

APPENDIX E

Section E101 Purpose and Intent

A Parcel Specific Future Land Use with conditions (PSLUC) may be established as the result of a comprehensive plan amendment, which has been reviewed and adopted by the Board of County Commissioners. These parcels will be identified on the Future Land Use Map Series (FLUMS) and the Land Development Code Sub-District Map (LDCSDM). Development regulations for a PSLUC are to be applied in conjunction with the requirements of the Polk County Comprehensive Plan and the development regulations contained herein and elsewhere in this Code. The regulations contained in this Code apply unless otherwise provided for in this Appendix. Where conflict occurs between the regulations within this Appendix and other regulations of this Code, the PSLUC regulations shall guide and regulate development.

Section E102 Applicability

A Parcel Specific Future Land Use with conditions (PSLUC) established is based upon policies and provisions in the Comprehensive Plan. Each PSLUC specifies the Future Land Use Districts permitted within its boundaries, and are reflected in the Future Land Use Map Series (FLUMS). The suffix “PC” for Parcel Conditions, in the land use district abbreviation indicates that the standard district has been modified for the particular property. Permitted or conditional uses within the district are shown on the Use Tables for each individual PSLUC. The district description and intent is the same as those for the Standard Land Use districts in Section 203 and 204, of the Land Development Code, except as modified by the Comprehensive Plan and Appendix E. In addition, conditional uses are listed in Section 303.

Section E103 Development in Established Parcel Specific Future Land Use with conditions (PSLUC)

Development in all PSLUC shall comply with the land use tables and requirements of this Appendix in addition to all other development standards of this Code. When a Planned Development or Conditional Use is requested, it shall be reviewed and processed in accordance with Chapters 3 and 9 of this LDC. PSLUC shall be consistent with existing Planned Developments and Conditional Uses or applications submitted prior to the adoption of a Neighborhood Plan if they are to remain in effect.

Section E104 More Restrictive Provisions of LDC to Apply

All other provisions of the Land Development Code not expressly modified by this Appendix shall remain in full force and effect to the extent they are not in conflict with any provisions contained herein. To the extent there is a conflict between these regulations and regulations found elsewhere in the Land Development Code, the more stringent of regulation shall apply.

Section E105

Parcel Specific Comprehensive Plan Amendments (CPA) with Conditions (Revised: LDC 16T-02 – Ord. 16-038; LDC 15T-08 – Ord. No. 15-052 – 8/19/15; Ord. No. 14-040 – 07/22/14)

Table E1 Parcel Specific Comprehensive Plan Amendments (CPA) with Conditions

Subsection	CPA Case Number	CPA Approval Date	Parcel Number(s)
A.	CPA 12S-04	August 7, 2012	232820-000000-021010
B.	CPA 14S-07	July 22, 2014	242917-285000-006301 242917-285000-006302
C.	CPA 15B-02	August 18, 2015	283201-000000-011130 283201-000000-011150
D.	CPA 16C-03	July 5, 2016	232815-000000-013030 232815-000000-013040 232815-000000-013230

A. CPA 12S-04 – Parcel ID #: 232820-000000-021010

1. Applicability

The provisions and requirements of this Section apply to the subject site (see Attachment “A”), the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing **Range 23, Township 28, Section 20**. The site is legally described as:

The East 1/2 of the Northeast 1/4 of the Southeast 1/4 of Section 20, Township 28 South, Range 23 East, Polk County, Florida, lying east of Browning Road, Less begin at the intersection of railroad and east line of section, run south 273.50 feet, run west 660 feet, north to railroad, run northeast to beginning, and Less that part lying north of railroad and Less the east 25 feet lying north of Old Tampa Highway, Less railroad right of way, and Less right of way for Old Tampa Highway. Containing 8.97 acres, more or less.

