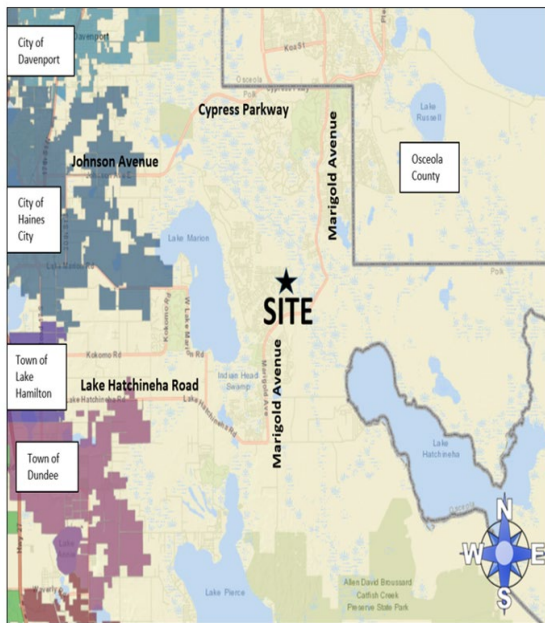
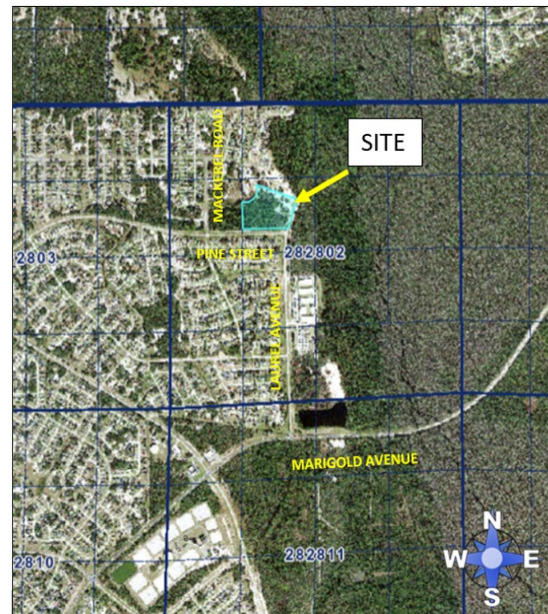


# POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

<b>DRC Date:</b>	January 22, 2026
<b>Planning Commission Date:</b>	April 1, 2026
<b>BoCC Dates:</b>	May 19, 2026
<b>Applicant:</b>	Ryan Behren, Esq.
<b>Level of Review:</b>	Level 4 Review, Small-Scale Comprehensive Plan Amendment
<b>Case Number and Name:</b>	LDCPAS-2025-40 (Poinciana Commercial CPA)
<b>Request:</b>	Change from Development of Regional Impact (DRI) to Neighborhood Activity Center (NAC) and the text of Section 2.135 of the Comprehensive Plan to allow for the adoption of the Poinciana Commercial Activity Center Plan (ACP). This case is related to LDCT-2026-4, a text amendment to establish the Poinciana Commercial ACP.
<b>Location:</b>	North side of Pine Street, between Mackerel Road and Laurel Avenue, east of the City of Haines City, in Section 2, Township 28, Range 28.
<b>Property Owner:</b>	Titan Land Company LLC
<b>Parcel Size:</b>	12.6 acres
<b>Development Area:</b>	Utility Enclave Area (UEA)
<b>Future Land Use:</b>	Development of Regional Impact (DRI)
<b>Nearest Municipality:</b>	Haines City
<b>DRC Recommendation:</b>	Approval
<b>Planning Commission Vote:</b>	Pending
<b>Florida Commerce:</b>	Not Applicable
<b>Case Planner(s):</b>	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner



Location Map



2023 Aerial Photo

## **Summary:**

This is an applicant-initiated Comprehensive Plan Map Amendment to change 12.6 acres from Development of Regional Impact (DRI) to Neighborhood Activity Center (NAC) on the Future Land Use Map. and to change the text of Section 2.135 of the Comprehensive Plan to allow for the adoption of the Poinciana Commercial Activity Center Plan (ACP).

To implement the ACP, a text amendment to both the Comprehensive Plan and the Land Development Code (LDCT-2026-4) is proposed. The ACP, if approved, will ensure that the development of this site will be compatible with the existing and proposed uses by providing for an orderly guide to ensure quality growth.

## **Compatibility Summary**

There are several reasons why this request is considered to be compatible, and consistent with the Comprehensive Plan and Land Development Code. Policy 2.110-D, Location Criteria for Neighborhood Activity Centers (NACs), requires that NACs be located at the intersections of arterial and/or collector roads. This request is located at the northwest corner of the Pine Street and Laurel Avenue intersection. Additionally, the corresponding Activity Center Plan (ACP) that has been submitted for this amendment (LDCT-2026-4), plans for the expansion of the proposed NAC to the Pine Street & Mackerel Road (also an Urban Collector) intersection. Because the NAC will be located next to two intersections, the request is consistent with the NAC location criteria policy.

The location criteria policy also contains distance-separation criteria from other activity centers. A Neighborhood Activity Center has been proposed (LDCPAS-2025-38) at the Hemlock Avenue/Marigold Avenue/Poinciana Parkway intersection, .8 miles away. Although this does not comply with the four (4) mile distance criteria requirement for NACs in the UEA, this policy also contains a provision that allows for the separation criteria to be reduced if the proposed Neighborhood Activity Center market-area radius minimum population support is over 10,000 people. The applicant has submitted documentation that shows that there are 27,591 people within 3 miles. Because this greatly exceeds the minimum population support standard of 10,000 people, this request is consistent with this policy.

Policy 2.110-L4, Plan Required (for Activity Centers) also requires a developer to prepare and submit an ACP if a new Activity Center is proposed. The applicant has submitted an Activity Center Plan under a separate application (LDCT-2026-4), so this request is consistent with this policy.

## **Infrastructure Summary**

The site is in Tohopekaliga (Toho) Water Authority service area, and provides water and sewer service to the site. Because this amendment is for a non-residential use, schools will not be impacted. There is sufficient roadway capacity. Public safety facilities and services are available.

## **Environmental Summary**

The site is not within the 100-year floodplain and does not contain wetlands or surface waters. No adverse environmental impacts are expected due to the development of this site.

## Comprehensive Plan

Listed below are the relevant sections of the Comprehensive Plan that are applicable to this request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.107(A1-A7): Utility Enclave Areas (UEAs)
- Policy 2.110(D1-D5): Neighborhood Activity Centers (NAC)
- Objective 2.110 L: Activity Center Plans

### Findings of Fact

#### Request and Legal Status

- LDCPAS-2025-40 is an applicant-initiated request for a Comprehensive Plan Amendment to change 12.6 acres from Development of Regional Impact (DRI) to Neighborhood Activity Center (NAC) on the Future Land Use Map. and to change the text of Section 2.135 of the Comprehensive Plan to allow for the adoption of the Poinciana Commercial Activity Center Plan (ACP).
- This case has a companion Land Development Code text amendment (LDCT-2026-4), which provides for an Activity Center Plan (ACP) to guide future development of the NAC.
- Policy 2.110-L1. describes an ACP as a special, detailed land use plan for a specific Activity Center. An ACP shall include a land use map and accompanying objective and policies to provide special conditions, restrictions, or requirements for activities within the ACP. ACPs shall be incorporated into the Land Development Code with reference to the Comprehensive Plan.
- The subject site is in the Utility Enclave Area (UEA).
- Policy 2.107-A1 describes Utility Enclave Areas (UEAs) as are those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.
- Policy 2.110-D1 describes the characteristics of Neighborhood Activity Center (NAC) land use district. NACs are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s).
- The property is vacant and undeveloped.

