

ORDINANCE NO. _____

PROPOSED ORDINANCE NO. 23-046

AN ORDINANCE RELATING TO ZONING; MAKING FINDINGS; APPROVING A CONDITIONAL USE TO ALLOW FOR THE DEVELOPMENT OF A SOLAR POWER GENERATION FACILITY ON APPROXIMATELY 2,044 ACRES GENERALLY LOCATED SOUTH OF UNIVERSITY BOULEVARD, EAST OF N. STATE ROAD 33, AND EAST OF N. COMBEE ROAD; FINDING CONFORMITY WITH THE COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, an application has been filed by Charles Ryan, on behalf of Williams Acquisition Holding Company, LLC, for a conditional use to allow for the development of a solar power generation facility on approximately 2,044 acres generally located south of University Boulevard, east of N. State Road 33, and east of N. Combee Road, as more particularly described on Attachment “A” and graphically depicted on Attachments “B,” “C,” “D-1,” and “D-2,” attached hereto (the “Property”); and

WHEREAS, on November 21, 2023, the Planning and Zoning Board held a public hearing on the request of the applicant to have such conditional use granted; and

WHEREAS, the Planning and Zoning Board approved the request on November 21, 2023 and recommended to the City Commission that the conditional use be granted; and

WHEREAS, following a duly-noticed public hearing at which all interested persons were afforded the opportunity to be heard, the City Commission finds that

the request of the applicant for a conditional use as described above should be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKELAND, FLORIDA:

SECTION 1. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 2. A conditional use to allow a solar power generation facility on the Property is hereby approved, subject to the following conditions:

1. Permitted Uses: A solar power generation facility and associated accessory equipment.
2. Site Development Plan: The site shall be developed in substantial accordance with the site development plan included as Attachment "C". With the approval of the Director of Community & Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification of this conditional use.
3. Setbacks: All photovoltaic modules (panels) and associated above-ground equipment shall be setback a minimum of 100 feet from the right-of-way for N. State Road 33/N. Combee Road and 30 feet from all other internal perimeter parcel boundaries.
4. Landscaping and Buffering: Along N. State Road 33 and N. Combee Road, a minimum six-foot high view blockage fence or wall shall be installed. Adjacent to the fence or wall, a minimum 100-foot-wide natural vegetative buffer shall be maintained. If barbed-wire security fencing is proposed, it shall either be located behind the view blockage fence/wall or behind the natural vegetative buffer.
5. Per Policy TRN-1.6F of the Lakeland Comprehensive Plan, an annexation petition shall be submitted to the Lakeland Area Mass Transit District (LAMTD), requesting that the overall tract between the Williams PUD and State Road 33 as illustrated in Attachment "B" be included within its boundaries where a half-mill ad valorem tax is levied for transit services in the Lakeland area. This annexation petition shall be submitted prior to the first site plan submittal on this tract.
6. As part of the programmed Florida Department of Transportation (FDOT) Tenoroc Trail Project Development and Environment Study, the applicant shall cooperate with the FDOT and City in the planning of a new multi-use trail alignment between State Road 659 (Combee Road) and the Williams PUD.

SECTION 3. The City Commission does hereby expressly find that the provisions of this Ordinance are in conformity with the Comprehensive Plan of the City of Lakeland adopted by Ordinance 5885.

SECTION 4. If any word, sentence, clause, phrase or provision of this Ordinance, for any reason, is held to be unconstitutional, void or invalid, the validity of the remainder of this Ordinance shall not be affected thereby.

SECTION 5. This Ordinance shall take effect immediately upon its passage.

PASSED AND CERTIFIED AS TO PASSAGE this 18th day of December, A.D. 2023.

H. WILLIAM MUTZ, MAYOR

ATTEST: _____
KELLY S. KOOS, CITY CLERK

APPROVED AS TO FORM AND CORRECTNESS: _____
PALMER C. DAVIS
CITY ATTORNEY

ATTACHMENT "A"

Legal Description:

