districts, or land development regulations in a manner that would conflict with a resiliency facility's classification as a permitted and allowable use, including, but not limited to, an amendment that causes a resiliency facility to be a nonconforming use, structure, or development.	*Ensure consistency of plan with new mandate, may be better suited as a specialized use rather than amending all affected FLUs.*
	Section 163.3167(8)(d)	Ch. 2024-234	Provides that a citizen-led county charter amendment that is not required to be approved by the BOCC preempting any development order, land development regulation, comprehensive plan, or voluntary annexation is prohibited unless expressly authorized in a county charter that was lawful and in effect on January 1, 2024.	*This is a statute clarifying procedures that are not necessary to reflect in the GOPs of the Comprehensive Plan. As such, no changes recommended.*
	Section 163.3184	Ch. 2024-235	Clarifies process to amend a plan - if the local government fails to adopt the amendment within 180 days after receipt of agency comments, the amendment "shall" be deemed withdrawn; transmittal shall be within 10 days of "final adoption" not just 2nd public hearing.	*This is a statute clarifying procedures that are not necessary to reflect in the GOPs of the Comprehensive Plan. As such, no changes recommended.*
2023	Section 163.3191	Evaluation and Appraisal of Comprehensive Plan (Chapter 2023-31)	Amends the requirements of the EAR process. Requires that when local governments notify the state land planning agency of a determination whether EAR-based plan amendments are needed, the notification must include a separate affidavit signed by the Chair or Mayor of the governing body, attesting that all elements of its comprehensive plan comply with section 163.3191, Florida Statutes. The affidavit must also certify that the adopted plan covers the minimum 10-year planning period and cite the source and date of the population projections used in establishing the 10-year planning period.	*Add language about the affadavit within Monitoring Section 4.304*

Years	Source	Title	Description	Recommended Action
	Section 163.3177(6)(c)3	Required and optional elements of comprehensive plan; studies and surveys. (Chapter 2023-169)	"Septic to Sewer." Requires that for any development of more than 50 residential lots, whether built or unbuilt, with more than one onsite sewage treatment and disposal system per 1 acre, the Infrastructure Element must consider the feasibility of providing sanitary sewer services within a 10-year planning horizon and must identify the name and location of the wastewater facility that could receive sanitary sewer flows after connection; the capacity of the facility and any associated transmission facilities; the projected wastewater flow at that facility for the next 20 years, including expected future new construction and connections of onsite sewage treatment and disposal systems to sanitary sewer; and a timeline for the construction of the sanitary sewer system. An onsite sewage treatment and disposal system is presumed to exist on a parcel if sanitary sewer services are not available at or adjacent to the parcel boundary. Each comprehensive plan must be updated to include this requirement by July 1, 2024, and as needed thereafter to account for future applicable developments.	*In discussion with staff - Will need to be addressed as part of the EAR, if not before.*
	Section 163.3208	Substation Approval Process (Chapter 2023-31)	Statute preempts local governments from adopting or enforcing land development regulations for new and existing electrical substations. New and existing electrical substations must be permitted in all land use categories and no size limitations can be enforced.	*Ensure consistency of plan with new mandate, may be better suited as a specialized use rather than amending all affected FLUs.*
2019-2022	Section 163.3178	Coastal Management, (Chapter 2022-204, section 2, Laws of Florida	Reenacts Subsections (2)(k), (5), and (6) to incorporate the amendment made to Section 311.09 by Chapter 2022-204, Laws of Florida, adding Putnam County to the Florida Seaport Transportation and Economic Development Council	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. Only in regards to Putnam County.*
	Section 163.3175	Updating Military Base Names, (Chapter 2022-183, section 5, Laws of Florida).	Amends paragraph (n) subsection (2) to update two military base names to Patrick Space Force Base and Cape Canaveral Space Force Station, associated with Brevard County and Satellite Beach	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. Does not imapct Polk County.*
	Section 163.3180	Amending Concurrency, (Chapter 2022-122, section 1, Laws of Florida)	Amends subsection (6)(h)2 to revise provisions specifying when school concurrency is deemed satisfied. Requires the district school board to notify the local government that capacity is available for development within 30 days after receipt of the developer's legally binding commitment. Specifies that any proportionate-share mitigation directed toward a school capacity improvement not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement has been identified.	*Recommend incorporating into the Public School Facilities Element.*

Years	Source	Title	Description	Recommended Action
	Section 163.32051	Floating Solar Facilities, (Chapter 2022-83, section 1, Laws of Florida).	Creates 163.32051, which provides legislative findings regarding floating solar facilities. Defines the term “floating solar facility.” Requires a floating solar facility to be a permitted use in the appropriate land use categories and requires local governments to amend their land development regulations to promote expanded uses of floating solar facilities. Authorizes a county or municipality to specify buffer and landscaping requirements, which may not exceed the requirements for similar uses involving the construction of other solar facilities permitted in agricultural land use categories and zoning districts. Provides exceptions to the construction of floating solar facilities in an Everglades Agricultural Area reservoir project if it is determined to have negative impacts on the project	*Ensure consistency of plan with new mandate, may be better suited as a specialized use rather than amending all affected FLUs.*
	Section 163.3187	Process for Adoption of Small-Scale Comprehensive Plan Amendment (Chapter 2021-206, section 3, Laws of Florida).	Amends subsection (1)(a) to increase the small-scale development amendment limit to 50 acres or fewer. Revises subsection (3) pertaining to small-scale development amendments for sites within a rural area of opportunity to allow a 100 percent increase to the 50-acre acreage limit now included in subsection (1)(a)	*Statutory change does not necessitate any amendments to the County's Comprehensive Plan. But could occur in Section 4.305*
	Section 163.3167	Scope of Act (Chapter 2021-206, section 1, Laws of Florida).	Revises subsection (5) to allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order’s vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality’s comprehensive plan and all existing concurrency obligations in the development order remain in effect	*Statutory change does not necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3202	Land Development Regulations (Chapter 2021-201, section 1, Laws of Florida). No longer applicable - see 2024-2	Adds new subsection (5) to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions	*This is more applicable to an update of the Land Development Code.*
	Section 163.3237	Amendment or Cancellation of a Development Agreement (Chapter 2021-195, section 3, Laws of Florida)	Amends this section to allow a party to a development agreement and a local government to amend or cancel a development agreement without consent of other affected property owners unless the amendment or cancellation will modify the allowable uses or entitlements on such owner’s property	*Not relevant to the Comprhensive Plan; no amendments are required.*

Years	Source	Title	Description	Recommended Action
	Section 163.3177	Required and Optional Elements of Comprehensive Plan; Studies and Surveys (Chapter 2021-195, section 2, Laws of Florida).	Adds subsection (6)(i) which requires each local government to include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decisionmaking. The statute also provides a statement of rights local governments may adopt in order to meet these requirements	*No action necessary; Division 2.500 is the Property Rights Element*
	Section 163.3167	Scope of Act (Chapter 2021-195, section 1, Laws of Florida).	Amends subsection (3) to clarify that requirements pertaining to development orders and their incorporation and interaction with comprehensive plans are specifically related to plans for municipalities incorporated after January 1, 2016	*Statutory change does not necessitate any amendments to the County's Comprehensive Plan. Not in regards to a County.*
	Section 163.3205	Solar Facility Approval Process, (Chapter 2021-178, section 1, Laws of Florida)	Creates section 163.3205, F.S., which applies to sites that are subject to an application to construct a solar facility submitted to a local government on, or after, July 1, 2021, to encourage renewable solar electrical generation, define “solar facility”, and set forth an allowance for solar facilities in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts in an unincorporated area.	*Changes to the glossary to define the term "solar facility" and changes to the Agricultural/Residential FLU*
	Section 163.3168	Planning Innovations and Technical Assistance (Chapter 2021-161, section 1, Laws of Florida; and Chapter 2021-186, section 1, Laws of Florida)	Repeals existing subsection (4) that directed the state land planning agency to give preference when selecting applications for funding for technical assistance to counties with a population of 200,000 or less, and to municipalities within those counties, for assistance in determining whether the area in and around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and amending a comprehensive plan to provide for such land uses and protections	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.31801	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges, (Chapter 2021-63, section 1, Laws of Florida).	Adds a new subsection (3) to define “Infrastructure” and “Public facilities.” Renumbers existing subsections (3) through (11) and rewords existing subsections (3), (5), (6), (8), and (11) for clarity. Amends existing subsection (4) to provide additional regulations pertaining to impact fee credits. Adds a new subsection (6), which prescribes the circumstances under which impact fees may be increased, sets forth limitations on those fee increases, and notes that this section applies retroactively to January 1, 2021.	*Define the term "Infrastructure" and ensure that "Public Facilities is consistent with the statute in the comp plan's glossary.*
	Section 163.3163	Applications for Development Permits; Disclosure and Acknowledgement of Contiguous Sustainable Agricultural Land, (Chapter 2021-7, section 7, Laws of Florida)	Reenacts subsection (3)(b) to provide a definition for “Farm operation.”	*Recommend incorporating definition for "farm operation" to be added to the glossary*

Years	Source	Title	Description	Recommended Action
	Section 163.3162	Agricultural Lands and Practices, (Chapter 2021-7, section 6, Laws of Florida)	Reenacts subsection (2)(b) to provide a definition for "Farm operation."	*See above*
	Section 163.3180	Concurrency (Chapter 2020-150, section 28, Laws of Florida.	Amends subsection (2) to alter the governmental entity that approves onsite sewage treatment and disposal systems from the Department of Health to the Department of Environmental Protection	*Update policies to reflect this change*
	Section 163.3168	Planning Innovations and Technical Assistance (Chapter 2020-122, section 2, Laws of Florida)	Adds subsection (4) providing guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, and to municipalities located within such counties, in determining whether the area in and around a proposed multiuse corridor interchange as described in section 338.2278, F.S., contains appropriate land uses and protections and aiding in amending a comprehensive plan to provide such appropriate land uses and protections	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.31801	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges (Chapter 2020-58, section 1, Laws of Florida.	Amends subsection (3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such an impact fee unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant. Amends subsection (4) to clarify that a local government must provide credit against the collection of an impact fee of any contribution related to public education facilities regardless of any charter provision, comprehensive plan policy, ordinance, or resolution. Renumbers existing subsections (8) and (9) as subsections (9) and (10). Adds a new subsection (8) that sets forth the provisions by which impact fee credits are assignable and transferable and renumbers subsequent subsections.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.31801	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges (Chapter 2020-27, section 5, Laws of Florida.	Adds subsection (10) and supporting paragraphs (a) through (e) to address the data on impact fee charges that must be reported in an annual financial report by a county, municipality, or special district.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*

Years	Source	Title	Description	Recommended Action
	Section 163.31771	Accessory Dwelling Units (Chapter 2020-27, section 4, Laws of Florida.	Amends subsections (3) and (4) to allow a local government to adopt an ordinance allowing accessory dwelling units to be located in any area zoned for single family residential use and removes the requirement that the ordinance be conditioned upon a finding that there is a shortage of affordable rentals within the jurisdiction	*Could potentially require a change to the land development code.*
	Section 163.3178	Coastal Management (Chapter 2020-2, section 27, Laws of Florida).	Amends subsection (2)(k) to update statutory references. Revises paragraphs (b) and (c) within subsection (8) to remove outdated deadlines	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3215	Standing to Enforce Local Comprehensive Plans Through Development Orders (Chapter 2019-165, section 7, Laws of Florida.	Amends subsection (8)(a) to provide that either party is entitled to a certain summary procedure in certain court proceedings. Adds subsection (8)(b) clarifying how a court may find a summary procedure does not apply. Adds subsection (8)(c), which provides that a prevailing party in a challenge to certain development orders can be entitled to recover certain fees and costs	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3202	Land Development Regulations (Chapter 2019-165, section 6, Laws of Florida).	Adds paragraph (j) to subsection (2) to require preexisting development orders to be incorporated into local land development regulations.	*Ensure LDC is in compliance with this statute*

Years	Source	Title	Description	Recommended Action
	Section 163.31801	Impact Fees; Short Title; Minimum Requirements: Audits; Challenges (Chapter 2019-165, section 5, Laws of Florida).	Amends subsection (3) to add minimum conditions that certain impact fees must satisfy. Renumbers existing subsections (4) and (5) as subsections (6) and (7) Adds a new subsection (4) to require local governments to credit against the collection of an impact fee any contribution related to public education facilities. Adds subsection (5) so that if a local government increases its impact fee rates then the holder of impact fee credits is entitled to the full benefit of the intensity or density of the credit balance as of the date it was established and renumbers subsequent subsections. Amends renumbered subsection (7) to provide that in certain actions, the local government has the burden of proving by a preponderance of the evidence that the imposition or amount of certain required dollar-for-dollar credits for the payment of impact fees meets certain requirements and prohibits the court from using a deferential standard for the benefit of the government. Adds subsection (8) to authorize a local government to provide an exception or waiver for an impact fee for the development or construction of affordable housing, and in doing such is not required to use any revenues to offset the impact. Adds subsection (9) to clarify that this section does not apply to water and sewer connection fees	*Ensure LDC is in compliance with this statute*
	Section 163.3180	Concurrency (Chapter 2019-165, section 4, Laws of Florida.	Amends subsection (5)(i) to clarify compliance requirements for a mobility fee-based funding system. Revises subsection (6)(h)2.b. to require a local government to credit certain contributions, constructions, expansions, or payments toward any other impact fee or exaction imposed by local ordinance for public educational facilities and provides the requirements for the basis of that credit	*Ensure LDC is in compliance with this statute*
	Section 163.3167	Scope of Act (Chapter 2019-165, section 3, Laws of Florida).	Amends subsection (3) to require local governments that have adopted comprehensive plans after January 1, 2019 to incorporate into their comprehensive plans development orders that existed before the comprehensive plan's effective date	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3187	Process for Adoption of Small-Scale Comprehensive Plan Amendment (Chapter 2019-157, section 1, Laws of Florida.	Removes subsection (1)(b), which specified the cumulative annual acreage maximum of adopted small-scale comprehensive plan amendments	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*

Years	Source	Title	Description	Recommended Action
	Section 163.3209	Electric Transmission and Distribution Line Right-of-way Maintenance (Chapter 2019-155, section 2, Laws of Florida	Removes language requiring local government approval of a property owner's request for electric utilities to perform certain right-of-way vegetation and tree maintenance	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3175	Legislative Findings on Compatibility of Development with Military Installations; Exchange of Information Between Local Governments and Military Installations (Chapter 2019-144, section 1, Laws of Florida).	Redesignates existing paragraphs (i) through (n) of subsection (2) as paragraphs (j) through (o). Adds new paragraphs (i) and (p) to subsection (2) to specify additional local governments that must coordinate with certain military installations regarding the compatibility of land development	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.31801	Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges (Chapter 2019-106, section 1, Laws of Florida.	Revises the section's title. Amends language of paragraphs (a) through (d) of subsection (3) to clarify the local government responsibilities related to impact fees. Adds new paragraphs (e) through (i) to subsection (3) to amend the minimum requirements for the adoption of impact fees by specified local governments and note restrictions to the allowable uses of those impact fees. Adds a new subsection (6), which exempts water and sewer connection fees from the Florida Impact Fee Act.	*Ensure LDC is in compliance with this statute*
	Section 163.3177	Required and Optional Elements of Comprehensive Plan; Studies and Surveys (Chapter 2019-3, section 31, Laws of Florida).	Updates statutory reference related to affordable workforce housing within subsection (6)(f)	*Update Glossary reference*
2016 - 2018	Section 163.3177(6)(a)11	Amendments to Future Land Use Element to Address Military Base Compatibility (Chapter 2016-10, section 13, Laws of Florida).	Deletes this obsolete subsection which required local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3175(7)	Financial Reporting for Ex Officio Military Representatives on Local Boards (Chapter 2016-148, section 2, Laws of Florida).	Modifies this section to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*

Years	Source	Title	Description	Recommended Action
	Section 163.3184	Process for Adoption of Comprehensive Plans or Plan Amendments (Chapter 2016-148, section 3, Laws of Florida).	Amends section 163.3184(2)(c) to modify the language pursuant to changes in section 380.06, F.S., to require state coordinated review of plan amendments that approve DRI-sized proposed developments; no substantive change *** Adds subsection 163.3184(5)(e)3 to provide that when an administrative law judge issues an order recommending that a plan amendment be found in compliance, the recommended order becomes the final order 90 days after issuance unless the state land planning agency issues a final order finding the amendment in compliance, refers the recommended order to the Administration Commission, or all parties consent in writing to an extension of the 90-day period. ***** Amends section 163.3184(7)(d), for plan amendment challenges that are subject to mediation or expeditious resolution, to provide that when an administrative law judge issues a recommended order finding an amendment in compliance, except where the parties agree or there are exceptional circumstances, the state land planning agency must issue a final order within 45 days after issuance of a recommended order; and if the final order is not issued in 45 days, the recommended order finding the amendment in compliance becomes the final order.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3245(1)	Sector Plans (Chapter 2016-148, section 4, Laws of Florida).	Modifies this section to reduce the minimum amount of total land area required for a sector plan from 15,000 acres to 5,000 acres.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Sections 163.3221(4)(b)(2) and (4)(b)(8)	Florida Local Government Development Agreement Act; Definitions. .	Amends the definition of “development” to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation or termination of distribution and transmission corridors.	*Glossary definition of "Development"already accounts for this change.*
	Sections 163.3245(3)(e), (3)(e)6., and (3)(e)12	Chapter 2018-158	Sector Plans, updated statutory cross references.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Sections 163.3246 (11), (12), and (14)	Chapter 2018-158	Local Government Comprehensive Planning Certification Program updated to delete references to Development of Regional Impact Review.	*Will need to change the citations to statutes for multiple policies related to DRI monitoring/review*
	Section 163.3164	Chapter 2024-266	Definitions, added a new definition of “master development plan” or “master plan” as subsection (31) and renumbered subsequent sections.	*No change necessary unless these defintions are added to the glossary.*

Years	Source	Title	Description	Recommended Action
2015	Section 163.3178	Coastal Management Element (Chapter 2015-69, section 1, Laws of Florida)	Adds a requirement that the redevelopment component of the Coastal Management Element must: · Reduce the flood risk in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise. · Encourage removal of coastal real property from FEMA flood zone designations. · Be consistent with or more stringent than the flood resistant construction requirements in the Florida Building Code and federal flood plain management regulations. · Require construction seaward of the coastal construction control line to be consistent with chapter 161, Florida Statutes. · Encourage local governments to participate in the National Flood Insurance Program Community Rating System to achieve flood insurance premium discounts for their residents.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. (No CME)*
	Section 163.3175 (9)	Compatibility of Development with Military Installations (Chapter 2015-30, section 1, Laws of Florida).	Deletes obsolete provisions establishing 2012 deadlines for a local government to adopt plan amendments related to military base compatibility.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3177 (6)(c)4	Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (Chapter 2015-30, section 2, Laws of Florida).	· Provides that a local government that does not own, operate, or maintain its own water supply facilities and is served by a public water utility with a permitted allocation of greater than 300 million gallons per day is not required to amend its comprehensive plan in response to an updated regional water supply plan or maintain a work plan if the local government's usage of water is less than 1 percent of the public water utility's total permitted allocation.· The local government must cooperate with any local government or utility provider that provides service within its jurisdiction. · The local government must keep the element up to date in accordance with section 163.3191 (evaluation and appraisal).	*The County owns, operates, and maintains its own water supply facilities. Therefore, this statutory changes does not apply to the County.*
	Section 163.3184(2)	Comprehensive Plan/Plan Amendment Procedures (Chapter 2015-30, section 3, Laws of Florida).	The list of plan amendments subject to the coordinated state review process is expanded to include plan amendments that propose an amendment to an adopted sector plan and plan amendments that propose a development that qualifies as a development of regional impact pursuant to section 380.06, Florida Statutes.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*

Years	Source	Title	Description	Recommended Action
	Section 163.3245	Sector Plans (Chapter 2015-30, section 4, Laws of Florida)	Amends the section as follows: · For both the long-term master plan and detailed specific area plans, provisions in the Community Planning Act that are inconsistent with or are superseded by the planning standards in sections 163.3245(3)(a) and (b) do not apply. · Conservation easements may be based on digital orthophotography that meets certain criteria. · A conservation easement may include a provision for the grantor to substitute other land that meets certain criteria by recording an amendment to the conservation easement; substitution requires the consent of the grantee, which consent shall not be unreasonably withheld (sections 163.3245(3)(b)7. and 9.). · An applicant for a detailed specific area plan must transmit a copy of the application to reviewing agencies, which must provide written comments to the local government within 30 days after the applicant transmits the application (section 163.3245(3)(f)). · Authorizes the Department of Environmental Protection, the Fish and Wildlife Conservation Commission, or the water management district to accept a conservation easement provided for a detailed specific area plan as mitigation under chapters 373 and 379 and section 373.414, Florida Statutes (section 163.3245(3)(h)). · Clarifies that adoption of a long-term master plan or a detailed specific area plan does not limit the right to establish new agricultural or silvicultural uses in the sector plan or detailed specific area plan area (section 163.3245(9)). · Provides that an applicant with an approved master development order may request that the water management district issue a consumptive use permit for the same time period as the approved master development order (section 163.3245(13)). · The more specific provisions of this section supersede the generally applicable provisions of this chapter which otherwise would apply. · This section does not preclude a local government from requiring data and analysis beyond the minimum criteria established by this section (section 163.3245(15)).	*No changes to the County's comprehensive plan but if there were it would be in Policy 4.102-A13*

Years	Source	Title	Description	Recommended Action
	Section 163.3246(11) and (14)	Local Government Comprehensive Planning Certification Program – Connected-City Corridor Pilot Program [New] (Chapter 2015-30, section 5, Laws of Florida)	· Deletes requirements for notice to and coordination by regional planning councils in connection with developments of regional impact within a certified local government. · Creates a connected-city corridor plan amendment pilot program. · Expresses legislative intent to encourage growth of high-technology industry and innovation through a locally controlled comprehensive plan amendment process. · Establishes Pasco County as a pilot community for connected-city corridor plan amendments for a period of 10 years. · Requires the state land planning agency to issue a written notice of certification to Pasco County by July 15, 2015 that includes the geographic boundary of the connected-city corridor and a requirement for annual or biennial monitoring reports. · Provides that the notice of certification is subject to challenge under section 120.569. · Establishes criteria for connected-city corridor plan amendments. · Provides that except for site-specific access management requirements, development in the certification area is deemed to satisfy concurrency if the County adopts a long-term transportation network plan and financial feasibility plan. · Provides an exemption from development of regional impact review. · Requires that the Office of Program Policy Analysis and Government Accountability provide a report and recommendations for implementing a statewide program to the Governor, President of the Senate, and Speaker of the House by December 1, 2024.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3248(4)	Rural Land Stewardships (Chapter 2015-30, section 6, Laws of Florida)	Deletes regional planning councils as entities that provide assistance and participate in developing a plan for the rural land stewardship area.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
2014	Section 163.3167(8)(b)	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Deletes the provision that an initiative or referendum in regards to a comprehensive plan amendment or map amendment is only allowed if it affects more than five parcels of land.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3167(8)(c)	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Deletes the provision that an initiative or referendum in regards to a comprehensive plan amendment or map amendment is only allowed if it affects more than five parcels of land.	*See above*
	Section 163.3177(7)(a)2	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Changes “rural areas of critical economic concern” to “rural areas of opportunity.”	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. (No mention of "rural area(s) of critical economic conern")*
	Section 163.3177(7)(a)3.b	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Changes “rural area of critical economic concern” to “rural area of opportunity.”	*See above*
	Section 163.3177(7)e	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Provides general re-wording and changes “rural area of critical economic concern” to “rural area of opportunity.”	*See above*
	Section 163.3187(3)	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Changes “rural area of critical economic concern” to “rural area of opportunity.”	*See above*

Years	Source	Title	Description	Recommended Action
	Section 163.3202(1)	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Requires that local governments must adopt, amend, and enforce land development regulations that are consistent with and implement the comprehensive plan within one year after submission of the comprehensive plan or amended comprehensive plan pursuant to section 163.3191, Florida Statutes (evaluation and appraisal process), instead of section 163.3167(2), Florida Statutes).	*Although not required by the Statute to be stated within the Plan, we recommend adding a policy in the FLUE to help the County prioritize its execution.*
	Section 163.3206(1) [New]	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Provides a definition of "fuel" with cross references	*No change unless, you want to add "fuel" to the glossary.*
	Section 163.3206(2)(b) [New]	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Provides a definition of "fuel terminal."	*No change unless, you want to add "fuel terminal" to the glossary.*
	Section 163.3206(3) [New]	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Provides that after July 1, 2014, a local government may not amend its comprehensive plan, land use map, zoning districts, or land use regulations to conflict with a fuel terminal's classification as a permitted and allowable use, including an amendment that causes a fuel terminal to be a nonconforming use, structure, or development.	*Should add "Fuel Terminals" as a specialized use*
	Section 163.3206(4) [New]	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Provides that if a fuel terminal is damaged or destroyed due to a natural disaster or other catastrophe, a local government must allow the timely repair of the fuel terminal to its capacity before the natural disaster or catastrophe.	*see above*
	Section 163.3206(5) [New]	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Provides that the section does not limit the authority of a local government to adopt, implement, modify, and enforce applicable state and federal requirements for fuel terminals, including safety and building standards. Local authority may not conflict with federal or state safety and security requirements.	*see above*
	Section 163.3246(10)	Chapters 2014-93, 2014-178, and 2014-218, Laws of Florida	Changes "rural area of critical economic concern" to "rural area of opportunity."	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
2013	Section 163.2136(3)(c)-(k) [re-numbered]. No longer applicable.	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	Re-numbers section 163.3162(3)(b)-(j) as 163.3162(3)(c)-(k) in order to accommodate new section 163.3162(3)(b) - see Section 163.3162(3)(b) [New]	*No longer appicable*
	Section 163.3162(2)(d)	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	Amends the definition of "governmental entity" in the provisions for agricultural lands and practices to provide that the term does not include a water management district (in addition to the term not including a water control district established under chapter 298 and a special district created by special act for water management purposes).	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3162(3)(a)	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	Replaces "county" with "governmental entity."	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*

Years	Source	Title	Description	Recommended Action
	Section 163.3162(3)(b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	Prohibits a governmental entity from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land pursuant to section 193.461, if such agricultural activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such agricultural activity is expressly regulated by the United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3167(8)(a) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Provides that an initiative or referendum process in regard to any development order is prohibited. Removes language that allowed an initiative or referendum process by a local government charter in effect as of June 1, 2011 to be retained and implemented.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3167(8)(b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Provides that an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited, except for those amendments that affect more than five parcels of land if it is expressly authorized by specific language in a local government charter that was lawful and in effect on June 1, 2011. A general local government charter provision for an initiative or referendum process is not sufficient.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3167(8)(c) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· States the intent of the Legislature to prohibit any initiative and referendum in regard to any development order, and prohibit any initiative and referendum in regard to any local comprehensive plan or map amendment except as specifically and narrowly permitted in paragraph (b). States that these prohibitions are remedial in nature and apply retroactively to any initiative or referendum process commenced after June 1, 2011, and that any such initiative or referendum process commenced or completed thereafter is null and void and of no legal force and effect.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan.*
	Section 163.3180(5)(h)1 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Revises and adds requirements for local governments that continue to implement a transportation concurrency system, whether in the form adopted into the comprehensive plan before the effective date of the Community Planning Act, Chapter 2011-139, Laws of Florida, or as subsequently modified.	*If Polk County is still going to continue with a transportation concurrency system, the comprehensive will need to be in compliance with this change*
	Section 163.3180(5)(h)1.c [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Adds “development agreement” in the listed land use development permits for which an applicant may satisfy transportation concurrency requirements of the local comprehensive plan, the local government’s concurrency management system and section 380.06 when applicable, if conditions in subsequent sections are met.	*See above*
	Section 163.3180(5)(h)1.c.II [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Adds language allowing a local government to accept contributions from multiple applicants for a planned improvement if it maintains contributions in a separate account designated for that purpose.	*See above*
	Section 163.3180(5)(h)1.d [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Modifies language to require local governments that continue to implement a transportation concurrency system to provide the basis upon which the landowners will be assessed a proportionate share of the cost addressing the transportation impacts resulting from a proposed development.	*See above*

Years	Source	Title	Description	Recommended Action
	Section 163.3180(5)(h)3 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Clarifies that a local government is not required to approve a development that, for reasons other than transportation impacts, is not qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.	*See above*
	Section 163.3180(5)(i) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Sets forth new provisions for any local government that elects to repeal transportation concurrency. · Encourages adoption of alternative mobility funding system that uses one or more of the tools and techniques identified in subsection (f). · Provides that any alternative mobility funding system adopted may not be used to deny, time or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals provided that the developer agrees to pay for the development's identified transportation impacts via the funding mechanism implemented by the local government. States that the revenue from the funding mechanism used in the alternative system must be used to implement the needs of the local government's plan which serves as the basis for the fee imposed. · Requires a mobility fee-based funding system to comply with the dual rational nexus test applicable to impact fees. An alternative system that is not mobility fee-based shall not be applied in a manner that imposes upon new development any responsibility for funding an existing transportation deficiency as defined in subsection (h).	*See above*
	Section 163.3246(1),(4)-(7), (9)(a), (12) and (13)	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Changes numerous references in the provisions for the local government comprehensive planning certification program from "department" to "state land planning agency."	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. Clerical in nature.*
	Section 163.325 [New]B50:E52D52B5B50:E67	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Creates short title for sections 163.325-163.3253 as the "Manufacturing Competitiveness Act."	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. Clerical in nature.*

Years	Source	Title	Description	Recommended Action
	Section 163.3251(1)–(6) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	Creates six definitions as used in the provisions for manufacturing development in sections 163.3251-163.3253: · (1) “Department” means Department of Economic Opportunity; · (2) “Local government development approval” means a local land development permit, order, or other approval issued by a local government, or a modification of such permit, order, or approval, which is required for a manufacturer to physically locate or expand and includes, but is not limited to, the review and approval of a master development plan required under section 163.3252(2)(c). · (3) “Local manufacturing development program” means a program enacted by a local government for approval of master development plans under section 163.3252. · (4) “Manufacturer” means a business that is classified in Sectors 31-33 of the National American Industry Classification System (NAICS) and is located, or intends to locate, within the geographic boundaries of an area designated by a local government as provided under section 163.3252. · (5) “Participating agency” means: (a) The Department of Environmental Protection, (b) The Department of Transportation, (c) The Fish and Wildlife Conservation Commission, when acting pursuant to statutory authority granted by the Legislature and (d) Water management districts. · (6) “State development approval” means a state or regional permit or other approval issued by a participating agency, or a modification of such permit or approval, which must be obtained before the development or expansion of a manufacturer’s site, and includes, but is not limited to, those specified in section163.3253(1).	*Not required to be addressed by the Comprehensive Plan, but could look into this if county is interested in a "local manufacturing development program"*
	Section 163.3252 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Setting forth provisions for a local manufacturing development program and master development approval for manufacturers, allows a local government to adopt an ordinance establishing a local manufacturing development program through which the local government may grant master development approval for the development or expansion of sites that are, or are proposed to be, operated by manufacturers at specified locations within the local government’s geographic boundaries.	*Not required to be addressed by the Comprehensive Plan, but could look into this if county is interested in a "local manufacturing development program"*
	Section 163.3252(1)(a) and (b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires a local government that elects to establish a local manufacturing development program to submit a copy of the ordinance establishing the program to DEO within 20 days after the ordinance is enacted. · Provides that a local government ordinance adopted before the effective date of this act establishes a local manufacturing development program if it satisfies the minimum criteria established in subsection (3) and if the local government submits a copy of the ordinance to DEO on or before September 1, 2013.	*see above*
	Section 163.3252(2)[New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires that DEO develop a model ordinance by December 1, 2013, to guide local governments that intend to establish a local manufacturing development program. Requires the model ordinance, **which need not be adopted by a local government**, to include the elements set forth in sections 163.3252(2)(a)-(k).	*See above*

Years	Source	Title	Description	Recommended Action
	Section 163.3252(2)(a) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include procedures for a manufacturer to apply for a master development plan and procedures for a local government to review and approve a master development plan.	*see above*
	Section 163.3252(2)(b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to identify those areas within the local government's jurisdiction which are subject to the program.	*see above*
	Section 163.3252(2)(c)1-4 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include the minimum elements for a master development plan, including but not limited to: · (1) A site map · (2) A list proposing the site's land uses · (3) The maximum square footage, floor area ratio, and building heights for future development on the site, specifying with particularity those features and facilities for which the local government will require the establishment of maximum dimensions, and · (4) Development conditions	*see above*
	Section 163.3252(2)(d)1-11 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include a list of development impacts, if applicable to the proposed site, which the local government will require to be addressed in a master development plan, including but not limited to:· (1) Drainage · (2) Wastewater · (3) Potable water · (4) Solid waste · (5) Onsite and offsite natural resources · (6) Preservation of historic and archeological resources · (7) Offsite infrastructure · (8) Public services · (9) Compatibility with adjacent offsite land uses · (10) Vehicular and pedestrian entrance to and exit from the site, and · (11) Offsite transportation impacts	*see above*
	Section 163.3252(2)(e) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include a provision vesting any existing development rights authorized by the local government before the approval of a master development plan, if requested by the manufacturer.	*see above*
	Section 163.3252(2)(f) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include whether an expiration date is required for a master development plan and, if required, a provision stating that the expiration date may not be earlier than 10 years after the plan's adoption.	*see above*
	Section 163.3252(2)(g)1 and 2 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include a provision limiting the circumstances that require an amendment to an approved master development plan to: (1) Enactment of state law or local ordinance addressing an immediate and direct threat to the public safety that requires an amendment to the master development order, and (2) Any revision to the master development plan initiated by the manufacturer.	*see above*

Years	Source	Title	Description	Recommended Action
	Section 163.3252(2)(h) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include a provision stating the scope of review for any amendment to a master development plan is limited to the amendment and does not subject any other provision of the approved master development plan to further review.	*see above*
	Section 163.3252(2)(i) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include a provision stating that, during the term of a master development plan, the local government may not require additional local development approvals for those development impacts listed in paragraph (d) that are addressed in the master development plan, other than approval of a building permit to ensure compliance with the state building code and any other applicable state-mandated life and safety code.	*see above*
	Section 163.3252(2)(j) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include a provision stating that, before commencing construction or site development work, the manufacturer must submit a certification, signed by a licensed architect, engineer, or landscape architect, attesting that such work complies with the master development plan.	*see above*
	Section 163.3252(2)(k) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the model ordinance to include a provision establishing the form that will be used by the local government to certify that a manufacturer is eligible to participate in the local manufacturing development program adopted by that jurisdiction.	*see above*
	Section 163.3252(3)(a)-(d) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires a local manufacturing development program ordinance to as a minimum be consistent with subsection (2) and establish procedures for (a) Reviewing an application from a manufacturer for approval of a master development plan, (b) Approving a master development plan, which may include conditions that address development impacts anticipated during the life of the development, (c) Developing the site in a manner consistent with the master development plan without requiring additional local development approvals other than building permits and (d) Certifying that a manufacturer is eligible to participate in the local manufacturing development program.	*see aboce*
	Section 163.3252(4)(a) and (b)1 and 2 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Prohibits a local government that establishes a local manufacturing development program from abolishing the program until it has been in effect for at least 24 months. · Sets forth provisions for a local government's repealing its local manufacturing development program ordinance, stating that (1) Any application for a master development plan which is submitted to the local government before the effective date of the repeal is vested and remains subject to the local manufacturing development program ordinance in effect when the application was submitted; and (2) The manufacturer that submitted the application is entitled to participate in the manufacturing development coordinated approval process established in section 163.3253.	*see aboce*
	Section 163.3253 [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Creates provisions for a coordinated manufacturing development approval process, requiring DEO to coordinate the manufacturing development approval process with participating agencies, as set forth in this section, for manufacturers that are developing or expanding in a local government that has a local manufacturing development program.	*see above*

Years	Source	Title	Description	Recommended Action
	Section 163.3253(1)(a)-(i) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires the approval process to include collaboration and coordination among, and simultaneous review by, the participating agencies of applications for: (a) Wetland or environmental resource permits, (b) Surface water management permits, (c) Stormwater permits, (d) Consumptive water use permits (e) Wastewater permits, (f) Air emission permits, (g) Permits relating to listed species, (h) Highway or roadway access permits and (i) Any other state development approval within the scope of a participating agency's authority.	*see above*
	Section 163.3253(2)(a) and (b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires a manufacturer to file its application for state development approval with DEO and each participating agency with proof that its development or expansion is located in a local government that has a local manufacturing development program. If a local government repeals its local manufacturing development program ordinance, a manufacturer developing or expanding in that jurisdiction remains entitled to participate in the process if the manufacturer submitted its application for a local government development approval before the effective date of repeal.	*see above*
	Section 163.3253(3)(a) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires DEO to convene a meeting with one or more participating agencies if a manufacturer requests one at any time during the process and that the participating agencies attend. · Allows DEO to participate as necessary to accomplish the purposes set forth in section 20.60(4)(f), does not require the department to mediate between the participating agencies and the manufacturer.	*see avoce*
	Section 163.3253(3)(b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Prohibits DEO from being a party to any proceeding initiated under sections 120.569 and 120.57 that relates to approval or disapproval of an application for state development approval processed under this section.	*see above*
	Section 163.3253(3)(c) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Prohibits DEO's participation in a coordinated manufacturing development approval process under this section from having any effect on its approval or disapproval of any application for economic development incentives sought under section 288.061 or another incentive requiring DEO approval.	*see above*
	Section 163.3253(4)(a) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires that if a participating agency determines an application is incomplete, the participating agency must notify the applicant and DEO in writing of the additional information necessary to complete the application. · Requires that a participating agency provide a request for additional information to the manufacturer and DEO within 20 days after the date the application is filed with the participating agency unless the deadline is waived in writing by the manufacturer.	*see above*
	163.3253(4)(b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Provides that if the participating agency does not request additional information within the 20-day period, the participating agency may not subsequently deny the application based on the manufacturer's failure to provide additional information.	*see above*
	Section 163.3253(4)(c) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Within 10 days after the manufacturer's response to the request for additional information, a participating agency may make a second request for additional information for the sole purpose of obtaining clarification of the manufacturer's response.	*see above*

Years	Source	Title	Description	Recommended Action
	Section 163.3253(5)(a) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires each participating agency to take final agency action on a state development approval within its authority within 60 days after a complete application is filed, unless the deadline is waived in writing by the manufacturer. The 60-day period is tolled by the initiation of a proceeding under sections 120.569 and 120.57.	*see above*
	Section 163.3253(5)(b) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Requires a participating agency to notify DEO if the agency intends to deny a manufacturers application and, unless waived in writing by the manufacturer, the department shall timely convene an informal meeting to facilitate a resolution.	*see above*
	Section 163.3253(5)(c) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Unless waived in writing by the manufacturer, if a participating agency does not approve or deny an application within the 60-day period, within the time allowed by a federally delegated permitting program, or, if a proceeding is initiated under sections 120.569 and 120.57, within 45 days after a recommended order is submitted to the agency and the parties, the state development approval within the authority of the participating agency is deemed approved. A manufacturer seeking to claim approval by default under this subsection shall notify, in writing, the clerks of both the participating agency and DEO of that intent. A manufacturer may not take action based upon the default approval until such notice is received by both agency clerks.	*see above*
	Section 163.3253(5)(d) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Allows the manufacturer at any time after a proceeding is initiated under sections 120.569 and 120.57 to demand expeditious resolution by serving notice on an administrative law judge and all other parties to the proceeding. The administrative law judge is required to set the matter for final hearing no more than 30 days after receipt of such notice. After the final hearing is set, a continuance may not be granted without the written agreement of all parties.	*see above*
	Section 163.3253(6) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Provides that subsections (4) and (5) do not apply to permit applications governed by federally delegated or approved permitting programs to the extent that subsections (4) and (5) impose timeframes or other requirements that are prohibited by or inconsistent with such federally delegated or approved permitting programs.	*see above*
	Section 163.3253(7) [New]	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Authorizes the state land planning agency to adopt rules to administer section 163.3253.	*see above*
	Section 163.340(2)	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Updates a statutory reference in the definition of “public body” from section 165.031(5) to 163.031(7).	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. Cerical in nature.*
	Note to Section 163.3162 (2012 version of statute)	Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida	· Repeals section 4 of Chapter 2012-75, Laws of Florida, which had established an alternate method for certain landowners to apply to DEO for an agricultural enclave designation. The right to apply for agricultural enclave designation under the alternate method expired on January 1, 2013.	*Statutory change does not appear to necessitate any amendments to the County's Comprehensive Plan. County does not have agricultural enclaves.*

GOPs Amendments	County Response	Recommended Actions Taken
Section 1.103 *Section 1.302* *Section 2.101* *Section 2.301* *Section 4.100* *Policy 2.102-A11* *Section 4.101* *Policy 4.102-A6* *Policy 4.102-A7* *Policy 2.121-X1* *Objective 4.103-D* *Glossary (Area of concern, natural resource of regional significance)*		
Section 1.101 *Section 1.107.K* *Section 2.130-A* *Section 1.302* *Objective 2.109-B* *Policy 2.109-B2* *Policy 2.111-A3* *Policy 2.116-A3* *Policy 2.121-A4* *Policy 2.123-D3* *Policy 2.123-F2* *Policy 2.127-A4* *Policy 2.129-A9* *Policy 2.131-A17* *Policy 2.132-E8* *Policy 2.132-E19* *Policy 3.102-B4* *Policy 3.105-D2* *Glossary (Family Homestead, Recreational Vehicle, State Road System, etc.)*		

GOPs Amendments	County Response	Recommended Actions Taken
Section 3.150 *Objective 3.202-D* *Objective 3.202-F* *Objective 3.203-A* *Objective 2.131-B5.1.A*		
Glossary		
Policy 3.204-C3 *Policy 2.131-N1* *Policy 2.131-X2* *Policy 3.204-C3*		
Policy 2.302-A4 *Section 4.304* *Section 2.130* *Section 2.130-A* *Section 1.302* *Section 2.101* *Policy 2.131-X1* *Policy 2.132-C10* *Policy 2.108-A6* *Policy 2.129-A7* *Policy 2.129-A9* *Policy 2.131-PA6*		

GOPs Amendments	County Response	Recommended Actions Taken
Section 2.125		
Section 4.304		

GOPs Amendments	County Response	Recommended Actions Taken
Section 2.125		
Section 3.603		

GOPs Amendments	County Response	Recommended Actions Taken
Section 2.125		

GOPs Amendments	County Response	Recommended Actions Taken
Section 2.121-A		

GOPs Amendments	County Response	Recommended Actions Taken
Policy 2.113-B-4 *Policy 2.306-A5* *Policy 3.102-C1* *Policy 3.102-C2* *Policy 3.102-C3* *Policy 3.102-C4* *Policy 3.102-D5* *Policy 3.103-C3* *Policy 3.106-A3*		

GOPs Amendments	County Response	Recommended Actions Taken

GOPs Amendments	County Response	Recommended Actions Taken

GOPs Amendments	County Response	Recommended Actions Taken
Glossary Workforce Housing		

GOPs Amendments	County Response	Recommended Actions Taken
Policy 2.131-PA7 *Policy 2.126-A1* *Policy 2.129-A9*		

GOPs Amendments	County Response	Recommended Actions Taken

GOPs Amendments	County Response	Recommended Actions Taken

GOPs Amendments	County Response	Recommended Actions Taken

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GOPs Amendments	County Response	Recommended Actions Taken
Section 2.129		
Section 2.125		

GOPs Amendments	County Response	Recommended Actions Taken
Policy 4.208-A8		

GOPs Amendments	County Response	Recommended Actions Taken

GOPs Amendments	County Response	Recommended Actions Taken

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GOPs Amendments	County Response	Recommended Actions Taken

GOPs Amendments	County Response	Recommended Actions Taken

TECHNICAL MEMORANDUM

PREPARED FOR: Polk County

PREPARED BY: Dewberry Engineers Inc.

DATE: April 25, 2025

SUBJECT: Septic Remediation Plan

Introduction and Background

Florida House Bill 1379 was signed into law in 2023 and requires comprehensive plans to further assess wastewater treatment, onsite sewage treatment and disposal systems ("OSTDS" or "septic tanks"), and sanitary sewer systems. Section 163.3177(6) Florida Statutes requires an evaluation of the feasibility of connecting properties with septic tanks to a sanitary sewer when certain density conditions are, or could be, present. Specifically, the rule requires the County to assess developments of more than fifty (50) built or unbuilt units with more than one (1) OSTDS per one acre.

To comply with the 2023 requirements, the County submitted a draft OSTDS remediation plan to the Florida Department of Environmental Protection (FDEP) and has worked closely with the State to narrow the scope of the additional information requested. In response to the State's requests, this memorandum provides information related to OSTDS and the investments needed to connect these sites to a wastewater treatment facility.

GIS Analysis

Dewberry performed a GIS analysis to identify all developments, of more than fifty (50) built or unbuilt units with a density of more than one (1) OSTDS per acre, within unincorporated Polk County. This included subdivisions within other municipal utility service area boundaries, but outside of their respective city limits.

Dewberry acquired the most recent parcel and subdivision data from the Polk County property appraiser, septic data from the FDEP, and utility infrastructure data from the County and various municipalities for the analysis. This information was used to identify all parcels 1-acre or less with septic system and ultimately developments (or subdivisions) of more than 50 units. In the subdivision data, many subdivisions were separated by phase or tracts, and were merged to create a main subdivision. In total, 310 subdivisions were identified totaling over 36,000 OSTDSs within unincorporated Polk County.

Each subdivision was attributed with the associated wastewater treatment facility (WWTF) that would most likely receive the converted septic flows, based on the utility service area boundaries, or proximity to the service area boundary in some cases. The identified subdivision polygons were converted to centroids to perform a shortest route analysis; the centroid was utilized as the lift station location for each subdivision. The Network Trace Tool (utilizing shortest path) in ArcGIS Pro was used to generate routes along roads, from the subdivision centroid to the associated WWTF. For Polk County Utility service areas, Dewberry utilized institutional knowledge of the wastewater collection system and routed some converted septic flows to major lift stations, where appropriate. These routes were utilized as the force mains connecting the lift station to the WWTF.

The service area boundaries, city boundaries, WWTFs, subdivisions with more 50 OSTDSs less than 1-acre, and the connecting force mains are shown in **Attachment A**.

Cost Estimates

Cost estimates were developed, for each subdivision, based on the resulting information from the GIS analysis. Force main diameters were sized to maintain a velocity between 2 to 4 feet per second (fps). One lift station per identified subdivision was assumed, plus additional lift station(s) if the connecting force main length was greater than three miles. For example, if the force main connecting the subdivision centroid to the WWTF was less than 3 miles, only one lift station would be needed; if the connecting force main was 3.5 miles, it was assumed two lift stations would be needed, one at the subdivision centroid and one as a re-pump station. The following assumptions were utilized for the cost estimates.

Table 1: Septic to Sewer Conversion, Cost Assumptions

ITEM	UNIT	COMMENT
Estimated Peak Flow per Septic Tank (gpm)	0.75 gpm	PCU Standard (PF=4.0)
Cost Per OSTD Conversion ($)	$ 13,500	Based on Recent Bids
Force Main Cost per inch-diameter ($/in-Diam)	$ 20	Based on Industry Data
Lift Station Cost ($)	$ 250,000	Estimate per Recent Bids
Contingency (%)	25%	

Table 2 presents the septic to sewer conversions cost, summarized by the associated WWTF. These costs do not include any upgrades that may be required at each facility. A detailed table with each identified subdivision is provided in **Attachment A**.

Table 2: Septic to Sewer Conversion, Infrastructure Cost Per WWTF

WWTF PERMIT NO	FACILITY NAME	Septic Peak Flow (gpm)	Septic AADF (gpd)	Estimated Infrastructure Cost Including 25% Contingency ($)
FL0021466	City of Auburndale Allred WWTF	915.8	329,670	$ 47,523,830
FLA016559	City of Auburndale Regional WWTF	422.3	152,010	$ 37,091,275
FL0A00002	Polk County Northeast Regional WWTF	1,385.3	498,690	$ 35,012,755
FLA010979	TWA-Lake Marion WWTF	470.3	169,290	$ 15,890,595
FLA012949	Sun Ray WWTF	360.8	129,870	$ 11,042,377
FLA012954	Polk County Southwest Regional WWTF	2,732.3	983,610	$ 118,464,280
FLA012976	City of Bartow WRF	1,117.5	402,300	$ 47,961,634
FLA012977	City of Haines City WWTF	324.8	116,910	$ 27,933,558
FLA012983	City of Frostproof WWTF	570.0	205,200	$ 44,421,634
FLA012985	City of Lakeland - Northside WRF	1,736.3	625,050	$ 104,092,344
FL0039772	City of Lakeland - Glendale WRF	5,312.3	1,912,410	$ 365,018,017
FLA013016	Grenelefe Resort WWTF	132.0	47,520	$ 5,033,983
FL0036048	City of Winter Haven WWTF #3	3,242.3	1,167,210	$ 174,415,810
FLA129747	City of Winter Haven - WWTF #2	1,790.3	644,490	$ 71,960,171
FLA129844	City of Lake Wales WWTF	1,893.8	681,750	$ 120,229,475
FLA178667	Polk County Northwest Regional WWTF	3,876.0	1,395,360	$ 155,083,203
FLA377392	City of Davenport WWTF	219.0	78,840	$ 12,884,325
FLA489093	Cardinal Hill WWTF	444.8	160,110	$ 22,824,959

WWTF PERMIT NO	FACILITY NAME	Septic Peak Flow (gpm)	Septic AADF (gpd)	Estimated Infrastructure Cost Including 25% Contingency ($)
FLAB07302	Lake Hamilton WWTF	120.0	43,200	$ 5,826,260
TOTAL		27,065.3	9,743,490	$ 1,422,710,487

Notes:
AADF = Average Annual Daily Flow
Estimated costs do not include any upgrades that may be required at each WWTF.

WWTF Capacity Analysis

Polk County made several attempts to acquire local municipal input. Specifically, the County requested: current wastewater collection system GIS infrastructure data, projected wastewater flows for both the 10- and 20-year planning periods, plant capacity(s) for both the 10- and 20-year planning periods. Due to the limited response, for many of the municipalities wastewater flow projections were estimated based on Discharge Monitoring Reports (DMRs) submitted to the FDEP and the Southwest Florida Water Management District's (SWFWMD) parcel-level population projection model.

The SWFWMD parcel-level projection model projects future population growth at the parcel level and is limited to BEBR's latest county-level forecasts. The projection model allows you to develop population projections at the service area boundary level, limited to BEBR medium growth rates. The model results provide population growth rates in 5-year increments, with a base year of 2022, for 2025, 2030, 2035, 2040, 2045, and 2050. This growth model is used for permitting of potable water system quantities, and therefore is a reasonable assumption for wastewater flow projections.

Dewberry acquired 6-months of DMR data from the FDEP Oculus database and calculated the 6-month average effluent flow. This average flow was used as the current WWTF flow. The population projection model compound growth rates were then applied to the 6-month average flow to calculate the projected 2034 and 2044 wastewater flows. The current FDEP Domestic Wastewater Facility permits were the source for the 2034 and 2044 permitted capacity. Based on the limited input, it is unknown if any facility upgrades are planned beyond what was stated in the permits.

Table 3 summarizes the projected wastewater flows, estimated facility capacities, and compares facility capacity versus projected flow prior to any septic to sewer conversions and after build-out of the septic to sewer conversions. Based on this comparison, it appears some WWTFs will need future increased capacity. A cost for plant upgrades was estimated utilizing $40 per gallon. Note that these flow projections do not include any planned septic to sewer conversions anticipated by the local municipality.

Table 3: Septic to Sewer Conversion Summary Table

WWTF PERMIT NO	FACILITY NAME	2034 Projected Flow (MGD)	2034 Permitted Capacity (mgd)	2044 Projected Flow (mgd)	2044 Permitted Capacity (mgd)	2044 Capacity Exceeded; pre-S2S?	Total Projected Septic Flow AADF (mgd)	2024 Projected + 100% Septic Flow (mgd)	2044 Capacity Exceeded; post 100% S2S?	Estimated Infrastructure Cost Including 25% Contingency ($)	[3]Estimated WWTF Improvement Cost Including 25% Contingency($)	Notes
FL0021466	City of Auburndale Allred WWTF	0.86	1.40	0.94	1.40	NO	0.33	1.27	NO	$ 47,523,830		
FLA016559	City of Auburndale Regional WWTF	2.78	4.00	3.06	4.00	NO	0.15	3.21	NO	$ 37,091,275		
FL0A00002	[1]Polk County Northeast Regional WWTF	7.48	9.00	7.98	9.00	NO	0.50	8.47	NO	$ 35,012,755		
FLA010979	TWA-Lake Marion WWTF	2.35	3.00	2.58	3.00	NO	0	2.75	NO	$ 15,890,595		S2S from PCU ERUSA
FLA012949	[1]Sun Ray WWTF	0.46	1.00	0.50	1.00	NO	0.13	0.63	NO	$ 11,042,377		
FLA012954	[1]Polk County Southwest Regional WWTF	2.61	4.00	2.86	4.00	NO	0.98	3.84	NO	$ 118,464,280		
FLA012976	City of Bartow WRF	3.35	4.00	3.69	8.00	NO	0.40	4.09	NO	$ 47,961,634		Includes PCU CRUSA and Eagle Lakes S2S. FDEP permit shows potential modifications to increase to 8.0 mgd AADF.
FLA012977	City of Haines City WWTF	3.43	2.97	3.99	4.50	NO	0.12	4.10	NO	$ 27,933,558		FDEP permit shows potential modifications to increase to 4.5 mgd 3MRADF.
FLA012983	City of Frostproof WWTF	0.19	0.25	0.20	0.47	NO	0.21	0.41	NO	$ 44,421,634		FDEP permit shows potential modifications to increase to 0.47 mgd AADF.
FLA012985	[2]City of Lakeland - Northside WRF	7.20	8.00	8.10	8.00	YES	0.63	8.72	YES	$ 104,092,344	$ 36,002,500	WWTF upgrades at $40/gal
FL0039772	[2]City of Lakeland - Glendale WRF	14.44	13.70	15.70	13.70	YES	1.91	17.61	YES	$ 365,018,017	$ 195,370,500	WWTF upgrades at $40/gal
FLA013016	Grenelefe Resort WWTF	0.14	0.34	0.14	0.34	NO	0.05	0.19	NO	$ 5,033,983		
FL0036048	City of Winter Haven WWTF #3	5.72	7.50	6.18	7.50	NO	1.17	7.35	NO	$ 174,415,810		
FLA129747	City of Winter Haven - WWTF #2	1.84	1.70	1.99	1.70	YES	0.64	2.63	YES	$ 71,960,171	$ 46,495,392	WWTF upgrades at $40/gal
FLA129844	City of Lake Wales WWTF	1.32	2.19	1.52	2.19	NO	0.68	2.20	YES	$ 120,229,475	$ 653,671	WWTF upgrades at $40/gal
FLA178667	[1]Polk County Northwest Regional WWTF	1.74	3.08	1.90	3.08	NO	1.40	3.30	YES	$ 155,083,203	$ 10,812,481	WWTF upgrades at $40/gal
FLA377392	City of Davenport WWTF	0.59	0.79	0.64	0.79	NO	0.08	0.72	NO	$ 12,884,325		
FLA489093	Cardinal Hill WWTF	0.24	0.30	0.27	0.30	NO	0.16	0.43	YES	$ 22,824,959	$ 6,459,431	WWTF upgrades at $40/gal
FLAB07302	Lake Hamilton WWTF	0.03	0.50	0.03	0.50	NO	0.04	0.07	NO	$ 5,826,260		
	TOTAL	56.76	67.72	62.24	73.47		9.74	71.99		$ 1,422,710,487	$ 295,793,975	

Notes:

[1]PCU provided 2034 projections and capacity for their wastewater service areas.

[2]Lakeland provided 2034/2044 projections for their wastewater service areas.

[3]The proposed improvements outlined in this column have not been coordinated with the local municipalities, and the provided estimates were determined at a planning level based on the anticipated flow and the facility's current or expected capacity as reported to the FDEP. There may be other improvements that are already being planned or are needed for each facility to receive the anticipated flow generated by the septic tank conversions outlined in this report.

#.##; Projection based on recent DMR average flow data and SWFWMD/BEBR growth rates (medium).

S2S = Septic to Sewer

Summary and Conclusion

A total of 310 subdivisions of more than fifty (50) built or unbuilt units with a density of more than one (1) onsite sewage treatment and disposal system per acre, within unincorporated Polk County were identified totaling 36,087 OSTDSs. Of this total, only 30% of the total OSTDSs are within Polk County Utilities service areas. The combined average annual daily flow is 9.74 million gallons per day (mgd) with a total estimated cost to connect of $1.42 billion, with an additional $295.8 million in potential WWTF improvements as presented in **Table 4**. These numbers do not include any septic to sewer conversions within the municipal city limits.

Polk County concurs that septic systems that are not properly maintained can be a significant source of nutrients in impaired waters based on their proximity to surface waters, soil characteristics, age of systems and other factors. The County is identifying and evaluating opportunities to convert septic tanks to centralized wastewater treatment. To be able to plan for such future connections, the County would require substantial State or Federal funding. Until the funding is secured, the potential number of connections over the 20-year period cannot be quantified.

Table 4: Septic to Sewer Conversion, Infrastructure and Facility Improvement Cost per WWTF

WWTF PERMIT NO	FACILITY NAME	Estimated Infrastructure Cost Including 25% Contingency ($)	*Estimated WWTF Improvement Cost Including 25% Contingency ($)	Total Estimated Cost Including 25% Contingency ($)
FL0021466	City of Auburndale Allred WWTF	$ 47,523,830		$ 47,523,830
FLA016559	City of Auburndale Regional WWTF	$ 37,091,275		$ 37,091,275
FL0A00002	Polk County Northeast Regional WWTF	$ 35,012,755		$ 35,012,755
FLA010979	TWA-Lake Marion WWTF	$ 15,890,595		$ 15,890,595
FLA012949	Sun Ray WWTF	$ 11,042,377		$ 11,042,377
FLA012954	Polk County Southwest Regional WWTF	$ 118,464,280		$ 118,464,280
FLA012976	City of Bartow WRF	$ 47,961,634		$ 47,961,634
FLA012977	City of Haines City WWTF	$ 27,933,558		$ 27,933,558
FLA012983	City of Frostproof WWTF	$ 44,421,634		$ 44,421,634
FLA012985	City of Lakeland - Northside WRF	$ 104,092,344	$ 36,002,500	$ 140,094,844
FL0039772	City of Lakeland - Glendale WRF	$ 365,018,017	$ 195,370,500	$ 560,388,517
FLA013016	Grenelefe Resort WWTF	$ 5,033,983		$ 5,033,983
FL0036048	City of Winter Haven WWTF #3	$ 174,415,810		$ 174,415,810
FLA129747	City of Winter Haven - WWTF #2	$ 71,960,171	$ 46,495,392	$ 118,455,563
FLA129844	City of Lake Wales WWTF	$ 120,229,475	$ 653,671	$ 120,883,146
FLA178667	Polk County Northwest Regional WWTF	$ 155,083,203	$ 10,812,481	$ 165,895,684
FLA377392	City of Davenport WWTF	$ 12,884,325		$ 12,884,325
FLA489093	Cardinal Hill WWTF	$ 22,824,959	$ 6,459,431	$ 29,284,390
FLAB07302	Lake Hamilton WWTF	$ 5,826,260		$ 5,826,260
	TOTAL	$ 1,422,710,487	$ 295,793,975	$ 1,718,504,462

Note:
*The proposed improvements outlined in this column have not been coordinated with the local municipalities, and the provided estimates were determined at a planning level based on the anticipated flow and the facility's current or expected capacity as reported to the FDEP. There may be other improvements that are already being planned or are needed for each facility to receive the anticipated flow generated by the septic tank conversions outlined in this report.

ATTACHMENT A

Inventory of Subdivisions with 50+ Lots with 1+ OSTDS per Acre in Unincorporated Polk County, Florida

Legend

- WWTF
- Subdivision Centroid
- Shortest Route / Force Main
- Existing PCU Force Main
- Existing PCU Gravity Main
- Service Area Boundary
- Subdivision with Septic >= 50 Units
- City Limits

Please refer to Table for Subdivision ID Information

Dewberry

POLK COUNTY

N

0 2.5 5 10 Miles

LAKE
ORANGE
SUMTER
POLK
PASCO
OSCEOLA
HILLSBOROUGH
MANATEE
HARDEE
HIGHLANDS
OKEECHOBEE

PCU (NERUSA)
FLA178667
PCU (NWRUSA)
CITY OF POLK CITY
FLA180093
FLA016659
FLA012885
CITY OF LAKELAND
FL0033772
PCU (SWRUSA)
FLA012864
CITY OF MULBERRY
FL0020338
PCU (SWRUSA)
PCU (CRUSA)
CITY OF AUBURNDALE
FL0021466
CITY OF LAKE ALFRED
FLA012876
FLA129747
CITY OF WINTER HAVEN
CITY OF EAGLE LAKE
FL0036048
FLA012976
CITY OF BARTOW
CITY OF FORT MEADE
FLA016529
FLA0A00002
PCU (NERUSA)
FLA377392
CITY OF DAVENPORT
FLA012877
CITY OF HAINES CITY
GRENELEFE RESORT UTILITY, INC.
FLA013016
FLA010978
FLA807302
TOWN OF LAKE HAMILTON
TOWN OF DUNDEE
FLA180416
FLA012869
PCU (ERUSA)
CITY OF LAKE WALES
FLA129844
PCU (SERUSA; SFWMD)
PCU (SERUSA)
FLA012983
CITY OF FROSTPROOF
FLA012949
PCU (SERUSA)
FL0036862

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Attachment A

UNIQUE ID	SUBDIVSION NAME (DISSOLVE)	UTILITY NAME	ASSOC UTILITY	NO. OSTDS	WWTF PERMIT NO	FACILITY NAME	ADDRESS 1	ADDRESS 2	PEAK FLOW (gpm)	FM DIAM (in)	FM Linear Distance (ft)	ESTIMATED CONVERSION COST INCLUDING 25% CONTINGENCY ($)
224	COUNTRY TRAILS	CITY OF POLK CITY	POLK CITY	97	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	72.8	4	18,147	$ 4,076,552
281	DEER TRAILS NORTH PH 1-2	CITY OF POLK CITY	POLK CITY	85	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	63.8	4	3,653	$ 2,112,205
482	GREENWOOD ESTATES	CITY OF POLK CITY	POLK CITY	66	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	49.5	4	19,366	$ 3,675,316
916	MOUNT OLIVE ESTATES	CITY OF POLK CITY	POLK CITY	90	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	67.5	4	17,654	$ 3,909,110
917	MOUNT OLIVE HEIGHTS UNITS 1-2	CITY OF POLK CITY	POLK CITY	137	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	102.8	4	17,240	$ 4,660,861
1057	POLK CITY	CITY OF POLK CITY	POLK CITY	118	FLA489093	Cardinal Hill WWTF	Steven Drive	Polk City, FL 33868-9583	88.5	4	17,747	$ 4,390,915
40	AUBURNDALE LAKESIDE PARK313000	CITY OF AUBURNDALE	AUBURNDALE	61	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	45.8	4	13,513	$ 2,693,218
46	AZALEA PARK	CITY OF AUBURNDALE	AUBURNDALE	115	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	86.3	4	12,237	$ 3,476,798
101	CALDWELL ESTATES	CITY OF AUBURNDALE	AUBURNDALE	89	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	66.8	4	7,362	$ 2,550,601
392	FLAMINGO HTS SUBDIVISION	CITY OF AUBURNDALE	AUBURNDALE	86	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	64.5	4	13,747	$ 3,138,498
702	KOSSUTHVILLE SUBDIVISION UNITS 1-2	CITY OF AUBURNDALE	AUBURNDALE	75	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	56.3	4	20,058	$ 3,896,441
703	KOSSUTHVILLE TOWNSITE SUBDIVISION	CITY OF AUBURNDALE	AUBURNDALE	84	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	63.0	4	17,165	$ 3,758,961
787	LAKEDALE SUBDIVISION	CITY OF AUBURNDALE	AUBURNDALE	68	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	51.0	4	12,410	$ 2,700,983
818	LENA VISTA SUBDIVISION	CITY OF AUBURNDALE	AUBURNDALE	116	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	87.0	4	11,145	$ 3,384,460
863	MARIANA HEIGHTS UNITS 1-2	CITY OF AUBURNDALE	AUBURNDALE	64	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	48.0	4	18,019	$ 3,506,920
865	MARIANA WOODS PH 1-4	CITY OF AUBURNDALE	AUBURNDALE	172	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	129.0	4	14,814	$ 4,696,399
898	MIDWAY GARDENS	CITY OF AUBURNDALE	AUBURNDALE	88	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	66.0	4	25,374	$ 4,647,351
1078	RAINBOW RIDGE UNIS 1-5	CITY OF AUBURNDALE	AUBURNDALE	86	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	64.5	4	12,687	$ 3,032,446
1170	SHADOW LAWN	CITY OF AUBURNDALE	AUBURNDALE	60	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	45.0	4	13,182	$ 2,643,243
1464	WHISTLER WOODS	CITY OF AUBURNDALE	AUBURNDALE	57	FL0021466	City of Auburndale Allred WWTF	1300 Recker Hwy #655	Auburndale, FL 33823	42.8	4	18,106	$ 3,397,511
58	BERGEN POINTE ESTATES PH 1-3	CITY OF AUBURNDALE	AUBURNDALE	57	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	42.8	4	27,407	$ 4,327,576
317	DOVES VIEW	CITY OF AUBURNDALE	AUBURNDALE	60	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	45.0	4	29,127	$ 4,550,231
753	LAKE JULIANA RESERVE	CITY OF AUBURNDALE	AUBURNDALE	85	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	63.8	4	24,493	$ 4,508,680
885	MEADOW OAK ACRES PH 1-2	CITY OF AUBURNDALE	AUBURNDALE	55	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	41.3	4	32,843	$ 5,149,954
935	NORTH POINTE	NORTH POINTE HOA	AUBURNDALE	63	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	47.3	4	27,281	$ 4,416,225
1085	REFLECTIONS OF JULIANA PH 1-2	CITY OF AUBURNDALE	AUBURNDALE	64	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	48.0	4	25,986	$ 4,303,604
1296	SUTTON PLACE PH 1-2	CITY OF AUBURNDALE	AUBURNDALE	100	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	75.0	4	30,400	$ 5,352,544
1367	VAN LAKES PH 1-3	VAN LAKES HOMEOWNERS ASSOCIATION	AUBURNDALE	79	FLA016559	City of Auburndale Regional WWTF	890 Shirley Lawrence Road	Auburndale, FL 33823-9616	59.3	4	25,243	$ 4,482,462
161	CITRUS HIGHLANDS PH 2-4	PINECREST UTILITIES, LLC	BARTOW	116	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	87.0	4	31,155	$ 5,698,008
435	GANDY GROVE ESTATES PH 1-3	CITY OF BARTOW	BARTOW	116	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	87.0	4	21,837	$ 4,766,194
880	MCLEOD GARDENS PH 1-3	TEVALO INC	BARTOW	89	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	66.8	4	41,981	$ 6,637,492
979	ORANGE HILLS SUBDIVISION	FLORIDA GOVERNMENTAL UTILITY AUTHORITY	BARTOW	144	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	108.0	4	2,446	$ 2,987,143
226	COUNTRY WALK PH 1-3	PCU (CRUSA)	Central Regional WWCS (to Bartow)	53	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	39.8	4	8,798	$ 2,086,669
663	JAN PHYL VILLAGE ADDITION UNITS 1-17	PCU (CRUSA)	Central Regional WWCS (to Bartow)	400	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	300.0	6	2,061	$ 7,371,615
780	LAKE THOMAS WOODS	PCU (CRUSA)	Central Regional WWCS (to Bartow)	221	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	165.8	6	1,844	$ 4,318,510
1172	SHADOW WOOD UNITS 1-3	PCU (CRUSA)	Central Regional WWCS (to Bartow)	98	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	73.5	4	1,161	$ 2,082,364
1304	TANAMORA	PCU (CRUSA)	Central Regional WWCS (to Bartow)	81	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	60.8	4	3,011	$ 1,980,523
1317	THORNHILL ESTATES PH 1-2	PCU (CRUSA)	Central Regional WWCS (to Bartow)	57	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	42.8	4	6,087	$ 1,883,081
1497	WOLF RUN	PCU (CRUSA)	Central Regional WWCS (to Bartow)	53	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	39.8	4	2,190	$ 1,425,902
845	MADERA PARK SUBDIVISION	CITY OF EAGLE LAKE	EAGLE LAKE	62	FLA012976	City of Bartow WRF	2505 East Wabash Avenue	Bartow, FL 33831	46.5	4	47,404	$ 6,724,132
402	FLORIDA DEVELOPMENT CO SUBDIVISION730000	CITY OF DAVENPORT	DAVENPORT	56	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	42.0	4	14,823	$ 2,739,794
403	FLORIDA DEVELOPMENT CO SUBDIVISION734500	CITY OF DAVENPORT	DAVENPORT	98	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	73.5	4	18,409	$ 4,119,628
662	JAMESTOWN SUBDIVISION	CITY OF DAVENPORT	DAVENPORT	53	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	39.8	4	10,838	$ 2,290,647
801	LAKEWOOD PARK UNITS 1-6	CITY OF DAVENPORT	DAVENPORT	85	FLA377392	City of Davenport WWTF	1318 By Gosh Blvd	Davenport, Florida 33837	63.8	4	16,749	$ 3,734,256
644	INDIAN LAKE ESTATES UNITS 1-16	UNINCORPORATED	FROSTPROOF	564	FLA012983	City of Frostproof WWTF	98 N Lake Reedy Blvd	Frostproof, FL 33843-2114	423.0	8	92,949	$ 29,982,332
715	LAKE CALOOSA LANDING PH 1-4	CITY OF FROSTPROOF	FROSTPROOF	51	FLA012983	City of Frostproof WWTF	98 N Lake Reedy Blvd	Frostproof, FL 33843-2114	38.3	4	29,349	$ 4,420,490
1639	WALK IN WATER LAKE ESTATES PHASE 1,2,3,5	PCU (SERUSA; SFWMD)	PCU SERUSA (SFWMD)	145	FLA012983	City of Frostproof WWTF	98 N Lake Reedy Blvd	Frostproof, FL 33843-2114	108.8	4	63,219	$ 10,018,813
344	ELLISON PARK SUBDIVISION	KEEN UTILITIES	HAINES CITY	66	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	49.5	4	20,950	$ 3,833,758
398	FLORIDA DEVELOPMENT CO SUBDIVISION726500	CITY OF HAINES CITY	HAINES CITY	68	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	51.0	4	36,047	$ 5,689,749
406	FLORIDA DEVELOPMENT CO SUBDIVISION739500	CITY OF HAINES CITY	HAINES CITY	52	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	39.0	4	14,470	$ 2,637,034
604	HOLLIDAY MANOR PH 1-2	CITY OF HAINES CITY	HAINES CITY	59	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	44.3	4	43,399	$ 6,273,017
748	LAKE HENRY HILLS SUBDIVISION	CITY OF HAINES CITY	HAINES CITY	56	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	42.0	4	23,596	$ 3,929,646
1065	POSSUM TROT PH 1-3	CITY OF HAINES CITY	HAINES CITY	67	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	50.3	4	13,277	$ 2,770,837
1210	SNELL CREEK MANOR	CITY OF HAINES CITY	HAINES CITY	65	FLA012977	City of Haines City WWTF	851 East Park Road	Haines City, FL 33844	48.8	4	13,901	$ 2,799,517
209	COUNTRY CLUB VILLAGE CONDOMINIUM	CITY OF LAKE WALES	LAKE WALES	96	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	72.0	4	22,791	$ 4,524,058
210	COUNTRY CLUB VILLAGE PH 2-3	CITY OF LAKE WALES	LAKE WALES	113	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	84.8	4	23,998	$ 4,931,667
218	COUNTRY OAKS ESTATES UNITS 1-8	CITY OF LAKE WALES	LAKE WALES	251	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	188.3	6	35,741	$ 10,534,209
252	CROOKED LAKE	CITY OF LAKE WALES	LAKE WALES	94	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	70.5	4	31,233	$ 5,334,510
253	CROOKED LAKE PARK TRACTS 1-5	PARK WATER COMPANY	LAKE WALES	86	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	64.5	4	28,673	$ 4,943,534
332	EAST PARK HEIGHTS	CITY OF LAKE WALES	LAKE WALES	57	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	42.8	4	20,322	$ 3,619,054
464	GOLF VIEW PARK	CITY OF LAKE WALES	LAKE WALES	288	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	216.0	6	23,123	$ 8,953,418
577	HIGHLAND PARK MANOR	CITY OF LAKE WALES	LAKE WALES	174	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	130.5	4	25,615	$ 6,122,712
619	HOWEY W J LAND SUBDIVISION OF STARR LAKE	CITY OF LAKE WALES	LAKE WALES	88	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	66.0	4	29,166	$ 5,026,570
854	MAMMOTH GROVE	CITY OF LAKE WALES	LAKE WALES	68	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	51.0	4	28,998	$ 4,672,261
913	MORNINGSIDE PARK	CITY OF LAKE WALES	LAKE WALES	147	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	110.3	4	18,010	$ 4,906,631
970	OAKWOOD GOLF CLUB PHASE 02	CITY OF LAKE WALES	LAKE WALES	69	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	51.8	4	33,494	$ 5,451,295
1096	RIDGE MANOR UNITS 1-2	CITY OF LAKE WALES	LAKE WALES	159	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	119.3	4	11,211	$ 4,116,681
1222	SOUTH LAKE WALES UNITS 1-6	PARK WATER COMPANY	LAKE WALES	255	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	191.3	6	28,508	$ 9,204,309
1223	SOUTH LAKE WALES YACHT CLUB SEC 1 REVISED	PARK WATER COMPANY	LAKE WALES	56	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	42.0	4	30,484	$ 4,618,381
1226	SOUTH SHORE RESORT AN RV CONDOMINIUM	UNINCORPORATED	LAKE WALES	90	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	67.5	4	45,492	$ 7,005,418
1329	TIOTIE BEACH ESTATES UNITS 1-3	UNINCORPORATED	LAKE WALES	174	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	130.5	4	71,431	$ 11,641,864

UNIQUE ID	SUBDIVSION NAME (DISSOLVE)	UTILITY NAME	ASSOC UTILITY	NO. OSTDS	WWTF PERMIT NO	FACILITY NAME	ADDRESS 1	ADDRESS 2	PEAK FLOW (gpm)	FM DIAM (in)	FM Linear Distance (ft)	ESTIMATED CONVERSION COST INCLUDING 25% CONTINGENCY ($)
1618	BABSON PARK HEIGHTS PH1-2	PCU (SERUSA)	PCU SERUSA	94	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	70.5	4	38,476	$ 6,371,306
1635	STEPHENSONS ADDITION	PCU (SERUSA)	PCU SERUSA	166	FLA129844	City of Lake Wales WWTF	840 Henry Street	Lake Wales, FL 33853-4502	124.5	4	45,128	$ 8,251,597
8	ALAMO VILLAGE	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	94	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	70.5	4	24,371	$ 4,648,363
20	ARIANAS WEST	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	59	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	44.3	4	29,471	$ 4,567,714
45	AVON VILLA SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	121	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	90.8	4	22,531	$ 4,919,976
64	BEVERLY RISE PH 1-4	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	146	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	109.5	4	23,302	$ 5,418,991
119	CASA LOMA CONDOMINIUM	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	96	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	72.0	4	26,118	$ 4,856,781
159	CIMARRON SOUTH	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	71	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	53.3	4	27,801	$ 4,603,258
172	CLUBHILL ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	50	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	37.5	4	26,947	$ 4,163,496
174	CLUBHOUSE HERITAGE PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	107	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	80.3	4	25,585	$ 4,989,084
188	COLONY PARK	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	83	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	62.3	4	28,269	$ 4,852,508
233	CREEK SIDE	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	59	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	44.3	4	30,972	$ 4,717,815
234	CREEKBEND PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	59	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	44.3	4	29,911	$ 4,611,758
258	CRYSTAL HILLS SUBDIVISION UNTIS 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	64	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	48.0	4	12,264	$ 2,618,903
313	DOVE HOLLOW	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	119	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	89.3	4	28,923	$ 5,525,451
334	EASTMEADOWS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	61	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	45.8	4	11,772	$ 2,519,055
338	EATON PARK	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	283	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	212.3	6	10,441	$ 6,654,298
341	EDGEWOOD PARK SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	179	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	134.3	4	32,318	$ 7,189,888
362	EMERALD RIDGE	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	72	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	54.0	4	21,178	$ 3,957,822
375	FAIRFIELD	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	50	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	37.5	4	33,248	$ 5,106,006
383	FALCONS LANDING	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	57	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	42.8	4	30,881	$ 4,674,956
418	FORESTGREEN PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	219	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	164.3	6	38,881	$ 10,465,319
440	GARDEN HOMES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	58	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	43.5	4	27,114	$ 4,315,167
481	GREENTREE TWO	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	53	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	39.8	4	26,339	$ 4,153,312
529	HASKELL	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	262	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	196.5	6	27,624	$ 9,189,915
558	HIDDEN OAKS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	51	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	38.3	4	37,430	$ 5,541,143
570	HIGHLAND GARDENS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	81	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	60.8	4	31,729	$ 5,477,317
572	HIGHLAND HEIGHTS UNITS 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	80	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	60.0	4	31,178	$ 5,092,753
581	HIGHLANDS-BY-THE-LAKE PH 1-3	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	108	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	81.0	4	24,838	$ 4,931,318
590	HIGHLANDS SOUTH	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	100	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	75.0	4	15,722	$ 3,572,195
591	HIGHLANDS THE PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	111	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	83.3	4	20,446	$ 4,542,713
593	HIGHLANDS WEST	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	115	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	86.3	4	30,573	$ 5,622,933
596	HILL-N-DALE	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	82	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	61.5	4	28,051	$ 4,813,848
601	HILLSIDE HEIGHTS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	61	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	45.8	4	30,971	$ 4,751,508
618	HOWENOCA HILLS SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	95	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	71.3	4	16,310	$ 3,859,161
630	HYDE PARK ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	57	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	42.8	4	30,099	$ 4,596,772
634	IDLEWILD SUBDIVISION UNITS 1-3	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	93	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	69.8	4	27,415	$ 4,935,913
648	INDIAN TRAILS PH 1-3	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	175	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	131.3	4	23,759	$ 5,954,037
654	ISLAND WALK	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	144	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	108.0	4	24,326	$ 5,487,615
713	LAKE BONNY HEIGHTS UNITS 1-3	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	208	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	156.0	4	18,336	$ 5,968,602
718	LAKE CRYSTAL HEIGHTS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	55	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	41.3	4	16,790	$ 3,232,153
749	LAKE HOLLOWAY HEIGHTS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	51	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	38.3	4	17,755	$ 3,261,100
771	LAKE POINT	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	122	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	91.5	4	27,585	$ 5,442,283
781	LAKE VICTORIA SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	55	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	41.3	4	29,908	$ 4,543,907
794	LAKESIDE HERITAGE PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	100	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	75.0	4	25,904	$ 4,902,904
889	MEADOWLAWN UNITS 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	138	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	103.5	4	17,768	$ 4,730,531
908	MISSION HILLS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	56	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	42.0	4	32,361	$ 5,118,596
960	OAKFORD ESTATES PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	83	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	62.3	4	28,024	$ 4,828,003
1108	ROANOKE HILLS SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	113	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	84.8	4	34,094	$ 6,253,750
1111	ROBINSON PINES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	79	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	59.3	4	29,550	$ 4,913,103
1130	ROYAL CREST	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	90	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	67.5	4	31,223	$ 5,266,084
1131	ROYAL OAK MANOR	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	179	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	134.3	4	12,524	$ 4,585,475
1169	SEVILLA ON THE LAKE	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	76	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	57.0	4	15,965	$ 3,504,042
1201	SKYLINE ACRES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	126	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	94.5	4	32,540	$ 6,317,787
1236	SOUTHGROVE SUBDIVISION PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	55	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	41.3	4	26,802	$ 4,233,322
1269	SUMMERLAND HILLS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	88	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	66.0	4	23,945	$ 4,504,455
1274	SUMMIT VIEW PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	62	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	46.5	4	21,107	$ 3,781,975
1291	SUNSET VISTA	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	51	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	38.3	4	32,324	$ 5,030,516
1292	SUNSHINE ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	66	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	49.5	4	16,189	$ 3,357,670
1299	SWEETWATER	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	55	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	41.3	4	48,788	$ 7,056,943
1384	VINTAGE VIEW PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	184	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	138.0	4	21,738	$ 5,903,777
1389	W. F. HALLAM AND COS CLUB COLONY TRACT278500	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	58	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	43.5	4	15,893	$ 3,193,068
1392	W. F. HALLAM AND COS CLUB COLONY TRACT285500	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	67	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	50.3	4	29,639	$ 4,719,511
1397	W. F. HALLAM AND COS FARMING AND TRUCKING LANDS282500	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	56	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	42.0	4	31,346	$ 4,704,619
1399	W. F. HALLAM AND COS FARMING AND TRUCKING LANDS285000	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	56	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	42.0	4	21,418	$ 3,711,762
1403	W. F. HALLAM AND COS LAKELAND HIGHLANDS CLUB ACRE*280000	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	89	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	66.8	4	17,198	$ 3,846,631
1406	W. F. HALLAM AND COS SUBDIVISION FARMING AND TRUC*242500	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	193	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	144.8	4	21,384	$ 6,020,258
1412	WALES GARDENS UNITS 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	74	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	55.5	4	31,925	$ 5,378,723
1436	WEBSTER AND OMOHUNDRO SUBDIVISION085500	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	79	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	59.3	4	40,320	$ 6,302,622
1442	WEST END FARMS091000	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	104	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	78.0	4	30,982	$ 5,478,193
1445	WEST OAKS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	75	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	56.3	4	39,134	$ 6,116,548

UNIQUE ID	SUBDIVSION NAME (DISSOLVE)	UTILITY NAME	ASSOC UTILITY	NO. OSTDS	WWTF PERMIT NO	FACILITY NAME	ADDRESS 1	ADDRESS 2	PEAK FLOW (gpm)	FM DIAM (in)	FM Linear Distance (ft)	ESTIMATED CONVERSION COST INCLUDING 25% CONTINGENCY ($)
1455	WESWEGO SUBDIVISION UNITS 3-4	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	80	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	60.0	4	31,977	$ 5,485,243
1485	WINDWOOD	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	52	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	39.0	4	20,435	$ 3,545,951
1488	WINSTON HEIGHTS UNITS 1-4	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	181	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	135.8	4	41,915	$ 8,183,335
1509	WOODWIND HILLS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	52	FL0039772	City of Lakeland - Glendale WRF	1825 Glendale Street	Lakeland, FL 33803-4300	39.0	4	21,930	$ 3,695,514
68	BLACKWATER CREEK ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	50	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	37.5	4	43,446	$ 6,125,872
189	COMBEE ACRES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	71	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	53.3	4	13,745	$ 2,885,103
207	COUNTRY CLUB ESTATES SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	421	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	315.8	6	15,939	$ 10,120,158
215	COUNTRY KNOLL	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	98	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	73.5	4	42,677	$ 6,858,913
221	COUNTRY RIDGE PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	97	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	72.8	4	15,342	$ 3,483,558
235	CREEKS CROSSING	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	112	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	84.0	4	43,991	$ 7,226,583
602	HILLTOP HEIGHTS	FLORIDA GOVERNMENTAL UTILITY AUTHORITY	LAKELAND	67	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	50.3	4	25,917	$ 4,347,351
740	LAKE GIBSON ESTATES UNITS 1-2	FLORIDA GOVERNMENTAL UTILITY AUTHORITY	LAKELAND	86	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	64.5	4	24,518	$ 4,528,048
741	LAKE GIBSON VILLAGE PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	100	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	75.0	4	20,711	$ 4,383,557
742	LAKE GIBSON VILLAS PH 1-3	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	62	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	46.5	4	21,056	$ 3,776,875
800	LAKEWOOD PARK	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	188	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	141.0	4	14,463	$ 4,931,316
828	LINDEN TRACE	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	66	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	49.5	4	41,291	$ 6,180,349
1041	PIONEER TRAILS PH 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	98	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	73.5	4	41,895	$ 6,780,704
1082	RAWLS PARK UNITS 1-2	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	136	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	102.0	4	15,193	$ 4,126,807
1205	SLEEPY HILL OAKS	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	63	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	47.3	4	42,502	$ 6,250,860
1256	STONEWOOD SUBDIVISION	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	78	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	58.5	4	41,388	$ 6,392,575
1287	SUNRISE PARK	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	164	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	123.0	4	14,870	$ 4,567,010
1380	VILLAGE PLACE	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	59	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	44.3	4	21,507	$ 3,771,324
1501	WOODLAND ESTATES	CITY OF LAKELAND ELECTRIC AND WATER	LAKELAND	87	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	65.3	4	15,637	$ 3,344,305
1325	TIMBERCREEK SUBDIVISION PH 1-2	PCU (NWRUSA)	PCU NWRUSA	212	FLA012985	City of Lakeland - Northside WRF	3600 East Lake Parker Drive	Lakeland, FL 33805	159.0	6	807	$ 4,011,075
66	BILTMORE SHORES UNITS 1-2	CITY OF WINTER HAVEN	WINTER HAVEN	176	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	132.0	4	17,187	$ 5,313,658
93	BRYSON R H SUBDIVISION	CITY OF WINTER HAVEN	WINTER HAVEN	61	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	45.8	4	23,700	$ 4,024,383
95	BUCKEYE HILLS	CITY OF WINTER HAVEN	WINTER HAVEN	50	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	37.5	4	10,617	$ 2,217,961
112	CAREFREE COVE UNITS 1-3	CITY OF WINTER HAVEN	WINTER HAVEN	154	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	115.5	4	13,076	$ 4,218,881
143	CHESTNUT CREEK	CITY OF WINTER HAVEN	WINTER HAVEN	82	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	61.5	4	18,771	$ 3,885,828
279	DEER LAKE TERRACE SUBDIVISION UNITS 1-3	CITY OF WINTER HAVEN	WINTER HAVEN	106	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	79.5	4	21,526	$ 4,566,393
284	DEERWOOD OR HARRIBEN INVESTMENT CO	CITY OF WINTER HAVEN	WINTER HAVEN	56	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	42.0	4	23,764	$ 3,946,447
527	HARTRIDGE MANOR	CITY OF WINTER HAVEN	WINTER HAVEN	61	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	45.8	4	6,051	$ 1,946,961
652	INWOOD UNITS 1-7	CITY OF WINTER HAVEN	WINTER HAVEN	1287	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	965.3	10	17,886	$ 26,814,519
1113	ROCHELLE GARDENS UNITS 1-2	CITY OF WINTER HAVEN	WINTER HAVEN	55	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	41.3	4	9,539	$ 2,194,517
1123	ROSEWOOD MANOR	CITY OF WINTER HAVEN	WINTER HAVEN	74	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	55.5	4	19,446	$ 3,818,304
1441	WEST CANNON HEIGHTS	CITY OF WINTER HAVEN	WINTER HAVEN	105	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	78.8	4	19,659	$ 4,362,737
1453	WESTWOOD SUBDIVISION	CITY OF WINTER HAVEN	WINTER HAVEN	120	FLA129747	City of Winter Haven - WWTF #2	2746 Motor Pool Road	Winter Haven, FL 33881	90.0	4	19,996	$ 4,649,582
52	BEECH HAVEN ESTATES	UNINCORPORATED	WINTER HAVEN	55	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	41.3	4	11,747	$ 2,415,298
126	CEDAR COVE PH 1-2	CITY OF WINTER HAVEN	WINTER HAVEN	58	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	43.5	4	9,273	$ 2,218,577
349	ELOISE WOODS	CITY OF WINTER HAVEN	WINTER HAVEN	60	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	45.0	4	24,984	$ 4,135,852
350	ELOISE WOODS EAST LAKE FLORENCE UNIT	CITY OF WINTER HAVEN	WINTER HAVEN	79	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	59.3	4	24,764	$ 4,434,530
351	ELOISE WOODS EAST LAKE MARIAM UNIT	CITY OF WINTER HAVEN	WINTER HAVEN	270	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	202.5	6	26,981	$ 9,228,363
352	ELOISE WOODS LAKE MARIAM UNIT	CITY OF WINTER HAVEN	WINTER HAVEN	268	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	201.0	6	26,825	$ 9,171,211
354	ELOISE WOODS LAKE ROY UNIT	CITY OF WINTER HAVEN	WINTER HAVEN	250	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	187.5	6	23,585	$ 8,381,492
411	FLORIDA HIGHLAND CO SUBDIVISION589000	CITY OF WINTER HAVEN	WINTER HAVEN	84	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	63.0	4	36,055	$ 5,960,472
414	FLORIDA HIGHLAND CO SUBDIVISION663000	CITY OF WINTER HAVEN	WINTER HAVEN	289	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	216.8	6	29,185	$ 9,879,568
428	FOXHAVEN PH 1-3	CITY OF WINTER HAVEN	WINTER HAVEN	165	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	123.8	4	33,725	$ 7,094,387
438	GARDEN GROVE UNITS 1-4	CITY OF WINTER HAVEN	WINTER HAVEN	110	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	82.5	4	26,575	$ 5,138,727
444	GARDENS PH 1-3	UNINCORPORATED	WINTER HAVEN	150	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	112.5	4	10,660	$ 3,909,765
599	HILLS OF LAKE ELBERT UNIT NO 1	CITY OF WINTER HAVEN	WINTER HAVEN	52	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	39.0	4	38,094	$ 5,624,421
708	LAHA WA MANOR UNITS 1-3	CITY OF WINTER HAVEN	WINTER HAVEN	50	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	37.5	4	22,369	$ 3,705,672
729	LAKE ELBERT HEIGHTS	CITY OF WINTER HAVEN	WINTER HAVEN	97	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	72.8	4	37,104	$ 6,284,750
733	LAKE ELOISE POINTE	UNINCORPORATED	WINTER HAVEN	107	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	80.3	4	9,067	$ 3,024,838
758	LAKE MARIAM HILLS	CITY OF WINTER HAVEN	WINTER HAVEN	86	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	64.5	4	28,909	$ 4,967,197
773	LAKE REGION ESTATE UNIT 1	CITY OF WINTER HAVEN	WINTER HAVEN	80	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	60.0	4	40,408	$ 6,328,259
778	LAKE SHIPP HEIGHTS UNITS 1-9	CITY OF WINTER HAVEN	WINTER HAVEN	260	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	195.0	6	23,534	$ 8,542,570
786	LAKE WINTERSET ACRES UNITS 1-2	CITY OF WINTER HAVEN	WINTER HAVEN	52	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	39.0	4	18,004	$ 3,302,898
991	ORCHID SPRINGS CONDOMINIUM	ORCHID SPRINGS DEVELOPMENT	WINTER HAVEN	177	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	132.8	4	31,173	$ 6,729,215
999	OVERLOOK ESTATES PH 1-3	CITY OF WINTER HAVEN	WINTER HAVEN	73	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	54.8	4	28,773	$ 4,734,151
1005	PALMETTO RIDGE	UNINCORPORATED	WINTER HAVEN	99	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	74.3	4	23,798	$ 4,675,377
1094	RIDGE ACRES UNITS 1-4	UNINCORPORATED	WINTER HAVEN	163	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	122.3	4	25,696	$ 5,945,238
1214	SOLIS GARDENS	UNINCORPORATED	WINTER HAVEN	61	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	45.8	4	9,820	$ 2,323,834
1225	SOUTH ROY SHORES	CITY OF WINTER HAVEN	WINTER HAVEN	64	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	48.0	4	20,985	$ 3,803,540
1230	SOUTH WINTER HAVEN EXTENSION OF	CITY OF WINTER HAVEN	WINTER HAVEN	52	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	39.0	4	19,451	$ 3,447,640
1268	SUMMERHAVEN SHORES	CITY OF WINTER HAVEN	WINTER HAVEN	65	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	48.8	4	32,868	$ 5,321,202
1410	WAHNETA FARMS	UNINCORPORATED	WINTER HAVEN	799	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	599.3	8	12,177	$ 16,230,984
1492	WINTERSET GARDENS	CITY OF WINTER HAVEN	WINTER HAVEN	80	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	60.0	4	18,533	$ 3,828,308
1494	WINTERSET NORTH PH 1-5	CITY OF WINTER HAVEN	WINTER HAVEN	68	FL0036048	City of Winter Haven WWTF #3	4400 Pollard Road	Winter Haven, FL 33884-2870	51.0	4	18,550	$ 3,627,476
488	GRENELEFE COND CORNER LK	GRENELEFE RESORT UTILITY, INC.	GRENELEFE	67	FLA013016	Grenelefe Resort WWTF	Abbey Street in Grenelefe	Haines City, FL 32819	50.3	4	8,447	$ 2,287,817
1246	SPRING PINES SUBDIVISION UNITS 1-6	GRENELEFE RESORT UTILITY, INC.	GRENELEFE	109	FLA013016	Grenelefe Resort WWTF	Abbey Street in Grenelefe	Haines City, FL 32819	81.8	4	5,943	$ 2,746,166
775	LAKE REGION PARADISE IS	KEEN UTILITIES	LAKE HAMILTON	108	FLAB07302	Lake Hamilton WWTF	Water Tank Road at Detour Road	Lake Hamilton, FL 33851	81.0	4	16,882	$ 4,135,719

UNIQUE ID	SUBDIVSION NAME (DISSOLVE)	UTILITY NAME	ASSOC UTILITY	NO. OSTDS	WWTF PERMIT NO	FACILITY NAME	ADDRESS 1	ADDRESS 2	PEAK FLOW (gpm)	FM DIAM (in)	FM Linear Distance (ft)	ESTIMATED CONVERSION COST INCLUDING 25% CONTINGENCY ($)
1378	VILLAGE ESTATES UNITS 1-2	UNINCORPORATED	LAKE HAMILTON	52	FLAB07302	Lake Hamilton WWTF	Water Tank Road at Detour Road	Lake Hamilton, FL 33851	39.0	4	5,005	$ 1,690,541
1516	BENTLEY OAKS	PCU (NERUSA)	PCU NERUSA	100	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	75.0	4	538	$ 2,053,763
1517	BRIARGROVE ADD 1-3	PCU (NERUSA)	PCU NERUSA	239	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	179.3	6	1,083	$ 4,508,030
1532	LOMA DEL SOL PH A,B,C,D,E	PCU (NERUSA)	PCU NERUSA	387	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	290.3	6	762	$ 6,957,436
1533	LOMA LINDA PH 1-3	PCU (NERUSA)	PCU NERUSA	222	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	166.5	6	2,010	$ 4,360,324
1534	LOMA VISTA SECTION 1-2	PCU (NERUSA)	PCU NERUSA	151	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	113.3	4	474	$ 2,908,048
1540	OAKPOINT	PCU (NERUSA)	PCU NERUSA	71	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	53.3	4	620	$ 1,572,628
1543	ROBBINS REST	PCU (NERUSA)	PCU NERUSA	71	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	53.3	4	540	$ 1,564,635
1547	SUNRIDGE WOODS PHASE 01-03	PCU (NERUSA)	PCU NERUSA	436	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	327.0	6	1,127	$ 7,839,075
1614	WESTRIDGE PHASE 01 AND 02	PCU (NERUSA)	PCU NERUSA	170	FL0A00002	Polk County Northeast Regional WWTF	200 Westview Drive	Davenport, FL 33837	127.5	4	676	$ 3,248,815
70	BLOOMFIELD HILLS PH 1-5	PCU (NWRUSA)	PCU NWRUSA	253	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	189.8	6	4,085	$ 5,194,616
97	BUCKINGHAM	PCU (NWRUSA)	PCU NWRUSA	124	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	93.0	4	25,106	$ 5,228,085
139	CHERRY HILL	PCU (NWRUSA)	PCU NWRUSA	68	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	51.0	4	524	$ 1,512,404
219	COUNTRY OAKS OF LAKELAND	PCU (NWRUSA)	PCU NWRUSA	111	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	83.3	4	15,154	$ 3,701,052
225	COUNTRY VIEW ESTATES PH 1-4	PCU (NWRUSA)	PCU NWRUSA	432	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	324.0	6	11,936	$ 9,392,841
295	DERBYSHIRE	PCU (NWRUSA)	PCU NWRUSA	81	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	60.8	4	26,235	$ 4,615,424
417	FOREST LAKE	PCU (NWRUSA)	PCU NWRUSA	77	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	57.8	4	23,827	$ 4,307,112
424	FOX CHASE SUBDIVISION	PCU (NWRUSA)	PCU NWRUSA	57	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	42.8	4	1,086	$ 1,382,970
425	FOX LAKES	PCU (NWRUSA)	PCU NWRUSA	82	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	61.5	4	1,673	$ 1,863,572
461	GLENRIDGE PH 1-3	PCU (NWRUSA)	PCU NWRUSA	148	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	111.0	4	4,981	$ 3,308,061
513	HAMPTON CHASE PH 1-2	PCU (NWRUSA)	PCU NWRUSA	130	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	97.5	4	22,683	$ 5,087,008
536	HAWKS RIDGE	PCU (NWRUSA)	PCU NWRUSA	76	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	57.0	4	11,415	$ 2,736,466
571	HIGHLAND GROVE EAST	PCU (NWRUSA)	PCU NWRUSA	90	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	67.5	4	678	$ 1,899,041
613	HOMESTEAD THE PH 1-2	PCU (NWRUSA)	PCU NWRUSA	80	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	60.0	4	5,350	$ 2,197,532
625	HUNTERS RUN PH 1-3	PCU (NWRUSA)	PCU NWRUSA	205	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	153.8	4	16,818	$ 5,766,139
643	INDIAN HEIGHTS SUBDIVISION	PCU (NWRUSA)	PCU NWRUSA	131	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	98.3	4	1,882	$ 2,711,332
649	INDIAN WOODS	PCU (NWRUSA)	PCU NWRUSA	109	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	81.8	4	1,780	$ 2,329,905
816	LEISURE ESTATES	PCU (NWRUSA)	PCU NWRUSA	55	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	41.3	4	1,309	$ 1,371,515
822	LEXINGTON GREEN	PCU (NWRUSA)	PCU NWRUSA	58	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	43.5	4	14,363	$ 2,727,585
838	LOST LAKE PARK PH 1-3	PCU (NWRUSA)	PCU NWRUSA	113	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	84.8	4	16,091	$ 4,140,942
858	MANORS OF NOTTINGHAM	PCU (NWRUSA)	PCU NWRUSA	119	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	89.3	4	26,083	$ 5,241,412
869	MARTIN ESTATES PH 1-3	PCU (NWRUSA)	PCU NWRUSA	120	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	90.0	4	4,635	$ 2,800,990
923	MT. TABOR ESTATES UNRE	PCU (NWRUSA)	PCU NWRUSA	175	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	131.3	4	1,347	$ 3,400,314
944	NOTTINGHAM	PCU (NWRUSA)	PCU NWRUSA	82	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	61.5	4	24,354	$ 4,444,130
966	OAKS OF LAKELAND THE	PCU (NWRUSA)	PCU NWRUSA	107	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	80.3	4	18,999	$ 4,330,513
1025	PINE GLEN (UNREC) PH 1-2	PCU (NWRUSA)	PCU NWRUSA	82	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	61.5	4	26,461	$ 4,654,822
1044	PLANTATION RIDGE	PCU (NWRUSA)	PCU NWRUSA	101	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	75.8	4	5,593	$ 2,576,190
1075	QUAIL TRAIL	PCU (NWRUSA)	PCU NWRUSA	68	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	51.0	4	2,183	$ 1,678,307
1101	RIDGEMONT	PCU (NWRUSA)	PCU NWRUSA	62	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	46.5	4	914	$ 1,450,108
1118	ROLLING OAK ESTATES UNRE	PCU (NWRUSA)	PCU NWRUSA	99	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	74.3	4	4,834	$ 2,466,521
1119	ROLLINGLEN PH 1-4	PCU (NWRUSA)	PCU NWRUSA	177	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	132.8	4	4,052	$ 3,704,601
1141	SADDLEWOOD ESTATES PHASE 01	UNINCORPORATED	PCU NWRUSA	50	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	37.5	4	34,839	$ 5,265,128
1155	SCENIC HILLS	PCU (NWRUSA)	PCU NWRUSA	84	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	63.0	4	885	$ 1,818,512
1181	SHEFFIELD	PCU (NWRUSA)	PCU NWRUSA	87	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	65.3	4	618	$ 1,842,428
1188	SHERWOOD LAKES	PCU (NWRUSA)	PCU NWRUSA	119	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	89.3	4	25,235	$ 5,156,615
1306	TANGERINE TRAILS UNITS 1-4	PCU (NWRUSA)	PCU NWRUSA	282	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	211.5	6	1,673	$ 5,322,125
1326	TIMBERIDGE PH 1-5	PCU (NWRUSA)	PCU NWRUSA	278	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	208.5	6	22,393	$ 8,675,199
1342	TROPICAL MANOR	PCU (NWRUSA)	PCU NWRUSA	51	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	38.3	4	649	$ 1,238,062
1357	UNRE PALMORE ESTATES	PCU (NWRUSA)	PCU NWRUSA	147	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	110.3	4	1,571	$ 2,950,261
1440	WELLINGTON GREEN	PCU (NWRUSA)	PCU NWRUSA	50	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	37.5	4	23,993	$ 3,868,002
1481	WILLOW WISP PH 1-2	PCU (NWRUSA)	PCU NWRUSA	100	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	75.0	4	398	$ 2,039,776
1500	WOODBURY SUBDIVISION PH 1-2	PCU (NWRUSA)	PCU NWRUSA	108	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	81.0	4	2,329	$ 2,367,921
1513	YELLOW PINE SUBDIVISION	PCU (NWRUSA)	PCU NWRUSA	59	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	44.3	4	3,716	$ 1,679,678
1514	YORKSHIRE	PCU (NWRUSA)	PCU NWRUSA	81	FLA178667	Polk County Northwest Regional WWTF	North Campbell Road	Lakeland, FL 33810	60.8	4	26,461	$ 4,637,984
1031	PINEDALE SUBDIVISION	UNINCORPORATED	MULBERRY	67	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	50.3	4	30,099	$ 4,765,561
5	ALAMANDA	PCU (SWRUSA)	PCU SWRUSA	71	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	53.3	4	4,076	$ 1,918,186
26	ARROWHEAD	PCU (SWRUSA)	PCU SWRUSA	50	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	37.5	4	2,387	$ 1,394,978
78	BRADLEY JUNCTION	PCU (SWRUSA)	PCU SWRUSA	92	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	69.0	4	52,140	$ 8,016,484
88	BRISTOL OAKS	PCU (SWRUSA)	PCU SWRUSA	56	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	42.0	4	1,430	$ 1,400,459
131	CESARA ESTATES	PCU (SWRUSA)	PCU SWRUSA	68	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	51.0	4	25,958	$ 4,368,284
140	CHERRY LANE ESTATES PH 1-2	PCU (SWRUSA)	PCU SWRUSA	87	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	65.3	4	1,718	$ 1,952,404
148	CHRISTINA GROVES SUBDIVISION UNITS 1-2	PCU (SWRUSA)	PCU SWRUSA	100	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	75.0	4	4,095	$ 2,409,491
247	CREWS LAKE HILLS ESTATES PH 1-2	PCU (SWRUSA)	PCU SWRUSA	60	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	45.0	4	1,078	$ 1,432,760
367	ENGLELAKE SUBDIVISION	PCU (SWRUSA)	PCU SWRUSA	74	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	55.5	4	1,937	$ 1,754,944
514	HAMPTON POINTE	PCU (SWRUSA)	PCU SWRUSA	54	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	40.5	4	4,295	$ 1,653,287
583	HIGHLANDS AT CREWS LAKE	PCU (SWRUSA)	PCU SWRUSA	113	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	84.8	4	1,254	$ 2,344,781
585	HIGHLANDS CROSSING PH 1-2	PCU (SWRUSA)	PCU SWRUSA	122	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	91.5	4	1,327	$ 2,503,906
645	INDIAN OAKS	PCU (SWRUSA)	PCU SWRUSA	54	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	40.5	4	18,623	$ 3,398,586
834	LONGWOOD OAKS PH 1-3	PCU (SWRUSA)	PCU SWRUSA	60	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	45.0	4	4,466	$ 1,771,645
852	MAGNOLIA TRAILS	PCU (SWRUSA)	PCU SWRUSA	84	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	63.0	4	3,330	$ 2,063,030
886	MEADOW RIDGE ESTATES PH 1-3	PCU (SWRUSA)	PCU SWRUSA	124	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	93.0	4	17,730	$ 4,490,530

UNIQUE ID	SUBDIVSION NAME (DISSOLVE)	UTILITY NAME	ASSOC UTILITY	NO. OSTDS	WWTF PERMIT NO	FACILITY NAME	ADDRESS 1	ADDRESS 2	PEAK FLOW (gpm)	FM DIAM (in)	FM Linear Distance (ft)	ESTIMATED CONVERSION COST INCLUDING 25% CONTINGENCY ($)
947	OAK HAMMOCK ESTATES PH 1-4	PCU (SWRUSA)	PCU SWRUSA	238	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	178.5	6	17,476	$ 7,262,577
951	OAK MEADOWS ESTATES	PCU (SWRUSA)	PCU SWRUSA	108	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	81.0	4	6,817	$ 2,816,700
1036	PINEVIEW ESTATES PHASE 02	PCU (SWRUSA)	PCU SWRUSA	65	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	48.8	4	6,085	$ 2,017,884
1106	RIVERLAKE ADDITION	PCU (SWRUSA)	PCU SWRUSA	52	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	39.0	4	11,246	$ 2,314,615
1117	ROLLING HILLS SUBDIVISION	PCU (SWRUSA)	PCU SWRUSA	100	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	75.0	4	42,672	$ 6,892,224
1174	SHADY BROOKE	PCU (SWRUSA)	PCU SWRUSA	90	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	67.5	4	8,291	$ 2,660,300
1176	SHADY HAMMOCK	PCU (SWRUSA)	PCU SWRUSA	105	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	78.8	4	10,669	$ 3,151,298
1281	SUNNY GLEN PH 1-4	PCU (SWRUSA)	PCU SWRUSA	107	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	80.3	4	3,412	$ 2,459,325
1423	WATERWOOD ADDITION	PCU (SWRUSA)	PCU SWRUSA	72	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	54.0	4	9,666	$ 2,494,072
1473	WILL-O-WOODS	PCU (SWRUSA)	PCU SWRUSA	77	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	57.8	4	12,988	$ 2,910,708
1480	WILLOW RUN	PCU (SWRUSA)	PCU SWRUSA	64	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	48.0	4	3,222	$ 1,714,683
1556	CREEKSIDE	PCU (SWRUSA)	PCU SWRUSA	184	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	138.0	4	19,215	$ 5,651,467
1561	SOUTHWIND	PCU (SWRUSA)	PCU SWRUSA	61	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	45.8	4	28,338	$ 4,488,210
1569	HATCHER ROAD ESTATES PH 1-3	PCU (SWRUSA)	PCU SWRUSA	87	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	65.3	4	8,699	$ 2,650,568
1582	RAMBLEWOOD SUBDIVISION	PCU (SWRUSA)	PCU SWRUSA	75	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	56.3	4	20,440	$ 3,934,620
1583	FORESTWOOD SUBDIVISION	PCU (SWRUSA)	PCU SWRUSA	117	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	87.8	4	7,129	$ 2,999,813
1585	SHEPHERD SOUTH	PCU (SWRUSA)	PCU SWRUSA	156	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	117.0	4	3,921	$ 3,337,141
1592	PINEVIEW ESTATES PHASE 01	PCU (SWRUSA)	PCU SWRUSA	55	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	41.3	4	1,340	$ 1,374,654
1594	DEER BROOKE & SOUTH	PCU (SWRUSA)	PCU SWRUSA	494	FLA012954	Polk County Southwest Regional WWTF	2000 4th Street	Mulberry, FL 33860	370.5	8	5,227	$ 9,694,103
1541	OAKRIDGE ESTATES PHASE 01,02,08,11	PCU (SERUSA)	PCU SERUSA	80	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	60.0	4	8,040	$ 2,466,484
1544	SUN RAY HOMES NO 3	PCU (SERUSA)	PCU SERUSA	92	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	69.0	4	7,326	$ 2,597,607
1545	SUN RAY HOMES PLAT NO 1,2,4	PCU (SERUSA)	PCU SERUSA	220	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	165.0	6	428	$ 4,089,209
1550	WEST FROSTPROOF	PCU (SERUSA)	PCU SERUSA	89	FLA012949	Sun Ray WWTF	Edwards Street	Frostproof, Florida 33843	66.8	4	747	$ 1,889,078
1529	LAKE PIERCE HEIGHTS	PCU (ERUSA)	Sun Air WWCS (to TWA)	91	FLA010979	TWA-Lake Marion	1001 Lake Marion Creek Drive	Poinciana, FL 34759	68.3	4	149	$ 1,862,990
1530	LAKE PIERCE RANCHETTES ADD1-5	PCU (ERUSA)	Sun Air WWCS (to TWA)	439	FLA010979	TWA-Lake Marion	1001 Lake Marion Creek Drive	Poinciana, FL 34759	329.3	6	20,781	$ 11,150,294
1554	TIMBERLANE SUBDIVISION PH1-2	PCU (ERUSA)	Sun Air WWCS (to TWA)	97	FLA010979	TWA-Lake Marion	1001 Lake Marion Creek Drive	Poinciana, FL 34759	72.8	4	9,279	$ 2,877,311

July 28, 2025

RESPONSE VIA EMAIL ONLY

Ms. Chanda Bennett, AICP
Comprehensive Planning Administrator
Polk County Land Development Division
Post Office Box 9005, Drawer GM03
Bartow, Florida 33831-9005

RE: LDCPAL-2025-4 EAR-Based Amendment

Dear Ms. Bennett:

Thank you for submitting the proposed comprehensive plan amendments for Polk County The reference number for this amendment is 25-04ER**.**

The submission package appears to be complete, and your proposed plan amendment package will be reviewed pursuant to Chapter 163.3184(4)(d), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review. The State Land Planning Agency's Objection, Recommendation and Comment (ORC) report will be mailed to you on or about September 23, 2025.

Pursuant to 163.3184(4)(e)1. If the local government fails to hold the second hearing and adopt the amendments with 180 days after receipt of the state land planning agency's report, the amendments shall be deemed withdrawn unless extended by agreement with notice to the state land planning agency and any affected person that provided comments on the amendment.

Pursuant to 163.3184(4)(e)2. All comprehensive plan amendments adopted by the governing body, along with the supporting data and analysis, shall be transmitted within 10 working days after the final adoption hearing to the state land planning agency and any other agency or local government that provided timely comments under subparagraph (c). If the local government fails to transmit the comprehensive plan amendments within 10 working days after the final adoption hearing, the amendments are deemed withdrawn.

If you have any questions, please contact me at (850) 717-8491 or by email at donna.harris@commerce.fl.gov. You may also contact Yazmin Valdez, Deputy Bureau Chief, who will be overseeing the review of the amendments, at (850)717-8524.

Sincerely,



Donna Harris, Senior Plan Processor
Bureau of Community Planning and Growth

DH/

cc: External Agencies

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www.polk-county.net

POLK COUNTY

LAND DEVELOPMENT DIVISION

Land Development Division
Ben Ziskal, AICP, CEcD, Director

July 25, 2025

Scott Rogers, Regional Program Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, Florida 32399

RE: Polk County Comprehensive Plan Amendment Transmittal (Coordinated Review) for LDCPAL 2025-4 EAR Based Comp Plan Text Changes

Mr. Rogers:

The enclosed information is transmitted in accordance with the requirements of Chapter 163.3184(3), Florida Statutes (F.S.) and in accordance with the desires of the Polk County Board of County Commissioners, as expressed at the transmittal hearing conducted on July 15, 2025. This adoption package contains the following items:

1. Using Department's electronic amendment submittal portal 'Comprehensive Plan and Amendment Upload" to The State Land Planning Agency.

2. An **Action Matrix** showing the Board of County Commissioners (BoCC) action on the requested amendment.

3. A copy of the **staff report** for the CPA considered by the Board for the adoption amendment. The CPA report includes:

   a. A description of the proposed amendment,
   b. A summary analysis of applicable Plan policies including staff recommendation,
   c. A technical staff report,
   d. Exhibits, and
   e. The ordinances for the adopted Plan Amendments.

4. A copy of the **Legal Notice** of the Public Hearing, which was placed in June 25, 2025, edition of the Winter Haven Sun and the Florida Public Notices website.

5. A copy of the Department of Florida Commerce review letter of proposed Comprehensive Plan Amendment for Polk County will be provided with the adoption

package. Additional copies of this adoption package are being sent, in accordance with Section 163.3184, F.S., to the:

- Central Florida Regional Planning Council (CFRPC),
- Florida Department of Environmental Protection (FDEP),
- Florida Department of Transportation (FDOT),
- South Florida Water Management District (SFWMD),
- Southwest Florida Water Management District (SWFWMD),
- Florida Department of State
- Florida Fish & Wildlife Conservation Commission, and
- Florida Department of Agriculture and Consumer Services

In compliance with 163.3184, F.S., please note the following:

- The Transmittal Public Hearing was held on July 15, 2025, at 9:15 a.m.; and

- Polk County's Plan **is** applicable to the Green Swamp Area of Critical State Concern. The proposed amendment **DOES IMPACT** the Green Swamp Area of Critical State Concern.

- Polk County's Plan and Florida Commerce "Statement and Notice of Intent," once received, will be available for public inspection at the Polk County Land Development Division located at 330 W. Church Street, Bartow, Florida.

- The contact person for the Polk County Comprehensive Plan is:

Chanda Bennett, Comprehensive Planning Administrator
Polk County Land Development Division
330 W. Church Street
Drawer GM03
P.O. Box 9005
Bartow, Florida 33831-9005
Telephone: (863) 534-6484
Email: chandabennett@polk-county.net

As always, we will be happy to answer any questions you may have concerning this amendment submittal. Please advise me if you need any further information.

Sincerely,



Chanda Bennett, AICP, Comprehensive Planning Administrator
Land Development Division

cc: Central Florida Regional Planning Council (CFRPC)
Southwest Florida Water Management District (SWFWMD)
South Florida Water Management District (SFWMD)
Florida Department of Environmental Protection (FDEP)
Florida Department of Transportation (FDOT)
Florida Department of State
Florida Department of Agriculture and Consumer Services
Florida Fish & Wildlife Conservation Commission
File: LDCPAL 2024-12 Coordinated Review Adoption Packet
File: Digital Case File

September 23, 2025

The Honorable Rick Wilson
Chairman, Polk County
Board of County Commissioners
330 W. Church Street
Bartow, Florida 33831

Dear Chairman Wilson,

FloridaCommerce has completed its review of the proposed comprehensive plan amendment for Polk County (Amendment No. 25-04ER), which was received on July 25, 2025. FloridaCommerce has reviewed the proposed amendment in accordance with the state coordinated review process set forth in sections 163.3184(2) and (4), Florida Statutes (F.S.), for compliance with Chapter 163, Part II, F.S.

The attached Objections, Recommendations, and Comments Report outlines FloridaCommerce's findings concerning the amendment. FloridaCommerce has identified an objection and has included recommendations regarding measures that can be taken to address the objection. FloridaCommerce is also providing two comments. The comments are offered to assist the local government but will not form the basis for a determination of whether the amendment, if adopted, is "In Compliance" as defined in section 163.3184(1)(b), F.S. Copies of comments received by FloridaCommerce from reviewing agencies, if any, are also enclosed.

The County should act by choosing to adopt, adopt with changes or not adopt the proposed amendment. For your assistance, the procedures for final adoption and transmittal of the comprehensive plan amendment are enclosed.

The second public hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of FloridaCommerce's attached report, or the amendment will be **deemed withdrawn** unless extended by agreement with notice to FloridaCommerce and any affected party that provided comment on the amendment pursuant to section 163.3184(4)(e)1., F.S. **The adopted amendment must be transmitted to FloridaCommerce within ten working days after the final adoption hearing or the amendment shall be deemed withdrawn pursuant to section 163.3184(4)(e)2., F.S.**

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FloridaCommerce staff is available to assist the County to address the objection and comments. If you have any questions related to this review, please contact Yazmin Valdez, Deputy Bureau Chief, by telephone at (850)-717-8524 or by email via Yazmin.Valdez@Commerce.fl.gov.

Sincerely,

James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/yv

Enclosures: Objections, Recommendations, and Comments Report
Procedures for Adoption
Reviewing Agency Comments

cc: Ben Ziskal, AICP, CEcD, Director of Planning, Polk County
Jennifer Codo-Salisbury, MPA, AICP, Executive Director Central Florida Regional Planning Council

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Objections, Recommendations and Comments Report
Proposed Comprehensive Plan Amendment
Polk County 25-04ER

The Florida Department of Commerce has identified an objection and two comments regarding Polk County's proposed comprehensive plan amendment. The objection and comments are provided below, along with recommended actions the County could take to resolve issues of concern. If the County adopts the plan amendment without adequately addressing the objection, FloridaCommerce may find the amendment not in compliance with Chapter 163, Part II, Florida Statutes (F.S.), pursuant to section 163.3184(4)(e)4., F.S. Comments are offered to assist the local government and will not form the basis for a compliance determination.

FloridaCommerce staff has discussed the basis of the report with local government staff and is available to assist the County to address the objection and comments.

Objection: Capital Improvements Element

The proposed changes to Objective 4.205 and Policies 4.205-A1 through 4.205-A18 do not comply with the Capital Improvements Element requirements set forth by section 163.3177(3), F.S.

Objective 4.205 under Section 4.204, "Determining Needed Capital Improvement," aims to plan for and provide necessary capital facilities within the County's fiscal capacity through the annual adoption of a Community Investment Program (CIP). The proposed amendment revises Objective 4.205-A to indicate that, although no longer required by Florida Statutes, Polk County may plan for and provide needed capital facilities through the annual adoption of a Community Investment Program. Additionally, the proposed amendment revises Policies 4.205-A1 through 4.205-A18 by replacing "shall" with "may" to reflect a shift from mandatory to discretionary language. However, section 163.3177(3)(a)1., provides that the Capital Improvements Element must contain a component outlining principles for construction, extension, or increase in capacity of public facilities, as well as correcting existing public facility deficiencies. Additionally, the Capital Improvements Element must be reviewed annually pursuant to Section 163.3177(3)(b), F.S.

Statutory Authority: 163.3177(3)(a), 163.3177(3)(b), 163.3184(4), and 163.3191, Florida Statutes.

Recommendation: The County must revise the amendment to reflect that the Capital Improvements Element must be reviewed on an annual basis. The Capital Improvements Element should be modified to comply with all requirements outlined in Section 163.3177(3), Florida Statutes.

Comment 1: Consistency Throughout the Plan

The proposed amendment to Policy 2.125-A2 restricts specialized uses in areas designated as "Preservation" or "Conservation" and Policy 2.125-D1 introduces exceptions for electrical substations in those same land use categories. However, Polk County's Comprehensive Plan does not currently contain a "Conservation" land use category within the Future Land Use Element. To avoid internal inconsistencies and ambiguities within the Plan, the County should use consistent terminology throughout the Plan and remove references to a Conservation land use category until it is formally adopted and defined.

Additionally, the proposed Sections 2.125-P and 2.125-Q intending to address Floating Solar Facilities and Reliable Fuel Sources for Public Utilities, conflict with existing section identifiers already assigned to Solid Waste Management Facilities and Fuel Terminals within the Plan. To avoid confusion and ambiguity in the Plan, the numbering system for new sections should be revised to ensure unique and distinguishable policy identifiers.

Comment 2: Intergovernmental Coordination

FloridaCommerce recommends that Polk County coordinate with the South Florida Water Management District to address their August 24, 2025, correspondence.

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SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS

FOR STATE COORDINATED REVIEW

Section 163.3184(4), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using FloridaCommerce's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**" (***https://fldeo.my.salesforce-sites.com/cp/***https://floridajobs.secure.force.com/cp/) **or** submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council, Water Management District, Department of Transportation, Department of Environmental Protection, Department of State, the appropriate county (municipal amendments only), the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only), and the Department of Education (amendments relating to public schools), and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package.

_____ Summary description of the adoption package, including any amendments proposed but not adopted.

_____ Ordinance number and adoption date.

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government.

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact.

_____ Letter signed by the chief elected official or the person designated by the local government.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the case of text amendments, changes should be shown in strike-through/underline format.

_____ In the case of future land use map amendment, an adopted future land use map, **in color format,** clearly depicting the parcel, its existing future land use designation and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required.

_____ Copy of executed ordinance adopting the comprehensive plan amendment(s).

Suggested effective date language for the adoption ordinance for state coordinated review:

> "The effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If the amendment is 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 development dependent on this amendment may be issued or commence before it has become effective. "

_____ List of additional changes made in the adopted amendment that the FloridaCommerce did not previously review.

_____ List of findings of the local governing body, if any, that were not included in the ordinance, and which provided the basis of the adoption or determination not to adopt the proposed amendment.

_____ Statement indicating the relationship of the additional changes not previously reviewed by the FloridaCommerce to the ORC report from the FloridaCommerce.

Southwest Florida Water Management District

2379 Broad Street, Brooksville, Florida 34604-6899
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Sarasota Office
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Sarasota, Florida 34240-9770
(941) 377-3722 or
1-800-320-3503 (FL only)

Tampa Office
7601 U.S. 301 North
Tampa, Florida 33637-6759
(813) 985-7481 or
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Kelly S. Rice
Former Chair, Citrus, Lake, Levy, Sumter
Michelle Williamson
Former Chair, Hillsborough
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DeSoto, Hardee, Highlands
James Holton
Pinellas
Dustin Rowland
Pasco
Robert Stern
Hillsborough
Nancy Watkins
Hillsborough, Pinellas

Brian J. Armstrong, P.G.
Executive Director

August 13, 2025

Ms. Yazmin Valdez, Deputy Bureau Chief
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL 32399-4120

Subject: **Polk 25-4ACSC**

Dear Ms. Valdez:

The Southwest Florida Water Management District (District) has reviewed the proposed amendment. We are not forwarding any comments for consideration.

We appreciate this opportunity to participate in the review process. If you have any questions or require further assistance, please do not hesitate to contact me at (352) 269-6937 or james.golden@watermatters.org.

Sincerely,

James J. Golden, AICP
Senior Planner

JG
cc: Chanda Bennett, Polk County

Harris, Donna

From:	Baysinger, Samantha <Samantha.Baysinger@MyFWC.com>
Sent:	Friday, August 22, 2025 11:17 AM
To:	chandabennett@polk-county.net
Cc:	Conservation Planning Services; DCPexternalagencycomments; Gruver, Pamela
Subject:	[EXTERNAL] - FWC's Comments on Polk County 25-04ER (LDCPAL-2025-4 EAR-Based Amendment)

CAUTION - "This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe."

Dear Ms. Bennett,

Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the proposed comprehensive plan amendment in accordance with Chapter 163.3184(3), Florida Statutes. We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.

FWC staff appreciates the opportunity to review this project. Please send any requests for further information to ConservationPlanningServices@MyFWC.com.

Sincerely,

Samantha Baysinger
Land Use Planning Program Supervisor
Office of Conservation Planning Services
Florida Fish and Wildlife Conservation Commission
(850) 354-3578

Polk County 25-04ER_ 63560

Harris, Donna

From: Plan_Review <Plan.Review@dep.state.fl.us>
Sent: Friday, August 22, 2025 5:24 PM
To: DCPexternalagencycomments
Cc: Plan_Review
Subject: [EXTERNAL] - Polk County 25-04ER Proposed

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To: Donna Harris, Senior Plan Processor, Florida Commerce Bureau of Community Planning and Growth

Re: Polk County 25-04ER – State Coordinated Review of Proposed Comprehensive Plan Amendment

The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.

Based on our review of the submitted amendment package, the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department's jurisdiction.

Please submit all future amendments by email to Plan.Review@FloridaDEP.gov. If your submittal is too large to send via email or if you need other assistance, contact Lindsay Weaver at (850) 717-9037.

Harris, Donna

From:	Germain, Peter <pgermain@sfwmd.gov>
Sent:	Friday, August 22, 2025 3:20 PM
To:	chandabennett@polk-county.net; robertbolton@polk-county.net
Cc:	Harris, Donna; jcodosalisbury@cfrpc.org; james.golden@swfwmd.state.fl.us
Subject:	[EXTERNAL] - Polk County 2025-04 EAR Based Comprehensive Plan Text Amendment (LDCPAL-2025-4) - Historic and Septic to Sewer Comments Letter

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Dear Ms. Bennett:

The South Florida Water Management District (District) has completed its review of the Future Land Use Map amendment package LDCPAL-2025-4, submitted by Polk County (County). The package included changes to several policies per Florida Statue 163.3191, Evaluation and Appraisal Report (EAR), updates to the Historic Preservation policy, Historical Resources Map and updates to the Infrastructure Element for septic to sewer feasibility. The District provides the following comment under Section 163.3184(3)(g), Florida Statutes (F.S.).

The following comment should be addressed before final adoption of this amendment:

1. Please clarify whether the two water service area maps (maps 14 and 15) are future or current.

The District requests that the City forward a copy of the adopted amendments to the District at the following email account: SFLocalGovPlan@SFWMD.gov. District staff are available to meet by teleconference or in person to go over the comment above and to discuss possible solutions and options to resolve the comment.

Please contact me if you have any questions or need additional information.

Best,

Peter Germain
Policy and Planning Analyst – Specialist
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road, West Palm Beach, FL 33406
Office: 561-682-6779 I pgermain@sfwmd.gov

FloridaCommerce ORC Report

Response Memorandum

November 4, 2025

James D. Stansbury, Chief
Bureau of Community Planning and Growth
FloridaCommerce
Caldwell Building
107 East Madison Street
Tallahassee, FL 32399

On September 23, 2025, Polk County received the Objections, Recommendations, and Comments (ORC) Report from FloridaCommerce for Polk County Amendment No. 25-04ER. The following sections detail Polk County's responses to address the one objection and two comments included in FloridaCommerce' ORC Report for Amendment No. 24-04ER.

Additionally, please note that due to an error, a number of policies that were previously adopted by the Polk Board of County Commissioners and accepted by FloridaCommerce were not properly displayed in the transmitted version of the Comprehensive Plan. Staff held a call with James Stansbury and Adam Sieracki with FloridaCommerce on October 30, 2025 to explain the oversite. Per the discussion, Appendix D has been added to the EAR Data and Analysis Memorandum and it includes a strikethrough / underline version of the policies that were modified to correct the error. This is just a correction to reflect the policies that were previously adopted by the Board of County Commissioners and accepted by FloridaCommerce during previous amendment cycles. These policies are shown without strikethrough / underline in the current adopted version, as they were previously adopted and accepted, and changes are not being pursued under the current amendment. All of the FloridaCommerce files showing that these changes were previously adopted and accepted by FloridaCommerce have been included in the adoption package for your reference.

FloridaCommerce's Objection: Capital Improvements Element

The proposed changes to Objective 4.205 and Policies 4.205-A1 through 4.205-A18 do not comply with the Capital Improvements Element requirements set forth by section 163.3177(3), F.S.

Objective 4.205 under Section 4.204, "Determining Needed Capital Improvement," aims to plan for and provide necessary capital facilities within the County's fiscal capacity through the annual adoption of a Community Investment Program (CIP). The proposed amendment revises Objective 4.205-A to indicate that, although no longer required by Florida Statutes, Polk County may plan for and provide needed capital facilities through the annual adoption of a Community Investment Program. Additionally, the proposed amendment revises Policies 4.205-A1 through 4.205-A18 by replacing "shall" with "may" to reflect a shift from mandatory to discretionary language. However, section 163.3177(3)(a)1., provides that the Capital Improvements Element must contain a component outlining principles for construction, extension, or increase in capacity of public facilities, as well as correcting existing public facility deficiencies. Additionally, the Capital Improvements Element must be reviewed annually pursuant to Section 163.3177(3)(b), F.S.

Statutory Authority: 163.3177(3)(a), 163.3177(3)(b), 163.3184(4), and 163.3191, Florida Statutes.

FloridaCommerce's Recommendation: The County must revise the amendment to reflect that the Capital Improvements Element must be reviewed on an annual basis. The Capital Improvements Element should be modified to comply with all requirements outlined in Section 163.3177(3), Florida Statutes.

Polk County's Response:
Added "and review" to Objective 4.205-A (See revised language below).

OBJECTIVE 4.205-A: Polk County shall plan for and provide needed capital facilities that are within the fiscal capability of the County through the annual adoption and review of a Community Investment Program (CIP). For those needed capital facilities that are under the fiscal responsibility of another public agency, Polk County shall adopt by reference the applicable agency's 5-year capital improvement program or work plan.

Deleted the added text "Although no longer required by Florida Statutes," from Objective 4.205-A and Policy 4.205-A12(See revised language below).

OBJECTIVE 4.205-A: Polk County shall plan for and provide needed capital facilities that are within the fiscal capability of the County through the annual adoption and review of a Community Investment Program (CIP). For those needed capital facilities that are under the fiscal responsibility of another public agency, Polk County shall adopt by reference the applicable agency's 5-year capital improvement program or work plan.

POLICY 4.205-A12: If the option sales tax, or the utility tax is not approved by the legislature or by voter referendum, Polk County shall:

a. amend the Plan and CIP to identify alternative funding sources, or

b. amend the plan to revise the level-of-service standard to the existing LOS standard.

Reverted text changed from "shall" to "may" back to "shall" for the following policies (See revised language below):

- Policy 4.205-A1
- Policy 4.205-A2

- Policy 4.205-A3
- Policy 4.205-A4
- Policy 4.205-A7
- Policy 4.205-A8
- Policy 4.205-A9
- Policy 4.205-A10
- Policy 4.205-A11
- Policy 4.205-A12
- Policy 4.205-A13
- Policy 4.205-A14
- Policy 4.205-A15
- Policy 4.205-A17
- Policy 4.205-A18

POLICY 4.205-A1: Polk County shall demonstrate that the CIP is financially feasible by adopting into the CIE a 5-year schedule of capital improvements which includes publicly funded projects, and which may include privately funded projects for which the local government has no fiscal responsibility, necessary to ensure that adopted level-of-service standards are achieved and maintained. Financial feasibility of the 5-year schedule of capital improvements shall mean that sufficient revenues are currently available, or will be available from committed funding sources, for the first three (3) years, or will be available from committed or planned funding sources for years four (4) and five (5), which are adequate to fund the projected costs of the capital improvements listed in the CIP. Committed and/or planned revenue sources for financing programmed capital improvements may include, but are not limited to, ad valorem taxes, bonds, state and federal funds, other tax revenues, impact fees, and developer contributions. Projects necessary to ensure that any adopted LOS standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level or priority for funding.

a. If the CIP relies on planned revenue sources in the 5-year schedule that require referenda or other actions to secure the planned revenue source, the CIE must, in the event the referenda are not passed or actions do not secure the planned revenue source, identify other existing revenue sources that will be used to fund the capital projects or otherwise amend the CIE to ensure financial feasibility;

b. Polk County will adopt and maintain a financially feasible 5-year schedule of capital improvements. Updates to the 5-year schedule of capital improvements which reflect proportionate fair-share contributions ~~shall be deemed financially feasible~~, if the CIE identifies additional contributions, payments or funding sources reasonably anticipated during a period not to exceed 10 years to fully mitigate impacts on the transportation facilities.

POLICY·4.205-A2:·The·existing·population·and·owners·of·real·property·in·Polk·County·shall·pay·for·some·or·all·of·the·capital·improvements·which·reduce·or·eliminate·existing·deficiencies.·These·capital·improvements·may·be·financed·with·user·fees,·special·assessments,·debt,·and·taxes.·The·existing·population·and·owners·of·real·property·in·Polk·County·may·pay·for·capital·improvements·required·by·future·development.·¶

POLICY 4.205-A3: Polk County shall require developers and owners of future development to pay their proportionate share of capital improvements required to service future development and~~. For capital improvements that will be funded by the developer, financial feasibility shall~~ be demonstrated by being guaranteed in an enforceable development agreement or interlocal agreement, or other enforceable agreement. These development agreements and/or interlocal agreements shall be reflected in the 5-year schedule of capital improvements if the capital improvement is necessary to serve development within the period covered by the 5-year schedule. Payments, which must be approved by the County in form and amount, may take the form of the following:

a. voluntary contributions for the benefit of any public facility;
b. impact fees;
c. capacity reservation fees;
d. dedication of land;
e. provision of public facilities; and
f. future payments of user fees, special assessments and/or taxes.

POLICY 4.205-A4: The existing and future population and owners of real property shall pay for the replacement of obsolete and worn out facilities.

POLICY 4.205-A7: Polk County shall finance capital improvements to potable water, sanitary sewer, and solid waste facilities (utilities) with current assets, revenue bonds to be repaid by user fees or charges for services, or a combination of current assets and debt.

POLICY 4.205-A8: Polk County shall finance other capital improvements (non-utility) with current assets, and/or debt.

POLICY 4.205-A9: Polk County shall consider which asset, or group of assets, will be cost effective, appropriate to the useful life of the improvement, and an efficient use of the County's debt capacity when financing capital improvement projects with debt.

POLICY 4.205-A10: The County shall not accept:

a. responsibility for operating-and-maintenance costs for which it does not have funding capability; and
b. responsibility for any private or public facility whose acquisition would prevent the County from completing a project or restrict the County's capability to maintain or increase LOS standards, except where a public hazard exists.

POLICY 4.205-A11: Polk County shall continue to review the costs and benefits of developing an alternative funding mechanism for stormwater management projects.

POLICY 4.205-A12: If the option sales tax, or the utility tax is not approved by the legislature or by voter referendum, Polk County shall:

a. amend the Plan and CIP to identify alternative funding sources, or
b. amend the plan to revise the level-of-service standard to the existing LOS standard.

POLICY 4.205-A13: Polk County shall manage its debt by establishing the following standards:

a. the maximum percentage of net overlapping bonded debt to assessed value of 4%;

b. the maximum of net bonded debt per capita of $500, and

c. the maximum percentage of annual debt service to general expenditures of 10%.

POLICY 4.205-A14: Polk County shall increase user fees and issue the bonds required to implement the Community Investment Program. The timing of the increases in fees and the issuance of bonds will be based on market timing, need for the funds, and project timing.

POLICY 4.205-A15: Polk County shall provide needed capital improvements for water and sewer facilities as referenced within the Community Investment Plan of the Update to the Utility Master Plan as adopted by the Board of County Commissioners on 16 August 1996 or as modified by the Board of County Commissioners through the annual budget and Community Investment Program adoption process. Any modification to the "Water and Wastewater Master Plan Update," currently existing as individual Regional Service Area Water and Wastewater master Plan Updates, or to the geographic service areas to be serviced by water and/or sewer that will eliminate, defer, or modify funding or placement of improvements shall be implemented through an amendment to the Comprehensive Plan.

POLICY 4.205-A17: COMMUNITY INVESTMENT STRATEGY: As part of future updates to the Capital Improvement Element, Polk County shall identify and implement measures intended to encourage public and private investments in the Transit Supportive Development Area and the Transit Corridors and Centers Overlay. These measures should support redevelopment and revitalization of existing communities and may be included, but are not limited to, the siting of community facilities, reduced impact fees and an expedited review process for development.

POLICY 4.205-A18: ALTERNATIVE FUNDING TOOLS - Polk County shall consider the use of alternative methods for funding sources to encourage development and redevelopment within the Transit Supportive Development Area and Transit Corridors and Centers Overlay. Such sources may include, but are not limited to: improvement taxing districts, such as, Municipal Service Benefit Units (MSBU), Municipal Service Tax Unit (MSTU), Community Development Districts (CDD); state funding sources such as, Community Development Block Grants (CDBG); and public-private partnerships to establish redevelopment funds.

Restored “financially feasible” in Policy 4.206-A1

POLICY·4.206-A1:·Polk·County·shall·review·the·Capital·Improvements·Element,·which·includes·a·5-year·schedule·of·capital·improvements,·and·the·Community·Investment·Program·annually,·and·they·may·be·modified·as·follows:·¶

a. → The·Capital·Improvements·Element·shall·be·reviewed·on·an·annual·basis·and·modified·as·necessary·in·order·to·maintain·a·financially·feasible·5-year·schedule·of·capital·improvements.·¶

b. → Polk·County·adopts,·by·reference,·the·Capital·Improvement·Program's·Five-Year·Work·Plan·also·known·as·the·Community·Investment·Program·(CIP)·annually,·to·consider·the·need·for·the·location·of·public·facilities.·Pursuant·to·Florida·Statutes,·the·CIE·together·with·the·CIP·reflect·the·time,·location·and·funding·of·capital·projects·to·achieve·and·maintain·adopted·level·of·service·standards·for·public·facilities·that·are·necessary·to·implement·the·comprehensive·plan.·The·five-year·capital·improvements·schedule·shall·be·updated·by·separate·ordinance·and·may·not·be·deemed·an·amendment·to·the·comprehensive·plan.·¶

FloridaCommerce’s Comment 1: Consistency Throughout the Plan

The proposed amendment to Policy 2.125-A2 restricts specialized uses in areas designated as "Preservation" or "Conservation" and Policy 2.125-D1 introduces exceptions

for electrical substations in those same land use categories. However, Polk County's Comprehensive Plan does not currently contain a "Conservation" land use category within the Future Land Use Element. To avoid internal inconsistencies and ambiguities within the Plan, the County should use consistent terminology throughout the Plan and remove references to a Conservation land use category until it is formally adopted and defined.

Additionally, the proposed Sections 2.125-P and 2.125-Q intending to address Floating Solar Facilities and Reliable Fuel Sources for Public Utilities conflict with existing section identifiers already assigned to Solid Waste Management Facilities and Fuel Terminals within the Plan. To avoid confusion and ambiguity in the Plan, the numbering system for new sections should be revised to ensure unique and distinguishable policy identifiers.

Polk County's Response:
"and Conservation" was deleted from Policy 2.125-A1 and Policy 2.125-D1

The order of sections and subsequent objectives and policies were revised to ensure unique and distinguishable identifiers:

- SECTION 2.125-P FLOATING SOLAR FACILITY
- SECTION 2.125-Q SOLID WASTE MANAGEMENT FACILITIES.
- SECTION 2.125-R RELIABLE FUEL SOURCES FOR PUBLIC UTILITIES
- SECTION 2.125-S FUEL TERMINALS

Comment 2: Intergovernmental Coordination

FloridaCommerce recommends that Polk County coordinate with the South Florida Water Management District to address their August 24, 2025, correspondence.

Polk County's Response:
On October 12, 2025, Polk County responded directly to Mr. Germain at the South Florida Water Management District to inform him that Maps 14 and 15 are maps provided in the document titled LDCPAL-2025-4 EAR – Polk County EAR Memo. These two maps were provided as part of the data and analysis. These two maps display the current Wastewater and Water Service Areas. Mr. Germain's response to confirm that his comments have been resolved and attached to this response.

From:	Germain, Peter
To:	Bennett, Chanda
Subject:	[EXTERNAL]: RE: Polk County 2025-04 EAR Based Comprehensive Plan Text Amendment (LDCPAL-2025-4) - Historic and Septic to Sewer Comments Letter
Date:	Wednesday, October 22, 2025 10:09:08 AM
Attachments:	image003.png image004.png image005.png image006.png image007.png image008.png image010.png

Hi Chanda,

Your answer is acceptable and satisfies our question.

Best,

Peter Germain
Policy and Planning Analyst – Specialist
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road, West Palm Beach, FL 33406
Office: 561-682-6779 I pgermain@sfwmd.gov

From: Bennett, Chanda <ChandaBennett@polk-county.net>
Sent: Friday, October 17, 2025 3:44 PM
To: Germain, Peter <pgermain@sfwmd.gov>
Cc: Harris, Donna <donna.harris@commerce.fl.gov>; Jennifer Codo-Salisbury <jcodosalisbury@cfrpc.org>; james.golden@swfwmd.state.fl.us; Eric Raasch <eraasch@inspireplacemaking.com>
Subject: RE: Polk County 2025-04 EAR Based Comprehensive Plan Text Amendment (LDCPAL-2025-4) - Historic and Septic to Sewer Comments Letter

You don't often get email from chandabennett@polk-county.net. Learn why this is important

[Please remember, this is an external email]

Good afternoon:

I hope your week is going well. I wanted to touch base with you to see if you have had a chance to review my email response to your question.

Thanks

Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator
Office of Planning and Development | Land Development Division
Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005
P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

https://www.inspire-engagement.com/polk-county-comp-plan



From: Bennett, Chanda
Sent: Sunday, October 12, 2025 5:15 PM
To: Germain, Peter <pgermain@sfwmd.gov>; Bolton, Robert <robertbolton@polk-county.net>
Cc: Harris, Donna <donna.harris@commerce.fl.gov>; jcodosalisbury@cfrpc.org; james.golden@swfwmd.state.fl.us; Eric Raasch <eraasch@inspireplacemaking.com>

Subject: RE: Polk County 2025-04 EAR Based Comprehensive Plan Text Amendment (LDCPAL-2025-4) - Historic and Septic to Sewer Comments Letter

Mr. Germain:

Thank you for email and your review of our EAR based amendments. I am emailing you to respond to your request below.

South Florida Water Management District (District) Comment/Question:

1. Please clarify whether the two water service area maps (maps 14 and 15) are future or current.

Maps 14 and 15 are maps provided in the document titled LDCPAL-2025-4 EAR – Polk County EAR Memo. These two maps are provided as part of the data and analysis. These two maps display the current Wastewater and Water Service Areas.

Please let me know if satisfies your question.

Thanks
Chanda

Chanda Bennett, AICP, CPM, Comprehensive Planning Administrator
Office of Planning and Development | Land Development Division
Post Office Box 9005 | Drawer GM03 | 330 West Church St | Bartow, Florida 33813-9005
P-863.534.6484 | F-863.534.6021 | chandabennett@polk-county.net

https://www.inspire-engagement.com/polk-county-comp-plan



From: Germain, Peter <pgermain@sfwmd.gov>
Sent: Friday, August 22, 2025 3:20 PM
To: Bennett, Chanda <ChandaBennett@polk-county.net>; Bolton, Robert <robertbolton@polk-county.net>
Cc: Harris, Donna <donna.harris@commerce.fl.gov>; jcodosalisbury@cfrpc.org; james.golden@swfwmd.state.fl.us
Subject: [EXTERNAL]: Polk County 2025-04 EAR Based Comprehensive Plan Text Amendment (LDCPAL-2025-4) - Historic and Septic to Sewer Comments Letter

> Some people who received this message don't often get email from pgermain@sfwmd.gov. Learn why this is important

Dear Ms. Bennett:

The South Florida Water Management District (District) has completed its review of the Future Land Use Map amendment package LDCPAL-2025-4, submitted by Polk County (County). The package included changes to several policies per Florida Statue

163.3191, Evaluation and Appraisal Report (EAR), updates to the Historic Preservation policy, Historical Resources Map and updates to the Infrastructure Element for septic to sewer feasibility. The District provides the following comment under Section 163.3184(3)(g), Florida Statutes (F.S.).

The following comment should be addressed before final adoption of this amendment:

1. Please clarify whether the two water service area maps (maps 14 and 15) are future or current.

The District requests that the City forward a copy of the adopted amendments to the District at the following email account: SFLocalGovPlan@SFWMD.gov.
District staff are available to meet by teleconference or in person to go over the comment above and to discuss possible solutions and options to resolve the comment.

Please contact me if you have any questions or need additional information.

Best,

Peter Germain
Policy and Planning Analyst – Specialist
Water Supply Implementation Unit
South Florida Water Management District
3301 Gun Club Road, West Palm Beach, FL 33406

Office: 561-682-6779 I pgermain@sfwmd.gov

CHANDA BENNETT, AICP, CPM

Phone: (863) 534-6484
chandabennett@polk-county.net

P.O. Box 9005, Drawer 9005
Bartow, Fl 33831

EDUCATION

MS Florida State University, Urban and Regional Planning — December 1994
Studio: "Gaines Street Pedestrian Corridor Design Study "
Advisor: Dr. Haight

BS Florida State University, Interdisciplinary Social Sciences — May 1993
Graduated Summa Cum Laude
Minored in Mathematics

EMPLOYMENT

Comprehensive Planning Administrator, Land Development 2020-present
Supervise Comprehensive Planning Unit, Comprehensive Plan Map and Text Amendments, special studies, City Community Redevelopment Areas (CRA), Joint Panning Agreements, and strategic land use analysis

Comprehensive Planning Administrator, Long Range Planning 2011 to 2020

Principal Planner, Long Range Planning 2006 to 2011

Senior Planner, Planner III, Planner II, Planning Division 1996 to 2006
Developments of Regional Impact (DRI) Coordinator, CRA review management, Selected Area Plan (SAP) preparations and review, site plan review, Planned Development and zoning change preparations

Planner II, Housing and Community Development 1995 to 1996
Redevelopment Plan for Eloise, assisted with Consolidated Plan for Community Development Block Grant funds, grant eligibility determinations, managing citizen and housing advisory committees

HONORS AND AWARDS

Polk Vision Leadership Alumni 2017
Lake Wales Leadership Alumni 2016
Certified Public Manager, FSU 2008
Richard Coleman Conservation Award, Sierra Club, Fl Chapter, Polk Group 2003

PRESENTATIONS AND INVITED LECTURES

Workshop, "Got Planning" Florida American Planning Association Conference, Sept. 2018
Keynote Address, "Census" Bartow Rotary, January 2020
Workshop, "Low Impact Design," Water School, March 2018.

PROFESSIONAL TRAINING AND SERVICE

AICP Continuing Education Credits
American Institute of Certified Planning, 32 Credits per two years

Florida American Planning Association
FAPA Annual Conference Co-Chair, 2007

PROFESSIONAL AFFILIATIONS

American Planning Association, 1997-Present
Florida American Planning Association (FAPA), 1997-Present
Heart of Florida Section, FAPA, 1997-Present

COMMUNITY SERVICE

Lake Wales Heritage
Volunteer, 2022

Ridge Rangers, The Nature Conservancy, Florida Fish and Wildlife
Volunteer, Polk County and Lake McLeod Preserve, 1997 to 2014

COMPUTER SKILLS

MS Word, Excel, Power Point, Smart Draw, Accela, Minute Traq, ESRI Data Viewers

Polk County

Board of County Commissioners

Agenda Item N.2. 11/4/2025

SUBJECT

Public Hearing (LDCPAS-2025-21 Old Tampa HWY CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 2.5 acres of a 2.87 acres +/- parcel from Residential Low (RL-4) to Industrial (IND). (No Fiscal Impact)

DESCRIPTION

This is an applicant-initiated Small-Scale Comprehensive Plan Map Amendment for property located south of New Tampa Highway, east of Airport Road, west of Wabash Avenue, and north of Wilkinson Road, west of the Lakeland city limits, in Sections 21, Township 28, and Range 23.

State law requires one Planning Commission hearing, which was held on October 1st, 2025, with a recommendation for approval (7:0).

Section 163.3187, Florida Statutes require the local governing board to take action on the proposed amendment.

RECOMMENDATION

Adopt

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Johnathan (JP) Sims, MPA

Planner II

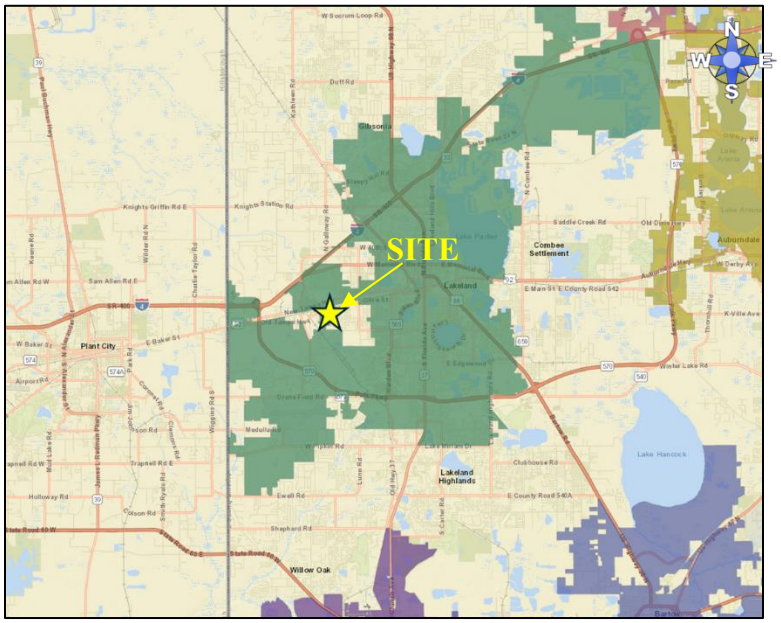
Land Development Division

(863) 534-7515

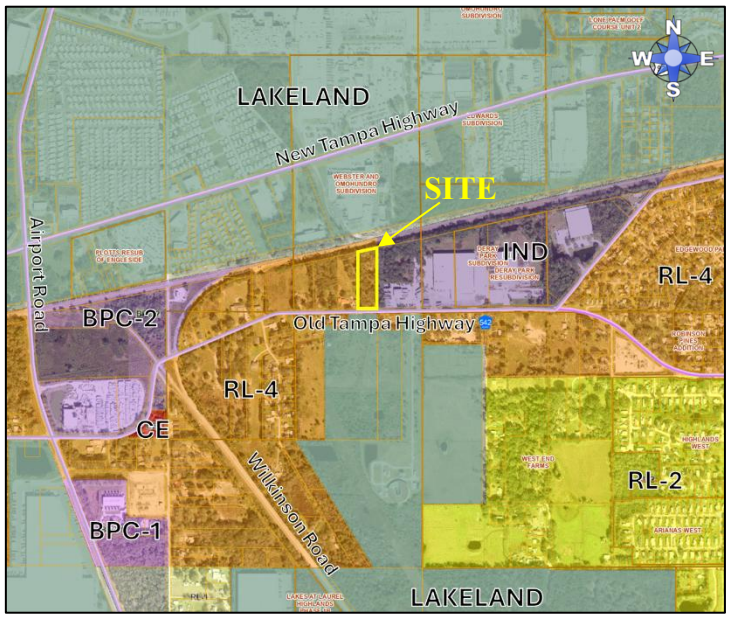
johnathansims@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

ID #:	**119**
DRC Date:	July 31st, 2025
Planning Commission Date:	October 1st, 2025
BoCC Dates:	November 4th, 2025
Applicant:	Anderson Noel
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-21 ECP Small Scale CPA
Request:	Small Scale Comprehensive Plan map amendment from Residential Low (RL-4) to Industrial (IND) on 2.5 of a 2.87 +/- acre parcel.
Location:	South of New Tampa Highway, east of Airport Road, north of Wilkinson Road, west of Wabash Avenue South, and west of Lakeland City, in Section 21, Township 28, Range 23.
Property Owner:	Big Fish 1 INC
Parcels Size:	± 2.5 of 2.87 acres (23-28-21-090500-000401)
Development Area/Overlays:	Transit Supportive Development Area (TSDA)
Future Land Use:	Residential Low (RL-4)
Nearest Municipality	Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Approval (7-0)
Case Planner:	Johnathan (JP) Sims, Planner II



Location



Current Land Use Map

Summary

The applicant, Anderson Noel, of Big Fish 1 Incorporated, is requesting a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Residential Low (RL) to Industrial (IND) on 2.5 acres of a 2.87-acre parcel of property in the Transit Supportive Development Area (TSDA), and TCCO Corridor. Applicant's original request was to convert the entire site to IND, but staff is only recommending approval up until the creek that runs through the southwest corner of the parcel. Site is located south of New Tampa Highway, west of Wabash Avenue, east of Airport Road, and north of Wilkinson Road, south of Lakeland city limits, in Sections 21, Township 28, and Range 23.

