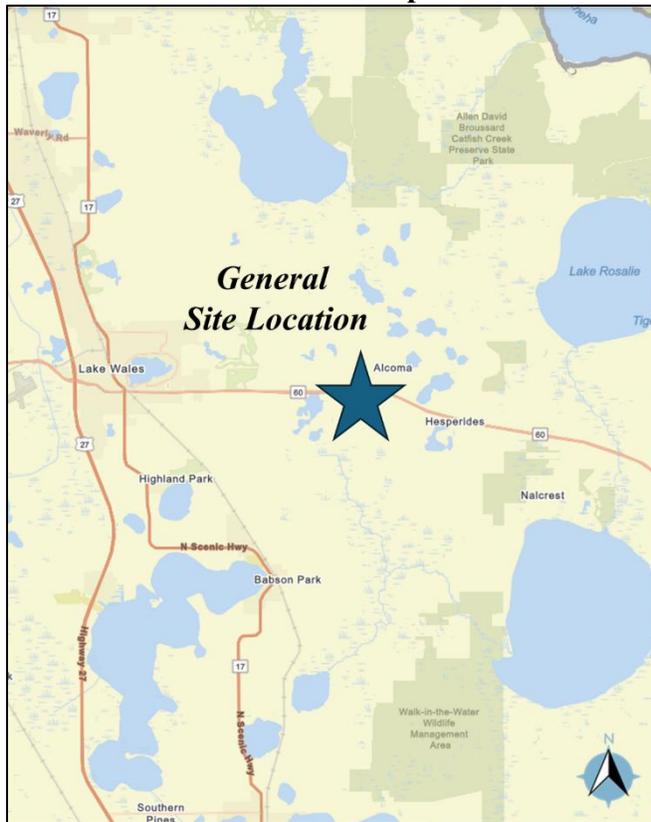


# POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

<b>DRC Date:</b>	September 25, 2025	<b>Level of Review:</b>	Level 3 Review
<b>PC Date:</b>	December 3, 2025	<b>Type:</b>	Conditional Use Approval
<b>BoCC Date:</b>	March 17, 2026 (De Novo)	<b>Case Numbers:</b>	LDCU-2025-29/De Novo
<b>Applicant:</b>	Dick Crockett, PH Citrus LLC	<b>Case Name:</b>	Mammoth Grove Mine
		<b>Case Planner:</b>	Ian Nance, Principal Planner Andrew Grohowski, Planner II

<b>Request:</b>	The applicant is requesting Conditional Use (CU) approval for a Sand Mine (Non-Phosphate Mining) on approximately 656 acres within an Agricultural/Residential Rural (A/RR) and Industrial (IND) land use district.
<b>Location:</b>	North and south of State Road 60, south of Camp Mack Road, east and west of Mammoth Grove Road, north of Griffith Road, east of Dude Ranch Road, west of Saddlebag Lake Road, east of the City of Lake Wales in Sections 1, 2, 11, 12 & 35, Townships 30 & 29, Range 28.
<b>Property Owner:</b>	PH Citrus LLC
<b>Parcel Number (Size):</b>	282935-000000-023010; 283002-000000-010000; 283011-942200-010030; 283011-942200-010110; 283011-000000-011020; 283011-942200-010090; 283012-946000-030000; 283012-000000-043000; 283012-000000-032020. <b>Project Area: (±656 acres)</b>
<b>Future Land Use:</b>	Agricultural/Residential Rural (A/RR), Industrial (IND)
<b>Development Area:</b>	Rural Development Area (RDA)
<b>Nearest Municipality:</b>	Lake Wales (± 3.6 miles west)
<b>DRC Recommendation:</b>	Conditional Approval
<b>Planning Commission Vote:</b>	Denial 6-1

**Location Map**



**2025 Aerial Image**



## Summary of Analysis:

*{On December 3, 2025, the Planning Commission voted 6-1 to deny LDCU-2025-29, a Conditional Use application for a sand mine (non-phosphate mining) on ±855 acres with ±649 acres designated for excavation. The applicant subsequently filed for a De Novo Hearing in accordance with Land Development Code (LDC) Section 922.}*

This De Novo application amends the previous site plan from LDCU-2025-29 to reduce the acreage of a proposed sand mine from ±855 acres to ±656 acres. From this acreage, ±502 acres are intended for excavation with another ±24 acres for a wash plant, office, parking, and other ancillary activities. According to the applicant, the operation will produce sand for “commercial construction aggregates, concrete, asphalt, clean fill material, FDOT and other critical regional infrastructure projects.” The sand will be mined by a hydraulic dredge, which will pump the product to an onsite sand processing plant to be washed, sized and stockpiled for delivery to customers by commercial vehicles. No batch plants are proposed with this operation.

According to the Comprehensive Plan, and as detailed by the LDC, the decision to permit mining activity shall be based on an evaluation of the compatibility of the use with surrounding land uses; the ability to mitigate adverse impacts, including noise, visual, airborne and waterborne pollutants; and traffic impacts. The mining area is split between an Agricultural/Residential Rural (A/RR) and Industrial (IND) land use districts, and the proposed mine is in an area of the County east of Lake Wales with a history of similar mining activity.

Access to the processing plant will be solely from a driveway on Mammoth Grove Road, approximately ¼-mile north of State Road 60. Once mining operations begin, commercial vehicle traffic produced by haul trucks will not access roads south of SR 60, a principal arterial roadway linking central Florida to either coast and multiple other arterial roadways. Mined “slurry” will be pumped to the processing station north of SR 60, where it will be processed and loaded onto vehicles for transport. The applicant anticipates that at full operation, the hauling of materials from offsite will occur from 4 a.m. to 5 p.m., Monday through Saturday (Exhibit 9). Capacity is available on the surrounding roadway network.

The submitted mine plan demonstrates compliance with LDC setback standards from rights-of-way and property lines (100 feet) and residential dwelling units (min. 200 feet). A six-foot-high berm is proposed around the perimeter of the property to mitigate any visual or auditory impacts produced by mining activity (Exhibit 7). Water quality, air quality, and environmental assessments will be ongoing throughout the life of the mine with oversight from state regulatory agencies. In addition, the County conducts annual reviews of approved mines to monitor the progress of mining and/or reclamation activity; conditions of the roadway; and any violations with state or federal regulations which could jeopardize the operating permit, as outlined in the LDC.

The applicant has submitted the requisite documents for approval, including an operations mine plan, reclamation plan, and post-closure plan (Exhibits 6-12). The proposed use has little need for urban services other than emergency services, which are available to the subject site. The applicant’s Impact Assessment Statement (IAS) indicates wetlands and flood zones within the mine area. Where impacts are made, mitigation will be provided in accordance with state and LDC standards. Further environmental studies will be assessed during the Level 2 Review process. After reviewing the relevant facts, staff recommends approval. The request is found compatible with surrounding uses and compliant with the objectives and policies of the LDC and Comprehensive Plan.

## Findings of Fact

- *LDCU-2024-29 is a Conditional Use (CU) approval for a sand mine (Non-Phosphate Mining) on approximately ±656 acres within Agricultural Residential Rural (A/RR) and Industrial (IND) future land use districts, and the County's Rural Development Area (RDA).*
- *Per LDC Chapter 2, Table 2.1, "Mining, Non-Phosphate" in IND and A/RR requires a Level 3, Conditional Use (CU) approval from the Planning Commission.*
- *Per LDC Chapter 2, Section 204.A, the purpose of the Agricultural/ Residential Rural (A/RR) district is to "provide lands for the continuation of productive agricultural uses and to provide for very low-density residential development within unincorporated rural areas. The A/RR district permits agricultural activities, agricultural support facilities, multi-family dwelling units, farm labor housing, group living facilities, and community facilities."*
- *Per LDC Chapter 2, Section 204.C.6 , the purpose of the Industrial (IND) district is to "provide areas for general manufacturing, processing, and distribution of goods. General commercial uses necessary to support the industrial area are also permitted."*
- *LDC Chapter 10 defines Mining, Non-Phosphate as "extraction of limerock, **sand**, peat, clay, and soil from the earth for commercial purposes. The term also includes the reclamation of previously mined land; accessory transporting, washing, storage, drying, grinding, and shipping of mined materials; and all other accessory activities reasonably related to the mining process, but not chemical processing."*
- *According to POLICY 2.108-A1 of the Polk County Comprehensive Plan, the Rural Development Area (RDA) is an area "characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments."*
- *Per POLICY 2.125-G1 of the Comprehensive Plan, Mining of the following minerals shall be permitted throughout the County in all land use classifications, subject to County approval:*
  - a. *lime rock*
  - b. ***sand***
  - c. *peat*
  - d. *clay*
  - e. *soil*
- *Comprehensive Plan POLICY 2.125-G2: NON-PHOSPHATE MINING ACTIVITY DEVELOPMENT CRITERIA states Non-Phosphate Mining shall be subject to the following criteria:*
  - a. *Mineral extraction activities shall be conducted in a manner which will minimize adverse effects to water quality, fish and wildlife, and adjacent land uses. Non-phosphate mining shall be permitted only where compatible with existing land uses and Future Land Use designation.*
  - b. *All mining activities shall require Board approval through the County's development review procedures. This review will require the approval of a "Mine Plan" which shall include, at a minimum:*

1. a "Mine-Area Map" to include, at a minimum, the locations of the mine boundaries, public rights-of-way, existing structures, and environmental features to include topography, watersheds, and any endangered wildlife habitats;
  2. a "Mine-Area Layout" to include, at a minimum, planned locations for beneficiation operations, waste-storage areas, and any proposed permanent structures and/or roads;
  3. a "Reclamation Plan" to include, at a minimum, all information required by applicable state regulations; and
  4. an "Operations Plan" to include, at a minimum, any phasing plans, an Impact Mitigation Plan, and a Traffic Circulation Plan showing major access routes to the mine site.
- c. **The decision to permit the mining activity shall be based on an evaluation of the compatibility of the use with surrounding land uses; and the ability to mitigate adverse impacts, including noise, visual, airborne and waterborne pollutants, and traffic impacts.**
- d. *Mineral extraction activities shall not be conducted so as to make the property impractical or impossible for other future uses. Once extraction activities are completed, the site shall be reclaimed in accordance with the approved Reclamation Plan.*
- *LDC Section 303 details the standards that need to be achieved for conditional approval of "Mining, Non-Phosphate" uses. These include the requirements for the Mine Plan, Reclamation Plan, and Post-Closure Plan.*
  - *LDC Section 303 states mining activity must be set back 100 feet from property lines and road right-of-way lines. All mining activity and facilities shall also be prohibited within 200 feet from any residential dwelling unit or residentially designated plat.*
  - *LDC Section 303 states that an Annual Progress Report shall be required ... "by February 15 of each calendar year, describing the progress of mining and reclamation for each mine site during the past year (If a mine does not operate for a full year, the operator shall still be required to file an Annual Progress Report stating that fact). The report shall be signed by the authorized mine operator. The Annual Progress Report shall be submitted using a report form obtained from Polk County Land Development Division. This report shall include at least the following:*
    - a. *A map on an aerial photograph of scale 1" = 400' on most recent County aerial photograph, showing the areas previously mined during the life of the mine, the areas mined in the past year, and the areas reclaimed in the past year, showing acreage for all these areas;*
    - b. *A map showing the areas intended to be mined on the mine site during the upcoming year and showing the areas intended to be reclaimed during the upcoming year, giving acreage for those areas;*

