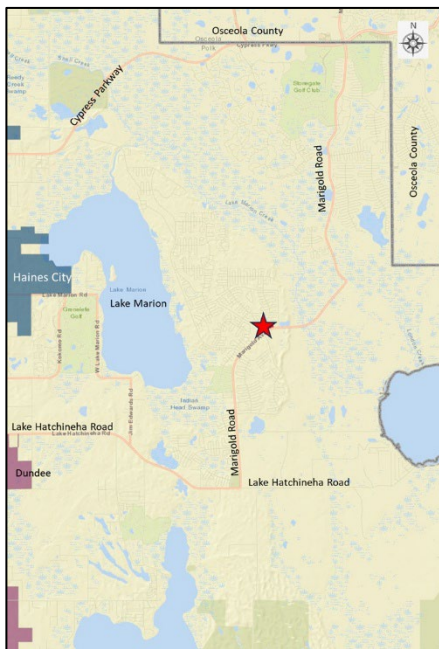


# POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

<b>DRC Date:</b>	<b>January 8, 2026</b>
<b>Planning Commission Date:</b>	March 4, 2026
<b>BoCC Dates:</b>	April 21, 2026
<b>Applicant:</b>	Allision Schultz, Toho Water Authority
<b>Level of Review:</b>	Level 4 Review, Comprehensive Plan Map Amendment
<b>Case Number and Name:</b>	LDCPAS-2025-38; Toho Marigold INST/NAC CPA
<b>Request:</b>	Small Scale Comprehensive Plan Map and Text Amendment from Development of Regional Impact (DRI) to Institutional (INST), and Neighborhood Activity Center (NAC) on 12.5± acres
<b>Location:</b>	North side of Marigold Avenue and Hemlock Avenue, east of Flounder Road, south of Halibut Road, and west of Laurel Avenue east of the City of Haines City, in Sections 10, and 11, Township 28, Range 28.
<b>Property Owner:</b>	Marigold Development LLC, Tohopekaliga Water Authority (Toho)
<b>Parcel Size:</b>	12.5± acres (282802-934710-147060, 282802-934710-147160)
<b>Development Area/Overlays:</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>	Approval (6:0:1 recused)
<b>Case Planner:</b>	Robert Bolton, Planner III



**Location**



**Current Future Land Use**

## **Summary**

The applicant is requesting a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Pre-Development of Regional Impact (Pre-DRI) to Institutional (INST) on 3.4± acres and Neighborhood Activity Center (NAC) on 9.1± acres, or a total of 12.5± acres in the Utility Enclave Area (UEA). Site is located on the north side of Marigold Avenue (Poinciana Parkway) and Hemlock Avenue, east of Flounder Road, south of Halibut Road, and west of Laurel Avenue east of the City of Haines City, in Sections 10, and 11, Township 28, Range 28, in the Poinciana Pre-Development of Regional Impact.

## **Compatibility Summary**

This request is compatible with the surrounding area, an original Pre-DRI Commercial area, south of the site, was designated for Commercial use has been developed with a wastewater treatment facility for Toho Wastewater treatment. The requested NAC provides 9.1± acres of commercial support for the Poinciana community. This site, when developed will be required to meet the standards with in the Land Development Cod and Comprehensive Plan for the specific use at the time of development. The site has a request for Institutional (INST) on 3.4± acres for the expansion of the Huron WTP to provide for potable water demand. The main site for the Huron WTP is on the southwest side of Hemlock Avenue adjacent to the site. The site has Development of Regional Impact (DRI) to the north with developed single-family residences. The subject and the single-family residential is separated by a 60-foot Greenway which is part of the Poinciana master drainage system. Currently at the intersection of Marigold Avenue and Hemlock Avenue is a 7-Eleven and a Family Dollar store. This intersection represents one of the primary intersections for the southern portion of the Poinciana Development and on the original Development Map of Poinciana was anticipated to be the primary commercial node.

This intersection was originally intended for commercial use. A change the Future Land Use to Institutional and Neighborhood Activity, is representative of the original plan and supporting the needed expansion of the water treatment facility, are compatible uses, as the site is located at the intersection of two Urban Collector roads and has access to available infrastructure with water and sewer.

## **Infrastructure Summary**

The subject site is within the Toho Water Authority Service Area. The site will have access to water and wastewater lines. The site has access to two (2) Urban Collector roads, road that access the site, Marigold Avenue (Poinciana Parkway) and Hemlock Avenue. Mass transit is not available nearby, and there is not a stop nearby to the site. The closest mass transit is Citrus Connection Line 603, with the closest stop at Coyote Road and Bobcat Court approximately 4.3 miles northeast of the site. Public safety response times are normal for this part of the County. School capacity is not anticipated to be an issue with the site to develop with non-residential uses. The request is compatible with the available infrastructure.

## **Environmental Summary**

The nearest neighborhood park is the Lil Halibut Park 1.6 miles east of the site and the nearest regional Park is Poinciana Community Park 1.0 miles to the south of the subject site. The soil types

for the site are Tavares fine sand, Immokalee sand, Astatula sand, Arents-Urban land complex, and Narcoossee sand. There are no indicated wetlands on the subject site and is not in a flood zone.

### **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 2.107(A1-A5): Utility Enclave Area (UEA)
- Policy 2.110-D: Neighborhood Activity Center (NAC)
- Policy 2.116(A1-A5): Institutional (INST)
- Policy 2.130-A: Poinciana Pre-DRI

### **Findings of Fact**

#### **Request and Legal Status**

- This is an applicant-initiated request for the Future Land Use designation change from Pre-Development of Regional Impact (Pre-DRI) to Institutional (INST)(3.4± acres) and Neighborhood Activity Center (NAC)(9.1± acres).
- If approved the Land Development Code district will be INST-1
- The subject site was originally designated as Single Family Residential in the Poinciana Master Plan.
- A Level 3 Conditional Use will be required for the Institutional (INST) planned expansion for the Huron WTP.
- The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Section 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.
- The INST is required by the applicant to expand the wells and capacity of the Huron Water Treatment Plant to the west. The NAC is requested in the anticipation of the remainder of the site being sold as Surplus Land.
- The Toho site south of the subject site was designated Commercial on the Poinciana Master Plan but developed all with Toho wastewater utility structures.

#### **Compatibility**

- The existing uses surrounding the site are:
  - North – Pre-DRI; detached single family residential.
  - West – Pre-DRI; Toho Huron WTP, The Association of Poinciana Villages, Retail.
  - East – Pre-DRI; detached single family residential.
  - South – Pre-DRI / INST-1X; Family Dollar, Wastewater Treatment / Commercial.

- The general area to the east, north, and south of the subject site are designated for single family detached. The site is currently designated a single-family residential on the Poinciana Master Plan. However, the southwest corner of the intersection was originally Commercial and has been developed with Toho wastewater utility structures.
- A Neighborhood Activity Center has a market area radius of 1.5 miles and needs a population of 5,000 for support. The applicant submitted a population study supporting a 1.5 mile radius population of 7,920 people.
- The next nearest Activity center is approximately 1.25 miles northwest of the site. The site is 1.13 acres and was recently adopted as a Convenience Center-X (CCX) by the BoCC on December 16, 2025. The parcel currently is under review for a Dollar General.

