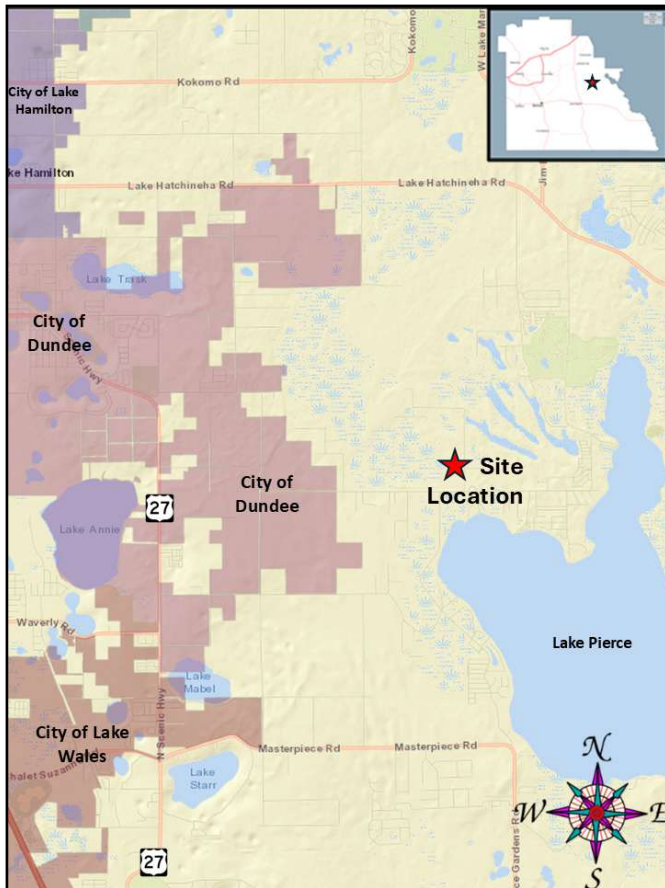


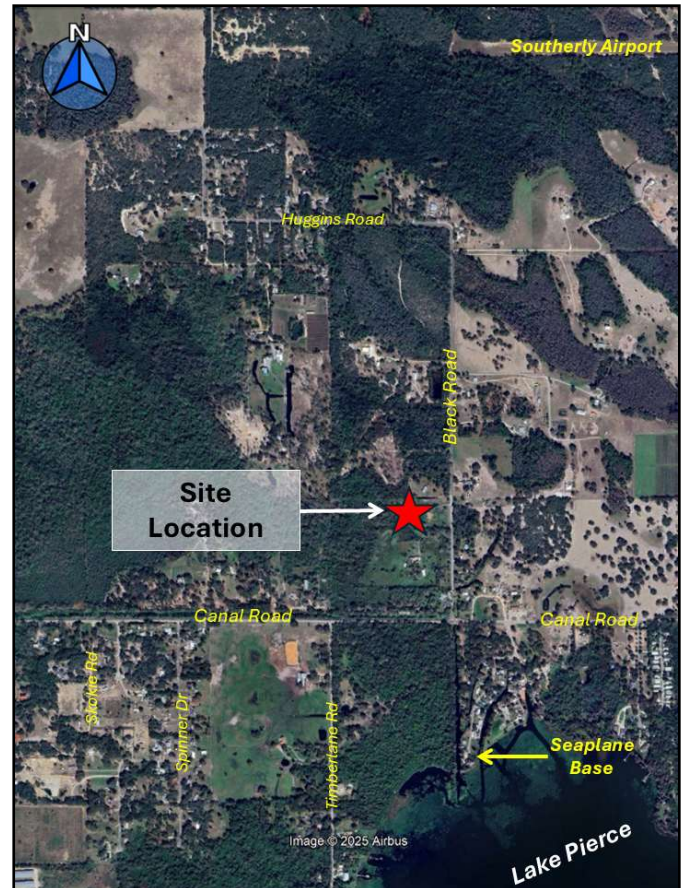
# POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

<b>DRC Date:</b>	May 22, 2025	<b>Level of Review:</b>	Level 3 Review
<b>PC Date:</b>	August 6, 2025	<b>Type:</b>	Conditional Use
<b>BoCC Date:</b>	N/A	<b>Case Numbers:</b>	LDCU-2025-9
<b>Applicant:</b>	Gary Brundage	<b>Case Name:</b>	C4 Towers
		<b>Case Planner:</b>	Andrew Grohowski, Planner II
<b>Request:</b>	The applicant is requesting a Conditional Use (CU) approval for a 160-foot monopole telecommunication tower to be placed in a Residential Suburban (RS) future land use district.		
<b>Location:</b>	6869 Black Road, east of Lake Mabel Loop Road, north of Canal Road and Lake Pierce, west of Watkins Road, south of Huggins Road east of the City of Dundee in Section 31, Township 28, Range 28.		
<b>Property Owners:</b>	Matthew Underwood, Donna H. Underwood		
<b>Parcel Size (Number):</b>	±9.79 acres (282831-000000-022050)		
<b>Future Land Use:</b>	Residential Suburban (RS)		
<b>Development Area:</b>	Suburban Development Area (SDA)		
<b>Nearest Municipality:</b>	City of Dundee		
<b>DRC Recommendation:</b>	Conditional Approval		
<b>Planning Commission Vote:</b>	Pending Hearing		

**Location Map**



**2024 Satellite Photo**



## Summary:

The applicant requests Level 3 Conditional Use approval of a 160-foot-tall monopole communication tower on ±9.79 acres in a Residential Suburban (RS) land use district, north of Lake Pierce and under one mile from Southerly Airstrip and Cherry Pockets Fish Camp Seaplane Base. The applicant has proposed four future lease areas where tenant agreements are still to be determined. A contract or collocation agreement (Antenna Site Agreement) will be provided prior to the issuance of any permits.

