

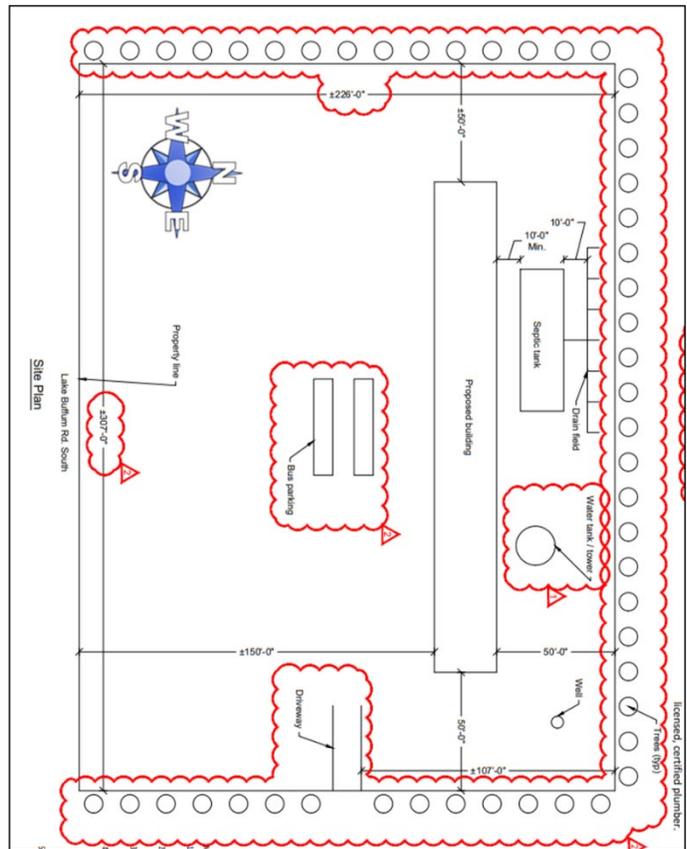
POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date: September 28, 2023	Level of Review: Level 3 Review
PC Date: February 7, 2024	Type: Conditional Use
BoCC Date: n/a	Case Numbers: LDCU-2023-42
Applicant: Nora Frayre	Case Name: Doc Lindsey Farm Worker Housing
	Case Planner: Erik Peterson, AICP

Request:	Conditional Use approval of a Barrack Style Farm Worker Dormitory serving up to 70 workers on 12.11 acres in an Agricultural Residential Rural (A/RR) district.
Location:	The subject site is located west of Doc Lindsey Road, north of Lake Buffum Road South, south of Murray Road, east of Lake Buffum Road West, east of the City of Fort Meade in Section 23, Township 31, Range 26.
Property Owners:	Enrique Fernandez
Parcel Size (Number):	±12.11 acres (263123-000000-011010)
Future Land Use:	Agricultural Residential Rural (A/RR)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	Fort Meade
DRC Recommendation:	Denial
Planning Commission Vote:	Pending Public Hearing



Site Location



Site Plan

Summary:

The applicant requests approval of a Barrack Style Farm Worker Dormitory serving up to 70 workers on 12.11 acres in an Agricultural Residential Rural (A/RR) district. Barracks Style Dormitory developments are conditional uses subject to Planning Commission approval through a Level 3 Review in A/RR, RCC-R, RS and PM. Intensity of the facility shall be at the Planning Commission's discretion; however, the maximum intensity of Barracks Style Farm Worker Dormitory housing shall not exceed the limits established in the Comprehensive Plan for intensity within the district. The limit in the A/RR district is 16 farm workers per acre, according to POLICY 2.121-A2.c.

Farm worker housing is necessary to provide eligible workers with living quarters in Florida's agricultural markets. According to the 2023 Florida Agriculture Export Report by the Florida Department of Agriculture and Consumer Services, Florida agricultural exports increased 20% in 2022. The Florida Department of Health estimates 150,000 to 200,000 migrant and seasonal farm workers and families work and travel in Florida annually. The Department of Health monitors farm worker housing for application of state laws. Section 303 of the Land Development Code (LDC) outlines the requirements for farm worker housing, for both apartment-style and dormitory-style housing. Had the applicant proposed apartment-style farm worker housing, they could proceed to a Level 2 site plan review by staff without the need for the Conditional Use approval. Dormitory-style housing requires the Level 3 review, and limits the intensity as noted above. The proposed housing does not exceed the maximum density outlined in the Comprehensive Plan. As part of the Planning Commission's review, Section 303 notes that design features from apartment-style housing shall be considered as potential conditions of approval. The Planning Commission should also consider the proximity of the farm worker housing request to where the workers be deployed but more importantly how they will access food, living necessities, needed services, and recreation facilities.

There are no resources provided in the binding site plan for recreation, and no access to personal services are immediately available to support the farm workers. Food service is unavailable within a reasonable distance. No public water or sewer services are available in the area, and subsequently fire protection would need to be provided through a tank and well pump system. Access is on a minor rural collector roadway in a very sparsely populated area of the County. There are no mass transit stops within a reasonable walking distance of the site, and there are no sidewalks on Doc Lindsey Road to allow for safe pedestrian travel. The site plan does not provide any innovative design or enhanced buffers to make the site more compatible with the very low-density surrounding properties. Emergency services are far from the site, and response times are not adequate for a 70-worker dormitory in a rural area.

The applicant states that their proposed plan is consistent with the H-2A regulations, and no further detail is needed in the application. However, the Planning Commission cannot condition the approval to be strictly for the use of H-2A guestworker housing. Also, there is no guarantee that this federal program will remain the same over time. There is a wide variety of farm workers that serve central Florida beyond just H-2A guestworkers. Some are accompanied with spouses and children. A farm worker housing facility needs to be able to provide for all types of farm workers not just a specific class.

