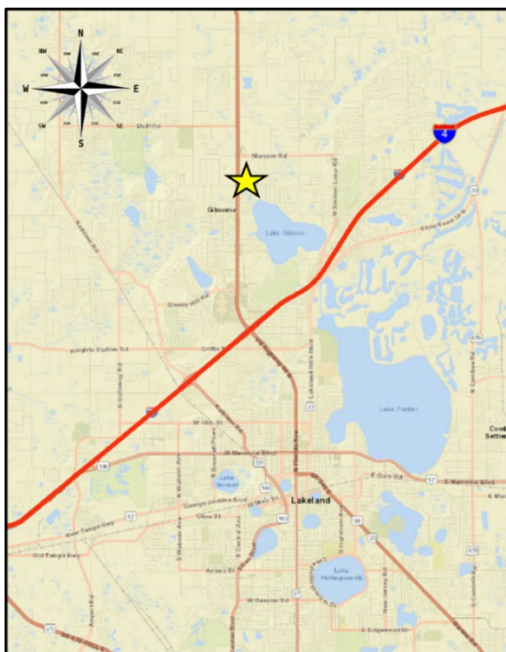


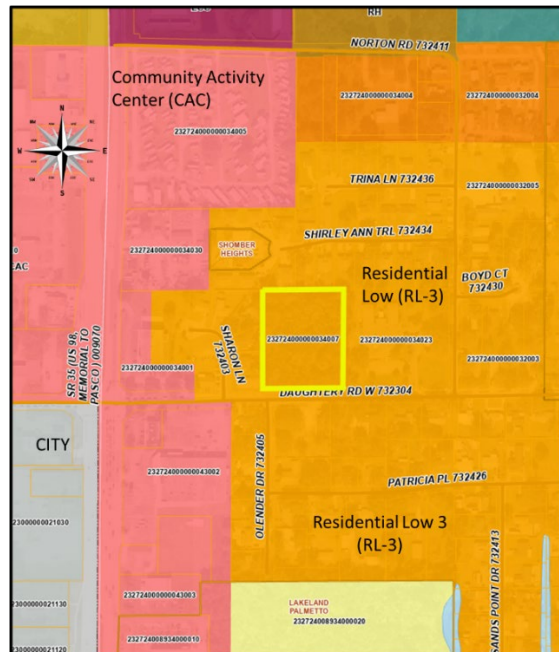
POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	September 25, 2025	Level of Review:	4
PC Date:	December 3, 2025	Type:	Land Development Code Text Amendment
BoCC Date:	January 20, 2026	Case Numbers:	LDCT-2025-21
Applicant:	Sarah Case, Next Level Engineering	Case Name:	Lake Gibson Estates Text Amendment
		Case Planner:	J.P. Sims, Planner II

Request:	Land Development Code Text Amendment to add development conditions in Appendix E, Section E105. This will add policies in Section 2.135 in the Comprehensive Plan to reference that this property has development restrictions in the LDC. Related to LDCPAS-2025-30 which is a Future Land Use Designation to change Residential Low (RL) to Residential Medium (RM)
Location:	The subject property is located south of Marcum Road, east of Carl Floyd, US Highway 98, west of Norton Road, and north of Daughtery Road, east of the Lakeland city limits, in Sections 24, Township 27, and Range 23.
Property Owner:	Daughtery Road Gibson Court Land Trust
Parcel Size/number:	2.55 +/- acres (232724-000000-034007)
Development Area:	Urban Growth Area (UGA) and TCCO Corridor
Nearest Municipality:	City of Lakeland
DRC Recommendation:	Approval
Planning Commission Vote:	Pending
Public Comment:	None
Florida Commerce*	N/A



Location Map



Current Future Land Use Map

Summary

The applicant, Sarah Case of Next Level Engineering, is requesting a Land Development Code Text Amendment on behalf of the property owners, Daughtery Road Gibson Court Land Trust, to place development restrictions specific to this site as part of LDCPAS-2025-30. This will amend Appendix E, Section E105 to prohibit certain uses from being developed and to limit the density of development to sixteen (16) dwelling units. This case is related to case LDCPAS-2025-30, where the Future Land Use designation is being changed from Residential Low (RL) to Residential Medium (RM). The site is located south of Marcum Road, west of Norton Road, east of US Highway 98, and north of Daughtery Road, east of Lakeland city limits, in Sections 24, Township 27, and Range 23.

The Land Development Code (LDC) district is RL-3 on the subject site which permits three (3) units per acre for a total of seven (7). The current RL designation may allow up to five (5) dwelling units to the acre which is 12 units. Duplexes and multifamily uses are a Conditional Use Level 3 Review. To obtain more than three (3) units to the acre permitted in RL-3 and up to five (5) with duplexes or multi family will require a Level 3 Planned Development Review.