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTIONS 14, 15, 21, 22, 23 AND 27, TOWNSHIP 27 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 14, THENCE PROCEED NORTH $00^{\circ}25'11''$ WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 200.00' TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE, PROCEED S $89^{\circ}26'46''$ W, A DISTANCE OF 315.60' TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 200.00', AN ARC LENGTH OF 53.34', A CENTRAL ANGLE OF $15^{\circ}16'51''$, A CHORD BEARING OF S $49^{\circ}30'26''$ W, AND A CHORD DISTANCE OF 53.18' TO THE END OF SAID CURVE; THENCE PROCEED S $41^{\circ}52'01''$ W, A DISTANCE OF 330.82' TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 950.00', AN ARC LENGTH OF 392.99', A CENTRAL ANGLE OF $23^{\circ}42'06''$, A CHORD BEARING OF S $53^{\circ}43'05''$ W AND A CHORD DISTANCE OF 390.19' TO THE POINT OF TANGENCY; THENCE PROCEED S $65^{\circ}34'08''$ W, A DISTANCE OF 714.89'; THENCE PROCEED S $65^{\circ}02'35''$ W, A DISTANCE OF 549.89'; THENCE PROCEED S $65^{\circ}43'36''$ W, A DISTANCE OF 779.84'; THENCE PROCEED S $64^{\circ}16'22''$ W, A DISTANCE OF 524.29' TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 950.00', AN ARC LENGTH OF 256.54', A CENTRAL ANGLE OF $15^{\circ}28'20''$, A CHORD BEARING OF S $72^{\circ}00'31''$ W AND A CHORD DISTANCE OF 255.76' TO THE END OF SAID CURVE; THENCE PROCEED S $26^{\circ}43'35''$ E, A DISTANCE OF 80.31'; THENCE PROCEED S $41^{\circ}20'11''$ E, A DISTANCE OF 419.70'; THENCE PROCEED S $00^{\circ}29'53''$ E, A DISTANCE OF 1,257.31'; THENCE PROCEED S $62^{\circ}25'31''$ E, A DISTANCE OF 167.63'; THENCE PROCEED S $88^{\circ}25'12''$ E, A DISTANCE OF 580.89'; THENCE PROCEED S $44^{\circ}47'57''$ E, A DISTANCE OF 327.05'; THENCE PROCEED S $12^{\circ}17'16''$ E, A DISTANCE OF 152.50'; THENCE PROCEED S $00^{\circ}36'17''$ E, A DISTANCE OF 1,699.61' TO A POINT OF THE SOUTH LINE OF SAID SECTION 23; THENCE PROCEED ALONG SAID SOUTH LINE, S $89^{\circ}55'57''$ W, A DISTANCE OF 2,975.91' TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE PROCEED ALONG THE SOUTHERLY LINE OF SAID SECTION 22, S $89^{\circ}54'13''$ W, A DISTANCE OF 1328.86'; THENCE DEPARTING SAID SOUTH LINE, PROCEED S $00^{\circ}00'39''$ E, ALONG A LINE BEING THE EAST BOUNDARY OF THE WEST 3/4 OF THE NORTH 1/2 OF SAID SECTION 27, A DISTANCE OF 2,639.45'; THENCE DEPARTING SAID EAST BOUNDARY, PROCEED S $89^{\circ}54'13''$ W, A DISTANCE OF 3,986.58' TO A POINT ON THE WEST LINE OF SAID SECTION 27; THENCE PROCEED ALONG SAID WEST LINE, N $00^{\circ}00'39''$ W, A DISTANCE OF 627.79' TO A POINT FORMED BY THE INTERSECTION OF SAID WEST LINE AND THE EASTERLY RIGHT OF WAY (R/W) LINE OF COMBEE ROAD; THENCE DEPARTING SAID WEST LINE, PROCEED ALONG SAID EASTERLY R/W LINE, N $07^{\circ}44'29''$ W, A DISTANCE OF 1,883.34' TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5,769.58', AN ARC LENGTH OF 867.15', A CENTRAL ANGLE OF $08^{\circ}36'41''$, A CHORD BEARING OF N $12^{\circ}02'49''$ W AND A CHORD DISTANCE OF 866.33' TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID EASTERLY R/W, N $16^{\circ}21'10''$ W, A DISTANCE OF 794.84' TO A POINT FORMED BY SAID EASTERLY R/W LINE OF COMBEE ROAD AND THE EASTERLY R/W LINE OF STATE HIGHWAY 33 NORTH; THENCE DEPARTING SAID EASTERLY R/W LINE OF COMBEE ROAD, AND PROCEED ALONG SAID EASTERLY R/W LINE OF STATE HIGHWAY 33 NORTH, N $20^{\circ}31'50''$ E, A DISTANCE OF 5,509.09' TO A POINT FORMED BY THE INTERSECTION OF SAID EASTERLY R/W OF STATE HIGHWAY 33 NORTH AND THE SOUTHERLY R/W LINE OF UNIVERSAL BOULEVARD; THENCE DEPARTING SAID EASTERLY R/W LINE, AND

PROCEED ALONG SAID SOUTHERLY R/W LINE ALONG THE FOLLOWING COURSES: S 69°28'05" E, A DISTANCE OF 85.71' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 368.00', AN ARC LENGTH OF 664.80', A CENTRAL ANGLE OF 103°30'23", A CHORD BEARING OF N 58°46'44" E, AND A CHORD DISTANCE OF 578.02' TO THE POINT OF TANGENCY; THENCE N 07°01'32" E, A DISTANCE OF 562.71' TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1454.00, AN ARC LENGTH OF 626.89', A CENTRAL ANGLE OF 24°42'11", A CHORD BEARING OF S 19°22'37" W, AND A CHORD DISTANCE OF 622.05' TO THE POINT OF TANGENCY; THENCE N 31°43'43" E, A DISTANCE OF 183.58' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 804.00', AN ARC LENGTH OF 816.12', A CENTRAL ANGLE OF 58°09'33", A CHORD BEARING OF N 60°48'29" E AND A CHORD DISTANCE OF 781.53' TO THE POINT OF TANGENCY; THENCE N 89°53'16" E, A DISTANCE OF 1,035.86' TO THE POINT OF CURVATURE TO THE NORTHWEST, HAVING A RADIUS OF 1,223.00', AN ARC LENGTH OF 512.15', A CENTRAL ANGLE OF 23°59'37", A CHORD BEARING OF N 77°53'27" E AND A CHORD DISTANCE OF 508.42' TO THE POINT OF TANGENCY; THENCE N 65°53'39" E, A DISTANCE OF 939.90' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 821.47', AN ARC LENGTH OF 344.75', A CENTRAL ANGLE OF 24°02'44", A CHORD BEARING OF N 77°55'04" E AND A CHORD DISTANCE OF 342.23' TO THE POINT OF TANGENCY; THENCE N 89°44'14" E, A DISTANCE OF 4,175.20'; THENCE CONTINUE N 89°44'14" E, A DISTANCE OF 780.39' TO A POINT FORMED BY SAID SOUTHERLY R/W LINE AND THE EAST LINE OF SAID SECTION 14; THENCE DEPARTING SAID SOUTHERLY R/W LINE, PROCEED ALONG SAID EASTERLY SECTION LINE, S 00°25'11" E, A DISTANCE OF 2,438.63' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,027.40 ACRES, MORE OR LESS.

ALSO INCLUSIVE OF THE FOLLOWING PARCEL:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 14, THENCE PROCEED NORTH 00°25'11" WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 2,638.63' TO A POINT FORMED BY THE INTERSECTION OF SAID EASTERLY SECTION LINE AND THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF UNIVERSAL BOULEVARD; THENCE DEPARTING SAID EASTERLY SECTION LINE, PROCEED ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 780.39'; THENCE CONTINUE ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 4,175.20'; THENCE DEPARTING SAID SOUTHERLY R/W LINE, PROCEED S 89°47'49" W, A DISTANCE OF 541.22' TO A POINT ON THE NORTHERLY R/W LINE OF SAID UNIVERSAL BOULEVARD, BEING THE POINT OF BEGINNING; THENCE PROCEED ALONG SAID NORTHERLY R/W LINE, S 65°53'39" W, A DISTANCE OF 777.67' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 969.47', AN ARC LENGTH OF 405.98', A CENTRAL ANGLE OF 23°59'37", A CHORD BEARING OF S 77°53'27" W, AND A CHORD DISTANCE OF 403.02' TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID NORTHERLY R/W LINE, S 89°53'16" W, A DISTANCE OF 5.42'; THENCE DEPARTING SAID NORTHERLY R/W LINE, PROCEED N 00°12'46" W, A DISTANCE OF 400.60'; THENCE PROCEED N 89°55'09" E, A DISTANCE OF 1,110.81' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 6.01 ACRES, MORE OR LESS.

