

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE POLK COUNTY BOARD OF COUNTY COMMISSIONERS REGARDING LAND DEVELOPMENT CODE AMENDMENT LDCT-2025-25, AMENDING ORDINANCE NO. 00-09, AS AMENDED, THE POLK COUNTY LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 205, USE TABLE FOR STANDARD LAND USE DISTRICTS, TO LOWER THE LEVEL OF REVIEW FOR COMMUNICATION TOWERS IN NON-RESIDENTIAL DISTRICTS; CHAPTER 3, SECTION 303, CRITERIA FOR CONDITIONAL USES, TO MODIFY COMMUNICATION TOWER CONDITIONAL USE STANDARDS; CHAPTER 4, SPECIAL DISTRICTS, TO LOWER THE LEVEL OF REVIEW FOR COMMUNICATION TOWERS IN NON-RESIDENTIAL DISTRICTS; CHAPTER 5, GREEN SWAMP AREA OF CRITICAL STATE CONCERN, TO LOWER THE LEVEL OF REVIEW FOR COMMUNICATION TOWERS IN NON-RESIDENTIAL DISTRICTS; CHAPTER 10, DEFINITIONS, TO PROVIDE GLOSSARY UPDATES; 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 February 4, 2026; and

WHEREAS, the proposed text amendment to the Polk County Land Development Code shall modify conditional use standards and levels of review for Communication Towers; and

WHEREAS, the Board of County Commissioners held two public hearings on March 3, 2026, and March 17, 2026 wherein the Board reviewed and considered the Planning Commission's recommendation, the staff report, and all comments received during said public

hearings, and provided for necessary revisions; and

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

NOTE: The underlined text indicates proposed additions to the current language. The ~~strikeout~~ indicates text to be removed from the current ordinance.

SECTION 1: FINDINGS The Board hereby finds and determines that:

- a) The findings set forth in the recitals to this Ordinance are true and correct and hereby adopted.
- b) The Planning Commission, acting in its capacity as the Local Planning Agency for the County, held a public hearing on February 4, 2026, to consider the LDC text amendments contained within Application LDCT-2025-25 and found them to be consistent with the Comprehensive Plan and recommended that the Board adopt the LDC Text Amendment contained within Application LDCT-2025-25.
- c) The adoption of LDCT-2025-25 is consistent with the Comprehensive Plan and LDC.

SECTION 2: Chapter 2, Section 205, Use Tables for Standard Land Use Districts, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 205 Use Tables for Standard Land Use Districts (Revised 5/1/18 - Ord. 18-025)

The permitted and conditional uses for the standard land use districts are prescribed in Table 2.1. Additional review levels may be required as specified in Section 903.

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	CE	LCC	NAC	CAC	RAC	TCC	HIC	BPC-1	BPC-2	IND	PM	L/R
Communication Towers, Guyed and Lattice				C3	C3		C3	C3	C2	C2	C2	
Communication Tower, Monopole	<u>C2</u>	C3 <u>C2</u>	<u>C2</u>	C2	C2	C2	C2	C2	C2	C2	C2	C3 <u>C2</u>

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SECTION 3: Chapter 3, Section 303, Criteria for Conditional Uses, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 303 - Criteria for Conditional Uses

The following land uses are conditional uses and are arranged in alphabetical order for presentation purposes.

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Communication Towers (Revised 2/5/19 – Ord. 19-008; 5/20/09 – Ord. 09-023; 1/30/03 Ord. 03-12; 7/29/02 - Ord. 02-52, Rev. 08/18/12 – Ord. 12-028) (7-6-2021-ORD 21-038)

~~Except as specifically provided in this Section, these provisions shall apply throughout the unincorporated limits of Polk County and no communication tower or antenna shall be permitted except in compliance with these provisions.~~

~~1. This Section shall not apply to the following:~~

~~a. Communication towers that are constructed and antennas that are installed at a height below the height limitations specified in Table 2.2 for the land use designation in which the communication tower or antenna is located;~~

~~b. Any communication tower or antenna that is placed in response to an emergency as declared by Polk County, the State of Florida or any other agency with the authority to declare an emergency (this exemption shall apply only for the duration of the emergency and for such period of time following the emergency as is reasonably necessary to remove the tower or antenna);~~