The subject site was part of an earlier request this year to change the land use to RM (LDCPAS-2025-3) which was denied by the Board on June 17, 2025. The entitlements provided if the RM is approved on the subject site will allow 10 dwelling units to the acre, which is 25 units. Multifamily and duplexes are Conditional Use Level 2 in RM. However, the applicant has submitted LDCT-2025-21 to a cap the number of units on the subject site. LDCT-2025-21 is a Land Development Code Text Amendment to add development conditions in Appendix E, Section E105. This will amend Table E1 and create Subsection X. This text amendment will limit the number of units to 16 which is only four (4) more units over the max in RL of 12.

Compatibility Summary

The subject site is currently vacant and undeveloped. This request will be compatible with the surrounding area as it has ingress/egress onto Daughtery Road, which is an Urban Collector. It has Residential Low (RL-3) completely surrounding it with an assisted living facility with 62 units directly adjacent to the east. There is a duplex community north of the subject site.

Infrastructure Summary

The subject site has access to water and wastewater from the Florida Governmental Utility Authority, or FGUA, per their service map found on their site. There is sufficient road capacity on all surrounding road networks. Mass transit is available nearby with the Citrus Connection's Blue Line running along US Highway 98, with the closest stop being Stop 1212 at the corner of Daughtery Road and US Highway 98, about 800 feet from the subject site. Public safety response times are normal for this part of the County, but school capacity will be an issue at the high school and middle school. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is the Hunt Fountain Park 1.1-mile northwest of the site and the nearest regional Park is the Saddle Creek Park and Campground 6.37 miles to the southeast of the

subject site. There are no wet soils on the subject site. There are no wetlands or floodplain on the site, and it does not sit within 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 2.105(A1-A5): Urban Growth Area (UGA)
- Policy 2.120(C1-C4): Residential Low
- Policy 2.120(D1-D4): Residential Medium

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for a Land Development Code Amendment that will prohibit certain uses from being developed in the Residential Medium (RM) Future Land Use of these specific parcels, which is part of the related case LDCPAS-2025-30
- The subject site has a Land Development Code land use district of Residential Low 3 (RL-3), which permits three (3) dwelling units to the acre which is seven (7) units.
- The subject site is in the Corridor of the Transit Centers and Corridors Overlay (TCCO).
- Residential Low in the Corridor of the TCCO is eligible for seven (7) dwelling units to the acre. Attached units in RL-3 require a Conditional Use which is a total of seventeen (17) units.
- Uses restricted on site will be:
 - a. Group Home- Large (7-14 residents),
 - b. Group Home- Small (6 or less residents),
 - c. Mobile Homes- Individual,
 - d. Emergency Shelter- Medium (7-14 residents)
 - e. Emergency Shelter- Small (6 or less residents),
 - f. Recreation- Passive, Utilities- Class II,
 - g. Bed and Breakfast,
 - h. Nursing Home,
 - i. Recreation- Low Intensity,
 - j. School- Elementary, School- High, School- Middle
 - k. Retail Uses
 - l. Schools
 - m. Utilities, Classes I, II, & III
 - n. Vehicle Repair & Vehicle Service
- This request will cap the density on this site at 16 dwelling units which falls under the maximum density allowed for this site with Residential Medium (RM).
- Residential Medium in the TSDA and the TCCO Corridor permits twelve (12) dwelling units to the acre, which is a total of thirty (30) units.

Compatibility

- The existing uses surrounding the site are:
 - North – RL-3; Hilltop Heights duplex subdivision.
 - East – RL-3; New Era Assisted Living Facility.
 - West – RL-3; single-family residential.
 - South – RL-3; single-family residential.

- The general area surrounding the subject site includes mostly single family detached residential, duplexes, and an assisted living facility. Close by to the west are commercial uses along US Highway 98.
- The subject site is undeveloped.

Infrastructure

- The zoned schools for the site are Edgar Padgett Elementary, Lake Gibson Middle, and Lake Gibson High School.
- Polk County Fire Rescue Station 22 will be the response unit for fire and EMS for this site. It is located at 5201 Cornell Street in Lakeland, with an approximate travel distance of 1.3 miles.
- The subject site is within the Sheriff Department's Northwest District. The Northwest District Office is located at 1045 West Wedgewood Estates Boulevard in Lakeland and is two (2) miles away.
- The subject site has access to water and wastewater from the Florida Governmental Utility Authority, or FGUA, per their service map found on their site. The proposed RM has the potential to require more water and generate more wastewater with than the current land use.
- Daughtery Road has sidewalks along the street in front of the subject site along the north side of the road, and there are sidewalks along US Highway 98 to the west.
- Mass transit is available nearby with the Citrus Connection's Blue Line running along US Highway 98, with the closest stop being Stop 1212 at the corner of Daughtery Road and US Highway 98, about 800 feet from the subject site.
- The nearest neighborhood park is the Hunt Fountain Park 1.1-mile northwest of the site and the nearest regional Park is the Saddle Creek Park and Campground 6.37 miles to the southeast of the subject site.

Environmental

- The site is relatively flat with a high elevation of 178 feet on the west side of the parcel and a low of 175 feet at the southeast corner of the parcel.
- Site does not reside within a Conservation Easement per Property Appraiser, and is not a Possible Network Connection for the Polk Green.
- There are no wetlands or floodplain on this site. It does not reside within a flood zone.
- The soil type for the parcel is entirely made of Myakka-Immokolee-Urban land complex.