#### Compatibility

- The Comprehensive Plan defines Compatibility in Section 4.400 as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”

- The proposed request is for a Neighborhood Activity Center (NAC) use.
- Policy 2.110-D, Location Criteria for Neighborhood Activity Centers (NACs), requires that NACs be located at the intersections of arterial and/or collector roads.
- This request is located at the northwest corner of the Pine Street and Laurel Avenue intersections, (both of which are Urban Collectors), even though this is not a full intersection.
- A corresponding Activity Center Plan (ACP) that has been submitted for this amendment (LDCT-2026-4).
- The northeast corner of the Pine Street and Mackerel Road intersection is designated as Commercial in the Poinciana Master Plan.
- Because the NAC will be located next to two intersections, the request is consistent with the NAC location criteria policy.
- The location criteria policy also contains distance-separation criteria from other activity centers.
- A Neighborhood Activity Center has been proposed (LDCPAS-2025-38) at the Hemlock Avenue/Marigold Avenue/Poinciana Parkway intersection, .8 miles away. Although this does not comply with the four (4) mile distance criteria requirement for NACs in the UEA, this policy also contains a provision that allows for the separation criteria to be reduced if the proposed Neighborhood Activity Center market-area radius minimum population support is over 10,000 people.
- The applicant has submitted documentation that shows that there are 27,591 people within three miles.
- Policy 2.110-L4, Plan Required (for Activity Centers), states that a developer shall be required to prepare and submit an ACP for the following: Development of Regional Impact (DRI) within an Activity Center; a request to develop a residential development with a "Special Residential "classification (15 DU/AC or more) within an Activity Center; or **any new Activity Center proposed (emphasis added).**
- The applicant has submitted an Activity Center Plan as part of a text amendment to both the Comprehensive Plan and the Land Development Code (LDCT-2026-4).
- This area of Polk County is characterized by predominantly single-family residential uses as part of the Poinciana development.
- Policy 2.107-A3: Land Use Categories (for Utility Enclave Areas (UEAs)) list Neighborhood Activity Centers as a permitted use in UEAs.

## Infrastructure

- The property is zoned for Laurel Elementary, Lake Marion Creek Middle School, and Haines City Senior High School.

- Fire and ambulance response is from Polk County Fire Rescue Station 46, located at 9500 Marigold Avenue, Kissimmee (Poinciana). The estimated response time from this station is 8 minutes.
- Sheriff's response to the site is served by the Ridge District, located at 9500 Marigold Avenue, Kissimmee (Poinciana). The response times are as follows: Priority One: 11:35 minutes; Priority Two: 29:52 minutes.
- The subject parcel is next to Pine Street. This road is not monitored for concurrency. The closest monitored road for concurrency is the Poinciana Parkway, located  $\frac{3}{4}$  mile south of the site. Poinciana Parkway is an Urban Major Collector, according to the Polk County TPO Roadway Network Database.
- The site is located within a Tohopekaliga (Toho) Water Authority utility service area.

### **Environmental**

- There are no wetlands on the site.
- The site is not in a 100-year floodplain.
- The site is comprised of the Arents-Urban Land complex, with a small portion of the site containing Archbold Sand. These soils have moderate and severe limitations for septic tanks and slight moderate limitations for dwellings without basements.
- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of an eagle nest.
- The PolkGreen Map show this parcel as part of a potential connection of an overall natural network.
- This site does not have a conservation easement, but property with a conservation easement is located 1.6 miles west of the site, along the shore of Lake Marion.
- This property is not within an Airport Impact District.
- The site is not within a Wellfield Protection District.
- Based on information received from the Secretary of State's Department of Historical Resources office, there are no archeological or historic resources on the site.

### **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;

7. other public safety features such as law enforcement;

8. schools and other educational facilities; and

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 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.
- POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs:
  - a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria.
  - b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.
  - c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.
- POLICY 2.110-D1: CHARACTERISTICS - Neighborhood Activity Centers are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are:

Usable Area: Over 5 acres to 20 acres

Gross Leasable Area (GLA): 20,000 to 150,000 square feet

Minimum Population Support: 5,000 to 10,000 people

Market-Area Radius: 1½ miles

Typical Leading Tenant: Supermarket

Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store

- POLICY 2.110-D2: DESIGNATION AND MAPPING - Neighborhood Activity Centers shall be located within UDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "Neighborhood Activity Center" (NAC).
- POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs:

a. Two (2) miles within the TSDA and UGA.

b. Four (4) miles within the SDA and UEA.

This required separation may be reduced if:

a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or

b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.

- POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Neighborhood Activity Center shall conform to the following criteria:

a. Neighborhood Activity Centers shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.

b. Different uses within a Neighborhood Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.

c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.

d. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.

e. Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.

f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.

g. Planned Developments within the Neighborhood Activity Center may be permitted a maximum floor area ratio up to 0.70 and a maximum residential density of 5 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.

- POLICY 2.110-L1: ACTIVITY-CENTER PLANS - An Activity-Center Plan (ACP) is a special, detailed land use plan for a specific Activity Center. An ACP shall include a land use map and accompanying objective and policies to provide special conditions, restrictions, or requirements for activities within the ACP. ACPs shall be incorporated into the Land Development Code with reference to the Comprehensive Plan.
- POLICY 2.110-L2: INITIATED BY THE COUNTY - An Activity-Center Plan may be adopted for an Activity Center and become incorporated into the Future Land Use Element by a Comprehensive Plan Amendment for all new Activity Centers proposed. The ACP, shall at a minimum, include land use, traffic, and market studies, or other appropriate studies to support the requested ACP.
- POLICY 2.110-L3: INITIATED BY A PROPERTY OWNER - Any property owner applying for a new Activity Center shall prepare and submit an ACP for consideration by the Board of County Commissioners for inclusion within the Future Land Use Element through a Comprehensive Plan Amendment. The ACP can also be used as supporting documentation for a proposed expansion or reclassification. The Board may require that such submittal of a requested ACP include land use, traffic, and market studies, or other appropriate studies to support the requested ACP as outlined in L5 below.
- POLICY 2.110-L4: PLAN REQUIRED - A developer shall be required to prepare and submit an ACP for the following:
  - a. Development of Regional Impact (DRI) within an Activity Center;
  - b. a request to develop a residential development with a "Special Residential "classification (15 DU/AC or more) within an Activity Center; or
  - c. any new Activity Center proposed.
- POLICY 2.110-L5: PLAN REQUIREMENTS - ACPs, at a minimum, shall include a map, or maps, and policies which establish:
  - a. Land uses designations for all property within the center;
  - b. development criteria;
  - c. development restrictions, if appropriate;
  - d. a traffic circulation plan for the activity center; and
  - e. special transportation restrictions, if appropriate.
  - f. identify environmentally sensitive lands and endangered natural communities and outline proposals for the preservation and/or conservation of these areas; and

g. any other information that the Land Development Director or his designee may request.

**Development Review Committee Recommendation:** Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that the request **IS compatible** with the surrounding land uses and general character of the area and **IS consistent** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCPAS-2025-40**.

### **GENERAL NOTES**

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

*NOTE: 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.*

## 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

The site is within a Utility Enclave Area (UEA). UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.

