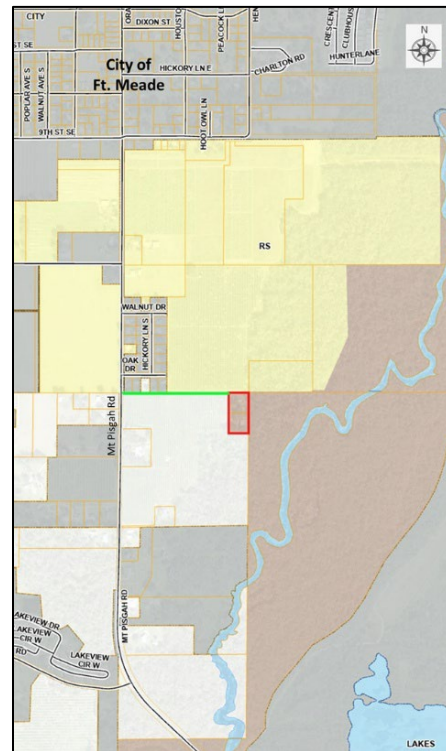


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	May 15, 2025
Planning Commission Date:	May 6, 2026
BoCC Dates:	June 16, 2026
Applicant:	Polk County
Level of Review:	Level 4 Review, Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2025-13 Mt. Pisgah Road PM to A/RR CPA
Request:	Small Scale Comprehensive Plan map amendment from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) on 2.0± acres in the Rural Development Area (RDA).
Location:	The site is east of Mt. Pisgah Road, south of Oak Drive, north of Berquist Road, west of the Peace River, southeast of the City of Fort Meade, in Section 02, Township 32, Range 25
Property Owner:	Brandon M Outlaw, Cynthia Deniese Yeoman
Parcel Size:	2.0± acres (Parcels: 253202000000033020, 253202000000033050)
Development Area/Overlays:	Rural Development Area (RDA)
Future Land Use:	Phosphate Mining (PM)
Nearest Municipality	Fort Meade
DRC Recommendation:	Approval
Planning Commission Vote:	Approval (7:0)
Case Planner:	Robert Bolton, Planner III



Location



Current Future Land Use

Summary

A County-initiated request for a Comprehensive Plan Map amendment to change the Future Land Use designation from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR). The subject property is located east of Mt. Pisgah Road, and west of the Peace River, south of the City of Fort Meade. The site is 2.0± acres and consists of two (2), one-acre residential sites. The dwellings in the sites were constructed in the late 1960's and early 1970's and are lots of record. The site has not been owned by a mining company, nor been in a mine plan.

This land use change request is consistent with Policy 2.114-A2 that provides if a property designated PM was not owned by a mining company or in a mine plan, the future land use after PM can be A/RR or other recreation and institutional land uses. In addition, this policy allows for the subject site to be developed as if it was already designated A/RR and requiring that the County initiated a Future Land Use designation change to A/RR. This request is consistent with that policy and in line with the other A/RR in the RDA. This request is also part of Board of County Commission request to research, locate and initiate Land Use Changes from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) for parcels within the PM that have historically been utilized as residential use with residential dwellings.

Compatibility Summary

Section 2.114 of the Comprehensive Plan lists A/RR as one of the land uses for the conversion of PM lands. The surrounding uses are residential or agricultural in nature and have historically represented the southern unincorporated part of the city of Fort Meade. The phosphate mining in this area was predominantly on the east side of the Peace River. The existing residential use is compatible with the surrounding uses.

Infrastructure Summary

The infrastructure is rural in nature. The site has been developed with residential dwellings for several decades. The phosphate mining that was done in the area was on the east side of the Peace River. The site has good access to public services with water and wastewater to be serviced by private well and septic system. The City of Fort Meade appears to have extended water to the north of the site, there is an existing fire hydrant at the end of Oak Drive, just north of the site.

Environmental Summary

There are no surface waters, wetlands or floodplains on site. The soils map indicates some moderate limitations for the use of septic within the subject area; however, the site's two (2) lots are developed with residential dwellings and no further development is available.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Section 2.114 Phosphate Mining
- Policy 2.114-A4: Future Development of PM Land

Findings of Fact

Request and Legal Status

- This is a County-initiated request for a Comprehensive Plan Map amendment to change the Future Land Use designation from Phosphate Mining (PM) to Agricultural Residential Rural (A/RR) on 2.0 +/- acres.
- The County is initiating this request is consistent with Comprehensive Plan Policy 2.114-A2 which states that if property in the PM district that was not under a conceptual mining plan and owned by a phosphate mining company “may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use.”
- This request is also part of Board of County Commission request to research, locate and initiate Land Use Changes from Phosphate Mining (PM) to Agricultural/Residential Rural (A/RR) for parcels within the PM that have historically been utilized as residential use with residential dwellings.
- The subject site has historically been residential and never mined.
- The two (2) parcels are the same as existed in the adoption of the Comprehensive Plan in 1991.
- Even though the parcels are less than five (5) acres, they are vested lots of record.
- The subject properties were not owned by a mining company or part of a mine plan at the time of the adoption of the Comprehensive Plan.

Compatibility

- There are two (2) lots in the subject site area each are improved with residential dwelling.
- Staff is coordinating with the Phosphate Review Group to obtain any comments per *Policy 2.114-A4*, any comments received may result in update(s) to this Staff Report.
- The existing residential dwellings were constructed in the late 1960’s and early 1970’s.