Staff is recommending denial of the request as it is not compatible with the surrounding uses and there are not enough urban services to serve the farm workers reasonably. If the Planning Commission does approve the request, staff is requesting conditions of approval to provide the necessary needs of the workers.

Findings of Fact

- *This is a request for Conditional Use approval of a Barrack Style Farm Worker Dormitory serving up to 70 workers on 12.11 acres in an Agricultural Residential Rural (A/RR) district.*
- *The site is in a Rural Development Area (RDA), which 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” according to POLICY 2.108-A1 of the Comprehensive Plan.*
- *The property is Agricultural Residential Rural (A/RR) on the Comprehensive Plan Future Land Use Map. POLICY 2.114-A of the Comprehensive Plan states that the “Polk County recognizes the importance of the agriculture industry as a healthy and competitive force in the national and international marketplace and, therefore, shall encourage the continuation of productive agricultural uses and provide for the placement of low-density residential development within unincorporated rural areas through:*
 - a. the establishment and mapping of Agriculture/Residential-Rural (A/RR), and*
 - b. the establishment of policies to govern the development of land within the A/RR land use category.”*
- *POLICY 2.121-A2, DEVELOPMENT CRITERIA notes “Agriculture and farm worker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre.”*
- *Section 205, Table 2.1, requires Barrack Style Farm Worker Dormitories to undergo a Level 3 Review and gain approval by the Planning Commission to locate in A/RR district.*
- *Section 303, Farm Worker Dormitory, Barrack Style, states “Farm workers may be housed in any residential land use district in conformance with the standards for residential development. This category sets forth the standards for barrack style dormitories.*
 1. *Barracks Style Dormitory developments are conditional uses subject to **Planning Commission approval through a Level 3 Review** in A/RR, RCC-R, RS and PM.*
 2. ***Intensity of the facility shall be at the Planning Commission's discretion** in A/RR, RCC-R, RS and PM; however, the maximum intensity of Barracks Style Farm Worker Dormitory housing shall not exceed the limits established in the Comprehensive Plan for intensity within the district. For purposes of measurement, the LDC considers six (6) workers to equal one dwelling unit equivalent unless the facility meets Apartment Style Farm Worker Dormitory standards.*
 3. *As part of its review in A/RR, RCC-R, RS and PM, the **Planning Commission shall consider the other design features required for Apartment Style Farm Worker Dormitories as potential conditions of approval.** Additional consideration shall be given to proximity to potential employment sites and worker access to goods and services.*
 4. *In BPC-2 and IND farm worker housing is not to exceed an intensity of thirty-two (32) workers per acre or the limitations established by the Department of Health for water*

and wastewater usage, whichever allowed intensity is the lesser and permits for Migrant Labor Camp or Residential Migrant Housing are obtained.”

- *In 2008, the Board of County Commissioners appointed a 10-member task force to research and draft Farm Worker Housing regulations through a public process. In 2009, the Board adopted their findings into the Land Development Code through Ordinance 09-54.*
- *The surrounding Future Land Uses are Agricultural/Residential Rural (A/RR).*
- *This site abuts land with agricultural exceptions in Polk County Property Appraiser’s website to the north, east and south, which is primarily orange groves. The property to the south also has a single-family residence on site. To the east across Doc Lindsey Road, there are multiple mobile homes and single-family homes established.*
- *The site is approximately four miles from U.S. Highway 27 where convenience stores and food service are available.*
- *The property is zoned for Lewis Anna Woodbury Elementary and Fort Meade Middle/Senior High School.*
- *Polk County Fire Rescue Station 10 is located at 1235 9th Street NE N in Fort Meade. The travel distance is approximately 9.4 miles from the site, with response times of 16 minutes.*
- *The site is not within any jurisdictions utility service area and does not have access to public water or wastewater service. The applicant is proposing an onsite well and septic system.*
- *The site is served by the Polk County Sheriff’s Office Southwest District Command at 4120 US Highway 98, south of Lakeland, approximately 31 miles driving distance from the site.*
- *During staff’s site visit, cellular phone service was intermittent when standing on the subject property.*
- *Doc Lindsey Road is classified as a Rural Minor Collector roadway in the Polk County Roadway Inventory and is not tracked for traffic counts or concurrency in the Polk County Transportation Organization’s Roadway Network Database. The closest monitored links are more than 4 miles away from the subject site.*
- *There are no mass transit stops located within walking distance of the subject site.*
- *There are no sidewalks available along Doc Lindsey Road.*
- *There are no flood hazard zones or wetlands located on the site. The closest flood or wetlands to the site is located over 1,000 feet to the east of the site.*
- *The closest surface water to the site is Lake Buffum, located approximately 0.58 acres to the northeast of the site.*
- *The site is comprised of Smyrna and Myakka fine sands, Immokalee sand, and Duette find sand, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey.*
- *The site was within a mile radius (approximately 0.40 miles to the east) of an endangered animal species (Bald Eagle nest) sighting according to Audubon.org. The nest was confirmed active and in use as recently as 2023.*

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 the request **IS NOT COMPATIBLE** with the surrounding land uses and general character of the area and **IS NOT CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **DENIAL of LDCU-2023-42.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the DRC recommends DENIAL of LDCU-2023-42. Should the Planning Commission approve the Conditional Use request, staff is recommending the following conditions:

1. The subject property is approved for a Barrack Style Farm Worker Dormitory serving up to 70 workers on 12.11 acres [PLG]
2. The proprietor shall furnish each unit with appliances for the storage and preparation of food for the occupants, at minimum a refrigerator and a microwave. [PLG]
3. Management-sponsored transportation to a grocery or general mercantile a minimum of two visits on working days and two scheduled round trips on non-working days shall be provided. [PLG]
4. The proprietor shall provide indoor recreation facilities (per unit or consolidated in a day room) and outdoor recreation facilities to be shown and inspected during Level 2 Review. [PLG]
5. A visual buffer equal to a Type B buffer shall be provided between the farm worker housing and adjacent residential properties and public roads. [PLG]
6. Prior to final development approval, the applicant shall demonstrate that the project complies with all state licensing requirements for such a use. [PLG]
7. The site plan included herein together with the conditions of approval shall be considered the "Binding Site Plan." Any modifications to LDCU-2023-42, 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]