The tower will be located a minimum of 160 feet from the nearest property line, as required in Section 303 of the Land Development Code (LDC). The applicant has submitted the necessary documentation for approval pursuant to the standards and variance criteria found in LDC Section 303. These documents include radio frequency (RF) interference information, demonstration of inadequate cell coverage in the immediate area, and FAA preliminary approval. The base of the tower will be screened, and the site has good foliage cover on the perimeter that is likely to remain until possible development in the future.

Staff is recommending approval because communication towers are needed in residential areas to serve residents, they have little or no impact on surrounding neighborhoods if setbacks are maintained, and the base is screened. Communication towers do not increase the demand for public infrastructure or services and pose few adverse impacts upon the environment.

## Findings of Fact

- *This is a request for Conditional Use approval of a 160' tall steel monopole communication tower. The subject site is approximately 9.79 acres and within a Residential Suburban (RS) land use district in the Suburban Development Area (SDA).*
- *Section 205, Table 2.1, requires monopole communication towers to undergo a Level 3 Review and gain approval by the Planning Commission to locate in a RS district.*
- *Chapter 2, Table 2.2, Footnote 11 states, "Chimneys, smokestacks, **communication towers**, and Religious Institution symbols, including, but not limited to: minarets, prayer towers, steeples, crosses, menorahs, Stars of David, and bell towers **are exempt from the structure height limitations.**"*
- *The property is designated Residential Suburban (RS) on the Land Development Code Sub-District Map. Section 204.A.3 of the Land Development Code states, "The purpose of the RS district is to provide areas for suburban-density residential development to promote the proper transition of land from rural to urban uses. The RS district permits single-family dwelling units, family care homes, agricultural support uses, and community facilities."*
- *Per POLICY 2.105-A1 of the Comprehensive Plan, Suburban Development Areas, or SDAs, "shall be those areas within the County which are, in most cases, located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers."*
- *POLICY 2.125-D2 states that listed utility facilities "**shall be permitted throughout the County in all land use classifications, subject to County approval**, to support existing and proposed development." Among those listed utilities are "communications facilities, including, without limitation, radio towers and microwave transmission facilities."*
- *According to LDC Section 303, the following standards apply:*

1. *With the exception of concrete communication towers, all communication towers shall have either a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness.*
  2. *To the extent possible, communication towers and their support facilities shall be designed with materials, colors, textures, screening, and landscaping that will blend the communication tower with its surrounding environment.*
  3. *Communication towers shall not be artificially lighted unless required by the FAA or any other authority with jurisdiction. If lighting is required, strobe lighting shall be utilized during daylight hours only and red lighting shall be utilized at night unless another form of lighting is required by the FAA or any other authority with jurisdiction.*
  4. *Communication towers shall be **enclosed by security fencing not less than six feet in height**. Access to communication towers shall be through a lockable gate.*
  5. *The visual impacts of communication towers on nearby viewers shall be mitigated to the extent reasonably possible. At a minimum, a row of trees at least six feet tall at planting shall be planted around the perimeter of the fence to the property and a continuous hedge at least 30 inches high at planting and capable of growing to at least 36 inches in height within 18 months shall be planted in front of the tree line referenced, together providing for an opacity at planting of 60 percent and achieving 100 percent opacity within two years of planting. The required opacity shall be achieved to a height of six feet. All landscaping shall be of an evergreen variety (non-deciduous), except that existing native vegetation shall be preserved if sufficient to meet opacity requirements. The required landscaping shall be located on the outside of the fence to the property. Landscaping requirements may be waived for those sides of a communication tower that are adjacent to undevelopable property or that are not otherwise visible from off-site.*
  6. ***Communication towers shall be set back a distance equal to one time (1x) the height of the communication tower from any off-site residential Future Land Use designation or the property line of any off-site residential structure.** Setbacks shall be measured from the base of the communication tower. For the purposes of this provision, the Land Use designation of Agriculture/Residential Rural (A/RR) shall not be considered a residential Future Land Use designation.*
- *Section 303, Communication Towers, subsection 8.h states, “The Planning Commission may consider the following items for granting the C3 approval:*
    - i. *The standards in Section 910 A.1—4, the compatibility standards for the Impact Assessment Statement;*
    - ii. *Setbacks to residential uses;*
    - iii. *Alternative land use districts available for the tower in the search ring;*
    - iv. *Site issues, including parcel size, location on the parcel, natural buffers and access; and*
    - v. *Evidence such as photo simulation or other visual analysis that the proposed site is sited and designed to minimize any negative visual impacts on adjacent properties.”*
  - *LDC Chapter 10 defines Airport Obstruction as, “Any structure, object of natural growth, or use of land that would exceed the federal obstruction standards contained in 14 Code of Federal Regulations (CFR) Part 77, ss. 77.21, 77.23, 77.25, 77.28, and 77.29.”*
  - *Matthew Underwood and Donna H. Underwood purchased the property on September 7, 2004 through a Warranty Deed according to O.R. Book 5919, Pages 218 and 219.*
  - *On March 13, 2023 Matthew Underwood and Donna H. Underwood, the lessor, recorded a “MEMORANDUM OF SITE LEASE AGREEMENT” with the lessee “C4 Towers, LLC” for*

*an initial term of five (5) years, subject to 9 additional five (5) year terms by the lessee, under O.R. Book 13038, Pages 1993 thru 2000.*