Compatibility Summary

This request will be compatible with the surrounding area as County Road 542 (Old Tampa Highway) is an Urban Major Collector, which promotes a diverse range of uses. It has Residential Low (RL) abutting the subject site to the west, while north and south are CITY land uses with Lakeland, and east is Industrial (IND). Subject site is currently undeveloped. The Industrial site to the east is a Truck Repair Shop. To the west is a single-family home. The Publix Bakery Factory is to the north of the subject site across a CSX rail line, and to the south is a government building.

Infrastructure Summary

The subject site is within the Lakeland Utilities Service Area for both water and sewer. This was confirmed by the Utilities GIS. The road with access, County Road 542 (Old Tampa Highway), is an Urban Major Collector maintained by Polk County, where there is available capacity with close proximity to US Highway 92 (New Tampa Highway). Mass transit is available in the area with the Lemon Line from Citrus Connection on New Tampa Highway with a stop to the west of the site on Airport Road. Public safety response times are normal for this part of the County, and school capacity should not be an issue in the future as the applicant is looking to a commercial business. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is Walker Road Park 1.1 miles north of the site, and the nearest regional Park is Bonnet Springs Park 2.5 miles to the northeast of the subject site. The soil type for the site is 76.7% Pomona fine sand and 23.3% Myakka-Immokolee-Urban land complex. There are no wetlands or flood zone on site, but there is a creek that runs through the southwest corner of the parcel. The Industrial usage will not be able to cross that creek, but will act as a natural buffer for the residential to the west.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.104(A1-A7): Transit Supportive Development Area (TSDA)
- Policy 2.113A (A1-A5): Industrial (IND)

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Residential Low (RL-4) to Industrial (IND).

- The subject site is adjacent to a CSX rail line on the north side of the property and abutting Industrial uses to the east.

- The Publix Bakery warehouse is to the north of the subject site across the rail line.

- Applicant's original request was to convert the entire parcel site to IND, but staff is only recommending approval up until the creek that runs through the southwest corner of the parcel as demonstrated in exhibits.

Compatibility

- The existing uses surrounding the site are:
    - North – CITY; Publix Bakery warehouse
    - West – RL-4; single family residential, south of the floodway and vacant on the north end of the parcel.
    - East – IND; Truck Repair shop
    - South – CITY; WRF Government building

Infrastructure

- The zoned schools for the site are Jesse Keene Elementary, Sleepy Hill Middle, and Kathleen Senior High School.

- Polk County Fire Rescue Station 24 will be the response unit for fire and EMS for this site. It is located at 1140 North Galloway Road in Lakeland, with an approximate travel distance of 3 miles.

- The subject site is within the Sheriff Department's Southwest District. The Southwest District Office is located at 4120 US Highway 98 South in Lakeland.

- The subject site is within the Lakeland Utilities Service Area for both water and sewer.

- Closest sidewalk connection to the site is along US 92 0.2 miles to the north.

- The closest mass transit route is the Lemon Line with Citrus Connection. The closest bus stop to the subject site is Stop 1400 on Old Tampa Highway, west of the Airport Road intersection.

- The nearest neighborhood park is Walker Road Park 1.1 miles north of the site, and the nearest regional Park is Bonnet Springs Park 2.5 miles to the northeast of the subject site.

Environmental

- The subject site is relatively flat with a high elevation of 133 feet on the north side of the site along the rail line and a low of 125 feet in the center of the site.

- There is no flood zone on site, but there is a small wetlands creek that acts as a flood way that runs through the southwest corner of the parent tract.

- The soil type for the site is 76.7% Pomona fine sand and 23.3% Myakka-Immokolee-Urban land complex.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are no wells on the subject site and it is not located in a wellfield.

- The site is within an Airport Impact District for Lakeland Linder Airport.

- On the Polk Green Map, site does show in the Potential Network Connection. Site does not reside within a Conservation Easement Area.

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 2.104-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;

- POLICY 2.104-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map TSDAs for those areas of the County meeting the general characteristics of this Section 2.104.

- POLICY 2.104-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria

    - ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.
    - RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts.
    - OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation.

    - Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in the definitions in Section 2.109.

- POLICY 2.104-A4: OVERLAY DISTRICTS - All overlay Districts shall be permitted within TSDAs and UGAs in accordance with applicable criteria.

- 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:

    - provide access to transit facilities;
    - connect to centralized potable water and sanitary sewer systems;
    - incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
    - implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
    - integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings;
    - 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);
    - have access to public schools;
    - provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas.
    - 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 2.104-A6: GENERAL INCENTIVES - Polk County shall encourage and promote compact, mixed-use by allowing:

    - increased densities and intensities within the Transit Corridors and Centers Overlay District subject to Policy 2.104-A7; and
    - increased densities for affordable or workforce housing subject to Policy 2.104-A7.

- 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:

    - Transit Corridor - an area within ¼ mile of fixed route transit service;
    - Transit Center - an area within a one mile radius of the point of access for transit services; and

- Transit Center Core - an area within ¼ mile of the point of access for transit services.
- Maximum densities are established within the TSDA and the respective components of the Transit Corridors and Centers Overlay as listed in Table 2.104.1. The maximum densities 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 2.104.1 also includes recommended minimum densities to support future investments in public transportation. These recommended minimum densities may be required under the Land Development Code to coincide with planned public or private sector transit investments. Residential projects with less than the recommended minimum density 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).

- 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-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; or3.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-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an Industrial may include the following uses: Office, Self-storage Facilities, Medium and High-Density Residential, Institutional, or Open Space.

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 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 Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-21.**

Planning Commission Recommendation: On October 1st, 2025, in an advertised public hearing, the Planning Commission voted 7:0 to **recommend APPROVAL of LDCPAS-2025-21.**

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: *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*.

Analysis

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses
Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest CITY; Publix Training Center	**North** CITY; Publix Bakery	**Northeast** CITY; Vacant Industrial
West RL-4; Single-family residential	**Subject Site** RL-4; vacant	**East** IND; Diesel Repair shop
Southwest RL-4; single family residenial	**South** CITY; government building	**Southeast** RL-4; single family residential

Source: Polk County Geographical Information System and site visit by County staff

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 purpose of TSDA's is to serve as a foundation from which a future urban pattern is established, and to provide areas for development at urban densities and intensities. TSDA's are areas within the County that, at a minimum, are currently served, or are programmed within the applicable Comprehensive Plan Capital Improvement Program to be served within the next ten years by County owned, municipal, or County franchised central sanitary sewage and potable water systems. TSDA's are also supported by, or programmed to be supported by, other services typically found to accompany urban development such as public safety services, an urban road network, and developed parks.

The request is a Future Land Use designation that is compatible with the surrounding area. In Section 2.113-A of the Comprehensive Plan, Industrial is allowed within the TSDA, and it can include many different types of non-residential developments. The area of the parcel not being changed is on the southwest side of an existing creek that acts as a flood way, that bifurcates the

parcel, and staff is not recommending the Industrial to extend past the natural environmental buffer. This will ensure that there is adequate buffering for the residential use to the west of the subject site. On the parcel with the single family residence, the northern part of the parcel is vacant, as the house was built south of the flood way.

B. Infrastructure

The subject site is within the Lakeland Utilities Service Area for both water and sewer. The Utilities GIS confirms that the water lines surround the subject site along Old Tampa Highway. The parcel accesses onto County Road 542 (Old Tampa Highway), an Urban Collector, that connects to County Line Road, an Urban Collector. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. While there is capacity within the schools, this site is not expected to develop residentially, so impact will not be a factor. The request is compatible with the available infrastructure.

Nearest 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. However, this site is expected to develop industrial, so no student generation should occur.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2023-2024 School Year	Average driving distance from subject site
Jesse Keen Elementary School	**0 student**	**100%**	**1.6 miles**
Sleepy Hill Middle School	**0 student**	**99%**	**6.5 miles**
Kathleen Senior High School	**0 student**	**69%**	**2.9 miles**

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

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays 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.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	**Southwest District Command Unit (**4120 US Highway 98 South, Lakeland, FL)	18.1 +/- miles Priority 1 – 8:49 Priority 2 – 26:26
Fire/ EMS	**Station #24** (1140 N Galloway Rd, Lakeland)	3 +/- miles

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

Water and Wastewater

A. Estimated Demand

The subject site is within the City of Lakeland's Utility Service Area for potable water and sewer. The proposed IND would potentially use more water and wastewater than the current land use of RL-4 if built out to maximum developable allowance.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use RL-4**	**Maximum Allowable in Proposed IND**
2.5 +/-acres **108,900 sq ft**	**2.5 acres X 4 du/ac = 10 du**	**2.5 +/- acres = 108,900 sq ft** **X 0.70 FAR = 76,230 sq ft**
Potable Water Consumption	**10 du X 360 GPD =** **3,600 GPD**	**76,230 sq ft X 0.24 GPD =** **18,295 GPD**
Wastewater Generation	**10 du X 270 GPD =** **2,700 GPD**	**18,295 GPD X 80% =** **14,636 GPD**

Source: Concurrency Manual: RL-4 uses Single Family Home for concurrency with 360 GPD for water and 270 GPD for sewer. IND uses Warehousing as most common use with 0.24 GPD per sq ft and 80% of water use for sewer use.

B. Service Provider

The subject site is within the City of Lakeland's Utility Service Area for water and sewer. There is a Distribution Main Line for water that runs west to east along Old Tampa Highway, which is south of the subject site. There are wastewater lines that appear on the Utilities GIS, and the Impact Assessment Statement provided by the applicant indicates it will use pre-existing wastewater lines being used by the development on site that run along the east side of the site.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by City of Lakeland Utilities.

D. Planned Improvements

There are no improvements planned at this time.

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 Future Land Use change may result in higher trips.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use RL-4**	**Maximum Allowable in Proposed IND**
2.5 +/-acres **108,900 sq ft**	**2.5 +/- acres X 4 du/ac = 10 du**	**2.5 +/- acres = = 108,900 sq ft** **X 0.70 FAR = 76,230 sq ft / 1000 = 76 sq ft**
Average Annual	**10 du X 7.81 AADT =** **78 Trips (100% New Trips)**	**76 sq ft X 1.71 AADT =** **120 Trips (92% New Trips)**
PM Peak	**10 du X 1 PM Peak =** **10 Trips (100% New Trips)**	**76 sq ft X 0.18 PM Peak =** **13 Trips (92% New Trips)**

Source: Concurrency Manual and Table for Minor Traffic Study –Single Family Housing at 7.81 AADT and 1 PM Peak for RL-4, and Warehousing LDA at 1.71 AADT and 0.18 Peak Hours (92% new trips).

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a non-residential development. There is currently nothing developed on the site. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

Table 6

Link #	**Road Name**	**Current LOS**	**Available Capacity**	**Minimum LOS Standard**	**Projected Five Year LOS**
4047E	CR 542 (OLD TAMPA HWY) – COUNTY LINE ROAD TO WABASH AVE	C	553	E	C
4047W		C	549	E	C
5301E	US 92 (NEW TAMPA HWY) - SR 572 (AIRPORT ROAD) TO WABASH AVE	C	168	D	C
5301W		C	196	D	C

Source: Polk Transportation Planning Organization, Roadway network Database 2025

C. Roadway Conditions

Old Tampa Highway is an Urban Major Collector with available capacity in both directions showing in Fair Condition. US Highway 92 is maintained by the state so conditions are not tracked by Polk County. Access to this site is dictated by a pre-existing driveway on the southeast corner, on the east side of a bridge that crosses the creek. 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. Sidewalk Network

There are no sidewalks running west to east along Old Tampa Highway, and the closest sidewalk connection is on US 92 at the intersection of Airport Road.

E. Planned Improvements:

There are currently no planned County improvements along any of the traffic links.

F. Mass Transit

The closest mass transit route is the Lemon Line with Citrus Connection, with the closest stop being Stop 1400 on Old Tampa Highway on the west side of Airport Road.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Walker Road Park 1.4 miles north of the site, and the nearest regional Park is Bonnet Springs Park 2.5 miles to the northeast of the subject site.

B. Services:

Walker Road Park has a 1.1. mile walking trail, as well as four softball and two multi-purpose fields. You will also find a playground, a nature trail, restrooms and picnic tables. Bonnet Springs Park has a variety of uses, including playgrounds, hiking trails, a museum, open pavilions, cafes, and a boardwalk.

C. Multi-use Trails:

The closest free hiking trail is in Bonnet Springs, 2.5 miles to the northeast of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site is the Tenoroc Fish Management Area which is 5.23 +/- miles to the northeast 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

A. Surface Water:

There is no surface water on the subject site, but there is a wetland creek that runs along the southwest corner. On the Polk Green Map, site does show in the Potential Network Connection. Site does not reside within a Conservation Easement Area. The site is almost flat with a low of 125 feet in the center with the land rising to a high of 133 feet on the north side along the CSX rail line.

B. Wetlands/Floodplains:

The subject site's parent tract has a flood way creek that runs through the southwest corner of the property. Development on this site will not be allowed to encroach upon that. This creek forces access to be taken on the southeast corner of the property, on the east side of a bridge on Old Tampa Highway.

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 soil is a mix of Pomona fine sand and Myakka-Immokolee-Urban land complex. Both of which are not ideal for construction that requires putting anything below ground.

Table 8

Soil Name	**Septic Tank Absorption Field Limitations**	**Limitations to Dwellings w/o Basements**	**% of Site** *(approximate)*
Pomona fine sand (7)	Severe: wetness, percs slowly	Severe: wetness	76.7%
Myakka-Immokolee-Urban land complex (53)	Severe: wetness, poor filter	Severe: wetness	23.3%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service.

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)

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 sewer from City of Lakeland Utilities. The closest Well site is 0.23 miles to the north of the subject site.

G. Airports:

The site is within an Airport Impact District for Lakeland Linder Regional Airport.

Economic Factors:

There are no known economic factors that would impact the development of this site.

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 and Land Development Code

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. Industrial to the east and a Publix warehouse to the north, with a CSX rail line abutting the site to the north help with compatibility. The single-family residence to the west will be sufficiently buffered from the IND use since the IND use will not extend beyond the flood way creek that bifurcates the parcel on the southwest corner.
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 home to the west, with commercial uses to the east, south, and north. City of Lakeland Utilities are available in this area for water and wastewater. This request is consistent with this policy.

Comprehensive Plan Policy	Consistency Analysis
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.	
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.	The timing is consistent with the growth in the area as the surrounding sites to the north, east, and south are already being used for commercial purposes. There is ample connectivity to water and electricity. Fire is close by with low response times, while Sheriff is close enough to not be an issue. Site will not generate students so schools will be unaffected. The overall parcel does not contain wetlands or floodplains, but there is a creek that runs through the southwest corner of the site. The site is currently undeveloped.
• POLICY 2.104-A1: DESCRIPTION - Transit Supportive Development Areas shall meet the following criteria: o 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;	Industrial is an allowable use in the TSDA. There is ample infrastructure available in the area to support this land use with connections to water and sewer connections through City of Lakeland. The closest sidewalk connection is to the north of the subject site along New Tampa Highway. Old Tampa Highway is an Urban Major Collector Road with available capacity. There are emergency services, parks, education, mass transit, and industrial development close by abutting to the east. The

Comprehensive Plan Policy	Consistency Analysis
o b.be supported by existing or planned urban type services that are programmed or expected for the 10-year planning horizon; o 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; o 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; • POLICY 2.104-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map TSDAs for those areas of the County meeting the general characteristics of this Section 2.104. • POLICY 2.104-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria o ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers. o RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts. o OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation. o Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in the definitions in Section 2.109. • POLICY 2.104-A4: OVERLAY DISTRICTS - All overlay Districts shall be permitted within TSDAs and UGAs in accordance with applicable criteria.	subject site sits within the Transit Corridor which allows for higher density developments.

Comprehensive Plan Policy	Consistency Analysis
• 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: o provide access to transit facilities; o connect to centralized potable water and sanitary sewer systems; o incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element; o implement "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element; o integrate pedestrian-oriented features, including sidewalks, trails or walkways into every development including appropriate pedestrian shelters or awnings; o provide access to civic space, parks, green areas, and open space and other amenities; o g.be supported by public safety (i.e., fire, EMS and law enforcement); o have access to public schools; o provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas. o 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 2.104-A6: GENERAL INCENTIVES - Polk County shall encourage and promote compact, mixed-use by allowing: o increased densities and intensities within the Transit Corridors and Centers Overlay District subject to Policy 2.104-A7; and o increased densities for affordable or workforce housing subject to Policy 2.104-A7. • POLICY 2.104-A7: DENSITIES AND INTENSITIES - To promote energy efficient land use patterns and compact mixed-use development, the	

Comprehensive Plan Policy	Consistency Analysis
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: o Transit Corridor - an area within ¼ mile of fixed route transit service; o Transit Center - an area within a one mile radius of the point of access for transit services; and o Transit Center Core - an area within ¼ mile of the point of access for transit services. o Maximum densities are established within the TSDA and the respective components of the Transit Corridors and Centers Overlay as listed in Table 2.104.1. The maximum densities 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 2.104.1 also includes recommended minimum densities to support future investments in public transportation. These recommended minimum densities may be required under the Land Development Code to coincide with planned public or private sector transit investments. Residential projects with less than the recommended minimum density 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).	
• 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	The subject site is currently designated as Residential Low (RL-4), which is also an allowable use in the TSDA and abuts appropriate land uses. The site is currently undeveloped, and has a single-family residential home to the west. Commercial uses are abutting the site to the north and east, with a government building to the south. A CSX rail line abuts the site on the north side.

Comprehensive Plan Policy	Consistency Analysis
significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product. • 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: o 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. o b. Accessibility to major air and ground transportation, including but not limited to arterial roadways, rail lines, and cargo airport terminals. o c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10. o d. Industrial facilities should group together in planned industrial districts on sites capable of being expanded and developed in stages. o 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. o 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; or3.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. o 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: o a. Permitted uses include facilities for the processing, fabrication, manufacturing, recycling, bulk	The applicant has indicated that their desire to change the site to IND stems from wanting to construct a vehicle repair shop on site, which is a Permitted use. Old Tampa Highway is an Urban Major Collector, which is appropriate for IND to access onto. Site abuts IND use to the east. Single family, low density Residential to the west is the only caveat to this site being converted.

Comprehensive Plan Policy	Consistency Analysis
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. o 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. o 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. o 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. o 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. o 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. o 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.	

Comprehensive Plan Policy	Consistency Analysis
o 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. o 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-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an Industrial may include the following uses: Office, Self-storage Facilities, Medium and High-Density Residential, Institutional, or Open Space.	
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; nor3.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-B3: LAND-DEVELOPMENT REGULATIONS - Polk County shall implement the land development standards adopted in the Land Development Code for establishing standards and procedures to: a.provide for construction techniques which protect the planned and existing development from flood hazards, and maintain the floodplain's natural flow functions;b.control unnecessary project-related site alteration, erosion, sedimentation, and storm-water	The extension of IND to not cross over the flood way on site is to ensure protection of the natural functions of the creek. Per the concept site plan, development is to take place exclusively east of the flood way on site.

Comprehensive Plan Policy	Consistency Analysis
runoff;c.prohibit development activities that are incompatible with the Special Flood Hazard Area unless acceptable mitigation techniques are utilized, which may include utilizing FDEP's Florida Development Manual or the applicable water management district's mitigation standards;d.require that all permits for an agency with jurisdiction (i.e. U. S. Corps of Engineers, Water Management Districts, Florida Department of Environmental Protection, etc.) be approved prior to, or concurrently with, the County issuing a final development order; ande.provide development criteria for riverine, lake and other floodplains to specifically address encroachment and buffering. POLICY 2.307-A1: The Polk County Engineer shall prioritize floodplains associated with watercourses, based on the floodplains' development potential, and shall routinely perform hydrologic studies of selected floodplains to determine floodplain and floodway limits. The results of these studies shall be submitted to FEMA for review and revision of existing FIRM and floodway maps. POLICY 2.307-A2: Polk County shall continue to enforce floodplain regulations to ensure the protection of floodplains' natural functions. POLICY 2.307-A3: Polk County shall require that new development in the form of structures and structural improvements be placed one foot or more above the 100-year flood elevation. POLICY 2.307-A4: Polk County shall continue to request inclusion of County public lakes in SWFWMD's Minimum Flows and Lake Levels Project. POLICY 2.307-A5: Development within floodplains shall be limited in accordance to the policies stated in the Future Land Use Element "Floodplain-Protection Areas" Section 2.123-B.	

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 and it is permitted in the designated area. 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

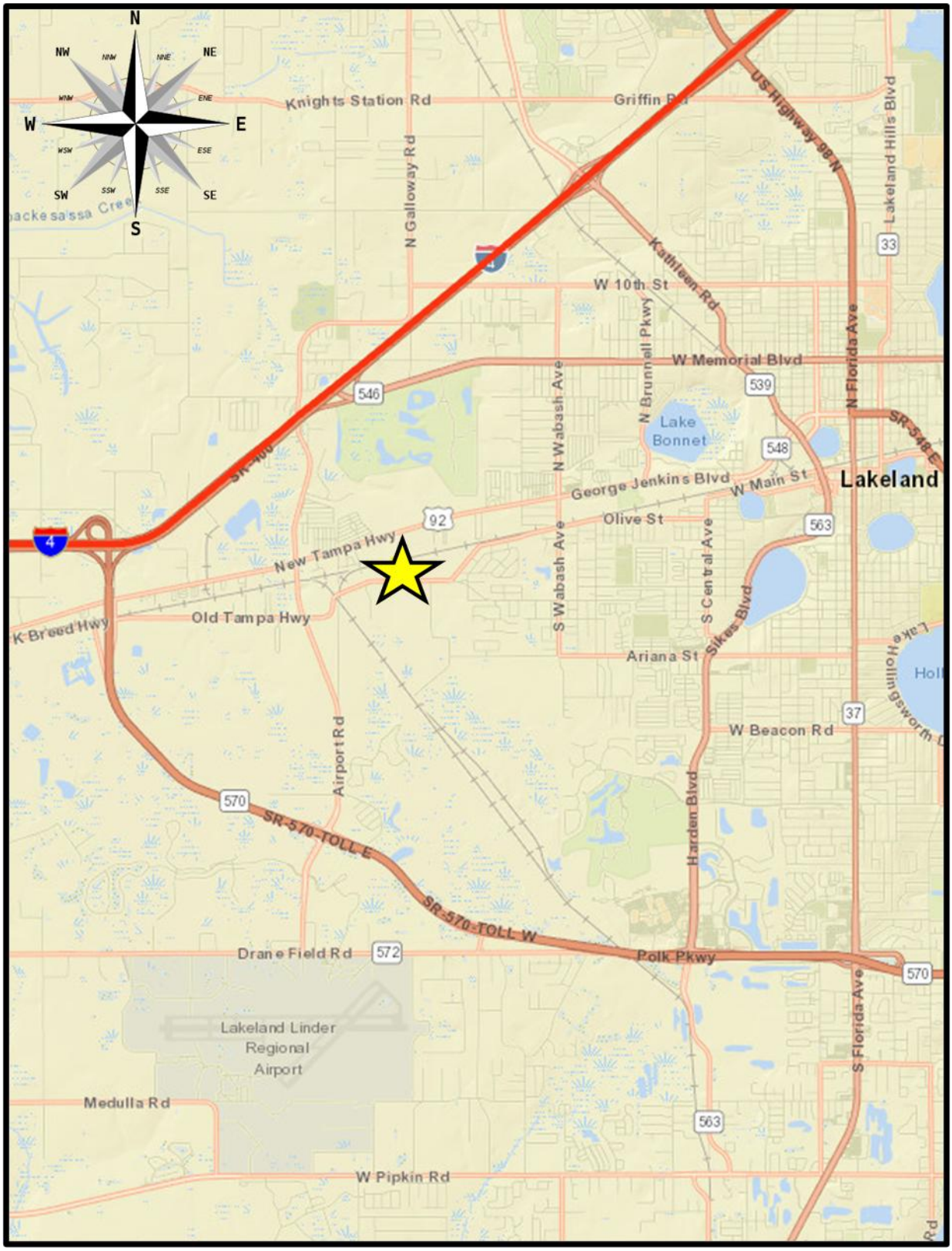
Comments from other agencies

No comments

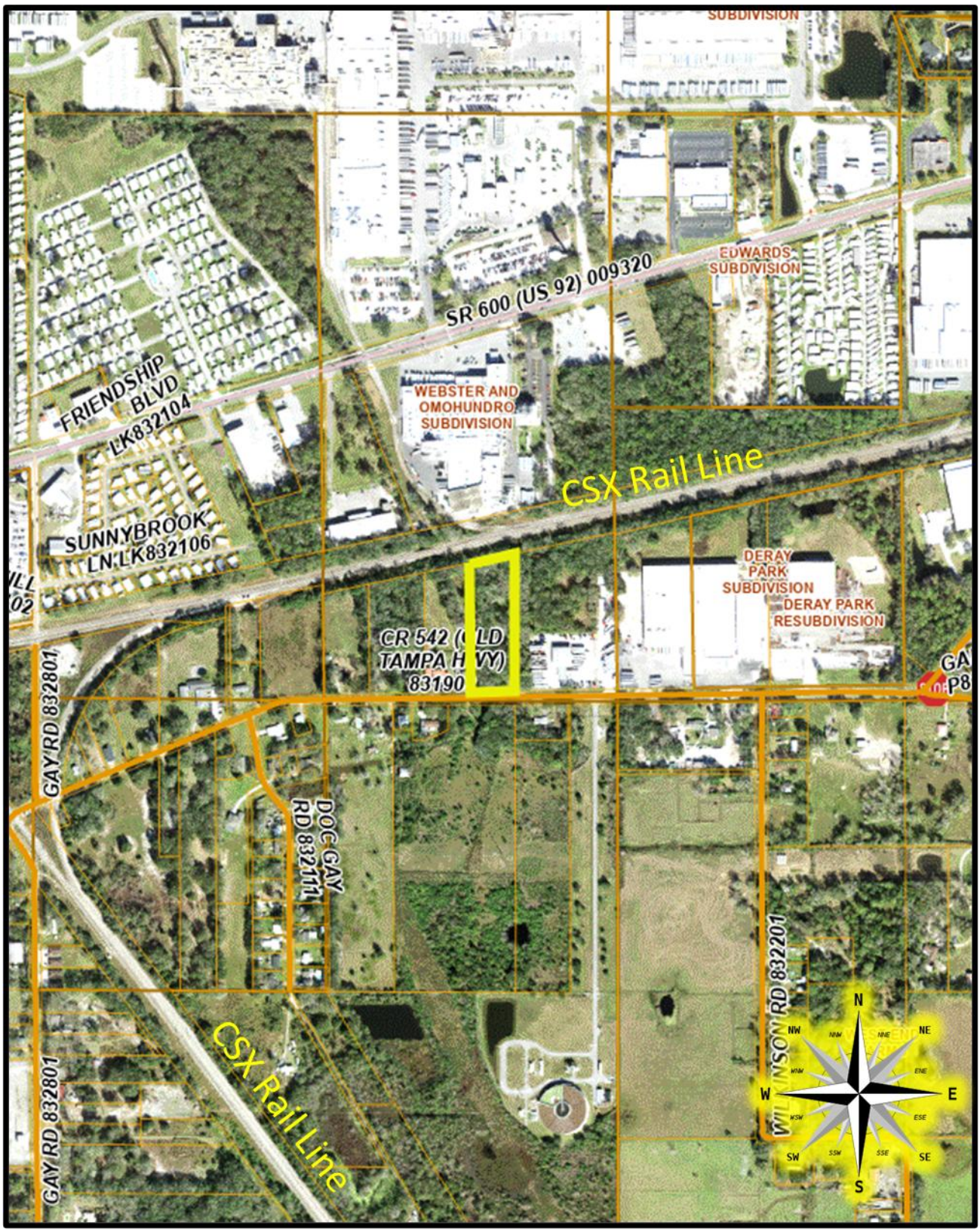
Exhibits:

Exhibit 1 Location Map
Exhibit 2 2023 Aerial Context Map
Exhibit 3 2023 Aerial Close Up
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6 IND Permitted and Conditional Uses
Exhibit 7 Concept Site Plan

Applicant's submitted documents and ordinance as separate files



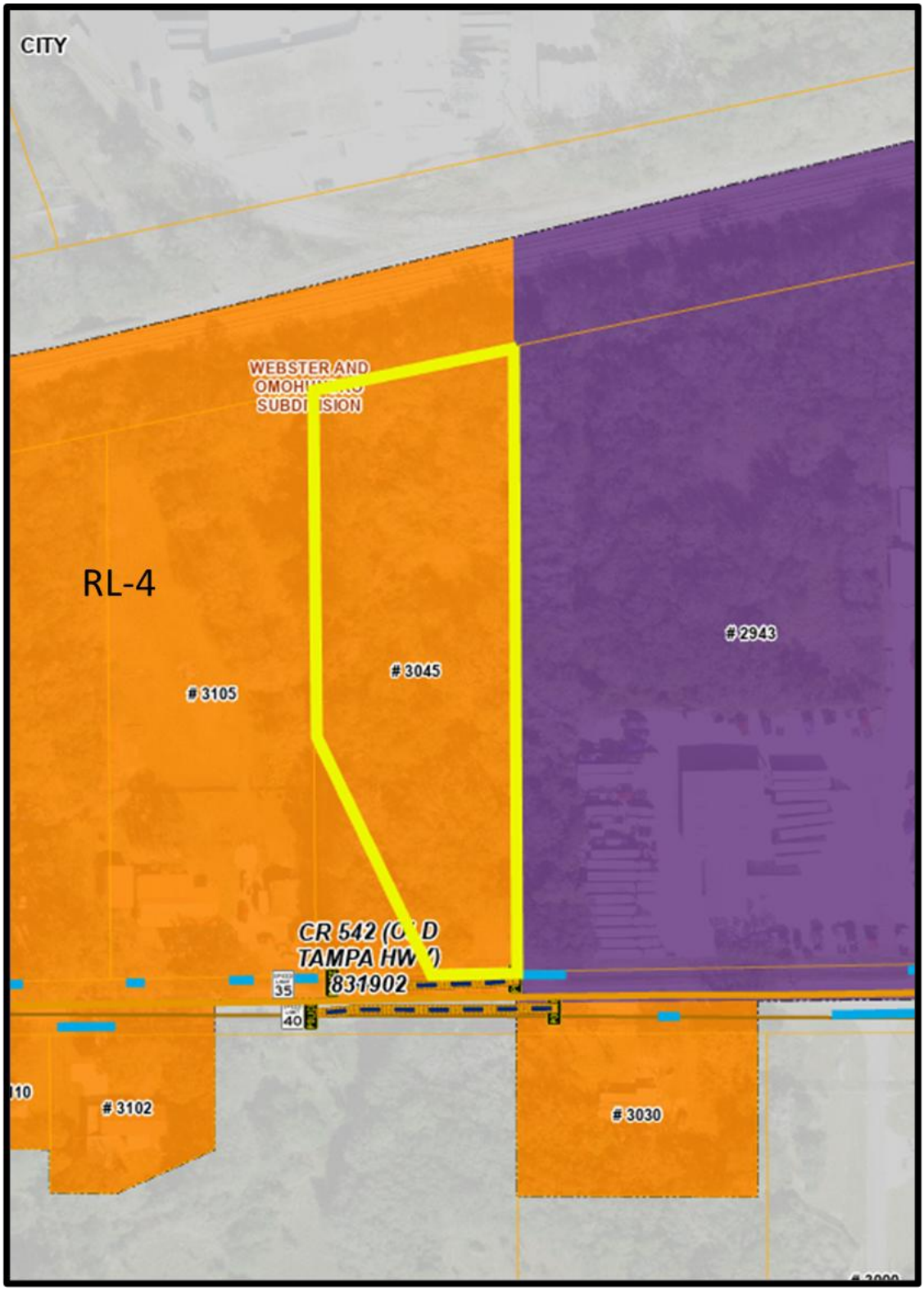
LOCATION MAP



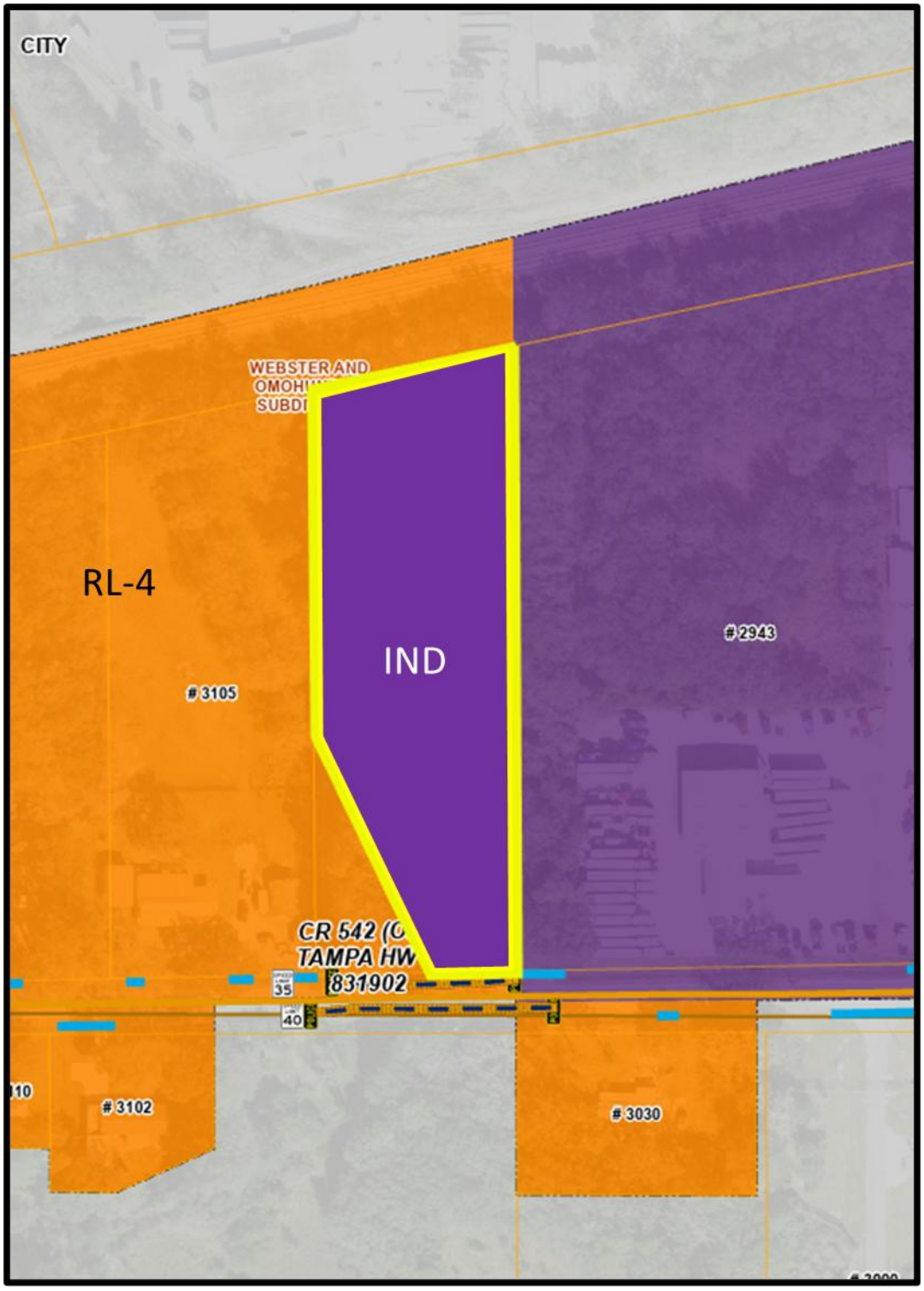
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Residential Low (RL-4)

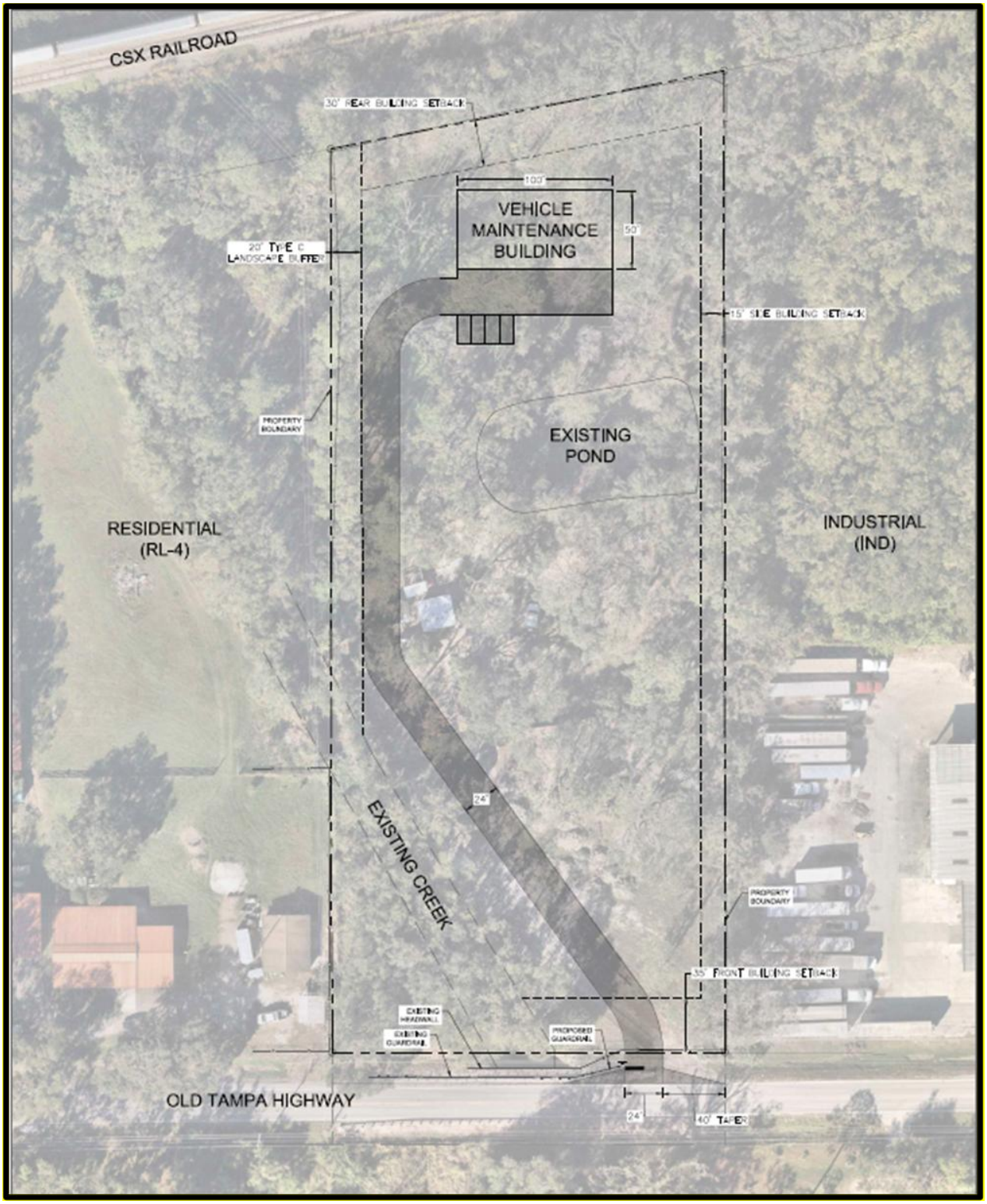


PROPOSED FLUM
Industrial (IND)

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, Heavy Machinery Equipment Sales and Services, Kennels- Boarding and Breeding, Livestock Sale- Auction, Manufacturing- Explosives/ Volatile Material, Manufacturing- General, Manufacturing- Light, Motor Freight Terminal, Nurseries and Greenhouses, Office, Personal Service, Printing & Publishing, Research & Development, School- Technical/Vocational/Trade & Training, Studio- Production, Transit- Commercial, Transit- Facility, Utilities- Class I, Utilities- Class II, Vehicle Repair- Auto Body, Vehicle Service- Mechanical, Warehousing/Distribution	Alcohol Package Sales, Bars- Lounges- and Taverns, Golf Course, Recreation- Passive, Farm Worker Dormitory- Barrack Style, Breeding- Boarding- and Rehabilitation Facility- Wild or Exotic, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Convenience Stores- Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Heliports, Helistops, Hotels and Motels, Medical Marijuana Dispensaries, Nurseries- Retail, Recreational 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., Self-storage Facility, Solar Electric-Power Generation Facility, Utilities- Class III, Vehicle Recovery Service/Agency, Veterinary Service	Planned Development, Construction Aggregate Processing, Construction Aggregate Storage, Lime Stabilization Facility, Mining- Non-phosphate, Railroad Yard, Retail- More than 65-000 sq. ft., Salvage Yard, School- Leisure/Special Interest, School- University/College, Seaplane Base, Water Ski Schools, Airport, Hazardous Waste Transfer- Storage, Power Plants- Non-Certified- High, Power Plants Non-Certified- Low

Industrial (IND)

PERMITTED AND CONDITIONAL USES



CONCEPT SITE PLAN

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-21;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 2.5 ACRES OF A 2.87 ACRES PARCEL FROM RESIDENTIAL LOW (RL) TO INDUSTRIAL (IND), IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA). THE SUBJECT SITE IS LOCATED SOUTH OF NEW TAMPA HIGHWAY, EAST OF AIRPORT ROAD, WEST OF WABASH AVENUE, NORTH OF WILKINSON ROAD, AND SOUTH OF THE CITY LIMITS OF LAKELAND, IN SECTION 21, TOWNSHIP 28, 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 October 1st, 2025; 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 November 4th, 2025; 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 2: 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 +/- 2.5 acres of a 2.87 acres parent site from Residential Low (RL) to Industrial (IND), in the Transit Supportive Development Area (TSDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

PARCEL # 232821-090500-000401

Commence at the Southeast corner of the Southeast ¼ of the Northeast ¼ of Section 21, Township 28S, Range 23E; thence run North along the east line of said the Southeast ¼ of the Northeast ¼ of said Section 2, a distance of 55 feet to a point north of the right-of-way of Old Tampa Highway; thence West along the North right-of-way line of Old Tampa Highway, a distance of 462 feet to the Point of Beginning; thence continue West for a distance of 205.2 feet; thence North for a distance of 589 feet; thence East along the South right-of-way line of CSX Railroad, for a distance of 209.29 feet; thence South for a distance of 628.03 feet to the Point of Beginning.

Contains: 2.87 Acres More or Less.

Less and Except:

A portion of the Southeast ¼ of the Northeast ¼ of Section 21, Township 28S, Range 23E, Polk County, Florida, being more particularly described as follows:

Commence at the Southeast corner of the Southeast ¼ of the Northeast ¼ of Section 21, Township 28S, Range 23E; thence run North along the east line of said the Southeast ¼ of the Northeast ¼ of said Section 2, a distance of 55 feet to a point north of the right-of-way of Old Tampa Highway; thence West along the North right-of-way line of Old Tampa Highway, a distance of 552 feet to the Point of Beginning; thence continue West

for a distance of 115 feet; thence North for a distance of 237 feet; thence Southeast for a distance of 262 feet to the Point of Beginning.

Contains: 0.31 Acres More or Less.

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 December 5th, 2025 (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.

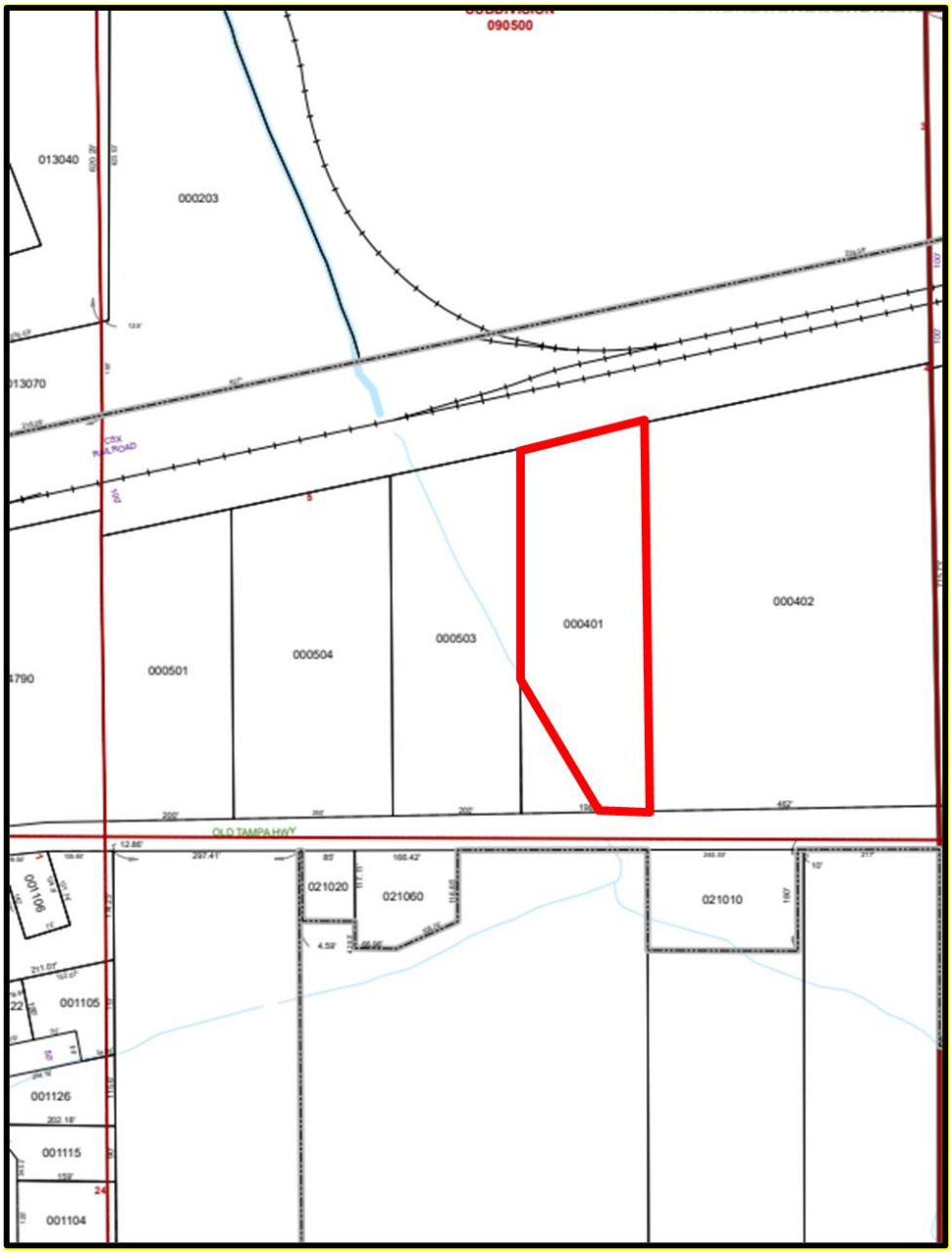
SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

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 November 4th, 2025.

ATTACHMENT "A"

LDCPAS-2025-21
Development Area: Transit Supportive Development Area (TSDA)
Location: South of New Tampa Highway, east of Airport Road, west of Wabash Avenue, north of Wilkinson Road, and south of the city of Lakeland.
Section-21 Township-28 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. The request will increase the allowable amount of industrial uses within the Transit Supportive Development Area (TSDA). The amendment will have no other impact on other land uses within the district.

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

   No. The proposed request would not expand the permitted uses within any zoning district. The amendment would allow for a slight increase in the amount of industrial uses permitted within the TSDA. The amendment would not result in changes to any other zoning and would have no significant change in the intent of the future land use of the subject properties. Many of the parcels adjacent to the property are existing residential or industrial uses, so the requested amendment would not reduce compatibility with the surrounding properties.

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 amendment does not encourage urban development in radial, strip, isolated, or ribbon patterns.

4. Does the proposed amendment fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.

   No; The proposed amendment does not fail to protect or conserve natural resources. The existing on-site creek will be maintained.

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

   No. The proposed request would not impact any land currently used for agriculture.

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

   No, the proposed request would not fail to maximize the existing public facilities. The subject property will utilze the existing water infrastructure and will connect to an existing force main for the removal of sanitary waste from the site.

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

No, the proposed amendment would not fail to minimize the need for future public facilities. The subject property has limited impact on existing water and wastewater infrastructure.

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

No. The proposed development has a limited impact on public facilities and services that is proportionate to the existing surrounding uses.

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

No. The proposed amendment will not impact any buffering or separation requirements. Required buffering with adjacent properties will be provided with the change in the landuse.

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

No. The proposed development will allow for an increase in industrial development to support existing, adjacent industries.

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

No. The proposed amendment will not discourage a functional mixture of land uses. The development provides additional industrial potential which matches the adjacent industrial areas to the east of the property.

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

No. The current industrial land uses are connected via Old Tampa Highway and will continue as so with the proposed amendment. All adjacent single-family residences are connected via Old Tampa Highway through private driveways.

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

If allowable impervious area is maximized and the landuse is amended to industrial (IND within TSDA, Maximum ISR 0.75), then 2.15 acres of open space will be lost.

Level 4 Review

Old Tampa Highway Industrial

3045 Old Tampa Highway, Lakeland, FL 33803

Prepared By:

Kimley-Horn and Associates, Inc.

109 South Kentucky Avenue

Lakeland, FL 33801

APPLICANT INFORMATION

OWNER

Name: Big Fish 1, Inc.

Address: 204 E Silver Star Road

Ocoee, FL 34761

Email: rosenenoel@gmail.com

APPLICANT/ENGINEERING FIRM

Name: David Kuehn

Address: Kimley-Horn and Associates

109 S. Kentucky Ave.

Lakeland, FL 33801

Phone Number: 863-345-0511

Email: David.kuehn@kimley-horn.com

LEVEL 4 REVIEW

Big Fish 1, Inc. (the “Owner”) is proposing a Small-Scale Comprehensive Plan Amendment to allow for the development of a Vehicle Repair Shop within a residential district. The subject property consists of Parcel 23-28-21-090500-000401 (approximately 2.87 acres) located north of Old Tampa Highway, east of Doc Gay Road and west of Wilkinson Road. The address of the property is 3045 Old Tampa highway, Lakeland, FL, 33803.

The existing land use of the subject parcel is Residential (RL-4). The proposed amendment would amend the land use to Industrial (IND).

This application includes an Impact Assessment Statement as well as a description of this project’s consistency with the Polk County Land Development Code and Polk County Comprehensive Plan. Attachments include a boundary survey, deed, site plan, and map series.

The following legal descriptions were taken from the Polk County Property Appraiser for Parcel 23-28-21-090500-000401. A more detailed legal description for the proposed 2.87 acres development is also included.

Legal Description of Parcel 23-28-21-090500-000401: WEBSTER & OMOHUNDRO SUB PB 3 PG 81 LOT 4 LESS E 7 AC

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 suitable for the proposed use as the property is adjacent to Old Tampa Highway. The property frontage along the highway is ideal for industrial establishments. The property is within a Transit Supportive Development Area. The property is also adjacent to existing industrial land use, so the proposed use would be compatible with existing land use in the area.

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

The adjacent properties are vacant or existing residential and industrial uses. The proposed industrial use would be compatible with the existing industrial use to the east of the property. The property is bordered on the south and north side by an existing roadway and railway, respectively, which serve as buffers between neighboring properties. To the west of the property is a single-family residential property, which will require a 20-foot Type C landscape buffer with the proposed land use change.

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

The request will allow for a slight increase in the amount of industrial development in the area. Much of the surrounding area along the Old Tampa Highway corridor is currently vacant, existing industrial, or existing residential development. The proposed use may encourage future development of the vacant parcels into industrial uses, which supports the TSDA development area.

Access to Roads and Highways

Assess the impact of the proposed development on the existing, planned and programmed road system, the applicant shall:

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 property is currently estimated to be 5,000 SF of Vehicle Repair Shop. The ITE Manual for Automobile Parts and Service Center (943) generates 16.28 trips per 1000 SF daily, and 2.75 trips per 1,000 SF at the AM peak hour. Therefore, the formula is as follows:

Automobile Parts and Service Center (943):

(5,000/1,000) * 16.28 = 81 Daily Trips

(5,000/1000) * 2.75 = 14 Peak Hour Trips

2. What modifications to the present transportation system will be required as a result of the proposed development?

A driveway connection will be constructed on Old Tampa Highway to provide access to the property. If necessary, Right-of-way will be dedicated along Old Tampa Highway to make the right-of-way width compatible with Polk County standards. No modifications to the roadway are anticipated to be needed along Old Tampa Highway at this time, as the proposed use will not significantly increase the demand to the transportation system. Modification to the guard rail is anticipated with the addition of the driveway which will be designed to meet County and FDOT standards.

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

The developer of the property will be required to meet the parking requirements. The parking requirements for the expected land use, according to section 708 of the Polk County Land Development Code (LDC), is as follows:

- Vehicle Service, Mechanical is required to provide 4 spaces per service bay.

Handicapped parking will be provided in accordance with the Federal Americans with Disabilities Act.

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

The site will have access to Old Tampa Highway along the south property boundary. Old Tampa Highway is a road maintained by Polk County.

*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*)

Using Polk County standards, the expected volume of sewage generation in GPD was calculated for the proposed land use – industrial. For Automobile Parts and Service Center, the site will generate 0.3 GPD per gross square foot of building area.

Automobile Parts and Service Center: 0.3 GPD* 5,000 SF = 1,500 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?

Not applicable as the site does not utilize on-site systems.

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

The service provider is City of Lakeland Utilities. The wastewater treatment plant that will serve the project is the West Lakeland Wasteload Reduction Facility.

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*)

There is an existing 16" and 20" DIP sewer force main that cross under Old Tampa Highway approximately 250 LF east of the property going south towards the West Lakeland WRF. Connection will be made to the 16" DIP force main.

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

There are no anticipated capacity issues at the time of this application.

6. What is the anticipated date of connection?

The anticipated date of connection to the existing sanitary sewer system is April 2026.

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

The project will include one (1) on-site lift station. 4" PVC force main will be installed to connect to the existing 16" DIP force main that is within the Old Tampa Highway right of way, approximately 250 feet east of the property boundary, on the north side of the road.

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?

Potable water will be provided by City of Lakeland Utilities public supply.

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

Using Polk County standards, the expected volume of consumption in GPD was calculated for the proposed land use – industrial. For Automobile Parts and Service Center, the site will consume 0.3 GPD per gross square foot of building area.

Automobile Parts and Service Center: 0.3 GPD* 5,000 SF = 1,500 GPD

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

There is an existing 8" unknown (UNK) watermain located approximately 25 LF to the south of the property along the north side of Old Tampa Highway. Connection will be made to the existing 8" UNK watermain.

4. Who is the service provider?

The service provider is City of Lakeland Utilities.

5. What is the anticipated date of connection?

The anticipated date of connection to the existing potable water system is April 2026.

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

There are no anticipated capacity issues at the time of this application.

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

No, there is not an existing well 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 north and south boundaries of the property are at an elevation of 129 feet. Additionally, the property slopes east (El. 130 ft) to west (El. 126 ft), to an existing on-site creek. The property is located within the Trailer Park Drainage Basin. There are no existing wetlands or floodplains onsite. A storm water management system will tie into the existing pond to collect and control runoff so that discharge is equal or less than pre-development conditions.

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

The construction of this project will not impact any existing wetlands or the existing on-site creek. Fill will be introduced to the north portion of the site for the building pads and parking areas. A storm sewer system will be installed to collect runoff and direct it towards the stormwater pond onsite. The site will still generally slope from east to west, directing any runoff not collected by the storm sewer system towards the existing creek and storm sewer network at rates equal or less than pre-development conditions.

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.

Development on the property will adhere to state, regional, and local regulations regarding impacts to wetlands, floodplain, endangered species, etc.

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

There are no existing wetlands or floodplains on the subject property. Development on the property will adhere to state, regional, and local regulations regarding impacts to wetlands and floodplains.

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

There are no existing wells on the property. The project will connect to an existing 8" UNK watermain to the south of the property along Old Tampa Highway. The Polk County GIS website does not indicate the land being within a wellfield protection district.

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

The subject 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.

A breakdown of soil types and percent coverage of the development area is shown in **Table 1** below. The property contains two major soil groups which are suitable for the development. The site coverage is Pomona Fine Sand and Myakka-Immokolee-Urban Land Complex, both of which are Hydrologic Group A/D.

Table 1: Soil Types and Percent Coverage on Development Site

Soil Type	Hydrologic Group	Area (Acres)	Percent Coverage
Pomona Fine Sand	A/D	2.15	74.9%
Myakka-Immokolee-Urban Land Complex	A/D	0.72	25.1%

Soils are compatible with the proposed 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; The closet park is Westside Park, which is north of Josephine Street, in the West End Farm subdivision. The park is approximately 1.6 miles east of the property.

2. Educational Facilities (e.g., preschool, elementary, middle school, high school); The closest school is Jesse Keen Elementary, which is located approximately 1.17 miles east of the property. The closest high school is Kathleen High School, which is located approximately 1.72 miles northeast of the property.

3. Health Care (e.g., emergency, hospital); The nearest Hospital is Lakeland Regional Health Medical Center, located approximately 3.76 miles northeast of the property.

4. Fire Protection; The nearest fire station is Lakeland Fire Department Station 4 (City of Lakeland Fire Rescue Station), located at 215 N Brunnell Parkway, Lakeland, FL 33815. The fire station is approximately 1.90 miles east of the property.

5. Emergency Medical Services (EMS); See answer to 4 above.

6. Solid Waste (collection and waste generation); All waste is transported to the Polk County Landfill Solid Waste.

7. How may this request contribute to neighborhood needs?

The request would contribute to neighborhood needs by allowing for an additional industrial business to support and provide services to the surrounding industrial developments.

LDCPAS-2025-21 - Old Tampa Highway Industrial

Menu Reports Help

Application Name: Old Tampa Highway Industrial

File Date: 07/02/2025

Application Type: BOCC-CPA Small

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: The project consists of approximately 2.87 acres of vacant land located north of Old Tampa Highway and east of Doc Gay Rd in Lakeland, FL. The project is located withi TSDA Development Area. The property will not be divided. The purpose of this application is to request a small-scale comprehensive plan amendment (CPA) to amend th existing Residential (RL-4) landuse to Industrial (IND) for the development of a vehicle maintenance shop. It is understood that during the pre-application meeting with the that it would be preferred to split the zoning of the parcel along the creek that bisects the parcel. With the smaller of the two areas remaining Residential (RL-4).

Application Detail: Detail

Address: 3045 OLD TAMPA HWY, LAKELAND, FL 33803

Parcel No: 232821090500000401

Owner Name: BIG FISH 1 INC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
BIG FISH 1 INC	BIG FISH 1 INC	Applicant	Mailing, 204 E Silver ...	Active
Kimley-Horn and Associ...	Kimley-Horn and...	Engineer	Mailing, 109 South Ken...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,608.00

Total Fee Invoiced: $4,608.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Small Scale Or EAR

Variance Type
–

Brownfields Request
–

Affordable Housing

Type of Acreage
–

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
2.87

DRC Meeting
07/31/2025

DRC Meeting Time
9:45 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
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
10/01/2025

Land Use Hearing Officer 3
–

1st BOCC Date
11/04/2025

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-25EST-00000-41186	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			09/17/2025	
BOCC 1	1			09/17/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	07/09/2025	Lyndsay Rathke
Surveying Review				
Engineering Review				
Roads and Drainage Review	Phil Irven	Approve	07/18/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	07/15/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	07/21/2025	Johnathan Sims
School Board Review	School District	Not Required	07/10/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	07/21/2025	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

Polk County

Board of County Commissioners

Agenda Item N.3. 11/4/2025

SUBJECT

Public Hearing (LDCPAS-2025-22 Motor Vault East CPA) (Adoption Hearing) to consider the adoption of a Small-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 2.28 +/- acres from Residential Low (RL) to Institutional (INST). (No Fiscal Impact)

DESCRIPTION

This is an applicant-initiated Small-Scale Comprehensive Plan Map Amendment for property located south of Alamo Drive West, east of Harden Boulevard, west of State Road 37 (Florida Avenue South), and north of Pipkin Road, south of the City of Lakeland, in Sections 12, Township 29, and Range 23.

State law requires one Planning Commission hearing, which was held on October 1st, 2025, with a recommendation for approval (7:0).

Section 163.3187, Florida Statutes require the local governing board to take action on the proposed amendment.

RECOMMENDATION

Adopt

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Johnathan (JP) Sims, MPA

Planner II

Land Development Division

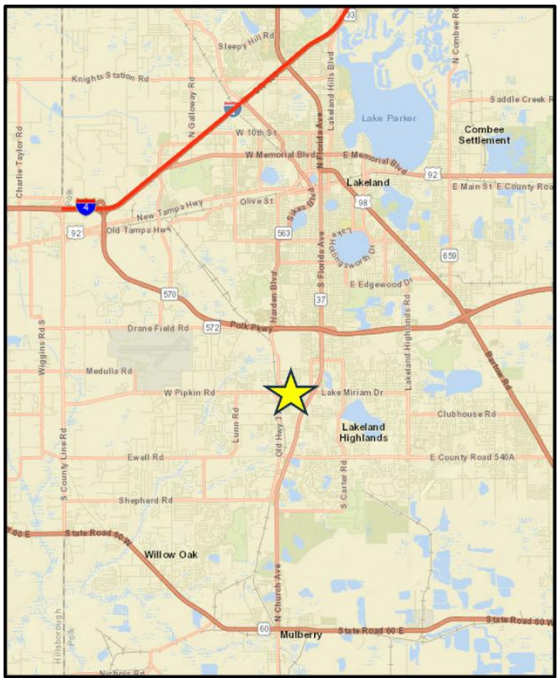
(863) 534-7515

johnathansims@polk-county.net

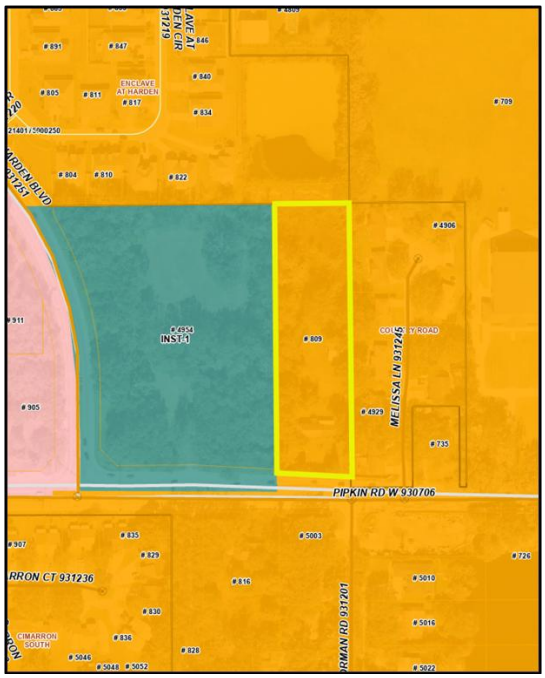
POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

ID #:	120
DRC Date:	July 31st, 2025
Planning Commission Date:	October 1, 2025
BoCC Dates:	November 4th, 2025
Applicant:	Matthew Johnson
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-22 Motor Vault East CPA
Request:	Small Scale Comprehensive Plan map amendment from Residential Low (RL) to Institutional (INST) on 2.28 +/- acres.
Location:	South of Alamo Drive West, west of State Road 37 (Florida Avenue South), north of Pipkin Road, east of Harden Boulevard, and south of Lakeland, in Section 12, Township 29, Range 23.
Property Owner:	Jennie Campano, Galya Campano
Parcel Size:	± 2.28 acres (232912-000000-034010)
Development Area/Overlays:	Transit Supportive Development Area (TSDA)
Future Land Use:	Residential Low (RL-3)
Nearest Municipality	Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Approval (7-0)
Case Planner:	Johnathan (JP) Sims, Planner II

Location



Current Future Land Use



Summary

The applicant, Matthew Johnson, is requesting a Small-Scale Comprehensive Plan Amendment on behalf of the property owners, Jennie and Galya Campano, to change the Future Land Use Designations from Residential Low (RL) to Institutional (INST) on 2.28 +/- acres of property in the Transit Supportive Development Area (TSDA). Current Land Development Code district are Residential Low 3 (RL-3), and if approved, it will become Institutional (INST-1). Site is located south of Alamo Drive Wet, west of State Road 37 (Florida Avenue South), east of Harden Boulevard, and north of Pipkin Road, south of Lakeland city limits, in Sections 12, Township 29, and Range 23.

Compatibility Summary

This request will be compatible with the surrounding area as it has ingress/egress onto two large Urban Minor Arterial Roads in Harden Boulevard and Pipkin Road West. It has Institutional (INST-1) to the west of the site, Residential Low (RL-3) to the south, north, and east. There is The change in future land use from RL-3 to INST-1 would allow for the approved Motor Vault Lodge to expand onto this site.

Infrastructure Summary

The subject site has access to water from Lakeland Utilities. This was confirmed by Polk County Utilities GIS. Per the applicant's Impact Assessment Statement, site is planning to connect to sewer through Polk County Utilities by running a line from Dorman Road to the south to the subject site. There is sufficient road capacity on all surrounding road networks. Mass transit is available nearby, with a stop fairly close to the site on Pipkin Road West. Public safety response times are normal for this part of the County, and schools will not be impacted as this site is developing non-residentially. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is the Seminole Park 2.2 miles north of the site and the nearest regional Park is Christina Park 1.5 miles to the south of the subject site. The elevation for the site is relatively flat with a low elevation of 166 and a high of 170. Site does not reside within the Polk Green Network Connection. There are no wetlands or flood zone on site. The soilds are a mix of Tavares fine sand and Smyrna and Myakka fine sands.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.104(A1-A5): Transit Supportive Development Area (TSDA)
- Policy 2.116(A3-A4): Institutional

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Residential Low (RL) to Institutional (INST).
- Current Land Development Code is Residential Low 3 (RL-3)
- If approved, site will default to Institutional (INST-1)

Compatibility

- The existing uses surrounding the site are:
    - North – RL-3; Enclave at Harden, a single-family residential neighborhood.
    - West – INST-1; future site of Motor Vault Lodge
    - East – RL-3; single-family residential neighborhood.
    - South – RL-3; single-family residential neighborhood.

- The general area to the east, north, and south of the subject site includes mostly single family detached. To the west is the future site of Motor Vault Lodge, which this subject site will become an expansion of.

Infrastructure

- The zoned schools for the site are Medulla Elementary, Southwest Middle, and George Jenkins High School.

- Polk County Fire Rescue Station 2 will be the response unit for fire and EMS for this site. It is located at 2523 Ewell Road and is 3.1 miles from the subject site.

- The subject site is within the Sheriff Department's Southwest District. The Southwest District Office is located at 4120 US Highway 98 in Lakeland.

- The subject site will be serviced by Lakeland's Utility Service Area for potable water, but per Polk County GIS information, wastewater is handled by the Southwest Regional Utility Service Area. Applicant is planning to run a line south of the site to connect to a force main on Dorman Road.

- There are sidewalks that run along the south side of the subject site along Pipkin Road West and up onto Harden Boulevard on the west side of the subject site.

- The closest mass transit route is the Lime Flex Line through Citrus Connection route with the closest stop being Stop 1179 which is about 500 feet west from the subject site.

- The nearest regional park is Christina Park 1.5 miles south of the site on County Road 540A, and the nearest neighborhood Park is Seminole Park 2.2 miles to the north of the subject site.

Environmental

- The site is relatively flat with a high elevation of 170 feet at the south end of the site down to a low elevation of 166 feet at the north end of the site. Center of the site is 169 feet.

- There are no wetlands or flood zone on the subject site.

- The soil type for the subject site is comprised of Tavaras fine sand and Smyrna and Myakka fine sands.

- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- There are no wells on the subject site and it is not located in a wellfield.

- Site does not reside within a Polk Green Network Connection site.

- The subject site is located within the Lakeland Regional Airport Impact District (AID) and Airport Height Notification Zone. The Airport Height Notification Zone is established to regulate the height of structures and objects of natural growth in areas lying beneath the primary, approach, transitional, horizontal and conical surfaces around each public-use airport in Polk County. As the subject site is east of the Lakeland Regional Airport it is in the Conical Surface Limit boundary. The Conical Surface, according the Polk County Airport Zoning Regulations (Adopted 09/06/2019), is a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet. No height limitation is provided for Conical Surface in the Polk County Airport Zoning Regulations.

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 2.104-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;

- POLICY 2.104-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map TSDAs for those areas of the County meeting the general characteristics of this Section 2.104.

- POLICY 2.104-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria

  - a.ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.
  - b.RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts.
  - c.OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation.

  Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in the definitions in Section 2.109.

- POLICY 2.104-A4: OVERLAY DISTRICTS - All overlay Districts shall be permitted within TSDAs and UGAs in accordance with applicable criteria.

- 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 2.104-A6: GENERAL INCENTIVES - Polk County shall encourage and promote compact, mixed-use by allowing:

  - a.increased densities and intensities within the Transit Corridors and Centers Overlay District subject to Policy 2.104-A7; and
  - b.increased densities for affordable or workforce housing subject to Policy 2.104-A7.

- 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.

Maximum densities are established within the TSDA and the respective components of the Transit Corridors and Centers Overlay as listed in Table 2.104.1. The maximum densities 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 2.104.1 also includes recommended minimum densities to support future investments in public transportation. These recommended minimum densities may be required under the Land Development Code to coincide with planned public or private sector transit investments. Residential projects with less than the recommended minimum density 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).

- POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:

    - a.Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.
    - b.Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).
    - c.The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.
    - d.Proximity to similar and compatible uses providing opportunities for shared facilities.
    - e.Plans of the School Board and other public service agencies with jurisdiction in the County.
        - The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.

        - Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.

- POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria:

    - a.Institutional uses include, but are not limited to: private and public-service structures. These commonly include:
        - 1.public and private educational facilities;
        - 2.government-administration buildings;
        - 3.public-safety structures (e.g. police and fire);
        - 4.cultural facilities (e.g. libraries, museums, and performing-arts theaters);

        - 5.health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].
    - b.Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.
    - c.Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.
    - d.Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.
    - e.Institutional sites shall be designed to provide for:1.Adequate parking to meet the present and future demands of the use.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.
    - f.Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:
        - 1.Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.
        - 2.Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution
    - g.Recreational uses accessory to the institutional use or compatible with the location of the institutional district.

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 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 Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-22.**

Planning Commission Recommendation: On October 1, 2025, in an advertised public hearing, the Planning Commission voted 7:0 to **recommend APPROVAL of LDCPAS-2025-22.**

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: *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.

Analysis
This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses
Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest RL-3; Enclave at Harden single-family residential	**North** RL-3; Enclave at Harden single-family residential	**Northeast** RL-3; Ardella Baptist Church
West INST-1; Motor Vault Lodge future development	**Subject Site** RL-3; single-family residential	**East** RL-3; single-family residential
Southwest RL-3; single-family residential	**South** RL-3; single-family residential	**Southeast** RL-3; single-family residential

Source: Polk County Geographical Information System and site visit by County staff

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 purpose of TSDA is to serve as a foundation from which a future urban pattern is established, and to provide areas for development at urban densities and intensities. TSDAs are where there exists 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. The TSDA also promotes and supports the location of higher density and intensity that requires compact and mixed-use development.

The request is a Future Land Use designation that will become an expansion of an already approved development to the west, the Motor Vault Lodge. There is currently a single-family residence on site, but it will be developed to fit with the lodge that is going to the west.

B. Infrastructure

The subject site will be serviced by Lakeland's Utility Service Area for potable water, but per Polk County GIS information, wastewater is available on Dorman Road to the south. The applicant has stated that they intend to run a wastewater line from the subject site south onto Dorman Road to connect to sewer through Polk County's Southwest Regional Service Area. The site has access south onto Pipkin Road West, but as an expansion of the Motor Vault, will also be able to access Harden Boulevard to the west. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. While there is capacity within the schools, this site is not expected to generate students. The request is compatible with the available infrastructure.

Nearest 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.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Medulla Elementary School	**0 students**	**65%**	**1.4 miles**
Southwest Middle School	**0 students**	**61%**	**3.7 miles**
George Jenkins High School	**0 students**	**102%**	**5 miles**

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

It is important to note that the site is intended to develop with a non-residential use, so no students are anticipated to be generated. In addition, the policies in the Comprehensive Plan limits any residential to multifamily associated with a university or college.

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.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	**Southwest District Command Unit** (4120 US 98 South, Lakeland)	7.2 +/- miles Priority 1 – 8:49 Priority 2 – 26:26
Fire/ EMS	**Station #2** (2523 Ewell Rd, Lakeland)	3.1 +/- miles

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

Water and Wastewater

A. Estimated Demand

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use RL-3**	**Maximum Permitted in Proposed INST-1**
2.28 +/-acres	**2.28 +/- acres X 7 du/ac = 15 du**	**2.28 +/- acres = 99,317 sq ft X 0.25 FAR = 24,829 sq ft**
Potable Water Consumption	**15 du X 360 GPD = 5,400 GPD**	**24,829 sq ft X 0.24 = 5,959 GPD**
Wastewater Generation	**15 du X 270 GPD = 4,050 GPD**	**5,959 GPD X 80% = 4,767 GPD**

Source: Concurrency Manual: RL-3 for single family residence is 360 GPD for water and 270 GPD for wastewater, INST-1 uses Government Offices as LDA, with 0.25 FAR, 0.24/sf for water, and 80% of water for wastewater. Site sits within TSDA which allows up to 7 du/ac for RL.

B. Service Provider

The subject site is within the Lakeland Utility Service Area for potable water, but wastewater will be handled by Polk County Utilities. Applicant is planning to connect to wastewater lines south of the subject site on Dorman Road. The proposed INST-1 has the potential to require more water and generate more wastewater with than the current land use and more.

C. Available Capacity

Staff has not been provided the information for water capacity as service is handled by Lakeland Utilities. With sewer, the following table does show that the Southwest Wastewater Treatment Facility does have available capacity.

System Status								
	Current Working Permit Limit (MGD)	Current Flow (MGD)	Percent of Current Limit Used Today (%)	Available Flow-Capacity Today (MGD)	Firm Commitments (MGD)	Uncommitted Capacity (MGD)	System Growth Rate (MGD/year)	Time Until Flow Exceeds Limit (Years)
Southwest Regional WWTF	4.000	2.131	53%	1.869	0.098	1.771	0.041	> 20

D. Planned Improvements

There are no improvements planned at this time.

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 Future Land Use change may result in higher trips. However, it is already developed with a religious institution.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use RL-3**	**Maximum Permitted in Proposed INST-1**
2.28 +/-acres	**2.28 +/- acres X 7 du/ac = 15 du**	**2.28 +/- acres = 99,317 sq ft X 0.25 FAR = 24,829 sq ft / 1,000 = 25 sq ft**
Average Annual	**15 du X 7.81 AADT = 118 Trips (100% New Trips)**	**25 sq ft X 22.59 AADT = 503 Trips (89% New Trips)**
PM Peak	**15 du X 1 AADT = 15 Trips**	**25 sq ft X 2.68 AADT = 60 Trips**

Source: Concurrency Manual and Table for Minor Traffic Study –Residential Low Single-Family Housing at 7.81 AADT and 1 PM Peak Hours (100% new trips), and INST-1 for General Government Office uses 22.59 AADT and 1.71 AADT at PM Peak Hours.

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a lodge. The site is currently developed with a single-family home, but is expected to develop as an expansion to the Motor Vault Lodge already approved to the west. Since it also serves as a storage facility and is not an everyday use, capacity should not be a problem. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links. It is also relevant to consider the distribution of traffic as it leaves a development site. As traffic leaves a site the impact is not at the same intensity the father away from the site as it is at the driveway.

Table 6

Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
8013N	Harden Boulevard (Pipkin Road W to SR 570)	D	610	E	D
8013S		D	581	E	D
8339E	Pipkin Road W (Harden Blvd to SR 37)	D	341	D	D
8339W		D	302	D	D

Source: Polk Transportation Planning Organization, Roadway network Database 2025

C. Roadway Conditions

Pipkin Road West is an Urban Minor Arterial with available capacity in both directions. Harden Boulevard is also an Urban Minor Arterial. The Pavement Condition Index (PCI) for Pipkin Road West is Very Good while Harden Boulevard has a PCI rating of Good. 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. Sidewalk Network

There are sidewalks that run along the south side of the subject site along Pipkin Road West and up onto Harden Boulevard on the west side of the subject site.

E. Planned Improvements:

Pipkin Road West is currently under construction to widen and improve it from SR 37 down to Medulla Road.

F. Mass Transit

The closest mass transit route is the Lime Flex Line through Citrus Connection route with the closest stop being Stop 1179 which is about 500 feet west from the subject site.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Seminole Park 2.2 miles north of the subject site and the nearest regional Park is Christina Park 1.5 miles to the south of the subject site on County Road 540A.

B. Services:

Christina Park has a Pavilion, Picnic Area, Playground, Restrooms, and Softball Fields. Seminole Park has open space.

C. Multi-use Trails:

The closest free hiking trail is in the Lakeland Highlands Scrub which is located at 6998 Lakeland Highlands Road in Lakeland.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Scott Lake Conservation Easement located 2.4 miles southeast on County Road 540A.

E. Planned Improvements:

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

Environmental Conditions

The following is information pertaining to the environmental conditions on the subject site.

A. Surface Water:

There is no surface water on the subject site. Site does not reside within a Polk Green Network Connection site.

B. Wetlands/Floodplains:

There are no wetlands or floodplains on the subject site.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph.

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	Slight	71%
Smyrna and Myakka fine sands	Severe: wetness, poor filter	Severe; wetness	29%

*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.

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 is connecting to water through Lakeland Utilities.

G. Airports:

The subject site is located within the Lakeland Regional Airport Impact District (AID) and Airport Height Notification Zone. The Airport Height Notification Zone is established to regulate the height of structures and objects of natural growth in areas lying beneath the primary, approach, transitional, horizontal and conical surfaces around each public-use airport in Polk County. As the subject site is east of the Lakeland Regional Airport it is in the Conical Surface Limit boundary. The Conical Surface, according the Polk County Airport Zoning Regulations (Adopted 09/06/2019), is a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet. No height limitation is provided for Conical Surface in the Polk County Airport Zoning Regulations..

Economic Factors:

If site is developed with proposed Motor Vault, it will act as a retreat or lodge to people who share an enthusiasm for automobiles. This could increase the value of the area since it would bring in a specific type of clientele.

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 and Land Development Code

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. Institutional would not be out of context with the surrounding area as it is a designation allowed to anywhere within the County.
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 primarily single-family homes, with Institutional to the west with an already approved development. Lakeland Utilities are readily available in this area for water. Site accesses onto two Urban Minor Arterial roads. 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 it is expected to grow with the expansion and improvement of Pipkin Road West. There is ample connectivity to water and electricity. Fire and Sheriff are close by with low response times. Schools that are zoned for the site are not at capacity, but the site is developing non-residentially so schools will not be impacted. The overall parcel does not contain wetlands or floodplains. The site currently has a single-family residence on it but will become an expansion of the Motor Vault Lodge to the west.
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,	

Comprehensive Plan Policy	Consistency Analysis
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 2.104-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;	Institutional is allowed in the TSDA. There are sidewalks on the front of the property along Pipkin Road West and Harden Boulevard. The change from Residential Low to Institutional will complement the surrounding land uses.

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.104-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within TSDAs, in accordance with applicable criteria a.ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, Employment Centers and High-Impact Commercial Centers.b.RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts.c.OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure Recreation, Mixed Use, Institutional, Professional Institutional, Recreation and Open Space, Preservation.	The proposed Institutional Future Land Use designation is permitted in the TSDA. The applicant will be required to demonstrate consistency with the TSDA Development Criteria. Therefore, this request is consistent with the TSDA policies. The site is connecting to water through Lakeland Utilities. Applicant is running a wastewater line to a force main on Dorman Road to the south, which is handled by Polk County Southwest Utility Service Area. The sidewalks fronting the property promote walkability in the surrounding area. Public Safety is readily available nearby. The zoned high school does have a capacity issue, but as Institutional does not allow Single Family Residential uses in nature, there should be no student generation caused by the Future Land Use Change.
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	

Comprehensive Plan Policy	Consistency Analysis
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 2.116-A1: CHARACTERISTICS - Institutional areas are primarily characterized by private and public-service structures. POLICY 2.116-A2: DESIGNATION AND MAPPING -Institutional areas shall be designated and mapped on the Future Land Use Map Series as "Institutional" (INST) and shall include all major existing institutional areas which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave. POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional: a.Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.b.Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).c.The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.d.Proximity to similar and compatible uses providing opportunities for shared facilities.e.Plans of the School Board and other public service agencies with jurisdiction in the County.	The site being changed to Institutional will allow for the site to be used as an expansion of the Motor Vault Lodge to the west. Harden Boulevard and Pipkin Road West are both Urban Minor Arterial which is suitable for the Institutional land use.

Comprehensive Plan Policy	Consistency Analysis
The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS. Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan. POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria: a.Institutional uses include, but are not limited to: private and public-service structures. These commonly include:1.public and private educational facilities;2.government-administration buildings;3.public-safety structures (e.g. police and fire);4.cultural facilities (e.g. libraries, museums, and performing-arts theaters);5.health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].b.Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.c.Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.d.Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.e.Institutional sites shall be designed to provide for:1.Adequate parking to meet the present and future demands of the use.2.Buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters,	

Comprehensive Plan Policy	Consistency Analysis
utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.f.Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:1.Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.2.Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.	

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 and it is permitted in the designated area. 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

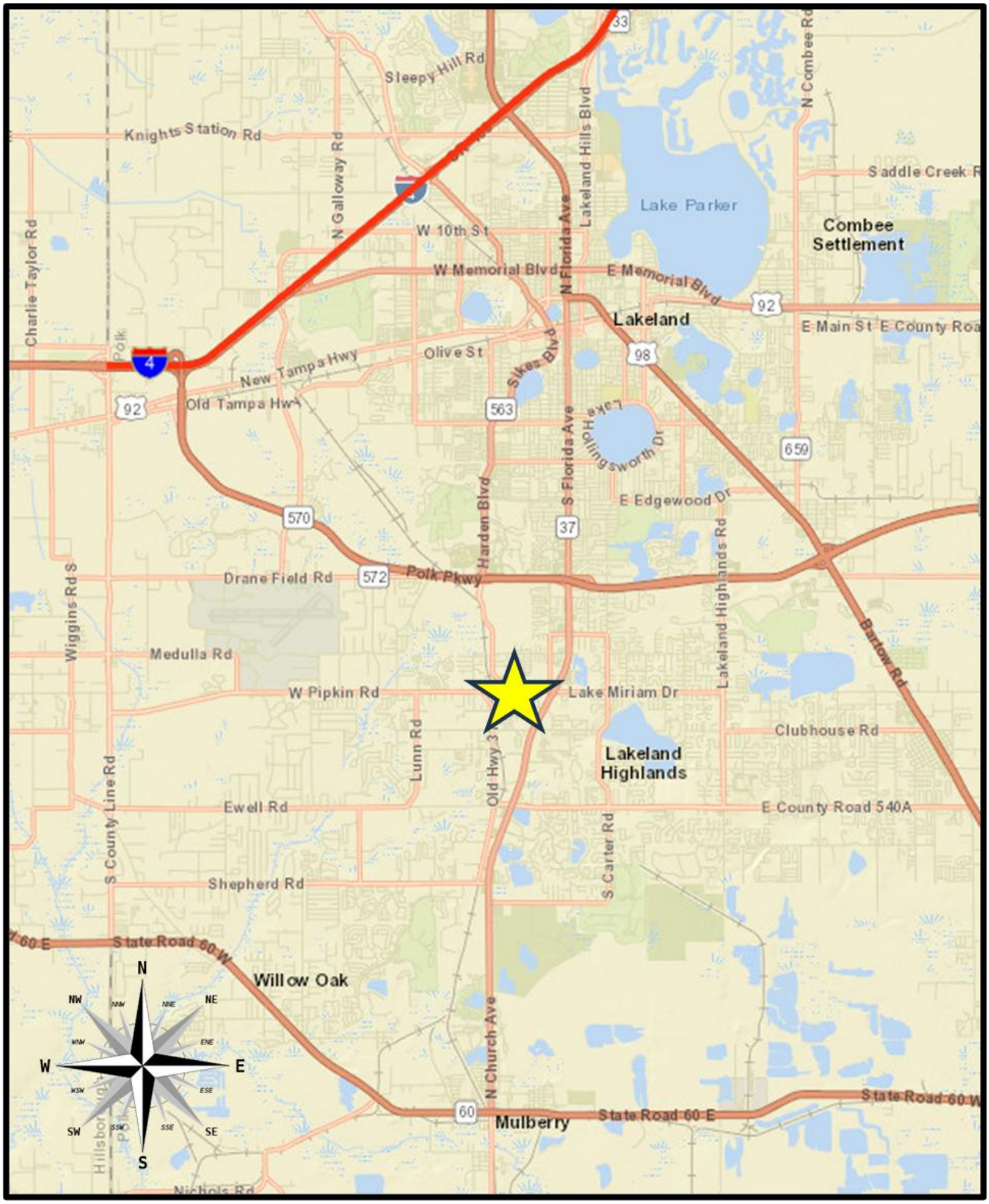
Comments from other agencies

No comments

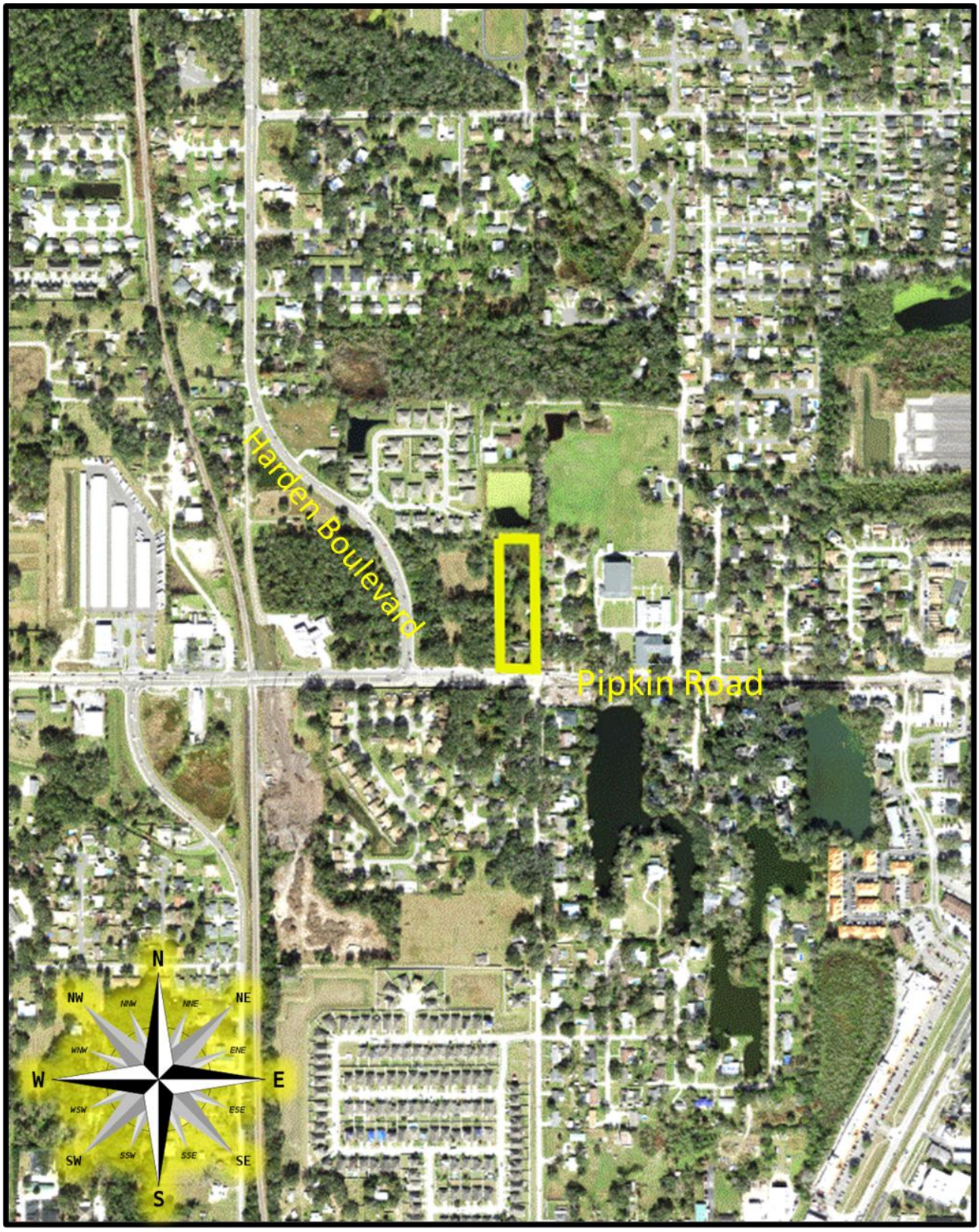
Exhibits:

Exhibit 1 Location Map
Exhibit 2 2023 Aerial Context Map
Exhibit 3 2023 Aerial Close Up
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6a INST-1 Permitted and Conditional Uses

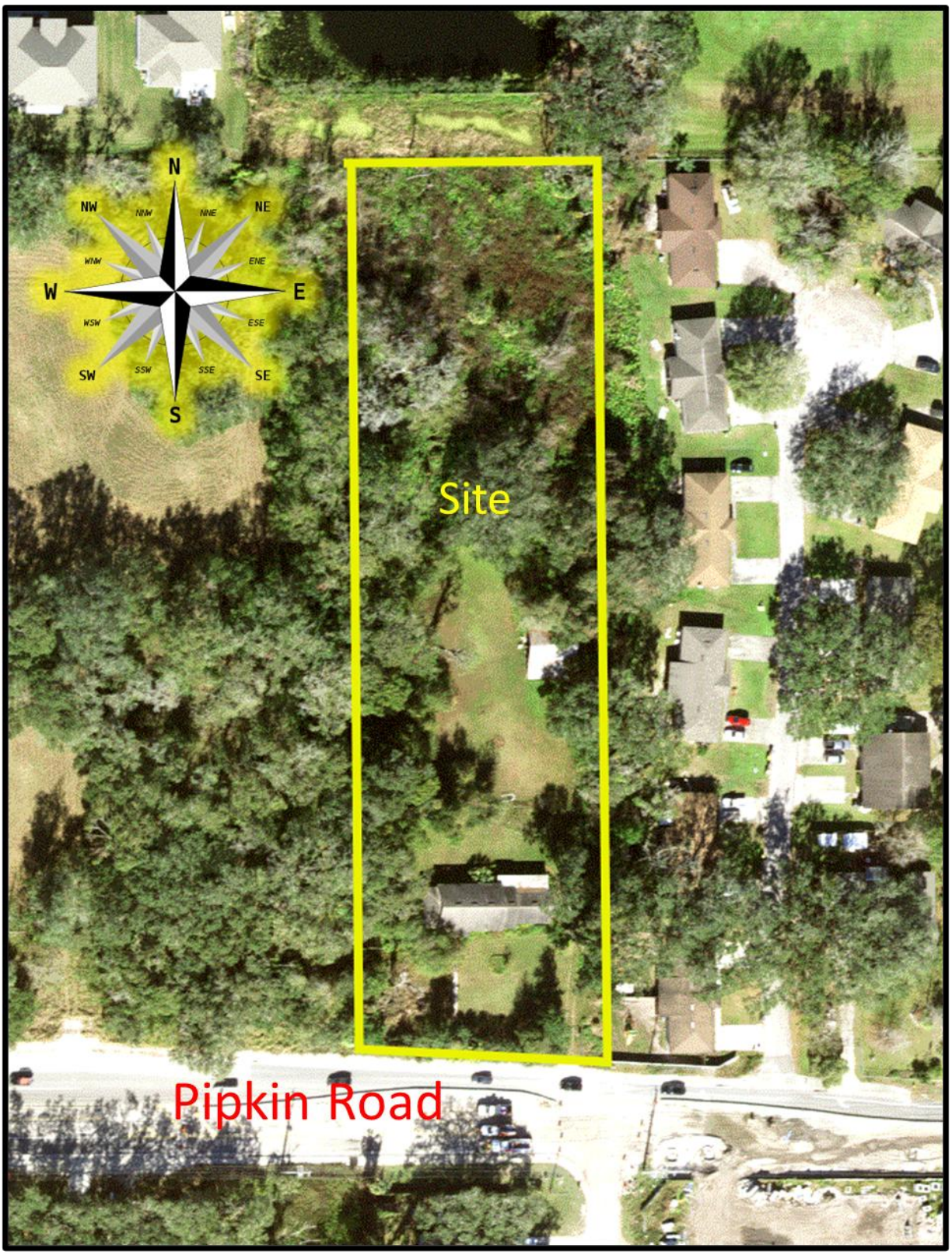
Applicant's submitted documents and ordinance as separate files



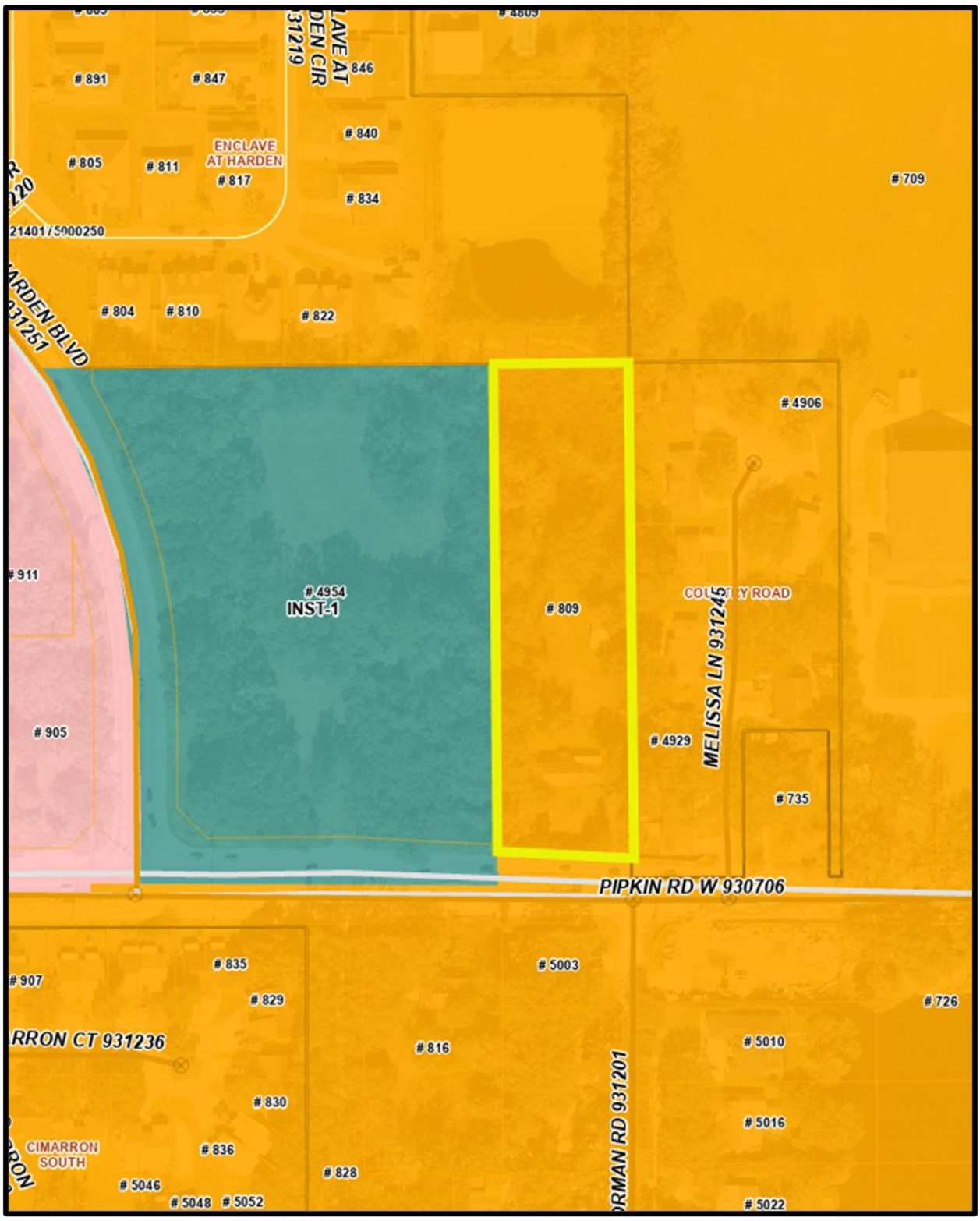
LOCATION MAP



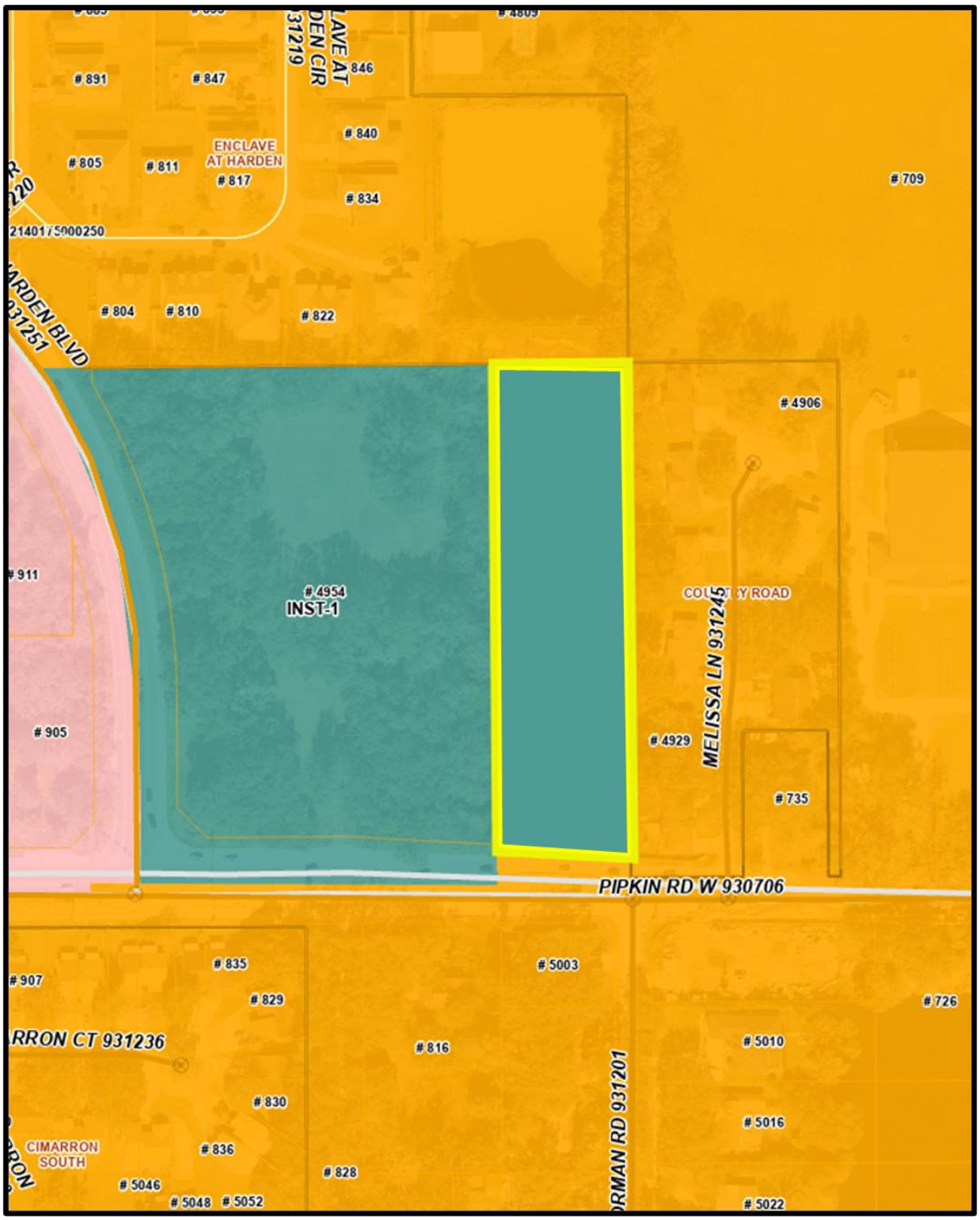
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Residential Low (RL-3)



PROPOSED FLUM
Institutional (INST-1)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
INST1	Childcare Center, Farming General, Government Facility, Lodges and Retreats, School- Elementary, School- Leisure/Special Interest, School- Middle, Studio- Production, Transit- Facility, Utilities- Class I, Utilities- Class II	Group Home- Large (7-14 residents), Emergency Shelter- Medium (7-14 residents), Golf Course, Recreation- High Intensity, Recreation- Low Intensity, Recreation- Passive, Group Living Facility (15 or more residents), Adult Day Care Center (7 or more clients), Cemetery, Clinics & Medical Offices, Communication Tower-Monopole, Communication Towers-Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Heliports, Helistops, Nursing Home, Office, Office Park, Recreation-Vehicle Oriented, Religious Institution, Research & Development, Solar Electric-Power Generation Facility	Multi-family, Planned Development, Gas Station, Hospitals, Lime Stabilization Facility, Mining- Non-phosphate, School- High, School-Technical/Vocational/Trade & Training, School-University/College, Seaplane Base, Utilities-Class III, Water Ski Schools, Residential Treatment Facility

Institutional (INST-1)
PERMITTED AND CONDITIONAL USES

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAS-2025-22;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON +/- 2.28 ACRES FROM RESIDENTIAL LOW (RL) TO INSTITUTIONAL (INST), IN THE TRANSIT SUPPORTIVE DEVELOPMENT AREA (TSDA). THE SUBJECT SITE IS LOCATED SOUTH OF ALAMO DRIVE, EAST OF HARDEN BOULEVARD, WEST OF STATE ROAD 37 (FLORIDA AVENUE SOUTH), NORTH OF PIPKIN ROAD, AND SOUTH OF THE CITY LIMITS OF LAKELAND, IN SECTION 12, 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 October 1st, 2025; 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 November 4th, 2025; 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 2: 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 +/- 2.28 acres site from Residential Low (RL) to Institutional (INST), in the Transit Supportive Development Area (TSDA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcel # 232912-000000-034010

E1/4 OF SE1/4 OF SW1/4 OF NW1/4 LESS THAT PART BEING R/W FOR HARDEN BLVD AS DESC IN OR 7832 PG 206

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 December 5th, 2025 (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 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 November 4th, 2025.

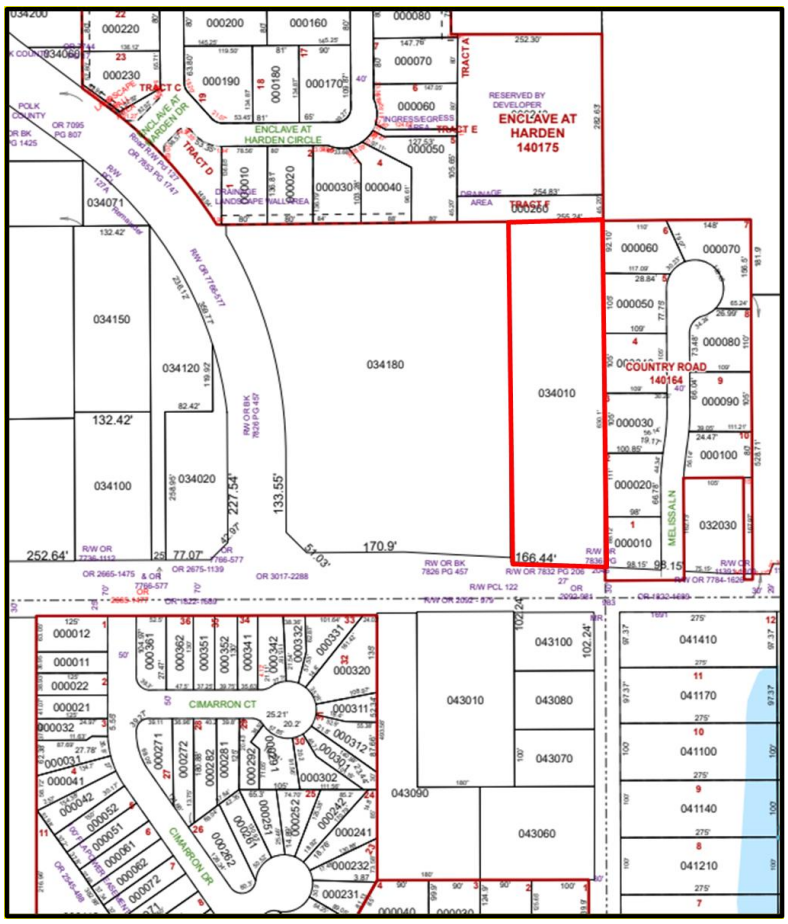
ATTACHMENT "A"

LDCPAS-2025-22

Development Area: Transit Supportive Development Area (TSDA)

Location: South of Alamo Drive, east of Harden Boulevard, west of State Road 37 (Florida Avenue South), north of Pipkin Road, and south of the city of Lakeland.

Section-12 Township-29 Range-23



PARCEL DETAIL

Note: Not to Scale

Demonstration of Need

The applicant requests an amendment of the existing land use from Residential Low (RL-3) to Institutional (INST). INST would meet Polk County's growing market demands and provide opportunities for the area.

Future developments would be cultivated with the utmost care for surrounding land uses, making sure that impacts to public facilities, services and environmental resources are minimal to none. The applicant does not foresee any conflicts but instead, intends to use development to benefit the encompassing area and residents.

Analysis of Economic Issues

Please see attached Demographic Snapshot Comparison Report.

Urban Sprawl Analysis

1. Could the proposed amendment promote substantial amounts of low-density, low-intensity, or single-use development in excess of demonstrated need?

   The request for INST will not create single-use development due to the fact that it will have diverse development options.

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

   No, the property is already in an urban setting and will not conflict with rural areas.

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

   The site is adjacent to INST Land Use and is situated at a major roadway intersection. Due to these existing conditions, the proposed amendment should not create or encourage urban development growth in unusual patterns.

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

   There are no significant agricultural areas adjacent to the project.

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

   Public facilities are available and INST land use blends well with adjacent property.

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

   No, the request is consistent with the development pattern along this section of W Pipkin Road.

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

   Public facilities are available, and the INST land use will not disproportionately increase the cost of public facilities and services.

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

   The request for INST is compatible with the other future land uses within the immediate area.

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

   No, the amendment will allow the continued pattern of development within the surrounding area.

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

    The proposed INST will add to the already diverse mix of attractive and functional land uses.

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

    No, any development in this area will comply with the current land development which promotes connectivity and access management.

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

    We do not anticipate additional open space being lost as a result of this amendment.

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 property and surrounding area holds Institutional, Neighborhood Activity Center, Business Park Center and Residential land use as well as municipal water/sewer.

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

There are no incompatibilities or special efforts needed as the site is in a varied land use area and is well suited for development. All of the appropriate setbacks and landscape buffers may be observed as required by the land development code.

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

There do not appear to be similar large tracts that can mimic what is proposed so it is unlikely this development alone will influence development patterns.

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.

ITE Code	Use	Variable	Proposed	AADT Rate	AADT Total	Peak Rate	Maximum PEAK
591	Lodge	1 Unit	28	.29	8	.03	2
						Total	**2**

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.

The proposed development will have direct access to Pipkin Road. Any improvements will be addressed at Level II Construction Plan Review.

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

   There will be parking at each lodge area and at the clubhouse.

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

   The project will directly access Pipkin Road West.

*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*)

Generator	**Number of Units**	**Rate (GPD/Unit)**	**Flow GPD**
Lodge/Retreat	28	10gpd	280
		Total:	**280**

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?

No onsite treatment is proposed.

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

Polk County.

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*)

The County's wastewater collection system is located approximately 1,600 south along Dorman Road.

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

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 will be the water provider.

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

Generator	Number of Units	Rate (GPD/Unit)	Flow (GPD)
Lodge/Retreat	28	10gpd	280
		Total:	**280**

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

This is in the City of Lakeland's jurisdiction.

4. Who is the service provider?

This is in the City of Lakeland's jurisdiction.

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)?

There are no known permitted potable 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 is well drained and suitable for development. Drainage is to the Northeast.

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

There will not be any alterations necessary to the site's natural drainage features, other than constructing the required stormwater-management system. Post-development run-off will not exceed pre-development runoff.

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.

The site is currently undeveloped. Adjacent properties are used for institutional and residential purposes. There are no known wetland or floodplain conditions on-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 known wetland or floodplain conditions on-site.

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

There will be no public or private water supplies on site. The potable water will come from the City of Lakeland.

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

There are no County airport facilities close enough to be affected by this development.

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

Please see attached soils map.

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;

Polk County has an adequate amount of park facilities to meet the needs of this site. The closest park is Christina Park on 540 A, approximately 2.4 miles away.

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

N/A

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

The closest hospital is Lakeland Regional Health. There are numerous medical clinics in the area that would be expected to meet the health care needs of the residents. Lakeland Regional is approximately 7.2 miles away.

4. Fire Protection;

Fire protection will be supplied by The City of Lakeland Fire Station 7 on Drane Field Road. This station is 4.1 miles away and response time is estimated to be 9 minutes.

5. Police Protection and Security;

Police protection will be supplied by the Lakeland Police Department on N Massachusetts Ave. The distance is approximately 6 miles, and the response time will depend on the type of call.

6. Emergency Medical Services (EMS);

EMS Services will be supplied by The City of Lakeland Fire Station 7 on Drane Field Road. This station is 4.1 miles away and response time is estimated to be 9 minutes.

7. Solid Waste (collection and waste generation);

The expected solid waste volume of 100 pounds per day will be stored in residential cans and picked up at the curb in the residential areas by the contract hauler for proper disposal. The solid waste disposal site is the Polk County Northeast Landfill.

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).

Please see attached exhibits for all the necessary maps.

LDCPAS-2025-22 - Motor Vault East

Menu Reports Help

Application Name: Motor Vault East

File Date: 07/03/2025

Application Type: BOCC-CPA Small

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: We are requesting land use change from RL-3 to INST-1.

Application Detail: Detail

Address: 809 W PIPKIN RD, LAKELAND, FL 33813

Parcel No: 232912000000034010

Owner Name: CAMPANO GALYA ESTATE OF

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
Matthew Johnson	JSK Consulting	Engineer	Mailing, 5904 Hillside...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $4,608.00

Total Fee Invoiced: $4,608.00

Balance: $0.00

Custom Fields: **LD_GEN_PUB**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Small Scale Or EAR

Variance Type
–

Brownfields Request
–

Affordable Housing

Type of Acreage
–

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
2.28

DRC Meeting
07/31/2025

DRC Meeting Time
10:00 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
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
10/01/2025

Land Use Hearing Officer 3
–

1st BOCC Date
11/04/2025

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-25EST-00000-41441	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
Not in an SAP	RL-3 -Residential Low

DEVELOPMENT AREA

Development Area

Transit Supportive

NOR

Neighborhood Organization Registry (NOR)

PUBLIC MAILERS

Posting Board	Number of Boards (Number)	Number of Mailers (Number)	Date Mailed	Date Posted	NOR
PC	1			09/17/2025	
BOCC 1	1			09/17/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	07/09/2025	Lyndsay Rathke
Surveying Review				
Engineering Review				
Roads and Drainage Review	Phil Irven	Approve	07/18/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	07/15/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	07/21/2025	Johnathan Sims
School Board Review	School District	Not Required	07/10/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	07/21/2025	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

Agenda Item N.4. 11/4/2025

SUBJECT

Public Hearing (LDCPAL-2025-6 Poinciana Bayberry St CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 72.27 +/- acres from Development of Regional Impact (DRI) to Institutional (INST) in Poinciana Master Plan. (No Fiscal Impact)

DESCRIPTION

This is an applicant-initiated Large-Scale Comprehensive Plan Map Amendment for property located south of Bayberry Street, east of Marigold Avenue, west of Lake Hatchineha, and north of County Road 542 (Lake Hatchineha Road), east of the City of Haines City in the Poinciana Master Plan, in Sections 14, Township 28, and Range 28.

State law requires one Planning Commission hearing, which was held on September 10th, 2025, with a recommendation for approval (7:0). This is the transmittal hearing to Florida Commerce and the adoption hearing is scheduled for January 6th, 2026, at 9:15 a.m.

RECOMMENDATION

Transmit

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Johnathan (JP) Sims, MPA

Planner II

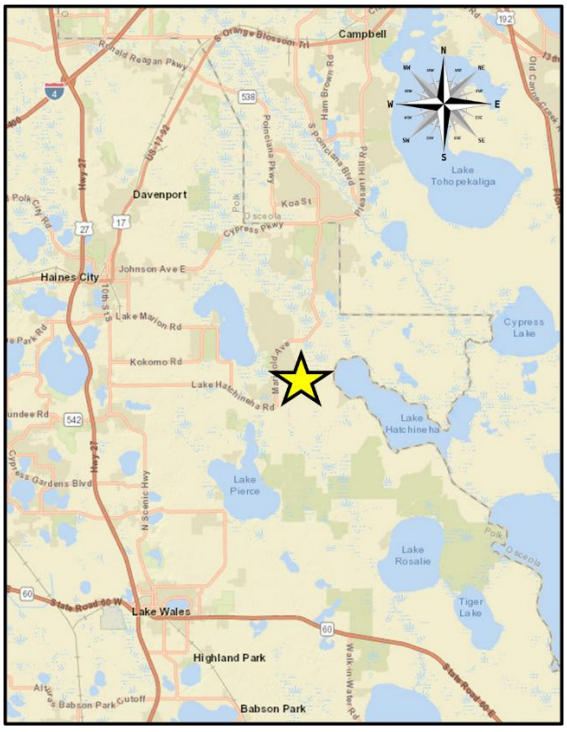
Land Development Division

(863) 534-7515

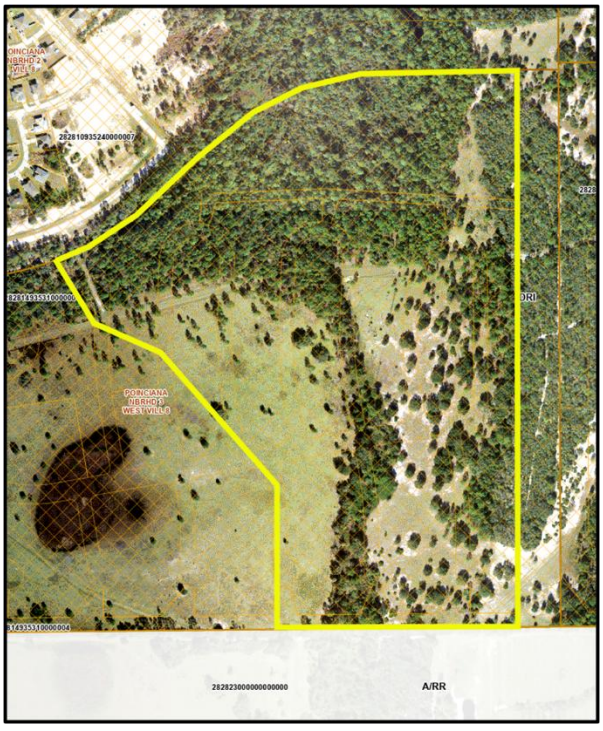
johnathansims@polk-county.net

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

ID #:	**108**
DRC Date:	June 26th, 2025
Planning Commission Date:	September 10th, 2025
BoCC Dates:	November 4, 2025 January 6, 2026
Applicant:	John Adams, RJWA Inc.
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAL-2025-6 Poinciana Bayberry St CPA
Request:	Large Scale Comprehensive Plan map amendment from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) on 72.27 +/- acres of a total 189.43-acre parcel.
Location:	South of Bayberry Street, west of Lake Hatchineha, north of County Road 542 (Lake Hatchineha Road), east of Marigold Avenue, and east of Haines City, in Section 20, Township 26, Range 27.
Property Owner:	KK Cattle Company LLC
Parcels Size:	± 72.27 acres (282814-935310-000001, 282814-935310-000002)
Development Area/Overlays:	Rural Development Area (RDA)
Future Land Use:	Development of Regional Impact (DRI)
Nearest Municipality	Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Approval (7-0)
Case Planner:	Johnathan (JP) Sims, Planner II



Location



Current Land Use Map

Summary

This is an Applicant-Initiated request for a Future Land Use designation change from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA). The change is anticipated to be used in preparation for a new high school. The subject site includes a 72.27-acre portion of a larger 189.43-acres spread across two parcels.

Compatibility Summary

The subject site is bordered by already existing Residential uses to the northwest. The other lands immediately surrounding the site are undeveloped. Changing the subject site from DRI to INST will increase the amount of non-residential development. The site falls within the Rural Development Area, and Institutional is an allowable use within this Development Area.

Infrastructure Summary

The subject site feeds into Marigold Avenue, an Urban Collector. Exits from the development are anticipated on Bayberry Street, also an Urban Collector. Changing the designation from DRI to INST on the subject site will likely have a major impact on the amount of traffic on Bayberry Street as the new use is exceptionally more intense. The subject site is within the Toho Water Authority service area. There is already water, wastewater, and reclaimed lines that run along Bayberry Street per Toho's letter to the applicant. Duke Energy will be providing electricity to the subject site.

Environmental Summary

The nearest lake to the parcel is Deer Lake to the west at 0.28 miles away. There are no nearby floodplains or basins. The soil available in this area is a combination of Samsula muck, Smyrna and Myakka fine sands, Pompano fine sand, and Satellite sand per the USDA NRSC soil survey completed August 15th, 2025. The closest park to the site is Poinciana Community Park 1.63 miles to the south. The subject site is does sit within a Flood Zone A. There is a large patch of wetlands on the north end of the subject site totaling about 8.3 acres.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10: Location Criteria
- Policy 2.107(A1-A5): Utility Enclave Area (UEA)
- Policy 2.116(A1-5): Institutional (INST)
- Policy 2.130-A: Poinciana Pre-DRI

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for a Large-Scale Future Land Use designation change from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) on 72.27 +/- acres of a total 189.43-acre site in the Rural Development Area (RDA) and Poinciana Master Plan.

- Subject site is currently slated for Duplex, Mult-Family Medium Density, and Single Family Residential per the Poinciana Master Plan.

- The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Section 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

Compatibility

- The existing uses surrounding the site are
    - North – DRI. Single family residential
    - West – DRI; undeveloped.
    - East – DRI; undeveloped
    - South – A/RR; undeveloped

- The subject site is bordered by residential land that has been developed to the northwest. To the east, south, and west of the site is all undeveloped, with the land either falling into A/RR or DRI.

- The property to the south of the subject site was approved for 1,876 single family residential lots, associated commercial area, open space, amenities, roadways, sidewalks, public utilities, stormwater and other associated improvements as part of LDPD-2023-12. After it had gone before the Board of County Commissioners on September 19th, 2023, and garnered an Approval vote of 3 to 1, the property was purchased by the State of Florida for Conservation.

Infrastructure

- The zoned schools for the site are Laurel Elementary, Lake Marion Creek Middle, and Haines City High School.

- 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, Kissimmee, with an approximate travel distance of 1.5 miles.

- The subject site is within the Sheriff Department's Northeast District. The Northeast District Office is located at 100 Dunson Road in Davenport.

- Per a letter from Toho to the applicant, the subject site will be serviced by Toho Water Authority's Service Area for potable water and wastewater.

- Bayberry Street does not have sidewalks. Marigold Avenue also does not have sidewalks. The closest sidewalk connection is north at the intersection of Lake Marion Creek Drive and Marigold Avenue which is 1.78 miles from the subject site.

- The closest mass transit route is Line 426, the Poinciana Circulator route serviced by Lynx Transit Systems located within Osceola County. The closest stop is 8.5 miles away to the northeast of the subject site.

- The nearest park is the Poinciana Community Park 1.63 miles to the south of the subject site.

Environmental

- The subject site's elevations range from 76 feet in the northeast corner, 93 feet along Bayberry Street to the west, and 79 feet at the southeast corner. Highest elevation is 93, low is 76 feet.

- The site does have a partial wetland on the north end sitting at a little over eight (8) acres.

- The soil type for the subject site includes a combination of Samsula muck, Smyrna and Myakka fine sands, Pompano fine sand, and Satellite sand.

- Per the Polk Species Observation Map, there have not been any endangered species sightings on the subject site.

- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.

- Site does reside within a Possible Network Connection for the Polk Green District. However, with the land to the south now Conservation and the land to the east of the site untouched, it could still be a viable connection point.

- There are no wells on the subject site and it is not located in a wellfield.

- The site is not within an Airport Impact District.

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 2.107-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 2.102-A10 ("locational criteria" for land use and development area expansions); and
    - c.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:

    - a. 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.
    - b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.
    - c. 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:

- a. 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. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay.
- b. 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.
- c. Provide access to parks, green areas, and open space and other amenities.
- d. 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 (Section 2.1251).

- POLICY 2.116-A1: CHARACTERISTICS - Institutional areas are primarily characterized by private and public-service structures.

- POLICY 2.116-A2: DESIGNATION AND MAPPING -Institutional areas shall be designated and mapped on the Future Land Use Map Series as "Institutional" (INST) and shall include all major existing institutional areas which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave.

- POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:

  a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.
  b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).
  c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.
  d. Proximity to similar and compatible uses providing opportunities for shared facilities.
  e. Plans of the School Board and other public service agencies with jurisdiction in the County.

  The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-

development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.

Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.

- POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria:

  a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include:1.public and private educational facilities;2.government-administration buildings;3.public-safety structures (e.g. police and fire);4.cultural facilities (e.g. libraries, museums, and performing-arts theaters);5.health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].
  b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.
  c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.
  d. Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.
  e. Institutional sites shall be designed to provide for:
     1.Adequate parking to meet the present and future demands of the use.
     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.
  f. Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:
     1. Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.
     2. Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution
  g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.

- POLICY 2.116-A5: MISCELLANEOUS - Electric-Power Generating Facilities established for the purpose of implementing Polk County's Solid-Waste Management Plan, as the Polk County Board of County Commissioners, shall be specifically permitted in the Institutional land use category provided that all applicable federal, state, and local regulations, including Section 2.125-I are satisfied.

- POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use

development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

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 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 Development Review Committee (DRC) recommends **APPROVAL of LDCPAL 2025-6.**

Planning Commission Recommendation: On September 10th, 2025, in an advertised public hearing, the Planning Commission voted (7:0) to recommend APPROVAL **of LDCPAL-2025-6.**

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: *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*.

Analysis

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses
Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest DRI; residential neighborhood, single family detached	**North** DRI; residential neighborhood, single family detached	**Northeast** DRI; undeveloped
West DRI; undeveloped	**Subject Site** DRI; undeveloped pasture land	**East** DRI; undeveloped
Southwest A/RR; undeveloped pasture land	**South** A/RR; undeveloped pasture land	**Southeast** A/RR; undeveloped pasture land

Source: Polk County Geographical Information System and site visit by County staff

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 purpose of UEA's is to recognize existing isolated areas of urban development that contain centralized water and sewer systems. UEA's are those areas within the County that are not located within a TSDA, UGA, or SDA and have developed at urban or suburban densities with County owned, municipal or County-franchised potable water systems, and small scale public or County franchised centralized sewer facilities, or private sewer systems with capacities in excess of 400,000 GPD.

The subject site is 72.27 acres of a total 189.43 acres which is currently designated as Development of Regional Impact (DRI) and is part of the Poinciana Master Plan. The conversion from DRI to Institutional (INST) will allow for the future development of a high school, which is sorely needed in this area.

B. Infrastructure

The subject site will be able to connect to water and sewer per a letter received from the Toho Water Authority.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Laurel Elementary School	0 students	119%	2.6 ± miles driving distance
Lake Marion Creek Middle School	0 students	89%	2.7 ± miles driving distance
Haines City High School	0 students	120%	12.8 ± miles driving distance

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

There is not capacity in two of the zoned schools for the subject site, but this request is changing the land use to an institutional designation, which does not typically generate residential uses which create students. However, final concurrency is determined at Level 2 Review approval and not at Comprehensive Plan amendment or Planned Development approvals. Site is intended to be used for a school, so no student generation should occur.

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.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	**Northeast District Command Unit (**1100 Dunson Rd in Davenport)	25.3 +/- miles Priority 1 – 9:58 Priority 2 – 30:57
Fire/ EMS	**Station #46** (9500 Marigold Avenue, Kissimmee, FL)	1.5 +/- miles

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

Water and Wastewater

A. Estimated Demand and Service Provider

The subject site is within the Toho Water Authority Service Area for potable water and wastewater per the applicant's Impact Assessment Statement and a letter from Toho. 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 Institutional land use would be greater than what is currently used.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use DRI in Poinciana Master Plan**	**Maximum Permitted in Proposed INST in Poinciana Master Plan**
72.27 +/-acres **3,148,081 sf**	**72.27 +/- acres X 7 du/ac =** **506 du**	**72.27 +/- acres X 0.25 FAR =** **787,021 sf**
Potable Water Consumption	**506 du X 198 GPD =** **100,188 GPD**	**787,021 X 0.24 GPD =** **188,885 GPD**
Wastewater Generation	**506 du X 180 GPD =** **91,080 GPD**	**188,884 X 80% of water =** **151,108 GPD**

Source: Concurrency Manual: *Density used was for multifamily at 198 GPD per unit for water and 180 GPD for sewer.* INST uses 0.24 X square footage for water, and 80% of water for wastewater.

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 Bayberry Street, and there supposedly is available capacity.

The nearest fire hydrant is 0.17 miles to the northwest of the subject site on Violet Court.

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.

Per a statement from Toho on the letter given to the applicant; "Toho staff has determined that Toho has potable water, reuse, and sewer capacity with existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project."

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 request will generate a more traffic than the current Future Land Use designation.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	**Maximum Permitted in Existing Land Use DRI in Poinciana Master Plan**	**Maximum Permitted in Proposed INST in Poinciana Master Plan**
72.27 +/-acres **3,148,081 sf**	**72.27 +/- acres X 7 du/ac =** **506 du**	**72.27 +/- acres X 0.70 FAR =** **2,203,657 sq ft / 2500 students = 881 sf**
Average Annual	**506 du X 6.74 AADT =** **3,411 Trips (100% New Trips)**	**881 sf X 1.94 AADT =** **1,521 Trips (89% New Trips)**
PM Peak	**506 du X 0.51 AADT =** **259 Trips**	**881 sf X 0.14 AADT =** **123 Trips**

Source: CPA Concurrency Analysis where LDA for RMX Multifamily Housing (Low-Rise) 6.74 AADT, 0.51 peak; High School for INST at 1.94 AADT, 0.14 peak. Impact Assessment provided by applicant shows High School is expected to serve 2,500 students.

B. Available Capacity

The roads surrounding the subject site are all projected to have insufficient capacity available. Marigold Avenue is an Urban Collector Road with a "C" Level of Service, but is projected to be F within five (5) years. Bayberry Street is also an Urban Collector, but is not tracked for concurrency and level of service.

Link #	Road Name	Current Level of Service (LOS)	Available Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hr Projected LOS
8431N	Marigold Avenue (Poinciana Parkway to Palmetto Street)	C	64	D	F
8431S	Marigold Avenue (Poinciana Parkway to Palmetto Street)	D	31	D	F

Source: 2023 Roadway Network Database

C. Roadway Conditions

Bayberry Street is currently showing a condition of Poor. This will need to be improved when development begins.

D. Sidewalk Network

The closest sidewalk connection is 1.78 miles north of the subject site at the intersection of Marigold Avenue and Lake Marion Creek Drive.

E. Planned Improvements:

Marigold Avenue is already being improved in this area. There are no other planned improvements at the moment.

F. Mass Transit

The closest mass transit route is Line 426, the Poinciana Circulator route serviced by Lynx Transit Systems located within Osceola County. The closest stop is 8.5 miles away to the northeast of the subject site.

Park Facilities:

A. Location:

The nearest park is Poinciana Community Park at 1.63 miles to the south of the subject site, at the intersection of Marigold Avenue and County Road 542 (Lake Hatchineha Road).

B. Services:

This park has baseball fields, a tot lot, a soccer field, basketball court, and open pavilion space.

C. Multi-use Trails:

The closest free hiking trail is in the Poinciana Community Park which is 1.63 +/- 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. Site does sit within the Polk Green Possible Network Connections.

E. Planned Improvements:

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

Environmental Conditions

The subject site's elevations range from 76 feet in the northeast corner, 93 feet along Bayberry Street to the west, and 79 feet at the southeast corner. Highest elevation is 93, low is 76 feet.

A. Surface Water:

There are no surface waters on the subject site. Site does reside within a Possible Network Connection for the Polk Green District. However, with the land to the south now Conservation and the land to the east of the site untouched, it could still be a viable connection point.

B. Wetlands/Floodplains:

There are is a sizeable portion of wetlands on the northern part on the subject site, about eight (8) acres in size. The majority of the site does reside with a Flood Zone A, but not sit within a flood plain or basin. This request is subject to review by the Florida Department of Commerce and, when permitted, is regulated in accordance with the land use standards of the Polk County Comprehensive Plan and Land Development Code.

C. Soils:

The subject site is comprised of a combination of Samsula muck, Smyrna and Myakka fine sands, Pompano fine sand, and Satellite sand. While site grading and preparation will be necessary to support site development, these soils are generally considered difficult for development.

Table 8 (Per the Applicant's IAS)

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site *(approximate)*
Samsula muck	Severe: ponding; poor filter	Severe: ponding, low strength	11%
Smyrna and Myakka fine sands	Severe: seepage, wetness	Severe: wetness	0.5%
Pompano fine sand	Severe: seepage, wetness	Severe: wetness	47.1%
Satellite sand, 0 to 2 percent slopes	Severe: seepage, wetness	Severe: wetness	41.4%

*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.*

The subject site will be connecting to Toho Water Authority for water and sewer, so septic usage will not be a problem.

Per the applicant's Impact Assessment Statement; "The subject parcel consists of soils identified as Pompano Fine Sand, Satellite Sand, and Samsula Muck according to the US Department of Agriculture (USDA) Natural Resources Conservation Services (NRCS) soil maps. Generally speaking, the Samsula Muck is limited to the wetland area in the northern portion of the subject parcel. The remaining soil types, are characteristic of poorly drained soils with estimated seasonal high-water levels within 12 inches and rapid soil permeability.

As part of the due diligence effort, we have obtained a subsurface soil exploration and geotechnical engineering evaluation for the subject site. This study included fifty-nine (59) borings of varying depths up to seventy (70) feet. Review of this study shows consistency with the soil types and their locations. In general, the upper 15-20 feet are identified as either SP or SP-SM types soils, and per the geotechnical engineering evaluation, "the existing soils other than the organic muck and organic topsoil are suitable for supporting the proposed buildings on a conventional shallow foundation system."

Accordingly, the development of the site will include the removal of the organic muck and organic topsoil from any developed areas. The development of the site will also include the placement of fill, from an on-site and/or an off-site source, for the purpose of establishing final grading on the site that addresses the high groundwater table. In order to meet stormwater management requirements, the designed stormwater system will consist of both dry retention ponds and wet detention ponds."

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)

The subject site is not located on a wellfield and does not have a well on site. The site will be connecting to water from Toho Water Authority Utilities.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

No Economic Factors are present on this site.

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 and Land Development Code

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 Institutional to be designated in rural areas and contribute to a combination of non-residential buildings.

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 lands surrounding the subject site are a combination of low density residential, and agricultural land. Toho Water utilities are readily available in this area per a letter provided to the applicant.
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 schools currently developed are reaching capacity and new schools will need to be constructed. There is already infrastructure in place with water, sewer, and emergency services. Site will need sidewalks and the roads will need to be improved to accommodate the additional traffic in the area. Per a statement from Toho on the letter given to the applicant; "Toho staff has determined that Toho has potable water, reuse, and sewer capacity with existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project."
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	

Comprehensive Plan Policy	Consistency Analysis
characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. climatic conditions, including prevailing winds, when applicable.	
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.	Poinciana is rapidly developing and this is a large open area. It was originally designated for a mixture of residential uses, but a school is also needed for this area to alleviate capacity issues.
POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs: o a. 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. o b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation	Institutional is an allowable use within the Utility Enclave Area. High School would be considered a Conditional Use Level 3. It will be able to connect to water and sewer per Toho Water Authority. Emergency services are available.
POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code: o a. 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. Connection to public sewer shall	

Comprehensive Plan Policy	Consistency Analysis
be required as regulated by the Nutrient Restoration Plan Overlay. o b. 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. o c. Provide access to parks, green areas, and open space and other amenities. o d. 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 (Section 2.1251).	
POLICY 2.116-A1: CHARACTERISTICS - Institutional areas are primarily characterized by private and public-service structures. POLICY 2.116-A2: DESIGNATION AND MAPPING -Institutional areas shall be designated and mapped on the Future Land Use Map Series as "Institutional" (INST) and shall include all major existing institutional areas which are not included within an Activity Center, Linear Commercial Corridor, or Commercial Enclave. POLICY 2.116-A3: LOCATION CRITERIA - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:	The subject site is proposed to be in the Utility Enclave Area (UEA). Institutional is an allowable use in the UEA. Site will be able to connect to water and sewer through Toho Water Authority. Site has accessibility to Marigold Avenue, an Urban Collector. Roads will need to be improved leading to the site to accommodate increase to traffic volume. Educational facilities are allowed within Institutional land uses.

Comprehensive Plan Policy	Consistency Analysis
a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market. b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts). c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10. d. Proximity to similar and compatible uses providing opportunities for shared facilities. e. Plans of the School Board and other public service agencies with jurisdiction in the County. The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS. Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan. POLICY 2.116-A4: DEVELOPMENT CRITERIA - Institutional development shall conform to the following criteria: a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include:1.public and private educational facilities;2.government-administration buildings;3.public-safety structures (e.g. police and fire);4.cultural facilities (e.g. libraries, museums, and performing-arts theaters);5.health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities [1].	

Comprehensive Plan Policy	Consistency Analysis
b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes. c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services. d. Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose. e. Institutional sites shall be designed to provide for: 1.Adequate parking to meet the present and future demands of the use. 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. f. Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following: 1. Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution. 2. Residential development shall be intended to primarily meet the housing needs for students and facility members of the nearby educational institution g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.	
POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family,	Subject site is within the Poinciana Development of Regional Impact. This site in particular was designated for a variety of residential uses, including duplex and single-family homes. Poinciana is in need of a new school to alleviate capacity at the high school

Comprehensive Plan Policy	Consistency Analysis
multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.	level. The other sites that were considered for schools in this area are not large enough to accommodate a modern school site.

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 and it is permitted in the designated area. 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

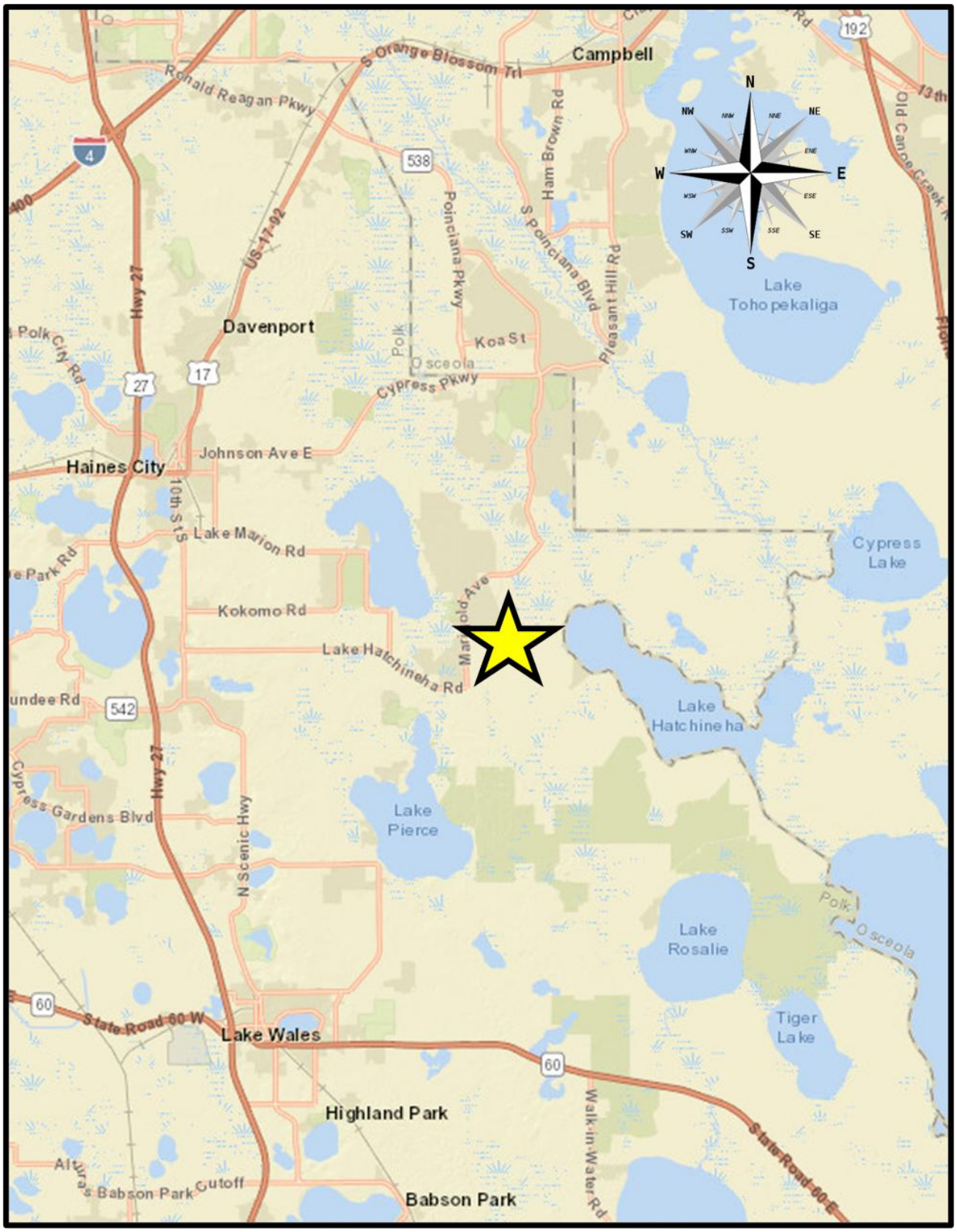
Comments from other agencies

No comments

Exhibits:

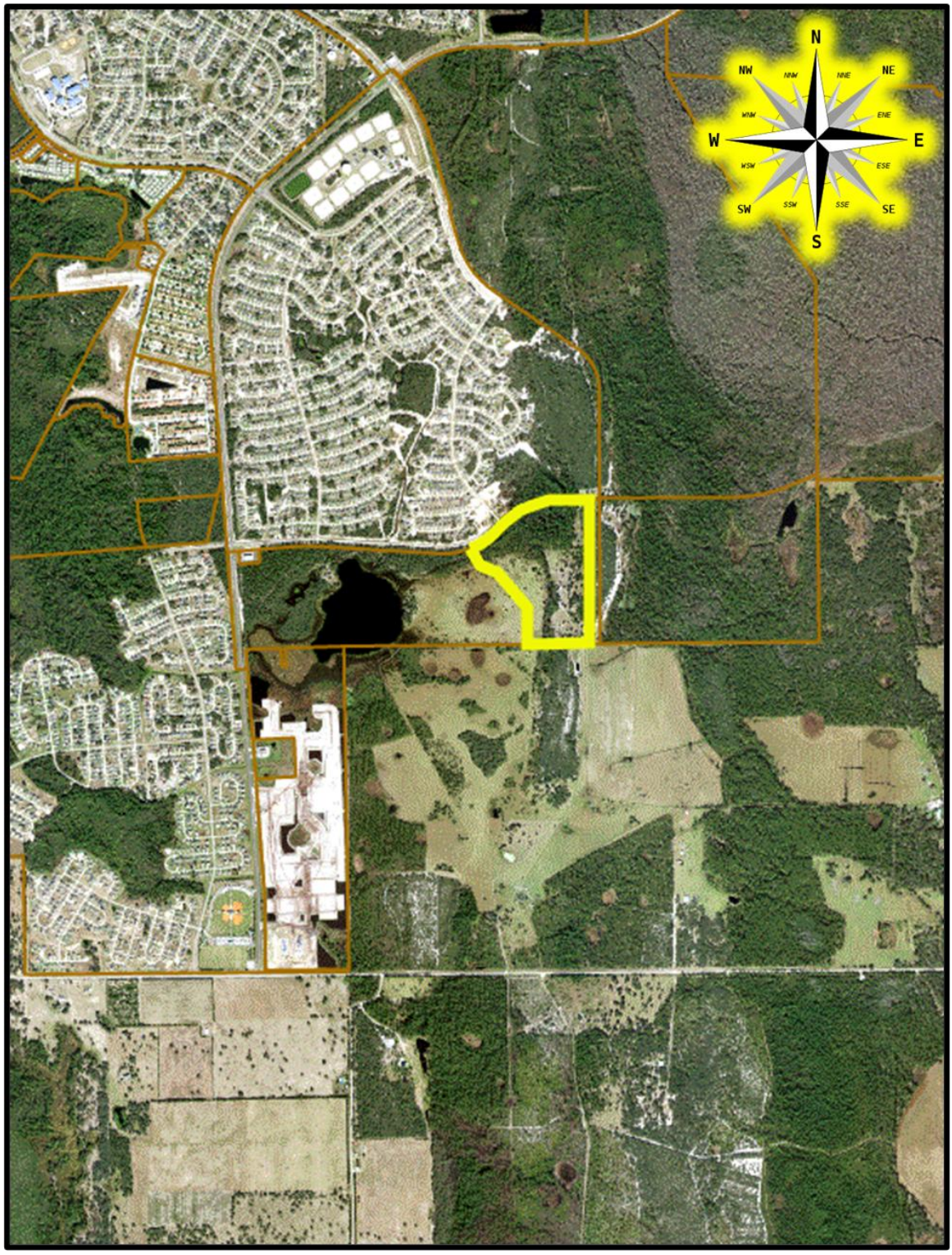
Exhibit 1 Location Map
Exhibit 2 2023 Aerial Context Map
Exhibit 3 2023 Aerial Close Up
Exhibit 4 Current Future Land Use Map
Exhibit 5 Proposed Future Land Use Map
Exhibit 6 INST-1 Conditional Uses
Exhibit 7 Poinciana Master Plan Site

Applicant's submitted documents and ordinance as separate files

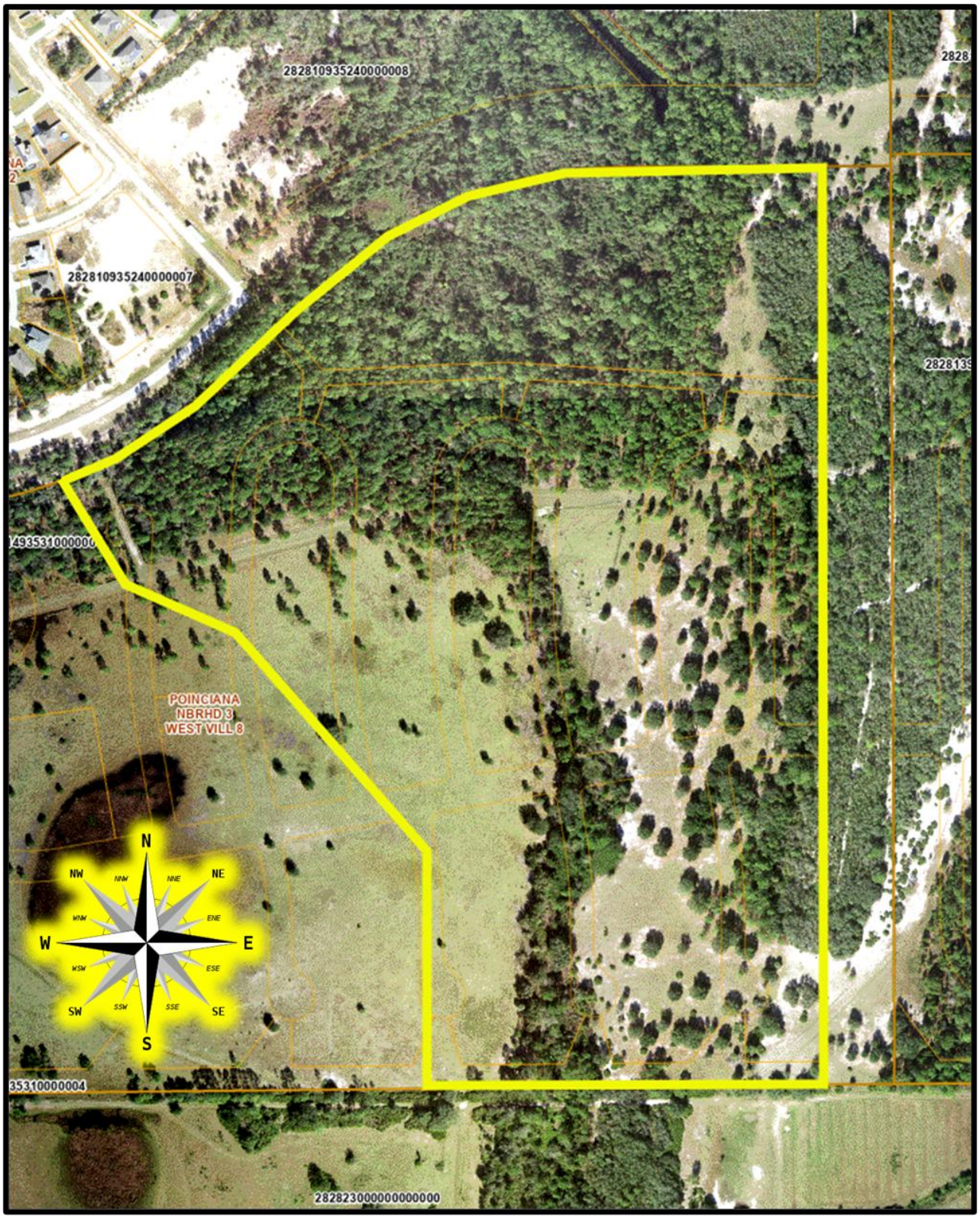


LOCATION MAP

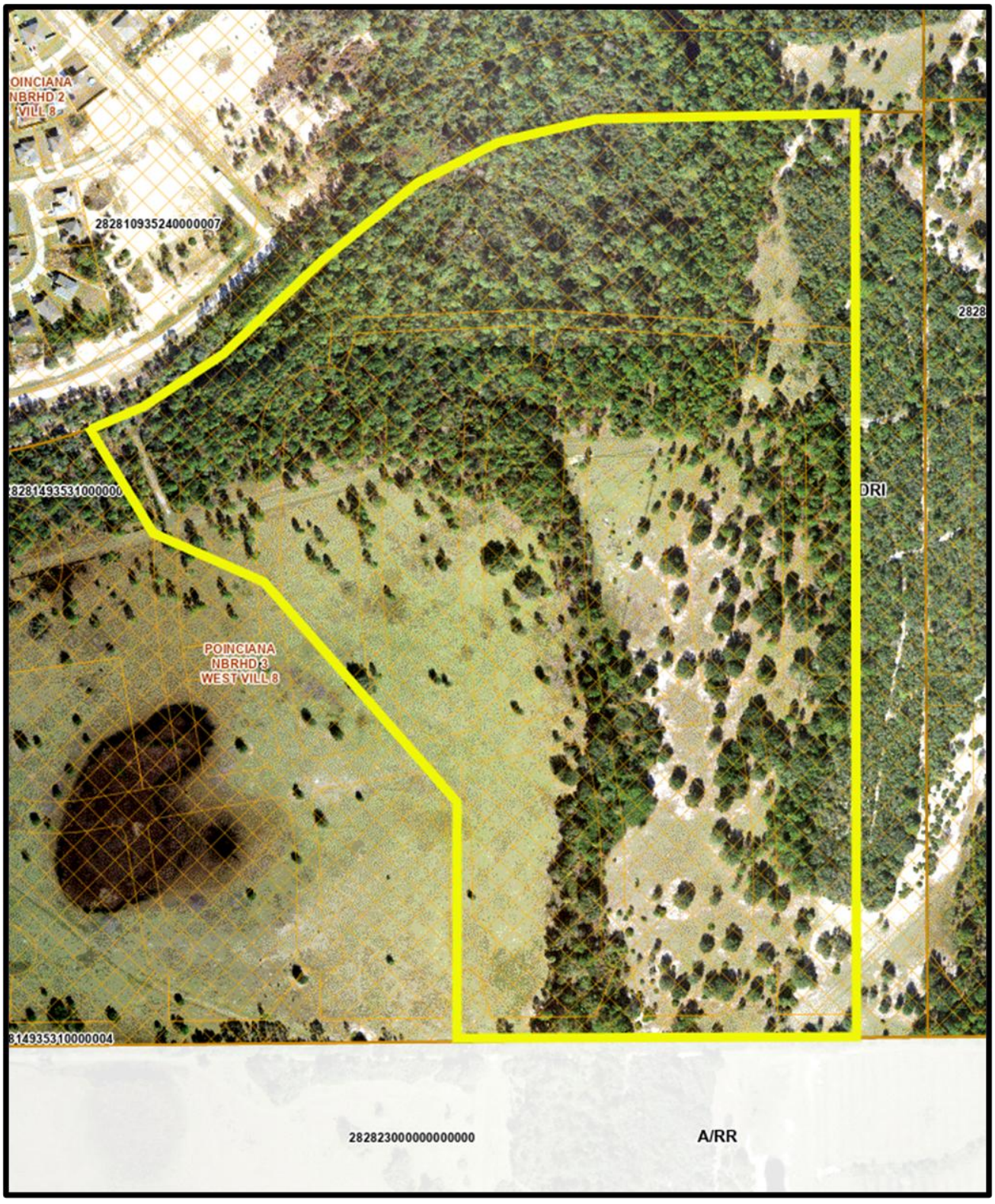
Exhibit 2



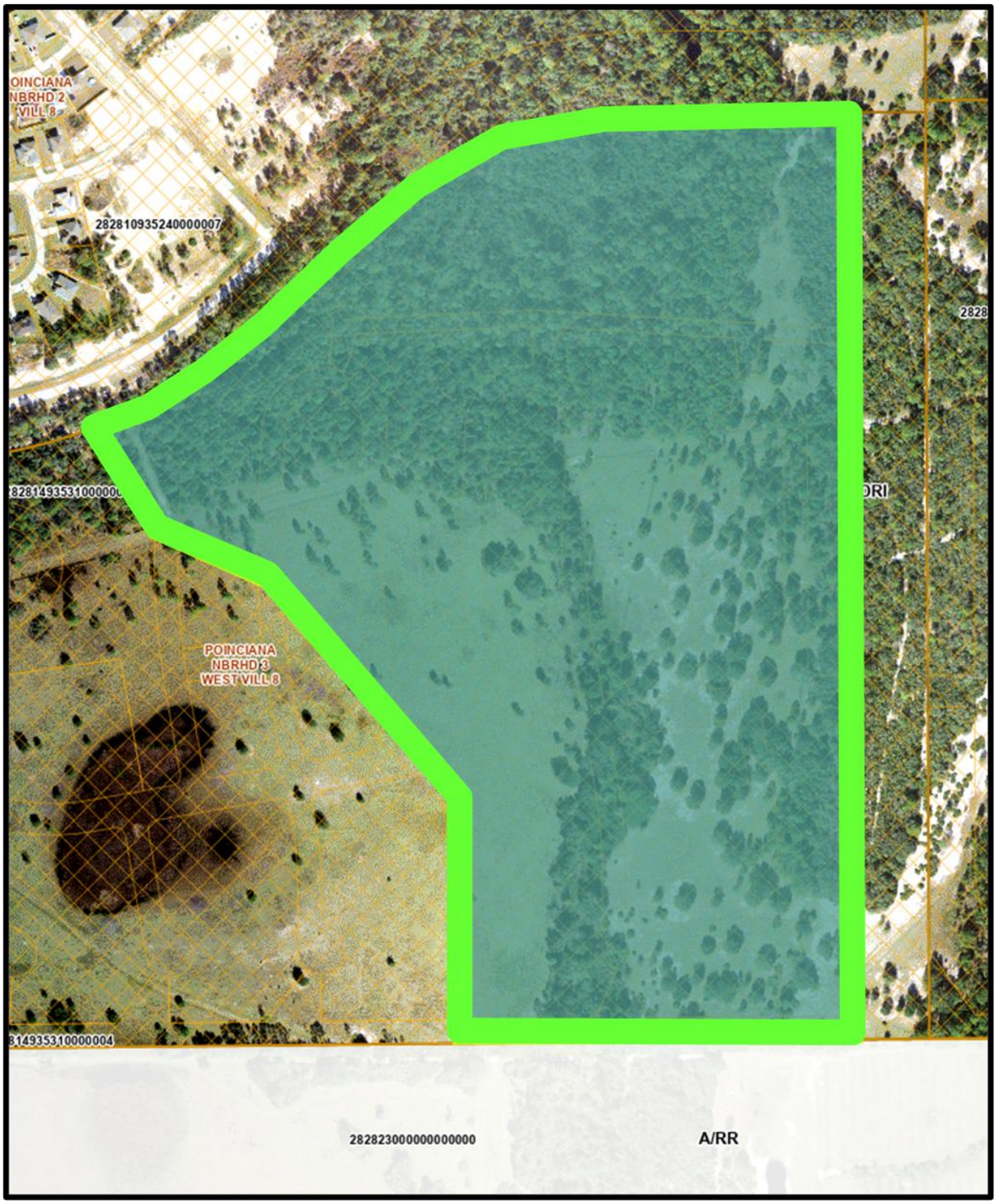
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



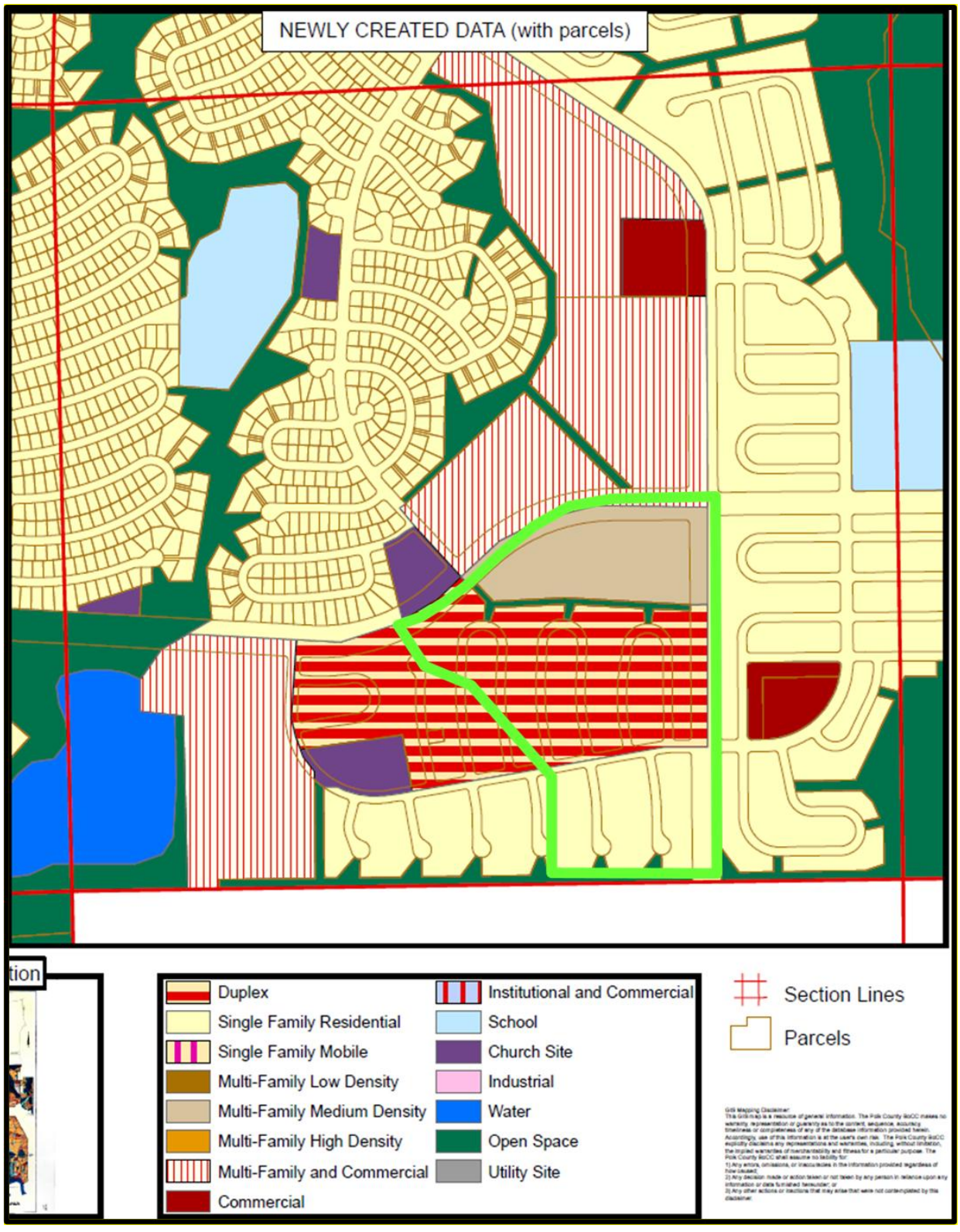
CURRENT FLUM
Development of Regional Impact (DRI)



PROPOSED FLUM
Institutional (INST)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
INST1	Childcare Center, Farming General, Government Facility, Lodges and Retreats, School-Elementary, School-Leisure/Special Interest, School-Middle, Studio- Production, Transit- Facility, Utilities- Class I, Utilities- Class II	Group Home- Large (7-14 residents), Emergency Shelter-Medium (7-14 residents), Golf Course, Recreation- High Intensity, Recreation- Low Intensity, Recreation- Passive, Group Living Facility (15 or more residents), Adult Day Care Center (7 or more clients), Cemetery, Clinics & Medical Offices, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Heliports, Helistops, Nursing Home, Office, Office Park, Recreation- Vehicle Oriented, Religious Institution, Research & Development, Solar Electric-Power Generation Facility	Multi-family, Planned Development, Gas Station, Hospitals, Lime Stabilization Facility, Mining-Non-phosphate, School- High, School- Technical/Vocational/Trade & Training, School-University/College, Seaplane Base, Utilities- Class III, Water Ski Schools, Residential Treatment Facility

INST-1 CONDITIONAL USES



POINCIANA MASTER SITE PLAN

ORDINANCE No. 25 - ____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL 2025-6;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE THE FUTURE LAND USE DESIGNATION ON 72.27 ACRES OF DEVELOPMENT OF REGIONAL IMPACT (DRI) IN THE RURAL DEVELOPMENT AREA (RDA) INTO INSTITUTIONAL (INST) IN THE UTILITY ENCLAVE AREA AND POINCIANA MASTER PLAN. THE SUBJECT SITE IS LOCATED WEST OF LAKE HATCHINEHA, NORTH OF COUNTY ROAD 542 (LAKE HATCHINEHA ROAD), SOUTH OF BAYBERRY STREET, EAST OF MARIGOLD AVENUE, EAST OF THE CITY OF HAINES CITY IN SECTION 14, 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 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-2025-6 is an applicant-initiated application to change the future land use designation of 72.27 +/- acres from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) and the Poinciana Master 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 September 10th, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on November 4th, 2025, 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 25-?, dated ? 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 January 6th, 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 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 72.27-acre site from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Institutional (INST) in the Utility Enclave Area (UEA) on the parcel listed below and graphically depicted on the parcel map in Attachment "A".