Currently, the site has a Future Land Use designation of Development of Regional Impact (DRI), specifically PRE-DRI#1 (Poinciana). The approved master development plan for Poinciana and subsequent modifications to various portions of this development are on file in the offices of the Polk County Land Development Division. Approved land uses are also detailed in the Poinciana Binding Letter of Interpretation of Vested Rights Status, date May 17, 1983, and subsequent Binding Letters of Modification to a Development of Regional Impact with Vested Rights (BLIVR), issued by and on file with the Department of Economic Opportunity (DEO). Additional copies are also available through the Polk County Land Development Division. In 2018, the Florida legislature modified Section 380.06 that local governments may modify the BLIVRs instead of DEO. The Land Development Code includes processes and procedures to determine if property is within the boundaries of Poinciana and how development will be implemented. This also includes Future Land Use changes adjacent to proposed roadways.

The proposed request is for a Neighborhood Activity Center (NAC). NACs are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are: Usable Area: Over 5 acres to 20 acres; Gross Leasable Area (GLA): 20,000 to 150,000 square feet; Minimum Population Support: 5,000 to 10,000 people; Market-Area Radius: 1½ miles; Typical Leading Tenant: Supermarket; and Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store, and pizza restaurant.

As shown on the Future Land Use Map, adjacent properties are designated Development of Regional Impact (DRI) and are part of Poinciana. The Poinciana Master Plan shows single-family residential & mobile to the north and south, commercial to the west, and multi-family (low-density) on the site and to the east). Southeast of the site, on the east side of Laurel Avenue, is INST1-X, and is for the Laurel Avenue Elementary School.

The site is labeled with a Department of Revenue Use Code of unplatted tracts by the Polk County Property Appraiser and is vacant and undeveloped.

Generally, the predominant uses in this area of the county are residential. Single-family residential uses are south of the site, across Pine Street. North of the site is a mixture of single-family and vacant residential lots. Properties east and west of the site are vacant and undeveloped parcels. Laurel Elementary is .25 miles southeast of the site.

There are several reasons why this request is considered to be compatible and consistent with the Comprehensive Plan and Land Development Code. Policy 2.110-D, Location Criteria, requires that NACs be located at the intersections of arterial and/or collector roads. This request is located at the northwest corner of the Pine Street and Laurel Avenue intersections, (both of which are Urban Collectors), even though this is not a full intersection. The corresponding Activity Center Plan (ACP) that has been submitted for this amendment (LDCT-2026-4), plans for the extension of proposed NAC to the Pine Street & Mackerel Road (also an Urban Collector) intersection. The parcel to the west of the subject site at the northeast corner of Pine Street and Mackerel Road is designated as Commercial on the Poinciana Master Plan. Both of these parcels equal 18.32 acres, and create a larger NAC node. Because the NAC will be located next to two intersections, the request is consistent with the NAC location criteria policy.

The location criteria policy also contains distance-separation criteria from other activity centers. A NAC has been proposed (LDCPAS-2025-38) at the Hemlock Avenue/Marigold Avenue/Poinciana Parkway intersection, .8 miles away. Although this does not comply with the four (4) mile distance criteria for NACs in the UEA, this policy also contains a provision that allows for the separation criteria to be reduced if the proposed Neighborhood Activity Center market-area radius minimum population support is over 10,000 people. The applicant has submitted documentation that shows that there are 27,591 people within 3 miles. Because this greatly exceeds the minimum population support standard of 10,000 people, this request is consistent with this policy.

As outlined in Policy 2.110-L4, Plan Required (for Activity Centers), a developer shall be required to prepare and submit an ACP for the following:

- a. Development of Regional Impact (DRI) within an Activity Center;
- b. a request to develop a residential development with a "Special Residential "classification (15 DU/AC or more) within an Activity Center; or
- c. any new Activity Center proposed (emphasis added).**

The applicant has submitted an Activity Center Plan under a separate application (LDCT-2026-4), so this request is consistent with this policy.

#### B. Infrastructure:

According to Comprehensive Plan 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."

The site is located in the Utility Enclave Area (UEA), where connection to water and sewer service is required.

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

**Table 1 Future Land Use Map Districts and Existing Uses**

<p><b>Northwest</b> Development of Regional Impact (DRI) Poinciana Master Plan – Single-Family Residential Single-Family Residential</p>	<p><b>North</b> Development of Regional Impact (DRI) Poinciana Master Plan – Single-Family Mobile Single-Family Residential</p>	<p><b>Northeast</b> Development of Regional Impact (DRI) Poinciana Master Plan – Multi-Family Low Density, Single Family- Mobile Vacant</p>
<p><b>West</b> Development of Regional Impact (DRI) Poinciana Master Plan – Commercial Vacant</p>	<p><b>Subject Site</b> Development of Regional Impact (DRI) Poinciana Master Plan – Multi-Family Low Density Vacant</p>	<p><b>East</b> Development of Regional Impact (DRI) Poinciana Master Plan – Multi-Family Low Density Vacant</p>
<p><b>Southwest</b> Development of Regional Impact (DRI) Poinciana Master Plan – Single-Family Residential Single-Family Residential</p>	<p><b>South</b> Development of Regional Impact (DRI) Poinciana Master Plan – Single-Family Residential Single-Family Residential</p>	<p><b>Southeast</b> Institutional-1X (INST-1X) Poinciana Master Plan – Multi-Family Low Density, School Laurel Elementary School</p>

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

The schools zoned for the subject property are listed in Table 2 below. Because the request is for a non-residential use, the request will not impact school concurrency.

**Table 2: School Information**

School	Annual Estimated Demand	Distance from Subject Site
Laurel Elementary	0	.25 mile
Lake Marion Creek Middle School	0	1.5 miles
Haines City Senior High School	0	7.35 miles

Source: Polk County School Board website

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

Polk County Fire Rescue provides Advanced Life Support transport to all residents and visitors of Polk County. Emergency response is considered effective if response times are within eight (8) minutes in rural and suburban areas and 13 minutes in urban areas.

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

Table 3 provides a breakdown of response times and travel distances for emergency services.

**Table 3 Public Safety Information**

	Name of Station	Distance	Response Time*
Sheriff	Ridge District, located at 9500 Marigold Avenue, Kissimmee (Poinciana)	3.4 miles	P1: 11:35 minutes P2: 29:52 minutes
Fire/ EMS	Polk County Fire Rescue Station 46, located at 9500 Marigold Avenue, Kissimmee (Poinciana)	3.4 miles	8 minutes

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

**Water and Wastewater**

The subject property is in a Utility Enclave Area (UEA), where connection to public water and sewer is required. Sewer service and water lines are available in this area.

**A. Estimated Demand:**

The development of the property under the proposed land use designation should not negatively impact the minimum LOS for the existing facilities, due to the relatively low consumption and generation rates. The following analysis assumes the maximum allowed density of 88 dwelling units, based on the DRI (Multi-Family Low-Density) designation shown in the Poinciana Master Plan (7 units per acre \* 12.6 acres). The following analysis assumes the maximum allowed intensity of 275,349 square feet of warehouse space for NAC.