ALSO INCLUSIVE OF THE FOLLOWING PARCEL:

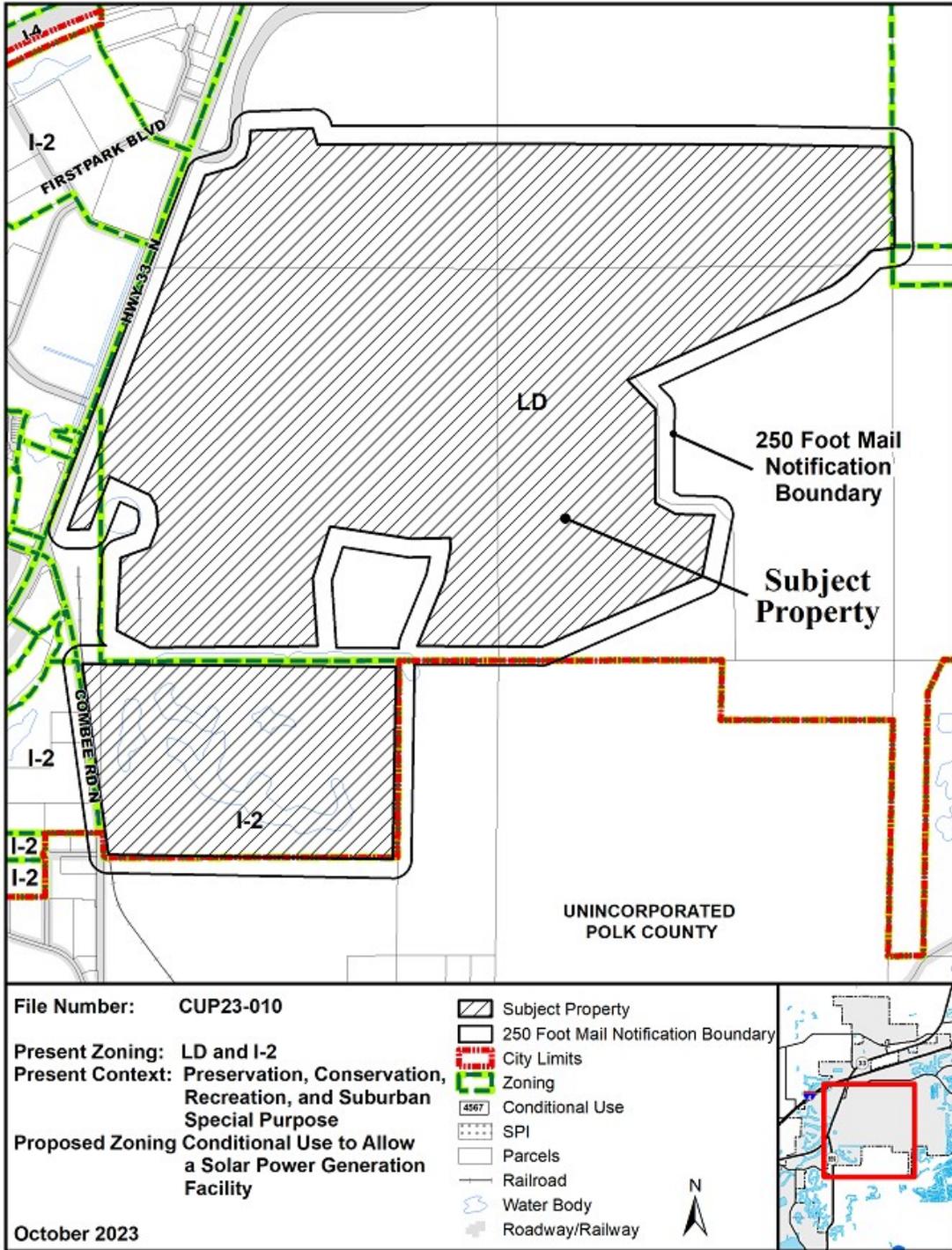
COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 14, THENCE PROCEED NORTH 00°25'11" WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 2,638.63' TO A POINT FORMED BY THE INTERSECTION OF SAID EASTERLY SECTION

LINE AND THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF UNIVERSAL BOULEVARD; THENCE DEPARTING SAID EASTERLY SECTION LINE, PROCEED ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 780.39'; THENCE CONTINUE ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 4,175.20'; THENCE DEPARTING SAID SOUTHERLY R/W LINE, PROCEED S 89°47'49" W, A DISTANCE OF 541.22' TO A POINT ON THE NORTHERLY R/W LINE OF SAID UNIVERSAL BOULEVARD; THENCE DEPARTING SAID NORTHERLY R/W, PROCEED S 89°55'09" W, A DISTANCE OF 1,110.81'; THENCE PROCEED S 00°12'46" E, A DISTANCE OF 400.60' TO A POINT ON SAID NORTHERLY R/W OF UNIVERSAL BOULEVARD; THENCE PROCEED ALONG SAID NORTHERLY R/W, S 89°53'16" W, A DISTANCE OF 1,159.21' TO THE POINT OF BEGINNING, BEING THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 790.00', AN ARC LENGTH OF 801.90', A CENTRAL ANGLE OF 58°09'33", A CHORD BEARING OF S 60°48'29" W, AND A CHORD DISTANCE OF 767.92' TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID NORTHERLY R/W ALONG THE FOLLOWING COURSES: S 31°43'43" W, A DISTANCE OF 285.45' TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1602.00', AN ARC LENGTH OF 690.70', A CENTRAL ANGLE OF 24°42'11", A CHORD BEARING OF S 19°22'37" W, AND A CHORD DISTANCE OF 685.36' TO THE POINT OF TANGENCY; S 07°01'32" W, A DISTANCE OF 562.70' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 220.00', AN ARC LENGTH OF 397.44', A CENTRAL ANGLE OF 103°30'23", A CHORD BEARING OF S 58°46'44" W, AND A CHORD DISTANCE OF 345.55' TO THE POINT OF TANGENCY; N 69°28'05" W, A DISTANCE OF 85.71' TO A POINT FORMED BY THE INTERSECTION OF SAID NORTHERLY R/W LINE AND THE EASTERLY R/W LINE OF STATE HIGHWAY 33 NORTH; THENCE DEPARTING SAID NORTHERLY R/W LINE, PROCEED ALONG SAID EASTERLY R/W LINE, N 20°31'50" E, A DISTANCE OF 2,103.53'; THENCE DEPARTING SAID EASTERLY R/W LINE, PROCEED N 89°53'16" E, A DISTANCE OF 754.77' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10.74 ACRES, MORE OR LESS.