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. Building permits will be required for improvements to 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 following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

Table 1

Northwest: A/RR Citrus	North: A/RR Citrus	Northeast: A/RR Pasture
West: A/RR Citrus	Subject Property: A/RR Citrus	East: A/RR Single-Family Residence
Southwest: A/RR Citrus	South: A/RR Single-Family Residence Citrus	Southeast: A/RR Single-Family Residence

The site has agricultural uses, namely citrus and pastures, to the north, east and south. The parcel to the south also has a single-family residence established on site. Across Doc Lindsey Road, there are multiple residences, including both single-family residences and mobile homes.

Compatibility with the Surrounding Land Uses and Infrastructure:

The site was previously used as a citrus grove and currently is planted with other crops. The applicant seeks to construct barrack-style farm worker housing. Table 2.1 requires a Level 3 Conditional Use approval for such a use. Had the applicant chosen to construct apartment-style farm worker housing, only a Level 2 site plan review would be required by staff. Section 303 of the LDC notes a significant number of conditions to construct apartment-style farm worker housing, whereas dormitory-style does not apply as many conditions. However, Section 303 does note that the Planning Commission can consider apartment-style farm worker housing conditions as part of the approval of barrack-style housing. Staff must consider the compatibility of the use in relation to surrounding land uses and infrastructure.

The LDC defines compatibility 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.”

A. Land Uses:

The surrounding area is overwhelmingly within an Agricultural Residential Rural (A/RR) land use district. Within 75 square miles of the subject site, there is an approximately 5.87 acre parcel designated Recreation Open Space (ROS) where Polk County is currently in construction of a boat ramp to give nearby residents access to Lake Buffum. Approximately 2.5 miles to the northeast is an approximately 1.43 acre parcel designated Commercial Enclave (CE). The parcel within the CE land use designation contains a now defunct convenience store. All other properties within 75 square miles of the subject site are designated A/RR, owing to the rural nature of the property.

The Comprehensive Plan allows for farm worker housing within A/RR land use districts. Farm worker housing in a more barrack-style layout requires a public hearing and Planning Commission approval (Level 3 Review) in the A/RR district. If it could be designed to an apartment-style housing standard (per LDC Section 303), a public hearing would not be required for the same proposed intensity.

Section 303, Barrack Style Farm Worker Dormitories, condition number 3 of the LDC states “As part of its review in A/RR, RCC-R, RS and PM, the Planning Commission shall consider the other design features required for Apartment Style Farm Worker Dormitories as potential conditions of approval. Additional consideration shall be given to proximity to potential employment sites and worker access to goods and services.” The site does not offer access to other goods and services such as general mercantile, prepared food, and fixed-route mass transit. The applicant has indicated in their application that “prepared food will be provided on the job site and delivered to the occupants on weekends or days off.” They have also stated “buses will transport workers to the grocery store or any other places for personal services.” The applicant has provided little detail to address the occupant’s needs for food and personal services such as frequency of such trips. There are no public parks or religious institutions nearby. Although the applicant sites the H-2A program as an overriding authority, this can neither be conditioned in the approval nor assured that it is adequate now or in the future.

In 2007, a farm worker housing facility was proposed in this area under case# CU 07-19. It was denied by the Planning Commission. The applicant appealed the Board of County Commissioners, and it was denied again. One of the reasons it was denied was because there was not adequate accommodation provided for the needs of the farm workers that would be housed at the facility. The Board understood the need to provide farm worker housing, but the location and the manner proposed was insufficient. They decided that more information and guidance was needed to establish appropriate guidelines for where and how farm worker housing should be sited in the County. The Board established a formal Farm Worker Housing Task Force in 2008 with two appointees from each commissioner, one citizen and one professional from the agricultural industry. Their task was to research farm worker housing practices, hold public meetings, and draft legislation to address farm worker housing. After many meetings and public hearings, an amendment to the LDC was adopted by the Board in late 2009. One of the primary findings of the task force was that it is essential for farm workers to have sufficient access to goods, services, and recreation facilities. All the farm worker housing facilities approved by the Planning Commission since their legislation was adopted into the LDC, have been in more urbanized areas where there are often grocery, parks, medical facilities, and religious institutions nearby. When a proposed location was deficient in one or more of these necessities, the applicant’s had a solid plan for providing the unmet needs of the area. The applicant for this request has not provided sufficient assurances that their facility can overcome the deficiencies in infrastructure, commerce, and services needed to support farm workers.

B. Infrastructure:

Farm worker housing doesn’t have the typical needs of residential housing and can be located in isolated areas. The seasonal nature of their operations, their infrastructure and services needs are intermittent. However, farm worker housing benefits from nearby urban services, as a lack of urban services places a greater burden on their host to provide for the occupant’s need. In this location, there is no public water or wastewater. The applicant is proposing an onsite well and onsite wastewater treatment for 70 individuals. There is no commerce within a reasonable walking distance of the site, and there are no sidewalks located along the roadway to promote pedestrian safety. There are no mass transit stops within a reasonable distance, with the closest stop located at the Fort Meade Community Center, 10 miles driving distance from the site. There is not a need for schools with this type of farm worker housing because, under federal guestworker programs, participants are unaccompanied by children or other dependents. However, farm workers need recreation facilities. There are no parks nearby and the applicant is not offering any recreation facilities onsite. Public safety facilities are a significant distance from the site. Agricultural labor is difficult work. There are often accidents and injuries in the field. The severity of some injuries may not be realized until

after the worker returns to the housing facility. For this reason, proximity to public safety services is a key consideration. Of all the farm worker housing applications reviewed by the Planning Commission since 2007, this location is the farthest from public safety services.

