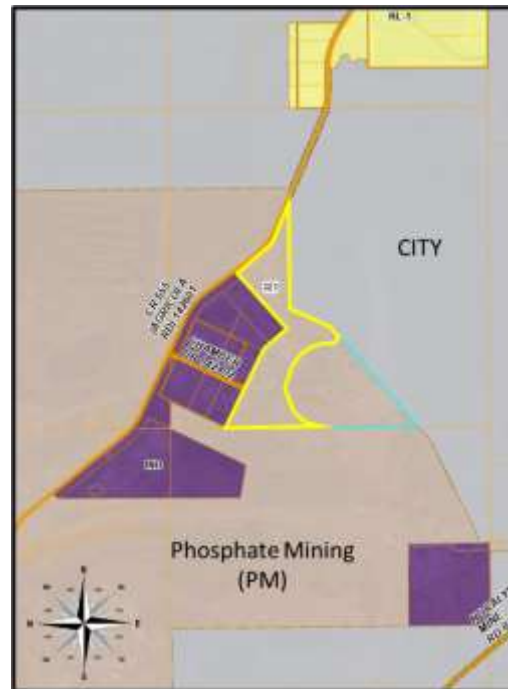


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE CASE OVERVIEW

ID #:	118
DRC Date:	July 11, 2024
Planning Commission Date:	September 4, 2024
BoCC Dates:	October 15, 2024
Applicant:	Sarah Case, Next Level Planning and Permitting
Level of Review:	Level 4 Review, Small-Scale Comprehensive Plan Map Amendment
Case Number and Name:	LDCPAS-2024-12 Hall Communications IND CPA
Request:	Small Scale Comprehensive Plan map amendment from Phosphate Mining (PM) to Industrial (IND) on 49.10 acres.
Location:	South and east of County Road 555, west of Noralyn Mine Road, north of County Road 640, and west of the City of Bartow, in Section 24, Township 30, Range 24.
Property Owner:	Hall Communications Inc.
Parcel Size:	± 49.10 acres (243024-000000-041050)
Development Area/Overlays:	Urban Growth Area (UGA), and Rural Development Area (RDA)
Future Land Use:	Phosphate Mining (PM)
Nearest Municipality	Bartow
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Case Planner:	Johnathan (JP) Sims, Planner II



Location



Current Future Land Use

Summary of Analysis

The applicant, Sarah Case, initiated a Comprehensive Plan Map Amendment to change the Future Land Use (FLU) designation on 49.10 +/- acre from Phosphate Mining (PM) to Industrial (IND) in the Urban Growth Area (UGA) and Rural Development Area (RDA). The subject site is located south and east of County Road 555, west of Noralyn Mine Road, north of County Road 640, and west of the City of Bartow. Staff has reviewed the request and finds it IS consistent with the Comprehensive Plan policies and IS compatible with the surrounding land uses and infrastructure.

Compatibility Summary

The purpose of UGA's is to serve as a foundation from which a future urban pattern is established, and to provide future areas for development at urban densities and intensities. UGAs are areas within the County that, at a minimum, are currently served, or are programmed within the applicable Comprehensive Plan Capital Improvement Program to be served within years 10 through 20 of the Comprehensive Plan's planning period. UGA's are also supported by, or programmed to be supported by, other services typically found to accompany urban development such as public safety services, an urban road network, and developed parks.

The Rural Development Area (RDA) is highlighted by providing areas for rural activities, such as agricultural uses, mining activities, areas to be available for future long-range urban expansion activities, and rural residential uses. The Industrial usage that is being pursued by the applicant is an allowed land use category for the RDA and UGA. The area is an unincorporated parcel within the County with a scattered development of industrial immediately west of the subject site.

Infrastructure Summary

The proposed CPA is not anticipated to degrade the Level-of-Service (LOS) standards for transportation, schools, utilities, and public safety facilities. The subject site will utilize the same public safety facilities as the existing PM FLU designation. School service will not be impacted as Industrial does not allow residential development, however, there is not capacity in the zoned middle and elementary schools at this time. The proposed Industrial (IND) Future Land Use (FLU) designation will generate more trips than phosphate mining use but less than an office park or warehouse. However, the additional trips are not anticipated to degrade the level-of-service and final concurrency will be established during the later development stage. The property is in the Bartow Utilities Service Area for water and wastewater per the City of Bartow's website. A staff member with Bartow Utilities did indicate that although this site is within their service area, there are no water or sewer lines that service the site. The site will need to connect to well and septic for water and wastewater.

Environmental Summary

The proposed request is not anticipated to have a negative impact upon the environmental features present on the subject site. The site is reclaimed phosphate mining, so it has been utilized in the past for mining. There are wetlands on the subject site, and it does partially sit within Flood Zone A. The wetlands are right in the middle of the subject site to the south of the access point. There

have been no sightings of protected species on the subject site, and the Species Evaluation Map does not show it to be a primary habitat area for any of the protected species of Florida. No historical or archaeological sites have been identified on the subject site. A thorough review of the environmentally sensitive areas will take place at the Level 2 Review.

Findings of Fact

Request and Legal Status

- **LDCPAS-2024-12** - a Future Land Use designation change from Phosphate Mining (PM) to Industrial (IND) on 49.38 +/- acres.
- The subject site resides within the Urban Growth Area (UGA) and Rural Development Area (RDA).
- The subject site will be changing 49.38 +/- acres of a total 97.48 acres on the parcel.

Compatibility

- The existing uses surrounding the site are Phosphate Mining (PM) to the north, east, and south, and Industrial (IND) to the west. City of Bartow limits are abutting the site to the east.
- County Road 555 (Agricola Road) is an Urban Collector Road.
- Staff is coordinating with the Phosphate Review Group to obtain any comments per Policy 2.114-A4, any comments received may result in updates to the Staff Report.

Infrastructure

- The zoned schools for the site are Floral Avenue Elementary, Bartow Middle, and Bartow Senior High School.
- Fire and Ambulance responses are from Polk County Fire Rescue Station 9 located at 2475 E Clower St, Bartow, FL 33830, which is approximately 4.3 miles away with an estimated 11-minute response.
- The subject site is within the Southwest District Command Area for the Sheriff's office which is located at 4120 US Highway 98 South, Lakeland.
- A staff member with Bartow Utilities did indicate that although this site is within their service area, there are no water or sewer lines that service the site. The site will need to connect to well and septic for water and wastewater.

- County Road 555 (Agricola Road), which runs north to south between State Highway 60 and County Road 640, is an Urban Collector, and a two-lane undivided roadway, no paved shoulders, 24 feet of pavement width. Level of Service is currently showing as a “C” and has available capacity. The Pavement Condition Index (PCI) is “Good”.
- There are no sidewalks adjacent to the subject site or along County Road 555.
- The 21X Mulberry/Bradley/Bartow/Lakes Wales Express bus route travels on State Road 60 with the nearest bus stop to the subject site being to the northeast on Main Street in downtown Bartow (Stop 1721).

Environmental

- There are surface waters on the subject site. The elevation on the property starts at 113 feet near the east side of the subject site, and slopes upward to 127 feet in the southwest corner, 129 in the northwest corner, and 134 in the southeast corner.
- The subject site does contain wetlands and flood zone A. Near the middle of the site where it widens, on the east side a portion of wetlands and Flood Zone A. It would be near where the site makes the C shape.
- The soil type for the subject site is Hydraquents, clayey (8), Neilhurst sand, 1 to 5 percent slopes (12), Urban land, 0 to 2 percent slopes (16), and Arents, 0 to 5 percent slopes (68).
- Per the Polk Federal Species Evaluation from 2016, this area has shown to be an area where the Wood Stork, Florida Panther, and Gopher Tortoise have been known to create secondary or tertiary habitats.
- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.
- The applicant has stated in the Impact Assessment Statement that there are no known wells on site.
- The subject site is not within a Wellhead Protection district. However, there is a small wellfield just to the southwest of the subject site within the industrial uses.
- The nearest parks to the site are Mary Holland Park which is 1.97 miles east of the site, and the Bartow Agriculture Center at 2.6 miles northeast of the site.

