

**Section 401.05 State Road 559 Selected Area Plan**

**A. Purpose and Intent**

The State Road 559 (SR 559) plan district implements the SR 559 Selected Area Plan (SAP) portion of the Polk County Comprehensive Plan. Development within the SR 559 Plan District shall comply with all land use requirements and development standards contained in the SR 559 Selected Area Plan in Section 2.131-P of the Polk County Comprehensive Plan.

**B. Applicability**

This Section applies to development within the SR 559 Plan District, the boundaries of which are shown on the FLUMS.

**C. Use Table**

The land use categories and uses allowable in this district are shown in Table 4.14. Land use categories and uses not shown are prohibited. Land uses shown with a C1, C2, C3 or C4, shall comply with applicable Criteria for Conditional Uses in Chapter 3.

**D. Density and Dimensional Regulations**

The density and dimensional regulations for these SAP districts are outlined in Table 4.15, Density limits for the SR 559 SAP.

**E. State Road 559 SAP Performance Standards (Revised 09/19/17 – Ord. 17-041 - LDC 17T-05 – Item 12)**

The performance standards outlined below shall apply to development in any district of the State Road 559 SAP.

1. 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:
  - a. 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.
  - b. 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:

- i New development shall not be allowed to use septic tanks for disposal of wastewater.
  - ii Development shall 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.
  - iii 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 setback 50 feet in width or passive use will be subject to the approval of Polk County and the appropriate regulatory agency at the time of development approval.
  - iv 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.
  - v All development shall comply with the requirements and standards of Section 2.132E “Critical Area Resource Management Plan.”
2. All buffering and landscaping of the areas adjoining other properties shall meet the standards set forth in the Polk County Comprehensive Plan and other County land development regulations. On all parcels within the SR 559 SAP that either abut SR 559 or abut CR 557A, landscaping shall be provided between the off-street parking areas and rights-of-way in accordance with the following:
- a. A landscaped strip of land, a minimum of 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 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.
  - b. 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 percent coverage within two 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 to maintain approved landscaping and provide replacement for dead plant material.

- c. 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 shall be submitted with the landscape plan.
- 3. In order to provide closer monitoring of this project by Polk County, the Regional Planning Council, and the Department of Community Affairs, this Selected Area Plan shall be submitted for impact review when the development meets the current criteria and thresholds of Chapter 380 of the Florida Statutes and Rule 28-24 or its replacement.
- 4. Future development shall be consistent with the following guidelines for public water connection:
  - a. Connection to public water facilities shall be required. All developments shall use water conservation equipment in accordance with the "Water Conservation Act" of 1983 (Chapter. 553.14(1) and (2), F.S.).
  - b. Water main over sizing shall be provided consistent with the public provider's overall plans for the area.
  - c. 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.
  - d. 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.
- 5. Future development shall be consistent with the following guidelines for public sewer connection:
  - a. Connection to public sewer facility shall be required.
  - b. Sewer main over sizing shall be provided consistent with the City of Auburndale's overall plans for the area.
  - c. 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.
  - d. 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.
- 6. The development within the SAP shall comply with Section 3.103 Solid Waste of

the County=s Infrastructure Element.

**Table 4.14 Use Table for State Road 559 Selected Area Plan Land Use District (For revision history, see last row of table)**

All Land Use Districts in the SR 559 SAP are in the Green Swamp ACSC	BPCX-1	BPCX-2	RL-1X	RL-2X	RL-3X	RL-4X	NACX	LRX	TCCX	PRESVX	INSTX
<b>RESIDENTIAL USES</b>											
Duplex, Two-Family Attached					C3	P					
Group Home, Small (6 or less residents)			C1	C1	C1	C1					
Group Home, Large (7-14 residents)											C1
Group Living Facility (15 or more residents)			C3	C3	C3	C3					C2
Mobile Home Park & Subdivision			C4	C4	C4	C3					
Mobile Homes, Individual			C1	C1	C1	C1					
Multi-Family	C3				C3	C2		C2	C2		
Residential Infill Development			C2	C2	C2	C2					
Short, Term Rental Unit			C3	C3	C3	C3		P			
Single-Family Detached Home & Subdivision			P	P	P	P					
<b>MIXED USES</b>											
Planned Development (PD)	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3
<b>ALL OTHER USES</b>											
Adult Day Care Center			C3	C3	C3	C3					C2
Agricultural Support, On-Site	P	P	P	P	P	P	P	P	P		P
Alcohol Package Sales	C1	C1					C1	C1	C1		
Bars, Lounges, and Taverns	C1	C1					C3	C1	C1		
Bed and Breakfast				C3	C3	C3		C3	C3		
Cemeteries											P
Childcare Center			C3	C3	C3	C3	P	C2	P		P