Nearest and Zoned Elementary, Middle, and High School

The property is zoned for schools in Fort Meade, the closest city. These are Lewis Anna Woodbury Elementary and Fort Meade Middle and High School. All are the closest schools. Farm worker housing, which is typically unaccompanied males, has no demand for K-12 schools. The table to follow provides data on the zoned schools and current capacities.

Table 2

Name of School	Annual Estimated Demand	Distance from subject site	School Capacity
Lewis Anna Woodbury Elementary	0 students	±9.5 miles driving distance from entrance to entrance	82%
Fort Meade Middle School	0 students	±10.2 miles driving distance from entrance to entrance	77%
Fort Meade High School	0 students	±10.2 miles driving distance from entrance to entrance	77%

Source: Polk County School Board, Duncan Associates Educational Facility Impact Fee Study, GIS

Although an H-2A approved facility is typically limited to unaccompanied males, Farm Worker Housing facility approval is all types of farm workers. Approvals cannot be conditioned to prohibit farm worker families from occupying a facility. Farm worker housing in more urbanized areas provides a greater ability to evolve for changing conditions and clientele.

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 of 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. There is no public water available for the site and no fire hydrants nearby. Fire suppression will be required to be constructed onsite. The applicant has submitted plans to construct an internal fire suppression system. A water tank is shown on the site plans.

Fire and ambulance response is from Polk County Fire Rescue Station 10 located at 1235 9th Street NE N in Fort Meade. The travel distance is 9.4 miles located 16 minutes from the subject site. This is a significant distance away. This area has one of the longest response times of any farm worker housing facility reviewed by the Planning Commission since 2007. Efficient fire rescue and EMS response is needed for farm worker housing. Agricultural occupations have a higher incidence of injury than standard occupations. Many injuries that occur at the jobsites may not be realized until the worker returns to the housing facility at the end of the day or until the following morning. One of the obvious types of injury occurs due to the workers' exposure to the outdoors is heat related injuries. Another is insect and animal bites. They may not seem serious when they first occur but can become emergencies later on in the day.

This property is served by the Polk County Sheriff's Office's Southwest District substation located at 4120 US 98 S in Lakeland. The response times for the SW District for December 2023 were Priority 1 – 9:22 & Priority 2 – 19:51. Priority 1 Calls are considered to be true emergencies, 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, Sheriff’s 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 the County.

Table 3

	Name of Station	Distance	Response Time *
Sheriff	Southwest District Command 4120 US 98S, Lakeland	±31.3 miles	Priority 1: 9:22 minutes Priority 2: 19:51 minutes
Fire/EMS	Polk County Fire Rescue Station 10 1235 9 th Street NE N, Fort Meade	±9.4 miles	16 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.

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 more spread out tend to have slightly longer response times because of the vast land mass of their district and time of travel. Patrols in such a rural area are generally less frequent than patrols located in suburban and urban areas. 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. Additionally, the cellular phone service in the area can also have a large impact on response times, as the initial contact with emergency services can be delayed if the call cannot be placed. During staff’s site visit to the property, staff had difficulty making outbound cellular phone calls in the surrounding areas and while standing on the subject site.

Water and Wastewater Demand and Capacity:

The subject site is located within the Rural Development Area (RDA), an area of the county characterized by large open areas, agricultural uses, with scattered development and rural centers. Services are limited and mostly found rural centers and clustered developments. Water and wastewater utility services are not generally available in the RDA. The applicant is proposing a well and onsite wastewater treatment. There are no public utilities available for the site. Fire suppression will be required to be constructed onsite. The applicant has submitted plans to construct an internal fire suppression system. A water tank is shown on the site plans.

A. Estimated Demand and Service Provider:

Farm workers are typically working offsite six days of the week from dawn until dusk. Water and wastewater generation is minimal due to the occupants being offsite for the majority of the week. Table 4 to follow indicates water and wastewater demand for the property as currently permitted, the maximum permissible in the A/RR district for a veterinary office, and the proposed plan. The

applicant will be required to construct a well and septic system, as there is no public water or wastewater services available in the area.

Table 4

Subject Property	Estimated Impact Analysis		
	Demand as Currently Permitted	Maximum Permissible in the district <i>Max FAR 0.25 x 527,511 sf = 131,878 sf structure</i>	Proposed Plan
12.11± acres A/RR			
Permitted Intensity	2 Single-family homes	Veterinary Office	70-bed Farm Worker Housing Facility
Potable Water Consumption (GPD)	720 GPD	79,127 GPD	1,980 GPD
Wastewater Generation (GPD)	540 GPD	63,301 GPD	1,800 GPD

Source: Polk County Concurrency Manual & Polk County Utilities: multifamily 7 workers per unit at 198 gpd per unit water 180 wastewater. Medical office 0.60 GPD per square foot. Wastewater generation is 80% of potable water consumption..

B. Available Capacity:

The applicant is proposing connection to a well and onsite wastewater treatment, and the installation of these will be monitored by the Polk County Health Department. The septic tank permit application was submitted in the application.

C. Planned Improvements:

There are no planned improvements in this area, as there are no municipalities in the near vicinity offering water or wastewater services.

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 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 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:

There will be a limited increase in transportation demand as a result of this approval. Farm Worker Housing does not generate a lot of traffic. Even the maximum use of the property would not require a major traffic study. Staff assume that the worst-case scenario is for there to be only four workers per vehicle. This equates to 18 vehicles out and 18 vehicles in, and 18 would return during peak hour.

A/RR as it stands can be used for single-family residential as the equivalent to A/RR at one (1) dwelling per five (5) acres.