THE THREE (3) AREAS DESCRIBED AGGREGATE 2,044.15 ACRES, MORE OR LESS.

ATTACHMENT "B"



File Number: CUP23-010

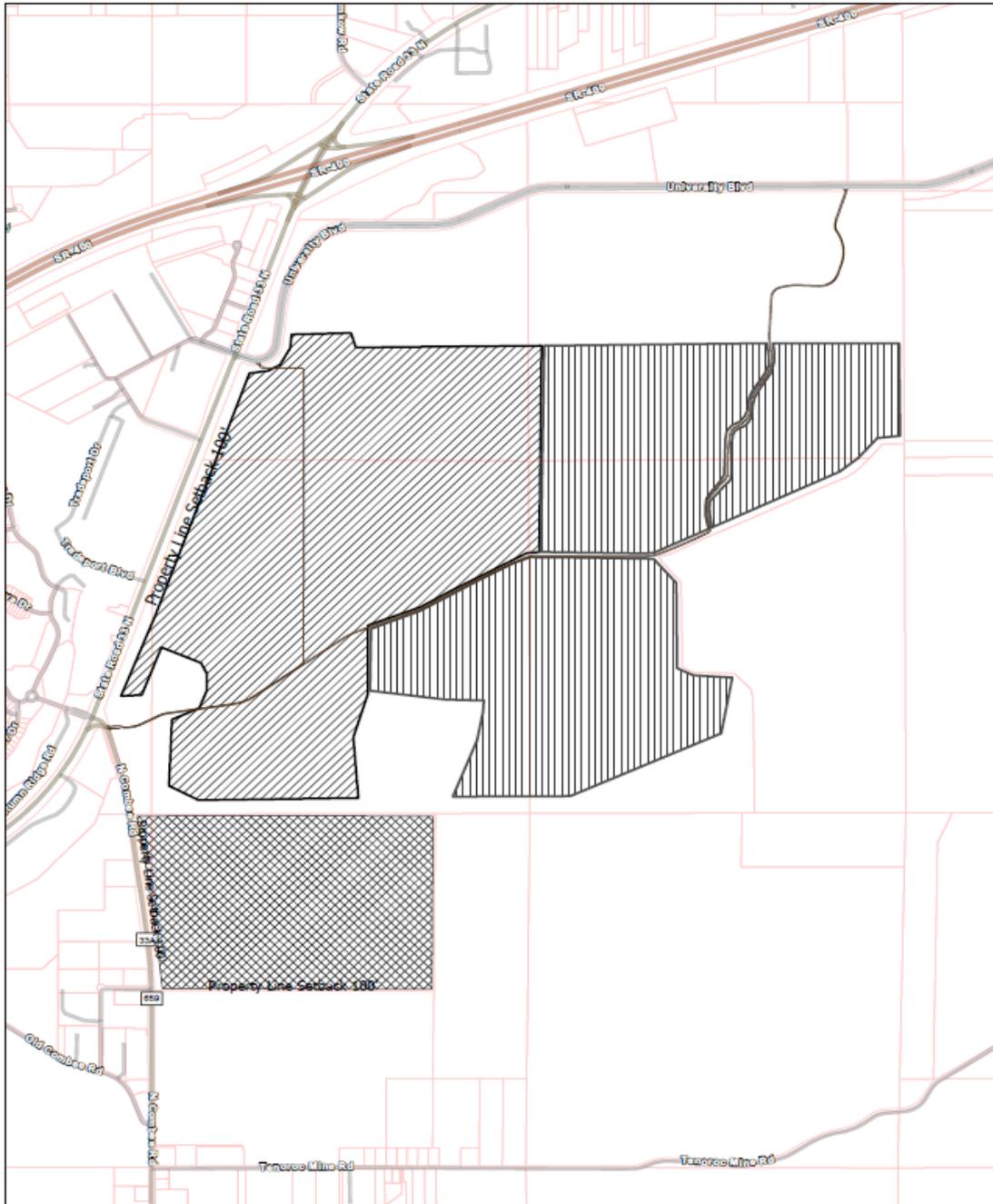
Present Zoning: LD and I-2
 Present Context: Preservation, Conservation, Recreation, and Suburban Special Purpose
 Proposed Zoning: Conditional Use to Allow a Solar Power Generation Facility

October 2023

- Subject Property
- 250 Foot Mail Notification Boundary
- City Limits
- Zoning
- Conditional Use
- SPI
- Parcels
- Railroad
- Water Body
- Roadway/Railway



ATTACHMENT "C"



— Private Roads
 □ parcel

Solar Systems Area Project

▨ Phase I Solar Array
 ▤ Phase II Solar Array
 ▩ Phase III Solar Array

0 0.25 0.5 1 Miles

Map data © 2023 Google, OpenStreetMap contributors, Esri, DeLorme, Swire, NGA, etc. Imagery © 2023 Google, Mapbox, etc. Williams Corporate Hdgrs. One Williams Center, Tulsa, OK 74172. Phone: 800-945-5426. User: cryan1 Date: 8/24/2023