<b>All Land Use Districts in the SR 559 SAP are in the Green Swamp ACSC</b>	<b>BPCX-1</b>	<b>BPCX-2</b>	<b>RL-1X</b>	<b>RL-2X</b>	<b>RL-3X</b>	<b>RL-4X</b>	<b>NACX</b>	<b>LRX</b>	<b>TCCX</b>	<b>PRESVX</b>	<b>INSTX</b>
Clinics and Medical Offices	P						P	C3	P		C2
Communication Towers, Monopole	C2	C2						C3	C2		C2
Community Center			C2	C2	C2	C2	P	P	P		C2
Cultural Facilities			C3	C3	C3	C3	P	P	P		P
Emergency Shelter, Small (6 or less residents)			C1	C1	C1	C1					
Emergency Shelter, Medium (7-14 residents)											C1
Emergency Shelter, Large (15 or more residents)			C3	C3	C3	C3					C2
Family Daycare			P	P	P	P					
Financial Institution	C2	C2					P	C2	P		
Financial Institution, Drive-thru	C2	C2					P		P		
Funeral Home and Related							P				
Gas Station	C2	C2					P	C2	P		
Golf Course	C1	C1	C1	C1	C1	C1		C1	C1	C1	
Heavy Machinery Equipment Sales and Services		C2									
Heliports	C3	C3					C3		C3		C3
Helistops	C2	C2	C3	C3	C3	C3	C2	C2	C2		C2
Hospitals							C3				P
Hotels and Motels	C2	C2					P	C2	P		
Kennels		C2					C2		C2		
Lime Stabilization Facility	C3	C3									C3
Lodges and Retreats, Private								P			P
Manufacturing, Light	C3	C3									

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Marina							C1	C1	C1		
Medical Marijuana Dispensaries	C2	C2					C2	C2	C2		
Mining, Non-phosphate	C3	C3	C3	C3	C3	C3	C3	C3	C3		C3
Motor Freight Terminal		C3									
Nightclub and Dance Halls								C3	C1		
Nursery, Retail							P				
Nursing Home											C2
Offices	P	P					P	P	P		C2
Outdoor Concert Venue									C3		
Personal Services	P	P					P	C2	P		
Recreation, High Intensity			C3	C3	C3	C3		C1	C1		C1
Recreation, Low Intensity	P	P	P	P	P	P	P	P	P	C2	P
Recreation, Passive	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
Recreation and Amusement, Intensive								C3	C2		C3
Recreation and Amusement, General							C2	C1	C1		C3
Recreation, Vehicle Oriented			C3	C3	C3	C3		C1	C1		
Recreational Vehicle Park								C2	C3		
Religious, Institutional Campgrounds								P		C3	P
Research and Development	P	P					P				P
Residential Treatment Facility			C4		C4				C4		
Restaurant, Drive-thru/Drive-in	C2	C2					C2		C2		
Restaurant, Sit-down/Take-out	C2	C2					C2	C2	C2		C1
Retail, Less than 5,000 square feet							P	C2	C2		C1
Retail, 5,000 - 64,999 square feet	C2	C2					P	C3	C2		

<b>All Land Use Districts in the SR 559 SAP are in the Green Swamp ACSC</b>	<b>BPCX-1</b>	<b>BPCX-2</b>	<b>RL-1X</b>	<b>RL-2X</b>	<b>RL-3X</b>	<b>RL-4X</b>	<b>NACX</b>	<b>LRX</b>	<b>TCCX</b>	<b>PRESVX</b>	<b>INSTX</b>
Retail, More than 65,000 square feet	C3	C3					C3		C2		
Retail, Outdoor Sales/Display								C3	C3		
School, Elementary			C2	C2	C2	C2					C2
School, Leisure/Special Interest	C2	C2	C3	C3	C3	C3	C2	P	P		P
School, Technical/Vocational/Trade & Training	C2	C2					C3		C2		P
Schools, University/College	C2	C2				C3	C3		C2		P
Self Storage Facilities	C2	C2					C2				
Solar Electric-Power Generation Facility	C2	C2									C2
Stables, Riding Academies								P			
Studio, Production	P	P									P
Transit Facilities	C3	C3									P
Utilities, Class I	P	P	P	P	P	P	P	P	P	P	P
Utilities, Class II	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
Utilities, Class III	C3	C3	C3	C3	C3	C3	C3	C3	C3		C3
Vehicle Repair, Auto Body		P									
Vehicle Sales and leasing, Boats Only									C2		
Vehicle Service, Mechanical		P					P				
Veterinary Services	C2	C2					P				
Warehousing/Distribution	P	P									
Water Ski Schools	C3	C3					C3	C3	C3		C3