Parcels included:

282814-935310-000001 and 282814-935310-000002

LEGAL DESCRIPTION:

A PORTION OF POINCIANA NEIGHBORHOOD 3 WEST, VILLAGE 8, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGES 44 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF THE POLK COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCE AT THE SOUTHEAST CORNER OF HEMLOCK AVENUE (186 FEET IN WIDTH), ACCORDING TO THE PLAT OF POINCIANA NEIGHBORHOOD 3 WEST, VILLAGE 8, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 53, PAGES 44 THROUGH 49, INCLUSIVE, OF THE PUBLIC RECORDS OF THE POLK COUNTY, FLORIDA., SAID CORNER LYING ON THE SOUTH LINE OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 28 SOUTH, RANGE 28 EAST. THENCE, S 89°11'00" W, ALONG THE SOUTH LINE OF AFORESAID PLAT OF POINCIANA, NEIGHBORHOOD 3 WEST, VILLAGE 8 AND THE SOUTH LINE OF SECTION 14, TOWNSHIP 28 S, RANGE 28 E, A DISTANCE OF 186.00 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF HEMLOCK AVENUE AND THE SOUTHEAST CORNER OF GREENWAY-1 OF AFORESAID PLAT; THENCE CONTINUE ALONG SAID SOUTH LINES, S 89°11'00" W, A DISTANCE OF 1038.69 FEET; THENCE DEPARTING SAID SOUTH LINE AND THROUGH THE INTERIOR OF SAID PLAT, N 00°00'35" W, A DISTANCE OF 588.42 FEET; THENCE N 40°43'33" W, A DISTANCE OF 621.83 FEET, TO THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 20°52'21", AND A CHORD THAT BEARS N 51°09'43" W, A DISTANCE OF 289.83 FEET; THENCE NORTHWESTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 291.43 FEET A POINT OF REVERSE CURVATURE, OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 500.00 FEET, A CENTRAL ANGLE OF 38°58'30", AND A CHORD THAT BEARS N 42°06'38" W, A DISTANCE OF 333.60 FEET; THENCE NORTHERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 340.12 FEET; THENCE N 22°37'23" W, A DISTANCE OF 94.24 FEET, TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BAYBERRY STREET, (210 FEET IN WIDTH), SAID POINT BEING THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 1275.00 FEET, A CENTRAL ANGLE OF 20°33'09", AND A CHORD THAT BEARS N 57°06'02" E, A DISTANCE OF 454.91 FEET; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE LEFT AND SAID SOUTHERLY RIGHT OF WAY LINE, A DISTANCE OF 457.26 FEET; THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE, N 46°49'27" E, A DISTANCE OF 350.00 FEET, TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 1137.54 FEET, A CENTRAL ANGLE OF 42°42'42", AND A CHORD THAT BEARS N 68°10'48" E, A DISTANCE OF 828.49 FEET; THENCE CONTINUE NORTHEASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 847.99 FEET; THENCE N 89°32'09" E, A DISTANCE OF 479.66 FEET, ALONG SAID RIGHT OF WAY TO A POINT ON THE WESTERLYH RIGHT OF WAY LINE OF HEMLOCK AVENUE, SAID POINT BEING THE POINT OF CURVATURE OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 25.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD THAT BEARS S 45°27'51" E, A DISTANCE OF 35.35 FEET; THENCE SOUTHEASTERLY, ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 39.27 FEET; THENCE, ALONG THE WEST RIGHT OF WAY LINE OF HEMLOCK AVENUE, S 00°27'51" E, A DISTANCE OF 2334.77 FEET, TO THE POINT OF BEGINNING.
SUBJECT TO STREETS, RIGHTS OF WAYS AND EASEMENTS OF RECORD.
CONTAINING 3,148,022 SQUARE FEET OR 72.269 ACRES, MORE OR LESS.

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 Economic Opportunity 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. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Department of Economic Opportunity.

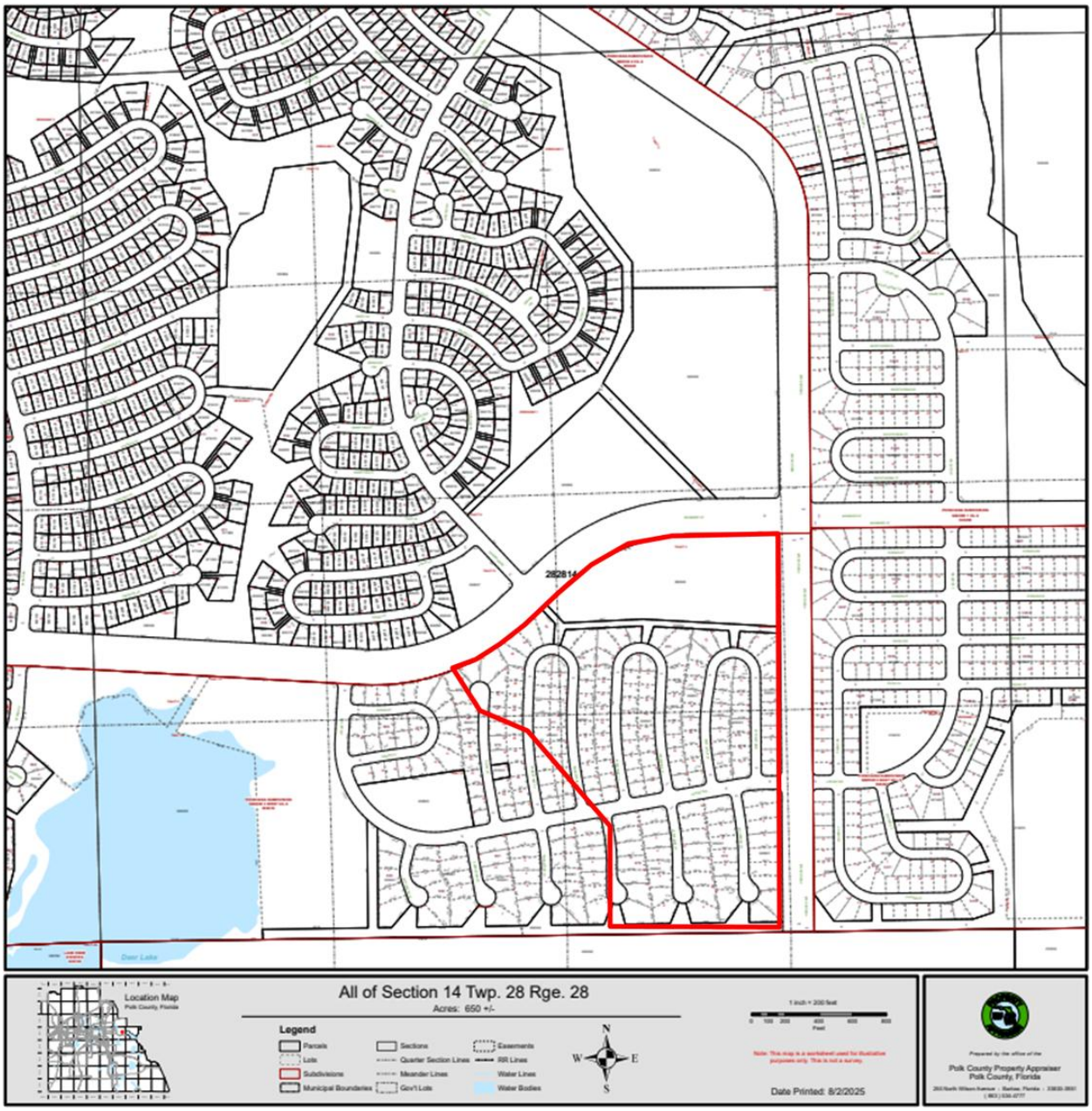
SECTION 5: FILING WITH THE DEPARTMENT OF STATE:

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 January 6th, 2026.

ATTACHMENT "A"

LDCPAL 2025-6
Land Use: DRI to INST (72.27 ± acres)
Location: The site is located west of Lake Hatchineha, north of County Road 542 (Lake Hatchineha Road), east of Marigold Avenue, and south of Bayberry Street.
Section-14 Township-28 Range-28



Parcel Detail
Note: Not to Scale

Demonstration of Need – Compliance with Policy 2.102-A11: Urban Sprawl Criteria

The Applicant respectfully submits the following analysis to demonstrate consistency with Polk County Comprehensive Plan Policy 2.102-A11 and to confirm that the proposed Small-Scale Comprehensive Plan Amendment does not promote urban sprawl.

a. *Does not promote low-intensity, low-density, or single-use development in excess of demonstrated need.*

The proposed amendment will convert ±72.27 acres of land currently designated for Single-Family, Multi-Family, and Commercial uses to an Institutional designation to accommodate a new public high school facility. This conversion directly responds to urgent capacity constraints within the Polk County Public School system, particularly at Haines City Senior High School, where 33 portable classrooms are currently deployed. The Polk County School Board has identified the need for a new high school to serve the rapidly growing population of Northeast Polk County. The site has been selected based on its strategic location and ability to meet current and future enrollment demands, representing a demonstrated and well-documented public infrastructure need rather than excess or speculative development.

b. *Does not promote urban development in rural areas or leapfrog undeveloped lands.*

The subject property is located within the Urban Development Area and is surrounded by existing and entitled urban development within the Poinciana Master Plan. The site is internal to Village 8 and is not situated within a rural context. Its development as a high school is a logical continuation of the existing urban framework and does not constitute leapfrog or premature expansion of the urban boundary.

c. *Does not promote radial, strip, or ribbon development patterns.*

The proposed Institutional use is centrally located within the master-planned community and does not front an arterial corridor in a way that would create strip or ribbon development. The high school will be integrated into the surrounding neighborhood with appropriate setbacks, buffering, and circulation planning. Its location supports a compact, connected land use pattern rather than a radial expansion.

d. *Does not compromise the protection of natural resources.*

The site has been evaluated for compatibility with environmental protection goals, and no significant wetlands, floodplains, or critical habitats are being impacted by the proposed land use change. Any future development of the site will be subject to County environmental review through the Site Development process, ensuring compliance with applicable natural resource protections.

e. *Does not compromise adjacent agricultural areas or prime farmland.*

The area is fully encompassed within the Poinciana urban boundary and is not adjacent to active agricultural operations or designated prime farmland. There will be no conflicts with agricultural activities or loss of viable agricultural lands resulting from the proposed change.

f. *Maximizes the use of existing public facilities and services.*

The high school site benefits from existing infrastructure that has already been planned or constructed as part of the Poinciana development. Roadways, utility lines, and drainage systems are either in place or included in ongoing capital improvement planning. Co-locating a school in this area ensures that prior infrastructure investments are maximized for community-serving uses.

g. *Minimizes reliance on future public facilities and services.*

The site's location within a developed and serviced area reduces the need for extensive new infrastructure. Polk County Public Schools will coordinate with local service providers to ensure that all utility and access needs are addressed through extensions or upgrades already contemplated in the County's growth strategy. The site will not require speculative or extraordinary service extensions.

h. *Does not increase the cost of providing public facilities and services disproportionately.*

The project will not impose disproportionate service costs on the County. The centralized nature of the site and its placement within an existing development footprint will allow for efficient school operation and service delivery. The project avoids siting inefficiencies that can occur when schools are developed in disconnected or underserved areas.

i. *Provides a clear separation between urban and rural uses.*

The subject site is located well within the established urban footprint of Poinciana and does not abut any designated rural areas. The proposed use supports urban service delivery and complements surrounding residential land uses.

j. *Does not discourage infill or redevelopment.*

This amendment promotes infill development by utilizing an internal, previously entitled site for a critical public infrastructure project. It enhances the overall functionality of the neighborhood and avoids the fragmentation of undeveloped parcels. The school will serve as a long-term civic anchor within the community.

k. *Encourages a functional mix of land uses.*

The conversion of this site from residential and commercial designations to an Institutional use introduces a complementary public facility that supports the surrounding residential population. The high school will bring long-term land use balance and reinforce community-serving functions within the master plan.

l. *Improves accessibility among linked land uses.*

The site is easily accessible from internal roadways within Poinciana and is centrally located to serve nearby residential neighborhoods. Future site planning will ensure multimodal access, including sidewalks, drop-off zones, and connections to existing transportation infrastructure, supporting student safety and connectivity.

m. *Does not result in the loss of functional open space.*

No designated open space or preserved greenways are affected by this amendment. The property was previously planned for residential and commercial use, and the shift to Institutional will maintain consistency with the overall master plan's land use balance and recreational network.

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;

   The ±72.27-acre site is strategically located within the Poinciana Master Plan and is internal to the Village 8, Neighborhood 3W area. It is ideally suited for institutional development due to its accessibility from existing collector roadways, availability of utilities, and central location relative to growing residential communities. The site's scale and configuration are compatible with high school facility requirements and surrounding urban land use patterns.

2. Provide a site plan showing each type of existing and proposed land use;

   A detailed site plan is under development and will depict a full-scale public high school with academic buildings, administrative offices, athletic facilities, open space, and parking. The site will accommodate approximately 2,500 students.

3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;

   No incompatibilities are anticipated. The proposed Institutional use is consistent with public infrastructure needs and is surrounded by residential and mixed-use entitlements. Standard buffering, building setbacks, and site design measures will be used to ensure compatibility 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

   The high school will reinforce compact, community-based planning in a rapidly urbanizing area. The facility will serve as a civic anchor for current and future residential development and will reduce the need for students to travel to more distant schools.

5. Describe each of the uses proposed in a Planned Development and identify the following:

   No PUD being proposed.

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;

   Trip generation for a high school (ITE LUC 530) varies. Assuming ~2,500 students and 200 staff. Final traffic impact study will be provided during site plan review.

2. Indicate what modifications to the present transportation system will be required as a result of the proposed development;

Any improvements (turn lanes, signalization, school zone signage) will be identified during the Site Development Plan and Traffic Study review and coordinated with Polk County Transportation Planning.

3. List the total number of parking spaces and describe the type of parking facilities to be provided in the proposed development;

   Parking will be provided per Polk County Code and School Board standards for high school facilities, including staff, visitor, and student parking, as well as bicycle racks and designated bus loading areas.

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

   Access will be provided via internal PUD roads connecting to Marigold Avenue and Bayberry Street, both of which are public roads capable of supporting institutional traffic volumes.

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.

   Sidewalks, bike paths, and potential future transit stops will be incorporated into the site design. The site supports multimodal transportation by promoting safe pedestrian and bicycle access from nearby neighborhoods.

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;

   Final flow calculations will be provided with engineering documents.

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;

   Wastewater will be collected and conveyed to Toho Water Authority's centralized system. No 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;

   The project is consistent with County policies and the UEA and NRPO overlays. All wastewater management will comply with applicable local and state regulations.

4. Identify the service provider; and

   Toho Water Authority

5. Indicate the current provider's capacity and anticipated date of connection.

   Capacity confirmation and connection timing will be established during SDP review and coordination with Toho Water Authority.

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;

   Potable water will be supplied from Toho Water Authority's centralized public water system, subject to standard municipal treatment.

2. Identify the service provider;

Toho Water Authority

3. Calculate the estimated volume of consumption in gallons per day (GPD); and

Final demand will be determined during utility design.

4. Indicate the current provider's capacity and anticipated date of connection.

While TWA currently serves portions of the surrounding Poinciana community, the subject site lies outside the current water service boundary. As part of this development, the applicant will coordinate with TWA to extend water infrastructure and expand the coverage area to include the subject parcels.

The anticipated date of connection will coincide with site development and utility permitting during the Site Development Plan (SDP) phase. Capacity is expected to be available once line extensions are completed and approved by TWA.

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;

Stormwater will be treated on-site through a professionally designed stormwater management system consistent with SFWMD and Polk County requirements. Best management practices will mitigate pollutant discharge and preserve water quality.

2. Describe the alteration to the sites natural drainage features, including wetland, that would be necessary to develop the project;

Site grading and construction will create new drainage conveyances and retention features. No impacts to jurisdictional wetlands or natural drainage systems are anticipated.

3. Describe the impact of such alterations on the fish and wildlife resources of the site; and

The site is not designated as critical habitat or conservation area. Minimal disruption to wildlife is expected due to its previously disturbed condition and surrounding development.

4. Describe local aquifer recharge and groundwater conditions and discuss the changes to these water supplies which would result from development of the site.

Stormwater facilities will support aquifer recharge through retention and percolation. No adverse impacts to groundwater levels are anticipated.

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;

This is a non-residential institutional use. No permanent residential population is proposed.

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;

The high school will employ approximately 150–200 staff members including teachers, administrators, and support staff. Most positions are expected to be filled by residents of Polk

County or the broader Central Florida region. A standard school day will include one daytime shift with some after-hours activities.

3. Indicate the expected demographic composition of the additional population (age/socio-economic factors); and

   The high school will serve students aged 14–18 and staff of varying ages. The facility will reflect the demographic diversity of the surrounding community.

4. Describe the proposed service area and the current population thereof.

   The proposed school will serve students from Northeast Polk County, specifically those residing in Poinciana and surrounding communities. The broader service population exceeds 50,000 residents.

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

   - ***Modern educational facilities for 2,500 students***
   - ***Athletic fields, gymnasium, and outdoor recreation amenities***
   - ***Sidewalks and bike access for student safety***
   - ***Community-serving use that complements the surrounding residential development***
   - ***Reduces travel time and enrollment pressure on existing schools***

2. Discuss the demand on the provision for the following services:

   a. Parks and Recreation;

      On-site recreational amenities will support student and community use. No additional demand on County parks expected.

   b. Educational Facilities (preschool/elementary/middle school/high school);

      Laurel Elementary School: 1.99 +/- miles
      Lake Marion Creek Middle School: 1.89 +/- miles
      Haines City High School: 8.2 +/- miles

   c. Health Care (emergency/hospital); d Fire Protection;

      HCA Florida Poinciana Hospital: 6.89 +/- miles

   e. Police Protection and Security; and

      Service expected from Polk County Sheriff's Office

   f. Electrical Power Supply.

      Duke Energy

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;

LDCPAL-2025-6 - Poinciana- Bayberry St. PPP

Menu Reports Help

Application Name: Poinciana- Bayberry St. PPP

File Date: 05/28/2025

Application Type: BOCC-CPA Large

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: To initiate a Large-Scale Comprehensive Plan Amendment (L-CPA) for approximately 72.27 acres located within Village 8, Neighborhood 3W of the Poinciana Pre-Develc of Regional Impact (Pre-DRI). The request seeks to amend the Future Land Use designation of the subject property from its current Residential entitlements to Institutiona facilitate the development of a public high school campus. The proposed amendment is intended to support long-range community infrastructure planning and meet the g demand for educational facilities in the Poinciana area. The site has been identified in coordination with the Polk County School Board and is strategically positioned to se projected student population generated by existing and future residential developments within the broader Poinciana Planned Community.

Application Detail: Detail

Address: 0 POINCIANA PKWY, POINCIANA, FL 34759

Parcel No: 282814935310000001

Owner Name: KK CATTLE COMPANY LLC

Contact Info:

Name	Organization Name	Contact Type	Contact Primary Address	Status
John Adams		Engineer	Mailing, 8 Broadway, S...	Active
Jay Klima		Engineer		Active
Jay Klima	Klima Weeks Civ...	Organization	Mailing, 385 Douglas A...	Active
Jay Klima	Klima Weeks Civ...	Individual		Active
Jay Klima	Klima Weeks Civ...	Individual		Active
SCHOOL BOARD OF POLK C...	Klima Weeks Civ...	Individual		Active
Jay Klima	Klima Weeks Civ...	Individual		Active
Structure Development	Structure Devel...	Individual	Mailing, 3700 34th Str...	Active
STRUCTURE DEVELOPMENT LLC	STRUCTURE DEVEL...	Individual	Mailing, 3700 34th Str...	Active
John Adams		Individual	Mailing, 8 Broadway # ...	Active
John Adams	RJWA, Inc.	Individual	Mailing, 8 Broadway, S...	Active
John Adams	RJWA, Inc.	Individual	Mailing, 8 Broadway, S...	Active
John Adams	RJWA, Inc.	Individual	Mailing, 8 Broadway, S...	Active
John Adams	RJWA, Inc.	Individual	Mailing, 8 Broadway, S...	Active
John Adams	RJWA, Inc.	Individual	Mailing, 8 Broadway, S...	Active
John Adams	Space Source, INC	Individual	Mailing, 8 Broadway FL...	Active
John Adams	Space Source, INC	Individual		Active
STRUCTURE DEVELOPMENT LLC	STRUCTURE DEVEL...	Individual	Mailing, 8 Broadway, S...	Active
Jay Klima	Klima Weeks Civ...	Individual	Mailing, 385 Douglas A...	Active
John Adams	Rj Whidden and ...	Applicant	Mailing, 316 Church St...	Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $5,512.30

Total Fee Invoiced: $5,512.30

Balance: $0.00

Custom Fields: LD_GEN_PUB

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
CPA Not In Selected Area Plan

Variance Type
–

Brownfields Request
–

Affordable Housing

Type of Acreage
–

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
72.27

DRC Meeting
06/26/2025

DRC Meeting Time
11:30 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
Board of County Commissioners

MEETING DATES

Community Meeting
–

Planning Commission Date
09/10/2025

Land Use Hearing Officer 3
–

1st BOCC Date
11/04/2025

2nd BOCC Date
01/06/2026

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
–

PLAN REVIEW FIELDS

TMPRecordID
POLKCO-25EST-00000-33300

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
BOCC 2	2			08/25/2025	
BOCC 1	2			08/26/2025	
PC	2			08/26/2025	

Workflow Status:

Task	Assigned To	Status	Status Date	Action By
Application Submittal	Lyndsay Rathke	Application ...	06/12/2025	Lyndsay Rathke
Surveying Review				
Engineering Review				
Roads and Drainage Review	Phil Irven	Approve	06/12/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	06/12/2025	Kim Turner
Planning Review	Johnathan Sims	Approve	06/25/2025	Johnathan Sims
School Board Review	School District	Not Required	06/12/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	06/25/2025	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

Polk County

Board of County Commissioners

Agenda Item N.5. 11/4/2025

SUBJECT

Public Hearing (LDCPAL 2025-8 North Ridge SAP PIX Text Change, CPA) (Transmittal Hearing) to consider the adoption of a Large-Scale Comprehensive Plan Text Amendment to Policy 2.131-Q4. L. c. (g) in the North Ridge Selected Area Plan (SAP) regarding limitations on commercial uses in the Professional Institutional-X (PIX) Future Land Use designation. This request is related to a Land Development Code text amendment (LDCT-2025-14). (No Fiscal Impact)

DESCRIPTION

This is an applicant-initiated request for property located within the North Ridge Selected Area Plan (SAP) to amend Policy 2.131-Q4.L.c.(g) to change the retail and commercial limitation from 25 percent to 30 percent of the Professional Institutional-X (PIX) district with allowances for higher percentage with a Level 3 Conditional Use.

State law requires one Planning Commission hearing, which was held on September 10, 2025, with a recommendation for approval (Vote 7:0). This is the transmittal hearing. The adoption hearing is scheduled for February 17, 2026.

RECOMMENDATION

Transmit

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton Planner III

Land Development Division

863-534-6468

robertbolton@polk-county.net <mailto:robertbolton@polk-county.net>

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	July 31, 2025
Planning Commission Date:	September 10, 2025
BoCC Dates:	November 4, 2025 Transmittal, and February 17, 2026 Adoption
Applicant:	Justin Ham, Kimley-Horn
Level of Review:	Level 4 Review, Comprehensive Plan Text Amendment
Case Number and Name:	LDCPAL-2025-8 North Ridge SAP PIX Comprehensive Plan Text CPA (Related to LDCT-2025-14 North Ridge SAP LDC Text Amendment)
Request:	Applicant-initiated request for a Large Scale Comprehensive Plan text amendment to Policy 2.131-Q4. L. c. (g) to amend the retail and commercial limitation from 25 percent to 30 percent of the Professional Institutional-X (PIX) district with allowances for higher percentage with a Level 3 Conditional Use.
Location:	North Ridge Selected Area Plan
Property Owner:	N/A
Parcel Size:	N/A
Development Area:	Transit Supportive Development Area (TSDA)
Future Land Use:	N/A
Nearest Municipality	Davenport
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce	Pending
Case Planner:	Robert Bolton, Planner III

The Comprehensive Plan policy change is to Section 2.131-Q Northridge Selected Area Plan:

1) Section 2.131 Q4. L c.: c. Development Criteria - Development within a PIX shall conform to the following criteria:
   (g) Retail and commercial uses are limited to ~~25~~ 30 percent of the PIX district. ~~Future expansions shall require review by the County to meet the then needed infrastructure improvements.~~ A higher percentage of the limited 30 percent of retail and commercial uses shall be permitted through a Level 3 Conditional Use. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

Summary of Analysis

This is an applicant-initiated amendment revising Comprehensive Plan policies in Section 2.131-Q Northridge Selected Area Plan related to the Professional Institutional-X (PIX) Future Land Use. This request is related to LDCT-2025-14 North Ridge SAP PIX LDC Text Amendment, requesting to amend LDC Chapter 4 Section 401.06.E North Ridge Selected Area Plan. The Comprehensive Plan limits retail and commercial uses to 25 percent of the PIX district. The Land Development Code limits retail and commercial uses to 20 percent of the PIX district. This request and the related request (LDCT-2025-14) are intended to create consistency between the Comprehensive Plan and the Land Development Code on the limitation of retail and commercial within the PIX district and allow more flexibility. An increase in the retail and commercial limit to 30 percent is requested which would create consistency with the Employment Center-X (ECX) district, which has very similar retail and commercial development standards and a 30 percent limitation within each district.

Background – The North Ridge Selected Area plan was adopted on March 6, 2002 by Ordinance 02-13. Northeast Polk County has three (3) Selected Area Plans (SAP), Ronald Reagan, and North Ridge. Theses SAP's were adopted to provide guidance and order to the growth that was happening and anticipated in the future. The North Ridge represents the southern SAP within northeast Polk County and represents a significant portion of the undeveloped land along the US Highway 27 corridor. All three of the SAP's have experienced significant residential development, and continuing to experience continued growth demand. The Professional Institutional-X (PIX) district is an Activity Center designated only within an SAP that is designated to allow health related and other professional facilities and support businesses, while allowing for residential as well as retail and commercial components as allowed by the SAP's Land Use Table within the Land Development Code.

Need for amendment – The need for the amendment is to create consistency between the Comprehensive Plan and the Land Development Code on the limitation of retail and commercial within the PIX district. An increase in the retail and commercial limit to 30 percent from 25 percent is requested which would create consistency with the Employment Center-X (ECX) district, which has very similar retail and commercial development standards and a 30 percent limitation within each district. The PIX districts within the North Ridge SAP are limited to the US Highway 27 corridor. As this area continues to develop the inconsistency within the PIX was identified, this Text Amendment is needed to correct the inconsistency. The request to increase the limit retail and commercial limit to 30 percent will allow for a consistency with the Employment Center-X (ECX) limitation for retail and commercial at 30 percent. The two Future Land Use districts have very similar Permitted and Conditional Use retail and commercial uses and fiction similar within the SAP, it is considered that a consistency between the two districts would help streamline retail and commercial development and retail and commercial reviews of developments within the SAP..

Relevant Sections, Policies, and/or Regulations to Consider:
Policy 2.102-A1: Development Location
Policy 2.102-A2: Compatibility
Section 2.131-Q Northridge Selected Area Plan
LDC Chapter 4 Section 401.06.E North Ridge Selected Area Plan

Findings of Fact

Request and Legal Status

- Applicant-initiated request for a Large Scale Comprehensive Plan text amendment to Policy 2.131-Q4. L. c. (g) to amend the retail and commercial limitation from 25 percent to 30 percent of the Professional Institutional-X (PIX) district with allowances for higher percentage with a Lavel 3 Conditional Use.

- The Professional Institutional-X (PIX) districts within the North Ridge Selected Area Plan (SAP) total five (5) separate areas and range in size from 2.9± acres to 107.2± acres.

- The request to increase the retail and commercial development area size from 25 percent to 30 percent will provide for a net increase of retail and commercial land area for each district of 0.15± acres to 4.9± acres. For the majority of the districts the increase would be negligible.

- Section 2.131-Q of the Comprehensive Plan and Section 401.06 of the Land Development Code both mention and address the Professional Institutional-X (PIX) in the North Ridge SAP.

- Table 4.16 in the Land Development Code is a use table for the North Ridge SAP.

- The Employment Center-X (ECX) in the North Ridge SAP has a 30 percent retail cap with a larger percentage permitted through a Level 3 Conditional Use.

Compatibility and Infrastructure

- The Professional Institutional-X (PIX) districts in the North Ridge SAP are all located within the Transit Supportive Development Area (TSDA) and would require connection to water and sewer.

- This request is related to LDCT-2025-1 which is a Land Development Code Text Amendment to Section 401.06.E to (1) increase allowable area for Gas Stations from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) amend signalized intersection of a principal arterial road to with direct access to a principal arterial roadway via an internal road network and, (3) to modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% without a Level 3 Conditional Use.

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.

- SECTION 2.131-Q North Ridge Selected Area Plan:
  - L. Professional Institutional (PIX)
    - C. Development Criteria
      - (g) Retail and commercial uses are limited to 25 percent of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

- LDC SECTION 40.106 North Ridge Selected Area Plan:
  - E. Modified Uses
    - 3. Conditional Uses
      - i. Gas Station
      - (1) Gas Stations are considered to be retail/commercial uses and shall not exceed the 20% limit of such retail/commercial uses allowed throughout the ECX district.

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-2025-8. (Related to LDCT-2025-14 North Ridge SAP LDC Text Amendment)**

Planning Commission Recommendation: On September 10, 2025, at an advertised public hearing, the Planning Commission recommend 7:0, to **APPROVE LDCPAL-2025-8.**

Department of Economic Opportunity: Subject to Transmittal

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:

The applicant wishes to exceed the retail and commercial limitations within one of the Professional Institutional-X (PIX) districts within the North Ridge SAP. The inconsistency between the Comprehensive Plan and Land Development Code was raised as well as the typical development of the existing PIX and Employment Center-X (ECX) limitations for retail and office use. The Land Development Code limits retail and commercial development to 20% of the PIX district, while the Comprehensive Plan limits retail and commercial development to 30% of the PIX district. The ECX districts within the North Ridge SAP limits Retail and commercial development to 30% of the district with an allowance for a higher percentage with a Level 3 Conditional Use. Within the North Ridge SAP the PIX and ECX districts are developing out in a similar nature with similar uses within Table 4.16 Table of Standard Used for the North Ridge SAP. The applicant requested a Text Amendments to both the Comprehensive Plan and the Land Development Code (LDCT-2025-8).

Policy issue - The proposal of the PIX in the North district permits retail and commercial uses. However, Policy 2.131-Q4. L. c. (g) has a limitation of 25 percent of the land within each PIX district. Within the Land Development Code, Chapter 4 Section 401.06.E.3.i.1. specifies a limitation of 20 percent of retail and commercial. The companion text amendment (LDCT-2025-14) also is reference to this issue.

An analysis of the five (5) PIX districts within the North Ridge SAP indicates a total acreage of 162.9± acres, individual districts range from 2.9± acres to 107.2± acres. An analysis of each of the districts indicates that the net increase for each district would range from 0.15± acres to 4.9± acres each. Two (2) of the districts would have less that a ¼ acre increase each, one indicating an increase of less than one (1) acre, with the next largest at just under 1.5 acres and the larges at approximately 4.9 acres. For the majority of the districts the increase would be negligible, for the district that indicates an approximate 4.9 acre increase, a good portion of the district is located in an area that is typically not well suited for retail of commercial development. Typically, retail and commercial development is located with good atrial or collector road frontage or good access. Within the North Ridge SAP are a full complement of public services. Retail and commercial uses do not impact the school system.

The request would make the retail and commercial limits the same within the PIX and ECX. An analysis of the two (2) districts indicates very similar allowable uses, either Permitted or by Conditional Use. Exhibit 4 is a Table of the PIX and ECX uses, non-allowed uses excluded. Of the 61 uses shown two (2) of the retail uses are not allowed withing the PIX nor the ECX districts, one (1) additional use (Retail more than 65,000 sf) is not allowed within the PIX the remaining retail or commercial uses are either Permitted or a Conditional Use 1 or 2 for both the PIX and ECX. One exception is a Gas Station which is a C2 in the PIX and a C3 with in the ECX. The high level of similarity in allowable uses within the retail and commercial uses provides strong justification for the amendment providing for the consistency of a 30% limitation for retail and commercial development within both the PIX and ECX districts.

It is noted that neither this Text Amendment, nor the related LDCT-2025-14 Land Development Code Text Amendment alters any other development standard within the code..

Infrastructure Impacts - This does remove some barriers to development that can lead to more growth. However, the PIX has vested development rights and the increase for a portion of the possible uses within the district is considered minimal. 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.

Comparisons to other Jurisdictions:

Special policies and development code regulations are common in other jurisdictions throughout Florida; however the North Ridge SAP is unique to Polk County. The current requested is a change to the Comprehensive Plan and related request (LDCT-2025-14) of the Land Development Code. Section 2.131-Q of the Comprehensive Plan was created for the North Ridge Selected Area Plan with Section 401.06.E. of the Land Development Code created for the North Ridge Selected Area Plan. It seems appropriate to make these changes to the policy related within the Section 2.131-Q to be consistent with Section 401.06.E. of the Land Development Code.

Limits of the Proposed Ordinances

The scope of the amendment will impact new development within Profesional Institutional-X (PIX) Future Land Use Districts within the North Ridge Selected Area Plan (SAP). The policy and related Land Development Code changes (LDCT-2025-14) are meant to allow for a concistancy of development standards with the Empoyment Center-X (ECX) within the North Ridge SAP.

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 an increase within one of several FLU districts within the North Ridge SAP. It may result in some increased development; however, the PIX districts are located where growth is planned to be. 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,	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
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.	
SECTION 2.131-Q North Ridge Selected Area Plan, L. Professional Institutional (PIX), C. Development Criteria, (g) Retail and commercial uses are limited to 25 percent of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.	The proposed policy change will allow the PIX to be consistent with the Land Development Code. The increase in the limitation for retail and commercial within a district to increase from 25 percent to 30 percent is a nominal increase and should not have a material impact on the County's infrastructure.

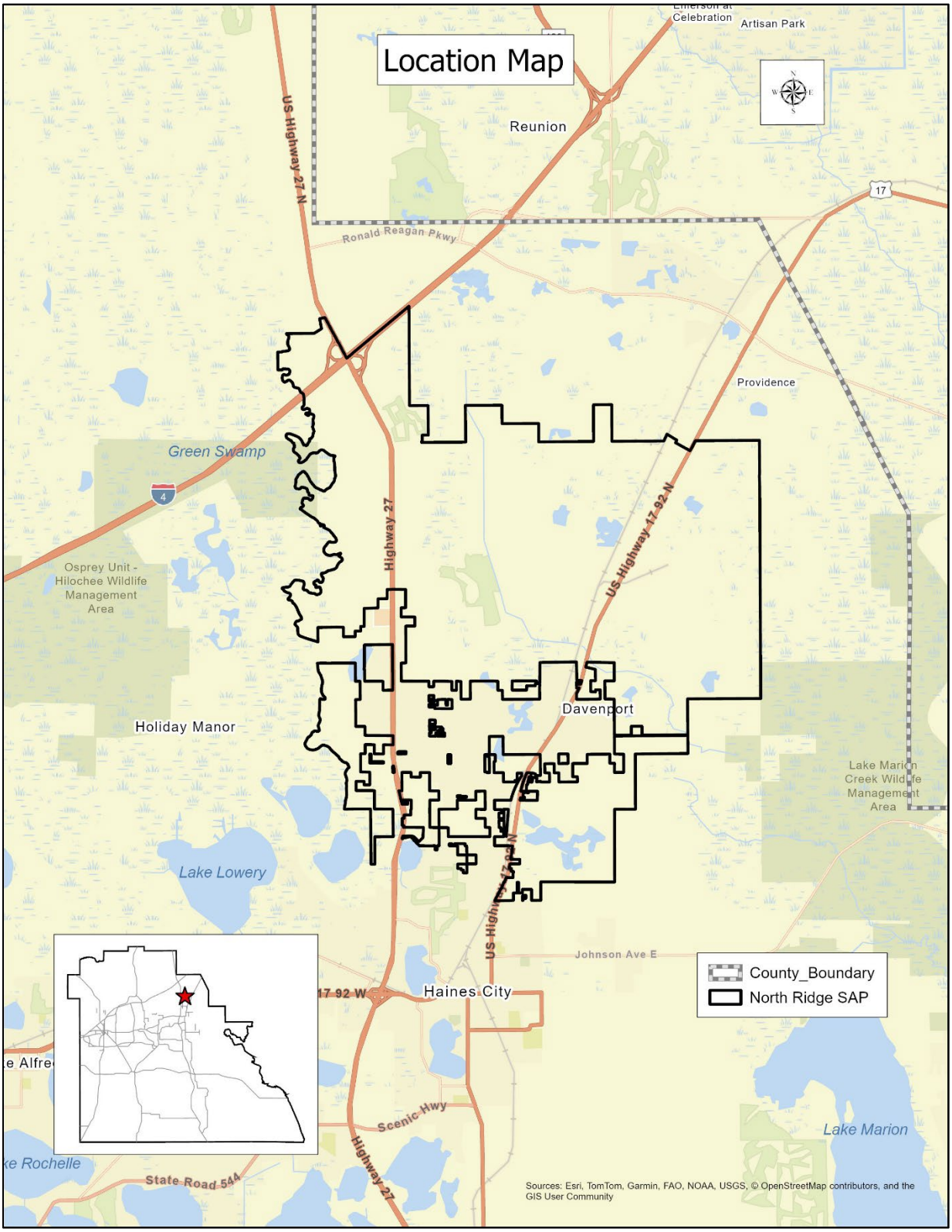
Comments from Other Agencies: None

Exhibits:

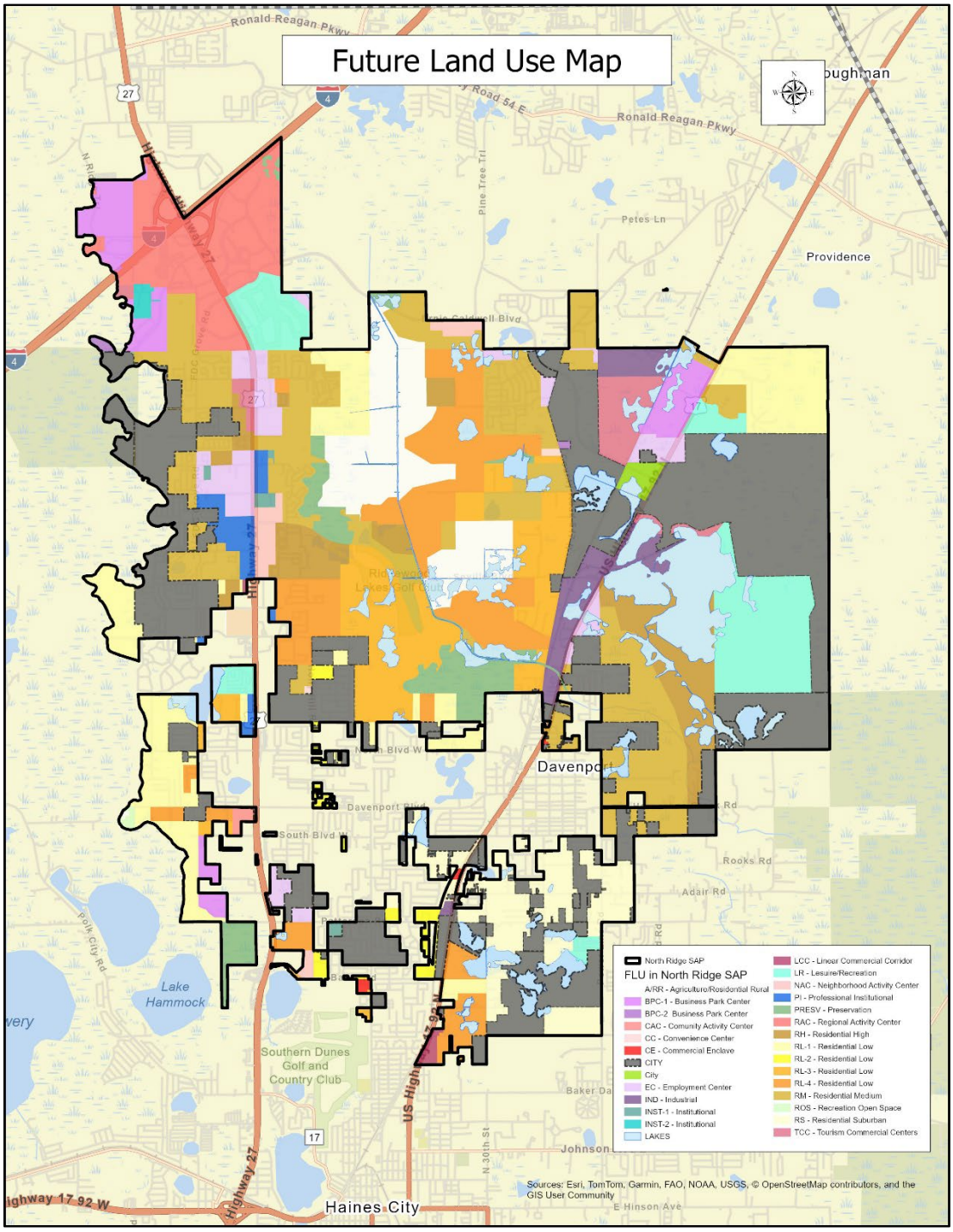
Exhibit 1	Location Map
Exhibit 2	Current Future Land Use Map Within the North Ridge SAP
Exhibit 3	PIX Locations within the North Ridge SAP
Exhibit 4	PIX and ECX Allowable Uses within the North Ridge SAP

Under separate attachment

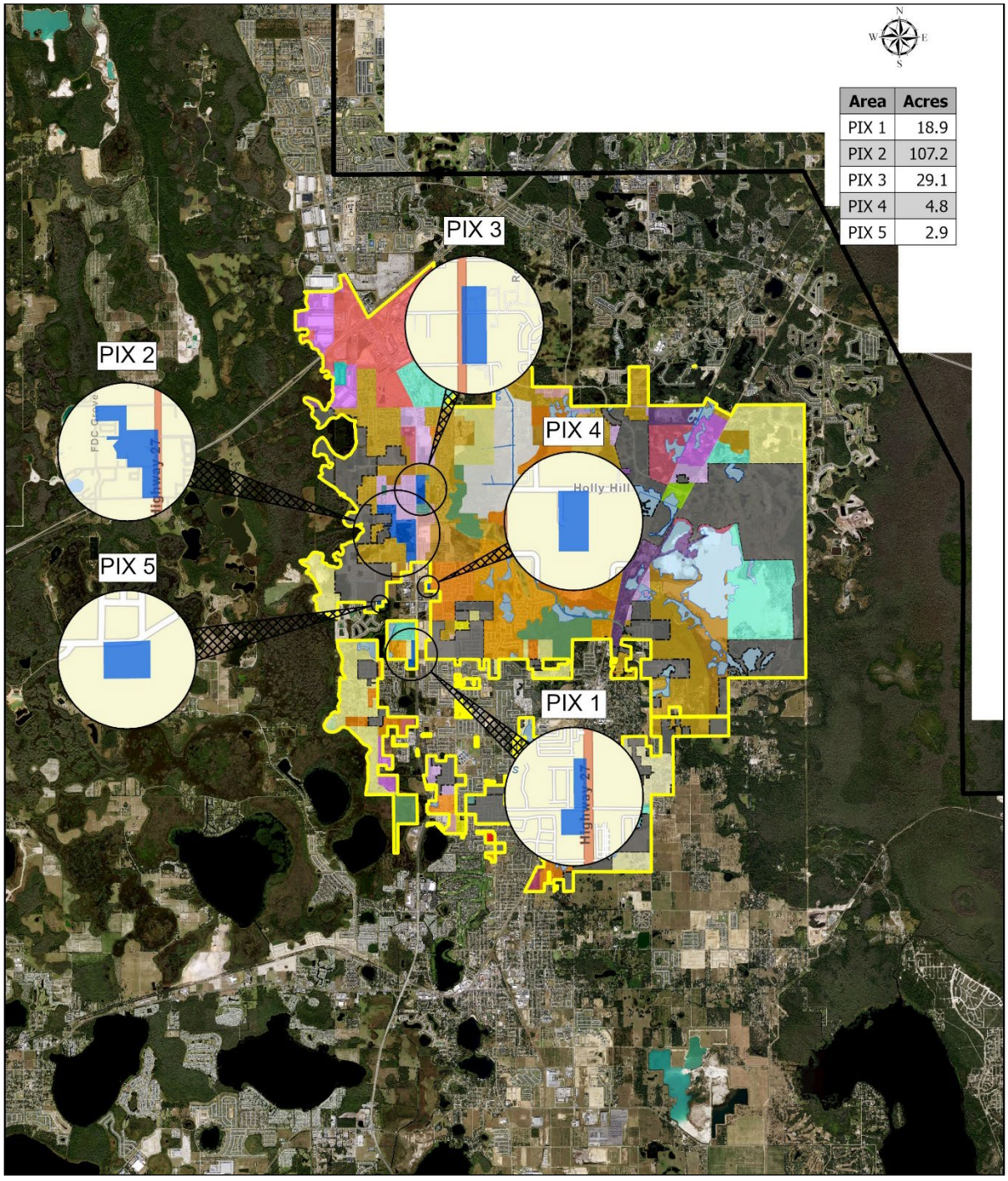
- Draft Ordinances with proposed text
- Application information



LOCATION MAP



CURRENT FUTURE LAND USE MAP
NORTH RIDGE SAP



PIX LOCATIONS WITHIN NORTH RIDGE SAP

Table 4.16 Use Table for Standard Land Use Districts North Ridge SAP		
	PI X	EC X
Key to Table: P = Permitted Use; C = Conditional Use		
Residential Uses		
Group Living Facility (15 or more residents)	C2	
Mobile Home Park	C3	
Multifamily	C2	C2
Mixed Uses		
Planned Development	C3	C3
All Other Uses		
Adult Day Care Center (7 or more clients)	C2	
Agricultural Support, On-Site		P
Airport		C4
Alcohol Packaged Sales	C1	C1
Assembly, Light		P
Car Wash, Full Service	C3	C2
Car Wash, Incidental	C2	C2
Childcare Center	C2	C2
Clinics & Medical Offices	P	C2
Communication Tower, Monopole	C2	C3
Community Center		P
Cultural Facility	P	P
Financial Institution	C2	P
Financial Institution, Drive Through	C2	P
Funeral Home & Related Facilities	C2	
Gas Station	C2	C3
Golf Course	C1	C1
Government Facility	C3	C3
Heliports	C2	C3
Helistops	C2	C2
Hospitals	P	C3
Hotels and Motels	P	C2
Lodges and Retreats	P	P
Medical Marijuana Dispensaries	C2	C2
Mining, Non-phosphate	C4	C4

Table 4.16 Use Table for Standard Land Use Districts North Ridge SAP		
	PI X	EC X
Nursing Home	C2	
Office	C2	C2
Office Park	C2	P
Personal Service	C2	P
Printing & Publishing		P
Recreation, High Intensity	C1	C1
Recreation, Low-Intensity	C1	C1
Recreation Passive	C1	C1
Recreational Camping	C2	
Religious Institution	C3	C3
Research & Development	P	P
Restaurant, Drive-thru/Drive-in	C2	C2
Restaurant, Sit-down/Take-out	C2	P
Retail, Less than 5000 sq. ft.	C2	P
Retail, 5,000 - 34,999 sq. ft.	C2	C2
Retail, 35000 - 64,999 sq. ft.	C2	C2
Retail, More than 65,000 sq. ft.		C3
Retail, Home Sales Office		
Retail, Outdoor Sales/Display		
School, High	C3	C3
School, Leisure/Special Interest	C2	C2
School, Technical/Vocational Trade & Training	C2	C2
School, University/College	C3	C2
Self-storage Facility	C3	C2
Studio, Production		P
Transit, Facility	C2	C2
Utilities, Class I	P	P
Utilities, Class II	P	C1
Utilities, Class III	C3	C3
Vehicle Service, Mechanical		C2
Vehicle Sales, Leasing		C2
Veterinary Service	C2	

PIX AND ECX ALLOWABLE USES WITHIN THE NORTH RIDGE SAP

(Retail and Commercial uses highlighted in yellow)

Ordinance No. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING THE ADOPTION OF AMENDMENT **LDCPAL-2025-8;** AN AMENDMENT TO THE POLK COUNTY COMPREHENSIVE PLAN; ORDINANCE 92-36, AS AMENDED TO CHANGE POLICY 2. 2.131-Q4. L. C. (G) TO AMEND THE RETAIL AND COMMERCIAL LIMITATION FROM 25 PERCENT TO 30 PERCENT OF THE PIX DISTRICT WITH ALLOWANCES FOR HIGHER PERCENTAGE WITH A LEVEL 3 CONDITIONAL USE. 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 2023-15 is an Applicant-initiated application to amend Policies 2.131 Q4. L c.: c. regarding development criteria within the Professional Institutional-X (PIX) Land Use District within the North Ridge Selected Area Plan (SAP). 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 September 10, 2025; and

WHEREAS, pursuant to Section 163.3184, FS, the Board of County Commissioners on November 4, 2025, 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 _____2025 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 February 17, 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 17th day of February 2026.

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

L. PROFESSIONAL INSTITUTIONAL (PIX) - The Professional Institutional is an Activity Center designated only within this SAP that is designed to allow health related and other professional facilities and other support businesses.

a. DESIGNATION AND MAPPING - Professional Institutional is designated on the North Ridge SAP Future Land Use Map.

b. CHARACTERISTICS - The PIX is intended to accommodate the employment and functional needs of the medical community as well as associated uses and retail and commercial uses to serve the employees within the PIX and surrounding areas. The PIX will generally contain medical and other professional offices and support facilities including uses to support the employee population. General (approximate) characteristics of the Professional Institutional Xs are:

(a) Usable Area: 10 acres or more

(b) Minimum Population Support: More than 2,500 people

(c) Market-Area Radius: More than 2 miles

(d) Typical Tenants: Services to persons needing medical and other specialty services such as administrative, clerical, or professional offices, doctors offices, hospitals, pharmacies, medical supply and other specialty retail stores, assisted living facilities, nursing homes, and small scale retail stores and services for the clients and employees of the land use category. Hotels and motels are also permitted to serve the users of the districts.

c. DEVELOPMENT CRITERIA - Development within a PIX 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. New driveways to US 27 may be permitted during the Level 3 Review for the Planned Development.

(b) Different uses shall incorporate the use of shared ingress/egress facilities wherever practical.

(c) Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

(d) 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. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc. are examples of facilities which may require special buffering provisions.

(e) Residential development, as primary or accessory, will be permitted in up to fifteen percent (15%) of the PIX designation at Medium Densities.

(f) The FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.25.

(g) Retail and commercial uses are limited to ~~25~~ 30 percent of the PIX district. ~~Future expansions shall require review by the County to meet the then needed infrastructure improvements.~~ A higher percentage of the limited 30 percent of retail and commercial uses shall be permitted through a Level 3 Conditional Use. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

PROPOSED TEXT AMENDMENT TO NORTH RIDGE SELECTED AREA PLAN AND POLK COUNTY LAND DEVELOPMENT CODE

Prepared For:

INTRAM INVESTMENTS, INC.

Prepared By:
KIMLEY-HORN AND ASSOCIATES, INC.
109 SOUTH KENTUCKY AVENUE
LAKELAND, FLORIDA 33801

June 2025

PROPOSED TEXT AMENDMENT TO NORTH RIDGE SELECTED AREA PLAN
AND POLK COUNTY LAND DEVELOPMENT CODE

I. SUMMARY/INTRODUCTION

The applicant, Intram Investments, Inc., seeks the approval of a text amendment to the Polk County Comprehensive Plan. The text amendment is to Policy 2.131-Q4L.c (g) in the North Ridge Selected Area Plan (the "Policy"). This policy addresses retail and commercial uses for parcels designated Professional Institutional (PIX) future land use designation only. The relevant portion of the existing policy is included below with the key language in **BOLD** text:

> c) DEVELOPMENT CRITERIA - Development within a PIX shall conform to the following criteria:
> g. Retail and commercial uses are limited to **25 percent** of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

The applicant seeks the approval of a text amendment to the Polk County Land Development Code ("LDC"). The text amendment is to sections 401.06.E.3.i and 401.06.E.3.r of the Polk County LDC. These sections address retail and commercial uses for parcels designated Professional Institutional (PIX) future land use designation, and would be modified for consistency with the proposed text change to the Comprehensive Plan. The relevant portion of the existing policy is included below with the key language in **BOLD** text:

> Section 401.06.E.3.i
> ii. The following conditions shall apply to gas stations within the PIX:
> (1) Gas Stations are considered to be retail/commercial uses and shall not exceed the **20% limit** of such retail/commercial uses allowed throughout the PIX district.
> (2) Must have **direct frontage** at a signalized intersection of a principal arterial roadway.
>
> Section 401.06.E.3.r
> r. Retail - The following standards shall apply:
> i. Retail uses are limited to 15 percent of the total developable area **PIX**, BPCX and INDX;

The applicant is seeking to increase the allowable percentage of retail and commercial uses within the PIX district to 30 percent. The proposed text amendments would permit for a consistent percentage of allowable commercial/retail use within the PIX district in both the Comprehensive Plan and the Polk County LDC.

II. PROPOSED REVISIONS

The applicant is seeking the following revisions to Policy 2.131-Q4L.c (g) in the North Ridge Selected Area Plan:

> c) DEVELOPMENT CRITERIA - Development within a PIX shall conform to the following criteria:
> g. Retail and commercial uses are limited to ~~25~~ **30 percent** of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

The applicant seeks the following revisions to sections 401.06.E.3.i and 401.06.E.3.r of the Polk County Land Development Code:

> Section 401.06.E.3.i
> ii. The following conditions shall apply to gas stations within the PIX:
> (1) Gas Stations are considered to be retail/commercial uses and shall not exceed the ~~20%~~ **30%** limit of such retail/commercial uses allowed throughout the PIX district. **A higher percentage of the limited 30 percent of retail and commercial uses shall only be permitted through a Conditional Use.**
> (2) Must have ~~direct frontage at~~ **interconnective access to** a signalized intersection of a principal arterial roadway.
>
> Section 401.06.E.3.r
> r. Retail - The following standards shall apply:
> i. Retail uses are limited to 15 percent of the total developable area ~~PIX~~, BPCX and INDX;

The proposed text amendments would result in consistent requirements and language for the PIX land use designation within both the Comprehensive Plan and the Polk County LDC. These amendments would allow for an increase in retail and commercial development within the PIX district, which will help to support shopping and employment opportunities for the surrounding residential areas.

III. IMPACT OF TEXT AMENDMENT

If the text amendment is adopted, then additional commercial and retail development would be permitted for the eight existing PIX districts along the US 27 corridor. **Table 1** below identifies all of the areas that are designated PIX. These areas are also shown in **Exhibit 1** attached at the end of this report.

Table 1: Existing PIX Land Use Districts

PIX District	**Acreage**
PIX Area 1	18.89
PIX Area 2	2.91
PIX Area 3	4.78
PIX Area 4	107.19
PIX Area 5	29.08
PIX Area 6	3.70
PIX Area 7	11.19
PIX Area 8	2.05
TOTAL	**179.79 Acres**

As shown above, if this text amendment is approved then there are eight PIX Districts that would benefit from the increase in permitted commercial and retail use. These areas consist of a total of 179.79 acres. If the proposed plan amendment is approved, the amount of permitted commercial/retail across these districts would increase from 44.94 acres to 53.94 acres. This would encourage commercial development to help support the needs of the surrounding residential areas, without drastically changing the intent of the land use district.

IV. CONSISTENCY ANALYSIS

The following is an analysis of the consistency of the proposed text amendments with the North Ridge Selected Area Plan policies:

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 fifteen 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.

This text amendment is intended to provide needed commercial development in this portion of the county. Significant residential development has been approved in the surrounding area, and this amendment will help to provide commercial and retail establishments to support this growing residential population. These developments can help reduce trip lengths and provide employment for nearby residents.

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.

The proposed text amendment furthers this goal by balancing residential and commercial uses. The county has already approved significant residential development in the surrounding area. This amendment removes a barrier to commercial and retail development within the PIX district, and helps to promote additional development to support the residential population.

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.

The proposed text amendment furthers this goal by ensuring the full range of needed land uses are provided. The proposed text amendment will encourage additional retail and commercial development to help support the needs of the neighborhoods along the US 27 corridor and surrounding 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.

This text amendment furthers this goal by encouraging development on suitable land for development. The text amendment does not encourage development in unsuitable areas.

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.

The proposed text amendment will help to provide commercial and retail establishments to support the growing residential population. This increase in development can help reduce trip lengths and provide employment for nearby residents. Major roadways will see less traffic and congestion as a result of these shorter trip lengths, helping contribute to transportation efficiency. The proposed amendment would also remove the requirement for direct frontage to a principal arterial roadway and instead allow for interconnective access, which will also help to reduce traffic on major roadways.

10. Multi-use transportation corridors and access management are key implementation tools to providing a safe and efficient movement of vehicular traffic.

The text amendment will permit an increase in commercial and retail development which will reduce trip lengths. The text amendment will also require interconnective access, which will help provide safe and efficient movement of vehicular traffic.

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.

The proposed text amendment will result in more commercial and retail development in close proximity to residential developments. This will encourage a more mixed use development pattern for this portion of the county. The text amendment will require these developments to have interconnective access to principal arterial roadways, helping to support efficient transportation patterns.

13. Mixed use developments that can provide a diverse mix of residential and non-residential uses are preferred within the SAP.

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.

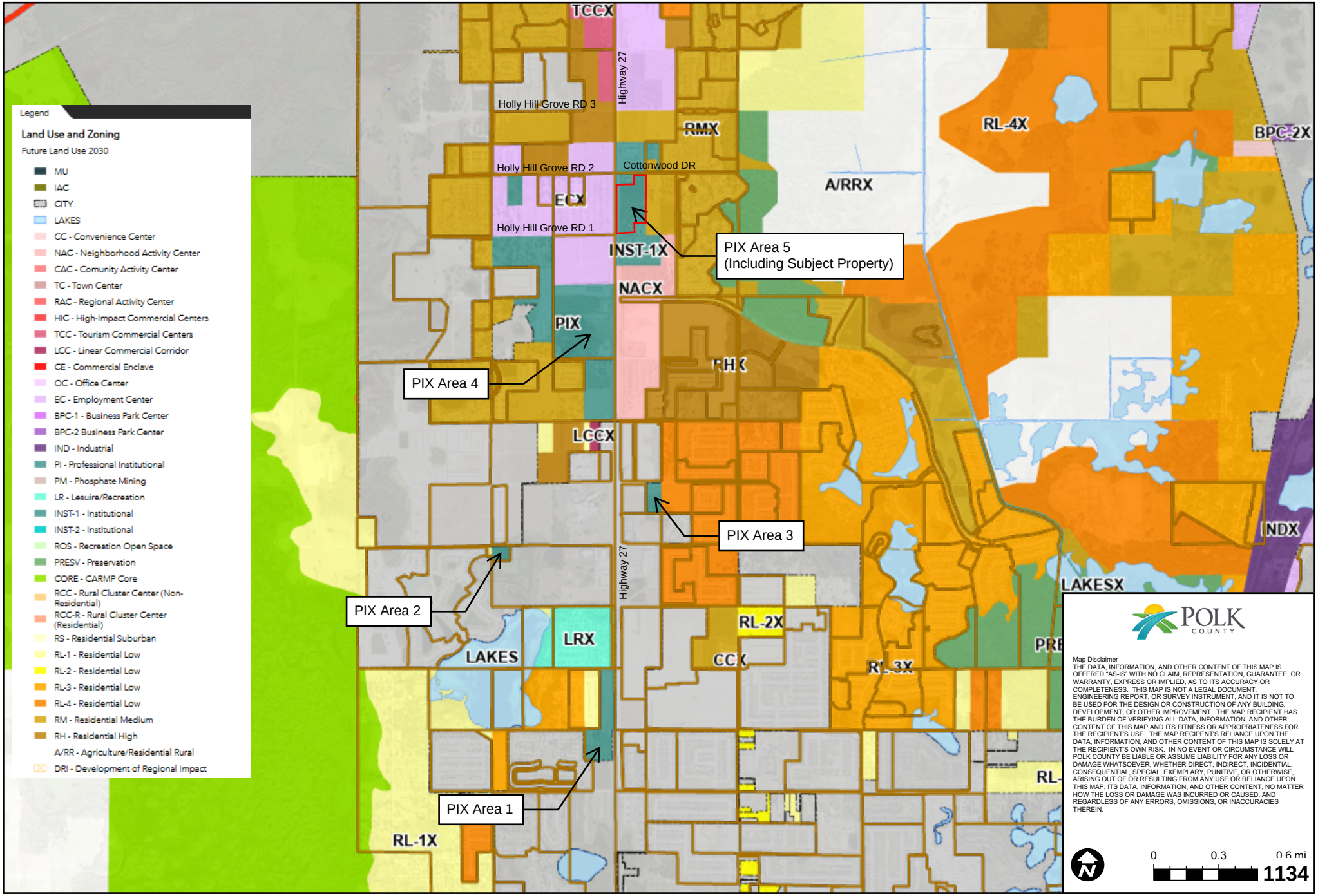
GOAL 2.131-Q: To develop an environmentally sensitive plan which encourages a high quality living environment through an efficient urban-growth pattern based on a balance of employment activities, residential and nonresidential uses, a range of housing opportunities, and short vehicle trips between housing, employment, and shopping in harmony with the special factors of the Green Swamp.

The proposed text amendment seeks to provide a balance of residential and non-residential uses. The amendment removes barriers to having needed commercial development in this portion of the county.

EXHIBIT 1: FUTURE LAND USE MAP

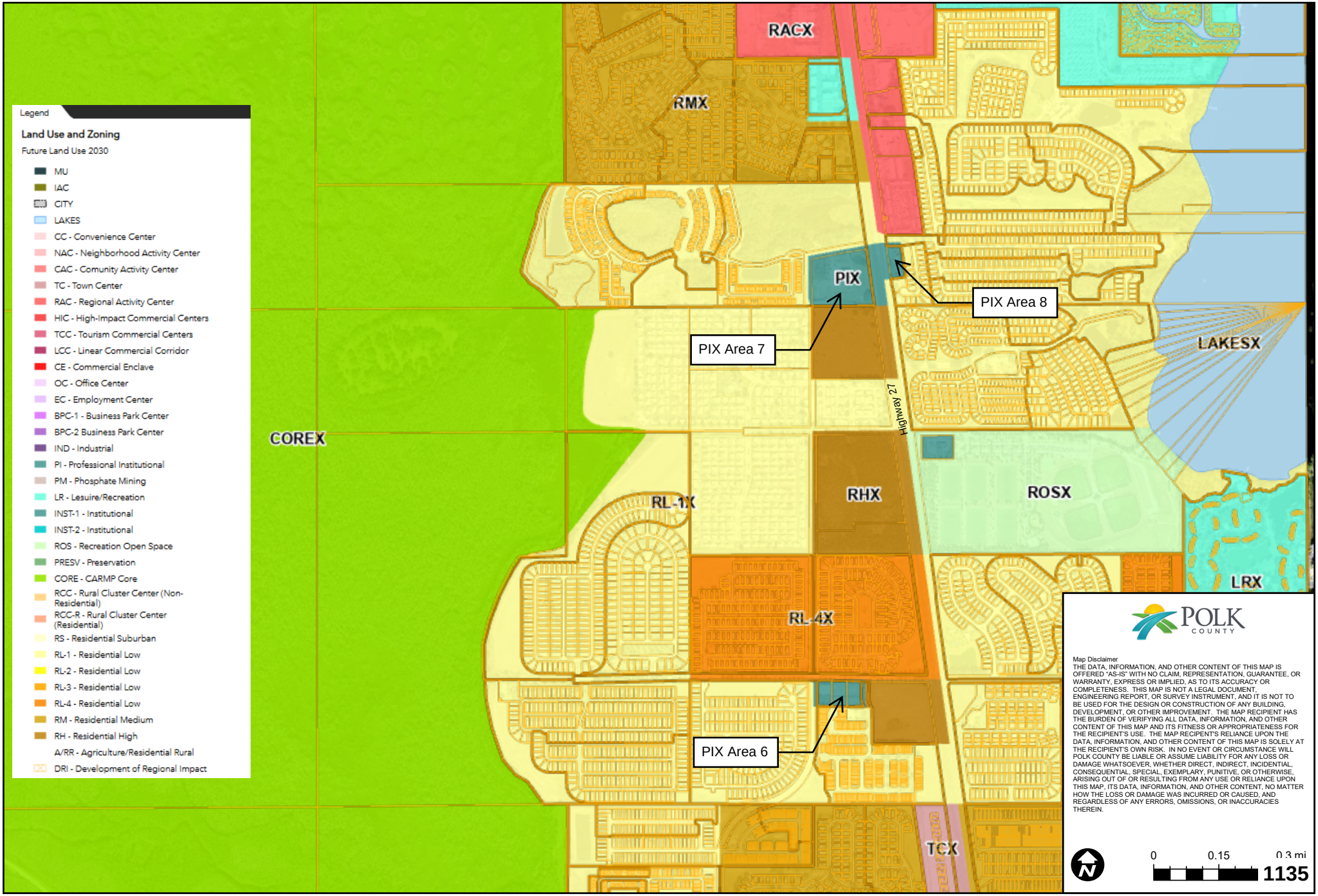
June 24, 2025

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June 24, 2025

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COMPREHENSIVE PLAN AMENDMENT

POLICY 2.131-Q4: MODIFIED LAND USE CATEGORIES

L. PROFESSIONAL INSTITUTIONAL (PIX) - The Professional Institutional is an Activity Center designated only within this SAP that is designed to allow health related and other professional facilities and other support businesses.

a) DESIGNATION AND MAPPING - Professional Institutional is designated on the North Ridge SAP Future Land Use Map.

b) CHARACTERISTICS - The PIX is intended to accommodate the employment and functional needs of the medical community as well as associated uses and retail and commercial uses to serve the employees within the PIX and surrounding areas. The PIX will generally contain medical and other professional offices and support facilities including uses to support the employee population. General (approximate) characteristics of the Professional Institutional Xs are:
    a. Usable Area: 10 acres or more
    b. Minimum Population Support: More than 2,500 people
    c. Market-Area Radius: More than 2 miles
    d. Typical Tenants: Services to persons needing medical and other specialty services such as administrative, clerical, or professional offices, doctors offices, hospitals, pharmacies, medical supply and other specialty retail stores, assisted living facilities, nursing homes, and small scale retail stores and services for the clients and employees of the land use category. Hotels and motels are also permitted to serve the users of the districts.

c) DEVELOPMENT CRITERIA - Development within a PIX 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. New driveways to US 27 may be permitted during the Level 3 Review for the Planned Development.
    b. Different uses shall incorporate the use of shared ingress/egress facilities wherever practical.
    c. Interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.
    d. 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. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage,

etc. are examples of facilities which may require special buffering provisions.

e. Residential development, as primary or accessory, will be permitted in up to fifteen percent (15%) of the PIX designation at Medium Densities.
f. The FAR shall be 0.70. Higher FARs will be allowed through bonus points per the Land Development Code for a total of 1.25.
g. Retail and commercial uses are limited to ~~25~~ 30 percent of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

www.polk-county.net

Office of Planning and Development
Land Development Division
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863)534-6792
FAX (863) 534-6407

LEVEL 3 & 4 DEVELOPMENT REVIEW APPLICATION

Refer to Resolution 13-141 for Applicable Fee(s)

TYPE OF APPLICATION

( ) Level 3 (✓) Level 4

( ) Conditional Use **( ) Planned Development**

( ) Suburban Planned Development **( ) Sign Plan**

( ) Major Modification - Case Number _____

	Owner	Applicant	Contact Person
Name	Randy Hodge, Intram Investments	Randy Hodge, Intram Investments	Justin Ham, P.E.
Work Number	407-354-2200 ext.221	407-354-2200 ext.221	863-226-6564
Fax Number			
Mailing Address	Cottonwood 27 Development, LLC 5555 S. Kirkman Rd, Ste 201 Orlando, FL 32819	Cottonwood 27 Development, LLC 5555 S. Kirkman Rd, Ste 201 Orlando, FL 32819	Kimley-Horn 109 S. Kentucky Ave. Lakeland, FL 33801
Email	rhodge@intram.com	rhodge@intram.com	justin.ham@kimley-horn.com

Description of Proposed Activity or Use

Please provide a detailed description of the project, quantifying intensity (such as number of units, employees, seats, beds, rooms, children, holes of golf, pumps, vehicle repair bays, etc.), specify phasing, and estimated period for completion.

The project consists of ±12.8 acres of undeveloped land located east of US HWY 27 and south of Cottonwood Road. The project is located within the North Ridge SAP and the TSDA Development Area. The property will be subdivided into commercial/retail outparcels and includes associated utility and stormwater infrastructure. The purpose of this application is to request a Comprehensive Plan Text Amendment to increase the percentage of permitted commercial/retail use within the PIX zoning district from 25% to 30%.

	Range	Township	Section	Subdivision #		Parcel #
Parcel ID Number(s):	R 27	T 26	S 29	706500	-	030010 .
	R 27	T 26	S 29	706500	-	030151 .
	R 27	T 26	S 29	706500	-	030152 .
	R	T	S		-	.

(Include others on a separate attachment)

Address and Location of Property:

US Hwy 27 and Cottonwood Drive, 41491 Hwy 27, Davenport, FL 33837

Directions to Property from Bartow

Travel north on US-98 to Polk Parkway. Travel north-east on Polk Parkway to I-4. Travel east on I-4. Take exit 55 to South US-27. The site is located toward the SE corner of US-27 and Cottonwood road.

Property Description

Future Land Use (and Subdistrict if applicable): Professional Institutional (PI) .

Property Size: 12.82 +/- acres Development Area: TSDA

Water Provider Name and Phone Number: PCU .

Sewer Provider Name and Phone Number: PCU .

Development of Regional Impact: N/A .
(Name and Phase of DRI)

Selected Area Plan: North Ridge .
(Name of SAP)

Green Swamp Area of Critical State Concern: N/A .
(Name of Special Protection Area)

Joint Planning Area/Interlocal Agreement N/A

Have Development Rights been transferred to or from the subject property? ___ Yes ✔ No

Identify existing uses and structures on subject and surrounding properties (e.g. vacant, residential # du/ac, commercial approx. square feet, etc.):

US Highway 27 Right-of-Way Existing Retail (Dollar General) **NW**	Cottonwood Drive Right-of-Way Professional Institutional (Sun State International Trucks, Polk County Fire Rescue Station 38) **N**	Cottonwood Drive Right-of-Way Existing Residential (RMX) **NE**
US Highway 27 Right-of-Way **W**	Vacant Professional Institutional (PIX) **Subject Property**	Existing Residential (RMX) Four Corners Baptist Church **E**
US Highway 27 Right-of-Way Holly Hill Grove Rd Right-of-Way **SW**	Holly Hill Grove Rd Right-of-Way Existing Institutional (Champions Christian Academy) **S**	Professional Institutional (Proposed Vet Clinic) **SE**

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

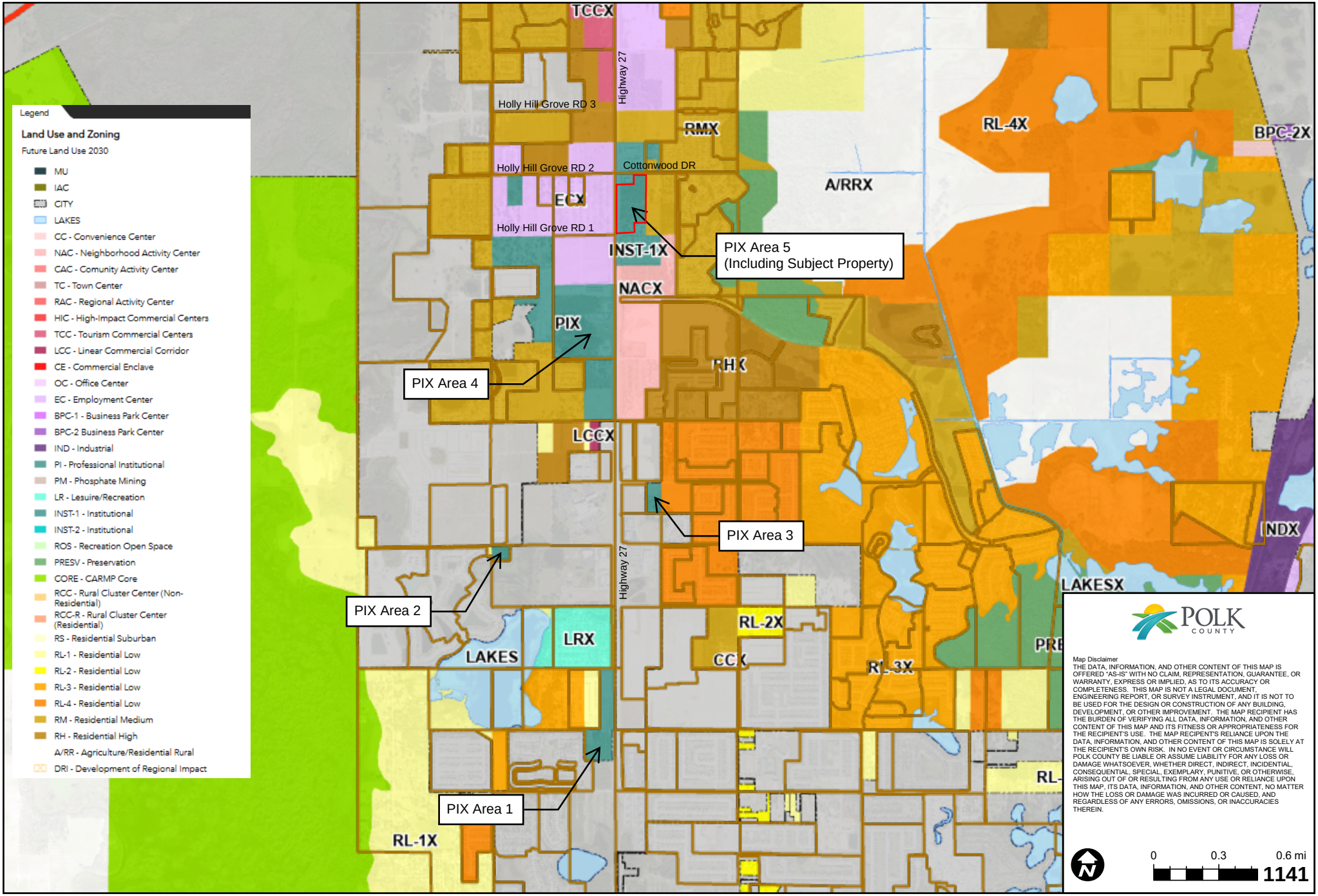
I, RANDY HODGE (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

RANDY HODGE, VICE PRES. 5/30/25

Property owner or property owner's authorized representative. Date:

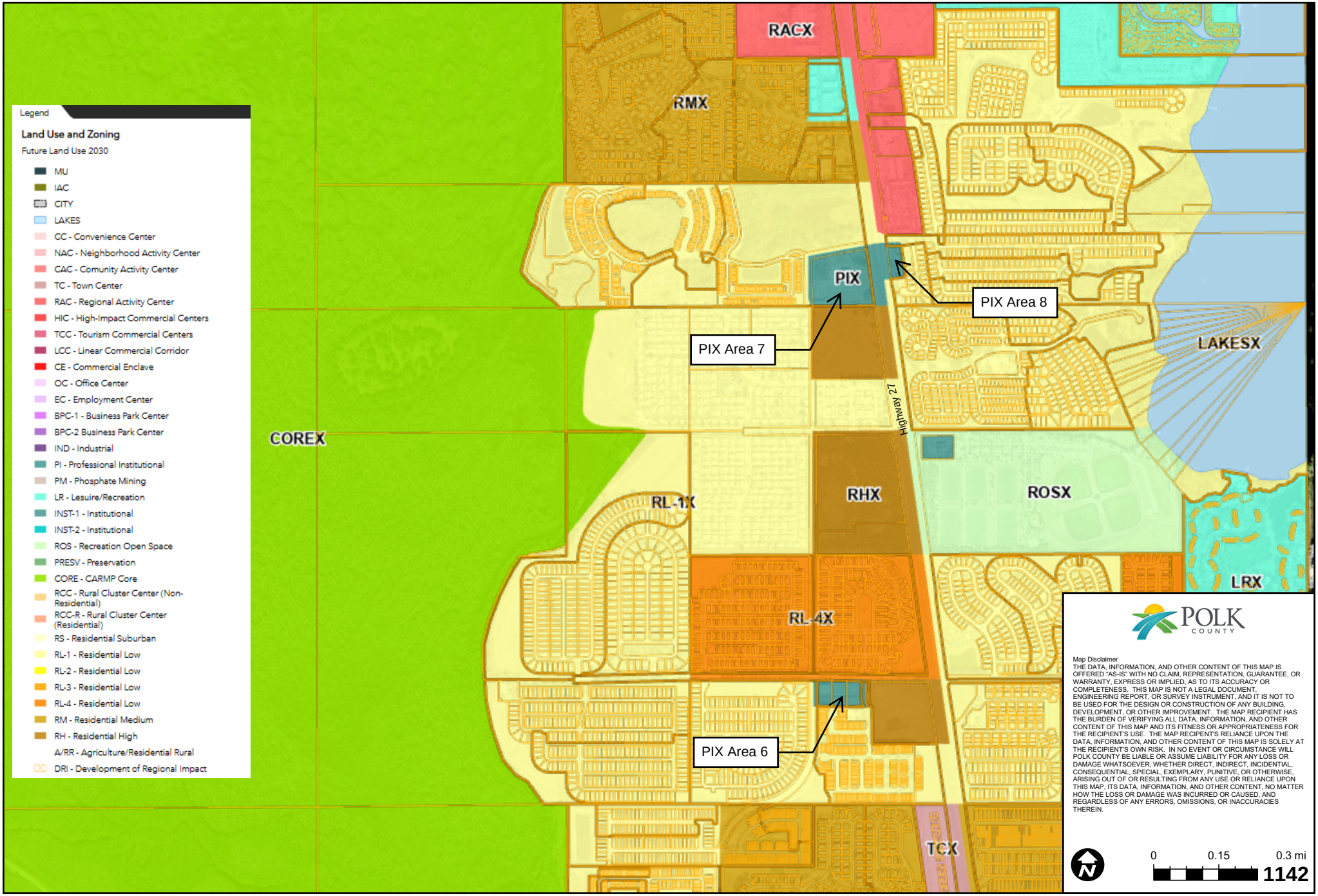
June 24, 2025

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June 24, 2025

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Agenda Item N.6. 11/4/2025

SUBJECT

Public Hearing (LDCT-2025-14 North Ridge SAP PIX LDC Text) (First Reading) to consider the adoption of a Land Development Code text amendment to amend Chapter 4, Section 401.06.E in the North Ridge Selected Area Plan (SAP) relating to commercial use limitations in the Professional Institutional-X (PIX) Future Land Use designation. This case is related to LDCPAS-2025-8 a Comprehensive Plan Text Amendment. (No Fiscal Impact)

DESCRIPTION

This is an Applicant-initiated request to amend Chapter 4, Section 401.06.E in the North Ridge Selected Area Plan (SAP) to (1) increase allowable area for Gas Stations from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) amend signalized intersection of a principal arterial road to with direct access to a principle arterial roadway via an internal road network and, (3) to modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% without a Level 3 Conditional Use for property located within the North Ridge Selected Area Plan (SAP).

State law requires one Planning Commission hearing, which was held on September 10, 2025, with a recommendation of 7:0 for approval of the amendment. Section 163.3202, Florida Statutes (F.S.) requires the Board to adopt Land Development Code (LDC) regulations consistent with the implementation of the Polk County Comprehensive Plan. Amendments to the LDC require two public hearings before the Board to be adopted. This is the first of the two hearings.

RECOMMENDATION

Approve on second reading on February 17, 2026.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Robert Bolton Planner III

Land Development Division

863-534-6468

robertbolton@polk-county.net <mailto:robertbolton@polk-county.net>

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	July 31. 2025
Planning Commission Date:	September 10, 2025
BoCC Dates:	November 4, 2025, 1st reading, and February 17, 2026 Adoption
Applicant:	Justin Ham, Kimley-Horn
Level of Review:	Level 4 Review, Land Development Code Text Amendment
Case Number and Name:	LDCT-2025-14 North Ridge SAP PIX LDC Text
Request:	Amend Chapter 4, Section 401.06.E to (1) increase allowable area for Gas Stations from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) to allow access to a principal arterial roadway via an internal road network and, (3) to modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% without a Level 3 Conditional Use.
Location:	North Ridge Selected Area Plan
Property Owner:	N/A
Parcel Size:	N/A
Development Area:	Transit Supportive Development Area (TSDA)
Future Land Use:	N/A
Nearest Municipality	N/A
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Florida Commerce	N/A
Case Planner:	Robert Bolton, Planner III

Summary of Analysis:
The Land Development Code policy changes are to:
Section 401.06.E.3.i.

ii. The following conditions shall apply to gas stations within the PIX:
(1) Gas Stations are considered to be retail/commercial uses and shall not exceed the ~~20%~~ 30% limit of such retail/commercial uses allowed throughout the PIX district, retail over 30% Level 3 Conditional Use.
(2) Must have direct frontage ~~at a signalized intersection~~ of a principal arterial roadway with direct access to a principal arterial roadway via an internal road network.

Section 401.06.E.3.r.
r. Retail - The following standards shall apply:
i. Retail uses are limited to 15 percent of the total developable area ~~PIX~~, BPCX and INDX;
ii. Retail use within the PIX district is limited to 30 percent, a higher percentage of the limited 30 percent of retail and commercial uses shall be permitted through a Level 3 Conditional Use.

Summary

This is an applicant -initiated request to approve a Land Development Code (LDC) Amendment. The request would amend the Land Development Code Chapter 4, Section 401.06.E , The North Ridge Selected Area Plan, Modified Special Use Requirements. The request is comprised of four elements: (1) increase allowable area for Gas Stations in PIX from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) amend direct frontage to internal road network to signalized intersection of a principal arterial road, (3) modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% with an allowance to go higher with a Level 3 Conditional Use. This request is related to LDCPAL-2025-8 North Ridge SAP PIX Comprehensive Text Amendment, requesting to change Section 2.131 Q4. L c. of the Development Criteria for the Professional Institutional-X (PIX) within the North Ridge Selected Area Plan (SAP).

Data and Analysis Summary

The first of the four parts of the request, is related to the LDCPAL-2025-8 Comprehensive Plan Text Amendment. The Comprehensive Plan, Policy 2.131-Q4. L. c. (g) has a limitation of 25 percent of the land within each PIX district, LDC Section 401.06.E.3.i.1. specifies a limitation of 20 percent of retail and commercial, an inconsistency between the codes. This request will bring these codes into consistency. The request is to increase the limitation to 30 percent of the district. An analysis of the five (5) PIX districts within the North Ridge SAP indicates a total acreage of 162.9± acres, individual districts range from 2.9± acres to 107.2± acres. An analysis of each of the districts indicates that the net increase for each district would range from 0.15± acres to 4.9± acres each. Two (2) of the districts would have less that a ¼ acre increase each, one indicating an increase of less than one (1) acre, with the next larges at just under 1.5 acres and the larges at approximately 4.9 acres. For the majority of the districts the increase would be negligible.

The request would make the retail and commercial limits the same within the Professional Institutional-X (PIX) and Employment Center-X (ECX). An analysis of the two (2) districts indicates very similar allowable uses, either Permitted or by Conditional Use. Exhibit 4 is a Table of the PIX and ECX uses, non-allowed uses excluded. Of the 61 uses shown two (2) of the retail uses are not allowed withing the PIX nor the ECX districts, one (1) additional use (Retail more than 65,000 sf) is not allowed within the PIX the remaining retail or commercial uses are either Permitted or a Conditional Use 1 or 2 for both the PIX and ECX. One exception is a Gas Station which is a C2 in the PIX and a C3 within the ECX. The high level of similarity in allowable uses within the retail and commercial uses provides strong justification for the amendment providing for the consistency of a 30% limitation for retail and commercial development within both the PIX and ECX districts.

The second of the four parts of the request is to amend direct frontage to internal road network to signalized intersection of a principal arterial road. As the North Ridge SAP builds out and interconnectivity of developments through designed internal roadways to signalized intersections along the principal arterial road, US Highway 27, providing for a mechanism to access a signalized intersect via development interconnectivity was a primary reason for the interconnectivity concept within the code. US Highway 27 is a FDOT maintained road and the County does not have control

over signalization, this will provide developments flexibility when working with FDOT on access to US Highway 27.

The third of the four parts of the request is to remove Professional Institutional-X (PIX) from retail caps. Another inconsistency between the codes is located in Section 401.06.E.3.r.i. which states that Retail had a 15 percent limitation within a PIX district. A removal of this limitation would provide that consideration for retail and commercial will be covered in Section 401.06.E.3.i. eliminating an inconsistency within the LDC.

The fourth of the four parts of the request is to add subsection for Retail in the PIX in Section 401.06.E.3.r., to 30% with an allowance to go higher with a Level 3 Conditional Use. This allows for consistency within the codes as well as allowing for a higher level of retail within a high residential demand area. Commercial support in the form of retail use is a needed use for residential support. The PIX districts all typically have good principle arterial frontage, a Level 3 Conditional Use will require Planning Commission approval.

The elements of the request are considered to provide consistency between the Comprehensive Plan and Land Development Code as well as within the LDC. The expansion of the limitation of retail and commercial is considered to allow for a well rounded mix of nonresidential uses along the US Highway 27 corridor.

Relevant Sections, Policies, and/or Regulations Considered:

- Policy 2.102-A1: Development Location
- Policy 2.102-A2: Compatibility
- Section 2.131-Q Northridge Selected Area Plan
- LDC Chapter 4 Section 401.06.E North Ridge Selected Area Plan

Findings of Fact

- Amend Chapter 4, Section 401.06.E to (1) increase allowable area for Gas Stations from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) to amend direct frontage to internal road network to signalized intersection of a principal arterial road and, (3) to modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% without a Level 3 Conditional Use.

- The Professional Institutional-X (PIX) districts within the North Ridge Selected Area Plan (SAP) total five (5) districts and range in size from 2.9± acres to 107.2± acres.

- The request to increase the retail and commercial development area size from 25 percent to 30 percent would provide for a net increase of retail and commercial land area for each district of 0.15± acres to 4.9± acres. For the majority of the districts the increase would be negligible.

- Section 401.06 of the Land Development Code and Section 2.131-Q of the Comprehensive Plan both mention and address the Professional Institutional-X (PIX) in the North Ridge SAP.

- This request is related to LDCPAL-2025-8 which is a Comprehensive Plan text amendment to Section 2.131-Q regarding limitation of retail and commercial development in the PIX.

- Table 4.16 in the Land Development Code is a use table for the North Ridge SAP.

Recommendation

Development Review Committee Recommendation: Based on the information provided and the analysis conducted within this staff report, the Development Review Committee finds that the request **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCT-2025-14. (Related to LDCCPA-2025- North Ridge SAP Comprehensive Plan Text CPA)**

Planning Commission Recommendation: On September 10, 2025, at an advertised public hearing, the Planning Commission recommend 7:0, to **APPROVE LDCT-2025-14.**

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.

Business Impact Estimate

- **Summary of the proposed ordinance:** An LDC text amendment to Chapter 4, Chapter 4, Section 401.06.E to (1) increase allowable area for Gas Stations from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) to amend direct frontage to internal road network to signalized intersection of a principal arterial road and, (3) to modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% without a Level 3 Conditional Use; providing for severability; providing an effective date.

- **Public purpose to be served by the proposed ordinance:** Polk County has many different areas of development, each with their own unique needs. The North Ridge Selected Area Plan was implanted to guide the growth within its boundaries of the northeaster portion of Polk County. The request will provide consistency within the Land Development Code and the Comprehensive Plan and provide for enhanced development of the retail and commercial components of the PIX within the North Ridge SAP.

- **Estimate of the direct economic impact of the proposed ordinance to businesses in the county:** No foreseeable impact is estimated. Establishing the increased limitation on retail and commercial, amending the frontage requirement, removal of Retail from the PIX and adding the limitation for Retail to 30 percent without a Level 3 Conditional Use will not impact the current businesses operating in this area. However, these changes will allow for a diverse retail and commercial development within the North Ridge SAP PIX districts.

Analysis:

The applicant wishes to exceed the retail and commercial limitations within one of the Professional Institutional-X (PIX) districts within the North Ridge SAP. The inconsistency between the Comprehensive Plan and Land Development Code was raised as well as the typical development of the existing PIX and Employment Center-X (ECX) limitations for retail and office use. The Land Development Code limits retail and commercial development to 20% of the PIX district, while the Comprehensive Plan limits retail and commercial development to 30% of the PIX district. The ECX districts within the North Ridge SAP limits Retail and commercial development to 30% if the district. Within the North Ridge SAP the PIX and ECX districts are developing out in a similar nature with similar uses within Table 4.16 Table of Standard Used for the North Ridge SAP. The applicant requested a Text Amendments to both the Land Development Code and the Comprehensive Plan (LDCPAL-2025-14).

Limits of the Proposed Amendment

The scope of the amendment is to provide consistancy within the Land Development Code and between the Comprehensive Plan on limitations on retail and commercial develoment within a PIX district in the North Ridge SAP, by (1) increase allowable area for Gas Stations from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) to amend direct frontage to internal road network to signalized intersection of a principal arterial road and, (3) to modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% without a Level 3 Conditional Use.

Consistency with the Comprehensive Plan & Land Development Code

The Land Development Code has policies and regulations with standards for uses within each of the allowable Future Land Use districts. An inconsistency was found within the PIX district within the LDC. The requested LDC amendments will allow consistency within the LDC and proved for consistency for development for retail and commercial within the PIX districts.

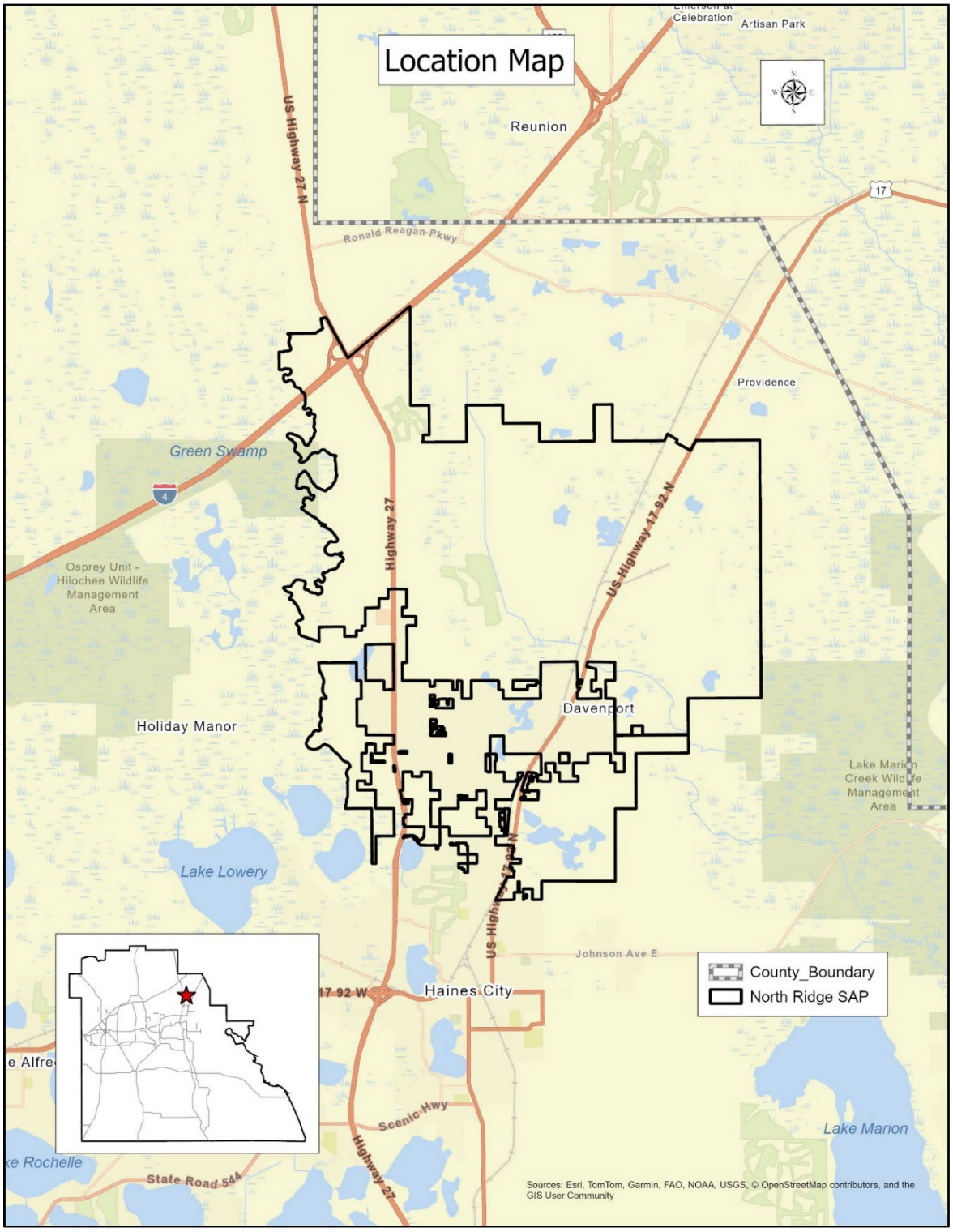
With the related LDCPAL-2025-8 Comprehensive Plan Text Amendment, both the Comprehensive Plan and LDC will be consistent on the limitation for retail and commercial development within the PIX districts in the North Ridge SAP.

The requests are consistent with the Comprehensive Plan and Land Development Code.

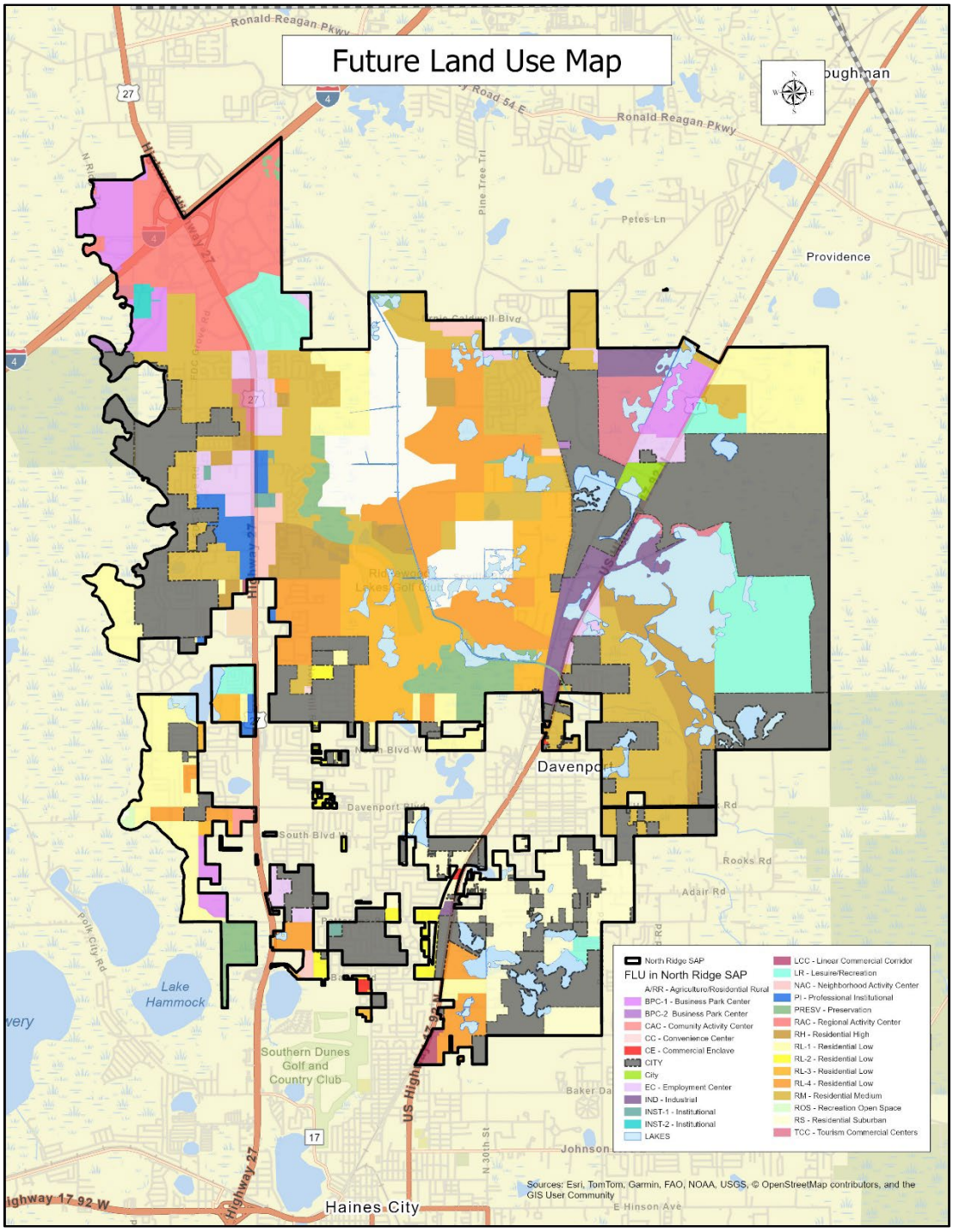
Comments from Other Agencies: None

Exhibits:

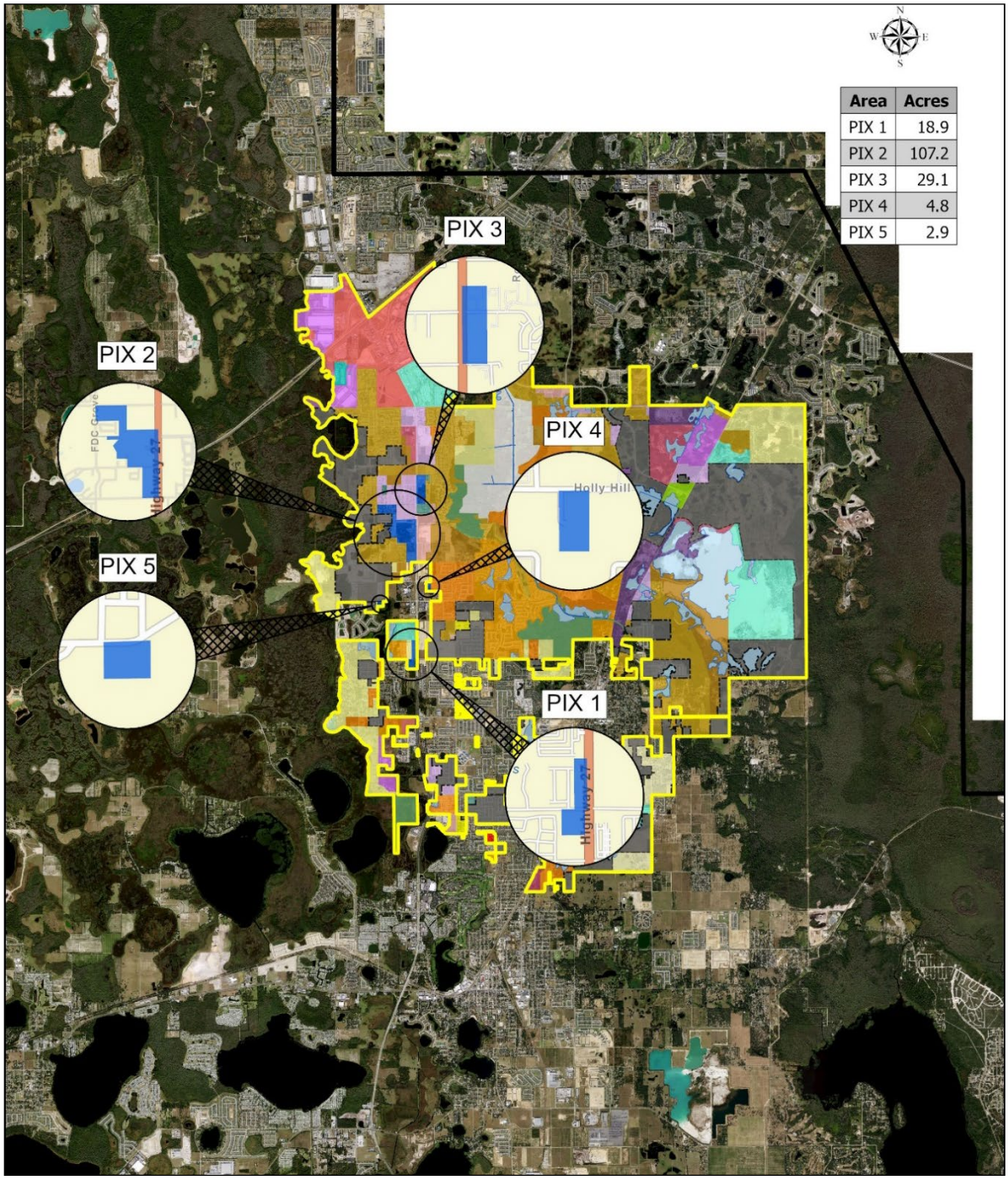
Exhibit 1	Location Map
Exhibit 2	Current Future Land Use Map Within the North Ridge SAP
Exhibit 3	PIX Locations within the North Ridge SAP
Exhibit 4	PIX and ECX Allowable Uses within the North Ridge SAP



LOCATION MAP



CURRENT FUTURE LAND USE MAP
NORTH RIDGE SAP



PIX LOCATIONS WITHIN NORTH RIDGE SAP

Table 4.16 Use Table for Standard Land Use Districts North Ridge SAP	PI X	EC X
Key to Table: P = Permitted Use; C = Conditional Use		
Residential Uses		
Group Living Facility (15 or more residents)	C2	
Mobile Home Park	C3	
Multifamily	C2	C2
Mixed Uses		
Planned Development	C3	C3
All Other Uses		
Adult Day Care Center (7 or more clients)	C2	
Agricultural Support, On-Site		P
Airport		C4
Alcohol Packaged Sales	C1	C1
Assembly, Light		P
Car Wash, Full Service	C3	C2
Car Wash, Incidental	C2	C2
Childcare Center	C2	C2
Clinics & Medical Offices	P	C2
Communication Tower, Monopole	C2	C3
Community Center		P
Cultural Facility	P	P
Financial Institution	C2	P
Financial Institution, Drive Through	C2	P
Funeral Home & Related Facilities	C2	
Gas Station	C2	C3
Golf Course	C1	C1
Government Facility	C3	C3
Heliports	C2	C3
Helistops	C2	C2
Hospitals	P	C3
Hotels and Motels	P	C2
Lodges and Retreats	P	P
Medical Marijuana Dispensaries	C2	C2
Mining, Non-phosphate	C4	C4

Table 4.16 Use Table for Standard Land Use Districts North Ridge SAP	PI X	EC X
Nursing Home	C2	
Office	C2	C2
Office Park	C2	P
Personal Service	C2	P
Printing & Publishing		P
Recreation, High Intensity	C1	C1
Recreation, Low-Intensity	C1	C1
Recreation Passive	C1	C1
Recreational Camping	C2	
Religious Institution	C3	C3
Research & Development	P	P
Restaurant, Drive-thru/Drive-in	C2	C2
Restaurant, Sit-down/Take-out	C2	P
Retail, Less than 5000 sq. ft.	C2	P
Retail, 5,000 - 34,999 sq. ft.	C2	C2
Retail, 35000 - 64,999 sq. ft.	C2	C2
Retail, More than 65,000 sq. ft.		C3
Retail, Home Sales Office		
Retail, Outdoor Sales/Display		
School, High	C3	C3
School, Leisure/Special Interest	C2	C2
School, Technical/Vocational Trade & Training	C2	C2
School, University/College	C3	C2
Self-storage Facility	C3	C2
Studio, Production		P
Transit, Facility	C2	C2
Utilities, Class I	P	P
Utilities, Class II	P	C1
Utilities, Class III	C3	C3
Vehicle Service, Mechanical		C2
Vehicle Sales, Leasing		C2
Veterinary Service	C2	

PIX AND ECX ALLOWABLE USES WITHIN THE NORTH RIDGE SAP

(Retail and Commercial uses highlighted in yellow)

ORDINANCE NO. 25 -____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-14, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE; AMENDING CHAPTER 4, SECTION 401.06.E TO INCREASE (1) ALLOWABLE AREA FOR GAS STATIONS FROM 20% TO 30%, WITH ALLOWANCES FOR HIGHER PERCENTAGE WITH A LEVEL 3 CONDITIONAL USE, (2) TO ALLOW ACCESS TO A PRINCIPAL ARTERIAL ROADWAY VIA AN INTERNAL ROAD NETWORK AND, (3) TO MODIFY THE RETAIL CAP FOR PROFESSIONAL INSTITUTIONAL-X (PIX) CAPS AND (4) ADD A LIMITATION FOR RETAIL IN THE PIX OF 30% WITHOUT A LEVEL 3 CONDITIONAL USE. 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 September 10, 2025; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code shall Amend Chapter 4, Section 401.06.E to (1) increase allowable area for Gas Stations from 20% to 30%, with allowances for higher percentage with a Level 3 Conditional Use, (2) amend signalized intersection of a principal arterial road to with direct access to a principal arterial roadway via an internal road network and, (3) to modify the retail cap for Professional Institutional-X (PIX) and (4) add a limitation for Retail in the PIX of 30% without a Level 3 Conditional Use.; and

WHEREAS, the Board of County Commissioners, reviewed and considered all comments received during said public hearings held on November 4, 2025 and February 17, 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 Board hereby finds and determines that:

The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.

The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on September 10, 2025, to consider the LDC text amendments contained within Application LDCT-2025-14 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-14.

The adoption of LDCT-2025-14 consistent with the Comprehensive Plan and LDC.

SECTION 2: COMPREHENSIVE PLAN AMENDMENT

Chapter 4, Section 401.06.E North Ridge Selected Area Plan of the Land Development Code, Polk County Ordinance 02-13, as amended, is hereby amended in the following manner:

Section 401.06.E.3.i.

ii. The following conditions shall apply to gas stations within the PIX:

(1) Gas Stations are considered to be retail/commercial uses and shall not exceed the ~~20%~~ 30% limit of such retail/commercial uses allowed throughout the PIX district, PIX district, retail over 30% Level 3 Conditional Use.

(2) Must have direct frontage ~~at a signalized intersection~~ of a principal arterial roadway with direct access to a principal arterial roadway via an internal road network.

Section 401.06.E.3.r.

r. Retail - The following standards shall apply:

i. Retail uses are limited to 15 percent of the total developable area ~~PIX~~, BPCX and INDX;

ii. Retail use within the PIX district is limited to 30 percent, a higher percentage of the limited 30 percent of retail and commercial uses shall be permitted through a Level 3 Conditional Use.

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 31 days after the Department of Economic Opportunity notifies the County that the plan amendment package is complete. If timely challenged, this amendment becomes 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 17th day of February, 2026.

PROPOSED TEXT AMENDMENT TO NORTH RIDGE SELECTED AREA PLAN AND POLK COUNTY LAND DEVELOPMENT CODE

Prepared For:

INTRAM INVESTMENTS, INC.

Prepared By:
KIMLEY-HORN AND ASSOCIATES, INC.
109 SOUTH KENTUCKY AVENUE
LAKELAND, FLORIDA 33801

June 2025

PROPOSED TEXT AMENDMENT TO NORTH RIDGE SELECTED AREA PLAN
AND POLK COUNTY LAND DEVELOPMENT CODE

I. SUMMARY/INTRODUCTION

The applicant, Intram Investments, Inc., seeks the approval of a text amendment to the Polk County Comprehensive Plan. The text amendment is to Policy 2.131-Q4L.c (g) in the North Ridge Selected Area Plan (the "Policy"). This policy addresses retail and commercial uses for parcels designated Professional Institutional (PIX) future land use designation only. The relevant portion of the existing policy is included below with the key language in **BOLD** text:

> c) DEVELOPMENT CRITERIA - Development within a PIX shall conform to the following criteria:
> g. Retail and commercial uses are limited to **25 percent** of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

The applicant seeks the approval of a text amendment to the Polk County Land Development Code ("LDC"). The text amendment is to sections 401.06.E.3.i and 401.06.E.3.r of the Polk County LDC. These sections address retail and commercial uses for parcels designated Professional Institutional (PIX) future land use designation, and would be modified for consistency with the proposed text change to the Comprehensive Plan. The relevant portion of the existing policy is included below with the key language in **BOLD** text:

> Section 401.06.E.3.i
> ii. The following conditions shall apply to gas stations within the PIX:
> (1) Gas Stations are considered to be retail/commercial uses and shall not exceed the **20% limit** of such retail/commercial uses allowed throughout the PIX district.
> (2) Must have **direct frontage** at a signalized intersection of a principal arterial roadway.
>
> Section 401.06.E.3.r
> r. Retail - The following standards shall apply:
> i. Retail uses are limited to 15 percent of the total developable area **PIX**, BPCX and INDX;

The applicant is seeking to increase the allowable percentage of retail and commercial uses within the PIX district to 30 percent. The proposed text amendments would permit for a consistent percentage of allowable commercial/retail use within the PIX district in both the Comprehensive Plan and the Polk County LDC.

II. PROPOSED REVISIONS

The applicant is seeking the following revisions to Policy 2.131-Q4L.c (g) in the North Ridge Selected Area Plan:

> c) DEVELOPMENT CRITERIA - Development within a PIX shall conform to the following criteria:
> g. Retail and commercial uses are limited to ~~25~~ **30 percent** of the PIX district. Future expansions shall require review by the County to meet the then needed infrastructure improvements. At no time may the commercial uses exceed the maximum floor area ratio of 0.70.

The applicant seeks the following revisions to sections 401.06.E.3.i and 401.06.E.3.r of the Polk County Land Development Code:

> Section 401.06.E.3.i
> ii. The following conditions shall apply to gas stations within the PIX:
> (1) Gas Stations are considered to be retail/commercial uses and shall not exceed the ~~20%~~ **30%** limit of such retail/commercial uses allowed throughout the PIX district. **A higher percentage of the limited 30 percent of retail and commercial uses shall only be permitted through a Conditional Use.**
> (2) Must have ~~direct frontage at~~ **interconnective access to** a signalized intersection of a principal arterial roadway.
>
> Section 401.06.E.3.r
> r. Retail - The following standards shall apply:
> i. Retail uses are limited to 15 percent of the total developable area ~~PIX~~, BPCX and INDX;

The proposed text amendments would result in consistent requirements and language for the PIX land use designation within both the Comprehensive Plan and the Polk County LDC. These amendments would allow for an increase in retail and commercial development within the PIX district, which will help to support shopping and employment opportunities for the surrounding residential areas.

III. IMPACT OF TEXT AMENDMENT

If the text amendment is adopted, then additional commercial and retail development would be permitted for the eight existing PIX districts along the US 27 corridor. **Table 1** below identifies all of the areas that are designated PIX. These areas are also shown in **Exhibit 1** attached at the end of this report.

Table 1: Existing PIX Land Use Districts

PIX District	**Acreage**
PIX Area 1	18.89
PIX Area 2	2.91
PIX Area 3	4.78
PIX Area 4	107.19
PIX Area 5	29.08
PIX Area 6	3.70
PIX Area 7	11.19
PIX Area 8	2.05
TOTAL	**179.79 Acres**

As shown above, if this text amendment is approved then there are eight PIX Districts that would benefit from the increase in permitted commercial and retail use. These areas consist of a total of 179.79 acres. If the proposed plan amendment is approved, the amount of permitted commercial/retail across these districts would increase from 44.94 acres to 53.94 acres. This would encourage commercial development to help support the needs of the surrounding residential areas, without drastically changing the intent of the land use district.

IV. CONSISTENCY ANALYSIS

The following is an analysis of the consistency of the proposed text amendments with the North Ridge Selected Area Plan policies:

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 fifteen 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.

This text amendment is intended to provide needed commercial development in this portion of the county. Significant residential development has been approved in the surrounding area, and this amendment will help to provide commercial and retail establishments to support this growing residential population. These developments can help reduce trip lengths and provide employment for nearby residents.

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.

The proposed text amendment furthers this goal by balancing residential and commercial uses. The county has already approved significant residential development in the surrounding area. This amendment removes a barrier to commercial and retail development within the PIX district, and helps to promote additional development to support the residential population.

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.

The proposed text amendment furthers this goal by ensuring the full range of needed land uses are provided. The proposed text amendment will encourage additional retail and commercial development to help support the needs of the neighborhoods along the US 27 corridor and surrounding 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.

This text amendment furthers this goal by encouraging development on suitable land for development. The text amendment does not encourage development in unsuitable areas.

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.

The proposed text amendment will help to provide commercial and retail establishments to support the growing residential population. This increase in development can help reduce trip lengths and provide employment for nearby residents. Major roadways will see less traffic and congestion as a result of these shorter trip lengths, helping contribute to transportation efficiency. The proposed amendment would also remove the requirement for direct frontage to a principal arterial roadway and instead allow for interconnective access, which will also help to reduce traffic on major roadways.

10. Multi-use transportation corridors and access management are key implementation tools to providing a safe and efficient movement of vehicular traffic.

The text amendment will permit an increase in commercial and retail development which will reduce trip lengths. The text amendment will also require interconnective access, which will help provide safe and efficient movement of vehicular traffic.

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.

The proposed text amendment will result in more commercial and retail development in close proximity to residential developments. This will encourage a more mixed use development pattern for this portion of the county. The text amendment will require these developments to have interconnective access to principal arterial roadways, helping to support efficient transportation patterns.

13. Mixed use developments that can provide a diverse mix of residential and non-residential uses are preferred within the SAP.

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.

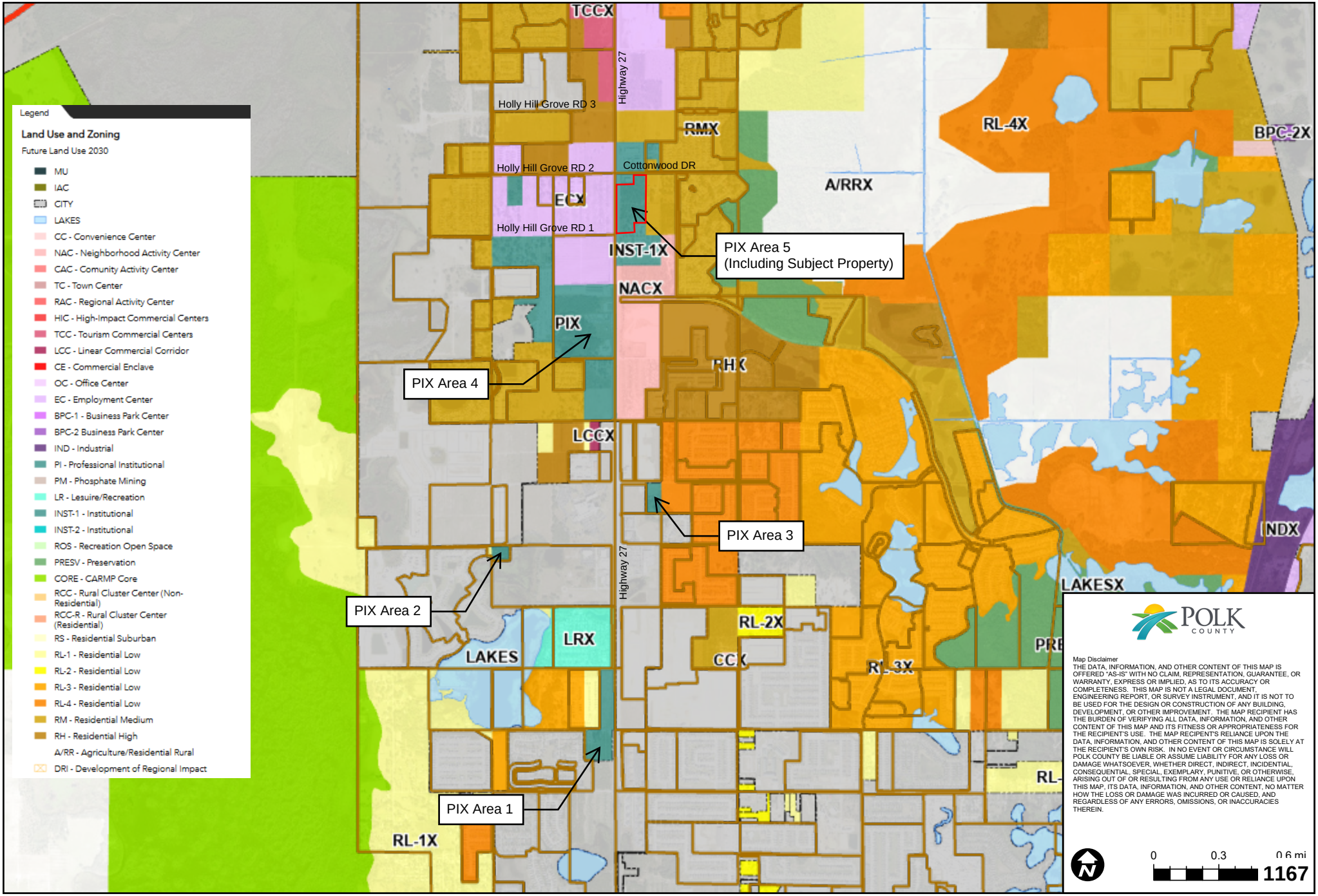
GOAL 2.131-Q: To develop an environmentally sensitive plan which encourages a high quality living environment through an efficient urban-growth pattern based on a balance of employment activities, residential and nonresidential uses, a range of housing opportunities, and short vehicle trips between housing, employment, and shopping in harmony with the special factors of the Green Swamp.

The proposed text amendment seeks to provide a balance of residential and non-residential uses. The amendment removes barriers to having needed commercial development in this portion of the county.

EXHIBIT 1: FUTURE LAND USE MAP

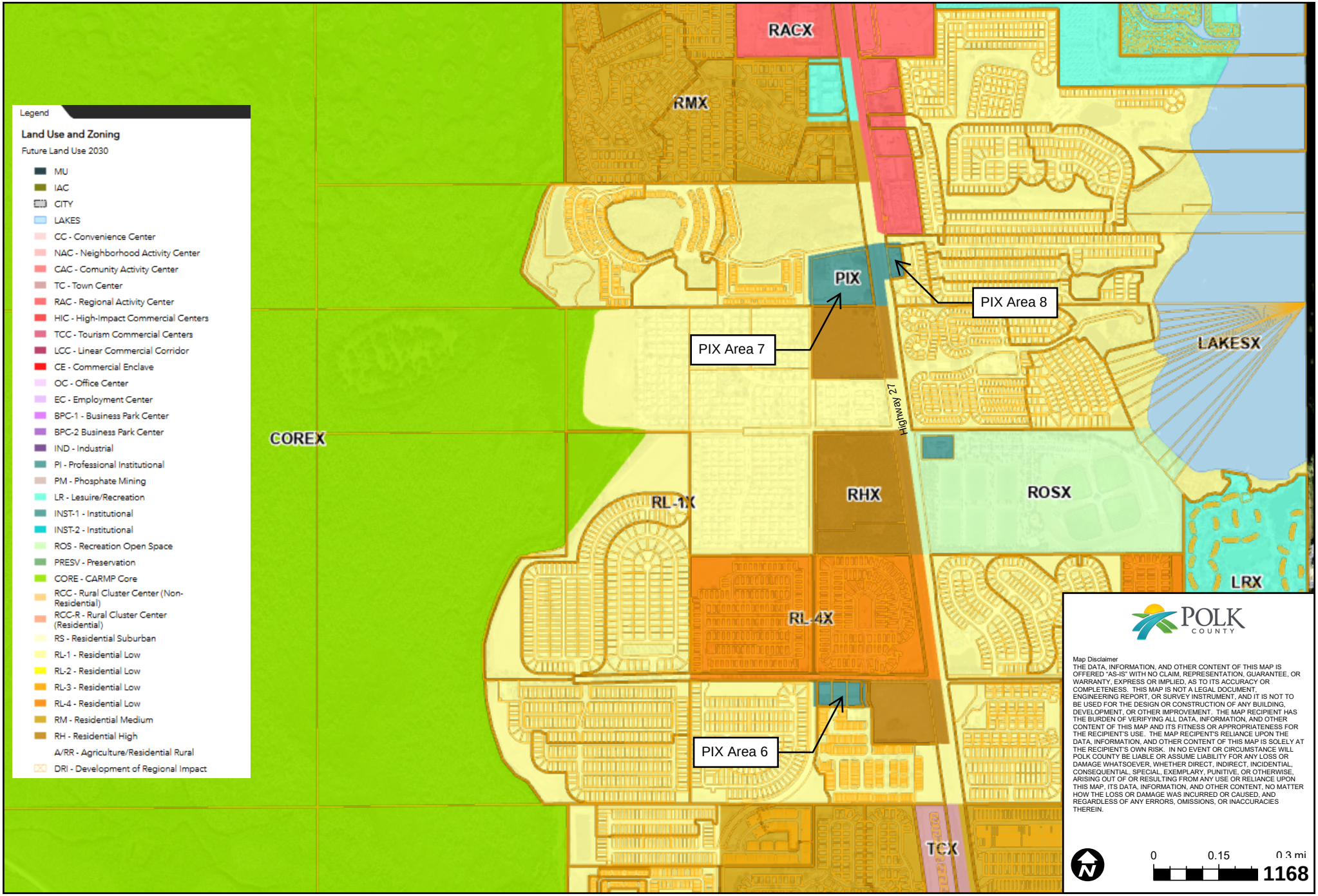
June 24, 2025

Polk County - GIS Viewer v.1



June 24, 2025

Polk County - GIS Viewer v.1



AMENDMENT TO POLK COUNTY LAND DEVELOPMENT CODE

Section 401.06.E.3.i

ii. The following conditions shall apply to gas stations within the PIX:

(1) Gas Stations are considered to be retail/commercial uses and shall not exceed the ~~20%~~ 30% limit of such retail/commercial uses allowed throughout the PIX district. A higher percentage of the limited 30 percent of retail and commercial uses shall only be permitted through a Conditional Use.

(2) Must have ~~direct frontage at~~ interconnective access to a signalized intersection of a principal arterial roadway.

(3) Gas Stations within the PIX shall not have high-speed diesel pumps.

Section 401.06.E.3.r

r. Retail - The following standards shall apply:

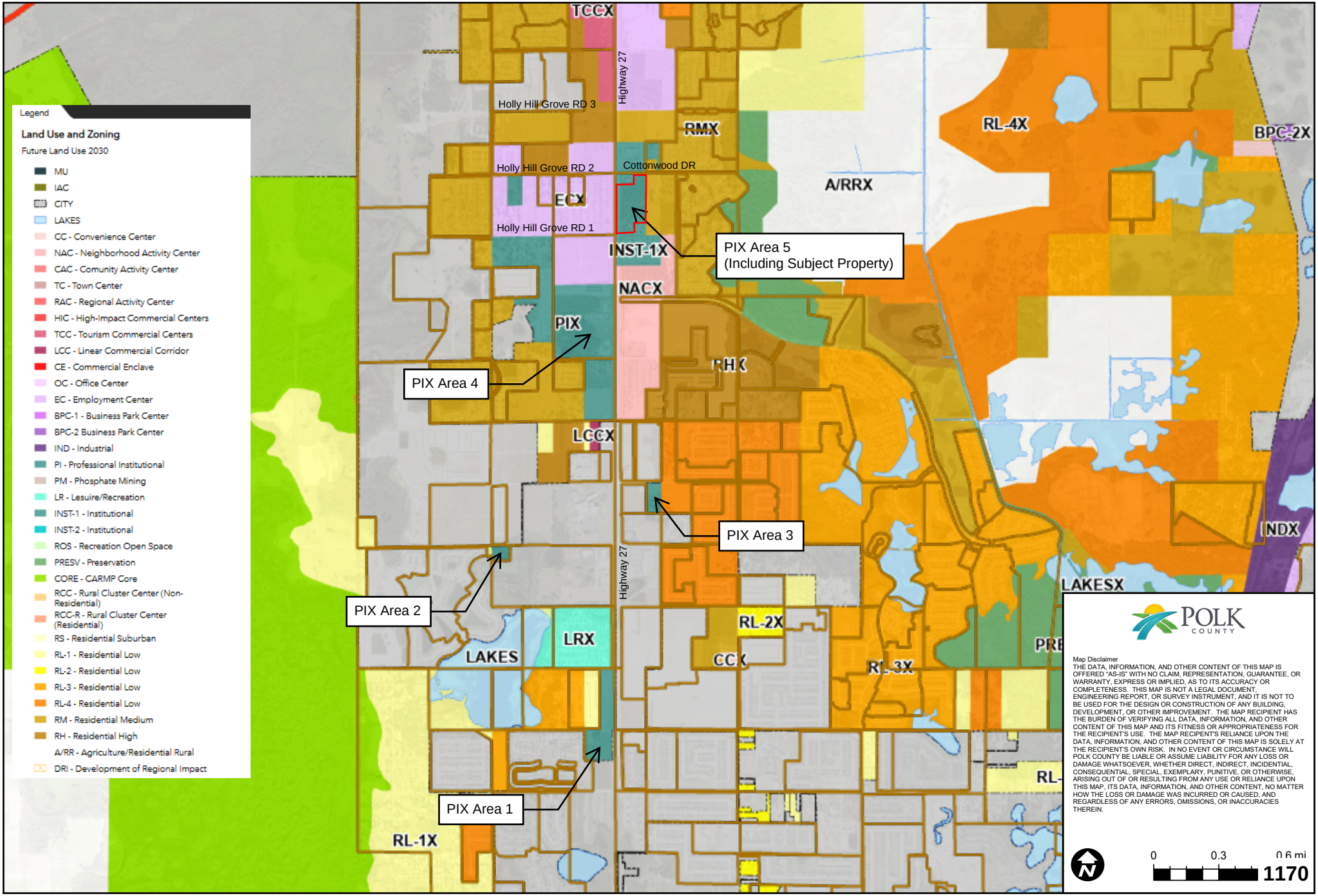
i. Retail uses are limited to 15 percent of the total developable area ~~PIX,~~ BPCX and INDX;

ii. Total area includes the group of contiguous parcels designated a land use that is not bisected by a collector or arterial roads or any physical natural barriers; and

iii. Only natural water bodies and untouched wetlands can be removed from the total area calculations.

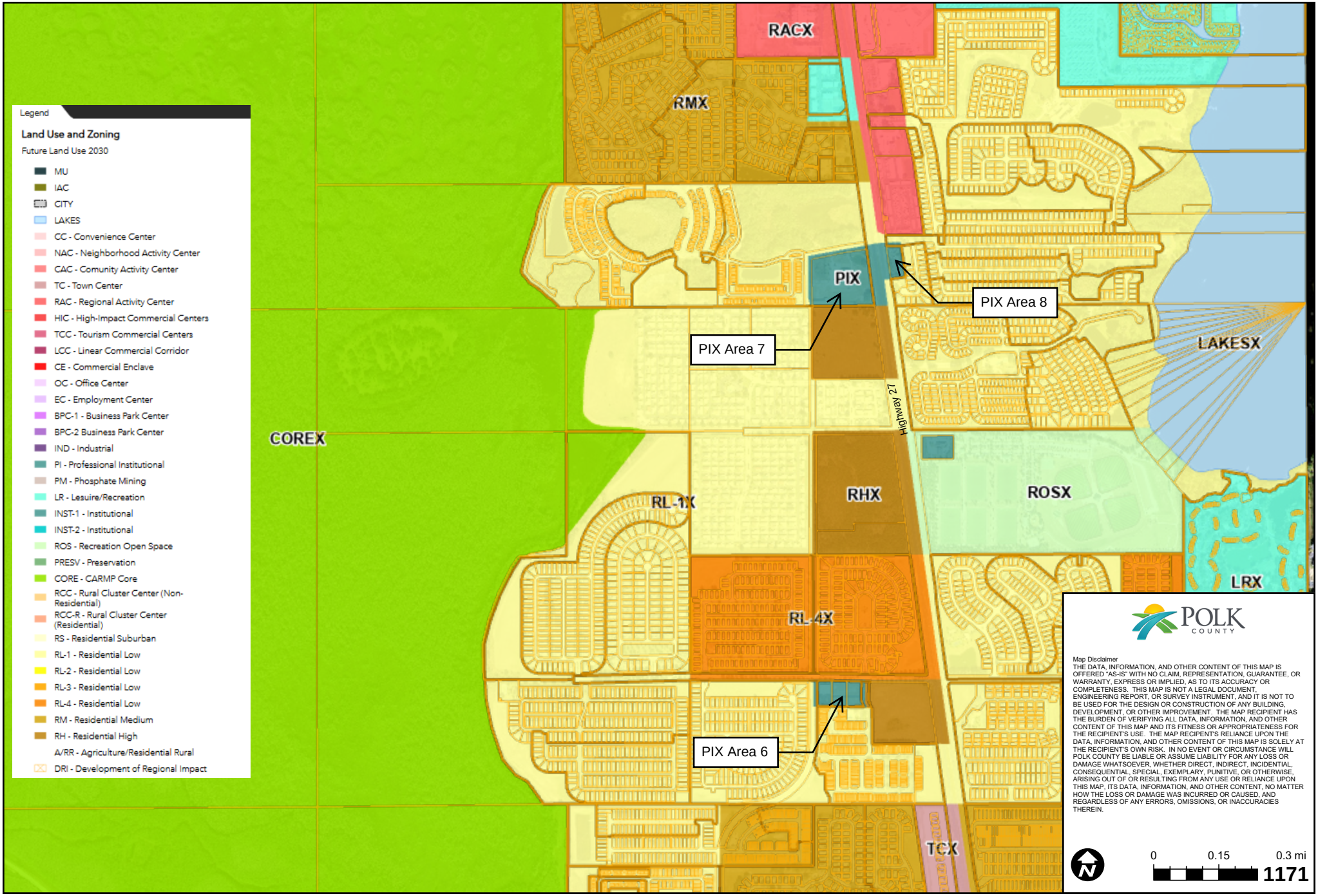
June 24, 2025

Polk County - GIS Viewer v.1



June 24, 2025

Polk County - GIS Viewer v.1



Agenda Item N.7. 11/4/2025

SUBJECT

Public Hearing (LDCT-2025-7 Cargo Containers on Residential Property) (First Reading) to consider the adoption of an ordinance amending the Land Development Code to allow cargo containers on residentially developed properties meeting or exceeding one acre. (No Fiscal Impact)

DESCRIPTION

This is a County-initiated request to amend LDC Section 206.K to allow cargo containers on residentially developed properties meeting or exceeding one acre. On October 1, 2025, the Planning Commission voted 7:0 to recommend approval of the amendment.

Section 163.3202, Florida Statutes (F.S.) requires the Board to adopt Land Development Code (LDC) regulations consistent with the implementation of the Polk County Comprehensive Plan. Amendments to the LDC require two public hearings before the Board to be adopted. This is the first of the two hearings.

RECOMMENDATION

Approve on second reading on December 2, 2025.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Ian Nance, Principal Planner

Land Development Division

(863) 534-7621

ivannance@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	February 27, 2025	**Level of Review:**	Level 4 Review
PC Date:	October 1, 2025	**Type:**	LDC Text Amendment
BoCC Date:	November 4, 2025 December 2, 2025	**Case Numbers:**	LDCT-2025-7
		Case Name:	Cargo Containers on Residential Property
Applicant:	Polk County	**Case Planner:**	Ian Nance

Request:	A County-initiated LDC Text Amendment to Section 206.K to allow cargo containers on residentially developed properties meeting or exceeding one acre.
DRC Recommendation:	Approval
Planning Commission Vote:	Approve 7-0

Among the changes to Section 206.K:

- Allow cargo containers on residentially developed properties meeting or exceeding one acre for up to one container per acre.

- Provide a "grandfather" clause for cargo containers currently permitted on residential properties below one acre.

Summary:

Land Development Code policy prohibits the use of cargo containers for storage or as accessories on residential properties. The Building Department, though, has viewed them as building material, and permits have been issued to allow them on residential properties. Code Enforcement has been forced to either enact LDC standards or abide by the building permit.

This is a staff-initiated LDC Text Amendment to remedy this confusion and allow cargo containers in residentially developed areas. The Board has directed staff to incorporate a minimum lot size of one-acre to be eligible for a container, with a maximum of one container per acre. Existing standards will then apply, including not allowing these to be stacked, if allowed more than one container; buffering and/or screening from neighbors; requiring a 15-foot setback from residentially developed property lines; placement in the side or rear yard, consistent with most accessory structures; and prohibiting any signage.

While there has been an upward trend in using cargo containers for storage and other purposes, they do create a concern in residential areas given their height, length, and industrial aesthetic. Given the proposed and current standards listed above, these concerns can be mitigated and consistency gained when applying County policy. Staff recommends approval.

Relevant Sections, Policies, and/or Regulations to Consider:

LDC Section 206.K
LDC Section 907 Level 4 Reviews

Findings of Fact

- *This is a County-initiated LDC Text Amendment to Section 206.K to allow cargo containers on residentially developed properties meeting or exceeding one acre.*

- *LDC Chapter 10 defines Cargo Containers as, "A reusable vessel that is originally, specifically or formerly designed for or used in the packing, shipping, movement, or transportation of freight, articles, goods or commodities and is also designed for or capable of being mounted or moved on a rail car, truck or trailer or loaded on a ship."*

- *Section 206.K "Cargo Containers for Permanent Storage" was added to the LDC by Ordinance 09-058 (LDC 09T-27) on September 2, 2009. This removed a restriction on using "convex shipping containers" and provided allowances for their use in certain non-residential, residential, and non-residential Future Land Use Districts.*

- *According to LDC Section 206.K, "Cargo containers are permitted to be used as permanent storage in accordance with the following:*

    1. *All cargo containers shall comply with the Florida Building Code, Florida Fire Prevention code, and shall require a building permit.*

    2. *Cargo Containers for permanent storage are prohibited in the following land use districts: RCC-R, RL, RM, RH, OC, L/R, ROS, and PRESV.*

    3. *Cargo containers shall be permitted in accordance with the following:*

        a. *As a temporary use in any land use district in conjunction with an authorized construction project, and shall be removed upon completion of the project unless properly permitted to remain as permanent storage in accordance with section.*

        b. *Bona fide agricultural properties are permitted to have one cargo container per five acres of agricultural tax exempt acres of land, with no minimum acreage being required.*

        c. *Parcels designated A/RR and RS shall be permitted one cargo container per five acre parcel, with a minimum property size of five acres.*

        d. *Non-residential properties are permitted one cargo container per acre, with no minimum acreage being required.*

4. *In the instance where more than one cargo container, as outlined in this section, is allowed they shall not be stacked. However, within the IND and BPC-2 land use district they shall be permitted to be stacked two-high.*

5. *Cargo containers located on a residentially developed lot, or within the CE, LCC, RCC, CC, NAC, CAC land use districts, that is adjacent to residentially developed lots or structures shall be buffered and/or screened from the adjacent off-site residential lot or structure. Additionally, they shall maintain a minimum setback of 15 feet.*

6. *All cargo containers shall be placed in either the side or rear yard and meet accessory structure setbacks for the applicable land use district or the set back as outlined in the Condition #5 above, whichever is more restrictive.*

7. *Cargo containers shall not be located within any drainage easements.*

8. *Cargo containers shall not occupy any required off-street parking spaces, vehicular accesses or drive aisles, pedestrian facilities or landscape areas for the site.*

9. *Cargo containers shall not be permitted to have signage of any type.*

10. *Cargo Containers are not considered to be used for permanent storage if they are modified or retrofitted for residential habitation in accordance with the Florida Building Code. This section does not apply to the construction of residential dwellings.*

- *LDC Section 912 allows any property owner, BoCC, or agency to apply to the Department to amend the text of this Code, the text of the Comprehensive Plan, or the Future Land Use Map Series (FLUMS) in compliance with procedures prescribed by the Department.*

- *This application has been reviewed for consistency with applicable Comprehensive Plan and LDC policies. As an accessory use, the Comprehensive Plan provides no instruction on the placement of cargo containers.*

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 LDCT-2025-7.**

Analysis:

Prior to September 2, 2009, all cargo containers were prohibited for any use in the County. At the Board's direction and with the adoption of LDC 09T-27, this prohibition was lifted, and allowances were granted to certain non-residential future land use districts, Agricultural/Residential Rural (A/RR) and Residential Suburban (RS) land use districts, and for

bona fide agriculture. Adopted standards included requiring a building permit; prohibiting their use for habitation; increasing setbacks and enhancing screening from residential properties; prohibiting signage; and capping the number allowed on a property (e.g. A/R & RS are allowed one contained per five acres with a five-acre minimum lot size).

In 2023, Section 206.K was amended by LDCT-2023-13 to allow cargo containers for habitation. This was supported because they can be more cost-effective than traditional housing because they require less building materials and labor to construct. Furthermore, shipping containers are versatile and easy to modify. From a Building Code perspective, if designed and permitted properly, the containers are simply another construction material.

This reasoning remains with the subject of using containers for storage and other accessory purposes. The trouble with these containers is they have an industrial look that does not fit well in a residential property. These are eight feet in height and come in a mix of 20- and 40-foot-long models. They simply lack a residential aesthetic, and unlike incorporating containers into single-family dwelling units which will ostensibly be designed to look like homes, this is less likely to be true for an accessory storage structure purchased for cost reasons.

When drafting this text, staff explored options for making them more appealing for neighborhoods by requiring painting or retrofitting with roofs or siding; however, the LDC does not apply architectural standards for other accessory structures, relying instead on buffering and screening techniques. So, if adopted for use in residential areas, the current language will require these to be a minimum of 15 feet from residentially developed property lines and screened by fencing or landscaping. They will be required to be located to the side or rear yards, and any signage on the container must be removed.

Finally, the Board directed staff that a minimum of one acre should be applied to be eligible for a cargo container, with a maximum of one container per acre.

Benefit-cost Analysis of the Amendment

Who does it help?

This amendment allows homeowners that have the necessary property size to have at least one cargo container onsite. The containers provide room for storage in one structure rather than multiple sheds and garages. This amendment also provides clarity to County policy, as there is an existing conflict between the LDC and Building Code.

Who does it hurt?