### **Infrastructure**

- The zoned schools for the site are Laurel Elementary, Lake Marion Creek Middle, and Haines City High School.
- Polk County Fire Rescue Station 46 will be the response unit for fire and EMS for this site. It is located at 9500 Marigold Avenue, Poinciana, with an approximate travel distance of 2.5 miles.
- The subject site is within the Sheriff Department's Northeast District. The Ridge District Office is located at 9500 Marigold Avenue, Poinciana.
- The site will have access to water and wastewater lines. This was confirmed by the Toho Water Authority representative.
- There are sidewalks that run north to south along Lake Marion Creek Drive, fronting the subject site as well as along the north side of Pine Steet fronting the subject site.
- The closest mass transit is Citrus Connection Line 603, their Southwest Poinciana line with the closest stop at Coyote Road and Bobcat Court approximately 4.3 miles northeast of the site.
- The nearest neighborhood park is the Lil Halibut Park 1.6 miles east of the site and the nearest regional Park is Poinciana Community Park 1.0 miles to the south of the subject site.
- The environmental land that is closest to the subject site are the Kissimmee Chain of Lakes south of the subject site.

### **Environmental**

- The site's elevation is relatively flat with an elevation of 107 feet at the northwestern area of the site and sloping downward to the property boundaries generally at 100 feet.

- The subject site is not located within a floodplain and has no wetlands indicated.
- The site is located within the Polk Green Potential Network Connections District. Adjacent to the west of the site Polk County has in excess of 280 acres of land under a conservation Easement as recorded in OR Book 12845, Page 0260.
- The soil types for the site are Tavares fine sand, Immokalee sand, Astatula sand, Arents-Urban land complex, and Narcoossee sand.
- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).
- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.
- The subject site is not located in an identified Wellfield Protection District. The Toho Hurton Water Treatment Plant is located adjacent to the site on the western side of Hemlock Avenue. An existing Toho water production well on the eastern portion of the site.
- The proposed INST is for well site and will therefore, be part of a Wellfield Protection District.
- The site is not within an Airport Impact District.

### **Comprehensive Plan Policies**

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.
- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.
- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently

utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.
- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
  - a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
  - b. nearness to agriculture-production areas;
  - c. distance from populated areas;
  - d. economic issues, such as minimum population support and market-area radius (where applicable);
  - e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
    - 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
    - 2. sanitary sewer and potable water service;
    - 3. storm-water management;
    - 4. solid waste collection and disposal;
    - 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
    - 6. emergency medical service (EMS) provisions; and
    - 7. other public safety features such as law enforcement;
    - 8. schools and other educational facilities
    - 9. parks, open spaces, civic areas and other community facilities
  - f. environmental factors, including, but not limited to:
    - 1. environmental sensitivity of the property and adjacent property;
    - 2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
    - 3. wetlands and primary aquifer recharge areas;
    - 4. soil characteristics;
    - 5. location of potable water supplies, private wells, public well fields; and
    - 6. climatic conditions, including prevailing winds, when applicable.
- POLICY 2.107-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-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the

County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where:

- a.it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s);
  - b.it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); and c.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed.
- **POLICY 2.107-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within UEAs:
    - **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.
    - **RESIDENTIAL:** Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.
    - **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.
  - **POLICY 2.107-A4: OVERLAY DISTRICTS** - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria.
  - **POLICY 2.107-A5: DEVELOPMENT CRITERIA** - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code:

All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met.

    - Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element.
    - Provide access to parks, green areas, and open space and other amenities.
    - Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section
  - **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.
- 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 2.116-A3: Location Criteria - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:
    - a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.
    - b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).
    - c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.
    - d. Proximity to similar and compatible uses providing opportunities for shared facilities.
    - e. Plans of the School Board and other public service agencies with jurisdiction in the County.

The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.

Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.

- POLICY 2.116-A4: Development Criteria - Institutional development shall conform to the following criteria:
  - a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include:
    1. public and private educational facilities;
    2. government-administration buildings;
    3. public-safety structures (e.g. police and fire);
    4. cultural facilities (e.g. libraries, museums, and performing-arts theaters);

- 5. health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities.
  - b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.
  - c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.
  - d. Commercial uses within institutional areas mapped on the Future Land Use Map Series shall be primarily for the purpose of serving the institutions within the area and shall be limited to a scale appropriate for that purpose.
  - e. Institutional sites shall be designed to provide for:
    1. Adequate parking to meet the present and future demands of the use.
    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.
  - f. Multi-family residential uses may be permitted at densities up to and including 15 dwelling units per acre as part of a Planned Development. Residential uses may be permitted according to the following:
    1. Residential uses shall only be established adjacent to or in conjunction with a university, college, vocational school or other similar educational institution.
    2. Residential development shall be intended to primarily meet the housing needs for students and faculty members of the nearby educational institution
  - g. Recreational uses accessory to the institutional use or compatible with the location of the institutional district.
- POLICY 2.116-A5: Miscellaneous - Electric-Power Generating Facilities established for the purpose of implementing Polk County's Solid-Waste Management Plan, as the Polk County Board of County Commissioners, shall be specifically permitted in the Institutional land use category provided that all applicable federal, state, and local regulations, including Section 2.125-I are satisfied.
  - POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

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.

**Development Review Committee Recommendation:** Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-38**.

**Planning Commission Recommendation:** On March 4, 2026 in an advertised public hearing, the Planning Commission voted 6:0:1 (recused) to **recommend APPROVAL of LDCPAS-2025-38**.

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

***NOTE:** All written comments made in the application and subsequent submissions of information made during the application review process, which are on file with the Land Development Division, shall be considered to be binding upon the applicant, provided such comments are not at variance with the Comprehensive Plan, LDC or other development regulations in effect at the time of development.*

***NOTE:** Issuance of a development permit by the county does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.*

## Analysis

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

## Surrounding Uses

Table 1 identifies the Future Land Use (FLU) designations and the existing uses surrounding the subject site that are immediately adjacent.

Table 1 Surrounding Uses

<b>Northwest</b> Pre-DRI; low density detached single family residential	<b>North</b> Pre-DRI; low density detached single family residential	<b>Northeast</b> Pre-DRI; low density detached single family residential
<b>West</b> Pre-DRI; INST-1 developed / undeveloped. Toho Huron WTP, The Association of Poinciana Villages, Retail	<b>Subject Site</b> Pre-DRI; undeveloped Single Family Residential	<b>East</b> Pre-DRI; low density detached single family residential
<b>Southwest</b> INST-1 (Pre-DRI) Toho Wastewater Treatment	<b>South</b> INST-1 / Pre-DRI; Developed / Undeveloped Family Dollar, Wastewater Treatment / Commercial	<b>Southeast</b> Pre-DRI; undeveloped Commercial

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

## 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

Utility Enclave Areas (UEA) 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.

The request is a Future Land Use that is in context and compatible with the surrounding uses. The Institutional (INST) Future Land Use district, 3.4± acres, represents an expansion of the Toho Huron WTP for an additional potable well in support of the existing potable water treatment plant. The location of the INST runs along the rear or northern portion of the property. The future development of this site would be for a Class III Utility and will require a Level 3 Conditional Approval. This use represents a low intensity use with the only traffic to/from the site is the occasional monitoring of the well. The site will adhere to the development standards of the Land Development Code. The remaining 9.1± acres of the request is for a Future Land Use of Neighborhood Activity Center (NAC). The property is located at the northern corner of Marigold Ave (Poinciana Pkwy) and Hemlock Avenue. The hard corner parcel is a Family Dollar Store that was developed under the Pre-DRI. The requested NAC will represent the majority of the frontage along Marigold Avenue and Hemlock Avenue, with the Family Dollar at the corner.

On the southern side of Marigold Avenue was the original Commercial district for this part of Poinciana, see Exhibit 6. In approximately 1980, the south or southwestern corner was developed with a wastewater treatment facility and was no longer a commercial use site. The western or southwestern corner of the intersection still has the Pre-DRI use of Commercial. However, this site is encumbered by wetlands and floodplain which appears to have hindered commercial development. The requested NAC provides for non-residential commercial development for the surrounding residential development to help replace what was taken by the Toho wastewater treatment plant.