- c. *Total cumulative acreage mined and total reclaimed over the life of the mine, to date; and*
- d. *Copies of environmental violations (by federal, state and regional regulatory authorities) and any subsequent inspection reports shall be attached.*

*Failure to file the Annual Progress Report may be grounds for revocation of the Operating Permit. An extension of time for filing the Annual Progress Report may be granted by the DRC for reasonable cause. However, when an extension is granted, the submittal of the Annual Progress Report shall occur no later than April 16.”*

- *The property is zoned for Spook Hill Elementary, McLaughlin Middle, Frostproof Senior High, and Bartow Senior High.*
- *Fire and ambulance response is from Polk County Fire Rescue Station 26, located at 2902 FL-60 East, Lake Wales. The estimated response time is seven (7) to nine (9) minutes.*
- *Sheriff’s response to the site is served by the Southeast District, located at 4011 Sgt Mary Campbell Way in Lake Wales. The response times for October 2025 were: Priority 1 – 14:17 minutes, Priority 2 – 34:37 minutes.*
- *The site is not located within the Polk County Utility Service Area or within the city of Lake Wales utility service area.*
- *Based on the Mine Plan, there is one access point identified along the frontage of Mammoth Grove Road (Road No. 983108), a County-maintained Rural Major Collector Roadway with a surface width of 24 feet. Temporary access points are located along Saint Anne Shrine Road (Road No. 081401) and Rattlesnake Road (Road No. 082405), both of which are identified as Rural Minor Collector roadways with surface widths of 20 feet. Mammoth Grove Road is tracked for concurrency Polk County’s Transportation Planning Organization (Link 4117 E/W).*
- *Wetlands and Flood Zones are present on the subject site. Per Chapter 6, Section 620.C of the LDC, wetland impacts, where unavoidable and where properly mitigated as determined by agencies having jurisdiction, shall be permitted for mining uses which meet State and Federal regulations.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within an area of documented endangered plant species sighting. The federal status of this plant species is listed as “threatened.”*
- *The subject property is not located within an Airport Impact Zone or a Wellhead-Protection Area.*
- *According to a preliminary report from the Secretary of State’s Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.*
- *The Comprehensive Plan defines Compatibility in Section 4.400 as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over*

*time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”*

- *This request has been reviewed for consistency with Chapter 2, Tables 2.1 & 2.2, and Sections 303, 906, 907, and 922 of the LDC.*

**Development Review Committee Recommendation:** Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS COMPATIBLE** with the surrounding land uses and general character of the area and **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCU-2025-29.**

### **CONDITIONS OF APPROVAL**

Based upon the findings of fact, the DRC recommends APPROVAL of **LDCU-2025-29** with the following conditions:

1. Approval of LDCU-2025-29 shall be for “Mining, Non-Phosphate” on the subject parcels as demonstrated on the site plan, totaling ±656 acres. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDCU-2025-29, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]
2. The applicant shall be responsible to inspect adjacent roadway conditions for material spillage and provide for its clean-up and removal at least once a day for each day of operation. [PLG]
3. The stacking of vehicles shall not be permitted within any public right-of-way. [PLG]
4. This approval shall be valid until materials have been removed to the elevations specified in the General Mining Notes of the Operations Site Plan (Exhibits 6 & 8). [PLG]
5. Prior to the commencement of mining activities, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law. [PLG]
6. Prior to Level 2 Review approval, the applicant shall provide a surety in an amount to guarantee the cost of repairing any damage to the driveway as a result of the mining operation. The surety shall include costs for milling, paving, and signing and marking at the mining driveway. This surety shall remain in place for the entire life of the mine. [ENG]
7. Traffic generated by this mine shall only access the property at the point(s) of direct ingress/egress on Mammoth Grove Road, Saint Anne Shrine Road, and Rattlesnake Road, as shown on the site plan. [PLG]
8. The material haul routes shall originate from the processing plant and proceed south on Mammoth Grove Road, which provides direct access onto SR 60 as designated on the Traffic Circulation Plan/Haul Route (Exhibit 9). No material traveling offsite shall be hauled northbound. [PLG]

9. Timelines and hours of operation set forth by this application are non-binding. [PLG]
10. Any institutional fencing (i.e. 6' chain-link security fencing) shall be removed once the mine reclamation is finished. However, this shall not preclude fencing typically associated with post closure uses (AG Exempt) to be installed. [PLG]
11. Stock piling of materials shall only be located in the areas shown on the Operations Plan, without approval through a major modification of the conditional use. [PLG]

## **GENERAL NOTES**

*NOTE: This staff report was prepared without the benefit of testimony and evidence submitted by the public and other parties at a public hearing.*

*NOTE: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.*

*NOTE: All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*

*NOTE: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. A Level 2 Review (engineered plans) will be required reflecting the standard conditions listed in Section 303 of the Land Development Code and the development standards listed in Chapter 7 of the Land Development Code. Upon completion of the Level 2 Process, building permits will be required for all structures in accordance with Chapter 553 of the Florida Statutes.*

*NOTE: Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

## **Surrounding Land Use Designations and Current Land Use Activity**

The subject site is approximately two miles east of the city of Lake Wales in an area known as Alcoma, which has long been part of the citrus industry, including the processing and distribution of citrus products. The surrounding A/RR and IND land use districts reflect this activity. Leisure/Recreation (LR) districts are also located within ½-mile of the subject site and include the Saddlebag Lake Resort Community (approved through PUD 73-8) and the Lake Aurora Christian Camp & Retreat Center (PUD 89-30). Two single-family residential properties border the southern boundaries of the mine, off Saint Anne Shrine Road and Rattlesnake Roads. A single-family subdivision is located south of SR 60 and east of Church Road on the eastern border of the subject site. Non-residential uses surrounding the subject site and along SR-60 include manufacturing, citrus processing, warehousing and distribution, and self-storage, according to information from the Property Appraiser.

The subject site is approximately 656 acres and bifurcated into two distinct northern and southern areas by SR-60. From this acreage, ±502 acres are intended for excavation with another ±24 acres for a wash plant, office, parking and other ancillary activities. According to the applicant, the operation will produce sand for “commercial construction aggregates, concrete, asphalt, clean fill material, FDOT and other critical regional infrastructure projects.” The sand will be mined using a hydraulic dredge, which will pump the product to an on-site sand processing plant to be washed, sized and stockpiled for delivery to customers by commercial vehicles. No batch plants are proposed with this operation.

The sand will be mined at a rate of 10 to 20 acres per year, with an anticipated closure around 2070. The mined wet material will be pumped through a subsurface piping system to the centrally located

processing facility. Like other mining activities in the area, the project will jack and bore pipes under SR 60 through an FDOT permit. Mining, processing, and maintenance will occur 24 hours a day, 365 days per year, as demand requires. Meanwhile truck operations will take place from 4:00 a.m. to 5:00 p.m., Monday through Saturday, resulting in an estimated 6,410 tons of material extracted a day at maximum capacity.

## **Compatibility with the Surrounding Land Uses and Infrastructure**

The Comprehensive Plan defines Compatibility in Section 4.400 as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion.”

Planning staff analyzes a site plan for compatibility by reviewing several factors: the type and intensity of adjacent uses versus the proposed use; how the proposed development interacts with the surrounding area in relation with existing uses; access to roads and where traffic generated from the site will travel; the proximity to retail, employment, emergency services, mass transit, parks, and other public services; and how the applicant addresses possible incompatibilities that might arise from the proposed use by utilizing mitigating strategies found in the Comprehensive Plan or through Conditions of Approval agreed upon by the applicant and staff.

### **A. Surrounding Land Uses:**

Through the provisions of the Comprehensive Plan, non-phosphate mining is a broad land use category covering mines of various intensities that create different external effects on surrounding properties. Limestone mining, for example, typically requires drilling, blasting, and crushing of raw materials to transport offsite. Borrow pits are dry-mine operations that require the use of heavy machinery and equipment for the continued excavation of the site.

The proposed sand mine does not create the same external effects, especially when considering noise and airborne particulates, that are possible with the mines referenced above. It is within an area of Polk County that has a history of similar sand mining operations. According to the applicant, “the primary resource on this site is coarse-grained sand, which is a strategic resource that is only located and available for extraction in specific locations throughout the region. Though most of Polk County is covered with fine-grained sandy materials, few areas contain the coarse sand that meets commercial and FDOT Specifications.”

The subject site is adjacent to a Mineral-Resource Protection District (MRPD) overlay. Policy 2.124-C1 of the Comprehensive Plan states that, “the Mineral-Resource Protection District (MRPD) overlay is established for the purpose of protecting for future mining those known deposits of minerals and soils that are in appropriate locations so as not to have adverse impacts on existing development.”

That this proposal does not fall within these boundaries does not preclude its ability to be mined; rather, this demonstrates compatibility with surrounding uses in the overall area. The Lake Wales Non-Phosphate Mine to the west encompasses over 2,200 acres and has undergone several modifications in 2000, 2004, 2006, and 2012. The most recent was a northern expansion up to Mammoth Grove Road (CU 91-09M). This mine was the impetus for creating the MRPD overlay.

### **B. Compatibility with Adjacent Uses**

According to the site plan, the processing and wash plant will be located near the center of the site taking access from Mammoth Grove Road on Parcel ID# 283002-000000-010000 (+/- 148.68 acres).

The height of the stockpiles at the processing plant will average between 25 to 35 feet, with an average of 80,000 cubic feet. Per LDC Section 303, if mining product stockpiles exceed 25 feet in height then the minimum setback for those stockpiles shall be increased by one foot for each additional foot of height over 25 feet. The size of this parcel allows this standard to be met.