Williams

Edge Solar Site Plan
 Conditional Use

Williams Corporate Hdgrs
 One Williams Center
 Tulsa, OK 74172
 Phone: 800-945-5426

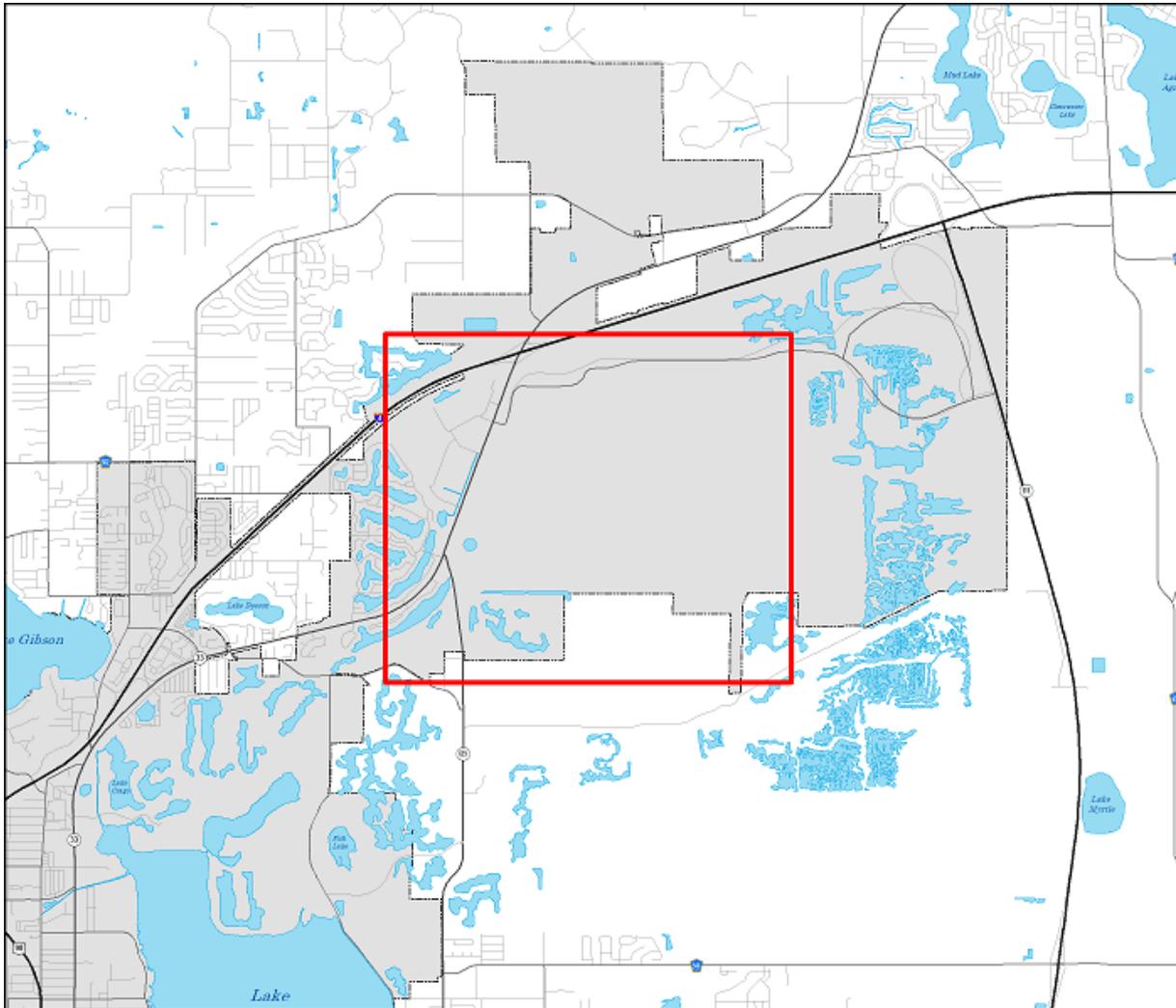
User: cryan1 Date: 8/24/2023



Planning and Zoning Board Recommendation

Date:	December 4, 2023	Reviewer:	Phillip Scarce
Project No:	CUP23-010	Location:	
Owner:	Williams Acquisition Holding Company, LLC		
Applicant:	Charles Ryan		
Current Zoning:	LD (Limited Development)/ I-2 (Medium Industrial)	Future Land Use:	Conservation (C)/Business Park (BP)
Context District:	Preservation, Conservation, Recreation (PCR)		
P&Z Hearing:	November 21, 2023	P&Z Final Decision:	November 21, 2023
Request:	Conditional use to allow for the development of a solar power generation facility on approximately 2,044 acres generally located south of University Boulevard, east of N. State Road 33, and east of N. Combee Road.		

1.0 Location Maps





2.0 Background

2.1 Summary

Charles Ryan, on behalf of Williams Acquisition Holding Company LLC, requests a conditional use to allow for the development of a solar power generation facility on approximately 2,044 acres generally located south of University Boulevard, east of N. State Road 33, and east of N. Combee Road. A map of the subject property is included as Exhibit “B.”

2.2 Subject Property

The subject property, presently undeveloped, was annexed into the City in 2001 along with the adjacent 2,479-acre Williams Property to the north and east. The bulk of the property, approximately 1,768 acres in area, consists of former phosphate mine lands with poor soils not suitable for development. Following annexation, the mined portion of the property was assigned a future land use designation of Conservation (C) and a Limited Development (LD) zoning classification in recognition of the use limitations. The remainder of the property, approximately 275 acres in area, consists of developable lands located at the southern end of the site adjacent to State Road 659/N. Combee Road. This area was assigned a future land use designation of Business Park (BP) and an I-2 (Medium Industrial) zoning classification.

Existing land uses to the north and east are part of the PUD zoning for the Williams Property, a former Development of Regional Impact that was rescinded in 2019. To the west, across State Road 33, existing land uses consists of warehouse/distribution center uses. On the opposite side of N. Combee Road, existing land uses consists of warehousing, manufacturing and trucking businesses. To the south, the subject property abuts undeveloped located within unincorporated Polk County. These parcels include a 202-acre tract owned by the Polk County School District and lands within the Tenoroc Public Use Area that are maintained by the Florida Wildlife Commission.