- *The agreement was re-recorded on June 12, 2025, to correct legal description errors under the access and utility easement according to O.R. Book 13582, Pages 1536 thru 1543.*
- *The site has frontage on Black Road (Road No. 883101), a Local Residential Roadway with a paved surface width of width of 20-25. The nearest monitored roadway for Level of Service tracked for traffic counts or concurrency by the Polk County Transportation Organization's Roadway Network Database is Canal Avenue (Road No. 970102), approximately 0.20 miles south.*
- *The property is zoned for Sandhill Elementary and McLaughlin Academy of Excellence for Middle and High School*
- *This property is served by Polk County Sheriff's Office's Southeast District. The district office is located at 4011 Sgt. Mary Campbell Way in Lake Wales. The response times for July 2025 were: Priority 1 – 10:20 minutes, Priority 2 – 30:25 minutes.*
- *Fire response is from Fire Station 13, located at 2021 Watkins Road in Haines City. The estimated response time is 8 to 10 minutes. Ambulance response is from Fire Rescue Station 45, which is co-located with the Dundee Fire Department at 118 Merrill Avenue in Dundee. The estimated response time is 12 to 14 minutes.*
- *Polk County's Eastern Regional Utility Service Area provides potable water service to the area.*
- *There are wetlands, and the 100-year flood hazard area located on the western portion of the property.*
- *The site is comprised of Placid-Myakka and Smyrna-Myakka Fine Sands, Astatula Sand, Tavares Fine Sand and Hontoon Muck, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. The tower will be set in the Smyrna-Myakka sand portion.*
- *According to the Florida Natural Areas Inventory Biodiversity Matrix (Matrix Unit 43636), the site is not located within an area of a recent documented endangered animal species sighting.*
- *The tower site is approximately 0.92 miles from Southerly Airstrip and 0.43 miles from Cherry Pockets Fish Camp Seaplane Base.*
- *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 site is not within a well-field protection district.*
- *The site is not within an Airport Impact District, Height Notification or In-Flight Visual Interference Zone.*
- *This request has been reviewed for consistency with Chapter 2, Table 2.1 & 2.2, and Sections 303, 642, 906 and 930 of the LDC; SECTION 2.125-D-UTILITIES of the Comprehensive Plan.*

**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-2025-9**.

### **CONDITIONS OF APPROVAL**

Based upon the findings of fact, the DRC recommends APPROVAL of LDCU-2025-9 with the following conditions:

1. This Conditional Use approval is for a 160-foot steel monopole communications tower, as described in the staff report and shown on the site plan. Any modifications to LDCU-2025-9, 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 LDC Section 930 D.*

*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 Commission's 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 following table provides a reference point for notable and pertinent Future Land Use Map districts and existing land uses upon them.

**Table 1**

<b>Northwest:</b> RS, Single-Family Residential Pierce Hills Country Estates Subdivision	<b>North:</b> RS Single-family home	<b>Northeast:</b> RS Single-family home
<b>West:</b> RS Mobile home	<b>Subject Property:</b> RS Single-family home	<b>East:</b> RL-3, Single-Family Residential Wild Acres Subdivision
<b>Southwest:</b> RS Mobile home	<b>South:</b> RS Single-family home	<b>Southeast:</b> RS Single-Family Residential

The site is bordered by large tracts of vacant residential lands, north of Lake Pierce. Two platted subdivisions directly to the east and northwest consist of single-family residential and mobile home development on lots that range from 0.9 acres to 18 acres. Two neighboring residential lots are 160 feet north and 170 south of the proposed tower location, measured from the tower base to the residential property line. The applicant purchased the property through a warranty deed dated September 7, 2004, and a single-family residence was constructed in 2005, according to the Property Appraiser's website. The proposed 160' tall monopole tower will gain ingress, egress and utilities to the rear off of Black Road through a re-recorded 25' non-exclusive easement on the southern portion of the residential property (OR Book 13582, PG 1536).

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

This communication tower is proposed on a large buildable property in a rural area. It is surrounded by detached site built and mobile home residences. Residential density in this area is sparse with large tracts of residential or vacant land. Roadway and utility improvements are expected to significantly change this area within the coming years. Communication towers today are necessary, the same as water and fire rescue. The request meets all the conditions in Section 303 of the LDC for communication towers in a RS land use district including the demonstration of coverage deficiency and the one times the height setback from residential properties.

#### A. Land Uses:

The proposed communication tower does not present any conflicts with surrounding land uses. Communication towers must be set back a distance equivalent to the height of the tower from any off-site residential Future Land Use designation or the property line of any off-site residential structure. The submitted site plan shows this standard can be met with the residential properties to the north and south, with approximately 160 feet of space at the closest point to the southern property line. The proposed tower should not cause any disruptive interference with any transmitter or receiver near their communications structures. It was determined that there are no existing available 120' (75% the height) or higher structures within a 1-mile search ring. The greatest incompatibilities are predominately visual, especially around the base of the tower, with the nearest residential property

**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.”**



line 160' feet to the south. The LDC requires landscaping around the base of the tower to offset any visual concerns. Evergreen landscaping consisting of a row of trees at least six feet tall at planting shall be planted around the perimeter of the fence to the property and a continuous hedge at least 30 inches high at planting and capable of growing to at least 36 inches in height within 18 months shall be planted in front of the tree line referenced, together providing for an opacity at planting of 60 percent and achieving 100 percent opacity within two years of planting. The request meets all the conditions in Section 303 of the LDC for communication towers in a RS land use district including the demonstration of coverage deficiency and the one times the height setback from residential properties.

#### B. Infrastructure:

The Suburban Development Area (SDA) does not support intense non-residential development. There is public water services offered in the immediate area, with the future intentions of expanding wastewater services in the immediate area. Communication towers do not require the typical forms of development infrastructure including utilities, schools, or upgrades to the traffic system. In fact, this infrastructure serves as an essential extension to those exact urban services the County provides, including but not limited to police, fire and EMS.