Homeowners who do not meet the one-acre minimum will not be allowed to have cargo containers onsite. There is also a risk that neighboring properties will be unhappy with the placement of a container next door, even on an acre. These containers are large and lack a residential aesthetic. The County is unable to require these to be retrofitted, relying instead on buffering and screening to mitigate incompatibilities.

What is the cost?

The containers do provide a cost-effective alternative to other types of accessory structures intended for storage, as the price per square-foot is typically lower. A standard 20-foot-long container generally costs between $1,500 to $5,000, depending on its condition and features, such as roll-up doors. 80 - 120 sq. ft. manufactured sheds range in cost from $3,500 to over $6,000.

Jurisdictional Comparison

Staff commonly surveys Land Development regulations for counties on the I-4 corridor for regulatory comparisons due to their proximity to Polk County. Alachua and Duval are also reviewed because of similar demographic and urban-rural mixture. The cities of Winter Haven and Lakeland were also surveyed for comparison. This method of selection creates a review of 14 total local jurisdictions.

Through this research, staff did not find any regulations in six jurisdictions; five specifically prohibited their use as accessory structures; and three did allow them with conditions. The proposed ordinance compares closely with standards adopted by Manatee and Hardee counties. Manatee County, specifically, requires compliance with the Building Code and LDC for the placement of these containers, which include setbacks. Hardee County requires buffering, as is already required by Polk County.

Table 1

Jurisdiction *(Code citation)*	**General Residential Standards**	**Aesthetic Standards**
Alachua County	None Noted	None Noted
Brevard County	No Cargo Containers for ADUs	None Noted
Duval County *Sec.656.399.60*	Shipping containers shall be prohibited.	
Hardee County *Sec. 2.16.03*	Cargo containers are permitted to be used as accessory structures for permanent storage in the A-1, C-2, I-1, I-2, P-I, and CIBC zoning districts. shall not be stacked above the height of a single container	Cargo containers located on a residentially developed lot, or that is adjacent to residentially developed lots or structures, shall be buffered and/or screened from the adjacent off-site residential lot or structure with a well maintained, minimum ten-inch wide "Type A" landscape buffer
Highlands County *Division 3*	None	None
Hillsborough County	None	None
Lake County *Sec. 10.01.00*	Cargo and shipping containers shall not be used as Accessory Structure(s) in residential zoning districts.	None
Manatee County *Sec.511.6*	Cargo containers and other transport containers are prohibited except those in compliance with applicable requirements of the building code and the Land Development Code.	Cargo containers and other transport containers may be allowed on A zoned properties of five (5) acres or more and must comply with the setbacks in that zoning district and be placed at the rear of the property.

Table 1

Jurisdiction *(Code citation)*	General Residential Standards	Aesthetic Standards
Orange County *Sec. 38.1426*	Unfinished shipping containers and mobile homes are not allowed as detached accessory structures.	None
Osceola County *Article 3.6*	Cargo containers are prohibited for storage buildings.	None
Seminole County	None	None
Volusia County	None	None
City of Lakeland *Sec. 4.3*	Overseas shipping containers are prohibited as storage buildings on residential property.	None
City of Winter Haven	None	None

Limits of the Proposed Ordinance

This amendment applies to all residential lots or parcels within the unincorporated areas of the County regardless of the Future Land Use Map district, including the Green Swamp Area of Critical State Concern. The Department of Economic Opportunity (DEO) 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 DEO Community Planning Department Areas of Critical State Concern Program prior to becoming effective. Staff believes that this amendment will have no impact on the Critical Area since it does not change the effect of the current code.

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code. This text effectively treats cargo containers as accessory structures which are permitted in residential and non-residential Future Land Use designations. As an accessory use, the Comprehensive Plan provides no instruction on the placement of cargo containers.

Comments from Other Agencies: This ordinance was drafted with input provided by the Building Department and Code Enforcement.

Draft Ordinance: Under separate attachment

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-7, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 206.K, CARGO CONTAINERS, TO REMOVE PROHIBITIONS ON CARGO CONTAINERS IN RESIDENTIAL FUTURE LAND USE DESIGNATIONS; 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 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 October 1, 2025; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code shall allow cargo containers for permanent storage in residential future land use districts; and,

WHEREAS, the Board of County Commissioners held two public hearings on November 4, and December 2, 2025, 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 October 1, 2025, to consider the LDC text amendments contained within Application LDCT-2025-7 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-7.

c) The adoption of LDCT-2025-7 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Section 206.K, Cargo Containers, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

~~K. **Cargo Containers for Permanent Storage (Rev. 09/02/09; Ord. 09-058)**~~

~~Cargo containers are permitted to be used as permanent storage in accordance with the following:~~

~~1. All cargo containers shall comply with the Florida Building Code, Florida Fire Prevention code, and shall require a building permit.~~

~~2. Cargo Containers for permanent storage are prohibited in the following land use districts: RCC-R, RL, RM, RH, OC, L/R, ROS, and PRESV.~~

~~3. Cargo containers shall be permitted in accordance with the following:~~

~~a. As a temporary use in any land use district in conjunction with an authorized construction project, and shall be removed upon completion of the project unless properly permitted to remain as permanent storage in accordance with section.~~

~~b. Bona fide agricultural properties are permitted to have one cargo container per five acres of agricultural tax exempt acres of land, with no minimum acreage being required.~~

~~c. Parcels designated A/RR and RS shall be permitted one cargo container per five acre parcel, with a minimum property size of five acres.~~

~~d. Non-residential properties are permitted one cargo container per acre, with no minimum acreage being required.~~

~~4. In the instance where more than one cargo container, as outlined in this section, is allowed they shall not be stacked. However, within the IND and BPC-2 land use district they shall be permitted to be stacked two-high.~~

~~5. Cargo containers located on a residentially developed lot, or within the CE, LCC, RCC, CC, NAC, CAC land use districts, that is adjacent to residentially developed lots or structures shall be buffered and/or screened from the adjacent off-site residential lot or structure. Additionally, they shall maintain a minimum setback of 15 feet.~~

~~6. All cargo containers shall be placed in either the side or rear yard and meet accessory structure setbacks for the applicable land use district or the set back as outlined in the Condition #5 above, whichever is more restrictive.~~

~~7. Cargo containers shall not be located within any drainage easements.~~

~~8. Cargo containers shall not occupy any required off-street parking spaces, vehicular accesses or drive aisles, pedestrian facilities or landscape areas for the site.~~

~~9. Cargo containers shall not be permitted to have signage of any type.~~

~~10. Cargo Containers are not considered to be used for permanent storage if they are modified or retrofitted for residential habitation in accordance with the Florida Building Code. This section does not apply to the construction of residential dwellings.~~

K. **Cargo Containers (Rev. 09/02/09; Ord. 09-058)**

This section does not apply to the construction of residential dwellings if Cargo Containers are modified or retrofitted for residential habitation in accordance with the Florida Building Code.

1. All cargo containers shall comply with the Florida Building Code, Florida Fire Prevention code, and shall require a building permit.

2. Cargo containers shall be permitted in accordance with the following:

   a. As a temporary use in any land use district in conjunction with an authorized construction project and shall be removed upon completion of the project unless properly permitted to remain as permanent storage in accordance with section.

b. Bona fide agricultural properties are permitted to have one cargo container per five acres of agricultural tax-exempt acres of land, with no minimum acreage being required.

c. Residentially developed properties are permitted one cargo container per acre, with a minimum property size of one acre.

d. Non-residentially developed properties are permitted one cargo container per acre, with no minimum acreage being required.

e. Cargo containers on residentially developed properties that do not meet the minimum acreage requirement above (2.c) but were permitted through the Building Department prior to December 2, 2025, shall be considered legally non-conforming.

3. Where more than one cargo container is allowed, as outlined in this section, they shall not be stacked. However, within the IND and BPC-2 land use district they shall be permitted to be stacked two-high.

4. Cargo containers located on a residentially developed lot, or within the CE, LCC, RCC, CC, NAC, CAC land use districts, that is adjacent to residentially developed lots or structures shall be buffered and/or screened from the adjacent off-site residential lot or structure. Additionally, they shall maintain a minimum setback of 15 feet.

5. All cargo containers shall be placed in either the side or rear yard and meet accessory structure setbacks for the applicable land use district or the setback as outlined in Condition #4 above, whichever is more restrictive.

6. Cargo containers shall not be located within any drainage easements.

7. Cargo containers shall not occupy any required off-street parking spaces, vehicular accesses or drive aisles, pedestrian facilities, or landscape areas for the site.

8. Cargo containers shall not be permitted to have signage of any type.

SECTION 3: 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 2nd day of December 2025.

LDCT-2025-7 Cargo Containers

This amendment is intended to address the use of cargo containers for storage purposes within the County. The LDC currently prohibits them in Residential future land use districts for storage purposes as they are often large and do not match the residential characteristics of a neighborhood.

The amendment is proposing the following:

- Allowing cargo containers in residential areas with existing conditions.
- Limiting the number allowed on a property.

LDCT-2025-7 - Cargo Containers

Menu Reports Help

Application Name: Cargo Containers

File Date: 02/17/2025

Application Type: BOCC-LDC Text Change

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Cargo Containers Text Amendment

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
Ian Nance		Applicant	Mailing, 330 W Church ...	Active
Ian Nance		Contact		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
02/27/2025

DRC Meeting Time
12:45 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
10/1/2025

BOA Hearing Date
–

1st BOCC Date
11/4/2025

2nd BOCC Date
12/2/2025

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
POLKCO-REC25-00000-006Y3

DocumentGroupforDPC
DIGITAL PROJECTS LD

RequiredDocumentTypes
–

RequiredDocumentTypesComplete
No

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

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 ...	02/17/2025	Lyndsay Rathke
Surveying Review	Mike Benton	Approve	03/03/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	02/19/2025	Phil Irven

1185

Task	Assigned To	Status	Status Date	Action By
Engineering Review	Rodney Isaac	Approve	03/06/2025	Rodney Isaac
Fire Marshal Review	Kim Turner	Not Required	02/27/2025	Kim Turner
Planning Review	Ivan Nance	Approve	02/24/2025	Ivan Nance
School Board Review	School District	Not Required	02/18/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	03/06/2025	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

Pursuant to Resolution No. 2022-089, the following individuals are requested to be recognized as experts for land use cases presented under expedited hearing procedures:

- Benjamin A. Dunn, CPM – Director, Office of Planning and Development
- Benjamin J. Ziskal, AICP, CEcD – Director, Land Development Division
- Chanda Bennett, AICP, CPM – Comprehensive Planning Administrator
- Erik Peterson, AICP – Planning Administrator
- Mark Bennett, AICP, FRA-RA, CNU-A - Senior Planner
- Ian Nance – Senior Planner
- Robert Bolton – Planner III
- Johnathan Sims – Planner II
- Aleya Inglima - Planner II
- Andrew Grohowski - Planner II
- Kyle Rogus - Planner I

Ivan (Ian) A. Nance

(863) 534-7621
ivannance@polk-county.net

Skills Summary

- Outgoing, creative, and independent individual with excellent communication, time management, networking, budgeting, and writing skills.
- Strong computer skills including familiarity with Microsoft Office, Outlook, PowerPoint, Adobe Reader, and social media programs.
- Ability to use a variety of sources to conduct qualitative and quantitative research and present findings in a clear, concise format.

Employment History & Accomplishments

Polk County Board of County Commissioners (BoCC) **December 2017 – Present**

Principal Planner – Land Development

- Planning Commission Coordinator
  - Assign Planning Commission and BoCC cases to Land Development planners and track progress.
  - Write and present amendments and ordinances to Polk County's Land Development Code (LDC) and Comprehensive Plan.
  - Conduct analysis of development applications and write staff reports to support the findings.
  - Create slideshows and present cases before BoCC, Planning Commission, and Land Use Hearing Officer.
- Development Review Committee (DRC) Chair
  - Review Pre-Application Requests and provide written response.
  - Serve as liaison for Planning during face-to-face DRC meetings and follow-up with citizens as necessary.
- Site Plan Review
  - Review engineered site plans for compliance with the Comprehensive Plan and LDC.
  - Conduct research for non-conforming use determinations and land use verification letters.

Freelance Writer **February 2012 – Present**

- Published in the *Lakeland Ledger, Orlando Sentinel*, *Florida Game & Fish*, *Lakelander*, *Florida Sportsman*, and *Petersen's Hunting*.

ADEPT Community Services **February 2010 – December 2017**

Support Coordinator/Team Leader

- Coordinated service providers for developmentally disabled Medicaid Waiver Consumers. Created service budgets, request, and justify services through written Support Plans, and maintain consumer files. Serve as advocate for consumers.

- Supervised 4-5 other coordinators. Worked closely with Supervisor on Quality Assurance, Billing, and Human Resources objectives. Visited with consumers and their families to discuss goals and issues with service.

Polk County School Board **October 2008 – February 2010**

Substitute Teacher

Supplemental Instructional Services, Inc **July 2007 - July 2008**
District Coordinator

- Launched company's program in Polk County. Recruited, interviewed, trained, and managed a team of 12 tutors over 8 elementary schools.
- Marketed company and enrolled families at provider fairs.
- Wrote Service-Learning Plans as a contract between parents, company, and School Board for establishing academic goals and benchmarks for achievement.
- Created and delivered monthly invoices to Polk County School Board for company's service and maintained legal documents including leasing information, progress reports, and attendance information.

Polk County School Board **January 2004 - April 2006**
Substitute Teacher

Mulberry Corporation **May - August 1999, 1998**
Administrative Assistant

Education

Master's Degree in Public Administration, 2006
University of Central Florida
Orlando, FL

B.A. Degree in Political Science, 2003
University of Florida
Gainesville, FL

LDCT-2025-7

Cargo Containers Text Amendment

One Ad Published: No Responses

A County-initiated LDC Text Amendment to allow cargo containers on residentially developed properties meeting or exceeding one acre.	
LDC Section	206.K
DRC Recommendation	Approval

- ***Removes restrictions*** *on using cargo containers for storage and other accessory purposes in residential land use districts.*
  - *Considered construction material and already allowed for habitation purposes when properly permitted.*
  - *Cost-effective when compared to other pre-fabricated structures.*
- ***Concerns of Aesthetics in Residential Areas.***
  - *Will allow* ***one per acre*** *up with a* ***minimum one-acre lot.***
  - ***Abide by existing standards****: must be permitted; no stacking; increased setbacks; screened from offsite; and no signage.*
- ***Cleans up confusion*** *between Building and Land Development codes, and Code Enforcement.*
- ***Consistent*** *with Comprehensive Plan & Land Development Code.*

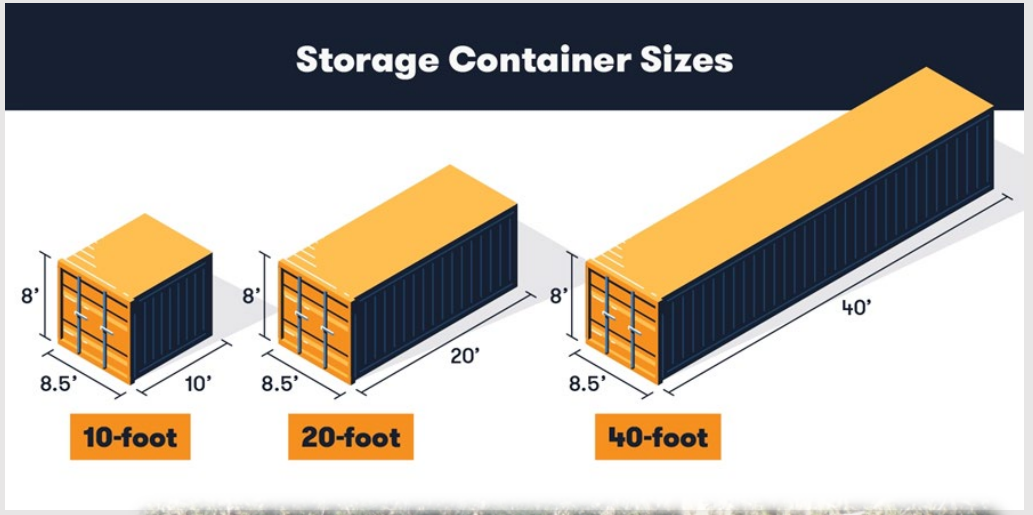
BoCC Dates: *November 4, 2025*
December 2, 2025





LDCT-2025-7

Cargo Containers Text Amendment



Current Situation:

- **LDC Section 206.K prohibits cargo containers** for storage in most **residential land use districts**, Office Center, Leisure/Recreation, Recreation, and Preservation.
- Trend in using **cost-effective** Cargo Containers for Residential Storage and **increase in citizen complaints** for their **aesthetics**.
- From a Building perspective, these are **construction materials** if properly set-up and permitted.
- **Building permits have been issued** for retrofitted cargo containers in residential districts, **if designed to appear residential in nature**.
- **Difficult to enforce** with the conflict between Building Code and LDC.



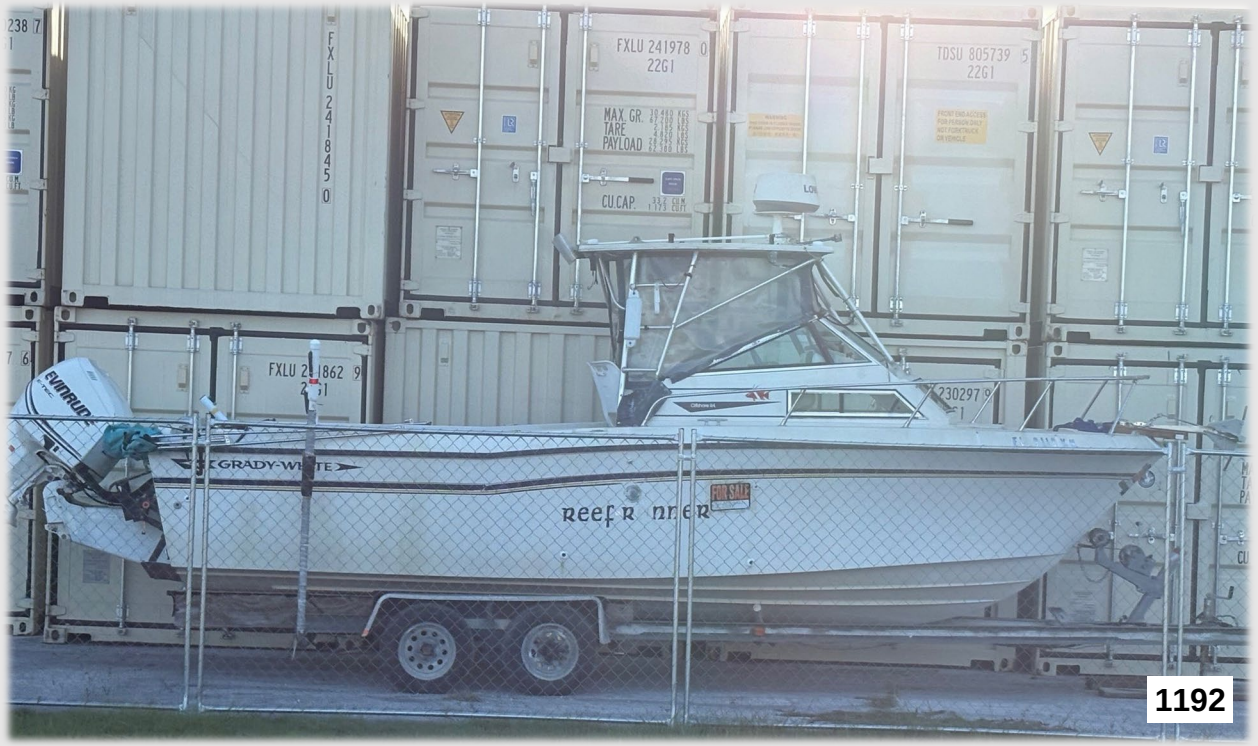
LDCT-2025-7

Cargo Containers Text Amendment

Proposal:

- Eliminate Restrictions in all Future Land Use Districts.
- Allowed **One Per Acre with a Minimum of One Acre** on residentially developed properties.
- Abide by **existing standards** for Cargo Containers elsewhere in the County:
  - *Must be permitted*
  - *No Stacking*
  - *15-foot setback from Residential Properties*
  - *Side or Rear Yard*
  - *No Signage*
- Cannot propose additional architectural standards or modifications.
- ***Grandfathering provision for those already approved.***





LDCT-2025-7

Cargo Containers Text Amendment

Staff Recommends Approval:

- Provides consistency between development codes for Code Enforcement.
- As proposed, allows for buffering provisions to overcome aesthetic issues.
- Provides cost-effective option for uses as accessory structures.





Agenda Item N.8. 11/4/2025

SUBJECT

Public Hearing (LDCT-2025-8 Pool Safety LDC Text) (First Reading) to consider the adoption of a Land Development Code text amendment to amend Chapter 2, Section 211, Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures. (No Fiscal Impact)

DESCRIPTION

A staff-initiated text amendment to Chapter 2, Section 211 of the Land Development Code (LDC) to reference and align with the Florida Building Code and Florida Statutes, specifically concerning above-ground swimming pool safety barriers. This change was brought on by Code Enforcement not being able to cite violations consistently based off the current interpretation of the LDC text. The current LDC language is outdated, or not harmonized with state law, therefore Code Enforcement Officers are struggling to uniformly apply the rules when inspecting properties.

RECOMMENDATION

Approve on second reading on December 2, 2025.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Kyle Rogus, Planner II

Land Development Division

863-534-7553

kylerogus@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	March 27, 2025	**Level of Review:**	Level 4 Review
PC Date:	October 1, 2025	**Type:**	LDC Text Amendment
BoCC Date:	November 4, 2025 December 2, 2025	**Case Numbers:**	LDCT-2025-8
		Case Name:	Pool Safety Text Amendment
Applicant:	Polk County	**Case Planner:**	Kyle Rogus

Request:	A County-initiated LDC Text Amendment to Chapter 2, Section 211, Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures.
DRC Recommendation:	Approval
Planning Commission Vote:	7-0 Approval

Summary:

This Land Development Code (LDC) text amendment is to allow consistency with the Florida Building Code and Florida Statutes residential swimming pool barrier requirements. Currently the rules and regulations for pool safety barriers for above-ground pools found in the County's Land Development Code (LDC), Florida Building Code and Florida Statutes provide different languages causing confusion from a resident and contractor standpoint and inconsistency from a code enforcement standpoint.

Relevant Sections, Policies, and/or Regulations to Consider:

LDC Section 211 Pools and Screen Enclosures
Florida Building Code Section R4501.17.1.10
Florida Statutes Chapter 515.29 Residential Swimming Pool Barrier Requirements

Findings of Fact

- *This is a County-initiated request for a Land Development Code (LDC) Text Amendment to Chapter 2, Section 211 Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures.*

- *LDC, Chapter 2, Section 211.C states, "The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this Section. In addition,* ***any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this Section."***

- *Florida Building Code Section R4501.17.1.10 states, "Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, the ladder or steps either shall be capable of being secured, locked or removed to prevent access, or the ladder or steps shall be surrounded by a barrier which meets the requirements of Sections R4501.17.1.1 through R4501.17.1.9 and Sections R4501.17.1.12 through R4501.17.1.14.* ***When the ladder or steps are secured, locked or removed, any opening created shall not allow the passage of a 4-inch diameter (102 mm) sphere."***

- *Florida Statutes Chapter 515.29 states, "The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this section.* ***In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this section."***

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 LDCT-2025-8.**

Analysis:

The County is proposing a text amendment to Chapter 2, Section 211 of the Land Development Code (LDC) to reference and align with the Florida Building Code and Florida Statutes, specifically concerning above-ground swimming pool safety barriers. This change was brought on by Code Enforcement not being able to cite violations consistently based off the current interpretation of the LDC text. The current LDC language is outdated, or not harmonized with state law, therefore Code Enforcement Officers are struggling to uniformly apply the rules when inspecting properties.

Florida Building Code Section R4501.17.1.10 and Florida Statutes Chapter 515.29 lay out clear and specific language for above-ground pool safety. With consistent language, pool owners and contractors will better understand their responsibilities, eliminate confusion between County and State requirements, and avoid unintentional violations. Moreso, Code Enforcement will be able to cite specific and consistent provisions during inspections. This reduces subjective interpretation and potential disputes over compliance.

This amendment reflects a practical and necessary update to the County's Land Development Code. By aligning with Florida's Building Code and Statutes, clear and enforceable pool safety measures will prevent unauthorized access to pools, improving overall community safety.

Limits of the Proposed Ordinance

The effects of this amendment are restricted to pool safety measures for above-ground pools throughout the entirety of Polk County.

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code. No use is being proposed within a land use designation for which it was not intended. This is a policy change pertaining to above-ground pool safety measures.

Comments from Other Agencies: None

Draft Ordinance: Under separate attachment

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-8, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE; AMENDING CHAPTER 2, SECTION 211, POOLS AND SCREEN ENCLOSURES, TO REFER TO FLORIDA BUILDING CODE AND FLORIDA STATUTES FOR CONSISTENCY WITH ABOVE GROUND POOL SAFETY MEASURES; 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 October 1, 2025; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code regarding Pools and Screen Enclosures shall refer to Florida Building Code and Florida Statutes for consistency with above ground pools safety measures; and

WHEREAS, the Board of County Commissioners held two public hearings on November 4, 2025 and December 2, 2025 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 October 1, 2025, to consider the LDC text amendments contained within Application LDCT-2025-8 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-8.

c) The adoption of LDCT-2025-8 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Section 211, Pools and Screen Enclosures, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 211 Pools and Screen Enclosures

A. **Temporary Safety Barrier (Revised 8/28/02 - Ord. 02-56)**

A temporary safety barrier shall be placed around any pool under construction in such a manner as to keep children from entering the pool area. The temporary safety barrier shall be installed prior to the beginning of excavation and shall remain until replaced by the permanent barrier required by the Code and the Florida Building Code. Failure to install or maintain the temporary safety barrier shall be a violation of this ordinance which may, at the discretion of the Building Official, result in a Stop Work Order or such other enforcement as provided by this Code.

B. **Swimming Pool Enclosures (Revised 2/5/19 Ord. 19-008; 12/1/10 - Ord. 10-082)**

A swimming pool, spa or hot tub and its enclosure may only be constructed or installed in the side or rear yard.

C. **Safety Barrier**

Any swimming pool more than 24 inches in depth, as measured between the lowest portion of the floor of the pool and the maximum possible water level, shall be entirely enclosed by a safety barrier of not less than four feet in height. Safety barriers shall include a screened-in enclosure, fence, wall, or other equivalent barrier approved by the Building Division and erected either around the swimming pool or around the property on which the swimming pool is constructed. Exterior access to any swimming pool must be through self-closing and self-latching gates that automatically close and fasten.

~~The structure of an aboveground swimming pool may be used as its barrier or the barrier for such a pool may be mounted on top of its structure; however, such structure or separately mounted barrier must meet all barrier requirements of this Section. In addition, any ladder or steps that are the means of access to an aboveground pool must be capable of being secured, locked, or removed to prevent access or must be surrounded by a barrier that meets the requirements of this Section.~~

D. **Compliance with the Florida Building Code (Revised 11/27/02 - Ord. 02-84; 8/28/02 - Ord. 02-56)**

All new swimming pools, spas, and hot tubs shall comply with the Florida Building Code and Florida Statutes.

(Ord. No. 22-017, § 1, 3-1-2022)

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 2nd day of December 2025.

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-8, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE; AMENDING CHAPTER 2, SECTION 211, POOLS AND SCREEN ENCLOSURES, TO REFER TO FLORIDA BUILDING CODE AND FLORIDA STATUTES FOR CONSISTENCY WITH ABOVE GROUND POOL SAFETY MEASURES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

An Ordinance of The Polk County Board of County Commissioners regarding Land Development Code Amendment LDCT-2025-8, amending Ordinance No. 00-09, as amended, the Polk County Land Development Code; amending Chapter 2, Section 211, Pools and Screen Enclosures, to refer to Florida Building Code and Florida Statutes for consistency with above ground pool safety measures; providing for severability; and providing for an effective date.

LDCT-2025-8 Pool Safety

This is a staff-initiated LDC Text Amendment to Section 211 to conform LDC standards for pool safety measures with state statutes. This entails changes to locks and barriers around pools.

LDCT-2025-8 - Pool Safety

Menu Reports Help

Application Name: Pool Safety

File Date: 03/04/2025

Application Type: BOCC-LDC Text Change

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Pool Safety LDC Text Amendment

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
Kyle Rogus		Applicant	Mailing, 330 W Church ...	Active
Kyle Rogus		Contact		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
0

Will This Project Be Phased

Acreage
0

DRC Meeting
03/27/2025

DRC Meeting Time
12:15 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
10/1/2025

BOA Hearing Date
–

1st BOCC Date
11/4/2025

2nd BOCC Date
12/2/2025

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

POLKCO-REC25-00000-0099M

DocumentGroupforDPC

DIGITAL PROJECTS LD

RequiredDocumentTypes

–

RequiredDocumentTypesComplete

No

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

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 ...	03/10/2025	Lyndsay Rathke
Surveying Review	Mike Benton	Approve	03/14/2025	Mike Benton
Roads and Drainage Review	Phil Irven	Approve	03/11/2025	Phil Irven
Engineering Review	Robert Joynes	Not Required	03/17/2025	Rita Karacson
Fire Marshal Review	Kim Turner	Approve	03/14/2025	Kim Turner
Planning Review	Kyle Rogus	Approve	03/24/2025	Kyle Rogus
School Board Review	School District	Not Required	03/10/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	04/01/2025	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

Pursuant to Resolution No. 2022-089, the following individuals are requested to be recognized as experts for land use cases presented under expedited hearing procedures:

- Benjamin A. Dunn, CPM – Director, Office of Planning and Development
- Benjamin J. Ziskal, AICP, CEcD – Director, Land Development Division
- Chanda Bennett, AICP, CPM – Comprehensive Planning Administrator
- Erik Peterson, AICP – Planning Administrator
- Mark Bennett, AICP, FRA-RA, CNU-A - Senior Planner
- Ian Nance – Senior Planner
- Robert Bolton – Planner III
- Johnathan Sims – Planner II
- Aleya Inglima - Planner II
- Andrew Grohowski - Planner II
- Kyle Rogus - Planner I

Kyle Rogus

Bartow, FL | (863) 534-7553 | kylerogus@polk-county.net | linkedin.com/in/kyle-rogus

Environment-centered designer and enthusiast driving conservation through sustainable innovations in production and regional planning

EDUCATION

University of Illinois at Urbana-Champaign May 2023
Bachelor of Science in Sustainable Design w/ Minor in Landscape Architecture
- Dean's List: Spring 2022, Fall 2022

Industry related coursework
- Architecture - Gathered data through site analysis and community engagement, created innovative problem solving designs
- Landscape Architecture - Designed sustainable greywater system relieving dependence on water overconsumption
- Urban planning - Explored the relationship between humans and nature to identify health impacts
- Applied Arts - Designed and constructed prototypes centered around awareness for conservation of natural resources

COMPUTER SKILLS

- Adobe Photoshop, InDesign, Illustrator
- ESRI ArcGIS, Property Appraisers,
- Rhino 7, AutoCAD, SketchUp
- Microsoft Word, Excel, Powerpoint

EXPERIENCE

Polk County Board of County Commissioners Bartow, FL
Land Development Planner I June 2024 – Present

The Walt Disney Company Lake Buena Vista, FL
Disney College Program May 2023 - May 2024
- Implement boating protocols and safety procedures
- Enhance guest experience through service, Disney property, and transportation knowledge

Champaign Park District Champaign, IL
Horticulturist | Summer Employment May 2022 – Aug.2022
- Enhanced knowledge of plants and cultural requirements to maximize growth and cultivation
- Installed and maintained over 25 flower beds within district boundaries
- Demonstrated continual positive effort to nurture working relationships and environment

Aquascape Inc St. Charles, IL
Retail Associate Jun. 2019 – Aug. 2021
- Designed and installed water feature and landscape for individual homeowner
- Developed professional customer relationships increasing loyalty, retention, and rapport
- Utilized upselling techniques to promote additional products and increase sales
- Trained and supervised new employees to use selling strategies and apply best practices for customer retention
- Monitored sales floor and merchandise displays, taking corrective action restocking or reorganizing

ACTIVITIES

Panhellenic Council Champaign, IL
Scholarship Chair | Secretary
- Managed academic records for 50+ members to maintain university compliance
- Drafted agendas, recorded minutes, and generated documents for those in need of academic support
- Supported council by managing budgets, scheduling appointments, and organizing itineraries

Newell District Leadership Academy Member
- Identified trends and assessed opportunities to improve membership growth
- Spearheaded overhaul of fraternity best practices to increase membership retention rates

Polk County

Board of County Commissioners

Agenda Item N.9. 11/4/2025

SUBJECT

Public Hearing (LDCT-2025-9 SE Polk Mobile Homes) (First Reading) to consider the adoption of an ordinance amending the Land Development Code to remove conditional use standards for Individual Mobile Homes within the Southeast Polk Selected Area Plan to conform with the rest of the County. (No Fiscal Impact)

DESCRIPTION

This is a County-initiated request to remove conditional use standards for Individual Mobile Homes within the Southeast Polk Selected Area Plan to conform with the rest of the County. On October 1, 2025, the Planning Commission voted 7:0 to recommend approval of the amendment.

Section 163.3202, Florida Statutes (F.S.) requires the Board to adopt Land Development Code (LDC) regulations consistent with the implementation of the Polk County Comprehensive Plan. Amendments to the LDC require two public hearings before the Board to be adopted. This is the first of the two hearings.

RECOMMENDATION

Approve on second reading on December 2, 2025.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Aleya Inglima, Planner II

Land Development Division

(863) 534-6764

aleyainglima@polk-county.net

POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
STAFF REPORT

DRC Date:	April 10 2025	**Level of Review:**	4
PC Date:	October 1, 2025	**Type:**	LDC Text Amendment
BoCC Date:	November 4, 2025 December 2, 2025	**Case Numbers:**	LDCT-2025-9
		Case Name:	SE Polk Mobile Homes
Applicant:	Polk BoCC	**Case Planner:**	Aleya Inglima, Planner II

Request:	This is a County-initiated request to remove conditional use standards for Individual Mobile Homes within the Southeast Polk Selected Area Plan to conform with the rest of the County.
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:	7-0 Approval

Among the changes to Section 401.08.01.K are:

- Removing conditional use criteria on where to place mobile homes within the Village Center and Village Center Core Overlay Areas and refer to Section 303.

Summary:

This is a County-initiated request to amend Section 401.08.01.K of the LDC to remove Mobile Home criteria within the Village Center and Village Center Core Overlay Areas of the Southeast Polk SAP and defer to Conditional Use criteria in Section 303. When the SE Polk SAP was adopted, it created these overlays which were based on a one to a one-and-a-half-mile market radii around existing municipal commercial nodes and activity centers adopted on the Future Land Use map. Based upon public input, individual mobile homes, as land uses, were omitted from these overlays when the SAP was adopted in 2012.

However, existing communities and subdivisions in which mobile homes were already present within these overlays when they were adopted. Individual units thus became non-conforming to the LDC. Furthermore, properties on the rural outskirts of the overlays in which minimum lot sizes are achievable have been left without an opportunity to develop with a mobile home. This amendment seeks to correct this situation by adding removing Mobile Home criteria in the conditional uses section of the SAP and refer to Section 303.

Findings of Fact

1. *LDCT-2025-9 is a County-initiated request to amend Section 401.08.01.K of the LDC to remove Mobile Home criteria within the Village Center and Village Center Core Overlay Areas of the Southeast Polk SAP and refer to Section 303.*

2. *The SE Polk SAP is generally located south of State Road 60, north of the Polk/Hardee/Highlands County line, east of Lake Buffum Road East and west of Tiger Creek Preserve/ Avon Park Air Force Range. The purpose of the SE Polk SAP is to develop a vision and supporting plan that encourage quality future growth that recognizes and protects existing community resources. It was adopted on December 18, 2012 by CPA 12E-03 (Ordinance 12-035) and is approximately 65,554 acres.*

3. *Comprehensive Plan POLICY 2.131-UB6 created the Village Center and Village Center Core Overlay Areas. Village Center Overlay Areas are those areas surrounding existing RCCs, NACs, or significant existing commercial nodes, generally within a one to one-and-a-half-mile Market Area Radii. Core areas of Village Center Overlay Areas located within a quarter (1/4) mile radius of existing RCCs, NACs, or CEs and allow for increased densities/ intensities.*

4. *Four Village Center Overlay Areas and their corresponding cores are found in the SE Polk SAP. They total 23,996 acres which is approximately 36.6% of the SAP.*

5. *LDC Section 401.08 implements the Southeast Polk SAP. Allowable uses for both inside and outside of the Village Center and Village Center Cores can be found in Table 401.08.01.*

6. *"Mobile Homes, Individual" are listed as a "C1" conditional uses in A/RRX, RCC-RX, RSX, RL-1X, RL-2X, RL-3X, and RL-4X land use districts outside of the Village Centers, according to Table 401.08.01.*

7. *Mobile Homes are subject to LDC Section 303 which states, "Mobile homes shall be permitted in all of the following locations:*

    1. *Within any registered mobile home park that has been approved by Polk County;*

    2. *Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;*

    3. *Within any platted residential subdivision, or single platted phase within a multiple phased development, in which 50 percent or more of the developed lots contain mobile homes;*

    4. *On any un-platted legal residential lot or parcel in the A/RR district;*

    5. *On any un-platted legal residential lot or parcel that is five acres or larger in the RS district;*

    6. *On any un-platted legal residential lot or parcel that is abutting vacant properties to all side and rear property lines;*

    7. *On any un-platted legal residential lot or parcel where at least one property abutting the subject property's side lot line has a mobile home;*

8. *On lots of record, including those within platted subdivisions, where at least one property abutting the subject property's side lot line has a mobile home. Within subdivisions, the abutting property must be within the plat; or,*

9. *On any legal residential lot or parcel where it is determined by the Planning Commission to be compatible with the established character of the surrounding area."*

8. *POLICY 2.102-A2: COMPATIBILITY of the Comprehensive Plan states, "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."

9. *Chapter 553 of the Florida Statutes states that "Mobile Home" means any residential unit constructed to standards promulgated by the United States Department of Housing and Urban Development. Mobile homes are built to a separate standard than site-built homes and may be regulated differently than site-built and other manufactured homes. Site-built homes and other manufactured homes are built to the standards set forth in Chapter 553 of the Florida Statutes.*

10. *POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that "Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County's Land Development Code."*

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-2025-9.

Analysis:

The Southeast Polk Selected Area Plan (SE Polk SAP) is generally located south of State Road 60, north of the Polk/Hardee/Highlands County line, east of Lake Buffum Road East and west of Tiger Creek Preserve/ Avon Park Air Force Range. The purpose of the SE Polk SAP is to develop a vision and supporting plan that encourage quality future growth that recognizes and protects existing community resources. It was created as a response to the public's concern about development in this area of Polk County. Identified issues of concern were received from comments and feedback gathered from the public, the SE Polk Selected Area Study (SAS) Focus Group, other governmental agencies, and recommendations that came out of the SE Polk Selected Area Study process that were implemented into the Comprehensive Plan and LDC.

At the time of the adoption of the SAP in 2012, the Focus Group was concerned about the diversity of housing within and surrounding the municipal areas as mobile homes and mobile home parks were already a significant source of housing. As a result, individual mobile homes, as land uses, were left out of the Village Center Overlay Areas.

None the less, the implementation of the overlays has created problems. The market radius, which can extend up to 1.5 miles from the municipal areas or the County's activity centers, captured existing subdivisions in which mobile homes were the primary uses. These homes were rendered non-conforming to the LDC upon the adoption of the SAP. LDC Section 120 allows the replacement of non-conforming structures within their original footprint, whether they are destroyed through natural disasters or demolished under the owner's own volition; however, there is a two-year timeframe in which the structure must be replaced or the property loses this right. Similarly, undeveloped platted lots and legal lots-of-record within certain subdivisions are currently ineligible for individual mobile homes. There are nine standards for mobile homes to be approved which includes seeking approval from Planning Commission. This doesn't exist in the Southeast SAP.

This prohibition on mobile homes in the overlays also excluded un-platted properties on the outskirts of the market radii in land use districts that require large lot sizes to obtain a residential building permit, such as A/RRX, but which are not within programmed plans for the extension of centralized utilities, thus limiting their future development potential. While mobile homes will not offer the local economic benefits of hiring contractors for the various needs of constructing a site-built home, the option to have mobile homes is important to a prospective buyer. Generally speaking, in rural areas such as these where densities are lower and development is less frequent, the costs of site construction are higher than in urbanized areas because the travel distance affects the cost of labor and equipment and materials. Factory-built housing is more feasible for homebuyers.

In summary, this issue here is one of implementation and inclusive Land Development policy. Properties in this SAP that would normally be expected any where else in the County to be developed with a mobile home cannot be during a time when housing shortages are common and property prices are high.

Limits of the Proposed Ordinance

The proposed ordinance amends LDC by removing conditional use criteria on where to place mobile homes within the Village Center and Village Center Core Overlay Areas and refers to Section 303. This action is specific to the Village Center and Village Center Core Overlay Areas in the SE Polk SAP and allows mobile homes that were once not allowed in these overlays to meet standards in 303. The placement of mobile homes outside of this overlay is subject to LDC Section 303.

Consistency with the Comprehensive Plan

POLICY 2.102-A2: COMPATIBILITY of the Comprehensive Plan states, "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 subject amendment has provided conditions to help ensure the placement of Mobile Homes is compatible with surrounding uses and takes advantage of those areas in which they exist or are anticipated to exist.

POLICY 2.203-A2 of the Comprehensive Plan (Housing Element) states that "Mobile homes shall be allowed in all areas of the County designated for residential development, subject to siting and design criteria consistent with the County's Land Development Code."

The subject amendment will remove mobile home conditional use criteria to all residential land use districts in the Village Center & Core Overlay Areas in the SE Polk SAP and refer to Section 303

POLICY 2.501-A1 of the Comprehensive Plan (Property Rights Element) states: "The following statements related to the protection of private property rights shall be considered in the local decision-making process:

> *1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.*
>
> *2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.*
>
> *3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.*
>
> *4. The right of a property owner to dispose of his or her property through sale or gift.*

No part of the subject amendment will violate a property owner's private property rights. This amendment will provide landowners with more development options.

Comments from Other Agencies: None

Draft Ordinance: Under separate attachment

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-9, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, CHAPTER 4, SECTION 401.08, TO REMOVE CONDITIONAL USE STANDARDS FOR INDIVIDUAL MOBILE HOMES WITHIN THE SOUTHEAST POLK SELECTED AREA PLAN TO CONFORM WITH THE REST OF THE COUNTY; 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, 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 October 1, 2025; and

WHEREAS, LDCT-2025-9 is a County-initiated request to amend Chapter 4, Section 401.08; and

WHEREAS, the Board of County Commissioners of Polk County has determined it appropriate to adopt regulations that are consistent with the Comprehensive Plan;

WHEREAS, the Board held two public hearings on November 4, 2025, and December 2, 2025, 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:

> *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 October 1, 2025, to consider the LDC text amendments contained within Application LDCT-2025-9 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-9.

c) The adoption of LDCT-2025-9 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 4, Section 401.08 of the Polk County Land Development Code, Polk County Ordinance No. 00-09, as amended, is hereby amended to modify the following sections:

Section 401.08 *Southeast Polk Selected Area Plan*

K. Conditional Uses: (Revised 01/22/19 - Ord. 19-006; 11/4/14 - Ord. 14-066)

~~30. Mobile Homes shall be permitted in all of the following locations within the Village and VC-Core. The permitting of mobile homes outside of this overlay are subject to LDC Section 303:~~

~~1. Within any registered mobile home park that has been approved by Polk County;~~

~~2. Within any platted residential subdivision that has been approved by Polk County as a mobile home subdivision;~~

~~3. Within any platted residential subdivision, or single platted phase within a multiple phased development, in which 50 percent or more of the developed lots contain mobile homes;~~

~~4. On any un-platted parcel in the A/RR district;~~

~~5. On any un-platted parcel that is five acres or larger in the RS district;~~

~~6. On any un-platted parcel where 50 percent or more of all contiguous residential lots or parcels are developed with mobile homes. Contiguous lots and parcels are those that share a common boundary, but not including those that intersect only at a corner point. Lots or parcels that are otherwise contiguous except for intervening local roads shall be~~

~~considered contiguous for this calculation.~~

~~31.~~ 30. Motor Freight Terminals…

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 _____ day of _____, 2025.

LDCT-2025-9 MH Southeast Polk

This amendment is intended to remove mobile home language from LDC Section 401.08 Southeast Selected Area Plan and refer to standards in Section 303.

LDCT-2025-9 - MH Southeast Polk

Menu Reports Help

Application Name: MH Southeast Polk

File Date: 03/20/2025

Application Type: BOCC-LDC Text Change

Application Status: Approved for Hearing

Application Comments:

View ID	Comment	Date

Description of Work: Removing mobile home language from LDC Section 401.08 Southeast Selected Area Plan and refer to standards in Section 303.

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
Aleya Inglima		Engineer	Mailing, 330 W. Church...	Active
Aleya Inglima		Contact		Active

Licensed Professionals Info:

Primary	License Number	License Type	Name	Business Name	Business License #

Job Value: $0.00

Total Fee Assessed: $5,434.00

Total Fee Invoiced: $0.00

Balance: $0.00

Custom Fields: **LD_PUBL_HEAR**

PUBLIC HEARINGS

Development Type
Board of County Commissioners

Application Type
LDC Text Amendment

Variance Type
–

Brownfields Request
–

Affordable Housing

GENERAL INFORMATION

Expedited Review

Number of Lots
–

Will This Project Be Phased

Acreage
0

DRC Meeting
04/10/2025

DRC Meeting Time
10:30 AM

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
10/1/2025

BOA Hearing Date
–

1st BOCC Date
11/4/2025

2nd BOCC Date
12/2/2025

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-REC25-00000-00BLB	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 ...	03/21/2025	Margo White
Engineering Review				
Surveying Review	Mike Benton	Not Required	04/01/2025	Rita Karacson
Roads and Drainage Review	Phil Irven	Approve	03/21/2025	Phil Irven
Fire Marshal Review	Kim Turner	Not Required	03/31/2025	Kim Turner
Planning Review	Aleya Inglima	Approve	03/21/2025	Aleya Inglima
School Board Review	School District	Not Required	03/24/2025	School District
Review Consolidation	Lyndsay Rathke	Approved for...	04/02/2025	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

Pursuant to Resolution No. 2022-089, the following individuals are requested to be recognized as experts for land use cases presented under expedited hearing procedures:

- Benjamin A. Dunn, CPM – Director, Office of Planning and Development
- Benjamin J. Ziskal, AICP, CEcD – Director, Land Development Division
- Chanda Bennett, AICP, CPM – Comprehensive Planning Administrator
- Erik Peterson, AICP – Planning Administrator
- Mark Bennett, AICP, FRA-RA, CNU-A - Senior Planner
- Ian Nance – Senior Planner
- Robert Bolton – Planner III
- Johnathan Sims – Planner II
- Aleya Inglima - Planner II
- Andrew Grohowski - Planner II
- Kyle Rogus - Planner I

ALEYA INGLIMA, PLANNER II

Phone: (863) 534-6764
aleyainglima@polk-county.net

330 W. Church Street
P.O. Box 9005, Drawer GM03
Bartow, Fl 33831

EDUCATION

BS	University of Central Florida, Orlando, FL Bachelor of Science in Environmental Studies	August 2021
	University of Florida, Gainesville, FL Master of Urban and Regional Planning (MURP)	January 2024 – Present

EXPERIENCE

Planner II, Land Development Division, Polk County BoCC June 2023 – Present

Planner I, Land Development Division, Polk County BoCC May 2022 – June 2023

Geographic Information Systems Technician,
Utilities Division, Polk County BOCC November 2021 – May 2022

Veterinary Assistant, Lakeland Veterinary Hospital
and Wellness Center October 2018 – May 2019

CERTIFICATIONS

Geographic Information Systems (GIS) Certificate,
University of Central Florida August 2021

SKILLS

ArcGIS Pro, ArcGIS Survey 123, ArcGIS Field Maps, ArcGIS Collector, ArcMap, Microsoft Word, Microsoft Power Point, Accela, Legistar

Agenda Item O.1. 11/4/2025

SUBJECT

Public Hearing to consider adoption of a resolution to vacate and close a portion of maintained right-of-way for Second Terrace a/k/a 1st Street North in the Eloise area near Winter Haven. (No fiscal impact) (Continued to December 2, 2025)

DESCRIPTION

The County has received a petition from Redstone Properties, LLC, as authorized agent for S.A.W. Properties, LLC, and JR Holding Group, LLC, to vacate and close a portion of maintained right-of-way for Second Terrace a/k/a 1st Street North. The subject right-of-way lies in Section 05, Township 29 South, Range 26 East.

The right-of-way for Second Terrace, as shown on the maintained right-of-way map recorded in Map Book 10, at Pages 8 and 9, Public Records of Polk County, Florida, runs northwest off of 2nd Street North for approximately 400-feet, turns to the southwest and then runs for approximately 140-feet more. The petitioner is requesting a vacation of the portion running southwest, which is identified as 1st Street North on some maps. The petitioner owns the property surrounding the subject area and is requesting the vacation in order to remove the bifurcation of the right-of-way in conjunction with pending development plans. Due to the fact that the subject area only serves the petitioners' property the vacation will not negatively impact local traffic on the roadway. Vacating the requested area will remove the public's interest, allow the County to cease any maintenance activities associated with this portion of the roadway and allow the petitioner to assemble it with their properties and move forward with their development plans.

The City of Winter Haven Sewer/Water and Fiber, Florida Public Utilities, Frontier Communications, MCI, Summit Broadband, Tampa Electric Company (TECO), and Uniti Fiber LLC were contacted and no objections were received.

The Roads and Drainage Division, Office of Planning and Development, and Utilities Division have no objections to the proposed vacation.

RECOMMENDATION

Request Board adopt a resolution to vacate the right-of-way for Second Terrace a/k/a 1st Street North, as fully described in the legal description contained in the Petition and Resolution attached hereto.

FISCAL IMPACT

No fiscal impact.

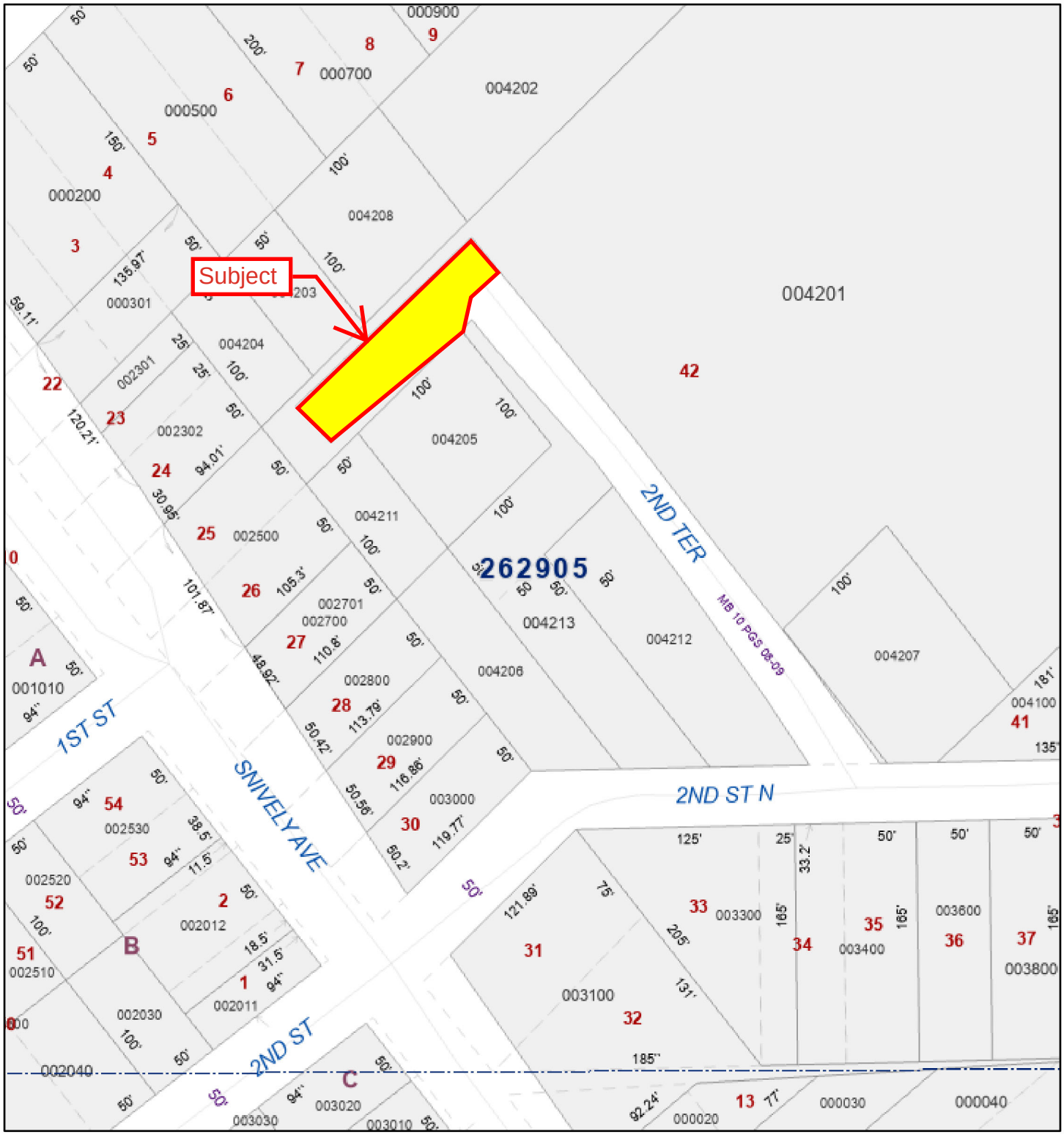
CONTACT INFORMATION

R. Wade Allen, Director

Real Estate Services
863-534-2577


SUBJECT AREA
North
Section 05, Township 29 South, Range 26 East
1223
Eloise
Lake Shipp Heights
Tranquility Park
Lake Shipp
Lake Lulu
Lake Roy
Lake Eloise
Chain of Lakes Park
Sertoma Park
Lake Shipp Park
William G Roe Park
Eagle Lake Ballpark
Snively-Brooks
Oakland Cemetery
US Highway 17 N
Old Eagle Lake Rd
Cypress Gardens Blvd
Avenue N SW
Avenue O SW
Avenue Q SW
Avenue R SW
Avenue Z SW
Avenue L SE
Avenue M SE
Avenue N SE
Avenue O SE
Avenue Q SE
Avenue S SE
Avenue T SE
Avenue Z SE
Post Ave SW
Lake Lulu Dr
Hoover Rd
Shell Rd
Croton Rd
Polston Rd
Gilbert St
Camellia Dr
Palm Dr
Lago Cv
Shirley Ct
Crosstower Dr
Edgewater Cir
Winter Haven
Florida Midland
CSX Transportation
Snively Ave
Cooley Rd
Old 9 Foot Rd
Normandy Heights
Sargasso Ln
High St
Center St
Ridge Ave
Prospect Ave
Orange Ave
Palm Dr
15th St SW
Cleveland Ave
Helms Rd
14th St SE
14th Ct SE
Belmont Dr
Hampden Rd
Miller Dr
Jardin Ln
Interlochen Blvd
Polk Dr SE
Desoto Rd
Oleander Dr SE
Piedmont Dr SE
Lake Ring Dr
Ring Lake
Nassau Rd SE
Lake Roy Park
Lake Lulu
Lake Shipp
Lake Eloise Dr
W Lake Eloise Dr
Eagle Trce
Heron Cv
Odin Dr
Grove Park Ln
Cameron Rd
Clover Ridge Ct
Thunder Rd
N Eagle Dr
N Jackson St
W Assembly St
W Gilbert St
W Bay Ave
N 10th St
N 4th St
N 3rd St
Fruitland Park
Big Lots
AT&T
Winter Hvn
Sq
Berkshire
Camridge
Marshall Rd SW
Knights
Kings Pond Ave
Sunset Way SW
Kings Xing SW
Nottingham SW
Sheridan St SW
N Lake Shipp Dr SW
S Lake Shipp Dr
Claetus R Allen Dr
1st St S
2nd St SE
3rd St SE
4th St SE
4th Ct SE
6th St SE
6th Ter SE
8th Ter SE
9th St SE
10th St SE
8th St SE
Klatt St SE
Manor Ct SE
1st St
2nd St
3rd St
4th St
5th St
6th St
7th St
8th St
9th St
540
17
655
555

Section 05, Township 29 South, Range 26 East

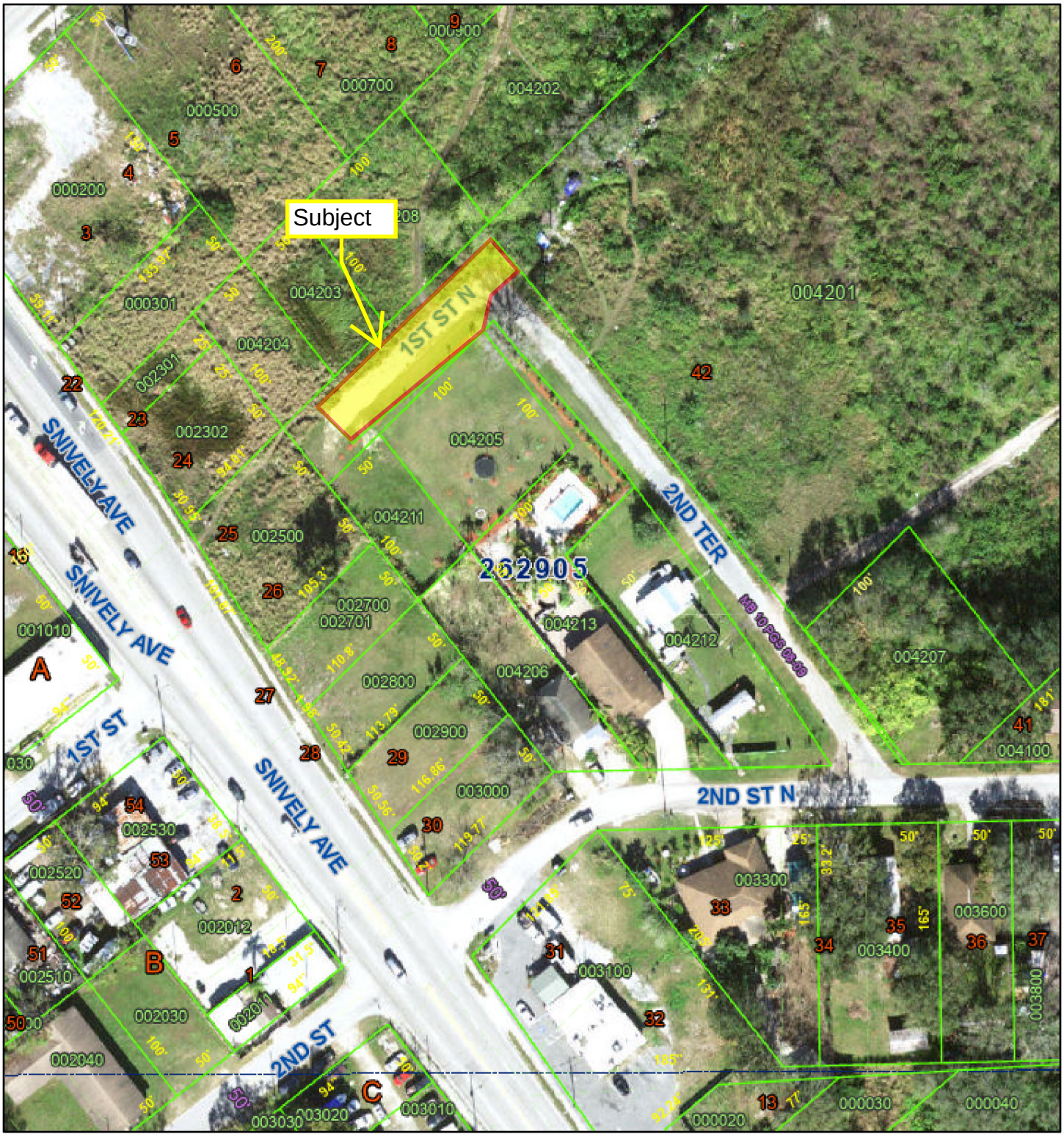


All maps are worksheets used for illustrative purposes only, they are not surveys. The Polk County Property Appraiser assumes no responsibility for errors in the information and does not guarantee the data is free from error or inaccuracy. The information is provided "as is".

Polk County Property Appraiser
Polk County, Florida

August 19, 2025

Section 5, Township 29 South, Range 26 East



0 40 80 160 Feet

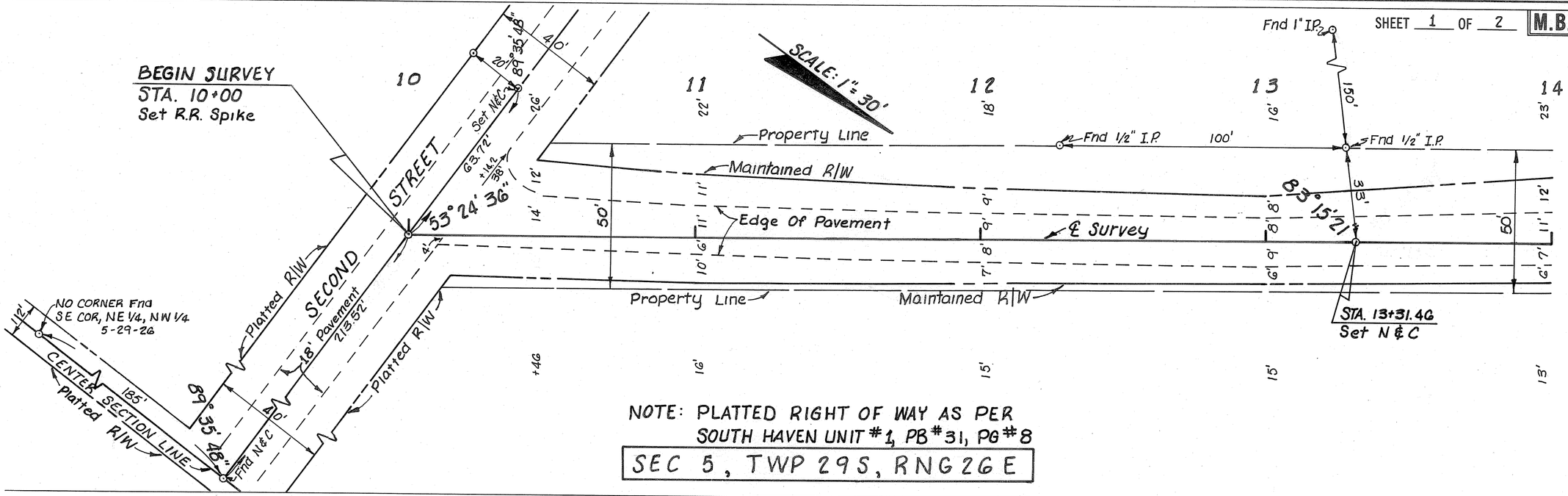
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Polk County Property Appraiser
Polk County, Florida

August 19, 2025

N
W E

SHEET 1 OF 2 M.B. 10 PG. 8



NOTE: PLATTED RIGHT OF WAY AS PER SOUTH HAVEN UNIT #1, PB #31, PG #8

SEC 5, TWP 29S, RNG 26E

CERTIFICATE

I hereby certify that the maintained right-of-way as platted hereon, has been maintained for four or more years by Polk County EAGLE LAKE Maintenance forces.

By: Lance Davis
Area Superintendent
MAINTENANCE UNIT: EAGLE LAKE

It is certified that the lands depicted upon this plat lying between the lines marked "maintained right-of-way" are vested in Polk County Florida, pursuant to the provisions of Section 95.361, Florida Statutes by virtue of said road having been constructed and maintained for a period of more than four years by Polk County.

Chairman: Royce Ready

Clerk: E.D. "Bud" Dixon

Approved: William C. Koulos
County Engineer

Date: April 28, 1988

Filed for record in the office of the Clerk of the Circuit Court for the County of Polk, State of Florida, in Map Book 10 Pages 8-9 on the 28th day of April A.D. 19 88.

E.D. "Bud" Dixon
Clerk of Circuit Court
Polk County, Florida

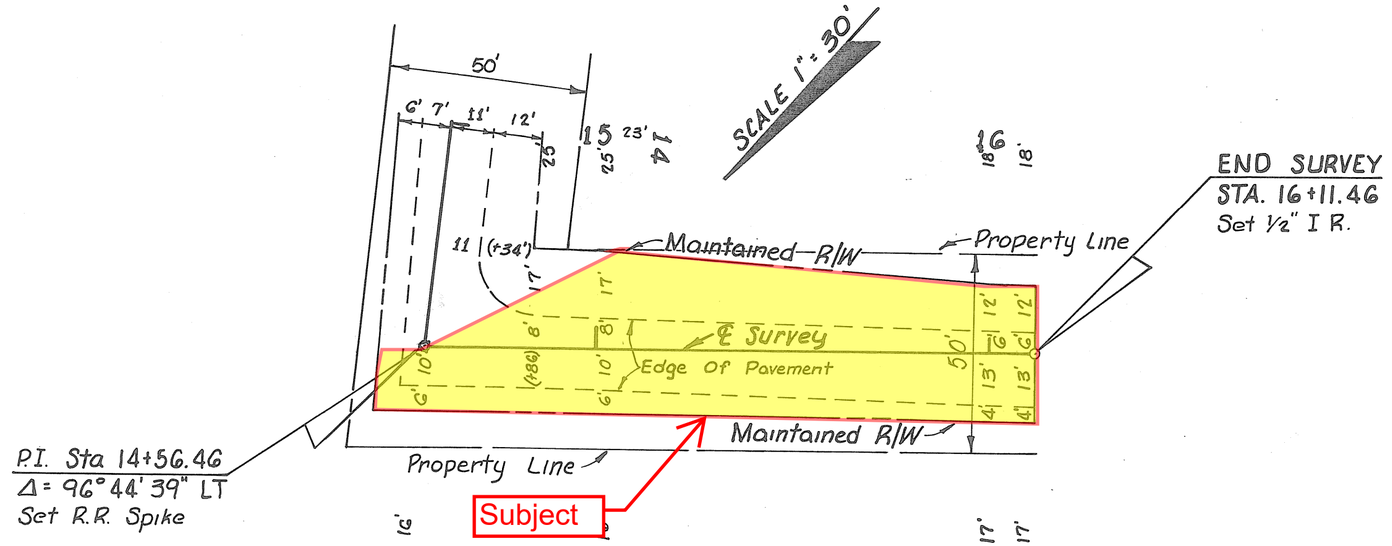
Polk County Maintained Right-of-way Map of

SECOND TERRACE

Secs. 5 of
Twp. 29 S., Rge. 26 E.
MAINT. UNIT: EAGLE LAKE
County Rd. No. 960503

F.B. NO. 96-4

Drawn By:	DWB	3-31-88
Traced By:		
Checked By:	MDG	4-19-88



SEC 5, TWP 29S, RNG 26E

Polk County Maintained Right-of-way Map of

SECOND TERRACE

Secs. 5 of

Twp. 29 S., Rge. 26 E.

Maint. Unit EAGLE LAKE

County Rd. No. 960503

F.B. NO. 96-4

Drawn By:	DWB	4-4-88
Traced By:		1227
Checked By:	MDG	

AF 26665

K&E 12

Return to:
Real Estate Services
P.O. Box 9005, Drawer RE-01
Bartow, FL 33831
or
515 E. Boulevard St.,
Bartow, FL 33830
(863) 534-2580

COUNTY OF POLK, FLORIDA
Application and Petition for Vacation and Abandonment of Streets, Alleys, and Rights-of-Way

FOR OFFICE USE ONLY

Case/File No. 2025-08-009
C/C Meeting:
Date Received: 8/19/25
Complete:

Please type or print clearly.

A. Property Owner(s): (Attach additional sheets if required)

Name: S.A.W. Properties, LLC		Email: steve@williamsconstructionfl.co
Address: 4100 Spirit Lake Road Suite #1		
City: Winter Haven	State: Florida	Zip: 33880
Phone: (863) 412-3688	Fax:	Cellular:

Name: JR Holding Group LLC		Email:
Address: 2518 Summitview Dr		
City: Lakeland	State: FL	Zip: 33812
Phone: (858) 268-7373	Fax:	Cellular:

B. Is there a pending "Contract for Sale"? ☐ Yes ☑ No
If yes, please list all parties involved in the sales contract:

C. Applicant or Authorized Agent: (If different from above)

Name: Redstone Properties, LLC		Email: kschmidt@redstoneinvestment
Address: 1501 W Cleveland St, Suite 200		
City: Tampa	State: FL	Zip: 33606
Phone: (813) 254-6200	Fax:	Cellular:

General Information

D. General Location of Property to be Vacated:

Property Location or Address
1st Street North, Winter Haven, FL
Parcel Number(s):

Legal Description [1] (Attach additional sheets as necessary)

See attached legal description & sketch

The subject property is located within a ☐ platted or ☑ unrecorded subdivision.
How was this right-of-way reserved? ☐ Plat ☑ Deed ☐ Other (describe): _____

(1) An **exact legal description** of the property to be vacated must be submitted. The County suggests the Applicant contact a Registered Land Surveyor to determine the exact legal description. The County reserves the right to require a survey of the subject property and/or a title opinion, if necessary. The Owner/Applicant is responsible for all costs associated therewith.

E. Are any other applications pending? ☐ Yes ☑ No (Check all that apply.)
☐ Variance ☐ Conditional Use ☐ Special Exception ☐ Other (describe): _____

F. Reason for this Request – Check all that apply: (Attach additional sheets as necessary)

☐ Code Violation. (Attach copy of letter citing violation.)
☐ Need to clear an existing encroachment. (Describe encroachment below.)
☑ Request to vacate to allow for construction of:
☐ Pool ☐ Screened Pool/Deck ☐ Building Addition (Describe Below). ☑ Other (Describe below)

Additional Comments:

The surrounding parcels are being purchased by Redstone Properties, LLC for the construction of a Circle K HSD Fuel Station and McDonald's end cap. There is a piece of S.A.W. Properties LLC's property that wraps around 1st St N, that the owner has agreed to deed to Redstone Properties, LLC in exchange for tying into our future sewer system. Redstone Properties, LLC will then immediately vacate the ROW.

PETITION TO VACATE RIGHT-OF-WAY

TO: THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA

The undersigned Petitioner respectfully petitions the Board of County Commissioners of Polk County, Florida, and requests that the right-of-way described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

(NOTE: The term "Petitioner" shall refer to all Petitioners, whether singular or plural.)

be vacated, abandoned, discontinued, and closed, and that any rights of the County and the Public in and to the said right-of-way and any lands in connection therewith, be renounced and disclaimed by the Board of County Commissioners of Polk County, Florida. In support of this Petition, Petitioner respectfully affirms:

1. Petitioner is the owner and/or legal representative of the owner of all of the land abutting the above described right-of-way, which is the subject of this Petition; that said ownership has been fully divulged; and that the names of all parties to an existing contract for sale or any options are filed with this application.

2. Petitioner acknowledges and agrees that this vacation of right-of-way may require Petitioner to grant an easement for public utility purposes to Polk County or other legal entities over, under and across all or part of the property to be vacated and further agrees that if said easement is required, Petitioner shall convey said easement in compliance with this request prior to the actual Public Hearing. Further, Petitioner understands that if said easement is not granted, the Public Hearing may be continued or the Petition may be denied, at the discretion of the Board of County Commissioners.

3. The subject right-of-way is ☐ unopened right-of-way ☐ unmaintained right-of-way ☐ opened, maintained right-of-way (check all that apply). The closing of the right-of-way will not deprive the Petitioner the right of access to his/her/their property, nor will it deprive any other person(s) of access to his/her/their property.

4. The subject right-of-way is not a part of a state or federal highway and is not located within the corporate limits of any municipality.

5. Petitioner acknowledges that the act of vacating the subject right-of-way does not necessarily grant ownership rights in the property vacated to the abutting property owners and that decisions regarding the distribution of vacated property shall not be made by the Board of County Commissioners or any of its Departments, Divisions or employees. Upon vacation of the subject right-of-way, the Polk County Property Appraiser's Office will distribute the subject right-of-way in accordance with historical records and applicable Florida Statutes but further legal action may be required to fully clear title to the property. By granting the Petition to vacate right-of-way, the Board of County Commissioners is in no way certifying, declaring or guaranteeing legal title to the vacated right-of-way to the Petitioner or any other persons.

WHEREFORE, the undersigned Petitioner requests the Board of County Commissioners of Polk County, Florida, adopt a Resolution setting a time and place for a public hearing, and, after due notice thereof, adopt a Resolution vacating, abandoning, discontinuing and closing the right-of-way described, renouncing and disclaiming any rights of the County and the Public in and to the subject right-of-way and to any lands in connection therewith, in accordance with the provisions of Section 336.09 and Section 336.10 of the Florida Statutes.

DATED THIS 31 day of July, 20 25.

SAW Properties
Petitioner Name

4100 Spirit Lake Rd
Address

Winter Haven FL 33880
City/State/Zip

Phone 863-294-2808

Petitioner's Signature

Jr Holding Group LLC
Petitioner Name

2518 Summitview Dr.
Address

Lakeland, FL. 33812
City/State/Zip

Phone 863-268-7373

Petitioner's Signature

STATE OF FLORIDA
COUNTY OF Polk

The foregoing instrument was acknowledged before me this 31st day of July, 2025, by Steve Williams & Ken Jain, who [X] is / are personally known to me or [ ] who has / have produced _____ as identification and who [ ] did / [ ] did not take an oath.

SHERRI LUCIUS
MY COMMISSION # HH 472296
EXPIRES: March 3, 2028

Notary Public
My Commission Expires: March 03, 2028
Commission No.: HH 472296

SKETCH OF DESCRIPTION

SHEET 1 OF 2

LEGAL DESCRIPTION:

VACATED RIGHT-OF-WAY:

A PORTION OF THE MAINTAINED RIGHT-OF-WAY KNOWN AS 1ST STREET N AND 2ND TERRACE PER THE MAINTAINED RIGHT-OF-WAY MAP RECORDED IN MAP BOOK 10, PAGES 8 AND 9, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING WITHIN LOT 42, SOUTHHAVEN - UNIT 1, AS RECORDED IN PLAT BOOK 31, PAGE 8, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EASTERLY MOST CORNER OF LOT 25 OF SAID SOUTHHAVEN - UNIT 1; RUN THENCE N45°08'09"E, ALONG THE NORTHEASTERLY PROJECTION OF THE SOUTHEASTERLY LINE OF SAID LOT 25, A DISTANCE OF 118.09 FEET TO ITS INTERSECTION WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID 1ST STREET N FOR A POINT OF BEGINNING; THENCE THE FOLLOWING SIX COURSES ALONG THE BOUNDARIES OF SAID 1ST STREET N: (1) S48°10'56"W A DISTANCE OF 75.27 FEET; (2) S45°19'12"W A DISTANCE OF 11.46 FEET; (3) N44°40'48"W A DISTANCE OF 37.00 FEET; (4) N45°19'12"E A DISTANCE OF 11.46 FEET; (5) N45°53'34"E A DISTANCE OF 100.00 FEET; (6) N45°19'12"E A DISTANCE OF 57.03 FEET TO ITS INTERSECTION WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID 2ND TERRACE; THENCE S39°04'54"E, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 17.48 FEET; THENCE S52°03'51"W A DISTANCE OF 11.87 FEET; THENCE S12°20'38"W A DISTANCE OF 43.46 FEET TO THE SOUTHERLY INTERSECTION OF SAID 1ST STREET N AND 2ND TERRACE; THENCE S45°08'03"W, ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF 1ST STREET N, A DISTANCE OF 31.91 FEET TO THE POINT OF BEGINNING.

CONTAINS: 5,815 SQUARE FEET OR 0.1335 ACRES MORE OR LESS.

JAMES DENNIS BRAY
License Number
PSM6507
STATE OF
FLORIDA
Professional Surveyor and Mapper

JOB # 906952
CF # PLK-31-8-SOD
DATE: 6/30/2025
SCALE: 1" = 30'
DRAWN BY: GLT

CERTIFIED TO:

REDSTONE

LEGEND

℄	- CENTERLINE
CM	- CONCRETE MONUMENT
Δ	- CENTRAL ANGLE
(D)	- DESCRIBED
DB	- DEED BOOK
DE	- DRAINAGE EASEMENT
ESMT	- EASEMENT
FND	- FOUND
INST	- INSTRUMENT NUMBER
L	- ARC LENGTH
(M)	- MEASURED
N&D	- NAIL AND DISK
ORB	- OFFICIAL RECORDS BOOK
(P)	- PLAT
PB	- PLAT BOOK
PG	- PAGE
POB	- POINT OF BEGINNING
POC	- POINT OF COMMENCEMENT
R/W	- RIGHT OF WAY
R	- RADIUS
TYP	- TYPICAL
UE	- UTILITY EASEMENT
#	- NUMBER

REVISIONS

GENERAL NOTES:

1. BEARING STRUCTURE IS BASED ON THE MONUMENTED NE LINE OF LOT 25, BEING: N38°03'30"W ASSUMED.

2. THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR ANY DEDICATIONS, LIMITATIONS, RESTRICTIONS OR EASEMENTS OTHER THAN SHOWN HEREON.

3. THIS SKETCH OF DESCRIPTION HAS BEEN MADE FOR THE EXCLUSIVE USE OF THE ENTITIES PREPARED FOR HEREON AND DOES NOT EXTEND TO ANY UNNAMED PARTIES.

4. THIS SKETCH OF DESCRIPTION IS NOT A SURVEY.

5. THIS SKETCH OF DESCRIPTION IS "NOT VALID" WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS PROVIDED WITH ELECTRONIC SIGNATURE. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY SIGNING PROFESSIONAL SURVEYOR AND MAPPER ON THE DATE OF THE ELECTRONIC SIGNATURE.

Altamax Surveying

910 Belle Avenue, Suite 1100
Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com
James@altamaxsurveying.com

Digitally signed by James D Bray
DN: cn=James D Bray c=US o=Unaffiliated
Reason: I am the author of this document
Location:
Date: 2025-07-09 16:20-04:00

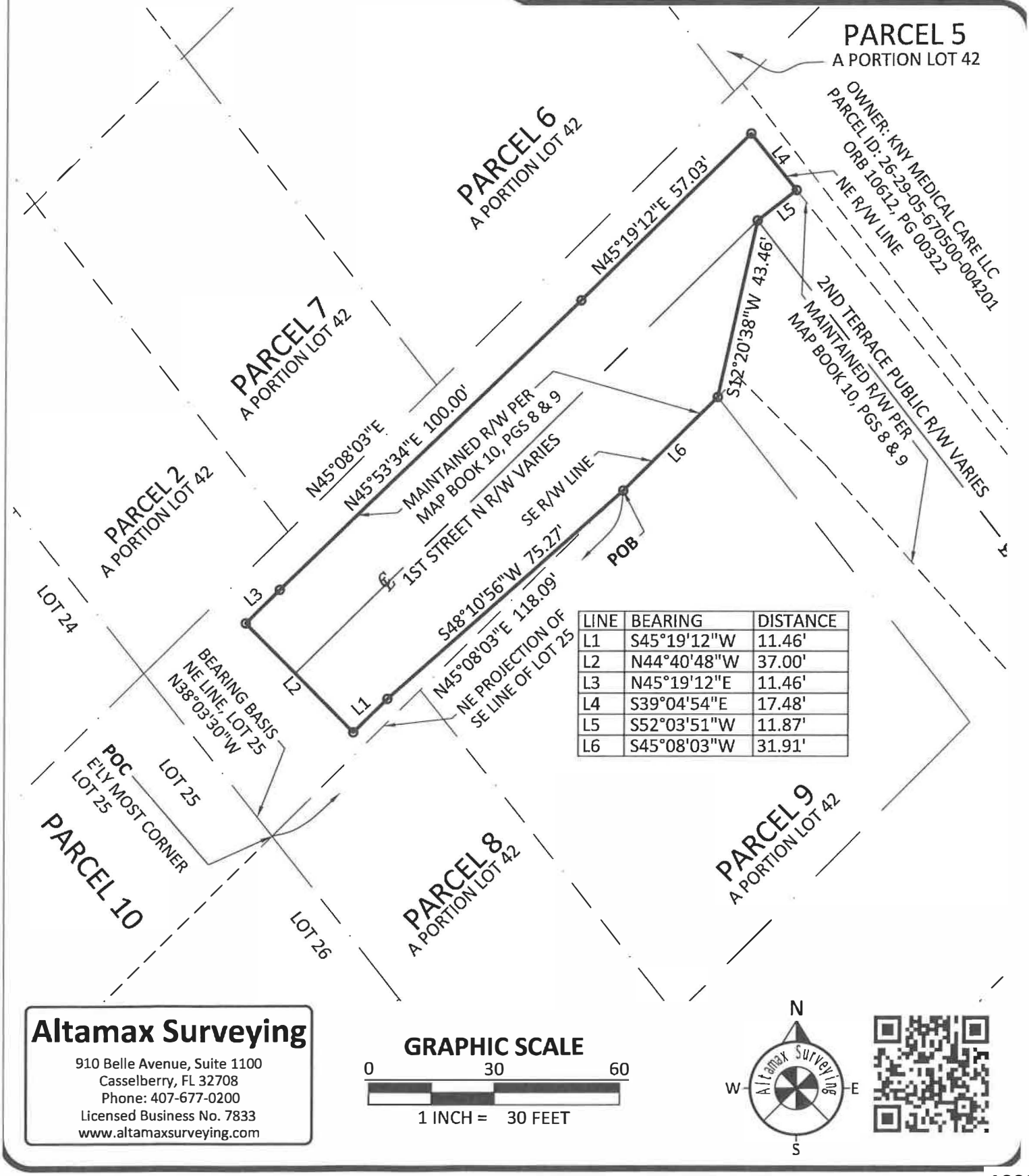
James D. Bray PSM 6507

SITE ADDRESS:

100 HIGHWAY 17 N
WINTER HAVEN, FL

SKETCH OF DESCRIPTION

SHEET 2 OF 2



LINE	BEARING	DISTANCE
L1	S45°19'12"W	11.46'
L2	N44°40'48"W	37.00'
L3	N45°19'12"E	11.46'
L4	S39°04'54"E	17.48'
L5	S52°03'51"W	11.87'
L6	S45°08'03"W	31.91'

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Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com

GRAPHIC SCALE

0 30 60

1 INCH = 30 FEET

N W E S

RESOLUTION NO. 2025-

VACATING AND CLOSING A PORTION OF COUNTY-MAINTAINED RIGHT-OF-WAY FOR SECOND TERRACE A/KA/ 1ST STREET N IN WINTER HAVEN, POLK COUNTY, FLORIDA.

WHEREAS, the petition of Redstone Properties, LLC, as authorized agent for S. A. W. Properties, LLC and JR Holding Group, LLC, requesting that the Board of County Commissioners of Polk County, Florida, vacate, abandon, discontinue and close right-of-way described as:

SEE EXHIBIT "A"

and renounce and disclaim any right of the County and the public in and to said right-of-way and the land in connection therewith, was duly presented to said Board at its regular meeting held on the 4th day of November 2025; and

WHEREAS notice of intention to apply to the Board of County Commissioners to close said right-of-way was duly published in The Lakeland Sun, Lakeland, Florida, a newspaper of general circulation in Polk County, Florida; and

WHEREAS, a hearing has been held this 4th day of November 2025, as provided in the above referred to notice, and after due weight, consideration and determination, it has been determined that the statutory requirements have been complied with and that the closing and abandoning of that portion of right-of-way described above will not adversely affect the ownership of any person, it being conclusively shown and demonstrated that said right-of-way is no longer needed as right-of-way; and

WHEREAS this action is found to be in the best interest of the public.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, that the right-of-way described above be and is hereby vacated, abandoned, discontinued, and closed and all rights of the County and the public in and to said right-of-way and the land in connection therewith be and is hereby renounced.

ADOPTED this 4th day of November 2025.

SKETCH OF DESCRIPTION

SHEET 1 OF 2

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A PORTION OF THE MAINTAINED RIGHT-OF-WAY KNOWN AS 1ST STREET N AND 2ND TERRACE PER THE MAINTAINED RIGHT-OF-WAY MAP RECORDED IN MAP BOOK 10, PAGES 8 AND 9, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, LYING WITHIN LOT 42, SOUTHHAVEN - UNIT 1, AS RECORDED IN PLAT BOOK 31, PAGE 8, PUBLIC RECORDS OF POLK COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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ORB	- OFFICIAL RECORDS BOOK
(P)	- PLAT
PB	- PLAT BOOK
PG	- PAGE
POB	- POINT OF BEGINNING
POC	- POINT OF COMMENCEMENT
R/W	- RIGHT OF WAY
R	- RADIUS
TYP	- TYPICAL
UE	- UTILITY EASEMENT
#	- NUMBER

REVISIONS

GENERAL NOTES:

1. BEARING STRUCTURE IS BASED ON THE MONUMENTED NE LINE OF LOT 25, BEING: N38°03'30"W ASSUMED.

2. THIS SURVEYOR HAS NOT MADE A SEARCH OF THE PUBLIC RECORDS FOR ANY DEDICATIONS, LIMITATIONS, RESTRICTIONS OR EASEMENTS OTHER THAN SHOWN HEREON.

3. THIS SKETCH OF DESCRIPTION HAS BEEN MADE FOR THE EXCLUSIVE USE OF THE ENTITIES PREPARED FOR HEREON AND DOES NOT EXTEND TO ANY UNNAMED PARTIES.

4. THIS SKETCH OF DESCRIPTION IS NOT A SURVEY.

5. THIS SKETCH OF DESCRIPTION IS "NOT VALID" WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THIS FLORIDA LICENSED SURVEYOR AND MAPPER, UNLESS PROVIDED WITH ELECTRONIC SIGNATURE. THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY SIGNING PROFESSIONAL SURVEYOR AND MAPPER ON THE DATE OF THE ELECTRONIC SIGNATURE.

Altamax Surveying

910 Belle Avenue, Suite 1100
Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com
James@altamaxsurveying.com

Digitally signed by James D Bray
DN: cn=James D Bray c=US o=Unaffiliated
Reason: I am the author of this document
Location:
Date: 2025-07-09 16:20-04:00

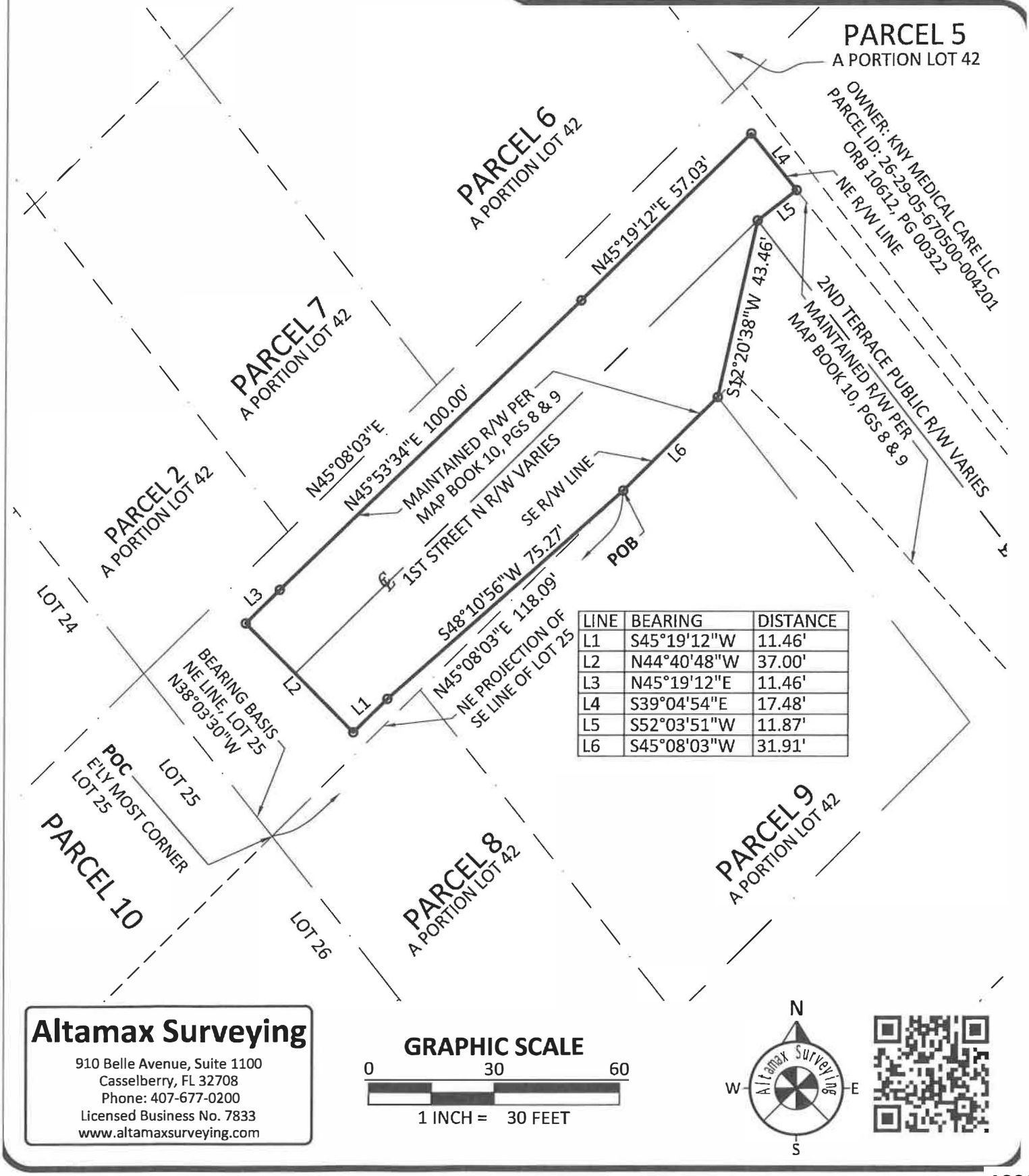
James D. Bray PSM 6507

SITE ADDRESS:

100 HIGHWAY 17 N
WINTER HAVEN, FL

SKETCH OF DESCRIPTION

SHEET 2 OF 2



LINE	BEARING	DISTANCE
L1	S45°19'12"W	11.46'
L2	N44°40'48"W	37.00'
L3	N45°19'12"E	11.46'
L4	S39°04'54"E	17.48'
L5	S52°03'51"W	11.87'
L6	S45°08'03"W	31.91'

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www.altamaxsurveying.com

GRAPHIC SCALE

0 30 60

1 INCH = 30 FEET

N W E S

Agenda Item O.2. 11/4/2025

SUBJECT

Public Hearing to consider adoption of an ordinance granting an Economic Development Ad Valorem Tax Exemption to a new business, Fort Meade DC, LLC, and approval of a Performance Agreement with the company.

DESCRIPTION

The Board is asked to consider adoption of an ordinance, the title of which is:

AN ORDINANCE OF POLK COUNTY, FLORIDA, ESTABLISHING AN EXEMPTION FROM CERTAIN AD VALOREM TAXATION FOR FORT MEADE DC, LLC, A NEW BUSINESS; PROVIDING FINDINGS OF FACT; PROVIDING A TITLE; PROVIDING THE TOTAL AMOUNT OF REVENUE AVAILABLE TO THE COUNTY FROM AD VALOREM TAX SOURCES FOR THE CURRENT FISCAL YEAR, THE TOTAL AMOUNT OF REVENUE LOST TO THE COUNTY FOR THE CURRENT FISCAL YEAR BY VIRTUE OF ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS CURRENTLY IN EFFECT, AND THE ESTIMATED REVENUE LOSS TO THE COUNTY FOR THE CURRENT FISCAL YEAR ATTRIBUTABLE TO THE EXEMPTION FOR FORT MEADE DC, LLC; PROVIDING FOR THE GRANT OF AN EXEMPTION FOR 10 YEARS AT 90 PERCENT; PROVIDING FOR A FINDING THAT THE COMPANY MEETS THE REQUIREMENTS OF SECTION 196.012 (14), FLORIDA STATUTES, (NEW BUSINESS); PROVIDING FOR CONTINUING PERFORMANCE; PROVIDING FOR APPLICABILITY; PROVIDING FOR REVIEW; PROVIDING FOR EXPIRATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Pursuant to Polk County Ordinance 2022-069, the County received an application for an Economic Development Ad Valorem Tax Exemption from a new business, Fort Meade DC, LLC, seeking to locate in Polk County. Included with the application was a letter of recommendation from the Central Florida Development Council and other required documentation showing that the company intends to create at least 50 new full-time jobs in Polk County paying an average annual wage of at least $107,000, which is more than 200% of the County's 2025 average annual wage. The Company also plans to invest $1.2 billion in real property improvements, and $1.64 billion in tangible equipment, to construct and operate a 1,925,000 square foot data center facility in Fort Meade, located on the following parcels: 25-31-08-000000-022010, 25-31-09-000000-024010, 25-31-17-000000-011020, 25-31-17-000000-022010, 25-31-16-000000-022010, 25-31-21-000000-011010, 25-31-16-000000-012040, and 25-31-16-000000-012060.

The application was sent to the Property Appraiser for review, and the Property Appraiser has submitted his report dated October 3, 2025. As required by statute and the ordinance, a performance agreement is required to ensure that the company fulfills all of its obligations. Based on the Board's adopted policy guidelines for economic development ad valorem tax exemptions, the Company

qualifies for a 90% exemption for 10 years.

RECOMMENDATION

(1) Approve and adopt the Economic Development Ad Valorem Tax Exemption for Fort Meade DC, LLC; and (2) approve and execute the Ad Valorem Tax Exemption Performance Agreement between the County and the company.

FISCAL IMPACT

Based on the Property Appraiser's Report, it is estimated that $14,837,536 in ad valorem taxes will be lost each year of the ten-year exemption period (2029 through 2038) if the exemption is approved. The County would recognize the remaining 10% of value as new ad valorem tax revenue during that time ($1,648,615). Additionally, annual new tax revenues gained for the School Board, MSTU's and SWFWMD are estimated to be as follows:

School Board: $13,159,501
MSTU: $2,040,518
SWFWMD: $474,348

CONTACT INFORMATION

Sandra Howard
Deputy County Attorney
863.534.6437

Sean Malott
President/CEO
Central Florida Development Council
863.937.4430

AD VALOREM TAX EXEMPTION PERFORMANCE AGREEMENT BETWEEN POLK COUNTY AND

FORT MEADE DC LLC

(PROJECT CUMULUS)

THIS AGREEMENT is entered into as of the Effective Date (as defined in Section 11), by and between Polk County, a political subdivision of the State of Florida (the "County") and Fort Meade DC LLC, a Delaware limited liability company (the "Company").

WITNESSETH

WHEREAS, Article VII, Section 3, of the Florida Constitution and Section 196.1995, Florida Statutes, authorize the County to grant Economic Development Ad Valorem Tax Exemptions to New Businesses and Expansions of Existing Businesses, as defined in Florida Statutes, Section 196.012(14) and (15), subject to voter approval. On November 3, 2020, Polk County electors approved a referendum authorizing such exemptions, and on October 4, 2022, the Board of County Commissioners (the "Board") adopted a master ordinance, Ordinance 2022-069 (the "Ordinance") authorizing the granting of such exemptions, along with Resolution No. 2022-128 (the "Resolution") adopting guidelines to be applied when granting such exemptions; and

WHEREAS, the Ordinance and the Resolution set forth guidelines and procedures for implementing the Economic Development Ad Valorem Tax Exemption Program (the "Program"); and

WHEREAS, pursuant to the Ordinance and the Resolution (together, the "Program Governing Documents"), the Company submitted an application (the "Application") requesting an exemption under the Program based on estimated employment figures and capital investments (the "Exemption"), and the County approved the Exemption on November 4, 2025 by adoption of Ordinance 2025- _____ (the "Exemption Ordinance"); and

WHEREAS, as a condition of the Exemption being granted, the Company is required to enter into an agreement with the County to ensure that the business satisfies

all requirements associated with the creation of jobs in the County, the fulfillment of other representations made in applying for the Exemption, and the granting of the Exemption by the County.

NOW, THEREFORE, in consideration of the mutual covenants herein contained and other good and valuable consideration, hereby acknowledged by the parties, the Company and the County agree as follows:

1. **Incorporation.** The recitals set forth above are incorporated herein in their entirety.

2. **Business Maintenance and Continuing Performance Conditions Requirement.** Pursuant to representations made by the Company in the Application, and in consideration of the County granting the Exemption, the Company agrees to:

a. invest, or cause to be invested on behalf of the Company, by the end of the second (2nd) year of the Exemption Period (hereinafter defined), at least One Hundred and Twenty-Five Million Dollars ($125,000,000) in real property improvements and the purchase of equipment and other tangible personal property to facilitate the Company's construction, development and operation of a hyperscale data center campus to include approximately 1,925,000 square feet of new construction to support the phased build-out of up to 1.2 GW of IT load (collectively, the "Facility"). The proposed Facility will be located in Fort Meade, Florida, on the following parcels of property, identified by Tax Parcel ID Number:

25-31-08-000000-022010;
25-31-09-000000-024010;
25-31-17-000000-011020;
25-31-17-000000-022010;
25-31-16-000000-022010;
25-31-21-000000-011010;
25-31-16-000000-012040; and
25-31-16-000000-012060.

b. create, by the end of the third (3rd) year of the Exemption Period, at least fifty (50) new full-time jobs in Polk County, paying an average annual wage equal to or in excess of $106,498, which is 200% of the 2025 average annual wage for Polk County; and

c. use commercially reasonable efforts to hire employees living in Polk County, Florida and to use local suppliers for its goods and services where practicable; and

d. apply green technologies to the extent feasible and where practicable.

e. Notwithstanding anything to the contrary contained herein, an Affiliate or multiple Affiliates of the Company, as defined in Section 6 below, shall be permitted to fulfill the obligations of the Company as set forth in this Section 2, and the Company shall not be deemed in default of this Agreement as a result thereof.

3. **Annual Filings.** Pursuant to Florida Statutes, Section 196.1995, the Program Governing Documents, and the Exemption Ordinance, the Company shall:

a. Inform the County in writing within thirty (30) days as to any changes in ownership of the Company which have the cumulative effect of altering more than fifty (50%) of the ownership of the Company;

b. Before March 1 of the year in which the Exemption will first take effect, submit (or cause to be submitted) an amended DOR Form 418 to the Program Administrator. Additionally, the Company shall submit (or cause to be submitted), before March 1 of each year of the Exemption Period, an amended DOR Form 418 to the County's Property Appraiser, as required by Section 196.011, Florida Statutes, for annual renewals of tax exemptions;

c. Submit an annual report and renewal statement (the "Annual Report"), the form of which will be provided by the County, to the Program Administrator on or before March 1 of each year of the Exemption Period,

which shall be defined as ten (10) tax years commencing with Tax Year 2029 through Tax Year 2038.

(1) The Annual Report shall certify either that (A) the information provided in the Application has not changed, or (B) in the event the information has changed, the Annual Report shall set forth the changes in detail and any supporting documentation that may be necessary.

(2) The Annual Report shall provide an update of the Company's compliance with the Business Maintenance and Continuing Performance Conditions set forth in Section 2 herein.

(3) Prior to submittal of the Annual Report, the Company shall allow the Program Administrator to conduct an on-site inspection of the Facility in conjunction with his/her annual review of the project; provided, however, that the Program Administrator shall provide 10 business days' advance written notice of any such inspection.

(4) The parties acknowledge and agree that nothing contained in this Agreement, including, without limitation, this Section 3, shall require the Company to provide the County with any confidential, personal or otherwise sensitive employee information, including, without limitation, employee social security numbers or salaries identified by individual names.

(5) The Company further agrees to cooperate with the County's auditor, or any outside agency providing auditor services on behalf of the County, and timely respond to and comply with any request for additional information, subject to the limits provided herein, in order to ensure compliance with the Program Governing Documents, the Exemption Ordinance and this Agreement.

4. **Compliance with Ordinance Requirements.** The Company shall materially comply with all terms and conditions set forth in the Program Governing Documents and the Exemption Ordinance, as they may be amended from time to time, as well as any policies, procedures and guidelines adopted by the County from time to time related to the Program; provided, however, that the County must provide prior written notice to the Company of any such policies and procedures, and the Company shall have the right to terminate this Agreement if the Company determines at its sole discretion that it cannot reasonably comply with any such policies and procedures without prejudice. The parties acknowledge and agree that if this Agreement is terminated pursuant to the immediately preceding sentence, the County shall have the right to revoke the Exemption Ordinance immediately without further notice to the Company.

5. **County Revocation.**

   a. In the event the Company fails to satisfy the Business Maintenance and Continuing Performance Conditions set forth in Section 2 of this Agreement, or otherwise fails to comply with the terms of this Agreement, the Program Governing Documents, or the Exemption Ordinance, the County may adopt an ordinance revoking the Exemption or take such other action as it deems appropriate; provided, however, that the County will provide the Company with written notice of any such failure and permit the Company a reasonable period of time to cure any such failure (in no event less than 30 days) before any such failure will constitute grounds for termination of this Agreement. In the event of such revocation by the County, this Agreement shall automatically terminate and be of no further force or effect, except for those provisions herein which are specifically stated to survive termination.

   b. Upon revocation, the County shall immediately notify the Property Appraiser.

c. If it is determined that for any year within the Exemption Period the Company was not entitled to receive the Exemption, the Company shall be subject to payment of all taxes exempted for such year(s) as a result of this Agreement and the Exemption Ordinance.

d. This Section 5 shall survive expiration or any earlier termination of this Agreement.

6. **Assignment Estoppel.** The rights and privileges granted to the Company pursuant to the Program Governing Documents, the Exemption Ordinance and this Agreement are not assignable or transferable in any manner without the prior written consent of the County; provided however, that notwithstanding anything herein contained to the contrary, the Company may assign or transfer all or any portion of its interest in this Agreement to an Affiliate of the Company without the County's consent. An "Affiliate" shall mean any entity controlling the Company, controlled by the Company or under common control with the Company.

7. **Controlling Law.** This Agreement is entered into pursuant to the laws of the State of Florida and shall be construed and enforced thereunder. In the event of litigation for any alleged breach of this Agreement, exclusive jurisdiction and venue for such litigation shall be in the Circuit Court of the Tenth Judicial Circuit, in and for Polk County, Florida.

8. **Notice.** Any notices required under this Agreement shall be in writing and be addressed to the parties as shown below. Notices shall be delivered by certified or registered first class mail or by commercial courier service, and shall be deemed to have been given or made as of the date received.

AS TO THE COUNTY: County Manager
Administration Building
330 W. Church St.
Bartow, Florida 33830

WITH A COPY TO: AVTE Program Administrator
Budget and Management Services Division

Administration Building
330 W. Church St.
Bartow, Florida 33830

AS TO THE COMPANY: Fort Meade DC LLC
Attn: Doug Firstenberg
7373 Wisconsin Avenue, Suite 300
Bethesda, Maryland 20814

WITH A COPY TO: Ryan, LLC
Attn: Austin Arnold
301 E Pine Street, Suite 700
Orlando, Florida 32801

9. **Force Majeure.** Notwithstanding anything contained in this Agreement to the contrary, and subject to the terms of this Section, the Company's failure to perform its obligations under this Agreement, other than with respect to the payment of money or the giving of any notice required hereunder, shall not be a default, and no disqualification shall occur as a result thereof, if any such failure or delay is due in whole or in part to acts of God; acts of public enemy; pandemic; war; riot; sabotage; blockage; embargo; failure or inability to secure materials, supplies or labor through ordinary sources by reason of shortages or priority; labor strikes, lockouts or other labor or industrial disturbance (whether or not on the part of agents or employees of either party hereto engaged in renovation or construction at the Facility); civil disturbance; terrorist act; power outage; fire, flood, windstorm, hurricane, earthquake or other casualty; any law, order, regulation or other action of any governing authority; any action, inaction, order, ruling moratorium, regulation, statute, condition or other decision of any governmental agency having jurisdiction over the Company, over the renovation or construction anticipated to occur thereon or over any uses thereof, or by delays in inspections or in issuing approvals by private parties or permits by governmental agencies not occasioned by the Company.

10. **Conflicting Laws; Severability.** If a conflicting law is enacted after the Effective Date, then the County and the Company shall meet and confer in good faith for a period of no less than thirty (30) and no more than ninety

(90) days to seek to effectuate an amendment to this Agreement providing the County and the Company with the rights and remedies intended to be provided herein. Nothing herein shall preclude either the County or the Company from challenging the validity of any conflicting laws. Each provision in this Agreement is severable. If any such provision is determined to be invalid or illegal, the validity and enforceability of the remainder of this Agreement shall be unaffected.

11. **Term; Effective date.** The term of this Agreement shall commence on the date of the last signatory hereto (the "Effective Date") and, unless sooner terminated, shall continue in force through the last day of the Exemption Period. In the event that the Company elects not to proceed with the construction of the Facility and/or the purchase of qualifying tangible personal property as set forth in the Application, the Company shall notify the County in writing of such election, and upon receipt of such notice, this Agreement shall automatically terminate and be of no further force or effect, except for those provisions herein which are specifically stated to survive termination. In such event, the County may, without any further notice to the Company, adopt an ordinance revoking the Exemption, or take such other action as it deems appropriate, in accordance with Section 5a.

12. **Amendments.** Except as otherwise provided herein regarding termination, this Agreement shall not be modified or amended except by written instrument signed by all of the parties.

13. **Limitation of Liability**.

IN NO EVENT, SHALL EITHER PARTY BE LIABLE TO THE OTHER FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL, SPECIAL, EXEMPLARY, OR PUNITIVE DAMAGES OF ANY KIND OR NATURE, INCLUDING LOSS OF PROFIT, WHETHER FORESEEABLE OR NOT, ARISING OUT OF OR RESULTING FROM THE NONPERFORMANCE OR BREACH OF THIS AGREEMENT, WHETHER BASED IN CONTRACT, COMMON

LAW, WARRANTY, TORT, STRICT LIABILITY, CONTRIBUTION, INDEMNITY OR OTHERWISE.

14. Binding Effect and Effectiveness; Representations and Warranties.

a. Subject to the specific provisions of this Agreement, this Agreement shall be binding upon and inure to the benefit of and be enforceable by the parties and their respective successors and permitted assigns, notwithstanding changes in corporate or other governance.

b. The Company represents and warrants to the County that as of the date hereof and throughout the term of this Agreement:

i. The Company is a for profit limited liability company, duly organized under the laws of the State of Delaware, and is validly existing and doing business in the State of Florida as Fort Meade DC LLC;

ii. The Company has the power and authority to own its properties and assets and to carry on its business as now being conducted and has the power and authority to execute and perform this Agreement;

iii. This Agreement (a) is a lawful, valid and binding agreement of the Company in its corporate name enforceable against the Company in accordance with its terms; (b) does not violate any order of any court or other agency of government binding on the Company, the charter documents of the Company, or any provisions of any indenture, agreement or other instrument to which the Company is a party; and (c) does not conflict with, result in a breach of, of constitute an event of default, or an event which, with notice or lapse of time, or both, would constitute an event of default, under any material indenture, agreement or other instrument to which the Company, in its corporate name, is a party;

iv. The Company has not received written notice of any action having been filed against the Company that challenges the validity of the Agreement or the Company's right and power to enter into and perform this Agreement; and

v. The signatory hereto has the authority to execute this Agreement and to bind the Company to the terms and conditions set forth herein.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature.

ATTEST:
STACY M. BUTTERFIELD, Clerk

By: _____
Deputy Clerk

POLK COUNTY, a political subdivision of the State of Florida

By: _____
T.R. Wilson, Chair
Board of County Commissioners

Approved as to form and legal sufficiency:

Date: _____

_____
County Attorney's Office Date

WITNESSES:

_____
(Print Name)_____

Cathryn Vonich
(Print Name)_____

FORT MEADE DC LLC,
a Delaware limited liability company

By: _____
Print Name: Doug Firstenberg
Title: Manager

Date: 10/21/2025

STATE OF MARYLAND
COUNTY OF MONTGOMERY

The foregoing instrument was acknowledged before me by means of [✓] physical presence or [ ] online notarization, this 21st day of OCTOBER, 2025, by DOUG FIRSTENBERG, as AUTHORIZED SIGNATOR of Fort Meade DC LLC, a Delaware limited liability company, on behalf of the company. He/she is [✓] personally known to me or [ ] has produced MD DRIVER'S LICENSE as identification.

Meredith P. Meyers
Notary Public

AFFIX SEAL

MEREDITH P MEYERS
Notary Public - State of Maryland
Montgomery County
My Commission Expires Jul 11, 2028

ORDINANCE NO. 25-___

AN ORDINANCE OF POLK COUNTY, FLORIDA, ESTABLISHING AN EXEMPTION FROM CERTAIN AD VALOREM TAXATION FOR FORT MEADE LLC, A NEW BUSINESS; PROVIDING FINDINGS OF FACT; PROVIDING A TITLE; PROVIDING THE TOTAL AMOUNT OF REVENUE AVAILABLE TO THE COUNTY FROM AD VALOREM TAX SOURCES FOR THE CURRENT FISCAL YEAR, THE TOTAL AMOUNT OF REVENUE LOST TO THE COUNTY FOR THE CURRENT FISCAL YEAR BY VIRTUE OF ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTIONS CURRENTLY IN EFFECT, AND THE ESTIMATED REVENUE LOSS TO THE COUNTY FOR THE CURRENT FISCAL YEAR ATTRIBUTABLE TO THE EXEMPTION FOR FORT MEADE LLC; PROVIDING FOR THE GRANT OF AN EXEMPTION FOR 10 YEARS AT 90 PERCENT; PROVIDING FOR A FINDING THAT THE COMPANY MEETS THE REQUIREMENTS OF SECTION 196.012 (14), FLORIDA STATUTES, (NEW BUSINESS); PROVIDING FOR CONTINUING PERFORMANCE; PROVIDING FOR APPLICABILITY; PROVIDING FOR REVIEW; PROVIDING FOR EXPIRATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

ARTICLE I: FINDINGS OF FACT

1. Article VII, Section 3, of the Florida Constitution and Florida Statutes, Section 196.1995 authorize Polk County (the “County”) to grant Economic Development Ad Valorem Tax Exemptions to New Businesses and Expansions of Existing Businesses, as defined in Florida Statutes, Section 196.012(14) and (15), subject to voter approval. On November 3, 2020, electors in Polk County approved a referendum authorizing such exemptions, and on October 4, 2022, the Board of County Commissioners (the “Board”) adopted a master ordinance, Ordinance 2022-069 (the “Master Ordinance”) authorizing the granting of such exemptions.

2. The Master Ordinance sets forth the guidelines, process and procedures for implementing the Economic Development Ad Valorem Tax Exemption program.

3. Pursuant to the Master Ordinance, Fort Meade LLC, a Delaware limited liability company (the “Company”) submitted an application to the County requesting an ad valorem tax exemption for 90% of the assessed value of qualifying improvements to

real property and qualifying tangible personal property specified in its application for a period of ten (10) years commencing with Tax Year 2029 (the "Application"). The Application is incorporated herein by reference and a copy of said Application shall be retained by the Program Administrator for at least the duration of the Exemption Period (hereinafter defined).

4. In the Application, the Company stated the following:

a. The name and proposed location of the new business is Fort Meade LLC, to be located on certain real property located in Fort Meade, Florida, and identified by the following Tax Parcel ID numbers (such location being referred to hereinafter collectively as the "Facility"):

25-31-08-000000-022010;
25-31-09-000000-024010;
25-31-17-000000-011020;
25-31-17-000000-022010;
25-31-16-000000-022010;
25-31-21-000000-011010;
25-31-16-000000-012040; and
25-31-16-000000-012060.

b. The Company will create at least 50 new full-time jobs in Polk County paying an average annual wage equal to or in excess of $106,498, which is 200% of the 2025 average annual wage for Polk County.

c. The Company will invest, or cause to be invested on behalf of the Company, no less than One Hundred and Twenty-Five Million Dollars ($125,000,000) in the construction of real property improvements and the purchase of equipment and other tangible personal property for use at the Facility.

d. The Company's or its affiliate's operations at the Facility will consist of the development and operation of an approximate 1,925,000 square foot hyperscale data center campus designed to support phased build-out of up to 1.2 GW of IT load.

e. The Company is committed to local procurement and the use of local vendors where practicable in support thereof.

f. The Company is committed to environmental sustainability and will apply green technologies to the extent feasible and where practicable.

g. Pursuant to the Master Ordinance and Section 196.1995, Florida Statutes, the Polk County Property Appraiser completed its review of the Application and submitted its report to the County, dated October 3, 2025 (the "Property Appraiser's Report"). The Property Appraiser's Report, which is attached hereto as Exhibit "A" and made a part hereof, included the following:

i. The total revenue available to the County for the current fiscal year from ad valorem tax sources is $440,304,308.

ii. The total revenue lost to the County for the current fiscal year by virtue of exemptions previously granted under this section is $4,491,502.

iii. The estimate of the revenue which would be lost to the County during the current fiscal year if the exemption applied for was granted is $14,837,536.

iv. The estimate of the taxable value lost to the County if the exemption applied for was granted is $918,000,000 for improvements to real property and $1,318,320,000 for tangible personal property.

v. A determination that the proposed project as described in the Application meets the definition of a New Business as defined in Section 196.012(14), Florida Statutes has been made.

5. The Application meets all statutory and Master Ordinance requirements.

ARTICLE II: TITLE

This Ordinance shall be known as Polk County Ordinance 2025-____, the "Economic Development Ad Valorem Tax Exemption for Fort Meade LLC."

ARTICLE III: GRANT OF EXEMPTION

1. After consideration of the Application and the Property Appraiser's Report, the Board finds that the Company qualifies as a New Business, as defined in Section 196.012(14), Florida Statutes, and that granting an Economic Development Ad Valorem Tax Exemption to the Company to encourage its location in Polk County will promote economic sustainability within the County through the creation of jobs and utilization of local resources. The Board hereby grants to the Company and establishes on behalf of

the Company an Economic Development Ad Valorem Tax Exemption of ninety percent (90%) of the assessed value of the net increase in qualifying improvements to real property and qualifying tangible personal property as set forth in the Application, acquired by the Company after the adoption of this Ordinance to facilitate the new business in Polk County (the "Fort Meade LLC Exemption").

2. The Fort Meade LLC Exemption shall be for a period of ten (10) tax years (the "Exemption Period") commencing with Tax Year 2029 through Tax Year 2038.

3. The Fort Meade LLC Exemption is conditioned upon the Company entering into an "Ad Valorem Tax Exemption Business Maintenance and Continued Performance Agreement" (the "Performance Agreement") with the County stating that it shall remain in compliance with this Ordinance and the Master Ordinance throughout the Exemption Period as well as with the terms of the Performance Agreement. Should the Company fail to comply with the terms of this Ordinance, the Master Ordinance, or the Performance Agreement, the Board may, in its discretion, revoke the Fort Meade LLC Exemption and recover any taxes exempted during the Exemption Period pursuant to the procedures set out in the Master Ordinance and as described in the Performance Agreement.

4. The Company agrees to abide by the terms and conditions set forth in this Ordinance and the Master Ordinance, as amended from time to time, as well as the guidelines, policies and procedures enacted by the Board from time to time related to the Economic Development Ad Valorem Tax Exemption program. Failure to do so may result in revocation of the Fort Meade LLC Exemption and the County's recovery of any taxes exempted during the Exemption Period as set forth in the Performance Agreement.

ARTICLE IV: APPLICABILITY

The County ad valorem tax exemption granted herein applies only to countywide ad valorem taxes levied by Polk County on the qualifying improvements to real property and qualifying tangible property specified in the Application. The exemption does not apply to taxes levied by a municipality, school district, MSTU's, water management district or other special taxing district or to taxes levied for the payment of bonds or taxes authorized by a vote of the electors pursuant to Section 9 (b) or 12, Article VII of the Florida Constitution. No exemption shall be granted on the land on which improvements

are made by the Company.

ARTICLE V: REVIEW

The decision of the Board, in its sole discretion, to not grant an exemption shall not be reviewable by the Value Adjustment Board pursuant to Chapter 194, Florida Statutes.

ARTICLE VI: EXPIRATION DATE

The exemption granted herein shall automatically expire on December 31, 2038, and shall no longer be in force or effect thereafter.

ARTICLE VII: EFFECTIVE DATE

A certified copy of this Ordinance shall be filed with the Department of State within ten (10) days after enactment, and this Ordinance shall take effect immediately upon such filing. The exemption granted herein shall take effect commencing with Tax Year 2029.

ARTICLE VIII: SEVERABILITY

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications. To this end, the provisions of this Ordinance are declared severable.

DULY ADOPTED in regular session, this 4th day of November, 2025.

BOARD OF COUNTY COMMISSIONERS
OF POLK COUNTY, FLORIDA

BY:_____

T.R. Wilson, Chair

ATTEST:

_____Clerk

(SEAL)

Exhibit "A"

Property Appraiser's Report

[ATTACHED HERETO]

Docusign Envelope ID: D5288435-0C63-4F5B-AB63-2D281C2B74C9

Print Form

ECONOMIC DEVELOPMENT AD VALOREM PROPERTY TAX EXEMPTION

Chapter 196.1995, Florida Statutes

DR-418
R. 12/99

To be filed with the Board of County Commissioners, the governing boards of the municipality, or both, no later than March 1 of the year the exemption is desired to take effect.

1	Business name Fort Meade DC, LLC	Mailing address
2	Please give name and telephone number of owner or person in charge of this business. Name Douglas Fistenberg	7373 Wisconsin Avenue, Suite 700, Bethesda, MD 20814 Telephone number 301-652-8292
3	Exact Location (Legal Description and Street Address) of Property for which this return is filed See Exhibit A attached.	4 Date you began, or will begin, business at this facility 2028
5	Description of the improvements to real property for which this exemption is requested Development and operation of a hyperscale data center campus including the construction of new buildings, site grading, electrical distribution, substation tie-ins, cooling infrastructure, and security facilities. Phase I includes ~350 MW of gross IT capacity energized by September 2027. Company estimates a real property investment of about $1.2B.	Date of commencement of construction of improvements 2026

6 Description of the tangible personal property for which this exemption is requested and date when property was, or is to be purchased

Class or Item	Age	Date of Purchase	Original Cost	Taxpayer's Estimate of Cond*	Taxpayer's Estimate of Fair Market Rent	APPRAISER'S USE ONLY Cond*	APPRAISER'S USE ONLY
Electrical Switchgear & PDUs	New		$ 400,000,000	New	$ N/A		$
UPS Systems	New		$40,000,000	New	$ N/A		$
Backup Generators	New		$ 280,000,000	New	$ N/A		$
Cooling & Mechanical	New		$ 400,000,000	New	$ N/A		$
Structured Cabling & Networking	New		$ 120,000,000	New	$ N/A		$
Security / BMS / EMS / DCIM	New		$ 400,000,000	New	$ N/A		$
			$		$		$
			$		$		$
			$		$		$

Average value of inventory on hand: N/A. This is a data center facility, not an inventory-holding business *Condition: good, avg (average), or poor

Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.

7 Do you desire exemption as a [X] new business or [ ] expansion of an existing business

8 Describe type or nature of your business
Development and operation of hyperscale data centers supporting cloud computing, AI, and enterprise IT workloads.

9 Trade levels (check as many as apply)
[ ] Retail [ ] Wholesale [ ] Manufacturing [ ] Professional
[ ] Service [ ] Office [X] Other, specify: Data Center

10 Number of full-time employees to be employed in Florida 50 (Phase I direct hires, excluding construction jobs)

If an expansion of an existing business: Net increase in employment N/A % Increase in productive output resulting from this expansion N/A %

11 Sales factor for the facility requesting exemption:

Total sales in Florida from this facility-one (1) location only $0.00 divided by Total sales everywhere from this facility-one (1) location only $0.00 = 0.00 %

12 For office space owned and used by a corporation newly domiciled in Florida: Date of incorporation in Florida N/A; Number of full-time employees at this location N/A

I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)

Date 9/24/2025	Signature, preparer Signed by: Douglas M. Firstenberg E9AD81854B6842D...
Signature, taxpayer Signed by: Douglas M. Firstenberg E9AD81854B6842D...	Preparer's address 7373 Wisconsin Ave, Ste. 700, Bethesda, MD 20814
Title Principal	Preparer's telephone number (301) 652-8292

Property Appraiser's Use Only

I	Total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources	$440,304,308
II	Revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section	$ 4,491,502
III	Estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted and the property for which the exemption is requested would otherwise have been subject to taxation	$14,837,536
IV	Estimate of the taxable value lost to the county or municipality if the exemption applied for was granted Improvements to real property $ 918,000,000 Personal property $1,318,320,000	
V	I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a [X] new business [ ] expansion of an existing business [ ] neither	
VI	Last year for which exemption may be applied 2038	

Application to be filed not later than March 1

10-3-2025
Date

Signature, Property Appraiser

Project Cumulus
Parcel ID# 25-31-08-000000-022010, 25-31-09-000000-024010, 25-31-17-000000-011020, 25-31-17-000000-022010, 25-31-16-000000-022010, 25-31-21-000000-011010, 25-31-16-000000-012040, 25-31-16-000000-012060

Property Description	2025 Original Cost	% Good	Value 1st Yr. Depr	2025 County Millage Rate	Total Taxes	Ad Valorem Abatement %	Revenue Lost	Value Lost	BOCC Tax Dollars Gained	MSTU / Stormwater 0.8212	School Board 5.2960	SWFWMD 0.1909
Tangible Personal Property:												
Electrical Switchgear & PDU's	$ 400,000,000	92%	368,000,000	6.6348	$ 2,441,606.40	90.00%	$ 2,197,445.76	331,200,000	$ 244,160.64	$ 302,201.60	$ 1,948,928.00	$ 70,251.20
UPS Systems	$ 40,000,000	83%	33,200,000	6.6348	$ 220,275.36	90.00%	$ 198,247.82	29,880,000	$ 22,027.54	$ 27,263.84	$ 175,827.20	$ 6,337.88
Backup Generators	$ 280,000,000	94%	263,200,000	6.6348	$ 1,746,279.36	90.00%	$ 1,571,651.42	236,880,000	$ 174,627.94	$ 216,139.84	$ 1,393,907.20	$ 50,244.88
Cooling & Mechanical	$ 400,000,000	87%	348,000,000	6.6348	$ 2,308,910.40	90.00%	$ 2,078,019.36	313,200,000	$ 230,891.04	$ 285,777.60	$ 1,843,008.00	$ 66,433.20
Structured Cabling & Networking	$ 120,000,000	87%	104,400,000	6.6348	$ 692,673.12	90.00%	$ 623,405.81	93,960,000	$ 69,267.31	$ 85,733.28	$ 552,902.40	$ 19,929.96
Security / BMS/ EMS/ DCIM	$ 400,000,000	87%	348,000,000	6.6348	$ 2,308,910.40	90.00%	$ 2,078,019.36	313,200,000	$ 230,891.04	$ 285,777.60	$ 1,843,008.00	$ 66,433.20
Total Tangible Personal Property	$ 1,640,000,000		$ 1,464,800,000		$ 9,718,655		$ 8,746,790	$ 1,318,320,000	$ 971,866	$ 1,202,894	$ 7,757,581	$ 279,630
REAL PROPERTY IMPROVEMENTS:	$ 1,200,000,000	85%	$ 1,020,000,000	6.6348	$ 6,767,496	90.00%	$ 6,090,746	$ 918,000,000	$ 676,750	$ 837,624	$ 5,401,920	$ 194,718
TOTAL ESTIMATE OF PROJECT	$ 2,840,000,000		$ 2,484,800,000		$ 16,486,151		$ 14,837,536	$ 2,236,320,000	$ 1,648,615	$ 2,040,518	$ 13,159,501	$ 474,348

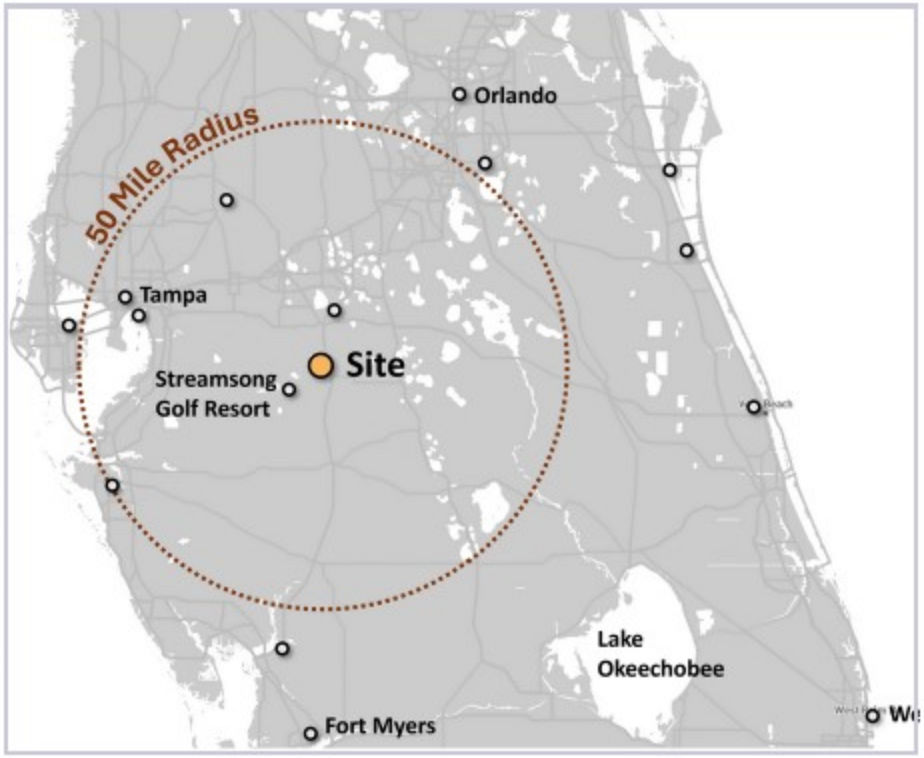
Neil Combee,
Polk County Property Appraiser

Docusign Envelope ID: D5288435-0C63-4F5B-AB63-2D281C2B74C9

Parcel IDs:

- 25-31-08-000000-022010
- 25-31-09-000000-024010
- 25-31-17-000000-011020
- 25-31-17-000000-022010
- 25-31-16-000000-022010
- 25-31-21-000000-011010
- 25-31-16-000000-012040
- 25-31-16-000000-012060





Agenda Item O.3. 11/4/2025

SUBJECT

Public Hearing to consider adoption of an ordinance requiring criminal history screening requirements.

DESCRIPTION

The Human Resources Division plans to complete in-house criminal history record checks for applicants for employment and people continuing employment for Polk County Government instead of using third party companies resulting in huge cost savings for the County.

Florida Statutes (2025) Section125.5801, authorizes the Board of County Commissioners to adopt an Ordinance to mandate state and federal criminal history records checks for applicants for employment and persons continuing employment, in positions deemed by the Board to be critical to security or to public safety regarding any facility owned or operated by Polk County, Florida.

The proposed Ordinance will mandate state and federal criminal history records checks for applicants for employment and persons continuing employment, in positions deemed by the Board to be critical to security or to public safety regarding any facility owned or operated by Polk County, Florida.

RECOMMENDATION

Adopt the proposed ordinance requiring criminal history screening requirements.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Breezi K. Hicks
Assistant County Attorney
863-534-6436

ORDINANCE NO. 25-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, REQUIRING CRIMINAL HISTORY SCREENING REQUIREMENTS; PROVIDING FOR FINDINGS; PROVIDING FOR RESOLUTION OF CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CUMULATIVE EFFECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, it is intent of the Polk County Board of County Commissioners (hereafter, "the Board") and this Ordinance to promote a safe community and environment in which to live; and

WHEREAS, Section 125.5801, Florida Statutes (2025), authorized the Board of County Commissioners to adopt an Ordinance to mandate state and federal criminal history records checks for applicants for employment and persons continuing employment, in positions deemed by the Board to be critical to security or to public safety regarding any facility owned or operated by Polk County, Florida; and

WHEREAS, the criminal history records checks can apply to private contractors, employees or other representatives of contractors including vendors, repair persons, or delivery persons, any of who are deemed by the Board to be critical with regard to security or to public safety, including concerns with regard to any such County owned or operated building or facility; and

WHEREAS, the criminal history records checks include having the applicant, private individual contractors, employees or other representatives of contractors, including vendors, repair persons, or delivery persons fingerprinted and submitting the individual's fingerprints to the Florida Department of Law Enforcement for a state criminal background check and to the Federal Bureau of Investigation for a national criminal history record check; and

WHEREAS, the information obtained from the criminal history records checks will be used to determine the respective individual's eligibility for employment, or continued employment, by the County, or by a contractor with whom the County might contract; and

WHEREAS, each individual applying for County employment, or who is employed by the County, in any position deemed by this Ordinance, or Board Resolution adopted pursuant to this Ordinance, to be critical to security or to public safety, can be denied employment, or terminated from employment, if that individual has been or is convicted of any felony or of any misdemeanor of the first degree, and the conviction need not be related to the respective position of employment or appointments; and

WHEREAS, the Board of County Commissioners finds that Polk County employs a multitude of positions, which, due to factors including, without limitation, access to sensitive areas or information; working with juveniles, the elderly, and other potentially vulnerable persons;

access to private homes and property; and the possibility of tampering with water, electricity, natural gas or other utility facilities or infrastructure; are critical to security or public safety.

WHEREAS, the Board of County Commissioners finds that, due to the various factors mentioned above, it is in the best interests of the public to require state and national criminal history screening for any persons employed or appointed for employment by Polk County; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

Section 1. SHORT TITTLE: This Ordinance shall be known as the "Polk County Employee Background Screening Ordinance."

Section 2. Criminal History Screening Requirements:

(a) As a condition of employment, all prospective employees of the Board of County Commissioners shall be required to authorize the county to conduct all appropriate background screening procedures.

(b) In addition to the foregoing, the county may, in its sole discretion, require employment screening for any position of county employment or appointment which the county determines is critical to security or public safety, or for any private contractor, employee of a private contractor, vendor, repair person or delivery person who has access to any public facility or publicly operated facility that the county determines is critical to security or public safety. Each person applying for, or continuing employment in, any such position or having access to any such facility shall also be required to be fingerprinted. The fingerprints shall be submitted to the department of law enforcement for a state criminal history record check and to the Federal Bureau of Investigation for a national criminal history record check. The information obtained from the criminal history record checks conducted pursuant to this section may be used by the county to determine an applicant's eligibility for employment or appointment and to determine an employee's eligibility for continued employment. This section is not intended to preempt or prevent any other background screening, including, but not limited to, criminal history background checks, that the county may lawfully undertake.

(c) The board of county commissioners may, by resolution duly adopted by the board, further delineate public facilities and positions of employment or appointment critical to security or public safety.

Section 3. Conflicting Provisions. In the event of any conflict between any provision of this Ordinance and any provision of another section of the County Code, the provisions of this Ordinance shall govern.

Section 4. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any provision, including any exception, part, phrase or term or the application thereof to any person or circumstance is held preempted or invalid by a Court of appropriate jurisdiction, the application to other persons or circumstances shall not be affected thereby, and the validity of this Ordinance in any and all other respects shall not be affected thereby. The Board of County Commissioners do not intend this Ordinance be held inapplicable in such cases, if any, where its application would be unconstitutional as constitutionally permitted construction is

intended and shall be given.

Section 5. Applicability. This Ordinance shall be applicable in the unincorporated area of Polk County, Florida.

Section 6. Ordinance Cumulative. This Ordinance shall be cumulative and in addition to any other laws or ordinances in force in Polk County.

Section 7. Filing with Secretary of State. A certified copy of this Ordinance shall be filed with the Secretary of State by the Clerk within ten (10) days after enactment by the Board of County Commissioners, as provided in Section 125.66(2)(b), Florida Statutes.

Section 8. Effective Date. This Ordinance shall become effective upon receipt of confirmation that it has been filed with the Office of the Secretary of State of the State of Florida.

Polk County

Board of County Commissioners

Agenda Item O.4. 11/4/2025

SUBJECT

Public Hearing to consider the adoption of an ordinance setting the yearly salary of Commissioners in accordance with Section 2.5 of the Polk County Charter.

DESCRIPTION

The Charter provides that Commissioners may by unanimous vote of the members of the entire Board of County Commissioners amend their annual salary. “Any increase shall not exceed the average percentage increase in the salaries of county employees for the fiscal year just concluded, or the percentage change in the U.S. consumer price index for the previous year, whichever is less.” The proposed increase of 2.9% which is the lesser of the average percentage increase in the salaries of county employees for the fiscal year 24-25 (4%) and the percentage change in the U.S. consumer price index for 2024 (2.9%). If approved, the Commissioner’s salaries will increase from $51,304.54 to $52,792.37, a difference of $1,487.83.

RECOMMENDATION

Adopt Ordinance for the purpose of increasing the yearly salary of Polk County Commissioners by 2.9% as provided for by the Polk County Charter.

FISCAL IMPACT

Fiscal impact of $7,439.15. Funds were included within the FY 25-26 budget to cover this increase.

CONTACT INFORMATION

Randy Mink
County Attorney
863-534-7679

ORDINANCE NO. 25-____

AN ORDINANCE INCREASING THE SALARY OF THE MEMBERS OF THE POLK COUNTY COMMISSION; PROVIDING THE AMOUNT OF THE INCREASE; PROVIDING THE EFFECTIVE DATE OF THE SALARY INCREASE AS JANUARY 1, 2026; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Polk County Charter, in Section 2.5, set the yearly salary of Commissioners serving on the Board of County Commissioners elected on or after November 7, 2000; and

WHEREAS, the Charter further provides that the salary may be amended, by Ordinance, upon a unanimous vote of the members of the entire Board of County Commissioners; and

WHEREAS, based on previous ordinances adopted by the Board of County Commissioners, the current approved salary of Commissioners serving on the Board of County Commissioners is $51,304.54.

WHEREAS, it is the desire of the Commissioners now serving on the Board of County Commissioners that the salary shall be increased based the lesser of the average percentage increase in the salaries of county employees for the fiscal year just concluded and the percentage change in the U.S. consumer price index for the previous year as allowed pursuant to the Polk County Charter.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT:

SECTION 1.

By unanimous vote of the members of the entire Board of County Commissioners, the salary of the Commissioners shall be increased by 2.9% which is the lesser of the average percentage increase in the salaries of county employees for the fiscal year just concluded (4%) and the percentage change in the U.S. consumer price index for the previous year (2.9%) as required by Section 2.5 of the Polk County Charter.

SECTION 2.

This salary increase to $52,792.37 shall be effective on January 1, 2026.

SECTION 3.

Any Commissioner may opt-out of receiving the salary increase provided herein by providing written notice to the Clerk of the Board on or before December 15, 2025, which shall substantially be in the following form:

I Commissioner _____ hereby opt-out of receiving the increase in salary effective January 1, 2026, and elect to receive _____ as my salary for calendar year 2026.

A Commissioner's election not to receive the salary increase shall not affect the yearly salary for subsequent Commissioner's which represent the district and upon the Commissioner vacating the seat for the district, the yearly salary shall be adjusted to the maximum yearly salary allowed for Board of County Commissioners.

A Commissioner that elected not to receive the increase pursuant to previous ordinances will receive the increase provided herein unless the Commissioner provides notice to the Clerk of the Board on or before December 15, 2025, of his or her election to opt-out of the increase provided herein. In such case, the current salary of the commissioner shall be increased by 2.9%.

SECTION 4. Severability

If any provision or application of this Ordinance is for any reason held invalid, such invalidity shall not affect the remaining provisions or applications of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are declared severable.

SECTION 5. Effective Date

This Ordinance shall become effective upon the filing of the Ordinance with the Florida Department of State.

Passed by the Board on this 4th day of November 2025.

Polk County

Board of County Commissioners

Agenda Item R.1. 11/4/2025

SUBJECT

Report 2025-13 Building Permit Fees follow-up audit.

DESCRIPTION

Accept Report 2025-13 Building Permit Fees follow-up audit.

RECOMMENDATION

Approval.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Lita J. McHugh, CPA, CIG, CIGI

Inspector General

Office of Stacy M. Butterfield, CPA

Polk County Clerk of the Circuit Court & Comptroller

(863) 534-7735 | LitaMcHugh@polk-county.net <mailto:LitaMcHugh@polk-county.net>

Report # 2025-13
2025-05 Building Permit Fees follow-up
Audit #2025-05

Department of Inspector General
Stacy M. Butterfield, CPA
Clerk of the Circuit Court and Comptroller
Polk County, Florida

Lita J. McHugh, CPA, CIG, CIGI
Inspector General

Auditor Assigned:
Melinda Medina, CGAP

An Accredited Office of
Inspector General

Stacy M. Butterfield, CPA

Clerk of the Circuit Court and Comptroller
Polk County, Florida

November 4, 2025

INSPECTOR GENERAL AUDIT REPORT

Report #2025-13: 2025-05 Building Permit Fees follow-up

The Honorable Board of County Commissioners

We have completed a follow-up audit on action by the Building Division to resolve findings and recommendations from our audit of Building Permit Fees, Report 2023-11 issued December 19, 2023. This report contains a summary of the management action plans for each of the initial audit findings and recommendations and their current status.

We appreciate the cooperation and assistance provided by the Building Division during this follow-up process.

We hope you find this report useful in ensuring that Polk County government provides the best possible services to our residents.

Respectfully submitted,

_____

Lita McHugh, CPA, CIG, CIGI
Inspector General

Approved:

_____

Stacy M. Butterfield, CPA
Clerk of the Circuit Court and County Comptroller

Background

The Building Division (the Division) focuses on the administration of construction related codes, statutes, and regulations, through issuing permits, certificate of occupancy, contract competency cards, plan reviews, field inspections, and complaint investigations. Section 125.56(2), Florida Statute states the board of county commissioners may provide a schedule of reasonable fees to defer the costs of inspections and enforcement of the Florida Building Code. On April 18, 2017, the Board of County Commissioners (BoCC) adopted Resolution 17-025, to simplify the construction permit fee schedule by amending Resolution 07-099A.

The BoCC has also adopted ordinances regarding impact fees, fire service assessments, and residential waste service assessments. These fees are invoiced and collected by the Building Division at different stages of the permit process. Impact fees are due before the issuance of a certificate of occupancy, interim fire assessments are due at the time a permit is issued, and interim residential waste service assessments are due at the time a certificate of occupancy is issued.

The Accela permitting system, implemented in April 2018, places every permit application into a workflow. Tasks assigned to various Division personnel include application review, plan review, permit issuance, inspections, and issuance of a certificate of occupancy, if applicable. In fiscal year 2021-2022, the Division issued 34,022 building permits and conducted 206,309 building inspections. In fiscal year 2022-2023 36,815 permits were issued with 214,012 building inspections conducted.

Permits are categorized by application type, permit type if applicable, and property type. For example, a customer may apply for a plumbing permit to re-pipe water lines on residential property.

Scope and Methodology

The scope of our original audit included:

- Review of Sections 125.56(2), and 553.70(1)(a), Fla. Stat.
- Review of Resolution 17-025 (Current rate resolution)
- Review of Impact Fee Ordinances 2019-056 and 2023-025
- Review of Fire Assessment Final Rate Resolution 2021-136
- Review of Chapter 7, Article II Fire Service – Polk County Code of Ordinances
- Review of Residential Waste Final Rate Resolution 2022-106
- Review of Chapter 11, Article V Solid Waste – Polk County Code of Ordinances
- Interviews with Building Division personnel
- Evaluation of procedures, policies and controls over permit fees
- Testing a judgmental sample of permits

Our audit objectives were to:

- Assess the fee determination process and its compliance with the BoCC approved rate resolution and applicable fee schedule.
- Determine the adequacy of internal controls over the invoicing and recording of permit fees.

The table below details the 29 permits judgmentally selected for audit.

# of Permits Selected	Application Type	Permit Type	Property
1	Plumbing	Irrigation	Commercial
1	Plumbing	Re-pipe	Residential
2	Re-roof		Residential
15	Electric	Solar	Residential
2	Sign		Commercial
2	New Construction	Townhouse	Residential
6	New Construction	Single family	Residential

Testing was performed on activities of March 1, 2022, through February 28, 2023, but transaction and processes reviewed were not limited by the audit period.

Follow-Up Scope and Methodology

This is the follow-up on actions by management to address the findings and recommendations from our original audit of Building Permit Fees. The purpose of the follow-up was to report on the status of management's action plan. To achieve our objectives, we reviewed management responses and relevant records.

Our audit was conducted in accordance with the *Global Internal Audit Standards* of The Institute of Internal Auditors and the *Principles and Standards for Offices of Inspector General* of the Association of Inspectors General. Accordingly, it included such tests of records and other auditing procedures as we considered necessary in the circumstances.

Results

The purpose of our original audit, Report 2023-11 Building Permit Fees, was to assess the fee determination process and its compliance with the BoCC approved rate resolution and applicable fee schedule, and to determine the adequacy of internal controls over the invoicing and recording of permit fees. Our audit suggested additional measures to be considered to strengthen controls over the permit fee process. The table below provides a description of the finding, management's action plan, and its status.

Action Plan
Finding #1 Residential plan review fees were not invoiced in accordance with the approved fee schedule. **Management Action Plan** Management has communicated to the plan review staff that they need to make sure that they verify and select the correct fee, not just for solar permits but all permits. **Current Status** Complete
Finding #2 Land use fees were not invoiced on solar permits. **Management Action Plan** We have communicated this issue to our software vendor, and we will have a script created in Accela that will assess this fee. In the interim, staff has been told to manually assess the fee. **Current Status** Complete
Finding #3 Revision fees invoiced were not included in the Resolution 17-025 fee schedule. **Management Action Plan** The fee is no longer being charged. **Current Status** Complete

Polk County

Board of County Commissioners

Agenda Item R.2. 11/4/2025

SUBJECT

Removal of equipment from inventory as listed on Blanket Removal Form 2228.

DESCRIPTION

Removal of equipment from inventory is set forth on Blanket Removal Form 2228 as requested by Fixed Asset Accounting to be stored or disposed of in accordance with the rules of the Auditor General's Office.

RECOMMENDATION

Approve removal of equipment as listed on Blanket Removal Form 2228.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Alison Brown
alisonbrown@polk-county.net <mailto:alisonholland@polk-county.net>

BLANKET PROPERTY REMOVAL FORM # 2228

To: Board of County Commissioners, Polk County, Florida
From: Clerk and Auditor, Polk County, Florida
It is requested that the listed property be removed from inventory.

Submitted By: _____
Fixed Asset Accounting Office of Clerk Auditor

Approved By _____
Chairman of the Board of County Commissioners

BoCC Approval Date: **11/4/2025**

Property # **R00763** ***Asset #*** **101354**
Item: RADIO, 800 MHZ - HANDHELD — MOTOROLA — APX900 700/800 MODEL 2 P
Serial # 837CVZ3763 — ***Date Rec'd.*** 12/26/2019 — ***Cost*** $2,449.62
Reason for Request: LOST OR MISSING - POLICE REPORT ATTACHED

Property # **N0000272203** ***Asset #*** **53551**
Item: DESK, EXECUTIVE
Serial # — ***Date Rec'd.*** 9/14/2000 — ***Cost*** $1,154.00
Reason for Request: LANDFILL / SCRAP DUMPSTER

Property # **N0000005204** ***Asset #*** **57525**
Item: PROJECTOR — HEWLETT PACKARD — MP3135
Serial # TWC6247250 — ***Date Rec'd.*** 8/29/2006 — ***Cost*** $2,229.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **50005** ***Asset #*** **67882**
Item: PROJECTOR — INFOCUS — LP120
Serial # AJNV619A0192 — ***Date Rec'd.*** 2/21/2007 — ***Cost*** $1,374.30
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **51939** ***Asset #*** **70331**
Item: REFRIGERATOR — FISHER SCIENTIFIC — ISOTEMP
Serial # 1521090730485 — ***Date Rec'd.*** 7/1/2009 — ***Cost*** $2,103.52
Reason for Request: LANDFILL / SCRAP DUMPSTER

Property # **N0002994880** ***Asset #*** **73307**
Item: RADIO, 800 MHZ - MOBILE — MOTOROLA — XTL 2500
Serial # 514CLH1693 — ***Date Rec'd.*** 6/2/2010 — ***Cost*** $3,441.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **54218** ***Asset #*** **80169**
Item: SCANNER — CANON — DR G1100
Serial # GG300715 — ***Date Rec'd.*** 5/8/2013 — ***Cost*** $4,364.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **54478** ***Asset #*** **88613**
Item: SCANNER — CANON — DR G1100
Serial # GG303094 — ***Date Rec'd.*** 3/18/2014 — ***Cost*** $4,360.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **N0002995131** ***Asset #*** **89114**
Item: RADIO, 800 MHZ - HANDHELD — MOTOROLA — APX 6000 700/800
Serial # 481CQP3026 — ***Date Rec'd.*** 7/30/2014 — ***Cost*** $4,507.52
Reason for Request: PARTIAL REMOVAL - PARTED OUT FROM MAIN COMPONENT

Property # **N0002995134** ***Asset #*** **89117**
Item: RADIO, 800 MHZ - HANDHELD — MOTOROLA — APX 6000 700/800
Serial # 481CQP3025 — ***Date Rec'd.*** 7/30/2014 — ***Cost*** $4,507.52
Reason for Request: PARTIAL REMOVAL - PARTED OUT FROM MAIN COMPONENT

Property # **55257** *Asset #* **94655**
Item: TABLET, IT DELL MICROSOFT SURFACE PRO
Serial # 026083260853 *Date Rec'd.* 4/19/2016 *Cost* $2,020.65
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **55500** *Asset #* **96180**
Item: SWITCH, IT CISCO CATALYST 2960XR-24 PORT
Serial # FDO2114B008 *Date Rec'd.* 9/3/2017 *Cost* $3,583.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **57169** *Asset #* **97062**
Item: COMPUTER, DESKTOP DELL OPTIPLEX 7050
Serial # HXG09N2 *Date Rec'd.* 3/11/2018 *Cost* $1,711.77
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **57320** *Asset #* **97363**
Item: SCANNER CANON DR-G1130
Serial # GF306957 *Date Rec'd.* 7/4/2018 *Cost* $7,600.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **57322** *Asset #* **97365**
Item: SCANNER CANON DR-6030C
Serial # FLY00764 *Date Rec'd.* 7/4/2018 *Cost* $3,950.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **57326** *Asset #* **97369**
Item: SCANNER CANON DR-6030C
Serial # FLY00535 *Date Rec'd.* 7/4/2018 *Cost* $3,950.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

Property # **57484** *Asset #* **97898**
Item: SCANNER CANON TX-4000
Serial # TS368052754 *Date Rec'd.* 10/11/2018 *Cost* $9,400.00
Reason for Request: ITEM BEING SENT TO ELECTRONIC RECYCLING FOR RECYCLE/DISPOSAL

(17 detail records) **$62,705.90**

Polk County

Board of County Commissioners

Agenda Item R.3. 11/4/2025

SUBJECT

Approve 2026 State Legislative Priorities for Polk County.

DESCRIPTION

Staff is submitting three appropriation requests and three policy issues to include in the Board's 2026 State Legislative Priorities. The Board's adopted State Legislative Priorities will provide focus for lobbying efforts during the 2026 State Legislative Session.

Legislative appropriation requests submitted include:

1. Power Line Road Phase II ROW Acquisition
2. Emergency Operations Center Expansion
3. Headwaters of Peace River Floodplain Protection and Restoration

Legislative policy priorities submitted include:

1. Inmate Medical Expenses Aligned with Florida Statutes
2. Allowing Alternative Solutions to Addressing BMAP Requirements for Wastewater Treatment Facilities
3. Reinstate Funding for Water Quality Improvement Grants

More information on each issue is attached.

RECOMMENDATION

Request Board approval of the 2026 State Legislative Priorities for Polk County.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

John Bohde, Deputy County Manager
863-534-6031

johnbohde@polk-county.net

Polk County

Board of County Commissioners

Agenda Item R.4. 11/4/2025

SUBJECT

Accept Performance Surety in the amount of $45,260.60 in the form of Performance Bond No.101608415 for Commercial @ SWC SR 542 & Overlook Dr. (No Fiscal Impact)

DESCRIPTION

This request is to accept Performance Surety Bond No. 101608415 in the amount of $45,260.60 for outstanding construction items listed in the engineer's cost estimate. The Land Development Division has reviewed and recommends acceptance of this performance surety.

RECOMMENDATION

Request Board accept Performance Bond No. 101608415 in the amount of $45,260.60 for Commercial @ SWC SR 542 & Overlook Dr.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Juana Bustos

Land Development

(863) 534-6490

Juanabustos@polk-county.net

COMMERCIAL PERFORMANCE BOND

Bond No. 101608415

KNOWN ALL MEN BY THESE PRESENTS, That we, GMPJ, LLC, as Principal, and Merchants Bonding Company (Mutual), a corporation organized and doing business under and by virtue of the laws of the State of Iowa and duly licensed to conduct surety business in the State of Florida, as Surety, are held and firmly bound unto Polk County, a political subdivision of the State of Florida, as Obligee, in the aggregate sum of Forty Five Thousand Two Hundred Sixty and 60/100---- ($45,260.60) Dollars (hereinafter the "Total Penal Sum"), for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, the Principal has agreed to construct the improvements described in the Engineer's Cost Estimate, attached hereto as Exhibit "A" and incorporated into and made part of this Bond (hereinafter "Improvements"), for the Commercial @ SWC SR 542 & Overlook Drive project located at SWC SR 542 & Overlook Drive (the "Project"), in accordance with the drawings, plans, specifications, and other data and information (hereinafter "Plans") filed with the County's Land Development Division, which Plans are by reference incorporated into and made part of this Bond; and

WHEREAS, Polk County's Land Development Code (hereinafter "LDC") is by reference incorporated into and made part of this Performance Bond (hereinafter "Bond"); and

WHEREAS, the Principal has agreed to provide this Bond to guarantee completion of the Improvements.