2.3 Project Background

The purpose of this request is to allow for the development of a solar energy power facility on the subject property. A site development plan which shows the extent of the proposed solar facility with access points included as Attachment “C.”

2.4 Existing Uses of Adjacent Properties

Boundary	Existing Land Use	FLUM	Zoning	Context
North	Undeveloped	BP	LD/PUD	SSP
South	Undeveloped – Unincorporated Polk County	ROS; A/RR	ROS; A/RR	NA
East	Undeveloped	C & R	LD	PCR
West	Industrial	BP	PUD	SSP;SCO

2.5 Attachments

Attachment A: Legal Description

Attachment B: Base Map of Subject Property

Attachment C: Site Plan

Attachment D-1: Solar Panel Detail - Elevation

3.0 Discussion

The proposed solar power generation facility will occupy approximately 1,395 acres of the subject property. The proposed solar power generation facility aligns with the goals of Lakeland Electric which has promoted the use of alternative energy sources since 1994. In recognition of these efforts, the City received a Silver designation from the national SolSmart program in June of this year for encouraging the growth of clean, affordable solar energy at the local level and adopting best practices to advance solar market growth.

The proposed solar facility consists of photovoltaic solar panels mounted onto rack tracking arrays. Each array will contain a total of 90 solar panels (modules). As shown in Attachments “D-1” and “D-2,” each array is approximately 153 in length and 13 feet in width. The array surface is designed to rotate up to 60 degrees in either direction to automatically track the movement of the sun. When fully deployed, the maximum height of each array is approximately 15 feet.

The proposed solar energy farm will allow for the productive use of mined lands that would otherwise sit vacant due to the poor soils. Except for associated accessory equipment such as inverters, transformers, collector lines, and substation(s) and at-grade access roads, there are no other improvements planned within the development area. Impacts on adjacent properties should be minimal as the project will not generate any significant noise, odors or traffic impacts.

To address visual impacts, the project will be required to maintain a 100-foot setback from State Road 33 and N. Combee Road and a 30-foot setback from all other internal property boundaries. Adjacent to State Road 33 and N. Combee Road, the project will be required to maintain a buffer consisting of natural vegetation and a minimum six-foot-high view blockage fence or wall. If barbed fencing is used for security purposes, it can only be placed behind the view-blockage fence or wall and the natural vegetative buffer. In those instances where there is little or no natural tree and plant material, the applicant will need to supplant with new trees and other landscape plantings.

No comments were received regarding this request prior to or as part of the public hearing which was held before the Planning & Zoning Board on Tuesday, November 21st.

3.1 Transportation and Concurrency

The project is expected to have a de minimis impact on the surrounding transportation network following construction. Two driveways are planned along University Boulevard, which is operated by the City of Lakeland, and one on State Road 659/N. Combee Road just south of the State Road 33 intersection. The University Boulevard driveway designs are intended to serve only construction and maintenance traffic and must maintain the integrity of the multi-use trail that runs along the south side of the road.

In Fiscal Year 2024, construction is scheduled to begin on the four-lane widening of State Road 33 between Old Combee Road-Deeson Point Boulevard and Tomkow Road, including the reconstruction of the Interstate 4 interchange at Exit 38. Through the Governor’s Moving Florida Forward initiative, \$197 million was budgeted for the State Road 33 reconstruction, with a design that includes the construction of multi-use trails on both sides of the road, roundabouts at the N. Combee Road, University Boulevard and Interstate 4 ramp terminal intersections and one wildlife crossing each over Interstate 4 and under State Road 33 east of the subject property.

The Phase III Solar Array area is located adjacent to an alternative regional trail corridor evaluated as part of the City’s Tenoroc Trail Master Plan in 2014 and within an area that is expected to be the subject of a Project Development and Environment (PD&E) Study that is programmed in Fiscal Year

2027 of the Florida Department of Transportation's Five-Year Work Program. The subject property is currently not included within the Lakeland Area Mass Transit District's boundaries where a half-mill ad valorem tax is levied for Lakeland area transit services; however, adjacent lands within the Bridgewater and Williams Planned Unit Developments are included within the transit district.

3.2 Comprehensive Plan Compliance

The Community and Economic Development Department reviewed this request for compliance with Lakeland Comprehensive Plan: Our Community 2030 and it is our opinion that the request is consistent with the Comprehensive Plan.

4.0 Recommendation

4.1 Community and Economic Development Staff

The Community and Economic Development Department and the Board reviewed this request and recommends approval of the conditional use. Letters of notification were mailed to twenty-one (21) property owners within 250 feet of the subject property and no objections were received.

4.2 The Planning & Zoning Board

This recommendation was approved by a 5—0 vote of the Board.

It is recommended that the request for a conditional use, as described above and in Attachments "A", "B," "C," and "D-1" and "D-2," be approved with the following conditions:

1. Permitted Uses: A solar power generation facility and associated accessory equipment.
2. Site Development Plan: The site shall be developed in substantial accordance with the site development plan included as Attachment "C". With the approval of the Director of Community & Economic Development, minor adjustments may be made at the time of site plan review without requiring a modification of this conditional use.
3. Setbacks: All photovoltaic modules (panels) and associated above-ground equipment shall be setback a minimum of 100 feet from the right-of-way for N. State Road 33/N. Combee Road and 30 feet from all other internal perimeter parcel boundaries.
4. Landscaping and Buffering: Along N. State Road 33 and N. Combee Road, a minimum six-foot high view blockage fence or wall shall be installed. Adjacent to the fence or wall, a minimum 100-foot-wide natural vegetative buffer shall be maintained. If barbed-wire security fencing is proposed, it shall either be located behind the view blockage fence/wall or behind the natural vegetative buffer.
5. Per Policy TRN-1.6F of the Lakeland Comprehensive Plan, an annexation petition shall be submitted to the Lakeland Area Mass Transit District (LAMTD), requesting that the overall tract between the Williams PUD and State Road 33 as illustrated in Attachment "B" be included within its boundaries where a half-mill ad valorem tax is levied for transit services in the Lakeland area. This annexation petition shall be submitted prior to the first site plan submittal on this tract.
6. As part of the programmed Florida Department of Transportation (FDOT) Tenoroc Trail Project Development and Environment Study, the applicant shall cooperate with the FDOT and City in the planning of a new multi-use trail alignment between State Road 659 (Combee Road) and the Williams PUD.