- Fort Meade has been annexing south of the historic southern boundary of the city, 9th Street SE with city limits to the north, south and west..
- The existing uses surrounding the site are
 - North – RS – Vacant, Citrus Grove and Peace River Flood Plain
 - West – A/RR – Vacant, Citrus Grove
 - East – PM – Vacant, Peace River Flood Plain
 - South – A/RR – Vacant, Peace River Flood Plain

Infrastructure

- The subject parcels have access to Mt. Pisgah Road via a parcel, owned by one of the subject property owners, as an access via easement. This parcel has a Future Land Use designation of A/RR and is not part of the request.
- The site has no access to centralized potable water or wastewater services. The nearest water line is along the east side of Mt Pisgah Road, north of the site at Cox Road and is owned by the City of Ft. Meade.
- The subject property is zoned for Lewis Anna Woodbury Elementary School, Ft Meade Middle/Sr Middle School, and Ft. Meade Senior High School.
- The Sheriff's Regional Command that serves the area is the Polk County Sheriff's Southeast Command Center at 4011 Sgt. Mary Campbell Way in Lake Wales approximately 32 miles to the northeast.
- Fire rescue response from Polk County Fire Rescue Station #10 at 1235 9th St NE N, Fort Meade. It is approximately 2.9 miles driving distance.
- There are no sidewalks along Mt. Pisgah Road.
- The nearest transit route is Route 25 that stops at 9th Street SE and Mt. Pisgah Road in Ft. Meade, approximately ½ mile north.
- The nearest neighborhood park is the Fort Meade Park. The closest County Regional Park is Loyce Harpe Park. The Bone Valley ATV Park is about eleven (11) miles away.

Environmental

- There are no surface waters on site.
- The subject site does contain wetlands and floodplains.
- The subject site has Adamsville Fine Sand (60%), and Holopaw Fine Sand (40%).

- The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series.
- Approximately one mile southeast of the site has over 500 acres in a Conservation Easement.
- The subject property is not located within a one-mile radius of a protected plant or animal species sighting since 2006 (Source: Florida Natural Areas Inventory 2002, 2006, 2011, & 2015).
- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.
- There are residential use wells on the subject site and it is not located in a wellfield.
- The site is not within an Airport Impact District.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that 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.
- POLICY 2.102-A2 Compatibility 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 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.
- POLICY 2.102-A3 Distribution states that 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.
- POLICY 2.102-A4 Timing states that 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.

- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
 - a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
 - b. nearness to agriculture-production areas;
 - c. distance from populated areas;
 - d. economic issues, such as minimum population support and market-area radius (where applicable);
 - e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
 2. sanitary sewer and potable water service;
 3. storm-water management;
 4. solid waste collection and disposal;
 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
 6. emergency medical service (EMS) provisions; and
 7. other public safety features such as law enforcement;
 8. schools and other educational facilities
 9. parks, open spaces, civic areas and other community facilities
 - f. environmental factors, including, but not limited to:
 1. environmental sensitivity of the property and adjacent property;
 2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
 3. wetlands and primary aquifer recharge areas;
 4. soil characteristics;
 5. location of potable water supplies, private wells, public well fields; and
 6. climatic conditions, including prevailing winds, when applicable.

- POLICY 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources.

The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies:

Department of Environmental Protection, Bureau of Mine Reclamation

Central Florida Regional Planning Council

Phosphate Mining Industry

Florida Institute of Phosphate Mining Research

Florida Fish and Wildlife Conservation Commission

Polk County Planning

Polk County Natural Resources

Polk County Cooperative Extension Services, Soils Conservation

- These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.
- According to POLICY 2.108-A1 of the Comprehensive Plan, the subject property is in a Rural Development Area (RDA). The RDA “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.”
- The subject property is in a Phosphate Mining (PM) Future Land Use Map district. The Comprehensive Plan permits only Phosphate mining and allied industries, land reclamation, agriculture, and Farmworker housing.
- Policy 2.114-A2 of the Comprehensive Plan states that if property in the PM district that was not under a conceptual mining plan and owned by a phosphate mining company “may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use.”
- For PM lands affected by Policy 2.114-A2, a change to the Agricultural/Residential Rural (A/RR) district is the default category.
- Per Table 2.2 of the Land Development Code (LDC), the minimum residential lot size in an A/RR district is five (5) acres. Single-family residences are a permitted use in A/RR.

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 finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-13**.

Planning Commission Recommendation: On May 15, 2025, in an advertised public hearing, the Planning Commission voted 7:0 to **recommend APPROVAL of LDCPAS 202-13**.

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

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: 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.

Analysis

This section of the staff report includes data on the surrounding uses, infrastructure conditions, environmental conditions, and related Comprehensive Plan policies and Land Development Code regulations.

Surrounding Uses

Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent. The past several decades the subject site has been developed with two (2) residential dwellings. It access Mt. Pisgah Road via an access via easement, owned by one of the subject property owners. Adjacent to the north west and south have historically been citrus groves. To the east is the Peace Rive and its flood plain.

Table 1

Northwest: RS – Vacant Citrus Grove	North: RS – Vacant Citrus Grove and Peace River Flood Plain	Northeast: RS – Vacant Peace River Flood Plain
West: A/RR – Vacant Citrus Grove	Subject Property: PM 2.0± acres; Improved Residential	East: PM – Vacant Peace River Flood Plain
Southwest: A/RR – Vacant Citrus Grove	South: A/RR – Vacant Peace River Flood Plain	Southeast: PM – Vacant Peace River Flood Plain
<i>Source: Polk County Geographical Information System and site visit by County staff</i>		

The infrastructure is limited due to the rural nature of the area. For the past several decades the subject site has been developed with two (2) residential dwellings. The site being located on the west side of the Peace River has historically been a part of the southern Fort Meade unincorporated area which included residential use as well as agricultural and citrus crops. The existing use as residential is compatible with the surrounding uses.