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

The property is zoned for Sandhill Elementary and McLaughlin Academy of Excellence for Middle and High School. Communication towers have no demand for schools and pose no threat if located near them. Some Polk County School campuses host cell tower sites. 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
Sandhill Elementary	0 students	±6½ miles driving distance from entrance to entrance	92%
McLaughlin Academy of Excellence (Middle School)	0 students	±10.7 miles driving distance from entrance to entrance	88%
McLaughlin Academy of Excellence (High School)	0 students	±10.7 miles driving distance from entrance to entrance	32%

Source: Polk County School Board, Tischler & Associates Study, GIS

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

The closest County Fire response to this project is from the recently constructed Fire Station 13, located at 2021 Watkins Road, to the west of the Poinciana Community Park entrance. EMS Service is accessed separately at Fire Rescue Station 45, which is co-located with the Dundee Fire Department at 118 Merrill Avenue. Depending on squad availability and the urgency of the call, different stations may respond. The site has access to an adequately sized water line and a fire hydrant on the same side of Black Road from the site. However, there are no hydrants to the north of the property. All the residential units to the north are served by on-site wells. Those homes came before many of the urban services were available to the area. The equipment at the base of the tower is the most likely source of a potential fire. Since there are rarely visitors, the chance of needing emergency medical services is low.

**Table 3**

	<b>Name of Station</b>	<b>Distance</b>	<b>Response Time*</b>
Sheriff	Southeast District Command (4011 Sgt. Mary Campbell Way)	±5.6 miles	P1: 10:20 P2: 30:25
Fire	Polk County Fire Rescue Station 13, 2021 Watkins Road	±3.9 miles	8-10 minutes
EMS	Polk County Fire Rescue Station 45, 118 Merrill Avenue	±6.1 miles	12-14 minutes

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

The nearest Sheriff's substation is the Southeast District Command Center at 4011 Sgt. Mary Campbell Way. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation rather more a function of the overall number of patrol officers within the County.

### **Water and Wastewater Demand and Capacity:**

There is an ample capacity of water and wastewater utility service available, but the proposed communications tower needs none of it.

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

There is no need to provide potable water or wastewater services due to the nature of this request. Potable water is available, if the request necessitated connection. There is an 8-inch potable water main on the west side of the Black Road right-of-way along the property frontage.

**Table 4**

<b>Subject Property</b>	<b>Estimated Impact Analysis</b>		
	<b>Demand as Currently Permitted RS</b>	<b>Maximum Permissible in the district RS</b>	<b>Proposed Plan</b>
±9.79 acres RS			
Permitted Intensity	1 single-family residence	29 single-family residential units with approval of a Planned Development with the maximum amount of Density Bonus Points	Communication Tower
Potable Water Consumption (GPD)	540 GPD	11,880 GPD	0 GPD
Wastewater Generation	270 GPD	7,830 GPD	0 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

Polk County serves potable water to this area through its East Regional Utility Service Area (ERUSA) at the Waverly Public Water System. There are planned improvements in the County's 5-year capital improvements plan with the goal of providing expanded wastewater services.

#### **B. Available Capacity:**

The ERUSA potable water system has a permitted capacity of 884,000 gallons per day (GPD). Current usage is approximately 444,000 GPD.

#### **C. Planned Improvements:**



As recommended in the 2023 ERUSA Master Plan Update, the County is in the preliminary stages to add additional capacity to the East Regional Utility Service Area (ERUSA) with new potable water and wastewater facilities. Potential site locations are still being identified and negotiated.

## Roadways/ Transportation Network

There are no anticipated impacts to the transportation systems in the area because communication towers have very few visitors once constructed. While Black Road (Road No. 883101) is County maintained, the nearest monitored roadway segment is Canal Avenue/Watkins Road (Road No. 970102). The segment of Canal Avenue from Mabel Loop Road to Porter Drive (Road No. 873603) recently transferred ownership from the County to the City of Dundee on May 20, 2025 (O.R. Book 13556, Pages 2285 thru 2291). There is ample capacity to support the highest development request the district will allow.

### A. Estimated Demand:

There will be no increase in transportation demand as a result of this approval. Towers do not have more than one trip per week let alone one per day.

**Table 5**

Subject Property	Estimated Impact Analysis		
	Demand as Currently Permitted RS	Maximum Permissible in the district RS	Proposed Plan
±9.79 acres RS			
Permitted Intensity	1 single-family residence	29 single-family residential units with approval of a Planned Development with the maximum amount of Density Bonus Points	Communication Tower
Average Annual Daily Trips (AADT)	8	227	0
PM Peak Hour Trips	1	29	0

*Source: Polk County Concurrency Manual*

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 communication tower will have no significant effect on the roadway system.

### B. Available Capacity:

After construction, visits to the tower site will be infrequent. Towers do not generate traffic. But if they did, there is a lot of capacity on the surrounding roadways to support development. The nearest monitored roadway is Canal Avenue, approximately 0.20 miles south of the site.

**Table 6**

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
8210E	Canal Avenue/Watkins Road From: Lake Mabel Loop Road To: CR 542 (Lake Hatchincha Road)	C	626	C
8210W	Canal Avenue/Watkins Road From: Lake Mabel Loop Road To: CR 542 (Lake Hatchincha Road)	C	631	C

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

C. Roadway Conditions:

Black Road is a two-lane, Local Residential roadway that has 80 feet of right-of-way width and 22 feet of pavement width. Drainage is a shallow open swale on either side. Black Road terminates at Canal Avenue 990 feet to the south, which is a two-lane Rural Minor Collector roadway with a paved surface width of 20-25 feet. A segment of Canal Avenue between Porter Road and Black Road was recently paved last year. No additional roadway improvements are anticipated at this time.

D. Planned Improvements:

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

E. Mass Transit

The population concentration is relatively low in the area, but will likely change with the improved access to public services, especially with the Polk Parkway extension (SR 570B) currently under the first phase of construction. This is an area of the County that is anticipated to be planned for transit services. However, the nature of this request does not demand the need for mass transit.