- 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.
- There are no environmental lands nearby. The closest are the Tenoroc Fish Management Area 2.07 miles to the southeast of the site.
- There are no wells on the subject site and it is not located in a wellfield.
- The site is not within an Airport Impact District.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.
- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.
- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.
- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.
- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:

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

- **POLICY 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:**

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

- 4.reduce capital and operating cost for the provision of infrastructure and public services.
- **POLICY 2.105-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 2.105-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS** - Development within the Urban Growth Areas shall conform to the following criteria as further specified in the Land Development Code:
 - a.connect to centralized potable water;
 - b.connect to centralized sanitary sewer systems if available.
 - c.incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
 - d.promote the implementation of "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
 - e.promote the integration of pedestrian-oriented features, including sidewalks, trails, or walkways into every development including appropriate pedestrian shelters or awnings;
 - f.provide access to civic space, parks, green areas, and open space and other amenities;
 - g.be supported by public safety (i.e., fire, EMS and law enforcement);
 - h.have access to public schools;
 - i.be encouraged to provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas;
 - j.encourage the inclusion of a variety of housing choices and mixed uses; and
 - k.additional standards supporting transit if development is within the "Corridor and Center Overlay" (Section 2.124-A);
- **POLICY 2.120-C1: CHARACTERISTICS** - Densities up to, and including, 5.00 DU/AC. The Residential-Low classification is characterized by single-family dwelling units, duplex units, and small-scale multi-family units.
- **POLICY 2.120-D1: CHARACTERISTICS** - Densities up to, and including, 10.00 DU/AC. The Residential-Medium classification is characterized by single-family dwelling units, duplex units, and multi-family units.

- **POLICY 2.120-D2: DESIGNATION AND MAPPING** - Residential-Medium districts shall be located throughout TSDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "RM."
- **POLICY 2.120-D3: LOCATION CRITERIA** - Residential-Medium areas shall be located only within TSDAs, UGAs, SDAs, and UEAs and activity centers. The placement of Residential-Medium shall be evaluated based on the general criteria listed in Policy 2.119-A2.
- **POLICY 2.120-D4: DEVELOPMENT CRITERIA** - Residential development may contain a variety of housing types as defined by the Land Development Code and shall be permitted at a density of up to 10 DU/AC. Additionally, community facilities are permitted in accordance with policies of this Plan.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee 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 LDCT 2025-21**.

Planning Commission Recommendation: On December 3rd, 2025, in an advertised public hearing, the Planning Commission voted ?? to **recommend ? of LDCT-2025-21**.

***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

Northwest RL-3; Shomber Heights duplexes: CAC; undeveloped	North RL-3; Multifamily duplexes	Northeast RL-3; Multifamily duplexes
West RL-3; Single family residential	Subject Site RL-3; undeveloped	East RL-3; New Era Assisted Living Facility
Southwest RL-3; Single family residential: CAC; IES Residential	South RL-3; Single family residential	Southeast RL-3; Single family residential

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

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

The request of LDCPAS-2025-30 is a Future Land Use designation that is reflective of the development in the area. While the land has been designated Residential Low, it currently is undeveloped but abuts residential uses on almost all sides. There is also an assisted living facility

to the east of the subject site that has 62 beds on site. The majority of the surrounding uses are single family residential.

The subdivision to the north of the subject site is Shomber Heights, which is an RL-3 land use, but has primarily duplexes developed on site.

On June 17, 2025, the Board of County Commissioners denied LDCPAS-2025-3, which was a request to change the Future Land Use on this same parcel from RL to RM. It was denied based on compatibility that the new allowable density would be too high and out of context with the surrounding area. To alleviate this, the applicant has also submitted LDCTD-2025-21, which will limit the uses allowed on the parcel and limit the density to that of standard Residential Medium, not to exceed 16 total dwelling units.

B. Infrastructure

The subject site has access to water and wastewater from the Florida Governmental Utility Authority, or FGUA, per their service map found on their site. The site is adjacent to Daughtery Road East, an Urban Collector, while also having close access to US Highway 98, a Principal Arterial. There is available transportation capacity on both roads, but US 98 is expected to be a failing road link within five years. Public safety response times are normal for this part of the County. While there is capacity within the elementary school, the middle and high schools are currently showing as overcapacity. 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 as the high school and middle school do currently show as overcapacity.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2022-2023 School Year	Average driving distance from subject site
Edgar Padgett Elementary School	3 students	65%	1.0 miles
Lake Gibson Middle School	1 student	110%	1.6 miles
Lake Gibson High School	1 student	110%	1.9 miles

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

Per Section 703 of the Land Development Code, if the concurrency determination indicates that there is not adequate capacity of any public facility or service within the impacted service area the Department shall deny issuance of a Certificate of Concurrency or issue a Certificate of Concurrency subject to one or more of the following conditions:

- a. Reduction of project size, density, and intensity to reduce the impacts of the development to less than or equal to the available capacity; and

b. Require the provision, by the applicant, of the necessary public facilities and services, including any off-site transportation improvements, to achieve available capacity and site improvements recommended in the traffic study. The provision of public facilities and services shall comply with the Comprehensive Plan and all applicable ordinances. The commitment, by the applicant, to construct public facilities and services prior to the issuance of a building permit must be included as a condition to the Certificate of Concurrency. The County may, at its option, reimburse the applicant for the costs of the excess capacity provided by the applicant. The improvements shall be in place prior to the Certificate of Occupancy.

c. The applicant enters into a binding Proportionate Share Agreement pursuant to the Transportation Proportionate Fair-Share Program provided for in Section 703. N.