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County’s Comprehensive Plan, “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; and 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 “development criteria” and the “density and dimensional regulations” of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan 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

Section 2.114 of the Comprehensive Plan, lists A/RR as one of the land uses for the conversion of PM lands. The lands east of the Peace River were mined for phosphate. The land to the west of the Peace River has historically been City of Fort Meade, residential or citrus groves. The existing residential and citrus nature are compatible with the existing residential development of the subject lots of record.

B. Infrastructure

The infrastructure is limited due to the rural nature of the area. The site has historically been developed with two (2) residential dwellings. Any new development would consist of redevelopment of the existing residential development. The site is currently developed not adding any additional impacts to roads and public safety services.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property are the zoned schools listed in Table 2 below. The site is currently developed with two residential dwellings, no additional impacts to the Polk County Scholl system are anticipated..

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Lewis Anna Woodbury Elementary School	1 student	87%	1.4 ± miles driving distance
Ft Meade Middle/Sr Middle School	1 student	70%	2.6 ± miles driving distance
Ft Meade Senior High School	1 student	57%	2.6 ± miles driving distance

Source: Polk County School Board, Polk County Impact Fee Ordinance, GIS

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest Sheriff District office and Fire/EMS stations. Sheriff response times are not as much a function of the distance to the nearest sheriff's substation, but more a function of the overall number of patrol officers within the County.

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	Southeast Command Center (4011 Sgt. Mary Campbell Way in Lake Wales)	32.4 +/- miles Priority 1 – 10:04 Priority 2 – 30:54
Fire/ EMS	Station #10 (1235 9th St NE N, Fort Meade, Ft. Meade)	2.9 +/- miles 9-11 minutes

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for April 2026.

Water and Wastewater

The subject site is in the RDA and is not within any utility service area. Water and sewer lines are not near the subject site. The nearest water line is along the east side of Mt Pisgah Road, north of the site at Cox Road and is owned by the City of Ft. Meade. Potable water is provided by a well, and an onsite septic treatment system will be utilized to handle wastewater for each individual lot.

A. Estimated Demand

Table 4, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR. The changes to IND have been along railroad lines. The subject site is not along a railroad and historically been utilized for residential dwelling. However, IND uses tend to be more impactful in terms of noise, vibrations, and odors. So, the traffic analysis below is based on PM having industrial uses. It is noted that there is not potable water or sewer service to the subject site, water and sewer is/would be provided by well and septic systems

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity 2.0 +/- acres 87,120 sq ft @0.75 FAR = 65,340	Current PM	Maximum Permitted in A/RRX
	65,340 sf	2 units
Potable Water Consumption	$65,340 * 0.24 = 15,682 \text{ GPD}$	$2 * 250 = 500 \text{ GPD}$
Wastewater Generation	$15,682 * 80\% \text{ Water} = 12,546 \text{ GPD}$	$2 * 200 = 400 \text{ GPD}$

Source: Concurrency Manual: PM@ IND rates @ 0.24 per sq ft and 80% for wastewater, single family @ 250 GPD Potable water and 200 Wastewater.

B. Service Provider

The subject site is not within any utility serve areas. The two (2) parcels are currently improved with single-family dwellings, which use well and septic to provide for these utility needs. Both lots are developed, only redevelopment with single-family residential will occur.

C. Available Capacity

The subject site is not within any utility serve areas. Therefore, all development on the subject site will require wells and septic tanks. The capacity of these systems will be based on the parameters of the permitting agency.

D. Planned Improvements

There are no utility improvements near the subject site.

Roadways/Transportation Network

A. Estimated Demand

The subject parcels have access to Mt. Pisgah Road via a parcel, owned by one of the subject property owners, as an access via easement. This parcel has a Future Land Use designation of A/RR and is not part of the request. Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate being less for the proposed request. However, it is not automatic and not even common that the alternative use for PM is industrial. In fact, most of the land use changes from PM are to A/RR. The changes to IND have been along railroad lines. The subject site is not along a railroad and historically been utilized for residential dwelling. However, IND uses tend to be more impactive in terms of noise, vibrations, and odors. So, the traffic analysis below is based on PM having industrial uses.

The table below analyses the subject site as if vacant; however, the two (2) parcels are currently improved with single-family dwellings, which use well and septic to provide for these utility needs.. The analysis of the site with the two (2) lots currently developed with residential indicates 16 AADT and 2 Peak Hour, verses the assumed PM developed intensity, indicating 236 AADT and 41 Peak Hour.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	Current PM	Maximum Permitted in A/RRX
Permitted Intensity 2.0 +/- acres 87,120 sq ft @0.75 FAR = 65,340	65,120 / 1,000 = 65 sf	2 units
Average Annual Daily Trips (AADT)	65 * 3.93 * 92% new trips = 236 AADT	2 X 7.81 AADT = 16 AADT
PM Peak Hour Trip	65 * 0.67 * 92% new trips = 41 AADT	2 X 1 = 2 PM Peak Hour

Source: Concurrency Manual and Table for Minor Traffic Study –PM @ IND rates ITE Code 140 @ 3.93 AADT per 1,000 square feet and 0.67 PM Peak Hour Trip per 1,000 square feet and 92% new trips, single family @ one house per five acres – 7.81 AADT per unit and 1 PM Peak Hour per unit 100% new trips

B. Available Capacity

The subject site only has direct access to Mt. Pisgah Road, which is not monitored by the Polk Transportation Planning Organization (TPO). Mt. Pisgah Road is a Rural Minor Collector. The nearest monitored road, US 17 is approximately $\frac{3}{4}$ mile north and west at the end of Oak Drive. US 27 extends south out of Polk County to Punta Gorda and north through Bartow, Orlando, and Jacksonville before entering Georgia. The current Level of Service (LOS) through this part of the road is “C”. The minimum LOS on this portion of US 27 is “D”. The existing residential development will not have any significant impact on the roadway capacity.

Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
5003N	US 17/98	C	741	D	C
5003S	US 17 @ US 98 to CR 640	C	784	D	C
5001N	US 17	C	1,119	D	C
5001S	Hardee County Line to 9 th Street SE	C	1,153	D	C

Source: Polk Transportation Planning Organization, Roadway network Database April 2026

C. Roadway Conditions

Mt. Pisgah Road and County Line Road (Hardee/Highlands) are two-lane undivided Rural Minor Collector Road that has a PCI condition rating of Very Good.

D. Sidewalk Network

Mt. Pisgah Road does not have any sidewalks. The subject site is in the Rural Development Area (RDA) which does not require sidewalks within the right of way on a public road.

E. Planned Improvements:

There are currently no planned improvements along any of the traffic links.

F. Mass Transit

The nearest transit route is Route 25 that stops at 9th Street SE and Mt. Pisgah Road. This stop is approximately $\frac{1}{2}$ mile north of the site.

Park Facilities:

The following analysis is based on public recreation facilities. The nearest neighborhood park is the Bradley Junction Park. The Bone Valley ATV Park is about eleven (11) miles away.

A. Location:

Fort Meade Park is located in the northeast part of Fort Meade. Its current hours of operations are from 5 a.m. to 10 p.m. The park’s amenities include baseball Fields, basketball Court(s), picnic tables, playground, and softball facilities.

Bone Valley ATV Park is on the south side of County Road 630 and east of State Road 37. It is a 200-acre tract of land with 15 trails, hill climbs and free riding areas. Below are the hours and fees for the park, along with important safety and registration information. The address is 10427 County Road 630 W. in Mulberry.

B. Environmental Lands:

There are no County owned Environmental Lands in this part of the County.

C. Planned Improvements:

There are no further recreation improvements scheduled for this area of the County at this time.

Environmental Conditions

The subject site has historically been a residential area with two (2) lots of record. The area does not have access to municipal water and sewer, historically relying on well and septic for water and sewer. There are no vacant lots and any new development would consist of redevelopment of the older residential dwellings.

A. Surface Water:

The highest point is 102 feet above sea level; the lowest is below 87 feet MSL. The site drains to the southeast into a flood plain system and drain that takes surface waters to the Peace River.

B. Wetlands/Floodplains:

The subject site has no indicated wetlands or floodplains.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the soil types range from Moderate to Severe. The site is currently developed with single-family residential.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Adamsville fine sand, 0 to 1% slope	Severe: wetness	Moderate: wetness	60%
Holopaw Fine sand, 0 to 1% slope	Severe: ponding	Severe: ponding	40%

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

D. Protected Species:

The subject property is not located within a one-mile radius of a protected plant or animal species sighting since 2006 (Source: Florida Natural Areas Inventory 2002, 2006, 2011, & 2015).

E: Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. Approximately one mile southeast of the site has over 500 acres in a Conservation Easement as recorded in OR Book 10740, Page 2012.

F. Archeological and Historical Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological or historical resources listed in the Florida Master Site File for the site.

G. Wells (Public/Private)

The subject site is not located on a wellfield. The nearest Wellfield is about 1.5 miles northwest, in Fort Meade. The current improved subject parcels as well as other improved properties use wells for their water source.

H. Airports:

The site is not within any Airport Height Notification or In-Flight Visual Interference Zones.

Economic Factors:

The subject site is only 2.0± acres. Most phosphate mines are thousands of acres. The site has historically been residential with The two residential dwellings being constructed in the 1960’s and 1970’s. This change in land use will provide for a conforming use on the subject site.

Consistency with the Comprehensive Plan

Many policies within the Comprehensive Plan are reviewed for consistency with an application. The most relevant policies for the proposed request are included in this section. The policy is first stated and then an analysis of how the request is provided to state that it may or may not be consistent with the Comprehensive Plan. How the request is **consistent** with the Comprehensive Plan is listed below:

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
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.	The neighboring Future Land Use Map designations are RS to the north, and A/RR to the west and south, PM is west of the site. The Peace River is west of the site and the historic phosphate mining occurred east of the Peace River. The western side of the Peace River has and is agricultural or residential in use.