2. Allowable Uses and Intensity of Development

- a. For development permitted on the subject site, Table 2.1. of this Land Development Code is modified to address levels of review for those uses as cited herein. All other uses will be allowed as listed in Table 2.1.
- b. All allowable uses shall comply with the following additional site development standards prior to site alteration or development:

- i. all proposed development or redevelopment of the subject site shall be conditioned upon a 20-foot wide Type “C” Landscape Buffer in accordance with Section 720 of this code as long as there exists a residential use or residential future land use designation on the adjacent properties to the east and/or north of the subject site.
- ii. Residential development is prohibited with exception of a residence for security purposes.
- iii. All loading and unloading areas shall be at least fifty (50) feet from all property lines abutting residential uses.
- iv. All principal structures and those accessory structures related to truck parking or loading and unloading activities shall be at least fifty (50) feet from all side and rear property lines.
- v. Accessory structures, not related to truck parking or loading and unloading activities shall be at least twenty (20) feet from all side and rear property lines.
- vi. The maximum height of any on-site light sources shall be 40 feet, if placed at least thirty (30) feet from the property line and twenty four (24) feet if less. Illumination shall be directional and any spill onto adjacent properties shall not exceed 0.5 foot candles.
- vii. The minimum setback of the light source from the residential property line shall be a horizontal distance of 20 feet, except when the light source is adjoining a right-of-way. If the on-site light source adjoins a right-of-way, the lighting can be placed within the landscape buffer ten feet in width.
- viii. When adjacent to a residential Future Land Use or residential dwellings, all sides of the building(s) shall be designed to achieve an office front appearance or otherwise include design components to break the wall plane (change in plane or height, change in texture or patterns, include doors, windows or articulated base, etc.); this provision shall not apply when over at least 50% of that building plane contains overhead doors or loading docks/ bays for trucks.
- ix. For structures exceeding fifty (50) feet in height, setbacks from parcels designated or developed as residential shall be increased by one-half of one foot for each one foot of height over (fifty) 50 feet.

- x. If any of the adjacent parcels are developed residentially then external operations such as receiving deliveries, docking, loading or unloading of trucks, shall be limited to the hours between 6 a.m. and 8 p.m.
- xi. Retail – In addition to the standards listed in this Section and Chapter 3, retail uses shall not exceed 15% of the contiguous BPC district.
- xii. Wholesale, enclosed – In addition to the standards listed in this Chapter, the conditions for light manufacturing listed in Chapter 3 shall apply.
- xiii. Offices and Office Parks – The following standards shall apply:
 - 1. Offices shall not exceed 15 percent of the total developable areas of the subject BPC district. The total developed areas shall be calculated based on the inclusion of all existing uses in the subject land use district and those with approved and valid site plans, construction plans and plats. The applicant must demonstrate that the development does not exceed this 15 percent maximum;
 - 2. At a minimum, a Type “A” buffer shall be required along the entire perimeter of the office park.

3. Revised Use Table

The following Use Table (Table E2) specifies the level of approval for those uses within the BPC-1-PC District modified by this amendment. Additionally, the conditions as outlined in Section 303 of this Code shall apply to each use listed below. All other uses will be permitted as per Table 2.1 of this LDC:

TABLE E2 - BPC-1 ALLOWABLE LAND USES FOR CPA 12S-04

LEVEL 2	LEVEL 3	LEVEL 4
Office Office Park Restaurant; Sit-Down or Take out Retail up to 34.9K Warehousing, up to 50,000 s.f. Wholesale, enclosed, up to 50,000 s.f.	Alcohol Package Sales Bars, Lounges & Taverns Commercial vehicle parking Communication tower, monopole Convenience Store, isolated Convenience Store Gas Station Manufacturing, Light Restaurant; Drive Thru/ Drive-in School, University/ College Retail 35K-64K Self-Storage Facility Transit, Facility Warehousing, over 50,000 s.f. Wholesale, enclosed, over 50,000 s.f. and up to 100,000 s.f.	Heliports Helistops Retail, +65K Wholesale, enclosed, over 100,000 s.f.