**Revised 11/21/17 – Ord. 17-066; 9/19/17 – Ord. 17-041; 7/11/17 – Ord. 17-036; 4/19/16 – Ord. 16-022; 8/7/14 – Ord. 14-045; 12/6/11 – Ord. 11-033; 12/06/11 – Ord. 11-032; 6/28/11 – Ord. 11-008; 2/3/10 – Ord. 10-007; 12/01/09 Ord. 09-073; 09/02/09 – Ord. 09-055; 03/25/03 - Ord. 03-23; 11/27/02 - Ord. 84; 10/23/02 - Ord. 02-68; 7/29/02 - Ord. 02-52; 4/23/02 - Ord. 02-20; 7/25/01 - Ord. 01-57**



**Table 4.15 SR 559 Density Limits**

<b>Land Use</b>	<b>Density du/ac</b>	<b>Open Space Set-aside</b>	<b>FAR <sup>1</sup></b>	<b>ISR <sup>2</sup></b>
RL-1X, RL-2X, RL-3X, RL-4X	0-4	0.3	0.25	0.5
BPC - 1X, BPC - 2X <sup>3,4</sup>	15	N/A	0.75	0.6
PRESVX	0	N/A	N/A	N/A
TCCX	0	N/A	0.25	0.6 <sup>5</sup>
L/RX <sup>6</sup>	N/A	N/A	N/A	N/A
NACX <sup>7,8,9</sup>	10	N/A	0.25	0.6
INSTX	0	N/A	0.25	0.6

7. The following curb cut and joint access criteria shall be approved by the County Engineer and implemented on the following roadway types:
  - a. Unified Access and Joint Use Driveways:
    - i All development shall be designed to incorporate unified access and circulation in accordance with the requirements described below.
    - ii 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.
  - b. 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.
  - c. 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 shall be designed to include the following elements:
    - i 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.

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<sup>1</sup> FAR = Floor Area Ratio

<sup>2</sup> ISR = Impervious Surface Area Density is based on acres above the 100 year floodplain.

<sup>3</sup> Commercial activities within the BPCX shall not exceed 15 percent of the total area of the BPX.

<sup>4</sup> The maximum floor area ratio for commercial activities shall not exceed 0.25.

<sup>5</sup> All development shall be limited to a maximum of 40 percent lot/parcel coverage with all buildings.

<sup>6</sup> No more than 7 percent of the net usable land within a specific L/RX area shall be used for commercial uses.

<sup>7</sup> New Residential uses shall not exceed 20 percent of the total area of the NACX.

<sup>8</sup> Office uses shall not exceed 40 percent of the total area of the NACX.

<sup>9</sup> Commercial uses may constitute 100 percent of the NACX.

- ii Sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles.
    - iii 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.
    - iv Linkage to other cross-access corridors in the area.
  - d. 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.
  - e. 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.
  - f. 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.
  - g. 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.
8. Land alteration activity which destroys, reduces, or impairs 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.
9. 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.
- a. Removal of native 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.
  - b. 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.

10. No underground petroleum storage tanks shall be allowed within the SR559 SAP, unless the tanks are double walled and provide for monitoring of the interstitial space between the two tanks.
11. All applications for development shall comply with Section 507.D, E & G.
12. The following standards shall apply for all development in the TCCX along Holy Cow Road: *(Added 09/19/17 – Ord. 17-041 (LDC 17T-05)*
  - a. The 50 foot required setback from all wetlands shall be identified on a Level 2 Review and a barrier marked on the property to prevent any encroachment into this area for any reason. This Level 2 Review shall be submitted and the setback marked prior to any use of property in the TCCX north of Holy Cow Road;
  - b. Temporary storage uses on the north side of Holy Cow Road shall only be permitted on pervious areas that do not require any storm water permitting; and
  - c. Any increase in impervious surface or parking spaces shall only be permitted if the existing stormwater management system does not need to be altered to accept the additional runoff from this increase.

#### **F. *Stormwater Management***

In addition to the requirements of Section 703.H, the following shall be minimum design criteria for stormwater management systems for the Level-of-Service (LOS) standards:

1. All new development within the SAP area shall be constructed at the applicable LOS. All drainage requirements and improvements shall be accomplished by private development with development funds. No capital outlay for drainage improvements will be required by Polk County.
2. 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.
3. The developers of the SR 559 SAP will be responsible for the following needed roadway improvements:
  - a. Internal roadways to the project will be funded by the developer.
  - b. A traffic signal at the intersection of CR 557A and SR 559 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.