Comprehensive Plan Policy	Consistency Analysis
<p>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>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>The proposed low-density use is consistent with services available in the Rural Development Area (RDA).</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>POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:</p> <p>a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:</p> <ol style="list-style-type: none"> 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2. sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment; 6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities 9. parks, open spaces, civic areas and other community facilities, <p>f. environmental factors, including, but not limited to:</p> <ol style="list-style-type: none"> 1. environmental sensitivity of the property and adjacent property; 2. surface water features, including drainage patterns, basin characteristics, and flood hazards; 3. wetlands and primary aquifer recharge areas; 4. soil characteristics; 5. location of potable water supplies, private wells, public well fields; and 6. 	<p>One home per five acres does not need many services at all other than the potential need for public safety services and access for visitors. The subject site consists of two (2) one-acre lots of record. The lots are both improved with residential dwellings originally constructed in the 1960's and 1970's. Homeowners within the subject area have not had access to urban services and have not requested any increased level of urban services. A/RR is the main residential and agricultural designation in the RDA. Therefore, this request is consistent with these policies.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>climatic conditions, including prevailing winds, when applicable.</p>	
<p>Property not meeting the criteria under Policy 2.114-A2 (Designation and Mapping of Phosphate Mining Land) but designated as Phosphate Mining on the Polk County Future Land Use Map Series, may be developed residentially but the County must initiate a Comprehensive Plan amendment soon after to recognize the new land use. Agricultural/Residential-Rural (A/RR) development criteria specified under Section 2.121-A with the exception of Policy 2.121-A2.E.2 (Rural Mixed Use Developments) will be used; and, the applicant must show documentation proving the property was not owned by a phosphate mining company prior to May 1, 1991, the Plan's adoption date. Property purchased from a phosphate company after this date will not be considered an error.</p>	
<p>POLICY 2.114-A3: PERMITTED ACTIVITIES - The following activities shall be permitted within the Phosphate Mining land use category as mapped pursuant to Policy 2.114-A2:</p> <p>a. Phosphate mining and allied industries; b. Land reclamation; c. Agriculture and Farmworker housing under specific design parameters listed in the Land Development Code not to exceed an intensity of sixteen (16) workers per acre; d. Other land uses with conditional approval which are compatible and related with the extraction and processing of phosphate; and e. Subject to the adoption of a Comprehensive Plan amendment, any activities permitted within the following land use designations, which are appropriate for the redevelopment of lands formally utilized for phosphate mining operations and which demonstrate compliance with the Comprehensive Plan criteria for each use: 1. Preservation. 2. Recreation and Open Space. 3. Leisure/Recreation. 4. Institutional. 5. Rural Cluster Centers. 6. Tourism Commercial Centers. 7. Business Park Centers. 8. Industrial. 9. Rural Mixed-Use Developments. 10. New Communities. 11. Agricultural/Residential Rural only.</p>	<p>A mining company has not owned the subject site and was not part of a Mine Plan. This request is part of a Board of County Commission's request to locate residential use properties that have historically been residential use with residential dwellings and provide residential entitlements to these areas.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.114-A4: FUTURE DEVELOPMENT OF PM LAND - Polk County shall promote the redevelopment of PM lands by encouraging master planned developments incorporating land uses permitted within Rural Development Areas. Applications for land use amendments will be reviewed by the "Phosphate Mining Review Group." The applicant will be required to submit appropriate data and analysis as required by the amendment process, a copy of the reclamation plan including the subject site(s), and narrative establishing how the proposed land use(s) follows or conforms to the reclamation plan. The proposal shall demonstrate consistency with the goals, objectives, and policies of the Plan, including, county-wide land use needs, compatibility with adjacent uses, and protection of existing natural resources.</p> <p>The "Phosphate Mining Review Group" will be composed of a representative from each of the following agencies:</p> <p>Department of Environmental Protection, Bureau of Mine Reclamation</p> <p>Central Florida Regional Planning Council</p> <p>Phosphate Mining Industry</p> <p>Florida Institute of Phosphate Mining Research</p> <p>Florida Fish and Wildlife Conservation Commission</p> <p>Polk County Planning</p> <p>Polk County Natural Resources</p> <p>Polk County Cooperative Extension Services, Soils Conservation</p> <p>These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.</p>	<p>Staff is coordinating with the Phosphate Review Group to obtain any comments.</p>

Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, it is apparent that the proposed request is not considered urban sprawl based on these criteria and it is permitted in the designated area. Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

Table 9 Urban Sprawl Criteria

Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	Sections where referenced in this report
a. <i>Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.</i>	Summary of analysis
b. <i>Allows a significant amount of urban development to occur in rural areas.</i>	Summary of analysis
c. <i>Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.</i>	Summary of analysis, surrounding Development, compatibility
d. <i>Fails to adequately protect and conserve natural resources and other significant natural systems.</i>	Summary of analysis, surrounding Development, compatibility
e. <i>Fails to adequately protect adjacent agricultural areas.</i>	Compatibility with Surrounding Land Uses
f. <i>Fails to maximize existing public facilities and services.</i>	Summary of Analysis, Infrastructure
g. <i>Fails to minimize the need for future facilities and services.</i>	Summary of Analysis, Infrastructure
h. <i>Allows development patterns that will disproportionately increase the cost of providing public facilities and services.</i>	Summary of Analysis, Infrastructure
i. <i>Fails to provide a clear separation between urban and rural uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
j. <i>Discourages infill development or redevelopment of existing neighborhoods.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
k. <i>Fails to encourage an attractive and functional mixture of land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
l. <i>Will result in poor accessibility among linked or related land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
m. <i>Results in the loss of a significant amount of open space.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments from other agencies

No comments

Exhibits

- Exhibit 1 Location Map
- Exhibit 2 Aerial Map – Context
- Exhibit 3 Aerial Map – Close-up
- Exhibit 4 Current Future Land Use Map
- Exhibit 5 Proposed Future Land Use Map
- Exhibit 6 FDEP Phosphate Mine GIS
- Exhibit 7 Subject Properties and Ownership
- Exhibit 8a&b Permitted and Conditional Uses in PM and A/RR