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
- Policy 2.105(A1-A5): Urban Growth Area (UGA)
- Policy 2.108(A1-A5): Rural Development Area (RDA)
- Policy 2.113(A1-A5): Industrial (IND)
- Section 702-B: Non-Residential Development in the UGA

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 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:**
 - a.complement the TSDA in guiding growth, while promoting orderly and compact development;
 - b.be located contiguous to the TSDAs or a municipality as they represent the expansion areas;
 - c.be supported by existing or planned urban type services that are programmed for the 20-year planning horizon;
 - d.be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs;
 - e.include development criteria that:1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities;3.support the preservation of open space and natural areas;4.reduce capital and operating cost for the provision of infrastructure and public services.

- **POLICY 2.105-A2: DESIGNATION AND MAPPING** - The Future Land Use Map Series shall designate and map UGAs for those areas of the County meeting the general characteristics of this Section 2.105.
- **POLICY 2.105-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within UGAs:
 - a. **ACTIVITY CENTERS:** Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and Employment Centers, High-Impact Commercial Centers shall be permitted within UGAs in accordance with applicable criteria.
 - b. **RESIDENTIAL:** Residential-High, Residential-Medium, and Residential-Low Districts shall be permitted within UGAs in accordance with applicable criteria.
 - c. **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Professional Institutional, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.
 - Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.
- **POLICY 2.108-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within Rural-Development Areas:
 - a. **ACTIVITY CENTERS:** Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria.
 - b. **RESIDENTIAL:** Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria.
 - c. **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Agri-related Business-Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional.
- **POLICY 2.108-A4: OVERLAY DISTRICTS** - All Overlay Districts shall be permitted within RDAs in accordance with applicable criteria.
- **POLICY 2.108-A5: DEVELOPMENT CRITERIA** - Development within RDAs shall be guided by the following criteria:
 - a. The detailed criteria listed for each land use category permitted within the Rural-Development Area;
 - b. Elementary, middle and high schools and other community facilities and essential services will be allowed as conditional use, in accordance with the guidelines of the County's Land Development Code; and
 - c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement).

- POLICY 2.113-A1: CHARACTERISTICS - Industrial lands are characterized by facilities for the processing, fabrication, manufacturing, recycling, and distribution of goods, and may contain any use also found within a Business-Park Center. However, land use activities that operate externally to enclosed structures may be permitted within an Industrial Future Land Use designation. Industrial districts are also the appropriate location for land use activities that produce significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product.
- POLICY 2.113-A2: DESIGNATION AND MAPPING - Industrial areas shall be designated and mapped on the Future Land Use Map Series as "Industrial" (IND); shall include all major existing industrial areas; and shall provide for the projected future industrial development needs of the County.
- POLICY 2.113-A3: LOCATION CRITERIA - Industrial development within the County shall occur within lands designated as Industrial on the Future Land Use Map Series. The following factors shall be taken into consideration when determining the appropriateness of establishing new Industrial areas:
 - a. Industrial development shall be located within an Transit Supportive Development Area Urban-Growth Area, Suburban-Development Area, Rural-Development Area, or Utility-Enclave Area.
 - b. Accessibility to major air and ground transportation, including but not limited to arterial roadways, rail lines, and cargo airport terminals.
 - c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.
 - d. Industrial facilities should group together in planned industrial districts on sites capable of being expanded and developed in stages.
 - e. Industrial districts shall be separated significant distances from schools and developed residential areas through a combination of physical separation and screening and/or buffering in accordance with standards in the County's Land Development Code.
 - f. The location criteria for Industrial Districts shall serve to maximize access to the arterial road system and minimize the routing of commercial traffic through residential areas by requiring access be limited to:1.arterial roads;2.collector roads, if the subject parcel is within 2 miles of an intersecting arterial road; or3.local commercial roads or private roads under the following conditions:(a)the road has full median access onto to an arterial road;(b)the road does not serve existing or expected future residential traffic from the surrounding area;(c)the road has a structural integrity and design characteristics suitable for truck traffic.
 - g. Applications for establishment of an Industrial district shall include a plan consistent with Policy 2.110-L5.
- POLICY 2.113-A4: DEVELOPMENT CRITERIA - Development within an Industrial area shall conform to the following criteria:
 - a. Permitted uses include facilities for the processing, fabrication, manufacturing, recycling, bulk material storage, and distribution of goods, disposal yards, and limited retail commercial in accordance with Policy 2.113-A4.b. Other non-residential uses that produce significant amounts of noise, odor, vibration, dust,

and lighting on and off-site may be permitted within an industrial district through conditional approval. Permitted uses also include any use found within a Business-Park Center.

- b. Retail commercial uses within an industrial area shall be sized for the purpose of serving just the employees of, and visitors to, the industrial area, and shall be limited to a scale appropriate for that purpose. The maximum floor area ratio for commercial uses within an industrial area shall not exceed 0.25.
 - c. Industrial sites shall be designed to provide for:
 - 1.adequate parking to meet the demands of the use; and
 - 2.buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities which may require special buffering provisions.
 - d. The maximum floor area ratio for non-commercial uses within an Industrial area shall not exceed 0.75 in the TSDA, 0.65 in the UGA, 0.50 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.
 - e. Retail sale of goods manufactured on the site of a business located within an Industrial area is allowed provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.
 - f. Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank systems.
 - g. Planned Developments within the Industrial district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The Land Development Code shall establish development standards and criteria for Planned Developments within the Industrial district.
 - h. Industrial districts shall be separated from existing schools and developed residential areas through physical separation, screening, buffering, or a combination thereof, consistent with the standards in the County's Land Development Code.
 - i. Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters listed in the Land Development Code 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.
- **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.
- SECTION 702-B. Development within the Urban Growth Areas shall conform with the following criteria (Revised 07/22/09 - Ord. 09-048):**1. NON-RESIDENTIAL DEVELOPMENT** — All non-residential land uses developed after adoption of the Polk County Comprehensive Plan shall:
 - a. Be required to connect to the centralized water system. In limited circumstances, the board may grant a waiver to this requirement given consideration of the following factors:
 - There are physical constraints, e.g., lack of rights-of-way or easements, which make the extension of central potable water impractical;
 - The applicable utility provider does not intend to extend potable water to the subject parcel within the next 20 years;
 - The provision of on-site potable water is part of a planned Conservation Department; and
 - The waiver, if granted, will not significantly increase the cost of extending potable water to adjacent parcels in the UGA or will not jeopardize any utility provider's permits with the applicable water management district or functional equivalent.
 - Waivers to Section 702.B. (subsection 1.a. connection to centralized water) may be granted by the Board of County Commissioner pursuant to a Level 4 Review and subject to the waiver provisions in Section 932 of this Code.
 - A waiver granted under this section does not constitute a waiver of any other applicable requirements for development or public safety requirements under the Life Safety Code. This waiver policy does not apply to parcels within the Green Swamp Area of Critical State Concern.

- Notwithstanding the satisfaction of any other criteria or a favorable conclusion arising from an analysis of the foregoing factors, the waiver shall not be approved if doing so would: (A) violate any covenant, condition, restriction, or other obligation contained within any financing, security, or other agreement (any such document, an "Instrument") to which the County is a party including without limitation Instruments associated with the issuance of any bond or other form of financing; or (B) negate, materially alter, or call into question the accuracy or truthfulness of any County representation contained within any Instrument; or (C) adversely affect the rating of any existing or proposed County bond or other security, or the County's bond, credit, or other financial rating.