Table 5

Subject Property	Estimated Impact Analysis		
	Demand as Currently Permitted A/RR	Maximum Permissible in the district A/RR	Proposed Plan
12.11± acres A/RR			
Permitted Intensity	2 Single-family homes	Veterinary Office	70-bed Farm Worker Housing Facility
Average Annual Daily Trips (AADT)	16	1,414	36
PM Peak Hour Trips	2	128	18

Source: Polk County Concurrency Manual

ITE 210: Single Family Detached Housing per dwelling unit = 7.81 AADT / 1.00 PM Peak

ITE 610: Hospital = 10.72 AADT / 0.97 PM Peak per 1,000 square feet

This request will not require either a major or minor traffic study since the average annual daily trip rate (AADT) will be less than 50 trips per day. This proposed farm worker housing facility will have no significant effect on the roadway system.

B. Available Capacity:

The subject site has frontage on Doc Lindsey Road, a Rural Minor Collector two-lane undivided roadway. The roadway is not monitored for Level of Service by the Polk Transportation Planning Organization (TPO). The next closest monitored link is Lake Hendry Road (Link 4019 between SR 60 and US 98) which is a two-lane undivided Rural Major Collector roadway. Both roadways have the capacity to assimilate the project’s traffic at its peak as described in the section above. Table 3, below, charts the generalized available capacity of the most-affected links.

Table 3

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
4019 N	Lake Hendry Road From US 98 to SR 60	C	2,199	C
4019 S	Lake Hendry Road From US 98 to SR 60	C	2,194	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database October 13, 2023

C. Roadway Conditions

Doc Lindsey Road (Road No. 162303) is a Rural Minor Collector two-lane undivided roadway with a paved surface width of 24 feet which meets the standard in Section 822 of the LDC. Roadway conditions and improvements will be further reviewed during the Level 2 Review process. The posted speed limit on Doc Lindsey Road is 40 miles per hour.

D. Sidewalk Network

There are no sidewalks along the parcel. According to the US Department of Transportation, sidewalks can reduce up to 88% of pedestrian-related crashes.

E. Planned Improvements

There are no planned improvements in the immediate area of the site.

F. Mass Transit

The population concentration is relatively low in the area and will likely remain so with the lack of services present. This is not an area of the County that is planned for transit services. The availability of mass transit services would be ideal for the residents of the housing facility, but there are simply no services within the area to warrant mass transit in the area. A significant amount of farm worker housing facilities operating in Polk County have access to mass transit. It is not as essential as other infrastructure, but it helps to have it. It provides the employees with some autonomy during time off.

Park and Environmental Facilities:

The proposed farm worker housing facility may slightly increase the demand for recreation facilities on the workers off days. Recreation facilities in rural areas are most often resource based facilities. Active recreation facilities such as ballfields are better suited for urban areas where they can serve higher population concentrations. There are no active recreation facilities within a reasonable walking distance to the site, other than the boat ramp providing access to Lake Buffum. It's not likely to be of much use to farm workers of this facility. The applicant has failed to address recreation facilities and has not proposed any facilities onsite according to the site plan. In 2008, the Farm Worker Housing Task Force discovered that recreation facilities were significantly important. Many housing providers that appeared before them as guest speakers promoted their importance in the operation of a well-managed facility.

A. Location:

The closest recreation facility is Peace River Park located at 1638 County Road 700/US 98 in Fort Meade. This park is located approximately 7.8 miles driving distance from the subject site. There are no recreation facilities within a reasonable walking distance.

B. Services:

Peace River Park provides playgrounds, pavilions, restrooms, fishing, trails, and a boat ramp.

C. Environmental Lands

Lake Buffum Wildlife Refuge is located a tenth of a mile from the subject site. This refuge is owned by Green Horizon Land Trust, non-profit organization created in 1991 to preserve environmentally valuable or sensitive lands and open space areas in the Central Florida Ridge.

D. Planned Improvements

A new boat ramp granting access to Lake Buffum is under construction. There are no other planned improvements in this area in the 5-year Community Investment Plan (CIP).

Environmental Conditions

There are few environmental limitations onsite. There are no wetlands and floodplain onsite. Most of the soils have only moderate limitations. There is an active bald eagle's nest located approximately 0.40 miles to the west, and all federal and state regulations regarding these nests must be followed. Airports and groundwater wells will not be affected.

A. Surface Water:

The closest surface water to the site is approximately 0.62 miles to the north of the site, known as Lake Buffum. Development of the site will have little impact on the lake.

B. Wetlands/Floodplains:

There are no floodplains or wetlands located on the site. The closest floodplains and wetlands are approximately 0.21 miles to the east of the subject property. Development on the site should have no impact on surrounding floodplains or wetlands.

C. Soils:

The place where farm worker housing facility sits on the site is comprised of moderate soils that are more often prone to wetness, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Table 8 to follow provides the limitations for dwellings without basements and septic tank absorption fields.

Table 8

Soil Name	Limitations to Dwellings w/o Basements	Septic Tank Absorption Field Limitations	% of Site (approximate)
Smyrna and Myakka Find Sands	Moderate: wetness	Severe: wetness, poor filter	20.8%
Immokalee Sand	Moderate: wetness	Severe: wetness	44.1%
Duette Fine Sand	Slight	Moderate: Wetness	35.1%

Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service

D. Protected Species

An active bald eagle nest is located approximately 0.40 miles to the east of the site, according to Audubon.org's database. The nest was actively in use as recently as 2023, according to their site.

E. Archeological Resources:

There are no protected archeological resources in Section 23, Township 31, and Range 26, that the farm worker housing facility would adversely impact, according to the Secretary of State's Department of Historical Resources Florida Master Site File.

F. Wells (Public/Private)

The closest public wellfield protection district is over 6 miles away. There is no public water available in the area, so any developed property in the surrounding area would utilize a private well.

G. Airports:

The site is not within any Airport Buffer Zones. The Bartow Municipal Airport is the closest public use airport. It is over twenty miles from the site. This location is far from an airport flight path or protection zone.