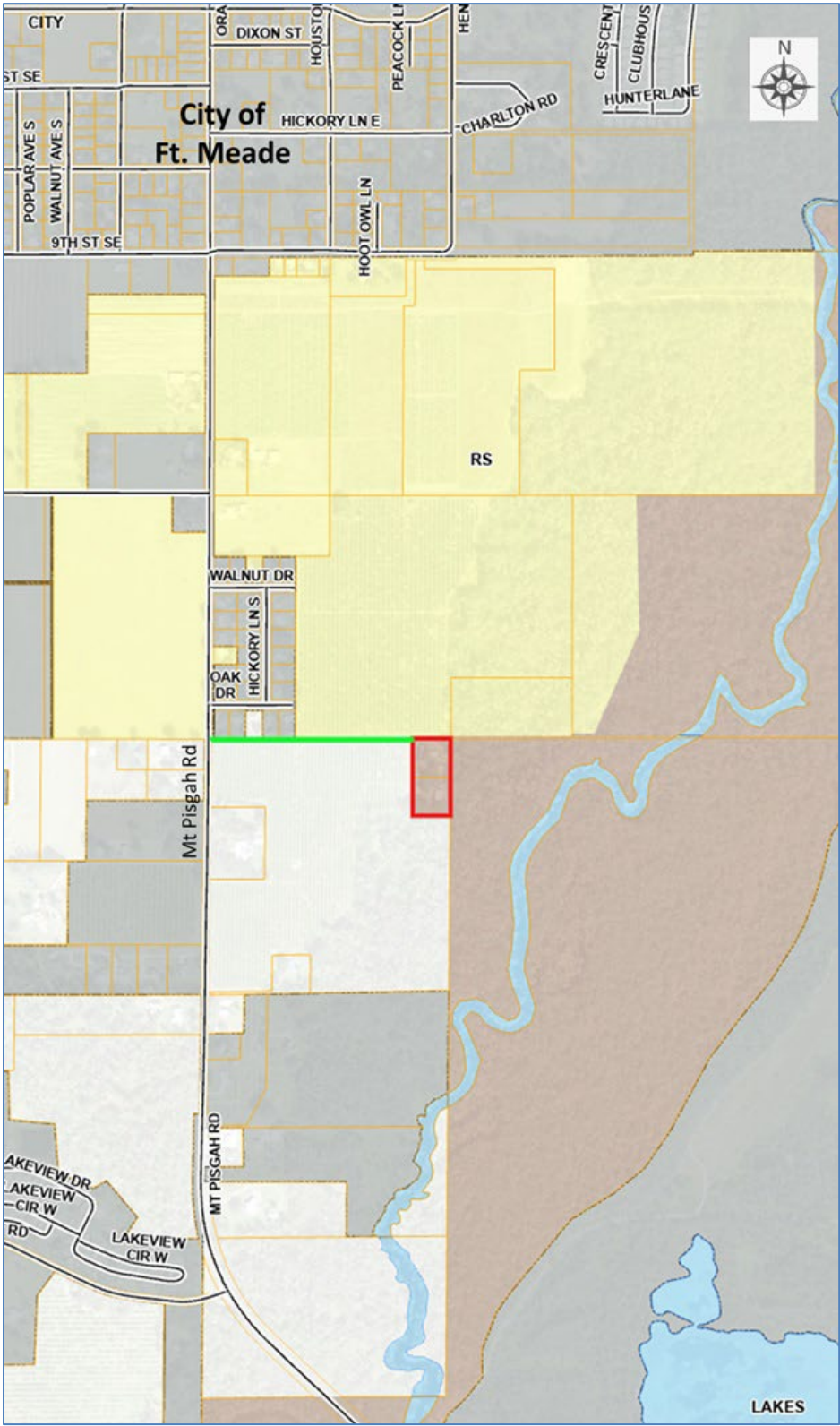
Applicant's submitted documents and ordinance as separate files