- b. Be required to connect to the centralized wastewater system within one year of it becoming available.
 - c. Prior to the availability of centralized wastewater, the developer may extend the centralized wastewater to the property at his or her cost without credit or reimbursement from the County Commissioners, and the project has been scheduled within the Capital Improvements Program, or construct temporary septic tanks or package treatment facilities pursuant to Policy 3.102-A2 of the Infrastructure Element provided:
 - That the necessary on-site collection apparatus for the future centralized facility is provided via the construction of a dry-line system, by the developer, at the time the development is built.
 - The costs of connection are guaranteed, pursuant to one of the following:(1) A letter of credit, construction bond, or other similar instrument or guarantee at the time of development approval, or (2) Payment to the central utility by the owner at the time of building permit application. Should this option be exercised, it shall be the responsibility of the developer to inform the person purchasing the lot of this charge, or(3)A waiver, per the requirements of Section 932, may be granted, if it can be shown that the parcel proposed for development cannot, or will not, be served by public wastewater within the 11 to 20 years of the adoption date of this Plan, and the utility provider provides written verification that the extension of the centralized public wastewater is not economically feasible from the public perspective, the total developable parcel may develop with septic tanks and without the installation of dry lines. The applicant for the waiver shall include an analysis of the following factors:(i)Status in the County's 10 year Master Utility Plan;(ii)Accessibility of the system;(iii)Infrastructure improvements needed for connection including ROW or easement acquisitions;(iv)Environmental sensitivity (soils, wetlands, floodplains, stressed basins);(v)Impact on public health based on input from the Health Department;(vi)Loss of potential future connections if waiver is granted.

 - Notwithstanding the satisfaction of any other criteria or a favorable conclusion arising from an analysis of the foregoing factors, the waiver shall not be approved

if doing so would: (A) violate any covenant, condition, restriction, or other obligation contained within any financing, security, or other agreement (any such document, an "Instrument") to which the County is a party including without limitation Instruments associated with the issuance of any bond or other form of financing; or (B) negate, materially alter, or call into question the accuracy or truthfulness of any County representation contained within any Instrument; or (C) adversely affect the rating of any existing or proposed County bond or other security, or the County's bond, credit, or other financial rating.

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 2024-12**.

Planning Commission Recommendation: On September 4, 2024, in an advertised public hearing the Planning Commission voted (?:?) to recommend ?? of **LDCPAS-2024-12**.

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 below lists the Future Land Use (FLU) designation and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

Northwest - PM; undeveloped	North – CITY; undeveloped Planned Development Land Use	Northeast – CITY; undeveloped Planned Development Land Use
West - IND; Noralyn Commerce Park	Subject Site Reclaimed Phosphate Mining (PM) land; previously part of the Noralyn Mine	East – CITY; undeveloped Planned Development Land Use
Southwest – IND; Polk Power Partners LP	South PM; undeveloped	Southeast PM; undeveloped

Source: Polk County Geographical Information System and site visit by County staff

There are industrial developments to the immediate west and southwest of the subject site in the IND that is northeast of Noralyn Mine Road. Otherwise, there is no immediate development on the subject site.

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.”

Industrial uses currently exist on the west side of the subject site. To the north and south of the site are Phosphate Mining (PM) lands. City of Bartow city limits run along the east side of the subject site, but nothing is currently developed on the abutting parcels. The land use for the Bartow lands is Planned Development. Industrial is considered to be the most logical use of reclaimed mining land, and with other Industrial uses abutting to the west, this application request is compatible.

Nearest Elementary, Middle, and High School

The schools zoned for the subject property site are listed in the Table 2 below. The proposed request will most likely generate 0 students as Industrial does not permit residential.

Table 2 School Impacts

Name of School	Annual Estimated Demand	% Capacity 2022-2023 School Year	Average driving distance from subject site
Floral Avenue Elementary (Zoned)	0 students	103%	±2.9 mile driving distance
Bartow Middle (Zoned)	0 students	96%	±3 miles driving distance
Bartow High School (Zoned)	0 students	81%	±3.3 miles driving distance

Source: Polk County School Board, Polk County Impact Fee Ordinance, IND and BPC do not anticipate generating students.

Nearest Sheriff, Fire, and EMS Station

Table 3 below displays that the nearest public safety facilities. Response time varies depending on where the nearest sheriff’s deputy patrol car is located rather than the office. The facilities are within appropriate distances to the subject site for an urban area.

Table 3 Public Safety Information

	Name of Station	Distance
Sheriff	Polk County Sheriff’s Office Southwest District 4120 US Highway 98 South, Lakeland	11 +/- miles
Fire/EMS	Fire Rescue Station 9 2475 E Clower St, Bartow, FL 33830	4.3 +/- miles

Source: Polk County Sheriff’s Office and Polk County Fire Rescue.

Water and Wastewater

A. Estimated Demand and Service Provider

The subject site is within the Bartow Utility Service Area for water and wastewater. Table 4 summarizes the existing and proposed maximum impacts on the utilities for the proposed Comprehensive Plan Amendment.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use PM	Maximum Permitted in Proposed IND
49.10 +/- acres	49.10 +/- acres (2,138,796) sq ft X 0.75 FAR = 1,604,097 sq ft	49.10 +/- acres (2,138,796) sq ft X 0.75 FAR = 1,604,097 sq ft
Potable Water Consumption	1,604,097 sq ft X 0.24 = 384,983 GPD	1,604,097 sq ft X 0.24 = 384,983 GPD
Wastewater Generation	384,983 GPD X 80% = 307,987 GPD	384,983 GPD X 80% = 307,987 GPD

Source: Estimating Maximum Feasible Buildout for Comprehensive Plan Amendment Evaluation, PM and IND in the RDA 0.75 FAR and 0.24 GPD Water, 80% Wastewater for Warehouse.

B. Available Capacity

A staff member with Bartow Utilities did confirm that there is capacity available in their water system, they also indicated that although this site is within their service area, there are no water or sewer lines that service the site. The site will need to connect to well and septic for water and wastewater.

C. Planned Improvements

City of Bartow has no plans for improvement to extend water and sewer lines to this site anytime in the near future.

Roadways/Transportation Network

The proposed land use change is anticipated to generate similar traffic to the Phosphate Mining. However, since mining is leaving Polk County, an industrial use in the existing PM related to PM uses is not likely. In reality, the land use change will increase the trips.

A. Estimated Demand

Table 5 following this paragraph shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use PM	Maximum Permitted in Proposed IND
49.10 +/- acres	49.10 +/- acres (2,138,796) sq ft X 0.75 FAR = 1,604,097 sq ft / 1,000 = 1,605 sq ft	49.10 +/- acres (2,138,796) sq ft X 0.75 FAR = 1,604,097 sq ft / 1,000 = 1,605 sq ft
Average Annual	1,605 sq ft X 4.87 AADT = 7,816 Trips (92% New Trips)	1,605 sq ft X 4.87 AADT = 7,816 Trips (92% New Trips)
PM Peak	1,605 sq ft X 0.65 AADT = 1,043 Trips	1,605 sq ft X 0.65 AADT = 1,043 Trips

Source: Polk County Concurrency Manual, General Light Industrial for IND , 4.87 AADT and 0.65 PM Peak Hours (92% new trips).

B. Available Capacity

Table 6 below displays the available capacity on the surrounding roadway network.