LDC Section 303 states mining activity must be set back 100 feet from property lines and road right-of-way lines. All mining activity and facilities shall also be prohibited within 200 feet from any residential dwelling unit and platted residential subdivisions. A reduction up to 75 feet of the setback from road rights-of-way may be granted by the Planning Commission. However, no reductions are requested. The site plan shows that these standards are being met or exceeded. For the homes along Saint Anne Shrine Road bordering the subject property (two in total), the setback will be 200 feet from *the property lines*, rather than the structures, creating additional separation than what is required. The mining area along Church Road will also be setback 200 feet from that right-of-way creating additional separation from the residences on the east side of the road.

When reviewing sand mines for compatibility with adjacent uses, distance is the mitigating factor. Saddlebag Lake Resort is the closest community with a notable residential density. The western property line of this community is over ½ mile from the proposed processing facility and further screened and buffered by existing vegetation. The nearest distance between the subject site and Camp Aurora is approximately ¼-mile and separated by an orange grove.

In addition to the separation buffers, a six-foot-high, 50-foot-wide berm is proposed around the perimeter of the property to mitigate visual or auditory impacts produced by mining activity. LDC Section 303 allows perimeter overburden storage berms within the 100 feet of setback area provided that:

- *The berm does not exceed 15 feet in height.*
- *The toe of the berm is not located any closer than 25 feet from a property line or right-of-way line.*
- *The berm is designed to serve as a buffer of mining activities from adjacent properties.*
- *The berm is re-vegetated within 60 days to control weather induced soil erosion, and in such a way as to lessen the visual impact of the berm.*

After the start-up of the mine, removal of overburden, and initial excavation using heavy machinery, there is not anticipated to be an ongoing source of noise that would exceed 65 dB at any property line. There is no batch plant proposed with this application which would produce more noise than the planned electric dredge or the washing facility. The hydraulic dredging and piping of slurry associated with this mine is not anticipated to create dust or airborne particulates, though a water truck will be used to suppress dust, as needed.

#### C. Infrastructure:

Given the lack of utilities, the RDA does not support dense residential or non-residential development. The primary concern with infrastructure with sand mines is with the roadway network and how it interacts with surrounding uses. According to the applicant, “logistics is a critical factor in selecting a location for a sand mine, for economic and environmental reasons. The minimization of transport distance yields economic and environmental benefits to the County and to the applicant by reducing trip length, road usage, vehicle maintenance, vehicle fuel, and reducing air pollution via reduction of carbon footprints.”

The site plan shows one point of primary access from Mammoth Grove Road. Once mining progresses, there will be two (2) access points from Saint Anne Shrine Road and two (2) from Rattlesnake Road for maintenance purposes. There is no proposed access from Church Road.

None of these access points will lead commercial vehicles past residential properties. Staff has added the following conditions for roadway maintenance that have been agreed upon by the applicant:

- *The applicant shall provide a surety in an amount to guarantee the cost of repairing any damage to the driveway as a result of the mining operation.*
- *The applicant shall be responsible for inspecting adjacent roadway conditions for material spillage and provide for its clean-up and removal at least once a day for each day of operation.*
- *The stacking of vehicles shall not be permitted within any public right-of-way.*
- *Traffic generated by this mine shall only access the property at the point(s) of direct ingress/egress on Mammoth Grove Road, Saint Anne Shrine Road, and Rattlesnake Road, as shown on the site plan.*
- *The material haul routes shall originate from the processing plant and proceed south on Mammoth Grove Road, which provides direct access onto SR 60 as designated on the Traffic Circulation Plan. No material traveling offsite shall be hauled northbound.*

#### D. Mining Oversight

According to LDC Section 303, “the Polk County Land Development Division shall be responsible for inspecting the mine site annually for consistency with the approved Mine Plan. Inspection of the mined area reclamation is the responsibility of the Department of Environmental Protection as per Chapters 62C-36 and 62C-39, F.A.C. Compliance with Polk County's minimum reclamation standards found in this Section shall be demonstrated through the annual mine reports. This Section shall not limit the authority of the BoCC or any County agency to enforce or monitor compliance with other applicable statutes, ordinances, resolutions, regulations or permit conditions.”

Furthermore, Section 303 requires that, “an Annual Progress Report shall have a designated operator who shall file a written Annual Progress Report with Polk County, by February 15 of each calendar year, describing the progress of mining and reclamation for each mine site during the past year (If a mine does not operate for a full year, the operator shall still be required to file an Annual Progress Report stating that fact).

The report shall be signed by the authorized mine operator. The Annual Progress Report shall be submitted using a report form obtained from Polk County Land Development Division. This report shall include at least the following:

- a. A map on an aerial photograph of scale 1" = 400' on most recent County aerial photograph, showing the areas previously mined during the life of the mine, the areas mined in the past year, and the areas reclaimed in the past year, showing acreage for all these areas;*

*b. A map showing the areas intended to be mined on the mine site during the upcoming year and showing the areas intended to be reclaimed during the upcoming year, giving acreage for those areas;*

*c. Total cumulative acreage mined and total reclaimed over the life of the mine, to date; and*

*d. Copies of environmental violations (by federal, state and regional regulatory authorities) and any subsequent inspection reports shall be attached.*

Failure to file the Annual Progress Report may be grounds for revocation of the Operating Permit. An extension of time for filing the Annual Progress Report may be granted by the DRC for reasonable cause. However, when an extension is granted, the submittal of the Annual Progress Report shall occur no later than April 16.”

#### E. Reclamation & Post-Closure Plans

According to LDC Section 303, the mine operator shall be required to reclaim all land mined or disturbed by the operator's mining operations in accordance with State regulations (including Chapters 62C-36 and 62C-39, F.A.C.) and requirements of the Code.

Reclamation and Post-Closure Plans have been provided with the application. Reclamation, under the regulatory supervision of the state and monitored by the County, will begin after the completion of mining. The excavated areas will remain as ponds and lakes with upland areas re-vegetated. Ultimately, the remaining viable land use activities identified by the Post-Closure Plan include recreational, conservation, reservoir, commercial, and open space uses.

The Post-Closure Plan is a critical component when reviewing a mine plan relative to the surrounding areas and long-term vision for an area. Approving large mines - and ultimately lakes - in high-density districts with available infrastructure would not be prudent economic development. In the A/RR and RDA, though, a sand mine of this scale provides future open space and conservation potential, which is compatible with surrounding rural area.

#### **Nearest and Zoned Elementary, Middle, and High School**

The property is currently zoned for Spook Hill Elementary, ( $\pm 7.4$  miles); McLaughlin Middle ( $\pm 6.8$  miles); and Frostproof Senior High ( $\pm 4$  miles). This is a non-residential use, and the request will not have an impact on school capacity.

#### **Nearest Sheriff, Fire, and EMS Station**

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. It also provides fire suppression, rescue services, and fire prevention services to all unincorporated Polk County and the municipalities of Eagle Lake, Polk City, Mulberry, Lake Hamilton, and Hillcrest Heights. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

Table 1, to follow, provides a breakdown of response times and travel distances for emergency services. As a note, planning is underway for a new station to combine the Nalcrest Fire Station and the Nalcrest Ambulance Station. The new station will be adjacent to the Southeast Polk Wellfield Cretaceous Injection Well IW-1 on Boy Scout Camp Road and is not set to begin construction until after the completion of the well site facility. Once open, the travel distance from this new location

will be reduced to 3.1 miles and the response times should average between six (6) to eight (8) minutes.

**Table 1**

	<b>Name of Station</b>	<b>Distance</b>	<b>Response Time*</b>
Sheriff	Southeast District (4011 Sgt. Mary Campbell Way, Lake Wales)	±12 miles	P1: 14:17 minutes P2: 34:37 minutes
Fire/ EMS	Polk County Fire Rescue Station 26 (2902 FL-60 E, Lake Wales)	±3.7 miles	7-9 minutes

*Source: Polk County Sheriff's Office and Public Safety \*Response times are based on when the station receives the call and not from when the call is made to 911.*

Typically, Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within an area of the County.

Priority 1 Calls are true emergencies such as in-progress burglary, robbery, injuries, etc. Priority 2 Calls refer to events that have already occurred, such as a burglary that occurred while the homeowner was on vacation and had just been discovered. At any rate, response times are not as much a function of the distance to the nearest substation but more a function of the overall number of patrol officers within the County.

The PCSO is always trying to improve response times, especially for Priority 1 Calls, by employing new technologies such as Emergency 1 Dispatch (E1D) and Live911. E1D is a program designed to alert deputies at the earliest possible moment of a call for service that is being classified as a true emergency. E1D alert notifications are sent to deputies via their agency-issued smart phones as text messages, alerting deputies of the call type and address of the emergency. Similarly, Live911 technology allows deputies to hear emergency calls in real-time as the dispatcher is receiving the information. Both E1D and Live911 enable deputies to self-dispatch to these in-progress, high-risk incidents as dispatchers collect additional information about the call, thus reducing our response time to emergency situations.

Patrol staff in each district also monitors the response times for their areas and tries to manage their shifts according to manpower, hotspots, traffic obstructions/construction sites, etc. Areas that are spread out tend to have slightly longer response times because of the vast land mass of their district and time of travel. Since patrol deputies are not sitting in the office waiting on a call, it is easier for patrol staff to assign them to certain sectors or beats based on areas with higher call volume to reduce response time; however, this cannot be predicted precisely.

**Public Water and Wastewater Demand and Capacity:**

**A. Estimated Demand and Service Provider:**

This request is within the County's RDA. There are no municipality water or wastewater lines directly available to the site.

**B. Available Capacity:**

There are no public water or wastewater services offered in the immediate area, and there are no intentions of expanding services in this area. If necessary, a well and septic system will be required.

C. Planned Improvements:

There are no planned improvements by the County in the vicinity of the parcel.

**Roadways/ Transportation Network**

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The Roadway Network Database (RND) contains current traffic data for all arterial and collector roads and includes information on the current traffic volume and level-of-service for these major roads. The RND contains over 26 fields of transportation data for over 1,300 miles of state, County, and city roads in Polk County – one of the largest road networks in the State of Florida.

Much of the transportation data contained in the updated RND is based on traffic counts taken recently by the TPO and Florida Department of Transportation (FDOT) and is used to calculate the level of service and how much capacity is available on a given road based on the road’s level of service (LOS) standard.

The report identifies both daily and peak hour traffic volumes. Daily traffic volumes are reported in Annual Average Daily Traffic (AADT) – the typical traffic volume on a weekday over a 24-hour period. Peak hour traffic represents the highest hourly traffic volume for period between 4 – 7 p.m. It is reported as both a two-way volume and as directional volumes (east and west or north and south).