F. Sidewalk Network

There are no sidewalks along the parcel. No sidewalks are required, per LDC Section 707.

**Park Facilities and Environmental Lands**

There is a boat ramp and several environmental lands within two miles of the site. The nearest large-scale park facility is East Central Park located about 3 miles to the west.

A. Location:

Lake Piece Boat Ramp is located off of Boat Ramp Road and Timberline Road and is about 1.7 miles away. The nearest park facility that offers a wider array of services is East Central Park at 555 Lake Trask Road.

B. Services:

The Lake Pierce Boat Ramp offers boat launching and a dock for bank and pier fishing. The East Central Park carries multiple courts for racquetball, volleyball and tennis activities. The 45-acre regional park also consists of four baseball fields, three large multipurpose fields and two playgrounds.

C. Multi-use Trails:

Multi-use trails are found within East Central Park, to the west of the site.

#### D. Environmental Lands

This area of the County offers multiple preservation and conservation areas. Most are found to the east such as Everglades Headwaters National Wildlife Refuge, Catfish Creek State Park, and Lake Kissimmee State Park just to name a few.

#### E. Planned Improvements:

There are no planned improvements to any County parks in the County's 5-year improvements plan.

### **Environmental Conditions**

Communication towers produce very little adverse environmental impact. While the westernmost portion of the site is in the 100-year flood and contains forested wetlands, the base of the tower will not be located in these areas. A large hurdle to development is the soil conditions which are poorly drained and prone to wetness. The proposed tower is within one mile from the Southerly Airstrip and Cherry Pockets Fish Camp Seaplane Base. Correspondence with the Polk County Transportation Planning Organization (TPO) determined that no Airport Obstruction Permit is required to be filed with the Joint Airport Zoning Board (JAZB). The applicant has filed a notice with the Federal Aviation Administration (FAA), and future correspondence with the FAA will be necessary for construction of the tower.

#### A. Surface Water:

The northern shores of Lake Pierce are less than one mile south. Multiple canals and inlets extend northward with one man-made canal running parallel with Black Road. There are culverts and a shallow swale system along the Black Road right-of-way with drainage flowing into a man-made canal, connecting to the nearby lake. There will be very little impervious surface relative to the size of the property. The tower is not likely to change the amount of run-off.

#### B. Wetlands/Floodplains:

The western, or rear, portion of the site is located within a flood hazard area "Flood Zone A" with contiguous forested wetlands further inland. This portion of the flood zone is associated with the Lake Pierce floodplain. The site is between 77 and 78 feet above sea level. Should any portion of the site be located within a designated flood zone, that tower equipment will need to be elevated to one foot above the BFE.

#### C. Soils:

According to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey, the subject site where the tower will be located is comprised of Smyrna-Myakka Fine Sands. This is considered poorly drained soil that is prone to wetness. There may be challenges present in the soils onsite that would hinder development as proposed. The structure needs stable soil for a firm foundation. However, there is very little impervious surface to drain as the base of the site compound is 35' by 55' or 1,925 square feet in area.

**Table 7**

<b>Soil Name</b>	<b>Small Commercial Buildings</b>	<b>Limitations to Dwellings w/o Basements</b>	<b>% of Site (approximate)</b>
Placid-Myakka	Severe: Ponding	Severe: Ponding	45%
Smyrna-Myakka	Severe: Wetness	Severe: Wetness	27%
Astatula Sand	Slight	Moderate: Slope	18.5%
Tavares	Slight	Slight	7.8%
Hontoon Muck	Severe: subsides, ponding	Severe: subsides, ponding	1.7%

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

#### D. Protected Species

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is not located within a one-mile radius of a recent endangered animal species sighting.

#### E. Archeological Resources:

There are no protected archeological resources in Section 31, Township 28, and Range 28, that the communication tower would adversely impact, according to the Florida Department of State, Division of Historical Resources.

#### F. Wells (Public/Private):

This site is not within any of the County's Wellhead Protection Districts. The applicant indicates the use of a private well for landscape irrigation, however, this will need to be further addressed during the Level 2 Review.

#### G. Airports:

Pursuant to Chapter 333, Florida Statutes (F.S. 333), the Joint Airport Zoning Board (JAZB) prepares and updates airport zoning regulations for airspace protection and land use compatibility in relation to the normal operation of the eight (8) airports in Polk County licensed for public-use by the State of Florida Department of Transportation (FDOT). While the site is not within any Airport Impact Districts, the tower site is approximately 0.92 miles from Southerly Airstrip and 0.43 miles from Cherry Pockets Fish Camp Seaplane Base. The closest Impact District is the Chalet Suzanne Airport, located approximately 4.32 miles southwest. According to the applicant's preliminary filings with the FAA, the proposed 160-foot tower is not expected to exceed notice criteria. Per correspondence with Polk County Transportation Planning Organization (TPO), the tower is not subject to file an Airport Obstruction Permit with the JAZB. Future correspondence with the Federal Aviation Administration (FAA) will be necessary for construction of the tower.

#### Economic Factors:

Telecommunications infrastructure, including wireless and cellular infrastructure, is critical to daily life, business, emergency services, and government purposes. Today most residents of this County have not only cell phones but other multiple communication devices, including personal computing devices that rely on the constant transfer of data over the cellular network. It is a necessity for residents that these towers are located near their home. The proposed tower provides an opportunity to establish coverage in a region of the County where growth is anticipated in the coming years.