Nearest Sheriff, Fire, and EMS Station

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

Table 3 Public Safety Information

	Name of Station	Distance Response Time*
Sheriff	Northwest District Command Unit (1045 W Wedgewood Estates Blvd, Lakeland, FL 33809)	2 +/- miles Priority 1 – 11:17 Priority 2 – 32:50
Fire/ EMS	Station #22 (5201 Cornell St, Lakeland, FL 33810)	1.3 +/- miles

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for March 2025.

Water and Wastewater

A. Estimated Demand

The subject site has access to water and wastewater from the Florida Governmental Utility Authority, or FGUA, per their service map found on their site. The proposed RM has the potential to require more water and generate more wastewater with than the current land use.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use RL-3 with Planned Development	Maximum Permitted in Potential RM with Planned Development	Maximum Permitted in Proposed RM with LDCT limitations in place.
2.55 +/- acres	2.55 +/- acres X 5 du/ac = 12 du	2.55 +/- acres X 10 du/ac = 25 du	16 du

Potable Water Consumption	12 du X 360 GPD = 4,320 GPD	25 du X 198 GPD = 4,950 GPD	16 du X 198 GPD = 3,168 GPD
Wastewater Generation	12 du X 270 GPD = 3,240 GPD	25 du X 180 GPD = 4,500 GPD	16 du X 180 GPD = 2,880 GPD

Source: Concurrency Manual: RL-3 for single family residence is 360 GPD for water and 270 GPD for wastewater, Multifamily @ 198 GPD Potable water and 180 Wastewater.

B. Service Provider

The subject site has access to water and wastewater from the Florida Governmental Utility Authority, or FGUA, per their service map found on their site.

C. Available Capacity

Information is not available for capacity as the water is handled by FGUA.

D. Planned Improvements

There are no improvements planned at this time.

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 higher trips.

Table 5 Estimated Transportation Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use RL-3 w/ Planned Development	Maximum Permitted in Proposed RM w/ Planned Development	Maximum Permitted in Proposed RM with LDCT limitations in place.
2.55 +/-acres	2.55 +/- acres X 5 du/ac = 12 du	2.55 +/- acres X 10 du/ac = 25 du	16 du
Average Annual	12 du X 7.81AADT = 94 Trips (100% New Trips)	25 du X 6.74 AADT = 169 Trips (100% New Trips)	16 du X 6.74 AADT = 108 Trips (100% New Trips)
PM Peak	12 du X 1.0 AADT = 12 Trips	25 du X 0.51 AADT = 13 Trips	16 du X 0.51 AADT = 8 Trips

Source: Concurrency Manual and Table for Minor Traffic Study –Residential Medium (RM) Multifamily Housing (Low-Rise) at 6.74 AADT and 0.51 PM Peak Hours (100% new trips), and RL-1 for Single Family Residential uses 7.81 AADT and 1 AADT at PM Peak Hours.

B. Available Capacity

The roads surrounding the subject site have sufficient capacity to accommodate PM traffic for residential uses. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links. It is also relevant to consider the distribution of traffic as it leaves a development site. As traffic leaves a site the impact is not at the same intensity the farther away from the site as it is at the driveway.

Table 6					
Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
8006E	Daughtery Road East (US 98 to CR 582)	C	367	D	C
8006W		C	349	D	C
5416N	US 98 (Daughtery Road W to Socrum Loop Road W)	C	148	D	F
5416S		D	72	D	F

Source: Polk Transportation Planning Organization, Roadway network Database 2023

C. Roadway Conditions

Daughtery Road East is an Urban Collector with available capacity in both directions. US Highway 98 is a Principal Arterial that currently has capacity but is expected to be a failing road link with in the next five years. The Pavement Condition Index (PCI) for Daughtery Road is Poor while US 98 is not tracked. 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

Daughtery Road East has sidewalks along the north side of the street of the subject site along its entire property frontage. US Highway 98 also has sidewalks that run along the entire road link.

E. Planned Improvements:

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

F. Mass Transit

Mass transit is available nearby with the Citrus Connection's Blue Line running along US Highway 98, with the closest stop being Stop 1212 at the corner of Daughtery Road and US Highway 98, about 800 feet from the subject site.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is the Hunt Fountain Park 1.1 miles northwest of the site and the nearest regional Park is the Saddle Creek Park and Campground 6.37 miles to the southeast of the subject site.