**Table 4 Estimated Water and Sewer Impact Analysis**

Maximum Allowable Use: DRI – 12.6 AC * 7 DU/AC = 88 DU NAC – 12.6 AC *.25 FAR = 3.15 AC * 43,560 SF = 137,214 SF	Estimated Impact Analysis DRI (Multi-Family Low-Density) to Neighborhood Activity Center (NAC) Development Area: UEA	
	Current Land Use designation DRI	Current Land Use designation NAC
Current Maximum Allowable Use	88 DU	137,214 Square Feet (SF)
Potable Water Consumption	88 DU * 198 GPD/DU = <b>17,424 GPD</b>	137,214 SF * .18 GPD/SF = <b>24,699 GPD</b>
Wastewater Generation	88 DU * 180 GPD/DU = <b>15,840 GPD</b>	137,214 SF * 80% of water usage = <b>19,760 GPD</b>

GPD – Gallons Per Day

Source: Polk County Concurrency Manual and Polk County Utilities: Multi-Family 198 GPD/DU (water) & 180 GPD/DU (sewer); Retail; .18 GPD/SF (water) & .165 GPD/SF (sewer)

**B. Available Capacity:**

Because this property is in a Utility Enclave Area, where public water or sanitary sewer services are available. The Tohopekaliga (Toho) Water Authority has water and sewer service next to this site. A 12 -inch water is along Pine Street, with a 10-inch water line along the eastern property

line. A 6-inch sewer force main is along the eastern property line, then extending along the north property line.

C. Planned Improvements:

No information is known currently about any planned improvements to utilities in this area or line capacity information.

**Roadways/ Transportation Network**

The Polk County Transportation Planning Organization (TPO) monitors traffic congestion on over 425 roadway segments (950 directional links). The data identifies both daily and peak hour traffic volumes. The peak hour traffic volumes are used to estimate the level-of-service for each roadway, in each direction. Level-of-service refers to the quality of traffic flow. It is the primary measure of traffic congestion. Level-of-service (LOS) is measured on a scale of ‘A’ to ‘F’ with LOS ‘A’ being the best (free-flow traffic) and LOS ‘F’ being the worst (severe traffic congestion).

The proposed Comprehensive Plan Amendment is not anticipated to significantly affect surrounding roadways or transportation network. The Amendment will not change the LOS below the minimum established standards.

A. Estimated Demand:

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The following analysis assumes the maximum allowed density of 88 dwelling units, based on the DRI (Multi-Family Low-Density) designation shown in the Poinciana Master Plan (7 units per acre \* 12.6 acres). The following analysis assumes the maximum allowed intensity of 275,349 square feet of warehouse space for NAC.

**Table 5 Estimated Transportation Impact Analysis**

<b>Maximum Allowable Use:</b> <b>DRI – 12.6 AC * 7 DU/AC = 88 DU</b> <b>NAC – 12.6 AC *.25 FAR = 3.15 AC * 43,560 SF = 137,214 SF</b>	Estimated Impact Analysis DRI (Multi-Family Low-Density) to Neighborhood Activity Center (NAC) Development Area: UEA	
	<b>Current Land Use designation DRI</b>	<b>Maximum Permitted Use in Proposed NAC</b>
	88 Dwelling Units (DU)	137,214 Square Feet (SF)
<b>Average Annual Daily Trips (AADT)</b>	88 DU * 6.21 trips/1 DU = <b>546 AADT</b>	137,214 SF * 26.93 trips/1,000 SF = <b>3,695 AADT</b>
<b>PM Peak Hour Trips</b>	88 DU * .52 trips/1 DU = <b>46 PM Peak Hour Trips</b>	137,214 SF * 3.40 trips/1,000 SF = <b>467 PM Peak Hour Trips</b>

*Source: Concurrency Manual and Table for Minor Traffic Study – Multi-Family Housing (Low-Rise) (ITE 220) – 6.21 AADT/1 DU, .52 peak-hour trips/1 DU; Shopping Center (ITE 820) – 26.93 AADT/1,000 SF, 3.40 peak-hour trips/1,000 SF.*

B. Available Capacity:

The roads surrounding the subject site should have sufficient capacity available, depending on the eventual use and full build out of the site. The Polk Transportation Planning Organization (TPO) monitors certain roadways based on maximum approved traffic in comparison to current vehicle trips to determine what capacity is available.

The subject parcel is not directly located next to a road that is monitored for concurrency. The closest monitored road is the Poinciana Parkway, located .75 miles south of the site.

Table 6, charts the generalized available capacity of the most-affected links.

**Table 6 Available Capacity**

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hour Projected LOS
8101N	Poinciana Parkway From: CR 542 to Marigold Avenue	C	452	D	C
8101S	Poinciana Parkway From: CR 542 to Marigold Avenue	C	437	D	C

*Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database January 17, 2025*

As identified above, the Poinciana Parkway has sufficient PM peak hour capacity to support future development activity.

The subject parcel is next to Pine Street. This is an County-maintained Urban Collector and has a pavement width of 24 feet.

**C. Roadway Conditions:**

Pine Street has a Pavement Condition Index rating of “Fair”.

**D. Planned Improvements:**

There are no known improvements for Pine Street. The closest County Community Investment Program project is for Marigold Avenue (Palmetto Street to Cypress Parkway). Currently in the design phase, the project is proposed for road widening.

As part of the proposed Activity Center Plan, an extension of Laurel Avenue is contemplated. This action will ensure that the partial intersection is more fully built out, thereby ensuring that this request will meet the location criteria standard.

**E. Mass Transit:**

There are no mass transit immediately next to this site. The closest route to this site is Route 16X, Haines City/Poinciana Express. This route traverses along Cypress Parkway, which is generally located 4.5 to 5 miles northeast of the site.

**F. Sidewalks:**

There is a recently constructed sidewalk in front of the subject property along Pine Street.

**Park Facilities and Environmental Lands:**

The closest County Park is the Lil Halibut Park, located 0.43 miles northwest of the site. Because the proposed amendment is for non-residential uses, it will not have an impact on this facility.

A. Location:

Saddle Creek Park & Campground is located at 1681 Halibut Road. Haines City, 32560.

B. Services:

Lil Halibut Park is a small neighborhood playground. It features an accessible, gated playground for children ages 4 through 12.

C. Multi-use Trails:

There are no multi-use trails in the immediate area. According to the Polk GIS Viewer, the closest trails can be found are the Snell Creek Trails, located on Cypress Parkway, 4.75 northwest of the site.

**Environmental Lands:**

The closest conservation area is the Kissimmee Chain of Lakes properties, owned by the South Florida Water Management District, and located 1.457 miles east of the site.

**Environmental Conditions**

There are no wetlands, floodplains or environmental constraints on the site.

A. Surface Water:

There are no surface waters on or near the site.

B. Wetlands/Floodplains:

The site does not contain any wetlands or floodplains.

C. Soils:

The site is comprised primarily of Arents-Urban Land complex, with a small portion of the site containing Archbold Sand, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey. Table 7, below, lists the soils associated with the subject site.

**Table 7 Soils**

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings Without Basements	% of Site (approximate)
Arents-Urban Land Complex 0 to 5 percent slopes	Severe: wetness, poor filter	Moderate: wetness	98%
Archbold Sand 0 to 5 percent slopes	Moderate: wetness	Slight	2%

Source: Soil Survey of Polk County, Florida 1985, USDA, Soil Conservation Service

Any 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.

D. Protected Species:

According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of an eagle nest. Prior to site clearing or grubbing, the applicant shall hire a qualified professional to conduct a site survey/walkover to ensure that no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

The PolkGreen Map displays this parcel as near potential connection of an overall natural network. Moreover, there are no conservation easements on this parcel, but a property with a conservation easement is 1.6 miles of the site, along the shore of Lake Marion.

E. Archeological Resources:

Based on information received from the Secretary of State’s Department of Historical Resources office, there are no archeological or historic resources on the site.

F. Wells (Public/Private):

The site is not within a Wellfield Protection District.

G. Airports:

This property is not within an Airport Impact District.

**Economic Factors:**

Construction of buildings and site development activities create temporary jobs. Any new business activity that occurs at this site will need more goods and services, thereby generating more economic activity.