Table 6 Roadway Link Concurrency

Link #	Road Name	Current Level of Service (LOS)	Available Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hr. Projected LOS
4056N	CR 555 (Agricola Road)	C	150	C	C
4056S		C	156	C	C

Source: Polk County Transportation Planning Organization Roadway Network Database 2023

C. Roadway Conditions

County Road 555 (Agricola Road), which runs north to south between State Highway 60 and County Road 640, is an Urban Collector, and a two-lane undivided roadway, no paved shoulders, 24 feet of pavement width. Level of Service is currently showing as a “C” and has available capacity. The Pavement Condition Index (PCI) is “Good”.

D. Sidewalk Network

There is currently no sidewalk along Agricola Road. There are no sidewalks in the area.

E. Mass Transit

The 21X Mulberry/Bradley/Bartow/Lakes Wales Express bus route travels on State Road 60 with the nearest bus stop to the subject site being to the northeast on Main Street in downtown Bartow (Stop 1721). This stop is 3.8 miles to the northeast of the subject site.

F. Planned Improvements

There are no planned improvements.

Environmental Conditions

There are some environmental limitations for the development of this property. It was recently part of a finished reclamation process from the phosphate mining industry. Some of the subject site would not be suitable for building because of the wetness. The wetlands and soil types from previous mining is anticipated to limit the full buildout, but without have engineered plans, staff is unable to quantify this.

A. Surface Water

There are surface waters on the east side of the subject site. The elevation on the property starts at 113 feet near the east side of the subject site, and slopes upward to 127 feet in the southwest corner, 129 in the northwest corner, and 134 in the southeast corner.

B. Wetlands/Floodplains

The subject site does contain wetlands and flood zone A. Near the middle of the site where it widens, on the east side a portion of wetlands and Flood Zone A. It would be near where the site makes the C shape.

C. Soils:

According to the 1980 soil survey by the United States Department of Agriculture the subject site includes the soils listed in Table 7 below. The subject site will be connecting to public water and using septic for sewer. Future development of the site will be subject to Section 2.303: “Soils” of the County’s Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection’s (DEP) Florida Development Manual.

Table 7 Soils

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Hydraquents, clayey (8)	Severe: ponding, percs slowly	Severe: ponding, shrink-swell	12.1%
Neilhurst sand, 1 to 5 percent slopes (12)	Slight	Severe: wetness	15.2%
Urban land, 0 to 2 percent slopes (16)	Moderate: wetness	Slight	6.4%
Arents, 0 to 5 percent slopes (68)	Severe: wetness	Severe: wetness	62.6%
Water (99)			

Source: USDA Natural Resources Conservation Service 2022

D. Protected Species

According to Polk County Endangered Habitat Maps, the subject site is located within a one-mile radius of endangered animals based on 2015 data. The applicant is required to survey for endangered plants and animals prior to any development activity including clearing or grubbing.

E. Archeological Resources

There are no known historical or archeological resources onsite according to the Secretary of State’s Department of Historical Resources Florida Master Site File. However, the applicant will be required to identify any resources prior to or during any construction and on the Level 2 Review.

F. Wells (Public/Private)

The applicant has stated in the Impact Assessment Statement that there are no known wells on site. The subject site is not within a Wellhead Protection district.

G. Airports

The subject site is not located within an airport district.

H. Parks

The nearest parks to the site are Mary Holland Park which is 1.97 miles east of the site, and the Bartow Agriculture Center at 2.6 miles northeast of the site.

Consistency with the Comprehensive Plan and Land Development Code

The following policies in Table 8 have been included as being the most relevant policies to the proposed request. The policy is first stated and then an analysis of how the request may or may not be consistent with the County’s Comprehensive Plan is provided. The policies reviewed are as follows:

- POLICY 2.102(A1-A15): Growth Management Policies
- POLICY 2.105(A1-A5): UGA Development Criteria
- POLICY 2.108(A1-A5): RDA Development Criteria
- POLICY 2.113A (A1-A5): Industrial
- POLICY 2.114-A4: Future Development of PM Land
- SECTION 702-B: Non-Residential Development in the UGA

Table 8 Comprehensive Plan Policy

Comprehensive Plan Policy	Consistency Analysis
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	The subject site is land that was once utilized for phosphate mining but has since been reclaimed for other uses. There is minimal development in the area, with a small industrial development to the

Comprehensive Plan Policy	Consistency Analysis
<p>tracts of land are by-passed in favor of development more distant from services and existing communities.</p>	<p>west. There is no other immediate development adjacent to the site that include Industrial uses.</p>
<p><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:</i></p> <ul style="list-style-type: none"> <i>a. there have been provisions made which buffer incompatible uses from dissimilar uses;</i> <i>b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;</i> <i>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> 	<p>Industrial uses are not out of compatibility with the area as there is other Industrial uses to the west. The subject site does abut the city of Bartow city limits, but a representative from Bartow has expressed that they have no concerns about the land use change as they have no projects developing in that area.</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>The subject site is in a rural area within the City of Bartow Utility Service Area. There is water connection, but wastewater will need to be handled by septic. There is not a transit site nearby, with the closest site in downtown Bartow on Main Street 3.8 miles to the northeast.</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 development of this land coincides with the reclamation process having been completed on old phosphate mining land as the subject site is part of the former Noralyn Mine. Industrial is appropriate land uses for this area due to the prior Phosphate Mining usage.</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> <ul style="list-style-type: none"> 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); 	<p>The location is in a very rural area near the southwest corner of Polk County. There are no residential developments near the subject site. The closest populated area is 1.3 miles to the northeast of the subject site within Bartow. Emergency services are available in the area, but not nearby. The site is within the Bartow Utility Service Area and will be able to connect to water. Wastewater will need to be served by septic.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>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>POLICY 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:</p> <ul style="list-style-type: none"> o a.complement the TSDA in guiding growth, while promoting orderly and compact development; o b.be located contiguous to the TSDAs or a municipality as they represent the expansion areas; o c.be supported by existing or planned urban type services that are programmed for the 20-year planning horizon; o d.be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs; o e.include development criteria that:1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities;3.support the preservation of open space and natural areas;4.reduce 	<p>The subject site is contiguous to a municipality in the City of Bartow, whom has already indicated that they have no issue with this land use change as it does not conflict with any of their future plans. The site is within the City of Bartow Utility Service Area, and will be able to connect to water, but will need septic for wastewater. Public safety is available to cover the site. Industrial is an allowable use within the UGA. There are no sidewalks that run along County Road 555. While it will have access to public schools, Industrial uses don't generate students so schools should not be impacted.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>capital and operating cost for the provision of infrastructure and public services.</p> <p>POLICY 2.105-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map UGAs for those areas of the County meeting the general characteristics of this Section 2.105.</p> <p>POLICY 2.105-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UGAs:</p> <ul style="list-style-type: none"> o a. ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and Employment Centers, High-Impact Commercial Centers shall be permitted within UGAs in accordance with applicable criteria. o b. RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts shall be permitted within UGAs in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Professional Institutional, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation. o Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109. <p>POLICY 2.105-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UGAs in accordance with applicable criteria.</p> <p>POLICY 2.105-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS - Development within the</p>	

Comprehensive Plan Policy	Consistency Analysis
<p>Urban Growth Areas shall conform to the following criteria as further specified in the Land Development Code:</p> <ul style="list-style-type: none"> o a. connect to centralized potable water; o b. connect to centralized sanitary sewer systems if available. o c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element; o d. promote the implementation of "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element; o e. promote the integration of pedestrian-oriented features, including sidewalks, trails, or walkways into every development including appropriate pedestrian shelters or awnings; o f. provide access to civic space, parks, green areas, and open space and other amenities; o g. be supported by public safety (i.e., fire, EMS and law enforcement); o h. have access to public schools; o i. be encouraged to provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas; o j. encourage the inclusion of a variety of housing choices and mixed uses; and o k. additional standards supporting transit if development is within the "Corridor and Center Overlay" (Section 2.124-A); <p>POLICY 2.108-A1: DESCRIPTION - Rural-Development Areas (RDA) shall be all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and</p>	