~~c. Any communication tower or antenna that is operated solely by an amateur radio operator licensed by the FCC;~~

~~d. Communication towers not exceeding 130 feet in height and located on a specific site for no more than 30 days in any 365-day period; and,~~

~~e. Antennas placed on alternative support structures and antennas placed on communication towers which do not add to the height of the communication tower.~~

~~f. Communication towers not greater than 30 feet above the district height and on utility tracts. Setback requirements shall apply as identified in 7a. of Communication Towers.~~

~~2. Communication towers may not be located within one mile of any active private or public airstrip unless a variance pursuant to Section 930 has been granted by the Land Use Hearing Officer. Additionally, communication towers over 50 feet in height may not be located within the Military Compatibility Zone except in compliance with Section 642 of this LDC.~~

~~3. General guidelines and requirements shall include the following:~~

~~a. Communication towers and antennas, including their equipment buildings and other supporting equipment, may be considered both principal uses and accessory uses such that, notwithstanding the provisions of this Section, the existence or non-existence of a principal use~~

~~or structure on a lot or parcel shall not preclude the installation of an antenna or communication tower. For the purposes of applying set back, lot coverage, buffering and other applicable development regulations, the entire lot or parcel on which a communication tower or antenna is located shall be treated as the lot, even if the communication tower or antenna is located on a leased parcel within such lot or parcel. Communication towers and their antenna, with the exception of their equipment buildings and other accessory structures, are exempt from the height regulations required by their land use district.~~

~~b. Aesthetics and lighting shall conform to the following:~~

~~i. With the exception of concrete communication towers, all communication towers shall have either a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.~~

~~ii. To the extent possible, communication towers and their support facilities shall be designed with materials, colors, textures, screening, and landscaping that will blend the communication tower with its surrounding environment.~~

~~iii. Communication towers shall not be artificially lighted unless required by the FAA or any other authority with jurisdiction. If lighting is required, strobe lighting shall be utilized during daylight hours only and red lighting shall be utilized at night unless another form of lighting is required by the FAA or any other authority with jurisdiction.~~

~~c. Notwithstanding anything herein to the contrary, all communication towers shall meet all applicable requirements of the FAA, the FCC, and any other agency of the federal government with the authority to regulate telecommunication facilities.~~

~~d. New communication towers and antennas, as well as modifications to existing towers, including height additions and additions of antennas, shall be designed in accordance with the Standard Building Code and all other applicable state and local construction Codes. Construction plans shall be signed and sealed by an engineer licensed to practice in the State of Florida.~~

~~e. Each application for the construction of a new communication tower shall include the tower manufacturer's product specifications indicating that the tower will satisfy all standards imposed by the American National Standards Institute (ANSI). Applications for modifications to existing communication towers shall include a certification as to the structural integrity of the structure, including the structure's foundation, prepared by an engineer licensed to practice in the State of Florida. Upon completion of a communication tower or a modification to an existing tower, a signed and sealed statement by an engineer licensed to practice in the State of Florida certifying that the structure has been constructed in accordance with the engineered design and all applicable state and local construction Codes shall be submitted as a condition of final approval or issuance of Certificate of Occupancy.~~

~~f. No communication tower shall be approved unless the application for the structure includes a certification that no antennas to be placed on the structure will cause significant interference~~

~~with a public safety system or with the usual and customary transmission or reception of radio, television and other customary services enjoyed by adjacent residential and non-residential properties.~~

~~g. No commercial signage or advertising shall be placed on communication towers. However, signs pertaining to trespassing may be posted on communication towers and emergency phone numbers shall be posted in a conspicuous location on the security fencing required.~~

~~h. Communication towers shall be enclosed by security fencing not less than six feet in height. Access to communication towers shall be through a lockable gate.~~

~~i. Subject to Section 120 of this Code, all communication towers legally existing on the effective date of this Code may continue in use regardless of whether or not such structures would be authorized under the provisions of this Section. Notwithstanding Section 120, antennas may be co-located on non-conforming communication towers and non-conforming communication towers which have been damaged or destroyed beyond 50 percent may be repaired or replaced.~~

~~j. Abandoned communication towers shall be removed within 30 days of abandonment. The owner of an abandoned tower, as well as the owner of the real property upon which the tower is situated, shall be jointly and severally responsible for its removal. A communication tower shall be considered abandoned if no licensed operator has had an antenna in use on the structure for a period of 365 consecutive days.~~