The proximity of this site next to existing residential areas will provide an opportunity for new neighborhood commercial businesses. The development of this site will also provide jobs to support the Poinciana community.

**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**

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</p>	<p>The Compatibility provisions in the Land Development Code, specifically Section 220 (Compatibility Standards), will ensure that any future site development is compatible. Additionally, extra development standards are proposed in the corresponding Activity Center Plan (ACP) (LDCT-2026-4).</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 request for a neighborhood commercial designation is appropriately located in an area to support the surrounding residential uses.</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"> <li>a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided,</li> <li>b. nearness to agriculture-production areas;</li> <li>c. distance from populated areas;</li> <li>d. economic issues, such as minimum population support and market-area radius (where applicable);</li> <li>e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:             <ul style="list-style-type: none"> <li>1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;</li> <li>2. sanitary sewer and potable water service;</li> <li>3. storm-water management;</li> <li>4. solid waste collection and disposal;</li> <li>5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;</li> <li>6. emergency medical service (EMS) provisions; and 7. other public safety features such as law enforcement; 8. schools and other educational facilities</li> <li>9. parks, open spaces, civic areas and other community facilities,</li> </ul> </li> <li>f. environmental factors, including, but not limited to:             <ul style="list-style-type: none"> <li>1. environmental sensitivity of the property and adjacent property;</li> <li>2. surface water features, including drainage patterns, basin characteristics, and flood hazards;</li> <li>3. wetlands and primary aquifer recharge areas;</li> <li>4. soil characteristics;</li> <li>5. location of potable water supplies, private wells, public well fields; and</li> </ul> </li> </ul>	<p>According to the applicant’s support documentation, there are 27,591 persons within three miles according to an ESRI Demographic and Income Profile submitted by the applicant. This exceeds the minimum populations support require of 10,000 people for a Neighborhood Activity Center.</p>

Comprehensive Plan Policy	Consistency Analysis
6. climatic conditions, including prevailing winds, when applicable.	
<p>POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs:</p> <p>a. ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria.</p> <p>b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.</p> <p>c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.</p>	<p>The proposed Neighborhood Activity Center is located in a Utility Enclave Area (UEA).</p>
<p>POLICY 2.110-D1: CHARACTERISTICS - Neighborhood Activity Centers are intended to accommodate the shopping needs of residents living within the immediate surrounding neighborhood(s). General (approximate) characteristics of Neighborhood Activity Centers are:</p> <p>Usable Area: Over 5 acres to 20 acres  Gross Leasable Area (GLA): 20,000 to 150,000 square feet  Minimum Population Support: 5,000 to 10,000 people  Market-Area Radius: 1½ miles  Typical Leading Tenant: Supermarket  Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store</p>	<p>The proposed Neighborhood Activity Center will be 12.6 acres.</p>
<p>POLICY 2.110-D3: LOCATION CRITERIA - Neighborhood Activity Centers shall be located at the intersections of arterial and/or collector roads. There shall be the following traveling distances, on public roads, between the center of a Neighborhood Activity Center and the center of any other Neighborhood Activity Center, or other higher-level Activity Center, Linear Commercial Corridor, or Commercial Enclave providing for the same neighborhood-shopping needs:</p> <p>a. Two (2) miles within the TSDA and UGA.  b. Four (4) miles within the SDA and UEA.  This required separation may be reduced if:</p> <p>a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or  b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.</p>	<p>This request will soon be located closer to four miles from a new Neighborhood Activity Center that is to be located at the Poinciana Parkway/Marigold Avenue &amp; Hemlock Avenue intersection (LDCPAS-2025-38), However, the applicant has provided documentation that 27,951 persons reside within 3 miles of the site. Because this number exceeds the maximum requirement of 10,000 people, the proposed request complies with this policy.</p>
<p>POLICY 2.110-D4: DEVELOPMENT CRITERIA - Development within a Neighborhood Activity Center shall conform to the following criteria:</p> <p>a. Neighborhood Activity Centers shall have frontage on, or direct access to, an arterial or major collector roadway, or a frontage road or service drive which directly serves an arterial or collector roadway.</p>	<p>The subject parcel has frontage on Pine Street, and Urban Collector. Pine Street intersects with Laurel Avenue, an Urban Collector, at the southeast corner of the site. Additionally, as part of the corresponding Activity Center Plan (ACP) for this site and the adjoining parcel to the west, Mackerel Road. Because of the location of this site next to collector roads and intersections, this</p>

Comprehensive Plan Policy	Consistency Analysis
<p>b. Different uses within a Neighborhood Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.</p> <p>c. Adequate parking shall be provided to meet the demands of the uses, and interior traffic-circulation patterns shall facilitate the safe movement of vehicular, bicycle, and pedestrian traffic.</p> <p>d. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.</p> <p>e. Office uses shall not exceed 40 percent of the total area of the Neighborhood Activity center. Commercial uses may constitute 100 percent of the Neighborhood Activity center.</p> <p>f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.</p> <p>g. Planned Developments within the Neighborhood Activity Center may be permitted a maximum floor area ratio up to 0.70 and a maximum residential density of 5 dwelling units per acre. Intensity and density increases shall only be awarded to innovative, efficient, and compatible Planned Development proposals that are consistent with the general district characteristics and are located within the TSDA and UGA. The Land Development Code shall establish specific development standards and criteria for Planned Developments within activity centers.</p>	<p>request complies with the requirement that NACs be located on a major collector roadway.</p>
<p>POLICY 2.110-L4: PLAN REQUIRED-A developer shall be required to prepare and submit an ACP for the following:</p> <p>a. Development of Regional Impact (DRI) within an Activity Center;</p> <p>b. a request to develop a residential development with a "Special Residential "classification (15 DU/AC or more) within an Activity Center; or</p> <p>c. any new Activity Center proposed.</p>	<p>An Activity Center Plan has been submitted (LDCT-2026-4) concurrent with this request.</p>

## Urban Sprawl Analysis

After analyzing the primary indicators of Urban Sprawl per *Policy 2.109-A10* of the Polk County Comprehensive Plan, the proposed request is not considered to be urban sprawl.

Table 9 (below) depicts the Urban Sprawl Criteria used by staff as indicators of Urban Sprawl.