The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of ‘A’ to ‘F’ with LOS ‘A’ being the best (free-flow traffic) and LOS ‘F’ being the worst (severe traffic congestion).

A. Estimated Demand:

Due to the nature of the market in which non-phosphate mining takes place, there are no standard means to estimate the trip counts as this specialized industry is driven completely by a customer demand bias.

According to the applicant, proposed trucking operation hours are 4:00 a.m. to 5:00 p.m., assuming full operation at six days per week (Monday through Saturday). The applicant submitted a preliminary a Minor Traffic Study with this request that anticipates 536 Annual Average Daily Trips (AADT) and seventeen (17) Peak PM Hour Trips, assuming a maximum of 10 employees at peak operation. Access from the main plant will be taken directly off Mammoth Grove Road, a Rural Major Collector Roadway (RMC), is approximately ¼ mile driving distance to the south to SR 60, a Principal Arterial Roadway. No trucks will turn left and head north on Mammoth Grove Road.

B. Available Capacity:

Roadways have the capacity to assimilate the project’s traffic at this peak as described in the section above. Table 2, below, shows the available capacity of the most-affected links.

**Table 2**

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4117E	Mammoth Grove Road From: SR-60 To: Camp Mack Road	C	860	C

**Table 2**

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4117W	Mammoth Grove Road From: SR-60 To: Camp Mack Road	C	859	C
5910E	SR-60 From: Stokes Road To: CR 630	B	15,838	C
5910W	SR-60 From: Stokes Road To: CR 630	B	15,868	C
5909E	SR-60 (Hesperides Road) From: SR 17 To: Stokes Road	C	25,284	D
5909W	SR-60 (Hesperides Road) From: SR 17 To: Stokes Road	C	25,331	D

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 2025

Appendix C of the LDC requires all developments generating more than 50 average daily trips to conduct a minor traffic study. Mammoth Grove Road and SR-60 have capacity to assimilate new trips generated by the proposed mine.

#### C. Roadway Conditions:

Mammoth Grove Road (Link # 4117) is a County-maintained RMC with a paved surface width of 24 feet. Saint Anne Shrine Road (Road No. 081401) is a Rural Minor Collector Roadway (RNC) with a width of 20 feet. Rattlesnake Road (Road No. 082405) is a Rural Minor Collector Roadway (RNC) with a surface width of 20 feet.

According to the Roads and Drainage Division, all County-maintained roadways adjacent to the site will need to dedicate additional ROW, including Church Road (Road No. 081203). Mammoth Grove Road and SR-60 intersect at an open, divided median. A right-turn lane from SR-60 (approx. 660 feet in length) allows access onto Mammoth Grove Road for westbound traffic. Given the proposed level of traffic, intersection improvements at Mammoth Grove Road and SR-60 are not anticipated.

FDOT is responsible for the maintenance and operation of SR-60. SR-60 is an east-west roadway that is part of the Florida Intrastate Highway System (FIHS) linking both coasts, I-75, US 27, the Florida Turnpike, and I-95, among other vital thoroughfares. It is within the Strategic Intermodal System (SIS), which “provides efficient multi-modal transportation facilities and provides connections to airports, seaports, bus and rail terminals,” according to FDOT.

#### D. Planned Improvements:

There are no County roadway improvements planned in the next five years for this area. On SR-60, FDOT is undergoing median modifications to reduce conflict points and increase safety at the intersection of SR-60 at Walk in Water Road/Boy Scout Camp Road, approximately 2.2 miles east of Mammoth Grove Road.

According to FDOT, “changes include converting the full median opening to a two-way directional median opening. The proposed safety improvement will remove crossing movements of SR-60 from Walk in Water Road and Boy Scout Camp Road and require motorists to make right turns onto SR-60 with U-turns at the adjacent median openings. Left turns onto Walk in Water Road and Boy Scout Camp Road will continue to be permitted.”

E. Mass Transit:

There is no transit within a reasonable distance of the site; however, the nature of this request does not demand the need for mass transit.

F. Sidewalks:

There are no sidewalks along the parcel. Since this project is in the Rural Development Area (RDA), the construction of sidewalks is not required.

**Park Facilities and Environmental Lands:**

The closest environmental land is Tiger Creek Preserve which is ±1.02 miles to the southwest. A portion of Lake Wales Ridge State Forest is ±1.54 miles to the east, however no trails or services are offered. A portion of the State Forest, the Walk in Water Tract, offers recreational activities and is about seven (7) miles away. There are no City or County Park facilities nearby. The proposed use is not expected to interfere with these lands.

A. Location:

Tiger Creek Nature Preserve is located at 674 Pfundstein Road in Babson Park. Lake Wales Ridge State Forest is located at 851 County Road 630 East in Frostproof.

B. Services:

Tiger Creek Preserve offers hiking through guided trails. Lake Wales Ridge State Forest provides primitive camping, fishing, hunting, hiking and biking trails, picnic shelters and equestrian trails.

C. Multi-use Trails:

Over ten miles of multi-use hiking and horseback trails can be found at Tiger Creek Preserve.

D. Environmental Lands:

The subject site, at its southernmost point, is about one (1) mile north of Tiger Creek Preserve. Tiger Creek is home to two high-quality, seepage blackwater streams including Patrick Creek. A seepage stream gets its water from the surrounding uplands; the blackwater comes from the leaching of tannins from falling vegetation. Only two or three such streams with an intact hardwood floodplain exist in Florida. The Lake Wales Ridge State Forest consists of multiple tracts throughout the area. Both the preserve and state forest protect a portion of the Lake Wales Ridge, a unique scrub ridge that provides valuable community habitat.

E. Planned Improvements:

Staff has not identified any planned improvements to the County parks near the subject site.

**Environmental Conditions**

The subject site has been primarily used for citrus production. Small waterbodies, wetlands, and flood zones can be found onsite.

A. Surface Water:

There are several small surface waters scattered throughout the northern portion of project area. The proposed areas to be mined are in three (3) separate drainage basins – the Catfish Creek Drainage Basin, Tiger Creek Basin, and Weyohyakapka-Ros Basin, all categorized as open basins with a positive outfall. No off-site discharge of stormwater is proposed from the mine. All stormwater and process water will be directed to the mining areas and mined lakes. The underlying sand is highly permeable, and little surface runoff presently occurs from the sandy uplands. According to the applicant, the presence of mine lakes will not measurably impact runoff to wetlands. The project will retain rainfall events up to the 100-year, 24-hour event in the reclaimed lakes.

B. Wetlands/Floodplains:

There are wetlands scattered throughout the project area. LDC Section 620 allows for mining within wetland areas that have been properly mitigated. Dredge or fill impacts to these areas would require a permit from the Florida Department of Environmental Protection along with compensatory mitigation. A permit from the U.S. Army Corps of Engineers may also be required if they are Waters of the United States. Flood zones are located in conjunction with these wetlands. Most of the property is situated within the Zone X flood zone, or areas determined to be outside the 500-year flood. Any impacts to flood zones will be compensated for by the excavated mine lakes.

C. Soils:

Soils in the upland areas of the site are primarily Astatula sand. According to the USDA Soil Series, “the Astatula series consists of very deep, excessively drained, very rapidly permeable soils on uplands of the South Central Florida Ridge (MLRA 154), Southern Florida Flatwoods (MLRA 155) and a few areas of the Eastern Gulf Coast Flatwoods (MLRA 152A). They formed in eolian and marine sands.”

D. Protected Species

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within an area of documented endangered animal species sighting; however, a documented endangered plant species (Scrub Pigeon-Wing) was recorded at the southern end of the site within the last twenty years. The federal status of this plant species is listed as “threatened.”

Prior to approval of a Level 2 Review and Operating Permit, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

After mining operations stop, the mined areas will be reclaimed with vegetation and graded in accordance with local and state regulations. In lieu of residential or commercial land uses, the proposed project will create more open space between land uses.

E. Archeological Resources:

According to a preliminary report from the Secretary of State’s Department of Historical Resources Florida Master Site File, no archaeological sites are found within the parcel boundaries.

F. Wells (Public/Private)

This site is not within any of the County's Wellhead Protection Districts. The applicant indicates existing private wells from prior agricultural use. As mining progresses, the existing wells will be permanently abandoned.

G. Airports:

This property is not within a Height Notification Zone or In-Flight Visual/Electronic Interference Zone.

**Economic Factors**

Sand mines are not as intense as other types of mines yet are critical in growth areas like Central Florida. Sand mines operate in a few different manners. One is a facility that excavates the sand and processes it into concrete and other construction materials. These typically maintain processing facilities or batch plants onsite. These tend to be more land intensive and require ample water supply. The applicant is proposing another type of sand mine that will not manufacture finished products onsite. The sand is extracted, processed to be washed and sized, and then shipped elsewhere to be processed or utilized as fill for home or road construction, in addition to other uses.

**Consistency with the Comprehensive Plan**

Non-phosphate mining is listed as an allowable use in A/RR and IND land use districts pursuant to a Level 3 Review. The key to evaluating the proper location of a mine is the criteria listed in POLICY 2.125-G3 of the Comprehensive Plan. These require the BoCC to consider the following:

*a. Does the mining activity minimize adverse impact on environmentally sensitive lands;*

Yes, the site has been long manipulated and cultivated for citrus use. The mine will avoid existing wetlands to the extent possible; however, LDC Section 620 allows non-phosphate mining with the proper mitigation.

*b. Does the mine plan maximize the ability to restore or mitigate environmentally sensitive lands;*

According to the applicant, there are surface water features onsite. Additionally, the wetland and floodplain within the mine area may be impacted. However, wetland mitigation will be provided within the pit area or using wetland credits. According to the reclamation plan, the site will reshape mining features and revegetate disturbed areas to minimize aesthetic and biological impacts, and restore property to original pasture condition.

*c. Does the operation plan minimize the adverse impacts of truck and heavy machinery traffic on residential streets; and*

Yes, ingress/egress for the proposed project is along County-maintained Collector roadways and will not pass residential driveways.

**d. Does the operation plan minimize the extent of adverse external impacts, such as noise, dust, and visual impacts on non-industrial areas?**

Yes, the site plan shows adherence to LDC rules for setbacks of mining activity from residential uses. The applicant has also provided plans to handle dust and run-off in their operations plan. The operation of the mine itself limits dust and noise, compared to other mining facilities.

The BoCC, in the review of development plans, shall consider the following factors listed in Table 3 in accordance with Section 907.D.6 of the Land Development Code.