~~k. No communication tower shall be approved unless a lease or other contract exists between the tower applicant and a telecommunication service provider for placement of an antenna on the tower upon approval and construction of the tower. An affidavit that a lease or contract exists may be either submitted in lieu of either lease or contract.~~

~~l. All communication towers erected as of the effective date of this Code shall provide for co-location in conformance with this Section. No new communication tower shall be approved unless the applicant demonstrates that no existing structure is available or sufficient to accommodate the applicant's proposed antenna. Evidence of any of the following shall be sufficient to demonstrate that no existing structure is available or sufficient to accommodate the applicant's proposed antenna:~~

~~i. No existing structures are located within the applicant's search ring.~~

~~ii. Existing structures are of insufficient height to meet the applicant's engineering requirements.~~

~~iii. Existing structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment.~~

~~iv. The applicant's proposed antenna would cause electromagnetic interference with antennas on existing structures, or antennas on existing structures would cause interference with the applicant's proposed antenna.~~

- ~~v. The fees, costs or other contractual provisions required by the owner of an existing structure for co-location or the engineering costs to adapt an existing structure for co-location are unreasonable. Fees and costs which exceed the costs to design and construct a new communication tower shall be presumed to be unreasonable.~~
- ~~vi. Other factors exist that render existing structures unsuitable.~~
- ~~m. The visual impacts of communication towers on nearby viewers shall be mitigated to the extent reasonably possible. At a minimum, a row of trees at least six feet tall at planting shall be planted around the perimeter of the fence to the property and a continuous hedge at least 30 inches high at planting and capable of growing to at least 36 inches in height within 18 months shall be planted in front of the tree line referenced, together providing for an opacity at planting of 60 percent and achieving 100 percent opacity within two years of planting. The required opacity shall be achieved to a height of six feet. All landscaping shall be of an evergreen variety (non-deciduous), except that existing native vegetation shall be preserved if sufficient to meet opacity requirements. The required landscaping shall be located on the outside of the fence to the property. Landscaping requirements may be waived for those sides of a communication tower that are adjacent to undevelopable property or that are not otherwise visible from off site.~~
- ~~n. An Impact Assessment Statement, as required Section 910 of this Code, shall not be required of communication towers conforming to the requirements of this Section.~~
- ~~o. All applications for communication towers to be located in the Green Swamp Area of Critical State Concern shall be accompanied by a Green Swamp Impact Assessment Statement, pursuant to Section 503.~~
- ~~p. Each owner or operator of a communication tower located in unincorporated Polk County shall submit an annual report to the Land Development Division on forms to be provided by the Land Development Division or other form containing the same information that may be required by any other regulatory agency no later than January 31 of each year. The annual report shall contain the following information:~~
 - ~~i. The name of the owner and operator of the communication tower;~~
 - ~~ii. The name of the owner of the site upon which the communication tower is located;~~
 - ~~iii. The names of all service providers with antennas on the communication tower;~~
 - ~~iv. The current height of the communication tower;~~
 - ~~v. An affidavit indicating non-abandonment of the communication tower; and,~~
 - ~~vi. Such other information as indicated on the form provided by the Land Development Division.~~

4. In addition to those towers indicated in the Use Tables [tables 2.1, 4.1, 4.3, 4.8, 4.11, 4.14, 4.15, 5. 2] as requiring a Level 2 Review, the following also shall be approved through a Level 2 Review:

a. ~~Communication towers which exceed district height limitations but do not exceed 65 feet in height. Those located in the Military Compatibility Zone exceeding 50 feet in height may be permitted with a Level 2 Review if granted a variance by the Land Use Hearing Officer per Section 930 and 931 of this Code;~~

b. ~~Camouflaged structures;~~

e. ~~Communication towers being modified or rebuilt to accommodate the co-location of additional antennas shall be reviewed as a Level 2 Review provided that:~~

i. ~~The modified or rebuilt tower, including the added antenna, is no more than 20 feet taller than the original tower;~~

ii. ~~The modified or rebuilt tower is relocated to a location no more than 50 feet from the original tower and no closer to any off-site residential structure or residential Future Land Use Map designation than the original tower;~~

iii. ~~Any prior Conditional Use Permit or Planned Unit Development approval, if any, for the original tower does not contain a condition prohibiting relocation of or addition to the structure; and,~~

iv. ~~The original tower is removed from the site upon completion of the replacement tower in those cases where the original tower is being rebuilt rather than modified.~~