**Table 9 Urban Sprawl Criteria**

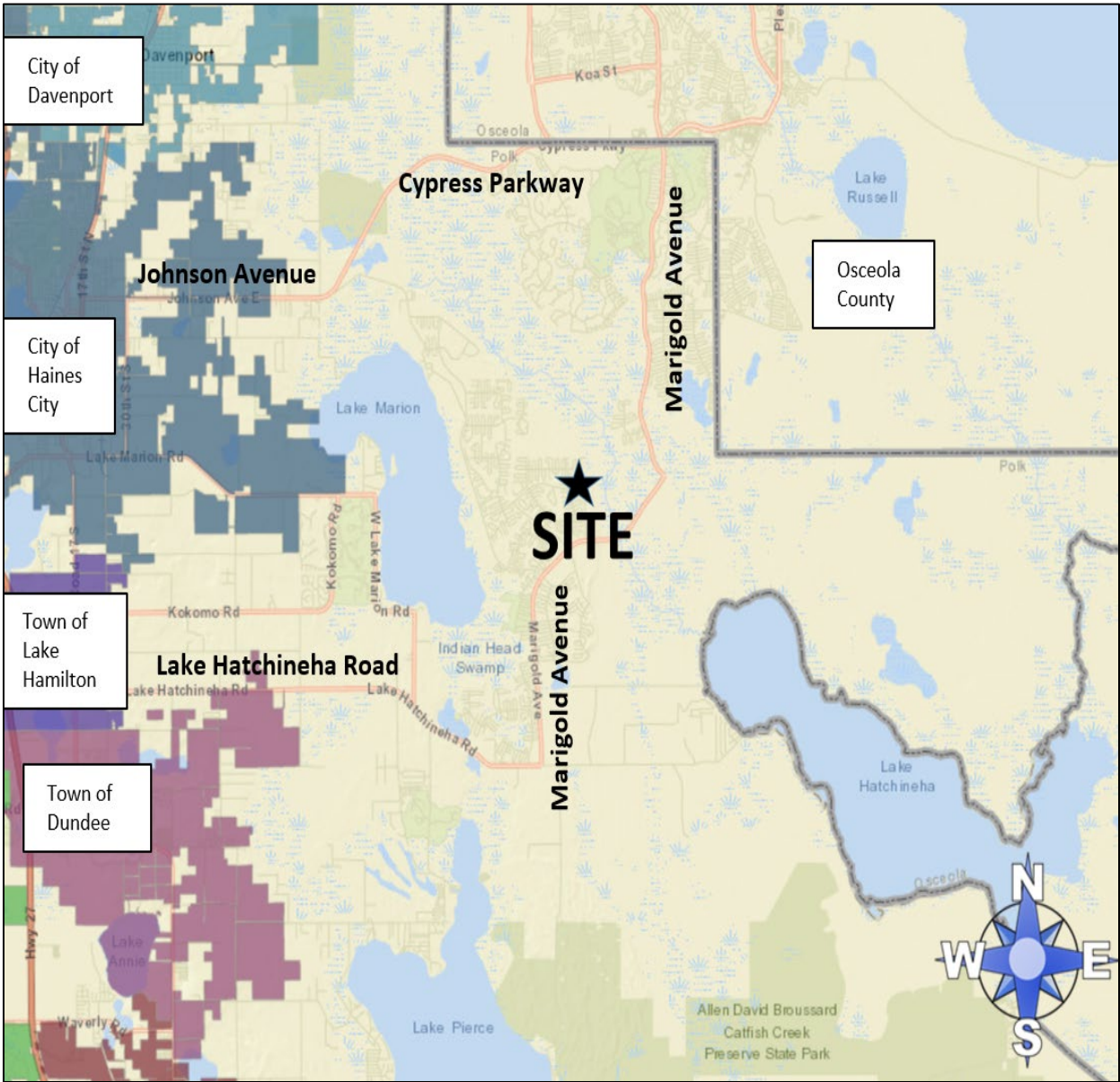
<b>Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes</b>	
<b>Urban Sprawl Criteria</b>	<b>Sections where referenced in this report</b>
a. <i>Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated 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:

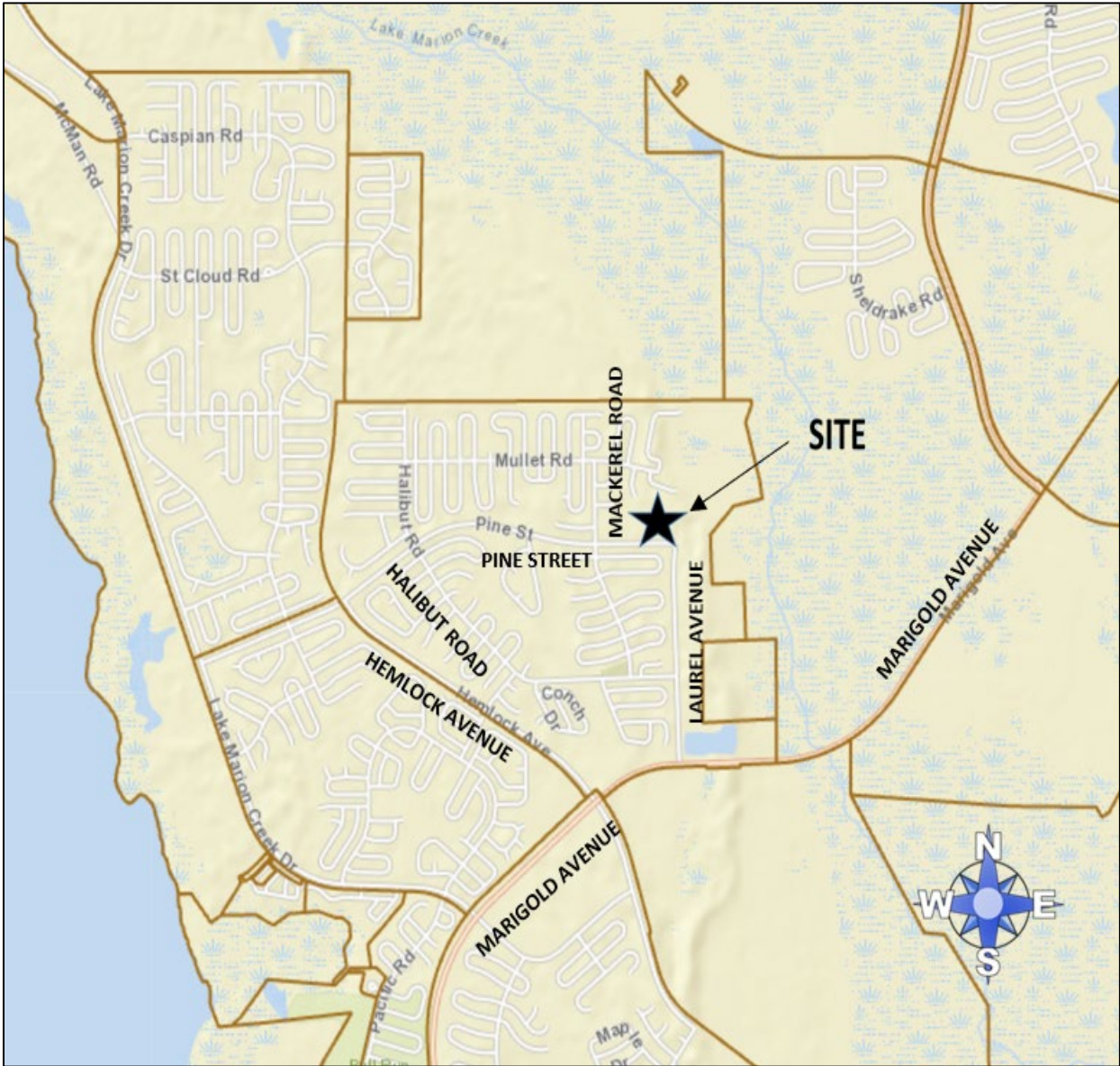
None

### **Exhibits:**

- Exhibit – 1 Location Map
- Exhibit – 2 Location Map (Detailed)
- Exhibit – 3 2023 Aerial Photo
- Exhibit – 4 2023 Aerial Photo (Detailed)
- Exhibit – 5 Current Future Land Use Map
- Exhibit – 6 Proposed Future Land Use Map
- Exhibit – 7 Poinciana Master Plan
- Exhibit – 8 Land Use Digitizing Assessment Maps – RTS282802