**Table 3**

<b>The BoCC, in the review of development plans, shall consider the following factors in accordance with Section 907.D.6 of the LDC:</b>	
<b>Whether the proposed development is consistent with all relevant requirements of this Code;</b>	<i>Yes, this request is consistent with the LDC, specifically Section 303 which permits this use upon completion of a Level 3 Review. These can be found in the Findings of Fact of the staff report.</i>
<b>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</b>	<i>Yes, this development is consistent with the Comprehensive Plan as reviewed above.</i>
<b>Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and</b>	<i>Yes, the request is compatible with surrounding uses and the general character of the area, as noted within the staff report.</i>
<b>Any other matter which the BoCC may deem appropriate and relevant to the specific development proposal.</b>	<i>This request will not require concurrency determinations from the School Board or utilities. Capacity is available on the surrounding roadway network.</i>

**Comments from other Agencies:**

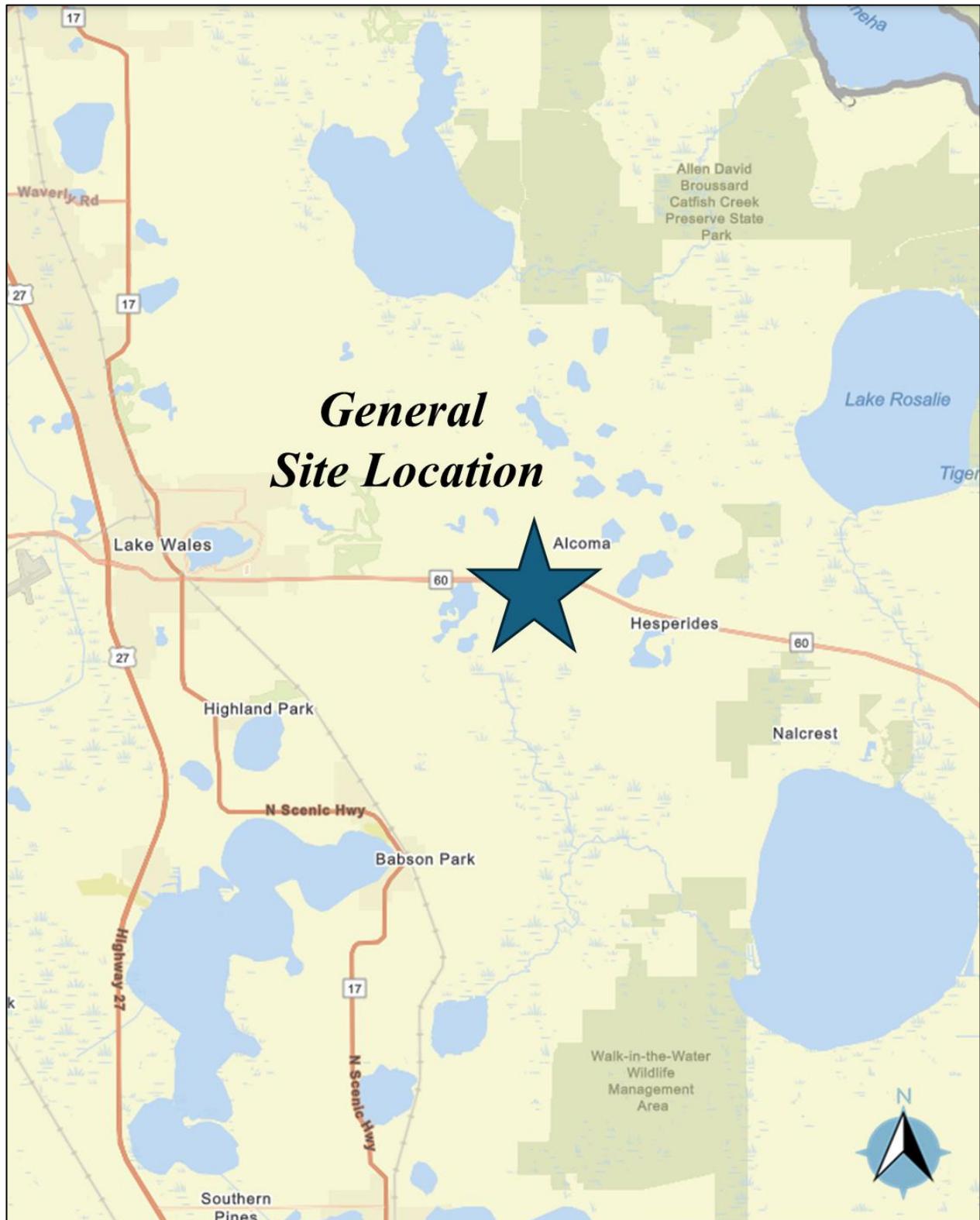
**Roads & Drainage Division:**

Additional right-of-way will need to be dedicated from the following County-maintained roadways (measured from the centerline of each roadway):

- Mammoth Grove Road (No. 983108): 40 feet
- Saint Anne Shrine Road (No 081401): 30 feet
- Rattlesnake Road (No. 082405): 30 feet
- Church Road (No. 081203): 30 feet

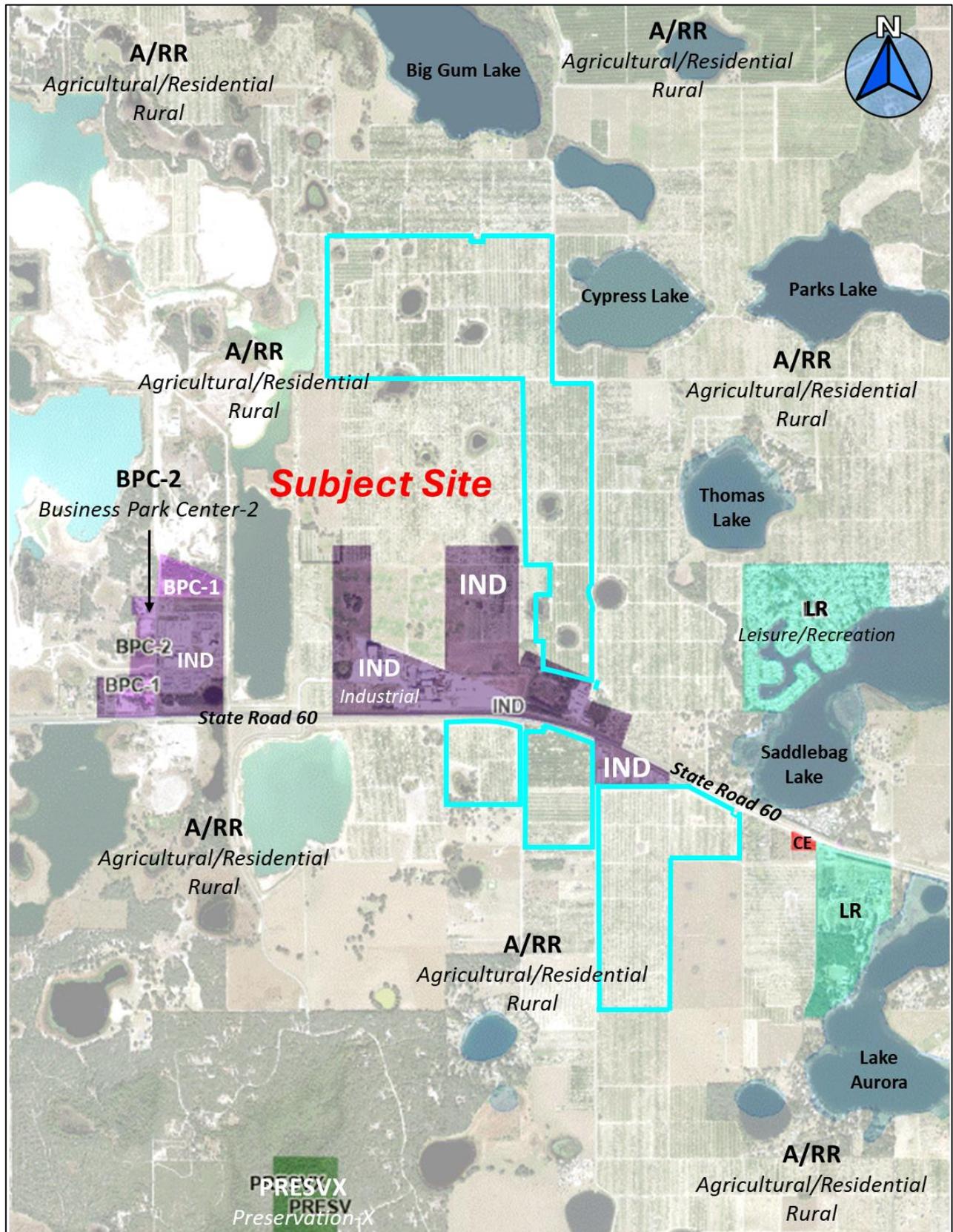
**Exhibits:**

- Exhibit 1 Location Map
- Exhibit 2 Future Land Use Map
- Exhibit 3 Aerial Image - Context
- Exhibit 4 Aerial Image - North
- Exhibit 5 Aerial Image - South
- Exhibit 6 Operations Plan
- Exhibit 7 Berm Details
- Exhibit 8 Operations Plan Notes
- Exhibit 9 Haul Route
- Exhibit 10 Reclamation Plan
- Exhibit 11 Reclamation Plan (Notes)
- Exhibit 12 Post-Closure Plan