NOW, THEREFORE, the conditions of this Bond are as follows:

1. The Principal shall complete the Improvements in accordance with the Plans and LDC to the satisfaction of the Polk County Land Development Division by March 31, 2026, or such later date that the Obligee may approve in writing. The Bond shall commence upon the date of issue by the Surety and shall remain in full force and effect until the Obligee releases it (the "Coverage Period"). The Surety shall not terminate this Bond until the Coverage Period has ended.

2. The Surety unconditionally covenants and agrees that if the Principal fails to perform all or any part of the required Improvements within the time specified in Paragraph 1, above, the Surety, upon written notice from the Obligee, its authorized agent or officer, of the default, shall forthwith perform and complete the Improvements and pay the cost thereof, including without limitation, engineering, legal, and contingent costs.

3. The Surety further agrees that the Obligee may demand up to the full amount of the Bond, such amount determined solely by the Obligee in its reasonable discretion, and

the Surety shall forthwith pay the Obligee said amount within thirty (30) days of Obligee's written notification, for Obligee to construct, or caused to be constructed the Improvements if the Principal should fail or refuse to do so. The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the Total Penal Sum of this Bond.

4. Should the Surety fail or refuse to perform any of its obligations pursuant to this Bond, the Obligee shall have the right to resort to any and all legal remedies against the Principal and Surety, or either, both at law and in equity including specific performance, to which the Principal and Surety unconditionally agree. In such case, the Obligors agree to pay all costs incurred by the Obligee, including court costs and attorney's fees, and venue shall be in the courts of Polk County, Florida or in the United States District Court, Middle District of Florida, located in Hillsborough County, Florida.

5. All notices, demands and correspondence with respect to this Bond shall be in writing and addressed to:

The Surety: Merchants Bonding Company (Mutual)
6700 Westown Parkway
West Des Moines, IA 50266

The Principal: GMPJ, LLC
8507 Pajaro Court
Orlando, FL 32836-5468

The Obligee:
Polk County, Land Development Division
330 W. Church St.
PO Box 9005—Drawer GM03
Bartow, FL 33831-9005

6. The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, addition, or deletion to the Improvements shall in any way affect the Surety's obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration, addition or deletion to the Improvements or the Plans, specifications and schedules.

THIS BOND DATED THE 22nd DAY OF August, 2025,
(the date of issue by the Surety).

Witness

Regina Rose.
Printed Name

Wellmah Pullay
Witness

Wellmah Pullay
Printed Name

PRINCIPAL:

GMPJ, LLC
Name of Corporation

By:

Vim M. Mehta
Printed Name
Title: Manager
(SEAL)

Witness

Lesley Molina
Printed Name

Ryan Foley
Witness

Ryan Foley
Printed Name

SURETY:

Merchants Bonding Company (Mutual)
Name of Corporation

By:

Theresa J Foley
Printed Name
Title: Attorney-In-Fact
(SEAL)

(Attach power of attorney)

MERCHANTS
BONDING COMPANY

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Jennifer A Jarosz; Judy K Wilson; Kathy S Zack; Kristie A Pudvan; Loudan Braun; Nicholas Hylant; Susan E Hurd; Theresa J Foley; Vicki S Duncan

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 27th day of February , 2024 .

MERCHANTS NATIONAL BONDING, INC. INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By Larry Taylor
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 27th day of February 2024 , before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

NOTARIAL SEAL IOWA
Penni Miller
Commission Number 787952
My Commission Expires
January 20, 2027

(Expiration of notary's commission does not invalidate this instrument)

Notary Public

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 22nd day of August , 2025 .

MERCHANTS NATIONAL BONDING, INC. INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) INCORPORATED -o- 1933

William Warner Jr.
Secretary

POA 0018 (1/24)

4904 Eisenhower Boulevard
Suite 350
Tampa, FL 33634
727. 789. 9500

Commercial @ SWC SR 542 & Overlook Dr
Polk County, Florida

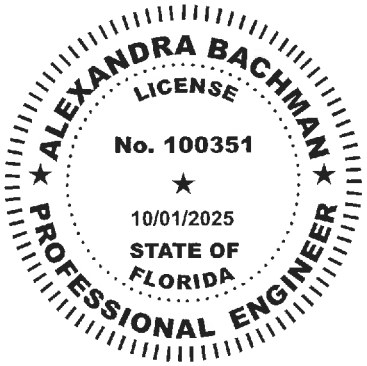
Engineer's Opinion of Probable Construction Costs Polk County ROADWAY ONLY
August 15, 2025
Avid No: 3491-002

Polk County	QUANTITY	UNIT	UNIT COST	TOTAL COST
GENERAL CONDITIONS				
Layout & Certified As-Builts	1	LS	3,500.00	$ 3,500.00
MOT/Traffic Control	1	LS	3,000.00	$ 3,000.00
GPR Locates	1	LS	1,500.00	$ 1,500.00
			SUBTOTAL	**$ 8,000.00**
DEMOLITION				
Demo 12" pavement	234	LF	10.00	$ 2,335.00
Mill Ex. Asphalt	216	SY	39.81	$ 8,599.31
			SUBTOTAL	**$ 10,934.31**
EARTHWORK				
Strip site	1	LS	1,000.00	$ 1,000.00
Cut site	114	CY	5.00	$ 570.00
Fill site	107	CY	5.00	$ 535.00
Grading	1	LS	3,500.00	$ 3,500.00
			SUBTOTAL	**$ 5,605.00**
PAVING OFF SITE				
12" Stabilized Sub-Grade	477	SY	2.00	$ 954.00
8" SP RCA/Limerock Base	477	SY	7.85	$ 3,744.45
2" SP-9.5 Asphalt	477	SY	11.25	$ 5,366.25
1.5" SP-9.5 Asphalt	237	SY	10.00	$ 2,370.00
			SUBTOTAL	**$ 12,434.70**
CONCRETE				
F Curb	68	LF	21.50	$ 1,462.00
Sidewalk	220	SY	5.50	$ 1,209.99
			SUBTOTAL	**$ 2,671.99**
STRIPING OFF SITE				
Striping & Signage	1	LS	1,500.00	$ 1,500.00
			SUBTOTAL	**$ 1,500.00**

Total	**$ 41,146.00**
10% Contingency	**$ 4,114.60**

POLK COUNTY TOTAL COST **$45,260.60**

NOTE:
Please be advised that the figure expressed above merely represents the engineer's opinion as to the probable construction cost. This is not a bid and no warranty as to the accuracy of this figures is either expressed or implied.



This item has been digitally signed and sealed by Alexandra Bachman, P.E. on the date adjacent to the seal. Signature must be verified on any electronic copies.

Alexandra Bachman, P.E.
License No. 100351

Alexandra Bachman
2025.10.01 15:51:38-04'00'

Polk County

Board of County Commissioners

Agenda Item R.5. 11/4/2025

SUBJECT

Accept Performance Surety in the amount of $313,179.35 in the form of Performance Bond No.017263228 for Drane Field #3 Hamilton Trailer Site & Hamilton Industrial. (No Fiscal Impact)

DESCRIPTION

This request is to accept Performance Surety Bond No. 017263228 in the amount of $313,179.35 for outstanding construction items listed in the engineer's cost estimate. The Land Development Division has reviewed and recommends acceptance of this performance surety.

RECOMMENDATION

Request Board accept Performance Bond No. 017263228 in the amount of $313,179.35 for Drane Field #3 Hamilton Trailer Site & Hamilton Industrial.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Juana Bustos

Land Development

(863) 534-6490

Juanabustos@polk-county.net

COMMERCIAL PERFORMANCE BOND

Bond No. 017263228

KNOWN ALL MEN BY THESE PRESENTS, That we, Tiger Contracting, LLC, as Principal, and Liberty Mutual Insurance Company, a corporation organized and doing business under and by virtue of the laws of the State of Massachusetts and duly licensed to conduct surety business in the State of Florida, as Surety, are held and firmly bound unto Polk County, a political subdivision of the State of Florida, as Obligee, in the aggregate sum of Three Hundred Thirteen Thousand One hundred Seventy Nine 35/100 ($ 313,179.35) Dollars (hereinafter the "Total Penal Sum"), for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, the Principal has agreed to construct the improvements described in the Engineer's Cost Estimate, attached hereto as Exhibit "A" and incorporated into and made part of this Bond (hereinafter "Improvements"), for the Hamilton Rd Trailer Parking and Drane Field III project located at 3825 Hamilton Road, Lakeland, Fl 33811 (the "Project"), in accordance with the drawings, plans, specifications, and other data and information (hereinafter "Plans") filed with the County's Land Development Division, which Plans are by reference incorporated into and made part of this Bond; and

WHEREAS, Polk County's Land Development Code (hereinafter "LDC") is by reference incorporated into and made part of this Performance Bond (hereinafter "Bond"); and

WHEREAS, the Principal has agreed to provide this Bond to guarantee completion of the Improvements.

NOW, THEREFORE, the conditions of this Bond are as follows:

1. The Principal shall complete the Improvements in accordance with the Plans and LDC to the satisfaction of the Polk County Land Development Division by October 1, 2025, or such later date that the Obligee may approve in writing. The Bond shall commence upon the date of issue by the Surety and shall remain in full force and effect until the Obligee releases it (the "Coverage Period"). The Surety shall not terminate this Bond until the Coverage Period has ended.

2. The Surety unconditionally covenants and agrees that if the Principal fails to perform all or any part of the required Improvements within the time specified in Paragraph 1, above, the Surety, upon written notice from the Obligee, its authorized agent or officer, of the default, shall forthwith perform and complete the Improvements and pay the cost thereof, including without limitation, engineering, legal, and contingent costs.

3. The Surety further agrees that the Obligee may demand up to the full amount of the Bond, such amount determined solely by the Obligee in its reasonable discretion, and

the Surety shall forthwith pay the Obligee said amount within thirty (30) days of Obligee's written notification, for Obligee to construct, or caused to be constructed the Improvements if the Principal should fail or refuse to do so. The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the Total Penal Sum of this Bond.

4. Should the Surety fail or refuse to perform any of its obligations pursuant to this Bond, the Obligee shall have the right to resort to any and all legal remedies against the Principal and Surety, or either, both at law and in equity including specific performance, to which the Principal and Surety unconditionally agree. In such case, the Obligors agree to pay all costs incurred by the Obligee, including court costs and attorney's fees, and venue shall be in the courts of Polk County, Florida or in the United States District Court, Middle District of Florida, located in Hillsborough County, Florida.

5. All notices, demands and correspondence with respect to this Bond shall be in writing and addressed to:

The Surety:

Liberty Mutual Insurance Company
175 Berkeley St, Boston MA

The Principal:

Tiger Contracting, LLC
2830 Drane Field Rd.
Lakeland, FL 33811

The Obligee:

Polk County, Land Development Division
330 W. Church St.
PO Box 9005—Drawer GM03
Bartow, FL 33831-9005

6. The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, addition, or deletion to the Improvements shall in any way affect the Surety's obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration, addition or deletion to the Improvements or the Plans, specifications and schedules.

THIS BOND DATED THE 23rd DAY OF June, 2025,
(the date of issue by the Surety).

Witness

Alvin Mayfield
Printed Name

Witness

Printed Name

PRINCIPAL:

Tiger Contracting, LLC
Name of Corporation

By:

Howard Bayless
Printed Name
Title: Managing Member
(SEAL)

Witness

Eileen Heard, Surety Witness
Printed Name

Witness

Margie Schulz, Surety Witness
Printed Name

SURETY:

Liberty Mutual Insurance Company
Name of Corporation

By:
Kevin Wojtowicz, Attorney in fact
and Florida Licensed Resident Agent

Printed Name
Title:
(SEAL)

(Attach power of attorney)

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: **8212251-964008**

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brett Rosenhaus; Kevin R. Wojtowicz; Laura D. Mosholder; Robert H. Bond; Tracey Boone-Brown

all of the city of Saint Petersburg state of FL each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 8th day of August, 2024.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: _____
Nathan J. Zangerle, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 8th day of August, 2024 before me personally appeared Nathan J. Zangerle, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member, Pennsylvania Association of Notaries

By: _____
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS: Section 12. Power of Attorney.
Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts: Section 5. Surety Bonds and Undertakings.
Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes Nathan J. Zangerle, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 23 day of Jan 2025.

By: _____
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

Kimley»Horn

DESCRIPTION	QUANITY	UNIT	UNIT PRICE	AMOUNT
DF-3 / Hamilton Trailer/ Hamilton Industrial				
Completion Items				
General Items				
Mobilization	1	LS	$ 5,175.00	$ 5,175.00
Construction Lay-Out/As-Builts	1	LS	$ 1,725.00	$ 1,725.00
Maintenance of Traffic	1	LS	$ 5,250.00	$ 5,250.00
Locate Existing Utilities	1	LS	$ 1,725.00	$ 1,725.00
			Sub-Total General Items	**$ 13,875.00**
Asphalt Repairs				
Mill 2" Asphalt	8275	SY	$ 1.30	$ 10,757.50
Overbuild to Correct Cross Slope	126	TN	$ 230.00	$ 28,980.00
2.5" SP 12.5 Asphalt	8275	SY	$ 21.00	$ 173,775.00
			Sub-Total Asphalt Repairs	**$ 213,512.50**
Swale Ditch Modifications				
Basin Modifications	4	EA	$ 4,515.00	$ 18,060.00
Regrade West Ditch	1	LS	$ 9,775.00	$ 9,775.00
Sod Disturbed Area's	3800	SY	$ 3.15	$ 11,970.00
			Sub-Total Swale Ditch Repairs	**$ 39,805.00**
Pave Turnout To DF 3 (2)				
Regrade Limerock Base	580	SY	$ 9.20	$ 5,336.00
2.5" SP 12.5 Asphalt	580	SY	$ 21.00	$ 12,180.00
			Sub-Total Pave Turnout To DF-3	**$ 17,516.00**
GRAND TOTAL: DF-3/ HAMILTON TRAILER/ HAMILTON INDUSTRIAL				**$ 284,708.50**

Bond Amount @ 110% * 284,708.50 = $313,179.35

Polk County

Board of County Commissioners

Agenda Item R.6. 11/4/2025

SUBJECT

Accept Performance Surety in the amount of $703,729.00 in the form of Performance Bond No. K41574896 for Eagle Lake Offsite Roadway Improvements. (No Fiscal Impact)

DESCRIPTION

This request is to accept Performance Surety Bond No. K41574896 in the amount of $703,729.00 for outstanding construction items listed in the engineer's cost estimate. The Land Development Division has reviewed and recommends acceptance of this performance surety.

RECOMMENDATION

Request Board accept Performance Bond No. K41574896 in the amount of $703,729.00 for Eagle Lake Offsite Roadway Improvements.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Juana Bustos

Land Development

(863) 534-6490

Juanabustos@polk-county.net

CHUBB

Surety
202B Halls Mill Road, PO Box 1650
Whitehouse Station, NJ 08889-1650

O + 908.903.3485
F + 908.903.3656

Federal Insurance Company

Performance Bond

Bond No. K41574896

Amount $ 703,729.00

Know All Men By These Presents,

That we, Rocklyn Homes, Inc.

755 Old Peachtree Road NW, Suwanee, GA 30024 (hereinafter called the Principal),

as Principal, and FEDERAL INSURANCE COMPANY, a corporation duly organized under the laws of the State of Indiana, (hereinafter called the Surety), as Surety, are held and firmly bound unto Polk County, Florida

330 W. Church Street, P.O. Box 9005, Drawer GM03, Bartow, FL, 33830 (hereinafter called the Obligee),

in the sum of Seven Hundred Three Thousand Seven Hundred Twenty Nine and 00/100 Dollars ($ 703,729.00), for the payment of which we, the said Principal and said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 4th day of September, 2025

WHEREAS, the Principal entered into a certain Contract with the Obligee, dated March 10, 2025 for Eagle Lake Offsite Roadway Improvements - LDROW24-33, Winter Haven, FL

in accordance with the terms and conditions of said Contract, which is hereby referred to and made a part hereof as if fully set forth herein.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bounden Principal shall well and truly keep, do and perform each and every, all and singular, the matters and things in said Contract set forth and specified to be by said Principal kept, done and performed, at the times and in the manner in said Contract specified, or shall pay over, make good and reimburse to the above named Obligee, all loss and damage which said Obligee may sustain by reason of failure or default on the part of said Principal so to do, then this obligation shall be null and void; otherwise shall remain in full force and effect, subject however, to the following conditions:

CHUBB

Power of Attorney

Federal Insurance Company | Vigilant Insurance Company | Pacific Indemnity Company
Westchester Fire Insurance Company | ACE American Insurance Company

Know All by These Presents, that **FEDERAL INSURANCE COMPANY**, an Indiana corporation, **VIGILANT INSURANCE COMPANY**, a New York corporation, **PACIFIC INDEMNITY COMPANY**, a Delaware corporation, **WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** corporations of the Commonwealth of Pennsylvania, do each hereby constitute and appoint F. Danny Gann, Audria R. Ward and Edward T. Ward of Carrollton, Georgia----------

each as their true and lawful Attorney-in-Fact to execute under such designation in their names and to affix their corporate seals to and deliver for and on their behalf as surety thereon or otherwise, bonds and undertakings and other writings obligatory in the nature thereof (other than bail bonds) given or executed in the course of business, and any instruments amending or altering the same, and consents to the modification or alteration of any instrument referred to in said bonds or obligations.

In Witness Whereof, said **FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY** and **ACE AMERICAN INSURANCE COMPANY** have each executed and attested these presents and affixed their corporate seals on this **26th** day of **August, 2025.**

Rupert HD Swindells, Assistant Secretary

Stephen M. Haney, Vice President

STATE OF NEW JERSEY
County of Hunterdon ss.

On this **26th** day of **August, 2025** before me, a Notary Public of New Jersey, personally came Rupert HD Swindells and Stephen M. Haney, to me known to be Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY, the companies which executed the foregoing Power of Attorney, and the said Rupert HD Swindells and Stephen M. Haney, being by me duly sworn, severally and each for himself did depose and say that they are Assistant Secretary and Vice President, respectively, of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY and know the corporate seals thereof, that the seals affixed to the foregoing Power of Attorney are such corporate seals and were thereto affixed by authority of said Companies; and that their signatures as such officers were duly affixed and subscribed by like authority.

Notarial Seal

Stacy J Loftin
NOTARY PUBLIC OF NEW JERSEY
No. 50175208
COMMISSION EXPIRES OCT 15, 2026

Notary Public

CERTIFICATION

Resolutions adopted by the Boards of Directors of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, and PACIFIC INDEMNITY COMPANY on August 30, 2016; WESTCHESTER FIRE INSURANCE COMPANY on December 11, 2006; and ACE AMERICAN INSURANCE COMPANY on March 20, 2009:

"RESOLVED, that the following authorizations relate to the execution, for and on behalf of the Company, of bonds, undertakings, recognizances, contracts and other written commitments of the Company entered into in the ordinary course of business (each a "Written Commitment"):

(1) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise.

(2) Each duly appointed attorney-in-fact of the Company is hereby authorized to execute any Written Commitment for and on behalf of the Company, under the seal of the Company or otherwise, to the extent that such action is authorized by the grant of powers provided for in such person's written appointment as such attorney-in-fact.

(3) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to appoint in writing any person the attorney-in-fact of the Company with full power and authority to execute, for and on behalf of the Company, under the seal of the Company or otherwise, such Written Commitments of the Company as may be specified in such written appointment, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(4) Each of the Chairman, the President and the Vice Presidents of the Company is hereby authorized, for and on behalf of the Company, to delegate in writing to any other officer of the Company the authority to execute, for and on behalf of the Company, under the Company's seal or otherwise, such Written Commitments of the Company as are specified in such written delegation, which specification may be by general type or class of Written Commitments or by specification of one or more particular Written Commitments.

(5) The signature of any officer or other person executing any Written Commitment or appointment or delegation pursuant to this Resolution, and the seal of the Company, may be affixed by facsimile on such Written Commitment or written appointment or delegation.

FURTHER RESOLVED, that the foregoing Resolution shall not be deemed to be an exclusive statement of the powers and authority of officers, employees and other persons to act for and on behalf of the Company, and such Resolution shall not limit or otherwise affect the exercise of any such power or authority otherwise validly granted or vested."

I, Rupert HD Swindells, Assistant Secretary of FEDERAL INSURANCE COMPANY, VIGILANT INSURANCE COMPANY, PACIFIC INDEMNITY COMPANY, WESTCHESTER FIRE INSURANCE COMPANY and ACE AMERICAN INSURANCE COMPANY (the "Companies") do hereby certify that

(i) the foregoing Resolutions adopted by the Board of Directors of the Companies are true, correct and in full force and effect,
(ii) the foregoing Power of Attorney is true, correct and in full force and effect.

Given under my hand and seals of said Companies at Whitehouse Station, NJ, this September 4th, 2025

Rupert HD Swindells, Assistant Secretary

IN THE EVENT YOU WISH TO VERIFY THE AUTHENTICITY OF THIS BOND OR NOTIFY US OF ANY OTHER MATTER, PLEASE CONTACT US AT:
Telephone (908) 903- 3493 Fax (908) 903- 3656 e-mail: surety@chubb.com

Any suit under this bond must be instituted before the expiration of two (2) years from the date on which final payment under the Contract falls due.

No right of action shall accrue on this bond to or for the use of any person or corporation other than the Obligee named herein or the heirs, executors, administrators or successors of the Obligee.

Rocklyn Homes, Inc.

Principal

By: _____

Federal Insurance Company

By: _____

Edward T. Ward, Attorney-in-Fact

Eagle Lake Offsite Roadway Improvements
Polk County, Florida
Site Construction Cost Estimate

DATE: 03/10/2025

SPEC REFERENCE NUMBER	BID ITEM NUMBER	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	TOTAL COST
	1.01.00	**OFFSITE ROADWAY**				
	1.05.01	1-1/2" TYPE S-9.5 ASPHALT	SY	1,702	$25.15	$42,805.30
	1.05.02	8" LIMEROCK BASE	SY	1,702	$24.30	$41,358.60
	1.05.03	12" STABILIZED SUBGRADE (LBR 40)	SY	1,727	$8.50	$14,679.50
	1.05.04	1" OVERLAY TYPE S-9.5	SY	4,166	$19.95	$83,111.70
	1.05.05	ASPHALT OVERBUILD	LS	1	$37,744.45	$37,744.45
	1.05.06	TYPE F CURB	LF	76	$34.95	$2,656.20
	1.05.07	5' CONCRETE SIDEWALK	LF	474	$40.55	$19,220.70
	1.05.08	ADA RAMPS	EA	2	$1,135.45	$2,270.90
	1.05.09	STRIPING AND SIGNAGE	LS	1	$82,875.60	$82,875.60
	1.05.10	GRADING	LS	1	$28,823.05	$28,823.05
	1.05.11	GRASSING	LS	1	$20,822.45	$20,822.45
	1.05.12	MOT	LS	1	$32,940.60	$32,940.60
	1.05.13	RESTORATION	LS	1	$8,235.15	$8,235.15
	1.05.14	RETAINING WALL	LF	150	$380.00	$57,000.00
	1.02.00	**OFFSITE STORM DRAINAGE**				
	1.01.01	18" CLASS III RCP	LF	18	$73.70	$1,326.60
	1.10.02	29"x45" ERCP	LF	476	$303.80	$144,608.80
	1.10.03	TYPE D INLET	EA	1	$4,463.90	$4,463.90
	1.10.04	STORM MANHOLE	EA	1	$7,931.00	$7,931.00
	1.10.05	DEWATERING / ROCK BEDDING	LS	1	$2,524.45	$2,524.45
	1.10.06	18" MES	EA	1	$1,459.85	$1,459.85
	1.10.07	29"x45" MES	LF	1	$2,894.80	$2,894.80
		SUB-TOTAL CONSTRUCTION COST (2025)				**$639,753.60**
		CONTIGENCY				**$63,975.40**
		TOTAL CONSTRUCTION COST (2025)				**$703,729.00**

IVANDARIO URDANETA
LICENSE
No. 72375
STATE OF FLORIDA
PROFESSIONAL ENGINEER

IVAN URDANETA

Polk County

Board of County Commissioners

Agenda Item R.7. 11/4/2025

SUBJECT

Accept Performance Surety in the amount of $70,000.00 in the form of Performance Bond No.101473177 for Mixed Use @ US Highway 192 & Town Center. (No Fiscal Impact)

DESCRIPTION

This request is to accept Performance Surety Bond No. 101473177 in the amount of $70,000.00 for outstanding construction items listed in the engineer's cost estimate. The Land Development Division has reviewed and recommends acceptance of this performance surety.

RECOMMENDATION

Request Board accept Performance Bond No. 101473177 in the amount of $70,000.00 for Mixed Use @ US Highway 192 & Town Center.

FISCAL IMPACT

No Fiscal Impact

CONTACT INFORMATION

Juana Bustos

Land Development

(863) 534-6490

Juanabustos@polk-county.net

COMMERCIAL PERFORMANCE BOND

Bond No. 101473177

KNOWN ALL MEN BY THESE PRESENTS, That we, Punam, LLC, as Principal, and Merchants Bonding Company (Mutual), a corporation organized and doing business under and by virtue of the laws of the State of Iowa and duly licensed to conduct surety business in the State of Florida, as Surety, are held and firmly bound unto Polk County, a political subdivision of the State of Florida, as Obligee, in the aggregate sum of Seventy Thousand and 00/100----- ($ 70,000.00) Dollars (hereinafter the "Total Penal Sum"), for which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally firmly by these presents.

WHEREAS, the Principal has agreed to construct the improvements described in the Engineer's Cost Estimate, attached hereto as Exhibit "A" and incorporated into and made part of this Bond (hereinafter "Improvements"), for the Mixed Use @ US HWY 192 & Town Center Blvd project located at Section 1, Township 25 South, Range 26 East, Polk County, FL (the "Project"), in accordance with the drawings, plans, specifications, and other data and information (hereinafter "Plans") filed with the County's Land Development Division, which Plans are by reference incorporated into and made part of this Bond; and

WHEREAS, Polk County's Land Development Code (hereinafter "LDC") is by reference incorporated into and made part of this Performance Bond (hereinafter "Bond"); and

WHEREAS, the Principal has agreed to provide this Bond to guarantee completion of the Improvements.

NOW, THEREFORE, the conditions of this Bond are as follows:

1. The Principal shall complete the Improvements in accordance with the Plans and LDC to the satisfaction of the Polk County Land Development Division by October 31, 2025, or such later date that the Obligee may approve in writing. The Bond shall commence upon the date of issue by the Surety and shall remain in full force and effect until the Obligee releases it (the "Coverage Period"). The Surety shall not terminate this Bond until the Coverage Period has ended.

2. The Surety unconditionally covenants and agrees that if the Principal fails to perform all or any part of the required Improvements within the time specified in Paragraph 1, above, the Surety, upon written notice from the Obligee, its authorized agent or officer, of the default, shall forthwith perform and complete the Improvements and pay the cost thereof, including without limitation, engineering, legal, and contingent costs.

3. The Surety further agrees that the Obligee may demand up to the full amount of the Bond, such amount determined solely by the Obligee in its reasonable discretion, and

the Surety shall forthwith pay the Obligee said amount within thirty (30) days of Obligee's written notification, for Obligee to construct, or caused to be constructed the Improvements if the Principal should fail or refuse to do so. The liability of the Surety shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the Total Penal Sum of this Bond.

4. Should the Surety fail or refuse to perform any of its obligations pursuant to this Bond, the Obligee shall have the right to resort to any and all legal remedies against the Principal and Surety, or either, both at law and in equity including specific performance, to which the Principal and Surety unconditionally agree. In such case, the Obligors agree to pay all costs incurred by the Obligee, including court costs and attorney's fees, and venue shall be in the courts of Polk County, Florida or in the United States District Court, Middle District of Florida, located in Hillsborough County, Florida.

5. All notices, demands and correspondence with respect to this Bond shall be in writing and addressed to:

The Surety: Merchants Bonding Company (Mutual)
6700 Westown Parkway
West DesMoines, IA 50266

The Principal: Punam, LLC
8507 Pajaro Ct.
Orlando, FL 32836

The Obligee:
Polk County, Land Development Division
330 W. Church St.
PO Box 9005—Drawer GM03
Bartow, FL 33831-9005

6. The Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, addition, or deletion to the Improvements shall in any way affect the Surety's obligation on this Bond, and it does hereby waive notice of any such change, extension of time, alteration, addition or deletion to the Improvements or the Plans, specifications and schedules.

THIS BOND DATED THE 21st DAY OF April, 2025,
(the date of issue by the Surety).

Witness

Kanu S. Patel
Printed Name

Witness

MARJA BHARATH.
Printed Name

PRINCIPAL:

Punam, LLC
Name of Corporation

By: JAZLYN PEREZ Bharti B Patel

Bharti B. Patel
Printed Name
Title: Personal Banker II
(SEAL)

JAZLYN PEREZ
Notary Public - State of Florida
Commission # HH 439354
My Comm. Expires Sep 4, 2027

SURETY:

Witness

Ryan Foley
Printed Name

Witness

Thomas J Foley
Printed Name

Merchants Bonding Company (Mutual)
Name of Corporation

By:

Theresa J Foley
Printed Name
Title: Attorney-In-Fact
(SEAL)

(Attach power of attorney)

MERCHANTS BONDING COMPANY™

POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa, d/b/a Merchants National Indemnity Company (in California only) (herein collectively called the "Companies") do hereby make, constitute and appoint, individually,

Jennifer A Jarosz; Judy K Wilson; Kathy S Zack; Kristie A Pudvan; Loudan Braun; Nicholas Hylant; Susan E Hurd; Theresa J Foley; Vicki S Duncan

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and aut hority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 27th day of February , 2024 .

MERCHANTS NATIONAL BONDING, INC. -o- INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) -o- INCORPORATED -o- 1933

MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.
d/b/a MERCHANTS NATIONAL INDEMNITY COMPANY

By Larry Taylor
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this 27th day of February 2024 , before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.

NOTARIAL SEAL IOWA

Penni Miller
Commission Number 787952
My Commission Expires
January 20, 2027

Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 21st day of April , 2025 .

MERCHANTS NATIONAL BONDING, INC. -o- INCORPORATED -o- 2003

MERCHANTS BONDING COMPANY (MUTUAL) -o- INCORPORATED -o- 1933

William Warner Jr.
Secretary

POA 0018 (1/24)

AVID / McAdams
4904 Eisenhower Blvd, Suite 350
Tampa, FL 33634
http://www.avidgroup.com
Ph (727) 789-9500 / Fax (727) 784-6662

Mixed Use @ US HWY 192 & Town Center Blvd

Polk County, Florida

Engineer's Opinion of Probable Construction Costs-For PUBLIC Utility Connections Only

October 10, 2025

DESCRIPTION	QUANTITY	UNIT	UNIT COST	TOTAL COST
Sanitary Sewer				
8" PVC	57	LF	150.00	$8,550.00
Connection to existing manhole	1	LS	8,500.00	$8,500.00
			Subtotal	**$17,050.00**
Water Lines-C Store				
Connect to Existing WM	1	EA	17,000.00	$17,000.00
2" tapping valve	1	EA	500.00	$500.00
10"x2" tapping saddle	1	EA	2,000.00	$2,000.00
2" PE waterline	10	LF	25.00	$250.00
1" PE waterline	6	LF	20.00	$120.00
Fittings	1	LS	3,500.00	$3,500.00
			Subtotal	**$23,370.00**
Water Lines-Hotel				
Connect to Existing WM	1	EA	15,000.00	$15,000.00
6" DIP	5	LF	150.00	$750.00
Fittings	1	LS	3,686.36	$3,686.36
1" PE waterline	14	LF	20.00	$280.00
6" tapping valve	1	EA	1,000.00	$1,000.00
8"x6" tapping saddle	1	EA	2,500.00	$2,500.00
			Subtotal	**$23,216.36**
			TOTAL	**$63,636.36**
			10% Contingency	**$6,363.64**

GRAND TOTAL **$70,000.00**

NOTE:

Please be advised that the figure expressed above merely represents the engineer's opinion as to the probable construction cost. This is not a bid and no warranty as to the accuracy of this figures is either expressed or implied.

ALEXANDRA BACHMAN
LICENSE
No. 100351
10/10/2025
STATE OF FLORIDA
PROFESSIONAL ENGINEER

Alexandra Bachman, P.E.
License No. 100351

This item has been digitally signed and sealed by Alexandra Bachman, P.E. on the date adjacent to the seal.
Signature must be verified on any electronic copies.
Alexandra Bachman
2025.10.10 12:13:08-04'00'

Prepared by: Alexandra Bachman, P.E.

Date 10/10/2025

Agenda Item R.8. 11/4/2025

SUBJECT

Approve selection committee's recommendation to authorize staff negotiate agreements with Janet A. McDonald and Seth B. Claytor to serve as Land Use Hearing Officers. (No Fiscal Impact)

DESCRIPTION

Planning and Development requested Procurement solicit applicants to serve as land use hearing officers to conduct public hearings for select cases currently heard by the Polk County Board of Adjustment, and make final decisions on appeals currently reviewed by the Polk County Board of County Commissioners and County Manager.

Request for Information (RFI) 25-590 Land Use Hearing Officers was issued and two applicants submitted resumés. The committee met on Friday, October 10, 2025, to discuss the resumés submitted. Two applicants were elevated for interviews on Wednesday, October 22, 2025. After the interviews, the consensus of the committee was to request the Board authorize staff to enter into contract negotiations with both applicants interviewed. The committee recommends appointing two (2) Land Use Hearing Officers. The two highest-ranked applicants will rotate monthly, alternating hearing assignments. They will also handle appeals on a rotational basis and/or serve as alternates in the event of a conflict or other circumstance preventing attendance at their scheduled hearing.

The following is a listing of the applicants and their rankings:

Applicant	City	Rank
Janet A. McDonald	Lakeland, FL	1
Seth B. Claytor	Bartow, FL	2

RECOMMENDATION

Request Board approve the committee's recommendation and authorize staff to enter into negotiations with all applicants interviewed in regards to RFI 25-590 Land Use Hearing Officers.

FISCAL IMPACT

There is no fiscal impact during negotiations.

CONTACT INFORMATION

Tabatha Shirah

Sr. Procurement Analyst

(863) 534-5935

tabathashirah@polk-county.net

RFI 25-590, Land Use Hearing Officers
Interview Meeting Minutes
Wednesday, October 22, 2025

Selection Committee Members:
Benjamin Dunn, Assistant County Manager
John Bohde, Land Development Director
Sandra Howard, Deputy County Attorney

Staff:
Tabatha Shirah, Senior Procurement Analyst
Jason Flucker-Williams, Procurement Analyst
Noah Milov, Assistant County Attorney

Others:
Janet A. McDonald
Seth B. Claytor

The Committee had a brief meeting beginning at 9:00 a.m. This meeting was open to the public.

Interviews convened at approximately 9:05 a.m. All Committee members were present. Interviews were conducted alphabetically. The interviews ended at approximately 9:40 a.m.

After the Interview, the Selection Committee meeting became open to the public at 9:40 a.m. The Committee members then ranked the applicants from one to two with a ranking of one for the Applicant deemed to be the most highly qualified to perform the required services. The following are the applicants interviewed and their final ranking by the Committee:

Applicant	**City**	**Rank**
Janet A. McDonald	Lakeland, FL	1
Seth B. Claytor	Bartow, FL	2

Discussion followed to determine the number of Land Use Hearing Officers the County will need. The consensus was to appoint two (2) Land Use Hearing Officers. The two highest-ranked applicants will rotate monthly, alternating hearing assignments. They will also handle appeals on a rotational basis and/or serve as alternates in the event of a conflict or other circumstance preventing attendance at their scheduled hearing.

The Committee members collectively agreed to negotiate with the two (2) highest-ranked applicants and will request final Board approval for agreements with all applicants who were interviewed. The meeting was adjourned at approximately 9:50 a.m.

Respectfully submitted,
Tabatha Shirah, Senior Procurement Analyst

RFI REGISTRATION

You MUST register using this form in order to receive notice of any addenda to these documents. Please fax the completed form to the Procurement Division as soon as possible. It is the vendor's responsibility to verify if addenda have been issued.

RFI Number and Title:	RFI 25-590, Land Use Hearing Officers
Description:	This request is for information from individuals who are interested in performing land use hearing officer duties for the Polk County Board of County Commissioners.
Receiving Period:	Prior to 2:00 p.m., Wednesday, September 24, 2025
Bid Opening:	2:00 p.m., Wednesday, September 24, 2025
Special Instructions:	All questions must be received by 4:00 p.m., Wednesday, September 17, 2025.

This form is for registration only. Please scroll down for additional information.

RFI REGISTRATION

You must register using this form to receive notice of any addenda to these documents. Please fax the completed form to the Procurement Division as soon as possible. It is the vendor's responsibility to verify if addenda have been issued.

Carefully complete this form and return it to the Procurement Division via e-mail to procurement@polk-county.net or fax (863) 534-6789.

Company Name: _____

Contact Person: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ E-mail: _____

RFI SUBMITTAL INSTRUCTIONS

Proposers must submit their proposal prior to 2:00 p.m. on the receiving date. Proposals must be submitted in a “sealed” parcel or electronically through Polk County’s secure website, Kiteworks. Proposals will be publicly opened at 2:00 p.m. on the receiving date.

Sealed Parcel Submittal:

If you are submitting a sealed parcel proposal submit one (1) original marked ORIGINAL and five (5) copies marked COPY of the proposal in a sealed parcel to the Procurement Division. The parcel should be labeled “RFI #25-590, Land Use Hearing Officers” and marked with the proposer’s name and address. The Proposals may be mailed or delivered to:

Polk County Procurement Division
330 West Church Street, Room 150
Bartow, FL 33830

To assist with labeling the sealed parcel, please cut along the outer border and affix this label. Be sure to include the name of the company submitting the proposal where requested.

Sealed Proposal. DO NOT OPEN	
RFI Number	25-590
RFI Title	Land Use Hearing Officers
Due Date/Time:	September 24, 2025, prior to 2:00 pm
Submitted by:	
Deliver To:	Polk County Procurement Division 330 West Church Street, Room 150, Bartow, Florida 33830

Proposals may be mailed, express mailed or hand delivered. It is the Proposers responsibility to ensure their package is delivered to the Procurement Division prior to 2:00 p.m. on the Receiving date and time referenced above. Proposals delivered at 2:00 p.m. or later will not be accepted.

Electronic Proposals Submittal:

All prospective Proposers that are interested in submitting their proposals electronically can do so via the County's secure electronic submittal website, Kiteworks. Proposers must email tabathashirah@polk-county.net at least 48 hours prior to opening to receive a link to upload their submittal. Please only upload your documents as a PDF or Excel file for the Cost Tab, if applicable. Please use the name convention of your files as follow:

"RFI 25-590 Tab 1"

"RFI 25-590 Tab 2"

For more instructions, a video tutorial has been produced to further explain the electronic solicitation submittal process. It can be found by clicking here for RFP Submittals: https://youtu.be/vkn_7AHgioE. If you need assistance accessing this website due to ADA or any other reason, please email Tabatha Shirah at tabathashirah@polk-county.net.

Procurement recommends that Proposers submitting electronically double check the documents submitted into Kiteworks to ensure all requested tab information has been uploaded. Failure to upload the requested tab information may result in the proposal being deemed nonresponsive.

POLK COUNTY

Procurement Division
Fran McAskill
Procurement Director

RFI # 25-590
Land Use Hearing Officers

Sealed proposals will be received in the Procurement Division on **Wednesday, September 24, 2025, prior to 2:00 p.m.**

Attached are important instructions and specifications regarding responses to this Request for Information (RFI). Failure to follow these instructions could result in Proposer disqualification.

Questions regarding this request should be in writing and should be sent to Tabatha Shirah, Procurement Analyst, via e-mail at tabathashirah@polk-county.net. All questions must be received by 4:00 p.m., Wednesday, September 17, 2025.

Prospective vendors shall not contact, communicate with or discuss any matter relating in any way to the Request for Information with the Board of County Commissioners, any employee of Polk County, other than the Procurement Director. Such communications initiated by a proposer shall be grounds for disqualifying the offending proposer from consideration for any future proposal.

Proposals may be mailed, express mailed or hand delivered to:

Procurement Division
330 West Church Street, Room 150
Bartow, Florida 33830

STATEMENT OF NO SUBMITTAL

If you do not intend to submit the requested information, please complete the information below and return this form to the address above with the proposal number and title clearly marked on the front of the envelope.

( ) Insufficient time to respond ( ) Unable to meet specifications
( ) Schedule would not permit us to perform ( ) Do not offer this product
( ) Specifications unclear ( ) Other (please specify below)

Company Name:_____ Date:_____

Signature: _____ Telephone Number:_____

INTRODUCTION

Polk County, a political subdivision of the State of Florida, is seeking statements of qualifications from experienced and qualified individuals to serve as Land Use Hearing Officers.

The County's Land Development Code (LDC) authorizes the appointment of Land Use Hearing Officers by the Board of County Commissioners. These officers are responsible for conducting public hearings on site specific development requests, as well as certain appeals to administrative decisions.

Responsibilities will include conducting hearings and rendering decisions through final order on applications for:

- Variances to dimensional requirements (i.e. setbacks, height, and impervious surface)
- Special Exceptions in residential areas
- Appeals of Administrative Decisions, Determinations, and Interpretations
- Appeals of Non-Conforming Rights Determinations

The selected individuals will be vested with all duties and powers necessary to fulfill these responsibilities in accordance with applicable laws, ordinances, and policies.

SCOPE OF SERVICES

Duties

1. Conduct public hearings regarding applications for Variances, Special Exceptions and Temporary Special Exceptions;
2. Issue orders with findings of fact and conclusions of law, in accordance with relevant standards and criteria set forth in this Code;
3. Visit the site of a land development application if necessary;
4. Decide applications for Variances, Special Exceptions and Temporary Special Exceptions;
5. Decide appeals of Administrative Decisions, Administrative Determinations, Administrative Interpretations, Non-Conforming Rights Determinations, and Waivers;
6. Take any other action authorized by ordinance of the Board; and
7. Decide upon any other matter assigned to the Hearing Officer pursuant to the County's Land Development Code.

Powers

Each Land Use Hearing Officer shall, in the course of carrying out the duties described above, be empowered to:

1. Administer oaths and affirmations where authorized by law;
2. Issue notices;
3. Receive relevant evidence;
4. Approve, approve with modifications and/or conditions, or deny a development application or appeal; and
5. Take or cause other such action as necessary to perform such duties.

For informational purposes, copies of recent meeting agendas and agenda packets for Land Use Hearing Officer can be provided from Land Development Staff (send request to tabathashirah@polk-county.net) Past meetings may also be viewed online at https://www.polk-county.net/pgtv.

QUALIFICATIONS

Generally, Land Use Hearing Officers shall have either:

(i) a degree in law from an accredited American Bar Association law school, be licensed to practice law in the State of Florida, and have a minimum of two (2) years of experience in land use, zoning, or other land use regulatory experience; OR

(ii) have a bachelor's degree in planning or other directly related field and a minimum of five (5) years of experience in land use, zoning, or other land use regulatory experience.

A master's degree in planning or directly related field and American of Certified Planners designation is preferred. A Land Use Hearing Officer shall not be an employee of Polk County. The County may modify these qualifications as needed.

.

ANTICIPATED WORKLOAD

In order to ensure sufficient coverage, avoid scheduling conflicts, and limit the effects of potential conflicts of interest, the County intends to contract with two or more qualified individuals to serve as Land Use Hearing Officers.

The County reserves the right to negotiate with the selected submitters, after review of all information provided in response to this RFI, as to whether such submitter(s) will serve as the primary hearing officer(s) for all or some of the matters and cases described herein, as an alternate, or on a rotational basis with other selected submitter(s).

The County in no manner guarantees the amount of work, if any, to be performed by the selected submitter(s). The County shall request the services on an as-needed basis. There is no guarantee that any or all of the services described in this agreement will be assigned during the term of a resulting agreement.

Further, the successful submitter(s) are providing these services on a nonexclusive basis. The County, at its option, may elect to have any of the services set forth herein performed by other individuals.

The following historical information is provided as a guide, for informational purposes only:

- From June 2024-June 2025, 56 applications for variances and 10 special exceptions were reviewed. The data are provided as a potential indicator of the workload for the Land Use Hearing Officers.
- The public hearing hours listed do not include any time associated with pre or post public hearing activities. The Hearing Officer hears an average of 5½ cases per month. Hearings range from 1 to 4 hours, and they get paid for a minimum of 2 hours per hearing. Each case requires 2-3 hours for review prior to the hearing and writing the Order after the hearing.
- If they share the post with another hearing officer, their annual compensation should come in between $14,000 and $15,000.

It is anticipated that the public hearings conducted by the Land Use Hearing Officers will be regularly held on the fourth Wednesday of the month, subject to schedule changes due to holidays. The public hearings will be scheduled between 8:00 a.m. and 5:00 p.m.

COMPENSATION

The County intends to pay a rate of $150/hour for Land Use Hearing Officers that are licensed attorneys and a maximum rate of $100/hour for non-attorney Land Use Hearing Officers. Final rates will be negotiated with the selected submitter(s) after reviewing all information provided in response to this RFI and interview. **Sample Agreement provided below, "Attachment A."**

LIMITATIONS ON HEARING OFFICER ACTIVITIES

While Appointed

A Land Use Hearing Officer shall not hold other appointive or elective office or position in Polk County government. Further, a Land Use Hearing Officer shall not present or assist in the preparation of any land use matter or application before another Land Use Hearing Officer or the Board during his or her term nor shall the Land Use Hearing Officer present or assist in preparation of any land use matter or application requiring administrative approval by Polk County. The firm with which a Land Use Hearing Officer is or was associated with shall not present or assist in the preparation of any land use matter before that Land Use Hearing Officer. **All Land Use Hearing Officers shall be subject to Florida Statutes, Chapter 112, Part III, and submitters are expected to be sufficiently familiar with such restrictions and requirements**.

After Term

Land Use Hearing Officers are, for a period of six (6) months from the date of termination as holder of such office, expressly prohibited from acting as agent or attorney in any proceeding, application or matter before any commission, board, agent or other office of Polk County government. The firm with which a Land Use Hearing Officer is or was associated with shall not present or assist in the preparation of any land use matter before that Land Use Hearing Officer. The limitation above shall be for a period of two (2) years if the property was the subject of an application heard by the Land Use Hearing Officer during his or her term.

TERM

The Board shall appoint one (1) or more qualified Hearing Officers. Each Hearing Officer will serve a term of two (2) years, with the option of reappointment at the discretion of the Board. All Hearing Officers serve at the pleasure of the Board and are not employees of Polk County.

SUBMITTAL

Submittals should not contain information in excess of that requested, must be concise, and must specifically address the requirements in this RFI. Pages may be either single or double sided.

Interested vendors are requested to provide five (5) complete copies of all documents/materials if submitting hard copy; only one copy of all documents/ materials if submitting proposals electronically via the County's secure electronic submittal website, Kiteworks. As it is anticipated that vendors will submit brochures and marketing information, the County may not be able to copy such material. RFI response should contain the following:

Tab 1, Introduction:

Please provide a copy of your resume behind this tab which shows you meet one of the two Qualifications outlined in this RFI.

- (i) have a degree in law from an accredited American Bar Association law school, be licensed to practice law in the State of Florida, and have a minimum of two (2) years of experience in land use, zoning, or other land use regulatory experience.

  OR

  (ii) have a bachelor's degree in planning or other directly related field and a minimum of five (5) years of experience in land use, zoning, or other land use regulatory experience.

Please ensure your resume includes your name, address, phone number and email address.

Tab 2, Experience and Expertise

- Please provide a detailed description of your experience with providing the services as outlined in this RFI. (Maximum of one (1) page either single or double sided)

- Provide a minimum of one (1) and a maximum of three (3) clients, developers, or other land use clients for which you have provided similar size and scope services within the past five (5) years. For each client identified please include:

  - Client name

- Contact person
- Contact's phone number and email address,
- Identify length of time services were performed
- Detailed description of the services provided

(Maximum of one (1) page either single or double sided for each government identified.)

"Attachment A"
(Next Page)

Attachment A

AGREEMENT FOR LAND USE HEARING OFFICER SERVICES

THIS AGREEMENT is made and entered into effective as of the date last executed (the "Effective Date"), by and between Polk County, a political subdivision of the State of Florida (the "County") and _____, a Florida corporation (the "Law Firm").

WHEREAS, Section 975 of the Polk County Land Development Code (the "Code") authorizes the County to appoint qualified land use hearing officers who have the authority to conduct hearings regarding applications for variances and special exceptions, to decide appeals of administrative decisions and determinations, and to perform any other tasks or take any other action authorized by the Code or by resolution of the Board of County Commissioners; and

WHEREAS, _____, is an attorney employed by the Law Firm, and was selected through the County's procurement process to provide land use hearing officer services (the "Land Use Hearing Officer" or "LUHO"); and

WHEREAS, the LUHO represents that they are an active member of, and in good standing with, the Florida Bar, and does not hold any other elected or appointed office for Polk County; and

WHEREAS, the County desires to contract with the LUHO and their Law Firm for the services as further set forth herein, as such services will inure to the benefit of the citizens of Polk County.

NOW THEREFORE, in consideration of the mutual covenants contained herein, the County, the LUHO, and the Law Firm agree as follows:

1. The LUHO is hereby appointed to serve a term of two (2) years beginning January 1, 2026. This Agreement shall expire upon completion of the land use hearing officer services on December 31, 2027. The County or Law Firm may terminate this Agreement without cause upon no less than thirty (30) days prior written notice to the

other party. In the event of such termination, the LUHO shall complete any and all pending orders prior to the termination date set forth in the notice.

2. The LUHO shall faithfully perform the duties set forth in the Polk County Land Development Code. During the term of this Agreement, the LUHO shall not (i) hold any other employment or contractual relationship whatsoever with Polk County, or hold other appointive or elective office or position in government during her term; or (ii) act as an agent or attorney in any proceeding, application or matter in the area of land use planning before any governmental authority of Polk County, involving property which is the subject of an application during the time the LUHO is in office. Further, the LUHO, and the Law Firm and any other firm with which they are or may be associated, is, for a period of one (1) year from the date of termination of this Agreement, expressly prohibited from acting as agent or attorney in any proceeding, application or matter before any commission, board, agent or other office of Polk County government, involving property which was the subject of any application during the time the LUHO was in office.

3. Compensation.

(a) The County shall compensate the LUHO through payment to the Law Firm at the rate of one hundred fifty dollars ($150) per hour for actual time spent at hearings by the LUHO. Hearings shall mean a hearing set in accordance with the Code, noticed to the public, at which an agenda is followed.

(b) Additionally, the County shall compensate the LUHO through payment to the Law Firm at the rate of one hundred fifty dollars ($150) per hour, with a cap of three (3) hours per case, for actual time spent by the LUHO for any task completed outside of the hearing date that is germane to the hearing of a case including, without limitation, the review of the case file and staff report, research, site visits, and drafting and issuing written orders. Notwithstanding the above stated cap, the LUHO shall complete all necessary tasks outside of the hearing to finalize orders for cases at no additional cost to the County, unless otherwise

authorized to exceed the above stated cap in writing by the Polk County Land Development Director.

(c) The cap stated in subsection (b) above shall not apply to appeals of Administrative Decisions, Administrative Determinations including Non-Conforming Rights Determinations, and Waivers, all as defined in the Code.

(d) The County shall compensate the LUHO through payment to the Law Firm for the LUHO's attendance at an initial training meeting with County staff to review the Land Development Code at the hourly rate specified in subsection (a) above, not to exceed three (3) hours.

(e) The LUHO and the Law Firm shall not be entitled to claim any reimbursable expenses under this Agreement.

4. The Law Firm agrees to submit billing to the County no later than twenty-one (21) days after each hearing date in which services have been provided by the LUHO. The Law Firm agrees to submit billing to the County that contains a faithful recitation of time spent to the nearest tenth of an hour. The Law Firm agrees to include in billing submitted to the County pursuant to this Agreement, the land development case numbers, the names of the respective property owners, and the hearing date on which services were provided.

5. The Law Firm agrees to maintain a system of bookkeeping and accounting which shall produce an adequate account and record of the services rendered pursuant to this Agreement. The County shall have the right to inspect and audit such books, accounts and records of the Law Firm to determine their accuracy. If the County determines at any time the records of the Law Firm do not allow for a proper audit of the services rendered to County, the County shall have the right to specify additional bookkeeping and accounting requirements which are reasonably necessary for a proper audit, and the Law Firm shall implement same.

6. Billing and invoices shall be submitted to:

ATTENTION: Polk County Land Development Director

P.O. Box 9005, Drawer GM03
Bartow, Florida 33830
Ph.: 863.534.6792

7. To the extent applicable, the LUHO shall be subject to the provisions of Section 112.3145, Florida Statutes, insofar as they relate to local officers. Such financial disclosures shall be filed with the Polk County Supervisor of Elections. The failure to comply with the provisions of this Section shall constitute just cause for immediate removal of the LUHO from office, without regard to the notice provision set forth in Section 1 above.

8. The LUHO shall disqualify themself from a particular case when it reasonably appears that they have a conflict of interest. When the LUHO disqualifies themself, the case shall be assigned by the County to another LUHO.

9. The Law Firm shall not assign, sublicense, or otherwise transfer its rights, duties, or obligations under this Agreement without the prior written consent of the County. Any purported assignment without the prior written consent of the County will be null and void.

10. This Agreement shall be construed in accordance with the laws of the State of Florida and venue shall lie in Polk County, Florida or in the Federal Middle District of Florida, Tampa Division, as appropriate. If any provision of this Agreement is held invalid by a court of competent jurisdiction, such holding shall not affect the validity of any other covenants, conditions or provisions contained herein.

11. None of the provisions of this Agreement are intended to create, nor shall be deemed or construed to create, any relationship between the County and the LUHO or the Law Firm, other than that of independent parties contracting with each other solely for the purpose of effectuating the provisions of this Agreement. The parties hereto shall be considered to be independent, and neither of them, nor any of their respective representatives, employees or agents shall be construed to be the agent, employee, servant or representative of the other.

12. In providing all services pursuant to this Agreement, the LUHO and the Law Firm shall abide by all statutes, ordinances, rules, and regulations pertaining to or regulating the provisions of such services, including those now in effect and hereafter adopted. Any violation of said statutes, ordinances, rules, or regulations shall constitute a material breach of this Agreement, and shall entitle the County to terminate this Agreement immediately upon delivery of written notice of termination to the Law Firm, without regard to the notice provision set forth in Section 1 above.

13. **Public Records Law**

(a) The Law Firm acknowledges the County's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Agreement. The Law Firm further acknowledges that the constitutional and statutory provisions control over the terms of this Agreement. In association with its performance pursuant to this Agreement, the Law Firm shall not release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

(b) Without in any manner limiting the generality of the foregoing, to the extent applicable, the Law Firm acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall:

(1) keep and maintain public records required by the County to perform the services required under this Agreement;

(2) upon request from the County's Custodian of Public Records or his/her designee, provide the County with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

(3) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of this Agreement if the Law Firm does not transfer the records to the County; and

(4) upon completion of this Agreement, transfer, at no cost, to the County all public records in possession of the Law Firm or keep and maintain public records required by the County to perform the service. If the Law Firm transfers all public records to the County upon completion of this Agreement, the Law Firm shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Law Firm keeps and maintains public records upon completion of this Agreement, the Law Firm shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the County, upon request from the County's Custodian of Public Records, in a format that is compatible with the information technology systems of the County.

(c) **IF THE LAW FIRM HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE LAW FIRM'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIASION OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

14. This Agreement contains all of the terms and provisions agreed upon by the parties. Any alterations variations, amendments, waivers, or modifications must be in writing and duly executed by the parties.

15. The Parties acknowledge that this Agreement and all the terms and conditions contained herein have been fully reviewed and negotiated by the Parties. Accordingly, any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in interpreting this Agreement.

[*SIGNATURE PAGE FOLLOWS*]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the Effective Date.

ATTEST:
STACY M. BUTTERFIELD
CLERK OF THE BOARD

By: _____
_____
Deputy Clerk

Date Signed By County _____

Reviewed as to form and legal sufficiency:
_____
County Attorney's Office Date

Polk County, a political subdivision of the State of Florida

By:

_____ Chair
Board of County Commissioners

LUHO:

_____
Print Name: _____
_____
Witness #1

Print Name:

_____
_____
Print Name: _____

Date:

_____
Witness #2

LAW FIRM:

_____, a Florida corporation

_____
Print Name: _____
_____
Witness #1

By:

Print Name:

_____

Title:

_____

_____
Print Name: _____

Date:

_____
Witness #2

AFFIDAVIT CERTIFICATION IMMIGRATION LAWS

SOLICITATION NO.: RFI 25-590 PROJECT NAME: Land Use Hearing Officers

POLK COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA (COUNTY), WILL NOT INTENTIONALLY AWARD COUNTY CONTRACTS TO ANY CONTRACTOR WHO KNOWINGLY EMPLOYS UNAUTHORIZED ALIEN WORKERS, CONSTITUTING A VIOLATION OF THE EMPLOYMENT PROVISIONS CONTAINED IN 8 U.S.C. SECTION 1324 a(e) {SECTION 274A(e) OF THE IMMIGRATION AND NATIONALITY ACT ("INA").

THE COUNTY MAY CONSIDER THE EMPLOYMENT BY ANY CONTRACTOR OF UNAUTHORIZED ALIENS A VIOLATION OF SECTION 274A(e) OF THE INA. **SUCH VIOLATION BY THE RECIPIENT OF THE EMPLOYMENT PROVISIONS CONTAINED IN SECTION 274A(e) OF THE INA SHALL BE GROUNDS FOR UNILATERAL CANCELLATION OF THE CONTRACT BY THE COUNTY.**

PROPOSER ATTESTS THAT THEY ARE FULLY COMPLIANT WITH ALL APPLICABLE IMMIGRATION LAWS (SPECIFICALLY TO THE 1986 IMMIGRATION ACT AND SUBSEQUENT AMENDMENTS).

Company Name: _____

_____

Signature Title Date

STATE OF: _____

COUNTY OF: _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 202__, by _____(*name*) as _____(*title of officer*) of _____ (*entity name*), on behalf of the company, who ☐ is personally known to me or ☐ has produced _____ as identification.

_____
Notary Public Signature

_____
Printed Name of Notary Public

_____
Notary Commission Number/Expiration

EMPLOYMENT ELIGIBILITY VERIFICATION (E-VERIFY) CERTIFICATION

(Florida Statutes, Section 448.095)

PROJECT NAME: RFI 25-590, Land Use Hearing Officers

The undersigned, as an authorized officer of the contractor identified below (the "Contractor"), having full knowledge of the statements contained herein, hereby certifies to Polk County, a political subdivision of the State of Florida (the "County"), by and on behalf of the Contractor in accordance with the requirements of Section 448.095, Florida Statutes, as related to the contract entered into by and between the Contractor and the County on or about the date hereof, whereby the Contractor will provide labor, supplies, or services to the County in exchange for salary, wages, or other remuneration (the "Contract"), as follows:

1. Unless otherwise defined herein, terms used in this Certification which are defined in Section 448.095, Florida Statutes, as may be amended from time to time, shall have the meaning ascribed in said statute.

2. Pursuant to Section 448.095(5), Florida Statutes, the Contractor, and any subcontractor under the Contract, must register with and use the E-Verify system to verify the work authorization status of all new employees of the Contractor or subcontractor. The Contractor acknowledges and agrees that (i) the County and the Contractor may not enter into the Contract, and the Contractor may not enter into any subcontracts thereunder, unless each party to the Contract, and each party to any subcontracts thereunder, registers with and uses the E-Verify system; and (ii) use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this Certification and Section 448.095, Fla. Stat., is an express condition of the Contract, and the County may treat a failure to comply as a material breach of the Contract.

3. By entering into the Contract, the Contractor becomes obligated to comply with the provisions of Section 448.095, Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The Contractor shall maintain a copy of such affidavit for the duration of the Contract. Failure to comply will lead to termination of the Contract, or if a subcontractor knowingly violates the statute or Section 448.09(1), Fla. Stat., the subcontract must be terminated immediately. If the Contract is terminated pursuant to Section 448.095, Fla. Stat., such termination is not a breach of contract and may not be considered as such. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If the Contract is terminated for a violation of Section 448.095, Fla. Stat., by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination. The Contractor shall be liable for any additional costs incurred by the County as a result of the termination of the Contract. Nothing in this Certification shall be construed to allow intentional discrimination of any class protected by law.

Executed this _____ day of _____, 20__.

ATTEST: CONTRACTOR:

By: _____ By: _____
PRINTED NAME: _____ PRINTED NAME: _____
Its: _____ Its: _____

AFFIDAVIT REGARDING THE USE OF COERCION FOR LABOR OR SERVICES

In compliance with Section 787.06(13), Florida Statutes, this attestation must be completed by an officer or representative of a nongovernmental entity that is executing, renewing, or extending a contract with Polk County, a political subdivision of the State of Florida.

The undersigned, on behalf of the entity listed below (the "Nongovernmental Entity"), hereby attests under penalty of perjury as follows:

1. I am over the age of 18 and I have personal knowledge of the matters set forth herein.

2. I currently serve as an officer or representative of the Nongovernmental Entity.

3. The Nongovernmental Entity does **not** use coercion for labor or services, as those underlined terms are defined in Section 787.06, Florida Statutes.

4. This declaration is made pursuant to Section 92.525, Fla. Stat. and Section 787.06, Fla. Stat. I understand that making a false statement in this declaration may subject me to criminal penalties.

Under penalties of perjury, I _____(Signatory Name and Title), declare that I have read the foregoing Affidavit Regarding the Use of Coercion for Labor and Services and that the facts stated in it are true.

Further Affiant sayeth naught.

_____
NONGOVERNMENTAL ENTITY

_____
SIGNATURE

_____
PRINT NAME

_____
TITLE

_____
DATE

TAB 1

INFORMATION

Janet A. McDonald

1121 Rustic Lane ▪ Lakeland, Florida 3311
863.286.9528 ▪ janetandtommcd@gmail.com

Education

University of Miami School of Law, *Coral Gables, Florida, J.D. 1979*
Bryn Mawr College, *Bryn Mawr, Pennsylvania A.B. 1974*

Work Experience

Polk County Florida
Land Use Hearing Officer
2019 – present

Reviewed the Land Development Code and Comprehensive Plan prior to the land use hearing and conducted a hearing for the individual who wanted to appeal the denial of a variance by a Land Development review board. Reviewed the testimony and evidence presented during the hearing by the Land Development Division representative and the individual requesting the review. Rendered a written Order based upon facts presented during the hearing and further review of the Land Development Code.

Chastain-Skillman, Inc.
General Counsel
2015 – 2018

Overall responsibility for the corporation's legal matters. Represents the corporation together with outside counsel and advises the corporation in risk management matters. Drafts, negotiates, and revises critical contracts to minimize corporate risks and maximize legal rights with business clients and governmental agencies. Reviews business practices to determine risks and exposure of business transactions. Provides updates of legislative changes in state and federal law which could impact the business. Supervises the administrative staff in the preparation of bid proposals. Advises senior management team members on legal matters.

Polk County Attorney's Office
Senior Assistant County Attorney
2011 – 2014

Represented the Long Range Planning and Land Development Divisions in administrative hearings and served as counsel for the Planning Commission and Board of Adjustment. Represented and advised 4 Community Redevelopment Agencies. Litigated complex land use cases and assisted outside counsel in trial. Drafted appellate briefs on land use cases. Represented the Polk HealthCare Plan and the Rohr Home. Reviewed and drafted complex health care and social services contracts. Provided training on public records and Sunshine Law to various citizen boards. Drafted ordinances and resolutions for presentation to the Board of County Commissioners on behalf of various departments.

Hillsborough County Attorney's Office
Senior Assistant County Attorney
2006 – 2010

Prepared ordinances that established a Senior Safety and Child Safety Zones, restricting residences of sexually predatory individuals. Provided legal research and prepared memorandums of law for Commissioners and various county agencies. Represented the Animal Services Division in abuse, neglect, torture, confiscation, and hoarding cases. Represented the Justice information System and worked with the on litigation involving juvenile detention housing over-payments. Represented the Disadvantaged Minority and Disadvantaged Women Business Enterprise Program. Represented the Head Start Program.

Osceola County Sheriff's Office
Associate General Counsel
2004 – 2006

Advised the Sheriff and agency members on civil and criminal law, conducted civil litigation including civil forfeiture cases, drafted and reviewed contracts and interagency agreements. Regularly taught law enforcement officers on recent statutory changes and provided recent case law updates.

Florida Office of the Attorney General
Assistant Attorney General
1997 – 2004

Criminal Appeals Unit
2003 – 2004

Prepared appellate briefs in "Jimmy Ryce" cases, responded to federal writs of habeas corpus, and conducted oral arguments in the appellate courts. Provided information and conducted training to various law enforcement agencies concerning the Ryce Act.

Economic Crimes Unit
2000 – 2003

Prosecuted civil litigation against telemarketing, internet, telecommunications corporations, and automobile franchises for theft, fraud, racketeering, and unfair and deceptive trade practices. Conducted training sessions for law enforcement agencies in the Florida Unfair and Deceptive Trade Practices Act. Presented seminars on consumer fraud including fraudulent installment contracts to businesses, trade, and consumer groups.

Children's Legal Services
1997 – 2000

Responsible for building a law office with 20 attorneys and 16 support staff. Responsible for the supervision and training of 19 assistant attorney generals who litigated termination of parental rights and dependency adjudicatory hearings. Provided training for local law enforcement agencies in dependency matters.

Office of the State Attorney (Thirteenth Judicial Circuit)
Juvenile Director, Senior Attorney of the Sex Offender Division, Senior Intake Attorney
1990 – 1997

Responsible for the supervision and training of 7-12 assistant state attorneys and certified legal interns. Reviewed and compiled documentation and evidence obtained by law enforcement agencies and presented evidence and witnesses to the sitting grand jury of Hillsborough County on juvenile cases. Advisor to various law enforcement agencies including Tampa Police Department and Hillsborough County Sheriff's Office. Assisted various government agencies in their investigations. Prosecuted 8 complex felony trials to rendering of a verdict. Prosecuted in excess of 20 misdemeanor and traffic cases.

Florida Department of Transportation (District One)
General Counsel, Litigation Attorney
1986 – 1990

Responsible for the overall operation of the District One Office of General Counsel. The District encompassed a 12 county region of southwest Florida from Collier and Okeechobee Counties to Polk County. Litigated 6 complex condemnation cases to rendering of a verdict. Conducted numerous Order of Taking hearings for roadway projects. Drafted, reviewed, and supervised the drafting of contracts for the district. Engaged in contract negotiations on behalf of the District.

Office of the Public Defender (Thirteenth Judicial Circuit)
Juvenile Division Chief, Felony Division Chief, Assistant Public Defender
1979 – 1986

Responsible for the supervision and training of 3-6 assistant public defenders. Prepared and presented training lectures and conducted mock trials. Litigated approximately 12 complex jury trials including several first degree murder case and RICO cases. Conducted juvenile, misdemeanor, traffic, and felony litigation, including life felony trials and appeals. Litigated in excess of 65 felony jury trials to rendering of a verdict. Litigated in excess of 30 misdemeanor trials to rendering of a verdict.

References

Charles L. Stutts, Esq.
3016 Fair Oaks Drive
Tampa, Florida 33611

Robin Gibson, Esq.
Gibson Law Firm
299 E. Stuart Avenue
Lake Wales, Florida 33853
863.676.8584

Linda Davidson, Esq.
404 Montgomery Drive
Erie, Colorado 80516
813.205.1658

Michael S. Craig, Esq.
421 S. Orlando Avenue
Cocoa Beach, Florida 32931
863.412.2738

TAB 2

EXPERIENCE AND EXPERTISE

Experience and Expertise

Since 1979, I have lived in Polk County. I am familiar with most rural and city neighborhoods within the County. During this time, I have been employed as a trial attorney. I have tried over 100 civil and criminal jury trials to the rendering of a verdict.

These jury trials, together with numerous bench trials, decided by a judge, taught me how a trial is conducted. I used this knowledge when I represented the Polk County Planning Commission and various Land Development Divisions when I was a member of the Polk County Attorney's Office from 2011 to 2014.

In this capacity, I advised planners and their supervisors when legal questions arose in their daily work and prepared planners for their testimony and cross examinations prior to their presentations to the Planning Commission. I advised the Development Review Committee on potential projects that were submitted for review and also worked with the Board of Adjustment.

The Land Development Code and Comprehensive Plan were my daily reference books during this time. Since 2019 to the present, I have been a Land Use Hearing Officer who conducted hearings on Administrative Decisions, Administrative Determinations, and Administrative Interpretations.

Michael Craig, former Polk County Attorney, assigned me to work with the Land Development Division and to represent and assist the Planning Commission from 2011 – 2014. Mr. Craig can be reached by phone at 863.412.2738 by email at michaelscraig123@gmail.com.

Randy Mink, current Polk County Attorney, is familiar with my work conducting Administrative Decisions, Determinations, and Interpretations from 2019 to the present. Mr. Mink can be reached by phone at 863.534.6730 and by email at randymink@polk-county.net.

ORIGINAL

Seth B. Claytor, LL.M, Esq.
Boswell & Dunlap LLP
245 S. Central Avenue (33830)
P. O. Drawer 30
Bartow, FL 33831-0030

RFI #25-590, Land Use Hearing Officers

Polk County Procurement Division
330 West Church Street, Room 150
Bartow, FL 33830

RFI 25-590
Tab 1, Introduction

SETH BENTON CLAYTOR, LL.M, ESQ.

245 South Central Avenue, Bartow, Florida 33830
seth@bosdun.com
(863)-533-7117

PROFESSIONAL LICENSES

The Florida Bar, Bar Number #0084086
Admitted to Florida Supreme Court, September 2010

Notary Public, State of Florida, Notary No. 1313772
Commissioned, June 2011

EXPERIENCE

Boswell & Dunlap, LLP, Bartow, Florida
Partner, January 2016 - current
Associate Attorney, January 2011 – December 2015

- Assistant City Attorney, City of Winter Haven
- Assistant City Attorney, City of Lake Alfred
- Assistant Town Attorney, Town of Dundee
- Attorney for the USDA, Federal Bankruptcy – Ch. 7 and 13 Bankruptcy matters
- Attorney for the USDA, Florida Circuit and Appellate matters – Foreclosure

Rated by Super Lawyers, selected to Florida Rising Stars (2018-2021)

EDUCATION

University of Miami, College of Law, Miami, Florida
Masters of Law, Real Property Development, May 2012

University of Florida, Levin College of Law, Gainesville, Florida
Juris Doctor, May 2009

University of Florida, Warrington College of Business, Gainesville, Florida
B.S.B.A., Finance, *Summa Cum Laude*, 2005

PROFESSIONAL ASSOCIATIONS

Professional Associations:

- City of Bartow Leadership Program
- City of Winter Haven Leadership Program
- Lakeland Bar Association
- Polk County Trial Lawyers Association
- East Polk County Bar Association
- American Bar Association
- American Bar Association Young Lawyers Division

Admitted to Practice:

- United States Tax Court
- United States Northern District of Florida
- United States Middle District of Florida
- United States Southern District of Florida
- United States Court of Appeals for the 11th Circuit

RFI 25-590
Tab 2, Experience and Expertise

REFERENCES

Client Name:	City of Davenport, Florida
Address:	1 South Allapaha Avenue, Davenport, FL 33837
Contact Person:	Steve Hunnicutt, Assistant City Manager
Phone Number:	863-419-3300
Email Address:	shunnicutt@mydavenport.org
Length of time services provided:	Since 2021
Company Name:	City of Lake Alfred, Florida
Address:	155 E. Pomelo Street, Lake Alfred, FL 33850
Contact Person:	Ryan Leavengod, City Manager
Phone Number:	863-291-5270
Email Address:	rleavengood@mylakealfred.com
Length of time services provided:	Boswell & Dunlap LLP since 2002
Company Name:	City of Winter Haven, Florida
Address:	1254 Fairfax Northeast, Winter Haven, FL 33881
Contact Person:	Tanya Ayers, Safe Neighborhoods Director
Phone Number:	863-291-5697, ext. 2801
Email Address:	tayers@mywinterhaven.com
Length of time Services provided:	Boswell & Dunlap LLP since 2002

BOSWELL & DUNLAP LLP
ATTORNEYS AT LAW · ESTABLISHED 1900

Clarence A. Boswell
1902-2005
David R. Carmichael †
Savannah Young Cerullo
Robert C. Chilton
Seth B. Claytor
W. A. "Drew" Crawford

†-Board Certified, Criminal Trial

P.O. Drawer 30, Bartow, Florida 33831
245 South Central Avenue, Bartow, Florida 33830
Phone: (863) 533-7117
Fax: (863) 533-7412

Sender's e-mail address: seth@bosdun.com

September 24, 2025

George T. Dunlap, III,
Retired
Keith D. Miller
Frederick J. Murphy, Jr. ‡
Sean R. Parker
Jillian T. Spangler
Donald H. Wilson, Jr.

‡- Board Certified, City, County, Local Government Law

LETTER OF INTEREST AND FIRM BACKGROUND

To Whom It May Concern:

On behalf of Boswell & Dunlap LLP, I am pleased to present you with this proposal in response to the *RFI Number 25-590 – Land Use Hearing Officers for Polk County, Florida.*

Boswell & Dunlap LLP recently celebrated its One Hundred and Twentieth (120th) year of continuous practice, and Boswell & Dunlap LLP has the proud distinction of being the oldest Law Firm in Polk County, Florida (having been founded in 1900), and one of the oldest law firms in the State of Florida.

Boswell & Dunlap LLP is known throughout Central Florida for providing competent legal advice on all aspects of local governmental operations. Our list of government clients includes, but is not limited to, USDA Rural Development, the City of Bartow, the Town of Dundee, the City of Lake Alfred, the City of Davenport, the City of Mulberry, the City of Winter Haven, the School Board of Polk County and Polk State College. We also have the pleasure to perform contract legal work for the City of Lakeland and serve as counsel to Community Redevelopment Agencies in Bartow, Lake Alfred, Mulberry and Winter Haven. We provide a wide variety of services for our government clients ranging from specialized work such as seizure and forfeiture litigation to full engagement as a local government's "City Attorney" or "Assistant Attorney."

In short, Boswell & Dunlap LLP has the experience and qualifications necessary to serve as the Land Use Hearing Officers for Polk County, Florida.

Identification of Code Enforcement Special Magistrate and Alternates

For this engagement, Seth B. Claytor, LL.M, Esq. will serve as the primary and responsible attorney for the provision of legal services as the Land Use Hearing Officer for Polk County, Florida, if selected.

Mr. Claytor is a Partner at Boswell & Dunlap LLP. There are presently no known scheduling conflicts which would require any back-up attorney to provide Land Use Hearing Officer services due to the unavailability.

Qualifications

Below is a brief summary statement of qualifications and experience of the attorney and administrative legal assistant that will provide services to Polk County, Florida, if selected:

Seth B. Claytor earned his J.D. from the University of Florida, Levin College of Law, and earned his Master of Laws (LL.M) in Real Property Development from the University of Miami. Since 2011, Mr. Claytor has practiced law as a municipal attorney in Polk County, Florida. Mr. Claytor is admitted to practice in all State Courts in the State of Florida, all of the U.S. District Courts in the State of Florida, the U.S. Circuit Court for the Eleventh Circuit in Atlanta, Georgia, and the U.S. Tax Court. Mr. Claytor has represented local government agencies in Polk County for over thirteen (13) years and has acquired extensive experience in ensuring the proper enactment of land use amendments, zoning ordinances and land development regulations under Florida's growth management statutes; municipal lien foreclosure; municipal code enforcement; and civil litigation. Mr. Claytor has served and continues to serve as an Assistant Attorney for the City of Lake Alfred, City of Winter Haven, and Assistant Town Attorney for the Town of Dundee. As Assistant Attorney, Mr. Claytor also serves as the attorney for the municipality or special magistrate in and/or for code enforcement special magistrate proceedings and has done so for more than ten (10) years. Mr. Claytor is rated by Super Lawyers and selected to Florida Rising Stars as a "State, Local & Municipal Attorney."

Elizabeth C. Hunt has assisted attorneys in municipal and government law matters for more than thirty (30) years and is an integral part of the Firm's ability to provide timely, cost-effective, and efficient legal services to its clients.

In summary, as we hope is evident, the breadth and depth of our experience in local government matters is unmatched. We believe that our collective representation of a number of local governments in Polk County will greatly assist in our ability to provide exceptional services to Polk County, Florida in a timely and cost-effective manner.

Polk County

Board of County Commissioners

Agenda Item R.9. 11/4/2025

SUBJECT

Request Board to adopt a resolution accepting unanticipated revenue for Hurricane Milton Debris. (Estimated one-time federal and state revenue $10,970,795.00)

DESCRIPTION

Hurricane Milton made landfall with hurricane force winds and heavy rain depositing debris throughout Polk County causing an estimated $21.7 million in damages. The Board approved a Federal-Funded Agreement with FEMA and the State of Florida on February 18, 2025 for expedited debris removal project. The original agreement explained to the Board that if The County received approximately half of the estimated cost of damages ($10,817,250.00) via an expedited process. This funding is authorized under Section 407 of the Robert T. Stafford Act.

Approval of this agenda item will result in a budget resolution to establish budget to accept federal and state revenue.

RECOMMENDATION

Request Board adopt the resolution amending the FY 24/25 Budget in the Hurricane Milton Fund accepting the unanticipated revenue of $10,970,795 for debris removal.

FISCAL IMPACT

Adopt resolution amending the FY 24/25 budget in the amount of $10,970,795 with the following revenue breakdown.

Federal:	$10,016,001
State:	$477,397
General Fund Match:	$477,397
Total	$10,970,795

CONTACT INFORMATION

Christia Johnson

Budget and Management Services Director

Phone: 863-534-5985

RESOLUTION 2025 -

WHEREAS, the Board of County Commissioners of Polk County, during the preparation of its FY 2024-25 budget, did not anticipate additional cash revenues from the Federal Government, State of Florida, and General Fund into the Hurricane Milton Fund; and

WHEREAS, the said funds will be received as a result of estimated damages incurred from Hurricane Milton in the total amount of $10,970,795; and

WHEREAS, by virtue of the authority granted in Chapter 129.06(2)(d) this Board may amend its budget to include the receipt of such funds and to appropriate the expenditure of such additional costs;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, that the following amendments to the FY 2024-25 budget of the Board of County Commissioners of Polk County are hereby adopted.

Revenue, Hurricane Milton Fund (15750 Parent)

Estimated Revenues for the budget year beginning October 1, 2024	$	**10,817,250**
Additional increased revenues to:		
Debris Removal and Management		
15752.300001101.3312001.0000000	$	10,016,001
15752.300001101.3342001.0000000	$	477,397
15752.300001101.3810001.0000000	$	477,397
Revised estimated revenues:	**$**	**21,788,045**

Appropriations, Hurricane Milton Fund (15750 Parent)

Appropriations, as adopted for budget year beginning: October 1, 2024	$	**10,817,250**
Additional appropriations to		
Debris Removal and Management		
15752.300001101.5359000.0000000	$	10,970,795
Revised appropriations:	**$**	**21,788,045**

DULY ADOPTED BY THE GOVERNING BOARD OF POLK COUNTY, FLORIDA,
This 4th day of November, 2025.

ATTEST:

STACY M. BUTTERFIELD,
Clerk and Auditor to the Board

By: _____
Deputy Clerk

POLK COUNTY, FLORIDA
a political subdivision of the State of Florida

By: _____
Chairman, Board of County Commissioners

BUDGET AMENDMENT REQUEST

(for budget transfers and/or unbudgeted expenses)

Date 11/4/2025

Parent Fund Hurrican Milton Debris15752

Division Budget & Management Services

Department

Request for the following transfer be made for the reason(s) stated:

	Amount **FROM**	Fund	Cost Center	Account	Project	Area	TBD
TOTAL	$ -						

	Amount **TO**	Fund	Cost Center	Account	Project	Area	TBD
	$10,016,001	15752	300001101	3312001	0000000	00	00
	$477,397	15752	300001101	3342001	0000000	00	00
	$ 477,397	15752	300001101	3810001	0000000	00	00
	$10,970,795	15752	300001101	5359000	0000000	00	00
TOTAL	$ 21,941,590						

JUSTIFICATION (attach additional back-up as necessary)

Hurricane Milton debris. Cost share 100% 10/14/24-2/10/25; Cost share 75/25% 2/11/25

Division Director

Department Director

Recommended or not recommended by Christie Johnson 10/21/25

(Budget & Management Services) (Date)

Reason

APPROVED / NOT APPROVED

Board of County Commissioners/County Management

(Date)

Requesting Department or Division: FORWARD TO BUDGET & MANAGEMENT SERVICES

(Rev. 09-07)

Polk County

Board of County Commissioners

Agenda Item R.10. 11/4/2025

SUBJECT

Approve State Housing Initiative Partnership (SHIP) Program rehabilitation/replacement program 1) Homeowner Assistance Agreement and 2) Grant Agreement for property located in Haines City, FL., for Case #RC24-SHIP-002. ($176,251.00 one-time expense).

DESCRIPTION

Approve a SHIP rehabilitation/replacement Homeowner Assistance Agreement for Case #RC24-SHIP-002 in the amount of $163,700.00 for home replacement and a SHIP rehabilitation/replacement Grant Agreement in the amount of $12,551.00 for construction soft costs, for a total project cost of $176,251.00.

RECOMMENDATION

Request approval of this SHIP rehabilitation/Replacement program 1) Homeowner Assistance Agreement and 2) Grant Agreement for Case # RC24-SHIP-002.

FISCAL IMPACT

Funds are available in the Affordable Housing Trust Fund.

CONTACT INFORMATION

Marie Smoker

Housing Administrative Supervisor

mariesmoker@polk-county.net

863-534-5241

This Document Prepared By:
Helen R. Sorhaindo
Housing & Neighborhood Development
Housing Development Section
P.O. Box 9005, Drawer HS04
Bartow, FL 33831-9005

POLK COUNTY
STATE HOUSING INITIATIVES PARTNERSHIP (SHIP)
REHABILITATION/REPLACEMENT
GRANT AGREEMENT

This Agreement entered into this _____ day of _____, _____ between **Hercules Robinson, Sr.,** herein after referred to as the "Owner(s)" and Polk County, a political subdivision of the State of Florida, hereinafter referred to as "County".

Witnesseth

Whereas, the County has funds available for certain qualified real property owners for the purposes of providing grants for the assistance of said owners in the repair and rehabilitation of certain improvements (existing housing) found upon such owned real property; said real property being located within Polk County, Florida

Legal Description:

> Lot 7 in Block "B" of J. T. MILLER'S SUBDIVISION, according to Plat thereof recorded in Plat Book 4, Page 87, Public Records of Polk County, Florida; LESS road right of way; being part of the SE 1/4 of the SE 1/4 of Section 9, Township 28 South, Range 27 East.

Whereas the County has determined that the Owner(s) meets all the eligibility criteria established for the aforementioned grants and is therefore eligible for a grant pursuant to the terms and provisions of said program.

Now, Therefore, in consideration of the covenants contained herein, the parties mutually agree as follows:

1) The Owner(s) agrees to accept **Twelve Thousand Five Hundred Fifty-One and No/100 Dollars ($12,551.00)** as a grant to be used for construction soft costs, Insurance, and temporary location benefits.

2) The Owner(s) will indemnify and hold the County harmless together with all the County's employees and designated representatives, from any and all liability, claims, action suits or demands for injuries, death or property damage arising out

or in connection with the repair and rehabilitation of the Owner(s) property due to the Owner(s) negligence.

3) The Owner(s) filed application with the County dated **January 30, 2024**, for Replacement/New Construction Assistance, and it is incorporated as part of this Agreement, by this reference.

4) This Agreement shall be binding upon the Owner(s), and the estate, personal representatives, heirs and devises of a deceased (Owner(s).

5) The use in this Agreement of the word Owner shall apply to the plural as well as the singular.

[SIGNATURES ON NEXT PAGE]

In Witness Whereof, the Owner(s) and County have executed this Agreement as of the day and year first above written.

Attest:

_____
Witness

_____
Print Name of Witness
Witness Address:
Housing & Neighborhood Development
1290 Golfview Avenue
P.O. Box 9005 Drawer HS04
Bartow, FL 33831-9005

Owner(s):

_____
Hercules Robinson, Sr.

Attest:
Stacy M. Butterfield, Clerk

BY: _____
Deputy Clerk

Polk County, Florida, a political subdivision of the State of Florida

_____
T. R. Wilson, Chair Date
Board of County Commissioners

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐online notarization, this _____ day of _____, _____ by Hercules Robinson, Sr., who ☐ is personally known to me or ☐ has produced _____ as identification.

(AFFIX NOTARY SEAL)

_____
Notary Public
Print Name _____
My Commission Expires: _____

This Document Prepared By:
Helen R. Sorhaindo
Housing & Neighborhood Development
Housing Development Section
P.O. Box 9005, Drawer HS04
Bartow, FL 33831-9005

POLK COUNTY
STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM
REHABILITATION/REPLACEMENT
HOMEOWNER ASSISTANCE AGREEMENT

Case Number: RC24-SHIP-002

HOMEOWNER: Hercules Robinson, Sr.

PROPERTY ADDRESS: 426 Kokomo Rd NE, Haines City, FL 33844

THIS AGREEMENT is entered into this _____ day of _____, _____ by Polk County, a political subdivision of the State of Florida, and **Hercules Robinson, Sr.**, (hereinafter referred to as the "HOMEOWNER(S)").

THIS AGREEMENT IS ENTERED INTO BASED ON THE FOLLOWING FACTS:

WHEREAS, Polk County has been designated by the State of Florida as the allocating authority for the SHIP funds; and,

WHEREAS, Polk County has agreed to use the SHIP funds to assist with the financing of the Rehabilitation/Replacement of homes that meet the requirements as set forth in the SHIP regulations, and Polk County's rehabilitation program.

NOW, THEREFORE, Polk County and the HOMEOWNER do mutually agree with the following:

1) **FORM OF ASSISTANCE**

SHIP funds shall be used as a non-amortizing, zero percent (0%) interest rate, Deferred Payment Loan (DPL) in the principal amount of **$163,700.00** to assist with a Rehabilitation/Replacement of an owner-occupied home and a grant agreement in the amount of **$12,551.00** for construction soft costs.

2) **USE OF FUNDS**

The SHIP funds shall be used to finance Rehabilitation/Replacement of single-family dwellings

3) AFFORDABILITY PERIOD

The SHIP affordability period is **fifteen (15) years**. The affordability period from the date of recording the Deferred Mortgage and Security Agreement.

4) REPAYMENT/RECAPTURE

The SHIP loan is a zero percent (0%) interest Deferred Payment Loan and will be required to be repaid from the date of the loan, if one of the following events occurs.

a) The HOMEOWNER sells, transfers or disposes of the property or home either voluntarily or involuntarily.
b) The HOMEOWNER fails or ceases to occupy the home as their principal residence.
c) The HOMEOWNER, or if the HOMEOWNER is married, the survivor of the HOMEOWNER or the HOMEOWNER's spouse dies, and the heir(s) to the property is not a low-income person as defined by program criteria. Polk County Housing and Neighborhood Development ("HND") staff will determine the heir's income eligibility, and if the heir(s) is income eligible, a modification of the loan will be prepared and presented for approval by the Polk County Board of County Commissioners. If the heir is found not to be income eligible, at the option of Polk County, an agreement for repayment may be initiated immediately upon establishment of new ownership; or
d) The HOMEOWNER refinances the first mortgage loan at which time the remaining principal balance is due and payable to Polk County.
e) The HOMEOWNER violates any terms of the Mortgage and Security Agreement, or Mortgage Note entered into with Polk County.

In the event of a voluntary (sale) or involuntary (foreclosure) transfer of the property during the applicable period of affordability, Polk County will recapture all of the SHIP Subsidy funds provided to the HOMEOWNER.

If the net proceeds from a voluntary (sale) or involuntary (foreclosure) sale are insufficient to repay the amount of the SHIP subsidy, the County shall recapture the balance due on the loan or 100% of net proceeds from the sale, whichever is less. If there are no net proceeds from the sale, no repayment is required. Net proceeds are defined as the sales price minus superior loan repayment and any closing costs incurred by the HOMEOWNER.

5) PROJECT REQUIREMENT

Polk County and the HOMEOWNER agree to comply with the following project requirements as set forth:

a) The HOMEOWNER certifies that the property will be his principal residence and that at the time of application and approval the HOMEOWNER's income, said income did not exceed eighty percent (80%) area median income as determined by HUD with adjustments for family size.
$29,200.00 County Area Median Income (adjusted for family size)

50% Percentage (%) AMI Level of HOMEOWNER
$17,701.40 HOMEOWNER's Annual Income

b) The property is located in Polk County and will have after-rehabilitation or replacement appraised value equal to or less than ninety percent (90%) median area purchase price as established by the U.S. Treasury Department. Polk County has reviewed the household income and the property value requirements in accordance with SHIP Program requirements and has approved this project eligible for funding.

c) The HOMEOWNER must maintain the property in good physical condition for the life of the loan. The HOMEOWNER must be current with the payment of property taxes, HOMEOWNER's insurance, homestead exemption, and flood insurance, if applicable. Polk County must be named as an additional insured on all of the HOMEOWNER's insurance policies and a copy of this policy must be provided to Polk County.

6) HOUSING AND QUALITY STANDARDS

The property, after Rehabilitation/Replacement must meet Florida Housing's Minimum Rehabilitation Standards, Section 8 Housing Quality Standards (HQS) or the local or Florida Building Code (latest edition), whichever is more stringent. Polk County shall verify the property has met the housing and quality standards as evidenced by an issuance of a Certificate of Occupancy upon final inspection of the property that is the subject of the Rehabilitation/ Replacement.

7) REQUESTS FOR DISBURSEMENT OF FUNDS

The HOMEOWNER agrees that SHIP funds shall only be used for eligible SHIP activities. The HOMEOWNER also agrees that any work done by a licensed contractor in performance of this Agreement shall be done pursuant to a written contract, and only after all necessary permits are obtained.

Polk County shall reserve the right, pursuant to Polk County's own procedures, of final approval of all bids submitted from independent contractors relative to performing the rehabilitation and repair of HOMEOWNER's home. The nature of the Rehabilitation/Replacement work to be performed by said contractors will be indicated upon a work write-up document; said document being identified in the applicable Rehabilitation/Replacement work contract entered into between the HOMEOWNER and any Rehabilitation/Replacement contractor. The HOMEOWNER shall select the contractor(s) with Polk County's approval to perform the Rehabilitation/Replacement work upon the HOMEOWNER's aforesaid home. Polk County shall in combination with the HOMEOWNER supervise the contractor(s) selected by the HOMEOWNER relative to the Rehabilitation/Replacement of the HOMEOWNER's aforesaid home. Polk County and the HOMEOWNER, as provided for in the applicable Rehabilitation/Replacement work contract entered into between the OWNER and any Rehabilitation/Replacement contractor, have the right to terminate or abandon the work contemplated pursuant to such contract.

Polk County shall have the right to enforce the provisions of said work contract by the employment of all legal methods deemed necessary in the judgment of

Polk County, including the filing and prosecution of Breach of Contract court claims against applicable Rehabilitation/Replacement contractors. If the

HOMEOWNER fails to execute and otherwise enter into said Rehabilitation/Replacement work contract with the said HOMEOWNER selected contractor(s) within five (5) days from receipt of written request by Polk County or its authorized agent, Polk County may, upon written notice to the HOMEOWNER, immediately terminate this Agreement without penalty whatsoever.

The amount of the Rehabilitation/Replacement Loan and the total amount the HOMEOWNER contracts to pay for the Rehabilitation/Replacement contractor(s) shall be determined at the sole judgment and discretion of Polk County. All monies to be used for the benefit of the HOMEOWNER pursuant to the aforesaid Rehabilitation/Replacement Loan shall be held by Polk County. All payments coming due to any contractor(s) shall be made by Polk County with written approval of HOMEOWNER pursuant to the terms and provisions of the executed Rehabilitation/Replacement work contract existing between the HOMEOWNER and the contractor(s).

Upon receipt of the contractor's proper mechanic's lien waiver, if applicable, Polk County shall request a final draw. If there are funds remaining after all work has been completed, inspected and accepted and all soft costs paid in full, Polk County shall adjust the amount of the loan and de-obligate the remaining funds. The HOMEOWNER will receive documentation of outstanding loan balance.

8) ENFORCEMENT OF THE AGREEMENT

The loan shall be evidenced and secured by a Lien/Promissory Note ("Note") and a Mortgage on the property. Should there exist any prior Mortgage liens against said property, Polk County may elect to insist that said prior Mortgage liens be made inferior to any Mortgage granted by the HOMEOWNER. Failure by the HOMEOWNER to comply with the terms of this Agreement and the Note and Mortgage shall be considered a default and appropriate legal actions shall be taken to enforce the terms and conditions of the Agreement.

9) DURATION OF THE AGREEMENT

The SHIP funds in the amount of **$163,700.00** are provided as a direct SHIP Subsidy in the form of a Deferred Payment Loan (DPL) of a 15-year (0%) interest loan. The 15-year affordability period begins from the recording date of the Deferred Mortgage and Security Agreement. This Agreement will terminate, and the total amount of the DPL loan will be forgiven at the end of the 15th year as long as the home remains the principal residence of the Homeowner and all other terms of this Agreement, Note and Mortgage are met.

10) OTHER PROVISIONS

No discrimination against any person or group of persons by the parties on account of race, sex, creed, color or national origin shall be made in performance of this Agreement.

Nothing contained in this Agreement or any act by the HOMEOWNER shall be deemed or construed by any of the parties hereto, or third persons to create any relationship of third-party beneficiary, principal or agent, limited or general partnership, joint venture or any association or relationship involving Polk County.

All notices to the HOMEOWNER, as provided for pursuant to the provisions of this Agreement, shall be deemed received by the HOMEOWNER upon deliverance by U.S. Mail, or otherwise, or an appropriate written communication to the HOMEOWNER's home address as listed in this Agreement.

The HOMEOWNER shall be responsible for all costs, including reasonable attorney's fees, incurred by Polk County in the enforcement of the provisions of this Agreement, Mortgage, or Note, whether legal suit is brought or not.

The HOMEOWNER will indemnify and hold Polk County harmless together with all of Polk County's employees and designated representatives, from any and all liability, claims, action suits or demands for injuries, death or property damage arising out of or in connection with the Rehabilitation/Replacement of the HOMEOWNER's property due to the HOMEOWNER's negligence.

The HOMEOWNER filed application with Polk County dated **January 30, 2024,** for a Rehabilitation/Replacement Loan that is incorporated as part of this Agreement, by this reference.

This Agreement shall be binding upon the HOMEOWNER, the estate, personal representatives, heirs and devises of a deceased HOMEOWNER.

No delay or omission of Polk County to exercise any right or remedy accruing upon any event of default shall exhaust or impair any such right, power or remedy or shall be construed to waive any event of default or to constitute acquiescence therein.

The use in this Agreement of the word HOMEOWNER shall apply to the plural as well as the singular.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed by the undersigned as duly authorized.

Attest:

Owner(s):

_____
Witness

_____
Hercules Robinson, Sr.

_____
Print Name of Witness
Witness Address:
Housing & Neighborhood Development
1290 Golfview Avenue
P.O. Box 9005 Drawer HS04
Bartow, FL 33831-9005

Attest:
Stacy M. Butterfield, Clerk

Polk County, Florida, a political subdivision of the State of Florida

BY: _____
Deputy Clerk

_____
T. R. Wilson, Chair Date
Board of County Commissioners

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐online notarization, this _____ day of _____, _____ by Hercules Robinson, Sr., who ☐ is personally known to me or ☐ has produced _____ as identification.

(AFFIX NOTARY SEAL)

_____
Notary Public
Print Name _____
My Commission Expires: _____

SHIP
Estimated Project Costs
Rehabilitation/Replacement
15384.340554028.5334420

Homeowner:	Hercules Robinson, Sr.		Case No. **RC24-SHIP-002**	
	426 Kokomo Rd NE			
	Haines City, FL 33844			
Bid Amount	$	163,700.00	$	163,700.00
HO Contribution				
0% Payback Mortgage				
Deferred Mortgage	$	163,700.00	$	163,700.00

Soft Costs (Replacement SHIP GRANT)

Service Delivery	$	4,264.00	$	4,264.00
Appraisal	$	400.00	$	400.00
Survey	$	1,575.00	$	1,575.00
Blue Prints	$	375.00	$	375.00
Septic Tank Pumpout	$	650.00	$	650.00
Soil Test	$	160.00	$	160.00
Septic Tank Permit	$	180.00	$	180.00
Variance Fee	$	475.00	$	475.00
Temp. Relocation	$	3,825.00	$	3,825.00
Insurance	$	-	$	-
NOC Filing Fee	$	13.00	$	13.00
Mortgage Doc. Fee	$	573.00	$	573.00
Mortgage Recording Fee	$	61.00	$	61.00
Total	$	12,551.00	$	12,551.00

TOTAL PROJECT COSTS	$	**176,251.00**

****

Polk Deferred Mortgage & Security Agreement	$	163,700.00
0% Payback Mortgage	$	-
Grant Agreement	$	12,551.00
TOTAL	$	**176,251.00**

This Document Prepared By:
Helen R. Sorhaindo
Housing and Neighborhood Development
Housing Development Section
P.O. Box 9005, Drawer HS04
Bartow, FL 33831-9005

STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION/REPLACEMENT DEFERRED MORTGAGE AND SECURITY AGREEMENT

This Mortgage and Security Agreement ("Mortgage") is given this _____ day of _____, _____. The Mortgagor(s) **Hercules Robinson, Sr., a single man, whose mailing address is 426 Kokomo Rd NE, Haines City, FL 33844**, the ("Owner(s)"), agrees to give the Mortgage to Polk County, a political subdivision of the State of Florida ("Lender"). Owner(s) owes the Lender the principle sum of **One Hundred Sixty-Three Thousand Seven Hundred and No/100 Dollars ($163,700.00)**. This debt is evidenced by Owner's Mortgage Note ("Note") dated the same date as this Mortgage which provides for the debt of this Mortgage.

I. DUTIES AND OBLIGATIONS

1. Owner(s), in order to secure the performance of the Owner(s) of all agreements and conditions in the Note, this Mortgage, and any other loan agreement or instruments securing the Note does hereby mortgage, pledge, assign and grant a security interest to Lender in the following described property (hereinafter referred to as "Property"), situated at **426 Kokomo Rd NE, Haines City, FL 33844**, and more particularly described as:

   Legal Description:

   Lot 7 in Block "B" of J. T. MILLER'S SUBDIVISION, according to Plat thereof recorded in Plat Book 4, Page 87, Public Records of Polk County, Florida; LESS road right of way; being part of the SE 1/4 of the SE 1/4 of Section 9, Township 28 South, Range 27 East.

   A. All improvements now or hereafter erected on the Property; and

   B. All easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights and improvements, structures, and fixtures attached to the Property, now and hereafter; and

   C. All rents, issues, profits, revenue, income, condemnation awards, insurance proceeds and other benefits from the property described above; provided, however, that permission is hereby given to Owner so long as no default has occurred hereunder, to collect, receive and use such benefits from the property as they become due and payable.

2. Owner(s) warrants that Owner is indefeasibly seized of the Property in fee simple, and that the Owner has lawful authority to convey, mortgage, and encumber the Property. Owner warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

3. Owner(s) agree that Owner(s), his heirs, and legal representatives shall;

   A. perform and comply with, and abide by all stipulations, agreements, conditions and covenants of this Mortgage and the Note, and

   B. shall duly pay all taxes and all insurance premiums reasonable required, and

   C. keep the buildings on the premises in good repair and preservation, and

   D. pay all costs and expenses including reasonable attorney's fees that Lender may incur in collecting money secured by this Mortgage, and also enforcing this Mortgage by suit or otherwise, and

   E. fulfill all Owner's obligations under any home rehabilitation, improvement, repair or other loan agreement which Owner enters into with Lender.

II. EVENTS OF DEFAULT

1. Any one of the following shall constitute an event of default:

   A. Owner(s) fails to repair or replace any buildings or improvements damaged by fire or other casualty to the satisfaction of the Lender, or

   B. Owner(s) fails to maintain the Property in conformance with all local building, zoning and other applicable ordinances or codes, or

   C. the Property is sold or otherwise transferred without Lender's written approval, or

   D. if the dwelling ceases to be the full-time residence of the Owner while the Mortgage remains a lien thereon without Lender's written approval, or

   E. Owner refinances the property without prior consent from the Lender, or

   F. Owner(s) violates any other terms, covenants, provisions, or conditions of this Mortgage, the Note, other loan agreements or instruments securing the Note, or the Homeowner Assistance Agreement.

2. Acceleration; Remedies. If an event of default shall have occurred, the Lender, at the Lender's option, may declare the outstanding principal amount of the Note and all other sums secured hereby, to be due and payable immediately. Upon such declaration, such principal and other sums shall immediately be due and payable without demand or notice and said principal sum shall bear interest from the date of default until paid at a rate not to exceed three percent (3%) per annum.

The County, at its option, may prepare an alternative promissory note ("Alternative Note") requiring monthly payments of principal and interest. All payments on the Alternative Note shall be applied first to the interest due on the Note, and the remaining balance shall be applied to late charge, if any.
The Owner has the right to reject the Alternative Note by paying the principal amount of the Note within thirty (30) days of default. Failure of the Owner to pay the principal amount of the Note or execute an Alternative Note within thirty (30) days of default of the deferment will constitute failure on the part of the Owner. Such failure will be subject to suit by the County to recover the Note.

Furthermore, the Owner agrees that the Lender may proceed by suit or suits at law or in equity or by any other appropriate proceeding or remedy to; (a) enforce payment of the Note or the performance of any term hereof or any other right; (b) foreclose this Mortgage and to sell, as an entirely or in separate lots or parcels, the Property under the judgment or decree of a court or courts of competent jurisdiction; and (c) pursue any other remedy available to it.

No right, power or remedy conferred upon or reserved to Lender by the Note, this Mortgage or any other instrument securing the Note, is exclusive of any other right, power of remedy, but each and every such right, power and remedy shall be cumulative and concurrent and shall be in addition to any other right, power and remedy given hereunder on under the Note or any other instrument security the Note, now or hereafter existing at law, in equity or by statute.

III. GENERAL PROVISIONS

1. No Waiver. No delay or omission of Lender to exercise any right or remedy accruing upon any event of default shall exhaust or impair any such right, power or remedy or shall be construed to waive any event of default or to constitute acquiescence therein.

2. Governing Law. This Mortgage and all disputes as to the subject matter of this Mortgage between Owner(s) and Lender shall be governed by the laws of Florida.

3. Venue. All disputes involving the subject matter of this Mortgage shall be brought in a competent court in Polk County, Florida.

4. Modification of Agreement. All modification to this Mortgage must be in writing and signed by both Owner(s) and Lender.

5. Separation of Inappropriate Provisions. If any provision of this Mortgage shall be deemed inappropriate by a court, the inappropriate provision shall be severed, and the rest of this Mortgage shall remain enforceable between Owner(s) and Lender.

6. Successors and Assigns Bound. This mortgage shall be binding on the parties, their assigns, successors, representatives or administrators. In the event that a sole Owner should die, or upon the death of the survivor of Joint Owners, the obligations created herein shall be binding upon the Estate, personal representative, heirs, or devisee of the deceased Owner.

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed by the undersigned as duly authorized.

Attest:

Owner(s):

_____
Witness

_____
Hercules Robinson, Sr.

_____
Print Name of Witness
Witness Address:
Housing & Neighborhood Development
1290 Golfview Avenue
P.O. Box 9005 Drawer HS04
Bartow, FL 33831-9005

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐online notarization, this _____ day of _____, _____ by Hercules Robinson, Sr., who ☐ is personally known to me or ☐ has produced _____ as identification.

(AFFIX NOTARY SEAL)

_____
Notary Public
Print Name _____
My Commission Expires: _____

This Document Prepared by:
Helen R. Sorhaindo
Housing and Neighborhood Development
Housing Development Section
P.O. Box 9005, Drawer HS04
Bartow, FL 33831-9005

STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) REHABILITATION/REPLACEMENT DEFERRED MORTGAGE AND SECURITY AGREEMENT MORTGAGE NOTE

NAME: Hercules Robinson, Sr.
ADDRESS: 426 Kokomo Rd NE, Haines City, FL 33844
CASE NUMBER: RC24-SHIP-002
LOAN AMOUNT: $163,700.00

This Mortgage Note ("Note") is made on the date last signed below ("Effective Date"). The Grantors are **Hercules Robinson, Sr.**, whose mailing address is **426 Kokomo Rd NE, Haines City, FL 33844**. For value, the Owner promise to pay to the order of Polk County ("County"), a political subdivision of the State of Florida **One Hundred Sixty-Three Thousand Seven Hundred and No/100 Dollars ($163,700.00),** payable in one installment at Bartow, Florida or at such a place as may hereafter be designated in writing by the County. This debt is secured by the Mortgage and Security Agreement ("Mortgage") dated the same date as this Note.

The Note shall be for a period of **fifteen (15) years** from the date of recording the Deferred Mortgage and Security Agreement as referenced in the SHIP Program Rehabilitation/Replacement Program Homeowner Assistance Agreement. Repayment of this Note shall take place in the following manner:

1. If a default occurs, the Note shall be due and payable in full.

2. If no default occurs, the debt shall be permanently forgiven at the expiration of the **fifteenth (15th) year**.

This Note incorporates, and is incorporated into, the Mortgage of even date of the Property described above.

The Owner reserve(s) the right to prepay at any time all or any part of the principal amount of this Note without the payment of penalties or premiums.

If default be made in the payment of any sums mentioned herein or in said Mortgage, or in the performance of the mortgage, then the entire principal sum shall at the option of the County become at once due and collectible without notice, time being of the essence,

and said principal sum shall bear interest from the date of default until paid at a rate not to exceed three percent (3%) per annum. Failure to exercise this option shall not

constitute a waiver of the right to exercise the same in the event of any subsequent default.

The County, at its option, may prepare an alternative promissory note ("Alternative Note") requiring monthly payments of principal and interest. All payments on the Alternative Note shall be applied first to the interest due on the Note, and the remaining balance shall be applied to late charge, if any. The Owner has the right to reject the Alternative Note by paying the principal amount of this Note within thirty (30) days of default of the deferment. Failure of the Owner to pay the principal amount of this Note or execute an Alternative Note within thirty (30) days of default of the deferment will constitute failure on the part of the Owner. Such failure will be subject to suit by the County to recover on this Note.

If a suit is instituted by the County to recover on this Note, the Owner agree(s) to pay all costs of such collection, including reasonable attorney's fees and court costs.

This Note is secured by a Mortgage on real estate of even date duly filed for record in Polk County, Florida. The terms of said Mortgage are by this reference made a part hereof.

Demand, protest and notice of demand and protest are hereby waived, and the Owner hereby waives, to the extent authorized by law, any and all homestead and other exemption rights which otherwise would apply to the debt evidenced by this Note.

Each person liable hereon whether maker or his heirs, legal representatives or assigns, hereby waives presentment, protest, notice, notice of protest and notice of dishonor and agrees to pay all costs, including a reasonable attorney's fee, whether suit be brought or not, if, after maturity of this Note or default hereunder, or said Mortgage, counsel shall be employed to collect this Note or to protect the security of said Mortgage.

Whenever used herein the terms "holder", "maker", and "payee" shall be construed in the singular or plural as the context may require or admit.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have caused this contract to be executed by the undersigned as duly authorized.

Attest:

Owner(s):

_____
Witness

_____
Hercules Robinson, Sr.

_____
Print Name of Witness
Witness Address:
Housing & Neighborhood Development
1290 Golfview Avenue
P.O. Box 9005 Drawer HS04
Bartow, FL 33831-9005

STATE OF FLORIDA
COUNTY OF POLK

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐online notarization, this _____ day of _____, _____ by Hercules Robinson, Sr., who ☐ is personally known to me or ☐ has produced _____ as identification.

(AFFIX NOTARY SEAL)

_____
Notary Public
Print Name _____
My Commission Expires: _____

Effective January 1, 2025

RESIDENT INCOME CERTIFICATION – Homeownership/DPA

Florida Housing Finance Corporation
State Housing Initiatives Partnership (SHIP) Program

Effective Date: _____ Allocation Year: _____

A. **Recipient Information** (select one)

a. ☑ Current homeowner

b. ☐ Home buyer ☑ Existing Dwelling ☐ Newly Constructed Dwelling

B. **Subsidy Use** (check all that apply)

☐ Down Payment Assistance
☐ Closing Costs
☐ Interest Subsidy
☐ Loan Guarantee
☐ Principal Buy Down
☑ Rehabilitation
☐ Emergency Repair
☐ Other

C. **Household Information:** Include all household members

Member	Full Name	Relationship to Head	Age
1	Hercules Robinson, Sr.	HEAD	67
2			
3			
4			
5			
6			
7			
8			

D. **Assets**: All household members including assets owned by minors

Member	Asset Description	Cash Value	Income from Assets
1	MidFlorida Savings Account #9637 ($2,013.20)	0.00	0.20
2	Comerica Bank #3611 ($388.70)	0.00	0.00
3	MidFlorida Checking Account #9836 ($962.92)	0.00	0.00
4	Transamerica Life Insurance #7632 ($3,956.52)	0.00	0.00
5	Transamerica Life Insurance #7107 ($640.16)	0.00	0.00
6	Oakland Block G Lot 36, Space, 2, 4, 6, & 8 ($2,400.00)	0.00	0.00
7			
8			
Total Cash Value of Assets	D(a)	$ 0.00	
Total Income from Assets		D(b)	$ 0.20
If line D(a) is greater than $51,600: Add the income from any assets for which actual income can be calculated, then calculate the imputed income for the assets where actual income cannot be calculated. To calculate imputed income, multiply the amount of assets where actual income cannot be calculated by the HUD specified rate		D(c)	$ 0.00

(.45%). Combine both amounts and enter results in D(c), which must be counted on page two alongside other sources of household income.	0.20

E. **Anticipated Annual Income**: Includes unearned income and support paid on behalf of minors.

Member	Wages / Salaries (include tips, commission, bonuses and	Benefits / Pensions	Public Assistance	Other Income	*Asset Income
1		17,701.20			(Enter the greater of **box D(b)** or box D(c), above, in box **E(e)** below)
2					
3					
4					
5					
6					
7					
8					
	(a)	**(b)**	**(c)**	**(d)**	**(e)**
Totals	$ 0.00	$ 17,701.20	$ 0.00	$ 0.00	$ 0.20
Enter total of items E(a) through E(e). This amount is the **Annual Anticipated Household Income**					$ 17,701.40

F. **Recipient Statement:** The information on this form is to be used to determine maximum income for eligibility. I/we have provided, for each person set forth in Item C, acceptable verification of current and anticipated annual income. I/we certify that the statements are true and complete to the best of my/our knowledge and belief and are given under penalty of perjury. **WARNING:** Florida Statute 817 provides that willful false statements or misrepresentation concerning income and assets or liabilities relating to financial condition is a misdemeanor of the first degree and is punishable by fines and imprisonment provided under S 775.082 or 775.83.

_____ Date _____
Signature of Head of Household

_____ Date _____
Signature of Spouse or Co-Head of Household

_____ Date _____
Signature of Household Member (over 18 years)

_____ Date _____
Signature of Household Member (over 18 years)

_____ Date _____
Signature of Household Member (over 18 years)

_____ Date _____
Signature of Household Member (over 18 years)

Effective January 1, 2025

G. **SHIP Administrator Statement**: Based on the representations herein, and upon the proofs and documentation submitted pursuant to item F, hereof, the family or individual(s) named in item C of this Resident Income Certification is/are eligible under the provisions of Chapter 420, Part V, Florida Statutes, the family or individual(s) constitute(s) a: (check one)

☐ **Extremely Low Income (ELI) Household** means individuals or families whose annual income does not exceed 30% of the AMI as determined by HUD with adjustments for household size.
Maximum Income Limit: _____

☑ **Very Low Income (VLI) Household** means individuals or families whose annual income does not exceed 50% of the AMI as determined by HUD with adjustments for household size.
Maximum Income Limit: $ 29,200.00

☐ **Low Income (LI) Household** means individuals or families whose annual income does not exceed 80% of the AMI as determined by HUD with adjustments for household size.
Maximum Income Limit: _____

☐ **Moderate Income (MI) Household** means individuals or families whose annual income does not exceed 120% of the AMI as determined by HUD with adjustments for household size.
Maximum Income Limit: _____

☐ **121-140% Income Household** means individuals or families whose annual income does not exceed 140% of the AMI as determined by HUD with adjustments for household size.
Maximum Income Limit: _____

Based upon the Income Limits for 2025 (year) (MSA or County) Polk County

Signature of the SHIP Administrator or His/Her Designated Representative:

Signature _____ Date 04/05/2025

Name (print or type) Marie Smoker Title Housing Administrative Supervisor

H. **Household Data** (to be completed by Head of Household only)

Household elects to not participate.						_____ (Initials of Household Head)			
Head of Household Data									
By Race / Ethnicity						**By Age**			
White	Black	Hispanic	Asian	American Indian	Other	**0 - 25**	**26 - 40**	**41 - 61**	**62 +**
	1								1
Household Members Data									
Special Target / Special Needs (Check all that apply to any member)									
Farm worker	**Developmentally Disabled**		**Homeless**		**Elderly**	**Special Needs (define)**		**Special Needs (define)**	
☐	☐		☐		☑	SSDI			

NOTE: Information in this Section H is being gathered for statistical use only. No resident is required to give such information

unless they desire to do so. Refusal to provide information in this Section will not affect any right household has as residents. There is no penalty for households that do not complete the form.

Florida Housing Finance Corporation **State Housing Initiatives Partnership (SHIP) Program** **Asset Guidelines** Follow these guidelines when completing Section D of the Resident Income Certification (RIC) form.
Net family assets are defined as the net cash value of all assets owned by the family, after deducting reasonable costs that would be incurred in disposing of real property, savings, stocks, bonds, and other forms of investment, except as excluded.

ANNUALLY ADJUSTED ASSET THRESHOLD AMOUNT AND VERIFICATION REQUIREMENTS
• When the total net value of assets **is equal to or less than $51,600**, the family may self-certify assets.
• The threshold amount effective January 1, 2025 is $51,600.
• When the total net value of assets **exceeds $51,600**, each asset must be verified.
• The most current bank statement may be used to verify checking and savings account.

INSTRUCTIONS FOR COMPLETING SECTION D (NET FAMILY ASSETS) ON RESIDENT INCOME CERTIFICATION FORM
• Include assets owned by all family members, including assets owned by minors. Do not include assets owned by foster adults or foster children.
• Include only those assets that are not excluded from net family assets (see below for a list of exclusions).
• Actual income from assets is always included in a family's annual income, regardless of the total value of net family assets or whether the asset itself is included or excluded from net family assets, unless that income is specifically excluded by 24 CFR § 5.609(b).
• Calculate and include imputed income only when the following 3 conditions are met: 1. The value of net family assets exceeds $51,600. 2. The specific asset is included in net family assets; and 3. Actual asset income cannot be calculated for the specific asset. • The Passbook Rate should be used to calculated imputed income. The current rate is 0.45%.
• Actual income can be $0.00. For example, a checking account with a 0% interest rate has an actual income of $0.00. Imputed income would not be calculated.
• The cash value of real property or other assets with negative equity would be considered $0 for the purposes of calculating net family assets.

REQUIRED EXCLUSIONS FROM NET FAMILY ASSETS
• The value of necessary items of personal property (see below for a list of necessary personal property).
• The value of all non-necessary items of personal property with a total combined value of $51,600 or less, annually adjusted for inflation.
• The value of any account under a retirement plan recognized as such by the Internal Revenue Service, including Individual Retirement Accounts (IRAs), employer retirement plans (e.g., 401(k), 403(b)), and retirement plans for self-employed individuals.
• The value of real property that the family does not have the effective legal authority to sell in the jurisdiction in which the property is located.
• Any amounts recovered in any civil action or settlement based on a claim of malpractice, negligence, or other breach of duty owed to a family member arising out of law that resulted in a member of the family being a person with disabilities.
• The value of any Coverdell education savings account under section 530 of the Internal Revenue Code of 1986; the

value of any qualified tuition program under section 529 of such Code; and the amounts in, contributions to, and 61 distributions from any Achieving a Better Life Experience (ABLE) account authorized under section 529A of such code.
• The value of any "baby bond" account created, authorized, or funded by the federal, state, or local government (money held in trust by the government for children until they are adults).
• Interests in Indian trust land.
• Equity in a manufactured home where the family receives assistance under 24 CFR Part 982.
• Equity in property under the Homeownership Option for which a family receives assistance under 24 CFR Part 982.
• Family Self-Sufficiency accounts.
• Federal tax refunds or refundable tax credits for a period of 12 months after receipt by the family.
• The full amount of assets held in an irrevocable trust.
• The full amount of assets held in a revocable trust where a member of the family is the beneficiary, but the grantor/owner and trustee of the trust is not a member of the participant family or household.

EXAMPLES OF NECESSARY AND NON-NECESSARY PERSONAL PROPERTY (This is not an exhaustive list.)	
Necessary Personal Property (Excluded from Net Family Assets)	**Non-Necessary Personal Property (Excluded when total is equal to/less than $51,600)**
• Car(s)/vehicle(s) that a family relies on for transportation for personal or business use (e.g., bike, motorcycle, skateboard, scooter)	• Recreational car/vehicle not needed for day-to-day transportation (campers, motorhomes, travel trailers, all-terrain vehicles (ATVs))
• Furniture, carpets, linens, kitchenware	• Bank accounts or other financial investments (e.g., checking account, savings account, stocks/bonds)
• Common appliances	• Recreational boat/watercraft
• Common electronics (e.g., radio, television, DVD player, gaming system)	• Expensive jewelry without religious or cultural value, or which does not hold family significance
• Clothing	• Collectibles (e.g., coins/stamps)
• Personal effects that are not luxury items (e.g., toys, books)	• Equipment/machinery that is not used to generate income for a business
• Wedding and engagement rings	• Items such as gems/precious metals, antique cars, artwork, etc.
• Jewelry used in religious/cultural celebrations and ceremonies	
• Religious and cultural items	
• Medical equipment and supplies	
• Health care–related supplies	
• Musical instruments used by the family	
• Personal computers, phones, tablets, and related equipment	
• Professional tools of trade of the family, for example professional books	
• Educational materials and equipment used by the family, including equipment to accommodate persons with disabilities	
• Equipment used for exercising (e.g., treadmill, stationary bike, kayak, paddleboard, ski equipment)	
• Items of personal property not considered necessary will be classified as non-necessary.	

Effective January 1, 2025

Florida Housing Finance Corporation **State Housing Initiatives Partnership (SHIP) Program Asset Self-Certification** *(Complete only one form per household; include assets of children.)*	
For the following asset types, include the current Cash Value of **each** asset held by any family member and the actual income that the asset earns. *Cash value is ***current*** **market value minus cost to convert** an asset to cash, such as broker's fees, settlement costs, outstanding loans, penalties for early withdrawal, etc.*	
Household Name:	

PART I. ASSETS DISPOSED OF FOR LESS THAN FAIR MARKET VALUE(FMV)		
☐ **Yes**	☐ **No**	Within the past two (2) years, I/we have sold or given away assets below their fair market value (FMV).

Asset #1:		Date of Disposal:		FMV - amt received:	$
Asset #2:		Date of Disposal:		FMV - amt received:	$

PART II: FEDERAL TAX RETURN OR REFUNDABLE FEDERAL TAX CREDIT		
Have you received a federal tax return or refundable federal tax credit in the last 12 months?	☐ **Yes**	☐ **No**
Amount of return/credit:	$	

PART III: NON-NECESSARY PERSONAL PROPERTY (NNPP)	
☐	**I/we have non-necessary personal property which is listed here'**
☐	**I/we do not have any non-necessary personal property**

Type of Asset	**(A) Cash Value***	**(B) Annual Income**	**Type of Asset**	**(A) Cash Value***	**(B) Annual Income**
Cash on Hand	$	N/AP	Cryptocurrency	$	$
Pre-paid Debit Card (including Govt. Benefits)	$	N/AP	Money Market/ CD	$	$
Checking/Savings	$	$	Annuities	$	$
Checking/Savings	$	$	Brokerage Account	$	$
Savings	$	$	Stocks/Bonds	$	$
Internet based assets (Cash App, Venmo, PayPal, Crowdfunding,	$	$	Other: _____	$	$

etc.)					
Whole Life Ins	$	$	Other: _____	$	$

Non-Account Based Possessions not general held in an account such as vehicles used for recreation (e.g., RVs, ATVs, and Boats), antique cars, collectibles (e.g. stamps, jewelry, coins, and artwork.), and equipment/machinery that is not used to generate income for a business	
Description	**(A) Cash Value ***
	$
	$
	$
	$

PART IV. REAL PROPERTY	
☐	**I/we have real property which is listed here.**
☐	**I/we do not have any real property.**

Description of Property	**(C) Cash Value***	**(D) Income**
	$	$
	$	$

Under penalty of perjury, I/we certify that the information presented in this certification is true and accurate to the best of my/our knowledge. The undersigned further understand(s) that providing false representations herein constitutes an act of fraud. False, misleading, or incomplete information may result in the termination of a lease agreement.

Signature of Applicant/Tenant		Date		Signature of Applicant/Tenant		Date	

PENALTIES FOR MISUSING THIS CONTENT: Title 18, Section 1001 of the U.S. Code states that a person is guilty of a felony for knowingly and willingly making false or fraudulent statements to any department of the United States Government. HUD and any owner (or any employee of HUD or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this verification form is restricted to the purposes cited above. Any person who knowingly or willingly requests, obtains, or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than $5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages and seek other relief, as may be appropriate, against the officer or employee of HUD or the owner responsible for the unauthorized disclosure or improper use. Penalty provisions for misusing the social security number are contained in the Social Security Act at 208 (a) (6), (7), and (8). Violations of these provisions are cited as violations of 42 USC 408 (a), (6), (7), and (8).

This instrument was prepared by:
RICHARD STRAUGHN
STRAUGHN & STRAUGHN
Post Office Box 2295
Winter Haven, Florida 33883-2295

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POLK OFF. REC. PAGE

WARRANTY DEED

THIS INDENTURE, Made this 18 day of July, 1989, Between WILLIE ROBERT YOUNG and ADELENE LENORA YOUNG, his wife, of the County of Polk, State of Florida, grantor*, and HERCULES ROBINSON, SR., whose post address is 808 Rose Street, Haines City, 33844, of the County of Polk, State of Florida, grantee*.

WITNESSETH:

That said grantor, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration 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:

Lot 7 in Block "B" of J. T. MILLER'S SUBDIVISION, according to Plat thereof recorded in Plat Book 4, Page 87, Public Records of Polk County, Florida; LESS road right of way; being part of the SE 1/4 of the SE 1/4 of Section 9, Township 28 South, Range 27 East.

5.00
1.00
110.00
116.00

and said grantor does hereby fully warrant the title to said land, and will defend the same against thelawful claims of all persons whomsoever.

110.00

Subject to taxes accruing subsequent to December 31, 1988 and subject to restrictions, easements and reservations of record, if any.

*"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:

Documentary Tax Pd. $ 110.00
Intangible Tax Pd. $
E.D. "Bud" Dixon, Clerk, Polk Co.
By: Deputy Clerk

Willie Robert Young (SEAL)
WILLIE ROBERT YOUNG

Adelene Lenora Young (SEAL)
ADELENE LENORA YOUNG

STATE OF FLORIDA
COUNTY OF POLK

I Hereby Certify that on this day before me, an officer duly qualified to take acknowledgements, personally appeared WILLIE ROBERT YOUNG and ADELENE LENORA YOUNG, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

WITNESS my hand and official seal in the County and State last aforesaid this 18 day of July, 1989.

Notary Public, State of Florida
My Commission Expires:

Notary Public, State of Florida
My Commission Expires July 22, 1992
Bonded Thru Troy Fain-Insurance Inc.

FILED, RECORDED, AND RECORD VERIFIED
E. D. "Bud" DIXON, Clk. Cir. Ct.
POLK COUNTY, FLA.
BY: D.C.

Please record and return to
NCNB National Bank of Florida
P O Box 1367
Haines City, Fla 33844

RE
60 Fee A/D

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT,
IN AND FOR POLK COUNTY, FLORIDA

Case No.:2024DR-001238-0000-WH
Section No.: 80

HERCULES LEE ROBINSON

and

SARAH ANN ROBINSON

FINAL JUDGMENT OF SIMPLIFIED DISSOLUTION OF MARRIAGE

This cause came before this Court for a hearing on the parties' Petition for Simplified Dissolution of Marriage. The Court, having reviewed the file and heard the testimony, makes these findings of fact and reaches these conclusions of law:

1. The Court has jurisdiction over the subject matter and the parties.

2. At least one party has been a resident of the State of Florida for more than 6 months immediately before filing the Petition for Simplified Dissolution of Marriage.

3. The parties have no minor or dependent children in common, and the wife is not pregnant.

4. The marriage between the parties is irretrievably broken. Therefore, the marriage between the parties is dissolved, and the parties are restored to the status of being single.

5. Marital Settlement Agreement.
[✓ **one** only]
✓ a. The parties have voluntarily entered into a Marital Settlement Agreement and each ____has or ✓ has not filed a financial affidavit. Therefore, the Marital Settlement Agreement is filed as "Exhibit A" in this case and is ratified and made a part of this final judgment. The parties are ordered to obey all of its provisions.
_____ b. There is no marital property or marital debts to divide, as the parties previously have divided all of their personal property. Therefore, each is awarded the personal property he or she presently has in his or her possession. Each party shall be responsible for any debts in his or her own name.

6. ( ) yes (✓) no The wife's former name of *{full legal name}* _____ is restored.

7. The Court reserves jurisdiction to enforce the marital settlement agreement.

ORDERED on March 4, 2024

/s/ David E. Stamey, Jr.
ACTING CIRCUIT JUDGE

COPIES TO:
~~Petitioner and Respondent~~ (or his or her attorney)

RECEIVED
MAR 04 2024
BY: .....

STATE OF FLORIDA, COUNTY OF POLK
This is to certify that the foregoing is a true and correct copy of the document now of record in this office. Witness my hand and Official Seal on 3/4/24
This copy has been reviewed, and if required by law, redacted.
STACY M. BUTTERFIELD, CLERK CIRCUIT COURT
By R. Chapman D.C.

53-2024DR-001235-0000-WH
Section:

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT,
IN AND FOR _____ COUNTY, FLORIDA

Case No.: _____
Division: _____

In re: the Marriage of:

Hercules Lee Robinson,
Petitioner,

and

Sarah Ann Robinson,
Respondent.

MARITAL SETTLEMENT AGREEMENT FOR SIMPLIFIED DISSOLUTION OF MARRIAGE

We, *{Petitioner's full legal name}* Hercules Lee Robinson, and *{Respondent's full legal name}* Sarah Ann Robinson, being sworn, certify that the following statements are true:

1. We were married to each other on *{date}* 9-8-1990.

2. Because of irreconcilable differences in our marriage (no chance of staying together), we have made this agreement to settle once and for all what we owe to each other and what we can expect to receive from each other. Each of us states that nothing has been held back, that we have honestly included everything we could think of in listing our assets (everything we own and that is owed to us) and our debts (everything we owe), and that we believe the other has been open and honest in writing this agreement.

3. Each of us agrees to execute and exchange any documents that might be needed to complete this agreement, including deeds, title certificates, etc.

SECTION I. MARITAL ASSETS AND LIABILITIES

A. Division of Assets. We divide our assets (everything we own and that is owed to us) as follows: Any personal item(s) not listed below is the property of the party currently in possession of the item(s).
1. Petitioner shall receive as his/her own and Respondent shall have no further rights or responsibilities regarding these assets:

"Exhibit A"

ASSETS: DESCRIPTION OF ITEM(S) PETITIONER SHALL RECEIVE To avoid confusion at a later date, describe each item as clearly as possible. LIST ONLY THE LAST FOUR DIGITS OF ACCOUNT NUMBERS! Where applicable, include whether the name on any title/deed/account described below is in one spouse's name, or in both spouses' names.	Current Fair Market Value
Cash (on hand)	$ 0
Cash (in banks/credit unions)	2,012
Stocks/Bonds	0
Notes (money owed to you in writing)	0
Money owed to you (not evidenced by a note)	0
Real estate: (Home)	31,515
(Other)	
Business interests	0
Automobiles	0
Boats	0
Other vehicles	
Retirement plans (Profit Sharing, Pension, IRA, 401(k)s, etc.)	0
Furniture & furnishings in home	1,000
Furniture & furnishings elsewhere	0
Collectibles	0
Jewelry	0

Life insurance (cash surrender value)	9,100
Sporting and entertainment (T.V., stereo, etc.) equipment	500
Other assets	
Total Assets to Petitioner	$44,127

2. Respondent shall receive as his/her own and Petitioner shall have no further rights or responsibilities regarding these assets:

SECTION II. SPOUSAL SUPPORT (ALIMONY) Each of us forever gives up any right to spousal support (alimony) that we may have.

SECTION III. OTHER

_____

_____

_____

_____

I certify that I have been open and honest in entering into this settlement agreement. I am satisfied with this agreement and intend to be bound by it.

Dated: Feb 8. 2024

_____
Signature of Petitioner
Printed Name: Hercules Lee Robinson
Address: 426 Kokomo Rd NE
City, State, Zip: Haines City, Fl NE
Telephone Number: 863-439-2726
Fax Number: _____
E-mail Address(es): NA

STATE OF FLORIDA
COUNTY OF

Sworn to or affirmed and signed before me on 2/9/2024 by Hercules L Robinson

ASHLYNN BELCHER
Notary Public - State of Florida
Commission # HH 319191
My Comm. Expires Oct 5, 2026

_____
NOTARY PUBLIC or DEPUTY CLERK
Ashlynn Belcher
{Print, type, or stamp commissioned name of notary or clerk.}

_____ Personally known
✓ Produced identification
Type of identification produced Drivers Licenses

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:
[fill in all blanks]
This form was prepared for the Petitioner.
This form was completed with the assistance of:
{name of individual} Ashlynn Belcher
{name of business} MidFlorida CU
{address} 35849 US Hwy 27
{city} Haines City, *{state}* FL, *{zip code}* 33844, *{telephone number}* 863-422-0607

I certify that I have been open and honest in entering into this settlement agreement. I am satisfied with this agreement and intend to be bound by it.

Dated: Feb 8, 2024

Sarah Ann Robinson
Signature of Respondent
Printed Name: Sarah Ann Robinson
Address: 605 Tangerine Dr
City, State, Zip: Haines City Fla. 33844
Telephone Number: 863-216-4298
Fax Number: _____
E-mail Address(es): sarah61robinson@gmail.com

STATE OF FLORIDA
COUNTY OF

Sworn to or affirmed and signed before me on 2/9/2024 by Sarah A Robinson

Ashlynn Belcher
NOTARY PUBLIC or DEPUTY CLERK

ASHLYNN BELCHER
Notary Public - State of Florida
Commission # HH 319191
My Comm. Expires Oct 5, 2026

Ashlynn Belcher
{Print, type, or stamp commissioned name of notary or clerk.}

_____ Personally known
✓ Produced identification
Type of identification produced Drivers Licenses

IF A NONLAWYER HELPED YOU FILL OUT THIS FORM, HE/SHE MUST FILL IN THE BLANKS BELOW:
[fill in all blanks]
This form was prepared for the Respondent.
This form was completed with the assistance of:
{name of individual} Ashlynn Belcher
{name of business} Midflorida CU
{address} 35849 US Hwy 27
{city} Haines City, *{state}* FL, *{zip code}* 33844, *{telephone number}* 863-422-0607

CERTIFICATION ON LAST PAGE
STACY M. BUTTERFIELD, CLERK

Polk County

Board of County Commissioners

Agenda Item R.11. 11/4/2025

SUBJECT

Approve First Amendment to a Tri-Party Agreement for State Housing Initiatives Program (SHIP) Funding for Grove Manor II Apartments, Lake Wales. (No fiscal impact)

DESCRIPTION

On September 16, 2025, the Board approved a Tri-Party Agreement (the “Agreement”) with Grove Manor Phase II, LLC ("Developer"), and Neighborhood Lending Partners of Florida, Inc. ("NLP") for the County to provide the Developer SHIP funds for use in developing affordable rental housing for low-income populations at its Grove Manor II Apartment project (“Project”). On October 7, 2025, the Board ratified and approved the correction of a scrivener's error regarding the agreed amount of a subordinate project loan from the Lake Wales Housing Authority ("LWHA"), and the inclusion of Exhibit A, a legal description of the real property where Grove Manor II will be constructed, and Exhibit B, a list of laws and regulations pertaining to the services which NLP will perform for the County.

After all parties had executed the Agreement, the Developer realized the Agreement did not correctly state the priority of the liens which secure the various loans it obtained to finance the Project. Specifically, the Agreement provided the County’s SHIP funding lien as a second mortgage on the Developer’s leasehold interest in the Property, and the LWHA’s Capital Lease Payment Loan as a third mortgage, when the lien priorities should have been LWHA Capital Lease Payment lien second, and County SHIP lien third. Additionally, the LWHA Capital Lease Payment loan was not correctly described in the Agreement. Further, the following Agreement sections: Article V, Section 2.1 C., Article VII, Section 1.4, and Article XI, Section 1.5, all inadvertently depicted minor amounts of agreed strike-through text which has been requested to be removed to prevent any future confusion about the parties’ intent.

As the Developer must correct the errors to obtain its Project financing, it has requested the County and NLP execute the attached First Amendment which restates the Agreement sections that: (i) describe the LWHA Capital Lease Payment loan, (ii) address the County and LWHA Capital Lease Payment lien priorities, and (iii) contain any strike-through text depicted in the referenced Agreement sections.

RECOMMENDATION

Request the Board approve the First Amendment to a Tri-Party Agreement for State Housing Initiatives Program (SHIP) Funding for Grove Manor II Apartments, Lake Wales.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Jennifer Cooper
Housing & Neighborhood Dev. Manager
(863) 534-5209
jennifercooper@Polk-County.net

FIRST AMENDMENT TO A MULTIFAMILY RENTAL DEVELOPMENT AFFORDABLE HOUSING DEVELOPER AGREEMENT AMONG POLK COUNTY, GROVE MANOR PHASE II. LLC, AND NEIGHBORHOOD LENDING PARTNERS OF FLORIDA, INC.

THIS FIRST AMENDMENT (the "Amendment") to a Multifamily Rental Development Affordable Housing Developer Agreement (the "Agreement") by and among Polk County, a political subdivision of the State of Florida, (the "County"), Grove Manor Phase II, LLC (the "Developer"), a Florida limited liability company, and Neighborhood Lending Partners of Florida, Inc., a Florida not-for-profit corporation ("NLP"), is made as of the Agreement Effective Date;

WHEREAS, the Parties entered the Agreement for the County to provide the Developer a Project Loan with NLP providing supporting Services to the County; and

WHEREAS, the Parties subsequently identified certain mistakes stated within the Agreement pertaining to the Project financing and loan payments; and

WHEREAS, the Parties desire to correct the Agreement mistakes;

NOW, THEREFORE, in consideration of the mutual covenants and conditions stated herein, the parties agree, as follows:

1. The recitals stated above are true, correct, and incorporated herein as a material part of this amendment.

2. Article IV, Section 1.1 A. of the Agreement is amended and restated in its entirety, as follows:

> 1.1 A. Provide all the services and loan documentation including recording the loan documents necessary to facilitate and accomplish the loan closings for the Project Loan to include construction loan closing, permanent loan closing, disbursement of the Project Loan proceeds, and loan servicing. NLP shall also provide all services and documentation necessary to facilitate the disbursement of the Project Loan which will be evidenced by a subordinate promissory note and secured by a subordinate mortgage lien against Developer's leasehold interest in the Property executed and delivered by the Developer to NLP as the servicing agent for the County. Such mortgage and promissory note shall be subordinate in all respects to the Developer's first mortgage financing for the acquisition and construction of the Project and to the permanent First Mortgage, and to a second mortgage the Developer grants to the LWHA in the approximate amount of $585,000.00 securing a capital lease payment. In addition, the Developer intends to obtain a subordinate loan from the LWHA in the approximate amount of $1,000,000.00 which will be secured by a fourth priority leasehold mortgage.

3. Article V, Section 2.1 C. of the Agreement is amended and restated in its entirety, as follows:

> 2.1 C. Loan Servicing Fee: As compensation for servicing the Project Loan, NLP shall be entitled to annually receive a fee of 75 basis points on the Project Loan balance (the "Servicing Fee"), which fee shall be paid out of the annual interest payments NLP collects on the Project Loan. This fee shall be $11,250.00 collected once a year.

4. Article VII, Section 1.3 of the Agreement is amended and restated in its entirety, as follows:

> 1.3 The County shall advance Project Loan funds allocated herein to NLP in accordance with SHIP funding requirements. NLP will disburse the Project Loan for County SHIP funds to the Developer and will disburse Project Loan funds in one or more advances subject to the Developer's project reimbursement request approved by NLP, and subject to the terms and conditions set forth herein and in the applicable loan documents to the Developer at the closing of the Project Loan pursuant to each request for project invoice reimbursement. The Developer may not request disbursement of Project Loan funds until the needed reimbursement requests are submitted for eligible costs. The amount of each loan reimbursement request shall be limited to the amount needed to pay such eligible costs. The Project Loan shall be evidenced by a promissory note(s) and secured by a third priority leasehold mortgage(s) and other loan documents, and the Project Loan shall be subject to the terms and conditions of an agreement ("Subordination Agreement") which subordinates the lien(s) securing the Project Loan to the lien(s) securing the First Mortgage loan. The Developer shall agree to the documents evidencing the Project Loan and expressly agrees to comply with and perform all of the terms and conditions of this Agreement, the note(s), the mortgage(s), the restrictive covenants contained in the Extended Use Agreement, and the other loan documents related thereto described below.

5. The final sentence of Article VII, Section 1.4 of the Agreement is amended and restated in its entirety, as follows:

> To the extent there is insufficient Cash Flow in any year for Developer to pay all or any portion of the loan payment(s), the amount of the loan payments made shall be deferred and shall accrue, without interest, and will be payable at the thirtieth (30^{th}) anniversary date of the promissory note evidencing the Project Loan.

6. The first sentence of Article XI, Section 1.5 is amended and restated in its entirety, as follows:

> 1.5 All of the SHIP Set-Aside Units in the Project shall be affordable for no less than a minimum of thirty (30) years from the date of Certificate of Completion or Certificate of Occupancy for the Project issued by the County.

7. All other items and conditions of the Agreement remain the same, and in force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment as of the Agreement Effective Date.

ATTEST
STACY M. BUTTERFIELD, CLERK

_____
Deputy Clerk

POLK COUNTY, a political subdivision of the State of Florida

_____
_____, Chair
Board of County Commissioners

Reviewed as to form and legal sufficiency:

_____
County Attorney's Office

ATTEST

_____

_____
Print Name

_____
Title

Grove Manor Phase II, LLC,
a Florida limited liability company

By: SHAG Grove Manor Phase II, LLC, a Florida limited liability company, its Manager

By: _____
Darren Smith, Manager

ATTEST

_____

_____
Print Name

_____
Title

Neighborhood Lending Partners of Florida, Inc., a Florida not-for-profit corporation

By: _____
Name: _____
Title: _____

Agenda Item R.12. 11/4/2025

SUBJECT

Approve Corporate Client Agreement with FEDlogic, LLC to provide comprehensive federal and state benefits navigation services for Board of County Commissioners and Constitutional office employees and their families. (December 1, 2025 - November 30, 2026; $203,700 annual cost)

DESCRIPTION

As part of the Polk County Employee Health Plan's commitment to providing comprehensive benefits support and cost management, the County has identified an opportunity to enhance employee benefits knowledge while achieving anticipated significant cost savings through federal benefits advocacy.

FEDlogic, LLC is a specialized consulting firm that provides expert navigation services for all federal and state benefit programs including Social Security Disability, Medicare, Medicaid, COBRA, and other federal entitlements. FEDlogic's team consists of highly trained former Social Security Administration professionals who provide unlimited, confidential consultations to help employees and their families understand and maximize their federal and state benefits. This service addresses a critical gap where individuals often struggle to navigate complex federal programs on their own, frequently missing opportunities for better coverage or cost savings.

The service is particularly valuable for employees approaching retirement age, those with disabilities, employees with high medical claims, and families facing financial hardship. Services are available for up to 4,850 benefit-eligible employees, part-time employees, and their families and dependents. When appropriate, FEDlogic's education may help individuals identify federal programs for which they are eligible. Employees who voluntarily transition to alternative coverage can significantly reduce costs to the County Employee Health Plan.

Annual cost to the County is $203,700 for the contract term of December 1, 2025 through November 30, 2026. This investment is projected to generate substantial cost savings to the employee health plan through reduced claims costs and administrative efficiencies. FEDlogic provides a performance guarantee ensuring a minimum 1:1 return on investment.

RECOMMENDATION

Request Board approval to execute a Corporate Client Agreement with FEDlogic, LLC for federal and state benefits advocacy services for Polk County employees and their family members for an annual cost of $203,700.

FISCAL IMPACT

Funds are budgeted and available in the Employee Health Insurance Fund.

CONTACT INFORMATION

Mark Thomas, Risk Management Director - 534-5265



Corporate Client Agreement

This Corporate Client Agreement (the "Agreement") is made this day of _____ by and between, Polk County, a political subdivision of the State of Florida, a _____ (the "Client"), and FEDlogic, LLC, a Delaware limited liability company (the "Consulting Firm" or "FEDlogic") (collectively, the "Parties").

INTRODUCTION

The Consulting Firm was formulated to provide significant education to employees, their families, and their dependents, in order to help them better understand and maximize their benefits under all federal and state benefit programs. The Consulting Firm employs highly trained and experienced former federal and state benefits professionals to educate its customers.

The Social Security Administration (SSA) is not under any known directive to ensure that individuals, nor their families, are maximizing their Social Security Benefits. Instead, Social Security laws and regulations are publicly available, with the expectation that individuals can and will read highly complex and cumbersome federal laws and navigate through available benefits on their own. Individuals and their families are frequently left unaware, confused, uneducated, or simply overwhelmed as to the entitlements they may be eligible for. This is where FEDlogic's team of highly experienced, well trained, and dedicated experts can help.

In its experience, FEDlogic's services consistently result in individuals, their families, and/or their dependents voluntarily electing to transition away from their employer's current insurance coverage and to instead utilize their federal and state benefits, resulting in significant annual savings to the employer.

The Consulting Firm desires to provide such education, advice, and assistance (the "Services") to the Client, its employees, their families, and their dependents, under the terms and conditions of this Agreement;

NOW, THEREFORE, the Client and the Consulting Firm hereby agree as follows:

(a) This Agreement shall last for a period of one (1) year, beginning December 1, 2025 and ending on November 30, 2026 (the "Term"). During the Term, the Consulting Firm shall provide unlimited Services to up to 4,850 benefit-eligible employees and part-time employees along with their families and their dependents. In exchange for its Services, Client shall pay to the Consulting Firm $203,700 (the "Contract Amount"). The Contract Amount shall be deemed fully earned on the first day of the Term. Payment terms shall be Net 30. A five percent (5%) late fee shall be applied for each month an invoice is outstanding. There shall be a seven (7) day grace period before late fee(s) are applied. Notwithstanding the foregoing, Client shall be allowed additional remittance time as allowed by Florida statutes governing payments for counties.

(b) This Agreement shall automatically renew each year for an additional one (1) year Term; provided, however, either the Client or Consulting Firm may terminate this Agreement upon sixty (60) days written notice prior to the expiration of the Term, or any renewal Term thereto. Future contracts are not guaranteed nor are the rates. Any changes to renewal rates and Service agreements will be circulated to the Client at least thirty (30) days before they become effective. In the event of a rate change, the Client will have until the later of 15 days following notice of such rate change, or sixty (60) days prior

to an autorenewal as provided herein.

(c) Pursuant to FEDlogic's standard performance guarantee, a copy of which is attached as Exhibit A hereto and incorporated herein by reference, Consulting Firm shall guarantee an ROI of at least 1:1 ("Performance Guarantee"). Please refer to the attached Performance Guarantee for more details.

(d) The Parties expressly acknowledge that FEDlogic will not persuade, convince, incentivize, nor push an individual to leave the Client's group health plan. FEDlogic will solely provide education and advocacy to all employees regarding all available federal and state benefits, including many benefits that are not tied to health coverage or the Client's group health plan. Client understands that incentivizing, convincing, or persuading any employee to leave the Client's group health plan violates federal, and in some instances state, law.

(e) Upon the request of Client, Consulting Firm may be available for onsite or virtual assistance at benefits fairs, open enrollment fairs, or similar events. In the event the Client wishes to have a FEDlogic representative onsite or available virtually, Client shall request such appearance from FEDlogic at least 60 days prior to the event. Though participation cannot be guaranteed, Consulting Firm will use its best efforts to make a representative available accordingly. In the event travel is required for participation, Client shall reimburse Consulting Firm for all actual expenses incurred, including, but not limited to, airfare, rental car/taxi fees, and hotel accommodations. The representative's time shall be included in the Contract Amount.

(f) In order to utilize the Services, Employees will typically do one of the following: (1) Call Consulting Firm at 877-837-4196 to either speak with an expert or schedule a call at a time convenient to them; (2) Email FEDlogic at services@fedlogicgroup.com to schedule an appointment; or (3) Submit a request at https://support.fedlogicgroup.com/hc/en-us/requests/new. If an employee is unable to reach an expert during normal business hours, Consulting Firm will use its best efforts to offer an appointment within 3 business days.

(g) The Client shall provide the Consulting Firm with an up-to-date list of its employees for verification of authorized users. FEDlogic strictly prohibits the sharing of the Services outside of the Client's employees, their families, and their dependents. If the Consulting Firm reasonably determines that Client has willfully engaged in the practice of granting access to unauthorized users, the Consulting Firm may terminate this Agreement, with no refund being provided to the Client.

(h) The Client may terminate this Agreement by giving 30 days written notice to the Consulting Firm. However, the Contract Amount shall be treated as fully earned and shall be non-refundable to the Client.

(i) The Client may not assign its rights under this Agreement to any third party. Any attempt to assign this Agreement shall result in the immediate termination of this Agreement without any refund to the Client.

(j) It is understood that the advice provided by the Consulting Firm is derived from personal knowledge and expertise in the field of Social Security and under no circumstances shall the Consulting Firm liable for actions performed by the Client or the employee after the advice has been rendered. Further, the Client agrees and acknowledges, and will convey to its employees, that the Consulting Firm is not a certified public accountant ("CPA") and does not provide financial or tax advice. If Client and/or its employees want such advice, it should seek the advice of a CPA. The advice given from Consulting Firm is derived from Social Security Laws and policies but has no bearing in any legal proceedings public or private where the Client or any Government Entity has active roles.

(k) To that end, Client, or its employees, as applicable, shall provide Consulting Firm, with accurate and sufficient information for it to review the subject matter thereof, and shall promptly provide further

information that the Consulting Firm reasonably deems relevant to forming any pertinent conclusions relevant to the matter for discussion. It is expressly understood that the Consulting Firm's role is to provide independent advice and information. The Consulting Firm shall have no liability for any advice given based on erroneous information.

(l) The parties acknowledge that in connection with Consulting Firm's Services, the Client may disclose to Consulting Firm confidential and proprietary information. Such information may take the form of, for example: data concerning financials of clients, names, dates, marriages, family health history, etc. Notwithstanding the above, the Client acknowledges and agrees that such information will not be considered confidential information for purposes of this Agreement, unless the information is disclosed to the Consulting Firm by the Client in writing and is clearly marked as confidential.

(m) Public Records Law. If the Consulting Firm or FEDlogic meets the definition of "Contractor" in Section 119.0701(1)(a), Florida Statutes [i.e., an individual, partnership, corporation, or business entity that enters into a contract for services with a public agency and is acting on behalf of the public agency], then the following requirements apply: (a) The Contractor acknowledges the County's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Agreement. The Contractor further acknowledges that the constitutional and statutory provisions control over the terms of this Agreement. In association with its performance pursuant to this Agreement, the Contractor shall not release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws. (b) Without in any manner limiting the generality of the foregoing, to the extent applicable, the Contractor acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall:

(1) keep and maintain public records required by the County to perform the services required under this Agreement;

(2) upon request from the County's Custodian of Public Records or his/her designee, provide the County with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

(3) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of this Agreement if the Contractor does not transfer the records to the County; and

(4) upon completion of this Agreement, transfer, at no cost, to the County all public records in possession of the Contractor or keep and maintain public records required by the County to perform the service. If the Contractor transfers all public records to the County upon completion of this Agreement, the Contractor shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Contractor keeps and maintains public records upon completion of this Agreement, the Contractor shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the County, upon request from the County's Custodian of Public Records, in a format that is compatible with the information technology systems of the County.

IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:

RECORDS MANAGEMENT LIASON OFFICER

POLK COUNTY

330 WEST CHURCH ST.

BARTOW, FL 33830

TELEPHONE: (863) 534-7527

EMAIL: RMLO@POLK-COUNTY.NET

(n) Client and Consulting Firm agrees to indemnify, defend, and hold harmless the one another, and its officers, directors, employees, agents, licensees, and assigns from and against any and all claims, liabilities, damages, costs, and expenses, including reasonable attorneys' fees and expenses incurred in connection with any claim arising out of (i) a breach or alleged breach of any warranty, representation, or obligation hereunder and/or (ii) the negligence, intentional acts or willful misconduct, of the other.

(o) In consideration of the risks to the Consulting Firm in rendering professional Services in connection with advising Client under the Agreement, the Client agrees to make no claim and hereby waives, to the fullest extent permitted by law, any claim or cause of action of any nature against the Consulting Firm, which may arise out of or in connection with the services performed by Consulting Firm under this Agreement.