Two of the three sides of the site front Urban Collector Roads, with the third side (rear) fronting the residential development. The northern or rear side is separated from the residential development by a 60 foot wide Open Space, which is part of the Poinciana master drainage system. The northern side is also the location of the Institutional (INST) requested Land Use district, creating a greater distance buffer from the NAC to the existing residential development.

## B. Infrastructure

The site will have access to water and wastewater lines. The site accesses onto Marigold Avenue and Hemlock Avenue, both of which are Urban Collectors. Marigold Avenue currently has planned improvements for the corridor to meet future needs. Public safety response times are normal for this part of the County. A change to non-residential Land Use districts provides relief to the district schools from the potential future student load from residential development. The request is compatible with the available infrastructure.

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

The schools zoned for the subject property are the zoned schools listed in Table 2 below. Per the requirements in Chapter 7 of the Land Development Code, the applicant will have to work out capacity for any development request with the school board. However, site is expected to develop with commercial uses so no student generation is anticipated.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Laurel Elementary School	0 students	78%	1.0 miles
Lake Marion Creek Middle School	0 students	85%	1.5 miles
Haines City High School	0 students	95%	10.6 miles

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

### Nearest Sheriff, Fire, and EMS Station

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

Table 3 Public Safety Information

	Name of Station	Distance/Response Time*
<b>Sheriff</b>	<b>Ridge District Command Unit (9530 Marigold Ave., Poinciana)</b>	Priority 1 – 11:35 Priority 2 – 29:52
<b>Fire/ EMS</b>	<b>Station #46 (9500 Marigold Ave., Poinciana)</b>	2.4 +/- miles / 6-8 min

Source: Polk County Sheriff’s Office & Polk County Fire Rescue. Response times for February, 2026. \*Response times are based from when the station receives the call, not from when the call is made to 911..

### Water and Wastewater

#### A. Estimated Demand

A portion of the site, the Institutional, will be utilized for an additional production potable well for the Toho Huron WTP. Potable water and wastewater is serviced by Toho Utilities and are reported to have capacity within the area for future development.

Table 4: Estimated Water and Sewer Impact Analysis

Permitted Density / Intensity	Maximum Permitted in Existing Land Use DRI (12.5± ac) SFR	Maximum Permitted in Proposed INST (3.4± ac) NAC (9.1± ac)
3.4± acres INST	12.5± acres X 5 du/ac = 62 sf	3.4± acres (148,104 sf) X 0.25 FAR = 37,026 sf
9.1± acres NAC		9.1± acres (396,396 sf) X 0.25 FAR = 99,099 sf
Potable Water Consumption	62 du X 250 = 15,500 GPD	37,026 sf X 0.24 = 8,887 GPD 99,099 sf X 0.15 = 14,865 GPD <b>23,752 GPD</b>
Wastewater Generation	62 du X 200 = 12,400 GPD	8,887 GPD X 80% = 7,110 GPD 14,865 GPD X 80% = 11,892 GPD <b>19,002 GPD</b>

B. Service Provider

The subject site is within the Toho Water Authority Service Area for water and wastewater.

C. Available Capacity

Toho has a 24-inch sanitary force main on the south side of Marigold Avenue, with available capacity. Toho has a 16-inch potable water main adjacent to the north border of the property.

D. Planned Improvements

The requested Institutional (INST) site is planned for a new potable water well for expanded capacity. On the eastern portion of the site a planned future relocation of Well 5-5.

**Roadways/Transportation Network**

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The Future Land Use change may result in increased trips.

*Table 5: Estimated Transportation Impact Analysis*

Permitted Density / Intensity	Maximum Permitted in Existing Land Use DRI (12.5± ac) SFR	Maximum Permitted in Proposed INST (3.4± ac) NAC (9.1± ac)
<b>3.4± acres INST</b>	12.5± acres X 5 du/ac = 62 du	3.4± acres (148,104 sf) X 0.25 FAR = 37,026 sf / 1,000 = 37
<b>9.1± acres NAC</b>		9.1± acres (396,396 sf) X 0.25 FAR = 99,099 sf / 1,000 = 99
<b>Average Annual Daily Trips (AADT)</b>	62 X 7.81 AADT = <b>485 Trips</b>	37 X 7.83 AADT X 92% = <b>267 Trips</b> 99 X 59.07 AADT X 76% = <b>4,445 Trips</b> <b>6,107 Trips</b>
<b>PM Peak Hour Trips</b>	62 X 1.00 AADT X 100% = <b>62 Trips</b>	37 X 1.18 AADT X 92% = <b>41 Trips</b> 99 X 8.79 AADT X 76% = <b>662 Trips</b> <b>910 Trips</b>

*Source: Concurrency Manual (Polk TPO 10/21/20252):INST @ General Office NAC @ Supermarket 92.87 AADT per 1,000 sf, 15.85 AADT per 1,000 sf PM Peak Hour,*

B. Available Capacity

The following analysis is for maximum buildout for each of the requested Future Land Use designations. The requested Institutional (INST) district has a determined development, expansion of the Huron WTP with an additional potable water well. This use, after development will only have the occasional well monitoring traffic, not the calculated 41 Peak Hour Trips. The requested Neighborhood Activity Center (NAC) is a triangular shape that will significantly encumber the maximum possible buildout. The analysis indicated the possibility of substantially encumbering the road links. The area has current planned improvements to the roadway network.

Table 6: Roadway Link Concurrency

Link #	Road Name	Lane Type*	Current LOS	Available Peak Hour Capacity	Minimum LOS Standard	Project 5 Year LOS
8100N 8100S	Poinciana Pkwy (aka Marigold Ave) Lk Hatchineha Rd to Marigold Ave	2U UC	C	452 347	D	C
8101N 8101S	Poinciana Pkwy (aka Marigold Ave) Palmetto St. to S. Cypress Parkway	4D UC	C	897* 852*	D	C
8214N 8214S	Lake Marion Creek Dr Poinciana Pkwy to Cypress Pkwy (CR580).	2U UC	C	464 454	D	C

Source: Polk County Transportation Planning Organization, 2025 Roadway Network Database January 2025. \*2U means two lane undivided, UC means Urban Collector \*Indicates capacity after programmed improvements

C. Roadway Conditions

The condition of Poinciana Pkwy (aka Marigold Ave) is Very Good. condition of Hemlock Avenue is Fair. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalk Network

There are sidewalks in front of the Family Dollar at the intersection of Marigold Avenue and Hemlock Avenue. Sidewalks will be required at the time of development of the site.

E. Planned Improvements:

Intersection improvements and signalization at Marigold Avenue at Hemlock Drive and Marigold Avenue at Lake Marion Creek Road were recently completed along with sidewalk improvements along Pine Street (north of the site). Table 7, to follow, shows planned improvements to the surrounding roadway network in the County’s 5-year Community Investment Program (CIP).

Table 7

Road	Fiscal Year CIP (estimated cost)	Project Description
Marigold Avenue Widening	\$59,000,000	Widen Marigold Avenue from CR 580/Cypress Parkway to Palmetto Street from two-lanes to four-lanes (about 2.2 miles). Marigold Avenue widening is a priority due to population and employment growth in the Poinciana area. SWFWMD permitting complete. Right-of-way acquisition underway. In re-deign to minimize impacts to existing transmission lines. <b>Construction is TBD.</b>
Intersection improvements at Marion Creek Road and Cypress Parkway	\$2,600,000	Finalizing construction cost estimates for signalization.
Caspian Road Sidewalks	Pending construction bids	Study Phase

F. Mass Transit

The closest mass transit is Citrus Connection Line 603, their Southwest Poinciana line with the closest stop at Coyote Road and Bobcat Court approximately 4.3 miles northeast of the site.

## **Park Facilities:**

The following analysis is based on public recreation facilities.