Economic Factors:

Farm workers can have an economic benefit to rural clusters like the proposed area. While a portion of their wages will be spent in their country of origin, they spend money on purchasing goods from local stores. However, the closest mercantile establishment is over six (6) miles away driving distance, so the immediate area will see little economic benefit. The applicant has indicated the farm workers will be bussed to the nearest activity center for grocery and personal service needs but provided no substantive details.

Independent farm worker labor facilities can have a broad market radius sometimes exceeding a 1-hour driving distance. This facility will be centrally located to many farm operations in Hillsborough, Manatee, Hardee, and Highlands County in addition to southern Polk County. The site of this facility is in between citrus groves to the west, north, and south.

Consistency with the Comprehensive Plan, LDC, and Other County Ordinances:

The site is located in the Rural Development Area (RDA), which is the area that *“is 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.”* according to POLICY 2.108-A1 of the Comprehensive Plan.

According to POLICY 2.121-A2 of the Comprehensive Plan, states farm worker housing is listed as a permitted activity in the Agricultural/Residential Rural land use district because POLICY 2.121-A2.b lists *“Farm worker housing under specific design parameters listed in the Land Development Code not to exceed sixteen (16) workers per acre”* as a permitted use.

Chapter 2, Section 205, Table 2.1, Use Table for Standard Land Use Districts of the LDC lists Barrack Style Farm Worker Housing as a conditional use requiring a Level 3 Review. Chapter 3, Section 303, Criteria for Conditional Uses for Barrack Style Farm Worker Housing states that *“as part of its review in A/RR, RCC-R, RS and PM, the Planning Commission shall consider the other design features required for Apartment Style Farm Worker Dormitories as potential conditions of approval”* for barrack style farm worker housing. Also, *“additional consideration shall be given to proximity to potential employment sites and worker access to goods and services.”* The applicant has not provided any additional design features that would address incompatibilities with surrounding properties, providing only the minimum requirements for landscaping and buffering. The intensity of the proposed use is considerable when compared to the single-family residences adjacent to the property. The applicant has given little consideration to the rural nature of the area with regard to worker access to goods and services. If the applicant was proposing Apartment Style Farm Worker Housing, Table 2.1 requires a Level 2 site plan review by staff. Apartment Style Farm Worker Housing includes indoor and outdoor recreational facilities, management personnel on site at all times while workers are in residence to address first aid issues and must be located within two (2) miles of a grocery store or general mercantile or be required to provide management-sponsored transportation to a grocery or general mercantile a minimum of two visits on working days and two

scheduled round trips on non-working days. The request is not consistent with the Comprehensive Plan or the Land Development Code, and staff is recommending denial.

Table 9

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</p>	<p>Staff finds the proposed barrack style farm worker housing is not compatible with neighboring properties and there is inadequate infrastructure to support it. The property is adjacent to large, rural lots with single-family residences. There is a significant difference in intensity, and the binding site plan does not provide any additional buffering, does not provide scaling of the more intense use, and there are no innovative development techniques proposed.</p>
<p>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</p>	<p>There is not adequate infrastructure and services available in this area to support the farm worker housing facility such as potable water, public safety, mass transit, and access to convenience goods.</p>
<p>POLICY 2.102-A3: DISTRIBUTION - Development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.</p>	<p>This site has no access to municipal potable water services, is located a considerable distance from fire rescue, and has no mass transit services within a reasonable walking distance.</p>
<p>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</p>	<p>The site is located within an area that has limited public services and is rural in nature. The subject site is not within walking distance of supportive community services.</p>
<p>POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).</p>	<p>The subject property is located within an area of the County that has limited public safety services. The fire station is 9.4 miles from the site with a response time of 16 minutes, which is inadequate for the requested density to serve the occupants of the 10-unit housing. This increases the risk to housing farm workers at this location.</p>

The Planning Commission, in the review of development plans, shall consider the following factors listed in Table 10 in accordance with Section 906.D.7 of the Land Development Code.

Table 10

The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	<i>No, this request is not consistent with the LDC, specifically Sections 303 and 906.D.</i>