Location Map



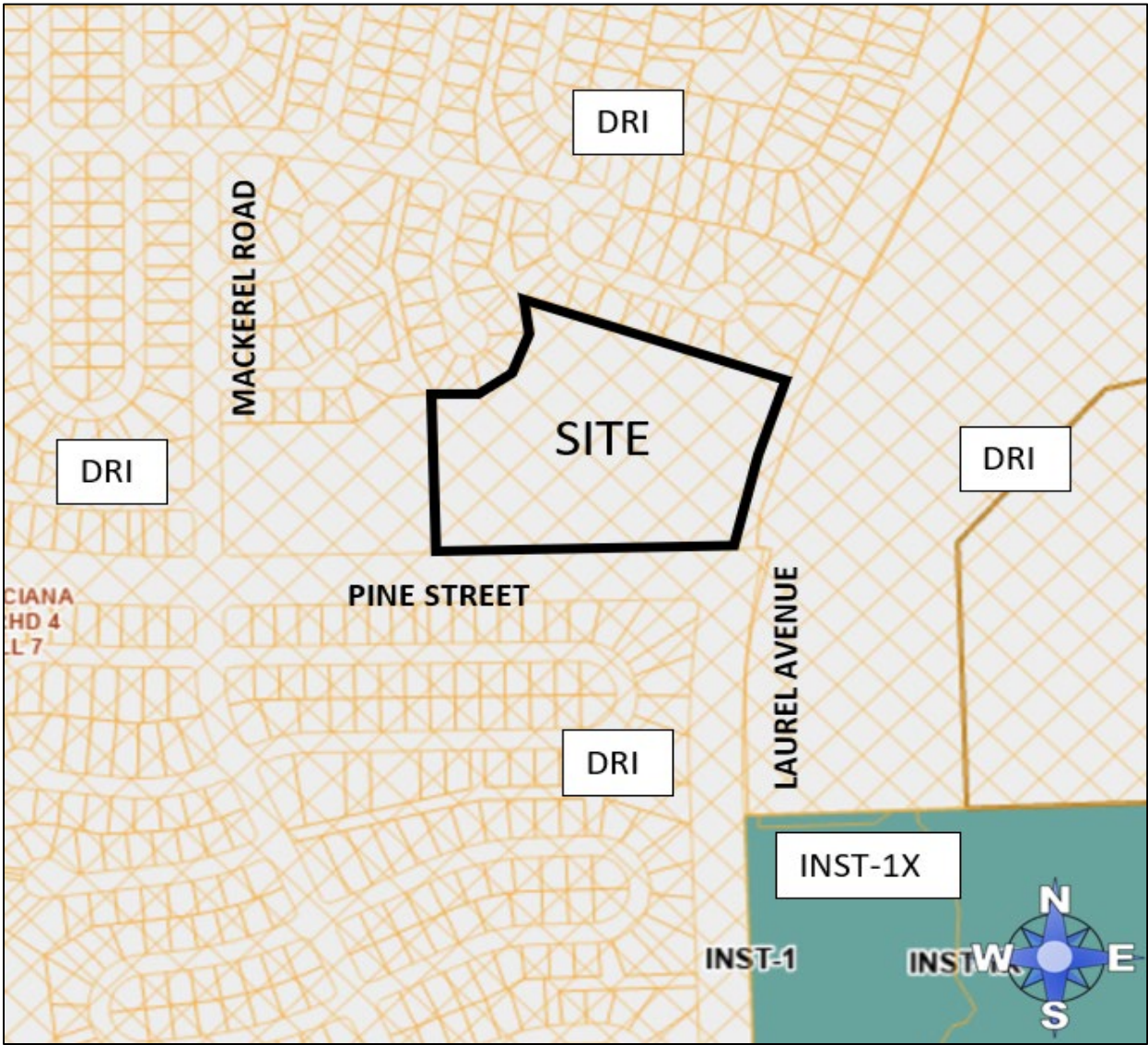
Location Map (Detailed)