### **A. Location:**

The nearest neighborhood park is the Lil Halibut Park 1.6 miles east of the site and the nearest regional Park is Poinciana Community Park 1.0 miles to the north of the subject site.

### **B. Services:**

Lil Halibut Park has a tot lot and playground. Poinciana Community Park has a walking path, a playground, baseball fields, a cricket pitch and basketball parks. There are also multipurpose fields, a pavilion that can be rented and league play. Additionally, a dog park features separate areas for large and small dogs, agility equipment, water fountains and shaded areas for humans.

### **C. Multi-use Trails:**

The closest free hiking trail is in Poinciana Community Park 4.0 miles to the south of the subject site.

### **D. Environmental Lands:**

This site contains no County owned environmental lands. The closest environmental lands to the site are the Kissimmee Chain of Lakes south of the subject site.

### **E. Planned Improvements:**

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

## **Environmental Conditions**

The subject site is comprised of a mix of soil types, which may dictate construction techniques.

### **A. Surface Water:**

There is no surface water on the subject site. The site's elevation is relatively flat with an elevation of 107 feet at the northwestern area of the site and sloping downward to the property boundaries generally at 100 feet.

### **B. Wetlands/Floodplains:**

The subject site is not located within a floodplain and has no wetlands indicated.

### **C. On-Site Soils:**

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the subject site has limitations for septic tank

absorption. However, the site will be able to connect to Toho wastewater lines, so this should not be an issue.

**Table 8**

<b>Soil Name</b>	<b>Septic Tank Absorption Field Limitations</b>	<b>Limitations to Small Commercial Buildings</b>	<b>% of Site (approximate)</b>
<b>Tavares fine sand, 0 to 5 percent slopes (15)</b>	Moderate: wetness	Slight	76%
<b>Immokalee sand</b>	Severe: wetness	Severe: wetness	3%
<b>Astatula sand, 0 to 5 percent slopes (46)</b>	Slight	Moderate: slope	3%
<b>Arents-Urban land complex, 0 to 5 percent slopes</b>	Severe: wetness: poor filter	Moderate: wetness, slope	10%
<b>Narcoossee sand</b>	Severe: wetness: poor filter	Moderate: wetness	8%

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

#### D. Wells (Public/Private)

The subject site is not located in an identified Wellfield Protection District. It is noted that the Toho Hurton Water Treatment Plant is located adjacent to the site on the western side of Hemlock Avenue. A portion of the site, the requested Institutional, is intended for the expansion of the production wells for this Water Treatment Plant. It is noted that there is an existing Toho water production well on the eastern portion of the site.

#### E. Protected Species

According to the Florida Biodiversity Matrix GIS application, 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.

#### F. Polk Green Districts and Conservation Easements:

The site is located within the Potential Network Connections area of the Polk Green District Comprehensive Plan Map Series. The lands on the west side of Lake Marion Creek Drive, owned by Polk County, in excess of 280 acres is under a conservation easement as recorded in OR Book 12845, Page 0260.

#### G. Archeological Resources:

According to the Florida Department of State, Division of Historical Resources, there are no archeological sites listed in the Florida Master Site File.

## H. Airports:

The site is not within an Airport Impact District.

## Economic Factors:

A change in the Future Land Use designation to Institutional (INST) for a portion of the site will allow for the expansion of the Huron WTP as requested by the Toho Water Authority. The change in the Future Land Use designation to Neighborhood Activity Center (NAC) allows for a identifiable non-residential commercial use properties within a public data viewer of developers to identify properties without having to request a property's entitled uses for County Staff.

## Consistency with the Comprehensive Plan

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

*Table 8 Comprehensive Plan and Land Development Code*

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.	The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Everything around the subject site is slated for low density residential use, meaning this land use change is compatible.
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.	Subject site is at the intersection of two Urban Collector Roads which is ideal for the NAC use, with the INST use along the rear of the site. Toho Water Authority lines are readily available in this area for water and wastewater. This request is consistent with this policy.
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.	The timing is consistent with the growth in the area as the surrounding sites are already designated for low density residential. There is available connectivity to water, wastewater, and electricity. Fire and Sheriff are available for this area. The schools that are zoned for the site have capacity, but site is expected to

Comprehensive Plan Policy	Consistency Analysis
<p><b>POLICY 2.102-A10: LOCATION CRITERIA</b> - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:</p> <p>a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:</p> <ol style="list-style-type: none"> <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</li> <li>7. other public safety features such as law enforcement;</li> <li>8. schools and other educational facilities</li> <li>9. parks, open spaces, civic areas and other community facilities,</li> </ol> <p>f. environmental factors, including, but not limited to:</p> <ol 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> <li>6. climatic conditions, including prevailing winds, when applicable.</li> </ol>	<p>develop non-residential, so this should not be an issue. The request provides for the expansion of the Huron WTP and land for non-residential commercial support for this area of Poinciana.</p>
<p><b>POLICY 2.107-A1 DESCRIPTION</b> - UEs 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. UEs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.</p> <p><b>POLICY 2.107-A2 DESIGNATION AND MAPPING</b> - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where:</p>	<p>Institutional and Neighborhood Activity Centers are allowed within the Utility Enclave Area. Water and sewer lines have already been constructed in this area by Toho Water Authority and will service the subject site if developed.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>o a. it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s);</p> <p>o b .it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); andc.it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed.</p> <p>POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEAs:</p> <p>o 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>o RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.</p> <p>o OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.</p> <p>POLICY 2.107-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria.</p> <p>POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code:</p> <p>o All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met.</p> <p>o Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element.</p> <p>o Provide access to parks, green areas, and open space and other amenities.</p> <p>o Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement).</p>	

Comprehensive Plan Policy	Consistency Analysis
<p>In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section</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> <ul style="list-style-type: none"> <li>➤ Usable Area: Over 5 acres to 20 acres</li> <li>➤ Gross Leasable Area (GLA): 20,000 to 150,000 square feet</li> <li>➤ Minimum Population Support: 5,000 to 10,000 people</li> <li>➤ Market-Area Radius: 1½ miles</li> <li>➤ Typical Leading Tenant: Supermarket</li> <li>➤ Other Typical Leading Tenants: Drug Store, Restaurant, Bakery, Office, Convenience Store</li> </ul> <p>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).</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> <ul style="list-style-type: none"> <li>➤ a. Two (2) miles within the TSDA and UGA.</li> <li>➤ b. Four (4) miles within the SDA and UEA.</li> </ul> <p>This required separation may be reduced if:</p> <ul style="list-style-type: none"> <li>➤ a. The higher-level Activity Center, Linear Commercial Corridor or Commercial Enclave within the required distance separation is over 80% developed; or</li> <li>➤ b. The proposed Neighborhood Activity Center market-area radius, minimum population support is over 10,000 people.</li> </ul> <p>POLICY 2.110-D4: Development Criteria - Development within a Neighborhood Activity Center shall conform to the following criteria:</p>	<p>The subject's 9.1± acre site meets the Characteristics for a Neighborhood Activity Center and is located within the UEA. The site has a population support within a 1.5-mile radius of 7,920. Within the Pre-DRI Map the nearest commercial sites may be seen in Exhibit 6. There are Commercial designations within the Pre-Dri Map on the southern side of Marigold Avenue. The western side of this Commercial designated property was developed with a wastewater treatment plant in the early 1980's, the eastern portion of the Pre-DRI Commercial has not been developed. The Pre-DRI Commercial site does have some floodplain and wetlands on site. The Proposed NAC has significant frontage along two (2) Urban Collector roads as well as existing cross access stub outs from the existing Family Dollar Store.</p>