(p) To protect Consulting Firm and ensure uninterrupted service, the Client agrees not to solicit, hire, or engage any current or former employees of Consulting Firm for a period of two (2) years following the termination or completion of this Agreement. This includes direct or indirect offers of employment or engagement, whether as an employee, contractor, or consultant. In the event of a breach of this provision, the Client agrees to pay Consulting Firm a liquidated damages fee equivalent to four (4) times the employee's annual salary at the time of termination. This fee is intended to compensate Consulting Firm for recruitment, training, and business disruption costs. Additional legal remedies may be pursued as applicable.

(q) FEDlogic is not licensed to sell insurance or give financial or legal advice. FEDlogic is an educational company with the sole purpose of providing help and navigation on maximizing Social Security and Medicare benefits.

(r) IN NO EVENT SHALL FEDLOGIC BE LIABLE TO CLIENT OR ITS EMPLOYEES FOR ANY SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES OF ANY KIND, EVEN IF INFORMED IN ADVANCE OF THE POSSIBILITY OF SUCH DAMAGES. Notwithstanding any provision hereof seemingly to the contrary, in no event shall FEDlogic's total liability under this Agreement exceed the total amount of the fees paid by Client to FEDlogic hereunder.

(s) This Agreement contains the entire agreement and understanding of the parties hereto with respect to the subject matter hereof, and merges and supersedes all prior agreements, discussions and writings with respect thereto.

(t) Any dispute, claim, or controversy arising out of or relating to this Agreement, including the breach, termination, enforcement, interpretation, or validity thereof, shall be resolved exclusively through binding arbitration administered by the American Arbitration Association (AAA) under its Commercial Arbitration Rules. The arbitration shall be conducted before a single arbitrator, selected in accordance with the AAA rules, and held in Winston-Salem, North Carolina. The decision of the arbitrator shall be

final, binding, and enforceable in any court of competent jurisdiction. Each party shall bear its own costs of arbitration, except that the prevailing party may be awarded reasonable attorneys' fees and costs at the arbitrator's discretion. Notwithstanding the foregoing, either party may seek injunctive or equitable relief in a court of competent jurisdiction as necessary to protect its rights or property pending completion of arbitration. By agreeing to this clause, the parties expressly waive their rights to a trial by jury or to participate in any class or collective action.

(u) This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement. In the event that any of the provisions of this Agreement shall be held by a court or other tribunal of competent jurisdiction to be unenforceable, the remaining portions of this Agreement shall remain in full force and effect, provided that in such event the Parties agree to negotiate in good faith substitute enforceable provisions which most nearly effect the Parties' intent in entering into this Agreement.

(v) Nothing contained herein shall be construed as creating any agency, partnership, joint venture or other form of joint enterprise between the parties. However, Consulting Firm greatly values its relationship with Client and may feature Client in its newsletter, LinkedIn page, and other external materials.

(w) All notices, requests, consents, claims, demands, waivers and other communications hereunder ("Notice(s)") shall be in writing and addressed to each party at the addresses set forth below (or to such other address that may be designated by the receiving party from time to time in accordance with this section). All Notices shall be delivered by personal delivery, nationally recognized overnight courier (with all fees pre-paid), e-mail of a PDF document (with confirmation of transmission) or certified mail (return receipt requested, postage prepaid). All e-mail notices shall be promptly followed by personal physical delivery within 24 hours following the email notice to be effective and you must make sure the blanks for addresses are fully completed.

IF TO CLIENT	IF TO CONSULTING FIRM
Polk County,	
a political subdivision of the State of Florida _____ _____	FEDlogic, LLC 210 South Cherry St., Suite 100 Winston-Salem, NC 27101

IN WITNESS WHEREOF, the Parties have executed this Agreement on the dates shown below.

FEDlogic, LLC ("CONSULTING FIRM")

Signature:

Printed Name:

Title:

Date:

Polk County, a political subdivision of the State of Florida ("CLIENT")

Signature:

Printed Name:

Title:

Date:

Exhibit A
Performance Guarantee

Client acknowledges and agrees that Consulting Firm offers impartial and comprehensive education and advocacy regarding federal and state benefits that are available. The Services extend to all employees, their child dependents, and household members, regardless of age, race, gender, medical condition, geographical location, or other criteria. Client further acknowledges that the Contract Amount is a fixed fee and is not dependent on financial outcomes.

Consulting Firm and Client acknowledge that the transition of an employee or dependent from the Client's employer group health plan results in financial savings. Consulting Firm does not have access to claims information and does not project medical or Rx spend. To gain a deeper understanding of medical and prescription drug costs across the United States, FEDlogic has employed the services of a third-party actuarial firm. The actuarial analysis reveals that an average savings of $26,400 per transition occurs when an individual moves away from an employer group health plan, or in the case of an "opt-out" has the employer group health plan available and elects other coverage. A complete copy of the above-referenced actuarial analysis is available upon request or may be downloaded from FEDlogic's website.

A transition is defined as an individual currently on the Client's employer group health plan who voluntarily elects to leave the employer group health plan, during or after consultation with a FEDlogic expert. Similarly, an opt-out is defined as an individual that has access to the Client's employer group health plan who voluntarily elects to refrain from enrolling in the employer group health plan, during or after consultation with a FEDlogic expert.

FEDlogic offers a performance guarantee that aims to ensure that Client realizes a minimum 1:1 return on investment (ROI) by saving more than FEDlogic's fee during the first year. In calculating the ROI, FEDlogic employs an average savings of $26,400 per transition. For instance, assuming a fee of $50,000 in the first year, the presumption is that 2 transitions will meet the minimum ROI since 2 transitions at $26,400 per transition would result in an expected savings of $52,800. In the event that FEDlogic's cost in the Initial Term the estimated savings using the above formula, Consulting Firm will continue providing Services at no cost to the Client until the earlier of 24 months following the end of the Initial Term or at such as the Client has a achieved a 1:1 ROI. Once the Client has achieved an ROI of at least 1:1, Client will have 30 days (at no additional cost) to determine whether they would like to renew or discontinue Services.

In order to qualify for the performance guarantee, Client agrees to reasonably work with FEDlogic to facilitate engagement. At a minimum, in order to qualify for the performance guarantee, the client must do each of the following: (1) return all implementation and kickoff forms to FEDlogic's client services team, fully and accurately completed, within a close proximity to implementation; (2) for Clients with an FTE count above 4,000, appoint an executive sponsor that was involved in the contract and approval process that will be available twice annually to discuss performance and key metrics; (3) send at least one digital communication to its employees semi-annually regarding FEDlogic (draft communication may be provided by your client services representative); (4) to include FEDlogic's materials in generic informational packages such as new hire packets, COBRA packets, and retiree packets (as applicable); and (5) to include Consulting Firm's materials in benefit guides and benefit portals.

Consulting Firm recognizes that the aforementioned formula represents an average and, as such, is not applicable to individual transitions. It is expected that some transitions will result in projected savings significantly lower or higher than $26,400. In the event that Client perceives that the minimum return on investment (ROI) has not been achieved, they may undertake a comprehensive analysis utilizing the following framework. Each transition or opt out shall be assigned a projected medical and prescription spend that would reasonably have been incurred if the individual had remained or enrolled in the Client's employer group health plan. This projection will take into account prior medical treatment and diagnosis, billing codes, geographic location, inpatient stays in the last six (6) months, and present infusion therapy, and will be calculated based on the expected spend for the 12-month period following the transition date. At Client's discretion, the total projected savings from all transitions and opt outs can be used to determine whether the ROI threshold has been met. FEDlogic will review all materials submitted by Client that detail the projected ROI and–if the analysis is deemed to be adequately supported and consistent with actuarial standards–will continue providing Services at no cost under the terms of

this Performance Guarantee. Upon receipt of Client's materials, FEDlogic will provide a response and determination within thirty (30) days. During this period, Client will have the option to continue Service during this time or pause Services. If Services are continued, Client shall continue to pay, under the terms of the Agreement, for the duration of the process. If a determination is made that the Client has not in fact met ROI, the Client will then receive Services at no cost under the terms of this Guarantee until they have received an ROI of at least 1:1, incorporating the additional fees.

Lastly, if the Client disagrees with the Consulting Firm's decision after submitting an adequately supported analysis, the Parties agree to submit the dispute to binding arbitration in accordance with the Agreement.

FEDlogic

Cost Containment

THROUGH FEDERAL & STATE BENEFIT NAVIGATION

How navigating Social Security and public healthcare options can reduce employer risk and lower healthcare expenses for employers and employees

THE NEED

alternative avenues with comprehensive coverage at lower costs



DISABLED BEFORE RETIREMENT

According to SSA, 1 in 4 employees will become disabled before reaching retirement age. Employees and their dependents can account for high healthcare claims which may otherwise be covered by disability.



RETIREMENT AGE, BUT WORKING

At least 20% of employees age 65 and older may be unaware that they can continue to work but elect Medicare as their primary insurance. Medicare and Social Security Retirement education is key.



HIGH-COST CLAIMS

High-cost claims are rising faster than standard medical inflation; large claims are increasing 12-14% per year for events such as ESRD, ALS, cancer, and Medicare-age claims.

FEDlogic

SOURCES

Social Security Administration Publication No. 05-10029 (2021) ssa.gov

"'I'll Never Retire': Americans Break Record for Working Past 65" (2016) Bloomberg.c

IMPACT *our performance guarantee*

FEDlogic

For over a decade, FEDlogic has provided unbiased expert support to families facing complex health insurance situations, including terminal illness, premature births, disability, and COBRA. By educating families on available federal and state benefit programs, one-third of the families we've helped transition to more cost-effective healthcare options, resulting in significant savings for families and self-insured employers.

On average, we achieve a return on investment (ROI) of 7:1 (ranging from 2:1 to 13:1) and guarantee a 1:1 ROI in the first year.

An independent actuarial analysis has shown that an employer can conservatively estimate savings of $26,400 for each transition from the group health plan. It is important to note that high-cost claims drive significant costs for employers, with actual savings per transition for these claims being substantially higher.

Scan to view full independent actuarial report

NAVIGATION
beyond Medicare

Medicare for individuals 65+ accounted for less than 10% of FEDlogic's total financial impact in 2023.

Health issues significantly drive costs for both employers and employees. Whether it's dealing with a terminal illness, premature birth, disability, COBRA, or other complex scenarios,

we are here to help.

Medicare	Medicaid	Social Security Disability
Premature Baby Birth	ESRD (Dialysis)	ALS (Lou Gehrig's Disease)
Healthcare.gov	COBRA	Social Security Retirement
Terminal Illness	Cancer	SSI (Supplemental Security Income)
State Specific Benefits	Alternative Healthcare Options	Survivors Benefits (Widow & Child)
Veteran's Benefits	Tribal Benefits	Catastrophic Claims

FEDlogic

MITIGATING *high cost claims*

FEDlogic

THE CHART INDICATES THE SIGNIFICANT COST DRIVERS FOR BOTH EMPLOYERS AND EMPLOYEES

HEALTH CONDITION	AVERAGE ANNUAL COST
LEVEL 4 PREMATURE BABY BIRTH	$378,504
LOU GEHRIG'S DISEASE (ALS)	$1,514,296
DIALYSIS *NOT INCLUDING TRANSPLANT	$84,480
STAGE 4 CANCER	$275,245
CATASTROPHIC CLAIM	$180,814
65+ YEAR OLD *NO SIGNIFICANT UNDERLYING MEDICAL CONDITIONS	$15,252

EXPERTS
ready to help



A TEAM OF EXPERTS

All FEDlogic experts have held technical and leadership roles with the Social Security Administration. We understand policies from the inside-out and provide unparalleled practical guidance and insight.

UNLIMITED, CONFIDENTIAL & FREE

Our phone-based consultations are unlimited, confidential and free to an employee and their household members. Consultations are scheduled at the convenience of the employee. An expert is available through the entire process, and the employee has unlimited access to our services.

NOTHING TO SELL

Employees can trust us. We don't sell, endorse or promote any products or services; our goal is to provide unbiased education to support families in navigating their benefit options.

PRICING *flat fee structure*

FEDlogic

10+ years
in operation

3+ million
individuals nationwide who have access to services

97.1%
client renewal rate

33.1% transition rate
employees find alternative healthcare avenues

service guarantee
1:1 ROI in year 1

beyond medicare
*the only solution provider for **all** federal & state benefits*

$3.50 flat fee
per full-time employee /per month

coverage for all
spouses, children, and part-time employees are included

FEDlogic has a 100% renewal rate for employers that are in a captive.

SUPPORT *year-round engagement*

FEDlogic

MARKETING

Customized, cobranded digital flyers.

Cobranded letter & flyer mailed to all FTE year-one and at renewal for new hires.

Postcard mailed to FTE over age 60 (at month 5)

Access to Private FEDlogic Recorded Series.

PRIVATE SEMINARS

Access to monthly live virtual seminars. Learn about FAQ's and popular benefit topics.

A private virtual seminar dedicated to your company only. Allows for additional Q&A to follow.

DEDICATED LIAISON

Onsite engagement visits per request.*

Robust Client Services Team

Customized monthly reporting on egagement.

*Onsite engagement may be subject to availability and may incur an additional cost for out of pocket travel expenses.

INDEPTH REPORTING

easily track engagement and savings

FEDlogic

FEDlogic Utilization Report

Consultation Date Bookmarks

- This Year (YTD)
- Last 365 Days (Rolling)
- This Month
- Last Week
- All History

Reset

Consultation Date

Currently viewing: 1/1/2023 — 12/31/2023

Broker Company

Captive Name / Parent Umbrella

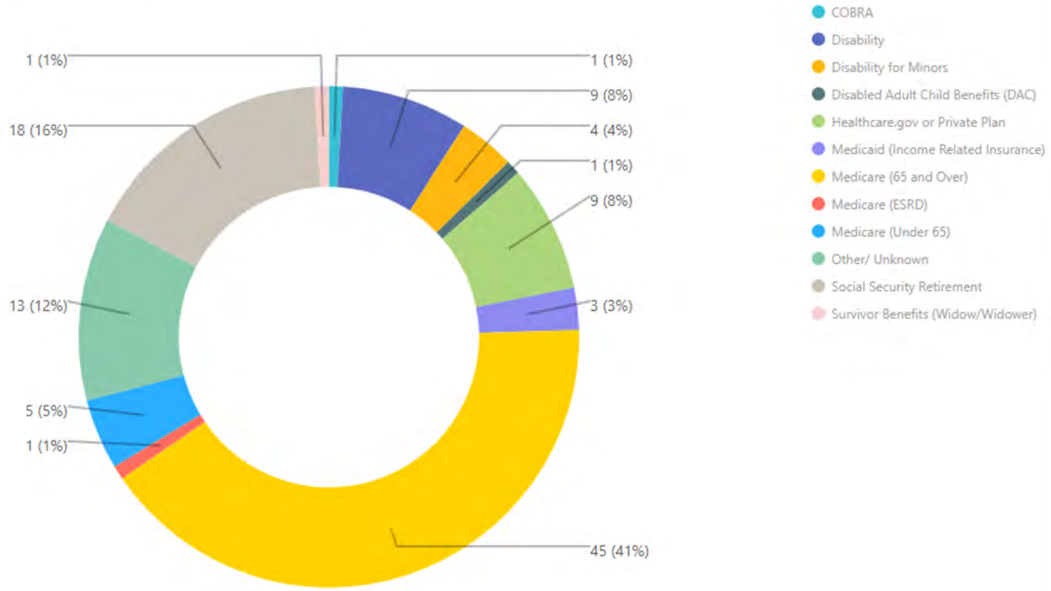
Stop Loss Carrier

Organization Name

FEDlogic

Estimated Savings	Transitions	Transition %	Passive Engagement
$792,000.00	30	34.48%	17

Primary Topics Of Conversation



INDEPTH REPORTING

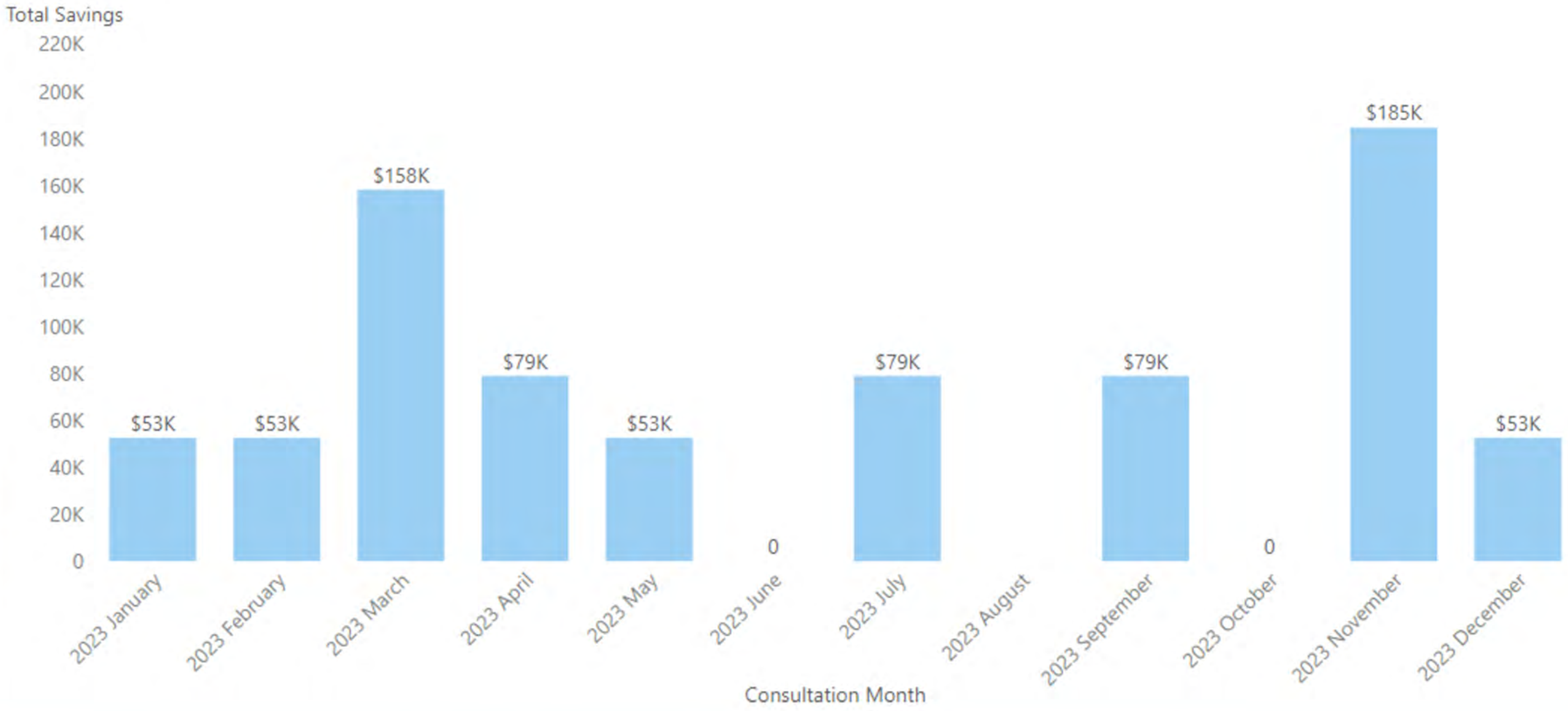
easily track engagement and savings

FEDlogic

Where They Transitioned To

Transitioned To	% of Transitions
Healthcare.gov/ Private Plan	31%
Medicare	69%

Estimated Savings by Month



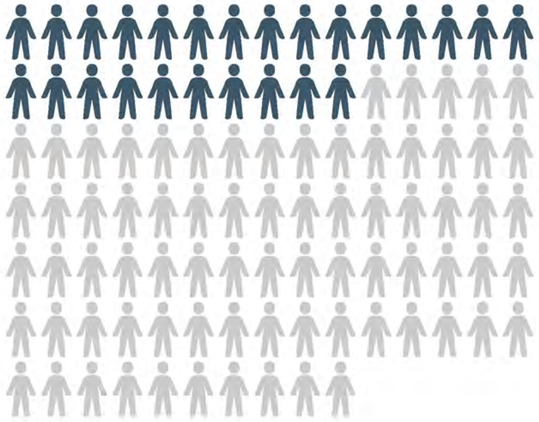
CLIENT CASE STUDY

comparing true savings after year one of implementation

FEDlogic

LOGISTICS COMPANY

250 FULL TIME EMPLOYEES



CONSERVATIVE PROJECTED SAVINGS BASED ON SIZE

$52,800

TOTAL YEAR ONE SAVINGS ESTIMATED BY FEDLOGIC

$79,200

TRUE SAVINGS

BASED ON THE EMPLOYER'S ACTUAL CLAIMS COST

$225,461

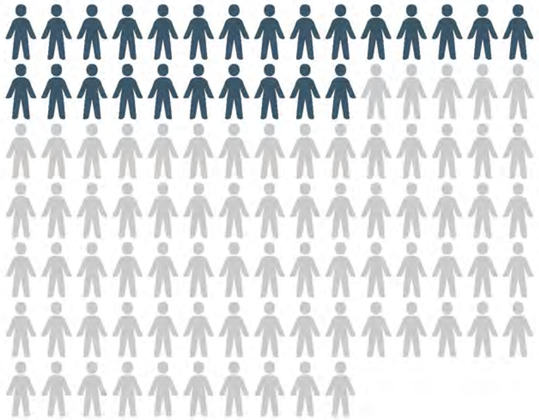
CLIENT CASE STUDY

comparing true savings after year one of implementation

FEDlogic

CAPTIVE

4,300 FULL TIME EMPLOYEES



CONSERVATIVE PROJECTED SAVINGS BASED ON SIZE

$290,400

TOTAL YEAR ONE SAVINGS ESTIMATED BY FEDLOGIC

$475,200

TRUE SAVINGS

BASED ON THE EMPLOYER'S ACTUAL CLAIMS COST

$1,200,000

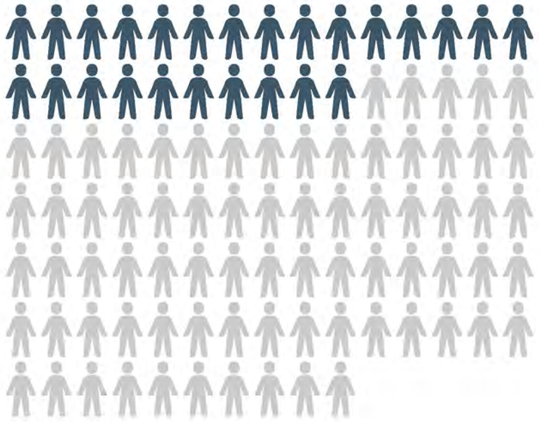
CLIENT CASE STUDY

comparing true savings after year one of implementation

FEDlogic

MARKETING COMPANY

6,500 FULL TIME EMPLOYEES



CONSERVATIVE PROJECTED SAVINGS BASED ON SIZE

$448,800

TOTAL ANNUAL SAVINGS ESTIMATED BY FEDLOGIC

$1,716,000

TRUE SAVINGS

BASED ON THE EMPLOYER'S ACTUAL CLAIMS COST

$4,461,600


Lifepoint Health
LHC GROUP
ROOMS TO GO
NHC
NATIONAL HEALTHCARE CORPORATION
PRIMO WATER™
East Alabama Health
HUNTSVILLE HOSPITAL
INGRAM
SARASOTA COUNTY
SAMFORD UNIVERSITY
TAYLOR
Carmex
ACT
LEAVITT GREAT WEST Captives
Pinnacle FINANCIAL PARTNERS
LBMC
NORTHERN TOOL + EQUIPMENT
Hirschbach
VENTURE EXPRESS.INC
First Community Bank
chico's
PS Logistics
CAPSTAR BANK
RISE BAKING COMPANY
Serving Since 1974 UNITED GROCERY OUTLET
VELOCITY VEHICLE GROUP
Speed. Value. Trust.
LANDS' END
RYMAN
RYMAN HOSPITALITY PROPERTIES, I
A REAL ESTATE INVESTMENT TRUST



FEDlogic

Proposal

January 22, 2025

good for employees,
good for you

POLK COUNTY

FEDlogic

IMPLEMENTING *year one*

FEDlogic

POLK COUNTY



4,403 FULL-TIME EMPLOYEES

176 - 352 ANTICIPATED CONSULTATIONS

44 - 116 EXPECTED TRANSITIONS

FEDLOGIC SERVICE FEE: **$184,926**

PROJECTED SAVINGS: **$1,161,600 - $3,062,400**

Agenda Item R.13. 11/4/2025

SUBJECT

Approve the contract with Polk Vision, Inc. (Polk Vision) to lead a public awareness campaign and organize and manage a Behavioral Health Summit. (Total amount not to exceed $178,530.)

DESCRIPTION

In 2023, the County contracted with Polk Vision as a partner in the Polk County Behavioral Health Improvement Project. The project utilized core strategies that focus on current and future behavioral health needs with the ultimate goal to improve the quality of life of Polk County residents.

Lack of awareness and lack of education about behavioral health symptoms, prevention, and available resources foster low levels of accessing behavioral health care by those who need it. Additionally, stigma can make people more likely to hide symptoms or illness, keep them from seeking health care immediately, and prevent individuals from adopting healthy behaviors.

Polk Vision offers a framework for achieving sustained improvement. As the leading collective impact organization serving the entire Polk County community, Polk Vision provides central coordination to align the work of volunteers through partnerships of public, private and civic organizations working collectively to make the shared vision of improved community wellbeing for Polk County a reality. The Polk Vision Behavioral Health alignment team works to improve the quality of life through the use of accessible, high-quality, comprehensive, prevention-based community health services designed to promote total well-being. The team has developed a strategic, tactical plan for improved community health and wellness.

As a continued partnership with Community Health Care's strategic initiatives, Polk Vision will lead a public awareness campaign, "When You Know" to reduce the stigma of and raise awareness of mental health issues. As part of the campaign, Polk Vision will organize and manage a 3rd annual Behavioral Health Summit in May of 2026 (National Mental Health Month) and continue utilizing social media platforms, email blasts, paid ads, and paid billboard advertising.

The agreement will be effective October 1, 2025 to September 30, 2026.

RECOMMENDATION

Approve the contract with Polk Vision, Inc. to lead a public awareness campaign and organize and manage a Behavioral Health Summit.

FISCAL IMPACT

Funds are available in the Polk County Florida Opioid Trust Funds.

CONTACT INFORMATION

Holly Vida, Behavioral Health Program Manager, Health and Human Services Division at 863-519-1005

Joy Johnson, Administrator, Health and Human Services Division at 863-534-5204

POLK COUNTY
CONTRACT FOR SERVICES
CONTRACT # 25-575-CHC

This Contract for Services ("Contract") is made effective **October 1, 2025** ("Effective Date") to **September 30, 2026** by and between **Polk Vision, Inc.**, a Florida not-for-profit corporation ("POLK VISION"), and Polk County, a political subdivision of the State of Florida ('COUNTY"), (POLK VISION and COUNTY shall be jointly referred to herein as the "Parties").

WITNESS TO:

WHEREAS, the people of the State of Florida (State) and its communities have been harmed by misfeasance, nonfeasance, and malfeasance committed by certain entities within the Pharmaceutical Supply Chain; and

WHEREAS, the State, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold many of the same Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance as the State; and

WHEREAS, certain Local and State Governments have separately sued Pharmaceutical Supply Chain participants for the harm caused to the citizens and have collectively negotiated settlements with several Pharmaceutical Supply Chain Participants; and

WHEREAS, the Local and State Governments share a common desire to abate and alleviate the impacts of the misfeasance, nonfeasance, and malfeasance through the State; and

WHEREAS, it is the intent of the State and its Local Governments to use the proceeds from any Settlements with Pharmaceutical Supply Chain Participants to increase the amount of funding for opioid and substance abuse education, treatment, prevention, and other related programs and services; and

WHEREAS, the COUNTY is a recipient of such Settlement funds (the Florida Opioid Allocation and Statewide Response Agreement); and

WHEREAS, the COUNTY wishes to enter into this Contract with POLK VISION for the purposes or raising public awareness of behavioral health issues; and

WHEREAS, POLK VISION is capable and willing to lead a public awareness campaign and organize and manage a 3rd annual Behavioral Health Summit; and

WHEREAS, POLK VISION agrees to provide services in accordance with this Contract and the Florida Opioid Allocation and Statewide Response Agreement.

NOW THEREFORE, in consideration of the mutual promises set forth herein, and other good and valuable consideration, the Parties hereby agree as follows:

ARTICLE I
SERVICE DELIVERY

1.1 The recitals stated above are true, correct, and incorporated into this Contract.

1.2 POLK VISION shall undertake and perform all tasks and services ("Services") identified in the Scope of Services attached to this Contract as Exhibit A and incorporated herein by reference.

1.3 The Scope of Services shall not be altered without prior written approval from the COUNTY.

ARTICLE II
FUNDING

2.1 In consideration for POLK VISION providing Services, the COUNTY will pay POLK VISION a total amount not to exceed One Hundred Seventy-Eight Thousand Five Hundred Thirty and no/100 Dollars ($178,530) as described in the attached Exhibit C ("Expenses") and pursuant to the procedures listed at ARTICLE III herein. Notwithstanding the foregoing or anything to the contrary contained herein, COUNTY's obligation to pay the aforementioned amount is expressly contingent on approval by the COUNTY's Board of County Commissioners of the referenced budgeted amount.

2.2 POLK VISION acknowledges that funding for reimbursement of Services is provided through the Florida Opioid Allocation and Statewide Response Agreement. POLK VISION further acknowledges its responsibility to exercise proper stewardship over the funding and shall ensure the costs charged for Services are allowable, allocable, reasonable, necessary and consistently applied according to the applicable provisions of the Florida Opioid Allocation and Statewide Response Agreement.

2.3 POLK VISION agrees to return to the COUNTY any overpayments of funds disallowed pursuant to the terms and conditions of the Contract. In the event that the Parties or their independent auditors discover that an overpayment has been made, the overpayment shall be repaid immediately without prior notification from the COUNTY. In the event that the COUNTY first discovers an overpayment has been made, the COUNTY will notify POLK VISION of such findings.

ARTICLE III
PROCEDURES FOR INVOICING AND PAYMENT

3.1 POLK VISION shall deliver, or cause to be delivered to the COUNTY, invoices for Services rendered by utilizing an invoice on POLK VISION letterhead in form and content similar to the form found in the attached Exhibit D. Invoices will be submitted by the last calendar day of the month following the end of the month which is the subject of the report.

A. The COUNTY may, at its discretion, inspect any documents, records, and files retained by POLK VISION to verify accuracy of all submitted invoices and reports.

3.2 Upon receiving the invoices and supporting documentation, the COUNTY shall review such invoices and supporting documentation to determine whether the invoiced items are proper for payment. The COUNTY will pay POLK VISION for Services based upon approved invoices.

ARTICLE IV
REPORTING

4.1 POLK VISION shall provide the COUNTY with additional relevant information relating to the Services and/or program, upon request, as needed. To the extent possible, the COUNTY will specify what additional information it may need from POLK VISION at least ten (10) days before the date the COUNTY must receive the requested information.

4.2 POLK VISION shall submit to the COUNTY an annual financial report and copies of any audits performed for its applicable fiscal year within thirty (30) calendar days after the date the applicable report or audit is issued.

ARTICLE V
EVALUATION AND MONITORING

5.1 POLK VISION agrees that the COUNTY will monitor and evaluate POLK VISION's performance of its Contract activities as determined necessary by the COUNTY. The continuation of the Contract is contingent upon the evaluations substantiating POLK VISION is satisfactorily performing all its Contract obligations.

Such monitoring and evaluation shall be based on the terms of this Contract and outcome measures. POLK VISION agrees to furnish upon request to the COUNTY or its designees, and make copies and/or transcriptions of such records and information as determined necessary by the COUNTY for purposes of monitoring and evaluation under this Contract and shall submit to the COUNTY any information and status reports required by the COUNTY on forms approved by the COUNTY.

5.2 The COUNTY and POLK VISION hereby mutually agree to outcomes and performance objectives described in the attached Exhibit B. POLK VISION will furnish to the COUNTY the data that will be used to evaluate the effectiveness of the Services funded under this Contract.

5.3 POLK VISION gives the COUNTY, through any authorized representative, access to and the right to inspect, examine, copy and audit all records, books, papers, or documents relating to the Services provided under the terms of this Contract.

ARTICLE VI
FINANCIAL RESPONSIBILITY

6.1 POLK VISION shall maintain books, records and documents in accordance with generally accepted accounting procedures and practices which shall sufficiently and properly reflect all expenditures of funds provided under this Contract and in accordance with Florida's Public Records Act.

6.2 POLK VISION shall also provide for audit purposes (upon request) all files, records and documents pertaining to all Service delivery related activities.

6.3 Any funds expended in violation of this Contract shall be refunded in full by POLK VISION to COUNTY from non-federal and non-state resources.

ARTICLE VII
ASSURANCES

7.1 POLK VISION shall comply with the following assurances:

A. POLK VISION agrees to comply with all applicable Federal, State, and County constitutions laws, ordinances, codes and regulations including, without limitation, Section 766.1115, Florida Statutes. The Bylaws and Policies and Procedures, and Articles of Incorporation of POLK VISION shall also regulate the program operation of POLK VISION. Any conflict or inconsistency between the Federal, State or County guidelines and regulations, POLK VISION's corporate governance documents, and this Contract shall be resolved in favor of the most restrictive regulations.

B. POLK VISION agrees to abide by all terms and conditions of the Florida Opioid Allocation and Statewide Response Agreement. Said agreement, along with the accompanying schedules, can be found on the following website: https://nationalopiodsettlement.com/states/florida.

C. In accordance with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which POLK VISION receives Federal financial assistance.

D. POLK VISION shall not exclude eligible residents from participation in any program on the grounds of race, color, national origin, sex, religion, handicap, or familial status.

E. POLK VISION shall establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties. Should such possible conflicts, real or apparent, arise, POLK VISION shall disclose such situations to the COUNTY and the County Attorney's Office for review.

F. In accordance with the Drug Free Workplace Act of 1988, POLK VISION certifies that it has a policy designed to ensure that POLK VISION's workplace is free from the illegal use, possession, or distribution of drugs or alcohol.

G. POLK VISION certifies compliance with Paragraph (2)(a) of Section 287.133 Florida Statutes, which provides that a "person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list." POLK VISION acknowledges that this Contract shall be void if it has violated the above-referenced statute. Additionally, POLK VISION shall ensure compliance with the U.S. Department of Health Office of Inspector General Medicare/Medicaid fraud, waste, and abuse requirements.

ARTICLE VIII
GENERAL PROVISIONS

8.1 As applicable, POLK VISION agrees to abide by the provision of Section 112.3135, Florida Statutes, pertaining to Restriction on Employment of Relatives, Chapter 119, Florida Statutes, pertaining to Public Records, and Section 286.011, Florida Statutes, pertaining to Public Business in their performance under this Contract.

8.2 Public Meetings and Records.

A. POLK VISION acknowledges the COUNTY's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Contract. POLK VISION further acknowledges that the constitutional and statutory provisions control over the terms of this Contract. In association with its performance pursuant to this Contract, POLK VISION shall not release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

B. Without in any manner limiting the generality of the foregoing, to the extent applicable, POLK VISION acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall:

1. keep and maintain public records required by the COUNTY to perform the Services required under this Contract;

2. upon request from the COUNTY's Custodian of Public Records or his/her designee, provide the COUNTY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

3. ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Contract and following completion of this Contract if POLK VISION does not transfer the records to the COUNTY; and

4. upon completion of this Contract, transfer, at no cost, to the COUNTY all public records in possession of POLK VISION or keep and maintain public records required by the COUNTY to perform the service. If POLK VISION transfers all public records to the COUNTY upon completion of this Contract, POLK VISION shall destroy any duplicate public records that are exempt or confidential

and exempt from public records disclosure requirements. If POLK VISION keeps and maintains public records upon completion of this Contract, POLK VISION shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the COUNTY, upon request from the COUNTY's Custodian of Public Records, in a format that is compatible with the information technology systems of the COUNTY.

C. **IF POLK VISION HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO POLK VISION'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIAISON OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

8.3 Employment Eligibility Verification (E-Verify)

A. Unless otherwise defined herein, terms used in this Section which are defined in Section 448.095, Florida Statutes, as may be amended from time to time, shall have the meaning ascribed in said statute.

B. Pursuant to Section 448.095 (5), Florida Statutes, the contractor hereto, and any subcontractor thereof must register with and use the E-Verify system to verify the work authorization status of all new employees of the contractor or subcontractor. The contractor acknowledges and agrees that (i) the COUNTY and the contractor may not enter into this Contract, and the contractor may not enter into any subcontracts hereunder, unless each party to this Contract, and each party to any subcontracts hereunder, registers with and uses the E-Verify system; and (ii) use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this Certification and Section 448.095, Florida Statutes, is an express condition of this Contract, and the COUNTY may treat a failure to comply as a material breach of this Contract.

C. By entering into this Contract, the contractor becomes obligated to comply with the provisions of Section 448.095, Florida Statutes, "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of such affidavit for the duration of this Contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute or Section 448.09(1), Florida Statutes, the subcontract must be terminated immediately. If this Contract is terminated pursuant to Section 448.095, Florida Statutes, such termination is not a breach of contract and may not be considered as such. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If this Contract is terminated for a violation of Section 448.095, Florida Statutes, by the contractor, the contractor may not be awarded a public contract for a period of 1 year after the date of termination. The contractor shall be liable for any additional costs incurred by the COUNTY as a result of the termination of this Contract. Nothing in this section shall be construed to allow intentional discrimination of any class protected by law.

8.4 No Coercion for Labor or Services. Concurrently with its execution of this Contract, POLK VISION has executed an affidavit (Exhibit E) which has been signed by an officer or representative of POLK VISION under penalty of perjury attesting that POLK VISION does not use coercion for labor or services as those terms are defined in Florida Statutes, § 787.06, as that statute may be subsequently revised or

amended. Failure to provide the required affidavit is a material default of this Contract. POLK VISION shall provide the COUNTY the same type of affidavit upon any renewal or extension of the Contract as required by Section 787.06.

8.5 The entire Contract between the Parties and its corresponding referenced Exhibits are all set forth herein, attached hereto, and contained within this document; and the Parties agree that there are no other commitments, agreements, or understandings concerning the subject matter of this Contract that are not contained herein. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

8.6 This document may be executed in two (2) counterparts, each of which shall be deemed to be an original.

8.7 All notices required by this Contract shall be in writing.

ARTICLE IX
CONFLICT OF INTEREST

9.1 No person who is an employee, agent, consultant, officer, or appointed official of POLK VISION and who is in a position to participate in a decision making process or gain inside information with regard to activities relevant to the terms of this Contract, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or Contract with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one (1) year thereafter.

ARTICLE X
INDEMNIFICATION

10.1 POLK VISION shall indemnify and hold harmless the COUNTY, its agents, and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs and judgments of every kind and description to which the COUNTY, its agents or employees may be subjected to by reason of injury to persons or death or property damage, resulting from or growing out of any action of commission, omission, negligence or fault of POLK VISION or its qualified physicians committed in connection with this Contract, POLK VISION's performance hereof or any work performed hereunder. POLK VISION shall indemnify and hold harmless the COUNTY, its agent and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs of judgments of every kind and description arising from, based upon or growing out of the violation of any Federal, State, County or City law, ordinance, or regulation by POLK VISION or its agents and employees. Funds made available pursuant to this Contract shall not be used by POLK VISION for the purpose of initiating or pursuing litigation against the COUNTY.

10.2 POLK VISION agrees to continually provide insurance, at least to the extent described in ARTICLE XI below. Prior to the execution of the Contract, POLK VISION shall furnish the COUNTY with written verification of the existence of such insurance coverage.

ARTICLE XI
INSURANCE

11.1 POLK VISION shall maintain at all times the following minimum levels of insurance and shall, without in any way altering their liability, obtain, pay for, and maintain insurance for the coverages and amount of coverage not less than those set forth below:

A. Workers' Compensation -- in compliance with State and Federal laws.

B. Comprehensive General Liability -- $1,000,000.00 combined single limit of liability for bodily injuries, death, and property damage, and personal injury resulting from any one occurrence, including the following coverages:

1. Premises and Operations; and

2. Broad Form Commercial General Liability Endorsement to include blanket contractual liability (specifically covering, but not limited to, the contractual obligations assumed by the firm); Personal Injury (with employment and contractual exclusions deleted); and Broad Form Property Damage coverages.

C. Independent Contractors (if applicable) -- Delete Exclusion relative to collapse, explosion and underground; Property Damage Hazards; Cross Liability Endorsement; and Contractual liability.

11.2 POLK VISION shall provide the COUNTY a copy of the Certificate of Insurance to evidence such coverage prior to commencement of work under the terms of this Contract. Such Certificate of Insurance shall provide that there shall be no termination, non-renewal modification, or expiration of such coverage except with forty-five (45) calendar days prior written notice to the COUNTY.

11.3 The COUNTY shall be named as an additional insured on all policies related to the activities carried under the terms of this Contract, excluding Workers' Compensation. Waiver of subrogation applies in favor of the COUNTY with regard to General Liability and applicable Workers' Compensation coverages.

11.4 All insurance coverage shall be written with a firm having an A.M. Best Rating of at least the "A" category and size category of "VIII".

11.5 In the event of any failure by POLK VISION to comply with the provisions of this ARTICLE XI, the COUNTY may, at its option, upon notice to POLK VISION suspend the Contract for cause until there is full compliance. Alternatively, the COUNTY may purchase such insurance at POLK VISION's expense, provided that the COUNTY shall have no obligation to do so. POLK VISION shall not be relieved of or excused from the obligation to obtain and maintain such insurance amounts and coverages.

11.6 POLK VISION shall provide property insurance for all property in an amount satisfactory to the COUNTY. POLK VISION shall require all its contractors to carry insurance and bond in an amount not less than funds awarded by POLK VISION to its contractors.

ARTICLE XII
MODIFICATION

12.1 The COUNTY may, at its discretion and upon provision of proper notice to POLK VISION, amend this Contract to conform to changes in Federal, State, and/or COUNTY guidelines, regulations, directives, and objectives. Such amendments shall be incorporated by written amendment as a part of this Contract.

12.2 No modification to this Contract shall be binding on either party unless in writing and signed by both parties.

ARTICLE XIII
APPLICABLE LAWS AND COURTS

13.1 The COUNTY and POLK VISION agree the Contract and all Services and activities related thereto shall be governed and interpreted in all respects by the laws of the State of Florida. Venue for any action relating to the construction, interpretation, or enforcement of this Contract shall be the courts of the Tenth Judicial Circuit, Polk County, Florida.

ARTICLE XIV
NOTICES

14.1 The COUNTY and POLK VISION agree that any notice, demand or communication required to be given hereunder shall be written, addressed and delivered to the party for whom it is intended at the following address:

POLK VISION, INC.:
Kim Long, Executive Director
Polk Vision, Inc.
999 Avenue H NE #79
Winter Haven, FL 33881

COUNTY:
Paula McGhee, Provider Services & Contract Manager
Health and Human Services, Polk County
2135 Marshall Edwards Drive
Bartow, FL 33830-6757

or to such other address as such party has specified by notice in writing to the other party. Notice shall be effective upon receipt or upon refusal to accept receipt. Notices must be (i) personally delivered; (ii) sent by recognized expedited delivery service; or (iii) mailed via registered or certified United States mail, postage prepaid with return receipt requested.

ARTICLE XV
SUSPENSION AND TERMINATION

15.1 Remedies for Non-compliance: If POLK VISION materially defaults or otherwise fails to comply with any term of this Contract, any Federal, State, or local law, or any applicable County policy, then the COUNTY may take one (1) or more of the following actions as appropriate in the circumstances:

A. Temporarily withhold cash payments pending POLK VISION's correction of the default or other deficiency, or the COUNTY's election of final remedies available to it.

B. Disallow (that is to deny both use of funds and matching credit) for all or part of the cost of the Service, activity, or action not in compliance with required standards or conditions.

C. Wholly or partly suspend or terminate the Contract.

D. Withhold further funding under this Contract.

E. The COUNTY may withhold payment for all Services provided for under this Contract in the event that:

1. Services are not being provided according to State guidelines and regulations;

2. The assurances contained herein are determined by the COUNTY to be false; or

3. The provisions of this Contract are not being adhered to.

F. Take other remedies that may be legally or equitably available.

15.2 Hearings Appeals: In taking an enforcement action listed in Section 15.1 or in any other provision of the Contract, the COUNTY will provide POLK VISION an opportunity for any hearing, appeal, or other administrative proceeding which the COUNTY may be required to provide or which POLK VISION is entitled to receive under any statute or regulation applicable to the particular action involved.

15.3 Efforts of Suspension and Termination: Costs resulting from obligations incurred by POLK VISION in clearing a suspension after termination of any contract or award are not allowable unless the COUNTY expressly authorizes payment of such costs. Other POLK VISION costs incurred during suspension or after termination which are necessary and not reasonably avoidable are allowable if:

A. The costs result from obligations which were properly incurred by POLK VISION before the effective date of suspension or termination and not in anticipation of it or costs, in case of termination, which are non-cancelable; and

B. The costs would be allowable if the award was not suspended or if said award expired normally at the end of the funding period in which the termination takes effect.

15.4 Termination for Convenience: At any time during the term of this Contract, this Contract may be terminated, in whole or in part, for any reason, with or without cause, by either party upon written notice given at least sixty (60) days in advance of the effective date of termination. In the case of a partial termination, if the COUNTY determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the COUNTY may terminate the award in its entirety.

15.5 Termination of Scrutinized Companies: This Contract may be terminated at the option of the COUNTY if POLK VISION is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel. In addition, this Contract may be terminated at the option of COUNTY if POLK VISION is found to have submitted a false certification as provided under Section 287.135(5), Florida Statutes; has been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; or has been engaged in business operations in Cuba or Syria.

IN WITNESS WHEREOF the parties hereto duly execute this Contract as of the day and year first written above.

POLK VISION, INC.,
a Florida not-for-profit corporation

BY: _____
Kim Long, Executive Director

DATE: 10/16/25

_____
WITNESS

_____
WITNESS

POLK COUNTY, a political subdivision of the State of Florida

BY: _____
_____, Chair

DATE: _____

ATTEST: Stacy M. Butterfield, Clerk

BY: _____
Deputy Clerk

Approved as to form and legal sufficiency:

BY: _____
County Attorney's Office

SCOPE OF SERVICES

POLK VISION will lead the public awareness campaign, *"When You Know"*, to reduce the stigma of and raise awareness of mental health issues. As part of the campaign, POLK VISION will organize and manage a Behavioral Health Summit to occur in May 2026.

PERFORMANCE OBJECTIVES

POLK VISION will meet the minimum objectives:

- At least 400 unduplicated individuals will attend the Polk County Behavioral Health Summit May 2026
- From baseline, social media Behavioral Health messaging will demonstrate a 10% increase in page engagement

EXPENSES

Expense Category	Expense Type	Description	Budgeted
Subcontractor	Speaker Fees	Key note and/or breakout sessions, "rider" requirements associated with travel, lodging, meals, includes up to 50% retainer/reservation fees	$60,000.00
	Strategy and Marketing Support	# When You Know advertising & website management	$50,000.00
	Consulting Marketing Services	Ongoing campaign planning and consultation for 3 months	$4,500.00
	Social Media Management	Content creation and posting on social media platforms (Facebook, Instagram & LinkedIn) over 3 months	$4,500.00
	Facebook Advertising for Symposium	Develop Facebook advertisement strategy and ongoing monitoring	$6,000.00
	Graphic Design Services	Website updates, event graphics, advertising graphics	$2,500.00
	Targeted Display & Internet Banner Advertising	Display adds digital banners 60 days before the event	$1,800.00
	Rental and Production Services	Equipment, tables, chairs, linens, etc. for 400+ people	$3,000.00
	Food & Beverage	All day beverage & snacks stations, lunch buffet	$14,000.00
	Printed Materials	Printing of agendas, flyers, education materials, signage	$1,000.00
	Venue/Facility Fee	1 day venue rental, including reservation fees	$15,000.00
Subtotal - Sub-Contractor Fees:			**$162,300.00**
Polk Vision	Administrative Fee	10% of total project management	$16,230.00
Subtotal - Admin Fees:			**$16,230.00**
Grand Total Project:			**$178,530.00**

INVOICE SAMPLE

Logo Name

Polk Vision, Inc.
[Street Address]
[City, ST ZiP Code]

Date:
Invoice #: [100]
Service Period: [00-00-00 to 99-99-99]
Contract Number: 25-575-CHC

To: Polk Co., a political subdivision of the State of Florida
Community Health Care
2135 Marshall Edwards Drive
Bartow FL, 33830

Category	Description	Budget	Previously Invoiced	Current Invoice	To Date Total	Balance
	Speaker Fees	$ 60,000.00			$ -	$ 60,000.00
	Strategy and Marketing Support	$ 50,000.00			$ -	$ 50,000.00
	Consulting Marketing Services	$ 4,500.00			$ -	$ 4,500.00
	Social Media Management	$ 4,500.00			$ -	$ 4,500.00
	Facebook Advertising for Symposium	$ 6,000.00			$ -	$ 6,000.00
	Graphic Design Services	$ 2,500.00			$ -	$ 2,500.00
	Targeted Display & Internet Banner Advertising	$ 1,800.00			$ -	$ 1,800.00
	Rental & Production Services	$ 3,000.00			$ -	$ 3,000.00
	Food & Beverage	$ 14,000.00			$ -	$ 14,000.00
	Printed Materials	$ 1,000.00			$ -	$ 1,000.00
	Venue/Facility Fee	$ 15,000.00			$ -	$ 15,000.00
Sub-Contractor Fees Total:		**$ 162,300.00**	**$ -**	**$ -**	**$ -**	**$ 162,300.00**
	Administrative Fee	$ 16,230.00			$ -	$ 16,230.00
Administrative Fee Total:		**$ 16,230.00**	**$ -**	**$ -**	**$ -**	**$ 16,230.00**
Grand Total:		**$ 178,530.00**	**$ -**	**$ -**	**$ -**	**$ 178,530.00**

I certify the above to be accurate and in agreement with this agency's record and with the terms of this agreement. Additionally, I certify that any reports accompanying this invoice are true and correct reflection of this period's activities, as stipulated by this agreement.

Authorized Name (Print) _____ Title _____

Authorized Signature _____ Date _____

NO COERCION FOR LABOR OR SERVICES AFFIDAVIT

In compliance with Section 787.06(13), Florida Statutes, this attestation must be completed by an officer or representative of a nongovernmental entity that is executing, renewing, or extending a contract with Polk County, a political subdivision of the State of Florida.

The undersigned, on behalf of the entity listed below (the "Nongovernmental Entity"), hereby attests under penalty of perjury as follows:

1. I am over the age of 18 and I have personal knowledge of the matters set forth herein.

2. I currently serve as an officer or representative of the Nongovernmental Entity.

3. The Nongovernmental Entity does **not** use coercion for labor or services, as those underlined terms are defined in Section 787.06, Florida Statutes.

4. This declaration is made pursuant to Section 92.525, Fla. Stat. and Section 787.06, Fla. Stat. I understand that making a false statement in this declaration may subject me to criminal penalties.

Under penalties of perjury, I Kim N Long (Signatory Name and Title), declare that I have read the foregoing Affidavit Regarding the Use of Coercion for Labor and Services and that the facts stated in it are true.

Further Affiant sayeth naught.

Polk Vision, Inc.
NONGOVERNMENTAL ENTITY

Kim N Long
SIGNATURE

Kim Long
PRINT NAME

Executive Director
TITLE

10/16/25
DATE

Agenda Item R.14. 11/4/2025

SUBJECT

Approve the second amendment to the contract with the School Board of Polk County for Traviss Technical College to provide dental services to eligible low-income county residents. (Total amount not to exceed $165,500 in FY 25/26 and $122,000 in FY 26/27 and subsequent years.)

DESCRIPTION

Traviss Technical College's (Traviss) Dental Assisting Program provides free dental services to eligible low-income county residents. Dental services include diagnostic and preventative services as well as basic dental restorations. The Dental Assisting Program is open during the school term September to June each year with dental services provided from January to May.

The County has contracted with the School Board of Polk County for Traviss effective October 1, 2020. The first amendment to the contract increased funding in fiscal year 22/23 from $111,000 to $136,000 (an additional $25,000) to allow for reimbursement of the purchase of capital expenditures. The first amendment also extended the contract for an additional two years taking the term of the contract to September 30, 2025 at the annual reimbursement of $111,000.

This second amendment will be effective October 1, 2025 and will extend the term of the contract with automatic one-year renewal terms. In fiscal year 25/26, funding will be $165,500 allowing for $43,500 for the purchase of capital expenditures. In fiscal year 26/27 and subsequent years, the annual funding amount will be $122,000. Funding is provided on a cost-based reimbursement for salaries and fringe, program direct services and operation expenses.

This funding request was presented to and approved by the Citizen's HealthCare Oversight Committee.

RECOMMENDATION

Approve the second amendment to the contract with the School Board of Polk County for Traviss Technical College to provide dental services to eligible low-income county residents.

FISCAL IMPACT

Funds are available in the Indigent Health Care Funds.

CONTACT INFORMATION

Joy Johnson, Administrator, Health and Human Services Division at 863-534-5204

POLK COUNTY
SECOND AMENDMENT TO CONTRACT FOR SERVICES
CONTRACT #20-007-IHC

This Second Amendment to Contract for Services ("Second Amendment") by and between **The School Board of Polk County, Florida for Traviss Technical College**, a Florida not-for-profit corporation ("TRAVISS"), and Polk County, a political subdivision of the State of Florida ("COUNTY") is effective as of October 1, 2025, ("Second Amendment Effective Date"). (TRAVISS and COUNTY shall be referred to jointly as the "Parties").

RECITALS

WHEREAS, the Parties entered into that certain Contract for Services, which is effective from the 1st day of October, 2020, through September 30, 2023 (the Contract); and

WHEREAS, the Parties entered into the First Amendment for the purposes of increasing funding for a one-time allowance of reimbursement for the purchase of capital expenditures, and for the purposes of extending the term of the Contract through September 30, 2025 and modifying certain provisions of the Contract; and

WHEREAS, the Parties now desire to enter into this Second Amendment for the purposes of increasing funding for a one-time allowance of reimbursement for the purchase of capital expenditures, and for the purposes of extending the term of the Contract and modifying certain provisions of the Contract; and

WHEREAS, capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Contract;

NOW THEREFORE, in consideration of the mutual promises set fourth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.

2. The term of the Contract is effective from October 1, 2020 and will automatically renew in accordance with Article XVI: TERM (below).

3. Article II: FUNDING Section 2.1 is amended and restated as follows:

2.1 The COUNTY agrees to pay TRAVISS the budgeted amount not to exceed:

A. One Hundred Eleven Thousand and no/100 dollars ($111,000) – October 1, 2020 to September 30, 2021

B. One Hundred Eleven Thousand and no/100 dollars ($111,000) – October 1, 2021 to September 30, 2022

C. One Hundred Thirty-Six Thousand and no/100 dollars ($136,000) – October 1, 2022 to September 30, 2023

D. One Hundred Eleven Thousand and no/100 dollars ($111,000) – October 1, 2023 to September 30, 2024

E. One Hundred Eleven Thousand and no/100 dollars ($111,000) – October 1, 2024 to September 30, 2025

F. One Hundred Sixty-Five Thousand Five Hundred and no/100 dollars ($165,500) – October 1, 2025 to September 30, 2026

G. One Hundred Twenty-Two Thousand and no/100 dollars ($122,000) – October 1, 2026 to September 30, 2027 and subsequent years

as described in Exhibit D ("Budget") and pursuant to the procedures listed at ARTICLE III herein. Notwithstanding the foregoing or anything to the contrary contained herein, the COUNTY's obligation to pay the aforementioned amount is expressly contingent on annual appropriations being approved by the COUNTY's Board of County Commissioners of the referenced budgeted amount.

4. Article IV: REPORTING AND POLK HEALTHCARE PLAN REFERRALS (as amended by the First Amendment) section 4.1 is amended and restated as follows:

4.1 TRAVISS shall provide the COUNTY with the below Quarterly Reporting. Quarterly Reporting is due by the last calendar day of the month following the end of each quarter.

A. Executive Summary (Exhibit C)

B. VHCPP Report – TRAVISS will furnish to the COUNTY a copy of the VHCPP Report that TRAVISS provides to the Florida Department of Health. This report shall be provided annually and is due by July 31st of each year.

C. Summary of Services – TRAVISS will use the county-wide, COUNTY provided electronic shared data information system to determine and record client eligibility, track program data, and services. From the data entered into the shared data information system by the tenth (10th) of the following month of each quarter, a Community Partner Quarterly Report (CPQR) will be generated by the shared data information system for review and signature to signify agreement with the data reported.

5. Article VIII: GENERAL PROVISIONS (as amended by the First Amendment), is amended and restated as follows:

8.6 Employment Eligibility Verification (E-Verify)

A. Unless otherwise defined herein, terms used in this Section which are defined in Section 448.095, Florida Statutes, as may be amended from time to time, shall have the meaning ascribed in said statute.

B. Pursuant to Section 448.095 (5), Florida Statutes, the contractor hereto, and any subcontractor thereof must register with and use the E-Verify system to verify the work authorization status of all new employees of the contractor or subcontractor. The contractor acknowledges and agrees that (i) the COUNTY and the contractor may not enter into this Contract, and the contractor may not enter into any subcontracts hereunder, unless each party to this Contract, and each party to any subcontracts hereunder, registers with and uses the E-Verify system; and (ii) use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this Certification and Section 448.095, Florida Statutes, is an express condition of this Contract, and the COUNTY may treat a failure to comply as a material breach of this Contract.

C. By entering into this Contract, the contractor becomes obligated to comply with the provisions of Section 448.095, Florida Statutes, "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of such affidavit for the duration of this Contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute or Section 448.09(1), Florida Statutes, the subcontract must be terminated immediately. If this Contract is terminated pursuant to Section 448.095, Florida Statutes, such termination is not a breach of contract and may not be considered as such. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If this Contract is terminated for a violation of Section 448.095, Florida Statutes, by the contractor, the contractor may not be awarded a public contract for a period of 1 year after the date of termination. The contractor shall be liable for any additional costs incurred by the COUNTY as a result of the termination of this Contract. Nothing in this section shall be construed to allow intentional discrimination of any class protected by law.

6. The Contract is amended to add Article XVI: TERM:

16.1 This Contract shall commence on the Effective Date. This Contract shall automatically renew for one-year renewal terms under the same terms and conditions as the preceding term. The one-year renewal terms shall commence October 1st of their renewal year without further action of either Party unless: (i) the Contract has been terminated prior to that date pursuant to Article XV; or (ii) on or before July 1st prior to renewal, the COUNTY delivers notice to TRAVISS that the COUNTY has elected not to extend the Contract for the upcoming renewal term.

7. Exhibit A Scope of Services is attached to this Second Amendment for reference.

8. Exhibit B Performance Objectives is amended and replaced with the attached Exhibit B Performance Objectives of this Second Amendment.

9. Exhibit C Executive Summary is attached to this Second Amendment for reference.

10. Exhibit D Budget is amended to include the attached Exhibit D Budget of this Second Amendment.

11. Exhibit E Invoice Sample is amended and replaced with the attached Exhibit E Invoice Sample of this Second Amendment.

12. Except as specifically set forth in this Second Amendment, all the terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto duly execute this Second Amendment effective the Second Amendment Effective Date.

THE SCHOOL BOARD OF POLK COUNTY, FLORIDA

By: _____
Frederick Heid, Superintendent of Schools

Date: 6/7/22

_____
Witness

Elizabeth Warren
Witness

POLK COUNTY, a political subdivision of the State of Florida

By: _____
_____, Chair

Date: _____

ATTEST: Stacy M. Butterfield, Clerk

By: _____
Deputy Clerk

Approved as to form and legal sufficiency:

By: _____
County Attorney's Office

SCOPE OF SERVICES

TRAVISS will provide volunteer dental services for those patients verified as qualified Polk County residents that are at or below 200% of the FPL guidelines. TRAVISS is a volunteer provider program and has no obligation to provide services to those who do not meet the eligibility criteria and/or if the services needed are not available or within the Scope of Services.

TRAVISS will:

- Coordinate a volunteer provider network to provide dental care, and when available, ancillary and diagnostic services to include, but not be limited to, radiographs, nutritional counseling, oral hygiene instructions and restorative, extractions, surgical extractions, prosthetics, endodontics, and limited preventative services to improve oral health;

- Recruit dental health care providers who have an active license from the appropriate licensing agency of the State of Florida to provide health and wellness related dental services;

- Refer potentially eligible patients to the Polk HealthCare Plan.

PERFORMANCE OBJECTIVES

TRAVISS will meet the minimum objectives:

- Provide Services to 75 Qualified Residents
- 80% of clients will receive Oral Hygiene Instructions
- 80% of clients will receive Nutrition Counselling
- 80% of clients will receive Oral Cancer Screenings

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY
Partner Name

Period of Report From _____ to _____

Please answer the below questions based on your organizations activity during the quarter reported.

I. Services Provided

Have you been able to offer new specialty services? ☐ Yes ☐ No

Comments: _____

Did you stop or have an interruption offering any services? ☐ Yes ☐ No

Reason: _____

Have you started a new health program? ☐ Yes ☐ No

Comments: _____

Do you see a need in the population served for a specific service you do not currently provide? ☐ Yes ☐ No

Comments: _____

II. Service Hours / Days

List days and hours clinic is open to the public: _____

Comments: _____

III. Personnel

Have you had a change in staffing of key personnel? ☐ Yes ☐ No

Comments: _____

IV. Funding

Federal Funding: _____

State Funding: _____

County Funding (other than IHC funding): _____

Municipal Funding: _____

Private Funding: _____

Donations: (monies, pharmaceuticals, eyeglasses, labs, x-rays, equipment, etc.) _____

Fund Raisers\Events Earnings: _____

Total Additional Funding: $ -

Are you actively applying for other grants? ☐ Yes ☐ No

Are you actively planning/organizing any fund raising events? ☐ Yes ☐ No

V. Additional Comments

_____

_____

BUDGET

Funding Period:	FY 25/26
Awarded Agency:	Polk County School Board for the Maynard A. Traviss Technical College
Project Name:	Traviss Technical College - Dental Program
Contract #:	20-007-IHC
Award Amount:	$165,500.00

	Budget (Awarded for this contract)	Other Polk County Funding	State Funding	Local City Funding	Other Funding Sources	Total Program Annual Budget
A. *Personnel Salaries and Wages	$33,146.00					**$33,146.00**
B. *Fringe and Benefits	$15,097.00					**$15,097.00**
C. Staff Travel	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Client Visiting Travel Costs						**$0.00**
2. Staff Training Registration Fees						**$0.00**
3. Staff Training Travel Costs						**$0.00**
D. Patient Care Costs	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Medical / Dental Supplies						**$0.00**
2. Medical / Dental Equipment (less than $5,000)						**$0.00**
3. Prescription Meds						**$0.00**
4. Medical-Subcontractor Fees (i.e. Procedures, screenings, labs, X-Rays, other medical diagnostics)						**$0.00**
E. Contractual / Professional Services	$68,505.00	$0.00	$0.00	$0.00	$0.00	**$68,505.00**
1. Legal						**$0.00**
2. Audit						**$0.00**
3. Accounting						**$0.00**
4. Deaf and Hard of Hearing Services / Interpreting Services						**$0.00**
5. Background / Fingerprinting / Screening						**$0.00**
6. Pre-Employment Screening						**$0.00**
7. Information Technology related charges						**$0.00**
8. Biomedical waste, laundry, shredding, etc.						**$0.00**
9. Other Consulting / Contractual Services	$68,505.00					**$68,505.00**
F. Office Expenses	$4,385.00	$0.00	$0.00	$0.00	$0.00	**$4,385.00**
1. Telephone, Internet, Fax	$960.00					**$960.00**
2. Utilities						**$0.00**
3. Postage and Shipping						**$0.00**
4. Office Supplies						**$0.00**
5. Copying / Printing (Inside & Outside)						**$0.00**
6. Equipment (less than $5,000)						**$0.00**
7. Computers & Software (less than $5,000)	$3,425.00					**$3,425.00**
8. Furniture (less than $5,000)						**$0.00**
G. Lease / Rent	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Medical / Operational Equipment						**$0.00**
2. Building						**$0.00**
H. Maintenance	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Janitorial Services						**$0.00**
2. Routine Repairs						**$0.00**
I. Insurance						**$0.00**
J. Memberships & Subscriptions	$867.00	$0.00	$0.00	$0.00	$0.00	**$867.00**
1. Membership Fees	$87.00					**$87.00**
2. Subscriptions	$780.00					**$780.00**
K. Capital (Equipment, buildings, & land greater than $5,000)	$43,500.00					**$43,500.00**
Total Program	**$166,500.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$165,500.00**

* Cost of living adjustments are allowable on Fiscal Year Two and forward, not to exceed 3%.

The forgoing budget and timeline are for planning purpose and are not binding. Any revisions to the budget must be submitted in writing to the county. Please contact your assigned Contract Manager for assistance.

BUDGET

Funding Period:	FY 26/27 and subsequent years
Awarded Agency:	Polk County School Board for the Maynard A. Traviss Technical College
Project Name:	Traviss Technical College - Dental Program
Contract #:	20-007-IHC
Award Amount:	$122,000.00

	Budget (Awarded for this contract)	Other Polk County Funding	State Funding	Local City Funding	Other Funding Sources	Total Program Annual Budget
A. *Personnel Salaries and Wages	$33,146.00					**$33,146.00**
B. *Fringe and Benefits	$15,097.00					**$15,097.00**
C. Staff Travel	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Client Visiting Travel Costs						**$0.00**
2. Staff Training Registration Fees						**$0.00**
3. Staff Training Travel Costs						**$0.00**
D. Patient Care Costs	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Medical / Dental Supplies						**$0.00**
2. Medical / Dental Equipment (less than $5,000)						**$0.00**
3. Prescription Meds						**$0.00**
4. Medical-Subcontractor Fees (i.e. Procedures, screenings, labs, X-Rays, other medical diagnostics)						**$0.00**
E. Contractual / Professional Services	$68,505.00	$0.00	$0.00	$0.00	$0.00	**$68,505.00**
1. Legal						**$0.00**
2. Audit						**$0.00**
3. Accounting						**$0.00**
4. Deaf and Hard of Hearing Services / Interpreting Services						**$0.00**
5. Background / Fingerprinting / Screening						**$0.00**
6. Pre-Employment Screening						**$0.00**
7. Information Technology related charges						**$0.00**
8. Biomedical waste, laundry, shredding, etc.						**$0.00**
9. Other Consulting / Contractual Services	$68,505.00					**$68,505.00**
F. Office Expenses	$4,385.00	$0.00	$0.00	$0.00	$0.00	**$4,385.00**
1. Telephone, Internet, Fax	$960.00					**$960.00**
2. Utilities						**$0.00**
3. Postage and Shipping						**$0.00**
4. Office Supplies						**$0.00**
5. Copying / Printing (Inside & Outside)						**$0.00**
6. Equipment (less than $5,000)						**$0.00**
7. Computers & Software (less than $5,000)	$3,425.00					**$3,425.00**
8. Furniture (less than $5,000)						**$0.00**
G. Lease / Rent	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Medical / Operational Equipment						**$0.00**
2. Building						**$0.00**
H. Maintenance	$0.00	$0.00	$0.00	$0.00	$0.00	**$0.00**
1. Janitorial Services						**$0.00**
2. Routine Repairs						**$0.00**
I. Insurance						**$0.00**
J. Memberships & Subscriptions	$867.00	$0.00	$0.00	$0.00	$0.00	**$867.00**
1. Membership Fees	$87.00					**$87.00**
2. Subscriptions	$780.00					**$780.00**
K. Capital (Equipment, buildings, & land greater than $5,000)						**$0.00**
Total Program	**$122,000.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$122,000.00**

* Cost of living adjustments are allowable on Fiscal Year Two and forward, not to exceed 3%.

The forgoing budget and timeline are for planning purpose and are not binding. Any revisions to the budget must be submitted in writing to the county. Please contact your assigned Contract Manager for assistance.

INVOICE SAMPLE

Logo
Name

Partner
[Street Address]
[City, ST ZIP Code]

Date: September 25, 2025
Invoice #: [100]
Service Period: [00-00-00 to 99-99-99]
Contract Number: [99-999-IHC]

To: Polk County, a political subdivision of the State of Florida
Community Health Care
2135 Marshall Edwards Drive
Bartow FL, 33830

Category / Description	Budget	Invoice 1st Quarter	Invoice 2nd Quarter	Invoice 3rd Quarter	Invoice 4th Quarter	YTD Total	Balance
Personnel Salaries and Wages	$ -					$ -	$ -
Fringe and Benefits	$ -					$ -	$ -
Staff Travel	$ -					$ -	$ -
Client Visiting Travel Costs	$ -					$ -	$ -
Staff Training Registration Fees	$ -					$ -	$ -
Staff Training Travel Costs	$ -					$ -	$ -
Patient Care Costs	$ -					$ -	$ -
Medical / Dental Supplies	$ -					$ -	$ -
Medical / Dental Equipment (less than $5,000)	$ -					$ -	$ -
Prescription Meds	$ -					$ -	$ -
Medical-Subcontractor Fees (i.e. Procedures, screenings, labs, X-rays, other medical diagnostics)	$ -					$ -	$ -
Contractual / Professional Services	$ -					$ -	$ -
Legal	$ -					$ -	$ -
Audit	$ -					$ -	$ -
Accounting	$ -					$ -	$ -
Deaf and Hard of Hearing Services / Interpreting Services	$ -					$ -	$ -
Background / Fingerprinting / Screening	$ -					$ -	$ -
Pre-Employment Screening	$ -					$ -	$ -
Information Technology related charges	$ -					$ -	$ -
Biomedical waste, laundry, shredding, etc.	$ -					$ -	$ -
Other Consulting / Contractual Services	$ -					$ -	$ -
Office Expenses	$ -					$ -	$ -
Telephone, Internet, Fax	$ -					$ -	$ -
Utilities	$ -					$ -	$ -
Postage and Shipping	$ -					$ -	$ -
Office Supplies	$ -					$ -	$ -
Copying / Printing (Inside & Outside)	$ -					$ -	$ -
Equipment (less than $5,000)	$ -					$ -	$ -
Computers & Software (less than $5,000)	$ -					$ -	$ -
Furniture (less than $5,000)	$ -					$ -	$ -
Lease / Rent	$ -					$ -	$ -
Medical / Operational Equipment	$ -					$ -	$ -
Building	$ -					$ -	$ -
Maintenance	$ -					$ -	$ -
Janitorial Services	$ -					$ -	$ -
Routine Repairs	$ -					$ -	$ -
Insurance	$ -					$ -	$ -
Memberships & Subscriptions	$ -					$ -	$ -
Membership Fees	$ -					$ -	$ -
Subscriptions	$ -					$ -	$ -
Capital (Equipment, Buildings and Land greater than $5,000)	$ -					$ -	$ -
Grand Total:	$ -	$ -	$ -	$ -	$ -	$ -	$ -

I certify the above to be accurate and in agreement with this agency's record and with the terms of this agreement. Additionally, I certify that any reports accompanying this invoice are true and correct reflection of this period's activities, as stipulated by this agreement.

Authorized Name (Print) _____ Title _____

Authorized Signature _____ Date _____

POLK COUNTY
CONTRACT FOR SERVICES
CONTRACT # 20-007-IHC

This Contract for Services ("Contract") is made effective from **October 1, 2020** ("Effective Date") to **September 30, 2023** by and between **Polk County School Board for the Maynard A. Traviss Technical College**, a Florida not-for profit corporation ("TRAVISS"), and Polk County, a political subdivision of the State of Florida ("COUNTY"), (TRAVISS and COUNTY shall be jointly referred to herein as the "Parties").

WHEREAS, the COUNTY and TRAVISS desire to enter into a Contract to allow for the provision of dental services for qualified Polk County residents at or below 200% of the Federal Poverty Level ("FPL"); and

WHEREAS, the Volunteer Health Care Provider Program (VHCPP) was created by the State of Florida to increase access to health care for uninsured and underserved Floridians and to increase the number of health care volunteers through the extension of state-sponsored sovereign immunity protection; and

WHEREAS, TRAVISS is comprised of, or contracts with, one or more qualified volunteer health care professionals who participate in the Volunteer Health Care Provider Program, and

WHEREAS, TRAVISS is capable and willing to provide, or arrange for the provision of, dental care services;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, and other good and valuable consideration, the Parties hereby agree as follows:

ARTICLE I
SERVICE DELIVERY

1.1 The recitals stated above are true, correct, and incorporated into this Contract.

1.2 TRAVISS shall undertake and perform all tasks and services as identified in the Scope of Services ("Services") in Exhibit A, attached hereto and incorporated herein by reference, for those patients verified as qualified Polk County residents that are at or below 200% of the FPL guidelines.

1.3 The Scope of Services shall not be altered without prior written approval from the COUNTY.

1.4 Funding provided by the Contract shall be used to treat only Qualified Residents of Polk County, as defined in section 212.055(7) Florida Statutes and Polk County Ordinance 2015-076, as it may be subsequently amended.

ARTICLE II
FUNDING

2.1 The COUNTY agrees to pay TRAVISS the budgeted amount not to exceed One Hundred Eleven Thousand and no/100 dollars ($111,000) annually as described in Exhibit D ("Budget") and pursuant to the procedures listed at ARTICLE III herein. Notwithstanding the foregoing or anything to the contrary contained herein, the COUNTY's obligation to pay the aforementioned amount is expressly contingent on annual appropriations being approved by the COUNTY's Board of County Commissioners of the referenced budgeted amount.

2.2 If payment has been made to TRAVISS by the COUNTY for a Service not covered by this Contract, TRAVISS shall promptly refund such payment provided written notice of payment for such non-covered Service has been made by the COUNTY.

2.3 TRAVISS will make all efforts to acquire federal funding and any available state or local funding for its facility and operation in addition to that received by COUNTY.

ARTICLE III
PROCEDURES FOR INVOICING AND PAYMENT

3.1 TRAVISS shall deliver, or cause to be delivered, a quarterly invoice by utilizing an invoice on TRAVISS's letterhead in form and content similar to the form found in Exhibit E. Invoices will be submitted by the last calendar day of the month following the end of the quarter which is the subject of the report.

A. The COUNTY may, at its discretion, inspect and copy any documents, records, and files retained by TRAVISS to verify accuracy of invoices and reports.

3.2 Upon receiving the invoices and supporting documentation, the COUNTY shall review such invoices and supporting documentation to determine whether the invoiced items are proper for payment. Payments for Services will be made by the COUNTY to TRAVISS on a quarterly basis based upon approved invoices.

ARTICLE IV
REPORTING

4.1 TRAVISS shall provide the COUNTY with the below Quarterly Reporting. All Quarterly Reporting is due by the last calendar day of the month following the end of each quarter.

A. Performance Objectives Report (Exhibit B)

B. Executive Summary (Exhibit C)

C. VHCPP Report – TRAVISS will furnish to the COUNTY a copy of the VHCPP Report that TRAVISS provides to the Florida Department of Health.

D. Summary of Services - TRAVISS will use the county-wide, COUNTY provided electronic shared data information system to determine and record client eligibility, track program data, services, and to utilize for purpose of sending eligibility referrals electronically to the Polk HealthCare Plan for potential membership. From the data entered into the shared data information system by the tenth (10th) day of the following month of each quarter, a Community Partner Summary of Services Report (CPQR) will be generated by the shared data information system for review and signature to signify agreement with the data reported.

4.2 TRAVISS shall provide the COUNTY with additional relevant information relating to the Services and/or program, upon request, as needed. To the extent possible, the COUNTY will specify what additional information it may need to be provided by TRAVISS at least ten (10) days before the information deadline imposed by the COUNTY. COUNTY will provide TRAVISS with information relevant to the shared data information system support and coordination upon request, as needed.

4.3 TRAVISS shall submit to the COUNTY an annual financial report and copies of any audits performed for its applicable fiscal year within thirty (30) calendar days of its issuance.

4.4 If TRAVISS is unable to submit any required reporting by the due date, TRAVISS shall notify the COUNTY in writing prior to the due date. The COUNTY may withhold payment in accordance with ARTICLE XV of this Contract until all required reporting has been submitted to the COUNTY by TRAVISS.

ARTICLE V
EVALUATION AND MONITORING

5.1 TRAVISS agrees that the COUNTY will carry out monitoring and evaluation of activities as determined necessary by the COUNTY. The continuation of this Contract is contingent upon satisfactory evaluation conclusion. Such monitoring and evaluation will be based on the terms of this Contract and outcome measures. TRAVISS agrees to furnish upon request to the COUNTY or its designees, and make copies and/or transcriptions of such records and information as is determined necessary by the COUNTY for purposes of monitoring and evaluation under this Contract and shall submit to the COUNTY any information and status reports required by the COUNTY on forms approved by the COUNTY.

5.2 The COUNTY and TRAVISS hereby mutually agree to outcomes and performance goals identified in Exhibit B. TRAVISS will furnish to the COUNTY the data that will be used to evaluate the effectiveness of the Services funded under this Contract.

5.3 TRAVISS gives the COUNTY, through any authorized representative, access to and the right to examine all records, books, papers, or documents relating to the Services provided under the terms of this Contract.

ARTICLE VI
FINANCIAL RESPONSIBILITY

6.1 TRAVISS shall keep and maintain all books, records, and documents pertaining to the Services and this Contract in accordance with accounting procedures and practices which sufficiently and properly reflect all expenditures of funds provided under this Contract and in accordance with Florida's Public Records Act.

6.2 TRAVISS shall provide for inspection, copying, and audit purposes (upon request) all files, records, and documents pertaining to the Services delivered and all related activities.

6.3 Any funds expended in violation of this Contract shall be refunded in full by TRAVISS to COUNTY from non-federal and non-state resources.

ARTICLE VII
ASSURANCES

7.1 TRAVISS agrees that it will comply with the following assurances:

A. TRAVISS agrees to comply with all applicable Federal, State, and County constitutions, laws, ordinances, codes and regulations now in effect and hereafter adopted in the performance of this Contract, including, without limitation, section 766.1115, Florida Statutes; Chapter 64I-2 of the Florida Administrative Code; Chapter 119, Florida Statutes; and section 286.011, Florida Statutes. The Bylaws and Policies and Procedures, and Articles of Incorporation of TRAVISS shall also regulate the program operation of TRAVISS. Any conflict or inconsistency between the Federal, State, or County guidelines and regulations, TRAVISS's corporate governance documents, and this Contract shall be resolved in favor of the most restrictive regulations.

B. In accordance with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which TRAVISS receives Federal financial assistance.

C. TRAVISS shall not exclude eligible residents from participation in any program on the grounds of race, color, national origin, sex, religion, handicap, or familial status.

D. TRAVISS shall establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties. Should such possible conflicts, real or apparent, arise, TRAVISS shall disclose such situations to the COUNTY and the County Attorney's Office for review.

E. In accordance with the Drug Free Workplace Act of 1988, TRAVISS certifies that it has a policy designed to ensure that TRAVISS's workplace is free from the illegal use, possession, or distribution of drugs or alcohol.

F. TRAVISS certifies compliance with Paragraph (2)(a) of Section 287.133 Florida Statutes, which provides that a "person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building

or public work, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list." TRAVISS acknowledges that this Contract shall be void if they have violated the above-referenced statute. Additionally, TRAVISS shall ensure compliance with the U.S. Department of Health Office of Inspector General Medicare/Medicaid fraud, waste, and abuse requirements.

G. As a covered entity, TRAVISS warrants that it is in compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996, as amended ("HIPAA") and the provisions of the Privacy Rule, Security Rules adopted by the Department of Health and Human Services ("HHS"), the Health Information Technology for Economic and Clinical Health Act of 2009, as amended ("HITECH Act"), and the Florida Information Protection Act of 2014, as amended ("FIPA"). TRAVISS further agrees that it shall restrict disclosure or usage of Protected Health Information ("PHI") it obtains or creates through its association with the COUNTY to the exclusive purposes established by this Contract.

H. To the extent TRAVISS dispenses medicinal drugs, TRAVISS assures that its practitioners shall comply with and be subject to all laws and rules applicable to pharmacists and pharmacies, including, without limitation, Chapters 465, 499 and 893, Florida Statutes, and all federal laws and federal regulations.

ARTICLE VIII
GENERAL PROVISIONS

8.1 As applicable, TRAVISS agrees to abide by the provision of Section 112.3135, Florida Statutes, pertaining to Restriction on Employment of Relatives, Chapter 119, Florida Statutes, pertaining to Public Records, and Section 286.011, Florida Statutes, pertaining to Public Business in their performance under this Contract.

8.2 Public Meetings and Records.

A. TRAVISS acknowledges the COUNTY's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Contract. TRAVISS further acknowledges that the constitutional and statutory provisions control over the terms of this Contract. In association with its performance pursuant to this Contract, TRAVISS shall not release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

B. Without in any manner limiting the generality of the foregoing, to the extent applicable, TRAVISS acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall:

1. keep and maintain public records required by the COUNTY to perform the Services required under this Contract;

2. upon request from the COUNTY's Custodian of Public Records or his/her designee, provide the COUNTY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

3. ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Contract and following completion of this Contract if TRAVISS does not transfer the records to the COUNTY; and

4. upon completion of this Contract, transfer, at no cost, to the COUNTY all public records in possession of TRAVISS or keep and maintain public records required by the COUNTY to perform the service. If TRAVISS transfers all public records to the COUNTY upon completion of this Contract, TRAVISS

shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If TRAVISS keeps and maintains public records upon completion of this Contract, TRAVISS shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the COUNTY, upon request from the COUNTY's Custodian of Public Records, in a format that is compatible with the information technology systems of the COUNTY.

C. **IF TRAVISS HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO TRAVISS'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIAISON OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

8.3 The entire Contract between the Parties and its corresponding Exhibits are set forth herein and contained within this document and the Parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Contract that are not contained herein. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

8.4 This document shall be executed in two (2) counterparts, each of which shall be deemed to be an original.

8.5 All notices required by this Contract shall be in writing.

ARTICLE IX
CONFLICT OF INTEREST

9.1 No person who is an employee, agent, consultant, officer, or appointed official of TRAVISS and who is in a position to participate in a decision making process or gain inside information with regard to activities relevant to the terms of this Contract, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or Contract with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one (1) year thereafter.

ARTICLE X
INDEMNIFICATION

10.1 TRAVISS shall indemnify and hold harmless the COUNTY, its agents, and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs, and judgments of every kind and description to which the COUNTY, its agents or employees, may be subjected to by reason of injury to persons or death or property damage, resulting from or growing out of any action of commission, omission, negligence, or fault of TRAVISS or its qualified physicians committed in connection with this Contract, TRAVISS's performance hereof, or any work performed hereunder. TRAVISS shall indemnify and hold harmless the COUNTY, its agents and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs of judgments of every kind and description arising from, based upon, or growing out of the violation of any Federal, State, County, or City law, ordinance, or regulation by TRAVISS or its agents and employees. Funds made available pursuant to this Contract shall not be used by TRAVISS for the purpose of initiating or pursuing litigation against the COUNTY.

10.2 TRAVISS agrees to continually provide insurance, at least to the extent and coverage amounts described in ARTICLE XI below. Prior to the execution of the Contract, TRAVISS shall furnish the COUNTY with written verification of the existence of such insurance coverage in accordance with Section 11.2, below.

10.3 If any of the TRAVISS's health care professionals are provided sovereign immunity under the State of Florida's Volunteer Health Care Provider Program, then the TRAVISS shall maintain all documents necessary to evidence such sovereign immunity.

ARTICLE XI
INSURANCE

11.1 TRAVISS shall maintain at all times the following minimum levels of insurance and shall, without in any way altering their liability, obtain, pay for, and maintain insurance for the coverages and amount of coverage not less than those set forth below:

A. Workers' Compensation -- in compliance with State and Federal laws.

B. Polk County School Board is self-insured and no further liability insurance is required.

11.2 TRAVISS shall provide to the COUNTY a copy of the Certificate of Insurance to evidence such coverage prior to commencement of work under the terms of this Contract. Such Certificate of Insurance shall provide that there shall be no termination, non-renewal modification, or expiration of such coverage except with forty-five (45) calendar days prior written notice to the COUNTY.

11.3 All insurance coverage shall be written with a firm having an A.M. Best Rating of at least the A category and size category of VIII.

11.4 In the event of any failure by TRAVISS to comply with the provisions, the COUNTY may, at its option, on notice to TRAVISS suspend the Contract for cause until there is full compliance. Alternatively, the COUNTY may purchase such insurance at TRAVISS's expense, provided that the COUNTY shall have no obligation to do so. TRAVISS shall not be relieved of or excused from the obligation to obtain and maintain such insurance amounts and coverages.

11.5 TRAVISS shall provide property insurance for all property in an amount satisfactory to the COUNTY. TRAVISS shall require all its contractors to carry insurance and bond in an amount not less than funds awarded by TRAVISS to its contractors.

ARTICLE XII
MODIFICATION

12.1 The COUNTY may, at its discretion and upon provision of proper notice to TRAVISS amend this Contract to conform to changes in Federal, State, and/or County guidelines, regulations, directives, and objectives. Such amendments shall be incorporated by written amendment as a part of this Contract.

12.2 No modification to this Contract shall be binding on either party unless in writing and signed by both parties.

ARTICLE XIII
APPLICABLE LAWS AND COURTS

13.1 The COUNTY and TRAVISS agree that all activities shall be governed in all respects by the laws of the State of Florida, venue in the courts of Polk County, Florida.

ARTICLE XIV
NOTICES

14.1 The COUNTY and TRAVISS agree that any notice, demand, or communication required to be given hereunder shall be written, addressed, and delivered to the party for whom it is intended at the following address:

TRAVISS TECHNICAL COLLEGE:
Polk County School Board
Traviss Technical College
Dental Assisting Program
1915 S Floral Avenue
Bartow, FL 33830
Attn: Jacqueline Byrd, Superintendent of Schools
Copy to: Susan Rexroat, Dental Clinic Coordinator

COUNTY:
Paula McGhee, Provider Services Manager
Health and Human Services
Polk County, Board of County Commissioners
2135 Marshall Edwards Drive
Bartow, FL 33830-6757
Tel 863-519-2003

or to such other address as such party has specified by notice in writing to the other party. Notice shall be effective upon receipt or upon refusal to accept receipt. Notices must be (i) personally delivered; (ii) sent by recognized expedited delivery service; or (iii) mailed, via registered or certified United States mail, postage prepaid with return receipt requested.

ARTICLE XV
SUSPENSION AND TERMINATION

15.1 Remedies for Non-compliance: If TRAVISS materially fails to comply with any term of this Contract, or of any Federal, State, County, or other local law, or any County policy, or any other applicable rule or regulation, then the COUNTY may take one (1) or more of the following actions as appropriate in the circumstances:

A. Temporarily withhold cash payments pending correction of the deficiency by TRAVISS or pending more severe enforcement action by the COUNTY.

B. Disallow (that is to deny both use of funds and matching credit) for all or part of the cost of the activity or action not in compliance.

C. Wholly or partly suspend or terminate the Contract.

D. Withhold further funding under this Contract.

E. Withhold payment for all Services provided for under this Contract in the event that:

1. Treatment is not being provided according to State guidelines and regulations;

2. There is evidence of unsafe or unethical conditions, which may place the health and safety of any client at risk;

3. The assurances contained herein are determined by the COUNTY to be false; or

4. The provisions of this Contract are not being adhered to.

F. Take other legal or equitable remedies that may be available.

15.2 Hearings Appeals: In taking an enforcement action listed in Section 15.1 or any other provision of the Contract, the COUNTY will provide TRAVISS an opportunity for such hearing, appeal, or other administrative proceeding to which the COUNTY or TRAVISS is entitled to under any statute or regulation applicable to the action involved.

15.3 Efforts of Suspension and Termination: Costs resulting from obligations incurred by TRAVISS in clearing a suspension after termination of an award are not allowable unless the COUNTY expressly authorizes them

in the nature of said suspension or termination or subsequently. Other TRAVISS costs incurred during suspension or after termination which are necessary and not reasonably avoidable are allowable if:

A. The costs result from obligations which were properly incurred by TRAVISS before the effective date of suspension or termination and not in anticipation of it, or the costs, in case of termination, which are non-cancelable; and

B. The costs would be allowable if the award was not suspended or if said award expired normally at the end of the funding period in which the termination takes effect.

15.4 Termination for Convenience: At any time during the term of this Contract, this Contract may be terminated, in whole or in part, for any reason, with or without cause, by either party upon written notice given at least sixty (60) days in advance of the effective date of termination. In the case of a partial termination, if the COUNTY determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the COUNTY may terminate the award in its entirety.

15.5 Termination of Scrutinized Companies: This Contract may be terminated at the option of the COUNTY if TRAVISS is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel. In addition, this Contract may be terminated at the option of COUNTY if TRAVISS is found to have submitted a false certification as provided under Section 287.135(5), Florida Statutes; has been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; or has been engaged in business operations in Cuba or Syria.

IN WITNESS WHEREOF the parties hereto have duly executed this Contract as of the Effective Date.

POLK COUNTY SCHOOL BOARD

BY: _____
Jacqueline Byrd, Superintendent of Schools

DATE: 8/19/20

_____
Witness

_____
Witness

POLK COUNTY, a political subdivision of the State of Florida

BY: _____
W.C. Braswell, Commissioner

DATE: 9/15/2020

ATTEST: Stacy M. Butterfield, Clerk

BY: _____
Deputy Clerk

Reviewed as to Form:

BY: _____
County Attorney

P.49

SCOPE OF SERVICES

TRAVISS will provide volunteer dental services for those patients verified as qualified Polk County residents that are at or below 200% of the FPL guidelines. TRAVISS is a volunteer provider program and has no obligation to provide services to those who do not meet the eligibility criteria and/or if the services needed are not available or within the Scope of Services.

TRAVISS will:

- Coordinate a volunteer provider network to provide dental care, and when available, ancillary and diagnostic services to include, but not be limited to, radiographs, nutritional counseling, oral hygiene instructions and restorative, extractions, surgical extractions, prosthetics, endodontics, and limited preventative services to improve oral health;

- Recruit dental health care providers who have an active license from the appropriate licensing agency of the State of Florida to provide health and wellness related dental services;

- Refer potentially eligible patients to the Polk HealthCare Plan.

PERFORMANCE OBJECTIVES

Performance Objectives
Traviss Technical College

FY _____

Performance Goal	Fiscal Target	Quarter 1 Value	Quarter 2 Value	Quarter 3 Value	Quarter 4 Value	Fiscal YTD Value
Percent of clients verified as Polk County residents utilizing a Declaration of Domicile Form	<30%					
Percent of clients who receive Oral Hygiene Instructions	80%					
Percent of clients who receive Nutrition Counseling	80%					
Percent of clients who receive Oral Cancer Screening	80%					

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY
Partner Name

Period of Report From _____ to _____

Please answer the below questions based on your organizations activity during the quarter reported.

I. Services Provided

Have you been able to offer new specialty services? ☐ Yes ☐ No

Comments: _____

Did you stop or have an interruption offering any services? ☐ Yes ☐ No

Reason: _____

Have you started a new health program? ☐ Yes ☐ No

Comments: _____

Do you see a need in the population served for a specific service you do not currently provide? ☐ Yes ☐ No

Comments: _____

II. Service Hours / Days

List days and hours clinic is open to the public: _____

Comments: _____

III. Personnel

Have you had a change in staffing of key personnel? ☐ Yes ☐ No

Comments: _____

IV. Funding

Federal Funding:	_____
State Funding:	_____
County Funding (other than IHC funding):	_____
Municipal Funding:	_____
Private Funding:	_____
Donations: (monies, pharmaceuticals, eyeglasses, labs, x-rays, equipment, etc.)	_____
Fund Raisers\Events Earnings:	_____
Total Additional Funding:	$ -

Are you actively applying for other grants? ☐ Yes ☐ No

Are you actively planning/organizing any fund raising events? ☐ Yes ☐ No

V. Additional Comments

_____

_____

BUDGET TEMPLATE

BUDGET FORM

Traviss Dental Clinic
3225 Winter Lake Road
Lakeland, FL 33803

To: Polk Co., a political subdivision of the State of Florida
Indigent Health Care
2135 Marshall Edwards Drive
Bartow FL, 33805

Agreement # 20-007-IHC

Category	Description	FTE's	Oct'20-Sept'21 Award Year 1	Oct'21-Sept'22 Award Year 2	Oct'22-Sept'23 Award Year 3	Annual In- Kind Match
	Clinical Staff Salaries		$ -	$ -	$ -	
	Administrative Staff Salaries	1	$ 23,000.00	$ 23,000.00	$ 23,000.00	$ 75,841.00
	Fringe and Benefits	30.6%	$ 7,028.00	$ 7,028.00	$ 7,028.00	$ 14,128.00
Personnel Total:			$ 30,028.00	$ 30,028.00	$ 30,028.00	$ 89,969.00
	Direct Services to Patients (medical services/supplies, medications, etc.)		$ 16,997.00	$ 16,997.00	$ 16,997.00	
	Staff Travel for Patient Services		$ -	$ -	$ -	
	Subcontractor Fees (Medical procedures, screenings, labs, X-Rays)		$ -	$ -	$ -	
	Conference/Training		$ -	$ -	$ -	
Program Direct Services Total:			$ 16,997.00	$ 16,997.00	$ 16,997.00	$ -
	Professional Fees (Accounting, legal, auditing, payroll fees, temporary labor)		$ 51,090.00	$ 51,090.00	$ 51,090.00	
	Insurance/License (Liability, auto, workers comp and professional licensing)		$ 1,194.00	$ 1,194.00	$ 1,194.00	$ 86.00
	Dues /Membership (subscriptions)		$ -	$ -	$ -	$ 120.00
	Communication (telephone, internet, fax)		$ -	$ -	$ -	$ 3,900.00
	Utilities (water, electric, gas, sewer)		$ -	$ -	$ -	
	Rentals/Leases (building, land, for admin offices)		$ -	$ -	$ -	
	Maintenance/Repairs (of office space)		$ 491.00	$ 491.00	$ 491.00	$ 2,424.00
	Office Supplies (general office, computer and equipment <$1,000)		$ 11,200.00	$ 11,200.00	$ 11,200.00	$ 3,028.00
	Other		$ -	$ -	$ -	$ 2,500.00
Operational Total:			$ 63,975.00	$ 63,975.00	$ 63,975.00	$ 12,058.00
Grand Total:			$ 111,000.00	$ 111,000.00	$ 111,000.00	$ 102,027.00

The foregoing budget and timeline are for planning purposes of the parties and are not binding.
Any revisions to the budget must be submitted in writing to Indigent Health Care, Fiscal Services, 2135 Marshall Edwards Drive, Bartow FL 33830 or scanned color copy via email to ihcfiscal@polk.county.net

Authorized Representative Name and Title (Print)

Authorized Representative Signature

Date

INVOICE SAMPLE

Logo Name

[Your Company Name]

Date:
Invoice #:
Service Period:
Contract Number:

To: Polk Co., a political subdivision of the State of Florida

Category	Description	Budget	Invoice 1st Quarter	Invoice 2nd Quarter	Invoice 3rd Quarter	Invoice 4th Quarter	YTD Total	Balance
	Clinical Staff Salaries, Fringe and Benefits	$ -					$ -	$ -
	Administrative Staff Salaries	$ -					$ -	$ -
	Fringe and Benefits	$ -					$ -	$ -
Personnel Total:		$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Direct Services to Patients	$ -					$ -	$ -
	Staff Travel for Patient Services	$ -					$ -	$ -
	Subcontractor Fees	$ -					$ -	$ -
	Conference/Training	$ -					$ -	$ -
Program Direct Services Total:		$ -	$ -	$ -	$ -	$ -	$ -	$ -
	Professional Fees	$ -					$ -	$ -
	Insurance/License	$ -					$ -	$ -
	Dues/Membership	$ -					$ -	$ -
	Communication	$ -					$ -	$ -
	Utilities							
	Rentals/Leases	$ -					$ -	$ -
	Maintenance/Repairs	$ -					$ -	$ -
	Office Supplies	$ -					$ -	$ -
	Other:	$ -					$ -	$ -
Operational Total:		$ -	$ -	$ -	$ -	$ -	$ -	$ -
Grand Total:		$ -	$ -	$ -	$ -	$ -	$ -	$ -

I certify the above to be accurate and in agreement with this agency's record and with the terms of this agreement. Additionally, I certify that any reports accompanying this invoice are true and correct reflection of this period's activities, as stipulated by this agreement.

Authorized Name (Print)

Title

Authorized Signature

Date

STATE OF FLORIDA
COUNTY OF

Personally known:
OR Produced Identification:
Identification Produced:

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____

Print Name of Notary Public

Signature of Notary Public

Date

(Seal)

POLK COUNTY
FIRST AMENDMENT TO CONTRACT FOR SERVICES
CONTRACT #20-007-IHC

This First Amendment to Contract for Services ("First Amendment") by and between **Polk County School Board for the Maynard A. Traviss Technical College**, a Florida not-for-profit corporation ("TRAVISS"), and Polk County, a political subdivision of the State of Florida ("COUNTY") is effective as of October 1, 2022, ("First Amendment Effective Date"). (TRAVISS and COUNTY shall be referred to jointly as the "Parties").

RECITALS

WHEREAS, the Parties entered into that certain Contract for Services, which is effective from the 1st day of October, 2020, through September 30, 2023 (the Contract); and

WHEREAS, the Parties now desire to enter into this First Amendment for the purposes of increasing funding for a one-time allowance of reimbursement for the purchase of capital expenditures, and for the purposes of extending the term of the Contract and modifying certain provisions of the Contract; and

WHEREAS, capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Contract;

NOW THEREFORE, in consideration of the mutual promises set fourth herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties agree as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.

2. The term of the Contract is effective from October 1, 2020 through September 30, 2025 (the Contract).

3. Article II: FUNDING Section 2.1 is amended and restated as follows:

   2.1 The COUNTY agrees to pay TRAVISS the budgeted amount not to exceed:

   A. One Hundred Eleven Thousand and no/100 dollars ($111,000) – Year 1

   B. One Hundred Eleven Thousand and no/100 dollars ($111,000) – Year 2

   C. One Hundred Thirty-Six Thousand and no/100 dollars ($136,000) – Year 3

   D. One Hundred Eleven Thousand and no/100 dollars ($111,000) – Year 4

   E. One Hundred Eleven Thousand and no/100 dollars ($111,000) – Year 5

   as described in Exhibit D ("Budget") and pursuant to the procedures listed at ARTICLE III herein. Notwithstanding the foregoing or anything to the contrary contained herein, the COUNTY's obligation to pay the aforementioned amount is expressly contingent on annual appropriations being approved by the COUNTY's Board of County Commissioners of the referenced budgeted amount.

4. Article IV: REPORTING is amended to be REPORTING AND POLK HEALTHCARE PLAN REFERRALS and is amended to add the following sections:

   4.5 Polk HealthCare Plan Membership Referrals.

   A. TRAVISS shall request and obtain information from each individual who seeks Services from TRAVISS sufficient for TRAVISS to determine whether the individual could qualify for membership in the Polk HealthCare Plan. For purposes of making the determination, TRAVISS shall assume the information an individual provides is accurate and true. If TRAVISS determines

an individual could qualify for Polk HealthCare Plan membership, then TRAVISS shall electronically refer the individual to the COUNTY via the shared data information system.

B. TRAVISS acknowledges its referral of potentially qualified individuals to the Polk HealthCare Plan is an integral part of the Contract consideration it provides the COUNTY.

4.6 Reporting will be monitored for correct and timely submission as well as referrals to the Polk HealthCare Plan as part of the evaluation and monitoring process described in Article V below. If TRAVISS would materially fail to comply with its Contract obligations, the COUNTY may seek the remedies stated in Article XV of this Contract.

5. Article V: EVALUATION AND MONITORING Section 5.1 is amended and restated as follows:

5.1 TRAVISS agrees that the COUNTY will monitor and evaluate TRAVISS's performance of its Contract activities as determined necessary by the COUNTY to include without limitation TRAVISS's Article IV reporting and referral obligations. The continuation of the Contract is contingent upon the evaluations substantiating TRAVISS is satisfactorily performing all its Contract obligations. Such monitoring and evaluation shall be based on the terms of this Contract and outcome measures. TRAVISS agrees to furnish upon request to the COUNTY or its designees, and make copies and/or transcriptions of such records and information as determined necessary by the COUNTY for purposes of monitoring and evaluation under this Contract and shall submit to the COUNTY any information and status reports required by the COUNTY on forms approved by the COUNTY.

6. Article VIII: GENERAL PROVISIONS, is amended to add the following section:

8.6 Employment Eligibility Verification (E-Verify)

A. For purposes of this section, the following terms shall have the meanings ascribed to them below, or as may otherwise be defined in Section 448.095, Florida Statutes, as amended from time to time:

1. "Contractor" means a person or entity that has entered or is attempting to enter into a contract with a public employer to provide labor, supplies, or services to such employer in exchange for salary, wages, or other remuneration; and

2. "E-Verify system" means an Internet-based system operated by the United States Department of Homeland Security that allows participating employers to electronically verify the employment eligibility of newly hired employees; and

3. "Subcontractor" means a person or entity that provides labor, supplies, or services to or for a contractor or another subcontractor in exchange for salary, wages, or other remuneration.

B. Pursuant to Section 448.095(2)(a), Florida Statutes, effective January 1, 2021, public employers, contractors and subcontractors shall register with and use the E-Verify system in order to verify the work authorization status of all newly hired employees. The Contractor acknowledges and agrees to utilize the U.S. Department of Homeland Security's E-Verify System to verify the employment eligibility of:

1. All persons employed by the Contractor to perform employment duties during the term of this contract; and

2. All persons (including subvendors/subconsultants/subcontractors) assigned by the Contractor to perform work pursuant to this contract.

C. The Contractor acknowledges and agrees that use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this section is an express condition of this contract, and the County may treat a failure to comply as a material breach of this contract. By entering into this contract, the Contractor becomes obligated to comply with the provisions of Section 448.095,

Fla. Stat., "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees, and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The Contractor shall maintain a copy of such affidavit for the duration of the contract. Failure to comply will lead to termination of this contract, or if a subcontractor knowingly violates the statute, the subcontract must be terminated immediately. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If this contract is terminated for a violation of the statute by the Contractor, the Contractor may not be awarded a public contract for a period of 1 year after the date of termination. The Contractor shall be liable for any additional costs incurred by the County as a result of the termination of this contract. Nothing in this section shall be construed to allow intentional discrimination of any class protected by law.

7. Article XIV: NOTICES address for TRAVISS is amended as follows:

   Polk County School Board
   Traviss Technical College
   Dental Assisting Program
   1915 S Floral Avenue
   Bartow, FL 33830
   Attn: Superintendent of Schools
   Copy to: Andrea' LaRocca, Dental Assisting Program Director

8. Except as specifically set forth in this First Amendment, all the terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto duly execute this First Amendment effective the First Amendment Effective Date.

SCHOOL BOARD OF POLK COUNTY, FLORIDA

By: _____
Frederick Heid, Superintendent of Schools

Date: 9/2/22

_____
Witness

_____
Witness

POLK COUNTY, a political subdivision of the State of Florida

By: _____
Dr. Martha Santiago, Chair

Date: 10/4/22

ATTEST: Stacy M. Butterfield, Clerk

By: _____
Deputy Clerk

Approved as to form and legal sufficiency:

By: _____
County Attorney's Office

BUDGET

BUDGET FORM

Traviss Dental Clinic
3225 Winter Lake Road
Lakeland, FL 33803

To: Polk Co., a political subdivision of the State of Florida
Indigent Health Care
2135 Marshall Edwards Drive
Bartow, FL 33830

Agreement # 20-007-IHC

Category	Description	FTEs	Oct'22-Sept'23	Oct'23-Sept'24	Oct'24-Sept'25	Annual In- Kind Match
	Clinical Staff Salaries		$ -	$ -	$ -	$ -
	Administrative Staff Salaries	0.5	$ 23,750.00	$ 23,750.00	$ 23,750.00	$ 75,841.00
	Fringe and Benefits	29.89%	$ 10,125.00	$ 10,125.00	$ 10,125.00	$ 14,128.00
Personnel Total:			**$ 33,875.00**	**$ 33,875.00**	**$ 33,875.00**	**$ 89,969.00**
	Direct Services to Patients (medical services/supplies, medications, etc.)		$ 12,000.00	$ 12,000.00	$ 12,000.00	
	Staff Travel for Patient Services					
	Subcontractor Fees (Medical procedures, screenings, labs, X-Rays)					
	Conference/Training					
Program Direct Services Total:			**$ 12,000.00**	**$ 12,000.00**	**$ 12,000.00**	**$ -**
	Professional Fees (Accounting, legal, auditing, payroll fees, temporary labor)		$ 62,801.00	$ 62,801.00	$ 62,801.00	
	Insurance/License (Liability, auto, workers comp and professional licensing)		$ 1,194.00	$ 1,194.00	$ 1,194.00	$ 90.00
	Dues /Membership (subscriptions)					$ 120.00
	Communication (telephone, internet, fax)					$ 3,900.00
	Utilities (water, electric, gas, sewer)					
	Rentals/Leases (building, land, for admin offices)					
	Maintenance/Repairs (of office space)		$ 630.00	$ 630.00	$ 630.00	$ 2,424.00
	Office Supplies (general office, computer and equipment <$1,000)		$ 500.00	$ 500.00	$ 500.00	$ 3,028.00
	Other		$ -			$ 2,500.00
Operational Total:			**$ 65,125.00**	**$ 65,125.00**	**$ 65,125.00**	**$ 12,062.00**
	Equipment >= $1,000.00		$ 25,000.00	XXXXXXXXXX	XXXXXXXXXX	
Capital Total:			**$ 25,000.00**	**$ -**	**$ -**	**$ -**
Grand Total:			**$ 136,000.00**	**$ 111,000.00**	**$ 111,000.00**	**$ 102,031.00**

The foregoing budget and timeline are for planning purposes of the parties and are not binding. Any revisions to the budget must be submitted in writing to Indigent Health Care, Fiscal Services, 2135 Marshall Edwards Drive, Bartow FL 33830 or scanned color copy via email to ihcfiscal@polk-county.net

Authorized Representative Name and Title (Print)

Authorized Representative Signature

Date

Agenda Item R.15. 11/4/2025

SUBJECT

Approve the contract with Tri-County Human Services, Inc. for the purchase of incidentals for Helping HANDS participants. (Total amount not to exceed $150,000.)

DESCRIPTION

Since 2017, Community Health Care (CHC) has administered the Helping HANDS (Healthcare Access Navigation Delivery and Support) Program that assists newly released inmates of the Polk County Jail by connecting them with local behavioral health providers and access to appropriate social service programs as the inmates transition from jail into the community. Participants in the Program are qualified Polk County residents. Tri-County Human Services, Inc. partners with CHC to provide services to Program participants.

As Program participants are seeking stable lifestyles, housing, transportation and employment, incidental expenses can occur. In order to remove barriers that impede participant success in the Program, funding through this contract will be used to reimburse for incidental expenses including but not limited to: clothing, hygiene needs, household items, transportation, work-related tools, education, and fees associated with obtaining legal documents.

This contract will be effective October 1, 2025 to September 30, 2026 with the option to automatically renew for two one-year renewal terms.

RECOMMENDATION

Approve the contract with Tri-County Human Services, Inc. for the purchase of incidentals for Helping HANDS participants.

FISCAL IMPACT

Funds are available in the Polk County Florida Opioid Trust Funds.

CONTACT INFORMATION

Holly Vida, Behavioral Health Program Manager, Health and Human Services Division at 863-519-1005

Joy Johnson, Administrator, Health and Human Services Division at 863-534-5204

POLK COUNTY
CONTRACT FOR SERVICES
CONTRACT # 25-574-CHC

This Contract for Services ("Contract") is made effective **October 1, 2025** ("Effective Date") by and between **Tri-County Human Services, Inc.**, a Florida not-for-profit corporation ("TCHS"), and Polk County, a political subdivision of the State of Florida ('COUNTY"), (TCHS and COUNTY shall be jointly referred to herein as the "Parties").

WITNESS TO:

WHEREAS, the people of the State of Florida (State) and its communities have been harmed by misfeasance, nonfeasance, and malfeasance committed by certain entities within the Pharmaceutical Supply Chain; and

WHEREAS, the State, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold many of the same Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance, and malfeasance as the State; and

WHEREAS, certain Local and State Governments have separately sued Pharmaceutical Supply Chain participants for the harm caused to the citizens and have collectively negotiated settlements with several Pharmaceutical Supply Chain Participants; and

WHEREAS, the Local and State Governments share a common desire to abate and alleviate the impacts of the misfeasance, nonfeasance, and malfeasance through the State; and

WHEREAS, it is the intent of the State and its Local Governments to use the proceeds from any Settlements with Pharmaceutical Supply Chain Participants to increase the amount of funding for opioid and substance abuse education, treatment, prevention, and other related programs and services; and

WHEREAS, the COUNTY is a recipient of such Settlement funds (the Florida Opioid Allocation and Statewide Response Agreement); and

WHEREAS, the COUNTY administers a program called Helping HANDS (Healthcare Access Navigation Delivery and Support), a Thomas McMicken Legacy Program, that assists newly released inmates of the Polk County Jail by connecting them with a local behavioral health provider and access to appropriate social service programs as the inmates transition from jail into the community; and

WHEREAS, expenses for incidentals may occur when assisting Helping HANDS clients as they transition into the community; and

WHEREAS, TCHS is an integral partner and contracts with the COUNTY for TCHS to provide services for and in support of the Helping HANDS program; and

WHEREAS, TCHS is capable and willing to acquire and deliver such incidentals to Helping HANDS clients; and

WHEREAS, TCHS agrees to provide services in accordance with this Contract and the Florida Opioid Allocation and Statewide Response Agreement.

NOW THEREFORE, in consideration of the mutual promises set forth herein, and other good and valuable consideration, the Parties hereby agree as follows:

ARTICLE I
SERVICE DELIVERY

1.1 The recitals stated above are true, correct, and incorporated into this Contract.

1.2 TCHS shall undertake and perform all tasks and services ("Services") of the applicable treatment programs identified in the Scope of Services attached to this Contract as Exhibit A and incorporated herein by reference, for those patients verified as qualified Polk County residents that are at or below 200% of the FPL guidelines.

1.3 The Scope of Services shall not be altered without prior written approval from the COUNTY.

1.4 Funding provided by the Contract shall be used only to treat Qualified Residents of Polk County, as defined in section 212.055(7) Florida Statutes and Polk County Ordinance 2015-76, as amended.

ARTICLE II
FUNDING

2.1 In consideration for TCHS providing Services to Qualified Residents, the COUNTY will annually pay TCHS a total amount not to exceed One Hundred Fifty Thousand and no/100 Dollars ($150,000) as described in the attached Exhibit C ("Expenses") and pursuant to the procedures listed at ARTICLE III herein. Notwithstanding the foregoing or anything to the contrary contained herein, COUNTY's obligation to pay the aforementioned amount is expressly contingent on approval by the COUNTY's Board of County Commissioners of the referenced budgeted amount.

2.2 TCHS acknowledges that funding for reimbursement of Services is provided through the Florida Opioid Allocation and Statewide Response Agreement. TCHS further acknowledges its responsibility to exercise proper stewardship over the funding and shall ensure the costs charged for Services are allowable, allocable, reasonable, necessary and consistently applied according to the applicable provisions of the Florida Opioid Allocation and Statewide Response Agreement.

2.3 TCHS agrees to return to the COUNTY any overpayments of funds disallowed pursuant to the terms and conditions of the Contract. In the event that the Parties or their independent auditors discover that an overpayment has been made, the overpayment shall be repaid immediately without prior notification from the COUNTY. In the event that the COUNTY first discovers an overpayment has been made, the COUNTY will notify TCHS of such findings.

ARTICLE III
PROCEDURES FOR INVOICING AND PAYMENT

3.1 TCHS shall deliver, or cause to be delivered to the COUNTY, a monthly invoice for Services rendered by utilizing an invoice on TCHS letterhead in form and content similar to the form found in the attached Exhibit D. Invoices will be submitted by the last calendar day of the month following the end of the month which is the subject of the report.

A. The COUNTY may, at its discretion, inspect any documents, records, and files retained by TCHS to verify accuracy of all submitted invoices and reports.

3.2 Upon receiving the invoices and supporting documentation, the COUNTY shall review such invoices and supporting documentation to determine whether the invoiced items are proper for payment. The COUNTY will pay TCHS for Services on a monthly basis based upon approved invoices.

ARTICLE IV
REPORTING

4.1 Summary of Services – TCHS will use the county-wide, COUNTY provided electronic shared data information system to determine and record client eligibility, track program data, and services. From the data entered into the shared data information system by the tenth (10^{th}) of the following month of each month, a Community Partner Quarterly Report (CPQR) will be generated by the shared data information system for review and signature to signify agreement with the data reported.

4.2 TCHS shall provide the COUNTY with additional relevant information relating to the Services and/or program, upon request, as needed. To the extent possible, the COUNTY will specify what additional information it may need from TCHS at least ten (10) days before the date the COUNTY must receive the requested information. COUNTY will provide TCHS with information relevant to support and coordination for the Electronic Eligibility System upon request, as needed.

4.3 TCHS shall submit to the COUNTY an annual financial report and copies of any audits performed for its applicable fiscal year within thirty (30) calendar days after the date the applicable report or audit is issued.

4.4 If TCHS is unable to submit any required reporting by its due date, TCHS shall notify the COUNTY in writing prior to the due date. The COUNTY may withhold payment in accordance with ARTICLE XV of this Contract until all required reporting has been submitted to the COUNTY by TCHS.

4.5 Reporting will be monitored for correct and timely submission as part of the evaluation and monitoring process described in Article V below. If TCHS would materially fail to comply with its Contract obligations, the COUNTY may seek the remedies stated in Article XV of this Contract.

ARTICLE V
EVALUATION AND MONITORING

5.1 TCHS agrees that the COUNTY will monitor and evaluate TCHS's performance of its Contract activities as determined necessary by the COUNTY to include without limitation TCHS's Article IV reporting obligations. The continuation of the Contract is contingent upon the evaluations substantiating TCHS is satisfactorily performing all its Contract obligations. Such monitoring and evaluation shall be based on the terms of this Contract and outcome measures. TCHS agrees to furnish upon request to the COUNTY or its designees, and make copies and/or transcriptions of such records and information as determined necessary by the COUNTY for purposes of monitoring and evaluation under this Contract and shall submit to the COUNTY any information and status reports required by the COUNTY on forms approved by the COUNTY.

5.2 The COUNTY and TCHS hereby mutually agree to outcomes and performance objectives described in the attached Exhibit B. TCHS will furnish to the COUNTY the data that will be used to evaluate the effectiveness of the Services funded under this Contract.

5.3 TCHS gives the COUNTY, through any authorized representative, access to and the right to inspect, examine, copy and audit all records, books, papers, or documents relating to the Services provided under the terms of this Contract.

ARTICLE VI
FINANCIAL RESPONSIBILITY

6.1 TCHS shall maintain books, records and documents in accordance with generally accepted accounting procedures and practices which shall sufficiently and properly reflect all expenditures of funds provided under this Contract and in accordance with Florida's Public Records Act.

6.2 TCHS shall also provide for audit purposes (upon request) all files, records and documents pertaining to all Service delivery related activities.

6.3 Any funds expended in violation of this Contract shall be refunded in full by TCHS to COUNTY from non-federal and non-state resources.

ARTICLE VII
ASSURANCES

7.1 TCHS shall comply with the following assurances:

A. TCHS agrees to comply with all applicable Federal, State, and County constitutions laws, ordinances, codes and regulations including, without limitation, Section 766.1115, Florida Statutes. The Bylaws and

Policies and Procedures, and Articles of Incorporation of TCHS shall also regulate the program operation of TCHS. Any conflict or inconsistency between the Federal, State or County guidelines and regulations, TCHS's corporate governance documents, and this Contract shall be resolved in favor of the most restrictive regulations.

B. TCHS agrees to abide by all terms and conditions of the Florida Opioid Allocation and Statewide Response Agreement. Said agreement, along with the accompanying schedules, can be found on the following website: https://nationalopiodsettlement.com/states/florida.

C. In accordance with Title VI of the Civil Rights Act of 1964 (P.L. 88-352), no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which TCHS receives Federal financial assistance.

D. TCHS shall not exclude eligible residents from participation in any program on the grounds of race, color, national origin, sex, religion, handicap, or familial status.

E. TCHS shall establish safeguards to prohibit employees from using positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties. Should such possible conflicts, real or apparent, arise, TCHS shall disclose such situations to the COUNTY and the County Attorney's Office for review.

F. In accordance with the Drug Free Workplace Act of 1988, TCHS certifies that it has a policy designed to ensure that TCHS's workplace is free from the illegal use, possession, or distribution of drugs or alcohol.

G. TCHS certifies compliance with Paragraph (2)(a) of Section 287.133 Florida Statutes, which provides that a "person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months from the date of being placed on the convicted vendor list." TCHS acknowledges that this Contract shall be void if it has violated the above-referenced statute. Additionally, TCHS shall ensure compliance with the U.S. Department of Health Office of Inspector General Medicare/Medicaid fraud, waste, and abuse requirements.

H. As a "Covered Entity," TCHS warrants that it is in compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996, as amended ("HIPAA") and the provisions of the Privacy Rule, Security Rules adopted by the Department of Health and Human Services ("HHS"), the Health Information Technology for Economic and Clinical Health Act of 2009, as amended ("HITECH Act"), and the Florida Information Protection Act of 2014, as amended ("FIPA"). TCHS further agrees that it shall restrict disclosure or usage of Protected Health Information ("PHI") it obtains or creates through its association with the COUNTY to the exclusive purposes established by this Contract.

ARTICLE VIII
GENERAL PROVISIONS

8.1 As applicable, TCHS agrees to abide by the provision of Section 112.3135, Florida Statutes, pertaining to Restriction on Employment of Relatives, Chapter 119, Florida Statutes, pertaining to Public Records, and Section 286.011, Florida Statutes, pertaining to Public Business in their performance under this Contract.

8.2 Public Meetings and Records.

A. TCHS acknowledges the COUNTY's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request

and comply in the handling of the materials created under this Contract. TCHS further acknowledges that the constitutional and statutory provisions control over the terms of this Contract. In association with its performance pursuant to this Contract, TCHS shall not release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

B. Without in any manner limiting the generality of the foregoing, to the extent applicable, TCHS acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall:

1. keep and maintain public records required by the COUNTY to perform the Services required under this Contract;

2. upon request from the COUNTY's Custodian of Public Records or his/her designee, provide the COUNTY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

3. ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Contract and following completion of this Contract if TCHS does not transfer the records to the COUNTY; and

4. upon completion of this Contract, transfer, at no cost, to the COUNTY all public records in possession of TCHS or keep and maintain public records required by the COUNTY to perform the service. If TCHS transfers all public records to the COUNTY upon completion of this Contract, TCHS shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If TCHS keeps and maintains public records upon completion of this Contract, TCHS shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the COUNTY, upon request from the COUNTY's Custodian of Public Records, in a format that is compatible with the information technology systems of the COUNTY.

C. **IF TCHS HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO TCHS'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIAISON OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

8.3 Employment Eligibility Verification (E-Verify)

A. Unless otherwise defined herein, terms used in this Section which are defined in Section 448.095, Florida Statutes, as may be amended from time to time, shall have the meaning ascribed in said statute.

B. Pursuant to Section 448.095 (5), Florida Statutes, the contractor hereto, and any subcontractor thereof must register with and use the E-Verify system to verify the work authorization status of all new employees of the contractor or subcontractor. The contractor acknowledges and agrees that (i) the COUNTY and the contractor may not enter into this Contract, and the contractor may not enter into any subcontracts hereunder, unless each party to this Contract, and each party to any subcontracts hereunder, registers with

and uses the E-Verify system; and (ii) use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this Certification and Section 448.095, Florida Statutes, is an express condition of this Contract, and the COUNTY may treat a failure to comply as a material breach of this Contract.

C. By entering into this Contract, the contractor becomes obligated to comply with the provisions of Section 448.095, Florida Statutes, "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of such affidavit for the duration of this Contract. Failure to comply will lead to termination of this Contract, or if a subcontractor knowingly violates the statute or Section 448.09(1), Florida Statutes, the subcontract must be terminated immediately. If this Contract is terminated pursuant to Section 448.095, Florida Statutes, such termination is not a breach of contract and may not be considered as such. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If this Contract is terminated for a violation of Section 448.095, Florida Statutes, by the contractor, the contractor may not be awarded a public contract for a period of 1 year after the date of termination. The contractor shall be liable for any additional costs incurred by the COUNTY as a result of the termination of this Contract. Nothing in this section shall be construed to allow intentional discrimination of any class protected by law.

8.4 No Coercion for Labor or Services. Concurrently with its execution of this Contract, TCHS has executed an affidavit (Exhibit E) which has been signed by an officer or representative of TCHS under penalty of perjury attesting that TCHS does not use coercion for labor or services as those terms are defined in Florida Statutes, § 787.06, as that statute may be subsequently revised or amended. Failure to provide the required affidavit is a material default of this Contract. TCHS shall provide the COUNTY the same type of affidavit upon any renewal or extension of the Contract as required by Section 787.06.

8.5 Foreign Country of Concern Attestation. Concurrently with its execution of this Contract, TCHS has executed an affidavit (Exhibit F) which has been signed by an officer or representative of TCHS under penalty of perjury attesting that TCHS does not meet any of the criteria stated in Florida Statutes, § 287.138(2), as that statute may be subsequently revised or amended. Receipt of the required affidavit is a condition precedent to this Contract. TCHS shall provide the COUNTY the same type of affidavit upon any renewal or extension of the Contract as required by Section 287.138.

8.6 The entire Contract between the Parties and its corresponding referenced Exhibits are all set forth herein, attached hereto, and contained within this document; and the Parties agree that there are no other commitments, agreements, or understandings concerning the subject matter of this Contract that are not contained herein. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or agreements whether oral or written.

8.7 This document may be executed in two (2) counterparts, each of which shall be deemed to be an original.

8.8 All notices required by this Contract shall be in writing.

ARTICLE IX
CONFLICT OF INTEREST

9.1 No person who is an employee, agent, consultant, officer, or appointed official of TCHS and who is in a position to participate in a decision making process or gain inside information with regard to activities relevant to the terms of this Contract, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or Contract with respect thereto, or the proceeds there under, either for themselves or those with whom they have family or business ties, during their tenure or for one (1) year thereafter.

ARTICLE X
INDEMNIFICATION

10.1 TCHS shall indemnify and hold harmless the COUNTY, its agents, and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs and judgments of every kind and description to which the COUNTY, its agents or employees may be subjected to by reason of injury to persons or death or property damage, resulting from or growing out of any action of commission, omission, negligence or fault of TCHS or its qualified physicians committed in connection with this Contract, TCHS's performance hereof or any work performed hereunder. TCHS shall indemnify and hold harmless the COUNTY, its agent and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs of judgments of every kind and description arising from, based upon or growing out of the violation of any Federal, State, County or City law, ordinance, or regulation by TCHS or its agents and employees. Funds made available pursuant to this Contract shall not be used by TCHS for the purpose of initiating or pursuing litigation against the COUNTY.

10.2 TCHS agrees to continually provide insurance, at least to the extent described in ARTICLE XI below. Prior to the execution of the Contract, TCHS shall furnish the COUNTY with written verification of the existence of such insurance coverage.

ARTICLE XI
INSURANCE

11.1 TCHS shall maintain at all times the following minimum levels of insurance and shall, without in any way altering their liability, obtain, pay for, and maintain insurance for the coverages and amount of coverage not less than those set forth below:

A. Workers' Compensation -- in compliance with State and Federal laws.

B. Comprehensive General Liability -- $1,000,000.00 combined single limit of liability for bodily injuries, death, and property damage, and personal injury resulting from any one occurrence, including the following coverages:

1. Premises and Operations; and

2. Broad Form Commercial General Liability Endorsement to include blanket contractual liability (specifically covering, but not limited to, the contractual obligations assumed by the firm); Personal Injury (with employment and contractual exclusions deleted); and Broad Form Property Damage coverages.

C. Independent Contractors (if applicable) -- Delete Exclusion relative to collapse, explosion and underground; Property Damage Hazards; Cross Liability Endorsement; and Contractual liability.

D. Comprehensive Automobile Liability Insurance – $1,000,000.00 combined single limit of liability for bodily injuries, death, and property damage resulting from any one occurrence, including all owned, hired, and non-owned vehicles.

11.2 TCHS shall provide the COUNTY a copy of the Certificate of Insurance to evidence such coverage prior to commencement of work under the terms of this Contract. Such Certificate of Insurance shall provide that there shall be no termination, non-renewal modification, or expiration of such coverage except with forty-five (45) calendar days prior written notice to the COUNTY.

11.3 The COUNTY shall be named as an additional insured on all policies related to the activities carried under the terms of this Contract, excluding Workers' Compensation. Waiver of subrogation applies in favor of the COUNTY with regard to General Liability and applicable Workers' Compensation coverages.

11.4 All insurance coverage shall be written with a firm having an A.M. Best Rating of at least the "A" category and size category of "VIII".

11.5 In the event of any failure by TCHS to comply with the provisions of this ARTICLE XI, the COUNTY may, at its option, upon notice to TCHS suspend the Contract for cause until there is full compliance. Alternatively, the COUNTY may purchase such insurance at TCHS's expense, provided that the COUNTY shall have no obligation to do so. TCHS shall not be relieved of or excused from the obligation to obtain and maintain such insurance amounts and coverages.

11.6 TCHS shall provide property insurance for all property in an amount satisfactory to the COUNTY. TCHS shall require all its contractors to carry insurance and bond in an amount not less than funds awarded by TCHS to its contractors.

ARTICLE XII
MODIFICATION

12.1 The COUNTY may, at its discretion and upon provision of proper notice to TCHS, amend this Contract to conform to changes in Federal, State, and/or COUNTY guidelines, regulations, directives, and objectives. Such amendments shall be incorporated by written amendment as a part of this Contract.

12.2 No modification to this Contract shall be binding on either party unless in writing and signed by both parties.

ARTICLE XIII
APPLICABLE LAWS AND COURTS

13.1 The COUNTY and TCHS agree the Contract and all Services and activities related thereto shall be governed and interpreted in all respects by the laws of the State of Florida. Venue for any action relating to the construction, interpretation, or enforcement of this Contract shall be the courts of the Tenth Judicial Circuit, Polk County, Florida.

ARTICLE XIV
NOTICES

14.1 The COUNTY and TCHS agree that any notice, demand or communication required to be given hereunder shall be written, addressed and delivered to the party for whom it is intended at the following address:

TRI-COUNTY HUMAN SERVICES, INC.:
Robert C. Rihn, CEO
Tri-County Human Services, Inc.
2026 Crystal Wood Drive
Lakeland, FL 33801-6884

COUNTY:
Paula McGhee, Provider Services & Contract Manager
Health and Human Services, Polk County
2135 Marshall Edwards Drive
Bartow, FL 33830-6757

or to such other address as such party has specified by notice in writing to the other party. Notice shall be effective upon receipt or upon refusal to accept receipt. Notices must be (i) personally delivered; (ii) sent by recognized expedited delivery service; or (iii) mailed via registered or certified United States mail, postage prepaid with return receipt requested.

ARTICLE XV
SUSPENSION AND TERMINATION

15.1 Remedies for Non-compliance: If TCHS materially defaults or otherwise fails to comply with any term of this Contract, any Federal, State, or local law, or any applicable County policy, then the COUNTY may take one (1) or more of the following actions as appropriate in the circumstances:

A. Temporarily withhold cash payments pending TCHS's correction of the default or other deficiency, or the COUNTY's election of final remedies available to it.

B. Disallow (that is to deny both use of funds and matching credit) for all or part of the cost of the Service, activity, or action not in compliance with required standards or conditions.

C. Wholly or partly suspend or terminate the Contract.

D. Withhold further funding under this Contract.

E. The COUNTY may withhold payment for all Services provided for under this Contract in the event that:

1. Treatment is not being provided according to State guidelines and regulations;

2. There is evidence of any unsafe or unethical conditions, which may place the health and safety of any client at risk;

3. The assurances contained herein are determined by the COUNTY to be false; or

4. The provisions of this Contract are not being adhered to.

F. Take other remedies that may be legally or equitably available.

15.2 Hearings Appeals: In taking an enforcement action listed in Section 15.1 or in any other provision of the Contract, the COUNTY will provide TCHS an opportunity for any hearing, appeal, or other administrative proceeding which the COUNTY may be required to provide or which TCHS is entitled to receive under any statute or regulation applicable to the particular action involved.

15.3 Efforts of Suspension and Termination: Costs resulting from obligations incurred by TCHS in clearing a suspension after termination of any contract or award are not allowable unless the COUNTY expressly authorizes payment of such costs. Other TCHS costs incurred during suspension or after termination which are necessary and not reasonably avoidable are allowable if:

A. The costs result from obligations which were properly incurred by TCHS before the effective date of suspension or termination and not in anticipation of it or costs, in case of termination, which are non-cancelable; and

B. The costs would be allowable if the award was not suspended or if said award expired normally at the end of the funding period in which the termination takes effect.

15.4 Termination for Convenience: At any time during the term of this Contract, this Contract may be terminated, in whole or in part, for any reason, with or without cause, by either party upon written notice given at least sixty (60) days in advance of the effective date of termination. In the case of a partial termination, if the COUNTY determines that the remaining portion of the award will not accomplish the purposes for which the award was made, the COUNTY may terminate the award in its entirety.

15.5 Termination of Scrutinized Companies: This Contract may be terminated at the option of the COUNTY if TCHS is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel. In addition, this Contract may be terminated at the option of COUNTY if TCHS is found to have submitted a false certification as provided under Section 287.135(5), Florida Statutes; has been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; or has been engaged in business operations in Cuba or Syria.

ARTICLE XVI
TERM

16.1 This Contract shall take effect on the Effective Date. This Contract shall have an initial term (effective October 1, 2025 to September 30, 2026). This Contract shall automatically renew for a maximum of two one-year renewal terms. The one-year renewal terms shall commence October 1st of their renewal year without further action of either Party unless: (i) the Contract has been terminated prior to that date pursuant to Article XV above; or (ii) on or before July 1st prior to the renewal, the COUNTY delivers notice to TCHS that the COUNTY has elected not to extend the Contract for the upcoming renewal term.

IN WITNESS WHEREOF the parties hereto duly execute this Contract as of the day and year first written above.

TRI-COUNTY HUMAN SERVICES, INC.,
a Florida not-for-profit corporation

BY: _____
Robert C. Rihn, CEO

DATE: Oct 20, 2025

_____
WITNESS

_____
WITNESS

POLK COUNTY, a political subdivision of the State of Florida

BY: _____
_____, Chair

DATE: _____

ATTEST: Stacy M. Butterfield, Clerk

BY: _____
Deputy Clerk

Approved as to form and legal sufficiency:

BY: _____
County Attorney's Office

SCOPE OF SERVICES

The Helping HANDS Program (Program) assists newly released inmates of the Polk County Jail by connecting them with a local behavioral health provider and access to appropriate social service programs as the inmates transition from jail into the community. Participants in the Program are qualified Polk County residents that are at or below 200% of the FPL guidelines. TCHS partners with the COUNTY to provide services to Program participants. Funding for incidental expenses will be used in order to remove barriers that impede Program participants' access to stable lifestyles, housing, transportation and employment.

Examples of allowable incidental expenses include:

Clothing Examples

- Shirt/Blouse
- Jeans/Pants
- Slacks/Dress Pants
- Shorts/Skirts/Dresses
- Lounge Wear
- Jacket/Hoodie/Sweater
- Shoes/Slippers
- Socks
- Under Garments
- Backpacks not to exceed $35.00

No: Bathing Suits, Jewelry, Handbags

Hygiene Examples

- Soap/Body Wash
- Shampoo/Conditioner
- Deodorant
- Toothpaste/Plastic Ceramic Toothbrush Holder/Toothbrush – Non-Electric
- Mouthwash/Floss/Breath Fresheners
- Shaving Cream/Razors – Non-Electric
- Hairbrushes/Combs/Hair Ties
- Q-tips/Cotton Balls
- Antibacterial Hand Soap/Hand Sanitizer
- Nail clippers/Tweezers
- Feminine Products
- Hydrogen Peroxide
- Band-Aids

No: Hair Color, Hair Treatments, Curling Wands, Hair Dryers, Beard Trimmer/Grooming Kits, Makeup, Eye Lashes, Cologne/Perfume, Nails/Nail Polish, Over the counter medication

Household Item Examples

- Broom & Dustpan/Mop & Mop bucket
- Dishes
- Kitchen Utensils/ Oven Mitt & Potholder
- Pots/Pans/Cookware
- Toilet Paper/Paper Towels
- Laundry Soap/Dish Soap
- Dryer Sheets/Fabric Softener
- Towels/Wash Cloths/ Dish Towels
- Bedding/Sheets/Pillows
- Bathroom - Shower Curtain/Shower Liner/Waste basket/Bath Rug Sets
- Cleaning Supplies
- Microwave/Toaster
- Trash Bags/Trash Can
- Kitchen Sponges
- Flashlight & Batteries
- Laundry Basket

No: Wall accessories, Warmers, Waxes, Candles, Curtains or Lamps

PERFORMANCE OBJECTIVES

TCHS will meet the minimum objectives:

- 20% of participants not residing in a stable housing environment at Program admission shall reside in a stable housing environment within 90 days of Program admission.
- 40% of participants not residing in a stable housing environment at Program admission shall reside in a stable housing environment within 180 days of Program admission.
- 50% of participants who successfully complete the Program shall reside in a stable housing environment six months following program discharge.
- 20% of participants who are eligible but not employed at Program admission shall be employed full or part time within 90 days of Program admission.
- 40% of participants who are eligible but not employed at Program admission shall be employed full or part time within 180 days of Program admission.
- 50% of participants who are eligible but not employed at Program admission and successfully complete the Program shall be employed full or part time six months following program discharge.

EXPENSES

The following expenses within limits are allowable. Any exceptions must have prior approval from COUNTY Program Manager.

Cost Category	Description	Maximum Benefit
Housing	Rental deposits, emergency rent support	$1,500 rent/month $3,000 first and last months' rent
	Background checks, security deposit and application type of fees	$2,500
	Temporary (hotel housing) can be provided as needed for up to 90 days for those that are able to secure and maintain employment or reinstate their disability benefits.	$500/week
Utilities	Costs related to utility services. Electricity, water, sewer, garbage collection	$350/month $475 for deposits (collectively)
Household	Items needed to establish and maintain stable home environment	$300/individual $400/family
Furniture and Home Equipment	Basic furniture items for a functional living space. May include beds, tables and chairs, etc.	$2,000
Clothing	Personal or work related	$400
Hygiene Items	Personal hygiene	$100/person $200/family
Medications		$250
Transportation	Bus passes Uber trips are for employment purposes, medical appointments, mental health and/or substance use disorder treatment. Purchase of a bicycle, lock and safety equipment	$250
Work Tools	Any work-related tools or safety equipment. Not included are anything related to home use.	$200
Education/Training	Tuition, fees, books and/or supplies for educational or training purposes. Proof of financial aid application.	$1,500
Fees	Associated with obtaining legal documents and services. Driver's License, ID cards, records, guardianship court cost, and obtaining birth certificates.	$200

INVOICE SAMPLE



Logo
Name

Tri-County Human Services, Inc.
[Street Address]
[City, ST Zip Code]

Date: MM/DD/YYYY
Invoice #:
Service Period:
Contract Number: 25-574-CHC

To: Polk Co., a political subdivision of the State of Florida
Community Health Care
2135 Marshall Edwards Drive
Bartow, FL 33830

Services:	Invoice Amount
Incidentals Expenses	**$0.00**

I certify the above to be accurate and in agreement with this agency's record and with the terms of this agreement. Additionally, I certify that any reports accompanying this invoice are true and correct reflection of this period's activities, as stipulated by this agreement.

Authorized Name (Print) _____ Title _____

Authorized Signature _____ Date _____

NO COERCION FOR LABOR OR SERVICES AFFIDAVIT

In compliance with Section 787.06(13), Florida Statutes, this attestation must be completed by an officer or representative of a nongovernmental entity that is executing, renewing, or extending a contract with Polk County, a political subdivision of the State of Florida.

The undersigned, on behalf of the entity listed below (the "Nongovernmental Entity"), hereby attests under penalty of perjury as follows:

1. I am over the age of 18 and I have personal knowledge of the matters set forth herein.
2. I currently serve as an officer or representative of the Nongovernmental Entity.
3. The Nongovernmental Entity does **not** use coercion for labor or services, as those underlined terms are defined in Section 787.06, Florida Statutes.
4. This declaration is made pursuant to Section 92.525, Fla. Stat. and Section 787.06, Fla. Stat. I understand that making a false statement in this declaration may subject me to criminal penalties.

Under penalties of perjury, I Robert C. Rihn, CEO (Signatory Name and Title), declare that I have read the foregoing Affidavit Regarding the Use of Coercion for Labor and Services and that the facts stated in it are true.

Further Affiant sayeth naught.

Tri-County Human Services Inc.
NONGOVERNMENTAL ENTITY

SIGNATURE

Robert C. Rihn
PRINT NAME

CEO
TITLE

10/20/25
DATE

FOREIGN COUNTRY OF CONCERN AFFIDAVIT
(PUR 1355)

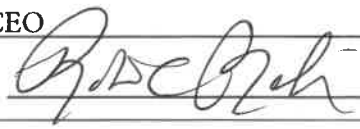
This form must be completed by an officer or representative of an entity submitting a bid, proposal, or reply to, or entering into, renewing, or extending, a contract with a Governmental Entity which would grant the entity access to an individual's Personal Identifying Information. Capitalized terms used herein have the definitions ascribed in Rule 60A-1.020, F.A.C.

Tri-County Human Services Inc. (Name of Entity) is not owned by the government of a Foreign Country of Concern, is not organized under the laws of nor has its Principal Place of Business in a Foreign Country of Concern, and the government of a Foreign Country of Concern does not have a Controlling Interest in the entity.

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true.

PRINTED NAME: Robert C. Rihn

TITLE: CEO

SIGNATURE: 

DATE: 10/20/25

Agenda Item R.16. 11/4/2025

SUBJECT

Approve Polk HealthCare Plan Medical Services Agreement with Florida Community Health Partners, LLC for primary care services. (estimated annual amount less than $100,000)

DESCRIPTION

The medical services agreement will allow Florida Community Health Partners, LLC to provide primary care services to qualified county residents enrolled in the Polk HealthCare Plan.

The agreement will be effective upon execution and will be ongoing unless terminated pursuant to the agreement.

RECOMMENDATION

Request approval of the medical services agreement with Florida Community Health Partners, LLC.

FISCAL IMPACT

Funds are available in the Indigent Health Care Funds.

CONTACT INFORMATION

Paula C. McGhee, Provider Services and Contract Manager, Health and Human Services Division at 863-519-2003

Joy Johnson, Administrator, Health and Human Services Division at 863-534-5204

MEDICAL SERVICES AGREEMENT
FOR PRIMARY CARE

This Agreement ("Agreement") is entered into as of the Effective Date (as defined in Section 8.1 below) by and between **Florida Community Health Partners, LLC**, ("Medical Services Entity"), and Polk County, a political subdivision of the State of Florida ("COUNTY") (Medical Services Entity and COUNTY shall be jointly referred to herein as the "Parties").

WITNESSETH:

WHEREAS, the County has an indigent health care plan, hereinafter known as the Polk HealthCare Plan (further defined herein and hereinafter referred to as the "Plan"), and wishes to arrange for the provision of medical services to certain eligible County residents ("Members");

WHEREAS, the Medical Services Entity is comprised of, or contracts with, one or more Qualified Providers (hereinafter defined) capable of meeting the credentialing criteria of the County;

WHEREAS, the County desires to engage the Medical Services Entity to deliver, or arrange for the delivery of medical services to the Members of its Plan; and

WHEREAS, the Medical Services Entity is willing to deliver or arrange for the delivery of such services on the terms specified herein.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, and other good and valuable consideration, the parties hereby agree as follows:

ARTICLE I
DEFINITIONS

1.1 Claim. A statement of services submitted to the County, or its designated third party administrator, by the Medical Services Entity following the provision of Covered Services to a Member that shall include the Member's demographics, diagnosis or diagnoses (ICD10 Codes), date(s) of service, CPT/HCPCS codes, place of service, authorization number if required, referring provider if applicable, treating provider and the member name, member address, member date of birth, Plan eleven-digit member identification number and Qualified Provider to be paid for services rendered to the Member submitted on an approved CMS 1500 Form.

1.2 Co-payment. A charge which may be collected directly by a Medical Services Entity or Medical Services Entity's designee from a Member in accordance with the Plan.

1.3 County. The designated division of the county government of Polk County, Florida, Polk HealthCare Plan, Health and Human Services Division or its authorized agent as applicable.

1.4 County Notice. A communication by the County to the Medical Services Entity informing the Medical Services Entity of the terms of the Plan, modifications to the Plan, and any other information relevant to the provision of Covered Services pursuant to this Agreement.

1.5 Covered Services. Health care services to be delivered by or through Medical Services Entity to Members pursuant to this Agreement, as further defined in ARTICLE II.

1.6 Emergent Care. Emergent conditions are those conditions where there is the potential for life-threatening or limb threatening complications, or where those complications are reasonably perceived by the member. The treatment of such perceived conditions should be severe enough that these could not have been treated in the Qualified Provider's office or urgent care setting.

1.7 Medical Management. The process by which the County, or its duly appointed and authorized third party administrator, together with the Medical Services Entity, will determine whether the Covered Services furnished to Members were Medically Necessary and the processes that will govern utilization, including concurrent review, case management, disease management, and all other processes affecting the medical care of Members. The Medical Services Entity may appeal any decision related to pre-service requests pursuant to Section 5.2 herein.

1.8 Medical Services Entity. An individual or group of Qualified Providers, who are capable of meeting the credentialing criteria of the Plan.

1.9 Medically Necessary. Health care services that a reasonably prudent Qualified Provider would deem necessary for the diagnosis or treatment of illness or injury or to improve the functioning of a Member.

1.10 Payer. The entity or organization directly responsible for the payment of Covered Services to the Medical Services Entity under the Plan.

1.11 Polk HealthCare Plan (the "Plan"). A government assistance program to provide health care services, which is funded by a discretionary sales surtax (as authorized pursuant to F.S. 212.055(7)) and administered by the County for the benefit of Members, as it may be modified from time to time, and all the terms, conditions, limitations, exclusions, benefits, rights and obligations thereof to which County and Members are subject.

1.12 Polk HealthCare Plan Members. Any individual(s) who has/have been determined eligible by the County and is/are enrolled in the Plan.

1.13 Protected Health Information (PHI). Information that is (a) created or received by a Medical Services Entity; (b) relates to: (1) the past, present, or future physical or mental health or condition of an individual; (2) the provision of health care to an individual; or (3) the past, present, or future payment for the provision of health care to an individual; and (c) identifies the individual or there is a reasonable basis to believe the information can be used to identify the individual. PHI does not include information excluded from HIPAA's definition of "protected health information" in 45 C.F.R. 160.103.

1.14 Qualified Provider. A doctor of medicine, a doctor of osteopathy, or a doctor of optometry, certified nurse practitioner or physician assistant licensed to practice in the State of Florida, who possesses an unencumbered Florida license, and who provides Covered Services to Members as contemplated in this Agreement.

1.15 Routine Care /Well Care. Care provided to Members as follow-up to a previously treated condition or illness and care for the diagnosis and treatment of acute and chronic illnesses, as well as preventive treatment, including patient counseling/education.

1.16 Total Compensation. The total amount payable by Payer and Member for Covered Services furnished pursuant to this Agreement. The Total Compensation is defined herein pursuant to EXHIBIT A, attached hereto and incorporated into this Agreement by reference.

1.17 Urgent Care. Care provided to Members who have an injury or illness that is not life –threatening but could result in serious injury or disability unless medical attention is immediately received. These conditions are not serious enough to require a visit to the Emergency Room.

ARTICLE II
DELIVERY OF SERVICES

2.1 Covered Services. The Medical Services Entity shall provide or, through its Qualified Providers, arrange for the Members the provision of Covered Services that are identified in EXHIBIT B, attached hereto and made a part of this Agreement by reference. All Covered Services shall be provided in accordance with generally accepted clinical and legal standards, consistent with medical ethics governing the Qualified Provider. Covered Services requiring pre-certification are identified in EXHIBIT C, which may be adjusted from time to time by the County in its sole discretion.

2.2 Verification of Members. Except in the case of emergency, in order to guarantee payment, the Medical Services Entity shall utilize a Member's identification card, which has been chosen by the County to verify and confirm that Member's eligibility for Covered Services prior to rendering any such Covered Services pursuant to the instructions provided in EXHIBIT D attached hereto and made a part of this Agreement by reference.

ARTICLE III
COMPENSATION AND RELATED TERMS

3.1 Compensation. The Medical Services Entity, or its designee, shall accept the Total Compensation as full payment for the provision of Covered Services.

3.2 Billing for Covered Services. The Medical Services Entity shall submit a Claim to the County or its third party administrator and, in the event the Claim is consistent with the compensation terms under EXHIBIT A, the County or its third party administrator shall pay the Medical Services Entity for Covered Services rendered to Members in accordance with the terms of this Agreement. The Medical Services Entity shall arrange for all Claims for Covered Services to be submitted to the County or its third party administrator within one hundred and eighty (180) days from the date of service. If additional information is required or needed by the County or its third party administrator to evaluate or validate the original Claim submitted by the Medical Services Entity for payment, the Medical Services Entity will have an additional ninety (90) days from the date of the initial claim denial to resubmit a corrected claim. The Medical Services Entity shall submit such claims on a billing form CMS-1500 or on any other form that the County directs the Medical Services Entity, in writing, to utilize. If the Medical Services Entity does not submit a Claim to the County or its third party administrator in a timely manner, the County or its third party administrator may, at its discretion, deny payment.

3.3 Co-payments to be Collected from Members. When the Plan requires Members to make Co-payments, such Co-payments shall be collected from the Member at the time the service is rendered by the Medical Services Entity or one of its Qualified Providers. The County shall inform or educate Members that Members must make a Co-payment at the time the service is rendered and that this practice is mandatory for all Members. At no time shall the Medical Services Entity bill a Member for any balance remaining in relation to a bill after the Total Compensation has been applied to the same.

3.4 Promptness of Payment. The County or its third party administrator shall remit to the Medical Services Entity the County's portion of the Total Compensation, as specified in EXHIBIT A, within forty-five (45) days of receipt of a Claim by the Medical Services Entity. This Claim shall be sufficient in detail so that the County or its third party administrator is able to reasonably determine the amount to be paid. If additional information is required or needed by the County or its third party administrator to evaluate or validate the original Claim submitted by the Medical Services Entity for payment, the Medical Services Entity will have an additional ninety (90) days from the date of the initial claim denial to resubmit a corrected claim.

The County or its third party administrator shall affirm and pay any valid claims within forty-five (45) days of receipt of such additional information. All payments to the Medical Services Entity shall be considered final unless adjustments are requested, in writing to the County or its third party administrator by the Medical Services Entity within ninety (90) days following receipt of the payment explanation from the Payer.

If payment has been made to the Medical Services Entity by the County or its third party administrator for a non-covered service, the Medical Services Entity shall promptly refund such payment provided written notice of payment for such non-covered service has been made by the County within ninety (90) days of receipt of the Medical Services Entity's Claim.

For purpose of payment, "prompt payment" may be defined as "within ninety (90) days." The Medical Services Entity agrees that it shall not bill and collect any amount pursuant to this Agreement for charges incurred by Members to the extent that such charges result from an error made by the Medical Services Entity. An error shall include, but not be limited to, duplicate billing for a Covered Service provided only once and any services which were not actually rendered. If the County or its third party administrator concludes that such an erroneous billing or collection has been made, the County or its third party administrator shall notify the Medical Services Entity of the error. Upon receipt of this notification, the Medical Services Entity shall promptly withdraw the billing or that part which is in error, or reimburse the County or its third party administrator for such amounts already paid to the Medical Services Entity pursuant to the erroneous billing.

3.5 Payer of Last Resort. Under no circumstances shall Medical Services Entity bill the Plan or the Plan pay any Member bill until and unless all other sources of other Member coverage have been billed and payment has been denied by the same. Should a Plan member be determined to have other coverage for services provided by Medical Services Entity under any other contractual or legal benefit, including, but not limited to, Medicaid, Medicare, worker's compensation insurance, motor vehicle insurance or a private group or indemnification program, Medical Services

Entity is expected to bill the said entity as the primary payer. If the Plan paid for services and other coverage is later discovered, the Medical Services Entity must reimburse the County or its third party administrator by recoup, refund or adjustments.

3.6 Sole Source of Payment. Only after other payer sources have been exhausted, Medical Services Entity will pursue payment of any Claim from the County or its third party administrator for Medically Necessary Covered Services of Members. Medical Services Entity shall make no charges or claims against the Plan Members for Covered Services except for Co-payments as previously authorized.

ARTICLE IV
MEDICAL SERVICES ENTITY'S OBLIGATION

4.1 Licensed/Good Standing. The Medical Services Entity represents that each of its Qualified Providers are and shall remain licensed and/or registered who possesses an unencumbered Florida license to practice medicine and, if such Medical Services Entity is an entity, such entity is registered and in good standing in the State of Florida. Failure to maintain licensure will be grounds for immediate termination of this Agreement under Section 8.2.

4.2 Nondiscrimination. The Medical Services Entity agrees that it and each of its Qualified Providers shall not differentiate or discriminate in its provision of Covered Services to Members because of race, color, national origin, ancestry, religion, sex, marital status, sexual orientation, income, health status, disability or age. Further, the Medical Services Entity agrees that its Qualified Providers shall render Covered Services to Members in the same manner, in accordance with the same standards, and within the same time availability as such services are offered to patients not associated with the Plan and consistent with medical ethics and applicable legal requirements for providing continuity of care.