5. ~~Communication towers proposed in Planned Development's shall require a Level 3 Review through the Planned Development approval process prior to construction of the tower.~~

6. ~~Any new tower proposed within the setbacks required by this Section shall be treated as a Level 3 Review prior to construction.~~

7. ~~The following setback requirements shall apply to all communication towers constructed subsequent to the effective date of this Code:~~

a. ~~Communication towers shall be set back a distance equal to one times (1x) the height of the communication tower from any off-site residential Future Land Use designation or the property line of any off-site residential structure. Setbacks shall be measured from the base of the communication tower. For the purposes of this provision, the Land Use designation of Agriculture/Residential Rural (A/RR) shall not be considered a residential Future Land Use designation. The setback may be reduced by 50 percent if the off-site residential structure is non-conforming with the Land Use Designation or if there is an intervening conforming structure of a non-residential nature.~~

b. ~~Setbacks from off-site non-residential structures and off-site non-residential Land Use~~

~~designations shall be governed by minimum district setback requirements.~~

~~e. Setbacks for communication towers located in Planned Developments shall be established during the Planned Development review and approval process. For communication towers proposed in existing Planned Developments, a Major Modification shall be required to determine placement and setbacks.~~

~~d. Setbacks for guy wires, equipment buildings and other facilities supporting communication towers shall satisfy minimum district setback requirements rather than the setback requirements for communication towers.~~

~~8. Applicants for Level 2 and Level 3 Reviews shall apply to the Land Development Division and shall provide the information set forth in this Section. Applicants for Level 2 Review shall submit 12 sets and Level 3 Review shall submit 17 sets of the following:~~

~~a. A 24" X 36" and 8.5" X 11" scaled site plan, including two elevations. The site plan shall be signed and sealed by an appropriate licensed professional and shall meet the following specifications:~~

~~i. Each page shall be numbered.~~

~~ii. Lettering shall be a minimum 3/32" in height.~~

~~iii. A north arrow and legend shall be included on each sheet of the site plan.~~

~~iv. The scale shall be 1"= 60' or larger.~~

~~v. Topographic contours shall be shown at one foot intervals based on Mean Sea Level datum.~~

~~vi. The location and dimensions of all existing and proposed structures and uses on the site, including driveways, fences and parking areas, shall be indicated, as well as the setbacks of existing and proposed structures from adjacent properties and road rights-of-way. Setbacks from road rights-of-way shall be measured from right-of-way centerlines.~~

~~vii. The geodetic coordinates of the proposed communication tower shall be indicated.~~

~~viii. The name, location, and width of all roads adjacent to or on the site, whether existing or platted, shall be indicated. The location and width of all easements adjacent to or on the site shall also be indicated.~~

~~ix. Wetlands and water bodies located within a distance from the proposed communication tower equal to two times the height of the proposed tower shall be indicated. All communication towers and supporting facilities shall be located at minimum of 50 feet from any wetlands identified. If any wetlands are located within this distance and on the site, a wetlands survey signed and sealed by a registered Professional Surveyor and Mapper shall~~

~~be included.~~

~~x. Floodplain management information and flood zones shall be delineated if the site is located within a flood plain.~~

~~xi. The date of preparation of the site plan, as well as any revisions, and the name of the person who prepared the plan shall be indicated.~~

~~b. A landscape plan reflecting proposed buffering meeting the requirements of this Section or Section 720, whichever is greater.~~

~~e. A certified property boundary survey.~~

~~d. A map indicating the Future Land Use designations, as well as actual uses, of property within a distance from the proposed communication tower equal to the height of the proposed tower.~~

~~e. A map depicting all structures within the applicant's search ring equal to or greater than 75 percent of the height represented by the applicant as being required for its proposed tower, along with an affidavit indicating whether or not such structures are available or sufficient to accommodate the applicant's proposed antenna.~~

~~f. An affidavit certifying that all requirements of the Joint Airport Zoning Board have been satisfied and indicating the status of any FAA applications for the proposed tower.~~