Comprehensive Plan Policy	Consistency Analysis
<p>mostly found in the rural centers and clustered developments.</p>	
<p>POLICY 2.108-A1: DESCRIPTION - Rural-Development Areas (RDA) shall be all unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas 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.</p> <p>POLICY 2.108-A2: DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Rural-Development Area base areas for those areas of the County meeting the general characteristics of this Section.</p> <p>POLICY 2.108-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within Rural-Development Areas:</p> <ul style="list-style-type: none"> o a. ACTIVITY CENTERS: Rural-Cluster Centers, and Tourism Commercial Centers shall be permitted within RDAs in accordance with applicable criteria. o b. RESIDENTIAL: Rural Residential Districts (Section 2.121) and Rural Cluster Center (RCC) shall be permitted within RDA's in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Agri-related Business-Park Centers, Office Centers, Phosphate Mining, Leisure/Recreation, Agricultural/Residential-Rural, Recreation and Open Space, Preservation, Institutional. <p>POLICY 2.108-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within RDAs in accordance with applicable criteria.</p> <p>POLICY 2.108-A5: DEVELOPMENT CRITERIA - Development within RDAs shall be guided by the following criteria:</p> <ul style="list-style-type: none"> o a. The detailed criteria listed for each land use category permitted within the Rural-Development Area; o b. Elementary, middle and high schools and other community facilities and essential services will be allowed 	<p>The subject site can't connect to centralized potable water, and wastewater is not available so septic and well will be required on site. Industrial is allowed in the UGA and RDA.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>as conditional use, in accordance with the guidelines of the County's Land Development Code; and</p> <ul style="list-style-type: none"> o c. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). 	
<p>POLICY 2.113-A1: CHARACTERISTICS - Industrial lands are characterized by facilities for the processing, fabrication, manufacturing, recycling, and distribution of goods, and may contain any use also found within a Business-Park Center. However, land use activities that operate externally to enclosed structures may be permitted within an Industrial Future Land Use designation. Industrial districts are also the appropriate location for land use activities that produce significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product.</p> <p>POLICY 2.113-A2: DESIGNATION AND MAPPING - Industrial areas shall be designated and mapped on the Future Land Use Map Series as "Industrial" (IND); shall include all major existing industrial areas; and shall provide for the projected future industrial development needs of the County.</p> <p>POLICY 2.113-A3: LOCATION CRITERIA - Industrial development within the County shall occur within lands designated as Industrial on the Future Land Use Map Series. The following factors shall be taken into consideration when determining the appropriateness of establishing new Industrial areas:</p> <ul style="list-style-type: none"> o a. Industrial development shall be located within an Transit Supportive Development Area Urban-Growth Area, Suburban-Development Area, Rural-Development Area, or Utility-Enclave Area. o b. Accessibility to major air and ground transportation, including but not limited to arterial roadways, rail lines, and cargo airport terminals. o c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10. o d. Industrial facilities should group together in planned industrial districts on sites capable of being expanded and developed in stages. o e. Industrial districts shall be separated significant distances from schools and developed residential areas through a combination of physical separation and screening and/or buffering in accordance with standards in the County's Land Development Code. 	<p>The subject site is far enough away from a populated area that the uses that are transient to Industrial would not be detrimental to its surroundings. The subject site resides within the RDA and UGA and can access to State Road 60 to the north, and County Road 640 to the south. A bus stop is to the northeast of the site in downtown Bartow for Citrus Connection. The location criteria requires frontage on a Collector or Local Commercial with direct access to an Arterial. The site fronts County Road 555, an Urban Collector Road. In addition, the request expands Industrial (IND) designation in the area and added to the site.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>o f. The location criteria for Industrial Districts shall serve to maximize access to the arterial road system and minimize the routing of commercial traffic through residential areas by requiring access be limited to:1.arterial roads;2.collector roads, if the subject parcel is within 2 miles of an intersecting arterial road; or3.local commercial roads or private roads under the following conditions:(a)the road has full median access onto to an arterial road;(b)the road does not serve existing or expected future residential traffic from the surrounding area;(c)the road has a structural integrity and design characteristics suitable for truck traffic.</p> <p>o g. Applications for establishment of an Industrial district shall include a plan consistent with Policy 2.110-L5.</p> <p>POLICY 2.113-A4: DEVELOPMENT CRITERIA - Development within an Industrial area shall conform to the following criteria:</p> <p>o a. Permitted uses include facilities for the processing, fabrication, manufacturing, recycling, bulk material storage, and distribution of goods, disposal yards, and limited retail commercial in accordance with Policy 2.113-A4.b. Other non-residential uses that produce significant amounts of noise, odor, vibration, dust, and lighting on and off-site may be permitted within an industrial district through conditional approval. Permitted uses also include any use found within a Business-Park Center.</p> <p>o b. Retail commercial uses within an industrial area shall be sized for the purpose of serving just the employees of, and visitors to, the industrial area, and shall be limited to a scale appropriate for that purpose. The maximum floor area ratio for commercial uses within an industrial area shall not exceed 0.25.</p> <p>o c. Industrial sites shall be designed to provide for:</p> <ul style="list-style-type: none"> <input type="checkbox"/> 1.adequate parking to meet the demands of the use; and <input type="checkbox"/> 2.buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities which may require special buffering provisions. <p>o d. The maximum floor area ratio for non-commercial uses within an Industrial area shall not exceed 0.75 in the TSDA, 0.65 in the UGA, 0.50 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.</p>	

Comprehensive Plan Policy	Consistency Analysis
<p>o e. Retail sale of goods manufactured on the site of a business located within an Industrial area is allowed provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.</p> <p>o f. Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank systems.</p> <p>o g. Planned Developments within the Industrial district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The Land Development Code shall establish development standards and criteria for Planned Developments within the Industrial district.</p> <p>o h. Industrial districts shall be separated from existing schools and developed residential areas through physical separation, screening, buffering, or a combination thereof, consistent with the standards in the County's Land Development Code.</p> <p>o i. Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters listed in the Land Development Code 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.</p> <p>POLICY 2.113-A5: ADJACENT DEVELOPMENT - Subject to the criteria and requirements of Section 2.125-C relating to Transitional Areas, development adjacent to an Industrial may include the following uses: Office, Self-storage Facilities, Medium and High-Density Residential, Institutional, or Open Space.</p>	
<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</p>	<p>Staff is coordinating with the Phosphate Review Group to obtain any comments.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>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 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</p> <p>These applications for land use amendments shall be reviewed by the Group prior to application being accepted by the County.</p>	
<p>SECTION 702-B. Development within the Urban Growth Areas shall conform with the following criteria (Revised 07/22/09 - Ord. 09-048):1. NON-RESIDENTIAL DEVELOPMENT — All non-residential land uses developed after adoption of the Polk County Comprehensive Plan shall:</p> <p>a. Be required to connect to the centralized water system. In limited circumstances, the board may grant a waiver to this requirement given consideration of the following factors:</p> <ul style="list-style-type: none"> o There are physical constraints, e.g., lack of rights-of-way or easements, which make the extension of central potable water impractical; o The applicable utility provider does not intend to extend potable water to the subject parcel within the next 20 years; o The provision of on-site potable water is part of a planned Conservation Department; and o The waiver, if granted, will not significantly increase the cost of extending potable water to adjacent parcels in the UGA or will not jeopardize any utility provider's permits with the applicable water management district or functional equivalent. o Waivers to Section 702.B. (subsection 1.a. connection to centralized water) may be granted by the Board of County Commissioner pursuant to a Level 4 	<p>City of Bartow did confirm that while they do have capacity in their water system, they have no intention of extending water or sewer lines to this site anywhere in the near future.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>Review and subject to the waiver provisions in Section 932 of this Code.</p> <ul style="list-style-type: none"> o A waiver granted under this section does not constitute a waiver of any other applicable requirements for development or public safety requirements under the Life Safety Code. This waiver policy does not apply to parcels within the Green Swamp Area of Critical State Concern. o Notwithstanding the satisfaction of any other criteria or a favorable conclusion arising from an analysis of the foregoing factors, the waiver shall not be approved if doing so would: (A) violate any covenant, condition, restriction, or other obligation contained within any financing, security, or other agreement (any such document, an "Instrument") to which the County is a party including without limitation Instruments associated with the issuance of any bond or other form of financing; or (B) negate, materially alter, or call into question the accuracy or truthfulness of any County representation contained within any Instrument; or (C) adversely affect the rating of any existing or proposed County bond or other security, or the County's bond, credit, or other financial rating. • b. Be required to connect to the centralized wastewater system within one year of it becoming available. o c. Prior to the availability of centralized wastewater, the developer may extend the centralized wastewater to the property at his or her cost without credit or reimbursement from the County Commissioners, and the project has been scheduled within the Capital Improvements Program, or construct temporary septic tanks or package treatment facilities pursuant to Policy 3.102-A2 of the Infrastructure Element provided: <ul style="list-style-type: none"> <input type="checkbox"/> That the necessary on-site collection apparatus for the future centralized facility is provided via the construction of a dry-line system, by the developer, at the time the development is built. <input type="checkbox"/> The costs of connection are guaranteed, pursuant to one of the following:(1) A letter of credit, construction bond, or other similar instrument or guarantee at the time of development approval, or (2) Payment to the central utility by the owner at the time of building permit application. Should this option be exercised, it shall be the responsibility of the developer to inform the person purchasing the lot of this charge, or(3)A waiver, per the requirements of Section 932, may be granted, if it can be shown that the parcel proposed for development cannot, or will not, be served by public wastewater within the 11 to 20 years of the adoption date of this Plan, and the utility provider provides written verification that the extension of 	