B. CPA 14S-07 – Parcel ID #: 242917-285000-006301 & 242917-285000-006302 (Added Ord. No. 14-040 – 07/22/14)

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing **Range 24, Township 29, Section 17**. The site is legally described as:

Lot 63, W.F. Hallam & Company’s Club Colony Tract, in Section 17, Township 29 South, Range 24 East, Polk County, Florida, as recorded in Plat Book 1, Page 102A, public records of Polk County, Florida; LESS AND EXCEPT road rights of way for County Road 540A & High Glen Drive

2. Allowable Uses and Intensity of Development

All allowable uses shall comply with the following additional site development standards prior to site alteration or development:

- a. Any development or redevelopment of the subject site shall be conditioned upon a 10 foot wide Type “B” Landscape Buffer, in accordance with Section 720 of this code shall be required, adjacent to the High Glen & Groveglen South subdivisions to the north and east of the boundaries of the Activity Center Plan.

- b. Any development or redevelopment of the subject site shall be conditioned upon a 5 foot wide Type “B” Landscape Buffer, including a minimum six feet high block or masonry wall shall be required, in accordance with Section 720 of this code, along the entire North boundary of the NAC land use.
- c. The maximum height of any on-site light source shall be 24 feet. Illumination shall be directional and any spill onto adjacent properties shall not exceed 0.5 foot candles.
- d. The minimum setback of the light source from any residential property line shall be a horizontal distance of 20 feet, except when the light source is adjoining a right-of-way. If the on-site light source adjoins a right-of-way, the lighting can be placed within the landscape buffer ten feet in width.
- e. Any building(s) within 200 feet of the centerline of High Glen Drive shall be designed to achieve a residential appearance or otherwise include design components to break the wall plane (change in plane or height, change in texture or patterns, include doors, windows or articulated base, etc.). No buildings within the 200 feet of the centerline of High Glen Drive shall have a main entrance on the western wall facing High Glen Drive. Corner entries shall be allowed.
- f. External operations such as receiving deliveries, docking, loading or unloading of trucks, shall be limited to the hours between 6 a.m. and 8 p.m. on any loading area less than 200 feet east of High Glen Drive as measured from the centerline of roadway.
- g. Sidewalks shall be constructed, 5 feet wide along both sides of High Glen Drive adjacent to the subject site, as development occurs; sidewalk design and construction on the West side of High Glen Drive shall be subject to right of way availability.
- h. The master stormwater detention pond shall be designed to accommodate the 100-yr/24-hr storm event for the entire Activity Plan property. The edge of the retention pond shall be landscaped with similar planting materials of a Type A Buffer along any side not adjacent to another buffer.
- i. All signs shall be monument signs and shall not exceed eight feet in height.
- j. No Drive-Thru/Drive-In Restaurants or Transit Facilities shall be allowed within 200 feet of the intersection of High Glen Drive, as measured from the centerline of roadway.

- k. Retail uses shall not exceed 10,000 square feet per building.
- l. Prior to Level 2 Approval for any structure or use on the property, the applicant shall demonstrate negotiations with the McDonald's for cross access.