~~g. Such other information as the Land Development Division reasonably deems necessary to adequately review the application.~~

~~h. The Planning Commission may consider the following items for granting the C3 approval:~~

~~i. The standards in Section 910A.1-4, the compatibility standards for the Impact Assessment Statement;~~

~~ii. Setbacks to residential uses;~~

~~iii. Alternative land use districts available for the tower in the search ring;~~

~~iv. Site issues, including parcel size, location on the parcel, natural buffers and access; and~~

~~v. Evidence such as photo simulation or other visual analysis that the proposed site is sited and designed to minimize any negative visual impacts on adjacent properties.~~

Except as specifically provided in this Section, these provisions shall apply, and no communication tower or antenna shall be permitted except in compliance with these provisions.

1. This Section shall not apply to the following:

a. Communication towers that are constructed and antennas that are installed at a height below the height limitations specified in Table 2.2 for the land use designation in which the communication tower or antenna is located;

b. Any communication tower or antenna that is placed in response to an emergency as declared by Polk County, the State of Florida or any other agency with the authority to declare an emergency (this exemption shall apply only for the duration of the emergency and for such period of time following the emergency as is reasonably necessary to remove the tower or antenna);

c. Any communication tower or antenna that is operated solely by an amateur radio operator licensed by the FCC;

d. Communication towers not exceeding 130 feet in height and located on a specific site for no more than 30 days in any 365-day period; and,

e. Antennas placed on alternative support structures and antennas placed on communication towers which do not add to the height of the communication tower.

f. Communication towers not greater than 30 feet above the district height and on utility tracts. Setback requirements shall apply as identified in 7a. of Communication Towers.

2. Communication towers may not be located within one mile of any active private or public airstrip unless a variance pursuant to Section 930 has been granted by the Land Use Hearing Officer. Additionally, communication towers over 50 feet in height may not be located within the Military Compatibility Zone except in compliance with Section 642 of this LDC.

3. General guidelines and requirements shall include the following:

a. Communication towers and their antenna, except for their equipment buildings and other accessory structures, are exempt from the height regulations required by their land use district.

b. Aesthetics and lighting shall conform to the following:

i. Except for concrete communication towers, all communication towers shall have either a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.

ii. To the extent possible, communication towers and their support facilities shall be designed with materials, colors, textures, screening, and landscaping that will blend the communication tower with its surrounding environment.

iii. Communication towers shall not be artificially lit unless required by the FAA or any other authority with jurisdiction. If lighting is required, strobe lighting shall be utilized during daylight hours only and red lighting shall be utilized at night unless another form of lighting is required by the FAA or any other authority with jurisdiction.

c. Notwithstanding anything herein to the contrary, all communication towers shall meet all applicable requirements of the FAA, the FCC, and any other agency of the federal government with the authority to regulate telecommunication facilities.

d. Each application for the construction of a new communication tower shall include the tower manufacturer's product specifications indicating that the tower will satisfy all standards imposed by the American National Standards Institute (ANSI). Applications for modifications to existing communication towers shall include a certification as to the structural integrity of the structure, including the foundation of the structure, prepared by an engineer licensed to practice in the State of Florida.

e. No communication tower shall be approved unless the application for the structure includes a certification that no antennas to be placed on the structure will cause significant interference with a public safety system or with the usual and customary transmission or reception of radio, television and other customary services enjoyed by adjacent residential and non-residential properties.

f. No commercial signage or advertising shall be placed on communication towers. However, signs pertaining to trespassing may be posted on communication towers and emergency phone numbers shall be posted in a conspicuous location on the security fencing required.

g. Communication towers shall be enclosed by security fencing not less than six feet in height. Access to communication towers shall be through a lockable gate.

h. Abandoned communication towers shall be removed within 30 days of abandonment. The owner of an abandoned tower, as well as the owner of the real property upon which the tower is situated, shall be jointly and severally responsible for its removal. A communication tower shall be considered abandoned if no licensed operator has had an antenna in use on the structure for a period of 365 consecutive days.