ATTACHMENT "A"

Legal Description:

ALL THAT TRACT OR PARCEL OF LAND LYING IN SECTIONS 14, 15, 21, 22, 23 AND 27, TOWNSHIP 27 SOUTH, RANGE 24 EAST, POLK COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 14, THENCE PROCEED NORTH 00°25'11" WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 200.00' TO THE POINT OF BEGINNING; THENCE DEPARTING SAID EAST LINE, PROCEED S 89°26'46" W, A DISTANCE OF 315.60' TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 200.00', AN ARC LENGTH OF 53.34', A CENTRAL ANGLE OF 15°16'51", A CHORD BEARING OF S 49°30'26"W, AND A CHORD DISTANCE OF 53.18' TO THE END OF SAID CURVE; THENCE PROCEED S 41°52'01" W, A DISTANCE OF 330.82' TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 950.00', AN ARC LENGTH OF 392.99', A CENTRAL ANGLE OF 23°42'06", A CHORD BEARING OF S 53°43'05" W AND A CHORD DISTANCE OF 390.19' TO THE POINT OF TANGENCY; THENCE PROCEED S 65°34'08" W, A DISTANCE OF 714.89'; THENCE PROCEED S 65°02'35" W, A DISTANCE OF 549.89'; THENCE PROCEED S 65°43'36" W, A DISTANCE OF 779.84'; THENCE PROCEED S 64°16'22" W, A DISTANCE OF 524.29' TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 950.00', AN ARC LENGTH OF 256.54', A CENTRAL ANGLE OF 15°28'20", A CHORD BEARING OF S 72°00'31" W AND A CHORD DISTANCE OF 255.76' TO THE END OF SAID CURVE; THENCE PROCEED S 26°43'35" E, A DISTANCE OF 80.31'; THENCE PROCEED S 41°20'11" E, A DISTANCE OF 419.70'; THENCE PROCEED S 00°29'53" E, A DISTANCE OF 1,257.31'; THENCE PROCEED S 62°25'31" E, A DISTANCE OF 167.63'; THENCE PROCEED S 88°25'12" E, A DISTANCE OF 580.89'; THENCE PROCEED S 44°47'57" E, A DISTANCE OF 327.05'; THENCE PROCEED S 12°17'16" E, A DISTANCE OF 152.50'; THENCE PROCEED S 00°36'17" E, A DISTANCE OF 1,699.61' TO A POINT OF THE SOUTH LINE OF SAID SECTION 23; THENCE PROCEED ALONG SAID SOUTH LINE, S 89°55'57" W, A DISTANCE OF 2,975.91' TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE PROCEED ALONG THE SOUTHERLY LINE OF SAID SECTION 22, S 89°54'13" W, A DISTANCE OF 1328.86'; THENCE DEPARTING SAID SOUTH LINE, PROCEED S 00°00'39" E, ALONG A LINE BEING THE EAST BOUNDARY OF THE WEST 3/4 OF THE NORTH 1/2 OF SAID SECTION 27, A DISTANCE OF 2,639.45'; THENCE DEPARTING SAID EAST BOUNDARY, PROCEED S 89°54'13" W, A DISTANCE OF 3,986.58' TO A POINT ON THE WEST LINE OF SAID SECTION 27; THENCE PROCEED ALONG SAID WEST LINE, N 00°00'39" W, A DISTANCE OF 627.79' TO A POINT FORMED BY THE INTERSECTION OF SAID WEST LINE AND THE EASTERLY RIGHT OF WAY (R/W) LINE OF COMBEE ROAD; THENCE DEPARTING SAID WEST LINE, PROCEED ALONG SAID EASTERLY R/W LINE, N 07°44'29" W, A DISTANCE OF 1,883.34' TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 5,769.58', AN ARC LENGTH OF 867.15', A CENTRAL ANGLE OF 08°36'41", A CHORD BEARING OF N 12°02'49" W AND A CHORD DISTANCE OF 866.33' TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID EASTERLY R/W, N 16°21'10" W, A DISTANCE OF 794.84' TO A POINT FORMED BY SAID EASTERLY R/W LINE OF COMBEE ROAD AND THE EASTERLY R/W LINE OF STATE HIGHWAY 33 NORTH; THENCE DEPARTING SAID EASTERLY R/W LINE OF COMBEE ROAD, AND PROCEED ALONG SAID EASTERLY R/W LINE OF STATE HIGHWAY 33 NORTH, N 20°31'50" E, A DISTANCE OF 5,509.09' TO A POINT FORMED BY THE INTERSECTION OF SAID EASTERLY R/W OF STATE HIGHWAY 33 NORTH AND THE SOUTHERLY R/W LINE OF UNIVERSAL BOULEVARD; THENCE DEPARTING SAID EASTERLY R/W LINE, AND PROCEED ALONG SAID SOUTHERLY R/W LINE ALONG THE FOLLOWING COURSES: S 69°28'05" E, A DISTANCE OF 85.71' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 368.00', AN ARC LENGTH OF 664.80', A CENTRAL ANGLE OF 103°30'23", A CHORD BEARING OF N 58°46'44" E, AND A CHORD DISTANCE OF 578.02' TO THE POINT OF TANGENCY; THENCE N 07°01'32" E, A DISTANCE OF 562.71' TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1454.00, AN ARC LENGTH OF 626.89', A CENTRAL ANGLE OF 24°42'11", A CHORD BEARING OF S 19°22'37" W, AND A CHORD DISTANCE OF 622.05' TO THE POINT OF TANGENCY; THENCE N 31°43'43" E, A DISTANCE OF 183.58' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 804.00', AN ARC LENGTH OF 816.12', A CENTRAL ANGLE OF 58°09'33", A CHORD BEARING OF N 60°48'29" E AND A CHORD DISTANCE OF 781.53' TO THE POINT OF TANGENCY; THENCE N 89°53'16" E, A DISTANCE OF 1,035.86' TO THE POINT OF CURVATURE TO THE NORTHWEST, HAVING A RADIUS OF 1,223.00', AN ARC LENGTH OF 512.15', A