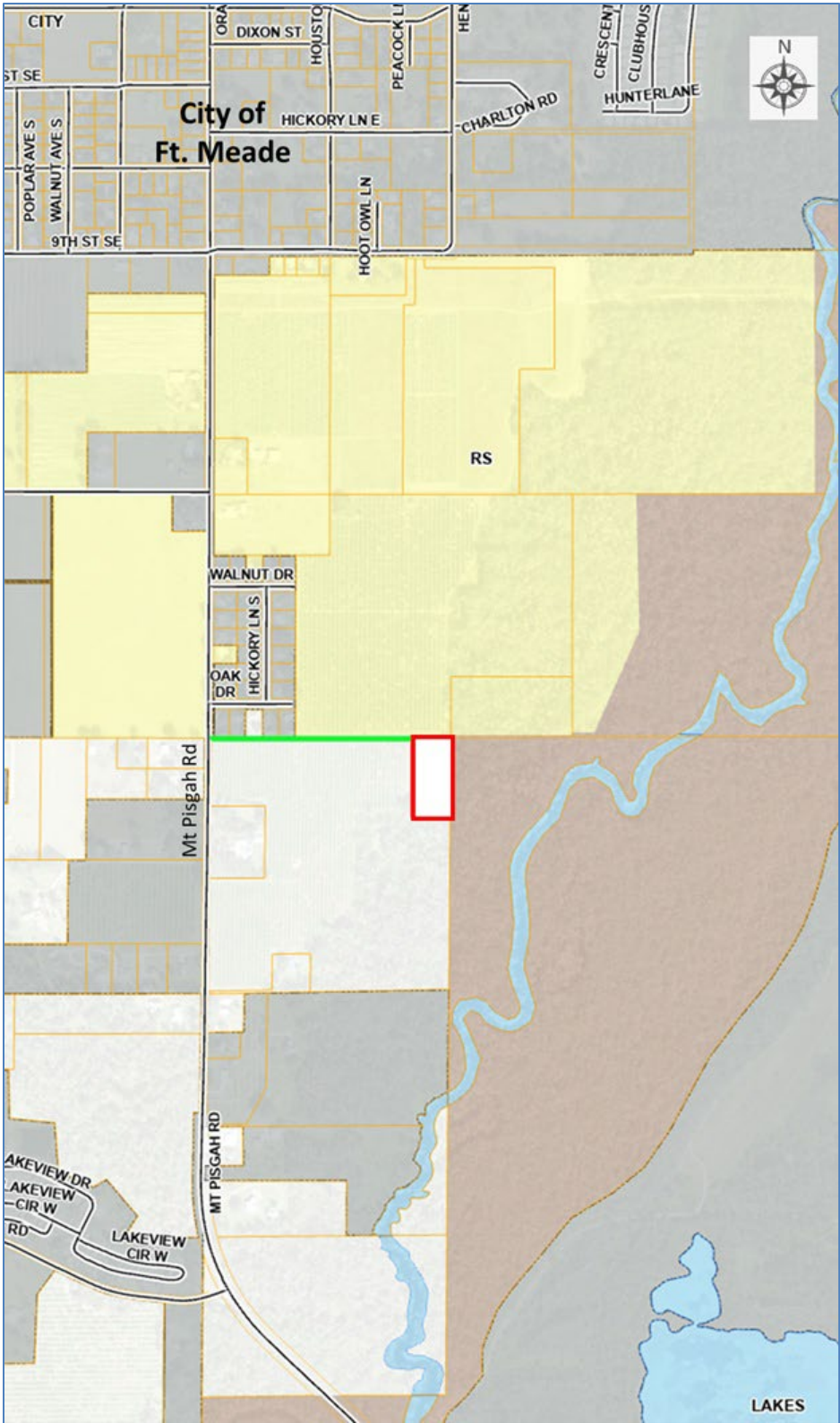
LOCATION MAP



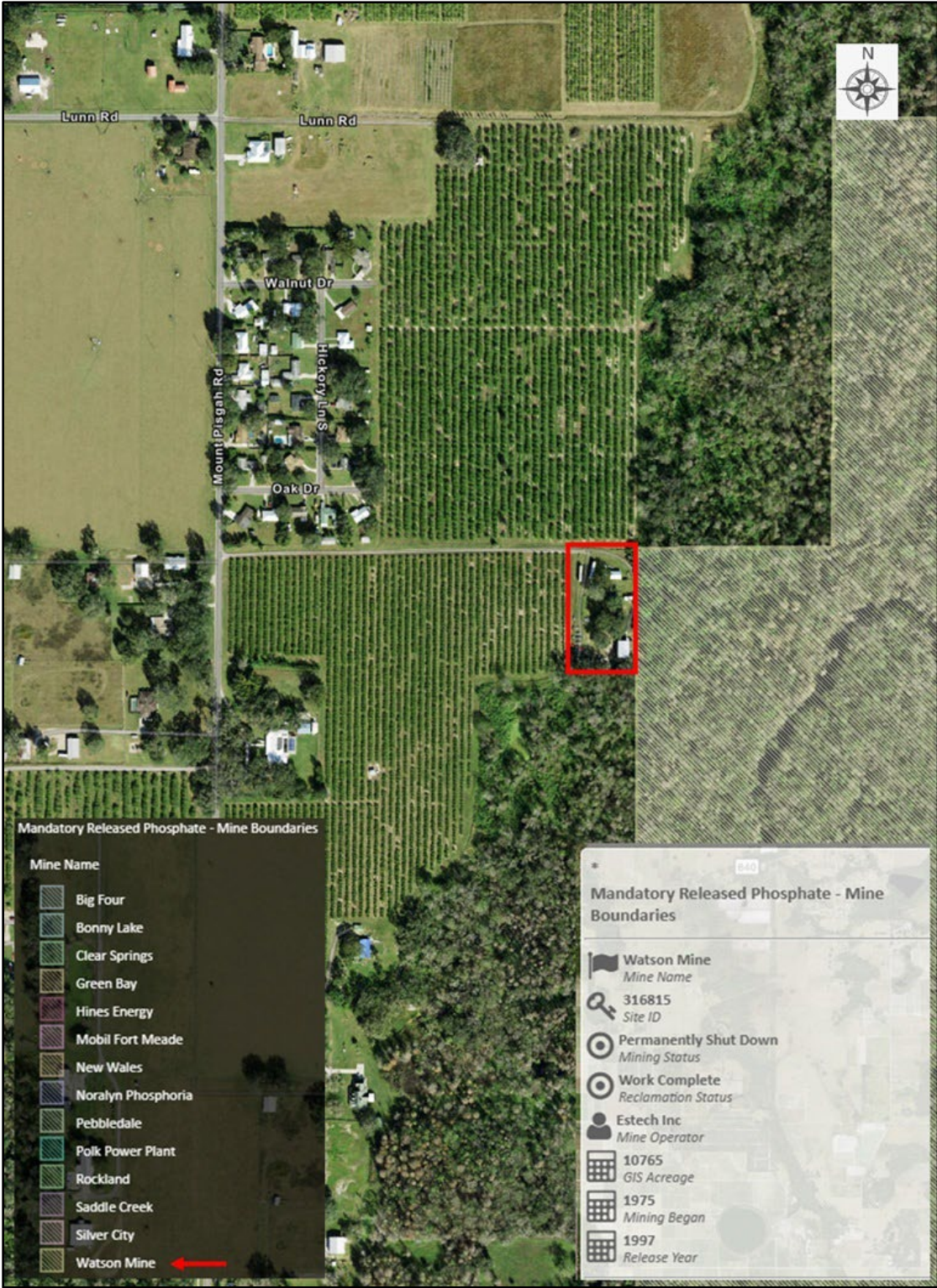
AERIAL MAP CONTEXT



CURRENT FUTURE LAND USE MAP



PROPOSED FUTURE LAND USE MAP



FDEP Phosphate Mine GIS

<u>Parcel Number</u>	<u>Current Owner</u>	<u>Size (ac)</u>
25-32-02-000000-033020	OUTLAW BRANDON M	1.0
25-32-02-000000-033050	YEOMAN CYNTHIA DENISE	1.0