Table 10

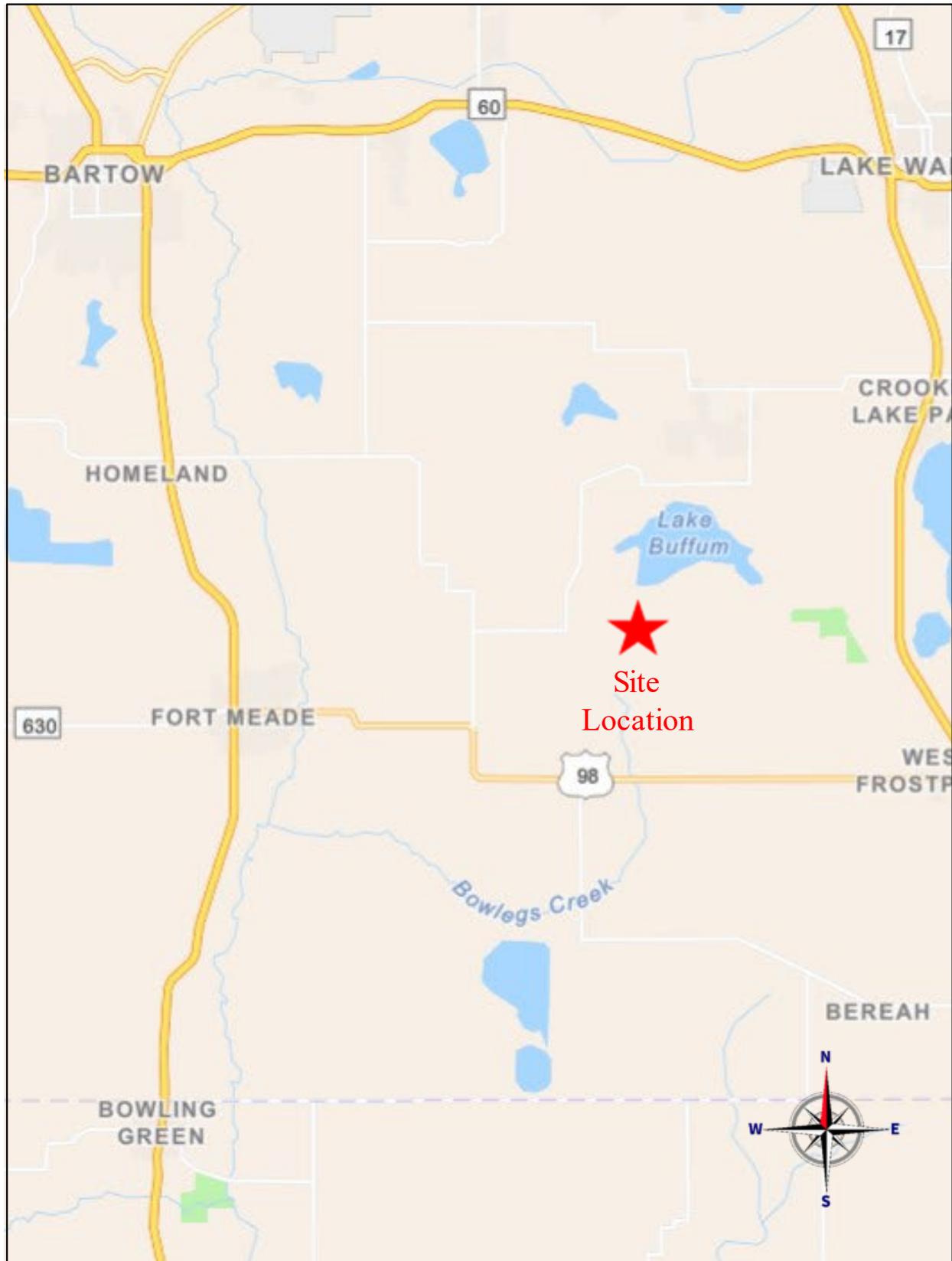
The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>POLICY 2.121-A2.c lists “Farm worker housing under specific design parameters listed in the Land Development Code not to exceed sixteen (16) workers per acre” as a permitted use in the Agricultural Residential Rural Future Land Use Map district. While the applicant is proposing less than the 16 workers per acre, staff finds the proposed use is not compatible as defined by POLICY 2.102-A2 COMPATIBILITY which states that “Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element so that one of more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.” The binding site plan does not provide the appropriate buffers in accordance with Chapter 7 of the LDC to adjacent uses and does not propose any increased buffers with the use of denser buffering or fencing. There is no attempt to limit intensity and scale of the more intense use, and there is no gradual scaling or innovative development techniques proposed such as stormwater ponds used to buffer from adjacent properties or the use of open or recreation space for gradual scaling.</i>
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	<i>No, the request is not compatible with surrounding uses or the general character of the area. See Pages 5&6 of this staff report for data and analysis on surrounding uses and compatibility.</i>
How the concurrency requirements will be met, if the development were built.	<i>There is available capacity on the roadway, and this use will have very little impact on capacity. The applicant proposes a well and onsite wastewater treatment, and there is no impact to water or wastewater capacity in any municipality’s utility service area.</i>

The request does not meet all conditions in Section 303 of the LDC for barrack style farm worker housing in an A/RR land use district, as the site does not have close access to goods and services. The closest general mercantile or grocery store is approximately 6 miles to the west, approximately 8 minutes driving distance. Larger mercantile stores such as Walmart and Publix are located approximately 20 miles away, an approximate driving distance of 25 minutes. There is nothing within walking distance of the site, and there is no sidewalk network the residents could utilize to walk further distances safely.