## Consistency with the Comprehensive Plan:

The site is located in the Suburban Development Area (SDA), which is the area “located between municipalities, TSDA or UGA and the Rural Development Areas (RDAs). In the SDA, agricultural activities coexist alongside low density developed areas in the fringes of municipalities and other urban centers.” according to POLICY 2.106-A1 of the Comprehensive Plan. There are public water services nearby with wastewater expansion expected in the coming years. The monopole tower serves as an essential extension to the urban services the County provides, including but not limited to police, fire and EMS.

Communication towers are directly referenced in Section 2.125-D of the Comprehensive Plan. POLICY 2.125-D2 states that listed utility facilities “shall be permitted throughout the County in all land use classifications, subject to County approval, to support existing and proposed development.” Among those listed utilities are “communications facilities, including, without limitation, radio towers and microwave transmission facilities.” Table 8, to follow, outlines the application’s consistency with the Comprehensive Plan.

**Table 8**

Comprehensive Plan Policy	Consistency Analysis
<i>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.</i>	Staff finds the proposed communication tower is compatible with neighboring properties. It’s on a large property separated from surrounding residential development by over 160 feet on all sides. Once the tower is constructed, it will be difficult to notice it is there.
<i>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.</i>	This request does not require public utilities. There are potential wetlands, and the site has Flood Zone “A” to the rear. Consequently, the site will need to adhere to Chapter 6 (Resource Protection) of the LDC. Since there is growing residential development, there is a growing need for more communication towers.
<i>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.</i>	Communication towers are more of a utility than a “development.” They are needed where the growth is according.
<i>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.</i>	The request is not anticipated to create a Level-of-Service (LOS) deficiency upon existing services provided by the County. No structures are proposed which would demand public utilities.

Comprehensive Plan Policy	Consistency Analysis
<i>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).</i>	The subject property is located within an area of the County that has adequate public safety services as identified in the staff report. There is not a lot of human activity, and the equipment is relatively solid state. The need for public safety services are low.

The Planning Commission, in the review of approving communication tower, shall consider the following factors listed in Table 9 in accordance with Section 303, Communication Towers, subsection 8.h of the Land Development Code.

**Table 9**

<b>The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 303, Communication Towers, subsection 8.h of the LDC:</b>	
<p><b>The standards in Section 910 A.1-4, the compatibility standards for the Impact Assessment Statement.</b></p> <p><b>1. Show how and why is the site suitable for the proposed uses;</b></p> <p><b>2. Provide a site plan showing each type of existing and proposed land use;</b></p> <p><b>3. Describe any incompatibility and special efforts needed to minimize the differences in the proposed use with adjacent uses;</b></p>	<p><i>1. The area is rural in nature site is suitable for a tower because it sits between two roadways and the closest distance to a residential property is equal to or greater than the height of the tower.</i></p> <p><i>2. The closest distance to a residential property is equal to or greater than the height of the tower. The setbacks on the submitted site plan also confirms this (See Exhibit 5).</i></p> <p><i>3. No incompatibilities are present. The base of the tower will be screened from offsite view and the perimeter of the property is also well vegetated so that the tower's view will be obscured from nearby residences.</i></p>
<b>Setbacks to residential uses;</b>	<i>The proposed tower will be located between residential properties, with a minimum setback distance of 160 feet, measured from the base of the tower to the neighboring properties. Section 303 states the closest distance to a residential property is equal to or greater than the height of the tower.</i>
<b>Alternative land use districts available for the tower in the search ring;</b>	<i>The surrounding land use districts include A/RR, RL-1, and LR. The applicant has provided a search ring analysis that shows there are no towers within the ½ mile service radius. Communication towers are a "C3" in the RL-1 and LR districts while a "C2" in the A/RR district. The site is ideal due to existing residences in the nearby area.</i>
<b>Site issues, including parcel size, location on the parcel, natural buffers and access; and</b>	<i>The parcel is 6.7 acres and will likely be developed for other uses that will have to coexist with the tower at this location. The perimeter is lined with canopy trees. The tower will be relatively hidden behind them.</i>
<b>Evidence such as photo simulation or other visual analysis that the proposed site is sited and designed to minimize any negative visual impacts on adjacent properties.</b>	<i>Please refer to Exhibit 5 which identifies the proposed location of the tower and associated landscape. Staff will also present site photos during the public hearing.</i>

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**

<b>The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 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 Sections 303 and 906.D. These can be found in the Findings of Fact on Pages 1-3 of the staff report.</i>
<b>Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;</b>	<i>Communication facilities are considered “Utilities” in POLICY 2.125-D1 of the Comprehensive Plan and “shall be permitted throughout the County in all land use classifications, subject to County approval”.</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. See Pages 6 &amp; 7 of this staff report for data and analysis on surrounding uses and compatibility.</i>
<b>How the concurrency requirements will be met, if the development were built.</b>	<i>This request will not require concurrency determinations from utilities, the School Board, or TPO. The impact on public services can be found in the analysis found on Pages 7-10 of the staff report.</i>