4.3 Standards. Covered Services provided by or arranged for by the Medical Services Entity shall be delivered only by professional personnel qualified by licensure, training or experience to discharge their responsibilities and operate their facilities in a manner that complies with generally accepted standards in the industry.

4.4 Credentialing of Qualified Providers. The Medical Services Entity acknowledges that the County may delegate to it, at the County's discretion, all credentialing responsibilities and authority with respect to Qualified Providers and/or other practitioners. This delegation will be accepted by the Medical Services Entity, if so directed by the County.

4.5 Employment Eligibility Verification (E-Verify)

a. Unless otherwise defined herein, terms used in this Section which are defined in Section 448.095, Florida Statutes, as may be amended from time to time, shall have the meaning ascribed in said statute.

b. Pursuant to Section 448.095 (5), Florida Statutes, the contractor hereto, and any subcontractor thereof must register with and use the E-Verify system to verify the work authorization status of all new employees of the contractor or subcontractor. The contractor acknowledges and agrees that (i) the County and the contractor may not enter into this Agreement, and the contractor may not enter into any subcontracts hereunder, unless each party to this Agreement, and each party to any subcontracts hereunder, registers with and uses the E-Verify system; and (ii) use of the U.S. Department of Homeland Security's E-Verify System and compliance with all other terms of this Certification and Section 448.095, Florida Statutes, is an express condition of this Agreement, and the County may treat a failure to comply as a material breach of this Agreement.

c. By entering into this Agreement, the contractor becomes obligated to comply with the provisions of Section 448.095, Florida Statutes, "Employment Eligibility," as amended from time to time. This includes but is not limited to utilization of the E-Verify System to verify the work authorization status of all newly hired employees and requiring all subcontractors to provide an affidavit attesting that the subcontractor does not employ, contract with, or subcontract with, an unauthorized alien. The contractor shall maintain a copy of such affidavit for the duration of this Agreement. Failure to comply will lead to termination of this Agreement, or if a subcontractor knowingly violates the statute or Section 448.09(1), Florida Statutes, the subcontract must be

terminated immediately. If this Agreement is terminated pursuant to Section 448.095, Florida Statutes, such termination is not a breach of contract and may not be considered as such. Any challenge to termination under this provision must be filed in the Tenth Judicial Circuit Court of Florida no later than 20 calendar days after the date of termination. If this Agreement is terminated for a violation of Section 448.095, Florida Statutes, by the contractor, the contractor may not be awarded a public contract for a period of 1 year after the date of termination. The contractor shall be liable for any additional costs incurred by the County as a result of the termination of this Agreement. Nothing in this section shall be construed to allow intentional discrimination of any class protected by law.

4.6 Authority. The Medical Services Entity shall, and hereby does, represent and warrant that it has full legal power and authority to bind its Qualified Providers to the provisions of this Agreement. The Medical Services Entity shall communicate with its Qualified Providers regarding all matters relating to this Agreement and the services to be performed hereunder.

4.7 Administrative Procedures. The Medical Services Entity and each of its Qualified Providers shall comply with the policies and procedures established by the County and pursuant to the Plan, to the extent the Medical Services Entity has received notice of the same, consistent with the terms of this Agreement.

4.8 Use of Names for Marketing. The Medical Services Entity and each of its Qualified Providers shall permit the County to utilize the name, address, and telephone number of it or its Qualified Providers, in the County's list of Medical Services Entities, which will be distributed to Members. Such rights shall not extend to the listing of such Qualified Providers or Medical Services Entity in any newspaper, radio, or television advertising without receiving the prior written consent of said Medical Services Entity. Time is of the essence and approval will not be unreasonably withheld.

4.9 Provision of Covered Services. The Medical Services Entity agrees to provide or arrange for the provision of Covered Services, from Monday through Friday, 8:00 am to 5:00 pm. Covered Services include after-hours telephone access to a professional who is qualified to aid the Members in medical decision making regarding urgent/emergent care and to make any of the following recommendations to a Member who needs Emergency Care experiencing pain or other unusual symptoms: (a) treat pain or symptoms at home and come in to see the Medical Services Entity on the next day; (b) go to an urgent care center; (c) go to an emergency room.

4.10 Noninterference with Medical Care. Nothing in this Agreement is intended to create (nor shall be construed or deemed to create) any right of the County to intervene in any manner in the methods or means by which the Medical Services Entity renders health care services or provides health care supplies to Members. Nothing herein shall be construed to require the Medical Services Entity to take any action inconsistent with professional judgment concerning the medical care and treatment to be rendered to Members.

4.11 Best Efforts. The Medical Services Entity shall use best efforts to participate in such utilization review programs, medical necessity reviews, coordination of benefit activities, and cost containment activities, as are provided under the Plan.

4.12 Evaluation and Quality Management. The Medical Services Entity is expected to have its own quality management programs in place. These programs should include ongoing monitoring of quality of care, documentation, qualifications for professional staff and requirements for ongoing training of professional and support staff. The quality management process is expected to include annual satisfaction surveys of adults receiving primary care services.

4.13 Health Insurance Portability and Accountability Act (HIPAA). The Medical Services Entity warrants that it is in compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and the provisions of the Privacy and Security Rule adopted by the Department of Health and Human Services ("HHS").

ARTICLE V
COUNTY'S OBLIGATIONS

5.1 Deemed Notification. The County shall notify the Medical Services Entity in writing of all policies, procedures, rules, regulations, and schedules, that the County considers material to the performance of this Agreement and relevant amendments. Except in the event of emergency, or unless the County

directs otherwise in writing, thirty (30) days from the date of notification will be considered sufficient notice to effect a change in policy under the Plan.

5.2 Appeal of a Pre-Service Denial. The Medical Services Entity or Qualified Provider shall have the right to appeal any denial by the County or its third party administrator of a pre-service request for authorization of services. There shall be a general appeals process for requested Covered Services of a routine nature, and an expedited appeals process for requested Covered Services of an urgent/emergent nature. The final decision of whether to expedite the appeal will be made by the County, in its sole discretion. There will be one level of appeal for denials made on a clinical basis. For clinical appeals, the Medical Services Entity will have sixty (60) days to appeal from the date of denial of the initial service request.

5.3 Appeal of a Claim Denial. For denial of payment of Claims, the Medical Services Entity will have sixty (60) days from the date of the final denial of a Claim to submit an appeal of the denial. "Final denial" of a Claim will occur upon the completion of the ninety (90) day period that a Medical Services Entity is afforded to resubmit a corrected Claim, if no corrected Claim is provided in such 90-day time period or if the corrected Claim is subsequently denied and an additional ninety (90) day period has elapsed without further corrected Claim submitted by the Medical Services Entity. The appeals decision whether to uphold or overturn a Claim appeal will be communicated to the Medical Services Entity within forty-five (45) days from the date the Medical Services Entity submitted the appeal using an Explanation of Payment form ("EOP").

5.4 Provider Grievances. The County shall establish and maintain systems to process and resolve any grievance a Qualified Provider has against the County.

5.5 Quality Management Monitors. As the Plan is committed to the quality of care provided to its Members, the Plan has identified preventive health services and certain medical conditions to be reviewed as quality indicators. These guidelines will be used to develop key indicators which will be monitored by the Plan for primary care and select specialty Qualified Providers. The Medical Services Entity, at the Plan's request, will furnish data to the Plan for review. The data will be analyzed and compared to peer and national standards. Any Medical Services Entity who falls outside the range for these indicators may be put on a corrective action plan by the Plan and monitored on a more rigorous basis. If the Medical Services Entity fails to show significant improvement, the Medical Services Entity may be terminated from the Plan.

5.6 Health Insurance Portability and Accountability Act (HIPAA). The County warrants that it is in compliance with the requirements of the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and the provisions of the Privacy and Security Rule adopted by the Department of Health and Human Services ("HHS").

ARTICLE VI
INSURANCE

6.1 Medical Services Entity Insurance. The Medical Services Entity shall require each Qualified Provider to maintain, at all times, in limits and amounts as required by Florida law, a professional liability insurance policy and other insurance or other liability bond as shall be necessary to insure such Qualified Provider against any claim for damages arising directly or indirectly in connection with the performance or nonperformance of any services furnished to Members by such Qualified Provider. In the event that the Medical Services Entity discovers that such insurance coverage is not maintained, the Medical Services Entity shall immediately, upon making such discovery, ensure that such Qualified Provider discontinues the delivery of Covered Services to Members until such insurance is obtained and notify the Plan in writing of the same. A Certificate of Insurance, reflecting the minimal insurance coverage shall be provided to the County and Medical Services Entity prior to commencement of this Agreement.

ARTICLE VII
INDEMNIFICATION

7.1 Indemnification. The Medical Services Entity shall indemnify and hold harmless the County, its agents, officers, and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs and judgments of every kind and description to which the County, its agents, officers, or employees may be subjected to by reason of injury to persons or death or property damage, resulting from or growing out of any action of commission, omission, negligence or fault of the Medical Services Entity, or its Qualified Providers committed in connection with this Agreement, the Medical Services Entity's performance hereof or any work performed

hereunder. The Medical Services Entity shall indemnify and hold harmless the County, its agents, officers, and employees, from all suits, actions, claims, demands, damages, losses, expenses, including attorney's fees, costs and judgments of every kind and description arising from, based upon or growing out of the violation of any Federal, State, County or City law, ordinance, rule or regulation by the Medical Services Entity, or its Qualified Providers.

ARTICLE VIII
TERM AND TERMINATION

8.1 Term. This Agreement shall commence as of the last date the Agreement has been signed by both parties ("Effective Date") and shall be ongoing unless terminated upon sixty (60) days' prior written notice by either party to the other, or until terminated pursuant to this Article.

8.2 Termination for Cause. In the event either party shall fail to keep, observe or perform any covenant, term or provision of this Agreement applicable to such party, the other party shall give the defaulting party written notice that specifies the nature of said default. If the defaulting party fails to cure such default within thirty (30) days after receipt of such notice, the non-defaulting party may terminate this Agreement upon five (5) days' written notice. It shall be grounds for immediate termination if the County loses its ability to underwrite or administer the Plan or if any Qualified Provider suffers a loss or suspension of medical license, a conviction of a felony, or a loss of credentials for stated quality reasons under the Plan.

8.3 Voluntary Termination. At any time during the term of this Agreement, this Agreement may be terminated for any reason, with or without cause, by either party upon written notice given at least sixty (60) days in advance of the effective date of termination.

8.4 Termination for Failure to Satisfy Financial Obligations. If either party or a Payer is (a) more than sixty (60) days behind in its financial obligations to its creditors, or (b) files in any court of competent jurisdiction: (1) a petition in bankruptcy, (2) a petition for protection against creditors, (c) has such a petition filed against it that is not discharged within ninety (90) days, or (d) files or makes an assignment for the benefit of creditors, this Agreement may be terminated by the other party in its entirety or with respect to the Payer upon five (5) days' written notice.

8.5 Termination of Scrutinized Companies: This Contract may be terminated at the option of the County if the Medical Services Entity is found to have been placed on the Scrutinized Companies that Boycott Israel List or is engaged in a boycott of Israel. In addition, this Contract may be terminated at the option of County if the Medical Services Entity is found to have submitted a false certification as provided under Section 287.135(5), Florida Statutes; has been placed on the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List; or has been engaged in business operations in Cuba or Syria.

8.6 Effect of Termination. This Agreement shall remain in full force and effect during the period between the date that notice of termination is given and the effective date of such termination. As of the date of termination of this Agreement, this Agreement shall be of no further force and effect, and each of the parties hereto shall be discharged from all rights, duties, and obligations under this Agreement, except that the County shall remain liable for Covered Services then being rendered by Qualified Providers to Members who retain eligibility under the applicable Plan or by operation of law until the episode of illness then being treated is completed and the obligation of the County to pay for Covered Services rendered pursuant to this Agreement is discharged. Payment for such services shall be made pursuant to the Total Compensation specified in EXHIBIT A.

ARTICLE IX
DISPUTE RESOLUTION

9.1 Initial Mediation of Dispute. In the event of a dispute between the parties to this Agreement, the following procedure shall be used to resolve the dispute prior to either party pursuing other remedies:

a. A meeting shall be held within seven (7) days at which all parties or party representatives will be present or represented by individuals (the "Initial Meeting").

b. If, within thirty (30) days following the Initial Meeting, the parties have not resolved the dispute, the dispute shall be submitted to mediation directed by a mediator mutually agreeable to the parties

and not regularly contracted or employed by either of the parties ("Mediation"). Each party shall bear its proportionate share of the costs of Mediation, including the mediator's fee.

c. The parties agree to negotiate in good faith in the Initial Meeting and in Mediation.

9.2 Legal Remedies. If, after a period of sixty (60) days following commencement of Mediation, the parties are unable to resolve the dispute, either party may pursue all available legal and equitable remedies. Each party shall be responsible for its own attorneys' fees and costs, including attorneys' fees, costs, and expenses incurred for any appellate proceedings.

ARTICLE X
MISCELLANEOUS

10.1 Nature of Medical Services Entity. In the performance of the work, duties and obligations of the Medical Services Entity under this Agreement, it is mutually understood and agreed that the Medical Services Entity and each of its Qualified Providers are at all times acting and performing as independent Medical Service Entities, practicing medicine or providing for the delivery of medical services and under no circumstances shall the Medical Services Entity or any of its Qualified Providers be deemed employees of the County.

10.2 No Coercion for Labor or Services. Concurrently with its execution of this Agreement, Medical Services Entity has executed an affidavit (Exhibit E) which has been signed by an officer or representative of Medical Services Entity under penalty of perjury attesting that Medical Services Entity does not use coercion for labor or services as those terms are defined in Florida Statutes, § 787.06, as that statute may be subsequently revised or amended. Failure to provide the required affidavit is a material default of this Agreement. Medical Services Entity shall provide the County the same type of affidavit upon any renewal or extension of the Agreement as required by Section 787.06.

10.3 Foreign Country of Concern Attestation. Concurrently with its execution of this Agreement, Medical Services Entity has executed an affidavit (Exhibit F) which has been signed by an officer or representative of Medical Services Entity under penalty of perjury attesting that Medical Services Entity does not meet any of the criteria stated in Florida Statutes, § 287.138(2), as that statute may be subsequently revised or amended. Receipt of the required affidavit is a condition precedent to this Agreement. Medical Services Entity shall provide the County the same type of affidavit upon any renewal or extension of the Agreement as required by Section 287.138.

10.4 Public Entity Crimes. Medical Services Entity certifies compliance with Paragraph (2)(a) of Section 287.133, Florida Statutes, as amended from time to time, which provides that a "person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a Medical Service Entity, supplier, subMedical Service Entity, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list." The Medical Services Entity acknowledges that this Agreement shall be void if they have violated the above-referenced statute. Additionally, the Medical Services Entity shall ensure compliance with the U.S. Department of Health Office of Inspector General Medicare/Medicaid fraud, waste, and abuse requirements.

10.5 Public Meetings and Records.

a. The Medical Service Entity acknowledges the County's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Agreement. The Medical Service Entity further acknowledges that the constitutional and statutory provisions control over the terms of this Agreement. In association with its performance pursuant to this Agreement, the Medical Service Entity shall not release or otherwise disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

b. Without in any manner limiting the generality of the foregoing, to the extent applicable, the Medical Service Entity acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall:

(1) keep and maintain public records required by the County to perform the services required under this Agreement;

(2) upon request from the County's Custodian of Public Records or his/her designee, provide the County with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

(3) ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of this Agreement if the Medical Service Entity does not transfer the records to the County; and

(4) upon completion of this Agreement, transfer, at no cost, to the County all public records in possession of the Medical Service Entity or keep and maintain public records required by the County to perform the service. If the Medical Service Entity transfers all public records to the County upon completion of this Agreement, the Medical Service Entity shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Medical Service Entity keeps and maintains public records upon completion of this Agreement, the Medical Service Entity shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the County, upon request from the County's Custodian of Public Records, in a format that is compatible with the information technology systems of the County.

c. **IF THE MEDICAL SERVICE ENTITY HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE MEDICAL SERVICE ENTITY'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIAISON OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

10.6 Additional Assurances. The provisions of this Agreement shall be self-operative and shall require no further agreement by the parties except as may be specifically provided in this Agreement. However, at the request of either party, the other party shall execute such additional instruments and make such additional acts as may be reasonably requested in order to effectuate this Agreement. Additional instruments require agreement by both parties.

10.7 Governing Law. This Agreement shall be governed by and construed in accordance with the applicable Federal laws and regulations, laws of the State of Florida and local ordinance. Venue will be in Polk County, Florida, or in the United States District Court, Middle District of Florida located in Hillsborough County, Florida.

10.8 Assignment. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective legal representatives, successors, and assigns. The County may not assign this Agreement without the Medical Services Entity's prior written consent except that the County may assign this Agreement to an entity related

to the County by ownership or control or to any successor organization without the Medical Services Entity's prior written consent. The Medical Services Entity may not assign this Agreement without the County's prior written consent, except that the Medical Services Entity may assign this Agreement to an entity related to the Medical Services Entity by ownership or control or to any successor organization without the County's prior written consent.

10.9 Waiver. No waiver by either party of any breach or violation of any provision of this Agreement shall operate as, or be construed to be, a waiver of any subsequent breach of the same or any other provisions.

10.10 Force Majeure. Neither party shall be liable for nor deemed to be in default for any delay or failure to perform under this Agreement deemed to result, directly or indirectly, from acts of God, civil or military authority, acts of public enemy, war, accidents, fires, explosions, earthquake, flood, failure of transportation, strikes or other work interruptions by either party's employees or any other cause beyond the reasonable control of either party.

10.11 Time is of the Essence. Time is of the essence in this Agreement. The parties shall perform their obligations within the time specified.

10.12 Notice. Any notice, demand or communication required, permitted or desired to be given pursuant to this Agreement shall be deemed effectively given when personally delivered or sent by fax with copy sent by overnight courier, addressed as follows:

MEDICAL SERVICES ENTITY:
Daniela Duarte, CEO
Florida Community Health Partners, LLC
8140 College Parkway, Suite 101
Ft. Myers, FL 33919

COUNTY:
Paula McGhee, Provider Services & Contract Manager
Health and Human Services Division
Polk HealthCare Plan
Polk County, Board of County Commissioners
2135 Marshall Edwards Drive
Bartow, FL 33830-6757
Tel 863-519-2003

or to such other address as such party has specified by notice in writing to the other party. Notice shall be deemed to have been duly given when: (a) received, if personally delivered; (b) the day after it is sent, if sent by recognized expedited delivery service; or (c) three (3) days after it is sent, if mailed, first class mail, postage prepaid.

10.13 Entire Agreement. This Agreement is the entire agreement between the parties, and it may not be modified or amended except by agreement in writing between the parties hereto.

10.14 Severability. The invalidity, illegality, or unenforceability of any provision of this Agreement, or the occurrence of any event rendering any portion or provision of this Agreement void, shall in no way affect the validity or enforceability of any other portion or provision of the Agreement; any void provision shall be deemed severed from the Agreement and the balance of the Agreement shall be construed and enforced as if the Agreement did not contain the particular provision held to be void. The parties further agree to reform the Agreement to replace any stricken provision with a valid provision that comes as close as possible to the intent of the stricken provision. The provisions of this section shall not prevent the entire Agreement from being void should a provision which is of the essence of the Agreement be determined to be void.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK; THE AGREEMENT CONTINUES ON THE FOLLOWING PAGE WITH THE PARTIES' SIGNATURES.

IN WITNESS WHEREOF, the parties hereto duly execute this Agreement as of the Effective Date.

MEDICAL SERVICES ENTITY
Florida Community Health Partners, LLC

BY: _____
Daniela Duarte, CEO

DATE: 10/02/2025

Katie Johnson
WITNESS

Jesse Leszczynski
WITNESS

POLK COUNTY, a political subdivision of the State of Florida

BY: _____
_____, Chair

DATE: _____

ATTEST: Stacy M. Butterfield, Clerk

BY: _____
Deputy Clerk

Approved as to form and legal sufficiency:

_____
County Attorney's Office

EXHIBIT A
TOTAL COMPENSATION

Primary Care Provider Services

I. Provider Reimbursement:

a. The Plan shall compensate physicians for covered services at the rate of one hundred percent (100%) of the first Medicare rate published after January of each year, and as set forth in the Physician Fee Schedule, as published and updated by the Center for Medicare and Medicaid Services (CMS), plus the Plan Member copay.

b. Once the Medicare rates have been published in January of each year, there will be no adjustments to the fee schedule during the calendar year.

c. The Medical Services Entity or the Medical Services Entity's Designee shall collect a copay from the Member for each office visit. The co-payment amount will not be deducted from the compensation reimbursed by the Plan as defined below.

The following copays apply to Plan Members.

POLK HEALTHCARE PLAN
MEDICAL CARD

Essential Care Choices Card	Chronic Care Choices Card
$1.00 Office Visit	$1.00 Office Visit
$3.00 Radiology Services/X-rays	$3.00 Radiology Services/X-rays

EXHIBIT B
COVERED SERVICES

PRIMARY CARE

Description

Simple X-rays

Incision and drainage of abscess (eg, carbuncle, suppurative hidradenitis, cutaneous or subcutaneous abscess, cyst, furuncle, or paronychia); simple or single

Biopsy of skin, subcutaneous tissue and/or mucous membrane (including simple closure), unless otherwise listed; single lesion

Collection of venous blood by venipuncture.

Removal impacted cerumen (separate procedure), one or both ears

Urea breath test, C-14 (isotopic); acquisition for analysis

Urea breath test, C-14 (isotopic); analysis

Urinalysis, by dip stick or tablet reagent for bilirubin, glucose, hemoglobin, ketones, leukocytes, nitrite, pH, protein, specific gravity, urobilinogen, any number of these constituents; non-automated, with microscopy

Urinalysis, by dip stick or tablet reagent for bilirubin, glucose, hemoglobin, ketones, leukocytes, nitrite, pH, protein, specific gravity, urobilinogen, any number of these constituents; non-automated, **without** microscopy

Urine pregnancy test, by visual color comparison methods

Blood, occult, by peroxidase activity (eg, guaiac), qualitative; feces, consecutive collected specimens with single determination, for colorectal neoplasm screening (ie, patient was provided three cards or single triple card for consecutive collection)

Blood, occult, by fecal hemoglobin determination by immunoassay, qualitative, feces, 1 -3 simultaneous determinations

Finger stick blood sugar

Immunization administration (includes percutaneous, intradermal, subcutaneous, or intramuscular injections); 1 vaccine (single or combination vaccine/toxoid for the administration of the flu shot)

Guardasil Human Papilloma Virus (HPV) vaccine, types 6, 11, 16, 18 (quadrivalent), 3 dose schedule, for intramuscular use

Human Papilloma virus (HPV) vaccine, types 16, 18, bivalent, 3 dose schedule, for intramuscular use

Tetanus and diphtheria toxoids adsorbed (Td), preservative free, when administered to individuals 7 years or older, for intramuscular use

Tetanus, diphtheria toxoids and acellular pertussis vaccine (Tdap), when administered to individuals 7 years or older, for intramuscular use

EXHIBIT B
COVERED SERVICES

Description

EKG

Spirometry, including graphic record, total and timed vital capacity, expiratory flow rate measurement(s), with or without maximal voluntary ventilation

Bronchodilation responsiveness, spirometry as in 94010, pre- and post-bronchodilator administration

Pressurized or nonpressurized inhalation treatment for acute airway obstruction or for sputum induction for diagnostic purposes (eg, with an aerosol generator, nebulizer, metered dose inhaler or intermittent positive pressure breathing (IPPB) device)

Plethysmography for determination of lung volumes and, when performed, airway resistance

Gas dilution or washout for determination of lung volumes and, when performed, distribution of ventilation and closing volumes

Diffusing capacity (eg, carbon monoxide, membrane) (List separately in addition to code for primary procedure)

Therapeutic, prophylactic, or diagnostic injection (specify substance or drug); subcutaneous or intramuscular

Initial comprehensive preventive medicine evaluation and management of an individual including an age and gender appropriate history, examination, counseling/anticipatory guidance/risk factor reduction interventions, and the ordering of laboratory/diagnostic procedures, new patient

Periodic comprehensive preventive medicine reevaluation and management of an individual including an age and gender appropriate history, examination, counseling/anticipatory guidance/risk factor reduction interventions, and the ordering of laboratory/diagnostic procedures, established patient

Flu Vaccine - Administration

Cervical or vaginal cancer screening; pelvic and clinical breast examination

Injection, ceftriaxone sodium, per 250 mg (up to 4 units)

Injection, methylprednisolone acetate, 40 mg

Injection, methylprednisolone acetate, 80 mg

Injection, medroxyprogesterone acetate, 1 mg

Injection, dexamethasone acetate, 1 mg

Injection, dexamethasone sodium phosphate, 1mg

Injection, ketorolac tromethamine, per 15 mg

Injection, promethazine hcl, up to 50 mg

EXHIBIT B
COVERED SERVICES

Description

Albuterol, up to 2.5 mg and ipratropium bromide, up to 0.5 mg, fda-approved final product, non-compounded, administered through dme)

Influenza virus vaccine, split virus, when administered to individuals 3 years of age and older, for intramuscular use

Screening papanicolaou smear; obtaining, preparing and conveyance of cervical or vaginal smear to laboratory

Services not covered by the Polk HealthCare Plan include: Physicals (pre-employment or student sports), Drug Screens and Weight Management Services.

EXHIBIT C
PRECERTIFICATION LIST

Precertification is only required for the following services:

Inpatient Admissions

Acute Inpatient medical & surgical admissions only

Outpatient – Surgery

Abdominoplasty
Autologous chondrocyte implantation, Caritcel
Back Surgeries
Blepharoplasty
Cervicoplasty (neck lift)
Facial skin lesions (MOHS, Photo therapy, laser therapy)
Hysterectomy (including prophylactic)
IDET (Thermal Intradiscal Procedures)
Liposuction/lipectomy
Mammoplasty, augmentation and reduction (includes removal of implant)
Mastectomy, gynecomastia and prophylactic
Orthognathic procedures (ex: Genioplasty, LeFort osteotomy, Mandibular ORIF, TMJ)
Osteochondral Allograft, knee
Otoplasty
Palatopharyngoplasty (UPPP for snoring)
Panniculectomy
Rhinoplasty
Rhytidectomy
Scar revisions
Septoplasty
Varicose vein surgery/sclerotherapy

A precert is a determination of medical necessity only; it is not a guarantee of benefits or payment for services rendered.

EXHIBIT D
INSTRUCTIONS FOR VERIFICATION OF ENROLLMENT

The following sources of enrollment verification shall be made when providing services to a Plan Member.

1. Each Member receives an identification card upon enrollment in the Plan. The card should always be presented to the Medical Services Entity when services are requested by Member and prior to receipt of services. The Medical Services Entity shall confirm eligibility by contacting the County or its third party administrator. It shall be the responsibility of the Medical Services Entity to confirm active enrollment prior to services being rendered.

2. If inpatient-admission certification is required for Member, the Medical Services Entity shall confirm admission certification approval, including contacting the County's representative or its third party administrator, when necessary.

Polk HealthCare Plan – Medical Card

FRONT OF CARD

POLK COUNTY

Community Health Care
Polk HealthCare Plan
Enrollment Card

Member ID: _____
Member Name: _____
Primary Care Physician: _____
Office Phone #: _____
Plan Type: _____
Eligibility Period: _____ **to** _____
Co-Pay: $1 PCP / $25 ER

BACK OF CARD

NOTICE TO MEMBER:
Please present this card each time you require any medical service with a contracted provider of the Polk HealthCare Plan, within Polk County, Florida. This card is not transferrable and is only valid for the eligibility period listed on the front. ***Do not alter or share this card with others as you will lose your governmental assistance provided by Polk County Indigent Health Care Tax.***

NOTICE TO PROVIDERS:

Eligibility Appointments & Inquiries
Call (863) 533-1111

AHH Pre-Certification
Fax (844) 241-9075

Paper Claim Submission
Meritain Health
PO Box 853921
Richardson, TX 75085-3921

Claims and Benefit Information
Call (888) 850-8222

Electronic Claim Submission
WebMD/Emdeon 41124
McKesson/Relay Health 1761

DISCLAIMER: THIS VERSION OF THE CARD IS EFFECTIVE BEGINNING 9/1/24 AND MAY BE SUBJECT TO CHANGE. PLEASE WATCH THE POLK HEALTHCARE PLAN WEBSITE.

EXHIBIT E
NO COERCION FOR LABOR OR SERVICES AFFIDAVIT

In compliance with Section 787.06(13), Florida Statutes, this attestation must be completed by an officer or representative of a nongovernmental entity that is executing, renewing, or extending a contract with Polk County, a political subdivision of the State of Florida.

The undersigned, on behalf of the entity listed below (the "Nongovernmental Entity"), hereby attests under penalty of perjury as follows:

1. I am over the age of 18 and I have personal knowledge of the matters set forth herein.

2. I currently serve as an officer or representative of the Nongovernmental Entity.

3. The Nongovernmental Entity does **not** use coercion for labor or services, as those underlined terms are defined in Section 787.06, Florida Statutes.

4. This declaration is made pursuant to Section 92.525, Fla. Stat. and Section 787.06, Fla. Stat. I understand that making a false statement in this declaration may subject me to criminal penalties.

Under penalties of perjury, I DANIELA DUARTE (Signatory Name and Title), declare that I have read the foregoing Affidavit Regarding the Use of Coercion for Labor and Services and that the facts stated in it are true.

Further Affiant sayeth naught.

Florida Community Health Partners LLC
NONGOVERNMENTAL ENTITY

SIGNATURE

DANIELA DUARTE
PRINT NAME

CEO
TITLE

10/02/2025
DATE

EXHIBIT F
FOREIGN COUNTRY OF CONCERN AFFIDAVIT
(PUR 1355)

This form must be completed by an officer or representative of an entity submitting a bid, proposal, or reply to, or entering into, renewing, or extending, a contract with a Governmental Entity which would grant the entity access to an individual's Personal Identifying Information. Capitalized terms used herein have the definitions ascribed in Rule 60A-1.020, F.A.C.

Florida Community Health Partners, LLC (Name of Entity) is not owned by the government of a Foreign Country of Concern, is not organized under the laws of nor has its Principal Place of Business in a Foreign Country of Concern, and the government of a Foreign Country of Concern does not have a Controlling Interest in the entity.

Under penalties of perjury, I declare that I have read the foregoing statement and that the facts stated in it are true.

PRINTED NAME: DANIELA DUARTE

TITLE: CEO

SIGNATURE: _____ DATE: 10/02/2025

Agenda Item R.17. 11/4/2025

SUBJECT

Modification No. 01 to Consultant Services Authorization (CSA) No.2021-031-03 with SLAM Collaborative for the Polk County High Voltage Switchgear and Generator Study as a scope of services expansion to include additional Architectural Services, Electrical and Civil Engineering for property recently purchased at 222 East Main Street, Bartow, FL 33830 ($85,150.00 one-time expense)

DESCRIPTION

On March 5, 2025, the County Manager approved CSA No. 2021-031-03 with SLAM Collaborative in the amount of $99,500.00 for providing professional consultant services associated with the Polk County Courthouse High Voltage Switchgear and Generator Study at the Bartow Courthouse, 255 North Broadway Avenue, Bartow, FL 33830.

Modification No. 01, to CSA No. 2021-031-03, with SLAM Collaborative aims to integrate the High Voltage and Switchgear Study with the necessary Architectural Services, Electrical and Civil Engineering modifications to the newly purchased property at 222 East Main Street, Bartow, FL 33830, to include demolition of an existing building, modifications for a new generator, parking, security wall and future mechanical and electrical expansions for the Bartow Courthouse. The cost of this additional service is a lump sum amount of $85,150.00.

RECOMMENDATION

Request Board approve Modification No. 01 to CSA No.2021-031-03 with SLAM Collaborative for the Polk County High Voltage Switchgear and Generator Study as a scope of services expansion to include additional Architectural Services, Electrical and Civil Engineering for property recently purchased at 222 East Main Street, Bartow, FL 33830.

Approval of Modification No. 01 to CSA NO. 2021-031-03 in the amount of $85,150.00 plus the original fee amount of $99,500.00 provides for a total CSA cost of $184,650.00.

FISCAL IMPACT

Funds are budgeted in the General Capital Improvement Fund within the Bartow Courthouse Electrical Upgrades project.

CONTACT INFORMATION

Name: Keith Tate

Title: Division Director

Division: Facilities Management

Phone: 863-534-5523

E-mail Address: Keithtate@polk-county.net

CONSULTANT APPROVAL FORM

CPO: If Consultant fee is under $50,000 & construction is under $250,000
CSA: If Construction is under $7,500,000;
OR for study activity if consultant fee is under $500,000- (FS 287.055 CCNA)

CPO/CSA #: 2021-031-03 Mod #1 (Assigned by Procurement)

To be completed by the requesting Division:

Date: 9/29/25 Division: Facilities Management

Project Manager's Name: Mark Kithcart Phone :534-5514/559-3077

Project Name: Polk County Courthouse High Voltage Switchgear and Generator Study

Total Project Budget: $4,724,000 Project #5700088

Estimate of Construction Cost: $3,000,000

Proposed Consultant: SLAM Collaborative Fee: $ 99,500 + 85,150 (Mod 1)=Total $184,650

Master Consultant Agreement # 2021-031

Attach Scope of Services Proposed by the Consultant (Exhibit "A")

Approved By: _____ Date 9/30/25
Division Director/Designee

Procurement Division

Date Received: 10/14/25 emailed Date Reviewed by Analyst: Tabatha Shirrels

Approved by: _____
(Procurement Director/Designee)

County Attorney's Office (Required for all CSA's)

Date Received: _____ Date Reviewed: 10/20/2025

Approved by: _____
(County Attorney Office Signature)

County Manager's Office (Required if consultant fee is greater than $100,000)

Date Received: 10/21/2025 Date Reviewed: 10/21/2025

Approved by: _____
(County Manager Office Signature)

Additional Attachments: number of days to complete project, not to exceed/lump sum amount, justification for consultant selected, fee schedule, and Professional Liability COI (COI applicable to CSA only, description field must be project specific (contract requirement)).

Consultant Services Authorization-Modification

Firm Name:	The S/L/A/M Collaborative, Inc.
Master Agreement No.:	2021-031
CSA No.:	2021-031-03
CSA Modification No.:	2021-031-03-01
Project Name:	Polk County Courthouse High Voltage Switchgear and Generator Study
Project Description:	Electrical engineering study of the Bartow Courthouse to make recommendations and alternatives for replacement of the high voltage switchgear and installation of a generator to run the entire courthouse demand loads.
Project Exhibit Attachment	Exhibit "A"- Modified Scope of Services
Original # of days to complete project	Through completion of the study, design and construction
# of days increased by previous modification (if applicable)	N/A
Additional # of days for this Modification	N/A
Revised total # of days to complete project	Through completion of the study, design and construction
Original Compensation	$99,500 (Lump Sum)
Net change by previous modifications	N/A
Compensation increase/decrease this Modification	$85,150 (Lump Sum)
Revised total compensation	$184,650 (Lump Sum)
Budget Source/Availability	Operating and 308 Funds

IN WITNESS WHEREOF, the parties hereto have executed this CSA Modification on this_____ day of _____, 20_____.

Attest:

STACY M. BUTTERFIELD

By: _____

Deputy Clerk

Date Approved by County: _____

POLK COUNTY, a political subdivision of the State of Florida

By: _____

T.R. Wilson, Chairman
Board of County Commissioners

Review as to form and legal sufficiency

10/20/25

County Attorney's Office Date

Attest:

The S/L/A/M Collaborative, Inc. SEAL CONNECTICUT

Brenda J Johnson 10/09/2025

Corporate Secretary, Asst Date

CONSULTANT COMPANY NAME:

The S/L/A/M Collaborative, Inc.

Authorized Corporate Officer

Daniel S. Kantor, Treasurer 10/09/2025

[Printed Name and Title] Date

SEAL

7.27.20(MS)

SLAM

September 5, 2025

Mr. Keith Tate AIA
Facilities Management Director
Facilities Management Division
2160 Marshall Edwards Drive
Bartow, Florida 33830

RE: Polk County Courthouse High Voltage Switchgear and Generator Study
Add Service Request No. 1
SLAM No. 24305.00

Dear Keith,
This letter defines the Scope of Services and associated fees for revised scope associated with Polk County's procurement of 222 E Main Street. This additional property allows the County to use this additional parcel for pad mounted generator, future central energy cooling towers, and secure staff parking. In addition, based on an agreement with the City of Bartow, Davidson Street will be revised to be one-way westerly traffic to incorporate a secure fenced transformer yard on the abandoned easterly drive lane to serve the Courthouse Central Energy Plant (CEP). A conceptual site plan illustrating this approach is attached.

SLAM is currently providing design services associated with an electrical engineering study to develop recommendations and alternatives for replacement of the primary high voltage switchgear and installation of new generators to run the entire courthouse demand loads. We have partnered with RTM Engineering Consultants for electrical engineering assessments and recommendations and Tierra foe environmental assessment(s). SLAM will self-perform the architecture, civil engineering and landscape architecture.

Provided Additional Services Scope

1. **Phase 1 Environmental**

Tierra will perform a Phase I ESA to search for evidence of recognized environmental conditions (RECs) in connection with the subject property in general accordance with ASTM E 1527-21, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. RECs are defined by ASTM E 1527-21 as:

- The presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment,
- The likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment, or
- The presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.

2. **Electrical Scope:**
   - Addition of electrical site construction documents, including site lighting design and specification.
   - Additional utility coordination for 208V power at new site requirements.
   - Additional fuel tank design and fuel piping design for updated generator location.

3. **Civil Engineering Scope:**
   - Civil site construction documents (CDs) and ancillary site permits for:
     - New parking lot and associated stormwater retention to comply with City of Bartow development code.
     - An engineered geometry plan for the placement of voltage switchgear solution to comply with City of Bartow development code.

The S/L/A/M Collaborative, Inc.
150 N Orange Avenue, Suite 420, Orlando FL

o 407 992.6300 w slamcoll.com

- Complete specifications and materials associated the civil site development details.
- Supporting civil engineering reports to accompany CDs to acquire site permits.
- Coordination with architect and structural engineer for the placement of the new primary voltage switchgear and new parking area.
- Construction Administrative tasks and permit closeout.

4. **Architectural Scope:**
   - Design Development, Construction Documents and Construction Administration for the following:
     - Demolition of existing building, curbing and parking surface at 222 E Main Street.
     - New perimeter security/screening wall with two vehicular access control gates.
     - New prefab control kiosk at judicial parking entry.
     - New pedestrian door/access point from new secured parking lot into existing parking garage
     - Weatherproof conduit pathway and access point for service connection between transformers and CEP switchgear
     - New secure staff parking lot.

5. **Landscaping Scope:**
   - Design Development, Construction Documents and Construction Administration for the following:
     - Main Street right of way to comply with City of Bartow development code
     - New parking lot and associated planting areas to comply with City of Bartow development code.

Note that this proposal does not include the following activities and services.

- MEP surveys, data collection, equipment assessment outside of the project's scope.
- Assisting owner in obtaining competitive bids. Attending pre-bid conference with prospective bidders. Attending post-bid conference.
- Providing design modifications based on value engineering approvals.
- REVIT model updates during the construction phase to reflect changes related to field conditions, products used or installation techniques.
- Conformed, Record or As-builts drawings.
- Commissioning or assistance to the commissioning agent
- Architectural and Engineering Design required to upgrade the systems to latest building codes or correct existing code violations.
- Detailed equipment inventory.
- Acoustical or vibration design and engineering
- Survey, platting or easements.
- Design and permitting of underground exfiltration chambers.
- Design and permitting of traffic patterns outside of W. Division St.

Project Schedule

We anticipate that our schedule for completing additional scope for architectural and civil improvements will run concurrent with the high voltage switchgear design and procurement.

Fee

Phase 1 Environmental	$3,850
Electrical Engineering	$ 15,500
Civil Engineering	$ 31,000
Architecture	$ 28,800
Landscape Architecture	$ 6,000
TOTAL	**$ 85,150**

The proposed lump sum fee for the proposed Scope of Services is **$ 85,150.00**.

Thank you for the opportunity to assist you on this project! If you require further information, please do not hesitate to contact me.

Regards,

Douglas Kleppin, AIA
Principal, SLAM Collaborative

The S/L/A/M Collaborative, Inc.
150 N Orange Avenue, Suite 420, Orlando FL

o 407 992.6300 w slamcoll.com



EXISTING SITE PLAN

SLAM



SLAM

PROPOSED CONCEPT SITE PLAN

REQUEST FOR LEGAL SERVICES

To: County Attorney's Office
Attention: Noah Milov

From: Mark Kithcart, Drawer No. _____

Dept: Facilities Management Ext. 5511

Date: 10/22/2025

Request (in detail): _____

Review Agenda Item Modification No. 01 to Consultant Services Authorization (CSA) No.2021-031-03 with SLAM Collaborative for the Polk County High Voltage Switchgear and Generator Study as a scope of services expansion to include additional Architectural Services, Electrical and Civil Engineering for property recently purchased at 222 East Main Street, Bartow, FL 33830 ($85,150.00 one-time expense)

Please indicate any time limits involved and attach all necessary documentation.

For County Attorney office use only:
Assign to: Noah Milov Date: 10/23/25

County Attorney Project No.: 25-691
Logged out: 10/23/25
No changes -N.M

Agenda Item R.18. 11/4/2025

SUBJECT

Approve budget amendment to transfer from reserves to capital expense in the Fleet Replacement Fund ($3.3 million one-time transfer)

DESCRIPTION

For FY 24/25 the Fleet Replacement Fund has incurred greater capital expense than budgeted. Heavy equipment replacement orders were delayed in past years due to manufacturing delays caused by the pandemic; due to this delay replacement timelines were extended. Lead times have returned to mostly normal, so decisions were made this fiscal year to replace any equipment that had their timeline extended.

Fleet Replacement Fund FY 24/25 reserves are $33,423,196.

RECOMMENDATION

Request Board approval on budget amendment transfer of $3.3 million from Fleet Replacement Reserves to the capital.

FISCAL IMPACT

Funds are available for transfer in the Fleet Replacement Fund Reserve for Future Capital.

CONTACT INFORMATION

Michael Chase
Fleet Management Division Director
863-534-5614
michaelchase@polk-county.net

BUDGET AMENDMENT REQUEST

(for budget transfers and/or unbudgeted expenses)

Date 10/21/2025
Parent Fund Fleet Replacement Funds
Division Fleet Management
Department Fleet Replacement Program

Request for the following transfer be made for the reason(s) stated:

	Amount **FROM**	Fund	Cost Center	Account	Project	Area	TBD
	$ 3,300,000	51501	410000515	5998140	0000000	00	0000000
	$						
	$						
	$						
	$						
	$						
	$						
	$						
TOTAL	$ 3,300,000						

	Amount **TO**	Fund	Cost Center	Account	Project	Area	TBD
	$ 3,300,000	51501	410599515	5666000	0000000	00	0000000
	$						
	$						
	$						
	$						
	$						
	$						
	$						
TOTAL	$ 3,300,000						

JUSTIFICATION (attach additional back-up as necessary)
previous year's budget carry forward is under reserves rather than cash balance forward
Manufacturing lead times returned to normal on heavy equipment so a decision was made to replace needed items that were put on hold in previous years due manufacturing delays caused be the pandemic.

Division Director

~~Department Director~~

Recommended or not recommended by (Budget & Management Services) (Date) 10/22/25

Reason

APPROVED / NOT APPROVED
Board of County Commissioners/County Management (Date)

Requesting Department or Division: FORWARD TO BUDGET & MANAGEMENT SERVICES

(Rev. 09-07)

Agenda Item R.19. 11/4/2025

SUBJECT

Approve Interlocal Agreement between Polk County and Central Florida Regional Planning Council (CFRPC) to implement Polk County Vulnerability Assessment Adaptation Plan ($300,000 one-time expense).

DESCRIPTION

Polk County has been awarded a State of Florida Department of Environmental Protection (FDEP) Grant Agreement (Agreement #24PLN59} to conduct a Comprehensive Vulnerability Assessment Adaptation Chapter Plan (PLAN) pursuant to Section 380.093, Florida Statutes. The PLAN includes coordination with and analysis of 17 municipalities.

The County will work with the Central Florida Regional Planning Council (CFRPC} to complete the Grant Work Plan. An Interlocal Agreement between the CFRPC and the County is included.

The final products will include:

1) Vulnerability Assessment Report Adaptation Chapter Plan

Report detailing critical resources that may be affected by flood conditions during a 100-year, 200-year and 500-year flood event. As well as highlighting a PLAN approach to better facilitate the necessary operations needed to operate during flood events. The PLAN will help facilitate future management of county resources and help plan future growth through informing the comprehensive plan for development.

2) Public Presentation

Presentation of the final PLAN results to local governing boards, technical committees, or other appropriate officers and elected officials. The purpose of the presentation is to share the findings from the final PLAN and provide recommendations of actions for adaptation strategies and future project funding. The presentation will also inform the public of the results and the future risk of increased flooding and encourage community participation when identifying mitigation strategies to address the flooding vulnerabilities.

The project has been approved by STAC.

RECOMMENDATION

Approve Interlocal Agreement between Polk County and Central Florida Regional Planning Council (CFRPC) to implement Polk County Comprehensive Vulnerability Assessment Adaptation Chapter

Plan.

FISCAL IMPACT

Funds are budgeted in the Special Revenue Grant Fund within the Parks and Natural Resources 5-year CIP.

CONTACT INFORMATION

Tabitha Biehl, Land and Water Natural Areas Manager
Parks and Natural Resources Division
(863) 534-7377
tabithabiehl@polk-county.net

Gaye Sharpe, Director
Parks and Natural Resources Division
(863) 534-7377
gayesharpe@polk-county.net

REQUEST FOR LEGAL SERVICES

TO: County Attorney's Office

Attention: Breezi Hicks

FROM: Tabitha Biehl Please add drawer # Ext. 534-7377 Mail:206

DIV: Parks and Natural Resources

DATE: October 6, 2025

Request (In detail):

Polk County has a fully executed agreement with the State of Florida Department of Environmental Protection (FDEP) Grant Agreement (Agreement #24PLN59) to conduct a Polk County Adaptation Plan to be incorporated into the Comprehensive Vulnerability Assessment pursuant to section 380.093, Florida Statutes, and provide updates to the Local Mitigation Strategy.

This request is for an interlocal agreement between Polk County and Central Florida Regional Planning Council (CFRPC) to implement the grant requirements.

10/7/25 Good to go

Please indicate any time limits involved and attach all necessary documentation.

County Attorney
OCT 06 2025

For County Attorney office use only:
Assign to: BREEZI Date:
County Attorney Project No.: 2025-1061
Logged out: 10-8-25

INTERLOCAL AGREEMENT

BETWEEN

Central Florida Regional Planning Council (COUNCIL)

and

Polk County, a political subdivision of the State of Florida (COUNTY)

This Interlocal Agreement ("Agreement"), entered into as of the Effective Date as set forth below, pursuant to and in compliance with the "Florida Interlocal Cooperation Act of 1969," Section 163.01, Florida Statutes (referred to herein as "the Act"), by the Central Florida Regional Planning Council (referred to herein as the "COUNCIL"), a Florida state agency existing and operating pursuant to the "Florida Regional Planning Council Act," Sections 186.501-186.513, Florida Statutes, and Polk County, a political subdivision of the State of Florida, (referred to herein as the "COUNTY"). The COUNCIL and the COUNTY shall collectively be referred to herein as "PARTIES".

BACKGROUND

The COUNTY desires to contract the COUNCIL to provide all work and professional planning services (collectively, the "Services") necessary to deliver the Polk County Adaption Plan. The Services are detailed in Attachment A – Scope of Work and made a part of this Agreement. The COUNCIL desires to provide all such Services in accordance with this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the Parties hereto do mutually agree as follows:

I. GENERAL

The COUNTY contracts with the COUNCIL to provide the Services described and required under this Agreement.

II. SCOPE OF WORK

The COUNCIL shall perform, in a satisfactory and proper manner, the Services detailed in Attachment A–Scope of Work and shall satisfy all requirements of the guidelines specified therein.

III. COMPENSATION

This is a fixed fee agreement. As consideration for performance of all work necessary to render the Services to the COUNTY, the COUNTY shall pay COUNCIL a fee not to exceed **$300,000.00 (three hundred thousand dollars)**. Payment shall be made in nine (9) installments to correspond with the nine (9) Agreement Task Deliverables payable within forty-five (45) days after the date the COUNTY receives the required deliverable and an acceptable completed invoice from the COUNCIL. Payments will be due as follows:

FDEP Task #	Agreement Task #	Task Title	Task Cost
1	1	Kick Off Meeting	$3,500.00
2	2	Draft Adaptation Needs and Strategies	$40,000.00
	3	Draft Adaptation Plan to include Map(s)	$40,000.00
3	4	Develop the Assessment of Adaptive Capacities Methodology and the Prioritization Adaptation Needs Methodology	$30,000.00
	5	Conduct Public Meeting to Develop the Prioritization of Adaptation Needs	$10,000.00
	6	Complete the Summary Report: Community Prioritization of Adaptation Needs	$40,000.00
4	7	Draft Adaptation Plan	$63,250.00
	8	Final Adaptation Plan	$63,250.00
5	9	Public Presentations	$10,000.00
		Total	**$300,000.00**

All fees and payments for Services in addition to those stated in Attachment A shall be negotiated between the Parties with any changes incorporated into a written modification as described in Section V below. These tasks will be completed prior to the due dates of the FDEP Agreement Number 24PLN59 and these tasks shall be billed and paid prior to those due dates found in the FDEP Agreement Number 24PLN59, as this is a cost-reimbursement grant.

IV. PERIOD OF AGREEMENT

The services of the COUNCIL are to commence upon execution of this Agreement. Work shall be completed by February 28, 2026.

V. MODIFICATION OF AGREEMENT

A. Either Party may request changes in the services or Scope of Work to be performed by the COUNCIL pursuant to this Agreement, including adjustments in the funds payable under the Agreement if necessary and appropriate. Change that are mutually agreed upon by and between the COUNTY and the COUNCIL shall be incorporated in written amendments to this Agreement signed by both parties in order to be effective.

B. To be effective any extensions or modifications of this Agreement shall be mutually agreed upon by and between the COUNTY and the COUNCIL and shall be incorporated in written amendments to this Agreement signed by both parties.

VI. TERMINATION

A. Either Party may terminate this Agreement without cause with a minimum of thirty (30) days prior written notice to the other Party. Written notice shall be delivered by certified mail, return receipt requested, or in person with proof of delivery.

B. In the event the Agreement is terminated COUNCIL will be reimbursed in an amount commensurate with the work it had satisfactorily completed as of the effective date of termination based on the tasks contained in the Scope of Work and corresponding hourly costs of the employees involved in completing the work. Provided, however, the COUNTY shall not be required to pay COUNCIL an amount in excess of the cost of each Deliverable as stated in Section III above. Upon receipt of the termination payment, the COUNCIL shall deliver all work products to the COUNTY as stated in Section X.

VII. COMPLIANCE WITH LAWS, JURISDICTION, AND VENUE

A. The COUNCIL warrants, represents, and agrees that it will comply with all federal, state, and local laws, rules, and regulations applicable to the fulfillment of the requirements of this Agreement.

B. This Agreement shall be governed in all respect by the laws of the State of Florida and any legal action by either party against the other concerning this Agreement shall be filed in Polk County, Florida, which shall be deemed proper jurisdiction and venue for the action.

VIII. PERSONNEL

A. The COUNCIL represents that it has, or will secure at its own expense, personnel, consultants, or other special service providers necessary to perform the Services under this Agreement.

B. The COUNCIL shall continuously supply necessary staffing to perform the Services with COUNCIL personnel or appropriate consultants as deemed necessary by the COUNCIL to fulfill its obligations under this Agreement. Qualified persons may be added, deleted, or substituted at any time during the period of this Agreement, as the COUNCIL may deem necessary or appropriate.

IX. DATA TO BE FURNISHED TO COUNCIL

Upon reasonable request by the COUNCIL, and to the extent permitted by all applicable laws, rules, and regulations, the COUNTY shall provide to the COUNCIL all information, data reports, records, and maps in its possession, or which become available to it, that are necessary for the execution of work of the COUNCIL under this Agreement.

X. RIGHT TO WORK PRODUCTS

Copies of all works products shall become the property of the COUNTY.

XI. ASSIGNMENT

This Agreement shall not be assignable.

XII. NOTICE AND CONTACT

The Parties shall direct all correspondence and notices to the attention of the public official identified below. That designated official shall be responsible for all material actions, oversight and coordination in the performance of this Agreement including without limitation, providing notices of default and/or termination. Notices shall be effective upon receipt or upon refusal to accept receipt of the notice.

A. The representative of the COUNTY responsible for the administration of this Agreement is:

Ms. Tabitha Biehl
Land & Water Natural Areas Manager
Polk County Parks & Natural Resources Division
4177 Ben Durrance Rd
Bartow, Fl 33830
Phone: 863-899-8157
E-Mail: TabithaBiehl@polk-county.net

B. The representative of the COUNCIL responsible for the administration of this Agreement is:

Ms. Jennifer Codo-Salisbury
Executive Director
Central Florida Regional Planning Council
555 East Church Street
Bartow, FL 33830
Phone: (863) 534-7130, ext. 178
Fax: (863) 534-7138
E-Mail: jcodosalisbury@cfrpc.org

C. In the event that the representatives change, notice of the name, title, and address of the new representative should be provided to the other Party's representative.

XIII. TERMS AND CONDITIONS

This Agreement and attachment incorporated by reference constitute all the terms and conditions agreed upon by the parties.

XIV. PUBLIC RECORDS

A. Public Records Law. If COUNCIL meets the definition of "Contractor" in Section 119.0701(1)(a), Florida Statutes, COUNCIL shall comply with the following:

1. COUNCIL acknowledges COUNTY's obligations under Article I, Section 24, of the Florida Constitution and under Chapter 119, Florida Statutes, to release public records to members of the public upon request and comply in the handling of the materials created under this Agreement. COUNCIL further acknowledges that the constitutional and statutory provisions control over the terms of this Agreement. In association with its performance pursuant to this Agreement, COUNCIL shall not release or otherwise

disclose the content of any documents or information that is specifically exempt from disclosure pursuant to all applicable laws.

2. Without in any manner limiting the generality of the foregoing, to the extent applicable, COUNCIL acknowledges its obligations to comply with Section 119.0701, Florida Statutes, with regard to public records, and shall:

   a. keep and maintain public records required by COUNTY to perform the services required under this Agreement;

   b. upon request from the COUNTY's Custodian of Public Records or his/her designee, provide COUNTY with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in Chapter 119, Florida Statutes, or as otherwise provided by law;

   c. ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the term of this Agreement and following completion of this Agreement if COUNCIL does not transfer the records to COUNTY; and

   d. upon completion of this Agreement, transfer, at no cost, to COUNTY all public records in possession of COUNCIL or keep and maintain public records required by COUNTY to perform the service. If COUNCIL transfers all public records to COUNTY upon completion of this Agreement, COUNCIL shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If COUNCIL keeps and maintains public records upon completion of this Agreement, COUNCIL shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to COUNTY, upon request from COUNTY's Custodian of Public Records, in a format that is compatible with the information technology systems of COUNTY.

B. **IF COUNCIL HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO COUNCIL'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE COUNTY'S CUSTODIAN OF PUBLIC RECORDS AT:**

RECORDS MANAGEMENT LIASON OFFICER
POLK COUNTY
330 WEST CHURCH ST.
BARTOW, FL 33830
TELEPHONE: (863) 534-7527
EMAIL: RMLO@POLK-COUNTY.NET

XV. EFFECTIVE DATE.

The "Effective Date" of this Agreement will be the date a fully executed counterpart is filed with the Clerk of the Circuit Court of Polk County, Florida, in accordance with Section 163.01, Florida Statutes. The COUNTY will be responsible for filing the counterparts with the Clerk and for any costs related thereto.

IN WITNESS WHEREOF, the COUNTY and the COUNCIL have hereunto set their hands and seals and executed this Agreement on the respective dates under each Party's signature.

CENTRAL FLORIDA REGIONAL PLANNING COUNCIL

By: _____
Jennifer Codo-Salisbury, Executive Director

_____
Witness Signature

Date: _____

_____
Witness Printed Name

_____
CFRPC Attorney

POLK COUNTY,
a political subdivision of the State of Florida

ATTEST: Stacy M. Butterfield, CPA
Clerk of Courts and County Comptroller

_____
Rick Wilson, Chairman

_____
Deputy Clerk

Date: _____

Reviewed as to form and legal sufficiency:

_____
County Attorney's Office

ATTACHMENT A

SCOPE OF WORK

PROJECT TITLE: Polk County Adaptation Plan

PROJECT LOCATION: The Project is located in Polk County, Florida.

PROJECT DESCRIPTION:

The Polk County (Grantee) will complete the Polk County Adaptation Plan Project (Project) to include an Adaptation Plan (AP) consistent with the Florida Adaptation Planning Guidebook. The Project will include public outreach and stakeholder engagement.

TASKS AND DELIVERABLES:

Task 1: Kick Off Meeting

Description: The Grantee will develop an overall project management plan and address initial actions and then conduct a kick-off meeting for the project. Meeting attendees will discuss the project scope, project goals, schedule, key milestones, and deliverables in order to develop a consistent project approach. The Grantee will prepare the agenda, sign-in sheet, draft project schedule, presentation, and other meeting materials as necessary.

Deliverables: The Grantee will provide the following:

- 1.1: Meeting agenda to include location, date, and time of meeting;
- 1.2: Meeting sign-in sheets or attendance records with attendee names and affiliation;
- 1.3: A copy of the presentation(s) and any materials created for distribution at the meeting, as applicable;
- 1.4: Kick-off meeting minutes, which documents all decisions and agreed upon outcomes of the meeting; and
- 1.5: A summary report including attendee input and meeting outcomes.

Task 2: Draft Adaptation Needs and Strategies

Description: The Grantee will develop adaptation needs and strategies for inclusion in the AP. The AP will include a table listing the adaptation needs and corresponding recommended strategies for each. The AP shall be consistent with the guidelines in the Florida Adaptation Planning Guidebook.

Deliverables: The Grantee will provide the following:

- 2.1: A draft adaptation needs and strategies document.

Task 3: Draft Adaptation Plan to include Map(s)

Description: The Grantee will develop adaptation needs and strategies for inclusion in the AP. Using the Task 2 draft adaptation needs and strategies document create a map and/or map series illustrating the critical assets identified as adaptation needs. The AP shall be consistent with the guidelines in the Florida Adaptation Planning Guidebook.

Deliverables: The Grantee will provide the following:

- 3.1: A final draft AP that includes the needs and strategies as well as the map and/or map series.

Task 4: Develop the Assessment of Adaptive Capacities Methodology and the Prioritization Adaptation Needs Methodology

Description: The Grantee will develop a methodology for both the assessment of adaptive capacities and prioritization of adaptation needs.

Deliverables: The Grantee will provide the following:

- 4.1: Assessment of Adaptive Capacities Methodology
- 4.2: Prioritization of Adaptation Needs Methodology

Task 5: Conduct Public Meeting to Develop the Prioritization of Adaptation Needs

Description: The Grantee will conduct a public meeting to develop a prioritization of adaptation needs for the community. The Grantee will present the draft AP that includes the following: assessment of adaptive capacities, adaptation needs, and identification of adaptation strategies. The purpose of the meeting is to allow the public to provide community-specific input on the identified adaptation needs and strategies as identified in the draft AP as well as an opportunity to prioritize adaptation needs. The Grantee will prepare all social media notifications, meeting invitations, meeting materials, presentations, and graphics utilized during the meeting, as applicable.

Deliverables: The Grantee will provide the following:

- 5.1: Meeting agendas to include location, date, and time of meeting;
- 5.2: Meeting sign-in sheets with attendee names and affiliation (i.e. local stakeholder, resident, steering committee member, local government staff);
- 5.3: A copy of the presentation(s) and any materials created in preparation of or for distribution at the meeting (i.e. social media posts, public announcements, graphics), as applicable; and
- 5.4: A copy of the file or weblink of the video or audio recording from the meeting, if applicable;

Task 6: Complete the Summary Report: Community Prioritization of Adaptation Needs

Description: The Grantee will completed the public meeting, from Task 5, summary report to include the attendee's input and meeting outcomes

Deliverables: The Grantee will provide the following:

- 6.1: A summary report including attendee input and meeting outcomes.

Task 7: Draft Adaptation Plan

Description: The Grantee will complete a draft AP that is consistent with the Florida Adaptation Planning Guidebook. The draft AP will also include a list of prioritized projects for each asset class as defined in subsection 380.093(2), Florida Statutes, for consideration and implementation

Deliverables: The Grantee will provide the following:

- 7.1: A draft AP, to include any products or documentation, either within or as appendices or independent sections, resulting from all optional subtasks included in the Task Description.

Task 8: Final Adaptation Plan

Description: The Grantee will complete a final AP that is consistent with the Florida Adaptation Planning Guidebook. The final AP will also include a list of prioritized projects for each asset class as defined in subsection 380.093(2), Florida Statutes, for consideration and implementation

Deliverables: The Grantee will provide the following:

- 8.1: A final AP, to include any products or documentation, either within or as appendices or independent sections, resulting from all optional subtasks included in the Task Description.

Task 9: Public Presentation

Description: The Grantee will present the final AP results to local governing boards, technical committees, or other appropriate officers and elected officials in a public presentation. The purpose of the presentation is to share the outcomes of the final AP including resulting prioritized project recommendations and future project funding. The Grantee will prepare all social media notifications, meeting invitations, meeting materials, presentations, and graphics utilized during the meeting, as applicable.

Deliverables: The Grantee will provide the following:

- 9.1: Meeting agendas to include location, date, and time of meeting;
- 9.2: Meeting sign-in sheets with attendee names and affiliation (i.e. local stakeholder, resident,
- steering committee member, local government staff);
- 9.3: A copy of the presentation(s) and any materials created in preparation of or for distribution at the meeting (i.e. social media posts, public announcements, graphics), as applicable;
- 9.4: A copy of the file or weblink of the video or audio recording from the meeting, if applicable; and
- 9.5: A summary report including attendee input and meeting outcomes

Agreement Task #	Task Title	Task Deliverables	Task Due Date
1	Kick Off Meeting	• 1.1: Meeting agenda to include location, date, and time of meeting; • 1.2: Meeting sign-in sheets or attendance records with attendee names and affiliation; • 1.3: A copy of the presentation(s) and any materials created for distribution at the meeting, as applicable; • 1.4: Kick-off meeting minutes, which documents all decisions and agreed upon outcomes of the meeting; and • 1.5: A summary report including attendee input and meeting outcomes.	1/31/2026
2	Draft Adaptation Needs and Strategies	• 2.1: A draft adaptation needs and strategies document.	1/31/2026
3	Draft Adaptation Plan to include Map(s)	• 3.1: A final draft AP that includes the needs and strategies as well as the map and/or map series.	1/31/2026
4	Develop the Assessment of Adaptive Capacities Methodology and the Prioritization Adaptation Needs Methodology	• 4.1: Assessment of Adaptive Capacities Methodology • 4.2: Prioritization of Adaptation Needs Methodology	1/31/2026
5	Conduct Public Meeting to Develop the Prioritization of Adaptation Needs	• 5.1: Meeting agendas to include location, date, and time of meeting; • 5.2: Meeting sign-in sheets with attendee names and affiliation (i.e. local stakeholder, resident, steering committee member, local government staff); • 5.3: A copy of the presentation(s) and any materials created in preparation of or for distribution at the meeting (i.e. social media posts, public announcements, graphics), as applicable; and • 5.4: A copy of the file or weblink of the video or audio recording from the meeting, if applicable;	1/31/2026

6	Complete the Summary Report: Community Prioritization of Adaptation Needs	• 6.1: A summary report including attendee input and meeting outcomes.	1/31/2026
7	Draft Adaptation Plan	• 7.1: A draft AP, to include any products or documentation, either within or as appendices or independent sections, resulting from all optional subtasks included in the Task Description.	1/31/2026
8	Final Adaptation Plan	• 8.1: A final AP, to include any products or documentation, either within or as appendices or independent sections, resulting from all optional subtasks included in the Task Description.	1/31/2026
9	Public Presentations	• 9.1: Meeting agendas to include location, date, and time of meeting; • 9.2: Meeting sign-in sheets with attendee names and affiliation (i.e. local stakeholder, resident, steering committee member, local government staff); • 9.3: A copy of the presentation(s) and any materials created in preparation of or for distribution at the meeting (i.e. social media posts, public announcements, graphics), as applicable; • 9.4: A copy of the file or weblink of the video(s) or audio recording(s) from the meeting, if applicable; and • 9.5: A summary report(s) including attendee input and meeting outcomes.	2/28/2026

Subject

Approve Interlocal Agreement between Polk County and Central Florida Regional Planning Council (CFRPC) to implement Polk County Vulnerability Assessment Adaptation Plan. (Fiscal impact $300,000)

Description

Polk County has been awarded a State of Florida Department of Environmental Protection (FDEP) Grant Agreement (Agreement #24PLN59} to conduct a Comprehensive Vulnerability Assessment Adaptation Chapter Plan (PLAN) pursuant to Section 380.093, Florida Statutes. The PLAN includes coordination with and analysis of 17 municipalities.

The County will work with the Central Florida Regional Planning Council (CFRPC} to complete the Grant Work Plan. An Interlocal Agreement between the CFRPC and the County is included.

The final products will include:

1) **Vulnerability Assessment Report Adaptation Chapter Plan**

Report detailing critical resources that may be affected by flood conditions during a 100-year, 200-year and 500-year flood event. As well as highlighting a PLAN approach to better facilitate the necessary operations needed to operate during flood events. The PLAN will help facilitate future management of county resources and help plan future growth through informing the comprehensive plan for development.

2) **Public Presentation**

Presentation of the final PLAN results to local governing boards, technical committees, or other appropriate officers and elected officials. The purpose of the presentation is to share the findings from the final PLAN and provide recommendations of actions for adaptation strategies and future project funding. The presentation will also inform the public of the results and the future risk of increased flooding and encourage community participation when identifying mitigation strategies to address the flooding vulnerabilities.

The project has been approved by STAC.

Recommendation

Approve Interlocal Agreement between Polk County and Central Florida Regional Planning Council (CFRPC) to implement Polk County Comprehensive Vulnerability Assessment Adaptation Chapter Plan.

Fiscal Impact

Funds for this project are budgeted for the Parks and Natural Resources 5-year CIP budget.

Contact Information

Tabitha Biehl, Land and Water Natural Areas Manager Parks and Natural Resources Division
(863) 534-7377
tabithabiehl@polk-county.net

Gaye Sharpe, Director
Parks and Natural Resources Division (863) 534-7377
gayesharpe@polk-county.net

Polk County

Board of County Commissioners

Agenda Item R.20. 11/4/2025

SUBJECT

Approve Consultant Services Agreement (CSA) 22-061-01 with Chastain Skillman, Inc. to provide professional engineering services for East Central Park in Dundee Florida ($241,547.15 one-time expense.)

DESCRIPTION

East Central Park is a 45-acre regional park located in Dundee, Florida. The land was purchased in 1994 and the park officially opened in 2000. As Dundee and East Polk County has grown, East Central Park has become a key recreational facility serving residents.

Over the last 25 years Parks and Recreation has developed a diverse set of amenities within the park to include a walking/jogging trail with 14 fitness stations, four baseball fields, three multi-purpose fields, multiple picnic shelters, basketball, racquetball, volleyball, and tennis courts. Within the last year, the two tennis and basketball courts have been improved with the installation court tile surfacing.

This agreement will provide design, permitting, geotechnical services, surveying and construction administration services for the conversion of the three multi-purpose fields and the senior baseball field to artificial turf. Renovating the fields to artificial turf will significantly improve field durability, increase play time, and reduce maintenance costs associated with mowing, irrigation, and re-sodding.

Funds are available in the Parks Capital Improvement Program (CIP) Project No. 3500074 / Athletic Fields Artificial Turf for design services and construction.

RECOMMENDATION

Request Board approve CSA 22-061-04 with Chastain Skillman Inc. for professional engineering services for East Central Park in Dundee, Florida in the amount of ($241,547.15).

FISCAL IMPACT

Funds are budgeted and available in FY 25/26 East Park Impact Fee District Fund.

CONTACT INFORMATION

Michael Callender, Parks and Recreation Administrator
Parks and Natural Resources Division

(863) 534-4340
mikecallender@polk-county.net

Tabitha Biehl, Director
Parks & Natural Resources Division (863) 534-7377
tabithabiehl@polk-county.net

Consultant Services Authorization

Firm Name:	Chastain Skillman Inc
Master Agreement No.:	2022-061
CSA No.:	2022-061-04
Project Name:	East Central Park Artificial Turf Fields
Project Description:	Design, Permitting, Geotech, Surveying, and Construction Administration services for 3 muti-purpose fields and 1 senior baseball field.
Project Exhibits and Attachments	Exhibit "A"- Scope of Services for this CSA Exhibit "B"- Current Fee Schedule (Master Agreement) Exhibit "C"- Reimbursable Cost Schedule Exhibit "D"- Professional Liability (Project Specific)
Duration (in days)	To Project Completion
Compensation (Lump sum or Not to exceed to be identified in Exhibit "A")	$__241,547.15_____
Liquidated Damages (if applicable)	$_____N/A_____/Per Day
Budget Source/Availability	12264.350572079.5662030.3500074

IN WITNESS WHEREOF, the parties hereto have executed this CSA on this_____ day of _____, 20__.

Attest:

STACY M. BUTTERFIELD

By: _____

Deputy Clerk

Date Approved by County: _____

POLK COUNTY, a political subdivision of the State of Florida

By: _____

_____, Chairman

Board of County Commissioners

Review as to form and legal sufficiency

Nicole M Hansen 10/17/25

County Attorney's Office Date

Attest:

10/8/2025

Corporate Secretary Date

Chastain-Skillman, LLC

CONSULTANT COMPANY NAME

Andrew Mason

Authorized Corporate Officer

Andrew G. Mason, CFO 10/8/2025

[Printed Name and Title] Date

SEAL

CHASTAIN-SKILLMAN, LLC LIMITED LIABILITY SEAL 1950 FLORIDA

7.27.20(MS)

EXHIBIT A

East Central Park - Dundee
Civil Engineering Services to Convert Three Multi-Purpose Fields
And Senior Baseball Field to Artificial Turf
Scope of Services and Professional Fee

Client:	Polk County Board of County Commissioners
Project Name:	East Central Park - Dundee Convert Existing Multi-Purpose Fields and Baseball Field to Artificial Turf
CSI File No.:	WRC25013
Date:	August 4, 2025

Polk County Parks and Natural Resources Division (PNR) is seeking design, permitting, geotechnical services, surveying and construction administration services for converting three (3) natural grass multi-purpose fields and a senior baseball field to artificial turf in East Central Park in Dundee, Fl.

PNR is seeking to convert the above referenced fields of the park to artificial turf. Developing a performance specification and/ or bid documents for a complete artificial turf system that includes sub-base, drainage, carpet and in-fill to meet the site conditions and recreational level of use will be a critical component of the scope / deliverable. The scope includes coordinating and submitting all permit applications, permit modifications, or exemption letters from the agencies described below (i.e. water management district, etc.).

PNR does not anticipate any potable water, sanitary sewer utility design, and/or permitting to be required. Any irrigation to be removed shall be on an "as-found" basis during construction and shall be the reponsibility of the contractor. Irrigation design is not included in the project.

PNR requires digital copies of all data and deliverables, in both a pdf format and in usable shapefiles, when appropriate, to include but not limited to: site survey, geotechnical survey locations, concept design, final design plans, as-builts and other data collected that is georeferenced for this project. This shall include two (2) sets of signed and sealed hard copy plans.

Upon authorization of the Agreement between the Polk County Board of County Commissioners (Client) and Chastain Skillman, Inc. (CS), CS will be responsible to provide engineering services as well as permitting and limited construction administration services for the above-referenced project. Specifically, the Scope-of-Services shall include the following task items:

SCOPE-OF-SERVICES: CS will be responsible to provide:

I. Project Initiation:

1. **Project Kickoff Meeting:**
   a.) Attend a kickoff meeting with the Client and the Design Team in order to understand the lines of communication, goals/objectives of the project and schedule.

2. **Preapplication Conferences:**
   a.) Schedule and meet with the following regulatory agencies to review the design and permitting requirements for the conversion of the existing grass soccer fields to synthetic turf:
   - Southwest Florida Water Management District.
   - Polk County Land Development.

3. **Environmental Services:**
   a.) Contract with Environmental Science and Technologies, (ESA) to perform a cursory environmental site review to include:
   - Desk top Review of Parcel Limits – Prior to any field surveys, a desk top review will be conducted of the site to determine any potential constraints that may currently exist. This includes, but not limited to, National Wetlands Inventory, National Resource Conservation Service Soils and United States Geographical Survey Topographic databases. Listed species databases. Listed species databases will be reviewed as well as Audubon Florida Eagle Watch Bald Eagle Locator.
   - Preliminary Listed Species Survey – During the site review a preliminary listed species survey will be conducted to determine the potential for the existence of state and federally listed species and/or their habitat within the review area. While on site a 15% gopher tortoise burrow survey will be conducted to determine the potential density of individuals on the site.
   - Wetland/Waterbody Delineation – ESA will delineate all wetlands and waterbodies in accordance with Chapter 62-340, Florida Administrative Code (F.A.C.). In addition, all other surface water (OSW) features within the review area will be reviewed and field located where applicable.
   - Environmental Memorandum Preparation – Upon completion of the field review of the proposed site, an environmental Memorandum will be written that define the environmental constraints that exist within the Project Area. This memo will describe the onsite site conditions, wetlands and waterbodies, permitting, mitigation option, listed species avoidance and minimization measures.

- Coastal Zone Management (CZM) Act Exemption – Because of the location of the park and since wetland features that are considered Waters of the U.S. (WOTUS) are not proposed to be impacted as a result of the project, it is anticipated that the park improvements will be exempt from the CZM Act. As part of the Environmental Memo preparation, the CZM Act exemption will be addressed.
- Florida Master Site File TRA Search – A database search will be conducted with the Department of Historical Resources (DHR) to identify any previously recorded archaeological and cultural resource sites.
- USFWS Coordination – ESA will conduct early coordination with the USFWS to decide if species surveys are warranted and to determine the potential effects the project will may have on federally listed species such as the Eastern indigo snake, sand skink, blue-tailed mole skink and Florida scrub jay. If no surveys are required for the above listed species, a letter from USFWS will be secured and provided to the client prior to construction.

4. **Topographical Survey:**

a) CS will be responsible for preparing a Topographic Survey of an approximately 20-acre portion of East Central Park, Parcel Id #272827-835500-000350, located at 11 Lake Mabel Loop Road, Dundee, 33838. This survey will be prepared to aid in the design of the site. The specific scope items are listed below.

- Conduct office research, field coordination, and quality control measures as deemed necessary by CS in order to produce the survey.
- The horizontal datum for the project will be NAD 83 (2011 Adjustment), Florida State Plane, West Zone (902). All measurements will be in US Surveyor's Feet (sFT).
- Boundary and/or right-of-way location.
- Locate and depict aboveground improvements on the survey within the project limits.
- Depict provided and/or visual easements, rights-of-way and encumbrances that affect the surveyed parcel.
- The vertical datum for the project will be based on the North American Vertical Datum of 1988 (NAVD88).
- Provide spot elevations and one-foot (+/-) contours. The spot elevations upon which the contours are based will be indicated on the drawings. An interpolated one-foot contour line (+/- 6 inches) will also be plotted on the drawing.
- The spot elevations will extend approximately to the limits as shown on the attached Survey Exhibit and parcel boundaries.

- Provide invert information of accessible storm water and sanitary sewer structures.
- Locate trees of 6-inch diameter or larger as measured at approximately 4 feet above the ground. In areas of dense tree coverage, only the edge of the tree line will be depicted.
- Pavement markings and roadway signage location with sign content.
- Provide electronic copy of the survey in AutoCAD Civil 3D 2018, excluding title block and certifications.
- Provide an electronic copy of the signed and sealed survey(s) of the above-referenced site. The survey(s) will be performed in accordance with standards of practice adopted by the State of Florida Department of Agriculture and Consumer Services.

Survey Certification: The survey certification shall read as follows: I hereby certify that this drawing correctly reflects the results of a recent survey made under my direction and this survey was made in accordance with Standard of Practice adopted by the State of Florida Department of Agriculture and Consumer Services, Board of Professional Surveyors and Mappers, Chapter 5J-17 of the Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

5. **Geotechnical Investigation Report:**
   a) Contract with Madrid Engineering Group, Inc. to provide a Geotechnical Report of the soccer field area to include:
      - Site reconnaissance to review existing conditions in the field.
      - Utility locates via Sunshine One Call (required 3 days prior to the field work).
      - Mobilization to the site.
      - Conduct eight (8) hand auger borings (6 in the multi-purpose fields and 2 in the baseball field), to a maximum depth of 6 feet below ground surface (beg), within the soccer field area.
      - Conduct two (2) shallow (approximately 2 feet deep) test pits and two (2) hand auger borings to a depth of 10 feet below existing grade (beg), within the retention area. At the base of the test pit, two (2) undisturbed samples will be collected (1 horizontal and 1 vertical) for permeability testing in the laboratory.
      - Provide an electronic copy of the report signed and sealed by a registered professional geotechnical engineer which will include:
        - A description of the site, fieldwork, laboratory testing and general soil conditions encountered.
        - Measured apparent and estimated seasonal high groundwater level within the soccer field and retention areas.

- General geotechnical recommendations for stormwater pond.

II. Conceptual Plan:

1. Attend one (1) meeting with the Client and Design Team for the purpose of finalizing the layout and dimensions of the multi-use and baseball fields.
2. After the above meeting, submit the final Conceptual Plan to the Client for approval.

III. Civil Engineering Site/Grading/Soccer Fields:

1. Based on the approved Conceptual Site Plan above, prepare the final engineered Site Plan for the three (3) multi-purpose fields and the senior baseball field.
2. Design collector storm sewer to existing on-site retention area. No new impervious area is proposed.
3. Contract with OSports to provide:
    - Prepare plans and specifications for the three (3) proposed multi-purpose fields and senior baseball field, including:
        - Field Layout and striping/graphics plans based off NCAA and/or NFHS design requirements.
        - Field area grading plans.
        - Field area utility plans containing:
            - Layout of field underdrain and storm collector system.
            - Layout of electrical or future use conduit pathways.
        - Field cross sections and field related details.
    - Prepare plans and specifications for one (1) proposed senior baseball field, including:
        - Field layout and striping/graphics plan based off NCAA and/or NFHS design requirements.
        - Field area grading plans.
        - Field area utility plans containing:
            - Layout of field underdrain and storm collector system.
            - Layout of electrical or future use conduit pathways.
        - Field cross sections and field related details.
    - Prepare plans and specifications for the construction of perimeter fencing and netting for multi-purpose fields as needed,
    - Assist with coordination of graphics design for the field lines, field logo and any donor names with PNR and include in our plan set.
    - Provide drawings stamped and sealed by a Professional Architect and/or Engineer registered in the State of Florida.
    - Attend a design kick-off meeting and up to (3) design review meetings with PNR and any stakeholders to determine the basis of design, design schedule and address any comments of the design of the facility.
    - Provide drawings and specifications for review at 30%, 60% and 90% Construction Documents/For Permit deliverables.

- Provide opinion of probable cost for the artificial turf fields at 60% and 90% deliverables.

IV. Permit Documents and Applications:

1. Prepare and submit permit packages and respond to comments from required agencies and jurisdictions. The following are anticipated:
   a. Southwest Florida Water Management District – Exemption to Environmental Resource Permit. No new impervious area is proposed.
   b. Polk County – Land Development Review.
   c. Coastal Zone Management Act (Exemption).
   d. Florida Department of Environmental Protection – NPDES to be submitted by Owner or Contractor.

V. Project Specifications Manual:

1. Provide the County with project specifications for all civil engineering, including the artificial turf. A technical specifications manual, with Opinion of Probable Cost (Containing Quantities) will be provided at 60% and 90% completion with final construction specifications and Opinion of Probable Cost being provided at 100% completion.

VI. Limited Construction Administration:

1. Phase I consisting of the Senior Baseball field and the closest multi-use (football) field.
   a. Limited construction administration shall consist of the following:
      - Responding to bidder's questions (RFI's).
      - Attend a construction kick-off meeting with PNR, contractors, and any subcontractors to review planned construction activities, construction drawings and specifications.
      - Reviewing Shop Drawings and submittals.
      - Review/Prepare Change Orders.
      - Review Contractor's Application for Payments.
      - Attend up to Sixteen (16) construction meetings at 2 hrs. each.
      - Respond to Contractor questions.
      - Attend substantial and final inspections on-site.

2. Phase 2 consisting of the remaining two (2) Multi-use fields.
   b. Limited construction administration shall consist of the following:
      - Responding to bidder's questions (RFI's).
      - Attend a construction kick-off meeting with PNR, contractors, and any subcontractors to review planned construction activities, construction drawings and specifications.
      - Reviewing Shop Drawings and submittals.
      - Review/Prepare Change Orders.
      - Review Contractor's Application for Payments.
      - Attend up to Sixteen (16) construction meetings at 2 hrs. each.
      - Respond to Contractor questions.
      - Attend substantial and final inspections on-site.

VII. Record Drawings

1. Phase I Construction consisting of the Senior Baseball field and the closest multi-use (football) field.
   a. Prepare record drawings based on the contractor provided as-built drawings. CS requires four (4) signed/sealed (Florida Registered Professional Surveyor) copies of the "as-built" drawings, as well as, a pdf file and a CAD file.
   b. Provide 1 hard copy, 1 pdf copy, and 1 CAD copy to the Client.

2. Phase 2 Constuction consisting of remaining two (2) Multi-use fileds.
   a. Prepare record drawings based on the contractor provided as-built drawings. CS requires four (4) signed/sealed (Florida Registered Professional Surveyor) copies of the "as-built" drawings, as well as, a pdf file and a CAD file.
   b. Provide 1 hard copy, 1 pdf copy, and 1 CAD copy to the Client.

EXAMPLE OF SERVICES NOT INCLUDED:

- Payment of utility locate fees, if any, provided by the utility companies.
- Archaeological cultural resource field study.
- Appraisal or land acquisition services.
- Wetland delineation and location, permitting or design.
- Bald Eagle Permitting.
- Gopher Tortoise Permitting or Relocation.
- Listed species relocation.
- Phase I Site Assessment.
- Concrete walks, fencing, dugouts, lighting or any other services for baseball field beyond those expressly stated in the Scope-of-Services herein.
- Research, Excavation, and location of underground improvements.
- Boundary Survey or ALTA/ACSM Land Title Survey.
- As-built Survey.
- Landscape and irrigation services.

- Electrical, Potable Water or Sanitary Sewer Utilities.
- Baseball Outfield Fencing.
- Verification of accuracy of information provided by others.
- Any other services not expressly stated in the Scope-of-Services herein.

ASSUMPTIONS:

The Scope-of-Services and Compensation arrangement outlined in this Task Order are based on the following assumptions:

1. It is assumed that the Client will furnish CS with all information as to its requirements including any special or extraordinary considerations for the Project, and also to make available existing pertinent data.
2. It is assumed that the information required to complete CS's services will be readily available.
3. It is assumed that the information provided by the Client and any third parties is accurate and can be relied upon by CS.
4. It is assumed that a zoning or land use change will not be required for the development.
5. It is assumed that the gopher tortoise permitting, and relocation is not part of this work.
6. It is assumed that the sand-skink survey and permitting is not a part of this work.

PERIOD OF SERVICE:

Upon acceptance of this agreement and receipt of a Notice to Proceed from Polk County, the Consultant will promptly initiate its services, and would expect to substantially complete the services through submittal for permitting within approximately One-Hundred Twenty (120) days. The time required for review of drawings by the agencies, approval of permits, and the County's Construction Manager review is estimated at 90 days but is beyond the control of the Consultant.

The following general schedule is anticipated for the period of service:

Task	Duration
Project Design	120 Days
Permitting	60 Days
Bidding (During Permitting)	60 Days
Construction	240 Days
Permitting Close-out	30 Days

COMPENSATION:

Our compensation for the Professional Engineering Services delineated above will be based on the Lump Sum of $210,041.00 as summarized below:

TASK	DESCRIPTION	FEE, $
I.	Project Initiation	
1	Kickoff Meeting	1,570
2	Preapplication Conferences	1,890
3	Environmental Services	6,995
4	Topographical Survey	17,260
5	Geotechnical Investigation Report	8,550
II	Conceptual Plan (30%)	25,997
III	Civil Engineering Site/Grading/Soccer Fields	
1	Final Site Plan	3,020
2	Collector Storm Sewer and Retention Area	3,520
3	60% Design Plans, Opinion of Probable Cost, Technical Specs.	28,213
4	90% Design Plans, Opinion of Probable Cost, Technical Specs.	28,213
5	100% Design Plans, Opinion of Probable Cost, Technical Specs	28,213
IV	Permit Documents and Applications	7,840
V	Project Specifications Manual	6,000
VI	Limited Construction Administration	
	Phase 1 Construction	19,500
	Phase 2 Construction	19,500
VII	Record Drawings	
	Phase 1 Construction	1,880
	Phase 2 Construction	1,880
	LUMP SUM (Including Reimbursables)	**$210,041**

TASK	CONTINGENCY	FEE, $
I.	15% Contingency (Not to be Utilized without prior County Approval)	31,506.15
	LUMP SUM	**$31,506.15**

The Client and CS agree that the individual tasks may be exceeded, provided the total fixed fee is not exceeded without the prior written authorization from the Client.

We trust that this working arrangement is agreeable with you, and if so, would appreciate execution of this Letter-of-Agreement in the appropriate spaces provided below and the return of one executed copy of same to this office.

Signed and accepted by:

CHASTAIN-SKILLMAN, INC.

W. R. Cauthan, PE

Vice President of Civil Engineering

Sept. 2, 2025
Date

POLK COUNTY BOCC

Authorized Representative for Client

Date

Exhibit "B" - Fee Schedule

Polk County RFP 22-315
Professionl Engineering Services for Parks Natural Resources
Bill Rates

	Labor Rates by Position / Title			
	Raw Labor Rates		Raw Rates x Mult. (3.48)	
Position/Title	Minimum	Maximum	Minimum	Maximum
Prinicipal/Program Manager	$ 52.89	$ 123.08	$ 184.06	$ 428.32
Sr Consultant	$ 49.76	$ 118.05	$ 173.16	$ 410.81
Department Director	$ 55.00	$ 74.12	$ 191.40	$ 257.94
Sr Project Manager	$ 56.01	$ 76.92	$ 194.91	$ 267.68
Sr Project Engineer/Professional	$ 56.01	$ 76.92	$ 194.91	$ 267.68
Project Manager	$ 46.00	$ 57.69	$ 160.08	$ 200.76
Project Engineer/Professional	$ 45.67	$ 57.29	$ 158.93	$ 199.37
Assistant Project Manager	$ 28.00	$ 51.23	$ 97.44	$ 178.28
Engineer IV	$ 32.00	$ 42.97	$ 111.36	$ 149.54
Engineer III	$ 31.50	$ 39.86	$ 109.62	$ 138.71
Engineer II	$ 29.20	$ 37.85	$ 101.62	$ 131.72
Engineer I	$ 26.44	$ 29.35	$ 92.01	$ 102.14
GIS Database Manager/Programer	$ 45.25	$ 49.81	$ 157.47	$ 173.34
GIS Analyst	$ 37.12	$ 45.92	$ 129.18	$ 159.80
Project Coordinator II	$ 28.12	$ 38.50	$ 97.86	$ 133.98
Project Coordinator I	$ 15.00	$ 28.12	$ 52.20	$ 97.86
Intern	$ 12.00	$ 23.00	$ 41.76	$ 80.04
Sr Construction Representative	$ 35.92	$ 42.00	$ 125.00	$ 146.16
Construction Representative	$ 24.00	$ 36.01	$ 83.52	$ 125.31
CADD Manager	$ 41.34	$ 56.00	$ 143.86	$ 194.88
Sr CADD Designer	$ 28.00	$ 41.99	$ 97.44	$ 146.13
Designer	$ 20.00	$ 32.21	$ 69.60	$ 112.09
Survey Director	$ 64.00	$ 69.15	$ 222.72	$ 240.64
Sr Project Manager (Survey)	$ 51.92	$ 69.15	$ 180.68	$ 240.64
Project Manager (Survey)	$ 38.40	$ 52.00	$ 133.63	$ 180.96
Assistant Project Manager (Survey)	$ 28.00	$ 38.50	$ 97.44	$ 133.98
3 man Crew			$ 185.00	$ 210.00
2 Man Crew			$ 165.00	$ 185.00
1 Man Crew			$ 155.00	$ 170.00

Labor Multiplier Calculation	
Category	Std Multi
Direct Labor	1.00
Fringe Benefits/OH/Adm/GA	2.11
Subtotal	3.11
Profit @ 12%	0.37
Actual Multiplier	3.48

CHASTAIN SKILLMAN

DESCRIPTIONS AND RESPONSIBILITIES OF PERSONNEL

CLASSIFICATION	POSITION OVERVIEW	RESPONSIBILITIES	EDUCATION/EXPERIENCE
Project Manager	Project Representative; Manage project staff, budget, schedule and design	Communicate with client and subs, Manage activities of project staff, Create budget and schedule, Report to Principal-in Charge	Registered PE, Degree in Engineering, 25 years of experience, supervisory & management experience
Principal-in-Charge	Represents company, Provides project leadership, Supervises Project Manager	Responsible for project to be completed correctly, on time and on budget	Registered PE, Degree in Engineering, 25 years of experience, supervisory & management experience
QA/QC	Ensures project quality and efficiency	Make sure team adheres to Quality Control checklist, Reviews external deliverables for quality	15 years of experience, supervisory & management experience
Project Engineer	Provide project design, permitting, specification preparation and site inspection	Communicate with team members, ensure projects stays on budget and schedule, Report to Project Manager	Registered PE, Degree in Engineering, 5 years of experience
Survey Director	Provides leadership & development of survey operations, Directs survey field crew	Research existing project information, QA/QC of survey activities, planning of survey crew schedule, communication with client & team members	Registered PSM, 10 years of experience, supervisory & management experience
Survey Technician	Working on survey field crew	Perform basic survey field tasks	High School Diploma
Construction Inspector	Monitors construction of project, Provides construction engineering inspection	Coordinates MOT, Provides materials testing, Resolves construction issues, Keeps construction on schedule and inspects for quality	5 years of experience, High School Diploma
Administrative Professional/Intern	Administrative support	Office duties that include filing, typing and correspondence	High School Diploma

CHASTAIN SKILLMAN

KEY PERSONNEL

1. Ron Cauthan, PE – Project Manager
2. Lennie Arnold, PE, LEED AP – QA/QC
3. Jim Chastain, PhD, PE, BCEE, MPH – Principal-In-Charge
4. Doug Forni, PE – Senior Project Engineer – Parks
5. Drew Morson, PE, CFM – Stormwater Lead
6. Doug Jones, PE – Utilities Engineering/Coordination
7. Fred Ammermann, PSM – Senior Project Surveyor
8. Jeff Ammermann, PSM – Project Surveyor
9. Sean Childs – Survey/CAD Technician
10. Albert Truman – Construction Project Representative
11. Chris Plowman – Construction Project Representative

Fran McAskill
Director
Procurement Division



330 West Church Street
P.O. Box 9005, Drawer AS05
Bartow, Florida 33831-9005
Phone: (863) 534-6757
Fax: (863) 534-6789
www.polk-county.net

EXHIBIT C

Board of County Commissioners

REIMBURSABLE COST SCHEDULE

1.	Reproduction Cost		
	A. Regular Copying	Single Side	Double Sided
	8 ½ x 11 (black & white)	$ 0.15/page	$ 0.25/sheet
	8 ½ x 11 (color)	$ 0.30/page	$ 0.40/sheet
	8 ½ x 14 (black & white)	$ 0.15/page	$ 0.25/sheet
	8 ½ x 14 (color)	$ 0.30/page	$..0.40/sheet
	11 x 17 (black & white)	$ 0.25/page	$ 0.35/sheet
	11 x 17 (color)	$ 0.40/page	$ 0.50/sheet
	9 ½ x 24 Single Side Only	$ 1.00/page	
	17 x 22 Single Side Only	$ 2.00/page	
	18 x 24 Single Side Only	$ 2.00/page	
	24 x 36 Single Side Only	$ 3.00/page	
	30 x 30 Single Side Only	$ 5.00/page	
	32 x 34 Single Side Only	$ 5.00/page	
	Other sizes-per square inch	$ 0.03/page	
	Compact Digital Disk	$ 6.00/disk	
	B. Blueprint Copy		$10.00/page
2.	Subcontractor Services		Actual Costs
3.	Special Consultants		Actual costs
4.	Computer Services		Non-reimbursable
5.	Travel Expenses	In accordance with Chapter 112.061, F.S.; and further defined in the Polk County Employee Handbook.	
6.	Postage, Fed Express, UPS		Actual Costs
7.	Pre-approved Equipment (includes purchase and rental of equipment used in project)		Actual Costs

ACORD®

CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY): 09/03/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

Holder Identifier :

PRODUCER	CONTACT NAME:	
Aon Risk Services Northeast, Inc. New York NY Office One Liberty Plaza 165 Broadway, Suite 3201 New York NY 10006 USA	PHONE (A/C. No. Ext): (866) 283-7122	FAX (A/C. No.): (800) 363-0105
	E-MAIL ADDRESS:	

INSURED	INSURER(S) AFFORDING COVERAGE	NAIC #
Chastain-Skillman LLC dba ChastainSkillman / DCCM 205 East Orange Street, Suite 110 Lakeland FL 33801 USA	INSURER A: HDI Specialty Insurance Company	16131
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 570115222314 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Limits shown are as requested

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
	COMMERCIAL GENERAL LIABILITY CLAIMS-MADE / OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY / PRO-JECT / LOC OTHER:						EACH OCCURRENCE	
							DAMAGE TO RENTED PREMISES (Ea occurrence)	
							MED EXP (Any one person)	
							PERSONAL & ADV INJURY	
							GENERAL AGGREGATE	
							PRODUCTS - COMP/OP AGG	
	AUTOMOBILE LIABILITY ANY AUTO OWNED AUTOS ONLY / SCHEDULED AUTOS HIRED AUTOS ONLY / NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
	UMBRELLA LIAB / OCCUR EXCESS LIAB / CLAIMS-MADE DED / RETENTION						EACH OCCURRENCE	
							AGGREGATE	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR / PARTNER / EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE / OTH-ER	
							E.L. EACH ACCIDENT	
							E.L. DISEASE-EA EMPLOYEE	
							E.L. DISEASE-POLICY LIMIT	
A	Architects & Engineers Professional			PID6558401S Claims Made SIR applies per policy terms & conditions	06/30/2025	06/30/2026	Per Claim Limit Aggregate Limit	$10,000,000 $10,000,000

Certificate No : 570115222314

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Project Number: CSA 2022-061-04. Evidence of Insurance.

CERTIFICATE HOLDER

Polk County Parks and Natural Resources
4177 Ben Durrance Road
Bartow FL 33830 USA

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Aon Risk Services Northeast, Inc.

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The ACORD name and logo are registered marks of ACORD

Client#: 189537 DCCMLLC

ACORD™ CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 9/03/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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PRODUCER	CONTACT NAME: Michelle Wolfe	
Propel Insurance 1201 Pacific Avenue; Suite 1000 COM Middle Market Tacoma, WA 98402-4321	PHONE (A/C, No, Ext): 800 499-0933	FAX (A/C, No): 866 577-1326
	E-MAIL ADDRESS: michelle.wolfe@propelinsurance.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : American Guarantee and Liability Ins.Co	26247
INSURED Chastain-Skillman, LLC DCCM, LLC 205 E Orange St Lakeland, FL 33801	INSURER B : Zurich American Insurance Company	16535
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY			GLO872027302	06/30/2025	06/30/2026	EACH OCCURRENCE	$1,000,000
	CLAIMS-MADE X OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	$100,000
	X BI/PD Ded:2,000						MED EXP (Any one person)	$10,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PERSONAL & ADV INJURY	$1,000,000
	X POLICY X PRO-JECT LOC						GENERAL AGGREGATE	$2,000,000
	OTHER:						PRODUCTS - COMP/OP AGG	$2,000,000
								$
B	AUTOMOBILE LIABILITY			BAP872027402	06/30/2025	06/30/2026	COMBINED SINGLE LIMIT (Ea accident)	$1,000,000
	X ANY AUTO						BODILY INJURY (Per person)	$
	OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$
								$
A	UMBRELLA LIAB X OCCUR			SXS808437602	06/30/2025	06/30/2026	EACH OCCURRENCE	$10,000,000
	X EXCESS LIAB CLAIMS-MADE						AGGREGATE	$10,000,000
	DED RETENTION $							$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N	N / A		WC872027202	06/30/2025	06/30/2026	X PER STATUTE OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? N						E.L. EACH ACCIDENT	$1,000,000
	(Mandatory in NH)						E.L. DISEASE - EA EMPLOYEE	$1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - POLICY LIMIT	$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: project number CSA 2022-061-04

CERTIFICATE HOLDER

Polk County Parks and Natural Resources
4177 Ben Durrance Road
Bartow, FL 33830

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Mitchell R. [illegible]

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Coverage Extension Endorsement

ZURICH

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.	
Policy No. BAP 8720274 - 02	Effective Date: 06/30/2025

This endorsement modifies insurance provided under the:

Business Auto Coverage Form
Motor Carrier Coverage Form

A. Amended Who Is An Insured

1. The following is added to the **Who Is An Insured** Provision in **Section II – Covered Autos Liability Coverage**:

   The following are also "insureds":

   a. Any "employee" of yours is an "insured" while using a covered "auto" you don't own, hire or borrow for acts performed within the scope of employment by you. Any "employee" of yours is also an "insured" while operating an "auto" hired or rented under a contract or agreement in an "employee's" name, with your permission, while performing duties related to the conduct of your business.

   b. Anyone volunteering services to you is an "insured" while using a covered "auto" you don't own, hire or borrow to transport your clients or other persons in activities necessary to your business.

   c. Anyone else who furnishes an "auto" referenced in Paragraphs **A.1.a.** and **A.1.b.** in this endorsement.

   d. Where and to the extent permitted by law, any person(s) or organization(s) where required by written contract or written agreement with you executed prior to any "accident", including those person(s) or organization(s) directing your work pursuant to such written contract or written agreement with you, provided the "accident" arises out of operations governed by such contract or agreement and only up to the limits required in the written contract or written agreement, or the Limits of Insurance shown in the Declarations, whichever is less.

2. The following is added to the **Other Insurance** Condition in the Business Auto Coverage Form and the **Other Insurance – Primary and Excess Insurance Provisions Condition** in the Motor Carrier Coverage Form:

   Coverage for any person(s) or organization(s), where required by written contract or written agreement with you executed prior to any "accident", will apply on a primary and non-contributory basis and any insurance maintained by the additional "insured" will apply on an excess basis. However, in no event will this coverage extend beyond the terms and conditions of the Coverage Form.

B. Amendment – Supplementary Payments

Paragraphs **a.(2)** and **a.(4)** of the **Coverage Extensions** Provision in **Section II – Covered Autos Liability Coverage** are replaced by the following:

(2) Up to $5,000 for the cost of bail bonds (including bonds for related traffic law violations) required because of an "accident" we cover. We do not have to furnish these bonds.

(4) All reasonable expenses incurred by the "insured" at our request, including actual loss of earnings up to $500 a day because of time off from work.

C. Fellow Employee Coverage

The **Fellow Employee** Exclusion contained in **Section II – Covered Autos Liability Coverage** does not apply.

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D. Driver Safety Program Liability and Physical Damage Coverage

1. The following is added to the **Racing** Exclusion in **Section II – Covered Autos Liability Coverage**:

   This exclusion does not apply to covered "autos" participating in a driver safety program event, such as, but not limited to, auto or truck rodeos and other auto or truck agility demonstrations.

2. The following is added to Paragraph **2.** in **B. Exclusions** of **Section III – Physical Damage Coverage** of the Business Auto Coverage Form and Paragraph **2.b.** in **B. Exclusions** of **Section IV – Physical Damage Coverage** of the Motor Carrier Coverage Form:

   This exclusion does not apply to covered "autos" participating in a driver safety program event, such as, but not limited to, auto or truck rodeos and other auto or truck agility demonstrations.

E. Lease or Loan Gap Coverage

The following is added to the **Coverage** Provision of the **Physical Damage Coverage** Section:

Lease Or Loan Gap Coverage

In the event of a total "loss" to a covered "auto", we will pay any unpaid amount due on the lease or loan for a covered "auto", less:

a. Any amount paid under the **Physical Damage Coverage** Section of the Coverage Form; and

b. Any:

(1) Overdue lease or loan payments at the time of the "loss";

(2) Financial penalties imposed under a lease for excessive use, abnormal wear and tear or high mileage;

(3) Security deposits not returned by the lessor;

(4) Costs for extended warranties, credit life insurance, health, accident or disability insurance purchased with the loan or lease; and

(5) Carry-over balances from previous leases or loans.

F. Towing and Labor

Paragraph **A.2.** of the **Physical Damage Coverage** Section is replaced by the following:

We will pay up to $75 for towing and labor costs incurred each time a covered "auto" that is a "private passenger type", light truck or medium truck is disabled. However, the labor must be performed at the place of disablement.

As used in this provision, "private passenger type" means a private passenger or station wagon type "auto" and includes an "auto" of the pickup or van type if not used for business purposes.

G. Extended Glass Coverage

The following is added to Paragraph **A.3.a.** of the **Physical Damage Coverage** Section:

If glass must be replaced, the deductible shown in the Declarations will apply. However, if glass can be repaired and is actually repaired rather than replaced, the deductible will be waived. You have the option of having the glass repaired rather than replaced.

H. Hired Auto Physical Damage – Increased Loss of Use Expenses

The **Coverage Extension** for **Loss Of Use Expenses** in the **Physical Damage Coverage** Section is replaced by the following:

Loss Of Use Expenses

For Hired Auto Physical Damage, we will pay expenses for which an "insured" becomes legally responsible to pay for loss of use of a vehicle rented or hired without a driver under a written rental contract or written rental agreement. We will pay for loss of use expenses if caused by:

(1) Other than collision only if the Declarations indicate that Comprehensive Coverage is provided for any covered "auto";

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(2) Specified Causes Of Loss only if the Declarations indicate that Specified Causes Of Loss Coverage is provided for any covered "auto"; or

(3) Collision only if the Declarations indicate that Collision Coverage is provided for any covered "auto".

However, the most we will pay for any expenses for loss of use is $100 per day, to a maximum of $3000.

I. Personal Effects Coverage

The following is added to the **Coverage** Provision of the **Physical Damage Coverage** Section:

Personal Effects Coverage

a. We will pay up to $750 for "loss" to personal effects which are:

(1) Personal property owned by an "insured"; and

(2) In or on a covered "auto".

b. Subject to Paragraph **a.** above, the amount to be paid for "loss" to personal effects will be based on the lesser of:

(1) The reasonable cost to replace; or

(2) The actual cash value.

c. The coverage provided in Paragraphs **a.** and **b.** above, only applies in the event of a total theft of a covered "auto". No deductible applies to this coverage. However, we will not pay for "loss" to personal effects of any of the following:

(1) Accounts, bills, currency, deeds, evidence of debt, money, notes, securities, or commercial paper or other documents of value.

(2) Bullion, gold, silver, platinum, or other precious alloys or metals; furs or fur garments; jewelry, watches, precious or semi-precious stones.

(3) Paintings, statuary and other works of art.

(4) Contraband or property in the course of illegal transportation or trade.

(5) Tapes, records, discs or other similar devices used with audio, visual or data electronic equipment.

Any coverage provided by this Provision is excess over any other insurance coverage available for the same "loss".

J. Tapes, Records and Discs Coverage

1. The Exclusion in Paragraph **B.4.a.** of **Section III – Physical Damage Coverage** in the Business Auto Coverage Form and the Exclusion in Paragraph **B.2.c.** of **Section IV – Physical Damage Coverage** in the Motor Carrier Coverage Form does not apply.

2. The following is added to Paragraph **1.a. Comprehensive Coverage** under the **Coverage** Provision of the **Physical Damage Coverage** Section:

We will pay for "loss" to tapes, records, discs or other similar devices used with audio, visual or data electronic equipment. We will pay only if the tapes, records, discs or other similar audio, visual or data electronic devices:

(a) Are the property of an "insured"; and

(b) Are in a covered "auto" at the time of "loss".

The most we will pay for such "loss" to tapes, records, discs or other similar devices is $500. The **Physical Damage Coverage Deductible** Provision does not apply to such "loss".

K. Airbag Coverage

The Exclusion in Paragraph **B.3.a.** of **Section III – Physical Damage Coverage** in the Business Auto Coverage Form and the Exclusion in Paragraph **B.4.a.** of **Section IV – Physical Damage Coverage** in the Motor Carrier Coverage Form does not apply to the accidental discharge of an airbag.

L. Two or More Deductibles

The following is added to the **Deductible** Provision of the **Physical Damage Coverage** Section:

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If an accident is covered both by this policy or Coverage Form and by another policy or Coverage Form issued to you by us, the following applies for each covered "auto" on a per vehicle basis:

1. If the deductible on this policy or Coverage Form is the smaller (or smallest) deductible, it will be waived; or
2. If the deductible on this policy or Coverage Form is not the smaller (or smallest) deductible, it will be reduced by the amount of the smaller (or smallest) deductible.

M. Temporary Substitute Autos – Physical Damage

1. The following is added to **Section I – Covered Autos**:

   Temporary Substitute Autos – Physical Damage

   If Physical Damage Coverage is provided by this Coverage Form on your owned covered "autos", the following types of vehicles are also covered "autos" for Physical Damage Coverage:

   Any "auto" you do not own when used with the permission of its owner as a temporary substitute for a covered "auto" you do own but is out of service because of its:

   1. Breakdown;
   2. Repair;
   3. Servicing;
   4. "Loss"; or
   5. Destruction.

2. The following is added to the Paragraph **A. Coverage** Provision of the **Physical Damage Coverage** Section:

   Temporary Substitute Autos – Physical Damage

   We will pay the owner for "loss" to the temporary substitute "auto" unless the "loss" results from fraudulent acts or omissions on your part. If we make any payment to the owner, we will obtain the owner's rights against any other party.

   The deductible for the temporary substitute "auto" will be the same as the deductible for the covered "auto" it replaces.

N. Amended Duties In The Event Of Accident, Claim, Suit Or Loss

Paragraph **a.** of the **Duties In The Event Of Accident, Claim, Suit Or Loss** Condition is replaced by the following:

a. In the event of "accident", claim, "suit" or "loss", you must give us or our authorized representative prompt notice of the "accident", claim, "suit" or "loss". However, these duties only apply when the "accident", claim, "suit" or "loss" is known to you (if you are an individual), a partner (if you are a partnership), a member (if you are a limited liability company) or an executive officer or insurance manager (if you are a corporation). The failure of any agent, servant or employee of the "insured" to notify us of any "accident", claim, "suit" or "loss" shall not invalidate the insurance afforded by this policy.

Include, as soon as practicable:

(1) How, when and where the "accident" or "loss" occurred and if a claim is made or "suit" is brought, written notice of the claim or "suit" including, but not limited to, the date and details of such claim or "suit";

(2) The "insured's" name and address; and

(3) To the extent possible, the names and addresses of any injured persons and witnesses.

If you report an "accident", claim, "suit" or "loss" to another insurer when you should have reported to us, your failure to report to us will not be seen as a violation of these amended duties provided you give us notice as soon as practicable after the fact of the delay becomes known to you.

O. Waiver of Transfer Of Rights Of Recovery Against Others To Us

The following is added to the **Transfer Of Rights Of Recovery Against Others To Us** Condition:

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This Condition does not apply to the extent required of you by a written contract, executed prior to any "accident" or "loss", provided that the "accident" or "loss" arises out of operations contemplated by such contract. This waiver only applies to the person or organization designated in the contract.

P. Employee Hired Autos – Physical Damage

Paragraph **b.** of the **Other Insurance** Condition in the Business Auto Coverage Form and Paragraph **f.** of the **Other Insurance – Primary and Excess Insurance Provisions** Condition in the Motor Carrier Coverage Form are replaced by the following:

For Hired Auto Physical Damage Coverage, the following are deemed to be covered "autos" you own:

(1) Any covered "auto" you lease, hire, rent or borrow; and

(2) Any covered "auto" hired or rented under a written contract or written agreement entered into by an "employee" or elected or appointed official with your permission while being operated within the course and scope of that "employee's" employment by you or that elected or appointed official's duties as respect their obligations to you.

However, any "auto" that is leased, hired, rented or borrowed with a driver is not a covered "auto".

Q. Unintentional Failure to Disclose Hazards

The following is added to the **Concealment, Misrepresentation Or Fraud** Condition:

However, we will not deny coverage under this Coverage Form if you unintentionally:

(1) Fail to disclose any hazards existing at the inception date of this Coverage Form; or

(2) Make an error, omission, improper description of "autos" or other misstatement of information.

You must notify us as soon as possible after the discovery of any hazards or any other information that was not provided to us prior to the acceptance of this policy.

R. Hired Auto – World Wide Coverage

Paragraph **7.b.(5)** of the **Policy Period, Coverage Territory** Condition is replaced by the following:

(5) Anywhere else in the world if a covered "auto" is leased, hired, rented or borrowed for a period of 60 days or less,

S. Bodily Injury Redefined

The definition of "bodily injury" in the **Definitions** Section is replaced by the following:

"Bodily injury" means bodily injury, sickness or disease, sustained by a person including death or mental anguish, resulting from any of these at any time. Mental anguish means any type of mental or emotional illness or disease.

T. Expected Or Intended Injury

The **Expected Or Intended Injury** Exclusion in Paragraph **B. Exclusions** under **Section II – Covered Auto Liability Coverage** is replaced by the following:

Expected Or Intended Injury

"Bodily injury" or "property damage" expected or intended from the standpoint of the "insured". This exclusion does not apply to "bodily injury" or "property damage" resulting from the use of reasonable force to protect persons or property.

U. Physical Damage – Additional Temporary Transportation Expense Coverage

Paragraph **A.4.a.** of **Section III – Physical Damage Coverage** is replaced by the following:

4. Coverage Extensions

a. Transportation Expenses

We will pay up to $50 per day to a maximum of $1,000 for temporary transportation expense incurred by you because of the total theft of a covered "auto" of the private passenger type. We will pay only for those covered "autos" for which you carry either Comprehensive or Specified Causes of Loss Coverage. We will pay for temporary transportation expenses incurred during the period beginning 48 hours after the theft and ending, regardless of the policy's expiration, when the covered "auto" is returned to use or we pay for its "loss".

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V. Replacement of a Private Passenger Auto with a Hybrid or Alternative Fuel Source Auto

The following is added to Paragraph **A. Coverage** of the **Physical Damage Coverage** Section:

In the event of a total "loss" to a covered "auto" of the private passenger type that is replaced with a hybrid "auto" or "auto" powered by an alternative fuel source of the private passenger type, we will pay an additional 10% of the cost of the replacement "auto", excluding tax, title, license, other fees and any aftermarket vehicle upgrades, up to a maximum of $2500. The covered "auto" must be replaced by a hybrid "auto" or an "auto" powered by an alternative fuel source within 60 calendar days of the payment of the "loss" and evidenced by a bill of sale or new vehicle lease agreement.

To qualify as a hybrid "auto", the "auto" must be powered by a conventional gasoline engine and another source of propulsion power. The other source of propulsion power must be electric, hydrogen, propane, solar or natural gas, either compressed or liquefied. To qualify as an "auto" powered by an alternative fuel source, the "auto" must be powered by a source of propulsion power other than a conventional gasoline engine. An "auto" solely propelled by biofuel, gasoline or diesel fuel or any blend thereof is not an "auto" powered by an alternative fuel source.

W. Return of Stolen Automobile

The following is added to the **Coverage Extension** Provision of the **Physical Damage Coverage** Section:

If a covered "auto" is stolen and recovered, we will pay the cost of transport to return the "auto" to you. We will pay only for those covered "autos" for which you carry either Comprehensive or Specified Causes of Loss Coverage.

All other terms, conditions, provisions and exclusions of this policy remain the same.

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Blanket Notification To Others Of Cancellation

ZURICH

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.	
Policy No. GLO 8720273 - 02	Effective Date: 06/30/2025

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

A. If we cancel this Coverage Part by written notice to the first Named Insured for any reason other than nonpayment of premium, we will deliver electronic notification that such Coverage Part has been cancelled to each person or organization shown in a Schedule provided to us by the First Named Insured. Such Schedule:

1. Must be initially provided to us within 15 days:

a. After the beginning of the policy period shown in the Declarations; or

b. After this endorsement has been added to policy;

2. Must contain the names and e-mail addresses of only the persons or organizations requiring notification that such Coverage Part has been cancelled;

3. Must be in an electronic format that is acceptable to us; and

4. Must be accurate.

Such Schedule may be updated and provided to us by the First Named Insured during the policy period. Such updated Schedule must comply with Paragraphs **2. 3.** and **4.** above.

B. Our delivery of the electronic notification as described in Paragraph **A.** of this endorsement will be based on the most recent Schedule in our records as of the date the notice of cancellation is mailed or delivered to the first Named Insured. Delivery of the notification as described in Paragraph **A.** of this endorsement will be completed as soon as practicable after the effective date of cancellation to the first Named Insured.

C. Proof of e-mailing the electronic notification will be sufficient proof that we have complied with Paragraphs **A.** and **B.** of this endorsement.

D. Our delivery of electronic notification described in Paragraphs **A.** and **B.** of this endorsement is intended as a courtesy only. Our failure to provide such delivery of electronic notification will not:

1. Extend the Coverage Part cancellation date;

2. Negate the cancellation; or

3. Provide any additional insurance that would not have been provided in the absence of this endorsement.

E. We are not responsible for the accuracy, integrity, timeliness and validity of information contained in the Schedule provided to us as described in Paragraphs **A.** and **B.** of this endorsement.

All other terms, conditions, provisions and exclusions of this policy remain the same.

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Other Insurance Amendment – Primary And Non-Contributory

ZURICH

Policy No.	Eff. Date of Pol.	Exp. Date of Pol.	Eff. Date of End.	Producer No.	Add'l. Prem	Return Prem.
GLO872027302	06/30/2025	06/30/2026	06/30/2025			

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

Named Insured:

Address (including ZIP Code):

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

1. The following paragraph is added to the Other Insurance Condition of Section **IV – Commercial General Liability Conditions**:

   This insurance is primary insurance to and will not seek contribution from any other insurance available to an additional insured under this policy provided that:

   a. The additional insured is a Named Insured under such other insurance; and

   b. You are required by a written contract or written agreement that this insurance would be primary and would not seek contribution from any other insurance available to the additional insured.

2. The following paragraph is added to Paragraph **4.b.** of the Other Insurance Condition of Section **IV – Commercial General Liability Conditions**:

   This insurance is excess over:

   Any of the other insurance, whether primary, excess, contingent or on any other basis, available to an additional insured, in which the additional insured on our policy is also covered as an additional insured on another policy providing coverage for the same "occurrence", offense, claim or "suit". This provision does not apply to any policy in which the additional insured is a Named Insured on such other policy and where our policy is required by written contract or written agreement to provide coverage to the additional insured on a primary and non-contributory basis.

All other terms and conditions of this policy remain unchanged.

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Additional Insured – Owners, Lessees Or Contractors – Completed Operations

ZURICH

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.	
Policy No. GLO 8720273 - 02	Effective Date: 06/30/2025

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location And Description Of Completed Operations
ANY PERSON OR ORGANIZATION, OTHER THAN AN ARCHITECT, ENGINEER OR SURVEYOR, WHOM YOU ARE REQUIRED TO ADD AS AN ADDITIONAL INSURED UNDER THIS POLICY UNDER A WRITTEN CONTRACT OR WRITTEN AGREEMENT EXECUTED PRIOR TO LOSS.	ANY LOCATION OR PROJECT, OTHER THAN A WRAP-UP OR OTHER CONSOLIDATED INSURANCE PROGRAM LOCATION OR PROJECT FOR WHICH INSURANCE IS OTHERWISE SEPARATELY PROVIDED TO YOU BY A WRAP-UP OR OTHER CONSOLIDATED INSURANCE PROGRAM

Section **II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule of this endorsement, but only with respect to liability for "bodily injury" or "property damage" caused, in whole or in part, by "your work" at the location designated and described in such Schedule, performed for that additional insured and included in the "products-completed operations hazard".

All other terms, conditions, provisions and exclusions of this policy remain the same.

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US (WAIVER OF SUBROGATION) – AUTOMATIC

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART
ELECTRONIC DATA LIABILITY COVERAGE PART
LIQUOR LIABILITY COVERAGE PART
POLLUTION LIABILITY COVERAGE PART DESIGNATED SITES
POLLUTION LIABILITY LIMITED COVERAGE PART DESIGNATED SITES
PRODUCTS/COMPLETED OPERATIONS LIABILITY COVERAGE PART
RAILROAD PROTECTIVE LIABILITY COVERAGE PART
UNDERGROUND STORAGE TANK POLICY DESIGNATED TANKS

The following is added to Paragraph **8. Transfer Of Rights Of Recovery Against Others To Us** of **Section IV – Conditions:**

We waive any right of recovery against any person or organization, because of any payment we make under this Coverage Part, to whom the insured has waived its right of recovery in a written contract or agreement. Such waiver by us applies only to the extent that the insured has waived its right of recovery against such person or organization prior to loss.

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Additional Insured – Owners, Lessees Or Contractors – Scheduled Person Or Organization

ZURICH

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.	
Policy No. GLO 8720273 - 02	Effective Date: 06/30/2025

This endorsement modifies insurance provided under the:

Commercial General Liability Coverage Part

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
ANY PERSON OR ORGANIZATION, OTHER THAN AN ARCHITECT, ENGINEER OR SURVEYOR, WHOM YOU ARE REQUIRED TO ADD AS AN ADDITIONAL INSURED UNDER THIS POLICY UNDER A WRITTEN CONTRACT OR WRITTEN AGREEMENT EXECUTED PRIOR TO LOSS.	ANY LOCATION OR PROJECT, OTHER THAN A WRAP-UP OR OTHER CONSOLIDATED INSURANCE PROGRAM LOCATION OR PROJECT FOR WHICH INSURANCE IS OTHERWISE SEPARATELY PROVIDED TO YOU BY A WRAP-UP OR OTHER CONSOLIDATED INSURANCE PROGRAM

A. Section **II – Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule of this endorsement, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated in such Schedule.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or

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2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

All other terms, conditions, provisions and exclusions of this policy remain the same.

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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

DESIGNATED CONSTRUCTION PROJECT(S) GENERAL AGGREGATE LIMIT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Designated Construction Project(s):
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section **I** – Coverage **A,** and for all medical expenses caused by accidents under Section **I** – Coverage **C,** which can be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:

1. A separate Designated Construction Project General Aggregate Limit applies to each designated construction project, and that limit is equal to the amount of the General Aggregate Limit shown in the Declarations.
2. The Designated Construction Project General Aggregate Limit is the most we will pay for the sum of all damages under Coverage **A,** except damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard", and for medical expenses under Coverage **C** regardless of the number of:
   a. Insureds;
   b. Claims made or "suits" brought; or
   c. Persons or organizations making claims or bringing "suits".
3. Any payments made under Coverage **A** for damages or under Coverage **C** for medical expenses shall reduce the Designated Construction Project General Aggregate Limit for that designated construction project. Such payments shall not reduce the General Aggregate Limit shown in the Declarations nor shall they reduce any other Designated Construction Project General Aggregate Limit for any other designated construction project shown in the Schedule above.
4. The limits shown in the Declarations for Each Occurrence, Damage To Premises Rented To You and Medical Expense continue to apply. However, instead of being subject to the General Aggregate Limit shown in the Declarations, such limits will be subject to the applicable Designated Construction Project General Aggregate Limit.

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B. For all sums which the insured becomes legally obligated to pay as damages caused by "occurrences" under Section **I** – Coverage **A,** and for all medical expenses caused by accidents under Section **I** – Coverage **C,** which cannot be attributed only to ongoing operations at a single designated construction project shown in the Schedule above:

1. Any payments made under Coverage **A** for damages or under Coverage **C** for medical expenses shall reduce the amount available under the General Aggregate Limit or the Products-completed Operations Aggregate Limit, whichever is applicable; and
2. Such payments shall not reduce any Designated Construction Project General Aggregate Limit.

C. When coverage for liability arising out of the "products-completed operations hazard" is provided, any payments for damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard" will reduce the Products-completed Operations Aggregate Limit, and not reduce the General Aggregate Limit nor the Designated Construction Project General Aggregate Limit.

D. If the applicable designated construction project has been abandoned, delayed, or abandoned and then restarted, or if the authorized contracting parties deviate from plans, blueprints, designs, specifications or timetables, the project will still be deemed to be the same construction project.

E. The provisions of Section **III** – Limits Of Insurance not otherwise modified by this endorsement shall continue to apply as stipulated.

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WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE POLICY

WC 04 03 06 (Ed. 4-84)

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT—CALIFORNIA

This endorsement changes the policy to which it is attached effective on the inception date of the policy unless a different date is indicated below.

(The following "attaching clause" need be completed only when this endorsement is issued subsequent to preparation of the policy.)

This endorsement, effective on 06/30/2025 (DATE) at 12:01 A.M. standard time, forms a part of

Policy No. WC 8720272 - 02 Endorsement No.

of the Zurich American Insurance Company (NAME OF INSURANCE COMPANY)

issued to DCCM LLC

Premium (if any) $

Authorized Representative

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

You must maintain payroll records accurately segregating the remuneration of your employees while engaged in the work described in the Schedule.

The additional premium for this endorsement shall be % of the California workers' compensation premium otherwise due on such remuneration.

Schedule

Person or Organization **Blanket Waiver of Subrogation**	**Job Description**

TEXAS WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

This endorsement applies only to the insurance provided by the policy because Texas is shown in Item 3.A. of the Information Page.

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule, but this waiver applies only with respect to bodily injury arising out of the operations described in the Schedule where you are required by a written contract to obtain this waiver from us.

This endorsement shall not operate directly or indirectly to benefit anyone not named in the Schedule.

The premium for this endorsement is shown in the Schedule.

Schedule

1. ( ) Specific Waiver

   Name of person or organization

   (X) Blanket Waiver

   Any person or organization for whom the Named Insured has agreed by written contract to furnish this waiver.

2. Operations:
3. Premium:
   The premium charge for this endorsement shall be_____ percent of the premium developed on payroll in connection with work performed for the above person(s) or organization(s) arising out of the operations described.
4. Advance Premium:

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.

(The information below is required only when this endorsement is issued subsequent to preparation of the policy.)

Endorsement Effective 06.30.2025 Insured | Policy No. WC872027202 | Endorsement No. Premium

Insurance Company | Countersigned by _____

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WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

This agreement shall not operate directly or indirectly to benefit anyone not named in the Schedule.

Schedule

This endorsement changes the policy to which it is attached and is effective on the date issued unless otherwise stated.

(The information below is required only when this endorsement is issued subsequent to preparation of the policy.)

Endorsement Effective Policy No. WC872027202 Endorsement No.

Insured DCCM LLC Premium $

Insurance Company Countersigned by _____

Zurich American Insurance Company

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Project No. 3500074

FY25/26 Community Investment Program / FY25/26 - FY29/30 Project Detail

GENERAL PROJECT DATA:		COMPREHENSIVE PLAN INFORMATION:		PROJECT NEED CRITERIA		PROJECT SCHEDULE	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30
Project Title:		Project listed in CIE?	No				1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
Athletic Fields Artificial Turf		Comp. Plan reference:	3.502-E8	Safety		Design/Arch					
Functional Area:	Parks and Recreation			Mandate		Land/ROW					
Department:	Infrastructure Management	LOS/Concurrency Related:	Yes	Replace	X	Construct					
Location:	Various			Growth	X	Equipment					

PROJECT DESCRIPTION:

Replace natural turf with artificial turf on various athletic fields throughout the county. FY 24/25 is for replacing 3 fields at Poinciana. FY 25/26 is for replacing 1 field at East Central.

PROJECT RATIONALE (Include Additional LOS Detail, if necessary):

Increased population, expansion of seasons and continued increase of athletic tournaments have compromised the ability to maintain natural turf fields in a safe and playable condition. Soccer and football are now almost a year around sport providing little time for natural turf to recover. Conversion to artificial turf will provide the capability for the extended seasons and reduce maintenance costs.

OPERATING BUDGET IMPACT:

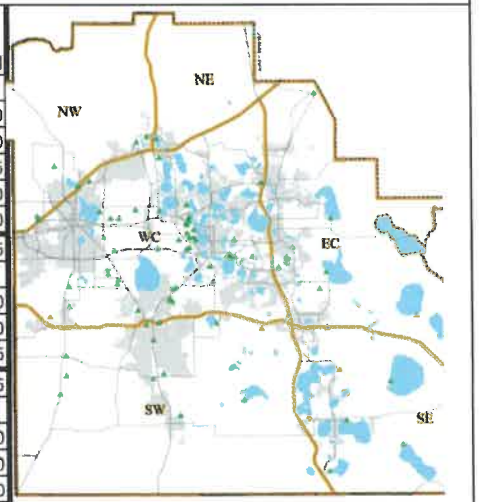
TBD

FUND/COST CENTER

12264.350572079

REPLACEMENT COUNTY PROPERTY NO.:

	Prior Cumm.	FY24/25 Budget	FY24/25 Projected Expense	FY25/26	FY26/27	FY27/28	FY28/29	FY29/30	Future Years	Proposed Project Total
EXPENDITURE PLAN										
Design/Arch/Eng		450,000	89,950	660,050						750,000
Land (or ROW)				0						0
Construction		4,050,000		5,451,345						5,451,345
Other				0						0
Equipment				0						0
Total Project Cost	0	4,500,000	89,950	6,111,395	0	0	0	0	0	6,201,345
FUNDING PLAN										
12263 South Park IF				0						0
14931/14932 LS MSTU				0						0
12264 East Park IF		4,500,000	89,950	6,111,395						6,201,345
Total Funding	0	4,500,000	89,950	6,111,395	0	0	0	0	0	6,201,345
OPERATING BUDGET IMPACT										
Personal Svc.										0
Non-personal										0
Capital										0
Total Operating	0	0	0	0	0	0	0	0	0	0



County Wide

Polk County

Board of County Commissioners

Agenda Item R.21. 11/4/2025

SUBJECT

Adopt a resolution authorizing negotiations required by §73.015, Florida Statutes to be undertaken by the County Real Estate Services Director and his designated agents, subject to final Board approval, for acquisitions necessitated by new Roads and Drainage CIP Projects; various capacity, intersection, bridge and drainage projects.. (No fiscal impact)

DESCRIPTION

§73.015, Florida Statutes requires that prior to commencing eminent domain actions for the acquisition of any properties necessary to carry out public purpose projects, the County must:

1. Attempt to negotiate in good faith with landowners in hopes of reaching a settlement;
2. Notify landowners of statutory rights under Chapter 73;
3. Make a written offer to the landowner based on the value of the property taken and any severance damages;
4. Provide the landowners with at least thirty (30) days in which to consider the offer before filing suit;
5. Provide the landowner with copies of maps and plans and other documents relating to the acquisition; and
6. Make a good faith effort to notify business owners of the acquisition of property upon which they operate a business.

The purpose of this statute is to encourage settlements prior to expending costs required by litigation in hopes of an overall cost savings to the citizens of this state. To facilitate the timely and orderly acquisition of necessary right-of-way/parcels and to ensure compliance with all requirements of this statute, this Board has previously authorized the County Real Estate Services Director, or his agents, to undertake the initial negotiations process with any final decision as to settlement or suit being left to this Board.

This Board has previously approved several projects as part of the Roads and Drainage CIP program. It is requested that the attached proposed Resolution be approved and adopted to grant to the Real Estate Services Director the authority to proceed with the required steps under §73.015, Florida Statutes to acquire necessary right-of-way/parcels for the projects listed in Exhibit "A" to that Resolution.

RECOMMENDATION

Request Board adopt the proposed Resolution authorizing negotiations required by §73.015, Florida Statutes to be undertaken by the County Real Estate Services Administrator and his designated

agents, subject to final Board approval, for the listed projects.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

R. Wade Allen, Director
Real Estate Services
863-534-2577

RESOLUTION NO.: 25-_____

A RESOLUTION AUTHORIZING NEGOTIATIONS AND WRITTEN OFFERS TO BE MADE BY THE COUNTY REAL ESTATE SERVICES DIRECTOR AND HIS AGENTS PURSUANT TO § 73.015, FLORIDA STATUTES IN CONJUNCTION WITH NECESSARY RIGHT-OF-WAY ACQUISITIONS RELATING TO PROPOSED PUBLIC TRANSPORTATION AND DRAINAGE IMPROVEMENTS

WHEREAS, Chapter 336, Florida Statutes, generally provides Polk County and the Board of County Commissioners with authority, superintendence and control over the establishment and repair of county roads; and

WHEREAS, Section 125.01(1)(j), Florida Statutes, generally provides Polk County and the Board of County Commissioners with authority to establish and administer programs for drainage and drainage projects provide for public safety, flood control and health improvements; and

WHEREAS, Chapter 127, Florida Statutes, delegates Polk County and the Board of County Commissioners the power to acquire property for any County purpose through eminent domain; and

WHEREAS, Chapters 73 and 74, Florida Statutes, setting out procedures for eminent domain acquisitions in Florida, apply to acquisitions by Counties; and

WHEREAS, Section 73.015, Florida Statutes, sets out procedures for pre-suit negotiations to be followed by all condemning authorities, including Counties; and

WHEREAS, the purpose for the pre-suit negotiations required by Section 73.015, Florida Statutes, is to encourage settlements without resort to litigation by requiring all condemning authorities, including Counties, to:

(1) Attempt to negotiate in good faith with landowners in hopes of reaching a settlement;
(2) Notify landowners of statutory rights under Chapter 73, Florida Statutes;
(3) Make a written offer to the landowner based on the value of the property taken and any severance damages;
(4) Provide the landowner with at least thirty (30) days in which to consider the offer before filing suit;
(5) Provide the landowner with copies of maps and plans and other documents relating to the acquisition;
(6) Make a good faith effort to notify business owners of the acquisition of property upon which they operate a business; and

WHEREAS, the Polk County Board of County Commissioners has previously taken official action approving the transportation and drainage capital improvements listed on the attached Exhibit “A”, for the public purpose of making necessary transportation and drainage capital improvements, by adopting and approving a Roads

and Drainage Capital Improvements Plan (CIP) making it necessary to acquire interest in additional properties to make the necessary improvements; and

WHEREAS, Polk County has located and surveyed such land as is necessary to make the transportation and drainage capital improvements identified on Exhibit "A"; and

WHEREAS, it is necessary, in order for those capital improvements to be made, that additional parcels, in the form of fee simple title and/or easement interests, be acquired; and

WHEREAS, the procedures set out in Section 73.015, Florida Statutes must be complied with in conjunction with the necessary acquisition of the additional parcels and prior to the filing of any eminent domain, should negotiations fail;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Polk County, Florida, in regular session duly assembled, that, to facilitate the timely and orderly acquisition of the additional parcels necessary to complete the proposed public transportation and drainage capital improvements identified on Exhibit "A", the Real Estate Services Director for Polk County, and/or his designated agents, are hereby authorized, subject to the final approval by the Polk County Board of County Commissioners, to acquire the property for the identified capital improvements. Further, the Real Estate Services Director for Polk County, and/or his designated agents are directed, when applicable, to proceed with pre-suit negotiations as set out in Section 73.015, Florida Statutes, including, without limitation, providing required notice to landowners and to business owners; providing written offers, based on approved appraisals, to landowners; and engaging in good faith negotiations which may result in settlement agreements resolving issues of full compensation, which settlement agreements shall be subject to final approval by the Polk County Board of County Commissioners.

STATE OF FLORIDA
COUNTY OF POLK

I, STACY M. BUTTERFIELD, Clerk to the Board of County Commissioners of Polk County, Florida, do hereby certify that the above Resolution is a true and correct copy of a resolution adopted by said Board on the 4th day of November, 2025.

STACY M. BUTTERFIELD
BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

BY:_____
Deputy Clerk

Exhibit "A"

NEW TRANSPORTATION CAPITAL IMPROVEMENT PROJECTS

PROJECT NAME	TYPE OF PROJECT
Thompson Nursery Road – Phase 2	Capacity
Kathleen Road Extention (Duff Rd to US Hwy 98)	Capacity
Power Line Road – Phase 2	Capacity
FDC Grove Road/Northridge Trail Flyover	Capacity
Cypress Parkway @ Lake Marion Creek Road	Intersection Improvements
SR 37 @ Fitzgerald Road	Intersection Improvements
SR 659 (Combee Road) @ Saddlecreek Boulevard	Intersection Improvements
CR 559 @ Lundy Road	Intersection Improvements
US Highway 27 @ Bates Road	Intersection Improvements
US Highway 27 @ North Boulevard	Intersection Improvements
US Highway 27 @ Holly Hill Road	Intersection Improvements
42nd Street @ Avenue G	Intersection Improvements
Masterpiece Road @ Timberlane Road	Intersection Improvements
Crystal Lake Drive N @ Longfellow Boulevard	Intersection Improvements
Carter Road S. @ Eaglebrooke Blvd. @ Christina Blvd.	Intersection Improvements
CR 35A @ Campbell Road W.	Intersection Improvements
Ewell Road @ Old Highway 37	Intersection Improvements
Avon Park Cutoff Road Bridge (Bridge #164312)	Bridge Replacement
Rockridge Road Bridge (Bridge #164138)	Bridge Replacement
Rockridge Road Bridge (Bridge #164144)	Bridge Replacement
Kraft Road Bridge (Bridge #164121)	Bridge Replacement
Davenport Drainage Project	Drainage Improvements
Willow Ridge Subdivision Drainage Project	Drainage Improvements
Lake Seward Drainage Project	Drainage Improvements
Medulla Road @ Hamilton Road Drainage Project	Drainage Improvements

Polk County

Board of County Commissioners

Agenda Item R.22. 11/4/2025

SUBJECT

Approve Subordination Agreement between Polk County and the City of Lakeland. (No fiscal impact)

DESCRIPTION

It was discovered that the City of Lakeland ("City") has an interest in certain lands that were conveyed to the County in August of 2024 as additional right-of-way for Swindell Road in conjunction with a proposed development through the Development Review process. A portion of the lands are encumbered with an Easement in favor of the City which was recorded August 5, 2009 in Official Records Book 7960 at Page 412 through 420, Public Records of Polk County, Florida. The City has agreed to subordinate its interest in that portion of the easement lying within the additional right-of-way and has approved and delivered a Subordination Agreement. Approving the Subordination Agreement will authorize the Chairman to execute the document and allow its recordation, which will allow the County to fully utilize the lands as additional right-of-way.

RECOMMENDATION

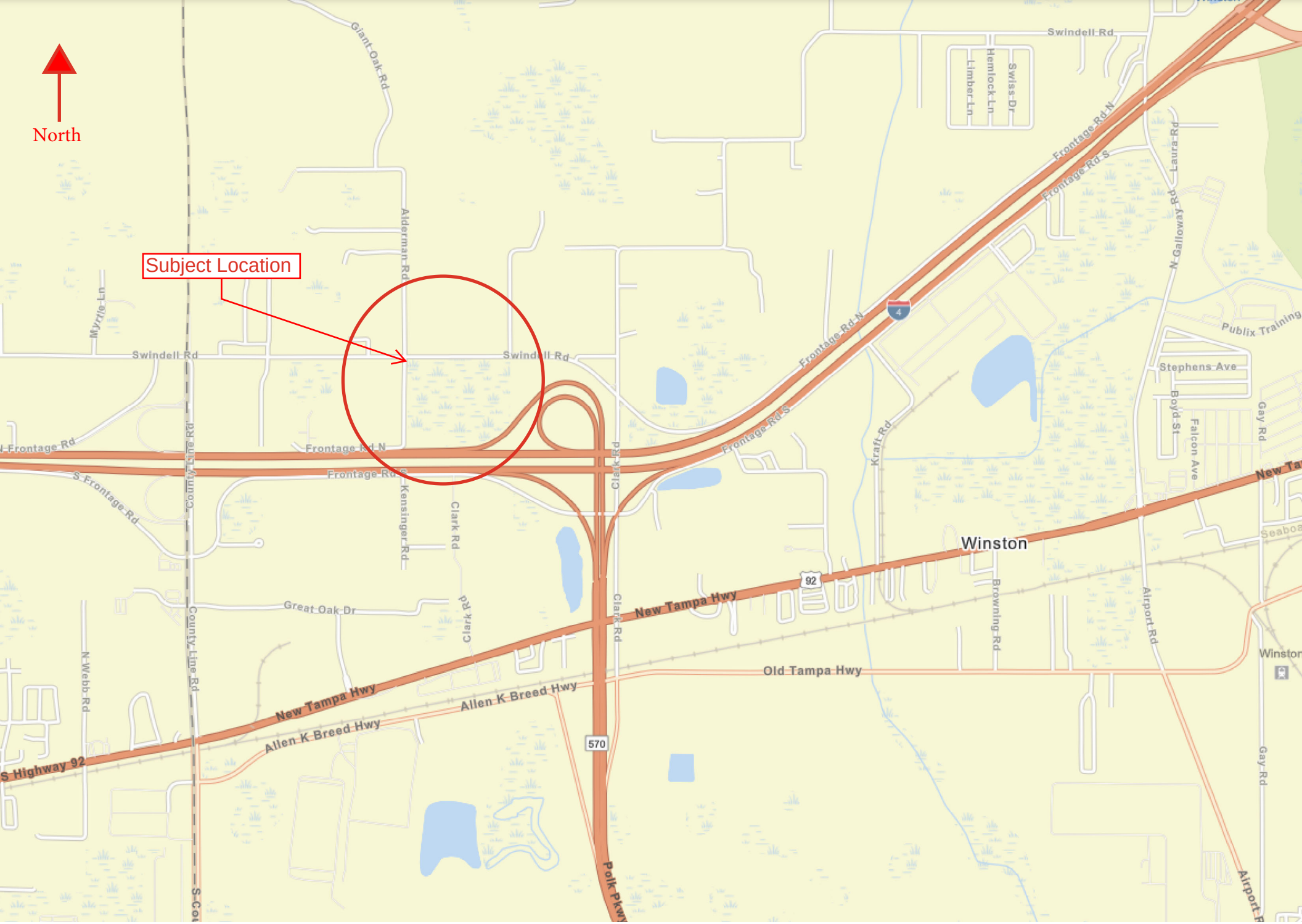
Request Board approve the aforementioned Subordination Agreement.

FISCAL IMPACT

No fiscal impact.

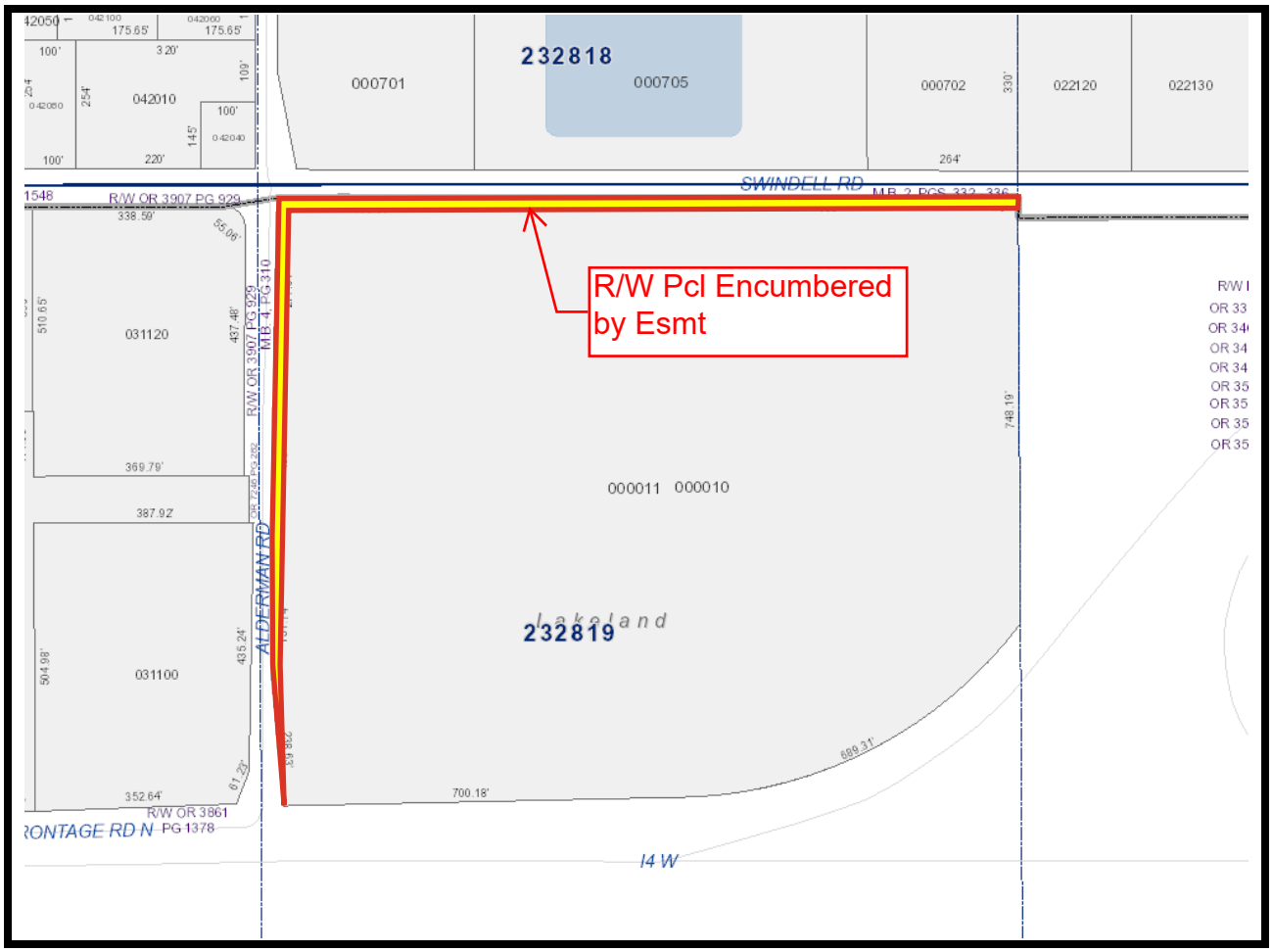
CONTACT INFORMATION

R. Wade Allen, Director
Real Estate Services
863-534-2577



Section 19, Township 28 South, Range 23 East

SECTION 19, TOWNSHIP 28 SOUTH, RANGE 23 EAST



This instrument prepared under the direction of:
R. Wade Allen, Director
Polk County Real Estate Services
P.O. Box 9005, Drawer RE 01
Bartow, Florida 33831-9005
Prepared by: Heather Fuentes

Parent Parcel I.D. Number: 232819-087500-000010

SUBORDINATION AGREEMENT

This Agreement entered into this _____ day of _____, 2025, by and between **POLK COUNTY**, a political subdivision of the State of Florida, whose Post Office Box is: Post Office Box 9005, Bartow, Florida 33831-9005 (hereinafter "COUNTY") and **THE CITY OF LAKELAND, FLORIDA**, a municipal corporation of Florida, whose mailing address is 501 E. Lemon Street, Lakeland, Florida 33801, (hereinafter "UTILITY").

WITNESSETH

WHEREAS, the UTILITY presently has an interest in certain lands (hereinafter the "Lands") that have been determined necessary for additional road right-of-way in conjunction with proposed development; and

WHEREAS, the proposed use of these Lands for the right-of-way will require the subordination of the interest claimed in such Lands by the UTILITY to the COUNTY; and

WHEREAS, at the request of the COUNTY, the UTILITY has agreed to subordinate its interest in such Lands as described in **"ATTACHMENT A"** attached hereto and made a part hereof.

NOW, THEREFORE, in consideration of the mutual covenants and promises of the parties hereto, UTILITY and COUNTY agree as follows:

UTILITY hereby subordinates, to the interest of COUNTY, its successors or assigns, any and all of its interest in the Lands as follows, viz:

SEE ATTACHMENT "A"

Encumbrance	Date	From	Book/Page
Easement	08/05/2009	Board of Trustees of the Internal Improvement Trust Fund of the State of Florida	7960/412

PROVIDED that the UTILITY has the following rights:

1. The UTILITY shall have the right to construct, operate, maintain, improve, add to, upgrade, remove, and relocate facilities on, within, and upon the lands described herein in accordance with the established Polk County right-of-way permitting process. Any new construction or relocation of facilities within the Lands described in attached "Attachment A" shall be subject to prior approval by the COUNTY. Should the COUNTY fail to approve any new construction or relocation of facilities by the UTILITY or require the UTILITY to alter, adjust, or relocate its facilities located within the Lands described herein, the COUNTY hereby agrees to pay the cost of such alteration, adjustment or relocation, including, but not limited to, the cost of acquiring appropriate replacement easements.

2. The UTILITY shall have a reasonable right to enter upon the lands described herein for the purposes outlined in paragraph 1 above including the right to trim such trees, brush, and growth which might endanger or interfere with such facilities, provided that such rights do not in any way interfere with the operation and safety of the COUNTY's facilities.

3. The UTILITY agrees to repair any damage to COUNTY facilities resulting from the UTILITY's use of the Lands described in attached Attachment "A".

4. The COUNTY agrees to repair any damage to UTILITY facilities resulting from the COUNTY's use of the Lands described in attached Attachment "A".

IN WITNESS WHEREOF, the COUNTY has caused these presents to be executed in its name through its Board of County Commissioners, signing by and through its Chairman, authorized to execute same by Board action on the _____ day of _____, 2025.

ATTEST:
Stacy M. Butterfield
Clerk to the Board

By: _____
Deputy Clerk

Polk County, Florida

By: _____
T.R. Wilson, Chairman
Board of County Commissioners

This _____ day of _____, 2025.

Reviewed as to form and legality

_____
Name
County Attorney's Office

IN WITNESS WHEREOF, the UTILITY has caused these presents to be executed in its name by and through its authorized executive officer, on behalf of the Corporation, on the 9 day of October, 2025.

Signed, sealed and delivered
in the presence of:
(Signature of two witnesses required by Florida Law)

N/A due to attestation
Witness

Printed Name

Address

N/A due to attestation
Witness

Printed Name

Address

CITY OF LAKELAND, FLORIDA
501 E. Lemon Street
Lakeland, FL 33801

By: _____
Bill Mutz, Mayor

CITY OF LAKELAND, FLORIDA
INCORPORATED
JAN. 1, 1885

Attest: _____
City Clerk

Approved as to form and correctness:

_____
City Attorney

STATE OF FLORIDA
COUNTY OF POLK

THE FOREGOING instrument was acknowledged before me by means of ☑ physical presence or ☐ online notarization on this 9 day of October, 2025, by **Bill Mutz**, Mayor of the CITY OF LAKELAND, FLORIDA, a Florida corporation, on behalf of the corporation. He is ☑ personally known to me or ☐ has produced _____ as identification.