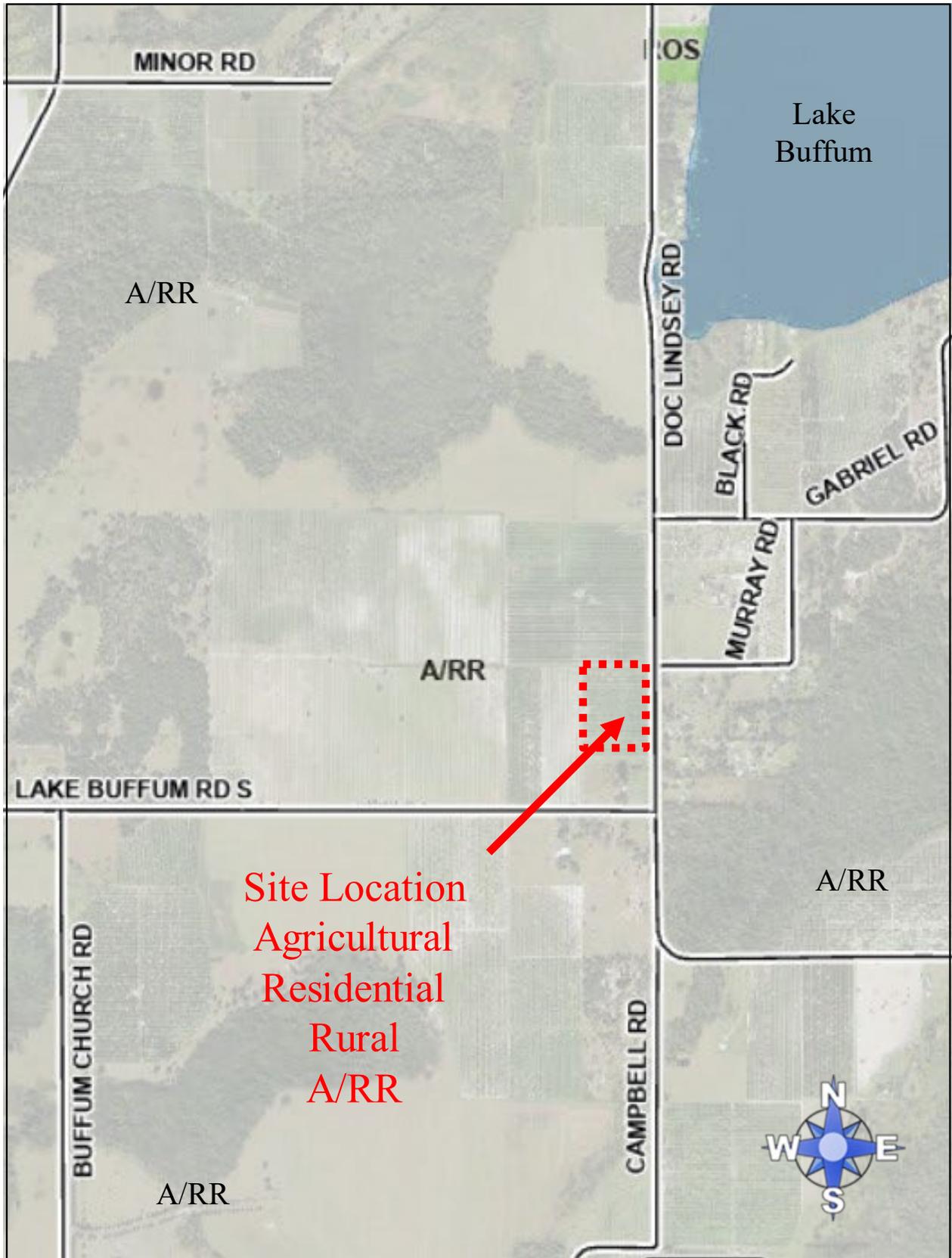
Comments from other Agencies: None

Exhibits:

- Exhibit – 1 Location Map
- Exhibit – 2 Future Land Use Map
- Exhibit – 3 2021 Satellite Photo (Context)
- Exhibit – 4 2022 Satellite Photo (Close-up)



Location Map



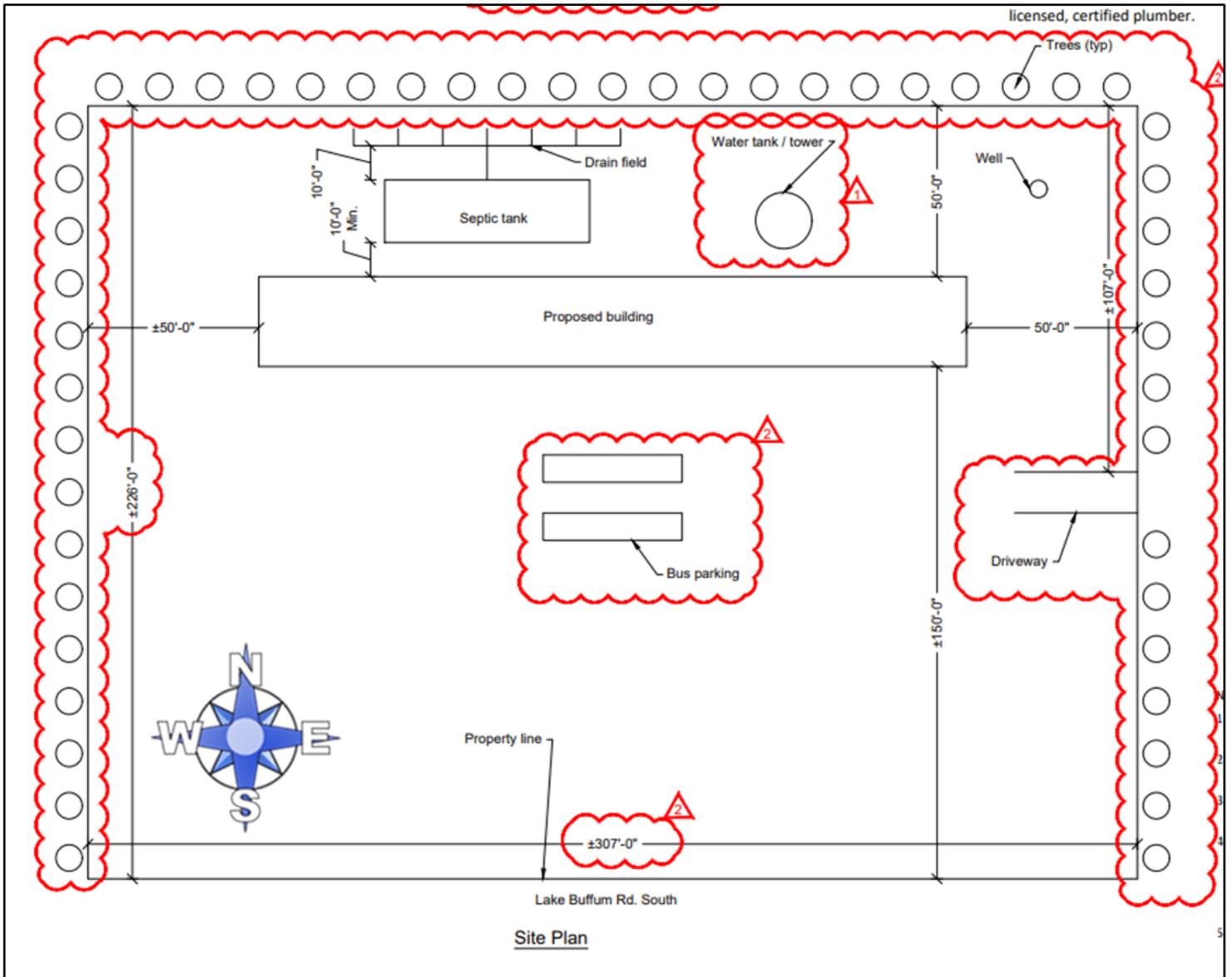
Future Land Use Map



2020 Satellite Photo (Context)



2020 Satellite (Close Up)



Site Plan