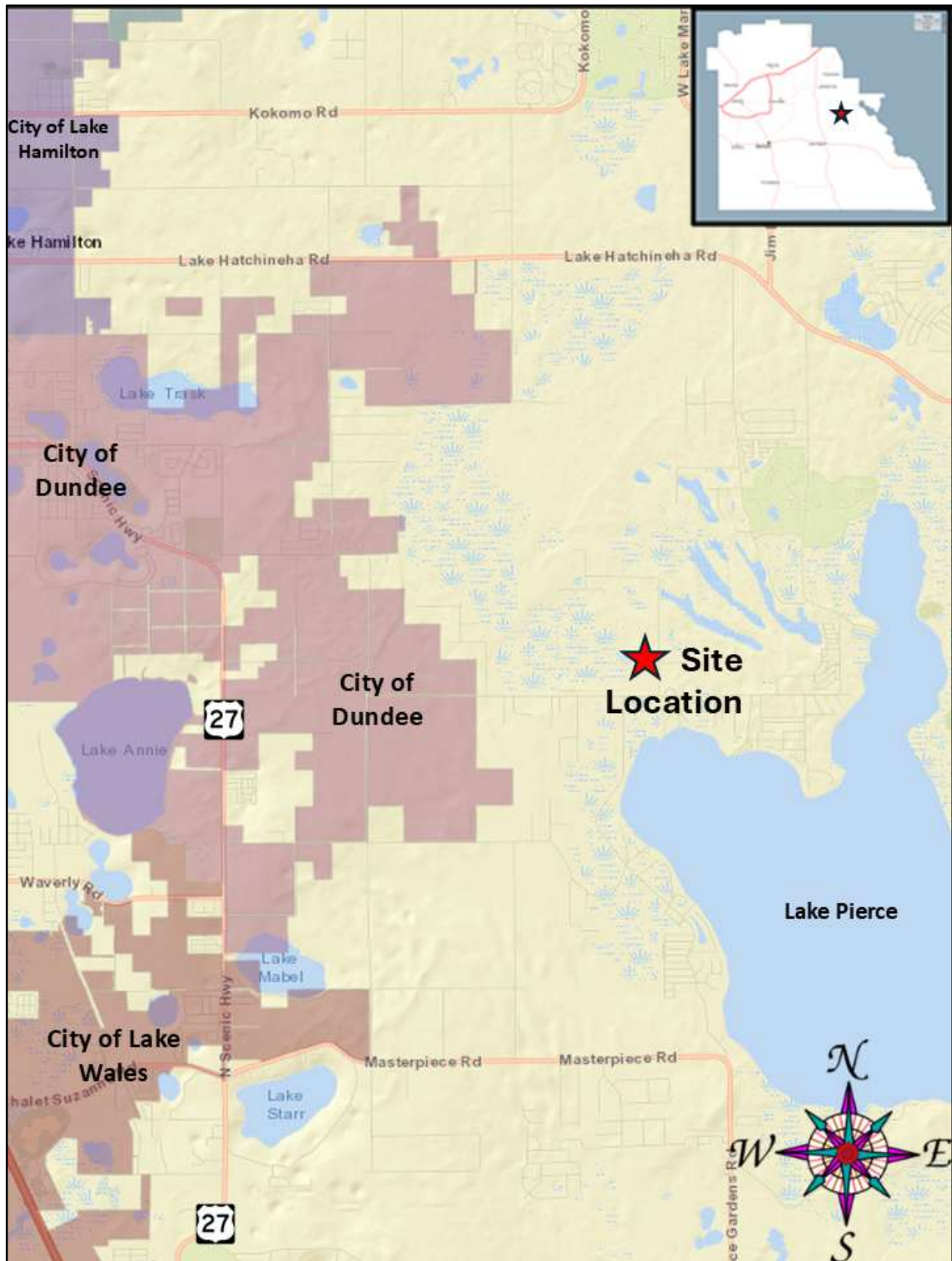
**Comments from other Agencies:**

**Polk County Transportation Planning Organization (TPO)**

The subject tower is not subject to airport zoning regulations in Polk County and therefore does not need to file an Airport Obstruction Permit with Polk County’s Joint Airport Zoning Board (JAZB).

**Exhibits:**

- Exhibit – 1      Location Map
- Exhibit – 2      Future Land Use Map
- Exhibit – 3      2024 Satellite Photo (Context)
- Exhibit – 4      2023 Aerial Image (Close-up)
- Exhibit – 5      Site Plan
- Exhibit – 6      Monopole Tower Elevation



Location Map





## Future Land Use Map





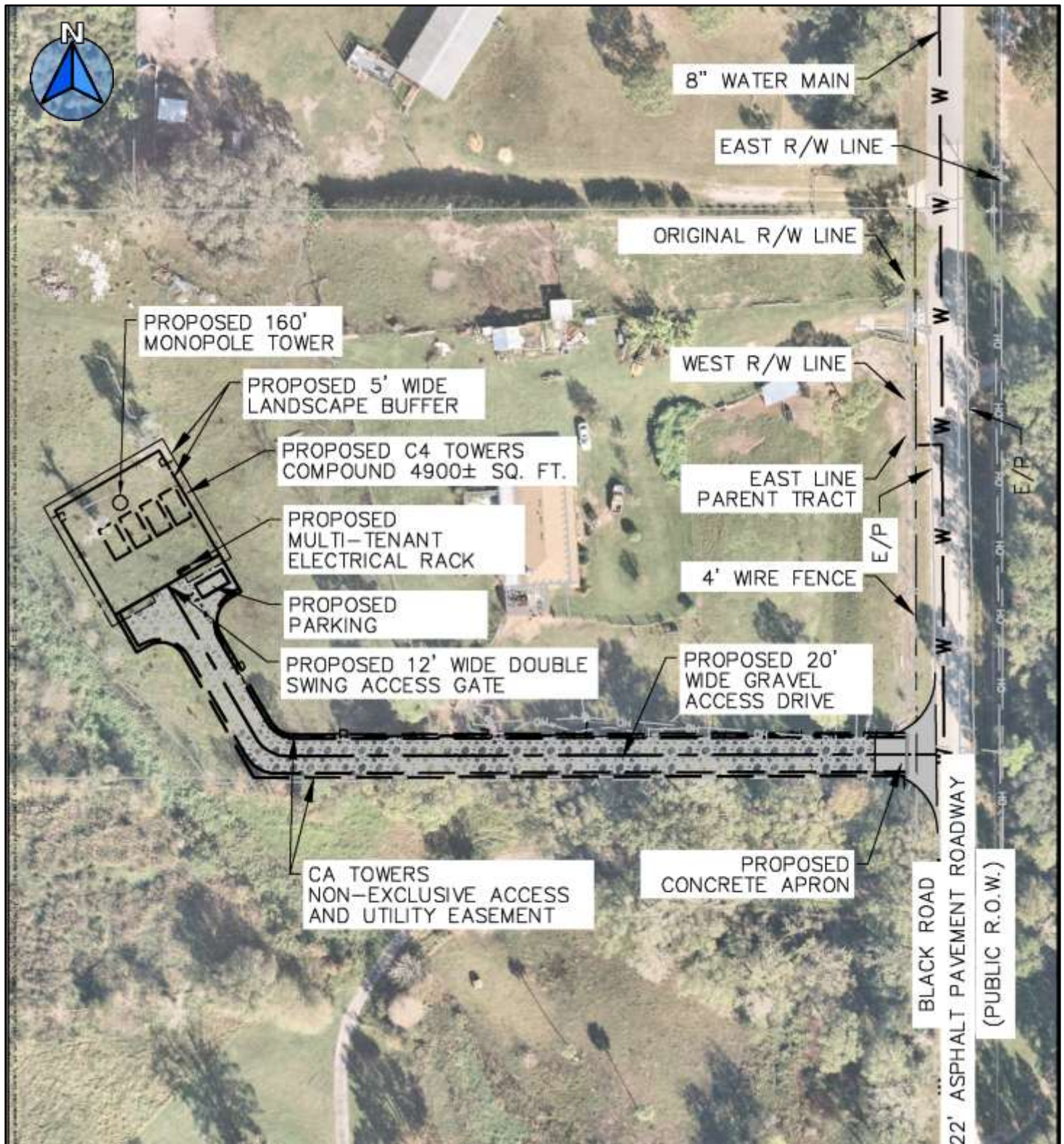
2024 Satellite Photo (Context)