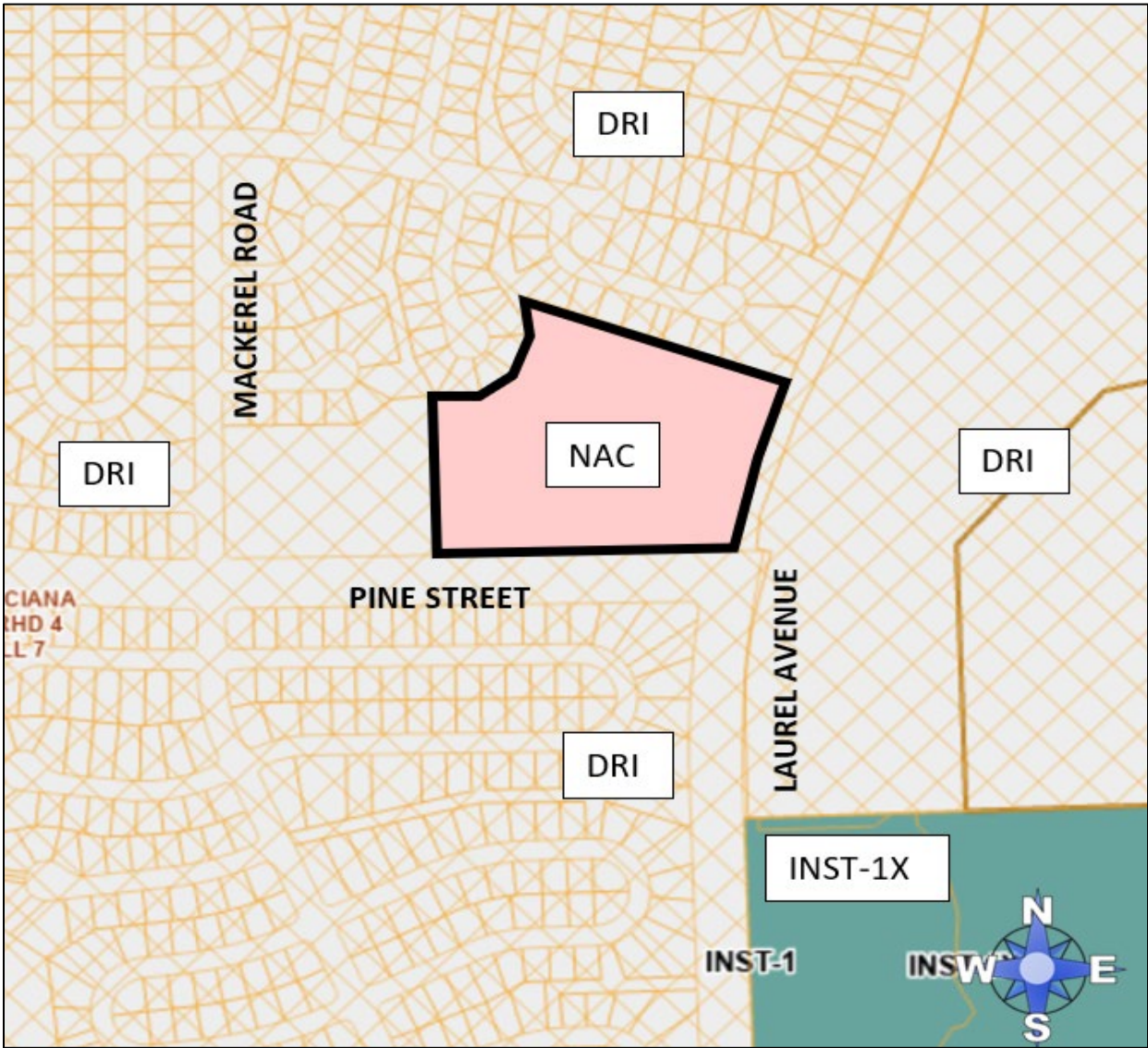
2023 Aerial Photo



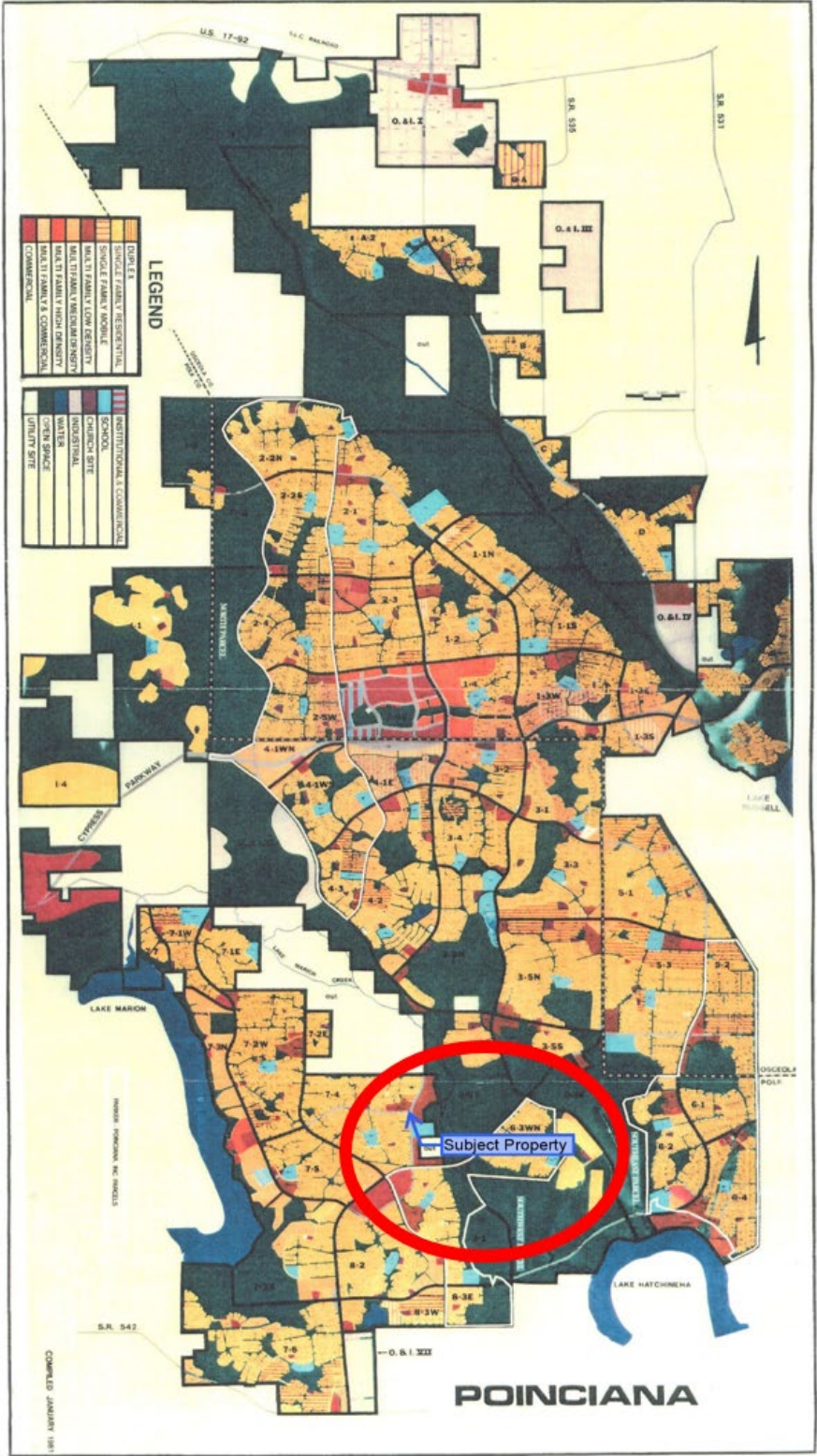
2023 Aerial Photo (Detailed)



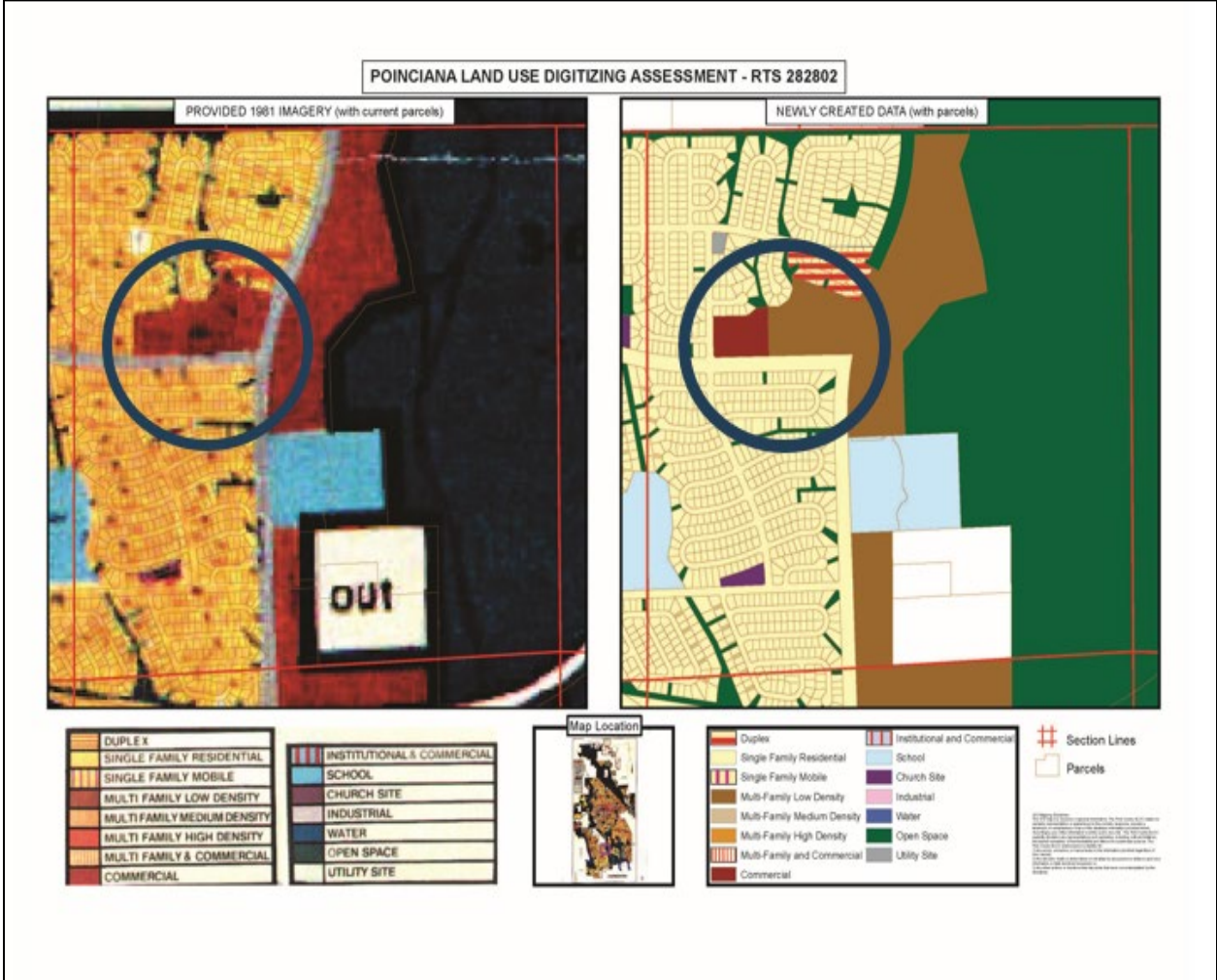
Current Future Land Use Map



Proposed Future Land Use Map



# Poinciana Master Plan



# Poinciana Land Use Digitizing Assessment Maps – RTS282802