Comprehensive Plan Policy	Consistency Analysis
<ul style="list-style-type: none"> <li>➤ 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.</li> <li>➤ b. Different uses within a Neighborhood Activity Center shall incorporate the use of frontage roads or shared ingress/egress facilities wherever practical.</li> <li>➤ 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.</li> <li>➤ d. Residential uses shall not be permitted in Neighborhood Activity Centers except as part of a mixed use Planned Development.</li> <li>➤ 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.</li> <li>➤ f. The maximum floor area ratio shall not exceed 0.25 unless developed as a Planned Development.</li> <li>➤ 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.</li> </ul>	
<p>POLICY 2.116-A3: Location Criteria - Institutional development may occur within the lands designated Institutional on the Future Land Use Map Series, and in any other land use designation throughout the County, unless further prohibited by the Land Development Code the County in accordance with Section 163.3201(1), FS. The following factors shall be taken into consideration when determining the appropriateness of establishing new Institutional areas on the Future Land Use Map Series, or in approving the location for an institutional use not located within lands classified as Institutional:</p> <ul style="list-style-type: none"> <li>➤ a. Accessibility to roadways, with consideration being given to regional transportation issues for largescale institutional developments having a regional market.</li> </ul>	<p>The subject's 3.4± acre site is an allowed Land Use within the UEA. The site has access to Hemlock Avenue an Urban Collector road. The request for Institutional is for the expansion of the Huron WTP adjacent on the west side of Hemlock Road. The proposed use of the site is consistent with the Development Criteria for an Institutional. Land Use district.</p>

Comprehensive Plan Policy	Consistency Analysis
<ul style="list-style-type: none"> <li>➤ b. Proximity to incompatible land uses, which is dependent upon the intensity of the institutional use (buffering may be provided to mitigate adverse impacts).</li> <li>➤ c. The locational criteria enumerated in Policy 2.102-A9 and Policy 2.102-A10.</li> <li>➤ d. Proximity to similar and compatible uses providing opportunities for shared facilities.</li> <li>➤ e. Plans of the School Board and other public service agencies with jurisdiction in the County. <ul style="list-style-type: none"> <li>The placement of institutional uses in other than lands classified as Institutional shall be subject to County approval through a Conditional Use Permit, or in accordance with land-development regulations adopted and/or amended by the County in accordance with Section 163.3201(1), FS.</li> <li>Educational facilities will be allowed in lands designated as Institutional, or in all other land uses, except Industrial as a community facility in accordance with policies of this Plan.</li> </ul> </li> </ul> <p>POLICY 2.116-A4: Development Criteria - Institutional development shall conform to the following criteria:</p> <ul style="list-style-type: none"> <li>➤ a. Institutional uses include, but are not limited to: private and public-service structures. These commonly include: <ol style="list-style-type: none"> <li>1. public and private educational facilities;</li> <li>2. government-administration buildings;</li> <li>3. public-safety structures (e.g. police and fire);</li> <li>4. cultural facilities (e.g. libraries, museums, and performing-arts theaters);</li> <li>5. health-care facilities e.g. hospitals, medical centers, clinics, nursing homes, adult day care centers, group homes, group living facilities, emergency shelters, residential treatment facilities.</li> </ol> </li> <li>➤ b. Large institutional areas should be designed so that the more intensive uses are at the center of the development, with less intensive uses near the fringes.</li> <li>➤ c. Prior to site planning, the School Board, independent special districts and other governmental entities shall communicate to one another to pursue potential colocation of government services.</li> </ul>	