- c. The provisions of four travel lanes on SR 559 from the northern terminus of the planned FDOT project on SR 559 (approximately 1/10 mile) to the intersection of CR 557A and SR 559. This improvement will be funded through voluntary impact fees or a special assessment to be exacted by the developer.
- d. Right-of-way required for the four laning of SR 559 from the Interstate 4 interchange north will be dedicated by the developer along the eastern edge of SR 559. This right-of-way dedication shall not include land required for deceleration and acceleration lanes on the north side of Interstate 4 and SR 559 related to interchange improvements.

**G. *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
    - i Cut-off/non-glare fixtures are required.
    - ii The maximum height of the light sources shall be 40 feet.
    - iii Illumination onto adjacent properties shall not exceed 0.5 foot candles.
    - iv The minimum setback of the light source from the property line shall be a horizontal distance of 20 feet, except when adjoining a right-of-way. If the property adjoins a right-of-way, the lighting can be placed within the landscape buffer ten feet in width.
  - b. Signs shall comply with the following:
    - i Two freestanding identification signs are allowed per site. This limitation does not apply to directional, regulatory or temporary signs.
    - ii Parcels located further than 3 mile from an exit ramp of the Interstate shall utilize ground mounted signs with a maximum square foot area of 50 feet per sign face. Maximum height of ground signage shall be no more than 16 feet from grade.
    - iii 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.

- iv Temporary signs, which show property for sale or lease, shall be allowed.
  - c. c. Landscape shall comply with the following:
    - i Shade trees ten feet in height shall be planted 50 feet on center along all public right of way frontages. 50 percent of required shade trees shall be Live Oaks (*Quercus Virginiana*).
    - ii All vehicular use areas fronting on public right-of-way will be screened by a shrub mass. Shrubs are to attain a height of three feet within one year of planting and have 80 percent opacity at time of planting.
    - iii A landscape buffer ten feet in width 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 ten feet in height and two under story trees six feet in height per 100 lineal feet. 50 percent of required shade trees shall be live oaks (*Quercus Virginiana*). Buffers are not required around wetlands.
    - iv 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 shall meet all FDOT standards.
    - v A minimum of one shade tree ten feet in height is required for each 3 acre or fraction thereof of gross site area. Existing trees may be counted towards this total.
  - d. d. Pedestrian Access shall comply with the following:
    - i A sidewalk five feet in width shall be provided along public right-of-way by the developer of each site, if not already in place.
    - ii Connectivity of sidewalks from each site shall be provided to enhance pedestrian accessibility.
    - iii A pedestrian connection shall be provided between the sidewalk and the entrance to the building.
2. For the all parcels within the SR 559 SAP located on the southeast corner of Interstate 4 and SR 559, the following standards will apply:
- a. Lighting shall comply with the following:

- i Cut-off/non-glare fixtures are required.
  - ii The maximum height of the light sources shall be 40 feet.
  - iii Illumination onto adjacent properties shall not exceed 0.5 foot candles.
  - iv The minimum setback of the light source from the property line shall be a horizontal distance of 20 feet, except when adjoining a right-of-way. If the property adjoins a right-of-way, the lighting can be placed within the landscape buffer ten feet in width.
- b. Signs shall comply with the following:
- i Two freestanding identification signs are allowed per site. This limitation does not apply to directional, regulatory or temporary signs.
  - ii 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.
  - iii Temporary signs, which show property for sale or lease, shall be allowed.
- c. Landscape shall comply with the following:
- i Shade trees ten feet in height 50 feet on center shall be planted along all public right of way frontages. 50 percent of required shade trees shall be live oaks (*Quercus Virginiana*).
  - ii All vehicular use areas fronting on public right-of-way will be screened by a shrub mass. Shrubs are to attain a height of three feet within one year of planting and have 80 percent opacity at time of planting.
  - iii A landscape buffer ten feet in width 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 ten feet in height and two under story trees six feet in height per 100 lineal feet. 50 percent of required shade trees shall be live oaks (*Quercus Virginiana*). Buffers are not required around wetlands.
  - iv 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 shall meet all FDOT standards.

- v A minimum of one shade tree ten feet in height is required for each 3 acre or fraction thereof of gross site area. Existing trees may be counted towards this total.
3. When the BPCX parcels located north of CR 557A and east of SR 559 are developed, a building setback of 50 feet will apply along the northern property boundary and a barrier wall six feet in height will be constructed running east and west along the northern property line.

#### **H. *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, all state guidelines shall be followed.