i. The visual impacts of communication towers on nearby viewers shall be mitigated by a row of trees at least six feet tall at planting and planted around the perimeter of the fence to the property with a continuous hedge at least 30 inches high at planting and capable of growing to at least 36 inches in height within 18 months. The opacity at planting shall be 60 percent and achieve 100 percent opacity within two years of planting. The required opacity shall be achieved to a height of six feet. All landscaping shall be of an evergreen variety (non-deciduous), except that existing native vegetation shall be preserved if sufficient to meet opacity requirements. The required landscaping shall be located on the outside of the fence to the property. Landscaping requirements may be waived pursuant to Section 932 for those sides of a communication tower that are adjacent to undevelopable property or that are not otherwise visible from off-site.

j. An Impact Assessment Statement, as required Section 910 of this Code, shall not be required of communication towers conforming to the requirements of this Section.

k. All applications for communication towers to be located within the Green Swamp Area of Critical State Concern shall be accompanied by a Green Swamp Impact Assessment Statement.

l. In all future land use districts, communication towers being modified or rebuilt to accommodate the co-location of additional antennas shall be reviewed as a Level 2 Review provided that:

i. The modified or rebuilt tower, including the added antenna, is no more than 20 feet taller than the original tower;

ii. The modified or rebuilt tower is relocated to a location no more than 50 feet from the original tower and no closer to any off-site residential structure or residential Future Land Use Map designation than the original tower;

iii. Any prior Conditional Use Permit or Planned Unit Development approval, if any, for the original tower does not contain a condition prohibiting relocation of or addition to the structure; and,

iv. The original tower is removed from the site upon completion of the replacement tower in those cases where the original tower is being rebuilt rather than modified.

4. For the purposes of applying setbacks, lot coverage, buffering and other applicable development regulations, the entire lot or parcel on which a communication tower or antenna is located shall be treated as the lot, even if the communication tower or antenna is located on a leased parcel within such lot or parcel. Any new tower proposed within the setbacks required by this Section shall be treated as a Level 3 Review prior to construction:

a. Communication towers shall be set back a distance equal to one times (1x) the height of the communication tower from any off-site residential Future Land Use designation or the property line of any off-site residential structure. Setbacks shall be measured from the base of the communication tower. For the purposes of this provision, the Land Use designation of Agriculture/Residential Rural (A/RR) shall not be considered a residential Future Land Use designation. The setback may be reduced by 50 percent if the off-site residential structure is non-conforming with the Land Use Designation or if there is an intervening conforming structure of a non-residential nature.

b. Setbacks from off-site non-residential structures and off-site non-residential Land Use designations shall be governed by minimum district setback requirements.

c. Setbacks for guy wires, equipment buildings, and other facilities supporting communication towers shall satisfy minimum district setback requirements rather than the setback requirements for communication towers.

5. Mobile communication towers necessary for providing continuing services while an existing tower is being repaired or replaced may be permitted through a Level 1 Review for a period of up to one year but shall be removed upon completion of the permanent tower. The mobile

communication tower does not have to be placed on the parcel or lot on which the existing tower is located, but authorization from the landowner (s) on which it is to be located shall be submitted with the Level 1 Review request. The Land Development Director or designee may extend the one-year time limit through a subsequent Level 1 Review.

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SECTION 4: Chapter 4, Special Districts, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

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Table 4.1c Use Table for Interstate 4 Selected Area Plan Land Use District

	LCCX	TCCX	CACX	BPC-1X	BPC-2X	IACX	INST X	MUX
Communication Towers, Guyed and Lattice			C3	C3	C2	C2	C2	C2
Communication Towers, Monopole	C3 C2	C2	C3 C2	C2	C2	C2	C2	C2

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Table 4.3 Use Table for Standard Land Use Districts for the Ronald Reagan Selected Area Plan

	NACX	CACX	RACX	ECX	MUX	BPC-1X	BPC-2X	INDX	INST 1X	INST 2X
Communication Towers, Guyed and Lattice		C3	C3	C3	C3	C3	C2	C2	C2	C2
Communication Tower, Monopole	C2	C2	C2	C2	C2	C2	C2	C2	C2	C2

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Section 401.03.01 Use Table for U.S. 27 Selected Area Plan