## Urban Sprawl Analysis

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

**Table 9 Urban Sprawl Criteria**

<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

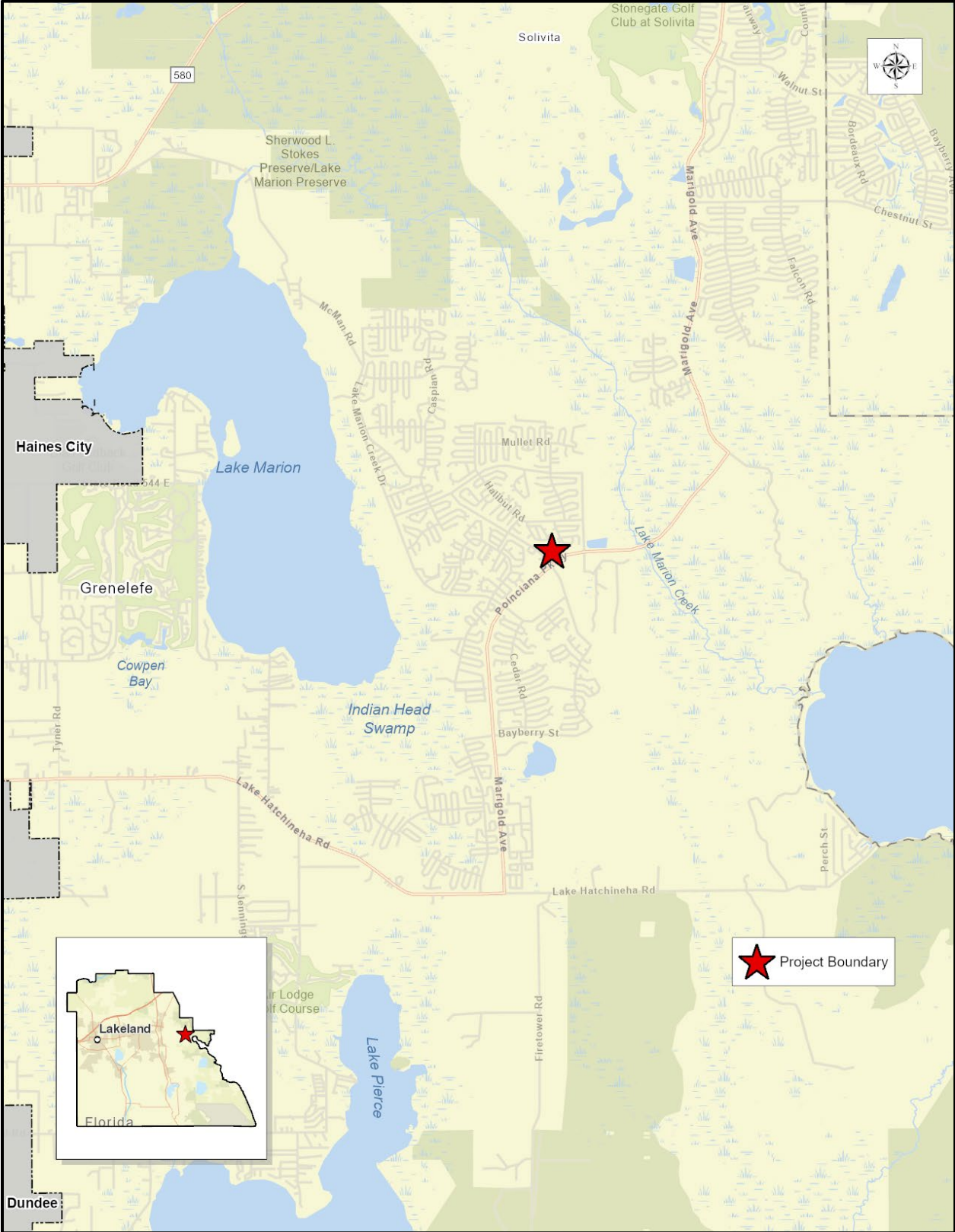
## Comments from other agencies

No comments

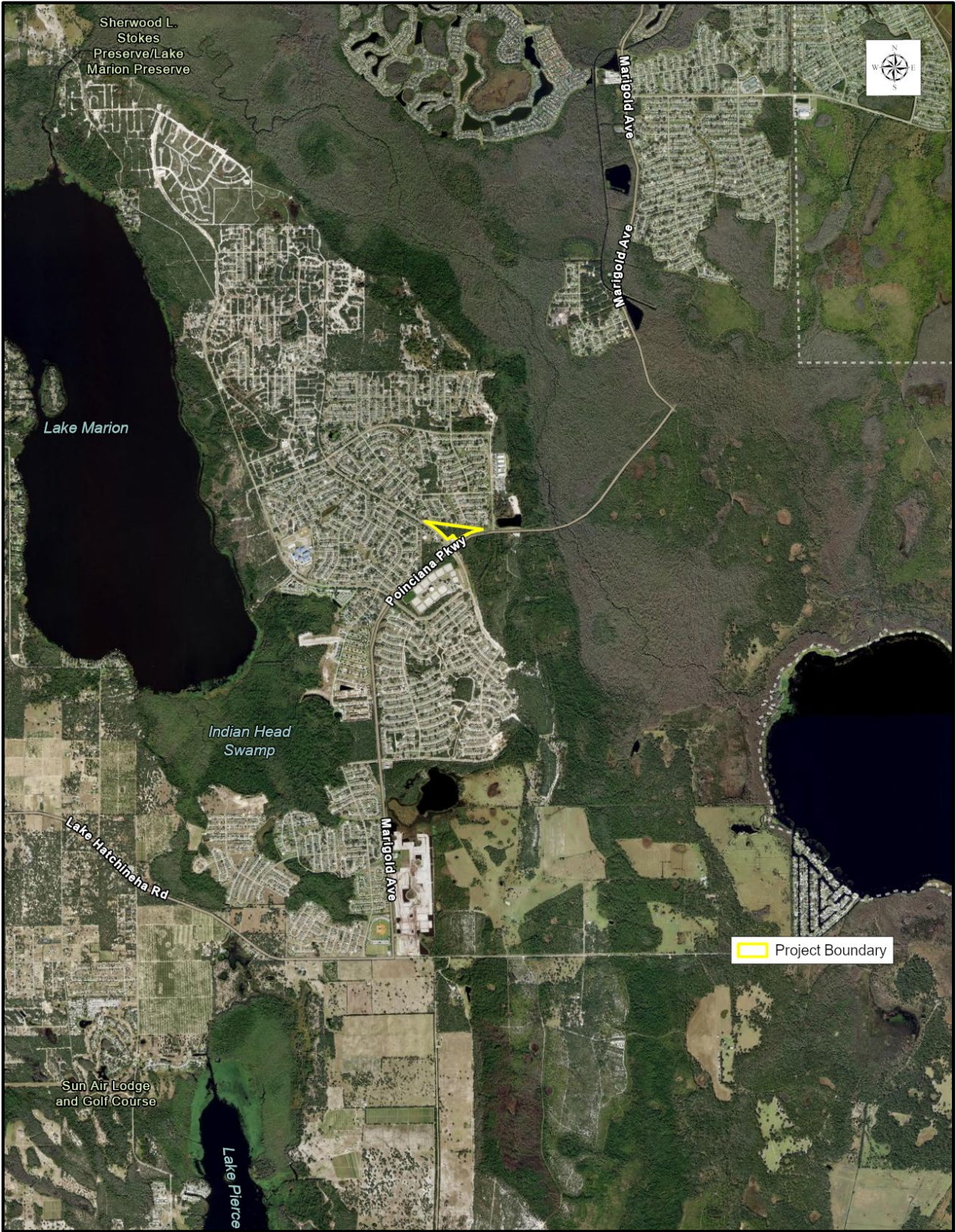
**Exhibits:**

- Exhibit 1      Location Map
- Exhibit 2      2023 Aerial Context Map
- Exhibit 3      2023 Aerial Close Up
- Exhibit 4      Current Future Land Use Map
- Exhibit 5      Proposed Future Land Use Map
- Exhibit 6      Poinciana Master Plan
- Exhibit 7      INST Permitted and Conditional Uses
- Exhibit 8      NAC Permitted and Conditional Uses

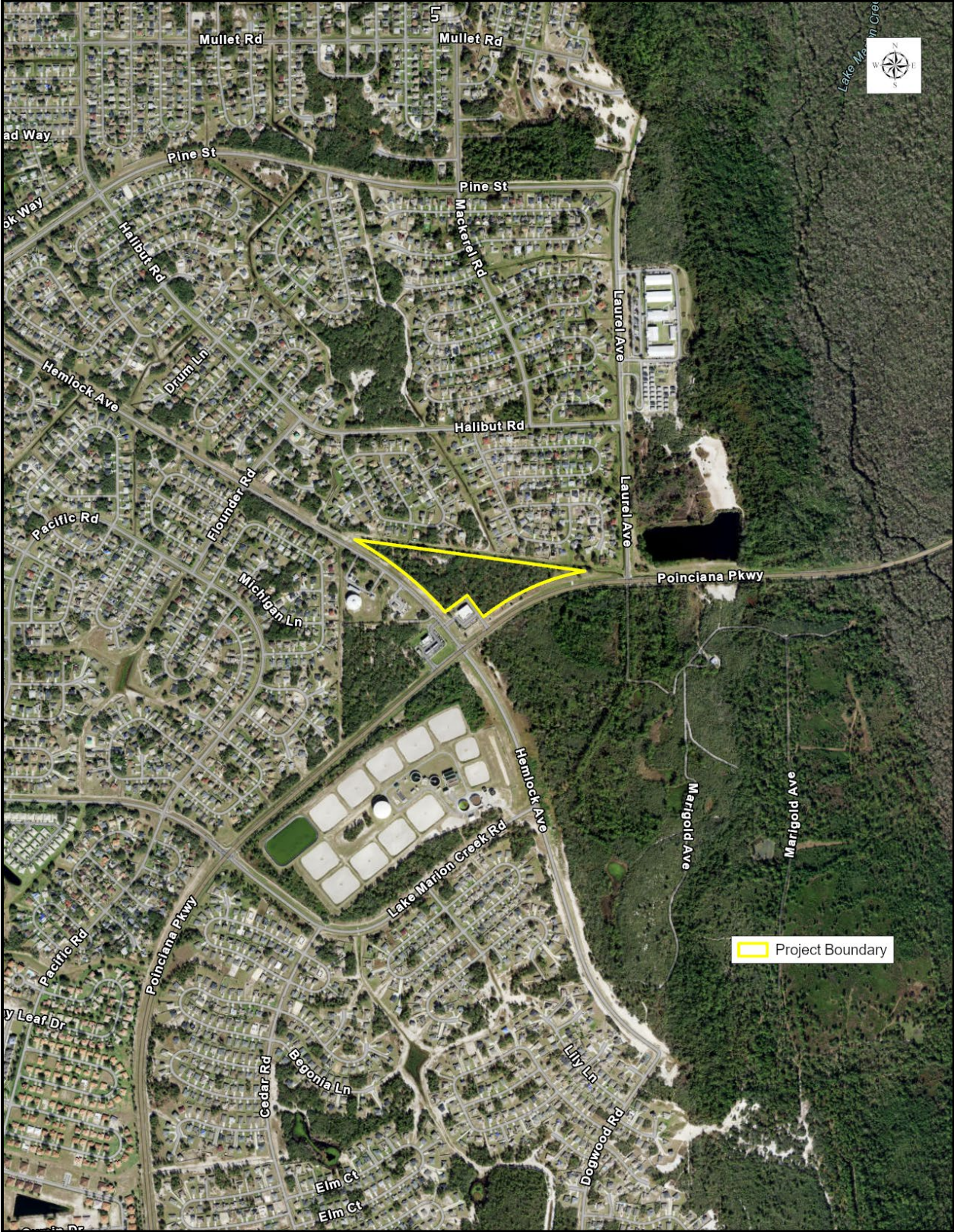
Applicant's submitted documents and ordinance as separate files