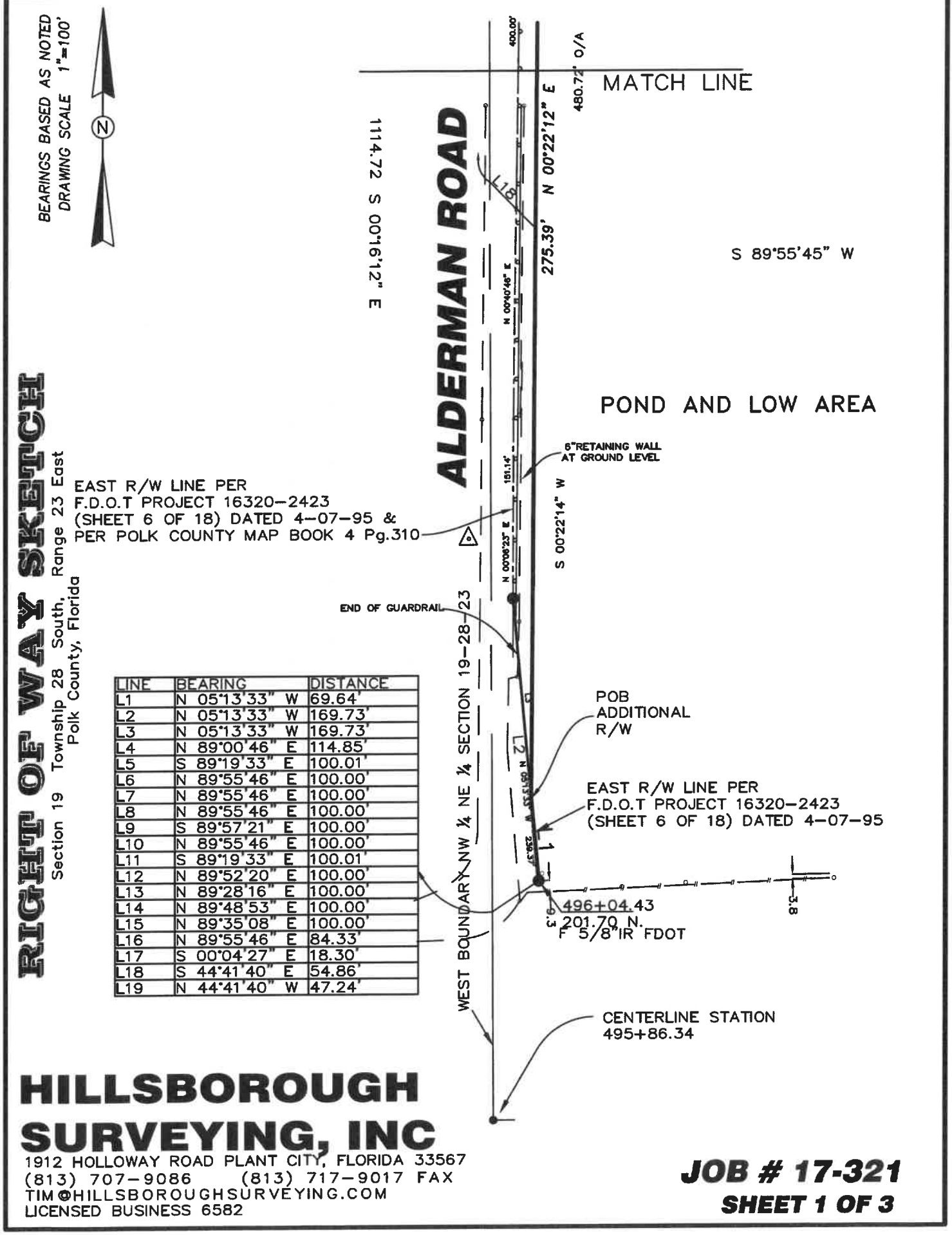
(SEAL)

PAMELA TODD
Commission # HH 230807
Expires March 6, 2026

Pamela Todd
Notary Public, State of Florida

Pamela Todd
Printed Name

_____
Commission Number and Expiration Date



RIGHT OF WAY SKETCH

Section 19 Township 28 South, Range 23 East
Polk County, Florida

LINE	BEARING	DISTANCE
L1	N 05°13'33" W	69.64'
L2	N 05°13'33" W	169.73'
L3	N 05°13'33" W	169.73'
L4	N 89°00'46" E	114.85'
L5	S 89°19'33" E	100.01'
L6	N 89°55'46" E	100.00'
L7	N 89°55'46" E	100.00'
L8	N 89°55'46" E	100.00'
L9	S 89°57'21" E	100.00'
L10	N 89°55'46" E	100.00'
L11	S 89°19'33" E	100.01'
L12	N 89°52'20" E	100.00'
L13	N 89°28'16" E	100.00'
L14	N 89°48'53" E	100.00'
L15	N 89°35'08" E	100.00'
L16	N 89°55'46" E	84.33'
L17	S 00°04'27" E	18.30'
L18	S 44°41'40" E	54.86'
L19	N 44°41'40" W	47.24'

HILLSBOROUGH SURVEYING, INC
1912 HOLLOWAY ROAD PLANT CITY, FLORIDA 33567
(813) 707-9086 (813) 717-9017 FAX
TIM@HILLSBOROUGHSURVEYING.COM
LICENSED BUSINESS 6582

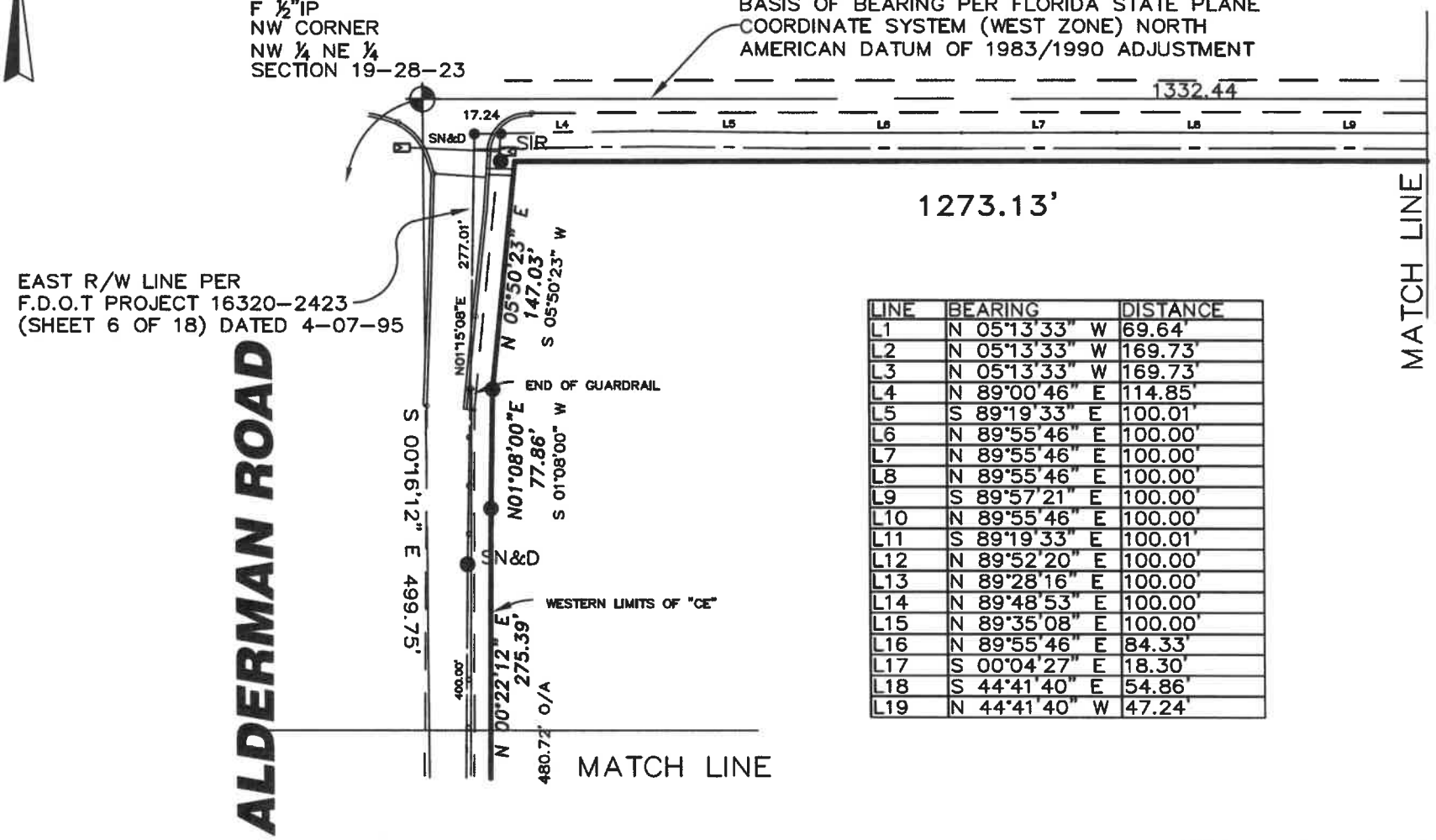
JOB # 17-321
SHEET 1 OF 3

RIGHT OF WAY SKETCH

Section 19 Township 28 South, Range 23 East
Polk County, Florida

BEARINGS BASED AS NOTED
DRAWING SCALE 1"=100'





LINE	BEARING	DISTANCE
L1	N 05°13'33" W	69.64'
L2	N 05°13'33" W	169.73'
L3	N 05°13'33" W	169.73'
L4	N 89°00'46" E	114.85'
L5	S 89°19'33" E	100.01'
L6	N 89°55'46" E	100.00'
L7	N 89°55'46" E	100.00'
L8	N 89°55'46" E	100.00'
L9	S 89°57'21" E	100.00'
L10	N 89°55'46" E	100.00'
L11	S 89°19'33" E	100.01'
L12	N 89°52'20" E	100.00'
L13	N 89°28'16" E	100.00'
L14	N 89°48'53" E	100.00'
L15	N 89°35'08" E	100.00'
L16	N 89°55'46" E	84.33'
L17	S 00°04'27" E	18.30'
L18	S 44°41'40" E	54.86'
L19	N 44°41'40" W	47.24'

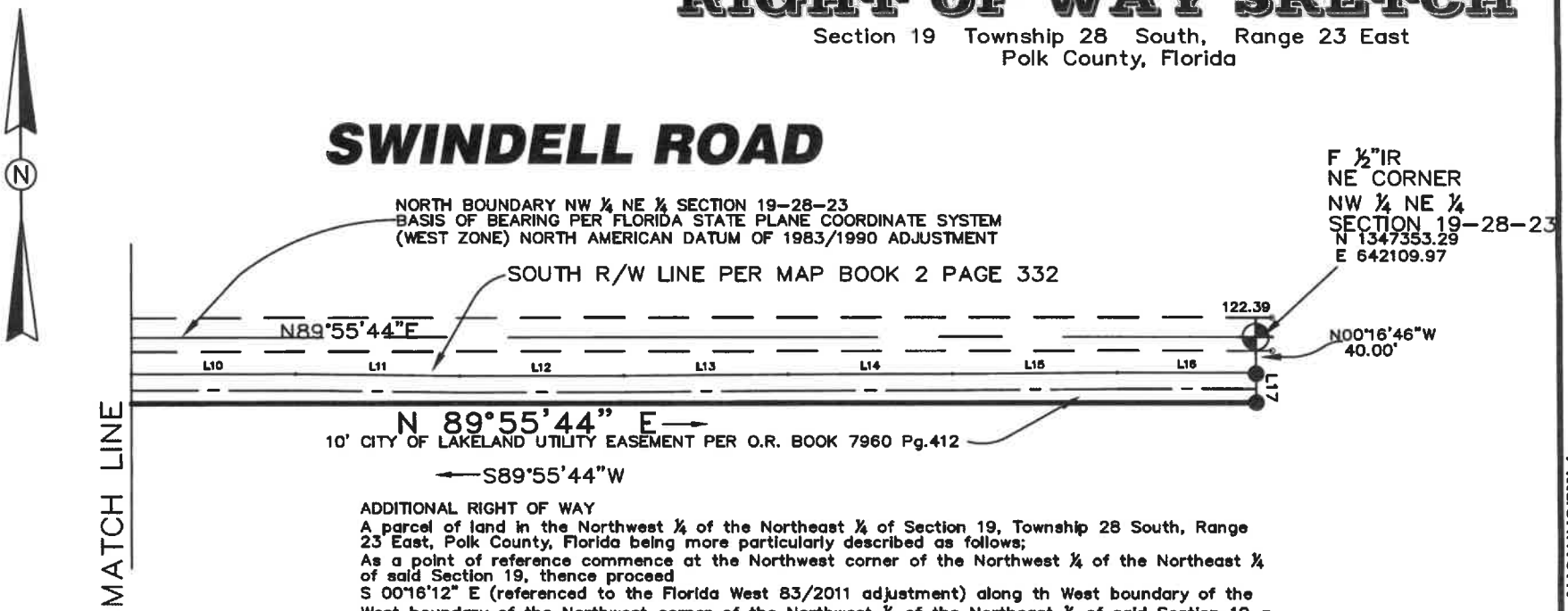
JOB # 17-321

SHEET 2 OF 3

RIGHT OF WAY SKETCH

Section 19 Township 28 South, Range 23 East
Polk County, Florida

BEARINGS BASED AS NOTED
DRAWING SCALE 1"=100'



LINE	BEARING	DISTANCE
L1	N 05°13'33" W	69.64'
L2	N 05°13'33" W	169.73'
L3	N 05°13'33" W	169.73'
L4	N 89°00'46" E	114.85'
L5	S 89°19'33" E	100.01'
L6	N 89°55'46" E	100.00'
L7	N 89°55'46" E	100.00'
L8	N 89°55'46" E	100.00'
L9	S 89°57'21" E	100.00'
L10	N 89°55'46" E	100.00'
L11	S 89°19'33" E	100.01'
L12	N 89°52'20" E	100.00'
L13	N 89°28'16" E	100.00'
L14	N 89°48'53" E	100.00'
L15	N 89°35'08" E	100.00'
L16	N 89°55'46" E	84.33'
L17	S 00°04'27" E	18.30'
L18	S 44°41'40" E	54.86'
L19	N 44°41'40" W	47.24'

ADDITIONAL RIGHT OF WAY

A parcel of land in the Northwest ¼ of the Northeast ¼ of Section 19, Township 28 South, Range 23 East, Polk County, Florida being more particularly described as follows;

As a point of reference commence at the Northwest corner of the Northwest ¼ of the Northeast ¼ of said Section 19, thence proceed S 00°16'12" E (referenced to the Florida West 83/2011 adjustment) along th West boundary of the West boundary of the Northwest corner of the Northwest ¼ of the Northeast ¼ of said Section 19 a distance of 1114.74' ; thence departing said West boundary N 56°20'09" E a distance of 46.76' to a point on the East Right-of-Way line of Alderman Road per FDOT Right-of-Way project 16320-2423 ; thence along said Right-of-Way line N 05°13'33" W a distance of 69.64' to a point of intersection with a line 30.00' East of the centerline of Alderman Road and the Point of Beginning; thence continue N 05°13'33" W a distance of 169.73' to a point of intersection with the existing East maintained Right-of-Way line of Aldermen Road; thence along said Right-of-Way line the following three (3) courses N 00°06'23" E a distance of 151.14'; thence N 00°40'46" E a distance of 400.00' ; thence N 01°15'08" E a distance of 277.01' to a point of intersection with the existing South maintained Right-of-Way line of Swindell Road per Polk county Right of Way map book 2 Page 332; thence along said Right-of-Way line the following thirteen (13) courses N 89°00'46" E a distance of 29.37'; thence
N 89°00'46" E a distance of 85.48'; thence
S 89°19'33" E a distance of 100.01'; thence
N 89°55'46" E a distance of 100.00'; thence
N 89°55'46" E a distance of 100.00'; thence
N 89°55'46" E a distance of 100.00'; thence
S 89°57'21" E a distance of 100.00'; thence
N 89°55'46" E a distance of 100.00'; thence
S 89°19'33" E a distance of 100.01'; thence
N 89°52'20" E a distance of 100.00'; thence
N 89°28'16" E a distance of 100.00'; thence
N 89°48'53" E a distance of 100.00'; thence
N 89°35'08" E a distance of 100.00'; thence
N 89°55'46" E a distance of 84.33' to a point on the East boundary of the Northwest corner of the Northwest ¼ of the Northeast ¼ of said Section 19 ; thence S 00°04'27" E along said East boundary a distance of 18.30' to a point 40.00' South of the Northeast corner of the Northwest corner of the Northwest ¼ of the Northeast ¼ of said Section 19; thence departing said East boundary S 89°55'44" W parallel to the North boundary of the Northwest corner of the Northwest ¼ of the Northeast ¼ of said Section 19 a distance of 1273.13' to a point of intersection with the afore stated line 30.00' East of the centerline of Alderman Road; thence along said line the following (3) three courses S 05°50'23" W a distance of 147.03';
thence S 01°08'00" W a distance of 77.86';
thence S 00°22'14" W a distance of 756.52' to the point of beginning.
Containing 0.87 acres more or less

JOB # 17-321

SHEET 3 OF 3

Attachment "A" Page 3 of 3

1566

Polk County

Board of County Commissioners

Agenda Item R.23. 11/4/2025

SUBJECT

Approve a FY 24/25 unbudgeted fund transfer for expense incurred from Hurricane Milton ($1,702,926.00 one-time transfer)

DESCRIPTION

The final costs for Roads and Drainage emergency protective measures (Category B), and Roads and Bridges Repair (Category C) are finalized. An unfunded budget transfer is required to cover these expenses until reimbursement is received. Once approved, a transfer will be completed from the Transportation Trust Fund for Category B and C. Reimbursement is expected to occur during the FY 26/27 budget year.

RECOMMENDATION

Request Board approve a one-time FY 24/25 unbudgeted fund transfer in the amount of $1,702,926.00 to cover expenses incurred by Hurricane Milton for damage categories B and C.

FISCAL IMPACT

Upon approval, $1,702,926.00 will be transferred from the Transportation Trust Fund, Reserve for Stabilization to the Transportation Trust Fund, General Capital Account for the FY 24/25 budget year.

CONTACT INFORMATION

Mark Schmitz
Financial Administrator, Roads & Drainage Division
(863) 535-2308

Jay M. Jarvis, PE
Roads & Drainage Division Director
(863) 535-2200

BUDGET AMENDMENT REQUEST

(for budget transfers and/or unbudgeted expenses)

Date 11/4/2025

Parent Fund Hurrican Transportation Trust Fund 10103

Division Roads and Drainage

Department

Request for the following transfer be made for the reason(s) stated:

	Amount **FROM**	Fund	Cost Center	Account	Project	Area	TBD
	$1,702,926	10103	510101002	5998300	0	0	0
TOTAL	$ 1,702,926						

	Amount **TO**	Fund	Cost Center	Account	Project	Area	TBD
	$1,702,926	10103	530541067	5666000	0	0	0
TOTAL	$ 1,702,926						

JUSTIFICATION (attach additional back-up as necessary)

Hurricane Milton unbudget transfer to Category B and C Damage expense incurred by Roads and Drainage. Roads and Drainage Holds Reserves in the Transportation Trust Fund to cover the transfer of this budget.

Division Director

Department Director

Recommended or not recommended by (Budget & Management Services) 10/21/25 (Date)

Reason

APPROVED / NOT APPROVED

Board of County Commissioners/County Management (Date)

Requesting Department or Division: FORWARD TO BUDGET & MANAGEMENT SERVICES

(Rev. 09-07)

Agenda Item R.24. 11/4/2025

SUBJECT

Adopt a Resolution Setting Parking Restrictions on Bellview Drive, near Lake Wales ($1,035.76 one-time expense)

DESCRIPTION

The Roads & Drainage Division has received a request from the Code Enforcement Division to restrict parking on Bellview Drive. Bellview Drive is in the Lake Wales area in S-12, T-30S, R-27E, and is classified as a Rural Minor Collector road.

Staff conducted parking studies along the road to analyze this request and determined that vehicles are parking along the north and south sides of the road, creating maintenance and quality-of-life issues.

Pursuant to FS 316.008, the Board of County Commissioners is vested with the authority to set parking restrictions on County roadways. Additionally, the posting of the requested restrictions will promote public safety and assist the Polk County Sheriff's Office in their enforcement efforts.

To comply with statutory requirements, it is necessary for the Board to adopt a Resolution establishing the parking restrictions.

RECOMMENDATION

Request Board adopt the associated Resolution to establish parking restrictions for Bellview Drive. Estimated cost for installation of the signs is $1,035.76.

FISCAL IMPACT

Funds are budgeted in the FY 25/26 Transportation Millage Fund.

CONTACT INFORMATION

Amy J. Gregory, P.E.
Traffic Manager
863.535.2200

Jay M. Jarvis, P.E.
Roads & Drainage Division Director
863.535.2200

RESOLUTION NO.: _____

WHEREAS the Polk County Roads & Drainage Division conducted parking studies on the following County-maintained Rural Minor Collector road:

Bellview Drive (Road Number 071202); from State Road 17 to County Road 17B (Eleventh Street), Located in S-12, T-30S, R-27E, and

WHEREAS said studies were made in accordance with the procedures established by the State of Florida Department of Transportation, and said studies verified that the parking of vehicles in this location creates maintenance and quality-of-life concerns, and

WHEREAS, under the laws of the State of Florida, the Board of County Commissioners is vested with the authority to restrict parking on County maintained roads.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Roads & Drainage Division is herewith directed to cause Bellview Drive to be posted "No Parking, Stopping or Standing" on the north and south sides from State Road 17 to Santa Maria Road.

Adopted in Regular Session duly assembled this 4th day of November 2025.

Attest:
Stacy M. Butterfield, Clerk

By:_____
Deputy Clerk

Board of County Commissioners
Polk County, Florida

By: _____
T.R. Wilson, Chair

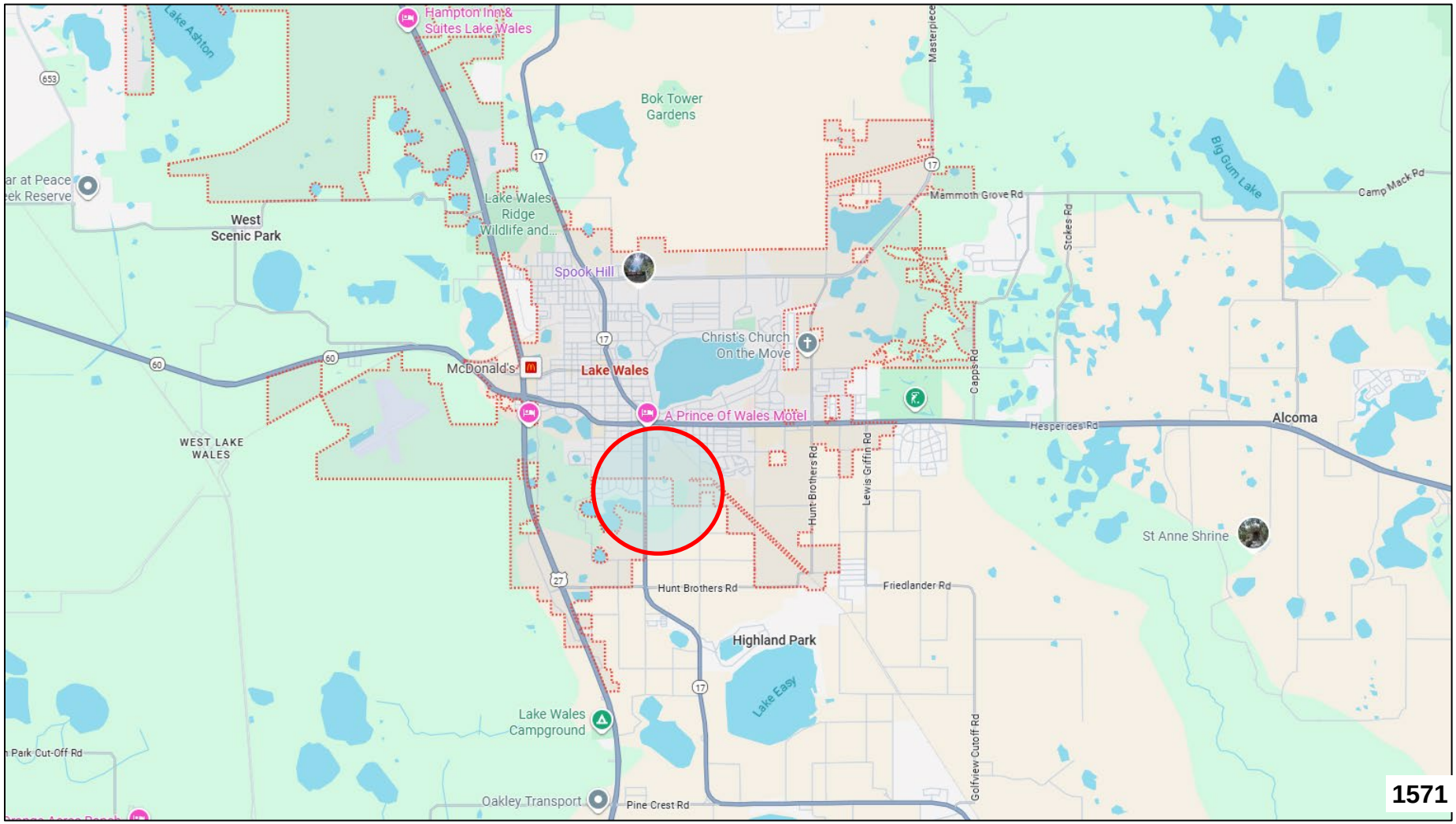
N

N.T.S.

Bellview Dr (Lake Wales Area)

Request for Parking Restrictions

Vicinity Map



1571

N

N.T.S.

Bellview Dr (Lake Wales Area)

Request for Parking Restrictions



1572

POLK COUNTY

POLK COUNTY ROADS & DRAINAGE DIVISION
NO PARKING, STOPPING OR STANDING REQUEST

ROAD DESCRIPTION

Name	Bellview Dr			**Number**	0371202
Section	12	**Township**	30 S	**Range**	27 E
Commission District	2	**Maintenance Unit**	R6	**Functional Classification**	RNC
From	SR 17	**Node**	N/A	**Mile Post**	N/A
To	CR 17B (11th St)	**Node**	N/A	**Mile Post**	N/A

REASON FOR RESOLUTION

Customer Service Request #	**N/A**	**Internal Request**	✓	**External Request**	
External Agency Name (If Applicable)					

Problem Statement:
Code Enforcement requests parking restriction due to maintenance and quality-of-life issues being caused by the parking of vehicles.

REQUEST FOR POSTING

No Parking	✓	**No Stopping**	✓	**No Standing**	✓
Direction of road	East-West	**Findings:** Roads & Drainage has verified that the parking of vehicles in this area creates potential maintenance and quality-of-life concerns. Recommend signs be posted restricting parking on the north and south sides of the street from SR 17 to Santa Maria Rd.			
Which side of road	North-South				
Distance in feet	1,320				

PICTURE OF LOCATION



Review conducted by	Code Enforcement	**Date**	9/17/2025
Entered by	Steve Logan	**Date**	10/15/2025
Concurred/authorized by Traffic Manager	Amy J. Gregory, P.E.	**Date**	
Signature			10/21/25

Agenda Item R.25. 11/4/2025

SUBJECT

Adopt a Resolution Setting Parking Restrictions on Fourth Street, near Mulberry ($266.01 one-time expense)

DESCRIPTION

The Roads & Drainage Division has received a request from an area resident to restrict parking on Fourth Street. Fourth Street is in the Fuller Heights area of Mulberry in S-34, T-29S, R-23E, and is classified as a Local Residential road.

Staff conducted parking studies along the road to analyze this request and determined that vehicles are parking along the north and south side of the road, creating maintenance and quality-of-life issues.

Pursuant to FS 316.008, the Board of County Commissioners is vested with the authority to set parking restrictions on County roadways. Additionally, the posting of the requested restrictions will promote public safety and assist the Polk County Sheriff's Office in their enforcement efforts.

To comply with statutory requirements, it is necessary for the Board to adopt a Resolution establishing the parking restrictions.

RECOMMENDATION

Request Board adopt the associated Resolution to establish parking restrictions for Fourth Street. Estimated cost for installation of the signs is $266.01.

FISCAL IMPACT

Funds are budgeted in the FY 25/26 Transportation Millage Fund.

CONTACT INFORMATION

Amy J. Gregory, P.E.
Traffic Manager
863.535.2200

Jay M. Jarvis, P.E.
Roads & Drainage Division Director
863.535.2200

RESOLUTION NO.: _____

WHEREAS the Polk County Roads & Drainage Division conducted parking studies on the following County-maintained Local Residential road:

Fourth Street (Road Number 933402); from Avenue A to Arnaz Drive, Located in S-24, T-29S, R-23E, and

WHEREAS said studies were made in accordance with the procedures established by the State of Florida Department of Transportation, and said studies verified that the parking of vehicles in this location creates maintenance and quality-of-life concerns, and

WHEREAS, under the laws of the State of Florida, the Board of County Commissioners is vested with the authority to restrict parking on County maintained roads.

NOW, THEREFORE, BE IT RESOLVED that the Polk County Roads & Drainage Division is herewith directed to cause Fourth Street to be posted "No Parking, Stopping or Standing" on the south side from 250 feet east of Avenue A to 350 feet east of Avenue A.

Adopted in Regular Session duly assembled this 4th day of November 2025.

Attest:
Stacy M. Butterfield, Clerk

By:_____
Deputy Clerk

Board of County Commissioners
Polk County, Florida

By: _____
T.R. Wilson, Chair

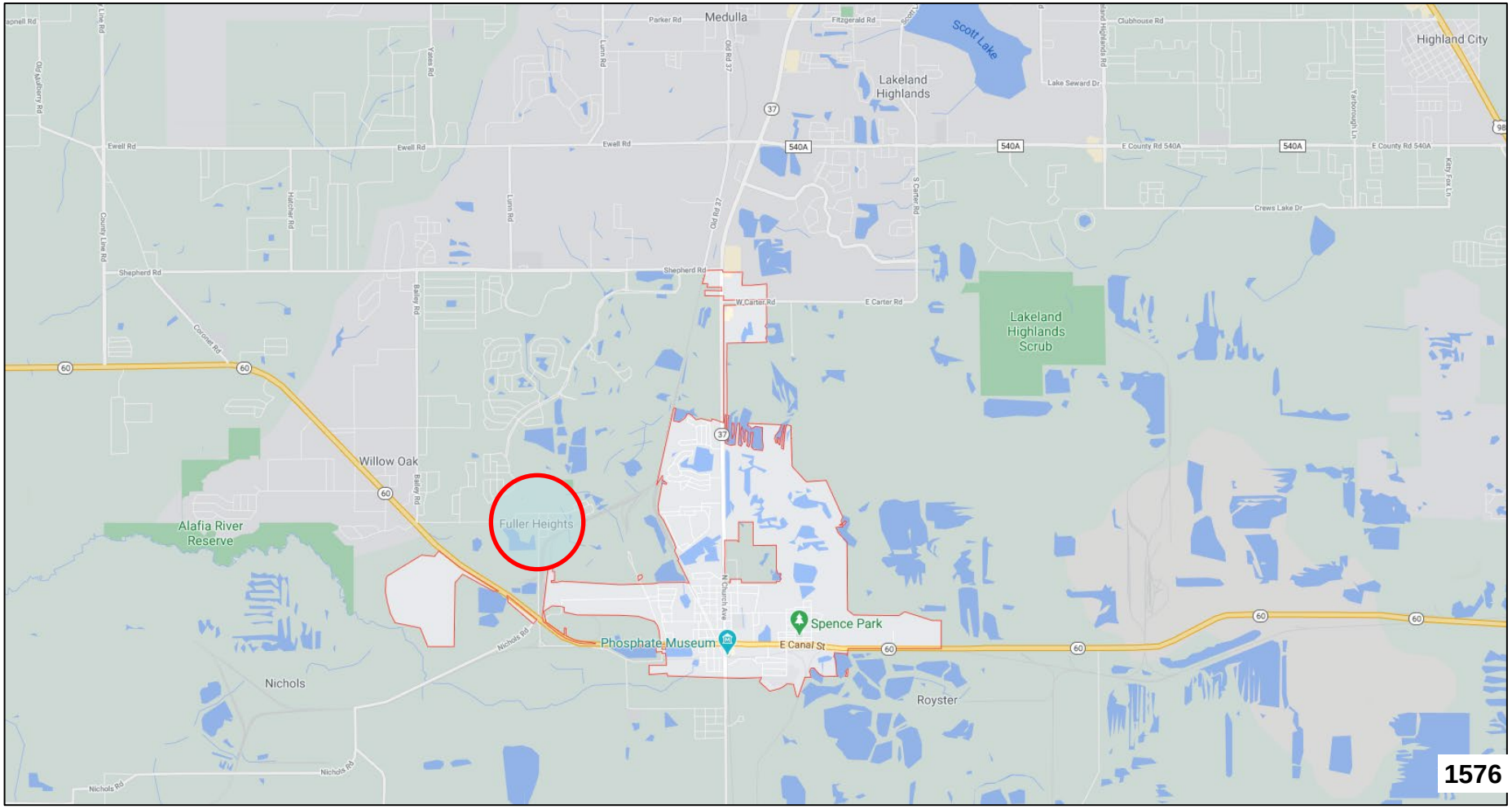
N

N.T.S.

Fourth St (Mulberry Area)

Request for Parking Restrictions

Vicinity Map



1576

N

N.T.S.

Fourth St (Mulberry Area)

Request for Parking Restrictions



POLK COUNTY

POLK COUNTY ROADS & DRAINAGE DIVISION
NO PARKING, STOPPING OR STANDING REQUEST

ROAD DESCRIPTION

Name	Fourth St			**Number**	293402
Section	34	**Township**	29 S	**Range**	23 E
Commission District	2	**Maintenance Unit**	R1	**Functional Classification**	LR
From	Ave A	**Node**	N/A	**Mile Post**	N/A
To	Amaz Dr	**Node**	N/A	**Mile Post**	N/A

REASON FOR RESOLUTION

Customer Service Request #	**87581**	**Internal Request**		**External Request**	✓
External Agency Name (If Applicable)					

Problem Statement:
Citizen requests parking restriction due to maintenance and quality-of-life issues being caused by the parking of vehicles.

REQUEST FOR POSTING

No Parking	✓	**No Stopping**	✓	**No Standing**	✓
Direction of road	East-West	**Findings:** Roads & Drainage has verified that the parking of vehicles in this area creates potential maintenance and quality-of-life concerns. Recommend signs be posted restricting parking on the south side of the street from 250' east of Ave A to 350' east of Ave A.			
Which side of road	South				
Distance in feet	100				

PICTURE OF LOCATION



Review conducted by	Holly Toley & Andrew Jones	**Date**	9/17/2025
Entered by	Steve Logan	**Date**	10/16/2025
Concurred/authorized by Traffic Manager	Amy J. Gregory, P.E.	**Date**	
Signature			10/21/25

Polk County

Board of County Commissioners

Agenda Item R.26. 11/4/2025

SUBJECT

Approval of Year-End Budget Adjustments for Utilities FY 25, including a CIP Amendment and Operating-to-Capital and Operating-to-Debt Service Transfers ($1,589,454 one-time transfer from reserves; $928,723 transfer within existing operating funds)

DESCRIPTION

As the fiscal year concludes, staff has reviewed the Utilities FY 25 budget to identify necessary year-end adjustments that more accurately reflect actual revenues and expenditures. These adjustments are required to ensure compliance with budgetary regulations.

Operating Adjustments ($928,723 - No Fiscal Impact; Within Budgeted Funds)

- Debt Service Transfer:
  - A transfer of $917,854 from operating to debt service
- Inter-Cost Center Transfer
  - Transfer $5,805 from Northwest cost center to the Southwest cost center
- Operating-to-Capital Transfer
  - Transfer $5,064 from operating to capital Combeewood cost center

CIP Adjustments ($1,589,454 - One-Time Transfers from Reserves)

RECOMMENDATION

Staff recommends the Board approve the following:

1. A Capital Improvement Program (CIP) Amendment and budget transfer totaling $1,589,454 from connection fee reserves and ARP reserves to reconcile the Utilities FY 25 CIP budget.

2. A budget transfer of $928,723 within the Utilities operating budget to reconcile debt service and capital needs.

FISCAL IMPACT

$1,589,454 one-time transfer from reserves (connection fee and ARP reserves).

$928,723 budget transfer within existing Utilities operating funds (no additional fiscal impact).

These adjustments will ensure the Utilities FY 25 budget is properly reconciled.

CONTACT INFORMATION

Charles Richards
Utilities Customer Services and Finance Manager
863-298-4135
charlesrichards@polk-county.net <mailto:charlesrichards@polk-county.net>

CIP BUDGET AMENDMENT REQUEST

(Used for all amendments/transfers per CIP Policy approved 2 September 2014)

Date	10.9.25 BoCC 11.4.25
CIP Project(s)	Multiple Year End Project Reconciliation
Division	Utilities
BRJ ID:	

	For Transfers under CIP Policy 6.a and 6.b shown below					**For CIP Policy 6.b only**	
	Amount **FROM**	Fund	Cost Center	Account	Project	Total Project Budget	% Decrease
TOTAL	$ -						
	Amount **TO**						% Increase
TOTAL	$ -						

JUSTIFICATION (Attached Current Fiscal Year CIP Detail Sheets)

APPROVALS

Division Director Approval:	Tamara Richardson	
Policy 6.a: Budget/Procurement		**Policy 6.b: County Management/Designee**
Christie Johnson 10/22/25		
(Date)		(Date)

6. **Amending the Adopted CIP** - Circumstances may arise during the fiscal year which makes it necessary to amend the Adopted CIP. Since many of the County's CIP projects span multiple years and funding sources, the Board considers certain variances of estimates to be reasonable and not require BoCC approval. The CIP may be amended as follows:

   a. The Budget and Procurement Director or designee may administratively approve changes to the funding source of a project, as long as the total project budget does not change.

   b. The County Manager or designee may approve project budget increases or decreases, which are less than 5% of the total project budget or $250,000 (whichever is less). Multiple amendments to the same project can be approved by the County Manager if the total is under 5% or $250,000.

	For Transfers Requiring Board Approval					**Board Date:**
	Amount **FROM**	Fund	Cost Center	Account	Project	
	$ 895,776	42111	680536150	5998140	0000000	
	$ 532,738	42113	680536150	5998140	0000000	
	$ 160,940	14501	300001123	5998140	0000000	
TOTAL	$ 1,589,454					
	Amount **TO**	Fund	Cost Center	Account	Project	**Justification: See attached Agenda Backup**
	$ 309,522	42111	680536150	5666000	6835008	
	$ 506,887	42113	680536150	5666000	6842060	
	$ 586,254	42111	680536150	5666000	6857014	
	$ 25,851	42113	680536150	5666000	6802040	
	$ 160,940	14501	300001109	5666000	6843022	
TOTAL	$ 1,589,454					

Requesting Division: FORWARD TO BUDGET & MANAGEMENT SERVICES (CA02) **(Rev. 08-24)**

BUDGET AMENDMENT REQUEST

(for budget transfers and/or unbudgeted expenses)

Date: 10.21.25 BoCC 11.4.25
Parent Fund: 42000
Department/Division: Utilities
BoCC Date: 11.4.25

Request for the following transfer be made for the reason(s) stated:

	Amount FROM	Fund	Cost Center	Account	Project	Area	TBD
	$ 5,064	42011	660100503	5359000	0000000	00	0000000
	$ 5,805	42011	660302501	5666000	0000000	00	0000000
	$ 917,854	42053	640536100	5771010	0000000	00	0000000
	$						
TOTAL	$ 928,723						

	Amount TO	Fund	Cost Center	Account	Project	Area	TBD
	$ 5,064	42011	660100503	5666000	0000000	00	0000000
	$ 5,805	42011	660402502	5666000	0000000	00	0000000
	$ 917,854	42057	640536100	5772010	0000000	00	0000000
TOTAL	$ 928,723						

JUSTIFICATION (attach additional back-up as necessary)

Department/Division Director: Tamara Richardson 10-21-25

Recommended or not recommended by: Christie Simon (Budget & Management Services) 10/22/25 (Date)

Reason: Year End Budget Reconciliation

APPROVED / NOT APPROVED

Board of County Commissioners/County Management (Date)

Requesting Department or Division: FORWARD TO BUDGET & MANAGEMENT SERVICES

(Rev. 11/22)

CIP BUDGET AMENDMENT REQUEST

(Used for all amendments/transfers per CIP Policy approved 2 September 2014)

Date	10.9.25 BoCC 11.4.25
CIP Project(s)	Multiple Year End Project Reconciliation
Division	Utilities
BRJ ID:	

	For Transfers under CIP Policy 6.a and 6.b shown below					**For CIP Policy 6.b only**	
	Amount **FROM**	Fund	Cost Center	Account	Project	Total Project Budget	% Decrease
TOTAL	$ -						
	Amount **TO**						% Increase
TOTAL	$ -						

JUSTIFICATION (Attached Current Fiscal Year CIP Detail Sheets)

APPROVALS

Division Director Approval:	Tamara Richardson	
Policy 6.a: Budget/Procurement		**Policy 6.b: County Management/Designee**
Christie Johnson 10/22/25		
(Date)		(Date)

6. **Amending the Adopted CIP** - Circumstances may arise during the fiscal year which makes it necessary to amend the Adopted CIP. Since many of the County's CIP projects span multiple years and funding sources, the Board considers certain variances of estimates to be reasonable and not require BoCC approval. The CIP may be amended as follows:

   a. The Budget and Procurement Director or designee may administratively approve changes to the funding source of a project, as long as the total project budget does not change.

   b. The County Manager or designee may approve project budget increases or decreases, which are less than 5% of the total project budget or $250,000 (whichever is less). Multiple amendments to the same project can be approved by the County Manager if the total is under 5% or $250,000.

	For Transfers Requiring Board Approval					**Board Date:**
	Amount **FROM**	Fund	Cost Center	Account	Project	
	$ 895,776	42111	680536150	5998140	0000000	
	$ 532,738	42113	680536150	5998140	0000000	
	$ 160,940	14501	300001123	5998140	0000000	
TOTAL	$ 1,589,454					
	Amount **TO**	Fund	Cost Center	Account	Project	**Justification: See attached Agenda Backup**
	$ 309,522	42111	680536150	5666000	6835008	
	$ 506,887	42113	680536150	5666000	6842060	
	$ 586,254	42111	680536150	5666000	6857014	
	$ 25,851	42113	680536150	5666000	6802040	
	$ 160,940	14501	300001109	5666000	6843022	
TOTAL	$ 1,589,454					

Requesting Division: FORWARD TO BUDGET & MANAGEMENT SERVICES (CA02) (Rev. 08-24)

BUDGET AMENDMENT REQUEST

(for budget transfers and/or unbudgeted expenses)

Date: 10.21.25 BoCC 11.4.25
Parent Fund: 42000
Department/Division: Utilities
BoCC Date: 11.4.25

Request for the following transfer be made for the reason(s) stated:

	Amount FROM	Fund	Cost Center	Account	Project	Area	TBD
	$ 5,064	42011	660100503	5359000	0000000	00	0000000
	$ 5,805	42011	660302501	5666000	0000000	00	0000000
	$ 917,854	42053	640536100	5771010	0000000	00	0000000
	$						
TOTAL	$ 928,723						

	Amount TO	Fund	Cost Center	Account	Project	Area	TBD
	$ 5,064	42011	660100503	5666000	0000000	00	0000000
	$ 5,805	42011	660402502	5666000	0000000	00	0000000
	$ 917,854	42057	640536100	5772010	0000000	00	0000000
TOTAL	$ 928,723						

JUSTIFICATION (attach additional back-up as necessary)

Department/Division Director: Tamara Richardson 10-21-25

Recommended or not recommended by: Christie Simon (Budget & Management Services) 10/22/25 (Date)

Reason: Year End Budget Reconciliation

APPROVED / NOT APPROVED

Board of County Commissioners/County Management (Date)

Requesting Department or Division: FORWARD TO BUDGET & MANAGEMENT SERVICES

(Rev. 11/22)

FY2025 - FY2029 COMMUNITY INVESTMENT PROGRAM | UTILITIES CIP SUMMARY

PROJECT # 6843022 **PROJECT NAME:** Deeson Rd LS and FM **PAGE #** 29

GENERAL PROJECT DATA:		COMPREHENSIVE PLAN INFORMATION:		PROJECT NEED CRITERIA		PROJECT SCHEDULE	FY25 1 2 3 4	FY26 1 2 3 4	FY27 1 2 3 4	FY28 1 2 3 4	FY29 1 2 3 4
Project Name:	Deeson Rd LS and FM	Project listed in CIE?	No	Safety		Design/Arch	■				
Functional Area:	Wastewater Collection System Projects	Comp. Plan reference:		Mandate		Land/ROW					
Department:	Utilities	LOS/Concurrency Related:	Yes	Replace		Construction	■				
Location:	Kathleen			Growth	x	Other & Operating Exp	■				

PROJECT DESCRIPTION:

This LS and FM extension is for the purpose of connecting Briarwood MHP to the County's existing wastewater collection system. Funded whole or in part via Federal American Rescue Plan Funds.

PROJECT RATIONALE (Include Additional LOS Detail, if necessary):

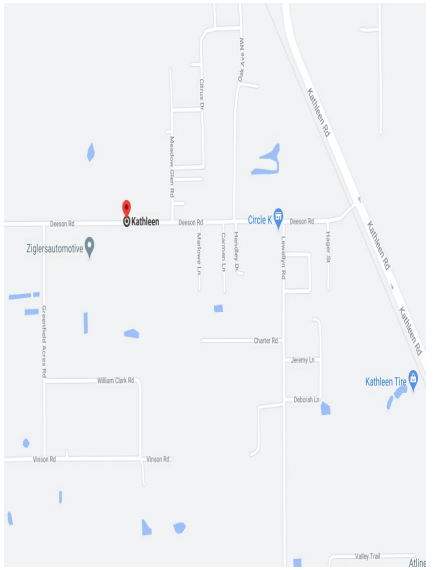
Briarwood MHP collection system and WWTF struggle to maintain regulatory compliance due to operational issues. Connection to the County's system and eliminating the onsite WWTF will significantly correct the areas of concern.

OPERATING BUDGET IMPACT:

	Fund	Cost Center
Fund 1	14501	300001109
Fund 2	42113	680536150

REPLACEMENT COUNTY PROPERTY NO.: NA

	Prior Cum.	FY24	FY24 Projected	FY25	FY26	FY27	FY28	FY29	Future Years	Proposed Project Total
EXPENDITURE PLAN										
Design/Arch/Eng.	137,278	100,000	62,722	50,000	0	0	0	0	0	**250,000**
Land (or ROW)	0	0	75,000	0	0	0	0	0	0	**75,000**
Construction	0	1,500,000	750,000	1,500,000	0	0	0	0	0	**2,250,000**
Other-Operating Expense	0	26,250	36,250	50,000	0	0	0	0	0	**86,250**
Equipment/software	0	0	0	0	0	0	0	0	0	**0**
Total Project Cost	**137,278**	**1,626,250**	**923,972**	**1,600,000**	**0**	**0**	**0**	**0**	**0**	**2,661,250**
FUNDING PLAN										
42113 Connection Fees (Sewer)	0	356,250	0	661,250	0	0	0	0	0	**661,250**
14501 ARP CLFRF	137,278	1,270,000	923,972	938,750	0	0	0	0	0	**2,000,000**
Total Funding	**137,278**	**1,626,250**	**923,972**	**1,600,000**	**0**	**0**	**0**	**0**	**0**	**$ 2,661,250**
OPERATING BUDGET IMPACT										
Personnel Services										
Non-Personnel										
Capital										
Total Operating				**0**	**0**	**0**	**0**	**0**	**0**	



FY2025 - FY2029 COMMUNITY INVESTMENT PROGRAM | UTILITIES CIP SUMMARY

PROJECT # 6802040 **PROJECT NAME:** FDC Grove Rd Reclaimed WM Loop **PAGE #** 3

GENERAL PROJECT DATA:		COMPREHENSIVE PLAN INFORMATION:		PROJECT NEED CRITERIA		PROJECT SCHEDULE	FY25 1 2 3 4	FY26 1 2 3 4	FY27 1 2 3 4	FY28 1 2 3 4	FY29 1 2 3 4
Project Name:	FDC Grove Rd Reclaimed WM Loop	Project listed in CIE?	No	Safety		Design/Arch			[redacted]		
Functional Area:	Reclaimed Water Projects	Comp. Plan reference:		Mandate		Land/ROW					
Department:	Utilities	LOS/Concurrency Related:	Yes	Replace		Construction			[redacted]		
Location:	Davenport			Growth	x	Other & Operating Exp.					

PROJECT DESCRIPTION:
Install 7,000 LF of 12-inch reclaimed water main from the NERWWTF to North Ridge Trail, along FDC Grove Road to Minute Maid Ramp Road 2.

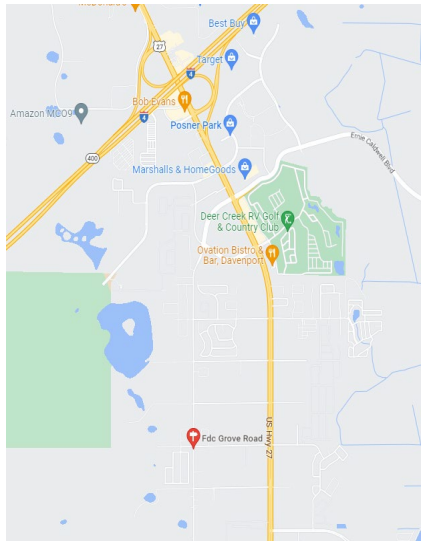
PROJECT RATIONALE (Include Additional LOS Detail, if necessary):
Identified in project RCW_04 in the 2023 NERUSA Master Plan Update. Reclaimed water main loop to provide additional capacity and reliability in the described road corridors.

OPERATING BUDGET IMPACT:

REPLACEMENT COUNTY PROPERTY NO.:

	Fund	Cost Center
Fund 1	42113	680536150

	Prior Cum.	FY24	FY24 Projected	FY25	FY26	FY27	FY28	FY29	Future Years	Proposed Project Total
EXPENDITURE PLAN										
Design/Arch/Eng.	0	150,000	0	0	0	150,000	50,000	0	0	**200,000**
Land (or ROW)	0	0	0	0	0	0	0	0	0	**0**
Construction	0	1,000,000	0	0	0	1,000,000	1,000,000	0	0	**2,000,000**
Other-Operating Expense	0	100,000	0	0	0	100,000	100,000	0	0	**200,000**
Equipment/software	0	0	0	0	0	0	0	0	0	**0**
Total Project Cost	**0**	**1,250,000**	**0**	**0**	**0**	**1,250,000**	**1,150,000**	**0**	**0**	**2,400,000**
FUNDING PLAN										
42113 Connection Fees (Sewer)	0	1,250,000	0	0	0	1,250,000	1,150,000	0	0	**2,400,000**
Total Funding	**0**	**1,250,000**	**0**	**0**	**0**	**1,250,000**	**1,150,000**	**0**	**0**	**2,400,000**
OPERATING BUDGET IMPACT										
Personnel Services										
Non-Personnel										
Capital										
Total Operating				**0**	**0**	**0**	**0**	**0**	**0**	



FY2025 - FY2029 COMMUNITY INVESTMENT PROGRAM | UTILITIES CIP SUMMARY

PROJECT # 6857014 **PROJECT NAME:** Gibson Oaks WPF

GENERAL PROJECT DATA:		COMPREHENSIVE PLAN INFORMATION:		PROJECT NEED CRITERIA		PROJECT SCHEDULE	FY25 1 2 3 4	FY26 1 2 3 4	FY27 1 2 3 4	FY28 1 2 3 4	FY29 1 2 3 4
Project Name:	Gibson Oaks WPF	Project listed in CIE?	No	Safety		Design/Arch					
Functional Area:	Water Treatment & Storage Facility Projects	Comp. Plan reference:		Mandate		Land/ROW					
Department:	Utilities	LOS/Concurrency Related:	Yes	Replace	x	Construction					
Location:	Lakeland			Growth	x	Other & Operating Exp					

PROJECT DESCRIPTION:

Construction of a 5.9 MGD (MDD) regional potable water production facility, including a new production well (0.315 MGD AADF), 1.0 MG GSR, high service pump station, chemical feed facilities, standby power system, and an operations/electrical building. The project includes a 12" raw water pipeline from the existing Sherwood Lakes well to the Gibson Oaks WPF and a 16" raw water pipeline from the existing Lake Gibson well to the Gibson Oaks WPF. The project also includes finished water piping from the Gibson Oaks WPF to the Socrum loop Road corridor to the west (24") and to the Old Polk City Road corridor to the east (16").

PROJECT RATIONALE (Include Additional LOS Detail, if necessary):

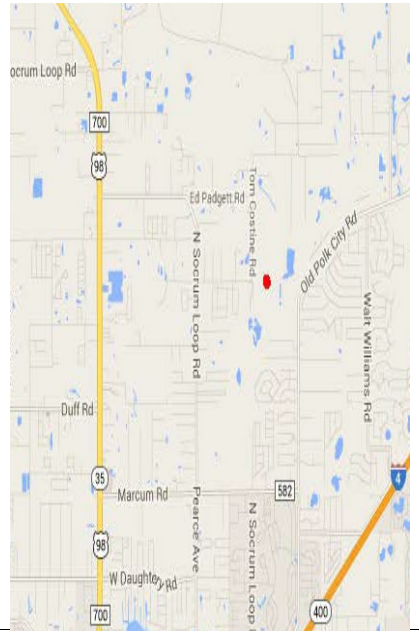
Project identified in the 2013 Potable Water Regionalization Study and 2015 NWRUSA Master Plan Update to meet existing and future demands as well as to increase potable water system reliability in the eastern portion of the NWRUSA. NW_MP_REF #11)

OPERATING BUDGET IMPACT:

	Fund	Cost Center
Fund 1	42011	680536150
Fund 2	42111	680536150
Fund 3	42433	680536150

REPLACEMENT COUNTY PROPERTY NO.: NA

	Prior Cum.	FY24	FY24 Projected	FY25	FY26	FY27	FY28	FY29	Future Years	Proposed Project Total
EXPENDITURE PLAN										
Design/Arch/Eng.	1,894,503	0	296,635	0	0	0	0	0	0	**2,191,138**
Land (or ROW)	1,237,015	0	0	0	0	0	0	0	0	**1,237,015**
Construction	12,182,854	9,000	524,043	9,000	0	0	0	0	0	**12,715,897**
Other-Operating Expense	659,731	1,000	151,323	1,000	0	0	0	0	0	**812,054**
Equipment/software	0	0	0	0	0	0	0	0	0	**0**
Total Project Cost	**15,974,103**	**10,000**	**972,001**	**10,000**	**-**	**-**	**0**	**0**	**0**	**16,956,104**
FUNDING PLAN										
42011 Water/Sewer Rates	93,471	0	0	0	0	0	0	0	0	**93,471**
42111 Water Connection Fees	1,715,637	10,000	972,001	10,000	0	0	0	0	0	**2,697,638**
42431, 42611, 42433 Bonds	14,164,995	0	0	0	0	0	0	0	0	**14,164,995**
Total Funding	**15,974,103**	**10,000**	**972,001**	**10,000**	**-**	**0**	**0**	**0**	**0**	**16,956,104**
OPERATING BUDGET IMPACT										
Personnel Services										
Non-Personnel										
Capital										
Total Operating				**0**	**0**	**0**	**0**	**0**	**0**	



FY2025 - FY2029 COMMUNITY INVESTMENT PROGRAM | UTILITIES CIP SUMMARY

PROJECT # 6842060 **PROJECT NAME:** Upgrade LS # 253 (Providence) **PAGE #** 28

GENERAL PROJECT DATA:		COMPREHENSIVE PLAN INFORMATION:		PROJECT NEED CRITERIA		PROJECT SCHEDULE	FY25	FY26	FY27	FY28	FY29
							1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4	1 2 3 4
Project Name:	Upgrade LS # 253 (providence)	Project listed in CIE?	No	Safety		Design/Arch					
Functional Area:	Wastewater Collection System Projects	Comp. Plan reference:		Mandate		Land/ROW					
Department:	Utilities	LOS/Concurrency Related:	Yes	Replace		Construction	■ ■ ■				
Location:	Davenport			Growth	x	Other & Operating Exp.					

PROJECT DESCRIPTION:

Identified in the 2016 NERUSA master plan as NE_WW_61, this project will expand Lift Station 253 from a duplex to a triplex station.

PROJECT RATIONALE (Include Additional LOS Detail, if necessary):

Lift Station 253 serves as the master lift station for the Providence development near the intersection of CR 54 and US 17/92. Providence continues to expand, adding more residences, and generating more wastewater. Therefore, additional capacity is necessary at Lift Station 253.

OPERATING BUDGET IMPACT:

	Fund	Cost Center
Fund 1	42011	680536150
Fund 2	42113	680536150
Fund 3	42433	680536150

REPLACEMENT COUNTY PROPERTY NO.: NA

	Prior Cum.	FY24	FY24 Projected	FY25	FY26	FY27	FY28	FY29	Future Years	Proposed Project Total
EXPENDITURE PLAN										
Design/Arch/Eng.	229,342	0	11,951	0	0	0	0	0	0	**241,293**
Land (or ROW)	0	0	0	0	0	0	0	0	0	**0**
Construction	720,154	100,000	675,798	10,000	0	0	0	0	0	**1,405,952**
Other-Operating Expense	29,311	5,000	55,689	0	0	0	0	0	0	**85,000**
Equipment/software	0	0	0	0	0	0	0	0	0	**0**
Total Project Cost	**978,807**	**105,000**	**743,438**	**10,000**	**0**	**0**	**0**	**0**	**0**	**1,732,245**
FUNDING PLAN										
42011 Water/Sewer Rates	46,890	0	0	0	0	0	0	0	0	**46,890**
42113 Connection Fees (Sewer)	435,245	105,000	743,438	10,000	0	0	0	0	0	**1,188,683**
42431, 42611, 42433 Bonds	496,672	0	0	0	0	0	0	0	0	**496,672**
Total Funding	**978,807**	**105,000**	**743,438**	**10,000**	**0**	**0**	**0**	**0**	**0**	**$ 1,732,245**
OPERATING BUDGET IMPACT										
Personnel Services										
Non-Personnel										
Capital										
Total Operating				**0**	**0**	**0**	**0**	**0**	**0**	



FY2025 - FY2029 COMMUNITY INVESTMENT PROGRAM | UTILITIES CIP SUMMARY

PROJECT # 6835008 **PROJECT NAME:** Rolling Hills WM Upgrades **PAGE #** 24

GENERAL PROJECT DATA:		COMPREHENSIVE PLAN INFORMATION:		PROJECT NEED CRITERIA		PROJECT SCHEDULE	FY25 1 2 3 4	FY26 1 2 3 4	FY27 1 2 3 4	FY28 1 2 3 4	FY29 1 2 3 4
Project Name:	Rolling Hills WM Upgrades	Project listed in CIE?	No	Safety	x	Design/Arch					
Functional Area:	Water Distribution System Projects	Comp. Plan reference:		Mandate		Land/ROW					
Department:	Utilities	LOS/Concurrency Related:	Yes	Replace	x	Construction					
Location:	Waverly			Growth	x	Other & Operating Exp					

PROJECT DESCRIPTION:
Replacement/upsizing of existing distribution system for life cycle replacement and increased fire flow.

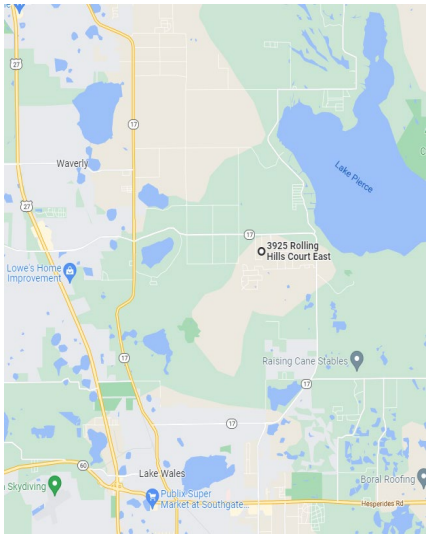
PROJECT RATIONALE (Include Additional LOS Detail, if necessary):
The potable water main upgrades for this project will improve system reliability and safety through increased fire flow protection.

OPERATING BUDGET IMPACT:

REPLACEMENT COUNTY PROPERTY NO.: NA

	Fund	Cost Center
	Fund 1	42111	680536150

	Prior Cum.	FY24	FY24 Projected	FY25	FY26	FY27	FY28	FY29	Future Years	Proposed Project Total
EXPENDITURE PLAN										
Design/Arch/Eng.	0	0	0	0	0	0	0	0	0	**0**
Land (or ROW)	0	0	0	0	0	0	0	0	0	**0**
Construction	0	1,250,000	1,241,000	9,000	0	0	0	0	0	**1,250,000**
Other-Operating Expense	0	62,500	61,500	1,000	0	0	0	0	0	**62,500**
Equipment/software	0	0	0	0	0	0	0	0	0	**0**
Total Project Cost	**0**	**1,312,500**	**1,302,500**	**10,000**	**0**	**0**	**0**	**0**	**0**	**1,312,500**
FUNDING PLAN										
42111 Water Connection Fees	0	1,312,500	1,302,500	10,000	0	0	0	0	0	**1,312,500**
Total Funding	**0**	**1,312,500**	**1,302,500**	**10,000**	**0**	**0**	**0**	**0**	**0**	**1,312,500**
OPERATING BUDGET IMPACT										
Personnel Services										
Non-Personnel										
Capital										
Total Operating				**0**	**0**	**0**	**0**	**0**	**0**	



Tamara Richardson, P.E.
Director

1011 Jim Keene Blvd., SR 540
Winter Haven, Florida 33880

POLK COUNTY
UTILITIES DIVISION

Board of County Commissioners

PHONE: 863-298-4100
FAX: 863-298-4292
www.polk-county.net

November 4, 2025

Polk County Utilities

Budget Amendment

Fiscal Year 24/25

As part of the budget reconciliation for fiscal year 2024/2025, Polk County Utilities is requesting a budget amendment to make year-end adjustments that will more accurately reflect realized revenues and expenditures. These adjustments are required to ensure compliance with budgetary regulations and conform to the policies and procedures set forth by the Budget Management Office. The following is a description of each adjustment included in the request of the Polk County Board of County Commissioners on the November 4, 2025 regular agenda.

Debt Service Transfer

In September, the Utilities Division, in cooperation with the Office of the County Clerk, refinanced existing bonds to a lower interest rate while extracting additional funds for capital projects. The increased debt obligation was not anticipated in the fiscal year 24/25 budget. Therefore, a transfer of $917,854 from operating to debt service is required to satisfy the increased debt obligation.

Inter-Cost Center (Vehicles) Transfer

The capital item for new vehicles in the operating budget of the Southwest Utility Service Area experienced a shortfall of $5,805. As the Northwest Utility Service Area budget has unused funds, this request will transfer the Northwest funds to the Southwest budget.

Operating to Capital Transfer

A transfer of $5,064 from operating to capital within the Combeewood cost center is needed to balance the budget for the fiscal year.

Total Operating Adjustments: $928,723

Capital Investment Project Budget Adjustments

Due to overages on four construction projects completed in the FY 24/25, a transfer from the Connection Fee Reserves to the CIP Budget in the amount of $1,428,514 is required. The volatility of the construction market resulted in the following construction budget increases:

- Rolling Hills Water Main Upgrades: $309,522
- Lift Station NO. 253 Upgrade: $506,887

- Gibson Oaks Water Production Facility: $586,254
- FDC Grove Road Reclaimed Water Main Loop: $25,851

ARP Reserves to Capital Investment Projects

The Crooked Lake Park Receivership project used ARP funds for much of the construction. The original budget from ARP funds for this project was $10,000,000. At completion of the project, a shortage of $160,940 resulted in the need to transfer additional funds from the ARP Reserves account managed by the budget office.

Total Operating Adjustments: $1,589,454

Agenda Item R.27. 11/4/2025

SUBJECT

Approve Amendment No. 2 to Agreement 2023-074, with Wharton-Smith, Inc., to revise the fee schedule. (No fiscal impact)

DESCRIPTION

On December 5, 2023, the County entered into Agreement 2023-074, with Wharton-Smith, Inc., to provide pre-construction CMAR services for the Northeast Regional Wastewater Treatment Facility (NERWWTF) expansion from 6 to 9 Million Gallons Daily (MGD) project. This project was initially broken down into two parts, Part 1 for Biosolids Improvements, and Part 2 for Capacity Expansion, due to the size and complexity of the facility expansion.

On September 17, 2024, the Board approved Amendment No. 1 to the agreement for additional pre-construction services breaking down the expansion project into four phases which includes five Guaranteed Maximum Price (GMP) addendums that will be brought back to the Board for approval.

This Amendment No. 2, provides a revised “Exhibit K, Hourly Rate Schedule” to include additional positions necessary to complete the GMP phase services.

RECOMMENDATION

Request Board approve Amendment No. 2 to Agreement 2023-074 with Wharton-Smith, Inc. to revise the fee schedule.

FISCAL IMPACT

Funding is available in the Utilities Five-Year Community Investment Program Budget.

CONTACT INFORMATION

Mike Baselice

Procurement Analyst

863.534.6724

mikebaselice@polk-county.net

CONSTRUCTION MANAGER AT RISK AGREEMENT

NORTHEAST REGIONAL WASTEWATER TREATMENT FACILITY EXPANSION FROM 6 TO 9 MGD

#2023-074

AMENDMENT #2

This Amendment, effective as of the date executed by the County (the "Effective Date"), is hereby entered into by and between Polk County, a political subdivision of the State of Florida, (the "County"), situated at 330 West Church Street, Bartow, Florida 33830, and Wharton-Smith, Inc. (the "Construction Manager") a Florida corporation, located at 750 Monroe Road, Sanford, Florida 32771 whose Federal Employer Identification Number is 59-2392802.

WITNESSETH:

WHEREAS, the County and the Construction Manager entered into that certain Construction Manager at Risk (CMAR) Agreement #2023-074 dated December 5, 2023 (the "Agreement") for construction manager at risk services related to the preconstruction services that included project management, permitting support services, cost estimates, constructability review and value engineering, and conceptual scheduling for the Northeast Regional Wastewater Treatment Facility (NERWWTF) expansion from 6.0 million gallons daily (MGD) to 9.0 MGD ("Project"); and

WHEREAS, Exhibit "B" of the Agreement, the Pre-Construction Services Addendum, divided the preconstruction services into two (2) phases: Phase 1, Biosolid Improvements, and Phase 2, Capacity Expansion, to result in two (2) GMP Addendums; and

WHEREAS, the Phase 1 preconstruction services were comprised of, and limited to: project coordination, cost estimation, constructability review and value engineering, final design, bidding, Guaranteed Maximum Price (GMP) development services for Phase 1, Biosolids Improvements; and the Phase 2 preconstruction services were comprised of, and limited to: project coordination, cost estimation, constructability review and value engineering, and initial critical path method master scheduling for Phase 2, Capacity Expansion; and

WHEREAS, the estimated time for the Construction Manager to complete preconstruction services for Phase 1 and Phase 2, collectively, as identified in the Agreement was six (6) months for a total not-to-exceed cost of $320,513.00, as further set forth in Exhibit " B " of the Agreement; and

WHEREAS, the Board approved Amendment #1 on September 17, 2024, combining Phase 1, Biosolids Improvements and Phase 2, Capacity Expansion and are now referred to as "the Project" to be constructed in four (4) phases, which will result in five (5) GMPs; and

WHEREAS, Exhibit "K", Hourly Rate Schedule of the Agreement does not include all positions necessary to complete the GMP services; and

WHEREAS, by this Amendment #2, the parties desire to revise Exhibit "K" and replace it with the attached Exhibit "A"; and

WHEREAS, pursuant to Section 1.2 of the Agreement, the County and the Construction Manager mutually agree to amend the Agreement as set forth below.

NOW, THEREFORE, the County and the Construction Manager hereby agree as follows:

1. The recitals stated above are true and correct and are fully incorporated herein.

2. The Agreement is hereby modified and amended to identify additional positions with hourly billing rates, which is more fully set forth and described in **Exhibit "A"** of this Amendment.

3. The Agreement, as amended by this Amendment #2, continues in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the Effective Date.

ATTEST:

STACY M. BUTTERFIELD
CLERK OF THE BOARD

By: _____
Deputy Clerk

Polk County, a political subdivision
of the State of Florida

By: _____
T.R. Wilson, Chairman
Board of County Commissioners

Date Signed By County _____

Reviewed as to form and legal sufficiency:

_____ 9/19/25
County Attorney's Office Date

Wharton-Smith, Inc.,
a Florida corporation

By: _____

PATRICK J. HEWITT
PRINT NAME

COO - West
TITLE

Date: 10-17-25

EXHIBIT "A' TO
2023-074, AMENDMENT 2

REVISED EXHIBIT "K"

Northeast Regional Wastewater Treatment Facility Expansion from 6 to 9 MGD

HOURLY RATE SCHEDULE

General Superintendent	$178.00
Senior Superintendent	$176.00
Superintendent	$161.00
Field Engineer	$117.00
Senior Project Manager	$172.00
Project Manager	$161.00
Assistant Project Manager	$134.00
Senior Project Engineer	$117.00
Project Engineer	$99.00
Project Engineer-Intern	$61.00
Administrative Assistant	$97.00
Executive Management	$191.00
Project Accountant	$127.00
Quality Manager	$172.00
Safety Manager	$144.00
Senior Preconstruction Manager	$188.00
Director of Estimating	$191.00
Estimators	$161.00
Document Specialist	$97.00

EXHIBIT "A' TO
2023-074, AMENDMENT 2

REVISED EXHIBIT "K"

Northeast Regional Wastewater Treatment Facility Expansion from 6 to 9 MGD

HOURLY RATE SCHEDULE

General Superintendent	$178.00
Senior Superintendent	$176.00
Superintendent	$161.00
Field Engineer	$117.00
Senior Project Manager	$172.00
Project Manager	$161.00
Assistant Project Manager	$134.00
Senior Project Engineer	$117.00
Project Engineer	$99.00
Project Engineer-Intern	$61.00
Administrative Assistant	$97.00
Executive Management	$191.00
Project Accountant	$127.00
Quality Manager	$172.00
Safety Manager	$144.00
Senior Preconstruction Manager	$188.00
Director of Estimating	$191.00
Estimators	$161.00
Document Specialist	$97.00

Polk County

Board of County Commissioners

Agenda Item R.28. 11/4/2025

SUBJECT

Approve transfer from Operating to Capital in the Solid Waste Fund (one-time transfer of $357,495).

DESCRIPTION

For 24/25 the Solid Waste Fund capital expense exceeded the amount budgeted. This was due primarily to purchases of equipment not budgeted due to an unanticipated increase in volume. Therefore, a one-time transfer from operating to Capital is requested to cover the unanticipated expenditures.

RECOMMENDATION

Request Board approve $357,495 one-time transfer from Operating to Capital in the Solid Waste Fund.

FISCAL IMPACT

Funds are available in Solid Waste Fund.

CONTACT INFORMATION

Barbara Ramos, Financial Administrator
Polk County Solid Waste Division
10 Environmental Loop S, Winter Haven FL 33880
863.284.4319

BUDGET AMENDMENT REQUEST

25-1970

(for budget transfers and/or unbudgeted expenses)

Date	10/14/2025
Parent Fund	Operations (41016)
Department/Division	Solid Waste
BoCC Date	10/21/2025

Request for the following transfer be made for the reason(s) stated:

	Amount **FROM**	Fund	Cost Center	Account	Project	Area	TBD
	$ 357,495	41016	550534010	5359000	0000000	00	0000000
	$						
TOTAL	$ 357,495						

	Amount **TO**	Fund	Cost Center	Account	Project	Area	TBD
	$ 357,495	41016	550534010	5666000	0000000	00	0000000
TOTAL	$ 357,495						

JUSTIFICATION

For 24/25 the Solid Waste capital expense exceeded the amount budgeted. This was due primarily to purchases of equipment not budgeted due to an unanticipated increase in volume. Therefore, a one-time transfer from operations expense to capital expense is requested to cover the unanticipated expenditures.

Department/Division Director _____ 10/16/25

Recommended or not recommended by _____ (Budget & Management Services) 10/17/25 (Date)

Reason _____

APPROVED / NOT APPROVED

Board of County Commissioners/County Management _____ (Date)

Requesting Department or Division: FORWARD TO BUDGET & MANAGEMENT SERVICES

SUBJECT

Approve transfer from Operating to Capital in the Solid Waste Fund (one-time transfer of $357,495).

DESCRIPTION

For 24/25 the Solid Waste Fund capital expense exceeded the amount budgeted. This was due primarily to purchases of equipment not budgeted due to an unanticipated increase in volume. Therefore, a one-time transfer from operating to Capital is requested to cover the unanticipated expenditures.

RECOMMENDATION

Request Board approve $357,495 one-time transfer from Operating to Capital in the Solid Waste Fund.

FISCAL IMPACT

Funds are available in Solid Waste Fund.

CONTACT INFORMATION

Barbara Ramos, Financial Administrator
Polk County Solid Waste Division
10 Environmental Loop S, Winter Haven FL 33880
863.284.4319

BOCC GL FUND	BOCC GL COST CENTER	BOCC GL ACCOUNT	Budget Period	Total Budget	Commitments	Obligations	Expenditures
41016	550534010	5112010	YEAR-25	2,302,697.00	0.00	0.00	1,447,506.45
41016	550534010	5112030	YEAR-25	0.00	0.00	0.00	27,931.77
41016	550534010	5112070	YEAR-25	0.00	0.00	0.00	8,216.97
41016	550534010	5114010	YEAR-25	312,000.00	0.00	0.00	739,899.32
41016	550534010	5114030	YEAR-25	0.00	0.00	0.00	14,952.18
41016	550534010	5121010	YEAR-25	176,156.00	0.00	0.00	146,158.39
41016	550534010	5121019	YEAR-25	17,689.00	0.00	0.00	0.00
41016	550534010	5122010	YEAR-25	313,858.00	0.00	0.00	271,802.47
41016	550534010	5122019	YEAR-25	1,545.00	0.00	0.00	0.00
41016	550534010	5123010	YEAR-25	679,109.00	0.00	0.00	275,476.40
41016	550534010	5123030	YEAR-25	839.00	0.00	0.00	442.61
41016	550534010	5123060	YEAR-25	992.00	0.00	0.00	353.55
41016	550534010	5124010	YEAR-25	28,299.00	0.00	0.00	1,839.05
41016	550534010	5331010	YEAR-25	0.00	0.00	113,359.53	189,319.37
41016	550534010	5331010	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5331010	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5331020	YEAR-25	0.00	0.00	0.00	1,152.00
41016	550534010	5334990	YEAR-25	0.00	50,000.00	2,714,402.94	6,024,168.09
41016	550534010	5334990	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5334990	YEAR-25	0.00	0.00	4,060.00	0.00
41016	550534010	5334991	YEAR-25	78,608.00	0.00	0.00	71,593.50
41016	550534010	5340020	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5341010	YEAR-25	0.00	0.00	0.00	26,492.02
41016	550534010	5343010	YEAR-25	0.00	0.00	0.00	100,000.21
41016	550534010	5344020	YEAR-25	0.00	0.00	177,771.99	793,715.72
41016	550534010	5344030	YEAR-25	0.00	0.00	33,499.00	134,501.00
41016	550534010	5344990	YEAR-25	0.00	0.00	6,292.87	18,518.55
41016	550534010	5345020	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5346010	YEAR-25	0.00	0.00	740,051.81	1,534,919.31
41016	550534010	5346010	YEAR-25	0.00	0.00	16,330.28	0.00
41016	550534010	5346020	YEAR-25	0.00	0.00	132,349.30	1,194,391.45
41016	550534010	5346040	YEAR-25	0.00	0.00	0.00	32,061.81
41016	550534010	5346110	YEAR-25	0.00	0.00	0.00	18,488.30
41016	550534010	5346120	YEAR-25	0.00	0.00	0.00	54,618.99
41016	550534010	5346130	YEAR-25	20,280.00	0.00	0.00	17,716.16
41016	550534010	5346600	YEAR-25	0.00	0.00	0.00	2,319.29
41016	550534010	5347010	YEAR-25	0.00	0.00	2,294.53	3,035.56
41016	550534010	5347020	YEAR-25	0.00	0.00	1,589.95	910.05
41016	550534010	5348010	YEAR-25	0.00	0.00	0.00	10.40
41016	550534010	5349010	YEAR-25	0.00	0.00	0.00	318,269.50
41016	550534010	5349750	YEAR-25	107,638.00	0.00	0.00	104,959.34
41016	550534010	5351010	YEAR-25	0.00	0.00	0.00	6.99
41016	550534010	5351020	YEAR-25	0.00	0.00	0.00	232.16
41016	550534010	5351880	YEAR-25	0.00	0.00	4,414.80	3,398.69
41016	550534010	5351990	YEAR-25	0.00	0.00	972.04	13,378.64
41016	550534010	5352010	YEAR-25	0.00	0.00	0.00	679,298.40
41016	550534010	5352990	YEAR-25	0.00	0.00	983,965.16	373,552.15
41016	550534010	5353010	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5353020	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5353030	YEAR-25	0.00	0.00	0.00	3,672.22
41016	550534010	5354010	YEAR-25	0.00	0.00	0.00	1,180.00
41016	550534010	5354030	YEAR-25	0.00	0.00	0.00	2,578.53
41016	550534010	5354040	YEAR-25	0.00	0.00	0.00	650.00
41016	550534010	5359000	YEAR-25	11,333,390.00	0.00	0.00	0.00
				15,373,100.00			14,653,687.56
							719,412.44 Available
41016	550534010	5661010	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5663010	YEAR-25	0.00	0.00	0.00	0.00
41016	550534010	5664970	YEAR-25	0.00	0.00	67,078.69	137,450.64
41016	550534010	5664990	YEAR-25	0.00	0.00	584,654.09	2,220,043.80
41016	550534010	5666000	YEAR-25	2,000,000.00	0.00	0.00	0.00
				2,000,000.00			2,357,494.44
							-357,494.44 Budget Amendment

Polk County

Board of County Commissioners

Agenda Item R.29. 11/4/2025

SUBJECT

Approve a New Non-Exclusive Commercial Franchise for FY2025-26 by Noreast Services MBW Corp. dba 1-800 Got Junk. (No fiscal impact)

DESCRIPTION

Noreast Services MBW Corp. dba 1-800 Got Junk is requesting approval for new Non-Exclusive Commercial Franchise for FY2025-26 pursuant to Article IV of the Solid Waste Ordinance, 13-069.

RECOMMENDATION

Recommend the Board grant approval of the application by Noreast Services MBW Corp. dba 1-800 Got Junk as a Non-Exclusive Commercial Franchise for FY2025-26.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Barbara Ramos
Financial Administrator
Polk County Solid Waste Division
10 Environmental Loop S, Winter Haven FL 33880
863.284.4319

DRAFT

COMMERCIAL COLLECTION SERVICE FRANCHISE APPLICATION CHECK-LIST

Applicant: Forest 1-800-Got Junk Date: 10.6.25

Status	Brief Description of Application Requirements
☐ Met; ☐ Not Met	Identity of the applicant, to include its principals, partners, and management. Section 4-1 C. (2)(a)
☐ Met; ☐ Not Met	Evidence the entity is authorized to do business with the State of Florida and in good standing with the Department of State. Section 4-1 C. (2)(a)
☐ Met; ☐ Not Met	Information regarding the experience and qualifications of the applicant and its personnel with regard to Solid Waste collection. Section 4-1 C. (2)(b)
☐ Met; ☐ Not Met	Information about the applicant's (including its principals, partners, and officers) involvement as a subject or as a part in any litigation, criminal proceedings, or agency enforcement cases. Section 4-1 C. (2)(c)
☐ Met; ☐ Not Met	List of all vehicles, equipment and other physical assets [by make, model, capacity, size, type and VIN] the applicant will use to collect and transport Solid Waste when providing Commercial Collection service within Polk County. Section 4-1 C. (2)(d)
☐ Met; ☐ Not Met	List identifying the frequency of Commercial Collection Service applicant provides to its customers with the identification number, size, capacity, and type of each dumpster, roll cart, roll-off Container and compactor that the applicant will use to collect Commercial Solid Waste within the County. Section 4-1 C. (2)(e)
☐ Met; ☐ Not Met	Applicant's acknowledgment and consent the County has the right to inspect the applicant's vehicles, Containers, compactors and other equipment at any time. Section 4-1 C. (2)(f)
☐ Met; ☐ Not Met	Original Certificates of Insurance evidencing current compliance with CGL coverage (NLT $2M per occurrence) and State statutory workers' comp. coverage (or waiver). Section 4-1 C. (2)(g)
☐ Met; ☐ Not Met	Evidence the applicant has obtained all permits and licenses required by law or ordinance to provide Commercial Collection Service within the County. Section 4-1 C. (2)(h)
☐ Met; ☐ Not Met	Delivery of Sworn affidavit confirming: (i) no unsatisfied judgments pending against the applicant; (ii) no liens of record filed by the IRS or State against the applicant; (iii) applicant will comply with all Ord. requirements and all applicable laws. Section 4-1 C. (2)(i)
☐ Met; ☐ Not Met	Delivery of written indemnity of County from any loss which may result from the applicant, its employees, subcontractors, agents, failure to perform in compliance with the terms of the franchise or the Ordinance. Section 4-1 C. (2)(j)
☐ Not Met	Delivery of applicable Commercial Franchise application fee. Section 4-1 C. (5)



Detail by Entity Name

Foreign Profit Corporation
NOREAST SERVICES MBW CORP.

Filing Information

Document Number	F22000004299
FEI/EIN Number	36-5025173
Date Filed	07/12/2022
State	DE
Status	ACTIVE

Principal Address

3535 Reynolds Road
Unit 4
Lakeland, FL 33803

Changed: 08/03/2023

Mailing Address

3535 Reynolds Road
Unit 4
Lakeland, FL 33803

Changed: 08/03/2023

Registered Agent Name & Address

SMITH, KEITH C, ESQ.
ONE LAKE MORTON DR.
LAKELAND, FL 33801

Officer/Director Detail

Name & Address

Title President

BALDWIN, MICHAEL
3 St. Joseph's Lane
St. John, NL A1A 5T9 CA

Title VP

WHITMORE, BRAD
98 Parkdale Ave
Pointe-Claire, QC H9B 1Z9 CA

Annual Reports

Report Year	Filed Date
2023	08/03/2023
2024	02/11/2024
2025	01/27/2025

Document Images

01/27/2025 -- ANNUAL REPORT	View image in PDF format
02/11/2024 -- ANNUAL REPORT	View image in PDF format
08/03/2023 -- ANNUAL REPORT	View image in PDF format
07/12/2022 -- Foreign Profit	View image in PDF format

NORESER-PC BCHISHKO

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 8/5/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Liberty Insurance Agency 1910 Cochran Road Manor Oak Two Suite 800 Pittsburgh, PA 15220	CONTACT NAME: Stephen Pcsolar, CISR PHONE (A/C, No, Ext): (412) 571-5700 236 FAX (A/C, No): (412) 571-9909 E-MAIL ADDRESS: stevepcsolar@libertyins.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Nautilus Insurance Company	17370
INSURED NorEast Services MBW Corp SR 20222426352 dba 1-800-GOT-JUNK? 3535 Reynolds Road, Bay 4 Lakeland, FL 33803	INSURER B : Key Risk Insurance Company	10885
	INSURER C : StarStone Specialty Insurance Company	44776
	INSURER D : Argonaut Insurance Company	19801
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	X COMMERCIAL GENERAL LIABILITY						EACH OCCURRENCE	$	1,000,000
	CLAIMS-MADE X OCCUR			GLP2047762-10	8/5/2025	8/5/2026	DAMAGE TO RENTED PREMISES (Ea occurrence)	$	100,000
							MED EXP (Any one person)	$	5,000
							PERSONAL & ADV INJURY	$	1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	$	2,000,000
	POLICY PRO-JECT LOC						PRODUCTS - COMP/OP AGG	$	2,000,000
	OTHER:							$	
B	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
	ANY AUTO			BAP2047761-10	8/5/2025	8/5/2026	BODILY INJURY (Per person)	$	
	X OWNED AUTOS ONLY / SCHEDULED AUTOS						BODILY INJURY (Per accident)	$	
	X HIRED AUTOS ONLY / X NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident)	$	
								$	
C	X UMBRELLA LIAB X OCCUR						EACH OCCURRENCE	$	2,000,000
	EXCESS LIAB CLAIMS-MADE			CSX90608453P-01	8/5/2025	8/5/2026	AGGREGATE	$	2,000,000
	DED RETENTION $							$	
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y / N						X PER STATUTE OTH-ER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) N / A			ARGWC929258777434	8/5/2025	8/5/2026	E.L. EACH ACCIDENT	$	500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	$	500,000
							E.L. DISEASE - POLICY LIMIT	$	500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

All coverages listed are subject to the terms, conditions and exclusions within the policies.

RE PROJECT: 1-800-GOT-JUNK?

HOLDER IS ADDITIONAL INSURED WITH RESPECT TO THE GENERAL LIABILITY COVERAGE for ongoing operations if required by written contract executed prior to a loss.

UMBRELLA FOLLOWS FORM.

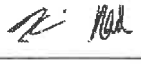
CERTIFICATE HOLDER

Carlton Arms of North Lakeland, LLC
4500 Williamstown Blvd
Lakeland, FL 33810

CANCELLATION

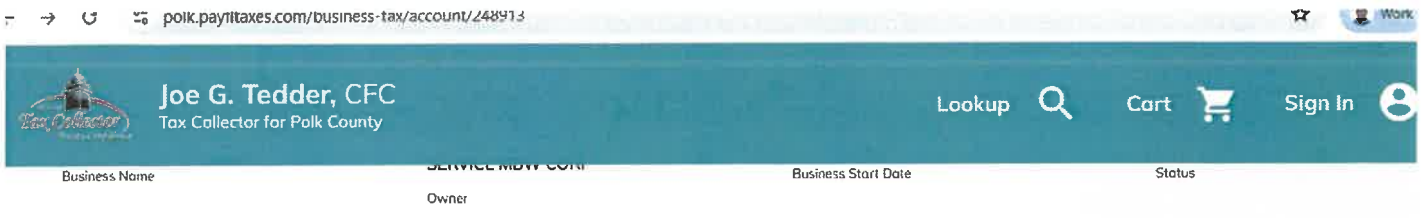
SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



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The ACORD name and logo are registered marks of ACORD



3535 REYNOLDS RD UNIT 4
LAKELAND, FL 33803
Business Address

3535 REYNOLDS RD, UNIT 4
LAKELAND, FL 33803
Mailing Address

N/A
Exemption Status

LTD TRANSPORTATION
LTD WAREHOUSING
Business / Occupation

History

Year	Owner	Due	Due Date	Payor	Paid On	Status	Paid
2025	MICHAEL J BALDWIN, NOREAST SERVICE MBW CORP	$0.00	Sep 30, 2025	MICHAEL BALDWIN	Jul 9, 2025	Paid	$31.50
2024	MICHAEL J BALDWIN, NOREAST SERVICE MBW CORP	$0.00	Sep 30, 2024	MICHAEL BALDWIN	Dec 19, 2024	Paid	$47.80
2023	MICHAEL J BALDWIN, NOREAST SERVICE MBW CORP	$0.00	Sep 30, 2023	MICHAEL BALDWIN	Aug 15, 2023	Paid	$31.50
2022	MICHAEL J BALDWIN, NOREAST SERVICE MBW CORP	$0.00	Sep 30, 2022	NOREAST SERVICE MBW CORP	Jul 22, 2022	Paid	$39.38

NorEast
SERVICES

Date: October 2nd, 2025

To whom it may concern:

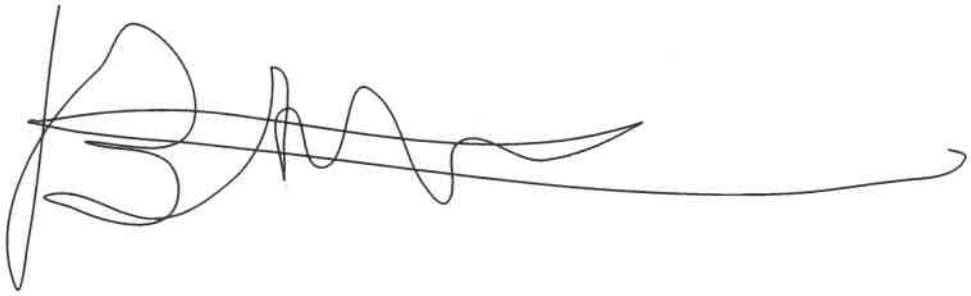
As requested the following is list of owners and managers of NOREAST SERVICES MBW CORP dba 1800- GOT-JUNK (ACCT# 1273).

Owner 1: Bradley Whitmore
Owner 2: Michael Baldwin
Operations Manager: Darriel Davis

The identities of the 3 individuals listed above are being sent in a separate document.

Very respectfully,

Bradley Whitmore



NorEast SERVICES

Date: Sep 29, 2025

To whom it may concern:

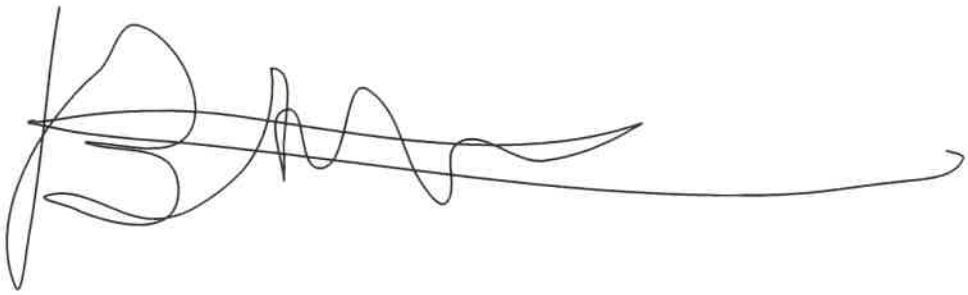
As of the date of the correspondence stated above, NOREAST SERVICES MBW CORP dba 1800- GOT-JUNK (ACCT# 1273), as well as it's Managing Member/Owner, Bradley Whitmore has never had involvement as a subject or as a part in any litigation, criminal proceedings, or agency enforcement cases.

I,_Bradley Whitmore_____, MGR\Owner of _NOREAST SERVICES MBW CORP dba 1800- GOT-JUNK (ACCT# 1273) do attest the above statement to be true and correct.

State Florida County of Polk

The foregoing instrument was acknowledged before me this_____29th_____day of _September____

Bradley Whitmore



POLK COUNTY WASTE & RECYCLING

NON-EXCLUSIVE COMMERCIAL FRANCHISE ANNUAL VEHICLE LIST

FRANCHISEE NOREAST SERVICES MBW CORP - 1800- GOT-JUNK ACCT# 1273

FOR YEAR 2025-2026

OFFICE USE ONLY

DATE RECEIVED _____

DATE TO AUDITING _____

ACCEPTED _____

VEHICLE MAKE	VEHICLE MODEL	YEAR	TYPE *(RO, REL, FEL, ASL, ETC.)*	CAPACITY *(CU YD)*	VEHICLE SIZE *(GVW)*	VEHICLE IDENTIFICATION NUMBER
Isuzu NPR	Isuzu NPR	2021	REL	15	14,500	54DC4W1D5MS208788
Isuzu NPR	Isuzu NPR	2023	REL	15	14,500	54DC4W1D1PS208629
Isuzu NPR	Isuzu NPR	2023	REL	15	14,500	54DC4W1DOPS209416
Isuzu NPR	Isuzu NPR	2025	REL	15	14,500	54DC4W I D6SS20 I 782

1609

REVISED 08/2014

POLK COUNTY WASTE & RECYCLING

NON-EXCLUSIVE COMMERCIAL FRANCHISE ANNUAL CONTAINER LIST

FRANCHISEE NOREAST SERVICES MBW CORP - 1800- GOT-JUNK ACCT# 1273

FOR YEAR 2025-2026

OFFICE USE ONLY

DATE RECEIVED _____

DATE TO AUDITING _____

ACCEPTED _____

CUSTOMER NAME	CONTAINER TYPE/SIZE				CAPACITY (CU YD)	COLLECTION FREQUENCY		CONTAINER IDENTIFICATION NUMBER
	DUMPSTER	COMPACTOR	ROLL OFF	OTHER		ON CALL	DAYS/WK	
NOREAST SERVICES MBW CORP - 1800- GOT-JUNK ACCT# 1273				Truck with Dump Body	15	ON CALL		3
NOREAST SERVICES MBW CORP - 1800- GOT-JUNK ACCT# 1273				Truck with Dump Body	15	ON CALL		4
NOREAST SERVICES MBW CORP - 1800- GOT-JUNK ACCT# 1273				Truck with Dump Body	15	ON CALL		5
NOREAST SERVICES MBW CORP - 1800- GOT-JUNK ACCT# 1273				Truck with Dump Body	15	ON CALL		18

1610

REVISED 08/2014

MY FLORIDA CORPORATE FILINGS

CERTIFICATE

Beneficial Ownership Information

BOI 2024

This certificate is presented to

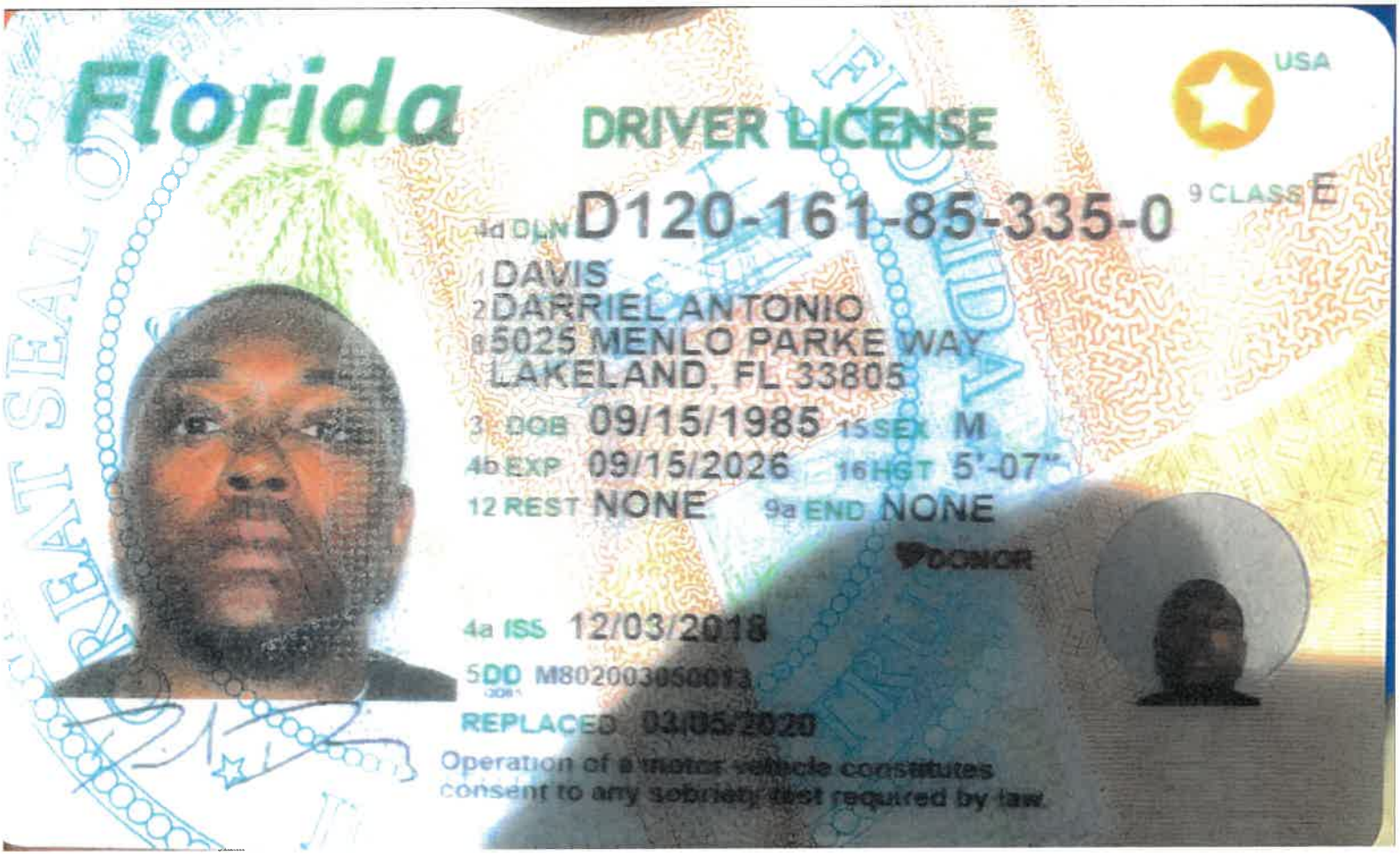
NOREAST SERVICES MBW CORP.

This document hereby confirms your report has been filed to the Financial Crimes Enforcement Network (FINCEN) with the information you provided. You are now in compliance with FINCEN and your BOIR has been successfully submitted.

2000-0193-1665
FINCEN ID

BOI
Beneficial Ownership Information

09/05/2024
Date


Florida
DRIVER LICENSE
USA
4d DLN D120-161-85-335-0
9 CLASS E
1 DAVIS
2 DARRIEL ANTONIO
8 5025 MENLO PARKE WAY
LAKELAND, FL 33805
3 DOB 09/15/1985
15 SEX M
4b EXP 09/15/2026
16 HGT 5'-07"
12 REST NONE
9a END NONE
DONOR
4a ISS 12/03/2018
5 DD M802003050013
REPLACED 03/05/2020
Operation of a motor vehicle constitutes
consent to any sobriety test required by law.

ENDORSEMENTS AND LIMITATIONS
This passport is valid for all countries unless otherwise specified. The bearer must comply with any visa or other entry regulations of the countries to be visited.

SEE OBSERVATIONS BEGINNING ON PAGE 5 (IF APPLICABLE)

MENTIONS ET RESTRICTIONS
Ce passeport est valable pour tous les pays, sauf indication contraire. Le titulaire doit se conformer aux formalités relatives aux visas ou aux autres formalités d'entrée des pays où il a l'intention de se rendre.

VOIR LES OBSERVATIONS DÉBUTANT À LA PAGE 5 (LE CAS ÉCHÉANT)

Signature of bearer - Signature du titulaire



EPI919722

AY996621

PASSPORT
PASSEPORT

CANADA



Type/Type
P

Issuing Country/Pays émetteur
CAN

Passport No./Passeport No.
AY996621

Surname/Nom
WHITMORE

Given names/Prénoms
BRADLEY MARK

Nationality/Nationalité
CANADIAN/CANADIENNE

Date of birth/Date de naissance
02 JAN /JAN 76

Sex/Sexe
M

Place of birth/Lieu de naissance
REGINA CAN

Date of issue/Date de délivrance
04 MAR /MARS 24

Date of expiry/Date d'expiration
04 MAR /MARS 34

Issuing Authority/Autorité de délivrance
SAINT-LAURENT

EPI919722

P<CANWHITMORE<<BRADLEY<MARK<<<<<<<<<<<<<<<<<<<<

AY996621<5CAN7601026M3403048<<<<<<<<<<<<<<<06

ENDORSEMENTS AND LIMITATIONS
This passport is valid for all countries unless otherwise specified. The bearer must comply with any visa or other entry regulations of the countries to be visited.
SEE OBSERVATIONS BEGINNING ON PAGE 5 (IF APPLICABLE)

MENTIONS ET RESTRICTIONS
Ce passeport est valable pour tous les pays sauf indication contraire. Le titulaire doit se conformer aux formalités relatives aux visas ou aux autres formalités d'entrée des pays où il a l'intention de se rendre.
VOIR LES OBSERVATIONS DÉBUTANT À LA PAGE 5 (LE CAS ÉCHÉANT)

Signature of bearer - Signature du titulaire

ELC517106



AK479851

PASSPORT
PASSEPORT

CANADA

Type/Type
P

Issuing Country/Pays émetteur
CAN

Passport No./N° de passeport
AK479851



Surname/Nom
BALDWIN

Given names/Prénoms
MICHAEL

Nationality/Nationalité
CANADIAN/CANADIENNE

Date of birth/Date de naissance
17 JAN /JAN 72

Sex/Sexe
M

Place of birth/Lieu de naissance
MARKLAND CAN

Date of issue/Date de délivrance
15 NOV /NOV 19

Date of expiry/Date d'expiration
15 NOV /NOV 29

Issuing Authority/Autorité de délivrance
SURREY

ELC517106

P<CANBALDWIN<<MICHAEL<<<<<<<<<<<<<<<<<<<<<<<

AK479851<6CAN7201172M2911157<<<<<<<<<<<<<<08

AFFIDAVIT SUPPORTING RENEWAL OF NONEXCLUSIVE FRANCHISE TO COLLECT, REMOVE, AND TRANSPORT COMMERCIAL SOLID WASTE WITHIN POLK COUNTY

STATE OF FLORIDA
COUNTY OF __POLK_____

Before me, the undersigned notary public authorized to administer oaths, personally appeared __Bradley Whitmore_____ who, first being duly sworn, on oath deposes and states, as follows:

1) He is _____Owner and Vice President_____, a __C_____ corporation.

2) He has personal knowledge of the facts stated in this Affidavit and that all such facts are true and correct.

3) There are no unsatisfied judgments entered against _NorEast Services MBW Corp_____.

4) There are no liens of record filed by the Internal Revenue Service against __NorEast Services MBW Corp_____.

5) There are no liens of record filed by the State of Florida, or any agency or subdivision thereof, against _NorEast Services MBW Corp_____.

6) _Bradley Whitmore_____ acknowledges and consents that the County shall have the right to inspect NorEast Services MBW Corp vehicles, containers, compactors, and other equipment at any time.

7) During the time of the existing Commercial Franchise, NorEast Services MBW Corp has complied with all of the requirements stated in the Polk County Ordinance 13-069 and with all other applicable laws, and if awarded a renewal term of 1 Year will continue to comply with the same.

Further the affiant sayeth not.

Dated the 2nd day of _October_____, 2025__

Sworn Person Signature

BRADLEY MARK WHITMORE
Printed Name and Title of Sworn Person

Florida
Miami-dade
This notarial act was an online notarization.
The foregoing instrument was sworn (or affirmed) and subscribed before me this 2nd day of October, 2025, by BRADLEY MARK WHITMORE, who is either □ personally known to me; or □ has produced Canada Passport as identification.

CAROLINA HENDERSON
Notary Public - State of Florida
Commission # HH 323216
My Comm. Expires Feb 17, 2027

Signer personally appeared by online notarization and produced identification via OnlineNotary.us

(AFFIX NOTORIAL SEAL)

Carolina Henderson
Notary Public Signature

Carolina Henderson
Printed Name of Notary Public

HH 323216
Notary Commission Number/Expiration

INDEMNITY

WHEREAS, THE UNDERSIGNED Bradley Whitmore (the "Undersigned"), is the Owner and Vice President of NorEast Services MBW Corp (the "company"), a C Corp,

WHEREAS, the BradleyWhitmore, is herewith submitting an application to Polk County, a political subdivision of the State of Florida, (the "County") for the grant, renewal, or modification of a non-exclusive commercial franchise (a "Commercial Franchise") to collect, remove and transport commercial solid waste within the geographic areas of Polk County; and

WHEREAS, the Commercial Franchise application process is described in Polk County Ordinance 13-069 (the "Ordinance") and requires, among other matters, that an applicant indemnify the County from and against any loss which may result from the applicant, its employees, subcontractors, and agents, failure to perform in accordance with the terms of the awarded Commercial Franchise and the terms of the Ordinance; and

WHEREAS, the Undersigned is duly authorized to execute this instrument by and on behalf of the NorEast Services MBW Corp

NOW, THEREFORE, in consideration of the benefits accruing to the NorEast Services MBW Corp and for other good and valuable consideration, the Undersigned, by and o behalf of the NorEast Services MBW Corp does hereby forever release, indemnify, keep, save, and hold harmless the County, its commissioners, officers, officials, and employees, from and against any and all damages, losses, penalties, liabilities, costs and expenses of any kind or nature whatsoever that is proximately caused by, incident to, resulting from, arising out of, or occurring in connection with, directly or indirectly, NorEast Services MBW Corp, its employees, subcontractors, or agents, failure to perform in compliance with the terms of the Commercial Franchise or failure to perform in compliance with the terms of the Ordinance.

IN WITNESS WHEREOF, the Undersigned has executed this instrument by and on behalf of the NorEast Services MBW Corp this 2nd day, 2025.

ATTEST:

By: Carolina Henderson

Carolina Henderson
[Printed Name, Title]

a BRADLEY MARK WHITMORE

By: _____

_____
[Printed Name, Title]

State of Florida

AFFIX NOTORIAL SEAL

Sworn to (or affirmed) and subscribed before me by means of online notarization this 2nd day of October 2025 by BRADLEY MARK WHITMORE.

Carolina Henderson

Signature of Notary Public-State of Florida

CAROLINA HENDERSON
Notary Public - State of Florida
Commission # HH 323216
My Comm. Expires Feb 17, 2027

Signer personally appeared by online notarization and produced identification via OnlineNotary.us

Name of Notary: Carolina Henderson
Personally Known _____ OR Produced Identification ___X_____

Type of Identification Produced: Canada Passport

Thank you for your payment

Confirmation #	183453869
Date	Thursday, October 2, 2025, 2:22:50 PM US Eastern Time
Total Amount	$773.15
Paid with	VISA account ending in 2014
Customer Information	Michael Baldwin brad.whitmore@1800gotjunk.com (514) 299-9685

Transaction Details

Bill Type	Details	Amount
License Renewal	**Company Name:** NorEast Services MBW Corp **Ticket or Invoice Number:** 00000	$750.00

Sub Total	$750.00
Convenience Fee	$23.15
Total	**$773.15**

CONVENIENCE FEE

Your agency has partnered with a third party service provider to provide you with convenient online payment services via credit card debit card or electronic check payments. IN ORDER TO USE THIS SERVICE YOU MAY HAVE TO PAY A NON-REFUNDABLE CONVENIENCE FEE IN ADDITION TO THE AMOUNT(S) OWED TO YOUR PAYEE. Please note that the service provider (not your Payee) will appear as the merchant of record next to your payment on your bank or credit card statement.

ACCESSIBILITY

This service is accessible through the Internet. In order to use this service you will need a personal computer access to the Internet with an Internet service provider and a web browser which supports this service.

ACCURACY OF YOUR INFORMATION AND BILLING; COMPLETION OF PAYMENT

You are solely responsible for providing accurate and complete information to use this service and for

Thank you for your payment!

This service has been provided by Polk County BoCC - Solid Waste, FL and Point & Pay. We value your business. Please keep this receipt for future reference.

You have made a payment to Polk County BoCC - Solid Waste, FL . The Polk County BoCC - Solid Waste department Thanks You For Your Payment. Credit Card Services provided by Polk County BoCC - Solid Waste department are in connection with POINT & PAY.

Name: Michael Baldwin
Address: 3535 Reynolds Road, Lakeland FL, US, 33803
Contact: 5142999685
Comments:

Payment ID: **183453869**
Date: 10/02/25 02:22 PM
Subtotal: $750.00
Fee: $23.15
Total: $773.15
Method: Credit Card(**********2014)

Item Purchased	Transaction Description	Account	Amount
License Renewal	CTYPolkWsteGOV	00000	$750.00

Signature:_____ **Date:**_____/_____/_____
By signing this receipt you agree to the terms and conditions of this service.

You will see one line item on your credit or debit card statement indicating the amount you paid and will be identified as *CTYPolkWsteGOV* . If you have any questions about the charges please call 1-888-891-6064.

Print Receipt Close Window

Agenda Item R.30. 11/4/2025

SUBJECT

Approve a New Non-Exclusive Commercial Franchise for FY2025-26 by Williams Trucking Company, Inc. (No fiscal impact)

DESCRIPTION

Williams Trucking Company, Inc is requesting approval for new Non-Exclusive Commercial Franchise for FY2025-26 pursuant to Article IV of the Solid Waste Ordinance, 13-069.

RECOMMENDATION

Recommend the Board grant approval of the application by Williams Trucking Company, Inc as a Non-Exclusive Commercial Franchise for FY2025-26.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Barbara Ramos
Financial Administrator
Polk County Solid Waste Division
10 Environmental Loop S, Winter Haven FL 33880
863.284.4319

DRAFT

COMMERCIAL COLLECTION SERVICE FRANCHISE APPLICATION CHECK-LIST

Applicant: Williams Trucking Date: 09.29.25

Status	Brief Description of Application Requirements
☑ Met; 1. ☐ Not	Identity of the applicant, to include its principals, partners, and management. Section 4-1 C. (2)(a)
☑ Met; 2. ☐ Not Met	Evidence the entity is authorized to do business with the State of Florida and in good standing with the Department of State. Section 4-1 C. (2)(a)
☑ Met; 3. ☐ Not Met	Information regarding the experience and qualifications of the applicant and its personnel with regard to Solid Waste collection. Section 4-1 C. (2)(b)
☑ Met; 4. ☐ Not Met	Information about the applicant's (including its principals, partners, and officers) involvement as a subject or as a part in any litigation, criminal proceedings, or agency enforcement cases. Section 4-1 C. (2)(c) **MUST BE NOTARIZED**
☑ Met; 5. ☐ Not Met	List of all vehicles, equipment and other physical assets [by make, model, capacity, size, type and VIN] the applicant will use to collect and transport Solid Waste when providing Commercial Collection service within Polk County. Section 4-1 C. (2)(d)
☑ Met; 6. ☐ Not Met	List identifying the frequency of Commercial Collection Service applicant provides to its customers with the identification number, size, capacity, and type of each dumpster, roll cart, roll-off Container and compactor that the applicant will use to collect Commercial Solid Waste within the County. Section 4-1 C. (2)(e)
☑ Met; 7. ☐ Not Met	Applicant's acknowledgment and consent the County has the right to inspect the applicant's vehicles, Containers, compactors and other equipment at any time. Section 4-1 C. (2)(f)
☑ Met; 8. ☐ Not Met	Original Certificates of Insurance evidencing current compliance with CGL coverage (NLT $2M per occurrence) and State statutory workers' comp. coverage (or waiver). Section 4-1 C. (2)(g)
☑ Met; 9. ☐ Not Met	Evidence the applicant has obtained all permits and licenses required by law or ordinance to provide Commercial Collection Service within the County. Section 4-1 C. (2)(h)
☑ Met 10. ☐ Not Met	Delivery of Sworn affidavit confirming: (i) no unsatisfied judgments pending against the applicant; (ii) no liens of record filed by the IRS or State against the applicant; (iii) applicant will comply with all Ord. requirements and all applicable laws. Section 4-1 C. (2)(i) **MUST BE NOTARIZED**
☑ Met; 11. ☐ Not Met	Delivery of written indemnity of County from any loss which may result from the applicant, its employees, subcontractors, agents, failure to perform in compliance with the terms of the franchise or the Ordinance. Section 4-1 C. (2)(j) **MUST BE NOTARIZED**
☑ Met 12. ☐ Not Met	Delivery of applicable Commercial Franchise application fee. Section 4-1 C. (5)

DRAFT

PO Box 3778 Plant City, Florida 33563
Telephone (813)752-8210 / Fax (813)752-8247

Mailing Address:	**Williams Trucking Company, Inc.** **PO Box 3778** **Plant City, FL 33563** **813-752-8210**
Physical Address:	**1803 Corporate Center Lane** **Plant City, FL 33563**
Owners:	**Dwayne Williams-CFO** **Michael Williams-COO** **Mikie Davis-Roll off Forman**

PO Box 3778 Plant City, Florida 33563
Telephone (813)752-8210 / Fax (813)752-8247

9/30/2025

To Whom it May Concern:

As of the date of this correspondence stated above, our business name as well as it's Managing Member/Owners, Business owner name has never and is currently not involved in any type of litigation, criminal proceedings, judgements, Liens including the Internal Revenue Service and all state and federal government litigation, or civil suits, or agency enforcement cases. With the exception of auto litigation.

I, Dwayne Williams, MGR\Owner of Williams Trucking Company, Inc., do attest the above statement to be true and correct.

Signed: Dwayne Williams
Print : Dwayne Williams

State Florida County of Polk

The foregoing instrument was acknowledged before me this 30th day of September 2025 Personally Know / or Produced identification

Notary Public State of Florida
Savanna Hatfield
My Commission HH 607370
Expires 10/26/2028

Sunbiz.org DIVISION of CORPORATIONS an official State of Florida website

Detail by Entity Name

Florida Profit Corporation
WILLIAMS TRUCKING COMPANY, INC.

Filing Information

Document Number	P06000039879
FEI/EIN Number	N/A
Date Filed	03/17/2006
State	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	10/21/2016
Event Effective Date	NONE

Principal Address

1803 CORPORATE CENTER LANE
PLANT CITY, FL 33563

Changed: 05/09/2016

Mailing Address

PO Box 3778
PLANT CITY, FL 33563

Changed: 01/16/2020

Registered Agent Name & Address

WILLIAMS, DWAYNE
1803 CORPORATE CENTER LANE
PLANT CITY, FL 33563

Name Changed: 04/22/2015

Address Changed: 03/07/2022

Officer/Director Detail

Name & Address

Title COO

WILLIAMS, MICHAEL A
1803 CORPORATE CENTER LANE
PLANT CITY, FL 33563

Title CFO

WILLIAMS, DWAYNE E
1803 CORPORATE CENTER LANE
PLANT CITY, FL 33563

Title TREASURER

WILLIAMS, JEANNIE S
1803 CORPORATE CENTER LANE
PLANT CITY, FL 33563

Title SECRETARY

WILLIAMS, KATHY J
1803 CORPORATE CENTER LANE
PLANT CITY, FL 33563

Annual Reports

Report Year	Filed Date
2023	01/30/2023
2024	02/01/2024
2025	02/07/2025

Document Images

02/07/2025 -- ANNUAL REPORT	View image in PDF format
02/01/2024 -- ANNUAL REPORT	View image in PDF format
01/30/2023 -- ANNUAL REPORT	View image in PDF format
03/07/2022 -- ANNUAL REPORT	View image in PDF format
04/27/2021 -- ANNUAL REPORT	View image in PDF format
01/16/2020 -- ANNUAL REPORT	View image in PDF format
01/09/2019 -- ANNUAL REPORT	View image in PDF format
01/15/2018 -- ANNUAL REPORT	View image in PDF format
01/06/2017 -- ANNUAL REPORT	View image in PDF format
10/21/2016 -- Amendment	View image in PDF format
05/09/2016 -- Amendment	View image in PDF format
03/02/2016 -- ANNUAL REPORT	View image in PDF format
04/22/2015 -- ANNUAL REPORT	View image in PDF format
03/14/2014 -- ANNUAL REPORT	View image in PDF format
03/13/2014 -- Amendment and Name Change	View image in PDF format
04/29/2013 -- ANNUAL REPORT	View image in PDF format
04/30/2012 -- ANNUAL REPORT	View image in PDF format
04/20/2011 -- ANNUAL REPORT	View image in PDF format

04/26/2010 -- ANNUAL REPORT	View image in PDF format
06/23/2009 -- ANNUAL REPORT	View image in PDF format
05/05/2008 -- ANNUAL REPORT	View image in PDF format
04/30/2007 -- ANNUAL REPORT	View image in PDF format
03/17/2006 -- Domestic Profit	View image in PDF format

WILLTRU-01 SDAVIDSON

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 9/24/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Robert Brandeberry	
Williams-Hess Insurance 1617 East Gary Rd. Lakeland, FL 33801	PHONE (A/C, No, Ext): (863) 682-5195 107	FAX (A/C, No): (863) 686-3051
	E-MAIL ADDRESS: Bob@williamshessins.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
	INSURER A : Gotham Insurance	
INSURED Williams Trucking Company, Inc. Dwayne Williams PO Box 3778 Plant City, FL 33563	INSURER B : Clear Blue Ins Co	28860
	INSURER C : Landmark American Insurance Co	33138
	INSURER D : American Interstate Ins.	31895
	INSURER E : ACE American Ins Co	22667
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: POLICY X PRO-JECT LOC OTHER:			GL202500030471	3/12/2025	3/12/2026	EACH OCCURRENCE	$	1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	$	300,000
							MED EXP (Any one person)	$	5,000
							PERSONAL & ADV INJURY	$	1,000,000
							GENERAL AGGREGATE	$	2,000,000
							PRODUCTS - COMP/OP AGG	$	Included
								$	
B	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY			AQ1YFL000661-06	9/30/2024	9/30/2025	COMBINED SINGLE LIMIT (Ea accident)	$	1,000,000
							BODILY INJURY (Per person)	$	
							BODILY INJURY (Per accident)	$	
							PROPERTY DAMAGE (Per accident)	$	
							PIP 0ded	$	10,000
C	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED RETENTION $			LHA604042	12/14/2024	12/14/2025	EACH OCCURRENCE	$	2,000,000
							AGGREGATE	$	2,000,000
								$	
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A		AVWCFL3328002024	12/17/2024	12/17/2025	X PER STATUTE OTH-ER		
							E.L. EACH ACCIDENT	$	1,000,000
							E.L. DISEASE - EA EMPLOYEE	$	1,000,000
							E.L. DISEASE - POLICY LIMIT	$	1,000,000
E	Pollution Liability			G74312962001	10/16/2024	10/16/2025	PL for Storage Tank		1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Polk County Solid Waste Division
10 Environmental Loop S
Winter Haven, FL 33880

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Robert M. Brandeberry

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POLK COUNTY WASTE & RECYCLING

NON-EXCLUSIVE COMMERCIAL FRANCHISE ANNUAL VEHICLE LIST

FRANCHISEE Williams Trucking Company, Inc

FOR YEAR 2025

OFFICE USE ONLY

DATE RECEIVED _____

DATE TO AUDITING _____

ACCEPTED _____

VEHICLE MAKE	VEHICLE MODEL	YEAR	TYPE *(RO, REL, FEL, ASL, ETC.)*	CAPACITY *(CU YD)*	VEHICLE SIZE *(GVW)*	VEHICLE IDENTIFICATION NUMBER
Peterbilt	365	2013	RO		70000	W-31 – 1NPSXPEX6DD205025
Peterbilt	567	2018	RO		70000	W-32 – 1NPCLP0X3JD457642
Peterbilt	567	2018	RO		70000	W-33 – 1NPCLP0X1JD457638
Western Star	4900	2022	RO		70000	W-34 – 5KKMBWFMXNLNK1739
Kenworth	T880	2023	RO		70000	W-35 – 1NKZXPEX5PJ243114
Peterbilt	389	2023	RO		70000	W-36 – 1NPXLP0X6PD892259
Peterbilt	567	2024	RO		70000	W-37 – 1NPCXPEX4RD690096
Kenworth	T880	2025	RO		70000	W-38 – 1NKZXPEX25J158899
Kenworth	T880	2019	RO		70000	T1 - 1NKZLP0X99KJ252445
Freightliner	M2 106+	2025	RO		70000	T2 - 3ALHCYFE9TDWL1146

POLK COUNTY WASTE & RECYCLING

NON-EXCLUSIVE COMMERCIAL FRANCHISE ANNUAL CONTAINER LIST

FRANCHISEE Williams Trucking Company, Inc.

FOR YEAR October 2025 - October 2026

OFFICE USE ONLY

DATE RECEIVED _____

DATE TO AUDITING _____

ACCEPTED _____

CUSTOMER NAME	CONTAINER TYPE/SIZE				CAPACITY (CU YD)	COLLECTION FREQUENCY		CONTAINER IDENTIFICATION NUMBER
	DUMPSTER	COMPACTOR	ROLL OFF	OTHER		ON CALL	DAYS/WK	
Williams Trucking	201 -		✓		20 Yard	X		✓
Rental "	299		"		20 Yard			
"	2100 -		"		20 Yard			
"	2350		"		20 Yard			
"	337 -		"		20 Yard			
"	344		"		20 Yard			
"	301-		"		30 Yard			
"	336		"		30 Yard			
"	345 -		"		30 Yard			
"	360		"		30 Yard			
"	A017 -		"		30 Yard			
"	A035		"		30 Yard			
"	A106 -		"		30 Yard			
"	A110		"		30 Yard			
"	401-		"		40 Yard			
"	450		"		40 Yard			

1628

REVISED 08/2014

For Your Information: What You Need To Know About Tangible Personal Property

Every individual or firm doing business and located in Polk County is also subject to the tangible personal property requirement.

An initial tangible personal property tax return is required to be filed with the Polk County Property Appraiser`s Office by April 1st of the year after the business opens. The initial return is required if the business owns or leases any personal property, without regard to the value of that personal property. In subsequent years, however, no return is required unless the combined value of all business equipment is more than 25,000 dollars.

To file an initial tangible personal property tax return or for additional information, visit Polk County Property Appraiser`s Office website, polkpa.org.

POLK COUNTY LOCAL BUSINESS TAX RECEIPT

ACCOUNT NO. 264401 **CLASS: B** **EXPIRES: 09/30/2026**

OWNER NAME	**LOCATION**
DWAYNE E WILLIAMS	**POLK COUNTY**

BUSINESS NAME AND MAILING ADDRESS

WILLIAMS TRUCKING COMPANY INC
PO BOX 3778
PLANT CITY, FL 33563

CODE **ACTIVITY TYPE**
480010 **COMMERCIAL DRIVER**

PROFESSIONAL LICENSE (IF APPLICABLE)

OFFICE OF JOE G. TEDDER, CFC * TAX COLLECTOR

THIS POLK COUNTY LOCAL BUSINESS TAX RECEIPT MUST BE CONSPICUOUSLY DISPLAYED AT THE BUSINESS LOCATION

PAID - 3530880 09/19/2025 MSF **TAX 72.19** **WILLIAMS TRUCKING COMPANY INC**

AFFIDAVIT SUPPORTING RENEWAL OF NONEXCLUSIVE FRANCHISE TO COLLECT, REMOVE, AND TRANSPORT COMMERCIAL SOLID WASTE WITHIN POLK COUNTY

STATE OF FLORIDA
COUNTY OF Hillsborough

Before me, the undersigned notary public authorized to administer oaths, personally appeared Dwayne Williams who, first being duly sworn, on oath deposes and states, as follows:

1) He is Partner of Williams Trucking Company, a FL corporation.

2) He has personal knowledge of the facts stated in this Affidavit and that all such facts are true and correct.

3) There are no unsatisfied judgments entered against Williams Trucking Company Inc

4) There are no liens of record filed by the Internal Revenue Service against Williams Trucking Company Inc

5) There are no liens of record filed by the State of Florida, or any agency or subdivision thereof, against Williams Trucking Company Inc

6) Dwayne Williams acknowledges and consents that the County shall have the right to inspect All Willim Trucks vehicles, containers, compactors, and other equipment at any time.

7) During the time of the existing Commercial Franchise, Williams Trucking Company has complied with all of the requirements stated in the Polk County Ordinance 13-069 and with all other applicable laws, and if awarded a renewal term 1-Year will continue to comply with the same.

Further the affiant sayeth not.

Dated the 25 day of September, 2025

Dwayne Williams
Sworn Person Signature

Dwayne Williams, CEO
Printed Name and Title of Sworn Person

The foregoing instrument was sworn (or affirmed) and subscribed before me this 25 day of September, 2025, by Dwayne Williams, who is either ☑ personally known to me; or ☐ has produced _____ as identification.

Notary Public State of Florida
Savanna Hatfield
My Commission HH 607370
Expires 10/28/2028

Savanna Hatfield
Notary Public Signature

Savanna Hatfield
Printed Name of Notary Public

10/28/2028
Notary Commission Number/Expiration

(AFFIX NOTORIAL SEAL)

INDEMNITY

WHEREAS, THE UNDERSIGNED Dwayne Williams (the "Undersigned"), is the Partner of Williams Trucking Company Inc (the "Company"), a FL. Corporation,

WHEREAS, the _____, is herewith submitting an application to Polk County, a political subdivision of the State of Florida, (the "County") for the grant, renewal, or modification of a non-exclusive commercial franchise (a "Commercial Franchise") to collect, remove and transport commercial solid waste within the geographic areas of Polk County; and

WHEREAS, the Commercial Franchise application process is described in Polk County Ordinance 13-069 (the "Ordinance") and requires, among other matters, that an applicant indemnify the County from and against any loss which may result from the applicant, its employees, subcontractors, and agents, failure to perform in accordance with the terms of the awarded Commercial Franchise and the terms of the Ordinance; and

WHEREAS, the Undersigned is duly authorized to execute this instrument by and on behalf of the Williams Trucking Company Inc

NOW, THEREFORE, in consideration of the benefits accruing to the Williams Trucking Company and for other good and valuable consideration, the Undersigned, by and on behalf of the Williams Trucking Company Inc does hereby forever release, indemnify, keep, save, and hold harmless the County, its commissioners, officers, officials, and employees, from and against any and all damages, losses, penalties, liabilities, costs and expenses of any kind or nature whatsoever that is proximately caused by, incident to, resulting from, arising out of, or occurring in connection with, directly or indirectly, Williams Trucking Company Inc. _____, its employees, subcontractors, or agents, failure to perform in compliance with the terms of the Commercial Franchise or failure to perform in compliance with the terms of the Ordinance.

IN WITNESS WHEREOF, the Undersigned has executed this instrument by and on behalf of the _____ this 25 day of September, 2025.

ATTEST:

_____

a _____

By: _____

_____
[Printed Name, Title]

By: Dwayne Williams

Dwayne Williams CFO
[Printed Name, Title]

SEAL

Notary Public State of Florida
Savanna Hatfield
My Commission HH 607370
Expires 10/28/2028

DEPARTMENT OF Solid Waste, POLK COUNTY FLORIDA **No** 97820

RECEIVED FROM Williams Trucking Company, Inc Date 9/30 20 25

FUND	COST CENTER	ACCOUNT	PROJECT

FOR: New Franchise Application fee $ 750.00

$

$

$

CASH ☐

CHECK ☐ 43547

BY: Veronica Turpin-Grant

TOTAL $750.00

REVISED 05/12

DOCUMENT IS PRINTED ON CHEMICALLY REACTIVE PAPER - THE BACK OF THIS DOCUMENT INCLUDES A TAMPER EVIDENT CHEMICAL WASH WARNING BOX

43547

Williams Trucking Company, Inc.
P.O. Box 3778
Plant City, FL 33563
813-752-8210

THE BANK OF TAMPA
63-868/631

9/29/2025

PAY TO THE ORDER OF Polk County Solid Waste $ **750.00

Seven Hundred Fifty and 00/100********** DOLLARS

Polk County Solid Waste

MEMO

Dwayne Williams
AUTHORIZED SIGNATURE

⑈043547⑈ ⑆063108680⑆ 100944575⑈

Williams Trucking Company, Inc. 43547

Polk County Solid Waste 9/29/2025

Waste Hauler Application Fee 750.00

RECEIVED
2025 SEP 30 AM 8:47
POLK COUNTY
SOLID WASTE DIVISION

Bank of Tampa 750.00

Agenda Item R.31. 11/4/2025

SUBJECT

SET HEARING to consider the adoption of an Ordinance of the Polk County Board of County Commissioners establishing the "Mandatory Milestone Inspection Program." SUGGESTED HEARING DATE: November 18, 2025 at 9:00 a.m.

DESCRIPTION

In response to statewide concerns about the structural integrity of aging multi-story residential buildings, the Florida Legislature enacted Section 553.899, Florida Statutes.

The proposed ordinance establishes the framework for administering and enforcing the Mandatory Milestone Inspection Program within Polk County. The purpose is to ensure that applicable buildings are inspected for substantial structural deterioration at prescribed intervals and that any necessary repairs are completed in a timely manner to protect the health, safety, and welfare of the public.

RECOMMENDATION

SET HEARING to consider the adoption of an Ordinance of the Polk County Board of County Commissioners establishing the "Mandatory Milestone Inspection Program."

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Randall E. Vogel
Assistant County Attorney
863-534-6744

Agenda Item R.32. 11/4/2025

SUBJECT

Adopt Resolution approving issuance of Housing Finance Authority Multifamily Housing Revenue Bonds for Cypress Oaks Preservation, Ltd.in an aggregate face amount not to exceed $29,000,000.00. (No fiscal impact)

DESCRIPTION

Cypress Oaks Preservation, Ltd. (the "Borrower"), desires to finance a portion of costs of the rehabilitation of an approximately 140 unit multifamily rental housing facility for persons or families of low and moderate income, located at 336 Sandy Oaks Circle, Leesburg, Lake County, Florida (the "Development"), to be initially owned by the Borrower or an affiliate of the Borrower and has requested the Housing Finance Authority of Polk County, Florida (the "Authority") to issue its Multifamily Housing Revenue Bonds in one or more series (the "Bonds") to finance the rehabilitation of the Development by the Borrower. The Authority has been granted “area of operation” authority within Lake County, Florida with respect to financing the Development.

The Board previously approved the issuance of the Bonds pursuant to Resolution 2024-224; however, the Board’s current approval expires on December 3, 2025. In the event the Bonds are not issued by the Authority prior to the expiration of the current Board approval, the Authority desires that the Board of County Commissioners of Polk County, Florida (the "Board") approve the issuance by the Authority of the Bonds in one or more series, in an aggregate face amount of not to exceed $29,000,000.00 to finance a portion of the costs of the acquisition and rehabilitation of the Development for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code").

The Authority conducted a telephonic public hearing inviting comments and discussion concerning the issuance of the Bonds to finance the Development and the nature and location of the Development on October 17, 2025, notice of which hearing was published in The Ledger which is published in Polk County, Florida on October 9, 2025 (a copy of said notice and the Affidavit of Publication are attached hereto as Exhibit A and incorporated herein). No members of the public participated and requested to be heard at such public hearing. A copy of the minutes of the meeting are attached hereto as Exhibit B.

The Bonds shall not be deemed to constitute a debt, liability or obligation, or a pledge of the faith and credit or taxing power of the Authority, Polk County, Florida, Lake County, Florida or of the State of Florida or of any other political subdivision thereof, but shall be limited obligations of the Authority payable solely from the revenues and proceeds to be derived by the Authority under the financing agreements entered into in connection with the issuance of the Bonds and other security provided in connection therewith.

RECOMMENDATION

Adopt Resolution to approve the issuance of the Bonds by the Housing Finance Authority in an aggregate face amount of not exceeding $29,000,000.00 to finance the Development.

FISCAL IMPACT

No fiscal impact.

CONTACT INFORMATION

Randy Mink, County Attorney

863-534-7679

RESOLUTION NO. 2025-____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA APPROVING THE ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF POLK COUNTY, FLORIDA OF ITS MULTIFAMILY HOUSING REVENUE BONDS IN THE AGGREGATE FACE AMOUNT NOT TO EXCEED $29,000,000 TO PROVIDE FUNDS TO FINANCE A MULTIFAMILY RESIDENTIAL RENTAL HOUSING FACILITY FOR PERSONS OR FAMILIES OF LOW AND MODERATE INCOME TO BE OWNED BY CYPRESS OAKS PRESERVATION, LTD. OR AN AFFILIATE THEREOF, LOCATED IN LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Cypress Oaks Preservation, Ltd. (the "Borrower"), desires to finance a portion of costs of the rehabilitation of an approximately 140 unit multifamily rental housing facility for persons or families of low and moderate income, located at 336 Sandy Oaks Circle, Leesburg, Lake County, Florida (the "Development"), to be initially owned by the Borrower or an affiliate of the Borrower and has requested the Housing Finance Authority of Polk County, Florida (the "Authority") to issue its Multifamily Housing Revenue Bonds in one or more series (the "Bonds") to finance the rehabilitation of the Development by the Borrower; and

WHEREAS, the Authority has been granted "area of operation" authority within Lake County, Florida with respect to financing the Development; and

WHEREAS, the Board of County Commissioners of Polk County, Florida (the "Board") previously approved the issuance of the Bonds pursuant to Resolution 2024-224; and

WHEREAS, the current approval by the Board expires on December 3, 2025; and

WHEREAS, in the event that the Bonds are not issued by the Authority prior to the expiration of the current Board approval, the Authority desires that the Board approve the issuance by the Authority of the Bonds in one or more series, in an aggregate face amount of not to exceed $29,000,000, to finance a portion of the costs of the acquisition and rehabilitation of the Development for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, THAT:

SECTION 1. **AUTHORITY.** This Resolution is adopted pursuant to the laws of the State of Florida, including, in particular, Section 125.01 and Part IV of Chapter 159, Florida

Statutes, and other applicable provisions of law (the "Act").

SECTION 2. **FINDINGS.** The Board hereby finds, determines and declares as follows:

A. The Authority conducted a telephonic public hearing inviting comments and discussion concerning the issuance of the Bonds to finance the Development and the nature and location of the Development on October 17, 2025, notice of which hearing was published in The Ledger which is published in Polk County, Florida on October 9, 2025 (a copy of said notice and the Affidavit of Publication are attached hereto as **Exhibit A** and incorporated herein). No members of the public participated and requested to be heard at such public hearing. A copy of the minutes of the meeting are attached hereto as **Exhibit B**.

B. The Bonds shall not be deemed to constitute a debt, liability or obligation, or a pledge of the faith and credit or taxing power of the Authority, Polk County, Florida, Lake County, Florida or of the State of Florida or of any other political subdivision thereof, but shall be limited obligations of the Authority payable solely from the revenues and proceeds to be derived by the Authority under the financing agreements entered into in connection with the issuance of the Bonds and other security provided in connection therewith.

SECTION 3. **APPROVAL.** For purposes of Section 147(f) of the Code, the Board hereby approves the issuance of the Bonds by the Authority in an aggregate face amount of not exceeding $29,000,000 to finance the Development. Such approval by the Board does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Borrower or the Development.

The authorization provided herein and any approval by the Board of the issuance of the Bonds to finance the Development pursuant thereto shall be solely for purposes of complying with Section 147(f) of the Code and approval given herein shall not be construed as (i) an endorsement of the creditworthiness of the Borrower, or the financial viability of the Development, (ii) a recommendation to any prospective purchaser to purchase the Bonds, (iii) an evaluation of the likelihood of the repayment of the debt service on the Bonds, or (iv) approval of any necessary rezoning applications or approval or acquiescence to the alteration of existing zoning or land use nor approval for any other regulatory permits relating to the Development, and the Board shall not be construed by reason of its adoption of this Resolution or any approval by the Chairman of the Board pursuant hereto, to make any such endorsement, finding or recommendation or to have waived any right of the Board or estopping the Board from asserting any rights or responsibilities it may have in such regard. Further, the approval on behalf of the Board of the issuance of the Bonds by the Authority shall not be construed to obligate the County to incur any liability, pecuniary or otherwise, in connection with either the issuance of the Bonds, the acquisition and rehabilitation of the Development, and the Authority shall so provide in the financing documents setting forth the details of the Bonds.

SECTION 4. **REPEALING CLAUSE.** All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

[Remainder of page intentionally left blank]

SECTION 5. **EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage.

PASSED AND ADOPTED this [____] day of [_____], 2025.

BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA

(SEAL)

By: _____
Chairman

ATTEST:

STACY M. BUTTERFIELD, CLERK

By: _____
Deputy Clerk

EXHIBIT A

Notice of Public Hearing and Affidavit of Publication

LOCALiQ
The Gainesville Sun | The Ledger
Daily Commercial | Ocala StarBanner
News Chief | Herald-Tribune

PO Box 631244 Cincinnati, OH 45263-1244

AFFIDAVIT OF PUBLICATION

Rhonda Bond-Collins
Rhonda Bond-Collins
255 S. Orange Ave., Suite 1350
Orlando FL 32801

STATE OF WISCONSIN, COUNTY OF BROWN

Before the undersigned authority personally appeared, who on oath says that he or she is the Legal Coordinator of The Ledger-News Chief, published in Polk County, Florida; that the attached copy of advertisement, being a Public Notices, was published on the publicly accessible website of Polk County, Florida, or in a newspaper by print in the issues of, on:

LKL The Ledger - News Chief 10/09/2025
LKL theledger.com 10/09/2025

Affiant further says that the website or newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.
Subscribed and sworn to before me, by the legal clerk, who is personally known to me, on 10/09/2025

Legal Clerk

Notary, State of WI, County of Brown

3.7.27

My commission expires

Publication Cost:	$490.58
Tax Amount:	$0.00
Payment Cost:	$490.58
Order No:	11735866
Customer No:	536357
PO #:	

# of Copies: 1

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

KAITLYN FELTY
Notary Public
State of Wisconsin

NOTICE OF PUBLIC HEARING CONCERNING THE ISSUANCE BY THE HOUSING FINANCE AUTHORITY OF POLK COUNTY, FLORIDA MULTIFAMILY HOUSING REVENUE BONDS IN THE AGGREGATE AMOUNT NOT TO EXCEED $29,000,000

NOTICE IS HEREBY GIVEN, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, of a public hearing by the Housing Finance Authority of Polk County, Florida (the "Authority") to be held on October 17, at 10:00 a.m., or as soon thereafter as possible. The public hearing will be held via the following toll-free telephone conference line in lieu of physical presence at the public hearing.

TELEPHONE CONFERENCE INSTRUCTIONS:
DIAL IN NUMBER: (866) 707-6122
PARTICIPATION CODE: 6553927

The purpose of the public hearing is to receive comments and hear discussion concerning the proposed issuance by the Housing Finance Authority of Polk County, Florida of its Multifamily Housing Revenue Bonds, in one or more series, in the aggregate face amount of not to exceed $29,000,000 (the "Bonds"), the proceeds of the Bonds will be loaned to Cypress Oaks Preservation, Ltd., or its permitted successors and assigns, and used to finance the acquisition and rehabilitation of an approximately 140 unit multifamily rental housing facility to be occupied by persons of low and moderate income, known as Cypress Oaks Apartments and located at 336 Sandy Oaks Circle, Leesburg, Lake County, Florida (the "Development"). The Development will initially be owned and operated by Cypress Oaks Preservation, Ltd., a Florida limited partnership.

All interested persons are invited to attend said hearing and, either personally or through their representatives, present oral or written comments and discussion concerning the proposed issuance of the Bonds for the purposes described in the preceding paragraph and the nature and location of the Development. Written comments may be submitted to the Authority at the office of Peterson & Myers, P.A., East Polk County Office, P.O. Box 7600, Winter Haven, Florida 33883 Attention: David G. Fisher, Esq. Should any person decide to appeal any decision made by the Authority at this hearing, or by the Board of County Commissioners of Polk County, Florida ("Polk County") with respect to the approval of the issuance of the Bonds for the purposes described in the preceding paragraph, he or she will need a record of the proceedings, and he or she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Comments made at the hearing are for the consideration of the Authority or Polk County and will not bind the Authority or Polk County to any action it may take.

In accordance with the Americans with Disabilities Act of 1990, as amended, persons needing a special accommodation to participate in this proceeding should contact the Housing Finance Authority of Polk County, Florida at (863) 676-7611 at least 48 hours in advance of the public hearing excluding Saturday and Sunday.

All interested persons are invited to present their comments on the date and time set forth above.

HOUSING FINANCE AUTHORITY OF POLK COUNTY, FLORIDA
10/9/25 #11735866

EXHIBIT B

Meeting Minutes

MINUTES OF OCTOBER 17, 2025 PUBLIC HEARING OF THE HOUSING FINANCE AUTHORITY OF POLK COUNTY, FLORIDA

Pursuant to notice published in The Ledger and the Orlando Sentinel on October 9, 2025, a public hearing of the Housing Finance Authority of Polk County, Florida (the "Authority") was held on Friday, October 17, 2025, telephonically using the dial-in number of 1-866-707-6122 and a participation code of 6553927.

David Fisher presided over the hearing.

The hearing was attended by the following persons:

David Fisher and AnnMarie Tyler, attorneys with Peterson & Myers, P.A., Counsel for the Authority

Rhonda D. Bond-Collins and David M. Rothman, Bryant Miller Olive P.A. – Bond counsel

The telephone line was opened at 10:00 a.m. and the meeting was called to order at 10:02 a.m.

During the meeting, the following occurred:

1. Mr. Fisher opened the public hearing and conducted the TEFRA hearing.

2. Mr. Fisher solicited public comment. No members of the public attended the meeting other than the persons referred to above.

3. There being no public comment, Mr. Fisher closed the public hearing at 10:06 a.m.



David G. Fisher, Counsel for the Authority

Polk County

Board of County Commissioners

Agenda Item R.33. 11/4/2025

SUBJECT

Adopt Resolution Adopting Policy for Legal Representation for County Officials and Employees of Polk County.

DESCRIPTION

Florida law entitles public officials and employees to the defense of a legal matter, at the expense of the public, both civil and criminal, arising from the performance of the officer's official duties and while serving a public purpose. *See Lomelo v. City of Sunrise,* 423 So.2d 974 (Fla. 1982) & Section 111.07, Florida Statutes (2025). The proposed resolution authorizes the County Attorney to approve the legal representation or the reimbursement of attorneys' fees and costs of public officials and employees of the County and Constitutional Officers, other than the County Attorney, when a legal matter arises from the performance of their official duties and while serving a public purpose. The proposed resolution authorizes the County Manager to approve the representation or the reimbursement of attorneys' fees and costs of the County Attorney when a legal matter arises from the performance of his/her official duties and while serving a public purpose.

RECOMMENDATION

Adopt Resolution Adopting Policy for Legal Representation for County Officials and Employees of Polk County.

FISCAL IMPACT

No Fiscal Impact.

CONTACT INFORMATION

Randy Mink, County Attorney

863-534-7679

RESOLUTION NO. 25-_____

RESOLUTION ADOPTING POLICY FOR LEGAL REPRESENTATION FOR COUNTY OFFICIALS AND EMPLOYEES OF POLK COUNTY.

WHEREAS, Commissioners, County Employees, County Officials, County Agents, and Board Appointees are entitled to some assurance that in the performance of a public service they will not be encumbered by the expense of defending a civil, criminal, ethics, administrative, or professional licensing action predicated upon their official acts and reports and should not fear such expenses that may result from reprisals;

WHEREAS, Florida law entitles public officials and employees a defense of a legal matter, at the expense of the public, both civil and criminal, arising from the performance of the officer's official duties and while serving a public purpose. *See Lomelo v. City of Sunrise,* 423 So.2d 974 (Fla. 1982) & Section 111.07, Florida Statutes (2025);

WHEREAS, the Board of County Commissioners finds that it is necessary to encourage continued participation in County government by alleviating the potential liability of individuals having to expend their own funds for the payment of reasonable attorneys' fees and costs when such individuals are named in a criminal, civil, ethics, administrative, or professional licensing action; and

WHEREAS, in following this policy, the Board may only incur or reimburse reasonable attorneys' fees and costs as allowed by Florida law.

NOW, THEREFORE, BE RESOLVED, BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA:

1. **RECITALS:** The above recitals are true and correct and incorporated herein as if set forth in full herein.

2. **DEFINITIONS:** For the purpose of this Resolution, the definitions contained in this Section shall apply unless otherwise specifically stated. When not inconsistent with context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. Use of the masculine gender shall include the feminine gender and vice versa. The word "shall" is always mandatory and not merely discretionary.

    a. "Board" shall mean the Polk County Board of County Commissioners.
    b. "Board Appointee" shall mean an individual appointed by the Board to serve on a lay board, advisory board, committee, planning commission, or appointed as a special magistrate or hearing officer.
    c. "Clerk of Courts" shall mean the Clerk of the Circuit Court & Comptroller for Polk County.
    d. "Commissioner" shall mean a commissioner of the Board.

e. “Costs” shall mean actual and verifiable costs incurred in the provision of a defense for a County Official. Any travel expenses shall be as provided in section 112.061, Florida Statutes.
f. “County” shall mean Polk County, a political subdivision of the State of Florida, a body corporate and politic.
g. “County Agent” shall mean an individual who is considered agent pursuant to section 111.07, Florida Statutes. County Agent shall not include a consultant, contractor or an employee of a contractor or subcontractor of the County unless the individual is considered a county agent pursuant to section 111.07, Florida Statutes.
h. “County Employee” shall mean all individuals employed by the Polk County Sheriff, Clerk of Courts, Tax Collector, Property Appraiser, Supervisor of Elections, Board, County, County Manager, or County Attorney.
i. “County Official” shall mean the Sheriff, Clerk of Courts, Tax Collector, Property Appraiser, Supervisor of Elections, Commissioners, County Manager, County Attorney, Board Appointee, County Employees, or County Agent.
j. “Property Appraiser” shall mean the Polk County Property Appraiser.
k. “Reasonable attorneys’ fees” shall mean fees earned by an attorney and/or attorneys licensed to practice law in the State of Florida, based on the customary rate whether a flat fee or per hour, for similar work performed by attorneys within Florida.
l. “Sheriff” shall mean the Polk County Sheriff.
m. “Successfully defend” or “prevail” shall apply to individual counts, charges and/or allegations, and shall mean dismissal, a finding of not guilty or a verdict of no liability in favor of the person covered herein as set forth below. In a civil case, a judgment of nominal damages or a judgment of 25% or less than a proposal for settlement served by the County Official pursuant to Florida Statutes and the Florida Rules of Civil Procedure, which is entered against the County Official may be considered as a successful defense or as prevailing as circumstances warrant. A failure to successfully defend or prevail against one or more counts, charges, or allegations shall not necessarily affect the application of the policy to other counts, charges, and/or allegations which were successfully defended or against which the County Official prevailed.
n. “Supervisor of Elections” shall mean the Polk County Supervisor of Elections.
o. “Tax Collector” shall mean the Tax Collector for Polk County.

3. **POLICY:**

It is the Board’s policy for cases involving a current or former County Official personally named in any civil, criminal, ethics, administrative, professional licensing action, or other legal matter for any act within the scope of their duties and responsibilities that the County, subject to its right to reimbursement pursuant to Section 6, below, or by applicable law, will provide legal

representation or pay reasonable attorneys' fees and costs if the procedures in this policy are followed and if allowed by Florida Law. The failure to follow this policy shall not prevent the reimbursement of attorneys' fees and costs if required to be paid by Florida Law. Additionally, once a request is submitted and approved in accordance with this policy, attorneys' fees and costs incurred by the County Official shall be reimbursed and the County may prospectively provide legal representation in the matter. Florida law shall be followed with regards to any payment or reimbursement of legal fees or prospective retention of legal representation and shall be addressed on a case-by-case basis.

Any current or former County Official personally named in a civil, criminal, ethics, administrative, or professional licensing action and who desires the County pay for on an ongoing basis or reimburse legal fees shall follow the procedures set forth in this policy.

4. **Procedures:**

Except as provided herein, any County Official who believes that he or she is allowed or entitled to payment or reimbursement of reasonable attorneys' fees and costs or retention of legal representation should, as a condition precedent to such payment, retention or reimbursement, submit a request in writing to the County Attorney. The request should be on a form prepared by the County Attorney's Office and contain at a minimum:

a. The name and current address of the person making the request;
b. A description of the entity conducting the investigation or proceeding;
c. The case number or file number of the investigation or proceeding, if known;
d. A description of each count, charge and/or allegation made or being investigated;
e. The dates(s) that the alleged wrongful incidents are alleged to have occurred;
f. The person's office or position of employment with the County on the dates described in e. above;
g. The reasons why it is believed that the attorneys' fees and costs should be paid by the County;
h. The name(s), address, and telephone number of the attorney(s) representing such person against the counts, charges, and/or allegations described in d. above, if applicable;
i. A description of the fee arrangement or agreement between the person and his or her attorney(s); the amount of attorneys' fees and costs paid to the date of the written request for attorneys' fees and costs for defense against the counts, charges and/or allegations described in d. above; and the total balance due, if any, of all attorneys' fees and costs that have been incurred in defense against the counts, charges, and/or allegations described in d. above; and
j. Such other information as the Board of County Commissioners and/or the County Attorney's Office may reasonably require.

County Officials joined as parties to litigation or other legal matters in which the County, Board, Sheriff, Clerk of Courts, Tax Collector, Property Appraiser, Supervisor of Elections, Commissioners, County Manager or County Attorney is a party are not required to complete the form and representation of the County Official by in house or outside counsel may be approved by the County Attorney as part of defending the matter. In addition, a written request is not required for the County Attorney to approve the representation by in-house or outside counsel of the Sheriff, Clerk of Courts, Tax Collector, Property Appraiser, Supervisor of Elections, Commissioners, County Manager or County Attorney when such County Officials are parties to a matter in their official capacity.

5. **Approval:**

For a request not involving the County Attorney, the County Attorney shall review request provided pursuant to section 4 of this policy and within a reasonable time shall approve or deny the request. If a request is approved, the request shall be forwarded to Risk Management Division to process payments of attorneys' fees and costs. In any case where the County Attorney believes the matter can be ethically, legally and expeditiously handled in-house, the County Attorney's Office is authorized to handle the matter in-house. In all other instances, the County Attorney shall approve the request for retention of legal representation, payment or reimbursement of reasonable attorneys' fees and costs. If a request is denied, the County Attorney shall send a denial letter to the County Official stating the reason for the denial. The County Official, within 30 days of the date of the County Attorney's denial letter, may submit a written request to the County Attorney to reconsider the request with reasons for reconsideration. If upon reconsideration, the request is denied by the County Attorney, the County Official may within 30 days of the date of the County Attorney's denial letter, request the County Attorney to place the request on the Board's agenda for Board's consideration.

For requests involving the County Attorney, the County Manager shall review requests provided pursuant to section 4 of this policy and within a reasonable time shall approve or deny the request. If a request is approved, the request shall be forwarded to Risk Management Division to process payments of attorneys' fees and costs. If a request is denied, the County Manager shall send a denial letter to the County Attorney stating the reason for the denial. If the request is denied by the County Manager, within 30 days of the date of the County Manager's denial letter, the County Attorney may request the County Manager to place the request on the Board's agenda for Board's consideration. The County Manager is authorized, if necessary, to retain appropriate counsel to assist in determining whether to approve or deny the request from the County Attorney.

For a civil action, the recommendation shall support payment, reimbursement or

retention of legal counsel unless there has been a finding or it appears clear from the relevant materials that the person is personally liable, acted outside the scope of employment, or in bad faith, with malicious purpose or wanton disregard of human rights, safety, or property pursuant to section 111.07, Florida Statutes.

For other actions, the recommendation shall support payment, reimbursement or retention of legal counsel so long as it appears the alleged misconduct arose out of or in connection with the performance of their official duties and while serving a public purpose pursuant to Florida case law.

For a recommendation regarding a criminal charge for violation of Florida's Sunshine law, the approval shall reflect that Florida law specifically authorizes reimbursement of reasonable attorneys' fees and costs pursuant to section 286.011(7), Florida Statutes (2025).

6. Agreement.

In any event where the County has provided legal representation, has paid or is paying reasonable attorneys' fees and costs prior to disposition of an action or claim, the County Attorney may require the individual to execute an agreement with the County which requires reimbursement to the County in the following circumstances:

a. In a civil action where the individual did not prevail and was found personally liable, to have acted outside the scope of employment, or in bad faith, with malicious purpose or wanton disregard of human rights, safety, or property; or
b. In any other action, where upon disposition of the case the Board of County Commissioners determined the alleged misconduct did not arise out of or in connection with the individual's official duties or the individual was not serving a public purpose; or
c. In any case where prevailing Florida law would not allow the County to cover the expenses of the legal representation.

Regardless of whether an agreement is entered or not, the Board may authorize legal action to recoup expenses in cases where reimbursement is due to the County based on application of either this policy or Florida law.

7. **Grand Jury and Witness Subpoenas:**

a. Investigation or grand jury investigation: Florida law may not allow payment or reimbursement of reasonable attorneys' fees and costs or retention of outside counsel in cases solely involving an investigation or a grand jury investigation. If a person subject to this policy believes they are entitled to relief, he or she may submit a request to the County Attorney, as set forth in this policy, and the County Attorney shall act upon the request in accordance with this Resolution.

b. Witness Subpoena: County Officials subject to a Witness Subpoena are not entitled to attorneys' fees or costs under this Resolution.

8. **EFFECTIVE DATE**. This Resolution shall be effective upon adoption.

ADOPTED IN REGULAR SESSION DULY ASSEMBLED THIS 4th DAY OF November 2025.

ATTEST: **STACY M. BUTTERFIELD, CLERK**	**BOARD OF COUNTY COMMISSIONERS** **POLK COUNTY, FLORIDA**
By: _____ Deputy Clerk	By: _____