B. Services:

Hunt Fountain Park amenities include Basketball Courts, Football Fields, Horse Arena, Pavilion, Picnic Area, Playground, Restrooms, Soccer Fields, Tennis Courts. Saddle Creek Park and Campground amenities Baseball Fields, Boat Launching Site, Campground, Gun Range, Picnic Area, Playground, Restrooms, Walking Paths/Trails, Wildlife Viewing.

C. Multi-use Trails:

The closest free hiking trail is in the Gator Creek Reserve which is 4.4 miles north of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Tenoroc Fish Management Area that can be found 2.1 miles to the southeast of the subject site. Site does not reside within a Conservation Easement per Property Appraiser, and is not a Possible Network Connection for the Polk Green.

E. Planned Improvements:

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

Environmental Conditions

The soil type for the parcel is entirely made of Myakka-Immokolee-Urban land complex, which can be problematic for building and drains poorly.

A. Surface Water:

There is no surface water on the subject site.

B. Wetlands/Floodplains:

There are no wetlands or floodplains on the site, and the site does not reside within a flood zone.

C. Soils:

The subject site is entirely comprised of Myakka-Immokolee-Urban land complex as listed in Table 8 following this paragraph.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Myakka-Immokalee-Urban land complex	Severe: wetness, poor filter	Severe: wetness	100%

*Source: Soil Survey of Polk County, Florida, USDA, Soil Conservation Service *Because of poor filtration, ground water contamination is a hazard in many areas that have a concentration of homes with septic tanks.*

D. 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.

E. 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.

F. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site will be connecting to water from Aqua Utilities. The nearest Wellfield is about 0.51 miles to the east of the subject site.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

There are no known economic factors that would impact the development of this site.

Consistency with the Comprehensive Plan

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

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. 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. Residential Medium is in context with the surrounding area as there are duplexes to the north of the site and an assisted living facility to the east. There is commercial uses nearby to the west along US 98.
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 lands surrounding the subject site are already a combination of duplexes and single-family homes. The subject site has access to water and wastewater from the Florida Governmental Utility Authority, or FGUA, per their service map found on their site. This request is consistent with this policy.

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</p> <p>POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:</p> <p>a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: 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.</p>	<p>The timing is consistent with the growth in the area as the surrounding sites are already designated for a variety of uses. There is ample connectivity to water, wastewater, and electricity. Fire and Sheriff are close by with low response times. Two of the schools that are zoned for the site are at capacity so mitigation efforts will need to be made before a certificate of occupancy can be provided. The overall parcel does not contain wetlands or floodplains, and does not sit within a flood zone. Site directly accesses an Urban Collector in Daughtery Road East.</p>
<p>POLICY 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:</p> <p>a.complement the TSDA in guiding growth, while promoting orderly and compact development;b.be located contiguous to the TSDAs or a municipality as they represent the expansion areas;c.be supported by existing or planned urban type services that are programmed for the 20-year planning horizon;d.be those areas where the availability of infrastructure and other community facilities and services, including, but</p>	<p>Residential Medium is allowed in the UGA. There are sidewalks along the street in front of the site along Daughtery Road and to the east on US 98. The change from Residential Low to Residential Medium will compliment the surrounding land uses.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs;e.include development criteria that:1.promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities;3.support the preservation of open space and natural areas;4.reduce capital and operating cost for the provision of infrastructure and public services.</p>	
<p>POLICY 2.105-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UGAs:</p> <p>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.</p> <p>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.</p>	
<p>POLICY 2.105-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS - Development within the Urban Growth Areas shall conform to the following criteria as further specified in the Land Development Code:</p> <p>a.connect to centralized potable water;b.connect to centralized sanitary sewer systems if available.c.incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;d.promote the implementation of "Complete Street" and</p>	<p>The proposed Residential Medium Future Land Use designation is permitted in the UGA. The applicant will be required to demonstrate consistency with the UGA Development Criteria. Therefore, this request is consistent with the UGA policies. The subject site has access to water and wastewater from the Florida Governmental Utility Authority, or FGUA, per their service map found on their site. The sidewalks fronting the property promote walkability in the surrounding area. Public Safety is readily available nearby. The zoned high school and middle school does have a capacity issue, so mitigation efforts will be necessary with the Polk County School Board once the Level 2 Review is completed.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>"Conservation Development" principles as established under Section 2.1251, Community Design, of this element;e.promote the integration of pedestrian-oriented features, including sidewalks, trails, or walkways into every development including appropriate pedestrian shelters or awnings;f.provide access to civic space, parks, green areas, and open space and other amenities;g.be supported by public safety (i.e., fire, EMS and law enforcement);h.have access to public schools;i.be encouraged to provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas;j.encourage the inclusion of a variety of housing choices and mixed uses; andk.additional standards supporting transit if development is within the "Corridor and Center Overlay" (Section 2.124-A);</p>	
<p>POLICY 2.120-D1: CHARACTERISTICS - Densities up to, and including, 10.00 DU/AC. The Residential-Medium classification is characterized by single-family dwelling units, duplex units, and multi-family units.</p> <p>POLICY 2.120-D2: DESIGNATION AND MAPPING - Residential-Medium districts shall be located throughout TSDAs, UGAs, SDAs, and UEAs as designated on the Future Land Use Map Series as "RM."</p> <p>POLICY 2.120-D3: LOCATION CRITERIA - Residential-Medium areas shall be located only within TSDAs, UGAs, SDAs, and UEAs and activity centers. The placement of Residential-Medium shall be evaluated based on the general criteria listed in Policy 2.119-A2.</p> <p>POLICY 2.120-D4: DEVELOPMENT CRITERIA - Residential development may contain a variety of housing types as defined by the Land Development Code and shall be permitted at a density of up to 10 DU/AC. Additionally, community facilities are permitted in accordance with policies of this Plan.</p>	<p>Future Land Uses to the north of the subject site are consistent in use to the Residential Medium being requested in that they have duplexed developed on site already. Daughtery Road East is an Urban Collector with sufficient capacity. Applicant is indicating an interest in constructing townhomes, which is allowable in Residential Medium.</p>