Comprehensive Plan Policy	Consistency Analysis
<p>the centralized public wastewater is not economically feasible from the public perspective, the total developable parcel may develop with septic tanks and without the installation of dry lines. The applicant for the waiver shall include an analysis of the following factors:(i)Status in the County's 10 year Master Utility Plan;(ii)Accessibility of the system;(iii)Infrastructure improvements needed for connection including ROW or easement acquisitions;(iv)Environmental sensitivity (soils, wetlands, floodplains, stressed basins);(v)Impact on public health based on input from the Health Department;(vi)Loss of potential future connections if waiver is granted.</p> <p>o Notwithstanding the satisfaction of any other criteria or a favorable conclusion arising from an analysis of the foregoing factors, the waiver shall not be approved if doing so would: (A) violate any covenant, condition, restriction, or other obligation contained within any financing, security, or other agreement (any such document, an "Instrument") to which the County is a party including without limitation Instruments associated with the issuance of any bond or other form of financing; or (B) negate, materially alter, or call into question the accuracy or truthfulness of any County representation contained within any Instrument; or (C) adversely affect the rating of any existing or proposed County bond or other security, or the County's bond, credit, or other financial rating.</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 considered urban sprawl based on these criteria. 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	Where sections referenced in this report
<p>a. Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.</p>	<p>Summary of analysis</p>
<p>b. Allows a significant amount of urban development to occur in rural areas.</p>	<p>Summary of analysis</p>

Table 9 Urban Sprawl Criteria	
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	Where sections referenced in this report
<i>c. Designates an urban development in radial, strip isolated, or ribbon patterns emanating from existing urban developments.</i>	Summary of analysis, surrounding Development, compatibility
<i>d. Fails to adequately protect and conserve natural resources and other significant natural systems.</i>	Summary of analysis, surrounding Development, compatibility
<i>e. Fails to adequately protect adjacent agricultural areas.</i>	Compatibility with Surrounding Land Uses
<i>f. Fails to maximize existing public facilities and services.</i>	Summary of Analysis, Infrastructure
<i>g. Fails to minimize the need for future facilities and services.</i>	Summary of Analysis, Infrastructure
<i>h. 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
<i>j. Discourages infill development or redevelopment of existing neighborhoods.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
<i>k. Fails to encourage an attractive and functional mixture of land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
<i>l. Will result in poor accessibility among linked or related land uses.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses
<i>m. Results in the loss of a significant amount of open space.</i>	Summary of Analysis, Compatibility with Surrounding Land Uses

Comments from other agencies

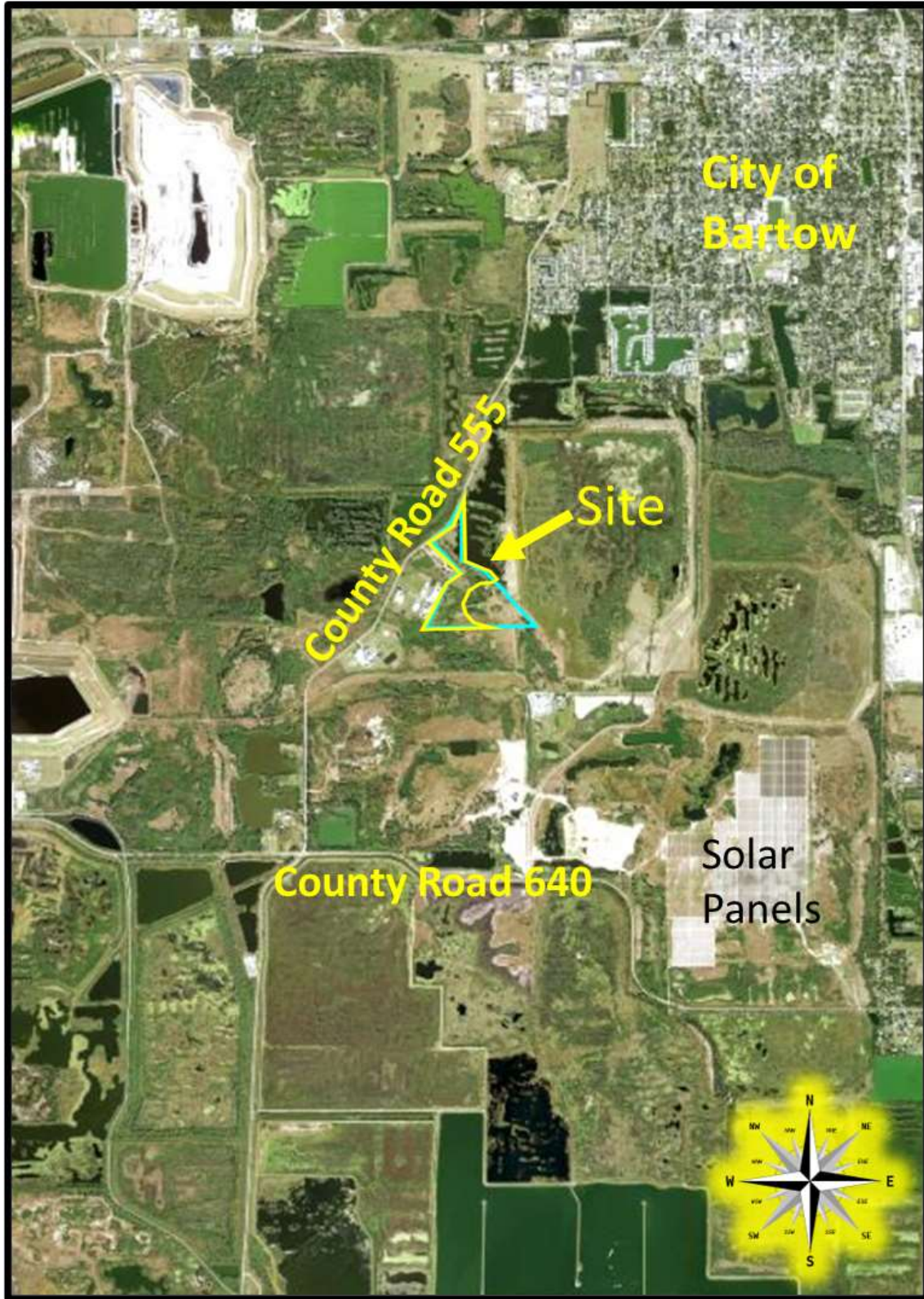
City of Bartow indicated that they have no objection to this land use change, as no projects are slated for development in this area that would conflict. A staff member with Bartow Utilities did indicate me that although this site is within their service area, there are no water or sewer lines

that service the site, and they have no intention of extending water and sewer lines to the site. The site will need to connect to well and septic for water and wastewater.