CENTRAL ANGLE OF 23°59'37", A CHORD BEARING OF N 77°53'27" E AND A CHORD DISTANCE OF 508.42' TO THE POINT OF TANGENCY; THENCE N 65°53'39" E, A DISTANCE OF 939.90' TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 821.47', AN ARC LENGTH OF 344.75', A CENTRAL ANGLE OF 24°02'44", A CHORD BEARING OF N 77°55'04" E AND A CHORD DISTANCE OF 342.23' TO THE POINT OF TANGENCY; THENCE N 89°44'14" E, A DISTANCE OF 4,175.20'; THENCE CONTINUE N 89°44'14" E, A DISTANCE OF 780.39' TO A POINT FORMED BY SAID SOUTHERLY R/W LINE AND THE EAST LINE OF SAID SECTION 14; THENCE DEPARTING SAID SOUTHERLY R/W LINE, PROCEED ALONG SAID EASTERLY SECTION LINE, S 00°25'11" E, A DISTANCE OF 2,438.63' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 2,027.40 ACRES, MORE OR LESS.

ALSO INCLUSIVE OF THE FOLLOWING PARCEL:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 14, THENCE PROCEED NORTH 00°25'11" WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 2,638.63' TO A POINT FORMED BY THE INTERSECTION OF SAID EASTERLY SECTION LINE AND THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF UNIVERSAL BOULEVARD; THENCE DEPARTING SAID EASTERLY SECTION LINE, PROCEED ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 780.39'; THENCE CONTINUE ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 4,175.20'; THENCE DEPARTING SAID SOUTHERLY R/W LINE, PROCEED S 89°47'49" W, A DISTANCE OF 541.22' TO A POINT ON THE NORTHERLY R/W LINE OF SAID UNIVERSAL BOULEVARD, BEING THE POINT OF BEGINNING; THENCE PROCEED ALONG SAID NORTHERLY R/W LINE, S 65°53'39" W, A DISTANCE OF 777.67' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 969.47', AN ARC LENGTH OF 405.98', A CENTRAL ANGLE OF 23°59'37", A CHORD BEARING OF S 77°53'27" W, AND A CHORD DISTANCE OF 403.02' TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID NORTHERLY R/W LINE, S 89°53'16" W, A DISTANCE OF 5.42'; THENCE DEPARTING SAID NORTHERLY R/W LINE, PROCEED N 00°12'46" W, A DISTANCE OF 400.60'; THENCE PROCEED N 89°55'09" E, A DISTANCE OF 1,110.81' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 6.01 ACRES, MORE OR LESS.

ALSO INCLUSIVE OF THE FOLLOWING PARCEL:

COMMENCE AT THE SOUTHEAST CORNER OF SAID SECTION 14, THENCE PROCEED NORTH 00°25'11" WEST ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 2,638.63' TO A POINT FORMED BY THE INTERSECTION OF SAID EASTERLY SECTION LINE AND THE SOUTHERLY RIGHT OF WAY (R/W) LINE OF UNIVERSAL BOULEVARD; THENCE DEPARTING SAID EASTERLY SECTION LINE, PROCEED ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 780.39'; THENCE CONTINUE ALONG SAID SOUTHERLY R/W LINE, S 89°44'14" W, A DISTANCE OF 4,175.20'; THENCE DEPARTING SAID SOUTHERLY R/W LINE, PROCEED S 89°47'49" W, A DISTANCE OF 541.22' TO A POINT ON THE NORTHERLY R/W LINE OF SAID UNIVERSAL BOULEVARD; THENCE DEPARTING SAID NORTHERLY R/W, PROCEED S 89°55'09" W, A DISTANCE OF 1,110.81'; THENCE PROCEED S 00°12'46" E, A DISTANCE OF 400.60' TO A POINT ON SAID NORTHERLY R/W OF UNIVERSAL BOULEVARD; THENCE PROCEED ALONG SAID NORTHERLY R/W, S 89°53'16" W, A DISTANCE OF 1,159.21' TO THE POINT OF BEGINNING, BEING THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 790.00', AN ARC LENGTH OF 801.90', A CENTRAL ANGLE OF 58°09'33", A CHORD BEARING OF S 60°48'29" W, AND A CHORD DISTANCE OF 767.92' TO THE POINT OF TANGENCY; THENCE CONTINUE ALONG SAID NORTHERLY R/W ALONG THE FOLLOWING COURSES: S 31°43'43" W, A DISTANCE OF 285.45' TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY, HAVING A RADIUS OF 1602.00', AN ARC LENGTH OF 690.70', A CENTRAL ANGLE OF 24°42'11", A CHORD BEARING OF S 19°22'37" W, AND A CHORD DISTANCE OF 685.36' TO THE POINT OF TANGENCY; S 07°01'32" W, A DISTANCE OF 562.70' TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 220.00', AN ARC LENGTH OF 397.44', A CENTRAL ANGLE OF 103°30'23", A CHORD BEARING OF S 58°46'44" W, AND A CHORD DISTANCE OF 345.55' TO THE POINT OF TANGENCY; N 69°28'05" W, A DISTANCE OF 85.71' TO A POINT FORMED BY THE INTERSECTION OF SAID NORTHERLY R/W LINE AND THE EASTERLY R/W LINE OF STATE HIGHWAY 33 NORTH; THENCE DEPARTING SAID NORTHERLY R/W LINE, PROCEED ALONG SAID EASTERLY R/W LINE, N 20°31'50" E, A DISTANCE OF 2,103.53'; THENCE

DEPARTING SAID EASTERLY R/W LINE, PROCEED N 89°53'16" E, A DISTANCE OF 754.77' TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 10.74 ACRES, MORE OR LESS.

THE THREE (3) AREAS DESCRIBED AGGREGATE 2,044.15 ACRES, MORE OR LESS.

ATTACHMENT "B"