Urban Sprawl Analysis

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

Table 9 Urban Sprawl Criteria

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

Comments from other agencies

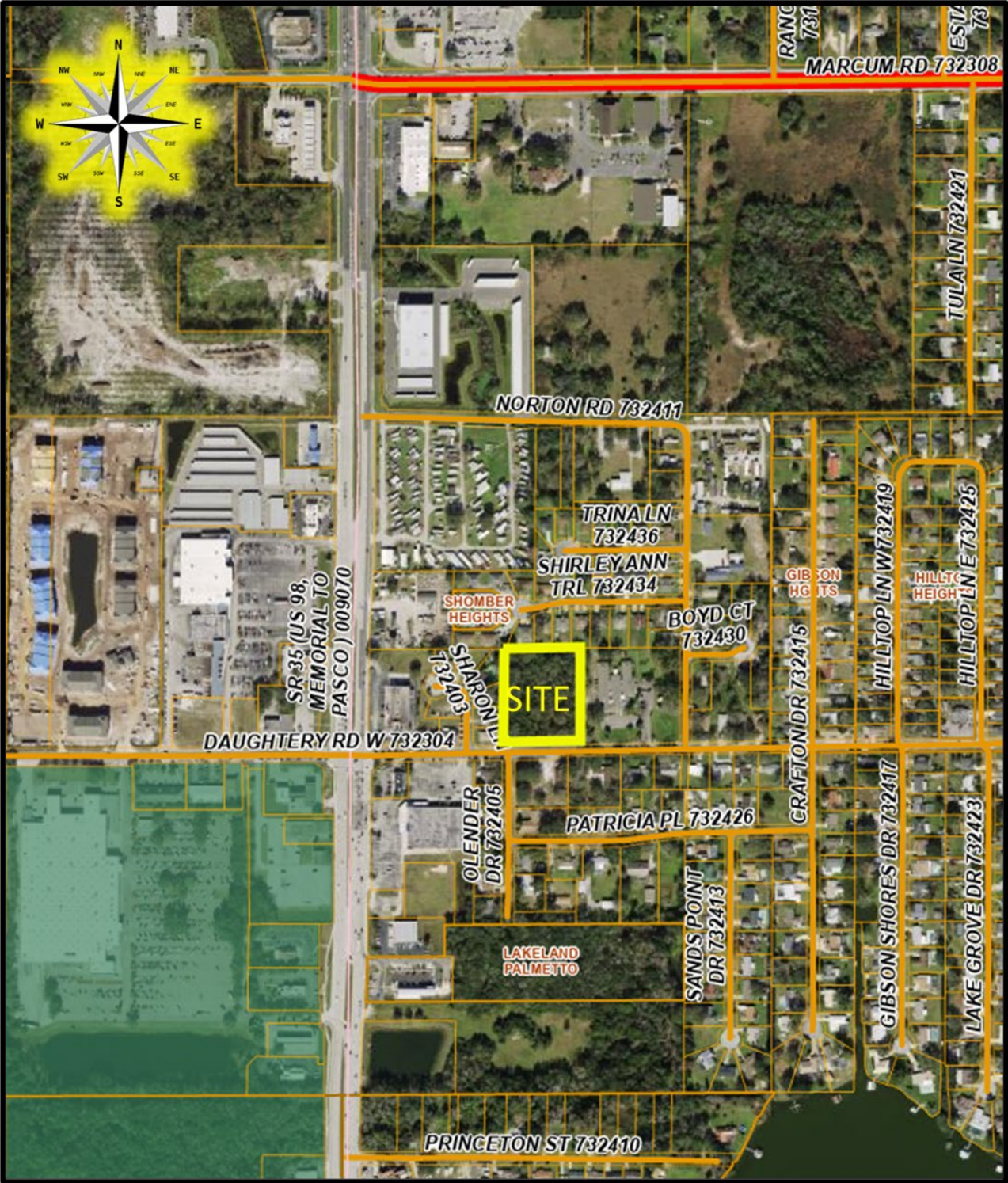
No comments

Exhibits:

Exhibit 1	Location Map
Exhibit 2	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 6a	RM Permitted and Conditional Uses
Exhibit 6b	RL-3 Permitted and Conditional Uses