*General  
Site Location*

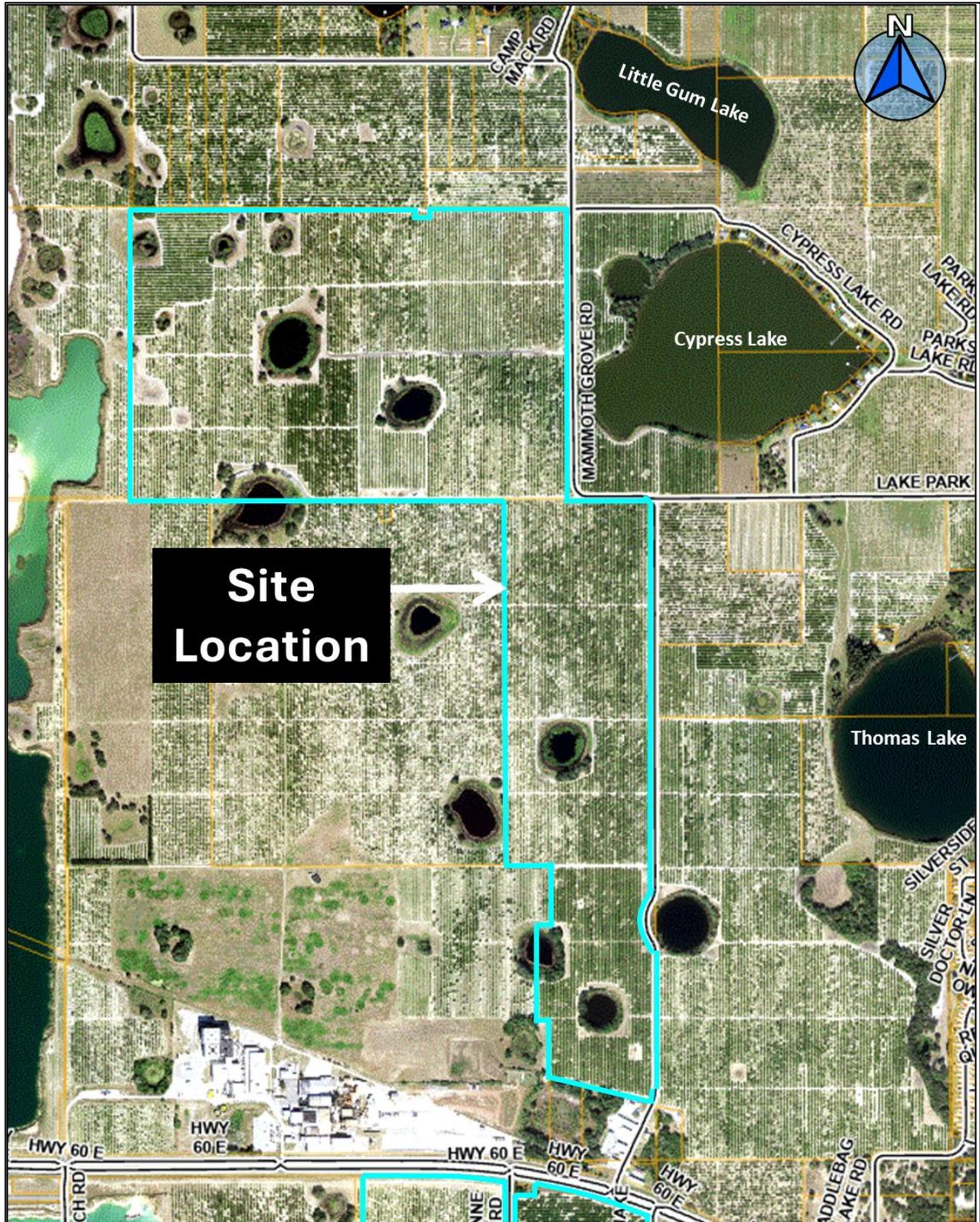
## Site Location



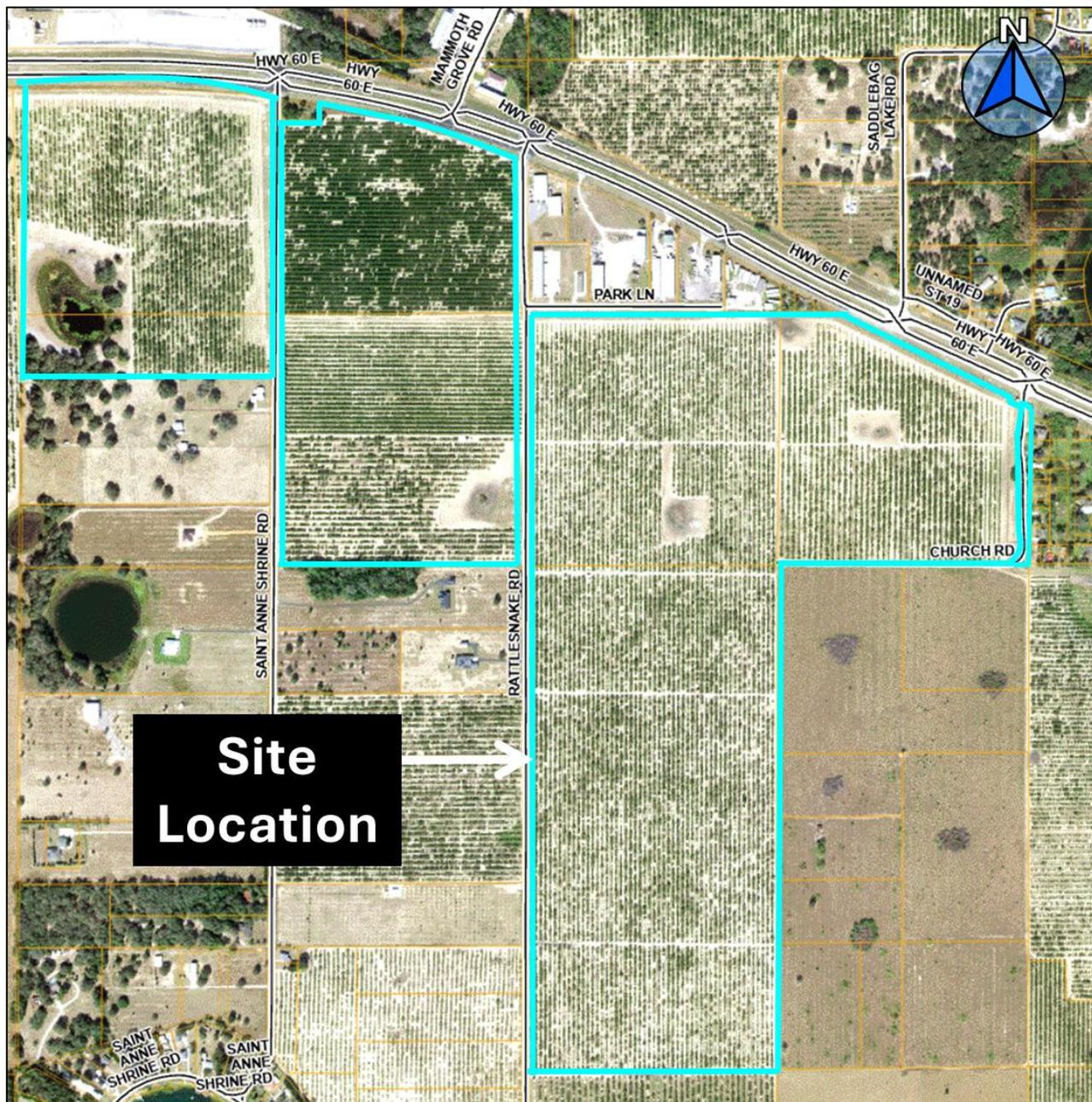
Future Land Use Map



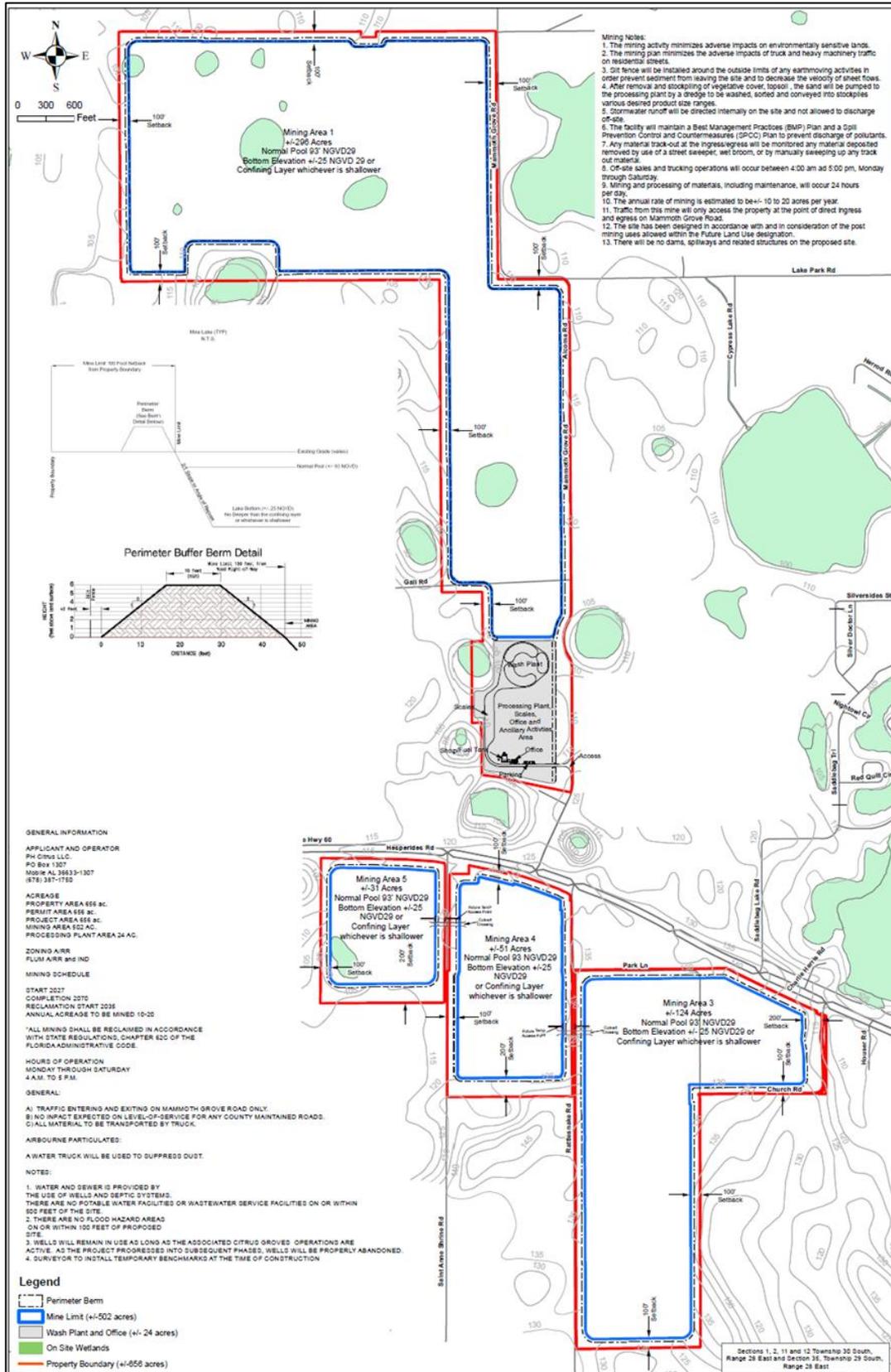
Aerial Image – Context



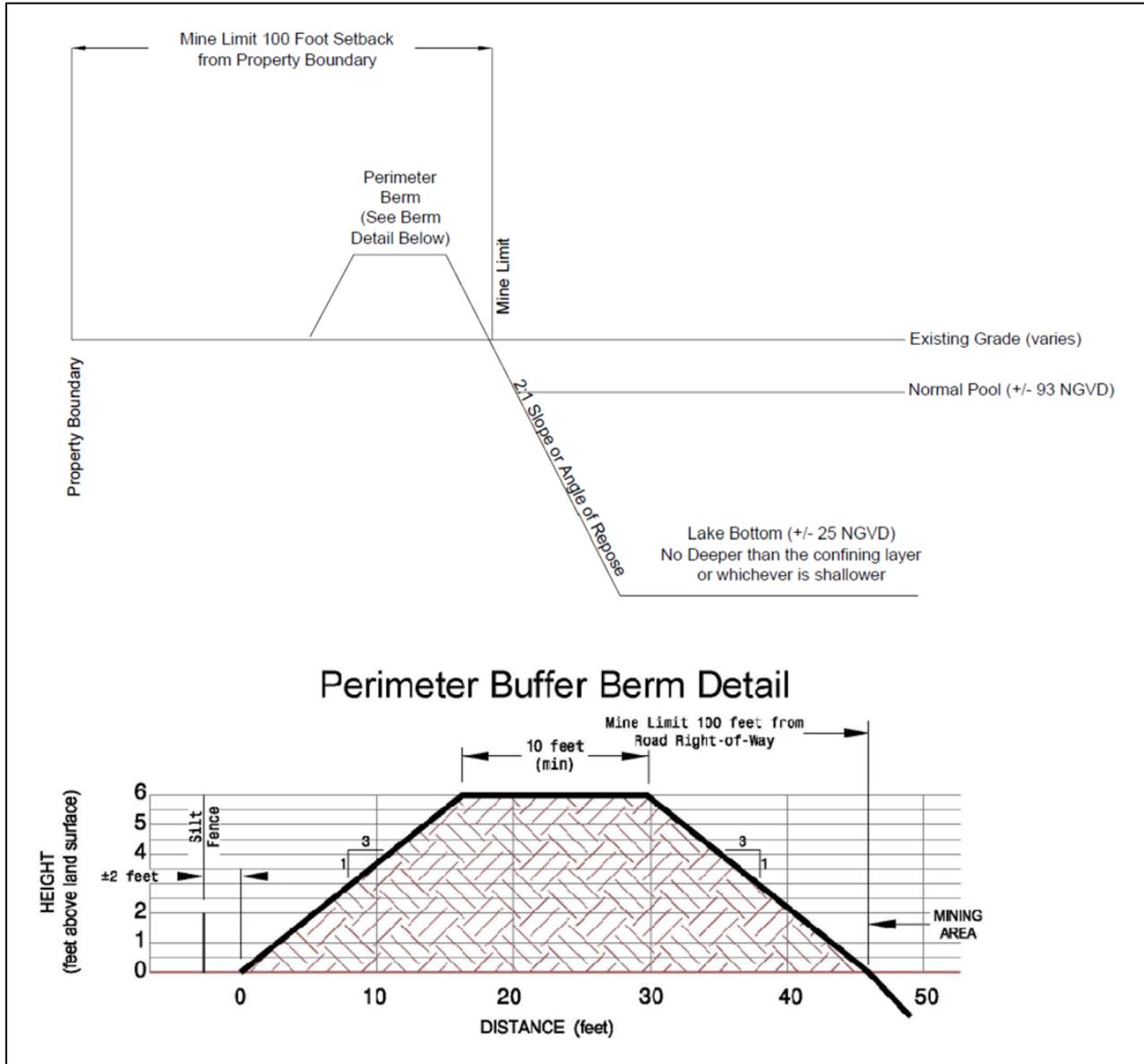
Aerial Image – North Side



Aerial Image – South Side



# Operations Plan

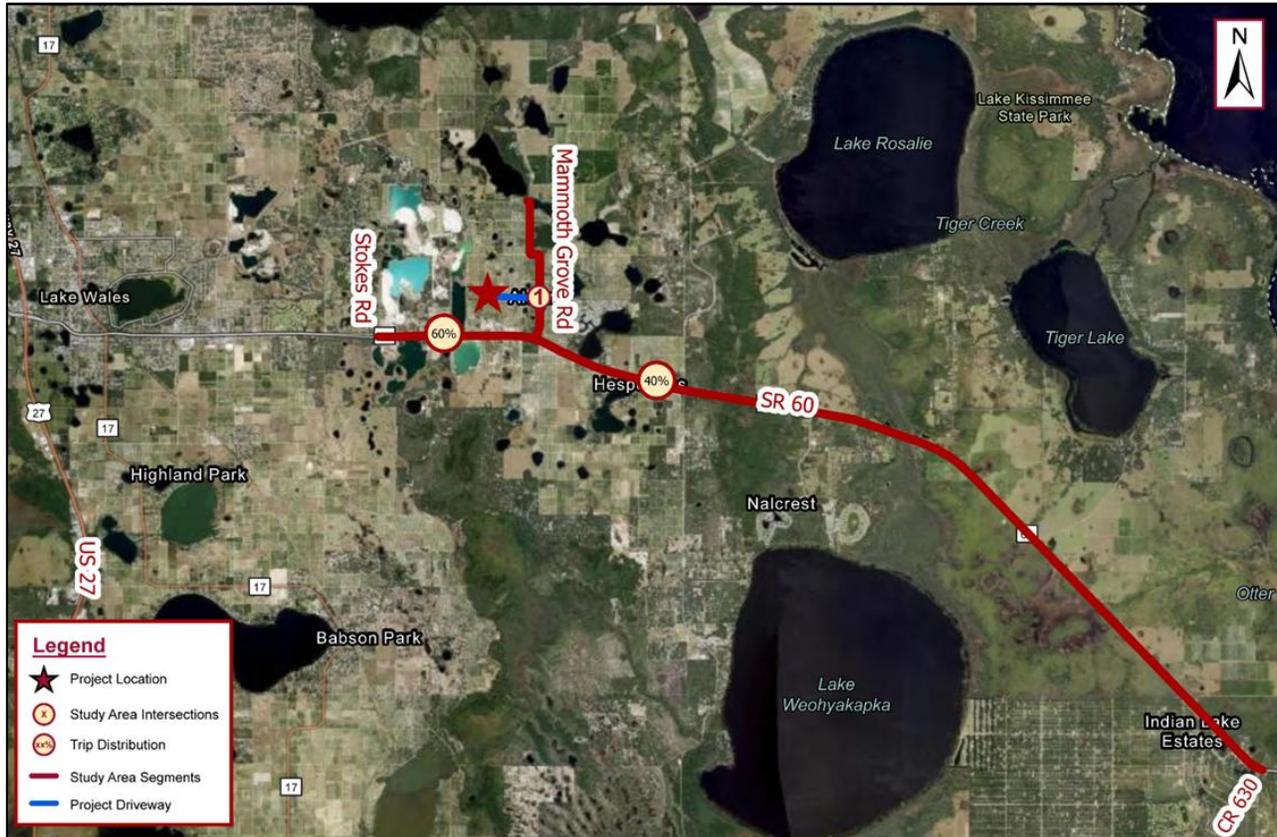


## Perimeter Berm Details

Mining Notes:

1. The mining activity minimizes adverse impacts on environmentally sensitive lands.
2. The mining plan minimizes the adverse impacts of truck and heavy machinery traffic on residential streets.
3. Silt fence will be installed around the outside limits of any earthmoving activities in order prevent sediment from leaving the site and to decrease the velocity of sheet flows.
4. After removal and stockpiling of vegetative cover, topsoil , the sand will be pumped to the processing plant by a dredge to be washed, sorted and conveyed into stockpiles various desired product size ranges.
5. Stormwater runoff will be directed internally on the site and not allowed to discharge off-site.
6. The facility will maintain a Best Management Practices (BMP) Plan and a Spill Prevention Control and Countermeasures (SPCC) Plan to prevent discharge of pollutants.
7. Any material track-out at the ingress/egress will be monitored any material deposited removed by use of a street sweeper, wet broom, or by manually sweeping up any track out material.
8. Off-site sales and trucking operations will occur between 4:00 am ad 5:00 pm, Monday through Saturday.
9. Mining and processing of materials, including maintenance, will occur 24 hours per day,
10. The annual rate of mining is estimated to be+/- 10 to 20 acres per year.
11. Traffic from this mine will only access the property at the point of direct ingress and egress on Mammoth Grove Road.
12. The site has been designed in accordance with and in consideration of the post mining uses allowed within the Future Land Use designation.
13. There will be no dams, spillways and related structures on the proposed site.