SUBJECT PARCELS AND OWNERSHIP

Phosphate Mining (PM)			
Technical Staff Review -Level 1& 2		Public Hearing (s) Required-Level 3 & 4	
Residential Uses:	Family Farm; Farm Worker Dormitory, Apartment Style, C2	Residential Uses:	Farm Worker Dormitory, Barrack Style, C3
		Mixed Uses:	Planned Development, C3
All Other Uses:	Animal Farm, Intensive, C1 Communication Towers, Guyed and Lattice, C2 Communication Tower, Monopole, C2 Community Center, C2 Convenience Stores, Isolated, C2 Cultural Facility, C2 Farming General, P Heavy Machinery Equipment Sales and Services, P Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding, P Livestock Sale, Auction, P Manufacturing, Explosives/Volatile Material, C2 Manufacturing, General, C2 Manufacturing, Light, C2 Medical marijuana Dispensaries, C2 Motor Freight Terminal, C2 Nurseries and Greenhouses, P Recreation, Passive, C1 Recreation, Low Intensity, C2 Recreation Vehicle Storage, C2 Religious Institution, C2 Research and Development, C2 Riding Academies, C1 School, Technical/Vocational/Trade & Training, C2 Solar Electric-Power Generation Facility, C2 Utilities, Class I, P Utilities, Class II, P Utilities, Class III, C2 Veterinary Service, C2	All Other Uses:	Agricultural Support, Off-Site, C3 Airport, C4 Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic, C4 Government Facility, C3 Gypsum Stack, C4 Hazardous Waste Transfer, Storage, C4 Hazardous Waste Treatment Facilities, C4 Lime Stabilization Facility, C3 Mining, Non-Phosphate, C3 Power Plants, Non-Certified, Low, C4 Power Plants, Non-certified, High, C4 Power Plants, Certified, C4 Railroad yard, C3 Recreation High Intensity, C3 School, Leisure/special Interest, C3 School, university/college, C3 Seaplane Base, C3 Water Ski Schools, C3 Vehicle Recovery Service/Agency, C2 Vehicle Repair, Auto Body, P Vehicle Service, mechanical, P Veterinary Service, C2 Warehousing/Distribution, P

Permitted and Conditional Uses in PM

Future Land Use Designation	Technical Staff Review -Level 1 & 2	Public Hearing (s) Required-Level 3 & 4
Agricultural/Residential Rural (A/RR)	<p>Residential Uses: Family Farm, C1 Group Home, Small (6 or less residents), C1 Farm Worker Dormitory, Apartment Style, C2 Mobile Homes, Individual, C1 Single-family Detached Home & Subdivision</p> <p>All Other Uses: Animal Farm, Intensive Cemetery, C2 Communication Towers, Guyed and Lattice C2 Communication Tower, Monopole, C2 Convenience Stores, Isolated, C2 Emergency Shelter, Small (6 or less residents), C1 Farming General, Golf Course, C1 Heliports, C2 Helistops, C2 Kennels, Boarding and Breeding Livestock Sale, Auction Nurseries and Greenhouses Recreation, Passive, C1 Recreation, Low Intensity, C2 Riding Academies, C1 Solar Electric-Power Generation Facility, C2 Utilities, Cass I Utilities, Cass II, C1 Veterinary Service</p>	<p>Residential Uses: Fly-in Community, C3 Group Home, Large (7-14 residents), C3 Group Living Facility (15 or more residents), C3 Farm Worker Dormitory, Barrack Style, C3 Mobile Home Park & subdivision, C3 Rural Residential Development (RRD), C3</p> <p>Mixed Uses: Planned Development, C3 Residentially Based Mixed Development (RBMD), C3 Rural Mixed Development (RMD), C3</p> <p>All Other Uses: Adult Day Care Center (7 or more clients), C3 Agricultural Support, Off-Site, C3 Airport, C4 Bed and Breakfast, C3 Breeding, Boarding, and Rehabilitation Facility Wild or Exotic, C3 Childcare Center, C3 Community Center, C3 Correctional Facility, C4 Cultural Facility, C3 Emergency Shelter, Medium (7-14 residents), C3 Emergency Shelter, Large (15 or more residents), C3 Event Facility, C3 Government Facility, C3 Institutional Campground, C3 Lime Stabilization Facility, C3 Lodges and Retreats, Private, C3 Marinas and Related Facilities, C3 Outdoor Concert Venue, C3 Recreation, High Intensity C3 Recreation, Vehicle Oriented, C3 Religious Institution, C3 Residential Treatment Facility, C4 School, Elementary, C3 School, Leisure/Special Interest C3 School Technical/Vocational/Trade & Training, C3 Seaplane Base, C3 Utilities, Cass III, C3 Water Ski Schools, C4</p>

Permitted and Conditional Uses in A/RR