Applicant's submitted documents and ordinance as separate files

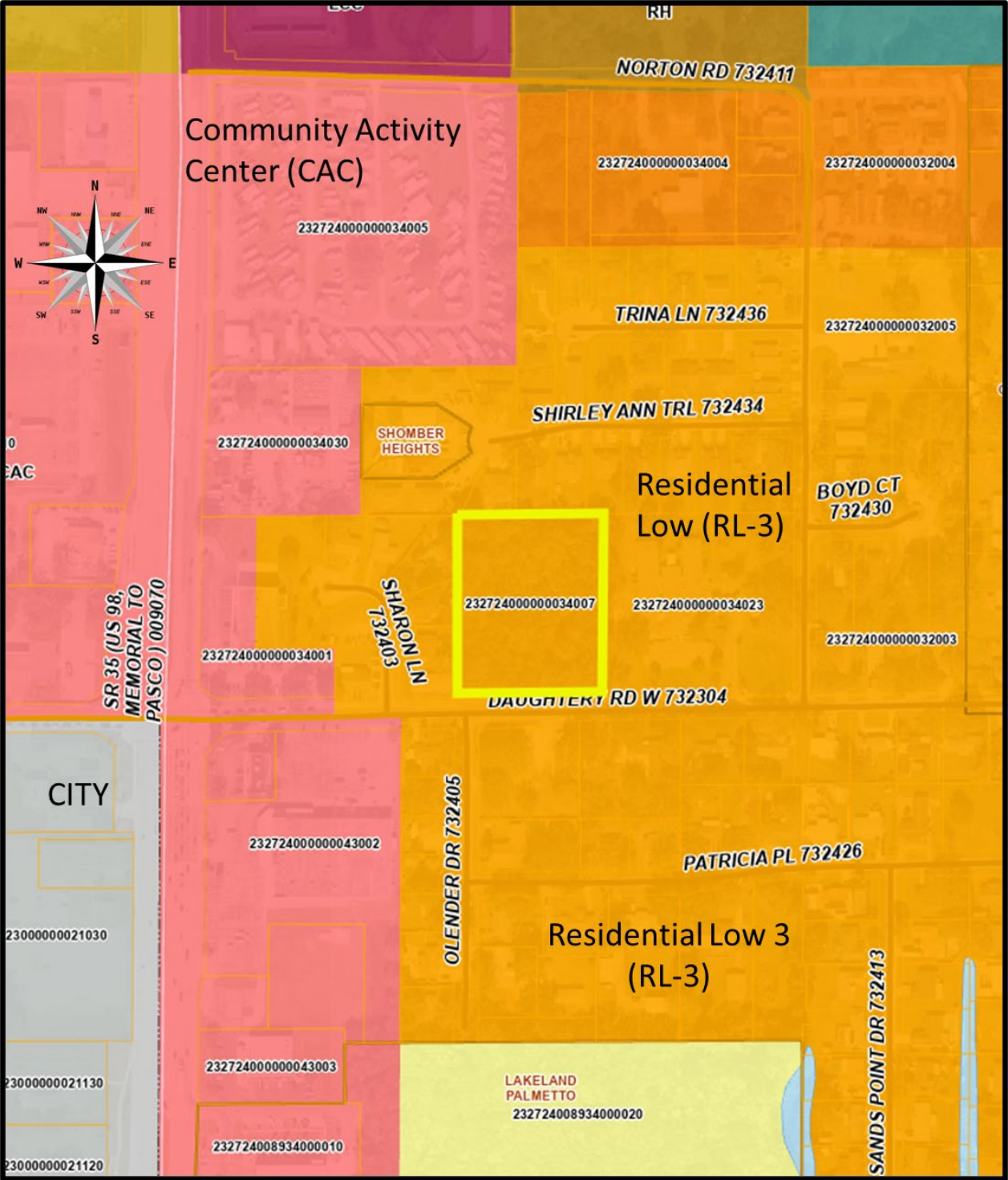
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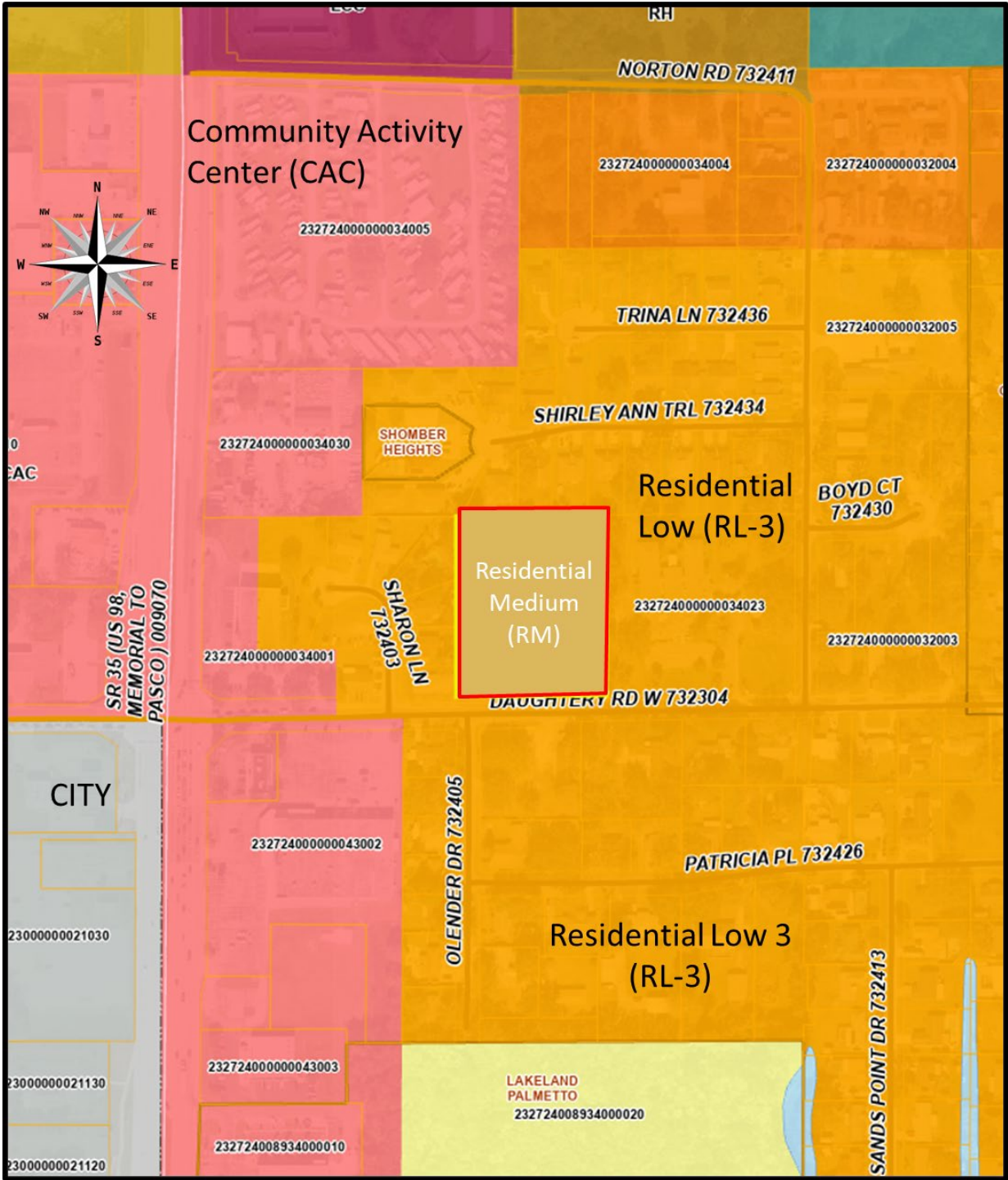
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Residential Low (RL-3)