## Operations Plan Notes



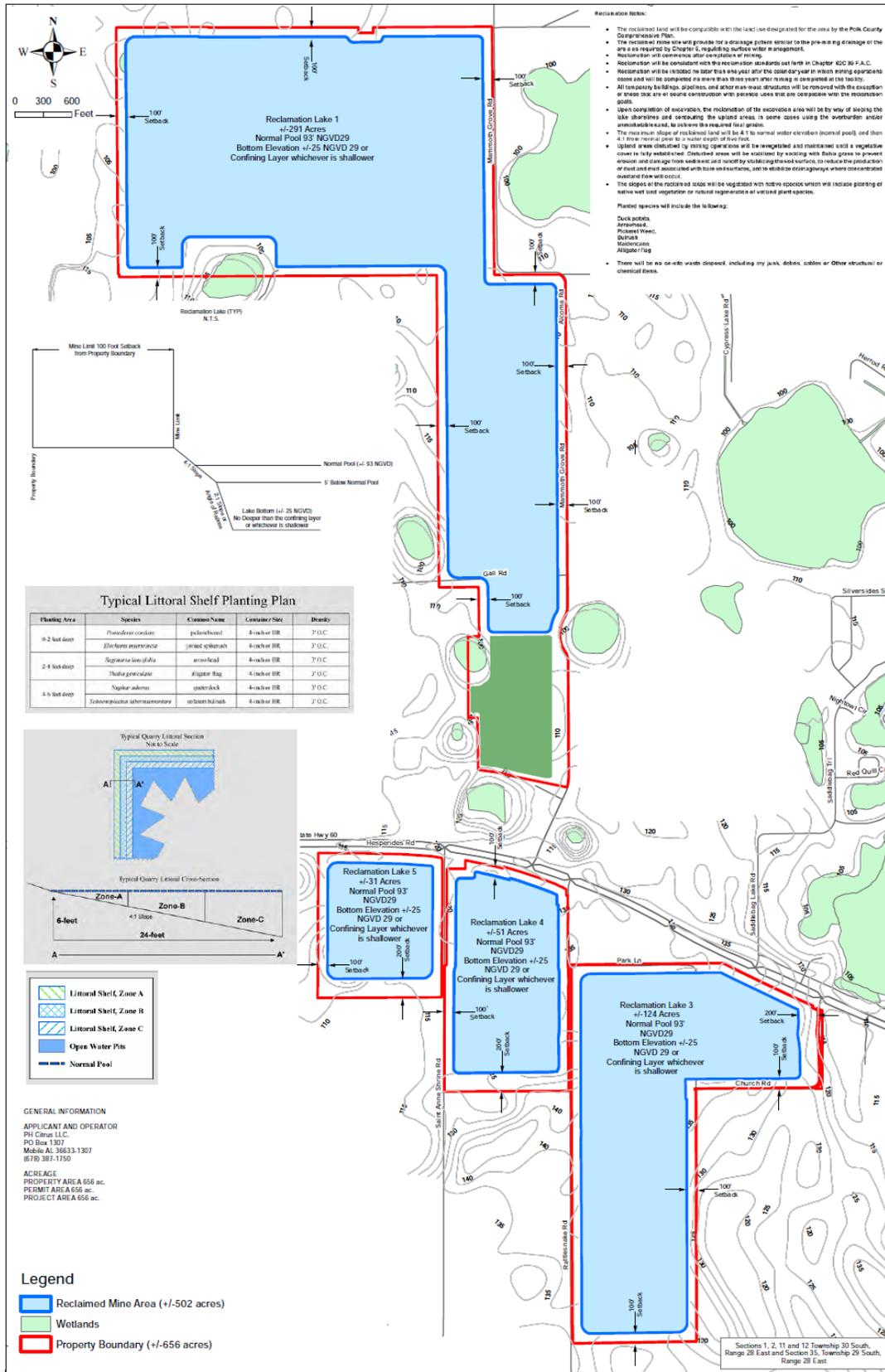
**PH CITRUS LLC.**

**MAMMOTH GROVE MINE  
TRAFFIC CIRCULATION PLAN**

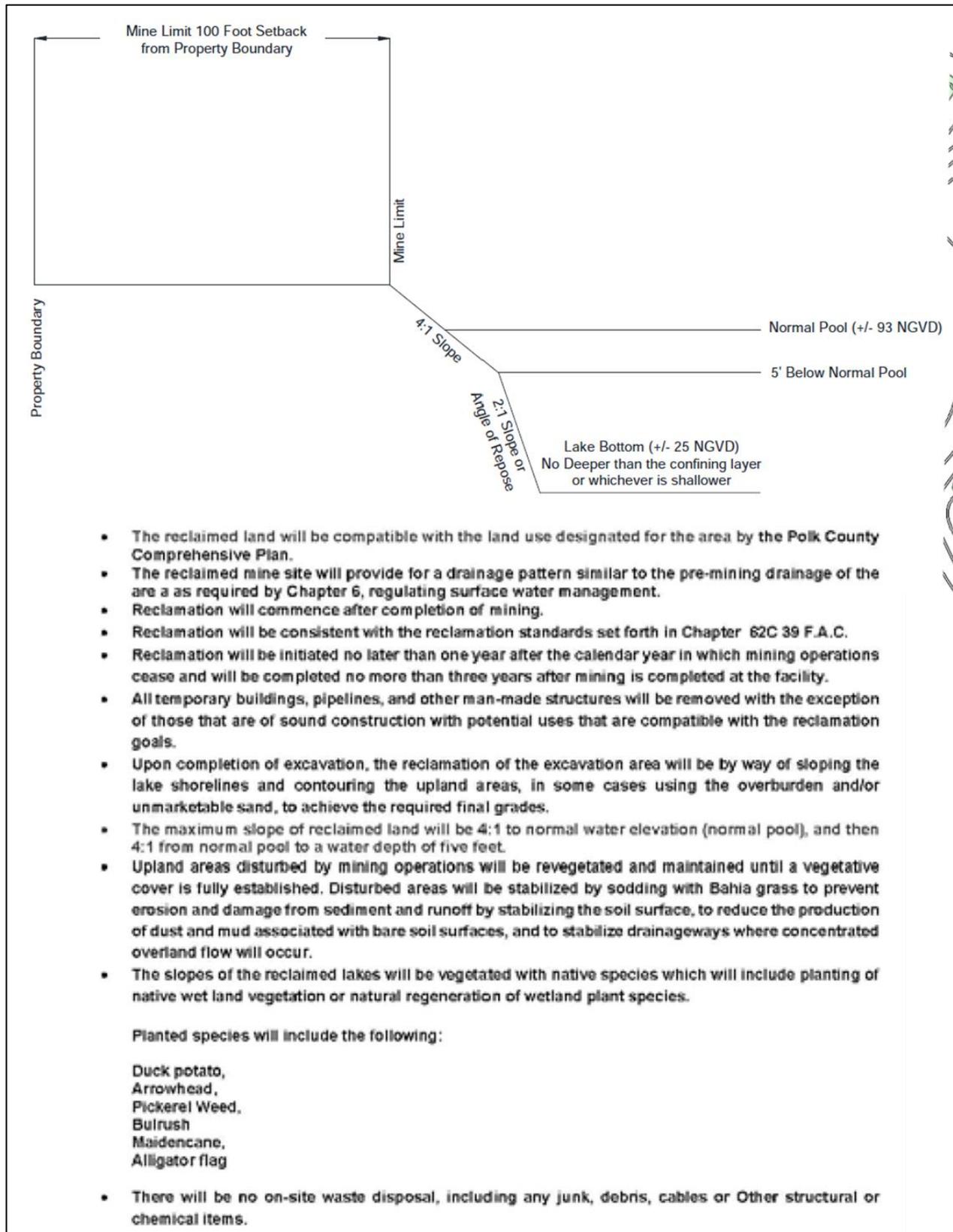
Employees and commercial sand trucks will enter and leave the mine property through the AN access point along Mammoth Grove Road. Trucks will enter the existing access road and travel into the mining area, around the processing plant to be loaded and exit back out of the existing access point. All traffic exiting the site will be required to take a right turn on to Mammoth Grove Road and turn right or left on to State Road 60. No traffic will turn left and travel north on Mammoth Grove Road.

Based on the number of estimated trips and their distribution over the course of each workday, impacts to roadways, traffic volumes or patterns are not anticipated. Additionally, a traffic study was conducted and has been provided as part of the application for the Mammoth Grove Mine. The Traffic Impact Analysis, completed by Kimely Horn, was completed to evaluate potential roadway impacts associated with mine-related traffic. Results of this study concluded that the haul truck traffic reflected a de minimis addition to the local roadways, which were well within the published capacities for the associated roadways. As such, there is expected to be no measurable effects to local traffic or the roadways.

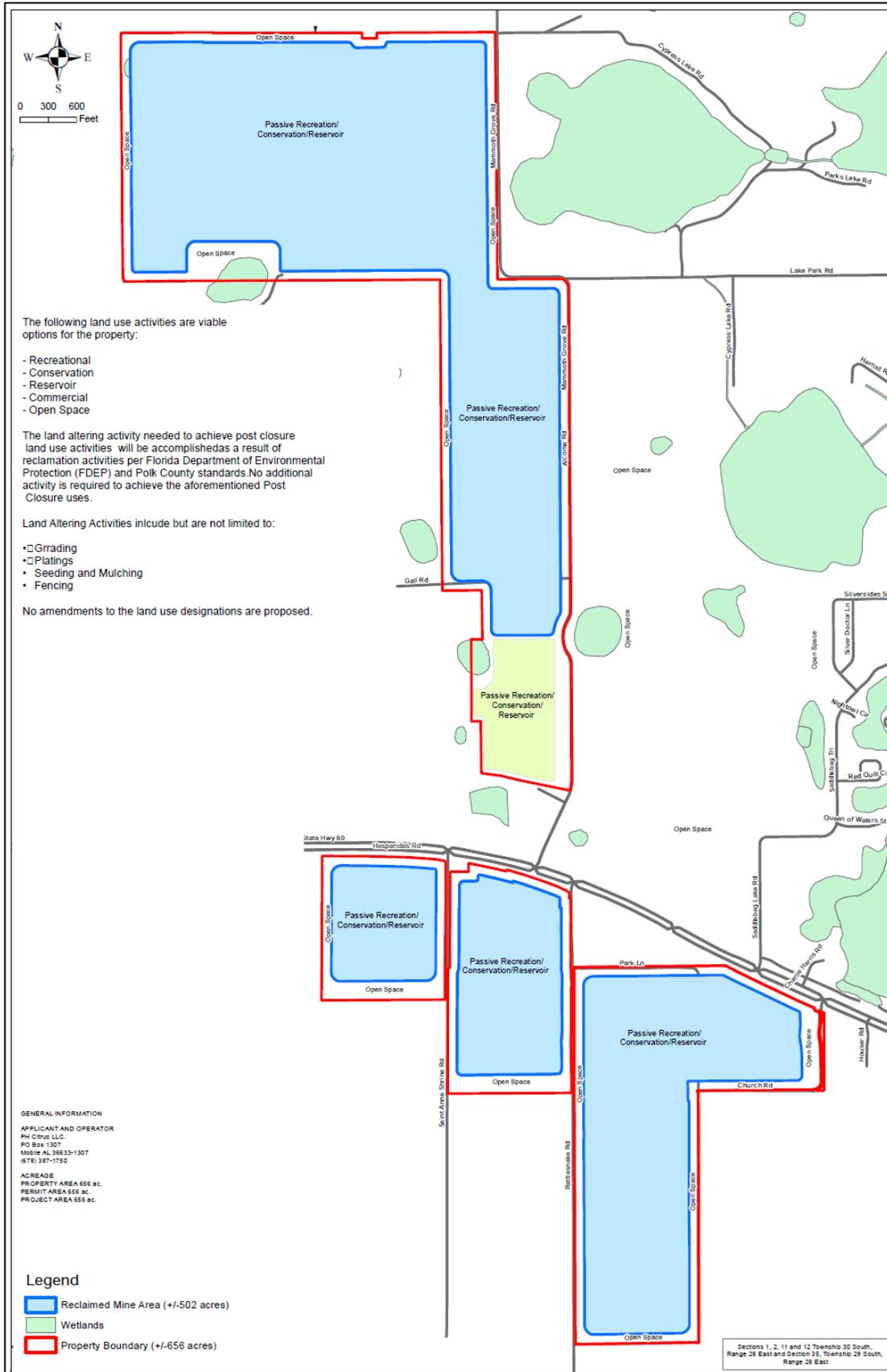
## Haul Route



# Reclamation Plan



## Reclamation Plan Notes



# Post-Closure Plan