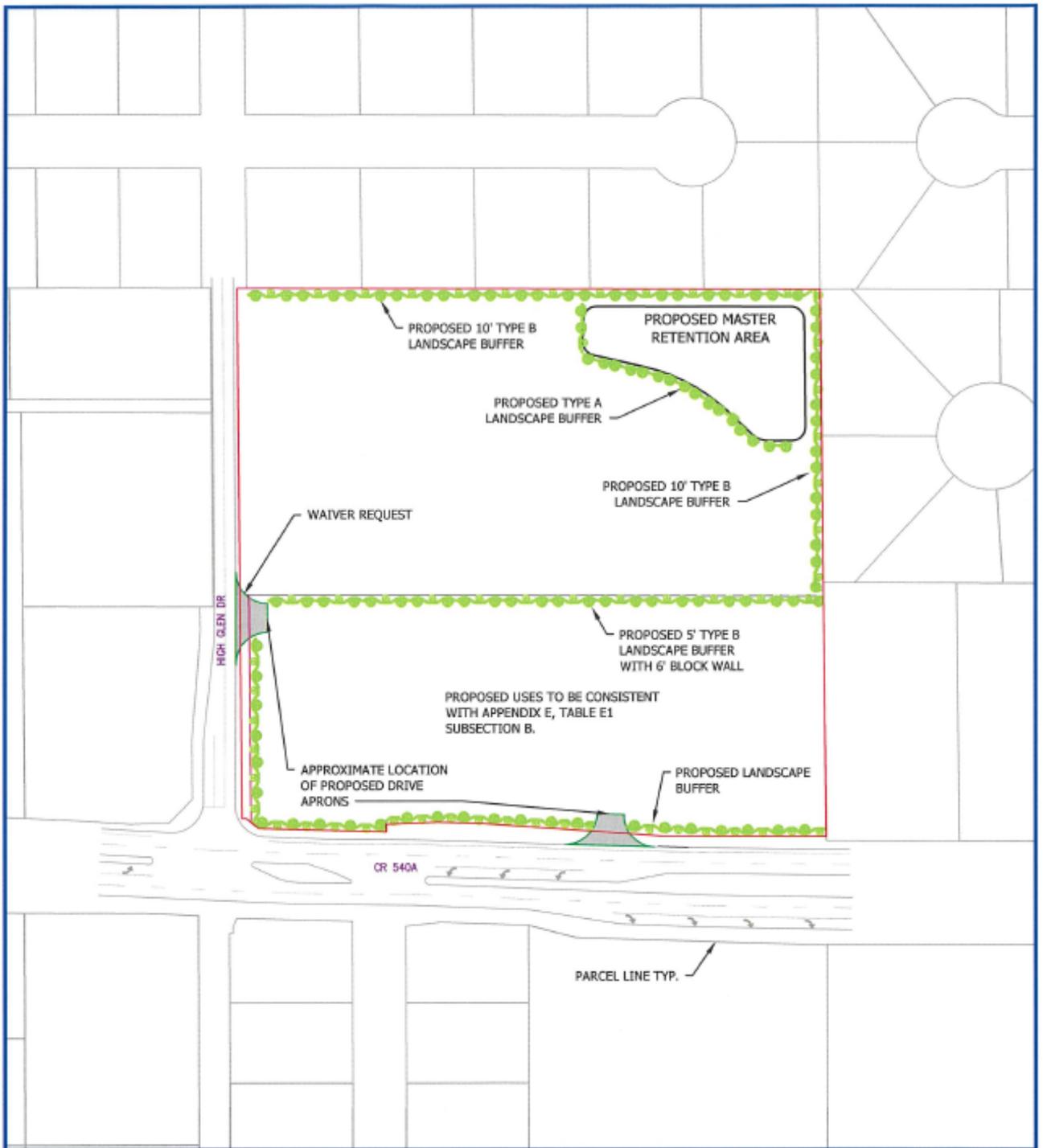
3. Revised Use Table

The following Use Table (Table E3) specifies the level of approval for those uses within the NAC District modified by this amendment. Additionally, the conditions as outlined in Section 303 of this Code shall apply to each use listed below. All other uses will be permitted as per Table 2.1 of this LDC:

TABLE E3 - NAC ALLOWABLE LAND USES FOR CPA 14S-07 and LDC 14T-03

LEVEL 2	LEVEL 3	LEVEL 4
Childcare Center Convenience Stores Cultural Facility Financial Institution Gas Station, Government Facility Retail Nurseries Nurseries and Greenhouses Recreation Passive Restaurant Sit-Down/Take-Out Retail up to 5,000 square feet Retail 5,000 square feet to 34,999sf Utilities Class I Utilities Class II	Alcohol Package Sales School, Leisure/Special Interest Self-storage Facility Transit, Facility Vehicle Service Mechanical	Retail, 35,000 - 64,999 sq. ft Retail, More than 65,000 sq. ft

- 4. The Activity Center Plan (ACP), as required per Policy 2.110-J1, g, is reflected below and the final ACP shall meet the conditions of approval in sections 1 through 3 above and the relevant sections of the Land Development Code.