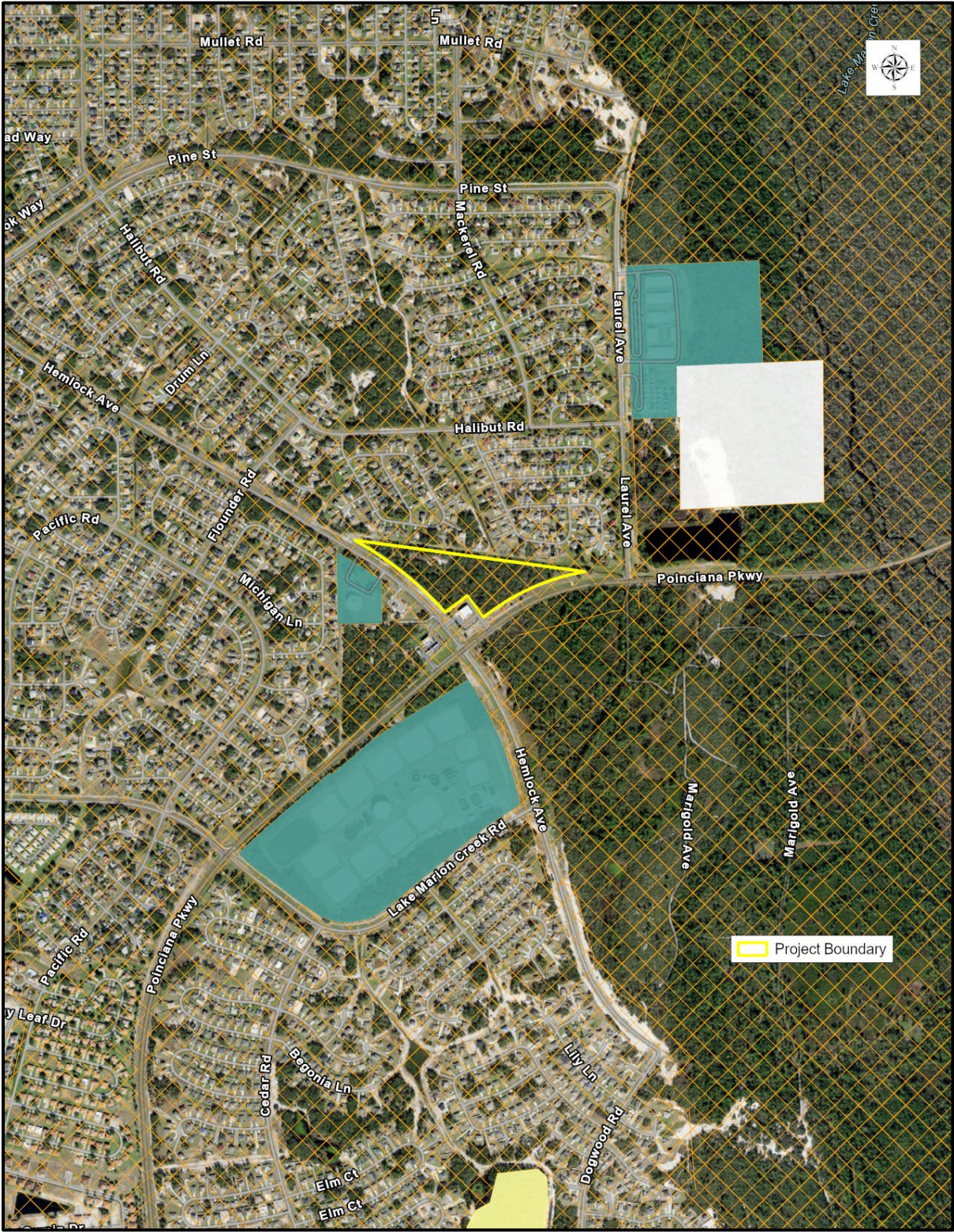
# LOCATION MAP



# 2023 AERIAL PHOTO CONTEXT

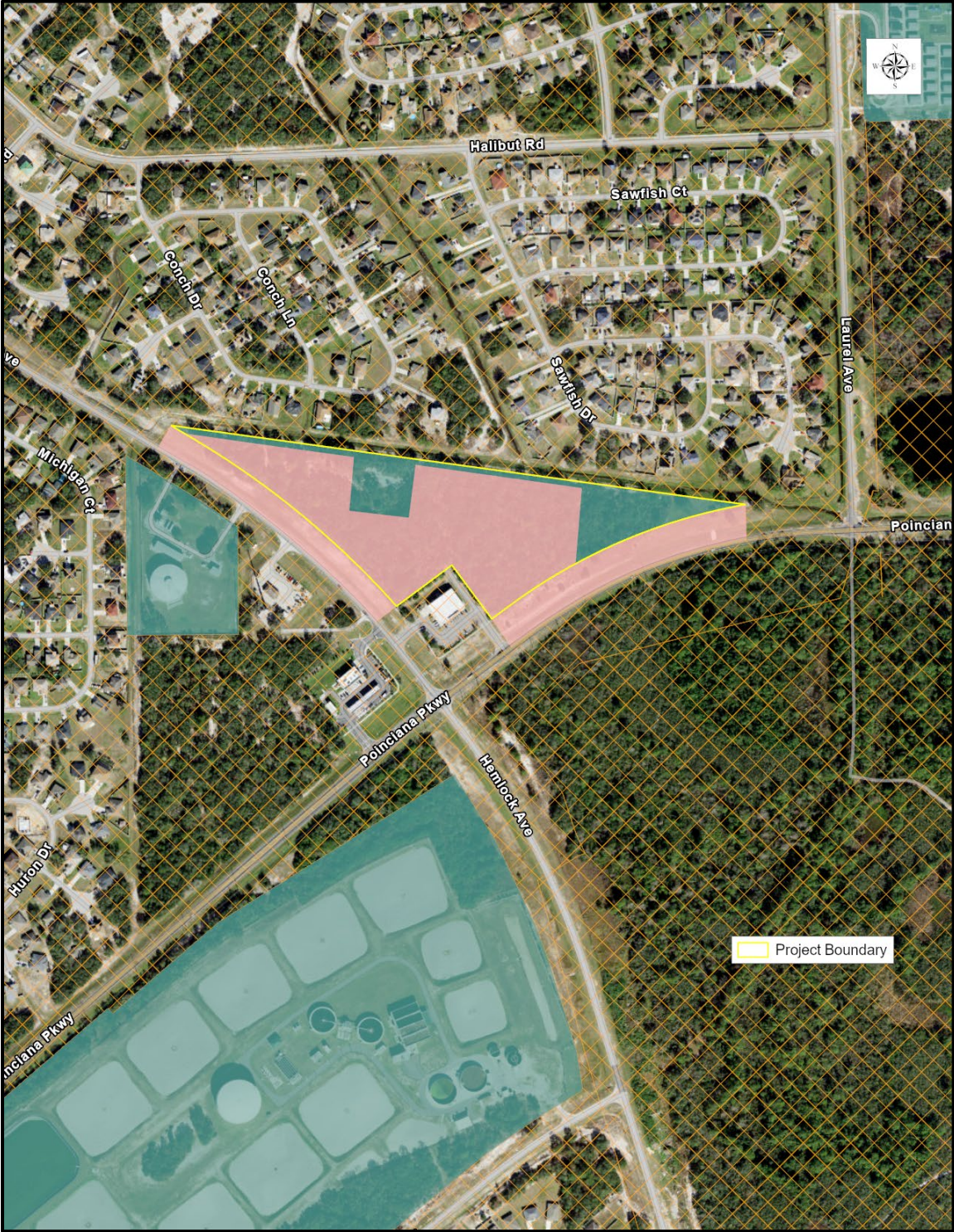


# 2023 AERIAL PHOTO CLOSE UP

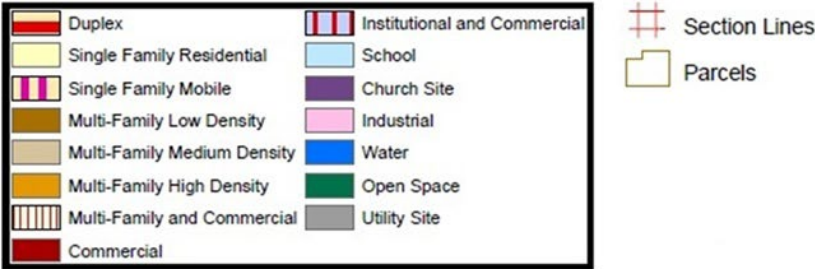
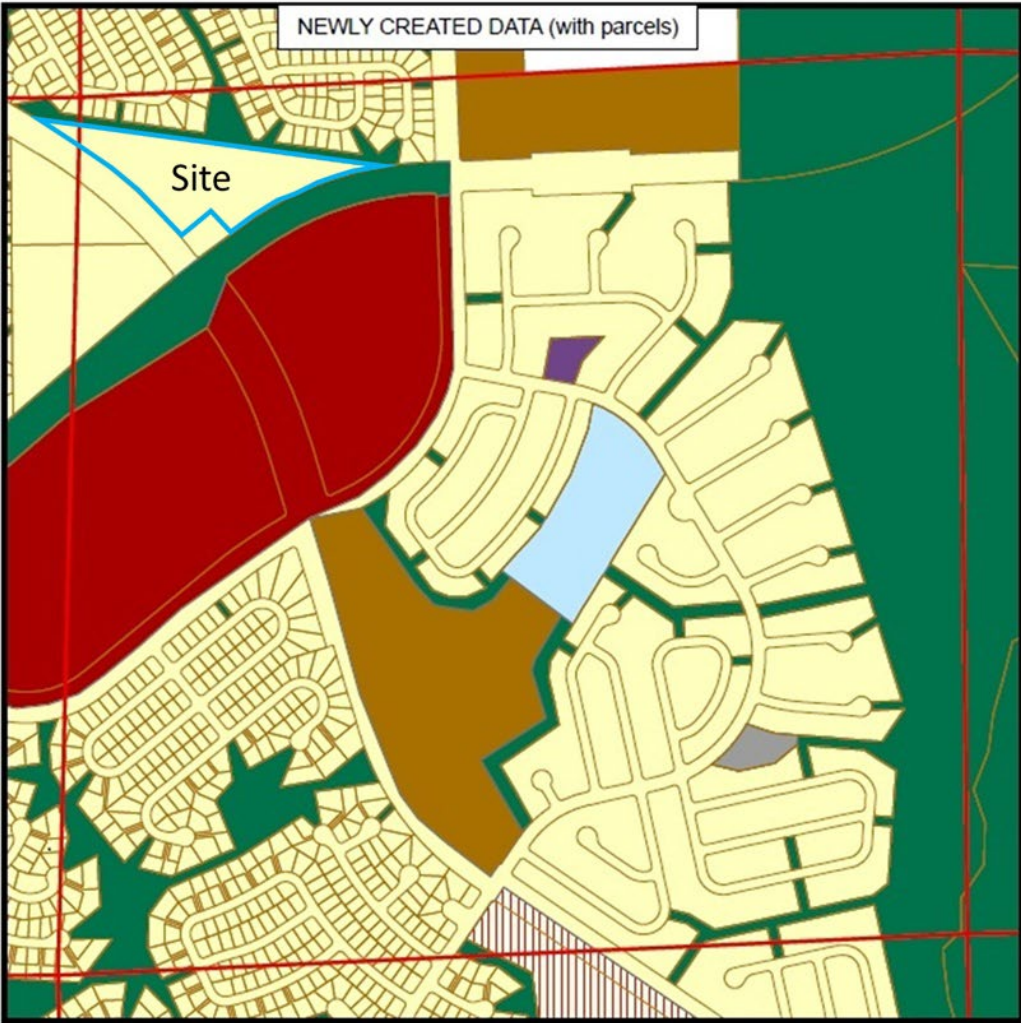


# CURRENT FLUM

## Pre-Development of Regional Impact (Pre-DRI)



# PROPOSED FLUM Institutional (INST) Neighborhood Activity Center (NAC)



# Poinciana Master Plan (Single Family Residential)

Land Use District	Technical Staff Review	Public Hearing(s) Required
<p><b>INST-1 Proposed Future Land Use Designation Institutional- 1</b></p>	<p>Group Home, Large (7-14 residents); Group Living Facility (15 or more residents); Adult Day Care Center (7 or more clients); Cemetery; Childcare Center; Clinics &amp; Medical Offices; Communication Towers, Guyed &amp; Lattice; Communication Towers, Monopole; Community Center; Cultural Facility; Emergency Shelter, Medium (7-14 residents); Emergency Shelter, Large (15 or more residents); Farming General; Golf Course; Government Facilities; Heliports; Helistops; Institutional Campground; Lodges &amp; Retreats, Private; Nursing Homes; Office; Office Park; Recreation, Passive; Recreation, High Intensity, Recreation, Low Intensity; Recreation, Vehicle Oriented; Religious Institutions; Schools, Elementary; Schools, Middle; School, Leisure/special Interest; Studio Production; Solar Electric-Power Generation Facility; Utilities, Class I; Utilities, Class II</p>	<p>Multi-Family; Planned Development; Gas Station; Hospitals; Lime Stabilization Facility; Mining, Non-phosphate; Residential Treatment Facility (C4); School, High; School, Technical/Vocational/Trade &amp; Training; School, University/College; Seaplane Base; Utilities, Class III; Water Ski Sports</p>