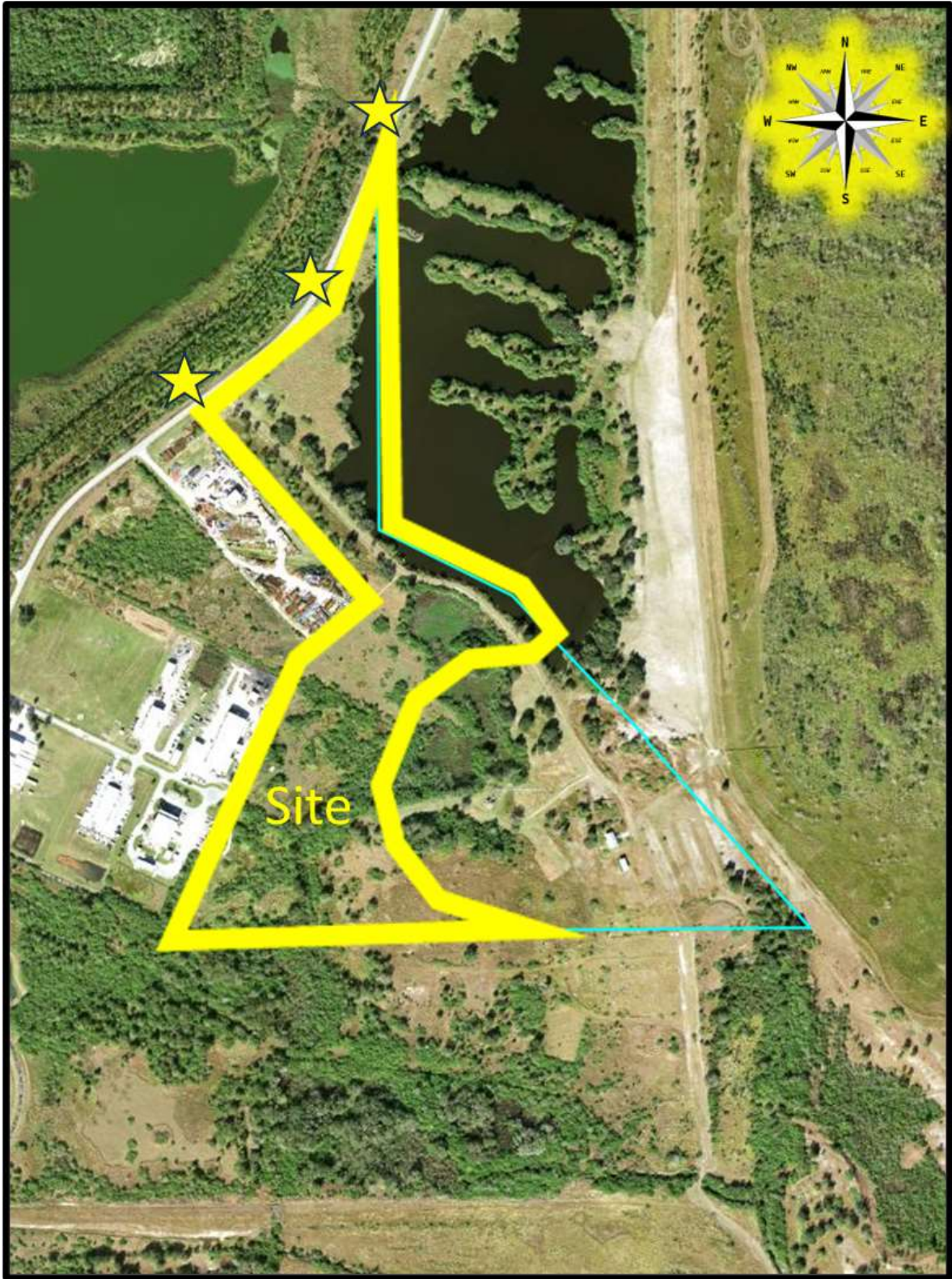
- Attachments:** Exhibit 1: Location Map
Exhibit 2: Aerial Map 2023 (Context)
Exhibit 3: Aerial Map 2023 (Close Up)
Exhibit 4: Current Future Land Use Map
Exhibit 5: Proposed Future Land Use Map
Exhibit 6: List of Conditional Uses for Industrial