PROPOSED FLUM

Residential Medium (RM)

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
RM	Duplex- Two-family Attached, Multi-family, Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Large (7-14 residents), Group Home- Small (6 or less residents), Mobile Homes- Individual, Emergency Shelter- Medium (7-14 residents), Emergency Shelter- Small (6 or less residents), Recreation- Passive, Utilities- Class II, Bed and Breakfast, Nursing Home, Recreation- Low Intensity, School- Elementary, School- High, School- Middle	Group Living Facility (15 or more residents), Mobile Home Park, Mobile Home Subdivision, Short-Term Rental Unit, Planned Development, Residentially Based Mixed Development (RBMD), Transitional Area Development, Adult Day Care Center (7 or more clients), Childcare Center, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Golf Course, Government Facility, Helistops, Mining- Non-phosphate, Recreation- High Intensity, Recreation- Vehicle Oriented, Religious Institution, School- Leisure/Special Interest, School- University/College, Utilities- Class III

Residential Medium (RM) PERMITTED AND CONDITIONAL USES

FLU	PERMITTED (By Right)	CONDITIONAL USE Level 1 or 2 Review (Technical Staff Review)	CONDITIONAL USE Level 3 or 4 Review (Public Hearing)
RL-3	Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Small (6 or less residents), Mobile Homes- Individual, Emergency Shelter- Small (6 or less residents), Golf Course, Recreation- Passive, Utilities- Class II, Residential Infill Development, Recreation- Low Intensity, School- Elementary, School- Middle	Duplex- Two-family Attached, Group Living Facility (15 or more residents), Multi-family, Short-Term Rental Unit, Planned Development, Residentially Based Mixed Development (RBMD), Transitional Area Development, Adult Day Care Center (7 or more clients), Bed and Breakfast, Childcare Center, Communication Tower- Monopole, Communication Towers- Guyed and Lattice, Community Center, Cultural Facility, Emergency Shelter- Large (15 or more residents), Government Facility, Helistops, Mining- Non-phosphate, Recreation- High Intensity, Recreation- Vehicle Oriented, Religious Institution, School- High, School- Leisure/Special Interest, Utilities- Class III, Mobile Home Park, Mobile Home Subdivision

Residential Low (RL-3)

PERMITTED AND CONDITIONAL USES