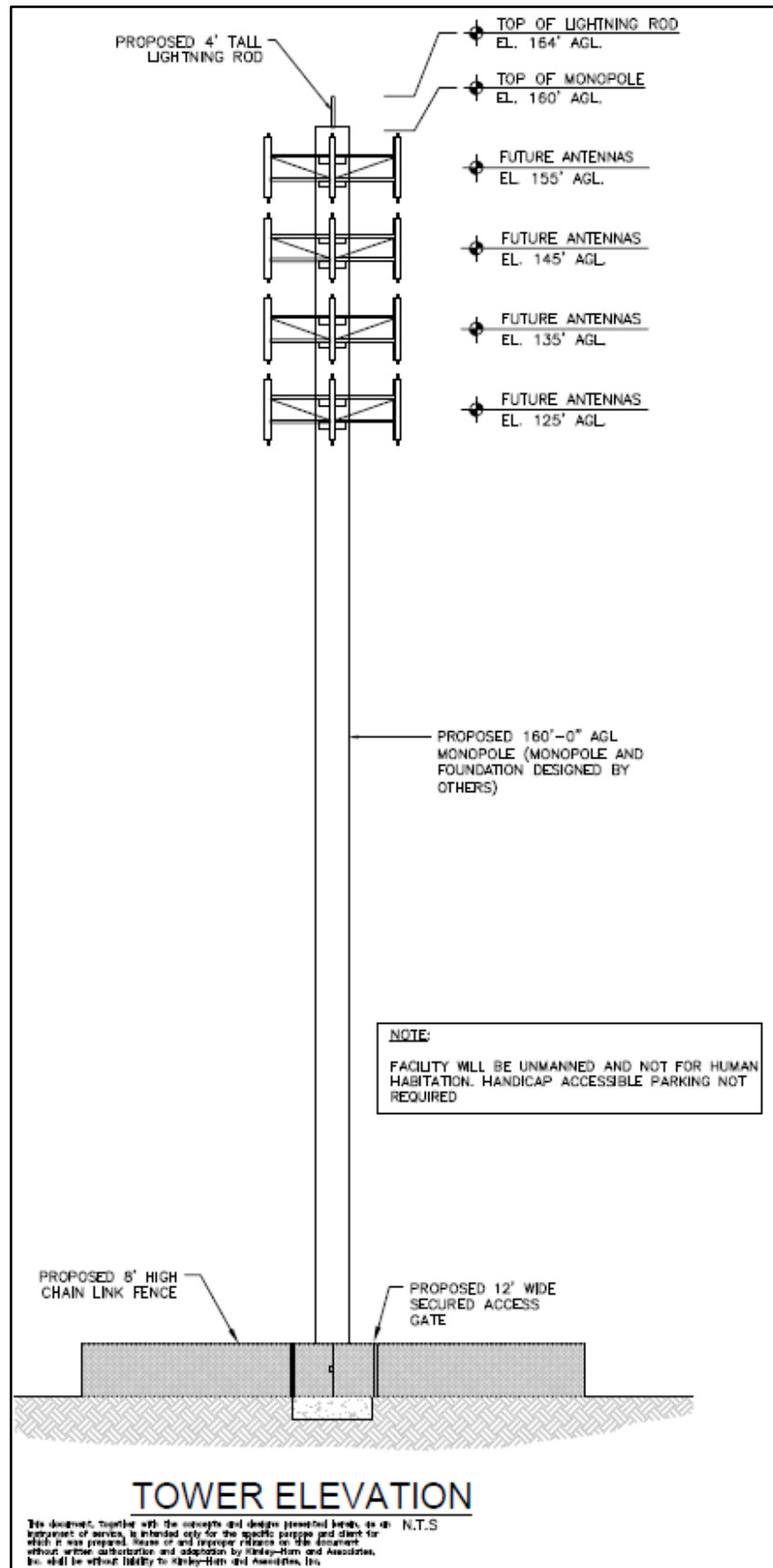
2023 Aerial Image (Close-up)





## Site Plan





## Monopole Tower Elevation