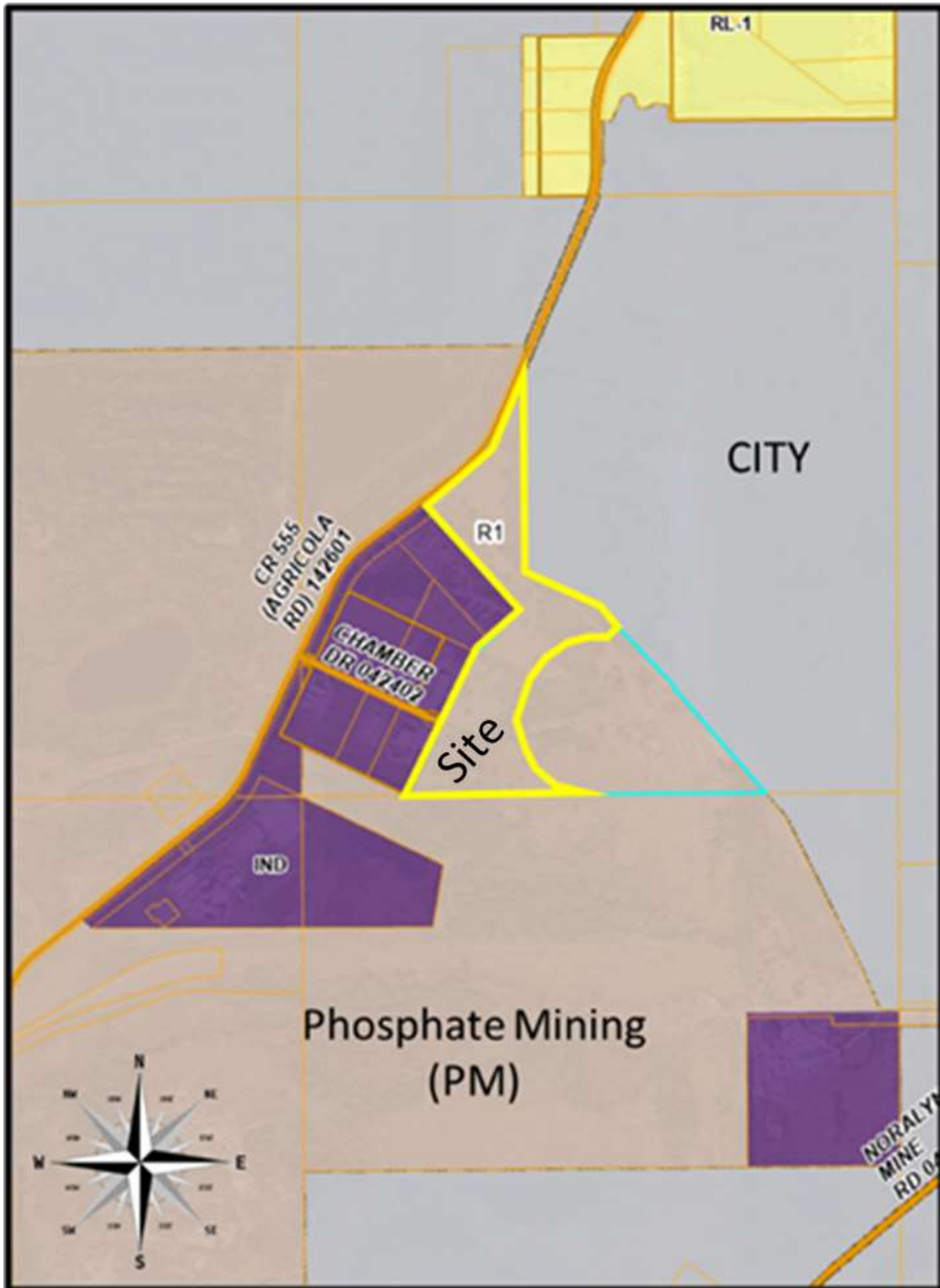
LOCATION MAP



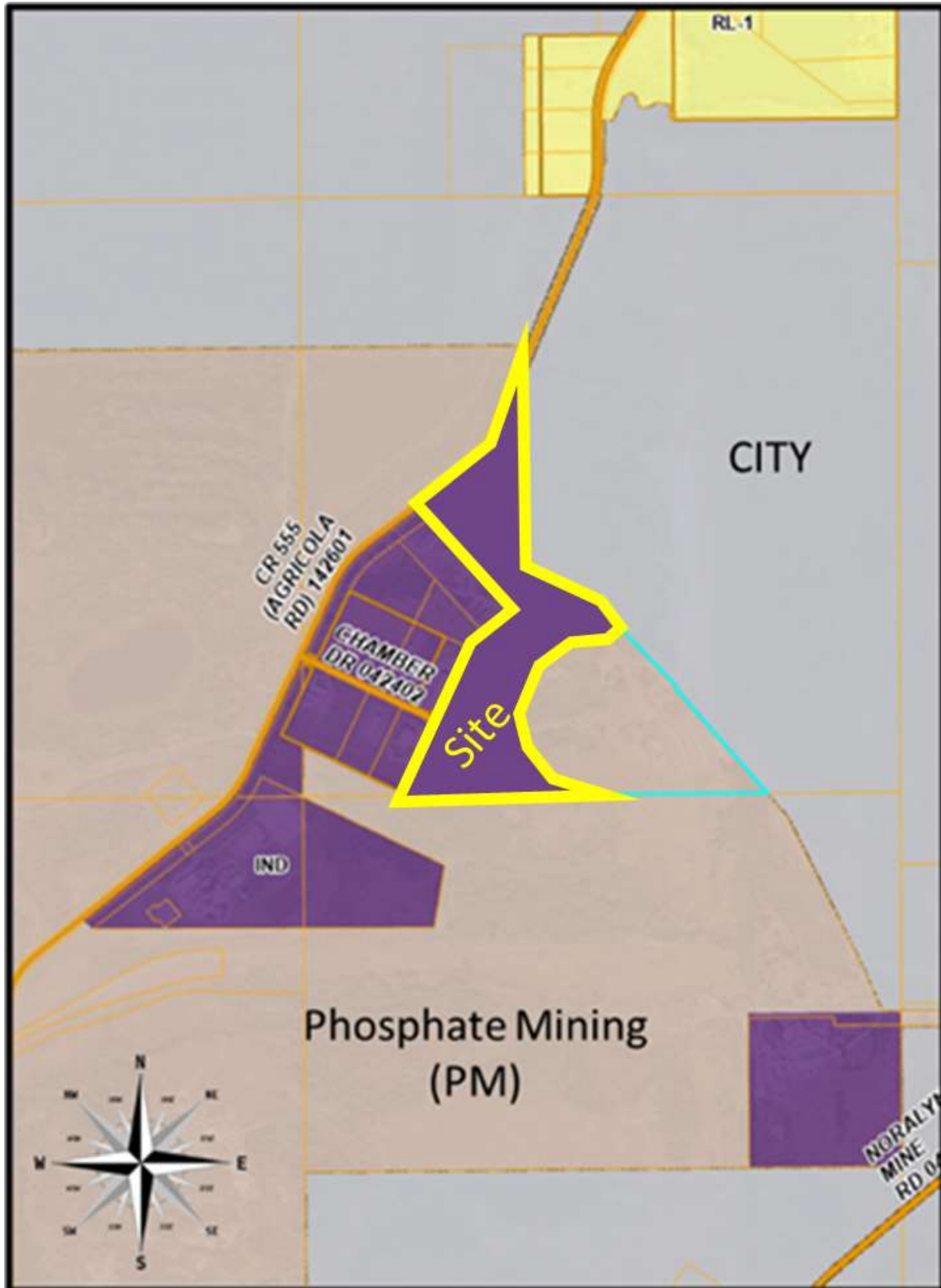
AERIAL MAP (CONTEXT)



AERIAL MAP (CLOSE UP)



CURRENT FUTURE LAND USE Phosphate Mining (PM)



PROPOSED FUTURE LAND USE Industrial (IND)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
IND	<p>Agricultural Support-Off-Site, Animal Farm-Intensive, Commercial Vehicle Parking, Crematorium, Farming General, Government Facility, Heavy Machinery Equipment Sales and Services, Kennels-Boarding and Breeding, Livestock Sale- Auction, Manufacturing-Explosives/ Volatile Material, Manufacturing-General, Manufacturing-Light, Motor Freight Terminal, Nurseries and Greenhouses, Office, Personal Service, Printing & Publishing, Research & Development, School-Technical/Vocational/Trade & Training, Studio-Production, Transit-Commercial, Transit-Facility, Utilities- Class I, Utilities- Class II, Vehicle Repair- Auto Body, Vehicle Service-Mechanical, Warehousing/Distribution</p>	<p>Alcohol Package Sales, Bars- Lounges- and Taverns, Golf Course, Recreation- Passive, Farm Worker Dormitory-Barrack Style, Breeding-Boarding- and Rehabilitation Facility-Wild or Exotic, Communication Tower-Monopole, Communication Towers- Guyed and Lattice, Community Center, Convenience Stores-Isolated, Cultural Facility, Financial Institution, Financial Institution- Drive Through, Gas Station, Heliports, Helistops, Hotels and Motels, Medical Marijuana Dispensaries, Nurseries- Retail, Recreational Vehicle Storage, Religious Institution, Restaurant-Drive-thru/Drive-in, Restaurant-Sit-down/Take-out, Retail-10-000 – 34-999 sq. ft., Retail- 35-000 - 64-999 sq. ft, Retail- Less than 10-000 sq. ft., Self-storage Facility, Solar Electric-Power Generation Facility, Utilities- Class III, Vehicle Recovery Service/Agency, Veterinary Service</p>	<p>Planned Development, Construction Aggregate Processing, Construction Aggregate Storage, Lime Stabilization Facility, Mining- Non-phosphate, Railroad Yard, Retail-More than 65-000 sq. ft., Salvage Yard, School-Leisure/Special Interest, School- University/College, Seaplane Base, Water Ski Schools, Airport, Hazardous Waste Transfer-Storage, Power Plants-Non-Certified- High, Power Plants Non-Certified- Low</p>

LIST OF PERMITTED AND CONDITIONAL USES IN INDUSTRIAL (IND)