**Institutional (INST)  
PERMITTED AND CONDITIONAL USES**

Neighborhood Activity Center (NAC)			
Technical Staff Review -Level 1& 2		Public Hearing (s) Required-Level 3 & 4	
<b>All Other Uses:</b>	Alcohol Package Sales, C1 Car Wash, Incidental, C2 Childcare Center, P Clinics & Medical Offices, C2 Community Center, C2 Cultural Facility, C2 Farming General, P Financial Institution, P Financial Institution, Drive Through, C2 Gas Station, P Government Facility, P Marina and Related Facilities, C1 Medical Marijuana Dispensaries, C2 Nurseries, Retail, P Nurseries and Greenhouses, P Office, C2 Personal Service, C2 Recreation Passive, C1 Recreation & Amusement General, C2 Religious Institution, C2 Restaurant, drive-thru/Drive-in, C2 Restaurant, sit-down/Take-out, P Retail, 10,000-34,999 sq. ft., P Retail, 35,000-64,000 sq. ft., P Retail. Less than 10,000 sq. ft., P Schools, Leisure/Special Interest, C2 Self-storage Facility, C2 Transit Facility, P Utilities Class I, P Utilities Class II, P Utilities Class III, C3 Vehicle Service, Mechanical, P Veterinary Service, P	<b>Residential Uses:</b>	Multi-family, C3
		<b>Mixed Uses:</b>	Planned Development, C3 Transitional Area Development, C3
		<b>All Other Uses:</b>	Bars, Lounges, and Taverns, C3 Cemetery, C3 Helistops, C3 Mining, Non-phosphate, C3 Retail, More than 65,000 sq. ft., C3 School, Technical/Vocational/ Trade & Training, C3 School, University/College, C3 Water Ski Schools, C3

## Neighborhood Activity Center (NAC)

### PERMITTED AND CONDITIONAL USES