C. CPA 15B-02 - Parcel IDs #: 283201-000000-011130 and 283201-000000-011150

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 28 EAST, Township 32, Section 1. The site is legally described as:

The South 650 feet of that part of U.S. Government Lot 1, lying east of Lake Reedy Boulevard, less and except a strip of land 200 feet wide, east to west lying east of and adjacent to Lake Reedy Boulevard, in Section 1, Township 32 South, Range 28 East, Polk County, Florida.

And the South 50 feet of that part of the U.S. Government Lot 1, lying between Lake Reedy Boulevard and the waters of Lake Reedy, in Section 1, Township 32 South, Range 28 East, Polk County, Florida.

And Begin at the intersection of the south line of U.S. Government Lot 1 in Section 1, Township 32 South, Range 23 East, Polk County, Florida, and the easterly right-of-way line of Lake Reedy Boulevard, and run East 200 feet, thence northerly parallel to said easterly right-of-way line to a point 50 feet north of said south line of said U.S. Government Lot 1, thence west 200 feet to said right-of-way line, thence southerly along said right-of-way line to the point of beginning.

2. The following uses are prohibited:

- a. High Intensity Recreation
- b. Vehicle Oriented Recreation
- c. Hotels and Motels

D. CPA 16C-03 – Parcel IDs#: 232815-000000-013030, 232815-000000-013040, 232815-000000-013230. (Added 08/02/16 – Ord. 16-038)

1. Applicability

The provisions and requirements of this Subsection apply to the subject site, the boundaries of which are shown on the Future Land Use Map Series and Land Use District maps, more particularly those depicted in the panel showing Range 23, Township 28, Section 15. The site is legally described as:

A parcel of land being a portion of the Northwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Northwest 1/4 of Section 15, Township 28 South, Range 23 East, Polk County, Florida, being recorded in Official Records Book 9487, Page 1959, Public Records of Polk County, Florida, described as follows;

Commence at the southwest corner of said Northwest 1/4 of the Northeast 1/4 of Section 15 for the point of Beginning; thence along the boundary lines of said parcel recorded in Official Records Book 9487, Page 1959 for the following three (3) courses; (1) South 89°16'43" West, 329.46 feet; (2) thence North 00°40'02" West, 823.65 feet to a point on a non-tangent curve the right having a radius of 3520.54 feet, a central angle of 08°07'38", a chord bearing of North 82°51'33" East, and a chord distance of 498.96 feet; (3) thence Northeasterly along the arc of said curve, 499.38 feet; thence South 00°19'06" East, leaving said boundary lines, 85.92 feet to a point on a non-tangent curve the right having a radius of 3434.72 feet, a central angle of 03°09'37", a chord bearing of North 88°26'02" East, and a chord distance of 189.42 feet; thence Northeasterly along the arc of said curve, 189.45 feet to the point of tangency; thence South 89°59'10" East, 937.01 feet to the boundary line of aforesaid parcel recorded in Official Records Book 9487, Page 1959; thence along the boundary lines of said parcel for the following seventeen (17) courses; (1) South 00°54'07" East, 90.35 feet; (2) thence South 00°54'07" East, 100.00 feet; (3) thence South 00°19'44" East, 100.00 feet; (4) thence South 00°14'38" West, 100.02 feet; (5) thence South 00°54'07" East, 100.00 feet; (6) thence South 01°28'29" East, 14.72 feet; (7) thence South 89°47'34" West, 96.08 feet; (8) thence South 88°59'06" West, 100.00 feet; (9) thence South 89°26'36" West, 100.00 feet; (10) South 00°33'24" East, 12.70 feet; (11) thence South 89°26'36" West, 100.00 feet; (12) thence South 00°54'07" East, 145.00 feet; (13) thence South 89°26'36" West, 705.01 feet; (14) thence South 00°54'07" East, 100.00 feet; (15) thence North 89°26'36" East, 80.00 feet; (16) thence South 00°54'07" East, 25.00 feet; thence South 89°26'36" West, 271.34 feet to the Point of Beginning.