Table 4.8 Use Table for U.S. 27 Selected Area Plan Land Use District (For revision history, please see last row of table. Newer ordinances appear after the table.)																							
Green Swamp ACSC Districts Outlined in shaded in grey	TCX	RACX	PIX	OCX	RHX	RMX	RL-1X	RL-2X	RL-3X	RL-4X	INSTX	NACX	TCX	RACX	PIX	NACX	RHX	RMX	RL-1X	RL-2X	RL-3X	RL-4X	L/RX
Communication Towers, Guyed and Lattice		C3		C3	C3	C3	C3	C3	C3	C3	C2		C3	C3	C3		C3	C3	C3	C3	C3	C3	C3
Communication Towers, Monopole	C3	C3 C2	C3 C2	C2 C3	C3 C3	C3 C3	C3 C3	C3 C3	C3 C3	C3 C3	C2	C2 C3	C3	C3 C2	C3 C2	C2 C3	C3 C3	C3 C3	C3 C3	C3 C3	C3 C3	C3 C3	

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Table 4.12 Allowable Uses for US Highway 98 SAP

	ECX	CEX	LCCX	NACX	BPC-1X	BPC-2X	INDX	L/RX	INST-1X
Communication Towers, Guyed and Lattice					C3	C2	C2		C2
Communication Tower, Monopole	C3 C2	C3 C2	C3 C2	C2	C2	C2	C2	C3 C2	C2

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Table 4.16 Use Table for Standard Land Use Districts

	CE X	LCC X	NAC X	CAC X	RAC X	TCC X	BPC 1X	BPC 2X	IND X	PI X	L/R X	EC X	INST X
Communication Towers, Guyed and Lattice				C3	C3		C3	C3	C2				C2
Communication Tower, Monopole	C2	C3 C2	C2	C2	C2	C2	C2	C2	C2	C2	C3 C2	C3 C2	C2

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Table 401.08.01 Use Table for SE Polk SAP

	Village Centers and Village Center Cores								Outside the Village Centers (Scenic Highway overrides)						
	A/RRX	CE X	LCC X	NAC X	TCC X	L/RX	INST1 X	INST2X	A/RRX	RCCX	CE X	TCCX	BPC-1X	BPC-2X	L/R X
Communication Towers, Guyed and Lattice	C3						C2	C2	C3				C3	C2	
Communication Towers, Monopole	C2	C2	C3 C2	C2	C2	C3 C2	C2	C2	C2	C3 C2	C3 C2	C2	C2	C2	C3 C2

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Table 4: Wahneta Neighborhood Plan - Use Table (Allowable Uses and Districts)

	A/RRX	RS X	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CEX	LCCX	NACX
Communication Tower, Monopole	C2	C3	C3	C3	C3	C3	C3	C2	C3 C2	C2

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SECTION 5: Chapter 5, Green Swamp Area of Critical State Concern, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

Section 502 - Standards for Land Use Districts in the Green Swamp ACSC

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Table 5.2 Use Table for Green Swamp ACSC

	Polk City Special Protection Area				Rural Special Protection Area				
	CEX	LCCX	L/RX	ROSX	PRE SVX	L/RX	A/RRX	CORE	CEX
Communication Towers, Guyed & Lattice				C3	C3		C2	C2	
Communication Towers, Monopole	<u>C2</u>	C3 <u>C2</u>	C3 <u>C2</u>	C3	C3	C3 <u>C2</u>	C2	C2	<u>C2</u>

...

SECTION 6: Chapter 10, Definitions, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, is hereby amended in the following manner:

...

COMMUNICATION TOWER: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including lattice towers, guyed towers and monopole towers. The term includes, without exclusion, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and camouflaged towers. The term does not include structures which are utilized solely by amateur radio operators licensed by the FCC. For the purposes of applying the height thresholds and setback requirements of this Section, antennas which add to the height of a communication tower shall be considered a part of the communication tower. Communication towers are further classified as Monopole, Lattice, and Guyed Towers. (See: MONOPOLE TOWER, LATTICE TOWER, GUYED TOWER)

COMMUNICATION TOWER, MOBILE: Self-sufficient and transportable communication towers and base stations which contain transmitters, antennas, and often power generators, commonly used to provide cellular service for special events, emergencies, and temporary service when an existing tower or antenna is being repaired or replaced. These include but are not limited to Cell on Wheels (COW) and Cell on Light Truck (COLT) mobile stations.

SECTION 7: 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 17th day of March 2026.