2. The following uses are prohibited:

- a. Airports
- b. Bars, Lounges, and Taverns
- c. Communication Towers, Guyed, Lattice, or monopole
- d. Gas Stations
- e. Heliports and helistops
- f. Lime Stabilization Facility
- g. Power Plants
- h. Retail
- i. Transit Facility
- j. Utilities
- k. Commercial Vehicle Parking

3. Intensity of Development

All allowable uses shall comply with the following additional site development standards and display on all Level 2, 3 or 4 Reviews:

- a. Lighting shall be consistent with Dark Skies best practices as listed in Section 642 of the Land Development Code;

- b. As part of the required reconstruction of Chestnut Road, the applicant shall construct certain improvements between Memorial Boulevard and the southern boundary of the Subject Property as follows:
 - i. On the west side of Chestnut Road along the length of the Subject Property, dedicate sufficient right of way to provide forty (40') feet from centerline of Chestnut Road;
 - ii. Chestnut Road shall be improved to a collector road standards with a total of two (2) twelve (12') foot travel lanes
 - iii. On the west side of Chestnut Road, construct a six (6') foot sidewalk and a six (6') foot paved shoulder;
 - iv. On the east side of Chestnut Road, construct a sidewalk meeting Polk County Land Development Code requirements, within the existing available right of way; and
 - v. The final engineered design of the new cross-section of N. Chestnut Road shall be submitted with the plans for the first building constructed on the subject property and shall be completed prior to the issuance of the certificate of occupancy for same.
 - vi. The applicant shall coordinate with Roads and Drainage to install Pedestrian warning signs between Memorial Boulevard and the southern end of the site.
- c. Any access from Memorial and any access from Chestnut Road shall require cross access to the OC and the CC land uses;
- d. Truck traffic exiting the site from the southernmost driveway shall not be permitted to turn south on Chestnut Road and the southernmost driveway shall be constructed consistent with standards in the LDC and designed to prevent truck traffic from traveling south on Chestnut Road;
- e. All buildings shall have an office front appearance, generally consistent with the architectural design demonstrated in the figure below, while allowing for appropriate loading and unloading facilities:

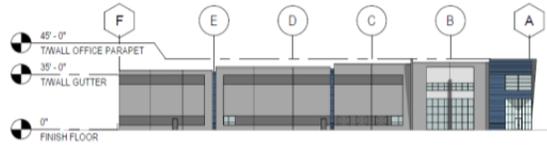


1 NORTH ELEVATION
SK_04 1" = 50'-0"

Figure Demonstrating possible design as stated in Condition D., 3., e



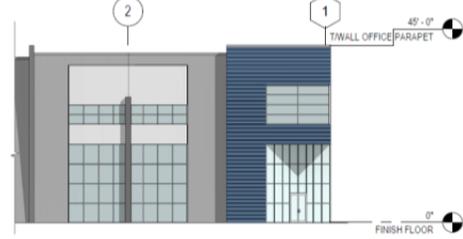
2 WEST ELEVATION
SK_04 1" = 50'-0"



3 EAST ELEVATION
SK_04 1" = 50'-0"



4 ENLARGED CENTER ENTRY
SK_04 1" = 20'-0"



5 ENLARGED CORNER ENTRY
SK_04 1" = 20'-0"

These drawings are for demonstrative purposes only. The actual design will be a rear load facility with office front appearance, generally consistent with the architectural design demonstrated herein.

ELEVATIONS

- f. All retention ponds shall be designed to resemble natural features this can include any combination of pond shape or the use of planting materials;
- g. There shall be no cold storage within 750 feet of the western right of way line of Chestnut Road;
- h. There shall be no overnight idling of trucks unless connected to an electric power source;
- i. For structures exceeding fifty (50) feet in height, setbacks from parcels designated or developed as residential shall be increased by one-half of one foot for each one foot of height over (fifty) 50 feet
- j. The landscaping along the property lines shall be as follows and consistent with the figure below:
 - i. the landscaping on the eastern boundary, except for driveway cuts, shall be consistent with a Type “C” Buffer as indicated in Section 720 of the LDC; and
 - ii. Landscaping along the southern and western property boundaries shall include a combination of enhanced landscape standards, 5 foot tall berm and fencing consistent with the specifications as stated in the following figure:

